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PROCEEDINGS AND DEBATES OF THE 86th CONGRESS, SECOND SESSION

SENATE

FRIDAY, AUGUST 19, 1960

The Senate met at 10:30 o'clock a.m., and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, in the quiet of this moment of prayer we whose inner selves are so often cluttered with unhallowed trifles, would make our hearts the sanctuary of Thy spirit.

We know in very truth that we cannot in reality draw near to Thee unless we are close to Thy children under all skies, whose needs are even as our own.

Make us sensitive to the pangs of our fellows and conscious that if our brethren anywhere are oppressed, we are oppressed, and if they hunger, we hunger, and that every starving person in the world is on our own doorstep.

Give us to see and feel that complacency with our own comfort and safety unfits us to be Thy instruments for the healing of the world's ills. So join us to those who like a mighty army are marching in the great crusade to bring sense and system to this disordered globe to the end that all men's good shall be each man's rule through all the circle of the golden years which are on Thy calendar.

We ask it in the name of the Master who said, "The field is the world." Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 18, 1960, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Hawks, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

Mr. RUSSELL. Mr. President, I regret very much that I am constrained to object.

The VICE PRESIDENT. Objection is heard. Morning business under the rule is now in order.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON INSTALLATIONS AND FACILITIES REQUIRED FOR ADVANCED RESEARCH PROJECTS

A letter from the Secretary of Defense, reporting, pursuant to law, on the establishment or development of installations and facilities required for advanced research projects, for the period January 1, 1960, to June 30, 1960; to the Committee on Armed Services.

REPORT OF COMPTROLLER OF THE CURRENCY

A letter from the Comptroller of the Currency, transmitting, pursuant to law, his report for the year 1959 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON INTERNATIONAL EDUCATIONAL EXCHANGE PROGRAM

A letter from the Secretary of State, transmitting, pursuant to law, a report on the international educational exchange program for the period January 1–June 30, 1959 (with an accompanying report); to the Committee on Foreign Relations.

NARINDER SINGH SOMAL

A letter from the Secretary of the Army, transmitting a draft of proposed legislation for the relief of Narinder Singh Somal (with an accompanying paper); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report of the Archivist of the United States on a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRUENING, from the Committee on Interior and Insular Affairs, with an amendment:

S. 3469. A bill to amend the act of March 8, 1922, as amended, to extend its provisions to public sales (Rept. No. 1848).

By Mr. HAYDEN, from the Committee on Appropriations, with amendments:

H.R. 12619. An act making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1961, and for other purposes (Rept. No. 1849).

By Mr. BEALL, from the Committee on the District of Columbia, with an amendment:

S. 3688. A bill to amend the District of Columbia Redevelopment Act of 1945, as amended, and the Act approved December 20, 1944, as amended, and for other purposes (Rept. No. 1850).

By Mr. BEALL, from the Committee on the District of Columbia, with an additional amendment:

H.R. 8289. An act to accelerate the commencing date of civil service retirement annuities, and for other purposes (Rept. No. 1855).

By Mr. FREAR, from the Committee on the District of Columbia, without amendment:

S. 3834. A bill to increase the maximum amount which may be borrowed by the District of Columbia for use in the construction and improvement of its sanitary and combined sewer systems, and for other purposes (Rept. No. 1852).

By Mr. FREAR, from the Committee on the District of Columbia, with an amendment:

H.R. 7124. An act to require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia, and for other purposes (Rept. No. 1854).

By Mr. FREAR, from the Committee on the District of Columbia, with amendments:

S. 3835. A bill to authorize the District of Columbia Civil War Centennial Commission to plan and carry out in the District of Columbia civic programs in commemoration of the 100th anniversary of the Civil War; to

authorize the Commissioners of the District of Columbia, the Secretary of the Interior, and the Secretary of Defense to make certain property of the District and of the United States available for the use of such Commission; to authorize the said Commissioners to make certain regulations and permit certain uses to be made of public space, and for other purposes (Rept. No. 1853).

By Mr. BARTLETT, from the Committee on Interstate and Foreign Commerce, with amendments:

S. 3605. A bill to amend sections 4504, 4511, 4520, and 4549 of the Revised Statutes, relating to shipping articles (Rept. No. 1851).

By Mr. BYRD of Virginia, from the Committee on Finance, with amendments:

H.R. 12580. An act to extend and improve coverage under the Federal Old-Age, Survivors, and Disability Insurance System and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such system; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; and for other purposes. (Rept. No. 1856.)

Mr. MANSFIELD subsequently said: Mr. President, I ask unanimous consent that the minority of the Committee on Finance be authorized to file their views on House bill 12580, the Social Security Amendments of 1960.

The VICE PRESIDENT. Without objection, the minority views will be received and printed.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FREAR:

S. 3867. A bill to exempt from taxation certain property of the National Guard Association of the United States in the District of Columbia; to the Committee on the District of Columbia.

(See the remarks of Mr. FREAR when he introduced the above bill, which appear under a separate heading.)

By Mr. ELLENDER (for himself and Mr. LONG of Louisiana):

S. 3868. A bill for the relief of John T. Knight; to the Committee on the Judiciary.

By Mr. GORE:

S. 3869. A bill to amend chapter 35 of title 38, United States Code, relating to war orphans' educational assistance, in order to permit eligible persons thereunder to attend foreign educational institutions under certain circumstances; to the Committee on Labor and Public Welfare.

RESOLUTIONS

SENATE COMMITTEE MEETINGS DURING SESSIONS OF THE SENATE—AMENDMENT OF LEGISLATIVE REORGANIZATION ACT OF 1946

Mr. CLARK submitted a resolution (S. Res. 364) relative to the sitting of committees of the Senate during Senate sessions, which was referred to the Committee on Rules and Administration.

(See the remarks of Mr. CLARK when he submitted the above resolution, which appear under a separate heading.)

PRINTING OF ADDITIONAL COPIES OF SENATE REPORT NO. 1856, WITH MINORITY VIEWS

Mr. MANSFIELD submitted a resolution (S. Res. 365) authorizing the printing of additional copies of Senate Report No. 1856, being the report on social security amendments for 1960, together with minority views, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. MANSFIELD, which appears under a separate heading.)

EXEMPTION FROM TAXATION OF CERTAIN PROPERTY OF NATIONAL GUARD ASSOCIATION IN DISTRICT OF COLUMBIA

Mr. FREAR. Mr. President, a bill which I am about to introduce would exempt the new National Guard Memorial, located at 1 Massachusetts Avenue NW., from District of Columbia real estate taxes.

This memorial building is occupied by the National Guard Association of the United States. It was completed less than a year ago at a total cost of approximately $2 million, raised through voluntary contributions of over 250,000 members of the National Guard in the 50 States, Puerto Rico, and the District of Columbia.

The purposes of the National Guard Association of the United States as stated in its constitution and bylaws are:

First, to promote and improve adequate national security; and

Second, to foster and improve the Army National Guard and Air National Guard of the several States, Commonwealths, the Territories, and the District of Columbia; and the Army National Guard of the United States and Air National Guard of the United States as components of the Armed Forces of the United States.

The National Guard Memorial contains a magnificent authentic display of the flags of the States and the District of Columbia, arranged in the order of admittance to the Union, in what is termed the "Hall of States."

It also contains a memorial lobby with marble cuts honoring the memory of all National Guardsmen; a trophy room which will contain replicas and originals of the many trophies which are eligible of attainment by National Guard units; and a library which is devoted to historical aspects of the militia and the National Guard. Ultimately, it will also contain a minuteman statue, bronze busts of former Presidents of the United States who were members of the National Guard, and other historical paraphernalia.

This memorial is open to the public 5 days a week, from 8:30 a.m. to 5 p.m.

I introduce the bill, and ask that it be appropriately referred.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3867) to exempt from taxation certain property of the National Guard Association of the United States in the District of Columbia, introduced by Mr. FREAR, was received, read twice by its title, and referred to the Committee on the District of Columbia.

SOCIAL SECURITY AMENDMENTS OF 1960—AMENDMENTS

Mr. SMATHERS (for himself and Mr. LONG of Louisiana) submitted amendments, intended to be proposed by them, jointly, to the bill (H.R. 12580) to extend and improve coverage under the Federal old-age, survivors, and disability insurance system and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such system; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; and for other purposes, which were ordered to lie on the table and to be printed.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO MUTUAL SECURITY APPROPRIATION BILL

Mr. HAYDEN submitted the following notice in writing:

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 12619) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1961, and for other purposes, the following amendment; namely: On page 5, line 7, strike out "$150,000,000" and insert "$250,000,000".

Mr. HAYDEN also submitted an amendment, intended to be proposed by him, to House bill 12619, making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1961, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

NOTICE OF HEARING ON NOMINATION OF ARTHUR S. LANE TO BE U.S. DISTRICT JUDGE, DISTRICT OF NEW JERSEY

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to announce that a public hearing has been scheduled on the nomination of Arthur S. Lane, of New Jersey, to be U.S. district judge, district of New Jersey, vice Phillip Forman, elevated, for 10:30 a.m., Friday, August 26, 1960, in room 2228, New Senate Office Building.

At the indicated time and place all persons interested in the nomination may make such representations as are pertinent. The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Cornelius W. Wickersham, Jr., of New York, to be U.S. attorney, eastern district of New York, for the term of 4 years, vice Leonard P. Moore, resigned.

George M. Yeager, of Alaska, to be U.S. attorney, district of Alaska, for the term of 4 years.

On behalf of the Committee of the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Friday, August 26, 1960, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. KEFAUVER:

Address delivered by him at Miami Beach, Fla., before the National Association of County Officials.

By Mr. ENGLE:

Statement by the Vice President regarding the administration medical care bill.

PAUPER'S OATH FOR HEALTH INSURANCE DEPLORED

Mr. PROXMIRE. Mr. President, I have had many letters in the past few days that have expressed their grave disappointment in the decision made by the Finance Committee to reject the social security approach to health insurance. One of those letters, which I have in my hand, is from a Milwaukee attorney who is extremely concerned about the plight of one of his elderly clients.

Mr. President, I ask unanimous consent that this letter be printed in the RECORD at this point.

There being no objection, the letter was ordered printed in the RECORD as follows:

DEAR SENATOR: No issue more dominates the average voter's mind today than does the medical care for the aged. It is unthinkable not to have such aid under the social security program. The needs test is so unbelievable as to be revolting, and even it does not cover all. For instance, I have an 83-year-old spinster client who worked all her life as a housekeeper for Catholic priests. She is now confined in a Milwaukee hospital. The first 25 days her bill was $910, which I paid. I then received another bill for $176 for 5 days.

I hope that you will be successful in your efforts, the most popular and needed legislation since social security, and that you will support it.

CIVIL RIGHTS

Mr. JAVITS. Mr. President, I call up my bill (S. 3829) to provide for the enforcement of civil rights, and for other purposes, for a second reading.

The VICE PRESIDENT. Under the rule the bill comes before the Senate automatically for a second reading.

Mr. JAVITS. Mr. President, I should like to make a few remarks on this subject.

The VICE PRESIDENT. The bill will be read the second time.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. RUSSELL. Have we reached that stage in the proceedings in the morning hour yet?

The VICE PRESIDENT. At any time during the morning hour the second reading of a bill is in order.

Mr. RUSSELL. Mr. President, I desire to reserve a point of order against this proceeding. I do not want to interrupt the distinguished Senator from New York [Mr. JAVITS] if he desires to make a statement, but I wish to reserve a point of order.

The VICE PRESIDENT. Following the rule, we will now have the presentation of petitions and memorials, and the reports of committees.

Mr. RUSSELL. Yes, that is what I thought. We have not yet reached the stage where a second reading can be ordered. I thank the Chair.

The VICE PRESIDENT. The presentation of petitions and memorials is in order. If there be no petitions or memorials, reports of committees are in order.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered. The introduction of bills, under the rule, is now in order.

MEETINGS OF COMMITTEES DURING SENATE SESSIONS—AMENDMENT OF LEGISLATIVE REORGANIZATION ACT OF 1946

Mr. CLARK. Mr. President, yesterday, under the heading of "A Rule of Germaneness in the Senate," which appears at page 16647 o fthe RECORD——

The VICE PRESIDENT. The Senator from Pennsylvania will suspend. Under the rule, at this point the introduction of bills only is in order.

Mr. CLARK. I was about to submit a resolution.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator may be permitted to proceed with his resolution.

Mr. JAVITS. Mr. President, reserving the right to object, I should like to address a parliamentary inquiry to the Chair.

The VICE PRESIDENT. The Senator from New York will state it.

Mr. JAVITS. At what point in the morning hour may I ask the clerk to lay before the Senate S. 3829, which has had only a first reading?

The VICE PRESIDENT. If the request of the Senator from Texas as agreed to, as soon as the resolution has been disposed of, a second reading of the Senator's bill will be in order.

Mr. JAVITS. I shall seek recognition at that time.

Mr. JOHNSON of Texas. May I have my request acted on?

The VICE PRESIDENT. Does the Senator from Pennsylvania have a resolution?

Mr. CLARK. Yes. May I be permitted to comment on the resolution?

Mr. JOHNSON of Texas. I ask that that be done.

The VICE PRESIDENT. The Senator from Texas has propounded a unanimous-consent request. Is there objection?

Mr. JAVITS. Reserving the right to object—and I do not intend to object—will this interfere with my right, which has been ruled upon, to call up my bill?

The VICE PRESIDENT. It will not.

Mr. JAVITS. I have no objection.

Mr. CLARK. Mr. President, yesterday, under the heading "A Rule of Germaneness in the Senate," which appears in the RECORD at page 16647, I submitted a resolution which would change the Senate rules of procedure by establishing a rule of germaneness. Today I send to the desk for appropriate referral a resolution changing the Legislative Reorganization Act of 1946 so far as the Senate is concerned, in order to make it possible for the standing committees of the Senate to meet at any time while the Senate is in session. The present procedure is such that committees can meet only by unanimous consent when the Senate is in session.

I send the resolution to the desk, and ask that it may be read and that it may lie on the table until Tuesday of next week for additional cosponsors.

The legislative clerk read the resolution (S. Res. 364) as follows:

Resolved, That section 134 (c) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190b(b)), enacted by the Congress in the exercise of the rulemaking power of the Senate and the House of Representatives, is amended with respect to the Senate to read as follows:

"(b) No standing committee of the House, except the Committee on Rules, shall sit, without special leave, while the House is in session."

Mr. CLARK. Mr. President, in connection with the resolution, I should like to point out that no one Senator should have the power to block all meetings of the 16 standing committees of the Senate and the 86 subcommittees of those standing committees. This power has been used solely for purposes of delay. Actually it has been used several times during this August session. All Senators will recall the many times when consent for committees to meet was denied during the long civil rights debate of last winter and spring.

The objective of the rule has always been to increase attendance in the Senate. However, this objective has not been achieved. Every Senator knows that Senators do not come to the floor when matters in which they are not interested are being discussed. The fact that their committee is or is not sitting has no bearing on whether Senators come or do not come to the floor. Moreover, any time a majority of the members of a committee think it inadvisable for the committee to meet while the Senate is in session, they have complete authority to call off any committee meeting which the chairman might have attempted to convene.

Senators do not miss Senate debates because they are sitting in committee. Any Senator who wishes to come out of a committee to listen to Senate debate or to participate in it, can, I am confident, arrange to do so on a friendly basis by the giving of proxies or by other similar devices familiar to all of us.

I submit that the question whether a committee should meet during a Senate session should be decided by a majority of the members of the committee concerned, not by the decision of a single Senator in refusing unanimous consent on the floor.

Special and select committees are not now prevented from meeting under the existing rule, and there has been no objection by the members of those committees about their inability to attend Senate debates.

This proposal is the second in a series of suggested rule changes which I intend to offer from time to time during this session.

Mr. President, I yield the floor.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, without objection, the resolution will lie on the desk, as requested by the Senator from Pennsylvania.

The resolution (S. Res. 364), submitted by Mr. CLARK, was referred to the Committee on Rules and Administration.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KEATING in the chair). Is there objection? Without objection, it is so ordered.

ENFORCEMENT OF CIVIL RIGHTS

The PRESIDING OFFICER. The Chair lays before the Senate, for a second reading, Senate bill 3829, which the clerk will report.

The bill (S. 3829) to provide for the enforcement of civil rights, and for other purposes, was read the second time by its title.

Mr. JAVITS. Mr. President, I believe it pertinent now to make a few brief comments regarding my purposes with respect to this bill. I believe I may now be considered to have won the championship in connection with my efforts to get the bill referred to committee—rather routine action, but perhaps indicative of the state of concern in this Chamber about the entire civil rights matter. Of course, I believe it properly a cause for concern on the part of all of us; and therefore I believe it necessary again—as we did a week ago today—to put the matter into focus.

The primary and first consideration is that the responsibility for providing the Senate with an opportunity to consider any civil rights measure, no matter how elementary, is the responsibility of the majority. The responsibility for the passage of it is a bipartisan one, as it has always been.

I say this because I think the American people are sufficiently adult to understand that one cannot be "thrown" by charges of politics—inasmuch as politics is the very essence of our national life—in a body which will determine whether action will or will not be taken upon measures which some of us consider to be in the urgent national interest. It would be so easy to attempt to suppress the procedure here in connection with any issue, merely by trying to affix to it the label of "politics."

The fact is that we have come back from two great national conventions with the most complete and specific pledges on civil rights. So, Mr. President, at the very least an earnest on those pledges should be given, and it should be on a parity with what we do in regard to other measures proposed to be taken up at this brief session.

There are before us two measures which are very well known to all; I refer to the bill which calls for placing a statutory floor under the Commission on Government Contracts, as regards discrimination in employment by Government contractors; and the bill to provide technical aid to school districts which seek to desegregate. Lengthy hearings have been held on those measures.

For example, the bill which calls for the giving of technical assistance to school districts which seek to desegregate has been before the Judiciary Committee since April 10, 1959. That measure is Senate bill 958. It has been the subject of hearings and consideration, and its passage has been recommended by the President.

I believe that all of us are indebted to the Senator from Kentucky [Mr. COOPER], who on last Saturday stated for us exactly the procedure by which those very elementary measures could be considered and debated and voted on without causing any material interference with the other business of this session, if the great majority in this Chamber, which feels that it wants some minimal earnest on civil rights given at this session, would join in voting cloture.

Mr. President, at this time I do not intend to press for any Senate action on this civil rights bill which would result in extended debate on it.

I point out again, as I have before, that notwithstanding the fact that the overwhelming majority of the Members of this body are in favor of the passage and enactment of some minimal civil-rights legislation, we still leave it within the power of a very small minority, by the mere threat to tie up the procedure here by means of extended debate, to determine whether the Senate will or will not handle this business.

However, I believe it only fair to point out how the majority voted on Tuesday, August 9, when it had an opportunity just to place on the calendar a bill of this minimal character—in fact, not even to do that—and thereby put us in a position to take up this subject at the earliest time we possibly could. Now a great many of the Members of this body, in my opinion, have determined to see what can be done about the passage of this measure, which is considered a "must," and which a majority held should have priority over even minimal "must" legislation in other fields at this session.

Mr. President, last night the Senate passed a minimum wage bill; and I believe it extremely revealing to note that many of the Members who regularly argue most heatedly that a civil-rights measure should not be brought up at this session, because, so they argue, its consideration here would interfere with Senate consideration of many other important measures of great urgency to the people, were among the number of Senators who argued against passage of the minimum wage bill, when that bill was before us. It is interesting to note that among the 18 Members of this body who traditionally are opposed most vigorously to civil rights, 13 voted against the minimum wage bill.

When the medical-care bill is before the Senate, we shall again have an opportunity to see whether Senators who feel so strongly that Senate consideration of a civil rights bill would interfere with the passage of the other "must" measures will be urging in their full strength and spirit for the passage of the medical-care bill or will be opposing its passage.

Mr. President, I have not relinquished my view that at least these minimal measures should be acted on now. Although it is now 1 week later, I still feel that the majority has made its bed and must lie in it.

Now that the majority has rejected the opportunity to have this civil rights bill placed on the calendar, certainly there are many ways by which we can bring up the bill again. For instance, we can, as we did before, move to have the bill placed on the calendar; or we can move to have the committee discharged from the further consideration of the bill, once the bill has been referred to committee; or we can proceed by means of a series of other steps.

I believe that every week we should call the roll; for the record, on this proposition, as I am doing today.

Finally, I should like to make the point that I do not believe that any charge that any Senator is trying to block Senate action on other important or must legislation by attempting to have the Senate debate and act on a civil rights

bill will lie in the eyes of the American people, so long as there continues among us our deep conviction and sense of responsibility in favor of the enactment of civil rights legislation. It is not our purpose merely to keep badgering the Senate about it and continue, every day, to bring up the subject for discussion. Instead, it is our purpose to follow an orderly course of procedure, with accommodation to other measures which we, or at least I, consider as important as civil rights legislation, but not more important, and to allow the civil rights bill to take its turn.

But, Mr. President, what I wish to emphasize today—and my only reason for speaking today, when I will allow this bill to go to committee—is to emphasize that before we are through it shall have its turn, which is the important point we ought to bear in mind.

I wish to make this one other point, in fact. By recessing the Senate since last Thursday, the mere reference of this bill to a committee, so that a committee might have a look at it and hold hearings on it, has been deferred. I think that fact bears upon the whole proposition as to whether we shall regard civil rights legislation, even of this minimal character, as a nuisance, something that gets into our hair, or whether it represents an important issue to the American people domestically, and to the foreign policy of the United States, and we shall regard it at least as being on a parity with the other measures which are listed as "must" bills in this session.

I close by saying we will return to this. We will return to it at a time which shall reflect the kind of responsibility which has induced Senators like myself not to press for it or not to press for amendments to the minimum wage bill, so as not to be occupying time which might interfere with a matter of this importance.

The PRESIDING OFFICER. Under the rule, the bill will be referred to the Committee on the Judiciary.

The bill (S. 3829) to provide for the enforcement of civil rights, and for other purposes, introduced by Mr. JAVITS (for himself and Senators DIRKSEN, SALTONSTALL, ALLOTT, BEALL, BUSH, CASE of New Jersey, COOPER, FONG, KEATING, KUCHEL, and SCOTT), was referred to the Committee on the Judiciary.

ORDER OF BUSINESS

Mr. DIRKSEN. Mr. President——

The PRESIDING OFFICER. First, are there any further bills or joint resolutions to be introduced? Concurrent and other resolutions? The Chair hears none, and morning business is concluded.

Mr. DIRKSEN. Mr. President, it is morning business I have to submit.

The PRESIDING OFFICER. The Chair will say to the Senator from Illinois that the Chair would be happy to recognize him, but there was objection to the usual 3-minute limitation in morning business.

Mr. DIRKSEN. I ask for recognition, and will conform.

The PRESIDING OFFICER. The Chair recognizes the Senator from Illinois.

ADVICE FOR AMERICANS: KEEP UP YOUR NERVE

Mr. DIRKSEN. Mr. President, now and then one encounters a statement or editorial that is so timely, so well reasoned, and so pointed as to merit the consideration of every citizen. This is especially true when uncertainty and anxiety beset us and inspire many citizens to write their views to Members of Congress.

At the moment there is profound concern over Cuba, and many suggestions are made for a course of action.

The threats and menacing gestures of Khrushchev quite naturally inspire a bellicose reaction on our part. Patience and restraint are often taxed to a point where summary action is demanded.

In such a season, the editorial which appeared in the Kansas City Star on August 7, 1960, can serve as a most timely reminder of our national duty and responsibility. But more than that, it sounds the trumpet of hope and indicates the reasons for renewed faith in the ultimate victory of the cause of freedom.

Because I think it is worthy of the scrutiny of every citizen in the land, I ask unanimous consent that the editorial be made a part of my remarks in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ADVICE FOR AMERICANS: KEEP UP YOUR NERVE

Shadows were falling on Washington's Pentagon Building late one afternoon in the spring of 1948. The writer of this editorial was seated at the desk of the late James V. Forrestal, the first U.S. Secretary of Defense. Near the close of the interview, Forrestal was asked this question:

"What do you see for the long-range security of the country?"

Forrestal, who was articulate and intelligent, puffed thoughtfully at his pipe. After a moment he replied substantially as follows:

"The best we can hope for is an armed truce with the Communists. It may last a generation or two. Perhaps longer. The Russians will keep pressing us and the American people had better keep up their nerve. The pressures are going to be terrific. We will have to get strong and stay strong. That will mean heavy sacrifices. And if we can't hold up our end, we will find ourselves in deep trouble. The alternative to an armed truce is world war. We had better face up to it. It will be one or the other."

Twelve years later, Forrestal's prophecy has stood the test of time. The Soviet Union—with the latter-day support of Red China—has steadily maintained pressure on the free world. The history of the last dozen years has been a succession of crises that started with the Communist grab of Czechoslovakia in 1948.

Civilization could have been blown to smithereens several times in the past decade. But it wasn't. That's the all-important fact. Each crisis has passed or gone into suspension. Some of the worst danger spots, Formosa for example, flare up year after year.

A great many Americans work themselves into a frightful stew whenever trouble erupts. They are alternately excited and depressed. Lately the Castro campaign against the United States and the Cuban dictator's linkup with communism have stirred wild reactions in this country. You hear such irresponsible mutterings as: "We ought to send the marines down to Cuba. That's the way the Russians took care of Hungary."

But this is 1960. The practice of sending troops to intervene in Latin American countries was discarded almost 30 years ago. And after all these years it has left resentment and hate against the United States. Dispelling this hostility is a big problem for the U.S. Government.

Today every policy and action must be weighed against its probable effect on hemisphere and world thinking. A U.S. expeditionary force to Haiti or Nicaragua would be out of the question. Properly we refused to take such action against the Communist-line government that was overthrown in Guatemala in 1954. And no responsible person has been known to suggest military intervention in Cuba in 1960. The new era demands adroitness and restraint.

But some politicians are quick to cry doom at every unpleasant development in the international field. In their view, the U.S. policy, prestige and power are in tatters. They picture this Nation as stumbling through the gloom toward Armageddon.

It is not surprising that Americans are worked up to a state of permanent alarm punctuated by periodic hysteria. Such is the mass psychology of our times. Yet the history of the 1950's show that the overall world situation has grown better instead of worse for the United States and its allies. Consider these extremely important gains:

In the decade our three principal European NATO partners have made remarkable economic recoveries. Ten years ago Britain, France and West Germany were still struggling out of the near ruin of war. Today all three are more prosperous than before World War II. The West Germans have built their way to democratic strength from the shambles of total defeat. Today the Germans provide the largest army on European duty with NATO. It is growing to a strength of 12 fully equipped and modern divisions.

France, despite the running sore of Algeria, has achieved political stability at last. The embarrassingly frequent turnovers in the Paris government ended when General Charles de Gaulle returned to power in the spring of 1958. The Fifth Republic was created in the image of a strong executive. The U.S. prophets of doom said the rise of the nationalistic De Gaulle would mean the collapse of NATO.

De Gaulle still has his own ideas about revising NATO. But he has not tried to wreck the grand military alliance as some suspicious leaders in the West feared he would do. Thus NATO, armed with A-bombs and missiles, continues to discourage any attack on free Europe. And France is a much more stable country today than it was a few years ago.

Recall the events in the Far East. In 1949 the Communist forces finally triumphed on the Chinese mainland. It was widely predicted that communism quickly would overrun the whole of southeast Asia.

So far, the fear hasn't materialized. The Reds have gained only the north part of Vietnam. It was the unavoidable price of an armistice halting the Communist uprising in Indochina.

The anti-Communist nation of south Vietnam was formed. At first even the optimists gave it little chance to remain free and independent. But south Vietnam has achieved stable government. The outstanding leadership of President Ngo Dinh Diem had much to do with the achievement. So did the extensive economic and military aid supplied by the United States.

The Reds have not given up their designs on South Vietnam or nearby Laos and Cambodia. But their ambitions have been thwarted for a decade. The SEATO pact, backed by the armed power of the United States, warns the Communists to keep hands off the entire area. They have stopped short of outright aggression, perhaps to avoid retaliation by the SEATO powers.

In Malaya, as in the Philippines previously, a Communist insurrection has been crushed. A 12-year state of emergency ended officially last Sunday. Malaya is now an independent state, released from colonial rule by Britain. Her great riches of rubber and tin have been saved for the free world.

Japan is even a more brilliant example of a trend generally going our way. Ten years ago Japan faced a bleak outlook. Its world markets were gone and unemployment soared. Now the war-battered Japanese have made an economic recovery comparable to that of West Germany. Japan cannot defend herself. But she remains linked with the United States in a 10-year military alliance. This tie holds the most advanced industrial nation of Asia on the side of the West.

The recent demonstrations against the United States-Japan defense treaty reflected a certain amount of growing neutralist sentiment. Some domestic issues also were involved. But it appears fairly apparent that the Communist-led rioters and demonstrators did not speak for a majority of the 93 million Japanese people.

To the southwest the Red Chinese broadcast their propaganda threats against Chiang's Formosan stronghold. But, so far, they have not dared challenge the might of the U.S. 7th Fleet on patrol duty in Formosa Straits.

In Korea the guns have now been silent for 7 years. The U.S. 8th Army and South Korea's 600,000 troops bar the way to further Communist aggression. The fighting from 1950 to 1953 was not permitted to ignite a global war. Korea's own government has been stabilized with a comparatively enlightened administration.

In the Middle East conditions are calmer now than at any time in the last 15 years. Yet it was only 2 years ago that the United States risked troop landings in Lebanon at the urging of the Lebanese Government. A rebellion subsided. Order was restored in the half-Christian, half-Moslem country.

A bloody revolt had just overthrown the pro-Western regime in Iraq and sent the U.S. prophets of doom to the depths of despair. There seemed to be real danger that pro-Nasser, anti-Western forces of Arab nationalism would seize control of Lebanon, Jordan, and possibly Saudi Arabia plus the tier of small sheikdoms rich in oil. Lurking in the shadows were Soviet plotters eager to dominate the entire Middle East.

But quiet came, just as it had come in late 1956 when United Nations action (morally led by the U.S. Government) cooled off the Suez crisis. Today Nasser's United Arab Republic and revolutionary Iraq are held apart by self-interest and mutual suspicion. They are alike only in that neither has fallen for the traps and lures of Soviet imperialism. Both remain ostensibly neutral in the cold war. They have taken Russia's grants of economic and military aid without surrendering their independence.

The Arabs' highly emotional differences with Israel still smolder. But the powder keg of the Middle East is out of sight in the desert sands. Around it are the remains of intermittent crises.

The Communists are nosing around for opportunities in Africa, a continent quivering with nationalism. Some headway may have been made with the new Republic of Guinea. But so far communism has not established a reliable beachhead in Africa. Moscow threatened to move in when the Congo disorders exploded. But the Russians thought better of it as the United Nations acted fast to save the Congo from chaos.

It was one of the U.N.'s finest hours. The current effort in the Congo will be remembered along with crises in Iran, Greece, Berlin in 1948–49, Kashmir, and the Suez. On each of these occasions the U.N. displayed its unique ability to stamp out raging fires.

Of course, even the U.N. has not been able to compose the fundamental differences and tensions between communism and the West. Russia and the United States are the two great centers of power. Each distrusts the other. And if our people are worried about Soviet intent and capability, consider the predicament Russia is in.

The United States and its allies have ringed the Communist land masses with forward air, ground, and naval bases. U.S. planes and ships operate from 80 bases in 25 lands and territories. Our planes buzz near the very frontiers of the Soviet Union. The U–2 missions are now history. But they did far more than bring back intelligence data and aerial photographs. They demonstrated, to the distress of the men in the Kremlin, that manned aircraft can penetrate the vaunted air defenses of the Russian heartland.

Yet Americans cry in anguish over the Communist influence in Cuba. Suppose we were in the Russian situation. In that case the United States would be a potential target for bombers and missiles based in Canada, Mexico, and most of Central America. Russian planes would be skirting our shores or flying over Kansas.

For a decade the Communist world has been held in line but it is not shrinking. Armed strength has materialized to block further Communist expansion. The retaliatory power developed by the West evidently did not figure in Russia's calculations when she started spreading out into Eastern Europe and the Balkans.

It was good advice that James Forrestal offered 12 years ago. Americans should keep up their nerve. There is no cause for panic. We have made our way past many crises. There will be more. We had better learn to live with them and to surmount them as they come.

CALL OF THE CALENDAR

The PRESIDING OFFICER (Mr. BURDICK in the chair). The call of the calendar under rule VIII is in order.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask that the calendar be called for the consideration of measures to which there is no objection.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the first order of business on the calendar.

BILLS PASSED OVER

The bill (S. 1075) to provide for the reimbursement of Meadow School District No. 29, Upham, N. Dak., for loss of revenue resulting from the acquisition of certain lands within such school district by the Department of the Interior was announced as first in order.

Mr. JOHNSON of Texas. Over, Mr. President.

The PRESIDING OFFICER (Mr. BURDICK in the chair). The bill will be passed over.

The bill (S. 1474) to make permanent the provision of the Reorganization Act of 1949 was announced as next in order.

Mr. JOHNSON of Texas. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 4012) to provide for the centennial celebration of the establishment of the land-grant colleges and State universities and the establishment of the Department of Agriculture, and for related purposes was announced as next in order.

Mr. JOHNSON of Texas. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 5140) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1961, was announced as next in order.

Mr. JOHNSON of Texas. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1851) for the establishment of a commission on a Department of Science and Technology was announced as next in order.

Mr. KEATING. Mr. President, over by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1789) to amend section 1 (14) (a) of the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply, and for other purposes was announced as next in order.

Mr. KEATING. Mr. President, over by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2308) to validate certain extended oil and gas leases was announced as next in order.

Mr. MANSFIELD. Mr. President, over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1711) to promote the foreign policy of the United States by the more effective use of U.S. agricultural commodities for the relief of human beings and for promoting economic and social development in less developed countries was announced as next in order.

Mr. JOHNSON of Texas. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2522) to provide for the enrichment and sanitary packaging of certain donated commodities and to establish experimental food stamp allotment programs was announced as next in order.

Mr. KEATING. Over by request, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1734) to amend section 409(c) of the Communications Act of 1934 with respect to presentations in any case of adjudication which has been designated for a hearing by the Federal Communications Commission was announced as next in order.

Mr. KEATING. Mr. President, over by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2086) to provide for the establishment of a National Wildlife Disease Laboratory was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 883) to confer jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon claims of customs officers and employees to extra compensation for Sunday, holiday, and overtime services performed after August 31, 1931, and not heretofore paid in accordance with existing law was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2402) to clarify the authority of the Postmaster General to provide for the expeditious, efficient, and economical transportation of mail and for other purposes was announced as next in order.

Mr. JOHNSON of Texas. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2673) to provide for the appointment of additional circuit and district judges, and for other purposes, was announced as next in order.

Mr. JOHNSON of Texas. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2850) to provide for the appointment of one circuit judge for the seventh judicial circuit was announced as next in order.

Mr. JOHNSON of Texas. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

ESTATE OF EILEEN G. FOSTER

The bill (S. 511) for the relief of the estate of Eileen G. Foster was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any period of limitations or lapse of time, claim for credit or refund of overpayment of income taxes for the taxable years 1949 to 1953, inclusive, made by Eileen G. Foster of Denver, Colorado, may be filed at any time within one year after the date of the enactment of this Act. The provisions of sections 322(b), 3774, and 3775 of the Internal Revenue Code of 1939 shall not apply to the refund or credit of any overpayment of tax for which credit or refund is filed under the authority of this Act within such one-year period.

BILLS PASSED OVER

The bill (S. 3560) to amend section 1362 of title 18 of the United States Code so as to further protect the internal security of the United States by providing penalities for malicious damage to certain communication facilities was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1787) to protect consumers and others against misbranding, false advertising, and false invoicing of decorative hardwood or imitation hardwood products was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2893) to permit weekly publications to suspend publication for not more than two issues in any 1 calendar year without loss of second-class mail privilege was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1868) to provide for the regulation of credit life insurance and credit accident and health insurance in the District of Columbia was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

Mr. PROUTY. Mr. President, over, unless there is an amendment.

The PRESIDING OFFICER. The bill will be passed over.

Mr. JOHNSON of Texas. Mr. President, I am informed that the calendar committee wishes to have passed over all bills down to Calendar 1711.

The PRESIDING OFFICER. The bills will be passed over.

The bills passed over are as follows:

H.R. 4601, to amend the act of September 1, 1954, in order to limit to cases involving the national security the prohibition on payment of annuities and retired pay to officers and employees of the United States, to clarify the application and operation of such act, and for other purposes.

S. 1638, to provide for an effective system of personnel administration for the executive branch of the Government.

S. 1425, to amend the Interstate Commerce Act so as to provide for the protection of railroad employees by regulating the use of track motorcars and for other purposes.

S. 2917, to establish a price support level for milk and butterfat.

S. 3292, to provide for the establishment of a Department of Housing and Metropolitan Affairs, and for other purposes.

S. 3421, to amend the Federal Employees' Group Life Insurance Act.

S. 1342, to create a Federal Limited Profit Mortgage Corporation to assist in the provision of housing for moderate-income families and for elderly persons.

H.R. 10, to encourage the establishment of voluntary pension plans by self-employed individuals.

H.R. 9662, to make technical revisions in the income tax provisions of the Internal Revenue Code of 1954 relating to estates trusts, partners and partnerships, and for other purposes.

H.R. 11953, to provide for the assessing of Indian trust lands and restricted fee patent Indian lands within the Lummi Indian diking project in the State of Washington.

S. 3258, to amend the District of Columbia Alcoholic Beverage Control Act.

H.R. 4306, to provide education and training for the children of veterans dying of a service-connected disability incurred after January 31, 1955, and before the end of compulsory military service.

The PRESIDING OFFICER. The clerk will state the next order of business on the calendar.

BILL PASSED OVER

The bill (S. 3228) to amend the provisions of part II of the Interstate Commerce Act which authorizes certain operations within a State as a common carrier by motor vehicle engaged in interstate or foreign commerce if State authorized was announced as next in order.

Mr. KEATING. Mr. President, over, by request.

The PRESIDING OFFICER. The bill will be passed over.

THEODORE ROOSEVELT MEMORIAL

The bill (S. 2561) to amend the act entitled "An act to establish a memorial to Theodore Roosevelt in the National Capital," to provide for the construction of such memorial by the Secretary of the Interior, was announced as next in order.

Mr. CASE of South Dakota. Mr. President, I request the withholding of any objection for a moment until I can make a unanimous-consent request in regard to the bill.

The junior Senator from South Dakota would object to the passage of the bill, and his objections are fortified by the statement which appeared in the Washington Post this morning, credited to the daughter of Theodore Roosevelt, Alice Roosevelt Longworth.

I ask unanimous consent that there be printed at this point in my remarks the article setting forth Mrs. Longworth's statement as it appeared in the Washington Post this morning.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MRS. LONGWORTH LIKES ISLAND AS IT IS—THEODORE ROOSEVELT MEMORIAL PLANS WOULD DESECRATE ANYONE'S MEMORY, DAUGHTER SAYS

(By Carole H. Bowie)

Alice Roosevelt Longworth, daughter of President Theodore Roosevelt, said yesterday that the celestial sphere proposed as a memorial to her father would desecrate the memory of anyone.

"I'm sure anyone—my father or Woodrow Wilson or anyone—would feel just as I do about the globular jungle gym," Mrs. Longworth exclaimed as she sat in the sun-drenched parlor of her home at 2009 Massachusetts Avenue NW.

The spirited 76-year-old widow said she remembers "vaguely" being consulted about plans, now before the Senate, to build the

67-foot sphere, vehicular approach bridge and a 200-car parking lot on tiny Theodore Roosevelt Island in the Potomac.

"But I was too horrified even to think about them," she said. "I only wondered why they hadn't thought to add Muzak."

"I suppose those people think they are doing a nice thing," she said of backers of the memorial proposal, who include the Theodore Roosevelt Centennial Commission and the National Park Service.

"But really," she protested, throwing up her hands, "it's utter folly to spend all that money, especially now, on something no one wants."

Mrs. Longworth thinks that the $900,000 cost of the project would be more appropriately spent on preserving the island in its present natural state, or to provide scholarships for naturalists.

"There are too few areas in this country now where one can walk and enjoy wildlife in its primeval state," remarked Mrs. Longworth, who is an enthusiastic walker.

"That lovely, wild island should be left just as it is," she insisted, recalling the days when, as a child, she picnicked in its forests. "It's a splendid memorial for my father."

Mr. JAVITS. Mr. President, reserving the right to object, although I will not object, I wish recognition in respect to this question. This is my bill to provide for a memorial to Theodore Roosevelt in the National Capital. I point out that Calendar No. 1905, House bill 8665, is a bill which came over from the House exactly in the same form as the one before the Senate relating to this subject. I call attention to the fact that the memorial has been designed, and has been approved by the appropriate agencies of the Government, the Department of the Interior, the National Park Service, the Commission on Fine Arts, the Theodore Roosevelt Association, and the National Capital Planning Commission.

I appreciate the importance of Alice Roosevelt Longworth's views, and I appreciate the importance of the artistic views of Senators, some of whom have objections to the bill. I have no quarrel with them, though I do not pretend myself to pass upon the design of the memorial, with which I had nothing to do. But whatever may be the reasons for the objection, the point is that the bill which has now passed the House, and which has been pending here for a considerable time, is getting absolutely nowhere, though it is on the calendar. It seems to be bogged down because certain Senators have artistic objections, and now because a member of the Roosevelt family has an artistic objection.

In the first place, it is a little unfortunate that we allowed to go through the Senate, in quite an enthusiastic way, a memorial to Franklin D. Roosevelt, one of our great Presidents, of course, without worrying about designs, and so forth, and then have this bill blocked. This is not the kind of a thing one would want to bring up for debate and fight about it.

I would respectfully ask, in a sense of responsibility and patriotism, my colleague from South Dakota [Mr. CASE] and the Senator from Georgia [Mr. RUSSELL] and others, who feel, for whatever reason that they believe proper that they wish to object to the proposal, if they would not come forward with a concrete, affirmative suggestion. I say this in all good spirit and in a sense of friendship and comradeship, so that we could get this bill acted upon in some way which would leave to some agency in Government in which our people have confidence, to choose the memorial design, because apparently the one that has been proposed has raised difficulties of sufficient importance to hold up the whole bill.

I am not passing on the artistic merits. I wish to point to the distinguished and important agencies specified in the bill, which are in the business in our Government for this purpose, who have approved of the memorial. However, I repeat that this is not the kind of thing that I would want debated or argued about in any oppositional sense. It is for that reason that I respectfully suggest the idea of making a constructive suggestion by the Senators who feel keenly about it, so that we would be able to get the bill passed.

Mr. CASE of South Dakota. Mr. President, I am not opposed to a proper memorial to the memory of Theodore Roosevelt. Theodore Roosevelt was one of my boyhood heroes. In the State of South Dakota, as well as in the State of North Dakota, which is represented by the able Senator who now graces the chair [Mr. BURDICK], the name of Theodore Roosevelt is a name of one of the Presidents of the United States for whom we have the greatest admiration.

The State of South Dakota is proud of the fact that we have a mountain named for Theodore Roosevelt, Mount Roosevelt, at Deadwood, S. Dak., where Theodore Roosevelt used to come frequently when he lived on the ranch on the Little Missouri at Medora, N. Dak.

We are proud of the fact that one of the four great Presidents immortalized, we hope, by the figures on Mount Rushmore, is that of Theodore Roosevelt. We have great respect for the memory of Theodore Roosevelt. We think it highly appropriate that there should be a memorial to the great Theodore Roosevelt in or near the city of Washington.

When I served as chairman of the Committee on the District of Columbia, I sought to protect Theodore Roosevelt Island, by having the approval of the memorial association when the bridge matter came up. My objection at this time stems not from a desire to oppose a memorial, but to assure a memorial to Theodore Roosevelt that will be an appropriate memorial, one which will reflect the character and vigor and ruggedness that we associate with a man who was the leader of the Rough Riders. There are still in my State people who were associated with the Rough Rider company which Theodore Roosevelt led up San Juan Hill. We want a memorial to Theodore Roosevelt which will express the character and vigor and ideals that the man had and gave to this country.

Some of us feel that the proposed design is hardly worthy or representative of the man. I am not passing upon it from an artistic sense. I am merely suggesting that some of us feel that the proposed memorial does not reflect the character and vigor of the man whom it is proposed to memorialize. That feeling was reinforced this morning when I referred to the statement of Theodore Roosevelt's daughter, who commented upon the memorial. Another person with whom I spoke about the matter this morning told me that one of the grandsons of Theodore Roosevelt felt similarly about the memorial.

On that basis it seems to me that a concrete suggestion would be that the bill be so amended that it will leave the approval of the memorial to the descendants or relatives of Theodore Roosevelt. I think it highly inappropriate to build a memorial or to create a memorial that is unpleasing to the relatives of the person to be memorialized.

That is a concrete suggestion, I say respectfully to the Senator from New York; that we seek not merely to please the artists or some people with perhaps a fanciful idea of Theodore Roosevelt, but to please the people who knew the man, and who feel they are the inheritors of his spirit, and in that way try to get a memorial accomplished at the earliest possible time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota?

Mr. RUSSELL. Reserving the right to object, I wish to make a few observations. I do not know how else to obtain the floor.

Mr. CASE of South Dakota. I will withhold my request, if necessary.

Mr. RUSSELL. I shall not object to the request of the Senator from South Dakota, because I am in complete accord with the observation he has made. I wish to say a few words about this matter because I had lodged the original objection to the passage of the bill and because the distinguished senior Senator from New York has referred to me in the course of his remarks.

I can assure the Senator from New York that my objection is not captious. I certainly have no desire to promote a memorial to Franklin D. Roosevelt and to withhold one to Theodore Roosevelt.

Theodore Roosevelt was a boyhood hero of mine. The Spanish-American War was still fresh in the memory of the country when I was growing up. The pictures of Teddy Roosevelt charging up San Juan Hill at the front of his Rough Riders were vividly etched in my mind at a very early age. I admired him so much that my father, when I was 9 years old, took me from our home near Winder to Atlanta in order that I might shake hands with Theodore Roosevelt.

I became involved in this matter after seeing a picture of the proposed memorial in a newspaper some months ago. I read that some people who looked at the picture had laughed. I did not laugh when I looked at it. When I looked at it I almost wept. Although I have limited knowledge in matters of art, I think it would almost be a matter of national mourning to symbolize the life and achievements of Theodore Roosevelt with such a monstrosity.

I freely confess, as I have said, that I am not an art critic. My first reaction when I saw a picture of the proposed memorial was that it looked like a gadget in a Rube Goldberg cartoon. It was in no way typical of the rugged Americanism of Theodore Roosevelt.

Mr. President, I believe that today we need more of the rugged Americanism typified by Theodore Roosevelt. I should like to see erected a memorial which will emphasize that quality.

I do not claim to be an artist. I may not be able to appreciate the fine points of the type of memorial that is proposed. However, I think I am an average American. I think my reaction to it would be pretty much the same as that of the tens of thousands of tourists who pass through Washington every week.

For every person who was skilled and steeped in the appreciation of the arts, who could stand and look at such a memorial with all its resplendent brass and glory which only artists could appreciate, there would be hundreds—yes thousands—of Americans like myself who would think such a memorial was an outrage to the memory of Theodore Roosevelt.

The statement has been made that a memorial to Franklin D. Roosevelt will be built. I do not know what type of memorial it will be. However, I have too much respect for Franklin D. Roosevelt to hope that it will be a memorial of stars, half moons, wires, and illuminated metals of one kind or another.

In my opinion, the distinguished Senator from South Dakota made an excellent suggestion when he said that we might submit this question to the heirs and descendants in each branch of the family of Theodore Roosevelt. Let them meet and pass on it. They may see fit to approve it. They may be of the opinion that the proposed memorial would be one of the finest specimens of artistry, modeling, and sculpture. If they approved it, I would, of course, withdraw my objection; but I would never go to see that memorial, because in my humble, earthy, American opinion, I think it would be a reflection on Theodore Roosevelt the man.

Mr. CASE of South Dakota. Mr. President, I greatly appreciate the statement made by the distinguished Senator from Georgia.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that I may proceed for an additional 2 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CASE of South Dakota. I suggest to those who are interested in a concrete suggestion that they go to Statuary Hall in the Capitol and there see the figure of Colonel Greenway, which was placed there by the State of Arizona. Colonel Greenway was a member of the Rough Riders. The sculptor of the figure of Greenway has carried into his product some of the verve, vigor, and character which I ascribe to Theodore Roosevelt. Certainly a memorial of that sort would portray the character of Theodore Roosevelt more vividly than such a sphere as has been proposed.

Mr. JAVITS. Mr. President, I think we ought to make some practical progress. When I was a member of the Committee on Rules and Administration, we had before us bills to provide memorials to Vice President Barkley, exactly the same as this proposal, with Government agencies giving their consent. After informal consultation with the members of the family, Mrs. Barkley, who liked the proposal very much, approved it highly.

I suggest to the Senator from South Dakota that, unless we were to insist on writing such a proposal into the bill, which would be rather unusual, I should be glad—and I hope the cosponsors will join with me—to suggest to the agencies which are referred to in the bill that they confer with the members of the family of Theodore Roosevelt, in order to produce a design which would be agreeable to them. Then, I gather, the bill could be passed.

Mr. CASE of South Dakota. Mr. President, I am reluctant to agree to that suggestion at this time. My position is a consistent one. Some years ago a proposal was made to memorialize Gutzon Borglum, the sculptor of Mount Rushmore. When the plan was presented, I felt it should have the approval of the lineal descendants of Gutzon Borglum. So action was deferred on the memorial until Lincoln Borglum, his son, and the sister of Gutzon Borglum, could be consulted.

Mr. JAVITS. That is exactly my suggestion.

Mr. CASE of South Dakota. I feel that that should be done in this instance. I think the committee or the Commission should not take action until the lineal descendants of Theodore Roosevelt have been satisfied. I should like to have a report made to Congress, if possible, on this question.

Mr. KEATING. Mr. President, I am sympathetic with the views of the distinguished Senator from South Dakota. I know there have been many discussions on this matter. Although I am a coauthor of the bill, I do not believe we should seek to enact legislation which is unacceptable to the daughter of the man whom we are seeking to honor. If Mrs. Longworth objects to the design proposed, I do not believe we should accept it or pass the bill before us. I say this even though I am a coauthor of the bill. I would not want to have a bust or a sphere erected to my memory by the U.S. Government if my daughter objected to it. I think that until Mrs. Longworth and the other members of the Theodore Roosevelt family have been brought into the considerations with respect to the proposed memorial, we should defer action on the bill.

I want to make it clear that I should like very much to see action taken at this session. I hope steps will be taken to confer with Mrs. Longworth and the other members of the family of Theodore Roosevelt in order to accomplish our purpose as soon as possible.

Mr. JAVITS. Mr. President, I find myself in complete agreement with those who have spoken on this subject. I shall do my utmost—and I am glad my colleague [Mr. KEATING] will join with me—in seeking to bring about the result we hope for. I trust steps will be taken to insure that that will happen, so that we may get action on the bill.

The PRESIDING OFFICER. Objection has been made, and the bill will be passed over.

BROADCAST OF STORM WARNINGS BY WEATHER BUREAU

Mr. GREEN. Mr. President, on last September 8, I wrote the Secretary of Commerce and proposed that the Weather Bureau initiate a 24-hour continuous broadcast schedule of storm warnings and forecasts over a network of frequency modulation radio stations. He replied to me under date of September 16 and today the Weather Bureau issued a press release reporting that they are establishing a test program with two FM radio stations in the New England area.

As part of my remarks, I ask unanimous consent to have printed in the RECORD the text of these two letters, and also of the press release issued today by Ralph L. Carlson, our efficient, capable chief meteorologist of the Weather Bureau at Providence, R.I.

These letters and the Weather Bureau's press release will, I believe, be of interest to all who are concerned with the expansion of the activities and services of the Weather Bureau.

I know that all who are interested in the activities of the Weather Bureau will join with me in the hope that this test program will prove successful and will result in the expansion of this new service throughout the country.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Rhode Island?

There being no objection, the letters and press release were ordered to be printed in the RECORD, as follows:

SEPTEMBER 8, 1959.

The Honorable FREDERICK H. MUELLER,
The Secretary of Commerce,
Washington, D.C.

DEAR MR. SECRETARY: As you well know, I have been a stanch supporter of improved storm warning and weather services for many years.

Recently I proposed that the Weather Bureau initiate and maintain a 24-hour continuous broadcast schedule over a national network of frequency modulation radio stations as a means of reducing unnecessary loss of life and property that may result from inadequate dissemination of Weather Bureau storm warnings and forecasts.

As you may note from enclosed correspondence, it is of great significance that static free frequency modulation broadcasts often are able to reach audiences that cannot be reached by standard audio modulation broadcasts. FM broadcasts are also ideally suited for pickup and rebroadcast by AM stations.

The importance of getting the latest weather information immediately, especially during or before severe conditions, to all segments of the public, including such interests as inland and coastal boating, transportation, civic utilities, and agriculture, cannot be overemphasized.

I am interested in having Congress take appropriate action without further delay. Accordingly, I would like the Weather Bureau to explore all possibilities for establishing such a network of FM stations and to initiate whatever action that may be required to establish several test FM radio weather broadcasting programs.

Please keep me advised of all existing problems and feel free to make any recommendations on this important matter. You can be sure of my full cooperation.

Enclosed are copies of several letters which I have recently received and which indicate some of the enthusiasm and support for a program of this kind.

Yours sincerely,

THEODORE FRANCIS GREEN.

THE SECRETARY OF COMMERCE,
Washington, D.C., September 16, 1959.

Hon. THEODORE FRANCIS GREEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GREEN: We have referred to the Weather Bureau your proposal, as outlined in your letter of September 8, 1959, that they initiate and maintain a continuous 24-hour frequency-modulation radio network to disseminate weather information.

They are carefully studying the proposal and examining the many phases of the problems which can be anticipated should this means of disseminating weather information be adopted. Because of the multiple technical problems which would be involved it will be necessary for them to give immediate attention to this aspect. It appears there may be several promising approaches to the problem which would help to realize a nationwide network of radio broadcast outlets.

The Weather Bureau will keep you informed of progress in the study of this proposal and a recommendation will be forthcoming soon.

May we express our appreciation for your interest in what has become a serious and major Weather Bureau problem, the rapid and efficient dissemination of timely weather information and advisories.

Sincerely yours,

F. H. MUELLER,
Secretary of Commerce.

WEATHER BUREAU ANNOUNCES EXPERIMENTAL RADIO BROADCAST PROGRAM

Ralph L. Carlson, chief meteorologist of the Providence Weather Bureau, today announced that the local Weather Bureau station will soon begin an experimental radio weather broadcasting program designed to investigate the feasibility of establishing a new weather communications system to provide the public with continuous round-the-clock, up-to-the-minute weather information.

The new experimental program is the result of a request made by Senator GREEN to the Secretary of Commerce, asking that the Weather Bureau explore all possibilities for establishing a national network of FM radio stations for continuous broadcasting of the latest weather information.

The Weather Bureau is cooperating in this test program with the Travelers Weather Research Center and the Travelers Broadcasting Service Corp. of the Travelers Insurance Co. of Hartford, Conn., who are conducting a similar study for the Hartford area.

Initially, it is planned to broadcast a local continuous weather dissemination program approximately 12 to 16 hours a day. Special emphasis will be placed on weather information which could affect such activities as marine, agriculture, forestry, and commerce.

The Providence Weather Bureau will maintain a constant watch on weather developments, gather weather information, prepare the forecasts, and make the broadcast. The broadcast will be made directly from the Weather Bureau station and disseminated over a multiplex channel of Providence Journal Co. radio station WPJB–FM.

A continuing evaluation of the experimental program will be made. Results of the evaluation will determine the feasibility of implementing such a meteorological service on a nationwide basis.

The call of the calendar was resumed.

LICENSING OF INDEPENDENT FOREIGN FREIGHT FORWARDERS

The PRESIDING OFFICER. The next measure on the calendar will be stated.

The bill (H.R. 5068) to amend the Shipping Act, 1916, to provide for licensing independent foreign freight forwarders, and for other purposes, was announced as next in order.

Mr. KEATING. Mr. President, I ask unanimous consent to have printed in the RECORD, prior to the passage of this bill, a statement which I send to the desk.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KEATING

I am very pleased that the Senate is today considering H.R. 5068, a bill having to do with the operations and licensing of freight forwarders.

This is a bill in which I have long been very much interested and which is supported by a number of public and private groups in New York State.

On February 19, when this bill was the subject of hearings before the Senate Interstate and Foreign Commerce Committee, I testified in support of the bill in the form originally reported by the Special Subcommittee on Freight Forwarding of the House Interstate and Foreign Commerce Committee.

I will not detain the Senate at this time with the materials and arguments put forth in my testimony. However, I submit the following excerpts from my testimony of February 19:

"TESTIMONY OF SENATOR KENNETH B. KEATING, REPUBLICAN, OF NEW YORK, BEFORE THE MERCHANT MARINE AND FISHERIES SUBCOMMITTEE OF THE SENATE INTERSTATE AND FOREIGN COMMERCE COMMITTEE CONCERNING S. 2300 AND H.R. 5068

"Mr. Chairman, I want to express my appreciation for this opportunity to appear this morning with regard to S. 2300 and H.R. 5068, legislation affecting the role and practices of freight forwarders. This legislation is of great importance to the State and city of New York and to the Port of New York Authority, which as you know is a self-supporting corporate agency of the States of New York and New Jersey.

"There are two bills presently before this committee: S. 2300, introduced by Chairman MAGNUSON, and H.R. 5068. The latter was passed by the House on August 18, 1959.

"I recommend that the committee report out favorably S. 2300, or in the alternative H.R. 5068 with amendments that would make it conform with S. 2300 and at the same time with the version of H.R. 5068 reported out last year by the Special Subcommittee on Freight Forwarding of the House Merchant Marine and Fisheries Committee. The latter bill was in many respects similar to S. 2300 introduced by Senator MAGNUSON.

"However, there are significant differences between H.R. 5068 as finally passed by the House and S. 2300. H.R. 5068 in its present form would, I believe, foment litigation, shackle business, and cause wasteful, expensive, and protracted proceedings before the Federal Maritime Board.

"Mr. Chairman, last year, the State of New York represented by its attorney general, the city of New York represented by its corporation counsel, and the Port of New York Authority by its own counsel, filed a joint brief with the Maritime Board on many of the important matters contained in the legislation under consideration today. This entire subject and all of its ramifications was then involved in proceedings pending before the Board.

"The New York brief contains an excellent and forthright statement concerning all of the most important and most frequently discussed factors covered by the bills presently before this committee.

"Both S. 2300 and H.R. 5068 amend the Shipping Act of 1916, and are intended 'to provide licensing for independent freight forwarders, and for other purposes.' At the present time, forwarders merely register with the Maritime Board. To the best of my knowledge, all of the major interests involved; shippers, consignors, steamship companies, and the foreign freight forwarders themselves, favor licensing. It is the 'other purposes' which these bills are designed to carry out that is the most important part of these bills, and it is this subject that I wish to discuss this morning in greater detail.

"H.R. 5068 says that the Maritime Board shall prescribe 'rules and regulations including maximum brokerage fees.' S. 2300 wisely omits this prescription. The records of hearings available to this committee indicate clearly that oceangoing carriers have been paying brokerage fees to freight forwarders for generations. These fees are paid in honorable practice by one great segment of American commerce to another group of American businesses for valuable and essential services under agreements openly arrived at. The committee already has before it the statements of the majority of American steamship lines on this subject. They indicate that there is little controversey here and that freight forwarders definitely earn the fees which they receive for the valuable and indispensable services which they render. H.R. 5068 in calling for 'rules and regulations including maximum brokerage fees' raises the prospect of a new limitation on American businesses in this important field. It would very likely lead to more bureaucracy, more expenses, and in general more of a burden on international and domestic commerce.

"Mr. Chairman, these then in brief are some of the reasons that I favor S. 2300 or H.R. 5068 as amended to conform. This committee hardly needs to be told that foreign freight forwarders are a vital factor in the field of American commerce. There are about 1,200 of them in the principal ports and cities of the United States. The facts are all contained in reports and documents available to this committee. What the foreign freight forwarders do was well described in the excellent and informative brief filed jointly by New York State, New York City, and the Port of New York Authority, which I have asked to have inserted in the record.

"Therefore, Mr. Chairman, I urge a favorable report on S. 2300, or, in the alternative, on H.R. 5068 with amendments to confirm to S. 2300."

Mr. JAVITS. Mr. President, I, too, ask unanimous consent to have printed in the RECORD, prior to the passage of the bill, a statement.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JAVITS

I wish to announce my support of H.R. 5068 dealing with the licensing of ocean freight forwarders and the terms under

which they may be compensated by ocean carriers for services rendered to them. The regulation and licensing of freight forwarders by the Federal Maritime Board is a matter of particular interest and importance to the State of New York because freight forwarding is an integral and vital part of the operation of the great Port of New York.

New York is a general cargo port, the largest in the country, and it is used by thousands of shippers for the exportation of their goods of their oversea customers. These exporters have always made use of the ocean freight forwarders in the port. The official figures of the Federal Maritime Board show that 75 percent of the cargo handled by forwarders throughout the United States passes through New York. Without the skilled services of the forwarder at the port the steamship carriers would find it most difficult, if not impossible, to obtain the cargo at the right time and properly documented.

Approximately one-half of the forwarders presently registered with the Federal Maritime Board are in the New York area and 30 percent of their revenue is derived from compensation from ocean carriers, known as "brokerage." In dollar volume this amounts to $7 million per year. The New York forwarders bring to the steamship lines approximately $560 million a year in freight revenue.

Legislation, licensing forwarders and allowing them compensation for services rendered to carriers is necessary not only to preserve the ocean freight forwarding industry but also to assure the Port of New York effective and reliable service in the handling of general cargo.

The bill now pending, would be most helpful to all segments of our foreign commerce. It is endorsed by the city and State of New York, the Port of New York Authority, exporter groups and virtually all steamship lines.

Mr. YARBOROUGH subsequently said: Mr. President, I urge quick passage of the amendment. At hearings conducted by the House and Senate committees, the Department of State recommended that certain changes be made in the Shipping Act of 1916. The purpose of these amendments it to make it clear that the licensing provisions apply only to a person or firm engaged in the business of dispatching shipments on behalf of other persons and not to an exporter who performs his own export traffic work. The Senate, after consideration of the bill, recommended a compensation provision that will permit the ocean common carrier to pay and allow the foreign freight forwarder to receive a fee known as brokerage.

Uncontradicted testimony was placed on the records of the Congress indicating that these fees have been paid over the past 100 years or more at various ports including Texas gulf ports, and it is the considered opinion of the best informed governmental and industrial leaders in the forwarding industry that this custom should be continued and that this payment will enable the forwarding industry to perform export traffic services in an efficient and economical manner.

As the testimony indicated that a carrier is not generally in a position to check on the validity of individual brokerage claims, it was the committee's consensus of opinion that a minimum standard should be adopted by which a carrier might easily determine whether or not the forwarder is eligible to receive this payment.

The bill makes mandatory a written statement by the independent freight forwarder to the carrier, certifying that the standards established by the Federal Maritime Board have been met and that at least two of a list of six services have been performed. Thus the carrier may easily and quickly determine that the independent freight forwarder has performed a minimum number of services and has been recognized by an official licensing board as a competent and satisfactory operator.

This amendment will enable both carriers and independent freight forwarders to pursue their business interests in a more efficient and economical manner. Previously to this time independent freight forwarders were required only to register with the Federal Maritime Board to obtain a certificate. This bill provides that certain minimum standards be met before any license is granted; carriers will be assured of certain minimum performance ratings, and freight forwarders will be able to increase the effectiveness of their operations. In addition, the independent freight forwarders must perform a minimum number of services to be eligible for the fee.

The carrier will be assured in writing by the licensed freight forwarder that at least two of six services have been performed—see section 43(e) of the bill.

This legislation has been urgently needed for many years to insure improved standards and practices in our merchant shipping operations. Witness after witness has agreed that the Federal Maritime Board should be allowed to establish rules and regulations for the licensing of independent ocean freight forwarders. Complaint after complaint, by carriers and freight forwarders alike, has pointed to the confusion and even false representation that too often plague this vital area of commercial endeavor. For the insurance of fair treatment and increased efficiency in our merchant marine, I heartily endorse the proposed amendment to the Shipping Act of 1916 and urge speedy passage on this important measure, H.R. 5068, with the amendments recommended by the Senate Interstate and Foreign Commerce Committee.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interstate and Foreign Commerce with an amendment, to strike out all after the enacting clause and insert:

That the first section of the Shipping Act, 1916 (46 U.S.C. 801), is amended by adding at the end thereof the following new paragraphs:

"The term 'carrying on the business of forwarding' means the dispatching of shipments by any person on behalf of others, by oceangoing common carriers in commerce from the United States, its territories, or possessions to foreign countries, or between the United States and its territories or possessions, or between such territories and possessions, and handling the formalities incident to such shipments.

"An 'independent ocean freight forwarder' is a person carrying on the business of forwarding for a consideration who is not a shipper or consignee or a seller or purchaser of shipments to foreign countries, nor has any beneficial interest therein other than a lien, nor directly or indirectly controls or is controlled by such shipper or consignee or by any person having such a beneficial interest."

SEC. 2. The Shipping Act, 1916, is further amended by redesignating section 44 as section 45, and inserting immediately after section 43 the following new section:

"SEC. 44. (a) No person shall engage in business as an independent ocean freight forwarder as defined in this Act unless such person holds a license issued by the Federal Maritime Board to engage in such business.

"(b) A forwarder's license shall be issued to any qualified applicant therefor if it is found by the Board that the applicant is, or will be, an 'independent ocean freight forwarder' as defined in this Act and is fit, willing, and able properly to carry on the business of forwarding and to conform to the provisions of this Act and the requirements, rules, and regulations of the Board issued thereunder, and that the proposed forwarding business is, or will be, consistent with the national maritime policies declared in the Merchant Marine Act, 1936; otherwise such application shall be denied. Any independent ocean freight forwarder who, on the effective date of this Act, is carrying on the business of forwarding under a registration number issued by the Board may continue such business for a period of one hundred and twenty days thereafter without a license, and if application for such license is made within such period, such forwarder may, under such regulations as the Board shall prescribe, continue such business until otherwise ordered by the Board.

"(c) The Board shall prescribe reasonable rules and regulations to be observed to regulate the licensing of independent ocean freight forwarders and no such license shall be issued or remain in force unless such forwarder shall have furnished a bond or other security approved by the Board, in such form and amount as in the opinion of the Board will insure financial responsibility and the supply of the services in accordance with contracts, agreements, or arrangements therefor.

"(d) Licenses shall be effective from the date specified therein, and shall remain in effect until suspended or terminated as herein provided. Any such license may, upon application of the holder thereof, in the discretion of the Board, be amended or revoked, in whole or in part, or may upon complaint, or on the Board's own initiative, after notice and hearing, be suspended or revoked for willful failure to comply with any provision of this Act, or with any lawful order, rule, or regulation of the Board promulgated thereunder.

"(e) A common carrier by water may compensate an independent ocean freight forwarder, and such person may receive compensation from such carrier, in connection with any shipment dispatched by such person on behalf of others when, and only when, such person is licensed hereunder and has performed with respect to such shipment two or more of the following services:

"(1) The solicitation and securing of the cargo for the ship or the booking of, or otherwise arranging for space for, such cargo;

"(2) The coordination of the movement of the cargo to shipside;

"(3) The preparation and processing of the ocean bill of lading;

"(4) The preparation and processing of dock receipts or delivery orders;

"(5) The preparation and processing of consular documents or export declarations;

"(6) The payment of the ocean freight charges on such shipments.

Before any such compensation is paid to or received by any person carrying on the business of forwarding, such person shall, if he is qualified under the provisions of this paragraph to receive such compensation, certify in writing to the common carrier by water by which the shipment was dispatched that he is licensed by the Board as an independent ocean freight forwarder and that he performed two or more of the services enumerated in this paragraph with respect to such shipment. Such carrier shall be entitled to rely on such certification unless it knows that the certification is incorrect."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended, so as to read: "An act to amend the Shipping Act, 1916, to provide for licensing independent ocean freight forwarders, and for other purposes."

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. KEATING. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

BILL PASSED OVER

The bill (S. 3739) to amend the District of Columbia Teachers' Salary Act of 1955, as amended, was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I understand this measure is not proper calendar business, and that the Calendar Committee has asked that the bill go over.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

EDWARD KETCHUM

The bill (H.R. 7263) for the relief of Edward Ketchum was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3340) to amend title 18 of the United States Code to authorize certain communications to be intercepted in compliance with State law, and for other purposes, was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I understand that the bill should go over, as not being proper calendar business.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

AMENDMENT OF PROVISIONS OF INTERNAL REVENUE CODE OF 1954 RELATING TO POSSESSIONS OF THE UNITED STATES—BILL PASSED OVER

The bill (H.R. 5547) to amend certain provisions of the Internal Revenue Code of 1954 relating to possessions of the United States was announced as next in order.

Mr. KEATING. Mr. President, by request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. FREAR. Mr. President, before we proceed further, I should like to ask the Senator from Oklahoma a question:

I have been reviewing some of the provisions of H.R. 5547, which was reported by the Senator from Oklahoma for our Committee on Finance. I would like to ask the Senator from Oklahoma a question with respect to section 12 of the bill, which provides that in determining the constructive ownership of stock for personal holding company purposes, the stock owned by a trust or an estate shall be considered as being owned by the beneficiaries in proportion to their actuarial interests. It was my understanding that our committee agreed to the amendment not only because we felt that the rule it prescribed was sound and perhaps the only available rule, but also because it was confirmation of the present law. Let me ask the Senator from Oklahoma whether my understanding is correct.

Mr. KERR. Mr. President, that is my view, and certainly the view of a majority of the committee—that the present law requires an allocation of the stock among beneficiaries of a trust or an estate in proportion to their actuarial interests. The committee's purpose in recommending enactment of this provision of the bill is simply to make the rule explicit in the statute. The committee was prompted to do so because we had been advised that the Internal Revenue Service might assert that the entire value of stock owned by a trust should be allocated to the beneficiary owning the present interest, with nothing allocated to the beneficiary owning a future interest. Such a position, in our opinion, is directly contrary to the present law, and probably will merely promote costly and unnecessary litigation. It is for this reason that the amendment is specifically made effective on the effective date of the Internal Revenue Code of 1954.

I believe that answers the Senator's question.

Mr. FREAR. Yes, I think it does. I thank the Senator for his response, and I now state that his view is in accordance with mine.

Mr. KERR. I thank the Senator from Delaware.

NINETIETH BIRTHDAY OF BERNARD M. BARUCH

Mr. GREEN. Mr. President, it is a pleasure and honor for me today to welcome into the "90-Year Club" one of our most distinguished Americans, Bernard M. Baruch. As many of us know, today, August 19, marks the 90th birthday of our "park bench statesman," and I know all Senators join me in sending him warm greetings.

On Tuesday of this week in Washington, Mr. Baruch's birthday was celebrated by the dedication, with appropriate ceremonies, of his favorite park bench in Lafayette Park as "The Bernard Baruch Bench of Inspiration." The National Capital Area Council of the Boy Scouts of America and the Scouts' national headquarters jointly sponsored this memorable event. Since the Boy Scouts this year are celebrating the 50th anniversary of their founding, it is also a significant and important year for them.

As an honorary member of the National Council of the Boy Scouts of America and of Providence Troop No. 31 of the Narragansett Council in Rhode Island, I was greatly disappointed that I was unable, because of senatorial duties, to attend the ceremony in Lafayette Park. As a long-time friend and admirer of Mr. Baruch, I would have liked to join with the more than 400 Boy Scout leaders, Government officials, and civic-minded citizens who gathered together to honor one of our greatest living Americans.

I request unanimous consent to place in the CONGRESSIONAL RECORD two excellent articles about the ceremony, that appeared in the Washington Evening Star of August 16 and the Washington Post and Times Herald of August 17. In addition to the distinguished citizens and the three Boy Scouts mentioned in these newspaper stories, the ceremonies were attended by a number of dignitaries, including: John M. Schiff, honorary vice president and former president of the Boy Scouts of America; Hon. Joseph E. Talbot, chairman of the U.S. Tariff Commission; Gen. Alfred M. Gruenther, president of the American National Red Cross; Samuel H. Kauffmann, president of the Washington Evening Star; Hon. True Morse, Under Secretary of Agriculture; Daniel W. Bell, chairman of the American Security and Trust Co. and former president of the National Capital Area Council of the Boy Scouts of America; Hon. Conrad L. Wirth, director of the National Park Service; J. Frederic Wiese, chairman of region 3 of the Boy Scouts of America; Harry L. Merrick, vice president of the National Capital Area Council; Col. William H. Press, executive vice president of the Metropolitan Washington Board of Trade; and last, but not least, two esteemed Members of the U.S. Senate, Senator STROM THURMOND, of South Carolina, and Senator ALBERT GORE of Tennessee.

Though he was unable to be present at this ceremony, Mr. Baruch telephoned a personal message which was taped for the audience. I wish to place in the RECORD also a copy of his meaningful words on that occasion, as well as selected excerpts from his philosophy, and the very pertinent remarks about Mr. Baruch which were delivered by my old friend, Morris V. Rosenbloom, who served as chairman of the Boy Scout committee to honor Mr. Baruch. In addition, I request permission to include a copy of the proclamation, issued by the District of Columbia Board of Commissioners, designating August 16 as "Bernard Baruch Day" in the Nation's Capital, and

excerpts of statements received on this important occasion from many world-renowned persons, including Sir Winston Churchill, Mrs. Eleanor Roosevelt, and former President Harry S. Truman.

There being no objection, the remarks and documents were ordered to be printed in the RECORD, as follows:

REMARKS OF MORRIS V. ROSENBLOOM, CHAIRMAN OF THE BOY SCOUT COMMITTEE TO HONOR MR. BERNARD M. BARUCH AT THE CEREMONIES IN LAFAYETTE PARK, 12 O'CLOCK NOON, AUGUST 16, 1960

Thank you very much, President Phil, for that overgenerous introduction. I feel privileged to play a part in this memorable occasion and for being asked to say a few words about one of our most distinguished Americans, who has been such an inspiration to me.

It was in 1942 when I first came to know, admire, and respect Bernard Baruch. As our acquaintance deepened, my warmth and affection did the same. I have been impressed, as I am sure most of you have been, with the multifaceted aspects of the significant contributions he has made over the years to his country. Time does not permit expanding on this subject. However, a few pertinent points are in order.

Here is a man who has been above political considerations. As evidenced by this cross section of America that is here today who have come to do him honor, and by the outpouring of congratulatory messages which I'm sure there will be this Friday, on his 90th birthday, this fact is abundantly clear. To be the trusted adviser to each of our last seven Presidents—Republicans and Democrats alike—what a unique and vital role for a man to play.

"Dr. Facts," as President Wilson liked to call Mr. Baruch, has consistently applied one test to the advice he has given—advice which those of us who are Scouts and Scouters are quick to recognize. It has frequently been a strong admonition to "be prepared." The test he has applied has not been palatability nor political feasibility—it has been what is right realistically. Thus, his advice has not always been acceptable nor popular. Yet, in his own lifetime, he has become a legend because of his role in tackling the tough problems that have led to building our strength against aggression and, as Arthur Krock so aptly pointed out, as our "economic conscience."

Each of us in this Washington audience might benefit from pondering the meaningful words of Woodrow Wilson about his friend, Bernard Baruch, when he spoke about the latter's job when he was in charge of our industrial mobilization during World War I. President Wilson commented, "I like to watch men who are called to Washington for high responsibility. Some of them merely swell—some grow. Bernie grew."

I should like to point out that this park bench of Mr. Baruch's has not been used by him solely for reviewing the weighty problems of the day—such as the rubber report, a good part of which was composed on that park bench. No; it is not unusual for this "park bench office" and the one he uses in New York's Central Park to be frequented by young children playing nearby. I can speak from personal experience when I say that Mr. Baruch has often been more captivated with them—and them with him—than with the serious park bench conferences which have become his trademark.

And now I should like to let you in on a little treat. Mr. Baruch was so concerned about not being able to be with us here today that yesterday afternoon he phoned us his message which we have taped and will now bring you in his own words. In addition, a little later in this program, we will bring you—also in Mr. Baruch's own words—a memorable bit of his valuable philosophy. Let us listen, at this point, to the voice of Bernard Baruch:

"I have been looking forward with much anticipation to being present in Lafayette Park on Tuesday so that I might express in person my appreciation for the honor that has been conferred on me, an honor that touches me deeply and for which I am profoundly grateful. Unfortunately, I cannot make the trip to Washington. Believe me I am keenly disappointed.

"This honor has a special significance to me because it has been bestowed by the Boy Scouts of America, one of the great youth organizations of the world. I know that this is the 50th anniversary of the founding of the Scouts. By my standards that is pretty young, but the good which the Scouts have done in these 50 years in preserving American values, inculcating the principles of fair play, tolerance, service, and love of country is inestimable.

"I am well aware of the Scouting program and of its emphasis on self-discipline and the promotion of the ability of boys to do things for themselves and others. I fully subscribe to this doctrine and believe that adherence to it is a prime necessity in the perilous days ahead. The fact that your program is now being brought to more than 5 million Boy Scouts in this country bodes well for the future health and strength of our Nation.

"The Boy Scout motto, 'Be Prepared,' has always appealed to me. This is a motto that our Nation might well adopt in these dangerous times. Again, my heartfelt thanks to Mr. Rosenbloom, to the new chief Scout executive, Joseph Brunton, and to all who have selected this means of commemorating my 'park bench office' and for extending 90th birthday greetings."

That applause is especially heartwarming because this entire ceremony is being taped so that Mr. Baruch will be able to hear it for himself. It is particularly appropriate, I feel, that Mr. Baruch who, in 1947, was awarded Scouting's highest honor—the Silver Buffalo "for distinguished service to boyhood"—should today be receiving renewed evidence of our esteem and affection.

In conclusion, and in particular to our young people to whom Mr. Baruch has so often referred as the future of our country: As you sit on this park bench in Lafayette Park and, perhaps, will be able to draw some inspiration for your plans and dreams, remember that a distinguished heritage surrounds this very location—a heritage rich in our American traditions of individual dignity, democracy, personal responsibility, and love of country.

I know you all join with me in saying to this great American, as he reaches the age of fourscore years and ten: God bless you and keep you for the inspiring example you have set for your fellow men. As each of us draws inspiration from your life and from the symbolism of this "park bench office" of yours, Mr. Baruch, we wish from the bottom of our hearts that you may enjoy many more happy, healthy, and meaningful years as our beloved "park bench statesman."

MR. BARUCH'S PHILOSOPHY

There always have been those who would make government an instrument of enforcing submission on the people. At the other extreme have been those who would tear down government in angry rebellion and who, if they succeed, usually try to force the people to submit to them. To me the greatness of America rests mainly in the fact that we have a form of government in which the people have the means of effecting all necessary changes without enslaving one another.

No form of government—whether it be socialism, communism, fascism or some "ism" not yet heard of—in itself can solve man's problems. Government is only an instrument for regulating society. A limited democracy—the political form we live under—is bound to have its faults since none of us who make up this democracy is perfect. But this democracy has given each of us the opportunity to better his own condition by his own striving—and more than that no government can give us.

In all our history we have never stopped trying to improve ourselves. We have only to continue in that quest to remain a free and self-respecting people, a sanctuary of strength to the weak and a model of hope for all.

And if we are to continue to govern ourselves we must indeed do just that. We must understand that the extent of freedom which can be permitted us as individuals will depend on the extent to which each of us as individuals does more for himself or herself. We must further understand that to the extent that we do turn to government, instead of doing things for ourselves, we increase the necessity for regulations imposed by the government.

Government by its very nature is discipline. To paraphrase Thomas Jefferson, that government is best which governs the least because its people discipline themselves.

Finally, may I leave with you, as a bit of advice to each of you personally, three rules which in the years ahead you can apply to any problem that may arise:

Rule 1: Get the facts.

Approach each new problem not with a view of finding what you hope will be there but to get the truth, the realities that must be grappled with. You may not like what you find. In that case you are entitled to try to change it. But do not deceive yourself as to what you do find to be the facts of the situation.

Rule 2: Get to know yourself.

Only as you do know yourself can your brain serve you as a sharp and efficient tool. Know your own failings, passions, and prejudices so you can separate them from what you see. Know also when you actually have thought through to the nature of the thing with which you are dealing and when you are not thinking at all. Nowadays, unfortunately, the prevailing habit seems to be to fasten upon some symbol or word—like liberalism, McCarthyism, or appeasement or the new look in this or that, or the New Deal, Fair Deal or other deals—and then to argue fiercely over this label without looking at which lies underneath.

Rule 3: Try to have the wit—but if not, have the discipline—to match up the first two rules.

Knowing yourself and knowing the facts, you can judge whether you can change the situation so it is more to your liking. If you cannot—or if you do not know how to improve on things—then discipline yourself to the adjustments that will be necessary.

I hope these few observations will help start you, to whom the future belongs, upon the course of disciplined reason which draws from man's experience in the past to solve man's present problems.

[From the Washington Post, Aug. 17, 1960]

PLAQUE IS UNVEILED AT BARUCH'S BENCH

The bench in Lafayette Square on which America's "park bench statesman," Bernard M. Baruch, thought out the production problems of two world wars was marked with a bronze plaque yesterday, 3 days before his 90th birthday.

Donated by the National Capital Area Council of the Boy Scouts and the Boy Scouts of America, the plaque stands on a granite base near the bench located just northwest of the statue of Andrew Jackson facing the White House.

Baruch, tired from a recent trip to Europe, was unable to come from New York City for the ceremony, but participants heard a message recorded yesterday at his home.

The plaque names the bench "The Bernard Baruch Bench of Inspiration" and bears the Boy Scouts' motto "Be Prepared," one which Baruch said "has always appealed to me."

That motto, continued the man who has been an adviser to seven Presidents, is one "our Nation might well adopt in these dangerous times."

District Commissioner Robert E. McLaughlin read a proclamation of "Bernard Baruch Day" which included the hope that many others will receive inspiration from sitting on the bench.

Philip Larner Gore, president of the National Capital Area Council, and Joseph A. Brunton, Jr., chief Scout executive, unveiled the plaque with the aid of a trio of local Scouts.

[From the Evening Star, Aug. 16, 1960]

BARUCH PLAQUE ON PARK BENCH UNVEILED HERE

Bernard M. Baruch couldn't make it to Lafayette Park today for the unveiling of a bronze plaque on his favorite bench facing the White House.

But the white-haired elder statesman's rich bass voice, by way of tape recording, dominated the noontime ceremony.

The plaque, on a stone base next to the weathered old wooden bench, included the Boy Scout motto "Be Prepared," which has been Mr. Baruch's personal philosophy during his long years as adviser to seven Presidents.

"This is a motto that our Nation might well adopt in these dangerous times," Mr. Baruch said on the tape recording. The elder statesman, who will be 90 Friday, was advised by his doctors not to attempt the trip here.

He also told the 200 Boy Scouts, Government, and civic leaders at the ceremony that America's greatness lies in the fact that democracy has given us all an opportunity to improve ourselves.

He gave the audience a three-point plan for self-improvement: "Get the facts, even though the truth of the facts may not be what you want to know; get to know yourself—your faults, passions, and prejudices; and try to have the wit, if not then the discipline, to make up to the first two rules."

Joseph A. Brunton, Jr., chief Scout executive of the Boy Scouts of America; Philip L. Gore, president of the National Capital Area Council, and three Scouts unveiled the plaque. It cites Mr. Baruch for his inspiring devotion to country and distinguished service to boyhood.

The three Scouts are Gregory L. Davis, 9, Cub Pack 542; John M. Normyle, 14, Troop 100, and Richard J. Blumberg, 14, Explorer Troop 381.

PROCLAMATION OF THE DISTRICT OF COLUMBIA BOARD OF COMMISSIONERS

BERNARD BARUCH DAY

Whereas the National Capital Area Council of the Boy Scouts of America and the Scouts' national headquarters have selected Tuesday, August 16, 1960, to honor Elder Statesman Bernard M. Baruch; and

Whereas the 90th birthday of this distinguished American occurs later that week, on Friday, August 19—during the 50th anniversary year of the founding of the Boy Scouts of America; and

Whereas Mr. Baruch's favorite Lafayette Park bench will be dedicated as "The Bernard Baruch Bench of Inspiration" and will be commemorated with a bronze plaque which cites Mr. Baruch "for his inspiring devotion to country and distinguished service to boyhood," and which points out that both the Boy Scout motto and Mr. Baruch's oft-repeated philosophy are "Be prepared"; and

Whereas it is hoped that young people, in particular, will receive inspiration from sitting on this bench in the future, as Mr. Baruch has over the years; and

Whereas this ceremony honoring Mr. Baruch is one to which we heartily lend our full support; and

Whereas we also wish to salute the Boy Scouts of America in their golden anniversary year for the matchless contribution which Scouting has lent to the development of our Nation's boyhood, the future citizens and leaders of our country—a cause to which our senior citizen, Mr. Baruch, has been deeply devoted: Now, therefore, we, the Commissioners of the District of Columbia, do take this means of extending a warm welcome to Mr. Bernard M. Baruch by declaring Tuesday, August 16, 1960, "Bernard Baruch Day" in the Nation's Capital. In offering sincere congratulations on his forthcoming 90th birthday, we wish Mr. Baruch many more years of happy, meaningful life, and we hope that the country he loves so dearly may continue to benefit from his dedicated, selfless service

ROBERT E. MCLAUGHLIN,
F. J. CLARKE,
Commissioners of the District of Columbia.

EXCERPTS FROM SOME OF THE TYPICAL LETTERS RECEIVED ABOUT THE DEDICATION OF "THE BERNARD BARUCH BENCH OF INSPIRATION" BY THE BOY SCOUTS OF AMERICA

Winston S. Churchill: "I am glad to pay tribute to my old friend Mr. Bernard Baruch. I have always held his wisdom and character in the highest regard, and we have worked together in war and in peace. It is fitting that this bench on which he has so often meditated and talked should now be dedicated to him."

Mrs. Eleanor Roosevelt: "It would give me pleasure if I could tell you that I would join in the celebrations for Mr. Baruch. Unfortunately, however, I must be at Yale University on August 16.

"With my good wishes to Mr. Baruch and many regrets that I cannot be present to pay tribute to him on this happy occasion."

Harry S. Truman: "I appreciated most highly the invitation of the National Capital Area Council of the Boy Scouts of America and I certainly wish I could be with them, but it just is not possible. My commitments are way above the normal and there is nothing I can do about it."

Gen. Alfred M. Gruenther, president of the American National Red Cross: "I think the idea is an excellent one, and I know that the ceremony will be well received by the public. It will do a great deal to help the Boy Scout cause."

J. Edgar Hoover: "I would very much like to join you at this affair; however, a prior engagement precludes my acceptance. I know that this will be a most enjoyable and inspiring occasion."

Donald S. Bittinger, president of the Washington Gas Light Co.: "Mr. Baruch's example of taking time for thoughtful contemplation is a good example to hold before our youngsters in our hurly-burly world of today."

Howard W. Kacy, president of the Acacia Mutual Life Insurance Co.: "'The Bernard Baruch Bench of Inspiration' will add a unique landmark to our Nation's Capital."

Mr. JAVITS. Mr. President, I rise at this time to take this opportunity to state, even though briefly, my profound respect for the revered Bernard M. Baruch, who is celebrating his 90th birthday. On such a happy and auspicious occasion, I believe that the least we can do is convey to him our most sincere wishes that he will have a very happy birthday.

For years I have honored and highly respected Mr. Baruch, who is one of the outstanding citizens of our country. Certainly the least we can do at this time, in connection with his 90th birthday, is to note this important event, and to extend our sincere best wishes to him.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Ninety Useful Years," which was published today in the New York Times.

There being no objection, the editorial was ordered to be printed in the RECORD as follows:

[From the New York Times, Aug. 19, 1960]

NINETY USEFUL YEARS

Reaching the age of 90 in reasonably good health and spirits is an achievement all by itself. We doubt, however, that Bernard M. Baruch, whose 90th birthday falls today, ever gave much thought to living to a grand old age. His ambition, we suspect, was to be active in mind and body and to get useful work done. In this he has succeeded.

Mr. Baruch did well enough in his private business in his earlier years to enable him to give most of his later years to the service of his country. He would be remembered for his achievements as head of the War Industries Board during the First World War, but he did countless useful things between the two World Wars and after the Second World War and down to this very day.

Whether or not he likes to be associated with the old tradition of the bench on which he sat and to which eminent persons came to seek his advice we are not sure. We do know that his advice was always based on intelligence, experience, and good will. When he disagreed with anybody he said so and when he agreed he said so. He went part of the way but not all of the way with President Franklin D. Roosevelt, as with other Presidents before and since.

We wish this were Mr. Baruch's 50th or 60th birthday rather than his 90th. But we hope the physical constitution he inherited from his good physician father, Simon B. Baruch, will permit him to be with us and to give us good advice in years to come.

Mr. KEATING subsequently said: Mr. President, it is indeed rare that a man becomes a legend in his lifetime, that his name awakens an instant and warm response in the minds and hearts of an entire nation. Such a man is the distinguished and beloved American, Bernard M. Baruch, who this day celebrates his 90th birthday.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. KEATING. I yield to the Senator from Massachusetts.

Mr. KENNEDY. I am delighted to congratulate the Senator from New York on what he is now saying with respect to Mr. Baruch. Mr. Baruch occupies a unique place in the affections of all Americans, and I am happy that the Senator from New York is bringing his birthday anniversary to the attention of the Senate. I join him in his commendation of Mr. Baruch's service to the country.

Mr. KEATING. I thank my friend from Massachusetts very much. I am happy that the Senator from Massa-

chusetts has given voice to those very gracious words, which I know will warm the heart of this fine and great man.

Mr. Baruch has spent his four score and 10 years in bringing to full flower his extraordinary gifts of intellect, of heart, and of spirit, in the cause of his Nation, in the cause of all humanity. Few men can look back upon a life career marked by so many accomplishments and embellished by so many distinctions. Mr. Baruch is perhaps most widely known as the confidant and counselor of Presidents, the park bench sage whose words of advice have been a shaping force in the momentous historic decisions of certain of our Chief Executives.

In this regard, a most touching and significant ceremony took place earlier this week here in Washington when an official delegation of the Boy Scouts of America memorialized the favorite park bench of Mr. Baruch in Lafayette Park. This signal mark of honor took the form of the unveiling of a bronze plaque mounted on a granite block beside the wood-and-metal park bench that has been the scene of so many historic colloquies.

The genius and dedication and energies of Bernard Baruch have ranged many fields of human endeavor, and in each of them he has left the enduring mark of his achievements. He has stood as a towering figure in the world of finance, he is famed as a philanthropist and sportsman. And, in the service of his Nation in World War I, Bernard Baruch was one of the outstanding architects of our victory in his role as Chief of the War Industries Board.

Life has enriched Bernard Baruch, but he, too, has enriched life. He has spent the gold of his talents freely in the interest of his Nation, in the interest of his fellowman.

Here is a great man who wears his greatness lightly. Here is a man to whom the years have been good, because he has filled his years with the full measure of his gifts and his energies. That is why all America attends in spirit today the celebration of Bernard Baruch's 90th birthday. Our hearts wish an old friend well, and may the candles keep lighting his way into the still fruitful and happy years to be.

The high esteem and affection in which Mr. Baruch is held is amply demonstrated by editorials in this morning's New York Times and New York Herald Tribune. I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 19, 1960]

NINETY USEFUL YEARS

Reaching the age of 90 in reasonably good health and spirits is an achievement all by itself. We doubt, however, that Bernard M. Baruch, whose 90th birthday falls today, ever gave much thought to living to a grand old age. His ambition, we suspect, was to be active in mind and body and to get useful work done. In this he has succeeded.

Mr. Baruch did well enough in his private business in his earlier years to enable him to give most of his later years to the service of his country. He would be remembered for his achievements as head of the War Industries Board during the First World War, but he did countless useful things between the two World Wars and after the Second World War and down to this very day.

Whether or not he likes to be associated with the old tradition of the bench on which he sat and to which eminent persons came to seek his advice we are not sure. We do know that his advice was always based on intelligence, experience and good will. When he disagreed with anybody he said so and when he agreed he said so. He went part of the way but not all of the way with President Franklin D. Roosevelt, as with other Presidents before and since.

We wish this were Mr. Baruch's 50th or 60th birthday rather than his 90th. But we hope the physical constitution he inherited from his good physician father, Simon B. Baruch, will permit him to be with us and to give us good advice in years to come.

[From the New York Herald Tribune, Aug. 19, 1960]

BARUCH AT 90: A VALUED VOICE

This is not the first birthday salute the Herald Tribune has published to Bernard Baruch, and we devoutly hope it will not be the last.

But there is something special about it, for it marks Mr. Baruch's passage from the ranks of the world's great octogenarians to those of its great nonagenarians. Mr. Baruch is 90 years old today, and the testimonials of respect and affection that have been greeting him annually for decades past will surely reach a new climax.

Even more remarkable than the length of his life is its usefulness. Longevity is an accident; public service a matter of choice. And Bernard Baruch's life has been devoted to the service of his country and his countrymen.

Whether as an adviser to Presidents or a park-bench philosopher he has invariably spoken his mind candidly, openly, and pungently. Today no less than a half-century ago, his remains a voice to be heard and heeded. We are sure it will continue so as he sails briskly past the 90 mark and heads for 100.

Mr. JOHNSTON of South Carolina subsequently said: Mr. President, it is certainly a pleasure for me to join the millions of other Americans who extend congratulations to Bernard M. Baruch on his 90th birthday. Mr. Baruch is one of our Nation's elder statesmen who has devoted more than his share of time, energy, and money to public service in the interest of our entire Nation. I am especially proud that he is a native son of South Carolina and I know I speak for all the people of my State when I offer congratulations to Mr. Baruch at this time. I am honored to claim him as a friend and I sincerely wish for him many more healthy, productive years for as each year goes by our Nation has always benefited from the wise counselings of this patriot.

The call of the calendar was resumed.

BILLS PASSED OVER

The bill (S. 2652) to strengthen the internal security of the United States, was announced as next in order.

Mr. JOHNSON of Texas. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1689) to create the Freedom Commission for the development of the science of counteraction to the world Communist conspiracy for the training and development of leaders in a total political war, was announced as next in order.

Mr. JOHNSON of Texas. Over.

The PRESIDING OFFICER. The bill will be passed over.

STABILIZATION OF MINING OF LEAD AND ZINC

The bill (H.R. 8860) to stabilize the mining of lead and zinc by small domestic producers on public, Indian, and other lands, and for other purposes, was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, that is the pending business. Over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. JOHNSON of Texas. Mr. President, on Calendar No. 1883, H.R. 8860, if the Senator from Ohio is present, and if I may have the attention of the Senator from Oklahoma and the minority leader, I wonder if it would be agreeable for us to have a unanimous-consent agreement for 30 minutes debate on the bill and 15 minutes on each side on amendments.

Mr. THURMOND. Mr. President, I have a few comments to make.

Mr. JOHNSON of Texas. I have arranged for that.

Mr. LAUSCHE. Mr. President, I do not think 30 minutes would be adequate.

Mr. JOHNSON of Texas. Would 1 hour be agreeable?

Mr. DIRKSEN. Mr. President, I was going to suggest 1 hour.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when we consider the bill we have not to exceed 1 hour on the bill and 30 minutes on amendments, to be equally divided between the opponents and proponents, in the usual form.

The PRESIDING OFFICER. Is there objection?

Mr. KEATING. Mr. President, reserving the right to object, I would like to make a few remarks, but I am willing to do it after consideration of the bill.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement? The Chair hears none, and the agreement is entered.

BILLS PASSED OVER

The bill (H.R. 10548) to amend the Helium Act of September 1, 1937, as amended, for the defense, security, and general welfare of the United States was announced as next in order.

Mr. JOHNSON of Texas. Over.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2151) relative to the distribution of automobiles in interstate commerce was announced as next in order.

Mr. JOHNSON of Texas. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3324) to authorize and direct the Secretary of the Army to convey part of lock and dam No. 10, Kentucky River, Madison County, Ky., to the Pioneer National Monument Association for use as part of a historic site, was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 12483) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, was announced as next in order.

Mr. JOHNSON of Texas. Over.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 8665) to amend the act entitled "An act to establish a memorial to Theodore Roosevelt in the National Capital" to provide for the construction of such memorial by the Secretary of the Interior was announced as next in order.

Mr. JOHNSON of Texas. Over.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

WABASH BASIN INTERAGENCY WATER RESOURCES COMMISSION—BILL PASSED OVER

The bill (S. 3625) to establish a Wabash Basin Interagency Water Resources Commission was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, this measure follows the pattern of the several study groups that have been formed, and I ask permission to insert at this point in the RECORD a brief statement.

Mr. KEATING. Mr. President, is this Calendar No. 1907?

The PRESIDING OFFICER. It is.

Mr. KEATING. Over, by request.

Mr. JOHNSON of Texas. I give notice that we expect to call the bill up by motion, because we have taken such action as is proposed in the case of every State that is involved.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED OVER

The bill (S. 3855) to increase the authorization for appropriations for the President's mutual security contingency fund for the fiscal year 1961, and for other purposes, was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

PENSIONS TO HOLDERS OF THE MEDAL OF HONOR

The bill (H.R. 270) to amend title 38, United States Code, to increase the rate of special pensions payable to certain persons awarded the Medal of Honor, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment to strike out all after the enacting clause and insert:

That (a) subsection (b) of section 560 of title 38, United States Code, is amended by striking out "sixty-five" and inserting "sixty-two."

(b) Any person who, by reason of the amendment made by subsection (a), first becomes eligible to apply for special pension under section 562 of title 38, United States Code, shall, if he files application for such special pension within such one-year period, be paid such pension beginning September 1, 1960, or the date he attains age sixty-two, whichever is later; but no person shall become entitled to payment of special pension by reason of the enactment of subsection (a) for any month prior to September 1960.

SEC. 2. Section 562 of title 38, United States Code, is amended to read as follows:

"(a) The Administrator shall pay monthly to each person whose name has been entered on the Army, Navy, and Air Force Medal of Honor roll a special pension at the rate of $10, beginning as of the date of application therefor under section 560 of this title.

"(b) Any person entitled to special pension under subsection (a) may, upon written application to the Administrator, or to the Secretary concerned in the case of an initial application, elect to receive in lieu thereof special pension at the rate of $100 per month, reduced (but not below the rate of $10 per month) by any pension payable to such person under subchapter II of this chapter. If such application is filed with the Administrator within one year after September 1, 1960, payment of special pension at such rate shall begin on such date, or on the date the person filing such application first became entitled to special pension under subsection (a), whichever is later; otherwise payment of special pension at such rate shall begin with the month in which application therefor is filed with the Administrator, or the Secretary concerned, as the case may be.

"(c) The receipt of special pension shall not deprive any person of any other pension or other benefit, right or privilege to which he is or may hereafter be entitled under any existing or subsequent law. Except as provided in subsection (b), special pension shall be paid in addition to all other payments under the laws of the United States.

"(d) Special pension shall not be subject to any attachment, execution, levy, tax lien, or detention under any process whatever.

"(e) If any person has been awarded more than one Medal of Honor he shall not receive more than one special pension."

SEC. 3. The amendments made by this Act shall become effective on September 1, 1960.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ASSISTANCE IN DEVELOPMENT OF LATIN AMERICA AND RECONSTRUCTION OF CHILE—BILLS PASSED OVER

The bill (S. 3861) to provide for assistance in the development of Latin America and in the reconstruction of Chile, and for other purposes, was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, we will call that bill up by motion later in the day.

I am informed there are reasons for not considering on a call of the calendar all order numbers from 1911 through the remainder of the calendar, and that will complete the call, because I will ask that they go over.

The PRESIDING OFFICER. The bills will go over.

The bills ordered to be passed over are as follows:

S. 3524, a bill to provide for a Commission on Presidential Office Space.

H.R. 900, an act to validate certain overpayments inadvertently made by the United States to several of the States and to relieve certifying and disbursing officers from liability thereon.

H.R. 2178, an act to authorize the Secretary of the Army to make certain changes in the road at the Whites Branch, Grapevine Reservoir, Tex.

H.R. 9377, an act to provide for the protection of forest cover for reservoir areas under the jurisdiction of the Secretary of the Army and the Chief of Engineers.

H.R. 12530, an act to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the John H. Kerr Reservoir, Va. and N.C.

S. 3713, a bill to increase the salaries of officers and members of the Metropolitan Police force, and the Fire Department of the District of Columbia, the U.S. Park Police, the White House Police, and for other purposes.

H.R. 10346, an act to amend the District of Columbia Sales Tax Act so as to increase the rate of tax imposed on gross receipts from certain sales, and for other purposes.

H.R. 12563, an act to amend the act entitled "An act to provide additional revenue for the District of Columbia, and for other purposes," approved August 17, 1937, as amended.

S. 3681, a bill authorizing the Rhode Island Turnpike and Bridge Authority to combine for financing purposes the bridge across the west passage of Narragansett Bay with the Newport Bridge and any other project acquired or constructed by said authority.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I was about to ask the Chair to lay the unfinished business before the Senate, but I shall withhold the request, because we want to have tributes now.

I ask unanimous consent that the Chair not lay before the Senate the lead and zinc bill and that the unanimous-consent agreement not begin to operate until after we have completed the tributes to the minority secretary.

The PRESIDING OFFICER. Without objection, it is so ordered.

CIVIL RIGHTS LEGISLATION

Mr. PROXMIRE. Mr. President, will the majority leader yield for 1 minute, for a brief insertion?

Mr. JOHNSON of Texas. I yield.

Mr. PROXMIRE. I should like to put into the RECORD a statement given this morning to the press by Representative EMANUEL CELLER, chairman of the Judiciary Committee of the House:

The Republicans prate of civil rights. The leitmotif is politics. The music is false and off key. Civil rights legislation cannot

be brought to any successful conclusion in the remaining few days of this short session—a session called to conclude business unfinished during the regular session, including minimum wage, Federal aid to education, medical aid to aged. The legislation will be time consuming. Any attempt at civil rights would get us involved in Republican intrigue and conservative Republican obstacles that would make the Congress just a political Donnybrook Fair. As chairman of the Judiciary Committee, I would not entertain any civil rights legislation this session.

That statement is from the chairman of the House Judiciary Committee, making it perfectly obvious that any attempt to bring up civil rights will only stall the Senate and it will be impossible for this Congress to act on the matters for which we were called back.

EQUALITY VERSUS LIBERTY: THE ETERNAL CONFLICT

Mr. THURMOND. Mr. President, the August 1960 issue of the American Bar Association Journal carries a very important article entitled "Equality Versus Liberty: The Eternal Conflict," which was ably written by a very distinguished member of the Georgia Bar Association, Mr. R. Carter Pittman, of Dalton, Ga. In this article, Mr. Pittman has exploded the myth of human equality and pointed out that, far from being a part of the American creed, it is "the creed of Marxism and the come-on of communism." Mr. Pittman points out that there is no mention of human equality in the U.S. Constitution and, by very diligent research, he also casts new light upon the 18th century meaning of the statement from the Declaration of Independence that "all men are created equal." He further makes the point that men can be equal only in the sight of God and in their right to freedom and independence under law.

I have been so impressed, Mr. President, with the importance of having this article distributed as widely as possible throughout our Nation that I ask unanimous consent that it be printed in the RECORD at the conclusion of these remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EQUALITY VERSUS LIBERTY: THE ETERNAL CONFLICT

(By R. Carter Pittman, of the Georgia bar, Dalton)

(NOTE.—Mr. Pittman believes that the current emphasis upon "equality" is misconceived, in spite of many statements by responsible men that equality is a basic tenet of American Government. He argues that, by its very nature, equality is inimical to liberty and his research casts new light upon the 18th-century meaning of the Declaration of Independence's statement that "all men are created equal.")

"Inequality will exist as long as liberty exists. It unavoidably results from that very liberty itself," Alexander Hamilton.

During recent years many articles have appeared in learned journals in which it is stated in one way or another as a fundamental principle that America was founded upon the proposition or conceived in the philosophy that "all men are created equal." For a convenient text we quote from an article by Charles H. Davis, justice of the Illinois supreme court, appearing in the March 1959 issue of the American Bar Association Journal entitled "Constitutional Law: The States and the Supreme Court." While discussing various proposals to limit the jurisdiction of the Supreme Court, on page 311, he said:

"The worth of such proposals should be viewed in the light of a recurrence to the fundamental principles of our civil government. America was conceived in the philosophy 'That all men are created equal'."

Similar statements are to be found in speeches made or read by Presidents, Vice Presidents, and Members of the Congress. The doctrine of human equality has found its way into judicial decisions of our highest courts.

In its official report of September 9, 1959, the Civil Rights Commission asserted on page 3:

"The Declaration of 1776 recognized as the first principle of our independence that all men are created equal."

Vice Chairman Robert G. Storey and Commissioners John S. Battle and Doyle E. Carlton dissented, because "such assertions ignore historical fact" but, nevertheless, this assertion and others of like content were officially embodied in the report by vote of three to three and the dissent merely footnoted.

Many of the so-called civil rights bills introduced in the Congress in recent years recite as the basis and foundation for their provisions the doctrine that all men are equal.[1] Human equality was the doctrinal basis for *Brown* v. *Board of Education* of May 17, 1954, and subsequent integration decisions.[2]

American high school and college textbooks are loaded with equalitarian propaganda, all pointing to the Declaration of Independence equality clause as the American dream or the American ideal or the American creed. For example in "Democracy versus Communism" (1957) by Kenneth Colegrove and others, prepared under the auspices of the Institute of Fiscal and Political Education, as a high school text to explain the differences between democracy and communism (now widely used in American public schools) it is stated on page 31:

"The fathers of our Nation accepted as a basis for the Constitution the Declaration of Independence."

And on page 43:

"The Declaration of Independence states that 'all men are created equal,' and it means exactly what it says."

To appropriate the words of Justice Davis, the equalitarian doctrine itself "should be viewed in the light of a recurrence to the fundamental principles of our civil government." Given a little patience and an open mind the truth may be seen in such a light.

No one questions the right of all men to equal justice under law, but propagandists have carried the doctrine beyond equality of rights to equality of things, and men are heard to proclaim human equality who would revolt at the suggestion that all birds, all fish, all cattle, all dogs, or all racehorses are equal. Of course, all men are not created equal any more so than are all other members of the animal kingdom. Even if they are created equal, creation ends, when life begins, and life is always unequal. Nevertheless, we are told over and over again and again that all men are equal and the Declaration of Independence is cited as final authority.

THE DECLARATION IS NOT THE LAW

The Declaration of Independence never became living law in America, and no provision of the Federal Constitution or Bill of Rights can be traced to it and, as this article will demonstrate, its influence on State constitutions and bills of rights has been insignificant. It was written to serve the temporary purposes of a sanguinary conflict. It was and perhaps will ever be history's most effective piece of propaganda, but it neither grants nor protects human rights.

The first paragraph of the Declaration speaks of the necessity "for one people * * * to assume * * * the separate and equal station to which the laws of nature * * * entitle them," thus reaffirming the separate and equal station doctrine established by nature under which all great people have progressed throughout history. Then follows, "* * * all men are created equal," equating "one people" with "all men" and "created" with "laws of nature." No one who helped to write it or who voted to adopt it ever asserted the doctrine of human equality either before or after July 4, 1776, but the Declaration of Independence, like the Constitution, has "taken on new meaning" by the application of "new philosophy" and "modern authority."

At about the time when Thomas Jefferson, Benjamin Franklin, John Adams, Robert Livingston, and Robert Sherman were named as a committee to write the Declaration of Independence, to accord with instructions from the Virginia Convention, which met in May 1776, George Mason's original draft of the Virginia declaration of rights was a popular subject of conversation in Philadelphia and all over America. A draft of 10 paragraphs of Mason's original was mailed to Richard Henry Lee by T. L. Lee from Williamsburg on May 25. It is among the "Mason Papers" in the Library of Congress at this time. The original was extended by Mason into the committee draft in 18 paragraphs and was reported on May 27 and published in Dixon's Virginia Gazette of June 1. It was published in Philadelphia newspapers on June 6, June 8, and June 12 of 1776.[3] It was published and republished in newspapers and magazines all over America and in England.[4]

Jefferson, to whom was assigned the task of writing the preamble to the Declaration

[1] For example, House Resolution 627 introduced by Mr. CELLER, a Member of Congress from Brooklyn, in 84th Cong., recited as its basis "the American principle of equality."

[2] "An American Dilemma" (1944) by Karl Gunnar Myrdal, cited by the Supreme Court as modern authority for its decision in the *Brown* case at 347 U.S. 494, defines the doctrine of human equality as "the highest law of the land" on p. 9, and on p. 14 "the philosophy that all men are created equal" is "the American creed."

In *New York State Commission Against Discrimination* v. *Pelham Hall Apartments, Inc.*, (10 Misc. 2d 334, 341; 170 N.Y.S. 2d 750, 757 (1958)), Justice Eager also treated the philosophy of human equality as the highest law of the land and upheld a clearly unconstitutional law banning discrimination in publicly assisted housing, saying:

"The private ownership of private property free of unreasonable restriction upon the control thereof, is truly a part of our way of life, but, on the other hand, we, as a people do hold firmly to the philosophy that all men are created equal."

For a critical discussion of the New York case see "Anti-Discrimination Legislation as an Infringement of Freedom of Choice," by Alfred Avins, 6 New York Law Forum, January 1960, 13, 16.

[3] Pennsylvania Evening Post, June 6; Pennsylvania Ledger, June 8; Pennsylvania Gazette, June 12.

[4] See, as examples: Maryland Journal, June 12; Maryland Gazette, June 13; New York Gazette, June 17. Among English publications it appeared in was the Remembrancer.

of Independence, took the first three paragraphs of Mason's original draft of the Virginia declaration of rights and rearranged and rephrased them to make a preamble for the Declaration of Independence.

The preamble for the proposed Virginia declaration of rights as published stated that it was the basis and foundation of government in Virginia. Its first paragraph was: "that all men are born equally free and independent and have certain inherent natural rights, of which they cannot, by any compact, deprive, or divest their posterity; among which are the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety."

The Virginia convention, before officially adopting Mason's original or the committee draft, changed the first paragraph to read: [5]

"That all men are by nature equally free and independent and have certain inherent rights of which when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety."

Jefferson never saw that version until he returned to Virginia long after the Declaration of Independence was adopted. Jefferson's rendition from the Mason original was "that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness."

EQUALITY ENDS AT BIRTH

So the basis and foundation of the first free government in America was equality of freedom and independence, while the Jefferson perversion was equality at creation. The Declaration of Independence does not say that all men are equal. It says that they were created equal. There equality ends.

All Americans thought alike on the subject in 1776. Benjamin Franklin, a few days after the Declaration was promulgated, helped to write a declaration of rights for the State of Pennsylvania. He copied Mason's original Virginia declaration of rights almost verbatim. His first paragraph was "that all men are born equally free and independent, and have certain natural, inalienable rights, amongst which are the enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining happiness and safety."

So the basis and foundation of Franklin's government was the same as that of Mason's Virginia. It was equality of freedom and independence.

The Massachusetts declaration of rights contains the phrase "all men are born free and equal." The "Writings of John Adams" (vol. 4, p. 220) reveal that the original draft prepared by the committee of which John Adams was chairman, in 1779, exactly copied George Mason's original with the words "That all men are born equally free and independent."

Before the Massachusetts declaration was officially adopted John Adams embarked for France and on the 29th day of September 1779,[6] the convention struck out the word "equally" and the word "independent" and substituted for the word "independent" the word "equal" making the clause read as it now reads: "All men are born free and equal." John Adams was embittered by the change and, as we shall later see, had he been present it would not have occurred.[7] No other State adopted a human equality clause of any character until after 1835.

New Hampshire and North Carolina also copied Mason's original while not 1 of the 13 copied from the Declaration of Independence.

When the U.S. Constitution was under discussion at the Philadelphia Constitutional Convention in 1787 not 1 delegate from any of the 12 States represented suggested that "all men are equal" either at creation or in life. On June 26, 1787, on the floor of the Convention Alexander Hamilton, the patron saint of the Republican Party, said:

"Inequality will exist as long as liberty exists. It unavoidably results from that very liberty itself."

Apparently every mind in the Convention assented, because not a word may be found in all the "Notes of Debates" to indicate that any delegate believed in the doctrine of human equality in 1787.

So far as we have found, the doctrine of human equality was not suggested by any one in the battle that raged over ratification and a bill of rights. In the South Carolina Ratifying Convention of 1788, Charles Cotesworth Pinckney, a member of the Philadelphia Convention of 1787, explained that one of the reasons why no bill of rights was adopted in Philadelphia which "* * * weighed particularly, with the members from this State" was that "such bills generally begin by declaring that all men are by nature born free. Now, we should make that declaration with a very bad grace, when a large part of our property consists in men who are actually born slaves." [8] If "born free" was rejected in Philadelphia, what chance would one expect for "created equal"?

The Constitution proclaims in its preamble that it was established "to * * * insure domestic tranquillity * * * and secure the blessings of liberty." Nowhere does it hint a purpose to insure or impose equality of men or things. The due process clause of the 5th and 14th amendments which render life, liberty and property immune from attack except by the orderly processes fixed by law, insure that American governments may not impose equality.

The bills of rights of 18 of the 48 contiguous States now use the Mason phrase, "equally free and independent" as set forth in Mason's original draft and that of Virginia's convention of June 12, 1776. Eight prefaced the phrase with the word "born," as Mason originally wrote it.[9] Ten use the exact words of the official Virginia convention draft, prefacing the phrase with the words "by nature," instead of the word "born." [10]

Arkansas uses the phrase "are created equally free and independent." Sixteen States have no equality clause whatever.[11]

The bills of rights of Idaho, Iowa, Kentucky, and Nevada contain the clause: "all men are by nature free and equal," revealing the influence of both Mason's draft, the official draft, and the Declaration of Independence.

Connecticut and Oregon put it this way: "That all men when they form a social compact, are equal in rights."

Texas says the same thing except it substituted "have equal rights" for "are equal in rights."

Florida uses Aristotle's phrase, "equal before the law." [12]

Kansas guarantees "equal * * * rights," and Wyoming "equality of * * * rights."

Of the constitutions and bills of rights of the 48 States as of 1917 (the last available printing) only 2 use the equality clause of the Declaration of Independence. Those two are Indiana and North Carolina. It first appears in section 1 or article I of Indiana's bill of rights, adopted in 1851,[13] as follows:

"We declare that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness."

Indiana, without deeming it necessary to change the equality clause of her bill of rights, amended her constitution in 1881 so as to prevent further migration of Negroes into the State and so as to deny suffrage to Negroes already in the State.[14]

The contrast between inequality necessarily implicit in the amendments, and the doctrine of equality at creation in the Bill of Rights did not seem to bother the people of Indiana at a time so recent as to be remembered by some now living.

The other State is North Carolina whose bill of rights of 1868, and now, recites in its first clause, "that we hold it to be self-evident that all men are created equal."

For decades after 1776 North Carolina's bill of rights proclaimed "that all men are born equally free and independent". There must surely be some explanation as to why people who had lived under maxims of George Mason since 1776 should suddenly change in 1868. The Constitution of 1868 was framed in a convention called under the reconstruction acts of Congress, by Major General Canby. It assembled at Raleigh January 14, 1868. Federal soldiers stood guard over the deliberations. The same equality clause was inserted in the bills of rights of many Southern States while the natural leaders of the white people were held at bay by Federal bayonets. See for examples, the Alabama bill of rights of 1867, the Louisiana bill of rights of 1868, South Carolina's of 1868 and Florida's of 1868.[15]

As is well known by those the least familiar with American history, shortly after the Federal troops were withdrawn, the white people of the South quickly expelled the carpetbaggers and subdued the scalawags and re-

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[5] NOTE.—All quotations from State bills of rights and constitutions in this article may be found in "Thorpe's Charters and Constitutions" (1882), or "The State Constitutions," by Kettleborough. Thorpe contains all fundamental documents back of 1880 and Kettleborough those in force in 1917. Both are arranged alphabetically as to States and Thorpe is arranged chronologically as to each State.

[6] Journal of Massachusetts Constitutional Convention 1779, p. 37.

[7] NOTE.—Both John Adams and Thomas Jefferson died on the exact date of the 50th anniversary of the Declaration of Independence. A few days before his death a citizens committee of Quincy, Mass., requested Mr. Adams, then more than 90 years of age, to appear at a ceremony celebrating the Fourth and honoring him. He declined attendance because of feebleness, but when urged to do so he gave a toast to be presented on the Fourth and it was presented almost within his hearing, had he been able to hear, but he was in the articles of death. The toast was: "Independence forever." He refused to add another word.

In "I Works of John Adams," 635, his grandson, Charles Francis Adams, had this to say:

"In that brief sentiment Mr. Adams infused the essence of his whole character, and of his lifelong labors for his country."

[8] 4 Elliot's Debates, 316.

[9] Maine, Montana, New Hampshire, New Mexico, Pennsylvania, South Dakota, Vermont, and Wisconsin. See Kettleborough, supra.

[10] Alabama, California, Illinois, Nebraska, Nevada, New Jersey (Const.), North Dakota, Ohio, Virginia and West Virginia. (Nebraska, Nevada and New Jersey left out the word "equally"). Ibid.

[11] Arizona, Colorado, Delaware, Georgia, Louisiana, Indiana. (Michigan, Minnesota, Mississippi, Missouri, New York, Oklahoma, Rhode Island, South Carolina, Utah, Washington.) Ibid.

[12] "Aristotle's Politics," V.

[13] 2 Thorpe, supra, 1073.

[14] Thorpe, supra.

[15] Ibid.

captured the State governments. Every one of those States, with one exception, promptly called a constitutional convention and adopted its constitution according to its own wishes in place of those imposed upon it by military might. All struck the doctrine of human equality from their constitutions, except North Carolina. Why North Carolina should have retained that doctrine in her bill of rights is a mystery. There it stands on parchment as a horrid fragment of feudal despotism imposed upon a proud and helpless people by superior force.

LINCOLN ON EQUALITY

In his famous Gettysburg Address in 1863, Lincoln recited from the Declaration of Independence in this context:

"Four-score and seven years ago our fathers brought forth upon this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal."

At the hour when Lincoln made that speech the declaration of rights of his home State of Illinois proclaimed in the words of George Mason:

"That all men are born equally free and independent, and have certain inherent and indefeasible rights, among which are those of enjoying and defending life and liberty, and of acquiring, possessing, and protecting property and reputation, and of pursuing their own happiness."

Lincoln's task in 1863 was much like Jefferson's in 1776. Equally they needed a phrase that would arrest the imagination and stir emotions. When Lincoln recited from the Declaration few remembered the phrase. For near a century before 1863 it was seldom mentioned. In 1863 as in 1776 it kindled a flame that spread. It aroused emotions of sympathy. That is the primary reason for and the most powerful result of propaganda. The maxim "all is fair in love and war" is not alone for Machiavelli.

Only a year before, on August 14, 1862, President Lincoln demonstrated that he was not an equalitarian. Speaking to a large group of Negro delegates in Washington, he said: [16]

"You and we are different races. We have between us a broader difference than exists between almost any other two races.

"Whether it be right or wrong I need not discuss; but this physical difference is a great disadvantage to us both, as I think. * * *

"Even when you cease to be slaves, you are yet far removed from being placed on an equality with white people. On this broad continent not a single man of your race is made the equal of a single man of ours. Go where you are treated best, and the ban is still upon you. I cannot alter it if I would. * * * See our present condition—the country engaged in war, our white men cutting one another's throats, and then consider what we know to be the truth. But for your race among us there would be no war, although many men engaged on either side do not care for you one way or the other. It is better for us both, therefore, to be separated."

The declaration of rights of California, home State of Chief Justice Warren, of the Supreme Court, is almost a verbatim copy of the official Virginia declaration of rights. It proclaims:

"All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing and protecting property; and pursuing and obtaining safety and happiness."

No member of the Supreme Court can find support for equalitarianism in the fundamental laws of his home State.

The constitutions of the various republics of the world to be found in three volumes of Peaslee's "Constitutions of Nations," reveal that the doctrine of human equality has been universally rejected in the constitutions of the non-Communist world. The constitutions of a few Communist countries proclaim the doctrine of human equality but none of the living constitutions of free republics, so far as we have found, now proclaim or perpetuate that doctrine. As an interesting illustration, the Constitution of the Negro Republic of Liberia, adopted July 26, 1847, and still of force, which forbids the ownership of land by members of the white race, has as the first paragraph of its Bill of Rights almost the exact words of the George Mason original: [17]

"All men are born equally free and independent and have certain natural, inherent, and inalienable rights, among which are the rights of enjoying and defending life and liberty, of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness."

Thirty-one of the constitutions of the nations of the world contain Aristotle's equality clause, as does Florida, to wit: [18]

"Equal before the law."

For all men to be "equally free and independent" they must be "equal before the law." There is no such thing as freedom and independence under men. It exists under law or not at all. The 14th amendment guarantee that no State shall deprive any citizen of "equal protection of the law," is but another way of expressing man's inherent right to equality of freedom and independence under law.

THE COMMUNIST KIND OF "EQUALITY"

The same concept of equality before the law is expressed, sometimes in the words of Mason, and sometimes in the words of Aristotle, and protected by safeguards in more than 70 of the 83 constitutions edited by Peaslee in 1950. Only four contain the concept of cultural, economic, or social equality that Myrdal found to be the "American creed." Those four are Guatemala,[19] the Mongol Peoples Republic,[20] the Ukrainian Soviet Socialist Republic,[21] and the Union of Soviet Socialist Republics.[22]

Mongolia puts it this way: "Equal rights in all spheres of the state, economic, cultural, and sociopolitical."

Russia puts it this way: "Equality of rights of citizens of the U.S.S.R. irrespective of their nationality or race; in all spheres of economic, government, cultural, political, and other public activity."

While Russia has partially succeeded in reducing most of her people to the level of degradation approaching cultural "equality," she has been careful not to interfere with the segregation practices and racial mores of her people. Even Russian despots have more sense than to atempt a thing like that.

In the summer of 1955 Justice Douglas and Robert F. Kennedy, an attorney for a Senate committee, toured Russia. Mr. Justice Douglas found something he didn't fully tell.[23] Mr. Kennedy spilled it in the New York Times magazine of Sunday, April 3, 1956. Here is a part:

"In every city that we visited there were two different school systems. There was one set of schools for the local children—those of a different color and race from the European Russian children. State and collective farms were operated by one group or the other, rarely by a mixture of both.

"Although work is supposedly being done to minimize the differences, many of the cities we visited were still split into two sections, with the finer residential areas being reserved for the European Russians. European Russians coming into the area receive a 30-percent wage preferential over local inhabitants doing the same jobs. The whole pattern of segregation and discrimination was as pronounced in this area as virtually anywhere else in the world."

A distinguishing feature of communism is that it never practices what it preaches. It always says one thing to distract attention as it does another.

Karl Gunnar Myrdal, whose book, "American Dilemma," is now corpus-juris-tertius and "modern authority" in the Supreme Court's pseudo-socio-law, defined the "American creed," on page 4 of his book, as the "fundamental equality of all men." On pages 4 and 9 he unwittingly copied Hamilton to admit that liberty and equality cannot coexist because, as he insists, there is an "inherent conflict" between them and "equality is slowing winning." After defining the "American creed" as "the fundamental equality of all men" he says that its "tenets were written into the Declaration of Independence, the preamble of the Constitution, the Bill of Rights and into the constitutions of the several States. The ideals of the American creed have thus become the highest law of the land."

He must have known that the Federal Constitution and Bill of Rights and those of the States were written "to secure the blessings of liberty" and that neither says a word about securing human equality.

Myrdal is not the only one to try to make an equalitarian Marxist out of Jefferson. On one of the huge marble panels on the left as one enters the Jefferson Memorial in Washington, D.C., is a fragment of one of Jefferson's sentences. As inscribed upon the panel the words are: "Nothing is more certainly written in the book of fate than that these people are to be free."

As written by Jefferson there was no period, but there was a semicolon and the sentence continued: "nor is it less certain, that the two races, equally free, cannot live in the same government (the Jefferson Cyclopedia, p. 816).

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[16] 8 "Complete Works of Abraham Lincoln" (1905).

NOTE.—The predominance of persistent propaganda over seldom-told facts is illustrated by the popular and prevalent view of Lincoln's Emancipation Proclamation of Jan. 1, 1863. But few know that the Proclamation applied only and expressly to "* * * persons held as slaves within any State or designated part of a State the people whereof * * * [are] * * * in rebellion against the United States."

See U.S. Statutes at Large, vol. XII, 1268, 1269.

[17] 2 Peaslee, supra, 364.

[18] Albania, art. 12; Argentina, art. 28; Belgium, art 6; Brazil, art. 141; Bulgaria, art. 71: Burma, art. 13; China, art. 7; Costa Rica, art. 25; Cuba, art. 20; Czechoslovakia, sec. 1; Egypt, art. 3; El Salvador, art. 23; Finland, art. 15; Haiti, art. 11; Ireland, art. 40(12); Italy, art. 3; Japan, art. 14; Korea, art. 8; Lebanon, art. 7; Lichtenstein, art. 31; Luxembourg, art. 11; Monaco, art. 5; Nicaragua, art. 109; Panama, art. 21; Paraguay, art. 33; Rumania, art. 16; Switzerland, art. 4; Thailand, sec. 27; Turkey, art. 69; Uruguay, art. 8; Yugoslavia, art. 21.

See Peaslee, supra.

[19] Art. 23.

[20] Art. 79.

[21] Art. 103.

[22] Art. 123. (See "Constitutions of Nations," alphabetically arranged, by Peaslee (1950).

[23] In justice to Justice Douglas let it be said that whatever his racial views as between whites and blacks, he approves and justifies laws discriminating between whites and yellows and whites and reds, based on "racial traits."

See Douglas, "We the Judges" (1956), pp. 398–399.

That clause was deliberately left off that panel by some modern equalitarian.

On pages 12 and 13 Myrdal said:

"The worship of the Constitution * * * is a most flagrant violation of the American creed which is strongly opposed to stiff formulas."

On page 18 Myrdal finds judges and lawyers to be anathema to those indoctrinated with the American creed, saying:

"The judicial order is in many respects contrary to all their inclinations."

Naturally so, because liberty may not exist without a Constitution sustained, as written, by an emancipated judiciary selected for learning and honor. Equality may be established only where the judiciary is so prostituted that it will undermine that which its members take an oath to support.

WHY THE DECLARATION SAYS "CREATED EQUAL"

Why did Thomas Jefferson, Benjamin Franklin, and John Adams, the subcommittee that drafted the Declaration of Independence, use a phrase so susceptible to misuse and misconstruction as "all men are created equal"? The answer to that question is partially explained in the "Writings of John Adams." Prior to 1776 two half-demented philosophers of France, named Helvetius and Rousseau,[24] had maintained that "all men are equal," and had preached "the brotherhood of man." France was saturated with it. That philosophy had caught on with the simple-minded peasants and philosophers of France. Nothing appealed so powerfully to the ignorant French peasants as the doctrine that "all men are equal" or are brothers. To the peasant that meant that all men are kings. The slogan was echoed all over France: "Every man a king." The thought didn't occur to them that if all men are kings, then all might be peasants or slaves.

The Declaration of Independence recites that its purpose was "to enable the States to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do." Those who wrote it and those who signed it knew that it was written for the principal purpose of bringing France into the Revolution on the side of America.[25] The war had been going on for a full year. America was in an unequal struggle for life over death. Washington had been at the head of America's armies a year before July 4, 1776. Washington's task looked hopeless. Jefferson's task was to win the case for America by writing a powerful preamble that would appeal to the hearts—not the minds of the French people. Since the doctrine of human equality had become a popular creed in France and since Helvetius and Rousseau were the prophets of that creed, Jefferson directed the Declaration at the hearts of the French people by declaring that "all men are created equal."

In their old age Thomas Jefferson and John Adams progresed from political rivals to bosom friends. On the 13th day of July 1813, Adams' mind went back to July 4, 1776, when he and Jefferson labored together in Philadelphia. He wrote to Jefferson that day: [26]

"Inequalities of mind and body are so established by God Almighty in his constitution of human nature, that no art or policy can ever plane them down to a level. I have never read reasoning more absurd, sophistry more gross, in proof of the Athanasian creed, or transsubstantiation, than the subtle labors of Helvetius and Rousseau to demonstrate the natural equality of mankind. Jus cuique, the Golden Rule, do as you would be done by, is all the equality that can be supported or defended by reason or common sense."

About a year later, on the 15th day of April, 1814, John Adams wrote to John Taylor of Virginia.[27]

"Inequalities are a part of the natural history of man. I believe that none but Helvetius will affirm, that all children are born with equal genius.

"That all men are born to equal rights is true. Every being has a right to his own, as clear, as moral, as sacred, as any other being has. This is as indubitable as a moral government in the universe. But to teach that all men are born with equal powers and faculties, to equal influence in society, to equal property and advantages through life, is as gross a fraud, as glaring an imposition on the credulity of the people, as ever was practiced * * * by the self-styled philosophers of the French Revolution. For honor's sake, Mr. Taylor, for truth and virtue's sake, let American philosophers and politicians despise it."

Much has been falsely written and more has been mistakenly said about the influence of the human equality doctrine of the Declaration of Independence on France. We may not complete the story about America without telling the story of France.

In 1783 Benjamin Franklin translated and prepared for publication a French edition of the Declaration of Independence and all American State bills of rights and constitutions adopted up to that time, including the committee draft of Virginia's declaration of rights and constitution, both written by George Mason—but not the official draft of the Virginia declaration which Franklin did not have because it was not published in any form for distribution outside of Virginia until well into the 1800's. As is well known, that book greatly influenced the French Revolution.[28] In August 1789 France adopted the celebrated French Declaration of Rights which copied much from those published by Franklin.

Since Helvetius and Rousseau had been the prophets of the creed of equalitarianism one would expect the French Declaration of 1789 to have asserted the doctrine that "all men are created equal," as did the Declaration of Independence. But, instead of following Helvetius, Rousseau or the Declaration of Independence, France rephrased George Mason's original and asserted as the first paragraph of her Declaration language which, when translated back into English, comes out: "Men are born and always continue free and equal in respect of their rights." Her Declaration then defines "the natural and imprescriptible rights of man" as "liberty, property, security and resistance to oppression." [29]

The French Revolution teaches that liberty does not reside in the power of the majority to run the state but it lies rather in the security of a minority from the arbitrary exertion of the majority exercising the powers of the state. In that bath of blood equality finally became the revolutionary creed. The nobility was leveled to the middle class and finally the middle class was leveled to the proletarian. The attempt to create a classless society resulted in the complete suppression of liberty. Power now moved smoothly over a level plateau. The promised liberty and freedom of the French people vanished in the dead sea of equality.

THE FRENCH DECLARATION A PERVERTED DOCTRINE

The French Declaration of August 1789 was superseded by the French Declaration of June 1793. The latter repealed and annulled the doctrine of George Mason and turned back to the perverted doctrine of Helvetius and Rousseau to recite that "all men are equal by nature." It defined the "natural and inalienable" rights of men as "equality, liberty, security, and property." [30] At last France was ready for the motto of state originally proposed by Antoine François Momoro: "Liberté, Egalite, Fraternité."

It was not until the year 1940 that that cluster of inconsistencies was stricken from the tricolor of France. It was not until September 28, 1946, that France abandoned the Declaration of Rights of 1793 and went back to that of 1789. The French National Constituent Assembly in 1946 returned to George Mason and sanity in government, with this grand statement: [31]

"On the morrow of the victory of the free peoples over the regimes that attempted to enslave and degrade the human person, the French people * * * solemnly reaffirms the rights and freedoms of man and of the citizen consecrated by the declaration of rights of 1789 and of the fundamental principles recognized by the laws of the Republic."

The only revolutions that better the lot of man are those that revolve back to fundamental principles and proved maxims under which man has enjoyed equality of freedom and independence. Those are the mellowed fruits of historic experience gathered in her Gardens of Gethsemane. At last France "turned back the clock" from a despotism tempered with epigrams to a government in which powers are limited.

In his "Essays on Freedom and Power" (1943 edition), page 154, Lord Acton had this to say about the effects of the doctrine of equality in the French Revolution:

"The deepest cause which made the French Revolution so disastrous to liberty was its theory of equality * * * With this theory of equality, liberty was quenched in blood and Frenchmen became ready to sacrifice all other things to save life and fortune."

Speaking on Charter Day at the University of California on March 23, 1907, Nicholas Murray Butler, president of Columbia University, had this to say: [32]

"The political and social anarchy which Lord Acton described must be the inevitable result whenever the passion for economic equality overcomes the love of liberty in men's breasts. For the state is founded upon justice, and justice involves liberty, and liberty denies economic equality; because equality of ability, of efficiency, and even of physical force are unknown among men."

The American Revolution was kept under control by constitutions that limited power in order to preserve liberty. Virginia's bill of rights and constitution were both written before the Declaration of Independence. All of the 13 States immediately followed the example and adopted new governments.

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[24] See: 1 Thomas E. Watson's "Story of France" (1918), vol. I, p. 680 et seq.; vol. II, p. 18 et seq., for examples of mental derangements. As fast as his wife gave birth to children, Rousseau packed them off to foundling hospitals. He would not be bothered in his zeal to preach "equality, love, brotherhood, and happiness." Helvetius, the great leveler, employed 24 men with guns and dogs to pull down the wretched hovels of peasants along the borders of his forested estate to guard against intrusions and to guard his hated person.

[25] 2 "Writings of John Adams," p. 486. Becker, "The Declaration of Independence" (1940), p. 129.

[26] 10 "Writings of John Adams," 53.

[27] Ibid., vol. VI, p. 453.

[28] See 8 "Wigmore on Evidence" (3d ed.) 303, quoting from the writer's "History of the Privilege Against Self-Incrimination," 21 Virginia Law Review (1935) 763.

[29] Peaslee, "Constitutions of Nations" (1950), vol. II, p. 21.

[30] Lieber "Civil Liberty" (1880), p. 532.

[31] Peaslee, supra, vol. II, p. 8.

[32] 8 "Modern Eloquence" (1928) 54.

The French Revolution went out of control when it subordinated the liberties of men to the power of a government immediately responsive to equalitarian mobs. Unbridled power and liberty are in eternal enmity. As Lord Acton said, "Power corrupts and absolute power corrupts absolutely" and again, "A nation can never abandon its fate to an authority it cannot control."

When equality displaced liberty as the creed of the French Revolution, the libertarians, Turgot and Necker and Lafayette were replaced by the more radical Barnave, Condorcet, and Mirabeau. In due course these were turned out by the more radical Girondins. They in their turn fell—with heads off—before the ruthless Jacobins. When the egalitarian Jacobins became supreme, the more violent devoured the others. As Camille Desmoulins, who had whipped the Paris mobs into a frenzy at the Palais Royale and the Bastille, rode trussed in a cart on his journey to lay his brilliant head under the fatal knife, he cried out to the mob:

"Don't you remember me? Won't you save me? I am Camille. It was I who started this. It was I who plucked from the tree in the garden of the Palais Royale the first green badge of revolution."

Vain was his plea in a limitless government of equalitarian flesh. He and Danton, who had helped send the moderates to the scaffold, suffered the same fate and were in turn replaced by Marat, Robespierre, Billaud, and other extreme radicals. In his turn Robespierre too was passed on the road—the road to execution.

In "Camille Desmoulins and His Wife," Jules Claretie [translated by Mrs. Cashel Hoey, London, 1876] at page 377, writes the epitaph of Camille—and the liberty he thought might coexist with equality:

"The liberty of which Camille dreamed, that liberty which was the daughter of Athens reared under the sky of Gaul, liberty alike elegant and affable, is still far off. Until now we have preferred equality to liberty. We have let fall the substance for the shadow. What matters it to me that I am the equal of him who is not free? What matters it to me that I share the rights of one whose right it is to grovel? But equality fascinates, like a chimera, while liberty requires a loftier worship. This is the easy seduction of the one and the eternal charm of the other.

"Let us then love and prefer, above all, the liberty which makes men honest and nations great. Let us love her, despite her excesses, and in order to hinder her excesses. A free people knows not the fury of nations that break their fetters and are but unchained from time to time. Slaves only flock to the Saturnalia."

When the storm of equalitarian terror passed over the horizon of French history, there were those in America interested to know what had become of those many French devotees of liberty who had fought in the American Revolution. Here is a part of what they learned: The Duc de Lauzun went to the scaffold and so did Victor de Broglie. Barbé-Marbois, a friend of Jefferson, found safety in obscurity. Alexandre de Beauharnais was beheaded. Ethis de Corny, the friend of Washington and Hamilton, lost his mind over the excesses of the Revolution before dying mad. Custine, who distinguished himself at Yorktown was sent to the scaffold. Arthur Dillon went to his death with these words on his lips: "Vive le Roi." D'Estaing, the great French admiral, whose life story was told by Alexander Lawrence in "Storm Over Savannah" (University of Georgia Press, 1951) was guillotined. Lafayette, shocked and heartbroken by the excesses of the Revolution, left France to be cast as a prisoner of state into a dungeon at Olmutz. Charles de Lameth, who was wounded at Yorktown, fled the country. So did Alexandre and Theodore de Lameth. Montesquieu, the grandson of the great political philosopher, was forced to flee for safety. The Comte de Rochambeau was saved from the guillotine only by the fact that his son was an outstanding leader in the French Army. This is only a part of the story as to a part of those who helped America win its freedom. It is briefly told by Lewis Rosenthal in "America and France" (1882), page 271 et seq. It is more fully told in the "General and Universal Biographies of France."

John Adams was in France during her Revolution and knew this story firsthand when he wrote to John Taylor in 1814 about the doctrine of equality:

"For honor's sake, Mr. Taylor, for truth and virtue's sake, let American philosophers and politicians despise it."

It is no wonder that he described that doctrine as a "gross fraud" and a "glaring imposition." James Madison, Charles W. Eliot, Henry James, Edmund Burke, John Morley, and hundreds of others have exposed the specious thing, but it lives on.

SOCIAL EQUALITY: A COMMUNIST TOOL

At the Eighth Congress of the Communist International held in Moscow in 1928, methods to be used to destroy true representative government by free people were fully discussed. It has been revealed over and over again [33] that advocacy of "social equality" among diverse races was there agreed upon as the surest method for the destruction of free governments in America and elsewhere. Since class hatred is the sure-fire Communist weapon to bring about internal strife and finally revolution, Moscow adopted the slogan, "all men are equal" for the contest that has already done more harm to America than can ever be repaired.

The sheer weight and effectiveness of the Communist propaganda is appalling. It is in full swing in Africa. The January 1960, issue of the South African Observer, published in Cape Town, South Africa, has an editorial entitled "The Heresy of Human Equality." The first paragraph tells a story that is old in America:

"The most mischievous falsehood in Communist propaganda released in Africa is that all men are born equal."

It is equality of freedom and independence that gives unto man his opportunity to be rich or poor or to be good or bad. Equality of men leaves no choice, because if all men are equal by nature or inherently there can can be no differences and no distinctions. All have an equal right to stand at the judgment bars of God and man but all are not entitled to the same judgment. Virtue and depravity are not entitled to the same rewards on earth or in Heaven.

It is inequality that gives enlargement to religion, to intellect, to energy, to virtue, to love, and to wealth. Equality of intellect stabilizes mediocrity. Equality of wealth makes all men poor. Equality of religion destroys all creeds. Equality of energy renders all men sluggards. Equality of virtue suspends all men without the gates of Heaven. Equality of love stultifies every manly passion, destroys every family altar, and mongrelizes the races of men. Equality homogenizes so that cream does not rise to the top. It puts the eagle in the henhouse so that he may no longer soar. It subverts civilization by encouraging the Hottentot to claim equal footing with the cultured and intellectual in any scheme of social administration.

[33] As an example, the March 1956, issue of the National Republic magazine carries an excellent article on the subject.

Equality of freedom cannot exist without inequality in the rewards and earned fruits of that freedom. There can be no equality of freedom, without leaving to all men a free and lawful choice of the "means of acquiring and possessing property, and pursuing and obtaining happiness" as Mason had it when Jefferson, like the gypsy, first defaced and then claimed as his own.

It is inequality that makes "the pursuit of happiness" something more than a dry run or a futile chase. It is inequality that makes the race. It is the father of every joy and the giver of every good gift. More than 2,000 years ago Aristotle said: "Equality may exist only among slaves." Slavery is the end result of leveling. In the fruitless effort to achieve equality short of slavery the peaks must be bulldozed into the valleys to make a level plain. Such may be done only through the process now called "social engineering" which holds that the end justifies the means. Those means must ever be force, restriction, terror, and a complete loss of liberty.

Equality may be imposed only in a despotism. Equality beyond the range of legal rights is despotic restraint. It is nowhere sought to be imposed except in the communistic sewers of Slavic slavery. As Francis Lieber pointed out in his great work on "Civil Liberty" (p. 334) 100 years ago: "Equality absolutely carried out leads to communism."

The prophecy is now being realized in America. It is not the "American creed." It is the creed of Marxism and the come-on of communism.

TRIBUTES TO MARK TRICE

Mr. DIRKSEN. Mr. President, if my estimate of time is correct, it was 44 years ago that a youngster showed up in this Chamber in knee pants. Certainly, if the custom prevailed here that prevailed out home, so far as juvenile apparel is concerned, he must have been in knee pants. His name was Mark Trice, and he came here as a page to the U.S. Senate.

I said yesterday, in a little ceremony in the course of which we honored him, that I have always been entranced with his name. On the Mississippi River, when the old steamboats went up and down, and there was danger of lodging on a sand bar, a man was stationed in front with a sounding line. One could hear him call in the day and in the night, "Mark one," or "Mark two," or "Mark trice."

But, instead of "two" he said "twain." That is how Samuel Langhorne Clemens, the great humorist, got his name. Mark Twain was a pilot on the Mississippi; so nobody really knows him by the name of Clemens; they know him by the name of Mark Twain. So I think of that trilogy and of the time when Mark Trice came here in knee pants 44 years ago. About him there has been such a record of fixity and stability in a rather feverish and accelerated age. Today people want to go in all directions, find new employment, find greener pastures. Once in the railroad station in Cincinnati I went up to the ticket clerk. The place was packed. Everybody was full of fever and excitement. I said to the ticket agent, "Where are all these people going?" He looked at me with a cynical smile and said, "Anywhere from here." That was characteristic.

When examples of fixity, stability, devotion, and dedication to purpose come along I like to make note of it.

Mark Trice showed up here 44 years ago, and except for a hiatus he has been serving the Senate of the United States ever since that time. Senators may come and Senators may go, but, like Tennyson's brook, Mark Trice stays on forever. Somehow he does not get to look any older. I do not know what is his secret. If he sneaks away occasionally to drink at that famous fount in Florida allegedly discovered by Ponce de Leon, I wish to know about it, and I would like to give him a jug, to bring back some for me, to maintain a youthful appearance.

With his youth there has been a vigor, an agility, a dexterity of mind, a touch and a capacity for service which is unexcelled in anyone I ever knew. I wonder what we would do without folks like Mark Trice. I can call him up and ask him a question, and he always has the answer. We who are the window dressing, by virtue of what the electors back home said when they sent us here, would find our efforts pretty much enfeebled if it were not for people like Mark Trice, who stand in the shadow and who serve, who have a sense of dedication and a sense of mission.

I said yesterday that Mark came here in the 64th Congress, and I urged him to write a book. I wanted the title of the book to be, "Senators Who Have Known Me." That would be a great title. Think of all the Senators who would be listed. Henry Cabot Lodge, the grandfather of the present nominee for the Vice Presidency on the Republican ticket. Oscar Underwood, of Alabama. George Norris, of Nebraska. Robert Marion La Follette, whose plaque we dedicated earlier in the session. Bob Taft, peerless leader from Ohio. There would be ever so many in that galaxy, going back to the 64th Congress.

Mark, this is personal with me. I give you a salute and a tribute for your devotion to duty, for devoting yourself to the affairs of the Senate and the Senators. What you have been doing has been to serve your country nobly, faithfully, and well. Deep is our affection, high is our esteem, wide is our admiration for the work you have done and for the service you have rendered. It is so fitting, so proper, and so merited that the Members of this body should acclaim you and pay tribute to you for your long service.

Mr. KEATING. Mr. President, will the distinguished minority leader yield?

Mr. DIRKSEN. I yield to the distinguished Senator from New York.

Mr. KEATING. Mr. President, it is a great pleasure for me to join with the distinguished minority leader in paying tribute to our good friend and able coworker, Mark Trice. The fine salute which the minority leader has given to him, which I know is echoed by all of the Members on our side, and indeed by all on the other side of the aisle, demonstrates the high regard in which he is held by every Member of this body.

I can speak with particular affection about Mark, because he has been extremely helpful to me, as a very pea green freshman Member of the Senate, in pointing out to me the "whys" and "wherefores," the "do's" and "don'ts," of this august body. He has gone out of his way to inform me about what goes on. I only hope I can prove to be an apt pupil in the days ahead.

Mr. President, one of the fine things about Mark, who is called upon from time to time to know how we are likely to vote on a measure, is that he asks the question and stops there. As is known, there are occasions when the Republicans on this side of the aisle do not vote as a unit. The distinguished minority leader, our dear friend from Illinois, might ask how a Member is going to vote, and he might put just the tiniest bit of what might be called pressure on that Member to endeavor to persuade him that he should vote a certain way, and that is perfectly proper. It is part of the process of government. Mark is extremely considerate in this regard. He knows we come from different parts of the country. We have our own problems. We all have issues which are of particular interest in our own States. He is one of the most considerate men I have ever encountered during my service either in the Senate or in the other body.

Mr. President, people often overlook the vital role in government played by those who work behind the scenes in the U.S. Senate. Actually, few people have a greater impact on the course of events than persons situated as Mark Trice is situated in this body. Naturally, he has a greater impact when the Republicans have a majority in the Senate, but he at all times has a firm grasp of what is going on and a very determinative voice in what is done.

Mr. President, Mark has performed his duties as secretary to the minority with the distinction and diligence which is born of 44 dedicated years of service in the Senate. I am delighted, honored, and pleased to join with our distinguished minority leader in paying this so well deserved tribute to Mark. As we look at him and observe his eternally youthful expression, we realize he will be here, and we will be happy to have him here, for many years to come. I wish for him, for his lovely wife and family, every pleasure, happiness, and satisfaction in the years ahead.

Mr. JOHNSON of Texas rose.

Mr. DIRKSEN. Mr. President, I yield to the distinguished majority leader.

Mr. JOHNSON of Texas. Mr. President, I take great pride in being a Member of the U.S. Senate. One of the justifications for that pride is the caliber of the employees of the U.S. Senate. I do not speak of majority employees or minority employees—I speak of employees of the Senate.

It has been my pleasure and my profit to have worked for more than 12 years with Mark Trice. I know of no employee of this body who is more loyal to his party, more dedicated to serving it, and more efficient in doing so, than Mark Trice. On the other hand, Mr. President, I do not think there is any one of us who know him who does not recognize that his country always comes first. I think it is a great tribute to him that he realizes that this country, which belongs to all of us, has problems of such magnitude that they cannot be handled by any one party. We have enough problems for both parties, for the leadership of both parties, for the employees of both parties.

I find that I get great comfort and strength from the efficiency, the loyalty, and the friendship of members of the minority and of those who direct the destinies of the minority.

I think without their assistance, without their cooperation, and without their patriotism and love of country the wheels of the Senate would be brought to a standstill and the great democratic form of government in which we take such pride would be subject to unfavorable reflection throughout the world.

Mark Trice has made a great contribution to the Senate as an institution. I take great pride in calling him my friend. I think the Senate is better because of his service here.

Mr. COTTON. Mr. President, I feel that, in a sense, I can speak of Mark Trice and his service from a little different viewpoint than can almost any other Senator, because I happen to be an alumnus of that school of service as a servant of the Senate. Thirty-eight years ago I came to this body as an assistant clerk of one of the Senate committees, and for 4 years I served as an attaché of this body. That was some years after Mark Trice had commenced his service. My acquaintance with him then was slight, but having served with him 38 years ago, and knowing from my own experience of some of the trials, tribulations, problems, and tasks of those who daily assist the Senate in the discharge of its functions, I feel a peculiar satisfaction in joining the distinguished minority leader and the distinguished majority leader and other Members of the Senate at this time in saying a word of appreciation of Mark Trice.

My next acquaintance with Mark Trice was when I came here as a freshman Senator. As has been stated, it was one of his duties to assist in breaking in, guiding, and teaching some of the fundamentals to new Members of the Senate on this side of the aisle. There were seven of us freshmen Senators when I came, and we met with Mark Trice regularly to be coached on some of the things that were useful and necessary for us to know regarding the rules and procedures.

In the years in which my friendship and admiration for Mark Trice have deepened and ripened I have observed two or three things about him which in my opinion make him an invaluable member of the staff of the Senate—invaluable to all Senators, not merely Republican Senators.

In the first place, Mark possesses knowledge. Beginning as a page and working up through long years of service, he is almost a walking encyclopedia, not only of knowledge of the rules of the Senate and its procedures, but of how its business is and should be conducted, of the necessary courtesies and the necessary methods to be pursued by Senators.

That knowledge has been shared with generations of freshman Senators throughout the years. Words cannot express that contribution.

In the second place, and even more important, Mark has complete loyalty. Senators are only human, and while we should not advertise our own defects, it is useless to try to conceal all of them. There come periods in the conduct of Senate affairs when Senators are tired and exhausted and times when it is hard for Senators to retain their completely calm approach to their tasks. Complications arise as between Senators. While it has been my observation that on the other side of the aisle there is complete harmony at all times and never any conflict of personalities, on the Republican side of the aisle, we being individualists, there are at times certain inevitable conflicts of personalities.

Mark Trice is the confidant of every Senator on this side of the aisle. I assure the Senate that not once in all the years of his service has the confidence of a Senator been violated, nor has he by word or sign transmitted to anyone else anything he may have heard from a Senator who had spoken under stress of emotion.

He is the soul of honor in dealing with Senators. When he comes to one of us and inquires as to how we intend to vote, we know he will not transmit that knowledge to anyone against our wishes. That is important. He could not have continued all these years without that characteristic.

Moreover, he is armed with an unusual degree of tact. I think he must carry a bottle of soothing syrup in his pocket at all times, because when we are working under pressure, at times the conflict of personalities mentioned is bound to occur, and the influence of Mark Trice has always been a steadying influence.

He is unobtrusive. I suspect the proceedings today are most painful to him. I say that sincerely. He is unobtrusive, but quietly, efficiently, and effectively he works to keep the Senators as a team working in harmony and in mutual understanding.

Mr. President, of my friend these many years, on this occasion I wish to paraphrase the couplet of Fielding and say:

God bless you, Mark Trice, may you live
a thousand years—
To guide us on our pathway through this
weary vale of tears,
And may we live a thousand, too, a thousand less one day,
For we would not want to be on earth the
day you passed away.

Mr. MANSFIELD. Mr. President, I join the distinguished minority leader, the distinguished majority leader, and our colleagues on both sides of the aisle in congratulating and commending Mark Trice on 44 years of faithful service in the Senate of the United States.

To think that a man like Mark could rise from a page boy to his present position is a mark of his devotion to this body, to the institution which he represents so well, and for which he works so capably and energetically. I was unfortunate in not being able to know him during the first 36 years of his service, but I consider myself extremely fortunate to have that honor during the past 8 years of my service in this body. Mark has been good to Democrats as well as to Republicans, because he has been fair, he has been responsible, he has been tolerant, and he has been understanding. So I deem it a great honor to have this opportunity to pay my respects to a great man and to commend him for the devotion to duty and the responsibility that he has always shown and the tolerance and understanding which are hallmarks of his character.

Mr. DIRKSEN. I now yield to the distinguished chairman of the Republican policy committee, the Senator from New Hampshire [Mr. BRIDGES].

Mr. BRIDGES. Mr. President, I wish to join my colleagues in paying tribute to a good friend and a great public servant. Mark Trice was one of the men I met 24 years ago when I first came to the Senate. He has been performing his functions efficiently ever since. He has maintained a friendship not only with me but with every Republican Senator who has come to this body. I can say that because I am the oldest Republican in point of service in the Senate. As a matter of fact, I am one of the oldest Senators in point of service.

We have many fine officials in the Senate. But Mark Trice not only stands out, but ranks with any of his predecessors over the years.

Mark Trice came to the Senate as a page. He has been a part of the 20th century, having been born in 1902. Since coming here as a page he has held a great many responsible positions in the Senate. I have known him in various of these positions. Perhaps his greatest service was performed when he was Assistant Sergeant at Arms, in the position which he now holds as secretary to the minority, and the office he held for 2 years as Secretary of the Senate.

In Mark Trice we have found a willing and friendly counselor. In Mark Trice we have found a sterling public servant, a courageous man, who has helped make the Senate what it is today.

One of the reasons why the Senate is by tradition a great institution today in the way it carries on its functions is not only because of the character of the Senators who serve as Members, but because of the men who serve with the Senators in various capacities.

I pay my tribute to Mark Trice as a great friend, as a great public servant, as an asset to the U.S. Senate, and as a credit to the American Government.

Mr. DIRKSEN. Mr. President, I yield to the distinguished minority whip.

Mr. KUCHEL. Mr. President, as our country has grown in size and in people and in greatness, so, too, has the Government of our country grown in size and in complexity. Actually, the Federal Government is a tremendous political and governmental machine. Here in the Senate itself is an important and involved mechanism for the production of legislation in the interest of the people. Those who come here from all over the Nation to listen to the debate and proceedings in the Senate do not see the machinery as it works. One great American President, some years ago, said about career people in Government, devoted to public service, as having "a passion for anonymity."

We honor today one who for over 40 years has helped make the machinery of the U.S. Senate function and function well.

Last night the Republican Senators were happy to participate in a reception for the secretary to the minority. All of us thoroughly enjoyed the comments of our friend, the able minority leader, Senator DIRKSEN, as he paid tribute to Mark Trice, his wife and their daughter, and recalled the 40 years during which Mark Trice has served the people of America. He recalled the names of some great Senators who sat in this Chamber, and whose needs were ministered to by Mark in one capacity or another, as he proceeded from his original tasks as a page through various other posts, and finally became Secretary of the Senate, when the Republicans had a majority here a few years ago.

Those were pleasant recollections for our leader to recall, and surely we all thrilled to the enriching experience he has enjoyed, and the high public service he has rendered all these years.

Once I heard the President say that he saluted the esprit de corps among the members of the minority in this session of Congress. We have had, indeed, an esprit de corps, which has made us on this side of the aisle endeavor as best we can to be devoted to the public interest. In our endeavors, it has been this kind of fellow who has helped us achieve whatever success we have had in this Congress, and in all the years before.

So, officially as a Member of the Senate, to our very able secretary of the minority, and personally as one friend to another, I am glad to join with my Republican colleagues and with my colleagues on the other side of the aisle, who likewise hold Mark Trice in high esteem, and say to you, Mark, dedicated, forthright, able, industrious public servant and friend, Godspeed on this great anniversary.

Mr. DIRKSEN. Mr. President, I now yield to the distinguished Senator from South Dakota.

Mr. MUNDT. Mr. President, it gives me more than the usual amount of pleasure to have an opportunity to say a good word for a good friend and able associate. It gives me more than the usual amount of pleasure to participate in the felicitations to Mark Trice. It is a source of never ceasing wonder to me that in this supercharged political atmosphere known as the U.S. Senate—and for that matter we can bicamerally embrace the other body as well—we are constantly surprised and always gratified by the fact that we have really established some records of longevity in public service which are hard to duplicate anyplace else in any other government in this world.

I first had it brought to my attention as a Member of the House in talking one time to a great American, William Tyler Page, the author of the American's Creed. He told me that he had come here, I believe, like Mark Trice, as a

page. At any rate, he came here as a very young man. If I recall, he served continuously in Congress for 58 years.

In 58 years, or in 40 years, in the pendulumatic movement of American politics, there are many shifts of majorities and many shifts of ideological approaches. I think it is fine that we have here, in this tradition, a man of capacity, character, and stature like Mark Trice, like William Tyler Page continuing to serve the institution, regardless of which political party may be in charge of the institution temporarily, because the institution of Congress and of the Senate goes on and on and on. Sometimes it is led by one party, sometimes by the other party. Sometimes it is divided almost evenly. But it is good to know that we have people like Mark Trice who serve the institution, and the people who make it up, and who fulfill their obligation to the party which, after all, is, in a sense, their employer, in such a manner that they maintain and hold the respect of the other half—or, in this case, unfortunately, the other two-thirds—of the United States Senate who happen to belong to a different party.

Our Parliamentarian, Charlie Watkins, has been here 56 years. He is catching up with William Tyler Page.

Mark Trice sits here with something of an expanding forehead and a receding hairline, but is still young in spirit and vigorous in body. Certainly if he continues his meticulous habits, as he has in the past, perhaps he can exceed the record of William Tyler Page. I hope Charlie Watkins does the same.

Mark Trice combines capacity and courage with a sense of gracious thoughtfulness which one likes to attach to public servants generally. Normally we have them in the United States Senate. We have them on both sides of the aisle.

I think it was quite appropriate, and I know he was entirely sincere, when the distinguished assistant majority leader spoke up, as Senator Mansfield did, to share in the tributes which we who are Republicans are paying now to Mark Trice, because Mark Trice has that thoughtfulness and that consideration for others which tends to mark superior public service, whether it is as an employee of the Senate or as a Member of the Senate, or whether it happens to be as a member of an executive commission or some executive board.

We expect, in America, to have high capacity and great ability and efficiency on the part of public servants. When we get all of those attributes, plus a smile, plus thoughtful consideration, plus the warmth of friendship, then we have obtained the optimum in public service in this country. We have that in the person of Mark Trice.

I should like to reciprocate what the Senator from Montana [Mr. MANSFIELD] said by saying that we have it not only in Mark Trice and Bill Brownrigg and Charlie Watkins, not only among the political appointees of the Senate who serve a party, but we have it in those who serve the Senate generally.

So, speaking as a Republican, I think we are fortunate in our choice, for example, of Sergeant at Arms. Joe Duke has the same capacity as Mark Trice to deliver the goods with a smile; to be considerate of the other fellow; to move efficiently along the line of his duties, while, at the same time, dealing equitably with those who are members of his party or who are not.

I think that perhaps Mark Trice, who has been here so long, should receive some credit for the fact that by his example he has inspired other employees of the Senate who have been here not quite so long to give that kind of service. Perhaps, in turn, Mark Trice owes a debt of gratitude to Charlie Watkins, who manifests the same kind of generous service. Perhaps Charlie Watkins learned something from William Tyler Page. So it goes. Nevertheless, the tradition is here, and we are paying tribute today to Mark Trice who exemplifies the fine qualities which are demonstrated by the attachés of the Senate so completely and so thoroughly.

I value Mark Trice not only for his solicitude, his friendship, and his efficient service, but because he is a good guy. He is a great human being. He is the kind of fellow you like to have around. He is a warmhearted friend.

I value him because of his choice of a wife. I think Margaret is one of the most admirable ladies in Washington. She gets around and makes friends, because she is a friendly person. She is a good holder of a checkrein on Mark, when a checkrein becomes necessary. Mark and Margaret and their charming daughter are popular people in the Nation's Capital. They deserve that popularity because of the kind of folks they are.

So, Mark, if you do not quite make the thousand years which the Senator from New Hampshire [Mr. COTTON] suggests you might reach, I hope that at least you make half as long as that and will still be here when you reach that ripe old age.

Congratulations and felicitations.

Mr. DIRKSEN. Mr. President, I yield to the distinguished Senator from South Carolina.

Mr. THURMOND. Mr. President, I came to the Senate in January 1955 and have had the pleasure of knowing Mark Trice since that time. I did not enjoy the pleasure of knowing him prior to that.

He has impressed me as being a public servant of the highest standard. The contacts I have had with Mark Trice have always been of a friendly nature. He has impressed me as being a man dedicated and devoted to his duties, a man who is interested in the welfare of the country, a man of high character and integrity, a man full of energy and interest, one who has the zeal and enthusiasm to do good and efficient work for his Government, his country, and his fellow man.

It is a pleasure for me today to join in these tributes to my friend, a friend of the Nation, and a friend of the Senate—Mark Trice.

Mr. DIRKSEN. Mr. President, I yield to the distinguished Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, when I came to the Senate a little more than 15 years ago, one of the first persons I met was Mark Trice. Through all the years since then, he has been of tremendous help to me. Day after day, when the going gets rough, when we want to consult with someone, Mark is most helpful. I have never known a public servant who has been more honest, conscientious, and devoted to his work than Mark Trice.

It is a bit unusual for one to serve in a body such as this for more than 40 years. It is an accomplishment of which anyone can be proud. I do not know of anyone who has ever served in this body who has had more friends than he.

One day, when I shall leave the Senate, voluntarily or otherwise, I shall always remember him as one of the most unforgettable characters I have ever known, and there have been many outstanding people serving in the Senate during this time.

I hope Mark will have many more years of good health and happiness, and that he will be able to serve the Senate many years more. I never had a better and more loyal friend.

In paying tribute to Mark, I wish to pay my respects, also, to his very lovely wife, Margaret, and his daughter, Linda.

Mr. DIRKSEN. Mr. President, I yield to the distinguished Senator from Utah.

Mr. BENNETT. Mr. President, I have been sitting here happily listening to the statements of my colleagues on both sides of the aisle in tribute to Mark Trice. I think all the words of praise and appreciation which any of us could have used have been employed in the last half hour. I wish I could put the same words together so as to indicate and to paint an adequate word picture of Mark Trice with them. I had the opportunity to express myself last night in a different way.

It seems to me that the essence of the character and attitude of Mark Trice is gentleness. It is a kind of unobtrusive service which, in itself, is completely sincere.

In a body where there is much attempted flamboyance, the use of pressure, and the development of an image power, we have in Mark Trice a man who goes about his tasks quietly, simply, and with great responsibility; who has a constant attitude of friendship for those with whom he works; and a warmth which all of us feel and appreciate.

My tribute today is paid to this man, who is kindly and gentle, who has an attitude of service in the true sense of the word, and who desires to help everyone else without any first consideration of what he will get out of it. That is the Mark Trice whom I have come to know and to appreciate in many official and unofficial relationships.

I am glad Mark Trice has been here for 40 years. I hope he will be with us a good many more.

Mr. DIRKSEN. Mr. President, I yield to the distinguished Senator from Wisconsin [Mr. WILEY].

Mr. WILEY. Mr. President, a man who has served in this grist mill, from page to secretary of the minority, for 40 years, and has kept his good humor, his sense of balance, and his health, and has lost only his hair, certainly is a real fellow. That is Mark Trice.

He is always pleasant. I have known him for 21 years. He is always ready to be of service.

Of course, as is true of all of us, much of the credit is due—as has been suggested—to his using such good judgment in selecting his wife and having his beautiful daughter. They are lovely people.

One thing about Mark, as everyone calls him, is that he is always on the job. That is a wonderful attribute in Washington. Furthermore, he is always efficient. I wish there were more like him in that respect. No matter what may be the problem, he is always helpful, cooperative, and pleasant.

Someone said of him, "He is always there with a helpful hand when he is needed." I do not know of any better compliment than that.

All of us wish for him continued good health and continued joy that comes from service and the giving of self. May he and his good wife and daughter find in the years ahead what they deserve; and I am sure that in their case it will be a happy, healthful, wonderful life.

Mr. DIRKSEN. Mr. President, I yield now to the distinguished Senator from Massachusetts [Mr. SALTONSTALL], the chairman of the Republican conference.

Mr. SALTONSTALL. I thank the Senator from Illinois.

Mr. President, although perhaps I cannot compete in oratorical ability with some of the Senators who already have addressed the Senate, certainly I can compete very favorably as regards the strong feeling of friendship I have for the gentleman who assists all of us on this side of the aisle and is the friend of every Member of this body.

I have known Mark Trice during 14 years of his service in this body. He is always helpful and objective; yet he never attempts to impose his point of view on the one who requests his advice.

I know Mark Trice also as a pleasant golfing companion. I also know him and his wife and daughter socially. We are always happy to have them with us at all times—either in our home or at social functions.

I congratulate him on his 40 years of service and on his outstanding record. I wish for him many more years of happiness and health.

Mr. CASE of South Dakota. Mr. President——

Mr. DIRKSEN. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, when I was first elected to the Congress, a former Member of Congress said to me, "The most important man you can meet when you reach Congress will be the secretary for the party with which you are affiliated."

So when I went to the House of Representatives, I became acquainted—in accordance with that advice—with William Tyler Page, then the secretary to the Republican Members of the House of Representatives. I found that the advice I had been given was excellent, for I think he was the most helpful person I could have met at that time. When I came to Congress, I was quite unacquainted with the processes of legislative bodies; and William Tyler Page was a great mentor.

When I came to the Senate, I still remembered that advice; and I found that probably the most important person with whom I could become acquainted was Mark Trice. Nothing that has happened since that time has changed my opinion of the correctness and the importance of the advice which was given to me.

Certainly, if there is anyone in the Senate, insofar as the Republican Members are concerned, who has the answers, it is Mark Trice. If I am away from Washington, and if I wish to know how things are moving in the Senate, or what are the prospects for progress or action in connection with a particular measure, perhaps one that is on the calendar, I can ask those in my office to get in touch with Mark, and he has the answers.

Mark also has a remarkable understanding of the problems faced by Senators. Senators come from different States and, although they are Senators of the United States, they also have definite responsibilities to their constituents. Mark understands that; and the information we get from him is given by him in full realization of the particular problems which face us and the type or kind of information we need.

Another quality that Mark has is that of being absolutely fair and square and honest. Those are attributes which anyone would prize, and Mark has them in complete degree. If we get an answer from Mark, we can bank on it; we can be absolutely certain that it is "square" and correct. That is what one needs from a person who is in his position.

I do not suppose I saw Mark when I first visited Congress; yet there is a possibility that I saw him during the first year he worked in Congress as a page, in 1916, for in that year I made my first visit to Washington, and on that occasion I did visit the Congress. I do not claim that I saw him then; I merely claim that little bit of kinship—that my first view of Congress was in May 1916, when I came east in connection with some college activities.

I am delighted that now we have come full circle, and that Mark and I are here on the floor of the Senate and work together.

I hope he will have as many more years here as he and his good family desire him to have.

Mr. CURTIS. Mr. President, will the Senator from Illinois yield to me?

Mr. DIRKSEN. I yield.

Mr. CURTIS. Mr. President, I am lacking in the talent to praise Mark Trice and his wonderful family in song, such as was done not many hours ago by the distinguished Senator from Connecticut [Mr BUSH] and the distinguished Senator from Utah [Mr. BENNETT].

Furthermore, I am without the ability to equal our modern-day Webster, the distinguished Republican leader, the Senator from Illinois [Mr. DIRKSEN], in reciting the praises so justly merited by Mark Trice.

So, Mr. President, what I wish to have the RECORD show is that I am a cosponsor with all those expressions of affection and appreciation and good wishes, and also those that have not been expressed, in regard to Mark Trice and Mrs. Trice and Linda.

Mr. DIRKSEN. Mr. President, I yield to the distinguished Senator from Maryland [Mr. BUTLER].

Mr. BUTLER. Mr. President, it has been my privilege and good fortune to count as a dear friend and a confidante for the 10 years that I have been in the Senate, the worthy secretary of the minority, the Honorable J. Mark Trice.

He carries his years lightly, but he discharges his responsibilities efficiently. Over the past 40 years, he has known some of the most brilliant and spectacular Members of the U.S. Senate, men like Borah, La Follette, Taft, and many, many others. He has known them, and they have known him to be a man they could trust and depend upon.

Mr. President, he has not had an easy job. Although it may not be freely admitted, the distinguished Members of this body are prone to some human failings, among them an occasional disinclination to be where they are supposed to be when they should be. With infinite tact and patience, Mark Trice and his assistants produce a majority of the minority or the majority, as the case may be.

There are, of course, many other things that the secretary of the minority must do. In fact, Mr. President, whenever someone does not want to be bothered with a particular task, the cry goes up, "Let Mark do it."

It is proof of the man, Mr. President, that after 40 years of service he remains dedicated to his job and to the Senate. On this day, when so many noble sentiments have been expressed so eloquently, my one overriding wish is that before too many more years pass, we shall be able to refer to Mark Trice as the secretary of the majority. He and this Nation deserve no less.

Mr. DIRKSEN. Mr. President, I yield to the distinguished Senator from Wisconsin [Mr. WILEY] in order that he may introduce a very distinguished visitor in the Senate Chamber, and ask that the proceedings in connection with the introduction appear at the end of the tributes to our distinguished minority secretary.

The PRESIDING OFFICER. Without objection, it is so ordered.

(Mr. WILEY's remarks in introducing Sir K. Sinha, Member of the Upper House of the Indian Parliament, appear elsewhere.)

Mr. DIRKSEN. Mr. President, I yield to the distinguished Senator from Nebraska [Mr. HRUSKA].

Mr. HRUSKA. Mr. President, each and every Member of this body, without exception, has one experience in common, and that is to serve his first day in the U.S. Senate. It is followed by a greater or lesser period of getting acquainted with the many procedures, rules, traditions, customs, and usages which have been accumulating for the past 175 years. It is in those early days when a Senator tries to find his way about with facility and get somewhat

acquainted with the many procedures, rules, traditions, and customs, that he finds and truly appreciates assistance, help, suggestions, aid, and counsel at the hands of a man like Mark Trice.

It was my good fortune to be a member of the class of seven to which the Senator from New Hampshire referred a few minutes ago. That time is not too many years ago. At that time, the help, assistance, and counsel was extended with great generosity and patience by Mr. Trice; and I am sure he still gives that same assistance, counsel, and suggestion as occasion requires; and I am sure that he always will.

From time to time, Mr. President, there is a suggestion that in our coordinate branch of Government, the judicial system of the United States, there is perhaps a disproportionate influence of law clerks on the judges of our Federal judiciary. I doubt that there is such a disproportionate influence, or an undue influence, if one wants to put it that way, in that branch of the Government. But in addition to the many tributes and qualities which have been made and ascribed to Mr. Trice, I want to say that there has never been a suggestion that he has transgressed the proper offices of his post as secretary to the minority or as Secretary of the Senate.

He has had much patience. His vast store of knowledge and lore about the Senate has been made available to all Members on this side and, whenever requested, even to Members on the other side, without stint and without partiality.

Yesterday we from this side of the aisle had a very fine reception for Mark Trice. Members of the Republican Party of the Senate presented him with a memento fashioned of silver, which bore the signatures of the present Members of the Senate on this side of the aisle. I am sure that each signatory has engraved on his heart a very generous place for the many kind deeds which J. Mark Trice has executed for him. I am sure that Mark Trice has engraved in his own memory the many personalities who have been served by him. I know that silver piece will form one of the finest possessions for the J. Mark Trice family in the years to come.

Each Senator who has served during Mark's tenure here has been a better Senator because of J. Mark Trice. The Senate has been a better Senate because of him. We are grateful to him. We congratulate and commend him and his lovely wife, Margaret, and their very beautiful daughter, Linda; and we wish them well; good health, and happiness for many years ahead.

Mr. DIRKSEN. Mr. President, I yield to the distinguished Senator from Delaware [Mr. FREAR].

Mr. FREAR. Mr. President, I have listened with a great deal of pleasure to the very many fine words that have been spoken about a very fine person.

Just a moment ago a member of the Parliament of India was introduced. Really, I think that this person, about whom so many fine words have been spoken, should get up, because of our visitors in the galleries. I know they want to know this man, whom so many of the Members of his party, and I believe of the opposite party, too, hold in such high esteem and regard.

Mark, even though you are labeled as a Republican, you show no difference when a Member of the opposition approaches you for assistance and aid.

Even though I was not permitted to sign that silver plaque, I believe you have written on my mind an indelible impression which I shall carry. Certainly the respect of the Republican Party has been lifted by your presence and your energies expended on behalf of the Members of the U.S. Senate.

I could not understand that you had served 44 years. I really thought it was your 44th birthday. However, congratulations and may there be many more.

Mr. SCHOEPPEL rose.

Mr. DIRKSEN. I yield to the distinguished Senator from Kansas [Mr. SCHOEPPEL].

Mr. SCHOEPPEL. Mr. President, I share with my colleagues this afternoon the feelings which have been expressed toward Mark Trice. It is something for a man to start at the bottom in this great institution of our Government, the Senate of the United States, as a page boy, and to come up through the various steps into the position which he occupies as the secretary to the minority. He spans 44 years in this body, and obviously and factually he has seen men come and go. I am sure he has seen the good points of many Senators who have spoken in this Chamber. Obviously he has seen the weaknesses and some of the other characteristics appear as to men who have departed from this sphere of activity.

I know of no man who has been more helpful or more considerate, as testified to today, than my friend Mark Trice. It was only a little short of 12 years ago that I had the privilege of coming into this body as a Senator from Kansas. A distinguished departed Senator of this body, whom I revered and respected and always shall, was the late departed Robert Taft from Ohio. On one occasion I had the opportunity of discussing some matters with Bob Taft about the procedures of the Senate, what I should find out and how I should do some things. He answered me in his short, clipped phraseology, which I shall remember as long as I live, "Well, Andy, I suggest you go over to talk to Mark Trice. What he does not know about it nobody knows."

I thought that was one of the finest tributes which could be paid to a man in this position, with respect to confidence in him, the respect in which he was held, and the good judgment he had. Mark, I do not know of a man on either side of the aisle who has been here for long who is not indebted to you. You have kept confidences. You have been fair. You have been helpful. You have made one of the finest contributions to public service on the part of the highest member of a staff of the Senate any man could make. I congratulate you and I wish for you and the members of your family the very best in the years ahead in any respect.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the distinguished Senator from Ohio.

Mr. LAUSCHE. Mr. President, I merely wish to express gratitude to Mark Trice, because the goodness of his life made it possible for me today to listen to words of tribute paid to him which produced in me warmth and joy. Sitting as humbly as he does to the left of the chair of the President of the Senate today, I can witness in him the humility he possesses. I can almost hear him say, "I ask you not for tributes nor wreaths of laurel, but I tell you that it lightens the heaviness of the burdens which one has to carry."

From this series of tributes today there is awakened in me the thought of how wonderful it is when, during one's lifetime we give to a man a word of praise. Words of criticism fall upon all of us; words of laudation infrequently.

Mark, I thank you for making it possible for me to have this very enjoyable experience of hearing the words of your colleagues expressed to you.

Mr. PROUTY rose.

Mr. DIRKSEN. Mr. President, I yield to the distinguished Senator from Vermont.

Mr. PROUTY. Mr. President, I am happy to join with my colleagues in paying tribute to our able and esteemed secretary to the minority, Mark Trice, on the occasion of his completion of 40 years of service in the Nation's Capitol. He has witnessed and has been a part of the greatest events and controversies of our times, from the League of Nations dispute to yesterday's battle on the minimum wage. He has had the ear and the confidence of men who have made imperishable marks on the pages of American history.

Mr. President, one does not make such a record without great ability. One does not share the hopes and fears of the political leaders of our country unless he has proved himself deserving of such a trust.

Those of us who are new in the Senate have been grateful not only for the friendship of Mark Trice but also for the guidance he has given us on legislative procedure and the historical precedents of this body. He has helped us come to realize what a vital constitutional organism the Senate is and what it can mean in terms of the public welfare.

Mark, I congratulate you on 40 years of distinguished public service. I hope you and your charming wife will enjoy many, many years of happiness together in the future.

Mr. JAVITS rose.

Mr. DIRKSEN. Mr. President, I yield to the distinguished Senator from New York.

Mr. JAVITS. Mr. President, like my other colleagues, I join in this tribute which is extremely well deserved to our friend Mark Trice, about whom we feel so warmly.

Mark, if I had to epitomize your function on this side of the aisle, I would say that you are the handyman's guide to the Senate, especially for the uninitiated. Though I served 8 years in the House of Representatives, I was really a stranger in this august body. Your

helping hand was indispensable. This is no idle conversation, for I have called you at night, on Sundays and holidays, at odd hours, for a word of guidance or for some practical deed which has been indispensable in my conduct in the Senate.

Mark, you are a man of surprises. I did not know you are a lawyer. Now everything is clear. I find that in your biography. You not only have been admitted to the bar, but also you have actually practiced law. Of course, this is a great thing to me, because I think you know how deeply I cherish the traditions of the law, its concepts and its role in our society.

This leads me to one other thought about you, Mark Trice, which is of great interest to me and I hope will be to my colleagues. You are a man who obviously has ideas and feelings of your own, but only your Maker knows how you would vote on issues A, B, or C if you were sitting in our places. This is a remarkable gift. I have never by word, by deed, by so much as a drop of an eye gotten a condemnation or approbation, except for a speech or something of which we would all approve.

In terms of action or policy Mark is a sphynx. This is remarkable, because it does make him able to help us all with a dispassionate graciousness, tolerance, and understanding of all our diverse positions. It makes him an imperishable member of the staff and of our lives.

Finally, Mark—and I hope you will forgive me for so saying—you are really at your best in those genial moments when the whole history of 40 years comes freely from your lips, when we sit around in what is colloquially called a "bull session" and really enjoy each other as men.

For all these blessings that you have conferred upon us, I thank you and wish you and your beautiful and lovely wife and daughter long life and well deserved happiness.

Mr. DWORSHAK. Mr. President, I share in the expressions of appreciation and the many tributes which have overwhelmed Mark Trice today. I know that he is worthy of this commendation, at the culmination of 40 years of dedicated service in this body.

I first met Mark 20 years ago, when he supervised the Borah funeral train, which took the body of the late Senator to the capital of our State. Down through the years I have had many opportunities to work with Mark intimately in various capacities, in many ways, and to have an opportunity to observe his judicial temperament, his sympathetic and understanding attitude, and his sincere desire to be helpful in every way to Senators and to his other friends.

He has given me very trustworthy advice and wise counsel. He has been a very considerate friend. Whether serving in the capacity of Secretary of the Senate or as secretary of the Republican minority, he has demonstrated that he fully appreciates the responsibilities of the position he holds. In that demonstration of loyalty and faithfulness he has upheld the highest traditions of the Senate, and has devotedly served his party.

I join my colleagues in extending congratulations to Mark Trice upon completing 40 years of service. I also extend sincere wishes to Mark, his wife, and daughter. I hope that they may enjoy many more years of health and happiness.

Mr. CARLSON. Mr. President, I would not feel that I had done my duty as a Member of the minority of the Senate if I did not pay tribute to a very personal friend of mine and a very able servant of the Senate and our Government. He is a model public servant. As I heard the commendations by other Senators, I was impressed with the fact that one word characterizes his record and that word is service.

That is one of the fine attributes of Mark Trice. He gives us service, not grudgingly, but with love. I know from personal experiences of the many things he has done that I regard as personal favors. They are not always easy tasks for him to perform. He goes out of his way to do things for all of us. There is a very beautiful story in the Scriptures about service. It is the story of Mary and Martha, in which service was rendered in a menial way, after which the Master made the statement that a reward should be given to those who serve not grudgingly, but with love. It was that thought that impressed me today, which I could not fail to note. Mark renders that fine service to every Member of the Senate, whether a Member of the minority or the majority party. He gives it to the staff of the Senate; and the Senate is a better place because Mark Trice has served here for 40 years.

I wish to say to Mark, Mrs. Trice, and his daughter Linda that we are delighted that you are with us. We hope you will remain with us for many, many years to come.

Mr. ALLOTT. Mr. President, I do not know how anyone could possibly add luster to the many laudatory remarks that have been made concerning our very able secretary to the minority. After listening to the praises that have been so well expressed by my colleagues, I hesitate in all humility to attempt to surpass them or to add to them, because almost everything has been said.

I do wish to join my colleagues in their remarks, and I would like to voice the thought that within the Government we have a very able public servant whose name is not spread in the headlines, who receives no plaudits of the multitude, and whose only real and lasting reward is the knowledge in his own heart that he has somehow made life a little easier for others, and performed services not merely for the minority, but for the entire membership of the Senate. In that way he has contributed to the overall effectiveness of this great body.

I express my gratitude for the important help he has given me. The information which he has given to me from time to time constitutes a fund of knowledge which a Senator can accumulate only by serving in the Senate for many years. His vast experience for 40 years provides an unending source of reminiscences, experiences, advice, and counsel, which, I am sure, have benefited almost every Member of the Senate, particularly members of the minority.

So on this 40th anniversary of his service, I pay tribute to him and wish him many more years of happiness. I express the hope that he and his lovely wife and daughter may continue to enjoy their association, and he his association with the Senate, which has meant so much to all of us.

Mr. AIKEN. Mr. President, it seems incredible that Mark Trice has been connected with this body twice as long as I have and still retains unusual youth and vigor. But I am very glad that he has the faculty of remaining young and disregarding the years. I think all of us envy him in this respect.

I came to the Senate only 20 years ago. During the past 20 years I have had occasion to observe the manner in which Mark Trice has helped not only all Senators who were here when I came, but those who have come during the time since.

I wish to express my appreciation for all that he has done for me personally. Mark Trice probably knows more about every Member of the Senate, past and present, than any other living person. I disagree emphatically, with those including the minority leader, who say he ought to write a book, unless, of course, I could help censor that book. Of course it would be an interesting book. It would probably be the best seller if Mark wrote a book. At the same time I hope he does not do it.

I like to think of Mark as a farmer, too. I have been out to his farm in Westmoreland Hills. He raises different things out there. He raises figs and fig leaves. He has a fig tree out there from which he takes bushels of figs. He probably raises more of them than any other person in town. So I regard him as a farmer as well as a very patient servant of Congress and of his country.

I join with those who have taken this occasion to wish him another 40 or 140 more years of service to those who will come after us.

Mr. DIRKSEN. I must say, apropos of the agricultural achievements of our distinguished friend, that I think he does pretty well in the field of asters and chrysanthemums, but I cannot give him too much credit when it comes to marigolds.

I now yield to the Senator from Delaware [Mr. WILLIAMS].

Mr. WILLIAMS of Delaware. I merely wish to underwrite what my colleagues have said in paying their respects to Mark Trice. I have never met a man who better represents what I would call a good public servant, and a loyal member of our party.

Mrs. SMITH. Mr. President, wholeheartedly I join my colleagues today in paying tribute to Mark Trice, who has served the U.S. Senate and the people of our country so excellently for 40 years.

I think he has earned the title of Senator himself, for he certainly outranks all of us in seniority, with the exception of the senior Senator from Arizona.

He epitomizes and symbolizes the very best of the legislature staff upon whom the Senators rely so heavily, and without whose faithful, loyal, and amazing performances we would not be able to accomplish anything.

There are so many things that he does to facilitate the work of the Senate that I would not even attempt to begin to enumerate them. I will mention only one personal matter.

Last night it was my good fortune to cast my 900th consecutive rollcall vote without a miss. I am told that this is an alltime record in the history of the Senate.

Well, if it is a record, then I think that Mark Trice is surely a coholder of that record with me in some respects, for without his alert assistance I never would have been able to be present at 900 consecutive rollcall votes. And in stating this, I want to also say that other coholders with me on that record are Bill Brownrigg and Bobby Baker, who, like Mark Trice, have so faithfully helped me to be able to be present and avoid missing a vote through that stretch.

I want to take this opportunity in praising Mark Trice to praise all legislative employees and to state how deeply I appreciate the many, many wonderful kindnesses and many invaluable assistances that they have given to me through the years.

Mr. DIRKSEN. Mr. President, in connection with these tributes, I should like to submit for the RECORD a brief biographical sketch of our distinguished friend and colaborer. So with this we conclude these tributes to a great man and dedicated spirit with a high sense of mission, J. Mark Trice.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

Mr. Mark Trice, secretary for the minority of the Senate, (5017 Worthington Drive, Westmoreland Hills, Md. Telephone Oliver 2-2777.) Born October 22, 1902; educated in the District public schools and Emerson Institute; graduated from Georgetown University School of Law in 1928, LL.B. degree; admitted to the bar of Court of Appeals of the District of Columbia and the U.S. Supreme Court; served as page in the Senate from 1916 to 1919; appointed secretary to the Sergeant at Arms of the Senate in 1919 and served until 1929; practiced law from 1929 to 1932 with Hanson, Lovett and Dale; appointed Deputy Sergeant at Arms of the Senate in 1932 and served in that capacity until 1946 when elected secretary for the majority of the Senate for the 80th Congress; became secretary for the minority of the Senate in the 81st and 82d Congress; elected Secretary of the Senate January 3, 1953, and served in that capacity until January 5, 1955, when elected secretary for the minority; served in various capacities at Republican National Conventions; executive secretary of the Joint Congressional Inaugural Committee in 1952 and 1956; recipient of Georgetown Alumni Award for 1954; married Margaret Ann Linkins; one child, Linda Jean Trice, born February 3, 1945; a Methodist; member of Congressional Country Club, Inc., and Delta Theta Phi legal fraternity.

VISIT TO THE SENATE BY HIS HIGHNESS THE MAHARAJA OF DARBHANGA, SIR K. SINHA, MEMBER OF THE RAJYA SABHA, UPPER HOUSE OF INDIAN PARLIAMENT

Mr. WILEY. Mr. President, the distinguished Senator from Kentucky [Mr. COOPER] was to have had the distinction and pleasure of doing what it is now my pleasure to do.

From one of the great countries of the earth—India—a country steeped in history and in great accomplishments of the past, and now living in the present with a dynamic spirit of going places, for the first time the Senate has had such an experience, we have the privilege of welcoming to the Senate not only a member of the Upper House of the Indian Parliament, but a Maharaja.

So I present to the Senate His Highness the Maharaja of Darbhanga, Sir K. Sinha, member of the Rajya Sabha, the Upper House of the Indian Parliament.

He is one of the most senior independent members, and is very active. He has been closely associated with the Indian independence movement.

He is on his first personal visit to the United States. It is with pleasure I welcome him to the Senate.

[Applause, Senators rising.]

STABILIZATION OF MINING OF LEAD AND ZINC ON PUBLIC, INDIAN, AND OTHER LANDS

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The Chair lays before the Senate the unfinished business, which is H.R. 8860.

The Senate resumed the consideration of the bill (H.R. 8860) to stabilize the mining of lead and zinc by small domestic producers on public, Indian, and other lands, and for other purposes.

Mr. HOLLAND. Mr. President, I suggest the absence of a quorum, and ask that the time be not charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. KEATING. Mr. President, reserving the right to object——

The PRESIDING OFFICER. The Senator may not reserve the right to object to the discontinuance of a quorum call.

Mr. MANSFIELD. Mr. President, may I be recognized for 1 minute, in the time allotted on the bill?

Mr. KEATING. Mr. President——

The PRESIDING OFFICER. Either a Senator must object to the request that the quorum call be rescinded, or the clerk must continue with the call of the roll.

Mr. KEATING. I object temporarily.

The PRESIDING OFFICER. Objection is heard. The clerk will resume the call of the roll.

The legislative clerk resumed the call of the roll.

Mr. MANSFIELD. Mr. President, again I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

All time is under control. One hour has been allotted for the debate on the bill, and one-half hour on any amendment, the time to be controlled by the majority leader and the minority leader.

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective when taken up, during the further consideration of the bill (H.R. 8860) to stabilize the mining of lead and zinc, etc., debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 30 minutes, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, the pending bill, which comes from the Subcommittee on Mines and Mining of the Committee on Interior and Insular Affairs, was ordered reported by the full committee in the absence of the chairman.

The matter of providing relief for lead and zinc mine operators and the need for an improvement in their condition has been constantly before Congress at least for the last 12 years. Domestic lead production is in very serious condition. Device after device has been sought to improve it. We have repeatedly worked to obtain a quota system. We have tried to find some method to subsidize the lead and zinc industry. There have been all sorts of programs for extended payments. Thus far, very little real help has come to the industry. Thus far, very little help has come to the industry.

My interest in the bill arises from the fact that a few years ago many of the large lead and zinc producers were located in my State. I think I am correct when I say that today, however, not a single lead or zinc producer is operating there. It has become extremely difficult for them to operate.

I can recall that nearly 40 years ago a newspaper with which I was then connected always published in the corner of the front page the prices of lead and zinc, because whenever either lead or zinc brought a nickel a pound, the price was satisfactory and the mines could remain open. But that is no longer true.

Unless the price of lead is 17 cents a pound and unless the price of zinc is 14 cents a pound, there is little opportunity to operate a mine.

Therefore the committee spent a long time in its consideration of the bill.

The bill was reported by the able chairman of the committee, the Senator from Montana [Mr. MURRAY], who has spent a lifetime in the mining business and in the mining areas, and has watched at firsthand the developments, and thoroughly understands the need for the development of some sort of program.

House bill 8860 would stabilize the mining of lead and zinc by small producers. This bill is not designed to help the large mining concerns; somehow or other they find other ways of securing help. For instance, they locate a profitable mine in the Belgian Congo or in Chile or elsewhere, and by combining their operations in this country with their operations in other countries, they are able to produce and to operate satisfactorily. Or else, as is the case in my State, a large company may also be engaged in mining some other mineral, and will thus be able, by combining that operation with its lead or zinc operations, to continue to operate.

But the small operator who gets out a few tons of ore, with the help of one or two other workers, is not able to operate in that way; and therefore he finds present conditions such that it is virtually impossible for him to continue his operation.

I am sorry to have to say that the bill does not do all that we wish it would do or all that we would like to see done. But the bill does provide that one who has 2,000 tons of lead or one who has 2,000 tons of zinc will be able to mine them under the provisions set forth in the bill.

The question is whether a small operator who has a mine in each of two States can receive these subsidies. The answer is that he can. If he has a small lead mine in one State and if he has a small zinc mine in another State, he can receive the benefits called for by the bill in connection with both his lead mining and his zinc mining operations.

Mr. President, we have tried practically everything else. A few years ago I joined in sponsoring a bill which provided that if the price of lead in the United States went down—as I now recall—to 13½ cents, 2½ cents extra premium would be paid to the producers; and if the price of zinc went down to a certain level, 2 or 3 cents premium would be paid to the producers of zinc. We have tried such measures, and we have tried quotas. But the administration's policy has been to obstruct such measures by means of Presidential vetoes.

We hope this bill will be successful. If the bill is enacted into law, we hope the small lead and zinc producers will be able to remain in business, and will be able to maintain some sort of skeleton forces, and will be able to preserve their properties.

Some years ago the attention of those of us who serve on the Committee on Interior and Insular Affairs was called to a situation in a State close to the State from which the present Presiding Officer [Mr. PROXMIRE] comes. In that State a very fine copper-mining property had been in operation for several generations. At one time it was felt that the property had to be closed for economic reasons; and it was felt that although there was water in the mine, it would later be possible to reopen the mine as occasion might require. The mine did fill up with water; but it has never been reopened, and it has never been found possible to salvage any of the large investment which was made in the mine.

Those of us who are familiar with the requirements in wartimes and in other times of emergency do not want to see the mines covered by the pending bill operated on an extravagant basis; but this bill will make it possible for those who mine 2,000 tons of lead or 2,000 tons of zinc to continue their operations, and I believe the bill will provide a satisfactory solution of their problem.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). The time yielded the Senator from New Mexico has expired.

Mr. BIBLE. Mr. President, I yield 1 more minute to the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 1 additional minute.

Mr. ANDERSON. Mr. President, let me say that the able Senator from Colorado [Mr. ALLOTT] is very familiar with the mine-operation situations in other States, and I am sure he will be able to state his understanding of the bill. Somehow, Mr. President, when the good Lord laid down these deposits of lead and zinc and copper, He did not know exactly where the State lines would run; and therefore these problems are not confined within certain State lines. I am sure the Senator from Colorado feels the importance of these problems as keenly as I do.

Therefore, Mr. President, I shall close my presentation—for I must go now to one of the committee rooms—by saying that the bill as reported by the committee provides for only a temporary solution, but I believe it is a very necessary one to a very pressing problem.

The PRESIDING OFFICER. The additional time yielded to the Senator from New Mexico has expired.

Mr. MANSFIELD. Mr. President——

Mr. BIBLE. Mr. President, I yield 1 minute to the Senator from Montana, so that he may ask a question of the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from Montana is recognized for 1 minute.

Mr. MANSFIELD. Mr. President, I should like to ask the distinguished ranking member of the Committee on Interior and Insular Affairs, who has just now explained the bill, whether I am correct when I say that this measure is the so-called Edmondson-Metcalf measure which was passed in the House of Representatives, and that the bill would, on a small scale, attempt to give a direct subsidy to marginal producers of lead and zinc; but the bill does not in any way contemplate quotas on shipments of these metals from other countries.

Mr. ANDERSON. That is exactly the case. The bill provides for the making of payments by the Department to small lead and zinc producers, at a rate which will provide them a return equivalent to the one they would receive if the market price for zinc were 14½ cents a pound and if the market price for lead were 17 cents a pound. In other words, the payments which thus will be made will amount to a few cents per pound—2 or 3 or 4 cents. Those amounts will be paid from the Treasury.

Of course, if we were to get into the question of quotas, there would immediately be opposition by the State Department. On the other hand, if we were to get into the question of tariffs, there would immediately be opposition by the Tariff Commission.

Therefore, we have used the other system; and we provide that whatever difference there may be between the selling price and the prices stated in the bill—and we believe the latter to be the absolute minimum—shall be made up by means of payments from the Treasury.

Mr. MANSFIELD. In other words, the problem is a domestic one, and requires a solution; is that correct?

Mr. ANDERSON. Yes. The bill does not involve in any way our relationships with Canada or Mexico, where a great deal of lead and zinc are produced, or with any other South American country.

The PRESIDING OFFICER. The time yielded to the Senator from Montana has expired.

Mr. BIBLE. Mr. President, I yield 1 minute to the Senator from New Mexico, to enable him to complete his response.

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 1 minute.

Mr. ANDERSON. Mr. President, I have tried to explain that a report is about to be made in the Joint Committee on Atomic Energy, on the trip made by the Commissioner to Europe, and I am now due in the committee.

Mr. MONRONEY. Mr. President, as I understand, only the small, marginal producers who are producing not more than 2,000 tons of lead or 2,000 tons of zinc will receive the benefits provided by the bill.

Mr. ANDERSON. That is correct.

Mr. MONRONEY. The bill will make it possible to maintain those small business enterprises in some condition or other, rather than waste their mineral resources, inasmuch as if the mines were forced to close, those mineral sources would become lost forever to posterity, as the result of the flooding of the mines by water or as the result of other destructive processes.

Mr. ANDERSON. I wish to say that I am not quite as optimistic on that score as are some of those who sponsor the bill. I think more help than the amount provided by the bill is needed by those who produce 2,000 tons of these minerals. But I am sure that the bill provides for all that can be provided for at this time, although I am sure that it would be better if the bill provided for

more assistance. However, certainly this bill is a step in the right direction.

Mr. MONRONEY. I quite agree. Unfortunately, it seems impossible at this time to provide for more than the bill now would affect.

Mr. LAUSCHE. Mr. President——

Mr. BIBLE. Mr. President, I yield 1 additional minute to the Senator from New Mexico, so that the Senator from Ohio may ask him a question.

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 1 additional minute.

Mr. LAUSCHE. Is it not a fact that there is a glut of lead and zinc on the world markets, and also a glut of lead on the markets in the United States.

Mr. ANDERSON. That is true, but not because of the mine operations in the United States. As I said a moment ago, at one time operations were being conducted in my State by four or five of the largest producers of lead or zinc. But not one lead mine in it is in operation today.

The purpose of this measure is to provide a little help, in order to permit the small lead and zinc mines to remain open. The bill does not impose quotas. It does not permit them to operate at anything like their former capacity.

Mr. LAUSCHE. The point I try to make is that, from the world standpoint, the disposition of lead and zinc, especially for a number of South American countries like Peru, is a very vital question.

Mr. ANDERSON. Yes, it is; but the bill is so drawn that it does not bother the quotas of these other countries.

Mr. LAUSCHE. Am I correct that, under the bill, based upon the present price of lead and zinc per pound in the market as it was on June 30, the U.S. Government would be paying to one of these small operators $260,000 by way of subsidy? That is, the subsidy on zinc would be——

Mr. ANDERSON. About 3 cents.

Mr. LAUSCHE. Two and one-half cents.

Mr. ANDERSON. Yes; 2½ cents.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BIBLE. Mr. President, I yield 2 additional minutes to the Senator from New Mexico.

Mr. LAUSCHE. The report shows zinc would be subsidized at 14½ cents, and its current price is 12 cents. So it would be 2½ cents a pound.

Mr. ANDERSON. Fifty dollars a ton.

Mr. LAUSCHE. On 2,000 tons that would be $100,000.

Mr. ANDERSON. Yes.

Mr. LAUSCHE. The market price for lead is 13 cents. It is subsidized at 17 cents. We would be paying a subsidy of 4 cents a pound. Two thousand times 4 cents equals $80. For 2,000 tons it would be $160,000.

Mr. ANDERSON. Since the Senator has asked the question, in my own individual judgment, the price of lead is now abnormally low. From the experience with the other programs, passage of the bill would result in a rise in the lead price; but the Senator is correct with respect to the current levels.

Mr. LAUSCHE. On an average, how many people work in these mines?

Mr. ANDERSON. The Ground Hog Mine in New Mexico employed 400 people. That number was reduced to 200, then to 100, then to 50. These are small mines. I would say they would run from 10 to 25 people.

Mr. BIBLE. Mr. President, I yield myself 1 minute. I should like to associate myself with the remarks of the Senator from New Mexico.

It is my hope that favorable action will be taken on H.R. 8860 by the Senate body. The domestic mining industry has been neglected by this administration and considered as a stepchild for far too long. As a member of the Senate Interior and Insular Affairs Committee, I have sat through many long sessions, listening to testimony by industry leaders pointing to the perilous conditions existent in the industry.

Nevada, but a few years past, was one of the leading producers of tungsten, a mineral of known importance to our defense needs. In recent years, every single mine has been shut down and this highly important mineral is now being imported into our country to meet our Nation's needs. This has been the story, time and time again, until now the domestic mining industry has been relegated to a second class position.

The same situation now faces the lead-zinc industry. Prices are currently so low that the domestic industry cannot meet the costs of production. H.R. 8860 is not a costly bill. It is a bill which will keep the small mines in operation. Producers in Nevada of lead and zinc numbered 51 in 1956. Of this number only one mine produced more than 4,000 tons of ore per year, and with the exception of three mines, production was confined to under 3,000 tons. Yet these are the small producers which traditionally have fought the battle and in some cases eventually emerged into large producers. At the present market prices of lead and zinc, it is impossbile for even these small producers to operate their mines.

It is my firm belief this Nation needs a strong minerals industry. We cannot afford the luxury of being dependent upon foreign sources. It must be clear to all that conditions in Africa, Asia, and other parts of the world, where many large mines are now exporting minerals to the United States, are such that we cannot close our eyes to reality. We can upon a moment's notice be completely out of business, with our sources of supply cut off at the whim of these foreign countries which are now enjoying a profitable export business in copper, lead, and zinc, and other essential minerals, by selling their production to the United States.

The lead-zinc industry has appealed to the Tariff Commission, and yet the appeals have not brought results. This industry has been patient far too long. It is time that Congress takes effective steps to keep the lead-zinc industry on an operating basis. It is my hope that this legislation will pass the Senate, and that this body will become more cognizant of the need for effective legislation along similar lines, not only to keep the domestic lead-zinc mines operating, but to give full consideration to the entire minerals industry. I can assure the Senate this rugged industry does not want charity from our Government. It does, however, desire fair treatment and to be put on an equal basis with the foreign mining interests which are given advantages through the trade agreements programs of our Nation.

I now yield to the Senator from Colorado [Mr. ALLOTT] for 5 minutes.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 5 minutes.

Mr. ALLOTT. Mr. President, I believe a little background and history should be given in the consideration of this bill. The production of lead and zinc in this country has been steadily deteriorating since 1946. This has not been due to one set of factors; it has been due to many. One of the most important is the great differential between the cost of production in other countries and our own country, particularly when we consider that we pay a miner in this country $20 a day, and in foreign countries miners are paid $1, $1.50, or even less a day.

The background of the depressed state of these mines is that twice in the last 3 years the lead industry has gone to the Tariff Commission to get relief. The Tariff Commission did recommend partial relief, and the President approved quotas on the importation of lead and zinc.

Because these quotas have had only nominal effect, on August 21, 1959, the Senate adopted a resolution directing the Tariff Commission to hold a hearing and submit a report to Congress not later than March 31, 1960.

There is contained on page 4 of the report a brief summary of the findings and conclusions of the Tariff Commission's report, and I ask unanimous consent that the summary may be made a part of my remarks at this point in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Imports of lead and zinc have increased markedly in the postwar period, especially since 1951. (From 19 percent of U.S. production of lead in 1946 to 75 percent in 1951, and 91 percent in 1958. From 37 percent of U.S. production of zinc in 1946 to 72 percent in 1952 and 119 percent in 1958.)

Foreign mine output of lead and zinc has increased in nearly every year since 1952; whereas domestic mine output of lead declined 35 percent and of zinc declined 37 percent in the same period.

Since World War II, the lead and zinc industries in the United States and in foreign countries have been greatly affected by a variety of U.S. Government programs, including purchases, barter, exploration aid, losses, and tax incentives.

Mines producing lead and zinc dropped from 696 in 1956 to 447 in 1958. Of the 447 mines, the 38 largest mines (operated by 25 producers) produced 87 percent of the total U.S. output.

U.S. mine output of lead in 1958 was the lowest on record since 1899. U.S. mine output of zinc in 1958 was the lowest since 1933, a depression year. U.S. mine output of zinc increased in the 4 months through January

1960, but U.S. mine output of lead has not shown an upward trend and was lower than in the corresponding months of 1959.

While domestic supplies of ores and concentrates have declined, consumption of refined lead and zinc has been maintained at high levels. Consequently, domestic smelters have had to rely on foreign sources for an increasing proportion of raw materials.

As the lead and zinc industry adapted itself to operation under the quotas, there developed a practice of accumulating stocks of ores and concentrates in bond. The greatest difficulties, in obtaining adequate supplies of ores and concentrates to permit sufficient operation of smelters, have been encountered by zinc smelting companies depending upon independent sources of supply. One domestic company without a mine of its own, Athletic Mining & Smelting Co., Fort Smith, Ark., closed in December 1959 after more than 40 years of operation, discharging 271 persons.

In summary, import quotas affecting such large and complex industry as lead and zinc have not proved a satisfactory means of curtailing imports of these metals.

Mr. ALLOTT. Mr. President, because the quotas have been largely ineffective, we have developed this legislation. One of the questions that will be asked about this matter is the cost involved. The cost is going to be less than $4,840,000 a year.

There are other approaches that could have been utilized. Personally, I would have preferred the bill that the Senate considered and passed in 1958, the so-called Seaton stabilization plan, which was recommended by the administration and passed the Senate. Under the conditions in which we find ourselves today, from the standpoint of time, it is impossible to consider such a bill. So we have before us H.R. 8860.

I believe fully that this bill is the only bill that has an opportunity of passing at this session of the Congress. Therefore, I support it.

It is an adaptation of the so-called Allott formula, which was adopted as a part of the 1958 bill. It will help only the small mines. It is a reasonable bill. I support it.

I think it is also appropriate to call the attention of the Senate to the fact that in 1957, the Secretary of the Interior, the Honorable Fred Seaton, sent to Congress a plan for an import excise tax on lead and zinc. That also died in Congress. In 1958 he came up with the stabilization plan, which was modified subsequently to include the Allott small-mine formula of which I have spoken.

With all of this, and with the unsuccessful applications of the lead and zinc people to the Tariff Commission, it is very obvious that there can be no meaningful results from further applications. As a matter of fact, the prices have risen only about 1 cent since the quotas were instituted. Domestic lead production has reached its lowest point in 60 years, which was 253,360 tons in 1959. In zinc, the situation is somewhat better, but domestic mine production in 1959 of 416,965 tons was still far below the 1957 level of 533,733 tons.

Mr. President, why are we here today? Why are those of us who are interested in natural resources of this country here today? We are here for just one real reason. It is not merely to provide a little relief for these mines and miners that are going out of business or are already out of business. That is only part of the reason why we are here. The real reason why we are here is that the mining resources of this country cannot be turned on and off like a water faucet. We—no one party has been solely responsible for it. But we have vacillated from the philosophy of the Paley report, by which we would import everything, to the philosophy, which was espoused by Senator Malone, of Nevada, of high protection. Nobody knows what the policy of this country is with respect to mining.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ALLOTT. Mr. President, may I have 2 more minutes?

Mr. BIBLE. I yield 2 more minutes to the Senator from Colorado.

Mr. ALLOTT. I say to my colleagues, and I say to the people of the country, unless we take affirmative steps—and this is a beginning—to establish a clear policy of fostering the development of our own resources, we are going to find ourselves in serious trouble. Unless we develop a situation that allows for our miners a stable, economic course, we are going to sell our mining industry down the river. If we have an emergency, we shall not be able to bring those mines into production in 3 months, or 6 months, or 1 year, or 3 years. That is the emergency we face today. That is the reason, Mr. President, why I support this measure, not merely in the interest of the well-being of our mines and miners, but because I consider it a necessary part of our national preparedness and accordingly the well-being of this Nation. It is my sincere hope the Senate will adopt the bill as it is.

Mr. President, I ask unanimous consent to have certain tables and statements printed at this point in the RECORD.

There being no objection, the tables and statements were ordered to be printed in the RECORD, as follows:

IMPACT OF H.R. 8860 ON DOMESTIC LEAD-ZINC PRODUCTION

I. ANALYSIS OF BUREAU OF MINES DATA

The Department of the Interior submitted estimates of domestic mine production of lead and zinc combined for small mines as follows:

Size tons	1958 (actual) tons	Production estimate under H.R. 8860 (14½ and 17 cents and 4,000 tons)
0 to 499	19,377	28,000
500 to 999	12,097	15,000
1,000 to 1,999	23,441	33,000
2,000 to 2,999	7,820	14,000
3,000 to 3,999	14,466	15,000
Total	77,201	105,000

The combined E. & M. J. market price for lead and zinc in 1958 was 22.4 cents per pound. Thus, based on the Interior Department assumptions, their rough estimate is that an increase of only 28,000 tons of lead-zinc would be forthcoming under H.R. 8860 as compared to the actual 1958 situation. This possible increase could hardly be termed significant in comparison to total U.S. lead-zinc mine production in 1958 of 679,000 and is practically nil in comparison to total world mine production of 5,477,000 tons for 1958.

II. LIMITATIONS

Another view may be taken by "overstating" the maximum effect of H.R. 8860 and presuming (incorrectly) that the incentives will produce entirely "new" or "additional" tons which were not produced in 1958 or 1959. In this instance, the maximum of $4.4 million funds available divided by $43.25 per ton incentive (Department of the Interior figure) would yield 101,000 tons, presuming all incentives yielded only additional tons. Obviously, this is greatly exaggerating the case, for the actual 1958 tons tabulated in I above would in the most part be eligible under the provision of H.R. 8860, and the possible net increase of about 28,000 tons is a far more realistic estimate. However, even if this were not true, the limitations of total incentive funds available places a fixed ceiling on the amount of increased eligible production which could be forthcoming.

III. COMPARISON WITH PRODUCTION OF PRIOR YEARS

Historically, the production of mines in the 0–4,000 tons lead-plus-zinc range will provide another method of evaluating possible production.

	Production for 0 to 4,000 ton mines [1]	Total U.S. lead-zinc production [2]	Percentage of production by small mines	Average E. & M.J. price (cents)		
				Lead	Zinc	Combined
1954	147,660	798,890	18	14.0	10.7	24.7
1955	153,462	852,696	18	15.1	12.3	27.4
1956	196,133	895,166	22	16.0	13.5	29.5
1958	[3] 77,201	679,000	11	12.1	10.3	22.4

[1] U.S. Tariff Commission Report (table 32), April 1958.
[2] American Bureau of Metal Statistics.
[3] Rept. 1597, House of Representatives, May 10, 1960

It is interesting to note that the 1956 combined market price was 7.1 cents above the 1958 market and the domestic lead-zinc production was approximately 216,000 tons more than in 1958. The proposed prices of H.R. 8860 are 8.1 cents per pound above the 1958 market, and increased production is estimated by the Bureau of Mines at only 28,000 tons. Again, the estimates of the impact of the subsidy program are insignificant compared to past experience of actual market conditions.

IV. DEFINITIONS

In a letter of June 6, 1960, to Mr. Tom Kiser, Mr. Royce A. Hardy, Assistant Secretary of the Interior indicated that "the data supplied to the subcommittee by the Department with respect to the number of mines operating in 1958 was on a reporting mine, not on ownership, basis." We know that some small mines are controlled by large companies with operations in the same district or State, and these small properties would not be eligible for the subsidy. It is quite possible that the 28,000 tons is an excessive estimate.

V. ESTIMATED PRODUCTION

The recent high in production from 0–4,000 ton mines was in 1956 with market prices of 29.5 cents combined for lead and zinc. The chart indicates that as the market price decreases the small mines take the big percentage of the total production cut. From the chart it might be argued that 31.5 cents combined (H.R. 8860 rates) would produce 200,000 tons of lead and zinc, but this is not the case. Payments at present market prices are limited to 101,000 tons, and a large part of this is already being produced.

There is no near future possibility of lead-zinc prices increasing beyond the present market, based on present supply and consumption, so the eligible tonnage cannot be expected to increase. When and if the markets and prices improve, the eligible tonnage under subsidy can increase; but the small mines are deserving of this increased tonnage, based on the historical record, and under improving conditions the market could take this relatively small tonnage.

Since the Department of the Interior figures were submitted the provisions of the bill have been further limited to (1) mines producing 2,000 tons of lead and/or 2,000 tons of zinc during a 12-month period rather than 4,000 tons combined as originally provided, (2) to mines with a production record during the past 7 years, (3) to mines that have produced not more than the qualifying tonnage of (1) in the past 12 months. These qualifications particularly on tonnage will probably further reduce the eligible production estimate of 28,000 tons.

VI. Historic U.S. Production

Lead

Year	Mine production (short tons)	General imports: Ores and concentrates (short tons)	General imports: Metal (short tons)	General imports: Total (short tons)	Average price: New York (cents per pound)	Average price: St. Louis (cents per pound)	Average price: London [1] (cents per pound)
1915	542,098	9,093	42,413	51,506	4.67	4.57	4.85
1916	601,392	17,543	17,786	35,329	6.83	6.80	6.58
1917	628,464	20,646	57,625	78,271	8.71	8.92	6.37
1918	562,402	18,535	80,072	98,607	7.46	7.25	6.40
1919	429,589	9,787	61,119	70,906	5.81	5.55	5.57
1920	496,814	14,744	83,771	98,515	8.08	7.93	6.25
1921	414,491	7,117	67,168	74,285	4.55	4.39	3.90
1922	477,633	12,237	65,588	77,825	5.71	5.52	4.69
1923	547,217	33,442	101,847	135,289	7.25	7.35	5.48
1924	596,068	47,660	89,998	137,658	8.08	8.10	6.64
1925	684,439	44,481	77,648	122,129	9.02	8.92	7.73
1926	683,917	58,116	89,806	147,922	8.42	8.25	6.74
1927	665,489	40,638	120,751	161,389	6.75	6.52	5.25
1928	632,977	25,915	129,129	155,044	6.31	6.14	4.58
1929	654,331	31,331	84,728	116,059	6.83	6.66	5.04
1930	558,313	39,377	38,839	78,216	5.52	5.38	3.92
1931	404,622	20,888	32,330	53,218	4.24	4.05	2.64
1932	292,968	21,001	13,506	34,507	3.18	3.04	1.86
1933	272,677	5,958	1,606	7,654	3.87	3.74	2.21
1934	287,339	10,611	2,733	13,344	3.86	3.73	2.46
1935	331,103	20,025	4,014	24,039	4.06	3.91	3.12
1936	372,919	20,713	2,902	23,615	4.71	4.56	3.91
1937	464,892	34,103	6,703	40,806	6.01	5.86	5.15
1938	369,726	45,370	18,531	63,901	4.74	4.59	3.33
1939	413,979	30,842	56,041	86,883	5.05	4.90	3.09
1940	457,392	111,300	171,172	282,472	5.18	5.03	4.49
1941	461,426	82,115	298,893	381,008	5.79	5.64	4.49
1942	496,239	79,362	410,352	489,714	6.14	6.33	4.49
1943	453,313	69,945	248,616	318,561	6.50	6.35	4.49
1944	416,861	93,570	222,816	316,386	6.50	6.35	4.49
1945	590,831	70,005	227,477	297,482	6.50	6.35	4.49
1946	335,475	44,286	115,628	159,914	8.11	7.96	8.63
1947	384,221	50,572	161,093	211,665	14.67	13.26	15.27
1948	390,476	63,907	254,302	318,209	18.04	17.87	17.16
1949	409,908	107,279	277,613	384,892	15.36	15.18	16.96
1950	430,827	76,520	445,276	521,796	13.30	13.10	13.29
1951	388,164	67,484	181,313	248,797	17.49	17.29	20.25
1952	390,162	104,661	511,109	615,770	16.47	16.27	16.82
1953	342,644	160,899	385,940	546,839	13.48	13.28	11.48
1954	325,419	161,261	276,327	437,588	14.05	13.85	12.08
1955	338,025	177,479	264,149	441,628	15.14	14.94	13.19
1956	352,826	196,452	262,685	459,137	16.01	15.81	14.52
1957	338,216	198,479	324,363	522,842	14.66	14.46	12.05
1958	267,377	201,628	368,912	570,540	12.11	11.91	9.13
1959 (preliminary)	253,260	139,178	263,497	402,675	12.21	12.01	8.88

[1] Conversions made in accordance with changing value of British pound sterling.

Source: U.S. Bureau of Mines.

Zinc

Year	Mine production (short tons)	General imports: Ores and concentrates (short tons)	General imports: Slab zinc [1] (short tons)	General imports: Total (short tons)	Average prices: East St. Louis (cents per pound)	Average prices: New York (cents per pound)	Average prices: London [2 3] (cents per pound)
1915	587,595	57,669	63	57,732	14.16	14.44	14.04
1916	703,317	148,147	21	148,168	13.57	13.75	14.42
1917	713,359	72,474	18	72,492	8.93	9.11	11.00
1918	636,091	24,809	11	24,820	8.04	8.31	11.02
1919	548,846	17,009	32	17,041	7.04	7.39	8.29
1920	587,524	22,487	[4]	22,487	7.77	8.13	7.40
1921	256,640	2,705	6,598	9,303	4.67	5.15	4.50
1922	472,032	1,929	40	1,969	5.74	6.09	5.88
1923	610,690	3,223	1	3,224	6.66	7.01	6.51
1924	637,977	4,649	11	4,660	6.35	6.70	6.63
1925	710,847	13,536	[4]	13,536	7.66	8.01	7.80
1926	774,563	14,567	[4]	14,567	7.37	7.72	7.40
1927	718,541	9,513	39	9,552	6.25	6.60	6.19
1928	695,170	1,667	[4]	1,667	6.03	6.38	5.50
1929	724,478	14,411	226	14,637	6.49	6.84	5.40
1930	595,425	25,839	281	26,120	4.56	4.91	3.60
1931	410,318	780	274	1,054	3.64	3.99	2.52
1932	285,231	1,904	310	2,214	2.88	3.25	2.12
1933	384,280	2,133	1,890	4,023	4.03	4.40	2.96
1934	438,726	14,277	1,725	16,002	4.16	4.51	3.07
1935	517,903	10,277	4,444	14,721	4.33	4.70	3.08
1936	575,574	172	11,660	11,832	4.90	5.28	3.31
1937	626,362	8,812	37,208	46,020	6.52	6.87	4.91
1938	516,703	18,583	7,230	25,813	4.61	4.99	3.05
1939	583,807	36,100	30,898	66,998	5.12	5.51	2.89
1940	665,068	180,320	16,468	196,788	6.34	6.73	4.64
1941	749,125	289,213	34,554	323,767	7.48	7.87	4.63
1942	768,025	368,408	36,352	404,760	8.25	8.66	4.63
1943	744,196	539,094	56,155	595,249	8.25	8.66	4.63
1944	718,642	413,696	63,626	477,322	8.25	8.65	4.63
1945	614,358	381,719	97,116	478,835	8.25	8.65	5.18
1946	574,833	272,056	104,743	376,799	8.73	9.15	7.75
1947	637,608	297,959	72,312	370,271	10.50	11.01	12.58
1948	629,977	264,203	93,232	357,435	13.58	14.21	14.38
1949	593,203	241,179	126,925	368,104	12.15	12.86	14.41
1950	623,375	278,573	155,974	434,547	13.88	14.60	14.89
1951	681,189	302,777	88,043	390,820	17.99	18.75	21.46
1952	666,001	449,636	115,705	565,341	16.21	17.03	18.53
1953	547,430	513,724	234,576	748,300	10.86	11.53	9.47
1954	473,471	455,427	156,858	612,285	10.69	11.19	9.78
1955	514,671	478,044	195,696	673,740	12.30	12.80	11.30
1956	542,340	525,350	244,978	770,328	13.49	13.00	12.19
1957	531,735	526,014	269,007	795,021	11.40	11.90	10.18
1958	412,005	462,008	195,199	657,207	10.31	10.81	8.24
1959	416,965	496,258	156,860	653,118	11.45	11.95	10.27

[1] Imports for consumption for 1915–38.

[2] Source: Various sources, including Engineering and Mining Journal, Metal Statistics and Metallgesellschaft Aktiengesellschaft.

[3] Conversions made in accordance with changing value of British pound sterling.

[4] Less than 1 ton.

Source: U.S. Bureau of Mines.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. ALLOTT. I yield if I have any time remaining. I wonder if the Senator from Delaware will yield me some time.

Mr. WILLIAMS of Delaware. Mr. President, I yield 2 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Delaware yields 2 minutes to the Senator from Ohio.

Mr. LAUSCHE. Is it not a fact that if the Government enters into this new field providing subsidies, it will establish a precedent which will cause other mining industries to ask for similar subsidies? I mention fluorspar, manganese, tungsten, and mercury, as to which economic difficulties likewise exist in the operations. If the Senator answers "no," I wish he would explain how we will stop the other industries from coming in with such a request.

Mr. ALLOTT. I have a very good way of answering the Senator's question. I shall not try to mislead the Senator by

saying that the troubles in this country are confined to lead and zinc. They are not. The troubles spread to many other minerals. I would disagree as to the effect, or the extent of the effect, with regard to some of the minerals the Senator has named.

There is a way out of the problem. There is presently in the House Committee on Interior and Insular Affairs a bill passed by the U.S. Senate last year, sponsored by the senior Senator from Colorado, which would establish a National Minerals Policy Act. If we could adopt such a piece of proposed legislation, then we could go forward upon the basis of establishing a national minerals policy. Frankly, I would rather see us go forward on other bases than this, but we cannot allow these mines to close down, as a result of which we will lose the mines, lose the machinery which is operating, and lose the people whom it takes years to train to operate the mines.

Mr. LAUSCHE. The Senator from Colorado undoubtedly is familiar with these operations. How many persons are usually employed in an operation which produces 2,000 tons?

Mr. ALLOTT. It would be a relatively small operation. I would say six or eight people.

Mr. LAUSCHE. Six or eight people for a 2,000-ton operation?

Mr. ALLOTT. This would not include the mill.

Mr. LAUSCHE. How many would be in the mill?

Mr. ALLOTT. I cannot answer that question. The milling facilities are usually combined.

Mr. LAUSCHE. As to the matter of 2,000 tons of lead, we would be giving the operator $160,000. The Senator says there would be about a dozen people employed, does he?

Mr. ALLOTT. I am not willing to approach it upon that basis. I do not know where the Senator gets his figures. The present-day market on lead is about 12 cents.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, will the Senator yield me 2 more minutes?

Mr. WILLIAMS of Delaware. I yield 2 more minutes.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 2 minutes.

Mr. ALLOTT. The present-day market on zinc is 13½ cents.

Mr. LAUSCHE. I got the figure from the committee report.

Mr. ALLOTT. It varies from day to day.

Mr. LAUSCHE. I understand. I gave the June 30 figure.

Mr. ALLOTT. I think the Senator stated the figures backward a few minutes ago. Zinc at the present time is in a rather unusual situation. It is higher than lead at the present time. The present price on lead is about 12 cents and on zinc it is about 13½ cents. The subsidy would be between 12 and 17 cents for lead and between 13½ and 14½ cents for zinc.

Mr. LAUSCHE. For what is lead selling now—12 cents?

Mr. ALLOTT. Twelve cents, in round figures.

Mr. LAUSCHE. We are going to subsidize at 17 cents. That means we shall be paying 5 cents a pound.

Mr. ALLOTT. Let me invite these facts to the attention of the Senator: first of all, this would be limited particularly to individual mines. One person can get a subsidy for only one unit in one mining district of one State.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, will the Senator yield me more time?

Mr. WILLIAMS of Delaware. I yield the Senator 2 more minutes.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 2 minutes.

Mr. LAUSCHE. On the basis of 12 cents a pound for lead, we would be paying one operator $200,000 a year, and he would have eight people employed, as mentioned by the Senator from Colorado. If there are more people employed I should like to know how many more there are. I have been told the figure is 40.

Mr. ALLOTT. I am sorry. I do not know where I got the figure of eight. That figure just came into my head. I should like to correct the statement. It is about 40.

Mr. LAUSCHE. Forty. Then we would be paying $5,000 a man as subsidy?

Mr. ALLOTT. If the Senator chooses to look at it that way he can. It is not a question of men. It is a question of what we are going to do to preserve the industry.

Mr. LAUSCHE. So we would be paying $5,000 a man to keep one of these impoverished industries operating. Can the Senator justify that amount of money being taken from the taxpayers to keep these mines operating?

Mr. ALLOTT. The difference is that most of these mines do not produce 2,000 tons. They produce a lesser amount.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of Delaware. Mr. President, I yield the Senator 1 more minute.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 1 minute.

Mr. LAUSCHE. If they produced less they would have fewer people working.

Mr. ALLOTT. If the Senator wishes to put this upon that basis, would he also wish to justify the ship subsidies, the construction of wharves, the construction of docking facilities, the construction of flood control projects on the basis of the number of people who are interested? I do not think so. What I am trying to say is that this may benefit a relatively small number of people, as such, but what we would be doing is preserving the lead and zinc industry of this country.

Mr. LAUSCHE. I recognize that.

The PRESIDING OFFICER. The 1 minute yielded has expired.

Mr. LAUSCHE. Mr. President, will the Senator yield me 3 more minutes?

Mr. WILLIAMS of Delaware. I yield 3 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 3 minutes.

Mr. LAUSCHE. Mr. President, I fought the subsidies for the merchant marine. I fought the subsidies for the drydock people a year ago. I fought the subsidies for the fishing industry. Each industry claimed it could not survive unless the taxpayers' money was given to it.

I am today fighting this subsidy, because when we get through granting this, perhaps Ohio may come before the Senate to ask that ceramics be subsidized on the same basis. I am wondering where the end will come.

Mr. PASTORE. Mr. President, will the Senator yield for a question?

Mr. ALLOTT. May I answer the Senator's question?

Personally I would prefer to do this by an international agreement. If the bill which passed the Senate last year were to be passed in the House, I think we could do what is right and get all of us out of trouble. We could help the mining industry in that way.

Mr. LAUSCHE. I appreciate the Senator's general philosophy of this subject, but my fear is rooted in the proposition that next we will have a plea from the railroads. They will be before us next year. We are preparing the way for them. That is why I do not think we ought to enter into this field.

Mr. PASTORE. Mr. President, will the Senator yield to me so that I may ask a question?

Mr. BIBLE. Mr. President, I yield 1 minute to the Senator from Rhode Island to ask a question of the Senator from Colorado.

Mr. PASTORE. I have only one question to ask the distinguished Senator from Colorado. Is the preservation of this industry tied in at all with the national security?

Mr. ALLOTT. In my opinion, it is vitally necessary to preserve the industry. It is tied into the national security. It is no secret that the Russians have some 400 or 500 submarines. If we should ever get into a national emergency which did not involve the whole earth going up, there is no question that we could be shut off from roughly two-thirds of our lead and roughly two-thirds of our zinc each year.

Mr. LAUSCHE. Mr. President, did the Senator say that we need this for national security purposes?

Mr. ALLOTT. Yes. I do say that.

Mr. LAUSCHE. There are perhaps four or five departments which have sent in letters in this regard. Each one has said that we have more zinc and lead than we need, and they all oppose the proposal.

Mr. ALLOTT. I will say to the Senator that we do have more lead and zinc than we need, simply because we are being flooded in this country by foreign imports. There is no question about where the excess comes from. It is not coming from the United States.

Let me give the Senator some actual figures on lead for 1959.

Mr. LAUSCHE. I have seen them in the report. I am familiar with them. The Senator may state them for the benefit of other Senators.

Mr. ALLOTT. In 1959 production in the United States was 256,000 tons, and we imported a total of 531,000 tons. It is very easy to see why under those circumstances we are gradually debilitating our lead and zinc industry, as well as all of our other mining industry, to the detriment of our own country. We are not helping foreign countries, because the benefit from the cheap lead and zinc we are buying from abroad goes either to large companies or to the Government. It does not go to the workers.

Mr. LAUSCHE. Will the Senator from Colorado agree with me that the entrance of plastics into the market has removed a great deal of the demand that was formerly supplied with lead?

Mr. President. I ask unanimous consent that there be printed in the RECORD in connection with my remarks an editorial from the Washington Post and Times Herald of Monday, August 15.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BLOCK THAT SUBSIDY

The domestic lead and zinc mining interests seem to be the object of more "helpful" attention in Congress than almost any other segment of the economy, a fact more striking because of the extremely limited importance of this small industry from an economic standpoint. For 2 years the domestic mines have benefited from import quotas. These the Tariff Commission will review, and ought to abolish, this fall in light of the considerable improvement in world marketing procedures and the voluntary restraints worked out through the United Nations. Now the industry wants great increases in tariffs, which have already been approved by House and Senate committees. Some producers also want Federal subsidies, a bill which has cleared the House.

We have already stated our opposition to the tariff increases which, in many ways, would be the most objectionable of all the protectionist measures proposed. We have equal objections, however, to the Edmondson subsidy bill, which would add to the tax and other benefits already granted the extracting industries a Government price support pegged well above the present market. The result would be to perpetuate—in some case to reopen—high-cost uneconomic mines with no prospect of ever being really self-supporting.

Some sympathy is warranted for the individual victims of unemployment in such situations and perhaps some Federal help in resettlement would be justified. But the Edmondson bill envisages no permanent cure looking toward the reinvestment of capital or the retraining of workers for more productive enterprises. The only possible excuse for lead-zinc subsidies would be as political bulwark against congressional reinvasion of the tariff-writing field. This would indeed be merely an excuse, however, and not a valid reason for enactment of the Edmondson bill.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. BIBLE. Mr. President, I yield 2 minutes to the Senator from Kansas [Mr. SCHOEPPEL].

Mr. SCHOEPPEL. Mr. President, I shall support this measure—H.R. 8860—which is designed to give much needed relief to the small lead and zinc producers and the workers who depend upon this industry for their livelihood.

This bill differs from other measures that have been presented in the past in that it applies only to those producers whose annual output does not exceed 2,000 tons. It takes 40 to 45 men to so produce.

Although the lead and zinc industry in my State is comparatively small, to those who look to it for their bread and butter, it is the most important industry in the world. I care not how small it may be, it is a part of the economic life of my State—a vital part and I rise today to see to it that it receives fair and equitable treatment.

Statistics will show that in 1947–49, the tristate area which includes my State, produced 14.8 percent of the total annual production of zinc in the United States. In 1958, this area produced only 2.1 percent and today its production is practically nil.

The producers of these metals in my State are no longer waging a struggle for a profit but a struggle for their very existence and to protect the mining industry for tomorrow.

On three different occasions, the Tariff Commission has tried to give relief to this depressed industry. In 1953, the Commission instituted its first escape clause investigation. In 1954, the Commission unanimously recommended increased duties. But what did we do? Instead of following the Commission's recommendations, we instituted a stockpile purchasing program. Again in 1958, the Commission entertained an industry petition for an escape clause action and on April 28, 1958, again the Commission unanimously found that unmanufactured lead and zinc were being imported in such quantities as to seriously injure the domestic industries producing like and competitive products. On that very day, I wired the President and I quote:

In view of the Tariff Commission's recommendations today that unmanufactured lead and zinc are being imported into the United States in such quantities as to injure domestic industries and in view of the widespread unemployment in the southeast area of my State due to mines and smelting plants being closed, I respectfully urge you to take immediate action in line with the recommendations of Commissioners Brossard, Talbot, and Schreiber.

The administration deemed it advisable to proclaim import quotas effective October 1, 1958. These quotas restricted imports to 80 percent of the average annual competitive imports of the period 1953–57. This did not solve the problem for the producers in my State.

In 1958, Secretary Seaton then submitted a plan to stabilize prices. This proposal was acceptable to the small producers. We in the Senate passed the Domestic Minerals Stabilization Act—S. 4036—which would have made the Seaton proposal operative but the House failed to pass the legislation.

In March 1959, I with a number of other Senators joined Senator MURRAY in cosponsoring S. 1566 to stabilize the domestic market price of lead and zinc. On August 12, 1959, I joined with a number of Senators in cosponsoring Senate Resolution 162 which directed the Tariff Commission to make a supplementary investigation and report as to the current conditions in the lead and zinc industry. The Senate on August 21, 1959, passed that resolution.

The minority report of the Commission again found that all import quotas should be removed and higher tariff duties applied.

The bill that is before us today is quite similar to the Seaton plan but is limited to small producers of lead and zinc only. Under this bill, I want to emphasize payments are made to small producers, who annually produce less than 2,000 tons, an amount equal to the amount they would receive if the market price of zinc were 14½ cents per pound and lead at 17 cents per pound. It would cost the Government around $25 million over a 5-year period.

Call it what you may, a subsidy or by the "highfalutin" name of compensatory payment. The fact remains that the producers of these ores have been driven to the wall not by any acts of their own, but by operation of the Reciprocal Trade Act which have lowered import duties and permitted the flow of ores into this country to the detriment of American workers.

Time and again I have said that I favored reciprocal trade. But reciprocal trade is a two-way street. When reciprocal trade means a full dinner pail in Shangri-La and Government relief to the miners in Galena, Baxter Springs, Columbus, and other areas of my State, I am against it. It is as simple as that.

I hope the Senate will pass this measure. If our State Department prefers playing "footsies" with the foreign producers by sidelining the American producers and permitting foreign producers to take our markets, then it is up to us as Members of Congress to see to it that our American workers are given a fair shake.

I urge my colleagues to take favorable action on H.R. 8860.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BIBLE. Mr. President, I yield 2 minutes to the Senator from Utah.

Mr. MOSS. Mr. President, this bill gives Congress an opportunity to provide some relief for a segment of the lead-zinc industry. It is designed to fit conditions in a particular area, although it may offer some help elsewhere.

By limiting the stabilization payments to small domestic producers—those producing or selling up to 2,000 tons of lead and/or zinc a year—the bill excludes most of the lead-zinc operations in my State of Utah.

Even though most Utah producers will not be affected by it, however, I have given this legislation my strong support. I have done so because I believe it is a step in the right direction. I believe it may help to lead us to a truly adequate program for this depressed industry.

For more than 10 years a great decline has occurred in the number of tons of lead and zinc produced. In 1948, for example, about 3,000 men had jobs in

Utah lead-zinc mines. By 1952, the number had dropped to 2,200. By 1958 the total was only 1,096, and last October there were only 958.

Another evidence of the depression of this industry is the fact that, since the escape clause was written into the Trade Agreement Act of 1951, lead-zinc is the only U.S. industry which has received two unanimous findings of injury by the Tariff Commission.

The principal cause of this depression is cheaply mined imports. And I emphasize that this bill does not offer a solution to that overall problem.

Despite the import quotas imposed in 1958, foreign imports continue to dominate our market. While we expect about 30 percent of our industrial needs to be supplied by imports, today our consumption of foreign lead and zinc far exceeds our consumption of domestic.

As in the past, the principal opposition to a more adequate program is coming from the administration agencies, which contend that the import quotas are satisfactory.

We of the West are aware of the importance of maintaining friendly relations with other nations. We agree that the United States should be especially concerned about the welfare of other democracies. They have economic problems. They are helping us hold off Communist expansion. But we oppose putting the burden primarily on the backs of a few domestic industries.

Our lead-zinc industry is an irreplaceable natural resource. It is vital to our security. We must protect America's ability to produce these essential metals whenever they are needed.

It has taken years of work and millions of dollars of investment to bring our metal production capacity to its present level. It depends on numerous individual operations. No two of these are alike. They vary in size, in method, in location. Once closed, these operations decay rapidly, becoming very expensive, or even impossible, to reopen. And the force of workers with the skills to operate the mines must make new connections and move their families to new locations.

I urge the Senate to pass this bill. I do so with the hope that it is the forerunner of a more realistic program to come, with the hope that the Congress that convenes next January, and the new administration, may be farsighted enough to put this essential industry on a long-range stable basis.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 5 minutes.

I rise to oppose the bill. I point out to Senators that what is proposed here is the start of a so-called Brannan plan for the mining industry. The bill, if enacted, would authorize certain mines to sell their lead and zinc in the open market and to take any price that was available. There would be no object for the lead and zinc mines to try to get a good price, for if they were to get 10 cents or even 5 cents, it would make no difference, because the differential between what they would receive in the open market and the 14½ cents in the case of zinc, and 17 cents in the case of lead would be paid by the U.S. Government.

This same socialistic principle was advocated years ago for the agriculture program and was rejected.

Much has been said about whether we should or should not guarantee the price of agricultural products at 90 percent. But this bill goes far beyond anything that has ever been dreamed of or suggested so far as supporting agriculture is concerned, and it provides a subsidy for two segments of the mining industry only.

There is no question but that if the bill is passed, we shall be asked next year to add other minerals to the program, and if we add all the mining industry, what will we do with respect to textile mills and other industries that are in a similar position? There is not money enough in the Federal Treasury to underwrite such a program as is proposed for all industries in America.

Furthermore, I point out that the bill has been opposed by every agency of Government concerned. The Defense Department has written a letter to the committee and has emphasized the fact that we already have more zinc and lead on hand than we can conceivably use in the light of any type of possible emergency, and every interested agency of the Government has stated that the proposed legislation is unnecessary and should not be enacted.

As the bill was reported to us, it was estimated that the cost would be about $4½ million a year based upon an estimate furnished by the Department of the Interior. I call attention to the fact that the estimate of the Department of the Interior was furnished on the basis of the bill as it was originally introduced, and not on the bill as it was passed by the House and reported to the Senate.

I have before me a letter from the Department of Interior dated August 19, 1960, addressed to the minority leader, the Senator from Illinois [Mr. DIRKSEN], in which Mr. Royce A. Hardy, Assistant Secretary, states: "The $4.4 million presently in the bill simply will not cover the anticipated output of the small mines under the amended language. Therefore, the result would be a proportioning of the funds to less than the full amount of their production, even though produced in anticipation of receiving full benefit.

If the Senate wishes that every participant in this program shall get his full share of the payment authorized, the total appropriation authorized in the bill will have to be substantially increased to an estimated $13½ million. If the bill is ever enacted, it will be only an opening wedge. If there is any doubt in anyone's mind as to the point, I only remind him that only a few years ago the first bill that was introduced along this line, and which was rejected by Congress, involved an estimated cost of $800 million. It proposed to support practically every segment of the mining industry. That bill was likewise opposed on the same basis and by the same agencies of government. The bill was defeated.

Another bill was introduced later and its estimated cost was between $50 million and $75 million. That bill was defeated.

Last year or the year before a bill was passed by Congress which provided for a cost of about $30 million, and the President vetoed it. This time the request has been lowered in an effort to get it passed. Apparently the idea now is get a foot in the door and establish this principle of subsidy payments, then work higher.

Mr. KEATING. Mr. President, will the Senator yield so that I may obtain a little information?

Mr. WILLIAMS of Delaware. I yield.

Mr. KEATING. I ask the distinguished Senator from Delaware whether there is any precedent in laws now on the statute books for granting a subsidy to any segment of our economy for the difference between the market price of a product and a fixed sum?

Mr. WILLIAMS of Delaware. To my knowledge there is not. That is the dangerous part of this whole bill, because once we establish a precedent, it will spread not alone to every segment of the mining industry, but into the textile industries and to other industries including agriculture. We cannot find enough money in the Treasury of this country to subsidize these industries under this Brannan type of a subsidy program. To pass this bill would establish a very dangerous precedent.

Mr. KEATING. I certainly agree with the general sentiments expressed by the distinguished Senator from Delaware. I note that the price of lead on June 30 was 13 cents, and the bill would assure a guaranteed price of 17 cents. Is that correct?

Mr. WILLIAMS of Delaware. That is correct.

Mr. KEATING. The price of zinc on that day was 12 cents. The bill would assure a price of 14½ cents; is that correct?

Mr. WILLIAMS of Delaware. That is correct.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of Delaware. I yield myself 5 additional minutes.

Mr. KEATING. But it would apply only to certain lead and zinc companies, and not to all of them; is that correct?

Mr. WILLIAMS of Delaware. That is true with respect to the bill which is presently before us, although the original proposal some years ago was to apply it to practically all minerals. Once they get the nose of the camel under the tent, and this subsidy principle established, undoubtedly it will be expanded to all of the mining industry as well as to other industries.

Mr. LAUSCHE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. KEATING. Mr. President, will the Senator from Delaware yield further?

Mr. WILLIAMS of Delaware. I yield.

Mr. KEATING. Therefore, the bill would benefit only a small segment, in the first place, of our total economy, and would furthermore benefit only a segment of that small segment. Is that correct?

Mr. WILLIAMS of Delaware. That is correct. As was pointed out earlier in the colloquy, this subsidy would amount to about $5,000 for each employee in the case of one mine. Certainly we are in favor of keeping men at work but we cannot subsidize marginal mines, at a cost of $5,000 for each employee. We cannot place such a burden on the taxpayers. If we adopt this plan with respect to a particular segment of the mining industry, it will soon be urged that we apply it to every segment of the mining industry, and then to all other industries as well.

I hope the Senate will defeat this bill and if they do not then I predict the President will veto it.

Mr. KEATING. I agree with the conclusions reached by our distinguished friend from Delaware. It seems that this is fundamentally unsound legislation. It is not in accord with the tenets of the Republican Party to the effect that our economy must be free and competitive and that we must not and should not directly support industries which cannot otherwise make a go of it. It is not, furthermore, in accord with my own concepts of fairness as to other segments of our economy.

I do not want to see the day when we extend this principle of Federal subsidization to other segments of our economy. In a sense, I hope that this bill, rather than being a lead bill, will prove to be a lead balloon and will never get off the ground.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield 3 minutes to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I am in accord with the position of the able and distinguished Senator from Delaware on the pending bill. I compliment him for bringing to the attention of the country the important points he is bringing out about the bill, and the obnoxious provisions of it.

Mr. President, I must oppose the passage of H.R. 8860. The domestic lead and zinc producers deserve sympathetic treatment at the hands of Congress for they are unquestionably in a bad predicament. They are faced literally with extinction because of the imports of lead and zinc. In 1946 imports of lead equaled 19 percent of U.S. production; by 1951 imports were 75 percent of U.S. production; in 1958 they were 91 percent of U.S. production. Zinc imports have risen from 37 percent of U.S. production in 1946 to 119 percent of U.S. production in 1958. Since 1952 U.S. production of lead has declined 35 percent, and domestic production of zinc has declined 37 percent. There can be no other conclusion but that the imports of lead and zinc are resulting in the destruction of domestic production of these metals.

The lead and zinc industries have utilized every possible approach under the so-called Reciprocal Trade Act to obtain relief. That relief has been denied by a split decision of the Tariff Commission.

My heart goes out to both the producers and the employees of these mining industries. They should be granted relief. Subsidies, however, Mr. President, are not the answer.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of Delaware. I yield 3 additional minutes to the Senator from South Carolina.

Mr. THURMOND. Mr. President, the lead and zinc industries are but two of many of the domestic industries which are suffering from the competition of imports, which have a competitive advantage stemming primarily from the low scale of wages in the country of origin of the imports. Although many of these industries have sought relief from the administration and the Congress in the form of wiser administration of the trade program and changes in the basic law itself by the Congress to insure a more realistic administration, both the Congress and the administration have repeatedly failed to take realistic action.

We have heard advocated on this floor on a number of occasions that the proper course is to subsidize with tax money the industries which are so depressed. This, to the best of my knowledge, is the first attempt to actually carry out such an unwise and unrealistic proposal. We must not adopt the approach of subsidies as a remedy for this situation for although this bill will incur an annual expense of only about $5 million, it will set the precedent for the same approach to the innumerable industries which are now suffering from identical causes. Subsidies are not the answer, Mr. President, and as much as my heart goes out to the lead and zinc industries, I cannot in good conscience support a bill which is so unwise in principle.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. THURMOND. I am happy to yield to the very able and distinguished Senator from Ohio.

Mr. LAUSCHE. Will the Senator from South Carolina tell us whether the textile industry in South Carolina is in distress; and if subsidies are justified for the lead and zinc industry, would they not likewise be justified for the textile industry?

Mr. THURMOND. The textile industry is hit just about as hard as any industry in this Nation. Our Government ranks textile second only to steel in the matter of national defense. If conditions get worse, the textile industry will be closed, and in the event of war or emergency I do not know what we will do. It is urgent that the industry be kept open. The textile industry is seriously handicapped and seriously injured by the tremendous imports coming into the country, just as lead and zinc imports are coming into the country. I do not believe subsidies are the answer. The distinguished and able Senator from Rhode Island [Mr. PASTORE] is chairman of the Textile Subcommittee which has done good work in this field. We have about reached the conclusion—at least I have—that if the administration does not take some action to protect the industry it will be necessary to come to Congress for legislation.

The PRESIDING OFFICER. The time of the Senator has again expired.

Mr. WILLIAMS of Delaware. Mr. President, I yield 1 additional minute to the Senator from South Carolina.

Mr. THURMOND. I do not believe that subsidies are the answer. We will have to adopt quotas, or devise some other type of legislative means, but not give handouts to an industry when it is in trouble, in order to keep the industry going on and on by support of the Federal Government with grants. I do not believe that is the answer.

Mr. LAUSCHE. Mr. President, will the Senator yield further?

Mr. THURMOND. I yield.

Mr. LAUSCHE. Did the Senator from South Carolina hear the statement that on the basis of the proposed subsidies, we would be giving $5,000 to every person in a lead and zinc mine? Did he hear of that development? In other words, we would give $200,000 for 1 year to a mine employing 40 people. I should like to hear the Senator's comment on that point.

The PRESIDING OFFICER. The time of the Senator has again expired.

Mr. WILLIAMS of Delaware. I yield 1 additional minute to the Senator from South Carolina.

Mr. THURMOND. My view is entirely in accord with his. I believe we would set a precedent which would later rise up to harass us.

If we set a precedent by passing this kind of proposed legislation, then in fairness and justice we shall have to help the bicycle industry, the watch industry, the textile industry, and before long the steel industry and every other industry in the country. That is a very dangerous precedent.

Mr. President, I believe the distinguished Senator from Montana was about to ask me a question a few minutes ago. I shall be pleased to yield to him.

The PRESIDING OFFICER. The time of the Senator from South Carolina has expired.

Mr. BIBLE. Mr. President, I shall lend the Senator from Montana 1 minute.

Mr. MANSFIELD. Mr. President, the Senator from South Carolina said that if conditions in the textile industry become more distressed, the industry would have to ask Congress for help. That is exactly what the depressed zinc and lead industry is doing. I think we ought to take into consideration the fact that lead and zinc are domestic natural resources which we are trying to preserve.

As one who has worked in the copper mines in Coeur d'Alene, Butte, and Arizona for 10 years, I know what happens to mines when they are allowed to deteriorate. The roofs cave in, the walls fall down, and the sumps fill with water.

It is possible to transfer an industry from one location to another, but not a mine. For that reason, I think the lead and zinc mines need special consideration.

Mr. THURMOND. Mr. President, I heartily agree with the Senator concerning the importance of the lead and zinc industry, as I said a few minutes ago.

The PRESIDING OFFICER. The time of the Senator from Montana has expired.

Mr. BIBLE. Mr. President, I yield 1 more minute.

Mr. THURMOND. However, I do not believe subsidies are the answer. When I said that the textile industry might have to ask Congress for relief, I did not mean that that industry would ask for subsidies. I meant that the textile industry needs legislation to restrict the tremendous amount of imports of textiles into this country. If the amount of imports were limited, the domestic textile industry could stand on its own feet; it would not want any subsidies. It does not want subsidies now.

I believe that if we were to restrict the quantities of lead and zinc which are being imported into the United States, those industries would not want subsidies either.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BUSH. Mr. President, will the Senator from Delaware yield 2 minutes to me?

Mr. WILLIAMS. I yield 2 minutes to the Senator from Connecticut.

Mr. BUSH. Mr. President, I oppose the bill and support the position taken by the distinguished Senator from Delaware [Mr. WILLIAMS].

The administration opposes the Edmondson bill, H.R. 8860, which would subsidize lead and zinc production.

Enactment of the bill would involve the President with a very difficult choice: to veto and suffer the domestic consequences or to sign and suffer adverse international effects, especially in Mexico, Peru, and Canada.

A possible amendment to the Edmondson bill is S. 1245 which provides production subsidies—"incentive payments"—for columbium-tantalum, beryl, and chromite. While Interior has supported S. 1245, it appears it could not be enacted alone. It might be attached to the Edmondson bill as an amendment.

Another possible addition could be the fluorspar amendment, since it has an approach generally similar to H.R. 8860.

Shortcomings of the Edmondson bill—H.R. 8860—are:

By providing a subsidy computed on the difference between market price and a target price, it would stimulate unneeded production in the less efficient mines regardless of market price. It would induce additional production estimated at 40,000 tons during the first year; 80,000 tons in the second year; and somewhat more thereafter.

Thus, it would depress market prices for lead and zinc and induce layoffs in some of the mines that are now producing.

Depressed market prices would further harm lead-zinc exporters to the United States who are already subject to our import quotas. This would be particularly serious to Mexico, Peru, and Canada. And this adverse reaction could very well be shared throughout Latin America.

It would establish an undesirable precedent.

The PRESIDING OFFICER. The time of the Senator from Connecticut has expired.

FAIR LABOR STANDARDS AMENDMENTS OF 1960

Mr. BUSH. Mr. President, on another matter, will the Senator from Illinois yield me 1 additional minute?

Mr. DIRKSEN. I yield 1 additional minute to the Senator from Connecticut.

Mr. BUSH. Mr. President, during the consideration of the Kennedy-Morse minimum wage bill, I stated that Federal action in this field should be limited to establishing fair labor standards for employees who work for enterprises substantially engaged in interstate commerce, and that the respective States should establish such standards for the employees of intrastate businesses, including retail stores, hotels, restaurants, laundries, and other enterprises which are essentially local in nature.

These considerations prompted my vote for the Holland amendment, which would have eliminated from the Kennedy-Morse bill the language which permits extension of Federal regulation and control to every local business, and for the Dirksen substitute, which would have increased the minimum wage to $1.15 for those presently covered, and would have extended coverage to about 2 million workers who are employed by enterprises clearly in interstate commerce.

I supported the Monroney amendment, and voted against the motion of the Senator from Oregon [Mr. MORSE] to table it. That amendment would have limited the application of the act to retail or service enterprises operating in two or more States.

I regret that the Monroney amendment was tabled by a vote of 50 to 48, but the closeness of the vote, and the Senate's subsequent adoption of the Anderson amendment exempting hotels, motels, restaurants, automobile, and farm equipment dealers—which I supported—leads me to hope that the bill will be substantially improved when it goes to a conference between the House and Senate.

The Democratic presidential candidate's insistence upon extending Federal regulation and control in this field to all businesses, even those engaged only in local activities, was demonstrated by his vote against the Monroney amendment. The political cynicism which motivated many Democratic Senators to support the Anderson amendment was demonstrated by candid admissions that they favored it only as a means of forestalling the adoption of the Monroney amendment, which it did.

Mr. President, I hope that from the House-Senate conference will emerge a bill which will extend protection under the act to many more workers employed by enterprises substantially engaged in interstate commerce, and which will provide for an adequate increase in the minimum wage. Such a bill would conform to the Republican platform, and if it is presented I shall vote for adoption of the conference report.

STABILIZATION OF MINING OF LEAD AND ZINC ON PUBLIC, INDIAN, AND OTHER LANDS

The Senate resumed the consideration of the bill (H.R. 8860) to stabilize the mining of lead and zinc by small domestic producers on public, Indian, and other lands, and for other purposes.

Mr. DIRKSEN. Mr. President, how stands the time?

The PRESIDING OFFICER. The proponents have 4 minutes remaining; the opponents have 1 minute remaining.

Mr. BIBLE. Mr. President, I yield 2 minutes to the distinguished Senator from Colorado.

Mr. CARROLL. Mr. President, I recognize that the lead and zinc bill before us presents a very difficult problem, but I should like every Senator to place himself in the position in which we who come from areas having lead and zinc mines find ourselves.

In 1956, in Colorado, there were 95 lead and zinc mines operating whose production was less than 4,000 tons of lead and zinc combined. These are the mines that would qualify for stabilization payments under this bill. Today not a single one of those mines is operating. Why are they not operating? Because imports of lead and zinc have flooded into this country. What have we sought to do before we developed the concept in this bill? We have tried to exhaust our administrative remedy. We have gone before the Tariff Commission and have attempted to get action from the executive branch of the Government. But as of today, there has been no effective action. The Tariff Commission instituted a quota system, but the quota system has failed to work.

Let us remember two things: (1) the economic condition of the lead- and zinc-producing regions of the United States, and (2) the crisis we may be confronted with in the event the international situation continues to deteriorate. There is critical unemployment in the metal mining regions. Furthermore those very metal mines which may be needed if a defense crisis develops, will be destroyed by flooding and lost to the Nation unless we reactivate them through this program. For a relatively small investment, considering the great amount of money we are spending on foreign aid, the lead and zinc industry could be saved. It would be a very small subsidy to reactivate and strengthen only small producers.

I have always supported the reciprocal trade program. I have always supported appropriations for mutual security. We know that we must not build barriers around ourselves in the field of trade. Nevertheless, when we permit the destruction of local economies, I think a duty rests upon the Government to help restore those areas, whether they are in the New England States, the distressed Appalachian region, the Rocky Mountains, or elsewhere.

We have discussed this program before. I think this would be a good pilot test. We could try it out to see how effective it might be. This program does not require large appropriations, yet it will help save the small metal mining industry, reduce unemployment, and keep mines critically needed for national defense from flooding.

This is a sensible bill. As I have stated before, I believe it can be made to work.

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. BIBLE. Mr. President, I shall yield 2 minutes to the distinguished Senator from Oklahoma [Mr. KERR]. Before I yield to him, I should like to yield to the distinguished junior Senator from Nevada.

The PRESIDING OFFICER. The Senator from Nevada has only 2 minutes remaining.

Mr. BIBLE. I yield 1 minute to the distinguished junior Senator from Nevada.

Mr. CANNON. Mr. President, it does not seem necessary to detail for this astute body the continuing critical plight of our domestic mining industry. You are all well aware of the depressed condition of the industry and the communities which support that industry. There have been layoffs and curtailment; mines have been shut down; organizations have been disrupted; entire communities have been turned into ghost towns.

What happens to the miners when this occurs? They are trained to recover those ores so vital to our economy and our defense. Where do they turn? There is little hope for them. The home in which they plan to rear their children has suddenly become a house in a dead town which cannot be sold because it has no value. There are no employment opportunities in other mining towns because virtually all such communities are facing the same distressing dilemma. Their only hope is down in the mine. And the hope of many others also looks there for fulfillment. The local merchant, the mechanic, the wholesaler, the schoolteacher, and all others who combine to give life to a community, must depend ultimately on a successful mining operation.

Beyond this, of course, is the welfare of the entire Nation. No one will deny that the final best hope of our Nation, both economically and defensively, is dependent on a healthy, producing mining capacity.

And now to the legislation before us. H.R. 8860 is designed to assist a segment of the mining industry which is basic to our whole economy.

May I just briefly point up what has happened to the lead-zinc industry during the last decade. In 1952 there were over 900 domestic mines producing ores or concentrates which were chiefly of value for their lead and zinc content. By 1956 this number had dropped to 544. By 1958 the number was less than 300. Although I do not have the exact figures, I know that additional mines ceased operations during 1959.

In Nevada, income from lead mining dropped from $2.34 million in 1953 to $971,000 in 1958. Income from zinc dropped from $4.8 million to $19,000. The effect of such a terrific reduction on the economy and the employment of the communities involved is not difficult to comprehend.

H.R. 8860 would provide sufficient assistance to this depressed industry to give it new life.

Just 2 weeks ago, the inspector of mines in my State told me that enactment of this legislation would make it possible for those lead and zinc mines in Nevada, which have been unable to operate these past years, to resume operation on a limited basis.

I have recently visited many of the communities which a few years ago were thriving and prosperous. Today they are decaying. The mines are filling with water except in those cases where the owners are continuing to spend money to maintain them. Houses and business establishments are boarded up. The technical knowledge required to operate our mines is being wasted.

Our young men hesitate to train for this field because of the bleak opportunities presently afforded there. Our Nation cannot afford to allow such a situation to continue.

Mr. President, I cannot overemphasize the solemn fact that our national defense, and perhaps our very survival, are dependent upon a producing lead and zinc industry. To place unlimited faith in foreign imports could be disastrous. Reflect, if you will, on what could have happened recently to our sugar supply, except that a successful system of import quotas had kept the domestic sugar industry healthy. Similar circumstances could suddenly upset our foreign supply of lead and zinc. It is incumbent upon us to provide whatever assistance our lead-zinc industry needs to maintain operations. We cannot afford to allow our mines to fill with water; nor can we afford to lose the skills of those men who have the technical training necessary to successfully operate our mines.

Mr. President, H.R. 8860 will prevent a further deterioration of the lead-zinc industry. It is designed to provide enough assistance to small producers that they can maintain their mines. They can stay alive, as it were; and yet, this bill is not of such design that it would damage any good-neighbor country which now sells lead and zinc to this country.

Mr. President, H.R. 8860 deserves the support of all Senators. It is not a partisan issue. There are vigorous advocates of this legislation on both sides of the aisle.

Both of our great political parties, in their recently adopted platforms, have recognized the problem which this bill is designed to correct. Both have pledged themselves to find adequate programs of assistance. Both have recognized the need for full employment in a free and healthy society. This bill would certainly help to attain that goal.

Senators are repeatedly pointing up the need for wise utilization of our natural resources. This legislation provides a vehicle whereby they can implement their opinions. It can be done at a very modest cost. The program proposed here would require approximately $4.5 million per year for a 5-year period.

Mr. President, this bill involves more than my State; it involves the national interest. By enacting it, we provide for the continued operation of these mines; we keep hundreds of miner families on the job and off relief; we save small businessmen in mining towns; and we get mineral production the Nation can use.

In short, we reverse a ruinous trend.

Mr. BIBLE. Mr. President, I yield the remainder of my time to the distinguished Senator from Oklahoma.

Mr. KERR. Mr. President, the bill is the outgrowth of a realization on the part of the Committee on Interior and Insular Affairs of the House and the Senate of the necessity to make a substantial start in the direction of saving a great American industry, the lead and zinc mines.

It is a very modest program. The outside limit is less than $5,000 a year. Yet it represents the difference between life and death to hundreds of mines and, therefore, to dozens of communities in this country. With the bill in operation, there will be a chance for them to live and to survive. But if the bill is not enacted, they are doomed.

I earnestly seek the cooperation of all the fine Members of this body in voting for a measure that is so worthy.

Mr. BIBLE. Mr. President, how much time remains under my control?

The PRESIDING OFFICER. Thirty seconds.

Mr. BIBLE. I yield that time to the Senator from Kansas [Mr. CARLSON].

The PRESIDING OFFICER. The Senator from Kansas is recognized for 30 seconds.

Mr. CARLSON. Mr. President, I wish to endorse the remarks of the distinguished Senator from Oklahoma, and to go on record as favoring the bill for the same reasons.

This measure is a very important one, and I sincerely hope it will be passed by the Senate this afternoon.

The PRESIDING OFFICER. The Senator from Delaware has 1 minute remaining under his control.

Mr. WILLIAMS of Delaware. Mr. President, I yield that time to the Senator from Ohio [Mr. LAUSCHE].

The PRESIDING OFFICER. The Senator from Ohio is recognized for 1 minute.

Mr. LAUSCHE. Mr. President, I do not believe that it is possible for us to support this bill if we contemplate rendering service to the taxpayers and the citizens of the country.

I wish to leave with the Senate this thought: It has developed that by means of the bill, these mine operators will be paid $5,000 per person employed, to keep the mines open for 1 year. On the basis of the present difference between the market price of lead and the subsidy now proposed, this program, if placed into effect, will give $200,000 of the taxpayers' money to each mine operator, for the mine operator will be hiring 40 persons, at $5,000 per person. I do not think we are justified in adopting that course.

The PRESIDING OFFICER. All available time has been used by both sides.

The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, and was read the third time.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill has been read the third time. The question now is, Shall the bill pass?

Mr. MANSFIELD. Mr. President, on this question, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Mr. ELLENDER. Mr. President, am I recorded?

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). The Senator is recorded.

Mr. ELLENDER. How am I recorded?

The PRESIDING OFFICER. In the affirmative.

If the Chair may be allowed to make a statement, it is the understanding of the Chair that there has been a power shortage, and because of that, there will be a delay.

Mr. MAGNUSON. Mr. President——

The PRESIDING OFFICER. The Senator from Washington.

Mr. MAGNUSON. May I inquire how I am recorded?

The PRESIDING OFFICER. The Senator may.

Mr. MAGNUSON. Am I recorded in the affirmative or the negative?

The PRESIDING OFFICER. The Senator is recorded as having voted in the affirmative.

Mr. LONG of Louisiana. Mr. President, am I recorded?

The PRESIDING OFFICER. The Senator is recorded.

Mr. LONG of Louisiana. How am I recorded?

The PRESIDING OFFICER. The Senator is recorded as having voted in the affirmative.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Is it in order, under the emergency circumstances, to ask for a 5-minute delay in the announcement of the vote?

The PRESIDING OFFICER. The Chair is informed that would not be in order, in spite of the unusual circumstances.

Mr. MORSE. I ask if the Senator from Oregon is recorded.

The PRESIDING OFFICER. The Senator from Oregon is recorded.

Mr. MORSE. Will the Presiding Officer mind advising me how I voted?

The PRESIDING OFFICER. The Senator is recorded as having voted in the affirmative.

Mr. SYMINGTON. Mr. President, how am I recorded?

The PRESIDING OFFICER. The Senator from Missouri is recorded as having voted in the affirmative.

Mr. TALMADGE. Mr. President, am I recorded?

The PRESIDING OFFICER. The Senator is recorded.

Mr. TALMADGE. Will the Chair inform me how I am recorded?

The PRESIDING OFFICER. The Senator is recorded as having voted in the affirmative.

Mr. TALMADGE. I thank the Chair.

Mr. MOSS. Mr. President, may I inquire as to whether or nor I am recorded on this rollcall?

The PRESIDING OFFICER. The Senator from Utah is recorded.

Mr. MOSS. Will the Chair inform me as to how I am recorded on this rollcall?

The PRESIDING OFFICER. The Senator is recorded as having voted in the affirmative.

Mr. FULBRIGHT. Mr. President, is it in order to address a parliamentary inquiry to the Chair?

The PRESIDING OFFICER. It would depend upon what the parliamentary inquiry is about.

Mr. FULBRIGHT. I should like to inquire of the Chair if there is any conceivable contingency which would permit a delay in the announcement of the vote?

The PRESIDING OFFICER. The Chair is informed that is not a proper parliamentary inquiry.

Mr. HOLLAND. Mr. President, would it be in order to ask unanimous consent that Senators who are late because of the power shortage be allowed to record their votes provided they are in the Senate Chamber in the next 10 minutes?

The PRESIDING OFFICER. The Chair is not in a position to entertain that request.

Mr. LAUSCHE. Mr. President, will the Chair allow me to ask the Senator from Florida to repeat the parliamentary inquiry?

Mr. HOLLAND. The question I addressed to the Presiding Officer was whether or not it was in order to ask unanimous consent that Senators who are delayed by reason of the power failure be allowed, within 10 minutes, to have their votes recorded.

Mr. JOHNSON of Texas. Mr. President, that cannot be done.

The PRESIDING OFFICER. The Chair has announced it is not in a position to grant that request, and that such a request would be out of order.

Mr. ROBERTSON entered the Chamber and voted in the negative.

Mr. KEATING. Mr. President, due to the noise, it was not possible for me to hear the response of the Chair to the parliamentary inquiry propounded by the distinguished Senator from Florida. Will the Chair kindly repeat his ruling in that regard?

The PRESIDING OFFICER. The Chair answered in the negative.

Mr. KEATING. I thank the Chair.

The vote was recapitulated.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Connecticut [Mr. DODD], the Senator from California [Mr. ENGLE], the Senator from Arizona [Mr. HAYDEN], the Senator from North Carolina [Mr. JORDAN], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

The Senator from Missouri [Mr. HENNINGS] is absent because of illness.

The Senator from California [Mr. ENGLE] is paired with the Senator from Vermont [Mr. AIKEN]. If present and voting, the Senator from California would vote "yea," and the Senator from Vermont would vote "nay."

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. HENNINGS], the Senator from North Carolina [Mr. JORDAN], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Maryland [Mr. BEALL], the Senator from Indiana [Mr. CAPEHART], and the Senator from Kentucky [Mr. COOPER] are necessarily absent.

The Senator from Iowa [Mr. MARTIN] is absent by leave of the Senate on official business.

The Senator from Vermont [Mr. AIKEN] is detained on official business and is paired with the Senator from California [Mr. ENGLE]. If present and voting, the Senator from Vermont would vote "nay," and the Senator from California would vote "yea."

The result was announced—yeas 59, nays 28, as follows:

[No. 301]

YEAS—59

Allott	Hart	Mansfield
Anderson	Hartke	Monroney
Bartlett	Hill	Morse
Bennett	Holland	Moss
Bible	Humphrey	Mundt
Burdick	Jackson	Murray
Byrd, W. Va.	Johnson, Tex.	Proxmire
Cannon	Johnston, S.C.	Randolph
Carlson	Kefauver	Schoeppel
Carroll	Kennedy	Smathers
Case, S. Dak.	Kerr	Sparkman
Church	Kuchel	Stennis
Dworshak	Long, Hawaii	Symington
Eastland	Long, La.	Talmadge
Ellender	Lusk	Wiley
Ervin	McCarthy	Williams, N.J.
Fong	McClellan	Yarborough
Fulbright	McGee	Young, N. Dak.
Gore	McNamara	Young, Ohio
Gruening	Magnuson	

NAYS—28

Bridges	Frear	Pastore
Bush	Goldwater	Prouty
Butler	Green	Robertson
Byrd, Va.	Hickenlooper	Saltonstall
Case, N.J.	Hruska	Scott
Clark	Javits	Smith
Cotton	Keating	Thurmond
Curtis	Lausche	Williams, Del.
Dirksen	Morton	
Douglas	Muskie	

NOT VOTING—13

Aiken	Dodd	Martin
Beall	Engle	O'Mahoney
Capehart	Hayden	Russell
Chavez	Hennings	
Cooper	Jordan	

So the bill (H.R. 8860) was passed.

Mr. KERR. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, the Senator from Florida voted for the passage of the bill which has just been passed, but since he almost invariably votes against subsidies, and since he does not wish to have this vote regarded as a precedent in cases which he thinks are not like this one, the Senator from Florida wishes to state briefly exactly why he voted for the bill.

First, the Senator from Florida is one of those who has voted against the depressed area bills in several sessions, always for the reason that, as presented, they covered much too great territory and, in the opinion of the Senator from Florida, reached into many places where there was no real distress and no real need for assistance. In this instance it seemed to the Senator from Florida that the bill is confined to the exact areas and industries which are in distress and which are entitled to some aid.

The second point, Mr. President, is that the Senator from Florida felt, under the showing in regard to the bill, there was no doubt that the bill was confined in its action to an industry of national importance from the standpoint of the strategic minerals which it produces, and that it is no answer to simply say we have in the stockpile enough lead and zinc to carry us through any particular emergency.

The Senator from Florida thought these mines should be kept open rather than be flooded and the machinery and mines lost.

In the third place, the Senator from Florida, after studying the bill, felt that it was carefully limited to actual small mining operations that have been open and producing in the last short period of time, and would not open the door to the production of new and uneconomical mining units.

In the last place, it is limited in the number of years in which the subsidy would operate, and it calls for relatively small expenditures.

The Senator from Florida thought this was a useful experiment in a field in which the Nation could well make an effort, and which appealed to the Senator from Florida, particularly in view of the fact that only this morning, he was asked as a member of the Senate Appropriations Committee, to pass upon a request, which was very generously acted upon by the Appropriations Committee, for us to send abroad about $4 billion in foreign aid, which helps other nations, which, at least in many instances the Senator from Florida thinks can be helped to our own definite advantage.

The Senator from Florida has made this statement, not only because the vote that he has cast for a subsidy in this case differs from his normal procedure and his almost uniform procedure, but because in earlier discussions today he may have led some of his friends, including the Senator from Ohio [Mr. LAUSCHE], to conclude that his attitude was otherwise. The Senator from Florida has made a very careful study of this measure today, and wishes the RECORD to show the exact reasons why he has thus voted and why he does not regard this bill as a precedent for the support of subsidies generally.

I yield the floor.

Mr. LAUSCHE. Mr. President, I point out for purposes of the record that this year the Senate established two new forms of subsidy and expanded one other. It decided to subsidize the fishing industry because the fishing industry was unable to compete and was being outpriced. Today the Senate decided to subsidize the mineral mining industry dealing with lead and zinc. About 2 months ago we increased the subsidy to the merchant marine. I predict that in the next session this parade will grow faster and larger. Today we declared by our vote that we are willing to pay a subsidy of $5,000 per employee. It has not been disputed that the mining interests will receive $200,000 per firm on the basis of the present difference between what the market price is and what the subsidy calls for. To hire one person we propose to pay a subsidy of $5,000. I think it is shocking, and I think there will be some answering to do, if the story is told to the taxpayers of the Nation that the Congress of the United States today decided that for the purpose of keeping uneconomically unsound mines open it would authorize the payment of $5,000 to hire one person. No one will dispute the figure. The figures have been established and are irrevocable. That is the story. From the Senate today comes the message that we are prepared to subsidize in the sum of $5,000 per person. We are not taking our money. We are taking the taxpayers' money, and we are taking it under the pretense of helping the worker, when in fact we are intending to help only the men who own those mines.

PRICE SUPPORT LEVEL FOR MILK AND BUTTERFAT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1654, S. 2917.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 2917) to establish a price support level for milk and butterfat.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 2917) to establish a price support level for milk and butterfat, which had been reported from the Committee on Agriculture and Forestry, with an amendment to strike out all after the enacting clause and insert:

That subsection (c) of section 201 of the Agricultural Act of 1949 (7 U.S.C. 1446), as amended, is further amended by adding the following new sentence to be inserted immediately after the first sentence: "Notwithstanding the foregoing provisions, for the period beginning with the enactment of this sentence and ending March 31, 1961, the price of milk for manufacturing purposes and the price of butterfat shall be supported at not less than $3.22 per hundredweight and 59.6 cents per pound, respectively."

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the names of the senior Senator from Michigan [Mr. MCNAMARA] and the junior Senator from North Dakota [Mr. BURDICK] be added as cosponsors to S. 2917.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, this is a bill which has enthusiastic and bipartisan support. Among its cosponsors are the ranking Republican member of the Agriculture Committee the Senator from Vermont [Mr. AIKEN] as well as the senior Senator from North Dakota [Mr. YOUNG], the senior Senator from South Dakota [Mr. MUNDT], all of whom are Republican members of the Agricultural Committee, the junior Senator from Massachusetts [Mr. KENNEDY], the senior Senator from Minnesota [Mr. HUMPHREY], the junior Senator from Minnesota [Mr. MCCARTHY], the junior Senator from Missouri [Mr. SYMINGTON], the senior Senator from Oregon [Mr. MORSE], the junior Senator from Kansas [Mr. CARLSON], the senior Senator from Washington [Mr. MAGNUSON], the junior Senator from Washington [Mr. JACKSON], the junior Senator from Vermont [Mr. PROUTY], my senior colleague from Wisconsin [Mr. WILEY], and the senior Senator from Missouri [Mr. HENNINGS].

This is a very simple and moderate bill. The bill seeks to increase the floor of price supports for manufacturing milk from the present $3.06 to $3.22, and the floor under the price for supporting butterfat from 56.6 cents to 59.6 cents.

The proposed new floors would be effective only through the present marketing year, that is, until March 31, 1961. The principal effect of the bill would be simply to prevent dairy prices from going lower than the market. It would not mean an increase in the present income of dairy farmers as much as it would mean that dairy farmers would not suffer a further diminution in their income.

This is a moderate bill for a number of reasons. First, as I say, it would simply maintain the price which was the average price during the past marketing year.

In the second place, there would be very little, if any, Government cost. The testimony of representatives of the Department of Agriculture at the hearings on the bill indicated that the cost to the Government would be extremely slight. The fact is that we now have only a seasonal inventory of dried milk and of butter. There is no inventory at all of cheese. There is every prospect that within the next few months we shall have no inventory of dried milk or butter. In fact, we anticipate there will be no dairy products at all on the CCC inventory, so that we shall have a balance between supply and demand.

It is a moderate bill also because the savings which the farmers will enjoy will occur in the marketplace, and not result in any additional Government subsidy. It is a moderate bill, too, because $3.22 works out to 6¼ cents a quart, which is what the farmer will receive as the national market average. He may get less than that, because that is the national market average.

It still maintains a sliding scale. Many people confuse the bill by thinking that we are moving up from 75 percent to 90 percent in price supports. We are doing nothing of the kind.

It represents a moderate increase in the price support, but we still keep the sliding scale. As a matter of fact, on our own calculations, the present price support is below the legal price support, which is 75 percent of parity. On the basis of the parity equivalent which was maintained until 1954, we calculate the present $3.06 as less than 70 percent of parity, and the correction will make it 73.5 percent of parity. Even accepting the Benson modernized parity equivalent of 76.8, we would lift it to 80.9. This is a moderate bill in that sense, too.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. CASE of South Dakota. Is it not correct that, in the dairy products field, at the present time there are no substantial surpluses on which we are either paying storage or required to have any great disposal program?

Mr. PROXMIRE. The Senator from South Dakota is eminently correct. That is true; there is no surplus whatever of cheese. There is about a 1-week surplus, in terms of the national consumption, so far as butter is concerned, and there is a small surplus of dried milk.

Mr. CASE of South Dakota. I am glad to have the Senator's assurance on that point. That was my impression. I wish to make it clear so that the situation will not be confused with some of the other commodities on which we do have substantial surpluses in storage, and in connection with which the people are properly concerned that we will have increased storage charges.

Mr. PROXMIRE. I thank the distinguished Senator from South Dakota. He makes an excellent point. The dairy industry is not asking for special consideration. We are asking merely for an opportunity to have the Government cooperate with the dairy industry so that the dairy farmers will not suffer a sharp drop in income during flush parts of the year. We know from past experience that these sharp fluctuations mean the cheese producer will widen the margin, and the farmer will get less, but the consumer will pay the same. It will mean a stable price throughout the year for the farmer, rather than a fluctuation at his own expense.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MONRONEY. I am very much interested in the program to provide an adequate return to the dairymen. I should like to ask whether the cheese and butter that may be acquired in this surplus program is used in supplying the school lunch program, which we have had for so many years and which has proved so useful in building up the health and bodies of our children of school age.

Mr. PROXMIRE. It is indeed. It is used for that purpose. It is also used for Public Law 480 purposes. It is used for many constructive and helpful purposes. It is used in the school milk program.

Mr. MONRONEY. Do I understand correctly that fluid milk, as well as by-products, is also available for use in the school lunch program?

Mr. PROXMIRE. Fluid milk is available in the school lunch program; yes.

Mr. MONRONEY. Therefore it would be an asset to the farmers, and it would also have a great deal to do with continuing a fine program, which has done so much for our country.

Mr. PROXMIRE. That is correct. There is an urgent need for this program in this field. The prices which the dairy farmer receives are down 25 percent from what they were 8 years ago. The costs have been rising relentlessly and steadily. The fact is that in my State of Wisconsin—and I believe this is true also in the State of the distinguished Senator from Minnesota [Mr. HUMPHREY]—the Department of Agriculture shows that on the average—and this is not the marginal farmer—the farmer receives, if we allow him a 4-percent return on his invested capital, 66 cents an hour for the labor he puts in on his farm. This is the result of the drop in the prices and the rise in cost during the past 8 years.

In conclusion, let me say that the proposal was enthusiastically supported by all dairy organizations. There has been no difference of opinion among the dairy groups on the bill. There was pro forma opposition by the Department of Agriculture, and there was opposition by the Farm Bureau Federation. However, the producer organizations overwhelmingly support the bill.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. SYMINGTON. I congratulate the Senator from Wisconsin for the able presentation he has made of the bill today. I am one of the cosponsors of the bill. I know of no Senator who is more sympathetic and understanding and constructive with respect to the problems of the dairy farmers of this country.

Mr. PROXMIRE. I thank the distinguished Senator from Missouri, who has been a real champion of all the farmers of America. In Wisconsin we look on him as a Senator who has been wonderful in the support of the dairy farmer, and we are very grateful for that support.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MANSFIELD. I commend the Senator from Wisconsin. He has certainly been bulldogging this bill for several months. Thanks to his determination and obstinacy, he has brought the bill to the floor of the Senate. Great credit is due to him and his colleague who have worked on it so hard.

Mr. PROXMIRE. The majority whip and the majority leader of the Senate deserve great credit for bringing the bill before the Senate by motion. I deeply appreciate it, and the people of Wisconsin, I am sure, appreciate it also.

It is difficult, I know, with all the bills pending, and all the Senators who want their bills brought up by motion, to decide what bills to bring before the Senate. I am extremely grateful to the Senator from Montana, who is well known in my State and everywhere as a champion of the farmer.

Mr. SYMINGTON. Mr. President, the bill before the Senate is a modest measure, through which Congress can take positive steps to improve the income of the dairy farmers of our Nation.

Under the present administration, dairy price supports have been slashed from 90 to 77 percent of parity. As a result, prices received by farmers for their milk have dropped almost 25 percent.

Under this bill, which I was privileged to cosponsor with my distinguished colleague from the great dairy State of Wisconsin, the price support for the remainder of this marketing year would be increased from $3.06 to $3.22—equal to 81.5 percent of parity.

Obviously this modest increase is not a complete solution to the problem facing our dairy farmers.

But, based on testimony before the Senate Agriculture Committee, it would increase dairy farmers' income by some $179 million per year.

This is particularly significant at this time, with farm income near a 20-year low.

This bill is of vital importance to Missouri's dairy farmers and the dairy farmers of our country.

Such an increase could well be the difference between forced bankruptcies or many efficient farm families being able to continue to live and work on their farms.

I hope the Senate will take prompt and favorable action on S. 2917, in the interest of the producers of the most perfectly balanced of all food products—milk.

Mr. PROXMIRE. I thank the Senator from Missouri, a cosponsor of the bill, and a real champion of the dairy farmer. It is a moderate bill. I had hoped that we could go much further. We hope to do so in the near future. In January, I hope we will begin to move ahead in the whole agricultural field. This is a moderate bill, and a conservative bill in every sense of the word. It will not cost the Federal Government money, or very little money, if any. It is a bill which permits the farmer to get what he can in the marketplace, with the cooperation of the Federal Government, so that the market will not fluctuate sharply and wipe out the opportunity for the dairy farmer to stay in business.

Mr. HUMPHREY. Mr. President, first I express my appreciation to the Senator from Wisconsin [Mr. PROXMIRE] for his leadership in this matter relating to S. 2917, to establish a price support level for milk and butterfat. I have been keenly interested in this type of legislation ever since my service in the Senate began.

In the 85th Congress, the Senate passed a bill similar to this. I regret that it did not receive favorable action by the other body. Due to a shortage of time in the session, we were unable to obtain the concurrence of the House. Nevertheless, that bill expressed the intent and will of the Senate. It was an expression of our sense of justice, or, at least, an expression of some consideration for dairy producers. Probably no segment of agriculture has been more unfairly treated during the past 8 years than the dairy farmers. We feel particularly that this is the case in the Midwest, where the dairy farmers are producers of milk for export. We have only to compare the prices which the dairy farmer was receiving for milk in 1952 with the prices received in 1958, 1959, and 1960 to see that the dairy farmers in the Midwest are facing a crisis which is forcing many of them out of business.

The average price received by farmers in the Midwest area—and that includes Wisconsin, Minnesota, the Dakotas, and Iowa—for all milk marketed was slightly over $4 per hundredweight. In 1959, Minnesota dairy farmers received, on the average, approximately $3 per hundredweight for the same milk. Meantime their costs of operation had risen appreciably.

During the same period, the parity price for all milk sold by farmers—the price which represents the fair exchange value for 100 pounds of milk—rose from $4.75 to $5 per hundredweight. This simply means that in 1959 Minnesota dairy farmers were about $1.25 per hundredweight worse off in their price for milk than they were in 1952.

The total realized net farm income in Minnesota in 1959, which is the last year of complete statistics, was 19 percent lower than that of 1952. In 1959, Minnesota farmers received almost $98 million less income than they received in 1952.

In the period between 1952 and 1959, farm production expenses increased by 24 percent. One of the individual items which is a part of the total production expense is of particular concern. It is the interest on the farm mortgage debt, or the credit rate paid by farmers for their operations.

The interest on the mortgage debt, in Minnesota, was $25,700,000 in 1959. This was due to the tight money policies which have pushed up the cost of credit. Indeed, all the administration farm policies have pushed farmers into debt in order to enlarge their operations, and to produce more and more farm commodities at lower and lower farm prices.

The point has been well made in this discussion concerning the price support program for milk that at present the inventory of milk products in the Commodity Credit Corporation is very limited. In fact, the inventory of milk in the possession of the Commodity Credit Corporation is below what is a safe reserve for this country's present needs, for its future needs, or for its oversea operations.

There is no single factor of our foreign policy which is more important than the availability of food and fiber for the economic and humanitarian needs of our friends overseas.

Speaking in more detail and with greater concern in this matter, it seems to me that the administration's policy on milk support prices has actually prevented the purposes of the food-for-peace program, recently embraced by the administration, from being accomplished. I trust, however, that at the coming meeting, when Mr. Paarlberg will be meeting with voluntary agencies in September—some 100 or more—the whole matter of the availability of dairy products for our food-for-peace program will be fully discussed.

Last year, because of the sale of powdered milk for commercial purposes in the United States, the Government of the United States was compelled to step into the world market and pay an extra price for milk supplies in order to fulfill our oversea commitments. This was bad planning and bad programing. It does not result in the kind of efficient operations which the country is entitled to have.

Under title III of Public Law 480, America's abundance is distributed overseas, through nongovernmental agencies, as a gift—a gift from the American people to the hungry, the needy, and the unfortunate in other parts of the world. This is one of our greatest programs. Rather than to be limited, curtailed, or in any way jeopardized, the program ought to be expanded. There is nothing our country is doing today which makes a greater impact in the world than the use of our food overseas as an instrument of America's compassion, humanitarianism, and concern for our fellow human beings.

I point out that, for all the concentration on Africa—and I understand we are to have a measure before us shortly relating to aid for Africa—there has not been a single program, I believe, which has been more helpful to Africa than the use of American dairy products, particularly powdered milk, as a means of alleviating suffering, famine, and hunger. That program, at this very hour, is in jeopardy because of the restriction upon the production of dairy products through low prices, which are literally driving out of production thousands of dairy farmers who today could be saving country after country through a successful food-for-peace program in the dairy field.

In the past year, 61 million needy people, including more than 24 million children, in 92 different countries and territories, benefited from the title III program under Public Law 480. These donations are accomplished through the organization CARE, Catholic Relief Services, Church World Service, Lutheran World Relief, UNICEF, and many other similar institutions. These fine organizations work with people in the recipient countries to establish distribution programs. One of the most valued of the commodities distributed is dried milk.

I have seen this program in operation myself. If ever an American citizen wants an emotional experience concerning what America means to people in the less privileged areas of the world, let him go to where American dried milk is being dispensed by a voluntary agency to hungry people. It will be an experience to tear his heart. If he does not have tears in his eyes after that, he is hardhearted, indeed. Those people are so grateful for the assistance we extend that they literally throw themselves at our feet in gratitude—gratitude for what? For a little food of which we have, and should have, an abundance.

Milk is a product which is in universal demand. It is essential to a health-giving diet. When the agencies establish their feeding programs, they plan on definite quantities of dry milk after consultations with Department of Agriculture officials. Imagine, therefore, the surprise when, on October 13, last year, the Department of Agriculture informed these agencies that no further supplies of dry milk would be available. There was no advance warning; no advance notice. The supplies were simply cut off. The Ambassadors of the United States to 92 countries protested. They said this was one of the most serious blows to American foreign policy which had ever taken place.

We are concerned about the U–2 spy plane incident. We are concerned about Cuba and Castro. Nevertheless, I submit that no single act brought such an outpouring of protests from American official representatives overseas as the cutting off of dairy supplies—dry milk—on October 13 of last year. In fact, the protest was so great that the Government of the United States was compelled to step into the free market—into the world market, if you please—and buy additional supplies.

I may add that they did not buy them from American producers—lest the price on the American market go up. They bought them on the foreign markets, rather than on our own market.

The Department did not resume donations from CCC stocks until April of this year.

If national food use goals were established, we would be able to plan far enough ahead to carry out true people-to-people and true food-for-peace programs.

Mr. President, this is what we need. Someday we shall reach the point where we shall establish a national food and fiber policy for this country. Then we will determine how much food and how much fiber we need for our own domestic purposes, and how much food and how much fiber we need for our foreign programs. Those amounts have never been ascertained. Instead, we have proceeded by guess and by accident; if we find we have a surplus on hand we decide to increase shipments; but if we find that we do not have a surplus on hand, we stop the shipments. I submit that one of the surest ways to make enemies is to help people on Monday, Tuesday, and Wednesday, but to refuse to help them on Thursday, Friday, and Saturday. That is what we have been doing with our hit-or-miss operations in connection with providing food supplies.

So I repeat that if we established national goals for all domestic and export needs, we would be able to plan ahead

and carry out a true people-to-people program and a true food-for-peace program.

I believe it should also be noted that the school milk program in the United States may be in trouble unless increased supplies of milk are made available.

If this bill will only help increase the supplies a little bit, it will tend to be of benefit to the programs we have established by public law.

Finally, Mr. President, let me say that I have before me a table which shows the quantities of nonfat dry milk shipped for foreign relief through nonprofit voluntary and intergovernmental organizations. The table shows that in the period between January and June 1959, 297,600,000 pounds were shipped, at a cost of $51,300,000; in the period from July to December 1959, 159,500,000 pounds were shipped, at a cost of $23,900,000; and this year, in the period between January and June, 91,800,000 pounds were shipped, at a cost of $14,400,000.

Mr. President, I want the RECORD to show clearly that I submit that the shipment of dry powdered milk and other available food supplies to the countries of Africa and the countries of Latin America and the countries of Asia will do more good than can be done by all the economic and military assistance we have provided. However, now we find that cuts have been made in the very items we need to provide.

It is officially reported that in central Africa the milk supplies mean the difference between life and death for the children of those countries.

The dairy commodity inventory of the Commodity Credit Corporation as of August 17, 1960, shows that there is now no cheese in its inventory. But cheese is a good protein food, and is desperately needed. Yet there is no cheese in the inventory at this time. By driving farmers in my State out of business—and hundreds of our dairy farmers have had to liquidate their businesses—the price of milk in Minnesota has gone down $1.25 a hundredweight in 7 years. Can any Senator name any other commodity that has dropped that much in price? Our people have been punished, at the very time when such products are desperately needed.

Mr. PROXMIRE. Mr. President, on this point will the Senator from Minnesota yield to me?

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Does the Senator from Minnesota yield to the Senator from Wisconsin?

Mr. HUMPHREY. I yield.

Mr. PROXMIRE. Is it not true that there were no inventories of cheese in either February, March, April, May, June, or July?

Mr. HUMPHREY. That is correct.

Mr. PROXMIRE. So this is not a 1-month condition; this condition has existed a long time.

Mr. HUMPHREY. That is right.

The Department will say that its pricing policies have stopped the production of cheese. In other words, insofar as cheese is concerned, by driving the farmers out of the production of milk—and today far fewer farmers are producing milk—a large amount of the production of cheese has been liquidated.

I wish to say that there is no food that our country can use in its domestic welfare programs and in its oversea programs that has better or more food value than cheese does. However, today the cheese program is null and void, over, out. So, Mr. President, today, countries that used to obtain our cheese as a donation or on sale under Public Law 480, are now looking for loans in hard currency, so as to be able to buy perishable products with which to feed their own people. I submit that is not good economics, particularly when this policy is driving American producers out of business.

Mr. President, in the dairy inventory as of August 17, we have 23 million pounds of butter available, and 67 million pounds allocated to the school lunch program. We have 303 million pounds of dry milk at the present time. That represents a reasonable supply of dry milk for at least the next few months.

Let us remember that dry milk is not only available for oversea use, but also is made available commercially in the United States.

The list I hold in my hand also shows the purchases in the period from April to August 1960. I ask unanimous consent that the table be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

DAIRY INVENTORY AS OF AUGUST 17, 1960

Cheese: None.

Butter: 23 million pounds available, 67 million pounds allocated to school lunch.

Dry milk: 303 million pounds.

Purchases, April–August 1960

	Amount	Value
	(Pounds)	*(Dollars)*
Cheese	164,753	$59,690.00
Butter	81,917,948	48,159,562.00
Nonfat powder	415,791,132	56,506,105.00

Mr. HUMPHREY. Finally, Mr. President, I point out that in Minnesota there are 43,225 dairy farms. However, almost two-thirds of all Minnesota farms produce and market milk. Therefore, milk production is of vital importance to our economy. Almost 21 percent—20.7 percent—of cash receipts from farm marketings in Minnesota come from dairy products.

Furthermore, as I have already indicated, the total realized net farm income in Minnesota in 1959 was 24 percent less than in 1958. Mr. President, when I travel throughout my State, as I have done this summer, and when I go from community to community, and find that the merchants tell me their sales are down 6 percent to 12 percent—as they are, also, through the Dakotas and Minnesota—in many of the smaller communities, there is no secret as to why that is so. When there is a 24-percent reduction of realized net farm income between 1958 and 1959, it is no wonder that sales are down.

So, as the Senator from Wisconsin has so frankly and, I think, so accurately stated, the pending bill represents a modest advance. It will not do what should be done, but it represents some modest advance.

The bill will not in any way jeopardize the Treasury or provide a glut of products. But the bill will at least provide a modicum of relief to a hard-pressed group of people. The bill will provide a little increase in the price of milk, in a market which today needs some help.

Mr. President, I am very privileged to have had this time to submit my views and to state why I have been glad to join in sponsoring the bill. Two years ago I was the main sponsor.

The Senators from Wisconsin and the Senators from Minnesota and many other Senators feel that the enactment of this proposed legislation is of vital importance to our economy, and represents at least a token step in connection with the commitment which both political parties have made to the American farmer. Both parties have promised action for the benefit of agriculture; and surely this bill can at least be interpreted as some fulfillment of a commitment which has been made in good faith, and we will keep that commitment in good faith.

Mr. President, I also ask unanimous consent to have printed at this point in the RECORD a table released by the Department of Agriculture. The table relates to activities carried on under Public Law 480. The title of the table is "Number of recipients of title III foreign donations under section 302 through participating agencies, fiscal year 1960."

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE XX.—*Number of recipients of title III foreign donations under sec. 302 through participating agencies, fiscal year 1960*

[Thousand persons]

	Catholic Relief Services	CARE	Church World Service	UNICEF	Lutheran World Relief	All other agencies	Total
Schools	7,721	8,184	1,788	3,887	1,166	230	22,976
Institutions	3,845	1,843	810	48	148	501	7,195
Families	16,526	2,252	4,626	----------	504	550	24,458
Refugees	959	242	455	----------	332	546	2,534
Summer camps	87	931	31	----------	(1)	44	1,093
Maternal and child health centers	222	85	55	1,778	----------	7	2,147
Miscellaneous centers	291	33	62	272	12	139	809
Total recipients	29,651	13,570	7,827	5,985	2,162	2,017	61,212

[1] Less than 1,000.

Mr. HUMPHREY. Mr. President, I yield the floor.

Mr. KEATING obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from New York yield to me, so that I may make a unanimous-consent request?

Mr. KEATING. Yes; provided I do not lose the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that further time for the consideration of the pending bill be limited to 20 minutes, or 10 minutes to a side, and that at the conclusion of that time the vote be taken on the question of final passage.

The PRESIDING OFFICER. Is there objection?

Mr. KEATING. Reserving the right to object, Mr. President—although I shall not object—I ask the Senator from Montana to include in his request a provision that during that time I shall not lose the floor.

Mr. MANSFIELD. Yes, indeed.

Mr. DIRKSEN. And that the Senator from New York can be privileged to yield to other Senators for questions.

Mr. KEATING. I would think the request should provide for the time limitation referred to, and also should provide that I may yield to any Senator who desires to speak during that period of time, and that at the end of the time thus allowed, the vote will be taken, but that during all those proceedings I may be allowed to yield to other Senators without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, will the Senator yield me 1 minute?

Mr. KEATING. I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I shall not participate actively in the debate on the bill. I just want the RECORD to show, however, that the Department of Agriculture opposes the bill and also that it is opposed by the American Farm Bureau Federation. They point out that by raising the parity level on milk, it will encourage increased production and destroy the progress we have already made in accordance with the law of supply and demand. They believe it will also result in larger amounts of dairy products being purchased by the Government and an increased cost to the consumers, without increasing the income of dairy farmers. That is the basis for the objection.

I leave it to members of the committee, however, to belabor other aspects of the question.

Mr. MUNDT. Mr. President——

Mr. KEATING. I yield to the Senator from South Dakota.

Mr. MUNDT. I am very happy to be a cosponsor of this bill, because it is legislation which moves in the right direction in the area of a farm program in which we are beginning to make progress, as has been correctly pointed out by other proponents and cosponsors of the bill——

Mr. PROXMIRE. Mr. President, will the Senator yield so I may ask how much time he wants?

Mr. MUNDT. About 3 minutes.

Mr. KEATING. I yield to the Senator from Wisconsin for the purpose of asking the Senator from South Dakota a question.

Mr. MUNDT. I shall conclude very briefly.

Mr. PROXMIRE. Will 3 minutes be sufficient?

Mr. MUNDT. It will be sufficient, I believe.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 3 minutes.

Mr. MUNDT. Mr. President, this bill is not going to impose a great cost upon the Treasury, at worst, and at best may not cost the Treasury anything. It is a very moderate bill. It provides that butterfat shall be supported at not less than 59.6 cents a pound and manufacturing milk at not less than $3.22 per hundredweight. The legislation terminates on March 31, 1961.

I am happy to report that some progress is being made in improvement of the dairy situation. Our farmers are grateful for that fact. This is the kind of legislation which is necessary, in my opinion, to protect the progress which has been made and to preserve these advances while giving our dairy producers some assurance that they will be able to continue to enjoy at least these minimum prices, which are reasonable in the extreme, and which, as the Department of Agriculture sets out in its report, have prevailed during 5 months of the last marketing year.

If the Government should have to purchase some products under this legislation, it is obvious this is an area where the Federal Government might well want to spend some money regardless in order to provide some more of these wonderful dairy products in our food for peace program.

We are spending big money in the area of international good will. We are spending money in trying to improve our relationships with friendly people with whom we are associated in this cold war. And if money needs to be spent in this area, this would be a legitimate place for it, in connection with the national defense of this country and in connection with the prosecution of the cold war.

We are making great advances in the dairy business in the State of South Dakota, but our dairy men and farmers need some assurance, as they plan and look ahead, that they can expect to receive these modest, but firm, minimum price levels while they are equipping their farms and getting ready for the future.

I regret the Department has opposed this bill, but I do not find myself in an unusual or unique position when I find myself in disagreement with the Secretary or the Department of Agriculture when it comes to the utilization of our price support mechanisms. He and I have frequently disagreed before on this aspect of our farm programs.

This proposed legislation has the wholehearted support of the association of farmers and producers most vitally connected with the industry, the National Milk Producers Federation, which throughout has maintained a reasonable and constructive approach to the solution of the problems in the dairy industry. The bill comes to us with their recommendation. It comes to us with the recommendation of many other organizations and groups.

I regret that the American Farm Bureau Federation is not listed among them, as was pointed out by the Senator from Illinois; but I emphasize the fact that we are moving forward in the direction of beginning to solve the problems which for too long have plagued the dairy producers of this country. This legislation will help.

I am gratified by the fact that for almost half of last year their prices in the marketplace have exceeded those which have been established by the price support mechanism, and have been at the level which we now seek to establish by legislation as a minimum between now and March 31, 1961.

I sincerely hope the measure can pass the Senate overwhelmingly, because it is a step in the right direction, a modest step, a reasonable step, but albeit an important forward step for a great segment of our agricultural economy, because increasingly in my State, and increasingly in other States, farmers are turning to the dairy industry as one of the types of agricultural enterprise which apparently is beginning to supply them with a brilliant future and an opportunity to enjoy the prosperity to which our farm population generally is entitled.

Mr. KEATING. Mr. President, I yield to the Senator from Vermont [Mr. PROUTY] such time as he may need.

Mr. PROUTY. Mr. President, as a cosponsor of S. 2917, I am delighted to have an opportunity to explain to the Senate why I believe its enactment would be in the interests of the farmers of Vermont and of the Nation.

The bill calls for an increase in the price support level from $3.06 per hundredweight to $3.22, for milk used for manufacturing purposes, and from 56.6 cents per pound for butterfat to 59.6 cents per pound.

The level of support proposed in the bill is entirely reasonable and will result in only a modest, if any, increase in the cost to the Government.

We are too prone, in the fast moving era of electronics and automation, to forget the contribution which the farmers of America are making to the country's needs. They have always demonstrated their willingness and ability to bring forth the food and fiber to fill the wants of our people. In war and in peace, the farmers have never let us down. They ask of us but one question, "May we have a fair and reasonable price for our commodities?"

We have not always answered this question in a manner which does merit to the producers of food and fiber. Many times we have urged the farmer to speed up production in times of national emergency, and then, when his operation has been geared to a higher production, we have penalized him for that production once the emergency is passed. In no field has this been more true than in the dairy interest. Dairy farmers have worked ceaselessly to make adjustments that had to be made as a result

of the high production demanded of them a few years ago. At the present time, milk production is in as good a balance with market outlets available as is the case in most major agricultural products.

While the strenuous effort has been continuing to bring supplies of dairy products within reasonable balance of market requirements, what has happened to farm prices of fluid milk and butterfat?

Since 1952 the average wholesale price received by farmers for all milk dropped more than 18 percent. The average price received for butterfat dropped about 22 percent. Yet, at the same time—and this is important—the retail price paid by consumers for milk has increased almost 10 percent.

What about the farmer's share of the retail price? Mr. President, I can tell you that his share has been on the decline. In 1952 the farmer's share of the retail price was 51 percent. In 1959 it was only 43 percent, a decrease of 8 percent during the 7-year period.

The Department of Agriculture only last year brought forth some evidence which brings sharply to focus the wide spread between what the farmer gets and what the consumer pays for dairy products.

In 1959, a city worker's family of three paid $195 for the same quantity of dairy products, milk, butter, cheese, and ice cream, that it bought in 1952 for $191. But, Mr. President, farmers in 1952 received $100 for these dairy products, as compared with only $88 in 1959. Why has all this happened?

The answer is clear. Processors and distributors have increased their take for their services from $90 in 1952 to $107 in 1959.

Even with the increases in the price of retail dairy products, these products are still, dollar for dollar, the best buy for the housewives' shopping baskets.

In the past 30 years the real cost of milk to a factory worker, in terms of minutes of work required to purchase a quart of milk, has dropped more than 50 percent. In 1929 a factory worker had to work 15 minutes to earn the price of a quart of milk at retail. By 1947 the cost of a quart of milk had dropped to 10 minutes of factory labor, and in 1959 it took the earnings of less than 7 minutes factory labor to buy a quart of milk at retail. This speaks well for America and the American way of life, but there is one blot on the escutcheon, and that is the fact that consumers today are able to purchase milk at such relatively low prices partially because the farmers' share of the retail price has been shrinking.

In addition to facing the problem of a drop in his share of the retail price, the dairy farmer has had to face up to other severe obstacles. Farm production costs, including interest, taxes, and farm wage rates, are as high as ever.

Yesterday we approved a minimum wage of $1.25 an hour for those in the manufacturing and retail and service trades. Yet, Mr. President, Department of Agriculture figures show that the dairy farmer receives a much smaller amount per hour for his labor.

I have never gone in for the practice of applying catch phrases to describe any group or segment of the economy, but, Mr. President, if there is a "forgotten man," forgotten by Congress, forgotten by the public, it is the dairy farmer. What other worker today would accept such a low rate for the services he renders or the work he performs?

There are some who blandly say, "Well, market prices will probably continue at the present average level; there is no need for legislation."

I would respond to this suave assertion by pointing out that production costs, increasing as they have in recent years, and with milk supplies in good balances with market outlets, now is the time to give dairy farmers a decent minimum of $3.22 per hundredweight for their milk, and not less than 59.6 cents per pound for butterfat.

I join with my fellow cosponsors of S. 2917 in urging its approval by the Senate and enactment by Congress. It is the very least we can do for the very best among us.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. PROUTY. I yield.

Mr. LAUSCHE. What is the cost of the bill, if adopted? I asked the Senator from Wisconsin that question, but I would like to have some statement made on the floor in answer to that question.

Mr. KEATING. Mr. President, I yield to the Senator from Ohio for the purpose of propounding such inquiry.

Mr. PROUTY. As I understand, the estimate is practically nothing. The price, as of March, was $3.22 or $3.23. This bill will bring it up to $3.22. There are practically no surpluses, as I understand. I think the cost is negligible.

Mr. LAUSCHE. At the present price of milk, the cost would be nothing. Is that correct?

Mr. PROUTY. Yes. I think the cost would be very negligible.

Mr. PROXMIRE. That is correct.

Mr. PROUTY. I thank the Senator for yielding.

Mr. KEATING. Mr. President, I yield to the Senator from Delaware [Mr. WILLIAMS] such time as may be allotted to him by those who are controlling the time in opposition.

Mr. WILLIAMS of Delaware. Mr. President, in the absence of the majority leader, who has control of the time, I will take 5 minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 5 minutes.

Mr. WILLIAMS of Delaware. Mr. President, I recognize the futility of even trying to oppose a subsidy bill on the eve of a presidential election. We had a vote earlier this afternoon which indicated how free the Members of the Congress are on the eve of an election with respect to all of the various proposals which give something to different segments of the economy. It has always been popular to try to buy votes out of the Federal Treasury.

I invite special attention to the fact that this bill which seeks to raise price supports on milk products will only be in effect some 7 months. If it is a good bill, why do not the sponsors try to have permanent legislation enacted? It is only advocated that we enact the bill and raise the price supports until after the people go to the polls to vote. After the election under this bill we shall go back to the old price support level or somewhere else.

With regard to the argument which has been made on the floor that passage of the bill will not cost the Federal Treasury anything, I simply ask the question: How can we give the American farmers anything from the Federal Government without there being a cost? Either we are kidding somebody or we are not going to give them anything. I do not think any Senator would try to argue with that point.

This bill is opposed not only by the administration but also by the American Farm Bureau, one of the largest farm organizations, and a sound farm organization.

While this bill will give a short term benefit to the dairy farmers in the long run it will not help them.

As production increased due to the certainty that market prices would remain at about present levels, some dairy farmers would realize a temporary increase in their gross and net incomes. However, huge surplus stocks soon would be in the hands of the Federal Government and these would hang as a tremendous weight over the market system, preventing any increase in market prices over support prices such as occurred in recent years. As a result, dairymen's gross incomes would be reduced in future years.

Mr. President, I ask unanimous consent that the letter of the Department of Agriculture, as written to the committee under date of March 22, 1960, in which they oppose the bill, be printed in the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., March 22, 1960.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate.

DEAR SENATOR ELLENDER: This replies to your request of February 4 for a report on S. 2917, a bill to amend subsection (c) of section 201 of the Agricultural Act of 1949, as amended, by adding the following new sentence to be inserted immediately after the first sentence: "Notwithstanding the foregoing provisions, for the marketing year beginning April 1, 1960, the price of milk for manufacturing purposes and the price of butterfat shall be supported at not less than $3.22 per hundredweight and 59.6 cents per pound, respectively."

This Department recommends that the bill not be enacted.

It is not advisable to fix by law a specific support price for a particular marketing year without regard to current production and consumption conditions. The Agricultural Act of 1949, as amended, now requires the Secretary of Agriculture to support prices to producers for milk and butterfat at such level from 75 to 90 percent of parity as will assure an adequate supply. The act leaves to the Secretary the determination of the support level, within the authorized range, that will accomplish the objectives of the act with respect to dairy products. This

permits the Secretary to take into consideration the developments in production and consumption in determining the support level for each marketing year.

The announced support prices for the 1959–60 marketing year are $3.06 a hundredweight for manufacturing milk and 56.6 cents a pound for butterfat. These prices are 77 percent of the parity equivalent and parity prices as of the beginning of the marketing year. Further progress has been made toward closing the gap between production and consumption in commercial outlets. It has been necessary, however, to buy substantial quantities of dairy products during the year. It is estimated that the total purchases for the marketing year will contain about 2 percent of the milkfat and 9 percent of the nonfat milk solids marketed by farmers in the form of milk and cream for all uses. These price support purchase operations have been supplemented by special programs, involving substantial expenditures, to increase the consumption of milk by schoolchildren and military personnel.

Market prices of some dairy products rose above the CCC buying prices in the last 5 months of calendar year 1959. For the first 9 months (April-December) of the 1959–60 marketing year, the actual prices received by farmers averaged $3.22 a hundredweight for manufacturing milk and 59.6 cents a pound for butterfat. This is the level that the bill seeks to maintain throughout the 1960–61 marketing year.

On January 8 the Department announced that the present support program for milk and butterfat would be continued through the 1960–61 marketing year. There is reasonable prospect that market conditions again will keep prices above the support level during part of the year. If market demand will not result in such a higher level, maintaining the higher level through support operations would tend to widen again the gap between production and consumption and to increase Government purchases. Continuation of the present program will provide assurance that prices to producers will not drop below the support level at any time during the next marketing year. Market conditions will be permitted to determine whether actual prices will be above this level.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

Mr. WILLIAMS of Delaware. Mr. President it is time that the American taxpayers begin to ask themselves how long they can keep buying these elections for the various candidates by passing these special privilege bills.

Mr. KEATING. Mr. President——

Mr. PROXMIRE. Mr. President, will the Senator permit me to yield to the Senator from Massachusetts?

Mr. KEATING. I yield such time as is allotted by the Senator from Wisconsin.

Mr. PROXMIRE. I yield to the Senator from Massachusetts such time as he desires.

Mr. KENNEDY. Mr. President, I strongly support the bill. I am a cosponsor of the bill. I had a good deal of experience in the winter of this year in a strong dairy State, Wisconsin. I have some idea as to how hard hit the dairy farmers of that section of the United States have been.

The University of Wisconsin figured that the average farmer's wage was 50 cents an hour, and that only a relatively few farms in the State were paying an income which permitted the farmers to pay interest, to pay the upkeep on the machinery and feed, and to make what we would call a good living for the farm family.

The farm people are a group of people who work hard, who have spent a long time building up their farms, and who have been hard hit in recent years. I think the bill would be of some help to them. I do not think it will in any way solve the problems of dairy farmers, but I think it is a step in the right direction.

I congratulate the Senator from Wisconsin for bringing the bill before the Senate, and I am delighted to cosponsor it.

Mr. KEATING. Mr. President, I yield 1 minute to the distinguished senior Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin [Mr. WILEY] is recognized for 1 minute.

Mr. WILEY. Mr. President, I am happy to be a cosponsor of the bill, also. I wish to state briefly why I support the bill. Personally, I am no longer producing milk, though for some 25 years I did produce milk.

The bill fixes a floor. It would give to the farmer a guaranteed price of about 6½ cents a quart. The people who buy milk either in Washington, D.C., or elsewhere know what that means. We have been talking about minimum wages but not for the farmer. We have been talking about aiding everybody else. For centuries the small farmer has been the backbone of the country not only in America but also throughout the world. I know from my own experience that the cost of production of milk is more than 6½ cents a quart, considering the costs of labor and the costs of machinery.

I know how the farmers work. They do not work 6 or 7 hours a day, but they work 12 or 14 hours a day, when they own the land themselves, which gives them a return of from 60 to 70 cents an hour.

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired.

Mr. WILEY. Mr. President, I ask the Senator to yield me 1 more minute.

Mr. KEATING. I yield 1 additional minute to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 1 additional minute.

Mr. WILEY. I know it is our business to see to it that we do not have a paralysis in the farm area. Every depression in the past started in the farm area.

There has been some talk about powdered milk. I was in Lisbon last year, and I flew to southern Spain, to Rota. They were using powdered milk there at a military establishment. It was wonderful.

This bill is only a palliative, it is not a curative. It is not the medicine needed to cure the problem. In Wisconsin we produce 17 to 18 billion pounds of milk a year. We have to find an outlet for that milk. If it is not butter, cheese, and powdered milk, the outlet will have to be found somewhere else.

I suggest that since this is an exploratory age we should explore the utilization of the constituent parts of milk not only for food but also for other things. I think that is the field in which we will find the answer.

Mr. President, I am in favor of the bill.

Mr. MANSFIELD. Mr. President, if no other Senators desire to use time, I ask unanimous consent that all time be yielded back and that the vote be taken on the pending bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The question is on agreeing to the committee amendment. [Putting the question.]

The committee amendment was agreed to.

Mr. THURMOND. Mr. President, I shall vote against S. 2917. In my opinion, this approach to a segment of the agricultural production of our country is unrealistic and incompatible with any concept of either existing farm programs or proposed farm programs. It is completely unrealistic to set a specific minimum support in dollars and cents for an agricultural commodity without taking into account either consumption or demand, as is accomplished through the concept of parity. The present law requires that milk and butterfat be supported at a level of from 75 to 90 percent of parity as will assure an adequate supply. The dollars and cents minimum prescribed by S. 2917 abandons entirely the flexibility necessary to assure an adequate supply of milk and butterfat. Neither does the approach of a dollar and cents minimum leave room for consideration of fluctuation in consumption. Existing legislation gives sufficient authority, and the present program provides the necessary assurances, that the prices received by producers will not drop below the support level of $3.06 during the next marketing year. I cannot acquiesce in any such shallow proposal as this innovation of the price support program.

The PRESIDING OFFICER. If there is no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill—S. 2917—was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. PROXMIRE. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider. [Putting the question.]

The motion to lay on the table was agreed to.

Mr. DIRKSEN subsequently said: Mr. President, I made no extended remarks on the milk bill that was before us, but the Department of Agriculture had released a statement, and I thought that statement ought to be made a part of the body of the RECORD. I now submit that statement, which has been ut-

tered by Forest W. Beall, Deputy Administrator for Price Support, Commodity Stabilization Service, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE, STATEMENT ON S. 2917 BEFORE THE SENATE SUBCOMMITTEE ON AGRICULTURAL PRODUCTION, MARKETING, AND STABILIZATION OF PRICES, BY FOREST W. BEALL, DEPUTY ADMINISTRATOR FOR PRICE SUPPORT, COMMODITY STABILIZATION SERVICE, MAY 19, 1960

This statement is based on and supplements the Department's report of March 22 recommending against enactment of S. 2917.

S. 2917 would amend subsection (c) of section 201 of the Agricultural Act of 1949, as amended by adding the following new sentence to be inserted after the first sentence:

"Notwithstanding the foregoing provisions for the marketing year beginning April 1, 1960, the price of milk for manufacturing purposes and the price of butterfat shall be supported at not less than $3.22 per hundredweight and 59.6 cents per pound, respectively."

The Department feels that it is not advisable to fix by law a specific support price for a particular marketing year without regard to current production and consumption conditions. The Agricultural Act of 1949, as amended, now requires the Secretary of Agriculture to support prices to producers for milk and butterfat at such level from 75 to 90 percent of parity as will assure an adequate supply. The act leaves to the Secretary the determination of the support level, within the authorized range, that will accomplish the objectives of the act with respect to dairy products. This permits the Secretary to take into consideration the developments in production and consumption in determining the support level for each marketing year.

The support prices for the last marketing year which ended March 31, 1960, were $3.06 a hundredweight for manufacturing milk and 56.6 cents a pound for butterfat. These prices were 77 percent of the parity equivalent and parity prices as of the beginning of the marketing year. While a little progress was made toward closing the gap between production and consumption in commercial outlets, it still was necessary to buy substantial quantities of dairy products. During the last marketing year CCC purchased 185 million pounds of butter and 50 million pounds of cheese. Also, the Department removed from the market 857 million pounds of nonfat dry milk. The total acquisitions for the marketing year contained about 2.9 percent of the milkfat and 9.3 percent of the nonfat milk solids marketed by farmers in the form of milk and cream for all uses.

The price support purchase operations have been supplemented by special programs, involving substantial expenditures, to increase the consumption of milk by schoolchildren and military personnel.

Market prices of some dairy products were above the CCC buying prices in the last 8 months of the 1959–60 marketing year. The actual prices received by farmers for the entire 1959–60 marketing year averaged $3.23 a hundredweight for manufacturing milk and 59.5 cents a pound for butterfat. The bill seeks to maintain approximately this level for the current 1960–61 marketing year.

The number of milk cows on January 1, 1960, was 0.7 of a percent smaller than a year earlier. This was the smallest decrease in 6 years. The numbers of yearling heifers and heifer calves on January 1 were larger than in recent years. The numbers of these replacements per 100 milk cows were the largest on record. The increases in production per cow in 1958 and 1959 were not enough to offset the declines in cow numbers, and total milk production declined slightly each year. In 1959, however, farm use of milk declined more than milk production did and total farm marketings of milk increased slightly. Meanwhile, there was a further shift from farm-separated cream to whole milk deliveries by farmers which brought more nonfat milk solids onto the market.

Milk production in the first 4 months of 1960 totaled about 1 percent above a year earlier. Only part of this increase was accounted for by the extra day in February. Feed supplies are at record levels and lower priced than last year. These developments indicate that a potential exists for a significant increase in milk production.

On January 8 the Department announced that the support prices for the 1959–60 marketing year would be continued through the 1960–61 marketing year. As of the beginning of this marketing year these support prices are percent of the parity equivalent and parity prices for manufacturing milk and butterfat.

Prices received by farmers in April for manufacturing milk and butterfat were above the support level. There is some prospect that market conditions will continue to keep prices above the support level during at least part of the 1960–61 marketing year. If market demand will not continue to result in such higher level, maintaining the higher level through support operations would tend to widen again the gap between production and consumption and to increase Government purchases. Continuation of the present program will provide assurance that prices to producers will not drop below the support level at any time during the next marketing year. Market conditions will be permitted to determine whether actual prices will be above this level.

It should be noted that the estimated cash receipts of $4.7 billion from farm sales of milk and butterfat in 1960 will be the highest on record.

VISIT TO THE SENATE BY SENATOR RAMON ESCOVAR, OF VENEZUELA

During the consideration of S. 2917,

Mr. MANSFIELD. Mr. President, will the Senator yield to me, for the purpose of permitting the Senator from Oregon to introduce a distinguished guest to the Senate?

Mr. KEATING. Mr. President, I will yield to the Senator with the understanding that I shall not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, once again it is my privilege and honor as chairman of the Senate subcommittee which deals with Latin American affairs to present to the Senate a distinguished parliamentarian from a Latin American neighboring country. Today it is our privilege to have as our guest on the floor of the Senate Senator Ramon Escovar, of Venezuela, representing the Federal District of Caracas. Senator Escovar has been a Senator in the Venezuelan Senate since 1958. He is also a professor of law at the Central University of Venezuela in Caracas, which is one of the national universities of the Republic of Venezuela.

Mr. President, it is my great privilege to present Senator Escovar to the Senate. [Applause, Senators rising.]

AUTHORIZATION FOR ROBERT J. MYERS TO BE PRESENT ON FLOOR DURING DEBATE ON SOCIAL SECURITY AMENDMENTS

Mr. JAVITS. Mr. President, will the Senator yield for a unanimous consent request?

Mr. KEATING. Yes.

Mr. JAVITS. Mr. President, I ask unanimous consent that during the debate on the social security amendments I may have upon the floor to assist me Robert J. Myers, Chief Actuary of the Social Security Administration.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JAVITS. I wish to emphasize that Mr. Myers is a career employee, and that there is no implication with respect to the legislation or the support of the department in his being with me. It is strictly to give me technical assistance on my amendment.

AUTHORIZATION FOR APPROPRIATIONS FOR THE MUTUAL SECURITY CONTINGENCY FUND

Mr. MANSFIELD. Mr. President, will the Senator from New York yield to me so that I may move to have the Senate consider a bill, which will then be the unfinished business?

Mr. KEATING. Mr. President, I will yield with the understanding that I shall not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1908, S. 3855.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill, S. 3855, to increase the authorization for appropriations for the President's mutual security contingency fund for the fiscal year 1961, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. KEATING. Mr. President, the President of the United States has requested an increase of $100 million in the mutual security contingency fund. Originally, the President called for $175 million for the contingency fund in his budget request for 1961, but the House has already cut $25 million from that. Now, the perilous course of events in Africa makes it clear that by its very nature a contingency fund cannot be completely budgeted for in advance. New events will always crop up that will require quick U.S. action. In such cases,

it is very important that the United States not be hamstrung and delayed by too close a congressional leash.

The $100 million which the President has just requested in addition to the $175 million originally sought is to be used, among other things, to help pay the costs for airlifting United Nations troops to the Congo. If this airlift had not been available at once so that United Nations forces could be shipped to the troubled area without delay, who can say what chaos and confusion would have developed? Unquestionably, the situation would be even worse than it is now. Perhaps there might even have been Russian troops in the Congo ready to subjugate not only Belgians or rebels, but also the whole of the African Continent.

Mr. President, as we certainly have seen in the last few months, the course of international affairs is anything but smooth and predictable, even to a government that is as careful and well informed as our present administration. Moreover, the Russians especially seem to take great delight in behaving as unpredictably as they possibly can, with the aim, it has been suggested, of deliberately throwing this country, with its slower democratic processes, for a loss. Under these circumstances, a larger contingency fund is a must.

From the point of view of long-term economy, an effective contingency fund is also very important. Whatever we do, we must not make the mutual security program so rigid and inflexible that we are forced to pay for projects that changing events have rendered less necessary or, on the other hand, not to lay the groundwork in time for projects that might pay big dividends in the future. Timing is often the key to success in foreign ventures. The Congress should allow the Government some leeway in determining, in the face of changing times, when projects that for one reason or another have not been specifically budgeted, should be undertaken. In the long run, this flexibility will save us money and contribute to the success of our policies.

I am especially interested in the implications of this particular request for money for airlifting U.N. troops to the Congo because it bears out the importance of a recommendation that I have long made. That is that the United Nations should have a standing police force that would be ready at any time to go anywhere to face up to just the kind of situation that has evolved in the Congo. The existence of such a force, and still further, the knowledge of the existence of the force, would, I feel, do much to lower international temperatures the world over.

Until this force can be set up, however, or until the world reverts to an easier, more predictable pattern, I do not believe that this country can do without a contingency fund that really is large enough to meet most contingencies. Mr. President, I urge full approval of the President's request. It is in the best interests of this country and of the whole free world.

AMERICAN WAR CLAIMS LEGISLATION

Mr. KEATING. Mr. President, there are now pending on the agenda of the Committee on the Judiciary, of which I have the privilege of being a member, a number of American war claims bills. One of the most important of these bills—H.R. 2485—provides for the payment of compensation to Americans who suffered injury or death or who suffered property losses in certain areas as a result of World War II. A serious omission from this otherwise very salutary bill are thousands of Americans who were unable to become citizens of the United States until after the war. I have for many months been urging amendments to H.R. 2485 to correct this unjustified discrimination in our treatment of American citizens and I shall continue in committee and on the floor if necessary to press for inclusion of these needed amendments in the pending legislation. I do not believe that this legislation will be fully adequate until such provisions are included to prevent discrimination against Americans, based on the date on which they obtained that happy status.

It is abhorrent to our concepts of citizenship to distinguish between Americans on the basis of when they happened to become naturalized. We have never recognized in this country any concept of second class or junior citizenship. Even European countries which have adopted war claims programs in behalf of their own nationals have made provision for claimants who become nationals after they suffered their original loss. Certainly we in the United States can do no less. At the very least, those Americans who were subjected to persecution during the war by their former governments should not be discriminated against under this generally humanitarian program. I have a specific amendment prepared for this purpose as well.

Some war claims bills have been before the Congress in one form or another for many years. There is great interest in these throughout the country.

In my opinion, a number of amendments in addition to those relating to our newer citizens will have to be adopted before we can claim to have dealt with this subject in a completely fair and equitable maner. For several months I have had such amendments in readiness. Because of the large number of inquiries I have received about this subject and my growing concern that we may default in our obligation to act in this field, I would like briefly to discuss this subject on the floor today.

First, I express the fervent hope that it will be possible to take action on these measures before the adjournment of this session. In many instances the beneficiaries or claimants under these measures have been waiting for more than 15 years for some relief. The House has already approved a number of the bills that are pending. It remains only for the Senate to fulfill its responsibility.

The Trading With the Enemy Act Subcommittee, of which I am a member, has held many extensive hearings on the problems raised by these bills. Its last hearings were completed in July 1959. I have made every possible effort since that date to induce the subcommittee to meet and report to the full committee the measures involved. Unfortunately, it was not until the last weeks of the first part of this second session of the Congress that a meeting of the subcommittee was called by the chairman and action was taken on any of these measures. By that time it was too late for the full committee to complete its consideration of the bills prior to our adjournment on July 5.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. LAUSCHE. Will the Senator restate the purposes of his proposals?

Mr. KEATING. I shall cover the high spots in my remarks. I do intend to outline briefly some of the things that I have in mind.

The subcommittee's recommendations left a great deal to be desired. A majority of the subcommittee not only failed to correct the omission of our newer citizens from this legislation, but also recommended the deletion from the House-passed war claims bill—H.R. 2485—of all the provisions relating to the actual payment of claims. In my opinion this was a completely unwarranted change, and I have been attempting in the full committee, and shall continue my efforts in this regard, to obtain reinstatement of the omitted House provisions. I have a specific amendment prepared for this purpose.

The House bill also inexplicably omitted from its provisions losses suffered by Americans as a result of the removal of their property from Germany for reparations purposes. Such a provision was included in the administration's original proposals, and I believe should be allowed in the final version of this legislation. I shall offer such a provision in committee and on the floor.

Another of the measures pending before our committee is the heirless property bill, H.R. 6462. The sole purpose of this bill is to provide for lump sum settlement of all heirless property claims in the amount of $500,000. Since all of this money will come from the property of former victims of Nazi persecution who died without heirs and will be used for the needy survivors of such persecution, and since the total sum represents only a small fraction of the amount of such property which was vested by the Government, there should be no objection whatsoever to approval of this bill in the full amount called for.

An effort has been made to reduce the $500,000 still further, indeed, to cut it in half, to $250,000 but there is no basis for any such a reduction.

Finally, I hope that the Committee on the Judiciary will approve my bill, S. 1103, which would permit the sale of property vested by the Government to American bidders, despite the pendency of litigation over the ownership of the property. The chief impact of this measure would be to permit the Government to turn over to private industry the

operation of the huge General Aniline & Film Corp. facilities. The litigation over this property has been in progress for more than a decade, and it appears to be endless. Under the terms of the bill, every safeguard would be provided in the event the claimants in this litigation should ultimately prevail, since they would be entitled to just compensation for the amount of their interest. The bill is strongly endorsed by the AFL–CIO, the supervisory association of the General Aniline Corp., the International Chemical Workers Union—which represents most of the rank-and-file employees of the corporation—and the Chamber of Commerce of the United States.

When we get a combination like that approving a bill, it is a rather happy day. It is a rather singular accomplishment.

S. 1103 also is strongly supported by the Department of Justice. Indeed, I know of no opposition to the bill except on the part of representatives of the parties involved in the litigation. There is no reason for the indefinite continued operation of this plant by a Government agency, and I hope that before long this huge company can be placed in the hands of free enterprise, so that it can prosper and grow to the full extent of its potential.

This is not the time to discuss in detail all of these facets of the war claims problem or the other measures involved in our committee's deliberations. I would like to mention, however, that a majority of the subcommittee also recommended to the full committee a bill which would provide for the return to citizens of the United States of property vested from them at the time they were enemy nationals. I did not raise any objection to the provisions of this bill when it was under consideration in our subcommittee. However, I would point out that if there is merit in this bill, as I believe there is, then after-acquired citizenship on analogous reasoning must also be held to qualify individuals for filing claims under the war claims bill. There certainly would be no equity in using citizenship on the date of enactment as the standard for returning the property, and not as the standard for allowing claims to be filed. I do not believe that any such inconsistency would be supported by a majority of the Congress or countenanced by any member of the public who was informed on the subject.

Mr. President, I shall continue to work diligently for final congressional approval of these measures, with the amendments I have outlined, before this session is concluded. This is certainly a must item for the thousands of Americans, many of them men and women of very modest means—many of them widows and orphans who lost their loved ones in the great conflict—who have been waiting for 15 years for some measure of recompense. I do not believe these Americans will be very understanding if in a frantic effort to hit the campaign trail we shirk our duty to do justice to their cause.

Mr. President, in compliance with the suggestion so graciously made by the Presiding Officer, I wish to discuss the subject of the legislative program which the President sent to us in his special message on August 8.

Mr. LAUSCHE. Mr. President, before the Senator gets into that, will he yield?

Mr. KEATING. I am very glad to yield.

Mr. LAUSCHE. Which nation or nations are in the category of enemies during World War II, against whom these claims are asserted?

Mr. KEATING. Let me put it this way. The bill refers to physical damage or physical loss or destruction of property in Albania, Austria, Czechoslovakia, the Free Territory of Danzig, Estonia, Germany, Greece, Latvia, Lithuania, Poland, Yugoslavia, or in any territory which was a part of Hungary or Rumania on December 31, 1937. I do not know whether that answers the Senator's question or not.

Mr. LAUSCHE. Does that deal with property damaged by violent means during the war, or does it also mean expropriated property?

Mr. KEATING. It refers only to property which was damaged as a result of military operations.

Mr. LAUSCHE. Perhaps I can clarify what is in my mind. I have received numerous letters asking that we do something to compel Tito to reimburse those citizens whose properties he took in Yugoslavia, and who subsequently came to the United States and became citizens of this country. That subject, it will be observed, deals with the expropriation of property within one of those foreign countries.

Mr. KEATING. The claims in Yugoslavia and in some of the other countries are what are called nationalization claims and are covered by separate treaties and legislation. Each country has a separate treaty, and such claims are not involved in this legislation.

Mr. LAUSCHE. It appears, from what the Senator from New York has said, that persons who are now citizens have property in one or more of those nations which he described, and that their property was damaged by bombing. So what nations will principally have to respond to absolute claims through funds which we have here?

Mr. KEATING. Under the terms of the original bill, these claims would be paid out of the assets of former enemy aliens vested during the war.

Mr. LAUSCHE. I thank the Senator from New York.

WHY THE SPECIAL SESSION WAS CALLED

Mr. SCOTT. Mr. President, will the Senator from New York yield?

Mr. KEATING. I yield.

Mr. SCOTT. Will the Senator tell me his understanding of why this special session was called?

Mr. KEATING. Having opposed the calling of the session at this time, and feeling that if it was necessary to go over, we should have gone over until November, and not have had a special session on the eve of an election, I am a little hard pressed to answer the question asked by the distinguished Senator from Pennsylvania.

Mr. SCOTT. Is it not a fact that this session was called at the request of the majority leader, and not at the request of the President of the United States?

Mr. KEATING. That is true. This is not a session which was called by the President of the United States.

Mr. SCOTT. But since then, the President has submitted a number of measures which have not been acted upon, some of which he has been recommending for more than 5 years.

Mr. KEATING. That is correct. I intend, in my detailed analysis, to point out when every one of these 21 points was previously recommended to Congress by the President of the United States.

Mr. SCOTT. Is it not a fact that all these recommendations have been made by the President to this or previous Congresses before we adjourned in July?

Mr. KEATING. There are only three proposals in his message, one calling for an increase in the mutual security contingency fund, one calling for a $600 million Latin American assistance fund, and one calling for an international food bank, which were not previously included in messages up to that time.

However, with those exceptions, the statement of the Senator from Pennsylvania is correct.

Mr. SCOTT. I have the impression that heretofore Congress, in a period of 2 weeks, has been able to enact a couple of hundred measures or more.

Mr. KEATING. I believe that 426 bills were once passed in a 2-week period. I do not know whether that was in this Congress or previously. I am sure that figure came from authentic sources.

Mr. SCOTT. Would the Senator agree with me concerning the occurrence which we noted yesterday? Through a parliamentary tangle there was an exemption of coverage of 900,000 people rather than some 400,000 people; or, as was represented originally, an error of 500,000 people in coverage was made in the bill. At the last session the other body, in the same minimum wage bill, made an error by striking out 14 million people from coverage. Does not the Senator agree with me that that is very sloppy, careless legislating, and that perhaps it arises from the fact that we may be attempting to enact legislation in a climate which is not altogether favorable for highly controversial legislation?

Mr. KEATING. I think that is a very good illustration of hasty action and an effort to dispose, in an inadequate time, of very complicated legislation. The Senator has used that illustration very well. If we had had a minimum wage bill before us in March or April, or around that time, for mature deliberation and consideration, I feel certain that we would not have made the errors to which the Senator has referred. It is very difficult to legislate on a complicated subject of that kind in a limited time—a sharply delimited time—and with other things pressing in so much upon us. If

we had gone to work earlier and had not tread water so long earlier in the session, we would have been able to take up that legislation at that time.

Mr. SCOTT. The Senator, too, is aware, is he not, that the other body, which was scheduled to meet on August 15, has been unable to acquire a quorum and, therefore, has not met all of this week?

Mr. KEATING. My understanding is that the other body has been unable to muster a quorum.

Mr. SCOTT. Does the Senator know, in view of the various conflicting statements, whether the Senate will be in session tomorrow or not?

Mr. KEATING. I do not know. I have not been advised as yet. I have an item taken from the UPI ticker. I cannot vouch for the accuracy of it, but I know the fine journalists who represent the UPI on Capitol Hill, and I have every reason to believe that this is an accurate statement.

It refers to the majority leader as having said yesterday that he was now uncertain whether the Senate would meet on Saturday. Notice was given by some Senators that they will be out of town for political speeches. The majority leader added that the absentees do not include the presidential candidates.

Then I noticed on the ticker this afternoon that the Senator from Massachusetts [Mr. KENNEDY] will leave the National Airport at 8 a.m. tomorrow for Kansas City en route to Independence, Mo., and conferences with former President Truman, and the Democratic farm conference at Des Moines.

Mr. SCOTT. This is truly a puzzlement. What does the Senator make of it?

Mr. KEATING. I do not know what to make of it. I do not want to be critical of the majority leader or of the distinguished Senator from Massachusetts. One possible conclusion would be that the Senator from Massachusetts has withdrawn as a candidate for President and is no longer a presidential candidate. But I cannot believe that that is so. He certainly has not imparted that information to me. He was right beside me today when he paid a very fine tribute to a great American, Bernard M. Baruch. I am sure that if he had withdrawn as a candidate for President he would have told me about it at that time.

So I do not think that conclusion can correctly be reached, and I would not want to draw any sinister conclusions of any nature.

I am merely stating what the UPI ticker shows and the Senator from Pennsylvania must draw his own conclusions.

Mr. SCOTT. Will the Senator tell me where the junior Senator from Massachusetts has gone, in Missouri?

Mr. KEATING. I do not know. I am not responsible for where he goes. The ticker item says he is leaving tomorrow morning at 8 o'clock. He was here just now, with his usual friendly countenance, and asked me to yield to him, in order that both of us could pay our tributes to a great American. I do not know where the Senator from Massachusetts has gone but certainly he does not need to be responsible to me for where he goes.

Mr. SCOTT. I just wondered whether the Senator from New York thought we could transact any business tomorrow in the absence of the majority leader and the majority leader's leader.

Mr. KEATING. I do not know. The last I heard was the statement of the majority leader that we would not be in session tomorrow. I do not know whether that arrangement has been changed, or what the present situation is. I have just now read from what appeared on the UPI ticker.

Mr. SPARKMAN. Mr. President, will the Senator from New York yield?

Mr. KEATING. I yield.

Mr. SPARKMAN. I am pleased to state that there will be a session tomorrow; and I hope both the Senator from Pennsylvania and the Senator from New York will be here at that time.

Let me remind the Senator from New York that when the majority leader discussed the matter yesterday, he said there would be a session tomorrow provided the committee was able to get the bill before us. And the bill will be before us.

As to the comments in regard to where certain persons are, let me say the Senator from Massachusetts [Mr. KENNEDY] has been on the floor all day.

Let me ask now, where is the Vice President? He is a candidate. Where will he be tomorrow? And where was he on Wednesday of this week? And where has he been day after day, not during the campaign, but during the regular session of the Senate?

Mr. KEATING. I am happy to reply to the Senator on both points.

First, I wish to say that I am glad to know there will be a session tomorrow. Certainly we will be here then.

Second, as to the presence of the Vice President, I do not consider that I am any more responsible for his presence than I am for the presence of the junior Senator from Massachusetts [Mr. KENNEDY].

Yesterday the distinguished majority leader said the absentees did not include the presidential candidates. So I assume that the majority leader spoke for both the Senator from Massachusetts [Mr. KENNEDY] and the Vice President, who are the two presidential candidates.

I do not know about the statement which appears on the ticker. It seemed curious to me that these two stories appeared on the ticker. But I cannot answer about them.

Mr. SPARKMAN. Mr. President, will the Senator from New York yield once more to me?

Mr. KEATING. I yield.

Mr. SPARKMAN. I should like to make clear, also, that it is the plan of the leadership to have the Senate stay in session tonight, to take action on two important measures which the President has requested. So if the Senator from New York will finish his speech, we shall get to work on those two measures.

One of them calls for $100 million to be added to the President's contingent fund. The President has requested that. The committee met this week, and proceeded under forced draft and under pressure, and worked overtime, long hours, and reported that bill as the President requested it; and now the bill is the pending business, and we are here, and are eager to reach a vote on it.

Immediately following that bill, we shall take up another measure the President has requested; and it calls for $600 million.

The Senator from Ohio was in the Foreign Relations Committee when we worked long hours, overtime—and did not receive any time and a half pay for overtime, either. [Laughter.] We have reported that bill, too. And as soon as the pending business is finished, we shall call up that bill; and we intend to remain here tonight until both those bills are finished.

Mr. KEATING. That is fine.

Mr. SPARKMAN. So I trust that the Senator from New York and the Senator from Pennsylvania will be here with us.

Of course, I am sure the Senator from New York will continue to make a very interesting speech on the President's legislative program. And as soon as the Senator from New York finishes his speech, we shall do our best to enact these parts of the President's legislative program. But we cannot do that if the dialogue between the Senator from New York and the Senator from Pennsylvania continues and if they continue to discuss the presence or the absence of the Senator from Massachusetts and the Senator from Illinois——

Mr. DIRKSEN. I just came in. [Laughter.]

Mr. SPARKMAN. Oh, excuse me.

Mr. KEATING. Mr. President, I wish to answer my able and courteous friend, the Senator from Alabama. I am very happy that the distinguished Senator from Alabama and his confreres have reported these two bills. I assure him that I shall be here for their consideration, and I shall support them. I commend the committee for promptly reporting these parts of the President's program.

Mr. SCOTT. Mr. President, will the Senator from New York yield?

Mr. KEATING. I yield.

Mr. SCOTT. I thank the Senator from New York for yielding to me.

In view of the statement made by the Senator from Alabama as to where the Vice President was, I think I can assure the Senator that at the time when the Senate voted on the amendments to the minimum wage bill, and particularly when it voted on the one key amendment, the Vice President at that time was in the Chamber; and at other times he was immediately off the Chamber, close to it, in the event that any of those amendments involved tie votes.

I do not need to remind the distinguished Senator from New York that the duty of the Vice President is limited by the Constitution to voting in the case of a tie vote. The Constitution does not even require the Vice President to preside over the Senate. The Constitution

says the Vice President shall be the President of the Senate, but shall have no vote, save in case of a tie.

And ever since the Senator from New York and I have been in the Congress—some 16 or 18 years—both of us have been aware of the fact that the President pro tempore, now the distinguished senior Senator from Arizona [Mr. HAYDEN], who is a member of the other party, is in control as to what Senator shall occupy the chair following the time when the Vice President presides over the Senate at the opening of the sessions, and that the President pro tempore can put in the chair any Senator he may wish to designate.

The Vice President has far more important duties than merely sitting on the rostrum; and the Vice President has made of the office of Vice President a more useful office than it has ever been before. The Vice President could not have presided over the National Security Council, and occasionally over the meetings of the Cabinet, if he had been required to sit on the rostrum in the Senate Chamber every moment of the time when the Senate was in session.

As a matter of fact, if the Vice President had been required to be in the Senate Chamber at all times when the Senate was in session, and to have presided over the Senate on all such occasions, no one would have been more unhappy than would the Senators on the other side of the aisle, who then would have claimed that our side was appropriating a function which was properly theirs, in view of the fact that they constituted the majority party here.

In fact, it seems apparent that all the smokescreens and obfuscations, particularly those by my dear friend, the Senator from Alabama, are designed to conceal the fact that the junior Senator from Massachusetts [Mr. KENNEDY] during most of the sessions of the 86th Congress has been absent from the Senate. Yet the junior Senator from Massachusetts has the same obligation to be here that the Senator from New York and I have. On the other hand, the Vice President has no obligation, either under the Constitution or otherwise, to be here, except to vote in case of a tie vote.

Therefore, there is no merit whatever in the continued arguments by Senators on the other side of the aisle as to where the Vice President is. I would imagine they are going to hear sufficiently from the Vice President, from now on, and certainly enough to satisfy them. I am sure there will be a complete answer to any question they may have to ask about where the Vice President is.

I am sure the Vice President can take care of himself; but I do believe that the public are not going to be deceived by all the talk which is designed for only one purpose, and that is to make the public believe—falsely—that the Vice President has an obligation to be here, to take part in the debate, to occupy a seat as a Senator, and to participate in the debates in this body—which, indeed, he cannot do. And since he cannot, he has done more than any other Vice President has ever done, which is to make that post a useful post of service to the United States both here and abroad. He has indicated that, in his view, the next Vice President, whoever he may be, ought to have even more duties than he himself has had during his term of office.

I hope the Senator from New York agrees with me that this constant cry which arises from the other side of the aisle as to "Where is the Vice President?" and the rather juvenile stopwatch technique are designed solely to try to cloud and conceal the fact that the majority leader's leader has failed throughout the session, on numerous occasions, to be present and to exert the leadership which others tell us he is potentially capable of exerting.

Mr. KEATING. Mr. President, I agree completely with the remarks of the distinguished Senator from Pennsylvania about the duties of the Vice President. He has not been a leather-bound Vice President, and there would have been great criticism of him if he had been. We have had previous Vice Presidents, many of them beloved men, who have enjoyed sitting in the seat now so graced by a distinguished colleague, and they have enjoyed sitting around in the cloakrooms and talking with Senators. That is fine. We have enjoyed having them. But the present Vice President has gone to the four corners of the world, representing our country, and he has announced that he would expect the next Vice President would do so. Knowing both of the candidates for Vice President, I can scarcely imagine that either of them would sit there for very long. We know the custom that the filling of the chair is primarily the responsibility of the majority party. I am sure that will be continued. The only caveat I would want to inject with respect to the remarks of the distinguished Senator from Pennsylvania is that there might be an implied criticism of our distinguished, beloved, able, revered colleague from Arizona [Mr. HAYDEN], who is the President pro tempore of the Senate; and we have a President pro tempore for the very purpose of presiding or designating someone to preside here.

Certainly, there is no Senator on either side of the aisle who would say that the distinguished Senator from Arizona ought to sit up there all the time, or even a substantial part of the time, particularly when it is as well graced as it is by the present occupant of the chair [Mr. MUSKIE].

I now yield to the Senator from Montana [Mr. MANSFIELD] with the understanding that I do not lose the floor.

PRINTING OF ADDITIONAL COPIES OF SENATE REPORT NO. 1856—SOCIAL SECURITY AMENDMENTS OF 1960

Mr. MANSFIELD. Mr. President, I send to the desk a resolution, and ask for its present consideration.

The PRESIDING OFFICER. The resolution will be stated.

The Chief Clerk read as follows:

Resolved, That there be printed for the use of the Committee on Finance, United States Senate, three thousand additional copies of Senate Report No. 1856, current session, being the report made by that committee on the social security amendments of 1960, together with minority views.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 365) was considered and agreed to.

EARL W. KINTNER

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. KEATING. I yield to the Senator from Illinois on the condition that I do not lose the floor.

Mr. DIRKSEN. Mr. President, Paul Healy, one of the columnists for the Daily News, has written a very interesting article on Earl W. Kintner, whose name is before us as nominee to the Federal Trade Commission. The article appeared in the Daily News of Monday, August 15, 1960, and I ask unanimous consent that it be included in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Daily News, Aug. 15, 1960]

(By Paul Healy)

WASHINGTON, August 14.—The man who has gone to extremes to protect you from gyp schemes and other phony business practices is facing an end to his Government career—unless the Senate Democrats undergo a nonpolitical change of heart.

The living proof that virtue is its own reward is Earl W. Kintner, Chairman of the Federal Trade Commission. Kintner is a former General Counsel of the FTC and the only career man ever appointed to head the agency. During the 14 months he has been Chairman, Kintner and the FTC have filed 503 complaints against unscrupulous businessmen—as many as were filed in the first 5 years (1948–53) he worked for the agency.

On the question of payola, Kintner's administration this year has brought 102 complaints against radio and TV stations charging undercover payments to diskjockeys to push phonograph records. Sixty-three of these complaints already have resulted in agreements to stop the play-for-pay music.

Also during his term as Chairman, Kintner has made 160 speeches, appeared 300 times on TV programs, and held nearly 300 press conferences. Maybe this seems like overexposure of a bureaucrat, but Kintner maintains that he can't tell his story too often.

"My aim in speeches is to alert the public to dishonesty in the marketplace," he explains. "If the housewife can spot the gyp schemes and gyp advertising, it will cut down the work of this agency and protect the honest businessman."

Kintner has built a fire in one of the oldest and coldest of our executive agencies. There is still a widespread misconception about the function of the FTC, which is authorized to guard our free enterprise system by rooting out come-on tricks as well as unfair competition between firms.

In the old days within the FTC, there was never any doubt about the lack of urgency in its mission. It was called "the country club of the Federal Government." Some cases took over 3 years to "expedite."

SURE KINTNER'S A GOOD MAN, BUT—

What has Kintner gained by crusading against shady businessmen? Last February

President Eisenhower nominated him to another 7-year term. In May, the Senate Commerce Committee held a hearing, and Democrats as well as Republicans smiled on Kintner for his good works. But this was the kiss of death. Since then, his nomination has been ignored—and his term is due to expire September 27.

The point is that the Democrats expect to take over the White House in January and Kintner's $20,000-a-year job is a sugar plum they want to pluck. Kintner is a Republican and the makeup of the FTC is now three Republicans and two Democrats.

What's more, the two Commissioners whose terms expire next after Kintner's are Democrats. The new administration thus would have to wait until the two GOP members' terms expired in 1963 before they could replace a Republican with one of their own—unless they first created a vacancy in Kintner's job.

Actually, partisanship plays no part when the FTC votes. More important than the makeup of the Commission, for patronage purposes, is the job of Chairman, since he hires the agency's staff. And the new White House rulers will be free to appoint any FTC member as Chairman of the Commission, regardless of whether Kintner is still a member.

GOOD RECORD DOESN'T MEAN MUCH

Nonetheless, the Democrats have made it clear that Kintner is tabbed as the first—if slightly premature—casualty of the Andrew Jackson spoils system. The fact that Kintner is well liked on Capitol Hill, and that no one claims he has been careless about the public business, means nothing.

LAWMAKING IN DOG DAYS

Mr. DIRKSEN. Mr. President, my old friend, Raymond Moley, whom I have known a very long time, and who does an article for Newsweek, on the last page of that very distinguished publication has written an article on "Lawmaking in Dog Days." I commend it to my colleagues in the Senate and to all of the citizenry of the country, and ask unanimous consent that it may be included in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Newsweek, Aug. 22, 1960]

LAWMAKING IN DOG DAYS

(By Raymond Moley)

To claim that this resumption of the final session of the 86th Congress is necessary is a monstrous fraud. The Senate leadership, deliberately or by acquiescence, permitted a slowdown in May and June. To pass legislation in the dog days for political purposes is to put political advantage above a sacred public responsibility. For the intention is either to present strident minority groups with handouts from the Federal revenue or to force a President with a will and conscience to be pilloried by his vetoes in September and October as a man callous to the needs of the poor, the ill, the elderly, and to the necessary public services of the Nation. The dog days, according to Webster, are a time of "malignant influences." The phrase is apt.

Let us consider one subject listed for action in this period—medical care for the elderly. It may be taken for granted that the Democratic majority is intent upon carrying out the terms of the party platform on this subject: "We shall provide medical-care benefits for the aged as part of the time-tested social security insurance system. We reject any proposal which would require such citizens to submit to the indignity of a means test."

POINT OF MADNESS

The Republican platform would allow for optional purchase of private insurance and provide Federal assistance grants to the States for those who need help. It recognizes that to give to all without regard to need would be financial insanity. For no one knows how many would participate in a free scheme for all. We do know, however, that to limit assistance to recipients of social security benefits would give to many who do not need help and omit many who do.

For the Democratic platform to call social security (OASI) "insurance" is wrong. "Insurance" was never used in the original Social Security Act. It has been judged by the Supreme Court to be a gratuity, not the payment of an equity in insurance. Those who receive payments are getting benefits paid out of the earnings of those below retirement age and by their employers.

The income to the so-called trust fund is not enough to meet the outgo. The fund could be headed for bankruptcy, and all that those who will have paid into it for years can rely upon is a grant by Congress from general revenues or from a big increase in the present rate of tax. To load health onto the burden—that is to make OASI into OASHI—would, according to William R. Williamson, who used to be chief consulting actuary for the system, carry "fiscal irresponsibility to the point of madness." It is a conservative estimate that OASI plus health "insurance" would shortly cost 20 percent of the first $4,800 of payroll.

LEGISLATING IN DARK

The enormous increase in tax on employers would obviously be passed on to consumers in inflationary prices and would be a powerful force in pricing the United States still further out of the world market.

To enact the Forand bill in any modified form would be legislating in the dark. I have read laboriously hundreds of pages of hearings and other literature on the subject and I cannot find that anyone, in either Congress or the administration, knows how many people would need such help or has any idea of what it would cost.

It is further evident that no one in the Government has fully explored how much of the problem could be solved by practical application of tax deductions. For example, a deduction for children or other relatives of aged persons so that private insurance could be bought. There is a moral issue here. Would or would not JOHN F. KENNEDY help Father Joe if he went broke and got sick? Or would he disregard the moral strictures of religion and pass old, sick Joe over to a vague thing called society?

Further exploration should be made of tax adjustments for corporations which would provide health insurance payments for their retired employees. Another possibility would be whatever assistance is necessary to help private insurance to cover elderly people as well as younger ones.

The whole subject should be studied further, and any legislation should be considered next year in a calmer and more rational climate.

CANDIDATES IN THE NATIONAL ELECTION

Mr. DIRKSEN. Mr. President, Walter Trohan is a distinguished representative of the Chicago Tribune, and has labored in the vineyard in the Capital City for a long time. He succeeded Arthur Henning as the chief of the Tribune's Washington bureau.

Walter Trohan is a distinguished historian in his own right. He did a column on the Senate and on the conventions which has some rather interesting and verified historical material. I think it is of general interest, and therefore I ask unanimous consent that it be included in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Chicago Daily Tribune, Aug. 13, 1960]

REPORT FROM WASHINGTON

(By Walter Trohan)

WASHINGTON, August 12.—In the 1960 presidential campaign the U.S. Senate has reached a plateau of prestige comparable to the dignity of the senate of ancient Rome.

For the first time in American history all four candidates on the two national tickets have served in the Senate. Three of the four are now in the Senate. Further, both the Democrats and Republicans have picked Senators as national chairmen to run their parties' campaigns.

In the beginning the way to the White House was paved through the legislature. The first 11 Presidents served in the Continental Congress or the Constitutional Congress, or both. The first, who did not was Gen. Zachary Taylor, the hero of the Mexican War, who never voted.

Since Taylor, 10 Presidents have not served in Congress. These are Ulysses S. Grant, Chester A. Arthur, Grover Cleveland, Theodore Roosevelt, William Howard Taft, Woodrow Wilson, Calvin Coolidge, Herbert Hoover, Franklin D. Roosevelt, and Dwight D. Eisenhower.

After the adoption of the Constitution, John Quincy Adams, James Monroe, Andrew Jackson, Martin Van Buren, William Henry Harrison, Franklin Pierce, John Tyler, James Buchanan, Andrew Johnson, Benjamin Harrison, Warren G. Harding, and Harry S. Truman served in the Senate. Harding was the only man elected directly from the Senate and Johnson was the only President who served in the body before and after leaving the White House. Buchanan had the longest Senate service among the Chief Executives.

Presidents who served in the House as well as the Senate were Adams, Jackson, Harrison, Tyler, Pierce, Buchanan, and Johnson. Presidents who served in the House but did not serve in the Senate were James Madison, James K. Polk, Abraham Lincoln, Rutherford B. Hayes, James A. Garfield, and William McKinley.

All in all 22 of the 33 Chief Executives have had congressional experience. Three others served in State legislatures—Theodore Roosevelt, Calvin Coolidge, and Franklin D. Roosevelt.

Of the 36 Vice Presidents, 28 had congressional experience. Eight who had no House or Senate service are Daniel D. Tompkins, under Monroe; Chester A. Arthur, under Garfield; Garret A. Hobart, under McKinley; Theodore Roosevelt, under McKinley in second term; Thomas R. Marshall, under Wilson; Calvin Coolidge, under Harding; Charles G. Dawes, under Coolidge; and Henry A. Wallace, under F. D. R.

In 1960 the Democratic Party is offering the first ticket in history composed of two incumbent Senators—JOHN F. KENNEDY, of Massachusetts, and LYNDON B. JOHNSON, of Texas.

The Republican candidate, Vice President NIXON, served in the Senate in 1951 and 1952, before he was elected to preside over the Senate. The GOP vice-presidential candidate, Henry Cabot Lodge, Jr., served from Massachusetts from 1937 to 1944, when he resigned to join the Army, and then re-

turned to serve from 1947 until 1953, having been beaten by KENNEDY in the 1952 campaign.

Both NIXON and KENNEDY have House service. They entered the House together in 1947 and NIXON was elected to the Senate in 1950. JOHNSON served in the House from 1937 to 1948, when he was elected to the Senate. Lodge did not have House service.

The Republican National Committee is headed by Senator THRUSTON B. MORTON, of Kentucky, who was named April 11, 1959. The Democratic chairman is Senator HENRY M. JACKSON, of Washington, who was named after the nomination of KENNEDY in Los Angeles.

SECRETARY GATES ESTABLISHES DIRECTOR OF STRATEGIC TARGET PLANNING

Mr. DIRKSEN. Mr. President, I wish to take this opportunity to invite the attention of the Senate to a recent directive of the Secretary of Defense, Thomas S. Gates, Jr.

The matter I refer to is the announcement by the Defense Department on Wednesday, August 17, that Secretary Gates established a single agency for strategic target planning. This action by the Secretary of Defense should be a source of great reassurance. It is possibly one of the most meaningful improvements in our national security efforts since the end of World War II. By this action, Secretary Gates has anticipated the increasing importance of ballistic missiles, and particularly the contribution which the Polaris submarines will make to our strategic retaliatory strength.

Briefly, the action by Secretary Gates has designated the commander of the Strategic Air Command, Gen. Thomas S. Power, U.S. Air Force, as Director of Strategic Target Planning. In this capacity, as Director of Strategic Target Planning, and not as commander of the Strategic Air Command, General Power will be the chief planning agent for the JCS in developing and keeping up to date the detailed plans which are necessary to assure the maximum effective employment of all of our strategic retaliatory forces. There will be a Deputy Director, probably an officer of vice admiral rank in the Navy, who will be the principal assistant to the Director of Strategic Target Planning. Under the Director and his Deputy, there will be a carefully selected staff comprised of officers of the various services who have the special skills required for this highly important type of duty.

I believe it is important to recognize that this new system does not involve the establishment of an overall strategic command. Very wisely, Secretary Gates completely rejected a proposal for such an overall strategic command. His decision in this respect is obviously a very sound one, because the devastation and destruction which would accompany the initiation of a sudden attack might well destroy command and communication facilities. Accordingly, the execution of the plan prepared under the supervision of the Director of Strategic Target Planning will be the responsibility—and very properly so—of the unified commanders and the forces under them which have a role to execute in carrying out such plans.

Thus the newly instituted system provides for centrally directed operational planning, and realistic decentralized responsibility for execution of the plans.

It is further important to note that the Director of Strategic Target Planning is a subordinate agent of the JCS, and the plans prepared by his organization are not effective until reviewed and approved by the JCS and the Secretary of Defense. This emphasizes the Director's role as an agent of the JCS, and at the same time strengthens the JCS organization by providing it with a more meaningful participation in the strategic target planning process.

By way of summation, I believe it is important to recognize the following features of this recent action by Secretary Gates in establishing a Director of Strategic Target Planning:

First. It rejects an overall supreme strategic command.

Second. It strengthens our war proven and increasingly effective JCS system.

Third. It utilizes—and thus avoids duplicating—the highly specialized and expensive resources of the Strategic Air Command involved in target planning.

Fourth. It provides a highly selective staff of officers possessing specialized skills required for this important type of work.

Fifth. It assures a continuous planning process that will reflect changes in intelligence, new technological developments, and strategic capabilities. This is, as Members of the Senate will appreciate, another salient contribution by Secretary Gates to the efficiency of our Armed Forces and the enhancement of our national security.

This most recent action of solving the highly complex problem of strategic target planning take its place along with Secretary Gates' decision to sit with the Joint Chiefs of Staff and his consolidation of long-distance communications facilities, as another historic contribution to the effectiveness of our defense organization and forces.

Once again, our Nation and the free world have benefited from the leadership and professional knowledge of our present Secretary of Defense, Thomas S. Gates, Jr.

At this point I ask unanimous consent to have printed in the RECORD as a part of my remarks an article entitled "Gates Organizes Group To Assign Atomic Targets," by Peter Braestrup, appearing in the New York Times of Thursday, August 18. Mr. Braestrup's analysis of this recent directive of Secretary Gates is commended to the attention of the Members of the Senate.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 18, 1960]

GATES ORGANIZES GROUP TO ASSIGN ATOMIC TARGETS—GENERAL POWER HEADS CENTRAL PLANNING BODY GEARED TO MEET ANY ATTACK

(By Peter Braestrup)

WASHINGTON, August 17.—Defense Secretary Thomas S. Gates, Jr., created today a central planning group to assign nuclear weapons to enemy targets in case of war.

He called the decision the most important during his tour in the Pentagon.

Gen. Thomas Power, Chief of the Strategic Air Command, will "wear a second hat" as director of the interservice group, based at SAC headquarters in Omaha, Nebr., the Secretary said.

General Power will have a Navy officer, probably a vice admiral, as his deputy.

The Omaha group's first war plan is scheduled for completion by December 1. It will be subject to final command decisions by the Joint Chiefs of Staff, the Nation's top military body, now headed by Gen. Nathan Twining of the Air Force.

HOPE TO EASE DEBATE

Defense Department officials hope that the plan, though not intended as a compromise, will ease an Air Force-Navy debate over control of the Navy's Polaris missile; end overlapping target planning by the separate services and further strengthen the Joint Chiefs in accord with the Reorganization Act of 1958.

Secretary Gates emphasized that the plan did not represent "any change in the established national military policy" of deterrence and retaliation. Neither does it mark any change in U.S. relations with its allies, he said.

He rejected the idea of a single, centrally controlled strategic force. Instead, he said, the objective is centralized planning by the new group and decentralized execution of prearranged target assignments by the unified theater commanders and the SAC, should a nuclear attack occur.

INTEGRATED SYSTEMS SOUGHT

Mr. Gates and General Twining noted that the concept of a single retaliatory force, advocated in some Air Force circles, overlooked the possibility that its commander might become a casualty at the outset of war. Command flexibility in directing retaliatory forces, they said, would be precluded by the 15-minute warning expected in advance of any attack.

The new group has been ordered to develop an integrated target plan not only for the SAC B–47 and B–52 bombers and the Atlas missiles now operational, but also for Polaris submarines.

Aircraft carriers, Air Force fighter-bombers and Army medium-range rockets based overseas will be added as the Joint Chiefs and theater commanders see fit.

Representatives of the theater commanders who head the unified forces overseas and of the 3 services will be among the 40 members of the Omaha group.

A spur to first creation, Mr. Gates said, was the shift in U.S. retaliatory forces from manned bombers to a complicated "mix" of bombers, land-based and submarine missiles.

The current targeting system and strategic planning is "coordinated" rather than "integrated" by the various forces affected, Mr. Gates noted. This is a good plan, he said, but the future complexity and variety of weapons has made necessary the new system, which was created after a year's deliberation.

The new plan to properly integrate nuclear retaliatory forces was outlined by the Secretary to the Joint Chiefs and eight generals and admirals commanding unified theaters overseas and in the United States. General Power was present, as was Gen. Lauris Norstad, commander of U.S. forces in Europe.

The others, and their commanders, were: Adm. Harry D. Felt, Pacific; Army Gen. Charles D. Palmer, Europe; Adm. Robert L. Dennison, Atlantic; Army Lt. Gen. Robert F. Sink, Caribbean; Air Lt. Gen. Frank A. Armstrong, Alaska, and Adm. Harold P. Smith, Eastern Atlantic and Mediterranean.

BIRTHDAY FELICITATIONS TO SENATOR MORTON, OF KENTUCKY

Mr. DIRKSEN. Mr. President, today, if this is the 19th of August—and I think it is the 19th of August—marks the birth anniversary of another distinguished Member of this body, THRUSTON B. MORTON, the distinguished Senator from Kentucky.

He was born in Louisville in that great Commonwealth on the 19th of August 1907. So if anyone is curious about his age, all he has to do is examine this statement and, by simple arithmetical deduction, he can ascertain how old, or how young, this distinguished Senator from Kentucky is.

I think the fact ought to be noted because probably never again in the century will we see quite the juxtaposition of personalities in this body that obtains today, for sitting in this body as active Members are the presidential nominee on the Democratic ticket, the vice presidential nominee on that ticket, the Vice President of the United States as the nominee for President on the Republican ticket, the vice presidential nominee on that ticket being a former Member of this body, and the two party chieftains of the great national parties, both Members of this body.

I know it is against the rules, but I hope that somewhere along the line the rules may be suspended and that a photograph may be taken of this body with every one of these distinguished personalities at his respective station.

Mr. President, I return to facts about my great friend from Kentucky. He graduated from Yale University in 1929. He was a great soldier. When I use the word "soldier" I use it generically, for it includes the Navy and it includes the Marine Corps. I believe our distinguished acting majority leader [Mr. MANSFIELD] served in that great corps at one time.

THRUSTON MORTON—I accent the "Thru," because sometimes he is called "THRUSTON" and sometimes he is called "THURSTON" but his name is "THRUSTON, and I think every individual has a certain pride about his name and likes to have it correctly pronounced—I emphasize that THRUSTON MORTON spent 51 months on active duty in the U.S. Navy. That is nearly 4½ years. It is a great record.

He was elected to the House of Representatives and served in the 80th Congress. That is the last Congress in which I served in the House of Representatives. He was reelected to the 81st and 82d Congresses.

Thereafter he became an Assistant Secretary of State, and he served in that capacity for 3 years, from January 1953 to March 1956.

He was elected to the U.S. Senate in 1956.

It must be evident from this very brief sketch that he has had a great background as a legislator in the most numerous branch of the National Legislature, as the Constitution states; in this great, distinguished and deliberative body; and as a distinguished Assistant Secretary of State for 3 years.

In addition to his senatorial duties he manages and operates and is the directing head of the Republican National Committee. He is a man of charm, of great personality, who does justice to every one of the fine traditions of the Blue Grass State. I wish he were present at this moment to hear these encomiums, because I am confident that our colleagues on both sides of the aisle share this high estimate of the distinguished Senator from Kentucky, the party manager or chieftain of the Republican National Committee. Not only is he an affable and charming person, but he is tough, as we would have a national party chairman be. In that respect, I think he walks in the footsteps of Daniel Boone. If anyone could wear the coonskin cap not only in his own right but also in pursuance of a great tradition, that man is THRUSTON MORTON, the distinguished Senator from Kentucky.

Today we observe his 53d birthday. I observe all these distinguished gentlemen on the floor of the Senate. I utter what I asserted the other day, "Oh, to be 53 again." That comes from the pinnacle of age, as I look down the vista of years and sometimes refer to these distinguished young gentlemen as only an older protege can do. One would think I have become conscious of the fleeting years, and yet the years do not fleet. That is a myth, Mr. President. Time does not fly. The years do not fleet. It is we who, like some great part of a cascading fountain, merge through this motionless and stationary medium we call time.

Long ago, some perverse characters taking account of the sun, the stars, and the moon, beset us first with hour glasses, then with calendars, and then with clocks, all obedient, of course, to the motions of the planets. So when the earth goes around the sun once we put a little mark down and we say, "A year has gone by." No, Mr. President, a year has not gone by. We have simply, as individuals, moved through a year.

So THRUSTON MORTON, our distinguished colleague, has moved through 53 years. Fifty-three times the Earth has gone around the Sun to mark his progress. May the length of his days be many, as those in ancient days used to recite it, and with it may the worth of his days be great. I salute our distinguished colleague from Kentucky on his 53d natal anniversary.

Mr. KEATING. Mr. President, I was happy to yield to the genial and distinguished minority leader for brief remarks.

Mr. DIRKSEN. I trust the remarks were brief.

Mr. KEATING. They were brief and very much to the point.

I join with the distinguished Senator in the tribute to our delightful companion and able colleague, THRUSTON MORTON, who occupies the desk next to mine. We entered the House of Representatives together. We have been good friends. He occupies a position in the Senate, and also a strictly partisan position. I know of no one who has combined those two rather arduous duties more ably than has our colleague. He is able to separate the one duty from the other in an admirable fashion.

I join in congratulating our colleague on his natal day, and I wish him many more and great success. I wish him, indeed, political success.

I am happy to have him referred to—if I may have the attention of my friend from Illinois—as THRUSTON MORTON. He is sometimes called "THROOST," or "THRUST," but it is very important to get away from "THURSTON," for there is nothing which annoys him more than to have his name pronounced wrong.

One thing I would not want to have him called is "THRU," because he is not through. He has a great future ahead of him. I hope it is not only a great personal future but also a great political future. I know my friend from Illinois joins with me in that expression.

Mr. RANDOLPH rose.

Mr. KEATING. Mr. President, I am happy to yield to my friend from West Virginia, with the understanding that I do not thereby lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

DRAMATIC GROWTH OF AIR TRANSPORT AND GENERAL FLYING ARE REVIEWED ON NATIONAL AVIATION DAY

Mr. RANDOLPH. Mr. President, August 19 is the birth date of Dr. Orville Wright, the first man to successfully pilot heavier-than-air craft. Today is also the day set aside as National Aviation Day, in acknowledgment of the achievement of the Wright brothers and of the contributions of the thousands—both famous and anonymous—who have built aviation into a great industry.

It was my privilege to introduce in the House of Representatives the Senate Joint Resolution which led to the establishment of the first National Aviation Day in 1939.

Since that time, Mr. President, we have seen the aviation industry grow to become a major segment of our economy, a decisive factor in war, and a vital component in maintaining the peace. Since this is National Aviation Day I think it is fitting to comment on some of the milestones of civil aviation and briefly glance at some of the measurements of its growth.

FIRST TRANSCONTINENTAL FLIGHT REQUIRED MORE THAN 33 HOURS

The first transcontinental flight in 1921 required 33 hours and 21 minutes from coast to coast. Now an eastbound flight covers the same distance in approximately 4 hours.

The most dramatic growth in commercial air transportation has occurred, however, in the past two decades. Common carrier air service is now available to all cities over 100,000 population, more than 75 percent of those cities over 10,000 and 50 percent of those communities over 1,000. West Virginia cities and our States citizens have benefited from this expansion.

Since 1939, passengers carried have multiplied 30 times—the ton-miles of freight, more than 200 times. The num-

bers of aircraft have increased more than 5 times and seats available more than 20 times.

The people employed has increased some 12 times, from 13,300 in 1939 to 162,029 in 1959, while airline payrolls have increased during the same period some 50 times, from $24 million to $1,200 million.

Perhaps even more dramatic has been the evolution of the aircraft itself. In two decades, cruising speeds have increased from 160 miles per hour to over 600 miles per hour. From aircraft with nonpressurized cabins operating at altitudes of 8,000 to 10,000 feet above sea level, we have advanced to pressurized flight 5 to 6 miles above the earth. Planes capable of carrying a maximum of 21 passengers have given way to planes with more than 100 seats plus great capacity for freight and mail.

A large and growing factor in the total aviation industry, and one which makes substantial contributions to the national economy, is a category of flying known as general aviation.

BUSINESS AND PRIVATE FLYING ARE ON INCREASE

This embraces all civil flying except that of the scheduled airlines and includes business, industry, agriculture, air taxi and air cargo services, instruction, geophysical research, survey and patrol, and nonbusiness personal uses.

Today there are more than 70,000 general aviation aircraft providing air transportation between 6,412 listed airports in the United States and territories.

The Federal Aviation Agency has predicted a 100-percent increase in active general aviation by 1975. The Aircraft Owners and Pilots Association, a trade association of owners and users of general aviation aircraft, now has more than 75,000 members throughout the United States. Hours flown in business use have more than doubled during the past 10 years, from 2,615,000 in 1949 to an estimated 5,700,000 in 1959.

These are but a few of the dramatic and important facts of the development in civil aviation during the past two decades. And they more than justify, Mr. President, the hopes and faith of the early pioneers of aviation.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. KEATING. I yield to my friend, the Senator from New Mexico, with the understanding that I shall not lose my right to the floor.

Mr. CHAVEZ. The Senator from West Virginia has given us some most interesting facts. In the latter part of June 1939, in the company of the great and late Senator Lundeen, of Minnesota, Congressman Cannon, of Missouri, Marvin McIntyre, Steve Early, and others and I participated in the initial flight on the *Yankee Clipper*, the amphibian that sank in Lisbon Bay, and at that time it took us 34 hours in order to get from New York City to points in Ireland. That flight illustrates the difference between aviation at that time and what it is at the moment. Today, conventional aircraft fly to Ireland from New York in 10 to 11 hours, while jets reach England in 6½ hours.

Mr. RANDOLPH. The observation of my colleague is timely. I believe the words of Tennyson in 1840 were beautifully prophetic when he wrote:

I dipt into the future, far as human eye could see,
Saw the Vision of the world, and all the wonder that would be;
Saw the heavens fill with commerce, argosies of magic sails;
Pilot of the purple twilight, dropping down with costly bales;
Heard the heavens fill with shouting, and there rained a ghastly dew
From the nations' airy navies grappling in the central blue;
Far along the world-wide whisper of the southwind rushing warm,
With the standards of the peoples plunging thro' the thunder-storm;
'Til the war-drum throbb'd no longer, and the battle-flags were furl'd
In the Parliament of man, the Federation of the world,
There the common sense of most shall hold a fretful realm in awe,
And the kindly earth shall slumber, lapped in universal law.

Yes, Mr. President, those were prophetic and beautiful words, symbolic of the growth of an important phase of the transportation development in our Republic.

THE PRESIDENT'S 21 POINTS

Mr. KEATING. Mr. President, I have heard a great deal of talk on the floor of this Chamber about the legislative program that the President set forth in his special message on August 8. I have heard it said, by several Senators, that the items embodied in the President's message were new. I have even heard it said that the President got his ideas for the message from the Democratic platform, that he had never had these ideas before, but that, now in—and I quote "his twilight years"—he was forced to turn to the Democratic Party for his program.

When I heard these points first made, I thought our colleagues on the other side were just joking. I found it hard to believe that they could possibly have such short memories. In short, I was astonished.

Now, in the words of a distinguished Democrat of my State, the late Alfred E. Smith, "Let's look at the record." The truth of the matter, Mr. President, is the proposals in the President's message are not new at all. With only one or two exceptions the President has been urging the passage of these very measures for years—not even for months, but for years. If anyone thinks that these are new proposals, the only conclusion that I can reach is that they have not listened to any of the President's previous messages. Perhaps they were absent on other business. That is the only way they could possibly have managed not to hear every single one of these recommendations earlier. Or perhaps they are so concerned with their own program that they do not recognize its perfectly legitimate forebears.

But it is time, I think, to set the record straight. I should like to trace, for the edification of those who are interested in the truth, the history of the proposals which the President made at the beginning of this session. For those who have been Members of the U.S. Congress for the last 8 years and who have carefully listened to the recommendations from the White House, this history may seem somewhat tedious. But to the majority, who have apparently never heard any of the President's previous words, no doubt the following account will be completely new and fascinating. In any case, I hope, it will be instructive.

Just a few statistics to start with. Of the 24 projects which the President mentioned on August 8, 4 were first proposed as far back as 1953. In other words, for 7 years and 7 months, these projects have been on the President's agenda, but not, it would appear, on that of Congress. Two were proposed in 1954. Two more were proposed in 1955. One more was proposed in 1957, one in 1958, two in 1959. Only one of the major proposals was made for the first time this year. On the average, each of these proposals was made not once, but seven times. The President did specifically label as new three proposals, one calling for an increase in the mutual security contingency fund, one calling for a $600 million Latin American assistance fund, and one calling for an international food bank. All of his other proposals—I repeat that—all of his other proposals were first made at an earlier date.

First. Mr. President, I shall take up seriatim and document this statement. The first item on his list is civil rights legislation. As the President pointed out, the civil rights legislation that was passed this spring, after 2 months of procrastination and filibuster, did not contain two major items that the administration had requested. The 1960 law omitted, first, any measures to assist State and local agencies in meeting costs of special professional services needed in carrying out public school desegregation programs. Second, it failed to provide for a Commission on Equal Job Opportunities Under Government Contracts.

Both of these proposals were clearly in the President's mind January 9, 1959, when in his state of the Union message he pointed out that progress in the field of civil rights must continue. He declared that the administration's specific legislative plans would be offered early in the session.

The President lived up to his word in a special message February 5 of that year, 1959, that is, 18 months ago. Then, in virtually the same words as he used 2 weeks ago, he recommended laws to provide temporary aid to State agencies to facilitate desegregation processes, and to provide a Commission on Equal Job Opportunities Under Government Contracts.

When this message bore no fruit, the President pointed out again, in his state of the Union message in January 1960 that he hoped his earlier recommendations "will be among the matters to be seriously considered in the current session." The requests were repeated in the budget message of that same month and in the Economic Report.

Although the President signed the emasculated civil rights bill that finally emerged from Congress, he pointed out in his May 3 special message, that the Congress had "rejected certain of my recommendations in this area—those relating to equality of job opportunity and assistance to States attempting to desegregate their schools." After the conventions, he quite rightly assumed from the platforms of both parties that still further advances were possible in this field. Therefore, his special message last week contained these important provisions that the Congress, not the White House, had omitted from the 1960 Civil Rights Act.

How then, anyone could say these were new proposals, is a mystery to me, especially in view of the number of words that were expended on civil rights this session. The only thing that is new about these suggestions is the expressed—I repeat—the expressed willingness of the majority party to support them.

Second. Let me take the next item on the President's agenda for this session—Federal assistance in the construction of educational facilities. The President first spoke of the need for some kind of Federal help for the school system in February 1953, that is, in his first state of the Union message. That was, if I may use the image of one of my distinguished colleagues, in the dawn of this administration, 7 years and 6 months ago. Two years later in 1955 and again in 1956 and again in 1957 an entire Presidential message was devoted to this subject. School construction needs were mentioned in the economic report for 1957, in the budget message for 1958, in the 1960 state of the Union message, in the budget message for 1961, and in the special message of May 3, 1960.

Yet, somehow, the idea of Federal aid for school aid seems to be a brandnew one to some. It is still a revolutionary concept. They can only assume that the President got the idea from the Democratic platform, now barely a month old.

In delineating these items I am not stating that the Senator from New York or any other Senator would support all of them. What I am saying is that the President's program is not new. It has been here a long time. To say it is a new program which he sent to us for this special session, makes no sense whatever, as I hope I shall be able to show.

Third. Let us take the issue of medical care for the elderly, the next point on the President's list. Early in May, the Eisenhower administration offered a program that, in the words of the President "will take full advantage of, and support, the progress that has been made by private effort"; "It will recognize," he continued "the traditional Federal-State relations in various fields of assistance; and additionally, it will not do violence to the private relationships that must continue to characterize the rendering of health care services." Whether one supports in detail the exact administrative arrangements of the program that was presented by the Secretary of Health, Education, and Welfare or not, there is still no reason to pretend that the administration had not offered this plan well in advance of this post convention session.

Fourth. The President's proposals for an extension of coverage of the Fair Labor Standards Act and an increase in the minimum wage have a 5-year history. In January 1954 and 1955 the President requested both an increase in the level of the minimum wage and an extension of the workers covered. In January 1956, the minimum wage was raised to the present $1 an hour rate. The President continued to recommend that the coverage of the Fair Labor Standards Act be expanded in both the budget messages and the Economic Reports of the years 1957, 1958, 1959, and 1960. In May of 1960, the President once again reminded Congress of his wish for an extension of the Fair Labor Standards Act coverage, and pointed out that the minimum wage could be upped again without weakening the economy. Surely 5 years of administration-proposed bills cannot be forgotten so fast. In fact, on this issue as on many others, the administration has consistently, politely, and clearly indicated just what legislation it would like passed. Unfortunately, the majority not only has failed to pass the legislation—up to last night; it appears also to have forgotten that the President asked for it.

Fifth. Let us take up next the question of agricultural bills. No one, I think, would have the temerity to suggest that the Eisenhower administration just invented this problem to put in the President's special message. But there are those who want to blame the administration for the fact that no responsible, effective, and workable legislation has been produced. The policies of the Eisenhower administration were fully set forth in the special message on agriculture of January 11, 1954, that is, 6½ years ago. At that time the administration called for a program of flexible price supports on most agricultural commodities with the aim of reducing the vast surplus supplies that had been accumulating.

This recommendation was repeated in every state of the Union message that the President prepared, with the exception of one. The farm problem in one aspect or another was dealt with in seven different special messages, most of them devoted only to the one problem of farm surpluses and declining agricultural income. Every single budget message and Economic Report touched on the subject in one aspect or another.

Yet, in the face of clear administration desires for a policy of flexible supports, the only actual legislation that Congress has passed that was directed at cutting down in the production of surplus foods was a bill to raise prices to a fixed 90 percent of parity. That the President vetoed such an artificial and rigid piece of legislation was hardly surprising, since it represented a violation, not a fulfillment of his program.

In his state of the Union message last January, the President again called attention to the failure of Congress to face up to the basic issues of the farm problem. Still no congressional action. In his special message on agriculture, February 9, 1960, the President went as far toward accommodating Congress on this matter as any responsible Executive could go. He said he would approve any one or a combination of constructive proposals which Congress might enact, just as long as they kept realistic price-support levels and avoided direct subsidies.

In May, he repeated his plea for constructive congressional action. Still we have no wheat bill. The costs of surplus commodity storage are mounting. The President and the American people are waiting for action. Yet, amazingly enough there are those who actually seem to think that the farm problem is just a new political demon that the President is exercising for the benefit of the campaign.

Sixth. The next item of important legislation on the President's list was a program of area assistance for chronically blighted regions. In 1955 the President called for a major study of the problem. In 1956, the state of the Union message pointed out that "a soundly conceived Federal partnership program" could be of real assistance to local government bodies in eliminating dependence on a single industry and thus reducing unemployment. In 1957 and 1958, the subject was dealt with in both the budget message and the Economic Report.

In August 1958, the Congress finally passed an area redevelopment bill that bore little or no relation to what the President had requested. The bill that was passed would have provided a real gravy train for any community that had even a slight and temporary unemployment rate. The Federal Government would have been expected to subsidize any number of projects that are perfectly within the capabilities of the States and municipalities. That was in no way the bill that the President wanted, so the President vetoed it, calling for action along the more limited lines that he had originally proposed.

Budget messages and Economic Reports continued to stress the need for a limited program for areas with chronic unemployment. Throughout 1959 there was no congressional action. Then, in 1960, another election year, as the President noted, the Congress passed another bill, which was unsatisfactory to the President.

Since then there has been much wailing and gnashing of teeth about the depressed areas. What I can only assume must be crocodile tears have been shed by the boatload for the people of the chronically depressed areas. But still, Congress has taken no action. Perhaps some people would rather use this subject as a campaign issue than provide the actual relief that could so readily be made available.

In other words, it seems to me quite incredible for anyone to think that area assistance is a new program. It has been on the agenda ever since the beginning of the Eisenhower administration. The fact of the matter is that Congress has repeatedly ignored the President's recommendations. There is still time to do something about area redevelopment, if

the leaders of the Congress really want to. The President's request is as old as his term in office, but congressional desire to carry it through appears not yet to have been born.

Seventh. Another action which the President called for very early in his second administration was the creation of additional judgeships. There is a tendency right now to pretend that this is a new idea, designed to pack the courts with Eisenhower-appointed judges. But there is nothing new or political about it. The Judicial Conference pointed out the need for more judges as early as 1954. The President, in his budget message of January 16, 1957, urged that these judgeships be created. This is, as the President has pointed out in every subsequent budget message, an important need that Congress should not neglect. Access to the courts is a vital right to every individual in a country where laws are supreme. Yet, despite the President's timely request, the concept of equal justice under the law has been subordinated to the idea of politics first, justice second. To the many citizens who are still waiting to have their cases tried and suffering financial and other losses as a result, the need for more judges must be painfully apparent. But to the Congress, as it has even been publicly admitted, patronage is more important than patriotism. And to justify this procrastination, it is necessary to pretend that the President's own request was a hasty, last minute affair, conceived on election eve, instead of the careful, thoughtful, and timely suggestion that it in fact was. Once again politics makes it easy for some people to forget that the call for new judges is 3½ years old.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, will the Senator from New York yield?

Mr. KEATING. Mr. President, I ask unanimous consent that I may yield to the distinguished majority leader with the understanding that I do not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I hesitate to ask the Senator from New York to indulge us further, but the distinguished Senator from Arkansas, the chairman of the Committee on Foreign Relations, is in the Chamber. I believe it will be a matter of a very few minutes, without any other speeches, if we may have the permission of the Senator from New York, for the Senator from Arkansas to call up these two rather important bills, one involving the President's contingent fund, and one involving the Latin-American program.

If we are unable to dispose of these measures within 10 minutes, I shall ask that Senators wait until after the Senator from New York has concluded his address. In any event, I shall ask that the yea-and-nay votes be postponed until after he has finished. However, it might be possible to secure the third reading of the bills if the Senator will indulge us for 10 minutes.

I ask that permission with the understanding that this colloquy will appear at another point in the RECORD. I shall be most grateful for the Senator's cooperation, if he feels disposed to give it.

Mr. KEATING. Mr. President, the majority leader is most persuasive. The Senator from New York took the floor at 4 o'clock, or shortly thereafter, and started to speak on his present subject at about 20 minutes of 6. Because I have yielded to all and sundry, I certainly do not want to stop my generosity at this point. Therefore, Mr. President, I ask unanimous consent that I may yield for the purpose of expediting action on the two bills reported by the Committee on Foreign Relations, and with the understanding, which was set forth by the majority leader, that I do not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMERICAN REPUBLICS COOPERATION ACT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1910, Senate bill 3861.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3861) to provide for assistance in the development of Latin America and in the reconstruction of Chile, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, I yield now to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, this is the second time this year I have taken the floor without enthusiasm to perform a public duty which falls to me as chairman of the Committee on Foreign Relations. My task is to explain and justify S. 3861, a bill which the committee has favorably reported authorizing the appropriation of $600 million for economic aid for Latin America.

Foreign aid bills are unpopular even during the regular session of the Congress. I suspect that they will prove to be even more unpopular during a special session when the Congress, with only a limited time available, is trying to give adequate consideration to a number of major bills.

Another reason for feeling unenthusiastic about my task is that my sense of justice is injured by the President's proposal. It has been a long time since I have felt so torn between my sense of duty and my sense of fairness regarding a proper assignment of praise and blame. For a good many years responsible citizens and legislators, predominantly Democrats, have been calling for a really adequate, long-term program of assistance for economic development in Latin America. For 8 years of this administration these recommendations have been ignored. Senator SMATHERS on August 17 addressed the Senate with remarkable restraint, considering the provocation, concerning his own past warnings and recommendations regarding economic aid to Latin America.

Now, at the 11th hour, as the last dying gasp of this administration, we have received a request for a special authorization for economic aid to Latin America. The administration deserves little credit for this proposal. It has been forced on them. Not even the rocks which were thrown at Vice President NIXON in 1958 were sufficient to rouse the administration from its lethargy. It was only when Cuba went down the Communist road that the light began to dawn. Perhaps the President has finally realized that we have a very serious situation to the south of us.

I also lack enthusiasm because of the vagueness of the proposal. No program has been presented to the committee. No details worth speaking of have been offered. There is no country breakdown. There is not even the usual illustrative program. The Department of State speaks of this as an initial contribution. I would not mind this indefiniteness so much if I thought that the administration were adequately aware of the magnitude of the job in Latin America, of the time which will be needed, and of the methods which will be required.

Finally, I speak with a heavy heart because I realize that behind the President's failure to act during the past 8 years to meet the growing crisis in Latin America lies the fact that the American people have not yet accepted the idea that some kind of foreign aid program will be necessary for years to come, as far as we can see ahead. Our people continue to cling to the more comfortable idea that the present program of aid is temporary. They have the idea that after a few years the foreign problems will be solved and the United States can devote exclusive attention to our domestic affairs. We do not as yet have a conception such as the Communist leaders have of a bitter struggle over a long period of years or, as they put it, a "permanent revolution."

Having said all this—in full recognition that the administration's proposal is very late, much too indefinite and vague—nevertheless, I must vote for the proposal. The temptation to reject it is great for the reasons I have given, but the committee has done what it could hurriedly to provide appropriate policy guidelines. In the circumstances I feel that I have no choice but to go along with the proposal. I urge my colleagues to do the same.

The bill which is before the Senate is frankly a stopgap measure. It is a promise to do something. It is designed to be of use especially at a major economic conference of representatives of American Republics which is to be held in Bogotá, Colombia, next month. The purpose of the bill is to enable the U.S. representatives at that conference to say to the others present that the United States agrees that there is an urgent need for immediate improvement in the living standards in Latin American

countries. The bill will enable our representatives to offer U.S. assistance. The Department of State wishes to say to our Latin American friends that over and above loans from the International Bank for Reconstruction and Development, and in addition to the export of U.S. goods financed through Export-Import Bank loans, and in addition to the loans which will be made in Latin America by the Development Loan Fund—in addition to all these sources—we agree that there is a need for what the administration refers to as social development aid. That is, a need to do more to remedy inadequate education, poor health conditions, and social unrest. As Secretary Dillon put it to the committee in explaining the President's proposal, the administration has in mind "assistance in such fields as land settlement and land utilization, housing, vocational, technical, and scientific training and basic public facilities such as potable water systems and sewage systems."

The administration hopes that at the meeting in Bogotá the framework can be established for a comprehensive plan for cooperative development. The needs of Latin American countries should be assessed and cataloged. The assets for increased development should be appraised and a plan should be worked out to meet the gap. The phrase "Marshall plan" immediately comes to mind as one thinks of this process but the administration does not use the phrase.

The administration has not asked for an appropriation at this time. The amount is $500 million. A specific program is to be submitted to the Congress next year. It is obvious that such a program will have to spell out the proposed uses for the money and specify the channels through which it is to be expended. The relative priority as among such needs as land reform, basic education and housing must be worked out. There may be a need for new institutions, both bilateral and multilateral, although at the present time the administration is thinking of using the Inter-American Bank—which will come into operation on October 1—and the Inter-American Economic and Social Council. At the present time the administration expects that most of the funds will be used for loans but it reserves the possibility that 10 to 15 percent will be in the form of grants.

The remaining $100 million out of the $600 million which is authorized by the bill is earmarked for reconstruction in Chile. I need not dwell on the damage done there by earthquakes and floods. The ruins can be counted and the cost of reconstruction reasonably forecast over a short term. Again the administration does not intend to ask for an appropriation this year. The purpose of the authorization now is to serve as an assurance to Chile that as that country exerts itself to rebuild it can count on further help from the United States eventually.

So much for this brief description of the President's proposal. I believe I need not spend a great deal of time on the reasons why the United States should assist Latin America. The importance to us of our friendship with Latin American countries, of our trade with the area, of American investments of the many cultural ties, and of the strategic considerations are all well known.

The depth of poverty in Latin America—where there is a per capita gross national product of $115 per year as compared with $2,500 per year in the United States—is something which most people are dimly aware of but choose not to think about very often. It is not easy, however, to measure the need for capital investment in Latin America. President Kubitschek of Brazil and his associates may be thinking in terms of $40 billion of capital from all sources over a period of years. What is not known, however, is the extent to which Latin American countries themselves can provide this capital.

The Committee on Foreign Relations has had some estimates made as to the capital requirements but the experts are reluctant to use firm dollar figures. I quote from a paragraph in the report to the committee prepared by the National Planning Association and released in January of this year:

> Thus, there appears to be a major capital import requirement in Latin America which is not now being met by existing agencies, international and U.S. Government, or by private foreign investors. Nor is it likely to be adequately filled in the future by the two new international lending institutions that will become operative in the next few years. [The International Development Association (IDA) and the Inter-American Development Bank (IADB).] However, it must also be pointed out that the magnitude of the need is not really known. There has as yet been no detailed or reliable estimate of the specific amounts and uses of imported capital required in the third category to supplement the resources of the Latin American countries available for such purposes. To obtain the necessary cooperation and information from Latin American governments, such a study would have to be conducted by an international institution. But, the study would be neither realistic nor worthwhile if the agency undertaking it were compelled to accept without critical review and substantial revision the national estimates of needs and indigenous resources.

Another way to measure the need in Latin America is to look at the danger signals. We can examine the causes of the falling off of U.S. exports to Latin America. We can review the reasons given for the insults which were hurled at Vice President NIXON as he traveled in South America. We can recall the deep concern expressed over and over again in public and in private by leaders of Latin American countries who have visited in the United States. We can count the recent revolutions. There have been revolutions of every kind, engineered by military officers, by middle class citizens, by coalitions of dissatisfied citizens of every level, and by Communists.

Any way you look at it, it becomes clear that this Government must do more to assist Latin American economic development than we have done in the past. The President's mutual security program which was presented to the Congress in February—only 6 months ago—called for economic aid to Latin America of the kind we are now talking about in the amount of $64 million for the fiscal year 1961. It remains to be seen how much of that program will ultimately be funded with appropriations. The record shows that the cumulative economic aid under the mutual security program for Latin America for all the past 14 years amounts to $564 million. To place this figure, which covers all the past, alongside the President's proposal now for $500 million, which he labels as an initial contribution, gives one a rather good measure of the inadequacy of our past efforts in Latin America.

I doubt that any member of the Committee on Foreign Relations thought that the fiscal year 1961 program of aid to Latin America which was presented in February was adequate. It is equally true that members of the committee were aware that there was no point in trying to increase the amounts asked for. Anybody who has ever observed the fate of an attempt to increase an authorization for a mutual security program over and above what the President asks for will readily understand my point.

It was only last year that the Committee on Foreign Relations tried to place the Development Loan Fund on a long-term basis with adequate funds and with public debt financing. As soon as it became clear that the Treasury and the President were opposed there was no longer any hope that the Senate could be persuaded to support the committee.

Mr. President, I shall try to anticipate several questions about this bill which I know will be asked. Why is it that between July 1 and August 8 the President has changed his mind and has presented us with this large request for economic aid money for Latin America? Why is it necessary to legislate at all now, instead of waiting until a specific program has been developed? Does not the bill as it stands constitute a blank check for the President because it contains no guidelines as to how he is to spend the money?

I shall try to deal with these three questions. First, as to the President's change of mind. I can only speculate as to the reasons and the motivation for this. The President's legislative message was not very helpful. I speculate that the President himself on his recent tour of Latin America may have sensed that behind the courteous welcome which he received all was not well.

A second factor, I think, has been the situation in Cuba. For the first time in the Western Hemisphere we now have a Communist government in full control of a very important country near our shores. This is enough to throw a scare into the most complacent among us.

The really scary fact, however, is the same conditions which led first to revolution and then to Communist control in Cuba also exist in many other countries in Latin America. Castro's success was no middle-of-the-night coup. He was supported from the very beginning by a broad spectrum of the people of Cuba. Cuba was ripe for revolution and the Communists have been able to grab the reins.

All over Latin America there are areas containing the same kind of dissatisfaction and readiness for revolution. In most of the countries the wealth is held by a very few and the overwhelming majority of the people are very poor. The

system of taxation in many Latin American countries not only is designed to favor the rich but has the more serious result that vast areas of productive land and other resources are kept from being used for the benefit of the growing population. Illiteracy in Latin America is as bad as in any other part of the world. The point I wish to make is that while the President may have been frightened by the Cuban crisis into presenting his program, it is my hope that the administration sees beyond that immediate danger to the similar breeding grounds for revolution elsewhere in the area.

Mr. President, I turn to the second question which is being asked about this bill. Why not hold it up until there is a specific program to accompany the authorization? There are several answers to this question. First of all, making a program of economic and social development for Latin America is not something than can be done by experts sitting here in Washington. Such a program is not even something that can be worked out through a series of bilateral arrangements with Latin American countries. The reason is this: No program of economic development in Latin America is going to succeed unless the governments concerned are willing to put through programs of tax reform and investment which will require a big change in their internal affairs and large sacrifices on the part of some segments of the population. It would be counterproductive for the United States to insist upon reforms of this kind bilaterally. The only hope for them lies in all of the countries getting together and agreeing that they all must institute such measures cooperatively.

It will be necessary for the Latin American countries to agree on the priorities of outside aid to them. Unless they do this there will be jealousies among them and the ultimate cost of the development bill will be larger than it need be.

Some Senators may say that they agree with all that I have said but they still cannot see why we cannot wait until the Latin American countries agree on their internal reforms and their aid priorities. The trouble is that, owing to our past actions, this Government is forced to do something rather dramatic in order to convince the Latin American countries that we are really serious. State Department representatives have gone to so many meetings with Latin American representatives over the years and uttered so many platitudes about our eagerness to cooperate—without any corresponding action—that something a little more concrete than a verbal offer to help is called for. Hence this bill.

The Congress and the Executive would join, through this bill, in issuing a kind of promissory note. The bill constitutes an assurance that if the Latin American countries join with us in a cooperative plan for economic and social development the United States will back up the plan with sizable capital investment. Since the amount which is mentioned in the bill, $500 million, is as large as all of the past mutual security aid for Latin America put together, this shows that we really mean business.

Finally, Mr. President, we should not, in my opinion, delay enactment of a bill of this kind because of the views of those who say that we shall soon have a new President who will wish to review the whole subject of foreign aid before making his proposals. Fortunately, our presidential election process need not paralyze us to that extent. The Democratic candidate for President is a member of the Committee on Foreign Relations and he supports the bill which I am discussing. I do not know for certain the position of the Republican candidate for President but I have no doubt that he supports it too.

I shall now deal with the assertion that this bill constitutes a blank check for the President. The basis for this contention lies in the fact that the authorization permits an appropriation to the Secretary of State of $500 million which he may use to carry out the purposes of the bill on such terms and conditions as he may specify.

I concede that this bill is a blank check only to the following extent: It does constitute a promise on the part of the United States to help Latin America to the extent of $500 million when adequate programs are developed. Aside from that there is no blank check. The bill is not an appropriation. No obligation of funds can be made pursuant to the bill. Moreover, the program for the future should be planned in accordance with the guidelines laid down in the bill.

I should like to take a little time to explain these guidelines. I am glad to say that they are bipartisan guidelines. They have been derived in part from the language of S. 3839, the administration's bill, introduced by request; they have been derived in part from amendments to S. 3839 which were introduced by Senator CAPEHART; they have been derived in part from Senate Resolution 353 which was introduced by Senator MANSFIELD.

The effect of the policy statements contained in the committee bill, S. 3861, is to instruct the U.S. representatives who will be working out development plans with the Latin American Republics.

I shall summarize the main parts of these instructions:

First. There must be a plan of hemispheric development worked out. This plan must be open to all Latin American Republics. The plan must be based upon "a strong production effort, the expansion of foreign trade, the creation and maintenance of internal financial stability, the growth of free economic and social institutions, and the development of economic cooperation."

Second. There must be greater economic cooperation in this hemisphere, especially through the removal of barriers to trade. In this effort, the United States must be prepared to do its share. The bill specifically refers to the advantages which we have enjoyed here in the United States arising from the absence of internal trade barriers. The bill specifically encourages the gradual development of regional common markets among the American Republics.

Third. There must be developed measures which will stabilize extreme price fluctuations for the export commodities on which Latin American countries depend so heavily. Until recently the administration consistently opposed every attempt by Latin American countries to get anywhere with the establishment of commodity price stabilization mechanisms. In the last year or so we have finally changed that policy. We have now actually assisted in the establishment of a marketing agreement among coffee producing countries. It is this kind of cooperative undertaking for other commodities which must be vigorously pursued.

Fourth. There is an urgent need for additional measures to increase understanding among the peoples of this hemisphere. We need more exchanges of persons. We need more interchange of ideas and techniques of production. We need more exchanges of teachers and educators. We need more traffic in cultural delegations and exhibits. We need a further increase in tourist and other travel by the peoples of the hemisphere.

Fifth. There is a need for gradual achievement of a consensus about the use of private capital in the hemisphere. This consensus must extend not only to the question of protection to be given to capital investment which comes from outside a country; it must also extend to the questions of local participation in the operation of businesses and to the proper treatment of local employees.

These are some of the principles which will guide the preparation of the program which is authorized by the bill. If these policies are not followed no program of financial aid, however large, can succeed.

Mr. President, I shall close these remarks in support of S. 3861 with what I hope will be two sobering thoughts. First, I hope that no one will be misled by this bill. None of its sponsors believe that the dangers in Latin America can be eliminated for the price of $500 million. This $500 million is just the beginning. No one can say how much money will ultimately be necessary. No one can say how long the job will take.

The other sobering thought is this. I have been talking only of Latin America. We all know full well, however, that there are similar needs and dangers elsewhere. While we need a plan for much more rapid economic and social development in Latin America there is also a need for similar plans in other critical areas in the world.

Finally, the money herein authorized is the least important part of the program if it is to succeed. Of much greater importance is the wisdom, the patience, and the foresight in planning for the future, which has been so sadly lacking in the past.

Mr. JOHNSON of Texas. Mr. President, we come to this measure late in the day. But this is a situation where the philosophy of "better late than never" should prevail.

What we are considering is a commitment long overdue—a commitment to our friends and neighbors to the south. We are pledging to them the help they

need to help themselves in developing their resources—both human and physical.

We had the warnings—many of them expressed from this floor. But it took the impact of unpleasant events to bring action.

A number of years ago, a great President of the United States committed this Nation to the policy of the good neighbor. It was a fruitful policy which welded the Western Hemisphere into a strong unit to the mutual advantage of all its member countries.

This was a policy which assured us friends in peace and allies in war. The Western Hemisphere flourished as never before in its history.

Unfortunately, the passage of time brought us many problems. Frequently, the press of events leads us to ignore those who are closest and dearest to us.

Our eyes became fixed on another hemisphere and our neighbors to the south became secondary in the thoughts of our policymakers.

Tremendous changes have taken place in Latin America since the days that Franklin D. Roosevelt announced the good neighbor policy. The population has increased tremendously and is still increasing at a faster rate than any other area of the world.

Great shifts have taken place in trade patterns. Commodities which provided the economic base for some nations have declined in value. And political changes in other parts of the world have had a direct effect upon the trade of our neighbors.

These economic and social changes led inevitably to political changes. And these changes crept up on us unnoticed until they burst into the open with bewildering rapidity.

Now we find ourselves confronted with disturbing trends right on our own doorstep. We have come to the realization—and it is frightening—that the Western Hemisphere is not safe from Communist penetration.

The cold war is no longer something remote to be waged in remote corners of the globe. It is right here at home in our own hemisphere.

These developments jolted us out of our complacency. But we must realize that we will not solve the situation if we merely seek to wage and win the cold war.

Our motives must be nobler; our objectives must be sounder; our foresight must be greater than merely defeating communism.

We must rededicate ourselves to the good neighbor policy. We must offer the help of neighbor to neighbors—not just the assistance of an embattled power seeking allies.

The situation in the Western Hemisphere will not be solved solely by money. What is needed is a change in attitude. We must recognize our Latin American neighbors as people who have problems—and who can solve those problems themselves with some neighborly help.

I sympathize with the members of the Foreign Relations Committee who handled this bill. As the committee report notes, the administration has made a most unusual request. In effect, we are being asked to grant the administration a $600 million blank check.

The committee acceded reluctantly to the request because of the urgency of the issue at stake. Furthermore, we are told that there will be no request for an appropriation until firm programs have been developed.

Under the circumstances, the responsible course is to approve the measure. We will trust to the next Congress the task of laying down legislative guidelines to give substance to this authorization.

We must also entrust to the next administration the vital job of reviewing our entire Latin American policy. Although this measure is one which I am willing to approve, I am not willing to consider it a policy.

It is merely an authorization to back our representatives at the Bogotá Economic Conference on September 5 and to assist in the reconstruction of devastated Chile.

There are tremendous forces stirring in the world to the south. What we have seen so far is merely a surface manifestation of the trends that are underway.

Our Latin American neighbors are on the march. Their goal is the development of their resources so their nations can enjoy the full benefits of the 20th century and so grinding poverty will become merely a memory.

They are entitled to intelligent help—the intelligent help that should come from a good neighbor. And we are obligated to grant that help—not just out of self-interest but in the name of morality.

Mr. FULBRIGHT. Mr. President, this measure is broken down to an authorization of $500 million for economic aid to Latin America and an authorization of $100 million, really, for the relief and rehabilitation of Chile, which, as Senators know, recently suffered very great damage from earthquakes.

I shall be glad to answer any questions about the bill.

The committee had very grave reservations about this measure. We would have preferred not to approve this authorization, but to have our negotiations with the Latin American countries continued. But the State Department insisted on the authorization.

It is our understanding that after the first of the year they will submit a program for the utilization of this fund—one which should be arrived at after consultation with the Latin American countries concerned.

In this bill we provide for such a contingency—namely, that it will be subject to further programs to be developed and authorized later on. We expect to have an amendment to this part after the first of the year.

The administration believes it very important that its representatives go to the Bogotá Conference with an authorization. I think it is a little strange that the administration believes it necessary to have an authorization in order to give validity to its promises.

Nevertheless, that is the position of the administration. So the committee very unenthusiastically acceded to the administration's request, and reported the bill. I am speaking now of the $500 million authorization for aid to Latin America.

Mr. HOLLAND. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. HOLLAND. Is this a grant program?

Mr. FULBRIGHT. No; it is a loan program, except that it is anticipated that possibly up to 15 percent may be grants. But it is intended to be a loan program almost entirely, and they now intend it to be administered through the Inter-American Development Bank.

As I have said, this is an unusual procedure. The saving grace is that they are not asking for an appropriation; and we believe, in good faith, that we shall have the program as to what the money will be spent for, at the beginning of the next year; and I am confident that the Appropriations Committee will see to it that no appropriation is made until the program is outlined.

Mr. HOLLAND. Under the terms of the authorization, would this amount to contractual authority?

Mr. FULBRIGHT. No. This is an authorization, which must be followed by an appropriation. And I say they will not make contracts or appropriations until the program has been submitted and acted on.

Mr. JOHNSON of Texas. Mr. President, in view of the fact that a considerable number of Senators are now present, I ask that we may now ask for the ordering of the yeas and nays, with the understanding that the vote will not be taken until after the Senator from New York concludes his speech.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. JOHNSON of Texas. Then, Mr. President, I ask for the yeas and nays on the question of the final vote on Senate bill 3861.

The yeas and nays were ordered.

Mr. HOLLAND. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. HOLLAND. Can the Senator state in what particulars this program differs from the Development Loan Fund program or the part of it which applies to Latin America.

Mr. FULBRIGHT. The objectives of this one will, in my judgment, be similar to the objectives of the development loan program, except that in presenting it the administration has a much broader concept of its objectives. They are set forth in the policy statement in regard to this matter—a much broader field, including land settlement and educational reform, and so forth.

Within the past few months the administration has gone much further in its acceptance of responsibility for the development of Latin America. Prior thereto, the administration took a very restricted view as to what should be done.

I would say the objectives set forth in the bill and in the report are broader than ever before.

Mr. CHURCH. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. CHURCH. I wish to commend the Senator from Arkansas for his lucid statement. I certainly share his point of view.

Mr. President, I support this bill with great reluctance, only because the gravity of the situation requires that we give the President the benefit of the doubt.

For the first time in our history a Communist beachhead has been established within 90 miles of our shores. Cuba is becoming a Russian satellite. The Monroe Doctrine is being openly challenged. Worse still, other Latin American governments tremble, knowing full well that the same conditions exist in their countries that led first to revolution and then to Communist domination of Cuba.

Mr. President, I would ask the Senator whether he shares my opinion that this bill is not a program, but, rather, a demand for a $500 million promissory note, drawn in blank.

Mr. FULBRIGHT. Yes; I agree.

Mr. CHURCH. I think that all of us on the Foreign Relations Committee have come to realize the urgent needs of Latin America for capital. That capital has to be considered as the sum total of direct assistance, loan programs, and private investment, which, in the aggregate, could come to as much as $10 billion during the next few years.

Private investment in Latin America has virtually ceased, owing to the experience in Cuba.

The present rate of private investment has dropped, I understand, from about half a billion dollars a year to about $32 million a year.

In the testimony given by Under Secretary of State Douglas Dillon, he referred to this bill as an initial contribution. It seems to me that the administration should make a clean breast of the matter. They know that any program really designed to improve living standards in Latin America must have the continuity of a Marshall plan, and then it will be successful only if it is accompanied by basic tax and land reforms within these countries, which will assure the people better earnings.

Otherwise, it seems to me we are in danger of pouring our money onto the sands, making the rich richer, while the growing disparity between the rich and the poor will only breed new revolution and feed it into the hands of the Communists.

I feel very strongly that something more than a blank check is needed, and that unless we have a sufficient program of the dimensions and continuity of the Marshall plan, for all the Americas, our money may very well be wasted. I feel that the administration's bill fails to meet the essential prerequisites; and I support it only because the gravity of the situation requires that the President be given the benefit of the doubt.

Mr. FULBRIGHT. I thank the Senator from Idaho.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

INCREASE OF AUTHORIZATION FOR APPROPRIATIONS FOR PRESIDENT'S MUTUAL SECURITY CONTINGENCY FUND

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 1908, Senate bill 3855.

The PRESIDING OFFICER. The bill will be read by title, for the information of the Senate.

The CHIEF CLERK. A bill (S. 3855) to increase the authorization for appropriations for the President's mutual security contingency fund for the fiscal year 1961, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill.

Mr. FULBRIGHT. Mr. President, I shall make a statement in explanation of the bill.

Mr. JOHNSON of Texas. First, Mr. President, I wish to ask for the ordering of the yeas and nays on the question of the passage of this bill, so that Senators may know that there will be a yea-and-nay vote.

The PRESIDING OFFICER. The yeas and nays have been demanded on the question of the final passage of the bill. Is there a sufficient second?

The yeas and nays were ordered.

Mr. FULBRIGHT. Mr. President, this bill does two things:

First. (a) It authorizes the appropriation of $100 million to increase the President's contingency fund from $150 million to $250 million for the current fiscal year; and (b) it authorizes for 1 year waiver of a section of the Mutual Security Act which limits the use of certain program funds for administrative expenses.

Second. The main reason for increasing the contingency fund is that the failure of the summit conference has increased tensions and it is obvious that the Soviet Union is trying to make trouble everywhere, especially in Latin America.

Some of the funds will be useful in the Congo. But 16 other nations will become independent in Africa this year and it is only good sense for the President—whoever he may be—to have flexibility in dealing with these situations.

Third. Use of the contingency fund is limited by two principal requirements: (a) It is to be used only when "the President determines that such use is important to the security of the United States"; and (b) if the President must use his special waiver authority not more than $30 million may be used in any one year for any one nation.

Fourth. The attached letter from Secretary Dillon clearly sets forth the need for this legislation.

I ask unanimous consent to have printed at this point in the RECORD the letter from the Acting Secretary, Mr. Douglas Dillon, to me, together with some material attached thereto.

There being no objection, the letter and material were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, August 17, 1960.

HON. J. WILLIAM FULBRIGHT,
Chairman, Committee on Foreign Relations, U.S. Senate.

DEAR MR. CHAIRMAN: In response to your request for further comment as to the purposes for which the additional $100 million of contingency funds requested by the President might be used, I should like to make several points.

In the first place, it should be clearly understood that we are not asking that these funds be appropriated to finance a program of assistance just for the Congo or of any particular amount for the Congo. The uncertainties of the present situation and of the future course of events in the Congo make it both unwise and undesirable to attempt to make any final determination now as to the amount, if any, of U.S. participation in meeting the needs in that country.

As I testified before your committee, we believe that the United Nations is the proper organ to undertake technical and economic assistance programs in the Congo. We believe that assistance from outside sources including the United States should be handled by the United Nations. It is our belief and expectation that other free world countries will agree with this view and will join in contributing assistance. So far as the Congo is concerned, our purpose in asking for additional contingency funds is to put us in a position whereby we can join with other nations is responding to United Nations needs.

It is highly important to realize also, as I testified, that the whole situation in Africa has dramatically altered since our regular program proposals were prepared nearly a year ago and submitted to the Congress 6 months ago. The possibility of additional unforeseen contingencies in this troubled area is quite real.

It should be borne in mind also that at the time our original estimates of requirements for contingency funds were presented to the Congress the situation in the world was one of guarded hope that some relaxation of international tensions might be obtained through discussions with Communist leaders at the projected summit meetings. The events which have since occurred have produced a much less optimistic outlook for the near future. The Soviet leaders not only destroyed the summit conference, but, as your committee is aware, have continually made plain their intention to intensify and prolong tensions. I am enclosing a tabulation of the major Soviet actions and statements since the disruption of the summit meeting. It may be helpful in providing a perspective substantiating this point.

Sincerely yours,

DOUGLAS DILLON,
Acting Secretary.

SOVIET ACTION AND STATEMENTS SINCE THE SUMMIT

May 18: At Paris press conference, Khrushchev declares that shattering blows will be struck at bases from which U.S. planes overflying U.S.S.R. take off.

May 28: In a Moscow speech, Khrushchev repeats threat against U.S. oversea bases and adds: "But we also have intercontinental rockets destined to strike the aggressor across the ocean."

May 30: Soviet Defense Minister Malinovsky declares Soviet rocket troops have been ordered to attack the takeoff base of aircraft violating Soviet airspace.

June 1: Replying to Dutch note of April 12, a Soviet note accuses the Netherlands of increasing the danger of war in southeast Asia by sending military reinforcements to West New Guinea.

June 3: Khrushchev, at a Moscow press conference, vilifies President Eisenhower and repeats previous threats against U.S. foreign bases; he says that Malinovsky's May 30 threat should be understood "literally."

June 15: Soviet note to Japan repeats earlier protests against the United States-Japanese security treaty made in the Soviet note of May 20, complains of the lack of a reply, and warns that Japan must face the consequences of alleged U.S. military provocations.

June 19: In conversation with Western reporters in Bucharest, Khrushchev reiterates missile threat if overflights occur, asserting: "We will strike with missiles that can hit precisely a very small target far away."

June 22: Second Soviet note to Pakistan on U–2 warns of retaliation for any repetition of such flights.

June 27: Soviet and bloc delegations walk out of 10-nation disarmament conference in Geneva. Khrushchev addresses letters to heads of government of the five Western conference participants, in which he attributes chief blame for the failure of the conference to the United States.

June 28: U.S.S.R. announces series of missile tests will be conducted in the central Pacific in July.

June 29: TASS releases a Soviet Government statement urging Japan to abrogate its security pact with the United States.

June 30: Soviet notes to the United States, the United Kingdom, and France protest the alleged use of West Berlin for the military building of the Federal Republic and the recruitment of West Berliners into the Bundeswehr.

July 1: U.S.S.R. shoots down RB–47 in international waters over the Barents Sea. Moscow maintains silence about the incident; Gromyko, touring Austria with Khrushchev, declares on July 6 the Soviet party has "no information at all about the plane." Soviet vessels voluntarily join in the search for possible survivors.

July 4: Speaking in Austria, Khrushchev praises Austrian neutrality and declares U.S.S.R. will not remain aloof "if anyone violates this neutrality."

July 6: Khrushchev warns that United States use of bases in Italy would be "a deliberate violation of Austrian neutrality."

July 8: At Vienna press conference, Khrushchev threatens that if West German Bundestag meets in West Berlin in September, he might then consider signing a peace treaty with the East German regime.

July 9: In a Moscow speech, Khrushchev warns that the U.S.S.R. will use missiles to defend Cuba against U.S. aggression.

July 10: A Khrushchev message, read by Cuban President Dorticos in Havana, pledges that the U.S.S.R. will buy Cuban sugar refused by the United States if the Cuban Government has difficulty in selling it.

July 11: U.S.S.R. sends protest note to United States alleging violation of airspace by RB–47, revealing plane was shot down, and declaring that Moscow will try surviving crewmen. Similar notes are given to Norway and the United Kingdom, accusing them of complicity in the "aggressive act."

July 12: Khrushchev, at a Moscow press conference, belligerently discusses the RB–47 incident, Cuba, and the Congo. On the plane incident, Khrushchev accuses the United States and its allies of "openly provoking a serious military conflict," and charges that the RB–47 flight gave the lie to the President's assurances concerning the suspension of overflights. The Soviet Premier also repeats and confirms the continuing validity of the Malinovsky missile threat against U.S. oversea bases. On Cuba, Khrushchev asserts that the Monroe Doctrine is "dead," and pledges Soviet support if the United States should undertake "aggressive action" against Cuba. On the Congo:

July 12: Khrushchev denounces the sending of Belgian troops as a "policy of brigandage" and accuses NATO of complicity in such "aggression."

July 13: A Soviet Government statement on the situation in the Congo, handed to all missions in Moscow, condemns supposed Belgian and Western military intervention against the Congolese Republic.

July 13: The U.S.S.R., in a note to Belgium, charges Brussels with "enslavement" of the Congo.

July 13: In a Security Council session on the Congo, the U.S.S.R. accuses the United States of planning to take away the Congo's independence.

July 15: Khrushchev, in a message to the Congolese Government, warns that the U.S.S.R. might consider direct intervention in the Congo if "aggression" continues.

July 15: Soviet note to the United States on the RB–47 attacks the U.S. note of July 13 as "full of inventions."

July 15: Soviet memorandum to the United States protests the "provocative buzzing" of Soviet ships by U.S. planes. Similar notes sent to other Western countries.

July 16: A Tass statement disclaims that the U.S.S.R. meddles in Latin American affairs, accuses the United States of doing so, and reasserts Soviet support of Cuba against the United States. The statement makes a full-scale attack against the Monroe Doctrine.

July 18: Tass announces that the trial of U–2 Pilot Powers will begin on August 17 before the military Collegium "in open session."

July 19: Soviet notes to the United States and the FRG on the arming of the Bundeswehr with Polaris missiles warn of "fearful and dangerous consequences."

July 20: Soviet-Cuban communique issued at the end of Raul Castro's visit in Moscow repeats Khrushchev's pledge that the U.S.S.R. would support Cuba against the United States. At Security Council meeting on the Congo, the Soviet delegate reiterates the threat of Soviet intervention.

July 26: U.S.S.R. vetoes two Security Council resolutions on the RB–47, one of which would have permitted the International Red Cross to render humanitarian aid to the surviving crewmen.

July 28: Soviet notes to the United States, the United Kingdom, and France protests the Bundestag's passage of a law establishing a Federal German radio council with its seat in West Berlin.

July 31: A Soviet Government statement on the Congo threatens that the U.S.S.R. will take "resolute measures" if the "imperialist aggression" against the Congo continue.

August 2: Soviet note on the RB–47 to the United States reiterates past Soviet stand, and rejects U.S. charges.

August 3: Soviet note to the United Kingdom on the RB–47 accuses the British of adopting a strange position and conniving with the United States in aggression.

August 5: Soviet Government statement on the Congo declares that if U.N. troops are unable to secure the withdrawal of "interventionist troops," then forces should be sent "by nations which are prepared to share in carrying out this fair act."

August 9: U.S.S.R. releases indictment of U–2 Pilot Powers, says he pleaded guilty to the bulk of the charges.

Mr. JOHNSON of Texas. Mr. President, I ask for the third reading.

The bill (S. 3855) was ordered to a third reading and was read the third time.

Mr. JOHNSON of Texas. Mr. President, we have had the third reading on these two bills. We have used I do not know how much of the time allotted, but I appreciate what the Senator has done. At the conclusion of the Senator's address we hope we can get to an early vote.

Mr. DWORSHAK. Mr. President, are not we going to have an opportunity to discuss it?

Mr. JOHNSON of Texas. Yes; after the Senator from New York finishes his speech. He has yielded so the chairman could explain it. The chairman has completed his explanation.

Mr. DWORSHAK. Will the Senator be here to answer some questions?

Mr. FULBRIGHT. I will be here.

Mr. JOHNSON of Texas. Does the Senator want to ask him questions now?

Mr. DWORSHAK. No. I will wait.

THE 21 POINTS OF THE PRESIDENT'S PROGRAM

Mr. KEATING. Mr. President, I now turn to the eighth item of the President's program.

Eighth. Proper financing to avoid delays in our Interstate Highway program has been one of the President's requests for the last 6 years. In his second state of the Union address, delivered January 7, 1954, the President made the very plea that has echoed down the years with so little effect on the Congress. What the President said was "so that maximum progress can be made to overcome present inadequacies in the Interstate Highway System, we must continue the Federal gasoline tax at 2 cents per gallon. This will require cancellation of the one-half cent decrease which would otherwise become effective April 1, and will maintain revenues so that an expanded highway program can be undertaken."

The problem of financing the highway program was again mentioned in the budget and economic report of that year. But the major document which the administration presented to Congress was a 54-page special message devoted entirely to the national highway program. This was submitted, not yesterday, as some might have us think, but February 22, 1955, that is, 5 years and 6 months ago. Despite the President's urging, no program was adopted that year. In the state-of-the-Union message for 1956, the President pointed out that there were 3 million more cars on the roads than in 1955, and that nearly 40,000 people had been killed that year. In response to this plea, the highway program was enacted into law in 1956.

Then, under legislation enacted in 1958, grant-in-aid funds to the States for highway construction under Federal-aid programs were sharply increased to combat a mild recession. Therefore, it became clear in mid-1959 that the highway trust fund would face a deficit in 1960. Under the mandatory terms of the legislation, apportionments to the States would have to be cut back. To avoid such postponement, which would have been costly in every respect, the administration requested a 1½-cent increase in the gasoline excise tax. Since

Congress approved an increase of only 1 cent per gallon, cutbacks were unavoidable.

It was to prevent this setback in highway building that the President, in May 1959, called for another temporary increase in the tax on fuel. In other words, as soon as it became apparent that the program could not proceed as fast as desired, the President called for an increase in revenues to keep the whole project on its mandatory pay-as-you-go basis. Twice he requested the increase in 1959, and again this year he has twice requested a similar increase.

The President's position on this matter has been clear, reasonable, and consistent. The idea of financing Government projects on a pay-as-you-go basis is not a new one, although it may be foreign to the thinking of some people. The President has wisely and properly stressed this approach in the highway expansion program. He has given ample warning to Congress when new taxes were needed. To term his latest request for increased revenue an innovation is indeed a very peculiar way of using the English language.

Ninth. Also in the field of transportation and communication, the President has long urged that a moderate tax be assessed on aviation gasoline and jet fuel. The President pointed out in his budget statement of January 13, 1958, that the Federal Government provide a wide range of services for the private users of airspace. In order that those who use these services should bear the burden of their cost, instead of foisting it onto the general public, Eisenhower suggested a tax of 3½ cents per gallon on jet fuels and an increase in the aviation gas tax, bringing that also up to 3½ cents per gallon, plus yearly increases bringing the total rate up to 6½ cents per gallon. The President's plea was repeated in the economic reports and budget messages of 1959 and 1960. Therefore, when the President mentioned the subject in his special messages of May and August of this year, he was talking about something that the Congress had indeed heard before.

Tenth. Another request that the administration has made, not once but seven times, in the course of the last 7 years and 7 months is that the ceilings on interest for Government bonds and on the national debt be raised. The President first made this request in the form of a special message devoted exclusively to the need for more economical management of the public debt. The President was even more insistent in his 1960 state-of-the-Union address. He said of the Treasury:

> Its ability to deal with the difficult problem has been weakened greatly by the unwillingness of the Congress to remove archaic restrictions. The need for a freer hand in debt management is even more urgent today because the costs of the undesirable financing practices which the Treasury has been forced into are mounting. Removal of this roadblock has high priority in my legislative recommendations.

That was January 1960. The same arguments were repeated in the economic report for 1960 and in the budget message for 1961. Since there was still no congressional action, the appeal, naturally enough, was made again in the special messages of May 3 and August 8. But by that time it was already more than a year old.

Eleventh. Also on the President's agenda of must items for the last 7 years and 7 months have been measures to reduce the mounting deficits of the Post Office Department. Over the past 13 years the cumulative postal deficit has amounted to $6.8 billion. The interest charges on this debt alone amount $200 million each year. Ever since his first state-of-the-Union address the President has been concerned, and rightly, with this appalling drain on the budget. Postal rate increases were first called for July 20, 1953. They were repeated in 1954, and then again in the budget message for 1958 and still again in the budget message for 1959.

Finally, as a result of executive insistence, a small postal rate increase was passed in the middle of 1958, but the pay raise of that year made further increases imperative. Therefore, the President continued to request an upping of the postal rates in the budgets and economic reports of 1959 and 1960. On March 11 of this year another special message was devoted exclusively to the postal deficit problem.

Yet despite this long and rather discouraging effort by the President to maintain a policy of fiscal responsibility and to insure that our grandchildren are not left to pay the bill for the postage we forget to put on today, the whole subject seems new to some people. I can only envy those who have missed this wrangling and the persistent efforts to avoid responsible financial policy. It has been a long and sad story of procrastination and evasion on the part of many Members of Congress.

Twelfth. The administration's efforts to liberalize immigration laws is another long and sad story of congressional inactivity. In his first state-of-the-Union address, February 1953, the President pointed out that "existing legislation contains injustices." He, therefore, requested that Congress "review this legislation and enact a statute which will at one and the same time guard our legitimate national interests and be faithful to our basic ideas of freedom and fairness for all."

The plea was reiterated 2 years later in the state-of-the-Union address of 1955. Then, in 1956 and 1957, the President sent the Congress two special messages on the subject. Still, there was no congressional action on the scale necessary to effect a genuine liberalization of the existing law or to omit discriminatory provisions which reflect very poorly on this country throughout the free world. Budget messages for 1959, 1960, and 1961 have repeated the call for action. Only this March the President sent another special message to the Congress, again dealing entirely with the subject of immigration legislation, and recommending specifically a doubling of the number of quota immigrants and an easing in restrictions against refugees fleeing from oppressed areas. Reminders of congressional inactivity in the field were also included in the May 3 special message, as well as that of 2 weeks ago.

This then, Mr. President, is the history of executive policies on immigration. The call for a liberalized program is as old as the Eisenhower administration. But the echo of congressional response is still very faint and far away.

Thirteenth. Also in his first state-of-the-Union message the President urged extension of the present Government Reorganization Act for a period of 18 months, or 2 years beyond its expiration date of April 1, 1953. Then again in 1955 the President urged another continuation in force of his authority to make necessary reorganizations. In 1957 the President urged that the period for transmitting legislation on Government reorganization be extended for 4 years beyond its 1957 expiration date. A special message was sent to Congress on the subject in 1957. Budget messages in 1959 and 1960 included similar requests. And both the special messages of May and August respectively covered the subject.

Fourteenth to seventeenth. Conservation measures have also been requested by the President for a long period of time. Some of these date back to 1955. They include the Fryingpan-Arkansas project for development of the Colorado River, first mentioned in January 1955, and then requested by the President in one message or another for virtually every year thereafter. Conservation measures include also the proposals for an arctic wildlife range, for the preservation of seashore areas, and for permission to western communities to expand into public land areas, all of which were first proposed early this year.

Eighteenth. Amendments in the current space law were also requested by the President in his state-of-the-Union address in January 1960. In a special message of the same month, the President proposed that the power of the National Aeronautics and Space Administration be extended to manage the entire national program of nonmilitary space activities. Other clarifications of the relationship between NASA and the Department of Defense were called for, too.

Nineteenth. Earlier this year the President also recommended that the traditional relationship between retired and active pay of military personnel be restored. This would require special legislation which the President first suggested in his January budget message.

This is an item which calls urgently for action at this session of Congress. It is a very unfair situation which has been created, and one which cries out for remedial treatment.

Twentieth. And, of course, the President called for passage of the 1961 mutual security appropriation without the damaging cut which the House of Representatives has made in this bill.

Twenty-first. This relates to the only subject on which there actually has been congressional action, the Antarctica Treaty, which was drawn up last year and submitted to the Senate early in this session. The Senate, I am happy to note, ratified that treaty last week.

This, Mr. President, completes the list of recommendations which the President of the United States repeated on August 8 of this year in his message to the Congress. These are recommendations which had already, as I have tried to point out, been made—many of them many times, and all of them at least once before. In fact, the average number of times that each of these programs has been laid before the Congress is not once, nor even twice, but seven times. Indeed, in the last 7 years and 7 months President Eisenhower has on the average proposed—and I repeat—has on the average proposed each one of these measures seven times.

With this record in mind, then, I think that anyone who has not heard these proposals before must have been asleep. Otherwise he must certainly have noticed the President's consistent and relentless efforts to prod congressional action over long periods of time on virtually every issue outlined in the President's message. I hope that even those who were asleep have now sufficiently bestirred themselves to give the President's program their wholehearted support. Certainly congressional energy would be better expended in advancing this legislation than in petty wrangling over its timeliness and origin.

In any case, there can be no doubt that the President's record on these issues has proved two things: First, that every one of these subjects had been thoroughly explored on many occasions and could be quickly approved if a majority of the Senate favored them; and, second, that the administration has vigorously pursued progressive and constructive programs throughout its life, but that these measures have not had the attention and support of the Democrats in Congress.

It is not too late for the Congress to make up for this lag in its support of the President. In many ways this is the most propitious moment for action on a large number of legislative items. Three-fourths of the national ticket of both parties, and both party chairmen sit in this Chamber. No matter which party wins in November, perhaps never again will there be such a splendid opportunity for these men to exercise their leadership and responsibilities in this Chamber to fulfill the promises made in the respective party platforms.

I would like to take this opportunity Mr. President, to urge one and all to use the few remaining weeks of the 86th Congress to give the American people results and not just phony issues. A premature exodus from Washington would only show political bad faith. Congress should stay on the job until the major part of these provisions in the President's program has been given fair consideration. When this is done, it will not be twilight, but dawn. It will be the dawn of a new day when political promises and political platforms come true. It is within the power of Congress to make this dawn a reality, if the majority leadership really puts the people's business ahead of their own.

I ask unanimous consent to have printed in the RECORD at this point in my remarks a full documentation of the times that the President has recommended his legislative program. This is a documentation that should be in the CONGRESSIONAL RECORD, although it is lengthy. It is a historical résumé of the legislative requests of President Eisenhower on the points which are contained in his message of August 8.

There being no objection, the data were ordered to be printed in the RECORD, as follows:

CIVIL RIGHTS

State of the Union message, January 9, 1959:

"The government of a free people has no purpose more noble than to work for the maximum realization of equality of opportunity under the law. That is the concept under which our founding papers were written. This is not the sole responsibility of any one branch of our Government. The judicial arm, which has the ultimate authority for interpreting the Constitution, has held that certain State laws and practices discriminate upon racial grounds and are unconstitutional. Whenever the supremacy of the Constitution of the United States is challenged I shall continue to take every proper action necessary to uphold it.

"One of the fundamental concepts of our constitutional system is that it guarantees to every individual, regardless of race, religion, or national origin, the equal protection of the laws. Thus, those of us who are privileged to hold public office have a solemn obligation to make meaningful this inspiring objective. We can fulfill that obligation by our leadership in teaching, persuading, demonstrating, and in enforcing the law.

"We are making noticeable progress in the field of civil rights—we are moving forward toward achievement of equality of opportunity for all people everywhere in the United States. In the interest of the Nation and of each of its citizens, that progress must continue.

"Legislative proposals of the administration in this field will be submitted to the Congress early in the session. All of us, I believe, should help to make clear that the Government is united in the common purpose of giving support to the law and the decisions of the courts."

Message to Congress transmitting recommendations on civil rights, February 5, 1959:

"Fourth, I recommend legislation to provide a temporary program of financial and technical aid to State and local agencies to assist them in making the necessary adjustments required by school desegregation decisions.

"The Department of Health, Education, and Welfare should be authorized to assist and cooperate with those States which have previously required or permitted racially segregated public schools, and which must now develop programs of desegregation. Such assistance should consist of sharing the burdens of transition through grants-in-aid to help meet additional costs directly occasioned by desegregation programs, and also of making technical information and assistance available to State and local educational agencies in preparing and implementing desegregation programs.

"I also recommend that the Commissioner of Education be specifically authorized, at the request of the States or local agencies, to provide technical assistance in the development of desegregation programs and to initiate or participate in conferences called to help resolve educational problems arising as a result of efforts to desegregate.

* * * * *

"Sixth, I recommend that Congress give consideration to the establishing of a statutory Commission on Equal Job Opportunity Under Government Contracts.

"Nondiscrimination in employment under Government contracts is required by Executive orders. Through education, mediation, and persuasion, the existing Committee on Government Contracts has sought to give effect not only to this contractual obligation, but to the policy of equal job opportunities generally. While the program has been widely accepted by Government agencies, employers, and unions, and significant progress has been made, full implementation of the policy would be materially advanced by the creation of a statutory commission."

State of the Union message, January 7, 1960:

"Early in your last session I recommended legislation which would help eliminate several practices discriminating against the basic rights of Americans. The Civil Rights Commission has developed additional constructive recommendations. I hope that these will be among the matters to be seriously considered in the current session. I trust that Congress will thus signal to the world that our Government is striving for equality under the law for all our people."

Budget message for 1961, January 18, 1960:

"I urge the Congress to enact the remaining six points of the civil rights program that I recommended last year. The Civil Rights Commission, extended for an additional 2 years by the last session of Congress, continues its important work and has developed additional constructive recommendations, particularly for protecting the right of every citizen to vote. I hope these recommendations will also be earnestly considered by the Congress."

Special message to Congress, May 3, 1960:

"Of this, presumably the last congressional session during my term of office, 4 months have gone by. Thus far the one major accomplishment is enactment of civil rights legislation. Although Congress rejected certain of my recommendations in this area—those relating to equality of job opportunity and assistance to States attempting to desegregate their schools—the new civil rights measure is another important step toward the attainment of the ideal of equal rights before the law for every citizen."

MEDICAL AID FOR THE AGED

Special message to Congress, May 3, 1960:

"The Secretary of Health, Education, and Welfare will present this week a new program which will enable older people truly in need of help to meet the calamity of catastrophic illness. This program will take full advantage of, and support, the progress that has been made by private effort; it will recognize the traditional Federal-State relations in various fields of assistance; and, additionally, it will not do violence to the private relationships that must continue to characterize the rendering of health care services.

"Behind this program is a meticulous and thoughtful weighing of many alternatives. I believe the Congress will find this proposal of great value to our people most in need of medical protection in their later years. I urge this program in place of compulsory schemes which over a period of years would blight America's unexcelled medical standards and leave unaided large numbers of citizens we are striving to help."

SCHOOL CONSTRUCTION

State of the Union message, February 2, 1953:

"Our school system demands some prompt, effective help. During each of the last 2 years, more than 1½ million children have swelled the elementary and secondary school population of the country. Generally, the school population is proportionately higher in States with low per capita income. This whole situation calls for careful congres-

sional study and action. I am sure you share my conviction that the firm conditions of Federal aid must be proved need and proved lack of local income.

"One phase of the school problem demands special attention. The school population of many districts has been greatly increased by the swift growth of defense activities. These activities have added little or nothing to the tax resources of the communities affected. Legislation aiding construction of schools in these districts expires on June 20. This law should be renewed; and, likewise, the partial payments for current operating expenses for these particular school districts should be made, including the deficiency requirement of the current fiscal year."

Special message on school construction, February 8, 1955:

"For the consideration of the Congress, I herewith propose a plan of Federal cooperation with the States, designed to give our schoolchildren as quickly as possible the classrooms they must have.

"Because of the magnitude of the job, but more fundamentally because of the undeniable importance of free education to a free way of life, the means we take to provide our children with proper classrooms must be weighed most carefully. The phrase "free education" is a deliberate choice. For unless education continues to be free—free in its response to local community needs, free from any suggestion of political domination, and free from impediments to the pursuit of knowledge by teachers and students—it will cease to serve the purposes of freemen.

"STATE AND LOCAL RESPONSIBILITY FOR EDUCATION

"A distinguishing characteristic of our Nation, and a great strength, is the development of our institutions within the concept of individual worth and dignity. Our schools are among the guardians of that principle. Consequently, and deliberately, their control and support throughout our history have been, and are, a State and local responsibility.

"The American idea of universal public education was conceived as necessary in a society dedicated to the principles of individual freedom, equality, and self-government. A necessary corollary is that public schools must always reflect the character and aspirations of the people of the community.

"Thus was established a fundamental element of the American public school system—local direction by boards of education responsible immediately to the parents of children and the other citizens of the community. Diffusion of authority among tens of thousands of school districts is a safeguard against centralized control and abuse of the educational system that must be maintained. We believe that to take away the responsibility of communities and States in educating our children is to undermine not only a basic element of our freedom but a basic right of our citizens.

"The legislative proposals submitted to the last Congress were offered by the administration in the earnest conviction that education must always be close to the people; in the belief that a careful reassessment by the people themselves of the problems of education is necessary; and with a realization of the growing financial difficulties that school districts face. To encourage a nationwide examination of our schools, the 83d Congress authorized funds for conferences on education in the 48 States and the territories and for a White House conference to be held in November this year.

"THE CURRENT PROBLEM

"These are the facts of the classroom shortage:

"The latest information submitted by the States to the Office of Education indicates that there is a deficit of more than 300,000 classrooms, a legacy, in part, of the years of war and defense mobilization when construction had to be curtailed. In addition, to keep up with mounting enrollments, the Nation must build at least 50,000 new elementary and high-school classrooms yearly. It must also replace the thousands of classrooms which become unsafe or otherwise unusable each year.

"During the current school year, about 60,000 new classrooms are being built. Capital outlays for public-school construction will reach an alltime high of $2 billion this year. During the last 5 years, new construction, costing over $7 billion, has provided new classrooms for 6,750,000 pupils in our public schools. During that time more than 5½ million additional children enrolled in school. Thus the rate of construction has more than kept pace with mounting enrollment. But it has only slightly reduced the total classroom deficit.

"As a consequence, millions of children still attend schools which are unsafe or which permit learning only part time or under conditions of serious overcrowding. To build satisfactory classrooms for all our children, the current rate of school building must be multiplied sharply and this increase must be sustained.

"Fundamentally, the remedy lies with the States and their communities. But the present shortage requires immediate and effective action that will produce more rapid results. Unless the Federal Government steps forward to join with the States and communities, this emergency situation will continue.

"Therefore, for the purpose of meeting the emergency only and pending the results of the nationwide conferences, I propose a broad effort to widen the accepted channels of financing school construction and to increase materially the flow of private lending through them, without interference with the responsibility of State and local school systems. Over the next 3 years, this proposed effort envisages a total of $7 billion put to work building badly needed new schools, in addition to construction expenditures outside these proposals.

"THE RECOMMENDATIONS

"1. Bond purchases by the Federal Government:

"The first recommendation is directed at action, effective as rapidly as school districts can offer bonds to the public for sale.

"I recommend that legislation be enacted authorizing the Federal Government, cooperating with the several States, to purchase school bonds issued by local communities which are handicapped in selling bonds at a reasonable interest rate. This proposal is sound educationally and economically. It will help build schools.

"To carry out this proposal, I recommend that the Congress authorize the appropriation of $750 million for use over the next 3 years.

"2. State school-building agencies:

"Many school districts cannot borrow to build schools because of restrictive debt limits. They need some other form of financing. Therefore, the second proposal is designed to facilitate immediate construction of schools without local borrowing by the school district.

"To expand school construction, several States have already created special statewide school-building agencies. These can borrow advantageously, since they represent the combined credit of many communities. After building schools, the agency rents them to school districts. The local community under its lease gets a new school without borrowing.

"I now propose the wider adoption of this tested method of accelerating school construction. Under this proposal the Federal Government would share with the States in establishing and maintaining for State school-building agencies an initial reserve fund equal to 1 year's payment on principal and interest.

"The State school-building agency, working in cooperation with the State educational officials, would issue its bonds through the customary investment channels, then build schools for lease to local school districts. Rentals would be sufficient to cover the payments on principal and interest of the bonds outstanding; a payment to a supplemental reserve fund; and a proportionate share of the administrative expenses of the State school-building agency. In time, the payments to the reserve fund would permit repayment of the initial Federal and State advances. When all its financial obligations to the agency are met, the local school district takes title to its building.

"I recommend that the Congress authorize the necessary Federal participation to put this plan into effect so that State building agencies may be in a position to issue bonds in the next 3 years which will build $6 billion worth of new schools.

"3. Grants for school districts with proved need and lack of local income:

"My first message to the Congress on the state of the Union stated the view that "the firm conditions of Federal aid must be proved need and proved lack of local income." In my judgment, any sound program of grants must adhere to this principle. Some school districts meet the conditions. In them the amount of taxable property and local income is so low as to make it impossible for the district either to repay borrowed money or rent a satisfactory school building.

"I now propose a program of grants-in-aid directed clearly and specifically at the urgent situations in which the Federal Government can justifiably share direct construction costs without undermining State and local responsibility. Under this proposal the Federal Government would share with the States part of the cost of building schools in districts where one of the following conditions is met:

"(a) The school district, if it has not reached its legal bonding limit, cannot sell its bonds to the Federal Government under proposal 1 because it cannot pay interest and principal charges on the total construction costs.

"(b) The school district, if it has reached its legal bonding limit, is unable to pay the rent needed to obtain a school from a State agency on a lease-purchase basis, as described in proposal 2.

"The State would certify the school district's inability to finance the total construction cost through borrowing or a rental arrangement. It would also certify that the new school is needed to relieve extreme overcrowding, double shifts, or hazardous or unhealthful conditions.

"The Federal and State aid would be in an amount sufficient for a school district to qualify under either proposal 1 or proposal 2 for financing the remainder of the building costs. The requirement that Federal funds be matched with State-appropriated funds is an essential safeguard to preservation of the proper spheres of local, State, and Federal responsibility in the field of public education.

"By authorizing this program of joint Federal-State aid to supplement the financing plans set forth in proposals 1 and 2, a workable way will be provided for every community in the Nation to construct classrooms for its children. I recommend that the Congress authorize the appropriation of $200 million for a 3-year program.

"4. Grants for administrative costs of State programs:

"In addition to immediate school construction, the Nation needs to plan sound long-term financing of the public schools free from obsolete restrictions. Our State

conferences on education will help accomplish this. Out of these meetings of parents, teachers, and public-spirited citizens can come lasting solutions to such underlying problems as more efficient school districting and the modification of unduly restrictive local debt limits.

"The Federal Government, having helped sponsor the State conferences on education, should now move to help the States in carrying out such recommendations as may be made. I propose, therefore, that the Federal Government furnish one-half of the administrative costs of State programs which are designed to overcome obstacles to local financing or to provide additional State aid to local school districts.

"For this purpose I recommend a total authorization of $20 million with an appropriation of $5 million for the first year of a 3-year period.

"This program is sound and equitable. It accelerates construction of classrooms within the traditional framework of local responsibility for our schools. It does not preclude other proposals for long-range solutions which undoubtedly will grow out of the State conferences and the White House Conference on Education.

"CONCLUSION

"The best possible education for all our young people is a fixed objective of the American Nation. The four-point program, herein outlined, would help provide proper physical housing for the achievement of this objective. But the finest buildings, of themselves, are no assurance that the pupils who use them are each day better fitted to shoulder the responsibilities, to meet the opportunities, to enjoy the rewards that one day will be their lot as American citizens.

"Good teaching and good teachers made even the one-room crossroads schools of the 19th century a rich source of the knowledge and enthusiasm and patriotism, joined with spiritual wisdom, that mark a vigorously dynamic people. Today, the professional quality of American teaching is better than ever. But too many teachers are underpaid and overworked and, in consequence, too few young men and women join their ranks. Here is a shortage, less obvious but ultimately more dangerous, than the classroom shortage.

"The conferences now underway and the massive school-building program here proposed will, I believe, arouse the American people to a community effort for schools and a community concern for education, unparalleled in our history. Taken together, they will serve to advance the teaching profession to the position it should enjoy.

"Federal aid in a form that tends to lead to Federal control of our schools could cripple education for freedom. In no form can it ever approach the mighty effectiveness of an aroused people. But Federal leadership can stir America to national action.

"Then the Nation's objective of the best possible education for all our young people will be achieved."

Special message on education, January 12, 1956:

"For several years now our educational system has been the object of intensified appraisal.

"Signs of heartening progress have come to light. Among these are classroom construction at a higher rate than ever before; teachers' salaries increased in many communities; the number of small, uneconomical school districts reduced; substantially more young people preparing for the teaching profession; private gifts to higher education at new heights; support of education at all levels greater than ever before.

"Encouraging as these advances are, they are not enough to meet our expanding educational needs. Action on a broader scale and at a more rapid rate is clearly imperative.

"We still do not have enough good classrooms for our children. There is insufficient emphasis on both short-range and long-term research into the core of educational problems. We need examination and study, from a broad viewpoint, of the increasing needs of higher education. These lacks are magnified by an ever-increasing stream of student enrollment and the increasing complexity of modern society.

"THE WHITE HOUSE CONFERENCE ON EDUCATION

"Two years ago the Congress approved my recommendation of a program to direct nationwide attention and action to our educational problems and opportunities. As a consequence, more than 4,000 State and local conferences were held throughout 1955. The White House Conference on Education, the first such conference in our history, was held last November. The work of the conferences has aroused the Nation. The final report of the White House Conference Committee should receive wide and serious attention.

"Benefits already are apparent. About half a million people across the Nation, representing all segments of life, came to grips with the problems of education. The status of American education—where it is; the future of American education—where it should and can go—have been illuminated as perhaps never before. Most important of all, there has been a reawakening of broad public interest in our schools. The conferences helped to erase the corroding notion that schools were the other person's responsibility.

"In our society no firmer foundation for action can be laid than common understanding of a problem; no more potent force can be devised for assailing a problem than the common will to do the job. For the improvement of our educational system, the people themselves have laid the foundation in understanding and willingness.

"THE NEED FOR FEDERAL AID IN MEETING THE CLASSROOM SHORTAGE

"The responsibility for public education rests with the States and the local communities. Federal action which infringes upon this principle is alien to our system. But our history has demonstrated that the Federal Government, in the interest of the whole people, can and should help with certain problems of nationwide scope and concern when States and communities—acting independently—cannot solve the full problem or solve it rapidly enough.

"Clearly this is the kind of situation we face today in considering the school-classroom shortage. In the war and postwar periods school construction was drastically curtailed by shortages of materials. And then schools were filled to overflowing by the largest, most rapid enrollment increase in history. Today hundreds of thousands of children study under overcrowded conditions, in half-day or doubledup school sessions, or in makeshift buildings not designed as schools. Further, many classrooms in use today are obsolete, inadequate—and each year more rooms become so. School enrollments will continue to increase rapidly over the years ahead—and this will require still more classrooms.

"Against this backdrop of needs, States and communities are substantially increasing their classroom construction. But many communities simply do not have available locally the resources needed to cope both with the legacy of shortages from past years and with future needs. Unless these communities get help, they simply cannot provide enough good schools. The best estimates indicate that, on a nationwide basis, the current rate of construction only a little more than meets each year's new enrollment and replacement needs. This rate barely dents the large accumulation of needs from past years.

"The rate of classroom construction must be further increased, as the White House Conference on Education asked, by a greater combined effort of local and State governments. And the Conference concluded that Federal assistance also is necessary. The facts support this conclusion.

"THE ADMINISTRATION'S PROPOSALS

"A year ago I proposed a Federal program designed to aid the States and communities in overcoming the classroom shortage. The Congress has not yet enacted legislation. In the light of a full year of further experience and study, in the light of congressional hearings and the White House Conference on Education, I now submit a revised and broadened program to meet our pressing classroom needs. I propose—

"A program of Federal grants amounting to $1,250 million, at a rate of $250 million annually for 5 years, matched with State funds, to supplement local construction efforts in the neediest school districts.

"A program to authorize $750 million over 5 years for Federal purchase of local school construction bonds when school districts cannot sell them in private markets at reasonable interest rates.

"A 5-year program of advances to help provide reserves for bonds issued by State school-financing agencies. These bonds would finance local construction of schools to be rented and eventually owned by the local school systems.

"A 5-year, $20 million program of matching grants to States for planning to help communities and States overcome obstacles to their financing of school construction.

"If speedily and fully utilized, this Federal program, added to the increased basic efforts of States and communities, should overcome the Nation's critical classroom shortage within 5 years. Once this shortage is overcome, the Federal-grant program can and must terminate. The States and localities should then go forward, without Federal funds, to meet their current and future needs. Present construction levels indicate their ability to do this.

"I am confident the Federal Government with this program can help construct schools without in any way weakening the American tradition that control of education must be kept close to the local communities. Any legislation enacted should embody this principle.

"ESSENTIAL PRINCIPLES IN FEDERAL GRANTS

"I strongly urge the Congress, in providing grants for school construction, to follow certain principles, which are indispensable if Federal aid is to serve the cause of American education most effectively.

"The first broad principle is that Federal grants must not reduce the incentive for State and local efforts—but rather should stimulate an increase in such efforts. If Federal funds are used merely to replace funds which otherwise would or could be provided at State and local levels, there is no net gain of schools for our children. I propose, therefore, that Federal grants be matched by State appropriations. Because many of the State legislatures will not have a session this year, I recommend, in order to speed the program at the outset, that during the first year of the 5-year period the matching of Federal funds may be by either the States or by local school districts. The requirement for State matching will result in a larger total program of school construction, and will assure active participation of the States in improving laws relating to financing of school construction, as well as sound administration of the program.

"Furthermore, I propose a formula to reduce the proportion of Federal funds for those few States which are noticeably lagging, behind their ability, to support their

public schools. This feature should act as an incentive for the lagging States to increase their effort.

"Another fundamental principle is that Federal funds, under this type of program, should be distributed according to relative need. We must recognize that some States have more financial resources than others. We must recognize that a weakness in education anywhere is a weakness in the Nation as a whole. Federal appropriations will most quickly accomplish the most good if a relatively larger share of Federal funds is distributed where local and State resources are least adequate to meet classroom needs.

"I propose that this principle be fulfilled in three ways: First, in distributing Federal funds, larger amounts per school-age child should be allotted to States with lower income per child. Second, in fixing matching requirements, States with lower income should not be required to put up as large a proportion of funds as higher income States. For the Nation as a whole, the total of State matching funds would approximately equal the total of Federal funds. Third, as the States distribute these funds, the highest priority should be given to school districts with the least economic ability to meet their needs.

"CREDIT SUPPORT FOR SCHOOL CONSTRUCTION

"Some school districts find difficulty in marketing bonds to finance needed school construction. To meet this situation, I again recommend that the Congress authorize Federal purchase of local school-construction bonds unmarketable except at excessive interest rates.

"Some school districts, however, are unable to raise capital funds needed for school construction because of bonding limits. To encourage school construction in these districts, as well as in districts where construction would be speeded by the lease-purchase method, I propose again that Congress authorize advances to the States as a reserve for bonds of State school-financing agencies.

"Several States have made marked progress in building schools through State agencies which issue long-term bonds to finance school construction in the districts. The school district leases the new building. Revenue from rents is used by the agencies to retire their bonds. After the bonds have been paid, title to the school is transferred to the local district. The program of Federal support is aimed at helping more States start such school-financing agencies, and thus at helping local districts overcome barriers to building more schools.

"The credit support for bonds of communities and State agencies, taken together with the planning grants, should help the States and communities continue their present annual rate of substantial increase in school construction over the next 5 years. The partnership program of Federal grants, matched by the States, should complete the task of building the classrooms that are critically needed.

"AID TO FEDERALLY AFFECTED AREAS

"In considering the school-construction problem, there is a special related area which should have the attention of the Congress at this time. The Congress has for some years recognized the responsibility of the Federal Government to aid communities where Federal activities result in excessive burdens on the local school system. Authority to provide Federal funds for school construction in federally affected school districts will expire next June and should be extended.

"EDUCATIONAL RESEARCH

"Basic to all endeavors in improving education is a vigorous and farsighted program of educational research. This has been a sorely neglected field.

"Such a program should be comprehensive in its approach, planned on a broad scale and executed thoroughly. In this way, educational research can, among other things, point the way to advances in making life more meaningful to more people and in the more efficient use of manpower and funds for education.

"To increase the effectiveness of education, national leadership could well be directed to research in such areas as ways of educating more people to their fullest capacity; staffing and housing the Nation's schools and colleges; educating the retarded child to help him lead a more normal life, and educating the child of special abilities so that he may utilize these abilities more fully; the relationship of schools to juvenile delinquency; educational effects of population mobility; educational needs of low-income families. These studies would be conducted through the Office of Education in cooperation with the Nation's colleges, universities, and State departments of education, thus encouraging and strengthening existing research efforts.

"It is imperative that we now give renewed attention and support to this arm of education—to the end that the country may have a sound, factual basis for identifying and analyzing problems and finding solutions. For these research purposes, and also to expand and improve other services, I urge the Congress to provide a major increase in funds for the Office of Education.

"EDUCATION BEYOND HIGH SCHOOL

"Our vision would be limited if we failed at this time to give special thought to education beyond the high school. Certain problems exist now in this field, and already we can foresee other needs and problems shaping up in the future.

"Shortages now exist in medicine, teaching, nursing, science, engineering, and in other fields of knowledge which require education beyond the level of the secondary school. Changing times and conditions create new opportunities and challenges. There are now possibilities for older persons, properly trained, to lead more productive and rewarding lives. The tide of increasing school enrollment will soon reach higher educational institutions. Within 10 years we may expect three students in our colleges and universities for every two who are there now.

"Higher education is and must remain the responsibility of the States, localities, and private groups and institutions. But to lay before us all the problems of education beyond high school, and to encourage active and systematic attack on them, I shall appoint a distinguished group of educators and citizens to develop this year, through studies and conferences, proposals in this educational field. Through the leadership and counsel of this group, beneficial results can be expected to flow to education and to the Nation, in the years ahead.

"TEACHING

"In all our efforts for education, in providing adequate schools, research and study, we must never lose sight of the very heart of education: Good teaching itself.

"Good teachers do not just happen. They are the product of the highest personal motivation, encouraged and helped in their work by adequate salaries and the respect, support, good will of their neighbors. The quality of American teaching has never been better. But the rewards for too many teachers are not commensurate with their work and their role in American life.

"It is my earnest hope that, along with progress in other aspects of education, the States and communities will give increasing attention to this taproot of all education—good teachers, and hence good teaching.

"CONCLUSION

"These several proposals are designed not only to correct current problems but to build for the future. For today's decisions will influence tomorrow's education—and, hence, the welfare of the Nation.

"The actions here proposed, I believe, constitute a sound and realistic approach to those educational problems on which the Federal Government should now act. They have a primary reliance on the private initiative which wells from the free spirit of a free people.

"With this program, we can lay the basis for better education in America in the years ahead. In this way we keep faith with our children."

State of the Union message, January 10, 1957:

"High priority should be given the school construction bill. This will benefit children of all races throughout the country—and children of all races need schools now. A program designed to meet emergency needs for more classrooms should be enacted without delay. I am hopeful that this program can be enacted on its own merits, uncomplicated by provisions dealing with the complex problems of integration. I urge the people in all sections of the country to approach these problems with calm and reason, with mutual understanding and good will, and in the American tradition of deep respect for the orderly processes of law and justice."

Budget message for 1958:

"In the course of the next few months the administration will recommend to the Congress a number of important legislative proposals. In the immediate future, I shall forward a message emphasizing the urgency of enactment of an adequate program of Federal aid for school construction, and a message on my proposals for amendment of our immigration laws. In connection with the administration's proposals on education, this budget provides for the start of a 4-year program of aid for school construction."

Economic Report of President, January 1957:

"Federal assistance in the development of public assets must be extended to help meet needs in certain areas of vital national interest. None of these is more important than the speedy expansion of school classroom facilities. The Congress was requested last year to enact a program of Federal assistance to help overcome the critical shortage of schoolrooms. This program was designed to supplement the already large efforts of State and local governments to the extent necessary to meet the backlog of these needs within 5 years, after which time full responsibility for school construction would revert to the State and local governments. The Congress is again urged to act on these recommendations. To make up for lost time, provision should be made for completing the program in 4 instead of 5 years."

Special message on education, January 28, 1957:

"In several previous messages to the Congress I have called attention to the status of American education—to accomplishments of the past and to certain problems which deeply involve the national interest and welfare.

"Today more Americans are receiving a higher level of education than ever before. Progress has been made in building more and better schools and in providing more and better teachers. And yet problems in education still persist, and time has more clearly defined their scope and nature.

"The educational task in this country is basically a State and local responsibility. Looking ahead, that task is unprecedented in its sheer magnitude. Elementary and secondary schools already are overflowing under the impact of the greatest enrollment increase in our history. The number of pupils in public schools has increased by 5½ million in the past 5 years, and will further increase by about 6 million in the next 5 years.

"We have already reached an alltime peak in enrollment in colleges and universities. Yet, in the next 10 to 15 years the number of young people seeking higher education will double, perhaps even triple.

"Increasing enrollments, however, by no means represent the whole problem. Advances in science and technology, the urgency and difficulty of our quest for stable world peace, the increasing complexity of social problems—all these factors compound our educational needs.

"One fact is clear. For the States, localities, and public and private educational institutions to provide the teachers and buildings and equipment needed from kindergarten to college, to provide the quality and diversity of training needed for all our young people, will require of them in the next decade the greatest expansion of educational opportunity in our history. It is a challenge they must meet.

"State and local responsibility in education nurtures freedom in education, and encourages a rich diversity of initiative and enterprise as well as actions best suited to local conditions. There are, however, certain underlying problems where States and communities, acting independently, cannot solve the full problem or solve it rapidly enough, and where Federal assistance is needed. But the Federal role should be merely to facilitate, never to control, education.

"TEACHERS

"Solutions to all the other problems in education will be empty achievements indeed if good teaching is not available. It is my earnest hope that the States and communities will continue and expand their efforts to strengthen the teaching profession.

"Their efforts already have accomplished much. Progress has been made in reducing the teacher shortage. There are encouraging increases in the number of persons training to teach and the proportion of those so trained who enter the profession. Still, this year thousands of emergency teachers with substandard certificates had to be employed. Far more needs to be done in our various communities to enhance the status of the teacher—in salary, in community esteem and support—and therefore attract more people to the profession and, equally important, retain those who bear so well the trust of instructing our youth.

"OFFICE OF EDUCATION

"By providing statistics and analyses on trends in education, and by administering other services, the U.S. Office of Education performs a valuable role in helping public and private educational institutions better to perform their tasks.

"A significant first step was taken last year toward strengthening the Office of Education. The appropriation for the Office was increased to implement a cooperative research program, and to expand statistical and professional advisory services and studies.

"This year I am asking for increases in funds for these activities, because they hold such promise for real progress toward solving some of the basic and longstanding problems in education.

"EDUCATION BEYOND THE HIGH SCHOOL

"If the States, localities, and public and private educational institutions are successfully to meet, in the next decade, the increasing needs for education beyond the high school, their effort must begin now. The Federal Government, however, can take certain appropriate steps to encourage such action.

"Already the Congress has enacted legislation for long-term loans by the Housing and Home Finance Agency to help colleges and universities expand their dormitory and other self-liquidating facilities.

"Last year I appointed a Committee on Education Beyond the High School, composed of distinguished educational and lay leaders, to study and make recommendations in this field. The Committee's interim report of last November delineates issues that should have the most careful attention.

"It pointed out that much more planning is needed at the State level to meet current and future needs in education beyond the high school. The Congress at the past session enacted Public Law 813, which authorized Federal funds to help the States establish State committees on education beyond the high school. The funds, however, were not appropriated. I recommend that the Congress now appropriate the full amount authorized under this legislation.

"The State committees can do much to promote discussion, define problems, and develop recommendations. Their recommendations, however, must be supplemented by detailed plans to meet specific needs for expansion of physical facilities, enlargement of faculties, and other adjustments which may provide new or different institutions. Such detailed planning requires the coordinated effort of both public and private education in each State—and time, personnel, and funds.

"I recommend that the Congress amend Public Law 813 so as to authorize grants to the States of $2.5 million a year for 3 years for these purposes.

"FEDERAL AID FOR SCHOOL CONSTRUCTION

"Of all the problems in education, one is most critical. In 1955, and again last year, I called attention to the critical shortage of classrooms in many communities across the country. The lack of physical facilities is a temporary emergency situation in which Federal assistance is appropriate. Unquestionably, a very considerable portion of the shortage is due to World War II restrictions on all types of civil construction, including schools. With Federal help the States and communities can provide the bricks and mortar for school buildings, and there will be no Federal interference with local control of education.

"I again urge the Congress to act quickly upon this pressing problem.

"Today there are enrolled in our public schools about 2¼ million children in excess of the normal capacity of the buildings in use. These children are forced to prepare for the future under the handicap of half day sessions, makeshift facilities, or grossly overcrowded conditions. Further, many classrooms which may not be overcrowded are too old or otherwise inadequate. They should be promptly replaced.

"The need for Federal assistance in eliminating this shortage is not theory, but demonstrated fact. It cannot now be said, realistically, that the States and communities will meet the need. The classroom shortage has been apparent for a number of years and the States and communities have notably increased their school-building efforts. Each year, for several years, they have set a new record in school construction. And yet, in the face of a vast expansion in enrollments each year, many areas are making inadequate progress in reducing the shortage accumulated over many past years. The rate of State and local construction is spotty, with noticeable lags in areas where needs are expanding most rapidly.

"1. Federal grants to the States for school construction, at the rate of $325 million a year for 4 years, a total of $1.3 billion.

"2. The authorization of $750 million over the 4-year period for Federal purchase of local school-construction bonds when school districts cannot market them at reasonable interest rates. These loan funds would be made available to the States on the basis of school-age population. The State educational agency would determine the priority of local school districts for Federal loans based on their relative need for financial aid in the construction of needed school facilities.

"3. Advances to help provide reserves for bonds issued by State school-financing agencies. This would facilitate the issuance of these bonds to finance schools which would be rented and eventually owned by local school districts.

"4. The expenditure of $20 million in matching grants to States for planning to strengthen State and local school-construction programs.

"As I indicated in my message on the state of the Union, I hope that this school-construction legislation can be enacted on its own merits, uncomplicated by provisions dealing with the complex problems of integration.

"BASIC PRINCIPLES

"Certain basic principles must govern legislation on Federal grants for school construction, if they are to serve the cause of education most effectively.

"First, the program must be recognized as an emergency measure designed to assist and encourage the States and communities in catching up with their needs. Once the accumulated shortage is overcome, if State and local autonomy in education is to be maintained, the States and communities must meet their future needs with their own resources and the Federal grant program must terminate. The States and communities already are building schools at a rate which clearly shows their ability to do this.

"Second, Federal aid must not infringe upon the American precept that responsibility for control of education rests with the States and communities. School-construction legislation should state this policy in no uncertain terms.

"Third, Federal aid should stimulate greater State and local efforts for school construction. Many States now make no contribution to school construction, and in some States which do contribute the amount is relatively small. Further, to increase total funds for school construction, Federal grants should be matched by State-appropriated funds after the first year of the program.

"Fourth, the allocation of Federal funds among the States should take into account school-age population, relative financial ability to meet school needs, and the total effort within the States to provide funds for public schools. An allocation system based solely on school-age population would tend to concentrate Federal aid in wealthy States most able to provide for their own needs. An allocation system which provides more assistance to States with the greatest financial need will help reduce the shortage more quickly and more effectively.

"Fifth, in distributing grants under this program within each State, priority should be given to local districts with the greatest need for school facilities and the least local financial ability to meet the need.

"In a Nation which holds sacred the dignity and worth of the individual, education is first and foremost an instrument for serving the aspirations of each person. It is not only the means for earning a living, but for enlarging life—for maintaining and improving liberty of the mind, for exercising both the rights and obligations of freedom, for understanding the world in which we live.

"Collectively, the educational equipment of the whole population contributes to our national character—our freedom as a Nation, our national security, our expanding economy, our cultural attainments, our unremitting efforts for a durable peace.

"The policies I have recommended in education are designed to further these ends."

State of the Union message, January 7, 1960:

"The administration has proposed a carefully reasoned program for helping eliminate current deficiencies. It is designed to stimulate classroom construction, not by substitution of Federal dollars for State and local funds, but by incentives to extend and encourage State and local efforts. This approach rejects the notion of Federal domination or control. It is workable, and should appeal to every American interested in advancement of our educational system in the traditional American way. I urge the Congress to take action upon it."

Budget message for 1961, January 18, 1960:

"The pressing need now is not for aid to federally affected districts on the basis initiated in 1950 but for general aid to help localities with limited resources to build public schools. Despite encouraging progress in the rate of school construction, many school districts are still finding it difficult to avoid overcrowding and double sessions as enrollments continue to mount. Moreover, increasing secondary school enrollments require facilities which are much more costly than elementary school classrooms. Last year the administration recommended legislation authorizing annual Federal advances to local school districts to pay up to half the debt service (principal and interest) on $3 billion of bonds to be issued in the next 5 years for school construction. This legislation is designed to stimulate, not supplant, additional State and local effort. Affirmative action should be taken this year on that proposal."

Special message to Congress, May 3, 1960:

"Among such matters still pending I would mention, first, school construction legislation. Long ago the administration asked Congress to approve a sound program to help colleges and universities and elementary and secondary schools meet their pressing construction needs. I have stressed that any such Federal assistance should be provided only to meet genuine need, and that it must preserve for the States, local communities and educational institutions their traditional responsibilities for education. The administration's debt service plan for elementary and secondary schools, and its comparable plan for institutions of higher learning, both before the Congress for over a year, conform to these standards.

"By these programs we would help to construct 75,000 additional elementary and secondary classrooms at a Federal cost, over the next 20 to 30 years, of $2.2 billion, and at a Federal cost of $500 million we would help build higher education facilities costing in the aggregate some $2 billion. The financing for the initiation of these programs is included in my 1961 budget.

"It will be deeply disappointing if the Congress should fail to authorize such programs, and no less disappointing if, instead, programs that basically conflict with these standards should be passed."

MINIMUM WAGE

Economic Report, January 28, 1954:

"LOW INCOMES AND THE MINIMUM WAGE

"The prosperity enjoyed by the overwhelming majority of Americans should not blind us to the minority of families with annual incomes below $2,000, or even $1,500. Low annual incomes are not caused solely by low wages, nor are high incomes assured by high hourly wage rates. Some people have no earnings at all, or extremely low earnings because of partial unemployment, sickness, or other factors. Some do not earn enough, even when fully employed, to support their families at a decent living standard.

"As one means of dealing with the problem of low incomes, Congress and some State legislatures have sought to place a floor under wages by requiring employers not to pay less than a certain hourly rate. Minimum wage laws in the United States now apply to only 28.5 million employees. The Federal Fair Labor Standards Act covers about 24 million—two-thirds of them factory workers—at a minimum of 75 cents per hour, with few exceptions other than for learners and handicapped. This 75-cent minimum became effective just before the invasion of Korea, when the cost of living was appreciably lower than at present. Twenty States cover another 4.5 million workers, the majority of them women or minors in retail trade. The State minimums, usually established under wage orders by specially appointed boards, range for the most part between 60 and 75 cents.

"There are several considerations concerning minimum wages that deserve comment. These relate to legal coverage, to appropriate level, to impact upon self-employed persons of low income, to fundamental measures for reducing poverty, and to the method of achieving adjustments in minimum wages.

"Coverage:

"Neither the Federal nor the State laws now include the lowest-paid workers. Yet a floor that does not support the poorest worker may compound his miseries in two ways: it may force him to pay higher prices as a customer of the covered industries whose costs have risen; and it may push down his own wages by obliging him to compete for jobs with persons whom the covered industries have let go, because they are unable to pay the higher minimum. An effective minimum-wage program should cover millions of low-paid workers now exempted.

"Size of the minimum:

"A minimum does not protect the inadequately rewarded worker if it is too low. On the other hand, it may not benefit him if it is so high as to push up the whole scaffolding of wages and of costs of doing business, thus leading either to inflation of prices and the worker's own living costs, or to elimination of the less efficient employers and workers. Yet the ability of the employer to absorb a high minimum wage is limited. Indeed, the low-pay industries of today are often those earning modest profits, having limited opportunities to increase productivity, and containing firms easily squeezed out of business by rising costs.

"The self-employed worker:

"It is important to recognize that the economic condition of the wage earner cannot be set off sharply from that of the person who provides his own employment. The census has revealed that one in four of the families with incomes under $1,500 in 1950 had the major source of their earnings in self-employment. A minimum that would benefit the wage earner materially may put a heavy burden on the small farmer or small business operator, not only of higher prices for what he—like the uncovered wage earner—buys, but also the higher wages he must pay if he hires assistance. Protection to the wage earner must be considered with full regard to the complexities of our society.

"Basic means of reducing poverty:

"A minimum wage fixed by law helps to protect wage earners against unjustifiable low compensation. But a minimum wage program is an expedient of limited value for dealing with low incomes. The best help for the lowest earner is to enhance his usefulness as a worker, and to improve his knowledge and mobility. Some individuals manage to attain economic success with little formal learning; but, on the average, there is a close relation between earnings and education. Fortunately, education as being steadily and rapidly extended. Already, the average American worker under 35 years of age is a graduate of high school.

It is also important to keep in mind that, although some low-wage firms are lucrative, the firms that skimp on rewards to their workers are, not infrequently, those in which profits are also small, owing in part to inefficient management. Improvements in efficiency of worker and employer will take time; but it cannot be doubted that they—rather than a minimum wage—provide the major escape from poverty.

"Conclusions:

"While minimum wage laws do not get at the fundamental causes of poverty, they can make a useful contribution to its reduction. Recognizing that an increase of the minimum now provided by Federal law and an expansion of its coverage are desirable, the exact nature and timing of these changes must be worked out with a view to the best interests of the economy. We must not proceed—as has happened at times in the past—to ignore some workers and pretend to aid others, while in fact raising their cost of living and reducing their chances of employment. We should undertake adjustments of the minimum wage at a time when economic activity can take them in stride, thereby minimizing the risk of unemployment of the less productive workers whose welfare the minimum wage seeks to aid. The Secretary of Labor is continuing his intensive canvass of the highly complex problem and is consulting with appropriate groups. At the proper time recommendations will be made to the Congress."

State of the Union message, January 6, 1955:

"During the past year certain industrial changes and the readjustment of the economy to conditions of peace brought unemployment and other difficulties to various localities and industries. These problems are engaging our most earnest attention. But for the overwhelming majority of our working people, the past year has meant good jobs. Moreover, the earnings and savings of our wage earners are no longer depreciating in value. Because of cooperative relationships between labor and management, fewer working days were lost through strikes in 1954 than in any year in the past decade.

"The outlook for our wage earners can be made still more promising by several legislative actions.

"First, in the past 5 years we have had economic growth which will support an increase in the Federal minimum wage. In the light of present economic conditions, I recommend its increase to 90 cents an hour. I also recommend that many others, at present excluded, be given the protection of a minimum wage."

Budget message for 1958, January 16, 1957:

"Other steps will require legislation. First, the unemployment insurance system should be extended and improved. Similarly, congressional action is recommended to extend the Fair Labor Standards Act to additional workers. The Secretary of Labor will make recommendations on this act when hearings are held by the committees of the Congress. The Federal 8-hour laws should be revised and brought up to date and legislation should be enacted to assure equal pay for equal work. A modest program of grants under which the States can increase their efforts to improve occupational safety should be initiated. Likewise, legislation should be enacted to require the registration of employee pension and welfare funds to protect the interests of beneficiaries."

Economic Report, January 20, 1957:

"In addition to actions designed to help the unemployed and the aged, measures have been taken to improve the income status of individuals. Effective March 1, 1956, an amendment to the Fair Labor Standards Act raised the minimum wage to $1 an hour, directly increasing the wages of 2 million

covered workers. A number of administrative wage orders of the Department of Labor, specifying various minimum wage rates, were issued or became effective in 1956: for numerous Puerto Rican industries under the Fair Labor Standards Act; for substantial numbers of workers and industries under the Walsh-Healey Public Contracts Act; and for large numbers of Federal and federally assisted construction contracts under the Davis-Bacon Act and related statutes. It is again recommended that the Congress and the States extend the coverage of minimum wage legislation to additional workers needing this protection.

"Although progress is being made toward equalizing economic opportunity for all citizens, additional legislative steps are desirable. One such step would be the enactment by the Congress of the principle of equal pay for equal work without discrimination on account of sex."

Budget message for 1959, January 13, 1958: "I again recommend the enactment of legislation to improve the welfare of working men and women. In this field, recommendations are already before the Congress for legislation to assure equal pay for equal work, to revise the laws governing hours of work on Federal construction projects, to extend the coverage of the minimum wage, and to improve the coverage of unemployment compensation. I will make proposals in a special message to the Congress concerning amendments to the legislation on labor-management relations and the registration and safeguarding of union as well as welfare and pension funds."

Economic Report, January 20, 1958: "Recommendations in last year's Economic Report are already pending before the Congress for legislation extending the Fair Labor Standards Act to additional groups of workers needing its protection and to enact the principle of equal pay for equal work without discrimination on account of sex. Favorable consideration by the Congress is requested for legislation to strengthen the Federal 8-hour laws for the benefit of workers subject to Federal wage standards on Federal and federally assisted construction and other public works."

Budget Message for 1960, January 19, 1959: "Legislation is also recommended to provide equal pay for equal work, to revise the laws relating to hours of work on Federal construction projects, and to extend the coverage of the Fair Labor Standards Act so that several million more workers can receive its protection."

Economic Report, January 20, 1959: "Certain legislative improvements are required in programs that lie within Federal jurisdiction. Proposals will be made to the Congress to extend the coverage of the Fair Labor Standards Act. Favorable consideration is again requested for legislation to revise the ambiguous and outmoded provisions of the 8-hour laws applying to Federal and federally assisted construction projects and to carry out the principle of equal pay for equal work without discrimination based on sex."

Budget report for 1961, January 18, 1960:

"LABOR AND WELFARE

"Budget totals

"[In billions]

Expenditures:	
1959 actual	$4.4
1960 estimate	4.4
1961 estimate	4.6
New obligational authority:	
1959 actual	4.2
1960 estimate	4.5
1961 estimate	4.5

"LEGISLATIVE PROPOSALS

"1. Authorize financial help for local school construction.

"2. Authorize financial assistance for construction of college facilities.

"3. Revise programs for aid to schools in federally-affected areas.

"4. Remove affidavit requirement from National Defense Education Act.

"5. Finance grants for administration of employment security system from trust fund.

"6. Widen coverage of unemployment compensation system.

"7. Strengthen Welfare and Pension Plan Disclosure Act.

"8. Extend protection of Fair Labor Standards Act to additional workers.

"9. Assure equal pay for equal work.

"10. Improve laws governing hours of work and overtime pay on Federal construction projects.

"11. Strengthen authority for air and water pollution control.

"12. Revise military service reimbursement to railroad retirement trust fund.

"Previously proposed amendments to strengthen the basic authority in the Welfare and Pension Plan Disclosure Act should be enacted, and the protection of the Fair Labor Standards Act should be extended to several million additional workers in accordance with previous recommendations. Legislation is likewise again proposed to assure equal pay for equal work, and to strengthen and improve laws governing hours of work and overtime pay on direct Federal and certain federally aided construction projects."

Economic Report, January 20, 1960:

"The Congress is again requested to extend the coverage of the Fair Labor Standards Act to several million workers not now receiving its protection. While such a law does not deal with the fundamental causes of low incomes, it may help safeguard the economic interests of workers at the fringes of competitive labor markets."

Special message to Congress, May 3, 1960:

"The Fair Labor Standards Act likewise needs attention before these next 60 days elapse.

"For several years I have urged expansion of coverage under this act to include approximately 3 million additional wage earners. This is the most urgently needed change in this law, and I hope that the Congress will not fail to provide it.

"The Secretary of Labor recently presented the Congress with information indicating that the minimum wage could be increased moderately without disruptive effects upon the economy. On the other hand we should, as responsible officials, stand firmly against an excessive increase which could cause unemployment and severe repercussions in many industries and areas of our country. It is of great importance to the well-being of the American people that we govern our actions in this area by economic facts rather than by political or social prejudice."

AGRICULTURAL PROBLEMS

Special message, January 11, 1954:

"I submit herewith for the consideration of the Congress a number of recommendations affecting the Nation's agriculture.

"PART I

"The agricultural problem today is as serious and complex as any with which the Congress will deal in this session. Immediate action is needed to arrest the growing threat to our present agricultural program and to prevent the subsequent economic distress that could follow in our farming areas.

"I have given assurances to the American farmer that support of existing agricultural laws, including continuance through 1954 of price supports on basic commodities at 90 percent of partity, was a moral and legal commitment that must be upheld. Along with the fulfillment of this commitment, an unending effort has proceeded in the past 12 months to provide the American farmer his full share of the income produced by a stable, prosperous country. This effort requires for success a new farm program adjusted to existing conditions in the Nation's agriculture.

"This message presents to the Congress that new program. It is designed to achieve the stability and growth in income over the years to which our farmers are entitled and which the Nation must assure in the interest of all 160 million of our people.

"Studies of the problem

"In constructing its program, this administration resolved to get the benefit of the best thinking of the Nation's farmers, as well as that of its farm experts. Over 60 different survey groups, and more than 500 of the most eminent farm leaders in the country, have participated in these studies. Agricultural colleges and research institutions contributed their work and thought. Scores of producers, processor, and trade groups, as well as national farm organizations, gave their findings and proposals. Mail from thousands of individual farmers, and opinion polls among farmers, have been analyzed and weighed. The bipartisan, broadly representative National Agricultural Advisory Commission has steadily worked and consulted on the problem for the past 12 months. Numerous commodity organizations have been consulted. Many Members of the Congress have shared their own rich experience in this effort. Accordingly, as promised a year ago, the most thorough and comprehensive study ever made of the farm problem and of governmental farm programs has been completed.

"Recommendations by commodity

"The recommendations which have been reaped from all this inquiry are in the best traditions of bipartisan approach to the Nation's agricultural legislation. They recognize that each farm crop has its own problems and that those problems require specific treatment. Accordingly part II of this message presents detailed proposals for the treatment of 16 commodities or commodity groups. I here confine myself to those aspects of the farm program in which all farmers and all citizens are equally concerned.

"Some fundamental considerations

"In its approach to this problem, the administration has held to the following fundamentals:

"1. A stable, prosperous, and free agriculture is essential to the welfare of the United States.

"2. A farm program must fairly represent the interests of both producers and consumers.

"3. However large surpluses may be, food once produced must not be destroyed. Excessive stocks can be removed from commercial channels for constructive purposes that will benefit the people of the United States and our friends abroad.

"4. For many reasons farm products are subject to wider price fluctuations than are most other commodities. Moreover, the individual farmer or rancher has less control over the prices he receives than do producers in most other industries. Government price supports must, therefore, be provided in order to bring needed stability to farm income and farm production.

"5. A farm program first of all should assist agriculture to earn its proportionate share of the national income. It must likewise aim at stability in farm income. There should therefore be no wide year-to-year fluctuation in the level of price support.

"6. No single program can apply uniformly to the whole farm industry. Some farm products are perishable, some are not; some farms consume the products of other farms; some foods and fibers we export, some we import. A comprehensive farm program must be adaptable to these and other differences, and yet not penalize one group of farmers in order to benefit another.

"7. A workable farm program must give the administration sufficient leeway to make timely changes in policies and methods, including price-support levels, within limits established by law. This will enable the administration to foresee and forestall new difficulties in our agriculture, rather than to attempt their legislative cure after they have arisen.

"8. Adjustment to a new farm program must be accomplished gradually in the interest of the Nation's farming population and in the interest of the economy of the Nation as a whole.

"9. Research and education, basic functions of the Department of Agriculture since its beginning, are still indispensable if our farmers are to improve their productivity and enlarge their markets.

"10. The soil, water, range and forest resources of the United States are the natural foundation of our national economy. From them come our food, most of our clothing, much of our shelter. How well we protect and improve these resources will have a direct bearing on the future standard of living of the whole Nation.

"The present agricultural situation

"Present laws discourage increased consumption of wheat, corn, cotton, and vegetable oils and encourage their excessive production. The huge and growing surpluses held by the Government act as a constant threat to normal markets for these products. Thus, present law produces results which in turn are hurtful to those whom the laws are intended to help. Partly because of these excessive stocks, farm income has fallen steadily over the past 3 years.

"The urgency in this situation may be illustrated by a few basic facts. During the past year, the investment of the Commodity Credit Corporation in farm commodities more than doubled, increasing by about $2,500 million. As a result the financial obligations of the Corporation are pressing hard against the $6,750 million limitation on its borrowing authority. In order to assure that present price support commitments on 1953 and 1954 crops will be covered, I shall request the Congress to take early action to restore the Corporation's capital losses as of June 30, 1953, and to increase its borrowing authority to $8,500 million, effective July 1, 1954.

"The Government's commodity holdings are enormous. It has investments in more than $2 billion worth of wheat alone. This includes 440 million bushels owned outright. About 400 million additional bushels are under loan, the greater share of which the Government can expect to acquire. This is more than the domestic wheat requirements of the entire Nation for a full year.

"The cotton carryover will amount to about 9,600,000 bales. Here again the carryover is approximately equal to the domestic needs of the entire Nation for a full year.

"The carryover of vegetable oils may be about 1,500 million pounds, roughly double the carryover that should normally be maintained.

"Because such tremendous supplies are already in hand, acreage allotments and marketing quotas have had to be applied to wheat and cotton. An appeal by the Government for sharp acreage reductions for corn appears unavoidable. These allotments are expected to reduce the acreage planted to these crops in 1954 by the following amounts: Wheat, 16.5 million acres; corn, between 5 and 6 million acres; cotton, 3.5 million acres. Without the most careful handling, a diversion within a single year of 25 million acres of productive cropland—about 8 percent of the total—from their accustomed use could have the most unfortunate impact on the total economy.

"Even these reductions probably will not appreciably lower the surpluses of wheat and cotton because of the likelihood of increased yields that will be sought from the reduced acreage, and because markets will continue to shrink as a consequence of rigid price supports. As for corn, it is estimated that enough diverted land will be used for oats, barley, and sorghums to hold total supplies of feed grains at present levels, thus largely offsetting the purpose of the corn acreage reduction. It is also expected that some 3 million diverted acres may be planted to soybeans, thus aggravating the tremendous oversupply of vegetable oils. The likely production from other diverted acres threatens producers of potatoes, sugar beets, rice, alfalfa, flaxseed, vegetables, and many other crops. Therefore, we must move without further delay to treat the fundamental causes of our present excess supplies of farm commodities.

"The Nation's agricultural problem is not one of general overproduction: Consumer demand continues at or near record high levels; the average prices of farm products that lack direct price supports have been as high in recent years as those of price-supported products. The problem is rather one of unbalanced farm production, resulting in specific surpluses which are unavoidable under the present rigid price supports. The problem is complicated by the continuing loss of some of those foreign markets on which American agriculture has depended for a large part of its prosperity.

"Major features of farm program

"The new farm program here proposed is consistent with all the foregoing conditions and fundamental considerations. It has 5 major features:

"1. The new program should first be given an opportunity to start operating without the handicap of such large accumulated surpluses. This is to be done by setting aside certain quantities of our surplus commodities, eliminating them from price support computations.

"2. The 1948 and 1949 Agricultural Acts were soundly conceived and received bipartisan support. The principles on which they were based are particularly applicable to the agricultural industry today. Although based generally upon those principles, the proposed agricultural legislation of 1954 contains certain new features, improvements, and modifications.

"3. The amendment to the 1949 Agricultural Act providing for mandatory rigid supports, attuned to war needs and demonstrably unworkable in peacetime, will be permitted to expire. After the 1954 crops the level of price supports for the basic commodities will be gradually related to supply, promising farmers greater stability of income.

"4. Modernized parity is to become effective for all commodities on January 1, 1956, as scheduled by law. Provision should be made for moving from the old to modernized parity in steps of 5 percentage points of the old parity per year until the change from old to modernized parity has been accomplished.

"5. The key element of the new program is a gradual adjustment to new circumstances and conditions. Application of modernized parity and the relation of basic crops to supply levels require a transition period to assure a stable farm economy. This transition should be accomplished in a prudent and careful manner to avoid sharp adjustments which would threaten the dislocation of the program.

"6. In keeping with the policy of gradual transition, the Secretary of Agriculture will use his authority under the Agricultural Act of 1949 to insure that year-to-year variations in price support levels will be limited.

"7. The authority of the Secretary of Agriculture to apply price supports at more than 90 percent of parity when the national welfare or national security requires should be continued.

"Parity and price supports

"Under the provisions of the Agricultural Acts of 1948 and 1949 the Government will:

"1. Support the prices of basic crops of those farmers who cooperate with acreage allotments and marketing quotas when such are in effect;

"2. Announce the price support level for various crops before those crops are planted, insofar as practicable;

"3. Support price levels at up to 90 percent of parity. For some products a schedule of price floors will also be provided as authorized by the 1949 act, ranging from 75 to 90 percent of parity, according to the relationship of total to normal supply; and

"4. Vary the price support level 1 percentage point for every 2 percentage points of variation in the total supply. If the supply is short, higher support levels will encourage production. If the supply is overabundant, a lowered price will stimulate consumption. Thus, not only will a floor be placed under all basic crop prices, but variations in price and supply will tend to offset each other, and thus stabilize the income of the farmer.

"Modernized parity

"Parity calculations for most commodities under the old formula are based upon price relationships and buying habits of 40 years ago. Because methods of farm production have changed markedly, the Congress has wisely brought the parity concept up to date. Modernized parity takes account of price relationships during the most recent 10 years. It permits changes in farm technology and in consumer demand to express themselves in the level of price support and restores proper relationships among commodities.

"For the basic commodities, the law provides that until January 1, 1956, the old or modernized parity, whichever is higher, shall be used. For all commodities except wheat, corn, cotton, and peanuts, modernized parity is already in use.

"Equitable treatment of the various commodities requires that we should use modernized parity for all farm products as now provided by law, beginning January 1, 1956.

"Insulation of surpluses from markets

"Removal of the threat of huge surpluses of farm commodities from current markets is an essential part of the program here presented. Destruction of surplus commodities cannot be countenanced under any circumstances. They can be insulated from the commercial markets and used in constructive ways. Such uses will include school lunch programs, disaster relief, aid to the people of other countries, and stockpiled reserves at home for use in war or national emergency.

"I recommend that authority be provided to set aside reserves up to the value of $2,500,000,000 from the stocks presently held by the Commodity Credit Corporation. Broad discretionary authority should be provided to manage these frozen reserves. This authority should be coupled with legislative safeguards to prevent the return of these stocks to domestic or foreign markets so as to cause disturbance in normal trade. Perishable stocks should of course be rotated. Stocks of wheat, cotton, vegetable oils, and possibly some dairy products should be set aside after this program takes effect.

"The special circumstances relating to the crop and the date of initiating the proposed new program should govern the time for establishing each such commodity reserve. This reserve program will be effective only if it is carefully integrated with the new program as a whole. The insulation of our excess reserves of food and fiber is an essential first step in launching this new program.

"Expansion of farm markets abroad

"One of our largest potential outlets for present surpluses is in friendly countries. Much impetus can be given to the use of a substantial volume of these commodities by substituting to the maximum extent food and fiber surpluses in foreign economic assistance and disaster relief. I shall request a continuation of the authority to use agricultural surpluses for this purpose.

"It is not enough, however, to rely solely on these measures to move surpluses into consumption. No farm program should overlook continued economic growth and expansion. By revolutionary increases in farm productivity during and since World War II, American farmers have prepared our Nation to supply an ever greater proportion of the food needs of the world. Developing commercial markets for this expanded production is part of the larger problem of organizing a freer system of trade and payments throughout the free world. Because our farmers depend to a considerable degree on foreign markets their interests will be particularly served by strengthening of the work of the Department of Agriculture in developing market outlets both at home and abroad. In my budget message I shall recommend that sufficient funds be appropriated for this purpose.

"Meanwhile, a series of trade missions, working in cooperation with our representation overseas, will be sent from the United States, one to Europe, one to Asia, one to South America, to explore the immediate possibilities of expanding international trade in food and fiber. Moreover, the Secretary of Agriculture, in cooperation with the Secretary of State, is organizing discussions for the exchange of views with foreign ministers of agriculture on subjects affecting the use of agricultural surpluses and stockpiles.

"Use of diverted acres

"In addition to the removal of surpluses and the expansion of markets, special measures must be taken to deal with the use of acreages diverted from crops under allotment. To avoid these difficulties, the number of diverted acres must be reduced to a minimum. The proposed program accomplishes this by increasing the utilization of commodities, thereby reducing the need for acreage restrictions.

"When land must be diverted from production, it is essential that its use be related to the basic objectives of soil conservation—to protect and to improve that land. Wherever acreage adjustments are especially difficult, agricultural conservation program funds will be used to help farmers make these adjustments in a manner that will advance soil conservation and long-term efficiency.

"Small farms

"The chief beneficiaries of our price support policies have been the 2 million larger, highly mechanized farming units which produce about 85 percent of our agricultural output. The individual production of the remaining farms, numbering about 3,500,000, is so small that the farmer derives little benefit from price supports. During 1954 the Secretary of Agriculture, in cooperation with the National Agricultural Advisory Commission, will give further special attention to the problems peculiar to small farmers.

"Conclusion

"The agricultural program proposed in this section, and in part II which follows, will open new market outlets both at home and abroad, not only for current supplies but for future production. It will provide a firm floor on which our farmers can rely while making long-term plans for efficient production and marketing. Year in and year out, it will provide the best prospects for the stability and growth of farm income.

"It will help the farmer attain full parity in the market. It will avoid creating burdensome surpluses. It will curtail the regimentation of production planning, lessen the problem of diverted acreage, and yield farmers greater freedom of choice and action.

"It will bring farm production into closer balance with consumer needs. It will promote agricultural interests, along with the public interest generally. It will avoid any sharp year-to-year change in prices and incomes.

"The program will again stimulate and encourage good farm management. It will prevent arbitrary Government control and afford the greatest freedom to the individual farmer. It will provide added incentive to make wise use of all our agricultural resources, and promises the Nation's agriculture a more stable and reliable financial return than any alternative plan.

"I urge its early approval by the Congress.

"PART II

"In this part of the special message the principles developed in part I are applied to specific commodities and commodity groups.

"Wheat

"Wheat is a prime example of the results that ensue from a support program which fails to adjust to the level of demand. As of December 16, more than $2 billion of Commodity Credit Corporation funds were invested in wheat.

"The export market, historically vital to our wheat farmers, was itself partly responsible for the expanded production of American wheat during the war and postwar years. To meet the food needs of devastated countries, our farmers continued their high level of production after the war and thus rendered a great service to humanity and to the cause of freedom throughout the world. These expanded outlets have since greatly diminished. Yet the support price has remained at the level associated with wartime needs. The result is that production has continued at wartime levels and, annually, more and more of this production has become surplus.

"In foreign markets, the high rigid support program of the United States has become an umbrella for competitors. This has created an artificial competitive situation which has cost the American farmer a substantial part of his world wheat market. During the past 2 years our exports of wheat outside the International Wheat Agreement have fallen from 220 million bushels to 64 million, while Canada's free market sales have risen from 105 to 161 million bushels. Thus our price policy shrinks the very market that could otherwise help absorb our excess stocks of wheat.

"Continuance of present price support levels for wheat would confront us with two undesirable alternatives:

"1. Curtail production to the amount needed for domestic use and very limited exports. This would require a reduction in wheat acreage of about 40 percent—from the 79 million acres planted in 1953 to between 45 and 50 million acres.

"2. Subsidize the consumption of wheat by increasingly severe burdens upon the taxpayer.

"The foregoing alternatives make it increasingly clear that the Nation must depart from the high rigid support level for wheat.

"It is, therefore, recommended that:

"1. A substantial part of the present excessive wheat carryover be set aside as an emergency reserve and removed from the market.

"2. After the 1954 crop, the level of price support for wheat be related to supply. Because of the substantial set-aside, computations of the support level under the Agricultural Act of 1949 would insure that changes in support levels would be gradual. The Secretary of Agriculture will use his authority under the Agricultural Act of 1949 to insure that year-to-year variations in price support levels will be limited.

"3. Beginning January 1, 1956, a change be made at the rate of 5 percent a year from old to modernized parity;

"4. Acreage allotments and marketing quotas be continued, with the anticipation, however, that adjusted support levels will increase the incentive to employ some of the present wheat land for other purposes.

"Rice

"Price supports for rice at 90 percent of parity have had no recent application. Market prices have been at or above support levels; restraints on production have not been needed; stocks have not accumulated. Nevertheless, present price supports for rice can inhibit an adjustment, if one should be needed, in the same manner that they prevented the adjustment for wheat, when it was needed.

"It is therefore recommended that mandatory price supports at 90 percent of parity for rice be allowed to expire after the 1954 crop.

"Corn

"Corn is a dominant factor in the feed-grain-livestock economy. This economy is based on an interdependent process involving the production of feed, its conversion into livestock products, and its movement into consumption as meat, dairy products, and eggs. To hold this economy in balance, prices are a critical factor, encouraging and discouraging livestock production by turns, rationing feed when it is scarce and moving it into use when it is plentiful. For the efficient use of corn, some price freedom is indispensable.

"A program of high rigid price supports for feed grains involves the danger of curtailing our livestock industries and limiting the quantity of their products to consumers. We have made great strides in improving the efficiency of corn production and in passing some of those gains on to consumers in the form of reasonably priced livestock products. Our corn support program should be designed to encourage those trends.

"Corn is used in the same manner as pasture and hay on farms where grown. Seldom does more than 25 percent of our corn crop move through commercial channels, and the bulk of this is eventually used as feed by other farmers. Farmers, therefore, are the principal users of corn. It follows that a high support price for farmers who produce corn for sale aggravates the cost-price squeeze on other farmers who normally buy corn and competing feeds to produce livestock products.

"To guide the corn price support program, the adjustable price and income-balancing features of the Agricultural Act of 1949 on the whole are well suited. The level of support specified is designed to move corn into use. Livestock producers are assured of a steady supply of feed at reasonable prices.

"The old parity formula holds the support price for corn too high in relation to livestock prices. Use of modernized parity, scheduled by law to become effective on January 1, 1956, will help to balance these vital price relationships.

"It is, therefore, recommended that:

"1. Modernized parity for corn become effective on January 1, 1956, with modification limiting the rate of the transition to 5 percent in any single year;

"2. Except as provided in (3) and (4) the provisions of the Agricultural Act of 1949 become effective for the corn crop of 1955 and subsequent crops;

"3. The act of 1949 be amended to provide a change, within the range of 75 to 90 percent of parity, of 1 percentage point in the support price for corn for each 1 percentage point of change in supply, thereby

giving greater flexibility to corn support prices and tending to prevent the building up of excessive holdings by Government;

"4. Legislation be enacted to raise the normal carryover allowance for corn from 10 to 15 percent of domestic use plus exports, to become effective for 1955 and subsequent crops. This would help to assure more stable feed supplies and reduce the impact of current carryover stocks on future production controls and support levels;

"5. Upon adoption of the foregoing recommendation, the system of marketing quotas be abolished.

"Feed grains other than corn

"The Agricultural Act of 1949 authorizes price support for such nonbasic crops as oats, barley, and grain sorghums at not to exceed 90 percent of the parity price. The amounts, terms and conditions of price-support operations and the extent to which these operations are carried out are determined or approved by the Secretary of Agriculture upon consideration of various factors specified in the law.

"Inasmuch as this program has worked satisfactorily, it is recommended that these provisions be continued.

"Meat animals

"The fact that mandatory price supports are ill adapted to meat animals has been recognized by Secretaries of Agriculture for years. The present law provides tools well adapted to deal with the problems peculiar to the livestock industry.

"It is recommended, therefore, that the existing conditions with respect to meat animals be continued.

"Dairy products

"The Agricultural Act of 1949 requires price support for dairy products at such levels between 75 and 90 percent of parity as are necessary to assure an adequate supply. Sufficient discretionary authority is provided to operate a satisfactory program.

"It is recommended that these provisions of law be continued.

"Poultry and eggs

"Price supports have not been generally desired by the poultry industry. Temporarily and in special circumstances, price supports can, however, be helpful.

"It is recommended, therefore, that:

1. Provisions of the 1949 act be continued for poultry and eggs, with discretionary authority for the Secretary of Agriculture to support prices at not to exceed 90 percent of parity;

2. Discretionary authority be continued to purchase poultry products for use in the school-lunch program, in nonprofit institutions, and for certain other purposes.

"Cotton

"Cotton, like wheat, is an export crop whose price is currently supported above the world level. Carryover stocks in the United States have been accumulating rapidly in the past 2 years. These stocks, probably close to 9,600,000 bales by next August, will approximate a full year's domestic requirements.

"Our high rigid price-support program stimulates competition of foreign producers and reduces exports. During the twenties and early thirties our net exports of cotton generally exceeded domestic consumption. Current exports amount to hardly a third of our larger domestic requirements.

"Our problem is to develop a program which will help growers adjust gradually to changing circumstances, including foreign and domestic competition of rising intensity.

"The Agricultural Act of 1949 provides price supports for cotton at a level between 75 and 90 percent of parity, dependent on the supply. Thus changes in supply and price would tend to offset one another, giving a relatively stable income. This plan will allow limited price variation, thus affording growers reasonable market stability and yet offering added inducement for heavier use of cotton in years of abundant supplies.

"Separate legislation has made the adjustable pricing provisions of the 1949 act ineffective for cotton. The Secretary of Agriculture is now required by law to set such marketing quotas and allotments that the required price support level can seldom if ever fall below 90 percent of parity. Instead of relying in part on the schedule of price floors intended in the act of 1949, the law requires reliance almost entirely on production controls.

"It is recommended, therefore, that:

"1. A substantial part of the present large carryover of cotton now in prospect be set aside as an emergency reserve and removed from the market.

"2. After the 1954 crop, the level of price support for cotton be related to supply. Because of the substantial set-aside, computations of the support levels, under the Agricultural Act of 1949, would insure that changes in support levels would be gradual. The Secretary of Agriculture will use his authority under the Agricultural Act of 1949 to insure that year-to-year variations in price support levels will be limited.

"3. Modernized parity becomes effective for cotton as scheduled on January 1, 1956.

"4. The Congress repeal the present provisions whereby the maximum use of production restrictions before there can be any reduction of the price support level is required.

"Tobacco

"Tobacco farmers have demonstrated their ability to hold production in line with demand at the supported price without loss to the Government. The relatively small acreage of tobacco and the limited areas to which it is adapted have made production control easier than for other crops.

"The level of support to cooperators is 90 percent of the parity price in any year in which marketing quotas are in effect.

"It is recommended that the tobacco program be continued in its present form.

"Peanuts

"The law requires that mandatory 90 percent supports for peanuts continue through 1954 and that old parity remain in effect until the end of 1955.

"This program, which has experienced some difficulties in adjusting supplies to demand at the supported price, can operate successfully with certain changes.

"It is recommended that:

"1. The Agricultural Act of 1949 become effective for peanuts on January 1, 1955.

"2. The shift to modernized parity for peanuts begins as now provided by law on January 1, 1956.

"3. A transitional provision be provided to limit the change from the old to modernized parity to not more than 5 percent per year.

"Tung nuts and honey

"Tung nuts and honey should be in the same category with other products for which price supports are permissive rather than required. It is recommended, therefore, that the mandatory price supports for these commodities be discontinued.

"Oil seeds

"Price support is authorized for soybeans, cottonseed and flax at not to exceed 90 percent of the parity price. It is recommended that the provisions of the Agricultural Act of 1949 be continued for these commodities.

"Fruits and vegetables

"Existing law authorizes the use of 30 percent of general tariff revenues to encourage the exportation and domestic consumption of agriculture commodities. In the event of market distress these funds may be used for limited purchases of market surpluses of such perishable commodities as fruits and vegetables. No purchases may be undertaken unless outlets are available.

"It is recommended that:

"1. Present provisions for the use of funds from tariff revenues be continued.

"2. Authorization for the use of marketing agreements be continued and liberalized to—

"(a) provide for inclusion of additional commodities to which marketing agreements are adapted;

"(b) enlarge and clarify the authorization for agencies established under marketing orders to engage in or finance, within reasonable limits, research work from funds collected pursuant to the marketing order;

"(c) provide for the continuous operation of marketing agreements, despite short-term price variations, where necessary to assure orderly distribution throughout the marketing season; and

"(d) enlarge and clarify the authorization for the use of marketing orders to promote marketing efficiency, including the regulation of containers and types of pack for fresh fruits and vegetables.

"Potatoes

"It is recommended that legislation be enacted to allow assistance to potato growers in the same manner as is available for producers of other vegetables and of fruits.

"Sugar

"The sugar program, extended in 1951, is operating in a generally satisfactory manner. It is recommended that this program be continued in its present form.

"Wool

"Price support for wool above the market level has resulted in heavy accumulations of wool—now nearly 100 million pounds—by the Commodity Credit Corporation and the substitution of imported for domestic wool in our home consumption. Two-thirds of the wool used in the United States is imported; yet our own wool piles up in storage.

"A program is needed which will assure equitable returns to growers and encourage efficient production and marketing. It should require a minimum of governmental interference with both producers and processors, entail a minimum of cost to taxpayers and consumers; and aline itself compatibly with overall farm and international trade policies.

"It is recommended that:

"1. Prices of domestically produced wool be permitted to seek their level in the market, competing with other fibers and with imported wool, thus resulting in only one price for wool—the market price.

"2. Direct payments be made to domestic producers sufficient, when added to the average market price for the season, to raise the average return per pound to 90 percent of parity.

"3. Each producer receive the same support payment per pound of wool, rather than a variable rate depending upon the market price he had obtained. If each grower is allowed his rewards from the market, efficient production and marketing will be encouraged. This has the further advantage of avoiding the need for governmental loans, purchases, storage, or other regulation or interference with the market. Further, it imposes no need for periodic action to control imports in order to protect the domestic price-support program.

"4. Funds to meet wool payments be taken from general revenues within the amount of unobligated tariff receipts from wool.

"5. Similar methods of support be adopted for pulled wool and for mohair, with proper regard for the relationships of their prices to those of similar commodities."

Budget message for 1955, January 21, 1954:

"AGRICULTURE AND AGRICULTURAL RESOURCES

"My recommendations for Federal agricultural programs are designed to help in the solution of pressing immediate problems such as the hardships arising from severe drought in major farm areas, the squeeze on livestock producers resulting from lower cattle prices, and the disposal of excess stocks of wheat, cotton, vegetable oils, and dairy products which have been accumulated under provisions of price-support laws presently in force. They also take into account our long-run goals—promotion of a more stable and healthy farm economy, conservation and improvement of our basic agricultural resources, and provision of an adequate supply of food and fiber to match the needs of our increasing population."

Economic Report for 1954, January 28, 1954:

"PROPOSED AGRICULTURAL LEGISLATION

"In formulating public policies to achieve a more stable, prosperous, and efficient agriculture, we must start where we now find ourselves, and proceed a step at a time. Compromises among partially conflicting objectives—such as stability, efficiency, economic freedom, and governmental economy—are unavoidable here. The present situation is serious, and we can no longer delay making those revisions in agricultural policy that will move us toward desirable goals. Accordingly, it was recommended in the special message on agriculture on January 11, 1954, that, with minor changes, the Agricultural Act of 1948, as amended by the act of 1949, be made fully operative for all commodities.

The acts of 1948 and 1949 had two distinct advantages over previous agricultural legislation. First, for all "basic" commodities except tobacco, they substituted adjustable price-support levels—that is, from 75 to 90 percent of parity, the percentage varying inversely with current levels of supply—for rigid 90-percent supports. Second, they introduced a "modernized" parity-price formula.

"Adjustable price supports:

"By the act of 1949, Congress recognized the necessity of relating price-support levels inversely to current levels of supply, in order to avoid chronic overproduction, excessive stockpiling, and drastic acreage controls. Thus, Congress provided that, if supplies are above normal, price supports shall be lowered by specified amounts to induce greater consumption and smaller output; if supplies are below normal, price supports shall be raised by specified amounts to encourage expansion of output. Although this principle is wholly sound, the Congress has, up to the present time, postponed the shift from high and rigid to adjustable price supports on wheat, corn, cotton, peanuts, and rice.

"Largely as a result of this action, the Commodity Credit Corporation's commitments on January 1, 1954, already reached 879 million bushels of wheat, 643 million bushels of corn, and 7.4 million bales of cotton—together representing a cost value of $4.3 billion—and they are still rising. Under these circumstances, the acreage restrictions imposed on 1954 crops are an inadequate corrective. Price-support levels designed to encourage larger sales also appear to be necessary if further piling up of Government stocks and regimentation of individual farmers are to be avoided. Hence, it has been recommended that the price-support legislation of 1949 take effect for the basic crops, as presently scheduled, on January 1, 1955."

State of the Union message, February 2, 1953:

"One of the difficult problems which face the new administration is that of the slow, irregular decline of farm prices. This decline, which has been going on for almost 2 years, has occurred at a time when most nonfarm prices and farm costs of production are extraordinarily high.

"Present agricultural legislation provides for the mandatory support of the prices of basic farm commodities at 90 percent of parity. The Secretary of Agriculture and his associates will, of course, execute the present act faithfully and thereby seek to mitigate the consequences of the downturn in farm income.

"This price-support legislation will expire at the end of 1954.

"So we should begin now to consider what farm legislation we should develop for 1955 and beyond. Our aim should be economic stability and full parity of income for American farmers. But we must seek this goal in ways that minimize governmental interference in the farmers' affairs, that permit desirable shifts in production, and that encourage farmers themselves to use initiative in meeting changing economic conditions.

"A continuing study reveals nothing more emphatic than the complicated nature of this subject. Among other things, it shows that the prosperity of our agriculture depends directly upon the prosperity of the whole country—upon the purchasing power of American consumers. It depends upon the opportunity to ship abroad large surpluses of particular commodities and, therefore, upon sound economic relationships between the United States and many foreign countries. It involves research and scientific investigation, conducted on an extensive scale. It involves special credit mechanisms and marketing, rural electrification, soil conservation, and other programs.

"The whole complex of agricultural programs and policies will be studied by a Special Agricultural Advisory Commission, as I know it will, by appropriate committees of the Congress. A nonpartisan group of respected authorities in the field of agriculture has already been appointed as an interim advisory group.

"The immediate changes needed in agricultural programs are largely budgetary and administrative in nature. New policies and new programs must await the completion of the far-reaching studies which have already been launched."

State of the Union message, January 17, 1954:

"AGRICULTURE

"The well-being of our 160 million people demands a stable and prosperous agriculture. Conversely, every farmer knows he cannot prosper unless all America prospers. As we seek to promote increases in our standard of living, we must be sure that the farmer fairly shares in that increase. Therefore, a farm program promoting stability and prosperity in all elements of our agriculture is urgently needed.

"Agricultural laws now in effect successfully accomplished their wartime purpose of encouraging maximum production of many crops. Today, production of these crops at such levels far exceeds present demand. Yet the laws encouraging such production are still in effect. The storage facilities of the Commodity Credit Corporation bulge with surplus stocks of dairy products, wheat, cotton, corn, and certain vegetable oils; and the Corporation's presently authorized borrowing authority—$6,750,000,000—is nearly exhausted. Some products, priced out of domestic markets, and others, priced out of world markets, have piled up in Government hands. In a world in which millions of people are hungry, destruction of food would, of course, be unconscionable. Yet surplus stocks continue to threaten the market and, in spite of the acreage controls authorized by present law, surpluses will continue to accumulate.

"We confront two alternatives: The first is to impose still greater acreage reductions for some crops and apply rigid Federal controls over the use of the diverted acres. This will regiment the production of every basic agricultural crop. It will place every producer of those crops under the domination and control of the Federal Government in Washington. This alternative is contrary to the fundamental interests not only of the farmer but of the Nation as a whole. Nor is it a real solution to the problem facing us.

"The second alternative is to permit the market price for these agricultural products gradually to have a greater influence on the planning of production by farmers, while continuing the assistance of the Government. This is the sound approach. To make it effective, surpluses existing when the new program begins must be insulated from the normal channels of trade for special uses. These uses would include school-lunch programs, disaster relief, emergency assistance to foreign friends, and of particular importance the stockpiling of reserves for a national emergency.

"Building on the agricultural laws of 1948 and 1949, we should establish a price-support program with enough flexibility to attract the production of needed supplies of essential commodities and to stimulate the consumption of those commodities that are flooding American markets. Transition to modernized parity must be accomplished gradually. In no case should there be an abrupt downward change in the dollar level or in the percentage level of price supports.

"Next Monday I shall transmit to the Congress my detailed recommendations embodying this approach. They have been developed through the cooperation of innumerable individuals vitally interested in agriculture. My special message on Monday will briefly describe the consultative and advisory processes to which this whole program has been subjected during the past 10 months.

"I have chosen this farm program because it will build markets, protect the consumers' food supply, and move food into consumption instead of into storage. It is a program that will remove the threat to the farmer of these overhanging surpluses, a program, also, that will stimulate production when a commodity is scarce and encourage consumption when nature is bountiful. Moreover, it will promote the individual freedom, responsibility, and initiative which distinguish American agriculture. And, by helping our agriculture achieve full parity in the market, it promises our farmers a higher and steadier financial return over the years than any alternative plan."

State of the Union message, January 6, 1955:

Now a most significant element in our growing economy is an agriculture that is stable, prosperous, and free. The problems of our agriculture have evolved over many years and cannot be solved overnight; nevertheless, governmental actions last year hold great promise of fostering a better balance between production and markets and, consequently, a better and more stable income for farmers.

Through vigorous administration and new authority provided by the 83d Congress, surplus farm products are now moving into consumption. From February 1953 through November 1954 the rate of increase in Government-held surpluses has been greatly reduced by our moving into use more than $2,300 million worth of Government-owned farm commodities. Domestic consumption remains high, and farm exports will be higher than last year. As a result of the flexibility provided by the Agricultural Act of 1954, we can move toward less restrictive acreage controls.

Thus, farm production is gradually adjusting to markets, markets are being expanded, and stocks are moving into use. We can now

look forward to an easing of the influences depressing farm prices, to reduced Government expenditures for purchase of surplus products, and to less Federal intrusion into the lives and plans of our farm people. Agricultural programs have been redirected toward better balance, greater stability, and sustained prosperity. We are headed in the right direction. I urgently recommend to the Congress that we continue resolutely on this road.

Special message to Congress, January 9, 1956:

"In this session no problem before the Congress demands more urgent attention than the paradox facing our farm families. Although agriculture is our basic industry, they find their prices and incomes depressed amid the Nation's greatest prosperity. For 5 years, their economy has declined. Unless corrected, these economic reversals are a direct threat to the well-being of all our people.

"But more than prices and incomes are involved. In America, agriculture is more than an industry; it is a way of life. Throughout our history the family farm has given strength and vitality to our entire social order. We must keep it healthy and vigorous.

"Efforts toward this goal have been unremitting. Many new foundations of permanent value to all farm families have been laid in the past 3 years. Two years ago a new farm law was enacted, designed to gear agricultural production incentives to potential markets, thereby giving promise to our farm people of a stable and dependable future once the wartime inheritance of surpluses is removed from the farm economy. Loan programs have been substantially improved, enabling many more farmers to acquire family-sized farms and to improve their farms and homes. The benefits of social security protection have been extended to farm families. The return of the Farm Credit Administration to farmer control, expansion of soil conservation assistance and rural electrification and telephone programs, increased funds for research and extension work, initiation of new programs to aid low-income farm families, adoption of tax provisions of benefit to farm people, increased storage facilities, upstream soil conservation programs, greatly expanded disposal activities for surplus farm products, strengthening our Department of Agriculture representation overseas in the interest of expanded markets—these and other advances have permanently reinforced the foundations of all agriculture.

"Yet beneficial though these advances are, persistent and critical farm problems require prompt congressional action in this session.

"Remedies for these problems demand a clear understanding of their principal causes. These are—

"First. Production and market distortions, the result of wartime production incentives too long continued;

"Second. Current record livestock production and near-record crop harvests piled on top of previously accumulated carryovers;

"Third. Rising costs and high capital requirements.

"In short, we have an oversupply of commodities, which drives down prices as mounting costs force up from below. Thus is generated a severe price-cost squeeze from which our farm people, with the help of Government, must be relieved.

"We must free the farm economy from distortions rooted in wartime needs and thus enable our people in agriculture to achieve prosperity; in so doing they will help carry the Nation's prosperity to still greater heights. The administration and the Congress must move together to achieve this goal.

"The requirements are clear. New means are needed to reduce surpluses and to widen markets. Costs must be cut and production must be better balanced with prospective needs.

"THE MAIN PROBLEM—THE SURPLUS

"Of the many difficulties that aggravate the farm problem, mountainous surpluses overshadow everything else. Today's surpluses consist of commodities produced in a volume imperatively needed in wartime but unmarketable in peacetime at the same prices and in the same quantity.

"The plain fact is that wartime production incentives were too long continued.

"During the past 3 years there has been no lack of effort to get rid of surplus stocks. Disposal efforts have been diligent and vigorous. Vast quantities have been moved, much of them given away. In the past 3 years we have found outlets for commodities in a value of more than $4 billion—far more than in any comparable period in recent history.

"But these disposal efforts have not been able to keep pace with the problem. For each bushel-equivalent sold, one and a half have replaced it in the stockpiles. Farmers, the intended beneficiaries of the support program, today find themselves in ever-growing danger from the mounting accumulations. Were it not for the Government's bulging stocks, farmers would be getting far more for their products today.

"Other consequences of past farm programs have been no less damaging. Both at home and abroad, markets have been lost. Foreign farm production has been increased. American exports have declined. Foreign products have been attracted to our shores.

"Steadily this chain of events has lengthened. Our farmers have had to submit to drastic acreage controls that hamper efficient farm management. Even these controls have been self-defeating because acres diverted from price-supported crops have been planted to other crops. These crops have been thrown into surplus and their prices have declined. Today, almost without regard to the livestock or crop he produces, nearly every farmer is adversely affected by our surpluses. The whole process, for instance, has contributed to the present plight of hog producers.

"When 3 years ago this administration assumed its responsibility in agriculture, work was begun immediately on what became the Agricultural Act of 1954. That act was developed and passed with bipartisan support, as all our agricultural legislation should be.

"The 1954 law brought realism into the use of the essential tool of price supports. It applied the principle of price flexibility to help keep commodity supplies in balance with markets. That principle is sound and essential to a well-rounded farm program. For two reasons, the 1954 law has not yet been able to make its potential contribution to solving our farm troubles. First, the law began to take hold only with the harvests of 1955; it has not yet had the opportunity to be effective. Second, the operation of the new law is smothered under surpluses amassed by the old program.

"The attack on the surplus must go forward in full recognition of the fact that farm products are not actually marketed when delivered to and held by the Government. A Government warehouse is not a market. Even the most storable commodities cannot be added forever to Government granaries, nor can they be indefinitely held. Ultimately the stockpiles must be used.

"It is unthinkable to destroy food. Instead, we must move these stocks into domestic consumption or dispose of them abroad. Neither route under present conditions offers the results often expected. Surpluses moved domestically almost always compete directly with crops farmers are trying to sell. Moved abroad in quantities large enough to remedy present difficulties, they would shatter world prices and trade, injure our friends and undermine domestic prices as well.

"To be sure, outlets for some of the surplus exist both at home and abroad. But experience has amply proved that neither the home nor foreign market can, under present conditions, readily absorb the tremendous stocks now depressing our agriculture.

"Clearly new action is imperative. We must stop encouraging the production of surpluses. We must stop shifting acres from one crop to another, when such shifts result in new surpluses. Nor can crop problems be converted into millstones weighing down upon the producers of livestock.

"Remedies are needed now, and it is up to the administration and the Congress to provide them swiftly. As we seek to go forward, we must not go back to old programs that have failed utterly to protect farm families.

"I recommend, therefore, the following 9-point program. I urge the Congress to pass this program with maximum speed, for delay can only aggravate and multiply the difficulties already sorely harassing millions of our rural people.

"THE SOIL BANK

"Our most pressing need today is to work off our surpluses so that our basic program of 1954 can succeed in gearing production to prospective markets at fair prices. A three-pronged attack is needed.

"First. Future production of crops in greatest surplus must be adjusted both to the accumulated stocks and to the potential markets.

"Second. Producers of other crops and of livestock must be relieved of excessive production from acreage diverted from surplus crops.

"Third. Lands poorly suited to tillage, now producing unneeded crops and subject to excessive wind and water erosion, must be retired from cultivation.

"These essential adjustments can all be hastened through a soil-bank program. I recommend a soil bank of two parts.

"The first is designed to meet the immediate need to reduce the crops in greatest oversupply. It may be called the acreage-reserve program.

"The second part is a long-range attack to achieve better land use and protect farmers and ranchers from the effects of production on acres already diverted. It may be called the conservation-reserve program.

"A. The acreage-reserve program:

"I recommend that the Congress consider a voluntary additional reduction in the acreage of certain crops which today are in serious surplus—wheat, cotton, corn, and rice.

"In considering the application of this program to each of these crops, the Congress will wish to accord special attention to their distinctive problems—notably in the case of corn—as set forth later in this message.

"I do not propose this program as a device to empty Government warehouses so they may be filled again. There is, therefore, a basic corollary to the acreage reserve program; in future years we must avoid, as a plague, farm programs that would encourage the building up of new price-depressing surpluses.

"What I here propose is essentially a deferred-production plan. As a necessary part of the voluntary acreage reduction, it is essential to protect the farmer's income. It would be grossly unfair to require farmers to bear the full burdens of this readjustment. Just as other readjustments from war were shouldered in considerable part by the Nation as a whole, so should this.

"In the case of wheat and cotton, for example, I look to a voluntary reduction equivalent to possibly one-fifth of the acreage otherwise permitted by allotments—perhaps 12 million acres of wheat and 3 million of

cotton. It should be practical to include wheat already seeded if it is incorporated with the soil, as green manure, or by other accepted practices. This would make it possible for more farmers to enter the program immediately and thereby start at once to work down the surplus.

"Administrative discretion is needed to assure that the rates of reduction in different areas are related to the supply and demand conditions for different grades and classes. The farmer's cooperation in this temporary program must not impair his historic acreage allotments. Rights of tenant farmers must be protected. I should expect the reduction in wheat and cotton plantings to continue for some 3 or 4 years, during which time these huge crop carryovers should decline to normal levels.

"In return for their voluntary participation in the acreage-reserve program cooperating farmers will be allocated certificates for commodities whose value will be based on the normal yields of the acres withheld in this reserve. I recommend that these certificates be made available to cooperating farmers through their county agricultural stabilization committees at normal harvesttime for each crop. The certificates will be negotiable so farmers can convert them to cash. They will be redeemable by the Commodity Credit Corporation in cash, or in kind at specified rates.

"I further recommend that the legislation provide that each participating farmer contract to refrain from cropping or grazing any land he puts in the acreage reserve.

"By so reducing crop production, commodities now in Government ownership can be used to supply market needs up to a proportionate amount. Thus the bulging Commodity Credit Corporation stocks can be correspondingly worked down without depressing current market prices.

"The program will operate in this way: A farmer, with an allotment of 100 acres of wheat, for example, may choose to plant only 80 acres and put the remaining 20 in the acreage reserve. His acreage allotment will not be affected. He will agree not to graze or harvest any crop from the 20 acres put into the reserve.

"In return for this cooperation in the temporary acreage reduction program, he will receive a cashable certificate. The certificate will be equal to a percentage of the value of the crop he would have normally harvested from the 20 acres. This percentage will be set at an incentive level sufficiently high to assure success of the program.

"This deferred-production plan uses the surplus to reduce the surplus.

"It will be financed with commodities already owned and paid for by the Government. Time and shrinkage, storage and other costs are eroding away the present value of these stocks. Consequently, the real net cost to the Government—taking these and other facts into consideration—will be substantially less than the apparent cost in payments made on certificates.

"I emphasize that this program is specifically intended to provide an income to farmers while the essential adjustment in stocks is being accomplished.

"There are many virtues in the plan.

"It will help remove the crushing burden of surpluses, the essential precondition for the successful operation of a sound farm program.

"It will reduce the massive and unproductive storage costs on Government holdings—costs that are running about a million dollars a day.

"It will provide an element of insurance since farmers are assured income from the reserve acres even in a year of crop failure.

"It will ease apprehension among our friends abroad over our surplus-disposal program.

"It will harmonize agricultural production with peacetime markets.

"B. The conservation reserve:

"The second part of the soil bank—the conservation reserve program—affects both today's surpluses and tomorrow's needs of our growing population.

"Under the pressures of war and the production incentives continued in postwar years, large areas have come into cultivation which wise land use and sound conservation would have reserved to forage and trees.

"In greater or lesser degree this problem exists throughout the Nation. Continued cropping of these lands results, on the one hand, in wastage of soil and water resources, and on the other, in production of commodities now in surplus.

"Today the Nation does not need these acres in harvested crops.

"We cannot accurately predict our country's food needs in the years ahead except that they will steadily increase. We do know, however, that the sound course both for today and tomorrow is wisely to safeguard our precious heritage of food-producing resources so we may hand on an enriched legacy to future generations. The conservation reserve program will contribute materially to that end.

"Further, production from the acres today diverted from surplus crops is now seriously affecting other segments of our agriculture. The acreage of feed grains, notably oats, barley, and grain sorghums, has been increased. The end product of this diversion has been greatly enlarged supplies of and lower prices for hogs, cattle, and dairy and poultry products. Producers of fruit, vegetables, and other crops have been adversely affected. The proposed conservation reserve can also make a major contribution to solving this problem of diverted acres.

"I propose that farmers be asked to contract voluntarily with the Government to shift into forage, trees, and water storage cultivated lands most needing conservation measures. Any farmer would be eligible to participate in this program regardless of the crop he produces or the area where his farm is located. I would hope that some 25 million acres would be brought into the conservation reserve.

"Forest lands under good management are a constant and a renewable resource. One-third of our forest area is in farm woodlands. From this source can come a large share of the lumber, pulpwood, and other forest products to meet the growing needs of our expanding economy. The conservation reserve can mean productive and protective tree cover for less productive lands now used for cultivated crops.

"The Government itself must encourage this transfer in order to achieve the advantages to the general welfare that will follow from improved resource use. I propose, therefore, that the Government pay a fair share of the costs of establishing the conservation use, up to a specified per acre maximum, that will vary by regions. The Government's share will be sufficiently high to encourage broad participation and thus assure the success of the program. Further, as the farmer reorganizes his farm along these soil-conserving lines, I recommend that the Government provide certain annual payments for a period of years related to the length of time needed to establish the new use of the land. The Congress will need to develop the basis and procedures for determining the amount of the payments. Here, as in the acreage reserve program, I would not let the farmer's cooperation impair his historic acreage allotments.

"The farmer, in turn, will agree that the acres put into this conservation reserve will be in addition to any land that he may put into the acreage reserve, and will represent a reduction in cropland cultivated. He will agree to carry out sound soil and water conservation on these acres, and to refrain from returning them to crop production and from grazing them for a specified period.

"I urge the Congress to approve this program with the least possible delay so that a significant part of the desired 25 million acres can come into the program in 1956.

"My estimate is that, if the Congress acts in time, some $350 million will be invested in the conservation reserve during the calendar year 1956, and a total of about a billion dollars over the next 3 years. Sums expended under this program will be in addition to the $250 million provided for the agricultural conservation program for the coming fiscal year.

"In return the conservation reserve program will bring these large rewards:

"It will result in improved use of soil and water resources for the benefit of this and future generations.

"It will increase our supply of much-needed farm-grown forest products.

"It will help hold rain and snow where they fall and make possible more ponds and reservoirs on the farm.

"It will reduce the undue stimulus to livestock production, and consequent low livestock prices, induced by feed-grain production on diverted acres.

"It will similarly provide protection for producers of the many small-acreage crops whose markets are threatened by even a few diverted acres.

"In combination with the acreage-reserve program for crops in surplus, the conservation-reserve program will help during the next several years to reduce the total volume of farm production and improve the balance among different farm commodities, both of which are important to a general improvement in farm prices.

"SURPLUS DISPOSAL

"Production adjustments effected by the soil bank are needed to halt current additions to surpluses and to reduce stocks on hand. But additional relief must be obtained from the price-depressing influence of these huge carryovers. In Public Law 480 the Congress has provided basic legislation for this purpose. The problem still exists, but not for lack of vigorous efforts to deal with it.

"Surplus disposals have permitted substantial reductions in Commodity Credit Corporation stocks of butter, dried milk, cottonseed oil and meal, flaxseed and linseed oil and seeds. Surplus disposals by the Commodity Credit Corporation have risen from just over half a billion dollars in fiscal 1953 to more than $1.4 billion in fiscal 1954, and to more than $2.1 billion in fiscal 1955.

"In the last fiscal year sales of Government-owned price-supported commodities into the domestic market reached $403 million. These were made with due care for the adverse effect they might have on prices received by farmers for current sales. Domestic donations to supply food for needy persons totaled an additional $196 million. Oversea disposals, through barter and donations for constructive purposes, totaled $1.1 billion. In spite of these vigorous efforts, the Commodity Credit Corporation investment in price-supported commodities increased by about $1 billion during the fiscal year.

"Because the problem continues to be so serious and stubborn, the Secretary of Agriculture is appointing an Agricultural Surplus Disposal Administrator, who will report directly to the Secretary. The duties of the Administrator will relate to all activities of the Department associated with the utilization of Commodity Credit Corporation stocks and of our current abundant production.

"Expanded opportunities will be sought to barter agricultural products which deterio-

rate and are costly to store, for increased quantities on nonperishable strategic materials. Additional legislation may be needed in this field.

"The bulk of price-supported commodities held by the Government cannot now by law be sold into the domestic market except at prices equal to at least 105 percent of the support price plus carrying charges. This restriction has worked to the disadvantage of both farmers and the Government by blocking sales that would clearly have been advantageous to both. I recommend legislation to permit, under proper safeguards, sales at not less than support levels plus carrying charges.

"Present provisions of surplus-disposal legislation permit export dispositions of Government stocks to friendly nations only. Opportunities clearly to our interest may develop in the future to sell to countries excluded by this legislation. To enable us to realize on such opportunities I recommend repeal of section 304 of Public Law 480.

"STRENGTHENING COMMODITY PROGRAMS

"Our frontal attack on the problems of surpluses, diverted acres, unbalanced production, and unwise use is carried in major part by the soil bank through the acreage reserve and the conservation reserve programs.

"These proposals are wholly in keeping with the fundamental principles of sound farm policy set forth in my special agricultural message of 2 years ago. In keeping with these principles the administration—

"(a) Whenever possible will continue to ease or eliminate controls over farmers; and

"(b) For commodities on which price supports are discretionary, will continue to support these prices at the highest levels possible without accumulating new price-depressing surpluses.

"In keeping with this latter principle, I am advised by the Secretary of Agriculture that, as a direct result of operation of various parts of our present farm program, the supply and demand conditions for soybeans and flaxseed are now such as to warrant an increase in the price-support levels for these crops in 1956. The higher support levels will be announced shortly.

"In respect to other commodity programs I submit the following specific suggestions.

"A. Corn:

"In recent years many farmers have chosen not to observe acreage allotments on corn. Considerably less than half of the 1955 crop was raised within acreage-allotment limitations and thus eligible for price support. It is apparent that price supports alone, even at levels closely approaching the legal maximum, are an insufficient inducement for participation in a corn-acreage-allotment program.

"I recommend therefore that the Congress give serious consideration to adapting the acreage-reserve program to corn. One grave difficulty must be overcome. Unlike wheat and cotton, most of the corn crop is fed on the farms where it is produced. For this reason, marketing quotas such as are used on wheat and cotton are not feasible.

"Thus, broad and effective participation by corn producers in an acreage-allotment program is imperative for the acreage-reserve program to achieve its objective of reducing the corn surplus. With broad and effective participation, in both programs, the acreage-reserve program for corn would—

"(a) Reduce the carryover stocks which currently depress the market;

"(b) Make possible a higher level of price support than would otherwise prevail for the 1956 crop; and

"(c) Reduce the incentive to farmers to produce excessive supplies of hogs and fed cattle.

"If the Congress should choose not to authorize the acreage-reserve program for corn, the Congress may wish to consider an alternative: to eliminate acreage allotments for corn and put price supports for corn on a discretionary basis comparable with the other feed grains. With no acreage allotments and with discretionary supports, all corn producers would be eligible for price supports at a level substantially above the market price which prevailed during the 1955 harvest.

"B. Wheat:

"The problems of wheat are difficult and complex. The proposed, soil bank, with its acreage-reserve program, will make a major contribution toward their solution. This program is particularly well suited to wheat since this crop is grown in large acreage and is now burdened under an accumulated carryover in excess of a full year's needs. The conservation reserve program and the Great Plains program, described later, will also help. Other changes are necessary also, both for current adjustments and for long-term balance between production and consumption.

"(a) Legislation already has passed the Senate and is pending in the House of Representatives which would exempt from marketing quotas those producers who use for feed, food, or seed on their own farms all the wheat they raise. Because of the failure to pass this legislation last year, the Department of Agriculture has been compelled by law to hail before the courts farmers whose only offense was to raise and feed wheat outside their quotas. Again the administration urges prompt enactment of this legislation. Correction of this problem should be delayed no longer.

"(b) Historically a significant proportion of the annual wheat crop has been used for livestock feed. The quantity fed in pre-World War II years ranged from 100 million to 150 million bushels a year, about twice the quantity fed in more recent years. This reduced consumption has aggravated the surplus burden.

"I recommend that the Congress give consideration to authorizing the annual sale for feeding purposes, at the discretion of the Secretary of Agriculture, of limited quantities of Commodity Credit Corporation wheat of less desirable milling quality. The authorized sale price should reflect the feeding value of the wheat, precautions being exercised as to the effect of such sales on prices of other feed grains. There are opportunities to use more wheat for feed in feed-deficit areas distant from the Corn Belt.

"(c) I recommend legislation to expand the non-commercial-wheat area beyond the 12 States now so designated. This action would eliminate acreage and marketing controls for many farmers who characteristically feed on their own farms most of the wheat they raise, and who contribute little to commercial supplies or surplus stocks.

"(d) I recommend extension for 1 year of legislation which exempts Durum wheat from acreage and marketing controls. This type of wheat is in short supply and production should not be restricted.

"We are participating in negotiations for possible renewal of the International Wheat Agreement, which will terminate July 1, 1956, unless it is renewed.

"C. Cotton:

"As in the case of wheat, the acreage-reserve program is especially well suited to cotton. This crop as well is burdened by an accumulated carryover in excess of a full year's requirements. Other legislative changes for cotton, in addition to the soil-bank program, that require consideration are these:

"(a) For all crops except cotton, price-support legislation requires that parity prices shall be computed on the basis of the average grade and quality of the crop. For cotton a special provision of law designates Middling ⅞-inch cotton as the standard grade for parity calculations and price support. Currently less than 5 percent of cotton production is of this grade or lower.

"I urge an amendment to provide for cotton, as for other crops, that the average grade and quality of the crop be utilized for parity-price computations. This recommendation is, in general terms, in keeping with the intent of legislation already pending before the Senate.

"(b) The shortcomings of acreage allotments as a means of controlling production on cotton are evident. In 1955, on an acreage allotment calculated to yield 10 million bales of cotton, nearly 15 million were harvested. Rapidly advancing technology is resulting in production far outrunning expectations based on acreage alone. This is especially true when prices are supported at wartime production incentive levels.

"When production controls must be applied as a result of supply and market conditions, it is imperative to have controls that are effective. As surpluses are reduced through the proposed acreage-reserve program of the soil bank and through other means, new accumulations of surplus must definitely be avoided.

"For these reasons the Congress should consider replacing acreage allotments on cotton with quantity allotments beginning with the crop of 1957. The Congress could well consider similar action for other crops under marketing quotas.

"D. Rice:

"Under the law, accumulated supplies of rice have required a 40-percent reduction in acreage for 1956 compared with 1954, and a decline in the support level to 75 percent of parity.

"Rice production in this country is the most efficient in the world. However, our rice is rapidly being priced out of world markets and is being diverted into Government warehouses and even into the feed markets.

"There are two alternative courses of action to which the Congress should give consideration:

"1. Inclusion of rice in the acreage-reserve program. This will require continuation of production controls and marketing quotas.

"2. Elimination of existing production and marketing controls on rice. Prices could then be supported on a discretionary basis at levels which would permit rice producers to improve their competitive market position.

"If the Congress considers the latter course to serve the long-term best interest of rice producers, it may wish to consider use of the acreage-reserve program to make the transition.

"E. Peanuts:

"The peanut-price-stabilization program has experienced serious difficulties stemming in part from a fixed national minimum peanut acreage. With improving technology this minimum acreage will normally produce more peanuts than the market will absorb at the support price. Consequently, I recommend elimination of provisions for the minimum national acreage allotment.

"F. Sugar:

"The legislation to renew the Sugar Act of 1948, as amended, should promptly be completed. The Congress is aware of the need to give producers, as well as foreign suppliers and the entire sugar industry, as much advance notice as possible in planning their operations.

"G. Special school-milk program:

"The special school-milk program provided for in the Agricultural Act of 1954 has met with gratifying success. Approximately 9 million children had the health benefits of this program last year, including children in some 7,000 schools in which milk was not previously served. Consumption was increased by over 450 million half pints of

milk. This is a good example of constructive use of a surplus product to meet a present need. We thus contribute to better health habits and at the same time promote an enlarged market for the future. Several thousand additional schools are participating in the program in the current school year.

"I have been advised that, in some States, milk program funds are nearing depletion. We must see to it that the program is carried forward intact through this fiscal year.

"I recommend that the program be extended for 2 years beyond June 30, 1956, with authorization to use Commodity Credit Corporation funds increased from $50 million a year to $75 million.

"H. Livestock

"For livestock producers, many parts of the program I have already discussed have special significance.

"Establishment of the soil bank will alleviate the undue stimulus to livestock production and the resulting downward pressure on livestock prices which arise from using for feed-grain production much of the acreage already diverted from wheat and cotton. Restrictions against grazing the soil bank acres will safeguard the interests of beef producers and dairymen.

"Periodically livestock markets become glutted and prices disrupted. In such periods, where assistance will be constructive, timely, and vigorous Government purchase and diversion programs are essential to bolster prices and help producers adjust to market demands. Such programs have been undertaken by this administration. The pork purchase program now in progress will shortly be stepped up to supply new and expanded outlets now being developed. Sales promotion and the development of better merchandising methods cooperatively with the livestock trade are part of this effort to meet the impact of heavy marketing.

"Special programs of an emergency nature will be provided to help livestock producers as needed. For example, emergency credit and low-cost feed in the event of drought will be available whenever disaster strikes.

"Increased research on nutrition, disease control, better breeding, more profitable use of byproducts and improved marketing will help lower production costs and facilitate the smooth flow of livestock products into consumption.

"DOLLAR LIMIT ON PRICE SUPPORTS

"The average size of farms in American agriculture, as measured by capital or by acres, has rapidly increased. To the degree that this trend is associated with the development of more economic and more efficient farm units it is in the interest of farm families and of the Nation. To the degree, however, that it has resulted in the removal of risk for large farm businesses by reason of price supports, it is much less wholesome and constitutes a threat to the traditional family farm.

"Under the price support machinery as it has been functioning, price support loans of tremendous size have occasionally occurred. It is not sound Government policy to underwrite at public expense such formidable competition with family operated farms, which are the bulwark of our agriculture.

"I ask the Congress to consider placing a dollar limit on the size of price support loans to any one individual or farming unit. The limit should be sufficiently high to give full protection to efficiently operated family farms.

"RURAL DEVELOPMENT PROGRAM

"In my message of January 11, 1954, I pointed out that the chief beneficiaries of our farm programs have been the 2 million larger, more productive farm units. Production on nearly 3 million other farms is so limited that the families thereon benefit only in small degree from the types of programs that heretofore have dominated our activities.

"On April 26, 1955, I transmitted to the Congress recommendations of the Secretary of Agriculture for attacking the problems of low-income farm families. The Congress has met only in part these recommendations for legislation and appropriations. Despite the resultant handicaps, the interest in this program has been so great that pilot work is already under way in well over 30 counties widely spread throughout the United States. There is activity now in more than one-half of the States.

"Four Departments of the Federal Government—Commerce, Labor, Health, Education, and Welfare, and Agriculture—are actively at work on this program with State and local leadership to aid low-income farm families.

"Not only the welfare of these families but also of the people as a whole require that this program go forward. Once again, therefore I urge the Congress to enact the full program recommended in my message of April 26, 1955.

"THE GREAT PLAINS PROGRAM

"Between the prairies of the Central West and the Rocky Mountains is a vast area embracing all or part of 10 States, in which erratic climate, wind and water erosion, and special problems of land use constitute a continuing hazard. For more than a year intensive new studies of conditions and problems peculiar to this Great Plains region have been in progress. The work has been carried on cooperatively between the leadership of the 10 States involved, the Department of Agriculture, and the Great Plains Council, which includes technical people from the States of the region. This study will help to define the respective responsibilities of individuals and local, State, and Federal agencies.

"The proposed soil bank, with its acreage-reserve program to reduce promptly production of crops in surplus and with its conservation-reserve program to take less productive lands out of crops, will meet in part some of the conditions especially serious in the Great Plains. Other desirable modifications of existing legislation include—

"1. Provision for longtime cost-sharing commitments under the agricultural conservation program; and

"2. Relaxation of planting requirements to maintain base acreage for wheat allotments.

"Shortly I will transmit to the Congress a report containing certain recommendations for providing a more stable agriculture in this important region.

"RESEARCH

"Scientific research has been the means of fundamentally important developments both in agriculture and industry. It has resulted in improved quality, new and better techniques, new products, new markets, new high levels of material well-being for our people, and new horizons for our future. Most individual farmers are not in a position to carry on scientific investigations. Government has special responsibility in this area—and particularly is this the case since the benefits of research related to agriculture are widely shared by all the people.

"Not only can research provide for the material needs of future generations, but it also can contribute in many ways to the fuller utilization of our present abundance.

"We must look for new uses of agricultural products that can contribute to human welfare, such as livestock byproducts for medicinal purposes or such as coarse fibers for construction materials already have contributed.

"We must find new markets, as we have for tallow in industry or as have followed upon the development of frozen and powdered juice concentrates.

"We must find new crops offering such new opportunities and benefits as are exemplified by soybeans and sorghums.

"We must further improve our marketing mechanism, as already has been done through refrigeration and new processing techniques, so that the benefits of our abundance may be still more widely distributed. Marketing margins have continued to increase, even while farm prices have been declining. Thus the farmer's share of the retail food dollar has shrunk appreciably. Retail prices have changed little, thereby impending desired increases in consumption. We must find ways to lower costs of food distribution. Research is an effective way to help attain that important goal. The Secretary of Agriculture is actively engaged in an expanded inquiry directed toward reducing the costs of distribution.

"Our basic scientific knowledge from which all practical applications of science are made is vitally important and must be expanded. This knowledge is essential also to continue the attack on the ravages of plant and animal pests and diseases. We cannot use or reap benefits from what we do not know. A major frontier of agriculture lies in our laboratories and experimental fields.

"In the budget message I will request the maximum increase in agricultural research funds that can be effectively used next year with the technical manpower and facilities available. This will be an increase of one-fourth, to a total of $103 million.

"CREDIT

"In making the transition from war to peace, and similarly in making the investment adjustments associated with a dynamic agriculture, farmers are experiencing increased need for credit. This is especially true for young men, particularly veterans, who have started farming in recent years.

"Private financial institutions, individuals, and Government agencies are furnishing credit for agriculture. Administrative, budgetary, and legislative changes now being developed in Government all point toward assuring adequate and sympathetic coverage of agricultural credit requirements which cannot be met by private financial institutions.

"Loans made by the Farmers Home Administration have increased gradually during the past 4 years from $212 million to well over $300 million, and can increase further as the new provisions for insured loans become more widely used.

"The Farm Credit Administration has been reorganized to give farmers a greater voice in its operation. Further legislation will be proposed to combine the production credit corporations and the Federal intermediate credit banks. Federal land-bank loans made by the Farm Credit Administration have increased from $237 million 4 years ago to more than $400 million last year.

"The administration is determined to see to it that an adequate supply of credit remains readily available to our farmers at all times.

"GASOLINE TAX

"One of the farmer's operating costs is the Federal tax on gasoline. About one-half of the gasoline bought by farmers is used on the farm. I recommend that legislation be passed to relieve the farmer of the Federal tax on purchases of gasoline so used.

"Historically agricultural policy in this country has sought to foster family-sized owner-operated farms. This has been a sound and wise policy—not only in the development of an efficient agriculture which has become the envy of the world, but also in fostering a sturdy, resourceful, self-reliant citizenry.

"Farm organization and farming operations are undergoing profound change as science and technology rapidly alter the structure of agriculture. Great care must

be exercised that these changes do not result in huge corporation farms on the one hand or in unrewarding subsistence units on the other. The time-proven commercial family farm must continue as the basic social and economic unit of agriculture. Accordingly farm policy must encourage such farms, sufficiently large and productive to provide satisfactions in farm living equal to those enjoyed by other Americans.

"Insofar as the problems of agriculture can best be solved by Government action, Government should accept the responsibility.

"The proper role of Government, however, is that of partner with the farmer—never his master. By every possible means we must develop and promote that partnership—to the end that agriculture may continue to be a sound, enduring foundation for our economy, and that farm living may be a profitable and satisfying experience.

"Assisted by experienced farm people both in and out of Government, I have been earnestly studying this problem for many months. I believe that the nine-point program, set forth in this message, building on our present program, meets the urgent needs of our farmers today and does so in a way consistent with our basic traditions. It offers no nostrums or panaceas. Our farm folk expect better of us than to deal in that kind of specious practice.

"Farmers expect programs that are forward looking, economically sound, and fair.

"This program offers a workable approach to reducing the surpluses, bringing production and markets into balance at fair prices, and so raising the income and advancing the security of our farm families.

"Should this program be enacted, its degree of success will be dependent upon the degree of farmer participation and upon a common determination to work together in ridding ourselves of burdensome surpluses. With such a spirit, this program will speed the transition to a stable, prosperous, and free peacetime agriculture with a bright future.

"Again I urge upon the Congress the need for swift legislative action on these recommendations, in the interest of our farm people, in the interest of every American citizen."

Special message to Congress, March 5, 1957:

"The prolonged drought in a number of the Great Plains and Southwestern States has long since reached disaster proportions. The Federal Government has, for several years, carried forward an active and varied program of emergency aid in those States under provisions of Public Law 875 and other disaster-relief authorities vested in the executive branch.

"The Federal Government should insure that appropriate and effective measures are taken to assist State and local governments in alleviating emergency conditions brought about by prolonged drought and other severe natural disasters.

"It is also a responsibility of the Federal Government to review such programs from time to time, to insure that they are being conducted efficiently and economically. Furthermore it is an obligation of all levels of government, and of all our people, to plan whatever steps may be helpful in preventing or mitigating the effects of future disasters.

"It was for such purposes that I inspected conditions in drought-stricken States in January of this year. It was for those same purposes that the Secretary of Agriculture called a special meeting on drought and other natural disasters in Wichita, Kans., at that same time. I reviewed with those who participated the preliminary results of their deliberations.

"It was of tremendous encouragement to me to find, on my trip and in the report of the Wichita meeting, such a positive approach to these problems and an absence of defeatism. This demonstrates that our people in the drought-disaster area, even in the face of serious physical problems, have the courage and resourcefulness to face hardships and carry forward in spite of them and that they are talking seriously about the long-range solutions that will help keep future droughts from being future disasters.

"There has been consolidated in the attached Report on Drought and Other Natural Disasters the most representative recommendations of the Wichita meeting with many of the suggestions and observations I received in the course of my trip. The result is a comprehensive review of the many aspects of the current drought problem together with the views and recommendations of many different individuals and groups.

"Not all the recommendations summarized in the report, of course, may be feasible. The Secretary of Agriculture has developed from them a list of proposals which he outlines in the letter transmitting the report. Some of them can and are being met by adjustments in existing programs. Certain others require legislative action. Such legislative proposals, together with necessary appropriation requests, will be presented to the Congress directly. I strongly urge their prompt consideration and adoption.

"Although the report deals to a considerable degree with agricultural aspects of the drought, it also contains suggestions and recommendations dealing with responsibilities of other departments and agencies of the Federal Government. The recommendations relating to the drought disaster loan program for business administered by the Small Business Administration have been implemented by executive action, except one in which legislation is required, and this legislation will be presented for study by appropriate committees of the Congress. The other recommendations will be considered fully in connection with continuing programs and possible new developments. Certainly, many governmental activities can help in preventing disasters and in alleviating the effects when disaster comes to an area. In this connection, the report focuses attention on such matters as—

"Job opportunities through industrial development.

"Adjustment of credit programs for business to better meet needs of disaster areas.

"Role of public works in the disaster areas in times of disaster to provide employment and income.

"Added attention to water use and development, including further investigation of ground water supplies, water storage in multiple-purpose reservoirs, and pollution abatement as it bears on drought problems.

"Research relating to weather.

"Research relating to economic development.

"Provision for vocational training for commerce and industry.

"Facilities that aid farm and ranch people to find supplementary nonfarm employment.

"Adjustments in income-tax laws to recognize problems of sales due to disaster.

"Many of the proposals in the report bear directly upon the current drought situation. I feel strongly, however, that in this appraisal of the Federal Government's participation in emergency drought-disaster programs we have found some important guidelines to more effective and appropriate Federal Government participation in relief aspects of other types of natural disasters that will occur from time to time.

"I draw, in particular, two general conclusions which I want to call to the attention of the Congress:

"The first is that administration of emergency disaster programs must be kept close to the local people.

"The second is that State and local governments should assume a greater part in alleviating human distress and hardships and in meeting other local needs in times of disaster, calling on the Federal Government only to supplement their own resources.

"No single legislative or action program is sufficient to stabilize rural areas subject to natural disasters. It will require advance work on a broad front. There must be full cooperation and sharing of responsibility by individuals, local counties and areas, and local, State, and Federal Governments. This fact was stressed in the many recommendations I received and by the leaders who participated in the Wichita meeting.

"Emergency funds and programs must be kept constantly available for use when disasters occur, but we must continue to emphasize long-range programs as well. The long-range stabilization of the economy of areas subject to severe drought is of course intimately tied to water, its needs, supply, use, and control.

"Through the most efficient and optimum use of its water resources a broader economy could be established which would enable it better to endure a recurrence of such a drought. Appropriate attention can be given to this enormous problem only through coordinated water study, leading to courses of action for present and future water resource development and management.

"As the several departments and agencies further develop their consideration of the many complex problems encountered on the drought tour and at the Wichita meeting any additional recommendations will be transmitted to the Congress."

Budget message for 1958, January 16, 1957:

"AGRICULTURE AND AGRICULTURAL RESOURCES

"Agriculture is confronted with serious adjustment problems that stem from international as well as domestic agricultural developments. Technological advances in agriculture by other nations are resulting in increased production which in many instances has restricted U.S. export markets. These problems are further complicated by our own improved capacity to produce as well as by the large agricultural inventories held by the Commodity Credit Corporation.

"The agricultural programs of the Federal Government are designed to meet these problems and to foster longrun improvements and adjustments in the Nation's farm economy. The soil bank legislation enacted last year is helping to curtail crop production and support farm income; it also facilitates the shifting of cropland to uses more consistent with long-term conservation objectives. Other Federal programs are helping to move large quantities of food and other farm products into consumption at home and abroad. Research programs have been enlarged to find ways to reduce marketing and production costs and to develop new industrial uses and other permanent market outlets for our farm products. Educational and credit services have been expanded to help farmers take advantage of the results of research, and special attention is being given in the rural development program to low-income farmers.

"Stabilization of farm prices and farm income: Net price support expenditures of the Commodity Credit Corporation are expected to be about the same in the fiscal year 1958 as in the current year but substantially below the amount spent in 1956. However, the decrease from 1956 is more than offset by increases in expenditures for the soil bank and other agricultural programs.

"In the fiscal year 1956, retirement of all outstanding certificates of interest used in financing previous price support loans, and curtailed purchases of U.S. cotton by foreign buyers in anticipation of more favorable prices, contributed to the high net price support expenditures in that year.

"In the fiscal year 1957, no funds will be required for the redemption of certificates of interest. In addition, increased sales of farm commodities abroad, particularly cotton, are expected to decrease net budget expenditures for price supports still further.

"In the fiscal year 1958, exports of price supported commodities are expected to be less than in 1957. This factor, which tends to increase net price support expenditures, will be partially offset by the initial effects of crop acreage reductions under the soil bank. The full effects of the soil bank on price support expenditures will come in later years.

"Under the acreage reserve program of the soil bank, farmers are compensated for loss of net income resulting from their voluntary withdrawal of land from crop production. Under the conservation reserve program of the soil bank, they receive rent for other cropland placed in cover crops and reforestation and also receive payments to cover part of the cost of carrying out certain conservation practices. Expenditures for both programs are estimated to total $1.3 billion in 1958, somewhat more than in 1957.

"Under title I of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480), substantial quantities of farm products have been disposed of abroad in return for foreign currencies. This title expires on June 30, 1957. It should be extended for 1 year and the present legal limit of $3 billion on the permissible loss under this program should be increased by $1 billion. Extension for a 1-year period will enable the Congress to consider alternative measures that will contribute to a continued development of normal export markets.

"The new obligational authority recommended for the fiscal year 1958 for price support, supply, and purchase programs of the Commodity Credit Corporation is made up of (1) $1,240 million to restore the capital impairment of the Corporation experienced in 1956, mainly from price-support losses, and (2) $637 million to reimburse the Corporation for costs and losses incurred in 1956 under title I of the Agricultural Trade Development and Assistance Act."

Special message to Congress, January 16, 1958:

"The people of the United States are living in a world of rapid change. Developments both abroad and at home require reemphasis in some of our efforts, redirection in others. This is true of defense, of education, of industry, and of labor. It is also true of agriculture.

"The rapid changes taking place in agriculture are largely the result of a major breakthrough in agricultural science and technology. In recent years agriculture has been experiencing a veritable revolution in productivity.

"A century ago, an American farmworker fed himself and three others. Today he feeds himself and 20 others. A century ago, our population was 82 percent rural. Today it is only one-third rural and only 12 percent of our population actually live on farms.

"Farm production per man-hour has doubled since 1940. There has been more change in agriculture within the lifetime of men now living than in the previous 2,000 years.

"Changes of such magnitude place great stress on our farm people and on the social, political, and economic institutions which serve them. Far-reaching adjustments are being made which involve the lives and hopes of 20 million men, women, and children on the farms of America.

"The scientific revolution in agriculture is irreversible and is continuing. It cannot be avoided and it need not be feared. In recognition of this basic fact, we must find ways of utilizing more completely the abundance that our farm people are now able to produce; we must find ways of further expanding markets for this increased production, not only among our own citizens but among people all over the world who need the food and clothing we produce in such abundance. At the same time we must help our farm people to cope with the sometimes harsh consequences of their own unparalleled ability to produce, while preserving and strengthening free enterprise and the family farm.

"Those who have fared best during the years of this agricultural revolution are the farmers on the 2,100,000 commercial farms that produce 90 percent of the food and fiber that goes to market. Affected quite differently are the farmers on the 2,700,000 other farms that produce relatively little for sale. To them, the farm is primarily a place to live, with an opportunity to grow products for home use, for about three-fourths of their income is derived from off-farm sources.

"Commercial family farms have their problems. So do small-scale farmers, subsistence farmers, and part-time farmers. The problems, however, are not always the same.

"There is evidence that those farmers who produce the bulk of our farm products are meeting the problem of adjusting their operations to the changes now in progress. Moreover, there are other indications of strength in our farm economy.

"Prices received by farmers on the average are running 3 percent above those of a year ago.

"During the last 2 years, farm net income has stabilized following several years of decline.

"Farm real estate prices are at an alltime high, reflecting a basic optimism in the future earning power and security which farming and farmland ownership offer.

"Three-fourths of our farms are owned by those who operate them, the highest percentage on record.

"Total debt of our farm people equals only 11 percent of total assets as compared with 19 percent before World War II.

"Exports of farm products, assisted by special Government programs, reached an alltime high of $4.7 billion during the year ending last June 30.

"Surplus holdings of farm products in the hands of Government appear to have passed their peak. Government investment in price-supported commodities now stands at about $7 billion, $1 billion below a year ago.

"Substantial progress has been made in programs of education, research, conservation, and other activities of proven merit. Work in all those areas has been substantially expanded.

"With Government help, farm people, in the best American tradition, have gained bargaining power through their own farmer-owned and farmer-controlled cooperatives.

"Yet, key problems remain unresolved.

"Rising production costs continue to limit net farm income. Prices of articles farmers buy more than doubled from 1939 to 1952. Since then they have risen 3 percent. Prices received by farmers have not kept pace with their increased production costs. These are hard facts every farmer faces.

"Moreover, acreage controls have failed to bring agricultural production into line, despite the severe restrictions they impose on the individual farmer's freedom to produce and to market his products. And unrealistic price-support laws, some of which date back to the Agricultural Adjustment Act of 1938, result, as farmers now realize, in loss of markets.

"Furthermore, there are large numbers of rural people who have not benefited from price supports. Nor have they benefited as they should from the great changes under way in agriculture. In fact, some have been put at a competitive disadvantage by the onrush of farm technology and other economic changes.

"This is true not only in particular rural areas of low income, but for some people in almost every farm community. There are millions of rural people who, for reasons of small farms, poor soils, limited resources, age, inadequate credit, lack of education, poor health, or insufficient managerial ability, have been unable to make the adjustments called for by modern technology.

"Few of the dollars spent on agricultural programs have been of appreciable help to this group.

"Price supports have scant meaning to a farmer with little to sell.

"Reductions in acreage to support higher prices are contrary to the needs of a farmer whose production is already too small to give him a proper livelihood.

"In my special agricultural message 4 years ago, I indicated that the Secretary of Agriculture would give attention to the problems peculiar to farm families with low incomes. As a result, the rural development program was initiated. It is widening opportunities for those rural people on the lower rungs of the economic ladder.

"For underemployed farmers who desire to continue in agriculture, the rural development program, in cooperation with States and localities, offers research, education, supervised credit, and cost sharing by the Federal Government in improving land, timber, and water resources. Farm and home improvements are a major part of the program.

"For those who wish to supplement or replace limited farm incomes with greater income from nonfarm sources, there are being established vocational training programs in trades and skills. Additional industries are being established in farming areas where more employment and higher incomes are needed. Farm families which are interested are also being informed of job opportunities in other segments of the economy.

"Though only about 3 years old, the rural development program has already achieved much, and with the increased emphasis planned for the coming year, progress promises to be more rapid in the future.

"Recommendations:

"Basic agricultural legislation now on the books was originally devised as an emergency effort to cope with a depression, then changed to help fight a war, and subsequently revised again in an effort to meet the needs of peace. It has not been adequately modified to deal with the effects of the technological revolution in agriculture. This must now be done.

"It is essential that the following major steps be taken this year to improve the status of rural people in greatest need, to aid agricultural adjustment, provide more freedom, expand markets, and, thereby, to help raise farm family income.

"First. The conservation reserve program of the soil bank should be strengthened, and the acreage reserve program terminated after the 1958 crop. The conservation reserve has shown promise in retiring marginal acres from crop production, in aiding the cause of conservation, and in taking whole farms out of production. The program is wholly voluntary and must remain so.

"Because of its late enactment, the acreage reserve program was hampered during 1956 in achieving production adjustment. And although the 1957 program succeeded in reducing wheat production by about 175 million bushels, cotton by 2 million bales, and corn by 220 million bushels below what it would otherwise have been, the number of farmers participating in 1958 is likely to be low, in part because of limitations that Congress imposed on the extent of participation by any one farm. So in the future the production adjustment accomplished by the acreage reserve is likely to be small.

"We should now shift the emphasis of the soil bank away from the short-term acreage reserve, aimed at reducing surpluses of

particular crops, to the long-term conservation reserve, aimed at overall production adjustment.

"This change will aid all farmers, especially the low-income farmer, who will, if he desires, be better able to retire his entire farm from production.

"Expansion of the conservation reserve will be an effective instrument of adjustment only if it is accompanied by needed changes in price supports. It must not become merely a means of offsetting the production stimulus supplied by price supports held continually at incentive levels.

"The budget message recommends a conservation reserve program of $450 million for the 1959 calendar year.

"Second. Authority to increase acreage allotments for cotton, wheat, rice, peanuts, and tobacco should be provided. Under present legislation, acreage allotments and price supports for certain of the basic crops are determined by legal formulas. Under these formulas, allotments have already been cut sharply. Allotments for certain crops are likely to be reduced even further, despite growing evidence that acreage restrictions have not brought about needed adjustments.

"Authority should be provided for the Secretary of Agriculture, in accordance with criteria which the Secretary will propose to the Congress, to increase allotments up to 50 percent above the levels determined by existing formulas.

"The law already specifies that the Secretary may provide price support at levels above those determined by formula, and this authority has been used. The law should also provide authority to increase acreage allotments when the statistical formula yields results clearly contrary to the general interest. But any acreage increases must be related to price adjustments which will permit the growth of markets necessary to absorb the increased production.

"Such liberalization of acreage allotments as is possible would permit greater efficiency and higher incomes for small farmers who now are sharply restricted in the size of their operations.

"Third. Acreage allotments for corn should be eliminated. The corn program has not worked. Huge surpluses have accumulated. As surpluses rise, present legislation provides that allotments must shrink. As allotments shrink, participation in the corn program dwindles. A year ago, 62 percent of the corn farmers who voted in the referendum favored the elimination of corn-acreage allotments. In 1957, only about 14 percent of the corn production in the commercial corn area was eligible for the full price support. Thus, as allotments shrink participation spirals downward, and price-depressing surpluses spiral upward.

"Fourth. The escalator clauses in the basic law should be abolished. Provisions now in the law require that price supports be raised as soon as the surplus is reduced. This means that as one surplus is moved, incentives are automatically provided to build another. Until this basic law is changed, farm people can expect to be kept continually under the shadow of price-depressing surpluses.

"The soil bank and surplus-disposal programs have already cut deeply enough into our surplus to throw these escalator clauses into action to build more surpluses. Elimination of these escalator clauses is necessary if surplus-disposal programs and the soil bank are to achieve their purpose.

"Fifth. The overall range within which price supports may be provided should be substantially widened. Presently, price supports must be provided by rigid formula for cotton, wheat, corn, rice, peanuts, tobacco, and dairy products between 75 and 90 percent of parity. This range is too narrow to permit the growth of markets needed to absorb the production which, despite acreage controls, our farms appear certain to produce. Price supports for the above-named commodities should be determined administratively between 60 percent and 90 percent of parity, using the eight guidelines now provided by law for practically all other commodities. This needed change in price-support policy would open the door to market expansion, increased acreage allotments, and greater freedom to produce.

"For commodities like the feed grains, with respect to which the Secretary of Agriculture has had wide discretion in the past, price support has been offered at levels as high as could be justified under the criteria specified by law. This will be the Secretary's practice under the recommended legislation.

"Sixth. Price supports for cotton should be based on the average quality of the crop. For cotton the law specifies that supports must be based on a grade that is far below the average quality. The law should be corrected to put cotton price supports on the same basis as for all other crops.

"Seventh. The membership of the Commodity Credit Corporation Advisory Board should be enlarged and the Board's responsibilities increased. The recommended changes in determining acreage allotments and price-support levels will make additional administrative discretion a necessity. To assist the Secretary of Agriculture in exercising this discretion, the bipartisan Commodity Credit Corporation Advisory Board should be increased in number from 5 to 7. Members should be appointed by the President as at present, but with confirmation by the Senate. The Board should advise the Secretary regarding the establishing of price supports, determining of acreage allotments, and related subjects.

"Eighth. The Agricultural Trade Development and Assistance Act should be extended. This law is one of the major authorities for moving surplus commodities. The law should be extended for 1 year with an additional $1.5 billion authorized for sales for foreign currencies. But it must not, however, be allowed to become a device to postpone needed production and price adjustments. The extension should be limited to 1 year to give Congress the opportunity for annual review.

"Ninth. Research efforts aimed at increasing industrial uses of farm products should be expanded. Our farms and forests are a major source of our raw materials. To a greater degree than at present, these raw materials can be used in industry, thereby broadening markets for our abundant farm products. New uses and new markets can be developed for our surplus crops. To bring this about, increased utilization research is needed and is proposed in the budget message. This will be moving in the direction recommended by the President's Commission on Increased Industrial Use of Agricultural Products.

"In addition to the nine steps outlined here, the Congress should, as recommended in the budget message (a) extend the National Wool Act, (b) continue the special school milk program, (c) broaden the sources of funds for the Rural Electrification Administration, (d) require State participation in programs to relieve the effects of drought or other natural disaster, and (e) improve conservation accomplishment by restricting cost-sharing to those practices which achieve longer lasting conservation benefits.

"These several recommendations constitute a farm, food, and fiber program which will assist our farmers to adjust to today's rapidly changing economy. It is a progress program that can make a substantial contribution to the well-being of America's farm families."

Senate Joint Resolution 160, vetoed, March 31, 1958:

"I return herewith, without my approval, Senate Joint Resolution 162. I have given earnest consideration to the many representations made to me both for and against it. It is my judgment that to approve this resolution would be ill-advised, from the standpoint both of the Nation and of our farm families as well. It is regrettable that for the second time in 2 years the Congress has sent me a farm bill which I cannot in good conscience approve.

"Specifically, the resolution would have such consequences as these:

"1. It would pile up more farm products in Government warehouses.

"2. It would restrict the growth of markets.

"3. It would postpone the day when agriculture can be released from the straitjacket of controls.

"4. It would bypass the problems of the small operator who produces so little for sale that price supports have scant meaning.

"5. It would hold up the needed transition to modern parity and would in fact disregard the parity principle.

"6. It would be unfair to those winter wheat growers who signed up under the 1958 acreage reserve program with the understanding that the price supports which had then been announced would be the effective rates.

"This resolution would fix farm price supports and farm acreage allotments at not less than existing levels. The true need is to relate both price supports and acreage allotments to growing market opportunities.

"With regard to Government controls, what the farm economy needs is a thaw rather than a freeze.

"Improvements have been made in farm legislation in recent years. The keys to these improvements have been expansion of markets and greater opportunity for our farm people to exercise their own sound judgment.

"Fears were expressed by some that farm prices might collapse when high rigid supports were abandoned. These fears did not materialize. Instead, farm prices rose. This month the index of prices received by farmers is 9 percent above the level that prevailed in June of 1955 when high rigid price supports were last generally in effect. The parity ratio now stands at 87, up 6 points from a year ago.

"Most of agriculture is without production controls and without price support. This is generally true of meat animals, poultry, and fruits and vegetables.

"There is impressive evidence that farmers stand to profit from less rather than more governmental intervention. Unsupported prices of cattle and hogs are unusually strong.

"Despite these bright spots, many farm problems remain to be solved. The price-cost squeeze continues to harass our farm people. Production restrictions impose a severe burden. Many of our farmers—those on farms not large enough to be profitable—are earning incomes which are below any generally accepted standard.

"Cotton, wheat, corn, and other basic crops have major problems. Progress in solving the problems of these crops cannot be made by going backward. We must continue in the direction which the Congress set in 1954 and endorsed in 1956—changes in the direction of greater opportunity for adjustments made necessary by our ever-changing agriculture.

"I said, prior to the passage of this resolution, that what it proposed would be a turn of 180 degrees in the wrong direction. After reviewing the resolution in its final form, I adhere to this conviction.

"For the 1957 crop, prices were supported, product by product, in accordance with a complex set of legislative and administrative considerations. The same was true in the

establishment of acreage allotments. To carry these forward unaltered, despite changes in demand, in supply, and in surplus stocks, would be contrary to sound legislative procedures and would completely disregard economic fact.

"Now I want to turn to the progress that has been made through programs already in effect. In recent years a many-sided attack on farm problems has been launched. Substantial gains have been achieved:

"Through the rural development program to help those at the low end of the income scale.

"Through market-making exports which last year reached an alltime high.

"Through providing needed credit to family farms.

"Through sharing our abundance with the needy at home and abroad.

"Through market development in cooperation with producer organizations and the food trade.

"Through surplus reduction, which has cut down our stocks by more than a billion dollars.

"Through stepped-up research to find new uses for farm products.

"Through special programs to increase milk consumption.

"Through expanded long-range conservation measures.

"While it is necessary to reject the freeze embodied in this resolution, the Congress and the executive branch can be helpful in other ways.

"A five-point program should be undertaken, involving various separate but related actions. Some of these are the responsibility of the Congress and some are administrative. Some call for legislation, while ample authority already exists for others.

"1. The old basic law should be revised. On January 16, 1958, I sent to the Congress a special message on agriculture which recommended needed changes. Many of the problems will be alleviated if the Congress will act on these proposals in this session:

"Authority to increase acreage allotments up to 50 percent, and to widen the range within which price supports may be provided.

"Elimination of acreage allotments for corn, permitting all corn farmers to plant in accordance with their best management decisions, so that price supports would apply to all corn rather than, as the freeze bill would have it, to only about 1 acre in 7 in the commercial corn area.

"Abolishment of escalator clauses in the law because these rigid provisions keep farm people continually under the shadow of price-depressing surpluses.

"Extension of the Agricultural Trade Development and Assistance Act, with substantial increased authority to move surplus stocks abroad.

"Shifting the price supports for cotton to the average of the crop, the same as for all other farm products.

"There is opportunity to make these needed changes before fall seeding time if the matter is undertaken promptly.

"2. When these necessary legislative changes have been made, 1959 acreage allotments will be established at levels as high or higher than those prevailing in 1958. Certain statutory provisions which place a floor under acreage allotments for cotton and rice are scheduled to expire after the 1958 crop. Producers face sharp acreage reductions unless the law is changed. When the Secretary of Agriculture has been given the necessary authority to adjust price supports and acreage allotments he will set 1959 allotments at levels at least as high as those in use this year. For cotton and rice these allotments will be substantially above the levels which would otherwise prevail.

"3. When necessary new authorization is provided in keeping with my legislative recommendations, the special export programs for our surplus crops will be enlarged. Opportunities exist to export, both for dollars and through special programs, large quantities of our staple commodities.

"Wheat is becoming better known to consumers abroad. Market development and promotional activities have made more people acquainted with the merits of our many export products. These commodities can alleviate hunger and need, and should be so used.

"4. Dairy products acquired under the price-support operation will be used outside the regular domestic commercial market. These products will not be offered for sale in such markets during the remainder of 1958 at less than 90 percent of parity. While freezing supports would not be a useful step, we seek to help the dairy industry in other ways.

"To strengthen markets, the butter, cheese, and dry milk acquired under price support will be donated to the school lunch program, to charitable institutions, and to needy persons. Exports will be made when this can appropriately be done.

"Such inventory management will serve to bolster the market.

"Meanwhile, the administration will continue to support the special school milk and armed services milk programs. We will also support as a further aid to dairy farmers, the accelerated bruccelosis control program. Stepped up promotional activity will increase consumption.

"Every constructive step available to us will be taken to increase the use of our wholesome dairy products.

"5. An export program for cotton, corn, and other feed grains, similar to the present export program on wheat, will be put into effect. This can be done without legislation. The effect of this program will be to move these products directly from commercial markets to the export trade without running them through the Commodity Credit Corporation. Under the wheat export program farmers have obtained broader markets and substantial price benefits in the marketplace. Marketing efficiency has been promoted and the amount of wheat which has moved into Government channels has been reduced. The new program for cotton and feed grains is expected to have similar effects.

"To meet the rapidly changing conditions in agriculture, farmers must be able to make their own management decisions on their own farms. They must not have their production and prices frozen in an outmoded pattern. They must not be made the captives of a restricted history; they must be given freedom to build a brighter future. This can be done if farmers and those who serve them will team up in support of sound legislative and administrative action."

Budget message for 1959, January 13, 1958:

"I shall send to the Congress shortly a special message recommending certain changes in existing legislation that will permit the Secretary of Agriculture to establish price supports for basic crops consistent with the increased productive capacity of our agriculture. These measures could not begin to have a significant effect in freeing the farm economy from Government controls before 1960 under a program of gradual adjustment of production to normal market demands.

"Titles I and II of the Agricultural Trade Development and Assistance Act of 1954 expire on June 30, 1958. Although sales of surplus agricultural commodities for foreign currencies under title I of this act do not provide a solution to the basic problem of adjusting agricultural production, they have proved to be an important temporary method of coping with problems arising out of the longtime accumulation of surplus agricultural commodities. This budget proposes extension of titles I and II of this act for 1 additional year, with an increase from the present $4 billion to $5.5 billion in the authorization for the Commodity Credit Corporation to incur costs and losses under title I. Such an authorization does not constitute new obligational authority, but the resulting costs and losses necessitate new obligational authority in future years to reimburse the Corporation. The budget includes, therefore, an anticipated 1958 supplemental appropriation of $1.3 billion to reimburse the Corporation for the 1957 program. The operations of title I of this act and the uses of the foreign currencies are summarized in the Department of Agriculture chapter of part II of the budget.

"Both the acreage reserve and the conservation reserve programs of the soil bank have been helpful in diverting cropland from the production of agricultural commodities that are in excess supply. After careful consideration, however, I believe that more material and lasting benefits per dollar spent, both in reducing production of surplus crops and in obtaining enduring conservation of the Nation's agricultural resources, will be achieved under the conservation reserve program. This budget, therefore, proposes termination of the acreage reserve program at the end of the 1958 crop year, and recommends a conservation reserve program of $450 million for the 1959 calendar year, an increase of $125 million above the program for 1958.

"I also recommend that the special school milk program be extended after its present expiration date of June 30, 1958, that the National Wool Act be extended, and that legislation be enacted to require a greater sharing by the States in the costs of disaster relief assistance to farmers."

Economic Report for 1958, January 20, 1958:

"The achievements of statutory price objectives has been premised on appropriate adjustments of output by growers. Yet there is little support, among farmers or in the Congress, for controls that would be severe enough to implement current price objectives, except possibly for tobacco. Acreage allotments for corn have become largely inoperative and should be eliminated. Within the limits of general statutory principles, the Secretary should be given discretionary authority to increase allotments of other basic crops now governed by legal formulas.

The acreage reserve program has temporarily contributed to a reduction of output of certain crops, by voluntary means, without loss of net income to growers but at a high cost to the Treasury. This program should be permitted to expire at the end of the 1958 crop season. Longer term contracts under the conservation reserve program promise to be more useful in promoting agricultural adjustments and the conservation of natural resources. If we are to avoid moving toward tighter restraints on production, it is imperative that the stimulus to current output should be less than that now supplied by various Government programs. At the same time that the conservation reserve program is strengthened, consideration should be given to further consolidation of the Federal Government's widespread activities in soil and water conservation.

"The Commodity Credit Corporation Advisory Board should be enlarged; its members should require confirmation by the Senate; and its powers should extend to advising the Secretary of Agriculture in the exercise of the wider discretionary authority requested for determining both acreage allotments and price support levels, as well as related matters.

"The Commission on Increased Industrial Use of Agricultural Products, appointed pursuant to Public Law 540 of the 84th Congress, made a number of useful suggestions for widening the markets for existing farm products and for developing new crops. While unrealizable hopes must be guarded against,

more funds can usefully be diverted to research and promotion in this area within the limits of present statutory authority and without the creation of a new administrative agency in the executive branch.

"The Federal Government assumes certain responsibilities in assisting farm people who are hit hard by natural disaster and those who are handicapped by chronically low incomes. Although drought in the Great Plains is no longer a matter of immediate concern, important recommendations conveyed in the Presidential drought message of March 5, 1957, should be implemented at an early date. In particular, the distribution formula under title I of the Bankhead-Jones Act should be revised so as to permit allocation of a larger amount of loan funds to areas in acute need; and States should be required to contribute at least 25 percent of disaster-relief costs in certain emergency programs.

"The rural development program is a long-range program. It enlists private and public cooperation to raise levels of living in low-income rural areas. Among these efforts are improved vocational education, more effective employment and public health services, and the encouragement of local industrialization as well as better farming. The soundness of this approach is widely accepted and the results being attained warrant continued support of this program by the Congress, but it requires no new legislation at this time."

Message from the President of the United States relative to an agricultural program, January 29, 1959:

"There are produced, in the United States, some 250 farm commodities. The law has required that prices of 12 of these be supported at prescribed minimum levels. It is this requirement, together with the level of required support, that has created our farm surplus problems. Farmers who produce cattle, hogs, poultry, fruits, vegetables, and various other products the prices of which are not supported—as well as those who produce crops the prices of which are supported at discretionary levels—have generally experienced growing markets rather than a buildup of stocks in warehouses.

"Three of the 12 mandatory products (wheat, corn, and cotton) account for about 85 percent of the Federal inventory of price-supported commodities though they produce only 20 percent of the total cash farm income.

"The price-support and production-control program has not worked.

"1. Most of the dollars are spent on the production of a relatively few large producers.

"Nearly a million and a half farms produce wheat. Ninety percent of the expenditures for price support on wheat result from production of about half of these farms—the largest ones.

"Nearly a million farms produce cotton. Seventy-five percent of the expenditures for cotton price support result from production of about one-fourth of these farms—the largest ones.

"For other supported crops, a similarly disproportionate share of the expenditure goes to the large producers.

"For wheat, cotton, and rice producers who have allotments of 100 acres or more, the net budgetary expenditures per farm for the present fiscal year are approximately as follows:

	Per farm
"Wheat	$7,000
Cotton	10,000
Rice	10,000

"Though some presently unknown share of these expenditures will eventually be recovered through surplus disposal, the final cost of the operation will undoubtedly be impressively large.

"Clearly, the existing price-support program channels most of the dollars to those who store the surpluses and to relatively few producers of a few crops. It does little to help the farmers in greatest difficulty. For small operators the rural development program approach, which helps develop additional sources of income, has clearly demonstrated that it is a far better alternative.

"2. The control program does not control.

"Mandatory supports are at a level which so stimulates new technology and the flow of capital into production as to offset, in large part, the control effort.

"Despite acreage allotments and marketing quotas, despite a large soil-bank program and despite massive surplus disposal, Government investment in farm commodities will soon be at a new record high. On July 1, 1959, total Government investment in farm commodities will total $9.1 billion. Investment in commodities for which price support is mandatory will total $7.6 billion, of which $7.5 billion will consist of those crops designated by law as basic commodities: wheat, corn, cotton, rice, peanuts, and tobacco. And these stocks are increasing rather than diminishing.

"We already hold such huge stocks of wheat that if not 1 bushel of the oncoming crop were harvested we would still have more than enough for domestic use, export sales, foreign donation, and needed carryover for an entire year.

"3. The program is excessively expensive.

"When the 1958 crops have come into Government ownership, the cost, in terms of storage, interest, and other charges, of managing our inventory of supported crops, for which commercial markets do not exist at the support levels, will be running at a staggering rate, in excess of a billion dollars a year. Unless fundamental changes are made, this annual cost will rise.

"This sum is approximately equal to the record amount being spent in fiscal 1960 by the Federal Government on all water-resource projects in the United States, including power, flood control, reclamation, and improvement of rivers and harbors.

"During the present fiscal year, the net budgetary outlay for programs for the stabilization of farm prices and farm income will be $5.4 billion; $4.3 billion of this is for commodities for which price supports are mandatory. While some unpredictable part of this outlay will be recovered in later years through sales for dollars, sales for foreign currency and through barter, the cost will be great, especially when compared with the net income of all farm operators in the United States, which in 1958 was $13 billion. Budgetary expenditures primarily for the support of farm prices and farm income are now equal to about 40 percent of net farm income.

"Not a bushel of wheat nor a pound of cotton presently is exported without direct cost to the Federal Treasury.

"Heavy costs might be justifiable if they were temporary, if they were solving the problems of our farmers, and if they were leading to a better balance of supplies and markets. But unfortunately this is not true.

"These difficulties are not to be attributed to any failure on the part of our farm people, who have done an outstanding job of producing efficiently. They have in fact responded to the price incentive as farm people—and other people—traditionally have.

"Our farm families deserve programs that build markets. Instead they have programs that lose markets. This is because the overall standards for the programs that they have are outdated relationships that existed nearly half a century ago. This was before 60 percent of our present population was born.

"At that time it took 106 man-hours to grow and harvest 100 bushels of wheat. In recent years it has taken not 106 but 22. Since then the yield of wheat has doubled. Similar dramatic changes have occurred for other crops.

"It is small wonder that a program developed many years ago to meet the problems of depression and war is ill adapted to a time of prosperity, peace, and revolutionary changes in production.

"The need to reduce the incentives for excess production has been explicit in the three special messages on agriculture which I have previously sent to the Congress. The point has repeatedly been made by the Secretary of Agriculture in his testimony and in his statements to the Congress. The Congress has moved in the right direction but by an insufficient amount. There has been a general tendency to underestimate the pace at which farm technology has been moving forward. Hence there has been a tendency to underestimate the production-inducing effect of the prescribed minimum price support levels.

"Recommendation:

"I recommend that prices for those commodities subject to mandatory supports be related to a percentage of the average market price during the immediately preceding years. The appropriate percentage of the average market price should be discretionary with the Secretary of Agriculture at a level not less than 75 and not more than 90 percent of such average in accordance with the general guidelines set forth in the law. Growers of corn, our most valuable crop, have already chosen, by referendum vote, program changes which include supports based on such an average of market prices.

"If, despite the onrush of science in agriculture, resulting in dramatic increases in yields per acre, the Congress still prefers to relate price supports to existing standards, the Secretary should be given discretion to establish the level in accordance with the guidelines now fixed by law for all commodities except those for which supports presently are mandatory.

"Either of these changes would be constructive. The effect of either would be to reconcile the farm program with the facts of modern agriculture, to reduce the incentive for unrealistic production, to move in the direction of easing production controls, to permit the growth of commercial markets, and to cut the cost of Federal programs.

"As we move to realistic farm programs, we must continue our vigorous efforts further to expand markets and find additional outlets for our farm products, both at home and abroad. In these efforts there is an immediate and direct bearing on the cause of world peace. Food can be a powerful instrument for all the free world in building a durable peace. We and other surplus-producing nations must do our very best to make the fullest constructive use of our abundance of agricultural products to this end. These past 4 years our special export programs have provided friendly food-deficit nations with $4 billion worth of farm products that we have in abundance. I am setting steps in motion to explore anew with other surplus-producing nations all practical means of utilizing the various agricultural surpluses of each in the interest of reinforcing peace and the well-being of friendly peoples throughout the world—in short, using food for peace.

"Certain details regarding the needed changes in law, particularly with reference to wheat, are appended to this message in the form of a memorandum to me from the Secretary of Agriculture.

"Difficulties of the present program should not drive us to programs which would involve us in even greater trouble. I refer to direct payment programs, which could soon make virtually all farm people dependent,

for a large share of their income, upon annual appropriations from the Federal Treasury. I refer also to various multiple-price programs, which would tax the American consumer so as to permit sale for feed and export at lower prices.

"To assist the Congress in discharging its responsibility, the administration stands ready, as always, to provide the appropriate committees with studies, factual data, and judgments. Continuation of the price support and production control programs in their present form would be intolerable.

"I urge the Congress to deal promptly with this problem."

Message from the President of the United States transmitting recommendations for three matters requiring urgent consideration and action, May 13, 1959:

"In making my legislative recommendations in January of this year I called to the particular attention of the Congress three matters requiring urgent consideration and action. It is now some 4 months since I made these recommendations and to date the Congress has dealt finally with none of them. On one, it has taken no action at all.

"These recommendations were as follows:

"1. To avert a serious disruption of the Interstate Highway program due to an impending deficit in the highway trust fund, I recommended a temporary increase in the Federal tax on motor fuels;

"2. To avoid the possibility of a serious interruption in homebuilding, I recommended corrective legislation.

"Since these recommendations were made, time has grown steadily shorter and the problems occasioned by the lack of action in the Congress increasingly critical.

"HIGHWAY TRUST FUND

"In setting up the Interstate Highway program in 1956, the Congress provided that it be conducted on a pay-as-you-go basis and, to accomplish this purpose, established the highway trust fund. Motor fuels and other highway user taxes are paid into this fund, and Federal grants, amounting to 90 percent of the cost of building the Interstate Highway System, are paid to the States out of the fund.

"Legislation enacted last year, however, has increased the rate at which money is being spent from the fund and nothing has been done to put more money into the fund. Because the law wisely requires that the fund's expenditures not exceed its receipts, it will be impossible this year, without congressional action, to apportion funds so that the States may make commitments for future highway construction. Apportionments in the following year would also be far below those needed to carry forward the roadbuilding schedule now contemplated by law.

"To keep the highway trust fund on a pay-as-you-go basis and to maintain the planned construction schedule, I recommended a temporary increase of 1½ cents a gallon in the Federal tax on motor fuels, effective July 1 of this year.

"The recent suggestion that receipts from the manufacturers' excise tax on automobiles be earmarked for the trust fund is an unsatisfactory alternative. The transfer of those receipts, running about a billion dollars a year, from the general fund to the highway trust fund would mean only that the problem would then be to raise new taxes to replenish the loss to the general fund.

"An even more unsatisfactory alternative, proposed by some, would be legislation to waive the pay-as-you-go requirement. This would only be a refusal to face reality—one that the Congress would be hard put to explain. Less than 3 years ago, as a matter of legislative policy, the Congress declared in the Highway Revenue Act of 1956 that if it ever appears that the trust fund's total receipts will be less than its total expenditures 'the Congress shall enact legislation in order to bring about a balance of total receipts and total expenditures.'

"Less than 2 months remain for timely, responsible action by the Congress on my recommendation.

"HOUSING

"In January I urged the enactment of emergency legislation to increase by $6 billion the Federal Housing Administration's authority to insure privately extended home mortgages.

"This recommendation has not been enacted. The height of the homebuilding season is upon us, builders must plan ahead, and the agency's insurance authority is in danger of being exhausted.

"The $6 billion increase in authority involves no Federal spending and FHA's operations are self-supporting.

"Because it could see that its authority was running out, the agency late last year, where it could, began issuing agreements to insure in the future provided it then actually had authority remaining. By thus substituting provisional agreements for actual commitments, the agency has been able to avoid an abrupt halt in its operations due to a lack of insurance authority.

"Although the agency may be able to continue on this temporary basis until June 30, the end of the fiscal year, the situation grows more precarious every day. The agency's outstanding agreements to insure in the future now exceed $3 billion, more than twice the amount of the agency's remaining authority to make actual insurance commitments.

"To avoid the possibility of a serious interruption in homebuilding all across America, sound congressional action in this area is urgently needed.

"WHEAT

"I have frequently requested legislation to deliver our farmers and taxpayers everywhere from the mounting failures and staggering excesses of the mandatory farm price support and production control program. Unless this pressing issue is squarely met and resolutely dealt with, the next few years will see the surplus problem, because of its staggering cost to increasingly frustrated and impatient taxpayers, crash of its own weight, carrying with it all that is sound and good in the support of agriculture by the Federal Government.

"The most dramatic failure of all—and the problem requiring the most urgent attention—is the wheat program. Surplus wheat stocks are already 2½ times our annual domestic consumption for food. By July 1 of next year these stocks are expected to reach 1.5 billion bushels and to involve an investment of $3.5 billion by the Federal Government. Wheat storage, handling and interest charges alone will cost the American taxpayers close to half a billion dollars in the next fiscal year. Final proof of the present program's utter failure to control production lies in the fact that the last wheat crop was the largest in history.

"Because the Secretary of Agriculture is required by law to announce a continuation of this thoroughly discredited program by the 15th of May, in January I urgently recommended corrective legislation. The deadline set by law is now only 2 days away. No such legislation has been passed.

"I understand that at this late hour the Congress has elected further to postpone its decision by briefly extending the deadline for announcing next year's wheat program. Having chosen this course, the Congress should use this added time to enact realistic and constructive legislation that will effectively avert the impending disaster in wheat.

"I am compelled once again to call these particular matters to the special attention of the Congress because the orderly and efficient conduct of the people's business so requires. I urge the Congress to act expeditiously in these critical areas."

State of the Union message, January 9, 1959:

"Fourth, action is required to make more effective use of the large Federal expenditures for agriculture and to achieve greater fiscal control in this area.

"Outlays of the Department of Agriculture for the current fiscal year, for the support of farm prices on a very few farm products, will exceed $5 billion. That is a sum equal to approximately two-fifths of the net income of all farm operators in the United States.

"By the end of this fiscal year it is estimated that there will be in Government hands surplus farm products worth about $9 billion. And by July 1, 1959, Government expenditures for storage, interest, and handling of its agricultural inventory will reach a rate of $1 billion a year.

"This level of expenditure for farm products could be made willingly for a temporary period if it were leading to a sound solution of the problem. But unfortunately this is not true. We need new legislation.

"In the past I have sent messages to the Congress requesting greater freedom for our farmers to manage their own farms and greater freedom for markets to reflect the wishes of producers and consumers. Legislative changes that followed were appropriate in direction but did not go far enough.

"The situation calls for prompt and forthright action. Recommendation for action will be contained in a message to be transmitted to the Congress shortly."

Budget message for 1960, January 19, 1959:

"HIGHLIGHTS OF LEGISLATIVE PROGRAM IN THE 1960 BUDGET

"Authorize:

"1. A transitional 4-year program of grants for construction of civil airport facilities.

"2. Loans and grants to aid areas of chronic unemployment.

"3. A 6-year program of urban renewal capital grants.

"4. Revenue bond financing for TVA generating facilities.

"5. Statehood for Hawaii and home rule for the District of Columbia.

"6. Item veto for legislation authorizing expenditures and for appropriation bills.

"7. Revisions in the agricultural price support program.

"8. Widening coverage of unemployment compensation.

"Continue:

"9. Military draft, reserve forces, and related legislation.

"10. Mutual security program with strengthened investment guarantees.

"11. Agricultural Trade Development and Assistance Act.

"12. Current tax rates for corporation income taxes and excise taxes which are scheduled for reduction under existing law.

"Strengthen and improve:

"13. Housing mortgage insurance programs.

"14. Minimum wage and 8-hour laws.

"15. Statutory protection in labor-management relations.

"16. Requirements for conduct of labor union affairs, including welfare and benefit plan reporting.

"Repeal:

"17. Limitations on minimum strength of military reserve forces and on disposal of unneeded military real estate."

Budget message for 1960, January 19, 1959:

"LEGISLATIVE PROPOSALS TO ADAPT PROGRAMS TO CHANGED CIRCUMSTANCES IN THE 1960 BUDGET

"Encourage more private financing for credit programs through flexible interest rates and other changes:

"1. Veterans housing loans.

"2. Rental, military, and cooperative housing mortgages.

"3. Rural electrification and telephone loans.

"4. College housing loans.

"5. Maritime mortgages.

"Authorize sale of property:

"6. Surplus military and other real property.

"7. Alaska communications system and related facilities.

"Review and revise operating and benefit standards:

"8. Foreign bidding on certain military contracts.

"9. Agricultural conservation program.

"10. Military service credits for railroad retirement.

"11. Veterans pensions and other programs.

"Expand non-Federal participation:

"12. Urban renewal.

"13. Flood control.

"14. School aid in federally affected areas.

"15. Waste treatment construction grants.

"16. Vocational education grants.

"17. Public assistance.

"18. Feed and seed assistance in disaster areas.

* * * * *

"Continue the adjustments needed for a freer agricultural economy with less reliance on the Federal Treasury.—The agricultural sector of our economy is in the paradoxical situation of having more efficient farms than ever before and yet of being more dependent upon Federal financial aid. During the current fiscal year, budget expenditures for agriculture and agricultural resources are expected to reach a peak of $6.8 billion. For the coming year, they are estimated to decline to about $6 billion, mainly as a result of the termination of the acreage reserve of the soil bank.

"About three-quarters of these expenditures are for price supports and other programs to stabilize farm prices and income. Other expenditures for agriculture consist primarily of payments for conservation; loans for rural electrification, telephones, and farm ownership and operation; and research and extension activities.

"Last year, the Congress enacted some changes in price-support laws, but additional amendments are necessary to help our agricultural economy adjust to the continuing revolution in farming technology. Changes are also needed in other agricultural programs. Legislative proposals will be transmitted later which should help our agricultural economy gradually free itself from so much Government support and control."

Budget message for 1960, January 19, 1959:

"AGRICULTURE AND AGRICULTURAL RESOURCES

"Expenditures for agriculture and agricultural resources are surpassed in magnitude in the budget only by outlays for national security and for interest on the public debt. The continuing heavy impact of agricultural programs on the budget is mainly the result of the continued high volume of agricultural production and our long-established and now largely outmoded system of farm price supports. This system of price supports is not suited to the technically more efficient agriculture that has been rapidly developing in this country. The system provides production incentives that impede needed adjustments and encourages the production of surpluses which, in turn, result in increased Government outlays for commodity loans and purchases, and for storage and interest costs.

"Legislation is urgently needed, therefore, to make further revisions in the price support program. Recommendations will be sent to the Congress in a special message on agriculture. In this budget I am recommending extension of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480) and the Sugar Act, major changes in the rural credit programs, and a reduction in the advance authorization for the agricultural conservation program.

"Estimated expenditures for agricultural programs in fiscal year 1960 are $6 billion, which is $779 million less than the estimate for the current year, but $1.6 billion more than was actually spent in 1958. The main part of the decrease expected in 1960 is in the soil bank program, because the acreage reserve portion terminated at the end of the 1958 crop year.

"Total new authority to incur obligations requested for agriculture and agricultural resources in 1960 is $5.1 billion. This amount includes, among others, $2 billion to restore the capital impairment of the Commodity Credit Corporation resulting from price support losses, and $1.2 billion to reimburse the Corporation for estimated costs and losses under other programs financed through that agency. All of these Commodity Credit Corporation costs and losses are reflected in budget expenditures of 1959 and prior years.

"Price supports and related programs: Expenditures for price supports and other programs to stabilize farm prices and farm income will comprise about 75 percent of total expenditures for agriculture and agricultural resources in 1960.

"Because of the many uncertainties with respect to future production, consumption, and exports of farm commodities, it is difficult to estimate the expenditures required for price supports. The budget assumes that crop yields in 1959 will be lower on the average than the record yields of 1958, but that a part of the land that was in the acreage reserve of the soil bank will be used to produce additional price-supported crops in the 1959 crop year. The shift of this idle land to crops will be a factor contributing to continued heavy Commodity Credit Corporation expenditures under existing laws.

"Because of the technological revolution that is still increasing productivity in agriculture, farmers continue to produce more than can be marketed at home and abroad. Under our present open-end price support system, this excess production results in increased Federal loans and purchases and increased carryover inventories. Total loans and commodity inventories of the Commodity Credit Corporation on June 30, 1958, amounted to $7.1 billion. This accumulation is expected to rise to $9.1 billion by June 30, 1959, and still further to nearly $10.5 billion by June 30, 1960. To prevent continuation of huge Federal outlays, legislation will be proposed to make badly needed changes in the price support system.

"Titles I and II of the Agricultural Trade Development and Assistance Act of 1954 expire on December 31, 1959. Sales of farm commodities for foreign currencies under title I of this act and donations of commodities for relief purposes under title II have provided a temporary method of coping with some of the continuing excess production of farm commodities. This budget proposes extension of titles I and II of this act for 1 additional year, with an increase from $6,250 million to $7,750 million in the authorization for the Commodity Credit Corporation to incur costs and losses under title I.

"The International Wheat Agreement between wheat importing and wheat exporting countries expires on July 31, 1959. The desirability of extending this agreement is currently being studied.

"Although the Sugar Act, which serves to stabilize domestic sugar prices and assure adequate domestic supplies, does not expire until December 31, 1960, it is recommended that the act be extended at this time in order to give sugar producers needed time for production planning."

Economic Report, January 20, 1959:

"AGRICULTURE

"Recommendations will be made to the Congress by the Executive with a view to reducing the cost of price stabilization operations, stopping the increase in surplus stocks, and making progress in the reduction of accumulated supplies. Major revisions are overdue in the legislation relating to these agricultural programs. In their present form, these statutes have the effect of adding many billions of dollars annually to the Federal budget. Net budget expenditures for agricultural price and income support increased from an annual average of $3.5 billion during the fiscal years 1955–58 to an estimated $5.4 billion in the fiscal year 1959.

"What is more, experience has demonstrated that it is very difficult to foretell reliably how much the Federal Government will be required to expend in a given fiscal period under what are essentially open-end commitments for price support, a fact that greatly complicates the management of the Federal Government's fiscal affairs.

"Even these large expenditures have not brought farm output into line with commercial demands at home and abroad while maintaining and stabilizing farm income. Ever since the Korean conflict, the aggregate ouput of our farms has exceeded these demands by substantial amounts. Steps taken to reduce surpluses while protecting farm incomes—Commodity Credit Corporation support of prices at slightly declining minimum levels, retirement of acreage from cultivation, and large exports under loan or subsidy arrangements—have not succeeded in preventing an increase in surplus stocks. By June 30, 1959, there will be a record carryover of 1.3 billion bushels of wheat, the equivalent of more than 2 years of domestic requirements, and a carryover of 1.8 billion bushels of corn. Stocks of cotton remain excessive; stocks of tobacco and rice are large; and if it were not for the surplus disposal program, stocks of dairy products and of fats and oils would be high.

"The investment of the Commodity Credit Corporation in price supported commodities is expected to rise to more than $9 billion by June 30, 1959, and to almost $10.5 billion by June 30, 1960. To carry out existing commitments on price support activities will probably require use of most of the Corporation's borrowing authority of $14.5 billion. Expenditures of the Federal Government for storage, transportation, and interest on these surplus holdings are estimated at $850 million for the fiscal year 1959 and at $1.2 billion for the fiscal year 1960.

"The recent sharp increase in the cost of our agricultural programs is due in part to exceptionally favorable crop conditions in 1958. But a major part of the increase is due to the programs themselves. These are not properly adjusted to the rapidity with which farm technology is improving. Remedial legislation should be enacted without delay. Even though action taken at this time can become effective only in the fiscal year 1961, steps to bring the price stabilization expenditures of the Federal Government under control and to reduce them materially are urgently needed.

"Actually, the majority of farm people derive little or no benefit from our agricultural price support legislation. Cattle ranchers, producers of poultry and eggs, and growers of fruits and vegetables operate their farms today practically without price supports. Only some 1.5 million of our commercial farmers are the recipients of price support outlays in any material amounts and, within this group, those with the higher incomes are the main beneficiaries. More than 2.5 million farmers—whose annual sales are less than $2,500 and who produce each year only about 9 percent of our marketed farm

products—receive only very small supplements, or none at all, to their incomes from Government expenditures for price support."

State of the Union message, January 7, 1960:

"Our basic farm laws were written 27 years ago, in an emergency effort to redress hardship caused by a worldwide depression. They were continued—and their economic distortions intensified—during World War II in order to provide incentives for production of food needed to sustain a war-torn world.

"Today our farm problem is totally different. It is that of effectively adjusting to the changes caused by a scientific revolution.

"When the original farm laws were written, an hour's farm labor produced only one-fourth as much wheat as at present. Farm legislation is woefully out of date, ineffective, and expensive.

"For years we have gone on with an outmoded system which not only has failed to protect farm income, but also has produced soaring, threatening surpluses. Our farms have been left producing for war while America has long been at peace.

"Once again I urge Congress to enact legislation that will gear production more closely to markets, make costly surpluses more manageable, provide greater freedom in farm operations, and steadily achieve increased net farm incomes."

Budget message for 1961, January 18, 1960:

"AGRICULTURE AND AGRICULTURAL RESOURCES

"Budget totals

"[In billions]

Expenditures:	
1959 actual	$6.5
1960 estimate	5.1
1961 estimate	5.6
New obligational authority:	
1959 actual	5.4
1960 estimate	5.1
1961 estimate	4.6

"LEGISLATIVE PROPOSALS

"(In addition to program extensions)

"1. Further revise agricultural price support programs, and extend with revisions the conservation reserve program.

"2. Strengthen food-for-peace program.

"3. Revise interest rates for rural electric and telephone loans.

"4. Simplify and consolidate loan authority of Secretary of Agriculture for farm ownership and operation.

"5. Require greater sharing by States in costs of farm disaster relief.

"6. Reduce advance authorization for agricultural conservation program.

"In the fiscal year 1961, Federal programs for agriculture will again have a heavy impact on the budget, primarily because of continued high agricultural production and the past unwillingness of the Congress to make appropriate modifications in the long-established price support laws. The longer unrealistic price supports are retained, the more difficult it will be to make the adjustments in production needed to permit relaxation of Government controls over farm operations.

"Last year I proposed to the Congress urgently needed legislation relating to price supports. Very little of that program was enacted. I recommend that the Congress give this important matter early consideration.

"Particularly urgent now is legislation to put wheat price supports on a more realistic basis. Stocks of wheat are continuing to rise in spite of our efforts to move wheat abroad through the International Wheat Agreement, sales for foreign currencies, and grants to disaster victims and needy people. The carryover of wheat stocks is expected to rise to almost 1.4 billion bushels by July 1, 1960, an amount that would provide for more than 2 years of domestic consumption without any additional production.

"The wheat surplus problem has been a long time in the making and cannot be solved overnight. In fact, wheat legislation enacted in this session cannot be made applicable before the 1961 crop. The fact that any significant effect on the budget would be delayed until the fiscal year 1962 underlines the need for prompt action at this session of the Congress.

"Authority to bring additional land into the conservation reserve expires after the 1960 crop year. Legislation is proposed to extend this authority through the 1963 crop year and to expand the program by increasing the basic limitation on the amount of payments that may be made in any calendar year from $450 million to $600 million. Specific authority will be requested for the Secretary of Agriculture to give special consideration, in allocating conservation reserve funds, to those States and regions where curtailment of production of wheat or other surplus commodities is consistent with long-range conservation and production-adjustment goals. The rental rates needed to induce farmers to withdraw cropland from production under the conservation reserve depend on the income prospects from farming, which in turn are a reflection of the levels of price supports. Therefore, the future authorization for the conservation reserve program should not be increased above the 1960 level unless needed price support legislation is enacted for wheat.

"Estimated expenditures for agricultural programs in fiscal 1961 are $5.6 billion, which is $510 million more than the estimate for the current year but $907 million less than was spent in 1959. Total new authority to incur obligations requested for agriculture and agricultural resources in 1961 is $4.6 billion. This amount includes $1.3 billion to restore, to the extent necessary, the capital impairment of the Commodity Credit Corporation resulting from previous price support losses and $1.4 billion to reimburse the Corporation for estimated costs and losses through the fiscal year 1960 of other programs financed through that agency."

S. 1968, vetoed, June 25, 1959:

"I am returning herewith, without my approval, S. 1968, a bill to amend the Agricultural Act of 1949, as amended, the Agricultural Adjustment Act of 1938, as amended, and Public Law 74, 77th Congress, as amended.

"This bill seeks to enact temporary wheat legislation. It would require wheat producers to reduce their acreage by 25 percent and at the same time would provide for increases in price supports on wheat to 90 percent of parity.

"On May 15 when I approved the joint resolution for extending the date for announcing the 1960 wheat acreage allotments and marketing quotas I said, 'It is my hope that these additional 2 weeks will be used by the Congress to enact realistic and constructive—not stopgap—wheat legislation.'

"The proposed legislation embodied in H.R. 7246 is stopgap. It is not realistic. It is not constructive. It goes backward instead of forward. It is not in the interest of the wheat farmers of America.

"The bill disregards the facts of modern agriculture. The history of acreage control programs—particularly in the case of wheat—reveals that they just do not control production. Under acreage controls in the 1954–58 period, acreage was reduced by over 25 percent but at the same time yield per acre was increased by about 30 percent. The same situation would be likely to happen in 1960 and 1961. The poorest acres would be retired from production and all the modern technology would be poured onto the remainder.

"Hence the bill would probably increase, and in any event would not substantially decrease, the cost of the present excessively expensive wheat program now running at approximately $700 million a year.

"In my January 29, 1959, special message on agriculture, I recommended that price supports be related to a percentage of the average market price during the immediately preceding years. In this message I also stated that if in spite of the tremendous increases in yields per acre the Congress still preferred to relate price support to existing standards then the Secretary should have discretion in establishing support levels in accordance with guidelines now in the law.

"Contrary to the recommendations I made, this bill prescribes for a sick patient another dose of what caused his illness. The proposed return to the discredited high, rigid price supports would hasten the complete collapse of the entire wheat program.

"While the hour is late I feel that this Congress still has the opportunity to adopt realistic wheat legislation beneficial to all segments of our economy."

Economic Report, January 20, 1960:

"Federal expenditures for agriculture and agricultural resources in the fiscal year 1960 are expected to total $5.1 billion. Of this amount, some $1.6 billion is for the support of research, conservation, marketing, and similar services, and for loan programs; and $3.5 billion is for price and income stabilization. A sizable portion of the latter amount is absorbed by interest charges, storage and transportation costs, and disposal losses on excess stocks of farm commodities.

"To the extent possible under present legislation, administrative actions were taken in the past year to help bring about a better adjustment between agriculture's greatly expanding capacity to produce and the demand for farm products, to improve farm incomes, and to reduce the heavy cost of agricultural programs to the Federal Government. More emphasis is being placed on the development of markets for farm products at home and abroad, on efforts to support prices at levels that will more nearly balance production with potential demand, on the removal of cropland from production, and on the development of the nonagricultural resources of marginal, low-income farm areas.

"Several actions taken in these directions during 1959 were of special importance. First, support prices for cotton were adjusted as individual producers were given, for the first time, a choice between (1) continuing compliance with tightly restrictive acreage allotments, with prices supported at 80 percent of parity, and (2) freedom to plant up to 40 percent beyond the allotment, with prices supported at 65 percent of parity. Second, under existing legislation, corn producers abolished their acreage allotments by referendum late in 1958 and thereby put into effect a single schedule for price support at 90 percent of the 3-year average market price with a minimum price support level of 65 percent of parity. Third, support prices for several commodities, including rye, oilseeds, dry beans, and feed grains other than corn, were reduced under discretionary authority of the Secretary of Agriculture. A number of these commodities are selling at prices above support levels. The support prices for tobacco were increased under mandatory provisions of the law. Fourth, under the law, efforts were continued for the disposal abroad, without disrupting ordinary commercial markets, of as large a volume as possible of stocks of the Commodity Credit Corporation. This action was aided by a renewal of the International Wheat Agreement and by a lowered price and an increased export subsidy for cotton. Fifth, in accordance with legislation, the acreage reserve portion of the soil bank was terminated after the 1958 season, but the conservation reserve was increased from 9.9 million acres in 1958 to 22.4 million in 1959. Sixth, the rural development program was strengthened with

the establishment, by Executive order, of an interdepartmental committee responsible for the coordination of policies and actions of all participating Federal agencies and for the acceleration of activities under the program. Finally, under a newly enacted law, benefits under price support loans for 1960 were limited for a number of crops to $50,000 per producer, unless acreage is reduced 20 percent below the 1959 amount or the part of the loan in excess of $50,000 is repaid within 12 months.

"Additional agricultural legislation is urgently needed, however, in view of the continuing high program costs borne by the Federal Government and the continuing accumulation of surpluses of farm products. Such legislation should assist an orderly transition toward eventual balance between production and demand for farm products, so that the restrictive limitations to which agriculture is subject under present law may be removed.

"The conservation reserve program should be expanded, provided certain conditions are fulfilled, and adapted to the correction of specific commodity problems on a regional basis. Legislation is proposed to extend through the 1963 crop year authority, which expires after the 1960 crop year, to bring additional land into the conservation reserve; and to expand the program by increasing the basic limitation on the total payments in any calendar year from $450 million to $600 million. It is planned under the proposed legislation to add about 9 million acres to the program during the 1961 crop year, thus bringing the total to about 37 million acres. Together with this expansion in acreage in the conservation reserve, realistic price support programs are needed, especially for wheat.

"Specific authority will be requested for the Secretary of Agriculture to give special consideration, in allocating conservation reserve funds, to those States and regions in which curtailment of production of wheat or other surplus commodities is consistent with long-range conservation and production-adjustment goals. The future authorization for the conservation reserve program should not be increased above the 1960 level unless needed price-support legislation is enacted for wheat. Federal policy on cost-sharing should be concentrated in the future on conservation measures that foster needed shifts to less intensive uses of cropland; and cost-sharing assistance should be eliminated for practices which increase output of agricultural commodities already in excess supply.

"New obligational authority of $10 million is requested for the Great Plains conservation program, the same as for the fiscal year 1960. Under this program, conducted in designated counties of the 10 Great Plains States, the Federal Government provides technical assistance to farmers who enter into long-term contracts to make needed adjustments of land use on their farms, and it shares in the cost of making such adjustments.

"The Sugar Act, which expires on December 31, 1960, should be extended early in the present session of the Congress.

"Limitation on price support for certain crops grown on newly irrigated or drained land should be extended for another 3 years.

"The Congress should again consider the amendments to the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480) proposed last year to make more effective the program for surplus disposal abroad.

"Favorable action by the Congress is also requested on pending legislation to place the loan program of the Farmers Home Administration on a revolving-fund basis and to make other improvements in the laws affecting this activity."

Special message to Congress, February 9, 1960:

"I urgently call attention, once again, to a most vexing domestic problem—the low net income of many of our farmers and excessive production of certain farm products, largely due to economic distortions induced by years of Federal interference.

"We are most fortunate that our problem in agriculture is overabundance rather than a shortage of food. But it defies commonsense to continue to encourage, at the cost of many millions of tax dollars, the building of ever larger excess supplies of products that, as they accumulate, depress farm prices and endanger the future of our farmers.

"The wheat situation is particularly acute. Federal funds tied up in wheat approximate $3½ billion. Although this means that well over 30 percent of the total funds invested in inventories and loans of the Commodity Credit Corporation goes for wheat, this crop provides only 6 percent of the cash receipts from sales of farm products. The Government sustains a net cost of more than $1,000 a minute, $1,500,000 every day, the year around, to stabilize wheat prices and income.

"Day by day this program further distorts wheat markets and supplies. Its only future is ever higher cost. Inexorably it generates ever larger surpluses which must be expensively stored. Ultimately, if our Government does not act quickly and constructively, the danger is very real that this entire program will collapse under the pressure of public indignation, and thousands of our farming people will be hurt.

"I think the American people have every right to expect the Congress to move promptly to solve situations of this kind. Sound legislation is imperatively needed. We must quickly and sensibly revise the present program to avoid visiting havoc upon the very people this program is intended to help. Every additional day of delay makes a sound solution more difficult.

"I have repeatedly expressed my preference for programs that will ultimately free the farmer rather than subject him to increasing governmental restraints. I am convinced that most farmers hold the same view. But whatever the legislative approach, whether toward greater freedom or more regimentation, it must be sensible and economically sound and not a political poultice. And it must be enacted promptly. I will approve any constructive solution that the Congress wishes to develop, by 'constructive' meaning this:

"First, that price support levels be realistically related to whatever policy the Congress chooses in respect to production control, it being recognized that the higher the support the more regimented must be the farmer.

"Second, that price support levels not be so high so as to stimulate still more excessive production, reduce domestic markets, and increase the subsidies required to hold world outlets.

"Third, for reasons long expressed by the administration, that we avoid direct subsidy payment programs for crops in surplus; likewise, we must avoid programs which would invite harmful countermeasures by our friends abroad, or which, while seeking to assist one group of farmers, would badly hurt other farmers.

"Within these three guidelines, I am constantly ready to approve any one or a combination of constructive proposals. I will approve legislation which will eliminate production controls, or make them really effective, or allow the farmers themselves to choose between realistic alternatives. I am willing to gear supports to market prices of previous years, or to establish supports in accordance with general rather than specific provisions of law, or to relate price supports to parity.

"I recognize that these observations are general in nature. They are intentionally so in order to leave the Congress room for alternative constructive approaches to this problem. If the Congress should so act, I urge an orderly expansion of the conservation reserve program up to 60 million acres, with authority granted the Secretary of Agriculture to direct the major expansion of this program to areas of greatest need.

"In connection with the expansion of the Conservation Reserve, the Department of Agriculture stands ready to assist, if desired, with the development of sound legislative criteria governing the administration of this program in the light of its experience gained through its operations of the past 4 years.

"As part of the Conservation Reserve program, I would be willing to accept an authorization, with proper safeguards, to the Secretary of Agriculture to make payments in kind in whole or in part for the reduction of acreage devoted to crops in surplus and retirement of this acreage from cultivation, provided measures are included to keep production below total consumption while the payment-in-kind procedure is being used. Lacking such safeguards, a payment-in-kind procedure would overload the free market and thereby depress prices.

"My views as regards the price support program for wheat are clear. I prefer the following approach:

"Acreage allotments and marketing quotas for wheat should be eliminated beginning with the 1961 crop—thus freeing the wheat farmers—and thereupon price-support levels should be set as a percentage of the average price of wheat during the 3 preceding calendar years. The Secretary of Agriculture will furnish the Congress the details of this approach.

"Here I wish to comment somewhat more specifically on corn, a crop tremendously important to many thousands of our farmers.

"Just over a year ago, by a referendum margin of almost 3 to 1, our corn farmers decided upon a new program that liberalizes corn acreage and adjust corn price supports. This program is still new, and I believe it would be wise to give it a chance to demonstrate what it can do. In order to help the producers adjust to this new program, it is intended to use the expanded conservation reserve program to provide a voluntary means of removing substantial acreage of corn and other feed grains from production.

"On the administrative side, I want briefly to mention three programs highly important to agriculture.

"The food-for-peace program, initiated pursuant to my recommendations of last year, has been vigorously advanced. On my recent trip abroad, I saw many constructive results from these efforts and the need and opportunity for even greater use of this humanitarian program. Clearly we should continue to do our utmost to use our abundance constructively in the worldwide battle against hunger. The law we enacted in 1954, known as Public Law 480 of the 83d Congress, has been especially helpful to us in waging this battle.

"Next, an aggressive utilization research program is underway to develop new markets and new uses for farm products. The 1961 budget now before Congress recommends additional appropriations for utilization research, and additional local currencies being acquired under Public Law 480 transactions will be devoted to this purpose.

"A coordinator for utilization research will shortly be named by the Secretary of Agriculture with the sole mission of concentrating on finding and promoting productive new uses for farm products.

"The rural development program, to assist rural people in low-income areas to achieve a better living, is also being accelerated.

"This program, initiated in my 1954 message, is now well beyond the demonstration stage and is going steadily forward in 30 States and Puerto Rico. Other States are now starting this important work. I have also recommended more funds for this program in the pending budget.

"Finally, I repeat my conviction that the public, and farmers particularly, are entitled to sound legislative action on the problems I have mentioned. The Congress can act within a broad latitude of proposals and still comply with the recommendations I have made.

"If the Congress wishes to propose a plan as an alternative to the course here recommended, so long as that plan is constructive, as I have indicated herein, I will approve it. The Department of Agriculture will cooperate fully with congressional committees and with individual Members of Congress in helping to prepare such alternative programs as they may wish to have considered.

"The important thing for farmers, and for all other Americans, is for us to act sensibly and to act swiftly.

"I urge the Congress so to act in order that the farmers and public generally may plan accordingly."

Special message to Congress, May 3, 1960:

"Next is agriculture, a subject on which I have commented repeatedly to the Congress.

"In no domestic area do we have a more obvious need for corrective action. We cannot wonder that the patience of our farmers wears thin. By force of law the Government's surplus holdings, especially of wheat, continually increase. These overhang the market, depress prices, and impose an ever more onerous burden upon all citizens, our farmers particularly. I have offered many recommendations for attacking the problem through bipartisan action. Action there has been on occasion but, in respect to wheat especially, far less than needed or of a kind that would make our farmers' present troubles grow worse.

"In an effort to break the legislative stalemate I recently advised the Congress that, within broad guidelines which I suggested, I would approve any constructive farm bill that the Congress might enact. There is as yet no agreement on the part of the two Houses of Congress on a constructive approach.

"Meanwhile farmers grow more concerned about their future, and our people generally become increasingly unhappy as their Government extends a thousand of their tax dollars every minute on the self-defeating wheat program. Lately I have noted, with deep concern, a growing disposition in certain congressional quarters to favor proposals long ago rejected as unworkable, and which would obviously go beyond even the very broad limits I outlined almost 3 months ago.

"I regret also the continuing tendency to rely, in agriculture, upon Federal controls, which inevitably create interference with the lives of our farm people. I still believe that America's farmers prefer, as certainly I do, the development of legislation which will promote progress for them toward economic equality and permit them the maximum freedom.

"Surely it is time, in the interest of all Americans, for the Congress to face up to the admittedly difficult problems of agriculture. It is constructive results that farmers want and need. Indeed, I believe that all America is looking for this kind of action before this session adjourns.

"Also badly needed is extension of the Sugar Act, soon to expire. At stake are an assured and stable supply of sugar for our people at reasonable prices and removal of the uncertainties now facing this industry. A 4-year extension of the present program, modified to give the President authority to adjust quotas in order to assure America of an adequate sugar supply, is needed to give farmers and processors the time to plan. Appropriate recommendations are before the Congress. The interests of America require that legislation be enacted before the Congress adjourns."

State of the Union message, January 5, 1957:

"AREA REDEVELOPMENT

"We must help deal with the pockets of chronic unemployment that here and there mar the Nation's general industrial prosperity. Economic changes in recent years have been often so rapid and far-reaching that areas committed to a single local resource or industrial activity have found themselves temporarily deprived of their markets and their livelihood.

"Such conditions mean severe hardship for thousands of people as the slow process of adaptation to new circumstances goes on. This process can be speeded up. Last year I authorized a major study of the problem to find additional steps to supplement existing programs for the redevelopment of areas of chronic unemployment. Recommendations will be submitted, designed to supplement, with Federal technical and loan assistance, local efforts to get on with this vital job. Improving such communities must, of course, remain the primary responsibility of the people living there and of their States. But a soundly conceived Federal partnership program can be of real assistance to them in their efforts."

Budget message for 1958, January 16, 1957:

"Area redevelopment—proposed legislation: Despite continuing high levels of employment and income, pockets of unemployment persist in several areas. Legislation is again recommended to authorize the Secretary of Commerce, with the assistance of other appropriate agencies, to provide loans and other aids to communities which seem to be in chronic economic distress. This aid will help those communities in attempting to solve their basic problems."

Economic Report, January 20, 1957:

"AIDING LOCAL AREAS OF PERSISTENT UNEMPLOYMENT

"The high employment levels of the last few years have facilitated economic adjustments needed to correct persistent unemployment conditions in various areas. Although the Federal Government makes its greatest contribution to the solution of local unemployment problems by following policies which promote stable growth for the economy as a whole, there are many ways in which it helps local areas with more or less chronic unemployment. In awarding Federal procurement contracts, preference has been given to businesses located in such areas. Also, defense facilities constructed in the areas are accorded special accelerated tax amortization privileges. Increased appropriations for the Office of Area Development in the Department of Commerce have made it possible to extend improved and augmented services to many such areas. The Department of Labor, through affiliated State agencies, has expanded community employment programs and services.

"But greater efforts are needed to help certain localities strengthen their economic base. In some cases, the forces responsible for persistent unemployment are so strong and so varied that they will yield only to comprehensive measures taken jointly by private groups, State and local governments, and the Federal Government. To supplement the efforts of local and State groups, which in a number of areas have already achieved marked success in stimulating sound economic development, an enlarged Federal program of aid to areas of persistent unemployment was proposed to the Congress in 1956. The program provided for Federal loans to pay for part of the cost of purchasing and developing land and facilities for industrial usage, for grants for research to help communities evaluate their resources and needs for economic development, and for an expanded program of technical assistance through field consultation. In addition, the proposed legislation would assure better coordination of existing Federal programs so as to make them more useful in the revitalization of areas with longstanding unemployment. Under the proposed legislation an Area Assistance Administration would be established in the Department of Commerce to administer the expanded Federal services. The Congress is urged to enact legislation for this program, including the necessary appropriations."

Economic Report, January 20, 1958:

"Earlier economic reports recommended a Federal program to stimulate sound economic development in areas of persistent unemployment. Legislation previously recommended to provide an Area Assistance Administration in the Department of Commerce, to extend loans, research grants, and technical assistance to such areas, should be enacted."

Budget message for 1960, January 19, 1959:

"Area assistance: In disapproving the area redevelopment legislation enacted in the closing days of the last Congress, I expressed the hope that the next Congress would promptly pass a more soundly conceived program. The revised legislation which this administration is proposing would:

"(a) Place the major responsibility on local citizens;

"(b) Authorize loans to areas where unemployment has been well above the national average for 2 or more years;

"(c) Authorize grants for technical assistance to these areas and to localities dependent upon a single industry or situated in rural low-income areas;

"(d) Place leadership in the Department of Commerce, with the assistance of other Federal agencies.

"To finance this program, I recommend initial appropriations in fiscal 1960 of $55 million. Based on the successful, comparable programs conducted by certain States, these appropriations should be adequate to meet the Federal share for development of all areas expected to qualify under the proposed legislation."

Economic Report, January 20, 1959:

"AREA ASSISTANCE

"Despite the forward economic strides of the Nation since the war, some communities have suffered substantial and persistent unemployment, when measured against national experience. Federal assistance to these communities is required not only to mitigate the hardships of individuals and families but also to provide for the use of underutilized resources, to the enhancement of the national welfare.

"A program of assistance through development loans and through grants for technical studies will be recommended to the Congress in order that these communities may share in the general economic advance. By design and administration, the program would seek to complement and reinforce community efforts to help themselves, to encourage maximum participation by State and local agencies and private investment institutions, and to create new job opportunities instead of merely transferring jobs from one locality to another.

"The program would also provide technical aid to towns heavily dependent on a major industry and to rural low-income areas, to help them achieve greater economic stability through diversification."

Budget message for 1961, January 18, 1960:

"COMMERCE AND HOUSING

"Budget totals

"[In billions]

Expenditures:	
1959 actual	$3.4
1960 estimate	3.0
1961 estimate	2.7
New obligational authority:	
1959 actual	2.9
1960 estimate	3.8
1961 estimate	3.2

"LEGISLATIVE PROPOSALS

"(In addition to program extensions)

"1. Strengthen organization and management of outer space programs.

"2. Increase aviation fuel taxes and credit them to general fund.

"3. Remove interest ceiling on Government ship mortgage loans.

"4. Provide additional highway trust fund revenues.

"5. Finance forest and public land highways from highway trust fund.

"6. Increase postal rates.

"7. Increase savings and loan insurance premiums.

"8. Provide flexible interest rates on veterans and military housing loans.

"9. Liberalize authority of small business investment companies.

"10. Broaden exemption of small security issues from registration.

"11. Authorize loans and grants to assist areas with chronic unemployment.

"12. Improve antitrust legislation.

"Area assistance: Despite the rapid economic recovery in the Nation as a whole, unemployment remains high in a relatively small number of local areas. The chronic problems in these communities reflect primarily basic changes in consumer buying habits, production methods, and industry location patterns. Some localities and States have properly taken the initiative in measures designed to meet these problems. In addition, the Department of Commerce, with the cooperation of 13 other Federal agencies, is intensifying existing Federal programs to encourage and support this local initiative. More help is required. Therefore, for the past 4 years, I have requested expanded legislative authority, primarily for loans and grants, to supplement existing Federal, State, and local programs. Prompt enactment of this legislation is important. The budget includes an estimated $57 million in appropriations as the initial amount necessary to provide the proposed additional Federal aid."

Memorandum of disapproval, September 6, 1958:

"I am withholding my approval from S. 3683 the area redevelopment bill.

"Every year for the past 3 years I have strongly urged the adoption of a program of Federal assistance to communities of substantial and persistent unemployment for the purpose of assisting those communities to develop a sounder and more secure economic base. I regret that no action along these lines has been taken by the Congress until this year and, needless to add, I am greatly disappointed that I find myself unable to approve the present bill.

"My disapproval need cause no unnecessary delay in initiating a sound area assistance program. Even the unsound program contemplated by S. 3683 could not be of immediate help to any community because the Congress, before adjournment, failed to provide any money to carry out the bill's purposes. Until the next session of the Congress, the needs of areas of severe and persistent unemployment can be met in part through the new program of loans to State and local development companies under the Small Business Investment Act of 1958 which I recently approved.

"The repeated recommendations of the administration recognized that the major responsibility for planning and financing the economic redevelopment of communities of chronic unemployment must remain with local citizens if Federal programs are to be effective. The present bill departs from this principle, and would greatly diminish local responsibility. In doing so, and in including other undesirable features, it defeats any reasonable chance of giving effective help to the communities really in need.

"S. 3683 provides for less local participation in the costs of local development projects than is proper or necessary to stimulate and assure the continuing interest and support of local governmental and private interests. The administration recommended loans, for periods of 25 years, in amounts not exceeding 35 percent of the cost of redevelopment projects. S. 3683, on the other hand, provides for loans for such projects for periods of 40 years, at artificially low interest rates, in amounts up to 65 percent of the total cost of a project.

"S. 3683 proposes in addition a program of Federal grants for public works in redevelopment areas under which it would be possible to have no local participation whatever. Moreover, the criteria for making these grants are so loosely drawn that, without indiscriminate use of funds, administration of these provisions would be almost impossible. This is a field in which, if the Federal Government participates at all, it should be able to rely upon local judgments backed by signficant local contributions.

"S. 3683 is also defective in my judgment because its assistance in certain instances, would be available in areas in which unemployment is traceable essentially to temporary conditions. Federal assistance to communities where unemployment is not clearly chronic would necessarily mean the assumption of responsibility by the Government for the direct support of local economies—an assumption of responsibility that would have the most profound consequences.

"I also believe it would be a grave mistake to establish, as this bill would, an area assistance program in the Housing and Home Finance Agency. Such a program should be lodged, not with an agency concerned with residential housing and related matters, but rather with the Department of Commerce which has primary responsibility for business and industrial development and a long experience in extending to local areas technical aid for economic development.

"S. 3683 also contemplates a Federal redevelopment assistance, including loans, in rural areas. There is serious question as to whether Federal loans for the construction of industrial buildings in rural areas would be a proper or effective approach, much less a permanent one, to the problems of surplus labor in essentially agricultural communities.

"It is my intention next January when the Congress reconvenes to request the Congress to enact area assistance legislation more soundly conceived to carry out the purposes which I have repeatedly stressed as being in the national interest. It is my hope that Congress at that time will move with all possible speed to enact such an area assistance program."

Memorandum of disapproval, May 13, 1960:

"I return herewith, without my approval, S. 722, the area redevelopment bill.

"For 5 consecutive years I have urged the Congress to enact sound area assistance legislation. On repeated occasions I have clearly outlined standards for the kind of program that is needed and that I would gladly approve.

"In 1958 I vetoed a bill because it departed greatly from those standards. In 1959, despite my renewed urging, no area assistance bill was passed by the Congress.

"Now in 1960, another election year, a new bill is before me that contains certain features which I find even more objectionable than those I found unacceptable in the 1958 bill.

"The people of the relatively few communities of chronic unemployment—who want to share in the general prosperity—are, after 5 years, properly becoming increasingly impatient and are rightfully desirous of constructive action. The need is for truly sound and helpful legislation on which the Congress and the Executive can agree. There is still time and I willingly pledge once again my wholehearted cooperation in obtaining such a law.

"S. 722 is seriously defective in six major respects which are summarized immediately below and discussed in detail thereafter.

"1. S. 722 would squander the Federal taxpayers' money where there is only temporary economic difficulty, curable without the special Federal assistance provided in the bill. In consequence, communities in genuine need would receive less Federal help for industrial development projects than under the administration's proposal.

"2. Essential local, State, and private initiative would be materially inhibited by the excessive Federal participation that S. 722 would authorize.

"3. Federal financing of plant machinery and equipment is unwise and unnecessary and therefore wasteful of money that otherwise could be of real help.

"4. The Federal loan assistance which S. 722 would provide for the construction of sewers, water mains, access roads, and other public facilities is unnecessary because such assistance is already available under an existing Government program. Outright grants for such a purpose, a provision of S. 722, are wholly inappropriate.

"5. The provisions for Federal loans for the construction of industrial buildings in rural areas are incongruous and unnecessary.

"6. The creation of a new Federal agency is not needed and would actually delay initiation of the new program for many months.

"I

"The most striking defect of S. 722 is that it would make eligible for Federal assistance areas that don't need it—thus providing less help for communities in genuine need than would the administration's proposal. S. 722, as opposed to the administration bill, would more than double the number of eligible communities competing for Federal participation in loans for the construction or refurbishing of plants for industrial use—the main objective of both bills. Communities experiencing only temporary economic difficulty would accordingly be made eligible under S. 722 and the dissipation of Federal help among them would deprive communities afflicted with truly chronic unemployment of the full measure of assistance they so desperately desire and which the administration bill would give them.

"II

"Lasting solutions to the problems of chronic unemployment can only be forthcoming if local citizens—the people most immediately concerned—take the lead in planning and financing them. The principal objective is to develop new industry. The Federal Government can and should help, but the major role in the undertaking must be the local community's. Neither money alone, nor the Federal Government alone, can do the job. The States also must help, and many are, but in many instances and in many ways they could do much more.

"Under S. 722, however, financing of industrial development projects by the Federal Government—limited to 35 percent under the administration's proposal—could go as high as 65 percent, local community

participation could be as low as 10 percent and private financing as little as 5 percent. Furthermore, although S. 722 conditions this assistance on approval by a local economic development organization, if no such organization exists one can be appointed from Washington.

"III

"S. 722 would authorize Federal loans for the acquisition of machinery and equipment to manufacturers locating in eligible areas. Loans for machinery and equipment are unnecessary, unwise, and costly. Much more money would be required and unnecessarily spent, much less money would find its way into truly helpful projects, and manufacturers would be subsidized unnecessarily vis-a-vis their competitors.

"IV

"S. 722 would authorize further unnecessary spending by providing both loans and grants—up to 100 percent of the cost—for the construction of access roads, sewers, water mains, and other local public facilities.

"Grants for local public facilities far exceed any appropriate Federal responsibility. Even though relatively modest at the start, they would set predictably expensive and discriminatory precedents.

"With regard to loans for such purposes, exemption from Federal income taxes makes it possible today for local communities in almost every case to borrow on reasonable terms from private sources. Whenever such financing is difficult to obtain, the need can be filled by the existing public facility loan program of the Housing and Home Finance Agency—a program which S. 722 would needlessly duplicate and for which an additional $100 million authorization has already been requested.

"V

"S. 722 would make a minimum of 600 rural counties eligible for Federal loans for the construction of industrial buildings in such areas. The rural development program and the Small Business Administration are already contributing greatly to the economic improvement of low income rural areas. Increasing the impact of these two activities, particularly the rural development program, is a preferable course.

"VI

"Finally, S. 722 would also create a new Federal agency and would, in consequence, mean many unnecessary additions to the Federal payroll and a considerable delay in the program before the new agency could be staffed and functioning effectively. None of this is necessary, for all that needs to be done can be done—much better and immediately—by the existing Department of Commerce.

"Again, I strongly urge the Congress to enact new legislation at this session—but without those features of S. 722 that I find objectionable. I would, however, accept the eligibility criteria set forth in the bill that first passed the Senate even though these criteria are broader than those contained in the administration bill.

"Moreover, during the process of developing a new bill, I would hope that in other areas of past differences solutions could be found satisfactory to both the Congress and the Executive.

"My profound hope is that sound, new legislation will be promptly enacted. If it is, our communities of chronic unemployment will be only the immediate beneficiaries. A tone will have been set that would hold forth, for the remainder of the session, the hope of sound and rewarding legislation in other vital areas—mutual security, wheat, sugar, minimum wage, interest rates, revenue measures, medical care for the aged, and aid to education, to mention but a few.

"Only this result can truly serve the finest and best interests of all our people."

Economc Report for 1960, January 26, 1960:

"AREA ASSISTANCE

"Although the number of labor market areas in the United States with a substantial surplus of labor beyond current requirements has been reduced significantly as economic activity has expanded, many communities continue to suffer from substantial and persistent unemployment. Assistance to these communities is available through a number of Federal agencies, whose activities in this connection are coordinated through an interdepartmental Committee To Coordinate Federal Urban Area Assistance Programs, as well as from State and local groups. In 1959, the Office of Area Development of the Department of Commerce, which carries the principal responsibility for providing Federal assistance, aided an increasing number of area development groups in their efforts to strengthen the economic bases of their communities. Technical assistance furnished by the Office included counseling on methods used by various communities to solve their development problems, on community industrial foundations and industrial parks, and on State and local financing plans for promoting economic development.

"The Department of Labor aids community organizations in connection with manpower aspects of economic development and with on-the-job training. Financial assistance to business concerns is furnished through the Small Business Administration. The 'set-asides' of defense contracts for concerns located in areas of substantial labor surplus help to bolster economic activity in particular communities.

"Legislation is needed, however, to supplement and strengthen these efforts to help areas of persistent unemployment create new job opportunities. Such legislation should stimulate and complement the efforts of communities to help themselves, should promote maximum participation by private financial institutions and by State and local agencies, should encourage the creation of new job opportunities rather than the mere transference of jobs from one area of the country to another, and should encompass technical aid for the economic diversification of rural low-income areas and single-industry communities.

"A recommendation has already been made to the Congress for a program that meets these specifications. It would provide for Federal participation in loans to business concerns, for financial assistance to State and local development groups, and for technical assistance to local groups seeking to strengthen their regional economies."

Special message to Congress, May 3, 1960:

"Area redevelopment legislation also needs priority attention. I have long urged legislation authorizing loans and technical assistance to help areas afflicted with long-term, substantial unemployment resulting from technological changes. The purpose is to diversify these economies and thereby create new sources of private employment. With important local efforts to provide new jobs already underway, Federal help must be of a kind that strengthens and supplements rather than displaces or discourages those efforts."

Budget message for 1958, January 16, 1957:

"The Congress is urged to carry out the proposals of the Judicial Conference for additional Federal judges. Also, when a district or circuit court judge who is the senior judge of the district or circuit becomes 70 and chooses not to retire, he should be relieved of his administrative duties. Furthermore, whenever a district court judge reaches 70 and chooses not to retire, the Congress should provide that upon certification by the Judicial Conference of the need therefor, the President would be authorized to appoint an additional judge. When the judge who had reached 70 dies or retires, the vacancy thus created would not be filled."

Budget message for 1960, January 19, 1959:

"I also recommend that the Congress direct special attention to the creation of additional Federal judgeships as proposed by the Judicial Conference, and the strengthening of Federal laws against organized crime."

Budget message for 1961, January 18, 1960:

"GENERAL GOVERNMENT

"Budget totals

"[In billions]

Expenditures:	
1959 actual	$1.6
1960 estimate	1.7
1961 estimate	1.9
New obligational authority:	
1959 actual	1.8
1960 estimate	1.6
1961 estimate	1.9

"LEGISLATIVE PROPOSALS

"1. Establish policy for financing civil service retirement.

"2. Charge civil service benefits for certain widows and retired employees to trust fund after 1961.

"3. Make 1958 salary increase for Post Office field personnel permanent.

"4. Revise laws to reflect admission of State of Hawaii.

"5. Provide home rule for District of Columbia.

"6. Create transportation corporation for National Capital area.

"7. Authorize nonvoting resident commissioners for Guam and Virgin Islands.

"8. Amend immigration and nationality laws.

"9. Include goal of price stability in Employment Act.

"10. Enact civil rights legislation.

"11. Create additional Federal judgeships.

"12. Strengthen laws against organized crime.

"13. Increase authorization for Commission on International Rules of Judicial Procedure.

"14. Reimburse citizens for certain World War II property damage.

"15. Authorize civilian achievement awards.

"I also recommend that the Congress create additional Federal judgeships, as proposed by the Judicial Conference, and strengthen Federal laws against organized crime."

Special message to Congress, May 3, 1960:

"First is the urgent need of Federal courts for enough judges to hear the greatly increased number of cases being filed each year. Regardless of expediency, justice calls for prompt action.

"The Judicial Conference of the United States has recommended the creation of approximately 40 new judgships. This recommendation is supported by the administration and by virtually every important professional organization concerned with the administration of the courts.

"We who advocate equal justice under law have a duty to make it effective. In certain districts injured people must wait over 4 years for justice or compromise their rights; innocent people who are defrauded are made a laughingstock because the delay in the courts deprives them of an effective remedy; justice is denied the weak because they cannot finance the delay necessary to be heard. Further neglect of this need is heartless. For all our people, I most earnestly urge swift action on the pending measure to increase the number of judgeships."

HIGHWAY PROGRAM

State of the Union message, January 7, 1954:

"National highways

"To protect the vital interest of every citizen in a safe and adequate highway system, the Federal Government is continuing its central role in the Federal aid highway program. So that maximum progress can be made to overcome present inadequacies in the Interstate Highway System, we must continue the Federal gasoline tax at 2 cents per gallon. This will require cancellation of the one-half cent decrease which otherwise will become effective April 1, and will maintain revenues so that an expanded highway program can be undertaken.

"When the Commission on Intergovernmental Relations completes its study of the present system of financing highway construction, I shall promptly submit it for consideration by the Congress and the Governors of the States."

Budget message for 1955, January 21, 1954:

"Highways: Expenditures under the Federal-aid highway program of grants to States for highway construction have been rising during the past year, and will continue to rise in the fiscal year 1955 under commitments made pursuant to the Highway Act of 1952. The 1955 expenditures will be the highest in history. Emphasis in the selection of new projects will be given to the National System of Interstate Highways, which comprises the most important routes for interstate commerce and national defense. Of the $555 million of estimated expenditures under the Federal-aid program in the fiscal year 1955, about $150 million will be spent for projects in the Interstate System. Other construction programs of the Bureau of Public Roads will involve expenditures of $27 million, mainly for direct construction of forest highways and defense access roads.

"We should give increased attention to eliminating the existing inadequacies of the National System of Interstate Highways. Pending development and review of detailed proposals for extension of the Federal-aid highway program, I am including under proposed legislation the $575 million level of the existing authorization. Similarly, I am including the prevailing annual rate of $22.5 million for the forest-highway program. No appreciable expenditures will be made under the proposed authorizations in the fiscal year 1955."

Special message, February 22, 1955:

"Our unity as a nation is sustained by free communication of thought and by easy transportation of people and goods. The ceaseless flow of information throughout the Republic is matched by individual and commercial movement over a vast system of interconnected highways crisscrossing the country and joining at our national borders with friendly neighbors to the north and south.

"Together, the uniting forces of our communication and transportation systems are dynamic elements in the very name we bear—United States. Without them, we would be a mere alliance of many separate parts.

"The Nation's highway system is a gigantic enterprise, one of our largest items of capital investment. Generations have gone into its building; 3,366,000 miles of road, traveled by 58 million motor vehicles, comprise it. The replacement cost of its drainage and bridge and tunnel works is incalculable. One in every seven Americans gains his livelihood and supports his family out of it. But, in large part, the network is inadequate for the Nation's growing needs.

"In recognition of this, the Governors in July of last year at my request began a study of both the problem and methods by which the Federal Government might assist the States in its solution. I appointed in September the President's Advisory Committee on a National Highway Program, headed by Lucius D. Clay, to work with the Governors and to propose a plan of action for submission to the Congress. At the same time, a committee representing departments and agencies of the National Government was organized to conduct studies coordinated with the other two groups.

"All three were confronted with inescapable evidence that action, comprehensive and quick and forward-looking, is needed.

"First. Each year, more than 36,000 people are killed and more than a million injured on the highways. To the home where the tragic aftermath of an accident on an unsafe road is a gap in the family circle, the monetary worth of preventing that death cannot be reckoned. But reliable estimates place the measurable economic cost of the highway accident toll to the Nation at more than $4.3 billion a year.

"Second. The physical condition of the present road net increases the cost of vehicle operation, according to many estimates, by as much as 1 cent per mile of vehicle travel. At the present rate of travel, this totals more than $5 billion a year. The cost is not borne by the individual vehicle operator alone. It pyramids into higher expense of doing the Nation's business. Increased highway transportation costs, passed on through each step in the distribution of goods, are paid ultimately by the individual consumer.

"Third. In case of an atomic attack on our key cities, the road net must permit quick evacuation of target areas, mobilization of defense forces, and maintenance of every essential economic function. But the present system in critical areas would be the breeder of a deadly congestion within hours of an attack.

"Fourth. Our gross national product, about $357 billion in 1954, is estimated to reach over $500 billion in 1965 when our population will exceed 180 million and, according to other estimates, will travel in 81 million vehicles 814 billion vehicle-miles that year. Unless the present rate of highway improvement and development is increased existing traffic jams only faintly foreshadow those of 10 years hence.

"To correct these deficiencies is an obligation of government at every level. The highway system is a public enterprise. As the owner and operator, the various levels of government have a responsibility for management that promotes the economy of the Nation and properly serves the individual user. In the case of the Federal Government, moreover, expenditures on a highway program are a return to the highway user of the taxes which he pays in connection with his use of the highways.

"Congress has recognized the national interest in the principal roads by authorizing two Federal-aid systems, selected cooperatively by the States, local units, and the Bureau of Public Roads.

"The Federal-aid primary system as of July 1, 1954, consisted of 234,407 miles, connecting all the principal cities, county seats, ports, manufacturing areas, and other traffic generating centers.

"In 1944 the Congress approved the Federal-aid secondary system, which on July 1, 1954, totaled 482,972 miles, referred to as farm-to-market roads—important feeders linking farms, factories, distribution outlets, and smaller communities with the primary system.

"Because some sections of the primary system, from the viewpoint of national interest, are more important than others, the Congress in 1944 authorized the selection of a special network, not to exceed 40,000 miles in length, which would connect by routes, as direct as practicable, the principal metropolitan areas, cities, and industrial centers, serve the national defense, and connect with routes of continental importance in the Dominion of Canada and the Republic of Mexico.

"This national system of interstate highways, although it embraces only 1.2 percent of total road mileage, joins 42 State capital cities and 90 percent of all cities over 50,000 population. It carries more than a seventh of all traffic, a fifth of the rural traffic, serves 65 percent of the urban and 45 percent of the rural population. Approximately 37,600 miles have been designated to date. This system and its mileage are presently included within the Federal-aid primary system.

"In addition to these systems, the Federal Government has the principal, and in many cases the sole, responsibility for roads that cross or provide access to federally owned land—more than one-fifth the Nation's area.

"Of all these, the interstate system must be given top priority in construction planning. But at the current rate of development, the interstate network would not reach even a reasonable level of extent and efficiency in half a century. State highway departments cannot effectively meet the need. Adequate right-of-way to assure control of access, grade separation structure, relocation and realinement of present highways—all these, done on the necesary scale within an integrated system, exceed their collective capacity.

"If we have a congested and unsafe and inadequate system, how then can we improve it so that 10 years from now it will be fitted to the Nation's requirements?

"A realistic answer must be based on a study of all phases of highway financing, including a study of the costs of completing the several systems of highways, made by the Bureau of Public Roads in cooperation with the State highway departments and local units of government. This study, made at the direction of the 83d Congress in the 1954 Federal-aid Highway Act, is the most comprehensive of its kind ever undertaken.

"Its estimates of need show that a 10-year construction program to modernize all our roads and streets will require expenditure of $101 billion by all levels of Government.

"The preliminary 10-year totals of needs by road systems are:

	Billions
Interstate (urban $11, rural $12 billion)	$23
Federal-aid primary (urban $10, rural $20 billion)	30
Federal-aid secondary (entirely rural)	15
Subtotal of Federal-aid systems (urban $21, rural $47 billion)	68
Other roads and streets (urban $16, rural $17 billion)	33
Total of needs (urban $37, rural $64 billion)	101

"The Governors' conference and the President's Advisory Committee are agreed that the Federal share of the needed construction program should be about 30 percent of the total, leaving to State and local units responsibility to finance the remainder.

"The obvious responsibility to be accepted by the Federal Government, in addition to the existing Federal interest in our 3,366,000-mile network of highways, is the development of the Interstate System with its most essential urban arterial connections.

"In its report, the Advisory Committee recommends:

"1. That the Federal Government assume principal responsibility for the cost of a modern interstate network to be completed

by 1964 to include the most essential urban arterial connections; at an annual average cost of $2.5 billion for the 10-year period.

"2. That Federal contributions to primary and secondary road systems, now at the rate authorized by the 1954 act of approximately $525 million annually, be continued.

"3. That Federal funds for that portion of the Federal-aid systems in urban areas not on the interstate system, now approximately $75 million annually, be continued.

"4. That Federal funds for forest highways be continued at the present $22.5 million per year rate.

"Under these proposals, the total Federal expenditures through the 10-year period would be:

	Billions
Interstate system	$25.000
Federal-aid primary and secondary	5.250
Federal-aid urban	.750
Forest highways	.225
Total	31.225

"The extension of necessary highways in the territories and highway maintenance and improvement in national parks, on Indian lands and on other public lands of the United States will continue to be treated in the budget for these particular subjects.

"A sound Federal highway program, I believe, can and should stand on its own feet, with highway users providing the total dollars necessary for improvement and new construction. Financing of interstate and Federal-aid systems should be based on the planned use of increasing revenues from present gas and diesel oil taxes, augmented in limited instances with tolls.

"I am inclined to the view that it is sounder to finance this program by special bond issues, to be paid off by the above-mentioned revenues which will be collected during the useful life of the roads and pledged to this purpose, rather than by an increase in general revenue obligations.

"At this time, I am forwarding for use by the Congress in its deliberations the report to the President made by the President's Advisory Committee on a National Highway Program. This study of the entire highway traffic problem and presentation of a detailed solution for its remedy is an analytical review of the major elements in a most complex situation. In addition, the Congress will have available the study made by the Bureau of Public Roads at the direction of the 83d Congress.

"These two documents together constitute a most exhaustive examination of the national highway system, its problems and their remedies. Inescapably, the vastness of the highway enterprise fosters varieties of proposals which must be resolved into a national highway pattern. The two reports, however, should generate recognition of the urgency that presses upon us; approval of a general program that will give us a modern safe highway system; realization of the rewards for prompt and comprehensive action. They provide a solid foundation for a sound program."

State of the Union message, January 5, 1960:

"Highway legislation

"Legislation to provide a modern, interstate highway system is even more urgent this year than last, for 12 months have now passed in which we have fallen further behind in road construction needed for the personal safety, the general prosperity, the national security of the American people. During the year, the number of motor vehicles has increased from 58 million to 61 million. During the past year over 38,000 persons lost their lives in highway accidents, while the fearful toll of injuries and property damage has gone on unabated.

"In my message of February 22, 1955, I urged that measures be taken to complete the vital 40,000-mile interstate system over a period of 10 years at an estimated Federal cost of approximately $25 billion. No program was adopted.

"If we are ever to solve our mounting traffic problem, the whole interstate system must be authorized as one project, to be completed approximately within the specified time. Only in this way can industry efficiently gear itself to the job ahead. Only in this way can the required planning and engineering be accomplished without the confusion and waste unavoidable in a piecemeal approach. Furthermore, as I pointed out last year, the pressing nature of this problem must not lead us to solutions outside the bounds of sound fiscal management. As in the case of other pressing problems, there must be an adequate plan of financing. To continue the drastically needed improvement in other national highway systems, I recommend the continuation of the Federal aid highway program."

Budget message for 1960, January 19, 1959:

"Other changes in tax rates: In order to make highway-related taxes support our vast highway expenditures, excises on motor fuels need to be increased 1½ cents a gallon to 4½ cents. These receipts will go into the highway trust fund and preserve the pay-as-we-go principle, so that contributions from general tax funds to build Federal-aid highways will not be necessary.

"Estimated savings to the general taxpayers from more adequate fees and charges

[In millions]

	Fiscal year 1960	Full annual effect [1]
Support highway expenditures by highway-related taxes: [2]		
Finance deficiency estimated under present law	$241.0	$818.0
Transfer financing of forest and public lands highways to trust fund	41.0	41.0
Revise postal rates	350.0	350.0
Charge specifically for use of Federal airways:		
Transfer aviation fuel taxes from highway trust fund to general fund	34.0	34.0
Increase taxes on aviation fuels	51.0	70.0
Revise fee schedule for noncompetitive oil and gas leases	-------	14.0
Raise patent and trademark fees	3.5	3.5
Miscellaneous increased fees and cost recoveries	11.5	20.8
Total	732.0	1,351.3

[1] Net change on annual basis with present workload or first full fiscal year effect.

[2] Trust fund receipts, as distinct from budgetary savings, will be increased by an estimated net amount of $690,000,000 in 1960 and nearly $900,000,000 in subsequent years."

Budget message for 1960, January 19, 1959:

"Highways: The comprehensive highway program enacted in 1956 established the principle that highway users, rather than the general taxpayers, should pay the cost of Federal-aid highways. The larger contract authority enacted in 1958, however, will create a cumulative deficit in the highway trust fund under present law of $241 million by the end of the fiscal year 1960, and about $2.2 billion by the end of 1962.

"To maintain the trust fund on a self-supporting basis, I am recommending a temporary increase of 1½ cents in highway fuel taxes, to become effective July 1, 1959, and to remain in effect through the fiscal year 1964. This increase is necessary to assure availability of the entire 1961 and 1962 Federal-aid highway authorizations without waiving provisions in the basic legislation which limit expenditures to the amounts available in the trust fund.

"Highway trust fund

[In millions]

Fiscal year	Expenditures	Receipts	Year-end balance
Under existing legislation:			
1957	$966	$1,482	$516
1958	1,602	2,134	1,049
1959 estimate	2,553	2,143	639
1960 estimate	3,102	2,222	−241
1961 estimate	3,109	2,291	−1,059
1962 estimate	3,484	2,377	−2,166
After enactment of proposed legislation:			
1960 estimate	3,136	2,912	415
1961 estimate	3,180	3,175	410
1962 estimate	3,558	3,296	148"

Economic report, January 20, 1959:

"Certain actions by the Congress are needed to give effect to the 1960 financial plan. First, changes are required in the laws affecting Federal revenues: the corporate income tax and excise taxes on automobiles and parts, cigarettes, distilled spirits, and wines and beer should be continued at their present levels for 1 year beyond June 30, 1959; a temporary increase in the Federal motor fuel tax should be enacted to continue construction of the Interstate Highway System on a self-sustaining basis; the tax on aviation gasoline should be raised, and a similar rate for jet fuels, now tax free, should be enacted, to help pay the Federal cost of operating the airways; and a revision in postal rates should be authorized."

Special message, May 13, 1959:

"1. To avert a serious disruption of the interstate highway program due to an impending deficit in the highway trust fund, I recommended a temporary increase in the Federal tax on motor fuels."

Budget message for 1961, January 18, 1960:

"I urge the Congress again to increase the highway fuel tax by another one-half cent per gallon and to continue the tax at 4½ cents until June 30, 1964. This will permit the construction program for the Interstate System to proceed at a higher and more desirable level. I request repeal of the diversion of excise taxes enacted last year for the period July 1, 1961, to June 30, 1964. New reports giving estimates of the cost of completing the Interstate System and recommendations on the allocation of costs among future highway beneficiaries will become available in 1961. At the appropriate time, further recommendations will be made to the Congress for the ensuing conduct and financing of the program.

"A temporary advance of $359 million from the Treasury to the trust fund was necessary in fiscal 1960 to balance out the monthly flow of revenues and expenditures within the fiscal year, but this will be repaid by June 30, 1960. A similar temporary advance of $200 million will be required in the fiscal year 1961, repayable before the end of that year.

"During this session of the Congress, funds should be authorized for 1962 and 1963 for regular Federal-aid highway programs and for forest and public lands highways. In view of the limited resources available to the trust fund and the priority requirements of the Interstate System, it is recommended that authorizations for the regular programs for each of these years be reduced to $900 million from $925 million provided for 1961. Annual authorizations of $33 million for forest highways and $3 million for public lands highways are also recommended.

"Finally, I again request that the financing of forest and public lands highways be transferred from the general fund to the highway trust fund. Most of these

highways are integral parts of the Federal-aid systems, and they should be financed in the same way."

Special message to Congress, May 3, 1960:

"We also owe it to America to provide adequate new revenues for the highway trust fund (as my proposal for a gasoline tax increase would do), so that we may keep our very important highway program on schedule; and fiscal responsibility dictates that we not fail to raise postal rates and thus end the heavy drain on general revenues for postal services which Congress has said by law should be self-sustaining. Our other revenue proposals—notably, extension of certain excise taxes and an added tax on aviation fuel—also need to be approved."

AVIATION FUEL TAX

Budget message for 1959, January 13, 1958:

"In the field of aviation, the Federal Government provides a wide range of special services benefiting private users of the airspace. As I have previously pointed out, it is increasingly appropriate that these users pay their fair share of the costs. As first steps toward this end, this budget proposes that a tax of 3½ cents a gallon be levied on jet fuels and that taxes on aviation gasoline be increased to 3½ cents a gallon from the present 2 cents, with increases of three-fourths cent per year for 4 years in both taxes up to 6½ cents a gallon. The receipts from taxes on aviation gasoline, which now go into the highway trust fund, should be kept in the general revenues to help finance the operations of the airways."

Budget message for 1960, January 19, 1959:

"Airway user charges: The magnitude of the burden on the general taxpayers for rising airway expenditures makes it essential that users of the facilities pay a greater share of the cost. To this end, legislation will be transmitted to raise the effective tax on aviation gasoline from 2 cents to 4½ cents in 1960 and to levy the same tax on jet fuels, which are now tax-free. These increased costs should be includible, along with other airline costs, in determining the rates charged the ultimate users of air transportation. Receipts from taxes on aviation gasoline should not be used for highways; they should be retained in the general fund instead of being transferred to the highway trust fund. These changes in revenue laws will increase general fund receipts by an estimated $85 million in fiscal 1960 and by somewhat larger amounts in subsequent years."

Budget message for 1961, January 18, 1960:

"Aviation fuel taxes: To help defray the cost of the Federal airways system, the effective excise tax rate on aviation gasoline should be promptly increased from 2 to 4½ cents per gallon and an equivalent excise tax should be imposed on jet fuels, which now are untaxed. The conversion from piston engines to jets is resulting in serious revenue losses to the Government. These losses will increase unless the tax on jet fuels is promptly enacted. The revenues from all taxes on aviation fuels should be credited to general budget receipts, as a partial offset to the budgetary costs of the airways system, and clearly should not be deposited in the highway trust fund."

Budget message for 1961, January 18, 1960:

"Airway user charges: Consistent with the principle that special beneficiaries of Government programs should pay the cost of those benefits, the users of the Federal airways should ultimately be expected to pay their full share of rising capital and operating costs. Accordingly, the effective tax on aviation gasoline should be raised from 2 to 4½ cents per gallon and the same tax should also be levied on jet fuels, which are now tax free. Receipts from all aviation fuel taxes should be retained in the general fund rather than transferred to the highway trust fund as at present. These actions will increase revenues to the general fund by an estimated $89 million in fiscal year 1961."

Economic Report, January 20, 1960:

"The Congress has also been requested to make certain corrective amendments in the tax laws applicable to cooperatives; to preclude unintended and excessive percentage depletion allowances for mineral products, if this problem is not satisfactorily resolved through litigation pending before the Supreme Court; to tax as ordinary income any gain realized by the sale of depreciable personal property used in business, to the extent of the depreciation deductions previously taken on the property; to defer the taxation of income earned in less developed countries of the world; to increase the aviation fuel tax to 4½ cents per gallon; and to impose a tax of 4½ cents per gallon on jet fuel. To assure construction of the Interstate Highway System at a high rate and on a self-supporting basis, the Congress has been asked to increase the highway fuel tax by ½ cent per gallon and to continue the tax at 4½ cents per gallon until June 30, 1964."

Special message to Congress, May 3, 1960:

"We also owe it to America to provide adequate new revenues for the highway trust fund (as my proposal for a gasoline tax increase would do), so that we may keep our very important highway program on schedule; and fiscal responsibility dictates that we not fail to raise postal rates and thus end the heavy drain on general revenues for postal services which Congress has said by law should be self-sustaining. Our other revenue proposals—notably, extension of certain excise taxes and an added tax on aviation fuel—also need to be approved."

INTEREST RATES

Special message, June 8, 1959:

"I am, therefore, asking the Secretary of the Treasury to transmit to the Congress today proposed legislation designed to improve significantly the Government's ability to manage its debt in the best interest of the Nation.

"The legislation provides principally for—

"(1) Removal of the present 3.26 percent interest rate ceiling on savings bonds. This, together with other changes, will reinvigorate the savings bond program.

"(2) Removal of the present 4¼-percent interest rate ceiling on new issues of Treasury bonds. The present ceiling seriously restricts Treasury debt management and is inconsistent with the flexibility which the Secretary of the Treasury has on rates paid on shorter term borrowing.

"(3) An increase in the regular public debt limit from $283 billion to $288 billion, and an increase in the temporary limit from $288 billion to $295 billion. These increases are essential to the orderly and prudent conduct of the financial operations of the Government, even with expenditures covered by revenues in the fiscal year 1960, as the budget proposes.

"SAVINGS BONDS

"Removal of the present 3.26-percent maximum limit on savings bond interest, together with certain other changes will permit the Treasury to improve the terms of savings bonds. This will strengthen the contribution of the program both to habits of thrift throughout the Nation and to a better structure of the public debt.

"The Treasury is proposing the following revisions in the savings bond program, subject to approval of enabling legislation: A 3¾-percent interest rate to maturity for all series E and H savings bonds sold on or after June 1, 1959; an improved interest rate on all series E and H bonds outstanding and continued to be held; and improved extension terms for outstanding series E bonds when they mature.

"FOUR AND ONE-QUARTER PERCENT MAXIMUM INTEREST RATE ON NEW BOND ISSUES

"There is no statutory maximum on the interest rate which can be paid by the Treasury for marketable borrowings of 5 years or less (bills, certificates, and notes). The Secretary of the Treasury should have similar flexibility with regard to Treasury bonds (which run 5 years or more to maturity).

"The Treasury always tries to borrow as economically as it can, consistent with its other debt management objectives. But in our democracy no man can be compelled to lend to the Government on terms he would not voluntarily accept. Therefore, when the Government borrows, it can do so successfully only at realistic rates of interest that are determined by the supply and demand for securities, as reflected in the prices and yields of outstanding issues established competitively in the Government securities market.

"I am aware of the fact that many proposals have been made which are designed to produce lower interest rates. However, any debt management device which would seek to interfere with the natural interaction of the competitive forces of our free economy and produce unnatural reductions in interest rates would not only breach the fundamental principles of the free market, but under current conditions could be drastically inflationary. The additional cost to the Government alone from increased prices of the goods and services it must buy might far exceed any interest saving. The ultimate harm to the entire Nation of such a price rise could be incalculable.

"Market yields on a number of Treasury bonds are already above 4¼ percent. With one exception all bonds which have 5 years or more to run to maturity have market yields above 4 percent. The Treasury recently has done substantial short-term borrowing. But it must avoid undue shortening of the public debt and therefore should continue to sell intermediate and longer term bonds whenever market conditions permit. It should not be prohibited from doing so by the existence of an artificial ceiling which under today's conditions makes it virtually impossible to sell bonds in the competitive market."

Special message, August 26, 1959:

"On June 8, I transmitted to Congress a message requesting legislation that would (1) remove the artificial limitation which the law now imposes on the interest rate at which the Treasury is allowed to borrow money for more than 5 years, and (2) remove a similar limitation on the rate the Government can pay on savings bonds.

"Last week, the Committee on Ways and Means of the House of Representatives voted to suspend consideration of these proposals for the remainder of this session. This action was a grave disappointment to me.

"The American people have a tremendous stake in this proposed legislation. Failure to enact it means that—

"Millions of thrifty Americans cannot be fairly treated, since the Treasury will be unable to pay a fair rate of interest on savings bonds;

"The cost of living may rise further, as the Treasury will be forced to manage our $290 billion debt in a way that adds to pressure on prices;

"Responsible people at home and abroad can only conclude that we have not yet determined to manage our financial affairs as soundly as we should.

"I would like to make two things absolutely clear:

"First, the administration is willing to assume full responsibility for managing the Federal Government's debt if it is allowed to do so free from artificial restrictions and on a parity with other borrowers.

"Second, if the requested legislation is not enacted, those in the Congress who are unwilling to pass it must assume full responsibility for the possibly serious consequences.

"This country's outstanding public debt of almost $290 billion is held by our citizens and financial institutions, and by foreign central banks and investors who have accumulated dollars as part of their reserves. Each investor has his own investment requirements. He buys different kinds of securities in order to meet those needs. Common to all investors, however, is the requirement that the rate of interest paid on the securities be fair and equitable in the light of other investment opportunities and, secondly, that the purchasing power of their invested dollars will not be impaired.

"These considerations apply directly to the way in which the Government handles its debt. There can be no question as to the Government's obligation to deal fairly and justly with the millions of its citizens who invest a portion of their savings, sometimes as a patriotic duty, in Government bonds. And there should be no question as to our determination to manage our debt soundly and in the best interests of all of the people.

"We have worked tirelessly for a balanced budget. We need this balance so that we can avoid the deficits that lead to higher prices, to a rising cost of living, and to an eating away of the value of the billions of dollars that thrifty and farsighted Americans have saved. But congressional inaction on our debt-management proposal could do much to offset the progress we have made toward fiscal responsibility.

"To manage the public debt in a sound manner the Treasury must be able to borrow money for long as well as short periods of time. A 1918 statute now prescribes, however, that we cannot pay more than 4¼ percent for long-term money. So long as the present prosperity contributes to a strong demand for credit, and thus keeps the cost of new long-term borrowing higher than 4¼ percent, we will not be able to borrow for periods longer than 5 years.

"Let me suggest one simple parallel to show why the Treasury should be able to borrow for longer periods. Suppose that an individual had a mortgage on his home that had to be renewed every few months. He would be exposed to every shift in the economy and to every change in financial conditions. Yet, the Congress in effect is forcing the Treasury into this type of exposed position. It is saying to the Treasury, 'When you have any borrowing to do, do it all on a short-term basis.'

"Within the next 12 months the Government must borrow $85 billion to cover maturing securities, redemptions, and seasonal cash needs. This Government, with its great financial resources, can normally carry a sizable amount of short-term debt. But it cannot afford to rely exclusively on borrowing that must be continually renewed. Yet, if the Congress insists that we continue to finance wholly with short-term securities, the whole $290 billion debt will grow shorter and shorter. This will make it even harder to handle in the future.

"The vital interests of all Americans are at stake because excessive reliance on short-term financing can have grave consequences for the purchasing power of the dollar. The issuance of a large amount of short-term Treasury debt would have an effect not greatly different from the issuance of new money. Because these securities are soon to be paid off, their holders can treat them much like ready cash. Moreover, short-term securities are more likely to become lodged in commercial banks. When a commercial bank acquires a million dollars of Government securities, bank deposits rise by a million dollars. This is the same as a million-dollar increase in the money supply. When the money supply builds up too rapidly relative to production, inflation is the result. The piling up of an excessive amount of short-term debt poses a serious threat that may generate both the fear and the fact of future inflation at an unforeseeable time.

"Now, while the Nation is enjoying a period of rapid economic advancement, we want to keep the cost of living steady. And, if we act wisely, we should be able to do so. We must live within our means and we must exercise all the necessary precautions in the use of credit. We have made good progress toward preventing excessive Government spending. But we may fail in our efforts to keep prices from rising if we do not handle our debt in the proper way. This is why the Treasury must have the capacity to finance the Government's requirements in free credit markets without artificial restrictions.

"The need for sound debt management stems not only from domestic considerations. Foreign investors have substantial holdings of our securities, as well as other claims on this Nation. With so large a financial stake in our economy, these foreign central banks and other foreign investors have a very practical interest in the manner in which we handle our affairs. It is essential that they, too, continue to view the American dollar as a strong and stable currency. In a free market economy, confidence is not the simple result of legislation. It is earned by adherence to sound practices.

"Let me state as plainly as I can that this is not legislation to increase interest rates. This administration is not in favor of high interest rates. We always seek to borrow as cheaply as we can without resorting to unsound practices. The Treasury already has the authority to borrow at any rates of interest on obligations up to 5 years. What we are seeking is the authority, already possessed by all other borrowers, to obtain funds for longer periods as well. To prohibit the Treasury from paying the market price for long-term money is just as impracticable as telling the Defense Department that it cannot pay the fair market price for a piece of equipment. The result would be the same in either case: the Government could not get what it needs.

"The need for congressional action with respect to the existing 3.26 percent interest rate ceiling on savings bonds is equally pressing. The Government occupies a dual trusteeship position with respect to the 40 million Americans who own savings bonds and the 8 million people who purchase them regularly. The average holder looks to the Government for a fair rate of return, reasonably competitive with other savings opportunities. The Treasury has announced that when the ceiling is removed, it will immediately raise the rate from 3.25 to 3.75 percent on all newly issued E- and H-bonds, if held to maturity. Whenever legislation is enacted, this rate increase will be made retroactive to June 1, 1959. In addition, the future return to the investor on savings bonds purchased before June 1 and held to maturity would be increased by one-half of 1 percent. These actions would result in fair and equitable rates of return on savings bonds.

"The second part of the trusteeship relationship of the Government with respect to holders of savings bonds involves the purchasing power of the dollars invested in the bonds. The savings bond holder expects the Government to try to insure that the future value of his savings will not be eaten away by progressive erosion of the dollar. To help assure that the value of the dollar will be protected, the whole debt-management proposal should be enacted.

"Each of these trusteeship considerations is vital; the thrifty American is entitled to both.

"The issue with respect to our legislative proposals is whether we are going to demonstrate responsibility in the management of our Federal debt. Ours is the richest economy in the world. We have a large public debt, but we can certainly handle it soundly and efficiently if we remove the artificial obstacles to borrowing competitively in the free market. By adopting the administration's proposals, the Congress would be demonstrating to people at home and abroad that we have the determination to preserve our financial integrity and to protect our currency.

"No issue of greater importance has come before this session of Congress. In the best interests of the American people, I urge the Congress to enact the administration's proposals at this session."

State of the Union message, January 7, 1960:

"In the management of the huge public debt the Treasury is unfortunately not free of artificial barriers. Its ability to deal with the difficult problems in this field has been weakened greatly by the unwillingness of the Congress to remove archaic restrictions. The need for a freer hand in debt management is even more urgent today because the costs of the undesirable financing practices which the Treasury has been forced into are mounting. Removal of this roadblock has high priority in my legislative recommendations."

Budget message for 1961, January 18, 1960:

"Interest ceiling: Effective management of a debt of this size requires a reasonable distribution among securities maturing at different times. Three-fourths of all marketable Treasury securities outstanding today come due in less than 5 years, of which $80 billion will mature in less than a year. As long as the rate that would have to be paid on newly issued bonds exceeds the present statutory ceiling of 4¼ percent, it is impossible to issue and sell any marketable securities of over 5 years' maturity.

"Exclusive reliance on borrowing in a limited sector of the market is an expensive and inefficient way to manage the debt. Inflationary pressures increase as the volume of short-term and hence highly liquid securities mounts, especially if these securities are acquired by commercial banks. Further, effective monetary policy becomes more difficult when the Treasury has to refinance often. To make possible prudent and flexible management of the public debt, to permit sale of a modest amount of intermediate and longer term bonds when market conditions warrant such action, and to keep the average maturity of the debt from constantly shortening, it is imperative that the Congress immediately act to remove the 42-year-old 4¼-percent limitation on interest rates on Government securities maturing after 5 years (p. 9)."

"For a year and a half now, market rates of interest have been increasing, reflecting inflationary pressures, the high level of investment demands in our economy and heavy Federal borrowing required by the 1958 and 1959 budget deficits. The rise in market rates requires the Treasury to pay higher interest on securities issued to refinance the heavy volume of maturing obligations, which were issued when interest rates were lower.

"It is imperative that the Congress lift the present legal ceiling of 4¼ percent on interest rates on all Government obligations having maturities of more than 5 years. Otherwise, interest payments could rise even more sharply. The current interest rate on shorter term securities is now higher than on long-term bonds, and the continued need to limit financing to the short-term market tends to raise interest rates more than if the financing could be spread over both the short- and long-term markets (p. 68)."

Economic report, January 20:

"A major proposal has been made to the Congress for legislative action in the field of public debt management. This proposal

is of particular importance in view of the large amount of the public debt, now more than $290 billion, and its heavy cost, involving interest payments in the fiscal year 1960 estimated at $9.3 billion. Specifically, the Congress is requested to remove the 4¼ percent ceiling on the interest rate which can be paid on U.S. Government securities with a maturity of more than 5 years. Events since this request was first made have underscored its importance for minimizing the hazard of creating inflationary pressures through public debt transactions; for giving greater latitude in the conduct of monetary and credit policies conducive to the growth and stability of the economy; and for financing the debt as economically as possible."

Special message, May 3, 1960, page 4:

"Next I refer to my request of last June to remove the statutory prohibition against the Treasury's paying more than 4¼ percent interest on Treasury bonds which are due more than 5 years after issuance.

"The American people have a great deal at stake in this legislation, for failure to remove this interest rate restriction can have many serious consequences, including the forcing of a new upturn in living costs. The Treasury, under this restriction, continually faces the prospect of having to manage the Government's $290 billion debt in ways that would unavoidably increase the upward pressures on prices and on the interest rate for the consumer credit so important to millions of our citizens.

"Again, I stress the need for prompt removal of this harmful restriction."

POSTAL RATE INCREASE

State of the Union message, July 1954, page 10:

"POST OFFICE

"It is apparent that the substantial savings already made, and to be made, by the Post Office Department cannot eliminate the postal deficit. I recommend, therefore, that the Congress approve the bill now pending in the House of Representatives providing for the adjustment of certain postal rates. To handle the long-term aspects of this, I also recommend that the Congress create a permanent commission to establish fair and reasonable postal rates from time to time in the future."

Budget message for 1955, January 21, 1954, pages 91–92:

"Most important, prompt and favorable action by the Congress is needed to increase postal rates. I am recommending increases in rates sufficient to yield as a minimum an additional $240 million in revenues in the fiscal year 1955. These revenues would reduce the 1955 postal deficit to $90 million. Adequate rates, together with further major economies in postal operations, are expected to put the postal business on a self-supporting basis. This will continue to be our policy."

Special message to Congress, January 11, 1955:

"The Post Office Department, in its daily operations, affects the entire life of the Republic from the family home to the great industry. A vast business-type enterprise within Government, the Post Office Department, consequently, requires a continuing vigilance that its methods, practices, and policies assure the most efficient possible service to the public. The measures recommended in this message are designed to that end.

"Last August 23, in announcing my disapproval of H.R. 7774, an act to increase the rates of compensation of classified, postal, and other employees of the Government, and for other purposes, I expressed a purpose to continue to encourage the enactment of legislation to correct obvious distortions in the pay scales of the postal service and to provide for a more proper and effective relationship between pay and work performed.

"I also pointed out the necessity of adequate postage rates in order to check a deficit in the operation of the Post Office Department which, since World War II, has reached the staggering total of more than $4 billion.

"An increase in the average wage of postal employees, along with correction of the serious inequities in the salary structure, is an essential step in bringing the wage scale into line with nongovernmental standards and in furthering the progressive personnel program to which the administration is committed. The increase must be accompanied by a salary plan which will place the wages for postal-service positions in proper relationship to each other so that inequities will be eliminated, incentive for advancement offered, and the principle of higher pay for more difficult and responsible work followed.

"In order to accomplish these objectives, the Postmaster General will submit to the Congress a new postal salary plan, along with a 5-percent increase in basic salary rates. This plan will include reasonably detailed descriptions of the series of key positions to which the great majority of postal employees are assigned. A rate range for each of these positions will be recommended and, together this series of rate ranges will make up a related, uniform, and equitable salary schedule.

"The Congress will be asked to include the key position descriptions and their appropriate salary ranges in the legislation, thus assigning specific wage rates to the bulk of the positions common to all offices of the postal service.

"The Post Office Department should then be granted the authority to allocate the remaining positions, held by the relatively few employees whose work is not covered by a key position, to the proper level in the salary schedule on the basis of a comparison of the duties and responsibilities of these positions with the duties and responsibilities of the key positions.

"In the allocation of the positions other than the key positions to the proper salary level an appeal procedure will be provided. Further, to insure that the salary plan will not work to the disadvantage of any employee, the legislation proposed will incorporate a guaranty against reduction of salary so long as the employee occupies the same or a position comparable to that which he held at the time of the installation of the plan.

"This legislation would eliminate the inequities inherent in the present inflexible system which requires assignment of all employees to a limited number of job titles, in many cases having no relation to the work actually performed. The present practice of paying salaries to some employees on the basis of the number of cubic feet in the area they supervise, or solely in relation to the number of employees under their direction, would be replaced by a system requiring that salaries be based on the actual duties and responsibilities of the position.

"Under this plan, postmasters of the Nation would receive salaries commensurate with the volume of work and the level of the responsibility of their offices rather than solely on the basis of cash receipts which presently govern their compensation. This practice results in discrimination against those holding offices where incoming mail represents most of the business volume.

"The total cost of wage adjustments in the postal service is estimated at $129 million a year. I recommend adoption of legislation incorporating these proposals.

"The 83d Congress authorized appropriations to be made for the furnishing of uniforms or the payment of an annual allowance to employees, including those of the Post Office Department, required by law or regulation to wear a prescribed uniform while on official duty. This measure, when Congress makes funds available, will benefit post office employees by an estimated $13,500,000 a year.

"I am recommending in another special message today a health insurance plan to round out the Federal personnel benefits program enacted by the 83d Congress. This program already has provided group life insurance, unemployment compensation, elimination of restrictions on permanent promotions and reinstatements, adjustment of the statutory limit on the number of career employees, elimination of arbitrary restrictions on accumulation of annual leave, and a liberalized incentive awards system.

"I wish to reaffirm my position that sound fiscal management requires consideration of revenues as well as costs. To this end, I am requesting that Congress also consider legislation to adjust postal rates to provide needed revenue.

"The combined postal deficits of the 156 years of our history as a Nation, up to 1945, are far less than the losses sustained in the last 9 years. The anomaly of this situation is that the period which has witnessed this recordbreaking deficit in the operations of the postal service has also been a decade of unprecedented national prosperity. Employment, production, and use of the mails have been at an alltime high and yet postal deficits have occurred year after year. Clearly it is time to reaffirm the need for sound fiscal management of the Post Office Department and to develop a positive program toward this end.

"In fiscal 1954 the Post Office Department received revenues of $2,268 million for services performed at a cost of $2,667 million, thus leaving a deficit of $399 million in its operation. The services performed by the Post Office Department are of measurable value to the recipients. When the rates of postal services fail to provide sufficient revenues to meet the total cost of the service, the difference must be made up by general tax revenues.

"A practice of this kind is neither equitable nor reasonable; it is neither good business nor good government. Even if a case could be made for regarding the postal patron and the taxpayer as one and the same, prudence and good sense would compel us to face the fact that it is far more efficient to collect the necessary revenues in direct exchange for services at the post-office window than by the more costly methods of general taxation.

"The Post Office is constantly working to reduce the deficit by improving the efficiency of its operations. During the last 2 years substantial progress has been made in organization, mail handling, transportation, mechanization, recordkeeping, and accounting methods. The Postmaster General has also taken the initiative in increasing rates and fees within his jurisdiction.

"As a result of these measures there has been a recent reversal of the postwar trend of ever-increasing postal deficits. These are the operating deficits for each of the last 5 years:

Fiscal year:	*Operating deficit*
1950	$589,500,000
1951	551,500,000
1952	727,000,000
1953	618,800,000
1954	399,100,000

"The large deficits in the postwar years are, in part, a direct consequence of the same inflationary increases in costs which all business operations have faced. Private business has increased prices of goods and services to offset increased costs of production. The Post Office operates in the same economic climate as private business. It must meet rising costs in very much the same way.

"Since 1945, the largest part of the increase in postal expenditures is accounted for by salary increases legislated by Congress as follows:

"Date	Public Law	Annual increase in cost to Post Office Department
July 1, 1945	134	$178,767,000
Do	106	786,000
Jan. 1, 1946	381	190,631,000
July 1, 1946	390	684,000
Nov. 1, 1949	428 500	112,489,000
Do	429	278,000
July 1, 1951	204	248,600,000
July 8, 1951	201	1,100,000

"These wage adjustments, combined with an expansion in the number of postal employees necessary to handle the greater volume of mail, have resulted in an increase in total salary costs from $858 million in 1945 to $2,002 million in the last fiscal year.

"The increases in wages and other costs since the end of World War II have affected all classes of mail. It is desirable that the rates governing each class of mail be advanced in fair proportion. The committees of Congress responsible for postal-rate legislation will, of course, want to consider carefully the specific rates for each class of mail. The Postmaster General will soon submit to Congress, in addition to his views on increases in postal pay, detailed recommendations for raising postal rates to more reasonable levels. I wish to emphasize at this time a few of the major considerations which seem to me important in raising rates.

"1. First-class mail has always provided by far the greater part of postal revenues. In 1933 the revenue contribution of first-class mail was more than 55 percent of total Post Office revenues. In the last fiscal year first-class mail provided only 40 percent of such revenues although the proportion of first-class volume to the total volume was only 3 percentage points lower than in the earlier year. The failure of this type mail to maintain its revenue contribution is a major factor in the present postal deficit. There is, therefore, an urgent need to increase the rate of postage of first-class mail.

"Postal rates are payments made by users of the mails for services received. The rate established for each service should reflect the value of that service in terms of speed, priority of handling, and the privileges incorporated in each class of mail. If these factors are taken into consideration in ratemaking, the revenue contribution of first-class mail is clearly inadequate.

"The privacy, security, and swift dispatch of letter mail; the priority of service at all times, in all places; and the intrinsic value of such mail are factors which are pertinent to postal ratemaking in addition to the cost factor.

"But the present 3-cent rate for first-class letter mail has not been increased in almost a quarter of a century. During this period the costs of all goods and services have almost doubled. I am convinced that the American people will understand, appreciate, respect, and support congressional action to provide for a long-overdue rate increase on letter mail which will go far toward balancing the postal budget.

"2. The revenues derived from second-class mail are clearly inadequate. These rates which apply to newspapers and magazines should be increased until such matter makes a fair and reasonable contribution to postal revenues. The Postmaster General will recommend a two-step increase in second-class rates which will enable publishers to adjust more readily to the proposed rate changes.

"3. Third-class mail consists largely of advertising matter. In fiscal year 1954 the revenue contribution of such mail fell substantially below the cost of providing this service and was a major factor contributing to the postal deficit. The rates of postage on such matter should be increased so that the users of this class of mail pay a proportionately fair share of postal revenues.

"In view of the recurring fiscal problems of the Post Office Department, and of the heavy burden which postal deficits continue to impose on the Federal Treasury, I strongly recommend to Congress the formal adoption of a policy which will insure that in the future the Post Office Department will be essentially self-supporting.

"Certain services which are performed by the Post Office, such as those for the blind, are a part of general welfare services. The cost of such services should not be borne by users of the mails. Expenditures for them, and for services performed for the Government, should be identified and met by direct appropriation.

"If the Post Office is successfully to meet the challenge of the future its prices must be sufficiently flexible to reflect changes in costs and the developing needs of a dynamic economy. It is my belief that an independent commission entrusted with the authority to establish and maintain fair and equitable postal rates can best provide this needed flexibility.

"There are also other advantages. Such a commission, guided by policies laid down by the Congress, would have the time and facilities to make thorough analytical studies before prescribing rate changes. A commission well versed in the economics of modern pricing practices can continuously appraise and reappraise the soundness of the postal-rate structure. Legislation to secure these ends should be enacted by Congress.

"With these views in mind I recommend to Congress the adoption of a temporary increase in postal rates as an interim measure, and the establishment and activation within the interim period of a permanent commission to prescribe future rate adjustments under broad policy guidance of Congress.

"Let me reiterate—the financial problems of the postal service result, in large measure, from lack of a positive program leading toward a well-defined fiscal goal. I am, therefore, recommending to Congress the following five-point program for the Post Office Department:

"1. Approval of the new salary plan and a 5-percent increase in basic salary rates.

"2. Adoption by Congress of the policy that henceforth the Post Office Department shall be self-supporting.

"3. Separation of those postal costs to be paid by the patron from those costs which should be paid by general taxation.

"4. Establishment by Congress of a permanent Commission authorized to prescribe postal-rate adjustments under policy guidance of Congress.

"5. Enactment by Congress of an interim rate bill which will, pending activation of the Rate Commission, provide immediate revenue to meet proposed pay increases and reduce the postal deficit.

"Approval of this program will be in the public interest for it will further assure efficient service by the Post Office Department."

Budget message for 1957, January 16, 1956, page 68:

"Despite these achievements, the Post Office Department cannot be self-sustaining if it pays salaries, transportation rates, and other costs based upon 1956 conditions, but must continue to charge rates which were largely determined before Pearl Harbor. The postal deficit of $467 million estimated for the fiscal year 1957 represents a subsidy averaging more than 15 cents per dollar of postal service. Legislation is again being proposed that would initially increase postal revenues by $350 million a year. Legislation is also being proposed to pay the Department for services to certain groups which it is now required to perform either free or at greatly reduced rates."

Budget message for 1958, January 16, 1957, page 41:

"Postal service: Over the past few years the Post Office Department has introduced major economies in the processing and handling of mail. These economies, however, have only partially offset the rising costs resulting from a larger mail volume, higher salaries, increased prices for supplies and equipment, and especially the extension of city delivery service to unprecedented numbers of new suburban residential developments. As a result, if present postal rates are not adjusted to cover costs, net expenditures of $642 million will be required in the fiscal year 1958 to make up for insufficient postal receipts.

"The adjustments in rates recommended in this budget are designed to increase postal revenues by $654 million in the fiscal year 1958. If this recommendation is approved by the Congress, a supplemental appropriation, tentatively estimated at $70 million will be proposed to permit investment in equipment and facilities necessary for more efficient handling of the ever-increasing volume of mail. The budget figures reflect these recommendations. Also, the Post Office Department should be specifically reimbursed for the cost—estimated at $28 million in 1958—of services it is required by law or international agreement to perform free or at reduced rates for nonprofit associations and other special groups."

Budget message for 1959, January 13, 1958, pages 39–40:

"In view of present and prospective postal deficits, legislation to authorize adequate postal rates has become one of the most urgent items of unfinished business before the Congress. The House of Representatives has already approved changes in rates for letters, publications, and advertising mail which would add materially to present revenues, but still leave a large deficit. To provide revenues which will more adequately meet present needs, the pending legislation should be amended, primarily by establishing a 5-cent letter rate on all except local letters. This is more than the 4-cent rate I recommended last year for both local and other letters, but it is needed to take account of the pay increase and other higher costs. The recommendations I am making should result in a net increase in postal revenues of about $700 million in the fiscal year 1959. With the postal pay adjustments which are being recommended, the postal deficit will still be substantial."

Budget message for 1960, January 19, 1959, pages 20–21:

"9. Reduce the burden on the general public for services to special groups: Certain Government activities confer measurable special benefits on identifiable groups or individuals beyond the benefits to the general public. The cost of Federal services which convey special benefits should be recovered through charges paid by the beneficiaries rather than through taxes on the general public.

"In furtherance of this principle, the recent Congress approved some adjustments in postal rates, and increased the fees for a few other relatively smaller services. On the other hand, it increased postal employees' pay and highway construction grants without providing the additional charges needed to finance such expenditures. As a result of these and other developments, further legislation is necessary to put the postal service on a self-supporting basis and to finance highway construction without drawing on the general revenues.

"This budget recommends legislation to make the activities listed in the following table more nearly self-supporting:

"Estimated savings to the general taxpayers from more adequate fees and charges

[In millions]

	Fiscal year 1960	Full annual effect [1]
Support highway expenditures by highway-related taxes: [2]		
Finance deficiency estimated under present law	$241.0	$818.0
Transfer financing of forest and public lands highways to trust fund	41.0	41.0
Revise postal rates	350.0	350.0
Charge specifically for use of Federal airways:		
Transfer aviation fuel taxes from highway trust fund to general fund	34.0	34.0
Increase taxes on aviation fuels	51.0	70.0
Revise fee schedule for noncompetitive oil and gas leases		14.0
Raise patent and trademark fees	3.5	3.5
Miscellaneous increased fees and cost recoveries	11.5	20.8
Total	732.0	1,351.3

[1] Net change on annual basis with present workload or first full fiscal year effect.

[2] Trust fund receipts, as distinct from budgetary savings, will be increased by an estimated net amount of $690,000,000 in 1960 and nearly $900,000,000 in subsequent years."

Economic Report for 1959, January 20, 1959:

"Certain actions by the Congress are needed to give effect to the 1960 financial plan. First, changes are required in the laws affecting Federal revenues: the corporate income tax and excise taxes on automobiles and parts, cigarettes, distilled spirits, and wines and beer should be continued at their present levels for 1 year beyond June 30, 1959; a temporary increase in the Federal motor fuel tax should be enacted to continue construction of the Interstate Highway System on a self-sustaining basis; the tax on aviation gasoline should be raised, and a similar rate for jet fuels, now tax free, should be enacted, to help pay the Federal cost of operating the airways; and a revision in postal rates should be authorized."

Budget message for 1961, January 18, 1960:

"The Postal Policy Act of 1958 established the policy that postal rates should be adjusted whenever necessary to recover postal expenses, excluding the costs of certain public services as fixed by appropriation acts. Over the past 13 fiscal years, 1947–59, the Federal budget has had to finance postal deficits totaling $6.8 billion, which is almost half of the increase in the national debt during that time. At the average rate of interest on the outstanding debt the taxpayers are paying well over $200 million annually in interest for the unwillingness of the Congress to take timely action to increase postal rates.

"For fiscal 1961, a postal service deficit of $554 million is estimated with postage rates now in effect or scheduled, after designating $49 million as attributable to public services. Rate increases enacted in 1958 were substantially less than needed to meet the deficit at that time and made no allowance for the pay increase for postal employees then enacted. Since then, increased railroad rates (up $55 million), costs of modernization (up $80 million), and the new employee health insurance program ($39 million) have widened the gap between revenues and expenditures.

"Accordingly, legislation is again proposed to increase first-class and airmail rates by 1 cent and to raise other rates and fees by enough to cover the postal deficit. I urge the Congress to act promptly on these proposals, which will be submitted in the near future."

Economic Report for 1960, January 20, 1960:

"In addition, favorable action by the Congress has been requested on an adjustment of postal rates. The effect of the recommended rate increases would be to reduce the deficit on postal operations by about $550 million and to contribute, by this amount, toward the attainment of the desired surplus."

Special message to Congress, March 11, 1960:

"In the budget message I urged the enactment of legislation to increase postal rates in order to eliminate the postal deficit. Several facts indicate the urgency of such action by the Congress.

"The Postal Policy Act of 1958 definitely states that postal rates and fees shall be adjusted from time to time as may be required to produce the amount of revenue approximately equal to the total cost of operating the postal establishment, less the amount attributable to the performance of public services. That act directed the Postmaster General to submit to the Senate and House of Representatives no later than April 15 of this year the results of his survey of the need for the adjustment of postal rates and fees in accordance with this policy.

"Because of the existing inadequate postal rates, the Post Office Department is losing $2 million every working day. In the 13 years from July 1946 to June 1959 the postal deficits have been approximately as much as the entire cost of running the Federal Government in 1938. The cumulative $6.8 billion postal deficit for these 13 years represents nearly one-half of the total increase in the Federal debt during this same 13-year period. Interest charges alone on the debt represented by this cumulative deficit are costing our taxpayers some $200 million each year.

"These huge postal deficits are phenomena of the years since World War II. In the years from 1900 to 1940 the losses of the Post Office Department averaged only $33 million a year. Since that time—excluding the war years—these losses have increased astronomically. The tremendous losses incurred since World War II have been due to the increases in cost of everything the Department uses or buys, and to the failure of the Congress to enact postal rate increases to pay for the added costs. For example, since the increase in the first-class letter rate in 1932 from 2 cents to 3 cents, costs have more than doubled, but the first-class letter rate has been increased only one-third. The annual losses on second- and third-class mail, now in the hundreds of millions of dollars, are likewise growing.

"It is imperative that Congress implement the policy it wisely established in 1958 of providing that the Post Office Department shall operate on a self-supporting basis. The Postmaster General is transmitting to the Congress the administration proposals for increases in postage rates on first, second, and third class mail to yield an estimated $550 million of new postal revenues in the 1961 fiscal year. Responsibility in the handling of our public affairs demands prompt action, in this session, to restore the Post Office Department to its traditional posture of budgetary good sense."

Special message to Congress, May 3, 1960, page 5:

"We also owe it to America to provide adequate new revenues for the Highway Trust Fund (as my proposal for a gasoline tax increase would do), so that we may keep our very important highway program on schedule; and fiscal responsibility dictates that we not fail to raise postal rates and thus end the heavy drain on general revenues for postal services which Congress has said by law should be self-sustaining."

IMMIGRATION

State of the Union message, February 2, 1953, page 13:

"It is a manifest right of our Government to limit the number of immigrants our Nation can absorb. It is also a manifest right of our Government to set reasonable requirements on the character and the numbers of the people who come to share our land and our freedom.

"It is well for us, however, to remind ourselves occasionally of an equally manifest fact: We are—one and all—immigrants or the sons and daughters of immigrants.

"Existing legislation contains injustices. It does, in fact, discriminate. I am informed by Members of the Congress that it was realized, at the time of its enactment, that future study of the proper basis of determining quotas would be necessary.

"I am therefore requesting the Congress to review this legislation and to enact a statute which will at one and the same time guard our legitimate national interests and be faithful to our basic ideas of freedom and fairness to all."

State of the Union message, January 6, 1955, page 13:

"Two years ago I advised the Congress of injustices under existing immigration laws. Through humane administration, the Department of Justice is doing what it legally can to alleviate hardships. Clearance of aliens before arrival has been initiated and, except for criminal offenders, the imprisonment of aliens awaiting admission or deportation has been stopped. Certain provisions of law, however, have the effect of compelling action in respect to aliens which are inequitable in some instances and discriminatory in others. These provisions should be corrected in this session of the Congress."

Budget message for 1959, January 13, 1958, page 55:

"Last year, the Congress enacted legislation to cover some of my most urgent proposals for amending the immigration laws. I urge that legislation on my remaining proposals be promptly enacted."

Budget message for 1960, January 19, 1959, page 77:

"Other recommendations for legislation: The last Congress enacted legislation to cover some of my most urgent proposals for amending the immigration laws. Legislation on the remaining proposals should be promptly enacted, and the expiring authority to issue visas to certain orphans and to aliens afflicted with tuberculosis should be extended."

Special message to Congress, February 8, 1956:

"Throughout our history immigration to this land has contributed greatly to the strength and character of our Republic. Over the years we have provided for such immigration because it has been to our own national interest that we do so. It is no less to our national interest that we do so under laws that operate equitably.

"The Secretary of State, the Attorney General, and the Commissioner of Immigration and Naturalization have made a thorough study of the operation of our present immigration laws, and have advised me concerning the changes and additions which they consider necessary in the national interest. I have carefully reviewed their findings and concur in their conclusions. The recommendations now made are based on those findings and conclusions.

"This message takes up four separate and distinct subject matters respecting our immigration policies: (1) The quota system and use of national origins, (2) the private-relief-bill system of handling hardship cases, (3) unnecessary restrictions and administrative provisions of our immigration laws, and (4) judicial review in deportation. Each such subject matter is treated separately because the problems in each are

wholly distinct from the otherrs. Accordingly, the recommendations as to each subject matter will, I hope, be considered separately and each on its own merit.

"I

"The Immigration and Nationality Act of 1952 was developed essentially as a codification of many separate, and sometimes overlapping and inconsistent, immigration and nationality laws. It was thought inappropriate, in connection with that legislation, to revise our basic immigration policies. Moreover, at that time 1950 census information was incomplete.

"The time has now come to consider those policies. Experience in the postwar world demonstrates that the present national-origins method of admitting aliens needs to be reexamined, and a new system adopted which will admit aliens within allowable numbers according to new guidelines and standards.

"The Congress has traditionally formulated our basic immigration policies, and will doubtless wish to make its decision as to what new system should be established only after its own study and investigation of all possible choices. There are many factors that must be taken into consideration. Among these are: The needs of this country for persons having specialized skills or cultural accomplishments; close family relationships; the populations and immigration policies of countries sending immigrants to this country; their past immigration and trade relationships with this country; and their assistance to the joint defense of the friendly free nations of the world.

"Pending the completion by the Congress of such study and investigation, it is essential that we take interim measures to alleviate as much as possible inequities in the present quota system. Accordingly, I recommend the immediate enactment of the following proposals.

"First, the present quota system sets a maximum annual authorization of 154,657 quota immigrants. This figure is derived from a formula based upon the 1920 population. I recommend that total population as shown by the 1950 census be used as the base for determining the overall ceiling. I believe that economic growth over the past 30 years and present economic conditions justify an increase of approximately 65,000 in quota numbers. I recommend that Congress provide for such an increase by fixing the overall ceiling in terms of a percentage of total population as shown by the 1950 census. The new ceiling recommended would be approximately 220,000 quota numbers annually.

"In order to eliminate some of the inequity resulting from the fact that several countries have large quotas which they do not use while others have small quotas which are usually oversubscribed, I recommend that the additional quota numbers—i.e., those over and above the 154,657 numbers now provided for—be distributed among countries in proportion to their actual immigration to this country since the establishment of the quota system in 1924.

"This method of allocation will help to alleviate the problem of oversubscribed quotas. At the same time no country will have a lesser number of quota numbers allocated to it than at present.

"Second, I recommend that the Congress set aside from the increased annual quota 5,000 numbers to be available for admission of aliens without regard to nationality or national origin. Use of these numbers would enable us to meet some of the needs of this country which develop from time to time for persons with special skills and cultural or technical qualifications.

"The existing immigration law recognizes somewhat similar criteria for quota immigrants by giving a preference to those whose services are determined by the Attorney General to be needed urgently in the United States because of the high education, technical training, specialized experience, or exceptional ability—and to be substantially beneficial prospectively to the national economy, cultural interests, or welfare of the United States. Our needs and requirements should be determined on the basis of consultation among the various departments and agencies of the Government, and also with the advice and testimony of private organizations.

"This special pool has further value as an experimental plan departing entirely from our present system of distributing quotas on a basis of nationality or place of birth. It also would enable us to give greater assistance to persons abroad who have undergone suffering and hardship resisting Communist aggression, who would make beneficial contributions to this country, and who will not have the benefit of the Refugee Relief Act after that act's termination.

"Third, quota numbers that are unused by countries to which they are allocated should be made available for use elsewhere. Under our present law quota numbers which are unused by any particular country in the year in which they are available become void and may not be used by any other country.

"I recommend enactment of legislation that will permit the utilization of unused quota numbers in the succeeding year. This should be done by pooling the unused quota numbers in each of the following areas: Europe, Africa, Asia, and the Pacific Ocean area. These pooled quota numbers would then be distributed during a 12-month period on a first-come, first-served basis among eligible applicants of the area, without regard to country of birth within the area. These quotas should be limited to aliens who qualify for preference status under existing law—persons having special skills or close relatives in the United States.

"There is a further inequity in the quota system by virtue of the so-called mortgage on quotas resulting from the issuance of visas under the Displaced Persons Act and other special acts. The law provides that visas issued under these acts are chargeable against quotas authorized under the Immigration Act. The result is that the quotas of many countries are mortgaged far into the future. For example, 50 percent of the quota for Greece is mortgaged until the year 2017; for Lithuania, until 2090; for Latvia, until 2274. The total number so mortgaged for the year 1955 amounted to about 8,000, and over the total span of years the aggregate could be as much as 328,000. I recommend the elimination of this unfairness. This is consistent with the action of the Congress in enacting the Refugee Relief Act of 1953. Congress did not then impose additional mortgages on quotas but provided special nonquota visas for eligible refugees.

"II

"For some time I have considered that undue and largely useless burdens are placed upon the Congress and the President by the avalanche in recent years of private bills for the relief of aliens. The number of these bills is strikingly high in comparison with the number of public enactments. In the 1st session of the 84th Congress private immigration enactments alone accounted for 413 of 880 enactments, public and private; 3,059 such bills were introduced. During the 83d Congress, private immigration enactments accounted for 753 of 1,788 enactments, both public and private; 4,797 such bills were introduced. At the beginning of the present session, there were 2,159 private immigration measures pending.

"The Congress, in the performance of its constitutional duties, must consider the worthiness of each private immigration bill introduced. The President, in the performance of his constitutional duties, must consider the worthiness of each bill enacted. The Nation's interest would surely be better served if the bulk of these private immigration claims were handled through suitable administrative machinery and if the Congress and the Executive could thus give their full attention to more urgent national problems.

"Under the private bill system of handling individual immigration cases, many persons fail to obtain the very relief which others have received, because Congress has not had the time to take up and act on the bills introduced for their benefit. Indeed there are many whose plight has not even come to the attention of the Congress.

"For these reasons it is my belief that action is called for to provide the necessary administrative authority to take care of such cases. I hope that such action will be taken without delay so that it may be of help this year. The enactment of such authority, in my opinion, would substantially eliminate the need for private legislative redress in this area. I suggest that there should be vested in the Attorney General limited discretionary powers to grant relief with respect to admission and deportation of aliens. Such discretion should be limited to aliens with close relatives in this country, to veterans, and to functionaries of religious organizations, regardless of the technical statutory ground on which the alien is inadmissible or subject to deportation. These classes of cases embrace the great bulk of the hardship cases which appeal to our sense of fairness. However, no relief ought to be accorded aliens whose presence here would be dangerous to the safety and security of the United States. An appropriate charge against the applicable quota would be made in each case where relief is granted.

"It should further be provided by the Congress that there shall be a ceiling on the number of cases in which such discretionary authority may be exercised.

"III

"Experience under the existing immigration law has established that there are a number of changes, aside from the quota provisions, which should be made in the Immigration and Nationality Act of 1952. Some provisions create unnecessary restrictions upon travel to the United States, while others inflict great hardships upon the aliens affected. Consequently, I make the following recommendations:

"Under the present law, every alien applying for a visa must be fingerprinted; and every alien admitted without a visa and remaining in the United States for 30 days or longer, even if here temporarily, must be fingerprinted. Although in our minds no stigma is attached to fingerprinting, it is not a requirement of travel in other countries. We should be the first to remove travel obstacles which hamper the free exchange of ideas, cultures, and commerce. Further, experience over the last 3 years has shown that this requirement does not significantly contribute to our national safety and security. The law should be amended to permit the Secretary of State and the Attorney General to waive the requirement of fingerprinting, on a reciprocal basis, for aliens coming here for temporary periods.

"We must recognize the tremendous increase in air and surface travel in recent years. Aliens traveling from one country to another often find it necessary to pass through the United States without any intention to remain in or even visit this country. A South American flying to or returning from Europe, for example, will often pass through the United States. He should not be required to meet all of the standards for admission, coupled with inspection and examination, that normally apply. These

requirements result in unnecessary hardships to the traveler, expense to the carrier, and loss of good will, without proportionate benefit to the United States. The law should be amended accordingly.

"The present statute contains a restrictive requirement which makes it necessary for immigration authorities to inspect and apply all grounds of exclusion to aliens seeking admission to the mainland of the United States from Alaska and Hawaii. This requirement results in expense to the Government and causes delays and inconvenience in travel. It must be remembered that, by definition in the law, these Territories are part of the United States, and aliens who have entered or are present in them are subject to all the provisions of the act. If the alien was deportable before he came to the mainland, he remains deportable. I recommend the elimination from the law of this unnecessary restriction upon travel.

"The immigration laws presently require aliens to specify race and ethnic classification in visa applications. These provisions are unnecessary and should be repealed.

"A large group of refugees in this country obtained visas by the use of false identities in order to escape forcible repatriation behind the Iron Curtain; the number may run into the thousands. Under existing law such falsification is a mandatory ground for deportation. The law should be amended to give relief to these unfortunate people.

"The inequitable provisions relating to Asian spouses and adopted children should be repealed.

"The Immigration Act grants special naturalization benefits to veterans of our Armed Forces who have completed at least 3 years' honorable service and who can submit proof of admission for permanent residence. Many have been unable to submit this proof. I recommend that proof of admission be not required in such cases.

"The present statute is unnecessarily restrictive as to aliens who marry U.S. citizens. It forbids adjustment to permanent residence if the alien has been in the United States less than 1 year before the marriage. This disrupts the family and is expensive for the alien who must go abroad to obtain a nonquota visa, without proportionate benefit to the United States. I recommend that the requirement of 1 year's presence in the United States before marriage be repealed.

"The above covers the principal changes which I recommend as a minimum toward amelioration of the immigration laws. Others will be suggested by the Attorney General.

"IV

"Just as the Nation's interests call for a larger degree of flexibility in the laws for regulating the flow of other peoples to our shores, there is at the same time a significant need to strengthen the laws established for the wholesome purpose of ridding the country of the relatively few aliens who have demonstrated their unfitness to remain in our midst. Some of these persons have been found to be criminals of the lowest character, trafficking in murder, narcotics, and subversion. Constitutional due process wisely confers upon any alien, whatever the charge, the right to challenge in the courts the Government's finding of deportability. However, no alien who has once had his day in court, with full rights of appeal to the higher courts, should be permitted to block his removal and cause unnecessary expense to the Government by further judicial appeals the only purpose of which is delay. I am concerned by the growing frequency of such cases involving as they often do the depraved and confirmed criminal. Accordingly, I have asked the Attorney General to submit to the Congress a legislative proposal that will remedy this abuse of legal process.

"I believe that these changes in our immigration and nationality laws, together with the amendments to the Refugee Relief Act which I have heretofore recommended to the Congress, not only will advance our own self-interest, but also will serve as living demonstrations that we recognize our responsibilities of world leadership. I urge their careful consideration by the Congress."

Special message to Congress March 17, 1960:

"I again urge the liberalization of some of our existing restrictions upon immigration.

"The strength of this Nation may be measured in many ways—military might, industrial productivity, scientific contributions, its system of justice, its freedom from autocracy, the fertility of its land and the prowess of its people. Yet no analytical study can so dramatically demonstrate its position in the world as the simple truth that here, more than any other place, hundreds of thousands of people each year seek to enter and establish their homes and raise their children.

"To the extent possible, without dislocating the lives of those already living here, this flow of immigration to this country must be encouraged. These persons who seek entry to this country seek more than a share in our material prosperity. The contributions of successive waves of immigrants show that they do not bring their families to a strange land and learn a new language and a new way of life simply to indulge themselves with comforts. Their real concern is with their children, and as a result those who have struggled for the right of American citizenship have, in countless ways, shown a deep appreciation of its responsibilities. The names of those who make important contributions in the fields of science, law, and almost every other field of endeavor indicate that there has been no period in which the immigrants to this country have not richly rewarded it for its liberality in receiving them.

"In the world of today our immigration law badly needs revision.

"Ideally, I believe that this could perhaps be accomplished best by leaving immigration policy subject to flexible standards. While I realize that such a departure from the past is unlikely now, a number of bills have already been introduced which contain the elements of such an idea. The time is ripe for their serious consideration so that the framework of a new pattern may begin to evolve.

"For immediate action in this session I urge two major acts.

"First, we should double the 154,000 quota immigrants that we are presently taking into our country.

"Second, we should make special provision for the absorption of many thousands of persons who are refugees without a country as a result of political upheavals and their flight from persecution.

"The first proposal would liberalize the quotas for every country and, to an important extent, moderate the features of existing law which operate unfairly in certain areas of the world. In this regard, I recommend the following steps:

"1. The removal of the ceiling of 2,000 on quotas within the Asiatic-Pacific triangle;

"2. The basing of the overall limitation on immigration on the 1960 census as soon as it is available in place of that of 1920 which is the present base;

"3. The annual acceptance of one-sixth of 1 percent of our total population;

"4. Abandonment of the concept of race and ethnic classifications within our population, at least for the purposes of the increases in quotas I have recommended, by substituting as the base for computation the number of immigrants actually accepted from each area between 1924 and 1959. In other words the increase in the quota for Italy, for example, would not be based upon a percentage of a so-called Italian ethnic group within our country, but upon a percentage of actual immigration from Italy between 1924 and 1959; and

"5. The unused quotas of undersubscribed countries should be distributed among the oversubscribed countries. This distribution should be in proportion to the quotas of the oversubscribed countries.

"My second major proposal is for authorization for the parole into this country of refugees from oppression. They are persons who have been forced to flee from their homes because of persecution or fear of persecution based upon race, religion, or political opinions, or they are victims of world political upheaval or national calamity which makes it impossible for them to return to their former homes.

"This year has been designated World Refugee Year. The United States and 68 other nations have joined together in an attempt to seek permanent solutions for the problems of these peoples. Nations who in the past have granted entry to the victims of political or religious persecutions have never had cause to regret extending such asylum. These persons with their intellectual idealism and toughness will become worthwhile citizens and will keep this Nation strong and respected as a contributor of thought and ideals.

"I have asked the Attorney General to submit a draft of legislation to implement the recommendations I have made. The administration stands ready to supply whatever information is necessary to permit appropriate action by the Congress during its present session. If, notwithstanding my specific recommendations, the Congress should enact other or different liberalizations of our immigration law that are constructive, I will be glad to approve them."

Budget message for 1961, January 18, 1960:

"GENERAL GOVERNMENT

"Budget totals

"[In billions]

Expenditures:	
1959, actual	$1.6
1960, estimated	1.7
1961, estimated	1.9
New obligational authority:	
1959, actual	1.8
1960, estimated	1.6
1961, estimated	1.9

"LEGISLATIVE PROPOSAL

"1. Establish policy for financing civil service retirement.

"2. Charge civil service benefits for certain widows and retired employees to trust fund after 1961.

"3. Make 1958 salary increase for Post Office field personnel permanent.

"4. Revise laws to reflect admission of State of Hawaii.

"5. Provide home rule for District of Columbia.

"6. Create transportation corporation for National Capital area.

"7. Authorize nonvoting resident commissioners for Guam and Virgin Islands.

"8. Amend immigration and nationality laws.

"9. Include goal of price stability in Employment Act.

"10. Enact civil rights legislation.

"11. Create additional Federal judgeships.

"12. Strengthen laws against organized crime.

"13. Increase authorization for Commission on International Rules of Judicial Procedure.

"14. Reimburse citizens for certain World War II property damage.

"15. Authorize civilian achievement awards.

"Other recommendations: Legislation enacted in the last session of Congress to amend the immigration and nationality laws failed to cover several significant proposals, including modification of the quota system. Prompt action is needed on these remaining items."

Special message to Congress, May 3, 1960, page 5:

"Additionally, as I recently emphasized by special message to the Congress, we have compelling reasons to liberalize our immigration law during the course of this session. I remind the Congress, also, that this is World Refugee Year. Our country was one of those sponsoring this move in the United Nations. In harmony with the spirit of this resolution, and in keeping with America's tradition of leadership in humanitarian causes, we should press forward, in this session, with the refugee legislation I have recommended to the Congress."

REORGANIZATION AUTHORITY

State of the Union message, February 2, 1953:

"I am determined to meet this responsibility of the Executive. The heads of all executive departments and agencies have been instructed to initiate at once effective programs of security with respect to their personnel. The Attorney General will advise and guide the departments and agencies in the shaping of these programs, designed at once to govern the employment of new personnel and to review speedily any derogatory information concerning incumbent personnel.

"To carry out these programs, I believe that the powers of the executive branch under existing law are sufficient. If they should prove inadequate, the necessary legislation will be requested.

"These programs will be both fair to the rights of the individual and effective for the safety of the Nation. They will, with care and justice, apply the basic principle that public employment is not a right but a privilege.

"All these measures have two clear purposes: Their first purpose is to make certain that this Nation's security is not jeopardized by false servants. Their second purpose is to clear the atmosphere of that unreasoned suspicion that accepts rumor and gossip as substitutes for evidence.

"Our people, of course, deserve and demand of their Federal Government more than security of personnel. They demand, also, efficient and logical organization, true to constitutional principles.

"I have already established a Committee on Government Organization. The Committee is using as its point of departure the reports of the Hoover Commission and subsequent studies by several independent agencies. To achieve the greater efficiency and economy which the Committee analyses show to be possible, I ask the Congress to extend the present Government Reorganization Act for a period of 18 months or 2 years beyond its expiration date of April 1, 1953.

"There is more involved here than realining the wheels and smoothing the gears of administrative machinery. The Congress rightfully expects the Executive to take the initiative in discovering and removing outmoded functions and eliminating duplication.

"One agency, for example, whose head has promised early and vigorous action to provide greater efficiency is the Post Office. One of the oldest institutions of our Federal Government, its services should be the best. Its employees should merit and receive the high regard and esteem of the citizens of the Nation. There are today in some areas of the postal service both waste and incompetence to be corrected. With cooperation of the Congress, and taking advantage of its accumulated experience in postal affairs, the Postmaster General will institute a program directed at improving service while at the same time reducing costs and decreasing deficits.

"In all departments, dedication to these basic precepts of security and efficiency, integrity and economy can and will produce an administration deserving of the trust the people have placed in it.

"Our people have demanded nothing less than good, efficient government. They shall get nothing less."

State of the Union message, January 6, 1955:

"Every citizen rightly expects efficient and economical administration of these many governmental programs I have outlined today. I strongly recommend extension of the Reorganization Act, and the law establishing the Commission on Intergovernmental Relations, both of which expire this spring. Thus, the Congress will assure continuation of the excellent progress recently made in improving Government organization and administration. In this connection we are looking forward with great interest to the reports which will soon be going to the Congress from the Commission on Organization of the Executive Branch of the Government. I am sure that these studies, made under the chairmanship of former President Herbert Hoover with the assistance of more than 200 distinguished citizens, will be of great value in paving the way toward more efficiency and economy in the Government."

Special message to Congress, April 1, 1957:

"The Reorganization Act of 1949, as amended, under which the President is authorized to prepare and transmit to the Congress plans for the reorganization of executive agencies, states that no provision contained in a reorganization plan shall take effect unless the plan is transmitted to the Congress before June 1, 1957.

"I recommend that the Congress enact legislation to extend the period for transmitting reorganization plans for 4 years.

"The reorganization plan procedure authorized by the Reorganization Act is an essential means by which the President and the Congress can cooperate to assure the timely promotion of better organization and sound management of the executive branch of the Government. Under the act, the President may transmit to the Congress reorganization plans which become effective after 60 days of congressional session unless disapproved by a majority of the membership of one of the Houses of the Congress. This method enables the President, who has direct responsibility for effective administration, to initiate improvements in organization, subject to review by the Congress.

"Extensive accomplishments have been achieved under the Reorganization Acts of 1939 and 1945 and under the present statute, the Reorganization Act of 1949. The time for transmitting plans under the latter has been twice extended by the Congress: in 1953 and 1955.

"The current act was adopted following the strong endorsement of the first Commission on Organization of the Executive Branch of the Government in 1949, which stated: 'This authority is necessary if the machinery of government is to be made adaptable to the ever-changing requirements of administration and if efficiency is to become a continuing rather than a sporadic concern of the Federal Government.' In December 1954, the second Commission on Organization of the Executive Branch of the Government unanimously recommended further extension of the act.

"Accordingly, I urge the Congress to continue the practical arrangements contained in the Reorganization Act by which the Congress and the President can carry forward their cooperative endeavors to provide the best possible management of the public business."

Budget message for 1960, January 19, 1959:

"To permit further timely improvements in the structure of the executive branch of the Government, I recommend that the Congress extend the Reorganization Act of 1949, as amended, which is effective only until June 1, 1959."

Budget message for 1961, January 18, 1960:

"Budget and organization improvement—legislative proposals:

"1. Simplify congressional appropriation authorization procedures for continuing programs.

"2. Authorize the item veto for appropriation bills.

"3. Extend appropriation control over use of foreign currencies by Government agencies.

"4. Establish revolving funds for certain business-type activities.

"5. Revise and extend coverage of Government Corporation Control Act.

"6. Remove time limitation from Reorganization Act.

"The Reorganization Act of 1949, as amended, under which numerous executive agencies and functions have been reorganized, contains a limitation of June 1, 1959, for the transmittal of reorganization plans by the President to the Congress. Accordingly, this authority is not now available. I urgently recommend that this cutoff date be removed in order to permit continued use of that act by me and by my successor in improving the management and organization of the executive branch."

Special message to Congress, May 3, 1960:

"The need to carry forward Presidential powers to reorganize the executive branch is acute, in the interest of efficiency and economy in this huge Government. Both of these authorizations are clearly essential. I again urge their approval before this session adjourns."

CONSERVATION (FRYINGPAN-ARKANSAS)

Budget message for 1956, January 17, 1955:

"I also recommend enactment of legislation authorizing the Bureau of Reclamation to undertake construction of two comprehensive river-basin improvements which are beyond the capacity of local initiative, public or private, but which are needed for irrigation, power, flood control, and municipal and industrial water supply. These are the Upper Colorado River Basin development in the States of Colorado, Utah, Wyoming, Arizona, and New Mexico, and the Fryingpan-Arkansas development in Colorado. The Colorado River development will enable the Upper Basin States to conserve floodwaters and to assure the availability of water and power necessary for the economic growth of the region. The total cost of these major developments is estimated at 1.1 billion dollars, with first-year expenditures of 5 million dollars. Sale of power generated at these developments will repay the power investment within 50 years and will make a contribution toward repayment of other investments."

State of the Union message, January 5, 1956:

"Resources conservation

"I wish to reemphasize the critical importance of the wise use and conservation of our great natural resources of land, forests, minerals, and water and their long-range development consistent with our agricultural policy. Water in particular now plays an increasing role in industrial processes, in the irrigation of land, in electric power, as well as in domestic uses. At the same time, it has the potential of damage and disaster.

"A comprehensive legislative program for water conservation will be submitted to the Congress during the session. The development of our water resources cannot be accomplished overnight. The need is such that we must make faster progress and without delay. Therefore, I strongly recommend that

action be taken at this session on such wholly Federal projects as the Colorado River storage project and the Fryingpan-Arkansas project; on the John Day partnership project, and other projects which provide for cooperative action between the Federal Government and non-Federal interests; and on legislation which makes provision for Federal participation in small projects under the primary sponsorship of agencies of State and local government.

"During the past year the areas of our national parks have been expanded, and new wildlife refuges have been created. The visits of our people to the parks have increased much more rapidly than have the facilities to care for them. The administration will submit recommendations to provide more adequate facilities to keep abreast of the increasing interest of our people in the great outdoors."

Budget message for 1958, January 16, 1957:

"Work is underway on the comprehensive Upper Colorado River Basin development which the Congress authorized during the past session. Legislation is still needed, however, to permit the Fryingpan-Arkansas multiple-purpose project to proceed. Appropriations which will enable the Bureau of Reclamation to initiate this construction are included under proposed legislation for 1958."

Economic report for 1957, January 20, 1957:

"Except for complex multipurpose projects of paramount national interest, for which local resources are clearly insufficient or in which local benefits cannot be clearly equated with local cost burdens, the partnership principle assures maximum benefits and speed of completion within appropriate limits of Federal participation. One such multipurpose development which the Congress is requested to authorize is the Fryingpan-Arkansas project. This undertaking would provide water, supplemental irrigation, and power in parts of several States."

Budget message for 1960, January 19, 1959:

"In the interest of sound water resources programs in future years, funds are recommended to continue investigations and advance planning and to assemble basic data for future projects. I continue to believe that, as part of sound advance planning, the Fryingpan-Arkansas project in Colorado should again be considered for authorization, but no appropriation to start construction should be enacted until the overall budgetary situation is more favorable."

Budget message for 1961, January 18, 1960:

"Natural resources—Budget totals

[In billions]

	1959 actual	1960 estimate	1961 estimate
Expenditures	$1.7	$1.8	$1.9
New obligational authority	1.7	2.5	1.8

"Legislative proposals:

"1. Authorize Fryingpan-Arkansas project.

"2. Authorize negotiation with Mexico for joint construction of Amistad (Diablo) Dam.

"3. Require non-Federal interests to bear at least 30 percent of the cost of flood protection projects.

"4. Promote greater conservation of helium.

"5. Authorize coal research on a contract basis.

"6. Increase fees for noncompetitive oil and gas leases on the public domain.

"7. Transfer from the Secretary of the Interior to the Secretary of Agriculture certain authority with respect to land and timber exchanges.

"8. Preserve three undeveloped shore areas for public use.

"I again recommend that the Congress authorize the Fryingpan-Arkansas project in Colorado."

Budget message for 1961, January 18, 1960:

"Before it is too late we should take steps to preserve, for public benefit, part of the remaining undeveloped shore areas. I hope, therefore, that the Congress will enact during this session the legislation proposed in the last session to permit the Secretary of the Interior to select and acquire for the National Park System three areas which would be of national significance because of their outstanding natural and scenic features, recreational advantages, and other public values."

Economic Report, January 20, 1960:

"Intensive efforts are being made to accommodate an ever-increasing number of visitors to national parks, expected to reach 80 million by 1966. In this connection, enactment has been requested of a pending proposal for the preservation of certain undeveloped shoreline areas for public use."

Special message to Congress, May 3, 1960:

"Among these measures I refer as examples to preservation of our priceless seashore areas, establishment of the Arctic Wildlife Range, permission to western communities to expand into public land areas, research assistance to the coal industry, and the Fryingpan-Arkansas and San Luis projects. Approval of these and similar pending bills will help to round out the program of natural resources development—now at a record level—which I presented last January in my budget message."

RETIRED PAY

Budget message for 1961, January 18, 1960:

"Major national security—Budget totals

[In billions]

	1959 actual	1960 estimate	1961 estimate
Expenditures	$46.4	$45.6	$45.6
New obligational authority	45.5	44.7	45.3

"Legislative proposals (in addition to program extensions):

"1. Discontinue statutory minimum strength for Army National Guard.

"2. Equalize military retirement pay.

"3. Facilitate sale of surplus military real property.

"4. Authorize sale of Alaska Communication System.

"5. Eliminate certain restrictions on foreign bidding on military supply items.

"Military personnel costs: About 30 percent of the expenditures for the Department of Defense in 1961 are for military personnel costs, including pay for active, reserve, and retired military personnel. These expenditures are estimated to be $12.1 billion, an increase of $187 million over 1960, reflecting additional longevity pay of career personnel, more dependents, an increased number of men drawing proficiency pay, and social security tax increases (effective for the full year in 1961 compared with only 6 months in 1960). Retired pay costs are increased by $94 million in 1961 over 1960, partly because of a substantial increase in the number of retired personnel. These increased costs are partially offset by a decrease of $56 million in expenditures for the reserve forces, largely because of the planned reduction in strength of the Army Reserve components during 1961.

"Traditionally, rates of pay for retired military personnel have been proportionate to current rates of pay for active personnel. The 1958 military pay act departed from this established formula by providing for a 6 percent increase rather than a proportionate increase for everyone retired prior to its effective date of June 1, 1958. I endorse pending legislation that will restore the traditional relationship between retired and active duty pay rates."

OUTER SPACE

State of the Union message, January 7, 1960:

"We have just completed a year's experience with our new space law. I believe it deficient in certain particulars and suggested improvements will be submitted to the Congress shortly."

Budget message for 1961, January 18, 1960:

"Commerce and housing—Budget totals

[In billions]

	1959 actual	1960 estimate	1961 estimate
Expenditures	$3.4	$3.0	$2.7
New obligational authority	2.9	3.8	3.2

"Legislative proposals (in addition to program extensions):

"1. Strengthen organization and management of outer space programs.

"2. Increase aviation fuel taxes and credit them to general fund.

"3. Remove interest ceiling on Government ship mortgage loans.

"4. Provide additional highway trust fund revenues.

"5. Finance forest and public land highways from highway trust fund.

"6. Increase postal rates.

"7. Increase savings and loan insurance premiums.

"8. Provide flexible interest rates on veterans and military housing loans.

"9. Liberalize authority of small business investment companies.

"10. Broaden exemption of small security issues from registration.

"11. Authorize loans and grants to assist areas with chronic unemployment.

"12. Improve antitrust legislation."

Special message to Congress, January 14, 1960:

"I recommend that the Congress enact certain amendments to the National Aeronautics and Space Act of 1958 to clarify management responsibilities and to streamline organizational arrangements concerning the national program of space exploration.

"Prior to establishment of the National Aeronautics and Space Administration, the Department of Defense had been responsible for all of the Nation's space activities, including those of a nonmilitary nature such as the Vanguard satellite project designed for U.S. participation in the scientific activities of the International Geophysical Year. When the new agency came into existence, with the duty of carrying out a program of space exploration, it became necessary to transfer the nonmilitary projects, with their supporting facilities and personnel, to the new agency from the Department of Defense. The act empowered the President to make such transfers. I exercised this authority on October 1, 1958, when I transferred to NASA responsibility for Project Vanguard and certain other space-related projects previously under the direction of the Department of Defense. I exercised it for the second time on December 3, 1958, when I directed the transfer to NASA of the Jet Propulsion Laboratory at Pasadena, Calif. And today I am transmitting a report advising the Congress of my intention to transfer to NASA the Development Operations Division of the Army Ballistic Missile Agency. The authority granted to the President has thus been used to center in NASA direction of all of the Nation's nonmilitary space activities, and to provide NASA with the facilities and personnel needed to carry out this task.

"The act, however, contains a number of provisions which tend to obscure the responsibility of NASA for planning and directing a national program of space exploration and peaceful space activity. For example, there is inherent in it the concept—which I believe to be incorrect—of a single comprehensive program of space activities embracing both civilian and military activities, and it implies that a multiplicity of unnamed agencies might have responsibility for portions of such a program.

"In an effort to deal with these problems, the act establishes a scheme of organization of considerable complexity. First, section 201(e) of the act imposes upon the President an unusual degree of personal responsibility for developing this 'comprehensive' space program and of surveying its operations in detail. Second, the act established the National Aeronautics and Space Council and gave it the sole function of advising the President with respect to the performance of his statutory duties. Third, it made provision for a Civilian-Military Liaison Committee, which was given no other duty than providing a channel of advice and consultation between NASA and the Department of Defense.

"I have become convinced by the experience of the 15 months since NASA was established that the act needs to be amended so as to place responsibility directly and unequivocally in one agency, NASA, for planning and managing a national program of nonmilitary space activities. This requires, first of all, elimination of those provisions which reflect the concept of a single program embracing military as well as nonmilitary space activities. In actual practice, a single civil-military program does not exist and is in fact unattainable; and the statutory concept of such a program has caused confusion. The military utilization of space, and the research and development effort directed toward that end, are integral parts of the total defense program of the United States. Space projects in the Department of Defense are undertaken only to meet military requirements. The Department of Defense has ample authority outside the National Aeronautics and Space Act of 1958 to conduct research and development work on space-related weapons systems and to utilize space for defense purposes; and nothing in the act should derogate from that authority.

"I am also convinced that it is no longer desirable to retain in the act those provisions which impose duties of planning and detailed surveying upon the President. We have come to the end of a transitional period during which responsibilities for a broad range of activities were being shifted to NASA from the Department of Defense and NASA's capabilities for discharging those responsibilities were being developed. From now on it should be made clear that NASA, like the Department of Defense in the military field, is responsible in the first instance for the formulation and execution of its own program, subject, of course, to the authority and direction of the President.

"With the repeal of the statutory enumeration of Presidential duties, the National Aeronautics and Space Council should be abolished, since its only function is to advise the President in the performance of those duties. The repeal would not, however, affect another provision of the act which provides that the Administrator of NASA and the Secretary of Defense may refer to the President for decision those matters concerning their respective areas of responsibility on which they are unable to reach agreement. This provision should be retained in the law.

"The Civilian-Military Liaison Committee should also be eliminated. The statute should go no further than requiring that NASA and the Department of Defense advise, consult, and keep each other fully informed with respect to space activities within their respective jurisdictions; it should not prescribe the specific means of doing so.

"Finally, the act should contain safeguards against undesirable duplication by NASA and the Department of Defense in developing the major tools of space exploration. Although a civilian space exploration program is clearly distinguishable from the military utilization of space for defense purposes, both NASA and the Department of Defense may have similar or identical requirements for launch vehicles used to propel and guide spacecraft into orbit about the earth or toward other celestial bodies. I propose that the act be amended to provide that the President shall assign responsibility for the development of each new launch vehicle, regardless of its intended use, to either NASA or the Department of Defense. Responsibility for development of the new vehicle should in no way determine responsibility for its use in space activities.

"Amended as I have recommended, the National Aeronautics and Space Act of 1958 would become the organic act of an independent civilian agency having a well-defined statutory responsibility for which it is answerable to both the President and to Congress.

"I have requested the Administrator of the National Aeronautics and Space Administration to transmit to the Congress draft legislation incorporating the foregoing recommendations, and I urge that they be enacted by the Congress at the earliest possible date."

CONGRATULATIONS TO UKRAINIAN CONGRESS COMMITTEE OF AMERICA UPON ITS 20TH ANNIVERSARY

Mr. WILEY. Mr. President, the fall of 1960 marks the 20th anniversary of the founding of the Ukrainian Congress Committee of America.

Today, the Ukraine—comprised of 42 million people—represents one of the many non-Russian countries inside and outside of the Soviet Union, which are, in effect, captive nations of communistic imperialism.

Fortunately, the nationalistic pride of these people, as Ukrainians—as well as their will for freedom from Communist domination—still burns brightly.

Reflecting the thoughts of a great many people in their ancestral homeland—and the thinking of some 2½ million Americans of Ukrainian ancestry, the congress committee, during its lifetime, has engaged in many constructive, worthwhile pursuits designed to ultimately break the chains of bondage.

Among other things, they have been dedicated to the task of serving the national security interest of this country, by: First, advancing the strategic value of all the captive nations, particularly those in the Soviet Union itself; second, informing our fellow citizens about the independence struggles of the dozen captive non-Russian nations in the U.S.S.R.; three, exposing the many current myths about Soviet unity in all its alleged ramifications; and fourth, proposing concrete ways and means to defeat imperialist Moscow in the cold war, the chief mode of which is psychopolitical and propagandistic.

Upon its 20th anniversary, the committee, I believe, deserves the commendation of the people of this country, of their ancestral homeland, and of the freedom-seeking people of the world—as the committee carries on efforts aimed ultimately at lifting the control of communism from the Ukraine, as well as further weakening the colonial imperialistic empire constructed under the guise of communism.

A SOUND DEFENSE POLICY

Mr. MANSFIELD. Mr. President, probably the most important single act by a Secretary of Defense was the decision in December of 1959 of the then newly appointed Secretary of Defense, Thomas S. Gates, Jr., to sit with the Joint Chiefs of Staff.

As a result of this procedure, there has been a continuing increase in JCS efficiency and the speed of the strategic decisionmaking process. However, the military advantages of this policy of Secretary Gates have perhaps overshadowed an appreciation of the very fundamental soundness of the policy from the standpoint of the institutions and philosophies upon which our Government is based.

We are indebted to the distinguished senior Senator from Minnesota [Mr. HUMPHREY] for inviting attention to the importance of the civilian Secretary of Defense sitting with the Joint Chiefs of Staff and thus giving realism and meaning to the principle of civilian control. In his brief, but very perceptive, remarks on the floor of the Senate on July 2, 1960, the senior Senator from Minnesota emphasized the importance of maintaining and strengthening the JCS system by pointing out how this highly efficient device for strategic planning at the seat of Government is in harmony with our form of Government and is responsive to our strategic requirements.

I believe that we are frequently inclined to view military institutions—and this of course includes the JCS—in primarily a military sense, and thus fail to relate them to the overall requirements of our governmental system.

Therefore, it was with considerable pleasure that I noted that these important remarks by the senior Senator from Minnesota have been made the basis of a highly informative editorial which appeared in the San Diego Evening Tribune of Tuesday, August 2, 1960, as well as in other papers of the Copley organization.

Because this editorial points up the importance of our Joint Chiefs of Staff system, particularly—as explained by the senior Senator from Minnesota—in its relationship under our form of Government, I request permission to have the editorial printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the San Diego (Calif.) Evening Tribune, Aug. 2, 1960]

JOINT CHIEFS ARE IN HARMONY WITH OUR FORM OF GOVERNMENT

With so much of the Nation's attention centered on domestic affairs in this fateful summer of 1960, it is reassuring to know

that our Defense Department, with its awesome global responsibilities, is functioning with such smooth efficiency.

Much of the credit for this situation is due Defense Secretary Thomas S. Gates, Jr., and his relations with the Joint Chiefs of Staff.

Gates initiated a policy of sitting with the Joint Chiefs—a seemingly minor administrative detail, but actually a historic contribution to the defense organization.

The Evening Tribune praised this innovation at the start, a view shared by a wide cross section of the American press and by members of both parties in the House and the Senate.

Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, who has, in his own words, "not been hesitant to criticize the foreign and defense policies of the present administration when I thought such criticism was justified," delivered a Senate speech in praise of Gates' policy.

"The Secretary of Defense's policy of sitting with the Joint Chiefs of Staff has many beneficial effects," HUMPHREY said.

"It has speeded the decisionmaking processes in strategic planning at the seat of government; it has made the constitutional principle of civilian control of the military realistic and meaningful; it has provided a persuasive demonstration of the ability of our form of government to devise an effective strategic planning system and thus be able to reject the outmoded, discredited, and defeated single chief of staff—supreme high command methods of monarchial and dictatorial regimes."

In this last point, HUMPHREY has touched on a significant philosophical point that all too often is lost sight of in the emphasis on practical effects of the Gates policy.

The concept of the Joint Chiefs of Staff is in harmony with our form of government. This is essential for an effective and responsive functioning of our military institutions.

An alien and autocratic system as HUMPHREY properly analyzed it, would put us "in the position of undermining the kind of government and endangering the beliefs which, paradoxically, our military effort is designed to protect."

The Minnesota Democrat has commendably associated himself with views that are shared by millions concerned about the best defense of America.

AMERICAN REPUBLICS COOPERATION ACT

The Senate resumed the consideration of the bill (S. 3861) to provide for assistance in the development of Latin America and in the reconstruction of Chile, and for other purposes.

Mr. KEATING. Mr. President, on August 8 the President of the United States came before the Congress to reiterate his long-term legislative recommendations. Most of his proposals were old ones, long familiar to the attentive Members of this House. But the President also offered three new programs in foreign affairs to strengthen the position of this country throughout the world. He called for increases in the mutual security contingency fund, a new program for Latin America, and a United Nations program for distribution of surplus foods. The President particularly requested that the Congress give its approval, through an authorization bill, to the Latin American program. Mr. President, I should like to urge rapid passage of that very important authorization.

Relations between this country and Latin America have become a matter of increasing concern for the last few years. The United States has long since abandoned the policy of "dollar diplomacy" which aroused considerable distaste south of the border. The "good neighbor policy" which, incidentally, was the creation of President Herbert Hoover, did much to counteract this latent hostility. But much still remains to be done.

The aftermath of the Second World War has led to a determined effort in all parts of the globe to raise the standard of living an increase productivity. This is about the only policy that the nations of the free world and the Communist bloc have had in common over the last 15 years of conflict.

In the race for riches, the revolution of rising expectations, or whatever you may call it, the United States has played a dual role. First, it has stood as the goal that every other country has sought to reach. Second, it has also been the most generous helper to other nations in the long, hard pull that many must make to reach economic solvency.

Naturally, this has led to divided feelings among the poorer nations, feelings of envy, feelings even of resentment, while at the same time some nations have striven to copy U.S. developments slavishly without due consideration of their own needs. All these tensions have been particularly felt in Latin America—so close to us geographically and in some other ways, but so far from us in economic and historical development. Mr. President, these tensions that have existed between this country and some of our Latin American neighbors—I am not incidentally speaking of Cuba, for I put that country in a completely different category—have been inevitable.

The plan that the President has put forth represents one of the best and shrewdest ways imaginable to help Latin America. The President has called for $600 million, five-sixths of which would be used "for projects designed to contribute to opportunties for a better way of life for the individual citizens of the countries of Latin America." Such a plan will show very clearly to the Latin American people—to all the people—that we have a genuine concern for their well-being and progress. It will show that our generosity and concern is not limited to nations on the other side of the globe, or nations that face an immediate physical threat of communism. It will show that we really feel like neighbors toward our friends to the south.

Mr. President, it is particularly important that we approve the authorization of this money, five-sixth of which, as I have said, will accelerate social development and economic growth, and one-sixth of which will be used to repair the ravages of earthquakes in Chile. Let us act promptly and decisively.

Mr. LONG of Louisiana. Mr. President, I believe we have some indication that the request for the $500 million program for Latin America, with no guidelines and no standards to rely upon, is the beginning of a multi-million-dollar program, and the members of the committee cannot tell us what sort of program we are voting for.

We know this is going to cost many, many billions of dollars. It is another Marshall plan, except this one will continue on indefinitely. The Marshall plan at least had a termination date over a period of several years. There is absolutely no limit to the amount that this plan can cost. The program is an open invitation for any nation in South America to come up with any conceivable program which presumably would be financed by the American taxpayers.

While I would favor another well-considered program to assist with the economic development of Latin America, I feel that the proposed legislation is so loose and so lacking in specifications that the entire matter should be postponed until we are in a position to look at a specific program with details to back it up.

I am particularly concerned about certain statements contained in the testimony of Mr. Douglas Dillon in support of this program. Mr. Dillon seems to take the attitude that no relatively poor country can do anything for itself. The truth is that practically everything that we propose to do in this bill for the help of others is something which those countries are already in a position to do for themselves, if they care to make the effort and the sacrifice to do it.

I have looked at a few statements from Mr. Dillon's 9-page prepared text which he presented to the Senate Foreign Relations Committee on this program. On page 2 Mr. Dillon said:

> While there has been a steady rise in national income throughout the area, millions of underprivileged have not benefited thereby.

What is that but a declaration that politicians and wealthy families in control of most Latin American countries do not have a sufficient interest in the working masses to see that prosperity is generally shared by all of the people rather than hogged by the privileged few, and how does Mr. Dillon propose to handle the $500 million, and the billions that will follow it to prevent it from going the way of all other income in those countries? No suggestion is made.

Last night the Senate voted for a minimum wage bill, one of the purposes of which was to see that the prosperity of the country would be more generally shared by the people. Nations of South America could do the same thing if they had any desire to do so, and to see that the wealth being accumulated in a few hands in many of those countries is more generally shared. Yet we have no assurance that this program will not be shared in exactly the same way that the income of those countries is now shared. The few get it; the many get little.

That has been my criticism of the program as administered by Mr. Dillon, and such questions arose in my mind even when his name came before the Senate for confirmation some time ago.

The indications were it was a trickle-down program that did not trickle down to the masses, and the masses never saw any benefit of the many billions of dollars of foreign aid that were being spent by the American taxpayers.

To quote from the same page of Mr. Dillon's statement:

> The distribution of national income in many countries has been far from equitable, with the bulk of the income going to a very small portion of the population.

Again I ask how Mr. Dillon proposes to assure us that the $500 million requested and the many billions that will follow it will not also go to the small percentage of the population which is grabbing for themselves most of the income of these Latin-American countries? If we are to assist those Latin-American countries further, why in the name of commonsense should we not insist that our aid be accompanied by economic reforms in those countries?

As much as I deplore the government of Fidel Castro because it is a Communist-controlled government, we must concede that he has been demonstrating how large land holdings can be broken up and income can be spread more evenly.

At this point let me say that prior to the revolution of Mr. Castro in Cuba, Cuba had the highest per capita income of any of the Latin American countries. That did not prevent Mr. Castro from having a successful revolution in Cuba. As a matter of fact, there were fundraising meetings held for Mr. Castro in Florida at the time the revolution was going on, even though the State Department representatives in Mexico were sending memoranda informing the State Department that all the information they had in Mexico, from which country Mr. Castro left to go to Cuba, indicated that Castro was a Communist, and we would be in for a Communist takeover if those who were working for the program to help the Castro revolution were successful in putting his government in power.

So there was no lack of economic aid. Our Sugar Act alone represented $150 million a year economic aid for Cuba and the Cuban people. We gave Cuba economic aid to the tune of $50 million a year. It was not the lack of aid that caused that country to go Communist. It was the fact that no serious effort was made to prevent the Communist-inspired revolution from succeeding, even though we had information that should have led us to know what was happening in Cuba.

Quoting from page 3 of the statement of Mr. Dillon:

> Our purpose is not to finance public housing—the requirements of that are far too great. Our purpose is to stimulate the mobilization of private capital in the other American Republics through the means which have been so successful in this country, such as building and loan associations and similar credit institutions.

This sounds very much like the "trickle down" theory for which we have condemned the Republicans so many times. The trouble is that without firm standards the purpose is seldom achieved. The administration has always resisted any sort of firm Federal standards for foreign aid on the theory that a proper respect for a sovereign country would not permit us even to inquire what happened to our aid money after we turned it loose.

What, if anything, does Mr. Dillon propose to do to assure that the $500 million would not be as ineffectual as the many billions we have already invested fruitlessly in many such undertakings?

Quoting from page 4:

> Many countries still maintain land-tenure and land-taxation systems which date from colonial times and which frequently result in the underutilization or nonutilization of large areas of potentially productive land. These antiquated systems have led to a rising tide of demands for land reform.

It is within the power of every one of these countries to institute land reforms. What are we supposed to do about it? I suppose it would be Mr. Dillon's proposal that this country should buy land with U.S. dollars so that the land could then be distributed among others. It is certainly within the power of every one of these Central and South American countries to seize large land holdings and distribute them among the people. A logical way would be for the Government to issue bonds payable in the local currency of those nations to pay for the land thus taken.

I ask Senators to consider where would the stopping point be if the U.S. Government were to pay for the land taken? Even in our country the cost of right of ways for highways is running far above all reasonable estimates due to 40-percent Federal matching for interstate highways. What conceivable incentive would there be for the Government to hold the price down rather than go whole hog and pay three or four times the current market value of property if we were picking up the check in foreign countries? If the property is purchased on the open market, no one can conceive of the extent to which land values will skyrocket.

What kind of agrarian reform are we talking about? There are only a few words dealing with it in the testimony. The chairman of the committee has pointed to the inadequacy of the record in regard to this point.

The so-called Dillon doctrine states it will tell these countries that the $500 million is a starter, that it is only the beginning, and that we would like to know how they could spend our money. Here are some suggested ideas: Agrarian reform; loans, repayable in local currencies; social development. We say to them, "Write your own ticket. Here is $500 million to start with." Can we imagine authorizing something of that sort for $500 million, with no specifications at all?

The Senator from Alaska has said that we ought to have the same standards in authorizing foreign aid that we have for our own projects at home. Where would we be if a Senator from any of our States could rise and say he wanted $100 million or $300 million or $500 million for a project in his State, without stating what the projects were, and without specifying them in any way and obtain the authorization?

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. GRUENING. The fact is that States cannot get worthwhile projects approved by this administration, even when they are fully spelled out, such as resource development, antipollution control, flood control, and other programs. Those projects are labeled by the administration as wasteful and inflationary and as unbalancing the budget. But with respect to foreign countries, we give them a blank check for hundreds of millions, and even billions of dollars. We are told, "Don't question it. Give it without question."

Mr. LONG of Louisiana. There is a request for a $500 million authorization, and a request to the foreign countries to write the program. We do not even know what the program is to be. They are to write the program. We ourselves have no fixed concept of what we are talking about in asking them to write a program for us. We have only the vaguest concept.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. McCLELLAN. If the Senator will permit me to say so, there is no program. There is nothing we can approve. We are asked to authorize the spending of another half billion dollars. There is no program.

Mr. LONG of Louisiana. But we are going to these people and asking them to write the program. I heard the suggestion made that this program does not cost us anything. We are told that this is a sort of Madison Avenue advertising situation. We are led to believe that we are going to these countries and asking them to vote for us on the Cuban situation. We are trying to get votes. We say, "Here is $500 million, which is our starting point. We know it will require a huge appropriation. We want you to tell us about a program, and here is what we are interested in: land reform."

What does that mean? That does not mean seizing the land and distributing it. That means that Uncle Sam is going to pay for the land at the price the country puts on it, and we will pay for it in dollars.

Mr. McCLELLAN. I notice in Mr. Dillon's statement that there are three purposes set out for this money. First there is an appropriation of $500 million for a new social development program in Latin America. They do not have any program. This is to develop a program. There is no program before us. Number three authorizes $100 million for further rehabilitation and assistance to the Republic of Chile. That may have some merit. I note immediately after that request that it is stated the administration has no intention to seek an appropriation during this session of Congress for either of the first two items.

Why not wait until January? In the meantime let a program be developed, so we can take a look at it.

I know of one instance which came to the attention of the investigating subcommittee of the Committee on Government Operations in connection with a project in Bolivia, under foreign aid, in which we have already built an irrigation system, but where there is no water. There are only a great many dry ditches down there.

Does it make sense that we do these things when our fiscal situation finds us deeper in debt than the rest of the world put together? I cannot agree to it. I agree with the distinguished Senator from Alaska. I have many times taken the position, and I reiterate that position, that I am willing to examine these proposals, and I am willing to vote for some of them whenever a foreign spending program is put on a practical basis, under which there can be responsibility both upon Congress and upon those who administer the program—but first upon Congress to evaluate it, to have something concrete to evaluate, and to evaluate before approving it, as we do in our country with respect to a domestic public works project.

We take testimony about them. We examine into them. We must justify the projects. They go through a process which makes it reasonably certain that there is justification for projects before Congress appropriates the money.

We are not asked to make an appropriation now, but we are asked to approve an authorization which will commit this country at least to that extent, and which, as the Senator describes accurately—and we all know it from past experience, is the beginning of a multibillion-dollar program. After we get started with such a program, we are told, "You cannot quit; you have to continue with it." Each year the expenditures will be increased.

Mr. President, I want to vote money to help the Chilean Government restore and rehabilitate its devastated area. I am perfectly willing to do that. But I shall not vote for an indefinite program. I shall not vote for a proposal which would require this country to be committed to another multibillion-dollar spending spree in South America. As much as I should like to help those countries economically, it will be necessary to make some concrete proposal. I shall not be a party to a blank-check expenditure commitment on the part of this Government.

I thank the Senator from Louisiana for yielding to me, so that I might make these comments. I think the Senator is rendering a great service by the remarks he is making.

Mr. LONG of Louisiana. Mr. President, by this vote, we shall also be voting on the extra $100 million for the contingency fund. The $100 million for the contingency fund has been sold to us as though that money has been used up in the Congo. We have not used 5 cents of the contingency fund in the Congo. We have not used a nickel of it. That is simply a Madison Avenue sales talk approach. There is talk about putting up $5 million to be spent through the United Nations for a Congo program. It is conceded that the administration might want $25 million. But they have not used any—not 5 cents of it. The whole contingency fund, of course, comes before us in connection with the mutual aid appropriation bill.

The cost of the airlift in the Congo has come out of the operational funds of the Air Force. As things stand now, it is covered under the operation of the Air Force, just as the Air Force would cover training operations. The foreign aid program has not paid for any of the airlift in the Congo, and it does not need to, unless it is deemed to be desirable to have the foreign aid program share some of the expenses of the Air Force.

Do Senators want to know how the contingency fund has been used this year? France freed two colonies in Africa. Tunisia became independent, and Guinea became independent. When they became independent, they forfeited the economic aid which they got from France. That was the condition on which France turned them loose. The French Government said, in effect, "You can become independent; but if you become independent, you cannot expect to get the money France has been spending in your area."

Unfortunately, those countries found they needed some additional money. They missed the French aid.

So the United States Government was standing by. Without even consulting Congress, the Government rushed in to supply aid to those countries whose aid had been cut off by France when they became independent. This is supposed to be a contingency.

The administration saw an opportunity to give Poland an extra $6 million, and it did. We gave agricultural commodities, made additional loans; we shipped Salk vaccine without payment. Those were supposed to be emergencies. In other words, we found an opportunity to persuade the Poles to accept more money from the United States; yet Poland has a Communist government.

Then it was found that Turkey wanted to have a stabilization program. Thank the merciful Lord we have a law through which this nation is prohibited from paying the national debt of other countries with our aid funds.

Our Government showed up with a new approach. It is called a stabilization program. A country can, in effect, reach out and buy up some of its currency with American dollars. That is stabilizing their currency. It is against the law to retire their national debt with American money. Congress outlawed that, finally, after we had retired $2½ billion of the national debt of the countries who owed us more than $2½ billion, we were told that we must stabilize their currency.

I suppose the largest items did not have anything to do with Taiwan or Korea. We saw, however, that Turkey had run up a deficit and wanted to have some contingency funds. So the Government wanted to supply Turkey with another $32 million. That is the type of thing for which we are being asked to put up money.

We are told that 16 new African nations are expected to become independent this year. As fast as they are separated from the mother country, foreign aid programs are expected to be ready to go into effect for those countries. That being the case, we are supposed to provide an additional $100 million to start foreign aid programs in those 16 countries, plus another $500 million pump-priming operation to finance the beginning of what will be a multi-billion-dollar-a-year Latin American program, if the administration is successful in getting it started in Latin America. Once we begin to see what the pump looks like after it has been primed, we are in for a program that will make $500 million per year look small.

Mr. GRUENING. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. GRUENING. Striking as the comments of the Senator from Louisiana are, he even understates the case. Not only do we rush in to pick up the tab as soon as countries become independent; we go in before they become independent. We have helped a number of colonies in this hemisphere, including British Guiana and Jamaica. We provided aid for the African colonies before they became independent. We were so willing to spend American dollars that we could not wait until the umbilical cord had been separated; we rushed in to help them.

Mr. LONG of Louisiana. In the West Indies, the country had not yet become independent when we were spending our contingency money. It was Mother Britain's problem to look after the West Indies; still we managed to get in with our foreign aid program. We had aided Great Britain to the extent of many billions of dollars and found that further aid could no longer be justified. But when the West Indies Federation moved toward self-government, we provided funds for its aid. When we were faced with all the problems of underdeveloped areas, during 1959, negotiations and studies were completed leading to the decision to provide $400,000 for road-building equipment and vocational training. That was before the West Indies became independent. That was while they were still under the wing of Mother Britain.

Mr. Dillon says that we must have a substantial program ready for the West Indies because they will be independent this year, and there will be 16 new countries becoming independent in Africa.

We are supposed to provide this money without knowing what it will lead to or what we will be expected to provide in the future.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. THURMOND. Mr. President, I commend the distinguished Senator from Louisiana on the argument he is making. I also commend the distinguished Senator from Arkansas [Mr. McCLELLAN], who just interrogated the Senator from Louisiana. I associate myself with the remarks of both Senators.

I should like to inquire of the Senator from Louisiana if the purpose of mutual assistance or foreign aid originally was not on the theory that it was mutual assistance from a national defense standpoint. Was not that the theory?

Mr. LONG of Louisiana. Yes.

Mr. THURMOND. The theory was that we would assist other countries, and

in so doing we were helping to maintain freedom in this country and other countries.

Mr. LONG of Louisiana. That is correct.

Mr. THURMOND. Has not the program gone far beyond that and included social programs in the various countries, and also, apparently, an effort to buy friendship, which is impossible?

Mr. LONG of Louisiana. That is correct. The Senator knows that at the present time the U.S. Government is directing its activities against the Dominican Republic, more or less supporting the position of Venezuela and other countries. While I myself favor free elections, I also favor people being on our side. As between two dictators, I would much rather favor the one who is on the side of the United States than the one who is on the side of communism.

If I had to choose, for example, I would prefer Trujillo to Castro.

But what has been done in the Dominican Republic, in a great many cases, is the sort of thing that Mr. Dillon says these countries will not be able to do unless the United States picks up the tab for it. In other words, I am told that efforts have been made to improve the welfare of the rank and file of the people of that country—to do things to enable them to have better pay and better living conditions.

Mr. THURMOND. So, if we pass this bill, shall not we run the risk of losing the friendship of the 16 African countries that will participate in the program later on?

Mr. LONG of Louisiana. Yes.

Mr. THURMOND. And shall not we also run the risk of incurring very heavy financial obligations of our own?

Mr. LONG of Louisiana. Yes. Certainly there is no limit to what this program could cost.

The chairman of the committee has pointed out that we already have three very good programs in Latin America—those under the Export-Import Bank and the Development Loan Fund and the International Bank. Of course, many of those loans do not have to be paid back in U.S. currency.

Certainly I am willing to support a liberal program of aid to Central America and South America. But I think our program should include a guarantee that the program will be used in ways that will assure us that there will be tangible benefits to the people of those countries, and so that the undertakings will be mutual ones which we will share with those countries, so that the people of those countries will be doing their share.

Mr. THURMOND. And also to proceed in such a way that if an emergency develops, the people of the countries we aid will be on our side, not on the side of communism. Is not that important?

Mr. LONG of Louisiana. Yes. Certainly I think it fair to insist on such requirements.

But this proposal is for a $600 million pump-priming operation; and my fear is that if we embark upon this authorization, we shall find that when the foreign aid bill comes before us next year, it will cost from $1,500 million to $2 billion more, because we are told, in connection with the testimony regarding the program under this measure, that it is desired to institute land reforms and to provide almost all kinds of aid to the people of these Latin American countries.

Furthermore, under the proposal for the $100 million authorization for the contingency fund, the 17 new African countries no doubt will be covered by an additional aid program the following year.

Mr. ERVIN. Mr. President, will the Senator from Louisiana yield at this point?

The PRESIDING OFFICER (Mr. Moss in the chair). Does the Senator from Louisiana yield to the Senator from North Carolina?

Mr. LONG of Louisiana. I yield.

Mr. ERVIN. Has our country made with these Latin American countries any agreement that they will contribute any definite parts of the funds to be loaned under this program?

Mr. LONG of Louisiana. They talk about this program being a "two-way street," but we have heard a great deal of talk of that sort before. However, it is important to know that in the testimony it was stated that these countries are unable to do anything for themselves. Mr. Dillon said that although much has been done heretofore in these countries, the people of these countries have not benefited thereby. Apparently if the millions of people of these countries are actually to be benefited, I assume that the United States will have to send some of its representatives there, to try to see to it that the millions of people in those countries actually are benefited by means of this program.

Mr. ERVIN. Let me ask the Senator from Louisiana whether Shakespeare's statement that "Neither a borrower nor a lender be; for loan oft loses both itself and friend," has lost its validity in these latter days?

Mr. LONG of Louisiana. Certainly it has not.

Mr. President, never before, to my knowledge, have we undertaken a tremendous program without having any specifics in regard to what the program would be. But this one amounts to an invitation to these foreign countries to write the program after the Congress makes the authorization.

The administration has asked us to make a $500 million authorization, so it can say, at the forthcoming conference, "Here is an act of Congress which commits our country to carry out the program, and you can count on this $500 million to begin with." In that event, the $500 million would be regarded as an absolute promise by Congress to appropriate $500 million; and then the administration would start to talk with these countries about large sums of money in addition. I believe it obvious that under these circumstances the people of those countries certainly would expect that to be the case, and certainly would expect that from us; otherwise they would think us the greatest four-flushers on this continent since the landing of Columbus. In short, this authorization would be only the starting point, and the people of these countries would feel that we were obligated to take action which would enable our representatives to say that this $500 million authorization by the Congress was only the starting point. And in that event, the people of these countries would expect more and more from us, after that.

Furthermore, the step now proposed would increase our grant-aid funds to be used in Latin America by $500 million in a single year; and that would be only the starting point from which the program under this bill would proceed.

Mr. ERVIN. Is this an authorization to loan the money in connection with the Inter-American Bank, or is it an additional program, outside of that?

Mr. LONG of Louisiana. It is an additional program, in addition to the three programs our country already has established and is using for the aid of those countries. The Senator from North Carolina knows that the Export-Import Bank was for many years probably the soundest and the wisest and the best conceived, in many respects, and the most conservative program of all those we had for the giving of aid to those nations; and it was regarded as a great forward stride, when it was originally begun.

Then we came along with the International Development Association, and with the Development Loan Fund.

So we already have those three major programs; and for the most part they are loan programs, although many of the loans are in local currencies, as the Senator from North Carolina knows, with the result that the people receive the loan in the form of the local currencies which can be spent only in those countries, and cannot be used in the manner intended—in many cases.

At any rate, these programs already are tremendous in size.

I call attention to what the chairman of the committee himself has had to say about this situation. To a considerable degree he shares my doubts about this program, although the chairman differs from me in that, so far as I know, he has never voted against a foreign aid program.

But in his prepared statement, the chairman of the committee said:

> Mr. President, I shall close these remarks in support of S. 3861 with what I hope will be two sobering thoughts. First, I hope that no one will be misled by this bill. None of its sponsors believe that the dangers in Latin America can be eliminated for the price of $500 million. This $500 million is just the beginning. No one can say how much money will ultimately be necessary. No one can say how long the job will take.

The chairman of the committee began his prepared statement—and he was kind enough to send me a copy of it—by pointing out that he personally felt somewhat saddened by the fact that there was so little in terms of specifics to indicate what in the world this authorization and this program would be used for.

Mr. ERVIN. I thank the Senator from Louisiana.

Mr. LONG of Louisiana. In fact, in his statement, which already has been placed in the RECORD, the chairman of the committee said:

> I also lack enthusiasm because of the vagueness of the proposal. No program has been presented to the committee. No details worth speaking of have been offered. There is no country breakdown.

Yet that is the basis upon which we are asked to embark on this multibillion-dollar program.

Mr. President, for those reasons, my conscience requires me to vote against this measure, because although personally I should like to see a soundly developed program for the development of the Latin American countries put into effect, yet in this instance we have no assurance at all about what the program would be, and we have no way at all to estimate either the cost of the program or its potential effectiveness.

Mr. GRUENING. Mr. President, will the Senator from Louisiana yield to me?

Mr. LONG of Louisiana. I yield.

Mr. GRUENING. Did the Senator from Louisiana observe that the distinguished chairman of the committee said:

> Now at the 11th hour, as the last dying gasp of this administration, we have received a request for a special authorization for economic aid to Latin America.

However, this measure does not call for an appropriation; it requests only an authorization.

Would it be unreasonable for us to defer action until the new administration takes over in January, and then ask the State Department to come forward with something specific about how this initial $500 million and how the subsequent large sums of money will be spent? Would that be unreasonable?

It seems to me it would be logical for us to postpone this proposed action, and to wait until the new administration took over—and we hope the new administration will be much sounder in its foreign aid program than the present administration has been, for the present administration has had a succession of failures and has lost Cuba.

We remember that in 1952 the Republicans charged the Democrats with having lost China. But the Republican administration has lost Cuba and the Monroe Doctrine, and that is a far more serious loss.

Yet it seems that it is now proposed by the administration that we permit the use of more of the same medicine—in other words, that because Cuba has "gone down the drain," we must pour more millions and billions of dollars down the drain, but without knowing what the money will be used for.

I think such proposals fantastic. Certainly we should wait until the new administration comes into office and until we have some specifics in regard to what the proposed program will be and how the money will be used.

I am not opposed to aid to Latin America. I think it would be fine if we had a separate appropriation for the Chileans, who suffered a major disaster, whose homes were destroyed so that many of them are homeless. If this were an appropriation bill—which it is not—for $20 or $25 million for the Chileans, I would be happy to vote for it. But in the case of Chile, it is not that. It is an authorization. There are thousands of homeless people there. Yet the administration does not ask for an appropriation; it wants a general authorization. I do not see how anyone can conscientiously vote for the bill under the circumstances. I know I cannot.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MANSFIELD. I think what the Senator from Alaska and the Senator from Louisiana have said needs clarification, if at all possible. In the first place, we have never had Cuba to lose, any more than we had China to lose. We did not lose those countries. But what we have to be fearful of is the effect of the Cuban revolution on the rest of Latin America, because whereas in the days of the Spanish civil war there originated the "fifth column," what we have in Latin America, and even in our own country today, is what might be called the "Castro column." These columns are in there because they are working on the wants, needs, and deprivations of these people. It is because of these columns and those facts—and Senators should not fool themselves that the Communists are not taking full advantage of what is happening—that this program is before us.

The distinguished chairman of the Foreign Relations Committee brought to the attention of the Senate this afternoon some of his feelings on this matter. He does not feel wholeheartedly in favor of a program of this kind. He realizes there are many questions, some of which have been raised by the Senator from Louisiana, which must be raised. But, what we have coming up on September 5 is the meeting of the economic ministers of the American states in Bogotá. We are going there with our evidence of good intentions, not to put down the money, but, on a cooperative basis, collectively and together, to try to work out programs which we have tried to develop on a guideline basis in a resolution which is incorporated in the legislation before us, and which has been reinforced because of the action by the chairman of the Foreign Relations Committee, and unanimously agreed to by all of the members, when this matter was discussed, in which it was stated, after the authorization was considered:

> Subject to such further legislation provisions as may be enacted, in addition to other funds available for such purposes on such terms and conditions as he may specify, the Secretary of State shall keep the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House currently informed about plans and programs for the utilization of such funds.

I do not think anyone can find a stronger measure than the kind which was reported out of the committee unanimously Tuesday.

It is true that it is late, but certainly it is also true the need is great and, collectively, if the Americans do not get together, the cost we are going to pay is going to be a lot more in the long run.

I think, despite any misgivings we may have—and I am sure we all have some—we must face up to this problem, and give this earnest of our intentions to the American who will represent us in Bogotá on September 5, and then collectively and together, for the first time, perhaps, try to work out a program for the Americas that will benefit and give succor to the people who need it, and which need is being recognized for the first time.

Mr. LONG of Louisiana. Mr. President, the difference between my view and that of the Senator from Montana is that my feeling is an authorization bill of this sort should be the result of negotiations between this nation and the many nations who propose to help, and upon which we would come up with a tangible program, and that when we authorize something, we ought to be able to look at it, country by country, and see how much we expect to spend, and the nature of the projects we would finance with this $500 million. But to just go there, as the bill provides, with an authorization of $500 million, just to show them we want the program to be big and that, by all means, do not let it be inexpensive, and, by all means, show it is not going to be inexpensive, before we conduct negotiations, before we arrive at the programs we want—I do not propose to vote for any authorization of that kind.

Even in foreign aid, generous as we have been, except with some of our liberality in the contingency fund, we have not gone that far. We start now by saying, "Here is a $500 million authorization. We want you people to know we propose to be liberal. We are not going to be fourflushers. We are going to draw up a big program." The only reason I can see for it is to encourage these people into believing this is going to be a tremendous program. Then when requests come up for appropriations for the programs, after we start by saying we propose to increase the programs there by 1,000 percent, I suppose we will have to increase it much more in future years.

We have the word of the committee chairman on this. He expresses a heavy heart on this subject in bringing this bill before us. He says this $500 million is just a beginning; no one can say how much money will ultimately be necessary; no one can say how long the job will take.

He could have added, "No one really knows what the job will be."

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. TALMADGE. Does the Senator doubt that we will get the countries to accept this money?

Mr. LONG of Louisiana. I would be greatly surprised if we found a single one that would not be a taker.

As I read the Dillon declaration, it says, "If you want land reform, we are prepared to suggest to you that we will

bring American dollars to pay for all that land. You let the landlords fix their prices and we will let them pay."

When we did not expect roads under the highway program to cost $700,000 a mile, and never dreamed that it would cost that much through farmland we found that when there is 90 percent Federal participation and 10 percent State participation, it results in fiscal irresponsibility.

We are saying, "You governments down there have a way of operating so that the national income is not right. The rich people get all the money and the masses get very little. We are going to fix that."

Those now getting all the money and controlling the government down there are not going to propose to share what they are getting with those of whom they have thought so little that they are not sharing it now. Do Senators think we will get some of the wealthy politicians and landowners to take their share and permit it to trickle down to the poor people? If that is what is being proposed, imagine what the land reform program will cost.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. This is the suggestion that there should be a land reform program for every nation south of our borders, a thing which those nations can do for themselves.

I yield to the Senator from Georgia.

Mr. TALMADGE. Would the Senator object to having the State of Louisiana made entitled to come under the provisions of such an act?

Mr. LONG of Louisiana. I must say that this would be a fine thing in Louisiana. Then some of the money would go for the benefit of the people of our State. We would say, "You people set up a program. We will pay for it." They would say, "We would like to have some small farms. We will buy the land from the big farmers." That would be particularly true, if the big farmers controlled the State. Then they could say, "Parcel it out. Let the little fellows settle on the land." We can imagine the prices the farmers would charge.

Mr. TALMADGE. Does the Senator think that any Senator from any of the 50 States of the Union who advocated such a program for his State would have any success in getting the Senate to adopt it?

Mr. LONG of Louisiana. He would have no success whatever, particularly if he had nothing specific in mind, but merely said, "This is the type of thing I have in mind," without knowing what the cost of it will be or anything else.

Mr. TALMADGE. Does the Senator think it is the obligation of the taxpayers of America, and of their children and grandchildren for many generations in the future, to assume burdens and obligations for other countries which they would not assume for themselves?

Mr. LONG of Louisiana. No; I do not. To me it is fantastic that we should say to those people, "We want to aid the countries of South America. We are so eager to get an aid program going that we will give you a blank check. You people tell us what you want to do. If you want to build community facilities, if you want to redistribute the land at our expense, you can do it. You can do anything you wish which will improve the living standards and improve the welfare of the people of your country, at our cost."

There is one thing which we must keep in mind. This program is proposed as an answer to the successful revolution in Cuba by Mr. Castro. Despite that, this Government never used its influence to prevent Mr. Castro from winning that revolution.

I notice that the Senators from Florida are in the Chamber. Those Senators know as well as I do that meetings were being held, to which the public was invited, in many parts of Florida, for the purpose of helping to raise money to finance the revolution. This Nation cut off aid to Batista, and contributed to his downfall.

There is information in the files of the U.S. Government which placed this Government on warning that Castro was a Communist. It was known that Castro's brother was a Moscow-trained Communist. "Che" Guevara, the next man, was the man who organized the revolutionary Communist regime which took charge in Guatemala under Arbenz. We had every indication that this would be a Communist government, and we did not use our influence in any respect. Quite to the contrary, we permitted the American people blindly to give their money, ignorant of the facts that the State Department had information available to it to show that it was a Communist regime which was taking over.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Florida.

Mr. SMATHERS. Has it not been shown that the Ambassador who succeeded Mr. Gardner—Earl Smith, from the State of Florida—was told by the State Department to tell Mr. Batista that the time had come for him to get out, and that the United States no longer approved of him? There is much reason to believe it was upon the basis of that conversation that Batista finally decided to flee the country, and then of course the country was turned over to Castro. Not only did we not use our influence, as the Senator indicated, to stop Castro from taking over, but, on the contrary, we used our influence to help him get into office.

I think it is fair to say that few people knew at that time that Castro was a Communist. Many felt he was a Communist. The Senator from Florida and I believe that the Senator from Louisiana were two of those who warned the people not to take Castro at his face value. For those statements we were condemned very severely by the press and by the State Department, and many stories written about us were put out by the State Department.

Mr. LONG of Louisiana. The point I wish to make about this whole idea of spending all this money for economic aid, by which we are supposed to keep these countries from going Communist, is this: The American Sugar Act was a generous foreign-aid program for Cuba. It was one of our oldest foreign-aid programs. That was a $150 million a year subsidy. Of course, that aid went to a government which had the same shortcomings Mr. Dillon criticized. This was a government under which the few got the income and the many received very little. There was a need for reform. There was a need for an honest, sincere revolution devoted to the welfare of the people in a country of that sort, if the people could not achieve any change by democratic elections. It appeared to be impossible, in many such countries, for that to be done.

There was a $150 million a year economic-aid program for the country of Cuba, which had about 6 million people. That is a fantastic economic-aid program. If we tried to provide aid for Latin America on the same scale as we have been aiding Cuba, it would take the entire budget of the U.S. Government to do it. That is the kind of thing we had working for Cuba, yet the country still went Communist.

When we say, "We will provide for these same governments, for these same people, when the government shows no indication of bettering the welfare of the masses, a huge amount of money, literally pouring our money in," I have one question which I should like to ask. That question is, "How do we propose to give assurance that this aid of ours is going to trickle down to the people?" There is not the first indication that that will be done. Time and time again I have tried to pin down Mr. Dillon, and others, about why there was no effort to make this program work for the people of the country, for the benefit of those for whom it is intended rather than starting it with the trickle down program, which for some reason never trickled down.

Mr. MANSFIELD. Mr. President, will the Senator yield, in response to the question he has raised?

Mr. LONG of Louisiana. I yield.

Mr. MANSFIELD. I point out that in the last several months a $2 million loan has been made by our Government to the Government of Peru, for the purpose, through mutual savings banks, of building low-cost housing for the people of that country. Following that, a few weeks ago, a $53 million line of credit was extended to the Government of Peru for the purpose of transporting some of the people who are living on the edge of starvation, hunger, and poverty across the Andes into the fertile valley areas bordering on the Amazon. It appears to me that these are two innovations which are not being forced by us, but which are being done jointly with the government in question. I think the Premier of Peru, Pedro Beltran, and the Peruvian Government are to be commended for doing this in the interest of the people. I believe we are entitled to a little credit for extending a line of credit to Mr. Beltran, so that he can bring better housing to a certain segment of the population, and better means of transportation of the people to more productive areas, on a payment basis.

Those are two things which I think are envisaged in the Dillon declaration as laid down before the committee, as has been mentioned. Those are two tangible things.

Mr. LONG of Louisiana. At a minimum, there should be some standards in this program to assure that the people will get the benefit.

Mr. MANSFIELD. The Senator is absolutely correct.

Mr. LONG of Louisiana. We should not say, "Here is all the money. Go ahead and take it."

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I am ready to yield the floor, if the Senator would like to have me do so.

Mr. SMATHERS. Before the Senator yields the floor, I should like to ask another question.

As the Senator well knows, our Government exercised a great deal of influence to get the government of Batista out, and the government of Castro in. I am no defender of Batista. He was a dictator. But I am sure the Senator would agree it is now well established that the government of Fidel Castro is completely Communist dominated. Because of that fact, many exiles have had to leave Cuba. They have come to the shores of Florida and to other places. When those exiles seek to have meetings to find ways and means of returning to Cuba and of recapturing their homeland, the U.S. Government certainly should not hire an additional 180 border patrolmen and immigration authorities to break up the meetings of exiled Cubans who want to recapture their country and establish democracy in Cuba.

Would the Senator not agree that is a poor use of our funds and the influence of the U.S. Government?

Mr. LONG of Louisiana. The Senator is saying that we are spending our money to make Castro more secure, yet we were willing to move Batista out.

Mr. SMATHERS. Whether we admit it or not, we are using our own governmental agencies and are spending the taxpayers' money on this task. We are making it possible for Castro and for his government to stay in control of Cuba.

This is ridiculous. I have suggested that, but without success.

Mr. LONG of Louisiana. I thank the Senator.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. DWORSHAK. Mr. President, when the bill was ordered to a third reading I advised the majority leader that I desired to ask a few questions of the chairman of the committee so that we might have a clarification of the authorization.

Mr. President, I will make my comments brief leading up to a question.

In the report, reference is made to the need of using a concerted approach to social development comparable to the effort expended in the purely economic field; and then the report states:

> In this latter regard, the United States has not been backward in making capital and resources available to its friends in Latin America. Beyond direct private investment there of approximately $9 billion, the U.S. Government has extended economic assistance to Latin America totaling about $3.8 billion in the period between fiscal years 1946 and 1960. At the same time almost $2.5 billion of the latter sum represents long-term, Export-Import Bank loans repayable in dollars.

I wish to point out that recently we have had some Latin-American development under the so-called Development Loan Fund in the ICA. We had testimony by Under Secretary Dillon before our Appropriations Committee recently, indicating that there should be $150 million added to the House figure of $550 million. Of course, that is exactly what the Appropriations Committee did this morning, presumably because it was necessary to accelerate and expand our aid under the Development Loan Program to Latin American countries.

I recall earlier in this session that we voted for an authorization to enable the United States to participate in the Inter-American Development Bank. Under that program, the United States committed itself to make available $450 million, and it has already advanced a large share of that sum. We now have this third or fourth proposal to establish a new program, and I should like to direct the question to the chairman of the committee as to whether there is any justification for setting up this proposed new program.

Wherein does it differ from the Development Loan Fund and from the Inter-American Development Bank? Do we need another program in order to find ways and means of expanding Federal spending in Latin American countries? We have a high regard for the economic and political welfare of the countries in Latin America, but I wonder whether we can justify proceeding at this time with another program when we already have adequate facilities and machinery to make all the funds available that nations in South America may need. Can the chairman tell us why it is necessary to undertake another program at this time?

Mr. FULBRIGHT. In answer to the question I may say that administration officials stated that they do not anticipate setting up new machinery or agencies. The requested funds will be an addition to funds to be administered by existing agencies. I stated in my speech that the Inter-American Development Bank—which is to commence operations on October 1—is probably the agency which will be mainly utilized.

The requested funds are an additional amount of money for purposes that are similar, but not precisely the same, to those that are envisioned by the Development Loan Fund and portions of our mutual assistance program.

I will say in answer, not only to the question of the Senator from Idaho but to some of the other remarks that have been made, that it is obvious we are confronted with a problem generally political in character. What is the alternative to our doing something in this area? I am certain that the administration is very anxious to have these funds because they have been greatly disturbed by what has happened in Cuba. I ask the Senator if he is willing to take the responsibility of rejecting the proposed program. What he would say if, for example, Russia next week extended a loan to Brazil or to Argentina and began the usual process of the subversion of those countries. Would he then complain that we had not done anything to prevent such an occurrence, or would he be willing to accept that contingency?

Mr. DWORSHAK. The Senator from Idaho would refer to the programs sponsored by the Export-Import Bank and the additional $150 million which was added today to the appropriation bill for the Development Loan Fund in ICA, and I would refer to the newly organized Inter-American Development Bank, through which we are committed already to spend almost another $500 million. Have we utilized those resources in an honest, sincere effort to see whether that program will be adequate to the development needs of the Latin American countries? Why must we have to undertake another one before we have tried out the ones we have already set up?

I do not think we ought to be so pessimistic that we should look into the future and forecast dire failure for those preceding programs and say that we must have another one. Perhaps early in the next session we may come in and ask for a fourth or fifth program. On that basis I am sure the chairman of the Committee on Foreign Relations would agree with me we could not justify any measure of cooperation on the part of the Latin American countries, primarily because we will repeat the mistake which we have made in the foreign aid program during the past decade by refusing to insist upon full mutual participation by the countries which are beneficiaries of the billions of dollars of foreign aid which we have spent. That is my retort.

Mr. FULBRIGHT. It is not up to me to attempt to justify the efficiency of the administration of all these programs. Let us remember the complaint that has been made time and again about China, for example, that we did not do what we should have in that country. It may be that we are confronted with a possibility of a similar situation in Latin America; I dare say if we did not do anything, or did not do enough in Latin America, we would have a similar situation.

I think this is a part of the overall struggle against the Communist world as it attempts to gain a dominant influence in Latin America, as are these other programs as they are applied in Asia or Africa. That is what is ultimately involved in this program. It is part of the free world's effort to prevent the countries affected from collapsing and becoming subject to Comunist domination.

There is an economic interest in seeing that our neighboring countries are prosperous. We hope they become prosperous and thereby insure that they remain part of the trading and economic area of the free world. But I say that the dominant interest, at least as to the urgency of the program, is the threat of chaos in some of these countries. These

may become so weak as to be unable to maintain a stable government and their own independence, and may thus fall subject to Communist influence.

Mr. DWORSHAK. I wish to thank the chairman for that explanation. I agree with him in part that we are concerned about the stability of governments in Latin America and their economic solidarity. At the same time I question whether we can pursue policies which prove to be failures in other areas, and set up a program that calls for a very small measure of cooperation.

Mr. FULBRIGHT. I share the feeling of regret of the Senator from Idaho about the efficiency of this administration. I agree with that. But it is the only administration we have, and as of the moment, at least, we must cooperate with it.

I am unwilling to say, because we have done this or that in other areas, that we should no longer help a country. Certain of those countries are confronted with an emergency situation because of what we know has already happened. It has been very well described here. Representatives of those nations are going to a conference. I think it is too bad that they do not have sufficient strength that they can negotiate without the requested authorization.

In the committee we tried to interest representatives of the administration to accept a resolution that stated we would welcome their development of a cooperative program; we would give it sympathetic consideration when it was returned to us. However, the administration said, "No, we have got to have the authorization." Administration officials insisted on it.

I myself introduced an alternative resolution somewhat similar to that of the Senator from Montana, with a little stronger language perhaps.

The administration representative said, "No, that is not enough." They did not say the following, but my interpretation of what they did say is: "They won't believe us if we go down there. We have given promises so often that if we go down there with nothing but words or promises, they will not believe us and will not do anything. Therefore, we must have the authorization."

Mr. DWORSHAK. Have the countries in question not had more than promises in the past?

Mr. FULBRIGHT. They have had many promises that have not been fulfilled. I do not wish to minimize the money that they have received. I stated in my speech what they have obtained. They have had economic assistance under the mutual security program since 1946 in the amount of $536,800,000.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. It is a very large amount.

Mr. SMATHERS. It is 1½ percent of the total mutual aid program.

Mr. FULBRIGHT. That is only mutual aid. I would be willing to put the table I have prepared in the RECORD, if the Senator would like me to do so. It shows what has been done under the Development Loan Fund, under Public Law 480, and so on. The grand total is shown in the table. I may say to the Senator that during that period the total amount in loans including long-term loans—some of which are in the process of being repaid to the Export-Import Bank, and most of which are current loans—is $2,455,600,000. The grand total of the economic aid program, including these loans, is $3,791 million.

Mr. DWORSHAK. I should like to direct another question to the chairman, for clarification.

Mr. FULBRIGHT. I have only one other thought. What would be the impact on our defense program if those countries were Communist, if they fell under communism? It would cost us a great deal more if that were to happen. Would the Senator be any more nervous about that situation?

Mr. DWORSHAK. I certainly would be nervous. The United States has rendered exceptional financial aid to Cuba. Notwithstanding that aid and our friendly spirit and cooperation, we did not save Cuba. I wonder sometimes if it is fair to draw the inference that unless we go into other Latin American countries, on a basis that might be construed as involving bribery, in order to get them to stand by our side against Communist aggression, they will go Communist. I have more confidence in the Latin American Republics than to think that they must constantly have access to our American dollars or they will desert our leadership of the free nations of the world.

Mr. FULBRIGHT. I do not believe that dollars alone can solve the problem. It involves wisdom and planning and foresight. Those are far more important than dollars. We must do the best we can.

Mr. DWORSHAK. The other question I would like to ask the chairman is this: Are any safeguards placed upon the use of the $100 million which is to be authorized for the President's Emergency Fund? Before the Senator answers that question I should like to point out that there is some apprehension on the part of some members of the Committee on Appropriations in that respect. We held hearings and we heard Under Secretary Dillon testify that this money was needed specifically to go into Africa, to bail out some of the countries in the Congo. That may be fine. However, I share the apprehension expressed by the junior Senator from Louisiana [Mr. LONG]. Do we go into this program with our eyes open?

Some members of our committee inquired of Secretary Dillon as to whether we shall continue to make blunders in the handling of our foreign aid programs, on a unilateral or bilateral basis, or whether we will profit by those blunders and experiences and, before we go pell-mell into the African areas with this program, whether we will insist on knowing whether we shall have some cooperation and aid from the other free nations of the world, and whether there will be an effort made to channel some of the aid through the United Nations, so that when the programs are initiated in Africa they will have the prestige and the strength of all the free nations who are participating or making funds available, instead of placing the United States in the precarious position of undertaking the aid program under so-called emergency conditions, under which mistakes might be made, with hostility and unfriendliness developing, and finally censure being heaped upon our Government and upon the American people, as has happened in the past.

Secretary Dillon made this comment before our committee, in trying to give us some assurance on this point:

> Certainly in the Congo we wish to operate through the U.N. That is what we told Mr. Lumumba when he was here, and that is what we told the United Nations.

I should like to have some specific assurances, if the chairman can give me any, that we will try to make cooperative arrangements and develop a mutual program of aid for the countries in Africa, instead of initiating a program which will involve a commitment for the United States to carry the full financial burden in trying to develop areas of Africa which may require many billions of dollars and may require 10 or 20 years time.

Has the committee any assurance so far as the $100 million are concerned that we can rely on the cooperation of the other free nations?

Mr. FULBRIGHT. Is the Senator referring to the contingency fund?

Mr. DWORSHAK. The $100 million fund.

Mr. FULBRIGHT. So far as the United Nations participation is concerned, the Appropriation Committee placed a limitation in its action this morning that not more than 40 percent of the program administered by the United Nations will be paid for by the United States. In other words, it was provided that we would pay not more than 40 percent. I must emphasize that this fund is a contingency fund. It may be spent at the discretion of the President. He can use it. He does not have to use the United Nations, but may use it through the United Nations.

I am told it is the intention to use it so far as possible through the United Nations. That is the policy. There is no requirement under the authorization to do so. He may use it under the very broad authority that exists in the mutual security program, with which I know the Senator is familiar.

Mr. DWORSHAK. I can assure the Senator that my remarks are wholly impersonal, because the present occupant of the White House will not be there after January. Another person will serve as President. Then we will face this entire situation again. Therefore, I ask the chairman if he is in accord with the comments made by Under Secretary Dillon that we ought to explore all possibilities to insure the assistance of other countries, instead of undertaking this loan.

Mr. FULBRIGHT. Absolutely. I must say in support of Mr. Dillon that he has made great efforts in recent months and in the past year or two to enlist the efforts of other countries. He did a fine job in Europe last spring in trying to develop among European nations a new

approach to the program, and in enlisting their assistance. I point out that in the Inter-American Bank the other countries give more than 50 percent, and our part is less than 50 percent.

Mr. DWORSHAK. There is no legislative safeguard provided which will require assistance from the other countries through the operation of the U.N. in the handling of this program?

Mr. FULBRIGHT. There is no requirement that I know of. In the normal appropriations for the U.N. we have certain limits that we abide by. However, this program will be what we call a special undertaking, of an emergency nature. We have already provided the major part of the transportation of the U.N. troops to the Congo.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. DWORSHAK. I yield.

Mr. CASE of South Dakota. I wish to address my question to the Senator from Idaho. Before I do so, I wish to say this.

I admire his concern to see that we get some results for the money we spend on these programs. It has been my observation that the best policeman we can have in connection with the expenditure of money in foreign aid is a requirement that a country which is to be the beneficiary of a project or a program itself bear a part of the cost of the particular project—a sponsor's contribution, so to speak.

The Senator from Idaho will recall that in the days of the WPA and the PWA there was a requirement for a sponsor's contribution. That was the best guarantee we could get that a project would have value to it.

I was a member of the House Committee on Appropriations, as was the Senator from Idaho, at the time the Marshall plan was inaugurated. At that time I sponsored a proposal that a certain amount should be put up by a recipient country under the original Marshall plan program. Later we were told by those who administered what became the ECA program that that was a good policeman. I hope something like that may be incorporated in all new programs.

This is the question I wanted to ask the Senator from Idaho: Does he not believe, with respect to the Latin American countries, that the United States, by reason of its historical position with respect to the Monroe Doctrine, has a special obligation? That is, if we tell countries in the Eastern Hemisphere that they must stay out of the Western Hemisphere, that statement carries with it some obligation for us to be concerned about the economic and social problems of Latin America.

Mr. DWORSHAK. I agree fully with the Senator from South Dakota. I point to my vote in favor of establishing an inter-American Development Bank. I thought this country was obligated to cooperate in establishing stability and solidarity in those areas to enable them to withstand the economic pressures which might come from the Soviet Union and its satellite countries.

My point is, Why should we have to undertake another program until we have implemented the first one?

Mr. CASE of South Dakota. I presume the loan program does not meet the whole need, and the administration wants a program in which it can make some grants. I myself hope they will be grants which will carry with them the requirement of local participation by the recipient countries, in order that we may have the guarantee that those countries themselves regard the program as worthwhile.

Mr. DWORSHAK. I agree with the Senator from South Dakota, because only in that way can we insure the success of any program we undertake for the economic welfare of the South American countries.

Mr. GRUENING. Mr. President, will the Senator from Idaho yield?

Mr. DWORSHAK. I yield to the Senator from Alaska.

Mr. GRUENING. I should like to ask the distinguished chairman of the Committee on Foreign Relations a question, relating to his answer to the Senator from Idaho, about how we would feel if we did not vote this aid, and shortly afterward the Soviet Government made a loan to some Latin American country, and then moved in. Did the Russian Government make any loan to Castro or move in there visibly and financially before the Castro government went Communist?

Actually, the United States had been subsidizing Cuba to the tune of $150 million annually through our sugar program. Nevertheless, the Castro government went Communist without any apparent or visible financial advance on the part of the Russians. What evidence is there that if we spend our money in Latin American countries, it will be a guarantee of the exclusion of Communist infiltration? There was nothing in Cuba to prove that that would not happen.

Mr. FULBRIGHT. There is no guarantee at all. We do not profess that there is a guarantee. This is an effort to try to prevent such a thing from happening. There were Russian agents in Cuba. A brother of Mr. Castro is generally believed to be a trained Communist. Mr. Guevara, who is the head of Cuba's financial institution and the principal economic director of the island, is considered to be a thoroughgoing Communist.

I said a moment ago that I do not think we can accomplish this purpose by money alone. I think other things are required. The Russians have been very active in supporting, assisting, and sending out trained agents. They were in Guatemala; they are in Cuba. They are in all those countries. They have their cells, or their agents, if that word is preferred, in practically every country. Russia has moved in to supply those countries with oil. They have made a big deal to trade with sugar. The Senator knows about that.

Mr. GRUENING. Yes; surely.

Mr. FULBRIGHT. Usually the operation is preceded by agents, followed by money. It is easier to write a check than it is to send out people.

Mr. GRUENING. Would we not earn great respect from the Latin American nations and the good opinion of mankind if, for our own self-respect, we announced at the coming meeting that we intended to develop a program, and took the time to spell out the program, and put it down, more or less, in black and white after consultation with those countries as to what they needed; after consultation with the appropriate committees of Congress; and after consultation with the appropriate loan agencies, instead of rushing in with a blank check for $500 million? The proposal which is before us is fantastic.

Mr. FULBRIGHT. Our committee last year advocated a 5-year plan, and it was voted by the committee. Due to circumstances, which all of us know about, it failed to pass. Congress bears a part of the responsibility, due to the fact that the program has been conducted on an annual basis. The administration also bears a part of the responsibility. The administration was split on the question. In my judgment, the Department of State favored such a long-term program and promoted it. Other parts of the Government did not favor it. The Appropriations Committees, particularly the House Appropriations Committee, have been against it. They disapprove of long-term programs.

There is a great body of opinion in both Houses which had hoped that we might get rid of this program next year. Some of us have been willing to put it on a longer term basis. However, others have been unwilling even to support many suggestions as to how to improve the program, in the belief that it could be abandoned. I do not believe the country or Congress has ever accepted the idea that this is a long-term program. This is a long-term program. It will be with us for a long time; therefore, we should make provision for it. I agree with the Senator from Alaska that that is the way the program should be arranged. But as it has been handled, it has been on an annual basis.

We are also confronted with what the administration believes is an emergency situation; and I share in that belief. This is no time to go over all the mistakes of the past made by any administration. I think we are confronted with a demand by the administration which is justified by events which are now taking place, regardless of any faults or mistakes which may have been made in the past.

Mr. GRUENING. I thank the Senator from Arkansas.

Mr. DWORSHAK. Mr. President, I yield the floor.

Mr. YARBOROUGH. Mr. President——

Mr. DIRKSEN. Mr. President, it seems to me that this subject has been discussed at great length. I wonder if we cannot conclude upon a time arrangement for voting.

How long does the Senator from Texas expect to speak?

Mr. YARBOROUGH. Not more than 5 minutes. I call attention to the fact that my name has been before the Presiding Officer for more than an hour. One Senator after another asked questions. One Senator would rise, and another would sit down. There was really

a roundtable discussion. So I shall take not more than 5 minutes.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that after 10 minutes—the 10 minutes to be equally divided between the minority and the majority—the Senate proceed to vote, because the yeas and nays have been ordered on both bills.

Mr. PROXMIRE. Mr. President, reserving the right to object, I also have been waiting for more than an hour. I think I can conclude everything I wish to say in about 6 minutes. But I would want 6 minutes before I would agree to the proposal of the Senator from Illinois.

Mr. SMATHERS. Mr. President, reserving the right to object, I have been waiting exactly 56 minutes. I think I shall not speak as long as the Senator from Wisconsin expects to speak. I shall conclude my remarks in 4½ minutes.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the debate be concluded in 15 minutes, 10 minutes to be allotted to the majority side, and 5 minutes to the minority side.

Mr. SMATHERS. After we have spoken?

Mr. DIRKSEN. I am simply trying to arrange a time pattern, so that the Senator from Florida may speak for 4½ minutes.

Mr. FULBRIGHT. Fifteen and one-half minutes have already been requested.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that at the end of 20 minutes of discussion, the debate on the measures be concluded, and that the Senate then vote; the time for the debate to be apportioned among Senators who have sought recognition, namely, the distinguished Senator from Florida [Mr. SMATHERS], the distinguished Senator from Wisconsin [Mr. PROXMIRE], the distinguished Senator from Texas [Mr. YARBOROUGH]—and what about the distinguished Senator from Alaska?

Mr. GRUENING. Mr. President, reserving the right to object, I think it is fantastic that we should now pile Ossa upon Pelion and proceed to vote a blank check with no specifications whatsoever on the ground that it will be useful down at Bogotá and will enable our Nation to say, "We come bearing gifts."

I think the word of the United States that we have this program in mind should be sufficient; that when the new administration takes office, when there we can hope for a far more intelligent and better managed foreign aid program, we could sit down and arrange a series of programs for Latin America which can be presented to Congress and then voted upon intelligently.

Congress has abdicated its constitutional powers for a number of years with respect to the foreign aid program. It has voted blank checks to the administration for foreign aid. Now it is proposing to move headlong in the same direction, only more rapidly.

We are going down hill with a vertiginous rapidity.

I recall very clearly that in his very eloquent speech to the Senate last night, the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], said that the people of America understand what was meant when on sacred parchments it was written: "Remove not the ancient landmarks which your fathers have set."

But that is what would be done by means of the measures now before us.

Mr. DIRKSEN. Mr. President, will the Senator from Alaska yield?

The PRESIDING OFFICER (Mr. BARTLETT in the chair). Does the Senator from Alaska yield to the Senator from Illinois?

Mr. GRUENING. I yield.

Mr. DIRKSEN. Let me confess frankly that never before have I encountered the word "vertiginous." Will the Senator from Alaska be so kind as to inform me the meaning of the word? [Laughter.]

Mr. GRUENING. It means headlong, precipitous and catastrophic.

Mr. DIRKSEN. Never before have I heard the word used.

But, Mr. President, it seems to me that in view of the lengthy debate which already has occurred on these measures, it would be entirely proper for the distinguished Senator from Alaska to defer his additional remarks until tomorrow, and permit the Senate to vote now on these two measures. In that event, he could reserve for himself the right to speak further on these matters tomorrow, but we would be able to take the vote on these measures at this time.

But such an arrangement would not curtail the right or the opportunity of the distinguished Senator from Alaska to manifest his position on these matters so that not only the people in the frozen State of Alaska, but people throughout the whole wide world would understand how he feels about these matters.

Mr. GRUENING. But more than the matter of foreign aid is involved. In addition, there is the unmistakable fact that this administration has followed a double standard—it has refused the necessary domestic appropriations at the same time that it has requested blank check appropriations for use in foreign countries. If the Congress would adopt, in regard to domestic matters, a policy of making appropriations, and insisting on them, in line with the appropriations for foreign aid, that would be different. But so very, very often when Congress attempts to make even a small appropriation for an essential domestic purpose, the administration is opposed, and vetoes are forthcoming; yet the administration insists that blank check funds be provided for foreign aid, for all sorts of programs of the utmost generosity, insofar as the people in other lands are concerned.

If a more reasonable balance were demonstrated and maintained as between domestic programs and foreign programs, I would have less objection. But we find that regularly the administration opposes domestic programs to reduce or end the pollution of streams, to provide aid to education, to provide essential or public housing, to provide vital public works, the orderly development of our forests, needed highways, the rehabilitation of our fishing resources and so forth; and representatives of the administration tell us that such programs and the appropriations for them are unnecessary. Yet the administration tells us, at the same time, that insofar as foreign aid is concerned, the sky is the limit. For instance, in this case, we are not given any specifics in regard to how the money requested would be used.

Mr. DIRKSEN. Mr. President, I suggest to my distinguished friend, the Senator from Alaska, that when the roll is called, he indulge in a loud "No," that would be heard all the way to Juneau, Anchorage, and Fairbanks.

Mr. GRUENING. But I do not think this program calls for only a monosyllabic dissent. I think it calls for much more than that.

Mr. DIRKSEN. Mr. President, has not my friend, the Senator from Alaska, finished his statement? Cannot we proceed to vote in a few minutes?

Mr. GRUENING. Mr. President, I am prepared to speak for 12 hours on this subject.

Mr. DIRKSEN. Tonight?

Mr. GRUENING. No; but we can resume tomorrow. Perhaps I will be more reasonable, then——

Mr. DIRKSEN. Why not permit the votes to be taken at this time, and then have the Senator from Alaska continue his speech thereafter?

Mr. GRUENING. No; I feel it necessary to expose the iniquity of this administration. We have tried to do so in the past; but I feel it essential that we do so even more clearly now.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I have the floor, and I yield.

Mr. YARBOROUGH. No, Mr. President; I have the floor. I yield. [Laughter.]

Mr. MANSFIELD. Mr. President, next week the mutual security appropriation bill will be before us. In view of the fact that we have had the third reading on these two important bills, and have ordered the yeas and nays on the question of their passage, and in view of the fact that the plan is to bring up the "medicare" bill tonight and make it the pending business, and continue with its consideration on tomorrow, I wonder whether the Senator from Alaska will permit us to proceed now on that basis. After all, Senators' minds are doubtless made up by now, and we should recognize that fact.

Mr. EASTLAND. Would the Senator from Alaska agree to have the votes taken at 2 o'clock on Monday?

Mr. GRUENING. That would be much better. Certainly this is a very serious matter. At the present time we are going down a path along which we can never return, unless a halt is made definitely and promptly. I think it is an extremely serious matter when the Senate is called upon to vote for a half-billion-dollar authorization which the chairman of the committee says will be only the beginning for this program.

The PRESIDING OFFICER. The Senator from Texas [Mr. YARBOROUGH] has the floor and yielded for a brief interruption.

Mr. DIRKSEN. Mr. President, I yield the floor.

Mr. YARBOROUGH. Mr. President, I yielded only in an attempt to permit a unanimous-consent request to be submitted, in an effort to have the debate ended within a reasonable time. But I did not yield the floor.

Mr. DIRKSEN. I thank the Senator for his courtesy.

Mr. MANSFIELD. Mr. President, if the Senator will yield to me, I wish to appeal to the Senator from Alaska who, I want to say, is consistent in his position insofar as foreign aid is concerned.

But I call the attention of the Senate to the fact that in his younger days the Senator from Alaska wrote a very excellent book on Mexico, and I would recommend to all Senators that they read the book, even these many decades after it was written, because what the Senator from Alaska wrote in that book still holds good. At that time the Senator from Alaska indicated a very great personal interest in Latin America.

Mr. President, the pending measures have to do with a cooperative program covering Latin America, one-sixth of the authorization of the Latin American bill is to be used for the redevelopment and rehabilitation of Chile which, as all Senators know, has been damaged very severely and gravely by earthquakes. In fact, the latest one occurred only today, when Santiago underwent another tremor of some severity.

So I urge the Senator from Alaska to save his ammunition until next week, when we shall consider the appropriations for the mutual security program.

But certainly prompt action by us on the pending measures is most important, in view of the fact that at the present time there is under way in Costa Rica the Conference of Foreign Ministers, and in view of the fact that in another 2 weeks there will be the Conference of Foreign Ministers at Bogotá, Columbia.

Prompt action by the Congress on the two measures now before us would give a psychological imperative which many of us think extremely important at this time.

Mr. GRUENING. Mr. President, I should like to say to my good friend that my interest in Mexico and in Latin America is undiminished.

But I feel very deeply that the way now proposed is not the way to help either those countries or ourselves.

In town at this time is a very distinguished representative of the Government of Mexico. I shall not name him; but I shall state that only the other day I had lunch with him, and at that time he told me that these loans are doing damage not only to the countries which receive them, but also to the United States of America.

Mr. President, if the specifics of these proposed programs were spelled out in a tangible way, so we could know what we were voting for, I might feel differently about these matters.

But at this time it is proposed that we authorize $500 million as a blank check, without any knowledge in regard to what the money will be used for.

Certainly I would be willing to vote for aid to the people of Chile, where great suffering has occurred because of the earthquakes, and where tens of thousands of the people are homeless. I would be glad to have us vote to aid Chile, for the people there have suffered a great disaster, and I am sure that all of us will be glad to help them or to help other suffering people in other countries.

Mr. MANSFIELD. Mr. President, will the Senator from Alaska yield again?

Mr. GRUENING. I yield.

Mr. MANSFIELD. I would suggest that the committee has set out guidelines in considering what the procedure should be under this cooperative program.

Furthermore, this time, instead of appropriating the money to the President, the committee proposes appropriating it to the Secretary of State, whom we can hold more accountable; and the committee states, in addition, that it should be subject to such further legislative provisions as may be indicated, and also states that the Secretary of State shall keep the Foreign Relations Committee of the Senate and the Foreign Affairs Committee of the House of Representatives informed regarding the utilization of such funds.

Furthermore, the appropriations must be acted on by the Appropriations Committees of both Houses of Congress.

I wish to assure the distinguished Senator from Alaska that this matter will be looked at very closely, and that before approval will be given by the Foreign Relations Committee, any such proposals will be gone over with a fine-toothed comb; and I feel quite certain that in this area, at least, what will be done will meet with a greater degree of satisfaction on the part of all Senators than is the case now under the mutual security program.

So I appeal to the Senator from Alaska to permit us to proceed now to act on these measures.

Mr. GRUENING. Mr. President, I wish to say that if I can have the assurance of the assistant majority leader that in the future he will cooperate in securing some similarity between the domestic programs and the foreign aid programs, I would be more willing to proceed in the way now proposed. But I think it shocking that when it is desired to build only a cabin for a necessary program in one of our national forests, the position of the administration is that the proposal for it must go through all the long, complicated, strict budgetary procedures; whereas in this instance the administration asks of Congress a $500 million blank check for this foreign aid program.

Mr. MANSFIELD. I assure the Senator from Alaska that that will have my serious consideration.

But the Senator knows as well as I do that I stood fast with him when the administration proposed to give money for the construction of college classrooms and dormitories in Burma and for the construction of a road between one city in Burma and another city in Burma, whereas at the same time the administration took the position that we could not provide funds for classrooms and teachers or the construction of roads in the United States. I protested most seriously, and stood shoulder to shoulder with the distinguished Senator from Alaska on that point.

So I appeal to the Senator from Alaska to allow us to arrive at a time certain on which to vote.

Mr. GRUENING. Very reluctantly, I yield.

Mr. DIRKSEN. Mr. President, I renew my request that at the end of 20 minutes, to be divided between the Senator from Florida [Mr. SMATHERS], the Senator from Wisconsin [Mr. PROXMIRE], the Senator from Texas [Mr. YARBOROUGH], and the Senator from New York [Mr. JAVITS], the Senate proceed to vote.

Mr. PROXMIRE. Mr. President, is it understood that the Senator from Texas shall have 5 minutes, the Senator from Wisconsin 6 minutes, the Senator from Florida 4½ minutes, and the Senator from New York 4½ minutes?

Mr. DIRKSEN. Yes. The Senator from New York wanted only 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas.

Mr. YARBOROUGH. Mr. President, in supporting the passage of S. 3861, I congratulate the Committee on Foreign Relations and its distinguished chairman for their action on this measure, and commend them for the statements heard here and the colloquy that has taken place.

I appreciate the mixed emotions with which the chairman of the committee, who has stated his views on it, and the whole committee, must view this unusual last-minute request by the administration to set up a program which many Senators have long advocated.

If this were a political session of Congress, as some of our colleagues across the aisle have charged, I think those Senators would be well justified in postponing consideration of this request until a later date.

However, they have taken this action because here is something that ought to be done, and done now. It is, in fact, overdue. I think Senators on both sides of the aisle can take pride in the fact that they have laid aside political considerations and have moved in this field of responsibility. Senators who have conducted the educational campaign for the program are entitled to credit, as are also the administration, which has perceived its merits, and the committee that has voted for it unanimously.

The mere fact that I lived for 3½ years in a border city at the Mexico-Texas line, and the fact that I go to Mexico every year and know many people who live there, does not give me the right to believe that I am an expert on Latin-American affairs, or even on Mexican affairs. I know I am not an expert merely by reason of these numerous visits, I know the study of Latin-American affairs is a lifetime study, and even then will not make one an expert.

Recent developments in Latin America have reinforced our desire to make concrete our longstanding goal of a true good neighbor policy toward our sister republics.

I agree with the Senator from South Dakota that, due to our longstanding American policy, beginning with the Monroe Doctrine and extending up to date, we owe special consideration to Latin America. We have a special obligation there. We owe a higher obligation, I think, to the Latin American Republics than we do to any other nations of the world, except perhaps the Philippines, to whom we have granted their freedom.

Just as our revolution and philosophy of freedom inspired the Latin American countries in their fights for independence, so our industrial success and prosperity have created in them the desire for comparable economic independence and freedom. By such a program as is here proposed we can again be on the side of the Latin American Republics, this time in a struggle against poverty and economic dependence, just as we were on their side against their political dependence.

We certainly cannot afford to be cast in the role of the economic oppressor, nor have we any such desire. We can now light the torch of economic freedom for them as we once lighted the torch of political freedom.

One of the greatest apparent defects of this proposal may well also be one of its greatest advantages. I refer to its lack of detail in how the proposed authorization is to be used or administered. As I understand the proposal, these details are to be developed cooperatively by the American Republics, allowing them the maximum possible responsibility in planning for their social development. This seems to be following in the great tradition of the Marshall plan in providing "help for self-help" to these countries.

The needs of Latin America, with its existing need to develop its underdeveloped resources, and its fantastic population growth, which experts have estimated will double ours in 30 years, are nearly as great as those confronting Europe when the Marshall plan was initiated. We all know of the devastation of Chile. The $100 million for aid in the rehabilitation of the economy of those lovers of liberty is a reasonable request. The $500 million to be used in developing the economics for freedom of our good neighbors of the Americas from the Rio Grande to Patagonia will cheer the hearts of all the Americas. It is not charity; it is not exploitation; it is a good neighbor self-help and neighbor-help idea, like the old-fashioned house-raising in our own pioneer days.

With the adoption of this proposal, we may hope for as great a success in meeting the local needs in Latin America as the Marshall plan achieved.

In conclusion, I make a request of the administration. The administration is asking much of Congress in the way of faith. I hope it will respond by inviting the distinguished chairman of the Senate Foreign Relations Committee, as a representative of this body, to go to the meeting at Bogotá on September 5. We all know, from the way the chairman has sponsored this proposal, and the student aid program, that he has the capacity to put aside political or partisan considerations and work for the good of the country in the best spirit of our Western civilization and in the best spirit of parliamentary government.

I think it would reassure the Senate and the House if they knew that the distinguished chairman of the Senate Foreign Relations Committee was to be invited to go to Bogotá, because they know of his good judgment. He has stated, in his able statement, the fact that we are going to have to take it on faith, and I think we will have more faith if he is invited to that meeting.

Mr. FULBRIGHT. I thank the Senator for his kind remarks.

The PRESIDING OFFICER. The time of the Senator from Texas has expired.

The Senator from Wisconsin [Mr. PROXMIRE].

Mr. PROXMIRE. Mr. President, it is with very great regret that I shall vote against this bill. I do so recognizing that Senators on the Foreign Relations Committee who are responsible for it are a fine, able group of men. I trust them. I have faith in them. However, under the circumstances, I cannot bring myself to vote for the bill they report.

I recognize, of course, that it is rarely good politics to favor a foreign aid bill. I realize the kind of sacrifice that men have to make in campaigning for this kind of bill and with what great reluctance they ask for this kind of blank-check authorization.

I think the speech which the Senator from Arkansas put into the RECORD was an excellent speech. I think it explains his position very ably and very well. It is with great reluctance that I take a position in opposition to that of the Senator from Arkansas and to the unanimous recommendation of the Foreign Relations Committee.

I think the basic idea in the bill is a good idea. I agree with the junior Senator from Texas [Mr. YARBOROUGH] that it is good to bring all the nations of South America into this program to work on the problems of South America together. But the fact is that this bill is legislative abdication.

The bill would authorize the spending of money pursuant to no specific, clear, evident guideline at all. This is a completely new precedent. I have just consulted with a distinguished member of the staff of the Committee on Foreign Relations, and he tells me there is no precedent in his memory for this kind of authorization. There is no precedent for the Senate of the United States to permit money to be authorized to be spent without our first knowing where and when and how and why.

I am a new Member of this body. Members who have been in this body longer than I have recognized the great value of having what the Senate rules require: an authorization process and an appropriations process.

The fact is that we make a radical departure in this bill. We provide that the authorization process shall not fulfill its function. We provide that the legislative policy which must be set forth in an authorization proposal will be skipped.

I think this is an extremely serious departure. I recognize the administration very much desires to have this proposal passed. I recognize that fine members of the Committee on Foreign Relations feel its passage is necessary. However, I think we should not depart from the policy of many years of following the authorization and appropriation policy. I feel it would be a very grievous and unfortunate mistake.

Mr. President, this is more than merely a technical objection or an objection on the basis of procedural form. This is an objection which goes to the very heart of what we are asked to do. As has been said over and over again, almost ad nauseam, we would not make this kind of an authorization for any kind of domestic appropriation. No bank, no corporation, no State, no city, no individual would provide funds for any purpose without having some kind of specific designation as to how the money would be used.

I think we must insist, as U.S. Senators, on being told, before we vote for this kind of bill, in some way, in some degree, with some kind of guidelines, how the money is to be spent. The real question here tonight is whether U.S. Senators are competent enough to act on merits of specific legislation.

I have voted for and against foreign aid legislation in the past. Almost every time I have voted against such legislation it has been primarily because I felt there was not enough information available to know what we were asked to vote for. I refuse to vote for any legislation unless I can reach an informed understanding of what I am voting for. I cannot vote to spend the taxpayer's money on any kind of a program unless it is intelligibly justified.

I cannot bring myself, as a representative of the people of Wisconsin, to vote for a proposal which is so vague. To use the words of the chairman of the committee, the author of the bill:

> No program has been presented to the committee. No details worth speaking of have been offered. There is no country breakdown. There is not even the usual illustrative program. The Department of State speaks of this as "an initial contribution."

Mr. President, under these circumstances I think it would be a dereliction of duty on my part if I voted for the bill.

In the few remaining moments I have, Mr. President, I should like to refer to what appears to be the justification for the bill, on page 2 of the fine statement made by the Senator from Arkansas, when he said:

> The purpose of the bill is to enable the U.S. representatives at that conference to say to the others present that the United States agrees that there is an urgent need for immediate improvement in the living standards in Latin American countries.

I recognize that my time is up, but I say that even the fine answer given by the Senator from Arkansas does not satisfy me at all. I cannot understand why the word of this Government is so bad that our Secretary of State cannot go to South America and convince the countries of South America that we are sincere and honest and will fight for any constructive program that can be rationally justified on its merits.

The PRESIDING OFFICER. The time of the Senator from Wisconsin has expired.

The Senator from Florida [Mr. SMATHERS] is recognized.

Mr. SMATHERS. Mr. President, first I wish to congratulate the Committee on Foreign Relations. I particularly congratuate the distinguished and able chairman of the committee for the explanation he has made of this legislation. I share with the Senator, as I do with every Member of the Senate who has thus far spoken, regret and some resentment that the administration has made this presentation, with so few specifics involved.

However, Mr. President, I think it would be a mistake, because we do not like the manner in which this is presented, to vote against it. It would be unrealistic, I think, not to recognize that an emergency condition exists in Latin America. One need look only 90 miles beyond the border of my own State to see a country in flames. The whole area is under great stress and is experiencing great change.

We have not done what we should have done in that area in the past. Despite what some Senators said only a few moments ago about billions of dollars being poured into that area, the facts do not substantiate such statements. Since 1946, although many billions of dollars have been going to other areas of the world, Latin America has received only 1½ percent of the total in grant aid and less than 3 percent of the combined loan and grant total. To be sure, there have been expenditures by the Export-Import Bank, but the Export-Import Bank, as Senators who serve on the appropriate committees know, makes money from its operations. It makes commercial loans. This program would be effective in fields where commercial loans cannot be obtained.

In the past we have voted for some of the programs which are here recommended. We voted this year for the housing program, but the Development Loan Fund has not done much to implement it.

In 1956 the Senate voted for an amendment, which I offered, to help in regard to housing, sanitation, roads, and the resettlement of Indians from the highlands to the lowlands. We favored that by some 85 votes as compared to less than 5 votes against it. When Senators say that this proposal is completely new, that is not exactly correct. We have gone over much of this subject previously.

The reason we must vote for the program now is that otherwise the impression would go out once again that the United States has turned its back on Latin America. I happen to believe that the Latin Americans do not wish charity. There is no evidence whatever that the Latin Americans would like to have somebody give them something. Despite the fears of some Senators that the money to be provided will not get to the people, the Latin Americans have not asked for any giveaway. The only thing they have asked is that we make the program available to them so that they can participate in it, putting up their share of the money—money which will be dedicated to the programs—so that they can develop their countries. By developing their countries they can resist the dogma and the teachings of communism which, as we all know, flourish in the areas where there is poverty and ignorance and chaos.

Mr. President, I do not know that we can do anything else. We must support this bill, even though we have grave reservations and dislike the manner in which it has been presented to us.

The PRESIDING OFFICER. The time of the Senator from Florida has expired. The Senator from New York is recognized.

Mr. JAVITS. Mr. President, I shall support this bill. My support for it is based upon the rather extensive experience which I have had in respect to the original Marshall plan in Europe, when I was a member of the Committee on Foreign Affairs of the House of Representatives, the chairman of the Foreign Economics Subcommittee, and now as the chairman of the Economic Committee of the NATO Parliamentarians.

I know one thing of particular importance. The dignity and self-respect of the Marshall type plan has been what the South American countries have been searching for all the time. The mere fact that we shall be committed to that principle, which represents a new departure in American foreign policy so far as the other American Republics are concerned, is very important. Let us not forget that the dignity of those countries, the fact that they feel they belong and are being treated on the same parity with the European countries, with which we have had relationships under the Marshall plan since the end of of World War II, is very important to countries like Venezuela, Brazil, Chile, Peru, and all the other countries of Latin America. They will feel that we are putting them on a parity with the German Federal Republic, France, Great Britain, Holland, and Belgium. That is the way they would like to be considered.

Mr. President, we are coming to a new era in American relationships with the other American Republics. We have gone through the gunboat policy; landing Marines. We have gone through the good neighbor policy. We are now coming to the policy of regional alliance. This bill is a recognition of the maturity of these countries and of the maturity of our own point of view with respect to them.

Certainly it is general in nature.

However, I close upon this point. Are there not many Senators who constantly complain that our diplomacy is not resourceful enough, that it is not quick enough, that it is not "on the ball" enough, that it is not flexible enough in order to meet the challenges which face us today in this world? Now that we have an example of resourcefulness, of speed, of flexibility, and of putting our negotiator in the best and not the worst position, we suddenly become very cautious and very careful. We want a full bill of particulars, even though there is no appropriation bill, and we are not going to let them do it.

It seems to me the very ones who complain about alacrity and skill and equipping our negotiators properly should be the first to jump at this kind of opportunity in this kind of tough situation. I believe we ought to compliment the entire Committee on Foreign Relations, and our confidence in the Foreign Relations Committee should be restored. It unanimously voted to report this bill. I shall support it as a step in the highest national interest of our country.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. Mr. President, I wish to thank the Senator from New York for his compliment.

I ask unanimous consent that there be printed in the RECORD at this point in my remarks a number of tables bearing upon this question as to the various programs and how they have been administered in Latin America. These were the tables which were supplied to us by the Department of State in the consideration of this bill.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

U.S. economic aid to Chile, fiscal years 1946–60—Obligations and other commitments

[Millions of dollars]

	Fiscal years 1946–59	Fiscal year 1960 [1]	Fiscal years 1946–60 [2]
Mutual security program, total	26.9	18.9	45.8
International Cooperation Administration	16.6	7.9	24.5
Technical cooperation	15.8	3.1	18.9
Other	.8	4.8	5.6
Development Loan Fund	.3	10.5	10.8
Other MSP economic	10.0	.5	10.5
Non-mutual-security program, total	256.3	24.0	280.3
Public Law 480, total	59.1	7.1	66.2
Title I. Planned Country Use	30.9	1.4	32.3
(Sales agreements)	(38.9)	(3.1)	(42.0)
Title II. Emergency Relief			
Title III. Voluntary Relief Agencies	28.2	5.7	33.9
Export-Import Bank long-term loans	192.1	16.9	209.0
Other U.S. economic programs	5.1		5.1
Grand total, economic programs	283.2	42.9	326.1

[1] Preliminary.
[2] All planned for sec. 104(g) loans for economic development.

U.S. economic aid to Latin America, fiscal years 1946–60—Obligations and other commitments

[Millions of dollars]

	Fiscal years 1946–59	Fiscal year 1960 [1]	Fiscal years 1946–60
Mutual security program, total	464.2	99.6	563.8
International Cooperation Administration [2]	377.6	67.2	444.8
Technical cooperation	203.7	36.1	239.8
Other	174.0	31.2	205.2
Development Loan Fund	65.8	28.6	94.4
Other MSP economic	20.8	3.8	24.6
Non-mutual-security program, total	3,061.1	166.6	3,227.7
Public Law 480, total	417.0	50.0	467.0
Title I. Planned Country Use [3]	277.5	38.0	315.5
(Sales Agreements)	(392.9)	(77.5)	(470.4)
Title II. Emergency Relief	39.0		39.0
Title III. Voluntary Relief Agencies	100.5	12.0	112.5
Export-Import Bank long-term loans	2,339.0	116.6	2,455.6
Other U.S. economic programs	305.1	[4]	305.1
Grand total, economic programs	3,525.3	266.2	3,791.5

[1] Preliminary.
[2] Excludes worldwide malaria eradication.
[3] All planned for sec. 104(g) loans for economic development.
[4] Expenditure for Latin American highways not available; estimated at about $4,000,000.

NOTE.—Details may not add to totals due to rounding.

Investment position of the United States in Latin America, 1957–58

[Millions of dollars]

	1957	1958 (preliminary)
Private investments	10,534	11,113
Long-term	9,282	9,769
Direct	8,325	8,730
Foreign dollar bonds	123	139
Other foreign securities [1]	37	40
Other	797	860
Short-term	1,252	1,364
Deposits	47	55
Other	1,205	1,309
U.S. Government credits and claims	1,238	1,699
Long-term	1,119	1,559
Short-term	119	140
Total	11,772	12,832

[1] Consists primarily of securities payable in foreign currencies, but includes some dollar obligations, including participation in loans made by the IBRD.

Source: "Survey of Current Business," U.S. Department of Commerce, August 1959.

IBRD loan commitments in Latin America [1]

[Millions of dollars]

Country	Fiscal year 1958	Fiscal year 1959	Fiscal year 1960 (to June 17)	Total, fiscal years 1947–60	Country	Fiscal year 1958	Fiscal year 1959	Fiscal year 1960 (to June 17)	Total, fiscal years 1947–60
Brazil	13.4	84.6		267.1	Mexico	45.0			186.3
Chile	21.8		32.5	106.2	Nicaragua				23.0
Colombia		19.4	42.6	173.2	Panama				6.9
Costa Rica		3.5	2.0	8.5	Paraguay				4.5
Ecuador	19.5	13.0		45.0	Peru		6.6	5.0	52.5
El Salvador		8.0		31.6	Uruguay			7.0	71.0
Guatemala				18.2					
Haiti				2.6	Total	105.2	136.6	89.1	1,007.8
Honduras	5.5	1.5		11.2					

[1] Net after cancellations.

Value of direct investment in Latin America by selected countries and years

[Millions of dollars]

Country	1950	1952	1955	1956	1957	1958 [1]	Country	1950	1952	1955	1956	1957	1958 [1]
Argentina	356	393	447	466	501	517	Venezuela	993	1,174	1,428	1,829	2,683	2,863
Brazil	644	1,013	1,115	1,218	1,301	1,345	Central America, Dominican Republic, and Haiti	432	487	563	630	674	737
Chile	540	623	639	676	702	736	Other countries	86	103	119	132	161	173
Colombia	193	232	274	298	297	289							
Cuba	642	686	736	777	840	861	Total	4,445	5,443	6,233	7,059	8,324	8,731
Mexico	414	490	607	690	765	781	Oversea territories [2]	131	158	179	314	339	395
Peru	145	242	305	343	400	429							

[1] Preliminary figures.
[2] British Guiana, British Honduras, British West Indies, Jamaica, Trinidad, the Bahama Islands, Bermuda, French Guiana, French Islands in the Western Hemisphere, Netherlands West Indies and Surinam.

Source: "Survey of Current Business," U.S. Department of Commerce, August 1959.

U.S. economic aid to Latin America, fiscal year 1946 through fiscal year 1960 [1]*—Obligations and other commitments*

[Millions of dollars]

	Total	Argentina	Bolivia	Brazil	Chile	Colombia	Costa Rica	Cuba	Dominican Republic	Ecuador	El Salvador	Guatemala
Mutual security program, total	563.8	26.3	131.8	37.8	45.8	11.0	11.0	2.8	2.0	28.9	7.2	69.3
International Cooperation Administration, total [2]	444.8	1.5	127.8	37.6	24.5	11.0	10.7	2.8	2.0	18.9	7.2	63.9
Technical cooperation	239.8	1.4	21.3	35.2	18.9	11.0	8.6	2.8	2.0	14.2	7.2	13.7
Other	205.2	.1	106.6	2.4	5.6		2.1			4.7		50.2
Development Loan Fund	94.4	24.8	4.0	.2	10.8		.3			10.0		5.4
Other mutual security program economic	24.6				10.5							

See footnotes at end of table.

U.S. economic aid to Latin America, fiscal year 1946 through fiscal year 1960 [1]*—Obligations and other commitments*—Continued

[Millions of dollars]

	Total	Argentina	Bolivia	Brazil	Chile	Colombia	Costa Rica	Cuba	Dominican Republic	Ecuador	El Salvador	Guatemala
Non-mutual-security program, total	3,227.7	425.7	58.5	1,196.6	280.3	198.8	51.6	38.0	.6	35.6	2.8	45.9
Public Law 480, total	467.0	34.8	23.6	164.4	66.2	60.8	1.0	[3]	----	8.7	1.0	4.6
Title I country use (local currency loans for economic development)	315.5	34.8	----	148.1	32.3	40.1	----	----	----	6.6	----	----
(Sales agreements)	(470.4)	(62.4)	----	(178.4)	(42.0)	(69.9)	----	----	----	(9.4)	----	----
Title II	39.0	----	17.4	----	----	----	.2	----	----	----	----	3.2
Title III	112.5	----	6.1	16.3	33.9	20.8	.8	[3]	----	2.1	1.0	1.3
Export-Import Bank	2,455.6	390.8	24.3	986.8	209.0	135.4	21.0	37.5	----	23.2	----	6.2
Other [4]	305.1	.1	10.6	45.4	5.1	2.6	29.6	.5	.6	3.7	1.8	35.1
Grand total	3,791.5	452.0	190.3	1,234.4	326.1	209.8	62.6	40.9	2.7	64.5	10.0	115.2

	Haiti	Honduras	Mexico	Nicaragua	Panama	Paraguay	Peru	Uruguay	Venezuela	Overseas territories	Regional
Mutual security program, total	39.2	21.7	7.0	9.5	13.0	22.1	28.2	10.6	1.2	8.2	29.2
International Cooperation Administration, total [2]	31.6	13.9	7.0	6.4	13.0	15.0	23.7	1.8	1.2	8.2	15.1
Technical cooperation	11.0	9.9	7.0	6.1	11.0	13.5	21.6	1.7	1.2	5.3	15.1
Other	20.6	4.0	----	.4	2.0	1.5	2.0	.2	----	2.9	----
Development Loan Fund	7.6	7.8	----	3.1	----	7.1	4.5	8.8	----	----	----
Other	----	----	----	----	----	----	----	----	----	----	14.1
Non-mutual-security program, total	37.5	12.7	457.9	31.4	45.2	16.2	242.8	27.7	15.4	6.2	----
Public Law 480, total	7.5	2.4	14.8	----	5.2	3.2	40.5	21.9	----	6.2	----
Title I country use	----	----	10.6	----	----	2.2	19.1	21.7	----	----	----
(Sales agreements)	----	----	(28.2)	----	----	(3.0)	(33.9)	(43.2)	----	----	----
Title II	3.5	.2	.2	----	----	----	13.9	[3]	----	.3	----
Title III	4.0	2.2	4.0	----	5.2	1.0	7.5	.2	----	5.9	----
Export-Import Bank	27.0	3.5	343.5	12.1	16.8	10.1	191.7	2.6	13.9	----	----
Other	3.0	6.8	99.6	19.3	23.2	2.9	10.6	3.2	1.5	----	----
Grand total	76.7	34.4	464.9	40.9	58.2	38.3	271.0	38.3	16.6	14.4	29.2

[1] These data include preliminary figures for fiscal year 1960.
[2] Excludes worldwide malaria eradication program.
[3] Less than $50,000.
[4] Fiscal year 1960 data not available; expenditures for Latin American Highway estimated at about $4,000,000.

NOTE.—Details may not add to totals due to rounding.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I think this debate has been quite helpful. Many viewpoints have been expressed, and everyone who has spoken on the subject has believed in what he stated. I trust that Senators will give the statements the attention due them. I am happy to note that there is unanimous recognition in the Senate of the need for funds for the reconstruction and rehabilitation of Chile, which has suffered a tremendous earthquake.

I ask unanimous consent that the Senate proceed to vote on Calendar No. 1910, Senate bill 3861, to be followed by a vote on Calendar No. 1908, Senate bill 3855.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. All time has expired.

The question is, Shall the bill S. 3861 pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BARTLETT (when his name was called). On this vote I have a pair with the junior Senator from North Dakota [Mr. BURDICK]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Connecticut [Mr. DODD], the Senator from Rhode Island [Mr. GREEN], the Senator from Michigan [Mr. HART], the Senator from Alabama [Mr. HILL], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Ohio [Mr. LAUSCHE], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

The Senator from North Dakota [Mr. BURDICK] is absent because of a death in his family.

I further announce that the Senator from Missouri [Mr. HENNINGS] is absent because of illness.

I further announce that, if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Alabama [Mr. HILL], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Ohio [Mr. LAUSCHE], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Montana [Mr. MURRAY], the Senator from Rhode Island [Mr. PASTORE] would each vote "yea."

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Connecticut [Mr. DODD].

If present and voting, the Senator from Virginia would vote "nay," and the Senator from Connecticut would vote "yea."

On this vote, the Senator from Michigan [Mr. HART] is paired with the Senator from Oklahoma [Mr. KERR]. If present and voting, the Senator from Michigan would vote "yea," and the Senator from Oklahoma would vote "nay."

Mr. KUCHEL. I announce that the Senator from Maryland [Mr. BEALL], the Senators from New Hampshire [Mr. BRIDGES and Mr. COTTON], the Senator from Maryland [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], the Senator from Kentucky [Mr. COOPER], the Senator from Nebraska [Mr. CURTIS], and the Senator from Kansas [Mr. SCHOEPPEL] are necessarily absent.

The Senator from Iowa [Mr. MARTIN] is absent by leave of the Senate on official business.

The Senator from Massachusetts [Mr. SALTONSTALL] and the Senator from Arizona [Mr. GOLDWATER] are detained on official business.

If present and voting, the Senator from Maryland [Mr. BEALL], the Senators from New Hampshire [Mr. BRIDGES and Mr. COTTON], the Senator from Indiana [Mr. CAPEHART], the Senator from Kentucky [Mr. COOPER], the Senator from Massachusetts [Mr. SALTONSTALL] and the Senator from Kansas [Mr. SCHOEPPEL] would each vote "yea."

The result was announced—yeas 54, nays 19, as follows:

[No. 302]

YEAS—54

Aiken	Gore	Monroney
Allott	Hartke	Morse
Anderson	Hayden	Morton
Bennett	Hickenlooper	Mundt
Bush	Holland	Muskie
Carlson	Hruska	Prouty
Carroll	Humphrey	Randolph
Case, N.J.	Jackson	Scott
Case, S. Dak.	Javits	Smathers
Chavez	Johnson, Tex.	Smith
Church	Keating	Sparkman
Clark	Kennedy	Symington
Dirksen	Kuchel	Wiley
Douglas	Long, Hawaii	Williams, Del.
Engle	Lusk	Williams, N.J.
Fong	McGee	Yarborough
Frear	McNamara	Young, N. Dak.
Fulbright	Mansfield	Young, Ohio

NAYS—19

Bible	Gruening	Robertson
Byrd, W. Va.	Johnston, S.C.	Russell
Cannon	Jordan	Stennis
Dworshak	Long, La.	Talmadge
Eastland	McClellan	Thurmond
Ellender	Moss	
Ervin	Proxmire	

NOT VOTING—27

Bartlett	Curtis	Lausche
Beall	Dodd	McCarthy
Bridges	Goldwater	Magnuson
Burdick	Green	Martin
Butler	Hart	Murray
Byrd, Va.	Hennings	O'Mahoney
Capehart	Hill	Pastore
Cooper	Kefauver	Saltonstall
Cotton	Kerr	Schoeppel

So the bill S. 3861 was passed.

Mr. FULBRIGHT. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. DIRKSEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

INCREASE OF AUTHORIZATION FOR APPROPRIATION FOR PRESIDENT'S MUTUAL SECURITY CONTINGENCY FUND

The Senate resumed the consideration of the bill (S. 3855) to increase the authorization for appropriation for the President's mutual security contingency fund for the fiscal year 1961, and for other purposes.

The PRESIDING OFFICER. The question is on the passage of the bill. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Connecticut [Mr. DODD], the Senator from Rhode Island [Mr. GREEN], the Senator from Michigan [Mr. HART], the Senator from Alabama [Mr. HILL], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Ohio [Mr. LAUSCHE], the Senator from Louisiana [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Rhode Island [Mr. PASTORE], are absent on official business.

The Senator from North Dakota [Mr. BURDICK] is absent because of a death in his family.

I further announce that the Senator from Missouri [Mr. HENNINGS], is absent because of illness.

I further announce that, if present and voting, the Senator from North Dakota [Mr. BURDICK], the Senator from Rhode Island [Mr. GREEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Alabama [Mr. HILL], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Ohio [Mr. LAUSCHE], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Montana [Mr. MURRAY], the Senator from Rhode Island [Mr. PASTORE], would each vote "yea."

I further announce that if the Senator from Louisiana [Mr. LONG] were present he would vote "nay."

On this vote, the Senator from Virginia [Mr. BYRD], is paired with the Senator from Connecticut [Mr. DODD]. If present and voting, the Senator from Virginia would vote "nay" and the Senator from Connecticut would vote "yea."

On this vote, the Senator from Michigan [Mr. HART] is paired with the Senator from Oklahoma [Mr. KERR]. If present and voting, the Senator from Michigan would vote "yea," and the Senator from Oklahoma would vote "nay."

Mr. KUCHEL. I announce that the Senator from Maryland [Mr. BEALL], the Senators from New Hampshire [Mr. BRIDGES and Mr. COTTON], the Senator from Maryland [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], the Senator from Kentucky [Mr. COOPER], the Senator from Nebraska [Mr. CURTIS], and the Senator from Kansas [Mr. SCHOEPPEL] are necessarily absent.

The Senator from Iowa [Mr. MARTIN] is absent by leave of the Senate on official business.

The Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Arizona [Mr. GOLDWATER] are detained on official business.

If present and voting, the Senator from Maryland [Mr. BEALL], the Senators from New Hampshire [Mr. BRIDGES and Mr. COTTON], the Senator from Indiana [Mr. CAPEHART], the Senator from Kentucky [Mr. COOPER] and the Senator from Kansas [Mr. SCHOEPPEL] would each vote "yea."

On this vote, the Senator from Massachusetts [Mr. SALTONSTALL] is paired with the Senator from Arizona [Mr. GOLDWATER]. If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from Arizona would vote "nay."

The result was announced—yeas 59, nays 14, as follows:

[No. 303]

YEAS—59

Aiken	Bennett	Carroll
Allott	Bush	Case, N.J.
Anderson	Byrd, W. Va.	Case, S. Dak.
Bartlett	Carlson	Church
Clark	Johnson, Tex.	Proxmire
Dirksen	Keating	Randolph
Douglas	Kennedy	Robertson
Dworshak	Kuchel	Scott
Engle	Long, Hawaii	Smathers
Fong	Lusk	Smith
Fulbright	McGee	Sparkman
Gore	McNamara	Stennis
Hartke	Mansfield	Symington
Hayden	Monroney	Wiley
Hickenlooper	Morse	Williams, Del.
Holland	Morton	Williams, N.J.
Hruska	Moss	Yarborough
Humphrey	Mundt	Young, N. Dak.
Jackson	Muskie	Young, Ohio
Javits	Prouty	

NAYS—14

Bible	Ervin	McClellan
Cannon	Frear	Russell
Chavez	Gruening	Talmadge
Eastland	Johnston, S.C.	Thurmond
Ellender	Jordan	

NOT VOTING—27

Beall	Dodd	Long, La.
Bridges	Goldwater	McCarthy
Burdick	Green	Magnuson
Butler	Hart	Martin
Byrd, Va.	Hennings	Murray
Capehart	Hill	O'Mahoney
Cooper	Kefauver	Pastore
Cotton	Kerr	Saltonstall
Curtis	Lausche	Schoeppel

So the bill S. 3855 was passed.

Mr. FULBRIGHT. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 10:30 a.m. tomorrow.

Mr. JAVITS. Mr. President, will the Senator make that 10 o'clock?

Mr. JOHNSON of Texas. I have been asked to make it even later, and have compromised by making the hour 10:30.

Mr. JAVITS. I shall be prepared to speak at 10 o'clock.

Mr. JOHNSON of Texas. Mr. President, I will change the hour to 10 o'clock.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

SOCIAL SECURITY AMENDMENTS OF 1960

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar 1928, H.R. 12580, the social security bill.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 12580) to extend and improve coverage under the Federal old-age, survivors, and disability insurance system and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such system; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendments.

Mr. JOHNSON of Texas. Mr. President, I have spoken with the chairman of the Committee on Finance, the distinguished Senator from Virginia [Mr. BYRD]; the ranking minority member of the committee, the distinguished Senator from Delaware [Mr. WILLIAMS]; and the ranking majority member of the committee, the distinguished Senator from Oklahoma [Mr. KERR], the author of the bill, who has reported an amendment relating to a medical plan. I am informed that they will be prepared to present the bill, the report, and the discussion on the merits of the bill, as they see it, tomorrow. They do not anticipate that there will be any yea-and-nay votes tomorrow. We do not expect to have any yea-and-nay votes tomorrow.

It is planned to have the Senate convene early on Monday; and if further discussion is desired before a vote, very well. It is, however, hoped that we may reach a vote as early as possible consistent with a thorough consideration of the bill.

I desire all Senators to be on notice that we shall discuss the bill tomorrow. It is not expected that there will be any yea-and-nay votes, but Senators who desire to speak may do so.

It is planned to have the Senate convene at 10 o'clock on Monday morning. We will come in early and stay late every day next week, in the hope that we may conclude action on the bill as expeditiously as possible.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. Mr. President, I think it ought to be made definite that there will be no votes, rather than to say that no votes are anticipated. A good many Senators have already left the city; others will be leaving. I think there should be definite assurance that under no circumstances will there be a vote on any amendment tomorrow.

Mr. JOHNSON of Texas. I cannot go that far, because I do not control that procedure. However, so far as the majority leader can control the procedure, there will be no votes.

If 10 Senators decided now that they wanted to vote, and the Senator from from Oregon [Mr. MORSE] moved to adjourn and asked for the yeas and nays, and if I asked Senators not to hold up their hands. but he was successful in having them ordered, I would be completely powerless to prevent a vote. I say that so far as the majority leader is concerned, there will be no votes, and I will do everything I can to resist them.

Mr. DIRKSEN. Mr. President, if the majority leader will yield, let me say I hope he will not object if I make an alternative suggestion; namely, ask unanimous consent that no votes be taken on Saturday.

Mr. JOHNSON of Texas. Mr. President, I will try to guarantee that, but I would not want to enter into a unanimous consent agreement on it.

Mr. DIRKSEN. Mr. President, I hope that, whatever the course on tomorrow, Senators will not have to be bothered with apprehension or fear that a vote will be taken then—because, after all, that can be avoided.

Mr. JOHNSON of Texas. I should like to allay any Senator's apprehension or fear. But I endure it all day long, every day. Certainly I shall do my best, and I think I have done reasonably well in these 10 years.

Mr. DIRKSEN. Of course the Senator from Texas has. But I think it important for Senators to know that no votes will be taken tomorrow.

Mr. JOHNSON of Texas. Mr. President, I wish to express my deep appreciation to the Senator from Utah [Mr. Moss] for his patience and cooperation in helping the Senate transact very important business today and for withholding his speech until this late hour. It is a precedent which I should like to see more of our colleagues emulate, because thus we were able to proceed with important business of the Senate, by taking action on two important measures. I owe a great debt of gratitude to the distinguished Senator from Utah.

Mr. MOSS. Mr. President, I appreciate the kind words of the Senator from Texas. I have been glad to postpone my remarks until this point.

FOREIGN AID PROGRAMS AND THE POSITION OF THE ADMINISTRATION

Mr. DOUGLAS. Mr. President, will the Senator from Utah yield to me?

Mr. MOSS. Mr. President, I ask unanimous consent that I may yield to the Senator from Illinois, with the understanding that in doing so I shall not lose the floor.

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). Is there objection? Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, let me express my indebtedness to the Senator from Utah, who many times has shown himself to be extremely courteous in postponing or deferring his own remarks. I really apologize to him, for I wish to make some comments about the votes taken a few minutes ago and about the tactics of the administration in the past and the ones which I am afraid are being used at present by the Republican Party in connection with these foreign aid programs.

I voted with great reluctance for these two foreign aid authorizations. I think the administration has slept too long on the problem as regards Latin America. I believe the administration was galvanized into action only after the disastrous events in Cuba, and was unprepared for the developments in Africa. In fact, only this year did the administration establish the position of special assistant Secretary of State in connection with aid programs for the countries in the Sahara; and in the past the administration has shown no real interest in the problems of the countries of central Africa or Equatorial Africa. It was only when disaster faced us and when the house started to fall down around our ears that the administration asked for congressional action.

The President demanded that we authorize the $700 million, and said that unless we did, dire things would happen. It may well be that that is true.

The President is asking that not one dime be cut from the $4,800 million of the standard foreign aid bill; he is asking that every penny of that amount be provided by Congress, without the slightest reduction. But all this comes at a time when the administration is reluctant to appropriate funds for health, for education, for distressed areas, for housing, or for any of the other manifold needs of the American people.

Mr. President, I have been a supporter of this foreign aid program, both under the Truman administration and under the Eisenhower administration.

I well remember the day in 1954 when I saw on the bulletin board that my Republican opponent in Illinois for election to the Senate, had made a speech attacking foreign aid; and the next day, as we came to vote on foreign aid, I saw on the bulletin board a statement that the President of the United States, who was demanding that the foreign aid program be supported, had endorsed my opponent and had asked for my defeat. I must admit that I was tempted, in reprisal, to vote against the foreign aid program. But I came into the Senate Chamber and cast successive votes for the foreign aid program, because I believed it was in the best interests of the people of the United States.

But when I returned to my State, I found myself under heavy attack from the Republican Party and from the administration, on the ground that I had voted for big expenditures and on the ground that I was "a big spender"; and on the stump, in the fall, I was frequently attacked by the Republicans because I had voted for the foreign aid appropriations for which the President has asked. The President even paid me the honor of going into Illinois and asking for my defeat. But the voters rejected his request.

Ever since then I have, in the main—with a few exceptions—voted for foreign aid appropriations. But every fall, when I return home, my Republican opponents and people in the audiences read from books which have been prepared, and refer in detail to the votes I have cast on foreign aid authorizations or appropriations, and openly state that I am a "big spender." I have reason to believe that the memorandums from which they have read have been prepared by the Republican National Committee or by the Republican congressional committee or by the Republican senatorial committee.

I have no illusions as to what will happen to me and to the other Senators on this side of the aisle, the other Democratic Senators, who this evening have voted for these foreign aid authorizations. Undoubtedly, we will be attacked by the Republicans; undoubtedly they will charge us with being "one-worlders" and "big spenders" and Senators who

favor wasting the people's money and pouring the taxpayers' funds down a rathole.

Let me hasten to state that I am sure that is not the tendency of all the Republicans; surely it is not the tendency of the distinguished whip on the Republican side, the senior Senator from California [Mr. KUCHEL], who is the soul of gentlemanliness and fairplay. But I imagine that the Republican strategists really must be chuckling to themselves at the fix in which they put us tonight, as on other occasions. The President, in the name of the welfare of the Nation, asks us to vote for this measure. We do so, and then the Republican Party, of which he is the titular head, attacks us because we do so vote. We find this little trick played. It was not an appropriation we passed tonight; it was an authorization. We will be attacked because we voted for the authorization, but the administration, since there was no appropriation, will say, "Well, we have not spent the money." So they have an escape hatch on that.

Friends of mine have told me many people who come down here to persuade us to vote for these appropriations are double agents who, on the one hand, ask us to vote, in the name of the welfare of the Nation, for these authorizations and appropriations, and then, when they have won our support, telephone to the appropriate political committee and say, "We have hooked that fellow. Give him the works out in the State."

These are comments of friends of mine. I personally do not believe that it is quite as bad as that. I think the men in the State Department—and I suppose there are some in the galleries tonight; there always are—probably are sincere in what they suggest. As frequently happens, the Republicans use two sets of treatment. They will get sincere idealists to plead for authorizations and appropriations in the name of the national interest, and then turn loose the roughhouse boys to beat us up politically when the time comes.

I am informed confidentially that the Republicans have a memorandum which will be circulated to all their speakers and candidates, labeling the Democrats as the "Spendocrats." Publication of it may well be withheld for a day or two, until a separate page is added to it charging the Democrats who voted for this authorization bill tonight with authorizing the expenditure of $700 million, and possibly, if the appropriation for Chile is included, $800 million. This will be cited as a demonstration of the fact that Democrats are lavish with the people's money, when we carry out the national interest as represented to us by the Republican administration.

I wish there were more Members present on the Republican side of the aisle. I may, in a sense, be preaching to the converted, those who would not practice such tactics themselves; but I wish to remind them, with their sense of fairplay, of what happens to those of us who have tried to place the national interest above party interest.

I also ask the State Department to consider whether they are playing an ethical game, whether they are really defending the national interest, or whether they are lending themselves to being covert agents of a political party that is trying to punish those of us who try to defend the national interest.

This is a very serious question. If this issue is to be raised above politics, the Republican Party should not have a dual program. It should not be for foreign aid in Washington and against foreign aid in the States. It should not with one hand demand authorizations and appropriations to defend the national interest, and, with the other hand, it should not be feeding information and propaganda to those orators in the field who attack those of us who follow the advice of their President.

I hesitated for a long time as to whether I should vote for the bill, because I know how these tactics have been carried on in the past, and I know how they are being carried on at this very minute. I was tempted to vote against the bill, but I decided, whatever the cost to me, whatever the unfair tactics against me and my party—and I resent the unfair tactics against my party even more than I do against myself—nevertheless, I would put the national interest first. I think it is the glory of the Democratic Party that, in the main, it has done so, but the costs and penalties of doing this are many.

I know there are few Republicans to listen to this, I know my advice may fall on deaf ears, but I hope there are some who may read the RECORD; and I trust the members of the administration who are responsible for the strategy of the campaign will observe the elemental rules of fair play and will not follow this double policy of temptation, enticement, seduction, betrayal, and attack that has been so constantly followed in the past.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. DOUGLAS. Yes, if the Senator from Utah will permit.

Mr. MOSS. I yield.

Mr. HUMPHREY. I thank both Senators. The first thing I want to do is associate myself very completely with the statement made this afternoon by the Senator from Arkansas [Mr. FULBRIGHT] on S. 3861, the special aid authorization bill for Latin America. I have studied this measure carefully. I heard the Senator's presentation of it. I think it is fair for me to say that the chairman of the Senate Committee on Foreign Relations, in presenting this Latin American aid bill, did so with heavy heart and with reluctance, but out of a sense of national duty, in light of the expressions of the President, the Secretary of State, and the Under Secretary of State, who testified before the Foreign Relations Committee.

I am a member of the Senate Committee on Foreign Relations. I try to take my duties there in a very responsible manner. I do not believe that we can afford to play what we call politics with the foreign policy of the Nation, and, therefore, today despite my misgivings—and I have serious misgivings about the timing of this proposal, and, indeed, the substance of the proposal—I voted for it.

A week ago I appeared on a television broadcast in this city known as the College News Conference. At that time I was asked a question by one of the college students about the $600 million Latin American aid proposal. I expressed doubt about it, and indicated I might very well oppose it.

I listened to the speech of the Senator from Montana [Mr. MANSFIELD] the day after we convened—I believe it was on August 9—one of the most moving and persuasive and brilliant speeches I have heard on the subject of our foreign policy as it relates to Latin America. I was very much touched by that speech and considered it to be a document that establishes guidelines for American foreign policy considerations in Latin America.

I agreed with the basic message of the speech, namely, the while aid programs were required in Latin America, as elsewhere, there should be preliminary planning, cooperative planning, with the recipient nations; that this was not a responsibility merely for the United States of America; that we ought to look ahead and have a goal that we seek; that we should utilize the instrument of the Organization of American States, and possibly the United Nations, in working toward an economic development program in Latin America; that we needed a regional approach.

All of this has not been done. All of this has not been—I will not say ignored, but not fulfilled. We have bilateral aid, the Export-Import Bank, the Development Loan Fund aid to Latin American countries in small amounts; but no overall programing has been devised.

The Marshall plan success in Europe was not merely in the amount of money we provided, but in the fact that there was an organization, there was the Office of Economic Cooperation for Europe in Paris, wherein all of the needs of the respective Western European nations were considered, one against the other, in cooperation with one another, so that there was a kind of integrated, cooperative economic development throughout the entire free area of Western Europe. That is what we need in Latin America. We are not getting it.

I, as a member of the committee, who has interested himself in Latin American affairs, will say that the legislative history, as established by the chairman of the committee [Mr. FULBRIGHT], is very clearly stated. The authorization will require specific details when the appropriation comes to us. While the Appropriations Committee is not a committee which is supposed to engage in legislation, I know the Appropriations Committee will insist upon detailed plans as to how the money is to be expended. I will say now, if it does not and if the proposal comes before the Senate from the Appropriations Committee without those plans, I, for one, will not see it in my power to vote for the proposal.

I believe this business of writing out a check every time we get in trouble is but a further example of a rich man trying to pay for his grief and trouble

with a checkbook. One cannot solve the problems of the world with money. One cannot do it by writing checks in every emergency. A nation is like a family, and requires care and consideration for the future as well as for the present. Those of us who are parents know we cannot solve our problems in the family by a monetary gift to the children. Generally we solve our problems with love, understanding, consideration, cooperation, faithfulness, and a real sense of affection. I think this is required among nations, in terms of the political lives of people.

Mr. President, I thank the Senators for yielding to me. I know I shall be branded a spender. I am already so branded. In my State not a week goes by without an attack on me as being a spender. Let the record be clear. I have voted with the majority of my colleagues in this body and on this side of the aisle many times to reduce what I thought were unessential or nonessential expenditures. We have cut budgets when we thought budgets ought to be cut. We have increased budgets when we thought budgets ought to be increased. The record is quite clear throughout the recent years that this Congress and the previous Congresses have not appropriated as much money as the administration has requested. If the charge of "spender" is to be made, let it be applied to those who have sought the most. Let it be applied to those who have exercised fiscal irresponsibility. I shall expect the same attacks, I will say to the Senator from Illinois, that he will undoubtedly receive.

Mr. DOUGLAS. I am already receiving them.

Mr. HUMPHREY. I am receiving them in generous quantities. We shall be able to stand up to them.

The people of my State have good judgment and know the difference between falsehood and truth.

MODIFICATION OF ORDER—ORDER FOR RECESS UNTIL 10:30 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order previously entered, for the Senate, when it concludes its business today, to stand in recess until 10 o'clock tomorrow morning, be modified to provide that the Senate recess until 10:30 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECAPTURE OF SPACE CAPSULE EJECTED BY DISCOVERER XIV IN MIDAIR

Mr. FONG. Mr. President, I learned a few moments ago that a space capsule ejected by Discoverer XIV over our 49th State, Alaska, has been caught in midair by an Air Force C–119, 360 to 370 miles southwest of Honolulu in our 50th State.

The capsule was caught in the trapeze of the aircraft at 7:05 p.m., at 7:23 p.m. was reeled aboard, and is now winging its way to Hickam Air Force Base, where the plane will land at 10 o'clock Washington time.

I understand General White has authorized the immediate award on the plane's arrival of the Distinguished Flying Cross to the commander of the C–119 and the Air Medal to all members of the crew.

Mr. President, the pilot was Harold E. Mitchell, of Bloomington, Ind. I am proud to know that the copolit was a fellow Hawaiian, Capt. Richmond A. Apaka, of Kailua, Oahu, State of Hawaii.

Mr. President, with the recovery in midair of the space capsule the United States again has demonstrated our amazing progress in the conquest of space.

Ours is a program of great scope and depth, designed to produce scientific knowledge about the universe over a broad spectrum. It is a well-planned, orderly program which has already produced many space "firsts" of which all America can be proud.

Today's recovery of a second space capsule, coming only 8 days after the first recovery, confirms the gathering momentum of our space effort, which is paying increasingly handsome dividends in terms of knowledge and confidence.

America has the manpower, the brainpower, and the resources to unravel the mysteries of science and technology. With the encouragement and solid backing of the American people, our space team is doing just that. Our congratulations and our thanks go out to all the dedicated men and women who are contributing their talents to the urgent space effort.

Only 2 days ago President Eisenhower expressed the Nation's pride in recent accomplishments in space science and technology, stating:

> The United States leads the world in the activities in the space field that promise real benefits to mankind.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the text of the President's statement in which he enumerates six outstanding space achievements of 1960.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> The events of the past weeks have demonstrated beyond all doubt the vigor, capabilities, and leadership of the United States in the conquest of the frontiers of science and technology, in particular in the exploration and utilization of space. The entire Nation is proud of the impressive array of successful experiments carried out by the United States this year:
>
> Pioneer V, the sun satellite, which continued to receive and transmit radio messages over a period of 3 months and to a distance of 22 million miles from earth.
>
> Tiros I, the meteorological satellite which took 23,000 cloud cover pictures during its operating life of 3 months and provided increased assurance that revolutionary improvement of weather forecasting will be achieved.
>
> The success that has attended the efforts in the satellite-based navigation program called Transit I.
>
> The orbiting of Echo I, the 100-foot balloon which circles the earth at a distance of approximately 1,000 miles and a speed in excess of 15,000 miles per hour, serving as a reflector of radio signals from one point to another and distant points on the surface of the earth.
>
> The recordbreaking flights of the X–15 research airplane.
>
> And, finally, the spectacular recovery of the data capsule of the Discoverer XIII satellite.
>
> All these are the results of a well-planned and determined attack on this new field—an attack that promises very real and useful results for all mankind. Each of these satellites is destined to play an important role in broadening man's understanding of the cosmos in which he lives. While no one of them has been undertaken solely in an effort to achieve a spectacular first in the eyes of the world, each has resulted in just such a spectacular first in support of the desires of mankind for greater knowledge and understanding.
>
> The United States leads the world in the activities in the space field that promise real benefits to mankind.

Mr. FONG. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point a brief summary of our civilian space programs.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SPACE EXPLORATION—PAST AND FUTURE

In the advancement of civilization, the universal key to the major accomplishments and progress of the Western World has been the unrestricted curiosity and undaunted courage of free men. This combination characterizes today the efforts of U.S. scientists and engineers in what may be known in future years as the greatest adventure in the history of nations—the exploration of outer space.

In 1955, the Government approved the Vanguard program as a part of this country's space contribution to the International Geophysical Year. The launching by the Soviet Union of the world's first satellite, Sputnik I, 2 years later, confronted us with the realization that we were trailing in space technology and that the Communists intended to propagandize this advantage as demonstrating a superior scientific and technical capacity for their political system.

The measure of our people to respond to challege was put to perhaps its most critical peacetime test and now, some 3 years later, may be an appropriate time to assess our programs and progress.

In the interests of the international character of science and a world free of suspicion, the United States is dedicated to a policy of space for peaceful purposes and the furtherance of scientific knowledge for all men everywhere. Our activities, successful or unsuccessful, have been and will continue to be an open book for all to see, and our research data is made available to all nations. The world knows nothing, however, of Russian failures in the past or future schedules since an iron curtain of secrecy surrounds the Soviets' motives in space as in all its other activities. We do not know, for example, whether a human was included in the test of Sputnik IV, which after being launched on May 15, 1960, failed to respond to signals and went off into space instead of returning to the ground. The Soviet Union holds a temporary advantage in this game of "heads they win, tails we lose," but despite this drawback, the U.S. program is receiving widespread and enthusiastic acclaim.

Since the Russian satellite of 1957, 33 satellites have been launched and the United States has launched all but 7 of these. And of the 18 satellites still in space, this Nation's insignia is on 15.

More important than what has gone up into space, however, is what has been returned to earth. Information about our

universe is the key to our progress and is the return on the investments we are making. The first satellites to orbit the earth and the moon and the first satellite to hit the moon and take pictures of its far side have been accomplished by the U.S.S.R. But only the smallest amount of information has been released to the world on any data acquired through their accomplishments in space.

The first satellite to gather early weather information through photographs of cloud formations, America's Tiros I; the first to demonstrate the feasibility of a communications system using satellites, America's Echo I; the first to discover that the earth is pear-shaped, America's Vanguard; the first to discover the Van Allen radiation belt, America's Explorer; and the first to send radio signals over 22 million miles back to the earth, America's Pioneer, the first to eject a space capsule from its orbit around the earth to its target recovery area, America's Discoverer—these are just a few of the important accomplishments of U.S. scientists, working in a free environment. The results of these successful experiments have been submitted to scientists everywhere.

The advancements already made promise great economic benefits to the farmer, the businessman, and our people in all walks of life.

This 3-year period saw the establishment of a new Government agency, the National Aeronautics and Space Administration, and the pulling together into one team of the outstanding scientific and technical personnel, facilities and organizations, to carry out the national space exploration effort. While this effort was being organized and implemented, funds were requested from the Congress in increasing amounts. At the present time, over $1 billion is being spent annually for our space activities which represent a 700-percent increase in the last 3 years.

A worldwide tracking and data acquisition network has been developed to accelerate our exploration. New launching complexes have been constructed and joint international space programs have been cooperatively entered into with other countries. And most important of all, a new family of high thrust space vehicles is under development. By 1964, we will have the most powerful rocket in existence, with 1½ millon pounds thrust, the Saturn. So much for the developments over the last 3 years. What about the future?

A detailed program of space exploration for the next 10 years has been established and a broad and exciting challenge to conquer the unknown has been outlined which leads to manned expeditions to the Moon.

Within 2 years: Project Mercury will send the first man into orbit around the Earth—27,000 miles in less than 2 hours; a vehicle will be launched to impact on the Moon; a vehicle will go into orbit around the Moon to send back vital information of conditions on the planet.

Within 4 years: An orbiting astronomical laboratory will be launched; a vehicle to orbit the Moon and return to Earth will be launched; the high powered Saturn vehicle will be available for our space launchings to give us the ability to send payloads of 20,000 tons into space.

Within 6 years: Launchings will be made to explore the planets Mars and Venus, the first launchings of the manned vehicles which will lead to expeditions to the Moon will take place.

The horizons to our space program are as unlimited as the Universe itself. The Soviet Union will continue to use its space program as a method of convincing the world of the superiority of the Communist system. We have accepted this challenge with an addition which expresses the confidence we have in our ability to compete successfully. The addition is that we have told the world about our future program, we will continue to reveal our failures as well as our successes and we will make free men in other nations our partners in this noble endeavor—by sharing the information we obtain in the Universe with them and cooperating with them in the international effort such an endeavor deserves.

SPECIAL LATIN AMERICAN AID AUTHORIZATION

Mr. KUCHEL. Mr. President, the hour is late. There are few Senators yet remaining on the floor and few occupants of the galleries. However, I think it is fair for me to say that the Senate, on an American basis, earlier this evening approved the recommendations of our President, acting as an American and not as a party leader, for legislation to provide for the authorization of specific assistance to the nations in the Western Hemisphere south of the border.

This was progress, in my judgment, on a completely nonpartisan basis, in regard to the hope of the people of the United States to strengthen the ties of amity, good will, trade, culture and friendship between the free peoples of North and South America. It follows, if I may say so, a constructive action taken by the administration and the Senate only last year.

Mr. President, during the session of the Congress of 1959 the President, after a carefully and successfully negotiated multilateral treaty sent to the Senate, with a request for advice and consent, a treaty providing for the creation of the Inter-American Bank. The present Presiding Officer, the Senator from Wyoming [Mr. McGEE], a Democrat, and I, a Republican—indeed, almost all of us, on both sides of the Chamber—not as partisans but as Americans stood together and overwhelmingly approved the Inter-American Bank and our participation in it.

I recognize that Senators may and certainly should have divergent views politically and governmentally on problems as they arise to plague us, but I think it is fair for me to say on this occasion that it was in the interest of the country for this administration and for Dwight Eisenhower to recommend to the Senate last year that action be taken to cement and to strengthen the bonds among the free nations of the Western Hemisphere, and that the Senate then did so. In this special session, by reason of the exigencies of the situation, the President has asked for and the Senate has again approved legislation to strengthen further the ties among the free nations in the Western Hemisphere. I have no doubt that the House of Representatives will do likewise.

I admit there are different points of view on this side of the aisle, but they are not any greater—indeed, I sometimes think different points of view are fewer on this side than on the other side of the aisle, not in one area alone but perhaps in many.

Is it too much on this occasion for me to express the hope, not as a Republican, but as an American who temporarily has the honor to sit in the Senate, that our fine nonpartisan record in the U.S. Senate in the field of foreign policy may continue, after full, free, and honest debate, as vigorous as I and other Senators would wish it, on a nonpartisan basis in the interest of what the American people believe is best for the perpetuation of our liberty?

I believe that ideal is not too much to ask. I believe that what the Senate did today under the leadership of a Democrat from Arkansas, and what the Senate did a year ago under the same leadership in approving the Inter-American Bank, were splendid actions.

By the same token, if I may say so, it was a splendid step for the Chief Executive in the White House—not as a partisan, not as Republican, but as the Chief Executive of all our people—to sponsor in the last Congress the treaty to which I referred and to sponsor in this session additional assistance to our beloved friends south of the border, who like ourselves, cherish freedom. I believe I can say they mean to make the necessary arrangements to preserve freedom for themselves, for us, and, God willing, for the globe. I thank my friend from Utah.

CONSERVATION OF NATURAL RESOURCES

Mr. MOSS. Mr. President, I rise to talk about our blessed land. We who have inherited the great natural resources contained within America owe our success as a democracy, in part at least, to the abundance nature has provided us. These resources, combined with a temperate climate, account for much of our development. As are few other nations, America is indeed a blessed land.

Other nations have fertile soils, great forests, rich mineral deposits, and water, but nowhere are these found in such fortunate combination as in our land. Not even the Soviet Union, with its great untapped resources, has at its disposal the resources with which this Nation is endowed.

Our industrious and resourceful people truly have developed this America. But without our verdant earth, our temperate skies, our great stocks of organic fuels, our great rivers and lakes, there would have been no great inflow of peoples, no booming industry, and possibly not even the American democracy as we know it.

Great though the natural resources of the land may be, they are not—as we are painfully finding out—limitless. The pressures of population against land, water, and other resources call for a hard look at where we stand, and the development and implementation of policies to conserve and rebuild before it is too late.

History has shown that national glory all too often is a transient thing. Today, in a burst of prosperity and in the sweet glow of freedom, we outshine the glory that was Greece, while the splendor that was Rome is small in the shadow of our material accomplishments.

Whether our glory will persevere may well depend upon what we do with our natural heritage. Barring atomic war and the horrible destruction of our mod-

ern civilization, our ability to continue to lead in the world now unfolding may be determined not by our new model automobiles, our modern plumbing, or some new kind of split-level living, but by our ability to prevent the further pollution of our streams and the leveling of our forests.

We cannot turn back the course of history, but by conscious effort arising from a deep appreciation of our predicament we can halt the heedless depletion of our precious resources. And by a conscious effort we can remedy much of the damage already done.

During the last 25 years there has been much talk of the heritage we shall leave to the generations that follow ours. Many who view with alarm the fact that every American child is born with some liability for payment of our national debt seem to give little or no thought to the other side of the ledger—the credit side. I submit it is time that we begin to think of our children and our grandchildren's heritage in terms of the assets and the resources we leave them. If we leave them fertile soil, clean water, timber, healthy wildlife and livestock, uncontaminated air and oceans, food and fiber, minerals and recreational areas, and some of nature's wonderful scenic attractions, we will have left them wealth unending.

It is apparent that the Eisenhower administration looks at our children's heritage principally in dollar terms—balanced budgets, the Federal debt, our hard currency, with little concern for our heritage of natural resources. I believe that America needs and can achieve balanced budgets and a stable price level, but we dare not achieve them through the further destruction of forests and farmland, by further waste or pollution of our rivers and lakes, or by neglecting to provide park lands and play space.

To the buffalo hunter of only a hundred years ago, the herd looked limitless. To the homesteader who broke the prairie sod, the land looked permanent and plentiful. To the woodsman of yesteryear, the forest appeared to have no end. The senseless destruction of the buffalo herds, the spoilation of our rivers and forests, and the building of private fortunes at the expenses of natural balance are now history.

The heritage left to this generation has dwindled, although we have reversed some of the destructive tide. To restore most of the damage that has been done is expensive all right, but unless it is done soon, we may well find it is too late to reestablish the natural balances we need no matter how great our dollar expenditure.

Should we let destruction of the land and water continue at the present rate we would be well advised to count our blessings while we may. The beautiful forests and lonely shores which still are here may, with us, retreat into history. The hourglass has already begun to run low. It is time to take alarm and to revive the great conservationist movements of yesteryear—of Gifford Pinchot, Theodore Roosevelt, and Franklin Roosevelt.

Let us examine the present status of some of our priceless resources:

THE OCEAN

A short time ago, I read an account of depletion of ocean resources that should have caused international anxiety. But in this day of the H-bomb, only the threat of the mushroom cloud seems to excite us, and this is an excitement of terror rather than of promise.

The seas around us are man's last great frontier. We have always looked upon the restless oceans with the hope that they will some day supply all the resources that we need.

In the course of our scientific achievement, the probability is that this dream can come true. But unless we take heed of what we are doing, the dream may turn into an ugly nightmare.

Already we are dropping atomic wastes into the ocean, seemingly heedless of the consequence. Radioactive waste is a million times more toxic than industrial waste, and is more subtle because it cannot be detected by human senses. It is absolutely ineradicable except by a process of natural decay that probably would take centuries. Unless we are careful, therefore, we may find ourselves marooned upon the shores of radioactive seas in which we dare not fish or swim, and on which we dare no longer travel.

The danger is not yet imminent, but the oceanographers are warning that we may destroy the delicate balance by which the living things within the sea survive. I do not say that we ought to halt atomic development. But such development had better proceed only as we find ways to dispose of the wastes incident to it without poisoning the earth, the rivers, and the sea around us.

However, we may find that we have succeeded in destroying the ocean's potential as a source of food and water even before we have poisoned it with the atom. Just as we have permitted wanton excesses with our natural heritage upon the land, so are we permitting excesses at sea.

Oceanographers warn that we are overfishing and destroying our fishing areas. They have warned that coastal pollution with human and industrial garbage may have equally dire consequences and that the time may be near when there may not be "lots more fish in the sea."

Fishermen from Gloucester, Mass., to Osaka, Japan, are now learning to their sorrow that nature will not be abused. Each year, fishermen the world over seek out new grounds farther and farther from home because once dependable areas have been fished out.

In 1958, only 78 million pounds of haddock were landed in Boston where 30 years before the annual catch was 200 million pounds. Prior to World War II, 600,000 tons of sardines was the average annual catch on the west coast. By 1953, the grounds were fished out and the catch was down to 5,000 tons. Today, the west coast sardine industry is threatened with extinction.

The cycle of life in the seas is delicately balanced, just as is life on the earth's crust. If we eliminate one species of sea life by overfishing, other species that live off it may also perish. If we poison or otherwise destroy the plankton upon which all sea life ultimately depends, we are inviting disaster. And ordinary pollution of our offshore waters may yet accomplish this catastrophe even before we succeed in doing the job with atomic garbage.

It is time to take a look at what we are doing in this area and to awaken to the potential danger that threatens all of us. The seas have lent a new dimension to our conservation problem. We need a policy for the sea as well as for the land. While we do not own or control the high seas, the least we can do is to make sure that infection does not spread from our shores or from our actions upon the seas.

OUR LAND

The population explosion in the United States has been so often examined by the experts that it needs little comment here. This year's census figures show that there are almost 180 million of us. Even if birth rates level off as some experts predict, there will be 230 million of us 15 years hence.

People have always been our greatest national asset. But population growth does not automatically bring prosperity. Unless there is an advancing technology and supporting resources for that technology, more people can mean a lower standard for everybody.

Mr. D. A. Williams, Administrator of the Soil Conservation Service of the U.S. Department of Agriculture, tells us that to feed our growing population we must develop a technology equivalent to the projected need for 400 million additional acres of land by the year 2010. This will require improvement in farm practices at a rate 160 percent as great as the phenomenal improvement of the past two decades.

Granted—

Williams says—

that there is no visible limit to the ingenuity of man, cannot suppose that improved agricultural technology can bear fruit without the land and water to which it can be applied. Those resources which do have definite limits must be kept intact for the successful exploitation of man's ingenuity.

The Soil Conservation Service reports that remaining arable land amounts to only about a fifth of our 2 billion acres. More than a million acres of our best farmlands have already been buried under concrete and steel. From the start of World War II through 1957, a twentieth of our cropland heritage gave way to housing developments, industry, and highways.

Population trends indicate present day farm surpluses are only temporary. For every four people who sit down to to a meal this year, there will be six in less than three decades. Even were this not the prospect, we would be fools indeed not to seek means to halt the constant chewing up of our best farmlands.

The Eisenhower administration has refused to recognize where the real wealth of this Nation lies. It has permitted our conservation policies to deteriorate into confusion. It has neglected our river valleys. It has let urban sprawl take its course until the possibility for

essential recreation and water purpose areas around our major population centers is nearly exhausted.

Twenty-five years ago under Franklin D. Roosevelt, this Nation established the Soil Conservation Service. Today, thanks to this New Deal measure, there are 2,865 soil conservation districts. But we have starved this Service and we leave it entirely up to the tiller of the soil to do the job of conservation, providing only technical help through SCS.

Under the impetus of the SCS, some 20 percent of our arable land has received full conservation treatment. We have built some 900,000 farm ponds and 32,000 larger reservoirs for flood control and irrigation. We have built 34,000 miles of windbreak, 1.1 million miles of terracing, and 36 million contoured acres, and we have planted 6.3 million acres to trees.

The SCS program shows what we can do if only we create the will and appropriate the essential funds. Some 300 million acres of farmland still require this kind of treatment for survival as first-class soil. Another 13 million acres of Dust Bowl land must be retired from crop production.

OUR WATER

If our programs of soil conservation are lagging behind our needs, our water resource programs are even more appallingly shortsighted.

It has been my good fortune these past 2 years to serve as a member of the Senate Select Committee on National Water Resources. In this capacity, I have attended hearings on water resource development in all parts of the country.

A comprehensive summary of the state of the Nation's water resources is now under preparation by the committee staff. It will stake out a red flag. Unless our water development programs are reshaped to meet our rising new problems, this Nation will face a national water crisis within a comparatively few years. The crisis could come gradually—or should there be a drought—it could hit us with the suddenness of summer lighting.

Five trillion, five hundred billion tons of water are precipitated upon the United States every year. Of this, only about 30 percent actually remains on or under the land surface, while the rest of it evaporates into the atmosphere.

This 30 percent should be plenty for us, but we are using, misusing, polluting, and generally wasting it as though there were no tomorrow. I am confident there will be a tomorrow—and a long and satisfactory one. We must, therefore, face the fact that we can no longer take water for granted.

We are now consuming about 280 billion gallons of water a day in irrigation, industry, and in our homes. Demands are expected to double by 1980, soaring to about 600 billion gallons daily. This is close to the ceiling on the total supply engineers tell us can be made available, as a practical matter, with present engineering knowledge and techniques.

This means we must start immediately employing new and revolutionary techniques of water resource development, conservation and reuse, if on some not-too-distant day our faucets are not to run dry, our crops turn brown, and our wheels of industry slow down and stop.

Among other things, we must discard our thinking that water resource projects must be limited mainly to the construction of dams and reservoirs to regulate the flow of water. We must justify projects on the basis that they will better conserve the water we now have or find new sources of water we are not now developing or using. We must think in terms of projects to expand the reliable use of ground water, to reuse water as many times as possible, to clean up the contamination in our lakes and streams, and to develop techniques for opening up new supplies.

Current progress in the development of one new technique offers real hope. There is nothing in the least visionary or impractical about the proposals to convert saline or brackish water into fresh water which can be used for agricultural purposes and for industrial needs.

Nearly 8 years ago the Congress established a research program in the Department of the Interior to find cheap ways of converting saline water into fresh water. It has been gratifyingly successful. Already it has helped bring down the cost sharply. About 10 years ago the cheapest we could make usable water from the sea was $4 a thousand gallons. Now, some plants can do it for $1.75 a thousand, and a Texas plant under construction for Government research is expected to convert water for about $1 a thousand.

This is not low enough, of course, to fit into most city budgets when you realize that municipal water in the United States costs on the average about 30 cents a thousand gallons. But continued intelligent research can and will lower the saline conversion costs well below their present point. Israel is showing remarkable progress in this field.

During this last session the Senate passed a bill to greatly increase the scope of the saline water conversion program. I was one of its strongest supporters. I am hopeful that the House will act favorably on this bill before adjournment. Saline water conversion could hold the key to this Nation's future and to the future of the whole world.

I wish I could tell you we were making such heartening progress in cleaning up the contamination of our streams and lakes as we are in desalting our water—but we are not. One of the most discouraging developments of this past session was President Eisenhower's veto of the water pollution bill which would have added $40 million annually to the present grants for cleaning up our polluted waterways. The President said he acted on the grounds that water pollution is uniquely a local blight despite the fact that about 2,000 of the Nation's rivers are interstate in character.

Funds sought under this year's water pollution bill were seed money in the best sense. Our municipalities have welcomed the aid given under the original act which provided $500 million over 10 years. The $163 million of Federal funds so far expended have helped to finance $963 million worth of water treatment projects and some 14,000 miles of our waterways have been cleaned up in whole or part. I cannot understand philosophy that would slow down this work.

Our waters are now receiving approximately twice as much pollution from municipal systems alone as was considered allowable in 1955. Unless we wake up and take drastic action, 20 years hence, they will be carrying nearly three times the allowable pollution. Despite the fact that many new sewage plants are going up, the rate of construction is pitifully inadequate. This is not just my view; it is shared by virtually every organization of conservation, health, State, and municipal officers in the country.

President Eisenhower has talked about a partnership concept in our river development for purposes of power generation. If the partnership concept is good for power development, it ought to be just as acceptable for cleaning up our rivers, which, after all, do cross State lines. Clean, cheap, and plentiful water is as worthy of a Federal-municipal partnership as electric power for profit is worthy of a Federal-corporate partnership.

The Supreme Court recently ruled that private companies that clog our rivers with industrial garbage are obligated to take steps to keep the rivers navigable. All manufacturing establishments should halt industrial pollution of our rivers. I am sure that this can be done without hurting industry. Industry benefits from clean water and it seems to me that clean rivers are as important as navigable rivers.

Americans cannot afford to be placed in the position of the ancient mariner. We cannot just sit by while our streams are polluted by raw sewage, industrial waste, and now, even by atomic garbage. Pollution is today a national disgrace.

Over the last 8 years there has been no significant national water policy except that authorized under the Watershed Protection and Flood Prevention Act of 1954. Through this act some progress has been made in eliminating floods and developing irrigation and municipal and industrial water supplies. But in the face of the need, the pace is slow indeed. We have spent $175 million of Federal funds in 6 years on 216 small projects involving a total of only 12.6 million acres.

With the exception of the Colorado River storage project, a great basin project which was planned and launched by the Democrats, not a single new major river development program has been authorized for 8 years. We have even used up the last of the funds approved in previous authorizations. From the Potomac to the Snake, there is a need for comprehensive river valley development to end floods, to conserve water, to develop water supply and to revitalize our great watersheds.

I am most hopeful that the report of the Senate National Water Resources Committee will blueprint State, local, and national responsibilities for the type of water resource development we must have if we are to quench the fast growing thirst of our Nation. Surely a nation which can afford $9 billion each year for

alcoholic beverages can afford whatever funds are necessary to purify, to conserve, and to make the best use of every drop of its most precious commodity—water.

OUR MINERAL RESOURCES

The protection and conservation of America's vast and incalculable mineral resources present a very different challenge. Our lead, our zinc, our silver, our coal, and even our underground pools of oil and gas will remain essentially as they are if they are not used—they will not be washed or wasted away by neglect. The debate on the extent to which these resources should be used or reserved is clouded by conflicts in interest and by the recognition that international trade is a mighty tool of peace and that trade must be a two-way street.

Should we erect a high fence around our mineral reserves so they will be preserved for posterity—so they will not be exhausted before those of competitive nations? Or should we use them up, and trust that scientific ingenuity will provide us with substitutes? These are highly explosive questions which I do not want to try to deal with here.

There is no doubt, however, that a sturdy and strong domestic mining industry is essential to American security in peace and war. It becomes then a problem of protecting America's ability to produce the metals and minerals we need. It becomes a problem of keeping in operating condition those mines producing the sinews of defense.

A mine is not like a store—it cannot be closed up for a few years and then dusted out and reopened. Once closed, it may take many months and many dollars to pump out the water, replace the decayed timbers, and get a mine in operating condition again. Usually the mine cannot be reopened at all. Both decay and complete loss could be catastrophic in an emergency.

Senator JAMES E. MURRAY, one of the Senate's greatest realists, and one of the best friends the mining industry has ever had in Congress, has a bill which meets this problem headon. It provides that when a mine owner finds it impossible under current market conditions to operate a mine which the Secretary of Interior holds contains minerals essential to our national defense, the Secretary may help financially in order to keep the mine in standby condition. The legislation deserves thorough consideration.

OUR FORESTS

I am told that in the East supplies of soft woods are virtually exhausted and that our pulp mills are fast chewing up stands of hardwoods. When these supplies come from properly managed tree farms, there is no problem. But wanton cutting without regard for tomorrow is the rule more often than not. In the West millions of acres of forest land are still being despoiled by those who seem to care little about the "mining out" of this essential resource.

I do not intend to dwell here upon forest policies and timber needs. There has been marked improvement in practices on the part of some big companies which now view trees as a valuable crop. This is one of the few plus signs on the conservation horizon. But millions upon millions of acres need reforestation and hundreds of millions need timber stand improvement. There is a need to extend fire protection to other millions of forest acres, especially in our new State of Alaska. More of our still unused timber lands must be set aside now as national forest holdings to assure resources for the future.

OUR RECREATIONAL AREAS

No better investment has been made for the people of the United States than in the areas set aside as national parks. Millions visit these parks each year and they are already overcrowded. There is a need for more parks—both Federal and State—and for better facilities in those parks.

Recreation is America's fastest growing industry, and in the future world of automation more Americans will turn to recreation for employment as well as for enjoyment. No better investment can be made by the Federal Government than to set aside areas for recreation while there is still time. Tomorrow may be too late, because potential park land is fast disappearing.

Our beaches are a case in point. America was blessed with thousands of miles of beautiful shoreline which has been sadly mismanaged. We have treated this heritage with contempt, and even today we are doing little or nothing to restore what was given so freely.

Only 240 of the 3,700 miles of east coast oceanfront are still open to the public. More and more, the lovely vistas of Cape Cod are being blighted by commercial encroachment. It is no wonder that the National Park Service entitled a study of a few years back "Our Vanishing Shorelines."

In my home State of Utah the shorelines are threatened by neglect of a lake which is unique among American bodies of water—Great Salt Lake. Because this area is unduplicated in any of our other national parks, and because, if even a portion of the shoreline is to be utilized for the wonder and enjoyment of generations to come, it must be saved now. I have introduced a bill to set aside a portion of the lake as the Great Salt Lake National Park. Its salt-embedded beaches, heavy green water, and windswept islands have a strange compelling beauty which must not be lost to the world.

In all of America up to now, we have set aside only one beach area as a national shore, and this was done a quarter of a century ago, when Congress voted $2 million to establish Cape Hatteras National Seashore as a depression-fighting measure.

No better investment has ever been made by the people of the United States. Nowhere are there finer stretches of public beach. Each year, more Americans visit and use these awe-inspiring shores. The National Park Service has done a magnificent job of providing camping areas, bath houses, and other modern facilities. The local population has enjoyed great economic benefit from the incoming tide of tourists and vacationers.

We need many more national seashores and the object of the save our shorelines bill, which has been before Congress for the last 2 years, is the creation of 10 national shores. I am proud to be a sponsor of this measure. I urge haste in its passage, for every year that goes by sees more of our shoreline vanish beneath the flood of commercial decay and speculative promotion, while other areas are spoiled by pollution and erosion.

OUR WILDLIFE

Much of our western rangeland is still within the public domain. These lands can be saved as a source of meat production and for future development by a program of brush clearing, water spreading, and revegetation in large parts of the 200 million acres in Federal grazing districts and Forest Service lands.

So much of our wildlife faces total or partial extinction in the years ahead that we must once more examine our fish and wildlife policies. We need more protected wildlife habitats. We need to improve present Federal and State wildlife and bird refuges. We must expand wildlife cover development on private land where the cooperation of owners can be obtained. There is a need for expansion of wildlife research programs, since these mean a greater possibility for survival for many species.

I need not multiply examples further. It is evident that we are using up our resources at a prodigal rate. What will it cost to begin to reverse this trend, to begin to do the job of making our material future more secure?

Resources for the Future, a private organization, has studied America's conservation policies thoroughly. It has estimated that a total Federal expenditure of $17.5 billion for resources and conservation is essential over the next 10 years.

In view of what is at stake, such an expenditure would not be excessive. An average annual expenditure of less than $2 billion for good housekeeping practices would build a far stronger America. In the longer pull, survival as a first-class nation may be as much dependent upon what we do with our resources as upon what we do about our military defense. There is no need to neglect either in our $500 billion economy.

But we have been neglecting both under this administration. Despite our growing needs and our expanding population, we have actually been spending less on our natural resources in the past 8 years than we did under President Truman, and we have spent less during a time when inflation has reduced the value of each resource dollar. While the administration's own Department of Commerce has stated in a water development report that we must spend at least $3 billion a year to meet our minimum resource needs, the administration's budget has annually asked for less than half—not much more than a third—of that amount.

The slowdown in the development of this Nation's natural resources becomes even more serious when stacked up alongside of the accelerated rate at which the Soviet Union is developing

hers. As you know, last fall I headed a Senate subcommittee which inspected Russian power projects. The U.S.S.R. possesses the largest water resources in the world, about 10 percent of the earth's supply, compared with about 3 percent for the United States. We learned that Russian electric production is now being built at a rate which may make it possible for them to catch the United States in about 15 years. At least that is the Russian prediction, and we did observe most impressive progress. Of course, we have no way of knowing how long this Russian rate of growth can be sustained; but unless they slow down or we speed up, Russia may be able to produce more electric power in 1975 than does the United States in that year.

None of us can help but be alarmed when this fact burst upon us, because we in America know that even more than missiles and rockets and hydrogen bombs, the wealth and world power of a nation rests upon its resources and the status of the development of those resources. We know that modern industry requires large quantities of electric power, and that there is a close correlation between the amount of electricity a country develops and its gross national product.

There was no doubt in my mind that what we saw in Russia was not only an example of a nation developing its water resources for the benefit of its people, but of a nation building the foundation of a great industrial empire with which to challenge the supremacy of the Western World.

For the past 7 years in place of parks, forests, river valley development, land and forest reclamation, and pollution control, we in America have been given classic fiscal policy and hard money. I would remind those who have shaped today's indifferent conservation policies that the hardest currency cannot restore resources once they are depleted.

Much of America is awake to these forceful developments abroad and the contrasting neglect, the foot-dragging and easy-sailing attitude at home. Many Americans realize that the preservation of self-government depends upon our meeting the Soviet challenge, and that this cannot be done unless we preserve the water and the forests and the soil that make up this blessed land of America. These Americans are looking for leadership that combines faith in America's future with the boldness and the imagination to make the necessary decisions and to take the necessary steps.

Traditional policies are no longer adequate, and the breakdown of policy that has marked recent years spells future tragedy unless there is quick remedial action. As a first step there is a need to develop an integrated resource policy by law.

A Resources and Conservation Act of 1960 has been introduced into the Senate and hearings have been completed. Although conservation groups have earnestly pleaded for enactment of this bill, it has been met with hostility and indifference in the administration.

This measure would simply establish and coordinate the Federal responsibility in conservation matters. Its purpose is the conservation, development, and utilization of the "natural resources of the Nation to meet human, economic, and national defense requirements, including recreational, scenic, and scientific values" and to enhance "the national heritage for future generations."

The act requires the President to transmit to the Congress each year a "Resources and Conservation Report" setting forth the condition of the soil, water, grazing, wildlife, recreational, and other natural resources "with particular reference to the attainment of multiple purpose use." This alone makes the measure worthwhile, since it would give us a running inventory on our resources.

The measure would also create in the executive department a Council of Resources and Conservation Advisers, which would help to coordinate resources policies. Establishment of such a council is essential if we are to end the bureaucratic warfare among agencies charged with the conservation of our land, waterways, and forests.

Passage of this act is the first logical step in creating an up-to-date, integrated resources policy. I plead that this measure receive the attention it deserves.

But, above all, what America must have is a new realization of the necessity of preserving our resources. We must understand that money wisely spent on conservation yields direct returns in timber, forage, and other products, and at the same time establishes an inventory for future use.

We must disenthrall ourselves of the attitude that when a private corporation takes steps to improve plant and facilities the action is good business; but when the commonwealth makes similar investments in more basic natural resources, it is waste and unnecessary spending.

Nancy Newhall, one of our poets, recently compiled some of her verse under the title "This Is the American Earth." In a particularly moving poem, she had this to say:

In the centuries to come
Always we must have water for dry land,
Rich earth beneath the plow,
Pastures for flocks and herds,
Fish in the seas and streams,
And timber in the hills.
Yet never can man live by bread alone.

The poet goes on:

Reckless, we tore at the last great virgin resources.
What did it matter what we wasted or exhausted?

And she concludes:

Too few of us aware that to any beauty
We must come as lovers, not destroyers;
Come humbly, softly, to look, listen,
Learn to cherish and to shield.

This blessed land is ours to cherish, or to destroy; ours to abuse or to guard; ours to develop and beautify or to neglect and despoil. Let me be counted as one who is willing to act today in the interest of those who on a not-too-distant tomorrow will inherit our blessed land.

Mr. MANSFIELD. Mr. President, I compliment the Senator on a great speech. I agree with what he has to say about natural resources and what the effects have been and what the effects will be if certain measures are not adopted. He has shown sound judgment and good leadership in bringing to the attention of the Senate tonight the aspects of the speech which he has just finished delivering.

I assure him that I will be most happy to do all I can to be of assistance in the endeavors which he has set forth as representing his goal.

I wish also to compliment him for his patience and courtesy in waiting to make his fine speech until our business had been concluded. He was very helpful in showing such understanding, and because of it we were able to pass some fine legislation and, in effect, bring our calendar fairly up to date.

Again I commend and congratulate the Senator from Utah upon his good speech and on his sound judgment and on his good leadership, as well as on the courtesy and patience he has shown today.

Mr. MOSS. I thank the Senator from Montana.

Mr. President, I yield the floor.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL REPORT OF A COMMITTEE

Mr. PASTORE, from the Committee on Interstate and Foreign Commerce, to whom were referred the amendments of the House to the bill (S. 1898) to amend the Communications Act of 1934 with respect to the procedure in obtaining a license and for rehearings under such act, reported the same with amendments, and submitted a report (No. 1857) thereon, which was ordered to be printed.

PROPOSED AMENDMENT TO CONSTITUTION RELATING TO A NATIONAL PRIMARY—ADDITIONAL SPONSORS OF JOINT RESOLUTION

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the name of the majority whip, the distinguished junior Senator from Montana [Mr. MANSFIELD], and the name of the Senator from Colorado [Mr. CARROLL] may be added as cosponsors of my measure providing for a constitutional amendment for a national primary; it is Senate Joint Resolution 177. I also ask that the name of the senior Senator from Illinois [Mr. DOUGLAS] be added to that joint resolution, as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 10:30 A.M. TOMORROW

Mr. MOSS. Mr. President, in accordance with the order heretofore entered, I move that the Senate stand in recess until 10:30 o'clock tomorrow morning.

The motion was agreed to; and (at 9 o'clock and 51 minutes p.m.) the Senate

took a recess, under the order previously entered, until tomorrow, Saturday, August 20, 1960, at 10:30 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate August 19, 1960:

IN THE AIR FORCE

Gen. Nathan F. Twining, 10A, (major general, Regular Air Force), U.S. Air Force, to be placed on the retired list in the grade of general, under the provisions of section 8962, title 10, of the United States Code.

POSTMASTERS

The following-named persons to be postmasters:

ARKANSAS

Lillian T. Biggers, Hampton, Ark., in place of W. A. Biggers, deceased.

CALIFORNIA

Merrill I. Walstad, Bell, Calif., in place of Harry Bergseid, retired.
O. James Bergman, Buena Park, Calif., in place of M. F. Inskeep, transferred.
Laura B. Morgan, Clayton, Calif., in place of J. D. Blocking, resigned.
Maxwell M. Jamieson, Dana Point, Calif., in place of L. G. Jamieson, deceased.
William C. Buckley, Greenfield, Calif., in place of Guido Berti, resigned.
Henry C. Peterson, Ridgecrest, Calif., in place of E. E. Fowler, retired.
George K. Ingham, San Bruno, Calif., in place of D. P. Morrison, deceased.
George R. Fortney, Standard, Calif., in place of O. O. Wiseman, transferred.
Barry D. Duncan, Summerland, Calif., in place of Opal Lambert, resigned.

CONNECTICUT

Julia A. Wharton, Colebrook, Conn., in place of B. M. Turbarg, retired.
Raymond S. Manning, North Franklin, Conn., in place of R. R. Browning, retired.

FLORIDA

Marvin O. Boone, Barberville, Fla., in place of M. V. Biggs, retired.
T. Grayson Screws, Fellsmere, Fla., in place of H. E. Kesler, deceased.

GEORGIA

Fred Daves, Jr., Calhoun, Ga., in place of Bernard Franklin, retired.
John C. McCrary, Hardwick, Ga., in place of E. B. Willis, retired.
Charles L. Strickland, Jesup, Ga., in place of W. D. Burke, resigned.
Rodolph Broach, Putney, Ga., in place of G. S. Broach, retired.

IDAHO

Anna G. Bailey, Grand View, Idaho, in place of H. S. Bailey, deceased.
James E. Jensen, Shelley, Idaho, in place of H. T. Leavitt, removed.

ILLINOIS

Billy D. Elkins, Anna, Ill., in place of Frank Keistler, Jr., declined.
Robert J. Ertmer, Elizabeth, Ill., in place of E. J. Coveny, deceased.
Gordon R. Bartman, Lansing, Ill., in place of W. E. Erfert, retired.
Owen A. Reimer, Roscoe, Ill., in place of V. M. Wallace, retired.
Eugene R. Serrot, Rushville, Ill., in place of H. F. Markell, retired.
Charles D. Allen, Wayne City, Ill., in place of Ira Dezouche, retired.

INDIANA

Gerald E. Esarey, Decker, Ind., in place of R. M. Cornett, retired.

IOWA

Leo J. Truhlar, Ely, Iowa, in place of F. W. Elias, retired.
Thelan A. Elthon, Fertile, Iowa, in place of A. M. Eikenbary, retired.
Maryellen J. Beaver, Harvey, Iowa, in place of M. M. Bennett, retired.
Joe G. Panzi, Lehigh, Iowa, in place of R. E. Whipple, deceased.
Chester L. Watts, Mondamin, Iowa, in place of D. M. Beaman, retired.
Gale C. Eggland, Roland, Iowa, in place of C. M. Fatland, retired.
Donald F. Deeny, Waucoma, Iowa, in place of M. J. Biong, transferred.

KANSAS

Myron W. Miller, Attica, Kans., in place of L. F. Heath, transferred.
Henry M. Miller, Galesburg, Kans., in place of I. L. Magner, transferred.
Walter W. Johnson, Harper, Kans., in place of W. W. Nye, transferred.
Kenneth N. Kahle, Hoxie, Kans., in place of E. V. Hedge, retired.
Max A. Johnson, Jamestown, Kans., in place of S. E. Murray, retired.
Daryl G. Thornton, Republic, Kans., in place of M. J. Gardner, retired.

KENTUCKY

Clara P. Norris, Guthrie, Ky., in place of E. R. Paine, deceased.
Laura P. Smith, Sebree, Ky., in place of Milton Ashby, retired.

MAINE

Wallace H. Campbell, Fort Fairfield, Maine, in place of F. E. Glew, retired.
Marion P. Davis, Hebron, Maine, in place of D. L. Needham, retired.

MARYLAND

Donald M. Sturtevant, Landover, Md., in place of R. S. Rowe, retired.

MASSACHUSETTS

Helene V. Schwartz, East Sandwich, Mass., in place of J. R. Raymond, retired.
Bennett W. Boynton, Rowley, Mass., in place of S. F. Knowles, Jr., retired.
Phyllis D. Bellavance, West Mansfield, Mass., in place of E. E. Chaffin, retired.

MICHIGAN

Robert C. Mason, Augusta, Mich., in place of J. B. Woodrow, Jr., transferred.
Jack S. Paul, Dowagiac, Mich., in place of G. A. Stahl, deceased.
Paul A. Racheter, Pigeon, Mich., in place of F. A. Buerker, retired.
Robert E. Flaherty, Watervliet, Mich., in place of J. R. Crumb, retired.

MISSISSIPPI

James P. Allen, Fayette, Miss., in place of E. M. Huttenlocher, retired.

MISSOURI

Ida W. Summa, Gentry, Mo., in place of F. L. Summa, deceased.
Harold E. Becker, Palmyra, Mo., in place of D. H. Sosey, retired.

NEBRASKA

Eugene W. Hicks, Western, Nebr., in place of C. S. Haddix, transferred.

NEVADA

Kenneth W. Swallow, Boulder City, Nev., in place of M. W. Wagner, deceased.

NEW JERSEY

Frederick P. Rees, Lawrenceville, N.J., in place of F. B. Harker, retired.

NEW MEXICO

Lawrence D. Clawson, Bluewater, N. Mex., in place of W. L. Clawson, retired.
Levi Martinez, Tierra Amarilla, N. Mex., in place of P. J. Martinez, retired.

NEW YORK

George L. Mapes, Chester, N.Y., in place of J. J. Diffily, deceased.
Robert J. Auborn, Cleveland, N.Y., in place of E. A. Westcott, Jr., retired.
Mildred L. Brannon, Hadley, N.Y., in place of V. B. Hawk, retired.
Ethel M. Hare, Limestone, N.Y., in place of M. G. McCarthy, retired.
James S. D'Agostino, New Hartford, N.Y., in place of B. F. Green, retired.
Hubert F. McMaster, Nunda, N.Y., in place of J. P. Doyle, retired.
Robert N. Wolverton, Trumansburg, N.Y., in place of B. L. Wixom, deceased.

NORTH CAROLINA

Daniel H. Autry, Autryville, N.C., in place of B. B. Jaynes, transferred.
John T. Eastridge, Warrensville, N.C., in place of A. O. Ashley, retired.

NORTH DAKOTA

Reinhart Stradinger, Mercer, N. Dak., in place of B. C. Hjelle, retired.

OHIO

Robert H. Cassel, Aurora, Ohio, in place of M. P. Mowl, retired.
Charles H. Davis, Bethesda, Ohio, in place of A. H. Bolon, retired.
C. William McFarland, Canal Fulton, Ohio, in place of F. G. Schalmo, retired.
Clifford O. Shell, Columbiana, Ohio, in place of S. E. Tidd, retired.
Harry E. Munson, Mesopotamia, Ohio, in place of L. L. Ford, deceased.

OKLAHOMA

Leon J. Mattox, Howe, Okla., in place of J. A. Deaton, retired.

OREGON

Kenneth P. Lanning, Lebanon, Oreg., in place of M. V. Smith, retired.

PENNSYLVANIA

Elmer B. Herman, Elizabethtown, Pa., in place of E. M. Miller, retired.
Frank H. Marshall, Fairview Village, Pa., in place of A. M. Young, retired.
J. Gomer Saul, Kutztown, Pa., in place of G. R. Frey, retired.
Frank A. Santone, Jr., Malvern, Pa., in place of C. P. Kennedy, retired.
Blaine E. Klingman, Milton, Pa., in place of E. M. Crawford, retired.
Frederic H. Barth, Philadelphia, Pa., in place of R. A. Thomas, retired.

RHODE ISLAND

David A. Arnott, Shannock, R.I., in place of C. E. Cornell, deceased.

SOUTH CAROLINA

Carlisle E. Hammett, Converse, S.C., in place of E. S. Drake, retired.
David J. Hoffman, Sharon, S.C., in place of W. S. Gibson, retired.

SOUTH DAKOTA

Edna C. Forsyth, Northville, S. Dak., in place of M. E. Van Houten, deceased.

TENNESSEE

Norma L. Clement, Ellendale, Tenn., in place of T. S. Peek, retired.
Beatrice W. Norris, Ramer, Tenn., in place of C. L. Majors, retired.
Lillian C. Boyd, Rossville, Tenn., in place of W. J. Frazier, retired.

TEXAS

Russell W. Smith, Floresville, Tex., in place of E. W. Franklin, retired.
Robert M. Gring, Freer, Tex., in place of E. C. Kelly, removed.
Ross D. Gunn, Gilmer, Tex., in place of E. R. Knowles, retired.
Waunita A. Lynch, Highlands, Tex., in place of C. L. Hill, retired.
Clara J. Loesch, Industry, Tex., in place of E. A. Raeke, resigned.
LaVona E. Worley, Malone, Tex., in place of G. M. Mann, transferred.
Charlie Scaff, Matador, Tex., in place of E. F. Springer, retired.
Eugene L. Mickey, Sweeney, Tex., in place of H. B. Vezey, retired.
Gustave C. Cooper, Windom, Tex., in place of J. R. Burras, deceased.

UTAH

Glen P. Kunzler, Willard, Utah, in place of L. J. Baird, retired.

VERMONT

Wilmer E. Bowen, Derby, Vt., in place of M. E. Boucher, retired.

Carroll E. Brown, East Ryegate, Vt., in place of R. G. Franklin, resigned.

VIRGINIA

Oscar E. Wooldridge, Huddleston, Va., in place of M. J. Turner, deceased.

Aubrey C. Marshall, Woodstock, Va., in place of J W. Bailey, retired.

VIRGIN ISLANDS

Ralph E. Delemos, Kingshill, V.I., in place of I. A. Hansen, retired.

WASHINGTON

Paul C. Alvestad, Gig Harbor, Wash., in place of T. W. Tait, retired.

Albert A. Novick, Kelso, Wash., in place of S. M. Lord, retired.

Gaines B. Seefeldt, Toppenish, Wash., in place of P. D. Wilson, retired.

WEST VIRGINIA

Hagan P. Riggs, Gary, W. Va., in place of W. M. Boardman, retired.

Ruby E. Blevins, Hemphill, W. Va., in place of P. J. Groseclose, retired.

Mildred D. Moore, Lesage, W. Va., in place of L. M. Galford, resigned.

Troy O. Harden, McConnell, W. Va., in place of Nellie Robinette, deceased.

Laurel H. Clovis, Pennsboro, W. Va., in place of L. C. Foster, retired.

WISCONSIN

Paul L. Burgess, Bristol, Wis., in place of J. O. Goff, retired.

George H. Poukey, Cumberland, Wis., in place of M. G. Dunham, retired.

Kenneth J. O'Hern, Forestville, Wis., in place of E. P. Naze, transferred.

WYOMING

Alice L. Hahn, Edgerton, Wyo., in place of H. E. Moore, retired.

HOUSE OF REPRESENTATIVES

FRIDAY, AUGUST 19, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

John 8: 12: *"He that followeth me shall not walk in darkness, but shall have the light of life."*

Eternal and ever-blessed God, may the clarion and compelling call of these words of the Master silence our innumerable fears and give courage to our ceaseless longings for a new social order wherein dwelleth righteousness.

May we never allow ourselves to become calloused and complacent in these days when urgent demands are challenging us to minister to the miseries and needs of helpless humanity.

Gird us with perseverance and patience as we continue to pray and labor for a nobler generation when men shall no longer harm one another in their hatred or persecute one another in their ignorance and blindness.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed with an amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 12677. An act to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of interstate retail enterprises, to increase the minimum wage under the act to $1.15 an hour, and for other purposes.

The message also announced that the Senate insists on its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. MCNAMARA, Mr. MORSE, Mr. RANDOLPH, Mr. GOLDWATER, Mr. DIRKSEN, and Mr. PROUTY to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 6597) entitled "An act to revise the boundaries of Dinosaur National Monument and provide an entrance road or roads thereto, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Moss, Mr. GRUENING, and Mr. ALLOTT to be the conferees on the part of the Senate.

PROGRAM FOR NEXT WEEK

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time to ask the majority leader if he can and will tell us about the program for next week.

Mr. MCCORMACK. The program for next week is as follows:

There will be 11 suspensions on Monday.

Senate Joint Resolution 207, the equal time provision in connection with the Communications Act.

H.R. 12753, a bill amending the Subversive Activities Control Act of 1950.

H.R. 12125, extending the Library Services Act.

S. 2633, Foreign Service Act Amendments of 1960.

S. 2575, Health Benefits Act, retired Government employees.

H.R. 5383, a bill relating to the status of personnel of the Merchant Marine Academy.

H.R. 12419, a bill relating to the use of pesticides under the jurisdiction of the Fish and Wildlife Service.

S. 107, a bill relating to Federal ship mortgage insurance, floating drydock.

H.R. 12341, an agricultural bill relating to restriction on imported commodities, dates, and so forth.

H.R. 9866, extending agricultural services to Guam.

H.R. 7656, establishing a Federal Advisory Council on the Arts.

I shall ask unanimous consent later to call the Consent and Private Calendars on Tuesday. Then for Tuesday, Wednesday, Thursday, Friday, and Saturday the following are scheduled:

H.R. 7201, operation of hydroelectric power resources. Just before adjournment I promised the gentleman from Mississippi [Mr. COLMER] that I would call the bill up on Tuesday last. It was a bill that was out more than 7 legislative days from the Committee on Rules. The gentleman from Mississippi [Mr. COLMER], a member of the Committee on Rules, met me outside the House Office Building one day just before we adjourned. As a member of the Committee on Rules, he could call it up. He very kindly talked to me about it, and I agreed to bring it up last Tuesday. Then, before we adjourned, we had the suspensions transferred from last Monday until next Monday, as the Members will remember. I told my friend, the distinguished minority leader, that I had only that bill, that there were only three rules out on bills that we had not acted upon and that I had given this promise to the gentleman from Mississippi. I suggested to the minority leader to talk to the gentleman from Mississippi [Mr. COLMER], and if it was agreeable to him, instead of bringing the bill up last Tuesday, to bring it up the following week, so there would be no legislative business for the Members this week. The House was awaiting action on the part of the Senate. I met the gentleman from Mississippi [Mr. COLMER] at the Los Angeles convention and spoke to him. I told him what the situation was. He said it was perfectly all right with him. I told him that it was the only business that would bring the Members back and that it would be too bad to bring them back under those circumstances and that if it was agreeable, I would put it down for the following Tuesday. He said that was perfectly agreeable. So it is down from that following Tuesday, and I am keeping my promise made to the gentleman from Mississippi. That is the story about that bill and this week.

Following that, there is a contempt citation out of the Committee on the Judiciary, relating to certain officials of the Port of New York Authority.

Then there are several contempt citations out of the Committee on Un-American Activities.

Following that there is Senate Joint Resolution 170, a joint resolution concerning the North Atlantic Treaty Nations, out of the Committee on Foreign Affairs.

There are several important matters on which action may be taken. If a rule should come out taking from the Speaker's desk the school construction bill to send to conference, that will go to conference. I imagine the conferees could work very effectively on that bill, if we could get the necessary 7 votes in the Rules Committee. If we get one Republican vote, we can do it.

There is the usual reservation, that any further program will be announced later and that conference reports may be brought up at any time.

Mr. ARENDS. Mr. Speaker, I thank the gentleman. The gentleman tempts me to say something, but I shall refrain from saying it, as we have had a very long minute.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman.

Mr. BROWN of Ohio. I wanted to say merely that one additional Democratic vote would bring that bill out, too.

Mr. McCORMACK. There are 750 percent of the Democrats on the Rules Committee who are right and 1,000 percent of the Republicans wrong to date.

The SPEAKER. The time of the gentleman from Illinois [Mr. ARENDS] has expired.

CALL OF CONSENT AND PRIVATE CALENDARS NEXT WEEK

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it be in order on Tuesday next to call the Consent Calendar and the Private Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ADJOURNMENT UNTIL MONDAY NEXT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 10 minutes p.m.), under its previous order, the House adjourned until Monday, August 22, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2405. A letter from the Secretary of Defense, transmitting a semiannual report with respect to the authority to establish or develop installations and facilities required for advanced research projects, pursuant to Public Law 85–685; to the Committee on Armed Services.

2406. A letter from the Administrator General Services Administration, transmitting a notice of a proposed disposition of approximately 1,950,000 pounds of silk waste now held in the national stockpile, pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e); to the Committee on Armed Services.

2407. A letter from the Administrator, General Services Administration, transmitting a notice of a proposed disposition of approximately 1,450,000 pounds of silk noils now held in the national stockpile, pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)); to the Committee on Armed Services.

2408. A letter from the Comptroller of the Currency, transmitting a copy of the Annual Report of the Comptroller of the Currency for the year 1959, pursuant to section 333 of the U.S. Revised Statutes; to the Committee on Banking and Currency.

2409. A letter from the Secretary of Commerce, transmitting the 52d quarterly report on export control, pursuant to the Export Control Act of 1949; to the Committee on Banking and Currency.

2410. A letter from the Acting Secretary of State, transmitting a report of gifts and bequests received and accepted by the U.S. National Commission for the United Nations Educational, Scientific, and Cultural Organization, pursuant to Public Law 85–477; to the Committee on Foreign Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. EVERETT:

H.R. 13049. A bill to amend section 4107 of title 38, United States Code, to provide for payment of an additional allowance to certain physicians assigned to duty at Veterans' Administration facilities where it is difficult to recruit or retain physicians; to the Committee on Veterans' Affairs.

By Mr. HALPERN:

H.R. 13050. A bill to establish a registry of persons refused a motor vehicle operator's license or who have had such licenses revoked; to the Committee on Interstate and Foreign Commerce.

By Mr. KEARNS:

H.R. 13051. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

By Mr. KILGORE:

H.R. 13052. A bill relating to documentation and inspection of vessels of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. McMILLAN:

H.R. 13053. A bill to increase the salaries of officers and members of the Metropolitan Police force, and the Fire Department of the District of Columbia, the U.S. Park Police, the White House Police, and for other purposes; to the Committee on the District of Columbia.

By Mr. METCALF:

H.R. 13054. A bill to amend the Home Owners' Loan Act of 1933 to provide that Federal savings and loan associations may establish and operate new branches in States only if State savings and loan associations, or State banks and trust companies, are permitted by State law or practice to establish and operate new branches in such States, and for other purposes; to the Committee on Banking and Currency.

By Mr. RIVERS of Alaska:

H.R. 13055. A bill to establish a Water Resources Commission for Alaska; to the Committee on Interior and Insular Affairs.

By Mr. DAGUE:

H. Con. Res. 715. A concurrent resolution expressing the sense of Congress in favor of granting relief to the domestic carpet industry; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FALLON:

H.R. 13056. A bill for the relief of Maria Lagos; to the Committee on the Judiciary.

By Mr. HOLTZMAN:

H.R. 13057. A bill for the relief of Mrs. Lydia Brill Misroch; to the Committee on the Judiciary.

By Mr. RIVERS of Alaska:

H.R. 13058. A bill for the relief of Marlys E. Tedin; to the Committee on the Judiciary.

By Mr. YATES:

H.R. 13059. A bill for the relief of Constantin Magafas; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Address by Senator Kefauver to the National Association of County Officials

EXTENSION OF REMARKS

OF

HON. ESTES KEFAUVER

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Friday, August 19, 1960

Mr. KEFAUVER. Mr. President, I had the honor this week to address the National Association of County Officials at their silver anniversary conference at Miami, Fla.

It has been my experience that the men and women who make up this organization are a vital ingredient of our American democracy. Our Nation is composed of cities and counties and States—each with its important role in government.

It is at the county level where the problems of today are growing into a most serious challenge as our population explosion spreads the cities widely into the suburban areas of the country.

This challenge is being met courageously and with good planning by these county officials who carry the heavy burden of coming to grips with rapid development of their political subdivisions.

Most of the programs that the national association sponsors and works for are programs which the Democratic Party has worked for and sponsored over the years.

I ask unanimous consent that my speech before this outstanding association be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

HOW THE DEMOCRATS STAND ON THE AMERICAN COUNTY PLATFORM

(Address by Senator ESTES KEFAUVER at Miami, Fla., to National Association of County Officials)

It is a great honor and privilege—for a number of reasons—for me to be here with you today.

It is always rewarding to speak to members of your organization, because you are the people upon whom such a large percentage of our citizens must depend for good government, for efficient government, and for progressive government.

It is a particular pleasure to be able to be with you at this silver anniversary conference. Your organization is not only growing venerable, it is also growing by leaps and bounds in size and, more to the point, in importance.

I am honored to represent—at least informally—the Democratic Party and the Democratic point of view. I am certain that you could have gotten a more polished speaker but you could not have found one who believes more deeply in the Democratic program and its importance to the future of our great country.

Recently, I took a little trip that carried me through all of the 95 counties of Tennessee. For me, it was a worthwhile trip in many ways.

During that trip, I talked with hundreds of county officials. I have seen many of them here today. I learned much from these men and women and, again, I wish to express my gratitude to them.

Despite their many, many problems, most of these public servants are devoted to their tasks and are full of enthusiasm about their counties. They are full of good ideas and good plans, and the vast majority of them face the future with optimism.

Yet, almost every one of them stressed the importance of solving one basic problem: What do we do with an expanding population, a greatly increased need for services, and a shrinking tax base—and a near breaking point in local taxation?

I believe that the Democratic Party over the years has evolved a partnership between the Federal Government and State and local governments which, if followed and fostered in the future, will solve this underlying problem.

This partnership has three foundation stones.

First, the Democratic Party believes that it is best to attempt solving local problems locally, just as it is best to let private enterprise do most jobs.

A few years ago at an annual conference in Chicago, your association approved a resolution calling upon every county in the *United States* "to prepare itself for the assumption of the greater governmental responsibilities which lie just ahead so that local governments across the Nation may justify the faith and confidence which have been reposed in them by the people." In my view, county governments must continue to assume more and more responsibilities in the years immediately ahead.

Second, local governments have encountered many problems without assistance, and these problems are common to local governments throughout this county. In this area, there is need for Federal and State cooperation with, and assistance to, municipal governments.

Third, administratively, the best way to handle these problems is through the advice and help of the State, county, or municipality.

Many of these problems are the direct result of an almost exploding population in our country. But many of them stem almost wholly or in large measure from two migrations, which are ever increasing in intensity.

One is a migration from the cities to the suburbs, and this migration will not cease until we take the drastic steps necessary to clean up and rebuild our cities.

The other is a migration of people from the farms to the urban centers. I deplore not having a farm program which will permit families to stay on the farms. But I recognize that increased mechanization will continue the flow of people to the cities.

The crush of population has and will continue to multiply the great urban-suburban problems of which we are all only too familiar.

These problems are common to thousands of communities. And, in the view of the Democratic Party, the local communities have no way of solving many of them without help. The widespread nature of the problem and lack of a local solution adds up to a national responsibility.

Every State is at the limit—or close to it—of its taxing ability. So are counties. So are cities.

The Federal Government on the other hand, even under the restrictive Internal Revenue Act of 1954, is able to assist in many of these matters.

Without Federal assistance, many pressing problems will not be solved.

This truism—this fact of life—is reflected time and again in the American county platform.

I have been familiar for many years with the general objectives of the National Association of County Officials and where you stood on literally thousands of pieces of Federal legislation. In preparation for meeting with you today, I have studied your most recent platform and policy statements in detail.

The question that I am supposed to answer is: Where does the Democratic Party stand on them?

The short answer is that the Democratic Party goes at least—and I repeat, at least—95 percent of the way with you.

A good indicator of this great similarity of objectives and means is to compare the American county platform with the domestic planks in the Democratic platform which was actually drawn up recently by the delegates to the Democratic Convention in Los Angeles.

Take almost any subject that you choose—airports, housing, tax on local bonds, highways, aid to dependent children, urban renewal, regional housing, control of water pollution, et cetera—and you will find that on almost any one subject there is a striking resemblance between the two platforms. Naturally, there are some differences, especially in detail—and I shall discuss the major of these differences later—but, on the whole, they are strikingly similar platforms.

It might be pointed out that there is also a remarkable coincidence between the platform of the Republican Party and that of your organization.

Does this really mean that there is no difference between the parties on the major subjects of interest to you as county officials?

I think not.

If you examine the Democratic and Republican platforms in detail, I think you will discover that they reflect a considerable difference. The Republican platform is liberally sprinkled with high-sounding phrases but is short on specific commitments.

Further, there are better indicators of the differences between the parties than election-year platforms. The real differences show up in a number of other ways.

It has been Democratic Presidents and Democratic Congresses which have originated almost all of the partnership programs which are keystones in your American county platform. If you go down the long list of Federal-State-local cooperative programs, you will find that almost every one of them is a Democratic program in origin.

Also, on the question of timing, the Democrats have favored establishment of Federal aid plans before being forced into them by the sheer weight of adverse circumstances. If things get bad enough, the Republicans will support a "crash program," which frequently is too little and too late. Their recent program for area redevelopment is a good example. They are not willing to admit that States and local governments need assistance until things have hit rockbottom. They will admit to a national responsibility only as a last resort.

Another difference comes in the question of enthusiasm. Whereas the Democrats have enthusiastically initiated many programs of power development, highway modernization, control of water pollution, and a hundred others, the Republicans go along with these programs with a marked lack of enthusiasm—you might even say they drag their feet from time to time.

Last, but not least, is the question of which of the parties has the better record of delivery on promises. When looking to the future for expectations, we must look to the past for performance.

And when we look back it is clear which of the parties has delivered on the programs of importance to you. It is clear which of the parties has supported these programs in Congress when the chips are down. And it is clear which party's Presidents have signed such programs into law and which party's Presidents have scuttled such programs through use of the veto.

President Eisenhower has vetoed important legislation with respect to housing, urban renewal and slum clearance, area redevelopment, public works, aid to airport construction, and stream pollution control.

As you know, the use of the President's veto power has somewhat dampened Federal assistance programs. It has not ended them, but the veto and the threat of veto have resulted in the drastic scaling down of a number of specific programs. The constant reminder that the public works bill was vetoed twice last year serves to delay many very badly needed projects.

I said earlier that I would discuss the points of difference as well as the points of agreement between your platform and that of the Democratic Party. I could find only two differences of any consequence.

First, your platform is specific in its opposition to the establishment of a Federal Department of Urban Affairs. As I understand the Democratic proposal, the new department would work not exclusively on urban problems but would concern itself with suburban and metropolitan problems at the same time. After all, the problems are so intertwined as to be inseparable. As this proposal is spelled out in the coming months of the campaign, I hope that you and your association will follow its development with an open mind. I think that such a cabinet office might be almost as useful to many, many county officials as it will be to city officials.

The second major difference of opinion comes with respect to Federal aid to education, which is supported by both major political parties. I shall not try to proselytize on this subject, but rather explain why I favor Federal aid to education and why my party is for it.

The most common justification for Federal aid to education is the need for building an educational system in this country that will allow us to compete with the Communist countries in the years ahead. This is a valid justification. If our educational system falls behind theirs in this age of frightening technological advance, the next generation of Americans will fall hopelessly behind in national defense, and then it will be too late to do anything whatsoever about it.

For myself, I would advocate radical improvements in our educational system if there were no external threat at all. We are the richest nation in the world, and we can afford not only an adequate school system but a really first-rate educational system for all our children. Sadly enough, this is lacking in many places.

There is no argument that it would be preferable to have our school system brought up to par by local or State efforts. And in recent years local communities and States have made herculean efforts to keep up with the demand for more and better schoolrooms and for more and better paid teachers. Yet there is a serious shortage of both today.

The chief stumbling block, as you all know, is tax resources. At the moment local tax resources are stretched to the breaking point.

The Federal Government does have the tax resources to be of assistance and this Federal aid can be rendered in such a way as to leave local control unimpaired. It can also be rendered in such a way as to allow States and local communities flexibility as to how the funds are to be used, either for school construction or to supplement teachers' salaries.

I have talked too long, but I find that the question of Federal-State-local cooperation is not only one of the most interesting but one of the most complex questions that we face. We must and, I believe, we will continue to solve it on a case-by-case basis.

There is no magic formula, no single equation. But where there is good will, mutual trust, and a spirit of cooperation, we can go forward with a number of vital and progressive programs.

Your association has a program and a platform which are so close to those of the Democratic Party that I can see no obstacle to our going forward together.

Without Federal and State cooperation with, and assistance to, local communities, many of our problems will not be solved. They will simply canker and increase and ruin the life of our communities.

With continuing cooperation, they will be solved and America's great potential will be realized.

Thank you.

Vice President Nixon Wrong on Medical Care Plan for the Aged

EXTENSION OF REMARKS

OF

HON. CLAIR ENGLE

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Friday, August 19, 1960

Mr. ENGLE. Mr. President, I would like to call to the attention of my colleagues the following statement made some weeks ago by Vice President NIXON on the matter of medical care for the aged. I ask unanimous consent to have the statement printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE VICE PRESIDENT REGARDING THE ADMINISTRATION MEDICAL CARE BILL

The administration medical care bill deserves the support of all American who recognize the need for better medical care for the aged and who want to meet that need without adopting a program which would open the door for socialized medicine, as would the Forand bill.

It is superior to the Forand bill in these respects:

1. The administration bill provides coverage for 12½ million people over 65 who do not have the resources or the opportunity to obtain adequate health insurance coverage.

The Forand bill provides no coverage whatever for 4 million aged people who are not covered by social security. Over 2 million of these 4 million have incomes of less than $1,000 a year. This important group of 2 million is covered by the administration bill.

2. Under the administration bill those who are eligible for the program have complete freedom of choice as to whether they desire to participate in it or to provide for their own protection on an individual basis.

The Forand bill compels all those on social security to participate in the program regardless of whether they need it or want it.

3. The administration bill provides for the use of virtually all medical facilities and services, including medical, nursing and other health services, in the patients' own homes, thereby serving the need of the patient most effectively and economically.

The Forand bill would put a still heavier load on already overburdened hospitals and skilled nursing homes, since its benefits are available only in institutions. In effect, in order to get the benefits of the program, those participating would be forced to go to hospitals and nursing homes, even when they did not desire to do so.

4. The administration bill preserves the opportunity for private insurers to continue to expand their insurance coverage for the aged. The Forand bill would inevitably curtail the opportunity for continued growth in the coverage and adequacy of voluntary health insurance and would set up irresistible pressures for establishing a compulsory health insurance program for all people regardless of age—a development which inevitably would lead to the socializing of the medical profession. Importantly, the administration program avoids that threat because of its basic voluntary nature.

5. The administration program provides a comprehensive 10-point benefit program which would substantially meet the costs of long term or other expensive illness. The Forand bill provides only a 3-point benefit program limited to the first dollar costs involved in institutional care and surgery. In a nutshell, the administration bill offers the best protection against the costs of catastrophic illness.

The difference between the administration's program and the Forand bill goes to the fundamental nature of our free society. The Forand bill and similar plans would set up a great state program which inevitably would head in the direction of herding the ill and elderly into institutions whether they desired this or not. Such a state program would threaten the high standards of American medicine.

The administration program recognizes the medical problems of the elderly but preserves our basic American principle—a freedom of choice. This would permit elderly citizens who need medical care to accept institutional treatment if they desired and would also enable them to stay home—a choice which many of them undoubtedly would take—and still receive the medical care which they need in the advanced years of life.

Mr. ENGLE. Mr. President, I think the Vice President erred in his assessment of the advantages of the administration proposal as against those of the Forand bill, and I would like to comment briefly on the major points in his statement.

Even if the administration proposal were passed by the Congress, no one would receive benefits without the action of State legislatures. Ninety-nine State legislative bodies would have to act on enabling legislation and authorizations. The prospect of favorable State action should be judged in the light of the recent statement by 30 State Governors, representing more than two-thirds of the U.S. population, advocating that health insurance for the aged be provided through the OASDI system, rather than through Federal-State financing.

Further, before the claim for coverage of 12½ million people could be realized, each State would have to enter into negotiations with insurance carriers, and each person potentially eligible would have to prove his financial need and many would have to pay an enrollment fee.

And in the highly unlikely event that all of that were accomplished, an enrolled individual would have to pay medical bills of $250 from his own resources—$400 for a retired couple—before he could receive the first penny of benefits from the administration's so-called health program.

The Vice President states that each individual eligible would be free to choose whether he wishes to participate. The individual's choice is limited in reality only to whether he will accept the benefits if his State offers them. The taxes to finance the program would be equally compulsory under the administration program as under the Forand bill. And how much freedom would there be for the individual living in a State whose legislature was either unwilling or unable to raise the funds necessary to participate? As I understand freedom—it means freedom to participate—as well as freedom not to participate. The Vice President seems to understand "freedom" to mean only freedom from participation in the social security system.

Vice President NIXON claims that the administration program "preserves the opportunity for private insurers to continue to expand their insurance coverage for the aged," while the Forand bill would not. Private insurance flourished as never before after social security benefits were initially enacted, though similar fears were expressed at that time. Private pension plans have grown in the last 25 years to supplement the basic social security pension. An identical development can be expected in the health field, once basic health protection is provided through the social security system.

Mr. NIXON says that the Forand bill would lead to the socializing of the medical profession. Such a statement is pure sloganeering. The Forand bill leaves all existing relationships between doctor, patient, and government unchanged, providing simply a mechanism for paying certain bills.

The Vice President seeks to persuade us that the Forand bill would result in herding the ill and elderly into institutions whether they desired this or not. I find it hard to believe that Mr. NIXON is not fully aware that no one can get into a hospital without being admitted by a physician. Providing insurance against the costs of hospitalization will not result in a massive exodus from the

homes of America to the hospitals. Instead, it will remove the economic barrier to needed hospitalization so that medical necessity can govern whether a person will enter a hospital.

Now the task of providing the aged citizens of our country with some protection against the burden of high medical expenses is obviously an immense one. It cannot be solved with a single stroke of the pen, or with empty promises. There is no panacea. After much study in both Houses of the Congress, a way was proposed by which we could begin to meet this problem. It seemed reasonable to approach this problem as, 25 years ago, we approached the problem of providing some income security to the aged citizens of that generation. The earliest pensions under social security were, indeed, modest ones but they provided the sound basis on which a social security program which provides a real measure of dignity in old age has been built.

The Forand bill, by covering all those eligible for social security, covers the vast bulk of the aged. Social security beneficiaries as a proportion of the total population are continually increasing. Once this large group is provided for, it is a simple matter to extend coverage to those outside the system as, for example, one of the Senate versions of the Forand bill—S. 3503—of which I am a cosponsor, already does. No one has come up with any suggestion which would provide benefits to as many people as would the social security approach.

Expenses for hospitalization are by far the largest single item of health care costs for the aged. There is no better place to start attacking the problem than by providing for financing of institutional care.

The administration decided on a different approach. Instead of advancing a modest workable program, such as those contained in the Forand, Kennedy, McNamara, or Anderson bills, the administration took it upon itself to promise the American people "the works," in the hope that the fact that it could not deliver the goods would somehow be obscured.

In contrast, no one claimed that the Forand bill would solve the problem of protecting all of America's aged from all their medical bills, but it does provide a firm foundation on which we can build in the future.

We are proud that we have proceeded responsibly to meet this vast problem. We are proud that we are proceeding in a great tradition. Just 25 years ago, when the Congress passed the original social security Act, President Roosevelt used these words as he signed that bill into law:

> We can never insure 100 percent of the population against 100 percent of the hazards and vicissitudes of life, but we have tried to frame a law which will give some measure of protection to the average citizen and to his family against the loss of a job and against poverty-ridden old age. This law, too, represents a cornerstone in a structure which is being built but is by no means complete.

President Roosevelt understood that these problems could be met, one solid and constructive step at a time. He did not feel it necessary to promise the people everything, while delivering nothing.

SENATE

SATURDAY, AUGUST 20, 1960

(Legislative day of Friday, August 19, 1960)

The Senate met at 10:30 o'clock a.m., on the expiration of a recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Most merciful God, who art the fountain of all grace, the source of all wisdom and goodness, we would lift our eyes to the infinite blue of Thy love which arches each new day.

Thou hast called us whose lives so swiftly ebb away, to labor with Thee in the unfolding purpose of the ages. Accepting with humility the call of destiny to be the center and leader of a new world of freedom, quicken our love of America that we may see the shining glory of the Republic both as a heritage and a trust. Against all odds and evil opposition may we keep our passion for freedom, our delight in friendship, our quest for new knowledge, our hatred of falsehood, and our intolerance for that which degrades human personality.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, August 19, 1960, was dispensed with.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule there will be the usual morning hour. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

REDUCTION OF NATIONAL DEBT—RESOLUTION

Mr. WILEY. Mr. President, I present, for appropriate reference, a resolution adopted by the board of directors of the Iowa County, Wis., Farm Bureau, favoring a 2-percent annual reduction of the national debt. I ask unanimous consent to have the resolution printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

"Whereas the debt of the Federal Government has reached tremendous proportions, and

"Whereas little or no effort is being made to reduce this debt, and

"Whereas it is vital to the financial security of the country that the debt be paid: Now, therefore, be it

"*Resolved*, That the Iowa County Farm Bureau board of directors go on record favoring a 2-percent annual reduction of the national debt, based on greater efficiency in Government operations rather than on an increase in the annual budget; and be it further

"*Resolved*, That copies of this resolution be sent to Senators ALEXANDER WILEY and WILLIAM PROXMIRE, Congressman GARDNER WITHROW, and all county boards of supervisors of Wisconsin; also all Wisconsin Farm Bureau boards of directors."

Iowa County Farm Bureau Board of Directors: Donald Peterson, President, Roy Anding, M. L. Arneson, Blaine Price, John Zemlicka, Clifford Wedlake, Robert Masters, Robert Mueller, Ed Tonkin, Harley Rundhaug, Erick Fessell, Gaius Davis, Andrew Leuthold, Reuben Kritz.

I, John W. Zemlicka, secretary of the Iowa County Farm Bureau, do certify that the above resolution was passed unanimously by the Iowa County Farm Bureau board of directors at a regularly held meeting August 12, 1960.

JOHN W. ZEMLICKA.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mrs. SMITH, from the Committee on Armed Services, without amendment:

S. 3800. A bill to provide a method for regulating and fixing wage rates for employees of Portsmouth, N.H., Naval Shipyard (Rept. No. 1858).

By Mrs. SMITH, from the Committee on Armed Services, with amendments:

S. 3299. A bill to provide for the conveyance to the State of Maine of certain lands located in such State (Rept. No. 1860).

By Mr. CANNON, from the Committee on Armed Services, without amendment:

S. 3269. A bill authorizing the Secretary of the Navy to convey certain property to the State of Hawaii (Rept. No. 1859).

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. SALTONSTALL, from the Committee on Armed Services:

Charles H. Cox, for temporary appointment to the grade of brigadier general in the Marine Corps Reserve.

Mr. THURMOND. Mr. President, as in executive session, from the Committee on Armed Services, I report favorably the nominations of 36 flag and general officers in the Army, Navy, Air Force, and Marine Corps, and ask that these names be placed on the Executive Calendar.

The VICE PRESIDENT. Without objection, the nominations will be placed on the Executive Calendar, as requested by the Senator from South Carolina.

The nominations are as follows:

Brig. Gen. Chester Arthur Dahlen, Army of the United States (colonel, U.S. Army), and sundry other officers, for temporary appointment in the Army of the United States;

Col. Maurice C. Harlan, Regular Air Force, Dental, for appointment to the temporary grade of brigadier general in the U.S. Air Force;

Alpha L. Bowser, and sundry other officers, for temporary appointment to the grade of major general in the Marine Corps;

Rathvon M. Tompkins, and sundry other officers, for temporary appointment to the grade of brigadier general in the Marine Corps;

Rear Adm. Elton W. Grenfell, U.S. Navy, for commands and other duties determined by the President, in the grade of vice admiral;

Lt. Gen. Edward Thomas Williams, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of lieutenant general; and

Col. Bruce Edward Kendall, Army of the United States (lieutenant colonel, U.S. Army), and several other officers, for temporary appointment in the Army of the United States in the grade of brigadier general.

Mr. THURMOND. Mr. President, in addition, I report favorably the names of 3,569 officers in the Army, Air Force, and Marine Corps, in the grade of colonel and below. All of these names have already appeared in the CONGRESSIONAL RECORD. In order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Vice President's desk, for the information of any Senator.

The VICE PRESIDENT. Without objection, the nominations will lie on the desk, as requested by the Senator from South Carolina.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAVEZ:

S. 3870. A bill for the relief of Mr. and Mrs. Harley Brewer; to the Committee on the Judiciary.

By Mr. KERR (for himself and Mr. MONRONEY):

S. 3871. A bill to amend section 2 of the act of April 12, 1926 (44 Stat. 239), entitled "An act to amend section 9 of the act of May 27, 1908 (Thirty-fifth Statutes at Large, page 312), and for putting in force, in reference to suits involving Indian titles, the statutes of limitation of the State of Oklahoma, and providing for the United States to join in certain actions, and for making judgments binding on all parties, and for other purposes"; to the Committee on Interior and Insular Affairs.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. WILEY:

Statement, prepared by him, relating to the establishment of price supports for dairy products.

ORDER FOR ADJOURNMENT UNTIL MONDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today, it will stand in adjournment until 10 o'clock a.m. on Monday.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

PRICE-SUPPORT LEVEL FOR MILK AND BUTTERFAT—S. 2917

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, as the Senate knows, yesterday Senate bill 2917, a measure to establish a price-support level for milk and butterfat, was passed. The sponsors were bipartisan in their support of this particular measure, which will mean a great deal to the milk producers not only in Wisconsin, in which the principal author of the measure, the junior Senator from Wisconsin [Mr. PROXMIRE] lives, but also in the neighboring State of Minnesota, and elsewhere.

I call this fact to the attention of the Senate because previous to the introduction of this particular bill the principal exponent of a measure of this type had been the distinguished senior Senator from Minnesota [Mr. HUMPHREY], who, of course, has been known for his vigorous and active support not only toward the milk-producing segment of our farm economy, but to all segments of our agricultural economy.

I wish to commend all of those who joined in sponsoring this bill, which, by the way, includes the junior Senator from Massachusetts [Mr. KENNEDY] and the senior Senator from Vermont [Mr. AIKEN], but to pay a special tribute at this time to the senior Senator from Minnesota [Mr. HUMPHREY] for the consistent interest and the fine work he has done in this field down through the years.

HUMPHREY FOOD FOR PEACE PLAN

Mr. MANSFIELD. Mr. President, I should like to call to the attention of the Senate that the Senator from Minnesota [Mr. HUMPHREY] is the author of the food for peace plan. I ask unanimous consent that there be printed in the RECORD at this point in my remarks an editorial from the Great Falls, Mont., Tribune for August 17, 1960.

There being no objection, the editorial was order to be printed in the RECORD, as follows:

[From the Great Falls (Mont.) Tribune, Aug. 17, 1960]

HUMPHREY TO NIXON

A gigantic new giveaway plan to distribute America's food surpluses through the United Nations to help feed the hungry of the world is being developed by the Eisenhower administration.

President Eisenhower had planned to present this idea to the Big Four meeting in Paris last May. When Russian Chairman Nikita Khrushchev blew up the summit, the plan was set back.

The next heard of it was in a U.S. farm policy speech Vice President NIXON made at a Republican rally in Minot, N. Dak., June 20.

The Nixon speech was primarily a general preview of his own farm policy ideas. That got the most news attention.

NIXON also revealed, however, that he, Undersecretary of State C. Douglas Dillon, U.N. Ambassador Henry Cabot Lodge, and the White House food for peace coordinator, Don Paarlberg, had devised this plan for helping to feed the world's hungry.

The idea of doing this through the United Nations instead of through the Big Four is the new wrinkle intended to salvage the plan. But the big bulk would come from the United States.

One curious angle on this Eisenhower-Nixon plan is that Congress has had before it for more than a year a Democratic food for peace plan on which action has been stalled.

This was primarily the brain child of Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, who has been talking about using America's food surpluses as a force for freedom since 1957.

In a St. Paul speech, December 9, 1958, HUMPHREY said, "My goal is to use food for peace * * * to fulfill the Biblical mandate to feed the hungry and heal the sick." A month later, the phrase "food for peace" appeared in President Eisenhower's state of the Union message to Congress, but it was not followed up.

The next April HUMPHREY incorporated his ideas in an international food for peace bill. Fourteen Democratic Senators and Senator FRANK CARLSON, Republican, of Kansas, joined HUMPHREY as cosponsors.

The bill was revised and reported out by the Senate Foreign Relations Committee in August 1959, after the Eisenhower administration's State, Agriculture, and International Cooperation Administration officials testified they did not want a long-term program.

Mr. MANSFIELD. The résumé given in the editorial shows that since 1957 the Senator from Minnesota has been vitally interested in this particular proposal. It is hoped that at long last something will be done to use our surpluses to feed the hungry and take care of the sick, and in that way bring about an alleviation of a situation in which too many people in the world find themselves because of a lack of proper or sufficient diet.

Once again, in a vital field, Senator HUMPHREY has shown himself to be a dedicated, a farsighted, and a humanitarian leader.

LEGISLATIVE ACCOMPLISHMENTS OF THE SENATE IN THE PRESENT SESSION

Mr. JOHNSON of Texas. Mr. President, since we assembled a little more than 10 days ago, much has been written and much more has been said about the work of the Senate. The most effective answer to those who would besmirch the reputation of this great body lies in the results which we have obtained through the orderliness and speed with which

the public business which we returned to Washington to transact has been completed.

The Senate has not only legislated with care and expedition, but I remind the country that since we returned to Washington we have approved four treaties, one the very important and controversial Antarctic Treaty.

We have passed the $4 billion public works bill, which has important implications for safeguarding the future of America.

We have passed the minimum wage bill, which could affect the lives of some 23 million people now covered by existing legislation, and which will help to improve the lives of some 4 million additional people.

We have passed a bill which is very important to our own defense system, and our own small lead and zinc producers, and which will stabilize conditions in those industries.

As the majority whip has said, we have passed the Proxmire bill, which will establish a price support level for the milk producers of this Nation and have an effect on the economy of many of the States of the Union.

We have approved the recently submitted $500 million authorization to assist our Latin American neighbors, and a $100 million authorization to aid in the reconstruction of devastated Chile.

We have passed a measure to increase the President's mutual security contingent fund by $100 million.

We have had reported the mutual security bill, and the bill and the report are now available to any Senator who cares to look at them. It is Calendar No. 1921. The bill is under the budget request for appropriations by $292,650,000 although, compared with the House, the bill represents an increase of $399 million.

We have with fairness and care held extended hearings on H.R. 12580, the bill which is on the desk of each Senator this morning, thanks to the very efficient work and the "can do" attitude of the printing clerk and the Printing Office. It is a medical aid and social security bill which will vitally affect medical care for the aged and which holds forth some hope for our senior citizens who are shadowed by the threat of illness.

This is a record in which all Senators can take pride regardless of which party they belong to. It is a record which the employees of the Senate have helped us to produce, and for their devotion and diligence I express my gratitude.

The Senate has made good use of its time. We have acted with care and expedition. Although we have had some extended speeches on extraneous subjects, and many recommendations in connection with legislative proposals before us and some not before us, we have demonstrated, I believe, that we can produce results in 10 days. The Senate has made it clear that we have come back to Washington to do the job we left when we recessed for the conventions. We are on our way to complete that work.

Mr. JOHNSON of Texas subsequently said: Mr. President, I ask unanimous consent that following my brief statement this morning, with regard to the first 10 or 11 days of this session, there be printed in the RECORD a list of the treaties, together with the bills, on which the Senate has acted thus far. It is a compilation or box score.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

BILLS AND TREATIES APPROVED BY THE SENATE DURING THE FIRST 2 WEEKS OF THE SESSION THAT RESUMED AUGUST 8, 1960

During the first 11 days of the current session, the Senate has approved four treaties and passed six bills.

TREATIES

Antarctic Treaty, approved 66 to 21, assures that the Antarctic Continent and surrounding areas will be used exclusively for peaceful purposes, that freedom of scientific investigation will be maintained and freezes existing territorial claims and rights in the Antarctic.

Convention of Paris for the Protection of Industrial Property, approved unanimously, 95 to 0, provides for international protection of patents, utility models, industrial designs, trademarks, service marks, and trade names.

Treaty of Friendship and Commerce Between United States and Pakistan, approved 94 to 1, provides broadened opportunity for American individuals and businesses abroad to conduct their affairs in a more effective manner.

Convention of Establishment Between United States and France, approved 94 to 1, provides broadened opportunity for American individuals and businesses abroad to conduct their affairs in a more effective manner.

BILLS

Public works appropriations, approved unanimously, 86 to 0, provides $4,030 million for public works projects, flood control and resources conservation and development.

Amendment to the Fair Labor Standards Act (minimum wage bill), approved 62 to 34, provides for increasing minimum wage from $1.00 to $1.25 over a 3-year period, and extends minimum wage coverage to over 4 million additional employees.

Stabilization of mining of lead and zinc on public, Indian and other lands, approved 59 to 28, provides for stabilizing the mining of lead and zinc by small producers in the United States.

Milk price supports, approved unanimously without a record vote, establishes price-support levels for milk and butterfat through March 31, 1961, in order to prevent dairy prices from going lower than the market.

Aid to Latin America, approved 54 to 19, authorizes $500 million for assistance in the development of Latin America and $100 million for aid in the reconstruction of Chile.

Mutual security contingency fund, approved 59 to 14, provides an increased authorization of $100 million for the President's mutual security contingency fund for fiscal year 1961 to meet emergency needs in Africa and other areas of the world.

Mr. JOHNSON of Texas. I also ask unanimous consent to insert in the RECORD a list of the appropriation bills that have been acted upon thus far, including the budget estimate, the final amount, and the increase or decrease in the appropriation bills as compared with the budget.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TABLE I.—*Table on appropriation bills, 86th Cong., 2d sess., as of Aug. 20, 1960*

	Budget estimate	Final amount	Increase (+) or decrease (−)
1960 appropriations:			
NASA supplemental	$23,079,000	$23,079,000	
2d supplemental	1,018,504,888	955,370,003	−$63,134,885
Labor supplemental	8,000,000	6,000,000	−2,000,000
1961 appropriations, bills completed:			
District of Columbia (Federal payment)	34,553,000	27,533,000	−7,000,000
Commerce	799,615,000	729,624,375	−69,990,625
Interior	550,330,300	557,667,600	+7,337,300
Treasury-Post Office	4,897,853,000	4,841,914,000	−55,939,000
General Government matters	14,627,500	14,207,500	−420,000
Independent offices	8,417,397,000	8,311,893,400	−105,503,600
Defense	39,335,000,000	39,996,608,000	+661,608,000
Agriculture	4,135,263,190	3,994,097,600	−741,165,590
Military construction	1,188,000,000	994,855,000	−193,145,000
Legislative	133,413,485	129,470,410	−3,943,075
Supplemental	169,327,840	138,293,740	−31,034,100
Subtotal on bills completed	60,724,944,203	60,720,613,628	−4,330,575
1961 bills pending:			
Labor-HEW	$4,020,221,981	[1] $4,334,905,831	+$314,683,850
Mutual security	4,281,704,000	[2] 3,989,054,000	−292,650,000
State-Justice-Judiciary	733,030,395	[1] 697,416,977	−35,613,418
Public works	4,004,141,180	[1] 3,972,404,795	−31,736,385
Subtotal on bills pending	13,039,097,556	12,993,781,603	−45,315,953
Grand total	73,764,041,759	73,714,395,231	−49,646,528

[1] Amount includes ½ of Senate increase over House bill.

[2] Amount as reported to the Senate.

TABLE II.—*Table on appropriation bills, 86th Cong., 2d sess., as of Aug. 20, 1960*

	Budget estimate	Final amount	Increase (+) or decrease (−)
1960 appropriations:			
NASA supplemental	$23,079,000	$23,079,000	
2d supplemental	1,018,504,888	955,370,003	−$63,134,885
Labor supplemental	8,000,000	6,000,000	−2,000,000
1961 appropriations, bills completed:			
District of Columbia (Federal payment)	34,533,000	27,533,000	−7,000,000
Commerce	799,615,000	729,624,375	−69,990,625
Interior	550,330,300	557,667,600	+7,337,300
Treasury-Post Office	4,897,853,000	4,841,914,000	−55,939,000
General Government matters	14,627,500	14,207,500	−420,000
Independent offices	8,417,397,000	8,311,893,400	−105,503,600
Defense	39,335,000,000	39,996,608,000	+661,608,000
Agriculture	4,135,263,190	3,994,097,600	−141,165,590
Military construction	1,188,000,000	994,855,000	−193,145,000
Legislative	133,413,485	129,470,410	−3,943,075
Supplemental	169,327,840	138,293,740	−31,034,100
Subtotal on bills completed	60,724,944,203	60,720,613,628	−4,330,575
1961 bills pending:			
Labor-HEW	4,020,221,981	[1] 4,485,788,932	+465,566,950
Mutual security	4,281,704,000	[2] 3,989,054,000	−292,650,000
State-Justice-Judiciary	733,030,395	[1] 718,269,147	−14,761,248
Public works	4,004,141,180	[1] 4,030,010,605	+25,869,425
Subtotal on bills pending	13,039,097,556	13,223,122,683	+184,025,127
Grand total	73,764,041,759	7,943,736,311	+179,694,552

[1] Amount is the figure as passed Senate.

[2] Amount is the figure reported to Senate.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER (Mr. KEATING in the chair). The Senator from New York.

Mr. JAVITS. Does the Senator from Wisconsin wish to make an insertion in the RECORD?

Mr. PROXMIRE. I understood that we were in the morning hour.

Mr. JOHNSON of Texas. The Senator from New York can be recognized for 3 minutes, unless he wishes to parcel out the time to other Senators. Otherwise we can complete the morning hour.

Mr. JAVITS. I seek no recognition at this time.

HUNGARIAN PEOPLE AND ST. STEPHEN ARE HONORED ON AUGUST 20

Mr. PROXMIRE. Mr. President in the annals of the Hungarian people their first great King and patron saint, Stephen I, occupies a prominent place. It was he who founded the Hungarian state at the beginning of the 11th century. Receiving his crown from Pope Sylvester II in the year 1001, he worked effectively to spread the Christian belief among the many pagan groups who lived in the country. Through his great wisdom and political skill he succeeded in welding these often dissident groups into a single nation, and accomplished the even greater feat of winning their love and loyalty.

The great St. Stephen provides us with an example that is not irrelevant to modern times. For while he was extending the sovereignty of his crown over differing groups, he practised tolerance and allowed them to maintain their own ways of life, even where these differed radically from the patterns which he might have preferred. In this one can see a classic case of union through diversity. Like the United States, the motto of medieval Hungary under St. Stephen might have been "E Pluribus Unum"—"Out of many, one."

Today, August 20, Hungarian people all over the world honor the memory of this great king, the noted champion of freedom and free institutions. The heroism of Hungarians in the revolution of the fall of 1956 is a more recent and vivid talisman of the devotion of these people to the cause of liberty. Those who rose up against the alien ideology that enslaved them were acting in the great tradition first established by Stephen I. It is fitting, therefore, that today, St. Stephen's day, we honor both the memory of a noble saint and the heroic fight of the Hungarian people for freedom.

MEDICAL ASSISTANCE FOR THE AGED

Mr. PROXMIRE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from an elderly Wisconsin resident who recognizes the very serious need for health insurance, but deeply resents the necessity for taking a pauper's oath in order to qualify for it.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEAR SENATOR: I am disgusted. How can some members of the Finance Committee ask that a person needing medical assistance "pauperize" himself before help can be granted.

For your information, I had $5,200 equity on my former home, but now I only have an equity of $4,000. I had to sacrifice my former home in order to pay my bills.

But if the State will have to help pay my hospital bills, I will be forced to declare myself a pauper or else I won't receive any assistance.

Of course a lot of people are able to pay their own way, but if they can get something for nothing, they try to, which makes it kind of hard on people who need help.

CAPITAL TIMES AND MILWAUKEE JOURNAL, CHAMPIONS OF INTERNATIONAL COOPERATION, OPPOSE $600 MILLION BLANK CHECK FOR SOUTH AMERICA

Mr. PROXMIRE. Mr. President, the Capital Times, of Madison, has been a crusader for justice, humanity, and generosity in our dealing with foreign countries for more than 40 years. It has enthusiastically championed many of this country's foreign aid proposals, although in doing so it has had to contradict the well-known isolationism of Wisconsin.

As a frontline fighter for foreign aid I think its criticism of the President's request for a $600 million blank-check authorization bill, which the Senate passed last night by a 54 to 19 vote, deserves attention. Of course, the horse has been stolen on that proposal, and there is little use in locking this particular barn door.

But, Mr. President, the warning of this newspaper with its strong, humane, internationalist sentiments on the foolishness of trying to spend our way out of trouble should be heard and pondered by the Senate.

I ask unanimous consent that an editorial from this paper be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CAN WE SPEND OUR WAY OUT OF TROUBLE IN LATIN AMERICA?

With no dissenting votes the Senate Foreign Relations Committee has voted to approve President Eisenhower's request for $600 million to carry on an economic development program in Latin America.

This may well be a classic case of locking the barn door after the horse has been stolen. It is altogether typical of the attitude that prevails in Washington—that we can buy our way out of the troubles into which our neglect and bumbling take us.

For almost 8 years the Eisenhower administration has been indifferent toward the worsening situation in Latin America, allowing the good will built up by the good-neighbor policy of Roosevelt to be dissipated.

The late Secretary of State Dulles was not interested in Latin America and, since he was the foreign policy of the administration, no one else was. There were a few voices who spoke up occasionally, such as Nelson Rockefeller, but they were regarded with about as much seriousness as the sandwich man carrying a "Repent" sign outside a Las Vegas saloon.

Meanwhile, we were cavorting with the dictators in Latin America, earning the increased distrust of the people. Whatever policy we did have was to shore up these tyrants.

Then came Castro and our troubles with him and the administration suddenly discovered our neighbors to the south. Washington is scared and when it gets scared it instinctively starts to spend money.

We are not going to fool the Latin Americans by this sudden decision to buy some good will. We are not even fooling ourselves for the President's bill is already being referred to around Washington as the Castro bill.

There is need of a broad program of rebuilding the good neighbor policy—a program in which this country provides financial help but in which the Latin American countries participate in the policymaking.

The sad fact is that it may be too late.

Mr. PROXMIRE. Mr. President, earlier this week I had printed in the RECORD an editorial from the Milwaukee Journal which has a very long and consistent record of championing international cooperation and of generous assistance to foreign countries, even at the cost of great financial sacrifice abroad. For the first time in a long, long time, the Milwaukee Journal spoke out against a major, comprehensive foreign aid proposal. It asked the Senate not to approve the South American blank check we figuratively signed last night. The Milwaukee Journal opposed the South American authorization on the grounds that the Congress should exercise prudent judgment, that it should insist on a study of the facts—at least some facts—before making an authorization for the expenditure of such an immense amount of the taxpayers' money.

Mr. President, when newspapers like the Madison Capital Times and the Milwaukee Journal, firm and established friends of international cooperation, protest and oppose this kind of program, I think it is time that the greatest deliberative body in the world take a long, careful, hard look at the proposal. The price of this unfortunate bobtailed session is that we are rushing through legislation—short circuiting the vital authorization process, limiting debate to meet a temporary, ad hoc diplomatic situation that confronts the Secretary of State. We act without knowing what we are authorizing this huge amount of money for, without any details or even illustrative material.

In doing so we insult our own senatorial intelligence by authorizing the spending of hundreds of millions of dollars without insisting on a full explanation of the merits of the specific projects.

Mr. President, I ask unanimous consent that I may speak for 2 additional minutes.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MANSFIELD. I should like to call to the attention of the Senator the fact that the arguments which he expounded last night and which he is repeating this morning are all very meritorious and have all been given consideration by the Committee on Foreign Relations. The Senate owes a debt of gratitude to the chairman of that committee, the Senator from Arkansas [Mr. FULBRIGHT], for the great perception he showed before having the bill reported, in putting into the bill guidelines to help the administration formulate a policy. He also made it mandatory that the authorization would be not to the President who could expend the funds with a great deal of unlimited freedom, but to the Secretary of State, who, of course, would be responsible to the appropriate legislative committees. The bill also provides that before anything can be done, the policies and the plans must be laid before the Committee on Foreign Relations and the Committee on Foreign Affairs of Congress for their consideration.

I would say that when that bill is considered and understood in its entirety, despite the trepidations that some may feel about it, and rightly so, the bill, under the chairmanship of the Senator from Arkansas, represents a good, steady job in laying the groundwork for the kind of program which I know the Senator from Wisconsin is interested in, and which he has approved of consistently in advocating down through the years.

This is only an appropriation. No money will be spent until forms, policies, programs, and procedures are laid before the two committees for consideration. So we tried to include in the bill, on a unanimous basis, every conceivable safeguard we could, because many of us, like the Senator from Wisconsin, felt that this program was a little overdue; but so long as it is being done now, it should be done properly. So we tried to include the necessary corrective proposals to make certain that it will be.

Mr. PROXMIRE. Mr. President, the distinguished assistant majority leader and the chairman of the Committee on Foreign Relations have made an excellent case for the bill They have been very honest about it. They have said they are not wholeheartedly in favor of this kind of process; in fact, they do not like it at all. They feel that we have been pushed into a corner and have little choice. They have made a strong case for their position, and I hope they are right. However, I simply wish to emphasize, as strongly as I can, that we are acting, when we act in this way, in a totally unprecedented fashion.

I consulted with Carl Marcy, the outstanding member of the staff of the Committee on Foreign Relations. He said, "This is unprecedented." We have never had this kind of authorization bill in the past. We are breaking new ground and are certainly smashing precedent.

We all know that in the Senate it is not possible to legislate on an appropriation bill. We have to set forth the legislative policy when we authorize spending. Again and again and again we have been told, "No, you cannot legislate on an appropriation bill. You cannot under our rules determine policy then." Only in the authorization process is there a chance to place restrictions or directions or controls of any kind on spending. Well, for $600 million on South American aid that chance is now gone. We will now spend it without a policy.

It is true, as the Senator from Montana said so well, that there was an attempt—and a very strong attempt—to solve this difficult problem by requiring the Secretary of State to have control of the money and then by making him come back to the Committee on Foreign Relations and to the House Committee on Foreign Affairs, by requiring the Secretary to lay down some kind of guidelines. But these are extremely vague. We considered those guidelines last night. What they amount to is that it is proposed that the money be spent for health, education, exchanges of visitors, and other fine objectives. However, there was no distinct, clear policy set forth. As the chairman of the Committee on Foreign Relations himself said, there are no real guidelines in this proposed legislation at all.

I realize that this is an emergency situation. With great reluctance, I disagree with my leaders on this question. However, I think a voice should be raised. I recognize, as I have said, that the horse has gone; it is useless to close this particular barn door. Nevertheless, I think it should be made clear that if this kind of procedure is advocated again, at least this Senator will use every parliamentary advantage he can to delay it as well as to oppose it, so as to make certain that we will discharge our fundamental obligation as U.S. Senators—that is to give the most careful and thoughtful consideration before we give our vote.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. JOHNSON of Texas. I think there is great merit in some of the questions raised by the Senator from Montana and the Senator from Wisconsin. I think it is always necessary to seek the best and to do the possible.

For 7 years and 7 months, this administration has been in charge of our foreign policy. Whether it has been successful in that policy, in our dealings with the other nations of this hemisphere, is a matter for the people of the country to judge. However, when the Senate returned to consider the business which was unfinished, business which the House had passed, we were confronted with a recommendation which, once it was made, needed to be acted upon before our country's spokesmen met in conference with our neighbors in the hemisphere. We were confronted with the alternatives of having no plan; of having a limited plan with some guidelines which could be reviewed, reworked, supplemented, and implemented by appropriations; or of saying to those who would speak for us, "We will continue the policy which we have followed, of having no real program of this magnitude."

Confronted with what was before us, and the negative position of no program at all, it was necessary to choose between alternatives.

I do not criticize any Senator who may have questioned the wisdom of the action of the Committee on Foreign Relations. The members of that committee are experts. They are men of high national purpose. They are men of dedication. I know that many Senators would have favored a more lengthy consideration and a more detailed outline of what we anticipated would be done in the hemisphere and what results would flow from it. I assure the Senator from Wisconsin, however, that although I followed the alternative of putting my country first in trying, as I see it—and it is up to each Senator to make his own judgment—to go along with the President in his request, so that his spokesmen would be able to have some support; nevertheless, I have been assured by the Committee on Appropriations, of which I am a member, and the Committee on Foreign Relations, that they will review this program, word by word, step by step, and recommendation by recommendation. They have made that statement to the high officials in the present administration. It will be repeated to the next administration which takes office, and we will make certain that before one red cent is spent, some of the suggestions made by the Senator from Wisconsin and the very great newspapers of which he spoke, the Milwaukee Journal, the Capital Times of Madison, and others, are given serious consideration.

Mr. PROXMIRE. I thank the distinguished Senator from Texas.

Mr. President, I ask unanimous consent that I may have an additional 2 minutes in which to yield to the Senator from Kansas.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CARLSON. Mr. President, I fully understand the concern of the Senator from Wisconsin regarding the proposal which the Senate passed last night to provide aid to Latin America and Central America. As has been said, the members of the Committee on Foreign Relations share that concern. I concur in the remarks just made by the distinguished majority leader.

I want the country and the distinguished Senator from Wisconsin to know that the committee added an amendment to the bill as it came from the administration, to the effect that the reports must be made to the Senate Committee on Foreign Relations and to the House Committee on Foreign Affairs.

I assure the Senator that in view of the feeling in the committee, even though we are greatly concerned about our problems in Latin America, this subject will be restudied. It will be reviewed from every angle before we, as a committee, will approve actions to be taken in the future.

As has been said, the members of the committee had some misgivings about this proposal. But the alternative is, Shall we assist Latin America in this way, or be faced with the probability of a situation in which we might have to incur defense expenditures that might be far in excess of what we are presently considering in a program to stabilize their economy and to provide good, sound governments?

I appreciate the concern of the Senator from Wisconsin, but I wanted to give him some consolation.

Mr. PROXMIRE. Mr. President, I thank the Senator from Kansas. I do not wish to impose on the time of other Senators, but I should like to have the opportunity to speak for 2 more minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. PROXMIRE. I think the remarks which have been made are excellent statements. I welcome them. They are helpful and reassuring.

The purpose of the authorization is to enable the Secretary of State to attend the Bogotá Conference and make a firm commitment or promise on the assurance of the Senate and the House—on the assurance of Congress. It seems to me that on the basis of the way we handled the Marshall plan, the economic aid program, and other foreign aid programs, our Secretary of State might make a firm promise to any group of countries without Congress authorizing hundreds of millions of dollars to prove he is not lying. This is an honorable as well as a generous country and if the world does not know that now it never will.

When we come back in January, and the requests for appropriations come in, we will have to face the situation which confronts us. We shall be told, and properly so, that we have authorized this legislation, whether we like the specific proposals which come before us or not. We will be committed. So it seems to me that having authorized this vast sum for South America, we shall have to go along with whatever they choose to do simply to redeem our promise.

I yield the floor.

FIRST ANNIVERSARY OF HAWAIIAN STATEHOOD

Mr. LONG of Hawaii. Mr. President, Sunday, August 21, marks the first anniversary of Hawaiian statehood. Just a year ago, the President of the United States signed a proclamation attesting that Hawaii had fulfilled all the conditions required by the Statehood Act; and Hawaii was formally admitted into the Union as the 50th State.

A first anniversary is always an important event—whether it be of a birth, a marriage, graduation, or any other event that has an intimate bearing on human experience.

This first anniversary of the admission of Hawaii as a State is of far-reaching significance to the 645,000 people who make their homes there. The event comes as a recognition of a political fulfillment of a hope that had long been deferred in their lives.

While at times they may have been somewhat irked by the long delays, I am certain that, in retrospect, they now feel that statehood came in the fullness of time.

This first milestone in the history of our new State makes it appropriate to review the importance of the developments that have taken place.

After looking over the record of the past 12 months, I am pleased to report that Hawaii's transition to statehood has been completed without any great difficulty, that our State government is functioning smoothly.

A special session of the State legislature immediately after attaining statehood, and a regular session between February and April of this year, provided for a reorganization of the government under the provisions of the State constitution.

The numerous and complicated problems that inevitably attend radical changes in government were solved effectively. Happily, State finances have not been an insurmountable problem. The Hawaii treasury has been able to absorb without undue strain the additional cost of running a State government.

I am pleased to assert, Mr. President, that Congress has been fair—even generous—to Hawaii in this year of transition. In the consideration of the Hawaii Omnibus Act, which helped place us on an equal footing with the other States, and in considering our special needs as an offshore area—particularly in relation to securing protection from the tidal wave menace—I have always found the Members of this body to be understanding and helpful. I want to express my appreciation and that of my colleague and the appreciation of the people of Hawaii for this consideration.

This support for bills important to Hawaii has been given not only by Senators who were advocates of statehood, but equally so by those who had been opposed to it. Senators from every section of the Nation have shown themselves to be solicitous of the welfare of the newest State.

The first year of statehood has been significant also in relation to the prosperity of the people of Hawaii. New businesses have been established. Many mainland firms have invested in local industry, or have opened branch offices there.

These companies have doubtless been encouraged to do so by a greater familiarity with our island community, by a feeling that we have come closer to the rest of the American economy by virtue of our being a State. Certainly the enormous publicity given to statehood has been most helpful.

I also think, Mr. President, that the experience of the past year shows that the Nation has benefited from the admission of Hawaii. It has been a disturbing year in the area of international relations, with repeated crises, and, at times, fearful tension.

Against this background, the United States has won new respect and friendship, particularly in the Pacific and in Asia, by admitting to statehood the first offshore area, the first State of the Union to have a majority of non-Caucasian citizens.

By this action, Congress gave incontrovertible evidence of the vitality of American democracy. It has had a tremendous impact on the thinking and the feelings of countless millions of people who are seeking racial understanding and national stability.

When the actions of the 86th Congress are examined in the perspective of history, I am convinced that the granting of statehood to Hawaii, following the admission of Alaska, will be judged one of its most significant pieces of legislation.

The action is symbolic of the new frontiers in human relationships toward which we are marching. It will mark an upswing in the affairs of the American people.

BIRTHDAY CONGRATULATIONS TO SENATOR AIKEN

Mr. WILLIAMS of Delaware. Mr. President, I wish to call attention to the fact that today is the birthday of one of the most distinguished Members of the Senate, the senior Senator from Vermont [Mr. AIKEN].

Few Members of the Senate have a more distinguished record of service to both State and the Nation than does the senior Senator from Vermont.

He began his career as a farmer. In 1933 he was elected Speaker of the House of Representatives of the State of Vermont; and he served his State as Lieutenant Governor in 1935 and as Governor in 1937 and 1939.

He was elected to the U.S. Senate in 1940, and was reelected to the Senate in 1944, 1950, and 1956.

During his period of service in this body there has been no one who has been a more conscientious worker in carrying out his duties as a Senator. In all the Congress there has been no better friend of the American farmer than the senior Senator from Vermont. I have never met a more sincere or dedicated public servant.

I salute him on this, his birthday.

Mr. MANSFIELD. Mr. President, will the Senator from Delaware yield?

The PRESIDING OFFICER (Mr. JORDAN in the chair). Does the Senator from Delaware yield to the Senator from Montana?

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. Mr. President, I could not let this occasion pass without joining with the Senator from Delaware and our other colleagues in extending felicitations and congratulations to the distinguished senior Senator from Vermont [Mr. AIKEN].

Senator AIKEN has outstanding integrity, sound common sense, and undoubted ability. He is modest and retiring, but his contributions to the work of the Senate are indeed great.

Mr. President, I am happy that this body has among its Members a man of the great standing and good statesmanship of the Senator from Vermont. His contributions have been many and important. Not only has he done outstandingly important work in the field of agriculture, but he is also one of our real experts in the field of foreign affairs. He had made a solid record, especially in regard to our relationships with Latin America, to the south of us, and with Canada, to the north of us, and, in all truth, with the world in general.

Mr. President, we are indeed fortunate to have Senator AIKEN as a Member of this body; and I wish to express the personal and heartfelt hope that we shall have him as a colleague for many years, even decades, to come, and that the people of Vermont will send him back to us time after time, because he adds honor and luster to this body, dignifies all of us, and makes us feel like brothers. We are all better Senators and people because of our friendship with this warm, kindly, and understanding man.

Mr. WILLIAMS of Delaware. I thank the Senator from Montana.

Mr. KEATING. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS of Delaware. I yield.

Mr. KEATING. Mr. President, I wish to join in this tribute to our colleague, young GEORGE AIKEN.

For a great many years Senator AIKEN has been a tower of strength in this body.

His modesty is considered one of his most outstanding characteristics. I think this is very well illustrated by the biography which he submitted for publication in the Congressional Directory. It states, "Occupation, farmer."

Of course, Senator AIKEN certainly is one of the champions of the agricultural community in this body. However, he might just as well have listed his occupation as "scholar, humanitarian, legislator." There are, in fact, many, many ways in which his service as a Member of this body has been of outstanding importance.

Mr. President, I understand that today a party is to be given in honor of GEORGE AIKEN, and that 30 people have been invited to attend. What is more, each of them is bringing as a gift a red bow tie. One can always tell when Senator AIKEN is around, because of his fine crop of white hair, his smiling countenance, and his red bow tie.

Mr. President, when one gets to know Senator AIKEN, he finds that he represents friendship at its best and its highest.

It is a great tribute to Senator AIKEN that our distinguished colleague, the Senator from Montana [Mr. MANSFIELD], would rise in this Chamber and say that he hopes the people of Vermont will send Senator AIKEN back to the Senate again and again.

GEORGE AIKEN is not a narrow partisan. He votes, thinks, and speaks his convictions. He is a great American, and I hope we shall have the privilege of celebrating his birthday for many, many years to come.

Mr. WILLIAMS of Delaware. I thank the Senator from New York.

Mr. CARLSON. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS of Delaware. I yield.

Mr. CARLSON. Mr. President, I wish to join my colleagues on the floor of the Senate, this morning, in extending congratulations and best wishes on the birthday anniversary of our very fine colleague, the senior Senator from Vermont [Mr. AIKEN].

I think possibly Senator AIKEN and I have been drawn very close together because of the fact that both of us are farmers. He is one Member of the Senate who is recognized as one of the great agricultural authorities of the Nation.

Coming, as I do, from the great Middle West, where there are many agricultural problems, I have greatly enjoyed conferring with Senator AIKEN about those problems, and have secured from him much help in relation to matters in that field.

The Nation is indebted to Senator AIKEN for his great interest in agriculture and its problems. I think the cooperatives and the Rural Electrification Administration are two agencies that are very greatly indebted, indeed, to the distinguished senior Senator from Vermont. As I have said, it has been natural that I have been drawn closely to him, because of our mutual concern with, and interest in, the field of agriculture.

But it has also been my privilege to serve on the Senate Foreign Relations Committee with Senator AIKEN. Although there are many outstanding members of the committee, I wish to point out that in that committee I have always looked t Senator AIKEN as my guide and mentor. He spends much time and study on our international problems. He is familiar with them in many areas, and his advice is always sound and respected by every member of the committee. The Nation, and the world also, are fortunate to have him on the committee, because of his thorough knowledge and his interest in the subject and his insistence on getting at the very roots of the matters which cause some of our very difficult problems.

I wish the Senator from Vermont many more happy birthdays, and want him to know how much I appreciate the privilege of serving with him in the Senate.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Texas.

Mr. JOHNSON of Texas. Yesterday I was delighted to be able to go with the minority to pay my respects to the affable and delightful Senator from Vermont. He is one of my best friends. He is a good legislator. He is a good Republican. I do not say that about every man, but the Senator is a good Republican, and, above all, he is a good American.

Time and time again I have seen him stand up on this floor and defend my people. I have seen him travel across this country in order to better their lives. The homes of the people in the Pedernales Valley, where I live, have been improved because he has come here and we now enjoy the blessings of rural electrification, which he and other statesmen like him have supported throughout the years.

But he has not confined his attentions only to domestic matters; he is one of the outstanding authorities on our relations with other nations, and particularly with

other nations in this hemisphere. He has done a good deal to bring about a better good neighbor policy with our Latin-American neighbors. He has, I think as a proper reward, been designated to speak for this Nation in the United Nations Assembly.

All those designations and those occasions speak more eloquently than I can for the character and the capacity of the Senator from Vermont. I merely wish to say that, because he has been spared us this long, I have profited from my associations with him. I treasure his friendship, and it will be my prayer that he have many, many more years of happy and useful life.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Wisconsin.

Mr. WILEY. Mr. President, I am very happy on this occasion to join the majority leader and the rest of the distinguished Members of this body in saying nice things about a good friend. I have been listening to what they have said. So far, it seems to me, there is one phase we have forgotten. The Senator from Vermont is not only genial and friendly, but made an outstanding record in his work for the St. Lawrence Seaway. I feel that I must give him credit. Coming from the eastern part of the country, he stood firm through the years, and when the battle was on, not on the floor, but off the floor, he gave of his energy, his time, and his fine reasoning, so that the St. Lawrence Seaway became a fact.

There is one thing about GEORGE AIKEN that I think is very fine. In committee and elsewhere he makes great contributions, but again I revert to the fact that he is always friendly. The world needs men with such dispositions. It needs them more than we realize. GEORGE AIKEN has an understandable mind.

Then, he is a sort of "independent cuss," as someone called him. Though he comes from New England, he has time to think about the Middle West farmer and to think about TVA. On many of those problems, of course, he and I have given of our efforts, side by side, to serve the general welfare, and not merely the particular interests of a certain group or section. In that respect, he is a fine public servant.

I will say, Mr. President, he does not look his age. It is a good deal better to be young at his age than to be old at 50. He carries on with a youthful spirit. May the good Lord give him many more years of health and happiness and service.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, as a fellow member of the Senate Committee on Agriculture and Forestry, I am delighted to pay tribute to the senior Senator from Vermont, the ranking Republican member of the committee. He contributes a great deal of wisdom and expert understanding and practical knowledge to that committee as a farmer, as a former Governor, and as one who has worked with every angle of agricultural problems. He contributes an infinite amount to our understanding in committee.

Also, he contributes something else which some experts cannot do, and that is a sympathetic understanding and an appreciative understanding of the farmer's problems from the human standpoint.

There are few men I would rather have on my side anywhere than the Senator from Vermont. He has fought shoulder to shoulder, with great success, with the Senator from Wisconsin to prevent Chicago from draining Lake Michigan. I suppose this is only a minor matter in national affairs, but it is of great importance to those of us who live in that area.

Also, on big issues in international affairs, although I am not a member of the Foreign Relations Committee, I do look to the Senator from Vermont for guidance. I read his speeches in the RECORD. I listen to him whenever I can. He is thoughtful and wise, and provides real guidance.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from New York.

Mr. JAVITS. I, too, should like to join in the tribute being paid to our colleague from Vermont, Senator AIKEN. Perhaps my own feelings in this matter can be summarized by saying I have the feeling he would value the thought that he is beloved by his colleagues more than any other, and this is how I feel about him. He, too, I think, would value the realization that I consider him one of the real ideological leaders of the Senate and of the country, as one who espouses a cause which has structure and character. It is one of the things that makes me feel so deeply about the great intellectual traditions of New England. That a son of the soil can have that quality, too, is truly remarkable.

He has been blessed so far, and I think all of us can join in a prayer for him and his family for the blessings he has received notwithstanding the vicissitudes of life which for him have been very difficult and somewhat tragic, but which he has taken so remarkably well and philosophically, though we know how keenly he has felt thm.

I can only bespeak for him many continued years of the kind of living he is doing today, which is the kind of living he likes the best.

Mr. CASE of New Jersey. Mr. President, I am very happy to have the opportunity to join with my colleagues in expressing a few words as to how we feel about the Senator from Vermont. The Senator from Wisconsin said there was no one whom he would rather have on his side. I prefer to put it a little differently, to say that there is no one on whose side I would always feel more comfortable than on the side of the Senator from Vermont.

As the Senator from New York said, he is very truly a leader in thought and in action of the type which has most typified not only New England, but also this country at its best.

I do not know what birthday this is for the Senator from Vermont, and I do not care, because in a real sense he is a man who does not grow old. If he takes on advancing years, as we all do, it seems to me it has the reverse effect, so far as agility of mind and breadth and scope of comprehension and sympathies are concerned.

As is true for all of us, it is for me. I look for this to continue indefinitely. It is one of the great privileges of my life to be associated with him in this body.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from California.

Mr. KUCHEL. I thank my colleague. Mr. President, in the growth and development of our country and of the U.S. Senate it falls to the lot of very few men—past, present, and future—to be judged by their fellow men as outstanding. In the history of the Senate only a few enjoy that highest measure of respect which places them apart from the others. Many names of great past Senators come to mind.

The senior Senator from Vermont, in the opinion of his colleagues and of the people of this country, is elevated to that group. It is a true measure of their esteem for his long history of constructive legislative accomplishments, and for his long leadership in the cause of America.

There is only one basis upon which GEORGE AIKEN judges proposed legislation; that is to answer the question, "What is in the interest of the people?" GEORGE AIKEN does not genuflect to power, he does not bend the knee to any special interest group. He stands in this Chamber and talks simply and solely on the basis of what he believes to be in the best interests of the American people. He is a courageous, honorable, dedicated American public servant. I am most proud to salute GEORGE AIKEN as one of the great Senators of the United States in all its pristine history. I salute him, also, as my great friend.

Thank God, Mr. President, for the GEORGE AIKENS. I must add, I am thankful he sits on the Republican side of the aisle. All of us wish for him many happy returns of the day and many, many more years of the high public service which he has rendered to his country and to his beloved State.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. HRUSKA. Mr. President, it is with happiness that I join my colleagues in extending congratulations and felicitations to GEORGE AIKEN on this birthday. For many years I have considered him one of my very best and closest friends.

In the first instance, that friendship was rather derivative in nature, because of his very close friendship and association with my immediate predecessor in this body, the late Senator Hugh Butler. It was with him that Senator AIKEN on several occasions came to Nebraska, to visit here and there, including the farm

of the late Senator from Nebraska. On one of those occasions I first met the Senator from Vermont.

Since my entry into this body I have learned to appreciate and frequently to be the beneficiary of Senator AIKEN'S helpfulness and his sympathy with regard to the problems of a new Senator. It did not take me long to realize that he is certainly one of the leading authorities in his understanding of and his sympathy for the situation of the farmers and agricultural problems generally. It did take a little longer, certainly for me, to appreciate his talent and his experience in the field of foreign relations, because in that field there is not the same opportunity for immediate consideration of everyday problems.

I think one of the finest demonstrations of his wisdom, of his long-range perspective, and of his vision for this country's position as a world power, is to be found in the splendid report he made after his latest trip to Latin America. I commend it for reading and for perusal by each and every one of our colleagues, as well as for such wide distribution and reading as possible, in order that Americans may get the full benefit of the very fine dissertation.

GEORGE AIKEN has spent a lifetime in public service. We are very fortunate to have him here as one of our colleagues. I join in wishes for many happy returns, GEORGE.

Mr. WILLIAMS of Delaware. Mr. President, it has been said that no greater tribute can be paid any man than to have it said that he commanded the respect of those who knew him best. Those words may well have been written for our colleague and our friend GEORGE AIKEN.

U.S. SUCCESSES WITH SATELLITES

Mr. CARLSON. Mr. President, every American must be thrilled by our Nation's achievement yesterday in the capturing of a returning capsule from the Discoverer satellite, which was released from the satellite circling the earth in space.

These achievements and accomplishments in the field of space, so far as our Nation is concerned, are so commonplace that I am fearful we are beginning to regard them as everyday occurrences. I think the Air Force is entitled to much credit for its ability to capture this missile at a 10,000-foot altitude before it returned to earth. This is one of the great steps in the field in regard to bringing back to earth human beings—probably the most important step taken.

I have said I think we are getting to be a little callous about these space achievements. I do not know whether the people of this Nation realize that in 1 day this past week the United States sent into orbit the largest manmade object ever put into space. A U.S. pilot achieved, at 25 miles high, the highest altitude ever reached by a piloted craft. For the first time anywhere there was recovered by the United States an instrumented capsule sent into space. The one recovered yesterday was the second. The one captured yesterday was captured in the air. The first was taken from the water. A Polaris missile, designed for underwater firing, was launched on a successful 1,000-mile test run. The United States shot a missile 5,000 miles straight to the target.

Those things did not happen in months, but they happened in 1 day, and it was this week. I think it is about time this Nation began to give some real credit to those who are working in the field, and began to stand up and speak with some pride of our achievements.

I well remember when, not very many months ago, our Nation was concerned about the release of the sputnik. It was said, "We are way behind. We will never catch up." Let us observe what we have done. The score on the successful satellite launchings to date is, for the United States, 25 earth satellites and 2 solar satellites; for the Soviet Union, 6 earth satellites, 1 solar satellite, and 1 lunar impact.

There are still in space, in the order of their launchings, 17 of these missiles.

In the final stages, this Nation has made great progress. On that basis, Mr. President, I ask unanimous consent to have printed in the RECORD an editorial which was published in the Chicago Daily Tribune of August 15, and also an article listing the successes with satellites, including the number which are now in space.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

U.S. SUCCESSES WITH SATELLITES NOW TOTAL 27

The score on successful satellite launchings to date is United States—25 earth, 2 solar; the Soviet Union—6 earth, 1 solar, 1 lunar impact.

Still in space, in the order of their launchings, are 17:

Explorer I, United States, silent; Vanguard I, United States transmitting; Lunik I, U.S.S.R. (solar), silent; Vanguard II, United States, silent; Pioneer IV, United States (solar), silent; Explorer VI, United States, silent; Vanguard III, United States, silent; Explorer VII, United States, transmitting; Pioneer V, United States (solar), silent; Tiros I, United States, transmitting; Transit I-B, United States, silent; Spacecraft, U.S.S.R., silent; Midas II, United States, transmitting; Transit II-A, United States transmitting; NRL Satellite, United States, transmitting; Echo I, United States, transmitting, and Sputnik IV, U.S.S.R., transmitting.

Final stages, casings, and other debris from many satellites are still in orbit, but are not included in this tabulation.

SECOND CLASS?

If, in a single day, the Soviet Union had sent into orbit the largest manmade object ever put into space; achieved, at 25 miles up, the highest altitude ever reached by a piloted craft; recovered, for the first time anywhere, an instrumented capsule sent into space; shot a missile 5,000 miles dead to target; launched a Polaris missile, designed for underwater firing, on a successful 1,100 mile test run, then the calamity chorus would unanimously cry that the United States was a second rate power, hopelessly behind in the space and missile race, and that the time had come to strike the flag.

But, as all of these were American accomplishments, the critics will probably be sufficiently charitable to confine themselves to lamentations about the missile gap.

Mr. KEATING. Mr. President, I am happy that the distinguished Senator from Kansas has brought to our attention these outstanding achievements in the space field.

All Americans can feel a great swell of pride and gratification at the latest demonstration of American superiority in outer space and science. The snatching of a capsule ejected from space at 10,000 feet in the air marks another U.S. first in satellite history.

The Air Force officials and scientists responsible for this truly remarkable achievement are deserving of highest praise. They are showing us in dramatic fashion what so many of us have been saying for many months: that America is second to none in science, in the race for space, and in national military might.

The space capsule snatch, combined with other recent accomplishments by our scientists and technicians, including the Polaris missile successes, should put an end to the talk of those who are continually bewailing American efforts in these fields. In this connection, a brief but meaningful editorial in the Rochester Times-Union, of August 15, voiced the view I believe many Americans hold on this subject. Significantly, this editorial appeared prior to yesterday's Air Force breakthrough. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHERE ARE THE JEREMIADS NOW?

Is America doing so badly after all? Successful flights by long-range missiles, the recovery of a space capsule from an orbiting satellite, and the launching of a 10-story high communications satellite all bear witness to impressive advances in the conquest of space.

Where now are the Jeremiads who climbed aboard the bandwagon of woe when Russia was getting such spectacular results with sputniks and lunar probes? We're not hearing nearly so much from them these days. And for the simple reason that the experts are giving us ample proof that this country is not condemned to second place in outer space.

There's no doubt we did fall behind, and there's no doubt we needed a shot in the arm. But all the evidence suggests that we have caught up fast.

President Eisenhower, of course, has been maintaining for long enough that the Nation's military security is stronger than our own critics will allow. The latest successes certainly support him.

Mr. SCHOEPPEL. Mr. President, I desire to associate myself with the remarks of my colleague [Mr. CARLSON]. I think it is most commendatory that those matters be drawn to the attention of the Senate, as he has so excellently done.

Mr. CARLSON. I thank the Senator from New York and my colleague for their remarks.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. JAVITS. Mr. President, I ask that the unfinished business be laid before the Senate for consideration.

SOCIAL SECURITY AMENDMENTS OF 1960

The Senate resumed the condition of the bill (H.R. 12580) to extend and improve coverage under the Federal old-age, survivors, and disability insurance system and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such system; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; and for other purposes.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may yield first to the senior Senator from Kansas [Mr. SCHOEPPEL], to the junior senator from New York [Mr. KEATING] and then to the Senator from Virginia [Mr. BYRD] to make affirmative statements, without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

INCREASE OF AUTHORIZATION FOR APPROPRIATION FOR PRESIDENT'S MUTUAL SECURITY CONTINGENCY FUND—AMERICAN REPUBLICS COOPERATION ACT

Mr. SCHOEPPEL. Mr. President, last night when the votes on S. 3861 and S. 3855 were taken, I was necessarily absent from the Senate. I had been informed there would not be any record votes on those two bills last night.

I ask that the permanent RECORD show that if I had been present and voting, I would have voted "yea" on those two bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. Mr. President, the senior Senator from Virginia was unavoidably absent last night when the vote was taken on the increase of authorization for appropriation for the President's mutual security contingency fund. Had I been present, I would have voted "nay." I am especially opposed to aid that is given the Congo, a country that is now in conflict with the United Nations.

AMBASSADOR LODGE DRAMATIZES AMERICA'S GOOD FAITH CONCERNING DISARMAMENT AS HE NEARS THE END OF HIS UNITED NATIONS SERVICE

Mr. KEATING. Mr. President, the announcement that Ambassador Henry Cabot Lodge will soon step down from his United Nations post to campaign for the Vice Presidency serves to remind all Americans—regardless of party affiliation—of the great works performed by this man on behalf of his country and the free world. He has truly served well the cause of peace and freedom at this perilous hour in the history of humanity.

The present ominous state of affairs in the Congo marks a somber and fateful challenge to the peace we seek and cherish. Indeed, the crisis in this African cauldron threatens the very existence of the United Nations as a primary force for world understanding and cooperation.

Much of the credit for the world stature of the U.N. and for its effectiveness in smoothing troubled international waters and mediating disputes between nations must go to Ambassador Lodge. He has worked unremittingly, selflessly and forcefully for the cause of peace during his brilliant tenure as our representative in the United Nations.

Ambassador Lodge's efforts this week in the cause of world disarmament were typical of his fine U.N. work.

In the eloquent and cogent style we have learned to expect from him, he presented America's plan for disarmament. In his remarks before the United Nations Disarmament Commission, Ambassador Lodge outlined once again our long-range and specific program for achieving disarmament agreement by successive steps. He emphasized anew our good faith dedication to a workable plan under effective control, and also enunciated 2 new proposals in this vital field.

As the New York Herald Tribune noted in an editorial, Ambassador Lodge's offer to give a large amount of our uranium for peaceful purposes if the Russians will do the same is a dramatic way of demonstrating this country's good faith on the subject of disarmament. As the Tribune also points out, this proposal has the very real advantage of cutting through the layers of abstract language which so often characterize discussions in this field.

The directness and forcefulness with which Ambassador Lodge has dramatized America's position on disarmament is typical of his superb leadership in the United Nations. As the New York Times pointed out in an editorial, he has again utilized this world forum to lay our case before it and mobilize world opinion on the side of the United States.

Regardless of the eventual outcome of our efforts to achieve a workable and effective disarmament agreement and regardless of political affiliation, all Americans owe a great debt of gratitude to Ambassador Lodge for his tenacious and eloquent representation of the American point of view in the United Nations. He has, indeed, become the "Voice of America" in the U.N.—the loud, clear voice of freedom and human rights—the voice the Russians have never been able to jam.

Because his remarks lay out so clearly and thoughtfully America's views on disarmament, I ask unanimous consent that excerpts from the address of Ambassador Lodge before the Disarmament Commission be printed at this point in the RECORD, as well as the editorials from the New York Herald Tribune and the New York Times, to which I have referred.

There being no objection, the excerpts and editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 17, 1960]

EXCERPTS FROM SPEECH BY AMBASSADOR HENRY CABOT LODGE BEFORE UNITED NATIONS DISARMAMENT COMMISSION

There should, we think, be no misunderstanding as to why the United States requested this meeting. We very much want negotiations on disarmament to resume. But we do not call this meeting for the purpose of conducting negotiations on disarmament here and now in this Commission.

The United States knows that the Soviet Union at present does not wish to negotiate. There were no successful negotiations at Geneva and unless the Soviet attitude changes there will be no negotiations either here in the Disarmament Commission or next month in the General Assembly.

Why, then, did the United States ask for this meeting? For several reasons. It is because we thought the Commission had a right to be informed about the Geneva talks and it is because we wanted to present our case to the United Nations and to world position. We wanted also to present it to the Soviet Union.

SOVIET WALKOUT NOTED

On June 27 the U.S. representative at Geneva was about to present the new U.S. position. At this point the Soviet Union walked out of the meeting. There were members then who thought that we should have a meeting of this Commission.

The Secretary General thought that such a meeting was inadvisable at that time. We agreed and we believed that we should make an appeal by ourselves to the Soviet Union before resorting to the Commission. We did this on July 2, but our overture did not bring a resumption of talks.

We think we have a good proposal. What I am going to say today not only restates that proposal which we made at Geneva, but it adds something to it which we think is very significant. We do not, of course, insist that the Soviet Union must agree to this; but we do think that the Soviet Union ought to hear it.

We also think that world opinion ought to hear it and ought to hear it in a forum like this which is devoted exclusively to disarmament, and not merely hear it in the General Assembly, where it is only one of more than 80 other issues.

Now those are some of the reasons why we called this meeting, but finally—the final reason for which the United States called this meeting is because the United States believes that the greatest service the Disarmament Commission could render would be to use its great influence to have disarmament negotiations resumed without delay. They are now stalled. What we ask of this Commission is to do all in its power to get the talks going again.

Now that is what I wanted to say as to why we called the meeting. The members of the Commission have before them the most important papers presented in the 10-nation committee, including the U.S. proposal of June 27, which was presented on the same day that the Soviet Union walked out.

U.S. DOCUMENT OFFERED

It is contained in document DC-154. I urge members of the Commission to study this paper. It proposes a number of concrete measures of disarmament. I mention this because Soviet documents circulated in

the Commission assert time and again that the United States and its allies have proposed no disarmament measures whatever. As you can see from these documents, that charge is entirely incorrect.

The quest for disarmament is long and difficult. At difficult moments such as this we must keep a clear view of our fundamental goals. And they are these:

We want a world at peace: not the fearful peace of an armed truce, but a genuine peace which rests on trust among the nations.

We want a world in which all nations and peoples, both great and small, are secure from aggression and can shape their destinies in freedom.

We want a world of open societies in which peoples are no longer separated by barriers of official secrecy and official hatred.

We want a world whose rich resources and spectacular scientific prowess will be used not for conquest, nor for defense against the fear of conquest, but only for the welfare of mankind and the growth of the human spirit.

We want world peace under law which is inspired by justice.

And we want the kind of disarmament—which is both fair and fully verified—which will help the world toward those great ends.

The United States has pursued such a disarmament policy for many years. We have made far-reaching, concrete proposals.

Only in one field related to disarmament, that is the cessation of nuclear weapons tests, have we had any real promise of success. Progress there is slow, but the discussions are going on.

This negotiation suggests what might be accomplished if the same patient and constructive efforts could be applied to other definite, concrete parts of the disarmament problem.

U.S. CONVICTIONS LISTED

The United States brought to the 10-nation talks certain basic convictions born of experience. These can be stated as follows:

A sound disarmament plan must be broad enough in scope to take in all kinds of armaments and armed forces.

It must be concrete and realistic, tied to the growing complexity of modern weapons.

It must move step by step, always under adequate control, toward the ultimate goal of complete and general disarmament under effective international control.

It must be so fair at every stage that no country will gain a military advantage over another country at any stage.

It must include agreed procedures for settling international disputes peacefully, in accordance with the Charter of the United Nations, after complete and general disarmament has been achieved.

Finally, before nations can proceed confidently with great reductions in weapons, a sound disarmament plan must reduce the enormous uncertainties and risks which exist today, which present a real danger of war by accident or miscalculations, and which give a great impulse to the arms race.

DANGER POINTS GIVEN

We know what contributes to these risks and uncertainties. There is the danger of surprise attack prepared in secret; the threat of nuclear attack from outer space; the constantly mounting stockpiles of nuclear weapons; and the vast size of armed forces and non-nuclear-weapons stocks.

Those are the danger points which would be attacked in stage 1 of the plan which we proposed on June 27. This first stage is designed to build safeguards against surprise attack, to stop further nuclear weapons production, to cut down existing nuclear weapons stocks, to start cutting nonnuclear armaments and armed forces, and to take the steps to prevent the militarizing of outer space.

When those steps are completed at the end of stage one, we believe we will have a much more stable situation in which nations can move confidently toward general and complete disarmament—the complete elimination of weapons of mass destruction, and the reduction of national armed forces to levels required only for internal security and to meet obligations under the United Nations Charter.

The disarmament plan put forward in Geneva by the Western Powers on March 14 and that proposed by the United States on June 27 were both designed to accomplish these aims and you have already received copies of the June 27 proposal. We believe—and I believe the other Western Powers also believe—that it forms an entirely reasonable and practical basis for negotiations and conclusions of agreements which would lead to our ultimate goal.

SOVIET CHARGE IS DENIED

This proposal is of course not control without disarmament, as has been alleged by the Soviet Union. It contains far-reaching, concrete disarmament measures. It is realistic. It envisages disarmament as proceeding through three stages, each containing measures which are phased, safeguarded and fair to all.

Each of these stages would be carried out within an agreed and definite time period under the supervision of an international disarmament control organization within the framework of the United Nations. It also reflects our conviction that in the process of disarmament no state should obtain military advantage by reason of this process over another.

The first stage, to be embodied in a treaty by the 10 nations involved in the conference, includes initial and controllable measures which can and should be undertaken without delay.

The second stage envisages further reduction of armed forces; reduction in armaments of all kinds, and destruction or conversion to peaceful use of discarded weapons.

The final stage of our plan would see the reduction of military establishments to levels required only for the purpose of maintaining internal order, of insuring personal security of citizens, and of providing agreed contingents to the international peace force.

Here is a list of the concessions to the Soviet view which we embodied in our proposal of June 27.

1. We included a definition of general and complete disarmament, in terms not very different from the Soviet definition.

2. We accepted the principle that each measure of a disarmament program would be carried out in an agreed and strictly defined period of time.

3. We adopted a provision based on the Soviet plan of June 2 for a review by the Security Council of the progress of disarmament at the end of each disarmament stage. That is something they wanted.

4. We agreed to a figure of 1.7 million for the armed forces of the U.S.S.R. and the United States in the second stage of the disarmament program. That is a real thing to agree to.

5. We accepted a technical examination of measures necessary to control, reduce, and eliminate agreed categories of nuclear delivery systems, including missiles, aircraft, surface ships, submarines, and artillery. This concerned a measure to which the Soviet Union had given first place in its disarmament program.

I think that is evidence of our real will to reach an agreement.

NEW PROPOSALS OFFERED

The United States refuses to be discouraged. But we should lose no time in resuming discussions on some basis which promises progress. Modern armaments are constantly growing more complex and more difficult to control or abolish with certainty. We must not wait, as the Soviet Union seems to want us to do, while the problems grow more difficult and more dangerous.

As proof of the serious purpose with which the United States requests the renewal of negotiations, I am authorized to present today to the Soviet Union two new proposals. And I do so now.

The first proposal relates to ending the production of fissionable materials for weapons purposes. In the past the United States has proposed that when this production was cut off, agreed quantities of fissionable materials be transferred, under international supervision, from existing accumulated weapons stocks to peaceful uses—thereby reducing directly the number of nuclear weapons now in national arsenals.

The United States is ready to carry out this proposal on a reciprocal basis with the Soviet Union. In doing so the United States is ready also on a reciprocal basis, to set aside 30,000 kilograms of weapons grade U^{235}, as the amount which the United States and the Soviet Union would each initially transfer.

Let me say by way of explanation that 30,000 kilograms of weapons grade U^{235}, if used in our modern nuclear weapons, would generate an explosive force well over 1,000 times greater than that of all the high explosive bombs dropped by all the warring powers during World War II.

SECOND PLAN OFFERED

The transfer of that amount to peaceful uses by the United States, and an equal amount by the Soviet Union, would mean an immediate and sizable reduction in the nuclear threat. It would be a real and a practical measure of disarmament and I put that today before the Soviet Union.

If the Soviet Union is not prepared to join in a plan of this kind, I am authorized to propose a second direction in which we might now make a start.

The United States is ready to join the Soviet Union in halting by successive steps the production of fissionable materials for weapons use. We are prepared to shut down, one by one, under international inspection, our major plants producing enriched uranium and plutonium, if the Soviet Union will shut down equivalent facilities.

We are prepared to do this now—with no delay at all.

The United States is eager to renew negotiations on concrete disarmament measures such as these. We are willing to hear new Soviet proposals.

We again invite the Soviet Union to work with us—not with the object of one of us putting the other in the wrong and thus winning a small victory of some sort. Victories of that kind are likely to prove hollow very soon.

Let us, rather, join to win a common victory for the future of mankind.

[From the New York Herald Tribune, Aug. 18, 1960]

A DRAMATIC GESTURE TOWARD DISARMAMENT

Ambassador Lodge's offer to give 66,000 pounds of enriched uranium for peaceful uses under international control if the Russians would do likewise is a dramatic way of demonstrating this country's good faith in its approach to disarmament.

The offer has the advantage of cutting through the layers of abstract language which, after years of fruitless disarmament talk, has practically become a dialect in itself. The fact that substantial amounts of

uranium would have to be removed from existing weapons in order to make up the total adds to the impact of the gesture.

If that did not suit the Soviets, Mr. Lodge went on, the United States would offer to close down, one by one, its uranium and plutonium plants or turn over their output to peaceful international use. Again, the Russians would have to do the same.

There seems to be no way of denying that either of these steps, and especially the first, would substantially reduce the nuclear warfare capacities of both countries. But the Soviet reaction has already made it clear that Moscow is still not interested in practical proposals. It opposes the current meeting of the United Nations Disarmament Commission to begin with—which is an attempt to resume, in another forum, the talks the Soviets broke up last spring in Geneva.

They are instead planning their own show, which, they hope, will be a free-for-all 82-man summit at the new session of the General Assembly next month. Whatever becomes of this project, it will do nothing to further the cause of disarmament.

Yet if we are forced to the discouraging conclusion that the Soviet Union will never become seriously interested in disarmament, however limited, unless a combination of events should make it politically advantageous, we cannot accept the prospect of a permanent dead end. For there are some conceivable combinations of events which could well change their notions of just what political advantage is.

[From the New York Times, Aug. 18, 1960]

THE U.N. AND DISARMAMENT

Despite Soviet attempts to prevent it and threats to boycott it, the United Nations Disarmament Commission has assembled at its East River headquarters to consider the shambles created by the Soviet walkout at the 10-nation disarmament conference in Geneva 2 months ago. The meeting was called at the urgent request of the United States; virtually all non-Communist nations supported the American request and, despite strenuous Soviet lobbying, not one non-Communist group of nations agreed to join in the boycott, thereby forcing the Soviets to attend to avoid appearing isolated.

This development is all the more significant because the Soviets forced the expansion of the originally small disarmament commission to include all 82 United Nations members in the hope of dominating it by winning support among the new and the neutralist nations. Thus far at least they have been disappointed.

As Ambassador Lodge explained, the United States called for the meeting not to conduct negotiations in it, which is impossible in a body so large, but to lay our case before it and mobilize world opinion in the hope of influencing the Soviets to engage in honest negotiations in the smaller technical bodies appointed for that purpose. To that end he again outlined the far-reaching and concrete disarmament measures already advanced by the West to reach general and complete disarmament by stages, but always under effective control, and added to them two new ones to divert atoms for war to atoms for peace.

As usual, the Soviets promptly rejected them with arguments that merely demonstrated anew their determination to evade any controls that would break down their Iron Curtain or infringe on the secretiveness that is not only a Communist but a traditionally Russian characteristic. Controls are to them synonymous with espionage to find out what they are trying to hide and it will take increasing world pressure to induce them to modify this attitude. The Disarmament Commission can do much by concerted action to further this aim.

AID FOR THE ELDERLY

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article from the Wall Street Journal, entitled "'The Aging': Neither Indigent Nor Childlike, They Want Government Aid as Very Last, Not First, Resort."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Aug. 18, 1960]

"THE AGING": NEITHER INDIGENT NOR CHILDLIKE, THEY WANT GOVERNMENT AID AS VERY LAST, NOT FIRST, RESORT

(By James W. Wiggins and Helmut Schoeck)

Seen from our sample, the aging population of the United States enjoys a high level of health. Some 90 percent of all respondents said they were in either good or fair health. Two-thirds of our sample declared themselves in good health. Only 10 percent said they were in poor health.

The statements about their good health by the respondents are supported by the concluding observations written by the interviewers. Reading those final remarks, we see a profile of the aging that shows them to be in good health and in cheerful moods; they appear self-reliant and disdainful of efforts to single them out for special consideration.

About two-thirds of our respondents had neither seen a doctor nor talked with one on the telephone, in regard to their health, during the 4 weeks preceding the interview. Only 28 percent were planning to see a doctor in connection with their health during the 2 weeks following the interview.

Almost 80 percent of the aging in our sample had never heard from anyone that they might need certain things at their present age which they did not need when they were younger.

When we asked the respondents: "Do you have any medical needs now that are not being taken care of?"—92 percent said, "No." However, for the remaining 8 percent who knew of some unfilled medical needs, we have to distinguish various reasons for the failure to relieve the need. Financial reasons were the least important ones. Often the respondent would point out that a certain operation or artificial aids, such as glasses, teeth, or hearing equipment, had been recommended but that some other doctor, or friend, had advised against it as not worth the risk or trouble.

MEETING AN EMERGENCY

This picture of a healthy and well-cared-for aging population in the United States is fully supported by the economic data on their medical care. Only 5 percent of all respondents in our sample had spent over $100 for themselves or their spouses during the month preceding the interview. In fact, of the 94.7 percent who reported expenditures for medicines and medical care below $100, the majority had either no expenses or only a few dollars. Only 1 percent in our sample reported medical expenses in excess of $500.

So much for the realities. But how would the modal (occurring oftenest) aged person cope with a medical emergency? To receive an answer to that question, the interviewer had to phrase his question with regard to the social class of the respondent. He asked: "Suppose you had a large medical bill and no medical insurance, how would you pay the bill?" In the case of the lower class respondent, he would specify: "Let us say, a bill of $1,000"; for middle class people the amount was $2,000; and for the upper class person a hypothetical bill of $5,000.

Combining the responses from all three social classes, 42 percent of our respondents would use cash or a check to pay the bill, 11 percent would mortgage their homes, and 15 percent would use cash value of insurance or sell stocks and bonds. Fewer than one-third of the respondents gave various other ways of paying such a large bill. Thus we can say that the modal aging person in the United States can cope with a large medical bill by conventional and personal means. We should note that the question specifically inquired about the method of payment in case there was no medical insurance. However, 64 percent of our respondents did report insurance for medical purposes.

The modal annual cash income reported was between $2,000 and $3,000. Half of the respondents reported incomes in excess of $2,000 per year, and 1 out of 20 reported more than $10,000 annual income. One interviewer was uncertain of the applicable socioeconomic category when she found a respondent who reported no cash income, but owned 300 acres of valuable farmland in a Mountain State. We assured the interviewer that lack of cash income did not place this man in the lower class. Another respondent reported his cash income as $400 per year, and, when asked later what he did for the community, replied that he helped the poor. The modal respondent reported that he had no income other than cash, but nearly one-third did report other income.

Cash income is, however, an inadequate measure of the financial position of any population, and particularly the older population. Ownership of a fully furnished home, the completion of responsibility for children, completion of premium payments on life insurance, and similar considerations enter the picture.

A very significant index to financial independence is the statement of net worth. The aging were asked to estimate their net worth, that is, the cash value of their assets minus their liabilities. The modal aging respondent reported his cash-equivalent assets over liabilities to be in excess of $10,000. This figure referred to assets of the living respondent, not "estate at death," which would have included life insurance death benefits. Almost 60 percent of the sample made up this modal group.

Significantly, a large number of respondents spontaneously and energetically stated that they did not have any debts, and did not believe in buying on credit. This reinforces the data on medical and related debts described above.

Since economic crisis may hit the aged as it does the young, respondents were asked where they might get a "lot of money for an emergency * * * with least embarrassment." The modal group (53.8 percent) listed children and other relatives as preferred sources. Friends, church groups, and lodge brothers came next, with 12 percent. The only impersonal source suggested with any frequency was the small loan company.

WORRIES OVER INFLATION

Concern was expressed by many respondents over inflation, even before the interviewer reached the question dealing with it. The decade of the 1940's was the most frequently named period for the first significant awareness of the declining value of money. The explanations given by the aging for inflation have not yet been fully analyzed, but the respondents usually cited government, war, labor unions, and big business. The individual who was blamed most often by name was Franklin D. Roosevelt.

The modal member would expect the Government to meet the minimum needs of the genuinely destitute aging. But for this group the proviso was added, "if there are no children," or "if the children can't help." When asked where the respondent would want to obtain housing in case he could not finance it himself, the modal member of the sample (43 percent) preferred housing under church auspices. Less than one-fourth chose Government housing, even in case of great

need. One interviewer, a trained sociologist, reported that in his rural sample the mere suggestion of housing by the State or Government as a possibility often provoked a fright reaction.

The modal two-thirds (66.4 percent) are in retired status, although a number in this category are still gainfully employed. The typical respondent did not wish to continue working after retirement, but nearly half did wish to continue. Of the 33.6 percent still working, 70.4 percent are working on the same job held prior to reaching age 65.

The modal person in our aging population has religious affiliation. Over 80 percent are members of a church. If special care was needed from outside the family, twice as many elderly Americans would prefer to get it from their church rather than from the State. However, they are far from being dependent on the church. They would not want the church to assume or proffer family or welfare functions.

Contrary to the usual stereotypes held today, the aging, even in our large cities, are far from being doomed to loneliness. Horizontal mobility, urbanization, the much-cited but rarely specified "social change" have all failed to break or even to weaken the bond between aging parents and adult children. Moreover, it is a social relationship of true reciprocity. When asked: "Do you ever help your children or other close relatives in any way?" 72 percent of our respondents replied "Yes."

Peter Townsend, reporting from his survey in East London, did not find much "hard evidence of neglect on the part of old people's children. Widespread fears of the breakdown of family loyalties and of married children's negligence seem to have no general basis in fact. Doctors, social workers and others who express such fears may sometimes forget they are in danger of generalizing from an extremely untypical subsection of the population or from a few extreme examples known personally to them. So far at least as the old are concerned, therefore, there is no justification for an attempt to supplant the family with state services."

LIFE IS SIMPLER

Our data indicate that very similar conclusions can be drawn for the United States. In fact, when the respondents in our survey were asked: "Do you believe that a new department of Government could do something important for you personally that is not being done now?" the majority (60 percent) said, "No."

Social workers and other interest groups often insist that modern life has become so complicated that our aging citizens need someone else to tell them how to take care of themselves. But our survey suggests that the majority of our older people do not seem impressed by an increasing complexity of life, nor do they expect this problem to loom large within the next 10 to 20 years. On the contrary, they can think of many chores and problems of daily life that have become much easier for them than they were for their own parents and grandparents.

In conclusion, the data presented in this paper strongly supports a reexamination of the conceptions of the aging in the United States. It may be seriously questioned whether increasing age is pathological per se, as is implied by the alarm with which it is viewed by many researchers, professional helpers, and policymakers. While attempting to study the aging, the social scientists may make them objects, rather than persons, and in so doing produce problems where none previously existed. There seems little doubt that the (widespread) caricature of the aging derives from application of the experience of a generation ago to a new type of over-65 population.

Finally it must be emphasized that this paper does not deny that parts of our population of all ages, including old age, are dependent, inadequate, ill, and unemployed. The authors share feelings of sympathy for such persons. The study here reported, however, shows that the aging, like others in our population, are not characteristically dependent, inadequate, ill, or senile.

It is hoped that further research into the normal can be carried out. Since all resources are limited, whether of family, kin, private or public agencies, the recognition that the dependent and helpless in our aging population are limited in number will allow available resources to be applied with discrimination, with far greater hope of return to the society and to its people.

SOCIAL SECURITY AMENDMENTS OF 1960

The Senate resumed the consideration of the bill (H.R. 12580), the social security amendments of 1960.

Mr. BYRD of Virginia. Mr. President, the bill, H.R. 12580, as amended by the Committee on Finance, makes many worthwhile improvements in the Social Security Act relating to the old-age and survivors, and disability insurance, old-age assistance, aid to the blind, maternal and child welfare, and unemployment compensation provisions. It liberalizes the eligibility requirements for social security benefits so that approximately 125,000 disabled workers and an equal number of dependents may qualify for benefits immediately irrespective of age.

I have placed on the desk of each Member of the Senate a Finance Committee pamphlet showing the major differences in the present social security law and H.R. 12580 as reported by the Committee on Finance, the principal features of which I shall briefly summarize.

First, however, I wish to say that this bill is the result of many months of study and research on the subject of medical care for the aged. This has included testimony presented in the extensive public hearings held by the House Committee on Ways and Means, and the additional hearings by the Committee on Finance on the House-passed bill and certain other health care proposals which had been advanced in the Senate. The committee is cognizant of the many problems which exist in this area and the difficulties attendant upon the various approaches which have been advanced.

The medical plan adopted by the Finance Committee was proposed jointly by the senior Senator from Oklahoma [Mr. KERR] and the junior Senator from Delaware [Mr. FREAR]. Other members of the committee who joined as cosponsors are the junior Senator from Louisiana [Mr. LONG]; the junior Senator from Florida [Mr. SMATHERS]; the senior Senator from Delaware [Mr. WILLIAMS]; the junior Senator from Kansas [Mr. CARLSON]; and the senior Senator from Utah [Mr. BENNETT]. This amendment was adopted by a record vote of 12 yeas to 4 nays. Six Democrats and six Republicans voted in favor of the amendment, and four Democrats voted against it.

Therefore, a majority of the Democratic members of the committee voted in favor of the amendment, and all the Republican members voted for it. I favor enactment of this bill with the Kerr-Frear medical care amendment.

The Federal-State plan proposed by the Finance Committee inaugurates a medical care program for the aged in our country who are unable to pay their medical bills when illness occurs or continues. This program is established under title I of the Social Security Act. It provides additional matching funds to the States to, first, establish a new or improve their existing medical care program for those on the old-age assistance rolls and second, initiate a new program designed to furnish medical assistance to those needy elderly citizens who are not eligible for old-age assistance but who are financially unable to pay for the medical and hospital care needed to preserve their health and prolong their life. This twofold plan would thus cover all medically needy, aged 65 or over, whether or not they are eligible for old-age assistance or whether or not they are eligible for the benefits under the social security or any other retirement program, subject only to the participation by the State of which they are resident.

Participation in the Federal-State program is completely optional with the States, with each State determining the extent and character of its own program and the standards of eligibility.

For those on the old-age assistance rolls, the Kerr-Frear amendment provides for Federal matching of vendor medical care of $12 a month per recipient which would be in addition to the present $65 maximum for Federal matching for old-age assistance; the Federal share to be 50 to 80 percent depending on the per capita income of the State, where the State monthly payment is over $65, and 65 to 80 percent depending on the per capita income of the State where the monthly payment is under $65.

For the other medically needy individuals, the Federal share would be 50 to 80 percent with no dollar maximum for medical care.

There is no Federal limitation on medical service provided under the bill. The Federal Government will participate under the matching formula in any program which provides any or all of the following services:

1. Inpatient hospital services;
2. Skilled nursing-home services;
3. Physicians' services;
4. Outpatient hospital services;
5. Home health care services;
6. Private duty nursing services;
7. Physical therapy and related services;
8. Dental services;
9. Laboratory and X-ray services;
10. Prescribed drugs, eyeglasses, dentures, and prosthetic devices;
11. Diagnostic, screening, and preventive services; and
12. Any other medical care or remedial care recognized under State law.

A State may, if it wishes, include medical services provided by osteopaths, chiropractors, and optometrists, and remedial services provided by Christian Science practitioners.

The medical plan advocated by the Finance Committee represents a realistic and workable plan. States can take advantage of its provisions in part or in whole beginning October 1, 1960.

The financial incentive in the Finance Committee plan should enable every State to improve the medical services now provided under their old-age assistance programs and extend such services to every other person over 65 years of age who is unable to secure medical services. This would include those under the social security system, railroad retirement system, civil service system, or any other public or private retirement system, whether such person is retired or still working subject only to the standards determined by the State. It would cover the widows of such workers as well as their dependents who meet the age 65 requirement and are unable to provide for their medical care.

Under the revised title I, State plans, with the aid of Federal matching funds, could provide potential protection under this new medical assistance program to as many as 10 million persons aged 65 whose financial resources would be insufficient to cover sizable medical expenses. These 10 million would include the vast majority of the 12 million individuals who are receiving social security benefits. Also some 2.4 million people on old-age assistance could receive medical care under the committee's bill.

In the first year after enactment before all States have been able to adopt or extend such programs, an estimated additional $60 million in Federal funds would be expended for medical assistance for the aged. In addition, increased Federal funds for matching vendor medical-care payments in respect to the 2.4 million old-age assistance recipients are estimated at about $140 million. Thus under both programs combined the cost would be $200 million. I ask unanimous consent to insert for the record a table showing a State-by-State breakdown of the estimated amount of Federal matching which would be provided for medical care.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE B.—*Estimated annual 1st-year costs under proposed program of medical assistance for the aged and for additional matching for vendor medical care payments under old-age assistance*

[All figures in thousands]

	Medical assistance for the aged [1]		Additional OAA vendor medical costs		Additional costs—both programs			Medical assistance for the aged [1]		Additional OAA vendor medical costs		Additional costs—both programs	
	Federal cost	State and local cost	Federal cost	State and local cost	Federal cost	State and local cost		Federal cost	State and local cost	Federal cost	State and local cost	Federal cost	State and local cost
United States	$60,000	$55,837	$142,175	$3,873	$202,175	$59,710	Missouri	$175	$152	$4,582		$4,757	$152
							Montana	30	26	186	$158	216	184
Alabama	34	9	4,155		4,189	9	Nebraska	944	545	712		1,656	545
Alaska	1	1	52	52	53	53	Nevada	47	47	187		234	47
Arizona	12	6	635	370	647	376	New Hampshire	854	620	404		1,258	620
Arkansas	27	7	3,308		3,335	7	New Jersey	4,879	4,879	1,362		6,241	4,879
California	750	750	18,365		19,115	750	New Mexico	9	4	877		886	4
Colorado	361	314	3,627		3,988	314	New York	13,416	13,416	5,919		19,335	13,416
Connecticut	3,318	3,318	1,039		4,357	3,318	North Carolina	62	18	1,897		1,959	18
Delaware	33	33	41	13	74	46	North Dakota	245	85	773		1,018	85
District of Columbia	75	75	46		121	75	Ohio	1,336	1,336	6,430		7,766	1,336
Florida	296	199	3,354		3,650	199	Oklahoma	1,318	633	8,699		10,017	633
Georgia	14	5	4,804	984	4,818	989	Oregon	1,719	1,550	1,064		2,783	1,550
Hawaii	43	43	28		71	43	Pennsylvania	2,451	2,451	3,601		6,052	2,451
Idaho	34	17	673		707	17	Rhode Island	896	896	485		1,381	896
Illinois	5,911	5,911	3,905		9,816	5,911	South Carolina	6	2	1,623		1,629	2
Indiana	3,013	3,013	594		3,607	3,013	South Dakota	8	3	419	186	427	189
Iowa	98	57	3,120		3,218	57	Tennessee	22	7	1,934		1,956	7
Kansas	1,052	678	2,485		3,537	678	Texas	79	50	6,891	426	6,970	476
Kentucky	15	4	2,795	572	2,810	576	Utah	34	18	741		775	18
Louisiana	123	48	12,970		13,093	48	Vermont	43	22	206		249	22
Maine	156	83	731		887	83	Virginia	503	266	331		834	266
Maryland	822	822	384		1,206	822	Washington	2,481	2,481	3,517		5,998	2,481
Massachusetts	4,751	4,751	5,663		10,414	4,751	West Virginia	75	28	567		642	28
Michigan	1,778	1,778	4,405		6,183	1,778	Wisconsin	2,980	2,478	2,770		5,750	2,478
Minnesota	2,612	1,848	3,943		6,555	1,848	Wyoming	53	52	238		291	52
Mississippi	6	2	4,638	1,112	4,644	1,114							

[1] Because of the newness of this program, it is extremely difficult to estimate exactly which States will participate and to what extent, especially in the 1st year after enactment.

NOTE.—Estimates were not made for Guam, Puerto Rico, and Virgin Islands, which can participate in these programs; any additional expenditures for these jurisdictions would probably be relatively small.

Mr. BYRD of Virginia. I shall defer further discussion of the Finance Committee medical care for the aged at this time so that I may point out some of the other salient features of the pending bill.

DISABILITY INSURANCE PROGRAM

This bill makes three major changes in the disability benefit provisions of title II of the Social Security Act, as follows:

First. Eliminates the 50-year age requirement so as to enable approximately 250,000 additional workers who are totally and permanently disabled to qualify for benefits.

Second. Strengthens the rehabilitation aspects of the disability program by providing a 12-month period of trial work, during which benefits are continued for all disabled workers who attempt to return to work, rather than limiting this trial period to those under the formal Federal-State vocational rehabilitation plan as in existing law.

Third. Provides that people who become disabled within 5 years after termination of one period of disability, will not be required to serve another 6-month "waiting period" before they are again eligible to receive benefits.

EARNINGS LIMITATION

The Finance Committee added an amendment to the House-passed bill which will increase the earnings limitation for social security benefits from $1,200 to $1,800 per year.

I may state that the occupant of the chair, the distinguished junior Senator from North Carolina [Mr. JORDAN], was one of the Senators who offered that amendment some months ago.

REDUCTION OF RETIREMENT AGE FOR MEN TO 62

Under another Finance Committee amendment men workers and dependent husbands would be entitled to elect to retire at age 62 with actuarially reduced benefits, in the same way that women workers and wives can now make such an election. Likewise, dependent widowers and dependent fathers of deceased workers would qualify for full benefits at age 62 in the same manner as widows and dependent mothers of deceased workers now can qualify. It is estimated that approximately 1.8 million men would be eligible to elect to retire immediately and receive reduced benefits if they so desire.

The cost of this plan will not be greater than if the retirement occurred at age 65, because they receive less funds during that 3-year period.

BENEFITS FOR SURVIVORS OF WORKERS WHO DIED BEFORE 1940

This bill provides for the payment of benefits to survivors of a worker who acquired six quarters of coverage and died before 1940. Under the 1939 amendments survivors' monthly benefits were payable only to survivors of workers who died after 1939. About 25,000 people—most of them widows aged 75 or over—would be made eligible for benefits by this change. Benefits would be payable only for months beginning after the month of enactment.

INCREASE IN CHILDREN'S BENEFITS

The benefits payable to the children of deceased workers, which now can be somewhat less than 75 percent of the worker's benefit—depending on the number of children in the family—would be 75 percent for all children, subject to the family maximum of $254 a month, or 80 percent of the worker's average monthly wage if less. About 400,000 children would get some increase as a result of this amendment, effective for benefits for the third month after the month of enactment.

OTHER BENEFIT IMPROVEMENTS

Certain dependents and survivors of insured workers would also benefit by provisions included in the bill which—effective with the month of enactment—would first authorize benefits on the basis of certain invalid ceremonial marriages contracted in good faith; and second, assure continuation of a child's right to a benefit based on the wage record of his father, which is now voided if a stepfather was living with and supporting him at the time his father died, or in a retirement or disability case, at the time when the child applied for benefit.

INCREASED COVERAGE

Another opportunity would be provided for an estimated 60,000 ministers to be covered under the program.

If the States take advantage of the opportunity offered them, nearly 2½ million employees of State and local governments could obtain coverage for certain past years on a retroactive basis.

The provision of the House bill covering American citizens employed in the United States by foreign governments was also approved, as was the House provision covering certain policemen and firemen under retirement systems in my State of Virginia.

Other approved provisions would facilitate coverage for some of the noncovered people employed in positions covered by State and local retirement systems and for 100,000 noncovered employees of certain nonprofit organizations.

COVERAGE OF PHYSICIANS

The provisions in the House bill extending coverage to physicians have been deleted because of lack of definitive information on whether a majority of doctors wish to come under the program.

I have undertaken a poll of the physicians in Virginia to ascertain whether they desire to come under this program.

INVESTMENT OF TRUST FUNDS

The bill would make certain changes in the investment provisions relating to the Federal old-age and survivors insurance trust fund and Federal disability insurance trust fund so as to make interest earnings on the Government obligations held by the trust funds more nearly equivalent to the rate of return being received by people who buy Government obligations in the open market. The bill will relate the interest received on future obligations issued exclusively to the trust funds to the average market yield of all marketable obligations of the United States that are not due or callable for four or more years from the time at which the special obligations are issued. Current actuarial cost estimates indicate that this change would, over the long range, provide additional income to the trust funds equivalent to 0.02 percent of payroll on a level-premium basis.

The bill substitutes for the present requirement that the managing trustee purchase marketable obligations unless it is not in the public interest to do so, a requirement that he purchase obligations issued exclusively to the trust funds unless it is in the public interest to purchase obligations in the open market.

The bill also provides that the board of trustees as a whole shall have responsibility for reviewing the general policies followed in managing the trust funds and that in keeping with its responsibilities the trustees shall meet at least every 6 months.

AID TO THE BLIND

The committee adopted an amendment to the House-passed bill to increase the exemption of earned income allowed for people receiving benefits under the aid-to-the-blind State assistance program from $50 a month, or $600 a year, to the first $1,000 of earnings per year, plus one-half of any additional earnings. This exemption would be optional with the States beginning with the calendar quarter that starts after the date of enactment, but would be compulsory beginning on July 1, 1961.

Also approved was the House provision extending from June 30, 1961, to June 30, 1964, the temporary legislation which relates to the approval by the Secretary of Health, Education, and Welfare of certain State plans for aid to the blind—namely, those of Pennsylvania and Missouri.

MATERNAL AND CHILD WELFARE PROGRAMS

Both the House and Senate committee bills authorize increased annual appropriations for the maternal and child health service programs from $21.5 million to $25 million and the services for crippled children program from $20 million to $25 million. The child welfare program authorization was increased in the House bill $17 million to $20 million, and further increased by the Finance Committee to $25 million, so as to assure services to more counties by providing for more child welfare workers and equipping these workers through special training to provide better services for the mentally retarded children.

UNEMPLOYMENT COMPENSATION

The committee approved the House provision improving the operation of the Federal unemployment account—the so-called George-Reed loan fund—by tightening the conditions pertaining to eligibility for and repayment of advances to States with depleted reserve accounts. In addition, the committee adopted an amendment to increase the amount authorized to be built up in this loan fund from $200 million to $500 million.

The committee did not approve the other proposed changes in the unemployment compensation program because of the limited time afforded the committee to the consideration of the bill as a whole and the need for further study and hearings on some of the complicated problems involved.

I shall not attempt to describe the many other provisions of the bill which will simplify and improve the operation of the social security laws.

I repeat that I favor enactment of this bill with the Kerr-Frear medical care for the aged amendment approved by a 12 to 4 record vote of the committee.

I ask unanimous consent that the committee amendments be adopted en bloc, and the bill as so amended be open for further amendments.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. JAVITS. Do I correctly understand that if the request shall be agreed to, every part of the bill, including the amendments which will have been adopted, will be open to further amendment?

Mr. BYRD of Virginia. The Senator is correct.

The PRESIDING OFFICER (Mr. JORDAN in the chair). That is the opinion of the Chair.

Mr. JAVITS. Mr. President, may we have action on the request of the Senator from Virginia?

The PRESIDING OFFICER. Without objection, the request is agreed to.

The amendments agreed to en bloc are as follows:

At the top of page 2, to strike out:

"TABLE OF CONTENTS

"Title I—Coverage

"Sec. 101. Extension of time for ministers to elect coverage.
"Sec. 102. State and local governmental employees.
"(a) Delegation by Governor of certification functions.
"(b) Employees transferred from one retirement ment system to another.
"(c) Retroactive coverage.
"(d) Policemen and firemen.
"(e) Limitation on States' liability for employer (and employee) contributions in certain cases.
"(f) Statute of limitations for State and local coverage.
"(g) Municipal and county hospitals.
"(h) Validation of coverage for certain Mississippi teachers.
"Sec. 103. Extension of the program to Guam and American Samoa.
"Sec. 104. Doctors of medicine.
"Sec. 105. Service of parent for son or daughter.
"Sec. 106. Employees of nonprofit organizations.
"Sec. 107. American citizen employees of foreign governments and international organizations.
"Sec. 108. Domestic service and casual labor.

"Title II—Eligibility for benefits

"Sec. 201. Children born or adopted after onset of parent's disability.

"Sec. 202. Continued dependency of stepchild on natural father.
"Sec. 203. Payment of burial expenses.
"Sec. 204. Fully insured status.
"Sec. 205. Survivors of individuals who died prior to 1940 and of certain other individuals.
"Sec. 206. Crediting of quarters of coverage for years before 1951.
"Sec. 207. Time needed to acquire status of wife, child, or husband in certain cases.
"Sec. 208. Marriages subject to legal impediment.
"Sec. 209. Penalty deductions under foreign work test.
"Sec. 210. Extension of filing period for husband's, widower's, or parent's benefits in certain cases.

"Title III—Benefits amounts

"Sec. 301. Increase in insurance benefits of children of deceased workers.
"Sec. 302. Maximum family benefits in certain cases.
"Sec. 303. Computation and recomputations of primary insurance amounts.
"Sec. 304. Elimination of certain obsolete recomputations.

"Title IV—Disability insurance benefits and the disability freeze

"Sec. 401. Elimination of requirement of attainment of age fifty for disability insurance benefits.
"Sec. 402. Elimination of the waiting period for disability insurance benefits in certain cases.
"Sec. 403. Period of trial work by disabled individual.
"Sec. 404. Special insured status test in certain cases for disability purposes.

"Title V—Employment security

"Part 1—Short Title

"Sec. 501. Short title.

"Part 2—Employment Security Administrative Financing Amendments

"Sec. 521. Amendment of title IX of the Social Security Act.
"Sec. 901. Employment security administration account.
"Sec. 902. Transfers between Federal unemployment account and employment security administration account.
"Sec. 903. Amounts transferred to State accounts.
"Sec. 904. Unemployment Trust Fund.
"Sec. 522. Amendment of title XII of the Social Security Act.
"Sec. 1201. Advances to State unemployment funds.
"Sec. 1202. Repayment by States of advances to State unemployment funds.
"Sec. 1203. Advances to Federal unemployment account.
"Sec. 1204. Definition of Governor.
"Sec. 523. Amendments to the Federal Unemployment Tax Act.
"Sec. 524. Conforming amendments.

"Part 3—Extension of Coverage Under Unemployment Compensation Program

"Sec. 531. Federal instrumentalities.
"Sec. 532. American aircraft.
"Sec. 533. Feeder organizations, etc.
"Sec. 534. Fraternal beneficiary societies, agricultural organizations, voluntary employees' beneficiary association, etc.
"Sec. 535. Effective date.

"Part 4—Extension of Federal State Unemployment Compensation Program to Puerto Rico

"Sec. 541. Extension of titles III, IX, and XII of the Social Security Act.
"Sec. 542. Federal employees and ex-servicemen.
"Sec. 543. Extension of Federal Unemployment Tax Act.

"Title VI—Medical services for the aged

"Sec. 601. Establishment of program. (Title XVI of the Social Security Act.)
"Sec. 1601. Appropriation.
"Sec. 1602. State plans.
"Sec. 1603. Payments.
"Sec. 1604. Operation of State plans.
"Sec. 1605. Eligible individuals.
"Sec. 1606. Benefits.
"Sec. 1607. Benefit year.
"Sec. 602. Improvement of medical care for old age assistance recipients.
"Sec. 603. Planning grants to States.
"Sec. 604. Technical amendment.

"Title VII—Miscellaneous

"Sec. 701. Investment of Trust Funds.
"Sec. 702. Survival of actions.
"Sec. 703. Periods of limitation ending on nonwork days.
"Sec. 704. Advisory Council on Social Security Financing.
"Sec. 705. Medical care guides and reports for public assistance and medical services for the aged.
"Sec. 706. Temporary extension of certain special provisions relating to State plans for aid to the blind.
"Sec. 707. Maternal and child welfare.
"Sec. 708. Amendment preserving relationship between railroad retirement and old age, survivors, and disability insurance.
"Sec. 709. Meaning of term 'Secretary'.

And, in lieu thereof, to insert:

"TABLE OF CONTENTS

"Title I—Coverage

"Sec. 101. Extension of time for ministers to elect coverage.
"Sec. 102. State and local governmental employees.
"(a) Delegation by Governor of certification functions.
"(b) Employees transferred from one retirement system to another.
"(c) Retroactive coverage.
"(d) Policemen and firemen.
"(e) Limitation on States' liability for employer (and employee) contributions in certain cases.
"(f) Statute of limitations for State and local coverage.
"(g) Municipal and county hospitals.
"(h) Validation of coverage for certain Mississippi teachers.
"(i) Justices of the peace and constables in the State of Nebraska.
"(j) Teachers in the State of Maine.
"Sec. 103. Employees of nonprofit organizations.
"Sec. 104. American citizen employees of foreign governments.
"Sec. 105. Domestic service and casual labor.

"Title II—Eligibility for benefits

"Sec. 201. Children born or adopted after onset of parent's disability.
"Sec. 202. Continued dependency of stepchild on natural father.
"Sec. 203. Payment of burial expenses.
"Sec. 204. Technical amendments with respect to fully insured status.
"Sec. 205. Survivors of individuals who died prior to 1940 and of certain other individuals.
"Sec. 206. Crediting of quarters of coverage for years before 1951.
"Sec. 207. Marriages subject to legal impediment.
"Sec. 208. Penalty deductions under foreign work test.
"Sec. 209. Extension of filing period for husband's, widower's, or parent's benefits in certain cases.
"Sec. 210. Actuarially reduced benefits for men at age 62.
"Sec. 211. To increase the earned income limitation.

"Title III—Benefit amounts

"Sec. 301. Increase in insurance benefits of children of deceased workers.
"Sec. 302. Maximum family benefits in certain cases.
"Sec. 303. Computations and recomputations of primary insurance amounts.
"Sec. 304. Elimination of certain obsolete recomputations.

"Title IV—Disability insurance benefits and the disability freeze

"Sec. 401. Elimination of requirement of attainment of age fifty for disability insurance benefits.
"Sec. 402. Elimination of the waiting period for disability insurance benefits in certain cases.
"Sec. 403. Period of trial work by disabled individual.
"Sec. 404. Special insured status test in certain cases for disability purposes.

"Title V—Employment security

"Sec. 501. Amendments to title IX of the Social Security Act.
"Sec. 502. Amendment of title XII of the Social Security Act.
"Sec. 1201. Advances to State unemployment funds.
"Sec. 1202. Repayment by States of advances to State unemployment funds.
"Sec. 1203. Advances to Federal unemployment account.
"Sec. 1204. Definition of Governor.
"Sec. 503. Amendments to the Federal Unemployment Tax Act.
"Sec. 504. Conforming amendment.

"Title VI—Medical services for the aged

"Sec. 601. Amendments to title I of the Social Security Act.
"Sec. 602. Increase in Limitations on Assistance Payment to Puerto Rico, the Virgin Islands, and Guam.
"Sec. 603. Technical amendment.
"Sec. 604. Effective dates.

"Title VII—Miscellaneous

"Sec. 701. Investment of Trust Funds.
"Sec. 702. Survival of actions.
"Sec. 703. Periods of limitation ending on nonwork days.
"Sec. 704. Advisory Council on Social Security Financing.
"Sec. 705. Medical care guides and reports for public assistance and medical services for the aged.
"Sec. 706. Temporary extension of certain special provisions relating to State plans for aid to the blind.

"Sec. 707. Maternal and child welfare.
"Sec. 708. Amendment preserving relationship between railroad retirement and old-age, survivors, and disability insurance.
"Sec. 709. Meaning of term 'Secretary'.
"Sec. 710. Aid to the blind."

On page 6, line 16, after the word "be", to strike out "irrevocable." " and insert "irrevocable."; at the top of page 7, to insert:

"(B) Notwithstanding the first sentence of subparagraph (A), if an individual filed a certificate on or before the date of enactment of this subparagraph which (but for this subparagraph) is effective only for the first taxable year ending after 1956 and all succeeding taxable years, such certificate shall be effective for his first taxable year ending after 1955 and all succeeding taxable years if—

"(i) such individual files a supplemental certificate after the date of enactment of this subparagraph and on or before April 15, 1962,

"(ii) the tax under section 1401 in respect of all such individual's self-employment income (except for underpayments of tax attributable to errors made in good faith), for his first taxable year ending after 1955 is paid on or before April 15, 1962, and

"(iii) in any case where refund has been made of any such tax which (but for this subparagraph) is an overpayment, the amount refunded (including any interest paid under section 6611) is repaid on or before April 15, 1962. The provisions of section 6401 shall not apply to any payment or repayment described in this subparagraph."

On page 10, line 12, after "1402 (e)", to insert "(3) (B) or"; in line 18, after "1042 (e)", to insert "(3) (B) or"; on page 11, line 12, after "1402 (e)", to insert "(3) (B) or"; on page 17, line 3, after the word "before", to strike out "the first day of the year following the year in which this paragraph is enacted, or before the first day of" and insert "January 1, 1957, or before January of the third year preceding"; on page 29, after line 4, to insert:

"JUSTICES OF THE PEACE AND CONSTABLES IN THE STATE OF NEBRASKA

"(i) Notwithstanding any provision of section 218 of the Social Security Act, the agreement with the State of Nebraska entered into pursuant to such section may, at the option of such State, be modified so as to exclude services performed within such State by individuals as justices of the peace or constables, if such individuals are compensated for such services on a fee basis. Any modification of such agreement pursuant to this subsection shall be effective with respect to services performed after an effective date specified in such modification, except that such date shall not be earlier than the date of enactment of this Act."

After line 17, to insert:

"TEACHERS IN THE STATE OF MAINE

"(j) Section 316 of the Social Security Amendments of 1958 is amended by striking out 'July 1, 1960' and inserting in lieu thereof 'July 1, 1961'."

After line 21, to strike out:

"EXTENSION OF THE PROGRAM TO GUAM AND AMERICAN SAMOA

"SEC 103. (a) (1) (A) The next to the last sentence of section 202(i) of the Social Security Act is amended by striking out 'Puerto Rico, or the Virgin Islands' and inserting in lieu thereof 'the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa'.

"(B) The last sentence of such section 202(i) is amended by striking out 'and of such States, or the District of Columbia' and inserting in lieu thereof 'any State'.

"(2) Section 101(d) of the Social Security Act Amendments of 1950 and section 5(e) (2) of the Social Security Act Amendments of 1952 are each amended by striking out 'Puerto Rico, or the Virgin Islands' and inserting in lieu thereof 'the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa'.

"(b) Section 203(k) of the Social Security Act is amended by striking out 'Puerto Rico, or the Virgin Islands' and inserting in lieu thereof 'the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa', and by striking out 'Puerto Rico and the Virgin Islands' and inserting in lieu thereof 'the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa'.

"(c) Section 210(a)(7) of such Act is amended to read as follows:

"'(7) Service performed in the employ of a State, or any political subdivision thereof, or any instrumentality of any one or more of the foregoing which is wholly owned thereby, except that this paragraph shall not apply in the case of—

"'(A) service included under an agreement under section 218,

"'(B) service which, under subsection (k), constitutes covered transportation service, or

"'(C) service in the employ of the Government of Guam or the Government of American Samoa or any political subdivision thereof, or of any instrumentality of any one or more of the foregoing which is wholly owned thereby, performed by an officer or empolyee thereof (including a member of the legislature of any such Government or political subdivision), and, for purposes of this title—

"'(i) any person whose service as such an officer or employee is not covered by a retirement system established by a law of the United States shall not, with respect to such service, be regarded as an officer or employee of the United States or any agency or instrumentality thereof, and

"'(ii) the remuneration for service described in clause (i) (including fees paid to a public official) shall be deemed to have been paid by the Government of Guam or the Government of American Samoa or by a political subdivision thereof or an instrumentality of any one or more of the foregoing which is wholly owned thereby, whichever is appropriate;'.

"(d) Section 210(a) of such Act is further amended—

"(1) by striking out 'or' at the end of paragraph (16),

"(2) by striking out the period at the end of paragraph (17) and inserting in lieu thereof a semicolon, and

"(3) by adding at the end thereof the following new paragraph:

"'(18) Service performed in Guam by a resident of the Republic of the Philippines while in Guam on a temporary basis as a nonimmigrant alien admitted to Guam pursuant to section 101(a)(15)(H)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)); or'.

"(e) Section 210(h) of such Act is amended to read as follows:

"'*State*

"'(h) The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.'

"(f) Section 210(i) of such Act is amended to read as follows:

"'*United States*

"'(i) The term "United States" when used in a geographical sense means the States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.'

"(g) (1) Section 211(a) of such Act is amended by striking out the period at the end of paragraph (7) and inserting in lieu thereof '; and', and by inserting after paragraph (7) the following new paragraph:

"'(8) The term "possession of the United States" as used in sections 931 (relating to income from sources within possessions of the United States) and 932 (relating to citizens of possessions of the United States) of the Internal Revenue Code of 1954 shall be deemed not to include the Virgin Islands, Guam, or American Samoa.'

"(2) Clauses (v) and (vi) in the last sentence of section 211(a) of such Act are each amended by striking out 'paragraphs (1) through (6)' and inserting in lieu thereof 'paragraphs (1) through (6) and paragraph (8)'.

"(h) Section 211(b) of such Act is amended by striking out the last two sentences and inserting in lieu thereof the following:

"'An individual who is not a citizen of the United States but who is a resident of the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa shall not, for the purposes of this subsection, be considered to be a nonresident alien individual.'

"(i) Section 218(b)(1) of such Act is amended by inserting ', Guam, or American Samoa' immediately before the period at the end thereof.

"(j) (1) Section 219 of such Act is repealed.

"(2) (A) Section 210(j) of such Act is repealed.

"(B) Subsections (k) through (o) of section 210 of such Act are redesignated as subsections (j) through (n), respectively.

"(C) Sections 202(i), 215(h), (1), and 217(e) (1), and the last paragraph of section 209, are each amended by striking out 'section 210(m)(1)' and inserting in lieu thereof 'section 210(l)(1)'.

"(D) Section 202(t)(4)(D) of such Act is amended—

"(i) by striking out 'section 210(m)(2)', 'section 210(m)(3)', and 'section 210(m)(2) and (3)' and inserting in lieu thereof 'section 210(l)(2)', 'section 210(l)(3)', and 'section 210(l)(2) and (3)', respectively; and

"(ii) by striking out 'section 210(n)' each place it appears and inserting in lieu thereof 'section 210(m)'.

"(E) Section 205(p)(1) of such Act is amended by striking out 'subsection (m)(1)' and inserting in lieu thereof 'subsection (l)(1)'.

"(F) Section 209(j) of such Act is amended by striking out 'section 210(k)(3)(C)' and inserting in lieu thereof 'section 210(j)(3)(C)'.

"(G) Section 218(c)(6)(C) of such Act is amended by striking out 'section 210(l)' and inserting in lieu thereof 'section 210(k)'.

"(3) Section 211(a)(6) of such Act is amended to read as follows:

"'(6) A resident of the Commonwealth of Puerto Rico shall compute his net earnings from self employment in the same manner as a citizen of the United States but without regard to the provisions of section 933 of the Internal Revenue Code of 1954;'.

"(k)(1) Section 1402(a) of the Internal Revenue Code of 1954 (relating to definition of net earnings from self-employment) is amended by striking out the period at the end of paragraph (8) and inserting in lieu thereof '; and', and by inserting after paragraph (8) the following new paragraph:

"'(9) the term "possession of the United States" as used in sections 931 (relating to income from sources within possessions of the United States) and 932 (relating to citizens of possessions of the United States) shall be deemed not to include the Virgin Islands, Guam, or American Samoa.'

"(2) Clauses (v) and (vi) in the last sentence of such section 1402(a) are each amended by striking out 'paragraphs (1) through (7)' and inserting in lieu thereof 'paragraphs (1) through (7) and paragraph (9)'.

"(l) The last sentence of section 1402(b) of such Code (relating to definition of self-employment income) is amended by striking out 'the Virgin Islands or a resident of Puerto Rico' and inserting in lieu thereof 'the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa'.

"(m) Section 1403(b)(2) of such Code (relating to cross references) is amended by inserting ', Guam, American Samoa,' after 'Virgin Islands'.

"(n) Section 3121(b)(7) of such Code (relating to definition of employment) is amended to read as follows:

"'(7) service performed in the employ of a State or any political subdivision thereof, or any instrumentality of any one or more of the foregoing which is wholly owned thereby, except that this paragraph shall not apply in the case of—

"'(A) service which, under subsection (j), constitutes covered transportation service, or

"'(B) service in the employ of the Government of Guam or the Government of American Samoa or any political subdivision thereof, or of any instrumentality of any one or more of the foregoing which is wholly owned thereby, performed by an officer or employee thereof (including a member of the legislature of any such Government or political subdivision), and, for purposes of this title with respect to the taxes imposed by this chapter—

"'(i) any person whose service as such an officer or employee is not covered by a retirement system established by a law of the United States shall not, with respect to such service, be regarded as an employee of the United States or any agency or instrumentality thereof, and

"'(ii) the remuneration for service described in clause (i) (including fees paid to a public official) shall be deemed to have been paid by the Government of Guam or the Government of American Samoa or by a political subdivision thereof or an instrumentality of any one or more of the foregoing which is wholly owned thereby, whichever is appropriate;'.

"(o) Section 3121(b) of such Code is further amended—

"(1) by striking out 'or' at the end of paragraph (16),

"(2) by striking out the period at the end of paragraph (17) and inserting in lieu thereof a semicolon, and

"(3) by adding at the end thereof the following new paragraph:

"'(18) service performed in Guam by a resident of the Republic of the Philippines while in Guam on a temporary basis as a nonimmigrant alien admitted to Guam pursuant to section 101(a)(15)(H)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)); or'.

"(p) Section 3121(c) of such Code (relating to definition of State, United States, and citizen) is amended to read as follows:

"'(c) STATE, UNITED STATES, AND CITIZEN.—For purposes of this chapter.

"'(1) STATE.—The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

"'(2) UNITED STATES.—The term "United States" when used in a geographical sense includes the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

An individual who is a citizen of the Commonwealth of Puerto Rico (but not otherwise a citizen of the United States) shall be considered, for purposes of this section, as a citizen of the United States.'

"(q)(1) Subchapter C of chapter 21 of such Code (general provisions relating to tax under Federal Insurance Contributions Act) is amended by redesignating section 3125 as section 3126, and by inserting after section 3124 the following new section:

"'SEC. 3125. RETURNS IN THE CASE OF GOVERNMENTAL EMPLOYEES IN GUAM AND AMERICAN SAMOA.

"'(a) GUAM.—The return and payment of the taxes imposed by this chapter on the income of individuals who are officers or employees of the Government of Guam or any political subdivision thereof or of any instrumentality of any one or more of the foregoing which is wholly owned thereby, and those imposed on such Government or political subdivision or instrumentality with respect to having such individuals in its employ, may be made by the Governor of Guam or by such agents as he may designate. The person making such return may, for convenience of administration, make payments of the tax imposed under section 3111 with respect to the service of such individuals without regard to the $4,800 limitation in section 3121(a)(1).

"'(b) AMERICAN SAMOA.—The return and payment of the taxes imposed by this chapter on the income of individuals who are officers or employees of the Government of American Samoa or any political subdivision thereof or of any instrumentality of any one or more of the foregoing which is wholly owned thereby, and those imposed on such Government or political subdivision or instrumentality with respect to having such individuals in its employ, may be made by the Governor of American Samoa or by such agents as he may designate. The person making such return may, for convenience of administration, make payments of the tax imposed under section 3111 with respect to the service of such individuals without regard to the $4,800 limitation in section 3121(a)(1).'

"(2) The table of sections for such subchapter C is amended by striking out

"'Sec. 3125. Short title.'

and inserting in lieu thereof:

"'Sec. 3125. Returns in the case of governmental employees in Guam and American Samoa.

"'Sec. 3126. Short title.'

"(r)(1) Section 6205(a) of such Code (relating to adjustment of tax) is amended by adding at the end thereof the following new paragraph:

"'(3) GUAM OR AMERICAN SAMOA AS EMPLOYER.—For purposes of this subsection, in the case of remuneration received during any calendar year from the Government of Guam, the Government of American Samoa, a political subdivision of either, or any instrumentality of any one or more of the foregoing which is wholly owned thereby, the Governor of Guam, the Governor of American Samoa, and each agent designated by either who makes a return pursuant to section 3125 shall be deemed a separate employer.'

"(2) Section 6413(a) of such Code (relating to adjustment of tax) is amended by adding at the end thereof the following new paragraph:

"'(3) GUAM OR AMERICAN SAMOA AS EMPLOYER.—For purposes of this subsection, in the case of remuneration received during any calendar year from the Government of Guam, the Government of American Samoa, a political subdivision of either, or any instrumentality of any one or more of the foregoing which is wholly owned thereby, the Governor of Guam, the Governor of American Samoa, and each agent designated by either who makes a return pursuant to section 3125 shall be deemed a separate employer.'

"(3) Section 6413(c)(2) of such Code (relating to applicability of special rules to certain employment taxes) is amended by adding at the end thereof the following new subparagraphs:

"'(D) GOVERNMENTAL EMPLOYEES IN GUAM.—In the case of remuneration received from the Government of Guam or any political subdivision thereof or from any instrumentality of any one or more of the foregoing which is wholly owned thereby, during any calendar year, the Governor of Guam and each agent designated by him who makes a return pursuant to section 3125(a) shall, for purposes of this subsection, be deemed a separate employer.

"'(E) GOVERNMENTAL EMPLOYEES IN AMERICAN SAMOA.—In the case of remuneration received from the Government of American Samoa or any political subdivision thereof or from any instrumentality of any one or more of the foregoing which is wholly owned thereby, during any calendar year, the Governor of American Samoa and each agent designated by him who makes a return pursuant to section 3125(b) shall, for purposes of this subsection, be deemed a separate employer.'

"(4) The heading of such section 6413(c)(2) is amended by striking out 'AND EMPLOYEES OF CERTAIN FOREIGN CORPORATIONS' and inserting in lieu thereof ', EMPLOYEES OF CERTAIN FOREIGN CORPORATIONS, AND GOVERNMENTAL EMPLOYEES IN GUAM AND AMERICAN SAMOA.'

"(s) Section 7213 of such Code (relating to unauthorized disclosure of information) is amended by redesignating subsection (d) as subsection (e) and by inserting after subsection (c) the following new subsection:

"'(d) DISCLOSURES BY CERTAIN DELEGATES OF SECRETARY.—All provisions of law relating to the disclosure of information, and all provisions of law relating to penalties for unauthorized disclosure of information, which are applicable in respect of any function under this title when performed by an officer or employee of the Treasury Department are likewise applicable in respect of such function when performed by any person who is a "delegate" within the meaning of section 7701(a)(12)(B).'

"(t) Section 7701(a)(12) of such Code (relating to definition of delegate) is amended to read as follows:

"'(12) DELEGATE.—

"'(A) IN GENERAL.—The term 'Secretary or his delegate' means the Secretary of the Treasury, or any officer, employee, or agency of the Treasury Department duly authorized by the Secretary (directly, or indirectly by one or more redelegations of authority) to perform the function mentioned or described in the context, and the term "or his delegate" when used in connection with any other official of the United States shall be similarly construed.

"'(B) PERFORMANCE OF CERTAIN FUNCTIONS IN GUAM OR AMERICAN SAMOA.—The term "delegate", in relation to the performance of functions in Guam or American Samoa with respect to the taxes imposed by chapters 2 and 21, also includes any officer or employee of any other department or agency of the United States, or of any possession thereof, duly authorized by the Secretary (directly, or indirectly by one or more redelegations of authority) to perform such functions.'

"(u) Section 30 of the Organic Act of Guam (48 U.S.C., sec. 1421h) is amended by inserting before the period at the end thereof the following: '; except that nothing in this Act shall be construed to apply to any tax imposed by chapter 2 or 21 of the Internal Revenue Code of 1954.'

"(v)(1) The amendments made by subsection (a) shall apply only with respect to reinterments after the date of the enactment of this Act. The amendments made by subsections (b), (c), and (f) shall apply only with respect to service performed after 1960; except that insofar as the carrying on of a trade or business (other than performance of service as an employee) is concerned, such amendments shall apply only in the case of taxable years beginning after 1960. The amendments made by subsections (d), (i), (o), and (p) shall apply only with respect to service performed after 1960. The amendments made by subsections (h) and (l) shall apply only in the case of taxable years beginning after 1960. The amendments made by subsections (c), (n), (q), and (r) shall apply only with respect to (1) service in the employ of the Government of Guam or any political subdivision thereof, or any instrumentality of any one or more of the foregoing wholly owned thereby, which is performed after 1960 and after the calendar quarter in which the Secretary of the Treasury receives a certification by the Governor of Guam that legislation has been enacted by the Government of Guam expressing its desire to have the insurance system established by title II of the Social Security Act extended to the officers and employees of such Government and such political subdivisions and instrumentalities, and (2) service in the employ of the Government of American Samoa or any political subdivision thereof, or any instrumentality of any one or more of the foregoing wholly owned thereby, which is performed after 1960 and after the calendar quarter in which the Secretary of the Treasury receives a certification by the Governor of American Samoa that the Government of American Samoa desires to have the insurance system established by such title II extended to the officers and employees of such Government and such political subdivisions and instrumentalities. The amendments made by subsections (g) and (k) shall apply only in the case of taxable years beginning after 1960, except that, insofar as they involve the nonapplication of section 932 of the Internal Revenue Code of 1954 to the Virgin Islands for purposes of chapter 2 of such Code and section 211 of the Social Security Act, such amendments shall be effective in the case of all taxable years with respect to which such chapter 2 (and corresponding provisions of prior law) and such section 211 are applicable. The amendments made by subsections (j), (s), and (t) shall take effect on the date of the enactment of this Act; and there are authorized to be appropriated such sums as may be necessary for the performance by any officer or employee of functions delegated to him by the Secretary of the Treasury in accordance with the amendment made by such subsection (t).

"(2) The amendments made by subsections (c) and (n) shall have application only as expressly provided therein, and determinations as to whether an officer or employee of the Government of Guam or the Government of American Samoa or any political subdivision thereof, or of any instrumentality of any one or more of the foregoing which is wholly owned thereby, is an employee of the United States or any agency or instrumentality thereof within the meaning of any provision of law not affected by such amendments, shall be made without any inferences drawn from such amendments.

"(3) The repeal (by subsection (j)(1)) of section 219 of the Social Security Act, and the elimination (by subsections (c), (f), (h), (j)(2), and (j)(3)) of other provisions of such Act making reference to such section 219, shall not be construed as changing or otherwise affecting the effective date specified in such section for the extension to the Commonwealth of Puerto Rico of the insurance system under title II of such Act, the manner or consequences of such extension, or the status of any individual with respect to whom the provisions so eliminated are applicable.

"Doctors of Medicine

"SEC. 104. (a)(1) Section 211(c)(5) of the Social Security Act is amended to read as follows:

"'(5) The performance of service by an individual in the exercise of his profession as a Christian Science practitioner.'

"(2) Section 211(c) of such Act is further amended by striking out the last two sentences and inserting in lieu thereof the following:

"'The provisions of paragraph (4) or (5) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by him under section 1402(e) of the Internal Revenue Code of 1954 is in effect.'

"(b) Section 210(a)(6)(C)(iv) of such Act is amended by striking out all that follows '1947' and inserting in lieu thereof '(relating to certain student employees of hospitals of the Federal Government; 5 U.S.C. 1052), other than as a medical or dental intern or a medical or dental resident in training;'.

"(c) Section 210(a)(13) of such Act is amended by striking out all that follows the first semicolon.

"(d)(1) Section 1402(c)(5) of the Internal Revenue Code of 1954 (realting to definition of trade or business) is amended to read as follows:

"'(5) the performance of service by an individual in the exercise of his profession as a Christian Science practitioner."

"(2) Section 1402(c) of such Code is further amended by striking out the last two sentences and inserting in lieu thereof the following:

"'The provisions of paragraph (4) or (5) shall not apply to service (other than service performed by a member of a religious order who has taken a vow of poverty as a member of such order) performed by an individual during the period for which a certificate filed by him under subsection (e) is in effect.'

"(e)(1) Section 1402(e)(1) of such Code (relating to filing of waiver certificate by ministers, members of religious orders, and Christian Science practitioners) is amended by striking out 'extended to service' and all that follows and inserting in lieu thereof 'extended to service described in subsection (c)(4) or (c)(5) performed by him.'

"(2) Clause (A) of section 1402(e)(2) of such Code (relating to time for filing waiver certificate) is amended to read as follows: '(A) the due date of the return (including any extension thereof) for his second taxable year ending after 1954 for which he has net earnings from self-employment (computed without regard to subsections (c)(4) and (c)(5)) of $400 or more, any part of which was derived from the performance of service described in subsection (c)(4) or (c)(5); or'.

"(f) Section 3121(b)(6)(C)(iv) of such Code (relating to definition of employment) is amended by striking out all that follows '1947' and inserting in lieu thereof '(relating to certain student employees of hospitals of the Federal Government; 5 U.S.C. 1052), other than as a medical or dental intern or a medical or dental resident in training.'

"(g) Section 3121(b)(13) of such Code is amended by striking out all that follows the first semicolon.

"(h) The amendments made by subsections (a), (d), and (e) shall apply only with respect to taxable years ending on or after December 31, 1960. The amendments made by subsections (b), (c), (f), and (g) shall apply only with respect to services performed after 1960.

"Service of Parent for Son or Daughter

"SEC. 105. (a) Section 210(a)(3) of the Social Security Act is amended to read as follows:

"'(3)(A) Service performed by an individual in the employ of his spouse, and service performed by a child under the age of twenty-one in the employ of his father or mother;

"'(B) Service not in the course of the employer's trade or business, or domestic service in a private home of the employer, performed by an individual in the employ of his son or daughter;'.

"(b) Section 3121(b)(3) of the Internal Revenue Code of 1954 (relating to definition of employment) is amended to read as follows:

"'(3)(A) service performed by an individual in the employ of his spouse, and service performed by a child under the age of 21 in the employ of his father or mother;

"'(B) service not in the course of the employer's trade or business, or domestic service in a private home of the employer, performed by an individual in the employ of his son or daughter;'.

"(c) The amendments made by subsections (a) and (b) shall apply only with respect to services performed after 1960."

On page 51, at the beginning of line 15, to change the section number from "106" to "103"; on page 58, after line 18, to strike out:

"(d)(1) Section 3121(h) of such Code (relating to definition of American employer) is amended by striking out 'or' at the end of paragraph (4), by striking out the period at the end of paragraph (5) and inserting in lieu thereof ', or', and by adding at the end thereof the following new paragraph:

"'(6) a labor organization created or organized in the Canal Zone, if such organization is chartered by a labor organization (described in section 501(c)(5) and exempt from tax under section 501(a)) created or organized in the United States.'

"(2) Section 210(e) of the Social Security Act is amended by striking out 'or (6)' and inserting in lieu thereof '(6)', and by inserting before the period at the end thereof the following: ', or (7) a labor organization created or organized in the Canal Zone, if such organization is chartered by a labor organization (described in section 501(c)(5) of the Internal Revenue Code of 1954 and exempt from tax under section 501(a) of such Code) created or organized in the United States'.

"(3) For purposes of title II of the Social Security Act, if—

"(A) a citizen of the United States is paid remuneration for service performed after 1954 and before 1961 as an employee of an American employer (as defined in section 210(e)(7) of such Act);

"(B) amounts are paid, as taxes imposed by sections 3101 and 3111 of the Internal Revenue Code of 1951, with respect to any part of the remuneration paid in any calendar quarter to such individual for such service and part of such amounts have been paid before the date of the enactment of this Act; and

"(C) no claim for credit or refund of such amounts paid with respect to such calendar quarter (other than a claim which would be allowed if such services constituted employment for purposes of chapter 21 of such Code) is filed prior to the expiration of the period prescribed in section 6511 for filing claim for credit or refund.

then the remuneration paid in such calendar quarter with respect to which such amounts are timely paid shall be deemed to constitute remuneration for employment."

On page 60, at the beginning of line 10, to strike out "(c)" and insert "(d)"; after line 13, to strike out:

"(2) The amendments made by paragraphs (1) and (2) of subsection (d) shall be effective with respect to service performed after December 31, 1960."

At the beginning of line 17, to strike out "(3)" and insert "(2)"; in line 20, after the word "subsections", to strike out "(b), (c), and (d)" and insert "(b) and (c)"; on page 61, in the heading, in line 2, to strike out "AND INTERNATIONAL ORGANIZATIONS"; at the beginning of line 3, to change the section number from "107" to "104"; at the beginning of line 12, to strike out "(11)," and insert "(11) or"; in the same line, after "(12)", to strike out the comma and "or (15)"; on page 62, at the beginning of line 1, to strike out "(11)," and insert "(11) or"; in the same line, after "(12)", to strike out "or (15)"; after line 13, to strike out:

"SEC. 108. (a) Paragraphs (2) and (3) of section 209(g) of the Social Security Act are each amended by striking out "$50" and inserting in lieu thereof '$25'."

At the beginning of line 17, to strike out "(b)" and insert "Sec. 105. (a)"; in line 18, after the word "paragraph", to strike out "(18) (added by section 103 of this Act)" and insert "(17)"; at the beginning of line 20, to strike out "(19)" and insert "(18)"; after line 23, to strike out:

"(c) Subparagraphs (B) and (C) of section 3121(a)(7) of the Internal Revenue Code of 1954 (relating to definition of wages) are each amended by striking out '$50' and inserting in lieu thereof '$25' ".

On page 63, at the beginning of line 3, to strike out "(d)" and insert "(b)"; in line 5, after the word "paragraph", to strike out "(18) (added by section 103 of this Act)" and insert "(17)"; at the beginning of line 7, to strike out "(19)" an insert "(18)"; at the beginning of line 11, to strike out "(e)" and insert "(c)"; in the same line, after the amendment just above stated, to strike out "The amendments made by subsections (a) and (c) shall apply only with respect to remuneration paid after 1960."; in line 13, after the word "subsections", to strike out "(b) and (d)" and insert "(a) and (b)"; on page 64, line 12, after the word "he", to insert "(A)"; in line 14, after the word "or", to insert "(B)"; in line 18, after the word "benefits", to insert a comma and "but only if (i) proceedings for such adoption of the child had been instituted by such individual in or before the month in which began the period of disability of such individual which still exists at the time of such adoption or (ii) such adopted child was living with such individual in such month."; at the top of page 68, in the heading, to insert "TECHNICAL AMENDMENTS WITH RESPECT TO"; in line 9, after the word "each", to strike out "four" and insert "two"; on page 69, line 2, after the word "of", where it appears the first time, to strike out "four" and insert "two"; in line 3, after the word "of", to strike out "four" and insert "two"; on page 74, after line 21, to strike out:

"TIME NEEDED TO ACQUIRE STATUS OF WIFE, CHILD, OR HUSBAND IN CERTAIN CASES

"SEC. 207. (a) Section 216(b) of the Social Security Act is amended by striking out 'not less than three years immediately preceding the day on which her application is filed' and inserting in lieu thereof 'not less than one year immediately preceding the day on which her application is filed'.

"(b) The first sentence of section 216 (e) of such Act is amended to read as follows: 'The term "child" means (1) the child or legally adopted child of an individual, and (2) a stepchild who has been such stepchild for not less than one year immediately preceding the day on which application for child's insurance benefits is filed or (if the insured individual is deceased) the day on which such individual died.'

"(c) Section 216(f) of such Act is amended by striking out 'not less than three years immediately preceding the day on which his application is filed' and inserting in lieu thereof 'not less than one year immediately preceding the day on which his application is filed'.

"(d) The amendments made by this section shall apply only with respect to monthly benefits under section 202 of the Social Security Act for months beginning with the month in which this Act is enacted on the basis of applications filed in or after such month."

On page 75, at the beginning of line 23, to change the section number from "208" to "207"; on page 81, at the beginning of line 8, to change the section number from "209" to "208"; at the beginning of line 19, to change the section number from "210" to "209"; on page 82, after line 18, to insert:

"ACTUARIALLY REDUCED BENEFITS FOR MEN AT AGE 62

"SEC. 210. (a) Section 216(a) of the Social Security Act is amended to read as follows:

"'*Retirement age*

"'(a) The term "retirement age" means age sixty-two'.

"(b) Subsections (q), (r), and (s) of section 202 of such Act are amended to read as follows:

"'*Adjustment of old-age, wife's, and husband's insurance benefit amounts in accordance with age of beneficiary*

"'(q)(1) The old-age insurance benefit of any individual for any month prior to the month in which such individual attains the age of sixty-five shall be reduced by—

"'(A) five-ninths of 1 per centum, multiplied by

"'(B) the number equal to the number of months in the period beginning with the first day of the first month for which such individual is entitled to an old-age insurance benefit and ending with the last day of the month before the month in which such individual would attain the age of sixty-five.

"'(2) The wife's or husband's insurance benefit of any individual for any month after the month preceding the month in which such individual attains retirement age and prior to the month in which such individual attains the age of sixty-five shall be reduced by—

"'(A) twenty-five thirty-sixths of 1 per centum, multiplied by

"'(B) the number equal to the number of months in the period beginning with the first day of the first month for which such individual is entitled to such wife's or husband's (as the case may be) insurance benefit and ending with the last day of the month before the month in which such individual would attain the age of sixty-five, except that in no event shall such period start earlier than the first day of the month in which such individual attains retirement age.

In the case of an individual entitled to wife's insurance benefits, the preceding provisions of this paragraph shall not apply to the benefit for any month in which such individual has in her care (individually or jointly with the individual on whose wages and self-employment income her wife's insurance benefit is based) a child entitled to child's insurance benefits on the basis of such wages and self-employment income. With respect to any month in the period specified in clause (B) of the first sentence of this paragraph, if (in the case of an individual entitled to wife's insurance benefits) such individual does not have in such month such a child in her care (individually or jointly with the individual on whose wages and self-employment income her wife's insurance benefit is based), she shall be deemed to have such a child in her care in such month for the purposes of the preceding sentence unless there is in effect for such month a certificate filed by her with the Secretary, in accordance with regulations prescribed by him, in which she elects to receive wife's insurance benefits reduced as provided in this subsection. Any certificate filed pursuant to the preceding sentence shall be effective for purposes of such sentence—

"'(i) for the month in which it is filed, and for any month thereafter, if in such month she does not have such a child in her care (individually or jointly with the individual on whose wages and self-employment income her wife's insurance benefit is based), and

"'(ii) for the period of one or more consecutive months (not exceeding twelve) immediately preceding the month in which such certificate is filed which is designated by her (not including as part of such period any month in which she had such a child in her care (individually or jointly with the individual on whose wages and self-employment income her wife's insurance benefit is based)).

If such a certificate is filed, the period referred to in clause (B) of the first sentence of this paragraph shall commence with the first day of the first month (i) for which such individual is entitled to a wife's insurance benefit, (ii) which occurs after the month preceding the month in which she attains retirement age, and (iii) for which such certificate is effective.

"'(3) In the case of any individual who is entitled to an old-age insurance benefit to which paragraph (1) is applicable and who, for the first month for which such individual is so entitled (but not for any prior month) or for any later month occurring before the month in which such individual attains the age of sixty-five, is entitled to a wife's or husband's insurance benefit to which paragraph (2) is applicable, the amount of such wife's or husband's insurance benefit for any month prior to the month in which such individual attains the age of sixty-five shall, in lieu of the reduction provided in paragraph (2), be reduced by the sum of—

"'(A) an amount equal to the amount by which such old-age insurance benefit for such month is reduced under paragragh (1), plus

"'(B) an amount equal to—

"'(i) the number equal to the number of months specified in clause (B) of paragraph (2), multiplied by

"'(ii) twenty-five thirty-sixths of 1 per centum, and further multiplied by

"'(iii) the excess of such wife's or husband's insurance benefit (as the case may be) prior to reduction under this subsection over the old-age insurance benefit prior to reduction under this subsection.

"'(4) In the case of any individual who is or was entitled to a wife's or husband's insurance benefit to which paragraph (2) is applicable and who, for any month after the first month for which such individual is or was so entitled (but not for such first month or any earlier month) occurring before the month in which such individual attains the age of sixty-five, is entitled to an old-age insurance benefit, the amount of such old-age insurance benefit for any month prior to the month in which such individual attains the age of sixty-five shall, in lieu of the reduction provided in paragraph (1), be reduced by the sum of—

"'(A) an amount equal to the amount by which such wife's or husband's (as the case may be) insurance benefit is reduced under paragraph (2) for such month (or, if such individual is not entitled to a wife's or husband's insurance benefit for such month, by an amount equal to the amount by which such benefit was reduced for the last month for which such individual was entitled to such a benefit), plus

"'(B) if the old-age insurance benefit for such month prior to reduction under this subsection exceeds such wife's or husband's (as the case may be) insurance benefit prior to reduction under this subsection, an amount equal to—

"'(i) the number equal to the number of months specified in clause (B) of paragraph (1), multiplied by

"'(ii) five-ninths of 1 per centum, and further multiplied by

"'(iii) the excess of such old-age insurance benefit over such wife's or husband's (as the case may be) insurance benefit.

"'(5) In the case of any individual who is entitled to an old-age insurance benefit for th month in which such individual attains the age of sixty-five or any month thereafter, such benefit for such month shall, if such individual was also entitled to such benefit for any one or more months prior to the month in which such individual attained the age of sixty-five and such benefit for any such prior month was reduced under paragraph (1) or (4), be reduced as provided in such paragraph, except that there shall be subtracted, from the number specified in clause (B) of such paragraph—

"'(A) the number equal to the number of months for which such benefit was reduced under such paragraph, but for which such benefit was subject to deductions under paragraph (1) or (2) of section 203(b), and except that, in the case of any such benefit reduced under paragraph (4), there also shall be subtracted from the number specified in clause (B) of paragraph (2), for the purpose of computing the amount referred to in clause (A) of paragraph (4)—

"'(B) the number equal to the number of months for which the wife's or husband's (as the case may be) insurance benefit was reduced under such paragraph (2), but for which such benefit was subject to deductions under paragraph (1) or (2) of section 203(b), under section 203(c), or under section 222(b),

"'(C) in case of a wife's insurance benefit, the number equal to the number of months occurring after the first month for which such benefit was reduced under paragraph (2) in which such individual had in her care (individually or jointly with the individual on whose wages and self-employment income such benefit is based) a child of such individual entitled to child's insurance benefits, and

"'(D) the number equal to the number of months for which such wife's or husband's (as the case may be) insurance benefit was reduced under such paragraph (2), but in or after which such individual's entitlement to wife's or husband's insurance benefits was terminated because such individual's spouse ceased to be under a disability, not including in such number of months any month after such termination in which such individual was entitled to wife's or husband's insurance benefits.

Such subtraction shall be made only if the total of such months specified in clauses (A), (B), (C), and (D) of the preceding sentence is not less than three. For purposes of clauses (B) and (C) of this paragraph, the wife's or husband's insurance benefit of an individual shall not be considered terminated for any reason prior to the month in which such individual attains the age of sixty-five.

"'(6) In the case of any individual who is entitled to a wife's or husband's insurance benefit for the month in which such individual attains the age of sixty-five or any month thereafter, such benefit for such month shall, if such individual was also entitled to such benefit for any one or more months prior to the month in which such individual attained the age of sixty-five and such benefit for any such prior month was reduced under paragraph (2) or (3), be reduced as provided in such paragraph, except that there shall be subtracted from the number specified in clause (B) of such paragraph—

"'(A) the number equal to the number of months for which such benefit was reduced under such paragraph, but for which such benefit was subject to deductions under section 203(b) (1) or (2), under section 203(c), or under section 222(b),

"'(B) in case of a wife's insurance benefit, the number equal to the number of months, occurring after the first month for which such benefit was reduced under such paragraph, in which such individual had in her care (individually or jointly with the individual on whose wages and self-employment income such benefit is based) a child of such individual entitled to child's insurance benefits, and

"'(C) the number equal to the number of months for which such wife's or husband's (as the case may be) insurance benefit was reduced under such paragraph, but in or after which such individual's entitlement to wife's or husband's insurance benefits was terminated because such individual's spouse ceased to be under a disability, not including in such number of months any month after such termination in which such individual was entitled to wife's or husband's insurance benefits,

and except that, in the case of any such benefit reduced under paragraph (3), there also shall be subtracted from the number specified in clause (B) of paragraph (1), for the purpose of computing the amount referred to in clause (A) of paragraph (3)—

"'(D) the number equal to the number of months for which the old-age insurance benefit was reduced under such paragraph (1) but for which such benefit was subject to deductions under paragraph (1) or (2) of section 203(b).

Such subtraction shall be made only if the total of such months specified in clauses (A), (B), (C), and (D) of the preceding sentence is not less than three.

"'(7) In the case of an individual who is entitled to an old-age insurance benefit to which paragraph (5) is applicable and who, for the month in which such individual attains the age of sixty-five (but not for any prior month) or for any later month, is entitled to a wife's or husband's insurance benefit, the amount of such wife's or husband's insurance benefit for any month shall be reduced by an amount equal to the amount by which the old-age insurance benefit is reduced under paragraph (5) for such month.

"'(8) In the case of an individual who is or was entitled to a wife's or husband's insurance benefit to which paragraph (2) was applicable and who, for the month in which such individual attains the age of sixty-five (but not for any prior month) or for any later month, is entitled to an old-age insurance benefit, the amount of such old-age insurance benefit for any month shall be reduced by an amount equal to the amount by which the wife's or husband's (as the case may be), insurance benefit is reduced under paragraph (6) for such month (or, if such individual is not entitled to a wife's or husband's insurance benefit for such month, by (i) an amount equal to the amount by which such benefit for the last month for which such individual was entitled thereto was reduced, or (ii) if smaller, an amount equal to the amount by which such benefit would have been reduced under paragraph (6) for the month in which such individual attained the age of sixty-five if entitlement to such benefit had not terminated before such month).

"'(9) The preceding paragraphs shall be applied to old-age insurance benefits, wife's insurance benefits, and husband's insurance benefits after reduction under section 203(a) and application of section 215(g). If the amount of any reduction computed under paragraph (1), under paragraph (2), under clause (A) or clause (B) of paragraph (3), or under clause (A) or clause (B) of paragraph (4) is not a multiple of $0.10, it shall be reduced to the next lower multiple of $0.10.

"'*Presumed filing of application by individual eligible for old-age and wife's or husband's insurance benefits*

"'(r) Any individual who becomes entitled to an old-age insurance benefit for any month prior to the month in which such individual attains the age of sixty-five and who is eligible for a wife's or husband's insurance benefit for the same month shall be deemed to have filed an application in such month for wife's or husband's (as the case may be) insurance benefits. Any individual who becomes entitled to a wife's or husband's insurance benefit for any month prior to the month in which such individual attains the age of sixty-five and who is eligible for an old-age insurance benefit for the same month shall be deemed, unless (in the case of an individual entitled to wife's insurance benefits) such individual has in such month in her care (individually or jointly with the individual on whose wages and self-employment income her wife's insurance benefits are based) a child entitled to child's insurance benefits on the basis of such wages and self-employment income, to have filed an application in such month for old-age insurance benefits. For purposes of this subsection an individual shall be deemed eligible for a benefit for a month if, upon filing application therefor in such month, such individual would have been entitled to such benefit for such month.

"'*Disability insurance beneficiary*

"'(s)(1) If any individual becomes entitled to a widow's insurance benefit, widower's insurance benefit, or parent's insurance benefit for a month before the month in which such individual attains the age of sixty-five, or becomes entitled to an old-age insurance benefit, wife's insurance benefit, or husband's insurance benefit for a month before the month in which such individual attains the age of sixty-five which is reduced under the provisions of subsection (q), such individual may not thereafter become entitled to disability insurance benefits under this title.

"'(2) If an individual would, but for the provisions of subsection (k)(2)(B), be entitled for any month to a disability insurance benefit and to a wife's or husband's insurance benefit, subsection (q) shall be applicable to such wife's or husband's insurance benefit (as the case may be) for such month only to the extent it exceeds such disability insurance benefit for such month.

"'(3) The entitlement of any individual to disability insurance benefits shall terminate with the month before the month in which such individual becomes entitled to old-age insurance benefits'.

"(c) So much of such section 202(b)(1) as follows clause (C) is amended by striking out 'she becomes entitled to an old-age or disability insurance benefit based on a primary insurance amount which is equal to or exceeds one-half of an old-age or disability insurance benefit of her husband,'.

"(d)(1) Clause (D) of subsection (c)(1) of such section 202 is amended by striking out 'or he becomes entitled to an old-age or disability insurance benefit equal to or exceeding one-half of the primary insurance amount of his wife,'.

"(2) Subsection (c)(3) of such section 202 is amended by striking out 'Such' and inserting in lieu thereof 'Except as provided in subsection (q), such'.

"(e) Subsection 202(j)(3) of such Act is amended to read as follows:

"'(3) Notwithstanding the provisions of paragraph (1), an individual may, at his option, waive entitlement to old-age insur-

ance benefits, wife's insurance benefits, or husband's insurance benefits for any one or more consecutive months which occur—

"'(A) after the month before the month in which such individual attains retirement age,

"'(B) prior to the month in which such individual attains the age of sixty-five, and

"'(C) prior to the month in which such individual files application for such benefits; and, in such case, such individual shall not be considered as entitled to such benefits for any such month or months before he filed such application. An individual shall be deemed to have waived such entitlement for any such month for which such benefit would, under the second sentence of paragraph (1), be reduced to zero.'

"(f) Section 3121(a)(9) of the Internal Revenue Code of 1954 is amended to read as follows:

"'(9) any payment (other than vacation or sick pay) made to an employee after the month in which he attains the age of sixty-two, if such employee did not work for the employer in the period for which such payment is made; or'.

"(g)(1) The amendment made by subsection (a) shall apply only in the case of lump-sum death payments under section 202(i) of the Social Security Act with respect to deaths occurring after October 1960, and in the case of monthly benefits under title II of such Act for months after October 1960 on the basis of applications filed after the date of enactment of this Act.

"(2) For purposes of section 215(b)(3)(B) of the Social Security Act (but subject to paragraph (1) of this subsection)—

"(A) a man who attains the age of sixty-two prior to November 1960 and who was not eligible for old-age insurance benefits under section 202 of such Act (as in effect prior to the enactment of this Act) for any month prior to November 1960 shall be deemed to have attained the age of sixty-two in 1960 or, if earlier, the year in which he died;

"(B) an individual shall not, by reason of the amendment made by subsection (a), be deemed to be a fully insured individual before November 1960 or the month in which he died, whichever month is the earlier; and

"(C) the amendment made by subsection (a) shall not be applicable in the case of any individual who was eligible for old-age insurance benefits under such section 202 for any month prior to November 1960.

An individual shall, for purposes of this paragraph, be deemed eligible for old-age insurance benefits under section 202 of the Social Security Act for any month if he was or would have been, upon filing application therefor in such month, entitled to such benefits for such month.

"(3) For purposes of section 209(i) of such Act, the amendment made by subsection (a) shall apply only with respect to remuneration paid after October 1960.

"(h)(1) The amendments made by subsections (b) through (e) shall take effect November 1, 1960, and shall be applicable with respect to monthly benefits under title II of the Social Security Act for months after October 1960.

"(2) The amendment made by subsection (f) shall be effective with respect to remuneration paid after October 1960."

On page 100, after line 13, to insert:

"INCREASE IN THE EARNED INCOME LIMITATION

"SEC. 211. (a)(1) Paragraphs (1) and (2) of subsection 203(e) of the Social Security Act are each amended by striking out '$1,200' wherever it appears therein and inserting in lieu thereof '$1,800', and (2) such paragraphs and paragraph (1) of subsection (g) of such section are each amended by striking out '$100 times' wherever it appears therein and inserting in lieu thereof '$150 times'.

"(b) The amendments made by subsection (a) shall be effective, in the case of any individual, with respect to taxable years of such individual ending after 1960."

On page 101, line 22, after the word "section", to strike out "208" and insert "207"; on page 102, line 4, after the word "section", to strike out "208" and insert "207"; in line 23, after the word "section", where it occurs the second time, to strike out "208" and insert "207"; on page 114, line 22, after the word "of", to strike out "a woman" and insert "an individual"; on page 115, line 2, after the word "which", to strike out "she" and insert "such individual"; under the heading "Title V—Employment Security", on page 131, after line 19, to strike out:

"Part 1—Short title

"SEC. 501. This title may be cited as the 'Employment Security Act of 1960'.

"Part 2—Employment security administrative financing amendments

"AMENDMENTS OF TITLE IX OF THE SOCIAL SECURITY ACT

"SEC. 521. Title IX of the Social Security Act (42 U.S.C., sec. 1101 and following) is amended to read as follows:

"'TITLE IX—MISCELLANEOUS PROVISIONS RELATING TO EMPLOYMENT SECURITY

"'Employment Security Administration account

"'Establishment of account

"'SEC. 901. (a) There is hereby established in the Unemployment Trust Fund an employment security administration account.

"'Appropriations to account

"'(b)(1) There is hereby appropriated to the Unemployment Trust Fund for credit to the employment security administration account, out of any moneys in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1961, and for each fiscal year thereafter, an amount equal to 100 percent of the tax (including interest, penalties, and additions to the tax) received during the fiscal year under the Federal Unemployment Tax Act and covered into the Treasury.

"'(2) The amount appropriated by paragraph (1) shall be transferred at least monthly from the general fund of the Treasury to the Unemployment Trust Fund and credited to the employment security administration account. Each such transfer shall be based on estimates made by the Secretary of the Treasury of the amounts received in the Treasury. Proper adjustments shall be made in the amounts subsequently transferred, to the extent prior estimates (including estimates for the fiscal year ending June 30, 1960,) were in excess of or were less than the amounts required to be transferred.

"'(3) The Secretary of the Treasury is directed to pay from time to time from the employment security administration account into the Treasury, as repayments to the account for refunding internal revenue collections, amounts equal to all refunds made after June 30, 1960, of amounts received as tax under the Federal Unemployment Tax Act (including interest on such refunds).

"'Administrative Expenditures

"'(c)(1) There are hereby authorized to be made available for expenditure out of the employment security administration account for the fiscal year ending June 30, 1961, and for each fiscal year thereafter—

"'(A) such amounts (not in excess of $350,000,000 for any fiscal year) as the Congress may deem appropriate for the purpose of—

"'(i) assisting the States in the administration of their unemployment compensation laws as provided in title III (including administration pursuant to agreements under any Federal unemployment compensation law, except the Temporary Unemployment Compensation Act of 1958, as amended),

"'(ii) the establishment and maintenance of systems of public employment offices in accordance with the Act of June 6, 1933, as amended (29 U.S.C., secs. 49–49n), and

"'(iii) carrying into effect section 2012 of title 38 of the United States Code;

"'(B) such amounts as the Congress may deem appropriate for the necessary expenses of the Department of Labor for the performance of its functions under—

"'(i) this title and titles III and XII of this Act,

"'(ii) the Federal Unemployment Tax Act,

"'(iii) the provisions of the Act of June 6, 1933, as amended,

"'(iv) subchapter II of chapter 41 (except section 2012) of title 38 of the United States Code, and

"'(v) any Federal unemployment compensation law, except the Temporary Unemployment Compensation Act of 1958, as amended.

"'(2) The Secretary of the Treasury is directed to pay from the employment security administration account into the Treasury as miscellaneous receipts the amount estimated by him which will be expended during a three-month period by the Treasury Department for the performance of its functions under—

"'(A) this title and titles III and XII of this Act, including the expenses of banks for servicing unemployment benefit payment and clearing accounts which are offset by the maintenance of balances of Treasury funds with such banks,

"'(B) the Federal Unemployment Tax Act, and

"'(C) any Federal unemployment compensation law with respect to which responsibility for administration is vested in the Secretary of Labor.

In determining the expenses taken into account under subparagraphs (B) and (C), there shall be excluded any amount attributable to the Temporary Unemployment Compensation Act of 1958, as amended. If it subsequently appears that the estimates under this paragraph in any particular period were too high or too low, appropriate adjustments shall be made by the Secretary of the Treasury in future payments.

"'Additional Tax Attributable to Reduced Credits

"'(d)(1) The Secretary of the Treasury is directed to transfer from the employment security administration account—

"'(A) To the Federal unemployment account, an amount equal to the amount by which—

"'(i) 100 per centum of the additional tax received under the Federal Unemployment Tax Act with respect to any State by reason of the reduced credits provisions of section 3302(c)(2) or (3) of such Act and covered into the Treasury for the repayment of advances made to the State under section 1201, exceeds

"'(ii) the amount transferred to the account of such State pursuant to subparagraph (B) of this paragraph.

Any amount transferred pursuant to this subparagraph shall be credited against, and shall operate to reduce, that balance of advances, made under section 1201 to the State, with respect to which employers paid such additional tax.

"'(B) To the account (in the Unemployment Trust Fund) of the State with respect to which employers paid such additional tax, an amount equal to the amount by which such additional tax received and covered into the Treasury exceeds that balance of advances, made under section 1201 to the State, with respect to which employers paid such additional tax.

If, for any taxable year, there is with respect to any State both a balance described in section 3302(c)(2) of the Federal Unemployment Tax Act and a balance described in section 3302(c)(3) of such Act, this paragraph shall be applied separately with respect to section 3302(c)(2) (and the balance described therein) and separately with respect to section 3302(c)(3) (and the balance described therein).

"'(2) The Secretary of the Treasury is directed to transfer from the employment security administration account—

"'(A) To the general fund of the Treasury, an amount equal to the amount by which—

"'(i) 100 per centum of the additional tax received under the Federal Unemployment Tax Act with respect to any State by reason of the reduced credit provision of section 104 of the Temporary Unemployment Compensation Act of 1958, as amended, and covered into the Treasury, exceeds

"'(ii) the amount transferred to the account of such State pursuant to subparagraph (B) of this paragraph.

"'(B) To the account (in the Unemployment Trust Fund) of the State with respect to which employers paid such additional tax, an amount equal to the amount by which—

"'(i) such additional tax received and covered into the Treasury, exceeds

"'(ii) the total amount restorable to the Treasury under section 104 of the Temporary Unemployment Compensation Act of 1958, as amended, as limited by Public Law 85-457.'

"(3) Transfers under this subsection shall be as of the beginning of the month succeeding the month in which the moneys were credited to the employment security administration account pursuant to subsection (b)(2).

"'Revolving Fund

"'(e)(1) There is hereby established in the Treasury a revolving fund which shall be available to make the advances authorized by this subsection. There are hereby authorized to be appropriated, without fiscal year limitation, to such revolving fund such amounts as may be necessary for the purposes of this section.

"'(2) The Secretary of the Treasury is directed to advance from time to time from the revolving fund to the employment security administration account such amounts as may be necessary for the purposes of this section. If the net balance in the employment security administration account as of the beginning of any fiscal year is $250,000,000, no advance may be made under this subsection during such fiscal year.

"'(3) Advances to the employment security administration account made under this subsection shall bear interest until repaid at a rate equal to the average rate of interest (computed as of the end of the calendar month next preceding the date of such advance) borne by all interest bearing obligations of the United States then forming a part of the public debt; except that where such average rate is not a multiple of one-eighth of 1 per centum, the rate of interest shall be the multiple of one-eighth of 1 per centum next lower than such average rate.

"'(4) Advances to the employment security administration account made under this subsection, plus interest accrued thereon, shall be repaid by the transfer from time to time, from the employment security administration account to the revolving fund, of such amounts as the Secretary of the Treasury, in consultation with the Secretary of Labor, determines to be available in the employment security administration account for such repayment. Any amount transferred as a repayment under this paragraph shall be credited against, and shall operate to reduce, any balance of advances (plus accrued interest) repayable under this subsection.

"'Determination of Excess and Amount To Be Retained in Employment Security Administration Account

"(f)(1) The Secretary of the Treasury shall determine as of the close of each fiscal year (beginning with the fiscal year ending June 30, 1961) the excess in the employment security administration account.

"'(2) The excess in the employment security administration account as of the close of any fiscal year is the amount by which the net balance in such account as of such time (after the application of section 902(b)) exceeds the net balance in the employment security administration account as of the beginning of that fiscal year (including the fiscal year for which the excess is being computed) for which the net balance was higher than as of the beginning of any other such fiscal year.

"'(3) If the entire amount of the excess determined under paragraph (1) as of the close of any fiscal year is not transferred to the Federal unemployment account, there shall be retained (as of the beginning of the succeeding fiscal year) in the employment security administration account so much of the remainder as does not increase the net balance in such account (as of the beginning of such succeeding fiscal year) above $250,000,000.

"'(4) For the purposes of this section, the net balance in the employment security administration account as of any time is the amount in such account as of such time reduced by the sum of—

"'(A) the amounts then subject to transfer pursuant to subsection (d), and

"'(B) the balance of advances (plus interest accrued thereon) then repayable to the revolving fund established by subsection (e).

The net balance in the employment security administration account as of the beginning of any fiscal year shall be determined after the disposition of the excess in such account as of the close of the preceding fiscal year.

"*'Transfers between Federal unemployment account and employment security administration account*

"'Transfers to Federal Unemployment Account

"'SEC. 902. (a) Whenever the Secretary of the Treasury determines pursuant to section 901(f) that there is an excess in the employment security administration account as of the close of any fiscal year, there shall be transferred (as of the beginning of the succeeding fiscal year) to the Federal unemployment account the total amount of such excess or so much thereof as is required to increase the amount in the Federal unemployment account to whichever of the following is the greater:

"'(1) $550,000,000, or

"'(2) The amount (determined by the Secretary of Labor and certified by him to the Secretary of the Treasury) equal to four-tenths of 1 per centum of the total wages subject to contributions under all State unemployment compensation laws for the calendar year ending during the fiscal year for which the excess is determined.

"'Transfers to Employment Security Administration Account

"'(b) The amount, if any, by which the amount in the Federal unemployment account as of the close of any fiscal year exceeds the greater of the amounts specified in paragraphs (1) and (2) of subsection (a) shall be transferred to the employment security administration account as of the close of such fiscal year.

"*'Amounts transferred to State accounts*

"'In General

"'SEC. 903. (a)(1) Except as provided in subsection (b), whenever, after the application of section 1203 with respect to the excess in the employment security administration account as of the close of any fiscal year, there remains any portion of such excess, the remainder of such excess shall be transferred (as of the beginning of the succeeding fiscal year) to the accounts of the States in the Unemployment Trust Fund.

"'(2) Each State's share of the funds to be transferred under this subsection as of any July 1—

"'(A) shall be determined by the Secretary of Labor and certified by him to the Secretary of the Treasury before that date on the basis of reports furnished by the States to the Secretary of Labor before June 1, and

"'(B) shall bear the same ratio to the total amount to be so transferred as the amount of wages subject to contributions under such State's unemployment compensation law during the proceeding calendar year which have been reported to the State before May 1 bears to the total of wages subject to contributions under all State unemployment compensation laws during such calendar year which have been reported to the States before May 1.

"'Limitations on Transfers

"'(b)(1) If the Secretary of Labor finds that on July 1 of any fiscal year—

"'(A) a State is not eligible for certification under section 303, or

"'(B) the law of a State is not approvable under section 3304 of the Federal Unemployment Tax Act,

then the amount available for transfer to such State's account shall, in lieu of being so transferred, be transferred to the Federal unemployment account as of the beginning of such July 1. If, during the fiscal year beginning on such July 1, the Secretary of Labor finds and certifies to the Secretary of the Treasury that such State is eligible for certification under section 303, that the law of such State is approvable under such section 3304, or both, the Secretary of the Treasury shall transfer such amount from the Federal unemployment account to the account of such State. If the Secretary of Labor does not so find and certify to the Secretary of the Treasury before the close of such fiscal year then the amount which was available for transfer to such State's account as of July 1 of such fiscal year shall (as of the close of such fiscal year) become unrestricted as to use as part of the Federal unemployment account.

"'(2) The amount which, but for this paragraph, would be transferred to the account of a State under subsection (a) or paragraph (1) of this subsection shall be reduced (but not below zero) by the balance of advances made to the State under section 1201. The sum by which such amount is reduced shall—

"'(A) be transferred to or retained in (as the case may be) the Federal unemployment account, and

"'(B) be credited against, and operate to reduce—

"'(i) first, any balance of advances made before the date of the enactment of the Employment Security Act of 1960 to the State under section 1201, and

"'(ii) second, any balance of advances made on or after such date to the State under section 1201.

"'Use of Transferred Amounts

"'(c)(1) Except as provided in paragraph (2), amounts transferred to the account of a State pursuant to subsections (a) and (b) shall be used only in the payment of cash benefits to individuals with respect to their unemployment, exclusive of expenses of administration.

"'(2) A State may, pursuant to a specific appropriation made by the legislative body of the State, use money withdrawn from

its account in the payment of expenses incurred by it for the administration of its unemployment compensation law and public employment offices if and only if—

"'(A) the purposes and amounts were specified in the law making the appropriation,

"'(B) the appropriation law did not authorize the obligation of such money after the close of the two-year period which began on the date of enactment of the appropriation law,

"'(C) the money is withdrawn and the expenses are incurred after such date of enactment, and

"'(D) the appropriation law limits the total amount which may be obligated during a fiscal year to an amount which does not exceed the amount by which (i) the aggregate of the amounts transferred to the account of such State pursuant to subsections (a) and (b) during such fiscal year and the four preceding fiscal years, exceeds (ii) the aggregate of the amounts used by the State pursuant to this subsection and charged against the amounts transferred to the account of such State during such five fiscal years.

For the purposes of subparagraph (D), amounts used by a State during any fiscal year shall be charged against equivalent amounts which were first transferred and which have not previously been so charged; except that no amount obligated for administration during any fiscal year may be charged against any amount transferred during a fiscal year earlier than the fourth preceding fiscal year.

"'*Unemployment trust fund*

"'Establishment, etc.

"'SEC. 904. (a) There is hereby established in the Treasury of the United States a trust fund to be known as the "Unemployment Trust Fund," hereinafter in this title called the "Fund." The Secretary of the Treasury is authorized and directed to receive and hold in the Fund all moneys deposited therein by a State agency from a State unemployment fund, or by the Railroad Retirement Board to the credit of the railroad unemployment insurance account or the railroad unemployment insurance administration fund, or otherwise deposited in or credited to the Fund or any account therein. Such deposit may be made directly with the Secretary of the Treasury, with any depositary designated by him for such purpose, or with any Federal Reserve Bank.

"'Investments

"'(b) It shall be the duty of the Secretary of the Treasury to invest such portion of the Fund as is not, in his judgment, required to meet current withdrawals. Such investment may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired (1) on original issue at the issue price, or (2) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of special obligations exclusively to the Fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as of the end of the calendar month next preceding the date of such issue, borne by all interest-bearing obligations of the United States then forming part of the public debt; except that where such average rate is not a multiple of one-eighth of 1 per centum, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 per centum next lower than such average rate. Obligations other than such special obligations may be acquired for the Fund only on such terms as to provide an investment yield not less than the yield which would be required in the case of special obligations if issued to the Fund upon the date of such acquisition. Advances made to the Federal unemployment account pursuant to section 1203 shall not be invested.

"'Sale or Redemption of Obligations

"'(c) Any obligations acquired by the Fund (except special obligations issued exclusively to the Fund) may be sold at the market price, and such special obligations may be redeemed at par plus accrued interest.

"'Treatment of Interest and Proceeds

"'(d) The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

"'Separate Book Accounts

"'(e) The Fund shall be invested as a single fund, but the Secretary of the Treasury shall maintain a separate book account for each State agency, the employment security administration account, the Federal unemployment account, the railroad unemployment insurance account, and the railroad unemployment insurance administration fund and shall credit quarterly (on March 31, June 30, September 30, and December 31, of each year) to each account, on the basis of the average daily balance of such account, a proportionate part of the earnings of the Fund for the quarter ending on such date. For the purpose of this subsection, the average daily balance shall be computed—

"'(1) in the case of any State account, by reducing (but not below zero) the amount in the account by the balance of advances made to the State under section 1201, and

"'(2) in the case of the Federal unemployment account—

"'(A) by adding to the amount in the account the aggregate of the reductions under paragraph (1), and

"'(B) by subtracting from the sum so obtained the balance of advances made under section 1203 to the account.

"'Payments to State Agencies and Railroad Retirement Board

"'(f) The Secretary of the Treasury is authorized and directed to pay out of the Fund to any State agency such amount as it may duly requisition, not exceeding the amount standing to the account of such State agency at the time of such payment. The Secretary of the Treasury is authorized and directed to make such payments out of the railroad unemployment insurance account for the payment of benefits, and out of the railroad unemployment insurance administration fund for the payment of administrative expenses, as the Railroad Retirement Board may duly certify, not exceeding the amount standing to the credit of such account or such fund, as the case may be, at the time of such payment.

"'Federal Unemployment Account

"'(g) There is hereby established in the Unemployment Trust Fund a Federal unemployment account. There is hereby authorized to be appropriated to such Federal unemployment account a sum equal to (1) the excess of taxes collected prior to July 1, 1946, under title IX of this Act or under the Federal Unemployment Tax Act, over the total unemployment administrative expenditures made prior to July 1, 1946, plus (2) the excess of taxes collected under the Federal Unemployment Tax Act after June 30, 1946, and prior to July 1, 1953, over the unemployment administrative expenditures made after June 30, 1946, and prior to July 1, 1953. As used in this subsection, the term "unemployment administrative expenditures" means expenditures for grants under title III of this Act, expenditures for the administration of that title by the Social Security Board, the Federal Security Administrator, or the Secretary of Labor, and expenditures for the administration of title IX of this Act, or of the Federal Unemployment Tax Act, by the Department of the Treasury, the Social Security Board, the Federal Security Administrator, or the Secretary of Labor. For the purposes of this subsection, there shall be deducted from the total amount of taxes collected prior to July 1, 1943, under title IX of this Act, the sum of $40,561,886.43 which was authorized to be appropriated by the Act of August 24, 1937 (50 Stat. 754), and the sum of $18,451,846 which was authorized to be appropriated by section 11(b) of the Railroad Unemployment Insurance Act.'"

In line 6, after the word "conforming", to strike out "amendments" and insert "amendment"; after line 6, to strike out:

"SEC. 524. (a) Section 301 of the Social Security Act is amended to read as follows:

"'APPROPRIATIONS

"'SEC. 301. The amounts made available pursuant to section 901(c)(1)(A) for the purpose of assisting the States in the administration of their unemployment compensation laws shall be used as hereinafter provided.'"

At the beginning of line 14, to strike out "(b)" and insert "SEC. 504."; in line 16, to strike out "amended—" and insert "amended"; after line 16, to strike out:

"(1) by striking out subsection (b); and

"(2) by amending subsection (a) by striking out the heading and '(a)', and".

On page 151, after line 12, to insert:

"AMENDMENTS TO TITLE IX OF THE SOCIAL SECURITY ACT

"SEC. 501. (a)(1) Section 902(2) of the Social Security Act is amended by striking out '$200,000,000' and inserting in lieu thereof '$500,000,000'.

"(2) The last sentence of such section 902 is amended by striking out '1202(c)' and inserting in lieu thereof '1203'.

"(b) Section 903(b) is amended to read as follows:

"'(b)(1) If the Secretary of Labor finds that on July 1 of any fiscal year—

"'(A) a State is not eligible for certification under section 303, or

"'(B) the law of a State is not approvable under section 3304 of the Federal Unemployment Tax Act,

then the amount available for crediting to such State's account shall, in lieu of being so credited, be credited to the Federal unemployment account as of the beginning of such July 1. If, during the fiscal year beginning on such July 1, the Secretary of Labor finds and certifies to the Secretary of the Treasury that such State is eligible for certification under section 303, that the law of such State is approvable under such section 3304, or both, the Secretary of the Treasury shall transfer such amount from the Federal unemployment account to the account of such State. If the Secretary of Labor does not so find and certify to the Secretary of the Treasury before the close of such fiscal year then the amount which was available for credit to such State's account as of July 1 of such fiscal year shall (as of the close of such fiscal year) become unrestricted as to use as part of the Federal unemployment account.

"'(2) The amount which, but for this paragraph, would be transferred to the account of a State under subsection (a) or paragraph (1) of this subsection shall be reduced (but not below zero) by the balance of advances made to the State under section 1201. The sum by which such amount is reduced shall—

"'(A) be credited to the Federal unemployment account, and

"'(B) be credited against, and operate to reduce—

"'(i) first, any balance of advances made before the date of the enactment of the Social Security Amendments of 1960 to the State under section 1201, and

"'(ii) second, any balance of advances made on or after such date to the State under section 1201.'

"(c) The last sentence of section 904(b) of such Act is amended by striking out '1202(c)' and inserting in lieu thereof '1203'.

"(d) Section 904(e)(2) of such Act is amended by striking out '1202(c)' and inserting in lieu thereof '1203'.

On page 153, line 15, to change the section number from "522" to "502"; in line 25, after the word "sections", to strike out "901(d)(1),"; on page 156, line 16, after the word "title" and the period, to strike out "Whenever, after the application of section 901(f)(3) with respect to the excess in the employment security administration account as of the close of any fiscal year, there remains any portion of such excess, so much of such remainder as does not exceed the balance of advances made pursuant to this section shall be transferred to the general fund of the Treasury and shall be credited against, and shall operate to reduce, such balance of advances."

On page 158, after line 9, to strike out:

"Increase in Tax Rate

"SEC. 523. (a) Section 3301 of the Internal Revenue Code of 1954 (relating to rate of tax under Federal Unemployment Tax Act) is amended—

"(1) by striking out '1955' and inserting in lieu thereof '1961', and

"(2) by striking out '3 percent' and inserting in lieu thereof '3.1 percent'.

"Computation of Credits Against Tax

On page 158, at the beginning of line 19, to strike out "(b)" and insert "SEC. 503."; in the same line, after the word "of", to strike out "such Code" and insert "the Internal Revenue Code of 1954"; on page 162, after line 4, to strike out:

"'(1) RATE OF TAX DEEMED TO BE 3 PERCENT.—In applying subsection (c), the tax imposed by section 3301 shall be computed at the rate of 3 percent in lieu of 3.1 percent."

At the beginning of line 9, to strike out "(2)" and insert "(1)"; at the beginning of line 17, to strike out "(3)" and insert "(2)"; at the beginning of line 24, to strike out "(4)" and insert "(3)"; on page 163, at the beginning of line 21, to strike out "(5)" and insert "(4)"; on page 164, at the beginning of line 9, to strike out "(6)" and insert "(5)"; at the beginning of line 13, to strike out "(7)" and insert "(6)"; on page 165, at the beginning of line 1, to strike out "(8)" and insert "(7)"; beginning with line 2, to strike out:

"Effective Date

"(c) The amendments made by subsection (a) shall apply only with respect to the calendar year 1961 and calendar years thereafter."

At the top of page 166, to strike out:

"Part 3—Extension of coverage under unemployment compensation program

Federal Instrumentalities

"SEC. 531. (a) Section 3305(b) of the Internal Revenue Code of 1954 is amended to read as follows:

"'(b) FEDERAL INSTRUMENTALITIES IN GENERAL.—The legislature of any State may require any instrumentality of the United States (other than an instrumentality to which section 3306(c)(6) applies), and the individuals in its employ, to make contributions to an unemployment fund under a State unemployment compensation law approved by the Secretary of Labor under section 3304 and (except as provided in section 5240 of the Revised Statutes, as amended (12 U.S.C., sec. 484), and as modified by subsection (c)), to comply otherwise with such law. The permission granted in this subsection shall apply (A) only to the extent that no discrimination is made against such instrumentality, so that if the rate of contribution is uniform upon all other persons subject to such law on account of having individuals in their employ, and upon all employees of such persons, respectively, the contributions required of such instrumentality or the individuals in its employ shall not be at a greater rate than is required of such other persons and such employees, and if the rates are determined separately for different persons or classes of persons having individuals in their employ or for different classes of employees, the determination shall be based solely upon unemployment experience and other factors bearing a direct relation to unemployment risk; (B) only if such State law makes provision for the refund of any contributions required under such law from an instrumentality of the United States or its employees for any year in the event such State is not certified by the Secretary of Labor under section 3304 with respect to such year; and (C) only if such State law makes provision for the payment of unemployment compensation to any employee of any such instrumentality of the United States in the same amount, on the same terms, and subject to the same conditions as unemployment compensation is payable to employees of other employers under the State unemployment compensation law.'

"(b) The third sentence of section 3305(g) of such Code is amended by striking out 'not wholly' and inserting in lieu thereof 'neither wholly nor partially'.

"(c) Section 3306(c)(6) of such Code is amended to read as follows:

"'(6) service performed in the employ of the United States Government or of an instrumentality of the United States which is—

"'(A) wholly or partially owned by the United States, or

"'(B) exempt from the tax imposed by section 3301 by virtue of any provision of law which specifically refers to such section (or the corresponding section of prior law) in granting such exemption;'.

"(d)(1) Chapter 23 of such Code is amended by renumbering section 3308 as section 3309 and by inserting after section 3307 the following new section:

"'SEC. 3308. Instrumentalities of the United States.

"'Notwithstanding any other provision of law (whether enacted before or after the enactment of this section) which grants to any instrumentality of the United States an exemption from taxation, such instrumentality shall not be exempt from the tax imposed by section 3301 unless such other provision of law grants a specific exemption, by reference to section 3301 (or the corresponding section of prior law), from the tax imposed by such section.'

"(2) The table of sections for such chapter is amended by striking out the last line and inserting in lieu thereof the following:

"'Sec. 3308. Instrumentalities of the United States.
"'Sec. 3309. Short title.'

"(c) So much of the first sentence of section 1501(a) of the Social Security Act as precedes paragraph (1) is amended by striking out 'wholly' and inserting in lieu thereof 'wholly or partially'.

"(f) The first sentence of section 1507(a) of the Social Security Act is amended by striking out 'wholly' and inserting in lieu thereof 'wholly or partially'.

"American Aircraft

"SEC. 532. (a) So much of section 3306(c) of the Internal Revenue Code of 1954 as precedes paragraph (1) thereof is amended by striking out 'or (B) on or in connection with an American vessel' and all that follows down through the phrase 'outside the United States,' and by inserting in lieu thereof the following: 'or (B) on or in connection with an American vessel or American aircraft under a contract of service which is entered into within the United States or during the performance of which and while the employee is employed on the vessel or aircraft it touches at a port in the United States, if the employee is employed on and in connection with such vessel or aircraft when outside the United States,'.

"(b) Section 3306(c)(4) of such Code is amended to read as follows:

"'(4) service performed on or in connection with a vessel or aircraft not an American vessel or American aircraft, if the employee is employed on and in connection with such vessel or aircraft when outside the United States;'.

"(c) Section 3306(m) of such Code is amended—

"(1) by striking out the heading and inserting in lieu thereof the following:

"'(m) AMERICAN VESSEL AND AIRCRAFT.—'; and

"(2) by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following: 'and the term "American aircraft" means an aircraft registered under the laws of the United States.'

"Feeder Organizations, etc.

"SEC. 533. Section 3306(c)(8) of the Internal Revenue Code of 1954 is amended to read as follows:

"'(8) service performed in the employ of a religious, charitable, educational, or other organization described in section 501(c)(3) which is exempt from income tax under section 501(a);'.

"Fraternal Beneficiary Societies, Agricultural Organizations, Voluntary Employees' Beneficiary Associations, etc.

"SEC. 534. Section 3306(c)(10) of the Internal Revenue Code of 1954 is amended to read as follows:

"'(10)(A) service performed in any calendar quarter in the employ of any organization exempt from income tax under section 501(a) (other than an organization described in section 401(a)) or under section 521, if the remuneration for such service is less than $50, or

"'(B) service performed in the employ of a school, college, or university, if such service is performed by a student who is enrolled and is regularly attending classes at such school, college, or university;'.

"Effective Date

"SEC. 535. The amendments made by this part (other than the amendments made by subsections (e) and (f) of section 531) shall apply with respect to remuneration paid after 1961 for services performed after 1961. The amendments made by subsections (e) and (f) of section 531 shall apply with respect to any week of unemployment which begins after December 31, 1960.

"Part 4—Extension of Federal-State unemployment compensation program to Puerto Rico

"Extension of Titles III, IX, and XII of the Social Security Act

"SEC. 541. Effective on and after January 1, 1961, paragraphs (1) and (2) of section 1101(a) of the Social Security Act are amended to read as follows:

"'(1) The term "State", except where otherwise provided, includes the District of Columbia and the Commonwealth of Puerto Rico, and when used in titles I, IV, V, VII, X, and XIV includes the Virgin Islands and Guam.

"'(2) The term "United States" when used in a geographical sense means, except where otherwise provided, the States, the District of Columbia, and the Commonwealth of Puerto Rico.'

"Federal Employees and Ex-Servicemen

"SEC. 542. (a)(1) Effective with respect to weeks of unemployment beginning after December 31, 1965, section 1503(b) of such Act is amended by striking out 'Puerto Rico or'.

"(2) Effective with respect to first claims filed after December 31, 1965, paragraph (3) of section 1504 of such Act is amended by striking out 'Puerto Rico or' wherever appearing therein.

"(b)(1) Effective on and after January 1, 1961 (but only in the case of weeks of unemployment beginning before January 1, 1966)—

"(A) section 1502(b) of such Act is amended by striking out '(b) Any' and inserting in lieu thereof '(b)(1) Except as provided in paragraph (2), any', and by adding at the end thereof the following new paragraph:

"'(2) In the case of the Commonwealth of Puerto Rico, the agreement shall provide that compensation will be paid by the Commonwealth of Puerto Rico to any Federal employee whose Federal service and Federal wages are assigned under section 1504 to such Commonwealth, with respect to unemployment after December 31, 1960 (but only in the case of weeks of unemployment beginning before January 1, 1966), in the same amount, on the same terms, and subject to the same conditions as the compensation which would be payable to such employee under the unemployment compensation law of the District of Columbia if such employee's Federal service and Federal wages had been included as employment and wages under such law, except that if such employee, without regard to his Federal service and Federal wages, has employment or wages sufficient to qualify for any compensation during the benefit year under such law, then payments of compensation under this subsection shall be made only on the basis of his Federal service and Federal wages. In applying this paragraph or subsection (b) of section 1503, as the case may be, employment and wages under the unemployment compensation law of the Commonwealth of Puerto Rico shall not be combined with Federal service or Federal wages.'

"(B) Section 1503(a) of such Act is amended by adding at the end thereof the following: 'For the purpose of this subsection, the term "State" does not include the Commonwealth of Puerto Rico.'

"(C) Section 1503(b) of such Act is amended by adding at the end thereof the following: 'This subsection shall apply in respect of the Commonwealth of Puerto Rico only if such Commonwealth does not have an agreement under this title with the Secretary.'

"(2) Effective on and after January 1, 1961 (but only in the case of first claims filed before January 1, 1966), section 1504 of such Act is amended by adding after and below paragraph (3) the following:

"'For the purposes of paragraph (2), the term "United States" does not include the Commonwealth of Puerto Rico.'

"(c) Effective on and after January 1, 1961—

"(1) section 1503(d) of such Act is amended by striking out 'Puerto Rico and', and by striking out 'agencies' each place it appears and inserting in lieu thereof 'agency'; and

"(2) section 1511(e) of such Act is amended by striking out 'Puerto Rico or'.

"(d) The last sentence of section 1501(a) of such Act is amended to read as follows:

"'For the purpose of paragraph (5) of this subsection, the term "United States" when used in the geographical sense means the States, the District of Columbia, the Commonwealth of Puerto Rico, and the Virgin Islands.'

"Extension of Federal Unemployment Tax Act

"SEC. 543. (a) Effective with respect to remuneration paid after December 31, 1960, for services performed after such date, section 3306(j) of the Internal Revenue Code of 1954 is amended to read as follows:

"'(j) STATE, UNITED STATES, AND CITIZEN.—For purposes of this chapter—

"'(1) STATE.—The term "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

"'(2) UNITED STATES.—The term "United States" when used in a geographical sense includes the States, the District of Columbia, and the Commonwealth of Puerto Rico.

An individual who is a citizen of the Commonwealth of Puerto Rico (but not otherwise a citizen of the United States) shall be considered, for purposes of this section, as a citizen of the United States.'

"(b) The unemployment compensation law of the Commonwealth of Puerto Rico shall be considered as meeting the requirements of—

"(1) section 3304(a)(2) of the Federal Unemployment Tax Act, if such law provides that no compensation is payable with respect to any day of unemployment occurring before January 1, 1959;

"(2) section 3304(a)(3) of the Federal Unemployment Tax Act and section 303(a)(4) of the Social Security Act, if such law contains the provisions required by those sections and if it requires that, on or before February 1, 1961, there be paid over to the Secretary of the Treasury, for credit to the Puerto Rico account in the Unemployment Trust Fund, an amount equal to the excess of—

"(A) the aggregate of the moneys received in the Puerto Rico unemployment fund before January 1, 1961, over

"(B) the aggregate of the moneys paid from such fund before January 1, 1961, as unemployment compensation or as refunds of contributions erroneously paid.

"TITLE VI—MEDICAL SERVICES FOR THE AGED

"Establishment of program

"SEC. 601. The Social Security Act is amended by adding at the end thereof the following new title:

"'TITLE XVI—MEDICAL SERVICES FOR THE AGED

"'Appropriation

"'SEC. 1601. For the purpose of enabling each State, as far as practicable under the conditions in such State, to assist aged individuals of low income in meeting their medical expenses, there is hereby authorized to be appropriated for each fiscal year a sum sufficient to carry out the purposes of this title. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Secretary, State plans for medical services for the aged.

"'State plans

"'SEC. 1602. (a) A State plan for medical services for the aged must—

"'(1) provide that it shall be in effect in all political subdivisions of the State, and, if administered by them, be mandatory upon them;

"'(2) provide for financial participation by the State;

"'(3) provide for the establishment or designation of a single State agency to administer or supervise the administration of the plan;

"'(4) provide that medical services with respect to which payments are made under the plan shall include both institutional and noninstitutional medical services;

"'(5) include reasonable standards, consistent with the objectives of this title, for determining the eligibility of individuals for medical benefits under the plan and the amounts thereof, and provide that no benefits under the plan would be furnished any individual who is not an eligible individual (as defined in section 1605);

"'(6) provide that all individuals wishing to apply for medical benefits under the plan shall have opportunity to do so, and that such benefits shall be furnished with reasonable promptness to all individuals making application therefor who are eligible for medical benefits under the plan;

"'(7) provide that no benefits will be furnished any individual under the plan with respect to any period with respect to which he is receiving old-age assistance under the State plan approved under section 2, aid to dependent children under the State plan approved under section 402, aid to the blind under the State plan approved under section 1002, or aid to the permanently and totally disabled under the State plan approved under section 1402 (and for purposes of this paragraph an individual shall not be deemed to have received such assistance or aid with respect to any month unless he received such assistance or aid in the form of money payments for such month, or in the form of medical or any other type of remedial care in such month (without regard to when the expenditures in the form of such care were made));

"'(8) provide that no lien may be imposed against the property of any individual prior to his death on account of benefits paid or to be paid on his behalf under the plan (except pursuant to the judgment of a court on account of benefits incorrectly paid on behalf of such individual), and that there shall be no adjustment or recovery (except, after the death of such individual and his surviving spouse, if any, from such individual's estate) of any benefits correctly paid on behalf of any individual under the plan;

"'(9) provide that no enrollment fee, premium, or similar charge will be imposed as a condition of any individual's eligibility for medical benefits under the plan;

"'(10) provide that benefits under the plan shall not be greater in amount, duration, or scope than the assistance furnished under a plan of such State approved under section 2—

"'(A) in the form of medical or any other type of remedial care, and

"'(B) in the form of money payments to the extent that amounts are included in such payments because of the medical needs of the recipients;

"'(11) provide for granting an opportunity for a fair hearing before the State agency to any individual whose claim for medical benefits under the plan is denied or is not acted upon with reasonable promptness;

"'(12) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

"'(13) provide safeguards which restrict the use or disclosure of information concerning applicants for and recipients of benefits under the plan to purposes directly connected with the administration of the plan;

"'(14) provide for establishment or designation of a State authority or authorities which shall be responsible for establishing and maintaining standards for—

"'(A) hospitals providing hospital services,

"'(B) nursing homes providing skilled nursing home services, and

"'(C) agencies providing organized home care services,
for which expenditures are made under the plan;

"'(15) include methods for determining—

"'(A) rates of payment for institutional services, and

"'(B) schedules of fees or rates of payment for other medical services,
for which expenditures are made under the plan;

"'(16) to the extent required by regulations prescribed by the Secretary, include provisions (conforming to such regulations) with respect to the furnishing of medical benefits to eligible individuals who are residents of the State but absent therefrom; and

"'(17) provide that the State agency will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as the Secretary may from time to time find necessary to assure the correctness and verification of such reports.

"'(b) The Secretary shall approve any State plan which complies with the requirements of subsection (a), except that he shall not approve any plan which imposes as a condition of eligibility for medical benefits under the plan—

"'(1) an age requirement of more than sixty-five years;

"'(2) any citizenship requirement which excludes any citizen of the United States; or

"'(3) any residence requirement which excludes any individual who resides in the State.

"'(c) Notwithstanding subsection (b), the Secretary shall not approve any State plan for medical services for the aged unless the State has established to his satisfaction that the approval and operation of the plan will not result in a reduction in old-age assistance under the plan of such State approved under section 2, aid to dependent children under the plan of such State approved under section 402, aid to the blind under the plan of such State approved under section 1002, or aid to the permanently and totally disabled under the plan of such State approved under section 1402.

"'Payments

"'SEC. 1603. (a) From the sums appropriated therefor, there shall be paid to each State which has a plan approved under section 1602, for each calendar quarter, beginning with the quarter commencing July 1, 1961—

"'(1) in the case of any State other than the Commonwealth of Puerto Rico, the Virgin Islands, and Guam, an amount equal to the Federal percentage (as defined in section 1101(a)(8)) of the total amounts expended during such quarter for medical benefits under the State plan;

"'(2) in the case of the Commonwealth of Puerto Rico, the Virgin Islands, and Guam, an amount equal to one-half of the total amounts expended during such quarter for medical benefits under the State plan; and

"'(3) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Secretary for the proper and efficient administration of the State plan;
except that there shall not be counted as an expenditure for purposes of paragraph (1) or (2) any amount expended for an individual during a benefit year of such individual—

"'(A) for inpatient hospital services after expenditures have been made for the cost of 120 days of such services for such individual during such year, or

"'(B) for laboratory and X-ray services (which do not constitute inpatient hospital services) after expenditures of $200 have been made for such individual during such year, or

"'(C) for prescribed drugs (which do not constitute inpatient hospital services) after expenditures of $200 have been made for such individual during such year.

"'(b) Prior to the beginning of each quarter, the Secretary shall estimate the amounts to be paid to each State under subsection (a) for such quarter, such estimates to be based on (1) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with the provisions of such subsection, and stating the amount appropriated or made available by the State and its political subdivisions for such expenditures in such quarter, and if such amount is less than the State's proportionate share of the total sum of such estimated expenditures, the source or sources from which the difference is expected to be derived, and (2) such other investigation as the Secretary may find necessary. The amount so estimated, reduced or increased to the extent of any overpayment or underpayment which the Secretary determines was made under this section to such State for any prior quarter and with respect to which adjustment has not already been made under this subsection, shall then be paid to the State, through the disbursing facilities of the Treasury Department, in such installments as the Secretary may determine. The reductions under the preceding sentence shall include the pro rata share to which the United States is equitably entitled, as determined by the Secretary, of the net amount recovered by the State or any political subdivision thereof with respect to medical benefits furnished under the State plan.

"'Operation of State plans

"'SEC. 1604. If the Secretary, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of any State plan which has been approved by him under section 1602, finds—

"'(1) that the plan has been so changed that it no longer complies with the provisions of section 1602, or

"'(2) that in the administration of the plan there is a failure to comply substantially with any such provision,
the Secretary shall notify such State agency that further payments will not be made to the State under section 1603 (or, in his discretion, that payments will be limited to parts of the plan not affected by such noncompliance) until the Secretary is satisfied that there is no longer any such noncompliance. Until he is so satisfied, no further payments shall be made to such State under section 1603 (or payments shall be limited to parts of the plan not affected by such noncompliance). For purposes of this section, a plan shall be treated as having been so changed that it no longer complies with the provisions of section 1602 if at any time the Secretary determines that, were such plan to be submitted at such time for approval, he would be barred from approving such plan by reason of section 1602(c).

"'Eligible individuals

"'SEC. 1605. For the purposes of this title, the term "eligible individual" means any individual—

"'(1) who is sixty-five years of age or over, and

"'(2) whose income and resources, taking into account his other living requirements as determined by the State, are insufficient to meet the cost of his medical services.

"'Benefits

"'SEC. 1606. For the purpose of this title—

"'(a) The term "medical benefits" means payment of part or all of the cost of medical services on behalf of eligible individuals.

"'(b) (1) Except as provided in paragraph (2), the term "medical services" means the following to the extent determined by the physician to be medically necessary:

"'(A) inpatient hospital services;

"'(B) skilled nursing-home services;

"'(C) physicians' services;

"'(D) outpatient hospital services;

"'(E) organized home care services;

"'(F) private duty nursing services;

"'(G) therapeutic services;

"'(H) major dental treatment;

"'(I) laboratory and X-ray services; and

"'(J) prescribed drugs.

"'(2) The term "medical services" does not include—

"'(A) services for any individual who is an inmate of a public institution (except as a patient in a medical institution) or any individual who is a patient in an institution for tuberculosis or mental diseases; or

"'(B) services for any individual who is a patient in a medical institution as a result of a diagnosis of tuberculosis or psychosis, with respect to any period after the individual has been a patient in such an institution, as a result of such diagnosis, for forty-two days.

"'(c) The term "inpatient hospital services" means the following items furnished to an inpatient by a hospital:

"'(1) Bed and board (at a rate not in excess of the rate for semiprivate accommodations);

"'(2) Physicians' services; and

"'(3) Nursing services, interns' services, laboratory and X-ray services, ambulance service, and other services, drugs, and appliances related to his care and treatment (whether furnished directly by the hospital or, by arrangement, through other persons).

"'(d) The term "skilled nursing home services" means the following items furnished to an inpatient in a nursing home:

"'(1) Skilled nursing care provided by a registered professional nurse or a licensed practical nurse which is prescribed by, or performed under the general direction of, a physician;

"'(2) Medical care and other services related to such skilled nursing care; and

"'(3) Bed and board in connection with the furnishing of such skilled nursing care.

"'(e) The term "physicians' services" means services provided in the exercise of his profession in any State by a physician licensed in such State; and the term "physician" includes a physician within the meaning of section 1101(a)(7).

"'(f) The term "outpatient hospital services" means medical and surgical care furnished by a hospital to an individual as an outpatient.

"'(g) The term "organized home care services" means visiting nurse services and physicians' services, and services related thereto, which are prescribed by a physician and are provided in the home through a public or private nonprofit agency operated in accordance with medical policies established by one or more physicians (who are responsible for supervising the execution of such policies) to govern such services.

"'(h) The term "private duty nursing services" means nursing care provided in the home by a registered professional nurse or licensed practical nurse, under the general direction of a physician, to a patient requiring nursing care on a full-time basis.

"'(i) The term "therapeutic services" means services prescribed by a physician for the treatment of disease or injury by physical nonmedical means, including retraining for the loss of speech.

"'(j) The term "major dental treatment" means services provided by a dentist, in the exercise of his profession, with respect to a condition of an individual's teeth, oral cavity, or associated parts which has seriously affected, or may seriously affect, his general health. As used in the preceding sentence, the term "dentist" means a person licensed to practice dentistry or dental surgery in the State where the services are provided.

"'(k) The term "laboratory and X-ray services" includes only such services prescribed by a physician.

"'(l) The term "prescribed drugs" means medicines which are prescribed by a physician.

"'(m) The term "hospital" means a hospital (other than a mental or tuberculosis hospital) licensed as such by the State in which it is located or, in the case of a State hospital, approved by the licensing agency of the State.

"'(n) The term "nursing home" means a nursing home which is licensed as such by the State in which it is located, and which (1) is operated in connection with a hospital or (2) has medical policies established by one or more physicians (who are responsible for supervising the execution of such policies) to govern the skilled nursing care and related medical care and other services which it provides.

"'Benefit year

"'SEC. 1607. For the purposes of this title, the term "benefit year" means, with respect to any individual, a period of 12 consecutive calendar months as designated by the State agency for the purposes of this title in accordance with regulations prescribed by the Secretary. Subject to regulations prescribed by the Secretary, the State plan may permit the extension of a benefit year in order to avoid hardship.'

"Improvement of medical care for old-age assistance recipients

"SEC. 602. (a) Section 3(a) of the Social Security Act is amended by striking out 'and (3) in the case of any State,' and inserting in lieu thereof the following: 'and (3) in the case of any State which is qualified for such quarter (as determined under subsection (c)(1)), an amount equal to 5 per centum of the total of the sums expended during such quarter as old-age assistance under the State plan in the form of medical or any other type of remedial care, not counting so much of any expenditure with respect to any month as exceeds whichever of the following is the smaller—

"'(A) $5 multiplied by the total number of recipients of old-age assistance for such month, or

"'(B) the additional expenditure per recipient of old-age assistance for such month (as determined under subsection (c)(2)), multiplied by the total number of recipients of old-age assistance for such month;
and (4) in the case of any State,'.

"(b) Section 3 of such Act is further amended by adding at the end thereof the following new subsection:

"'(c)(1) For the purposes of clause (3) of subsection (a), a State shall be qualified for a quarter if the State agency of such State has submitted, in or prior to such quarter (but in no event prior to the quarter in which this subsection is enacted), a modification of the plan of such State approved under this title which the Secretary is satisfied would result in a significant improvement in old-age assistance in the form of medical or any other type of remedial care under the plan, except that in no event may a State be qualified for a quarter prior to the first quarter for which such modification is effective. Any determination under the preceding sentence with respect to any modification of a State plan shall be based on a comparison with old-age assistance in the form of medical or any other type of remedial care, if any, under the plan during the quarter prior to the quarter in which this subsection was enacted, and in making such determination the Secretary shall take into account the extent to which there would be any reduction in amounts previously included because of medical needs in old-age assistance under the plan in the form of money payments. Such State shall cease to be qualified for any quarter occurring (1) after the quarter in which the Secretary determines, after notice and opportunity for hearing to the State agency administering or supervising the administration of the State plan of such State, that the improvement referred to in the first sentence of this subsection has (through a change in the plan or in its administration) ceased to be a significant improvement, and (2) prior to the quarter in which such State again qualifies as provided in the preceding sentences.

"'(2) For the purposes of clause (3)(B) of subsection (a), the additional expenditure per recipient of old-age assistance in any State for any month means the excess of—

"'(A) the quotient obtained by dividing the total of the sums expended in such months as old-age assistance under the State plan in the form of medical or any other type of remedial care by the total number of recipients of old-age assistance under such plan for such month, over

"'(B) the quotient obtained by dividing the total of the sums expended in the last month which ended prior to the enactment of this paragraph as old-age assistance under the State plan in the form of medical or any other type of remedial care by the total number of recipients of old-age assistance under such plan for such month.'

"(c) Section 6 of such Act is amended by striking out 'but does not include' and all that follows and inserting in lieu thereof 'but does not include—

"'(1) any such payments to or care in behalf of any individual who is an inmate of a public institution (except as a patient in a medical institution) or any individual who is a patient in an institution for tuberculosis or mental diseases, or

"'(2) any such payments to any individual who has been diagnosed as having tuberculosis or psychosis and is a patient in a medical institution as a result thereof, or

"'(3) any such care in behalf of any individual, who is a patient in a medical institution as a result of a diagnosis that he has tuberculosis or psychosis, with respect to any period after the individual has been a patient in such an institution, as a result of such diagnosis, for forty-two days.'

"(d) The amendments made by subsections (a) and (b) shall be effective only with respect to calendar quarters commencing on or after October 1, 1960. The amendment made by subsection (c) shall be effective only with respect to calendar quarters commencing on or after July 1, 1961.

"Planning grants to States

"SEC. 603. (a) For the purpose of assisting the States to make plans and initiate administrative arrangements preparatory to participation in the Federal-State program of medical services for the aged authorized by title XVI of the Social Security Act, there are hereby authorized to be appropriated for making grants to the States such sums as the Congress may determine.

"(b) A grant under this section to any State shall be made only upon application therefor which is submitted by a State agency designated by the State to carry out the purpose of this section and is approved by the Secretary. No such grant for any State may exceed 50 per centum of the cost of carrying out such purpose in accordance with such application.

"(c) Payment of any grant under this section may be made in advance or by way of reimbursement, and in such installments, as the Secretary may determine. The aggregate amount paid to any State under this section shall not exceed $50,000.

"(d) Appropriations pursuant to this section shall remain available for grants under this section only until the close of June 30, 1962; and any part of such a grant which has been paid to a State prior to the close of June 30, 1962, but has not been used or obligated by such State for carrying out the purpose of this section prior to the close of such date, shall be returned to the United States.

"(e) As used in this section, the term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam.

"Technical amendment

"SEC. 604. Effective July 1, 1961, section 1101(a)(1) of the Social Security Act (as amended by section 541 of this Act) is amended by striking out 'and XIV' and inserting in lieu thereof 'XIV, and XVI'.

On page 195, after line 5, to insert:

"TITLE VI—MEDICAL SERVICES FOR THE AGED

"Amendments to title I of the Social Security Act

"SEC. 601. (a) The heading of title I of the Social Security Act is amended to read as follows:

"'TITLE I—GRANTS TO STATES FOR OLD-AGE ASSISTANCE AND MEDICAL ASSISTANCE FOR THE AGED'

"(b) Sections 1 and 2 of such Act are amended to read as follows:

"'Appropriation

"SECTION 1. For the purpose (a) of enabling each State as far as practicable under the conditions in such State, to furnish financial assistance to aged needy individuals and of encouraging each State, as far as practicable under such conditions, to help such individuals attain self-care, and (b) of enabling each State, as far as practicable under the conditions in such State, to furnish medical assistance on behalf of aged individuals who are not recipients of old-age assistance but whose income and resources are insufficient to meet the costs of necessary medical services, there is hereby authorized to be appropriated for each fiscal year a sum sufficient to carry out the purposes of this title. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Secretary of Health, Education, and Welfare (hereinafter referred to as the 'Secretary'), State plans for old-age assistance, or for medical assistance for the aged, or for old-age assistance and medical assistance for the aged.

"'State old-age and medical assistance plans

"'SEC. 2. (a) A State plan for old-age assistance, or for medical assistance for the aged, or for old-age assistance and medical assistance for the aged must—

"'(1) provide that it shall be in effect in all political subdivisions of the State, and, if administered by them, be mandatory upon them;

"'(2) provide for financial participation by the State which shall, effective January 1, 1962, extend to all aspects of the State plan;

"'(3) either provide for the establishment or designation of a single State agency to administer the plan, or provide for the establishment or designation of a single State agency to supervise the administration of the plan;

"'(4) provide for granting an opportunity for a fair hearing before the State agency to any individual whose claim for assistance under the plan is denied or is not acted upon with reasonable promptness;

"'(5) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

"'(6) provide that the State agency will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as the Secretary may from time to time find necessary to assure the correctness and verification of such reports;

"'(7) provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of the State plan;

"'(8) provide that all individuals wishing to make application for assistance under the plan shall have opportunity to do so, and that such assistance shall be furnished with reasonable promptness to all eligible individuals;

"'(9) if the State plan includes old-age assistance—

"'(A) provide that the State agency shall, in determining need for such assistance, take into consideration any other income and resources of an individual claiming old-age assistance;

"'(B) provide reasonable standards, consistent with the objectives of this title, for determining eligibility for and the extent of such assistance;

"'(C) provide a description of the services (if any) which the State agency makes available to applicants for and recipients of such assistance to help them attain self-care, including a description of the steps taken to assure, in the provision of such services, maximum utilization of other agencies providing similar or related services;

"'(10) provide, if the plan includes payments of old-age assistance to individuals in private or public institutions, for the establishment or designation of a State authority or authorities which shall be responsible for establishing and maintaining standards for such institutions;

"'(11) if the State plan includes medical assistance for the aged—

"'(A) provide for inclusion of some institutional and some noninstitutional care and services;

"'(B) provide that no enrollment fee, premium, or similar charge will be imposed as a condition of any individual's eligibility for medical assistance for the aged under the plan;

"'(C) provide for inclusion, to the extent required by regulations prescribed by the Secretary, of provisions (conforming to such regulations) with respect to the furnishing of such assistance to individuals who are residents of the State but are absent therefrom;

"'(D) include reasonable standards, consistent with the objectives of this title, for determining eligibility for and the extent of such assistance;

"'(E) provide that no lien may be imposed against the property of any individual prior to his death on account of medical assistance for the aged paid or to be paid on his behalf under the plan (except pursuant to the judgment of a court on account of benefits incorrectly paid on behalf of such individual), and that there shall be no adjustment or recovery (except, after the death of such individual and his surviving spouse, if any, from such individual's estate) of any medical assistance for the aged correctly paid on behalf of such individual under the plan.

"'(b) The Secretary shall approve any plan which fulfills the conditions specified in subsection (a), except that he shall not approve any plan which imposes, as a condition of eligibility for assistance under the plan—

"'(1) an age requirement of more than sixty-five years; or

"'(2) any residence requirement which (A) in the case of applicants for old-age assistance, excludes any resident of the State who has resided therein five years during the nine years immediately preceding the application for old-age assistance and has resided therein continuously for one year immediately preceding the application, and (B) in the case of applicants for medical assistance for the aged, excludes any individual who resides in the State; or

"'(3) any citizenship requirement which excludes any citizen of the United States.'

"(c) Section 3(a) of such Act is amended to read as follows:

"'SEC. 3. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has a plan approved under this title, for each quarter, beginning with the quarter commencing October 1, 1960—

"'(1) in the case of any State other than Puerto Rico, the Virgin Islands, and Guam, an amount equal to the sum of the following proportions of the total amounts expended during such quarter as old-age assistance under the State plan (including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof)—

"(A) four-fifths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $30 multiplied by the total number of recipients of old-age assistance for such month (which total number, for purposes of this subsection, means (i) the number of individuals who received old-age assistance in the form of money payments for such month, plus (ii) the number of other individuals with respect to whom expenditures were made in such month as old-age assistance in the form of medical or any other type of remedial care); plus

"'(B) the Federal percentage (as defined in section 1101(a)(8)) of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditure with respect to any month as exceeds the product of $65 multiplied by the total number of such recipients of old-age assistance for such month; plus

"'(C) the larger of the following: (i) the Federal medical percentage (as defined in section 6(c)) of the amount by which such expenditures exceed the maximum which may be counted under clause (B), not counting so much of any expenditure with respect to any month as exceeds (I) the product of $77 multiplied by the total number of such recipients of old-age assistance for such month, or (II) if smaller, the total expended as old-age assistance in the form of medical or any other type of remedial care with respect to such month plus the product of $65 multiplied by such total number of such recipients, or (ii) 15 per centum of the total of the sums expended during such quarter as old-age assistance under the State plan in the form of medical or any other type of remedial care, not counting so much of any expenditure with respect to any month as exceeds the product of $12 multiplied by the total number of such recipients of old-age assistance for such month; and

"'(2) in the case of Puerto Rico, the Virgin Islands, and Guam, an amount equal to—

"'(A) one-half of the total of the sums expended during such quarter as old-age assistance under the State plan (including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof), not counting so much of any expenditure with respect to any month as exceeds $35 multipled by the total number of recipients of old-age assistance for such month; plus

"'(B) the larger of the following amounts: (i) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditure with respect to any month as exceeds (I) the product of $41 multiplied by the total number of such recipients of old-age assistance for such month, or (II) if smaller, the total expended as old-age assistance in the form of medical or any other type of remedial care with respect to such month plus the product of $35 multiplied by the total number of such recipients, or (ii) 15 per centum of the total of the sums expended during such quarter as old-age assistance under the State plan in the form of medical or any other type of remedial care, not counting so much of any expenditure with respect to any month as exceeds the product of $6 multiplied by the total number of such recipients of old-age assistance for such month; and

"'(3) in the case of any State, an amount equal to the Federal medical percentage (as defined in section 6(c) of the total amounts expended during such quarter as medical assistance for the aged under the State plan; and

"'(4) in the case of any State, an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan, including services which are provided by the staff of the State agency (or of the local agency administering the State plan in the political subdivision) to applicants for and recipients of old-age assistance to help them attain self-care.'

"(d) Section 3(b)(2)(B) of such Act is amended by striking out 'old-age assistance' and inserting in lieu thereof 'assistance'.

"(e) Section 4 of such Act is amended by striking out 'State plan for old-age assistance which has been approved' and inserting in lieu thereof 'State plan which has been approved under this title'.

"(f)(1) Section 6 of such Act is amended (A) by striking out 'tuberculosis or psychosis' and inserting in lieu thereof 'pulmonary tuberculosis or psychosis', (B) by striking out '(a)' and inserting in lieu thereof '(1)', and (C) by striking out '(b)' and inserting '(2)' in lieu thereof.

"(2) Section 6 is further amended by inserting '(a)' immediately after 'SEC. 6.' and by adding after such section 6 the following new subsections:

"'(b) For purposes of this title, the term 'medical assistance for the aged' means payment of part or all of the cost of the following care and services for individuals sixty-five years of age or older who are not recipients of old-age assistance but whose income and resources are insufficient to meet all of such cost—

"'(1) inpatient hospital services;

"'(2) skilled nursing-home services;

"'(3) physicians' services;

"'(4) outpatient hospital or clinic services;

"'(5) home health care services;

"'(6) private duty nursing services;

"'(7) physical therapy and related services;

"'(8) dental services;

"'(9) laboratory and X-ray services;

"'(10) prescribed drugs, eyeglasses, dentures, and prosthetic devices;

"'(11) diagnostic, screening, and preventive services; and

"'(12) any other medical care or remedial care recognized under State law;

except that such term shall not include any payments with respect to care or services for any individual who is an inmate of a public institution (except as a patient in a medical institution) or any individual (A) who is a patient in an institution for tuberculosis or mental diseases, or (B) who has been diagnosed as having pulmonary tuberculosis or psychosis and is a patient in a medical institution as a result thereof.

"'(c) For purposes of this title, the term 'Federal medical percentage' for any State shall be 100 per centum less the State percentage; and the State percentage shall be

that percentage which bears the same ratio to 50 per centum as the square of the per capita income of such State bears to the square of the per capita income of the continental United States (including Alaska) and Hawaii; except that (i) the Federal medical percentage shall in no case be less than 50 per centum or more than 80 per centum, and (ii) the Federal medical percentage for Puerto Rico, the Virgin Islands, and Guam shall be 50 per centum. The Federal medical percentage for any State shall be determined and promulgated in accordance with the provisions of subparagraph (B) of section 1101(a)(8) (other than the proviso at the end thereof); except that the Secretary shall, as soon as possible after enactment of the Social Security Amendments of 1960, determine and promulgate the Federal medical percentage for each State—

"'(1) for the period beginning October 1, 1960, and ending with the close of June 30, 1961, which promulgation shall be based on the same data with respect to per capita income as the data used by the Secretary in promulgating the Federal percentage (under section 1101(a)(8)) for such State for the fiscal year ending June 30, 1961 (which promulgation of the Federal medical percentage shall be conclusive for such period), and

"'(2) for the period beginning July 1, 1961, and ending with the close of June 30, 1963, which promulgation shall be based on the same data with respect to per capita income as the data used by the Secretary in promulgating the Federal percentage (under section 1101(a)(8)) for such State for such period (which promulgation of the Federal medical percentage shall be conclusive for such period).'

"Increase in limitations on assistance payment to Puerto Rico, the Virgin Islands, and Guam

"SEC. 602. Section 1108 of the Social Security Act is amended by—

"(1) striking out '$8,500,000' and inserting in lieu thereof '$9,000,000, of which $500,000 may be used only for payments certified with respect to section 3(a)(2)(B)';

"(2) striking out '$300,000' and inserting in lieu thereof '$315,000, of which $15,000 may be used only for payments certified in respect to section 3(a)(2)(B)';

"(3) striking out '$400,000' and inserting in lieu thereof '$420,000, of which $20,000 may be used only for payments certified in respect to section 3(a)(2)(B)'; and

"(4) striking out 'titles I, IV, X, and XIV', and inserting in lieu thereof 'titles I (other than section 3(a)(3) thereof), IV, X, and XIV'.

"Technical amendment

"SEC. 603. (a) Section 618 of the Revenue Act of 1951 (65 Stat. 569) is amended by striking out 'title I' and inserting in lieu thereof 'title I (other than section 3(a)(3) thereof)'.

(b) The amendment made by subsection (a) shall take effect October 1, 1960.

"Effective dates

"SEC. 604. The amendments made by section 601 of this Act shall take effect October 1, 1960, and the amendments made by section 602 shall be effective with respect to fiscal years ending after 1960."

Under the heading "TITLE VII—MISCELLANEOUS", on page 213, line 10, after "SEC. 704.", to strike out "(a)"; after line 23, to strike out: "(b) Section 116 of the Social Security Amendments of 1956 is further amended by adding at the end thereof the following new subsection:

"'(f) The Advisory Council appointed under subsection (e) during 1963 shall, in addition to the other findings and recommendations it is required to make, include in its report its findings and recommendations with respect to extensions of the coverage of the old age, survivors, and disability insurance program, the adequacy of benefits under the program, and all other aspects of the programs.'"

On page 214, line 11, after the word "Medical", to strike out "Services" and insert "Assistance"; in line 16, after the word "Medical", to strike out "Services" and insert "Assistance"; in line 23, after the word "medical", to strike out "services" and insert "assistance"; on page 215, line 4, after the word "medical", to strike out "services" and insert "assistance"; on page 217, line 14, after the word "of", to strike out "$20,000,000" and insert "$25,000,000", and on page 220, after line 13, to insert:

"Aid to the blind

"SEC. 710. (a) Effective for the period beginning with the first day of the calendar quarter which begins after the date of enactment of this Act, and ending June 30, 1961, clause (8) of section 1002(a) of the Social Security Act is amended to read as follows '(8) provide that the State agency shall, in determining need, take into consideration any other income and resources of the individual claiming aid to the blind; except that, in making such determination, the State agency shall disregard either (i) the first $50 per month of earned income, or (ii) the first $1,000 per annum of earned income plus one-half of earned income in excess of $1,000 per annum:'.

"(b) Effective July 1, 1961, clause (8) of such section 1002(a) is amended to read as follows: '(8) provide that the State agency shall, in determining need, take into consideration any other income and resources of the individual claiming aid to the blind; except that, in making such determination, the State agency shall disregard the first $1,000 per annum of earned income plus one-half of earned income in excess of $1,000 per annum;'."

Mr. JAVITS obtained the floor.

Mr. JAVITS. Mr. President, I am grateful to the Senator from Virginia for allowing me to get the floor, so that I might, as early as convenient, speak on a very important, principal amendment which I desire to offer to the bill. I desire to express my appreciation to him. Everyone knows that the distinguished Senator from Virginia could have prior recognition to almost any Member of this body except the leaders. I simply wished to call attention to that fact.

Mr. President, I send to the desk sundry amendments to the bill, and ask that they lie on the desk and be printed, under the rule. I submit the amendments on behalf of myself and my colleague from New York [Mr. KEATING]. The amendments relate to the social security and unemployment compensation aspects of the bill.

The PRESIDING OFFICER. The amendment will be received, and will lie on the table and will be printed.

Mr. JAVITS. Mr. President, I also send to the desk, on behalf of myself, the Senator from Kentucky [Mr. COOPER], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Vermont [Mr. AIKEN], the Senator from Hawaii [Mr. FONG], the Senator from New York [Mr. KEATING], the Senator from California [Mr. KUCHEL], the Senator from Vermont [Mr. PROUTY], and the Senator from Massachusetts [Mr. SALTONSTALL], as cosponsors, an amendment to which I shall address my remarks. I ask that the amendment be printed and lie on the table.

The PRESIDING OFFICER. The amendment will be received, and will be printed and will lie on the table.

Mr. KERR. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. KERR. Mr. President, I ask unanimous consent that during the consideration of the bill amending the Social Security Act, on Monday and thereafter, Miss Helen E. Livingston and Mr. Frederick B. Arner, assigned to the staff of the Finance Committee, have the privilege of the floor, in order to be available as sources of information to Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, will the Senator from Oklahoma include in his request the chief actuary of the Social Security Administration?

Mr. KERR. I thought that had already been done. But, if not, I am happy to include in the request Mr. Robert J. Myers.

Mr. JAVITS. I point out that the request in regard to Mr. Myers applied only to today, whereas I believe it desirable that he have the privilege of the floor during all of this debate.

Mr. KERR. Certainly.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JAVITS. Mr. President, the major principle underlying all the measures in this field that now are before us is now generally accepted—namely, that Federal aid is necessary to provide our citizens over 65 with adequate health care. Practically all Members of the Senate are agreed on this point, Mr. President. The question before us now really is how shall we do it, not whether we shall do it at all. If there was any question about this, it was settled in the policy planks adopted at the recent national conventions by both parties. The Republican Party is pledged to the adoption of a contributory health program for the aged with Federal aid to give protection against burdensome costs of health care, and with the beneficiaries having the option of purchasing private health insurance. The Democratic Party pledge calls for the use of the contributory machinery of the Social Security System to cover hospitalization and other high cost medical services.

Today, I wish to describe the amendment I have sent to the desk, to be printed and to lie on the table. I hope to call up the amendment before I conclude my remarks. It is submitted by me, and is jointly sponsored by eight other Senators I have named; and I believe our amendment is the best means for accomplishing at this session Federal aid for health care for our older citizens. In that connection, I emphasize the words "at this session." The principles of this amendment are incorporated in the bill introduced by me, with Senators COOPER, SCOTT, FONG, AIKEN, KEATING, and PROUTY, as cosponsors, and in the administration bill introduced by Senator SALTONSTALL. I should like to point out that we have now arrived at a point, with the Senator from Massachusetts

[Mr. SALTONSTALL], where my basic position on this bill has been combined with that of the administration, which had put forward its own bill by means of the Senator from Massachusetts; and therefore I am offering this measure as a reconciliation of both points of view.

This amendment provides basic preventive care, regardless of whether the recipient is on social security, at a reasonable cost to the Federal and State Governments. It covers all over 65 of modest income; it gives preventive care, including private physicians services; it preserves the existing relation between doctor and patient; it encourages existing medical plans; and it assures fiscal security and responsibility.

First, I should like to point out that I have not newly arrived at these principles, nor have my colleagues. As far back as 1949, over a decade ago, I introduced in the Congress a National Health Act. My cosponsors include—interestingly enough—Vice President Nixon, then a Member of the House of Representatives, and Secretary of State Herter, who, also, was then a Member of the House of Representatives, together with Senator Case, Senator Scott, and Senator Morton, who likewise at that time were Members of the House, and now are Members of this body—as events have turned out, a rather impressive group of cosponsors.

The principles of the National Health Act were the same as the principles which I and my cosponsors are now espousing in this amendment. The 1949 bill—and, incidentally, let me say that when I first came to this body, that bill was sponsored by Senator Ives, of New York—rested on the basic principle that Federal and State resources should be used to make available membership in *voluntary* prepayment plans to everyone, regardless of age or financial condition, and scaled to the subscribers' actual income, rather than to a flat-rate premium. Government funds would be used to make up the difference between the aggregate subscribers' payments and the actual cost of furnishing health services benefits to extend beyond hospital and major medical care. This bill was introduced as an alternative to the then Ewing health plan, which many will recall.

Mr. President, the amendment which I have just now had printed is the only one before us which places the emphasis where it belongs; namely, on preventive care. I wish to emphasize that point; and I repeat that this amendment is the only one which places the emphasis on medical care, which is where the emphasis belongs. Under the option set forth in my amendment, provision is made, as a minimum—and it is a minimum; and in a moment I shall explain what I mean in that connection—for 12 home or office visits by a physician; the first $100 of ambulatory, diagnostic, laboratory or X-ray services; 24 visiting home nurse service calls as prescribed by a physician; and when necessary—and, Mr. President, I wish to point out that by the words "when necessary," I mean on the certification of a physician—21 days of hospital or equivalent nursing home care. These are benefits based on actual need as shown in U.S. medical use statistics for our older citizens.

This is a first cost program which puts the individual in a position where he can obtain protection in advance of the hazards of chronic illness. Everyone 65 years of age or over is eligible to subscribe, if his income reported for income tax is not over $3,000 a year, for a single person, and $4,500 for couples, and if he is not a beneficiary for medical care under the other provisions of the main bill—in other words, if he is not a recipient of old-age assistance payments or if he is not among the medically needy who already are covered by the Kerr-Frear amendments which now are before us.

There is no deductibility and there is no coinsurance for basic preventive care coverage. The subscriber gets the benefit of it at once, as soon as he needs it; and, most importantly, the program is fully adequate, from a medical point of view, for the average health care needs of the older citizens.

By giving priority to preventive care, as sound medical practice dictates, we do not run the danger of overutilization of hospital and other institutional facilities.

I digress to point out I cannot conceivably overemphasize that danger. I point out the approach which is taken in the Anderson amendment—sincere as I know it is, and laudable in every sense, because I know Senators concerned in it are just as sincere to do something in this field as I am—the Anderson amendment nevertheless concentrates upon hospital care. Anyone who has had experience with hospital institutions, especially in the big cities, and I understand even in smaller places in other parts of the country than my own, knows they are already chock full. There are already waiting lists and waiting lines. To add this staggering responsibility, therefore—that in order to get benefits a person just has to go to a hospital—will break down the whole system. I can think of nothing more cruel than to offer to our elderly people a plan which we know in advance had this basic defect.

On the other hand, physicians' care is practical and simple to obtain, and physicians are not compelled to send their patients to hospitals in order to get the treatment they need. The other provisions all are designed to further the objectives of preventive medical care, despite the wide variation in medical facilities in each of the 50 States.

Again, I should like to emphasize another strong point of our amendment. It is based on what can be done in every State separately, treating the State as a unit. This, too, will take account of the medical facilities and capabilities in each State, so that what we promise an individual we will perform.

For the individual described, who feels that he can pay for his own preventive care, but wants to protect himself against a lengthy illness, there is an option enabling him to subscribe to a plan to pay for major portions of the cost of long-term, catastrophic, or other expensive illness. This, it will be recalled, was essentially the administration's approach, which I have now added to my original bill.

This alternative plan provides for a minimum of 120 days of hospitalization, up to a year of skilled nursing-home services, and of organized home health care services, and for surgical services in the hospital—any or all to the extent of 80 percent of the cost of the services after incurring expenses of $250 for any or all of such services in any one year. In other words, it is a coinsurance and deductible plan of 80 percent and $250, but the State is free to reduce the deductibility factor in the plan it offers.

I wish to emphasize that both of the service benefit packages which I have described for preventive care and for catastrophic illness establish minimum benefits. The maximums are regulated only by the amount of money which the Federal Government will contribute as its share; and I will come to the financial details in a few moments.

In addition to the two options which I have described for the individual, there is a third option: A covered individual over 65 who does not enroll in a State administered medical plan may receive 50 percent of his premium expense for a private health insurance policy approved by the State, but not in excess of $60 a year.

These three options are available to all over 65 with incomes under the maximum set forth, except those receiving benefits under the old-age assistance program. I refer to the Kerr-Frear provisions.

It is estimated that, aside from 2.4 million over 65 receiving old-age assistance, coverage under our amendment will be available to 11 million of those over 65. That excepts over 2 million people over 65 who are not referred to in these figures. They are the ones who are either very well off financially, and can take care of their medical care, or the indigent, who come under other provisions of the Kerr-Frear bill. But, for practical purposes, the Senator from New Mexico [Mr. ANDERSON], the Senator from Michigan [Mr. MCNAMARA], myself, or any other Senator who has an idea on how to deal with the medical care for the aged, will be dealing with a potential of 11 million people.

As to the latter, the bill which is before us would provide health care, or an opportunity for care, to those 11 million people over 65. Again I wish to make it perfectly clear that nothing in my amendment will subtract or detract from the health care provisions which are in the bill before us, the so-called Kerr-Frear provisions.

I have referred, in describing these benefit packages, to minimum services in which the Federal Government would make its contribution, as well as the States, and, to a modest extent, the subscriber.

The Federal Government, under our plan, will be able to contribute to an expanded benefit package up to an aggregate cost of $128 a year.

The minimum package which I have described is estimated, generally, throughout the country, for both preventive care and catastrophic illness, to cost $90 a year.

An example of the maximum package, at $128 a year, of maximum medical benefits under preventive care, would be: physicians' services, 12 days office and home; inpatient hospital services, 45 days; unlimited ambulatory X-ray and laboratory services; and unlimited organized home health care services; skilled and nursing home services, 135 days.

That is the maximum possible, considering the country as a whole, under the $128 cost, which would be the roof eligible for Federal contribution.

Similar maximum benefits under the long-term illness program, under this $128 ceiling, consist of hospital care, 180 days; skilled and nursing home care, 365 days, or 1 year; organized home care service, the same, 365 days; surgical procedures; laboratory and X-ray services, up to $200; physicians' services; dental services; prescribed drugs, up to $350; private duty nurses and physical restoration services.

In short, that is probably the most elaborate package anyone has thought about for the aged to be available to an individual over 65 years of age who feels he does not need preventive care—he can look after that—who feels he can look after the first $250 of his own costs, in terms of catastrophic illness, and then he gets 80 percent of the cost of this tremendous package of benefits.

I point that out because it indicates this is a plan which is tailored to acuality, not to what can we do for the aged, but to the actual needs of the aged.

There are some who want preventive care, from the first dollar cost, from the word "go." They would be without any coinsurance, without any deductibility under the law. There are others who can take care of themselves unless they run into a bad situation, and it is for them we want to have a comprehensive package, and that is the maximum package I have offered.

There is no other proposal before this session of the Congress which meets all the desirable conditions and can provide all the benefits to as many people and as quickly as this amendment. First, it builds upon what the States have in the way of facilities—and they differ very materially among the States.

Second, it is a general revenue plan, not a social security measure. Mr. President, I think the hard nut of the issue is, Do we wish to inaugurate in the social security system what is, for all practical purposes, a health care scheme? I would not say it is exactly what the British do, but it is very much like it. The point is that we would for the first time inaugurate a system by which we would have a national responsibility for the health care of the people.

We are now starting with the aged over 68, but once we have imbedded it so fundamentally into the responsibility of the Government in terms, at the very best, of a government insurance program, of course it will develop, without any question. If the Congress makes this very fundamental decision in principle, it should develop. I would be opposed to inaugurating it in this way, because I think it is unsound and unwise in terms of the organization of our country.

Mr. President, I should like to interject another thought. I know those who favor the social security idea are men of conscience, and I think they should reflect on one item in this matter, namely, is a social security system for medical care a system which is apposite to the traditions of and to the general attributes of American life? Is it a system congenial to American life, to the American way of living, to the American way of dealing with doctors and medical care generally?

I hasten to refute any idea that a social security approach is "un-American." Of course it is not. I only point out that the question of context, of the way in which we live, our national attitudes, is an important consideration in making what is really a very fundamental and a very important sociological decision. I wish to emphasize that point. I shall not go to Bermuda, nor will grass grow in the streets, if the Congress decides that way, but I think it would be a profound and important departure from anything we have ever done before, with great sociological implications. I therefore urge my colleagues who are thinking about it, and I know many are, to consider it in those terms as well.

The contributory principle, which I have adopted, is nothing new. It is in the bill now, as a matter of fact. The Kerr-Frear proposals represent nothing more than the extension of the contributory principle, by which Federal and State governments contribute to a desirable social welfare plan.

Another difficulty, as I view the matter, with respect to the social security idea, relates to the fact that it is interesting to me to find that so many of my liberal friends—not only my liberal friends, but also my liberal brothers in arms—espouse the social security idea, which seems to me to be a reversal of our own thinking, because the general revenue approach spreads the responsibility among all the people who are able to pay, in proportion to their ability to pay, whereas the social security approach is practically a sales tax approach. It will tax those at the lowest end of the economic totem pole, who, we always say in terms of general welfare measures, are the least able to pay. Interestingly enough, it would exclude an estimated 40 percent of the income of individuals from any responsibility for a health care program. That, in itself, seems to me to be inappropriate.

I would say that the Kerr-Frear proposals take that very principle into consideration and carry it out to the limited extent to which they endeavor to carry out the medical care program.

I observe that the Senator from Oklahoma [Mr. KERR] is present in the Chamber. I should like to repeat for him what I said before. I am all for his program. I think it is absolutely essential. I think we have to take a further step. I am trying to propose an addition, using the same principle. Since the question of need is not involved, this represents, in an efficient way, the necessary next step. I think it is a very happy thing which the Senator has done for all of us, in stripping the bill of all the argument about the old-age assistance people and the medically indigent people. The Senator has done that and has done it very well. I think we are all content with it.

We can go on. We can really concentrate upon the fundamental issue, which I have stated to be this: There is a great body of Senators, in my opinion—perhaps it does include the Senator from Oklahoma [Mr. KERR], but we all love him, respect him, and have the greatest respect for his sincerity—which I think is a solid majority, who desire to do something for the aged beyond what would be done by the bill which has been presented. I think the real issue is going to be whether we shall do it by the social security route, breaking totally new sociological ground, or whether we shall do it by the traditional contributory system, which is the same system employed by the Senator from Oklahoma. I am arguing for the latter. Stripped down, that is essentially my case.

Mr. President, the cost question, of course, is vitally important. We already have an estimate of cost on the Kerr-Frear measure, which is now in the bill, of $200 million a year. Under my program, which is proposed in the amendment, the medium cost for the Federal Government for the plan is estimated by me—I shall give the estimate of the technicians in a minute—at $450 million a year. The reason I differentiate my estimate from that of the technicians is that the technicians give me a figure of estimated participation of 75 percent, which would mean the participation of 8,250,000 people. The technicians give me a figure on the minimum package which is referred to in my amendment of about $360 million from the Federal Government. They give me a figure, on the maximum package, of about $462 million from the Federal Government.

Taking into consideration all of the uncertainties—whether 75 percent or more will be covered—and the variations among the several States as to the types of plans which the States would propose, I think a "fair shot" at it, which is perhaps a little on the high side, is $450 million per annum as the cost of what I am proposing to the Federal Government at such time as there is full use of the potential participation involved.

There is one other point which I should like to emphasize about my approach to the problem. I call in the amendment for some cost to the subscriber. Let us remember that the medically indigent and the old-age assistance people are to be looked after. We are seeking to deal with people who have some modest income. I call for a cost to the subscriber which is 10 percent of the cost of the package. We have a right to assume that will be somewhere between $9 a year and $12.80 a year. These are the lower and upper limits of the package.

I should like to make a point on the question of subscription which I think is important. Many people in this whole situation are worried about the program running away. The British had that experience. People worry about the program becoming a matter of competition,

politically or otherwise—probably politically. There may be a question of, perhaps, who will do more in terms of the benefit package. Some are worried about malingering and lots of other abuses.

It seems to me when we charge even a modest amount to the subscriber we introduce a note of dignity, a note of personal responsibility, a note of insurance participation which is very attractive. In view of the fact that the amounts involved are very small—I am thinking of people with modest income when I say "very small"—I think this gives us a desirable addition, and at the same time gives us a little help as to the cost of the program.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. PROXMIRE. First, even though I oppose the Senator from New York on this issue, I wish to congratulate him for this constructive and positive proposal. I think it represents an advance which has a great deal of merit. I know the Senator from New York is not one of those who are coming forward with a program because there is a lot of pressure for a health insurance program for the aged. The Senator from New York has been presenting this program for many years. As I understand, in 1949 the Senator introduced a similar program when he was a Member of the House of Representatives. This is nothing new for him.

I should like to ask the Senator from New York whether the only eligibility criterion would be income. Would there be any property criterion whatever?

Mr. JAVITS. None whatever.

Mr. PROXMIRE. Any liens on property?

Mr. JAVITS. None whatever.

Mr. PROXMIRE. It would be entirely income.

Mr. JAVITS. Entirely income.

Mr. PROXMIRE. The income would be $60 a week for an individual. If a person earned or received less than $60 a week he would be eligible? The figure would be $90 for a couple, roughly?

Mr. JAVITS. That is correct.

Mr. PROXMIRE. If an individual received $65 a week or $75 a week or $80 a week, or his family received $100 or more a week, he would not be eligible, is that correct?

Mr. JAVITS. That is correct.

Mr. PROXMIRE. So even if a person were afflicted with an illness which cost thousands of dollars a year, he could not qualify under the Senator's program unless he could show that his income was very modest—in the $60 or less a week range?

Mr. JAVITS. That is true. But is it not also true that then we would get into the range of people who are generally covered? Remember that there are 127 million people covered by various types of health insurance, and we do not expect the Federal Government to shepherd them all.

I point out to the Senator that I think the Senator is making entirely valid points, and that the Senator is correct actuarially speaking, that the overwhelming majority of those over 65 come within the $3,000 and the $4,500 limits. The exclusion at the most is something within the area of about 2¼ million maximum.

Mr. PROXMIRE. So there are 2¼ million Americans who make more than $60 a week or more than $90, with respect to families, over 65 years of age, who may have health problems, which so many older people are likely to have, who would not be covered under the proposal of the Senator from New York?

Mr. JAVITS. They would not be covered under my proposal. The only point I make is that they are people who are able to be covered privately, and it seems to me a governmental proposal involving under anyone's system important governmental contribution should try to confine itself to some area in which people cannot otherwise help themselves.

Mr. PROXMIRE. Does the Senator believe that the social security system itself, which provides a pension for everyone who works, whether he earns over $60 a week or over $90 a week, whether they have that kind of income after they get older or not, should be modified and should apply only to those who can come in and pass an income test?

Mr. JAVITS. I point out to the Senator that if a person earns over $1,800 a year, even under the bill, he will not receive any social security.

Mr. PROXMIRE. The Senator knows perfectly well that under the social security program a man can have an income of $10,000 and receive his $10,000 income provided he does not earn it as wages or salary. After 72, a man may go out and earn by the sweat of his brow any amount and he is still eligible for social security; is that correct?

Mr. JAVITS. That is correct. But the Senator has glossed very quickly over the fact that if that individual earns over $1,800 a year, he gets no social security.

Mr. PROXMIRE. Between ages 65 and 72.

Mr. JAVITS. That is correct. That applies to about 2 million people right now. So the numbers are roughly equivalent. It is not an argumentative figure. I am trying to state my facts and figures authoritatively. So they just about balance out. It is a fact now that about 2 million people do not collect social security because they earn over $1,800 a year. So the social security system itself—not that I admit it, is analogous—accommodates that kind of application.

Mr. PROXMIRE. I think the applications are very important. If a person has an income from rent or from an annuity or from any of many kinds of sources of income, which many older people have, he still gets his social security check no matter how large his income. If a person is over 72, he can earn all the money he wishes by the sweat of his brow and still receive his social security check. And most important of all, of course, an elderly person can live on a small income if he is well. It is when he is ill that he needs the additional help and he needs it as desperately if he earns $100 a week as if he earns $60 a week, if he suffers a prolonged costly illness.

I should like to come to what I think is the fundamental issue, and I think the Senator stated it very clearly when he said, "The hard nut of the issue is between using the social security system and not using it." I think the Senator's test is a much more attractive test than the usual means test that the States apply with respect to property, insisting on liens and pauper's oaths. The Senator from New York very properly does not insist upon that procedure.

Mr. JAVITS. Will the Senator allow me to interrupt to nail down that point. I agree entirely with the Senator from Wisconsin and his fellow liberals on that point.

Mr. PROXMIRE. Nevertheless, the Senator would apply an income test. An individual would have to prove that not only his earnings but his income was less than $3,000 a year.

Mr. JAVITS. Yes. Will the Senator allow me to qualify that statement. We have simplified the procedure greatly by relying solely on the income tax return, and the bill so provides. If a man files an income tax return, that settles the question. If he violates the law, and does not file, we will not pursue that point.

Also the mere certification in his income tax return that he shows no more than X dollars would be enough to qualify him. He would not have to give us the return or anything else. The amendment is clear on that point, and it is a simple proposition. I only wanted to clarify the procedure.

Mr. PROXMIRE. I think one of the most attractive and helpful features of the Senator's approach is the one he mentioned last. He said the plan provided a little dignity because the participants would be required to contribute 10 percent of the cost of the premium. I think that is fine. However, the great advantage of the social security approach, it seems to me, is that it provides a great deal of dignity to the person who participates in this program, because he knows that he has earned it. He has earned it by his own contribution over his lifetime to social security. He has earned it because his employer in hiring him really, as part of his wage, has contracted to pay into the social security fund, and while initially people who had not made a contribution in this way would qualify over the years, all those who would receive this benefit would have made the contribution themselves and would receive the benefits as a matter of right. It would be theirs, because they had made their contribution and had earned it. There would be no element of charity. There would be no element of the State or the Federal Government handing out money because they felt sorry for people. Americans could be proud of the fact that during their lifetime they had worked and contributed to the fund, and that they had earned the right, when they retired, to have health insurance.

Mr. JAVITS. The argument of the Senator from Wisconsin is rather surprising, because I have not heard him say that it is charity to give high, fixed farm supports or checks for the conservation of land. I have not heard him say that such support represents the fact that the United States is sorry for the indi-

viduals who are getting the checks. There are all kinds of programs costing billions of dollars for which the Federal Government is paying, and paying directly to people, programs which we all fight for and think are right. They represent no demeaning of the individual's dignity.

My point is that my approach would give the individual a vested stake in where this money went. It does not fail to have some terminal points in the sense of responsibility with respect to it.

I will not say for a minute that there is nothing to be said for the social security approach, that it is all wrong, and that it is the greatest vice mankind ever saw. Of course not. That is nonsense. The only point I make is that on balance, taking all of the arguments for the social security system and all of the arguments for this system, and considering the sociological break with the past which the social security system in health would represent, I believe my program is preferable for our country.

In other words, I am not trying to devastate the Senator from Wisconsin with my argument. I think there is an answer to his particular point and I have made it. But I also wished to point out that this is one of the questions that he and others like him will argue most sincerely as being a strong point in favor of their plan.

Mr. PROXMIRE. May I say that every farmer in Wisconsin, every farmer in New York, and every farmer in the country deplores the subsidy aspects of our farm program and wants to get out from under subsidy as soon as possible, hoping that it is but a temporary expedient. Also, a farmer does not consider commodity credit loans entirely as a subsidy to himself but as a way to solve a serious national problem.

I do not wish to detain the Senator. I have a few more questions. I think this is a worthy proposal although I am inclined to disagree with it at the moment.

The Senator estimates that the plan will cost about $450 million a year to the Federal Government in addition to the cost of the Kerr-Frear proposal, which I understand is $212 million, or a total of some $662 million a year additional cost to the Federal Government.

Mr. JAVITS. I do not think the Senator is correct about the cost of the Kerr-Frear proposal. It is estimated in the RECORD to be $200 million. The Senator is close enough.

Mr. PROXMIRE. I conferred with the Senator from Oklahoma. He told me it would be $142 million for the first part of his proposal and $70 million for the second part. He said that the cost to the States for his program would be approximately $71 million. The Senator from New York, I presume, assumes the cost to the State would be $450 million for his proposal. The Kerr-Frear proposal would cost the States $71 million. The Javits bill would be on top of that. So the Javits approach according to the author's estimates would be $520 million in added cost to the States. Somehow, somewhere we will need to find an additional $1,182 million of Federal and State money to pay for this Republican proposal. That means an increase of $662 million in Federal taxes and $520 million in State taxes.

I wish to state to the Senator from New York that although I have great faith in our Wisconsin Governor, who is a close friend of mine and a Democrat, and in the Wisconsin Legislature, all of whom are sympathetic to the problems of the old people, I am not so sure they can come up with an additional $10 million or $12 million for this purpose in Wisconsin.

I am sure, while this is true of Wisconsin, it is true also of many other States. I should like to ask the Senator how many States, in his judgment, would come through with a program this year and how many States would come through within the next 2 or 3 years with a program of the kind he proposes. Where would the money come from? Many of these States are in very serious trouble. The State of the Senator from New York is better off than most States, but many States are in a serious plight. Many of them would have a very difficult problem in raising the kind of money the Senator would have them try to raise under his proposal.

Mr. JAVITS. The figures for Wisconsin, upon which my estimates are based, show for the minimum package a State contribution of $7.8 million, and for the maximum package a contribution of $12.3 million.

Mr. PROXMIRE. A median of $10 million.

Mr. JAVITS. That is fairly accurate. Practically all the States have entered into the medical-care aspects of the old-age assistance program, and I believe with all sincerity that the amounts are not so large that they could not be found for so desirable a program which gives such great benefits to their people beyond the competence of the respective States.

In order to make clear the figures, I ask unanimous consent that there may be included in the RECORD at this point a chart prepared for me by the Government agencies, at my request, without any implication as to their favoring my amendment, based upon an 8¼-million participation, of the total Government cost, the Federal cost, and the State cost, based upon the minimum package and the maximum package referred to in my remarks.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

Estimated annual costs under Javits amendment to H.R. 12580 providing for medical services for the aged

	Number of participants [1]	"Minimum" package			"Maximum" package		
		Total Government cost	Federal cost	State cost	Total Government cost	Federal cost	State cost
	Thousands	*Millions*	*Millions*	*Millions*	*Millions*	*Millions*	*Millions*
United States	8,250	$671.8	$320.4	$351.4	$950.4	$462.8	$487.6
Alabama	105	7.6	5.1	2.5	12.1	8.1	4.0
Alaska	2	.2	.1	.1	.2	.1	.1
Arizona	38	3.0	1.7	1.3	4.4	2.5	1.9
Arkansas	85	5.7	3.8	1.9	9.8	6.5	3.3
California	611	60.8	22.8	38.0	70.4	26.4	44.0
Colorado	65	5.0	2.6	2.4	7.5	3.9	3.6
Connecticut	137	14.3	4.8	9.5	15.8	5.3	10.5
Delaware	20	1.8	.6	1.2	2.3	.8	1.5
District of Columbia	28	2.6	1.0	1.6	3.2	1.2	2.0
Florida	257	20.5	11.3	9.2	29.6	16.3	13.3
Georgia	113	8.2	5.3	2.9	13.0	8.3	4.7
Hawaii	17	1.4	.8	.6	2.0	1.1	.9
Idaho	32	2.7	1.6	1.1	3.7	2.2	1.5
Illinois	510	44.1	17.4	26.7	58.8	23.2	35.6
Indiana	253	19.8	9.8	10.0	29.2	14.5	14.7
Iowa	164	11.0	6.3	4.7	18.9	10.8	8.1
Kansas	116	7.7	4.3	3.4	13.4	7.5	5.9
Kentucky	141	10.9	7.2	3.7	16.2	10.7	5.5
Louisiana	61	4.2	2.6	1.6	7.0	4.4	2.6
Maine	62	4.7	2.7	2.0	7.2	4.2	3.0
Maryland	109	8.9	4.2	4.7	12.6	5.9	6.7
Massachusetts	301	29.7	17.8	16.9	34.7	15.0	19.7
Michigan	358	33.8	15.2	18.6	41.3	18.6	22.7
Minnesota	172	14.0	7.6	6.4	19.8	10.8	9.0
Mississippi	65	4.2	2.8	1.4	7.5	5.0	2.5
Missouri	228	16.2	8.4	7.8	26.3	13.6	12.7
Montana	34	$2.5	$1.3	$1.2	$3.9	$2.0	$1.9
Nebraska	80	5.4	3.1	2.3	9.2	5.3	3.9
Nevada	8	.7	.3	.4	.9	.3	.6
New Hampshire	38	3.0	1.6	1.4	4.4	2.4	2.0
New Jersey	320	26.0	10.0	16.0	36.9	14.1	22.8
New Mexico	20	1.6	1.0	.6	2.3	1.4	.9
New York	924	79.8	29.8	50.0	106.4	39.7	66.7
North Carolina	152	9.7	6.4	3.3	17.5	11.6	5.9
North Dakota	29	1.9	1.2	.7	3.3	2.1	1.2
Ohio	473	40.1	17.8	22.3	54.5	24.2	30.3
Oklahoma	94	6.4	3.8	2.6	10.8	6.5	4.3
Oregon	104	9.5	4.9	4.6	12.0	6.2	5.8
Pennsylvania	629	44.1	21.4	22.7	72.5	35.1	37.4
Rhode Island	53	5.3	2.6	2.7	6.1	3.0	3.1
South Carolina	68	3.8	2.5	1.3	7.8	5.2	2.6
South Dakota	35	2.2	1.4	.8	4.0	2.6	1.4
Tennessee	137	9.7	6.4	3.3	15.8	10.4	5.4
Texas	287	23.2	13.0	10.2	33.1	18.5	14.5
Utah	30	2.3	1.3	1.0	3.5	2.0	1.5
Vermont	23	1.9	1.1	.8	2.7	1.6	1.1
Virginia	140	9.3	5.4	3.9	16.1	9.4	6.7
Washington	143	14.2	6.7	7.5	16.5	7.8	8.7
West Virginia	94	6.3	4.0	2.3	10.8	6.8	4.0
Wisconsin	224	16.6	8.7	7.8	25.8	13.5	12.3
Wyoming	13	1.0	.5	.5	1.5	.8	.7
Puerto Rico	47	2.1	1.4	.7	5.4	3.6	1.8
Virgin Islands	1	[2]	[2]	[2]	.1	[2]	[2]

[1] Assumes 75 percent participation by the 11,000,000 persons eligible to participate in the program.

[2] Less than $50,000.

Mr. PROXMIRE. Is it not a fact that at the recent Governor's conference, in June, the Governor of Wisconsin led the successful fight to put the Governors on record, or a majority of the Governors, at least, as favoring the social security approach and disapproving the Federal-State matching approach; or if not disapproving the latter approach, at least favoring the social security approach? Is it not also a fact that the distinguished Governor of the Senator's State, Gov. Nelson Rockefeller, was one of the leaders in this fight, and that the distinguished Governor of New York very enthusiastically favors the social security approach, and has stated so many times?

Mr. JAVITS. This question was bound to come up, and we might as well answer it. It is, of course, a fact, that the Governors want to shed themselves of as much of the cost as they can. That is very understandable. They would like to use the money for other things, if they have it. So we can understand their position. We wrestle with it every day in the week. They want more money here and they want to spend less themselves.

With respect to Governor Rockefeller, he has announced his position as favoring the social security approach, with one very important exception, which is not in the Anderson substitute. Perhaps it will be some day, but it is not in the substitute now. He is in favor of the social security approach if it gives the individual subscriber the option of getting his money in cash, so that he may subscribe to a private health plan. He has made that point very clear.

I speak of it so strongly because he made it clear to me. This is an issue upon which he and I do not see eye to eye. There are very few such issues. Governor Rockefeller and I are in great agreement, certainly as great as anybody has with him. He is in favor of the social security approach, and has said so. I respect him for his views, although I may not agree with them. He has pointed out that he is only for it if it gives the subscriber or the beneficiary the cash option; otherwise, he is not in favor of it.

Mr. PROXMIRE. I understand. However, is it not true that the Governor has stated very eloquently that he is in favor of the social security approach, not merely because it would save the States money—and that may not be the most important consideration, particularly in a State like New York State, which has a sound method of raising money, and has been successful recently—but because he feels that the social security approach is the more efficient and more comprehensive and more dignified way to do it? Is that not why also a great newspaper in the Senator's home State, the New York Times, also favors that method, as does the Washington Post and so many other newspapers which are objective in their approach to the problem, and which can without any feeling of politics look at the issue and decide which makes the most sound economic sense and which provides the greatest amount of personal dignity?

Mr. JAVITS. I would not wish to characterize or give coloration to the degree of enthusiasm with which the Governor or the New York Times approaches the social security method. However, there are many newspapers which have earned great respect throughout the country which do not favor that approach, but who are violently opposed to it, and state their preference with sincerity, and say why they think they are right. Although it is an item which the Senator has the right to mention, I do not believe it is decisive in respect of the issue which is before us.

Mr. PROXMIRE. I thank the Senator from New York. Once again I would say that his bill has a great deal of merit, and of course, as always, he has presented masterful arguments in favor of it. I am not persuaded. However, I enjoy listening to his touching arguments.

Mr. JAVITS. I am grateful to the Senator from Wisconsin. There is nothing which brings out a case better than questions. He is very able. He and I have debated this question on television. I have enjoyed our debates very much. His performance here is well worthy of him.

I should like to proceed now to a conclusion of my remarks, very briefly.

I had in mind pointing out what I am sure others will point out; namely, the reason why this subject has become a great problem and a great issue in this country.

Since 1957, medical care costs have gone up more than 20 percent. When we remember what our older citizens must pay for medical care with what they earn, we can understand why this is burgeoning not only as a political problem, but also as an economic and social problem.

Our older citizens, according to a 1957–58 study, spent, on the average, $177 a year for health and medical expenses, compared with $84 spent on the average by the rest of the population.

However, 16 percent of the older citizens had to spend as much as $500 a year for their health care. We must remember, also, and must take into account the fact—and I am deeply convinced of this—that our older citizens are not getting the medical care they ought to be getting. They ought to be spending more than the already high amounts. However, these higher expenses come at a time when the earning power of the men and women in this group has declined so sharply that 60 percent, or 9.6 million, in this group have less than a thousand dollars a year to live on, while 80 percent, or 12.8 million, have incomes of $2,000 a year or less.

It seems to me that under these circumstances we are bound to do something about this situation.

Before I conclude I should like to make one further point, which is so important to this whole debate, and that is this:

What is the program which is proportioned to what our older citizens need? Why is it 60 days in the hospital, and not 30 days? Why is it 180 days, and not 365 days? What do the older citizens really need?

In that respect I point to a U.S. National Health survey entitled "Hospitalization—Patients Discharged From Short Stay Hospitals," published in June 1958. It shows why the program which I am proposing with my cosponsors is so valuable and so clearly proportioned to the need. It shows that less than 10 percent of the 16 million aged citizens who are hospitalized—9.8 percent to be exact—actually need to stay more than 31 days per year in the hospital. Ninety percent do not require long hospital stays. U.S. Government statistics show that the average hospital stay of this latter group is 14 days, with the general average stay being 21 days.

Mr. President, this shows that a program like ours which is adjusted to preventive care, meeting a range between 21 days at a minimum, and 45 days at a maximum, in a hospital, without any precost of coinsurance, or anything else, is exactly what the people need. The great bulk of the people do not really need anything else. Therefore, why have an enormous mountain of effort, so far as they are concerned, for the hospitalization which is represented by the Anderson amendment, when 95 percent of them do not really need it?

Mr. President, let us remember that more than 127 million Americans are now under some kind of medical care insurance program. These programs may provide only limited coverage, but they help to cover some part of the health care expense. When I speak, as I do, about the psychological departure which is involved in the social security system, I have in mind the distortions, the material impairment—which should not even be taken into account by anything we do, or seriously strained or taxed by anything we do—in this enormous system which, in a typical American way, the American people have built up to help themselves.

The plan which I have proposed conforms best, because it continues to leave a very large area for private capacities which are represented by all the medical plans.

I should like to emphasize that the Anderson plan starts to provide benefits at age 68, or when a person is 3 years older than under the plan which the Senate is now considering.

I conclude on this note: Let us not overlook the fact that with the enactment of a major health care bill by Congress, an enormous burden will be placed on the Nation's medical resources and personnel, no matter what safeguards are included against overutilization. Nothing would be more tragic than to compel old folks to go on a long waiting list to enter a hospital already subject to overcrowding. We help to lighten that burden by enabling our older citizens, under my amendment, to get preventive care before they fall seriously ill, as the bill which I sponsor provides. Proposals centered around hospitalization concentrate that burden in many places to the breaking point.

I hope very much that the fundamental principles which I have advocated

will be incorporated in any health care insurance legislation adopted by Congress. These are the basic principles I urge most strongly: Emphasis on preventive care, voluntary participation for all over 65, with the preservation of the doctor-patient relationship; State plans with Federal matching so that we can build on existing facilities; and payment out of general revenues.

Mr. President, I hope the Senate will pass a bill which will go further than the one so ably presented by the Senator from Oklahoma [Mr. KERR] and the Senator from Delaware [Mr. FREAR], which confines itself essentially to medical indigents, and which, I think, is acceptable to all, certainly to myself and my cosponsors.

All our older citizens of modest income should have full consideration from us in their older years, when they need help to meet their medical expenses, and they are entitled to it by their service in the life of our country.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks a table showing the percentage of participation under my amendment by the various States with the Federal Government. I have previously secured unanimous consent to have printed in the RECORD a chart analyzing the cost of the minimum-maximum package.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Federal matching percentages under Javits amendment to H.R. 12580 providing for medical services for the aged

Alabama	66.7
Alaska	50.0
Arizona	57.1
Arkansas	66.7
California	37.5
Colorado	51.7
Connecticut	33.3
Delaware	33.3
District of Columbia	37.8
Florida	55.1
Georgia	64.2
Hawaii	54.4
Idaho	59.4
Illinois	39.5
Indiana	49.7
Iowa	57.1
Kansas	55.7
Kentucky	66.0
Louisiana	62.6
Maine	58.3
Maryland	46.8
Massachusetts	43.1
Michigan	45.0
Minnesota	54.5
Mississippi	66.7
Missouri	51.7
Montana	52.1
Nebraska	57.2
Nevada	38.9
New Hampshire	54.1
New Jersey	38.3
New Mexico	60.0
New York	37.3
North Carolina	66.4
North Dakota	64.1
Ohio	44.4
Oklahoma	59.7
Oregon	51.3
Pennsylvania	48.4
Rhode Island	49.2
South Carolina	66.7
South Dakota	64.9
Tennessee	65.8
Texas	56.1

Federal matching percentages under Javits amendment to H.R. 12580 providing for medical services for the aged—Continued

Utah	58.4
Vermont	58.7
Virginia	58.4
Washington	47.3
West Virginia	63.0
Wisconsin	52.4
Wyoming	50.5
Puerto Rico	66.7
Virgin Islands	66.7

Mr. JAVITS. Mr. President, I ask unanimous consent that my amendment may be printed as a part of my remarks.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

At the end of the bill insert the following:

"SEC. 801. The Social Security Act is further amended by adding at the end thereof the following new title:

"'TITLE XVI.—MEDICAL BENEFITS FOR THE AGED

"'*Appropriation*

"'SEC. 1601. For the purpose of assisting the States to improve the health care of aged individuals of low incomes by enabling them to secure, at cost reasonably related to their incomes, protection either against the expenses of preventive and diagnostic services and short-term illness treatment or against long-term illness expenses, there are hereby authorized to be appropriated for each fiscal year such sums as the Congress may determine. The sums made available under this section shall be used for making payments to States with State plans submitted by them and approved under this title.

"'*State plans*

"'SEC. 1602. The Secretary shall approve a State plan under this title which—

"'(a) provides for establishment or designation of a single State agency to administer or supervise the administration of the State plan;

"'(b) provides that each eligible individual (as defined in section 1605(a)) who applies therefor (and only such an individual) shall be furnished whichever of the following he may elect:

"'(1) preventive and diagnostic and short-term illness benefits, which, for purposes of this title, shall consist of payment on behalf of an eligible individual of the cost incurred by him for the following medical services rendered to him to the extent determined by the attending physician to be medically necessary (but subject to the limitations in section 1606)—

"'(A) inpatient hospital services for not to exceed twenty-one days in any enrollment year, except that at the request of the individual, days of skilled nursing-home services may be substituted for any or all of such days of inpatient hospital services at the rate of three days of skilled nursing-home care for one day of inpatient hospital services;

"'(B) physicians' services furnished outside of a hospital or skilled nursing home, on not more than twelve days during any enrollment year;

"'(C) ambulatory diagnostic laboratory and X-ray services furnished outside of a hospital or skilled nursing home to the extent the cost thereof is not in excess of $100 in any enrollment year;

"'(D) organized home health care services for not more than twenty-four days in any enrollment year; and

"'(E) such other medical services as the State may elect (subject to the limitations in classes (E), (vi), and (vii) of paragraph (2) and to the limitations in section 1608); or

"'(2) long-term illness benefits, which, for purposes of this title, shall consist of payment on behalf of an eligible individual of 80 per centum of the cost above the deductible amount incurred by him for the following services (hereinafter in this title referred to as "medical services") rendered to him to the extent determined by the attending physician to be medically necessary (but subject to the limitations in section 1606)—

"'(A) inpatient hospital services for not to exceed one hundred and twenty days in any enrollment year;

"'(B) surgical services provided to inpatient in a hospital;

"'(C) skilled nursing-home services;

"'(D) organized home health care services;

"'(E) such of the following services as the State may elect (subject to the limitations in section 1608)—

"'(i) physicians' services;

"'(ii) outpatient hospital services;

"'(iii) private duty nursing services;

"'(iv) physical restorative services;

"'(v) dental treatment;

"'(vi) laboratory and X-ray services to the extent the cost thereof is not in excess of $200 in any enrollment year;

"'(vii) prescribed drugs to the extent the cost thereof is not in excess of $350 in any enrollment year; and

"'(viii) inpatient hospital services in excess of one hundred and twenty days in any enrollment year; or

"'(3) private insurance benefits, which, for purposes of this title, shall consist of payment on behalf of such individual of one-half of the premiums of a private health insurance policy for him up to a maximum payment for any year of $60;

"'(c) provides for granting an opportunity for a fair hearing before the State agency to any individual whose claim for benefits under the plan has been denied;

"'(d) provides for payment of enrollment fees, payable annually or more frequently, as the State may determine, by eligible individuals applying for long-term illness benefits or diagnostic and short-term illness benefits under the plan, the amounts of such fees to be determined by a schedule established by the State and approved by the Secretary as providing fees the lowest of which is equal to not less than 10 per centum of the per capita cost for the enrollment year involved of the benefits provided, the remainder of which vary in relation to the income (as defined in section 1605(b)) of the individuals;

"'(e) include provision for increases in enrollment fees, approved by the Secretary for individuals who for the enrollment year involved, would not be eligible individuals but for the provisions of section 1605(a)(2);

"'(f) includes such methods of administration as are found by the Secretary to be necessary for the proper and efficient operation of the plan, including—

"'(1) methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods;

"'(2) methods to assure that the applications of all individuals applying for benefits under the plan will be acted upon with reasonable promptness;

"'(3) methods relating to collection of enrollment fees for long-term illness benefits or diagnostic and short-term illness benefits under the plan, except that the State may not utilize the services of any nonpublic agency or organization in the collection of such fees, and

"'(4) methods for determining—

"'(A) rates of payment for institutional services, and

"'(B) schedules of fees or rates of payment for other medical services,

for which expenditures are made under the plan;

"'(g) sets forth criteria, not inconsistent with the provisions of this title, for approval by the State agency, for purposes of the plan, of private health insurance policies;

"'(h) provides that no benefits will be furnished any individual under the plan with respect to any period with respect to which he is receiving old-age assistance under the State plan approved under section 2, aid to dependent children under the State plan approved under section 402, aid to the blind under the State plan approved under section 1002, or aid to the permanently and totally disabled under the State plan approved under section 1402 (and for purposes of this paragraph an individual shall not be deemed to have received such assistance or aid with respect to any month unless he received such assistance or aid in the form of money payments for such month, or in the form of medical or any other type of remedial care in such month (without regard to whom the expenditures in the form of such care were made));

"'(i) provides safeguards which restrict the use or disclosure of information concerning applicants for and recipients of benefits under the plan to purposes directly connected with the administration of the plan;

"'(j) includes (1) provisions, conforming to regulations of the Secretary, with respect to the time within which individuals desiring benefits under the plan may elect for any enrollment year between the types of benefits available under the plan and may apply for the benefits so elected for such year and (2) to the extent required by regulations of the Secretary, provisions, conforming to such regulations, with respect to the furnishing of benefits described in paragraph (1) or (2) of subsection (b) to eligible individuals during temporary absences from the State;

"'(k) provides for establishment or designation of a State authority or authorities which shall be responsible for establishing and maintaining standards for any persons, institutions, and agencies providing medical services for which expenditures are made under the plan; and

"'(l) provides that the State agency will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as the Secretary may from time to time find necessary to assure the correctness and verification of such reports. Notwithstanding the preceding provisions of this section, the Secretary shall not approve any State plan under this title unless the State has established to his satisfaction that the medical or any other type of remedial care, together with the amounts, if any, included in old-age assistance in the form of money payments on account of their medical needs, for recipients of old-age assistance under the State plan approved under title I will be at least as great in amount, duration, and scope as the diagnostic and short-term illness benefits included under the State plan under this title.

"'(m) makes provision (1) authorizing employees' pension or welfare funds to contribute to the payment of enrollment fees under the plan for or on behalf of eligible members or beneficiaries of such funds, (2) authorizing employers (including the State or any political subdivision thereof when acting as an employer) to contribute to the payment of their employees' enrollment fees under the plan, and (3) permitting any employee, or member or beneficiary of an employees' pension or welfare fund, to authorize his employer (including the State or any political subdivision thereof when acting as an employer) or trustee or other governing body of such fund to deduct from his wages or from such fund, as the case may be, an amount equal to his enrollment fees under the plan and to pay the same to the State agency administering the plan;

"'Payments

"'SEC. 1603. (a) From the sums appropriated therefor, each State which has a plan approved under section 1602 shall be entitled to receive, for each calendar quarter, beginning with the quarter commencing July 1, 1961, an amount equal to (1) the Federal share for such State of the total amounts expended during such quarter by the State under the plan as long-term illness, diagnostic and short-term illness, or private insurance benefits, plus (2) one-half of the total of the sums expended during such quarter as found necessary by the Secretary for the proper and efficient administration of the State plan.

"'(b) Payment of the amounts due a State under subsection (a) shall be made in advance thereof on the basis of estimates made by the Secretary, with such adjustments as may be necessary on account of overpayments or underpayments during prior quarters; and such payments may be made in such installments as the Secretary may determine. Adjustments under the preceding sentence shall include decreases in estimates equal to the pro rata share to which the United States is equitably entitled, as determined by the Secretary, of the net amount recovered by the State or any political subdivision thereof, with respect to benefits furnished under the State plan, whether as the result of being subrogated to the rights of the recipient of the benefits against another person, or as the result of recovery by the recipient from such other person, or because such benefits were incorrectly furnished, or for any other reason.

"'(c) For purposes of subsection (a), (1) expenditures under a State plan in any calendar year shall be included only to the extent they exceed the amount of the enrollment fees collected in such year under the State plan, and (2) expenditures under a State plan for preventive diagnostic and short-term illness benefits or for long-term illness benefits in excess of $128 multiplied by the number of individuals enrolled for benefits under such plan in such year shall not be counted.

"'Operation of State plans

"'SEC. 1604. If the Secretary, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of any State plan which has been approved under section 1602, finds—

"'(1) that the plan has been so changed that it no longer complies with the provisions of section 1602; or

"'(2) that in the administration of the plan there is a failure to comply substantially with any such provision; the Secretary shall notify such State agency that further payments will not be made to the State (or, in his discretion, that payments will be limited to parts of the State plan not affected by such failure) until the Secretary is satisfied that there is no longer any such noncompliance. Until he is so satisfied, no further payments shall be made to such State (or payments shall be limited to parts of the State plan not affected by such failure).

"'Eligible individuals

"'SEC. 1605. (a) For the purposes of this title, the term "eligible individual" means, with respect to any enrollment year for any individual, an individual who—

"'(1)(A) is 65 years of age or over,

"'(B) resides in the State at the beginning of such year, and

"'(C) meets, with respect to such year, the income requirements of subsection (b); or

"'(2)(A) resides in the State at the beginning of such year, (B) was an eligible individual for the preceding enrollment year, and (C) paid enrollment fees under the plan for the preceding enrollment year or had a private health insurance policy and the State made payments under the State plan toward the cost of the premiums of the policy during such year.

"'(b) For the purposes of this title, the income requirements of this subsection are met by any individual with respect to any enrollment year if, for his last taxable year (for purposes of the Federal income tax) ending before the beginning of such enrollment year—

"'(1) he did not pay any income tax, or

"'(2)(A) his income did not exceed $3,000 in the case of an individual who, at the beginning of such enrollment year, was unmarried or was not living with his spouse, or

"'(B) the combined income of such individual and his spouse did not exceed $4,500 in the case of an individual who, at the beginning of such enrollment year, was married and living with his spouse.

"'(c) The term 'income' as used in subsection (b) means the amount by which the gross income (within the meaning of the Internal Revenue Code of 1954) exceeds the deductions allowable in determining adjusted gross income under section 62 of such Code; except that the following items shall be included (as items of gross income):

"'(1) Monthly insurance benefits under title II of this Act,

"'(2) Monthly benefits under the Railroad Retirement Acts of 1935 and 1937, and

"'(3) Veterans' pensions.

Determinations under this section shall be made (in the manner prescribed by the Secretary by regulations) by or under the supervision of the State agency administering or supervising the administration of the plan approved under section 1602.

"'Benefits

"'SEC. 1606. Subject to regulations of the Secretary—

"'Medical services

"'(a)(1) Except as provided in paragraph (2), the term "medical services" means the following to the extent determined by the physician to be medically necessary:

"'(A) inpatient hospital services;

"'(B) skilled nursing-home services;

"'(C) physicians' services;

"'(D) outpatient hospital services;

"'(E) organized home care services;

"'(F) private duty nursing services;

"'(G) therapeutic services;

"'(H) major dental treatment;

"'(I) laboratory and X-ray services; and

"'(J) prescribed drugs.

"'(2) The term "medical services" does not include—

"'(A) services for any individual who is an inmate of a public institution (except as a patient in a medical institution) or any individual who is a patient in an institution for tuberculosis or mental diseases; or

"'(B) services for any individual who is a patient in a medical institution as a result of a diagnosis of tuberculosis or psychosis, with respect to any period after the individual has been a patient in such an institution, as a result of such diagnosis, for forty-two days.

"'Inpatient hospital services

"'(b) The term "inpatient hospital services" means the following items furnished to an inpatient by a hospital:

"'(1) Bed and board (at a rate not in excess of the rate for semiprivate accommodations);

"'(2) Physicians' services; and

"'(3) Nursing services, interns' services, laboratory and X-ray services, ambulance service, and other services, drugs, and appliances related to his care and treatment (whether furnished directly by the hospital or, by arrangement, through other persons),

"'Surgical services

"'(c) the term "surgical services" means surgical procedures provided to an inpatient in a hospital other than those included in the term "inpatient hospital services", including oral surgery, and surgical procedures provided in an emergency in a doctor's office or by a hospital to an outpatient.

"'Skilled nursing-home services

"'(d) the terms "skilled nursing-home services" means the following items furnished to an inpatient in a nursing home:

"'(1) Skilled nursing care provided by a registered professional nurse or a licensed practical nurse which is prescribed by, or performed under the general direction of, a physician;

"'(2) Such medical supervisory services and other services related to such skilled nursing care as are generally provided in nursing homes providing such skilled nursing care; and

"'(3) Bed and board in connection with the furnishing of such skilled nursing care.

"'Physicians' services

"'(e) the term "physicians' services" means services provided in the exercise of his profession in any State by a physician licensed in such State; and the term "physician" includes a physician within the meaning of section 1101(a)(7).

"'Outpatient hospital services

"'(f) the term "outpatient hospital services" means medical and surgical care furnished by a hospital to an individual as an outpatient.

"'Organized home health care services

"'(g) the term "organized home health care services" means (1) visiting nurse services and physicians' services, and services related thereto, which are prescribed by a physician and are provided in a home through a public or private nonprofit agency operated in accordance with medical policies established by one or more physicians (who are responsible for supervising the execution of such policies) to govern such services; and (2) homemaker services of a nonmedical nature which are prescribed by a physician and are provided, through a public or private nonprofit agency, in the home to a person who is in need of and in receipt of other medical services.

"'Private duty nursing services

"'(h) the term "private duty nursing services" means nursing care provided in the home by a registered professional nurse or licensed practical nurse, under the general direction of a physician, to a patient requiring nursing care on a full-time basis, or provided by such a nurse under such direction to a patient in a hospital who requires nursing care on a full-time basis.

"'Physical restorative services

"'(i) the term "physical restorative services" means services prescribed by a physician for the treatment of disease or injury by physical nonmedical means, including retraining for the loss of speech.

"'Dental treatment

"'(j) the term "dental treatment" means services provided by a dentist, in the exercise of his profession, with respect to a condition of an individual's teeth, oral cavity, or associated parts which has affected, or may affect, his general health. As used in the preceding sentence, the term "dentist" means a person licensed to practice dentistry or dental surgery in the State where the services are provided.

"'Laboratory and X-ray services

"'(k) the term "laboratory and X-ray services" includes only such services prescribed by a physician.

"'Prescribed drugs

"'(l) the term "prescribed drugs" means medicines which are prescribed by a physician.

"'Hospital

"'(m) the term "hospital" means a hospital (other than a mental or tuberculosis hospital) which is (1) a Federal hospital, (2) licensed as a hospital by the State in which it is located, or (3) in the case of a State hospital, approved by the licensing agency of the State.

"'Nursing home

"'(n) the term "nursing home" means a nursing home which is licensed as such by the State in which it is located, and which (1) is operated in connection with a hospital or (2) has medical policies established by one or more physicians (who are responsible for supervising the execution of such policies) to govern the skilled nursing care and related medical care and other services which it provides.

"'Miscellaneous definitions

"'SEC. 1607. For purposes of this title—

"'Federal Share

"'(a)(1) The "Federal share" with respect to any State means 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the United States, except that (A) the Federal share shall in no case be less than 33⅓ per centum nor more than 66⅔ per centum, and (B) the Federal share with respect to Puerto Rico, the Virgin Islands, and Guam shall be 66⅔ per centum.

"'(2) The Federal share for each State shall be promulgated by the Secretary between July 1 and August 31 of each even-numbered year, on the basis of the average per capita income of each State and of the United States for the three most recent calendar years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for each of the eight quarters in the period beginning July 1 next succeeding such promulgations.

"'(3) As used in paragraphs (1) and (2), the term "United States" means the fifty States and the District of Columbia.

"'Deductible Amount

"'(b) The "deductible amount" for any individual for any enrollment year means an amount equal to $250 of expenses for medical services (determined without regard to the limitations in clauses (A) or (E) (vi) or (vii) of section 1602(a)(2) which are included in the State plan and are incurred in such year by or on behalf of such individual, whether he is married or single, except that, in the case of an individual who is married and living with his spouse at the beginning of his enrollment year, it shall be an amount equal to $400 of expenses for medical services (so determined) incurred in such year by or on behalf of such individual or his spouse for the care or treatment of either of them, but only if application of such $400 amount with respect to such individual and his spouse would result in payment under the plan of a larger share of the cost of their medical services incurred in such year. Subject to the limitations in section 1608, the $250 amount referred to in the preceding sentence may be reduced for any State if such State so elects; and in case of such an election the $400 amount referred to in such sentence shall be proportionately reduced.

"'Enrollment Year

"'(c) The term "enrollment year" means, with respect to any individual, a period of 12 consecutive months as designated by the State agency for the purposes of this title in accordance with regulations prescribed by the Secretary. Subject to regulations prescribed by the Secretary, the State plan may permit the extension of an enrollment year in order to avoid hardship.

"'Private Health Insurance Policy

"'(d) The term "private health insurance policy" means, with respect to any State, a policy, offered by a private insurance organization licensed to do business in the State, which is approved by the State agency (administering or supervising the administration of the plan approved under section 1602), which is noncancelable except at the request of the insured individual or for failure to pay the premiums when due and which is available to all eligible individuals in the State.

"'Cost

"'(e) The per capita cost of long-term illness benefits or diagnostic and short-term illness benefits for any year or other period shall be determined by the State, in accordance with regulations of the Secretary, on the basis of estimates and such other data as may be permitted in such regulations.

"'Election of medical services to be provided by State

"'SEC. 1608. Any election by a State pursuant to the provisions of clause (E) of paragraph (1) or the provisions of paragraph (2) of section 1602(b) or of the second sentence of section 1602(b) shall be valid for purposes of this title for any enrollment year or other period determined by the Secretary only if an election is also made by the State under the other of such provisions so that, in the judgment of the Secretary, the per capita cost of benefits under paragraph (1) of section 1602(b) and the per capita cost of benefits under paragraph (2) of such section for such period after such elections bear the same relationship to each other as the per capita cost of benefits under each such paragraph for such period without such elections bear to each other.

"'Advisory Council on Health Insurance

"'SEC. 1609. (a) There shall be in the Department of Health, Education, and Welfare an Advisory Council on Medical Benefits for the Aged (hereinafter referred to as the "Council") to advise the Secretary on matters relating to the general policies and administration of this title. The Secretary shall secure the advice of the Council before prescribing regulations under this title.

"'(b) The Council shall consist of the Surgeon General of the Public Health Service and the Commissioner of Social Security, who shall be ex officio members (and one of whom shall from time to time be designated by the Secretary to serve as chairman), and twelve other persons, not otherwise in the employ of the United States, appointed by the Secretary without regard to the civil-service laws. Four of the appointed members shall be selected from among representatives of various State or local government agencies concerned with the provision of health care or insurance against the costs thereof, four from among nongovernmental persons who are concerned with the provision of such care or with such insurance, and four from the general public, including consumers of health care.

"'(c) Each member appointed by the Secretary shall hold office for a term of 4 years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of the members first taking office shall expire as follows: four shall expire 2 years after the date of the enactment of this title, four shall expire 4 years after such date, and four shall expire 6 years after such

date, as designated by the Secretary at the time of the appointment. None of the appointed members shall be eligible for reappointment within 1 year after the end of his preceding term.

"'(d) Appointed members of the Council, while attending meetings or conferences of the Council, shall receive compensation at a rate fixed by the Secretary but not exceeding $50 a day, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"'Savings provision

"'SEC. 1610. Nothing in this title shall modify obligations assumed by the Federal Government under other laws for the hospital and medical care of veterans or other presently authorized recipients of hospital and medical care under Federal programs.'

"Planning grants to States

"SEC. 802. (a) For the purpose of assisting the States to make plans and initiate administrative arrangements preparatory to participation in the Federal-State program of medical benefits for the aged authorized by title XVI of the Social Security Act, there are hereby authorized to be appropriated for making grants to the States such sums as the Congress may determine.

"(b) A grant under this section to any State shall be made only upon application therefor which is submitted by a State agency designated by the State to carry out the purpose of this section and is approved by the Secretary. No such grant for any State may exceed 50 per centum of the cost of carrying out such purpose in accordance with such application.

"(c) Payment of any grant under this section may be made in advance or by way of reimbursement, and in such installments, as the Secretary may determine. The aggregate amount paid to any State under this section shall not exceed $50,000.

"(d) Appropriations pursuant to this section shall remain available for grants under this section only until the close of June 30, 1962; and any part of such a grant which has been paid to a State prior to the close of June 30, 1962, but has not been used or obligated by such State for carrying out the purpose of this section prior to the close of such date, shall be returned to the United States.

"(e) As used in this section, the term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam.

"Technical amendment

"SEC. 803. Effective July 1, 1961, section 1101(a)(1) of the Social Security Act (as amended by section 541 of this Act) is amended by striking out 'and XIV' and inserting in lieu thereof 'XIV, and XVI'."

GOVERNOR MEYNER EXPOSES FUTILITY OF BOMB SHELTER PROGRAM

Mr. YOUNG of Ohio. Mr. President, for years the overpaid bureaucrats of the Office of Civil and Defense Mobilization have tried to sell the American people the idea that it is better, in this nuclear age, to be a mole than a man.

They would have Americans burrow underground into a network of caves called bomb shelters, complete with bookshelves filled with the latest civil defense manuals.

They would have us believe that this form of subterranean suburbia is an adequate defense of our population in event of nuclear war.

In their clamor to peddle this program—which would cost taxpayers anywhere from $25 billion to $100 billion—the boondogglers of this useful civil defense agency have the enthusiastic support of the Governor of New York, to whom such staggering sums no doubt appear less awesome than to the average American.

Mr. President, an excellent rebuttal to this "caveman complex" is contained in an article written for the September issue of Coronet magazine by the great Governor of the State of New Jersey, Robert B. Meyner.

This outstanding public servant fully comprehends the absurdity of burrowing underground and understands that there can be no escape from the horrors of all-out nuclear warfare. He says of these so-called bomb shelters:

> In any large metropolitan area a nuclear attack would turn these primordial caves into nothing but mass burial vaults. Under certain circumstances, some lives might be saved by such shelters: if the attack were a weak one; if there were adequate warning; if necessary services and facilities remained in operation after the attack, and if the shelter were not buried and sealed beneath mountains of rubble.

Governor Meyner goes on to point out that eminent experts feel these favorable circumstances are not likely to occur; and he states:

> The probability is that damage would be swift, extensive, sustained. It is the cruelest deception to create the impression that shelters are an adequate defense.

Mr. President, in an age when nuclear missiles can strike with less than 15 minutes' warning, when horror can be rained on all points of a Nation simultaneously, when the power of weapons has reached tremendously destructive capacity it is futile and even cruel to try to deceive the American people into thinking that all they have to do to survive is live like moles in so-called civil defense shelters.

The concept of a shelter program, as Governor Meyner stresses, is "predicated on the assumption that an enemy attack would be a relatively puny one."

He continues with the irrefutable factual statement:

> The superbombs now in the stockpiles of the United States and Soviet Union make it possible that even a moderate sized attack would be roughly 1,500 times the total destructive power that was released by all the conventional bombs dropped during World War II.

Of course, no one seriously believes that an enemy would stop at one attack. It is more reasonable to assume that any nuclear war would involve a series of attacks of unprecedented ferocity and devastation.

Such devastation would unquestionably render so-called bomb shelters utterly useless as protection for our population.

Mr. President, my view is that the American people are not fooled by the propaganda handed out and spoken over the radio by highly paid officials of the Office of Civil and Defense Mobilization who are feeding at the public trough and rendering no useful service whatever. Instead, they are very properly in revolt against the waste of millions of dollars by the defeated politicians who have found a haven in the Office of Civil and Defense Mobilization.

They have grown weary of hysterical alarms, screaming sirens, and foolish practice alerts.

They have made it plain that they will not be taken in by false promises of subsurface survival.

I have no doubt, Mr. President, that the American people wholeheartedly subscribe to these words of Governor Meyner:

> There is only one way to assure survival of 180 million Americans. We must have peace—and to achieve it, we must intensify the battle for control of nuclear weapons by an international agency.

Indeed, Mr. President, peace, not underground caves, is the only shelter against nuclear war.

Instead of wasting time talking about billions of dollars for a network of shelters, we should be talking seriously and constantly about proposals which will lead to disarmament and make permanent peace more readily attainable.

PUBLIC ENTITLED TO SEE AND HEAR PRESIDENTIAL CANDIDATES

Mr. YOUNG OF OHIO. Mr. President, late yesterday, at a time when I was not in the Senate Chamber, the junior Senator from Pennsylvania [Mr. SCOTT] said in presenting an alibi for Vice President NIXON's campaigning in Portland, Maine, and elsewhere while the Senate is in session, instead of presiding:

> The rather juvenile stopwatch technique * * * designed solely to try to cloud and conceal the facts.

Mr. President, let us look to the RECORD. The junior Senator from Pennsylvania has been complaining as if his heart were bleeding regarding the alleged failure of the junior Senator from Massachusetts [Mr. KENNEDY] to be in constant attendance to answer roll calls. This, during a period of months when Americans knew that the junior Senator from Massachusetts was waging a hard contest in Presidential preference primaries in various States.

It is a fact, Mr. President, that no Senator can stand in this Chamber after reading the Constitution of our country and truthfully assert that the junior Senator from Massachusetts or any Senator has a greater obligation than does the Vice President to be here while the Senate is in session.

It is my hope and belief that the junior Senator from Massachusetts will never for a moment be coerced by petty needling, from making appearances throughout the country at this time and throughout the next few weeks while the Senate is in session.

The CONGRESSIONAL RECORD on page 16474 shows I stated the following:

> I choose at this moment to refrain from any further comment except to state that

article I, section 3 of the Constitution of the United States provides that the Vice President "shall be President of the Senate but shall have no vote, unless they be equally divided."

Of course, the Standing Rules of the Senate also repeat this provision, giving to the Vice President the duty and responsibility of presiding over the Senate. Mr. President, in reading the Constitution of our country, there is very little that is stated there regarding the duties of the Vice President other than to preside over the Senate and to cast a vote in event of a tie.

I make no comment over the fact that the honor and responsibility of presiding over the Senate have been relinquished by the Vice President and that his duties and responsibilities, as stated in the Constitution, were carried on by Senators.

Then, Mr. President, so there could be no misunderstanding, I stated, and I now restate:

Mr. President, the people of the United States have great intelligence and commonsense and excellent judgments. They know that these two distinguished and outstanding Americans, the distinguished junior Senator from Massachusetts, and the Vice President—I refer to JOHN F. KENNEDY and RICHARD NIXON—who are candidates of their respective parties for the Presidency of the United States. The people know and they appreciate that both of those leaders have a lot of territory to cover and a great deal to say between now and November 8. The people of the United States want to see them and they want to hear them.

So I simply feel, Mr. President, in making these brief remarks, that what is sauce for the goose is sauce for the gander.

Finally, Mr. President, let me say that my blood pressure does not rise when the junior Senator from Pennsylvania accuses me of resorting to "juvenile techniques"; but I resent his statement of yesterday that I was trying to "cloud and conceal" any fact. I repudiate that assertion; it is simply not the truth.

Let me add that this statement by him was in line with his statements of Wednesday, August 17, which I considered unfair and uncalled for, and which the junior Senator from Massachusetts [Mr. KENNEDY] and the junior Senator from Arkansas [Mr. FULBRIGHT], the chairman of the Senate Committee on Foreign Relations, ably and completely refuted.

Having imbedded this fly in the liquid amber of my remarks, may I propound a parliamentary inquiry to the distinguished and learned Senator from Georgia [Mr. TALMADGE], who is now presiding in the absence of the Vice President. Naturally, Mr. President, I would under no circumstances, say anything in violation of the rules of the Senate.

Would it be a violation of the rules of the Senate if I were to assert at this time that when the junior Senator from Pennsylvania [Mr. SCOTT] stated, late yesterday, that I indulged in a "rather juvenile stopwatch technique designed solely to try to cloud and conceal the facts," the junior Senator from Pennsylvania not only made an untruthful assertion assailing the motives of the junior Senator from Ohio, but also resorted to unfair, unseemly, and unjustified tactics in making such statement?

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Under rule XIX, clause 4, so the Parliamentarian advises the Chair, the Senator from Ohio would be in order, unless some other Senator called the Senator from Ohio to order. Any Member of the Senate could, of his own volition, call the Senator from Ohio to order; and at that point the Senator from Ohio would be required to take his seat, unless the Senate on motion authorized him to proceed in order with his remarks.

Mr. YOUNG of Ohio. I thank the Chair.

It happens that I was not notified that on yesterday the junior Senator from Pennsylvania was going to say anything which did, in my opinion, question and assail my motives. Therefore, at that time I was not in the Chamber.

Mr. KEATING. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS—ABSENCE OF SENATORS

Mr. WILLIAMS of Delaware. Mr. President, the Senator from New York [Mr. KEATING] has agreed to have the quorum call withdrawn, recognizing the fact that most of the Members on the other side of the aisle are out of town, and it would therefore be impossible to get a quorum. In the absence of a quorum we would be forced to recess or adjourn.

It does seem strange that, when in the interest of getting our legislative program completed in this short session and when we have a Saturday session, yet so many Members of the majority party of the Senate are gone and we cannot transact business. I refer particularly to some of those who while campaigning are expressing the most interest in this bill. Had my friend from New York insisted on a quorum, the presidential candidate from the other side of the aisle would be recorded as absent and I know he would not want that to happen, nor would he want the RECORD to show the unusually large absenteeism of the majority party.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. KEATING. I appreciate my colleague's yielding to me. I thought it might be desirable to have a quorum present to listen to the words of our distinguished friend from Michigan. I understand our distinguished friend from New Mexico follows him. Both of them have studied very much the problem which is before us.

It was represented to me that it would not be possible to obtain a quorum without a great deal of effort. As the Senator from Delaware has pointed out, the distinguished junior Senator from Massachusetts is not present.

There has been a great deal of talk about this. I happen to have personal knowledge that the Vice President has stayed in town this weekend, thinking there might be some issue upon which there might be a tie vote which he would be required to break. He has declined two or three speaking engagements of great importance outside of Washington in order to be here.

I certainly do not desire in any way to disrupt the proceedings of the Senate. That is the reason why I consented to permit the quorum call to be called off. I think the Senator from Delaware has performed a service by bringing to our attention the fact that we are present, ready to transact business. Apparently there are not enough Senators present to do so.

Mr. HARTKE. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Indiana?

Mr. WILLIAMS of Delaware. I will yield in just a minute.

I wish to express my commendation to the Senator for his cooperation in permitting the quorum call to be called off. Neither he nor I would wish to have the quorum call proceed and to have the Senate adjourn for lack of attendance. I realize the majority of the Members on our side of the aisle are present, but we do not have enough on our side of the aisle to establish a quorum. Neither of us would wish to have the RECORD show the widespread absenteeism on the other side of the aisle. The Senator from New York and I would both regret very much the necessity of a quorum showing the absenteeism of the junior Senator from Massachusetts who claims to be so interested in the pending bill.

Mr. HARTKE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Indiana.

Mr. HARTKE. Mr. President, I think in all fairness it should be pointed out that last Saturday, while we were here, the distinguished Vice President made a trip to Maine. During the week—I think it was on Thursday—the Vice President went to Greensboro, N.C., to make a visit. I think that is good; he should go ahead about his campaigning business. However, in all fairness it should be pointed out that the Vice President is not presiding at the moment. The distinguished Senator from Georgia [Mr. TALMADGE] is presiding, and doing well. I think that is all right. I do not wish to have anybody think there is any question of unfairness involved in pointing out who is absent and who is present.

Mr. WILLIAMS of Delaware. There is no question of unfairness.

I desire to invite attention to a difference in the situation. The Vice President, when he was not to be here, did not ask that the Senate stay in session but not vote until he got back. The Vice President is perfectly willing to have the Senate vote. He has been here when it was necessary to vote.

The Vice President is in town now. Much has been said of the fact that he is not presiding over the Senate this

afternoon although he was here earlier today. I think we all recognize that the office of the Vice Presidency today is much different from what it was in the past. The duties of the Vice President are such, and should be such, that they do not necessitate the Vice President sitting in the Chair to preside over the Senate and to listen to a lot of dry speeches 10 or 15 hours every day. That is a waste of good manpower.

Now that this subject has been brought up, considering the fact that there is so much criticism of the Vice President's not continually presiding over the Senate, I certainly hope it does not mean that in the event our friends on the other side of the aisle are successful in the coming election next year they are going to downgrade the position of the Vice-Presidency to one of merely presiding over the Senate.

Mr. HARTKE. Mr. President——

Mr. WILLIAMS of Delaware. I believe the junior Senator from Massachusetts would be the first to repudiate that thought. I am confident our majority leader would certainly reject it also. A man with the ability, talent, and experience of our majority leader, if he should be elected Vice President of the United States, certainly should not have his talents wasted by his party, on the other side of the aisle, insisting that if he is the Vice President he is going to have to sit in the Presiding Officer's chair in the Senate all the time and listen to U.S. Senators make a lot of uninteresting speeches.

I think my friend from Indiana will admit that is a waste of time.

Mr. HARTKE. I will say to the Senator——

Mr. WILLIAMS of Delaware. I do not mind criticism of our own Vice President——

Mr. HARTKE. I did not know I had criticized.

Mr. WILLIAMS of Delaware. I am much concerned about this question and I hope that we can get it cleared up from the other side of the aisle. In all fairness to the majority leader whom I respect very highly—he is entitled to know to what extent his party would use his talents.

Mr. CASE of South Dakota and Mr. HARTKE addressed the chair.

The PRESIDING OFFICER. Does the Senator from Delaware yield; and, if so, to whom?

Mr. WILLIAMS of Delaware. I will yield in just a moment.

I hope that one of our leaders—either the majority leader or the junior Senator from Massachusetts—will clear up the inference that they are going to downgrade the position of the Vice-Presidency from that which it has been in the last few years.

I know that President Truman, with whom I did not always agree, did the country a great service, as he assumed the Presidency, when he elevated the importance of the position of the Vice President, with Mr. Barkley holding that office. He made use of the Vice President's great ability in a manner other than to preside over the Senate.

In my opinion it will be a waste of manpower to relegate the Vice President to such a position and to bar him from all participation in the work of the executive branch. After all, if anything should happen to the President of the United States, the Vice President must be aware of what is going on in the executive branch, so that he will be able to assume the duties of the office at any time.

I again wish to compliment President Truman on the manner in which he elevated the position of the Vice Presidency, under Mr. Barkley. I compliment also our own President, Mr. Eisenhower, for the manner in which he has gone even farther in assigning important duties to our Vice President. Those duties are far more important than those of presiding over the Senate.

I am exceedingly hopeful, regardless of who may win the next election, that the new President will use the Vice President even more in the important work of our Government.

SOCIAL SECURITY AMENDMENTS OF 1960

The Senate resumed the consideration of the bill (H.R. 12580), the social security amendments of 1960.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I had indicated I would yield first to my friend from South Dakota.

Mr. CASE of South Dakota. Mr. President, the junior Senator from South Dakota desires to make a parliamentary inquiry.

The PRESIDING OFFICER. Does the Senator from Delaware yield for that purpose?

Mr. WILLIAMS of Delaware. I yield.

The PRESIDING OFFICER. The Senator will state his parliamentary inquiry.

Mr. CASE of South Dakota. I desire to make this inquiry with the understanding that the Senator from Delaware will not lose his right to the floor.

Mr. President, my parliamentary inquiry is, Does the parliamentary situation at this time permit the Senate to proceed to a vote on any amendment?

The PRESIDING OFFICER. There is no amendment pending at the moment. The bill is open to amendment.

Mr. CASE of South Dakota. Have the committee amendments been agreed to?

The PRESIDING OFFICER. The committee amendments have been agreed to en bloc.

Mr. CASE of South Dakota. Are the committee amendments considered to be original text?

The PRESIDING OFFICER. The committee amendments have been agreed to en bloc with the understanding that the committee amendments will be treated as original text for the purpose of amendment.

Mr. CASE of South Dakota. If an amendment were to be offered at the present time, could a Senator ask for a vote on the amendment?

The PRESIDING OFFICER. The Senator could, if no Senator desired to speak further. A vote would then be in order.

Mr. CASE of South Dakota. The Senator from South Dakota has one or two amendments in mind, but does not know whether this is an auspicious time to offer them. The Senator from South Dakota would wish to have a yea-and-nay vote if he were to offer the amendments.

Mr. HARTKE. Mr. President——

The PRESIDING OFFICER. The bill is open to amendment.

Does the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I will yield in just a moment.

I understand there was a statement yesterday on the part of the majority leader that there would be no votes today, and I know we all will respect that statement of the majority leader.

However, I understand that if there are no amendments offered and if there are no speakers we could proceed to a third reading of the bill, and be ready for a final vote Monday.

The PRESIDING OFFICER. There has been no unanimous-consent agreement adopted.

Mr. WILLIAMS of Delaware. The Presiding Officer is correct.

The PRESIDING OFFICER. As the Senator knows, the bill is open to amendment. If no amendment be proposed, the bill will be ready for third reading.

Mr. ALLOTT and Mr. HARTKE addressed the Chair.

Mr. WILLIAMS of Delaware. I yield to the Senator from Colorado.

Mr. ALLOTT. I thank the Senator.

Mr. President, since the quorum call was called off, I wish to have the RECORD show that the senior Senator from Colorado was on the floor at the time of the call of the roll and is now on the floor. The senior Senator from Colorado is in Washington attending to the business of the Senate.

I have felt that this particular session of the Senate was unnecessary and that if we had gotten down to work earlier in the spring, instead of having all sorts of delaying tactics and delaying speeches on the floor, we could have had our work done long before this. Nevertheless, the majority worked its will, in spite of my vote, and we did recess until this particular time.

There are some of us who are running for office this fall. I note from the newspapers that my particular opponent is out making political speeches to the people of Colorado, which he is perfectly entitled to do, but I should like to be there in cool Colorado with my friends discussing the issues of the campaign rather than driving around or being present in the muggy heat of Washington.

So it is my hope that on this day we can make some progress. Some of us are anxious to leave. I state flatly that it is not going to be very long before this Senator is going to leave, whether the Senate is still in session or not, because I feel that I have a right to go to my home State and acquaint my constituents and friends with the issues and do such campaigning as must be done.

I thank the Senator from Delaware very much for yielding, and particularly for the opportunity to show that I was present this Saturday morning, when I had foregone an opportunity to speak at a very influential gathering in my own State today in order to be here.

Mr. WILLIAMS of Delaware. I thank the Senator from Colorado. I know that the Senator from Colorado, as well as many Senators from this side, including the Senator from Kansas [Mr. SCHOEPPEL] who is sitting here beside me, had speaking engagements back in their States, but they are in attendance today because they wished to help expedite the business of the Senate. Again I compliment and thank the Senator from New York for his cooperation, because the only manner in which the Senate can even proceed with speeches today is to have a quorum call withdrawn. Obviously there is not a quorum with so many Members of the majority party having already left town for the weekend.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. HARTKE. I point out to my good friend from Delaware that I did not mean to imply any criticism of the Vice President for not being present last Thursday or Saturday. On the contrary, I said that in all fairness his absence should be explained. I think the Vice President has very important duties, and I think among those were campaign appearances last Thursday and last Saturday, which were of a political nature, but certainly in the interest of giving the Vice President's views to the public so that the people of our country might know about his position on public matters.

In regard to the subject of voting today, I think in all fairness to Senators who are present, there should be no misunderstanding. It was the minority that practically insisted that the majority leader assure the Senate that there would be no votes today. I read from the RECORD on page 16857:

> Mr. DIRKSEN. Mr. President, I think it ought to be made definite that there will be no votes, rather than to say that no votes are anticipated. A good many Senators have already left the city; others will be leaving. I think there should be definite assurance that under no circumstances will there be a vote on any amendment tomorrow.
>
> Mr. JOHNSON of Texas. I cannot go that far, because I do not control that procedure. However, so far as the majority leader can control the procedure, there will be no votes.

This procedure was not a matter initiated by the majority leader; this was a question of trying to work out an agreeable procedure.

I should like to say one thing further, because I am going to meet a question when I arrive home. Yesterday on a rollcall I voted for two measures that were presented at the special request and insistence of the President to authorize the expenditure of $500 million for South America and $100 million for the Congo.

Senators talk about cooperation with the President. Certainly there was no effort to delay procedures in order to pass those two measures yesterday on the floor of the Senate. They were measures which under normal circumstances would call for long debate and searching questions as to what would be done with the money after it had been appropriated.

The point is that the bills were passed, and the majority of Senators on this side of the aisle, including myself, voted for the bills.

I do not mind telling the Senator that we will meet the charge from Republicans at home that we are big spenders because we have spent what the President wants us to spend. We are big spenders because we authorize money the President wants us to spend. We have held up the progress of Congress when in one day we pass two bills which the President describes as emergency measures in our international affairs.

I think it is right that when we hit the water's edge, partisan consideration should cease. So far as I am concerned, I have observed that principle, and I am sure many other Senators have also. I think other Senators in good conscience should hold the line there also.

Mr. WILLIAMS of Delaware. I thank the Senator, and I assure him that I never for one moment thought that anything he was saying about the Vice President was in any way political or critical, just as I would not want the Senator from Indiana to think that anything we are saying over on this side of the aisle is in any sense political. We all realize to what extent we are operating in the U.S. Senate during this special session in a nonpolitical atmosphere.

I compliment and thank my good friend from Indiana for his support yesterday of the President of the United States. I believe I can assure him that when he returns to his home State he will not have much difficulty in explaining to his constituents satisfactorily at any time when he has supported the President of the United States. It is only when he has not supported him may he have a little more difficulty. I hope that the spirit of cooperation in which my friend from Indiana supported the President of the United States yesterday will carry through on the bill which is now pending. If he does, I am confident that he will again be on the right track.

As to the charge that those who support the President are called big spenders, I think he is in error. It was at times when Congress tried to spend much more than the President said was necessary that Congress received criticism. On occasions, Senators on the other side of the aisle have felt the spending urge and have added to that which the President said was necessary, and such excess is what has caused the Senator's party to receive the tag of big spenders.

If you will stop trying to increase the appropriations far above the budgetary requests you will be able to drop the label of big spenders.

Some Senators have too much enthusiasm for these spending programs. If they will only control that enthusiasm next week when we vote on some of the programs that are being advocated here, I think we can all go home with the compliments of our constituents.

Mr. HARTKE. I hope the Senator from Delaware is correct. This bill is a good example of what I have been talking about. The Congress should enact a health plan based upon the social security approach with contributions from workers, and not go ahead and raid the Treasury Department, as is proposed by the administration. The administration proposal is to make a direct raid, a direct gift, and a subsidy to the people on the basis that they need medical care.

I observed as I sat in the committee a remarkable development in the fact that there does not seem to be any difference now between the approach of the administration and the approach of those of us on this side of the aisle in regard to the need for medical care. The question now is, How will the bill be paid? Frankly, we feel the bill should be paid in the real American way—on an insurance basis, by which individuals make contributions, and later receive the benefits from their payments. The administration believes that the Government should make a direct subsidy. I know my distinguished friend from Delaware, based upon his constant observation of the doctrine of avoiding subsidies to the people, will be on the side of those who feel that we should pay as we go on the social security approach. I am sorry he will have to leave the approach of the President, but I know in cases of national urgency he will feel that subsidies of this nature cannot and should not be granted.

Mr. WILLIAMS of Delaware. I thank my good friend from Indiana again. I know his remarks are expressed in all sincerity. What gives me some concern is that my friend from Indiana takes the attitude that the program which he is advocating under the social security approach will not cost the American taxpayers anything, and would cause no raid on the Treasury. Who would pay the tax to which you so lightly refer? The Senator from Indiana proposes to place the tax on the workers of America. When he speaks of raiding the Treasury, I ask him where the Treasury gets its money? From the taxpayers of America. Any program that is adopted will be a program that will be paid for by the taxpayers of America, and the only difference in approach is whether we shall vote to adopt a program which will increase the tax on the workers of America alone, or whether we shall vote a program under which the cost will be divided among all the people of America. That is the major point involved. It is a point which will be argued later, and into which I do not wish to go now, because I know my friend, the Senator from Michigan [Mr. MCNAMARA] and my friend from New Mexico [Mr. ANDERSON] wish to get on with their speeches.

With such a program such as the Senator has proposed there will be a reduction in the paycheck of every worker in America. I emphasize I have had a great respect for my friends on the other side of the aisle, but I shudder at the casual manner they use when talking about increasing taxes.

Why do you get so enthusiastic every time someone suggests raising taxes?

Surely we are not to witness the revival of that old New Deal philosophy of tax, spend, and elect. I am not unmindful of the fact that since we first put the Federal income tax law in effect, in 1913, there have been 15 tax increases, and every one of those tax increases except 2 were enacted by the Democratic Party. It is this free and easy tax and spending policy that distresses me. Some even argue that it does not make any difference how much we raise taxes so long as we give something back to the people. If that is the program of this New Frontier coalition I do not like it.

On the other hand, 8 of the 10 tax reductions given to the people have been given to them by the Republican Party. With respect to personal exemptions, when the New Deal administration took over, the personal exemption was $1,000 for each individual, and $2,500 for a married couple. That was in 1933. Under the New Deal and Fair Deal these exemptions were whittled down to $500 by 1947. The Republican-controlled 80th Congress, over the veto of the President, Harry Truman, increased the exemption by $100, to the present $600. Throughout the entire history of our Federal income tax law the Democratic Party, when it has been in power, has never raised the exemption at any time. Oh, it promises to raise these exemptions when campaigning but when in power they lower them. The Democratic Party's platform is always pledged to raise the personal exemption. But, the actions of the Democratic Party in Congress show that every time they have tampered with it, they have decreased the exemption. The whole record of the Democratic Party is one of continuously raising taxes and then staying awake nights to think of new ways to spend.

It is for those reasons that I am concerned by what the Senator from Indiana has just said. Do not forget that whenever we vote money out of the Treasury, whether it is for the social security program or for any other Federal project, the cost is assessed to the American taxpayers.

The Government has no mysterious source of income. The only money we can appropriate under any program is money which has first been taken either directly or indirectly out of the pockets of the American taxpayers. We do not give the American people anything.

Now, again, I thank the Senator from New York for not insisting on a live quorum and thereby embarrassing our friend from Massachusetts by having the RECORD show that he is absent today.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. KEATING. I do not wish to prolong the discussion on the bill which is before the Senate, at this point, but I must express, not criticism, but certainly consternation and distress to hear my friend from Indiana, who usually has such a sympathetic attitude, say that it is a raid on the Treasury for provision to be made for the elderly people, for those who need the aid so badly. It is almost universally agreed that something should be done for the older people to meet their medical needs, particularly for those who need the help. There are different viewpoints as to how the problem should be approached. However, to hear it called a raid on the Treasury, or even a subsidy, distresses me very much. I am surprised and distressed.

Mr. WILLIAMS of Delaware. I thank the Senator.

Mr. McNAMARA. Mr. President, in view of the administration's loudly proclaimed crusade for fiscal responsibility, it is hard to understand their stubborn shortsightedness in supporting a health program for the aged that can cost the taxpayers billions of dollars.

If it is true that some 10 million aged persons would be eligible for services under the bill approved by the Finance Committee, this medical care program could cost the States and the Federal Government approximately $2.5 billion, with the Federal share amounting to $1.7 billion.

Perhaps the administration is not too concerned about the cost because these figures really are not meaningful. The blunt truth of the matter is that it would be the miracle of the century if all of the States—or even a sizable number—would be in a position to provide the matching funds to make the program more than just a plan on paper.

Let us fact the fact that what would really happen is that the cost would be kept low, and so would the number of aged persons receiving medical care.

Is this what we really want?

To apply a means test, to require the surrendering of dignity and worldly possessions to become a charity patient, is repugnant to the American concept and desire for an abundant and secure retirement for its elderly citizens.

The social security approach applied to a health insurance program is fiscally sound.

It provides a pay-as-you-go system of financing, does away with the humiliating means test, and avoids placing an impossible financial burden on the States.

At hearings of the Senate Subcommittee on Problems of the Aged and Aging this program received the endorsement of the Nation's leading economists and public health specialists.

The working people who would benefit from this type of a program are willing and anxious to pay for it during their active working years, so that when the time comes for them to retire, health insurance will be an earned right, not a charity handout.

As a nation we can be proud of our medical achievements.

Now let us find a way to make it possible for these benefits to come within the reach of our aged.

In no field of public policy have so many myths been employed as instruments to confuse the public as in this area of medical insurance for our aged citizens. Pressure groups with vested interests have expended large sums to distort income statistics, have flaunted hysterical slogans and have poured heavy resources into advertising and pressure campaigns.

With all this emotional effort they have not been able to refute or wipe out the plain, simple fact that the aged of this Nation have costly medical needs, have shamefully low incomes and have refused—as a group—to bend their knees for charity to pay for medical bills. They would rather suffer silently and, in some cases, have literally died first.

The aged deserve and insist on dignity in meeting medical costs. They assert—as we do—that a system of medical insurance operating through the established social security system is the effective, efficient, and dignified means to accomplish this purpose.

Mr. President, let us take up these fictional arguments one by one early in this debate and dispose of them once and for all. We can then get on with an intelligent discussion of the policy free from the vague, visceral slogans of the mimeograph mind.

FACT AND FICTION ABOUT MEDICAL CARE PROBLEMS OF THE AGED

First. Fiction: The aged have no special health problems. This has been stated over and over again.

Facts: (a) persons 65 and older with one or more chronic condition, 76 percent; persons of all ages with one or more chronic condition, 41.4 percent.

(b) Percent discharged from short-stay hospitals, aged, 12.1 percent; all ages, 9.9 percent.

(c) Percent in hospital more than 30 days, aged, 38.8 percent; all ages, 27.1 percent. Average number of days in hospital, aged, 15; all ages, 9.

(d) More than half the aged who have chronic conditions are limited in their activity.

(e) Many have residual handicaps that might have been prevented if the disease or injury had been adequately treated at the outset.

(f) At any given moment, there are about 750,000 cases of cancer, most of which are in those over 65.

(g) While the aged make up only about 9 percent of the total population, they constitute 40 percent of all heart disease cases.

(h) As of 1957–58, medical expenditures by the aged, on a per capita basis, were 88 percent greater than those for all ages. Since then the difference is even greater in all likelihood. Hospital costs have been increasing at an annual rate of 8 percent. From 1952 to 1957 health expenditures for all ages increased 42 percent, but 74 percent for aged.

Second. Fiction: Older persons have adequate incomes to meet their medical costs.

Facts: (a) For the same 5-year period—1952–57—income of families with aged heads and of aged unrelated individuals rose by only 20 percent.

(b) As of 1957–58, nearly one-half of the aged in a health information foundation study—47 percent—had no assets at all or only one type of asset—home, life insurance, savings, stocks, or help from relatives—to pay, in whole or in part, a medical bill of $500 or more.

(c) In 1958 Census Bureau figures showed the following income data: First for all aged individuals, 60 percent—9.6

million—had incomes of less than $1,000; second, for families with aged heads—6 million families—half of them had no more than $2,600 income; third, for 3.5 million aged unrelated individuals, half had no more than $939 income.

(d) The 1959 Survey of Consumer Finances, Federal Reserve Board—which does not include aged of very lowest income and in institutions, and so forth—shows that there are now more aged with no liquid assets than there were in 1949: 1949, at least 3.9 million spending units; 1959, at least 4.6 million spending units.

(e) The same survey of 1959 shows that 45 percent had less than $500 in liquid assets; 30 percent had no liquid assets at all.

NOTE.—1949–59 Survey of Consumer Finances statistics do not take into account changes in purchasing power of assets—nor increase in aged's medical costs—since 1949.

(f) Since the new Anderson-Kennedy-McNamara amendment applies only to social security beneficiaries aged 68 and over, these kinds of figures on income and assets cited above would indicate worse financial conditions for the 68-and-over aged population.

(g) The median income of aged males—including those working full-time and those 65 to 68—was $1,488 in 1958. And this figure does not include aged men with no income at all.

(h) All these figures should be weighed against the statement by the Secretary of HEW that, on the basis of a very low-cost food budget, an income of less than $2,560 for an elderly couple is uncomfortably low.

(i) As of the end of 1958 only 1.5 persons 65 and older were on private pensions.

(j) In 1949 the median income of families with aged heads was 60.6 percent of the median for all U.S. families, but by 1958 it dropped to 52.4 percent.

(k) Even when we take into account the differences in family size, the income of the aged is lower than that for other families.

Third. Fiction: The medical problem of the aged can be met through private insurance.

Facts: (a) Including those with inadequate private insurance coverage, only 42 to 49 percent of the aged have any health insurance. These figures are only estimates by the Department of HEW and the insurance companies.

(b) These figures also include employed older people, who probably have the highest percentage of coverage because they are more likely to be able to afford premiums, and their employer probably contributes. They also include the 65–67-year-olds who have greater private coverage than those 68 and older.

(c) Many Blue Cross plans suffer deficits because of their inclusion of aged persons at no extra premium or at premiums not calculated to finance their higher risks and higher costs.

(d) The social security 1957 survey showed that among hospitalized insured aged beneficiaries, 73 percent had zero to one-half of their medical costs met by insurance.

(e) Only 14 percent of all beneficiary couples had some or all of their medical costs covered by insurance.

(f) Most insured persons do not have the right to convert group policies to individual ones when they retired. Only 30 percent have this right, in the Nation as a whole.

(g) For those who do have the right, the increase in the premium is 80 to 300 percent of the preretirement group premium.

Fiction: The American people are against the social security approach.

Facts: (a) First of all, the vast majority of Americans approve and accept the 25-year-old system of social insurance for meeting the hazards of old age.

(b) The two best and most reputable national studies—by the University of Michigan and by the National Opinion Research Center—show that the majority of their national samples favor a government role in meeting the medical cost problems of people.

University of Michigan study, 1956: 55 percent favor, 25 percent oppose, 20 percent no opinion.

NORC study, 1957–58: 54 percent favor, 43 percent oppose, 3 percent no opinion.

NOTE.—The questions used in these two surveys referred to doctors' fees, and for health care in general for individuals of all ages. The Anderson-Kennedy-McNamara amendment applies only to beneficiaries 68 and older—and excludes payments for doctors' fees.

(c) No really scientific study—with carefully worded questions asked of a truly representative sample—has been done in the past 2 years covering the entire American population, asking specifically about approval of a social security program of benefits such as provided in the A-K-M amendment for older persons.

(d) It is interesting to note, however, that in surveys conducted in two heavily Republican congressional districts in 1960, using words and/or "sampling" techniques that result in a bias against such a proposal—the large majority still favored the idea:

First. Twenty-second District, Ohio, Mrs. BOLTON, with question asking about all medical expenses, and the answers solicited and returned through a mailing technique:

Should the Social Security Act be amended to include the payment of all medical expenses after retirement, the cost to be paid by both employers and employees?—CONGRESSIONAL RECORD, March 10, 1960:

[In percent]

	In favor	Against	No opinion	Total
1959	48.5	38.9	12.6	100
1960	60.3	32.0	7.7	100

Second. Fifth District, Minnesota, Mr. JUDD, with question asking about surgical benefits—not covered in A–K–M amendment—and using a sampling technique based on telephone directory, which reduces number of low-income and aged persons:

Do you favor increasing the [social security] tax in order to provide additional benefits, such as providing insurance against costs of hospital, nursing home, and surgical services for retired persons under social security?—CONGRESSIONAL RECORD, June 25, 1960:

	In favor	Against	No opinion	Total
All respondents	59	33	8	100
Democrat-Farm Labor	78	15	7	100
Republicans	50	42	8	100
Independents	66	28	6	100
No party indication	64	26	10	100

Fiction: The cost of the social security approach is enormously greater than asserted.

Facts:

First. The cost was computed carefully and with conservatism by the Chief Actuary of the Social Security Administration.

Second. The cost is figured on a level premium basis and takes into account increases for the next 100 years.

Third. The calculated cost does not include reductions of 15 to 20 percent in overall costs estimated by experts of the Social Security Administration to result from emphasis on preventive medicine and low cost nonhospital care.

Fourth. Expenditures for the early years will run around $700 million and revenue will be over a billion dollars per year. This provides a prudent future reserve.

Fiction: This is only the beginning and will lead to national compulsory health insurance.

Facts:

First. The aged have a special problem today and this is the one that we are attempting to solve.

Second. We are not asserting an urgent need for covering the general population.

Third. Under this argument, the parade of future horrors, we would never enact any programs to meet urgent needs.

Fiction: Social security will lead to poor quality medicine.

Facts:

First. The quality of medical care is the responsibility of the medical profession and it will not abdicate this responsibility.

Second. The source of the funds received by the hospital will have no effect upon how that hospital cares for any given patient.

Third. Over 5 percent of hospital bills are unpaid. Source: American Hospital Association report. When hospitals receive payments for these bills, it will permit them to improve services for all their patients.

Fourth. Good hospitals now assure that care of high quality is given in their institution.

Fiction: There will be excessive use of facilities.

Facts:

First. Admission and discharge to and from hospitals is controlled by the patient's physician.

Second. The bill calls for a review of long-stay cases by a committee of physicians who are on the staff of the hospital.

Third. The balanced set of benefits provided in the bill will tend to limit the use of expensive facilities and encourage the use of less expensive facilities when these are appropriate for the patient.

Fourth. Any increase in use will be temporary as those who have postponed the need for care get it. When this backlog has been dealt with, the amount of care given will level off.

Fifth. Older persons who have hospital insurance stay in the hospital only half as long as those who don't have hospital insurance.—Per OASDI survey.

Fiction: The social security approach is socialized medicine.

Facts:

First. Socialized medicine means that the doctors work for the Government. How can they say that about this program when the doctors will continue to be paid by their patients?

Second. This approach is one of insurance, not of direct service. In this, it is much like the widely accepted voluntary health insurance programs—like Blue Cross.

Third. The program will not take over the hospitals and nursing homes; it will simply pay their bills.

Fourth. There can be no governmental interference in the physician-patient relationship since the doctors are not included in the program.

Fiction: Private insurance will be run out of business.

Facts:

First. There has been a dramatic growth in life insurance and retirement annuities following passage of social security.

Second. This program would remove the least profitable segment of their business.

Third. It would permit them to charge younger people less because they will not be saddled with the cost of care for older people.

Fourth. Those older people who can afford it will be able to purchase insurance for those benefits not provided in this bill and also have luxury care.

Fiction: There is no one who needs medical care who can't get it now.

Facts:

The health of the aged will be sustained only by early examination and treatment, not when a bursting emergency is at hand.

First. There is one unknown diabetic for every known one.

Second. Four percent of the people over 40 have glaucoma—three-fourths undetected.

Third. Six women in every thousand run around with cancer of the cervix undetected.

Fourth. These people need medical care and can't get it now.

Fiction: Social security approach does not cover everyone.

First. Nine out of ten workers are covered.

Second. With the passage of time, more and more aged persons will be eligible for the program and fewer and fewer will have to rely on public assistance.

Third. At present, 9 million of the 12.5 million over 68 are eligible for the program; 1.5 million of the remainder are now receiving some medical care through public assistance; a half million are covered by civil service or railroad retirement pensions and these can buy into the program; others may still be employed full time and the remainder can be helped by the medical indigency program until coverage as a right under OASDI is more widespread.

Fiction: Social security is compulsory medicine.

Facts:

First. The only compulsion involved in this program is to pay the contribution.

Any public program involving tax funds requires this much compulsion.

Second. The acceptance of benefits is purely voluntary.

Third. Free choice of physician, hospital, or nursing home is guaranteed.

Fourth. The bill specifically prohibits interference in the practice of medicine and indeed, physicians' services are not covered at all.

Fiction: Social security approach does not pinpoint the need.

Facts:

First. People often cannot recognize the need for care since they do not realize they may have a serious progressive disease.

Second. Financial need is widespread among the aged since 57 percent of them have less than $1,000 per year cash income.

Third. Nobody can tell when he will have a huge medical bill and therefore everybody requires health insurance.

Fourth. Delay in receiving care raises the total cost of taking care of the aged person.

Those medical care programs which emphasize early diagnosis use 20 percent fewer hospital days than do programs which do not.

Basic data on health status of aged

1. Chronic ailments (as opposed to acute ones) typify the aged population:

	Ages			
	All ages	25 to 44	45 to 64	65 plus
Percent with 1 or more chronic conditions	41.4	49.2	60.1	76.0
Percent limited in activity	10.1	7.7	16.8	42.3

2. The aged enter hospitals more frequently than the general population:

	Ages	
	All ages	65 plus
Percent discharged from short-stay hospitals	9.9	12.1

3. Their average length of stay is higher than for the general population:

	Ages			
	All ages	25 to 44	45 to 64	65 plus
Average number of days	8.6	7.2	12.0	14.7

4. A higher proportion of the aged are in the hospital for more than 1 month:

	Ages			
	All ages	25 to 44	45 to 64	65 plus
Percent in hospital more than 30 days	27.1	19.5	31.0	38.8

(Above data from U.S. National Health Survey, Public Health Service.)

5. On a per capita basis, in 1957–58, the total medical expenses of the aged were 88 percent greater than for the general population:

	Ages				
	All ages	18 to 34	35 to 54	55 to 64	65 plus
Personal consumption expenditures for health [1]	$94	$98	$108	$129	$177

[1] Excludes (1) payments paid as premiums for health insurance, but includes amounts paid out as benefits; (2) payments for all institutionalized persons.
(From Health Information Foundation study.)

6. Hospital expenses—as of 1957–58—are higher and are a greater proportion of total medical expenditures among the aged:

	Ages	
	All ages	65 plus
Dollar hospital expenditures (per capita)	$22	$49
Hospital expenditures as of percent of total	28	28

(From Health Information Foundation study.)

Basic data on health status of aged—Continued

7. The most frequent types of illnesses hospitalizing the aged are also the ones costing them more, relative to the costs of the same illnesses among the rest of the hospitalized population:

Diagnostic categories	Under 65		65 plus	
	Hospital charges	Percent of total	Hospital charges	Percent of total
Diseases of circulatory system	$276	4.9	$377	13.7
Nervous system and sense organs	252	2.6	404	7.3
Diseases of digestive system	292	4.9	413	5.9
Cholecystitis and cholelithiasis	391	3.0	506	5.7
Bronchopneumonia	233	4.3	357	5.1
Average total hospital charges (including all diagnostic categories)	217		399	

(From University of Michigan study, 1959.)

8. The higher the age, the greater is the proportion of hospital charges (which are higher to begin with) paid by the patient:

	Ages			
	25 to 44	45 to 64	65 to 69	70 plus
Percent paid by patient, completely or in part	28.7	27.7	46.6	65.1
Average hospital bill	$215	$359	$406	$399

(From University of Michigan study, 1959.)

BASIC DATA ON HEALTH

Thus the health care problem of the aged is aggravated by (a) their greater frequency of chronic illnesses and hospital stays; (b) the higher cost of their medical expenses; (c) the higher proportion paid out of pocket by them; and (d) their sharply lower financial ability to finance medical expenses:

(a) While the increase in health expenditures from 1952–53 to 1957–58, for all ages, was 42 percent, the increase for the aged was 74 percent.

(b) The financial ability of the aged has not grown by the same magnitude.

In the same 5-year period, the income of families with aged heads and of aged unrelated individuals increased only about 20 percent.

According to the Federal Reserve Bureau's 1958 survey among a sample of three-fourths of the aged population—typically in better financial status than those not surveyed—45 percent had less than $500 in liquid assets, 30 percent had no liquid assets whatsoever.

Census Bureau estimates of the 1958 income of the aged indicate that (a) for individuals, 60 percent—9.6 million—had incomes of less than $1,000; (b) for families with aged heads—6 million families—half had no more than $2,600 income in 1958; (c) for unrelated individuals—3.5 million men and women—half had no more than $939 in that year.

Mr. President, many questions concerning this program have been raised. A number of tables containing information in reply to those questions have been prepared. I ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

	Recipients of OAA per 1,000 population aged 65 and over (June 1959)	Population age 65 and over (in thousands) July 1958 estimate	Number of OAA recipients January 1960	Maximum money [1] payments, legal limit unless noted as adminis.	Notes	Average payment including vendor payments, November 1959
Alabama	406	241	99,278	$75		$48.17
Alaska	210	6	1,452	100		64.22
Arizona	176	75	13,948	80		61.89
Arkansas	290	187	55,470	60 v		47.76
California	215	178	257,743	106 v	January 1960, $115	90.73
Colorado	330	139	51,434	105 v		99.13
Connecticut	67	220	14,732	v		110.84
Delaware	44	32	1,343	75		49.33
District of Columbia	47	61	3,146	v		63.84
Florida	151	453	69,976	66 v		55.29
Georgia	356	264	97,508	65		47.26
Guam			51			25.63
Hawaii	50	28	1,471	v		61.98
Idaho	131	56	7,396	v	Nursing home care only	66.79
Illinois	83	914	75,443	65 v	Cost-of-living index (administrative)	73.53
Indiana	70	418	28,271	70 v		61.04
Iowa	111	316	34,877	v		73.51
Kansas	129	226	28,971	v		78.66
Kentucky	205	272	56,685	65	Administrative	44.89
Louisiana	572	209	124,643	72 v	February 1960, $78 (administrative)	66.11
Maine	115	103	11,881	65 v		63.78
Maryland	48	198	9,568	109–210 v	County classification (administrative)	60.49
Massachusetts	157	513	80,523	v		100.06
Michigan	108	590	62,769	80 v		71.81
Minnesota	142	335	47,502	71 v		85.90
Mississippi	446	174	80,326	35	July 1960, $40	29.83
Missouri	256	460	17,677	65 v		59.49
Montana	112	63	7,053	85	(2)	63.84
Nebraska	100	152	15,288	70 v		69.35
Nevada	201	15	2,624	75 v	(Administrative)	70.34
New Hampshire	79	65	4,932	70 v	do	78.05
New Jersey	38	497	18,855	v		88.24
New Mexico	211	47	10,699	180 v	Case maximum (administrative)	67.37
New York	55	1,529	83,888	v		105.97
North Carolina	169	285	49,232	v		40.73
North Dakota	135	52	7,318	v		85.01
Ohio	106	834	90,187	v		70.57
Oklahoma	384	229	90,471	133 v	(Administrative)	82.87
Oregon	104	173	17,205	v		77.44
Pennsylvania	47	1,046	50,307	v		68.20
Puerto Rico	378	103	39,701			8.20
Rhode Island	83	84	6,822	v		77.77
South Carolina	223	145	33,017	60 v	Administrative	39.52
South Dakota	132	68	9,085			60.43
Tennessee	200	277	55,770	55 v	Administrative	41.78
Texas	326	660	222,398	67	do	52.98
Utah	147	55	7,985	78 v		66.51
Vermont	133	43	5,740	75 v	Nursing home care only	57.67
Virgin Islands	292		554	v	Drugs only	23.53
Virginia	57	259	14,958	v	Nursing home care only; added hospital care, July 1960	43.56
Washington	200	259	50,006	275 v	Case maximum (administrative)	83.56
West Virginia	120	167	19,904	60 v	Administrative	36.97
Wisconsin	96	383	36,026	75 v		79.50
Wyoming	139	25	3,359	85 v		70.79
Total, United States	156	15,047	2,387,468			66.63

[1] v—Vendor payments.

[2] Nursing home care only for maximum; remedial eye care vendor payment only.

Number of OAA recipients per 1,000 population aged 65 and over

STATE AND RECIPIENT-RATE GROUP	
Less than 100:	
New Jersey	38
Delaware	44
District of Columbia	47
Pennsylvania	47
Maryland	48
Hawaii	50
New York	55
Virginia	57
Connecticut	67
Indiana	70
New Hampshire	79
Illinois	83
Rhode Island	83
Wisconsin	96
100 to 149:	
Nebraska	100
Oregon	104
Ohio	106
Michigan	108
Iowa	111
Montana	112
Maine	115
West Virginia	120
Kansas	129
Idaho	131
South Dakota	132
Vermont	133
North Dakota	135
Wyoming	139
Minnesota	142
Utah	147
150 to 199:	
Florida	151
Massachusetts	157
North Carolina	169
Arizona	176
200 to 299:	
Tennessee	200
Washington	200
Nevada	201
Kentucky	205
Alaska	210
New Mexico	211
California	215
South Carolina	223
Missouri	256
Arkansas	290
Virgin Islands	292
300 to 399:	
Texas	326
Colorado	330
Georgia	356
Puerto Rico	378
Oklahoma	384
400 or more:	
Alabama	406
Mississippi	446
Louisiana	572

Source: Social Security Bulletin, Oct. 1959, p. 28, data as of June 1959.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. McNAMARA. I yield.

Mr. PROXMIRE. I commend the distinguished Senator from Michigan. He has taken the lead in the Senate in studying the problems of the aged. He has devoted endless hours and a tremendous amount of work to this study. I know, for example, that last spring, when most of us went home to mend our fences and campaign—and the senior Senator from Michigan has a tough campaign ahead of him—rather than to go home and campaign, he stayed here, held hearings, and deprived himself of an opportunity to make some political progress. This is one of many sacrifices he has made.

The Senator from Michigan has developed, in my opinion, as solid and firm an understanding of what is at issue in the health insurance program for the aged as any Member of the Senate. I think his advice and position on this question deserve the particular attention of every Senator.

The Senator from Michigan has been the first and the most enthusiastic advocate of the social security approach to this problem. He deserves great credit for it. I am certain that more important to him than any credit he would receive is the prospect that we can succeed in winning this fight. The speech he has made and the documentation which he has placed in the RECORD will, I hope, be very carefully read by all Senators.

I congratulate the Senator from Michigan on the outstanding work he has done, not simply today, but during many long months.

Mr. McNAMARA. I thank the Senator from Wisconsin for his generous remarks. Certainly they are overflattering.

Mr. PROXMIRE. They are true.

Mr. McNAMARA. I have simply made a contribution to a cause about which I feel very strongly. I know that the Senator from Wisconsin also feels strongly about the same cause. I thank him for his courtesy.

Mr. ANDERSON. Mr. President, at the very outset of my remarks, I, too, wish to compliment the able Senator from Michigan [Mr. McNAMARA] for the excellent work he has done. He is in reality the leader of all of us in trying to provide assistance and care for the aged.

The amendment to H.R. 12580, which I have offered on behalf of myself, the Senator from Massachusetts [Mr. KENNEDY], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Illinois [Mr. DOUGLAS], the Senator from Tennessee [Mr. GORE], the Senator from Michigan [Mr. McNAMARA], the Senator from Minnesota [Mr. McCARTHY], the Senator from Indiana [Mr. HARTKE], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from California [Mr. ENGLE], extends the social security mechanism to provide health benefits for more than 9 million of our aged persons.

In offering this amendment, the text of which was printed in the CONGRESSIONAL RECORD of August 17, I also submitted a brief summary of the amendment, which also was printed in the RECORD. At this time, I should discuss in more detail the principal provisions of the amendment.

First, the amendment is offered as an addition to the bill reported by the Finance Committee. It is not a substitute for the Finance Committee bill or for any of its provisions. This amendment establishes a fully financed social insurance program on a contributory basis to cover the cost of certain types of health services for more than 9 million aged persons who are receiving OASDI benefits. This amendment plus the amendments reported by the Finance Committee would provide help to all of the aged—those who are under social security and those who are not.

PERSONS ELIGIBLE

Under this amendment all persons who have attained the age of 68 and who are entitled to receive old-age, survivors, or disability insurance benefits under the existing social security program would be eligible to receive lifetime protection without any means or income test against the cost of certain types of health services. There are now about 9,185,000 persons who are 68 years old and over, and who are receiving social security benefits. I ask unanimous consent to have printed at this point in the RECORD, a table prepared by the Actuarial Branch of the Bureau of Old-Age and Survivors Insurance which gives a State-by-State breakdown of these 9,185,000 aged persons.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Old-age, survivors, and disability insurance—Estimated number of persons aged 68 and over eligible for monthly OASDI benefits, by State, July 1, 1961

[In thousands]

State of residence: [1]	Number
Total [2]	9,185
Alabama	120
Alaska	3
Arizona	45
Arkansas	93
California	736
Colorado	77
Connecticut	151
Delaware	21
District of Columbia	31
Florida	298
Georgia	125
Hawaii	16
Idaho	34
Illinois	554
Indiana	272
Iowa	181
Kansas	128
Kentucky	154
Louisiana	93
Maine	66
Maryland	119
Massachusetts	342
Michigan	398
Minnesota	193
Mississippi	85
Missouri	263
Montana	37
Nebraska	89
Nevada	9
New Hampshire	42
New Jersey	345
New Mexico	22
New York	1,004
North Carolina	166
North Dakota	32
Ohio	517
Oklahoma	109
Oregon	114
Pennsylvania	674
Puerto Rico	46
Rhode Island	58
South Carolina	72
South Dakota	39
Tennessee	149
Texas	332
Utah	33
Vermont	26
Virgin Islands	1
Virginia	151
Washington	163
West Virginia	99
Wisconsin	244
Wyoming	14

[1] Distribution by State estimated.

[2] Excludes persons residing outside the United States.

Source: Bureau of Old-Age and Survivors Insurance, Division of Program Analysis, Actuarial Branch, August 1960.

SCOPE OF BENEFITS

Mr. ANDERSON. Mr. President, the cost of four essential types of health benefits would, subject to certain limits, be provided. These are:

First. Hospital inpatient services: The cost of inpatient hospital services for up to 120 days in a year in execess of the first $75 would be provided. This first $75 would have to be paid by the individual in each benefit year.

Inhospital services which are covered would include bed and board in the hospital in semiprivate accommodations and those ancillary services, such as laboratory, drugs, supplies, and nursing services, as are generally furnished to inpatients in a hospital.

Second. Skilled nursing home services: Skilled nursing home recuperative care for up to 240 days in a benefit year would be covered. The definition of "skilled nursing home services" is, however, quite limited. It is restricted to those services which are furnished in a nursing facility, after the individual has been transferred to such facility from a hospital and a physician has certified that such nursing home care is required in connection with the condition for which he was hospitalized. This limited definition is essential in order to keep costs within proper limits and to assure that the program will not merely pay for custodial care of aged individuals.

Third. Home health services: Nursing and other home health services are provided in an individual's home for up to 360 visits within a benefit year. These services, which would include both professional nursing care, practical nursing care, and specified homemaker's services, would have to be provided through a public or nonprofit agency.

The Blue Cross has issued a booklet entitled "Cost of Hospital Care in Indiana, 1956," which reached my office this morning. It deals with problems which have arisen. I think it interesting that on page 35 of the booklet it is pointed out that "this impact of the cost of health care takes on added signficance when one realizes that fewer than 40 percent of those over 65 are now covered by some form of hospitalization insurance."

In other words, this writer of group insurance points out that despite the best it can do, there still are some gaps in that program. A more recent study might reveal slightly different figures.

While I indicated that inpatient hospital services would be provided for up to 120 days, skilled nursing home recuperative care for up to 240 days, and home health services for up to 365 visits, there is an overall ceiling on those benefits. Under the amendment, only 180 units of services are available to any individual within a single year. A unit of service is equal to 1 day of inpatient hospital care, 2 days of skilled nursing home care or three home health visits. This provision is intended to control the amount of services furnished to any individual and to encourage the use of facilities less expensive than the hospital. For example, if an individual received 120 days of hospital care, he would have only 60 units of service remaining. Those 60 units would entitle him to only 120 days of skilled nursing home care, or 180 home health visits, or a combination of the two. For each day less than the 120 days he remained in the hospital, however, he would be entitled to 2 additional days in a nursing home or three additional visits by a home health agency.

Fourth. Outpatient diagnostic hospital services: Outpatient hospital diagnostic services, such as diagnostic X-ray and laboratory services, are covered by this amendment. The inclusion of the cost of these services will be a great benefit to all individuals in encouraging the early diagnosis of an illness.

Payment for these services furnished to eligible individuals will be made only if such services are furnished after a physician has certified in writing that such hospital, nursing home, home health, or outpatient diagnostic services are necessary. Continued recertification by the physician may be required by the Secretary of Health, Education, and Welfare after the individual has been in the hospital or other institutions or has been receiving the home health services for an extended period of time. The amendment also provides that in the case of an individual who is in the hospital for a continuous period in excess of 30 days, the need for continued hospitalization shall be reviewed by a hospital committee that includes two or more physicians.

COST AND FINANCING

The amendment I have offered is fully financed and is actuarially sound. There is included in the minority views of the Senate Finance Committee, correspondence between the actuary for the Social Security Administration and the Senator from Illinois [Mr. DOUGLAS] setting forth the actuarial estimates of the cost of these benefits. As indicated in that correspondence, the level premium or long-range cost of the program is estimated at .50 percent of taxable payrolls. The amendment provides that the full cost shall be met by increasing the contribution rates, beginning with the calendar year of 1961, as follows:

One-fourth percent for employers and employees, and three-eighths of 1 percent for the self-employed, on earnings up to $4,800 a year.

Following the precedent established by this body by means of the program for disability insurance in 1956, my amendment provides that these additional contributions would be set apart in a separate trust fund, and that all payments for the health benefits provided by the amendment are to be made from that account.

ADMINISTRATION

The provisions of this amendment, like the social security program, are to be administered by the Secretary of Health, Education, and Welfare.

Agreements relating to the provision of services would be made with the provider of services or with its authorized representative. The Secretary is required to enter into an agreement with any qualified provider of service, such as a hospital or skilled nursing home. To be eligible to participate, a hospital or nursing home would have to be operated in agreement with State and local laws, and would have to meet any standards established by State and local authorities. Under such agreements, payments would be made for the reasonable cost of the service provided to eligible individuals.

The amendment specifically provides that the Secretary shall not by reason of any provision thereof have supervision or control over the practice of medicine or the manner in which medical services are provided, or over the administration of any participating institutions.

The amendment also specifically provides that any individual who is eligible under the program shall have the free choice of any participating hospital, skilled nursing home, or home health agency.

The amendment provides for a Medical Insurance Benefits Advisory Council, representing the public and persons who are outstanding in the hospital and health activities field. The Secretary is to consult such representative advisory councils in determining policy and promulgating regulations.

Mr. President, the other day there was quite a celebration throughout the Nation, and particularly here in Washington, D.C., for the Social Security Act was 25 years old. According to the headline published in one Washington newspaper, the Social Security Act was hailed as a bulwark; and the picture published with the newspaper article was that of William L. Mitchell, Commissioner of the Social Security Administration. That is very interesting to some of us who have been interested in the social security program and the Social Security Act for a period of 25 years, because there was a time when persons on one side of the political aisle spoke in very disparaging terms of the whole social security program, just as I expect some of them to speak a little disparagingly of this approach to the problem of medical care for the aged.

But I have seen quite a change occur during these 25 years; and thus I was interested to observe that the Social Security Act, now 25 years old, was hailed as a bulwark of our economy by the present Commissioner of the Social Security Administration, Mr. Mitchell; and I was also interested to note in an article published in the New York Times on Sunday, August 14, and dealing with how this 25th year of the social security program was marked, that it was stated that "Roosevelt put his name on an act that has changed the pattern of American life."

Mr. President, as one who had the privilege of discussing with the then President Franklin D. Roosevelt his hopes, dreams, and aspirations for the social security program, I think I can say that virtually nothing in his entire administration gave him the satisfaction that he got from the realization that he had devised and developed, under his administration, a program of social security that was to remain a part of our American system.

Even though in the first few years of the program there were those who

suggested that the act should be repealed as quickly as possible and a return should be made to rugged individualism, yet, Mr. President, after the passage of the years, there is now not a person in our political life who suggests that those social security laws should be stricken from our statute books.

THE NECESSITY OF A SOCIAL INSURANCE APPROACH TO THE PROBLEM OF MEDICAL CARE FOR THE AGED

Mr. President, I have referred to the fact that only last week we celebrated the 25th anniversary of the signing of the Social Security Act. The significance of the major decision which the Congress made 25 years ago is pertinent to our discussions today. In 1935, we had already experienced 5 years of a deep depression, with millions of unemployed and older people, especially, facing stark destitution. We had struggled mightily with the problem, and had experimented with a number of approaches. We had given grants to the States, through relief. We had instituted vast work programs under CWA and PWA, and we had distributed enormous amounts of surplus foods. Cities, counties, and States had added to that effort.

Mr. President, I shall not repeat what I said a few days ago; but I administered a program under the FERA, under the SERA, under the CWA, under the WPA, and under the National Youth Administration. Therefore, when I speak of what the program was 25 years ago, I realize that I can bear personal testimoney to the fact that after people had gone through that long series of relief programs, there was great rejoicing among social workers and among the recipients of social favor when announcement was made that there would be a social security program that took it out of the category of plain assistance, and put it on the better basis of actuarial insurance, in order that their needs might be cared for.

But the Council on Economic Security, which President Roosevelt appointed in 1934, aided by a group of citizens advisory councils, undertook the problem of the longrun and permanent solution to economic insecurity for all American citizens who depended on their earned income for a livelihood. The recommendation of this Council, which was adopted by Congress and embedded in the first Social Security Act, was that we should set up a system of contributory social insurance which would underwrite the risks of unemployment and loss of income, due to old age. Later the program was revised to include loss of income resulting from the death of the family breadwinner. That program was to be our first line of defense against poverty and economic insecurity, and those provisions were incorporated in title II of the Social Security Act, which to this day remains the heart of our whole social security system.

Recognizing, as President Roosevelt said when he signed this act, that we can never insure 100 percent of the people against 100 percent of their risks, a second line of defense was set up through a public assistance program, operated through a system of grants to the States, which would match the funds raised by the States themselves for this purpose. Where the social security benefits are insufficient and where for any reason an individual is not covered by social insurance, his needs can be met through these various public assistance programs—old-age assistance, aid to the blind, aid to dependent children, or aid to the permanently disabled.

Through the past 25 years the wisdom of this basic decision to rely primarily on social insurance has been affirmed many times. For example, in 1948 and 1949, a special Citizens' Advisory Committee to the Senate Finance Committee was established under the late distinguished Senator Eugene Millikin, of Colorado. This committee was under the active chairmanship of the late Sumner Slichter, Lamont University professor, Harvard University, and included among the representatives of labor, management, and the public such distinguished individuals as Dr. J. Douglas Brown, dean of the faculty, Princeton University; Malcolm Bryan, of the Trust Co. of Georgia; Mr. M. Albert Linton, president, Provident Mutual Life Insurance Co.; and Marion B. Folsom, treasurer of Eastman Kodak Co., and later Secretary of the Department of Health, Education, and Welfare, and, in my opinion, one of the truly fine men who have ever served this Government.

In the unanimous report of this committee, there is the following statement:

> The Council favors as the foundation of the social security system the method of contributory social insurance with benefits related to prior earnings and awarded without a needs test. * * * Under such a social insurance system, the individual earns a right to a benefit that is related to his contribution to production. * * *
>
> Public assistance payments from general tax funds to persons who are found to be in need have serious limitations as a way of maintaining family income. Our goal is, so far as possible, to prevent dependency through social insurance and thus greatly reduce the need for assistance.

I call the Senate's attention to the fact that that recommendation does not come from some ultraliberal Member of the Senate or of the House of Representatives. The list which I have read, I hope, will be regarded as an impressive list, headed by the late Senator Eugene Millikin, a former chairman of the Senate Finance Committee, and one of the truly great brains ever to serve in the U.S. Senate. It includes the late, great economist, Sumner Slichter, whose views on economics were widely followed, and who told me one day, about a year or two ago, how he supplied several businessmen in other countries with a special letter on economic conditions in the United States, for which, he told me, they paid him extremely well, and thereby permitted him to join in all the folly he wished to in pursuing economic theories. The list also includes Marion B. Folsom, former treasurer of Eastman Kodak Co., and, as I said, one of the truly wonderful men ever to serve the country, and a man who, only a few days ago, spoke out on the subject, and a man who quite possibly has written to Members of the Senate expressing himself on this very subject, and I hope his comments and contributions may become public before the debate is concluded.

Incidentally, this same Council recommended, in 1949, that the social insurance system should be extended to cover permanent and total disability. However, the Congress at that time did not accept the advice of the Council, and added another category of public assistance for the permanently and totally disabled. This is a decision somewhat parallel to that which some are now recommending as a method to meet the problem of medical care for the aged. In only a few short years the inappropriateness of this approach became more evident, and in 1956 the Congress extended the social insurance program to cover permanent and total disability. And this program is now working with admirable success despite the dire warnings we received from the American Medical Association at that time that its adoption would mean socialized medicine in America.

If a person wanted to do so, he could call back many rich and rewarding memories, because, in a room just off the Chamber of the Senate, there was a luncheon held one day in 1956 with the members of the Finance Committee of the Senate, in which this question was carefully discussed. Only after a great deal of persuasion and discussion and giving and taking did we come out of there with a decision that we would pass the bill, and that the great and able Senator from Georgia, Mr. George, would put his name on it and permit it to come to the floor with his blessing and approval.

This decision has been reaffirmed by the groups of consultants to the Secretary of Health, Education, and Welfare in 1954 and by the Advisory Council on Social Security Financing in 1959.

My emphasis on the social insurance approach is not to decry the role of public assistance and the determination of need in each individual case that is necessary to the proper administration of any public assistance program. My point is that this must always be considered the second line of defense; and to place our chief reliance on this approach in a program to meet the needs of the people of America would be to reverse the decision so wisely made 25 years ago.

With specific reference to the bill reported by the Senate Finance Committee, H.R. 12850, the provisions of that bill for grants-in-aid to the States for meeting health needs of older people are good if taken as supplementary to a sound medical insurance system. Placing our first reliance on the medical insurance system, such as contemplated in the Anderson-Kennedy amendment, and then accepting the provisions of H.R. 12580 as supplementary to that insurance program is the only approach that is consistent with the wise decisions made by the founders of our social security system in 1935.

WHY A GOVERNMENT PROGRAM OF HEALTH INSURANCE IS NEEDED FOR OLDER PEOPLE

In the last several years a great deal of study has been given to the problem

of meeting the costs of health care for older people. Out of these studies has emerged almost universal agreement on a number of facts:

First. Insurance is the soundest method of meeting the costs of medical care for all people—young and old. The tremendous expansion of coverage that has taken place in the last 20 years attests the acceptance of that principle.

Second. Older people are more in need of insurance protection than the general population because (a) their incomes are sharply reduced at retirement age, and (b) their health needs increase on the average nearly threefold.

Third. Nongovernment insurance is not able to provide the protection for older people as well as it has for those in their working years. This is because all commercial insurance—and increasingly noncommercial such as Blue Cross and Blue Shield—must set their rates according to the degree of risk involved in insuring the group or individual covered under a given policy. With the low risk groups constantly getting the more favored rates, the high risk groups, notably the aged, are left with the choice between rates so high they cannot be paid for out of meager retirement incomes, or protection so poor that it is almost worthless.

This fact is attested by the extreme reluctance of the commercial insurance industry to reveal what actual progress has been made in extending health insurance among older people. There has been a real effort to sell such insurance, and there has been no shortage of estimates by representatives of the industry as to how well the job will be done and the proportion of the older population that will be covered by 1970 or 1980. But there are no meaningful reports on how well it is being done now. This is because there are built-in factors in competitive nongovernment insurance which make it impossible to meet the need.

Only a comprehensive, compulsory social insurance program can provide the mechanism which can spread the cost of sickness in old age over a long period of time and over the entire working population.

Any insurance system which is practical in this area must spread the costs in both these dimensions. Private insurance will never do it for the simple reason that by its nature it cannot do it. The social security mechanism is the only practical way of meeting the problem. This was all summarized in a few words from an editorial in Business Week, the issue of April 16, 1960:

> The problem basically is that the aged are high-cost, high-risk, low-income customers. Their health needs can be met only by themselves when they are young or by other younger people who are still working. The only way to handle their health problem, therefore, is to spread the risks and costs widely. And that can best be done through the social security system to which employers and employees contribute regularly.

Mr. President, that fine article from Business Week magazine is entitled "A Challenge That Can't Be Ducked." The editor of this magazine, I believe, is Elliott Bell, who was, I think, the financial adviser to former Governor Dewey. I have quoted Elliott Bell many times in the Committee on Finance favorably and approvingly, and I am very happy to quote his remarks again and to say that this man by no stretch of the imagination could be called a person influenced by the more liberal elements of the Democratic Party. He has taken care of the problem for us in his statement in a most acceptable fashion.

Mr. President, I ask unanimous consent that the entire article to which I have referred be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A CHALLENGE THAT CAN'T BE DUCKED

Health insurance for the aged is fast becoming the No. 1 issue facing Congress this year. And there's political dynamite in it: Any candidate suspected by the millions of old people (and those concerned about their health problems) of taking a cold or know-nothing attitude toward the issue is likely to be in serious trouble this election year.

One thing about the issue is clear: Although plenty of politicians may see it as a vote-catching device, there is nothing synthetic or phony about the problem. Everyone who has seriously studied the situation has concluded that the provision of better health care for the aged is a serious—and growing—problem. Thanks to medical progress, the number of aged is increasing rapidly. In 1930, there were 6 million people over 65 in the United States; today there are 16 million.

For far too many of these, long life has meant shrunken incomes, increased sickness, loneliness, and the shame of being a candidate for a handout from society. Health, Education, and Welfare Secretary Flemming, in his thorough report to the House Ways and Means Committee last year, concluded that three out of every four aged persons would be able to prove need in relation to hospital costs. That is to say, they would be able to prove that they simply could not afford to pay for the care they needed when taken seriously ill.

The issue, then, is not whether there is a problem but rather how to meet the problem.

TWO APPROACHES

Representative AIME FORAND, Democrat, of Rhode Island, has proposed to deal with it through a system of compulsory Federal insurance within the framework of the Social Security Act. The Forand bill would provide insurance covering 60 days of hospital care, or 120 days of combined hospital and nursing home care, together with surgical services, to all those eligible for old age insurance benefits. It would be financed, initially, by boosting social security payroll taxes one-half percent—divided equally between employees and employers.

The Forand bill has been attacked for a number of reasons by various groups, especially the American Medical Association, which sees it as the camel's nose of socialized medicine coming under the tent.

But the main weakness of the Forand bill, as specialists in the health field see it, is not that it does too much but too little. They condemn it as too narrow and as an encouragement to "hospitalitis"—the tendency, inherent in many of our present voluntary insurance programs, to put the sick into hospitals because there are no provisions for covering treatment at home or in doctors' offices.

The bill sponsored by Senator JAVITS, Republican, of New York, strikes at this weakness. As JAVITS points out, though hospitalization costs comprise a large part of an aged person's annual medical bill, the average older couple spends $140 a year on health costs unrelated to hospitalization. "One out of every six persons 65 years and older," says JAVITS, "pays over $500 in medical bills annually." Yet 60 percent of the old people have annual incomes under $1,000 and can't afford home or office care that might cut down the length of hospitalization or eliminate it altogether.

JAVITS would deal with the problem by a voluntary program that would combine Federal and State subsidies, contributions scaled to income by the aged themselves, and both commercial and nonprofit insurance companies such as Blue Cross and Blue Shield. The program would not become operative in any State until the State put up the money, arranged with the insurance carriers, and agreed to certain standards for the program.

Although the Javits bill makes a hard effort to provide a voluntary (and heavily subsidized) program, it does not appear to meet the test of practicality. The program would take a very long time to negotiate with 50 individual State governments and with insurance carriers—assuming that it would be possible at all to get them involved in a program whose costs are unpredictable.

Indeed, after studying Flemming's able report, and the arguments on all sides of this issue, we are forced to conclude that the voluntary approach simply will not do the job.

The problem basically is that the aged are high-cost, high-risk, low-income customers. Their health needs can be met only by themselves when they are young or by other younger people who are still working. The only way to handle their health problem, therefore, is to spread the risks and costs widely. And that can best be done through the social security system to which employers and employees contribute regularly. By comparison with the heavily subsidized schemes, this approach has the advantage of keeping old people from feeling that they are beggars living off society's handouts.

We do not pretend to know all the answers to the problem of enlarging the social security system to include a health insurance program for the aged. Even a modest study of the problem immediately convinces anyone of its difficulty and complexity. At this point, we don't think that the complete answer to it has emerged.

Nevertheless, no democratic government can refuse to grapple with a problem of such demonstrated urgency and importance. The issue cannot be evaded and, before it becomes a political football, the politicians of both parties should accept responsibility for finding the best possible answer in the shortest possible time.

THE QUESTION OF COMPULSION

Mr. ANDERSON. Next I come to the question of compulsion. We heard a little bit about that the other day. The question is asked, "Why do you compel these people to belong if they do not wish to belong? Why do you compel them to come under the program if they are under the social security system?"

I have not hesitated to refer to compulsory social insurance, though I am aware that in the battle of semantics which has raged around our proposals this term is considered a devastating weapon.

Nowhere has this issue been defined more clearly than in a column by Walter Lippmann which appeared in the Washington Post and Times Herald on June 16.

Mr. Lippmann, whose articles I am sure we all read, says:

> Shall it [the medical care program] be financed by compulsory insurance, which

means that throughout a persons' working life he and his employer will be taxed to provide an insurance fund for his medical needs when he is retired and is no longer earning an income? * * *

Or shall the program be financed, as the administration proposes, by charitable doles to the very poor, paid for out of compulsory taxes collected by the National and State Governments?

* * * * *

Why does the President feel so strongly opposed to the principle of compulsory insurance for medical care to supplement the insurance, which already exists, for old age? What is wrong about its being compulsory that a man should insure himself against the needs of his old age? What is so wonderful about a voluntary system under which a man who doesn't save for his old age has to have his doctors and his hospital bills paid for by his children or public welfare funds? There is nothing un-American in the principle that the imprudent shall be compelled to save so that they do not become a burden to their families and the local charities, so that they can meet the needs of their old age with self-respect which comes from being entitled to the benefits because they have paid the cost out of their own earnings.

Mr. President, I ask unanimous consent that the entire article written by Mr. Walter Lippmann entitled "Medical Care for the Aged," published in the Washington Post and Times Herald of June 16, 1960, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MEDICAL CARE FOR THE AGED

(By Walter Lippmann)

Almost everyone realizes that a great mass of the old people do not have the savings, and cannot depend upon their children, to pay for the doctors, hospitals, nursing homes, and drugs which, because they are aging, they need more than do younger people.

There are a few eccentrics, professing to be conservatives, who think that in a truly rugged individualism these ailing old people would do without medical care if they can't pay for it, or would make their children mortgage the future to pay the medical bills.

But the country is not that ruggedly obtuse to the facts of life, and accordingly both the administration and the Democratic opposition are agreed that the need, which is obvious and urgent, must be met by Government measures.

Thus, this administration has prepared a program which the Director of the Budget, Mr. Stans, says will cost $1.5 billion by 1964 and $2.5 billion by 1970. For the Democrats, Senator MCNAMARA and some 19 Senators, including KENNEDY, SYMINGTON, and HUMPHREY, have introduced a bill that would add medical insurance to the existing old-age insurance. After the first year, the cost of this program would be $1.5 billion. Thus the two programs are approximately of the same size.

But between the two programs there is a basic issue of principle. On one side are the President and his advisers. On the other side are the preponderant mass of the Democrats and also a considerable minority of the Republicans led by Governor Rockefeller. They differ essentially on how the program shall be financed.

Shall it be financed by compulsory insurance, which means that throughout a person's working life he and his employer will be taxed to provide an insurance fund for his medical needs when he is retired and is no longer earning an income? This is the principle of the McNamara bill in the Senate, as it was of the Forand bill in the House, and it has the support of the leading Democrats and of Governor Rockefeller.

Or shall the program be financed, as the administration proposes, by charitable doles to the very poor, paid for out of compulsory taxes collected by the National and the State Governments?

For reasons which he has never explained, the President regards compulsory social security taxes as unsound, socialistic, and rather un-American; on the other hand he regards compulsory taxes to pay for doles based on a means test as somehow more voluntary, sounder, more worthy of a free society and more American.

Under the McNamara bill, medical insurance would be added to the existing old-age insurance system. During his working life, each person covered by the social security system would contribute an additional amount, as would also his employer, to supplement his retirement income to include medical services.

It is true that during the first few years benefits would be received by persons who had not contributed because the system did not exist when they were earning their living. These benefits would be paid for by the younger people. But as the younger people would be buying their own insurance, there is little inequity in this. Nobody will lose anything, although those who are already too old to have been contributors to an insurance plan will benefit. In a few years everyone receiving the benefits will have paid his share.

Why does the President feel so strongly opposed to the principle of compulsory insurance for medical care to supplement the insurance, which already exists, for old age? What is wrong about its being compulsory that a man should insure himself against the needs of his old age? What is so wonderful about a voluntary system under which a man who doesn't save for his old age has to have his doctors and his hospital bills paid for by his children or public welfare funds? There is nothing un-American in the principle that the imprudent shall be compelled to save so that they do not become a burden to their families and the local charities, so that they can meet the needs of their old age with the self-respect which comes from being entitled to the benefits because they have paid the cost out of their own earnings.

The President has been led to think, he says, that compulsory insurance is "a very definite step in socialized medicine." Why? In a system of compulsory insurance the Department of Health, Education, and Welfare, which would administer the program, could and should use as its agents private organizations like the National Blue Cross Association in negotiating with hospitals and nursing homes and in dealing with claims and complaints. The system would be financed as insurance. But it would be worked not by a new Government agency but by the kind of private voluntary association which the President otherwise believes in.

In this connection it is interesting to remember that in the early 1930's when voluntary health insurance plans were inaugurated, our old friend, the American Medical Association, was declaring that they were communism and socialism and socialized medicine. Today, the American Medical Association is pointing to these same voluntary insurance plans as the solution of our present needs and the proper alternative to compulsory old age medical care insurance.

Among the opponents of medical insurance there seems to be a vague and uncomfortable feeling that it is a newfangled theory, alien to the American way of life and imported, presumably, from Soviet Russia.

The Founding Fathers were not subject to such theoretical hobgoblins. In 1798 Congress set up the first medical insurance scheme under the U.S. Marine Hospital Service. The scheme was financed by deducting from seamen's wages contributions to pay for their hospital expenses.

If that was socialized medicine, the generation of the Founding Fathers was blandly unaware of it.

Mr. PROXMIRE. Mr. President, will the Senator yield at that point?

Mr. ANDERSON. I am happy to yield to the Senator.

Mr. PROXMIRE. Mr. President, it seems to me the Senator from New Mexico is discussing the heart and soul of the difference between his social security proposal and some of the other type proposals in regard to health insurance. I think the philosophical difference is extremely important. It is a difference raised by as fine a liberal Senator as the distinguished senior Senator from New York [Mr. JAVITS] this morning, who disagrees with the Senator from New Mexico. The Senator from New York [Mr. JAVITS], and other Senators feel that the compulsion in social security is somehow, though not un-American, something which clashes with present American attitudes. That is the feeling of some toward compulsion, in using the social security approach for health insurance.

I wish to ask the Senator from New Mexico if this fundamental issue was not only settled 25 years ago but also has won an overwhelming, if not virtually unanimous, approval by all the American people? People are now compelled, whether they like it or not, if they work for a living, to save their money and to contribute into the social security system so that they can receive pensions after they retire. That was the fundamental philosophical decision which was made then; is that not correct?

Mr. ANDERSON. Yes I think it was.

I came to this city in 1936, when some of the final questions were being settled as to social insurance. At that time there were experts to whom we appealed, but they were not the members of the staff who have helped us recently, who have advised us in a very fine fashion.

Mr. President, I wish to pay tribute at this time to Mr. Robert Myers for the wonderful information he gave to us and for the speed with which he furnished it to us.

That was not the situation 25 years ago, Mr. President. Some of the experts we had available to us in those discussions could not even speak the English language. They were brought from Germany, where there had been social insurance. We had to import people from other countries, because we had no American experience on which to base our decisions. Because we had no experience, people almost without number stood up to say, "This is un-American." They started by saying, "This is socialistic. This is communistic. This is un-American. It is horrible to compel a man who wants to "fritter away" his money to save a little—to force him to save some so that he will have something in his old age. It is awful to insist

that a man has to put away a few dollars so that a child who is born blind in his family can get help, or so that a child who is born blind in the family of his neighbor can get help, because we are still our brothers' keepers. It is an awful thing."

But, somehow or other, the program was started. Before long it was not possible to find on the floor of the House or of the Senate people who would get up to say, "It is wrong to have compulsory saving for old age."

I believe there are Members of the U.S. Senate who actually contribute to the retirement fund. Why do they do so? It is because it has been proved to be a desirable and wise thing to do. It is not compulsory in the Congress, but there is compulsion in industry.

We have completely forgotten that it was considered to be so terrible for a man to be compelled to save money for his old age, to be compelled to save money for blindness or for aid to dependent children.

Within the last few years, since 1956, we have found it is not so terrible to be compelled to save for disability. That was once considered to be a terrible thing. That opened the door to the whole field of socialized medicine.

While I have had many appeals from doctors concerning the bill before the Senate, I do not think the number came close to the appeals which came to me from doctors about the disability provisions. That was real sure-enough poison in the wheels of our social service. Somehow, the program was established. Now not a single doctor is telling me how terrible it is that people who become crippled and disabled have a chance to eat with some regularity. I thank God that those doctors who have watched the program are kind enough to admit that it has not harmed us. I think they will say the same about this program.

I agree with the Senator from Wisconsin. I think the principle was settled 25 years ago, as to the question of whether compulsion is or is not desirable, by making provision for old-age assistance, for aid to the blind, for aid to dependent children, for retirement pay of all kinds, and for disability. Now, perhaps, we shall make provision for health.

Mr. PROXMIRE. There are those who oppose the position of the Senator from New Mexico, of which position I approve. I approve of the amendment of the Senator from New Mexico, and I expect to vote for it enthusiastically. Those who oppose it say they are in favor of assistance for the aged who are in ill health.

They say they would prefer to pay for the plan by a broad national tax on everybody through the taxing of income, rather than confining it to the social security system, which is a relatively and comparatively regressive tax. It seems in doing so what they fail to recognize is that what the social security does is to provide an opportunity for everyone to make his own contribution to his own retirement and to his own health so that he has a right—nobody is giving it to him—he has earned a right to receive health insurance in his old age.

Is it not true that if we rely on the kind of proposal made by those who oppose this approach—in other words, a broad national tax—that what will happen is that we shall wait a long, long time before there is anything like the kind of comprehensive, full and adequate health insurance program for all the American aged who need it?

I should like to complete the question by asking also how long we would have to wait for an adequate pension system if instead of having a social security tax, we had relied on general revenues to provide the kind of social security pension which our people are receiving today and blessing?

Mr. ANDERSON. I think that those who argue for dipping into the Federal Treasury to take care of payments under the proposal should be consistent and go down one road or the other all the way. If they believe that the approach of applying a payroll tax on a pay-as-you-go basis for health for the aged is wrong, then they should also seek to remove all the rest of the social security taxes and be absolutely consistent. They should seek to make all such payments from the Federal Treasury.

They know, of course, that they will not get the kind of money from the Federal Treasury that would be needed. If they came in and asked for billions of dollars that would be required from the Federal Treasury, we would unbalance the budget, and we would have to face large deficits year after year. We would, therefore, either defeat the program by having Congress repeal it or by the amount of pressure we would get to make social security payments. So they will not go that route at all. They will not take a step down that disastrous path. They simply say that rather than have this procedure adopted, we will take a little of this other system.

I say to the Senator from Wisconsin that we tried that with disability. We limped along for a few years unable to face up to it, and then in 1956 we did face up to it.

I wish that those who sponsored that legislation would take the same attitude on the pending legislation. They are exactly comparable. It would be very nice if we had it that way.

If the Senator does not mind, I would like to deal with this precedent of extending new benefits under OASI to persons already retired. One of the big arguments that will be made, and one of the arguments that was made in the committee, was that through a payroll tax and paying immediate benefits we would give some health protection to people who had not paid anything for it, those who are already retired and who are 68 years of age or over. They will get some money and they will not pay anything for it.

If the proponents of the plan wished to be consistent, why did they not follow that policy with reference to disability? It is an interesting question, and we wonder why they did not.

PRECEDENTS FOR EXTENDING NEW BENEFITS UNDER OASI TO PERSONS ALREADY RETIRED

The Anderson-Kennedy amendment, in providing the new medical insurance benefits to persons who have already retired, is following the precedent always followed by the Congress in liberalizing old-age, survivors, and disability insurance. New or improved benefits have always been extended without additional contributions on their part to persons who had already retired or lost their husbands or become disabled. And the estimated cost resulting from this policy has each time been included in cost estimates and has been met by higher contribution rates for those still at work.

First. Three examples exist in connection with disability benefits: (a) The new disability benefits enacted in 1956 were made available to 300,000 persons already disabled. Contribution rates were increased by one-fourth percent each for employers and employees, and placed in a separate disability fund, as the Anderson-Kennedy bill proposes; (b) in 1958, their dependents became eligible, and so did certain other disabled workers; (c) the present Finance Committee bill, like the House bill, extends disability benefits to persons under 50 and their dependents even though the disability occurred before 1956.

It is satisfactory to do it that way for disability. It is all wrong to do it in some other way if a physician writes a letter and says, "I do not like it. I think that is socialized medicine."

Second. Increases in monthly cash benefits were made available to millions of beneficiaries each time benefits were improved for persons currently employed. The following table shows the number of beneficiaries who, without further contributions, immediately received the advantage of cash benefit increases through the amendments enacted in the years shown—based on number of monthly benefits in current-payment status at end of year, Social Security Bulletin, Annual Statistic Supplement, 1958, page 13:

	Million
1950	3.4
1952	5.0
1954	6.9
1958	12.4

Yes, we will add 9 million people who are eligible for benefits under this program. We put in 12.4 million in 1958. That was financially sound. That was fiscal responsibility. But if we propose a payroll tax now, that does not dip into the Federal Treasury, that is a very bad socialistic scheme.

As a result of the 1950 amendments, the average benefit for retired workers rose from $26.36 in August to $46.62 in September 1950, an increase of 77 percent, or nearly $140 a year.

In 1958, the average for workers already retired was estimated by the Senate Finance Committee to be $4.75 a month, or $57 a year. This is about three-fourths the cost of the proposed medical insurance benefits.

The effects of the cash benefit increases is illustrated by the case of a worker who retired in 1940 with the

average benefit for that year of $22.60 a month. By now his benefit has become $55. His wife or widow has received proportionate increases. Allowing for changes in prices, his benefit check had increased in purchasing power about 17 percent by December 1959—Social Security Administration, Research and Statistics Note No. 8, March 8, 1960.

Unlike commercial insurance, social insurance is directed to meeting social goals related to the general welfare. The old-age, survivors, and disability program does not make benefits directly proportionate to earnings and contributions. It has always been more liberal to low-income groups in regard to the proportion of lost earnings that are replaced. It has also had liberal eligibility requirements for newly covered groups. The trust fund, and the contributions to it, have met resultant costs.

Awhile ago I asked to have printed in the RECORD some editorials from Business Week and the Washington Post. I ask unanimous consent at this time that there be printed in the RECORD at this point of my remarks an article from the New York Times entitled "Wider Use for Social Security" under date of June 13, 1960.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WIDER USE FOR SOCIAL SECURITY

A convincing case for using the Federal social security system to finance health insurance for older people has been made by Nationwide Insurance. It is persuasive not only because of the arguments used but also because of its source.

Nationwide has had a unique experience in giving the public protection. Founded by a small group of Ohio farmers in 1926 as a cooperative automobile insurance concern with a capital of $10,000, it has become one of the largest insurance operations in the country. With assets of more than $350 million it gives many kinds of coverage in 20 States through more than 3 million outstanding policies.

The directors of Nationwide have stated in a formal resolution that the health costs of older people are not being met by insurance, that those over 65 haven't either the income or the assets to cover those expenses, that Nationwide favors the use of the social security principle to help meet their needs and, more specifically, that it will support "appropriate legislation" to provide basic health insurance to those eligible for Federal social security benefits.

A memorandum ably summarizes the statistical and historical evidence for the stand Nationwide has taken. It emphasizes a point which seems to be generally overlooked in the current discussions. It claims that, far from damaging the interest of private insurance companies, the companies "would have a broader, sounder market for voluntary insurance among our older people by building on the basic provisions of social insurance legislation."

The Nationwide memorandum also points out that before the establishment of the social security system in 1935 the medical societies and many insurance companies opposed the program for most of the same reasons they now oppose the social insurance approach to health care for the aged. But the three decades of experience since then have shown that the minimum social security pensions "have made possible a widespread development of private plans in recent years." We hope that the interests now opposing this extension of the social security system will prove to be as wrong as they were in 1935.

Mr. ANDERSON. Mr. President, I ask unanimous consent that an article from the New York Times of Tuesday, May 10, 1960, entitled "Health Aid for the Elderly," be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HEALTH AID FOR THE ELDERLY

The administration's program of health insurance for those over 65 has laid the main issues right on the line. They are: first, the use of the Federal social security mechanism versus State administration with Federal subsidies and, second, compulsion versus freedom of choice.

Under the administration plan the various States would be authorized to provide financial aid to elderly people in meeting the costs of hospital and medical care, either directly or through private agencies. The Federal Government would share the costs of the whole operation with the States. Participation by individuals would be voluntary, but limited to those whose incomes were less than $2,500 in the previous year (couples $3,800). On the other hand, the widely supported Forand bill provides that the entire operation be carried on by the Federal Government as part of the well-established old-age and survivors insurance system, with eligibility for all those eligible for regular OASI benefits.

We believe that the arguments for using social security are overwhelming. Governor Rockefeller has done well to say that the administration plan could result in "a very serious fiscal situation, very high costs and cumbersome administration" and to urge that medical care for the aged be an added health feature of the social security system, with those who benefit contributing to their own protection.

The relatively high expense, per person covered, of the administration plan has two chief causes. First is the fantastic cost of setting up and operating new machinery of administration in possibly as many as 50 different States, and second, the expense involved in checking on the incomes of millions of beneficiaries to prove eligibility—both at the start and, as incomes change, in the future too. And the complexity and diffusion of administration and control would be little short of bewildering.

As for the issue of compulsion, it vanishes with just a little thought. The only compulsion involved in the Forand plan would be that of paying slightly increased social security taxes. Beneficiaries would have a wide choice of hospitals approved by the Government as part of the program. (Under those circumstances who wouldn't want to accept the benefits?)

As a matter of fact, the administration bill involves the same, but a less obvious, kind of compulsion. Taxpayers as a whole—including those not given protection—would be compelled to cover the costs of State and Federal subsidies. The bogey of "socialism" in social security health protection is also easy to dispel. Under the Forand bill neither hospitals nor surgeons taking care of beneficiaries would be under Government control.

There are many positive advantages in using social security. For example, it would avoid what amounts to a means test for eligibility—something abhorrent to Americans—and would automatically relate payments to ability to pay without investigation. Also, it would take effect nationally at once, while State cooperation might be far from unanimous and also slow in coming.

The administration bill, however, offers substantially more benefits than does the Forand measure. But, except for persons on relief, they couldn't be had until the subscribers themselves had paid $250 (couples $400) for health care, in addition to their $24 enrollment fee. And, after that, they would have to pay 20 percent of all their subsequent expenses. The alternative of purchasing health insurance from private agencies, even with a 50–50 assist from the governments up to $60, would also be expensive. It looks as if the voluntary plan would be used most by those who need it least.

A satisfactory measure would have to be less costly than the administration plan—but provide more protection than does the Forand bill—if possible financially. And the Forand measure doesn't cover the 4 million or so people over 65 who are not getting social security. It is unfortunate that so little time remains in the present session of Congress to hammer out a plan that will meet the need and the phenomenal public demand. If that can't be done, this matter should surely be made a must for the next Congress when it meets.

Mr. ANDERSON. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point in my remarks an article from Life magazine under date of April 25, 1960, entitled "Age, Health, and Politics"; and an editorial from the Washington Post of February 20, 1960.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From Life, Apr. 25, 1960]

AGE, HEALTH, AND POLITICS

The hottest political potato so far in this election year is this question: Are Americans over 65 entitled to Federal help to meet their hospital and doctor bills?

The Forand bill, which would raise $1 billion for such care by a one-half of 1 percent boost in the social security tax, has produced floods of favorable mail and given the Democrats an unexpected issue. Republicans, while granting the need for aid, are trying to find a more private, voluntary alternative. Since the issue is important, let's try to separate its social realities from its politics and facts from principles.

Unquestionably, many older Americans (15.8 million are over 65) are in real need. The average $72 a month they draw from social security scarcely provides food and shelter, much less for the medical expenses which increase with age. Few are in a position to meet the cost of chronic illness from which many suffer. Yet even to get charity care—itself inadequate in quantity and often inferior in quality—they must suffer the indignity of a pauper's oath.

Can their need for medical aid be provided by private, voluntary Blue Cross-type plans? These are expanding, but can never meet the whole need. Premiums for the aged as a separate group are prohibitively high. The least burdensome method of insurance is for the whole society to spread the costs over the whole working life cycle. The cheapest and most logical way of doing this, whether by the Forand bill or a better one, is by extending the existing system of social security.

To provide this, aid need not be socialized medicine, as opponents claim, since payments could be made through private channels and patients select their own doctors and hospitals as before.

The first question of principle is whether this form of aid will undermine the private duty of providing for one's own old-age through old-fashioned virtues like foresight and thrift. Being a floor, not a ceiling, it need not do so. Individuals will still have plenty of incentive to save for the future, though less fear of it.

Another question of principle is whether it is the proper function of a free government to offer special help to its older citizens. That principle was accented when social security itself became effective in 1937. The presumption against any extension of Federal activity and expenditure, though Jeffersonian in origin, is now championed, though weakly, by the Republicans, who don't want to be tagged as enemies of the aged. But an extension of an established system like social security is not a violation of principle. But there is also an issue of cost.

Not even the Democrats can extend the welfare state without reference to the price tag. Enough spending bills were introduced in Congress last year to add $50 to $60 billion to our existing $78.4 billion budget if passed. Priorities, therefore, have to be determined. Health aid to the aged can be provided, but it may mean fewer schools, highways or other needs which may also be urgent. A related question is whether aid to the aged can be done without renewed inflation. The aged, on small and fixed incomes, have been the chief sufferers from inflation, and this is a good reason for giving social security a high priority. By the same token, any aid program that feeds inflation would defeat its own purposes and fool its beneficiaries. So the costs of any plan adopted must be carefully limited and controlled.

Doubtless the Forand bill can be improved. Some $200 million could be saved simply by raising the eligible age from 65 to 68. Moreover, many oldsters able and eager to work could better provide for their own security if the $1,200 limitation were raised on the income they may earn without forfeiting social security pensions.

But in principle, such aid is proper public business. The issue is therefore inevitably and properly a political one. It should be decided according to the Nation's sense of justice, urgency, and choice of priorities in the use of scarce resources—as interpreted by the Nation's elected representatives in Congress.

[From the Washington Post, Feb. 20, 1960]

RETIREMENT NIGHTMARE

Everywhere in its travels around the country, Senator MCNAMARA's Subcommittee on Problems of the Aged and Aging heard anxiety expressed by older citizens as to how they would pay for medical care in their retirement. How can anyone with foresight, old or young, fail to be anxious about this problem? While a man is employed, he can enjoy the protection of some sort of group or private insurance program to cover medical and hospital bills if he becomes ill. The chances are, however, that when he retires he will no longer enjoy such protection; yet this is the time, obviously, when he will need it most—when, indeed, he is certain to need it sooner or later, which is what makes the cost of such private insurance prohibitively high for the aged.

The McNamara subcommittee came to the conclusion that this problem should have top priority for legislative consideration in 1960 and recommended in its report an expansion of the system of old-age, survivors, and disability insurance to include health service benefits for all persons eligible for OASDI. We think this conclusion is inescapable. The essence of it is embodied in the Forand bill which would cost about $1 billion a year to be financed with one-fourth of 1 percent increase in social security taxes. Like other old age benefits, this would be paid for by a citizen throughout his wage-earning years, with a matching contribution by his employer. It would relieve retirement of one of the worst of its nightmares.

That the American Medical Association would offer its usual doctrinaire opposition to this proposal was as much to be expected as a bill from a doctor after a visit to his office. Senator MCNAMARA has observed that the AMA had "nothing to offer but tired abuse." This is not, by the wildest flight of the most neurotic fancy, socialized medicine or political medicine. It is simply a system, if the AMA could but calm its nerves enough to realize it, which, like Blue Cross or Group Hospitalization or any other insurance program, would enable a patient to go to the doctor and the hospital of his choice and pay the bills resulting from the care he needs in old age. It would help doctors, hospitals, and medicine in general. And it would enable American men and women to retire in their old age with more security and self-respect.

Mr. ANDERSON. Mr. President, I have taken a great deal of time, and I intend to take some more. Some question has been raised about the medical care provisions of the committee bill. The medical care provisions of the bill approved by the committee are substantially better than those of the House bill. But the approach is nevertheless a public assistance approach. States would be permitted to be less severe in their tests of medical indigency than the tests they now impose for such payments, but the Federal program assumes some proof of poverty or a means test. The specific wording of the bill is:

> An eligible individual means any individual (1) who is 65 years of age or over and (2) whose income and resources, taking into account his other living requirements, as determined by the State, are insufficient to meet the cost of his medical service.

This wording involves no substantial change from the present authority in title I, the old-age assistance provision. The important part of the Finance Committee addition to the bill is the liberalization of the matching grants formula. But additional money will not itself bring forth necessary State action. And the proposal will not overcome the inherent limitations of public assistance as compared with social insurance.

If social insurance is added to the committee bill, as my amendment proposes, the majority of aged persons will not have to turn to public assistance, but the minority who do will have better care. The Finance Committee bill is a useful supplement if the major burden is carried by social insurance. Then the minority who need aid on the basis of an income test can secure it more liberally. But without health benefits financed through OASDI, most States cannot be expected to provide sufficient funds to pay for adequate medical services either to present old-age recipients or to the proposed additional group of the medically indigent.

Any approach involving a means test and based on Federal grants to the States will not provide the kind of protection which the majority of the aged want and deserve in this Nation today.

Because it does not provide assured payments as a matter of right, it fails to promote peace of mind or early preventive care.

Through reliance on a needs and income test, it fails to safeguard the savings, independence, and dignity of the individual.

It is of assistance only as dependency occurs instead of helping prevent it.

The Finance Committee has done well to integrate into title I all the proposed provisions for medical care through Federal-State matching grants on a means-test basis. This avoids the confusion and inefficiency that might have resulted from the House bill. It also removes any doubt that the increased payments for medical care would be administered by the State and local welfare agencies.

They would need thousands of new employees to do the job properly, but they already have great difficulty in securing adequate, well-trained staffs. Our elderly citizens do not want to have their income, other resources, and living requirements inquired into by overburdened employees of welfare agencies.

The task of making such a check would be especially difficult in the case of elderly persons who move from State to State.

The medical care program in the committee bill will not automatically become effective. The States must take positive action to provide additional funds. In many States, perhaps in the great majority, additional legislation will be required before a new type of medical cost can be paid for or before a new kind of test of poverty can be applied.

A few fortunate States may be able to give more liberal assistance to their elderly citizens on October 1, but many will have to wait until after their legislatures have taken action next year.

If they fail to act, then the elderly citizens will have gained nothing. My amendment makes hospital benefits available on July 1 of next year to 9 million aged persons without the need for action by 50 State legislatures and Governors.

The fact Federal money is made available does not necessarily result in State action. Under the present old-age assistance provisions, 23 States and the District of Columbia fail to take advantage of all the Federal funds that are offered to them for use for their aged citizens.

Experience through many years of effort indicates that in most if not all States, it is very difficult to secure passage of liberalizing amendments and necessary appropriations. Many States now have tests of need, of residence, of relatives' responsibility, and liens that are severe and that are the result of their own choice. More Federal funds will not change these policies in a manner satisfactory to our retired citizens who have striven throughout their long working lives to achieve independence and self-respect.

The 1958 amendments to the Social Security Act established an Advisory

Council on Public Assistance which, as requested by the Congress, has submitted a substantial report. That document contains recommendations relevant to the problem under consideration. It refers to "the serious gaps and inequities that still remain in coverage, in adequacy of public financial assistance and in availability of high quality services." Its comments on unmet medical need justify increased Federal grants for this purpose. But the Council also warns:

> Improvements in medical care should not be accomplished by reducing money payments to recipients.

The Council report also points out:

> Not many States provide assistance for comprehensive medical care. Some pay only for a single item.

Even in regard to cash payments, the Council found that "less than one-half the States fully meet need by their own standards for any of the federally aided categories." Total unmet need among aged recipients is estimated at $222 million a year, not counting medical care.

If a progressive State is considering establishing an adequate program, the usual arguments will be made that higher taxes will drive business elsewhere and that high payments will attract dependent people. The same barriers to adequacy under a State-by-State approach will be encountered as in other social welfare programs.

Taxes will be as compulsory under the assistance programs as the contributions are for social insurance. The OASDI contributions are uniform throughout the country and are borne by persons during their working years.

It has been argued that Federal funds financed from general revenues are more progressive than the social insurance payroll tax. But 58 percent of State revenues are based on taxes, such as sales taxes, which fall very heavily on people with low incomes, including the aged. An increase in these taxes, such as would be necessary in practice, would cause additional numbers of aged persons to have to turn to public assistance.

The criticism of the payroll tax can readily be met by raising the wage-base ceiling above $4,800 a year or even removing it entirely. The accompanying increase in maximum benefits would overcome the lag of benefits behind rising earnings.

The States are already having difficulty meeting the needs of expanding populations for education, recreation, roads, and many types of community facilities. They cannot easily provide the additional funds that would be required to take advantage of the new Federal matching grants unless my amendment is added.

Now I should like to speak briefly on the amendment itself.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. PROXMIRE. I should like to have the Senator yield at this point on the benefits, which I consider to be one of the strong points of the amendment. As I understand, it would to some extent reduce the total cost of illness to all the American people, because the amendment provides for preventive care. Is that correct?

Mr. ANDERSON. Yes; indeed it does.

Mr. PROXMIRE. Much more so than the bill would without the Anderson amendment added to it.

Mr. ANDERSON. Yes; I believe so.

Mr. PROXMIRE. Is it not true that it is also designed to cut down the excessive use of hospitals, the indiscriminate use of hospitals, at a time when we have great difficulty in providing an adequate number of hospital beds?

Mr. ANDERSON. Yes. The amendment suggests that a person can get adequate home care. I think that is very important.

Mr. PROXMIRE. The individual would pay the first $75. That would discourage malingering or chiseling by those who might abuse the system, by those who would simply loaf in the hospital. It would do so by charging the hospitalized for at least a part of the cost.

Mr. ANDERSON. That is correct.

Mr. PROXMIRE. In what way would the Senator's amendment relieve the financial burden on the States?

Mr. ANDERSON. The people who will take advantage of the social security provisions are not going to make claims under other parts of the act. I believe that is important. Two million people are on social security in New York State, and 22,000 are on social security in New Mexico. These are people who would not necessarily and probably would not ever come to the State to ask for any special form of assistance. However, if we provide that in order to get any help from the Federal Treasury they must be found to be medically indigent, then we must turn all the workers, case aids, and relief agencies to the task of examining into the question of whether these people are medically indigent. They may be medically indigent one month and not the next month.

Mr. PROXMIRE. The amendment of the Senator from New Mexico is a careful and prudent amendment. It would economize and eliminate chiseling and waste in the use of hospitalization; it would provide for preventive care, thereby reducing the total cost of illness to all Americans, and it would relieve to a significant extent the burden on the States.

Mr. ANDERSON. Yes.

Mr. George Meany, president of the AFL–CIO, has written to every Member of the Senate urging support for the Anderson-Kennedy amendment to provide health benefits for the aged as a part of the social security system.

I ask unanimous consent that Mr. Meany's letter be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> On behalf of over 13 million American workers and their families, I urge you to support the Anderson-Kennedy amendment which will be offered as an addition to the Finance Committee social security bill. In the matter of health care for the aged this bill is limited to some slight improvements in the present public assistance program and the creation of a new "medically indigent" class. It would provide medical services only as a public charity and only on proof of poverty, and then only in States that agree to participate, and only if matching funds from the Federal Treasury are appropriated by the Congress.
>
> The Anderson-Kennedy amendment would provide health benefits as a matter of earned right under the tried and tested social security system which requires no funds from the Federal Treasury or from the States. With this addition to the committee bill, we would be providing health care both for those in the social security system and for those who do not presently qualify. By adding such a social security provision, we would reduce the number of people who would have to look to public assistance for medical care, with its hateful means test.
>
> This is one of the most vital issues ever to come before the U.S. Senate. We can take a small step forward, or we can take significant action and bring real security with dignity to the lives of our senior citizens.
>
> We have just celebrated the first 25 years of social security in America. The most fitting tribute we can pay to the foresight of the Congress 25 years ago is to build now upon our sound system of social insurance. The Anderson-Kennedy amendment is the way to do it.

Mr. ANDERSON. Mr. President, a few days ago, Mr. James E. Stuart, president of the Blue Cross Association, wrote to me urging me to modify my amendment so as to permit the Secretary of the Department of Health, Education, and Welfare to employ private nonprofit organizations to pay hospitals for services rendered to beneficiaries under the act.

Dr. George Baehr, special medical consultant of the health insurance plan of Greater New York, and former president of the New York Academy of Medicine, wrote a letter to me in opposition to that suggestion. I ask unanimous consent that Dr. Baehr's letter may be placed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 4, 1960.

Hon. CLINTON P. ANDERSON,
U.S. Senate, Washington, D.C.

DEAR SENATOR ANDERSON: In a letter dated August 2, 1960, Mr. James E. Stuart, president of the Blue Cross Association, urged you to modify your proposed amendment to H.R. 12580 so as to permit the Secretary of the Department of Health, Education, and Welfare to employ private nonprofit organizations to pay hospitals for services rendered to beneficiaries under this act.

I write in opposition to this suggestion—unless all of the Blue Cross plans throughout the country and their present sponsoring agency—the Blue Cross Association were to be united into a homogeneous, nationwide, nonprofit organization established under Federal charter comparable to that of the American National Red Cross.

The following are my reasons for opposing the recommendations of the Blue Cross Association:

1. Multiplicity of local Blue Cross plans which differ greatly from one another in operating costs, premium rates, and scope of benefit coverage.

2. Lack of control of the Blue Cross Association over the independent local Blue Cross plans.

3. Absence of control by Blue Cross plans over rising hospital costs.

4. Inability of Blue Cross plans to curb unnecessary utilization of hospital facilities and other hospital abuses.

5. Absence of any power of Blue Cross to regulate hospital standards and quality of hospital care.

Under the above circumstances, Blue Cross or any other private insurance company would only serve as an unnecessary middleman to receive and pay hospital bills for OASI and then submit claims to the Secretary of the Department of HEW for reimbursement. This would tend to increase administrative costs without compensating advantages. The middleman, acting as a fiduciary agent for the Government, would feel no obligation to exercise any restraint upon the claimant hospitals whose lay and medical representatives comprise the majority of the board of directors of the Blue Cross plans.

It is my opinion that the Government agency which pays bills on behalf of its beneficiaries directly is better able to enforce hospital standards and curb hospital abuses.

I would be pleased to be recorded as supporting your proposed amendment to H.R. 12580 in all its provisions.

Sincerely yours,

GEORGE BAEHR, M.D.,
Special Medical Consultant, Health Insurance Plan of Greater New York.

FACT SHEET ON ANDERSON-KENNEDY AMENDMENT

Mr. ANDERSON. Finally, I should like to read a fact sheet on the Anderson-Kennedy amendment:

1. Number of persons eligible for benefits, July 1, 1961, 9.2 million. This is three out of four of all persons aged 68 and over and nearly three out of five aged 65 and over.

2. Cost in first full year of operation: about $80 per person, a total of $700 million, or one-third of 1 percent of taxable payrolls.

3. The proposed contributions will exceed benefit payments by one-third of a billion dollars a year. The new medical insurance account is estimated to equal $1 billion by the end of 1962 and $2 billion in 1965.

4. The maximum contribution by any one wage earner will be $12 a year or 23 cents a week. For persons with earnings below $4,800, it will be less.

Mr. President, a great many organizations have written to me endorsing the amendment and making recommendations. I see no point in including a complete list of these organizations in the RECORD. Nevertheless they represent impressive testimony that these organizations realize that the social insurance principle is well established and proper in this case.

I hope the amendment will be supported on that basis.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. PROXMIRE. Would the Senator's amendment be added to the bill?

Mr. ANDERSON. Yes.

Mr. PROXMIRE. It would strike nothing from the bill. Is that correct?

Mr. ANDERSON. It would strike nothing at all. It accepts all there is in the bill. It says that the work of the Finance Committee is good, but this will make it useful, and it will place primary reliance on the insurance system, and will allow the other provisions in the bill, which cost about $130 million, to become supplementary to it.

Mr. PROXMIRE. This is a point which has been puzzling a number of Senators, and I have received no reliable answer. The Forand bill, as I understand, provides for this kind of health insurance at the age of 65. The McNamara proposal, the Kennedy proposal, and the Humphrey proposal, all of which, I presume, at one time or other, were checked with the responsible officials in the Department of Health Education, and Welfare, provided for benefits at 65 not 68 and thereby covered millions more. At that time they were said to be actuarially sound with the same social security tax the Senator from New Mexico now proposes.

The amendment of the Senator from New Mexico—which I trust, because I rely completely on his word; I am sure it is always very good—as I understand, has been trimmed down because it is impossible to provide these kinds of benefits beginning at age 65 without having a much heavier payroll tax than one-half of 1 percent.

Was there some kind of revision on the part of the actuaries who created this tax and this change in the situation?

Mr. ANDERSON. No. I think the revision is on the part of the individuals who made the proposals. If we included all the items which were included in the Forand bill, we would include, not a fourth from the employer and a fourth from the employee, but I think we would have to include four-tenths from the employer and four-tenths from the employee; perhaps more than that.

Mr. PROXMIRE. It is my understanding that the original Forand bill provided one-fourth from the employee and one-fourth from the employer.

Mr. ANDERSON. But the cost estimate was revised when it was discovered not to be actuarily adequate.

Mr. PROXMIRE. It was my understanding that the McNamara bill also provided for one-fourth from the employer and one-fourth from the employee.

Mr. ANDERSON. The McNamara bill provides for service in a somewhat different fashion, but the rates are the same. There is nothing particularly wrong with the McNamara bill, the Humphrey bill, or any other bill. It was simply a decision which some of us reached that we would prefer to go a little shorter on the number of hospital days. We have used the exact figure which the administration itself used—120 hospital days. In my original proposal provision was made for 365 hospital days. I am persuaded that that figure is too high. Most of us accepted the revised figure, suggested by the Senator from Illinois [Mr. DOUGLAS], and came down to a figure which would be fully met by the levies we would produce. In other words, .43 percent will go for hospital care; .01 percent for nursing home; .05 percent for diagnostic outpatient hospital services.

Mr. PROXMIRE. It is my understanding that it was to be a more substantial, drastic change; that in view of the new actuarial figures, the Forand bill or the McNamara bill contains revised estimates of how much each proposal would cost, from one-half of 1 percent to eight-tenths of 1 percent, the cost to be divided equally. In other words, the employer would have to pay four-tenths of 1 percent and the employee four-tenths of 1 percent, in order to make either program actuarially sound. But to have provided for that contribution would have meant such a drastic increase that it was decided to take the approach of the Senator from New Mexico.

Mr. ANDERSON. That is correct. It is necessary to decide whether we want to get all of heaven in the first year or try to find out if a certain principle should be used. Even though it does not cover everything that may be desirable now, it is probably better to wait and see what is most desirable.

Mr. PROXMIRE. Many Senators felt that people should be covered at the age of 65. It was felt that this coverage should be provided almost at once. We have great confidence in Mr. Myers. I have relied on him in the past. I know he is a very competent person, as are the other actuaries, but we felt that this is a completely new field. No one really knows about it. The same kind of assurance cannot be given as can be given with respect to social security benefits. We do not know how many people will be ill, especially under the preventive programs. We do not know what changes will take place in medical science.

So it is a kind of vague estimate. We wondered whether this was a firm, widely approved estimate, or if it was simply an estimate of one person, which may be overly conservative.

Mr. ANDERSON. No. It is a firm, widely approved estimate. The reason age 68 was used was that the average age of retirement is now 68. We thought that instead of fishing around for an age, say, age 75 or age 73, we should take the average age at which persons now actually retire. Since people will die anyway, we said we would start with age 68 and see how the plan worked.

Mr. PROXMIRE. I thank the Senator from New Mexico.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objecton, it is so ordered.

What is the pleasure of the Senate? If no Senator wishes to address the Senate at this time, the Senate will proceed in accordance with the order previously entered.

Mr. GORE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the

order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I understand that the distinguished Senator from Tennessee has a very brief statement to make. When he concludes his statement, we shall, under the order previously entered, go over until Monday, at 10 o'clock.

Mr. GORE. Mr. President, today the junior Senator from New Mexico [Mr. ANDERSON] delivered in the Senate an exceptionally able and forceful address on the subject of medical care and hospitalization for the elderly of today and tomorrow, with particular emphasis upon the problems of tomorrow. The problems of tomorrow loom in geometric proportions.

I trust that before a vote on this bill is reached, Senators will afford themselves an opportunity to read the able address delivered by the junior Senator from New Mexico.

I also call attention to the statement of the minority views, which have been printed in connection with the committee report, beginning on page 274. It will be found that those of us, members of the Finance Committee, who are proposing an amendment to the pending bill have stated at considerable length our views. It would be appreciated if the other Members of the Senate would do the minority members of the committee the honor of studying our views with respect to this particular piece of proposed legislation.

Mr. President, it is my purpose on Monday or Tuesday to address the Senate at greater—but, I hope, reasonable—length upon this subject.

However, today I wished to call attention, at this point in the RECORD, to the exceedingly forceful and able address delivered by the distinguished junior Senator from New Mexico [Mr. ANDERSON], and also to the minority views, which are printed in connection with the committee report.

Mr. PROXMIRE. Mr. President, at this point will the Senator from Tennessee yield to me?

Mr. GORE. I yield.

Mr. PROXMIRE. I wish to join the distinguished junior Senator from Tennessee in commending the Senator from New Mexico [Mr. ANDERSON] for the excellent quality of his presentation in favor of his amendment.

I think the Senator from New Mexico was absolutely correct when he anticipated that the heart of the opposition to the amendment is based upon some kind of a vague feeling that this is a radical, costly, expensive, new departure, that it is going to be wasteful and extravagant, and that it is the road to socialism.

The Senator from New Mexico quoted from Business Week in approving the approach now under consideration. The Senator from New Mexico pointed out that the most thoughtful and conservative people in American life who are also informed and expert on this matter approved this approach. The Senator from New Mexico, above all, showed that this is an efficient, businesslike approach, an approach that will do the job, and will do it at modest cost.

About all, running through the presentation of the Senator from New Mexico, was the fact that the Anderson approach is the American way, because it permits the people who will benefit to pay for the system themselves—no handout, no charity, no all-powerful state, no Big Brother, but an individual contribution and an individual benefit, in exactly the way the social security system has proven itself in a full generation of 25 years.

I agree with the statement I have heard from several persons that it is perhaps the finest presentation anybody has made on a bill that has been before the Senate in a long, long time. I was delighted I had the privilege and opportunity to be on the floor of the Senate to hear it.

I thank the Senator from Tennessee for yielding to me.

ADJOURNMENT TO MONDAY NEXT AT 10 O'CLOCK A.M.

Mr. GORE. Mr. President, in accordance with the previous order, I move that the Senate adjourn until Monday next at 10 o'clock a.m.

The motion was agreed to; and, in accordance with the previous order (at 3 o'clock and 12 minutes p.m.) the Senate adjourned until Monday, August 22, 1960, at 10 o'clock a.m.

EXTENSIONS OF REMARKS

Need for Increasing Dairy Price Supports

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Saturday, August 20, 1960

Mr. WILEY. Mr. President, yesterday, the Senate—and wisely, I believe—passed S. 2917—to establish price supports for dairy products as follows: $3.22 per hundredweight for manufacturing milk, and 59.6 cents per pound for butterfat.

I would sincerely hope that the House of Representatives now will take speedy action on the measure.

At this time I ask unanimous consent to have a statement—emphasizing the need for final action by Congress on the measure this session—printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

As the Congress well knows, the U.S. farmer—particularly the dairy farmer—now suffers from an imbalance between income and outgo.

According to reports, the dairy farmers have taken a cut of 7 percent in the average price for all milk sold at wholesale, and 14 percent in the price received from manufacturing milk from the 1947–49 average.

Meanwhile, farm costs have skyrocketed upward. The Department of Agriculture, for example, reports that items used by the farmers have increased 13 percent, and family living items 19 percent, above the 1946–49 average.

As a more specific illustration of skyrocketing farm costs, I cite the following:

Motor vehicles, up 47 percent; farm machinery prices, up 58 percent; farm wage rates, up 50 percent; farm real estate taxes, up 94 percent; increases costs per acre on farm real estate debt have gone up 164 percent.

Now, I am well aware that the enactment of this legislation would not wholly cure this situation.

The establishment of a price support level for milk at $3.22 per hundredweight, and for butterfat at 59.6 cents per pound, by no means provides a price level necessary to the farmer to meet these rising expenses of operation. However, it would be a modest step—in my humble judgment, too modest—toward establishing a higher floor—above the present $3.06 per hundredweight for manufacturing milk—for prices under dairy products.

Personally, I would like to see the price support level raised substantially higher. If, however, even this modest proposal could be enacted, it would, in a small way, provide greater support for the dairy economy.

At this time, I want to stress that—while I am deeply interested in the dairy farm economy—this is not all that is at stake in this legislation.

Across the Nation, not only farms and farm-equipment producing industries, but also local drugstores, hardware stores, car dealers, truck and tractor sales and service establishments, and many other services in the community are dependent, in part, or wholly, upon farm buying power. Consequently, improvement in income would benefit not only the dairy farmer, but a substantial segment of the overall economy.

We recognize, too, that the consumer has a stake in such price determinations. In many cases, in my State of Wisconsin, however, I want to point out that milk sold at about 6 cents per quart on the farm is retailed within 24 hours at 24 cents. This great price spread serves to illustrate that the farmer (a) is receiving a disproportionately low share of the retail price for his product, and (b) that it is not the farmer who is responsible for the rising cost of living. Even though the rising living costs have slowed down in recent years—and this is an important objective—I do not believe the farmer should be the principal one to underwrite stability in prices, particularly when this may jeopardize the farm, and other segments of the economy.

I well recognize that the enactment of S. 2917 would by no means act as a panacea-type step to eliminate the cost-price squeeze, and to restore to the dairy farmer a proportionate share of our national income.

The measure, however, I believe, does represent a minimum step that can, and should, be taken at this time to assure a moderately improved price floor while we are attempting to find a more workable solution for the farm, and particularly the dairy situation.

SENATE

MONDAY, AUGUST 22, 1960

The Senate met at 10 o'clock a.m., and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, so far above us, center and soul of every sphere, and yet who dwellest in us:

In the face of the One in whom Thy fullest glory is revealed, Thou has told us that we are not to look for Thee out on the rim of the universe—although the spangled heavens and the fruitful earth showeth Thy handiwork—but that the deepest knowledge of Thee is hidden in our own hearts and in the hearts of comrades who walk this earthly pilgrimage with us. For—

Every virtue we possess,
And every victory won,
And every thought of holiness
Are Thine alone.

Wherever truth is spoken, Thou dost speak. Wherever deeds are brave and selfless, Thou art revealed.

In the unfolding pages of life's ripening experiences, we have learned that living by the best we know is the path to more certain knowledge; that in spiritual apprehensions it is the pure who are sure and who sense and see Thee everywhere.

Breaking away from the pull of small concerns which tie us to the ground, help us to be done with lesser things, as, yielding to Thy will, our lives are put in orbit around the mastering purpose of Thy redeeming love.

In the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Saturday, August 20, 1960, was dispensed with.

COMMITTEE MEETING DURING SESSION OF THE SENATE

Mr. JOHNSON of Texas. Mr. President, we have a request from the Committee on the Judiciary, to which my distinguished friend the minority leader agrees, for permission to meet between 10:30 and 12 o'clock this morning. The request is made by the chairman of the committee, and I submit it on his behalf.

The VICE PRESIDENT. Without objection, it is so ordered.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour; and I ask unanimous consent that statements in connection with it be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

PUBLICATION OF NOTICE OF PROPOSED DISPOSITION OF CERTAIN SILK WASTE

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a copy of a notice to be published in the Federal Register of a proposed disposition of approximately 1,950,000 pounds of silk waste now held in the national stockpile (with an accompanying paper); to the Committee on Armed Services.

REPORT ON EXPORT CONTROL

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on export control, covering the second quarter of 1960 (with an accompanying report); to the Committee on Banking and Currency.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered, granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

ADMISSION INTO THE UNITED STATES OF CERTAIN DEFECTOR ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ANDERSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 1663. A bill directing the Secretary of the Interior to convey certain property in the State of North Dakota to the city of Bismarck, N. Dak. (Rept. No. 1861).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 2761. A bill to validate payments made for certain emergency conservation measures under the program authorized by the Third Supplemental Appropriation Act, 1957 (Rept. No. 1862);

S. 3040. A bill for the relief of Nellie V. Lohry (Rept. No. 1863);

S. 3433. A bill giving the consent of Congress to a compact between the State of Arizona and the State of Nevada establishing a boundary between those States (Rept. No. 1864);

S. 3591. A bill for the relief of A. E. Waterstradt (Rept. No. 1865);

S. 3609. A bill for the relief of Earl H. Pendell (Rept. No. 1866);

H.R. 2069. An act for the relief of James H. Presley (Rept. No. 1867);

H.R. 2074. An act for the relief of Eric and Ida Mae Hjerpe (Rept. No. 1868);

H.R. 6084. An act for the relief of J. Butler Hyde (Rept. No. 1869);

H.R. 6767. An act for the relief of Raymond Baurkot (Rept. No. 1870);

H.R. 7242. An act to amend sections 1, 57j, 64a (5), 67b, 67c, and 70c of the Bankruptcy Act, and for other purposes (Rept. No. 1871);

H.R. 7618. An act for the relief of H. P. Lambert Co., Inc., and Southeastern Drilling Corp. (Rept. No. 1872);

H.R. 7792. An act for the relief of Martin A. Mastandrea (Rept. No. 1873);

H.R. 7877. An act for the relief of Vladislav Fotich (Rept. No. 1874);

H.R. 8054. An act for the relief of William Edgar Weaver (Rept. No. 1875);

H.R. 8989. An act for the relief of Ralph W. Anderson (Rept. No. 1876);

H.R. 9406. An act for the relief of William J. Huntsman (Rept. No. 1878);

H.R. 9417. An act for the relief of Harry Kaloian (Rept. No. 1879);

H.R. 9432. An act for the relief of Maj. Edmund T. Coppinger (Rept. No. 1880);

H.R. 9958. An act for the relief of Brooklyn Steel Warehouse Co. (Rept. No. 1881);

H.R. 10431. An act for the relief of Isami Nozuka (also known as Isami Notsuka) (Rept. No. 1882);

H.R. 10598. An act to clarify certain provisions of the Criminal Code relating to the importation or shipment of injurious mammals, birds, amphibians, fish, and reptiles (18 U.S.C. 42 (a), 42 (b)); and relating to the transportation or receipt of wild mammals or birds taken in violation of State, National, or foreign laws (18 U.S.C. 43), and for other purposes (Rept. No. 1883);

H.R. 11165. An act for the relief of Robert J. Reeves (Rept. No. 1884);

H.R. 11327. An act for the relief of Chauncey A. Ahalt (Rept. No. 1885);

H.R. 11420. An act for the relief of Ferdinand Hofacker (Rept. No. 1886);

H.R. 11460. An act for the relief of Edouard E. Perret (Rept. No. 1887);

H.R. 11486. An act for the relief of Richard J. Power (Rept. No. 1888);

H.R. 12350. An act for the relief of Marion John Nagurski (Rept. No. 1897);

H.R. 12471. An act for the relief of Capt. Lucien B. Clark, O2051623, MSC, U.S. Army (Rept. No. 1889);

H.R. 12475. An act for the relief of Claude L. Wimberly (Rept. No. 1890); and

H.R. 12476. An act for the relief of John H. Esterline (Rept. No. 1891).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

H.R. 11188. An act for the relief of Edward S. Anderson (Rept. No. 1898).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 2902. A bill for the relief of Leo Shoenholz, Tobias Kaplan, the Kroger Co., and Cleveland State Bank, all of Cleveland, Miss. (Rept. No. 1896).

By Mr. HRUSKA, from the Committee on the Judiciary, without amendment:

S. Res. 288. Resolution to refer to the Court of Claims the bill (S. 3199) for the relief of the Adler Construction Co. (Rept. No. 1892).

By Mr. CARROLL, from the Committee on the Judiciary, without amendment:

H.R. 4428. An act for the relief of the legal guardian of John David Almeida, a minor (Rept. No. 1895).

By Mr. KEFAUVER, from the Committee on the Judiciary, with amendments:

H.R. 5396. An act to amend title 28 of the United States Code to provide for transfer of cases between the district courts and the Court of Claims (Rept. No. 1894).

By Mr. HART, from the Committee on the Judiciary, with amendments:

H.R. 4059. An act to amend title 28 of the United States Code relating to actions for infringements of copyrights by the United States (Rept. No. 1877); and

S. Res. 334. Resolution opposing the making of recess appointments to the Supreme Court (Rept. No. 1893).

ADDITIONAL FUNDS FOR INVESTIGATION OF ANTITRUST AND MONOPOLY LAWS AND THEIR ADMINISTRATION

Mr. KEFAUVER, from the Committee on the Judiciary, reported an original resolution (S. Res. 368), which was referred to the Committee on Rules and Administration, as follows:

Resolved, That Senate Resolution 238, Eighty-sixth Congress, second session, agreed to February 8, 1960 (authorizing an investigation of antitrust and antimonopoly laws and their administration), is hereby amended by striking out "$425,000" and inserting in lieu thereof "$450,000".

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. RUSSELL, from the Committee on Armed Services:

Gen. Lyman L. Lemnitzer, U.S. Army, for appointment as Chairman of the Joint Chiefs of Staff.

By Mr. THURMOND, from the Committee on Armed Services:

Rawson Bennett II, and sundry other officers of the line and staff corps of the Navy, for temporary promotion to the grade of rear admiral.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ALLOTT:

S. 3872. A bill for the relief of Barbara W. Trousil and her son, Edward G. Trousil; to the Committee on the Judiciary.

By Mr. SYMINGTON:

S. 3873. A bill to authorize the Secretary of the Army to convey approximately 27 acres of land at Fort Crowder Military Reservation to the city of Neosho, Mo.; to the Committee on Armed Services.

By Mr. CLARK:

S. 3874. A bill for the relief of Douglas Der-Young Tang; to the Committee on the Judiciary.

By Mr. GORE:

S. 3875. A bill to authorize grants for construction of medical and public health teaching facilities and to provide scholarships for students of medicine and public health; to the Committee on Labor and Public Welfare.

RESOLUTIONS

JOHN T. KNIGHT—REFERENCE OF BILL TO COURT OF CLAIMS

Mr. ELLENDER (for himself and Mr. LONG of Louisiana) submitted the following resolution (S. Res. 366); which was referred to the Committee on the Judiciary:

Resolved, That the bill (S. 3868) entitled "A bill for the relief of John T. Knight", now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand, as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

AMENDMENT OF RULE XIX OF SENATE RULES, RELATING TO DEBATE

Mr. CLARK submitted a resolution (S. Res. 367) to amend paragraph No. 1 of rule XIX of the Standing Rules of the Senate (relating to debate), which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. CLARK, which appears under a separate heading.)

ADDITIONAL FUNDS FOR INVESTIGATION OF ANTITRUST AND MONOPOLY LAWS AND THEIR ADMINISTRATION

Mr. KEFAUVER, from the Committee on the Judiciary, reported an original resolution (S. Res. 368) providing additional funds for the investigation of antitrust and monopoly laws and their administration, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. KEFAUVER, which appears under the heading "Reports of Committees".)

SOCIAL SECURITY AMENDMENTS OF 1960—AMENDMENTS

Mr. YARBOROUGH submitted an amendment, intended to be proposed by him to the bill (H.R. 12580) to extend and improve coverage under the Federal old-age, survivors, and disability insurance system and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such system; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; and for other purposes, which was ordered to lie on the table and to be printed.

Mr. FONG (for himself and Mr. LONG of Hawaii) submitted an amendment, intended to be proposed by them, jointly, to House bill 12580, supra, which was ordered to lie on the table and to be printed.

Mr. BYRD of West Virginia submitted an amendment, intended to be proposed by him, to House bill 12580, supra, which was ordered to lie on the table and to be printed.

Mr. CASE of New Jersey (for himself and Mr. WILLIAMS of New Jersey) submitted an amendment, intended to be proposed by them, jointly, to House bill 12580, supra, which was ordered to lie on the table and to be printed.

Mr. HUMPHREY submitted amendments, intended to be proposed by him, to House bill 12580, supra, which were ordered to lie on the table and to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MOSS:

Address delivered by Senator KEATING to the conference of the National District Attorneys' Association, Boston, Mass., on August 13, 1960.

By Mr. WILEY:

Excerpts from interview between him and Dr. T. Keith Glennan, of NASA.

By Mr. HUMPHREY:

Article entitled "Great Challenge to the U.N.—Africa," written by Representative CHESTER BOWLES and published in the New York Times Magazine of August 21, 1960.

By Mr. JAVITS:

Telegram dated August 22, 1960, addressed to "All Congressmen," relating to proposed citation for contempt of Congress of members of the Port of New York Authority.

TRAGIC BURDEN OF AGED PARENTS' ILLNESS ON CHILDREN

Mr. PROXMIRE. Mr. President, in most cases families of elder citizens who are ill are anxious to care for their parents, but the enormous cost of any serious illness and lengthy convalescence makes it impossible even for a family of moderate means to do so.

I ask unanimous consent that a letter I received from a constituent that tells this story in human, personal terms be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEAR SENATOR: A 90-year-old lady fell and suffered fractures in the hip and upper leg. In the emergency, she was rushed to a certain hospital in an ambulance.

There the nominal charges were $23 a day for room; the surgical and medical bills for the 30-day stay were in excess of $600.

Her daughter, out of filial loyalty, had her brought to her home to convalesce. But the daughter is employed, so she had to hire two nurses 5 days a week. She still needs to devote all her spare time to her mother, however.

NATIONAL ECONOMY STALLED—FAILS TO MEET RUSHING INTERNATIONAL ECONOMIC CHALLENGE

Mr. PROXMIRE. Mr. President, Sylvia Porter, who is certainly one of the most expert and objective commentators on the state of our economy, writes an analysis of the economy of what kind of business outlook, job outlook, and employment outlook, we can expect in the coming months, taking into account the present statistics on income, employment, and economic growth.

A superficial analysis of the statistics may suggest to many people that we are in the midst of prosperity if not boom. But Sylvia Porter, who certainly

has no political ax to grind, suggests that when we go beneath the surface of these statistics, we can see that this country is in serious economic difficulty.

Sylvia Porter shows that, although we have had a record rise in employment, that rise has been only seasonal, and if we recognize the increase in the work force, the statistics which should really catch our attention is that of unemployment which, as she says, is far too high.

In the second place, Sylvia Porter discusses the problem of personal income, which has been the steady source of strength in our economy, and which has been increasing very steadily in good times and bad during the last 10 or 15 years with very little letup. She points out the rise has lost its momentum, that it is slowing down, and now practically standing still.

In the third place, she discusses the gross national product, which is the overall measure of our economy, and shows that while it has indeed increased in the last quarter, the increase is so small as to be almost imperceptible, and shows that our economy now braking to a standstill.

Finally Sylvia Porter discusses prices, and states that, while the stable price level has been encouraging, rising costs have been increasing, causing a squeeze on corporations and dwindling profits.

It seems to me the conclusion we can draw from these facts is that at a time when we are facing rising competition from European countries and other countries in the free world—competition which we welcome—our economy is not keeping pace. Certainly it is not moving ahead enough to face the Russian economic forced draft, the economy of tyranny, and meet that challenge and beat it. It is time we seriously recognize our economic problems and are willing to act on them.

I ask unanimous consent that the column written by Miss Sylvia Porter be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STATISTICS DECEPTIVE

(By Sylvia Porter)

The business headlines appear to say as we approach Labor Day that never has the workingman been so well off.

The headlines are saying that employment is at an alltime record of over 68.7 million. Personal incomes are running at an unprecedented high of $406 billion. Gross national product is at an unparalleled $505 billion annual rate. Prices at the consumer, wholesale and manufacturers' level are the steadiest in years.

This combination of record employment and incomes, high production and stable prices is the economic ideal of private enterprise systems. The statistics seem to say we're just about reaching it.

But no responsible authority in industry or labor or Government is claiming that this is the ideal and that the statistics are telling the whole tale.

For the headlines aren't disclosing that for months business has been losing momentum. They're not revealing that many recent increases are reflecting strictly seasonal improvements. They're not showing the soft spots beneath the bright statistical surface. They're not indicating the extent to which the psychology of businessmen has deteriorated since the start of 1960 and to which the psychology of consumers has deteriorated in the last few months.

What is not in the headlines explains why the Federal Reserve System and the administration are now pushing hard on the antirecession button. What is not apparent in the current statistics explains why there has been scarcely a murmur in conservative business and financial circles against new increases in Federal spending and why, in fact, the higher spending is being welcomed.

Consider, first, the rise in employment in July to a alltime record. It was entirely a seasonal increase. Moreover, while joblessness among teenagers fell, unemployment among the over-20 age group rose contraseasonally for the second straight month and the national unemployment rate remained at an uncomfortably high 5.4 percent of the work force. After more than 2 years of business advance, this unemployment rate is just too high.

Consider, second, the climb in personal incomes to an unparalleled peak. The pace of rise has been slowing to a crawl in recent months. Income losses due to heavy unemployment and short workweeks in basic industries are being offset by increases in Government payrolls, social security payments, the like—but there's no mistaking the loss in momentum.

Consider, third, the unprecedented size of our output. A $505 billion gross national product seems fantastic, but the gain between the first and second quarters of this year was only 0.7 percent—which is practically equivalent to standing still. We're still stalled.

Consider, fourth, the stable price level. That's great news for consumers, but many corporations are holding the price line at the expense of their profits. The number of corporations reporting falling net profits in the face of peak sales is mounting disturbingly fast.

You can see why the Federal Reserve System is pouring money into the banking system to encourage banks to make more loans at cheaper rates and why the administration is speeding up spending, trying to spur housing. The antirecession package is growing bigger to help make what the headlines seem to say, actually so.

MEDICAL CARE FOR THE AGED

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Wall Street Journal of August 18 entitled "Limited Problem, Collectivist Remedy," and immediately following that editorial an article by James W. Wiggins and Helmut Schoeck entitled "The Aging: Neither Indigent Nor Childlike, They Want Government Aid as Very Last, Not First, Resort."

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Aug. 18, 1960]

LIMITED PROBLEM, COLLECTIVIST REMEDY

Almost all Americans agree that it is the responsibility of the community to take care of the truly needy who have nowhere else to turn. That being so, it is sensible to put such help on a systematic rather than haphazard basis.

Thus the argument over medical care for the aged is an argument over means. On the one side are those who wish to make it a compulsory program under social security; on the other, those who want it voluntary for people who actually want and need it.

Need, it seems to us, is the only reasonable basis on which the matter can be considered; why should a new blanket of social security be spread over the whole population to take care of a problem that concerns only a small proportion of a minority of the population?

For the truth is that this problem of medical care for the aged has been inexcusably exaggerated by the politicians and commentators. Indeed, the whole picture of the over-65 group in this country that is usually drawn is nothing more than a caricature. That is the word used by Professors Wiggins and Schoeck, social scientists of Emory University, in their revealing report on the aging—a report based on a careful interview-survey of a large cross-section of people outside of hospitals or institutions. Part of the report appears on this page this morning.

These researchers discovered that the over-65 population of the United States enjoys a high level of health; 90 percent of all respondents reported they were in either good or fair health. And not only in good health but in cheerful moods; "they appear self-reliant and disdainful of efforts to single them out for special consideration."

Almost 80 percent of the aging, the report continues, did not feel they had acquired special needs simply because of age. When specifically asked, "Do you have any medical needs that are not being taken care of?" Ninety-two percent said "No." For the 8 percent who said they had such needs, financial reasons were the least important ones.

Asked how they would pay a big medical bill in the absence of medical insurance, most said they would do it by what the study calls conventional and personal means. In fact, however, 64 percent did have health insurance.

All this calls into grave question the arguments advanced for compulsory medical care. It even calls into question the proposition that the Federal Government should take on this responsibility. For everyone except Socialists would think it better to deal with the problem through private insurance than through a vast and costly Washington program—especially if the Government would live up to its responsibility to keep money sound. Interestingly enough, many of those interviewed volunteered their concern over the ravages of inflation which has reduced the value of social security along with everything else.

Most of those in the cross-section thought the Government should meet the minimum needs of the genuinely destitute aging only "if there are no children," or "if the children can't help." And if we are to have a Government program, surely it should be designed just that way.

If it were so designed, the help could be greater to the relatively few dependent on such help. In the same way we could do much more for our deserving veterans or their survivors if we would stop wasting billions on healthy, self-supporting veterans. If we are a mature people, we should begin to realize that the right answer to limited social problems is not a new rush toward collectivism.

And which is the more humanitarian approach? A social security pittance for all regardless of need? Or appreciable help to those in actual need?

[From the Wall Street Journal, Aug. 18, 1960]

THE AGING: NEITHER INDIGENT NOR CHILDLIKE, THEY WANT GOVERNMENT AID AS VERY LAST, NOT FIRST, RESORT

(By James W. Wiggins and Helmut Schoeck)

Seen from our sample, the aging population of the United States enjoys a high level of health. Some 90 percent of all respondents said they were in either good or fair

health. Two-thirds of our sample declared themselves in good health. Only 10 percent said they were in poor health.

The statements about their good health by the respondents are supported by the concluding observations written by the interviewers. Reading those final remarks, we see a profile of the aging that shows them to be in good health and in cheerful moods; they appear self-reliant and disdainful of efforts to single them out for special consideration.

About two-thirds of our respondents had neither seen a doctor nor talked with one on the telephone, in regard to their health, during the 4 weeks preceding the interview. Only 28 percent were planning to see a doctor in connection with their health during the 2 weeks following the interview.

Almost 80 percent of the aging in our sample had never heard from anyone that they might need certain things at their present age which they did not need when they were younger.

When we asked the respondents: "Do you have any medical needs now that are not being taken care of?"—92 percent said, "No." However, for the remaining 8 percent who knew of some unfilled medical needs, we have to distinguish various reasons for the failure to relieve the need. Financial reasons were the least important ones. Often the respondent would point out that a certain operation or artificial aids, such as glasses, teeth, or hearing equipment, had been recommended but that some other doctor, or friend, had advised against it as not worth the risk or trouble.

MEETING AN EMERGENCY

This picture of a healthy and well-cared-for aging population in the United States is fully supported by the economic data on their medical care. Only 5 percent of all respondents in our sample had spent over $100 for themselves or their spouses during the month preceding the interview. In fact, of the 94.7 percent who reported expenditures for medicines and medical care below $100, the majority had either no expenses or only a few dollars. Only 1 percent in our sample reported medical expenses in excess of $500.

So much for the realities. But how would the modal (occurring oftenest) aged person cope with a medical emergency? To receive an answer to that question, the interviewer had to phrase his question with regard to the social class of the respondent. He asked: "Suppose you had a large medical bill and no medical insurance, how would you pay the bill?" In the case of the lower-class respondent, he would specify: "Let us say, a bill of $1,000"; for middle-class people the amount was $2,000; and for the upper-class persons hypothetical bill of $5,000.

Combining the responses from all three social classes, 42 percent of our respondents would use cash or a check to pay the bill, 11 percent would mortgage their homes, and 15 percent would use cash value of insurance or sell stocks and bonds. Fewer than one-third of the respondents gave various other ways of paying such a large bill. Thus we can say that the modal aging person in the United States can cope with a large medical bill by conventional and personal means. We should note that the question specifically inquired about the method of payment in case there was no medical insurance. However, 64 percent of our respondents did report insurance for medical purposes.

The modal annual cash income reported was between $2,000 and $3,000. Half of the respondents reported incomes in excess of $2,000 per year, and 1 out of 20 reported more than $10,000 annual income. One interviewer was uncertain of the applicable socio-economic category when she found a respondent who reported no cash income, but owned 300 acres of valuable farm lands in a Mountain State. We assured the interviewer that lack of cash income did not place this man in the lower class. Another respondent reported his cash income as $400 per year, and, when asked later what he did for the community, replied that he helped the poor. The modal respondent reported that he had no income other than cash, but nearly one-third did report other income.

Cash income is, however, an inadequate measure of the financial position of any population, and particularly the older population. Ownership of a fully furnished home, the completion of responsibility for children, completion of premium payments on life insurance, and similar consideration enter the picture.

A very significant index to financial independence is the statement of net worth. The aging were asked to estimate their net worth, that is, the cash value of their assets minus their liabilities. The modal aging respondent reported his cash-equivalent assets over liabilities to be in excess of $10,000. This figure referred to assets of the living respondent, not "estate at death," which would have included life insurance death benefits. Almost 60 percent of the sample made up this modal group.

Significantly, a large number of respondents spontaneously and energetically stated that they did not have any debts, and did not believe in buying on credit. This reinforces the data on medical and related debts described above.

Since economic crisis may hit the aged as it does the young, respondents were asked where they might get a "lot of money for an emergency * * * with least embarrassment." The modal group (53.8 percent) listed children and other relatives as preferred sources. Friends, church groups, and lodge brothers came next, with 12 percent. The only impersonal source suggested with any frequency was the small loan company.

WORRIES OVER INFLATION

Concern was expressed by many respondents over inflation, even before the interviewer reached the question dealing with it. The decade of the 1940's was the most frequently named period for the first significant awareness of the declining value of money. The explanations given by the aging for inflation have not yet been fully analyzed, but the respondents usually cited government, war, labor unions, and big business. The individual who was blamed most often by name was Franklin D. Roosevelt.

The modal member would expect the Government to meet the minimum needs of the genuinely destitute aging. But for this group the proviso was added, "if there are no children," or "if the children can't help." When asked where the respondent would want to obtain housing in case he could not finance it himself, the modal member of the sample (43 percent) preferred housing under church auspices. Less than one-fourth chose Government housing, even in case of great need. One interviewer, a trained sociologist, reported that in his rural sample the mere suggestion of housing by the State or Government as a possibility often provoked a fright reaction.

The modal two-thirds (66.4 percent) are in retired status, although a number in this category are still gainfully employed. The typical respondent did not wish to continue working after retirement, but nearly half did wish to continue. Of the 33.6 percent still working, 70.4 percent are working on the same job held prior to reaching age 65.

The modal person in our aging population has religious affiliation. Over 80 percent are members of a church. If special care was needed from outside the family, twice as many elderly Americans would prefer to get it from their church rather than from the State. However, they are far from being dependent on the church. They would not want the church to assume or proffer family or welfare functions.

Contrary to the usual stereotypes held today, the aging, even in our large cities, are far from being doomed to loneliness. Horizontal mobility, urbanization, the much-cited but rarely specified social change have all failed to break or even to weaken the bond between aging parents and adult children. Moreover, it is a social relationship of true reciprocity. When asked: "Do you ever help your children or other close relatives in any way?" 72 percent of our respondents replied, "Yes."

Peter Townsend, reporting from his survey in East London, did not find much "hard evidence of neglect on the part of old people's children. * * * Widespread fears of the breakdown of family loyalties and of married children's negligence seem to have no general basis in fact. Doctors, social workers, and others who express such fears may sometimes forget they are in danger of generalizing from an extremely untypical subsection of the population or from a few extreme examples known personally to them. * * * So far, at least as the old are concerned, therefore, there is no justification for an attempt to supplant the family with state services."

LIFE IS SIMPLER

Our data indicate that very similar conclusions can be drawn for the United States. In fact, when the respondents in our survey were asked, "Do you believe that a new department of government could do something important for you personally that is not being done now?" the majority (60 percent) said, "No."

Social workers and other interest groups often insist that "modern life has become so complicated" that our aging citizens need someone else to tell them how to take care of themselves. But our survey suggests that the majority of our older people do not seem impressed by an increasing complexity of life, nor do they expect this problem to loom large within the next 10 to 20 years. On the contrary, they can think of many chores and problems of daily life that have become much easier for them than they were for their own parents and grandparents.

In conclusion, the data presented in this paper strongly supports a reexamination of the conceptions of the aging in the United States. It may be seriously questioned whether increasing age is pathological, per se, as is implied by the alarm with which it is viewed by many researchers, professional helpers, and policymakers. While attempting to study the aging, the social scientists may make them objects, rather than persons, and in so doing produce problems where none previously existed. There seems little doubt that the (widespread) caricature of the aging derives from application of the experience of a generation ago to a new type of over-65 population.

Finally, it must be emphasized that this paper does not deny that parts of our population of all ages, including old age, are dependent, inadequate, ill, and unemployed. The authors share feelings of sympathy for such persons. The study here reported, however, shows that the aging, like others in our population, are not characteristically dependent, inadequate, ill, or senile.

It is hoped that further research into the normal can be carried out. Since all resources are limited, whether of family, kin, private or public agencies, the recognition that the dependent and helpless in our aging population are limited in number will allow available resources to be applied with discrimination, with far greater hope of return to the society and to its people.

ORDER TO DISPENSE WITH CALL OF CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the call of the Calendar under rule VIII be dispensed with.

The PRESIDING OFFICER (Mr. CARLSON in the chair). Without objection, it is so ordered.

MEANING OF COMMUNISM TO AMERICANS—ADDRESS BY VICE PRESIDENT NIXON

Mr. WILEY. Mr. President, leadership, in our times, is a great and challenging responsibility. Among men of honest hearts and good will, the definition of leadership may, and does, differ.

For those in the Nation, in politics, or in other walks of life who are fulfilling the responsibilities of leadership within the full range of their potential, however, we can be deeply grateful.

The parrotlike critics who echo the cry of lack of leadership in others should, I believe, ask of themselves, "Am I, in my role of life, providing leadership, creating new understanding, offering constructive solutions to problems, contributing new ideas for progress, attempting to build a better road for ourselves, the Nation, for the future?"

Unless this is being done, criticism of others contains the seeds of self-condemnation.

Yesterday Vice President NIXON released a statement entitled "The Meaning of Communism to Americans." In my humble judgment, this excellent effort to create a better understanding of the blight and threat that is communism is a distinctive service, not only to the American people, but to the free world.

As Vice President NIXON pointed out, the question is no longer, are we against communism. Rather, the question looms high, and we have not yet found all the answers: How can we most effectively understand communism's weaknesses and prepare counterattacks in the ideological battle to win men's minds?

Naturally, there will be varying viewpoints on this analysis of the meaning of communism. Nevertheless, I believe that the address represents a constructive, creative, practical contribution to filling a void in our understanding of a menace to freedom and constructing a better foundation upon which to counter the Communists' multipronged efforts—ideological, cultural, military, economic—to take over the world.

Reflecting a quality of real leadership, and a new, worthwhile effort by a candidate for public office, this represents a unique kind of contribution to public thinking that could profitably, for all of us, be continued and emulated, by both Republicans and Democrats.

Reflecting a creative contribution to the West's efforts not only to better understand how to stop the outspreading of communism but eventually to establish a climate in which the people themselves now under Communist control can recapture freedom and regain a voice of self-determination, I ask unanimous consent to have the full text of the Vice President's statement on the meaning of communism to Americans printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE MEANING OF COMMUNISM TO AMERICANS

(By RICHARD NIXON, Vice President, United States of America)

The major problem confronting the people of the United States and free peoples everywhere in the last half of the 20th century is the threat to peace and freedom presented by the militant aggressiveness of international communism. A major weakness in this struggle is lack of adequate understanding of the character of the challenge which communism presents.

I am convinced that we are on the right side of this struggle and that we are well ahead now in its major aspects. But if we are to maintain our advantage and assure victory in the struggle, we must develop, not only among the leaders, but among the people of the free world a better understanding of the threat which confronts us.

The question is not one of being for or against communism. The time is long past when any significant number of Americans contend that communism is no particular concern of theirs. Few can still believe that communism is simply a curious and twisted philosophy which happens to appeal to a certain number of zealots but which constitutes no serious threat to the interests or ideals of free society.

The days of indifference are gone. The danger today in our attitude toward communism is of a very different kind. It lies in the fact that we have come to abhor communism so much that we no longer recognize the necessity of understanding it.

We see the obvious dangers. We recognize that we must retain our present military and economic advantage over the Communist bloc, an advantage which deters a hot war and which counters the Communist threat in the cold war. In the fields of rocket technology and space exploration, we have risen to the challenge and we will keep the lead that we have gained. There is no question that the American people generally will support whatever programs our leaders initiate in these fields.

What we must realize is that this struggle probably will not be decided in the military, economic, or scientific areas, important as these are. The battle in which we are engaged is primarily one of ideas. The test is one not so much of arms but of faith.

If we are to win a contest of ideas we must know their ideas as well as our own. Our knowledge must not be superficial. We cannot be content with simply an intuition that communism is wrong. It is not enough to rest our case alone on the assertions, true as they are, that communism denies God, enslaves men, and destroys justice.

We must recognize that the appeal of the Communist idea is not to the masses, as the Communists would have us believe, but more often to an intelligent minority in newly developing countries who are trying to decide which system offers the best and surest road to progress.

We must cut through the exterior to the very heart of the Communist idea. We must come to understand the weaknesses of communism as a system—why after more than 40 years on trial it continues to disappoint so many aspirations, why it has failed in its promise of equality in abundance, why it has produced a whole library of disillusionment and a steady stream of men, women, and children seeking to escape its blight.

But we must also come to understand its strength—why it has so securely entrenched itself in the U.S.S.R. why it has been able to accomplish what it has in the field of education and science, why in some of the problem areas of the world it continues to appeal to leaders aspiring to a better life for their people.

It is to find the answers to these questions that in this statement I want to discuss communism as an idea—its economic philosophy, its philosophy of law and politics, its philosophy of history.

This statement will admittedly not be simple because the subject is complex.

It will not be brief because nothing less than a knowledge in depth of the Communist idea is necessary if we are to deal with it effectively.

In discussing the idea I will not offer programs to meet it. I intend in a later statement to discuss the tactics and vulnerabilities of the Communist conspiracy and how we can best fashion a strategy for victory.

I anticipate that some might understandably ask the question—why such a lengthy discussion of communism when everybody is against it already?

If the free world is to win this struggle, we must have men and women who not only are against communism but who know why they are against and who know what they are going to do about it. Communism is a false idea, and the answer to a false idea is truth, not ignorance.

One of the fundamentals of the Communist philosophy is a belief that societies pass inevitably through certain stages. Each of these stages is supposed to generate the necessity for its successor. Feudalism contained within its loins the seed of capitalism; capitalism was, in other words, to supplant feudalism. Capitalism, in turn, moves inevitably toward a climax in which it will be supplanted by its appointed successor, communism. All of these things are matters of necessity and there is nothing men can do to change the inflexible sequence which history imposes.

It is a part of this philosophy that as society moves along its predestined way, each stage of development is dominated by a particular class. Feudalism was dominated by the aristocracy; capitalism by something called the bourgeoisie; communism by the proletariat. During any particular stage of society's development the whole of human life within that society is run and rigged for the benefit of the dominant class; no one else counts for anything and the most he can expect is the leftover scraps. In the end, of course, with the final triumph of communism, classes will disappear, what was formerly the proletariat will expand so that it is the only class, and since there are no longer any outsiders that it can dominate, there will in effect be no classes at all.

Now this theory of successive stages of development makes it clear that if we are to understand communism, we must understand the Communist view of capitalism for, according to Communist theory, capitalism contains within itself the germs of communism. The Communist notion of capitalism is that it is a market economy, an economy of "free trade, free selling, and buying" to quote the Manifesto again. It follows from this that since communism inevitably supplants and destroys capitalism, it cannot itself be anything like market economy.

The fundamental belief of the Communist economic philosophy therefore is a negative one; namely, a belief that whatever the economic system of mature communism may turn out to be, it cannot be a market economy, it cannot—in the words of the Communist Manifesto—be an economy based on "free trade, free selling, and buying."

It may be well at this point to digress for the purpose of recalling the curious fact

that the literature of communism contains so many praises for the achievements of capitalism. The Manifesto contains these words about the market economy of capitalism and its alleged overlords, the bourgeoisie:

"It has accomplished wonders far surpassing Egyptian pyramids, Roman aqueducts, and Gothic cathedrals; it has conducted expeditions that put in the shade all former migrations of nations and crusades. * * * The bourgeoise, during its rule of scarce 100 years (the Manifesto speaks from the year 1848), has created more massive and more colossal productive forces than have all preceding generations together. Subjection of nature's forces to man, machinery, application of chemistry to industry and agriculture, steam-navigation, railways, electric telegraphs, clearing of whole continents for cultivation, canalisation of rivers, whole populations conjured out of the ground—what earlier century had even a presentiment that such productive forces slumbered in the lap of social labor?"

Marx and Engels could afford this praise for capitalism because they supposed it would everywhere be succeeded by communism, a stage of society whose glories would in turn dwarf all the achievements of capitalism. Communism would build on capitalism and bring a new economy that would make the capitalist world look like a poorhouse. Those who constituted the dominant class of capitalism, the bourgeoisie, would have performed their historic mission and would be dismissed from the scene—dismissed without thanks, of course, for after all they only accomplished what was foreordained by the forces of history, forces that were now to throw them into the discard like the husk of a sprouting seed.

One of the most startling gaps in the Communist theory is the lack of any clear notion of how a Communist economy would be organized. In the writings of the great founders of communism there is virtually nothing on this subject. This gap was not an oversight, but was in fact a necessary consequence of the general theory of communism. That theory taught, in effect, that as a society moves inevitably from one level of development to another, there is no way of knowing what the next stage will demand until in fact it has arrived. Communism will supplant and destroy the market economy of capitalism. What will its own economy be like? That we cannot know until we are there and have a chance to see what the world looks like without any institution resembling an economic market. The Manifesto, in fact, expresses a deep contempt for "utopian socialists" who propose "an organization of society specially contrived" by them, instead of waiting out the verdict of history and depending on the "spontaneous class organization of the proletariat." The Communist economy would organize itself according to principles that would become apparent only when the arena had been cleared of the market principle.

Operating then, in this vacuum of guidance left behind by their prophets, how did the founders of the Soviet Union proceed to organize their new economy? The answer is that they applied as faithfully as they could the teachings of their masters. Since those teachings were essentially negative, their actions had to have the same quality. They started by attempting to root out from the Russian scene every vestige of the market principle, even discouraging the use of money, which they hoped soon to abolish altogether. The production and distribution of goods were put under central direction, the theory being that the flow of goods would be directed by social need without reference to principles of profit and loss. This experiment began in 1919 and came to an abrupt end in March of 1921. It was a catastrophic failure. It brought with it administrative chaos and an almost inconceivable disorder in economic affairs, culminating in appalling shortages of the most elementary necessities.

Competent scholars estimate its cost in Russian lives at 5 million.

The official Russian version of this experiment does not deny that it was an enormous failure. It attributes that failure to inexperience and to a mythical continuation of military operations, which had in fact almost wholly ceased. Meanwhile the Russian economy has been moving steadily toward the market principle.

The flow of labor is controlled by wages, so that the price of labor is itself largely set by market forces. The spread from top to bottom of industrial wages is in many cases wider than it is in this country. Managerial efficiency is promoted by substantial economic incentives in the form of bonuses and even more substantial perquisites of various kinds. Enterprises are run on a profit-and-loss basis. Indeed, there are all the paraphernalia of an advanced commercial society, with lawyers, accountants, balance sheets, taxes of many kinds, direct and indirect, and finally even the pressures of a creeping inflation.

The allocation of resources in Russia probably now comes about as close to being controlled by the market principle as is possible where the government owns all the instruments of production. Russian economists speak learnedly of following the method of balances.

This impressive phrase stands for a very simple idea. It means that in directing production and establishing prices an effort is made to come out even, so that goods for which there is an insufficient demand will not pile up, while shortages will not develop in other fields where demand exceeds supply. The method of balances turns out to be something a lot of us learned about in school as the law of supply and demand.

All of this is not to say that the Russian economy has fully realized the market principle. There are two obstacles that block such a development. The first lies in the fact that there is a painful tension between what has to be done to run the economy efficiently and what ought to be happening according to orthodox theory. The result is that the Russian economist has to be able to speak out of both sides of his mouth at the same time. He has to be prepared at all times for sudden shifts of the party line. If today he is condemned as an unprincipled revisionist who apes capitalist methods, tomorrow he may be jerked from the scene for having fallen into a sterile orthodoxy, not realizing that Marxism is a developing and creative science.

The other obstacle to the realization of a free market lies in the simple fact that the government owns the whole of industry. This means, for one thing, that the industrial units are huge, so that all of steel, or all of cosmetics, for example, is under a single direction. This naturally creates the economic condition known as oligopoly and the imperfectly functioning market which attends that condition.

Furthermore, a realization of the market principle would require the managers of the various units of industry to act as if they were doing something they are not, that is, as if they were directing independent enterprises. Understandably there is a considerable reluctance to assume this fictitious role, since the manager's reward for an inconvenient independence may well be a trip to Siberia where he is likely nowadays, they say, to be made chief bookkeeper in a tiny powerplant 300 miles from the nearest town. Meanwhile, a constant theme of complaint by Moscow against the managers is that they are too "cousinly" with one another and that they are too addicted to "back scratching." They ought to be acting like capitalistic entrepreneurs, but they find this a little difficult when they are all working for the same boss.

One of the most familiar refrains of Communist propaganda is that "capitalism is dying of its internal contradictions." In fact, it would be hard to imagine a system more tortured by internal contradictions than present-day Russia. It constantly has to preach one way and act another. When Russian economists and managers discover that they have to do something that seems to contradict the prophets, they usually don't know which of three justifications—all hazardous—they ought to attempt: (1) To explain their action as a temporary departure from Marxist propriety to be corrected in a more propitious future; (2) to show that what they are doing can be justified by the inherited text if it is read carefully and between the lines; or (3) to invoke the cliche that Marxism is a progressive science that learns by experience—we can't, after all, expect Marx, Engels, and Lenin to have foreseen everything.

These inner tensions and perplexities help to explain the startling "shifts in the party line" that characterize all of the Communist countries. It is true that these shifts sometimes reflect the outcome of a subterranean personal power struggle within the party. But we must remember that they also at times result from the struggles of conscientious men trying to fit an inconvenient text to the facts of reality.

The yawning gap in Communist theory, by which it says nothing about how the economy shall be run except that it shall not be by the market principle, will continue to create tensions, probably of mounting intensity, within and among the Communist nations. The most painful compromise that it has so far necessitated occurred when it was decided that trade among the satellite countries should be governed by the prices set on the world market.

This embarrassing concession to necessity recognized, on the one hand, that a price cannot be meaningful unless it is set by something like a market, and, on the other, the inability of the Communist system to develop a reliable pricing system within its own government-managed economy.

The Communist theory has now had a chance to prove itself by an experience extending over two generations in a great nation of huge human and material resources. What can we learn from this experience? We can learn, first of all, that it is impossible to run an advanced economy successfully without resort to some variant of the market principle. In time of war, when costs are largely immaterial and all human efforts converge on a single goal, the market principle can be subordinated. In a primitive society, where men live on the verge of extinction and all must be content with the same meager ration, the market principle largely loses its relevance. But when society's aim is to satisfy divers human wants and to deploy its productive facilities in such a way as to satisfy those wants in accordance with their intensity—their intensity as felt by those who have the wants—there is and can be no substitute for the market principle. This the Russian experience proves abundantly. That experience also raises serious doubt whether the market principle can be realized within an economy wholly owned by the government.

The second great lesson of the Russian experience is of deeper import. It is that communism is utterly wrong about its most basic premise, the premise that underlies everything it has to say about economics, law, philosophy, morality, and religion. Communism starts with the proposition that

there are no universal truths or general truths of human nature. According to its teachings there is nothing one human age can say to another about the proper ordering of society or about such subjects as justice, freedom, and equality. Everything depends on the stage of society and the economic class that is in power at a particular time.

In the light of this fundamental belief—or rather, this unbending and all-pervasive disbelief—it is clear why communism had to insist that what was true for capitalism could not be true for communism. Among the truths scheduled to die with capitalism was the notion that economic life could be usefully ordered by a market. If this truth seems still to be alive, orthodox Communist doctrine has to label it as an illusion, a ghost left behind by an age now being surpassed. At the present time this particular capitalist ghost seems to have moved in on the Russian economy and threatens to become a permanent guest at the Communist banquet. Let us hope it will soon be joined by some other ghosts, such as freedom, political equality, religion, and constitutionalism.

This brings me to the Communist view of law and politics. Of the Communist legal and political philosophy, we can almost say that there is none. This lack is, again, not an accident, but is an integral part of the systematic negations which make up the Communist philosophy.

According to Marx and Engels the whole life of any society is fundamentally determined by the organization of its economy. What men will believe; what gods, if any, they will worship; how they will choose their leaders or let their leaders choose themselves; how they will interpret the world about them; all of these are basically determined by economic interests and relations. In the jargon of communism: religion, morality, philosophy, political science and law constitute a superstructure which reflects the underlying economic organization of a particular society. It follows that subjects which fall within the superstructure permit of no general truths; for example, what is true for law and political science under capitalism cannot be true under communism.

I have said we can almost assert that there is no Communist philosophy of law and political science. The little there is can be briefly stated. It consists in the assumption that after the revolution there will be a dictatorship (called the dictatorship of the proletariat) and that this dictatorship will for a while find it necessary to utilize some of the familiar political and legal institutions, such as courts. (There is an incredibly tortured literature about just how these institutions are to be utilized and with what modifications.) When, however, mature communism is achieved, law and the state, in the consecrated phrase, "will wither away." There will be no voting, no parliaments, no judges, no policemen, no prisons, no problems. There will simply be factories and fields and a happy populace peacefully reveling in the abundance of their output.

As with economic theory, there was a time in the history of the Soviet regime when an attempt was made to take seriously the absurdities of this Communist theory of law and state. For about a decade during the thirties an influential doctrine was called the commodity exchange theory of law. According to this theory, the fundamental fact about capitalism is that it is built on the economic institution of exchange. In accordance with the doctrine of the "superstructure" all political and legal institutions under capitalism must therefore be permeated and shaped by the concept of exchange. Indeed, the theory went further. Even the rules of morality are based on exchange, for is there not a kind of tacit deal implied even in the Golden Rule, "Do unto others, as you would be done by"? Now the realization of communism, which is the negation of capitalism, requires the utter rooting out of any notion of exchange in the Communist economy. But, when exchange has disappeared, the political, legal, and moral superstructure that was built on it will also disappear. Therefore, under mature communism there will not only be no capitalistic legal and political institutions, there will be no law whatever, no state, no morality—for all of these in some measure reflect the underlying notion of an exchange or deal among men.

The high priest of this doctrine was Eugene Pashukanis. His reign came to an abrupt end in 1937 as the inconvenience of his teachings began to become apparent. With an irony befitting the career of one who predicted that communism would bring an end to law and legal processes. Pashukanis was quietly taken off and shot without even the semblance of a trial.

As in the case of economics, since Pashukanis' liquidation there has developed in Russian intellectual life a substantial gray market for capitalistic legal and political theories. But, where Russian economists seem ashamed of their concessions to the market principle, Russian lawyers openly boast of their legal and political system, claiming for it that it does everything that equivalent bourgeois institutions do, only better. This boast has to be muted somewhat, because it still remains a matter of dogma that under mature communism law and the state will disappear. This embarrassing aspect of their inherited doctrine the Soviet theorists try to keep as much as possible under the table. They cannot, however, openly renounce it without heresy, and heresy in the Soviet Union, be it remembered, still requires a very active taste for extinction.

One of the leading books on Soviet legal and political theory is edited by a lawyer who is well known in this country, the late Andrei Vishinsky. In the table-pounding manner he made famous in the U.N., Vishinsky praises Soviet legal and political institutions to the skies and contrasts their wholesome purity with the putrid vapors emanating from the capitalist countries. He points out, for example, that in Russia the voting age is 18, while in many capitalist countries it is 21.

The capitalists thus disenfranchise millions of young men and women, because, says Vishinsky, it is feared they may not yet have acquired a properly safe bourgeois mentality. As one reads arguments like this spelled out with the greatest solemnity, and learns all about the safeguards of the Soviet Constitution, it comes as a curious shock to find it openly declared that in the Soviet Union only one political party can legally exist and that the Soviet Constitution is the only constitution in the world which frankly declares the directing role of the party in the state.

One wonders what all the fuss about voting qualifications is about if the voters are in the end permitted only to vote for the candidates chosen by the only political party permitted to exist. The plain fact is, of course, that everything in the Soviet Constitution relating to public participation in political decisions is a facade concealing the real instrument of power that lies in the Communist Party. It has been said that hypocrisy is vice's tribute to virtue. The holding of elections in which the electorate is given no choice may similarly be described as an attempt by communism to salve its uneasy conscience. Knowing that it cannot achieve representative democracy, it seems to feel better if it adopts its empty forms.

When one reflects on it, it is an astounding thing that a great and powerful nation in the second half of the 20th century should still leave its destinies to be determined by intraparty intrigue, that it should have developed no political institutions capable of giving to its people a really effective voice in their government, that it should lack any openly declared and lawful procedure by which the succession of one rule to another could be determined. Some are inclined to seek an explanation for this condition in Russian history with its bloody and irregular successions of czars. But this is to forget that even in England, the mother of parliaments, there were once in time long gone by, some pretty raw doings behind palace walls and some unseemly and even bloody struggles for the throne.

But where other nations have worked gradually toward stable political institutions guaranteeing the integrity of their governments, Russia has remained in a state of arrested development. That state will continue until the Russian leaders have the courage to declare openly that the legal and political philosophy of Marx, Engels and Lenin is fundamentally mistaken and must be abandoned.

How heavy the burden of the inherited Communist philosophy is becomes clear when the concept of law itself is under discussion. Throughout the ages, among men of all nations and creeds, law has generally been thought of as a curb on arbitrary power. It has been conceived as a way of substituting reason for force in the decision of disputes, thus liberating human energies for the pursuit of aims more worthy of man's destiny than brute survival or the domination of one's fellows. No one has supposed that these ideals have ever been fully realized in any society. Like every human institution, law is capable of being exploited for selfish purposes and of losing its course through a confusion of purposes. But during most of the world's history, men have thought that the questions worthy of discussion were how the institutions of law could be shaped so that they might not be perverted into instruments of power or lose the sense of their high mission through sloth or ignorance.

What is the Communist attitude toward this intellectual enterprise in which so many great thinkers of so many past ages have joined? Communism consigns all of it to the ashcan of history as a fraud and delusion, beneath the contempt of Communist science. How, then, is law defined today in Russia? We have an authoritative answer. It is declared to be the totality of the rules of conduct expressing the will of the dominant class, designed to promote those relationships that are advantageous and agreeable to the dominant class.

Law in the Soviet Union is not conceived as a check on power, it is openly and proudly an expression of power. In this conception surely, if anywhere, the bankruptcy of communism as a moral philosophy openly declares itself.

It is vitally important to emphasize again that all of the truly imposing absurdities achieved by Communist thought—in whatever field: in economics, in politics, in law, in morality—that all of these trace back to a single common source. That origin lies in a belief that nothing of universal validity can be said of human nature, that there are no principles, values or moral truths that stand above a particular age or a particular phase in the evolution of society. This profound negation lies at the very heart of the Communist philosophy and gives to it both its motive force and its awesome capacity for destruction.

It is this central negation that makes communism radically inconsistent with the ideal of human freedom. As with other "bourgeois" virtues, once dismissed contemptuously, Soviet writers have now taken up the line that only under communism can men realize true freedom. This line may even have a certain persuasiveness for Russians in that individuals tend to prize those freedoms they are familiar with and not to miss those they have never enjoyed. A Russian

transplanted suddenly to American soil might well feel for a time unfree in the sense that he would be confronted with the burden of making choices that he was unaccustomed to making and that he would regard as onerous. But the problem of freedom goes deeper than the psychological conditioning of any particular individual. It touches the very roots of man's fundamental conception of himself.

The Communist philosophy is basically inconsistent with the ideal of freedom because it denies that there can be any standard of moral truth by which the actions of any given social order may be judged. If the individual says to government, "Thus far may you go, but no farther," he necessarily appeals to some principle of rightness that stands above his particular form of government. It is precisely the possibility of any such standard that communism radically and uncompromisingly denies. Marx and Engels had nothing but sneers for the idea that there are eternal truths, such as freedom, justice, etc., that are common to all states of society.

They contend that there are no eternal truths. All ideas of right and wrong come from the social system under which one lives. If that system requires tyranny and oppression then tyranny and oppression must within that system be accepted; there can be no higher court of appeal.

Not only do the premises of Communist philosophy make any coherent theory of freedom impossible, but the actual structure of the Soviet regime is such that no true sense of freedom can ever develop under it. To see why this is so, it is useful to accept the Communist ideology provisionally and reason the matter out purely in terms of what may be called human engineering. Let us concede that a struggle for political power goes on in all countries and let us assume in keeping with Marxist views that this struggle has absolutely nothing to do with right and wrong. Even from this perversely brutal point of view, it is clear why a sense of freedom can never develop under the Soviet regime. In a constitutional democracy the struggle for political power is assigned to a definite arena; it is roped off, so to speak, from the rest of life. In the Soviet Union, on the other hand, there is no clear distinction between politics and economics, or between politics and other human activities. No barriers exist to define what is a political question and what is not. Instead of being ordered and canalized as it is in constitutional democracies, the struggle for political power in Russia pervades, or can at any time, pervade every department of life. For this reason there is no area of human interest—the intellectual, literary, scientific, artistic or religious—that may not at any time become a battleground of this struggle.

Take, for example, the situation of a Soviet architect. Today without doubt he enjoys a certain security; he is not likely to lie awake fearing the dread knock at the door at midnight. Furthermore, he may now see opening before him in the practice of his profession a degree of artistic freedom that his predecessors did not enjoy. But he can never be sure that he will not wake up tomorrow morning and read in the papers that a new line has been laid down for architecture, since his profession, like every other, can at any moment be drawn into the struggle for power. He can never know the security enjoyed by those who live under a system where the struggle for political power is fenced off, as it were, from the other concerns of life. When Soviet politics invades a field like architecture, it cannot be said to spread beyond its proper boundaries, for it has none. It is precisely this defect in the Soviet regime that in the long run prevents the realization of the ideal of freedom under communism.

It is only in the constitutional democracies that the human spirit can be permanently free to unfold itself in as many directions as are opened up for it by its creative urge. Only such governments can achieve diversity without disintegration, for only they know the full meaning of those wise restraints that make men free.

Since the Communist philosophy of history is the central core of its ideology, that philosophy has of necessity permeated every theme I have so far discussed. Briefly stated, the Communist philosophy of history is that man does not make history, but is made by it.

Though communism denies to man the capacity to shape his own destiny, it does accord to him a remarkable capacity to foresee in great detail just what the future will impose on him. The literature of communism is full of prophecies, tacit, and explicit. Probably no human faith ever claimed so confidently that it knew so much about the future. Certainly none ever ran up a greater number of bad guesses. On a rough estimate the Communist record for mistaken prophecies stands at about 100 percent.

Among the conclusions about the future that were implicit in the Communist philosophy, or were drawn from it by its prophets, we can name the following:

That communism will first establish itself in countries of the most advanced capitalism;

That in such countries society will gradually split itself into two classes, with the rich becoming fewer and richer, the laboring masses sinking steadily to a bare level of existence;

That under capitalism colonialism will increase as each capitalistic nation seeks more and more outlets for its surplus production;

That in capitalist countries labor unions will inevitably take the lead in bringing about the Communist revolution;

That as soon as communism is firmly established steps will be taken toward the elimination of the capitalist market and capitalist political and legal institutions; et cetera.

As with other aspects of communism, this record of bad guesses is no accident. It derives from the basic assumption of Marxism that man has no power to mold his institutions to meet problems as they arise, that he is caught up in a current of history which carries him inevitably toward his predestined goal. A philosophy which embraces this view of man's plight is constitutionally incapable of predicting the steps man will take to shape his own destiny, precisely because it has in advance declared any such steps to be impossible. Communism in this respect is like a man standing on the bank of a rising river and observing what appears to be a log lodged against the opposite shore. Assuming that what he observes is an inert object, he naturally predicts that the log will eventually be carried away by the rising flood waters. When the log turns out to be a living creature and steps safely out of the water, the observer is, of course, profoundly surprised. Communism, it must be confessed, has shown a remarkable capacity to absorb such shocks, for it has survived many of them. In the long run, however, it seems inevitable that the Communist brain will inflict serious damage upon itself by the tortured rationalizations with which it has to explain each successive bad guess.

This brings us to the final issue. Why is it that with all its brutalities and absurdities communism still retains an active appeal for the minds and hearts of many intelligent men and women? For we must never forget that this appeal does exist.

It is true that in the United States and many other countries the fringe of serious thought represented by active Communist belief has become abraded to the point of near extinction. It is also the fact that many people everywhere adhere to groups dominated by Communist leadership who have only the slightest inkling of communism as a system of ideas. Then again we must remember that in the Communist countries themselves there are many intelligent, loyal, and hard-working citizens, thoroughly acquainted with the Communist philosophy, who view that philosophy with a quiet disdain, not unmixed with a certain sardonic pleasure of the sort that goes with witnessing, from a choice seat, a comedy of errors that is unfortunately also a tragedy. Finally, we must not confuse every gain of communism with a gain of adherents to Communist beliefs. In particular, we should not mistake the acceptance of technical and economic aid from Moscow as a conversion to the Communist faith, though the contacts thus established may of course open the way for a propagation of that faith.

With all this said, and with surface appearance discounted in every proper way, the tragic fact remains that communism as a faith remains a potent force in the world of ideas today. It is an even more tragic fact that that faith can sometimes appeal not only to opportunists and adventurers, but also to men of dedicated idealism. How does this come about?

To answer this question we have to ask another: What are the ingredients that go to make up a successful fighting faith, a faith that will enlist the devotion and fanaticism of its adherents, that will let loose on the world that unaccommodating creature, the true believer?

I think that such a faith must be made up of at least three ingredients.

First. It must lift its adherents above the dread sense of being alone and make them feel themselves members of a brotherhood.

Second. It must make its adherents believe that in working for the objectives of their faith they are moving in step with nature, or with the forces of history, or with the divine will.

Third. It must be a faith that gives to its adherents a sense of being lifted above the concerns that consume the lives of the nonbelieving.

All of these ingredients are furnished in abundance by communism. In the Communist philosophy the first two ingredients are fused into one doubly effective amalgam. To become a Communist is no longer to be alone, but to join in the march of a great, oppressed mass of humanity called the proletariat. This silent, faceless army is being carried inevitably to its goal by the unseen forces of history. There is thus a double indentification. History belongs to the proletariat, the proletariat belongs to history. By joining in this great march the Communist not only gains human companions but a sense of responding to the great pull of the universe itself.

Now, the picture I have just painted is not one that even the most devout Communist can comfortably carry about with him at all times. Indeed, there are probably few Communists who do not, even in their moments of highest faith, sense some of the fictions and contradictions of the dogma to which they are committed. The absurdities of the Communist ideology are, however, by no means immediately apparent to the new convert, who is likely to be intrigued rather by the difficulty of understanding them. The old believer sees no reason to point out these absurdities, partly because he does not wish to undermine the faith of the young, and partly because he

has become inured to them, has learned to live with them at peace, and does not want to disturb his own adjustment to them.

One of the key fictions of the Communist edifice of thought is the belief that there is in modern industrial society an identifiable class of people called the proletariat. That such a class would develop was not a bad guess in 1848 and Marx had other economists with him in making this guess. As usual, history perversely took the wrong turn. And as usual, this has caused communism no particular embarrassment, for it continues—with diminished ardor, to be sure—to talk about the proletariat as if it were actually there. But professing to see things that are not there is often a sign of faith and furnishes, in any event, a bond of union among believers.

To many of its American critics, communism has appeared as a kind of nightmare. Like awakened sleepers still recoiling from the shock of their dream, these critics forget that the nightmare is after all shot through and through with absurdities. The result is to lend to the Communist ideology a substance that in fact it does not possess. If in moments of doubt the Communist is inclined to feel that his philosophy is made of air and tinsel, he is reassured and brought back into the fold when he recalls that its critics have declared this philosophy to be profoundly and powerfully vicious.

Part of the tarnish that an uncompliant history has visited on the Communist prophecies has in recent years been removed by the achievements of Russian technology. It is now possible to identify communism with the land that has the highest school buildings, the hugest outdoor rallies, the most colossal statues and the space satellites that weigh the most tons. It is not difficult to make all this appear as a kind of belated flowering of the promises communism began holding out more than a hundred years ago. It is easy to make men forget that none of the solid accomplishments of modern Russia came about by methods remotely resembling anything anticipated by Marx, Engels, or Lenin.

In suggesting the ingredients that go to make up a successful fighting faith, I stated that such a faith must be one "that gives to its adherents a sense of being lifted above the concerns that consume the lives of the nonbelieving." I have purposely left this aspect of the Communist faith to the last for it is here that the truly nightmarish quality of that faith manifests itself.

Not that it is any objection to a faith that it enables those sharing it to be indifferent to things that seem important to others. The crucial question is, what is it that men are told not to heed? As to the Communist faith there is no ambiguity on this score. It tells men to forget all the teachings of the ages about government, law and morality. We are told to cast off the intellectual burden left behind by men like Confucius, Mencius, Plato, Aristotle, St. Thomas, Kant, and Bentham. There are no "eternal truths" about society. There is no science of social architecture. Only the simple minded can believe that there are principles guiding the creation of sound legal and political institutions. For the enlightened there is only one rule: Smash the existing bourgeois economic and legal order and leave the rest to the spontaneous class organization of the proletariat.

In diplomatic dealings the Russians display great respect for American military and economic power, but consider us hopelessly naive in matters political. We are still concerned with trifles they feel themselves long since to have left behind, trifles like: How do you help a people to realize self-government who have had no experience with its necessary forms and restraints? How following the overthrow of a tyranny do you suggest steps that will prevent an interim dictatorship from hardening into a second tyranny?

It is not that the Communists have ideas about sound government that differ from ours. According to strict Communist theory there can be no ideas on such a subject. If a gray market for such ideas has gradually developed in Russia it has not yet reached the point of being ready for the export trade. Russia has engineers able to help the underdeveloped countries build roads and dams, and there is no reason to question the competence of these engineers. But whoever heard of Russia sending an expert in political institutions to help a new country design an appropriate form of representative self-government? Not only would such a mission stand in ludicrous incongruity with the present situation of the Communist countries in Europe; it would be a repudiation of the basic premises of the whole Communist philosophy.

Even in the economic field, Russia really has nothing to offer the rest of the world but negations. For a long time after the establishment of the Soviet regime it was actively disputed in Russia whether for communism there is any such thing as an economic law.

Communistic ideology has had gradually to bend before the plain fact that such laws exist. But Russia has as yet developed no economic institutions that are more than distorted shadows of their capitalist equivalents. Russia may help a new country to develop electric power. It has nothing to say about the social institutions that will determine how that power will be utilized for the good of the whole people.

This great vacuum that lies in the heart of communism explains not only why its philosophy is in the long run so destructive of everything human, but why in the short run it can be so successful. Consider, for example, what it can offer to the leader of a successful revolution. A cruel dictatorship has been overthrown. It had to be overthrown by force because it permitted no elections or never counted the vote honestly. Following the successful revolt, there must be an interval during which order is kept by something approaching a dictatorship. Sooner or later, if the revolution is not to belie its democratic professions, some movement must be made toward representative self-government. This is a period of great difficulty. There is no mystery about its problems. They fit into an almost classic pattern known from antiquity. The revolutionary leaders must find some accommodation with what is left of the old regime. Sooner or later the firing squad must be retired. Even when this is done vengeful hatreds continue to endanger the successful operation of parliamentary government. Among the revolutionary party, men who were once united in overthrowing plain injustice become divided on the question what constitutes a just new order. Militant zealots, useful in the barricades, are too rough for civil government and must be curbed. If curbed too severely, they may take up arms against the new government, et cetera. What can communism offer the revolutionary leader caught in this ancient and familiar quandary? It can, of course, offer him material aid. But it can offer him something more significant and infinitely more dangerous, a clear conscience in taking the easy course. It can tell him to forget about elections and his promises of democracy and freedom. It can support this advice with an imposing library of pseudo-science clothing despotism with the appearance of intellectual respectability.

The internal stability of the present Russian Government lends an additional persuasiveness to this appeal. If Russia can get along without elections, why can't we? Men forget that it is a common characteristic of dictatorships to enjoy internal truces that may extend over decades, only to have the struggle for power renew itself when the problem of a succession arises. This is a pattern written across centuries of man's struggle for forms of government consistent with human dignity. It is said that the struggle for power cannot under modern conditions, with modern armies and modern weapons, take the form of a prolonged civil war. That is no doubt true in a developed economy like that of Russia. The shift in power when it comes may involve only a few quick maneuvers within the apparatus of the party, which have their only outward manifestation in purges or banishments that seal the results. But the fact remains that the fate of millions will be determined by processes which take no account of their interests or wishes, in which they are granted no participation, and which they are not even permitted to observe.

It must not be forgotten that modern Russia was for an indefinite period prior to 1953 governed by a tyranny. This is admitted in Russia today. To be sure, the term "tyranny" is not used, because according to the Communist philosophy a term like that betokens a naive and outdated view of the significance of governmental forms. The Soviet term is "the cult of personality." According to the official explanation Stalin and his followers in some mysterious way became infected with a mistaken view of Stalin's proper role. According to ancient wisdom this was because Stalin ruled without the check of constitutional forms and without effective popular participation in his government. In the words of Aristotle, written some 23 centuries ago, "This is why we do not permit a man to rule, but the principle of law, because a man rules in his own interest, and becomes a tyrant."

It is plain that Stalin at some point became a tyrant. According to Aristotle this was because Russia did not base its government on the principle of law. According to the Communist theory some inexplicable slippage of the gears, some accidental countercurrent of history, led Stalin to embrace incorrect notions about himself.

If mankind is to survive at a level of dignity worthy of its great past, we must help the world recapture some sense of the teachings of the great thinkers of former ages. It must come again to see that sound legal and political institutions not only express man's highest ideal of what he may become, but that they are indispensable instruments for enabling him to realize that ideal. It would be comforting to believe that the forces of history are working inevitably toward this realization and that we too are cooperating with the inevitable. We can only hope that this is so. But we can know that the forces of human life, struggling to realize itself on its highest plane, are working with us and that those forces need our help desperately.

SOCIAL SECURITY AMENDMENTS OF 1960

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 12580), the social security amendments of 1960.

Mr. YOUNG of Ohio. Mr. President, it is my happy personal recollection that 25 years ago I was a Member of the Congress that overwhelmingly enacted the

most humane and advanced social legislation in our Nation's history—the Social Security Act.

I have stated before, and I shall again, that this is one of the many imprints Franklin D. Roosevelt has left upon the pages of our Nation's history, an imprint that we hope and believe will endure forever.

Also, it is a happy recollection that later, as a member of the Committee on Ways and Means of the House of Representatives, I helped draft the present liberalized and expanded social security program. In fact, some of the paragraphs that are now in the Social Security Act were originally in my own handwriting and produced as 25 of us, Republicans and Democrats alike, sat in a nonpartisan and a nonpolitical manner, in our shirt sleeves, and helped draft the amended and liberalized social security law during the 81st Congress.

Mr. President, America has never been a Nation content to stand still and rest on the laurels of the past.

It has been our tradition and our history always to move forward, always to take newer and greater steps in the interest of the welfare of the American people. Piecemeal, patchwork and after-the-fact legislation has proved to be inadequate to meet the needs of our elderly citizens. We must learn to anticipate needs, not to be tangled in the confusion of interpreting them long after they have swept onto the scene.

Mr. President, in my judgment, the legislative proposal reported from the Committee on Finance and now before the Senate, will not meet, nor does it seriously attempt to meet, the needs of the day. It represents, however, a step in the right direction. The same is true with regard to the proposed substitute offered by the distinguished senior Senator from New York [Mr. JAVITS]. Frankly, I do not particularly like the approach of the substitute proposal, but I intend to be present and to listen to all of the arguments made for and against it before the vote is taken.

The bill before us at least recognizes the need for a medical care plan for the aged. I suppose this is in itself somewhat of an achievement, considering the tremendous opposition to the concept from the American Medical Association and from other "ice age" oriented groups.

In speaking in this manner of the American Medical Association, Mr. President, I am not referring to the fine professional men who are the physicians and surgeons of the United States. I am referring to the House of Delegates of the American Medical Association, the little group of willful men in control of the American Medical Association who operate one of the most powerful lobbies in Washington, D.C.; men who are not truly representative of the physicians and surgeons of this country.

The fact is that in my State of Ohio, in the neighborhood State of Pennsylvania, in the State of New Jersey, and I believe in the State of New York, and elsewhere, physicians and surgeons on every occasion, when a referendum has been taken on the question, "Do you desire to join the social security system?" have voted in every instance in the affirmative as they did in Ohio by 68 percent, expressing the will of the rank and file of the medical men of the country to join the social security system. Despite this, the reactionary House of Delegates of the American Medical Association is constantly lobbying to prevent the inclusion of physicians and surgeons under the beneficient provisions of our social security law.

In fact, we have reached the situation where practically the only group of professional men in the United States not included within the social security system are the physicians and surgeons.

Mr. President, I am one who believes that our social security system should be made universal, that it should apply to all employees and to all self-employed. We should provide that upon retirement or upon disability those who are covered by the social security program will receive not a mere handout but an adequate sum, in order that, with whatever little savings they have been able to acquire during lifetimes of constructive effort, they may live in some comfort and with dignity.

The simple fact, Mr. President, is that medical expenses rise with a person's years. At the same time, for most people, the ability to meet those needs declines rapidly once the person is off the payroll as an employee.

Mr. President, it is a unique circumstance that in the other body a bill has been introduced to permit physicians and surgeons to be covered by social security on an optional basis instead of on a compulsory basis. Think of that sort of outrage which is sought to be perpetrated upon our social security system, which all of us desire to continue to be actuarially sound.

Our social security system was actuarially sound and is actuarially sound.

Of course, this proposal for optional coverage for physicians and surgeons will not get to first base. It will be shelved in the Committee on Ways and Means of the House of Representatives, as it should be. Assuming any group of professional men could get away with going into the social security system on an optional basis instead of on a compulsory basis, all the young men in that profession would not be at all interested in doing so. Naturally they would wait until they became 63½ years of age to join the social security system, and then would soon share in its benefits.

If the medical profession really has the audacity to claim it is entitled to that treatment, where would we stop? Why should not a garage mechanic or anyone else be entitled to go into the system on a voluntary basis instead of on a compulsory basis? Within 6 months' time the social security system would no longer be actuarially sound.

Mr. President, we sometimes lose sight of the fact that we are dealing with people, with human beings instead of mere statistics. In this expanding system of safeguards against the hazards, the cruelties, and the penalties of old age new concepts of security and human dignity are involved, as well as a new relationship between the individual and his Government.

The hope we all cherish is an old age free from care and want. To that end men and women toil patiently and live closely, seeking to save something for the day when they can earn no more. The dignity of every American is involved in the legislative proposals which we in the Senate shall be considering during the present week.

The bill before us, as reported from the Committee on Finance of the Senate, provides a "means test," sometimes called a "needs test," which would be applied before an individual could receive some of the benefits. A sick, elderly person would be forced to acknowledge publicly that he himself could not afford to take care of his medical and surgical needs before he could receive some of the benefits under the act. In effect, he would be receiving charity, a handout from our good Uncle Sam.

Mr. President, something deep inside a person is offended if, after a lifetime of productive effort, all a retired or disabled person gets is a handout.

Charity should never be the answer of American intelligence and sense of justice to the problems of unemployment and indigent old age.

The German Chancellor Bismarck, has been regarded by some people as the one who originated the first social security system. The fact is that Thomas Paine, the American Revolutionary War patriot, in 1795, while recuperating from an illness in the home of the U.S. Ambassador to France, James Monroe, wrote:

> To preserve the benefits of what is called civilized life and to remedy at the same time the evil which it has produced, ought to be considered as one of the first objects of reform legislation.

He then proposed to create a national fund out of which a sum would be paid each year to every person living at the age of 50 years.

It is noteworthy that in revolutionary times, 50 years of age was considered rather old. Just as noteworthy, in 1870, at the time that Otto von Bismarck was Chancellor of Germany, it was considered that 65 was elderly, and that the German Government should step in and with a social security program help the aged man of 65.

In the Revolutionary War period age 50 was considered old. In 1870, 65 was considered old. I know that the distinguished junior Senator from Kansas [Mr. CARLSON], who is now presiding in the chair, will agree with the junior Senator from Ohio, who has personally exceeded 65 by some years, that 65 is not so old any more. As a trial lawyer who over the years has tried many, many personal injury lawsuits involving damages claimed for deaths or permanent injuries, and who has introduced in evidence time and again the latest life insurance expectancy tables, I say that in our lifetime we have seen the life expectancy of Americans climb and climb, so that a man or woman in his or her fifties has a life expectancy far exceeding the life expectancy of some years past. As soon as medical science discovers controls and

cures for cancer and heart disease our life expectancy will shoot even further upward.

I am happy to say that there is every reason to believe that we are on the verge of making those discoveries.

Tom Paine, back in the Revolutionary period, proposed that there be established a national fund that would provide the sum of 15 pounds per annum. He wrote, "This is not charity but a right, not a bounty but justice." We can say that today of the social security system of our country. At that time Tom Paine, the pioneer, was advocating 15 pounds a year, which I estimate was a little over $5 per month.

Mr. President, I have digressed for a moment from what I had intended to say to point out that our American social security system was not obtained from Bismarck of Germany, but that it can be traced directly to an essay of Thomas Paine, written in 1795.

The concept of our social security system applies to all alike. The wealthy and the poor are equal before it.

All the millions of people who are covered are policyholders in the greatest insurance plan ever devised.

I recall distinctly that when we were attempting to liberalize and extend this act in the Committee on Ways and Means of the House of Representatives, short-sighted executives, the presidents of various life insurance companies, appeared before the committee and said that we were destroying private enterprise, and that we were resorting to state socialism.

Executives of insurance companies truly know now that the social security program, which was devised first by Franklin D. Roosevelt, enacted into law by the Congress of the United States in 1935, and signed on August 14, 1935, by President Roosevelt, has caused the individuals covered to be security minded, to give thought—which frankly I was not giving at that time—to an old age free from care and want. At that time I was living from day to day, happily. However, nowadays, due to the social mindedness and social security consciousness of young and old alike the business of the private insurance companies of the United States has increased tenfold. They have all prospered.

Some members of the house of delegates of the American Medical Association, the reactionary group heading the association, still talk about socialized medicine and about state socialism when they refer to the social security law which we enacted in the Congress 25 years ago. It is noteworthy that some at that have sneeringly referred to this measure as a product of the New Deal and as New Deal legislation which should never have been enacted. When the Grand Old Party, of which I am not a member, had a President and control of both branches of the Congress throughout 1953 and 1954 no attempt was made to repeal this or any other so-called New Deal law, and no candidate for the Presidency of the United States would even think of criticizing our social security system and urge its repeal. It is a part of the fundamental law of our Nation and it will endure forever for the welfare of all Americans.

It is not a mere pension system. Rather, it is a national insurance plan, an old-age and survivors and disability system, not in competition with, but complementary and supplementary to, private insurance plans. The benefits an individual receives from it are rightfully his, not by reason of charity, but by reason of his premiums paid during his economically productive years.

It is partly because of that, Mr. President, that I look with some degree of apprehension on the pending legislative proposal reported by the Committee on Finance. I do not like to have any individual in this country, whether 65 years of age or 68 years of age, when calamity comes into the home, when surgery or hospitalization is necessary, to be obliged to take a means test, or to sign an affidavit as to his need. The thing to do is to place this program under our social security system and to keep that system actuarily sound. It is reported by actuaries of the Department of Health, Education, and Welfare that the system could be kept actuarily sound by increasing the premium by one-fourth of 1 percent each year for employer and employee, and by three-eighths of 1 percent being added to the premium of covered self-employed.

My view is that this is the philosophy which should apply to all medical care for the aged. It should be made an integral part of our social security system. Medical care should be the right of an elderly citizen for which he has paid and provided for in his earlier years. The Federal Government would be doing nothing more than providing the insurance system where private industry cannot do the job adequately. To do otherwise would be to scuttle our concept of social security.

Mr. President, the committee proposal, it seems to me, is fiscally unsound. While it offers little, in some instances no more than $12 a month, it provides no means for raising the revenue for the pitiful additional benefits it offers.

Incidentally, how much medical care will $12 a month bring?

In reality, the pending proposal, while it has many meritorious features, is not the kind of truly national plan I should like to have carry forward our social security system to greater heights, and at the same time continue it on an actuarily sound basis.

First, it relies on action being taken by the individual States before the Federal Government can participate. We would have 50 separate and distinct programs of medical care for the aged if and when all the States adopted some plan or other.

Secondly, the plans would vary from State to State. We are saying to our elderly citizens, who may desperately need surgical care and extended hospital treatment, "If you live in such and such a State, you will receive some help, small though it may be, but if you get sick in another State, then you may not receive any help."

For example, let us assume that the State of Hawaii adopted a program under this act. To a resident of Hawaii we would say, "Since you live in the State of Hawaii, you get such and such an amount." We would say to a person living in a State with a less adequate plan, "Since the general assembly of your State is not as liberal as the State of Hawaii or some of the other States, you will receive a lesser amount." It seems to me to be rather archaic in the space age to adopt this approach toward the health and welfare of our aged.

That part of the bill which provides medical care for the aged, as reported from the Committee on Finance, offers empty promises to some Americans. By innuendo, at least, it refutes the principles on which our social security system is based and detracts from the fundamental American concept of the dignity of the individual.

The distinguished junior Senator from New Mexico [Mr. ANDERSON] has introduced an amendment supplementary to the committee proposal which is inestimably more suited to handle this problem. It would make medical care for those 68 and over presently covered by social security a part of our overall social security program. The amendment offered by the Senator from New Mexico would provide increased benefits for hospitalization and for medical care and nursing. It would provide the basic needed benefits; namely, hospitalization up to 120 days, nursing home care up to 240 days, nursing and other health services at home up to 360 days, and outpatient diagnostic service.

These are the benefits which American people need and want. The proposal which comes to us from the Committee on Finance has many meritorious aspects, but I hope that on the floor of the Senate, as we proceed throughout this week, we shall by amendment to the committee bill further improve and expand the benefits which the aged men and women of our country are entitled to receive.

Of course, any proposal we enact, whether it be the committee proposal or the one offered by the Senator from New Mexico, will not be socialistic, despite statements made by a few reactionary members of the house of delegates of the American Medical Association, who have wormed themselves into power over the physicians and surgeons of the country, and who maintain a powerful lobby in Washington. Americans enjoy, will continue to enjoy and have, the opportunity to be attended by the doctors of their choice.

Lest anyone think that I, a professional man myself, have any grievance against physicians and surgeons, which of course I do not, I wish always to have physicians and surgeons decide for themselves the right to accept or refuse to attend an individual. For example, if they choose not to go out at night, to be taken from their homes, and compelled to go a great distance to attend a sick person; that should be a matter for the physician or surgeon to decide for himself.

Those who oppose this plan as restrictive are blind to the fact that it helps provide for the future medical and

surgical needs far more in keeping with our American ideals than handouts from the Public Treasury. Private plans are inadequate and the costs are excessive.

Mr. President, there are salutary amendments to the Social Security Act contained in the legislative proposal before us, which I believe will help strengthen our social security system. Notable among them are three in which I have taken a special interest. While I shall hurry along in my remarks today, I may speak briefly on them a little later on, and may have something further to say on other meritorious aspects of the pending legislative proposal.

In the past we have dealt unrealistically and without imagination with the problem of disabled workers.

Disability is no less tragic at 30 than at 50, no less final in destroying the ability to work and earn a decent living. I am happy to see that the present bill eliminates this requirement and provides for benefits to disabled workers covered by social security regardless of age.

This is proper, of course, when a physician attends a worker who has paid his premium into the social security system, whether that worker is 30 years old, 35 years old, or whatever his age may be. If he has paid his premium in a sufficient number of periods to be covered by social security, and if doctors agree that he is permanently and totally disabled, and will never again be able to be gainfully employed, it is wrong to provide that such a disabled person may not receive any retirement benefit until he attains the age of 50, if he lives that long. I am happy that this problem has been taken care of in this proposal.

Then, also, increasing the earnings limitation from $1,200 a year to $1,800 a year is a step in the right direction. Personally, I hope that, perhaps, on the floor of the Senate we may compromise this matter further by increasing the amount from $1,800 to $2,400, at least, to enable many recipients of social security to enjoy greater dignity and comfort and a more decent standard of living. It is really a cruel punishment to deny those who wish to work and adequately supplement their incomes, the right to do so. It was their work and money which built this fund and which has helped to maintain it actuarially sound to this good hour. Of course, it is unrealistic to provide, as the present law does, that if they earn more than $1,200 a year, they cannot receive their retirement benefits.

Another provision would allow men to retire at the age of 62, if they chose to do so. I cannot understand why anyone would so choose. However, if a worker or a self-employed person chooses to retire at age 62, then it appears to me to be sound to permit him to do so and to reduce the benefits accordingly. This is actuarially sound, and is permitted for women today. Here is another forward-looking amendment to the present social security law. I hope it will be adopted.

Apart from medical care for the aged, there is one glaring deficiency, it seems to me, in the committee proposal. In the bill as it came from the House compulsory coverage under the act was extended to physicians and surgeons. The Committee on Finance deleted this provision on the ground that it could not ascertain definitely whether a majority of physicians wished to come under this provision.

It appears to me that there may have been a feeling among some of the members of the Committee on Finance, which I share to an extent—and I am sorry to say I am not a member of that committee, although I hope to be, because I enjoyed very much my service on the House Committee on Ways and Means—that so long as physicians and surgeons of the United States choose to be represented by that small, reactionary group at the top of the American Medical Association, then it serves them right not to be included in the beneficent provisions of the social security program. However, while I may have that thought, I conclude, more properly, that it is not right to punish the physicians and surgeons simply because they are misrepresented at the top. Wherever a referendum has been taken, doctors have expressed a desire to be included within the compulsory coverage of social security.

I am sorry I did not bring it to the Senate Chamber with me today, but I have in my office a large, bulging file containing telegrams and letters I have received from physicians and surgeons living in Ohio, urging me, their public servant in Washington, to try my humble best—and I shall try—to have the physicians and surgeons included within the Social Security Act. Those communications are surprising. The views of those physicians and surgeons are exactly contrary to the views of that little clique which is in charge of the American Medical Association; that little clique whose thinking dates back to pre-William McKinley times, and who are not properly representative of the views of the physicians and surgeons of the Nation.

Ten years ago, after I had been defeated for reelection as Representative at Large, I resumed the practice of law in my home city of Cleveland, Ohio. The Cuyahoga County Bar Association, comprised of some 1,800 members, some years later, honored me by electing me as its president. During that time, it was my privilege to come before the Committee on Finance of the U.S. Senate. I remember distinctly that the chairman of the committee, the distinguished senior Senator from Virginia [Mr. BYRD] was present a part of the time when I was testifying. I remember also that the distinguished junior Senator from Louisiana [Mr. LONG], who is present in the Chamber today, was present throughout the time I gave testimony. He listened intently to my testimony, although I cannot say that I persuaded him. I believe it was mentioned at that time by the distinguished Senator from Louisiana that I was the very first president of any bar association in the United States to appear before a committee of Congress and to urge that self-employed lawyers be included under social security; and that had the lawyers of the Nation chosen to appear before the House Committee on Ways and Means and the Senate Committee on Finance in previous years, self-employed lawyers might have been included in the act, together with other self-employed persons, before they actually were.

I do not claim that my effort had anything to do with the result, but the fact is that the view of the distinguished Senator from Louisiana [Mr. LONG] and other members of the committee prevailed, and lawyers were, a few months afterward, included under social security.

Because of the reactionary clique at the head of the organization claiming to represent the physicians and surgeons of the United States, it seems to me that physicians and surgeons are the only group of professional men who are not included in social security. It is my hope, that, perhaps, on the floor of the Senate during this week the law may be amended to include them. It would be a rebuke to the clique at the head of the American Medical Association. More than that, it would afford proper recognition of the fact that all self-employed men and women, in any profession or in any line of work, should be included; that our social security system should be made universal and apply to all self-employed persons, in addition to persons who are employees.

Mr. LONG of Louisiana. Mr. President, will the Senator from Ohio yield?

Mr. YOUNG of Ohio. I yield to the distinguished Senator from Louisiana.

Mr. LONG of Louisiana. The Senator from Ohio was most gracious in his reference to me.

Permit me to say that while the Senator from Ohio was serving as president of his bar association, he did an outstanding job in educating the lawyers of his State on the benefits available under social security and how the benefits compared to the price to the lawyer.

Prior to that time, most lawyers had not realized that, from an insurance point of view, there was available two, or perhaps four, times as much protection under social security as under private insurance plans. As the Senator from Ohio then pointed out to us on the committee, he saw to it that lawyers were appointed to study both sides, and to conduct a debate, and to show both sides of the argument. I believe the result was that at a meeting attended by a great number of lawyers in his State, the lawyers—including the two who had debated on the side against coverage—voted unanimously in favor of coverage. The Senator from Ohio knows as well as I do that those who had been assigned the duty of collecting the facts against coverage and presenting them and taking that side of the argument would be very likely to realize that the overwhelming argument favored coverage.

The junior Senator from Louisiana was one of those who told the doctors, on occasion, that he would not vote to have them placed under social security unless and until they were prepared to accept it. If and when the doctors of my State or the majority of the doctors of the Nation make it clear that they are

ready for coverage under the social security system, I am prepared to vote for such coverage for them.

But certainly in the past on the committee I have taken the attitude that I was not prepared to vote for coverage for the doctors until they indicated they favored it. I felt it would be better to leave things the way they were until the doctors became sufficiently educated about the matter to take a stand similar to that taken by the lawyers, who have desired coverage under social security—particularly after they better understand the cost as compared to the benefits. I believe that eventually that will be the case insofar as the doctors are concerned; but it will take a little time.

Mr. YOUNG of Ohio. Mr. President, I appreciate the courtesy and helpfulness of the Senator from Louisiana in making the statement he has just made.

The distinguished Senator from Louisiana certainly manifests great intelligence and an excellent recollection. Attending, as he has, so many meetings of the Senate Finance Committee over the years, and being regarded as one of the hardest working members of that committee, it strikes me as unusual when he recalls the fact that the bar association of which I was president did, indeed, hold a referendum. We held a debate on the subject of whether lawyers should be included within the provisions of the social security system; and following that debate—where the usual arguments were made, such as "state socialism," and "socialized medicine," our association and the lawyers of Ohio did vote overwhelmingly in favor of being covered by the social security system. Approximately 70 or 80 percent of them were in favor of joining the social security system; and the Cuyahoga Bar Association, of which I was then president, voted unanimously to ask the Congress to include self-employed lawyers within the social security system. We were included.

Now, Mr. President, the physicians and surgeons of the country have likewise evidenced, whenever a poll has been taken, their wish to be included. Certainly the distinguished Senator from Louisiana and I agree that they will be included, regardless of whether they are actually included this year.

I assure the distinguished Senator from Louisiana, whom I hold in the highest admiration and respect, that I realize full well that he, likewise, wants our social security system to be applied universally—to all employed and all self-employed, regardless of their occupation or profession. I realize that he, too, is insistent that the system remain actuarially sound—as do all thoughtful citizens.

Mr. President, a moment ago I referred to the position now being taken by the American Medical Association in regard to having doctors and surgeons covered by the social security system. Mr. President, it is my belief that this antiquated and reactionary organization does not speak for the great majority of doctors who desire to be included under the act and who have publicly expressed this desire in polls and otherwise. In fact, it speaks only for a small group of willful doctors who have the time to devote to its activities, rather than to practicing medicine.

Mr. President, insofar as amendments to the Social Security Act are concerned, this bill, while not fully satisfactory, is at least an improvement upon existing legislation.

It is my fervent hope that we shall accept the amendment of the distinguished junior Senator from New Mexico [Mr. ANDERSON], and thereby have a truly realistic program under a streamlined and up-to-date social security system.

Mr. President, I have taken more time than I intended to take on this subject. At this point let me express, finally, my very fervent hope that the Senate, when it votes later in the week, will vote to accept the amendment which has been offered by the distinguished junior Senator from New Mexico [Mr. ANDERSON]. It is also my hope that we will adopt other amendments which will improve and expand this great system, of which all of us are so proud; and that, as the end result of our efforts during this session of Congress, we shall pass and shall send to the White House a truly realistic act which will provide an up-to-date social security program, actuarially sound. Such a bill will take care of the elderly men and women of the Nation, men and women who no longer are able to be gainfully employed. In particular it will take care of them when the calamity of unexpected, prolonged illness or of hospitalization and surgical care comes into their homes, because, Mr. President, we believe that colossal debt should not be the penalty that American men and women should have to pay when these tragedies occur.

Mr. President, I yield the floor.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

NEED OF LEGISLATION GIVING SECRETARY OF STATE POWER TO WITHHOLD PASSPORTS TO PERSONS ENGAGED IN COMMUNIST ACTIVITY

Mr. WILLIAMS of Delaware. Mr. President, in the past several weeks we have heard quite a bit about the need for the passage of certain pieces of legislation which are deemed in some quarters to be urgent. Nowhere in such lists, however, have I seen any reference to a bill which is now on the Senate Calendar and which has actually been in the urgent category for the past 2 years.

I am referring to Calendar No. 1881, a bill—S. 2652—to strengthen the internal security of the United States. It is difficult to understand, particularly in view of the stepped up war of propaganda and subversion directed against this country by international communism, why there should continue to be any delay in enacting this or similar legislation.

The specific need for legislation of this nature is brought about by a decision of the Supreme Court on June 16, 1958. That decision held that State Department regulations denying passports to Communists or persons assisting the Communist movement were not valid because of the lack of specific legislative authority for them. The purpose of this legislation is to make that authority clear.

S. 2652, which was introduced nearly a year ago by the junior Senator from New York [Mr. KEATING] and the junior Senator from Connecticut [Mr. DODD], contains a provision which I believe is particularly needed in these days of mounting pressures against the free world by the Communist conspiracy. That section would permit the Secretary of State to deny passports to persons connected with the Communist Party or persons who have engaged in activities intended to further the international Communist movement. There should no longer be any doubt in the mind of anyone what the purpose of the Communist conspiracy is. We need look no farther than Cuba, the Congo, Berlin, and the propaganda trial of one of our citizens in Moscow right now, to see the varied workings of this international plot. This bill would serve as an effective means of reducing the ability of the Communists to carry out their conspiratorial missions, while at the same time it contains adequate safeguards to prevent the reckless administration of such power.

Last year the House of Representatives, for the second time since the 1958 Supreme Court decision, passed a bill (H.R. 9069) which is perhaps not as broad as the Senate bill. It does, however, accomplish essentially the same purpose in affirming the right of the Secretary of State to withhold passports from persons engaged in Communist activities. The House bill—passed in the House of Representatives on September 8, 1959—came over to the Senate and was referred to the Committee on Foreign Relations, where it remains. I sincerely regret that the committee, of which I am a member, has not seen fit to act on this most important piece of legislation.

As I mentioned earlier, however, we do have on the Senate Calendar the Keating-Dodd bill, which was reported by the Senate Judiciary Committee on June 30, 1960. It is a bill that should be promptly placed on this list of "must" legislation and brought before the Senate for action.

Last Monday the Senator from Nebraska [Mr. HRUSKA] made an excellent presentation on this floor in favor of such legislation. At that time he inserted in the RECORD an analysis of the bill, a summary of congressional activity in this field since the 1958 Supreme Court decision regarding passport

powers of the Secretary of State, and a statement which outlines very clearly the urgent necessity for passage of S. 2652. These matters appear on pages 16414–16416 of the RECORD of August 15, 1960.

Mr. President, it seems completely inconceivable to me that we should allow to continue a situation wherein the most bitter enemies of this country and our democratic institutions are given this Government's blessing to conduct their dirty business under the protective shield of a U.S. passport. No one is naive enough to presume that the passage of this legislation will eliminate the Communist threat to our country. But it will make it more difficult for the Communists and their agents to go about their business of subversion, espionage, and spying.

If there is any legislation this Nation really needs from this session of Congress, it is this.

Mr. SCHOEPPEL. Mr. President, as has been stated, on June 16, 1958, the U.S. Supreme Court passed on the State Department regulations denying passports to Communists.

Only a few days later, on July 7, after the decision was printed and the matter researched, the President of the United States delivered a message to the Congress. His request was followed by the introduction on the ensuing day of a bill by the junior Senator from New York [Mr. KEATING], then a Member of the House.

More than 2 years have elapsed. For the life of me, I cannot understand why we have not enacted this or similar legislation.

As the Senator from Delaware has said, Senate bill 2652, which was introduced nearly a year ago, contains a section which would permit the Secretary of State to deny passports to persons suspected of sympathizing with the Communist movement. I think all of us are agreed that there is now no question about the extent of Communist activity. Cuba, the Congo, and what is happening in the Berlin area are examples of the inroads which have been made.

The House last year passed for the second time a bill which empowers the Secretary to withhold passports from persons engaged in communistic operations. That bill, H.R. 9069, came to the Senate; but if my memory serves me correctly, the bill is still in the Foreign Relations Committee.

But the Keating-Dodd bill, S. 2652, was reported by the Senate Judiciary Committee last June 30. In my opinion, this bill constitutes "must" legislation for this session of the Congress. Certainly we should do everything possible to hinder agents of the Soviet Government in the conduct of its subversive and espionage activities in this country.

That bill will go a long way toward doing it, and I am hopeful that the measure can be passed during this session of Congress.

Mr. CURTIS. Mr. President, on August 15, my distinguished senior colleague, Senator HRUSKA, spoke to the Senate with expert knowledge on the necessity for enacting, during the current session, S. 2652, a bill giving to the Department of State effective control over passports which are now being issued to known Communists and Communist supporters. His profound effort in this matter, as a very able member of the Senate Committee on the Judiciary, eminently qualifies him to serve notice on this body that we must act, that we must act now. Demands for the enactment of this bill are not partisan. They have been made by deeply concerned colleagues on both sides of the aisle. These Senators are keenly aware, as am I, that a gaping hole in our dike of defense needs to be plugged at once—failure to act finds us grievously derelict.

We know that, since 1958, repeated efforts have been made to correct this abasement of a great American privilege. Members of both parties have introduced legislation for correction and have diligently sought enactment. The President has repeatedly asked the Congress to take action. Excuses for inaction will not be palatable at home if we leave here and, by inaction, sign a death warrant to S. 2652.

Are we so naive to believe that travelers from behind the Iron Curtain have unlimited access to Soviet passports? Can we not accept the fact that Soviet administrators will let no one but the most hardened and seasoned Communists travel West? Have we not witnessed, repeatedly, accounts of tight surveillance over Soviet diplomatic personnel by secret police because of the psychotic fear of defection, of importing knowledge of Russian activities? Yet, blithely, we permit hundreds of Communists and their kindred spirits to trek to Moscow and report on matters most vital to our defense and our security. If any of us feel it necessary to offer an apology to Khrushchev for some American deed, is this not more logical than some which have been suggested?

Veterans of Nebraska—veterans of World War I, World War II and Korea have asked this Congress to tone down the politics of this session long enough to send S. 2652 to the President. I urge the leadership of this body to heed their call. Let us take this opportunity, at this session, to make a move which all Americans will applaud.

Mr. WILLIAMS of Delaware. Mr. President, I certainly hope the majority leader will have time to schedule this bill for action and I join with the distinguished Senator from Kansas [Mr. SCHOEPPEL], the distinguished Senator from Nebraska [Mr. CURTIS], and others in urging its immediate approval.

SOCIAL SECURITY AMENDMENTS OF 1960

The Senate resumed the consideration of the bill, H.R. 12580, the social security amendments of 1960.

Mr. WILLIAMS of Delaware. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WILLIAMS of Delaware. Is there pending any amendment to the bill?

The PRESIDING OFFICER. The bill is open to amendment.

Mr. WILLIAMS of Delaware. Mr. President, this bill has been fully debated. This is the second day it has been under consideration. If no Senator wishes to offer an amendment, I am wondering why we cannot proceed to the disposition of this bill by having the third reading.

We hear rumors that some Senators who had amendments printed may have decided not to offer those amendments. Some of these amendments that are at the desk have been submitted by Senators on both sides of the aisle; but if there is no disposition on the part of their sponsors to offer them I ask for the third reading of the bill.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. LONG of Louisiana. Mr. President, I agree with what the Senator from Delaware has said. There is no other Democrat on the floor at present. I find myself in the somewhat embarrassing position of perhaps having to suggest the absence of a quorum, although it seems to me Senators who wish to offer amendments in the nature of a substitute ought to offer them, and if they are opposed to the bill, they ought to be on the floor to speak in opposition or to offer amendments.

After I suggest the absence of a quorum, I do hope we may insist that Senators who wish to offer substitutes either speak or discuss their substitutes or vote. I am ready to vote.

Mr. WILLIAMS of Delaware. I hear rumors around the cloakroom that some Senators are thinking seriously of not offering these amendments that have been proposed. Perhaps they would rather vote for the bill as it was reported by the committee, which, frankly, I think should be done.

I feel very strongly that if Senators who have proposed these amendments are not interested enough to be on the floor, and present them they should not delay the Senate.

I renew my request to have the third reading of the bill and proceed to a vote.

Mr. LONG of Louisiana. Mr. President, I find myself very much in sympathy with the position the Senator from Delaware has taken, but I believe we should perhaps offer some opportunity to Senators who want to offer amendments or substitutes, or to oppose the bill, to be present. So I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Without objection, it is so ordered.

The bill is open to further amendment.

Mr. ANDERSON. Mr. President, I call up my amendment to H.R. 12580.

The PRESIDING OFFICER. The amendment of the Senator from New Mexico will be stated.

The LEGISLATIVE CLERK. The Senator from New Mexico [Mr. ANDERSON] proposes an amendment identified as "8–17–60—A."

The PRESIDING OFFICER. Does the Senator from New Mexico desire to have his amendment read in full or printed in the RECORD?

Mr. ANDERSON. I ask unanimous consent that it be printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment offered by Mr. ANDERSON is as follows:

MEDICAL INSURANCE FOR THE AGED

SEC. 604. (a) Title II of the Social Security Act is amended by adding after section 225 the following new section:

"MEDICAL INSURANCE BENEFITS

"Entitlement to benefits

"SEC. 226. (a) (1) Every individual who—

"(A) has attained the age of sixty-eight, and

"(B) is entitled to monthly insurance benefits under section 202,

shall be entitled to have payment made under this section on his behalf for inpatient hospital services, skilled nursing home services, home health services, and outpatient hospital diagnostic services, furnished in the United States on or after whichever of the following days is the latest: (i) the first day of the month in which he attains the age of sixty-eight, (ii) the first day of the first month for which he becomes entitled to benefits under section 202, (iii) in the case of inpatient hospital services July 1, 1961, or (iv) in the case of all other services, January 1, 1962.

"(2) For purposes of this subsection, an individual shall be deemed entitled to monthly benefits under section 202 for the month in which he died if he would have been entitled to such monthly benefits for such month had he not died in such month.

"Limitations on payment for services

"(b) (1) Payment for services furnished an individual may be made only in accordance with the provisions of subsection (e) and only if—

"(A) written request is filed for such payment in such form, in such manner, within such time, and by such person as the Secretary may by regulation prescribe, and

"(B) such services are furnished after referral by a physician who certifies in writing (and recertifies, where such services are furnished over a period of time, in such cases and with such frequency as the Secretary may by regulation prescribe) that such services (other than outpatient hospital diagnostic services) are or were required for his medical treatment or that in the case of outpatient hospital diagnostic services, such services are or were required for diagnostic study; except that such referral shall not be required for inpatient hospital services in case of an emergency which makes such referral impracticable.

"(C) with respect to inpatient hospital services for a continuous period in excess of thirty days, such services are furnished after the need for continued hospitalization has, in such cases and at such intervals as the Secretary may by regulation prescribe, been reviewed by a hospital committee that includes two or more physicians.

"(2) Payment for inpatient hospital services furnished an individual during any benefit period shall be reduced (but not below zero) by a deduction equal to $75.

"(3) Payment under this section for services furnished an individual during a benefit period may not be made for any inpatient hospital services, skilled nursing home services, or home health services after one hundred and eighty units of services have been furnished to him in any such period. For the purpose of this paragraph a unit of service shall be equal to each day on which inpatient hospital services are furnished to him, each two days on which skilled nursing home services are furnished to him, or each three visits during which home health services are furnished to him. Nor may payment under this section for services furnished any individual during a benefit period be made for—

"(A) inpatient hospital services furnished to him during such period after such services have been furnished him on one hundred and twenty days during such period;

"(B) skilled nursing home services furnished to him during such period after such services have been furnished him on two hundred and forty days after transfer from a hospital;

"(C) home health services furnished to him during such period after such services have been furnished to him during three hundred and sixty-five visits in such period.

"(4) For purposes of this section, a 'benefit period' with respect to an individual means a period—

"(A) beginning with the first day (not included in a previous benefit period) in which such individual both is furnished any of the following services: inpatient hospital services, skilled nursing home services, home health services, or outpatient hospital diagnostic services and is entitled to have payment made under this section with respect thereto, and

"(B) ending with the three hundred and sixty-fourth day following such first day.

"Review of determinations

"(c) Any individual (other than a provider of services) dissatisfied with any determination made by the Secretary as to whether he is entitled to have payment made under this section for services furnished him, or as to the amount of such payment, shall be entitled to a hearing thereon by the Secretary to the same extent as is provided in section 205(b) with respect to decisions of the Secretary, and to judicial review of the Secretary's final decision after such hearing as is provided in section 205(g).

"Description of medical insurance benefits

"(d) For the purpose of this section—

"(1) The term 'inpatient hospital services' means the following items furnished to a hospital inpatient: bed and board in the hospital in semiprivate accommodations unless they are unavailable, or other accommodations are required for medical reasons, or other accommodations not more expensive than semiprivate are occupied at his request; and such nursing, and other services, such use of hospital facilities, and such drugs, supplies, and appliances, as are customarily furnished by the hospital for the care and treatment of inpatients while in the hospital; including ambulance services medically required, whether or not furnished by the hospital; and including laboratory, diagnostic X-ray, anesthesiology, physiotherapy, and other ancillary services which are customarily furnished to inpatients either by the hospital or by another person under agreement with the hospital; but excluding clinical medical and surgical services except those rendered in the course of an approved program of medical teaching;

"(2) The term 'skilled nursing home services' means the following items furnished to an inpatient by a skilled nursing facility after transfer from a hospital and which are certified by a physician as being required in connection with the condition or conditions for which he was hospitalized; (A) skilled nursing care provided by a registered professional nurse or a licensed practical nurse; (B) such medical and other services as are generally provided by skilled nursing home facilities; and (C) bed and board in connection with the furnishing of such skilled nursing care;

"(3) The term 'home health services' means (A) professional nursing care by a registered professional nurse or a licensed practical nurse in a place of residence maintained as an individual's home, prescribed by a physician and provided through a visiting nursing agency; and (B) part-time homemaker services physical and occupational therapy, medical social services, dietary counseling, ambulance service and similar allied services in an individual's home, prescribed by a physician and provided through a homemaker service agency.

"(4) The term 'outpatient hospital diagnostic services' means diagnostic X-ray and laboratory services, and such other services, drugs, and supplies as are generally provided by hospitals to outpatients for the purpose of diagnostic study;

"(5) The term 'hospital' means an institution which (A) is operated in accordance with the laws of the jurisdiction in which it is located pertaining to such facility and in accordance with standards established by the authorities responsible for such standards in such jurisdiction; (B) is primarily engaged in providing diagnostic and therapeutic facilities for surgical and medical diagnosis, treatment, and care of injured and sick persons by or under the supervision of physicians or surgeons; (C) maintains adequate medical records; and (D) continuously provides twenty-four-hour nursing service rendered or supervised by registered graduate nurses. The term 'hospital' shall not include a tuberculosis or mental hospital;

"(6) The term 'skilled nursing facility' means a facility which (A) is operated to provide skilled nursing services in accordance with the laws of the jurisdiction in which it is located pertaining to such facility and in accordance with standards established by the authorities responsible for such standards in such jurisdiction; (B) has beds for the care of patients who require continuing planned medical and nursing care; (C) is under the continuous supervision of a registered nurse or physician; (D) is operated in connection with a hospital or has medical policies established by one or more physicians (who are responsible for the execution of such policies) to govern the skilled nursing care and related medical care and other services which it provides; (E) maintains adequate medical records; and (F) continuously provides twenty-four-hour nursing service by registered graduate nurses or licensed practical nurses;

"(7) The term 'visiting nurse agency' means a public or other nonprofit agency operated in accordance with medical policies which are established by one or more physicians (who are responsible for supervising the execution of such policies) and which govern the visiting nurse services it provides;

"(8) The term 'homemaker service agency' means a public or other nonprofit agency that employs personnel to furnish home help services to convalescent, or acutely or chronically ill, aged persons; and

"(9) The term 'physician' means an individual (including a physician within the meaning of section 1101(a)(7)) licensed to practice surgery or medicine by the State in which he provides surgical or medical services.

"Agreements with providers of services

"(e) (1) The Secretary of Health, Education, and Welfare shall, at the request of any hospital, skilled nursing facility, visiting nurse agency, or homemaker service agency (hereinafter and in subsection (c) referred to as a 'provider of services'), enter into an agreement with such hospital, facility, or

agency for payment for services furnished to individuals entitled to have such payment made under this section. Each such agreement shall contain such provisions, not inconsistent with the provisions of this section, as may be mutually agreed to by the Secretary and such provider of services.

"(2) Any agreement entered into pursuant to paragraph (1) shall provide that—

"(A) the provider of services will not charge any individual (or any other person) for services for which such individual is entitled to have payment made under this section, and will make adequate provision for return of any moneys incorrectly collected from such individual or other person;

"(B) the Secretary will pay to any provider of services the reasonable cost of services specified in subparagraph (A) (less the deductions provided for in subsection (b)(2), but only if the provider of services furnishes such information at such time and in such form as the Secretary may by regulation require; the Secretary shall determine such reasonable costs and in making such determinations is authorized to use such method or methods of estimating as he may by regulation prescribe;

"(C) no payment will be made to any provider of services for any service which such provider is obligated by a law of, or a contract with, the United States to render at public expense;

"(D) where a provider of services furnishes to an individual at his request services which are described in subsection (d), and are in excess of or more expensive than that usually encompassed by the service so described, the Secretary shall pay to such provider of services only the equivalent of the reasonable cost of the service usually so encompassed and that the provider of services may charge such individual for any additional cost of the service furnished at such request; and

"(E) such agreement may be terminated by (i) the provider of services at such time and upon such notice to the Secretary and to the public as the Secretary may specify by regulations and (ii) the Secretary at such time and upon such notice to the provider of services as may be specified by regulations, but only after the Secretary has determined that such provider of services is not complying substantially with the provisions of such agreement or that such provider no longer substantially meets the provisions of subsection (d) and has notified such provider of such determination.

"(3) Nothing in this section shall—

"(A) preclude the Secretary from making payment for the reasonable cost of services furnished to an individual eligible to receive such services by any hospital which is not a party to an agreement under this subsection but only if (i) such services were emergency services and (ii) the Secretary would be authorized to pay for such services had the Secretary and such hospital entered into an agreement under this section;

"(B) preclude providers of services to be represented by an individual, association, or organization authorized by such provider of services to act on its behalf;

"(C) be construed to give the Secretary supervision or control over the practice of medicine, the manner in which medical services are provided, or over the administration or operation, the selection, tenure, or compensation of personnel of any hospital, skilled nursing home, visiting nurse agency, or homemaker service agency which has entered into an agreement under this section.

"(4) Where an agreement under this section between a provider of services and the Secretary has been terminated, the Secretary may, notwithstanding any other provision of this section, enter into another agreement under this section with such provider but only if such provider conforms to the standards set forth in subsection (c) and the Secretary determines that another agreement with such provider will effectuate the purposes of this section.

"(5) The Secretary shall from time to time determine the amount to be paid to each provider of services under an agreement with respect to the services furnished and shall certify such amounts to the Secretary of the Treasury, except that such amount may be reduced or increased, as the case may be, by any sum by which the Secretary finds that the amount paid to such provider of services for any prior period was greater or less than the amount which should have been paid to it for such period. The Secretary of the Treasury, prior to audit or settlement by the General Accounting Office, shall make payment from the medical insurance account, at the time or times fixed by the Secretary, in accordance with such certification.

"FREE CHOICE BY PATIENT

"(f) Any individual entitled to have payment made under this section for services furnished him may obtain inpatient hospital services, skilled nursing home services, home health services, or outpatient hospital diagnostic services from any provider of services which has entered into an agreement with the Secretary and which admits such individual or undertakes to provide him services.

"MEDICAL INSURANCE BENEFITS ADVISORY COUNCIL

"(g) For the purpose of advising the Secretary in the formulation of policy and the promulgation of regulations in connection with the administration of this section, there is hereby created a Medical Insurance Benefits Advisory Council which shall consist of a chairman and twelve appointed members to be appointed by the Secretary, after February 1, 1961, and before April 1, 1961. The chairman shall serve at the pleasure of the Secretary. Not less than four of the appointed members shall be representatives of the general public, and the remainder of the appointed members shall be persons who are outstanding in the fields pertaining to hospitals and health activities. Each appointed member shall hold office for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and the terms of office of the members first taking office shall expire, as described by the Secretary at the time of appointment, three at the end of the first year, three at the end of the second year, three at the end of the third year, and three at the end of the fourth year after the date of appointment. An appointed member shall not be eligible to serve continuously for more than two terms but shall be eligible for reappointment if he has not served immediately preceding his reappointment. The advisory council is authorized to appoint such special advisory and technical committees as may be useful in carrying out its functions. Appointed members of the advisory council and members of its advisory or technical committees, while serving on business of the advisory council, shall receive compensation at rates fixed by the Secretary, and shall also be entitled to receive an allowance for actual and necessary travel and for subsistence expenses while so serving away from their places of residence. The advisory council shall meet as frequently as the Secretary deems necessary. Upon request of four or more members, it shall be the duty of the Secretary to call a meeting of the advisory council.

"RULEMAKING POWERS OF THE SECRETARY

"(h) The Secretary shall have the power and authority to make rules and regulations and to establish procedures, not inconsistent with the provisions of this section, which are necessary or appropriate to carry out such provisions, and shall adopt reasonable rules and regulations to regulate and provide for the nature and extent of the proofs and evidence and the method of taking and furnishing the same in order to establish the right of individuals to medical insurance benefits hereunder. The Secretary is authorized to utilize the services of appropriate public or private agencies in obtaining information to assist him in performing his functions under this section."

MEDICAL INSURANCE ACCOUNT

(b)(1) Section 201 of the Social Security Act is amended by redesignating subsections (b), (c), (d), (e), (f), (g), and (h) as (c), (d), (e), (f), (g), (i), and (j), respectively.

(2) Section 201 of such Act is further amended by adding after subsection (a) the following new subsection:

"(b) There is hereby created in the Federal Old-Age and Survivors Insurance Trust Fund an account to be known as the medical insurance account. For the fiscal year ending June 30, 1961, and for each fiscal year thereafter, out of moneys appropriated to the trust fund pursuant to subsection (a), there shall be credited from time to time to the medical insurance account in such trust fund, amounts equal to the sum of—

"(1) the amounts determined by multiplying one-half of 1 per centum by the amounts of wages (as certified to the Secretary of the Treasury for purposes of paragraph (3) of subsection (a)) paid after December 31, 1960, and

"(2) the amounts determined by multiplying three-eights of 1 per centum by the amounts of self-employment income (as certified to the Secretary of the Treasury for purposes of paragraph (4) of subsection (a)) for any taxable year beginning after December 31, 1960."

(3) Subsection (c) (redesignated as (d) by paragraph (1) of this subsection) of section 201 of such Act is amended by inserting after "Trust funds" in paragraph (2) the following: "(including the operation and status of the medical insurance account in the Federal Old-Age and Survivors Insurance Trust Fund)"; by inserting "(including the amounts credited to the medical insurance account)" after "Trust funds" in paragraph (3) as amended by section 701(b) of this Act; by inserting "(including the amounts credited to and the charges made against the medical insurance account)" after "Trust funds" the first time it appears in the penultimate sentence of such subsection; by inserting "(including the future amounts to be credited to and the future charges to be made against the medical insurance account)" after "Trust funds" the second time it appears in such sentence; and by inserting "(including the medical insurance account)" after "Trust funds" the third time it appears in such sentence.

(4) Section 201 of such Act is further amended by adding after subsection (f) (redesignated as (g) by paragraph (1) of this subsection) the following new subsection:

"(h)(1) After the close of each fiscal year, the Secretary of the Treasury shall determine the average of the amounts in the medical insurance account during such year for purposes of determining the amount of interest that should be credited to such account from the interest that was credited to the Federal Old-Age and Survivors Insurance Trust Fund during such fiscal year. There shall be credited to the account from the amounts appropriated to the Federal Old-age and Survivors Insurance Trust Fund an amount for interest which is in the same ratio to the interest credited to the Federal Old-Age and Survivors Insurance Trust Fund for such fiscal year as the average of the amounts in the medical insurance account during such fiscal year is to the average of

the amounts in the Federal Old-Age and Survivors Insurance Trust Fund during such fiscal year.

"(2) The proper share of the proceeds from the sale or redemption of any obligations in the Federal Old-Age and Survivors Insurance Trust Fund which are credited to such trust fund shall be credited to the medical insurance account."

(5) Subsection (g) (redesignated as (i) by paragraph (1) of this subsection) of section 201 of such Act is amended by striking out the last two sentences of paragraph (1) and inserting in lieu thereof the following: "After the close of each fiscal year, the Secretary of Health, Education, and Welfare shall analyze the costs of administration of this title incurred during such fiscal year in order to determine the portion of such costs which should be borne by each of the trust funds (including the cost which should be charged against the medical insurance account) and shall certify to the managing trustee the amount, if any, which should be transferred from one to the other of such trust funds (including the amount that should be charged in the Federal Old-Age and Survivors Insurance Trust Fund against the medical insurance account) in order to insure that each of the trust funds (including such account) has borne or has been charged with, as the case may be, its proper share of the costs of administration of this title incurred during such fiscal year. The managing trustee is authorized and directed to transfer any such amount from one to the other of such trust funds in accordance with any certification so made."

(6) Subsection (g) (redesignated as (i) by paragraph (1) of this subsection) of section 201 of such Act is further amended by inserting immediately preceding the period at the end of paragraph (2) the following: "; from the payment made from the Federal Old-Age and Survivors Insurance Trust Fund the Medical Insurance Account shall be charged with such amounts as the managing trustee determines as necessary for such account to bear a proper share of such payments."

(7) Subsection (h) (redesignated as (j) by paragraph (1) of this subsection) of section 201 of such Act is amended by inserting immediately preceding the period at the end thereof the following: "and in the case of payments required to be made under section 226, such payments shall be charged against the funds credited to the Medical Insurance Account."

AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1954: CHANGES IN TAX SCHEDULES, SELF-EMPLOYMENT INCOME TAX

SEC. 605. (a) Section 1401 of the Internal Revenue Code of 1954 (relating to rate of tax on self-employment income) is amended to read as follows:

"SEC. 1401. RATE OF TAX.

"In addition to other taxes, there shall be imposed for each taxable year, on the self-employment income of every individual, a tax as follows—

"(1) in the case of any taxable year beginning after December 31, 1959, and before January 1, 1961, the tax shall be equal to 4½ percent of the amount of the self-employment income for such taxable year;

"(2) in the case of any taxable year beginning after December 31, 1960, and before January 1, 1963, the tax shall be equal to 4⅞ percent of the amount of the self-employment income for such taxable year;

"(3) in the case of any taxable year beginning after December 31, 1962, and before January 1, 1966, the tax shall be equal to 5⅝ percent of the amount of the self-employment income for such taxable year;

"(4) in the case of any taxable year beginning after December 31, 1965, and before January 1, 1969, the tax shall be equal to 6⅜ percent of the amount of the self-employment income for such taxable year; and

"(5) in the case of any taxable year beginning after December 31, 1968, the tax shall be equal to 7⅛ percent of the amount of the self-employment income for such taxable year."

TAX ON EMPLOYEES

(b) Section 3101 of such Code (relating to rate of tax on employees under the Federal Insurance Contributions Act) is amended to read as follows:

"SEC. 3101. RATE OF TAX.

"In addition to other taxes, there is hereby imposed on the income of every individual a tax equal to the following percentages of the wages (as defined in section 312(a)) received by him with respect to employment (as defined in section 3121(b))—

"(1) with respect to wages received during the calendar year 1960, the rate shall be 3 percent;

"(2) with respect to wages received during the calendar years 1961 and 1962, the rate shall be 3¼ percent;

"(3) with respect to wages received during the calendar years 1963 to 1965, both inclusive, the rate shall be 3¾ percent;

"(4) with respect to wages received during the calendar years 1966 to 1968, both inclusive, the rate shall be 4¼ percent; and

"(5) with respect to wages received after December 31, 1968, the rate shall be 4¾ percent."

TAX ON EMPLOYERS

(c) Section 3111 of such Code (relating to rate of tax on employers under the Federal Insurance Contributions Act) is amended to read as follows:

"SEC. 3111. RATE OF TAX.

"In addition to other taxes, there is hereby imposed on every employer an excise tax, with respect to having individuals in his employ, equal to the following percentages of the wages (as defined in section 3121(a)) paid by him with respect to employment (as defined in section 3121(b))—

"(1) with respect to wages paid during the calendar year 1960, the rate shall be 3 percent;

"(2) with respect to wages paid during the calendar years 1961 and 1962, the rate shall be 3¼ percent;

"(3) with respect to wages paid during the calendar years 1963 to 1965, both inclusive, the rate shall be 3¾ percent;

"(4) with respect to wages paid during the calendar years 1966 to 1968, both inclusive, the rate shall be 4¼ percent; and

"(5) with respect to wages paid after December 31, 1968, the rate shall be 4¾ percent."

STUDIES AND RECOMMENDATIONS

SEC. 606. (a) Section 702 of the Social Security Act is amended by inserting "(a)" after "702"; by adding at the end thereof the following:

"In connection with such study and recommendations, the Secretary shall institute and conduct appropriate demonstration programs relating to the health needs of such individuals and the manner and means by which such needs may be fulfilled. The Secretary is authorized to provide for the carrying on of such research studies pertaining to health care and the administration of such care as may be recommended by the advisory council designated pursuant to section 226(g). Such research studies may be carried on directly by the Department of Health, Education, and Welfare, by others under contract negotiated for, or grants made by the Secretary, for such purpose."

(b) The Secretary shall carry on studies and develop recommendations to be submitted to the Congress not later than January 15, 1963, relating to (1) the adequacy of existing facilities for health care of the aged; (2) methods for encouraging the further development of efficient and economical forms of health care for the aged which are a constructive alternative to inpatient hospital care; (3) the feasibility of adding supplementary types of medical insurance benefits for the aged within the financial resources provided by this Act; and (4) the effects of the initial deductible of $75 upon beneficiaries, hospitals, and the financing of the program.

Mr. ANDERSON. Mr. President, the amendment is the one which I discussed at some length on Saturday afternoon. Very few Senators were present at that time. I do not intend to repeat at any great length what I said then, but I again wish to remark that the amendment is offered as an addition to the bill as reported by the Senate Finance Committee. It is not a substitute for any of the amendments presented by the Senate Finance Committee or any of the provisions contained in the bill, but instead it establishes a fully financed social insurance program on a contributory basis.

I listed in the RECORD of Saturday the numbers of people who might be involved in this plan in the various States, showing that in New York State, for example, more than 1 million people would be covered under the amendment, that in Illinois approximately 550,000 people would be covered, and that in other States there would be correspondingly large numbers.

I was happy to point out that it involves some very essential services. It would reduce the number of hospital days permitted by the original amendment from 365 to 120. It proposes to cut out the second $75 contribution in a year, and that change would make possible the addition of some other services. In-hospital services are made available. Skilled nursing home services would be available up to 240 days in 1 benefit year. Home health services, which would involve nursing and other home nursing services, would be permitted up to 360 visits within the benefit year.

Finally, as a fourth provision, outpatient, diagnostic hospital services would be provided.

One of the points which I had hoped Senators would remember is that we had the problem with reference to disability. We had a report from an advisory committee suggesting that we adopt disability on a pay-as-you-go basis with contributions.

Congress decided that was not the wise course and adopted another program in 1950. But by the year 1956 Congress saw that was not the wise course, and it put disability on a pay-as-you-go basis for the establishment of a fund. The very same principle which motivated the Senate Finance Committee to take that action in 1956 should have moved the Senate Finance Committee to take a comparable action with reference to medical care in 1960. I wish that the same voices might have been raised in support of the program now as were raised in 1956. It is true that we do not easily adopt measures of this type. It is true that in 1956 we had to have long,

long conferences of the majority members of the Senate Finance Committee, and those conferences were held.

I referred on Saturday afternoon to the fact that a caucus was held in the office of the Secretary of the Senate in which the principle embodied in the amendment was considered for a long time, and it was finally agreed that the committee would bring forth a bill containing a provision for contributions.

That same wise procedure, it seems to me, might have been followed in this regard and it might not require the intervening, intermediate steps of trying to take the required money out of the Federal Treasury first, and then some years later come back and do the same thing we did with respect to disability, namely, to put the program on a pay-as-you-go basis.

If we were to follow the principle we learned on the subject of disability, we would have that type of bill from the Finance Committee at this time, I am sure.

It is true that the proposed program will cost some money. There are no bargain days or bargain basements or special discount stores in this field of health. We cannot get a satisfactory program for $130 million. It will cost at least $700 million the first year, and eventually $1 billion.

That is why we have tried to say we might as well face the problem now instead of waiting several years and then saying the program is too much of a burden on the Treasury, and that we must put it on a pay-as-you-go basis. The amendment which has been introduced on behalf of the Senators stated will provide for payment of one-quarter percent by both employer and employee. These payments will provide a surplus the first year of 1961 of perhaps $300 million, and start off a separate fund, as was so wisely done in 1956 on the previous program relating to injuries.

I hope that the Senate will spend some time on the amendment. I believe the Senator from New York [Mr. JAVITS], when he arrives, will have a substitute for the amendment which he desires to present. I hope we may have some discussion of it throughout the day.

I also hope that we may reach a prompt vote. But I do know that the program which was laid down relies upon the social security program as a first line of defense, and public assistance as a first line of defense, and public assistance as a second line of defense. If the amendment is not adopted, we have in the bill before us only a second line of defense, and we shall have omitted the first line of defense that we think should be included.

Mr. AIKEN. Mr. President, will the Senator yield

Mr. ANDERSON. I yield.

Mr. AIKEN. I have been discussing the proposed amendment of the Senator from New Mexico, and the question arose as to whether, if the holder of a social security card was earning, we will say, $10,000 or $12,000 a year, but was otherwise qualified for benefits under the amendment of the Senator from New Mexico, he would be disqualified because of his earnings. Could he still earn any amount and qualify for benefits, or is there a limitation on earnings involved in the amendment?

Mr. ANDERSON. There is a limitation on earnings involved in the tax, but there is no provision in the bill which requires that if a man earns $1,000, another $2,000, and another $3,000, and still a fourth man earns $10,000, the man earning $10,000 must be separated from the others. A man who earns $500,000 as head of a great corporation is covered for social security benefits now, even though he may be drawing that large salary.

Mr. AIKEN. Up to the amount of $4,800.

Mr. ANDERSON. Yes. Payments are deducted from his earnings on the basis of $4,800. He is not protected beyond $4,800. The tax is on only $4,800 of his pay.

Mr. AIKEN. If he had a social security card, but even after the age of 68 he was earning $10,000, $15,000, or $20,000 a year, would he still qualify for the health benefits under the amendment of the Senator from New Mexico?

Mr. ANDERSON. Surely.

Mr. AIKEN. Then earnings under the amendment make no difference.

Mr. ANDERSON. There is no means test involved in the amendment.

Mr. AIKEN. There is no means test. I thank the Senator.

Mr. ANDERSON. There is no means test, because we learned very quickly in the disability program that the means test was not a satisfactory test, and we did not put the program on the basis of means. As I tried to point out the other day, we have learned by long experience how some of the past programs have worked. I remarked on Saturday that I had been administrator under the FERA, SERA, CWA, and the WPA, and under the National Youth Administration. We learned in those early 1930's that a program started as a public assistance program is thereafter proposed on a pay-as-you-go basis. We adopted a social security program. We can still have various types of assistance which will constitute a second line of defense, but the primary line that must be depended upon is the payroll tax.

We have followed that principle consistently in every step we have taken. Even when we wavered from it, as we did in connection with disability, we soon came back to it. In other words, we can dodge around it for awhile, but we have to come back to it eventually. It is the identical experience we had with aid to children and aid to the blind, and so forth.

Mr. AIKEN. If a man earns $10,000 or $15,000 a year, and is 68 years of age, and not entitled to social security benefits, is it true that he would not qualify under the Senator's amendment?

Mr. ANDERSON. He would be barred, unless he is entitled to social security benefits. He may be entitled to benefits and still not receive cash payments because of the earnings limitation. But he is still covered under my amendment.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. AIKEN. I can use $10,000 as an example, or I can use $4,000, if that suits the situation better. If a man has never had social security, would he qualify under the Senator's amendment?

Mr. ANDERSON. He would not qualify if he has not gained entitlement to social security benefits.

Mr. CASE of New Jersey. To qualify for benefits under the Senator's amendment it would be necessary to be entitled to benefits under section 202, would it not?

Mr. ANDERSON. Yes.

Mr. CASE of New Jersey. Section 202 benefits are not payable if the person has an income of $1,200 a year.

Mr. ANDERSON. A person may earn up to $1,200 a year under present law without suffering any reduction in retirement benefits. If H.R. 12580 is passed that limitation will be $1,800. Benefits are not stopped, but only proportionately reduced.

Mr. CASE of New Jersey. Yes. So that a person getting over $1,800 a year, under the amendment, or over $1,200, as now, would not receive any benefits.

Mr. ANDERSON. No; that is not correct. The important point I was trying to bring out is that we do not single out individuals. We put them in the social security system. If they are entitled to benefits under social security they will be covered regardless of the income limitation with reference to retirement payments.

Mr. CASE of New Jersey. We are trying to clarify what the bill does.

Mr. AIKEN. I was trying to find out what it does.

Mr. KERR. Mr. President, I would be happy if the Senator from New Jersey and the Senator from Vermont would give me their attention, because I should like to ask some questions along the line of their inquiries of the Senator from New Mexico. When would the Senator's amendment become effective?

Mr. ANDERSON. On January 1, 1961.

Mr. KERR. I thought there was a date in the amendment of July 1, 1961, and another date of January 1, 1962.

Mr. ANDERSON. Well, we did some revising, but I do not believe we changed those dates.

The tax becomes effective on January 1, 1961.

Mr. KERR. If the Senator will examine his amendment, I am sure he will find that the tax becomes effective January 1, 1961, but I do not believe the benefits become effective until July 1, 1961, or January 1, 1962.

Mr. ANDERSON. I am looking at section 604:

> The first day of the month in which he attains the age of sixty-eight; the first day of the first month for which he becomes entitled to benefits under section 202; in the case of inpatient hospital services July 1, 1961, or in the case of all other services, January 1, 1962.

Mr. KERR. That is, insofar as hospital services are concerned, benefits would become effective July 1, 1961, and all other services not until January 1, 1962.

Mr. ANDERSON. I think that is correct.

Mr. KERR. With reference to the application of the law, no one not under social security would benefit by the Senator's amendment. Is that correct?

Mr. ANDERSON. That is correct. I believe the provisions of the House bill as amended by the Senate committee would take care of the other people.

Mr. ANDERSON. Yes, but I am talking about the Senator's amendment.

Mr. ANDERSON. Yes.

Mr. KERR. With reference to those who are eligible, that is, if they are on social security and 68 years of age, they would be eligible for the benefits of the Senator's amendment whether their income was $1,500 a year, $900 a year, or $100,000 a year.

Mr. ANDERSON. That is what I said to the Senator from Vermont, and I believe that is a correct statement. There is no limitation in the amendment dependent on a man's earnings.

Mr. KERR. That is correct, and that is as I understand the Senator's amendment. I am not criticizing it; I am trying to get into the RECORD what it would do. It would make anyone on social security, over 68 years of age, eligible for its benefits, regardless of how much the person earned; but no one not on social security would be eligible for the benefits, regardless of how little he earned.

Mr. ANDERSON. That is right, because they have made no contribution to the fund. This is a separate fund we are speaking about for social security individuals.

Mr. AIKEN. Is it not true that anyone who had social security credit would be eligible for benefit, even if he had an income of $100,000, but if he were actually earning over $1,800 would he not be disqualified?

Mr. KERR. He would not be eligible for cash benefits, but would be for hospital benefits, provided he were over age 68.

Mr. AIKEN. He would get the benefits regardless of income, but there would be some limitation based on earnings.

Mr. KERR. The limitation that applies is with reference to cash payments, but not with reference to benefits for hospital and doctor care, as I understand the amendment. The Senator from New Mexico said that the amendment was similar to the program we put into effect for the disabled.

Mr. ANDERSON. Yes.

Mr. KERR. To whom were the benefits available under the disability amendment?

Mr. ANDERSON. The Senator from Oklahoma ought to know about it. He had a great deal to do with the writing of it.

Mr. KERR. Yes; I had a great deal to do with it. If the Senator will permit me to refresh his memory, I will ask him if it is not a fact that under the disability amendment the benefits were available only to those who made themselves eligible with a certain amount of personal contribution to the fund.

Mr. ANDERSON. It seems to me we started with one type of fund, in 1950, and there was some money available in it.

Mr. KERR. When did we adopt the disability amendment which would make benefits available to a worker 50 years of age or older who may become disabled?

Mr. ANDERSON. In 1956.

Mr. KERR. That is my recollection.

Mr. ANDERSON. We had enacted a provision previously, in 1950.

Mr. KERR. I thought the Senator's remarks were addressed to the provision we adopted in 1956.

Mr. ANDERSON. That is right. We started with a program in 1950. Then subsequently we changed it in 1956, by adding a payroll tax. We put it on a payroll tax basis.

Mr. KERR. With limited benefits to those who qualified as workers, and who had made a contribution to the social security fund themselves.

Mr. ANDERSON. Because we had a previous fund with money in it.

Mr. KERR. The 1956 amendment, which the Senator said was similar in principle, did not make provision for anyone disabled who did not qualify for the benefits by having a certain number of quarters of contribution to the OASI fund.

Mr. ANDERSON. I shall not argue that question. I simply say that when we reached the item of disability, we recognized that the same pay-as-you-go principle had to be adopted which we are trying to adopt here.

Mr. KERR. We adopted a pay-as-you-go principle, and we adopted a program for the disabled, but we did not make the benefits available to millions of people who had made no contribution to the social security fund.

Mr. ANDERSON. In this case, we will take care of a few people who are past the age of 68 and who are making no contributions today. All the people under 68 will be making a contribution. I believe the number who will have made no contribution is less than 500,000.

Mr. KERR. All under 68 will make a contribution, or all under 65?

Mr. ANDERSON. All under 65.

Mr. KERR. In other words, as of now, or as of the effective date of the Senator's amendment, the benefits which would be provided beyond the effective date, which would be July 1, 1961, with reference to hospital benefits, and January 1, 1962, with reference to all other benefits, apply not simply to those making contributions to the fund, but among the people who would be eligible on the effective dates of the Senator's amendment would be those who had made no contribution to the medical care fund.

Mr. ANDERSON. I think some persons who will benefit under the Senator's amendment, which is already in the bill, will have made no contribution.

Mr. KERR. I shall be glad to discuss that point. I am trying to identify the provisions of the Senator's amendment.

Mr. ANDERSON. Precisely because they were below 65. If we are to take care of the aged, we have to take care of the aged on an even basis.

Mr. KERR. That is what the Senator from Oklahoma thinks; and that is the reason he offered his amendment.

Mr. GORE. Mr. President, will the Senator yield?

Mr. ANDERSON. I had intended to yield the floor, but I am happy to yield to the Senator from Tennessee.

Mr. GORE. The bill which the committee reported provides only for those in States which provide matching funds, and who later go to the welfare office and successfully claim they are poverty stricken.

Mr. ANDERSON. Who say that they are medically indigent.

Mr. GORE. What does "medically indigent" mean?

Mr. ANDERSON. It means a man can pay his board; that he can have money for the movies; but that he cannot pay the hospital. I say that is a brand-new type of indigency in this country, one which I think will become completely unsatisfactory to the people. It puts a means test on people who have means. It puts a property test on people who have property. They may have property, but they can go to the welfare office and say, "But I can't go to a hospital. I can't pay my hospital bills. I can't have nursing home care later on. Therefore, I am a pauper medically. But I am not a pauper from the standpoint of income."

I do not understand how one would feel who said, "I am medically indigent, but I am perfectly able to pay all the rest of my bills."

Mr. GORE. Did I hear the amendment which the able Senator from New Mexico has offered, and of which I am a cosponsor, criticized because it would provide benefits to those who have paid into the social security fund, but who have not paid a tax which has not been levied, on the ground that somebody was getting something for nothing? Was the Senator's amendment criticized on that basis?

Mr. ANDERSON. Precisely. That, of course, is the situation that obtained with all the rest of the bill, in the amendment of the Committee on Finance, which has been adopted. It is right to do it if it is done in the committee's bill; it is wrong if we do it in this amendment.

Mr. GORE. There is a big difference, though. In the case of the Senator's amendment, a person who has paid into the social security fund would become eligible for this additional category of benefits which would be added to the social security program. That benefit would be by right, and an old person would not be subject to humiliation, if he asserted his poverty.

Mr. ANDERSON. I agree with the Senator. I only say—and it is true—that for a short period of time a few persons who have not contributed will be getting money from the fund. But that happened in the beginning of the Social Security Act. People drew unemployment compensation when they had made very trifling payments into the fund.

Mr. KERR. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. KERR. Does the Senator from New Mexico say that when the Social

Security Act was made effective, it was available to no one who had not earned at least six quarters' compensation?

Mr. ANDERSON. No; I say that people who had made trifling contributions to the fund nevertheless received unemployment compensation. I stand on that statement. Does the Senator from Oklahoma contradict it?

Mr. KERR. No; but that is the point which the Senator from Oklahoma makes. Under the amendment of the Senator from New Mexico, millions of people would be entitled to draw from the social security medical program who had made no contributions to the social security medical care fund.

Mr. GORE. But they will have made contributions to the fund, and the amendment would add an additional category of benefits to which they would be entitled.

Mr. ANDERSON. They have made a contribution previously. They have met the qualifications. The fund now has over $20 billion in it. This proposal might take $1 million or $2 million out of it. At least, it would not go broke.

If the system for paying interest were changed from the one we have, it would be possible to pick up a good many million dollars. Money is credited to the social security fund on the 1st and 15th of each month. Interest is lost all the rest of the time.

I received a figure the other day in the amount of $25 million. That is probably all the money which may be taken in the first year of this proposal. It is perfectly all right to chisel the fund of $20 million for one particular purpose, but it is awful to take a few million dollars to pay persons who had reached the age of 68, and who, as a matter of fact, wanted and needed some medical care.

Mr. GORE. Mr. President, will the Senator yield one further time? Then I shall desist.

Mr. ANDERSON. I yield.

Mr. GORE. This amendment provides social insurance. It is security based on the mass contribution of the people. It is security based upon actuarial soundness. I ask the Senator: Does not the amendment meet the test, based on the contributions and the benefits, of actuarial soundness?

Mr. ANDERSON. Completely. It will take a half percent to do this. The first year it will probably take only $700 million, and the fund will collect $1 billion. It will get a little cushion, a nest egg, which will take care of such people as we are talking about. Thereafter, year after year, the money will be collected by a payroll tax. This proposal is actuarially sound. No one has disputed that fact.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. AIKEN. I do not believe we have quite clarified the meaning of the wording in the Senator's amendment. I asked the division whether earnings had anything to do with qualifying a person over age 68 for benefits from the proposed legislation. On page 2 of the Senator's bill, under the heading "Medical Insurance Benefits," and subheading "Entitlement to Benefits," I read from section 226(a)(1):

> Every individual who—
> (A) has attained the age of sixty-eight, and
> (B) is entitled to monthly insurance benefits under section 202.

Under section 202, as I understand, anyone earning more than $1,800 a year could not qualify for benefits. I think that ought to be clarified, because from my inquiries from official sources, we find it is also a question as to what it means already as to whether a man earning $40,000 a year could still qualify or not.

Mr. ANDERSON. Earnings do not have any reflection on entitlement. Does the Senator think they have? A person may be entitled to benefits under section 202, but due to the earnings limitation he may not receive cash payments.

Mr. AIKEN. Entitlement to social security benefits regardless of earnings?

Mr. ANDERSEN. Yes.

Mr. AIKEN. The law today provides that a person cannot earn more than $1,200. The bill, as I understand, provides that he cannot earn more than $1,800. If I had my way, I would take off that limitation completely; but I do not have my way.

Mr. ANDERSON. The point is that a man who earns more than $1,800 a year, or $1,200 now, is entitled to Social Security benefits, but he is not receiving them because of some other earnings he has, and the entitlement he has, which qualifies him in that respect, entitles him to medical benefits.

Mr. AIKEN. On earned income.

Mr. ANDERSON. On earned income.

Mr. AIKEN. I know personally some judges in my State—I could name them, but I shall not do so—who have retired—perhaps have retired under Social Security—who go to work for 18 months, or whatever number of quarters is required, for someone else, in order to qualify for Social Security. However, that qualifies them after they have reached a certain age. I simply wanted to make certain that anyone earning more than $1,800 would not be disqualified, even though he might be entitled to it.

Mr. ANDERSON. I tried to say, two or three times, that I am sure that the person who is entitled to it draws it, under this provision. I do not believe any provision to the contrary is included in this measure. I realize that it is necessary for us to make use of the drafting service; but if this measure contains a provision about which I do not know, I shall be very much surprised.

But certainly this measure does not include any provision to the effect that reduced medical care benefits shall be received by one who is making a salary of $15,000 or $20,000 a year.

Mr. AIKEN. Then do I correctly understand that a social security cardholder who has been earning $4,800 a year and has been paying the tax on it during the time this law has been on the books would receive the same amount as that received by a social security card holder who has been earning $2,500 a year and has been paying the tax on it over a 15-year period during the time the law has been on the books?

Mr. ANDERSON. Yes, that is clear.

Mr. AIKEN. It is clear, is it?

Mr. ANDERSEN. Yes.

Mr. AIKEN. Perhaps the other may become a little cleared as the debate proceeds.

Mr. CHURCH. It is my understanding that under the committee bill, the medical benefits would not be confined to those who are on public assistance, but would include others—those who are medically indigent. Is it the understanding of the Senator that, under the committee's bill, the declaration of medical indigence which would qualify these additional persons is something like the declaration that a veteran must make when he seeks to obtain hospitalization in a veterans' hospital for a non-service-connected disability? That problem has caused endless difficulty in the administration of the veterans' hospital program.

Mr. ANDERSON. I believe the same general principle applies to both. It is rather hard to establish what a medically indigent person is; but it is difficult to establish what an indigent person is; but it is difficult when the law includes a new category which would result in the American people being told, "You may have plenty of money, and you may own a $20,000 home, and you may have a good annual income; but now you say to us that if you were suddenly asked to pay a $2,000 medical bill, you might have to mortgage your house. Therefore, you are medically indigent."

Of course that person might be able to reduce his television payments, or something else, and then not be medically indigent.

As I tried to point out the other day, one of the problems in which we became involved when we were discussing the provision of relief, one time, was whether relief included a home; and I think someone raised the question of whether a proper home included lace curtains. The Administrator ruled that lace curtains should not be included. But there was much opposition, and finally we included lace curtains.

So the application of the definition of the term "medically indigent" to needy people will very likely vary from State to State.

Mr. CHURCH. I agree with the Senator, and I think this particular provision is open to very serious abuse.

Mr. CLARK. Mr. President, will the Senator from New Mexico yield to me?

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Does the Senator from New Mexico yield to the Senator from Pennsylvania?

Mr. ANDERSON. I yield.

Mr. CLARK. My understanding is that the Democratic Convention adopted, as part of its platform, the following plank:

> We shall provide medical care benefits for the aged as part of the time-tested social security insurance system. We reject any proposal which would require such citizens to submit to the indignity of a means test—a "pauper's oath."

The Senator's amendment complies with that plank in our platform, does it not?

Mr. ANDERSON. Yes, it does; and I wish to tell the able Senator from Pennsylvania about the situation when that particular part of the platform was under consideration. I speak now as a member of the committee which held the first hearings; and then we had a drafting committee, of which I was a member, which worked for several days, in a closed room, on the platform; and then I was part of the speakers' group which handled the platform at that point; and, so far as I know, not one Democrat in any part of the hall rose and objected to that provision. When the platform was brought before the full Democratic Convention, there was objection to certain parts of the platform; but some of our friends very eloquently pleaded for this part of it, and no one objected to this part of the platform.

Mr. CLARK. That is my recollection, too.

Mr. ANDERSON. However, it is remarkable to note what some persons will do when such matters face them later on.

Since it is obvious that this way is the way in which this matter will ultimately have to be handled, I think it better to proceed in this way now.

Mr. CLARK. The committee bill does not conform to the Democratic platform, does it?

Mr. ANDERSON. No. However, of course, one has a right to say that the platform perhaps will commit subsequent Members of Congress, but not necessarily the present Members of Congress.

Mr. CLARK. The Javits proposal does not conform to the platform, does it?

Mr. ANDERSON. It is not yet before us.

Mr. CLARK. But it is clear that it does not conform to the platform, is it not?

Mr. ANDERSON. Yes.

Mr. CASE of New Jersey. Mr. President, I think it clear that there should not be a means test. But what concerns me about the Senator's amendment is that it does not state how the "medically indigent" requirement would be applied.

Mr. KERR. Mr. President, if the Senator will yield, let me say that the term "medically indigent" is not included in this proposed legislation.

Mr. CASE of New Jersey. But we understand it is an expression that is used in connection with the bill.

Mr. KERR. But it is not accurate to say the term is to be found in the bill; and I hope that both the proponents and the opponents of the bill will be mindful of the fact that the term is not used in this bill, and no provision of the bill would justify the use of that term.

Mr. CASE of New Jersey. I accept the comment the Senator from Oklahoma has made.

Mr. KERR. It was the purpose of the framers of the amendment to eliminate entirely the possibility that that term might be determinative in the minds of Senators.

Mr. CASE of New Jersey. I understand that; but I also find——

Mr. ANDERSON. I can only say that while we were discussing it in the committee, the term "medically indigent" was used time after time after time, as I am sure the Senator from Tennessee and other Senators who were there will recall.

Mr. CASE of New Jersey. My question is why the Senator from New Mexico puts his proposal on top of the other one, instead of substituting his proposal and also a provision to take care of the objection being made to the committee bill, rather than to proceed in the other way.

Mr. ANDERSON. On Saturday, I spent nearly 2 hours, here on the floor, trying to explain why that is so. Let me put the matter in this way: In the first place, although we do not criticize the committee amendment, it may involve some delay, and perhaps may never be accepted.

Many States do not provide for any medical care. Fifteen or more States make only a trivial provision as regards medical care. Other States, such as Louisiana have fine hospital benefits; but not every State does.

Therefore, some of us felt that in all the States of the Union, those who qualify under social security and who reach age 68 would be better served by this provision, without the requirement that the States dig up some more money.

I point out to the Senator from New Jersey, who is a stanch friend of social security legislation, that 30 of the Governors who recently attended the Governors' conference spoke out specifically against the provision of the committee report, and asked that this provision for health care for the aged be made on a pay-as-you-go basis.

Mr. CASE of New Jersey. I understand that.

Mr. ANDERSON. I understand the Senator's point of view. I only state that the Governors had this problem before them.

I have to concede that the provision of the bill is very liberal, and the formula worked out by the Senator from Oklahoma should be an inducement to the States to put up the necessary money. But regardless of whether such an inducement is created, some of the States are "up against the gun" as regards raising more money; and today 15 or more of the States still have very low payments of this sort.

Mr. CASE of New Jersey. I appreciate the Senator's explanation. However, severe criticism has been made of the committee bill by students of this subject. They criticize the committee bill on the ground that it would introduce a new concept—whether it be called medically indigent or something else. They are opposed to that, because, in their judgment, not only would it be socially bad, but it might be almost impossible of administration.

I am thinking immediately of the people in my own State who administer the old-age and survivors program. It has been very well administered and has, I think, worked extremely well. Their concern with the committee bill is very great indeed. What troubles me, and what I press on the Senator from New Mexico is, Why keep it? Why not revise it at the same time we are doing it for those who are now on old-age and survivors insurance, a program which, in my judgment, is much better?

Mr. ANDERSON. That is a fair question, and I think I should answer it. I think the principal reason, in my own mind, for doing that was that the committee bill, particularly the amendment offered by the Senator from Oklahoma, the Senator from Delaware, and other Senators, provided some Federal matching money for those States which were trying to match under public assistance cases. It is true an additional number might come in. I believe the estimate was there might be 10 million who might come in, and maybe 500,000, or perhaps 1 million, would ask for assistance. Personally, I think when those individuals ask for assistance, the States are going to be reluctant to allow persons who are fairly well fixed financially to plead poverty in order to get medical care. The States might turn them down, or establish standards sufficiently high to keep them out. I thought it better to take the Senate language we now have than to toss it out and write a new provision in it.

This matter will go to conference. If there is any overlapping that has to be adjusted, if these other amendments should go into the bill, then the conferees can deal with it. But the amendment was adopted by the Senate committee, and was adopted in 5 seconds, without a vote or discussion of any kind. Therefore, it is in the bill, and I would rather go to conference with it than without it.

Mr. CASE of New Jersey. The Senator from New Jersey appreciates the courtesy of the Senator and the time he has taken to give this explanation of it. It is a troublesome matter, and I would like to see it worked out in a different way, if it could be done.

Mr. ANDERSON. I still recognize it is a troublesome matter. We spent quite a bit of time discussing how it might be handled. Many Senators felt there might be conflicts, as the Senator from New Jersey feels. Whatever the Senate does, the final decision goes to the conference with the House, and all these amendments will be in conference with the House. We may find some better solution than now proposed, but for the present I feel the bill is better with the Kerr-Frear amendments in it than without them.

Mr. GORE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Tennessee.

Mr. GORE. I should like to say to the distinguished Senator from New Jersey that, as one of the cosponsors of the Anderson amendment, I earnestly hope that the social insurance principle of providing medical care and hospitalization for our aged citizens, with this beginning, will be broadened and extended until many of the people who will be eligible for old-age assistance or public

assistance under the committee bill will no longer be required to take a means test.

Perhaps we can never reach the period when some of our citizens will not need public charity, but I surely hope that the beginning which the Anderson amendment would provide for the principle of social insurance with medical care and hospitalization can be broadened until those dependent upon public charity will be reduced to a much smaller number than will be covered under the committee amendments.

Mr. CASE of New Jersey. Mr. President, will the Senator yield so I may make a comment?

Mr. ANDERSON. Yes.

Mr. CASE of New Jersey. I appreciate the comment of the Senator from Tennessee. I have very strong feeling on this subject. I think, however, we ought to do that now, and not "mess up" the operation of the public assistance programs nationallly. In many States, particularly in New Jersey, it is going to get us off on the wrong track, and delay, rather than expedite, putting into effect this health program for our older people on an insurance basis across the board.

Mr. ANDERSON. I appreciate the comment of the Senator from New Jersey, for whom I have tremendous respect. It bothers him because it bothered me, and it bothered the Senator from Tennessee.

Mr. GORE. As a matter of fact, in committee I offered an amendment as a substitute for what was finally approved by the committee to do that which the Senator from New Jersey suggests. But we must start from where we are, and not from where we wish we were.

Mr. ANDERSON. I can say to the Senator from New Jersey that I, as well, offered an amendment, very similar to the one before us, as a substitute for the one which is proposed. But we have to operate by a majority on these matters, and there were 12 votes one way and 5 votes the other way.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Texas.

Mr. YARBOROUGH. I thank the distinguished Senator from New Mexico for this very great effort to extend the coverage contained in the committee amendment that will grant some type of medical care to some of our elderly people as a matter of right, and not as a matter of charity. I think such aid should be granted to our citizens as a matter of right, and we should not force an individual to endeavor to get medical care on the basis of charity, which is detrimental to the character of an individual and to the higher instincts of man.

My question to the Senator is directed more to the committee amendment than his amendment, because it goes back to the earnings that a social security recipient may be allowed before his social security payments are cut off.

Under the law as it now stands, as I understand it, if a person on social security earns more than $1,200 a year, his social security payments are reduced, and are reduced on a ratio of a certain amount for each $80. A recipient is cut out of 1 month's pay for each $80 that his annual earnings exceeds the sum of $1,200. Is that correct?

Mr. ANDERSON. The Senator is entirely correct.

Mr. YARBOROUGH. From letters I have received and from what I have heard on visits in my State and other parts of the country, the greatest complaint, not only from the social security recipients, but from civic organizations that are interested in the problems of the aged, is the law against retired persons earning money.

Is it not a fact that if a person getting social security payments has an income of $30,000 a year solely from investments, the social security payments would not be cut 1 red cent?

Mr. ANDERSON. That is correct.

Mr. YARBOROUGH. The committee has endeavored to improve this condition by raising the annual earnings allowed to $1,800 a year without reducing social security benefits to retired persons. I have a bill pending raising that amount to $2,400. I contemplate offering it as an amendment.

I ask the Senator if it would not be beneficial to raise the amount that a person who is drawing social security payments may earn to $2,400 rather than have the limitation become $1,800.

Mr. ANDERSON. We tried every kind of scale we could imagine, inside the committee. I had a proposal which called for $2,000. The Senator from Indiana [Mr. HARTKE] had the figure of $3,600, and had others all the way down to about $1,800. The able Senator from Kansas [Mr. CARLSON] pointed out that the senior Senator from Kansas [Mr. SCHOEPPEL] had a figure of $1,800. We had figures all over the landscape.

We did what legislators sometimes have to do. We tried to find some compromise figure which we could use as a first step. We hit upon $1,800, because that represented a 50-percent increase. We thought that was pretty good.

Personally, I would have liked to go to the $2,000 figure which I suggested but a majority of the committee felt that we should settle upon the figure of $1,800. This is partly a recognition of the increase in the cost of living, and it is partly a move in the direction the Senator is now mentioning; namely, a desire to free the people so that they can make some additional money.

This will be tested. It will be watched carefully by the social security people. I believe the Senator will find that the $1,800 move is a good move, and it may lead to a bigger move, which the Senator himself contemplates.

Mr. YARBOROUGH. Actually, since the $100 per month limitation on earnings was established, has not the cost of living increased so much that the increase to $1,800 would virtually be taken up by the increase in the cost of living since the $100 per month limitation was put into effect many years ago?

Mr. ANDERSON. The figures which I saw indicate, I think, not all of it would be used up for the cost-of-living increase.

Mr. YARBOROUGH. That is my recollection.

Mr. ANDERSON. There is some freedom, but not much.

Mr. YARBOROUGH. I commend the distinguished Senator from New Mexico for his work in bringing the figure up to $1,800. The Senator mentioned the different figures offered, from $1,800 to $3,600. I regret that the compromise was on the basis of the lowest figure suggested. I wish it had been a little higher, at least $2,400.

Mr. ANDERSON. I do not wish to have the Senator from Texas give me credit for this. I am sure that every member of the Committee on Finance is in favor of increasing the amount. It is simply a question of how far we ought to go.

Mr. YARBOROUGH. In the committee report there is the statement:

> Under the committee's bill a beneficiary would lose 1 month's benefits for every $80 (or fraction thereof) by which his annual earnings exceed $1,800. There would be no change in the provision of existing law which guarantees that no benefits will be lost for any month in which a beneficiary earns $100 or less and does not render substantial services in self-employment.

Why was not the monthly limitation raised from $100 a month to $150 a month, as the annual limitation was raised from $1,200 to $1,800?

Mr. ANDERSON. I think the best answer is that the amendment simply did not do it, I am sorry to say. We might as well be frank about it. The members of the Committee on Finance are not absolutely perfect. It may be more logical to do this as the Senator from Texas has suggested, but we did not do so. Therefore, it is presented on this basis.

Mr. YARBOROUGH. In order to give protection, if the matter involved 1 month only instead of the whole year, if a person worked 1 month for $150 but did not earn $1,800 for the year, for that month he would receive a deduction, under the language of the report; is that not correct?

Mr. ANDERSON. I am afraid the Senator from Texas is not correct, but I simply say this was a point which did not occur to us. We were in a hurry. There was pressure to get the bill reported. We spent our time talking about the level and not about all of the refinements afterward.

Mr. YARBOROUGH. That is a minor detail, which we can cure by amendment.

Mr. ANDERSON. One of the great problems, when one starts to amend one section of a bill, is that one does not always recognize all of the sections which ought to be amended.

Mr. YARBOROUGH. I am not being critical. I hope that can be cured.

Mr. ANDERSON. The Senator has brought up a good point.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield to the Senator from Kansas.

Mr. CARLSON. I appreciate very much the fact that the Senator has brought to our attention the increase in the earnings limitation from $1,200 to

$1,800. If the Senator from Texas will give me his attention, I think it has been well stated that every member of the Senate Committee on Finance wished to do something in this field. There was no question on that. The question related to the amount, as the Senator from New Mexico has mentioned.

One thing which I trust the distinguished Senator from Texas will keep in mind, if he desires to suggest that we increase the amount to $2,400, is that we learned the increase from $1,200 to $1,800 will cost the social security fund $400 million a year. If we should increase the amount to $2,400, if I remember the figure correctly, the cost will be $1.1 billion.

Mr. ANDERSON. That is very close.

Mr. CARLSON. That also enters into the picture.

Mr. YARBOROUGH. I thank the distinguished Senator from Kansas for his contribution.

It seems to me there is a grave inequity involved, when a person reaches the age of 65, if he retires under social security. His payments, we will say, are $12.50 a month. People cannot live on that. People may subsist, and may not starve, but they cannot live on a normal standard of living of people who have homes and who have to pay taxes at the present rate of school district taxes in America. The Federal Government is doing nothing with regard to supporting schools. School taxes are very high in most districts in America. These people have to pay high taxes if they live in their own homes. They cannot live on such an amount unless they are willing to give up, to move into an old person's home. They have extremely difficult times living on $111 or $112 a month. Most of those who are able try to supplement their earnings. Some have saved some money or have other income. If they have saved enough money or if they have enough other income, they can draw as much as $20,000 a month from dividends—stock dividends, bond interest, coupons, and so on—and not have their social security payments cut one red cent. However, if these people should earn $110 a month, then the social security payments are cut because they are earning too much money.

This puts a premium upon not working, to stop people who wish to help pay their own way from working, in the American spirit. It is said, "If you go out to earn some money we will dock your social security payment." That is unjust.

Mr. ANDERSON. I think perhaps I gave the Senator from Texas the wrong impression awhile ago. If a person should earn $112 in a single month he would not be docked for that, unless he should earn more than $1,800 in the year. A person can earn $200 in a month, or $250, or $300. The $100 a month provision does not apply to it, so long as the person does not earn $1,800 per year. Or even after he reaches this amount, if in any one month he earns less than $100 he would be entitled to a check for that month.

Mr. GORE. Neither applies to the medical care and hospitalization aid contained in the Senator's amendment.

Mr. ANDERSON. That is correct.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from South Dakota?

Mr. ANDERSON. I yield. I am trying to yield the floor.

Mr. CASE of South Dakota. I think section 211, which would increase the earned income limitation from $1,200 to $1,800 is one of the least publicized but one of the most important features in the bill as reported. I say that with conviction, because in both the 85th Congress and the 86th Congress, in January, as soon as possible after the Congress convened, I introduced bills to accomplish this very thing.

The language which is used in at least the first paragraph of section 211 in the amendment is identical, I believe, with the language of S. 699, which I introduced in the 1st session of the 85th Congress, on January 17, 1957, a part of the legislative day of January 3, the first day of the session. I also introduced S. 638 on January 23, 1959, in the 1st session of the 86th Congress, the present Congress.

I am certainly in favor of increasing the earned income limitation, and I think the merits of it have been well covered by the Senator from Texas. Later in the day, as soon as I can be recognized, I desire to speak further on this subject.

Mr. ANDERSON. I thank the Senator.

Mr. CASE of South Dakota. I thank the Senator for yielding.

THE HONORABLE USHER L. BURDICK

Mr. YOUNG of North Dakota. Mr. President, on Friday, August 19, North Dakota lost one of its most notable public servants, the Honorable Usher L. Burdick, father of our distinguished colleague, QUENTIN N. BURDICK.

Usher L. Burdick served North Dakota in the House of Representatives for 20 years. Before his service in the Congress, he had been elected to the State legislature in 1906. During his second term as a member of the State house of representatives, he was elected speaker. In 1910 he was elected Lieutenant Governor of North Dakota. The large majority vote which he always received is indicative of the high esteem in which he was held by the people of North Dakota.

Usher Burdick was among the last of the old, hardy, resourceful pioneers who settled our State. His family lineage, of which he was very proud, dates back to the days of the pilgrims. Usher Burdick grew to manhood in North Dakota close to the Fort Totten Indian Reservation. His childhood experience, like most other North Dakotans, had a deep impact upon his life and personality. It instilled in him a friendship and understanding for other people upon whom fortune did not always smile, and had much to do with his lifelong desire to help others, and especially the farmers of this Nation.

Among his many fine qualities was his great wit and keen sense of humor, which gained for him innumerable friends both in and out of Congress. These and other qualities made him a most able extemporaneous speaker. He was never at a loss for words when called upon to speak. Usher Burdick was an avid reader with a tremendous desire to absorb all the knowledge he could. He maintained a large private library which he read extensively until the very last. In his own right he was a poet too and the author of many interesting and authentic books on the early history of North Dakota and the Old West.

North Dakota and the Nation have lost an able, talented, and outstanding citizen in the death of Usher L. Burdick. I wish to extend my deepest sympathy to all of his family, especially his daughter, Eileen, wife of Representative Robert Levering; his son, Judge Eugene A. Burdick; and our distinguished colleague, Quentin N. Burdick.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield.

Mr. CASE of South Dakota. As one who served in the House of Representatives with Usher Burdick for a great many years, I wish to join in paying tribute to his career of service and worthwhile work. Coming from South Dakota and having in the district I represented five large Indian reservations, one of which is the Standing Rock Reservation, which extends across the State line into North Dakota, I found that the interests of North Dakota, which Usher Burdick so well served, were often the interests of South Dakota, and the problems of North Dakota were often the problems of South Dakota. Consequently, starting with the 75th Congress when I first entered the House of Representatives, I had a great deal in common with Usher Burdick. I came to know him and to respect his unique ability. He was not a party regular. He was an independent thinker. But he could always be counted upon to do what was good for the people who sent him to Congress. In that sense he was a Representative of unusual value and distinction. He had the literary ability and the love of the old West to which my distinguished friend the senior Senator from North Dakota has alluded. He was outstanding in any group in which he was found. His sense of humor, his wit, and his ability to penetrate fallacious arguments by dry and salty comment was well known.

I regretted, to be sure, his retirement from the Congress, but I wish to join in the tribute with all who had an opportunity to work with him and know of his work. I pay tribute to the effective representation he gave to the causes, to the problems, and to the spirit of the Dakotas.

Mr. YOUNG of North Dakota. I thank the distinguished Senator.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield to the Senator from Kansas.

Mr. CARLSON. I had the honor of being elected to Congress and coming to the House of Representatives the same year that Usher Burdick came to Congress; namely, the opening of the 74th Congress. We became very close friends, and during all the intervening years we had many pleasant associations together.

I was pleased the other day, that he was able to be present when his son was sworn in as a Member of this body. I congratulated him on the occasion. I was delighted that he was permitted to live long enough to cherish one of his life's ambitions; namely, that his son would be elected to the Senate as he had been a successor to Usher in the House.

Usher Burdick was truly a westerner. He was a great friend of agriculture. He was, as the distinguished Senator from South Dakota has stated, witty in his remarks, and his views were highly regarded by his colleagues in the House. His presence was called to the attention of the House whenever he took the floor to speak on any subject.

The day before he died I received a handwritten note from him, written with a red pencil, which stated, "FRANK, I think you should have this," and it was signed "Usher." With the note was an autographed copy of speeches by former Representative U. S. Guyer, of Kansas, dated 1925. I cherish those speeches very much. I appreciated receiving them. So I, too, wish to share our regret in the loss of this great citizen and former Member of Congress.

Mr. YOUNG of North Dakota. I thank the junior Senator from Kansas. I am sure the Burdick family will appreciate those comments.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield.

Mr. JAVITS. I served with Usher Burdick in the House of Representatives. He came from a completely different background than my own and from a very different part of the country. I was literally at the other end of the pole from Usher. I was born in the slums of New York; he was a farmer from the tips of his toes to the top of his hat, which he nearly always wore. I think it was one of his great regrets that he could not wear his hat in the House of Representatives.

Usher was one of the most admirable, saltiest and wisest characters I have ever met. I shall never forget the impression Usher left on one. He not only had wit, which he showed on the floor of the House of Representatives to the great edification of the House, which respected him highly, but also he had the wisdom that went with wit; and whether I agreed with Usher Burdick or not, it was always a joy to hear him. He occasionally poked fun at me. Perhaps the acid test of friendship is that the fun was always delightful to receive, even though it may have hurt on occasion in terms of policies we were discussing.

I join with my colleagues in the gratification that has been expressed, not with respect to party, but in a personal sense, that his son is with us in the Senate.

I wish also to join in paying my tribute to Usher. I shall always remember him as a smiling, witty, vigorous man, expressing almost in every fiber of his being as well as in the sound of this voice the good earth of our country.

Mr. YOUNG of North Dakota. I thank the Senator from New York for his very fine comments.

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield to the Senator from California.

Mr. ENGLE. I deeply regretted to learn of the death of my old friend and former colleague in the House, Usher Burdick. He was a great Representative. I agree with his son, who now sits with us in the Senate, when he said, "A great man died when my father died."

I think the colorful characteristics of Usher Burdick which have been mentioned here, and which have been mentioned in the press, obscured the fact that Usher Burdick was a very fine and excellent student. He was a great student of history. Most people did not realize that he probably had one of the finest libraries of any Member of Congress. He was a great student of Indian history. He had one of the finest libraries on Indian history in the whole country. Unhappily, when he undertook to get rid of some of those books, I did not get some of them that I would very much like to have. But Usher Burdick was a great friend of mine. He had a brilliant mind.

Sometimes I went to him with problems I had in the House of Representatives in connection with the House Committee on Claims. He was always fair. He had the capability of analyzing legislation in connection with claims in the way that a good lawyer would analyze them.

In paying tribute to Usher Burdick I would only add to the things that have been said with regard to Usher Burdick being a colorful man and a distinguished figure in Congress, that aside from these characteristics, emphasis should be laid on the fact that Usher Burdick was a serious student of history and a brilliant man who covered with a fine sense of humor a wonderful appreciation of what the democratic processes of this country are all about, and who served his State and his people and the Nation with great distinction in a colorful and vigorous way.

I thank the Senator from North Dakota for yielding to me, because I am happy to pay this final tribute to a man whom I regard as one of the finest friends I had in my life.

Mr. YOUNG of North Dakota. I yield to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, I wish to commend the distinguished Senator from North Dakota for the tributes to the late Representative Usher Burdick. I did not know him personally, but I rise to pay tribute to his knowledge and his contribution to American history. He was a true student of American history. He was not only a student of American history, but he was also a writer and publisher of American history. He published his own writings. He published numerous monographs on American history, mainly histories dealing with the western migration of our people, and the conflict between the advancing settlers and the Indians. He also published monographs on broader phases of American history.

I have in my library a book of recollections on Abraham Lincoln, published a few years ago by Usher Burdick, based on conversations he had with men who had lived in Lincoln's time and who had known Lincoln personally. His range of interest of American history was broad. His range of interest is demonstrated by monographs. They are all broad in range. One cannot read his writings without realizing that here was a real scholar of history. Congress has lost one of its ablest Members in his passing. I thank the Senator from California and the Senator from North Dakota for their fine tributes.

SOCIAL SECURITY AMENDMENTS OF 1960

The Senate resumed the consideration of the bill (H.R. 12580) the Social Security Amendments of 1960.

Mr. YARBOROUGH. Mr. President, I send to the desk an amendment to H.R. 12580, and ask that it be printed.

The purpose of this amendment is to add Texas to the list of States which are permitted to divide State and local retirement systems into two parts for purposes of obtaining social security coverage under Federal-State agreement.

The State and local employees covered by a retirement system are generally excluded from coverage under social security except where the members of a retirement system by a majority vote elect to take social security coverage for the entire group. This is the present situation in Texas. Many States, by specific listing in the Social Security Act, are, however, allowed to divide their State and local retirement systems into the two groups of those desiring and those not desiring the additional coverage provided by social security.

The inclusion of Texas among these States so listed would permit complete freedom of choice for every Texas State and local employee now covered by a retirement system, who would not otherwise be eligible for social security coverage.

In other words, if Texas is included, it would give to employees in Texas privileges which are already enjoyed by employees in many other States, with each employee being able to elect whether or not he wishes to come under the Federal system.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. LONG of Louisiana. It is my understanding that the chairman of the committee, as well as a majority of the committee, is in agreement with the Senator's amendment, and that there will be no serious resistance to it. Therefore, I suggest to the Senator that there is no need of printing it. If he will permit it to lie at the desk, then at such

time as he is in a position to call it up, he will be able to do so, and I am sure it will be agreed to.

Mr. YARBOROUGH. I accept the suggestion of the Senator from Louisiana, and I request that the amendment be not printed. I have spoken to the chairman of the committee about it.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Many Texas public employees, particularly schoolteachers, are very desirous of this amendment as it is their only practical way now of obtaining social security coverage. So far as can be determined, all interested groups in Texas favor the passage of the amendment.

The amendment would not affect the existing exclusion of policemen and firemen from social security coverage.

EZRA TAFT BENSON—SCAPEGOAT FOR CONGRESS

Mr. BENNETT. Mr. President, this year will bring to an end the Cabinet service of a great American who has served his country well. When Ezra Taft Benson accepted the Office of Secretary of Agriculture in January of 1953, he inherited a colossal mess. His four immediate predecessors had been under continuous fire from Congress and from farmers. It was regarded as the toughest political assignment in the Cabinet.

World War II legislation designed to stimulate agricultural production to the maximum was still law even though wartime demands had ceased. Government warehouses were bursting with surplus agricultural commodities. It is no wonder then that the voters in 1952 completely repudiated the "Brannan plan" and the Truman agricultural policies then in effect.

Based upon the advice of respected experts and upon his own great experience in agriculture, Secretary Benson developed a forward looking, sound program to bring sanity to the Department of Agriculture. This program was presented to Congress for its approval, but it was summarily rejected, not once but many times.

BENSON PROGRAM—CONVICTED WITHOUT TRIAL

The Benson program has been convicted without a trial by a stacked jury in Congress. Secretary Benson has been attacked and maligned in the Democratic controlled Congress for 6 years. Although the Democrats now control Congress by a two-to-one majority, most of them still refuse to face up the farm mess which they created, preferring to cling to the outmoded, discredited, wasteful, and unworkable wartime program of high price supports.

The Democrats created this farm Frankenstein, but now they wish to disavow their monster child and call it Ezra Benson. They wish to make the Secretary of Agriculture the scapegoat for the sins of Congress. First, Congress put the Secretary in a straitjacket and then in effect told him to chin himself. It is like handing a scalpel and forcepts to Venus de Milo and telling her to "operate."

It is to the everlasting discredit of his attackers that their 8-year campaign has succeeded in persuading many gullible farmers that Secretary Benson, who must administer programs created by Democrats, is responsible for the failure of those programs. They have made him a symbol of their own farm failures. Psychiatrists, political scientists, and students of propaganda techniques can have a field day in analyzing the success of this sorry episode in our Nation's history.

NOT ALL HAVE BEEN FOOLED

Fortunately, not all have been fooled by the misleading attacks on Secretary Benson. Some of the great newspapers of the land have refused to be taken in by the efforts of many Democrats in Congress to make Mr. Benson their scapegoat. I ask unanimous consent that editorial excerpts from nine of these publications be printed at this point in my remarks.

There being no objection, the editorial excerpts were ordered to be printed in the RECORD, as follows:

"It is, however, timely to remember that Mr. Benson did not create the problem that he has been unable to resolve and that Congress, under Democratic control through most of the post-World War II period, has been likewise unable, or unwilling, to solve it" (Evening Star, Washington, D.C., Aug. 13, 1960).

"We have upheld his policies right along, and are not persuaded that anyone else could have handled more rationally a farm program which, by the will of Congress, not Mr. Benson, still rests altogether too much on irrational bases" (San Francisco Chronicle, Aug. 5, 1960).

"No matter what may be said about him by demagogic politicians in the campaign, he will be remembered as the man who tried to steer American agriculture back to a sound course.

"In this he was thwarted in part by Congressmen, who wanted to keep subsidies at wartime highs to buy votes, and in part by farmers themselves, who voted for controls to obtain subsidy checks.

"Some day, unless our Government is to go bankrupt, Congress must come to its senses and adopt a sound farm plan, one that will restore to the farmer his lost independence and will quit pouring tax money into subsidies that create surpluses. In that day, Ezra T. Benson will be recognized as a prophet crying in the wilderness" (Dallas News, Dallas, Tex., July 17, 1960).

"It is characteristic of the Utahan that even while the political fireworks exploded over his program, he was quietly going about his efforts of trying to improve the market for farm products.

"Despite Mr. Benson's efforts the old rigid program of the depression and World War II years remains on the books for a few crops, with only slight changes. The program fails to meet the challenges of rapid changes in agriculture.

"It may be that, as some observers have said, some phases of the farm program, notably wheat, defy solution at present. Considering that $42.1 billion has been budgeted for agriculture in the last decade, roughly four-fifths of it for price and income support, a continuance of high, rigid supports seems the height of insanity, regardless of the political considerations.

"Mr. Benson will be remembered among other things as an honest public servant with unusual courage" (Salt Lake Tribune, Aug. 14, 1960).

"But these statements do not mean much unless it is asked why matters have turned out so disastrously. The principal reason is the continuation of the high price-support policies designed to spur maximum production as a World War II emergency measure. Secretary Benson has succeeded in getting through Congress some modifications of this, but Congress has balked at significant changes. So it is not the Republican administration but the Democratic Congresses that stand indicted for the farm chaos" (Wall Street Journal, Aug. 5, 1960).

"The real trouble with Mr. Benson's policies is that he has not been allowed to put them into practice. The Democrats attempt to fix on him the responsibility for declining farm income and accumulating surpluses. Yet it is the policy of Democratic Congresses, which he is obliged to administer, that is really to blame. If Mr. NIXON wins the election, he, too, will find that the farm politicians are his biggest obstacle" (New York Herald Tribune, Aug. 3, 1960).

"Trouble was Mr. Benson could never get to the root of the whole problem. He could try to sneak up from behind the barn, so to speak, but Congress was always there like the embattled farmer of literature, pitchfork at the ready. Nothing Mr. Benson tried to do worked well for the simple reason that all his efforts were circumscribed by congressional insistence on a farm program of high price supports and controls.

"Mr. Benson knows now that he has made mistakes, but the greatest of all was to take such a job and try to make sense out of it when an unwilling Congress has the last say" (Wall Street Journal, Aug. 3, 1960).

"Heir to a farm mess, Secretary Benson was thwarted by the Congress in every maneuver to reduce subsidies enough to discourage surplus production. As a result, the mess has grown messier; surpluses have mounted. Taxpayers have tended to look at the increasing surpluses, now valued at more than $10 billion, and wring their hands. Farmers have tended to look at the flexible supports and acreage controls, pour in a little more fertilizer, add a stream of tobacco juice and curse Ezra Benson" (Lynchburg, Va., News, Aug. 4, 1960).

"Democrats have attacked him almost since he took office 7½ years ago. They stand for just the opposite of what the Secretary believes. His only usefulness to the Democrats is what they claim is his unpopularity" (Rochester Times-Union, Aug. 4, 1960).

Mr. BENNETT. Mr. President, these same newspapers in addition to approving the Eisenhower-Benson farm policies also have high regard for Ezra Taft Benson, the man. I ask unanimous consent that several typical editorial excerpts be included at this point in my remarks.

There being no objection, the editorial excerpts were ordered to be printed in the RECORD, as follows:

"Ezra Taft Benson has commanded our respect for 8 long years of ever-abnormal granaries. He has taken his lumps in the ceaseless struggle to cut them down to marketable size. He has clung to the principle that the farm economy will prosper best as it is freed from its dependence upon government supports and controls. This is indeed the aim of the influential American Farm Bureau Federation, which says:

" 'With less interference from government, the marketing system will be freer to operate effectively and efficiently.'

"Secretary Benson has estranged politicians who talk about 'guaranteeing' the farmer 'full parity in the marketplace'—a phrase which is semantically pleasing but which would be as bankrupting in its effect on the Treasury as it is bankrupt of economic reality.

"Anyone who works for reduced price supports, and thereby a reduced tax subsidy for agriculture, is unlikely to endear himself to the farm politicians, especially at election time. Mr. Benson is philosophically rediscovering this fact" (San Francisco Chronicle, Aug. 5, 1960).

"The farm problem, not politics, is Mr. Benson's chief concern 24 hours a day, 52 weeks a year. Thus, while the echoes of the political battle over him were dying out, Mr. Benson was in Europe until yesterday where he was as usual working for the continued expansion of world trade in farm commodities. Specifically he warned against high internal support prices and 'the insulation of the domestic market from outside competition'" (the New York Times, Aug. 9, 1960).

"Pelted with rotten eggs, splattered with insults, Secretary of Agriculture Ezra Taft Benson has steadfastly advocated a program of flexible farm subsidies, which 'enables the Government to provide proper incentives for agriculture to adjust output of specific commodities to demand.'

"For almost alone among the men who inhabit Washington's proliferating bureaucracy, Mr. Benson was an advocate of less government, not more government, of freedom, not regulation. Ezra Taft Benson, soldier for governmental sanity, speaker of the hard truth, defender of free enterprise, fades from the political scene, an election-year casualty.

"And it is depressing" (Lynchburg, Va., News, Aug. 4, 1960).

"So hard-working, sincere Ezra Taft Benson becomes a political albatross. Expediency demands the end of his attempt to restore sanity to American agricultural policy.

"But political repudiation doesn't make Benson less right in what he tried to do. That knowledge may give him comfort in these last months of his great public service to American farmers and all the American people" (Rochester Times-Union, Aug. 4, 1960).

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. ANDERSON. How many administrations did the Senator go back?

Mr. BENNETT. The Senator from Utah went back four. Was the Senator a part of the four?

Mr. ANDERSON. I was one of the four. Will the Senator start naming some of the things which I did as Secretary of Agriculture he does not approve?

Mr. BENNETT. I should like to finish my statement first. However, I will digress at this point to say that my subsequent experiences with the Senator from New Mexico have convinced me that he may have been as much a victim of the situation as the present Secretary of Agriculture.

Mr. ANDERSON. Was it awful that I made $225 million for the country out of the sale of surplus cotton to countries like Japan, China, Germany, and Austria?

Mr. BENNETT. I hope the Senator will permit me to finish my statement. I do not wish to debate the services of the Senator from New Mexico. I am sure he made an excellent record.

Mr. ANDERSON. I thank the Senator.

PRESIDENT SUPPORTS BENSON

Mr. BENNETT. President Eisenhower also recognizes the essential rightness of the Benson policies. Only recently he said at a press conference:

Ezra Benson has, in my mind, been very honest and forthright and courageous in trying to get enacted into legislation plans and programs that I think are correct. Therefore, for me to regret that he has been working would be almost a betrayal of my own views in this matter. I think we must find ways to give greater freedom to the farmer and make his whole business more responsive to market, rather than just to political considerations.

WHEAT—CLASSIC ILLUSTRATION

The present wheat situation is not only a national disgrace, but it is also a classic illustration of the impossible situation which has confronted Secretary Benson during his tenure in office.

The Democrats' wheat legislation is still on the books, largely unchanged, after 8 years. This program consists of high price supports and production controls alternatively too rigid and too loose. One of the foremost loopholes is the 15-acre provision under which a farmer can grow 15 acres of wheat free of any penalty without being required to obtain a marketing quota. In all, 690,000 farms took advantage of this gimmick in 1959, up 152,000 in 3 years.

The Democratic wheat program is doing a disservice to the farmers and costing the taxpayers a fortune. It has so stimulated unneeded production that we have 1.3 billion bushels of wheat in storage. This is enough wheat to provide 450 loaves of bread for every man, woman, and child in the United States. It is enough wheat to satisfy our domestic needs for over 2 years. Under the stimulus of Democratic price fixing, we are now harvesting a record wheat crop this year of 1.3 billion bushels, 300 million bushels of which we do not need either to satisfy our domestic or foreign markets in the coming year.

The Government now has $3.2 billion of taxpayers' money tied up in surplus wheat. Millions more will be required to buy the 300-million-bushel surplus now being harvested. It presently costs the taxpayers $1¼ million per day just to store the wheat glut. The Democratic wheat price stabilization program costs from $500 to $700 million each year.

KENNEDY AND DEMOCRATS DEFAULT

While the Senate did pass a wheat bill this session which would have made some modest improvements, the House couldn't even pass a bill. Thus the Democratic Congress has again refused to heed the pleas of Secretary Benson, who for 8 years has tried to bring sanity to our farm programs. With the wheat program a national scandal, the failure of Congress to face up to its responsibility is a national disgrace. No wonder in their frustration many Democrats seek a scapegoat in Secretary Benson.

The Democratic candidate for President, Senator KENNEDY, held out the promise while he was wooing delegates in the Midwest before the Democratic Convention that he would get an emergency farm bill through Congress this year. He has defaulted on that promise, and there will be no meaningful farm bill in spite of the fact that President Eisenhower has again urged Congress to act.

The Democratic platform for 1960 proposes even more massive doses of the same old discredited political high-price-support medicine to cure farm ills. Apparently 15 years of Democratic farm failure have been to no avail. The farmer is to be regimented and the taxpayer bled.

EZRA BENSON—PROPHET IN A CONGRESSIONAL WILDERNESS

Congress is rapidly erecting a memorial to its own failure, a tower of Babel constructed of wheat. The confusion of tongues in the Democratic Congress is so pronounced that the American people have some cause to lose faith in their government.

Ezra Benson has been a prophet crying in a congressional wilderness. He has sought to bring freedom to the farmer while protecting him from disaster. Four-fifths of agriculture is free and doing fairly well. He has not been doctrinaire in his approach. He has not claimed infallibility. But he has fought with courage and dedication to achieve a sound, workable farm program. History will deal harshly with his critics and with the political paralysis in Congress. History will vindicate his essential rightness.

Ezra Taft Benson has fought the good fight. He will return to private life having won the respect and admiration of millions both in America and abroad. The Nation is the better for his service.

I ask unanimous consent that a list of agricultural accomplishments from 1953 to 1960 be printed following my remarks, together with a speech by the Honorable Don Paarlberg, special assistant to the President, in support of the administration's farm policy.

There being no objection, the list and speech were ordered to be printed in the RECORD, as follows:

AGRICULTURAL ACCOMPLISHMENTS 1953–60

The food-for-peace program was set in motion by President Eisenhower and is enabling the United States and other food exporting nations to better share their abundance with people in the free world. It is helping develop farm markets.

Total agricultural assets are at an alltime high of $208.2 billion as of January 1, 1960.

Owner equities on January 1, 1960, were $33 billion above January 1, 1953, and hit a new peak of $184.2 billion.

Farm ownership is at a record high, and there is a smaller proportion of tenants than ever before.

Farm foreclosures are near an alltime record low.

Total financial assets of farmers, including farmer cooperatives, have risen from $19 billion in January of 1959 to $19.4 billion, January 1, 1960.

Farm debt amounts to only 11½ percent of the value of farm assets.

The standard of living on farms is the highest in history, measured in terms of electrical appliances, automobiles and other conveniences owned by farm families.

The special school milk program was inaugurated in 1954. The program was operated last year in 81,500 schools where nearly 2.2 billion half pints of milk helped improve diets of our children.

The school lunch program absorbs large quantities of plentiful foods and improves children's diets. Last year's purchases totaled $510 million. Complete meals in 1959 were increased 1 billion over the 1 billion served in 1951, or doubled in number.

About 70 million people in 91 foreign countries have been receiving food and fiber donated by the United States. Nearly 5 million American family units have shared in our abundance through donations of surplus foods.

Important new facilities were established to insure future agricultural progress and livestock health. Among these is the Plum Island Animal Disease Laboratory in Long Island Sound where diseases foreign to our country are being studied for control purposes. Native diseases will be studied at the new Ames, Iowa, laboratory.

Victories have been registered in the battle against two serious livestock diseases—screwworm infestation in cattle in the southeastern United States and vesicular exanthema in hogs.

Success was achieved in the campaign to help wipe out an outbreak of foot-and-mouth disease in Mexico, which, had it spread, would have meant incalculable losses for U.S. stockmen.

A new milestone was reached by the Forest Service in 1959 when for the first time 2 billion trees were planted, double the 1958 record.

Timber cut in national forests is at the rate of 8.3 billion board feet, the highest on record. The income from these sales largely offsets the cost of running the national forests.

Progress has been made in reducing forest fire losses and in 1957 were reduced to an alltime low.

The importance of water to farm and city people has been stressed by this administration. The first Soil and Water Conservation Advisory Committee was established and meets regularly to plan for the future.

The internal revenue law was amended to permit farmers and ranchers to deduct from their taxes expenditures made for installing certain soil and water conservation practices.

The rural development program is raising living standards of those on the lowest rung of the economic ladder through the cooperation of the Federal Government and local authorities, and private leadership. Work is progressing in 30 States and Puerto Rico.

The Great Plains conservation program is operating in 422 counties. The long-range purpose is to minimize drought, flood, and wind erosion damage in the Western States once embraced in the Dust Bowl.

The agricultural credit system was made more responsive to farmers' needs. The Farm Credit Administration was made an independent agency.

The number of soil conservation districts assisted in 1959 totaled 2,865 compared to 2,493 in 1952. The land of 20 States, Puerto Rico, and the Virgin Islands is covered by soil conservation districts.

Exports grew from $2.8 billion in 1953 to an alltime high of $4.7 billion in fiscal 1957 and for the past 3 years has averaged about $4 billion per year. It is expected that fiscal 1960 will be the second highest on record.

More than $17 billion worth of food and fiber was moved out of storage and into use at home and abroad in 6 years through aggressive disposal efforts.

In periods of oversupply, 665 million pounds of meat products, poultry, and eggs worth $295 million were bought for the school lunch program, welfare institutions, and needy people. Cattle, hog, poultry, and egg prices were thus bolstered without the Government getting into the meat business.

Appropriations for agricultural research have been increased by 117 percent since 1953. Much of this has gone into successful research to find new uses for our farm abundance, and to develop new crops for current needs.

Repeal of Federal taxes on gasoline used in tractors and other machinery saves farmers $60 million a year.

Farmers in 1954 were benefited by the largest tax reduction in history.

Per capita farm income rose from $838 in 1950 to $960 in 1959.

Twenty-eight million acres of farmland have been taken out of production by the conservation reserve program of the soil bank. These acres would have otherwise added to our surpluses. In addition, participating farmers—while adding to their income—are making unprecedented strides in the conservation of soil, water, forests, and wildlife resources.

Family type farms received loans totaling $188.5 million in 1959 as compared to $130 million in 1953. Farm ownership loans totaled $64.7 million compared to $29.7 million in 1953.

The Rural Electrification Administration has met the continuous and growing demand for power and telephones, including the growing needs of expanding rural industry. About one-third of all of REA loans have been made since 1953. Over the past 6 years, 800,000 consumers have been added. Electric loans last year were at the level of $177 million; telephone loans at the level of $100 milion.

In recognition of the Nation's mounting need for water conservation, this Department has stressed protection of watersheds. As of November 1, 1959, 210 local watershed projects in 45 States were receiving assistance. Authorizations for planning assistance had been extended to 508 projects in 45 States.

Operation Outdoors was set up to expand family recreational facilities in the national forests. In 1953, 35,403,058 people visited the national forests; in 1959 the number was 81,521,000.

Well administered emergency livestock feed programs have helped farmers and ranchers overcome effects of drought, floods, and other natural disasters.

Approximately $600 million a year has been extended in disaster and drought aid since 1953. Such aid enabled families to stay on the land.

The Water Facilities Act was amended to provide for direct and insured loans for certain soil and water conservation activities in all States. Prior to this amendment, the act had applied to the westernmost States only.

In 1959, the Federal Extension Service had 2,253,999 boys and girls enrolled in 92,932 4–H clubs; 11 million families received FES consumer information; 7,475,000 families participated in home demonstration activities, and 7,946,600 families were given advice on agricultural practices—new records being set in all four categories of service.

Farmers Home Administration in 1959 extended $7.5 million in soil and water loans compared to $6.0 million in 1953. It extended $60.7 million in housing loans compared to $19.0 million in 1953.

In 1958, FHA loans in rural development counties increased $3 million over those made in the previous year. In 1959 arrangements were made to more fully meet the needs of part-time farmers.

Producers of dairy products, one of the mainstays of agriculture, received estimated cash receipts of $4,654 million in 1959, an alltime high.

ADDRESS BY THE HONORABLE DON PAARLBERG, SPECIAL ASSISTANT TO THE PRESIDENT, ON THE OCCASION OF THE WINTER PROGRAM OF THE AMERICAN FARM ECONOMIC ASSOCIATION—JOINT SOCIAL SCIENCE ASSOCIATION MEETING

IN SUPPORT OF THE ADMINISTRATION'S FARM POLICY

In this address I wish to make four points:

1. The farm price-support and production-control legislation now on the statute books does not represent the administration's farm policy.

2. The farm policies which this administration does support include many activities other than price support and production control.

3. On the controversial price-support and production-control issue, the needed modifications lie, as embodied in the administration's farm proposals, in the direction of greater opportunity for individual persons to exercise their judgment as to what should be produced and at what price it should be sold.

4. The alternatives to the administration's farm policy are generally lacking in promise.

I now shall take up these points individually.

I

First, let me trace the origin of the farm price-support and production-control legislation we now have, legislation which is generally considered to be unsatisfactory.

In making the flat statement that this legislation is considered unsatisfactory, I wish to acknowledge the good record of the Congress as regards price support and production policy for the majority of our farm products; that is, for commodities other than the so-called basic crops. I want to make clear my view that legislation providing for marketing agreements and orders has generally been helpful, as has legislation authorizing the purchase of surplus farm products and their diversion to the school lunch program and to needy persons. What I am speaking of as unsatisfactory is the mandatory system which requires price support for a few favored commodities at artifically high prices, and couples that support with a halfhearted and ineffective control effort. This is the system which has failed.

I have come to harbor misgivings both with respect to those economists who think they can analyze farm problems without reference to politics, and those politicians who think they can solve farm problems without reference to economics.

The basic legislation with respect to farm price supports and production control was enacted in 1933. This was done in an effort to meet the grave problems of a worldwide depression.

This legislation was clarified and modified in 1938. The major intent of the 1938 act was to give continuing status to the emergency legislation of 1933.

In 1941 and 1942 the Steagall amendment and other legislation were passed. Price supports were raised to a high level during the war emergency and their continuation was assured for 2 years after the war.

In 1948, Congress provided for an adjustment from the wartime level of price supports, but this law was not allowed to go into effect. The next Congress rewrote this law and delayed the date at which it was to become operative, thereby continuing the wartime level of price supports.

In 1954, Congress allowed the 1952 extension to expire, thereby permitting the functioning of legislation previously enacted.

For the 5 years since the congressional elections of 1954, the Congress has been controlled by one party and the executive branch by another. During this period some helpful modifications of the price-support and production-control legislation were enacted, but legislation for most of the so-called basic commodities remains generally similar to the pattern of earlier years.

During 22 of the 26 years encompassed by this legislative history, the Congress was controlled by the party now in the majority. The party now in the minority held congressional responsibility during 1947–48 and again during 1953–54. During the first of these two periods, farm legislation was enacted which a succeeding Congress kept from becoming effective; during the second period legislation was passed which allowed a law enacted by a previous Congress to become operative.

Thus practically all present farm legislation regarding price supports and production controls were written by the party now in the majority. Continued existence of this legislation is tolerated and condoned by the majority party, which has the power to change it.

It is sometimes said that the present Congress cannot enact farm legislation because of the threat of veto exercised by the executive branch. However, no truly remedial legislation has been vetoed, or is likely to be.

It is frequently said that farm policy has been bipartisan. But the effort to place responsibility upon this administration for the shortcomings of farm legislation is certainly a partisan effort, and an unwarranted one.

With respect to farm legislation, the executive branch has two responsibilities. One of these is to administer laws enacted by the Congress. This the present administration has done, and done faithfully. The other responsibility is to recommend legislative changes for the Congress to consider. This the present administration has also done. For 7 years now the administration has been invited by the Congress to make recommendations for improving our farm legislation, and has complied faithfully with these requests.

Some of the administration's recommendations have been heeded. Public Law 480, the basic authority for surplus disposal, was enacted much as recommended. The same is true of the rural development program.

Others of the administration's recommendations were accepted in part, though considerably modified. This was true of the soil bank and the present corn program.

Most of the administration's recommendations have been resisted by the Congress, particularly those having to do with price support levels and production-control policies.

The administration cannot possibly be responsible for legislation which antedated its period of service and emanated from another party.

Existing difficulties with the farm program, and they are many, cannot possibly be the result of legislation which the administration has recommended if such legislation has not been enacted.

Congress cannot divest itself of legislative responsibility. Nor can the executive branch divest itself of its administrative responsibility. Surely the Congress will not accept responsibility for errors of the executive branch in administering our farm laws; nor can the Congress expect the executive branch to accept responsibility for legislative shortcomings.

Almost nobody defends the farm legislation now on the books. The pertinent point is that this legislation was put there by the Congress. If it is to be changed, it must be changed by the Congress.

Present farm legislation does not represent the policies of this administration, as I have endeavored to show. On the contrary, it must represent the farm policies of the majority party, since that party put it on the books and left it there despite having the power to change it.

There is a studied effort to create the illusion that the failure of agricultural adjustment policies is an administrative failure while in reality it is clearly a legislative failure.

If there is a failure to administer our farm laws as enacted by the Congress, this is a matter properly to be laid at the door of the administration, but I do not know of any serious charge of this kind. If there is a failure of the laws themselves, which is the fact, this is a responsibility of the Congress.

There exists a great confusion in the public mind as to the separate responsibilities of the executive and legislative branches of Government. Some Members of the Congress have heightened and exploited this confusion, rather than address themselves to their proper tasks, which is the writing of needed legislation.

II

Having attempted to make clear the fact that present legislation does not represent the administration's farm program, I shall now indicate what actually constitutes the administration's farm program. There is support for activities in eight different areas; there are recommended changes in one.

First, there are the historic services that concern the development of human resources, among them education, research, and the supplying of needed information.

Second, I name the rural development program, by means of which we endeavor to open wider the doors of opportunity for the 1½ million rural families with very low incomes.

Third, I would name the development of natural resources and their intelligent use, including the conservation reserve, various land-use programs, the activities of the Forest Service and related matters.

Fourth, is market building, which relates to consumer education at home, market development abroad, and research to discover new uses.

Fifth, I shall list surplus disposal, those activities which move into use, through special programs, our heavy Government stocks of farm products.

Sixth, are the credit programs, intended to meet a variety of needs, written for varying periods of time.

Seventh, there are regulatory activities to insure the wholesomeness of the food supply, the proper functioning of the commodity exchanges and similar activities.

Eighth, there are the marketing orders and agreements, the purchase and diversion of surplus products to the school lunch program, and the authority to support prices of the great majority of farm products at levels discretionary with the Secretary of Agriculture.

Ninth, for the problem crops, particularly wheat, legislative changes are proposed which move in the direction of greater freedom to plant and less interference with market forces.

Some of these activities were launched by this administration. Others originated earlier. All have administration support. It is clear that the administration's farm program is a broad one, encompassing many areas of service rather than one.

There is general agreement on the appropriateness of the first eight of the services I have listed. Despite occasional friction regarding one or another, they have been the cause of relatively little cleavage between the executive and the legislative branches, or between the two political parties.

Greatest interest has centered on the last of my listed categories, the one having to do with price support programs for the so-called basic crops. The six crops designated by legislative fiat as basic bring in only about 20 percent of the farm income. But they account for 85 percent of the Federal inventory of price supported commodities and for about 95 percent of the controversy. The remaining income, surplus stocks and controversy are distributed among some 250 farm products which have not been designated as basic.

In its recommendations regarding price and production policies, the administration has not been doctrinaire, though it has often been charged with being so. Alternative recommendations have been made. The administration has indicated that it viewed with favor the relation of price support levels to appropriate parity standards, if the Congress should so prefer. Or, if desired, supports could be linked to market prices of the immediately preceding years. Or, should the Congress wish, the Secretary of Agriculture has indicated that he would himself bear responsibility for establishing support levels in accordance with general criteria.

With respect to production controls, the administration has likewise avoided a doctrinaire position. A willingness has been expressed to support action by the Congress which would liberalize acreage allotments, eliminate them altogether, or to have the farmers choose between alternative programs. There has been an expressed willingness to administer a program of tightened allotments if the Congress should insist on keeping price supports at a high incentive level.

Throughout there has been this one important and consistent recommendation: That price support objectives be reasonably related to production policy. If price supports for wheat are to be held at a high level, Secretary Benson said a year ago, then strict production controls must be imposed. If price incentives are reduced, then a less restrictive production policy can be followed. The administration indicated its clear favor for the liberal as compared with the restrictive route.

The one thing the administration has consistently resisted is high price supports coupled with flimsy production controls—running the vehicle with the throttle wide open and without brakes.

III

Much of the controversy regarding farm policy springs from failure to distinguish between equity and workability. Both of these are important. No farm policy can succeed unless it takes account of both.

Let me state some appropriate considerations of equity:

1. Farmers, who are exposed to unusual economic and natural hazards, are entitled to the help of Government as a cushion against unfortunate events which they cannot well avert through individual or organized action.

2. The cause of equity is not served by programs which aggravate the disparity of income within agriculture while endeavoring to reduce the disparity of income as between farmers and other occupational groups.

3. A man's role as a citizen takes priority over his role as a member of an occupational group. It is not equitable to do violence to his rights as a citizen, or to the rights of other citizens, in an effort to improve the position of his group.

4. Equity does not lie in the equal treatment of unequals.

Within the stated conditions of equity, there are workable farm programs. There is a substantial area within which equity and workability overlap. The administration's farm policies are within this area.

Equity, like workability, is a necessary but not a sufficient criterion for success. Some programs are advocated as equitable, but are not workable and are of no service to agriculture. Other programs may appear to be workable in a harsh and callous sense, but do not meet the standards of equity which prevail in the mid-20th century; they will not be tolerated.

I wish to discuss the workability of farm programs, a matter which is the primary province of agricultural economists.

Here we run head on into the fundamentals of demand, supply, and price. I shall state what seems to me to be the present state of professional knowledge on these points. If this seems elementary to you, I ask only that you note the grave difficulties that farm programs have come to by overlooking the fundamentals.

The law of demand is that, other things equal, an increase in price will result in a reduction in the quantity demanded; a decrease in price will result in an increase in the quantity demanded. I know of no exceptions to this law in the agricultural field.

Statistical evidence is very strong that for most farm products, in the short run, and with other things equal, a given increase in price is accompanied by less than a proportional reduction in the amount demanded. Thus, in the short run, a short supply will usually bring in a larger-than-average gross income.

The unchallenged statistical demonstration of this fact is the vision which has led to the production-control and price-support legislation now on the statute books.

But this vision, so clear in the short run, is proving in the long run to have been a mirage.

In the long run—and the long-run effect has been subjected to much less study—the relationship of price and quantity is far different from what it is in the short run. Over time and for many farm commodities, a given boost in price results in more than an equivalent reduction in the quantity demanded. Thus, in the long run and for many farm commodities, other things equal, a high price means a lower gross income to the seller.

The difference between the short-run and the long-run effect of a price increase is that over a period of time the buyer can find or develop substitute products or sources of supply. In the case of cotton, a price supported continuously and substantially above market levels has greatly stimulated the use of manmade fibers, and greatly stimulated the production of cotton abroad. During a quarter century of price support, the share of our farm income earned by cotton fell from 12 percent to 7 percent.

During the 5 years prior to the inauguration of price support and production control, the 6 basic crops brought in 21 percent of our farm income. After 25 years of controls and supports, after expenditures of many billions of dollars and the utterance of many millions of contentious words, these same basic crops still brought in only 21 percent of farm income, and a goodly share of this 21 percent was from sales to the Government.

It might be argued that in a free country, if a group of people wish to sacrifice the future to the present, that should be their prerogative. But at least they should know the result of what they are doing. And economists, who by their professional competence have this knowledge, should tell them.

Confusion with respect to the law of demand has made grave trouble for farm programs. But confusion with respect to the law of supply has led us even more deeply into trouble.

The law of supply is that if price is increased, other things being equal, a greater quantity will be offered. And if price is reduced, other things being equal, a smaller quantity will be offered.

This law is challenged by many persons. The statement is made that if price is reduced, farmers will increase production in order to offset the decline in income.

There undoubtedly are some individual farmers, with very limited alternatives, who react to some extent in this manner. But this is not true of farmers as a group.

I have studied all the research on this subject which I have been able to find. This includes the work of Bean, Black, Kohls, Moore, Nerlove, Pearson, Pubols, Warren, Wells, and others. Thus far I have not been able to discover any competent piece of work which shows the perverse relationship so often alleged to exist.

Some Members of the Congress say that a price decline results in an increase in production. Yet when these gentlemen decided that fewer potatoes were needed, they properly allowed the price to decline. When they wanted an increase in production, as during the war, they properly raised prices. As recently as 1958 they extended the National Wool Act, the stated purpose of which is to stimulate production; the means by which this is to be accomplished is through offering increased prices. By their deeds Members of the Congress recognized the economic facts of life as related to the law of supply.

Recently there has been some loose economic thinking with respect to changes in corn acreage. The statement is made that price supports were dropped and farmers increased their acreage in order to maintain their incomes. The truth is that price supports were dropped for about 14 percent of the corn farmers, those few who had previously complied with their corn allotments. Supports were increased for the other 86 percent of the farmers. Farmers reacted in a perfectly normal and predictable manner. With price supports raised, with the corn acreage reserve program and corn acreage allotments abandoned, and with price supports for alternative feed grains reduced, a jump in corn acreage was practically certain. Farmers reacted in conformity with the law of supply.

Those who claim that farmers as a group increase production when price declines postulate a perverse and irrational situation. If farmers actually behave in this manner, crop acreage and livestock production are incapable of reaching or approaching equilibrium, and must, therefore, be subjected to strict Government control or catastrophe will occur. Those who deny the validity of the law of supply are left without any explanation for the generally rational behavior of farmers who produce the unregulated crops and livestock products. Nor do they have an explanation for the generally rational behavior of farmers who produced wheat and corn and cotton during the centuries which preceded acreage control.

The fundamental laws of economics are these: Other things being equal, as price rises, the quantity which will be produced increases and the quantity which will be purchased decreases. The Congress has not been able, in 25 years of effort, to set aside these laws.

I said these laws operate with "other things equal." But other things have not been equal. The special factor which has modified the operation of these laws has been the technological revolution in agriculture; this revolution has caused artificially supported prices to generate even greater surpluses than would otherwise have been the case.

The longrun consequences of artificially supported prices have set in. Supply has been increased, buyers have turned to alternative sources, markets have been lost, and farm incomes have been reduced.

If there is to be a better balance within agriculture, inducements for excess production must be diminished and pricing policy must allow farmers to regain markets.

Some people say that the solution lies in the direction of stiff controls. For 25 years the Nation has been building up a history of experience with controls. The evidence is that the Congress will not enact, the executive branch cannot enforce and the farmers will not accept the kind of production controls which would be necessary to balance production and consumption at the price objectives customarily cited by those who advocate the strict controls.

If, with supplies as heavy and costs as great as they have been in recent years, stiff production controls could not be enacted, how likely is it that tough controls will ever be invoked?

Until someone develops evidence of a substantial change from the pattern of the last quarter century in political behavior and in American mores, this history must stand as an insurmountable refutation to those who advocate stiff production controls as a way out.

As we said before, we are in the midst of a technological revolution in agriculture. The need is to reap for society whatever gains this revolution may bestow, and to cushion its impact when it deals harshly with individuals and groups. Farm legislation has concentrated more on the problems of this technological revolution than on its opportunities. As a nation we have been problem prone rather than opportunity oriented.

Our rapid scientific advance has lightened the toil, lifted the level of living, and broadened the horizon for our farm people, and holds hope for a hungry world. This is good, not bad. To extract the most good from this revolution, and to be in a position to ward off its sharpest blows, individual persons should themselves have a substantial role in price-determination and in resource allocation. The rapid changes which are under way call for a greater adjustment capability than is present under parity formula or a historically based acreage allotment.

The heart of the administration's farm policy is faith that individual farmers, with appropriate services provided for them by private and public agencies, will be able to make wise allocation of their resources—decisions that are advantageous to them personally and are in the public interest.

A technological revolution calls for the use of all the intelligence that is available. In the practical experience of 4½ million farmers there is a great reservoir of intelligence and sound judgment. A major purpose of the administration's farm policy is to tap this reservoir.

The services I mentioned earlier are of great help in improving the caliber of individual decisions. Public programs can serve the national interest better by helping to improve the caliber of individual decisions than by substituting Government edicts for private judgment.

At the bottom of the income scale are 1½ million rural families who receive, from all sources, less than $1,000 a year. In terms of genuine need, this is the real problem. These people have been almost untouched by price-support and production-control programs. The technological revolution has largely passed them by. They do not contribute as much as they should or as much as they would like to the national production of goods and services. The administration's rural development program is addressed to this problem. It needs greater understanding, wider support, and more funds.

The administration's food-for-peace program is an effort to use our abundant capacity for food production in support of the foreign policy of the United States. This is done chiefly through Public Law 480, the chief legislative authority for surplus disposal. During this past fiscal year, well over a billion dollars worth of American farm products moved abroad under our special export programs. Some of these programs are new, unique and unorthodox. They are not described in the standard texts on international trade. They have grown up out of necessity because our stocks were heavy and because dollars weren't available in the countries which needed our products. This program serves the needs of our friends abroad and relieves our heavy supply position. It is my feeling that Public Law 480, which has been considered by some as a province for idealists and temporizers, might better be considered as subject matter for hardheaded realists.

This then, restated in summary form, is the farm policy of this administration:

For the farmers who produce the bulk of our food and fiber: a liberal production policy coupled with modest price objectives.

For rural people in areas of low income: services which will open wider the doors of opportunity both within agriculture and for off-farm employment.

For all farm people: services to improve the caliber of individual decisions.

For this generation and the next: land-use programs intended for wiser use of our national resources.

In the broad public interest: wide dissemination of the fruits of the technological revolution, to our own citizens and in the service of American foreign policy.

IV

What are the alternatives to the adoption of some such policy as I have outlined?

Continuation of the present program? Clearly the public patience will not tolerate indefinitely the heavy cost and the growing stocks which result from the laws we now have.

Stand by and allow the present program to collapse of its own weight? This would be a sadistic remedy. If the present program should collapse, with the mountainous stocks now on hand, prices of wheat and corn and cotton would be carried to disastrous levels. After having been insulated for 25 years from the rough and tumble of the marketplace, these crops can hardly quickly be tossed, unprotected, to the not-so-tender mercy of a completely competitive climate. We cannot regain overnight markets which we have been losing for a quarter of a century. Government has piled up the present stocks and is responsible for some of the present dislocations. Government cannot walk off and expect farm people to pick up the pieces.

Shall we apply marketing orders or some similar technique to additional crops and livestock products? Programs which have worked tolerably well for specialty crops in concentrated areas of production, marketed through a limited number of well-defined channels, cannot easily be extended to crops grown generally in diversified areas, moving to market in many forms and through many agencies. The so-called self-help plans thus far offered involve substantial Government financing and responsibility. And it is not clear that Government, while retaining responsibility for the domestic and foreign consequences of these plans, can legitimately delegate price and production authority to commodity groups. Nor can commodity groups avert the laws of demand and of supply which have brought Government price-support production-control programs to their present difficult state.

Should we enact two-price plans or domestic parity plans? If we do we institutionalize a wedge between the domestic and the foreign price, we set up Government machinery for the transfer of added special moneys from the eaters of food to the producers of food, and we set one faction of agriculture against another.

Shall we adopt production payments, or deficiency payments, or compensatory payments? Let us remember that the sole use to which this device has thus far been put has been the role of stimulating production, a consequence we do not want. Consider the likelihood that the Congress would dependably and consistently provide an annual appropriation running into many billions of dollars, to be paid directly and visibly to a vocational group which numbers only 10 percent of the voting population. And let us think of what might happen to the market price, and hence to public cost, if an unsupported market is asked to move not only the abundant production of our present farm plant but also the added amount induced by a Government payment.

There is, as I said earlier, a substantial area within which the separate disciplines of equity and workability overlap. Within this area the administration's farm policies will be found. These policies will not satisfy those with their own special definitions of equity, or those who ignore the practical problem of workability. Nor will they satisfy those who see an opportunity to make "workable" some program which violates individual rights.

Whether the administration's farm policies will satisfy a sufficient number of persons to permit corrective early legislation remains to be seen. Whatever time schedule the fates may hold, the day is gradually drawing nearer when farm legislation will be rewritten. It would be better to do this before the public patience is exhausted; it would be better to write new farm legislation in a climate of reason than with the attitude of resentment which further postponement would bring about.

SOCIAL SECURITY AMENDMENTS OF 1960

The Senate resumed the consideration of the bill (H.R. 12580), the Social Security Amendments of 1960.

Mr. CASE of South Dakota. Mr. President, a parliamentary question.

The PRESIDING OFFICER. The Senator from South Dakota will state it.

Mr. CASE of South Dakota. What is the pending business?

The PRESIDING OFFICER. The amendment of the Senator from New Mexico [Mr. ANDERSON] is the pending business.

Mr. CASE of South Dakota. Would it be in order for me to offer a perfecting amendment at this time?

The PRESIDING OFFICER. The Senator may do so.

Mr. CASE of South Dakota. I offer an amendment in the nature of a perfecting amendment.

The PRESIDING OFFICER. Is that an amendment to the Anderson amendment?

Mr. CASE of South Dakota. No; it is to the bill.

The PRESIDING OFFICER. Then it would not be in order unless it were to the pending Anderson amendment.

Mr. CASE of South Dakota. Is not the Anderson amendment a substitute for the bill?

The PRESIDING OFFICER. The Chair understands it is not.

Mr. CASE of South Dakota. In that case, I shall withhold the amendment temporarily, but I should like to be recognized to speak on the bill.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. CASE of South Dakota. Mr. President, I desire to call attention to what I regard as one of the most important and least publicized sections of the bill, namely, section 211, which is entitled "Increase in the Earned Income Limitation," and which appears at page 100 of the bill reported by the committee. This paragraph would permit persons between the ages of 65 and 72 to increase the amount of their earnings from $1,200 to $1,800 without forfeiting their entitlement to social security benefits.

I have long advocated amending the Social Security Act to this effect. In fact, I first introduced such a proposal on January 7, 1957, the bill being known as S. 699. While several other bills were also introduced during that session to increase the annual test of earnings, my bill appears to have been the first to propose an increase to the $1,800 figure which is included in the committee bill.

I again introduced such a bill at the beginning of this Congress, and it is known as S. 638. Therefore, I take some small pride in having had a role in initiating this particular amendment, even though I am not a member of the committee.

Mr. President, I ask unanimous consent to have printed at this point in my remarks the portion of the committee bill which appears at page 100 of the present committee bill, and is entitled "Increase in the Earned Income Limitation," being lines 14 through 24 of section 211.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

INCREASE IN THE EARNED INCOME LIMITATION

SEC. 211. (a)(1) Paragraphs (1) and (2) of subsection 203(e) of the Social Security Act are each amended by striking out "$1,200" wherever it appears therein and inserting in lieu thereof "$1,800", and (2) such paragraphs and paragraph (1) of subsection (g) of such section are each amended by striking out "$100 times" wherever it appears therein and inserting in lieu thereof "$150 times".

(b) The amendments made by subsection (a) shall be effective, in the case of any individual, with respect to taxable years of such individual ending after 1960.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of S. 699, of the first session of the 85th Congress, which I introduced on January 17, 1957, being the legislative day of January 3, 1957.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a)(1) paragraphs (1) and (2) of subsection (e) of section 203 of the Social Security Act are amended by striking out "$1,200" wherever it appears therein and inserting in lieu thereof "$1,800", and (2) such paragraphs and paragraph (1) of subsection (g) of such section are amended by striking out "$100" wherever it appears therein and inserting in lieu thereof "$150".

(b) The amendments made by subsection (a) shall be effective, in the case of any individual, with respect to taxable years of such individual ending after the month in which this Act is enacted.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of S. 638, which I introduced on January 23, 1959, during the first session of the present—the 86th—Congress.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a)(1) paragraphs (1) and (2) of subsection (e)

of section 203 of the Social Security Act are amended by striking out "$1,200" wherever it appears therein and inserting in lieu thereof "$1,800", and (2) such paragraphs and paragraph (1) of subsection (g) of such section are amended by striking out "$100" wherever it appears therein and inserting in lieu thereof "$150".

(b) The amendments made by subsection (a) shall be effective, in the case of any individual, with respect to taxable years of such individual ending after the month in which this Act is enacted.

Mr. CASE of South Dakota. Mr. President, it will be evident that the text of the two bills which I introduced in the opening days of both the 85th Congress and 86th Congress is identical with the substitute provisions of section 211 of the bill now reported by the committee.

It has been said that some 600,000 persons over the age of 65 will be affected by the proposed change. The impact of the bill upon my own State of South Dakota can only be estimated in terms of the overall figures. However, based upon the fact that South Dakota has a somewhat larger percentage of its total population in the age group of 65 and over than has the Nation as a whole, it seems to me probable that there should be approximately 22,500 persons in South Dakota who would profit by this increase in earnings which is permitted.

When the Social Security Act was passed in 1935, Congress, upon the advice of the Economic Security Council, included a provision excluding from benefits persons who were gainfully employed. Just how this was to be defined was not specified, but a major purpose of the provision was clear: it was to encourage older persons to get out of the labor market and make way for young workers.

Today we no longer have that purpose. On the contrary, the Federal Government is now spending millions of dollars each year trying to help those older persons who are able and willing to continue as active, working contributors to our country's welfare.

In this situation the present, absurdly low $1,200 limitation on earnings under social security is an anomaly. Little wonder that our aging citizens tend to develop bad cases of cynicism long before they reach senility. They hear the Government saying to them in one voice: "Please work if you can, we need your skills, your talents, your experience, and wisdom." But in a slightly louder voice—the voice of the law—they hear: "Certainly, you can work. But don't work much, or earn much, or you won't receive a penny of those social security benefits you have been counting on."

Mr. President, the limitation on earnings was set at $1,200 in 1954. Many persons thought it was too low then; and, as I have previously set forth, I introduced bills, in January of 1957, and again in January of 1959, to do exactly what section 211 of this bill now proposes to do. In view of the wage and the price levels which exist in this country today, the $1,200 limitation on earnings is certainly too low now; and there should be general support for the provision to increase the limitation to $1,800, as included in the bill reported by the Finance Committee.

This increase will not eliminate the inequities of the retirement test; but it will alleviate them. In general, under present law, a worker begins to lose benefits when he earns more than $1,200 annually. When he earns as much as $2,080, he is subject to the loss of all of them. Under the proposed amendment, social security beneficiaries will be able to earn a more respectable $2,680 a year before losing all benefits. There will then unquestionably be more incentive for persons to keep on working after they reach retirement age.

Mr. President, recently, when I was at home during the recess of Congress, I had this hardship of the present law brought very forcefully to my attention when I visited an old friend, a No. 1 carpenter; in fact, he is a cabinetmaker. He was called on to do some work for a person in my home town of Custer. My cabinetmaker friend found that by the time he had gotten the rough part of the work well under way, he had reached the earnings limitation provided by the law. But at that point he was reaching the part of the work where his skill as a cabinetmaker was definitely called for. As a result, at that intricate point in the work, my cabinetmaker friend either had to turn the job over to another worker or had to abandon the work for the time being; and in the latter case, the man who was having the work done would have had to wait until the next calendar year began. Certainly, it seems ridiculous that a skilled cabinetmaker would have to do that. I told him that we had pending legislation to correct such a situation; and he certainly hoped it would be enacted. And I hope it will be, too.

All of us are aware of how expensive it is simply to provide for necessities, these days. It seems incredible, therefore, that we tell an older worker that when he earns $2,080 a year, we will cut off all his benefits, because theoretically he is not retired and does not need them.

Let us use this $2,080 amount and build up a hypothetical example. Let us say that both the worker and his wife are over age 65, and that this income is subject to no income taxes, either Federal or State, but is, however, subject to the 3-percent social security tax on earnings. They start out with $173.33 a month, from which is deducted $5.20 for social security. We allow them $60 a month for housing, another $60 for food—a very modest amount, I may say—$11 each for medical and dental care, and $10 each for clothing and personal needs. I am not saying these amounts are really adequate; but with care and luck, and perhaps with a garden, they might be enough to get along on.

But where is our couple now? They have already accounted for $162 for bare necessities. They have left, only $6.13, which they must divide among costs for transportation, church contributions, postage stamps, light bulbs, reading matter, and the like. I think that balancing this budget might be a job which even our Bureau of the Budget would be loath to tackle.

When Congress assumed the responsibility of establishing an earnings limitation, I believe it also assumed the responsibility of gearing it, and keeping it geared, to our economy as a whole. Since the $1,200 earnings limitation was set, however, wages have increased by about 20 percent. Personal income in the United States increased a total of 6 percent, in the 1 year between 1958 and 1959. We do not, I am sure, begrudge these increases, and the improvement in well-being that they entail, to our people. But we are by law begrudging our social security beneficiaries similar improvements in their well-being, by neglecting to increase a wage limitation that is wholly out of keeping with economic realities.

In other words, in effect we are saying to the social security beneficiaries, "You cannot increase your earnings in keeping with the increased earnings of the economy as a whole."

For the older worker concerned, the low-retirement-test provision can entail some very unpleasant alternatives. He may feel forced to restrict his work activities. Worse, he may offer his services for substandard wages; or he may seek a floor-sweeping job, rather than the office job he is capable of performing, simply to keep his earnings low. Any of these alternatives means frustration for the individual, and waste for society as it does in the specific case of the cabinetmaker-carpenter to whom I previously referred.

Earlier I referred to the fact that an estimated 600,000 workers would benefit immediately from the $600 increase in the retirement test provided in the committee bill. This could be argument enough for adopting the proposal. But this proposal is one of national benefit, not only individual benefit.

Our national strength is directly tied to the strength of our people. Our country's productivity is dependent upon the productivity of each of our workers. If a person can work more, produce more, earn more, he should be encouraged to do so, and not simply be told that he must "go on the shelf."

There is, I am happy to observe, strong congressional and public support for changing the present retirement test. In the neighborhood of 100 bills which would affect the existing provision have been introduced in the House and in the Senate. Some of these bills would eliminate the retirement test altogether. Most of them, taking into recognition the very high cost of such a step, provide only for an increase.

Not long ago, a cross section of American adults of all ages were questioned by Gallup poll reporters on the subject of the retirement test. Sixty-seven percent said they thought the law should be changed. Only 23 percent were in favor of keeping it in its present form.

Every Member of Congress must have received, as I have, hundreds of letters, urging us to do something to correct a law which most of our older people regard as unjust, ridiculous, and unsound in principle.

Public opinion is strongly behind the proposed action; and, as a noted American author of the 19th century observed:

Public opinion is stronger than the legislature, and nearly as strong as the Ten Commandments.

No one, I suggest, knows this better than do the Members of Congress.

Our actions should, and must, be guided by the great American public. The needs of our people must not be violated by law.

The Social Security Act was enacted to meet obvious need. In the 25 years of its existence, Congress has seen fit to amend it in many ways, to meet the new and changing demands of a dynamic society.

Now, as in 1939, 1950, 1952, and 1954, it is necessary to bring the retirement test provisions up to date to meet the needs of our older people who are eager for an opportunity to help themselves, their families, and their country. I sincerely hope that, whatever other changes may be made in the pending bill, the proposal of the Finance Committee to let people in ages between 65 and 72 help themselves will survive.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield to the Senator from Kansas.

Mr. CARLSON. I commend the Senator from South Dakota for his active interest in an amendment, which was adopted unanimously by the Finance Committee, which would permit an increase in earnings from $1,200 to $1,800 a year as the exempt wages of those who are on social security payments. I think there was a general feeling in committee that this was not only a timely amendment, but that it was needed.

There was considerable discussion of increasing the amount from $1,200 to $1,800. The committee also voted on removing any limitation on the amount a person could earn. After voting on varying amounts, the committee unanimously agreed that $1,800 was the point where we ought to stop.

I had the pleasure and privilege of offering that provision, which was adopted, which increased the exemption from $1,200 to $1,800. I think the Senate should be very careful about increasing the amount. As a matter of fact, I am hopeful we can hold it in conference, because this proposal is going to cost the fund $400 million. The figure of $2,400 a year was suggested. If my memory serves me correctly, that exemption would cost $1 billion. It is very important that we keep the fund actuarially strong, or as strong as possible. Therefore, we cannot accept a higher figure without giving consideration to an increase in the rates to be contributed.

As a matter of fact, in considering the proposals, thought was given to the possibility of an additional increase in the tax both on the employer and employee. So it is one of the considerations we must keep in mind in dealing with this question.

I commend the Senator from South Dakota, because he has had a very active interest in this question for many years. It is an amendment we are happy about and hope to see become law.

Mr. CASE of South Dakota. I appreciate very much the kind remarks of the Senator from Kansas. I am interested in his report that this particular proposed change in the law was supported unanimously by the Committee on Finance. I also find a little personal gratification, I suppose, in the fact that the figure which was proposed in the motion made by the Senator from Kansas, namely, $1,800, happens to be identical with the figure which I proposed in a bill which I introduced in January 1957, and again in January 1959.

I recognize that this bill, like most proposed legislation, and particularly measures dealing with figures like these, has the complication, which the Senator from Kansas has mentioned, of the impact on the Treasury, and, in turn, the impact on other related taxes, income taxes, and so forth. It evidences how complicated legislation is, particularly in the field of revenue.

However, to have the figure of $1,800 be the magic figure, so to speak, and to win the unanimous vote of the Committee on Finance, gives me a little comfort, because that was the figure I used in the two bills which I introduced, as I said, in January, at the opening of the 85th Congress, in 1957, and again in 1959, at the opening of this Congress.

I merely wish to add that I have thought possibly some of the estimates of the Treasury were a little bit on the pessimistic side as to the effect of any change on the Treasury. Actually, especially when it is proposed to enter the field of medical aid, it seems to me it is entirely possible that there will be some savings to the Treasury by reason of the fact that if people between the ages of 65 and 72 are able to increase their own earnings, their call upon the medical aid program which may be established will be lessened thereby.

I am sure most people between the ages of 65 and 72 who are able to earn the money necessary to meet their medical costs would rather provide for it themselves than call upon a cooperative plan of the Federal and State treasuries to supply that aid as a grant, or something of that kind.

So from every standpoint, Mr. President, it seems to me this particular change in the present law, namely, to increase from $1,200 to $1,800 the amount of earnings permitted as the retirement test, is justified; and I hope that section 211 as proposed in the bill will survive both action on the floor of the Senate and the conference between the Senate and the House.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The question is on agreeing to the amendment of the Senator from New Mexico.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 11666), making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1961, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ROONEY, Mr. SIKES, Mr. CANNON, Mr. BOW, and Mr. TABER were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 12326) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Tennessee Valley Authority, and certain study commissions, for the fiscal year ending June 30, 1961, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CANNON, Mr. RABAUT, Mr. KIRWAN, Mr. JENSEN, and Mr. TABER were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 7263. An act for the relief of Edward Ketchum; and

H.R. 8860. An act to stabilize the mining of lead and zinc by small domestic producers on public, Indian, and other lands, and for other purposes.

POLITICAL PUBLIC OPINION POLLS

Mr. GORE. Mr. President, I am concerned with the significance which a considerable number of people attach to political polls. It is because so many people think they are important that they have become an unduly significant factor in our national politics.

This undue influence, as I see it, is the only really important fact about political public opinion polls. But this is important. It is important because our democratic processes are involved, and to some extent prejudiced.

Insofar as accuracy in depiction or prediction of the way the mass of our people will vote in a national election is concerned, I consider most of the political polls, including the Gallup poll, as almost meaningless and in many instances misleading. This conclusion is the result of considerable observation and study over a period of 6 months.

Yet I found some Republicans quite gleeful and some Democrats virtually wringing their hands when the Gallup poll published August 17, 1960, showed Senator KENNEDY trailing Vice President NIXON 50 percent to 44 percent. I think such an influence is entirely unjustified, and to the extent that it affects or may affect the judgment of the people or the attitudes of our leaders, it is a disservice to our elective process to attach such importance—indeed, any measurable importance—to such a political poll.

The public statements of Senator KENNEDY's press secretary, Mr. Pierre Salinger, tend to give the poll some credence. He is quoted as saying:

Polls are not an absolute science; they are an indication.

With respect to Senator KENNEDY, Mr. Salinger added, "He's been behind before."

Now, whether Senator KENNEDY is behind or out in front cannot be proven by the meager Gallup sample.

I say meager because, in a letter to me on January 3, 1960, which I inserted in the CONGRESSIONAL RECORD, Dr. Gallup wrote:

Our national sampling unit is made up of 1,500 adults.

Now, this amounts to less than two hundredths of 1 percent of the adult citizens of the United States, and, for example, about 1 person, man or woman, well- or ill-informed, in every third county in Tennessee.

It is interesting that Mr. Gallup would find only 6 percent of the people undecided this far from election day. This is particularly interesting in view of the fact that on November 3, 1952—one day before election day—Dr. Gallup showed 13 percent of the people undecided. Now, I have no national poll to prove how many people are now undecided as to how they will ultimately vote in November, but I venture the suggestion that 16 percent or even 26 percent would be more realistic than 6 percent at this date. Indeed, I am reliably informed that another recent poll taken since the two political conventions with a considerably larger sample than Dr. Gallup's meager 1,500, showed 24 percent undecided.

I read a column written by Mr. Joseph Alsop, published in the Washington Post and Times Herald this morning, in which it was reported that the number of people polled who were tabulated in Dr. Gallup's poll was actually nearer 1,300 than 1,500.

Incidentally, Dr. Gallup has a remarkable record of inaccurate prediction. As an example, I should like to read the first four paragraphs of a column written by George Gallup appearing on the front page of the Washington Post on November 3, 1952. The headline is "Nip-and-Tuck Race Tuesday Indicated in Final Survey":

PRINCETON, N.J., November 2.—Final poll results, based upon interviewing through Thursday, show Dwight D. Eisenhower and Gov. Adlai E. Stevenson coming down the homestretch in a tight race for the popular vote majority.

That is quite a prediction, is it not, Mr. President? In his letter to me Dr. Gallup claimed he predicted the Eisenhower victory in 1952. Let us see what he said. He said:

They were: * * * coming down the homestretch in a tight race for the popular vote majority.

Latest figures show the race has narrowed since the last report. Continuation or acceleration of the trend to Stevenson, reported in earlier surveys, would give him a majority of the popular vote on election day.

This is his prediction of the Eisenhower victory. I continue to read:

The electoral vote, which will decide the winner, depends upon four key States—New York, Illinois, Ohio, and California—where latest figures show the candidates running virtually even.

His latest figures, according to the column, indicated the candidates were running virtually even in New York, in Illinois, in Ohio, and in California. When the real poll was taken the next day General Eisenhower received 59½ percent of the total of Eisenhower and Stevenson votes in New York and Governor Stevenson received 40½ percent. In Illinois General Eisenhower received 55 percent and Stevenson 45 percent. In Ohio Eisenhower received 56.8 percent and Stevenson received 43.2 percent. In California Eisenhower received 56.9 percent and Stevenson 43.1 percent. This was the real poll.

I have read from the column and the poll by which Dr. Gallup claims he predicted the Eisenhower victory. If Senators can find such a prediction in it, I shall be pleased for one of them to point it out.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. If I correctly understand the Senator's point, he is saying that not only was the Gallup poll incorrect in 1948, but also in 1952, only 4 years later, after the pollsters had undertaken to correct the mistakes which were apparent in 1948. Dr. Gallup predicted a nip-and-tuck race, pinpointing the four major States, and insofar as the general experience in those States was concerned the victory was a landslide victory on that occasion for President Eisenhower.

Mr. GORE. The Senator is correct.

Mr. LONG of Louisiana. Four years previous the poll had predicted a landslide for Mr. Dewey, and Mr. Truman was elected?

Mr. GORE. The Senator is correct. Despite this, many people continue to attach great importance to the Gallup poll. I think it is wholly unjustified. It is virtually meaningless.

Mr. LONG of Louisiana. Perhaps the significance of what the Senator has said about the Gallup poll in regard to 6 percent of the people being undecided, may be missed. I have known of many polls taken in the State of Louisiana, which had a larger sampling in the State than the Gallup poll has nationwide. In other words, I have seen polls taken in regard to elections with some 1,000 or 1,500 people sampled in the State of Louisiana alone. The coverage would be 50 times as close as Dr. Gallup was able to arrange.

Mr. GORE. It would be 50 times as great.

Mr. LONG of Louisiana. I refer to a State which has less than 2 percent of the national population. Almost as many people were polled as Dr. Gallup has polled over the entire Nation. Therefore, the population was covered 50 times as closely, we might say, as the Gallup poll covers the United States, by simply polling 1,500 people nationwide.

About 3 or 4 months previous to an election it is rather typical to find an undecided factor of about 26 percent. That is somewhat normal. My guess is that if Dr. Gallup had been in a position to poll more closely and had placed in doubt those who were really in doubt, he would have come up at this stage with a showing of around 20 to 30 percent of the persons undecided as to how they will vote. It is ridiculous to say that only 6 percent of the people at this time are "undecided." I can assure anyone that such a result would be ridiculous in Louisiana at this time.

Mr. GORE. I agree with the Senator that it is ridiculous. In my opinion, if any further evidence were needed to discredit the validity or importance of the poll, this should be it. I thank the Senator.

Mr. President, I ask unanimous consent that the remainder of this column entitled "Nip-and-Tuck Race Tuesday Indicated in Final Survey," may be printed in the RECORD at this point.

There being no objection, the remainder of the article was ordered to be printed in the RECORD, as follows:

Republican chances rest primarily on Eisenhower's personal popularity and on the fact that he runs ahead of his party nationally, as shown by the vote on the institute's two barometers of political sentiment.

1. The final result on the candidate barometer question, before taking account of the probable behavior of undecided voters, is:

"If the presidential election were being held today, which candidate would you vote for—Stevenson, the Democratic candidate, or Eisenhower, the Republican candidate?"

	Percent
Eisenhower	47
Stevenson	40
Undecided	13

The group of voters who are undecided or unwilling to state their preference contains more Democrats than Republicans this year, as in earlier presidential races.

Postelection analysis of the 1944 dates shows that this group divided 68 percent Democratic, 32 percent Republican, or a ratio of about 2 to 1. In 1948, the undecided group divided about 75 percent Democratic, 25 percent Republican, or a ratio of 3 to 1.

Assuming a 2-to-1 Democratic split this year in the undecided vote, the results become:

	Percent
Eisenhower	51
Stevenson	49

Assuming a 3-to-1 Democratic split, the figures become:

	Percent
Eisenhower	50
Stevenson	50

2. Traditionally, polls have always been taken by asking voters their preference between the candidates. This year, because Eisenhower was much better known than Stevenson at the start, the institute in August adopted a second barometer. This second question was designed to take basic party loyalties into greater account. The expectation was that the vote on the two barometer questions would be identical by election day, but this has not occurred. The party barometer question and the final vote before taking the undecided into account follow:

"If the presidential election were being held today, which political party would you like to see win—the Democratic Party or the Republican Party?"

	Percent
Republican Party	45
Democratic Party	44
Undecided	11

Assuming that the undecided and noncommittal voters divide on a 2-to-1 basis, the figures become:

	Percent
Democratic	51
Republican	49

Assuming that the undecided and noncommittal voters divide on a 3-to-1 basis, the figures become:

	Percent
Democratic	52
Republican	48

Up to October 12 the Republicans were ahead on both barometer questions. Then the Democratic Party took the lead on the party barometer question after the undecided were allocated, while Ike continued to run ahead on the candidate question, though by a steadily declining margin.

Weighing the results shown in the three tables on each barometer question, the evidence points to the following conclusions:

Eisenhower has the advantage with voters who have made up their minds on how they will vote. He runs two points ahead of his party. Republican hopes rest primarily on his personal popularity as shown in the candidate barometer results.

Stevenson's chances depend on winning at least a 3-to-1 ratio of the undecided or noncommittal votes, as Truman was able to do in the closing days of the 1948 campaign.

In order to win, Eisenhower must halt or reverse the present Stevenson trend and maintain his narrow margin in the crucial States.

As compared with 1948, Republican gains will be smallest in the big industrial States. Eisenhower's gains over 1948 will be greatest in the South, in the farm States of the Middle West, and in the Mountain States.

Estimators of electoral votes never overlook the fact that a modest majority in popular votes can produce a commanding electoral lead. For example, in 1948 Truman carried Ohio, Illinois, and California, with 78 electoral votes, with a plurality of only 70,000 votes in all 3 States combined.

Estimates of how sentiment was dividing on the major parties in 10 key pivotal States up to last week follow:

[In percent]

	Eisenhower	Stevenson
Massachusetts	48	52
New York	50	50
California	51	49
Pennsylvania	52	48
Illinois	51	49
Michigan	52	48
Missouri	47	53
Ohio	51	49
New Jersey	54	46
Indiana	53	47

All figures reported above are subject to a normal margin of error. This has averaged 3 to 4 percentage points in past elections. All figures apply to the popular vote only, not to the electoral vote. They also reflect civilian opinion, not soldier opinion. Minor parties poll approximately 1 percent.

[Final Gallup Poll estimates in the 1948 election divided the popular vote as follows: Dewey 49.5 percent, Truman 44.5 percent, Thurmond 2 percent and Wallace 4 percent. Percentages in the actual vote were: Dewey 45.1, Truman 49.5, Thurmond 2.4 and Wallace 2.4.—Editor's note.]

FINAL POLL FIGURES AT GLANCE

Question: "If the presidential election were being held today, which candidate would you vote for—Stevenson, the Democratic candidate, or Eisenhower, the Republican candidate?"

Candidate preference:	Percent
Eisenhower	47
Stevenson	40
Undecided	13
	100

Allocating undecided 2-to-1 Democratic:	
Eisenhower	51
Stevenson	49
	100

Allocating undecided 3-to-1 Democratic:	
Eisenhower	50
Stevenson	50
	100

Question: "If the presidential election were being held today, which political party would you like to see win—the Democratic Party or the Republican Party?"

Party preference:	Percent
Republican	45
Democratic	44
Undecided	11
	100

Allocating undecided 2-to-1 Democratic:	
Democratic	51
Republican	49
	100

Allocating undecided 3-to-1 Democratic:	
Democratic	52
Republican	48
	100

Mr. LONG of Louisiana. Mr. President, will the Senator permit me to engage in a little more colloquy with him?

Mr. GORE. I yield.

Mr. LONG of Louisiana. My experience in public affairs has been that even in connection with a well-taken poll, in which a relatively high percentage of people are polled, such as the polls to which I have referred that have a coverage of 50 to 100 times as thorough as Dr. Gallup undertakes to achieve, I would nevertheless insist that there must be a margin of error to be expected. A somewhat standard margin would appear to be about 10 percent. With such margin, if the poll predicted that one would get 50 percent of the votes, he might get as high as 55 percent or he might get as low as 45 percent.

Mr. GORE. Which would mean the difference between a landslide victory and an ignominious defeat.

Mr. LONG of Louisiana. It could very well be.

Mr. GORE. Then, there is 1948, when all the polls elected the wrong man. Dr. Gallup predicted that President Truman would receive only 44.5 percent of the popular vote. He missed it by 12 percent—5.4 divided by 44.5. Yet in his booklet entitled "The Story Behind the Gallup Poll," Dr. Gallup claims to have missed it by only 5.4 percent. This is twisted arithmetic. By the same calculation, he claimed that he missed the vote for Henry Wallace by only 1.6 percent. He predicted that Mr. Wallace would receive 4 percent of the popular vote. Actually he received only 2.4 percent. Now, this is a 40 percent error. But by the Gallup computation method of "percentage points" this margin of error is reduced from 40 percent to 1.6 percent.

We recall that in 1956 T. Coleman Andrews, former Commissioner of Internal Revenue, was a candidate for President with a third party nomination. Dr. Gallup predicted that he would receive 1 percent of the vote, or more than 600,000 votes. Actually Mr. Andrews received only 134,000 votes. Yet by the Gallup computation of margin of error he missed the T. Coleman Andrews vote by less than seven-tenths of 1 percent. What a convenient method of calculating one's error. My banker will not let me get by with it.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for an observation at that point?

Mr. GORE. I yield.

Mr. LONG of Louisiana. If the margin of error were computed in the manner in which I or any layman would compute it, Dr. Gallup missed his prediction by a margin of 4 to 1. He missed it as 1 is to 4. While he predicted that a candidate would receive 600,000 votes, the candidate received only 134,000—one vote for every four that Mr. Gallop predicted. If Mr. Andrews had been paying for this service and the poll taker predicted he would get four times the number of votes which he actually received, he would not hire that group to take any more polls for him, even though the poll taker might think he was within his margin of error.

Mr. GORE. According to Dr. Gallup's computation, if T. Coleman Andrews had received twice the number of votes that Dr. Gallup predicted, Dr. Gallup's percentage of error would have been only 1 percent. If he had received no votes at all he would have been only 1 percent wrong, which is remarkably twisted arithmetic.

This is a publicity guessing game. In addition to its prejudice of our elective process, I am concerned that so many publishers of great newspapers, at a time when world tension and national and international affairs compete for space on the printed pages to inform our people, large areas of printed space on the front pages of our daily newspapers are devoted to this worthlessness.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. GORE. I yield.

Mr. LONG of Louisiana. I believe one reason why the poll information could not be an accurate reflection of what the people are thinking is depicted in this example. Suppose we should try to find how many persons should be polled in a city the size of New Orleans in order to determine how an election would go. In a city of that size, about 600,000 people, a number of 1,000 would be an appropriate number to sample to see how the election was likely to go.

As the Senator from Tennessee well knows, this is a Nation of 180 million people. As the Senator has so well

pointed out, the same principle would be applied if one were to go into his State of Tennessee and ask a single person how that person expected to vote, and then proposed by that person's vote to guess how the people of three counties would vote on the basis of a single expression of opinion. Obviously the sample is much too thin.

Mr. GORE. That person whose opinion was sought might not even vote. He might never have been a voter.

Mr. LONG of Louisiana. The number sampled in that case is so very scant, as the Senator said, that it puts one in the position of participating in a guessing game.

In my hometown of Baton Rouge, La., I might very well sample perhaps 300 or 400 people and come up with a fairly accurate guess as to how the city or the parish would go, especially if a scientific sampling principle were used. But if I were to sample only a single person or two or three in that entire city, the chances are very slim that I would come up with an accurate guess.

Mr. GORE. The fact that political polls are accurate or inaccurate is not the important element to which I wish to call the attention of the Senate. It is not their accuracy or inaccuracy that urges me to take the time of the Senate to speak upon this subject. They have become political phenomena. The Gallup Poll has become a political event, largely, I believe, because so many newspapers give the poll such wide publicity.

Such polls interfere with our elective processes. Not only do they exercise an influence upon the voters, but we observe events such as occurred recently in connection with Governor Rockefeller of New York. I remember that a story was written after the Governors' conference in Puerto Rico, to the effect that Governor Rockefeller would determine whether he would enter the race for President upon the basis of his standings in the political polls.

When it comes to pass that the Governor of the largest State in our Union can base a major political decision as to whether he will seek the Presidency of the United States upon political polls, then I think it is time for the Senate and the Subcommittee on Privileges and Elections to take a look at political polls.

The danger is that they will be used to influence public opinion, rather than to reflect it. No pollster is held to task for any poll except his last one before election day, and some of them tend, as Dr. Gallup clearly did before the 1952 election, to crowd the middle. What of the interesting polls that are taken 3 months, 2 months, and 1 month before election day? There are many ways that they can be used, to which I will refer later.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. Of course, the Senator well knows that the important thing in public affairs is not what the people think before they have heard the arguments; the important thing is what they think after they have heard the arguments. It may very well be that when the public has not considered the issue they may think entirely different from the way they may feel after the issue has been discussed. People may have all sorts of misunderstanding about an issue, but when a candidate goes to the people and explains the issue, the people may agree with him, even though they may have been in disagreement with him on the issue before that.

Mr. GORE. I would rather risk the opinion of the junior Senator from Louisiana about the political attitude of the people of Louisiana than rely on a poll of 25 or 30 people, well or ill informed, selected at random, in the State of Louisiana. That is only a preface to saying that in all of my talks with my Democratic colleagues—and I have not talked to every one of them, but many of them—only one Democratic Senator has expressed in my hearing the view, either before the national conventions or since, that Vice President NIXON would run as strong a race in his State as Governor Rockefeller would run as the Republican nominee. That opinion is not reflected in the polls. If a real poll were taken, the story might be different.

Mr. LONG of Louisiana. Perhaps those Democratic Senators were speaking in terms of how the people thought they would vote after the issues had been presented, which no poll can show at this point.

Mr. GORE. Dr. Gallup is by no means the only pollster whose polls have been proven almost meaningless. Indeed, there have been many others. Just recently The Chattanooga News-Free Press in my State, conducted a statewide poll in the Democratic senatorial primary contest between my colleague, Senator ESTES KEFAUVER, and Judge Andrew Taylor. The final tabulation was 1,913 for Taylor and 1,687 for KEFAUVER, a 53 percent win by Taylor. But when the real poll was taken, Senator KEFAUVER won by 65 percent of the vote. I cite, too, the polls in the West Virginia presidential primary. Also the polls on the British election last year.

But despite all this evidence, the political poll and political pollsters are now to have their Rose Bowl game in the presidential election of 1960. Will their forecast be on the nose or will they again elect the wrong man? This is interesting speculation. But if the standing of a candidate in the public opinion polls has a psychological and political effect upon the voters or the candidates, as I regret may be the case, then it is a matter of importance which requires public attention. This is why I speak on the subject today.

Ever so often President Eisenhower says something with which I agree wholeheartedly. Such an instance occurred last Wednesday when someone asked the President about the most recent political poll. The President is reported to have said:

> No one should be pessimistic or discouraged by some straw in the wind and certainly he should not be complacent with another straw that seems to point favorably in his direction.

Although the popularity of the political poll has reached a high mark only in relatively recent years, formal political polling is by no means a product of the 20th century. Recognized as the first published American political poll was one conducted in 1824 by the Harrisburg Pennsylvanian at Wilmington, Del. In that poll, Andrew Jackson received almost twice as many votes as the ultimate presidential winner, John Quincy Adams.

The history of election polling can roughly be divided into three distinct periods. The era prior to 1936 has been well described as the "catch-as-catch-can" period and that subsequent to 1936 to about 1950 can be considered as the "quota" period. Since about 1950, we have had the "probability" period. Undoubtedly at any given time during any of these periods it has been thought that the methods employed at that particular time were the ultimate in polling technique. However, the occurrences of mispredictions have convinced the almost unconceivable pollsters that polling perfection was a long way off.

In the "catch-as-catch-can" period, responses were solicited haphazardly by mail, by clip-out ballots appearing in newspapers and magazines, some by personal interview, and by almost any other rapid manner which would add to the total number polled. Emphasis was on quantity. The period ended abruptly with the collapse of the Literary Digest poll. Earlier successes had given the Digest poll tremendous prestige as its predictions in three previous presidential campaigns had been successful. Of all the polls conducted in 1936, the one by the Literary Digest was easily the most widely known; now it is the most widely remembered. The Digest, we may recall, predicted a landslide victory for Alf Landon. Well, there was a landslide all right, only it was in the opposite direction than had been predicted. Franklin D. Roosevelt in that election received all but 8 of the 531 electoral votes. With this demonstration of polling inaccuracy, "finis" was written to the Literary Digest and the "catch-as-catch-can" period and to the political career of Mr. Landon.

The so-called quota sample, which gives the second period its title, was in wide use until a few years ago. A cross section of the adult population was laid out—so many college graduates, so many men under 30, so many women over 50, so many in high income brackets, and so forth.

Once the sample was drawn up, the interviewers would have the task of finding the required number of people in each category for interview. This method placed much discretion in the hands of the interviewers and it relied on uncertain predetermined population categories. The biggest reversal in the quota period was the victory of President Truman in 1948, when the Gallup poll and others predicted firmly that the next President of the United States would be Thomas E. Dewey. A letter which I received from Dr. Gallup and which I inserted earlier in the CONGRESSIONAL RECORD, stated:

> A whole book was written on the 1948 election, based upon the post mortem conducted by the Social Research Council. Chiefly the error was due to the failure to poll up to the end of the election.

Dr. Gallup says further that his final election survey in 1948 was completed on October 15, only about 3 weeks before the election. He indicates that the lesson he and others learned from the 1948 election was the importance of taking polls right up to the time of the election. Presuming Dr. Gallup's chief reason for the failure of the 1948 polls is fully justified, this leads me to inquire:

Following this line of reasoning, how can Dr. Gallup claim any accurate predictive value in presidential popularity polls taken months before an election, if Dr. Gallup dismisses as unreliable a poll which is completed just 3 weeks before an election?

In recent years, especially since the Truman victory, pollsters have turned from the quota method to the so-called probability sample or a modified version thereof and we are now in the "probability period." The probability sample reportedly is obtained by a technical and complex method whose announced objective is to give every adult in the United States an equal chance to be polled. If for example, one resides in the second house from the corner facing north, there is a slim possibility that one would be included in some sampling unit.

Today, then, political polling is in the "probability period." Twelve years ago, in 1948, a gross misguess by most so-called scientific guessers led to the end of the quota period. Twelve years earlier, in 1936, the "catch-as-catch-can" period ended abruptly with a major polling setback. Whether or not this 12-year progression will continue in 1960 remains to be seen.

I doubt that it would, because some pollsters have learned one lesson. They crowd the center near election day and use fuzzy language to avoid being stuck with gross *mis*predictions.

From a small beginning in 1824, political polling has expanded, as I have said, until today more than 30 firms are engaged in the public-opinion business. In addition to the type of polling done by Dr. Gallup, Mr. Elmo Roper, and a few others, today much of the polling is private opinion-taking done under contract for individuals. An outstanding feature of the private poll, as opposed to a newspaper survey, is that the candidate who contracts for it is free to make public any favorable finding and, at the same time, suppress any unfavorable findings.

Now I should like to discusss some of the salient points respecting polls and polling technique.

SIZE OF SAMPLE

Dr. Gallup has a sample poll of 1,500. Mr. Elmo Roper has a sample of 3,000. Other pollsters have more, some less. Dr. Gallup and other pollsters contend that the size of the sample is far less important in achieving reliable and valid results than several other factors. I concede there may be some truth in this statement, particularly since I have considerable misgivings about some of the other factors connected with political polling, to which I shall later refer. Still I feel the size of the sample merits close scrutiny. As a layman, I would question that a straw poll of less than 1 percent of the people could under any reasonable circumstances be regarded as a fair and meaningful cross section test. This would be something more than 500 times as large a sample as Dr. Gallup takes.

In 1944 a committee of the House of Representatives, headed by the then Representative and now the junior Senator from New Mexico, CLINTON P. ANDERSON, conducted a study of political polls. The committee appointed a technical committee to examine the data and statements submitted by Dr. Gallup. The committee was composed of representatives from the Bureau of the Budget, the Bureau of the Census, and the Bureau of Agricultural Economics, which, of course, engage in considerable statistical analyses. Upon examination of Dr. Gallup's testimony and statistics, the technical committee stated in its report:

> The size of the samples used for many of the States was not large enough, even if properly drawn, to insure reliable individual State estimates based solely on polls of the voting population. The use of a size of sample adequate to insure reliable results for individual States might have involved more expense than the Gallup organization could afford.

Mr. President, this was in 1944. I recognize that, especially because of the historic 1948 miscalculation, polling organizations have made some alterations in their polling methods. I believe, though, that the committee very properly questioned the adequacy of the sample size in 1944. I would still question it today.

SAMPLE SELECTION

Tied in closely with sample size is the selection of the sample itself. I referred to the composition of the sampling unit earlier in tracing the history of political polling. There is widespread agreement that no accuracy whatsoever can be claimed if, from the very beginning, the subjects polled are not truly representative of the entire area polled. Are the middle-aged South Georgia farmer, the young Oklahoma oilman, the New York career woman, and myriad other such groups and classes adequately represented in such a small sampling unit? They should be if the sample selected is to be an accurate mirror of the area polled. Is this usually the case? It deserves looking into.

MAKEUP OF POLLING BALLOT

It is apparent that polling organizations exercise their own judgment in determining who should be considered a political candidate. We are told, in addition to announced candidates, names are suggested by political writers and county political chairmen. Mr. Kenneth Fink, director of the Princeton Research Service, has written me:

> I, too, have been disturbed by the fact that the United States has no real national presidential primaries. As a result, the polls, including our own—willy nilly—are in the position of practically determining who the presidential candidates for the two major political parties are to be.

At times the exercise of judgment by the pollster in the selection of names for his polling card may be extremely poor. On occasion the name of a person who in no way expects to be, and cannot logically be, a candidate appears on the polling card. Any votes such a person receives, merely out of familiarity with the name, would detract from the totals of other actual or truly potential candidates, and the results would thus be distorted.

It is generally recognized that the positioning of a key question or a series of questions in itself can make an important difference. Although political polling does not deal primarily with a key question or a series of questions, the positioning of names on the polling ballot is deserving of close study. Is there an advantage given to the name listed first or last? Marketing authorities advise that the first glance in merchandising is of the utmost importance. Does the same hold true for political polling?

FAMILIARITY WITH POPULAR NAME

In response to my question whether political polling is a reflection of familiarity with a name or names, Mr. Roper replied:

> It is certainly much more a reflection of a familiarity with names than anything else—until after the campaign itself has started.

In an experimental poll recently conducted in Washington by members of my staff, we exercised the same privilege which pollsters do. We picked our own candidates and placed them on the ballot card in the order we desired. In addition to the names of more likely candidates, we included two possible but certainly not probable candidates with popular family names, John D. Eisenhower and Franklin D. Roosevelt, Jr. As I reported to the Senate in an earlier address, the attraction of these two well-known names drew either first- or second-place support from 25 percent of the Washingtonians indicating Democratic leanings, on the Democratic ticket.

INTERVIEWERS

Most organized political polling is now done by personal contact. Unrepresentative balloting by mail was held to have been partially responsible for the gross error in the Literary Digest poll in 1936. When a system of interviewers is utilized, there exists the question of objectivity. There is always the possibility that the actions or comments of the interviewers, however slight or unintended they may be, or however intentional they may be, will have an influential effect upon the person being interviewed. Some polling organizations claim to have highly trained and skilled interviewers, and this I do not question.

Referring once more to the investigation of the 1944 political polls, the House technical committee, referring to the 1944 Gallup poll, reported:

> Partly as a result of manpower shortages and to maintain low costs, the 1944 election poll was conducted by relatively untrained enumerators with relatively little supervision in the field. Better training and closer field supervision would undoubtedly improve the reliability of the results obtained and would be important factors in assuring that sampling instructions are scrupulously followed, that a representative cross section of voters is interviewed, and that errors in response are minimized.

Perhaps the Gallup organization has improved. Dr. Gallup, however, recognizes that this is as a legitimate criticism.

ESTABLISHMENT OF INTENT OF VOTING

Another pitfall is the fact that the pollster may be able to find out how the voter says he will vote, but cannot determine accurately whether he is really going to vote. A national poll theoretically samples the opinion of the entire qualified adult populace, but not everyone bothers to vote. Many times a series of questions is used in an effort to determine just who is going to vote. But according to Mr. Roper:

Many more people claim they are going to vote than actually do vote. In fact, this is one of the chief problems we face, and we have a rather elaborate battery of questions out of which we hope to gain a fairly accurate impression of who is likely to vote and who is likely not to vote, even though they contend vigorously they will.

In addition to the problem of establishing the intent of voting, the qualification for voting must also be considered. The inclusion of those not qualified or those having no intention of voting would, of course, increase the possibility of error.

HANDLING THE UNDECIDED VOTE

There undoubtedly has never been a time when every person polled had his mind made up as to who his favorite candidate is. We had such an experience in the experimental poll conducted in Washington. It is the undecided vote and how to handle it in the tabulations that poses a major problem for all pollsters. Once more the element of judgment on the part of the pollster enters in deciding how to handle the undecided responses. It is the view of many that the silent vote swung last year's British elections, in which most polls failed to predict the decisiveness of the sweeping Conservative victory. A normal method is to split the undecided vote according to the percentages of the decided vote in the poll. This method, however, has been seriously questioned on the ground that the undecided people are in many ways unique and their mental processes differ from those with strong party or candidate affiliation. There is, therefore, no reason to assume that they will make up their minds and split their votes in the same way as do the "decided" voters. A few percentage points off either way in the tabulation could make a substantial difference in the predicted outcome, as Mr. Joseph Alsop reported in his article which was published this morning in the Washington Post.

Mr. President, I have referred specifically to seven problem areas confronting the pollster, problems which make precise predictions impracticable and render political polling scarcely more than an informed guessing game. There are other related problems, which I shall not take time now to discuss, which, when coupled with one or several of these seven, or even occurring alone, have the potential to throw an otherwise valid poll off considerably.

Even if the pollsters could come up with a valid poll, we cannot escape the possibility that political polls may be subject to manipulation and misuse. Mr. Roper, in speaking of the political poll, has told me:

I feel the tool with which we're working is a potentially very valuable one, but like many other thoughtful people, I have misgivings about its possible misuse.

I certainly concur in that statement.

I go back once more to the 1944 investigation. Dr. Gallup has said that—

From the Gallup Poll started in 1935, we have always regarded ourselves as fact-finders—or, in a sense, as score keepers.

In spite of this statement, however, it appears that upon occasion Dr. Gallup, and possibly other pollsters, has exceeded the "factfinders" limit in reporting the poll results. At one point during the 1944 presidential campaign, Dr. Gallup subtracted 2 percentage points from the Democratic Party total for what he said was an anticipated low turnout. On this point, I refer again to the report of the House Technical Committee:

The manner of handling the adjustment of anticipated low election turn-out, which resulted in a 2-percentage-point subtraction from the estimated Democratic vote as reported in the actual canvass of the voting population for the three polls published prior to October 27, is subject to criticism. While it is at least debatable whether or not such subtraction was justified in the publication of the early polls, the publication of the estimates, without specific mention of the character and magnitude of the subtraction, may be questioned. This is particularly true, inasmuch as turn-out adjustment had such an important effect in the early Gallup predictions for the 1944 election. Moreover, the adjustments were made on a rough appraisal basis rather than on any basis of precise quantitative measurement, and the same percentage was applied uniformly to the States without regard to local variations.

Mr. President, such unpublicized weighting of averages and the taking into consideration of geographical and other factors was referred to by Mr. Joseph Alsop, in his article which was published today in the Washington Post. I ask unanimous consent that the article be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. Moss in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. GORE. Mr. President, it is my hope that some curiosity—and, indeed, some concern—has been aroused about political polling procedure, and especially about some of the pitfalls and some of the dangers to our democratic system that I have mentioned. I submit, however, that concern is of no significance unless the published results of political polls have an influential effect in our election processes or upon our leaders. From my study, I have concluded that polls do, in fact, have an influence which is entirely unjustified.

Most pollsters firmly maintain that there is little evidence that published results of their polls even weeks or months before an election have a "bandwagon" effect, pulling voters to the candidate which polls show is in the lead. They point to the miscalculated 1948 campaign, and state that if the desire to be with the winner had operated, Dewey would have won by the greatest majority of the century. Reasoning, however, does not permit dropping from our consideration the "band wagon" possibility. The operation of the "bandwagon" effect does not necessarily have to lead to an out-and-out victory for the candidate whom polls erroneously predict is in the lead.

Mr. CARLSON. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. CARLSON. The Senator from Tennessee has clarified a point I was going to make. He stressed the fact that the polls might influence the voters. But certainly that was not proven to be the case in the 1948 election.

Mr. GORE. It was not proven that the polls were decisive in their effect, Mr. President. Nevertheless, I would not want to dismiss as inconsequential the influence of the polls.

It is true that, despite the fact that all the polls showed that Governor Dewey would be elected, Mr. Truman won. But it does not necessarily follow that the polls had no influence.

Polls may have a very great influence months ahead of a political campaign. They may discourage campaign contributors. They may affect morale of campaign workers. They may influence local political leaders who wish to be with the winner to make an alinement, which they may maintain through the campaign.

The influence of polls in the early stages of the campaign may be more effective than very near the end of the campaign, when some pollsters crowd the middle line in order to protect themselves, as I have said.

There is reason to believe that, especially in the case of early polls, when the minds of many voters have not been made up, published results of polls do exert an influence. Even if such an influence amounts to only 1 percent, the damage to our election processes has been done. That might be the margin between victory and defeat of a good man.

The danger is that polls will be used to influence public opinion rather than reflect it. To the extent that the public considers the polls seriously meaningful, this danger is magnified.

Samuel Grafton, in a recent article in the New York Times magazine, writes:

The poll itself becomes a political event, interfering with the thing observed. It may set up a bandwagon effect, by giving one candidate an overwhelming early lead; no bandwagon effects are set up for upholstery. Or a negative bandwagon effect may be created, by frightening off other potential candidates, leaving them without the will, perhaps without the funds, to fight. Or a useful debate may be blocked, in the course of which the voter's thoughts might have become clarified, and the shape of his political longing might have become manifest to himself.

With respect to the reverse bandwagon situation, I again quote Mr. Roper:

We have conducted no polls during 1959, and this is a matter of principle with us. I have always felt that the publishing of the

fact that some really good man was far down on the list in the public's esteem might have nipped some very promising candidacies in the bud, and the one thing I don't want this measuring rod to do is to influence the thing it is intended to measure.

Mr. President, I have raised a number of questions today about political polling. I have studied this subject carefully and have arrived at certain conclusions. I hasten to concede, though, that I do not have all the answers, but I do know that our important election processes are involved and there is reason to be concerned. I am in full agreement with Dr. Gallup, who in his book, "The Pulse of Democracy," wrote:

> The public is entitled to know all the facts about the polls of public opinion. The people should be informed of the nature of the sponsorship of various polls, and should know where the money for the polls comes from. They are entitled to know the methods used, the number of people in the sample, the method of collecting the ballots, and the margins of error within which the published figures are interpreted.

And, I add: "the influence which polls have upon voters."

Mr. President, the role played by the political poll is large and is ever increasing. Its influence is not to be desired in our democratic election processes. The matter of political polling procedures and influence is, I believe, one for the attention of the Senate Subcommittee on Privileges and Elections. As chairman of that subcommittee in 1956, an extensive study of political financing brought to the attention of the American public the influence that the dollar has in elections. Partly as a result of this investigation, the Senate earlier this session passed a "clean elections bill" which should do much, if enacted, to deter vested interests from wielding too much influence with the pocketbooks in elections.

Now we are faced, I believe, with another election influence—the published results of the premature political polls and the possibility of manipulated polls. I am not sure what the proper course of action should be, but I submit that this is an appropriate area for the attention and study of the Privileges and Elections Subcommittee.

Mr. President, I am delighted that the distinguished Chairman of the subcommittee is present on the floor. He has done me the honor of following carefully my address. The distinguished senior Senator from Rhode Island [Mr. GREEN] is now chairman of the subcommittee. I hope he will give attention to this subject. I hope also that the study of political campaign contributions and campaign expenditures which the subcommittee, under my chairmanship, made 4 years ago will be continued this year.

We have heard some charges about money in the campaign. Let the public know. The public is entitled to know. Let the subcommittee of the U.S. Senate which has the legal and constitutional jurisdiction require that candidates and their supporters "lay it on the line" in black and white. Let us know where the money came from, and who gave it, who got it, and what they did with it.

Mr. GREEN. Mr. President, I am sure those of our colleagues who have been here during the address which we have just heard are greatly interested. Anyone who is interested in the outcome of an election must be interested in how elections are to be conducted in the future and how to benefit, if we can, by errors which have been shown to exist in the past.

I had hoped that the very interesting paper which we have just been listening to might end with a proposed solution of the problem which has been so well stated. I am sorry to say that resolution remains to be found, if it is capable of a finding.

I can assure my colleague that the subcommittee to which he has referred, the Subcommittee on Privileges and Elections, will give consideration to this matter, especially as it is proposed by a former chairman of that committee.

I myself feel left up in the air, as I think my colleague, who gave this interesting address on the subject, has apparently been left in the air, as to what solution can be found for the evil which we agree is a growing one. But that does not mean a solution should not be undertaken, and I can assure him this matter will be brought to the attention of the committee and an earnest effort will be made to find a solution.

In the meantime I trust any Member of this august body who is interested in this subject—and I think every one of them is probably interested, if not from public motives, from selfish motives—will help us find a solution nationally, if possible.

At any rate, the subject has been presented in very clear form, and I am sure will have the attention of all our colleagues, whether or not they are members of the subcommittee which has this matter in charge.

Mr. GORE. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. GORE. I am most grateful for the generous comments, the response, and the promise of consideration given by the distinguished and able senior Senator from Rhode Island. I hope the subcommittee under the leadership of the distinguished Senator will also consider an inquiry into campaign contributions and expenditures.

The report of the subcommittee of 4 years ago is out of print, but it is in great demand. Almost daily now teachers, reporters, students—many people—call my office and call the office of the committee headed by the able Senator desiring copies of that report. The report is now 4 years old.

I hope the subcommittee will undertake a similar study of campaign contributions, expenditures, and finances, including how much money is spent on radio, television, billboards, newspaper ads, and the various categories. We cataloged expenditures of $33 million 4 years ago. We did not claim to have cataloged all of it.

If I may say so, I think this study was a significant study. I urge the able Senator to consider such an activity on the part of his committee at this time.

Mr. GREEN. I assure my distinguished colleague I shall bring this matter to the attention of the committee. I know the committee members will be very grateful to think they have been given something to do in these last days of the session. Whether we can reach a solution which will really solve the problem is another question. It is a matter which should be gone into, I agree entirely with my colleague. I shall do my best to see it is gone into to the extent the limited time available to us before the campaign permits.

EXHIBIT 1

[From the Washington Post, Aug. 22, 1960]

WHAT GALLUP LEFT OUT

(By Joseph Alsop)

In the newspaper trade, it is usually considered bad form for one wretched scribbler to make remarks about the work of another. Yet an exception seems to be justified in the case of the inquiring Dr. George Gallup's important first poll after the national conventions. What is left out needs to be put back in.

The political community was both excited and amazed by this poll, showing 50 percent of the "decided" pollees choosing Vice President RICHARD M. NIXON, 44 percent of the "decided" choosing Senator JOHN F. KENNEDY, and 6 percent of the pollees undecided. NIXON's lead caused the excitement. The almost incredibly low percentage of undecided voters caused the amazement.

But the voters so positively described as "decided" by Dr. Gallup were by no means unanimously decided in the true sense of that word. In the total sample, 6 percent of the pollees specifically stated they were undecided about their votes, but later admitted or indicated that they were leaning to one candidate or another. These "leaners"—a familiar phenomenon to every doorbell ringer—were somewhat oddly lumped in with the truly "decided" in the published poll.

According to Paul Perry, chief statistician of the Gallup organization, this undisclosed disposition of the "leaners" benefited the Democrats. He said that the Kennedy-Johnson ticket got "approximately 54 percent of all the leaners."

The Democrats rather conspicuously failed to benefit, however, by two other unseen dispositions made by Dr. Gallup and his staff. The first and most remarkable was the simple cancellation of about 20 percent of all the ballots collected by Dr. Gallup's field workers.

Apparently this winnowing of goats from sheep is standard Gallup practice. Suspected nonvoters are spotted by such indicators as failure to vote last time, failure to register thus far, and so on. The suspects' ballots are then thrown out of the sample—which is the other half of the secret of Dr. Gallup's amazingly low percentage of undecided voters.

Statistician Perry stated that he "did not have" the actual split of the suspects thrown out of the recently published poll; but he added that the discarded ballots were "regularly more Democratic." In addition, important numbers of Democratic votes were apparently lightweighted by Dr. Gallup's special system of synthesizing his national percentage figures.

Like the throwout of suspected nonvoters, this synthetic character of Dr. Gallup's published national percentages may well be known to sociologists and other students. Statistician Perry made no bones about it, when questioned. But it is certainly unknown in the political community, where the Gallup results are therefore misunderstood.

Briefly, then, every Gallup poll is divided into four regions: eastern, midwestern, southern, and western. Voting habits in the regions differ. The aim is to forecast, not the victor in the election, but the popular vote. Thus the polling samples from each region are given a weight, proportional to that region's contribution to the popular vote in 1956. The national averages are then synthesized from the weighted samples.

The region that suffers from this system is the South, where the popular vote is always low in national elections. The 13 States in Dr. Gallup's southern region have just under a quarter of the population of the United States. More important, they have 27.2 percent of the electoral college votes, which decide the presidential choice. But in Dr. Gallup's percentage synthesis, the 1956 yardstick gave the South a weight of only 16.6 percent. Thus every southerner in Dr. Gallup's recent sample got only about three-fifths of a vote in the final count.

Although Dr. Gallup frequently publishes regional breakdowns, he is not doing so this time. Hence statistician Perry refused to disclose the split of the latest southern sample. Rather hesitantly, he merely said that the Republicans were doing better in the South than they have done in the past, "except in 1928, 1952 and 1956"—which were the only years when the Republicans got to first base in the South.

It seems likely, therefore, that the Gallup sample from the southern region showed a small but significant Democratic majority, which was then downgraded by the "weighting" system. Add the probable Democratic majority among the thrownout ballots of suspected nonvoters. It then seems a fair bet that the Democrats actually had a modest overall majority in Dr. Gallup's unprocessed ballots.

A handful of votes would produce such a majority, because of the narrow base of Dr. Gallup's famous percentages. In the last poll, the nationwide sample was about 1,600 ballots. About 20 percent were thrown out, and the final sample was under 1,300 ballots. A single Gallup percentage point would, therefore, represent not more than 13 votes. And the mere transfer of 39 votes either way would have altered Dr. Gallup's nationwide percentages, to show KENNEDY running dead-even with NIXON, or to show NIXON leading KENNEDY 53 to 41.

All this is not intended to suggest that Dr. Gallup has been cooking his poll. He has not been doing anything of the sort. Yet the facts have to be faced that this poll has become a fairly major, extralegal institution of American politics. For this reason such things as unannounced transformations of "leaners" into "decideds" do not serve the public interest.

Dr. Gallup's industrial and commercial clients may be best served by facts carefully processed and homogenized in the undoubtedly expert Gallup manner, but the public interest demands something more when Dr. Gallup puts on his political-institutional hat. In this role, Dr. Gallup ought also to provide all the unprocessed facts. Indeed, he might start this time.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUGGESTED AMENDMENT OF SENATE RULES

Mr. CLARK. Mr. President, I rise to speak for a few minutes on a nongermane subject, which does not happen to be connected with my proposed rule for germaneness, but does have to do with a further amendment of the Senate rules. I return to the question of the ways in which the present session of the Senate has indicated the need for changes and amendments of the Senate rules, and I shall discuss briefly the session of Wednesday, August 17, 1960.

During that day the Senate convened at 10 a.m., and recessed at 8:29 p.m., a session of about 10½ hours. During that period, exclusive of quorum calls, votes, and so forth, the Senate devoted, determined in accordance with the method which I described when I first began to discuss the subject of Senate business, 543 minutes of total spoken time, slightly less than 10 hours—about 9½ hours. Of that time 5 hours were spent on germane business, that is, on the Fair Labor Standards Act; so during that day the Senate devoted only 55 percent of its time to the pending business.

However, before the Senate adjourned a unanimous-consent agreement was entered into, and as a result, on the following day, Thursday, the Fair Labor Standards Act and all amendments were disposed of expeditiously.

That action illustrates again the position that I have stated several times previously, to the effect that the only way the Senate is really able to legislate effectively is under unanimous-consent agreements. When we do not get such unanimous-consent agreements, we do not often legislate. Any one Senator can prevent a unanimous-consent agreement from coming into effect. I point out again that next January it may be very difficult indeed to get a unanimous-consent agreement, and I suggest, therefore, that the Senate rules should be changed to make it possible for the conduct of business to move forward expeditiously.

On Friday the Senate had a similar experience. We relaxed a little, and had a morning hour for a change, but for various reasons, with which Senators are familiar, there was no 3-minute rule, and quite a long time was spent on the morning hour.

Then the lead and zinc bill was called up and it became very clear early in the day that if we were to pass that bill, we would require a unanimous-consent agreement. Again we got one, and passed the bill expeditiously.

Then we discussed a variety of other matters, and finally the majority leader and the chairman of the Foreign Relations Committee were able to get two additional informal unanimous-consent agreements, and we proceeded, with very little debate indeed, to pass very important legislation dealing with the subject of loans to Latin America, and additional authority to the President in connection with additional possible loans to the Congo. In these instances agreement to limit debate was implied; not expressed by formal agreement.

On Saturday there was a desultory discussion of what is now the pending business. An announcement was made that there would not be any votes. Therefore, Saturday is hardly a very good example of whether or not we need a change in the Senate rules, because it is important from time to time to set some time aside for Senators to talk about anything they wish to speak about. I certainly have no objection to that procedure. It is always difficult to get a quorum to vote on any question on Saturday. In fact, the RECORD of last Saturday makes it clear that a quorum was not present. Word went out that there would be no votes, and a quorum call had to be suspended; otherwise the Senate would have had to adjourn, because a quorum could not be obtained.

Therefore I conclude on this subject with the suggestion that last week is a pretty good indication again that we need pretty drastic changes in the Senate rules if we are to legislate effectively in the Senate next year.

AMENDMENT OF STANDING RULES RELATING TO DEBATE

Mr. CLARK. Mr. President, I submit for appropriate referral a resolution embodying another suggested change in the Senate rules, and ask unanimous consent that it may lie on the table until the close of business on Wednesday for additional sponsors, if any of my colleagues desire to join me in this effort.

Mr. LONG of Louisiana. Mr. President, reserving the right to object, I should like to ask the Senator to repeat his request.

Mr. CLARK. I submit a resolution to change the Senate rules so as to make it possible for any Senator to have printed in the RECORD in full type a speech, whether he delivers it or not, which I think would save the Senate countless hours of wasted time.

Mr. LONG of Louisiana. Mr. President, I could not agree with the Senator more that that would be a desirable change in the rules. I thank him for his effort.

Mr. CLARK. I thank my friend.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution will lie on the desk, as requested by the Senator from Pennsylvania.

The resolution (S. Res. 367) was referred to the Committee on Rules and Administration, as follows:

Resolved, That paragraph No. 1 of rule XIX of the Standing Rules of the Senate (relating to debate) is amended by adding at the end thereof the following new sentence: "Upon the request of any Senator who has been recognized, his remarks upon any subject may be delivered in writing, and if so delivered shall be printed in the CONGRESSIONAL RECORD in the same manner as if those remarks had been delivered orally."

SEC. 2. Senate Resolution 121, 80th Congress, 1st session, agreed to July 23, 1947, is repealed.

Mr. CLARK. I suggest that a rule which requires Senators to read each

and every word of his speech to sometimes nearly an empty Chamber in order to have his remarks appear in normal size print in the CONGRESSIONAL RECORD wastes an inordinate amount of time.

The adoption of a rule that speeches may be printed in the RECORD whether delivered in full or not, will make it possible for Senators to get their remarks to the press and in the RECORD without taking the time of the Senate to read them—valuable time which could be devoted more profitably to many other purposes.

It is interesting to note that many a Senator, including this one, has taken advantage of an informal custom by which a long speech is placed in its entirety in the RECORD in normal type although only the first and last lines are read. Some Senators are not willing to engage in this harmless subterfuge. Would it not be better to adopt the suggested rule and avoid this hypocrisy? Surely no one can seriously contend that the reading of a long speech to an empty Chamber is an appropriate part of either the legislative process or of valid senatorial debate.

Without any invidious suggestion with respect to any one of my colleagues, those present in the Senate Chamber will remember an occasion last Friday afternoon when one of our colleagues read a very long speech for quite a long while, which resulted in delay in the passage of the mutual security authorization bill. He was entirely within his rights. I do not blame him at all. But I suggest that if the proposed rule were in effect, that kind of practice would be unnecessary.

I believe all Senators, and many others who perhaps will later read these words, will recall that in theory, if a Senator does not make his speech in full, the part that he has not actually spoken in the Senate Chamber appears in small print. Of course, no Senator wishes to see his deathless prose appear in any smaller print than is absolutely necessary under any circumstances.

The House does this in a little different way, under permission to extend remarks. Then the remarks of the Member are printed in such big type that even those who, like myself, must wear bifocal glasses, can nonetheless read what is printed. If we were to adopt the rules of the House in that regard we would undoubtedly save a great deal of time in the Senate.

This is the third suggested change in the rules which I believe would be desirable to adopt come next January. The other two which I have already suggested had to do with germane debate and with permission for Senate committees to sit without the necessity of obtaining unanimous consent for that purpose while the Senate is in session. I will have more changes in rules to propose during the rest of the week.

Mr. President, I obtained the floor because it is my understanding that no one is anxious to vote on the Anderson amendment, which is the pending amendment. Therefore it is desirable to mark time for a while. I had a little deathless prose to contribute on the pending business, but if anyone else wishes to take the floor, I will yield now, and regain the floor later.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. MAGNUSON. I believe the Senator should qualify his statement about nobody being ready to vote. I believe a great many of us are ready to vote. Maybe a majority of the Senate is not ready to vote. I am ready.

Mr. CLARK. I will have to interrupt the Senator to say that I accept the amendment of my friend from Washington. He is quite right. He is ready to vote. I am ready to vote. The Senator from Louisiana [Mr. LONG] is ready to vote. I am sure the Senator from Idaho [Mr. CHURCH] and the Senator from Texas [Mr. YARBOROUGH] also are ready to vote. If the bells were to ring, I am sure a great many other Senators would say they were ready to vote.

Mr. CARLSON. I am ready to vote, too.

Mr. CLARK. The Senator from Kansas is also ready to vote, as I am sure is also the Senator from Virginia [Mr. BYRD].

Mr. BYRD of Virginia. Yes.

Mr. MAGNUSON. I am quite interested in the observations the Senator has made. I have always felt that the absence of a rule of germaneness in the rules of the Senate is one of the reasons for a great deal of delay on the floor of the Senate.

The Senate committees transact their business with fair dispatch, but the situation on the floor of the Senate is quite different. I believe that has been more apparent during the last 2 weeks, when we have had so many visitors in the galleries. It is a little difficult for them to understand why there are not more Senators on the floor. I know the Senator from Pennsylvania and I have had to explain on many occasions that the committees are meeting and that there is a great deal of work that is being done in the committees, and that the floor situation is not at all indicative of the work of the Senate. I believe that a rule of germaneness would focus attention on that point.

I would also suggest to the Senator that there are other than the specific rules he mentions which would bear some examination. I have said in the Senate for many years that probably we should also hold a legislative session of Congress and a fiscal session of Congress. We should change our fiscal year to correspond with the economic fiscal year.

Mr. CLARK. With the calendar year.

Mr. MAGNUSON. With the calendar year; yes. We should meet in fiscal session after we have authorized expenditures and appropriations, so that we could bring matters into proper perspective. I do not know of any other parliamentary body in the world which does not have such an arrangement. It would give us much better perspective in our fiscal programs. We would not be legislating on the floor and meeting in committee, and authorizing expenditures with the right hand sometimes not knowing what the left hand is doing by way of appropriations.

I thoroughly agree with the Senator, even though many of the rules of the Senate have been tried and tested over the years and we sometimes get provoked and irritated by some of them. Nevertheless, long experience has proven that they do work well in the Senate.

We all realize that changing times require changes in the rules. In committee we can transact business with great dispatch, but that is not the case on the floor of the Senate. I believe that the committees fulfill their functions well. The Senator from Washington and the Senator from Louisiana and I have sat in committees where we have not been hindered by the rules of the committee as we are on the floor of the Senate. We should make changes in the rules. I commend the Senator for making his suggestions.

Mr. CLARK. I thank the Senator for his helpful comments. We have discussed together in the past, as he says, changing the timing of the Senate and House sessions, so that we could take care of the fiscal business of the country and get it done after we have passed authorizing legislation. I am sure such a procedure would save many hours and many legislative days.

I ask the Senator if it is not true that this change could be effected by a resolution adopted by Congress by a majority vote.

Mr. MAGNUSON. Yes.

Mr. CLARK. I hope very much that the matter will be given careful consideration by the leadership of the House and the Senate.

I should like to make one further comment about what the Senator has stated. He has a reputation in the Senate, as Chairman of the Committee on Interstate and Foreign Commerce, of getting things done in his committee. Business is transacted expeditiously. The committee is not always in accord and a minority may feel differently from the majority, but the business is handled quickly. I point out, though, that even in his committee, in connection with the Strauss nomination last year, there were interminable hearings, which went on and on and on, far beyond the time necessary to establish the basic facts. There are certain other committees, on which I serve, in which the rules of the Senate are used for the purpose of delay, so that a vote cannot be taken on an important pending matter, because as soon as the bell rings for the Senate to come into session the point is made that we are meeting irregularly and without authority. That means that the Senate sometimes has to meet late so that a committee can finish its business. If that is not done, the committee cannot finish its business. There are some committees—not any for which my friend from Washington is responsible—where there should be some change made in connection with committee meetings.

DR. J. A. HILL, PRESIDENT EMERITUS OF WEST TEXAS STATE COLLEGE, OPPOSES COLLEGE TUITION INCREASES

Mr. YARBOROUGH. Mr. President, one of Texas' most distinguished and be-

loved educators, Dr. J. A. Hill, president emeritus of West Texas State College, recently warned that hiking tuition "would unquestionably close the door to thousands of Texas' most capable and worthy young people."

I am happy to say a word on this subject while the distinguished Senator from Pennsylvania [Mr. CLARK] is on the floor, because yesterday I received from him a copy of Sir Percy Snow's Rede lectures on higher education in England, Russia, and America, setting forth the shortcomings found in those three countries. It was pointed out in the fourth of these lectures that the number of engineering and scientific students being educated in the United States and in England together are approximately half the number of engineering students who are being educated in institutions of higher learning in the Soviet Union.

Proposals are usually made in my State, and in most other States, to raise tutition fees in State-supported schools in order to finance higher education.

At the turn of the century about 30 percent of our students obtained their higher education in institutions of higher learning supported by the States. Now 60 percent of the students in America go to State-supported institutions, and the percentage is increasing.

The Dallas Times Herald, one of the four or five of the large newspapers in my State, in support of Dr. Hill's position, observed:

> Raising the financial barrier between Texas youths and advanced education would, indeed, be ill advised. The State government's financial difficulties should be solved another way. Texas and all other States need to be educating a higher percentage of their young people, not a lower one.

This is a commendable development, because in the past many of the large newspapers in our State have always recommended raising tuition fees every time they needed more money to support institutions of higher learning.

The distinguished occupant of the chair [Mr. Moss] will recall that when he appeared before the Subcommittee on Education of the Committee on Labor and Public Welfare, it was developed that in Utah 64 percent of all the young people between the ages of 18 and 21 are attending institutions of higher learning. That is the highest percentage in the United States. In my home State, the percentage is about 31 percent, which, I believe, is somewhat similar to the percentage in the State of Pennsylvania.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I am glad to yield.

Mr. CLARK. Does the Senator from Texas not agree with me that the percentage of high school graduates going on to college from both Texas and Pennsylvania is far lower than the best interests of our States require?

Mr. YARBOROUGH. It is far lower. The States are close together in percentages, and I think that in each State the percentage of high school graduates who will go on to college should be doubled.

Mr. CLARK. Does the Senator from Texas not agree with me that one reason why young people in both Pennsylvania and Texas are not going on to college in the numbers we think advisable is financial restrictions?

Mr. YARBOROUGH. I could not agree more thoroughly with the Senator from Pennsylvania. Not only is it one reason, but the overwhelming reason is the lack of financial resources to enable the young people to go to college. Some say it is lack of motivation, lack of ambition, lack of drive and direction. Mr. President, the American people realize now that education is the golden key to the opportunity which unlocks the door to the goal of a fuller life, but oftimes through illness, impaired earning capacity, or the unfortunate passing away of the wageearner of the family, children are left orphans and are not able to go on to higher education. Lack of money to enable them to go further is the overwhelming reason why the top half of youngsters who graduate from high school are unable to go on to college. The financial difficulties of their families make it impossible.

Mr. CLARK. The Senator from Texas will be interested, I feel sure, to know that Gov. David Lawrence, of Pennsylvania, has appointed a Commission on Pennsylvania Education, on which I have the honor to serve. One of the branches of our inquiry has to do with higher education in Pennsylvania. I am a member of the task force which is dealing with that subject. We shall have a meeting later this week at which I hope we will adopt a rule which is being recommended by the very able staff of our task force. It will be that there should be no further increases in tuition in any institution of higher learning in Pennsylvania which gets any part of its support from the Commonwealth of Pennsylvania. I believe that will be a sound rule. I wonder if the Senator from Texas will agree.

Mr. YARBOROUGH. I agree. I think it is one of the most forward-looking recommendations concerning institutions of higher education that I have heard of in years. Over and over, across the country, we know there has been tuition increase after tuition increase in institutions of higher learning, whether they be State supported, church oriented, or purely private institutions.

In the last 8 years alone, the average tuition increase in colleges in the United States has been 72 percent across the board. Going back a little further, since World War II ended, the increase in tuition has been about 100 percent. Considering those increases, families having two, three, four, or five children of college age are finding it increasingly difficult to send the children to college.

I think that if the recommendation outlined by the distinguished Senator from Pennsylvania is adopted by the State of Pennsylvania, not only will it have a terrific impact in Pennsylvania, but the impact will be felt across the country, because Pennsylvania has a unique system of education.

Is it not correct to say that Pennsylvania supports a number of its privately endowed colleges? Does Pennsylvania not provide money to privately endowed colleges for higher learning? I believe I have seen such a statement, but I ask the Senator if the correct figure which Pennsylvania spends on its private colleges is about 89 percent of all money spent by the States of the Union upon higher learning in private institutions.

Mr. CLARK. I suspect that is true, although in actual dollars the amount is not so enormous. Pennsylvania has 14 State colleges. We used to call them State teachers colleges. They are colleges where more than 50 percent of the teachers who instruct in Pennsylvania's primary and secondary schools are trained. They are supported entirely by the State.

We also have our land grant college, Penn State University, which is an enormous institution, doing magnificent work. It, too, receives a substantial State subsidy.

In addition to that, Pennsylvania has something like 19 other institutions of higher learning, including the University of Pennsylvania, the University of Pittsburgh, Temple University, and a number of medical and professional schools which receive a substantial appropriation each year, running anywhere from $300 to $3,000 a student in terms of a State subsidy, in an effort to improve the quality of instruction and also to enable those institutions to increase their enrollment to help take care of the enormous demand for education throughout the State.

Mr. YARBOROUGH. Am I correct in my assumption that the University of Pennsylvania, the University of Pittsburgh, and the rest of the group of colleges, which the Senator from Pennsylvania mentioned, are not State-controlled institutions?

Mr. CLARK. They are entirely private institutions. I can brag a little about the University of Pennsylvania. It was organized by Benjamin Franklin before the United States of America came into being. It has had a very substantial private endowment since that time.

In addition to that, the University of Pittsburgh, as most persons know, is supported in a very fine way by the Mellon family. It also is a private institution having a rather substantial private endowment.

Mr. YARBOROUGH. Is it not true that private endowments are known to be insufficient to take care of the numbers of youths who are seeking admission to institutions of higher learning?

Mr. CLARK. The Senator is correct.

Mr. YARBOROUGH. And they are not reaching out for new sources.

Mr. CLARK. Mr. President, I yield the floor.

Mr. YARBOROUGH. Mr. President, the point made by the Dallas Times Herald that a higher percentage of our young people should have an opportunity for higher education is undeniably valid. Dr. Hill and the Dallas Times Herald have earned the thanks of Americans who are dedicated to improving the educational status of our people.

More than a year ago the Senate, by a vote of 57 to 31, passed the cold war

veterans educational bill, which would have assured that some 4 million more Americans would have a chance to go to college.

It is unfortunate and shameful that now, more than a year later, veterans who need and have earned this educational assistance should see that this bill is bottled up by the chairman of the House Veterans Committee. There is still time for action in the House on this measure, which is important to the future earning ability of millions of American families.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Keeping College Within Reach," published in the Dallas Times Herald of August 8, 1960.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Dallas Times Herald, Aug. 8, 1960]

KEEPING COLLEGE WITHIN REACH

Weighty objection is raised by Dr. J. A. Hill, president emeritus of West Texas State College, to proposals for increasing tuition at State colleges and universities.

Hiking tuition, declares Dr. Hill, "would unquestionably close the door to thousands of Texas' most capable and worthy young people." The veteran educator says his statement is based on a long and intimate association with student aid agencies at WTS.

Keep in mind, he notes, that it already costs the average student $1,000 or more a year to attend a public institution of higher learning in Texas. What percent of families, he asks, can afford such costs for one, two, three, or more children?

Raising the financial barrier between Texas youths and advanced education would, indeed, be ill advised. The State government's financial difficulties should be solved another way. Texas and all other States need to be educating a higher percentage of their young people, not a lower one. The times demand increasing numbers of persons equipped with bachelor, master, and doctor degrees. Economic progress and our security hinge on educational advance.

Early in our Nation's history, providing free—i.e., tax-supported—education through grade school was considered desirable. The goal of free public education then became a high school diploma for as many youths as could acquire it. Today free, or at least relatively inexpensive, advanced education should likely be considered the goal most appropriate to the public interest.

Increasingly, a college diploma is required to command the status once open to high school graduates. If States make it too difficult for youngsters of modest means to attend their public colleges and universities, the pressure for Federal subsidies and scholarships will merely be increased. Dr. Hill's counsel to the legislature is sound.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield to the Senator from West Virginia. In yielding to him I remind the Senate that the distinguished Senator is himself an official on the boards of two different institutions of higher learning in this country. He was a college professor before he was elected to the House, where he rendered outstanding service. He was chairman of his department of the faculty in one university. He made distinguished contributions to the cause of higher education as a teacher and on the governing boards of two colleges before he came to the Senate, which he adorns, especially because of his work on behalf of educational measures and other measures designed to advance the educational interests of the American people. It is a great pleasure to yield to the distinguished Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I am grateful for the gracious and generous remarks of the Senator from Texas.

However, I do share with him the concern that at the level of the higher institutions of learning in this country we should not curtail or endanger the advantages of this necessary educational process. As my colleague has indicated, many young men and young women do not lack either the drive or the determination to further their training. But in many instances they are under the impact of the high cost of living and, very frankly, often burdens of an emergency, which the Senator has also mentioned. They find it impossible to acquire the 4, 6, or 8 years of higher education and graduate work which is so vital to them in preparing for positions of leadership.

I am a member of the Advisory Council for the Advancement of Small Colleges. This organization represents a worthwhile effort for private institutions which have no public financial support. There has been, Mr. President, a very intensive attempt to keep tuition fees at the minimum—at the minimum, of course, commensurate with the necessity to pay adequate salaries to the dedicated members of the teaching staffs.

So I commend the Senator from Texas for once again calling the attention of the Senate to this problem; and I also applaud him for the hearings he has conducted on many legislative proposals looking toward a better informed youth. The young people of our country will thus be better able to serve the Nation in these troubled times and to also possess a sense of achievement and service.

Mr. YARBOROUGH. Mr. President, I thank the distinguished Senator from West Virginia for his remarks. His contributions to education, both in private life and in the legislative bodies—in the House of Representatives and in the Senate of the United States Congress—have been numerous and have extended over a long course of years.

The Senator from West Virginia has referred to the hearings. In connection with all the measures for aid to higher education which have been pending before the Congress, he has been in the forefront in advocating support and in recognizing the need for support.

Mr. President, I wish to read part of the editorial which was published in the Dallas Times Herald:

Early in our Nation's history, providing free—i.e., tax-supported—education through grade school was considered desirable. The goal of free public education then became a high school diploma for as many youths as could acquire it. Today, free, or at least relatively inexpensive, advanced education should likely be considered the goal most appropriate to the public interest.

Increasingly, a college diploma is required to command the status once open to high school graduates.

Mr. President, I wish to point out that the aid by the Federal Government which many of us advocate be given to the colleges of the country is not a newfangled notion, because in his message to the second Congress, in 1790, President George Washington recommended that the Congress appropriate aid to the institutions of higher learning, and said it was up to Congress to decide whether it would establish a University of the United States or would grant such funds to the already established educational institutions.

So, Mr. President, this proposal is nothing new. If it was good enough for George Washington, it should be good enough for those of us today; and I sincerely hope that at this session the Congress will do something about it.

SOCIAL SECURITY AMENDMENTS OF 1960

The Senate resumed the consideration of the bill (H.R. 12580), the Social Security Amendments of 1960.

Mr. KEATING. Mr. President, I send to the desk, for printing under the rule, an amendment to House bill 12580 to provide that taxes imposed under the Federal old-age and survivors insurance system will not be imposed on account of service performed by individuals who have attained age 65. The amendment reads as follows:

At the end of the reported bill, insert the following new title:

"TITLE VIII—FEDERAL OLD-AGE AND SURVIVORS INSURANCE

"System tax for persons over 65

"SEC. 801. That, effective with respect to service performed after the calendar quarter in which this Act is enacted, section 3121(b) of the Internal Revenue Code (relating to the definition of employment) is amended (1) by striking out "or" at the end of paragraph (16), (2) by striking out the period at the end of paragraph (17) and inserting in lieu thereof "; or", and (3) by adding the following new paragraph: "(18) Service performed by an individual who has attained the age of sixty-five."

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. KEATING. Mr. President, this amendment is one of several in which I am interested, which would benefit our rapidly growing group of senior citizens.

Mr. President, social security was originally conceived of as a primarily self-supporting Government-run plan for old-age insurance. On this premise, it seems to me that after a man has paid social security taxes for many years and after his employer has paid a like amount, when the employee reaches retirement age he should be able to receive the benefits of those payments, and not be forced to continue to pay taxes to the Federal old-age and survivors insurance fund.

Under our social security laws, when a man reaches age 65, he is eligible for benefits. If he elects to continue to work, and thereby sacrifices all or a part of his benefits, he is still faced with the fact that any additional taxpayments he makes do not serve to increase his benefit level to any significant ex-

tent. He is being taxed because he is working; for if he were not working, he would not be taxed. This is obviously wrong; and, for this reason, I am hopeful the Senate will promptly act on my amendment.

Mr. President, in the same sense, I have long felt that another unfair element in our present social security system is the earnings limitation on persons over 65 years of age.

The earnings limitation problem has been met in part by the pending bill, wherein the committee has adopted an amendment to increase the limit on the amount which such persons are entitled to earn without losing their benefits from $1,200, or $100 a month, to $1,800.

It has long been my feeling that we should provide a much higher limitation than this. I am hopeful that we shall eventually do so. In my mind, there should be no penalty for a person who works after he has reached age 65.

Perhaps the step being taken in this bill is all that is possible at the moment. Social security is essentially an insurance system, and it seems to me that it places an undue penalty on older persons who wish to work. They are told that if they continue to work beyond a certain point, they lose their benefits. This is not right and I fully believe should be changed as soon as we possibly can.

The amendment I have sent to the desk is related to a somewhat similar subject. It concerns the provisions of the Social Security Act which state that a person over 65 years of age shall not be taxed if he continues to work.

The present situation penalizes one who continues to work after reaching age 65. He is taxed for working, but is relieved of the tax if he stops working.

I hope that at the appropriate time we may be able to discuss this matter further, and that the Senate will take favorable action upon it.

Mr. DIRKSEN. Mr. President, has the Senator from New York concluded? If he has, I wish to suggest the absence of a quorum.

Mr. KEATING. Yes; I yield.

Mr. DIRKSEN. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll:

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. I ask for the yeas and nays on the pending amendment.

The yeas and nays were ordered.

LIMITATION OF PRESENT $1,200 ANNUALLY IN EARNINGS NEEDS TO BE INCREASED TO $1,800

Mr. RANDOLPH. Mr. President, in the proposals pending, there is rather wide agreement that the $1,200 limitation on earnings should be increased to $1,800. I listened with interest to the comments made by the Senator from New York [Mr. KEATING] on this subject.

I ask unanimous consent to place in the RECORD at this point as a part of my remarks, a copy of S. 3255, which I introduced several months ago, dealing with the need for the increase from $1,200 to $1,800. I also ask the privilege of having printed a statement which was given to the press at that time in reference to the bill I have just mentioned.

There being no objection, the bill and statement were ordered to be printed in the RECORD, as follows:

S. 3255

A bill to amend title II of the Social Security Act to increase to $1,800 the annual amount individuals are permitted to earn without deductions being made from the insurance benefits payable to them under such title.

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That (a) (1) paragraphs (1) and (2) of subsection (e) of section 203 of the Social Security Act are amended by striking out "$1,200" wherever it appears therein and inserting in lieu thereof "$1,800", and (2) such paragraphs and paragraph (1) of subsection (g) of such section are amended by striking out "$100 times" wherever it appears therein and inserting in lieu thereof "$150 times".

(b) The amendments made by subsection (a) shall be effective, in the case of any individual, with respect to taxable years of such individual ending after 1960.

STATEMENT

U.S. Senators JENNINGS RANDOLPH and ROBERT C. BYRD of West Virginia are cosponsors of a bill, Senate 3255, introduced by the former to increase to $1,800 the annual amount individuals between the ages 65 and 72 would be permitted to earn without suffering deductions from insurance benefits payable to them under the Social Security system.

Under existing law the limitation is $1,200, and Senators BYRD and RANDOLPH said few citizens between 65 and 72 years can maintain an adequate standard of living on $1,200 plus social security benefits.

"Everyone is familiar with the inflationary pressures which have especially forced hardships on people with fixed incomes or pensions," they said, adding:

"Rising costs of food, rent, and medical care have been particularly harsh on our elderly citizens.

"Many social security recipients between ages 65 and 72 are able and willing to work and are in need of income in excess of the old-age insurance benefits for which they are eligible.

"We must not deny to our senior citizens the right to earn at least the minimum wage in their golden years before penalizing them for earning more."

Mr. JAVITS. Mr. President, I call up my amendment designated, "8–20–60—A," which I offer for myself and Senators COOPER, SCOTT, AIKEN, FONG, KEATING, KUCHEL, PROUTY, and SALTONSTALL, as a substitute for the Anderson amendment, and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed, at the end of the bill, to add the following——

Mr. JAVITS. Mr. President, I ask unanimous consent that the reading of the amendment may be dispensed with. The amendment has been printed. I have explained it in full.

The PRESIDING OFFICER. Without objection, the reading of the amendment is dispensed with.

The amendment offered by Mr. JAVITS for himself and other Senators is as follows:

At the end of the bill, add the following:

SEC. 801. The Social Security Act is further amended by adding at the end thereof the following new title:

"TITLE XVI—MEDICAL BENEFITS FOR THE AGED APPROPRIATION

"SEC. 1601. For the purpose of assisting the States to improve the health care of aged individuals of low incomes by enabling them to secure, at cost reasonably related to their incomes, protection either against the expenses of preventive and diagnostic services and short-term illness treatment or against long-term illness expenses, there are hereby authorized to be appropriated for each fiscal year such sums as the Congress may determine. The sums made available under this section shall be used for making payments to States with State plans submitted by them and approved under this title.

"State plans

"SEC. 1602. The Secretary shall approve a State plan under this title which—

"(a) provides for establishment or designation of a single State agency to administer or supervise the administration of the State plan;

"(b) provides that each eligible individual (as defined in section 1605(a)) who applies therefor (and only such an individual) shall be furnished whichever of the following he may elect:

"(1) preventive, diagnostic, and short-term illness benefits, which, for purposes of this title, shall consist of payment on behalf of an eligible individual of the cost incurred by him for the following medical services rendered to him to the extent determined by the attending physician to be medically necessary (but subject to the limitations in section 1606)—

"(A) inpatient hospital services for not to exceed twenty-one days in any enrollment year, except that at the request of the individual days of skilled nursing-home services may be substituted for any or all of such days of inpatient hospital services at the rate of three days of skilled nursing-home care for one day of inpatient hospital services;

"(B) physicians' services furnished outside of a hospital or skilled nursing home, on not more than twelve days during any enrollment year;

"(C) ambulatory diagnostic laboratory and X-ray services furnished outside of a hospital or skilled nursing home to the extent the cost thereof is not in excess of $100 in any enrollment year;

"(D) organized home health care services for not more than twenty-four days in any enrollment year; and

"(E) such additional medical services as the State may elect (subject to the limitations in clauses (E) (vi) and (vii) of paragraph (2) and to the limitations in section 1608); or

"(2) long-term illness benefits, which, for purposes of this title, shall consist of payment on behalf of an eligible individual of 80 per centum of the cost above the deductible amount incurred by him for the following services (hereinafter in this title referred to as 'medical services') rendered to him to the extent determined by the attending physician to be medically necessary (but subject to the limitations in section 1606)—

"(A) inpatient hospital services for not to exceed one hundred and twenty days in any enrollment year;

"(B) surgical services provided to inpatients in a hospital;

"(C) skilled nursing home services;

"(D) organized home health care services;

"(E) such of the following services as the State may elect (subject to the limitations in section 1608)—

"(i) physicians' services;

"(ii) outpatient hospital services;

"(iii) private duty nursing services;

"(iv) physical restorative services;

"(v) dental treatment;

"(vi) laboratory and X-ray services to the extent the cost thereof is not in excess of $200 in any enrollment year;

"(vii) prescribed drugs to the extent the cost thereof is not in excess of $350 in any enrollment year; and

"(viii) inpatient hospital services in excess of one hundred and twenty days in any enrollment year; or

"(3) private insurance benefits, which, for purposes of this title, shall consist of payment on behalf of such individual of one-half of the premiums of a private health insurance policy for him up to a maximum payment for any year of $60;

"(c) provides for granting an opportunity for a fair hearing before the State agency to any individual whose claim for benefits under the plan has been denied;

"(d) provides for payment of enrollment fees, payable annually or more frequently, as the State may determine by eligible individuals applying for long-term illness benefits or diagnostic and short-term illness benefits under the plan, the amounts of such fees to be determined by a schedule established by the State and approved by the Secretary as providing fees the lowest of which is equal to not less than 10 per centum of the per capita cost for the enrollment year involved of the benefits provided and the remainder of which vary in relation to the income (as defined in section 1605(b)) of the individuals;

"(e) includes provisions for individuals who, for the enrollment year involved, would not be eligible individuals but for the provisions of section 1605(a)(2);

"(f) includes such methods of administration as are found by the Secretary to be necessary for the proper and efficient operation of the plan, including—

"(1) methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods;

"(2) methods to assure that the applications of all individuals applying for benefits under the plan will be acted upon with reasonable promptness;

"(3) methods relating to collection of enrollment fees for long-term illness benefits or diagnostic and short-term illness benefits under the plan, except that the State may not utilize the services of any nonpublic agency or organization in the collection of such fees, and

"(4) methods for determining—

"(A) rates of payment for institutional services, and

"(B) schedules of fees or rates of payment for other medical services,

for which expenditures are made under the plan;

"(g) sets forth criteria, not inconsistent with the provisions of this title, for approval by the State agency, for purposes of the plan, of private health insurance policies;

"(h) provides that no benefits will be furnished any individual under the plan with respect to any period with respect to which he is receiving old-age assistance under the State plan approved under section 2, aid to dependent children under the State plan approved under section 402, aid to the blind under the State plan approved under section 1002, or aid to the permanently and totally disabled under the State plan approved under section 1402 (and for purposes of this paragraph an individual shall not be deemed to have received such assistance or aid with respect to any month unless he received such assistance or aid in the form of money payments for such month, or in the form of medical or any other type of remedial care in such month (without regard to when the expenditures in the form of such care were made));

"(i) provides safeguards which restrict the use or disclosure of information concerning applicants for and recipients of benefits under the plan to purposes directly connected with the administration of the plan;

"(j) includes (1) provisions, conforming to regulations of the Secretary, with respect to the time within which individuals desiring benefits under the plan may elect for any enrollment year between the types of benefits available under the plan and may apply for the benefits so elected for such year and (2) to the extent required by regulations of the Secretary, provisions, conforming to such regulations, with respect to the furnishing of benefits described in paragraph (1) or (2) of subsection (b) to eligible individuals during temporary absences from the State;

"(k) provides for establishment or designation of a State authority or authorities which shall be responsible for establishing and maintaining standards for any persons, institutions, and agencies, providing medical services for which expenditures are made under the plan; and

"(l) provides that the State agency will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as the Secretary may from time to time find necessary to assure the correctness and verification of such reports. Notwithstanding the preceding provisions of this section, the Secretary shall not approve any State plan under this title unless the State has established to his satisfaction that the medical or any other type of remedial care, together with the amounts, if any, included in old-age assistance in the form of money payments on account of their medical needs, for recipients of old-age assistance under the State plan approved under title I will be at least as great in amount, duration, and scope as the diagnostic and short-term illness benefits included under the State plan under this title.

"(m) makes provision (1) authorizing employees' pension or welfare funds to contribute to the payment of enrollment fees under the plan for or on behalf of eligible members or beneficiaries of such funds, (2) authorizing employers (including the State or any political subdivision thereof when acting as an employer) to contribute to the payment of their employees' enrollment fees under the plan, and (3) permitting any employee, or member or beneficiary of an employees' pension or welfare fund, to authorize his employer (including the State or any political subdivision thereof when acting as an employer) or trustee or other governing body of such fund to deduct from his wages or from such fund, as the case may be, an amount equal to his enrollment fees under the plan and to pay the same to the State agency administering the plan.

"Payments

"SEC. 1603. (a) From the sums appropriated therefor, each State which has a plan approved under section 1602 shall be entitled to receive, for each calendar quarter beginning with the quarter commencing July 1, 1961, an amount equal to (1) the Federal share for such State of the total amounts expended during such quarter by the State under the plan as long-term illness, diagnostic and short-term illness, or private insurance benefits, plus (2) one-half of the total of the sums expended during such quarter as found necessary by the Secretary for the proper and efficient administration of the State plan.

"(b) Payment of the amounts due a State under subsection (a) shall be made in advance thereof on the basis of estimates made by the Secretary, with such adjustments as may be necessary on account of overpayments or underpayments during prior quarters; and such payments may be made in such installments as the Secretary may determine. Adjustments under the preceding sentence shall include decreases in estimates equal to the pro rata share to which the United States is equitably entitled, as determined by the Secretary, of the net amount recovered by the State or any political subdivision thereof, with respect to benefits furnished under the State plan, whether as the result of being subrogated to the rights of the recipient of the benefits against another person, or as the result of recovery by the recipient from such other person, or because such benefits were incorrectly furnished, or for any other reason.

"(c) For purposes of subsection (a), (1) expenditures under a State plan in any calendar year shall be included only to the extent they exceed the amount of the enrollment fees collected in such year under the State plan, and (2) expenditures under a State plan for preventive diagnostic and short-term illness benefits or for long-term illness benefits in excess of $128 multiplied by the number of individuals enrolled for benefits under such plan in such year shall not be counted.

"Operation of State plans

SEC. 1604. If the Secretary, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of any State plan which has been approved under section 1602, finds—

"(1) that the plan has been so changed that it no longer complies with the provisions of section 1602; or

"(2) that in the administration of the plan there is a failure to comply substantially with any such provision;

the Secretary shall notify such State agency that further payments will not be made to the State (or, in his discretion, that payments will be limited to parts of the State plan not affected by such failure) until the Secretary is satisfied that there is no longer any such noncompliance. Until he is so satisfied, no further payments shall be made to such State (or payments shall be limited to parts of the State plan not affected by such failure).

"Eligible individuals

"SEC. 1605. (a) For the purposes of this title, the term 'eligible individual' means, with respect to any enrollment year for any individual, an individual who—

"(1)(A) is 65 years of age or over,

"(B) resides in the State at the beginning of such year, and

"(C) meets, with respect to such year, the income requirements of subsection (b); or

"(2)(A) resides in the State at the beginning of such year, (B) was an eligible individual for the preceding enrollment year, and (C) paid enrollment fees under the plan for the preceding enrollment year or had a private health insurance policy and the State made payments under the State plan toward the cost of the premiums of the policy during such year.

"(b) For the purposes of this title, the income requirements of this subsection are met by any individual with respect to any enrollment year if, for his last taxable year (for purposes of the Federal income tax) ending before the beginning of such enrollment year—

"(1) he did not pay any income tax, or

"(2)(A) his income did not exceed $3,000 in the case of an individual who, at the beginning of such enrollment year, was unmarried or was not living with his spouse, or

"(B) the combined income of such individual and his spouse did not exceed $4,500 in the case of an individual who, at the beginning of such enrollment year, was married and living with his spouse.

"(c) The term 'income' as used in subsection (b) means the amount by which the gross income (within the meaning of the Internal Revenue Code of 1954) exceeds the deductions allowable in determining adjusted gross income under section 62 of such Code; except that the following items shall be included (as items of gross income):

"(1) Monthly insurance benefits under title II of this Act,

"(2) Monthly benefits under the Railroad Retirement Acts of 1935 and 1937, and

"(3) Veterans' pensions.

Determinations under this section shall be made (in the manner prescribed by the Secretary by regulations) by or under the supervision of the State agency administering or supervising the administration of the plan approved under section 1602.

"Benefits

"SEC. 1606. Subject to regulations of the Secretary—

"(a) (1) Except as provided in paragraph (2), the term 'medical services' means the following to the extent determined by the physician to be medically necessary:

"(A) Inpatient hospital services;

"(B) Skilled nursing-home services;

"(C) Physicians' services;

"(D) Outpatient hospital services;

"(E) Organized home care services;

"(F) Private duty nursing services;

"(G) Therapeutic services;

"(H) Major dental treatment;

"(I) Laboratory and X-ray services; and

"(J) Prescribed drugs.

"(2) The term 'medical services' does not include—

"(A) services for any individual who is an inmate of a public institution (except as a patient in a medical institution) or any individual who is a patient in an institution for tuberculosis or mental diseases; or

"(B) services for any individual who is a patient in a medical institution as a result of a diagnosis of tuberculosis or psychosis, with respect to any period after the individual has been a patient in such an institution, as a result of such diagnosis, for forty-two days.

"Inpatient Hospital Services

"(3) The term 'inpatient hospital services' means the following items furnished to an inpatient by a hospital:

"(1) Bed and board (at a rate not in excess of the rate for semiprivate accommodations);

"(2) Physicians' services, nursing services, and interns' services; and

"(3) Nursing services, interns' services, laboratory and X-ray services, ambulance service, and other services, drugs, and appliances related to his care and treatment (whether furnished directly by the hospital or, by arrangement, through other persons).

"Surgical Services

"(c) The term 'surgical services' means surgical procedures provided to an inpatient in a hospital, other than those included in the term 'inpatient hospital services', including oral surgery, and surgical procedures provided in an emergency in a doctor's office or by a hospital to an outpatient.

"Skilled Nursing-Home Services

"(d) The term 'skilled nursing-home services' means the following items furnished to an inpatient in a nursing home.

"(1) Skilled nursing care provided by a registered professional nurse or a licensed practical nurse which is prescribed by, or performed under the general direction of, a physician;

"(2) Such medical supervisory services and other services related to such skilled nursing care as are generally provided in nursing homes providing such skilled nursing care; and

"(3) Bed and board in connection with the furnishing of such skilled nursing care.

"Physicians' Services

"(e) The term 'physicians' services' means services provided in the exercise of his profession in any State by a physician licensed in such State; and the term 'physician' includes a physician within the meaning of section 1101(a)(7).

"Outpatient Hospital Services

"(f) The term 'outpatient hospital services' means medical and surgical care furnished by a hospital to an individual as an outpatient.

"Organized Home Health Care Services

"(g) The term 'organized home health care services' means—

"(1) visiting nurse services and physicians' services, and services related thereto, which are prescribed by a physician and are provided in a home through a public or private nonprofit agency operated in accordance with medical policies established by one or more physicians (who are responsible for supervising the execution of such policies) to govern such services; and

"(2) homemaker services of a nonmedical nature which are prescribed by a physician and are provided, through a public or private nonprofit agency, in the home to a person who is in need of and in receipt of other medical services.

"Private Duty Nursing Services

"(h) The term 'private duty nursing services' means nursing care provided in the home by a registered professional nurse or licensed practical nurse, under the general direction of a physician, to a patient requiring nursing care on a full-time basis, or provided by such a nurse under such direction to a patient in a hospital who requires nursing care on a full-time basis.

"Physical Restorative Services

"(i) The term 'physical restorative services' means services prescribed by a physician for the treatment of disease or injury by physical nonmedical means, including retraining for the loss of speech.

"Dental Treatment

"(j) The term 'dental treatment' means services provided by a dentist, in the exercise of his profession, with respect to a condition of an individual's teeth, oral cavity, or associated parts which has affected, or may affect, his general health. As used in the preceding sentence, the term 'dentist' means a person licensed to practice dentistry or dental surgery in the State where the services are provided.

"Laboratory X-ray Services

"(k) The term 'laboratory and X-ray services' includes only such services prescribed by a physician.

"Prescribed Drugs

"(l) The term 'prescribed drugs' means medicines which are prescribed by a physician.

"Hospital

"(m) The term 'hospital' means a hospital (other than a mental or tuberculosis hospital) which is (1) a Federal hospital, (2) licensed as a hospital by the State in which it is located, or (3) in the case of a State hospital, approved by the licensing agency of the State.

"Nursing Home

"(n) The term 'nursing home' means a nursing home which is licensed as such by the State in which it is located, and which (1) is operated in connection with a hospital or (2) has medical policies established by one or more physicians (who are responsible for supervising the execution of such policies) to govern the skilled nursing care and related medical care and other services which it provides.

"Miscellaneous definitions

"SEC. 1607. For purposes of this title—

"Federal Share

"(a)(1) The 'Federal share' with respect to any State means 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the United States, except that (A) the Federal share shall in no case be less than 33⅓ per centum nor more than 66⅔ per centum, and (B) the Federal share with respect to Puerto Rico, the Virgin Islands, and Guam shall be 66⅔ per centum.

"(2) The Federal share for each State shall be promulgated by the Secretary between July 1 and August 31 of each even-numbered year, on the basis of the average per capita income of each State and of the United States for the three most recent calendar years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for each of the eight quarters in the period beginning July 1 next succeeding such promulgations.

"(3) As used in paragraphs (1) and (2), the term 'United States' means the fifty States and the District of Columbia.

"Deductible Amount

"(b) The 'deductible amount' for any individual for any enrollment year means an amount equal to $250 of expenses for medical services (determined without regard to the limitations in clause (A) or (E) (vi) or (vii) of section 1602(a)(2)) which are included in the State plan and are incurred in such year by or on behalf of such individual, whether he is married or single, except that, in the case of an individual who is married and living with his spouse at the beginning of his enrollment year, it shall be an amount equal to $400 of expenses for medical services (so determined) incurred in such year by or on behalf of such individual or his spouse for the care or treatment of either of them, but only if application of such $400 amount with respect to such individual and his spouse would result in payment under the plan of a larger share of the cost of their medical services incurred in such year. Subject to the limitations in section 1608, the $250 amount referred to in the preceding sentence may be reduced for any State if such State so elects; and in case of such an election the $400 amount referred to in such sentence shall be proportionately reduced.

"Enrollment Year

"(c) The term 'enrollment year' means, with respect to any individual, a period of 12 consecutive months as designated by the State agency for the purposes of this title in accordance with regulations prescribed by the Secretary. Subject to regulations prescribed by the Secretary, the State plan may permit the extension of an enrollment year in order to avoid hardship.

"Private Health Insurance Policy

"(d) The term 'private health insurance policy' means, with respect to any State, a policy, offered by a private insurance organization licensed to do business in the State, which is approved by the State agency (administering or supervising the administration of the plan approved under section 1602), which is noncancelable except at the request of the insured individual or for failure to pay the premiums when due and which is available to all eligible individuals in the State.

"Cost

"(e) The per capita cost of long-term illness benefits or diagnostic and short-term illness benefits for any year or other period shall be determined by the State, in accordance with regulations of the Secretary, on the basis of estimates and such other data as may be permitted in such regulations.

"Election of medical services to be provided by State

"SEC. 1608. Any election by a State pursuant to the provisions of clause (E) of paragraph (1) or the provisions of paragraph (2) of section 1602(b) or of the second sentence of section 1607(b) shall be valid for purposes of this title for any enrollment year or other period determined by the Secretary only if an election is also made by the State under the other of such provisions so that, in the judgment of the Secretary, the per capita cost of benefits under paragraph (1) of section 1602(b) and the per capita cost of benefits under paragraph (2) of such section for such period after such elections bear the same relationship to each other as the per capita cost of benefits under each such paragraph for such period without such elections bear to each other.

"Advisory Council on health insurance

"SEC. 1609. (a) There shall be in the Department of Health, Education, and Welfare an Advisory Council on Medical Benefits for the Aged (hereinafter referred to as the 'Council') to advise the Secretary on matters relating to the general policies and administration of this title. The Secretary shall secure the advice of the Council before prescribing regulations under this title.

"(b) The Council shall consist of the Surgeon General of the Public Health Service and the Commissioner of Social Security, who shall be ex officio members (and one of whom shall from time to time be designated by the Secretary to serve as chairman), and twelve other persons, not otherwise in the employ of the United States, appointed by the Secretary without regard to the civil service laws. Four of the appointed members shall be elected from among representatives of various State or local government agencies concerned with the provision of health care or insurance against the costs thereof, four from among nongovernmental persons who are concerned with the provision of such care or with such insurance, and four from the general public, including consumers of health care.

"(c) Each member appointed by the Secretary shall hold office for a term of four years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of the members first taking office shall expire as follows: four shall expire two years after the date of the enactment of this title, four shall expire four years after such date, and four shall expire six years after such date, as designated by the Secretary at the time of appointment. None of the appointed members shall be eligible for reappointment within one year after the end of his preceding term.

"(d) Appointed members of the Council, while attending meetings or conferences of the Council, shall receive compensation at a rate fixed by the Secretary but not exceeding $50 a day, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"Savings provision

"SEC. 1610. Nothing in this title shall modify obligations assumed by the Federal Government under other laws for the hospital and medical care of veterans or other presently authorized recipients of hospital and medical care under Federal programs.

"Planning grants to States

"SEC. 1611. (a) For the purpose of assisting the States to make plans and initiate administrative arrangements preparatory to participation in the Federal-State program of medical benefits for the aged authorized by title XVI of the Social Security Act, there are hereby authorized to be appropriated for making grants to the States such sums as the Congress may determine.

"(b) A grant under this section to any State shall be made only upon application therefor which is submitted by a State agency designated by the State to carry out the purpose of this section and is approved by the Secretary. No such grant for any State may exceed 50 per centum of the cost of carrying out such purpose in accordance with such application.

"(c) Payment of any grant under this section may be made in advance or by way of reimbursement, and in such installments, as the Secretary may determine. The aggregate amount paid to any State under this section shall not exceed $50,000.

"(d) Appropriations pursuant to this section shall remain available for grants under this section only until the close of June 30, 1962; and any part of such a grant which has been paid to a State prior to the close of June 30, 1962, but has not been used or obligated by such State for carrying out the purpose of this section prior to the close of such date, shall be returned to the United States.

"(e) As used in this section, the term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam.

"Technical amendment

"SEC. 1612. Effective July 1, 1961, section 1101(a)(1) of the Social Security Act (as amended by section 541 of this Act) is amended by striking out 'and XIV' and inserting in lieu thereof 'XIV, and XVI'."

The table of contents on page 4 is appropriately amended.

Mr. JAVITS. Mr. President, everybody knows that the issue of medical care for the aged is a very important issue before the country, and a great deal is going to be sought to be made of it in this political season. Unfortunately that is true, but it is a fact of American life, and that does not necessarily make it bad.

There is one question which I think must go out to the country, and go out crystal clear, and that is, What can become law? The people in our country now are becoming sophisticated enough to want the answer to that question as they judge a situation, and they have to judge the pending issue by a reply to the question, What can become law?

Well, Mr. President, I think the votes here will show that no one proposition is going to run away with all the votes, or even going to command enough votes to override a veto, whether it is my proposal or that of the Senator from New Mexico [Mr. ANDERSON].

The committee bill, standing by itself, may well get a very substantial vote, and there is little question that, unless something comes up in connection with the committee bill which we do not know about now, the President will sign it into law if he gets it.

One thing the President of the United States has made clear; he will not sign a bill for medical aid for the aged that is grounded on the social security system. He has said that on a number of occasions, and very clearly. The last time he said it was at his last press conference. I think by now we ought to take his word for it. At his last press conference, on August 18, 1960, he was asked this question and made the answer quoted:

Mr. President, this administration has prided itself on being budget conscious, yet it is sponsoring a medical care program for the aged that will make a sizable dent in the General Treasury, while the Democratic leadership, which has been criticized in the past on spending issues, is sponsoring a so-called self-funding plan, pay as you go, as they put it. Will you comment on that, sir?

The President said:

Well, I say this: I am for a plan that will be truly helpful to the aged, particularly against illnesses which become so expensive, but one that is freely accepted by the individual. I am against compulsory medicine, and that is exactly what I am against, and I don't care if that does cost the Treasury a little bit more money there. But after all, the price of freedom is not always measured just in dollars.

Anybody who knows Dwight D. Eisenhower, having heard a statement of principle, which is with him practically an article of faith, I think would be laboring under a very serious illusion, and would expect the American people to share a very serious illusion, if they expect he is going to sign into law a social security plan for medical care for the aged.

The President is a man of conscience. He has not gone for my bill, either; and the benefits which are contained in the bill are far more extensive than the benefits in the administration's approach and in the Saltonstall bill, which were testified to before the appropriate committee. There is nothing in my bill which runs counter to the fundamental precepts of the criteria which the administration has set, and therefore, it seems to me, I should specify those criteria.

Mr. CLARK. Mr. President, will the Senator yield, or does he desire to complete his speech first?

Mr. JAVITS. I yield.

Mr. CLARK. I understand my friend's devotion and loyalty to the President of the United States, and I respect him for it, but I wonder if the Senator from New York, who is a realist in these matters, does not agree that the most practical way to provide health protection for older people is by the use of the contributory machinery of the social security system for insurance covering hospital bills and other health aids. Is not that the practical way to do it?

Mr. JAVITS. I do not think so. I spent a considerable time on Saturday explaining why I do not think so. I answered a very distinguished colleague of ours, who I think asked very searching questions, the Senator from Wisconsin [Mr. PROXMIRE]. I shall be very happy to debate this subject again with the Senator from Pennsylvania, whom I not only respect but also love as a friend.

Perhaps if the Senator will permit me to make some of the arguments, he will be inspired to ask some questions.

Mr. CLARK. I do not desire to detain either the Senator or the Senate. I hope we can have a prompt vote upon the Senator's amendment. If the subject was gone into on Saturday when I was not present on the floor, I shall be glad to read the Senator's comments and not pursue the matter further.

Mr. JAVITS. I did not make the statement with any intention of shutting off the Senator. If any questions occur to the Senator, as he hears me make comments, I ask him to forget about Saturday. That is hard work. If the Senator will simply ask me questions, I shall be glad to try to answer.

I really feel very deeply about this proposal. In fairness to myself, though it may seem odd to the Senator that the approach advertised as the liberal approach is one with which I do not find myself in accord on this issue, I explain it as follows: I have been interested in this subject for a long time. I introduced a bill upon this question in 1949, with the cosponsorship, interestingly enough, of the Vice President, who was then a Member of the House of Representatives; of the Secretary of the State, who was then a Member of the House of Representatives; of the chairman of the Republican National Committee, who was then a Member of the House of Representatives; of the Senator from New Jersey [Mr. CASE], who was then a Member of the House of Representatives; and of the Senator from Pennsylvania [Mr. SCOTT], who was then a Member of the House of Representatives. The bill which was introduced adopted exactly the principle which is now contained in my proposal, which the administration has adopted.

Over all the years I have received a great deal of correspondence, I have engaged in a great many conferences, and I have done a great deal of research, on the matter. I have been on many television programs, on which I have been sharply cross-examined on the subject. Not content with that, with the enthusiastic cooperation of the College of Physicians and Surgeons, I sponsored and conducted a seminar on medical care for the aged at the College of Physicians and Surgeons of Columbia University the past spring.

All of these discussions and ideas—all of this fact gathering—over the years has led me to have some rather deep feelings upon this subject in terms of what I think is the proper way to accomplish what we desire.

In addition, I have had to answer to myself, to my own conscience, in terms of this issue, as to what is the proper way to proceed.

I wish to state, in fairness to my colleagues in the Senate, the fundamental rationale which has animated me in the matter. I feel there is a very real and very important sociological question involved in extending the social security system to include medical care. I do not make these remarks in terms of "getting the camel's nose under the tent," but I make them very seriously. No matter what we may do now with respect to the Anderson amendment, with its very limited benefits schedule and very strict conditions about age—for example, age 68—this represents an important departure in national policy. We are opening up the social security system to a new concept, to a new purpose of health care, which I think puts us essentially in a national health scheme. It is bound to go further. Perhaps it will be extended to all social security recipients, whatever may be their ages. We are starting a system, a form of organization, a type of approach to medical care needs, which I think will take firm root as a new departure in American life.

If I were convinced that is the only way to do it—since I am absolutely convinced we must have Federal legislation for the aged—then I think I would be in favor of it. Perhaps I am too much of an egghead for my own good, but my difficulty is that I have been unable to be convinced that there is not a way to do this which is quite consistent with the pattern with which we have run our affairs up to now, to satisfy fully everything one wishes to do so far as medical care for the aged is concerned, without going into the rather new sociological approach for us, which, in our country, does seem to be running counter to the grain of the way our people like to handle their medical care, their relationships with doctors and hospitals. I do not know whether this is the result of the size of our country or the result of the nature of our people, who are not as homogeneous as the British.

I think the social security approach will take us out of the mainstream of American life. In all fairness, this is the rationale of my thinking. Obviously, I have deep feelings. Obviously, I have thought about the subject a great deal, because I have been living with the problem for a long time. In a sense, the whole thing has caught up with me, rather than me catching up with it.

I explain that to my colleague, because I have so much deep feeling about the matter.

Mr. CLARK. Mr. President, will the Senator yield further?

Mr. JAVITS. I yield.

Mr. CLARK. Needless to say, I recognize the sincerity of my friend from New York as to his position. I also know he has thought long and deeply on this subject. I regret that while he and I are almost always in accord on objectives, we are occasionally in disagreement as to methods and procedures. This is one of those occasions.

I do not challenge in any way my friend's conviction or, indeed, his right to his conviction. Unfortunately, I simply happen to disagree with him. I think I have a little bit of support in his camp, because it is my understanding that the distinguished Governor of New York tends to agree with me rather than to agree with my friend the Senator from New York [Mr. JAVITS]. Is that not correct?

Mr. JAVITS. That is not quite correct.

Mr. CLARK. But almost correct?

Mr. JAVITS. I wish to make this clear, because the Senator is entitled to the benefit of whatever it means, exactly.

From the recent past the Senator knows, no matter what may happen, of my devotion to the Governor of my State, who I think is a very great citizen and whom I backed when many people thought I was foolhardy to do so. He and I do not agree on this matter as to the social security aspect, but I should like to point out, in fairness to him, that he, too, has a very important qualification with respect to the social security approach. He says that he wishes to follow the social security approach, but he desires an alternative, which is for the recipient to have cash, so that the recipient may buy health insurance or coverage if he so chooses. This is a very important alternative.

Governor Rockefeller thinks that this alternative changes completely the basic principle of what is advocated in the Anderson amendment. He may be incorrect, but, as I have said, that is what he thinks, I know that, because I have had discussions with him myself.

The Senator is absolutely correct and is entitled to all the benefit which comes to his argument from the fact that my own Governor, for whom I have so much regard, whom I backed so assiduously for so long, believes the social security approach is the better approach, with the important difference between his concept and the Anderson amendment—this is not in the Anderson amendment, and it may be considered by its proponents to be quite contrary to the amendment—that the beneficiary should have a cash alternative to enable him to buy private coverage.

Mr. CLARK. I point out to my friend that under Blue Cross, under Blue Shield, and under various private insurance policies, it is almost always customary for the insurance company to pay the cash to the doctor or to the hospital and not to the patient so that he may do so. It occurs to me that this is a distinction without much difference, so far as the views of Governor Rockefeller are concerned.

Mr. JAVITS. I think Governor Rockefeller's views represent a very serious difference, because it is quite a different thing for many plans to be negotiating on a local level with many hospitals and many doctors from the Federal Government paying out Federal checks for vendors' services. I think that is a very different thing. I doubt very much that my Governor would agree with the Senator's statement that it is not a serious matter. I think he would consider it to be very important. He has always made the point to me that it is very important.

Governor Rockefeller is not for the social security approach as put forward by the proponents of the Anderson amendment in the Senate. He believes it is the best plan, provided it has this alternative which I mentioned.

Mr. CLARK. That may well be the case. I do not wish to detain the Senator further. I shall now read assiduously the Senator's speech of last Saturday.

Mr. JAVITS. I thank my colleague.

Before I had my colloquy with the Senator from Pennsylvania, I was speaking on the question of what can be made law. It seems to me in respect of what can be made into law, the Senate does not have two alternatives. It has only one choice. May I emphasize that again. In respect of what can become law, the Senate does not have two alternatives; it has one choice.

We know now that another authority in our country which has a perfect right to pass upon Federal legislation has already declared as unequivocally as anyone could declare the unacceptability of a social-security plan of medical care for the aged. It seems to me the vote here will show that such a plan could not be passed over a veto. Certainly, our experience in the House of Representatives, if we needed any confirmation of that probability with respect to this bill, demonstrates it beyond peradventure. So those who would insist upon presenting the social security plan, anyhow, if it could ever complete all of its legislative steps, which is very doubtful in itself, will invite the President to veto it with full knowledge that it simply cannot become law, as all practical considerations appear to us now. I think that is a very heavy responsibility, a responsibility which I believe people ought to think over very carefully before they assume it, and which I think prospective beneficiaries will wish to think over very carefully as they assess the pluses and the minuses which result for the very extended debate on this issue.

On the other hand, perhaps one would be justified in saying "If that is the only way to get effective medical care for the aged, we shall try it. We shall force it. We shall do our utmost, anyhow. If the President vetoes, let him veto."

That is where I come in, because my amendment demonstrates that it is possible to follow the criteria which the President has laid down as meeting his views. I do not think any Senator will argue that the President is not sincere or does not have the same right to his views as we have to ours. The people elected him President, and that fact is one of the factors which must be considered in respect of legislation.

It seems to me the proposal I put forward to meet these criteria is the only one that has a chance—and I think an excellent chance—to become law, and to become law by virtue of the President's signature.

The four criteria laid down by the administration in the testimony of Secretary of Health, Education, and Welfare Flemming are: First, that the plan should be voluntary; second, that it should be financed in part by the individual; third, that it should be financed on the part of government by a Federal-State partnership; and fourth, that the financing by the Federal Government should come out of the general revenues. Those are the four criteria set down by the administration.

The criteria set forth in my amendment to be laid side by side with those are, first, that it is voluntary. It is voluntary, as I shall describe in detail in a moment. Second, that some payment should be made by the subscriber, which is provided, modest though that payment may be; third, it should result from plans administered on the State level, which it does; and fourth, that the financing for it in the Federal establishments should come out of the general revenue.

In addition to meeting these criteria, my plan goes one step further. It is the only plan before us in a serious way which gives preventive care to the beneficiary and gives first cost care to the beneficiary. In short, under my plan, the beneficiary can get the benefit of care which is not merely care for catastrophic illness; and, second—and very importantly—he can get care without paying anything himself when he is ill.

Even under the Anderson proposal, looking at it in practical terms, the subscriber must pay the first $75 of costs. Under my plan he pays no initial medical care cost whatever. I think this is an extremely important part of this program which is before us in terms of medical care for the aged, and well worthy of consideration, for this reason:

The evidence shows that about 90 percent of all people who are over 65 and who have a greater incidence of illness than others—and they do—do not call for catastrophic illness care or chronic illness care; on the whole their problems are problems of temporary illness. Although they spend more money than most people do for medical care, they spend more money because they are ill more often or they are ill for a longer time each year than people who are younger, but the overwhelming majority of them do not require catastrophic illness care.

These are the figures which bear out that point, and I think they are extremely important in our consideration of this bill. Only 10 percent of the 16 million aged citizens, that is, those over 65 who are hospitalized—9.8 percent to be exact—actually need to stay 31 days a year or more in the hospital. In short, 90 percent do not require long hospital stays. For those 90 percent the average hospital stay is 14 days; the median hospital stay is 21 days.

For the figures upon that subject we are indebted to an official survey entitled "Health Statistics, Hospitalization, Patients Discharged From Short-Stay Hospitals, United States," published by the U.S. Department of Health, Education, and Welfare. I ask unanimous consent that tables numbered 5, 14, and 15 of that factual survey may be made a part of my remarks.

There being no objection the tables were ordered to be printed in the RECORD, as follows:

TABLE 5.—*Number of patients discharged, number per 1,000 persons per year, and average length of stay by sex, age, and race: Short-Stay Hospitals, United States, July 1957–June 1958*

[Data are based on household interviews during July 1957–June 1958. Data refer to the civilian noninstitutional population of continental United States. Detailed figures may not add to totals due to rounding. The survey design, general qualifications, and information on the reliability of the estimates are given in app. 1. Definitions of terms are given in app. 11.]

Sex and age	Number of discharges in thousands			Number per 1,000 persons			Average length of stay in days		
	Total	White	Nonwhite	Total	White	Nonwhite	Total	White	Nonwhite
Both sexes:									
All ages	16,738	15,473	1,265	99.4	103.3	68.2	8.6	8.4	10.2
Under 15	2,801	2,580	221	53.2	56.5	31.6	5.5	5.2	10.0
15 to 24	2,901	2,624	278	137.5	142.3	104.7	6.5	6.5	6.8
25 to 44	5,868	5,377	492	128.5	131.6	102.8	7.2	6.9	10.4
45 to 64	3,413	3,195	218	99.0	101.9	70.0	12.0	11.9	13.9
65+	1,754	1,698	56	120.9	125.7	55.9	14.7	14.8	12.2
Male:									
All ages	6,090	5,677	413	74.4	77.8	46.4	11.0	10.6	16.5
Under 15	1,591	1,483	109	59.3	63.6	31.1	5.3	5.0	9.6
15 to 24	610	570	40	62.2	66.5	32.4	12.0	11.7	15.4
25 to 44	1,408	1,286	122	64.3	65.3	55.8	10.9	9.8	22.5
45 to 64	1,670	1,558	112	99.8	102.2	74.6	13.7	13.4	18.2
65+	810	780	30	122.0	126.5	62.9	15.8	15.9	12.4
Female:									
All ages	10,648	9,797	852	123.2	127.5	88.3	7.2	7.2	7.2
Under 15	1,210	1,097	113	46.9	49.2	32.4	5.8	5.4	10.4
15 to 24	2,291	2,054	237	202.9	208.1	166.8	5.1	5.0	5.3
25 to 44	4,460	4,091	369	187.6	193.3	141.8	6.0	6.0	6.4
45 to 64	1,743	1,637	106	98.3	101.6	65.8	10.4	10.5	9.3
65+	944	919	26	119.9	125.1	49.5	13.8	13.8	12.0

TABLE 14.—*Percent distribution of patients discharged by length-of-stay intervals according to sex and age: Short-stay hospitals, United States, July 1957–June 1958*

[Data are based on household interviews during July 1957-June 1958. Data refer to the civilian noninstitutional population of continental United States. Detailed figures may not add to totals due to rounding. The survey design, general qualifications, and information on the reliability of the estimates are given in app. I. Definitions of terms are given in app. II.]

Sex and age	Length-of-stay intervals in days						
	Total	1	2 to 7	8 to 14	15 to 30	31+	Unknown
Both sexes:							
All ages	100.0	10.4	60.0	18.0	7.9	3.5	0.2
Under 15	100.0	28.0	54.7	10.0	5.2	1.9	.2
15 to 24	100.0	9.7	76.0	8.9	2.8	2.1	.5
25 to 44	100.0	6.7	70.3	16.1	4.8	2.0	.1
45 to 64	100.0	6.0	44.5	29.6	14.2	5.5	.2
65+	100.0	3.8	37.4	29.7	18.7	9.8	.6
Male:							
All ages	100.0	13.7	48.2	20.8	11.4	5.6	.3
Under 15	100.0	28.4	55.9	8.6	4.8	1.9	.3
15 to 24	100.0	14.9	57.0	15.2	4.9	7.2	.7
25 to 44	100.0	9.9	53.8	22.0	8.7	5.5	.1
45 to 64	100.0	6.9	40.8	28.3	17.5	6.5	.1
65+	100.0	4.2	31.7	31.6	21.6	10.0	.9
Female:							
All ages	100.0	8.5	66.8	16.4	5.9	2.3	.2
Under 15	100.0	27.5	53.2	11.7	5.8	1.7	----------
15 to 24	100.0	8.4	81.1	7.2	2.2	.7	.4
25 to 44	100.0	5.7	75.6	14.2	3.6	.9	.0
45 to 64	100.0	5.2	48.0	30.9	11.1	4.6	.3
65+	100.0	3.5	42.3	28.1	16.2	9.6	.4

TABLE 15.—*Number of hospital-days by sex, age, and length-of-stay intervals: Patients discharged from short-stay hospitals, United States, July 1957–June 1958*

[Data are based on household interviews during July 1957-June 1958. Data refer to the civilian noninstitutional population of continental United States. Detailed figures may not add to totals due to rounding. The survey design, general qualifications, and information on the reliability of the estimates are given in appendix I. Definitions of terms are given in appendix II.]

Sex and age	Length-of-stay intervals in days					
	Total	1	2 to 7	8 to 14	15 to 30	31+
	Number of hospital-days in thousands					
Both sexes:						
All ages	143,322	1,736	42,538	32,200	27,963	38,885
Under 15	15,530	785	5,841	3,008	3,190	2,705
15 to 24	18,936	282	8,928	2,711	1,731	5,283
25 to 44	42,045	396	17,945	9,652	5,853	8,198
45 to 64	41,002	205	6,837	11,140	10,127	12,694
65+	25,809	67	2,987	5,689	7,061	10,005
Male:						
All ages	66,743	832	12,600	13,862	14,968	24,481
Under 15	8,456	452	3,404	1,481	1,679	1,440
15 to 24	7,310	91	1,412	1,023	608	4,178
25 to 44	15,291	140	3,446	3,254	2,617	5,835
45 to 64	22,877	115	3,116	5,282	6,205	8,159
65+	12,808	34	1,222	2,823	3,859	4,870
Female:						
All ages	76,579	904	29,939	18,337	12,995	14,404
Under 15	7,073	333	2,437	1,527	1,511	1,265
15 to 24	11,626	192	7,516	1,688	1,124	1,106
25 to 44	26,754	256	14,499	6,399	3,236	2,363
45 to 64	18,125	90	3,721	5,857	3,921	4,535
65+	13,001	33	1,765	2,866	3,202	5,135

Mr. JAVITS. This information shows that for both sexes in the age group of 65 and over the average length of stay in a hospital is 14.7 days. It shows that 9.8 percent of those 65 and over spent more than 31 days in a hospital in any one year. It shows, furthermore, that this 10 percent accounts for about 40 percent of the total number of days spent in a hospital by all over 65. In other words, those over 65 spent 25,809,000 days in hospitals, and the 9.8 percent who stay over 31 days represent 10,005,000 of that figure, or about 40 percent.

This is extremely important as a factor for this reason: The Anderson program which is presented to us is essentially a catastrophic hospital program. It is essentially pitched to the person who must stay for a very considerable time under hospital care. It provides for 120 days of hospital care or 240 days of nursing home care or 365 days, or a full year, of general health services in the home.

If we are going to legislate a program which marks such a tremendous wrench from the traditional way in which our country has handled its medical care problems, we are at least entitled to the comfort of knowing that this is something essential to the overwhelming majority of our people over 65. But essentially the thrust of this program for long-term hospital care applies to roughly 10 percent of those over 65.

I cite as authority for this point the findings of experts who met in a seminar which I conducted with the College of Physicians and Surgeons in New York. I will key the Senate to the report of that very fine seminar, with the names of those who participated, who are probably among the most eminent doctors in the field of geriatrics in the United States.

That report showed that what was very desirable for our older people was preventive health care of the kind which is afforded by my amendment, and which is not afforded by the amendment of the

Senator from New Mexico [Mr. ANDERSON], without any invidious comment on that score, except to show the thrust of these particular bills.

It seems to me, therefore, that if we are architecturally to design a program—and certainly that is what we are trying to do here—for medical care for the aged, the least we should wish to reach in the first instance is the very broadest number of those who really need what we will provide. I respectfully submit that those who need it most in terms of the broadest number to be reached are those who will want preventive care, which is given by my bill.

I would strongly urge the Senator from New Mexico, for whom I have tremendous respect, and who is in the Chamber, to look at the report on the seminar which I conducted, and which is found at page 138 of the hearings entitled "Social Security Amendments of 1960." The part of the hearings on page 138 to which I refer is entitled "Conference on the 'Role of the Federal Government in Problems of Health and Medical Research,' Saturday, March 12, 1936, 9:30 a.m."

Mr. BUSH. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. BUSH. Does the Senator feel that the findings of the seminar to which he has called our attention are substantially in support of the Javits amendment?

Mr. JAVITS. Yes. We had set out to develop the principles which I have been espousing for many years. We sought to design an amendment rather expressly to benefit from this fine body of expert testimony.

Mr. BUSH. In the seminar, was the substance of the amendment carefully set forth, so the participants had a chance to consider almost exactly what we are considering here today?

Mr. JAVITS. That is exactly correct, with this exception, that we did not go into the detail of the number of days of care, but laid before the seminar the fundamental principles which I was espousing. The purpose was to find out whether it met the needs of the vast majority of the aged.

Mr. BUSH. Did they endorse the four general principles of the Senator's bill?

Mr. JAVITS. I would not say that. I would rather have the Senator come to his own conclusion.

Mr. BUSH. I mean as to the Federal-State participation principle.

Mr. JAVITS. It was based more on the substance of the program that would be needed to take care of the whole problem, rather than the machinery. I invite the Senator to read it, because he will find they really gave outstanding support to the program which we had and to the program of preventive care as being the prime point.

Mr. BUSH. Is this in the RECORD now?

Mr. JAVITS. It is in the hearing at page 138 and succeeding pages.

Mr. BUSH. I thank the Senator.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. ANDERSON. I am happy to have the able Senator from New York call my attention to the seminar and the results of the seminar. I may not have a clear recollection, but it seems to me that when I read about it most of those present at the seminar recommended the social security approach.

Mr. JAVITS. No; that is not correct. That was not my impression of the seminar.

Mr. ANDERSON. They did discuss the need for additional preventive medicine.

Mr. JAVITS. Yes.

Mr. ANDERSON. The only thing I got from it was that they preferred the social security approach; that they felt that was the proper approach.

Mr. JAVITS. Not at all. I did not get that impression. I would appreciate the Senator's pointing out to me where in the discussion there was any indication that the social security approach was to be preferred.

Mr. ANDERSON. Well, frankly, that was my impression that I gathered from it. I will have to check some more. I think that was the result. I can only commend the able Senator from New York for providing such a seminar. I took great joy out of the fact that it seemed to confirm my opinion.

Mr. JAVITS. I believe I am a fair kind of chairman, and that I tried fairly to summarize it. I would like to read to the Senator the last paragraph on page 143, which was the report at the time:

> In his summary, Senator JAVITS said that there could be health coverage for the aged in which the Federal and State governments would make some contribution as well as the individual concerned depending upon his income. Different plans for different States were indicated because of the widely different range of costs, standards, and available facilities. The Federal share in any plan might be covered by some form of tax, but appropriations out of general revenues—making the program voluntary for the individual rather than an added social security tax making it, in effect, compulsory—seemed indicated.

I do not wish to put words into the mouth of everyone who participated, or in any way tie them into backing the principle of my program or supporting my bill, but I did not think that at the time this matter was discussed I tried to not give a fair summary of the discussion at the conclusion.

I will say this to the Senator. I have little doubt that—if the Senator will look at the people who participated—anyone will say that this was a loaded seminar.

Mr. ANDERSON. I did not say that.

Mr. JAVITS. No. I have no doubt that among the many who were present, whether doctors or not—because some were specialists in the field, even though they were not doctors—some may have believed that the social security approach was preferable, or a better plan, to the one that I sponsored. I have little doubt about it.

However, I do believe that that is quite symptomatic of the discussion raging in the country.

When we were through I felt that the consensus was that the voluntary plan would preserve more eggs and break fewer eggs, and particularly that what they wanted was a plan which was heavily premised on preventive care. I believe the whole direction of the conference, and the remarkable competence of all those people, was directed toward an emphasis on preventive care.

Mr. ANDERSON. I call attention to the page opposite to the page from which the Senator has read.

I read from page 142:

> Dr. Steinberg made his own proposal which would earmark an increase in the social security tax for placement in a separate trust fund to provide hospital care for the aging in which the Federal Government would participate as it does now in the Hill-Burton Act.

Mr. JAVITS. That does not surprise me at all, because, without having read even through all these statements, I was positive that there were some persons who felt as the Senator feels.

Mr. ANDERSON. I am very happy to have the Senator discuss this point. I am happy, also, that he participated in such a fine seminar. I only say that there are many people who are very seriously concerned about a program which raises some question over a means test, because that rules many of them out.

Mr. JAVITS. I would like to talk about the means test, if I may. We are faced, in the discussion of the bill, with a very interesting anomaly. It seems to me that the position of the two political parties has been almost completely overturned and reversed in a very interesting way. It may have some bearing on the merits of our respective approaches. I might say to the Senator that no matter how he or I may vote on this matter, he will sleep well and comfortably, and so will I, because I believe that the Senator from Michigan [Mr. MCNAMARA] and the other Senators who joined with both of us have immeasurably moved our parties along this road to the point where the aged will be well cared for no matter which amendment we vote tomorrow. I am positive both parties' business is going to get done. I am just as certain of that as I am that I am standing here today. So I think none of us has to apologize for our roles.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LAUSCHE. To make the record complete about what was said at the seminar, I think there ought to be read into the RECORD several sentences following the sentence quoted by the Senator from New Mexico. If the Senator from New York will permit, I should like to read what follows:

Mr. JAVITS. I shall be delighted to have the Senator from Ohio do so.

Mr. LAUSCHE. I read from page 142 of the hearings:

> Dr. Steinberg explained that his approach differs from the Forand bill in that the Government does not pay for hospital service as such but purchases voluntary health insurance on an actuarial basis. However it does make coverage mandatory since the Government would buy Blue Cross insurance for the aged.

Dr. McGuinness recommended that the cost for such program come out of general revenue or out of a compulsory tax. Dr. Rappleye warned against Federal participation and said that Dr. Steinberg's approach had been rejected in LaGuardia's administration. Dr. Bourke cautioned against the purely welfare approach to the problem and called again for an integrated community health program in which the contribution to the system would come out of the general revenue.

I assume, then, on that diverse approach, that the Senator from New York made his final summary, which he read a moment ago.

Mr. JAVITS. The Senator is exactly correct. I think it is fair to say that if we tried to nail these doctors down—and even the other individuals there—as to whether they were for or against the social security approach or were for some other approach, we would be doing an injustice to the purpose of the seminar.

The purpose of the seminar really concerned the kind of health care which would be the optimum for older people. That is, after all, what they were most competent to judge, rather than the sociological, political, and governmental implications of how it shall be done.

The only point in respect of which I cited the seminar as an authority is the point that preventive care is, in the view of these outstanding experts, the No. 1 priority, in their view, for a medical care plan for the aged. I tie that to my bill in pointing out that my bill does give the prime emphasis to preventive care, and to first-cost care, that, therefore, being preventive care. I think that is very heavily borne out and substantiated by the seminar, and I have cited the seminar as authority for that proposition rather than the proposition that it shall be done through social security, which is more or less our argument rather than the argument of the doctors. I would not want to bring the doctors into that particular hassle, as to which their competence would not be superior to that of any Member of this body, as I am sure they would be the first to agree.

I shall finish the argument which I began, and which I should like to reconstruct somewhat, so that we may keep its lineaments. I started by saying that what we who are deeply interested in this subject, are interested in it, considering the division of voting and considering the strong position of the President, a President who, we know, does not know any curlicues in the political game, and has told us what he will do. I think everyone will agree upon one thing he will do. This raises, then, a very serious question that if we want to act now, we must act in accordance with reality on some of these principles. I point out that my program follows some of those principles, and I am engaged in demonstrating that, because there is adequate coverage for our older citizens, and that, therefore, a departure from that principle is unnecessary.

Then I shall go into the factors of the cost of administration, and the arguments pro and con; then to the question of a Presidential veto, and point out that even if this Chamber should send to the other Chamber the social security approach, we must remember that the other Chamber has already acted quite contrary to that approach in the bill it adopted; and that before there could be a law, even if we sent our bill to the House, there would simply have to be an agreement with one of the legislative Chambers, which has hardly shown itself, so far, to be congenial to the social security formula. Hence we have not only the Presidential situation, which is serious enough, but also the need for concurrence by the other Chamber, which I think is equally serious and at least equally valid.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. BUSH. The conclusion seems inescapable, then, that the social security approach would probably never get to the President in this Congress.

Mr. JAVITS. It is very doubtful, to say the least, and one does not have to guess about that. The record is replete with such views.

Mr. ANDERSON. Mr. President, will the Senator yield at that point?

Mr. JAVITS. I yield.

Mr. ANDERSON. The Senator from New York was a Member of the other body, as I was. He knows that the Committee on Ways and Means has the power to report bills under a closed rule; and when a bill is reported that way, there is not a thing in the world that a Member of the House can do about it.

Mr. JAVITS. The Senator from New Mexico and I have both served in the House and have also seen the House turn down a rule, on occasion, or amend a rule.

Mr. ANDERSON. I know; but I can count on the thumbs of one hand the number of times I have seen the House reject such a rule.

Mr. JAVITS. That is exactly correct. I am glad the Senator said that, because he is a man of much greater experience than I am, having been a Cabinet officer as well as a Member of the House.

We all know that this is a highly political issue, on which, if ever the House was going to undo the closed rule, as we call it technically, they will do it. But apparently there is not enough muscle, in terms of votes, behind the idea that after a closed rule—and the House did accept a closed rule, notwithstanding the fact that the Forand bill, as the Senator knows, which was the bill they were considering there in very much the same form as we are here considering the amendment of the distinguished Senator from New Mexico, had been an issue which had been very hotly pursued by many people throughout the country. Nonetheless, the House Members went along with the rule on a very limited bill. It seems to me that was the vote on the Forand bill. I am not claiming it as that, but it seems to me that, for all practical purposes, that was so, and every Member knew it when he voted for the closed rule.

Mr. ANDERSON. I simply suggest to the able Senator from New York that time after time we voted on the floor together on positions we knew were just as hostile as they could be to the rules of the House of Representatives. I also remind him that it was not too long ago that a bill came from the House of Representatives which concerned certain financial matters, especially interest rates. The Senate went ahead and passed what we thought was desirable. Some of the items found their way into the law.

So, much as I have respect for the other body, and as fine a committee as I think the Committee on Ways and Means is—and I had the pleasure to serve on it—I think also that the Senate should do its best, and trust the House to do a good piece of work along with us.

Mr. JAVITS. The Senator from New Mexico has made, in his usual splendid style, the classic argument for doing what the Senator recognizes we should do. I think, also, that we who are considering the matter have a right to look at the actualities, especially in this season, remembering that we are at the tail end of one Presidential administration and are about to embark on a very sharply contested, exceedingly important presidential campaign. We are faced by a very unusual set of circumstances which does not happen very often, and does not happen, certainly, in connection with our normal considerations; and we will pass a bill and hope for the best.

Today, under the circumstances I have described, and which all the world knows, we have to take a pretty careful look at what we are doing in terms of its projection into law. It may prove to be very improbable and extremely prejudicial for us, on far more grounds than are concerned on the bill, to go forward and say, "OK. We will pass this bill, whether it becomes law or not, knowing full well that when we vote for it, it will not become law, and that the chances are very much against its becoming law."

I do not think the classic argument on that score is applicable to the existing situation, unless one wishes to wear blinkers; and I do not think the overwhelming majority of the Members of this body want to wear blinkers. I believe that all of us realize that regardless of what is done on this floor, this issue will be a major issue in the political campaign and will have large overtones and will be of importance in our history, and even in the history of the world.

So I believe that even those who believe that, in addition to working on these major issues, we should concentrate our attention on the issues of war or peace, will agree that this measure and similar ones must be considered to be on the most important level.

Mr. COOPER. Mr. President, will the Senator from New York yield.

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). Does the Senator from New York yield to the Senator from Kentucky?

Mr. JAVITS. I yield.

Mr. COOPER. Mr. President, I wish to say that I join the Senator from New York in supporting his amendment, and I also join him in his concern in regard

to meeting the problems of medical care.

In addition, I am concerned—as are many of the people of the Nation, in my opinion—that the problem involved in this issue and the problem of providing medical care for the aged—and these problems must be solved—have become a sort of football in the political campaign. I suppose that cannot be avoided; and I suppose that when these bills are before us, we must vote on them.

I do not say that in criticism of the Senator from New Mexico [Mr. ANDERSON], because year after year and month after month he submits very worthwhile measures.

But certainly it is rather cruel to the older people of the country, who are seeking some congressional action in this field, that an issue of the importance of this one has become a political football in connection with the campaign. I think that is very bad and indeed regrettable.

Mr. JAVITS. Certainly the Senator from Kentucky always voices both his own conscience and the conscience of a great many of us; and I, too, deprecate the political situation in connection with this issue.

The bill which provides for medical aid to the indigent who cannot meet their medical bills will, if enacted, go into effect on October 1 of this year. That will be a real step forward; and certainly both parties have progressed a long way on this road. It seems to me that both parties are materially committed to providing material help and an excellent standard of care by the Federal Government to those over 65 years of age.

However, it seems now that this issue will become involved in a political wrangle in the country. I join the Senator from Kentucky in deprecating that situation. It is most regrettable, indeed, that this issue will be on the political bargain counter; and I am very grateful that the Senator from Kentucky [Mr. COOPER] and many of our colleagues have the feeling that this issue dates back to 1949, when this subject, in terms of health care, was before the Congress.

Mr. DIRKSEN. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. DIRKSEN. If the Senator from New York will yield, I should like to ask that the yeas and nays be ordered on the question of agreeing to his proposal.

Mr. JAVITS. Mr. President, I, too, request that the yeas and nays be ordered on the question of agreeing to my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. McNAMARA. Mr. President, will the Senator from New York yield for a question?

Mr. JAVITS. I yield.

Mr. McNAMARA. From the remarks of the Senator from New York, I understand that he is firmly of the belief that the President will veto any bill which takes a social security approach. Both the Senator and I are very much concerned about that. The Senator from New York states that his bill will cost the Federal Government approximately $450 million a year.

Mr. JAVITS. I used that figure, and in a moment I shall go into detail and shall explain both the upper limits and the lower limits.

Mr. McNAMARA. And the cost of the amendment to the States will be an equal amount, will it not?

Mr. JAVITS. That is correct. The upper limit is approximately $460 million; the lower limit is approximately $320 million.

Mr. McNAMARA. The so-called Kerr-Frear bill would cost $300 million, would it not?

Mr. JAVITS. $200 million is the estimate set forth in the report.

Mr. McNAMARA. But I understand that the cost the first year will be $300 million, and thereafter the cost will drop.

In short, we arrive at a figure of approximately $750 million.

Mr. JAVITS. No; a figure of $650 million.

Mr. McNAMARA. Does not the Senator from New York think the President would as readily veto a bill which called for that expenditure?

Mr. JAVITS. No, because—although I do not have inside information—I have read to the Senate what the President said. At his press conference of the other day—the last one he held—he said:

> Well, I say this. I am for a plan that will be truly helpful to the aged, particularly against illnesses which become so expensive, but one that is freely accepted by the individual. I am against compulsory medicine, and that is exactly what I am against, and I don't care if that does cost the Treasury a little bit more money there. But after all, the price of freedom is not always measured just in dollars.

Mr. President, given the principles covered by my amendment—and they are principles the administration has been for—and notwithstanding the fact that extra cost is involved and the fact that the benefits under my amendment will go considerably farther than the administration has gone, it is my belief that the President would sign a bill of that kind.

Mr. McNAMARA. Mr. President, will the Senator from New York yield for another question?

Mr. JAVITS. I yield.

Mr. McNAMARA. I read in today's newspapers, with considerable interest, that the Vice President approves that approach to the solution of this problem. Does the Senator from New York have the Vice President's assurance about that, or is it just newspaper talk?

Mr. JAVITS. I do not think it is newspaper talk, at all. I stated to the press that it was my understanding that the Vice President supported this approach. I understand from the press that that was subsequently confirmed, in his behalf. I have no doubt whatever as to the validity and the substance of that support.

Mr. McNAMARA. That is very interesting.

Mr. JAVITS. I thank the Senator from Michigan.

Mr. President, I come now to the details of my amendment. I have already dealt with the broad outlines of the philosophy which underlies the amendment, and I have dealt with some of its historical background.

My amendment provides that any State—any one of the 50—may bring into the Federal Government's program a plan for giving health care to its older people, which plan shall apply to those 65 years of age or older who otherwise would not be benefited by this bill. In other words, they are not in receipt of old age assistance and they are not medically indigent. All over 65 years of age whose income does not exceed $3,000, in the case of an individual, or $4,500, in the case of a couple, will be eligible to come under a State plan, regardless of whether they are eligible for social security. I point out that the age provision in my amendment is 65, as against 68 in the Anderson amendment.

The potential number of persons who are eligible under my proposal is 11 million. I should like to account for these figures and also for the income brackets concerned.

There are 16 million people in the country who are 65 years of age or over. Of the 16 million, 2,400,000 are on old age assistance. It is estimated that between 500,000 and 1 million, in every year, will be the beneficiaries of the medical indigents aspect of the committee bill—the so-called Kerr-Frear plan. That makes a total, in round figures, of approximately 3 million, let us say.

That leaves 13 million people who are aged citizens. Again, it is estimated that of those 13 million people, approximately 2 million will, for one reason or another, whether by virtue of high income or for other reasons, fall outside the purview of my amendment, leaving 11 million eligible.

The 2 million figure is a rather interesting one. Obviously it must be an estimate. Based upon what we know about income limits, for example, we know that of the 16 million older citizens, only 4 million pay an income tax. But the 2 million is a very interesting figure because it is exactly the number of those who are entitled to social security, but do not draw it because they report greater earnings than those permitted by the social security law. So that we get a fairly compensatory relationship in respect of the people who are excluded, except when we get into the 65-68 category, because that cuts down the potential of the Anderson amendment to about 8¼ million.

I think this is a very serious and a very important point, because the potential under my amendment is then 2¾ million more merely by virtue of this age limit.

The age point is a very important point in assessing why it is more desirable to have a plan like mine than the social security plan. We are constantly inhibited in the social security plan in terms of costs, because we do not want the social security taxes to get out of line. Under the social security taxes, a burden is put on only 60 percent of the income of the individuals of the country.

I started to develop this point before: As between Democrats and Republicans—the whole world is turned topsy-turvy—the Democrats are for a program, on the whole—I do not say every one of them will vote that way—which puts this responsibility on the part of the population which is in the lowest income level, and only on part of the population. Hence, it becomes subject to the very argument which has been made here so often against the sales tax as a method of financing the Federal Establishment. The social security tax is put on about 70 million payers who are responsible for 60 percent of the income. On the other hand, my plan puts the responsibility on the totality of the income of persons who pay income taxes, because it comes out of the general revenues, and therefore spreads the burden widely and upon the basis of ability to pay, rather than on the basis of wage brackets, which come into consideration under social security. It seems to me in this case the roles of the parties have been reversed, and in quite an extraordinary way.

To continue the description of my amendment, a State, therefore, brings in a plan covering the people whom I have described as the ones who are eligible. Here are the only restrictions which are placed upon that plan by the amendment. The plan must give three options: The option of preventive care, the option of catastrophic care, the option of enabling the individual to participate in the purchase of a health insurance policy of his own.

Those options are mutually exclusive, the individual is entitled to take one of the three. Under his first option, the option for preventive care, the Federal Government participates in financing the cost between a minimum limit of care and a maximum limit of care. The minimum limit of care gives the beneficiary 12 home or office visits by a physician—incidentally, the only one of these plans which gives direct physician service. Second, it gives the individual the first $100 of ambulatory diagnostic laboratory or X-ray service. It gives 24 additional home health care services as prescribed by a physician and when necessary; 21 days of hospital or equivalent nursing home care. I say "when necessary" because the amendment provides it shall be done on certification of a physician as necessary.

That is the minimal package. We estimate that that package will cost, taking the country as a whole, and based upon 75 percent participation, in actuarial terms, $90 per person per year.

The maximum package of preventive care calls for physician's services 12 days, office and home; inpatient hospital services, 45 days; unlimited ambulatory X-ray and laboratory services; unlimited organized home health care services; and skilled nursing home services, 135 days.

This is an extremely valuable and a very substantial coverage for the individual, on a first-cost basis, with heavy emphasis on its preventive character.

We estimate that package, and I have worked out these estimates with the Department of Health, Education, and Welfare, will cost $128 a year per person covered.

The Federal Government will participate overall to the extent of 50 percent of the cost which is involved within those lower and upper limits of a minimum and maximum plan in the preventive care package, and the $450 million cost for the Federal Government, which I have figured is the cost of the maximum package for individuals covered.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. BUSH. In estimating the $90 cost per person covered, and the $128 cost per person covered under the second option, is it assumed, in arriving at those figures, that all who are eligible will participate in this plan?

Mr. JAVITS. No. The Department of Health, Education, and Welfare told us 75 percent is the fair estimate to assume in considering plans of this character. So all our figures are based on 75-percent participation.

Mr. BUSH. I thank the Senator.

Mr. JAVITS. We come now to the second option.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LAUSCHE. I am studying the amendment offered by the Senator from New York, and I am trying to get organized in my mind which of these sections deals with the minimum plan and which deals with the maximum plan. I am looking at page 4.

Mr. JAVITS. The minimum plan starts on page 2, under the heading, "State Plans"; and the actual minimum services are set forth on page 3.

Mr. LAUSCHE. Subsection (A)?

Mr. JAVITS. Yes; subparagraphs (A) to (D), inclusive.

Then there is the second option, which is set forth on page 4.

Mr. LAUSCHE. Beginning on line 5?

Mr. JAVITS. Yes. The third option is set forth on page 5, beginning at line 13.

Then we find the upper limits of these plans; and I will have one of my assistants check it out and we will key the Senator to them.

Mr. LAUSCHE. I thank the Senator.

Mr. JAVITS. Mr. President, I come now to the second option, which is the catastrophic care option. I should like to point out, before I leave option No. 1, which in my opinion will prove to be the most popular option should the plan be adopted, that option No. 1 gives very extensive benefits both in the minimum and the maximum packages, and particularly in the maximum package. It gives very large benefits to the individual which start at once. There is not any deductibility; that is, no sum which the beneficiary needs to expend. There is not any coinsurance; no expenditure the beneficiary must contribute to the aggregate expenditure. It is absolutely first care cost available immediately for a person who is ill and needs any one of these services or any combination of them.

The one thing which I wish to emphasize about the first alternative is the fact that I think it deals very intelligently with a problem of tremendous importance to the States; the problem of overutilization of hospital and other institutional facilities. I cannot begin to impress upon my colleagues the critical importance of this point. It will be noticed that the Anderson plan—as is true of the McNamara plan, the Forand plan, and others—is essentially a hospital plan. These plans give varying degrees of coverage in hospitals.

I think these plans give far more extensive degrees of coverage than experience indicates to be required, at the cost, therefore, of reducing other types of coverage which would be extremely helpful to those who are aged. In any case, there is substantial hospital coverage.

Mr. President, almost anywhere in the country—North, South, East, West, and certainly in the big cities—people can check for themselves as to the experience of getting into a hospital. What will be our situation, Mr. President, when 8¼ million people 68 years of age or over find that the only way in which they can get free service is by an extended stay in a hospital?

Mr. President, we know our country very well. Does anybody believe honestly that our hospitals will stand up under this burden until at least a tremendous amount of construction and development is done to bring them abreast to the demand? In our country, with 100 Senators and 437 Representatives, we can imagine the clamor which will go up from our older people if a bill has been passed and signed into law for their benefit, under which they can go to a hospital if they are social security recipients or eligible for social security, yet they find, when the time comes to go to the hospital, they cannot get in and have to wait in line—and for God knows how long?

Mr. President, I can think of few things which could turn out to be as cruel or disillusioning as that. I yield to no one with respect to my interest in providing a medical care plan which the aged can enjoy, which will do them some good. In addition, nothing else will raise such a backfire of opposition to the medical care plan, so as possibly to destroy it before it gets off the ground. By doing this, we may defeat the program.

Be it said to the credit of all those who say, "Let us have a pretty good look at this thing," this is one thing I certainly hope we shall have a very good look at before we break the backs of the hospitals, which are already heavily overtaxed, by placing a premium, as we would, upon an extended stay in the hospital. I think that is a most important point with respect to anything we do. I hope very much it will have the serious consideration of my colleagues.

Mr. President, as I said, the second alternative in my plan is to pay for the cost of long-term, catastrophic, or other expensive illnesses. This alternative plan provides for a minimum of 120 days of hospitalization, up to a year of skilled nursing-home services, and organized home health care services. It provides for surgical services in the hospital. All

of these are provided to the extent of 80 percent of the cost after expenses of $250 for any or all of such services in any one year are incurred.

In the second option, the catastrophic illness option, we do have the coinsurance, and we do have deductibility. I point out on the issue of deductibility that the Anderson plan has deductibility to the extent of $75. Second, I point out that I have set forth in terms of the second alternative the minimal package.

A State has the right to propose a package which is not less than the minimum, but it may also go to a very attractive maximum. I shall detail the maximum package in a minute.

The brackets of cost, as we estimate them now, are $90 for the minimum and $128 for the maximum for each beneficiary each year.

Mr. President, the State can, in lieu of improving its package to the maximum, utilize the additional money which it can get from the Federal Government and which it contributes to reduce the $250 deductibility. There is absolutely no inhibition on any State which prefers to make its minimum and maximum packages come closer together, in terms of benefits, and prefers to utilize the Federal contribution and the State contribution in order to reduce the $250 deductible item. That is a very important point, since it will give great flexibility to the States.

If, on the other hand, a State chooses to have the maximum benefits, to which the Federal Government contributes, without reducing the $250 deductible provision, keeping the 20 percent coinsurance, then it can get the following benefits in its plan: Hospital care for 180 days, skilled nursing home care for a full year, organized home care services for a full year, surgical procedures of all kinds, laboratory and X-ray services up to $200 a year, physician's services, dental services, prescribed drugs up to $350, private day nursing, and physical restoration services.

Mr. President, there simply could not be a more attractive package of benefits than that. It is far more attractive than anything which is offered to us in the Anderson plan, or in the Forand plan, or in the McNamara plan, or in any other plan.

Mr. President, this is a perfectly feasible option for the individual or the family which is not very much worried about the first $250 of cost in respect to an illness. These may be people of modest means, who can find $250 to look after themselves. What they are really worried about is a catastrophe which might hit a member of the family, to lay him up for a long period of time. This comprehensive illness package is fantastically good on that particular issue.

The third option is the option to draw up to $60 a year as 50 percent of the cost of any medical care policy or health insurance policy which the individual might want. That represents the third option under the bill.

How would the subscriber fare with respect to it? The proposal would adopt the principle of requiring the subscriber to pay a modest fee in order to join in the plan. Taking the lower and upper limits of the packages which I have described, that fee would range from $9 to $12.80 a year for each person covered. That is not a great deal, Mr. President. I do not use the "great deal" in absolute terms, for people of substantial earnings. I use it in terms of those very modest income persons who are concerned.

Mr. President, this would give the individual subscriber a sense of participating directly, a sense of a dignified partnership in respect to such a plan as this. It would give him an interest in the plan in terms of its operation, in terms of its cost, and in terms of its general conduct both for him and for others who might be covered.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. BUSH. Will the Senator repeat for me the fee he mentioned?

Mr. JAVITS. The fee is 10 percent of the cost of the package of coverage. The cost, in which the Federal and State governments participate, ranges from $90 to $128 as it is now provided in the proposal. That would mean the yearly cost for each subscriber would be somewhere between $9 a year and $12.80 a year.

Mr. BUSH. So the subscriber would be paying on the order of 10 percent of the total cost?

Mr. JAVITS. That is exactly correct.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. COOPER. Perhaps the Senator has elaborated on this point already. If he has not, I should like for him to state in his speech the facts upon which he has determined that the cost per person under his minimum plan would be $90 a year, and that the cost under the maximum plan would be $120 in one case and $128 in another case.

Mr. JAVITS. May I correct the Senator to say that it is $128 in both cases?

The costs are ascertained by extensive surveys made by the Department of Health, Education, and Welfare, and they are authoritative figures from a governmental agency which, without in any way affecting whatever might be its position on the proposed legislation, did the actuarial job of ascertaining the cost.

Mr. COOPER. Is any assistance in ascertaining the estimated cost to be gained from comparisons with the charges of private insurance?

Mr. JAVITS. Yes; I am sure that in coming to its estimate of figures the Department had available the actuarial experience of insurance companies, cooperatives, and group practice units, organizations, such as the Health Insurance Plan of New York, HIP, and other plans of that character. A very extensive body of experience is now being built up by the Federal Government health plan, which incidentally bears far more similarity to the plan that I propose than to a social security plan. It also provides for options, requires participation by the subscriber, and so on.

I believe there is very little challenge to be found in the validity of these cost figures. I believe HEW has done an excellent job. I am sure they have given the very same estimates to the Senator from New Mexico [Mr. ANDERSON] and others concerned as they have given to me. I believe this can be taken as an authoritative basis upon which we may proceed.

In terms of the overall cost of the plan, if the entire potential of eligible individuals subscribed or, let us say, 11 million, we would have a contribution by individuals of roughly 10 percent of the whole package of cost. So it is easy enough to figure that costs would then be in the area of $1 billion.

It appears to me that my plan contains a highly desirable type of participation, by which the subscriber himself would have a feeling that he belonged. I like that idea very much. It has been pointed out, for example, that as the years go on, the individual payer of social security under the social security plan will ultimately come into his own in terms of collecting the benefits in respect of medical care.

I respectfully submit that that is not going to be true for a very considerable time, because Senators will remember this tax will be levied upon everyone who pays social security taxes, no matter how young, and that at least for some time many of those who will be getting the benefits will not have paid social security taxes for it, because if that plan is successful, it will go into effect now or next year or some time near to now.

I still respectfully submit that when we come to a medical care plan, which is susceptible to so many problems, difficulties, irritations, frustrations, and dissatisfactions, the current participation, the fact that the individual beneficiary will be paying out a few dollars—say $9 or $10 a year in order to obtain coverage—is a very strong point in its favor. Participation gives the plan a character and body within the content of existing operations in the medical care field, which should I think be gratifying to the individual, and should therefore enhance the quality and character of the way in which this whole operation is administered.

I believe that one of the very strong points of my plan is that we would not in a sense lay aside the enormous structure of insurance, cooperative plans, group practice units, and pension plans now in existence.

For example, some retired teachers were in the other day studying the proposed plan, and with the greatest sympathy, because under my amendment we do not propose to discard every other plan, and to make or plan a big national system. On the contrary, my amendment provides various types of coverage, which make it attractive for people to carry some coverage on their own.

We would also open to every State the opportunity to contract with existing insurance plans and existing health plans to give a package of coverage somewhere between the minimum and the maximum. If that action cannot be accomplished, we give the State the flexibility,

to put such a plan into effect itself. My plan is far more accommodating to that approach than is the social security approach.

Let us remember that 127 million Americans, well over 70 percent of the population, are now actually covered by some form of health or medical care in a private sense.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. BUSH. The other day I observed in the newspaper an article which stated that the distinguished majority leader had referred to the so-called social security plan, the Forand-type approach, as being a pay-as-you-go plan. Is it not true that the plan of the Senator from New York is also a pay-as-you-go plan?

I ask the question because as we use the pay-as-you-go definition in ordinary municipal and State finance, we contrast pay-as-you-go through taxes as against borrowing and then paying back later. That is the classic definition of pay-as-you-go. It seems to me that this plan is as much a pay-as-you-go plan as the social security approach, because it involves no borrowing. The taxes are raised in the same year that they are presumably paid.

It is the intention of the Senator from New York that it should be that way?

Mr. JAVITS. The Senator is correct. My plan is far more qualifying under the orthodox concept of what is meant by pay as you go than is the social security plan, because when one says "pay as you go," he contemplates current general revenues being utilized for governmental expenditure.

Mr. BUSH. Exactly.

Mr. JAVITS. To say that social security is pay as you go is something of a euphemism. The term falls outside the context of what we usually mean when we say "pay as you go," because the taxes, for example, are direct taxes. I pointed that out before. They come from those who are not the recipients of the benefit, in the main. They come from those who may ultimately receive the benefit.

In addition, I think the entire social security establishment—and the Senator from New Mexico [Mr. ANDERSON] is a far greater authority on this subject than am I—has complex problems in it as to financial viability, return on investment, and different types of trust funds. It seems to me that pure pay as you go, as we define the term, to mean when we work for the benefit, or we feel a certain thing ought to be pay as you go, means pay as you go out of general revenue appropriations. I am not challenging the right of the Senator from New Mexico [Mr. ANDERSON] and his colleagues to claim that they have a form of pay as you go, but I certainly do not feel that it is fair to say that theirs is a pay-as-you-go plan and mine is not.

Mr. BUSH. That is exactly the point I wish to establish, and I thank the Senator for confirming my feeling in that respect.

Mr. ANDERSON. Mr. President——

Mr. JAVITS. I yield to the Senator from New Mexico.

Mr. ANDERSON. I wish to say, first of all, that I would not enter into a controversy with the Senator from New York on the question of what is pay as you go and what is not pay as you go. I merely remind him that under his plan $450 million must come from the States. The States must get that from their taxes, and that usually means increasing the sales tax, which falls hardest of all on the working classes.

Not long ago the Senator from New York came to the Senate with a proposal which appealed to me very much. It had to do with the repeal of telephone tax. He felt that the telephone tax should be repealed as a Federal tax, and that the telephone tax should be an available tax to the States. I must say that it made a great deal of sense.

We had some problems, of course, which arose in the Committee on Finance, which did not make it quite workable.

The great difficulty I have found with the Senator's program—and I say this in all kindness—is that many of the States are having great difficulty in this connection, in not being able to meet all the demands on them. The fact that the great State of New York came here asking for the repeal of the telephone tax indicated that the State has problems. When we start to say to the States, "Bring us another $25 million or $50 million of money for the operation of this medical plan," we are running into some difficulties there.

Mr. BUSH. Mr. President, will the Senator from New York yield, so that I may comment at this point?

Mr. JAVITS. I yield.

Mr. BUSH. I cannot weep too many tears over the good State of New York, because it has contemplated a tax reduction of 10 percent next year, as a result of the substantial surplus it has acquired under Gov. Nelson Rockefeller.

Mr. ANDERSON. I have commended Governor Rockefeller for that. I have also commended him on favoring the direct social security tax approach in connection with the proposal before the Senate. So we are able to commend him both ways, and quite properly so.

Mr. JAVITS. I would point out that the social security tax will fall on those in the lower income brackets without any participation by the general public who pay taxes, either to the States or to the Federal Government.

I introduced a schedule in the RECORD on Saturday, which I know the Senator from New Mexico will examine, if he has not seen it already, showing that there will not be a very appreciable burden on the States in terms of the plan. The RECORD indicates that in respect of these health matters, for which there is an important public demand, the States always find ways and means of entering into these programs.

I have introduced in the RECORD previously, and will again today, the analysis which shows the adherence to Federal-State programs in the health field as being very rapid in the first year—all the States come in—and the desirability of State participation is so great in terms of citizens of every State that there is a real case to be made for the States joining.

Perhaps the Senator from New Mexico was out of the Chamber when I mentioned this earlier. There is such a great diversity of medical facilities in the various States that, quite apart from what the Senate may do on his measure or mine, I am deeply concerned by the fact that we will be giving an offer of universality to older people about which they may find themselves clearly disillusioned, when we think of the fact that under the Senator's amendment a long-term stay in the hospital is possible for many people who are newly come to it, out of the eight and a quarter million of the potential which the Senator thinks would be covered, and the fact that that is a free benefit—and I say this honestly, and no one need to be a malingerer, although we have our share of them—there will be an inducement to go to the hospital for almost anything.

I am frankly worried about the impact upon our facilities. I question whether most of the people will not be very unhappy with us—myself and the Senator from New Mexico—because we cannot deliver what they think they can have tomorrow afternoon at 5 o'clock. He is a Senator of conscience, and it is a very serious point with respect to our approach to this situation.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a table at page 145 of the hearings entitled "Promptness of State Response to Grant Programs." It bears out my statement, made to the distinguished Senator from New Mexico, that the States move with alacrity with respect to these health programs. I believe it is fair to say that they would move with great alacrity with respect to the program which we are discussing now.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Promptness of State response to grant programs

Program and year began	Number of States participating	
	1st year	By end of 3d year
General health grants, 1936	All	--------
Tuberculosis control grants, 1944	All	--------
Cancer control grants, 1948	49	All
Mental health grants, 1948	45	All
Heart disease control, 1950	48	All
Hospital and medical facilities construction, 1947	All	--------
Water pollution control, 1956	All	--------
Vocational education, 1918	All	--------
Vocational rehabilitation, 1920	8	34
Extension and improvement of vocational rehabilitation services, 1955	32	46
National Defense Education Act (4 titles), 1959	45–48	(1)
Library services, 1959	36	49
Old-age assistance, 1936	41	50
Aid to the blind, 1936	26	43
Aid to dependent children, 1936	26	41
Aid to the permanently and totally disabled, 1950	33	37
Maternal and child health services, 1936	47	All
Crippled children's services, 1936	37	49
Child welfare services, 1936	33	49

[1] Inapplicable.

Mr. JAVITS. I should also like to call attention to the RECORD of Saturday, when I made quite an extended speech on this subject, and included a table which shows the responsibility of the individual States on the maximum and minimum package basis. I respectfully suggest that as we go through these States, on the basis of a 75-percent participation, which is the basis estimated for me by the Department of Health, Education, and Welfare, it is found that, except in the very large States, it is by no means a great burden which is placed on the States, considering the number of people who would be concerned, and I believe these States will look with favor rather than with disapproval upon this type of participation.

I yield the floor.

Mr. CURTIS. Mr. President, I rise to speak on the Anderson amendment, and I would appreciate it if the Senator from New Mexico would give me the information I seek. Does the Anderson amendment provide for the payment of doctors' fees?

Mr. ANDERSON. It does not. The committee bill makes provision for physicians, but the amendment makes provision for hospital care, nursing home services, and home health services, not for physicians.

Mr. CURTIS. For a hospital to provide these services, it must have a contract with the Secretary of Health, Education, and Welfare. Is that correct?

Mr. ANDERSON. To get payments from the trust fund, a hospital has to have an agreement with the Secretary of Health, Education, and Welfare.

Mr. CURTIS. I call attention to the Senator's amendment, first to page 6, lines 14 to 17. This section defines inpatient hospital services. On line 14, page 6 it states:

> Including laboratory, diagnostic X-ray, anesthesiology, physiotherapy, and other ancillary services which are customarily furnished to inpatients either by the hospital or by another person under agreement with the hospital.

Mr. ANDERSON. Yes.

Mr. CURTIS. At the top of page 8, lines 1 to 4, the language further defines a hospital and provides:

> Is primarily engaged in providing diagnostic and therapeutic facilities for surgical and medical diagnosis, treatment, and care of injured and sick persons by or under the supervision of physicians or surgeons.

Is it the intent of the distinguished Senator from New Mexico that the hospital services which I have mentioned—X-rays, anaesthesiology, physiotherapy, diagnosis, treatment, and care of sick persons—shall be carried on by private physicians, or will they be carried on by nursing efforts?

Mr. ANDERSON. The Senator from Nebraska has switched sections. If he will stay on the first section, it will be easier.

Mr. CURTIS. All right.

Mr. ANDERSON. Laboratory, diagnostic X-rays, anaesthesiology, physiotherapy, and other ancillary services will be covered only if customarily provided by the hospital.

Mr. CURTIS. But will the hospital carry out those functions by using physicians?

Mr. ANDERSON. They may use physicians.

Mr. CURTIS. Is it not the practice that such things as diagnostic X-ray are a duty to be performed by a recognized physician?

Mr. ANDERSON. In many cases a hospital will have a person who is a physiotherapist. In the next hospital the work may be done by contract with a local physician. The hospital may have a local physician who is an expert in physiotherapy. But my amendment does not contemplate the practice of paying physicians engaged by the patient to give him services.

Mr. CURTIS. In the next section, under the term "hospital," particularly as set forth at the top of page 8, the terms used are "surgical and medical diagnosis, treatment, and care of injured and sick persons." Does that call for physicians?

Mr. ANDERSON. That is a definition of what constitutes a hospital; it is not a definition of what constitutes a service covered by the amendment. It simply provides that a hospital is an institution which is "primarily engaged in providing diagnostic and therapeutic facilities for surgical and medical diagnosis, treatment, and care of injured and sick persons." That applies to people who come under social security, under private care, or who simply happen to go there or are taken there because of an accident.

That section tells what a hospital is, but it is not an inclusive term as to the provisions of the amendment.

Mr. CURTIS. I understand that; but construing the two sections together, is it still the Senator's contention that the amendment does not call for the services of physicians, regardless of how they are paid or by whom they are hired?

Mr. ANDERSON. If a physician is a specialist in physiotherapy and has a contract with a hospital to take care of all the people who come to the hospital, his bill will not be rendered to the patient, but will be rendered to the hospital, and the hospital bills will be paid under the amendment.

Mr. CURTIS. Suppose an eligible person is in a hospital for surgery, and the surgeon requires that a licensed physician must administer the anesthesia. Is the anesthesiologist provided by the hospital? Is he a part of the hospital's staff?

Mr. ANDERSON. If the individual engages an anesthesiologist is payment of the physician's fee covered under the amendment? It is not.

Mr. CURTIS. The physician who administers the anesthesia.

Mr. ANDERSON. The anesthetic can be taken care of by the hospital. If it is billed from the hospital, it becomes a part of the hospital bill. If the doctor bills the patient directly, the amount does not come out of this fund.

Mr. CURTIS. If that is true, what is the situation with respect to X-ray treatment and diagnosis? Will the hospital be permitted to provide them?

Mr. ANDERSON. Yes. If the X-ray work is done by a technician in the hospital, then that function is covered, because it is a part of the hospital bill.

Mr. CURTIS. But suppose the technicians are licensed physicians. Can the billing still be done by the hospital?

Mr. ANDERSON. If a private hospital has a contract with a physician, and the payment is made direct to the hospital.

Mr. CURTIS. In that case, who selects the doctor?

Mr. ANDERSON. There is nothing in the bill which has anything to do with the selection of the doctors. A person can go to a hospital, and the patient and the hospital can make such arrangements as they wish for anesthesia, for diagnostic X-ray, and so forth. In general, diagnostic X-ray work is not done by a physician—certainly in a large hospital it is not done by a physician. It is a part of the hospital's service, and, as such, is taken care of by the hospital, and, therefore, would come under this phraseology.

Mr. CURTIS. I think the distinguished Senator from New Mexico will find, if he investigates the operations of hospitals, that the matters about which we are talking are medical services which require a licensed physician.

Mr. ANDERSON. I may simply say to the Senator from Nebraska that I have been X-rayed many times, sometimes by a physician and sometimes not by a physician. However, I think that I have not been X-rayed for at least 25 years by physicians; therefore, I assume that persons other than doctors can take X-rays.

Mr. CURTIS. But the amendment uses the term "diagnostic X-ray." Certainly technicians who are not licensed to practice medicine do not interpret X-rays or perform the service required for diagnostic X-rays.

Mr. ANDERSON. There is a difference between the taking of an X-ray and the reading of it.

Mr. CURTIS. Yes.

Mr. ANDERSON. If the Senator will simply stay with the term "diagnostic X-ray," he will be all right; but if he starts to go into the question of what the physician does afterward, then he is in a different field. As a matter of fact, it is contemplated that the patient will go to his own doctor and will ask his own doctor if he needs to go to a hospital. He can be admitted to the hospital only if his doctor says he needs to go to the hospital, to be eligible for the care. So his own doctor has full charge of the patient while he is going to the hospital.

Mr. CURTIS. But he must also go to a hospital which has a contract with the Secretary of Health, Education, and Welfare; and that hospital, to perform the services mentioned here, will have to utilize doctors. There is no provision in the bill that the patient has anything to do with the selection of those doctors. Is not that correct?

Mr. ANDERSON. On the contrary, the patient has the fullest control over the doctors who take care of him. The Senator cannot find here a line which says the patient must go to one physician or another physician. He is allowed to

select his own physician and the doctor can then decide whether he wants to send the patient to the hospital. If the doctor wants to send the patient to a hospital, he can send him to a hospital which has a contract. If he does not want to go to the hospital which has a contract, he can go anywhere he wishes. But if he goes to a hospital where there is a contract, he can there get anesthesia, he can get diagnostic X-rays, he can get physiotherapy, and other ancillary services.

Mr. CURTIS. Can he get drugs?

Mr. ANDERSON. Yes.

Mr. CURTIS. Someone decides that he needs drugs, the kind, and in what amount. Somebody interprets his X-rays. Somebody else administers the anesthesia. All these functions require doctors. I should like to have the distinguished Senator from New Mexico point out the provision of the amendment which gives the patient the right to select his doctor.

Mr. ANDERSON. The Senator is putting his question on the wrong basis. He ought to find the provision of the bill which states that the patient cannot select his doctor.

Mr. CURTIS. All right; I can.

Mr. ANDERSON. This provision relates not to medical service; it relates to hospitals and similar institutions. If the Senator will keep his mind on hospitals and get it off doctors, we will get along all right. The patient selects his own doctor, and the doctor decides whether the patient should or should not go into a hospital.

I went into a hospital not too long ago because a doctor had looked at something and said, "It might be serious. I want to take a picture of it." I did not have to go to the hospital. I had that small growth on my back for years, but the doctor wanted to have it X-rayed and taken out, and he did. No one told me what doctor to go to. A patient, under this amendment, is allowed to go to his own doctor.

An attempt is apparently being made to say that this is socialized medicine. It is not.

Mr. CURTIS. I am not trying to say that. I am simply trying to have the Senator point out where it is not.

Mr. ANDERSON. Of course it is extremely hard to prove a negative. Will the Senator from Nebraska try to prove a positive? Let him put his finger on a line in the bill which says the patient cannot have his own doctor.

Mr. CURTIS. It is not only in the bill——

Mr. ANDERSON. Where?

Mr. CURTIS. But the distinguished Senator has verified the statement.

Mr. ANDERSON. Where?

Mr. CURTIS. Let me finish, please—that the hospital must be one which has a contract with the Secretary.

Mr. ANDERSON. That is right. We have established that. But that——

Mr. CURTIS. All right; he must go to that hospital. And once he gets into the hospital, separate and apart from any freedom of choice, he is entitled drugs and to diagnostic X-rays and to a number of other things, as mentioned in this measure, many of which will have to be administered by licensed physicians. The Secretary will have determined what hospital the patient will go to——

Mr. ANDERSON. Oh, no, no.

Mr. CURTIS. The hospital must have a contract.

Mr. ANDERSON. That is right; and it will be found that every hospital will have a contract. We will have no trouble at all with that situation.

But I ask the Senator whether he can find anywhere in the bill any provision to the effect that the patient's right to select his own physician will be taken away from him.

Mr. CURTIS. All right; let the Senator from New Mexico tell me where that right is given to the patient, by means of the provisions of the bill.

Mr. ANDERSON. This amendment relates to hospital services.

Mr. CURTIS. I understand that; and the hospitals will be vested with the right to administer medicine, and the medicine will have to be administered by doctors. And is it not true that the hospital will select those doctors?

Mr. ANDERSON. No, it is not true that the hospitals will select doctors to administer medicine.

Mr. CURTIS. The Senator's bill does provide that the doctor of the patient's choice may diagnose and may take X-rays, and all that will become part of the hospital provision included in the bill. Is not that the Senator's intention?

Mr. ANDERSON. No. We have been over this point several times, but let us go over it again: Even if the hospital has a contract with some physician who works in the hospital to do diagnostic X-ray work—which ordinarily will be done by an X-ray specialist, and if the hospital specialist does that because the patient chooses him as his private physician the bill for it will be part of the patient's bill, and he will have to pay it.

Mr. CURTIS. But the X-ray diagnostic work will be done by the physician or the specialist who had made the contract with the hospital.

Mr. ANDERSON. Yes. If the Senator goes to the Naval Hospital, where Members of Congress are entitled to go and to receive the equivalent of hospital care for a small fee, I do not believe that the Senator from Nebraska has ever decided who will take the X-ray pictures of him. If he has, he is in a class by himself, because I have been there frequently to have X-ray pictures taken, and I never decided who would take the pictures. Someone comes into the room, puts me into an ill-fitting suit, and takes an X-ray picture of me. As an ex-member of the coronary club, along with some other persons, I have an X-ray taken of my heart every once in a while. But that X-ray picture is not taken by a physician who is selected by me. Instead, he is a student physician out there.

Mr. CURTIS. I am pleased to have the Senator's statement on that matter. The hospital will make those provisions, and the hospital will make its contract with the Secretary.

Now I wish to turn to another matter.

Mr. ANDERSON. But has the Senator from Nebraska found in the bill any provision which would make it impossible for the patient to select his own doctor?

Mr. CURTIS. There is nothing in the bill to state that the patient can select his own doctor; and as I understand the statement of the Senator from New Mexico, the hospital will have the doctors of its choice do that work.

Mr. ANDERSON. The patient can have the head of Bellevue Hospital fly down there and take the X-rays, if the patient wants him to but those services will not come under the amendment. But if the patient wants to use the hospital's X-ray specialists, they will take the X-rays and the X-rays will be paid for under the amendment.

Mr. McCARTHY. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. McCARTHY. Let me say that that will be no different from the procedure under Blue Cross and Blue Shield.

Mr. CURTIS. But a patient does not have to subscribe to them unless he wishes to do so.

Mr. McCARTHY. But the Senator is talking about the control problem.

Mr. CURTIS. No, I am talking about the practice of medicine which must take place in a hospital and which cannot be separated from the other hospital services. Nothing in this bill gives the patient the right to select the doctors; and the author of the bill says that is a prerogative of the hospital.

Mr. McCARTHY. But the original choice is the patient's. The patient will have the right to choose the doctor. If a patient goes to Mayo Clinic, he does not say, "When I enter your clinic, you must have Dr. So-and-So take the X-rays of me."

I have a brother who is a surgeon in a clinic; and a patient who goes there does not say, "Dr. McCarthy must take the X-rays."

One who goes to that clinic takes "the package"; and that is done everywhere in the Nation today.

Mr. CURTIS. But that is a voluntary "package."

Mr. ANDERSON. The Senator referred to Blue Cross. Is one who goes into a hospital under Blue Cross allowed to state who will take the X-rays of him or who will give him physiotherapy?

Mr. CURTIS. I am talking about the part of the services which must be performed by licensed physicians.

Mr. ANDERSON. That decision is made purely by the patient; and then his physician decides whether he will be given certain drugs or whether he will receive physiotherapy; and no one else has a word to say about it.

Mr. CURTIS. But according to the bill he is entitled to receive certain services from the hospital.

Mr. ANDERSON. If his physician decides he needs physiotherapy, the patient is entitled to that; yes.

Mr. CURTIS. Let that part of the bill speak for itself.

Now I wish to ask about page 2, lines 9 and 10. That provision pertains to those who are entitled to benefits.

Mr. ANDERSON. That is correct.

Mr. CURTIS. Line 8 says the person must have attained age 68; and line 9 and 10 use the words: "is entitled to monthly insurance benefits under section 202."

That does not mean that he has to be drawing them, does it?

Mr. ANDERSON. That is correct.

Mr. CURTIS. In other words, he could be 69 years of age, and still working, and earning more than $1,200 or $1,800; and he would be entitled to receive these hospital benefits, would he?

Mr. ANDERSON. That is correct.

Mr. CURTIS. In other words, there is no work test, as there is under OASI.

Mr. ANDERSON. There is no work test and there is no means test; that is correct.

Mr. CURTIS. This is my last question: If the Anderson amendment is adopted, it will be in addition to the provisions of the committee bill, will it not?

Mr. ANDERSON. That is correct.

Mr. CURTIS. Will an individual be entitled to draw benefits under both parts, if both of them become law?

Mr. ANDERSON. I would not think so, but I do not know what the States would do. The States would have a right to set up their own criteria. I do not think it would be possible to draw benefits both ways. The only way that a person on social security—if he was on public assistance, he would have no problem—could draw benefits would be if he were medically indigent and could not obtain the benefits anywhere else. But if he were on social security, he could not say he was medically indigent; and therefore he could not draw both.

Mr. CURTIS. If a beneficiary under OASI had passed 68 years of age, but was drawing the minimum benefit, he would be denied the right to have his doctors' bills paid, under the committee bill, then, according to that explanation?

Mr. ANDERSON. First let me say that a moment ago I believe I gave an incorrect answer. If an individual were receiving benefits under the social security section, he might be eligible—and several of my colleagues have tried to point that out to me—under the other provisions as well.

Mr. CURTIS. Even if he did not run out of funds, he would be eligible to receive both at the same time, would he not?

Mr. ANDERSON. No. First, he would have to be medically indigent.

Mr. CURTIS. Suppose a beneficiary under OASI, who was past 68 years of age, were drawing the minimum benefits. If he availed himself of the hospital services provided under the Senator's amendment, could not he—under the provisions of the bill—have his doctor's bill paid?

Mr. ANDERSON. I apologize to the Senator from Nebraska; I was interrupted for a moment, and did not hear all of his question.

Mr. CURTIS. I think the answer is "yes."

Mr. McCARTHY. Mr. President, if the Senator from New Mexico will yield, I should be glad to answer the question.

Mr. ANDERSON. Certainly; I am glad to have the Senator from Minnesota do so.

Mr. McCARTHY. And if, following my answer, the Senator from New Mexico wishes to disagree with what I have said, of course, he will be at liberty to do so.

The language of the committee bill refers to medically indigent.

Mr. CURTIS. That is correct.

Mr. McCARTHY. And the explanation we had of it was, it covered someone who might not be indigent to the point of receiving old-age assistance, but who might be indigent insofar as being able to meet his medical expenses was concerned. In addition to the benefits provided by the committee bill, if the Anderson amendment is adopted, it will take into account also whatever benefits the patient would have through the social-security approach. Therefore, this would be a layer which would fall below that which is recommended in the committee bill, and an individual would not draw double benefits, but, depending on State programs, I am sure they could fit into this concept. If this amendment is adopted, I am sure the intention will be clear that there will not be double payments, and that the concept would come into effect only after an individual had exhausted all his resources, private funds, or social security or other plans, and he would then be indigent and would come under this plan.

Mr. CURTIS. The Senator from Nebraska did not mean to use the term "double benefits," or to imply it. The Senator from Nebraska did not mean that two sources would pay the same benefits. But it is possible for a person to qualify for benefits under the Anderson amendment and still be in such financial condition as to get benefits, including the benefits under the committee bill.

Mr. ANDERSON. My attention has been called to page 6 of the report, wherein is stated the following:

> Benefits under a State program may be provided only for persons 65 years of age or over to the extent that they are unable to pay the cost of their medical expenses.

If they had social security benefits and they were sufficient, they could not come under the State plan. If they were not sufficient, they could.

Mr. CURTIS. I thank the Senator. I appreciate the expression by the author of the amendment of his views on the language. In what I shall say further I am not attempting to put words in his mouth or interpret his understanding of it. I wish to state my own view of it. My view is this: I believe that if this amendment is adopted—and experience will bear it out—we are inaugurating a system of Government medicine, channeled through the hospitals, under which a hospital must have a contract with the Secretary, and the Secretary has a right, upon notice, to take the contract away, and that as a part of those hospital services there will be certain categories of medical care, and it will be the hospital which is under contract to the Secretary that will select those documents.

I predict that if this proposal is passed it will be like every other social program. It is a beginning, and it will be enlarged and go forward. That is the history of such legislation. So if we adopt the Anderson amendment, we are starting a system whereby one entity contracts with the Government, and that entity selects physicians, and possibly surgeons, but at least physicians——

Mr. GORE. Mr. President, will the Senator yield?

Mr. CURTIS. I yield, briefly.

Mr. GORE. The Senator has made some remarkable statements. I wonder if the Senator is familiar with the medical programs for veterans.

Mr. CURTIS. In general, yes.

Mr. GORE. When a veteran goes into a veterans hospital because he needs X-ray therapy, or osteopathic treatment, or a tonsillectomy, or any one of 101 different things, does not the veterans hospital either provide a Government physician or call in a private physician qualified for the particular function needed by the veteran?

Mr. CURTIS. Very definitely.

Mr. GORE. Does the Senator call that Government medicine?

Mr. CURTIS. Yes, it is Government medicine in a restricted sense, for a portion of our population; but it is Government medicine.

Mr. GORE. Does the Senator call that socialized medicine?

Mr. CURTIS. Not necessarily, because it is for a special class, and it does not spread to everyone. A veterans hospital is Government medicine.

Mr. GORE. What is the difference between socialized medicine and Government medicine, according to the Senator's definition?

Mr. CURTIS. That is a matter of semantics.

Mr. GORE. The Senator has been using terms rather eloquently, and I just wonder what he means by them.

Mr. CURTIS. In a broad, general sense, there is not much difference.

Mr. GORE. Then, insofar as it affects the Government, the doctor, and the patient, would the Senator say it is both Government medicine and socialized medicine?

Mr. CURTIS. I do not regard veterans' care as socialized medicine, to the extent that it is direct Government medical treatment, and I believe that the vast majority of Americans recognize it as such and do not object to it.

Mr. GORE. I am not raising the question of its advisability or inadvisability, but the Senator has said there is not much difference between socialized medicine and Government medicine. Would the Senator be so kind as to explain to the junior Senator from Tennessee just what that difference is?

Mr. CURTIS. I will be happy, at another time and place, to give the Senator my definitions.

Mr. GORE. I would enjoy a private conversation with the Senator, but the Senator has been using prejudicial terms on the floor of the Senate to describe an amendment of which I am a coauthor, and I would like to know what he means by those terms.

Mr. CURTIS. I mean exactly this: If the Anderson amendment is adopted, it is the beginning of Government direction of the practice of medicine and the treatment of the ill—not for a restricted group of veterans, but for our population generally. It is the beginning of it.

I prefaced my statement, in thanking the Senator for his remarks, by stating anything further I said I did not attribute to him, but was stating my belief.

Mr. President, to my mind perhaps the greatest indictment of the Anderson proposal is that it would give medical benefit to a part of our aged population over 68 regardless of whether such persons have retired or not and regardless of their income. The medical benefit would be a rather generous one, and unless the recipient is still working, he would have paid nothing for it. For such people the plan would not be a contributory system.

At the same time the Anderson proposal excludes perhaps approximately 3 million or 3½ million aged people, or people beyond the age of 68, who will draw nothing under the plan.

The Senate should remember that one group will draw nothing. It is said that they have not contributed. Unless one over 65 is still working in covered employment and he does not happen to be a beneficiary under the OASI, he will get those benefits for which he has contributed nothing. It means a greater burden on the young people, on the middle aged, and on the people who are working.

Next year, under the terms of the amendment, a self-employed person, a farmer, or a small businessman will pay $234 social security taxes if he earns a gross of $4,800. If we never add another amendment or increase the benefits after the passage of the Anderson bill, by 1969 such a farmer or professional man or businessman will be paying $342 a year for social security alone, because he pays at a rate of 1½ times what an employee pays. An employee will likewise have an increase in his taxes if the Anderson amendment is passed. He will have remaining less money from his paycheck. The money that is deducted will be used to pay some people over 68 medical benefits regardless of need and regardless of whether they are retired, and at the same time will deny benefits to approximately 3 or 3½ million people who are over 68. It is not a bill that can be defended upon its fairness, even if there were no other objections to the proposal that we have before us.

I believe that an analysis of the bill will indicate that it is a political hodgepodge. It will not take care of our needy aged. It will not treat all of our aged alike. It will be the beginning of Government medicine. It will lessen the take-home pay of every worker in the country and every self-employed person without treating all of our aged uniformly.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. CARLSON. If the Senator will permit, I wish to commend the distinguished Senator from Nebraska for calling the attention of the Senate to what I believe is one of the serious objections to the Anderson amendment. Everyone should realize that by adopting the Anderson amendment we would place a burden on 60 percent of the people of this Nation who pay social security taxes, not only to take care of building a health program for themselves, but to carry it as an additional tax to the general tax program levied on the people of this country. I think it is unfair to place this burden on the young people who are raising families and educating their children. The tax burden, as has already been mentioned, is 3 percent each on employer and employee. That percentage rises to 4½ percent in 1969 or 1970. In addition to that tax, it is proposed to impose a tax for a health program. I think it is a burden that we should not ask our young people to carry.

Mr. CURTIS. I thank the distinguished Senator from Kansas. His statement is particularly cogent when we realize that this is not a program designed to take care of all people over 68. Its benefits will go only to some of the people; 3 or 3½ million people would be denied benefits. The Anderson amendment does not even provide a test that the recipient must be retired.

I yield the floor.

ORDER FOR RECESS TO 10 O'CLOCK TOMORROW MORNING — UNANIMOUS-CONSENT AGREEMENT

During the delivery of Mr. CURTIS' remarks on the Anderson amendment to H.R. 12580:

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Nebraska may yield to me for the purpose of proposing a unanimous-consent agreement, with the understanding that the colloquy will appear at another part of the RECORD, and that the Senator from Nebraska will retain the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. We have pending the Javits amendment. I have conferred with the author of the amendment and the chairman of the committee, as well as the distinguished Senator from New Mexico [Mr. ANDERSON], the minority leader, and other members of the Finance Committee. I think most Members of the Senate would like to know when we anticipate a vote and would like to have us set a time for voting on both the Javits amendment and the Anderson amendment. If that is the consensus of the Senate, I should like to propose this unanimous-consent request, in accordance with the regular form: That when we conclude our deliberations today we stand in recess until 10 o'clock tomorrow; that when we convene tomorrow, we have a morning hour for not to exceed 1 hour; that the time from 11 o'clock to 2 o'clock, if that much time is needed, may be devoted to the Javits amendment, the time to be equally controlled by the proponent of the amendment and the opponents of the amendment; that we have a vote on the Javits amendment not later than 2 o'clock; that following the vote on the Javits amendment we have time controlled between the conclusion of the vote and 6 o'clock on the Anderson amendment, with the proponent, the Senator from New Mexico [Mr. ANDERSON], in control of the time in favor of the amendment, and the minority leader [Mr. DIRKSEN] in control of the time in opposition to the amendment; and that at not later than 6 o'clock we vote on the Anderson amendment.

Mr. JAVITS. Mr. President, reserving the right to object, and I shall not object, because I am a party to this agreement, I wish to make one thing very clear. The Senator used the term "the usual agreement," which includes the rule of germaneness. I know what the Senator intends. I am sure he will agree with me that the unanimous-consent agreement should provide that for the purposes of the unanimous-consent agreement both my amendment and the amendment of the Senator from New Mexico [Mr. ANDERSON] shall be deemed to be germane.

Mr. JOHNSON of Texas. Germane to the bill, surely. There are other things, in the usual form, like no time on a motion to table, and things like that.

Mr. JAVITS. I have one other point. Mr. President, it is understood that the unanimous-consent request does not apply to all amendments to the bill, but only to the Javits amendment and the Anderson amendment?

Mr. JOHNSON of Texas. That is true. We do not go beyond the two amendments.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

Mr. BUTLER. Mr. President, reserving the right to object, and I shall not object, the majority leader said we may vote any time up to 2 o'clock. Does the Senator mean by that that we shall vote at 2 o'clock?

Mr. JOHNSON of Texas. No. If Senators wish to yield back their time, we could vote at 1:35 p.m. In no event would we go beyond.

Mr. BUTLER. We would not go beyond 2 o'clock.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the minority leader.

Mr. DIRKSEN. Mr. President, I did concur in the suggestion which was made first because I know that some time will be devoted to the morning hour. If we start at 11 o'clock on the Javits proposal, there will be an hour and a half for each side, which is not too much time. I think these matters should be properly discussed. There is no disposition on our part to delay or to defer action on these two major proposals. I think an hour and a half on a side would be adequate.

After we vote on the Javits amendment there will be roughly 3½ or 4 hours to devote to the Anderson proposal. That will be approximately 2 hours on a side. The reason for the additional time is that there was only a short session on Saturday, and not too many Senators

were present. I think the matter is of such import and significance that it deserves the extra discussion.

I concur in the unanimous-consent request, unless there is some Senator who has other ideas about it.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. WILLIAMS of Delaware. I direct a parliamentary inquiry to the Presiding Officer. Under the rules of the Senate can we enter into a unanimous-consent agreement to vote at a time certain on the following day without preceding the consent agreement with a quorum call? Would it not be subject to a point of order if it were entered into without there being a quorum call?

The PRESIDING OFFICER. The rule with respect to the quorum call relates only to the passage of a bill or resolution and does not apply to amendments.

Mr. JOHNSON of Texas. We are considering only two amendments. That rule would apply to the passage of the bill.

Mr. WILLIAMS of Delaware. It applies only to the passage of the bill, and not to any amendment?

The PRESIDING OFFICER. That is correct. Is there objection to the request of the Senator from Texas?

Mr. DIRKSEN. Mr. President, it is understood we are dealing with two amendments?

Mr. JOHNSON of Texas. That is correct.

Mr. DIRKSEN. Both of which are considered to be germane, and there is to be a time certain, or before, at which we shall vote; namely, 2 o'clock on the Javits proposal and 6 o'clock on the Anderson proposal?

Mr. WILLIAMS of Delaware. Mr. President, reserving the right to object, and I shall not object, I do not know whether the majority leader overlooked this or not, but I understood the Senator from Massachusetts [Mr. KENNEDY] had a speaking engagement in Detroit at noon tomorrow. Has the majority leader taken that into consideration? Would he prefer to postpone the vote to convenience him?

Mr. JOHNSON of Texas. I do not want to play politics.

Mr. WILLIAMS of Delaware. We would be glad to cooperate with him and give him time to get back.

Mr. JOHNSON of Texas. Mr. President, we all know the Senator's interest in cooperating with Democratic presidential nominees.

I told the Senator privately a few minutes ago what I am willing to restate publicly, that I thought one of the greatest injustices I had ever seen practiced in the Senate was practiced the other evening when the Senator from Massachusetts was charged with having caused the Senate to go out early when he had nothing whatever to do with it, when advance notice was given, when the minority leader was a party to that agreement, and it was printed in the RECORD. Subsequently the statement was made that Senators did not have information about when the Senate would go out.

The Senator from Massachusetts said to me upon that occasion, and he has repeated to me since, that he does not want any plans which he may have to in any way interfere with when we come in or when we go out. He will adjust himself to whatever schedule the Senate might set.

I have not consulted him about this. I do not intend to. I rather think that if he has plans the Senator from Delaware has knowledge of they are unknown to me, and he can either readjust his schedule or readjust his plans.

Mr. WILLIAMS of Delaware. I assure my majority leader that my words were in no way critical of the junior Senator from Massachusetts, but were only offered in the spirit of cooperation.

Mr. JOHNSON of Texas. I understand.

Mr. WILLIAMS of Delaware. In fact, I have not criticized the Senator's absence half as much as the majority leader.

Mr. JOHNSON of Texas. I understand.

Mr. WILLIAMS of Delaware. I simply wish to be cooperative.

Mr. JOHNSON of Texas. It reminds me of when I was back on the farm and had just finished milking, with a great big bucket of milk filled, when the old cow drew her tail across the milk bucket.

I understand it for what it is.

I wish to add that the schedule is worked out particularly to suit the Republican leadership, because they have a conference tomorrow morning. We do not wish to come in too early. We should like to have a morning hour, so that there will be no chance of having any votes before the leadership gets here. I do not think that is a matter which ought to be a part of the agreement, any more than any plans of the Senator from Massachusetts.

Mr. WILLIAMS of Delaware. Mr. President, let us get this straight. I have not heard anything about this agreement being for the convenience of the Republican conference. Suppose we change the voting hour to 10:30 a.m.?

Mr. JOHNSON of Texas. I would have no objection.

Mr. WILLIAMS of Delaware. That suits me.

Mr. DIRKSEN. Mr. President——

Mr. JOHNSON of Texas. The minority leader told me that.

Mr. BUTLER. We can vote at 11:05, if that is the desire.

Mr. JOHNSON of Texas. The minority leader told me. He usually knows whereof he speaks. He said he did have a conference. As I recall, there is a television performance down there every Tuesday morning. I gathered he felt that 11 o'clock would give him enough time to perform his duties at the White House and also be able to be in attendance at the Senate when any business was taken up.

Mr. DIRKSEN. Mr. President, will the majority leader yield?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. Mr. President, I have no secrets. We have the regular Tuesday morning leadership conference at the White House. Insofar as I know, it begins at 8:30 a.m. When it is concluded there will be that delightful moment when we have a conference with the press and then go out in front of the White House, where one has an opportunity to ventilate his opinions and views over three networks. It is one of those priceless things. I would not give it up for anything. [Laughter.]

So I suggested that we come in at 10 o'clock and that there be a morning hour of not to exceed 1 hour, which will give me an opportunity to be present and to participate in the discussion.

All I know, like Will Rogers, is what I read in the newspapers. I had in mind that the distinguished junior Senator from Massachusetts is scheduled for an appearance in Detroit. My understanding is that that appearance is at 12 o'clock.

I have flown to Detroit and back a great many times, sometimes in a two-motored plane, and sometimes in a four-motored plane. I know there is a downtown airport. One does not have to go all the way to Willow Run in order to board a plane. One can fly from the heart of Detroit and return here in 2 hours. So if there is an appearance, the junior Senator from Massachusetts [Mr. KENNEDY] can get back in time to vote, certainly on the Anderson amendment. I do not know how deeply interested he might be in voting on the Javits amendment, but at least I did have it in mind, because I like to be not only indulgent, but also fair and to give full and adequate opportunity to every Senator, no matter what high estate he may seek, to be here and to have his vote recorded at the proper time. I thought, therefore, that a vote at 6 o'clock on the Anderson amendment would be time enongh, and I think the majority leader agrees.

The PRESIDING OFFICER. Without objection, the request is agreed to.

Mr. JOHNSON of Texas. Mr. President, I think anyone who reads the RECORD can see some of the problems we have in attempting to pass legislation through this body. I hope all Senators will take notice that we will remain in session this evening as long as Senators may desire, and then we shall come in at 10 o'clock to proceed to vote at 2 o'clock on the Javits amendment, and not later than 6 on the Anderson amendment. We do not expect any rollcall votes this evening.

Mr. DIRKSEN. Mr. President, was the request agreed to?

The PRESIDING OFFICER. The unanimous-consent agreement was agreed to.

The unanimous-consent agreement reduced to writing is as follows:

Ordered, That upon the convening of the Senate at 10 a.m. tomorrow (Tuesday, August 23, 1960), the consideration of morning business be in order until not later than 11 a.m.; that at said hour the Senate resume the consideration of H.R. 12580, the Social Security Amendments of 1960, and proceed with debate on the so-called Javits (and others) amendment to the so-called Anderson (and others) amendment until not later than 2 p.m.; that the intervening time be equally divided between the proponents and opponents and controlled, respectively, by Mr. JAVITS and the majority leader; and that a vote be taken on said amendment at not later than 2 p.m.; that the Senate then

proceed to the consideration of the Anderson amendment and that debate thereon proceed until not later than 6 o'clock p.m., the time to be equally divided between the proponents and the opponents of the said amendment and controlled, respectively, by Mr. ANDERSON and the minority leader, and that the Senate vote at not later than 6 o'clock p.m. on said amendment: *Provided,* That no amendment that is not germane to either of said amendments shall be in order.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed without amendment the following bills and joint resolution of the Senate:

S. 107. An act to amend title XI of the Merchant Marine Act, 1936, relating to Federal ship-mortgage insurance, in order to include floating drydocks under the definition of the term "vessel" in such title;

S. 2830. An act to amend the Library Services Act in order to extend for 5 years the authorization for appropriations, and for other purposes; and

S.J. Res. 207. Joint resolution to suspend for the 1960 campaign the equal-opportunity requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President.

SOCIAL SECURITY AMENDMENTS OF 1960

The Senate resumed the consideration of the bill (H.R. 12580), the Social Security Amendments of 1960.

Mr. HOLLAND. Mr. President, if the Senate in its wisdom decides that it is either necessary or advisable at this time to pass legislation in this field, I shall certainly favor and support the legislation reported from the committee and supported on the floor by the distinguished chairman of the committee, the Senator from Virginia [Mr. BYRD], and the distinguished Senator from Oklahoma [Mr. KERR], and various other Senators. However, I think that most of us are in trouble in our thinking about this whole subject. I know that insofar as the Senator from Florida is concerned, he has received many communications from young people within his State complaining about the fact that the proposal to increase the social security taxes in order to put the proposed program upon the Social Security System would be hurtful to the young people at a time when they are faced with heavy responsibilities and heavy expenses as they are rearing their families.

I know also that from my State, where I suspect the percentage of elderly people is as great as in any State in the Union and perhaps greater, has come voluminous mail on this subject, a great preponderance of it coming from elderly people, indicating that they do not want the Government to interfere in this field.

At this time I simply rise to note that in a casual inspection of reputable newspapers today I have noted quite a number of scholarly and well-informed editorials calling attention to the fact that we are proceeding too hastily in a matter of such great importance, and the further fact that in the judgment of the editorialists we are guilty of great unwisdom if we rush into legislation in this field at this time and during this session.

Mr. President, the first of the editorials which I mention is from the Baltimore Sun. It is headed "Care and Votes." I ask that the whole editorial be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CARE AND VOTES

Medical care for the aged is at this moment the foremost issue in the presidential campaign. Political leaders of both parties in the Senate, where the battle is currently waged, are guided, we may be sure, not so much by what is good for the citizens affected as what is most likely to attract their votes.

The Democratic platform calls for an extension of social security under which all aged persons in that program would be eligible for medical benefits regardless of financial status. The proposal incidentally involves another deduction from the pay envelope.

The Republican alternative has been an administration bill limited in scope, aimed at helping the aged pay for catastrophic illness. There is a wide gap between it and the Democratic offer. So long as Mr. NIXON had nothing else to offer he was handicapped in dealing with the issue of medical care. He now has thrown his support to a plan proposed by Senator JAVITS, of New York, which would provide preventive care and other medical aid to all persons over 65 years old excepting about 2 million with incomes judged substantial. There is every indication that the Javits proposal is designed to replace the administration bill (in both the Federal contribution would come from general funds). Mr. NIXON'S support considerably strengthens his bid for the old folks' vote.

Still another medical care plan, far less ambitious, is now before the Senate, having been voted out favorably by the Finance Committee. It is a somewhat stronger version of a bill passed by the House but confined to helping the indigent and the medically indigent.

Thus in the brief time left in the present session the Senate is confronted with at least three medical-care proposals differing widely as to details and relative costs. The time is too short for the careful consideration they deserve. It would be better if action were deferred until after the election, leaving the respective candidates to make whatever political capital they may out of the proposals now in the air.

Mr. HOLLAND. I shall quote from the editorial only the first and the last paragraphs, which read as follows:

Medical care for the aged is at this moment the foremost issue in the presidential campaign. Political leaders of both parties in the Senate, where the battle is currently waged, are guided, we may be sure, not so much by what is good for the citizens affected as what is most likely to attract their votes.

Then, in its closing paragraph, this fine editorial states the substance of the position of that paper, as follows:

Thus in the brief time left in the present session the Senate is confronted with at least three medical care proposals differing widely as to details and relative costs. The time is too short for the careful consideration they deserve. It would be better if action were deferred until after the election, leaving the respective candidates to make whatever political capital they may out of the proposals now in the air.

The second of the editorials is from the Washington Daily News, the Scripps-Howard paper in the National Capital. It is headed "Get the Facts." I ask unanimous consent that the whole editorial be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GET THE FACTS

A former Cabinet officer, Marion B. Folsom, has come up with the most sensible proposal yet for dealing with the complex problem of medical care for the aged.

First, Mr. Folsom, a former Secretary of Health, Education, and Welfare, would have the dying session of Congress drop its scheduled attempt to enact a medical care program—because there is no emergency to justify hasty legislation.

Then he would have an advisory commission appointed to study the entire field of health insurance for persons over 65, with instructions to report by next March 1 to the new Congress and new administration. The commission, he said, should include representatives of the medical profession, insurance industry, employers, labor unions and the general public. To avoid partisanship, the commission could be appointed jointly by the Democratic chairmen of the Senate Finance and House Ways and Means Committees and the Republican Secretary of Health, Education, and Welfare.

"This is the logical way of getting the best possible program," Mr. Folsom says. "You would be surprised how much agreement you can get on a plan, once the facts are known."

We agree. Certainly not enough facts are at hand to justify helter-skelter enactment of legislation of such a far-reaching nature. And the facts, when known, just might be surprising.

Two Emory University professors, for example, have surveyed 1,500 persons over 65, using probability sampling, and found only 8 percent who knew of some unfilled medical needs. And lack of money was the least important of the reasons given for not having the medical needs met.

Many facts should be turned up by the White House Conference on Aging, scheduled for January, which would be of great assistance to an advisory commission such as suggested by Mr. Folsom.

This harried and politically minded Congress would do the country a great service by heeding Mr. Folsom and permitting the assemblage of facts which would show just how much and what kind of a medical care program is needed.

Mr. HOLLAND. I read only three short paragraphs from the editorial, as follows:

A former Cabinet officer, Marion B. Folsom, has come up with the most sensible proposal yet for dealing with the complex problem of medical care for the aged.

First, Mr. Folsom, a former Secretary of Health, Education, and Welfare, would have the dying session of Congress drop its scheduled attempt to enact a medical care program—because there is no emergency to justify hasty legislation.

Then, proceeding with the suggestion for the appointment of an advisory group and for the bringing in of recommendations of that group early next spring, the editorial concludes the discussion with this paragraph:

This harried and politically minded Congress would do the country a great service by heeding Mr. Folsom and permitting the assemblage of facts which would show just how much and what kind of a medical care program is needed.

Mr. President, the third of the editorials touches me even a little more closely than the other two, because it is based upon the preliminary recommendations of two very able professors at Emory University in Atlanta, Ga., an institution of learning, of which I have the honor to be a graduate, and of which I have been a trustee for many years.

I ask unanimous consent that the whole editorial, which appears in today's issue of the New York Daily News, be printed in the RECORD at this point, as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OLD FOLKS AND DOCTORS

"When we asked the respondents: "Do you have any medical needs now that are not being taken care of?"—92 percent said, "No." However, for the remaining 8 percent who knew of some unfilled medical needs, we have to distinguish various reasons for the failure to relieve the need. Financial reasons were the least important ones."

The quotation is from a preliminary report on elderly Americans' medical needs, or lack of them, by Profs. James W. Wiggins and Helmut Schoeck of Emory University, Atlanta, Ga.

HOW MANY REALLY NEED "MEDICARE"?

The report is based on interviews with 1,500 old people representing a cross-section of our "senior citizen" population.

Of the 1,500 persons interviewed, 64 percent had health insurance to meet medical bills. All but the above-mentioned 8 percent were confident that emergency sickness expenses could be taken care of in one way or another—by their insurance, or by drawing on their bank accounts, mortgaging their homes, getting help from their children, and so on.

The Emory University team found very little enthusiasm among these people for Government medical aid—and a lot of fear that excessive Government spending would drain away what is left of the dollar's buying power.

This report is respectfully recommended to the attention of Members of Congress, in both parties, who are currently shrieking to the high heavens that we've got to blanket our "senior citizens" into an overall socialized medicine scheme or catastrophe will follow.

Mr. HOLLAND. Mr. President, it might be well to call special attention to the text of that editorial, which is entitled "Old Folks and Doctors" with the byline, "How Many Really Need Medicare?"

First, the editorial quotes from a report of the two able professors of Emory University:

"When we asked the respondents: 'Do you have any medical needs now that are not being taken care of?'—92 percent said, 'No.' However, for the remaining 8 percent who knew of some unfilled medical needs, we have to distinguish various reasons for the failure to relieve the need. Financial reasons were the least important ones."

The quotation is from a preliminary report on elderly Americans' medical needs, or lack of them, by Profs. James W. Wiggins and Helmut Schoeck of Emory University, Atlanta, Ga.

The report is based on interviews with 1,500 old people representing a cross section of our "senior citizen" population.

Of the 1,500 persons interviewed, 64 percent had health insurance to meet medical bills. All but the above-mentioned 8 percent were confident that emergency sickness expenses could be taken care of in one way or another—by their insurance, or by drawing on their bank accounts, mortgaging their homes, getting help from their children, and so on.

The Emory University team found very little enthusiasm among these people for Government medical aid—and a lot of fear that excessive government spending would drain away what is left of the dollar's buying power.

I digress to say that that very fear, which is voiced as having been found by these two able analysts in the minds of so many of the elderly people whom they interviewed among the 1,500, which they say is a fair cross section, appears in the majority of the letters, going into the hundreds, which I have received from elderly people within the State of Florida. They fear that excessive Government spending will drain away what is left of the dollar's buying power.

The chief objection to all these extravagant and expensive programs which are being urged as a result of ultra liberal planning and current insistence, is that the objectors believe greater inflation will result, and that the purchasing power of their dollars, in many cases saved by frugal living throughout their lives, will be taken away or reduced in such a measure as to deprive elderly people and other citizens of the security and the fruits of their labors.

I close the quotation from this able editorial with this paragraph:

This report is respectfully recommended to the attention of Members of Congress, in both parties, who are currently shrieking to the high heavens that we've got to blanket our "senior citizens" into an overall socialized medicine scheme or catastrophe will follow.

Mr. President, I believe these three editorials, which are typical of many which will be found in the current press of the Nation, indicate that there is a strong case now existing for postponement of this whole matter until we can have more light on it.

However, I say again, if in the judgment of a majority of the Senate the pressures of the moment and of the political campaign, which impinge on so many here, are such that we must pass an act in this field, I hope it will be an act along the lines recommended by our able committee.

Mr. McNAMARA. Mr. President, we are now approaching the final days of decision on how to meet effectively and on a dignified basis the high cost of medical care for the aged.

Several Senators have proposed solutions to this No. 1 problem of the aged and I should like to take this opportunity to present a brief evaluation of them based on the 18 months' study conducted by the Senate Subcommittee on Problems of the Aged and Aging, of which I have the honor to serve as chairman.

In the course of our comprehensive study, the members of the subcommittee had the benefit of the knowledge and views of many scientists of the very first rank in the field of gerontology. They were also able to discuss health problems of the aged with hundreds of local administrators—public and private—working with the elderly right in their own communities in seven major cities across the country. We received communications and recommendations from hundreds and thousands of additional professionals in the field. In a unique undertaking, we heard from the aged themselves as they spoke directly to us at our hearings in the various cities. We made personal visits and spoke with residents in homes for the aged, housing projects for the elderly, senior centers, nursing homes, rehabilitation hospitals, and other facilities.

As a result of these studies, hearings, and reports, I should like to set forth the best thinking in the field as guidelines for a program of health services.

The objectives of a good health program are:

First. To prevent illness when possible; to limit disability by early diagnosis.

Second. To provide acute treatment in hospitals.

Third. To assure that convalescent and rehabilitation services are given in a proper facility.

Fourth. To provide long-term care in the patient's own home whenever possible.

Fifth. To purchase these high-quality services at reasonable costs.

Sixth. To finance the services through a prepaid insurance system which emphasizes independence and freedom.

In achieving this, the following should be avoided:

First. Interference with the current pattern of medical care.

Second. Excessive use of hospitalization, and any incentive for such excessive use.

Third. Financial or other obstacles to early securing of medical care.

Fourth. Unnecessary use of any single group of scarce health professionals.

Fifth. Encouragement of low quality care.

Sixth. Imposition of a means or charity test to finance medical services.

THE RETIRED PERSONS MEDICAL INSURANCE ACT

With this experience and these guidelines in mind, we drafted and introduced S. 3503 as a balanced program of medical insurance benefits for retired persons—men 65 and over, women 62 and over. The bill extended its benefits to the retired aged outside of the OASDI system as well as to those eligible for social security benefits. The system would be financed primarily through social security with relatively small supplementary appropriations out of the general fund to cover the costs of the non-OASI eligibles.

I was honored to have 23 other Senators join me as cosponsors in what I believe—and as confirmed by communications from outstanding students and practitioners in this field and by hundreds of letters from the aged themselves—as the soundest proposal suggested—both medically and financially. I take what may be inordinate pride in this bill, since the final draft was not mine alone, but the thoughts, ideas, and

works of many minds. The bill is soundly financed through a one-quarter of 1 percent increase in the social security tax on the employer and employee in its first 10 years of operation, and an additional one-eighth of 1 percent on each after 1972. In this respect it is not bound by the myth of the level-premium concept but rather by the more realistic and effective recommendation of the Congress' Advisory Council on Social Security. This official body recommended that OASDI financing be based on 15- to 20-year estimates with congressional review thereafter. It thus provided the maximum amount of health benefits at a minimum cost at the earliest possible time, and on a sound, actuarial basis.

However, I am now of the opinion—as we come down to a final decision—that the present course of practical wisdom requires acceptance of a medical insurance bill limited to a one-half of 1 percent increase in the social security tax on a level-premium or long-run estimate—calculated to take into account cost changes over the next 100 years.

Because of this financial limitation, I have joined Senator ANDERSON and Senator KENNEDY in cosponsoring an amendment to H.R. 12580 which I trust will pass the Senate. The Anderson-Kennedy bill constitutes a sound, effective program for meeting the health costs of the aged on a dignified basis. It provides for diagnostic services to emphasize prevention; for adequate hospital care and treatment; and for suitable skilled nursing home care and home health services, thus emphasizing medical care in the community and in the home. It thereby deemphasizes excessive use of hospitalization and institutionalization. At this point I ask unanimous consent to include a memorandum explaining the details of the bill.

The Anderson-Kennedy bill is one that I am very happy to cosponsor since it meets the guidelines and criteria I set forth earlier, but within the level premium of one-half of 1 percent of payrolls limitation. I urge all those who have supported S. 3503 and all other Senators to join in enthusiastic, concerted approval of the Anderson-Kennedy amendment.

There are two other proposals on which I would like to comment.

THE KERR-FREAR BILL

The Kerr-Frear proposal expands medical care for old-age recipients primarily by injecting more Federal funds into State programs. It also adds a new category for medically indigent or medically needy outside of old-age assistance. This latter category will be helpful to some extent and I shall support these improvements in medical care under public assistance. We need, however, to add—as a complementary bill—the Anderson-Kennedy social security approach.

Standing alone the medical assistance part of the Kerr-Frear proposal has the following weaknesses:

First. It cannot go into effect in any State until that State has authority to raise the necessary funds to match Federal grants.

Second. It continues the means or charity test approach which requires income and asset investigation.

Third. Being open ended, it would cost as much as $2½ billion a year—$1.7 billion Federal—if all the States came in and provided all of the benefits potentially available to the 10 million eligibles.

Fourth. First-year cost estimates under the bill—Federal, State, and local—are approximately $116 million, which we estimate will cover a potential group of not more than 460,000 people over the entire country, of whom perhaps 46,000 will actually receive medical benefits, because of insufficient income to meet their medical bills.

Fifth. When the program is in full operation, estimates indicate a cost of $165 million, representing a total eligible population of about 660,000 for the Nation, with about 66,000 who would actually receive benefits as medical indigents.

The Kerr-Frear bill thus is a proposal to assist less than 1 million potentially medically needy outside of old-age assistance—leaving more than 12 million unprotected.

Sixth. At present approximately half the States are not able to match Federal funds for the medical care of their old-age recipients in an adequate manner. Additional funds for the increased payments under the vendor payments provision combined with the needs of the medical indigency program would be extremely difficult to secure. Such a decision at the State level might result in cuts in other necessary State services.

In summary, I would like to repeat that the Kerr-Frear proposal is very helpful for a small number of the most needy aged but can only meet the medical costs of the aged effectively if the Anderson-Kennedy social security bill is added to it. The Anderson-Kennedy amendment will not increase the cost on the Federal Treasury, since it will be financed solely through the social security system on an insurance basis.

THE JAVITS-HEW BILL

The other bill I would like to evaluate is the amendment to H.R. 12580 proposed last week by Senator JAVITS as representing the new combined approach of Senator JAVITS and the Department of Health, Education, and Welfare. This is a proposal which I am sure is offered with sincerity and after extensive study, and has a number of sound medical features. However, it has several over-riding weaknesses which lead me to oppose the bill:

First. It depends on action by the States to put the proposal into effect—State Governors have already voted 30 to 11 in favor of the social security approach as against the Federal-State grant approach.

Second. It calls for the establishment of a national income test to be adopted by the States. Persons over 65 therefore would have to prove that they are in need before being considered eligible to receive medical payments.

Third. It is estimated to cost about $1 billion a year with only about 75 percent participation; $450 million of this sum would come out of the Federal general revenue budget; $450 million from the States; and $100 million from the individual aged. If the $450 million in Federal outlay were added to the cost of the first year of full operation of both programs proposed by the Finance Committee (around $300 million), there would be a total expenditure by the Federal Government of three-fourths of a billion dollars annually from the general budget.

Fourth. The aged person himself would have to pay an enrollment fee annually and would have to choose between a short-term care program or a catastrophic illness program. My view is that the set of benefits should be balanced between these two objectives as in the Anderson-Kennedy bill.

It proposes a third alternative that the Federal and State Governments may subsidize private insurance companies up to a maximum of $60 with the aged individual also paying $60.

I should like to summarize by saying that an approach which depends on new State taxes, which calls for the means or income test, which requires payments by the elderly themselves, and which—when added to the Finance Committee expenditures—will cost $750 million a year by the Federal Government, is not a suitable alternative. The social security method of financing the medical costs of the elderly is fiscally prudent and humanly dignified.

ADVANTAGES OF THE SOCIAL SECURITY METHOD

After 25 years of successful operation of the social security system, I do not feel that the relief-public assistance-means test approach should be offered as a solution to this problem.

The advantages of the social security approach are:

First. An individual, during his working lifetime, pays a small premium for a paid-up medical policy upon retirement.

Second. He thereby can pay for his medical care in retirement through benefits which he receives as a matter of right regardless of his economic status. This is the dignified, self-reliant, self-respecting way.

Third. Contributions are paid by the person only while he is working, not while he is retired. Benefits will not depend upon annual or biennial appropriations in State legislatures but will come out of an insurance reserve.

Fourth. The cost of administering a plan under social security is about one half the combined administrative cost of Federal, State and local operation.

Fifth. The social security approach would provide a basic medical insurance plan for the aged, not a complete one. It would thus allow private health insurance to flourish as a supplementary program, similar to what occurred with private life insurance after the passage of the Social Security Act. Supplementary policies for physician and surgical services and for catastrophic illness could be made available to the aged at very low rates. Premiums to younger age groups could be lowered and health policies sold more widely.

Mr. President, I ask unanimous consent to place in the RECORD, following my remarks, a brief statement on this subject which was published in the Washington Insurance Newsletter of August 15, 1960.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE SOCIAL SECURITY APPROACH
(By Senator PAT MCNAMARA)

The August session of Congress has convened with one of its major purposes being the enactment of legislation creating a Government-sponsored program of financing the basic health needs of America's aged citizens. Responsible Senators and Congressmen, in both parties, all agree on the crucial facts in support of the need for such legislation: (1) The increase in health problems, especially chronic illness, associated with the aging process; (2) the low income status of the aged, especially in the upper "old age" brackets incurring much of the chronic illnesses; and (3) the difficulty, if not the impossibility, of using unreplenished assets to meet the high costs of adequate medical attention.

I have documented these points in a detailed speech in the Senate on June 2, 1960. While fully recognizing the positive role played by nonpublic insurance programs in protecting the vast majority of younger, employed persons and their families, I am convinced that the ability of such programs to provide truly adequate protection for the aged population against their higher risks and costs of health maintenance is really limited. Both the Secretary of Health, Education, and Welfare, and I are in agreement on this point.

As I will make clear later on, however, this new legislation can create the conditions for a new and expanding role for private health insurance. The background for such a statement is as follows:

Under S. 3503 the retired persons medical insurance bill introduced by myself and 23 other Senators in May, an aged person would be entitled to the following benefits:

1. Ninety days of hospitalization per year.

2. One hundred and eighty days of skilled nursing home care or two days for each unused hospital day.

3. Two hundred and forty days of home health services, or 2⅔ days for each unused hospital day.

4. Outpatient diagnostic services (lab tests and X-rays).

5. A substantial portion of very expensive drugs and medicines. (Precise details to be determined after several months' study by Secretary of HEW.)

This, in the opinion of the health experts we consulted, should be the basic core of a health care program for the elderly, to be financed through a combined one-half of 1 percent of taxable payroll (three-eighths of 1 percent for self-employed). It would provide a sound foundation—I repeat, a foundation—for a preventive and rehabilitative medical approach to the health problems of nearly all the aged of this country. The provision of diagnostic services, skilled nursing homes, and home health care would be an incentive toward the rational and efficient use of hospital beds.

It should be noted that the benefits provided are not comprehensive: For example, all physicians' and surgeons' fees are excluded, as are dentists' charges; costs beyond 90 days of hospital stay per year (or their equivalents in nursing home days or home health care) are not provided; a portion of the cost of drugs and medicines would still have to be paid by the patient.

In other words, we are talking only about a foundation of a sound and balanced health services program, just as the old-age benefits under the social security system itself (which was 25 years old on August 14 of this year) established a foundation for retirement income, on top of which private pension programs have been built and have been expanding ever since. By using the same administratively efficient and inexpensive mechanism of the social security system, working people would contribute while in their productive years toward a fund that would provide them with basic medical benefits when they have retired—but only basic benefits.

Payment for much, but not all, of the ordinary (but expensive) costs of proper medical attention would be made available through legislation to our aged citizens, regardless of their financial means, without any degrading pauper's test. The effect of such legislation is to open a wide area of activity for supplemental health and medical insurance through private channels. From a dollars-and-cents point of view, the millions of older men and women with inadequate protection today (or none at all) are not, in any realistic sense, potential customers for meaningful private health insurance policies.

But with a Government-sponsored program, more of the aged of America would then be able to afford supplemental health protection, to protect themselves against the many costs not provided through a public program, including the services cited in the list of benefits not provided by such bills as S. 3503—and all the other major legislative proposals, as a matter of fact. It would thus be possible for millions of older persons (and their adult children) to purchase, for a very low cost, oldsters' insurance for physicians' and surgeons' fees, private hospital room costs, private nursing care, and truly catastrophic, major medical expenses, from private plans.

There are other potential effects of Federal legislation for basic health protection of the aged. For example, a private program now covering the employed population, and also the retired workers previously covered when employed, would be relieved of the extra costs due to the high illness rates of the retired. The insurance industry would then be in a position to offer improved policies for just the employed alone. And there is always room for improvement in such programs.

I am convinced also that if a worker knows his future medical expenses during retirement are assured, he will be in a better position, and he will be more willing to pay for wider protection now. This is certainly so in the face of the growing health consciousness of the younger generations of America. As these generations learn of the remarkable progress that is now possible in modern medicine, they will want to exploit these possibilities. And the insurance approach, or course, is the best way of prepaying for the costs of these new 20th century miracles.

What we are proposing in Congress today is merely the efficient financing of the costs of basic medical care for the aged. I hope that the hospital and health insurance industry of America will join other groups, and the general public, along with Congress, in recognizing the traditional compatibility of public and private solutions to national problems, in this case, the problem of financing the costs of basic medical care for our growing population of aged citizens.

Mr. MCNAMARA. Mr. President, in concluding, I should like to state this issue in its starkest terms. The Senate and the people of the United States need to know that the choice we are making here is a choice between the degrading means test, charity approach of the administration, endorsed by the Vice President, and the route to dignity and self respect through social insurance, advocated by the junior Senator from Massachusetts [Mr. KENNEDY] and the junior Senator from New Mexico [Mr. ANDERSON.]

Mr. MCCARTHY. Mr. President, in the course of the debate with regard to the amendments to the Social Security Act, a number of references have been made on the floor to a recent survey, or at least what is called a survey, of the medical needs and health attitudes of the aged. The survey was made by a number of sociologists headed by Dr. J. W. Wiggins and Helmut Schoeck, of Emory University, in Atlanta, Ga. The interpretation of their findings is to the effect that the vast majority of older people have no unfilled medical needs. This, if true, is in direct contradiction of what has been found by at least two established committees of Congress in both the House and Senate, and, of course, is contradictory of the findings made by many sociologists throughout the United States. Specifically, the authors state:

> Nine of every ten older persons report they have no unfilled medical needs and the remainder lists lack of money as one of the least important reasons for failure to relieve the needs.

This statement was contained in a press release prepared by Dr. Wiggins.

This survey has been used as the basis for a number of news stories and a news release of the American Medical Association. It has been widely publicized and has been given attention throughout the country and on the floor of the Senate.

I have made a rather hurried study of the report and have attempted to study the interpretations which have been put upon it. If true, it would indicate that much of the information which Congress has been gathering throughout the past few years is not accurate information because most of the studies conducted by Congress, and the reports which we have received from various departments of the Government indicate that there is a great unfilled medical need among the older people of our population. Those studies and inquiries indicate, too, that one of the principal reasons why the unfilled needs of older people are not met is that such people lack adequate funds to pay hospital and medical costs.

I was somewhat surprised to learn that the American Medical Association would fully endorse and publicize the Wiggins survey, because on the basis of the great record of the medical profession in the United States, one expects them to deal rather with objective standards concerning any kind of survey or study. In my opinion, one could properly hope that the American Medical Association would apply the same standards which they apply in their own profession when they examine the reports of sociologists and others who pursue other studies and other disciplines.

Some of my early judgments on the report raise some question in my mind whether the sociologists of the United States, the men who are attempting to make a science of and to professionalize this field, are particularly happy about the nature of this report and the use to which these findings have been put.

The survey supposedly represents, or at least it declares that it represents, a sample of the attitude of the aged of the United States and reporting data from some 1,500 interviews with older people.

The news release and commentaries do not indicate fully the nature of this sampling or print any claims made by those who have lent their names to it that there has been a complete study.

For a survey of this type to be accurate, it would have had to be done scientifically, and the sample chosen would have had to represent truly a cross section of America's aged population.

The aged population of the United States is made up of a certain percentage of people who are on the old-age assistance rolls, a certain percentage who are on social security, and a percentage who are not receiving old-age assistance, and a percentage who are not on social security.

The population of persons over age 65 in the United States has some variables with regard to national origin, with regard to race, and with regard to sex. One would expect that any objective, scientific study of these variables and differences would have been given adequate attention and consideration. However, by their own admission, Dr. Wiggins and Mr. Schoeck actually did not conduct a survey of a true cross section of the 60 million people over age 65 in the United States, even if we assumed that 1,500 was a large enough sample number, to begin with—and there is grave reason to doubt whether such a sample would be adequate.

For example, they intentionally did not interview anyone over age 65 who was receiving old-age assistance. So that entire group was eliminated in the study. Yet this group represents 16 percent of the aged people in our population.

Because they said they lacked funds, they intentionally omitted nonwhite people over age 65. Such people represent 7 percent of the aged, and have very special problems, as anyone knows, and as sociologists, in particular, should know.

The Wiggins-Schoeck team intentionally omitted from their survey aged persons in hospitals, homes for the aged, nursing homes, and other institutions. Yet this group represents about 4 percent of the people who are over age 65, and certainly a group in the population having very special medical problems.

Dr. Wiggins admitted, but only after rather thorough questioning by other sociologists attending the International Gerontological Congress, in San Francisco, where he first reported his findings, that in his study about 20 percent refused to be interviewed or were in the not-available category. Neither his formal paper nor the AMA story about the formal paper bothered to mention this important point.

An additional 20 percent refused to be interviewed or were in the not-available category.

If we add up all these figures, they indicate that about 40 percent of the population in the 65-or-over age group has not been adequately covered in the survey which is the basis of that report. If we assume that there is some overlapping among the various categories, and that approximately 35 percent of the aged people in the United States were not covered in this publicized letter—at least, publicized as a scientific survey of America's older citizens—I think it fair to say that in the 35 percent not covered are many—perhaps the greater number—of those who have the greatest medical need.

If this report had been represented as a study of the medical and health needs of that section of our aged population which is best able to meet its medical needs and health costs, it might have been considered to be scientific; but it has not been presented as such a study.

Two claims of the Emory University study, by themselves, give, I think, if not conclusive proof, at least reason for grave doubts as to whether or not the sample reported is representative of the aged of the United States.

The authors assert, for example, that 64 percent of their sample report some form of health insurance. But even the insurance companies whose representatives have testified before Congress have issued a statement with respect to health insurance among the aged members of our population and claim no more than 49 percent. Secretary Flemming's Department of Health, Education, and Welfare estimates that only 42 percent of the aged have health insurance. Nevertheless the authors state that 64 percent of the people whom they studied had health insurance. This would indicate some discrepancy, it seems to me, in the sampling; a discrepancy so obvious that any sociologist having any claim to recognition or a status in the medical profession should have stopped short or at least should have made a special point and noted that this was a highly selective sample which was used as the basis of this survey.

The authors assert that 33.6 percent—almost 34 percent—of the aged in their sample are in the labor force, but the Bureau of Labor Statistics of the Department of Labor reports only 20 percent of the 65 and over population as being in the labor force today. Here is another discrepancy, amounting to 14 percent.

Again, that is an obvious indication that the sample was not truly selective and did not represent a cross section of the population of the Nation.

It seems to me that at the very least, Professors Wiggins and Schoeck would have checked such statistics to see how normal their sample really was.

Contrary to Professor Wiggins own statement in his San Francisco report, his sample was not based on an area probability selection. Instead, it was based on what is called the quota method, the much discredited technique used in the famous 1948 Gallup poll and in previous inadequate surveys. Apparently, the Emory sociologists merely got in touch with other colleagues around the country and asked them, for example, to get them such data on such-and-such a number of white, non-public-assistance aged in their respective parts of the country—in other words, to check on this highly selective group. In short, despite the author's statement, it is not true that "Each person in the universe from which the sample was taken had an equal chance to be included in the sample."

Now I come to a most vulnerable aspect of such "scientific" surveys. The Emory report emphasizes in the extreme the "high level of health" reported by the aged who were interviewed, and the same point is emphasized in the publicity issued by way of news releases by the American Medical Association. Apart from the matter of the distorted sample covered in the report, there is still the highly important question about the ability of an individual in an interview with sociologists to determine the actual state of his physical or mental condition or whether he has or does not have any unmet health needs. For the AMA to accept the statement that 90 per cent of the aged have no unfilled medical needs is to fly in the face of the day-to-day clinical experiences of the doctors who are members of the AMA.

It seems rather strange that the American Medical Association would now permit some 15 or 20 sociologists to report on how many people in the population have unmet medical needs and how many do not have unmet medical needs. That is certainly contradictory of suggestions which come almost regularly from the doctors and from the American Medical Association; namely, that all people, whether sick or not, should have regular medical examinations by doctors. I suppose the next step would be for the American Medical Association to get out a sort of "medical do it yourself kit," or to get a sociologist to do it. In this case, they take the position that the sociologists could make a study of 1,500 people, and then could say, "None of them is sick; all these people are in good health." If that is the case, I think the medical profession should look to the American Medical Association, because we could expect such procedure to lead to a very dangerous trend in medical practice.

Mr. GORE. Mr. President, will the Senator from Minnesota yield?

Mr. McCARTHY. I yield.

Mr. GORE. I do not believe the statement made was "no one is sick." What term was used? Was it "unmet"?

Mr. McCARTHY. Yes, "unmet medical needs"; that was the language which was used in the survey.

Mr. GORE. Would the Senator from Minnesota compare that with unrequited love? [Laughter.]

Mr. McCARTHY. I suppose the question would be whether the subject was fully aware of what was happening to him, and I suppose in each case there

would be a possible area of misunderstanding and of failure to diagnose the symptoms properly.

I should like to read a statement which has a bearing on this subject. I refer to a monumental and rather far-reaching medical science research project completed by the Commission on Chronic Illness, and published in at least four volumes of data and evaluation. Part of this project dealt with the very question of the discrepancy between self-evaluation of medical need and actual medical need as determined by thorough clinical examination of the persons making their own self-evaluation in oral interviews.

The results of this type of verification of self-reported diagnoses by actual clinical examinations have also been published in a shorter article by three of the participating scientists in the studies made by the Commission on Chronic Illness, Dr. Ray E. Trussell, M.D., M.P.H., F.A.P.H.A., now of Columbia University; Dr. Jack Elinson, Ph. D., a recognized national expert on interviewing techniques, and also now at Columbia University; and Dr. Morton L. Levin, M.D., assistant commissioner, New York State Department of Health. The article appears in the February 1956 issue of the American Journal of Public Health, pages 173 to 182.

I ask unanimous consent that the article be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. McCARTHY. Mr. President, in brief, they state categorically the woeful inaccuracy resulting from merely asking people to tell an interviewer how their health is:

For example:

Less than one-fourth (22 percent) of the conditions found by clinical evaluation was matched with conditions reported in the family interview. This proportion of match is for clinically evaluated conditions believed by the examining clinician to have been present in the period covered by the family interview and which presumably should have been reported.

Yet the American Medical Association endorses a sociologists' inquiry which states that all the old persons they interviewed thought they were feeling relatively well.

The article also states:

Six out of ten cases of clinically evaluated heart conditions were not reported in the family interview.

In other words, 6 out of 10 were not properly diagnosed, and their actual condition was discovered only upon clinical study or examination.

The article also states:

Nine out of ten "neoplasms"—

In other words, in the nature of cancer—

(benign and malignant) established by clinical evaluation were unreported in the family interview.

Yet the American Medical Association was publicizing a study made by sociologists who said that the old persons they interviewed said they did not think anything was wrong with them. On the other hand, the scientific study showed that 9 out of 10 of those who had cancer did not know they had it when they were interviewed.

As another example, a third of the cases of diabetes found through clinical tests were not reported in the family interview.

Mr. GORE. Mr. President, will the Senator from Minnesota yield further?

Mr. McCARTHY. I yield.

Mr. GORE. If all that the AMA survey asserts is true, how does the Senator explain the concern we find so widespread throughout the country and in both Houses of Congress in regard to the enactment of a bill to deal with this subject?

Mr. McCARTHY. I say it is hard to understand how a study so obviously unscientific and so superficial as that one could be proposed as deserving of serious consideration by the Senate, as it attempts to deal with the problem of providing better medical care for the elderly people in our population.

Mr. GORE. Mr. President, will the Senator from Minnesota yield further to me?

Mr. McCARTHY. I yield.

Mr. GORE. As further evidence of the widespread concern, did not both national parties at their conventions give serious consideration to this subject, and did not both of them assert it was a matter of prime national concern?

Mr. McCARTHY. The Senator from Tennessee is quite correct. Until this amazing study showed up within the last few days, I think it was generally accepted that the figures developed by the Special Senate Committee on the Problems of the Aged—and the committee conducted hearings under the direction of the Senator from Michigan [Mr. McNAMARA]—were correct. The committee reported that among persons 65 years of age or older, 76 percent had one or more chronic conditions; and among persons of all ages, 41 percent had one or more chronic conidtions. Yet, in the face of that 76 percent figure, which was reached after the most thorough studies, a handful of sociologists say that 9 out of 10 of those interviewed think they are in good health—or, in other words, that 10 percent of them had some kind of disability which was needful of some medical care.

Mr. GORE. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. GORE. How would the Senator rationalize the support of the committee bill approach by the American Medical Association if it believes in the accuracy of the report to which the Senator is addressing his remarks?

Mr. McCARTHY. It would be difficult for me to explain it. I would hope the AMA itself might give some explanation because I believe it is now in a very contradictory and indefensible position.

Mr. GORE. Will the Senator yield further?

Mr. McCARTHY. I yield.

Mr. GORE. I should like to read from the committee report describing this bill, an approach which the AMA supports:

It would cover all medically needy aged 65 or older; it would cover every such person including those under the social security system, railroad retirement system, civil service system, or any other public or private retirement system whether such person is retired or still working, subject only to the participation in the program by the State of which they are resident; it would cover the widows of such workers as well as their dependents who meet the age 65 requirement and are unable to provide for their medical care.

I turn to another sentence in the report:

The State has wide latitude to establish the standard of need for medical assistance as long as it is a reasonable standard consistent with the objectives of the title.

Does not the Senator think that describes a comprehensive measure?

Mr. McCARTHY. It certainly would not justify our accepting the studies which came from Emory University, from the comments which have been made in the last 2 days.

Mr. GORE. If nobody needs this care, the committee has certainly shown great concern for a need which has not been shown to exist.

Mr. McCARTHY. The Senator is correct; the Senate, the regular committees, and the special committees have wasted a great deal of time.

Mr. GORE. The sentences I have read from the report are somewhat nullified by other statements and paragraphs in the report, which I must say I find a bit ambiguous; but, to say the least of it, or the most of it, the pending bill, which is one of wide scope and one which has the support, less the amendments added by the Senate, of an overwhelming proportion of the House of Representatives, is a very costly bill.

Mr. McCARTHY. That is correct, something like $340 million without social security.

Mr. GORE. And yet, according to the report to which the Senator has referred, it is utterly unneeded.

Mr. McCARTHY. As the Senator has indicated, up until the last 2 days it was accepted that there was a need for the program, although there was disagreement as to what the nature of the program should be. But if we were to accept this statement and the argument relating to putting it under social security, we might carry it further and say there is no need for the other two proposals being considered by the Senate.

Mr. GORE. I should like to ask the Senator another question. Why is it free enterprise and why is it free medicine for a State to pay the bill of a physician out of funds which are provided in large part, up to 80 percent, by the Federal Government, but an amendment providing assistance and medical care and hospitalization, but no payment of doctor fees, paid from the social security fund is socialized medicine?

Mr. McCARTHY. It is difficult for me to explain that, because, traditionally, one of the socialist tenets has been that an individual would be paid according to ability and would receive according to need. The Senator may recall that we were—I will not say shocked—somewhat surprised when the Secretary of Health, Education, and Welfare appeared before the Finance Committee and said he was opposed to putting this program on a pay-as-you-go basis by having it incorporated in the social security system, because he thought it should be paid for out of general revenues, which are obtained by taxes, which are more progressive. So he was advocating a social system of collecting from the people on the basis of their ability to pay, under a progressive tax system, and then paying out those funds on the basis of need.

So I suppose one would have to say that the Senator from Tennessee and I were conservative and somewhat antisocialistic because in this instance we favor incorporating this system into the social security system, into which people pay out of their earnings.

Mr. GORE. Does the Senator have any explanation for this logic, or illogic?

Mr. McCARTHY. They make some very quick changes from one proposition to another as they come before our committee. If we look at the taxes the administration has proposed this year, every tax the administration has proposed has been in the nature of an excise or transaction tax. We have no proposals from the administration to improve the progressive scale, have we?

Mr. GORE. None.

Mr. McCARTHY. None whatsoever. When this bill is before us, they become advocates, proponents, and defenders of the income tax system.

Mr. GORE. Does the Senator really believe that the position of the administration turned on the theory of taxation?

Mr. McCARTHY. While I hesitate to attribute motives to the administration, I think in this case their position with regard to taxation was a matter of expediency. I think it was a part of the manifestation that they had no great spirit for the passage of any legislation in this field, and, as we had indicated, in the last day or two they have come up with their own program, known as the Javits proposal, which was never presented to us in committee, even though we finished hearings on this bill last week.

Mr. GORE. Is that not another example of a whole series of tardy acts?

Mr. McCARTHY. The Senator is quite correct.

There are other studies by definitely established reputable agencies and research organizations, whose findings refute and cast strong doubt on the validity of the AMA-advertised Wiggins-Schoeck paper. The National Health Survey, for example, was established by the Congress to collect accurate—I repeat, accurate—information on the health of the population. Its techniques are the best known to science and are approved by a distinguished advisory committee.

The National Health Survey's sample of the older population is about eight times larger than that of Wiggins-Schoeck. The results of that continuing survey are part of the Government's official documents.

For example, 76 percent of those 65 and older have at least one chronic condition.

Forty-two percent of the general population are limited in activity because of chronic illness.

Older persons see physicians 40 percent more often and spend more than twice as many days in the general hospitals as people who make up the general population.

Mr. President, I do not wish to belabor and prolong my critique of the Emory survey. There is much more I could say about it, and I think the sociologists will have much more to say about it as the discussion on the bill and on the issue continues.

I wish to quote from some of the leading sociologists in the field of aging who have made some remarks about the Wiggins-Schoeck survey at this time. I ask unanimous consent that the full text of the comments be printed in the RECORD at the end of my statement.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and it is so ordered.

(See exhibit 2.)

Mr. McCARTHY. The reputation of the men whom I intend to quote is very high in scientific circles. Many of them are internationally known.

First I wish to quote from Prof. Noel Gist of the University of Missouri, listed as one of the cooperating sociologists in the Emory project; who wrote letters to his local newspaper, the Missourian (which carried a news story about the survey, based on the AMA news release), and to the American Medical Association:

I had nothing to do with the planning and sampling procedures, the tabulation of data, or the formal presentation of conclusions. Presumably the American Medical Association was given access to the data to use as it desired. The data are being used deceptively for political purposes * * * the persons interviewed represented, in a sense, the financial "elite" of the older population. * * * The AMA news release, intentionally or otherwise, ignored these qualifications. Instead, it has presented data on a limited and restricted sample of older persons as if this sample were representative of the aged population in general. For this reason the statements in the AMA news release are both misleading and deceptive. The average newspaper reader would probably not be sufficiently informed to detect this deception.

For the reasons stated above, I object to the unauthorized use of my name in AMA propaganda. (From letter to the Missourian, Aug. 18, 1960.)

This morning's press carried a news story which, by implication if not by explicit statement, indicated my endorsement of the position of the American Medical Association regarding medical care for the aged in this country. * * * Although I participated in a study of aging to the extent of supervising the interviewing of a sample of rural residents in Missouri, I assume no responsibility whatever for any analyses made of the data or any conclusions by other persons. * * * Yet the news release, by the use of my name as a professional sociologist (and also the names of several other sociologists) undoubtedly leaves the impression that I endorse the conclusions presented in the news release of the AMA. This is entirely misleading. I do nothing of the sort. * * * It was quite obvious to me that the questionnaire sent to us was a very poor one, and seemed to be devised by amateurs in research. But since we agreed to do the interviewing for the project we completed the assignment. If I had known that this study was to be used for political propaganda I should not have undertaken it at the outset. (From letter to AMA, Aug. 17, 1960.)

The following are comments by sociologists attending the meeting in San Francisco where Dr. Wiggins presented his formal report:

I have read the paper and was in the audience when Prof. Wiggins made his presentation. Like several of the others present, I was astonished at the data and conclusions reported. The basic figures on income, assets, health status differ by as much as 100 percent from those reported by other studies during the past decade and from figures available through such standard sources as the Bureau of the Census, the Current Population Survey, and the National Health Survey. (Letter from Clark Tibbitts, chairman, executive committee for the Americas, International Association of Gerontology, Aug. 19, 1960.)

In reporting on their longitudinal study of occupational retirement, Profs. Gordon F. Streib and Wayne E. Thompson (of Cornell University) have in all of their work stressed the fact that although their sample includes people from throughout the country and from all walks of life, it cannot be considered representative of the older population of the United States. They acknowledge that their sample is relatively more affluent, and in relatively better health than the older population. However, when the Cornell respondents were asked: "Do you think that most retired people are able to take care of their medical expenses themselves?" more than one-half replied that they did not think so. (From statement prepared by Professors Streib and Thompson, Aug. 17, 1960.)

Professor Thompson was a discussant of the Emory survey, at the San Francisco gerontology meetings.

And from the cochairman of that meeting, Prof. Leonard Breen:

I did not see a copy of the final paper (by Professor Wiggins) until August 10, 1960, the day before it was read at the meeting of the Congress (of gerontology). I must report that I was appalled to read the paper which I found to be of poor quality of scientific research technique and writing. Indeed, I regretted at that point that I had been so naive as to have accepted the paper without having seen it in advance, especially since it would be presented before an audience of internationally known scientists who might think of this as representing American sociology. * * * When the paper was actually presented, there was an immediate reaction on the part of the audience, attacking its unscientific character, and the ease with which Wiggins and Schoeck jumped to untenable conclusions.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the New York Times of August 12, 1960, entitled "Challenge to Blue Cross"; an article written by Lawrence T. King entitled "America's Poor," published in the Commonweal of July 22, 1960; and an article written by

Roger Green entitled "Mild-Mannered, Bewildered Old Folks Find Selves 'Dumped' Into Mental Institutions," published in the St. Paul Pioneer Press of August 21, 1960.

There being no objection, the editorial and articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 12, 1960]

CHALLENGE TO BLUE CROSS

Superintendent of Insurance Thacher's decision on the Blue Cross request for a 37-percent increase in rates is sound. In denying it for the time being—and in his analysis of why he did so—Mr. Thacher has shown exceptional discernment, both of the weaknesses in the Blue Cross case and of the progress it has made in filling the needs of the subscribing public.

Mr. Thacher's main objection to granting the full increase was well taken. It involves the new basis on which Blue Cross payments would be made to the member hospitals—the largest source of hospital income as well as the biggest item in the cost of Blue Cross operation. On principle, of course, payments should be related to the varying costs of hospital services given Blue Cross subscribers—which they have not been up to now but would be under the terms of the new application.

Mr. Thacher approves this principle but questions its application as proposed by Blue Cross in several important respects. They concern, for example, the inclusion for ratemaking of such costs as medical training, capital replacements and improvements; also emergency and outpatient care for the benefit of the general community. Also, he rightly points out that the cost basis for rates without adequate safeguards might result "in penalizing efficiency and subsidizing waste." The superintendent of insurance hasn't the power under the law to impose changes in Blue Cross operations, but presumably a revised request would be granted if Mr. Thacher's objections are met.

His opinion adds impact to the rapidly rising public demand for the reduction of unnecessary hospital costs—unwarranted admissions, too-long patient stays, uncalled for surgery, etc. As Mr. Thacher suggests, Blue Cross could generate powerful pressure to that end by the conditions for membership imposed on the hospitals. But his opinion is far from purely critical. He rightly welcomes the increased coverage—such as for infants and emotional disorders—administrative improvements and the increased representation of the public on the Blue Cross Board of Directors, though the hospitals and the medical profession still dominate.

The 7 million subscribers of Blue Cross and the public, through its interest in better community health, await a revised and prompt Blue Cross application with the greatest concern—one, we hope, that will call for a good deal smaller rate increase.

[From the Commonweal, July 22, 1960]

AMERICA'S POOR

(By Lawrence T. King)

Our present age of affluence is replete with contradictions. As the gross national product soars to new heights and as personal income keeps edging upward—last year's advance was 4 percent over 1948's—we find it increasingly difficult to become disturbed over the pockets of poverty which continue to persist on the fringes of our national affluence.

Perhaps our complacency can be explained by the fact that an entire generation has come of age without any direct experience with the corroding effects of mass unemployment. Even at the height of the recession of 1958—when 7 percent of the labor force was out of work—most Americans were insulated from the effects of enforced unemployment since it was generally restricted to certain geographical areas and occupational, racial and age groups, a condition termed "class unemployment" by the social scientists to distinguish it from the mass unemployment of the depression years when as much as 25 percent of the labor force was idle.

Congress has given considerable attention to this problem of class unemployment. The most ambitious attempts to deal with it—area development legislation—have been vetoed twice by President Eisenhower, and the inability of Congress to override the President has been interpreted rightly or wrongly as reluctance on the part of the Nation at large to undertake costly Federal programs to aid depressed areas, on the assumption that the increasing level of national prosperity eventually will catch up with the problem.

Proponents of this view are quick to point to the latest figures put out by the U.S. Commerce Department which show that since 1947 the number of families and unattached single persons with annual incomes of less than $2,000 has shrunk from 25 to 14 percent while those earning $2,000 to $3,999 have declined from 38 to 21 percent. On the other hand, they point out that the number of families and unattached single persons making $4,000 to $5,999 has increased from 20 to 23 percent, those earning $6,000 to $7,999 have gone up from 9 to 18 percent, those in the $8,000 to $9,999 bracket from 3 to 10 percent, those in the $10,000 to $14,999 bracket from 3 to 9 percent, and those over $15,000 from 2 to 5 percent.

These figures do show that more and more Americans are ascending the economic ladder with fewer families left on the lower rungs. Cold statistics, however, have a way of masking the human factors involved.

It is of little comfort to those families earning less than $2,000 a year—7½ million, by Commerce Department estimates—to know that the general level of national prosperity is rising. And it is not surprising that those families with incomes of less than $4,000—35 percent of the national total—do not share the administration's economic optimism, especially when another Federal agency informs them that present living costs require a weekly income of $80.87 for a worker with three dependents and $73.31 for a worker with no dependents.

The median income for 1959—with half the families above and half below—was $5,300, and the model or most frequent income was $4,600. These figures are quite an improvement over those for 1947, when the median income was around $3,000. But balanced against the shrinkage in purchasing power since 1947—an income of $5,000 then was equivalent to $6,865 today—it is apparent that the increase in real income is not so spectacular as the Commerce Department figures would seem to indicate.

It is this constant shrinkage in the dollar—it is now worth 47.6 cents in terms of 1940 buying power—which accentuates the plight of those who remain in the lower income brackets. We may soothe our consciences with statistics and tell ourselves we never had it so good, but this does little to mitigate the misery of those who must fight a daily battle to make ends meet.

Just who are these people, the American poor consigned to live in the shadows of our national affluence?

They are the elderly living on social security payments or small fixed incomes from pensions, 74 percent of whom have an annual income of less than $1,000; the physically handicapped and infirm, who cannot compete in a competitive job market; the farmworkers engaged in the most basic of all labors but excluded from Federal and State wage-hour laws and often denied the protection of welfare aid and educational and health facilities of the localities in which they work; the racial minorities, "the last hired, the first fired," who in many sections of the country are barred from unions or placed in wage categories below those of the dominant group; the victims of geography who have seen once flourishing communities turned into depressed areas by technological advances, changes in consumer demand, depletion of natural resources and shifts in defense procurements or the location of military facilities.

The belief persists among many that these people somehow are responsible for their own condition. There are, of course, those who are chronically unemployed because they lack the drive which is so important in an acquisitive society and there are those who do not possess necessary job skills because of educational deficiencies or insufficient training. For the most part, however, they are persons victimized by conditions not of their own making.

Take the case of racial minorities. The higher incidence of unemployment among Negroes, the low wages paid to Puerto Ricans in New York and elsewhere, the lack of employment opportunities for American Indians, the exploitation of Mexican-American manpower in the Southwest, cannot be explained solely in terms of lower levels of skill or other objective standards. Dual wage standards for the same type of work, discriminatory hiring and firing policies, closing of union ranks and apprenticeship opportunities to Negroes and other practices have been definitely established as factors which reduce certain minorities to the role of drawers of water and hewers of wood.

Then there are those who live in areas which have become depressed—coal miners thrown out of work by automation and declining demand for coal, workers in wool-textile industry towns where plants have been closed as a result of competition from cheaper synthetic fibers, miners and smelter workers in areas where mineral resources have become depleted. Men who have spent a lifetime of productive labor in these fields do not find it easy to adapt to new jobs and skills, even when new jobs are available, and in most cases the jobs simply are not there.

The problem we face has been complicated by the fact that modern trends are operating against labor mobility. Senator EUGENE MCCARTHY'S Special Committee on Unemployment Problems, which has just completed a comprehensive study of the situation, stated in its report to the Senate:

"Theoretically, a supply of unemployed workers attracts new enterprises to a locality; and in the absence of new jobs, laid-off workers are expected to move to a new locality. A number of studies since World War II have shown that the labor market does not actually operate in this way. The pockets of high unemployment in many localities have not diminished even though production has reached new heights throughout the Nation."

The committee suggests a number of reasons for diminishing mobility: Increased home ownership and increased number of children, personnel practices in hiring, and high risks attendant upon moving to a new locality. Fifty percent more families, for example, own their own homes today than at the beginning of the century. The committee has found that converting a tenant into a homeowner tends to reduce his mobility, and that a home is not a liquid asset in a community which has become depressed.

A definite link is established between the size of a family and a worker's mobility. Families are much larger today than they were 20 years ago, and figures based upon the 1950 census show that the migration rate among families with children is less than half the migration rate of families without children in comparable age groups.

Industrial and personnel practices are also cited as factors tending to reduce labor mobility. Insistence of industry on reducing job turnover and organized labor's success in winning seniority rights, pension plans and severance pay have all served to stabilize the labor force at the expense of the migrating jobseeker.

"A worker takes obvious risks," the report states, "in moving to a new locality. Usually a person who becomes unemployed puts all his efforts and financial resources into looking for work near home, relying on unemployment compensation for temporary support. By the time he decides there are no local opportunities he is near the end of his financial reserves. A West Virginia witness put the predicament this way: 'It's hard to go some place when you ain't got no money. It takes a little money to go some place to hunt a job, too.' He may have heard of jobs many miles away, but he knows from the experience of others that he will be the first fired in a layoff if he is the last hired. If he is an older worker, he will have difficulty in finding any work at all. He knows that if he is unsuccessful, he will have, in addition to the expense of moving his family to the new location, the expense of moving back. He knows, of course, he can go on alone, but this means family separation and perhaps family dislocation. Often he will have to spend everything he earns to take care of his own living expenses in the new location and have nothing to send home."

In his appearance before Senator McCarthy's committee, a district supervisor of public assistance for five West Virginia counties testified:

"I would like to talk about the results of unemployment. It is heartbreaking sometimes, as I talk to these people in need, that our department is in the position that we cannot help them. They want work that produces; they don't want work that is merely set up as a plan instead of assistance.

"A man came into the office not long ago and said: 'Lady, I am not disabled, and I don't want assistance. But I am 45 years of age; I have two children in high school; the rest of my children are in the grades, and they can't go to school because they don't even have shoes.' "

Teachers also testified and told of high absenteeism and dropouts because the children did not have the shoes or proper clothing. In schools fortunate enough to have federally subsidized hot lunch programs—not all schools have them because some lack kitchen facilities—pupils often get their only full meal of the day there. One teacher said most of her pupils save portions of their lunches and milk for younger children at home. Another told of her pupils' dislike of vacation periods because they never had enough to eat at home. It is little wonder that Congressmen from the area have pressed for a domestic point 4 program to aid their people.

If poverty remains endemic to the depressed mining areas, it is by no means confined there. The lowest per capita incomes are still to be found in the rural areas. There unemployment is not as great a problem as is underemployment, which the Department of Agriculture defines as "utilization of the human agent in economic activity that results in real earnings that are significantly less than are received by comparable resources in other uses." It is estimated that 1,200,000 farm males—almost one-quarter of the total number of farm males with income—are underemployed.

In a report published last year, the Department of Labor reported that despite increases in earnings for nonagricultural workers the income of farmworkers continued to decline. In 1957, annual average earnings of migratory workers for 131 days of farm and nonfarm labor was $859, as compared with $898 and 147 days for nonmigratory workers. In the face of the greatest burst of productivity in the Nation's history, the relative economic status of hired farmworkers continues to deteriorate.

Behind the statistics there is a sordid story of squalor, a story which was detailed at length by the National Advisory Committee on Farm Labor at a hearing held last year in Washington.

There was the minister from Pompano Beach, Fla., who told of his experience among the migrants in that State: "Most camps are dilapidated shacks with large families living in one room with no windows. The toilet facilities are the outdoor privy type that are so filthy that many use the ground. The water supply is outside faucets with no water in the dwellings. Why should little children be forced to live in such filthy surroundings just because they were born in a migrant family?"

The chairman of the National Child Labor Committee testified: "Children who work in agriculture do not suffer from the harmful effects of their labor alone. Their whole way of life is deprived. They suffer from poverty, community rejection, inadequate housing, unsanitary facilities, etc. * * * Nothing is done to help them occupationally—to give them the education, preparation or special help they need to become productive citizens."

A doctor from Corpus Christi, Texas, appeared: "The children of migrant parents are born into a world completely of their own. * * * If the child lives to be of school age, he could possibly go to many schools on different occasions at different places but he will never average more than 3 years of schooling in his lifetime. His world will be from the Atlantic to the Pacific, from the Great Lakes to the Rio Grande. It will be his world, however, in that the only piece of property that he will ever own will be his grave. * * * I may be here because I am still haunted by the remembrance of a day 10 years ago when I found a dead mother with six children lying in the same bed, all covered with blood from the hemorrhage of a dying tubercular mother.

The continued existence of poverty of this sort in a nation that has amassed the greatest wealth in the history of the world must remain an affront to the American conscience. The poor, of course, will always be with us; but it is one thing to be poor because we live in a society in which there is not enough to go around—it is quite a different matter when we know there is enough to go around, when the poverty is the direct result of our national failure fully to utilize and develop human material resources which we have in abundance and which are the true sources of wealth.

The migrants, for example, are not poor because of the nature of their work. They are migrant workers because they are poor. And they are roaming country roads not because the farm economy needs them—they have no historical precedent in American life—but simply because of our failure to solve some of the basic social and economic problems of our time. Workers certainly would not subject themselves and their families to the vicissitudes of migratory life if other economic opportunities were available. They are there because there is nowhere else to go.

The casualization of the rural labor force has been given its greatest impetus by our inability to solve the farm problem. Agricultural economists in Washington have centered their efforts on reducing surpluses and forcing prices upward by encouraging marginal farmers to leave the land and seek jobs elsewhere. Industry, however, has not been able to absorb these displaced farmers, and they have, instead, joined the ranks of the farm laborers.

We Americans are prodigious capital builders, but in our preoccupation with stocks and bonds and corporate wealth we have concentrated our efforts in fields where our investments will produce the fastest and best returns. As a result, our capital investments are unevenly distributed—some areas are booming, others are blighted. The problem of the distressed areas must be seen in this perspective, for the condition will persist as long as we fail to expand the productive apparatus at our command by investment of public capital to counteract the imbalance of private capital.

We can, of course, continue to subsidize unproductive elements in our society through relief and welfare grants and makework projects. But programs of this sort, though necessary in a society beset by periodic economic readjustments, will never solve the problem. What is needed is a comprehensive social and economic program similar in approach to the TVA concept, a program which will upgrade an entire region and provide opportunities where none existed before.

It is futile to expect industries to locate in distressed areas unless there are economic incentives for them to do so. Cheap and abundant power and water, freedom from floods and duststorms, adequate transportation facilities and pleasant surroundings are some of the incentives which will attract industries and provide the diversified economic base so vitally needed in blighted rural and industrial areas.

The programs which will provide such incentives will not come from the private sector of the economy, for its capital can be invested much more advantageously elsewhere. It is to the public sector of the economy that these distressed areas must look. The unhappy fate that has befallen area redevelopment legislation should not discourage Americans from pressing forward for a bold, imaginative national approach to the problem of chronic poverty.

It is time that we faced up to the fact that the national economy is not truly served by budgetary considerations that block the full development of our physical wealth. In the long run, every dollar of public money invested in revitalizing undeveloped segments of our economy will pay high dividends in the creation of new wealth and opportunities for the poor Americans who have been left far behind in the Nation's march toward affluence.

[From the St. Paul, (Minn.) Sunday Pioneer Press, Aug. 21, 1960]

MILD-MANNERED, BEWILDERED OLD FOLKS FIND SELVES "DUMPED" INTO MENTAL INSTITUTIONS

(By Roger Green)

One of the profound tragedies of America's mental hospital system is that thousands upon thousands of old folks are being dumped into psychiatric wards along with the chronic insane.

In ward after ward at three huge public mental institutions, I saw gentle, mild-mannered old people—apparently quite normal except for minor eccentricities—sitting in meek resignation among babbling schizophrenics and brooding manic depressives.

Many of them are simply old, with no place else to go, no family willing to give them shelter and care for their simple needs.

Some of them have had a mild stroke or their minds are confused by the effects of senility. But do they belong in a mental institution?

"The usual pattern in this country seems to be for elderly patients, showing symptoms of delusional thinking, to come into a mental hospital and remain until they die," says the American Psychiatric Association Journal.

"Many (old) people are now being classified as psychotic who actually need nothing more than attention to their physical needs, their food, cleanliness, and so on. They will cause nobody much trouble, so they can be cared for quite easily in a facility other than a State hospital."

The APA, recognizing the red-hot controversy involved in the problem, adds:

"But there is no better place to discharge our responsibility to the sick aged than the State hospital. Lacking proper facilities (elsewhere), we are in no position to say they do not belong in a public psychiatric hospital."

On another note, Dr. William F. Sheeley, APA project chief, declares:

"The community is settling more and more senile persons into psychiatric wards formerly used only for younger mentally ill patients. Some of these elderly people have psychoses or are pretty forgetful and confused. Most of them simply need an old folks' home.

"We must begin a ruthless pruning job. We must return to the community those persons who are not really treatable and those who are not really (mentally) ill."

Several States, spurred by a combination of humanitarian motives and a desire to save tax money, are taking active steps to weed elderly nonmental cases out of State mental hospitals.

The money-saving factor stems from the fact that oldsters confined in a State mental hospital cannot qualify for a Federal old age pension.

However, if they are transferred to a nursing home they promptly become entitled to Federal old-age benefits—and thus the State, instead of paying for the care of old folks in a State hospital, can shift part of the burden to the Federal Government.

An Associated Press survey showed that Kentucky and Ohio, among other States, are moving in that direction.

Kentucky recently tightened its policy of admitting to State hospitals only persons afflicted with mental illness and barring old age as sufficient cause for admission.

The Blue Grass State has also launched a home-going program to place elderly patients who are not suffering from mental illness in boarding and nursing homes.

In Ohio, Gov. Michael DiSalle is pushing a program to transfer as many as possible of the State's 3,400 aged patients from State mental hospital to nursing homes where the Federal Government would pay about 52 percent of the cost. It would save the State several million dollars.

Voicing concern over DiSalle's policy, Dr. Robert A. Haines, Ohio director of mental hygiene, says many patients were not sent to mental hospitals originally because they were old but because they were mentally ill—and that they grew old in the institutions.

It is, of course, true that many of the chronic mental cases—and they are the ones with the least hope of recovery—grew old behind the walls of State mental institutions. Many of them have been there for 30, 40, or 50 years.

But it is also true, as noted by Dr. Ewald W. Busse, chairman of Duke University Medical Center's Department of Psychiatry, that "the proportion of elderly people in our mental hospitals is increasing at an alarming rate."

Dr. Leo H. Bartemeier, medical director at Seton Psychiatric Institution in Baltimore, Md., says:

"The increasing admissions of the aged to our mental hospitals create a staggering problem."

Forty percent of all patients admitted to mental hospitals are over 60 years old. Thirty percent are over 65. In New York State, for example, nearly 30,000 out of the State's 88,000 mental hospital patients are over 65 years old.

What this means, in terms of human tragedy and expense to the Nation's taxpayers, is underscored by a simple statistic: 94 percent of all mental patients over 65 will remain in hospital until they die.

How many of these old folks are genuine cases of mental illness—and how many are merely custodial cases, heartlessly dumped into the hospital as the cheapest and easiest way out—is anybody's guess.

Dr. Winfred Overholser, 68, longtime superintendent of the Federal Government's St. Elizabeths Mental Hospital in Washington, D.C., told the writer:

"There is no question that the old folks are increasing among our mental hospital patients. One reason is that our general population is getting older and there are now more old folks.

"More serious is the fact that we have a cliff-dwelling population, we live in apartments and row houses. So a slight disturbance by an older person leads to complaints and the family reacts by sending the offender off to a mental hospital."

EXHIBIT 1

[From the February 1956, issue of the American Journal of Public Health]

COMPARISONS OF VARIOUS METHODS OF ESTIMATING THE PREVALENCE OF CHRONIC DISEASE IN A COMMUNITY—THE HUNTERDON COUNTY STUDY

(By Ray E. Trussell, M.D., F.A.P.H.A.; Jack Elinson, Ph. D.; and Morton L. Levin, M.D., F.A.P.H.A.

This is a preliminary report upon a few observations of methodological significance to morbidity surveys. The findings presented have resulted from a survey of the prevalence and needs of individuals with illness and disability in an essentially rural population. It was conducted by the Hunterdon Medical Center in Hunterdon County, N.J., during a 3-year period, 1952–55. The original plans for two such surveys—one urban and one rural—were developed for the commission on chronic illness when one of the authors was director.[1]

The Hunterdon survey was one of the components of the long-range program of the commission which sponsored this rural study, assisted with consultation and minor financial participation, and carried out the parallel urban study in Baltimore, Md. The Hunterdon survey also was sponsored by and assisted with extensive staff participation from the New Jersey State Department of Health. A major portion of all studies and analysis of findings has been the responsibility of the National Opinion Research Center. Primary financial support was provided by the Commonwealth Fund which also made a substantial grant to the commission to enable completion of the urban survey.

[1] Morton L. Levin, M.D.

The rural survey was made under the overall direction of one of the authors[2] who was serving also as director of the Hunterdon Medical Center. The National Opinion Research Center participation has been guided by a senior study director.[3]

The survey findings are extensive and will deal also with the large gap between needs, as determined by team evaluation, and actual utilization. The data currently are being assembled into a sizable report which probably will not appear in final form before early summer of 1956. However, certain methodological facts are already evident. They are selected as of particular interest, because of their relevance to our very realistic need for better epidemiologic understanding of many long-term illnesses through accurate determination of prevalence and incidence in the population at large.

In the literature our present knowledge of prevalence and incidence is an accumulation of several approaches, such as household interviews; study of physician, institutional, and organizational records; and multiple screening. Much use has been made of data provided through an interview of a lay respondent by a nonmedical interviewer in a home setting where the cooperation of the respondent has to be solicited and is voluntary. Additional information has been provided by personal health diaries and by questioning physicians who have been asked to confirm, alter, or supplement diagnoses reported by their patients in household interviews. Multiple screening of large numbers of self-selected individuals, presumably well, has yielded much data which are suggestive but difficult to evaluate.

How valid are the statements made in household interviews and by physicians named as attending the reported conditions? What volume of disabling or potentially disabling conditions is not suspected as the result of multiple screening? Can a self-administered questionnaire be distributed to a population at large and return useful but less expensively acquired data? Partial or substantial answers to such questions are emerging from the Hunterdon County and Baltimore surveys. Three sets of observations now available from the rural study are presented at this time.

SURVEYED POPULATION

Enough descriptive data will be listed here to provide an overall picture of the population studied. Hunterdon County covers about 435 square miles stretching irregularly along the Delaware River in northern New Jersey. It is an area of farms, woodlands, small boroughs, rural townships, and a few small industries. In the 1950 census (total population 42,736) the 26 municipalities making up the county had populations ranging from 486 to 4,467 with only 2 of 2,500 people or more. The county seat of Flemington is located midway between New York City and Philadelphia, 50 miles in either direction, and 23 miles north of Trenton, the State capital.

The year covered by the survey as the primary study period was a year (midpoints 1951–52) in which the county was served by

[2] Dr. Trussell is executive officer, Columbia University School of Public Health and Administrative Medicine, New York, N.Y.; Dr. Elinson is senior study director, National Opinion Research Center, Chicago, Ill.; and Dr. Levin is assistant commissioner, State Department of Health, Albany, N.Y.

This paper was presented before a joint session of the dental health, epidemiology, occupational health, and statistics sections of American Public Health Association at the 83d annual meeting in Kansas City, Mo., November 15, 1955.

[3] Jack Elinson, Ph. D.

approximately 25 general practitioners, 12 school and public health nurses, 2 small voluntary agencies (dental and turberculosis), and a traveling mental hygiene clinic. The county had no community hospital, no health department, no diagnostic facilities, and no specialists practicing within its boundaries.

Detailed population analyses are not essential to the present report. However, by comparison with the State as a whole, Hunterdon residents were above the median age, had a higher percent above age 65, a lower percent of nonwhite, a slightly lower average of persons per household, a lower median number of years in school, 10 percent less engaged in manufacturing, $700 less per family median income and 11 percent more than the State median of families with income of less than $2,000 annually. The county population was classified as rural farm, 22.9 percent; rural nonfarm, 59.5 percent; and urban, 17.6 percent. The population is not a homogeneous grouping of rural residents.

SURVEY PLANS

The survey steps as planned and the principal reasons for their inclusion are summarized as follows:

Phase 1: The utilization of a self-administered questionnaire was undertaken for two reasons. First, to determine the usefulness of such a questionnaire; second, to give every resident in the county an equal opportunity to participate in the survey and thus in the development of policies governing their local medical center based on findings of the survey. This step required that a self-administered questionnaire for each member of each family in the county be delivered to each household and returned on a voluntary basis. It was estimated that there were about 13,000 families with more than 43,000 members.

Phase 2: Following the use of the self-administered questionnaire, the county population was to be surveyed on an area probability sampling basis through the use of household interviews. The minimum goal for this step was to secure health histories from 4,000 family units. This number had been selected to give an estimated yield of at least 2,000 persons with "chronic" diseases. These families, since they would be representative of the county, would form the base for the next three steps of the survey. Each interview was to encompass the entire family health history within a single folder. It would attempt to ascertain for that family by a variety of question approaches the maximum amount of information available through a single interview about illness, disability, individuals in an institution, deaths in the family, and a variety of other details all pertaining to the 12 months preceding the interview.

Phase 3: In an attempt to ascertain the yield of information which could be secured by questioning physicians attending a rural population the third step of the survey was to be confidential communication with the physicians named by a sample of the individuals reporting illnesses. The information to be sought here was primarily diagnostic to allow for coding and comparison with findings reported through the self-administered questionnaire, personal interview questionnaire, medical examination, and multiple screening. One interesting methodological step was that half of the physicians were told what had been reported in the household interview, the other half were not.

The three approaches to ascertaining the health status of a population, as described, are not new in the field of morbidity surveys except for the completeness of the interview approach and certain built-in methodological studies. Similar projects, some on a much larger scale except for the self-administered questionnaire step, have been well documented elsewhere. The added steps made possible through the Hunterdon study are described in the following:

Phase 4: From among the total number of individuals listed in the household interviews, subsamples of stratified groups were to be drawn representing the various kinds of illness and disability reported, as well as individuals for whom no illness was reported. A total of 1,000 individuals was to be examined. These individuals were to be offered a complete evaluation by a team consisting of physicians, social worker, and public health nurse, together with such other consultants as they might need. The objective of the team was to define, with every resource available, the problems facing each of these 1,000 individuals and their families; what care they should have had in the past 12 months; and what optimum care for them would consist of in the next 12 months. The problems found were to be classified in a variety of ways in their relation to degree of disability, rehabilitative potential, preventability, employment, income, school attendance, and other community concerns.

Phase 5: From the 4,000 families not only the 1,000 individuals referred to in the preceding paragraph, but also 8,000 presumably well individuals above age 16 at time of interview were to be offered multiple screening in an effort to detect certain nonmanifest chronic diseases.

THE SURVEY [4]

Of basic importance to any such survey is the voluntary participation of the public. Without cooperation from adequate numbers of individuals, both lay and professional, the results of a survey are of limited value. Prior to the five steps of the survey it was necessary to obtain clearance with appropriate groups, insure the general alerting and cooperation of the public, followed by the steps of mapping, census taking, and division of the county into 900 areas as a basis for sampling.

In summary, setting the stage for the survey involved securing approval of the board of trustees of the Hunterdon Medical Center, the county medical society, and the public health advisory committee of the medical center. Letters of endorsement were received from the American Medical Association, the American Hospital Association, and the State medical society. Five hundred schoolchildren, teachers, and other volunteers brought up to date or created large-scale maps of each of the 26 municipalities and secured a census listing in each of 900 areas into which the county was divided by delimiting certain natural boundaries, such as roads, rivers, and railroads. More than 40 public gatherings were addressed to orient organizations to the survey. Press and radio support of the project was generous. The entire county medical society membership signed a statement urging the public to cooperate and this document was photostated and published by all local newspapers. Every paper serving the area carried an editorial encouraging public participation. The project was influenced by the fact that the entire county was constructively involved in the creation of the Hunterdon Medical Center to which at least 75 percent of families had contributed and which was now conducting the survey.

With this as a background the five phases of the survey were activated in the spring of 1952 when 600 volunteers delivered questionnaires to households throughout the county. This was followed by 35 trained interviewers attempting to secure health histories during the summer from a third of the families in the county; by communication with a sample of physicians named by these families; by an intensive effort to evaluate by team approach subsamples of the stratified interviewed population; and by an invitation to go through multiple screening extended to all reportedly well people (above age 16) in the same families. This process required 5 months of full-scale planning and pretesting, 26 months of intensive survey work, and 6 months of winding up. At least a year will be required for analysis and report writing.

The productivity of the five steps was as follows: (1) From the 43,000 individuals to whom self-administered questionnaires were delivered, 23,900 were returned (56 percent); (2) 4,246 families (13,113 individuals) were interviewed representing 91 percent of all sought; (3) 329 physicians (by questionnaire regarding 1,569 patients) reported conditions, 86 percent of the physicians to whom verification forms were mailed replied, 70 percent of the total number of forms mailed out were returned filled out by the cooperating physicians; (4) 846 individuals representing 72 percent of the differential probability sample sought were given a complete medical, social, and nursing evaluation; and (5) 2,679 individuals presumably well were multiple screened from the same families, representing 34 percent of the 7,953 whose participation was requested.

METHODOLOGICAL OBSERVATIONS

Three selected methodological observations which have significance for morbidity surveys have been chosen from among many for presentation.

1. Validation of a household interview by written questionnaires sent to physicians named as having attended the reported conditions.

It has been common practice to request information from physicians named by respondents in household interviews. The physician customarily has been told that what the patient said was wrong. He has been asked to confirm or alter the patient's diagnosis and to list or even checklist other conditions that were present. This procedure of telling the physician what the patient said has been questioned. Such a step has been regarded as destroying the independent nature of this way of securing morbidity data. Among other built-in steps, the Hunterdon study was designed to examine this question of the contamination of criteria.

As the third step in the survey, the interview folders from a sample of interviewed families were selected for medical verification. These were randomly divided into two groups of equal size and simple questionnaires were prepared for each physician named as having attended the conditions reported. The questionnaires were identical except that in half the cases the physician was not advised of what the patient had reported in the household interview.

Thus, 165 envelopes containing 651 questionnaires (1 for each condition) went to the 165 physicians named in half the family folders selected: these forms (form A) included the patient's reported diagnosis. As a control, 164 physicians received 687 forms (form B) representing the physician-attended illnesses in the second half of the family folders, but were not told what had been reported in the household interviews.

[4] Credit by title cannot be given here to the many staff members, consultants, and volunteers who performed the survey, but all are appropriately recognized in the final report.

All physicians received identical explanatory and followup letters and returned the forms with approximately equal degrees of cooperation.

The returns were matched according to a code which allowed for seven types of agreement. The matching was done by a physician and a statistician working as a team and according to rules which will be described in detail in the full survey report. Table 1 summarizes the results of this part of the survey.

The most striking differences found were that when the physician was not informed of the patient's reported diagnosis his own diagnosis agreed with the patient less often but he reported new conditions more frequently. The causes for these differences cannot be documented. The data also will be analyzed further in terms of selected diseases. The implications for morbidity surveys, while not clear, deserve study.

2. Validation of household interviews by medical examination of a sample of respondents.

TABLE 1.—*Relative productivity of 2 types of written questionnaires sent to physicians named in household interviews as having attended respondent reported conditions*

Degree of agreement between patient and physician	Form A—Physicians informed of diagnoses reported by patients		Form B—Physicians not informed of diagnoses reported by patients	
	Number of conditions	Comment	Number of conditions	Comment
1. Perfect	320	528 confirmed in some degree equal 92 percent	268	441 confirmed in some degree equal 75 percent.
2. Close	164		122	
3. General	27		31	
4. Vague or remote	17		20	
5. Negative statement by physician on diagnosis stated by patient.	10	48 not confirmed equal 8 percent	4	145 not confirmed equal 25 percent.
6. Reported by patient only	38		141	
7. New condition reported by physician only	131	Equal 22 new conditions for every 100-patient reported conditions.	292	Equal 48 new conditions for every 100-patient reported conditions.

NOTE.—This table is based on a study of those forms returned by physicians. Both A and B forms were returned in approximately equal numbers—75 and 72 percent, respectively.

A total of 4,246 Hunterdon families were interviewed by 35 trained and supervised interviewers, the interviews requiring from 30 minutes to 6 hours and averaging about 1½ hours. The questionnaires used inquired for each member of the family about illness, injury, or other conditions on the day before the interview, during the 4 weeks preceding and during the past year. They then covered a lengthy symptoms list, persons in institutions, deaths, and a long list of diseases by name.

The 13,113 individuals were then divided into 6 strata, ranging from people in institutions to people with no complaints, and the 6 groups were sampled at differential rates for team evaluation. The goal was 1,000 examinees, the yield was 846 representing 72 percent of all whose names were drawn. This degree of success was achieved after 1½ years of hard work. The story of recruitment of a sample for examinations is a saga in itself but cannot be recounted here.

The examinations were made in the Hunterdon Medical Center by the full-time staff, a group of accredited specialists with faculty appointments in New York University-Bellevue Medical Center. Responsibility for all studies was carried by two specialists in internal medicine and one in pediatrics. These physicians had unlimited access to laboratory and radiologic services and informal and formal consultation from the other full-time and visiting consultants. For example, a review of every 8th examination record shows that for 105 persons there were (in addition to routine pelvic examinations of adult women by the gynecologist) 95 formal consultations and 1,195 tests. Two hundred families were the subject of detailed study in the home by experienced social workers. All examinees were reviewed by the social workers and the public health nurse consultant. Finally, a team conference resulted in an extensive schedule of evaluation which is the basis for the next two comparisons with data previously secured through household interviews.

Although the survey will report in large measure on prevalence data and needs for care, reference is made here only to some problems of measuring morbidity. These comparisons provide a substantial basis for estimating overnumeration and undernumeration in morbidity surveys when a multiapproach questionnaire is used in household interviews.

A. Overreporting by the respondent in the household interview. (This section records how successful the team was in verifying in some degree what the lay respondents had reported to the interviewers.)

When family reported conditions are considered in 21 major classifications, the following order in proportion of match with clinically evaluated conditions emerges as presented in table 2.

TABLE 2.—*Validation of household interviews by medical examination of a sample of respondents (total 846)*

A. PROPORTION-OF-MATCH FOR FAMILY REPORTED CONDITIONS WITH SUBSEQUENT MEDICAL DETERMINATION

Order	Classification of condition (all conditions reported in family interview)	Percent matching clinically evaluated conditions (weighted)	Total cases reported in family interview (unweighted)	Order	Classification of condition (all conditions reported in family interview)	Percent matching clinically evaluated conditions (weighted)	Total cases reported in family interview (unweighted)
1	Diseases of the eye	98	145	14	Other diseases of the digestive system	48	171
2	Mental, psychoneurotic, and personality disorders	87	46	15	Diseases of the nervous system	45	82
3	Diabetes mellitus	85	28	16	Diseases of the skin and cellular tissue	34	74
4	Rheumatic fever and heart diseases	80	166	17	Symptoms, senility, and other ill-defined conditions	29	205
5	Neoplasms	75	67	18	Injuries and poisonings	24	62
6	Other diseases of the circulatory system	65	198	19	Diseases of the respiratory system	23	223
7	Diseases of the ear	63	57	20	Anemias and other diseases of the blood	19	33
8	Diseases of the genitourinary system	61	97	21	Infective and parasitic diseases	13	90
9	Allergic diseases	58	59				
10	Other impairments, including congenital	57	101		Total	47	2,206
11	Other endocrine, metabolic, and nutritional diseases	57	37				
12	Diseases of bones and organs of movement	56	138				
13	Dental and other diseases of buccal cavity and esophagus	53	127				

For convenience and ease of reference we may arbitrarily place all classifications of family reported conditions into four groups (according to overall proportion of match): well matched—80 percent, or higher; fairly matched—60–79 percent; poorly matched—40–50 percent; and badly matched—less than 40 percent.

Under the above arbitrary limits we can say that only for diseases of the eye, mental, psychoneurotic, and personality disorders, diabetes, and rheumatic fever and heart diseases are family reports relatively "well" matched with clinical evaluation.

Acute conditions reported in the family interview cannot be expected to match clinically evaluated conditions established 20 months after the family interview. We find, therefore, relatively "bad" proportions of match for infective and parasitic diseases, diseases of the respiratory system, injuries and poisonings, and diseases of the skin.

Vaguely reported conditions, including symptomatic descriptions, are also relatively "badly" matched with clinically evaluated conditions. Reported anemias, too, are relatively "badly" matched.

Conditions which were characterized in the family interview by some index of seriousness, such as "keeping a person from his ordinary activities yesterday" or "leaving a handicap or defect" or "still bothering" were less likely to be overreported. Similarly hospitalized and medically attended conditions were less likely to be overreported.

TABLE 3

B. PROPORTION-OF-MATCH FOR CONDITIONS FOUND BY MEDICAL EXAMINATION OF 846 PEOPLE WITH CONDITIONS PREVIOUSLY REPORTED BY FAMILY (FOR CONDITIONS BELIEVED BY CLINICIAN TO HAVE BEEN PRESENT IN PERIOD COVERED BY FAMILY INTERVIEW)

Classification of condition	Percent matching family reported conditions (weighted)	Total conditions found by clinical evaluation (unweighted)	Classification of condition	Percent matching family reported conditions (weighted)	Total conditions found by clinical evaluation (unweighted)
Diabetes mellitus	64	30	Diseases of the eye	20	470
Diseases of the ear	56	83	Infective and parasitic diseases	16	73
Allergic diseases	54	51	Diseases of skin and cellular tissue	20	76
Heart diseases and rheumatic fever	39	288	Dental and other diseases of buccal cavity and esophagus	11	192
Anemias and other diseases of the blood	39	8	Diseases of genitourinary system	11	230
Diseases of the respiratory system	38	108	Other impairments, including congenital	10	66
Diseases of the nervous system	37	85	Neoplasms	10	151
Injuries and poisonings	32	83	Other endocrine, metabolic, and nutritional diseases	6	183
Other diseases of the digestive system	31	180	Symptoms, senility, and other ill-defined conditions, and special examinations	4	82
Diseases of bones and organs of movement	30	197			
Other diseases of circulatory system	26	320			
Mental, psychoneurotic, and personality disorders	22	153	Total	22	3,109

TABLE 4.—*Comparison of the total number of conditions reported in family interviews with the total number of conditions found by medical examination of a sample of 846 respondents (unweighted data)*

Order	Classification of condition	Number reported	Number found	Difference	Order	Classification of condition	Number reported	Number found	Difference
1	Diseases of the eye	145	470	+325	13	Dental and other diseases of buccal cavity and esophagus	127	192	+65
2	Mental, psychoneurotic, and personality disorders	46	153	+107	14	Other diseases of the digestive system	171	180	+9
3	Diabetes mellitus	28	30	+2	15	Diseases of the nervous system	82	85	+3
4	Rheumatic fever and heart disease	166	288	+122	16	Diseases of the skin and cellular tissue	74	76	+2
5	Neoplasms	67	151	+84	17	Symptoms, senility, and other ill-defined conditions	205	82	−123
6	Other diseases of the circulatory system	198	320	+122	18	Injuries and poisonings	62	83	+21
7	Diseases of the ear	57	83	+26	19	Diseases of the respiratory system	223	108	−115
8	Diseases of the genitourinary system	97	230	+133	20	Anemias and other diseases of the blood	33	8	−25
9	Allergic diseases	59	51	−8	21	Infective and parasitic diseases	90	73	−17
10	Other impairments, including congenital	101	66	−35					
11	Other endocrine, metabolic, and nutritional diseases	37	183	+146		Total	2,206	3,109	
12	Diseases of bones and organs of movement	138	197	+59					

B. Underreporting by the respondent in the household interview. (This section records what proportion of conditions discovered by team evaluation had been reported previously in the household interview.)

As shown in table 3, less than one-fourth (22 percent) of the conditions found by clinical evaluation was matched with conditions reported in the family interview. This proportion-of-match is for clinically evaluated conditions believed by the examining clinician to have been present in the period covered by the family interview and which presumably should have been reported.

The proportion-of-match for clinically evaluated conditions varied greatly by type of condition. For diabetes, one out of three cases found by clinical evaluation was not reported in the family interview. Six out of ten cases of clinically evaluated heart conditions were not reported in the family interview. Three-fourths of the clinically evaluated "mental, psychoneurotic, and personality disorders" were unreported in the family interview. Nine out of ten neoplasms established by clinical evaluation were unreported in the family interview.

It was felt that this rather low proportion-of-match was perhaps not entirely attributable to failure of the family interview respondent to report known conditions or even to ignorance of existing conditions, but that a substantial part of the discrepancy might be attributed to the thoroughness of the clinical examination and the meticulousness of the clinicians in their reporting of minor and unimportant conditions. In order to confine the analysis to the more significant conditions, a comparison was made between clinical findings and family reports for those conditions only which clinicians considered to be "* * * currently or potentially disabling * * *" or which had been disabling in the year preceding the clinical examination. Two-thirds of the clinically evaluated conditions believed to have existed in the family interview year were considered by clinicians as disabling in the sense described.

The overall proportion-of-match for disabling clinically evaluated conditions was not importantly higher than for nondisabling clinically evaluated conditions (24 percent as against 18 percent).

Finally, table 4 is presented to compare the total number of conditions reported in family interviews for 846 individuals compared with what was found in medical examinations. (The reader is cautioned that this is an unweighted table and cannot be used for computation of rates or percentages.)

COMMENT

The data presented here are subject of course to much explanation which will be included in the final report. While these observations are brief (and much more detailed analyses will be reported subsequently), they are thought provoking with respect to the problem of securing accurate morbidity data. Surveys such as the Hunterdon and Baltimore studies are expensive, time consuming, and difficult. No attempt is made in this brief report to discuss epidemiologic studies of long-term illness, but the problems of accurate measurement of prevalence and incidence are evident and will require large-scale planning and financing for their further elucidation.

The data at hand suggest that for chronic disease household interviews may be expected at best to provide minimum estimates of morbidity.

EXHIBIT 2

COLUMBIA, MO., *August 18, 1960.*

To the MISSOURIAN:

The Columbia Missourian of August 16 carried a news story concerning a research in aging in which I participated during the past year. The story was based on information contained in a news release from the American Medical Association. This news release was presumably sent to many newspapers over the country. By use of my name (and the names of other participating sociologists) there is the implication that I support the conclusions of the AMA; namely, that the study "proves that the great majority of Americans over 65 are capably financing their own health care and prefer to do it on their own, without Federal Government intervention." I did not authorize the use of my name, nor does the study support such conclusions.

My participation in the research was only to the extent of supervising the interviewing of 80 persons living in rural sections of central Missouri. This project was planned and directed at Emory University, and I had nothing to do with the planning and sampling procedures, the tabulation of data, or the formal presentation of conclusions. Presumably the American Medical Association was given access to the data to use as it desired. The data are being used deceptively for political purposes.

The interviews in this study were entirely with noninstitutionalized white persons selected from different sections of the country. This meant that persons receiving old-age assistance, or in institutions for the aged, were not included in the sample of persons interviewed. Nor were Negroes. Thus the persons interviewed represented, in a sense, the financial "elite" of the older population. By definition the poorest segment of the aged group was excluded from the study. This is perfectly defensible if it is clearly understood, and stated, that the noninstitutionalized white population does not represent a cross-section of the older people in the country.

The AMA news release, intentionally or otherwise, ignored these qualifications. Instead, it has presented data on a limited and

restricted sample of older persons as if this sample were representative of the aged population in general. For this reason the statements in the AMA news release are both misleading and deceptive. The average newspaper reader would probably not be sufficiently informed to detect this deception.

For the reasons stated above I object to the unauthorized use of my name in AMA propaganda.

Sincerely,

NOEL P. GIST,
Professor of Sociology.

AUGUST 17, 1960.

AMERICAN MEDICAL ASSOCIATION,
Chicago, Ill.

GENTLEMEN: This morning's press carried a news story which, by implication if not by explicit statement, indicated my endorsement of the position of the American Medical Association regarding medical care for the aged in this country. I have also seen a copy of the news release, for August 15, upon which the story was based. Although I participated in a study of aging to the extent of supervising the interviewing of a sample of rural residents in Missouri, I assume no responsibility whatever for any analysis made of the data or any conclusions by other persons.

Last fall Prof. James Wiggins, of Emory University, wrote me inquiring if I would be willing to supervise the interviewing of 80 noninstitutionalized persons in rural communities of central Missouri, using, he said, a schedule that was under preparation in his office. He did not indicate the specific purpose of the study except to say that it was a national survey; nor did he indicate the source of the funds, except that a grant had been received from a foundation. I agreed to have the interviews conducted, and used the small stipend to employ my son and daughter-in-law to do the actual interviewing. We completed our part of the assignment and returned the schedules to him, properly filled out, some time in April.

I had nothing to do with the tabulations and analyses, nor did I see any of the data other than the information which we gathered in this area. Therefore I do not necessarily support the conclusions that some have drawn from the study. Yet the news release, by the use of my name as a professional sociologist (and also the names of several other sociologists) undoubtedly leaves the impression that I endorse the conclusions presented in the news release of the AMA. This is entirely misleading. I do nothing of the sort. I was at no time consulted about the use of my name for what is clearly political propaganda of the American Medical Association.

I do not know how adequate the sampling procedures were in the study, since the sample was presumably drawn at Emory University. But it was quite obvious to us that the questionnaire sent to us was a very poor one, and seemed to be devised by amateurs in research. But since we agreed to do the interviewing for the project we completed the assignment. If I had known that this study was to be used for political propaganda I should not have undertaken it at the outset.

Very truly yours,

NOEL P. GIST,
Professor of Sociology.

FINDINGS REGARDING HEALTH FOR THE AGED—CORNELL STUDY OF OCCUPATIONAL RETIREMENT

In reporting on their longitudinal "Study of Occupational Retirement," Profs. Gordon F. Streib and Wayne E. Thompson have in all of their work stressed the fact that although their sample includes people from throughout the country and from all walks of life, it cannot be considered representative of the older population of the United States. They acknowledge that their sample is relatively more affluent and in relatively better health than the older population. At the same time, the Cornell sample seems to be similar to the Wiggins and Schoeck sample. For example, in the fourth wave of the Cornell study, which included responses from over 2,000 older persons, the question was asked: "How would you rate your health at the present time?" Sixty-five percent said "good" or "excellent," 29 percent said "fair," 5 percent said "poor" or "very poor," and 1 percent did not reply. This compares with 61 percent, 29 percent, and 10 percent, respectively, in the Wiggins and Schoeck paper. Also, like the Wiggins and Schoeck study, the Cornell study includes almost no one receiving public assistance, although unlike the Wiggins and Schoeck study this was not done intentionally.

However, when the Cornell respondents were asked: "Do you think that most retired people are able to take care of their medical expenses themselves?" more than one-half replied that they did not think so.

Moreover, when these people were asked: "Who do you think should provide for the older person who has stopped working if he needs help in meeting his medical expenses?" the modal response was "the Federal Government," and a considerable majority indicated some form of governmental support—Federal, State, or local.

AUGUST 17, 1960.

INTERNATIONAL ASSOCIATION OF GERONTOLOGY.

MR. SIDNEY SPECTOR,
Chief Staff Investigator, U.S. Senate Subcommittee on Problems of the Aging and Aged, Washington, D.C.

DEAR MR. SPECTOR: This is in reply to your request for an evaluative comment on the paper presented by Prof. James W. Wiggins before the social research division of the Fifth International Congress of Gerontology held in San Francisco August 7 to 12.

I have read the paper and was in the audience when Professor Wiggins made his presentation. I was astonished at the data and conclusions reported. The basic figures on income, assets, health status differ by as much as 100 percent from those reported by other studies during the past decade and from figures available through such standard sources or the Bureau of the Census, the Current Population Survey, and the National Health Survey.

In view of the magnitude of these differences, it seems to me that the results of the survey should be rigorously compared with data reported from commonly accepted sources, that the wording and form the questions asked should be reported and studied and that the method and nature of the sample should be subjected to careful scrutiny. If it is true, as has been reported, that public assistance recipients, nonwhite persons, and residents of institutions were excluded, these facts should be prominently stated. Allowing for overlap among them, these three groups account for close to 20 percent of the older population. Since these groups have, almost by definition, the lowest incomes, the least assets, and the poorest health, their exclusion necessarily results in a marked overstatement of the health and income status of the older population.

Modern social research methods, properly employed, lend themselves to obtaining valid and consistent results in most areas of inquiry. It is possible, also to subject most procedures and results to severe tests whenever there is a question as to accuracy of results. As a first step in evaluating the present study, it would seem essential to compare the age, sex, marital status, color, and nativity, educational, and income composition of the study sample with the known composition of the total older population as revealed by well-tested and proven sources. Then I believe the precise method of selecting the sample geographically should be reported and the result compared with the known geographical and urban-rural distribution of the older population. These are all matters which one would have expected to find in the initial report of the survey. No doubt they will be covered when final data are presented.

Data such as these are often used as bases for action on the part of public and voluntary organizations. It is essential, therefore, from the point of view of the older population and for the welfare of our whole society, that they be of irreproachable accuracy.

Sincerely,

CLARK TIBBITTS,
Chairman, Executive Committee for the Americas.

LAFAYETTE, IND., *August 19, 1960.*

Senator PAT MCNAMARA,
Chairman, Senate Committee on Aging, Senate Office Building, Washington, D.C.:

The New York Times, under a Chicago, August 14 dateline, carries a story by Austin C. Wehrwein headlined, "Aged Said To Bar U.S. Health Aid." This story refers to and is based upon a survey conducted by Profs. James W. Wiggins and Helmut Schoeck of Emory University in Atlanta, Ga., a report of which was presented at the recently concluded Fifth International Congress of Gerontology held in San Francisco August 7–12, 1960. Since I was the coorganizer of the section on "Population and Social Organization" in which the Wiggins-Schoeck paper was presented, I feel compelled to tell you something of the way in which the paper came to be included in the section, and the reaction of the scientists present at the Congress who participated in the section. I should add that the other coorganizer of this section was Dr. Pierre Naville of Paris, France, who had nothing to do with the Wiggins-Schoeck paper, nor was he even able to attend the conference. Thus, I was the person solely responsible for including the paper in our section.

I first learned of the survey when one of the survey interviewers (from Denver), wrote me suggesting that she might do a paper on her section of the study. I wrote back to her suggesting that for an international meeting, such a paper might be inappropriate, but that the report of the total study might be of some interest to us, and I then wrote to Professor Wiggins to that effect. On March 11, 1960, Professor Wiggins wrote me that they were "attempting to get an accurate picture of several aspects of the lives of 'normal' persons past 65, through the use of a national sample of this population." On March 29, 1960, I wrote Professor Wiggins inviting him to present a paper on his study at the International Congress of Gerontology, and suggested that "the very title 'A Profile of the Aging—U.S.A.' would seem to fit very well into an international meeting. I would hope your paper would set out this profile, perhaps contrasting it with other work a la the 'national character' studies which were so popular during and shortly after World War II."

On June 30, 1960, I wrote Professor Wiggins acknowledging receipt of an abstract of his paper for inclusion in our printed program for the congress. In that abstract, he said his paper would be "a preliminary report of some conclusions from a national area sample (United States of America) of 1,500 noninstitutionalized persons age 65 years of age and over. * * *" I did not see a copy of the final paper until August 10, 1960, the day before it was read at the meeting of the congress.

I must report that I was appalled to read the paper which I found to be of poor quality of scientific research technique and writing. Indeed, I regretted at that point that I had been so naive as to have accepted the paper without having seen it in advance, especially since it would be presented before an audience of internationally known scientists who might think of this as representing American sociology. Fortunately, I had taken the precaution of appointing a well-known, highly competent research sociologist as the discussant of the paper following its presentation (a standard procedure in meetings of this kind).

I discovered also, that a press release had been prepared and distributed prior to the presentation of the paper: this press release had not been prepared by the press staff of the congress, and I do not know now who did prepare it. The release was couched in such terms, however, which made it apparent that there were motivations in its release other than the dissemination of scientific knowledge.

When the paper was actually presented, there was an immediate reaction on the part of the audience, attacking its unscientific character, and the ease with which Wiggins and Schoeck jumped to untenable conclusions. The survey was badly designed, poorly conceived, and completely misleading. Not a single scientist present at the meeting rose to support either Mr. Wiggins or his paper, although some six persons other than the assigned discussant rose to take exception to him and the points he was trying to make. In sum, the study was totally discredited in the discussion which followed the presentation of the paper. As the organizer for that section of the congress, I have the responsibility for reviewing all of the papers presented and passing judgment on them for their possible inclusion in a volume of collected papers which were presented at the congress to be published in the near future. I had decided at the time of presentation of the paper that its quality was such as to make impossible its inclusion in such a volume, since we wish to publish only scientifically acceptable papers. I might cite for you only two points which come to my mind immediately. Wiggins and Schoeck throughout the paper refer to "modal" statistics. Even the elementary student knows that a mode is relatively meaningless without data on the frequency distribution on that item for which the mode is reported. Wiggins and Schoeck nowhere reported the frequency distribution, thus, in a distribution of 1,500 responses to a given question, it is conceivable that only two dozen responses of a given sort could be the mode. This is obviously totally misleading. Second, in the section on method, Wiggins and Schoeck say they used "area probability sampling" however, in their footnote No. 13 they make it crystal clear that they have in fact used quota sampling, a method which was discredited in the 1948 public opinion polls, among other places. Finally, it would be perfectly appropriate to do a good study of the non-institutionalized older population, as long as it was absolutely clear that this was the intention and the focus of the research. This was not at all clear here, and again is misleading; indeed the title "A Profile of the Aging: U.S.A." makes it appear to be a study of the general population of older persons, something which it is not.

I hope the above comments make clear what I intend; namely (a) we did not see the paper prior to its presentation at the congress, (b) it is far below the quality expected of a professional researcher, (c) it is totally misleading, and (d) it was discredited by the professional research scientists present at the congress meeting where the paper was presented.

If you should like any further information from me on this matter, I would be happy to be of assistance to your committee to the end of promoting what I believe to be the goal suitable to our society; namely, the formulation of public policy following wherever possible upon sound scientific research findings. I am a professional research sociologist and professor of sociology, and am interested in the furtherance of professional standards of research; if this must be done by occasionally taking to task one of my professional sociological colleagues, then I feel that this must be done. I hope that it is not too late to rectify this matter in the minds of those who must make public policy in the field of the aging.

Very sincerely yours,

LEONARD Z. BREEN,
Associate Professor of Sociology and Coordinator of Research in Gerontology, Purdue University, Lafayette, Ind.

Mr. FULBRIGHT. Mr. President, the members of the Senate Finance Committee have done a commendable job in handling a difficult and controversial subject. I support the committee's recommendations on medical care. I am sure that no one will consider the bill a perfect bill. Modifications and improvements in the program will undoubtedly be required as experience dictates. However, I sincerely believe that the committee has taken the right approach to handling the medical care problems of the aged.

Before I discuss the medical care features I wish to voice my approval of the provision in the bill increasing the limitation on outside earnings of social security recipients from $1,200 to $1,800 annually. In the last two Congresses I sponsored legislation to remove the earnings test entirely. I have always felt that it is unfair to penalize elderly citizens who have the initiative and desire to work. It is now an accepted fact that one of the most difficult problems facing the elderly, active individual beyond retirement age is the need to have a sense of purpose and accomplishment in his declining years. Continuing to engage in productive employment gives the old person this sense of purpose, but under the existing law he is penalized by reducing his social security benefits if he earns over $1,200 a year. I am pleased that the committee has recognized this problem and has taken a step to alleviate the burden on those who wish to continue to work after reaching eligibility age. I would, of course, have preferred that the limitation be removed entirely. The committee's action will at least help many who are caught in this dilemma.

Mr. President, I should now like to discuss briefly the medical care provisions in the bill. Every Member of this body, I am sure, favors the establishment of a practical plan to provide needed medical services for the Nation's elderly citizens. The problem is not whether we should do it, but how we should do it.

I believe that medical care for the aged is a responsibility of all of the people in this country, and that the cost of a medical care program should be distributed accordingly. The proper approach is that taken in the committee's bill. Medical services should be paid for out of the general revenue rather than by imposition of an additional payroll tax on workers and employers.

Mr. President, the financing of medical care through the social security system is not a sound or an equitable approach to the problem. In 1969 the social security payroll tax will rise to 4½ percent on both workers and employers. Pressures will increase in future years for further liberalization of the program and to finance these improvements it will be necessary to either increase the payroll tax or the earnings base subject to the tax. If medical care is added to the program there will be another increase in the payroll tax of 1 percent which will bring it to 10 percent of payrolls in 1969. There will undoubtedly be demands to improve medical care benefits and lower eligibility requirements in future years, and the payroll tax will go up again. No one can predict accurately where the tax will stop if medical care is added to the system.

We should remember that the cost of medical care will be imposed on those persons least able to pay if it is made a part of the social security program. One-half the burden of financing the program would fall on earnings of $4,800 a year or less. The cost would be imposed on everyone under the system whether they wanted to participate in the health benefits program or not. Under this approach there is no way to give equitable treatment to persons who provide through hospitalization insurance or otherwise for financing their own medical care. In all fairness to those paying into the social security system it would be preferable to distribute the fiscal burden of a medical care program on a broader basis. The distinguished Senator from Oklahoma [Mr. KERR] stated in his opening speech on August 15 that 40 percent of the national income would make no contribution to the medical care program if it were financed through a social security tax. Paying for the program out of the general revenues would take into account the inherent advantages of the progressive income tax and would distribute the burden more equitably.

Aside from the method of financing there is a more fundamental issue involved in this subject. That is whether we want to further the trend toward centralization of power with the Federal Government or retain State and local authority over what is properly a State and local problem. If the States are to preserve some degree of authority and prestige under our Federal form of government they must provide those services demanded by the public or else the Federal Government will fill the vacuum created by State inaction. Our citizens are looking more and more to the Federal Government to fill those functions which should be performed by State and local governments. The program for health care which would be established by this bill will enable the States to provide the health care needed by our elderly citizens without furthering the trend toward a national welfare state. To place medical care for the aged under the administration, direction, and control of the Federal Government would

erode even further the authority and responsibilities of the State governments.

If our citizens wish to live under a Federal welfare state with the long arm of the Federal Government reaching into their daily affairs more and more each day, a Federal medical program will certainly hasten that unhappy result. The big brother concept may not be too far away if the Federal Government enters the medical field. We cannot expect to get this type of care through the Federal Government without giving up part of our freedoms and liberty. Correspondingly, for every function of this nature which the Federal Government assumes, the State loses some of its authority.

The medical care program recommended by the Finance Committee provides the individual States with the means to care for the health needs of their aged citizens on a local level. The States would be encouraged to set up programs designed to fit the peculiar needs of their own people. I think it is without question that the State governments are better qualified than the Federal Government to determine the requirements of their own people for medical care. By following the time-tested method of Federal grants we will also prevent any further erosion of the States power and prestige.

Mr. President, Arkansas is one of the States which has a medical program as an integral element in its old-age assistance program. Every person in the State receiving old-age assistance benefits is eligible for medical care. At the present time, there are over 55,000 persons eligible for medical care under the program. Hospitalization, nursing-home care, and drugs are some of the benefits available under the program. There is no doubt that the benefits under the program should be expanded. The improved grant formula authorized by the Senate bill will go a long way toward improving this system.

The existing formula for Federal grants for medical services favors the low-income States and Arkansas qualifies for the highest Federal contribution. In 1959 Arkansas spent more than $3½ million on its medical program. Of this, 65 percent came from the Federal Government and 35 percent was State funds. Under the Senate bill the Federal contribution would be increased to 80 percent. This means that Arkansas could receive approximately $525,000 more in Federal funds without putting up any additional money. If the State puts up more money, it would be matched at the rate of 4 Federal dollars for every State dollar. This new matching formula should enable the State to improve the effectiveness of the program and do a better job of providing for the health needs of those unfortunates on the old-age assistance rolls.

Of even more importance in reaching the long-range goal of providing medical care for all elderly citizens is the new program which would be authorized outside the old-age assistance program. This new program would be financed by 80 percent contributions from the Federal Government and 20 percent from the State government—the same 4-to-1 ratio under the new old-age assistance medical care program. Each State is allowed great latitude in establishing eligibility standards and the scope of benefits in its program. A program established under this authority could include hospitalization, nursing home care, outpatient treatment, drugs, doctor bills, and any other medical services required. The authority given the State in setting up its program is extremely broad and may be implemented in the manner best suited to its own requirements. The important feature is that control and responsibilities remain in the State—where it belongs. This is far superior to a centralized medical care program administered by Washington officials who have no personal knowledge or understanding of local problems.

Mr. President, the underlying issue in this debate is whether the Federal Government or the State governments are best qualified to provide for the health needs of our elderly citizens. The responsibility for health care has traditionally been assumed first by the individual, then by his family, and finally by the State and local governments. I know of no compelling reason why the Federal Government should suddenly assume this responsibility. The State is uniquely qualified to administer to the health needs of its citizens if it is given reasonable financial assistance to do so. The authority provided in this bill will enable the States to provide needed medical services for the aged and it will insure that this essential function remains with the State governments. If we are to preserve some degree of State and local control over human affairs, some means must be found to counteract the trend toward centralization of authority in the Federal Government over affairs which are not properly a subject for Federal responsibility. Once we open the door to Federal control in the field of health care it will be impossible to close it. For every inch the door opens the State will lose an inch of authority. There is no need to rob the States of their authority in this instance. The health care program recommended by the committee is a sound and effective solution to the problem of medical care for the aged, and I hope that the Senate will adopt the committee's recommendations.

INTERNATIONAL Y'S RESOLUTION IN SUPPORT OF RULE OF LAW IN INTERNATIONAL RELATIONS

Mr. HUMPHREY. Mr. President, delegates to the International Y's Men's Convention in Minneapolis from August 1 to 11, 1960, approved a forthright declaration on the need for the rule of law and order and consequently for strengthening the United Nations to achieve the rule of law in international affairs.

This is a matter as to which I have had great concern. I have introduced appropriate Senate resolutions to strengthen the World Court.

Mr. President, I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE INTERNATIONAL Y'S MEN'S CONVENTION, MINNEAPOLIS, 1960

Whereas this organization is international in scope, dedicated to the principles of brotherly love among all men regardless of race, color, or creed; and

Whereas we believe in the rule of law and order as basic to the establishment of worldwide brotherly love; and

Whereas the United Nations Organization represents the world's best hope for attainment of these goals, we hereby resolve to support and approve the establishment of true world law and order, through a strong United Nations.

We further resolve to support and approve the establishment of a permanent enforcement agency through the United Nations to back up this world law.

Further, we resolve to support and approve worldwide disarmament within the framework of the principles stated.

WORLD COLLEGE STUDENTS CONGRESS

Mr. HUMPHREY. Mr. President, within the past few years the Veterans of Foreign Wars successfully sponsored National Loyalty Day. This project was given congressional approval and the date of May 1 is now established as "National Loyalty Day"—a day for free people to rededicate themselves to the principles of democracy. National Loyalty Day is our answer to the May Day parades of the Communists. We are all indebted to the Veterans of Foreign Wars for this constructive, dramatic response to the challenge of the Communists.

It is well known that the Communists seek to influence the young people in every country. Our Nation has failed to comprehend the importance of the so-called student movements throughout the world. We tend to take our freedom for granted. We fail to inspire the youths with the heritage, the traditions and the obligations of freedom.

Recently the Veterans of Foreign Wars of the United States has been giving consideration to the establishment of a Free World College Students Congress. It makes good sense. Mr. Albert F. Ceres, Jr., special assistant to the commander in chief of the Veterans of Foreign Wars of the United States, Mr. Louis G. Feldmann, has outlined this proposal in a letter to Commander Feldman on July 19, 1960.

This particular project merits the thoughtful and helpful consideration of every Member of Congress—yes, every citizen. Therefore, I wish to share the details of the proposal for a Free World College Students Congress with the Members of the Congress.

I have sent a message to the Veterans of Foreign Wars convention which is now assembled in Detroit, Mich., urging

that there be consideration of this proposal before the convention assembled. I hope there will be approval.

I ask unanimous consent that Mr. Ceres' letter to the commander in chief of the VFW, Mr. Louis G. Feldman, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 19, 1960.

LOUIS G. FELDMANN,
Commander in Chief, Veterans of Foreign Wars of the U.S., Northeastern National Bank Building, Hazleton, Pa.

DEAR COMMANDER IN CHIEF FELDMANN: You asked me to reduce to writing my proposal that the Veterans of Foreign Wars of the United States take the initiative in the unobligated sponsorship of an obviously needed propaganda forum that could be obtained in an annual meeting of anti-Communist college and university students from all free world nations to be held in the United States. The tentative name of the proposed organization is Free World College Student's Congress.

In compliance with your request, the following skeleton outline is submitted for your consideration:

1. The Free World College Student's Congress would be composed of juniors and seniors in colleges and universities.

2. The nucleus for the congress' leadership is available among those college and university students: (a) Who last year visited the Soviet Union while the U.S. exhibit was in Moscow. Some of these students were courageous enough to fearlessly expound in Russian and in English, the virtues of the U.S. Government and the American way of life to groups of Soviet citizens on street corners in Moscow and elsewhere in the Soviet Union, and (b) the American and other nationals among the anti-Communist students who attended the Communist-sponsored Youth Congress at Vienna, Austria, last year and previous years.

3. The congress would meet annually in the United States, preferably in Washington, D.C.

4. Delegates to the annual congress would be known as senators and representatives. They would be elected through democratically conducted elections on their respective campuses.

5. Each nation would have two senators. Representatives would be in proportion to their nation's population arrived at by a mathematical formula liberal enough to bring to the annual congress great numbers of democratically minded youth.

6. Senators would serve 2 years. Representatives would serve 1 year.

7. Immediately after their arrival at the first congress site, the senators and representatives would elect from among their number a president and vice president without discrimination as to sex, race, color or creed.

8. The president would serve a 2-year term so as to give continuity to the congress. The vice president would serve 1 year.

9. Election of the president would be held during the second session of the congress and annually thereafter.

10. The power and duties of the president, the vice president, and the senators and representatives would correspond to similar officers of the U.S. Government.

11. The president would appoint a cabinet and justices of the supreme court from among the senators and representatives. A representative would be elected to succeed any senator so appointed and would be of the nationality of the senator.

12. The annual congress would remain in session 1 week.

13. The congress' agenda would be based on the recommendations of the president and the resolutions submitted by the senators and representatives. Voting on these measures would follow the practice in the U.S. Senate and the House of Representatives.

14. The powers and duties of the congress would follow those of similar elected and appointed officers of the United States.

15. The U.S. Government would financially support the Free World College Student's Congress. This would include all travel and living expenses to and from their home to the congress; and while in session, the necessary facilities, equipment, and printing to enable the congress to function.

16. The U.S. Goverment would support openly, proudly, and positively the annual congress.

17. The Free World College Student's Congress would become the free world's antidote to the Communist-supported Annual Youth Congress and be clearly known as such.

18. Those who would annually address the congress would be: The President of the United States; the Secretary of State; the Chief Justice of the Supreme Court; the majority and minority leaders of the Senate and House of Representatives; the chairman, Senate Internal Security Subcommittee; the chairman, House Un-American Activities Committee; the commander in chief, Veterans of Foreign Wars of the United States; the national commander, the American Legion; the president of the American Federation of Labor and Council of Industrial Organizations, and the president, United Mine Workers of America.

19. The annual congress of the Free World College Student's Congress would close with a dinner addressed by the President of the United States.

20. Prior to any announcement of this proposal the commander in chief of the Veterans of Foreign Wars of the United States and the national commander of the American Legion would confer with the appropriate U.S. Government officials, including the majority and minority leaders of the Senate and House of Representatives, for assurance of their approval and financial support of the congress and its purposes.

21. Announcement of the establishment of the Free World College Student's Congress would be made at the 1960 convention of the Veterans of Foreign Wars of the United States, at Detroit, in the presence of the national commander of the American Legion.

22. Motion urging formation of the Free World College Student's Congress would be made by William J. Tepsic, member, national council of administration, Veterans of Foreign Wars of the United States for the Veterans of Foreign Wars, and by his opposite number on the executive committee of the American Legion, for the American Legion at the latter's 1960 convention.

23. The first annual congress of the Free World College Student's Congress would be held early in 1961.

24. Organization of the congress, including whatever is required in foreign countries would be under the auspices of the Department of State, with prior permission of the national governments concerned.

25. The alternate plan to a congress following the structure of the U.S. Government, would be an annual convention of free world college and university students presided over by a president or chairman with appropriate committees.

26. The first outline, rather than the alternate plan, will provide the students with experience in the three branches of democratic government that would be absent in the alternate plan.

27. Estimated cost of the annual congress would be less than $1 million annually, which would be offset by the incalculable propaganda value of its proceedings.

Sincerely yours in comradeship,

ALBERT F. CERES, JR.,
Special Assistant to the Commander in Chief.

TWELVE-STATE FARM CONFERENCE

Mr. HUMPHREY. Mr. President, farmers and political leaders from 12 Midwestern States met at Des Moines, Iowa, on Saturday and Sunday, August 20 and 21, to discuss the problems confronting American agriculture and the future well-being of the family farm and the American economy. The highlight of the 12-State Democratic conference was the joint appearance and participation of the Democratic nominees for President and Vice President, the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Texas [Mr. JOHNSON.]

I ask unanimous consent to have the full text of the message of the Senator from Massachusetts [Mr. KENNEDY] to the Democratic Farm Conference printed at this point in the RECORD.

There being no objection, the text was ordered to be printed in the RECORD, as follows:

TEXT OF KENNEDY'S SPEECH BEFORE THE DEMOCRATIC FARM CONFERENCE IN DES MOINES

No conference in this campaign is more important than this one. No domestic issue in this election is more important than the farm issue. No part of the American way of life is more important—or in more trouble than the family farm.

The Republicans like to say, over and over again, that the big issue in this campaign is Executive experience. Their candidate, they say, has experience in the executive branch—he has participated in its decisions—he has shared in its responsibilities—he has been educated in its programs.

I will discuss Mr. NIXON'S experience in other fields on other occasions. But when it comes to agriculture, I can only say that disaster has been his experience, and Benson has been his teacher.

I do not use the word disaster lightly. During these last 8 years of Mr. NIXON'S experience in making decisions, farm purchasing power has been cut some 20 percent. During the 8 years he was sharing executive responsibility, hundreds of thousands of farm families gave up the struggle against the cost-price squeeze. During these last 8 years of Benson, Nixon, Dirksen, and Morton, the average farm family was reduced to a net income of less than $50 a week.

RECALLS SPEECH IN MAINE

Here in the Middle West, Mr. NIXON hardly speaks to Mr. Benson. He disowns the man he once called "the best Secretary of Agriculture we ever had." But in Portland, Maine, a week ago, he talked along different lines. The reason Mr. Benson has not been successful, he said, is because the Democratic Congress has never given his program a chance.

To that, the American farmer can only ask: Where would we be without the Democratic Congress? For we have seen enough of Mr. Benson's program in effect to know what it would do. His program is to drive farm prices down. His program is to drive farm families off the farm. Contrary to Mr. NIXON'S statement, the Congress did give

Mr. Benson's program a chance—but Mr. Benson's program never gave the farmer a chance.

Now that an election is near, the Republicans are talking about new slogans, new promises and a new Secretary of Agriculture. But do not be misled. In the Republican platform today, as in any Republican administration of the future, the Benson song may have ended, but his melody lingers on.

SAYS PRICES STAY HIGH

For Republican opposition to farm income protection is not a whim of Mr. Benson. It is a bedrock principle of the Republican Party. It is that party's ironbound obligation to those who stand to profit when farm prices are kept down, when the farmer is without meaningful bargaining power in the marketplace.

I am not talking about the consumer. The Republican farm program has not benefited the consumer. Prices have stayed at a record high level, as every housewife knows, regardless of how hard the farmer is hit.

And I am not talking about the taxpayer. The Republican farm program has not benefited the taxpayer. The total costs and losses on farm price-support operations under Benson and NIXON have amounted in 7 years to more than 7 times as much as the total for 20 years under Roosevelt and Truman. In fact, they have spent several billion dollars more on agriculture than all previous administrations in the history of this country combined.

The Republican policy of collapsing farm income does not benefit farmers, or consumers, or taxpayers. It benefits only those powerful interests who benefit from the farmer's adversity—the same interests who kept Mr. Benson in his job—the same interests that dictated this year's Republican farm platform.

That platform calls for "price supports best fitted to specific commodities." It doesn't say who decides—it doesn't say at what level—and it doesn't say best for whom.

ASSAILS REPUBLICAN RECORD

The Republican leadership has already demonstrated that they don't mean what's best for the farmer.

The Democratic platform, on the other hand, spells out what we will do to reverse the decline in farm income, and to meet our responsibilities to our farmers, our consumers, and our taxpayers, to all America and to a hungry and troubled world.

That platform pledges, in unmistakable language, "positive action to raise farm income to full parity of income levels and to preserve family farming as a way of life."

It means that farmers shall receive returns for their labor, for their managerial skills, and for their investment which are equal to the returns received for comparable human talents and resources in other types of enterprise.

This is the strongest pledge ever given to the farmers of America by any political party in history.

I stand behind that pledge, and I intend to make good on it, beginning next January.

I do not say the job will be easy. There are no new or magical solutions. Mr. NIXON's talk about a "massive land retirement" plan with "indemnity payments" is no different than the 1956 "acreage reserve" plan of Ezra Taft Benson. More empty slogans and wishful thinking will not solve the problem.

A REVOLUTION IN TECHNOLOGY

The first thing to be done is to face up to the problem squarely, to recognize its magnitude. We have a revolution on our hands in agriculture. The headlines are full of revolutions in other parts of the world—but we have one right here on our farms. It is a revolution of technology. More and more food is being produced by fewer and fewer people on less and less land.

It is the result of improved machines and equipment, improved pest and disease control, improved water control, improved breeds and varieties, improved timing in cultivation, improved feeding practices, farm plant layout, and farm management.

LEAVING FARMS FOREVER

Our land grant colleges and private research are producing new miracles every year. Last month it was announced that chlorophyll can now be synthetically produced—that we can do in the laboratory what since the beginning of time we have relied on plants to do in the field—that is, convert sunshine, water, and carbon dioxide into food materials.

Where is this revolution going to lead? A revolution of abundance is better than one of scarcity. But people are being driven out of agriculture at a fantastic rate. The young people leave the farm and never come back.

The families hit by failure, merger or foreclosure move to the city, regardless of whether the city has jobs or homes. Our small towns are being badly hurt—so are their churches and schools and businesses—and so is the whole United States.

It would be nice to believe as the Republicans believe, that migration off the farm will solve the problem of surpluses. But the facts of the matter are that, during these last 8 years when millions have been leaving the farm, our agricultural production has actually increased at a faster rate than our total population.

Mr. Benson has acquired surpluses in storage six times as high as the 1952 level—surpluses which are costly to the taxpayers, frustrating to the world's hungry people and depressing in their effect on farm prices. Instead of population pressing on food supplies, as Malthus and others predicted, food supplies in this country are now pressing on the population.

It would also be nice to believe, as the Republicans believe, that as farm prices fall, consumers will buy more food and eat up the surplus. But it hasn't worked that way. Food prices have not fallen. We are, on the whole, an affluent, well-fed people, our stomachs can expand only so far.

It takes a 20 percent drop in farm prices to move 2 percent more food into consumption. And even then, the surpluses would not be going to where they are really needed—to the underfed, the unemployed, the overlooked—to the families forced to get by on less than $20 a month worth of surplus flour, rice and cornmeal, with some occasional dried eggs, lard and skimmed milk.

At the same time, there are other revolutions going on around the world—populations growing faster than food supplies—new nations in need of assistance—underdeveloped nations in need of food for capital. These are fast-changing, fast-moving times. The Republican Party is, as it always has been, the party of the status quo—and today in agriculture there can be no status quo.

NO TIME FOR TIMIDITY

In short, timid and temporary measures will not do. The Benson-Nixon-Dirksen philosophy will not do. Four more years of decline and disaster will not do.

We must harness these revolutions. We must ride these waves of change. We must learn to manage our abundance—to bring the great productive capacity of American agriculture into balance with total needs at home and abroad, at prices that will yield to our farmers a fair return on their capital and labor.

That is not a radical goal—or an impossible one. Nor does it treat the farmer any differently from anyone else. It may take hard work—it may mean a difficult transition—it may require tough decisions and many complaints. But the job can be done—and I pledge every effort of mind and heart to do it.

WILL NOT SATISFY EVERYONE

I would rather be accused of breaking precedents—than breaking promises.

I am here today to learn. It is my intention to spell out programs throughout this fall. They will offer no special privileges.

They will help no segment of the American economy at the expense of another. They will not satisfy everyone—they will not reflect the wishes of any one group—but they will reflect what I think is right. And they will live up to the strongest farm platform in American political history.

That farm program will not be based on cold statistics. It will not be based on economics textbooks, on academic theories or remote trends.

It will be a program for the individual farmer and his family—the man who has done more for America and received less for it than possibly any other group in our Nation—the man who fights year after year to do a good job, to use his soil and water wisely, to cooperate with Government policies, to maintain a decent home for his family, only to see his crop price go down and down as the cost of his equipment and his utilities and his family's clothes and doctor bills go up and up.

FOUR MAJOR AIMS GIVEN

That program must contain four basic objectives:

First, a positive policy of supply management to raise farm prices and incomes to parity levels—and that will require a sympathetic Secretary of Agriculture using a whole arsenal of tools—marketing quotas, sales quotas, land retirement, soil conservation, commodity purchases and loans, marketing orders and agreements, and many others, on a commodity-by-commodity basis—in cooperation with decisions made on the local level by local farmers themselves.

Second, a positive food and nutrition policy for all Americans, with better diets and distribution to our schoolchildren, our unemployed and our unfortunate, and a security reserve against the hazards of modern war, expanding existing programs and using the new ones a timid administration has been unwilling to test.

Third, a dynamic food and fiber policy for worldwide use, emphasizing above all a "peace reserve" aiding all nations in distress, and to which each farmer would be proud to contribute, instead of being constantly shamed in public on the ground that he is piling up wasteful surpluses.

Fourth, a long-range program for low-income farms, credit, research, and new rural industries.

PEACE THE BASIC GOAL

Both parties describe one phase of their policy as "food for peace." But I would give that name to our entire program. For peace is man's greatest aspiration—a just peace, a secure peace, without appeasement. We will not accept the peace of foreign domination—we do not seek the peace of the grave. We want more than this so-called peace that is merely an interval between wars.

There will be no farm program—there will be no farm boys or farms—if we cannot get off this deadly collision course on which we are presently headed. It's time for real leadership again in foreign affairs—fresh, firm leadership for peace, and in that mighty effort, we shall depend again—as we have in all our history—on our food, our farms and our loyal, tireless farmers.

Mr. HUMPHREY. Mr. President, on Saturday, August 20, hundreds of farmers gathered to give their views to a panel of experts in the field of agriculture and

agricultural economics. The summary of their views was prepared by the Governor of Iowa, Herschel C. Loveless, and presented to the conference. I ask unanimous consent that the summary of views and suggestions from the farmer hearing be printed at this point in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

TWELVE-STATE DEMOCRATIC CONFERENCE AND RALLY, DES MOINES, IOWA

SUMMARY OF VIEWS AND SUGGESTIONS FROM FARMER HEARING

The voice of farmers speaking out in their own behalf was heard in an impressive array yesterday. It is clear that the plight of American agriculture offers a challenge that must be heeded if democracy is to fulfill its promise of equal justice for all.

It was a serious day of thought-provoking discussion. Farm people from North Dakota to Texas, from Colorado to Massachusetts, came together with a deep sense of common purpose and urgency. Testimony of 65 witnesses was heard—corngrowers, wheatgrowers, livestock feeders, rice growers, dairymen, cotton producers, and general farmers. They came from 16 States. They ranged from individual family farmers speaking for themselves and their neighbors to officers and spokesmen for State and national farm organizations. Together they represented a vast wealth of personal experience in farm management, farm marketing, farm living, farm program development, farm program participation, and administration.

Perhaps seldom in 1 long day has there been assembled and offered to public officials and policy advisers a more representative presentation of farm thinking from throughout a vast area in the heartlands of the Nation.

They came as Democrats, determined to see that the party of their choice wiped out the years of Republican neglect to farm people. To a man they indicated faith in a brighter future for agriculture under Democratic leadership they see ahead. They repeatedly called for the kind of leadership that really cares about farm people.

They brought forth an array of constructive ideas, suggested approaches, and alternative techniques for achieving the objectives set forth in the farm plank of the Democratic platform. They differed sometimes on means to that end but concurred wholeheartedly on the ultimate objectives.

They came up with such a wealth of helpful suggestions deserving serious study that this summation can at best be only a partial review of general conclusions. The forum-reporting committee recommends more detailed analysis and review later of all the testimony as beneficial guidance to the next Secretary of Agriculture.

Some conclusions, however, were inescapable, running repeatedly and unchallenged throughout the testimony.

The seriousness of the farm income situation—the challenge to the Democratic Party to take positive action to raise farm income—was foremost in farmer testimony.

Higher farm income must become the first, and major, objective. As one witness declared, no farm legislation that fails to raise farm income is worthy of being called farm legislation. There was evidenced a determination that farm income could and would be raised under a new Democratic administration, and a willingness to make use of a variety of economic tools to achieve that aim.

Farmers want and will insist upon a sympathetic Secretary of Agriculture—one who really cares about farm people, who understands them and their needs, and is willing to work with them, instead of against them; one who will champion farmers, instead of lecturing and criticizing them.

Farmers want and will insist upon greater farmer voice and farmer participation in both development and administration of farm programs. Witnesses made it clear they want to see revitalized the farmer-elected committee system of grassroots democracy in handling farm programs. They want to see encouraged the development of individual commodity programs by farmers themselves such as, for example, wheat producers and dairymen have been endeavoring to achieve.

Farmer after farmer indicated their willingness to accept their share of the responsibility in adjusting supplies to demand at fair prices, suggested measures varying from use of bushelage quotas on wheat to conservation-oriented land use adjustment in the corn-hog areas. Livestock producers indicated their conviction that better prices could best be achieved for themselves by bolstering feed grain prices through reduced grain output declaring that cheap feed has most often meant cheap livestock. Dairy spokesmen, too, urged a national plan to keep dairy supplies in line with demand as the way to better prices and higher income. There was general accord that price and income protection should be contingent on farmer participation in necessary production adjustments.

From every spokesman came insistence that the new Democratic administration must gear its policies to preserve and protect the family-owned and family-operated farm system of agricultural production and combat the spread of corporate farming and agri-business dominated vertical integration. Farmers agreed survival of America's traditional family farm system depended upon maintenance of fair prices and income, strengthening of farm bargaining power through cooperatives, provision of adequate credit at reasonable interest rates and better protection against growth of monopoly power.

Farmers made clear, however, they want to see maximum utilization of America's productive potential for humanity.

With our blessing of food abundance, witnesses emphasized, we must see that all Americans enjoy good and nutritious diets. Emphasis was placed on use of food stamp programs and expanded school lunch programs toward that objective.

Much emphasis was placed on the "Food for Peace"—with farmers urging expanded use of our food abundance to combat hunger and to support and finance economic development in underdeveloped areas of the world.

From witness after witness also came an appeal for finding ways to better tell the farmers' side of the story to the rest of the American public—to stimulate better consumer understanding of the farmers' role in assuring the Nation of an adequate food supply.

Emphasis was also placed on the need to press ahead with our efforts to develop new outlets and new uses for agricultural commodities, industrial and otherwise.

From midwest dairymen came an appeal for acceptance of uniform national sanitation standards on milk to help eliminate barriers to interstate trade.

The need was also emphasized, throughout the long day, for assuring farmers of adequate credit at fair interest rates.

Perhaps the best answer to those who decry any Government intervention to improve and stabilize the farm economy came in the one-sentence remark of one witness who said: "Farmers aren't as worried about losing their freedom as they are about losing their farms."

Mr. HUMPHREY. Mr. President, I also ask unanimous consent that a copy of the program as well as the excerpts from the 1960 Democratic platform and the platform plank on agriculture be printed at this point in the RECORD.

There being no objection, the program and excerpts were ordered to be printed in the RECORD, as follows:

TWELVE-STATE DEMOCRATIC CONFERENCE AND RALLY AT DES MOINES, IOWA, AUGUST 20–21

SATURDAY, AUGUST 20

(Grand Ballroom, Hotel Fort Des Moines, 10th and Walnut)

At 9:30 a.m. to 12 noon and 1:30 p.m. to 4:30 p.m.: Public hearings by Governor Loveless and other national Democratic farm leaders to receive farm situation reports and program recommendations from farmers and farmer organizations.

SUNDAY, AUGUST 21

(Hotel Fort Des Moines)

At 12 noon: Family style Sunday dinner to be attended by Senator John F. Kennedy and Senator Lyndon B. Johnson, Governor Loveless, and National and State Democratic leaders. The dinner will be on a Dutch treat basis and it is anticipated that a limited number of admission tickets at $5 each will be available for purchase by interested individuals.

At 1:30 p.m.: Work conference chaired by Senator Hubert H. Humphrey, of Minnesota, and participated in by Senators Kennedy and Johnson, Governor Loveless and a panel of leaders representing the 12 farm States heading the conference. At this session, a report will be made on the Saturday hearings and on the progress and plans for the national organization of Farmers for KENNEDY and JOHNSON. Suggestions and questions will be solicited from the floor and general discussion encouraged. Admission to the conference will be by official pass.

At 3 p.m.: Senator Kennedy and Senator Johnson and Governor Loveless will meet privately with State chairmen and Democratic committeemen and committeewomen of the 12 participating States and later with congressional candidates and leaders.

SUNDAY, AUGUST 21

(Veterans Memorial Auditorium, Fifth and Center Streets, Des Moines, Iowa)

At 3:30 p.m.: Doors open at the auditorium: General admission will be without charge to farmers and the general public. Seats will be on a first come—first served basis. (A limited number of reserved seats have been made available for purchase through the Iowa State Democratic organization at $5 each.)

At 4 p.m.: Press conference by Senator JOHN F. KENNEDY and Senator LYNDON B. JOHNSON on the stage of the Veterans Memorial Auditorium.

At 4:30 p.m.: National Anthem. Invocation: Rabbi Edward Zerin, Temple B'Nai Jeshurun, Des Moines. Welcome by Gov. Herschel C. Loveless, national chairman of Farmers for KENNEDY and JOHNSON.

SENATOR STUART SYMINGTON, OF MISSOURI, MASTER OF CEREMONIES

Senator HUBERT H. HUMPHREY, of Minnesota, to introduce Senator JOHNSON.

Address by Senator LYNDON B. JOHNSON, Democratic nominee for Vice President of the United States.

Remarks by Senator HENRY M. JACKSON, chairman, Democratic National Committee.

Senator ESTES KEFAUVER, of Tennessee, to introduce Senator KENNEDY.

Address by Senator JOHN F. KENNEDY, Democratic nominee for President of the United States.

Benediction: Dr. Robert S. Michaelsen, Methodist minister, director of the School of Religion, State University of Iowa, Iowa City, Iowa.

EXCERPTS FROM THE 1960 DEMOCRATIC PLATFORM INCLUDING THE FULL TEXT OF THE PLANK ON AGRICULTURE

"THE RIGHTS OF MAN"

In 1796, in America's first contested national election, our party, under the leadership of Thomas Jefferson, campaigned on the principles of "the rights of man."

Ever since, these four words have underscored our identity with the plain people of America and the world.

In periods of national crisis, we Democrats have returned to these words for renewed strength. We return to them today.

In 1960, "the rights of man" are still the issue.

It is our continuing responsibility to provide an effective instrument of political action for every American who seeks to strengthen these rights—everywhere here in America, and everywhere in our 20th-century world.

Agriculture

We shall take positive action to raise farm income to full parity levels and to preserve family farming as a way of life.

We shall put behind us once and for all the timidity with which our Government has viewed our abundance of food and fiber.

We will set new high levels of food consumption both at home and abroad.

As long as many Americans and hundreds of millions of people in other countries remain underfed, we shall regard these agricultural riches, and the family farmers who produce them, not as a liability but as a national asset.

Using Our Abundance

The Democratic administration will inaugurate a national food and fiber policy for expanded use of our agricultural abundance. We will no longer view food stockpiles with alarm but will use them as powerful instruments for peace and plenty.

We will increase consumption at home. A vigorous expanding economy will enable many American families to eat more and better food.

We will use the food stamp programs authorized to feed needy children, aged, and unemployed. We will expand and improve the school lunch and milk programs.

We will establish and maintain a food reserve for national defense purposes near important population centers to preserve lives in event of national disaster, operated so as not to depress farm prices. We will expand research into new industrial uses of agricultural products.

We will increase consumption abroad. The Democratic Party believes our Nation's capacity to produce food and fiber is one of the great weapons for waging war against hunger and want throughout the world. With wise management of our food abundance we will expand trade between nations, support economic and human development programs and combat famine.

Unimaginative, outmoded Republican policies which fail to use these productive capacities of our farms have been immensely costly to our Nation. They can and will be changed.

Achieving income parity

While farmers have raised their productive efficiency to record levels, Republican farm policies forced their income to drop by 30 percent over the past 8 years.

Tens of thousands of farm families have been bankrupted and forced off the land. And this despite the fact that the Secretary of Agriculture has spent more on farm programs than all previous Secretaries in history combined.

Farmers acting individually or in small groups are helpless to protect their incomes from sharp declines. Their only recourse is to produce more, throwing production still further out of balance with demand and driving prices down further.

This disastrous downward cycle can be stopped only by effective farm programs sympathetically administered with the assistance of democratically elected farmer committees.

The Democratic administration will work to bring about full parity income for farmers in all segments of agriculture by helping them to balance farm production with the expanding needs of the Nation and the world.

The Democratic Party affirms the right of every farmer to raise and sell his products at a return which will give him and his family a decent living.

Measures to this end include production and marketing quotas measured in terms of barrels, bushels, and bales, loans on basic commodities at not less than 90 percent of parity, production payments, commodity purchases, and marketing orders and agreements.

We repudiate the Republican administration of the soil bank program which has emphasized the retirement of whole farm units and pledge an orderly land retirement and conservation program.

We are convinced that a successful combination of these approaches will cost considerably less than present Republican programs which have failed.

We will encourage agricultural cooperatives by expanding and liberalizing existing credit facilities and developing new facilities if necessary to assist them in extending their marketing and purchasing activities, and we will protect cooperatives from punitive taxation.

The Democratic administration will improve the marketing practices of the family-type dairy farm to reduce risk of loss.

To protect farmers' incomes in times of natural disaster, the Federal crop insurance program, created and developed experimentally under Democratic administrations, should be invigorated and expanded nationwide.

Improving working and living on farms

Farm families have been among those victimized most severely by Republican tight-money policies.

Young people have been barred from entering agriculture. Giant corporations and other nonfarmers, with readier access to credit and through vertical integration methods, have supplanted hundreds of farm families and caused the bankruptcy of many others.

The Democratic Party is committed by tradition and conviction to preservation of family agriculture.

To this end, we will expand and liberalize farm credit facilities, especially to meet the needs of family-farm agriculture and to assist beginning farmers.

Many families in America's rural counties are still living in poverty because of inadequate resources and opportunity. This blight and personal desperation should have received national priority attention long ago.

The new Democratic administration will begin at once to eradicate long-neglected rural blight. We will help people help themselves with extended and supervised credit for farm improvement, local industrial development, improved vocational training and other assistance to those wishing to change to nonfarm employment, and the fullest development of commercial recreational possibilities. This is one of the major objectives of the area redevelopment program, twice vetoed by the Republican President.

The rural electric cooperatives celebrate this year the 25th anniversary of the creation of the Rural Electrification Administration under President Franklin D. Roosevelt.

The Democratic Congress has successfully fought the efforts of the Republican administration to cut off REA loans and force its high interest rate policies on this great rural enterprise.

We will maintain interest rates for REA co-ops and public power districts at the levels provided in present law.

We deplore administration failure to provide the dynamic leadership necessary to encourage loans to rural users for generation of power where necessary.

We promise the co-ops active support in meeting the ever-growing demand for electric power and telephone service to be filled on a complete area-coverage basis, without requiring benefits for special interest power groups.

In every way we will seek to help the men, women, and children whose livelihood comes from the soil to achieve better housing, education, health, and decent earnings and working conditions.

All these goals demand the leadership of a Secretary of Agriculture who is not only conversant with the technological and economic aspects of farm problems, but who is sympathetic with the objectives of effective farm legislation not only for farmers but for the best interest of the Nation as a whole.

SOCIAL SECURITY AMENDMENTS OF 1960

The Senate resumed the consideration of the bill (H.R. 12580), the Social Security Amendments of 1960.

Mr. HUMPHREY. Mr. President, I wish to address myself to the pending business, which is the matter of health care for the aged.

One of the pressing issues before us during these final weeks of the 86th Congress is the urgent necessity to find a sound, workable system of providing adequate health care for America's elderly citizens.

I have been concerned about this subject as long as I have been in public life—first, as the mayor of the great city of Minneapolis, when I presided as chairman of the board of public welfare, which board, of course, had to do with the health care of our people. One of my first acts as a Member of the Senate was to join with the great Senator from Montana [Mr. MURRAY], in presenting to Congress a bill to amend the Social Security Act to provide for hospitalization for those who were eligible for old-age and survivors insurance benefits under social security. So I can say with frankness that I am not a Johnny-come-lately to the subject of interest in and concern and plans for the medical care of our senior citizens. This is a subject of continuing interest to me.

In more recent Congresses I have presented bills along the lines of the social security principle to include under the confines of the social security program hospitalization and nursing homes, diagnostic treatment, and care under the social security program for our elderly people.

We must protect our aged and elderly citizens against the crushing, catastrophic financial burden of serious illness and health care.

We must free these fine Americans from nagging anxiety, from demoralizing fear that even brief illness may wipe

out the savings of a lifetime overnight, leaving behind poverty, destitution, and hopeless dependence on public relief after the illness is past.

All of us know how well the social security mechanism works in financing retirement pensions, in helping widows and disabled people. No reasonable person would suggest that we repeal or even cut back the highly successful OASDI social insurance program.

It is equally reasonable and proper, I believe, that we pay for major health costs of the elderly through this same effective social insurance program. Health benefits can, and should, be included with social security benefits, not as an act of charity but as an earned right, just as social security pensions are an earned right, earned by a lifetime of contributions during the working years. Who would deny that unmet health needs exist among our senior citizens? Retirement years do indeed bring leisure time but these are also years of drastically reduced income, just when health problems become more serious and more frequent.

I am rather surprised to hear argument over the health needs of our senior citizens. We do not need a great national survey. I ask any Senator to go to his own community or to visit the community hospitals in any county in the United States. One of the privileges of public life is to be able to identify one's self with the needs of the community or the people.

When I travel in my home State of Minnesota, I frequently stop at a hospital in a small community just to say "hello" to some people who have not had a visitor for a long time. I like to visit these fine hospitals that have been built through the sacrifice of civic-minded people and the generosity of citizens and effective community organizations. I like to see what has been done under the Hill-Burton plan of hospital construction. I have had my eyes opened as to the health needs of our people.

I have a daughter who studied nursing and who has worked in hospitals for several years. I am a pharmacist myself.

I believe that I have more than a mere layman's interest in hospital care and medical treatment. It is shocking to me to hear anyone argue over the needs of our elderly people in terms of medical care. I say shocking in the sense that the need exists. The only question is: How shall we provide for it? I happen to believe that it is sounder and more constructive—in a sense it is really more conservative—to provide for health and medical care or hospital care through the social insurance system.

The average social security retirement payment is less than $75 a month, and four out of every five Americans over 65 years of age have incomes less than $2,000 a year. I do not think such incomes will provide very much in the way of health care after a retired person has paid for food and shelter.

I am pleased to note that the Finance Committee has given favorable consideration and has taken favorable action on raising the amount of permissible earned income for those who are receiving social security insurance payments. The amount has been raised from $1,200 to $1,800 by the action of the Senate Finance Committee. I have advocated this increase for some time. I submitted an amendment or a bill, which was referred to the Senate Finance Committee, on this particular item. It seems rather foolish to me to have any limitation at all. Those limitations were expressed in the law during days of depression when social security was looked upon as a means of providing sustenance for individuals so they would not have to seek a job in the labor market.

I look upon social security as a system of benefits earned, on the sound principle of insurance. But I am grateful for the action of the committee, and commend it for raising the income level from $1,200 to $1,800. The increase means that the recipient of a social security benefit will be able to receive the full benefit without any deductions or any adjustments, and at the same time will be able to add to income some $1,800 a year, which will indeed provide a better standard of living for those who are under social security.

Wonderful advances in medical science promise eventual conquest of crippling and killing diseases such as arthritis and heart ailments, but this progress will be wasted if it is beyond the limited means of our elderly Americans.

If medical research continues as successfully as it has in the past 10 years, we may have 30 or 40 million Americans over 65 instead of the 20 million now expected in 1970.

Therefore, it is clear that the health care needs of our older people in the next decade will present a challenge and a tremendous opportunity for constructive action.

A program to provide effective medical care for our senior citizens cannot be left to chance—or to election year gimmicks. For years I have called for a program administered through our existing, time-tested social security system and prudently financed through modest increases in social security payments.

Such a program was proposed in the 85th Congress and again last year by Representative AIME FORAND in the House, and by myself in the Senate. My own proposal was similar to the Forand bill in providing hospitalization and nursing home services but my bill omitted surgical fees.

Earlier this year I joined the senior Senator from Michigan [Mr. MCNAMARA] in supporting an even more comprehensive bill to provide medical care for all retired people.

The McNamara proposal is the best proposal of them all, because it gets to the root of the problem, and its coverage would affect all people 65 years of age or over.

On June 30, I joined the junior Senator from New Mexico [Mr. ANDERSON] in sponsoring an amendment to H.R. 12580 to add health benefits to the OASDI system, and I have again joined Senator ANDERSON in sponsoring this revised and improved version, amendment 8-17-60—A.

That is the amendment which is now pending before the Senate. The revised amendment represents the thinking of a number of us in the Senate who wish at least to get at a beginning of medical care for our elderly people under the social security system.

All these measures would function through the time-tested system of social security, and a person would obtain medical benefits as a matter of right, not as a recipient of charity.

I believe it is vitally important that this Congress put health care for the elderly into our social insurance program, and, therefore, I urge my colleagues to support the revised Anderson amendment.

Mr. President, I ask unanimous consent that a brief summary of the revised amendment may be printed in the RECORD at this point. It is the amendment which is cosponsored by the Senator from Massachusetts [Mr. KENNEDY], the Senator from Illinois [Mr. DOUGLAS], the Senator from Tennessee [Mr. GORE], the Senator from Michigan [Mr. MCNAMARA], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Indiana [Mr. HARTKE], the Senator from West Virginia [Mr. RANDOLPH], the Senator from California [Mr. ENGLE], and myself.

The amendment represents a solid and sound basis for a beginning for medical care under the social security system.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY

Eligibility: 9 million men and women aged 68 or more who are eligible for OASDI benefits, or about 3 out of 5 persons over age 65.

Benefits: Up to 120 days of hospital service, with the patient paying the first $75 each year.

Up to 240 days of skilled nursing home care.

Up to 365 home health visits.

Diagnostic outpatient hospital services, including X-ray and laboratory services.

Costs and financing: Long-range cost of one-half of 1 percent of taxable payrolls to be covered completely by increases of one-fourth of 1 percent in contribution of employers and employees and three-eighths of 1 percent for self-employed.

Administration: Any qualified provider of services could participate and patients would have free choice. The Secretary of HEW has no supervision or control of the practice of medicine or the manner in which medical services are provided, or over the administration of participating institutions.

Mr. HUMPHREY. Mr. President, any kind of degrading means test, any program which stigmatizes a person as a pauper or an indigent person, any program which provides benefits as a charity handout injures the dignity and self-respect of the recipient.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. HUMPHREY. I should like to finish my statement. Then I shall be happy to yield.

That is why I favor this kind of medical care program financed through the social security system, with contributions made during a person's working

years so that benefits received in the retirement years are an earned right, acquired under a sound social insurance program.

Must we force elderly American citizens into overcrowded charity wards in hospitals and nursing homes when the savings of a lifetime are wiped out by unexpected sickness or hospitalization?

I say this is disgraceful and unjustified in our rich, productive country. The conscience of our rich society must face up to the needs of our senior citizens—people who need more health care just when their income is sharply reduced.

I would like to point out that the Anderson amendment has built-in protections against overutilization and abuse. A person who goes into a hospital must pay the first $75 of hospital costs each year. Furthermore, a patient can get nursing home service only after transfer from a hospital and certification by a physician, and a patient at home can get home health services only as prescribed by a physician.

Also, units of hospital service, nursing home service, and home health care are rated on a scale to encourage use of the less expensive services. Thus, a patient would have an incentive to choose the less costly services so he could get health benefits over a longer period of time. I think this is a wise and reasonable arrangement.

I would also like to point out that the revised Anderson amendment specifically states that a patient is to have free choice in selecting his physician, hospital, nursing home, diagnostic services, or home health services.

Our amendment also specifically forbids the Secretary of Health, Education, and Welfare from any supervision or control over the practice of medicine or the administration of any hospital, nursing home, visiting nurse agency, or homemaker service agency.

One of the real tests of the conscience of any society is how it treats its aged and elderly people. Do they have dignity, status, and security? Or are they shunted aside into shabby surroundings, forced to exist without adequate health care, often without adequate food and shelter?

There are some people who say this problem does not concern them. They say, "It's every individual for himself." They say every person has total responsibility to plan for his own retirement.

I agree that we should all plan on an individual basis to provide for our future needs. But the best plans and the best preparations of all men can be crushed by forces beyond their control. Disease, business conditions, and just plain bad luck can make a mockery of even the wisest investments and preparations.

We are now in the 25th year of social security, a program which has paid tremendous dividends in human welfare and human dignity for American citizens by making many welfare benefits a matter of earned right, not a matter of charity.

The voices of fear and foreboding in 1935 have been proved wrong. Our social security system works, and it works well. We have learned to use the wonderful tool of social insurance to finance retirement benefits for Americans.

It is only reasonable commonsense to use our proven social security mechanism to deal with the heavy financial burdens of health care for elderly people.

Health care today is just about in the same degree of urgency for our elderly people as social security was in 1935, in terms of old-age insurance and pensions. It is a matter of priority importance.

Only a person who deliberately blinds himself to the accomplishments of the last 25 years of experience with social security would say, "The program does not work. We should repeal it."

There are few people now who would attack social security, but the voices of fear and foreboding are still with us. They have not yet learned the lesson of American history, that a free people can increase and enhance individual security and dignity and still maintain the freedoms we cherish.

Mr. President, I wish my remarks to be clearly understood in their proper relationship to the whole matter of our care for needy people. Indeed, we cannot provide under the amendment I have spoken on, the Anderson-Kennedy-Humphrey amendment, medical care for all the elderly people. Therefore, we will need the programs of the local governments and State governments on old-age assistance, and we will need the help of the voluntary agencies which do so much to provide health care.

However, I believe that the social security insurance principle will in the long run work not only to the benefit of the people it affects, namely, our elderly citizens, but also to the benefit of the entire American community.

Today one of the heaviest costs in local and State government rests in medical care for the elderly. It is one of the great costs in State government in every State of the Union.

That cost is generally paid out of property taxes, which themselves are inequitable taxes. I propose that we finance the program on a much more sound basis.

Mr. President, I ask unanimous consent that a letter addressed to me by Mr. George Meany, president of the AFL–CIO, urging action on the pending Anderson-Kennedy-Humphrey amendment, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, D.C., August 19, 1960.

Hon. HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HUMPHREY: On behalf of over 13 million American workers and their families, I urge you to support the Anderson-Kennedy amendment which will be offered as an addition to the Finance Committee social security bill. In the matter of health care for the aged this bill is limited to some slight improvements in the present public assistance program and the creation of a new "medically indigent" class. It would provide medical services only as a public charity and only on proof of poverty, and then only in States that agree to participate, and only if matching funds from the Federal Treasury are appropriated by the Congress.

The Anderson-Kennedy amendment would provide health benefits as a matter of earned right under the tried and tested social security system which requires no funds from the Federal Treasury or from the States. With this addition to the committee bill, we would be providing health care both for those in the social security system and for those who do not presently qualify. By adding such a social security provision, we would reduce the number of people who would have to look to public assistance for medical care, with its hateful means test.

This is one of the most vital issues ever to come before the U.S. Senate. We can take a small step forward, or we can take significant action and bring real security with dignity to the lives of our senior citizens.

We have just celebrated the first 25 years of social security in America. The most fitting tribute we can pay to the foresight of the Congress 25 years ago is to build now upon our sound system of social insurance. The Anderson-Kennedy amendment is the way to do it.

Sincerely yours,

GEORGE MEANY,
President.

Mr. LONG of Louisiana. Mr. President——

Mr. HUMPHREY. Mr. President, I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I am seeking recognition in my own right.

Mr. HUMPHREY. I yield the floor.

WHOSE BILLS SHALL WE PAY?

Mr. LONG of Louisiana. Mr. President, much has been said about a needs test, and it has been said that it is degrading for some persons to apply for medical care on the basis that it is needed and that that person would have difficulty in paying a medical bill.

As one who supported provisions which are in the committee bill, as one who has a great interest in the care of the needy and aged and, in fact, as one who has proposed more frequently than others amendments to increase aid to the aged in many different categories, the junior Senator from Louisiana finds it difficult to agree with the arguments being made to downgrade the care which the committee bill proposes for the aged of this country.

For example, the present amendment, offered as a substitute, is being justified on a needs basis; on the basis that old people need help; that it should be provided because they need it, and that we should pay for it. That is what the committee bill proposes to provide for the care of those who need additional assistance to care for their medical bills, assistance which is not at present available.

The State of Louisiana is probably in as good a position to provide for the medical care of its aged as is any other State in the Union. We have a very extensive hospital system in addition to our public welfare program. The last time I compared it, if we leave out veterans' hospitals, I should say that more than half the hospital days in the State are spent in State hospitals, and some of those hospitals are better equipped than private hospitals, and have the same kind of

medical care available as is provided for those who are cared for in private hospitals.

A person in Louisiana does not have to be the recipient of old-age assistance—even though we have the most liberal program in the United States—in order to receive care in those hospitals. Fifty-seven percent of the old people receive old-age assistance payments.

In its old-age assistance program, pensioner dispenses with the relative responsibility requirement in the case of a person who might have a relative who could help support him. In some States such a person is required to certify that the relative cannot help him. Louisiana dispenses with the property lien requirement, under which it is suggested that property should be seized and sold under the sheriff's hammer to get back some of the State's investment in providing for the needs of the aged person after he dies and that he must sign the lien when he applies for assistance.

The program which is proposed in the committee bill goes beyond anything we have in terms of public assistance. It proposes to say that if a person is drawing a social security payment of $100 a month, and is drawing $1,800 a year in terms of additional income, which the bill would permit without any reduction of his social security payment—between the two, an income of $3,000 a year—and the person owns his own home and has relatives who could help if necessary, such a person would still be in the position under the plan we could set up—and which I believe Louisiana will set up—to receive assistance to pay his medical bill. He simply would state that, in his judgment, he is eligible to receive assistance.

What difference is there between that and the program for our veterans today, who are admitted to veterans' hospitals for non-service-connected sickness or disability? I have helped a great number of veterans to get into veterans' hospitals in Louisiana and elsewhere around the Nation, because they felt they could get good care in such hospitals.

They wanted to get into the modern veterans' hospitals to be cared for. But in applying for this care, a veteran must make some showing that he is in such a financial position that he is not able to pay, if he had to pay for it with his own income.

I find no shame in saying that I have helped relatives of my family to get into veterans' hospitals. They have felt not the least bit of shame about getting into veterans' hospitals on non-service-connected disabilities when there was some showing that the person was not in a position to meet the financial requirements of paying for the medical care which would be necessary otherwise.

If we are to undertake to provide health benefits, even for a person who can well afford to pay or not, whether he has all the resources and income necessary to provide the best of care for himself, it will tremendously increase the cost of the program we wish to undertake.

The Senator from Minnesota, very logically made a suggestion that he would like us to eliminate any income restriction whatever for eligibility for social security retirement benefits. I should like to eliminate that requirement too. I should like to have it provided that at age 65 anyone could make as much money as that person was capable of making and still receive full retirement benefits. But what would it cost? It would cost about $1,600 million a year to do it.

Among various ways in which we could spend revenues to the benefit of retired persons, there are quite a number of other things I would propose be done before we eliminate the proposal that a person would have his social security retirement income reduced if he were drawing more than $1,800 a year in other income. Let us keep in mind that if a person were making $1,800 a year and were drawing $100 a month, or if he were married and drawing $150 a month in social security income, that person would have net income well over $3,000. As a practical matter, he would be paying no income taxes on this income because of his high exemptions with regard to his outside income, his retirement income, other than social security, and because he would pay no tax under social security.

No one regards it as being downgrading or a shameful needs test if a person certifies that he is eligible to draw social security benefits, although he is drawing an additional $1,800 a year in addition to social security benefits. There is no shame about that. It is simply that he is eligible; and, if he had more income than that, he would not be eligible for the full amount of the benefits.

Mr. GORE. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. GORE. I think there is more distinction than that. Eligibility is the test, and the test is eligibility. What is the test under the bill, as stated in the bill and in the report? One must be unable, and must certify his inability, to pay for his medical care.

Mr. LONG of Louisiana. I am reading from page 195, line 21, paragraph (b):

(b) of enabling each State, as far as practicable under the conditions in such State, to furnish medical assistance on behalf of aged individuals who are not recipients of old-age assistance—

What does that mean in Louisiana? It means that one is not in the 57 percent which are drawing public assistance under the old age assistance program. It means that a person is certifying that, for the purpose of drawing any type of assistance from our State welfare department, he cannot be classified as needy.

The langu..ge continues:

but whose income and resources are insufficient to meet the costs of necessary medical services.

Mr. GORE. That is exactly what I said.

Mr. LONG of Louisiana. How has this program been justified? The Gore proposal would take 1 percent of the payroll. The Anderson proposal would take one-half of 1 percent of the payroll. The Anderson proposal would cost, eventually, as much as the Gore proposal, because the cost of doctors would be included in the total amount, and in short order the program will be liberalized.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Let me answer the Senator's point. These proposals have been justified on the basis of providing medical care for those who need it, because those who need it are not in a position to pay. They do not have to certify that they are needy beyond that point. Persons can own their own homes. They can have relatives who are well able to pay the bills. They are in a position to have substantial income; and if the State will set up a plan, as we propose to do, they will be in a position to have medical care merely by stating that their income and resources are insufficient to meet the cost of necessary medical service. Does anyone regard the same requirement in veterans' legislation as being downgrading, as robbing the veterans of their pride and their self-respect? Not at all. Veterans are not embarrassed to come in and ask for such assistance, and they get it.

Here we say only that if the income and resources are not sufficient to meet the cost of the necessary medical service, a person is eligible under this program.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. GORE. The Senator has eloquently made a point which has not heretofore been made in the debate, and one which I wish to emphasize. Before doing so, let me say that I regard the committee bill as entirely inadequate, for two reasons: First, it depends upon State matching. Second, it requires a means test. However liberal that test may be, it is required.

The Senator from Louisiana has said that so far as the means test is concerned, it is not restrictive; that in his State and in others, all one need do is sign a little certificate stating that his resources are not enough to pay his hospital bill.

Mr. GORE. The Senator has criticized the bill I introduced, and he has criticized the Anderson amendment also, because it would cost, so he says, a vast amount of money. If the Senator will be so kind as to yield, let me say that in colloquy within the next few minutes I wish to demonstrate that if all States met the maximum requirements and if each State had a director of such a program who was, let us say, of the turn of mind of the late Harry Hopkins, and if the Federal administrator took the same view, there would be virtually no limits to the cost of the committee bill.

I ask the Senator whether in the committee bill there is any limit to the number of days in the hospital a year.

Mr. LONG of Louisiana. No.

Mr. GORE. But the Anderson amendment has such a limit.

In the committee bill is there any limit in regard to the number of days for which the Federal Government would be

required to pay up to 80 percent of the cost when a person over 65 years of age was in a hospital?

Mr. LONG of Louisiana. Permit me to answer that question with a few more words than those I used in answering the last one. There is no such requirement. But there is this difference: The bill being introduced by the Senator from Tennessee and also by the Senator from New Mexico provides, in effect, "No matter how much money you have, we shall provide for the most regressive taxation a person could think of, whereby the tax would be levied only on the first $4,800. In other words, we shall provide for the kind of tax that hits the poor man the hardest and hits the rich man the least; and we shall provide for payment for the entire hospital bill for a certain number of days, regardless of whether the patient needs to have the Government pay his bill or not."

Consider how much this proposal would cost. By 1969—9 years from the present time—our existing benefits will cost 4½ percent for the employer and 4½ percent for the employee; and the Senator knows as well as I do that the social security tax will work like a hidden sales tax; for the most part, it will be passed on to the consumer. That will amount to 9 percent tax on the payrolls, stopping at the $4,800 a year level. In addition, the Anderson proposal would add one-half of 1 percent; and with the modifications of it—which certainly will follow like those the Senator is suggesting—it would wind up costing at least 1 percent of payroll. With time, as the Senator from Arkansas and the Senator from Minnesota has suggested from time to time, and as I myself have suggested on occasion—the requirement that such a person cannot receive the full benefits if his annual income is more than $1,800, and the elimination of that requirement would add almost another 1 percent of payroll to the cost. In the meantime we would provide that the cost of providing such care for the aged who are not now covered by social security should be included, and that would add another one-third of 1 percent of income.

So if we agree that the Federal Government will provide this medical care for the aged, we previously had reached the point where a 9-percent tax on payroll would be imposed on the workingman. Even if he paid only half of it directly, inasmuch as it would operate in the same fashion as a hidden sales tax on every article he buys, to that extent he would pay the entire 9 percent, as a consumer.

So, as I said, under the Gore proposal, 1 percent would be added—it would be ½ percent under the Anderson proposal, to begin with; but by the time the doctors and the others were included, and the age limit were reduced to age 65, it would cost 1 percent.

In addition, elimination of the requirement in regard to retirement age would add three-fourths of 1 percent of payroll to the cost; and to provide for the care—out of general revenues—of those aged persons not now covered by the Social Security Act—as the Senators from Michigan and Tennessee have suggested and will suggest—would amount to another one-half of 1 percent to be derived from general revenues.

That represents a total of 11¼ percent of payroll.

Furthermore, in committee, as the Senator well knows, Senators said it makes no sense to provide such care for a man 65 years of age who still can work and still can help himself, if no provision is made to take care of a man 59 years of age who is totally and permanently disabled.

The bill already contains provisions for the payment of benefits to those who have retired, even if they are below age 60. So once we adopt this principle, we shall soon have to take care of all those who are retired or disabled. Then there will be the drive to provide medical care for everyone, it will follow. The medical costs for the Gore bill benefits extended to everyone will cost 4 percent of payroll.

Consider how unbearable would be the total bill for such medical care. The total social security tax would be 15 percent by 1970—if other equally logical extensions of the program were voted it would cost 20 percent, or one-fifth of the average worker's entire income, so far as the workingman was concerned.

If we provide for the same benefits on the basis of providing such care for those who need it, and providing it on a liberal basis, with the States matching the cost, we shall be providing care for those who need it but not by the most regressive type of taxation. I refer to the most regressive type which hits hardest at the poor man, but says that a rich man who makes $100,000 a year will not have to pay any social security tax on any part of his income which exceeds $4,800 annually. If a rich man were writing the tax bill, such a tax would be exactly the kind he would like to have included in the bill—but on the other hand, if we use the approach that general revenue will be used to pay for the medical care of those who need it, we shall have a much fairer way of approaching the problem, and the cost will be paid very much more in accordance with the ability to pay, and we shall be providing such care for those who really need it, instead of providing very costly medical care to persons who are well able to pay those costs themselves.

Furthermore, if the Federal Government or the State government is put in the position of paying the entire medical bill, the cost will be upward of 50 percent greater; and I can prove that by means of the experience in Louisiana.

Mr. GORE. Mr. President, will the Senator from Louisiana yield further to me?

Mr. LONG of Louisiana. I yield.

Mr. GORE. I was hoping the Senator from Louisiana would finally reach a point where we could discuss the committee bill.

This afternoon the Anderson amendment has been beaten all over the Senate floor; and just now the Senator from Louisiana made the statement that if the Government pays all the medical bills of all the American people over 65 years of age, the cost will be astronomical.

At this point I should like to read from page 6 of the committee report, where the committee bill is described. I shall begin to read with the last paragraph on that page, although the previous paragraph is very enlightening:

A State may, if it wishes, disregard, in whole or part, the existence of any income or resources, of an individual for medical assistance.

If a State may disregard in whole or in part the existence of any income or resources, then, if we examine the top of page 7, we find this sentence:

The State has wide latitude to establish the standard of need for medical assistance as long as it is a reasonable standard consistent with the objectives of this title.

Now I should like to read from the report which describes the Anderson amendment:

The cost of four important types of health service is covered, subject to certain limits within 1 year:

(a) Hospital inpatient services, for up to 120 days.

Is there any such limitation in the committee bill?

Mr. LONG of Louisiana. There is not. Of course the States may, if they care to, impose such a limitation. But in the committee bill there is no such requirement.

Mr. GORE. Very well.

I continue to read from the report on the Anderson amendment:

The individual pays the first $75 each year.

Is there any such requirement as that in the committee proposal?

Mr. LONG of Louisiana. No.

Mr. GORE. Very well.

I read further from the report on the Anderson amendment:

(b) Skilled nursing home recuperative care, up to 240 days.

Is there in the committee bill any limit such as one of 240 days on the skilled recuperative care in nursing homes?

Mr. LONG of Louisiana. No, there is not, so far as I know.

Mr. GORE. I proceed:

Home health services by a nonprofit or public agency up to 365 visits.

That is one visit a day. How many visits a day can be made under the committee bill?

Mr. LONG of Louisiana. There is no limit.

Mr. GORE. I continue:

Diagnostic out-patient hospital services, including X-ray and laboratory services.

Is there any limit on that?

Mr. LONG of Louisiana. Not in the bill.

Mr. GORE. Now I should like to read the scope of the benefits under the committee bill, which, as the Senator has said, are without limits, except that the States must match. That is a very important exception, but, anyway, I will read:

(1) In-patient hospital services;
(2) Skilled nursing-home services;
(3) Physicians' services;

(4) Out-patient hospital services;
(5) Home health care services;
(6) Private duty nursing services;
(7) Physical therapy and related services;
(8) Dental services;
(9) Laboratory and X-ray services;
(10) Prescribed drugs, eyeglasses, dentures, and prosthetic devices;
(11) Diagnostic, screening, and preventive services—

All of these things without limit, plus:

(12) Any other medical care or remedial care recognized under State law.

The Anderson amendment has been pummeled and criticized as being irresponsible and extravagant. On the contrary, the Anderson amendment provides specific benefits, limited in scope, limited in application, limited in definition, spelled out in the amendment; and the amendment provides for an additional tax to raise the revenue.

Here, strange as it may seem, the advocates of the Anderson amendment are being condemned and banished into outer darkness as being fiscally irresponsible when we have a bill which, as the Senator from Louisiana has said, is without limit, except that the States must provide a part of it. This is a remarkable situation, and I am delighted that this point has finally been brought out in debate.

I hasten to add that I think, whether we have a Democratic administration—which I anticipate—or whether we have another Republican administration—which I would abhor—I believe that we will have a Secretary of Health, Education, and Welfare who will place reasonable limits in this program. But no reasonable limits are stated in the bill.

I think my State would be unable to meet them. I am happy that the State of Louisiana is able to meet them.

Mr. LONG of Louisiana. Mr. President——

Mr. GORE. Will the Senator yield further?

Mr. LONG of Louisiana. I would like to have the floor back.

The PRESIDING OFFICER (Mr. HUMPHREY in the chair). The Chair will recognize that the Senator from Louisiana has the floor and that he is most graciously yielding to the Senator from Tennessee.

Mr. GORE. The Senator's courtesy has caused me to forget what I was about to say.

The PRESIDING OFFICER. That is one of the advantages of courtesy.

Mr. GORE. So I will desist.

Mr. LONG of Louisiana. To the best of my knowledge, I believe our program in Louisiana will compare favorably with that of any State that is going to have a program under the proposal brought forth.

As to how long one stays in a State hospital, he stays there until a doctor says there is nothing more he can do, or until the person is cured. Patients stay about 50 percent longer than they stay in private hospitals. That is the point I am getting at.

The big difference is that if a man goes into a private hospital for an operation, the minute the doctor tells him he can go home, he is going home, because the expense of that hospital bill is something that is concerning that man. He wants to be back at work as soon as he can go back, and he wants to go back to his home and be under the care of his family as soon as he can, because he knows that hospital bill is very substantial. That man is going to go home as soon as he can.

On the other hand, if he is in a State hospital, with the prospect of relieving his wife of the burden of caring for him as well as look after the children, and with the State paying the expense, he will be inclined to stay where he is and urge the doctors to permit him to stay.

The human factor of knowing that one's bill is paid completely at State expense, standing alone, even though the pressure is on the State to try to keep its costs in line with the costs of private hospital treatment, means that the cost of treatment in a State hospital will exceed the cost of treatment in a private hospital, based only on the number of hospital days, and nothing else.

Let us talk about the aged for a moment. The same thing is true with respect to sending an aged person back to a home. Many of the diseases and illnesses that are associated with old age are incurable. There is a limit to what hospitals can do. At that point, they have done all they can do for a while. If the family is in a position to urge a person to stay where he is, or there is less of a tendency on the part of a family to accept a person back into the home, there is a natural tendency for that person to stay in the hospital longer, so he can eat good meals, and have good care. Therefore, the cost is much greater than for private medical care.

The proposal may be limited to 120 days, but people will use those 120 days if the old folks feel they would be burdens on their families for a short period of time after they return. But there is a difference in providing a program under which we propose to provide all the medical care necessary to anyone who is not in a position to provide for the cost. One factor that will help reduce the cost is that, from the point of view of the State, the State having to pay between 20 percent and 50 percent of the cost, there is pressure on the State administrators to help keep costs down. On the other hand, if we are providing funds at the Federal level, and all we have to do is provide additional incentives to try to provide higher benefits under the social security system, I am sure that in short order we will provide hospitalization for those below 60 who are disabled, and, in short order, for those who are below 60 who are not disabled, and after a while we will be providing hospitalization for people at any age.

Starting with the premise of the Anderson amendment that the Government pays for it whether the person is needy or not, and a person has it available to him whether he would want the program or not, even persons in the high income bracket would have the cost paid for by the most regressive kind of program.

Mr. MCNAMARA. Mr. President, will the Senator yield for a question?

Mr. LONG of Louisiana. It does not make too much sense to me, Mr. President, when we can hold down the cost to a great extent by providing care when it is needed. The committee bill would provide, in every State, that the State would be in a position immediately upon the passage of the bill to increase care for the aged by at least 100 percent. It could be increased without any additional State appropriation the minute the bill became law. Medical care could be increased as much as 400 percent in some States, compared to the medical care which is being made available in the States already.

I now yield to the Senator from Michigan?

Mr. MCNAMARA. The Senator from Tennessee read from page 7 of the report the "scope of benefits" under the committee bill. Has the Senator estimated the cost if all States provided all these services to all the people who would be eligible for them under the terms of the bill?

Mr. LONG of Louisiana. I notice that the cost is estimated to be $12.9 million in Louisiana. My guess is that the amount may be more money than we will need to provide for the medical care aged we have in our State, if the State continues its present rate of expenditures.

Mr. MCNAMARA. For all of those qualified?

Mr. LONG of Louisiana. I presume we could provide for between 80 and 85 percent of the aged in the State for a lesser amount of Federal funds than is hereby proposed, unless the State should reduce its expenditures.

Mr. MCNAMARA. I am advised that if all States provided all the services listed under section 3, "scope of benefits," the cost would be $2.5 billion. The $2.5 billion would be the cost to be split half among the States and half to be paid by the Federal Government. It is fantastic. The listing in the report is simply window dressing, as to physicians' services and all those things. This is fantastic. Nobody is going to provide $2.5 billion. If all the States should take all these services, the estimated amount required would be $2.5 billion. Of course, the Anderson amendment is limited.

Mr. LONG of Louisiana. The figure of $2½ billion the Senator uses assumes that the State will pay for all medical services.

Mr. MCNAMARA. For everyone who would be eligible under the terms of the bill.

Mr. LONG of Louisiana. It assumes the person pays nothing under the bill.

Mr. MCNAMARA. That is correct. They would pay nothing.

Mr. LONG of Louisiana. In every State there would be some limitation as to who would be eligible to receive the benefits. That is fundamental to the bill reported by the committee.

In Louisiana probably 85 percent of the people would be eligible. Perhaps more would be eligible. I hope that the State of Tennessee, so ably represented by the distinguished junior Senator from Tennessee [Mr. GORE], who has a keen interest in the aged of his State and

other States, would certainly undertake vastly to liberalize the program, so that an equally high percentage of persons would be eligible for the care they need to receive.

When we consider the administration of this program, we should get it closer to the people, for the people are in a better position to get away from arbitrary standards and to look more at what a person actually needs. If the program is to be administered from Washington, D.C., it is easier to have someone say there should be an arbitrary number of days of hospital care than it is when the people who are paying for it have an interest in what they are paying for to medical care. That is a practical thing which would help reduce the cost.

We tend to reduce the cost of the program by having the States take a careful look to determine whether the expenditure of the money is necessary, because the States have to pay between 20 and 50 percent of the cost of the program. We also tend to get a better administration of the program when we get it closer to the people who are paying for it, for there is more of a desire not to provide service when the service is not needed—when the person, under proper standards, should not be eligible to receive it.

The committee bill represents a tremendous increase in the hospitalization available, as I have mentioned. It represents anywhere from a 100-percent increase to a 400-percent increase, based upon what the States are presently doing.

I wish to make another point, Mr. President. The social security program cannot indefinitely stand these 1-percent increases in the social security tax. It is true that this is a hidden tax. Most men have their social security taxes deducted from their pay before they ever see their paychecks. One of these days, however, they are going to have to start thinking in terms of how much they can afford. We are compelled to think in those terms, when we ask, "Can we afford to eliminate the $1,800-a-year earned-income limitation?" If we eliminate the $1,800 earned-income limitation, it will mean a 1-percent additional hidden sales tax on every family in America.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. McNAMARA. Is it not a fact that the people who will have to pay the increase in the social security tax are the ones who are advocating the social security approach?

Mr. LONG of Louisiana. That is what the Senator said, and I heard him say it, but I do not agree.

Mr. McNAMARA. I traveled from coast to coast, and even held hearings in Washington, D.C. We have reams of testimony to show that these people asked for it.

Mr. LONG of Louisiana. I have yet to have a single workingman, be he a member of an organized union or not, other than the union leaders themselves, suggest to me that he wished to have the social security tax increased by 1 percent.

Mr. McNAMARA. It is not 1 percent; it would be one-fourth of 1 percent.

Mr. LONG of Louisiana. One-fourth of 1 percent for the employee, and one-fourth of 1 percent for the employer, or a total of one-half of 1 percent. However, this is only the beginning.

Mr. McNAMARA. The consumer pays for both. The Senator knows that.

Mr. LONG of Louisiana. Yes.

Mr. McNAMARA. The manufacturer of the product or the producer of whatever service is provided will add that amount to the cost of the goods or to the cost of providing the service. The consumer pays for that.

Mr. LONG of Louisiana. And the consumer is the employee.

Mr. McNAMARA. The people, generally speaking, pay for it, but they wish to have this approach.

Mr. LONG of Louisiana. So he is getting it at both ends. There are many workingmen who are consumers.

Mr. McNAMARA. And they wish to have this program.

Mr. LONG of Louisiana. Oh, no.

Mr. McNAMARA. Yes; they do. They would like to have it as much as they wish to have the present social security law.

Mr. LONG of Louisiana. I am in a position to tell a workingman in my State, "My friend, we can do one of two things for you. We are considering one bill which will cost, in the first year, $200 million. That is the estimated first year cost. I can vote for that bill, which will not result in any increase in the tax on you. There is another bill which we are considering. The estimated cost for the first year is a billion dollars. I could vote for that bill. If that bill should be passed, it would mean that in short order you would have to pay an additional hidden sales tax of 1 percent on every dollar you make."

My guess is that the average man I know in my State—and I suspect this is true in the Senator's State also—would say, "Just a minute. If it is a difference of five to one, if it means a difference of paying five times as much, or an extra 1 percent hidden sales tax, I would rather settle for the proposal whereby I pay only one-fourth as much.

Mr. McNAMARA. Mr. President, will the Senator yield for a question?

Mr. LONG of Louisiana. I yield.

Mr. McNAMARA. The Senator says this is a regressive tax. Is that what the Senator called it?

Mr. LONG of Louisiana. It is as regressive as taxes can be.

Mr. McNAMARA. Very well.

Mr. LONG of Louisiana. It is nonprogressive. The richer a person is the less he pays, proportionately. The poorer a person is the heavier the tax is on him.

Mr. McNAMARA. I wish to ask the Senator a question.

Mr. LONG of Louisiana. This tax applies against the man who cannot even afford to pay income taxes.

Mr. McNAMARA. Very well.

Mr. LONG of Louisiana. He gets no consideration at all. He does not get even a deduction for a wife or child.

Mr. McNAMARA. Would the Senator advocate that our whole social security system go under the general fund? The same argument prevails as to the present system for social security payments as it does for the additional one-fourth of 1 percent. Would the Senator advocate changing the whole structure of our social security system, so that everything would be paid out of the general revenues? If the Senator would not, then he should not desire to do that with regard to this one-fourth of 1 percent.

Mr. LONG of Louisiana. What did the Senator advocate for persons not covered under social security?

Mr. McNAMARA. My bill included them.

Mr. LONG of Louisiana. Yes. The Senator himself provided that payment for care of those not presently covered by social security should come from the general revenues. At least, he was thinking with the junior Senator from Louisiana at that time.

He said that people who are not presently under the social security program and who are not presently retired ought to have their health care provided for, but he did not wish to tax the workingman to provide that service. Instead, he preferred to take the money from the general revenues.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. We are going to take care of those who are already retired, but who have not paid anything into the fund for medical care purposes. The Senator was starting from a beginning point by saying, "How can this care be provided?" By starting to provide first for those most needy out of the general revenues, and then for those not quite so needy, in my judgment eventually he would arrive at the conclusion that the general fund ought to provide benefits for those who never paid initially, because he would wish to see the millionaire pay his share.

I know the Senator would not ordinarily wish to have a tax imposed to care for the needy or even to care for those who are under social security, when the rich man making a million dollars a year would get a deduction for everything over $4,800.

Mr. McNAMARA. We have this program under the social security law. If the law is a bad law, let us change it. If the law is not a bad law, let us operate this program that way.

Mr. LONG of Louisiana. The Senator is advocating the change. He seeks to provide medical care for people who do not need it, for people who are in a position to take care of themselves. He wishes to take care of a millionaire, even though the millionaire is not interested in being cared for.

Mr. McNAMARA. We do so now.

Mr. LONG of Louisiana. Then the Senator proposes to pay for all these benefits by means of a plan which exempts the millionaire from taxes on everything over $4,800?

Mr. McNAMARA. We fought over that subject 25 years ago.

Mr. LONG of Louisiana. It is a hidden sales tax.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. HUMPHREY. The Senator asks for an answer to this question: What would be the responsibilities of the State under the committee proposal for medical care costs? What percentage of the cost would the State be required to pay under the terms of the committee bill?

Mr. LONG of Louisiana. We are talking only about people who are over 65.

Mr. HUMPHREY. Yes.

Mr. LONG of Louisiana. In Louisiana the cost would be around 30 percent. I can determine what the cost would be in Minnesota.

Mr. McNAMARA. It would be about one-third.

Mr. HUMPHREY. Therefore the State would have to pay 41 percent, approximately.

Mr. LONG of Louisiana. Yes.

Mr. HUMPHREY. Would that cost be additional cost?

Mr. LONG of Louisiana. As a practical matter, the Federal Government would first be required to match what Minnesota is now paying.

The Senator from Minnesota said that he had visited hospitals in Minnesota at which the State is providing care for many of the aged. The Federal Government would be required to pay 60 percent of the total cost. The State would be paying 40 percent. So the State could immediately experience an increase in Minnesota of approximately, let us say, 150 percent over and above what the State is presently providing, even if the State did not put up an extra 5 cents.

Mr. HUMPHREY. How does the State of Louisiana finance its medical care program? What kind of tax does it impose for that purpose?

Mr. LONG of Louisiana. Our public welfare program has a vendor payment scheme to it, which is only a small portion of the medical care that we provide in Louisiana. That is paid from a sales tax. We have also an income tax.

Mr. HUMPHREY. That is a regressive tax, is it not?

Mr. LONG of Louisiana. It is not as regressive as is the social security tax.

Mr. HUMPHREY. Would the Senator say that a sales tax was a progressive tax?

Mr. LONG of Louisiana. It is a regressive tax.

Mr. HUMPHREY. Then there are degrees of progression and regression, is that not correct?

Mr. LONG of Louisiana. That is correct, but consider the difference. When we imposed a sales tax to provide for welfare, we provided as much care as we could for those who needed it.

Mr. HUMPHREY. I compliment the State of the Senator from Louisiana for its fine program.

Mr. LONG of Louisiana. It is true that while the needy and the aged in Louisiana do pay some of the sales tax, that money, together with everything a rich person pays in that tax, goes to match funds of the Federal Government in an overall program to provide for the care of the needy persons. With regard to our hospital program, which is the major part of our health care in Louisiana, is derived from almost all taxes, whether they be the State income tax, taxes imposed on corporations, or taxes on oil and gas severance. The money comes from the general fund.

Mr. HUMPHREY. Would those taxes include the sales tax?

Mr. LONG of Louisiana. Actually the sales tax, for all practical purposes, is pretty much devoted to our welfare program.

Mr. HUMPHREY. Does that program include health?

Mr. LONG of Louisiana. Some of it does.

Mr. HUMPHREY. The point I am trying to make is this: I wish to say, first, that the Senator from Louisiana has made some good arguments. Let me assure him again, as I have before, I believe, that the record of the State of Louisiana in the field of welfare is primarily due to the great influence of the Senator, his father, and those who have supported him in his political program. I think it is one of the best programs in the country, and it surely is something which will stand as a living memorial to the Senator's late father and to himself. I say that most respectfully.

Mr. LONG of Louisiana. My uncle also had much to do with that program. You did not mention him.

Mr. HUMPHREY. Yes; I wish to add that the former Governor, Earl Long, contributed also.

Many of the States do not have State income taxes. Frequently State revenues are acquired from excise taxes, which are indirect sales taxes, or acquired from sales taxes or from property taxes; and of all the problems that face local and State governments today, none is more crucial or more difficult than local financing. I have wondered where the States would get the additional money that they require.

In my State we have a State income tax; and every business interest in the State, with few exceptions, has said that it drives business from Minnesota. It does not, by the way, but those who feel that way like to talk about it. If we did not have a State income tax, we would have to get the funds from a sales tax or from increased property taxes. Property is now taxed to the hilt, because the increases in State and local government expenditures have been fantastic since the war.

The other day our Governor testified before a committee of Congress. He is a member of the Governors' conference that meets once a year. I believe State and local government costs have increased something like 300 percent since the end of World War II, which is a great increase. Indebtedness has risen fantastically in State and local government. The burden of governmental cost, State and local government, is very heavy. The worst feature and the most inequitable part of that burden is that while the financing of State and local governments is not in every instance, unfair or unjust, in many instances it is on a very unjust and unfair basis, relying upon the property tax, upon excise taxes, and upon State sales taxes.

As I recall, in Louisiana there are exemptions made in the sales tax for rent, food, and medical care.

Mr. LONG of Louisiana. There are some exemptions. They are not as broad as they once were.

Mr. HUMPHREY. It is inevitable that as new requirements come upon the States which have a limited taxing jurisdiction, they must impose heavier and heavier levies through existing types of taxes.

State and local governments will have a very difficult time paying their fair share under the committee bill, but the committee bill, of course, does provide assistance to States, and very valued assistance in terms of the Federal contribution.

The Senator makes a very persuasive argument when he points out that there is not much wrong with financing out of the general revenues. There is merit to his argument. I must say that one of the limitations of the Anderson amendment, of which I am a cosponsor, is that it does not cover those who may need medical care, and surely are as deserving of it as elderly citizens who are not under social security. There is in a sense a need in part for what the committee bill offers, at least in some portions of it, plus the provisions of the Anderson amendment, which contains the social security provisions.

We in Congress must face the fact that if we are to have additional services for our people, we must pay for them. The point is that the working people of America are heavily taxed. I think they are disproportionately heavily taxed because they get it coming and going. They pay excise taxes, sales taxes, or a tax which is charged back into the cost of an item of service they purchase. Most often such people can least afford to pay those taxes. But we must face up to it. If we want these extra services, the bill must be paid, and that means that revenues must be raised.

We cannot have more defense, a greater education program, and a public health program unless we are willing to pay the bill, and it becomes fiscal irresponsibility if we are not willing to pay the bill.

I believe the Senator from Michigan made a very good argument. There are good arguments throughout this debate. The Senator from Michigan asked if we are unwilling to apply the social security principle to health care because it seems to be a regressive tax, as the Senator from Louisiana said, why apply the social security principle to old-age and survivors insurance itself? That decision was made a quarter of a century ago. I sincerely believe it was a proper decision, particularly as we have expanded coverage and, may I add, as we have increased the base upon which the tax has been levied. At one time the social security tax was levied upon income tax much lower than $4,800. Now it has risen to the $4,800 level, and there are those who have recommended that that level be raised in order to give the fund a greater amount of money and a greater degree of solvency.

Mr. LONG of Louisiana. If we depart completely from a standard eligibility entitling a person to have his bills paid because he finds that his income is not sufficient to meet those needs, the cost is going to be very much greater. We will pay these bills even though we provide—as Louisiana provides and will continue to do so—that we will not call upon his relatives, will not seize his home, will not seize his property, and will make no effort to obtain reimbursement from the modest income that he has been drawing either prior to or after his stay in the hospital. When we take the position that we will pay for these hospital costs, whether the person is in the position to take care of them himself, the cost is going to be very much greater. When we do that, we eliminate one of the greatest means of keeping down hospital costs, specifically the desire of the patient himself to keep them down.

Mr. HUMPHREY. The argument which the Senator made while I was temporarily occupying the position of the Presiding Officer applies to either the Anderson amendment or the committee bill. It is a factor with which we are confronted in connection with public payments, namely, that some supervision is needed to see to it that the service is not abused.

I have observed what is done in veterans' hospitals. I have seen extraordinarily good medical care, which is an argument in behalf of the Senator's position. However, I have seen doctors in Veterans' Administration hospitals, by good professional treatment and care, expedite the discharge of the patient from the hospital, without, of course, jeopardizing his health in any way.

We have seen, for example, in the case of mental patients, new medical care and procedures making it possible for mental patients to be released from the hospital months sooner than was the case several years ago.

The same situation is true with respect to other ailments. It is due to modern medicine and modern medical treatment and modern drugs.

I invite the Senator's attention to the fact that there are very few people under social security who are millionaires, and that few people have extra money. One of the reasons for the social security principle is that if one is compelled to go to a hospital for medical treatment, it is for the purpose of not forcing him to utilize on medical care what limited funds he may have saved, and forcing him later to accept public assistance.

In other words, this is preventive insurance. The purpose is to see to it that if he has a house or some money in a Federal savings and loan institution or in a local bank, he will not have to spend all that money on hospital or medical care, and that he will be given the advantage of some insurance protection when he needs it, at a time when his earning capacity is lowest. The record shows that four out of five people aged 65 or over have an income of under $2,000 a year. That is four out of five. About one-third of our people aged 65 and over have an income of under $1,100 a year. Those are the people who are entitled to some kind of insurance protection.

Of course, if the insurance protection runs out—and that can happen under the Anderson amendment, because there are limitations as to the duration of the stay in the hospital that is allowed, or the care in the nursing home that is allowed—we would have to come back to the principle of public assistance.

I do not want my argument to be interpreted quite so strictly as my words might seem to indicate.

I do not believe that we should get ourselves in the position where we would say that public assistance, per se, is bad, because it is not. Many areas have been able to reduce the so-called requirements or the criteria for public assistance, so that there really is not a great deal of difficulty in that regard. The Senator has pointed out that in some areas there is practically no means test. Therefore, it would be a disservice to the cause of public welfare for anyone to interpret my argument as being aimed against the principle of public assistance.

I consider social security a better way of providing for the needs of our people. At the same time I also recognize the fact that there are limitations to social security. The Senator from Louisiana has pointed out some of them in the committee bill. Therefore, the public assistance concept may be supplementary. I thank the Senator for his generosity in yielding to me.

Mr. LONG of Louisiana. Mr. President, I might give the Senator a practical illustration of the difference between the cost of the proposal that is being offered as the Anderson amendment and the other proposals. The Anderson proposal would provide medical services whether a person was in need. Consider the case of a person who has a fairly modest hospital bill to pay. That is the case in the majority of situations in which a person has a small medical bill. In a great many cases employers let the employee stay on the payroll. He is drawing some income, and he is able to pay the bill.

That person, of course, would pay his medical bill. He would be the greatest ally in keeping the medical bill down. He would not be pressing the doctor to let him stay in the hospital. He would be eager to get out of the hospital and get back to work and get back to doing something productive, particularly if he had a job that he wanted to get back to.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. HUMPHREY. The Senator is referring to people who have jobs. Not many persons 65 years and over have jobs.

Mr. LONG of Louisiana. A great many of them do.

Mr. HUMPHREY. Yes, but a larger number do not. The Senator is quite right if he is talking about a person who is 55 or 45 or even 60.

Mr. LONG of Louisiana. I was talking about a man who had a job. That was my starting point. The average person does not retire until age 68, the way the situation is now. In other words, most people prefer to work after they are 65. It is a fine thing if people can retire when they want to, but a majority do not, because they can make a great deal more money by continuing to work. There must be something to it. Perhaps most of them enjoy the conditions of work, to which they have become accustomed all their lives, and they would rather work than make the adjustment to being nonproductive. Such a person would be the greatest ally in seeing to it that the medical services were kept at at the lowest practicable, sensible, and logical level. There is the additional fact that his family would be the greatest cooperator, by taking over where the hospital left off. They would be desirous to receive him back into the home. That has been the experience in Louisiana, with the same type of case taking much longer in a State hospital than in a private hospital.

Let us take the case of a person who has some assets. I would very much like to see the Louisiana plan permit a person to have as much as a thousand dollars in liquid assets such as cash in a bank, or Government bonds or various stocks, in addition to his social security entitlement. But if that person has more than that, and if it is well understood that if he spends some of his own resources no one is going to seize his home or take his automobile, or some small amount of cash in the bank, so long as he is looking to himself to make the payments, he will be the greatest ally in seeing to it that medical expenses are kept low.

The medical expenses become large when a person has no responsibility to keep them down. I very much feel that if we depart completely from the concept that we will pay the medical bills of those who need help, as contrasted with those who may not need it, the cost will be very great.

Mr. HUMPHREY. The Senator from Louisiana makes a powerful argument against the committee bill. The committee bill has no limitations on how long a person can be in the hospital. The Anderson amendment, of which I am a cosponsor, has limitations. It has, first of all, a provision that the first $75 one pays by himself. It has limitations as to the time one may be in a hospital or how much time he may be in a nursing home. There are cutoff dates. There are limitations. Furthermore, the Anderson amendment is not relief; it is social security. It is "prudential life insurance." After all, I suppose that when one takes out an insurance policy with a private company, it is really an unfair trick to die early; he does not pay in much. If he is to be real fair about it, he ought to live a long time. [Laughter.]

Mr. LONG of Louisiana. I do not know who we think will pay for these benefits if it is not the workingman. The Senator has insisted that he will have to pay for it, whether the person getting the benefits needs them or not. A person who is sick will be inclined to stay in the hospital longer than necessary.

Mr. HUMPHREY. If a man goes to a hospital under the social security program, the question will not be whether he needs a payment or not; he will be entitled to it. When he gets well, he may have what he has saved up; he can go on and live life again.

There are two different concepts. One is the concept of public assistance, under which a man is down and out, or if not down and out, has very limited, meager resources. Out of sheer compassion, a desire to do social justice, and out of a sense of decency, organized government says: "This man is entitled to medical care on the basis of need."

The other concept is the social security principle, under which a man pays in one-quarter of 1 percent of his income.

Mr. LONG of Louisiana. Oh, no; he does not pay it; someone else pays it. The man who gets the immediate benefit is not the one who does the paying.

Mr. HUMPHREY. It is actuarially sound.

Mr. LONG of Louisiana. It is actuarially sound, so far as we tax the workingman to pay for benefits that he is not receiving.

Mr. HUMPHREY. But if the same workingman, at his age, needs medical care, he gets it. It is like the man who does not have an automobile accident. He drives 5 years and never has an accident. He is paying for the fellow who is constantly nipping fenders.

This program is all worked out.

Mr. LONG of Louisiana. It is going to make the workingman find himself taxed an extra 1 percent. It is like a hidden sales tax of an extra 1 percent of his income.

Suppose he does not have any old folks in his family, and his children are sick. Suppose he has a child who has been run over by an automobile, and he has a $4,000 medical bill staring him in the face. It will certainly do him little good to know that while he is signing a mortgage for $4,000 on his house, it is actuarially sound for him to pay 1 percent of his income for some aged person to receive some medical care, even though that person is well able to pay for his own medical care.

Mr. HUMPHREY. The Senator's plan—the committee bill—is not exactly a gift from heaven. This is not manna which falls down to those in need. Somebody has to pay the bill. When it is paid, it will be taken out of the property taxes on homes, it will be taken out of sales taxes, it will be taken out of excise taxes.

Who does the Senator think will pay for the State portions in States where there is no State corporation income tax? There are plenty of States like that.

Mr. LONG of Louisiana. When the Senator talks about the poor little man paying a tax on his humble home, he is, of course, speaking of Minnesota. We do not have that situation in the State of Louisiana.

Mr. HUMPHREY. I appreciate that. Louisiana has no property taxes on homes.

Mr. LONG of Louisiana. We have what are homestead exemptions.

Mr. HUMPHREY. Louisiana has the homestead exemptions; but every home is not a homestead. The Senator knows that assessors look over the property each time to see whether it qualifies as such.

The Senator is a wise and prudent man. He knows much about local government and State government. He knows all about the inequitable tax structures in this Nation. Many of them are to be found in local and State governments. Why? Because of charter restrictions and constitutional restrictions.

Mr. LONG of Louisiana. Not one of those provisions is as inequitable or as regressive in the raising of revenue for general purposes as is the social security tax.

Mr. HUMPHREY. But the social security tax does not raise revenue for general purposes; it raises revenue for specific commitments; and the people who are brought into it know it. They pay into a fund which is assigned and relegated to a specific purpose.

The interesting part of the Senator's argument is that people like social security; they do not believe the Senator's argument, because the Senator's argument does not make sense to people in our country who are self-reliant and want to take care of themselves.

What the social security program does is to provide a larger group whence to derive revenues for a broader coverage for the individual and public good. It provides a system which is economically sound and is feasible and workable. It works. The Senator knows it works.

Mr. LONG of Louisiana. The Senator from Minnesota has made two proposals, one of which we are debating, the other of which I should like to see done if we could afford it. I am talking about the removal of the income limitation on earned income. Between those two proposals, there is a probable additional cost of 2 percent of payroll, a hidden sales tax on every workingman and his family in the United States. Within 9 years, that man and his family will be paying this hidden tax at 9 percent plus the 2 percent. The Senator from Minnesota knows the social security tax is based on such a tax, because such a tax becomes a tax on the consumer.

Mr. HUMPHREY. The Senator makes that generalization. I suppose we might say that every tax is a tax on the consumer. I might ask the Senator to name for me anyone who is not a consumer. The only ones who are not consuming are the dead.

Mr. LONG of Louisiana. It cannot be said that every tax is a tax on the consumer. The personal income tax is one example. It happens to be the principal source of revenue for the Government. It is a tax that not every person pays.

On the other hand, when a general tax is put on industry, such as a tax of a certain percentage of the payroll, industry will add that tax to the cost of its product. If industry cannot make a profit over and above that point, it will simply not produce any more of that product.

Mr. HUMPHREY. On that basis, we ought to eliminate the corporation tax, because corporations obviously will try to pass that tax along to the consumer. We could talk the tax argument down the road of absurdity. Of course, there will be some reflection of the tax cost in the service or the product which will be passed along to the consumer. But the same man who pays it is also a producer.

Mr. LONG of Louisiana. Will the Senator show me how the personal income tax is passed along to the general consumer? The Senator has not argued that in the 12 years I have been in the Senate with him.

Mr. HUMPHREY. The most fair tax is the personal income tax, provided it is not riddled with loopholes and a few other things. It is the most equitable tax.

But when we speak of property taxes, when a landlord rents a place, he includes the property tax in the rent. If the property tax is raised, he passes the increase right along to the person who rents the apartment. If any kind of excise tax is imposed, that tax is passed along.

Mr. LONG of Louisiana. It is not quite so easy, and I shall show the Senator why it is not.

Mr. HUMPHREY. The Senator's taxes are passed along, but mine are not.

Mr. LONG of Louisiana. If a man is in a position to buy his own home at so much a month, he looks at the amount of the payments, the deferred cost to buy that home, in comparison to what it would cost to rent a home or rent an apartment.

Mr. HUMPHREY. That is correct.

Mr. LONG of Louisiana. The landlord is compelled to make his rent competitive with what it costs to buy a home. That is one reason why I have been against all the proposed increases in interest rates. When the cost of interest is increased for a man buying a home, the landlord is put in a position to pass along the increase in higher rent. But when we make it less expensive for a person to buy his own home, we also tend to make it easier for him to pay the rent.

Mr. HUMPHREY. The Senator from Louisiana makes a good argument. One of the most disturbing parts of the debate over medical care is that we find the Senator from Louisiana on the side of the majority of the committee. In the main, the economics of the Senator from Louisiana is the kind of economics with which I find myself in agreement. The Senator from Louisiana is a considerate man. He is a just man. He has deep concern for the welfare of those who are or who have been mistreated or who are in need of justice.

I find some of his argument relating to the committee bill very persuasive. I only hope that by the time we are through we shall be able to have the better features of the committee bill, to which the Senator from Louisiana has applied his conscientious and skilled hand, and that we shall be able to have the Anderson amendment, which starts

to apply the social security principle at age 68, with the limitations we have written in; and that we can come away from here with the beginnings—and I think the Senator is right about this, I may say—of medical care. It is not the omega; it is the alpha, so to speak, of this structure. I hope we can have the Senator from Louisiana with us. He is a powerful advocate. He knows his business and does good work.

Mr. LONG of Louisiana. I thank the Senator from Minnesota.

Mr. President, permit me to say that we are facing the prospect of a social security tax of between 15 and 20 percent of income by the end of 1969. It is that point which causes me to feel that we make a better approach by means of the committee bill, although we begin with a large and extremely costly program, regardless of which approach is taken.

The approach of the committee bill will result in a $240 million cost to the Federal Government the first year, and the cost will rapidly grow thereafter. If that approach is taken, the cost under the committee bill within 5 or 6 years from now may well amount to $1 billion.

On the other hand, if we use the approach of including all those over 65 years of age, regardless of whether they need such assistance, we begin with an increased cost of $1 billion; and then we shall have to apply the same approach to those who are disabled, even though they are below 65 years of age, if they feel that they need medical care; and such provisions will tremendously increase the cost.

So, merely as regards medical care, if we went the rest of the way, the cost would be approximately 4 percent of payroll, which would be a tax on the workingman and his family—a tax twice as great as the entire social security program cost only 4 years ago. But that would not be the end. Just today we have heard three very able and effective Senators—one from the Midwest, one from the South, and also one on the other side of the aisle—say, today, that the Senate should remove the income limitation in connection with the receipt of social security income. If that were done there would be an additional cost of 1 percent of payroll, or more.

So we are moving in the direction of making the social security tax 15 to 20 percent; and even that would not be the end, under all the proposals, because at least half the Members of the Senate have some suggestions in regard to how they would like to see the social security program further liberalized.

Mr. President, there is no need for us to take such action for the benefit of those who at the present time are well able to pay their own hospital bills. In that respect, certainly the Anderson bill would go too far.

In addition, this program, which is going to be enormously costly, is one which could better be approached gradually, rather than to try to go all the way at one time.

Furthermore, I am not at all sure that any bill at all will be enacted, if the bill is made as costly as is advocated by some. If the bill ever passed the House, the President might veto it; and we have some indication that result would obtain if some of the proposed substitutes were accepted.

I make the point—which I began to make at the beginning of my remarks—that every State which has some program of medical care for the aged will be in a position, under the committee bill, to increase that care at least 100 percent, without any additional cost at all to the State, merely by means of the requirement that the Federal Government match what the States are now doing. Some States will then be in a position to increase by 400 percent the medical care they now are providing, without placing any additional tax or anything of the sort on the workingman or his family.

So far as concerns those who are not presently receiving any such assistance, this bill proposes, as a standard, that those who are not now regarded as needy, for any purpose, in a State—neither for purposes of public welfare nor for any other purpose—can simply certify—and here I read that part of the bill—"that their income and resources are insufficient to meet the costs of necessary medical services."

Mr. President, I have represented relatives of my family and others who have had to discuss this matter with their doctors time and time again. They have had to ask, "What are we going to do about the medical bill, which is going to be very large? This relative is not in a position to pay the entire cost. So you will not please reduce the bill or else allow a longer time in which to pay it?" That often is asked in regard to a doctor's bill or a hospital bill. On many occasions I have made that sort of representation on behalf of someone to whom I was related or on behalf of someone in whom I was interested; and the person concerned never was embarrassed by having to explain to the doctor that he did not have enough money with which to pay all of the bill at once, and that it would be necessary for the doctor to allow him a considerable length of time in which to pay the bill.

But this provision is to the effect that the Federal Government will pay from 50 percent to 80 percent of the cost, merely on the person's statement that his income or other resources do not enable him to meet the costs of his medical care.

This entire program is being "sold" on a need basis. But I do not know of anyone who is fully able to meet his medical-care bills who is asking the Government to take care of his medical-care expenses.

On the other hand, based on my experience, one who actually needs help in connection with the payment of his medical bills will not have a false sense of pride in that connection. For example, when a veteran goes to a veterans' hospital when he has some nonservice connected disability, he does the same thing, and he does not have any sense of shame about it. As a matter of fact, he feels somewhat proud that, as a veteran, he is eligible for such assistance.

Therefore, this is not a program for the indigent. The change called for by the committee's approach has little to do with the indigent. Under the committee bill, those who are in no sense qualified to receive old age assistance can simply state that their resources are insufficient to enable them to meet the costs of such medical-care expenses or services; and when they make that report, they will be in a position to have their medical-care bills paid.

Mr. President, I yield the floor.

Mr. JAVITS. Mr. President, I have heard with great interest the most enlightening presentation by my friend the Senator from Louisiana. I did not interrupt his remarks, because I thought the debate was very heavily concentrated upon the committee bill versus the Anderson amendment; and earlier in the day I had spent a considerable amount of time debating my own substitute for the Anderson amendment and also answering many questions by Senators who feel strongly about the Anderson amendment. Interestingly enough, many of those questions were of the same general character.

I hope that, overnight, Senators will read with special care the remarks of the Senator from Louisiana about the matter of the strange change which has taken place—with Republican Senators who support my amendment advocating the idea of a general revenue plan; and with Democratic Senators, who generally wish to equalize these burdens by charging them to the whole of the taxpaying capability of the country, concentrating on the part of the taxpaying capability—I think the Senator made that point very clear—which is much more in the nature of a sales-tax approach than we would normally expect to have advocated by Senators on that side.

I very much appreciate the presentation made by the Senator from Louisiana and the details he has submitted on that point; and his presentation will be helpful to all of us, regardless of how we vote on these amendments.

Mr. LONG of Louisiana. Mr. President, I trust that the Senator from New York will forgive me for not understanding his plan. Let me point out that three or four plans were before the committee, and the bill itself is not the shortest or least complicated bill I have ever seen. In fact, it runs to 184 pages of legislative language.

Mr. JAVITS. Certainly.

Mr. President, it is now my purpose to read into the RECORD a statement issued today by the Secretary of Health, Education, and Welfare. The statement deals with my proposal which will be voted on at 2 o'clock tomorrow. I think the statement I shall read is very important, because today we have had a great deal of debate about what measure the President will be willing to sign or what measure he will not sign, and about the terrible frustration of voting for something which we know in advance the President will not sign.

So the light which is reflected on that subject by the statement issued by the Secretary of Health, Education, and Wel-

fare and also the questioning undertaken of him at his press conference are most important.

The statement reads as follows:

I have not yet discussed in full detail with the President the proposal for medical care for the aged which was introduced in the Senate on Saturday by Senator JAVITS on behalf of himself and eight other Senators. The proposal, however, is consistent with the basic principles which the administration has stated should be found in any program for medical care for the aged.

I should like to repeat that statement, because it is so important:

The proposal, however, is consistent with the basic principles which the administration has stated should be found in any program for medical care for the aged. The proposal sets forth a program that meets these four key requirements.

It would be voluntary.

It would provide for financial participation by the individual.

It provides for a Federal-State partnership in dealing with this very important problem.

It would be financed from general revenues.

These are the criteria which we know very well and which have been established by the administration in its testimony on its own plan.

I should like to conclude my part of the debate for tonight with the following points: In the program I have proposed, we would be able to give our older citizens a group of benefits in medical care of extraordinary coverage, including, very importantly, the preventive care which all the figures show 90 percent of them need far more than they need long-term hospitalization, and without encouraging the breakdown of hospital facilities, which will be encouraged by providing in the Anderson plan, long periods of hospitalization, with a whole range of facilities, when 90 percent do not need it, but will be invited to use those facilities because they are free, except for home care and nursing home care, which in many cases would be inapplicable, and to extend their hospital stay.

It seems to me the amendment which I have proposed is the really practical alternative before us, because it meets the criteria of the administration and has the best chance of becoming law.

Again, we cannot overlook what happened in the other body. Notwithstanding the procedure, as it was developed between the Senator from New Mexico [Mr. ANDERSON] and myself today, which normally ensues when a rule is presented to the House on a bill coming from the Ways and Means Committee, it is a fact that the House voted heavily to support the rule without endeavoring to undo it. Therefore, I think we have a right to assume that the House has, for all practical purposes in this session, no expectation of voting on a social security bill like the Forand bill which was before it.

I believe those who support the Anderson amendment must take cognizance of the fact, if they want to do something toward getting a law passed in this field here and now, I have presented an alternative, with substantial benefits provided, especially preventive care, which will do the job, and is the only alternative which will do it.

I commend it to Senators supporting the amendment, who I know are sincere.

Mr. President, I know one of our colleagues has something to present to the Senate, so I shall suggest the absence of a quorum; but before I do so, I ask unanimous consent to have included in the RECORD at this point the statement by Arthur S. Flemming, Secretary of Health, Education, and Welfare on this subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY ARTHUR S. FLEMMING, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

I have not yet discussed in full detail with the President the proposal for medical care for the aged which was introduced in the Senate on Saturday by Senator JAVITS on behalf of himself and eight other Senators. The proposal, however, is consistent with the basic principles which the administration has stated should be found in any program for medical care for the aged. The proposal sets forth a program that meets these four key requirements.

It would be voluntary. The individual would have the opportunity of deciding for himself whether or not he desires to be a participant in the program.

It would provide for financial participation by the individual. Persons who elect to come under the program would be required to make financial contributions toward its cost.

It provides for a Federal-State partnership in dealing with this very important problem.

It would be financed from general revenues. The Federal portion of the cost would be paid from general funds of the Treasury, not by a special tax.

The bill to amend the Social Security Act which was reported by the Senate Finance Committee would provide medical care benefits to the needy aged and represents an improvement and expansion of the existing medical care program now in operation under the Federal-State public assistance program. The bill also makes provision for Federal-State sharing of the costs of medical care for older persons who, while otherwise self-sufficient, need help in meeting their health care costs.

Under the program proposed by Senator JAVITS, participating States would offer the individual his choice of three benefit plans:

1. Diagnostic and short-term illness benefit plan. This plan would provide (1) 21 days of hospitalization (or equivalent skilled nursing home services); (2) 12 physicians' visits in the home or office; (3) diagnostic laboratory and X-ray services up to $100; and (4) organized home health care services up to 24 days.

2. Long-term illness benefit plan. This plan would provide, after a deductible of $250, 80 percent of the costs of (1) 120 days of hospitalization; (2) up to a year of skilled nursing home services; (3) surgical services; and (4) organized home health care services.

3. Optional private insurance benefit plan. This plan would provide reimbursement of 50 percent of the premium cost of private health insurance up to a maximum reimbursement of $60.

4. If the participating States decided to improve the first two benefit plans, the Federal Government would share in the cost of these improvements up to a cost of $128 per individual participating in the plans. The minimum plans as outlined would cost approximately $90 per individual participating in the plans.

Under the Javits proposal, all persons 65 or over who did not pay a Federal income tax in the preceding year or whose income in the preceding year was $3,000 or less ($4,500 for a couple) could participate in the program.

Approximately 11 million persons would be eligible, of whom it has been estimated 8.2 million might participate. This estimate does not include the approximately 2,400,000 persons who are recipients of old-age assistance.

The bill provides for an enrollment fee for each participant which would be fixed by the State according to the participant's income. It would be 10 percent or more of the estimated cost of the medical benefit plans provided by the State.

The Federal and State governments would share the total cost of the three benefit plans, less the enrollment fees collected. The Federal share would range among States from 66⅔ percent, in the poorest State, to 33⅓ percent, in the richest State, with an average of 50 percent in all States. State administrative expenses would be shared 50–50 by the Federal Government and States.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GORE. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. Mr. President, our efforts in the field of medical research and in the development of new techniques in medical care must be vigorous and ceaseless if we are to succeed in unraveling the mystery which still surrounds the causes and the possibility of cure of some of the more deadly maladies which daily snuff out the lives of thousands of human beings.

Much progress has already been made. Particularly in the last few decades, medicinal science has made giant strides in the constant battle against diseases and ailments which have plagued mankind through the years.

These advances in medicinal science, together with a more nutritional diet, better recreation and hygiene which have accompanied a rising standard of living, have, ironically, made more acute the problem with which the Senate is now called upon to deal. We are blessed with a steadily lengthening life span. This has resulted in an increasing percentage of our population within those age brackets in which physical infirmity is more prevalent, with consequent increased need for medical care.

Improvements in the quality of medicinal care have been more than matched by increases in its cost. Simply stated, more and more elderly people need more and more money to defray the cost of more and better medical care at a time beyond the income-producing period of their lives. This is a big, costly order.

Our society, I think, has reached the stage at which we should take steps to insure that adequate medical care is available to all our retired citizens. It

must be available in a manner which will sustain the individual pride and dignity of all old people and all citizens.

I am concerned that this individual pride and dignity be preserved and sustained. I am not one of those who is willing to say that the larger a percentage of a State's population which is on old age assistance the better social security program or medical care program it has. In my way of thinking, this erodes the pride of our people. Instead of eroding it, we should nurture it, sustain it, and preserve it and encourage it.

How should the cost be defrayed? Upon whom should the burden rest? I regard it as significant, and happily so, that no responsible organization or organized political group familiar with the facts now takes the position that no medical care program is needed or that action by the Congress is inappropriate. With substantial agreement on the need for some kind of program, it behooves the Congress to enact legislation which is adequate to meet that need and which lies within the framework of responsible and proven principles of governmental action.

At this point, Mr. President, and before discussing the alternate legislative approaches to this problem from which the Senate will choose, I should like to note the fact that, whatever type of program of medical care for the aged may be enacted, we shall not have solved a problem which constitutes a fundamental obstacle to the provision of adequate medical service, not only for the elderly but also for all our people.

It is important to insure that no person shall go without medical care for lack of funds with which to pay for it. It is futile to undertake to do so, however, unless we take steps to insure that trained persons are available in adequate numbers to render the service.

Neither expert knowledge nor special research is required to support the statement that we do not today have as many physicians as we should have, as are needed. Moreover, a geographic distribution of physicians is such that there is great disparity among States in the ratio of physicians to population. For example, in 1959 in the United States there were 141 physicians for each 100,000 people. This compares with 142 per 100,000 in 1940, and 143 in 1949. Within individual States the ratio varies from a low of 69 to a high of 188.

Let us suppose that a State has only 69 doctors for every 100,000 people and the State implements the pending bill to the fullest. Would there be sufficient doctors to extend the medical services to the beneficiaries?

In September 1959 the Public Health Service published a special report of the Surgeon General's Consultant Group on Medical Education. I commend this report to the attention of all who are interested in adequate medical service for our people. In summary, the report states that to maintain the present average ratio of physicians to population, which we already observe is inadequate, even without the enactment of the program now under consideration, we must, by 1975, increase by approximately 50 percent the number of annual graduates of medical schools.

Specifically, in 1959 our medical schools turned out about 7,400 graduates. To maintain the present inadequate ratio we must increase the annual output to 11,000 by 1975. I quote from the report as follows:

> Of the 3,600 needed additional graduates, existing and planned schools will provide 500 by 1965. With adequate financing and construction aid, present schools could add about 1,000 graduates. New 2-year programs could add up to 800 first-year places for students who could then go to existing clinical places in 4-year schools. The balance of 1,000–1,500 graduates would need to come from new 4-year medical schools. This increase is equivalent to the output of 20–24 new 2-year and 4-year schools.
>
> An increase in graduates sufficient to maintain the present ratio of physicians to population is a minimum essential to protect the health of the people of the United States.

I digress from the report to say that the recommendation in the report is made on the basis of maintaining the present ratio of physicians to population. The present ratio is grossly inadequate, even without the enactment of the pending bill, which, of course, would greatly increase the demand and a source of funds to pay for medical services.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. ANDERSON. It certainly would increase the ability of the people to make a call upon those services, would it not?

Mr. GORE. Yes, if the plan is implemented. If only the committee bill is adopted, however, unless States act, the proposed legislation may be only a glittering promise to our old people.

I should like to continue to read from the report:

> The Consultant Group is convinced that the problem is of such magnitude and concern that immediate concerted action by the Nation as a whole is imperative. Delay will serve only to increase the seriousness of the situation.

If we are to achieve the goal which the Public Health Service describes as a minimum, we must begin promptly a program to expand the capacity of existing medical schools and to build new ones. The report specifically recommends the appropriation of funds by the Federal Government on a matching basis to meet the construction needs of medical education. We already have a program to assist in the construction of research facilities and in the construction of hospitals. There is presently no such Federal program to accelerate the construction of teaching facilities, the essential base for training more medical doctors.

I point out that we have the Hill-Burton program to construct more hospitals. We have under consideration on the floor of the Senate tonight a bill to aid old people in obtaining medical services. However, we have no program really to increase the number of qualified people to extend this service and to serve as doctors in the hospitals which we hope will be constructed.

The lack of physicians in adequate numbers in the Southern States was highlighted in an editorial in the Commercial Appeal of Memphis, Tenn., on August 15. I ask unanimous consent that this editorial be inserted in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MORE DOCTORS NEEDED

There is a limited reason for pride in Tennessee because of comparison with other Southern States in educating more doctors.

Figures from the Southern Regional Education Board show this State is outstanding for the number of first-year medical students in proportion to personal income of the State's residents. This "degree of effort in providing medical education" is 2½ times as much as the southern average. It is three times as great as the national average of effort.

The South in general has been making a substantial effort to catch up in training its own doctors. During the most recent 12 years medical school enrollment has increased by 36 percent, while in the remainder of the Nation it was going up 28 percent.

There have been several changes for the better, notably new schools of medicine for the University of Florida, the University of Kentucky, and the University of Miami, and expansion of 2-year schools to 4-year courses by State universities of Mississippi, North Carolina, and West Virginia.

But there remains a substantial difference between the South and the Nation in the number of doctors compared with population. Leaving out doctors on the Federal payrolls, there was a ratio of 101 doctors per 100,000 population in the South and 129 in the Nation last year. The Tennessee figure of 106.1 was well below the national average, even though it compares with 96.5 in Arkansas and 78.3 in Mississippi.

It is very well to hope that shifting attention from cures to prevention will decrease the need for doctors, or to assume that narrowing the gap between southern income and the national average income will be followed by more southern medical education.

But the situation in the present and for several years ahead is one of shortage of doctors in the South, especially too few doctors to serve rural areas and the mentally ill.

Educating a doctor is very expensive for both student and university but the South must find ways to pay for more of it.

Mr. GORE. In addition to providing adequate school facilities, steps must be taken to increase the number of qualified applicants for admission to medical school. According to the administration report to which I have referred, the number of medical students per 1,000 persons in the age 20 population bracket declined from 10 in 1950 to 6.6 in 1958. The apparent decline in interest in acquiring a medical education is attributed to several factors, not the least of which is the high cost of medical education and the lack of adequate financial resources on the part of many who would otherwise wish to enter. Forty percent of our medical students come from the 8 percent of our families having incomes in excess of $10,000.

Unquestionably the financial deterent is preventing many qualified students from entering medical school. The National Defense Education Act is not well adapted to the provision of loan scholarships in medical schools and little use

has been made of it for that purpose. The Administration report specifically recommends the establishment of a Federal scholarship program to assist on the basis of merit and need those qualified persons who wish to enter medical school.

The administration's attitude on this problem appears somewhat inconsistent. Both the need for and the use of medical facilities have increased markedly during recent years and can be expected to increase to an even greater degree in the future. The administration has now endorsed the enactment of some kind of medical care program for the aged. I would assume that its recommendation in this regard is based upon its expectation that its program would be effective. If so, it would increase the demand on all kinds of medical facilities and on those who render medical service. If, on the other hand, an amendment of which I am cosponsor is adopted the demand would be increased even more.

Yet the administration has not acted to increase the availability of facilities to train personnel. It has dragged its feet on the Hill-Burton program for the construction of hospital facilities. Although its report on the shortage of doctors was published almost a year ago, it did not until June 16 of this year present a bill to do anything about increasing facilities for physician training. This bill, presented too late for realistic opportunity of enactment during this session of Congress, authorized funds in amount that is grossly inadequate to accomplish the minimum goals set forth in the administration's report. This tardiness on the part of the administration does not excuse the Congress from an effort to solve the problem.

I have today introduced a bill (S. 3875) providing for a realistic grant-in-aid program to assist in the construction of new medical schools and in the construction of expanded facilities in existing medical schools. My bill would also establish a student loan program to encourage and assist qualified persons to enter the medical profession. By presenting it, I hope to bring into sharp focus the overall problem of adequate medical care. Unless my bill is acted upon now, which I do not expect under the circumstances, I will urge prompt action by the Committee on Labor and Public Welfare and by the Senate early next year.

I shall urge the new administration, whether it be under the Senator from Massachusetts [Mr. KENNEDY] or Vice President NIXON, to recommend and support action to meet this vital need.

With further reference to the bill now before the Senate, I repeat that the need for a program to provide medical care for the aged is generally recognized.

The Senate must choose between a program by which most all of our people would purchase by their own tax contributions, and those of their employers a paid up policy to provide medical care during their retirement years, or a program which discourages individual contributions to old-age security in favor of complete reliance upon Government handouts to those who are willing, either reluctantly or enthusiastically, to plead pauperism.

There are some things about the opposition to an adequate medical program within the framework of the Social Security System which I find it difficult to understand.

Some groups, of which the American Medical Association is perhaps the most vocal, oppose the social security method on the asserted basis that it constitutes socialized medicine, or a step in that direction. Yet the AMA, so I understand, supports the type of program contained in the House bill. I can find no logical basis whatever for such a position, and surely a great many doctors disagree with the AMA.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. The Senator speaks about pleading pauperism in order to obtain assistance for medical expenses. Does the Senator feel that a person is pleading pauperism if at age 65 he applies for social security benefits and certifies his eligibility on the basis that he is making less than $1,800 a year, in addition to his social security retirement payments?

Mr. GORE. No; I do not at all. The purpose of the social security program is to provide for security in retirement. A person is not entitled to social security annuities until he retires from employment which provides earned income, under the present law, of $1,200 a year or more.

Mr. LONG of Louisiana. Under the bill he would be allowed $1,800 a year.

Mr. GORE. Yes. The bill proposes an amendment, which I have supported, to raise to $1,800 the level of earned income which may be received without loss of social security benefits.

Let us assume that a business has an employee whose salary is $6,000 a year. He is fast approaching the age of 65. His employer recognizes that the employee is no longer physically able to perform fully the duties of the position he holds.

Under the social security program, to which the employee and his employer have contributed through the years, the employee may retire and his salary stops completely. In consequence of the social security program the employee does not have to assert his pauperism. So far as the law is concerned, he might have a million dollars in Government bonds in the bank. However, when he retires from remunerative employment at age 65, he is entitled by law to the social security annuity in an amount in proportion to the contributions which he has made to the fund.

Mr. LONG of Lousiana. He is not entitled to it if he is drawing $3,000 a year of income from some other source.

Mr. GORE. From earned income. I will come to that. Let us assume a different situation. Let us assume that the employee at age 65 is still in robust health, and he wishes to continue to work. So he keeps the job at $6,000 a year. He is not entitled to draw benefits. So long as he continues in the remunerative job, his entitlement is not vested. At the time the social security law was enacted we had a vast amount of unemployment in the country. I recall it was considered socially advisable to encourage people to retire. Indeed, one of the arguments for the passage of a congressional pension bill was that it would encourage Senators to retire when they reached a certain age.

To come to the point the Senator has raised, if the employee who retires from a job at $6,000 a year, or $10,000 a year, desires to take some part-time employment, to write an article, or to make some speeches, or occasionally to substitute on his old job, he is still entitled to his annuity, provided under the law his earned income does not exceed $1,200 a year or, as the bill would provide, if enacted, $1,800 a year.

In neither of those circumstances do I consider that the man is asserting his pauperism. Indeed, he asserts nothing of the sort. He merely asserts the right to his annuity—that he has retired and that he is entitled, in consequence of this social insurance policy, the purpose of which is to provide security in retirement, to the benefits of the program.

Mr. LONG of Louisiana. The Senator certainly does not mean that a man would retire because he is making $100 a month. He could continue to work and draw his retirement. Under the bill he could continue to draw $150 a month for 12 months and still draw the retirement benefits without actually retiring. The point I have in mind is that he is either eligible to draw benefits or he is not, and the eligibility depends on whether he has presently $1,200 of earned income, or, in the future, $1,800, if the bill becomes law.

My question is, When the man certifies that he is not drawing that much income and therefore is eligible, does the Senator feel that he is asserting his pauperism under the social security program?

Mr. GORE. There is no test of resources, no test of wealth, no test for certifying ability or inability to pay living expenses, under the social security program.

It was not so conceived, and I would certainly resist the enactment of any such test. The eligibility to which the Senator refers is, in the case of the social security program, compliance with the law, which gives a legal entitlement under which rights are vested without respect to whether he owns a home or has $100,000 in bonds, or what not. In the case of the old age assistance program, which the committee bill would greatly broaden, one must certify his poverty in order to establish eligibility. To me that is vastly different. From what I have heard the distinguished Senator say today and on other occasions, he seems to minimize the difference, but to me there is a vast difference. I am not one who thinks that the greater the number of old age citizens who have certified their poverty the better and greater the State's social security program.

Indeed, I might even go further in the other direction. I think the larger the percentage of our population who can

in pride, dignity, and right draw an annuity for their security and their medical care, the sounder will be the program and the more uplifting, inspiring, and sustaining will be its effect upon our population.

On that point, apparently, the Senator from Louisiana and I disagree.

Mr. LONG of Louisiana. The Senator does not seem to feel that a man is certifying his poverty when he certifies he is not making $100 a month, and therefore is entitled to draw a social security payment. He can be drawing a social security payment and, in addition, get $100 a month. This brings his income up to $2,000 or $2,500 a year, and he can then proceed to say that he is not able, because he does not have the resources and the income, to meet the high medical bills which he incurs.

Why should that be a matter of certifying his poverty, a matter of degrading him, as the Senator from Tennessee seems to feel it would be? The Senator seems to be content with the situation that existed for a number of years, when a person certified he did not have more than $100 a month income.

Mr. GORE. I suggest to the Senator from Louisiana that the $1,200 a year to which he refers is earned income. That can come from odd jobs. It can come from part-time employment. It can come from the retired employee going back to his old job for 1 day a week, or perhaps a few weeks, to permit other employees to take vacations. There are many circumstances in which a retired person can earn small amounts without being employed full time in the main stream of our economic life.

I think the committee is wise to raise that amount to $1,800. However, I suggest again to the Senator that that is a test and a measure based on the amount of earned income. No certification is required as to dividends, rental income, interest income or income from any source of invested property; it is strictly earned income.

Mr. LONG of Louisiana. So the Senator feels that he is making a valid distinction; that the person might be drawing much more income than he actually is, in that there is a difference between earned income and other income, which would not affect eligibility.

The man says, "I am eligible. I do not regard myself as being indigent, or anything of that sort. I am simply eligible to draw these benefits"; and after age 72 he can have income in any amount and still be eligible. After all, it is the matter of eligibility which entitles him to this additional assistance. He is entitled to it; therefore, he is eligible, and he can so certify. Then he will receive the assistance. Certainly in the case of the great majority of those who will retire, they do not own any stock, and most of them do not own any bonds; they simply make it clear that they have no more than $100 a month earned income; therefore they are eligible. It can be $150 of earned income in the future.

Mr. GORE. They are eligible under the social security program as a matter of right.

Mr. LONG of Louisiana. Does the Senator feel that veterans with non-service-connected disabilities who apply for admittance to veterans' hospitals take a pauper's oath when they apply for treatment?

Mr. GORE. I do not believe that the law, if I recall it correctly, requires the execution of a pauper's oath. I think it requires the certification of economic inability to obtain the medical care needed.

Mr. LONG of Louisiana. What is the difference?

Mr. GORE. It is the same principle.

Mr. LONG of Louisiana. If medical care is to be provided for those who have not paid for it in the past, why should it be provided for persons who are well able to provide for it themselves, and at the expense of others who are less able to pay for it?

Mr. GORE. The last condition does not obtain. The amendment which the junior Senator from New Mexico and other Senators including myself, have offered would add to the social security program an additional category of benefits, namely, medical care and hospitalization, for which the employee who is under covered employment in the social security program would make contributions along with his employer, and under which, upon the attainment of age 68, each person under the social security program would be entitled by right to the limited benefits spelled out in the bill.

Those benefits are not without limit, as I said to the Senator early in the debate; they are very specific. The bill is carefully drawn. We have certification that it is actuarially sound. That is, the additional revenue which would be raised by reason of the enactment of the proposal would be sufficient to make payments out of the fund to pay for medical care for those who might become beneficiaries. That does not mean that everyone will become a beneficiary. I have paid fire insurance premiums on buildings for 30 years. I have never had a fire. I hope I never will have. However, I am still buying fire insurance. It may be that before morning my home or my business will burn. I hope not. They never have.

Of course, it would be nice to have the insurance companies refund me all the premiums I have paid in the past 30 years. But insurance does not operate like that. Neither does the Social Security program. It was never envisioned that every person who pays a small percentage of his salary to the social security program would receive a benefit. I pay every year on self-employment. I never expect to draw a social security annuity. Nevertheless, I am perfectly willing to contribute my small share in order to provide insurance for those who may need that benefit—and, who knows, things being so uncertain, I might need it. [Laughter.] If I do, I shall be entitled to it by right. The right will be vested. I will not have to go, hat in hand, to certify to some welfare officer that I am poverty stricken and, therefore, need my old-age assistance check. I would not wish to be put in that position. I think there are literally millions of old people in this country who do not wish to be put in that position. They want to participate in a program, and the young people want to participate in a program, which will provide for them, when they are old, rights which are vested, and not require them to be dependent upon a program which is essentially, in character, public charity.

Mr. LONG of Louisiana. Let us take an extreme case, the case of a retired lawyer, having assets of more than $1 million. Suppose he becomes ill. He has never paid toward a medical program and has never asked that the Government pay his medical bills. Let us assume he has invested his funds in tax-exempt bonds or in other ways which enable him to keep from paying any tax at all. Why should a working man, whose wife and children may be sick and may need these benefits, have to pay for benefits for that millionaire, who never expected to receive the benefits and never paid for them?

Mr. GORE. Mr. President, that is like asking me whether it was a great mistake for the Congress ever to pass the Social Security Act; or it is tantamount to asking me whether we should repeal this program which is financed by a small tax on both employees and employers.

I say to the Senator from Louisiana that the social security program is a social insurance program. The taxes levied on the individual are small. The benefits going to those who may need them may be very precious and out of all proportion to the contributions the individual makes into the fund.

Mr. ANDERSON. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. ANDERSON. Did not we find out, in the inauguration of the social security system, that there were many more poor people, on the average, than there were millionaire lawyers, about whom the Senator from Louisiana has been talking? And when we established the social security system, were not we more concerned with the millions of needy people than we were with the relatively small number of millionaires?

Mr. GORE. Of course.

Mr. ANDERSON. That is the system the Senator is discussing, is it not?

Mr. GORE. I am talking for the mass of the people, some of whom will need this program. In order to provide these benefits for those who may need them—and, incidentally, let me say that even one who today may be a millionaire may need these benefits a few years from now.

Mr. ANDERSON. Recently there was sent to the penitentiary, by the Federal court in New Mexico, a man who a few years ago inherited tens of millions of dollars. But he found himself in great difficulty in the courts, and today is penniless, and has been sent to the penitentiary. No one ever knows whether on the last day of his life he will wind up being rich or poor.

Mr. GORE. And many of us have confidence that we shall never be rich.

I dare say that the junior Senator from New Mexico never expects or hopes to receive any benefits from the social security program.

Mr. ANDERSON. I assure the Senator from Tennessee that that is correct. But I am very happy to add to the fund contributions which may be of use to someone who is in need. In fact, eventually I, myself, might be in need.

Mr. GORE. And if the Senator does not need it, he will be the happier for it.

Mr. ANDERSON. Yes.

Mr. FREAR. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. FREAR. Under the Senator's program or plan, is it provided that no one need apply for the assistance that is offered, but that it will be automatically offered to him?

Mr. GORE. He will be eligible to receive social security benefits; he will be eligible as a matter of right.

Mr. FREAR. But that is not the question. Will he receive these benefits automatically?

Mr. GORE. If the Senator means that if my house burns down, whether I have to advise the insurance company that my house has burned down and that I am entitled to be paid the insurance, I would say yes—both as regards social security and as regards private insurance.

Mr. FREAR. Then the Senator from Tennessee could have said "yes," in the first place, and would have saved the expense of printing all those additional words in the RECORD. [Laughter.]

Mr. GORE. Very well; the answer is yes.

Mr. FREAR. Very well.

Mr. GORE. But the manner in which he would apply would be different from the manner in which he would apply under a program which has the characteristic of charity.

Mr. LONG of Louisiana. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. When the social security program went into effect, there were many persons who could well have used the social security retirement income. But they did not get it until they had paid for a certain length of time into the social security fund. When the fund first went into effect, I believe payments for at least 1½ years were necessary, even for the most aged person. For instance, for a man age 65 or 70, regardless of his health—before he could come under the program and could receive the benefits he had to work and pay the tax for 18 months.

Today, we have approximately 10 million aged persons, most of whom are retired and no longer are contributing to the fund.

The Senator from Tennessee is proposing that the Senate vote that the cost of providing medical care for all those people be placed on the presently laboring man and his wife and children. I am willing to vote that the medical cost be borne by the people of the country if such persons need those benefits and do not have sufficient resources with which to pay those bills.

But on the other hand, I ask the Senator again, why should we vote to impose this additional expense in order to provide for the extreme case, which I admit is extreme—in other words, to provide medical care for a millionaire lawyer, at the expense of the working man who is earning $100 or $150 a month and is trying to support his wife and his children.

Mind you, this program will eventually place a 4 percent tax on everyone, regardless of need or regardless of the assistance that may be required. Why should we vote to have that tax placed on people who would have to pay it but would not receive the benefits for many years, inasmuch as a great many of those who would receive the aid are much better able to pay their doctors' bills than is the working man who would be paying this tax?

Mr. ANDERSON. Mr. President, will the Senator from Tennessee yield to me?

Mr. GORE. I yield.

Mr. ANDERSON. Does not the Senator from Tennessee agree with me that the claim that this will amount to a 4-percent tax is a little extravagant, inasmuch as the Social Security Board says one-fourth of 1 percent is enough? I did believe a little bit in the sound-money policy; but 16 to 1 went out with Bryan and McKinley. [Laughter.]

Mr. LONG of Louisiana. Let me point out how the 4 percent would be reached.

Mr. GORE. First, let me answer the inquiry of my able friend, the junior Senator from Louisiana. But, Mr. President, before doing so, let me now acknowledge my admiration of the very able junior Senator from Louisiana [Mr. LONG].

Mr. LONG of Louisiana. Mr. President, it is mutual. So let us dispense with any more of that, and get on with the debate on the bill.

Mr. GORE. Mr. President, I do not wish to dispense with it right now, because upon an overwhelming proportion of the issues, he and I vote alike; and most of the time, in regard to causes on which he is making a battle or causes on which I am making a battle, we are in agreement.

So it is with regret that I find that the Senator from Louisiana is not in agreement with me on the soundness of the social security program.

Mr. LONG of Louisiana. Just a minute, Mr. President; let me point out that we are not talking about the soundness of the social security program. The Senator from Tennessee and I are talking about the soundness of something the Senator from Tennessee wishes to add to the social security program.

Mr. GORE. But the Senator's question is really a challenge to the soundness of the social security program—to the base on which it rests, to the theory on which it has proven so successful. The Senator from Louisiana asked, essentially, why we should tax the workingman, in order to pay benefits to go to someone else, inasmuch as some may be well fixed financially.

Mr. President, one might ask why we should tax the workingman now, in order to provide retirement benefits for persons who may be well fixed financially. The same question would apply to the present social security program, the 25th anniversary of which we celebrated a week ago Sunday. The program has proved successful. It has been actuarially sound. True, under that program persons may receive benefits disproportionate to the payments they made into the fund. Those who began early to receive benefits, after making payments in the amount of a small percentage of their wages, and after making those payments for only 2 years, for instance, received benefits disproportionate to their personal contributions.

Every beneficiary who receives full benefits to which he is entitled would possibly receive benefits larger than the total of his own individual contributions. But that is the basis on which social insurance rests. All will pay a small amount which, added up in gross sum to a fund, is adequate to provide benefits to those who become entitled to benefits under the law. That is what it is.

So when the Senator asks me why we should do it with respect to an added category, he is asking me, Why do it for social security at all?

I fought here on the floor with the junior Senator from Louisiana to make it possible for one who was totally and permanently disabled to draw his benefits at age 50 or more. I am supporting an amendment now, which I am sure the junior Senator from Louisiana likewise supports, to allow that employee, at any age, upon becoming permanently and totally disabled, to start receiving the benefits to which he is entitled by reason of the contributions he has made, even though those contributions be small, indeed. That is the theory; that is the basis. It is a sound theory and a sound basis.

For 25 years the fund has been sound. It is actuarially sound today, and we propose an amendment that would keep it actuarially sound.

Mr. LONG of Louisiana. It can always be actuarially sound if enough taxes are piled on the working man to pay for what is being paid out. It can always be kept actuarially sound if the taxes are high enough to maintain the fund. But the question is basically the desirability of providing the payment of medical bills of persons who have made no contribution to the fund and who are well in position to pay their own expenses.

I was one who fought—and I was delighted to have the Senator from Tennessee with me—to provide benefits to those totally and permanently disabled. I was fighting to help a disabled man who had an earned income of no more than $100, or $150. I was not fighting to have the Social Security pay retirement benefits to persons who had a substantial income. A man who was receiving an income of $300 or $400 a month would not have received those benefits. I did not think it desirable, if he had a substantial income, that others should be taxed to pay for his expenses, when he could afford to pay them himself.

In my judgment, it does not make too much sense for us to raise social security taxes on persons who are working at this time.

The question was raised as to how I get the amount up to 4 percent. I am relying on the same calculations and the same calculator upon which other Senators are relying.

Mr. GORE. I hope the Senator will not again go into the extrapolation of payroll taxes.

Mr. LONG of Louisiana. The Anderson proposal is not one-fourth percent; it is one-half percent. It is a tax of one-fourth percent of payroll to be matched by another one-fourth percent, all of which is going to be passed on as a hidden sales tax to the consumer.

It is estimated that if the same proposal is extended to everybody in the country under social security, be they above or below age 65, it would require 4 percent of the payroll—which is about what the whole social security program was costing in 1954, after I had been in the Senate for 6 years. Of course, the amendment here provides only for those 68 and over. That is one way to keep the costs down. If it becomes law, next year we shall cut the age limit to 65 and include all disabled people.

Mr. GORE. Mr. President, as I started to say, some groups, of which the American Medical Association is perhaps the most vocal, oppose the social security method on the asserted basis that it constitutes socialized medicine, or a step in that direction. Yet the AMA supports the type of program contained in the House bill. I can find no logical basis whatever for such a position, and, surely, a great many individual doctors disagree with the AMA.

In either case the patient will select his physician. In either case the physician will be paid by the Government. In either case the physician must establish the reasonableness of his charge in accordance with regulations established by the administering Government agency. On these points there is no difference at all in the two plans. The major difference, aside from the method of determining who would be beneficiaries, is in the source of the fund from which payment is to be made. Under the social security approach the fund will be derived from the premiums paid by the beneficiaries and their employers. Under the public assistance approach, the fund is derived from the general revenues of the Federal Government and of the States, and payment constitutes an outright subsidy to those who are, or may successfully claim to be, poverty stricken.

The AMA has the right to believe, if it so chooses, that the social security method is socialistic. But if it does, in fact, so believe, I do not understand how it clothes the handout approach with enough of the attributes of private enterprise to justify its endorsement. There is not that much difference.

I say it is difficult to understand the logic of the AMA's position. It would only make sense in the event the AMA remains, in reality, opposed to any program at all, but endorses the House bill because it would be less effective and would benefit fewer people. Such a position, I am confident, would not represent the sentiments and views of many individual doctors. It could be that the AMA is no more representative of rank-and-file doctors on this issue than on inclusion of doctors in the social security program.

That reminds me, Mr. President. As an indication of whether or not working people desired to contribute small amounts to the social security program, and thereby gain this social insurance for themselves, consider the various groups who have petitioned the Congress to include them. Dentists, lawyers, ministers, employees of local, State, and municipal governments, and many groups that were not originally covered into the program have voluntarily sought inclusion. They have not fought this program, which levies a small tax on their income now to provide benefits for those who are eligible and have a right to benefits now, but which would also entitle them to similar benefits later. Instead of thinking this was so onerous and regressive, they have petitioned the Congress to lay its heavy hand upon them, but to give them legal entitlement to benefits later.

Similarly, Mr. President, I have difficulty in understanding the logic of the administration's position. On other matters, such as our highway improvement program, it makes a fetish of what it describes as fiscal responsibility. Specifically, President Eisenhower, in his public pronouncements has warned against the reckless spenders. He has made it clear that if the Congress enacts any new programs it had better provide new revenue to meet the costs. Yet his administration rejects a program which would provide additional revenue in favor of one which would not.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. ANDERSON. I am very much interested in the "reckless spending" suggestion. Am I wrong in believing that the Senator from Tennessee has raised some question as to the limits which might exist with reference to the committee bill? Did the Senator raise such a question?

Mr. GORE. I raised the question. Before going into that question, I wish to say, as the Senator knows, that I offered a substitute for these provisions. In our meeting of Senators who wished to add social security benefits, after the bill had been reported—perhaps I am talking secrets out of school—I was one who thought we still should offer a substitute of an adequate social security program, but a majority of the group felt we should offer an amendment adding social security benefits to the bill, accepting, though we regard it as of questionable soundness, the committee bill, in the hope of laying a firm foundation which can later be improved upon.

Mr. ANDERSON. I am very happy to confirm in public what the Senator from Tennessee has stated about his part in this circumstance. I congratulate the Senator for sticking courageously to his ideals.

The Senator from Tennessee is familiar with the fact that matters which go into a report, particularly a report of the majority, tend to become legislative history. I should like to read a few items from page 6 of the committee report.

Mr. GORE. This will describe the committee bill?

Mr. ANDERSON. This will describe the committee bill.

Mr. GORE. Which is supported by those who describe the junior Senator from New Mexico as the "captain of the spenders"?

Mr. ANDERSON. That is correct. This is what those prudent people would do. They say that the bill which they present would cover all medically needy aged 65 or over.

Mr. GORE. This is the report on the committee bill?

Mr. ANDERSON. Word for word.

Mr. GORE. Approved by all the Republicans on the committee?

Mr. ANDERSON. That is correct.

Mr. GORE. And by six Democrats on the committee?

Mr. ANDERSON. That is correct.

Mr. GORE. And supported by the Eisenhower administration?

Mr. ANDERSON. I now understand that the President is going to support something else, but at the time it was before our committee we understood it had the blessing of the administration.

Mr. GORE. Was it not described with a hyphen? I shall not use names.

Mr. ANDERSON. It was described.

Mr. GORE. The name Eisenhower, though, was attached to the proposal; was it not?

Mr. ANDERSON. Yes, along with certain Democratic names.

Mr. GORE. Orally?

Mr. ANDERSON. Orally. It was said:

> It would cover all medically needy aged 65 or over; it would cover every such person including those under the social security system.

It has been represented that this would cost only $130 million, but when we single out only a portion of it, the social security system, the cost for that would be $1 million. Does the Senator understand that the whole is usually the sum of its parts?

Mr. GORE. I was taught that. I am not sure it always applies in Washington, D.C.

Mr. ANDERSON. Those rules are repealed now and then. We never know when it happens. If the social security part will cost a billion dollars, how could the whole of it cost $130 million? Does the Senator know?

Mr. GORE. I do not know. Let me ask the Senator a question.

Mr. ANDERSON. I asked my question first.

Mr. GORE. I should like to ask the author of the amendment if the benefits provided by his amendment are limited?

Mr. ANDERSON. Yes. I was going to invite the attention of the Senator from Tennessee to that fact. He is completely correct.

The "scope of benefits" is listed on page 7 of the report. This is not imagination. This is the wording of the official report.

Mr. GORE. The Senator is referring to the "scope of benefits" of the committee bill?

Mr. ANDERSON. Yes, the committee bill.

Mr. GORE. Without the Anderson amendment?

Mr. ANDERSON. Yes, without the Anderson amendment.

Mr. GORE. Will the Senator read that?

Mr. ANDERSON. The first item, according to the legislative history, is "inpatient hospital services."

Mr. GORE. Is there any limit?

Mr. ANDERSON. Oh, no, there is no limit.

Mr. GORE. Is there any limit as to the days in a year in which those services could be obtained?

Mr. ANDERSON. 365 days out of the year is perfectly all right.

Mr. GORE. How many years.

Mr. ANDERSON. I do not know. It could be 50 years, if a person could live that long. It could be 20 years, if the person could not live as long as 50 years.

Mr. GORE. We might have a Methuselah. Is there any limit as to the number of years?

Mr. ANDERSON. None whatsoever that I can find.

Mr. GORE. Is there any limit as to the number of days? Is there any limit to the number of months?

Mr. ANDERSON. In the amendment to which the Senator from Tennessee and I inscribed our names it is provided that someone will have to pay the first $75, which will tend to keep people out of the hospitals. I see no limit provided in the bill, or any previous payment.

Mr. GORE. Is there any provision for any payment whatsoever by the beneficiary?

Mr. ANDERSON. No.

Mr. GORE. Of any kind?

Mr. ANDERSON. No.

Mr. GORE. To anybody?

Mr. ANDERSON. Not to anybody until we get down to a later provision. For "hospital services," it is absolutely unlimited.

I invite attention specifically to the fact that it is made a part of the legislative history that the bill covers "all medically needy aged 65 or over; it would cover every such person including those under the social security system, railroad retirement system, civil service system, or any other public or private retirement system whether such person is retired or still working, subject only to the participation in the program by the State of which they are resident."

It would cover widows.

The report goes on to list long categories. Since it is wide open, the "hospital services" are wide open.

Next we have the "skilled nursing-home services." There is a limitation in the amendment which the Senator and I have offered. I ask the Senator from Tennessee, who first called my attention to this situation, if he has as yet found any limit on the "skilled nursing-home services" available under the provisions of the bill.

Mr. GORE. The bill provides no specific limitation to any benefit.

Mr. ANDERSON. The third item is "physicians' services."

Mr. GORE. Oh, the Senator is about to refer to socialism.

Mr. ANDERSON. I will tell the Senator now——

Mr. GORE. Wait a minute. If the social security program pays a doctor's fee, it is socialized medicine. I cite the AMA.

Mr. ANDERSON. Yes.

Mr. GORE. But the Senator's amendment is now called socialized medicine, though it is the committee bill which proposes to pay doctors' fees.

Mr. ANDERSON. The payments are unlimited. Perhaps that is why the physicians like it. [Laughter.]

The bill is completely unlimited. Any price could be paid. There is no limit whatsoever. However, in the amendment which the Senator from Tennessee and I and others have offered, there is no provision for a physician to be paid for his service at all.

We are accused of sponsoring socialized medicine, and the people who leave the provision absolutely open and unlimited are washed white as snow.

Mr. GORE. Not quite.

Mr. ANDERSON. Nearly. Is it not strange that people who worry greatly about nonessential Federal expenditures do not worry at all about this program? This expense can be listed at $130 million, and everybody takes the figure for granted and says, "That is all it will be, because the States will not put up any more money."

Let us suppose that the States have a surprise party and do put up some more money. Has the Senator any idea what this might cost us if the States were really liberal with the program?

Mr. GORE. The staff members of the subcommittee which investigated the problems of the aged and the aging have estimated that if the States should provide matching funds in accordance with the provisions of the committee bill, and if the Federal Government were to appropriate the funds to meet its legal obligations, the total would amount to $2½ billion the first year.

Mr. ANDERSON. I find confirming evidence. I checked this point rather carefully. In 1957 the Health Information Foundation sponsored a study conducted by the National Opinion Research Center, a reliable polling group at the University of Chicago. They found that the per capita expenses for all health care for 65 and older population was $177, and based upon the increase in medical costs since 1957 and other factors, admitting the 1957 figure of $177, the medical economists now estimate the 1960 figure to be $250. If we accept what was pointed out in the hearings, which the Senator from Tennessee heard as well as I, I am sure there might be 10 million people who would be available for the benefits under this bill. The figure was repeated by the able Senator from Oklahoma [Mr. KERR] only a few days ago. Ten million people at $250 a head is $2½ billion. There is the Senator's figure and the staff figure. If one figures that 80 percent of the maximum available would receive the benefits, that might bring the total to $2 billion. If one figures a 65-percent minimum who would receive the benefits, it would bring the figure to $1.7 billion.

Yet the Senator from Tennessee and I are criticized for being fiscally irresponsible when we propose a system that would not cost the Treasury of the United States anything, but would meet the cost by a tax upon the workers, which, according to the record, they are happy to assume.

Mr. GORE. I find it perplexing that statements should be made by some that the committee bill would extend benefits to 10 million people. Is that what I am to understand the Senator from New Mexico to say?

Mr. ANDERSON. The statement was made that there were 10 million people who would be eligible and possible customers of this special category of medically indigent, but it was expected that only 500,000 to a million of such people would apply each year, although there was no way of knowing that to be true. I have the figure of 10 million only because that was the figure that was used in our committee meetings, in executive sessions, and again on the floor of the Senate.

Mr. GORE. On the other hand, we received an estimate that the plan would cost only $135 million a year.

Mr. ANDERSON. Yes. There are 9 million people who are covered under the social security system. We are told that the plan which would embrace that system would cost $1 billion a year. I think that it is one of the great marvels of this system that a group of 9 million people could account for a cost of $1 billion a year, and yet service to a group of 10 million or 12 million people would cost only $130 million. Again the whole is smaller than one of its parts.

Mr. GORE. If the Senator will turn to page 11, perhaps he will see the basis on which this low estimate of cost is based. Does the Senator see the table on page 11?

Mr. ANDERSON. Yes.

Mr. GORE. If the Senator will look at the figures for the State of New Mexico, he will find that all the benefits which are described in the report as being available without limit will be extended, according to this estimate, to the people in New Mexico at a cost to the Federal Government of only $9,000.

Mr. ANDERSON. That is the biggest bargain we have had in a long time. I hope that it holds out. I think they probably got that figure by figuring the State could not afford to contribute any more money because the budget increased in the last 2-year period by $17 million. That increased amount is not much in a large State, but it was large in a small State.

Mr. GORE. That is the catch in this bonanza. This low estimate of cost is based upon the estimate of the Social Security officials and the officials of the Health, Education, and Welfare Department. It is estimated that the States will not or cannot provide the matching

funds to make these benefits actually available to bring them within reach of the old people.

Mr. ANDERSON. From my standpoint the figure which the Senator read means that 52 people in New Mexico will take advantage of this plan—one a week. I greatly fear that more of the aged in New Mexico will need help than that. It may be the State will not be able to contribute more money than that, but that is the measure of our failure to take care of our people.

I call the Senator's attention to the fact that when we used the figures on the social security brackets and tried to estimate where the $1 million was coming from, we had a much higher figure for New Mexico, and I think a more realistic figure, if I know the State in which I live. That is why I appreciate the fact that the able Senator from Tennessee put his finger on the point when he asked, "Is it true that we will get all of these things at a bargain price?"

I have heard of cutrate stores, but I have never heard of a cutrate store that could sell $1 billion worth of medical aid for the aged for $130 million.

Mr. GORE. A few minutes ago the Senator started to read, but he did not quite finish the 12 benefits shown on page 7. Will the Senator be so kind as to read those 12 benefits, the 12 being all inclusive?

Mr. ANDERSON. I was about to read the eighth one. The eighth one is dental services. It has been pointed out that the amendment sponsored by the Senator from Tennessee and the junior Senator from New Mexico and others is deficient because it does not take care of all dental services. It is true that we did not take care of physicians' services and dental services. But if these are to be added, does the Senator from Tennessee figure that the costs will go down or go up?

Mr. GORE. The cost is bound to go up if any benefits are extended, but how will this be done on $9,000 in New Mexico?

Mr. ANDERSON. The State will not be able to do more, probably.

Then we come to physiotherapy and related services. We come next to laboratory and X-ray services. We come to prescribed drugs, eyeglasses, and dentures.

Then we come to the last item, "Any other medical or remedial service authorized under State law"—in case anything was left out.

Mr. GORE. Permit me to read a sentence:

> A State may, if it wishes, disregard in whole or in part the existence of any income or resources of an individual for medical assistance.

Mr. ANDERSON. That was written to overcome some of the objections of people who were worried about the means test. This is to show that while the means test was written into the law, we do not mean what we mean when we say it is a means test.

Mr. GORE. This all adds up to the fact that some States which have the means to do so will provide matching funds and will make available these benefits, the Federal Government paying up to 80 percent of the cost, while other States will be unable to do so, and the older people in those States will be denied the benefits. On the other hand, the amendment which the Senator from New Mexico has offered will provide a uniform system of benefits for those who are entitled to them, and they will be entitled to them without State matching funds, without considering the vagaries of State legislatures, and they will be entitled to the benefits as a matter of right, vested under the law, and without a show of poverty.

Mr. ANDERSON. May I say that I am much more interested in one more sentence? It reads:

> The Federal Government will not participate as to services rendered in mental and tuberculosis hospitals.

It may be all right to leave out the tuberculosis hospitals because we have developed some very excellent drugs. But we ought to include mental hospitals, because if the case aides must start to determine who among the 10 million people are needy and who are not, and who are medically indigent, or have no means, we would have a fresh crop in the mental institutions of the United States.

In the final analysis, Mr. President, the arguments against a social security medical insurance program, in my view, gives the appearance but not the substance of effective action.

It may be that the major advantage of the committee bill, in the eyes of some, is that few people would actually be covered by it. There are many obstacles in the path of full participation. Not the least of these is the fact that individual action by the States would be required. The legislatures of various States would first have to decide that participation would be desirable. Then, each State would have to devise and approve a plan for implementation and obtain approval of its plan by the Federal Government.

Finally, each State would have to find the money to pay its share of the cost. The action taken by the Nation's Governors at the annual Governor's conference this summer illustrates that solution of the problems involved, insofar as the States are concerned, will range from near impossible to very difficult.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. The Senator knows that the logic cannot work both ways; it cannot be that the cost will be astronomical in providing the benefits under the committee bill, on the one hand, and that the States will not use it, on the other.

Mr. GORE. I believe the logic works not only both ways, but in any way in which a logical conclusion can be reached.

Mr. LONG of Louisiana. The Senator was suggesting that both things were going to happen, and that the cost of the committee bill would be greater than the cost of the Anderson amendment. He is also suggesting that the States would not do anything about it. It seems to me that those answers cannot both be correct. Does the Senator agree?

Mr. GORE. They are two answers that cannot both be logically reached: First, that all the people will receive these vast benefits; and, second, it is not going to cost very much. Those are two conclusions which cannot be logically reached.

Mr. LONG of Louisiana. Let us agree upon the last statement. With regard to a State's ability to pay, the Senator knows, does he not, that most States are providing a program, and in many States it is a very substantial program, for medical care of the aged and others?

Mr. GORE. Yes; I know that. I also know that there are several States, including my own, which are not now matching all the funds already available under present law. Just what benefit we would confer upon the old people in a State in which the State government has not found it advisable or possible to match even the present old-age assistance and medical-care program I leave for the Senator to suggest.

Mr. LONG of Louisiana. In Tennessee it is estimated that the Federal Government would increase its contribution by $1,934,000, compared with the present State program, which apparently is producing only about $7,000 a year with respect to the care for the aged.

I am surprised that the program in Tennessee is so modest, and almost nonexistent. That would mean an increase of very great proportions when compared with what the State is doing now.

Mr. GORE. Let me say this about my State. I have not been in the State government for a long time. Before I came to Congress I was in the cabinet of the State government. I feel that the State of Tennessee could possibly find ways to do more. However, under our constitution an income tax cannot be levied. We do not have gushing oil wells on which we can levy severance taxes. We do have a 3-percent sales tax. We do have a very heavy State tax burden to bear. It is so heavy that the State legislature has not seen fit to raise the matching funds necessary to take full advantage of the Federal old-age assistance funds already available under present law.

What are my people offered by the committee bill? More Federal funds, provided the State will raise even larger State matching funds, even though it has been unable to provide the matching funds necessary, as I have said, to take advantage of the benefits already available.

Mr. LONG of Louisiana. Mr. President, the estimate is that Tennessee would receive almost $2 million to assist in a program which is extremely meager in Tennessee, and that it would exceed very greatly what the State is presently contributing. I had hoped that the

people of Tennessee and the Legislature of Tennessee would take the attitude that the junior Senator from Tennessee takes on this subject, and show a willingness to tax themselves to provide for the care which the Senator feels is essential, and which I believe is essential in those cases where a person is not able to pay for it himself.

Mr. GORE. If the bill becomes law, I shall be glad to suggest that the State Legislature of Tennessee invite the junior Senator from Louisiana to come down and address them upon the subject of increasing State taxes.

Mr. LONG of Louisiana. I have advocated some of these same things to the Legislature of Louisiana and I have addressed myself to the committees of the legislature urging taxes to pay for the proposals before I came here.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. ANDERSON. One of the reasons why we have some difficulty with the committee bill is that the House bill came to us with a limit on its medical benefits, as follows:

A State plan for medical services for the aged must—

* * * * *

provide that benefits under the plan shall not be greater in amount, duration, or scope than the assistance furnished under a plan of such State approved under section 2.

The Senate committee took out that language and left it wide open. I believe that is why the Senator from Tennessee and I find ourselves worried about what might happen under an open-end plan.

Mr. GORE. I thank the Senator. I should like to conclude now with my prepared statement, if I may.

Under the committee bill, even in those states electing to participate, with the exception of those beneficiaries who are eligible by virtue of being recipients of old-age assistance payments, eligibility will be dependent on varying standards of "need," and benefits will vary according to the condition of state finances and differing views of state planners in the several States.

Should all these obstacles be overcome, there remains the necessity for a potential beneficiary to plead and prove to the satisfaction of the welfare agent his inability to pay the cost of whatever catastrophe may have befallen him.

The means test may present little problem for some of those wholly indigent in an economic sense. But what of the large group of the elderly who have managed to save a modest amount which, added to their social security payments, permits a moderately comfortable existence? Are we to require them first to spend all they have before they qualify? If so, they, too, will become economically indigent, not only during the course of an unfortunate illness, but thereafter as well.

Regrettably, a substantial number of the aged now require public assistance. For this group, grant-in-aid medical care of the type proposed in the committee bill is the only solution. Let me make it clear that I support the expansion of title I so as to increase the medical care available to old-age recipients, because I have been unable to secure the adoption of a program which I regard sounder.

But, Mr. President, we should endeavor to reduce the number of persons in need of this type of assistance.

That is the purpose of the Anderson amendment. Indeed, that was, and is, the purpose of the Social Security Act, and it has been most effective in that regard. The provisions of the committee bill relating to medical care go in the opposite direction. Should the committee bill prevail, without the Anderson amendment, we will have more, rather than fewer, people on the welfare rolls.

Much is made of the "voluntary" aspects of the provisions of the committee bill. But in what way they are more voluntary is not readily apparent. Taxes are no more voluntary when paid into the general fund or to a State than when paid into the social security fund.

I do not know of any taxes which are voluntary; to me, they all seem to be a bit compulsory. Perhaps the committee bill is voluntary in the sense that taxpayers in all States will pay for a program that will operate only in some of them. Perhaps there is some moral value in inducing citizens to volunteer a claim to poverty, but, if so, I am unable to perceive it.

The real question, Mr. President, is whether we shall have a broadly based program which will make available to the great mass of the aged the assurance of adequate medical care, a program in which individuals can participate without loss of dignity and self-respect. If this objective is to be met, we must enact a measure providing benefits to which the individual may become entitled as a matter of right, without the necessity of submitting to the humiliation of a means test.

I urge the Senate to approve the amendment which the junior Senator from New Mexico and others, including the junior Senator from Tennessee, have offered.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded.

The PRESIDING OFFICER (Mr. ANDERSON in the chair). Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 6871) to amend title III of the Public Health Service Act, to authorize project grants for graduate training in public health, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HARRIS, Mr. ROBERTS, Mr. RHODES of Pennsylvania, Mr. BENNETT of Michigan, and Mr. SCHENCK were appointed managers on the part of the House at the conference.

RECESS UNTIL 10 A.M. TOMORROW

Mr. GORE. Mr. President, under the order previously entered, I move that the Senate stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 9 o'clock and 55 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Tuesday, August 23, 1960, at 10 o'clock a.m.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 22, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Amos 5: 14: *"Seek good, and the Lord shall be with you."*

O Thou ever-gracious God, who art far beyond the reach of our finite minds and yet within the heart of the humble and lowly, bless and sanctify all our worthy plans and desires with which we have entered this Chamber.

Grant that in the stress and strain of life we may be kind and considerate toward one another, remembering that each is often engaged in a tremendous struggle and frequently walks a lonely way.

Give wisdom to our minds, strength to our wills, and peace to our hearts as we incline ourselves to hear and heed the accents of our Master's voice calling us to establish the spirit of reconciliation and good will among all men.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, August 19, 1960, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 7263. An act for the relief of Edward Ketchum; and

H.R. 8860. An act to stabilize the mining of lead and zinc by small domestic producers on public, Indian, and other lands, and for other purposes.

The message also announced that the Senate had passed, with amendments

in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 270. An act to amend title 38, United States Code to increase the rate of special pension payable to certain persons awarded the Medal of Honor, and for other purposes; and

H.R. 5068. An act to amend the Shipping Act, 1916, to provide for licensing independent foreign freight forwarders, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 511. An act for the relief of the estate of Eileen G. Foster;

S. 2917. An act to establish a price support level for milk and butterfat;

S. 3855. An act to increase the authorization for appropriations for the President's mutual security contingency fund for the fiscal year 1961, and for other purposes; and

S. 3861. An act to provide for assistance in the development of Latin America and in the reconstruction of Chile, and for other purposes.

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the Joint Select Committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 61–1.

CALL OF THE HOUSE

Mr. ROGERS of Colorado. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 183]

Anderson, Mont.	Grant	Murray
Ashley	Hébert	Norrell
Baumhart	Hess	O'Hara, Mich.
Berry	Holifield	Preston
Bolling	Kilburn	Rogers, Mass.
Chamberlain	King, Calif.	Smith, Kans.
Collier	McSween	Staggers
Davis, Tenn.	Magnuson	Taylor, N.Y.
Dawson	Metcalf	Teague, Tex.
Durham	Miller, George, P.	Withrow
Gallagher	Mitchell	

The SPEAKER. On this rollcall 397 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATION BILL, 1961

Mr. ROONEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11666) making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1961, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New York? The Chair hears none, and appoints the following conferees: Messrs. ROONEY, SIKES, CANNON, BOW, and TABER.

PUBLIC WORKS APPROPRIATION BILL FOR THE FISCAL YEAR ENDING JUNE 30, 1961

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 12326) making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Tennessee Valley Authority and certain study commissions, for the fiscal year ending June 30, 1961, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? The Chair hears none, and appoints the following conferees: Messrs. CANNON, RABAUT, KIRWAN, JENSEN, and TABER.

CURRENT STATUS OF THE APPROPRIATION BILLS FOR THE SESSION, AS OF AUGUST 22, 1960

Mr. CANNON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, on the eve of final stages of consideration of the remaining appropriation bills of the session, I include for information of the membership down-to-date comparison of the totals of the bills with the President's budget requests.

Necessary upward revision of the defense bill in some particulars following Khrushchev's wrecking of the summit conference is the principal reason the total of the 14 bills enacted thus far is only nominally below the President's requests. As the following table discloses, they are below the budget estimates of appropriations by $4,330,575.

But the remaining bills afford opportunity to make substantial savings. Characteristically, the other body has hiked them far above the House totals. They ought to be drastically reduced from their present improvident peak. One simple but shocking statistic alone justifies the statement and dictates the direction: This morning's Treasury statement shows that the Federal public debt has increased more than $20 billion in the last 7 years, most of it resulting from spending above income for nondefense items.

The tabulation follows; it does not include any "back door" appropriation measures:

Status of the appropriation bills for the 86th Cong., 2d sess., as of Aug. 22, 1960

	Bills compared with House	Bills compared with budget estimates
Net total for the 14 session bills enacted		−$4,330,575
Loan authorizations		(+211,400,000)
Pending:		
1. Labor-HEW, as passed by the Senate	+$301,766,200	+465,566,950
2. State-Justice-Judiciary, as passed by the Senate	+41,704,340	−14,761,248
3. Public works, as passed by the Senate	+115,211,620	+25,869,425
Subtotal	+458,682,160	+472,344,552
4. Mutual security, as reported by Senate committee	+399,304,000	−292,650,000
As the bills now stand	+857,986,160	+179,694,552
Loan authorizations		(+211,400,000)

NOTE.—Supplemental bill is yet to come.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

AUGUST 15, 1960.

The Honorable the SPEAKER,
House of Representatives.

SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's office on August 1, 1960, and said to contain the 41st Report to Congress on Lend-Lease Operations for the year ending December 31, 1959.

Respectfully yours,

RALPH R. ROBERTS,
Clerk,
U.S. House of Representatives.

LEND-LEASE OPERATIONS FOR THE CALENDAR YEAR 1959—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. 429)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed with illustrations:

THE WHITE HOUSE, *July 29, 1960.*

To the Congress of the United States:

I transmit herewith the 41st Report to Congress on Lend-Lease Operations for the calendar year 1959.

During the year under review, collections and credits on lend-lease accounts amounted to $32,581,446.31. In addition, 804,000 fine troy ounces of lend-lease silver were returned to the United States. (This figure does not include shipments reported to contain 4,587,687 fine troy ounces which had not been assayed by the close of 1959.)

During the final part of the year, the Union of Soviet Socialist Republics accepted the United States proposal to resume negotiations on a settlement for some of the lend-lease aid received from the United States prior to V–J Day. Discussions began on January 11, 1960, and were discontinued on January 27, 1960, because agreement could not be reached on a common ground for continuing.

More details on this and other lend-lease items are contained in the report.

DWIGHT D. EISENHOWER.

(Enclosure: 41st Report to Congress on Lend-Lease Operations.)

FOURTH ANNUAL REPORT ON OPERATION OF TRADE AGREEMENTS PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. 447)

The SPEAKER laid before the House the following message from the President of the United States which was read, and, together with the accompanying papers, referred to the Committee on Ways and Means and ordered to be printed with illustrations:

To the Congress of the United States:

I hereby transmit the fourth annual report on the operation of the trade agreements program, pursuant to section 350(e)(1) of the Tariff Act of 1930, as amended.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *July 1, 1960.*

FOURTEENTH ANNUAL REPORT, U.S. OPERATIONS IN THE UNITED NATIONS DURING 1959—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. 378)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs, and ordered to be printed with illustrations:

To the Congress of the United States:

Pursuant to the United Nations Participation Act, I transmit herewith the 14th annual report, covering U.S. participation in the United Nations during the year 1959.

Once again in 1959 the United Nations demonstrated its value in promoting the goals of peace which the people of the United States hold in common with the great majority of the peoples of the world. Especially significant were United Nations actions in response to a request for help from Laos; in promoting cooperation in the peaceful use of outer space; in furthering the economic and social welfare of peoples in rapidly or newly developing nations; and in guiding and assisting the rapid, historic evolution of dependent peoples toward self-government or independence.

1. When the Kingdom of Laos asked the help of the Security Council in preserving its freedom and independence, the Council dealt with the situation swiftly and effectively. Its decision to send a subcommittee to Laos provided a tranquilizing influence and was followed by further important steps.

The crisis developed from attempts by the Communist bloc to subvert the independence of Laos. Rebel forces within the country were receiving active support from the Communists in north Vietnam. Communist propaganda emanating simultaneously from Hanoi, Peiping, and Moscow sought to confuse world opinion.

In these circumstances, the Lao Government appealed to the United Nations for assistance. Over Soviet opposition the Security Council adopted a resolution introduced by the United States establishing a fact-finding subcommittee consisting of Argentina, Italy, Japan, and Tunisia.

This subcommittee visited Laos to obtain the facts of the situation at first hand. Its presence there immediately had a quieting effect. Fighting abated, and the threat to the nation's independence was reduced.

After completing its inquiry the subcommittee issued a report on its findings which helped the Security Council and world opinion to understand better the danger confronting Laos.

In November Secretary-General Hammarskjold visited Laos. He reached the conclusion that one way to speed the return of stability to Laos was to provide international aid and guidance in economic development. He later sent a personal representative, Mr. Sakari Tuomioja, a former Prime Minister of Finland and Executive Secretary of the Economic Commission for Europe, to consider how the United Nations could best assist Laos in this field. Before the end of the year Mr. Tuomioja completed a report recommending a broad economic and technical assistance program for the development of the country.

The Security Council's action on Laos also opened up new possibilities for action in the Security Council free of the veto. In establishing a subcommittee in spite of an attempted Soviet veto, the Council showed that it would not allow the use of the so-called double veto to prevent it from taking a step which was clearly procedural under the Charter.

2. Peaceful cooperation in the realm of outer space took an important step forward in December 1959 when a new United Nations Committee on the Peaceful Uses of Outer Space was established by the General Assembly. This step resulted from extensive discussions at the United Nations among representatives of the United States, the Soviet Union, and other interested states. Thereby new possibilities have been opened for cooperation in a field which, like that of atomic energy, promises widespread benefits to mankind.

The basis for this forward step was laid when the original Ad Hoc Committee on the Peaceful Uses of Outer Space was set up by the General Assembly in December 1958. This Committee met in May and June. It prepared a valuable report which described existing international interests in this field, suggested technical areas where international cooperation could immediately contribute to progress, and identified potential legal problems.

However, the Committee had to conduct its work without the participation of the U.S.S.R., Czechoslovakia, and Poland, who refused to accept the General Assembly's decision on composition of the Committee. India and the United Arab Republic thereupon also declined to attend. Nevertheless, the Committee under the able chairmanship of Japan was able to perform much useful exploratory work, and its report provided a sound basis for further consideration of the peaceful uses of outer space during the 14th session.

In December, after long negotiations at the 14th session of the General Assembly, the Soviet Union decided to participate in a new Outer Space Committee of 24 members. The General Assembly thereupon established this new group and asked it to study outer space programs which might appropriately be undertaken under United Nations auspices and the nature of legal problems that might arise in outer space.

The General Assembly also assigned to the Outer Space Committee responsibility for working out proposals for an international scientific conference of members of the United Nations and the specialized agencies on the peaceful uses of outer space, to be held in 1960 or 1961. The Soviet Union's suggestion of such a conference was immediately welcomed by the United States. It can bring about an important exchange of knowledge in both the science and the technology of outer space.

3. Again in 1959 the General Assembly gave expression to the widespread desire for a sound and workable system of controlled disarmament, and showed its interest in the efforts of the powers principally involved to work out such a system.

In August 1959 the United States, France, the United Kingdom, and the Soviet Union agreed to set up outside of the United Nations framework a new 10-nation Committee to explore possible avenues by which progress might be made in the disarmament field. In addition to these four states its membership includes Bulgaria, Canada, Czechoslovakia, Italy, Poland, and Rumania. It first convened at Geneva in March 1960.

In announcing the formation of this group, the four countries emphasized that the establishment of this Committee "in no way diminishes or encroaches upon the United Nations responsibilities in this field." They also made clear their intention to keep the United Nations Disarmament Commission informed of the progress of the deliberations and to submit reports to it regularly.

Disarmament took up a major part of the debates of the 14th General Assembly. Altogether, the Assembly heard the views of the 65 member states, including those of the United States, United Kingdom, France, and the Soviet Union. A resolution was unanimously adopted which expressed the hope that "measures leading toward the goal of general and complete disarmament under effective international control" would be agreed upon in the shortest possible time. The resolution also transmitted various disarmament proposals, including those

of the Soviet Union and the United Kingdom, to the new 10-nation group for its consideration. Also submitted to this group was an Irish proposal calling for study of the problem of further dissemination of nuclear weapons.

Two resolutions were passed relating to nuclear weapons tests. The first, addressed to the three powers negotiating in Geneva for an end to such tests, urged them to continue their efforts to reach an agreement "including an appropriate international control system," and meanwhile to continue their present voluntary discontinuance of nuclear testing. The other resolution requested France not to hold its scheduled tests in the Sahara.

4. The tragedy of Communist China's actions in Tibet confronted the United Nations with a serious challenge.

In early March world opinion was shocked by the brutal actions of the Chinese Communists in their efforts to impose communism on Tibet by force. Later the Dalai Lama, the spiritual and temporal leader of the Tibetan people, was forced to flee. From his asylum in India he appealed to the United Nations to consider the plight of his countrymen.

The situation in Tibet was of direct concern to the General Assembly in fulfilling its charter responsibility to promote universal respect for fundamental human rights and freedoms. Over the opposition of the Soviet Union the Assembly adopted a resolution sponsored by Malaya and Ireland in which it expressed its grave concern over the situation in Tibet and called for respect for the fundamental human rights of the Tibetan people and for their distinctive cultural and religious life.

5. The United Nations once again gave attention to the continuing repression of the people of Hungary.

Both the Soviet Union and the Hungarian regime have consistently refused to permit the United Nations special representative on Hungary, Sir Leslie Munro, to enter Hungary on behalf of the United Nations. In spite of this intransigent attitude, he compiled an impressive report on current conditions in Hungary which, among other matters, noted that Hungarian patriots of 1956 were still being put to death.

On the initiative of the United Nations special representative and the United States, the General Assembly again placed the question of Hungary on its agenda. The Soviet delegate strongly opposed inscription of an item on Hungary, claiming that it would be contrary to what he called the spirit of Camp David—a theme which the Soviet Union sought to exploit throughout the session.

Ambassador Lodge immediately and correctly replied that nothing took place during discussions at Camp David with Premier Khrushchev which would require the United Nations to ignore or condone what was happening in Hungary. He emphasized that if the Soviet Union wished to live up to the spirit of Camp David it should abide by the United Nations resolutions on Hungary and cooperate with Sir Leslie Munro in his efforts to carry out his mandate.

The United States, together with 23 other nations, introduced a resolution deploring the disregard of the Assembly's resolutions by the Soviet and Hungarian authorities and calling upon them to cooperate with the United Nations representative. This resolution was adopted by a large majority. In addition, the Assembly once again refused to accept the credentials of the representatives of the Hungarian regime. Together, these actions demonstrated the world community's indignation over the continued Soviet-inspired repression in Hungary.

6. The problem of the future of approximately 1 million Arab refugees from Palestine, most of whom are now in Jordan, the Gaza strip, and Lebanon, has been a matter of concern to the United Nations since 1949.

This problem required thorough reexamination by the General Assembly in 1959 because the mandate of the United Nations Relief and Works Agency for Palestine Refugees was due to expire June 30, 1960. The United States has continued its substantial support for this major United Nations activity in the interest of the well-being of the refugees and the stability of the area. UNRWA has done an effective job in providing relief to the refugees at a low per capita cost.

The Assembly took several constructive steps in an effort to better the present situation and to find a solution to this pressing problem. It unanimously extended UNRWA's mandate for 3 years with provision for a review at the end of 2 years. It urged the acceleration of programs to make more of the refugees self-supporting. It asked that irregularities in the distribution of relief rations be stopped. Finally, it requested the Palestine Conciliation Commission to make further efforts to secure the implementation of the Assembly's decision in 1948 that the refugees wishing to return to their homes and to live at peace with their neighbors should be permitted to do so and that compensation should be paid for property left behind by those not choosing to return.

The United States stressed during the debate that a fundamental solution of the problem must be sought by all available means.

7. The Assembly made a further significant contribution to stability in the Middle East by voting continued support for the United Nations Emergency Force.

UNEF consists of about 5,000 soldiers from seven countries, patrolling the armistice demarcation lines between the Egyptian part of the United Arab Republic and Israel. It is a remarkable demonstration of what international cooperation can do to help keep the peace.

The cost of maintaining UNEF is the collective responsibility of all member nations who are assessed for its upkeep on the basis of their contributions to the regular budget of the United Nations. However, the Soviet Union has refused to pay any of its share. A number of member states have found difficulty in paying even small amounts. In an effort to reduce the burden on these countries, the United States and a few other countries have made voluntary contributions over and above their regular shares during the past few years.

At its last session the Assembly adopted a resolution under which the voluntary contributions amounting to about $3.5 million will be applied to reduce by 50 percent the assessments of members beginning with those with the smallest assessments.

For our part, the United States will continue to support UNEF because we firmly believe it constitutes a major bulwark of peace in the Middle East.

8. The review and possible revision of the United Nations Charter continue to attract considerable interest.

With the full support of the United States, the General Assembly decided again at its 14th session to continue its Committee on Arrangements for a Charter Review Conference and asked the Committee to report again no later than the 16th session of the Assembly. The United States continues to favor the holding of a review conference whenever a substantial majority of the member states believe that the international climate is conducive to constructive review.

9. As at the 13th and earlier sessions, the Assembly, once again by a sizable majority, decided not to consider the question of Chinese representation. As a result, the position of the Government of the Republic of China in the United Nations was maintained.

10. The General Assembly also once again reaffirmed its desire, against Soviet opposition, to bring about the unification of Korea on the basis of genuinely free elections under United Nations supervision.

11. The United Nations contributed further in 1959 to progress for dependent peoples toward the charter goal of self-government or independence. In recognition of the rapid progress they have made, the General Assembly acted to terminate United Nations trusteeship in three trust territories in Africa—Cameroun, Togoland, and Somalia—as well as in Western Samoa in the Pacific. The first to achieve independence was Cameroun. A distinguished U.S. delegation headed by Ambassador Lodge attended the Cameroun inaugural ceremonies on January 1, 1960.

In six other trust territories the United Nations trusteeship system continues to encourage progress in advancing the people toward self-government or independence.

12. It is especially gratifying for Americans that the General Assembly, in reviewing the progress of dependent territories throughout the world, commended the United States for bringing about full statehood for Hawaii and Alaska. On July 4, 1959, the new 49-star American flag was raised at the United Nations, and the 50-star flag replaced it this July.

13. Multilateral action for economic advancement of underdeveloped countries was given added impetus in 1959 as a result of a series of developments in which the United States took an active and leading role.

The financial resources of the International Bank for Reconstruction and Development were doubled and the capital of the International Monetary Fund was increased by 50 percent. The United States, pursuant to congressional action, has increased its subscriptions to these two international financing institutions.

The Board of Governors of the World Bank approved the U.S. proposal to establish an International Development Association as an affiliate of the Bank. We hope that this institution, which is designed to assist the underdeveloped countries by financing long-term, low-interest projects which cannot be considered by the Bank under its charter, will become operational in the latter part of 1960.

The United Nations Special Fund, which resulted from the initiative of the United States, began its operations on January 1, 1959, with pledges totaling about $25.8 million, of which the U.S. contribution amounted to about $10.3 million. Pledges for 1960, including the U.S. share, will total an estimated $38.8 million—half again as much as in the first year.

The Special Fund added significantly to the effective work of the United Nations technical assistance program which conducted its activities in 1959 with financial resources amounting to about $29.7 million. The United States contributed about $11.9 million of this amount.

The United Nations is a growing organization—growing both in membership and in maturity. Each year it has been confronted with new issues and, in meeting them, has demonstrated anew what great value it has, for man in his quest for peace with justice. Given our sustained and vigorous support, it will continue to advance the interests of the American people and of free nations everywhere.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 16, 1960.*

ANNUAL REPORT OF OFFICE OF ALIEN PROPERTY, FISCAL YEAR 1959—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce:

To the Congress of the United States:

I transmit herewith, for the information of the Congress, the Annual Report of the Office of Alien Property, Department of Justice, for the fiscal year ended June 30, 1959.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 15, 1960.*

REPORT ON PEACE AND STABILITY IN THE MIDDLE EAST—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. 448)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I am transmitting herewith the fifth report to the Congress covering activities through June 30, 1960, in furtherance of the purposes of the joint resolution to promote peace and stability in the Middle East. This report supplements earlier reports forwarded to the Congress.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 15, 1960.*

TWELFTH SEMIANNUAL REPORT ON ACTIVITIES UNDER PUBLIC LAW 480—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. 449)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Agriculture and ordered to be printed:

To the Congress of the United States:

I am transmitting herewith the 12th semiannual report on activities carried on under Public Law 480, 83d Congress, as amended, outlining operations under the act during the period January 1 through June 30, 1960.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 10, 1960.*

LEGISLATIVE PROPOSALS — MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House a message from the President of the United States, which was read, and referred to the Committee of the Whole House on the State of the Union.

(For President's message, see Senate proceedings of August 8, 1960, pp. 15912–15913.)

COMMITTEE ON PUBLIC WORKS

The SPEAKER laid before the House the following communication, which was referred to the Committee on Appropriations:

AUGUST 17, 1960.

Hon. SAM RAYBURN,
The Speaker,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Public Works has approved the work plans transmitted to you which were referred to this committee. The work plan involved is: State, Texas; watershed, Plum Creek, Executive Communication No. 2395; committee approval, June 30, 1960 (subject to approval by Bureau of the Budget, which was given on August 15, 1960).

Sincerely yours,

CHARLES A. BUCKLEY,
Member of Congress,
Chairman, Committee on Public Works.

PERSIMMON AND BURNT CORN CREEK WATERSHED, MISS., ET AL.

The SPEAKER laid before the House the following communication, which was read by the Clerk, and referred to the Committee on Appropriations:

HOUSE OF REPRESENTATIVES, U.S.,
COMMITTEE ON AGRICULTURE,
Washington, D.C., July 5, 1960.

Hon. SAM RAYBURN,
The Speaker,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Agriculture on June 24, 1960, considered the work plan transmitted to you by Executive Communication 2182 and referred to this committee and unanimously approved the work plan for Persimmon and Burnt Corn Creek watershed, Mississippi.

On July 1, 1960, the Committee on Agriculture considered the work plans transmitted to you by Executive Communication 2306 and referred to the Committee on Agriculture and unanimously approved the work plans for East Keechi Creek watershed, Texas, and French Lick Creek watershed, Indiana.

Sincerely yours,

HAROLD D. COOLEY,
Chairman.

IN RE ELECTION OF HON. ROY A. TAYLOR (H. DOC. 450)

The SPEAKER. The Chair laid before the House the following communication from the Clerk of the House, which was read and referred to the Committee on House Administration and ordered to be printed:

AUGUST 18, 1960.

The Honorable the SPEAKER,
House of Representatives.

SIR: From the returned Member, the Honorable ROY A. TAYLOR, the Clerk has received a communication in which certain questions are raised with reference to an attempt to contest his election as a Member of the House of Representatives at a special election held on June 25, 1960, in the 12th Congressional District of North Carolina.

Questions here raised relate to the laws governing contested election cases in the House of Representatives. Since the House alone may determine the matter here presented, this communication is transmitted herewith for the consideration of the appropriate committee.

Very truly yours,

RALPH R. ROBERTS,
Clerk,
U.S. House of Representatives.

THE LATE HONORABLE USHER L. BURDICK

The SPEAKER. The Chair recognizes the gentleman from North Dakota [Mr. SHORT].

Mr. SHORT. Mr. Speaker, Members of the House have been saddened to learn that a former Member of Congress from North Dakota, the Honorable Usher L. Burdick passed away at Sibley Memorial Hospital here in Washington last Friday evening after a brief illness. I know that many of the Members of the House have counted Usher Burdick as a close friend over the past 25 years.

Mr. Burdick was married to Emma C. Rasmussen in 1901, and from this union

three children were born, who are now all distinguished citizens. QUENTIN, our former colleague, and now a U.S. Senator, Eugene, a prominent Williston, N. Dak., attorney and district judge, and Eileen, now Mrs. Robert Levering, of Mount Vernon, Ohio. Mr. Burdick is also survived by his wife of the past 2 years, Mrs. Jean Rogers Burdick.

Usher Burdick, as many of you who knew him well know, was truly an unusual individual. Possessed of a brilliant mind and an unusually ready wit, he was known far and wide for his stories of the West in the early days, and he became nationally recognized as an authority on Indian history.

Usher L. Burdick was born near Owatonna, Minn., on February 21, 1879, and moved with his parents to a farming community near the Fort Totten Indian Reservation in North Dakota in 1882. It was here that Mr. Burdick's first knowledge of and interest in the American Indians began. This interest was to continue during his entire life.

Mr. Burdick's unusual abilities began to evidence themselves during his student days at the University of Minnesota. In 1903 and 1904 he was a star end on the University of Minnesota football team which during those years was the Big Ten champion.

After his graduation from the University of Minnesota in 1904, Usher Burdick returned to Munich, N. Dak., and set up a law practice. His political career began in 1907 when he was elected to the North Dakota State House of Representatives. He was reelected in 1909 and demonstrated again his unusual character and ability by being elected speaker of the house. That year, at the age of 27, he had the distinction of being the youngest speaker in the United States. He was elected Lieutenant Governor of North Dakota in 1911. He practiced law and operated a ranch near Williston, N. Dak., until 1934, when he was elected to Congress and served there continually, with the exception of the 79th and 80th Congresses, until his retirement in 1958.

It is most interesting to note here that Usher Burdick was succeeded in Congress in 1958 by his son QUENTIN, our former colleague, and now a U.S. Senator from North Dakota. In this same election, Mr. Burdick's son-in-law, our distinguished colleague, the Honorable ROBERT LEVERING, of Ohio, husband of Eileen Burdick, was elected to Congress. I have not checked the record, but it has not often happened certainly that a former Member of Congress had a son and a son-in-law elected to Congress in the same year.

Former Congressman Burdick was one of the last of the old school farm State Members of Congress. Always a member of the nonpartisan league wing of the Republican Party in North Dakota, he was a stanch supporter of agriculture and the farmer. A host of friends in North Dakota and throughout the entire country will be saddened at the passing of this genial, likable, unusual individual who has for so many years played such an important part in the North Dakota political scene.

Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days in which to extend their remarks on the life of Usher Burdick.

The SPEAKER. Is there objection?

There was no objection.

Mr. SHORT. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SHORT. I yield.

Mr. McCORMACK. Mr. Speaker, the death of my valued friend, and our former colleague, Usher L. Burdick, takes from our midst one of our Nation's most dynamic and colorful figures.

His life was one of the most interesting and inspiring of anyone I have ever met.

Usher Burdick connected America of modern days with America of the transitory period of the opening and development of the western part of our country.

Student, author, lawyer, a man of the soil, dedicated public official, and in this great body, "a people's Congressman," Usher Burdick was always an independent and a constructive figure.

In committee, or in addressing the House, he always commanded attention and deep respect.

Usher Burdick was a good man, imbued with a deep love of mankind.

Usher Burdick was a great American, as he evidenced on so many occasions throughout his long and honorable career.

His imprint on the pages of legislative history of our country will always be a memory to his service in this body.

While Usher Burdick has left us, his noble spirit will always live.

To the people of North Dakota in particular, he will always remain in their memories as one of their outstanding sons.

In the passing of Usher Burdick, I have lost one of my closest and most valued friends. Usher Burdick and I became very close to each other during our years of service in this body.

I shall miss him very much.

To his loved ones left behind, I extend my deep sympathy in their great loss and sorrow.

Mr. SHORT. I thank the distinguished majority leader.

Mr. MEADER. Mr. Speaker, will the gentleman yield?

Mr. SHORT. I yield.

Mr. MEADER. Mr. Speaker, I should like to join those paying tribute to the late Usher Burdick. I had the privilege of sitting next to him on the Judiciary Committee during the 83d Congress. I enjoyed my association with him there, as well as other associations with him as a colleague in the House of Representatives.

I notice the gentleman mentioned that Usher Burdick was a football player for the University of Minnesota in 1903 and 1904. I remember having lunch with him one day and he told me that he started from North Dakota to join the famous point-a-minute football team of the University of Michigan headed by Willie Heston and Shorty Longman, but when he got as far as Minneapolis he ran out of money and went to Minnesota instead.

I am sure we all remember the great contribution he made in the House of Representatives with his humor, his wit, his understanding of human beings, and his stalwart championship of the principles in which he believed.

I wish to join in extending condolences to Usher Burdick's family.

Mr. LANE. Mr. Speaker, will the gentleman yield?

Mr. SHORT. I yield.

Mr. LANE. Mr. Speaker, some men are respected for their character; others are admired for their talent; or feared because of their power; but only the rare few are loved for their outgoing humanness.

Raised in North Dakota, where a man had to be self-reliant to survive the challenges of the frontier, and where human contacts were few and precious, Usher L. Burdick learned the saving grace of humor that won the affection and confidence of people, even when he first arrived in the crowded and sophisticated environment of Washington, more than 25 years ago.

He was roughhewn yet kind; and in his genial philosophy we sensed a wisdom that transcends the trials and tribulations of this life. He made friends without conscious effort, and he kept them. We relaxed in the company of our good colleague who had the knack of simplifying the knottiest problems with his down-to-earth observations and his homespun sense of humor.

Usher's ancestors were among the first settlers of Rhode Island, and the independent, pioneering urge was strong in them. Later generations of the family moved westward to the Dakota Territory where Usher grew up close to the Sioux Indian Reservation. He knew the breadth of our Nation and its eager search for new horizons.

He was elected to Congress in the depths of the depression, and during the many years that he served in the National House of Representatives he inspired us with his immortal faith in freedom and in the humanitarian purposes and goals of the United States.

He lived a long and useful life, but he never grew old. At 81, he was young in mind and in spirit, restless to move forward and participate in the unfolding greatness of our Nation that would be realized tomorrow.

Our friend of many years and our former colleague passed away on August 19, but memories of his radiant spirit will accompany us as long as we live. For Usher Burdick, with confidence in his fellow human beings, and in the prospects of a happier world that can be created through mutual trust and cooperation, represented the best qualities of his neighbors—the American people.

To his widow, Jean, and to his family, including Senator QUENTIN BURDICK, we send our sincere condolences. As time eases the burden of their sorrow, we know that they will be comforted and strengthened by proud memories of Usher L. Burdick, and the life he devoted to the service of the public.

Mr. O'HARA of Illinois. Mr. Speaker, I was deeply grieved when I read of the passing of Usher Burdick. He was one of my dearest friends. When he retired from the Congress I felt that his leaving marked the end of an era. It was an era of towering individuals who spoke the language and who championed the causes of little people and of big people whenever they were the causes of right that met the measure of the democratic concept. While Usher Burdick was elected as a Republican there were few times in the 81st Congress, the first Congress to which I, as a Democrat, was elected, that the vote of the gentleman from North Dakota and the vote of the gentleman from Illinois was not identical. He was in every sense a great American. His influence in this Chamber will be felt for many years to come. His name will stand as a synonym for old-fashioned Americanism in its finest quality and in its highest expression.

His service to his country and to his fellow man had a recognition that has been given to few in the history of the Congress. The year that he retired both his son and his son-in-law were elected to seats in the Chamber in which so long he had been a vibrant force. Just a few days before he died he was in the other Chamber, a witness to the swearing in of his son as a Senator of the United States of America. His cup of joy must have been overflowing, and I am certain that as the breath of life was leaving him, he knew that all was well with his beloved country and that the things for which he had stood and fought would continue to have in those of his blood the same kind of championing that in his life he had given. I have lost a close and beloved friend. America and the world have lost one they could ill afford to lose. My warmest sympathy I extend to the members of his family.

Mr. LIBONATI. Mr. Speaker, the political sages of the pioneer days of our country's political calendar are fading into the life shadows of the past. Our friend Usher Lloyd Burdick, brilliant legislator, lawyer and humanitarian has passed to his immortal destiny.

As a two-fisted protagonist he leveled his opposition both on the football field and in the political arena. He climbed the political ladder in true American fashion. College trained at the University of Minnesota Law, 1904, he taught school, practiced law and served as a State legislator in North Dakota 1907–11; serving as speaker 1909; Lieutenant Governor 1911–13; State's attorney of Williams County 1913–15; assistant U.S. district attorney 1929–32. Elected to 74th Congress through the 78th; 81st through the 85th; and retired.

He was an independent in politics. His early life among the Sioux—lived in a farming community bordering the Sioux Reservation at Fort Totten—gave him a political impetus in his political life that sustained his growing pluralities. He was a kindly person and did much to alleviate the sufferings and deprivations practiced upon them by selfish men in the agencies. We have lost a great American and a true patriot. The great love of this great man is reflected by the loyalties of his constituency to his distinguished son, QUENTIN, who succeeded him in the Congress and was recently elected to the Senate. We, of the delegation from Illinois, extend to his distinguished family, Attorney Eugene Allen and Mrs. Eileen Levering—wife of Congressman Robert W. Levering, of Ohio—and to his wife, Jean Rogers Burdick, our heartfelt condolences in their sadness.

Mr. ALBERT. Mr. Speaker, I join the gentleman from North Dakota [Mr. SHORT] and other colleagues in their tribute to one of the ablest and most colorful Members who ever served in this body. A big man—big in body, heart, and mind—Usher Burdick represented all of the best in human character found in those who tamed the West. He was my friend, and I admired him as I have admired few men. To his children—one of whom is a distinguished Member of the Senate and until recently a distinguished Member of the House and another the wife of the distinguished colleague from Ohio, Mrs. Robert Levering—and to his widow I extend my deepest sympathy in this hour of their bereavement.

Mr. RAYBURN. Mr. Speaker, in the passing of Usher Burdick, a former Member of this House, the country has lost one of the most remarkable men it has ever been my privilege to know. He was a rugged and fearless man. He served well his day and generation and promoted his country's welfare. He was bold; he was intelligent; he had character of the highest type. I always enjoyed sitting in the chair and listening to his remarks from the floor. He was a big man in physical stature and a big man in brain, a pair. He knew how to be a friend and he was my friend, and I was his. To his two sons and his daughter, I express my deepest and sincerest sympathy.

Mr. PATMAN. Mr. Speaker, Usher L. Burdick will always merit a special chapter in the history of our Nation. Indeed, the history of the Nation itself is not the same as it would have been had Usher Burdick not played so large a part in shaping it.

By the normal rules of calculation, we consider that a man who has lived a span of 81 years, and lived them to the fullest, as Usher Burdick did, has not died prematurely. But when we lose a man of Usher Burdick's rare greatness, our loss is necessarily premature. The work of such a man is never done, and there are all too few with the capacity to follow in the giant strides of such a man.

I shall always know that one of the great good fortunes in my life has been to know Usher Burdick. I have known him and admired him since he first came to Congress in 1934. To know him was to admire him and to love him. Even those among us who were at opposite poles with Usher Burdick's social and economic views have deeply admired him for the scope of his intellect, the complete independence of his mind, the stoutness of his heart, and most of all, for his capacity never to lose sight of the cause of justice.

Usher Burdick always liked to think of himself as a country boy. In truth, he was highly sophisticated in his knowledge of the ways of the world. With his tremendous intellect and his great capacity for work, he became the master of many technical subjects. What made him a country boy was that he used this knowledge always for the same purpose which drove him to acquire knowledge, which was to fight the cause of the everyday people he was here to represent. I have never known a man whose mind and heart were at all times more completely identified with the people who elected him to public office. It was this devotion to his people, I think, that was the source of his simplicity, his humility, his strength—indeed, his rare greatness.

Mr. MARSHALL. Mr. Speaker, no more fitting eulogy could be spoken for our friend and colleague, Representative Usher L. Burdick, than the words of his son, Senator BURDICK, who said, "A great man has just died."

His death is a deep personal loss to all who knew him as a friend of great heart and a lawmaker of great integrity. His ready sense of humor was born of a genuine love of his fellow man and his forthright manner reflected his real respect for his fellow citizens.

It was my privilege to become acquainted with him soon after I came to Congress. As many have said, he was one of the most colorful men ever to serve in the Congress of the United States. When he spoke, which was seldom, he had something to say and he always had the attention of the House.

He was an able adversary in any debate. Many of us will remember his often witty but always pertinent retorts to interruptions in his speeches. His words were not wasted.

Most of all, however, I will remember him as a goodhearted man who loved his family and his countrymen. He took great pride in his sons, Quentin and Eugene, and his daughter, Mrs. Levering. To them we offer our deepest sympathy. They have every right to be proud of this man who devoted most of his long life to public service.

There was no posing about Usher L. Burdick. He knew what he stood for and never wavered in that stand. His life was rugged, but he would never have had it otherwise. He fought his battles and fought them well.

Mr. MULTER. Mr. Speaker, it was my privilege to have served in this House with Usher L. Burdick from 1948 until his retirement. I am sure that all of our colleagues who were acquainted with him will agree that this House lost an able, intelligent and most diligent Member as well as one of its most colorful, when he retired at the close of the 85th Congress. He fought courageously for his principles.

A part of the story of this great man's life is told in the following obituary which appeared in the New York Times of August 20, 1960:

USHER L. BURDICK, LAWMAKER, DIES—EX-REPUBLICAN FROM NORTH DAKOTA WAS 81—SERVED 20 YEARS IN HOUSE

WASHINGTON, August 19.—Former Representative Usher L. Burdick, who was a North Dakota Republican, died tonight. He was 81 years old.

At his bedside when Mr. Burdick died was his son, Senator QUENTIN BURDICK, Democrat of North Dakota, who took office only last week after having won a special election for the unexpired term of the late Senator William Langer.

C. J. Barry, the elder Mr. Burdick's former administrative aid, said the former legislator entered Sibley Hospital 3 days ago, suffering from a kidney ailment and a heart condition, along with other complications.

A MAVERICK IN POLITICS

Mr. Burdick was a "maverick" in Republican politics. He voted against his party almost as much as he voted for it, denounced the administration and demanded the removal of Ezra Taft Benson, the Secretary of Agriculture.

A massive man who slogged along the Capitol corridors like a man pulling a sledge through melting snow, Mr. Burdick had been a teacher, lawyer, and rancher before becoming a legislator. He was a good friend of the Indians, spoke the Sioux language and lived among them in his youth.

While attending the University of Minnesota, Mr. Burdick became a track man. It had been contended that he was too big and heavy to race. At a weight of 220 pounds, however, he hit the 100-yard tape at 10.5 seconds.

With such speed for his weight, it was decided that Mr. Burdick should go in for football. He played right end on the Minnesota team, helping it to win the Big Ten championships in 1903 and 1904.

Elected to the North Dakota Legislature, Mr. Burdick became speaker of its House. He was elected Lieutenant Governor of the State in 1911. Previously he had used his legal talents as a prosecuting attorney with many bootleg cases on his docket. He resolved that national prohibition was a mistake, and fought it until repeal.

HELD SEAT 20 YEARS

First elected to Congress in 1934, Mr. Burdick retained his seat until 1944. He then ran for the Senate and was defeated. He was re-elected to the House in 1948 and served until 1958, when he was again a candidate for re-election as Representative-at-Large.

Earlier in 1958, Mr. Burdick had announced that he would not seek office if he were opposed by his son, Quentin. The son had been endorsed by the Nonpartisan League for the House seat.

Along with many Midwestern colleagues, Mr. Burdick was an isolationist until the Japanese attacked Pearl Harbor. Then, he said, it is my country, "right or wrong."

However, Mr. Burdick still opposed many continued foreign aid programs, and one of his targets was Britain. He predicted that such grants and loans would not be paid back in substance or in any other way despite the comradeship of the programs that brought them into being.

Among the times Mr. Burdick crossed party lines, be blasted what he called Republican blunders. He introduced measures embarrassing to the party. * * *

A cattleman and farmer, Mr. Burdick engaged also to some extent in writing. He was the author of pamphlets on western history and wrote also "The Life of George Sperry Loftus," "Tales From Buffalo Land," "The Story of Fort Buford," and "The Last Days of Sitting Bull."

Mr. Speaker, we will remember him fondly and well. Our heartfelt sympathy goes out to those he left behind.

Mr. BOLAND. Mr. Speaker, today, the whole Congress and the whole Nation mourns the death of Usher Burdick who has passed away. In paying this small tribute to him, I know that I express the sorrow and regret of all who knew and revered him.

He was a very close friend of mine. During my first few years in Congress, his excellent advice and wise counsel was invaluable. Breakfast with Usher two or three times a week was an unforgettable experience during which he regaled us with his profound knowledge of the political history and development of the West. This is something which I never shall forget.

His warm heart, his devout soul, his boundless charity were characteristic of this truly good and great man. His sincere and genuine concern over the plight of the Indians whom he knew and loved so well typified this fine man.

He died as he lived, working for his fellowman, working for his God. The world has profited by his example.

Mr. ASPINALL. Mr. Speaker, I join with my colleagues in paying tribute to the life and memory of the late Usher Burdick. I became acquainted with him when I came to Congress, and throughout the years since then I have been honored and benefited by the association and counsel which he was willing to give me.

As the RECORD will show, on most of the issues which came before this great body our decisions were the same—and I would like to add that I believe they were prompted largely by like ideals and philosophy. He used to chide me in a friendly way on matters on which we differed. I personally enjoyed his friendly yet most earnest criticism. Because of this relationship I have been a better and more effective legislator.

Our late colleague and friend was a unique figure among us. He had more than the average man's share of natural talents and he used these talents effectively and in the interest of his fellowmen.

The country in general and his State in particular are richer in the real values of life because our coworker and fellow servant was allotted his long life among us. He left a heritage of ability, industry, integrity, and usefulness to an exceptionally able family. I join with you, my colleagues, in extending to the members of Usher Burdick's family sincere sympathy in this time of sorrow and bereavement.

Mr. VANIK. Mr. Speaker, permit me to join in an expression of sadness at the passing of our former colleague, the Honorable Usher Burdick, who represented the State of North Dakota for over 20 years between 1934 and 1958.

Usher Burdick was a liberal representative who spoke and voted his conscience. He knew his constituents and their problems and received their manifestation of full confidence in many public elections. He was a man of strength; he was a man of courage. As a legislator he was among those who led.

It was Providence which permitted him to witness the elevation of his distinguished son, the Honorable QUENTIN BURDICK, to the U.S. Senate as well as the election of his distinguished son-in-law, the Honorable ROBERT W. LEVERING, who with distinction represents the 17th Congressional District of Ohio in the U.S. Congress.

To the State of North Dakota, to the Nation, and to his family, Usher Burdick left an enviable record of courageous public service.

Mr. DONOHUE. Mr. Speaker, it is with a very deep sense of personal sadness and loss that I join the Members here in expressing tribute to our late distinguished colleague, Usher Burdick.

Few men that have ever served in this body will be missed as much, and none more, than this most capable and amiable man.

For 20 years, he gave the fullness of his mind, his heart, and his health in patriotic service to the people of the United States and North Dakota.

In legislative probity, he had a mind like a surgeon's knife and, as witnessed in this Chamber on innumerable occasions, he could and did, with a brief comment, project a clear understanding of the complicated significance of a major bill. Most of us here today have benefited greatly by being privileged to work within the atmosphere of his recognized practical wisdom, philosophic outlook, gentle heart, kindly wit, and genial personality.

Few men who have served in this body have contributed as much as he toward that spirit of bipartisan good will out of which comes the most constructive legislation for the public welfare.

For this contribution alone his name will remain forever high on the annals of our national legislative history.

His passing is, indeed, a great personal loss to me; he was a good and close friend. I wish to extend my heartfelt sympathy to the members of his family and assure them that Usher will long be remembered in our prayers.

Mr. FEIGHAN. Mr. Speaker, it was with regret that I learned of the passing of our former colleague, Usher L. Burdick. It was my privilege to know Mr. Burdick for many years. It was my pleasure also to serve with him as a member of the Committee on the Judiciary. He had a sense of humor, a keen mind, and the courage of his convictions. I have many pleasant memories of our association in committee as well as in the Halls of Congress.

Mr. Burdick enjoyed a long, active, useful life, and a distinguished career of public service. To his family I extend my sincere sympathy.

Mr. MCGOVERN. Mr. Speaker, the death of Usher Burdick has taken from us one of the most remarkable men in American political history.

Usher Burdick was endowed with the wit of a Lincoln and the agrarian faith of a Jefferson. His philosophy of government cut across party lines and was limited only by his faith in America and particularly the rural people of America.

I am grateful that I came to know him as a friend after my election to the Congress in 1956. He always demonstrated a special interest in his sister State, South Dakota, which it has been my privilege to represent.

When Usher Burdick's son, QUENTIN, was elected to succeed his father, I had the honor of presenting him to the caucus of Democratic Members of the House. Now QUENTIN is beginning what promises to be a brilliant service in the U.S. Senate. Usher Burdick's son-in-law, ROBERT LEVERING, of Ohio, continues the Burdick family's role in the House of Representatives.

There are many worthy traits that could be attributed to Usher Burdick. I believe, however, that most of us will cherish most fondly his salty humor and the sparkling wit that is the saving grace of American politics.

I join with my colleagues in expressing appreciation for his life and in extending sincere sympathy to his family in his passing.

Mr. LEVERING. Mr. Speaker, I rise on behalf of Mrs. Levering, Usher Burdick's only daughter, and his two sons, QUENTIN, now serving in the other body, and Eugene, a district judge in the State of North Dakota, to thank our distinguished Speaker, our majority leader and so many of my colleagues for their kind remarks and expressions of sympathy on the occasion of the death of my father-in-law who served in this body for 20 years.

I have often said, "I never knew a man like Usher Burdick." I repeat that statement today. Someone has said, "I do not think the world is ever going to give much to the man who does not surprise it now and then." On the basis of this statement, the world gave much to Usher Burdick.

I have listened with pride to the praise which came from both sides of the aisle on how the "old gent" served his country here in the Halls of the people, but I knew him best for his love of the land, good cattle, and horses. Only hours before his death, he was making plans to return permanently to the land where he learned as a boy to speak the Sioux language. I will always cherish the hours spent with him riding over his Missouri River ranch on a summer day when the sky is as blue as a baby's eyes and the clouds are as white as the first snow of winter.

My father-in-law undoubtedly enjoyed a unique distinction in being one of very few families where the mother, father, and the three children were all graduates of the University of Minnesota. Also, all of the three children are admitted to the practice of law in the State of North Dakota. Usher Burdick always recognized the need for education and its importance in the molding of a wise and intelligent citizenry.

Mr. Speaker, as has been established, Usher Burdick was a humorist of the Bill Nye school and frequently devoted his weekly newsletter to the humorous side of grim events. A noteworthy example is his eyewitness account of the shooting incident by the Puerto Ricans in the House Chamber in 1954. The late Fred Othman, Washington columnist, yielded his weekly space on one occasion to carry this humorous account to the Nation.

He was the only Member of the House who was able to identify all four of the berserk Puerto Ricans, and he testified at their trial in New York in which they were convicted. He had remained standing on the floor of the House while bullets rained about him and made a careful mental note of the description of each intruder.

Mr. Speaker, under leave to extend my remarks in the RECORD, I include the statement of Usher Burdick which he made in this body on March 11, 1954, relative to the Puerto Rican incident:

Mr. Speaker, while the revolutionists of Puerto Rico were trying to shoot down Congressmen promiscuously there were some comic incidents connected with the tragic affair.

Martin Dies, of Texas, and FRANK BOYKIN, of Alabama, were pretty much in line with bullets landing in their vicinity in the Chamber. They tried to flee to the Democratic cloakroom, and both attempted to pass through the door at the same time. They jammed in the doorway, and could not go either way. At this juncture, Martin Dies said to BOYKIN: "Who was it that just darted between us?" Finally BOYKIN got through and into the cloakroom. He announced he was going for his gun. Someone asked him where it was, and he said it was in Alabama.

Dr. MILLER, whose both legs are artificial and who walks pretty well with a cane, was in the center of the Chamber on the Republican side. Instead of ducking, he stood up, waved his cane at the gunman and shouted: "You can't do this—it's against the law."

Mr. Hale, of Maine, was more interested in the way the seats are constructed than he was in the shooting. He had tried to get his head under one of them, but a cage that holds the CONGRESSIONAL RECORD was built too close to the floor and he could not get his head under it. Before the shooting stopped he was complaining about the poor plan of construction of the seats.

T. Millet Hand, of New Jersey, tried to get down in the space below the seats, but the one he selected was already occupied by Representative CANFIELD. He was still ducking down in that vicinity when someone asked him what he did when he found the space occupied by CANFIELD. "Well," he said, "I crawled under CANFIELD."

Judge Graham, of Pennsylvania, who is about 5 feet 2 inches tall, but still large in girth, could not find a place to get into to avoid the bullets, so remained standing up. Of course, I do not think the judge would have been much protected by getting down because he would have been about as high lying down as he is standing. For some unaccountable reason he was not shot.

JOHN MCCORMACK, of Massachusetts, was at the door of the Chamber when the firing began, and TIP O'NEILL, of Massachusetts, was behind him. He is a powerful man and he wanted to see what was going on inside. He rushed at the door and shoved MCCORMACK right into the Chamber and close to the line of fire.

I did not think the firing was real until a bullet hit a seat to the right of me. The dust and splinters flew and for the first time I realized that this was the "real McCoy." I moved out of there with all possible speed and thought of getting down on the carpet, but it was so completely occupied I was prevented from doing so. The firing seemed to have ceased, and I walked down a few seats when the last of the bullets were fired. I did not see any place to go for cover, and someone asked me what I was standing for. I replied that I was looking for a gopher hole. The man said, "You could not crawl into that kind of a hole." "Oh, yes, I could," I replied. "Any common gopher hole would be big enough the way I feel now."

That was the last burst of bullets, and then we began to attend the wounded, and the attempt at assassination passed into history.

To show just what vim a few pistol shots will instill in a body like the Congress, I cite the case of the gentleman from Illinois, Mr. Bowler. Unfortunately, he is very badly crippled through a severe attack of arthritis. When the shooting began and a few bullets struck near him he rushed for the door leading out of the Chamber. Seven or eight other Members had the same notion of getting out of the Chamber at the same time. The others were not crippled, but the gentleman from Illinois, Mr. Bowler, led the "flying squadron" into the lobby, and was ahead of the whole pack. He seemed to have the stamina of a Man of War or a Whirlaway in the last stretch run.

It ran through my mind, "Just what do those rebels want to shoot us for?" My first reaction was that we were being shot at because we have given $270 billion to foreign countries, but when I heard the rebel woman shout, "Viva Puerto Rico," I became convinced that these would-be executioners believed we had been more partial to England, France, and all the other 62 countries we have helped than we had been to Puerto Rico. You know, when we start giving everything away, jealousy creeps in among the donees. This should be a lesson to us.

The bravest men in the House were the women. They did not want to plunge headlong on the floor behind a seat and muss up their clothing and hair, so they sat in their seats and let the bullets come. There must have been a spark of chivalry among the assassins, for none of the women were injured.

I think it is a shame to be assassinated in the House, although in elections in North Dakota I am rather used to that procedure. I have been opposed to an increase in pay for Congressmen. I think we should refuse to wade in and boost our own salaries while thousands of citizens do not get enough to eat. But this shooting changed my views. I would be in favor of receiving combat pay—say 5 percent—and extra pay for flight duty—say a 20-percent increase on the latter. If a Congressman has to be prepared to run every time someone tries to kill him this is flight duty and we should receive some extra pay.

All the wounded Members are recovering rapidly, and no new elections will be necessary because of this shooting melee.

Mr. RHODES of Pennsylvania. Mr. Speaker, in the death of our former House colleague, Usher L. Burdick, the Nation has lost one of its most colorful and brilliant statesmen.

It was my good fortune to be associated with him on the Post Office and Civil Service Committee after I was elected to the 81st Congress. Although we carried different party labels, our votes were much the same.

On the House floor, Mr. Burdick, with his ready wit and courage, always attracted attention when he rose to speak. He always had something important to say. All were eager to listen.

His service to his State and Nation won for him admiration and respect of all who knew him. Politically he was progressive and liberal.

He successfully opposed conservative opposition in his own party. His name in North Dakota is a byword. He was a fighter for the farmer and for the common folks of the Nation.

The election of his son, QUENTIN, as a Democrat to the U.S. Senate from North

Dakota, can be attributed to a great extent to the popularity of Usher Burdick's name in North Dakota.

QUENTIN has already indicated that he is a chip off the old block. His short but splendid record in the House and his successful campaign for the U.S. Senate gives promise of a successful career in public service.

Usher's daughter, a talented woman of strong character, is the wife of the Honorable ROBERT W. LEVERING, a Democratic Representative from Ohio.

To all members of the Burdick family I wish to express deepest sympathy on their great loss.

Mr. PHILBIN. Mr. Speaker, I am most deeply touched by the passing of my very dear and cherished friend, Hon. Usher Burdick, for many years an outstanding Member of this body.

Anything I might say about the sterling qualities, high character, superlative ability, lofty patriotism, and magnificent contributions of this great American would be most inadequate fittingly to portray one of the noblest men I have ever known.

As the Members of this House who have served with him will testify, Usher Burdick was unique. When the good Lord created him, He broke the mold. There never could be another like him.

Usher Burdick was as many sided in his interests as Benjamin Franklin, as versatile in his talents and gifts as the great Thomas Jefferson, but he had the spark of life, the elan vital about him that was seemingly without parallel. His understanding and love of humanity was deep; his friends were bound to him with hoops of steel.

Patriot of the highest order, steeped in the richest traditions of the Nation, loyal Americanism was a part of his very being. It was well illustrated in a letter he sent me just a few days before he passed "to that land from whose bourne no traveler ever returns." He wrote:

> This is the land of my ancestors, the land I have been devoted to for many years. It is a great land of freedom and I propose with all my heart to fight against its enemies whoever and wherever they may be. I will do anything to preserve our U.S. institutions, including our capitalistic system which the Communists are dedicated to destroy.

It is a demonstrated fact that there never could be a better, a finer, or nobler American than Usher Burdick. And there could never be a human being in this whole wide world more unselfishly devoted to his fellow man. His rich, varied and busy life was principally one of most unselfish service to his great State and Nation and the American people. His career was most distinguished and illustrious. He filled several high posts of most important governmental responsibility with outstanding distinction and universally acknowledged approbation.

Integrity was his precious badge of honor, an integrity as rugged and enduring and unsullied as the eternal hills of his beloved State. Intellectual honesty was his prized possession and he stood by his ideals and convictions with a tenacity and, at times, a ferocity that neutralized his enemies and inspired his friends and supporters.

A brilliant experienced lawyer, veteran of many courtroom battles, his mind was as sharp as a razor. In argument or debate he was a master of pointed satire, and a pervasive sense of humor often devastating to his opponents.

He never hesitated when he deemed it necessary to hit hard at his opponents, but he scrupulously avoided bitterness, bias, or acrimony. Throughout his long illustrious career he exhibited and exemplified a spirit of tolerance, broadness, fairness, and good sportsmanship for which he was noted in the House.

Possessed of a keen sense of humor, he was virtually without an equal as a raconteur who reveled when among his friends in recounting many humorous anecdotes in his long, busy, eventful life.

Outstanding All-American football star at Minnesota where he worked his way through college and law school, he was an instinctive sportsman and displayed deep interest in competitive games. He carried the high code of his athletic training into public life, hitting hard when the occasion required it, but always following the rules of a noble Christian gentleman and a true sportsman.

While he devoted himself to helping all the people, he had a special interest in and sincerely felt compassion and love for the American Indian. Lifelong, effective friend of the Indian in and out of Congress, thoroughly schooled in Indian lore, customs, and language, he fluently spoke several different Indian dialects.

In his last campaign just a short while ago when he successfully appealed to his former constituency of his great State in behalf of his distinguished and able son, QUENTIN, our former esteemed and beloved colleague in the House, and now U.S. Senator from the great State of North Dakota, Usher is said to have referred to some of the opposition as being so devious that "they had to sleep in round tents."

The election of his son, Senator QUENTIN BURDICK, to the U.S. Senate was undoubtedly one of the great satisfactions of his illustrious career, the crowning glory and triumph of a lifetime devoted to unselfish service to the people. In truth and fact, his joy and happiness were so great that he broke his usual taciturn and ofttimes stoic front to express his complete gratification.

A few short weeks later, after he had lived to see his beloved son take his seat in the great Senate of the United States, he was called by his Creator to his eternal reward.

His passing came as the crashing of a great oak in the forest reverberating through the Capitol, through his State, and the Nation, and reechoing again and again in so many places the depth of sorrow and grief that was felt by all upon the demise of such a great American.

Usher Burdick was a truly dedicated man, inflexibly and unalterably committed to great principles of government rather than to formal party organizations. His philosophy was primarily that which permeates the Constitution of the United States—liberty loving, peace loving, and devoted to forward-looking policies responsive to the needs, aspirations, hopes, and welfare of the American people.

Usher Burdick wore no man's collar. Fiercely independent minded and individualistic, he was an implacable foe of social injustice, profundly interested in ordinary people whose well-being and betterment always came first with him.

He sprung from early American ancestry, from a rugged country and from hard pioneer life, where the going was always tough, where luxury and ease were unknown, but he trained his great mind and widened his naturally curious interests until he encompassed an unbelievably wide range of activities.

He was a farmer and a rancher, a successful breeder of beef cattle and thoroughbred Palamino horses. He had a flair for farm business, but eschewed sharp practices.

He was a collector of old historic books and documents, and was as expert a binder as most professionals. His interest in books carried him to many places.

He was also a connoisseur of art, and he possessed at the time of his death some outstanding American masterpieces of the ranching and Indian country.

He was an avid reader and an accomplished author with several fine books to his credit, particularly his authoritative treatise on Sitting Bull.

In the Congress, he was long a powerful voice in behalf of the people of his State and the farmers of America. Steeped in the American free heritage, he opposed communism at every turn with all his heart and devoutly believed that in the great struggle now going on between communism and democracy, communism was doomed to defeat because it ignores man as an individual soul and a freedom-loving individual.

There are many facets indeed of the life of this great man, Usher Burdick, that I cannot deal with in this brief but truly heartfelt tribute to his memory. He has left us a precious legacy of loyal friendship, devoted family life, dedicated service to his fellow man and peerless Americanism.

A legion of people mourn his passing and his great contributions will long be remembered, not only in his great State, but in the Halls of Congress where he was so distinguished for rugged sterling charactor, unsullied integrity, untiring energy, and undeviating loyalty to the principles of the American Constitution.

He has also left a most distinguished family to follow in his footsteps—Hon. Eugene Burdick, a learned, highly respected, outstanding judge in North Dakota; illustrious Hon. Quentin Burdick, whom we all know, esteem, and admire, the most recently elected Member of the U.S. Senate; and Mrs. Eileen Burdick Levering, a charming, gracious, lovely, and accomplished woman and mother, talented lawyer, wife, and helpmate of our own beloved and esteemed colleague, so justly lauded in this body, the able and distinguished Congressman ROBERT LEVERING, of Ohio.

For those of us who knew and loved Usher Burdick as a great human being and great American that he was, his passing fills our hearts with deep sadness, but in the memory of his friendly, warm, beaming countenance, loyal friendship and distinguished, unselfish service to the Nation we will all have reason to be grateful that this great American from the great Midwest lived so courageously, worked so diligently and served so faithfully and effectively in the vineyards of American democracy.

A great man and a great Congressman has left us. Our hearts go out in profound sympathy to his bereaved family for their irreparable loss.

May the good Lord bring to our beloved friend, Usher Burdick, eternal rest and peace in his heavenly home.

THE LATE HONORABLE DANIEL ELLISON

The SPEAKER. The Chair recognizes the gentleman from Maryland [Mr. FRIEDEL].

Mr. FRIEDEL. Mr. Speaker, as it must to all men, the Lord in His infinite wisdom has seen fit to call one of our former colleagues, Daniel Ellison, from his earthly labors to abide with Him in eternal peace.

It is therefore fitting and proper that we should pause in our deliberations to recall the memory and mourn the loss of a truly distinguished man who is now no longer among us.

Seventy-four years ago, Daniel Ellison was born in a foreign land far across the sea and, while still a mere infant, his parents brought him to our hallowed shores settling in the city of Baltimore, in the Free State of Maryland. There he was educated in its public schools and graduated from the Baltimore City College.

Daniel Ellison entered the Johns Hopkins University and received his bachelor of arts degree from the world-famous institution of learning in 1907. A few years later he received the degree of LL.B. from the Law School of the University of Maryland and was admitted to the bar.

It was because of his interest in civic affairs that he yielded to the urgings of his friends and admirers to enter the political arena. In 1923, Mr. Ellison was elected as a member of Baltimore's first unicameral city council. It is noteworthy that he was the only Republican elected to any city office in that election. As a councilman, he played a large part in the adoption of Baltimore's zoning regulations and the easing of its ancient Sunday blue laws.

I had the good fortune also to be a member of the Baltimore City Council during the time Daniel Ellison served in that body. There I had the opportunity to see at first hand the brilliant mind, the great civic consciousness, and the largeness of heart of this man. Because of his sterling qualities and leadership, the Fourth District of Maryland elected him as its Representative to the 78th Congress. That was before it became my great privilege to be a Member here. Many of my colleagues well remember him where he made a host of friends on both sides of the aisle in the House of Representatives. Later, he served with marked distinction in the Senate of the State of Maryland and took a leading part in the framing of legislation.

Daniel Ellison will long be remembered, not so much for his truly distinguished career as one of Baltimore's topflight attorneys, nor for his activities as President of the American Jewish Congress and other religious and civic endeavors, nor for his having held political office, but more especially for his great qualities of both heart and mind which he utilized to help make his city, State, and Nation a better place. Daniel Ellison was a true American in every sense of the word. We deeply mourn this great loss and his memory is enshrined in our hearts forever.

GENERAL LEAVE TO EXTEND

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks on the life, character, and public service of former Congressman Ellison.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

THE LATE PHILIP B. PERLMAN

Mr. FALLON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FALLON. Mr. Speaker, I consider it a privilege to pay my respects to an illustrious American. The death of Philip B. Perlman on July 31, 1960, has deprived the State of Maryland and the entire Nation of a great and good citizen. Mr. Perlman has been a part of the judicial and civic life of America for the major portion of his active 70 years.

A native of Baltimore, Philip Perlman was graduated from Baltimore City College in 1908. He was an enthusiastic college correspondent for the Baltimore American and joined the staff as a reporter upon graduation. Subsequently he studied English and political economy at Johns Hopkins and at the University of Maryland he studied law. He passed the bar in 1912. He then joined the staff of the Evening Sun and at the age of 23 was named city editor. For 5 years he held that position.

It was at the age of 28 that Philip Perlman began his long and brilliant legal career. He served his beloved State of Maryland as assistant to the attorney general, assistant attorney general, secretary of state, and was a competent adviser to many in high public office.

The distinguished public service record of Philip Perlman further included city solicitor of Baltimore. In private practice he was counsel for the Baltimore Housing Authority, the Baltimore Transit Co., and the Maryland Cooperative Milk Producers.

Mr. Perlman was appointed Solicitor General of the United States by Mr. Truman in 1947. His record in that office has become legend. Of the 53 cases he presented to the Supreme Court from the Department of Justice, he won 47—a brilliant record, indeed.

He served the Democratic Party with earnest zeal. He worked tirelessly as cochairman of the platform committee at the recent Democratic National Convention, as well as many conventions in the past.

Necessary and important Baltimore civic activities benefited from Philip Perlman's public-spirited service. These included such organizations as Baltimore's Associated Jewish Charities, its symphony orchestra, its museum of art, the Walters Art Gallery, and the Peale Museum.

Philip Perlman's life most surely represented what has been called the threefold function of a lawyer—adviser, representative, and advocate. The traditions and common precepts of his profession he held on a high plane. He found his highest honor in a reserved reputation. He was known for his fidelity to public duty.

I am certain you, my colleagues in the House of Representatives, join me in mourning his passing and acknowledging the Nation's loss in the death of Philip Perlman.

SUSPENSION OF SECTION 315 OF THE COMMUNICATIONS ACT OF 1934 FOR THE PRESIDENTIAL CAMPAIGN

The SPEAKER. The Chair recognizes the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Speaker, I move to suspend the rules and pass the resolution (S.J. Res. 207) to suspend for the 1960 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President.

The Clerk read the resolution as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That that part of section 315(a) of the Communications Act of 1934, as amended, which requires any licensee of a broadcast station who permits any person who is a legally qualified candidate for any public office to use a broadcasting station to afford equal opportunities to all other such candidates for that office in the use of such broadcasting station, is suspended for the period of the 1960 presidential and vice presidential campaigns with respect to nominees for the offices of President and Vice President of the United States. Nothing in the foregoing shall be construed as relieving broadcasters from the obligation imposed upon them under this Act to operate in the public interest.

(2) The Federal Communications Commission shall make a report to the Congress, not later than March 1, 1961, with respect to the effect of the provisions of this joint resolution and any recommendations the Commission may have for amendments to the Communications Act of 1934 as a result of experience under the provisions of this joint resolution.

The SPEAKER. Is a second demanded?

Mr. BENNETT of Michigan. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Arkansas is recognized.

Mr. HARRIS. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, Senate Joint Resolution 207 proposes to suspend for nominees for the offices of President and Vice President of the United States for the 1960 campaign the equal opportunity requirement contained in section 315 of the Communications Act of 1934.

Mr. Speaker, in my judgment this is a most important proposal. It goes to the heart of our political institutions. Since the Radio Act of 1927 there has been the basic requirement now contained in section 315 of the Communications Act of 1934 that equal time must be provided by broadcasting facilities for candidates in any political contest.

This provision of the act is of great importance because it is concerned with the use of an important public natural resource: the radio spectrum.

All members of the Committee on Interstate and Foreign Commerce have for several years given a great deal of thought and study to this problem. It is therefore not a new problem that is before us.

When the late and beloved Percy Priest was chairman of this great committee, he introduced legislation dealing with the subject, on which hearings were held. During this Congress a number of bills have been introduced in the House on this subject.

Our committee has held rather extensive hearings on bills dealing with section 315 and which are printed and which are available to any Member who desires to peruse these hearings.

The Interstate and Foreign Commerce Committee in the other body held hearings on S. 3171, a bill which would have required television stations to make available free prime time for candidates for the office of President of the United States. These hearings were held by that committee on May 16, 17, and 19 of the present year, and are available for the Members of the House in case they are interested in looking over them.

Senate Joint Resolution 207 is the result of those hearings. It was reported by the Senate committee and was passed by that body late in the session prior to our adjourning for the conventions. However, there was not sufficient time for the resolution to be referred to the Committee on Interstate and Foreign Commerce of the House to hold hearings on, and to report it back for consideration by the House.

Consequently, the Speaker, and I think appropriately so, held the joint resolution on his desk with the announced intent at that time of calling it up under suspension of the rules. As a matter of fact, I was alerted that it might be called up on July 4.

I realize there is a great deal of interest in this resolution on the part of many people, including many Members of Congress.

Mr. Speaker, I realize there is some serious question in the minds of many Members with respect to this resolution. That concern has been demonstrated on every occasion on which legislation on this subject has been discussed. I feel deeply, Mr. Speaker, that the broadcasters of this Nation who have been given the privilege of operating broadcast facilities in the public interest have a public responsibility to strengthen our political institutions, and that is the issue here today. I want to urge, as a matter of great importance to all Americans who go to the polls this November regardless of political affiliation, the passage of this Senate joint resolution—Senate Joint Resolution 207—now before us. This resolution was passed by the Senate without dissent.

The purpose of this resolution is to permit the presidential and vice presidential candidates to accept free television time promised by the three major television and radio networks and their affiliated stations throughout the country, thus to permit television and radio to cover the 1960 presidential campaign more comprehensively than ever before.

In my opinion, this would be to the indisputable advantage of the American people since it would insure greater illumination of the political issues and the candidates. In a nutshell, this resolution suspends the equal time requirements of section 315 of the Communications Act as they pertain to the presidential and vice presidential candidates during the 1960 campaign only. It is an experiment for this election year. Under the present reach of section 315 of the Communications Act, radio and television broadcasting stations are compelled to give equivalent time to dozens of splinter parties and fringe candidates if they give time to any candidate. This, of course, means that the practical effect of section 315 is a tight proscription of broadcast coverage of political campaigns. In recent elections there have been as many as 18 separate parties and candidates which would have qualified for equivalent time if the Democrats and Republicans had been given time on the air.

This resolution would make it possible on an experimental basis for the networks and stations to give time on a fair and equitable basis to all substantial newsworthy candidates for President and Vice President. It does not in any way suspend the statutory requirements that the broadcasters continue to operate in the public interest, convenience, and necessity. In other words, fairness and balance would still be required of them in their handling of political events and personalities.

Furthermore, the resolution requires the Federal Communications Commission to keep track of and to report back to the Congress the broadcasters' record on the use of radio and television in this presidential campaign, and to recommend whether or not the Communications Act should be amended in view of the results.

Through this directive to the Federal Communications Commission, a sword of Damocles will be hanging over the heads of the broadcasting industry. Senate Joint Resolution 207 is not a carte blanche for broadcasters. It grants relief from the equal-time restrictions only with regard to presidential and vice presidential candidates and only for the 1960 campaign. The broadcasting industry is clearly charged to do its best to make the significant presidential candidates and issues, through debate and discussion, familiar to the vast radio and television audiences of the country. The resolution simply gives the industry the flexibility to do voluntarily what the broadcasters have vociferously acknowledged to be their duty: that is, to provide prime evening time during the presidential campaign for debate and discussion by the major candidates.

On the floor of the Senate, Senator PASTORE stated:

> The language of the resolution as it is drawn meets with the approval of the Republican National Chairman and the Democratic National Chairman. If we seek to change it at this time, I fear that any deviation might lead to ineffectiveness.

The worst that can happen under this resolution, as Senator PASTORE pointed out, is that nothing will happen—that none of the candidates will avail themselves of the free time offered. The best that can happen, on the other hand, is that the significant parties will receive millions of dollars worth of free time in which to present their cases to the American people through their presidential and vice presidential candidates.

The American people will be deciding a great and critical election this fall. Radio and television reach into virtually every home in the land. It is certainly in the public interest that these great mediums be used to their fullest and best potential in bringing the candidates and issues home to every family. But unless we act affirmatively on this resolution, the roles of both radio and television in the presidential campaign will be drastically restricted. And I suggest that what this country needs is more information, clearer information, and faster information. Let us remove the shackles for this year, give it a trial, and see how it works out.

Organizations in support of Senate Joint Resolution 207: Chamber of Commerce, American Legion, Veterans of Foreign Wars, Jewish War Veterans, Catholic War Veterans, Amvets, Radio-Television News Directors Association, Sigma Delta Chi, Oversea Press Club, National Grange, National Association of Broadcasters.

Mr. Speaker, there are two or three things I wish to cover that have been mentioned. First, in connection with other broadcasting legislation, there has been a great deal of fear expressed on the part of the broadcasters with reference to the imposition of tighter controls on the broadcasting industry. This resolution does just the reverse. It places responsibility on the broadcaster on an experimental basis. The Government will not control or direct this program, and the broadcasters will be in a position where they can show by their own actions that they will meet

the basic requirement of fair play. The resolution provides this, on page 2, at line 2.

With reference to third party or independent candidates, the basic fairness requirement under the resolution requires that if there is a third party or a substantial independent party represented by a candidate—as, for example, the so-called Dixiecrat ticket of 1948—then that candidate will be given, under the language of this provision, the protection of the basic fairness, so there should not be any fear by any substantial candidate during this year.

The SPEAKER pro tempore. The time of the gentleman from Arkansas [Mr. HARRIS] has again expired.

Mr. BENNETT of Michigan. Mr. Speaker, I yield the gentleman from Arkansas 3 minutes, for the purpose of asking a question or two.

Mr. HARRIS. Mr. Speaker, I thank the gentleman; may I suggest that I cover these other points first briefly, because there have been many questions asked on them.

Mr. BENNETT of Michigan. That is agreeable to me.

Mr. HARRIS. Third, the matter of sponsorship. There has been some talk about these debates by presidential candidates being sponsored. One of the networks said that under no circumstances would they have sponsorship of such programs. Two of the other television and radio networks hedged a little bit on the subject and seemed to want to leave it up to the candidates. One radio network also seemed to hedge a little bit. I shall put in the RECORD at this point the wires which I received from all four.

NEW YORK, N.Y.,
August 18, 1960.

OREN HARRIS,
Chairman, House Committee on Interstate and Foreign Commerce, House Office Building, Washington, D.C.:

Replying your telegram August 18, in absence of Mr. Leonard Golesono, ABC has made no public announcement affecting sponsorship of proposed appearances by presidential and vice presidential candidates pending expected expressions of opinion and preference by candidates representatives and adoption of Senate Joint Resolution 207. ABC has had requests for right to sponsor from major institutional advertisers but has no plans to permit sponsorship of proposed joint appearances unless candidates should expressly wish it.

JOHN DALY,
Vice President.

NEW YORK, N.Y.,
August 18, 1960.

The Honorable OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR CHAIRMAN HARRIS: In response to your telegram of August 18, our policy concerning sponsorship is, so far as debates are concerned, as follows: There have been recurring reports that consideration is being given to commercial sponsorship of the debates by the Democratic and Republican presidential nominees during the 1960 campaign. I would like to make it absolutely clear that CBS will not accept commercial sponsorship for these special programs. Even though public spirited business firms have been generous in offering to sponsor these debates, we, the CBS radio and television networks and their affiliated stations, want to make this our own contribution because we believe there is no single act of self-government that is more important than the quadrennial choice of our national leadership. The foregoing is full text of announcement which I made August 3.

FRANK STANTON.

NEW YORK, N.Y.,
August 18, 1960.

Hon. OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, House Office Building, Washington, D.C.:

In response to your telegram of August 18, NBC plans to present the presidential and vice-presidential candidates in joint discussion of the campaign issues whether or not such programs are sponsored. We have received expressions of sponsorship interest from important companies. We have informed representatives of the candidates of this interest during discussion of arrangements for these appearances and solicited the decision of the candidates themselves on the acceptability of sponsorship. If the candidates have objection to sponsorship for these broadcasts we will accept their decision. If there is no objection from the candidates the type and manner of sponsorship would be appropriate to the importance of the broadcasts. In either case, whether sponsored or unsponsored, we believe these programs will represent a public service of a highly desirable character.

ROBERT E. KINTNER,
President, National Broadcasting Co.

NEW YORK, N.Y.,
August 19, 1960.

OREN HARRIS,
Chairman of the House Committee on Interstate and Foreign Commerce, Washington, D.C.:

Regarding your wire in connection with the possible adoption of Joint Resolution 207. Mutual will carry appearances by presidential and vice presidential candidates as unsponsored public service programing excepting where committees supporting candidates buy time for the express purpose of presenting the parties' candidate or candidates.

ROBERT F. HURLEIGH,
President, Mutual Broadcasting System.

But in my humble judgment what we intend here is public service to the American people without any sponsorship and I think we should expect all of the networks and the stations to carry out that policy.

The final matter, which is of great importance, is this. If you turn to the Senate hearings you will find that on account of this program, which the major networks and their affiliated stations have assured us they would be glad to undertake, there will be a saving both to the Republican and the Democratic national parties and any other substantial third party.

Page 11 of the Senate hearings sets out that in 1956 there would have been saved $3,654,000. It is also stated that since rates have gone up, savings to both parties would run in the neighborhood of $5,500,000 during the 1960 political campaign. So that is what it would mean.

Here we have networks and stations operated by people who are willing to undertake this responsibility, and we have the policy of basic fairness, that I trust will be adhered to. In my opinion it is worth a trial. We will then be in a position to know better how to legislate for the future. I would say let us remove the shackles for this one year. Let us give it a trial and see how it works out.

Mr. BENNETT of Michigan. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, I intend to vote for this joint resolution, although I must say I am not doing so with any great amount of enthusiasm. The resolution delegates too much authority to the broadcasting industry to make decisions on broadcasts that will be seen and heard throughout the United States. However, on the basis that the suspension is temporary, on the basis that it is an experiment, and that it will terminate at the end of this presidential campaign, I am willing to give it my support.

I should like to ask my distinguished chairman if there is any intent on his part that the suspension of section 315 in this campaign will be used as an argument in favor of repealing the section during the next Congress.

Mr. HARRIS. I can speak only for myself. Personally, I would not be in favor of repealing section 315 of the act outright. It is not the chairman's intent—and I say this so that the networks or individual listeners may be on notice—that the temporary suspension of section 315 should be construed as giving the broadcasters any basis for coming in here to ask for the outright repeal of the section after this election.

Mr. BENNETT of Michigan. I cannot see how this resolution can be used as an argument for the outright repeal of section 315 because this refers only to the presidential and vice presidential candidates and no one else. If the broadcasters do a good job, and the people benefit by it, there might be some justification for some permanent legislation along these lines so that we could follow this pattern in each presidential election. However, I have a feeling that so far as the networks are concerned one of the reasons they want this suspension is to afford them a reason to come in later and say that in this campaign the suspension of section 315 has worked out satisfactorily, and therefore this section ought to be repealed outright. I wanted to be sure there was no intention of that sort here.

Mr. HARRIS. I have not had any such information that that would be their intention. However, it is certainly not my intention to have the passage of this resolution considered as a ground for the outright repeal of section 315.

Mr. BENNETT of Michigan. Is there anything in the resolution that deals with the sponsorship of programs on which these presidential candidates may appear? If the networks decide to sell the time to a sponsor and have the 8 or 10 hours, or whatever they are going to allot here, paid for not by the presidential candidate or his party but by an independent or private sponsor, we are then in fact dealing with a paid political broadcast, are we not?

Mr. HARRIS. Let me say that when I was alerted to the fact that I would be recognized to call up this resolution I

set out to get some additional information. I wrote a letter to each of the networks asking for certain information, and my letter and their replies are contained in this pamphlet to which I have referred. I direct this to the attention of every Member.

In addition to that, when the sponsorship question came up a few days ago I sent a wire to each of the networks asking what their position would be, because I thought that we ought to know what their position is on this particular occasion. I placed their replies in the RECORD earlier. Columbia Broadcasting System states very frankly that it will not have sponsorship of such programs. NBC and ABC indicate that they would have sponsorship only at the request of the candidates themselves. Mutual Broadcasting Co. said the same.

As I said a moment ago, in my judgment—and I think this has the approval of the leadership of both major national parties and of both candidates—in my humble judgment, it is the intention that there be no sponsorship, because if the candidates' appearances are to be sponsored commercially, then there would be no need for this resolution in the first place.

Mr. BENNETT of Michigan. But there is nothing in the resolution itself that would prevent sponsorship of these programs if the networks find sponsors and if they decide that they should like to do it in that fashion.

The point I am making is that unless there is assurance here that the programs will not be sponsored, there is no use in passing this resolution.

Mr. HARRIS. That is the very point.

Mr. BENNETT of Michigan. The problem that the networks are complaining about is that if they give some time to the major parties free, then they will have to give time to the fringe candidates which would cause them a great deal of trouble. If they are going to have sponsors for these programs, we would be passing something here that would be perfectly meaningless so far as I can see. Furthermore, I wish to say something on the question of "fairness."

The last sentence of the first paragraph of the resolution provides that nothing in this resolution shall be construed as relieving broadcasters from the obligation imposed upon them under the Communications Act to operate in the public interest. One of the cardinal requirements which licensees of broadcasting stations must meet is the rule of fairness. A violation of the rule of fairness would amount to disregarding the requirement of operations in the public interest.

Note, however, that this requirement is imposed on the broadcasters and not on the networks, at least not on the networks directly. Thus, if a network should not deal fairly with the presidential candidates and give more time to one of them, the licensees carrying these broadcasts would violate the rule of fairness but not the network itself because the law does not impose any responsibility on the network as such.

This points up once again the inconsistency of the present provisions of the Communications Act which provide for the licensing of broadcasters but do not provide for the licensing or regulating of networks.

In my opinion, passage of this resolution demonstrates that the real power to discriminate is in the networks and therefore the networks, along with the individual stations, should be held accountable under the Communications Act.

Mr. HARRIS. But, I do not believe there will be any attempt at all along that line because I understand that the attitude of the candidates of the two major parties is that they would not want sponsorship and, therefore, I do not think there will be any effort at all to do that.

Mr. Speaker, if the gentleman would permit me, I would like to make a brief statement here, which I believe is necessary in order to have the RECORD clear.

On page 2 of this resolution, on line 4, there is found the word "this." The language reads, "the obligation imposed upon them under this Act to operate in the public interest."

That is a technical error. It should have read, "such act" because it refers to the Communications Act of 1936. I am sure that this will be understood correctly and I merely wanted to make this statement in order to clarify the RECORD.

Mr. ROOSEVELT. Mr. Speaker, the distinguished chairman of the committee, the gentleman from Arkansas [Mr. HARRIS], has answered some of the questions bothering many about this legislation. The fact that this exemption is limited to this election and that a thorough study and observation of the problem will be undertaken is a deciding factor in favor of the bill. The following statement gives the view of some who view the problem and its inherent dangers with alarm:

STATEMENT OF RICHARD D. PORTER, OF LOS ANGELES, CALIF. AND THE UNIVERSITY OF SOUTHERN CALIFORNIA, CONCERNING THE REGULATION OF POLITICAL BROADCASTING AND THE PROSPECT OF TELEVISION DEBATES

Section 315 of the Communications Act of 1934 has, particularly in recent years, emerged as a source of many problems and difficulties for the broadcaster. With considerable justification the broadcaster has criticized vigorously the often awkward applications and interpretations of this section. The 1959 Supreme Court decision regarding the WDAY (Farmers Union) case gave welcome relief from probably the most disturbing dilemma inherent in section 315.[1] A second dilemma derives from the core of this section—the equal opportunity provision.[2] What is just and proper under this system of government clearly stands in opposition to what is sensible and realistic in political broadcasting. This second dilemma likewise was partially, if questionably, relieved by Congress in amending section 315, also in 1959.

This amendment exempting newscasts, news interviews, news documentaries, and on-the-spot coverage of news events (including conventions and related activities) from the coverage of section 315 probably will prove, in the long run, to be equitable—assuming that the broadcaster in handling such matters will proceed actively to maintain objectivity and fairness. However in observing the political conventions of 1960, one could readily note the difficulty which the broadcaster will face in maintaining impartiality. Many candidates for congressional and other offices have, in the course of one or the other of the conventions, had a significant and highly impressive exposure, through speeches, interviews, and appearances, to a large part of their respective constituencies. It is difficult to suggest an opportunity in political campaigning which would approximate that of being seen by one's constituents while participating in a national convention. Certainly many inequities in the use of broadcast facilities by political candidates will arise during the 1960 election campaign as the broadcaster takes advantage of the new freedom to broadcast news, interviews, and special events. To what extent will the broadcaster be able to compensate for such inequities? Will the broadcaster make a sincere effort to accept the concomitant responsibilities of this new freedom? The answers to these questions will in large measure determine the future of election campaign broadcasting.

By not extending exemption to the broadcasting of debates while exempting other specific types of programs, the 1959 amendment to section 315 has left the possibility of a specific debate exemption highly unlikely in the near future. But should debates be exempted? The fact that two opposing (major) candidates debate an issue on a broadcast medium would tend to convey to the audience the idea that their views represent the two sides on that issue. On most of the important issues confronting the Nation, the major candidates hold remarkably similar viewpoints. It is the minority candidates who most often hold truly divergent viewpoints. Could it really serve the public interest to provide for television debates between two major candidates who might often find difficulty in disagreeing on an issue, while excluding minority candidates for the same office who do indeed hold differing opinions?

A Broadcasting magazine editorial, citing dramatic illustrations of the idiocies of Federal editorial control over a medium of journalism (the NBC television network granted equal time to the self-appointed candidate for the Democratic presidential nomination, Lar Daly, since Senator KENNEDY had appeared as a guest on the Jack Paar show) and the virtues of freedom (broadcasters gave wide ranging coverage of the Democratic Convention because they were able to interview all newsworthy participants without worrying about granting equal time to their rivals in local political races), led to the following conclusions:

"The removal of that absurd restriction [by the 1959 amendment to sec. 315] gave broadcasters last week the freedom to interview at will. And the result was a heads-up job of coverage.

"When Congress reconvenes next month, a further modification of section 315 will be up for House consideration. Already passed by the Senate is a joint resolution suspending section 315 for the presidential and vice presidential candidates during this campaign.

"This resolution deserves the support of all broadcasters. But it must be considered no more than a preliminary to the final job that must be undertaken when a new Congress meets next year—the total repeal of section 315.[3]

[1] The broadcaster could be held liable for defamatory statements by candidates using his station which he was prohibited from censoring.

[2] Minority candidates readily demand equal opportunity when a major candidate is allowed broadcast time, particularly free time; thus broadcasters, although interested in making political broadcasts available to the public, are exceedingly hesitant in making such time available to candidates.

[3] Broadcasting (July 18, 1960), p. 106.

Certainly legislation to suspend or repeal the equal opportunity provision, would substantially reduce the broadcaster's problems in this area, but it should also be abundantly clear that such action would represent a rather severe encroachment on the rights of minorities. It is admittedly difficult for a broadcaster to appreciate the tenet of the right of the minority in view of the screwballs and publicity seekers who are first to lay claim to such a right under present regulation.

In the case of the particular "idiocy" cited by Broadcasting magazine, what reason, other than to make section 315 appear absurd, could NBC have had for allowing this to take place? Indeed NBC was ordered by the FCC to give Mr. Daly equal time—but on the assumption that he met all of the criteria defining a legally qualified candidate.[4] In this case Mr. Daly was purportedly a candidate for the Democratic Party nomination for President. Mr. Daly had publicly announced his candidacy (at least to the FCC) and might have been voted for—but had he made a substantial showing that he was a bona fide candidate? What evidence of this latter fact did the FCC accept in ordering NBC to grant Mr. Daly time equal to that given Senator KENNEDY on the Jack Paar Show? When will some broadcaster risk a demerit from the FCC and take Mr. Daly to court, requiring him to prove (and the burden of proof would be his) that he is a bona fide candidate? NBC had the best opportunity possible in the situation above. Further some of the recent interpretive rulings by the Federal Communications Commission regarding the equal opportunity provision seem to beg the question: "Is the FCC itself interested in the repeal of the burdensome section 315?"[5] Finally it would seem that the ultimate solution, championed by CBS as well as by Broadcasting magazine—the repeal of section 315—would, if ever it were accomplished, eventually result in the imposition upon the broadcaster of new tests of objectivity, fairness, public service, etc. Although the 1959 amendment of section 315 may prove advantageous and even reasonably equitable, it would seem that the congressional resolution to waive the requirements of section 315 during the 1960 Presidential and Vice Presidential campaigns, if passed, would set an undesirable and seemingly dangerous precedent.

Both the Democratic and Republican candidates have clearly stated that they would like to debate issues on network television. The networks have offered prime time free to these two major candidates for such purposes—if Congress passes legislation to suspend the requirements of section 315 for the 1960 presidential and vice presidential campaigns. If such legislation is adopted the responsibility of the broadcaster will not be met simply by maintaining equity between major candidates. Service of the public interest would also require reasonable recognition of, and attention to, the campaigns and opinions of serious minority candidates for these high offices.

If section 315 is not suspended, and if the broadcaster really wants to program television debates, then there remain at least two possible alternatives.

One alternative assumes that the major candidates truly believe in the value of and the need for such debates. In this case the broadcaster could set aside certain periods of time for these debates, then notify all candidates for a particular office that he will provide equal opportunity to purchase an amount of time equal to that provided opponents in each debate program. The amount of time provided would depend upon the duration of the program and the number of candidates who wish to take advantage of the opportunity at that time. It could be made clear in the notification that if a candidate did not wish to accept the opportunity at that time, he would waive any future claim to time equal to that given opponents in that debate. Since this action would seem quite clearly to meet the letter and spirit of the law, there would be no reason to expect any serious legal problems. Further there is little reason to expect minority candidates to buy very many half hours of network time, and if the major candidates are seriously interested in television debates, they (or their parties) should be willing to invest in such a participation debate which would allow the participants to determine the ground rules.

A second alternative in broadcasting debates would be even more practicable than the previous alternative in view of the 1959 amendment to section 315. Since the debates currently anticipated by the candidates as well as by the broadcasters would hardly be debates in the formal sense, it would seem reasonable that the broadcaster might arrange for a debate similar to what is anticipated, at no cost to the candidates without the suspension of section 315. To accomplish this the broadcaster might make use of the exempt news interview format, so structuring it as to provide for two opposing candidates to be interviewed simultaneously. Interviewers could prepare in advance for questioning in depth on perhaps one or two particular issues for a program of this type. Upon entering discussion of a given issue each candidate could be asked to state briefly his position on that issue. During the course of such an interview each candidate might from time to time be allowed to question his opponent. Thus within the exempt news interview format the broadcaster could present to the public the most desirable qualities of the debate idea. With competent interviewers participating, and with a definite interview structure determined by the broadcaster, the result might even better serve the stated purpose of informing the public than the anticipipated debate idea which in order to be used would require the suspension of section 315.

If the public is not given the opportunity to observe the major presidential candidates in some form of debate, either the candidates themselves, or the broadcaster, or both, should be considered responsible. It seems abundantly clear that there is no vital need for further modification of section 315 for this general purpose. Further, the state of the television art has risen to the point where candidates need not be in the same location in order to participate in these programs, thus the mere fact that candidates are campaigning in different parts of the country would not be relevant.

The case for further modification of section 315 of the Communications Act of 1934 should be based upon reasoning other than the urgent need to clear the way for television debates in the 1960 election campaign.

Mr. BENNETT of Michigan. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, I believe this legislation, Senate Joint Resolution 207, has merit. The impact of radio and television, particularly, on the American public is undoubtedly the greatest of any news or communications media. To suspend for the 1960 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for presidential and vice-presidential nominees will give the three major networks an opportunity for improved service to the voting public. It will, according to the plans proposed by the networks, and the invitations they have extended both presidential candidates, permit of full and free exchange of views, in prime viewing time, for the greater edification of our citizens.

It has been the experience in the past that, while the intent and purpose of section 315 has been valid, it has been impractical to achieve pure equality of opportunity for all political candidates. The networks have been open to demands from every conceivable type of officeseeker. And, in attempting to comply substantially with the section, programs have been foisted upon the public which have been of especially biased nature and, in many events, have not been of enlightening benefit to the public. I think it is important to our political processes functioning at their best if the people of our country are well informed with respect to political events and public issues. The people need to be schooled to make an informed choice among competing candidates for the highest offices in the land.

I believe the suspension of the requirements of section 315 to permit the networks to invite the presidential and vice-presidential candidates to develop their positions on issues through face-to-face discussion or debate, or through response to impartial well-informed questions, will best serve the public interest and permit of a more widely and better informed voter.

We are in a time of world travail when, more than ever, it is vital that the public be made aware. Under the equal time requirements of the Communications Act as it stands, television and radio facilities must be tendered to any legally qualified candidate for a particular public office if an opponent has had time on such facility. A legally qualified candidate is determined by the laws of the several States and, in some cases, may be a person whose name does not appear on a printed ballot. This has served and could again serve to clutter up the air. In this year, there is no third party of any significance with presidential and vice presidential candidates competing with the Republican and Democratic candidates. It seems to me, therefore, that we best serve the public interest to permit free and open discussion of the issues by the dominant parties, one of which will direct the destiny of the Nation, and perhaps the free world, in the next 4 years, and not have issues clouded by representatives of splinter organizations.

The three major networks—ABC, CBS, and NBC—have made it clear to the Committee on Interstate and Foreign Commerce that, with section 315 suspended, they will devote absolutely equal time for the presentation of the Republican and Democratic presidential and vice presidential candidates. Programs would be on a flexible basis, with the candidates speaking on issues on which they had been consulted in advance, with the candidates themselves taking part in deciding on the format of such programs. Today more Americans get their news and information from television and radio than from any other media. There are almost three

[4] FCC Rules and Regulations, sec. 3.657a.

[5] See, for example, the FCC Interpretive Opinion of June 15, 1959, paragraph 57 et passim, and particularly the concurring statement of Commissioner Hyde.

times as many television and radio stations in the United States as there are newspapers. I believe the networks are to be commended, in view of the numbers they reach, in the desire, as was expressed by Mr. Robert E. Kintner, head of the National Broadcasting Co., "to best accomplish our purposes of familiarizing the public with the candidates and the issues." I do not believe this can be totally accomplished under the limitations of section 315.

There is, of course, the measure of fairness inherent in section 315. Under its standard of equal opportunities it prevents a network or facility from exercising its own discretion in determining which candidates represent sufficiently important political views to merit the use of the broadcast or telecast station. I am sure that, to suspend the requirements of this section for the 1960 campaign, the standard of fairness will remain as it treats of the major parties. Actually, it is enhanced as the suspension of the limitations gives the broadcasters an opportunity to contribute further to public understanding of the issues and personalities of the campaign.

I need not point out that we are not eliminating section 315 from the Communications Act but only suspending its requirements for this 1960 presidential campaign. It may be that when the effects of this suspension have been evaluated and presented to the Congress by March 1 of next year, we will have found ways to improve this and other sections of the act through the experience gained. Certainly, as the suspension is only with respect to nominees for the offices of President and Vice President, we will be enabled to make comparisons as the campaign moves ahead. I believe such reappraising of this section will prove of inestimable value to the Congress, particularly in view of the ever-growing power of television and radio where exposure of a candidate can be most valuable to the candidate's prospects of success.

I believe the suspension of section 315 to thus permit the free peak-viewing time offered the Republican and Democratic presidential and vice presidential candidates is in another sense an equitable proposal. In past years, one party or the other has been able to buy more television and radio time because of a bigger campaign treasury, so one or the other has been more fortunate. Neither party is prevented by this resolution from buying time beyond that which the networks are offering free, so one party can still outdo the other. However, the greatest and most valuable exposure will be equal, and this is all to the good.

Also, as the networks have affirmed, the donation of this free time does not preclude appearances of the candidates during the campaign on regularly scheduled news and other types of programs now exempt under section 315.

Mr. Speaker, this is an important resolution, one which is bound to have far-reaching effects, and one that should be passed to bring about what I believe will be a major step forward in the application of television and radio to our presidential campaigns.

Mr. BENNETT of Michigan. Mr. Speaker, I yield 1 additional minute to the gentleman from Illinois.

Mr. SPRINGER. I wish to make this one point; then I will yield.

I believe the networks are going to do a good job because this is a voluntary request rather than by rules imposed on them. They said, "Give us this authority and we will accept the responsibility." I think they will do a good job voluntarily.

I now yield to my distinguished chairman.

Mr. HARRIS. With regard to a matter of time the gentleman just referred to, I have information as to how the networks propose to handle this, the time they will give to it. CBS proposes to devote 8 hours of prime time during the campaign. NBC proposes to provide 8 hours during the campaign. I think ABC has worked out time for 3 hours, but I believe that has been modified since and that they have promised an additional 5 hours. That is apparently the way it will work out.

Mr. SPRINGER. So that will give 24 hours during the fall which, I think, is satisfactory.

Mr. BENNETT of Michigan. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas [Mr. AVERY].

Mr. AVERY. Mr. Speaker, in view of the rather comprehensive and persuasive statement made by the chairman and other members of the committee, I see no need to delay further the consideration of this resolution. I might just mention two points briefly.

There is always concern by minority parties and groups that they are going to be disbarred or discriminated against, so to speak, by a resolution such as this. We recognize in fact that licensees will probably only provide free time to two major parties. Obviously it would be an imposition by the networks on their listeners if every candidate for President or Vice President were permitted to have free time which is required under present law. This does not in my opinion abrogate nor deny any right to an individual nor group of individuals.

I am quite impressed by the fact that so many of the major newspapers of the country support this resolution in principle. I am further impressed by the fact that some newspapers who take pride in their stated concern over the rights of individual and minority groups are also in support of this resolution; namely, I am referring to an editorial in a local Washington newspaper, the Washington Post, on Saturday, the 21st of last May. So I think those Members of the House who are concerned about that aspect of this resolution may be reassured that the press usually of their point of view is in support of this resolution.

Another matter that I wish to touch on briefly is the feeling in my State and in other parts of the country that possibly too much television time was devoted to the conventions and other matters relating to the campaign. I do not know what you heard in your district, but I do know that at home I heard a lot of criticism that there was too much television coverage given to the two national conventions meeting in Chicago and Los Angeles. So, as I would interpret what I heard in Kansas which I think is probably representative of most districts in the United States, perhaps 8 hours time might be as much time as any one network should devote to the two major candidates. It might even be a little more than is necessary. Certainly we do not want to create the illusion, that the campaign is not important, but I think there are some other things that are likewise important. We who are in public life are so close to this matter we may overly evaluate or estimate how much public interest there is in these political matters.

So, in summary, Mr. Speaker, I want to urge the passage of this resolution and certainly urge further consideration of it in the next session of Congress.

Mr. HARRIS. Mr. Speaker, I yield to the gentleman from California [Mr. Moss], a member of the committee, 3 minutes.

Mr. MOSS. Mr. Speaker, I find that my position on the resolution is substantially the same as that of my good friend the distinguished gentleman from Michigan [Mr. BENNETT].

I am not going to oppose this resolution; however, my support goes most reluctantly and with serious reservations. I am not too concerned with the three major networks, but the suspension here goes to each and every licensee of the Federal Communications Commission; it goes not only to the groups that support the nominees for the Presidency and Vice Presidency, on a national level, but for their campaigns at the local level and for the purchase of time for the statement of political views and for the presenting of spot announcements or advertisements.

In connection with individual broadcasters, I have been increasingly concerned over the number of complaints that I have received from persons of both political parties over the abuse of editorializing by licensees. Remember that in this instance editorializing is removed from any requirement for equal time. I am concerned with that increasingly partisan operation of some broadcasters. This can change from section to section as to whether it creates prejudice to a Republican or Democrat.

I think that we must make it abundantly clear at this point that this is an expedient. It does not represent a well-thought-out change in policy, a policy which has guided communications by radio since the Radio Act of 1927 and should not be construed as indicating an intent by the Congress, among the Members now seated, as an abandonment of present law. Perhaps upon examination of the experiment it may be possible to arrive at some formula for modifying the present law to remove the burden presently imposed of giving equal time to even the most inconsequential of candidates.

This is a serious step, and I hope that the Committee on Interstate and Foreign Commerce will carefully review the operation of this suspension, not only by networks, but by individual licensees throughout the Nation and at the same time give careful thought to the manner in which they discharge their responsibility.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Arkansas.

Mr. HARRIS. May I say to the gentleman, not only is it my intention, and I am sure it will be the committee's intention, to review this experiment, but to also observe its application during this campaign in 1960.

Mr. MOSS. I am pleased to have the assurance of the chairman of the Committee on Interstate and Foreign Commerce. I know that in connection with the matter of editorializing he is as concerned as I have become with the abuses reported to us, abuses that are taking place in a number of parts of the country where editorializing becomes purely propaganda of the most partisan type. This is a resource belonging to the people, and its regulation, a regulation at great cost to government, creates the value. Without regulation of broadcasting there would be no value, no one would invest a dime in a station if the man next door could overlap his frequency.

The SPEAKER. The question is on suspending the rules and passing the Senate joint resolution.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate joint resolution was passed.

AMENDING SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

Mr. WALTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12753) to amend the Subversive Activities Control Act of 1950 so as to require the registration of certain additional persons disseminating political propaganda within the United States as agents of a foreign principal, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 20 of the Subversive Activities Control Act of 1950 is amended by inserting "(a)" immediately after "SEC. 20." and by adding at the end thereof the following new subsections:

"(b) Section 1(b) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611(b)), is amended by adding at the end thereof the following new clause:

"'(6) an individual domestic partnership, association, corporation, organization, or other combination of individuals, supervised, directed, or controlled by a government of a foreign country or a foreign political party;'.

"(c) Section 3(d) of such Act (22 U.S.C. 613(d)) is amended to read as follows:

"'(d) Any person engaging or agreeing to engage only in private and nonpolitical financial or mercantile activities in furtherance of the bona fide trade or commerce of such foreign principal or in the soliciting and collecting of funds and contributions within the United States to be used only for medical aid and assistance, or for food and clothing to relieve human suffering, if such solicitation or collection of funds and contributions is in accordance with and subject to the Neutrality Act of 1939 (22 U.S.C. 441 and the following), and such rules and regulations as may be prescribed thereunder;'.

"(d) Section 4(a) of such Act (22 U.S.C. 614(a)) is amended to read as follows:

"'(a) Every person within the United States who is an agent of a foreign principal and required to register under the provisions of this Act who imports or causes to be imported, or who transmits or causes to be transmitted in the United States mails or by any means or instrumentality of interstate commerce, any political propaganda shall, not later than forty-eight hours after the beginning of the importation or transmittal thereof, send to the Librarian of Congress two copies thereof and file with the Attorney General one copy thereof and a statement, duly signed by or on behalf of such agent, setting forth full information as to the places, times, and extent of such importation or transmittal.'

"(e) Section 4(b) of such Act (22 U.S.C. 614(b)) is amended to read as follows:

"'(b) It shall be unlawful for any person within the United States who is an agent of a foreign principal and required to register under the provisions of this Act to import or cause to be imported, or to transmit or cause to be transmitted in the United States mails or by any means or instrumentality of interstate or foreign commerce, any political propaganda unless such political propaganda is conspicuously marked at its beginning with, or prefaced or accompanied by, a true and accurate statement, in the language or languages used in such political propaganda, setting forth that the person importing or transmitting such political propaganda or causing it to be imported or transmitted is registered under this Act with the Department of Justice, Washington, District of Columbia, as an agent of a foreign principal, together with the name and address of such agent of a foreign principal and of each of his foreign principals; that, as required by this Act, his registration statement is available for inspection at and copies of such political propaganda are being filed with the Department of Justice; and that registration of agents of foreign principals required by the Act does not indicate approval by the United States Government of the contents of their political propaganda. The Attorney General, having due regard for the national security and the public interest, may by regulation prescribe the language or languages and the manner and form in which such statement shall be made and require the inclusion of such other information contained in the registration statement identifying such agent of a foreign principal and such political propaganda and its sources as may be appropriate.'

"(f) Section 4 of such Act (22 U.S.C. 614) is amended by adding at the end thereof the following new subsection:

"'(e) Any person not within the United States who uses the United States mails or any means or instrumentality of interstate or foreign commerce within the United States to circulate or disseminate any political propaganda shall be regarded, for the purposes of this Act, as an agent of a foreign principal who is acting within the United States. This subsection shall have no application to any such person outside the United States when his use of the United States mails or a means or instrumentality of interstate or foreign commerce within the United States is confined to the transmittal of political propaganda to a person registered under the terms of this Act.'"

SEC. 2. The Subversive Activities Control Act of 1950 is further amended by inserting, immediately after section 20 thereof, the following new section:

"COMPTROLLER OF FOREIGN PROPAGANDA

"SEC. 20A. There is hereby established, in the Bureau of Customs of the Department of the Treasury, the Office of the Comptroller of Foreign Propaganda, to be located at the seat of the Government in Washington, District of Columbia. Such Office shall be headed by a Director, who shall be appointed by the Secretary of the Treasury and who shall have rank and compensation equal to that of the Deputy Commissioner of the Bureau of Customs. The Director shall be a citizen of the United States, qualified by at least five years' experience in the import control of political propaganda, and shall maintain close liaison with the appropriate committee of Congress in order that they may be advised regarding the control of Communist and other foreign propaganda brought to, and sought to be disseminated in, the United States. He shall perform those functions with respect to the control of Communist and other foreign propaganda which are vested in the Secretary of the Treasury, to the extent that the performance of such functions may be delegated to him by the Secretary, and he shall perform such other functions as the Secretary may prescribe."

The SPEAKER. Is a second demanded?

Mr. SCHERER. Mr. Speaker, I demand a second.

Mr. MEYER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentlemen will state it.

Mr. MEYER. Should not a Member opposed to the bill have that privilege?

The SPEAKER. Is the gentleman from Ohio opposed to the bill?

Mr. SCHERER. No; I am not, Mr. Speaker.

Mr. MEYER. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. MEYER. I am opposed to the bill, Mr. Speaker.

The SPEAKER. The gentleman qualifies. Without objection, a second will be considered as ordered.

There was no objection.

Mr. WALTER. Mr. Speaker, I yield myself 15 minutes.

Mr. Speaker, the proposed amendment is designed to meet certain deficiencies in the Foreign Agents Registration Act. While there has been no expressed opposition to this bill or this proposed amendment, there has been considerable opposition to it expressed in flank attacks, the principal one of which was made by two men who wrote a series of articles, the prime purpose of which was to discredit the Committee on Un-American Activities and its work.

In this series of articles one of the writers stated that the Committee on Un-American Activities subpenaed the same witness to testify on 9 different occasions to the same thing. Well, the fact of the matter is that this witness testified on numerous occasions as to the manner in which propaganda was coming into the United States and showing

that it was pursuant to a pattern. Now, these newspaper people knew this, and their charges were vicious and dishonest and made for the purpose of attempting to divert from the American people the fact that this country is being literally inundated by propaganda coming principally from behind the Iron Curtain. I have numerous samples of it, and I am sure that most of you know of this type of propaganda coming to the United States. And there is no question but what this is propaganda. Nobody has any idea of attempting to censor legitimate information such as technical or scientific documents.

Let me say this to you, that every single item coming into the nearly 50 points of entry into the United States from behind the Iron Curtain has, as its purpose, an attack on our way of life and to bring to the American people some ideas of the alleged glories of life behind the Iron Curtain. The testimony that was adduced in support of this legislation, coming from a man by the name of Irving Fishman, Deputy Collector of Customs and who is the expert in this propaganda field, is to the effect that if the matter is permitted to accumulate for over 2 weeks' time, it will be impossible to place anything else in the warehouses.

Mr. JOHNSON of Colorado. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Colorado.

Mr. JOHNSON of Colorado. I have been reading the bill, and I want to respectfully ask whether there is any place in existing law—and I find nothing in the bill about it—that explains the difference between information as such and propaganda as such, and I would like to have a definition of "propaganda."

Mr. WALTER. The definition is contained in the Subversive Activities Control Act and also in the Foreign Agents Registration Act.

The Foreign Agents Registration Act defines "propaganda" fully.

Mr. JOHNSON of Colorado. That is in the Foreign Agents Registration Act?

Mr. WALTER. That is correct. Now, you ask, "What is the purpose of this particular amendment?" Under the law it is necessary, in order to compel registration, to show that the propaganda came from a foreign government or from a foreign political party. It is quite obvious that it is very difficult to establish subsidization, and that a foreign government is in control of the dissemination of this propaganda. The purpose of this legislation is to plug that apparent loophole so that the mere fact that the information is sent to the United States gives rise immediately to a presumption which, of course, is rebuttable; but the presumption is that it comes as a part of a very definite program.

It is indeed unfortunate that there are in this country, and among us, those who are not aware of the fact that there is an international conspiracy having as its purpose the overthrow of the Government of the United States through force and violence. Just recently the American Federation of Teachers in Ohio, at their convention, adopted a resolution calling for the abolition of the Committee on Un-American Activities, because of some hearings it conducted in California with reference to schoolteachers. The fact of the matter is that hearings such as they complained of, were not held. When the Committee on Un-American Activities received information concerning upward of 100 schoolteachers in the State of California, it caused subpenas to be issued and served on them. Then the people who were subpenaed got together and protested in public demonstrations against the hearings, that they thought were going to be held.

California Teachers Association, by Arthur F. Corey, State executive secretary, wrote to this committee inter alia:

3. Boards of education for districts employing subpenaed teachers whose alleged activities have aroused suspicion regarding their loyalties should be given opportunity to call these teachers to an executive session in which the questions specified in the California Dilworth Act (Education Code, sec. 12604) would be administered. When transcripts of such interrogation are received by the committee, the teachers who have answered the questions should be excused from appearing as witnesses before the committee. This would enable the committee to obtain the information it might desire related to the loyalty of these California teachers, and at the same time would enable school districts to face the new term without their teachers being held under a cloud of suspicion by the mere inclusion of their names in a list of witnesses. If the teachers cannot or will not give satisfactory answers to the legally mandated questions, the governing board will have authority to initiate action for suspension or dismissal.

The committee complied with the request of the California Teachers Association and followed the procedure which I outlined in the following letter of August 20, 1959, which reads as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D.C., August 21, 1959.

Mr. ARTHUR F. COREY,
State Executive Secretary,
California Teachers Association,
Burlingame, Calif.

DEAR MR. COREY: This will acknowledge receipt of your letter of August 17, 1959, respecting the hearings of the Committee on Un-American Activities which have been postponed to October 14, 1959 in San Francisco, and October 19, 1959, in Los Angeles. I have given careful consideration to your impressive letter and in response I should like to make several observations and announce a conclusion which I believe is sound.

In the first place, may I comment that I regret the circumstances which have compelled postponement twice of the hearings, especially in view of the fact that the names of a number of the persons who have been subpenaed have been made public by other agencies.

You will recall that on April 3 of this year the Committee on Un-American Activities released an extensive report on the Communist Party and its activities in California. This report was the result of many months of investigation and revealed several ramifications of the Communist conspiracy in California.

One facet of the Communist network in California which appeared to be serious but in which investigative techniques could not develop without employment of subpenaed power of the committee was the activity of persons in the Communist movement who had penetrated educational institutions. Most of the factual material in this field was developed from confidential sources which could not be disclosed without jeopardizing security procedures and the identity of informants.

The only course which seemed sound was for the committee to proceed to issue subpenas for a number of people to appear in executive session so that a record could be made which could be the basis for public disclosure of a serious situation. Believe me, sir, the subpenas were not issued for service promiscuously nor have persons been directed to appear before the committee without careful consideration of confidential reports in each case.

There are pending in the Congress several legislative proposals designed to cope with Communist strategies and techniques for which the factual material that has been developed on this situation in California is pertinent and germane. One such legislative proposal is alluded to in your letter to me, namely, the so-called loyalty oaths. At this point, may I comment that the Committee on Un-American Activities operates under a continuing mandate of the House of Representatives to maintain a surveillance over the administration and operation of all our internal security legislation. Since the Communist operation is constantly changing its strategies and tactics, we are obliged to continuously explore factual situations which reveal these strategies and tactics in order that we can appraise the adequacies of our internal security legislation.

You will note from the enclosed report which I am sending with this letter the great number of recommendations for legislation and executive action which have stemmed from committee investigations.

The workload of the Committee on Un-American Activities is such that we cannot possibly discharge our duties in the Congress on other matters and thoroughly explore each of the several occurring and recurring problems of communism in the Nation. We feel that we are doing a creditable job, however, and have the confidence of the overwhelming majority of the American people as we seek to keep abreast of at least the general patterns of Communist activity.

With this in mind, I welcome your suggestion that in the instant committee project in California, we should transmit to the boards of education for the school districts employing subpenaed teachers the names of such teachers so that they may be interrogated by such boards which would then transmit to the committee a copy of the transcript of the proceedings. I am further persuaded that this is a good course of action by the fact that it would give the local school boards a firsthand opportunity to acquaint themselves with some of the problems which occur in the fight against Communists and communism in this country. This course would, moreover, enable the Committee on Un-American Activities to expend the time which it has allocated for hearings on the coast to other areas of Communist activity which could not possibly be handled by local authorities.

I am, therefore, instructing the staff of the Committee on Un-American Activities to make available to each board of education in California the names of the persons subpenaed within the districts of such board and in cases in which information respecting the persons subpenaed can be disclosed without jeopardizing sources of information or security procedures, to make such information available in confidence. I am advised, however, that most of the cases reflect information which could not, because of the foregoing, be made available to the boards.

Under the Dilworth Act, as you note in your letter to me, provision is made for the governing board of school districts to interrogate the employees on matters relating

to the Communist Party and Communist activities. I hope that each school board will bear in mind a technique which we have recently discovered by members of the Communist Party to attempt to evade query by governing investigative bodies, namely, to resign technical membership in the formal entity known as the Communist Party, but to maintain themselves under Communist discipline in the Communist operation.

May I take this occasion to state further that the Committee on Un-American Activities will hold hearings in California at a time to be announced in the course of the next several months on certain other aspects of the Communist operation there.

With very best regards, I am,

Sincerely yours,

FRANCIS E. WALTER,
Chairman.

Mr. GUBSER. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I am glad to yield to the gentleman.

Mr. GUBSER. The statement has been made that these teachers who were subpenaed were held up to public ridicule, and that their names were made known to the public. I should like to inquire of the distinguished chairman whether or not the Committee on Un-American Activities made public the names of these teachers when they were served with subpenas.

Mr. WALTER. No; the Committee on Un-American Activities did not divulge the names of these witnesses. The fact of the matter is that after some of these people were subpenaed they held an indignation meeting, and they attempted to raise a fund for the purpose of preventing the committee from conducting hearings in this field. The committee gave out no information; many were identified by the same people who were subpenaed who protested too loud.

Mr. SCHERER. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Ohio.

Mr. SCHERER. Is it not a fact that the legislation before us will not prohibit this communistic propaganda from coming into the United States, but it merely provides for a certainty that it shall be labeled as Communist or political propaganda?

Mr. WALTER. Yes; I think I said that. Anything at all can be sent into the United States, but if it is Communist progapanda then under the Foreign Agents Registration Act it should be labeled as that.

Mr. SCHERER. Under the present act it is required to be labeled, but our hearings disclosed that about 10 million pieces of this Communist propaganda come into the country each year that are not labeled as required by the Foreign Agents Registration Act.

Mr. WALTER. Yes, that is a fact. The pattern that was developed by Irving Fishman in his testimony before us was that the same material that came in, for example, to the port of Buffalo, was printed in Polish because there is a large Polish population in that area, and the same material when it was delivered, for example, to San Francisco, was published in Chinese because of the large Chinese population there. So it went all over the United States. When Irving Fishman testified, I think it was nine times, concerning this material, it was because he was establishing a pattern, and nobody has contradicted this testimony. I am sure that nobody has been fooled by the vicious attacks made on this very reputable and reliable witness. by the newspaper articles of Don Oberdorfer and Walter Pincus in the Washington Post.

Mr. SCHERER. Is it not a fact that the evidence before our committee declares that the Communist progaganda machine has developed certain techniques and procedures whereby they have succeeded in getting around the labeling of this propaganda as such? That is the evidence, that they succeeded in evading the present Foreign Agents Registration Act.

Mr. WALTER. They have just ignored the law completely, and the Attorney General has not proceeded because, as I stated before, he could not prove all the elements necessary in order to make out the offense.

Mr. SCHERER. All this legislation is doing is plugging up the loopholes in order to prevent them from circumventing the present law?

Mr. WALTER. Exactly. I think this is what the Attorney General feels is necessary in order to compel these people who are flooding this country with Communist propaganda to label the material for what it actually is.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Illinois.

Mr. YATES. Will the gentleman tell us what the term "propaganda" means in this legislation? What happens with respect to scientific periodicals that come into this country, for example, that are disseminated among our universities and various scientific institutions? Will they have to be labeled as foreign propaganda under this law?

Mr. WALTER. The gentleman knows no technical publication which could possibly by any stretch of the imagination be considered as propaganda. But let me tell you this: The college professors who are today receiving this technical material are on the same mailing list to which goes all sorts of Communist propaganda. Just the other day, one of the professors at Lafayette College, a neighbor of mine in Pennsylvania, brought to me some Communist propaganda. He told me it had gone to every professor in the engineering department, which is the department in which he serves. Now this was not a technical matter. This was Communist propaganda pure and simple and had to do with the alleged rapes by our soldiers on women in South Korea.

Mr. YATES. Mr. Speaker, will the gentleman yield for a question.

Mr. WALTER. I yield to the gentleman from Illinois.

Mr. YATES. Do I understand the chairman's answer to be that if an article is contained in a Russian scientific periodical that there is no need for such an article or for that periodical to be registered under this law?

Mr. WALTER. Of course not.

Mr. YATES. There is not?

Mr. WALTER. No, and there is no intention on the part of anybody to require the labeling or registration of that type of material.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. MEYER. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, on the surface this is one of those bills that we all could very easily support. Certainly, the general overall objectives of it are good. But, I think there are some hidden jokers in it, and I rise to point out some of the things that we might well question as to whether we are actually moving in the right direction.

Mr. Speaker, my attention was first called to this whole matter by a professor of Russian history at the University of Vermont. He wrote to me that periodicals which he had ordered by subscription were denied to him by the customs and post office people. Finally, he did get them after a great deal of trouble. But, the whole matter of the legality of this has never been brought up for constitutional determination. In fact, I believe a part of this legislation seeks to cover this up at the present time. I think there is something wrong when professors in our colleges cannot get the information they need for their course work. Furthermore, other individuals have complained to me that they have subscribed to certain periodicals and, then, to get them they have had to put their name down on record, which means in turn that their names could be quoted at a later date as people who were interested in getting Communist propaganda rather than, perhaps, as individuals who wanted to get information that they really needed.

Another point, Mr. Speaker, is this. How are we going to define what is political propaganda? If that were clear and if that could be done, then I would have no objection on that score. But I do not believe the gentleman from Pennsylvania has adequately answered the question as to what is political propaganda. To some people even a picture or a painting could be political propaganda. It is all in how you look at it.

Another point, Mr. Speaker, is this and I read from the report on the bill. The report says:

(a) Every person within the United States who is an agent of a foreign principal and required to register under the provisions of this act who imports or causes to be imported, or who transmits or causes to be transmitted in the United States mails or by any means or instrumentality of interstate or foreign commerce, any political propaganda shall—

And so forth. In another place, it says:

(b) It shall be unlawful for any person within the United States who is an agent of a foreign principal and required to register under the provisions of this act to import or cause to be imported, or to transmit or cause to be transmitted in the United States mails or by any means or instrumentality of interstate or foreign commerce, any political propaganda.

The report also reads:

(e) Any person not within the United States who uses the United States mails or any means or instrumentality of interstate or foreign commerce within the United States to circulate or disseminate any political propaganda shall be regarded, for the purposes of this act, as an agent of a foreign principal who is acting within the United States.

To me, Mr. Speaker, this means that we can label almost anyone an agent of a foreign government and, thus, shut out the flow of information to the United States that is needed not only by us, but by professors and many other individuals as well. I question whether this is a wise proceeding.

Furthermore, when it comes to the matter of the Comptroller, under section 20–A, I understand, and to the best of my knowledge know, that there were no hearings about this provision at all. It is stated here that it should be a man with at least 5 years experience in the import and control of political propaganda. I just wonder how many people are qualified for this job in the United States.

So I would sum up that before we pass this legislation there are many unanswered questions that we have to repeat, many things we are entitled to know, because we do want to shut out those Communist activities which are improper and which are harmful to our country, but certainly we do not want to start a type of control that comes upon us merely because we do not have an opportunity to read and consider and discriminate and make our own decisions. To me, this is exactly against the very principles of our Government. I believe that on this floor we should exercise more discrimination.

Mr. JOHNSON of Colorado. Mr. Speaker, will the gentleman yield?

Mr. MEYER. I yield.

Mr. JOHNSON of Colorado. The gentleman has referred to the term "political propaganda" contained in the present bill. I find in the Foreign Agents Registration Act, title XXII, the definition of "political propaganda" which will be applied under this bill. It reads:

The term "political propaganda" includes any oral, visual, graphic, written, pictorial, or other communication or expression by any person first, which is reasonably adapted to, or which the person disseminating the same believes will, or which he intends to, prevail upon, indoctrinate, convert, induce, or in any other way influence a recipient or any section of the public within the United States with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party or with reference to the foreign policies of the United States or promote in the United States racial, religious, or social dissensions.

The SPEAKER. The time of the gentleman from Vermont has expired.

Mr. MEYER. Mr. Speaker, I yield myself 3 additional minutes.

Mr. JOHNSON of Colorado. My question is this: As I read that definition, I recall I used to read the London Economist. Now somebody is sending me a French magazine. It seems almost impossible for me to read any publication coming from a foreign country, whether official or unofficial, without being in some respect influenced with respect to my thinking.

Mr. MEYER. Does the gentleman mean that almost anything could be construed to be political propaganda, depending upon who is making the determination?

Mr. JOHNSON of Colorado. I think that would be the case. I would go further and ask the gentleman's comment in regard to section 209, page 5, lines 17 and 18. It seems to me the Congress is tying the hands of the President. Control of political propaganda is not a large field of job opportunities, and the number of men who may have such qualifications might be limited. I do not remember seeing in other laws such a tight definition of who may be appointed.

Are we not also running the risk of converting any foreign publication by later interpretation into "political propaganda"? The Constitution says that Congress shall pass no law interfering with the freedom of the press and freedom of speech. It seems to me that we transgress the constitutional limitation in approving such broad language as this.

Mr. SCHERER. Mr. Speaker, will the gentleman yield?

Mr. MEYER. I yield to the gentleman from Ohio.

Mr. SCHERER. Does the gentleman understand that the legislation in our bill changes the definition of political propaganda as contained in the Foreign Registration Act of 1938? All this does is to provide that it shall be properly labeled.

Mr. MEYER. I would like to answer the gentleman's statement. It is true, as you say, but I would say to the gentleman there are many scientific articles that probably would be clear, but I remember quite definitely when a Russian biologist advanced a certain theory dealing with heredity, and at that time this was broadly labeled as propaganda.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. MEYER. I yield.

Mr. JOHANSEN. I know the gentleman does not want his earlier statement misunderstood in which he quoted from this amendment, and quoted to the effect:

It shall be unlawful for any person within the United States who is an agent of a foreign country and required to register to import or cause to be imported—

And if my memory serves me correctly the gentleman stopped there. The gentleman recognizes, I am sure, that the balance of the sentence includes the proviso—

Unless there shall be this registration and this identification.

And I am sure the gentleman understands this is not a flat prohibition, it is a prohibition unless certain requirements are met. I am sure the gentleman wants the RECORD to be very clear on that point.

Mr. MEYER. I would like it to be, and I think the gentleman is correct.

But the point involved is that it is already so. To get some information now, this clause makes it all the more difficult. I do not care who you stop from sending material that we do not want, but I object to this prohibition applied to what I believe it could be applied to; namely, many legitimate sources of information.

Mr. JOHANSEN. The gentleman acknowledges that this prohibition is conditioned by this matter of labeling.

Mr. MEYER. Absolutely, absolutely.

The SPEAKER. The time of the gentleman from Vermont has expired.

Mr. MEYER. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. ROOSEVELT.]

Mr. ROOSEVELT. Mr. Speaker, I rise just to ask one or two questions and to make one comment. May I ask the distinguished chairman of the committee whether it is the legislative intent of the committee that the definition of political propaganda which is contained not in the act which we are amending but in the Foreign Registration Act—is it the intent of the committee that that definition shall apply to this act?

Mr. WALTER. Actually what this proposes—and I am sure everyone who expressed opposition knows it—this does nothing at all to existing law. It merely adds one thing; namely, that it is not necessary to prove that the organization disseminating the information is subsidized in whole or in part by a foreign government. That is all it does; and what you have been talking about and what the gentleman from Vermont has been talking about is entirely irrelevant; it has nothing to do with the proposed amendment.

Mr. ROOSEVELT. Would the distinguished gentleman then tell me also on page 6, in order that the legislative intent of the committee may be clear, whether the last sentence with reference to this new office which is being set up: "and he shall perform such other functions as the Secretary may prescribe," is that intended to mean only such as is already a part, as legislatively described, of the Secretary's duties?

Mr. WALTER. Of course that is the intent; and the only reason the committee felt it was desirable to spell out its application was because we did not feel that the occupant of this position as liaison officer ought to be purely a politician. We were hoping it would be somebody who was conversant in this field so that no possible injustice could be done to anyone.

Mr. ROOSEVELT. I certainly thank the chairman. I am sure we do not want to go to the extent—which I am sure would be abhorrent to most Americans—as to make this a form of censorship.

May I also ask you, sir, because I think perhaps inadvertently in your remarks you made the statement that the State of California following up the investigations that had been made as the result of material supplied by the House Un-American Activities Committee, had fired certain California teachers because of their affiliations. My question is: "Do you have effective proof such firings as took place of those who had been subpenaed were based on grounds of the Communist affiliations? The specific reason was not given, as a matter of

fact. Therefore it would be perhaps unfair to label them as Communists unless such specific reason had been given.

Mr. WALTER. I will say for the benefit of the gentleman from California that not one single subpena was issued for any people connected with the school system of the State of California who was not an identified Communist; and the people who were discharged from their employment were discharged by the several school districts of the State of California based entirely on the result of independent inquiries conducted by the school districts.

Mr. ROOSEVELT. However, may I specifically say that the gentleman has not answered my question. My question was: Did the State of California or any other local institution say that their firings were because of Communist activity on the part of the persons fired?

Mr. WALTER. I do not know how to spell it out, but I was saying that every one of the individuals, of the hundred people subpenaed by the committee in any capacity, none of them was required to testify because of the intercession of the State of California; every single one of those people was identified at some time or other as being a Communist.

The gentleman may want those kind of people to teach his children in California, but there are people who do not.

Mr. ROOSEVELT. I would have to take the position that of the 100 named, well over 90 percent were not fired. Does that mean it was conclusively proven they were not Communists upon the very definition the gentleman has given?

Mr. WALTER. It does not prove that at all. It simply proves that the school authorities were derelict in their duty or they did not make use of the information furnished.

Mr. ROOSEVELT. All I can say, then, is in that particular instance I would have to stand behind the school authorities of the State of California.

The SPEAKER. The time of the gentleman from California has expired.

Mr. MEYER. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado [Mr. JOHNSON].

Mr. JOHNSON of Colorado. Mr. Speaker, this is a difficult bill for us to consider because it is primarily amending other existing law. It goes into an area concerning which certainly the mood of the American people is this: If there is Communist propaganda coming in we would like it to be identified as such. But this bill refers not merely to Communist propaganda but to any political propaganda. The bill refers to it in terms of a very broad definition; indeed, it is so broad that while the intent may be as narrow as just stated by the chairman, the terms of the language of the bill which he reported to the House, put on the statute books a grant of authority which might well at some future time be used for proceedings far beyond the limited purpose to which he alludes.

I therefore now find myself, Mr. Speaker, in the same position that I have found myself in once or twice here before. That is to say, as one who has taken an oath and affirmation to uphold the Constitution against all enemies, foreign or domestic, I must abide by the spirit of that Constitution. Therefore I must here register my protest against what I believe to be a proposed statute that is drawn so broadly as to transgress certainly on the spirit and quite possibly the letter of the Constitution itself.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Colorado. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Speaker, in response to an earlier question the gentleman from Pennsylvania indicated that technical publications did not qualify as political propaganda.

Mr. WALTER. May I ask the gentleman, Does he know any case where legitimate technical information has ever been questioned by the Justice Department?

Mr. YATES. I know of none. I was seeking an answer to what is within the purview of the definition. My question is now addressed to subparagraph (e) on page 4, and I should like to ask the gentleman as to whether or not publications from a foreign country, such as the London Economist or Manchester Guardian, for example, or other newspapers of that type, which contain articles about Russia, or other Communist countries, and which might be construed by some stretch of the imagination to be brought within the purview of the definition of political propaganda in the act to which the gentleman referred in his answer to the gentleman from Colorado, and whether this section is intended to cover such newspaper or magazine articles.

Mr. WALTER. Well, if the Christian Science Monitor is a Communist publication, then the London Economist is. That is the only answer I can give.

Mr. YATES. I submit the gentleman has not answered my question. This section is about a person not within the United States who uses the U.S. mails or some other governmental instrumentality. The Christian Science Monitor is published in this country. I am talking about a foreign publication which does use the U.S. mails, for instance, a newspaper. Is it the intent of this section to include such a publication?

Mr. WALTER. Of course not.

Mr. YATES. I thank the gentleman.

Mr. JOHNSON of Colorado. In earlier comment, Mr. Chairman, I asked a question which I now ask of you. On page 5, lines 17 through 19, you specify, "The Director shall be a citizen of the United States, qualified by at least 5 years' experience in the import control of political propaganda." Could you give the House some indication as to how many persons might qualify for appointment by the President under the language?

Mr. WALTER. I should say 51, offhand. That is all I can say.

Mr. JOHNSON of Colorado. Fifty-one separate persons?

Mr. WALTER. At least 51 should qualify.

Mr. JOHNSON of Colorado. Who would qualify under this act?

Mr. WALTER. That is right.

Mr. JOHNSON of Colorado. I thank the gentleman for that answer.

Mr. WALTER. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. SCHERER].

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. SCHERER. Yes; for a brief statement?

Mr. HOFFMAN of Michigan. I wanted to ask the chairman of the committee if the opposition to this bill comes from substantially the same group and on the same theory that led the opposition to the creation of the committee and all of its subsequent activities.

Mr. SCHERER. I will answer that—yes.

Mr. HOFFMAN of Michigan. I want his answer. What does the chairman say?

Mr. WALTER. I have no way of knowing.

Mr. HOFFMAN of Michigan. Do you know?

Mr. SCHERER. I refuse to yield further.

Mr. Speaker, numerous hearings conducted by the Committee on Un-American Activities reveal that approximately 10 million pieces of Communist propaganda is coming into the United States from behind the Iron Curtain each year. Now, this propaganda is not only printed in English but in 13 different languages, and it is directed to different nationality groups throughout the United States. The evidence was clear that whenever the Russian propaganda machine wanted a certain nationality group within the United States to take a certain position on a current political issue, that particular nationality group was flooded with Communist propaganda directed to that issue.

Now, as has been said, this legislation in nowise prohibits this propaganda from continuing to come into the United States through the U.S. mails. It merely says that it shall be labeled as was contemplated by the Foreign Agents Registration Act of 1938 so that when a person gets the material he will know where it comes from, just the same as our pure food and drug law requires that we must label certain drugs as being poisonous, so that the individual can evaluate the propaganda better and know its source. This is all this bill is designed to do.

The question is raised: What kind of propaganda do we want to comply with the Foreign Agents Registration Act? Here is a piece (of propaganda) that was part of the evidence in the hearings in Buffalo. Thousands of these pamphlets were sent into the United States in 10 different languages. But listen to some of the propaganda. This is the type of vicious propaganda we are talking about—that we want properly labeled. This was printed not years ago but in 1959, and it came out of Peking, China. Listen to this:

> American imperialists have committed atrocities unprecedented in the history of mankind in their aggressive war in Korea. They have massacred at random innocent people in North Korea.

Now, we do not believe this tripe, but it is printed in different languages all over the world for the purpose of creating ill will and hatred toward the United

States. They do not talk about atrocities committed during the Korean war; they talk about alleged atrocities committed since the Korean war. This is what it says:

DATA ON ATROCITIES OF U.S. ARMY IN SOUTH KOREA

The atrocities of the U.S. Army in South Korea have been steadily increasing since the armistice.

Then they talk about "raping and killing women" by boys in the armed services. Then in another part of this pamphlet they say:

On February 25, 1958, in Poopyung, two U.S. officers and one corporal ruthlessly tortured a Korean boy, nailed him into a wooden box, and carried him away by a helicopter.

This is the type of propaganda coming into this country, millions and millions of pieces of it a year, and, because the Communists have developed techniques for avoiding the requirements in the 1938 Foreign Agents' Registration Act, which requires that this propaganda be labeled, it gets into the country unlabeled. All we are trying to do is to plug up the loopholes so that the spirit and intent of the Foreign Agents' Registration Act, which has been on the books since 1938, will be complied with by the Communist propaganda machine.

Mr. HIESTAND. Mr. Speaker, will the gentleman yield?

Mr. SCHERER. I yield to the gentleman.

Mr. HIESTAND. Will the gentleman state to whom this type of propaganda is addressed in this country?

Mr. SCHERER. This propaganda is sent largely to people who have connections behind the Iron Curtain, who have relatives there, who have come from there. Much of this type of propaganda, which is printed in the slick-paper-covered type magazine, and which is subtle, is directed to colleges and universities. This magazine was sent to us by a professor of one of our leading universities. He himself said something must be done in order that the American people will be alerted to the fact that this type of material is actually political propaganda.

Mr. Speaker, since my time is limited, I include an article on this subject which I wrote for the magazine American Opinion:

AND THE GERMS COME BY THE MILLIONS

The second example is even more significant. Today there are coming into this country each year through the U.S. mail approximately 10 million pieces of subtle, effective Communist propaganda from Iron Curtain countries and Communist centers located in friendly nations. Let me describe one of a series of almost identical committee hearings dealing with Communist political propaganda, held in a few of the 45 ports of entry for mail in the United States.

Our committee met in Buffalo in October of last year. On the courtroom floor were dozens of large sacks of mail directed to the Buffalo area which came from behind the Iron Curtain. Sacks were opened at random and their contents dumped on the tables. Eighty percent of the mail in those sacks was pro-Russian propaganda in one form or another, emanating from Communist countries, addressed to people in the Buffalo community. Part of this propaganda, printed in eleven different languages, is directed to various nationality groups; often to individuals who have migrated to the United States from satellite nations, or who have families still living under the Kremlin's heel.

The propaganda is cleverly and subtly presented in magazines, newspapers, and pamphlets which, from a casual perusal, do not reveal the poison they contain. Expensive magazines, comparable in size and format to our Life and Look, are sent free, or sell for only a small fraction of the cost of printing. They are obviously subsidized by the Communist propaganda agencies, since they carry no advertising whatsoever.

The U.S. Information Agency testified that the boys in the Kremlin are spending approximately $3 billion a year on all forms of Communist propaganda, directed to every country in the world. Exactly what portion of this amount the comrades spend for the edification of the people of the United States is in the process of being determined. However, these bright-colored pictorial magazines, newspapers, and seemingly innocuous pamphlets, containing articles bearing attractive titles, are at this very moment being shipped into this country in huge quantities and at an accelerated rate.

THE DEAD RED HERRING

Those who want you to believe that the Communist Party is shattered, ineffective, and dying, and that the investigating committees are beating a dead horse for headlines, point to the recent folding up of the Daily Worker to sustain their charges. But the Daily Worker's demise was not a natural death. It was a well-planned suicide. The Daily Worker for years boldly carried the Communist line. It was the source of valuable information for both the FBI and the committees. Old issues carried the Communist activities of a long list of now indignant and self-righteous brethren who are today attempting to destroy or to handcuff the Bureau and the congressional investigating committees. The Daily Worker of yesterday was coming out of the archives too often to haunt these fellow travelers.

It is obvious that self-preservation, and not the Communists' pious interest in the preservation of the so-called civil rights of their fellow citizens, has prompted their recent tawdry efforts to cut off the appropriations for the Committee on Un-American Activities. So let's not be too jubilant over the Daily Worker's sham burial rites. The conspiracy has only switched its strategy by flooding this country with more subtle propaganda.

The evidence at the hearings shows that when the Communists want to influence the attitude of certain nationality groups in this country on current political and other issues there appears a rash of concentrated mailings to these groups, carrying the Communist line on the issue.

AND THE LIVE LEECHES

As I have said, people who receive these mailings are often those who have fled Iron Curtain countries and settled in the United States, or who have families and relatives in those countries. They become greatly disturbed when they find that the Communists know their addresses in the United States. Many were so upset that they changed their residences and their names. Some became panic stricken when, within a few weeks thereafter, similar mailings arrived bearing their new addresses and their changed names.

Our committee determined how these addresses were obtained by the oversea Communist propagandists. The findings illustrate how effective one Communist can be. The argument made by the leftwing that there is nothing to fear because there are so few Communists in the United States is again negated. Here is one method used. A member of the Communist Party joins, say, a Polish singing society. His Communist connections, of course, are unknown to the members of the group. He surreptitiously obtains the mailing list of the organization. One of his obligations to the Communist conspiracy is fulfilled when he sneaks that list behind the Iron Curtain.

Let me give you a few excerpts from the record of the hearings which indicate how these people feel about the material they receive. In order to protect them, the transcript of the hearings does not contain their names and addresses.

A woman writes to a postal official as follows:

"Lately I have been receiving propaganda from abroad. I do not know who sent my name in or how they found my address. Please return this material. My husband and I do not want trouble with this Government."

One person begs: "Please do not let these things pass through. I do not need this smelly stuff."

A former resident of Berlin has this to say:

"I would like to advise you that I do not want any mail sent to me sealed from Berlin. This is a black, dirty Communist Party literature to return us new Americans to our native countries. I am loyal to my new home, the U.S.A., and do not want to hear any of that kind of literature. Please destroy all that."

A group of displaced persons wrote as follows:

"We, the displaced persons. been getting by mail Communist propaganda here in five different languages. First it started with small sheets, now they are mailing large printed sheets over every other month calling us back, it is our duty to be back in your own country. * * * We shorten the working hours and raise the pay 30 percent, don't slave there, they don't want you there where you are now slaving your life out.

"We are very sorry we cannot give our names and addresses in this letter; we are in fear of danger same as five Russian seamen being kidnapped from here, most of us are as citizen now. * * * All we ask kindly to stop the propaganda mail coming over so we can live peacefully; we don't want their propaganda here and we don't want to be victims."

A professor at one of our universities, as late as January 10 of this year, wrote to the committee in part as follows:

"I am enclosing a bit of East German literary work. It is to be assumed that it is being circulated in appreciable quantity in this country by mail. * * *

"I am concerned about the influence of this propaganda upon the average person in this country. While one may argue that no red-blooded American could ever be affected by this literature, it is my experience that it requires more than an ordinary degree of sophistication in these matters to become fully aware of the presumptuousness of this magazine. * * *

"This is obviously a government-subsidized venture; no East German publisher is in a position to finance this grade of translation which, by Iron Curtain standards, is of excellent graphic quality. They take unfair advantage of the absence of censorship by the U.S. mail to further their shady cause, which is to cast doubt upon the U.S. position toward Russia. They provide additional eyewash for those who are eager to forget the Hungarian struggle for freedom, and to break down American morale by 'proving' that the Russians aren't so bad after all. * * *

"This is sneaky business. * * * The magazine I am enclosing was mailed to my address at an institute of higher learning, and the expectation is quite obviously to get wide circulation in a group of comparatively high intelligence. * * * It is an example of the new twist in Red psychological warfare. * * *

"The stuff is poisonous and, even if the reader is critical, too many of the facts are out of his reach. Maybe some education by your committee of potential recipients of such propaganda would help."

POISON FOR THE GULLIBLE

Of course, I would not want to lead you to believe that the propaganda is directed solely to nationality groups and those who have ties in Iron Curtain countries. In fact, only a small percentage of the total propaganda coming through the mails is devoted to this group. Of the more than 1,000 different types of these periodicals which come to our shores each year, the great mass is printed in English and goes to native-born Americans; to our libraries, colleges, seminaries, and to people with extreme leftwing propensities who are in positions to mold American opinion.

There is another facet to this Communist propaganda offensive. Some months ago the country was flooded with what purported to be scientific radio journals from the Soviet Union. Great prominence was given in these journals to a quiz for ham radio operators. A series of prizes were offered to the winners.

It is significant that, after the contestant had answered the questions, which in themselves were filled with propaganda, he was asked to give his address, the call letters of his radio station, and other pertinent information about his activities as a ham operator. It would be presumptous for me to detail how highly valuable such information is, not only to the propagandists but also to the Russian secret police.

Our postal and customs officials testified that of the tremendous number who participated in this contest, several thousand won "the second prize." It was a copy of a publication entitled "Radio Moscow." The Communists certainly got a lot of mileage out of the rubles spent on this one.

AND LIES FOR THE INNOCENT

Perhaps the most revealing development was brought to light in hearings at New York. These hearings were being held a few months after the Hungarian revolution. One of the exhibits was a magazine dated a few months before the Hungarian freedom fighters rebelled against Communist oppression. It was published in Hungary, but printed in English, and widely distributed in the United States.

It was interesting to read, immediately after the revolution, from this propaganda sheet printed immediately before the revolution, how the Hungarian people were happy and content and how they were prospering under the Communist regime. This piece of propaganda was done so cleverly that, had not the revolution and subsequent Russian atrocities taken place, thousands of Americans, particularly those of Hungarian extraction, would have been duly convinced of the alleged success of a benevolent Communist regime in Hungary.

SHOULD BE LABELED

Some readers will ask what legislative purpose, other than exposing this phase of the cold war, did the House Committee on Un-American Activities have in making the investigations and holding the hearings I have been discussing in this article.

Under the first amendment of the Constitution, which prohibits interference with freedom of speech and the press, these publications cannot be banned. The committee had no thought of attempting to do so. We do, however, have a law known as the Foreign Agents' Registration Act, which requires that all political and subversive propaganda coming from abroad must be properly labeled so that the recipient will know the source and nature of the material. Our pure food and drug laws require that bottles and packages containing certain foods and medicines, especially poison, must be labeled as to content. If the law requires that poison which may go into our stomachs must be clearly identified, it certainly should require that poison for the mind be also unmistakably labeled.

While the Foreign Agents' Registration Act apparently requires proper labeling, the loopholes and weaknesses are such that our customs and postal officials testified that they never saw one piece of the propaganda I have been talking about so labeled, except that which was sent to the Library of Congress, embassies, and other agencies of Government.

The straw of absurdity that broke the camel's back of patience in these hearings was the development of the fact that the taxpayers of the United States, who at present are subsidizing our tremendous postal deficit, help to pay the heavy cost of delivering this propaganda which would destroy us.

The SPEAKER. The time of the gentleman from Ohio [Mr. SCHERER] has expired. All time has expired.

The question is, Will the House suspend the rules and pass the bill?

Mr. WALTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 395, nays 3, not voting 33, as follows:

[Roll No. 184]

YEAS—395

Abbitt	Burke, Mass.	Fino
Abernethy	Burleson	Fisher
Adair	Byrne, Pa.	Flood
Addonizio	Byrnes, Wis.	Flynn
Albert	Cahill	Flynt
Alexander	Canfield	Fogarty
Alford	Cannon	Foley
Alger	Carnahan	Forand
Allen	Casey	Ford
Andersen, Minn.	Cederberg	Forrester
	Celler	Fountain
Andrews	Chamberlain	Frazier
Anfuso	Chelf	Frelinghuysen
Arends	Chenoweth	Friedel
Ashmore	Chiperfield	Fulton
Aspinall	Church	Gallagher
Auchincloss	Clark	Garmatz
Avery	Coad	Gary
Ayres	Coffin	Gathings
Bailey	Cohelan	Gavin
Baker	Collier	George
Baldwin	Colmer	Giaimo
Barden	Conte	Gilbert
Barr	Cook	Glenn
Barrett	Cooley	Goodell
Barry	Corbett	Granahan
Bass, N.H.	Cramer	Gray
Bass, Tenn.	Cunningham	Green, Oreg.
Bates	Curtin	Green, Pa.
Becker	Curtis, Mass.	Griffin
Beckworth	Curtis, Mo.	Griffiths
Belcher	Daddario	Gross
Bennett, Fla.	Dague	Gubser
Bennett, Mich.	Daniels	Hagen
Bentley	Davis, Ga.	Haley
Berry	Delaney	Halleck
Betts	Dent	Halpern
Blatnik	Denton	Hardy
Blitch	Derounian	Hargis
Boggs	Devine	Harmon
Boland	Diggs	Harris
Bolton	Dingel	Harrison
Bonner	Dixon	Hays
Bosch	Donohue	Healey
Bow	Dooley	Hechler
Boykin	Dorn, N.Y.	Hemphill
Brademas	Dorn, S.C.	Henderson
Bray	Dowdy	Herlong
Breeding	Downing	Hiestand
Brewster	Doyle	Hoeven
Brock	Dulski	Hoffman, Ill.
Brooks, La.	Dwyer	Hoffman, Mich.
Brooks, Tex.	Edmondson	Hogan
Broomfield	Elliott	Holland
Brown, Ga.	Everett	Holt
Brown, Mo.	Evins	Holtzman
Brown, Ohio	Fallon	Horan
Broyhill	Farbstein	Hosmer
Buckley	Fascell	Huddleston
Budge	Feighan	Hull
Burke, Ky.	Fenton	Ikard
Inouye	Milliken	Santangelo
Irwin	Mills	Saund
Jackson	Minshall	Saylor
Jarman	Moeller	Schenck
Jennings	Monagan	Scherer
Jensen	Montoya	Schneebeli
Johansen	Moore	Schwengel
Johnson, Calif.	Moorhead	Scott
Johnson, Md.	Morgan	Selden
Johnson, Wis.	Morris, N. Mex.	Shelley
Jonas	Morris, Okla.	Sheppard
Jones, Ala.	Moss	Shipley
Jones, Mo.	Moulder	Short
Judd	Multer	Sikes
Karsten	Mumma	Siler
Karth	Murphy	Simpson
Kasem	Natcher	Sisk
Kastenmeier	Nelsen	Slack
Kearns	Nix	Smith, Calif.
Kee	Norblad	Smith, Iowa
Keith	O'Brien, Ill.	Smith, Miss.
Kelly	O'Brien, N.Y.	Smith, Va.
Keogh	O'Hara, Ill.	Spence
Kilday	O'Hara, Mich.	Springer
Kilgore	O'Konski	Staggers
King, Calif.	O'Neill	Steed
King, Utah	Osmers	Stratton
Kitchin	Ostertag	Stubblefield
Kluczynski	Passman	Sullivan
Knox	Patman	Taber
Kyl	Pelly	Taylor, N.C.
Lafore	Perkins	Teague, Calif.
Laird	Pfost	Teller
Landrum	Philbin	Thomas
Lane	Pilcher	Thompson, N.J.
Langen	Pillion	Thompson, Tex.
Lankford	Pirnie	Thomson, Wyo.
Latta	Poage	Thornberry
Lennon	Poff	Toll
Lesinski	Porter	Tollefson
Levering	Powell	Trimble
Libonati	Preston	Tuck
Lindsay	Price	Udall
Lipscomb	Prokop	Ullman
Loser	Pucinski	Utt
McCormack	Quie	Van Pelt
McCulloch	Quigley	Van Zandt
McDonough	Rabaut	Vinson
McDowell	Rains	Wainwright
McFall	Randall	Wallhauser
McGinley	Ray	Walter
McGovern	Reece, Tenn.	Wampler
McIntire	Rees, Kans.	Watts
McMillan	Reuss	Weaver
Macdonald	Rhodes, Ariz.	Weis
Machrowicz	Rhodes, Pa.	Westland
Mack	Riehlman	Wharton
Madden	Riley	Whitener
Mahon	Rivers, Alaska	Whitten
Mailliard	Roberts	Widnall
Marshall	Robison	Wier
Martin	Rodino	Williams
Mason	Rogers, Colo.	Wilson
Matthews	Rogers, Fla.	Winstead
May	Rogers, Tex.	Wolf
Meader	Rooney	Wright
Merrow	Roosevelt	Yates
Metcalf	Rostenkowski	Young
Michel	Roush	Younger
Miller, Clem	Rutherford	Zablocki
Miller, N.Y.	St. George	Zelenko

NAYS—3

Johnson, Colo.	Kowalski	Meyer

NOT VOTING—33

Anderson, Mont.	Hébert	Norrell
	Hess	Oliver
Ashley	Holifield	Rivers, S.C.
Baring	Kilburn	Rogers, Mass.
Baumhart	Kirwan	Smith, Kans.
Bolling	McSween	Taylor, N.Y.
Bowles	Magnuson	Teague, Tex.
Davis, Tenn.	Miller, George P.	Thompson, La.
Dawson		Vanik
Derwinski	Mitchell	Willis
Durham	Morrison	Withrow
Grant	Murray	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Hess.

Mr. Holifield with Mr. Kilburn.

Mr. Kirwan with Mr. Baumhart.

Mr. Willis with Mrs. Rogers of Massachusetts.

Mr. Morrison with Mr. Taylor.

Mr. Oliver with Mr. Derwinski.

Mr. Thompson of Louisiana with Mr. Smith of Kansas.

Mr. Ashley with Mr. Withrow.

The result of the vote was announced as above recorded.

SOCIAL SECURITY AMENDMENTS

Mr. RHODES of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, like many of my colleagues in the House, I have been watching with great interest the action on social security amendments in the other body.

Of course, I was pleased that the Senate version of H.R. 12580 retains the provision eliminating the age 50 requirement for eligibility under the disability insurance program, since my own bill, H.R. 917, was directed at this needed change in the law.

The proposed reduction in the retirement age from 65 to 62 years for men and the increase in the outside earnings limitation to $1,800 a year, are also worthwhile amendments which I have urged for many years.

It is regrettable that a number of liberalizing amendments contained in the House bill were eliminated by the Senate Finance Committee, including those provisions improving the unemployment compensation system. However, I am hopeful that floor amendments in the other body may restore these important provisions.

Mr. Speaker, the greatest disappointment in the Senate Finance Committee version of H.R. 12580 was the failure to provide for an adequate and workable program to provide medical care for the aged within the established social security system.

I hope that some action will be taken in regard to catastrophic illness, the cost of which is a heavy burden on many families in the Nation, particularly among our aged citizens. Social justice calls for legislation to ease the burden of catastrophic illness, which often wipes out a lifetime of savings and toil for many of our citizens. Home, farms, possessions, are often lost in the struggle to meet the rising costs of medical care during a serious illness, or for hospital, nursing home or institutional care. These bring severe hardship and deprivation to many citizens and families.

Mr. Speaker, I hope the other body will reject the administration's repugnant "pauper's oath" approach to this problem and adopt a genuine, realistic program to deal with the problem of catastrophic illness of such vital concern to the old people of America.

THE COURAGEOUS AMERICANS: A STORY OF A DAY AND A MAN, THE HONORABLE DANIEL K. INOUYE

Mr. WIER. Mr. Speaker, I take this occasion to ask unanimous consent to insert in the RECORD at this point a very interesting article written a week ago Sunday by Mr. Fletcher Knebel in which he outlined in detail the many exploits of our distinguished colleague here in the House, the Representative of the great State of Hawaii, DANIEL K. INOUYE. I am sure you will enjoy reading this article as I enjoyed reading it, and I think it is well worth the time spent in reading it.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The article follows:

THE COURAGEOUS AMERICANS

(By Fletcher Knebel)

(Part 2 of a series on World War II)

It was April 21, 1945, in north Italy and the war was almost over. The day opened bright and clear. Only a few clouds flecked the early morning sky, and a fresh breeze plucked at the buds of trees on the small mountains that lay before Aulla, gateway to the Po Valley.

"Nice day for a walk," thought 2d Lt. DANIEL K. INOUYE of Honolulu, Hawaii.

Like many soldiers who found themselves on the Italian peninsula that morning, DAN INOUYE appeared somewhat out of place in the cynical business of mass killing called war. He weighed 120 pounds, stood only 5 feet 6. And his round, brown face wore an expression of almost cherubic innocence.

DANNY INOUYE was 20 years old, son of a Honolulu clerk. He had volunteered for the infantry 2 years before and had been fighting in Italy and southern France for almost a year. He had been commissioned from the ranks on the battlefield and had been wounded once. This day he was promoted to first lieutenant by distant orders, but was not to learn of the new rank for several weeks.

It was shortly after dawn that INOUYE and 25 men of the 3d platoon, E company, 442d regimental combat team, crawled out of their valley foxholes. They stretched, hunched, and flexed arms and legs to get the night chill from their bones. As they munched morning field rations, all was quiet. Wisps of mist floated through the sheltered ravine where they had hidden for the night.

FIRE FROM THE HILLS

INOUYE tramped back a mile or so to company headquarters to get his orders for the day. By the time he returned to his men and spread his topographical map on the ground, the big guns had begun to belch from the rugged hills where the enemy, German troops of the 361st panzer grenadier regiment, manned machinegun nests behind rocks and bushes.

The climax of the long, bitter Italian campaign was nearing. It had begun September 9, 1943, when Americans of Gen. Mark Clark's 5th Army had waded ashore at Salerno, far to the south, just above the instep of the Italian boot.

It had taken 589 days for the British Eighth Army and the American Fifth to slog their way up the narrow peninsula from Salerno to the heights before the Po Valley, a distance of 340 miles. On a few rare days the columns had raced ahead 5 to 10 miles. For weeks their advance had been measured in feet and yards. In all, they had averaged less than six-tenths of a mile a day advancing against the stubborn troops of Hitler's Reich.

Behind lay the bloody Anzio beachhead, where the spirits of men slowly dissolved under the persistent whine of shells and the thunder of daily bombing raids. Behind lay the Rapido River, little more than a stream, which became a liquid slaughterhouse where America lost 1,681 killed, wounded, and missing in less than a day.

Behind lay Cassino and its path of bodies to the famous abbey. Behind, indeed, lay 32,000 dead men from the polyglot allied armies of Americans, British, Poles, French, Brazilians, and a few Italians who fought northward.

It had cost the Allies almost 190,000 men killed, wounded, and missing to come a distance not as far as that from Pittsburgh to Chicago. The Germans had lost almost double that number in this strange war within a war, an almost forgotten conflict that flashed into the headlines only sporadically—as when the American troops marched into Rome.

AN UNINSPIRING WAR

It was a dreary war of the M's, of mountains, mud, mules, mortars, machineguns, mines, and malaria. In the summer, the sun turned heavy GI battle togs into soggy, stinking receptacles of body sweat. In the rain and brutal cold of winter, men shivered in foxholes and trenchfoot dragged thousands out of the lines.

In some actions, such as the allied drive through the heavily fortified Gothic line, olive groves and vineyards were battered into a terrain resembling a Salvador Dali painting. Snipers shot from hilltop monasteries. Hundreds of Italian villages were left with only grotesque shells where homes had huddled together.

Morale was always a problem. The allied high strategy called for General Clark to pin down the maximum number of German troops, thus diverting them from northern and southern France and later from the defense of Germany itself. For the job, Clark was given enough men and arms for a death struggle, but not enough for quick and decisive victory. Every GI knew this, if only intuitively. Men felt they had been marked for sacrifice the day they walked ashore in Italy.

But in one unit, the 442d combat team, morale had never been a headache to higher echelons. The men of the 442d were Nisei, Japanese-Americans. Almost all were volunteers who sought to dissipate, in the heat of battle, the cloud that the Japanese attack on Pearl Harbor had settled on their names. They were Americans of Japanese ancestry, most of them from Hawaii, but also drawn from the big cities of the American mainland.

Many of their parents had been put in segregated camps after Pearl Harbor. To a man they felt the sting of such words as "traitor" and "spy." When President Roosevelt authorized formation of a Nisei combat team in January 1943, they had rushed to enlist. They had trained for a year in camp Shelby, Miss., before being shipped to Italy.

Up the boot of Italy, with a brief spurt of fighting in southern France—where they rescued a lost Texas battalion—the Nisei had accumulated more than 3,500 wounds and won more than 1,000 medals for bravery. Under the "go for broke" slogan, the 442d had committed about 8,500 men to battle. Some of these had withdrawn from outposts under orders. Never had any of them turned and run.

ANOTHER DAY, ANOTHER HILL

Like other GI's of the 5th Army, the Nisei fought a war of small units. Almost every day seemed the same. A platoon marched up a hill under withering machinegun fire and heavy artillery barrage. Fear gnawed at every stomach. Men dropped screaming.

Then the hill was taken and they burrowed into the ground for the night. Tomorrow, another hill, another day of fear.

And so April 21 was another day. Lieutenant INOUYE pointed ahead to the objective, the rocky crest of Mount Marciaso. It was about 2 miles distant, and between lay two somewhat lower peaks that had to be crossed. The platoon began its march at 9 a.m., first Indian file and then spread out in a line, with several yards between each man.

DAN INOUYE, who had been a freshman pre-med student at the University of Hawaii when he volunteered, now carried almost 100 pounds of gear on his slight frame. To his waist was strapped a .45 pistol, a heavy bag of hand grenades and a trench knife.

Crooked in his right arm he carried a Thompson submachinegun. It wasn't regulation for a platoon leader, but INOUYE felt comfort in its firepower. To his back was strapped a walkie-talkie. The lieutenant had lost his battle jacket somewhere, and for the day's fight he had borrowed a parka. The hood drooped down his back and the coat was too warm for the April morning.

INOUYE'S helmet carried no officer's bar. Germans loved to shoot officers first, and no man in his right mind intentionally made himself a target. However, INOUYE'S parka was mottled gray-green, camouflage style, and he stood out prominently from his men anyway.

The little band of men walked slowly, cautiously over the first small, undefended peak. By noon, they had started up the second incline, ever so slowly, a step at a time. INOUYE spoke into his walkie-talkie, calling for close artillery support. The American self-propelled guns to his rear opened up at once, laying down a barrage only 100 yards in front of the slowly advancing men. For several months now, the coordination of artillery and infantry had been almost miraculous in its pinpoint accuracy. The men winced with the explosion of each friendly shell, but the curtain of fire was their shield.

A SILENCE IN THE SUN

"It's the kind of support an infantryman dreams about," thought INOUYE, very proud of the precision. A few Germans on the lightly held second ridge retreated ahead of the platoon.

Halfway up the final incline to Mount Marciaso's peak, INOUYE ordered the artillery to stop. The trajectory was such that the fire could reach no higher and a continuation would only wipe out the platoon.

For the first minute after the guns ceased, an unearthly quiet prevailed. The sun was hot now, and every man was bathed in sweat as his nerves added extra heat to the body. The platoon moved forward at a crouch. One man remembered afterward that a bird twittered in that brief moment of silence. Then, suddenly, an angry chatter burst from the rocks ahead.

INOUYE felt a terrific jolt on his right side, between hip and ribs. It was as though a sparring partner had landed a solid blow to his midriff. The impact knocked him down, and he instinctively looked around to see who had punched him. Then, quickly, he felt all right. He got to his feet and began walking at the crouch again.

His radioman and good friend, Pfc. John T. Suzuki, touched him on the shoulder from the rear.

"DAN," he said, "you're bleeding."

INOUYE looked down. Blood was oozing through his parka. The time was about 2:15 p.m. Suzuki motioned his head to the rear. Lieutenant INOUYE, the flick of the head said, should drop out of line. INOUYE shook his own head and kept walking. He felt pretty good, unaware that a rifle bullet has passed clean through his middle, nicking the wall of the right kidney.

Suddenly murderous machinegun fire burst from three positions, straight ahead and to the left. The Nisei flopped to the ground and quickly snaked on their bellies behind any protection they could find—a dip in the ground, a boulder, a tree trunk.

For perhaps 30 seconds the slugs flew overhead. INOUYE was weak with fear. His belly and face hugged the earth. It would be pleasant to record that in this moment of truth the young lieutenant evolved a rapid command decision as do the four-star generals who commit great armies to battle. Actually, only two thoughts raced through his mind.

UPRIGHT IN A HAIL OF STEEL

The first: "If this goes on another minute, we'll all die." The second: "Damn it, this is it. A leader can't run." And then, almost without conscious thought, DAN INOUYE spotted the three focal points of the machinegun fire and began to crawl toward the one directly ahead, pulling a grenade from the bag as he went.

Suddenly, and again without being conscious of having made a decision, he stood bolt upright in that hail of steel and ran toward the nearest machinegun, his submachinegun in his left hand, a grenade in his right. He felt like yelling, but his throat had no voice. A few yards ahead, very blurred, he could make out some sandbags, a niche between two rocks and three helmets and a machinegun. He pulled the pin in the grenade, counted one, two, and let fly from his right hand in a looping lob. In the explosion, he could see a helmet bounce crazily out of the firing nest.

INOUYE, pulling another grenade from the bag, ran to his left. This time he got within 30 feet of another machinegun, bent on his left knee, pulled the pin, counted one, two and threw. He thought his aim was off, and even while the grenade was exploding he reached for a second one. Which one silenced the position—he never knew, but two Germans slumped dead over their gun.

Another gun was firing, still further to his left. "I'm blessed, I'm blessed," INOUYE thought as he ran toward it. "They won't get me." There was no fear now, only a welling of emotion that seemed to propel him forward. Again he knelt, pulled the pin and prepared to throw. He kept the spring handle gripped tight in his hand. Only after this was released could the grenade explode. Just as INOUYE pulled his right arm back for the throw, turning his body 90° away from the target, his side vision picked up a German soldier standing only about 12 feet from him.

"WHY DOESN'T HE SHOOT ME?"

The soldier stood amid a clump of bushes and his rifle pointed straight at INOUYE. The German was tall. His face was screwed up as he squinted down the barrel. At the end of the barrel was a brown blob.

"He's shooting me with a rifle grenade," thought INOUYE, "what an inefficient way to kill a guy."

The German fired. The rifle grenade explosion missed INOUYE'S body, but it struck his elbow, spun him around and knocked him over. His right arm was shattered at the elbow. He looked wildly about for his grenade. To his surprise, it was locked tight in his fist, the spring handle still secure.

As he lay on his back in terror, he could see the tall German methodically loading a second rifle grenade. INOUYE loosened his grip on his machinegun with his left hand, reached over and pried the grenade out of his useless right hand.

The German looked up from his reloading. "Why the hell doesn't he shoot me, the stupe?" INOUYE asked himself.

INOUYE struggled to his feet, primed his grenade and threw left handed at the German just as the Nazi trooper was raising his loaded gun. The explosion seemed to lift the German bodily 2 or 3 feet in the air, so his feet could be seen through the top of the bushes. Then he vanished from sight.

Throughout this momentary action, which happened about 2:40 p.m. under a high sun, the third enemy machinegun nest has been firing bursts at INOUYE, but somehow missed him.

While his right arm dangled, almost severed below the shoulder, INOUYE picked up his submachinegun with his left hand, cradled it against his body, and walked unsteadily toward the enemy machinegun emplacement, firing as he went. The Thompson ejected its shells to the right, but since INOUYE was firing from his left side, each hot shell hit his left cheek, scorching the skin.

Thirty feet from the third machinegun nest, a sandbagged foxhole with a small boulder for added protection, INOUYE dropped his Thompson and pulled another grenade from his bag. One, two, throw. The two enemy gunners died instantly and the gun flew apart.

The third platoon of E company, about 25 yards behind INOUYE, scrambled to its feet and rushed up the hill. As the men and their lieutenant advanced in a fast, small wave, a fourth machinegun, thus far silent, suddenly opened up from the hillside. A slug hit INOUYE'S right shinbone, crumpling him as though he had been clipped in football. Again he fell over, but this time he rolled down the hill.

TRIUMPH AND A FLOOD OF PAIN

T4g. Yeiichi "Kelly" Kuwayama, a 27-year-old Princeton graduate from New York serving as the platoon's medic, ran to INOUYE'S side. He gave him a shot of morphine and tried to fit a crude splint to the shattered arm.

"You gotta go back, DANNY," said Kelly Kuwayama, "or you're going to bleed to death."

"Not before we take the hill," said INOUYE.

With his one good arm slung over the shoulder of an enlisted man, INOUYE started up the slope again. By this time the platoon had overrun the fourth machinegun position and the way to the top was clear. Twelve Germans on the peak surrendered without a fight. The time was 3 p.m. Mount Marciaso was taken.

Now pain flooded over DAN INOUYE. Kuwayama rigged him a litter and an enlisted man guided him back down the hill with four captured Germans carrying the litter.

As soon as the Nisei had seized the high ground, German artillery on the next slope opened fire. The shells passed over the peak and began exploding on the back side, where the litter party hurried down. Twice the Germans dropped INOUYE to seek cover, and only a threat to shoot one persuaded them to abandon the habit.

INOUYE reached an ambulance at 6 p.m. At 7 p.m., more than 4 hours after he suffered his third and final wound, he was placed on a table in a tented field hospital. A crew of weary doctors slowly worked their way toward him, amputating an arm here, a leg there.

"My arm, Doc," said INOUYE weakly.

"Your arm, hell," was the reply. "You can lose both and live. It's your stomach we're going to fix first."

Ten days and 17 blood transfusions later, Lt. DANIEL K. INOUYE found himself without a right arm. It had been amputated below the shoulder. But his leg and stomach healed.

Fourteen years later people were calling him Congressman INOUE, for he became Hawaii's first elected Member of the House of Representatives in Washington.

EXTENSION OF LIBRARY SERVICES ACT

Mr. ELLIOTT. Mr Speaker, I move to suspend the rules and pass the bill (S. 2830) to amend the Library Services Act in order to extend for 5 years the authorization for appropriations, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Library Services Act (20 U.S.C. 352)

is amended by striking out "four succeeding fiscal years" and inserting in lieu thereof "nine succeeding fiscal years".

SEC. 2. Section 4 of the Library Services Act (20 U.S.C. 353) is amended by striking out subsection (b) and by striking "(a)" after "SEC. 4.".

SEC. 3. Section 6(c) of the Library Services Act (20 U.S.C. 355(c)) is amended to read as follows:

"(c) For the purposes of this section the 'Federal share' for any State shall be 100 per centum less the State percentage and the State percentage shall be that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of all the States (excluding Puerto Rico, Guam, and the Virgin Islands), except that (1) the Federal share shall in no case be more than 66 per centum or less than 33 per centum, and (2) the Federal share for Puerto Rico, Guam, and the Virgin Islands shall be 66 per centum."

SEC. 4. Section 6(d) of the Library Services Act (20 U.S.C. 355(d)) is amended by inserting "(1)" after "(d)", by striking out "the States and of the continental United States (excluding Alaska)" and inserting in lieu thereof "each of the States and of all of the States (excluding Puerto Rico, Guam, and the Virgin Islands)," and by adding at the end thereof the following new paragraph:

"(2) Promulgations made before satisfactory data are available from the Department of Commerce for a full year on the per capita income of Alaska shall prescribe a Federal share for Alaska of 66 per centum and, for purposes of such promulgations, Alaska shall not be included in determining the per capita income of all of the States. Promulgations made thereafter but before per capita income data for Alaska for a full three-year period are available from the Department of Commerce shall be based on satisfactory data available therefrom for Alaska for such one full year, or, when such data are available for a two-year period, for such two years."

SEC. 5. Section 9(a) of the Library Services Act (20 U.S.C. 358(a)) is amended by striking out "Alaska, Hawaii,".

SEC. 6. The amendments made by section 2 of this Act shall be effective in the case of allotments from sums appropriated under section 3 of the Library Services Act for any fiscal year beginning after June 30, 1961, except that no payment shall be made to any State from its allotment under section 4 of such Act for the fiscal year ending June 30, 1962, until its allotment for any preceding year has been exhausted or ceased to be available. The amendments made by sections 3 and 4 of this Act shall be effective in the case of promulgations of Federal shares under the Library Services Act made after the enactment of this Act.

The SPEAKER. Is a second demanded?

Mr. BOW. Mr. Speaker, I demand a second.

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ELLIOTT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Library Services Act, passed in 1956 authorized an appropriation of $7.5 million a year for each of 5 years to provide library services for rural America. At that time there were, according to various estimates, between 70 and 80 million Americans living in rural areas who either had no access to public libraries, or who had wholly inadequate library service.

Mr. Speaker, the bill before us today makes a few changes in the original act, most of which are necessitated by the fact that Hawaii and Alaska have been admitted as States since the original library services law was passed in 1956.

The bill before us extends the Library Services Act of 1956 for 5 more years.

The only other major change is the deletion of subsection (b) of section 4 of the original act which provides that an allotment under the act which has not been paid at the end of a fiscal year will remain available for payment until the end of the next fiscal year. It is felt that this provision is no longer necessary and that its deletion will encourage all States to use their full allotment in each of the years for which the appropriations are made.

We have spent a lot of time in Congress during the last few years discussing how we can best insure educational opportunities for all our citizens—the education so badly needed for this increasingly complex technical age, the education to enable us to withstand the threat of international communism. It seems to me indisputable that this act, which we are now considering, gives us a great deal for our dollars. When we have spent the taxpayers' money to establish 161 libraries in foreign countries, complete with bookmobiles and traveling bookshelves on the basis that books will help these people establish and maintain free and democratic government, it seems only reasonable that we should also be concerned with the 40-odd million of our own citizens who also need library services.

Mr. Speaker, when the Library Services Act of 1956 expires next year, 40 million people in rural America will still have inadequate or no library service. That means that about half or almost exactly half of the problem we had when we passed this bill in 1956 has been met and half of it remains. In this period of 4 years that has now expired, 5 million books have been bought with the money that we appropriated for the purpose. Two hundred new bookmobiles are now crawling across rural America laden with 1,000 books each. The States and local communities have enthusiastically entered into the spirit of this bill and as a result State appropriations for library services have increased by 54 percent and local appropriations have increased 45 percent. Large-scale buying and cataloging of books have cut costs of operation and the movement toward larger administrative units has increased efficiency and economy.

In addition to these, Mr. Speaker, there have been many intangible results of the passage of this act. It has increased the prestige, I believe, of local and State library groups, and they today are working harder and with greater activity than at any time within the history of our country. A tremendous amount of public interest has been developed in libraries and in library services, and increased cooperation has arisen between the libraries themselves, and between their separate units all along the line from the local to the national level. Workshops and inservice training activity and institutes have grown very remarkably.

Now, Mr. Speaker, it is said by some that it might be wrong to extend this act, and perhaps it would be wrong to extend it if it had already accomplished its job. But, the truth is, Mr. Speaker, that the job is not yet done. It is only half done. And, I want to say, Mr. Speaker, that one of the reasons that the job is just half done now is the fact that we have not appropriated all the money authorized in the original bill. Whereas we authorized $37.5 million, we have appropriated, including this year's appropriation bill—which has already passed the House and is now in conference—about 26 million of those dollars. The job is only half done.

And, may I call attention, also, Mr. Speaker, to the fact that when we passed this bill in 1956 it had been before the House for a number of years. We had been talking in terms of $37.5 million to do the job. So by the time we enacted the Library Services Act, in reality, the $37.5 million was obsolete. In terms of today's dollars it is worth 25 percent less. So when we consider this, and the fact that we failed by $11 million to appropriate the amounts authorized, then I think that we have a right to go ahead and complete the job. We ought to complete it. This bill passed the Senate without objection.

Mr. Speaker, an identical bill, H.R. 12125, was unanimously reported by our committee. Today we consider the Senate bill S. 2830 because it is identical to ours. Its passage will enable this legislation to go directly to the White House.

The bill has the full support of the Administration. The U.S. Commissioner of Education, Hon. Lawrence G. Derthick, has pertinently and well said about our need for libraries:

Our public libraries are one of the greatest educational resources and at their best can truly be "universities of the people." Yet, book and information services available through libraries are still completely lacking or are woefully inadequate in many areas of the Nation.

Mr. Speaker, I want to take this opportunity to commend the members of the Subcommittee on Special Education who have worked so faithfully with me to bring this legislation here today. They are the gentlewoman from Oregon [Mrs. GREEN], the gentleman from New Jersey [Mr. DANIELS], the gentleman from Connecticut [Mr. GIAIMO]. I want to commend, also, the minority members, the gentleman from New York [Mr. WAINWRIGHT], who has been most cooperative in preparing for today's debate, and the gentleman from California [Mr. HOLT], who has recently announced his voluntary retirement from Congress.

I would like to pay my especial respects to the gentlewoman from Oregon [Mrs. GREEN]. She sponsored the original legislation in 1956. She is a sponsor of the bill before us today. Her interest in libraries is heartfelt and enthusiastic.

She has been energetic and efficient in her pursuit of the goal of better libraries for all Americans.

Mr. Speaker, I also want to call the attention of the House to the fact that both party platforms approve the principle of this bill. The nominee of my party, Senator JOHN F. KENNEDY has sent me a special message that he supports this bill. I believe the gentleman from New York [Mr. WAINWRIGHT] may have an announcement from Vice President NIXON.

Mr. Speaker, at this point I list the cosponsors of this legislation. They, largely, built the sentiment for this legislation in the House. They have been an inspiration to the committee. They are all entitled to great credit for their interest in strengthening the sinew of America's spirit by providing public libraries for her people.

They are the gentleman from West Virginia [Mr. BAILEY], the gentleman from Nevada [Mr. BARING], the gentleman from Indiana [Mr. BRADEMAS], the gentleman from Massachusetts [Mr. CONTE], the gentleman from New York [Mr. CELLER], the gentleman from New Jersey [Mr. DANIELS], the gentleman from Pennsylvania [Mr. DENT], the gentleman from Utah [Mr. DIXON], the gentleman from New York [Mr. DORN], the gentleman from Oklahoma [Mr. EDMONDSON], the gentleman from Florida [Mr. FASCELL], the gentleman from Rhode Island [Mr. FOGARTY], the gentleman from New Jersey [Mr. FRELINGHUYSEN], the gentleman from Arkansas [Mr. GATHINGS], the gentleman from Connecticut [Mr. GIAIMO], the gentlewoman from Oregon [Mrs. GREEN], the gentlewoman from Michigan [Mrs. GRIFFITHS], the gentleman from West Virginia [Mr. HECHLER], the gentleman from Pennsylvania [Mr. HOLLAND], the gentleman from Virginia [Mr. JENNINGS], the gentleman from Wisconsin [Mr. JOHNSON], the gentleman from Alabama [Mr. JONES], the gentleman from Florida [Mr. MATTHEWS], the gentlewoman from Washington [Mrs. MAY], the gentleman from New Hampshire [Mr. MERROW], the gentleman from Montana [Mr. METCALF], the gentleman from California [Mr. GEORGE P. MILLER], the gentleman from Arkansas [Mr. MILLS], the gentleman from Louisiana [Mr. MORRISON], the gentleman from Missouri [Mr. MOULDER], the gentleman from New York [Mr. MULTER], the gentleman from Nebraska [Mr. MCGINLEY], the gentleman from South Dakota [Mr. MCGOVERN], the gentleman from Michigan [Mr. O'HARA], the gentleman from Maine [Mr. OLIVER], the gentleman from Kentucky [Mr. PERKINS], the gentleman from Illinois [Mr. PUCINSKI], the gentleman from Alabama [Mr. ROBERTS], the gentleman from California [Mr. ROOSEVELT], the gentleman from New York [Mr. SANTANGELO], the gentleman from California [Mr. SAUND], the gentleman from Mississippi [Mr. SMITH], the gentleman from West Virginia [Mr. STAGGERS], the gentleman from New Jersey [Mr. THOMPSON], the gentleman from Louisiana [Mr. THOMPSON], the gentleman from Arkansas [Mr. TRIMBLE], the gentleman from Arizona [Mr. UDALL], the gentleman from Oregon [Mr. ULLMAN], the gentleman from Minnesota [Mr. WIER], the gentleman from Iowa [Mr. WOLF]; and the gentleman from New York [Mr. ZELENKO].

Mr. ELLIOTT. Mr. Speaker, I yield such time as he may desire to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I sincerely regret that I cannot cast my vote for this bill, H.R. 12125. I think the program has been a good one. It has brought library service to untold thousands of our rural people who theretofore had not had the benefit of library service. This is particularly true in my State of Mississippi, where it has been administered by hard working, dedicated people. Mr. Speaker, I cannot vote for it without breaking faith with this House and particularly with the Members of my own Committee on Rules. It will be remembered by some of you that when the original bill was reported out of the Committee on Education and Labor, there was considerable opposition to it by the Committee on Rules. This opposition was based upon the fact that it was the starting of a new Federal aid program that would grow and expand as most of these programs do. But, when I was assured, as were other members of the committee, by its sponsors that the bill was limited to a 5-year program, that it would only cost the Federal Government $37½ million over the 5-year period, and that no request would be made to renew it at the end of that time, I made the motion that brought the bill out of the Committee on Rules to the floor. On the floor, in presenting the rule, I passed these assurances that we had on to the membership.

When the present bill to extend the program for another 5 years came up in the Rules Committee, these commitments were remembered by members of the committee who had previously opposed the bill and the bill again became stymied in the committee.

Mr. Speaker, notwithstanding this and in order to keep faith with both sides, I have attempted for the past several weeks to work out a compromise whereby the act would be extended to permit the use of the full $37½ million, some several million of which have never been appropriated. However, this was unacceptable to the sponsors of the bill. Again just before the Congress recessed and because of my great interest in the program, I exercised myself to have the bill reported anyway under an open rule so that an amendment could be offered along the lines suggested or on some other compromised basis. However, when we returned here the past week we learned that the bill was scheduled to come up under this suspension of the rules route.

Therefore, Mr. Speaker, I am sure that my colleagues as well as other interested parties will understand my position, namely that I must keep faith with my previous commitments to you and therefore must reluctantly vote against the bill. I certainly shall not find fault with others who do not find themselves in a position similar to mine and who vote for the bill.

Mr. BOW. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, I have heard it said that this session of Congress might be political and maybe it will be for me, in opposing this bill, but political perhaps in reverse. The State librarian of Ohio comes from my congressional district. The president of the Ohio State Library Association comes from my district. The largest manufacturers of bookmobiles in the United States are in my district; three good reasons why I should probably support this legislation.

But, Mr. Speaker, I think that these facts must be brought to the attention of the House because I believe we are embarking on legislation that will continue and continue; and if we are going to have it, let us make it permanent, let us quit fooling ourselves and the people that this is a 5-year operation.

When this bill was passed we were assured it would be for 5 years. My recollection of only one who said it probably would not be was that it was the distinguished chairman of the committee who at that time I think said he was willing to have it go on for a while. I believe this is one of those cases where the States can handle their own problem. I would agree that if they had brought in a bill to continue this for 1 year, so that the additional $5 million originally authorized could be used, I would not object to it. But I do object to a continuance for 5 years, for an additional 5 years, of a program that we were told by so many of the leading advocates of this bill would last only 5 years.

The gentleman who just addressed the House, the distinguished chairman of the subcommittee, said this on the floor of the House:

> If we pass this bill, providing the small amount of $7½ million per year for 5 years, I want to hazard the prediction that at the end of the 5-year period the system of rendering library services by bookmobile will have spread all over rural America.

I see the gentleman from Mississippi [Mr. SMITH] with us. He said this:

> The people know of the terminal phase of this legislation. Already their plans have been laid with that in mind. They have known that what State aid they had, small as it has of necessity been, involved in the ever-present necessity of supporting themselves. With Federal funds, they face the same realistic approach.

Mr. Speaker, I could call the roll on both sides of the aisle of the advocates of this bill who assured us at that time that this would be for 5 years and that would be all; that at the end of 5 years the States would be in a position to take this over. I am sure many of the Members will remember my distinguished former colleague from Ohio, Cliff Clevenger. Those who sat with him in committees on appropriations will remember one of his favorite phrases:

> There is nothing so permanent in Washington as a temporary agency.

That is true here. Here is this temporary library program, and now we are in for another 5 years, and at the end of that time there will be another 5 years. It will go on as long as these programs do; once the Federal Government gets into these programs they continue.

The gentleman from Kentucky [Mr. PERKINS] said the proposed program would be limited to 5 years, that "we have proved that after this period a rural library service program is most likely to be continued through the State and local support."

One of the great sponsors of the bill at that time said we already have proved that it will end, and they are laying the foundation to go ahead. Now, do we mean it when we say these things? Do we mean it when we tell the people we are going to set up a program with their tax dollars for only 5 years, or do we hope maybe they will forget about it and at the end of 5 years we will come back in and reenact it for another 5 years? Do we mean it when we say we are going to start to balance the budget in this country? Do we mean it when we say that States rights are something we will follow? Do we mean it when we say that States have certain responsibilities? If we mean it, then even though it is bad politics today to do it we will stand up and vote against this bill and serve notice now that when we say 5 years we mean what we say.

Let me give you an example of what this means in my State of Ohio. In Ohio we get about $270,635 for rural libraries. My friends in my library association and my State librarian tried to tell me that "we cannot have good libraries in Ohio without this $270,635." But may I point out to my colleagues here in the House that we have in Ohio an intangible tax, and of that intangible tax $21,261,612 each year goes to the libraries—$21,261,612. Yet they say now, "Unless you get us this $270,635 we cannot operate."

Let me cite one large county in Ohio, Cuyahoga County. Cleveland is the county seat. That county collects in intangible taxes $8,004,000, and the public libraries get out of that amount, $6,981,000, or 87 percent of all the intangible taxes collected in that county. Yet it would ask us to come down here with our hands out asking that some of you people who do not have that kind of tax revenues help to contribute to these places. Again I say, this is a matter of States' responsibility, and the State of Ohio can well take care of itself, and should, with figures of that kind.

We have been told that it is going to develop, that in 5 years we will have good library service all over the country. As I say, I would go along with 1 other year to get the full amount that was originally anticipated, but instead of bringing in that kind of bill, here is one you cannot amend. There is nothing to do but oppose it, and oppose it upon the grounds that the House of Representatives is a responsible legislative body. When one gentleman after the other stands on this floor and says this is a 5-year program, then we ought to make sure that we do not ask for this continual handout of Federal funds for the libraries, which should be a local responsibility.

Mr. ELLIOTT. Mr. Speaker, I yield such time as he may desire to the gentleman from Nebraska [Mr. MCGINLEY].

Mr. MCGINLEY. Mr. Speaker, I rise in support of this measure, which has been very important and successful in the rural areas of Nebraska. I am conscious of the opposition's argument that statements were made on the bill's origin that it would not have to be in force for more than 5 years. The gentleman from Alabama [Mr. ELLIOTT] has explained, however, that the annual appropriations for the library services program have never come up to the full amount of the original estimated amount that was foreseen as necessary to do a complete job. Despite the statements of the opposition, I am here today to say most definitely that much remains to be done in assisting the development and growth of adequate library facilities in Nebraska, and particularly in the Sand Hill counties of my district.

The region that I mention is range cattle country, where the population is sparse and the towns are small. Great advance, under this program, has been made in county seats such as Thedford, Valentine, Bassett, Springview, Taylor, and other towns, toward supplying books by a centralized library, as well as by bookmobile to students who are enrolled in schools too small to be able to supply them with the most desirable type of library. This paucity of book material has proved to be a very strong factor in the inability of many high school students to carry on successfully in collegiate work.

The understanding of the worth of such a program is increasing in my State. I am in favor of continuing the Federal stimulus to the State and local cooperative movement, not just for the purpose of extending another Federal-aid program, but for the very strategic purpose of better equipping our local libraries with the implements to cause a better modern education for our schoolchildren.

I am certain, too, that the program in my State has been well administered by earnest men and women who are genuinely dedicated to the purposes mentioned, and who will continue to use this service efficiently for what are, at the present time, promising but incomplete results. I urge the House to adopt this bill.

Mr. ELLIOTT. Mr. Speaker, I yield such time as he may require to the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Speaker, this bill has been worked on and worked over very carefully by extremely able and competent Members of this body. It is an effort to answer a great national need. I favor this bill and hope it passes.

Mr. ELLIOTT. Mr. Speaker, I yield such time as he may require to the gentleman from West Virginia [Mr. HECHLER].

Mr. HECHLER. Mr. Speaker, this is a very modest program. It is a small investment but the returns are very rich. There are many, many rural counties in my district and in other sections of the State of West Virginia that do not have library service. This legislation would do very much not only for the State of West Virginia but for the Nation.

Mr. Speaker, I wholeheartedly support this program. The able gentleman from Alabama [Mr. ELLIOTT] has described the progress which has been made under this act, yet much remains to be done. Since so much demonstrated progress has been achieved, I am convinced that even greater gains will be realized if the Library Services Act is extended.

Mr. ELLIOTT. Mr. Speaker, I yield such time as he may require to the ranking minority member of the committee, the gentleman from Pennsylvania [Mr. KEARNS].

Mr. KEARNS. Mr. Speaker, this is a fine piece of legislation. I compliment the chairman of the subcommittee and all the Members who have worked so diligently to try to get this legislation through. I am 100 percent in favor of it.

Mr. ELLIOTT. Mr. Speaker, I yield such time as he may require to the gentleman from New Jersey [Mr. FRELINGHUYSEN].

Mr. FRELINGHUYSEN. Mr. Speaker, as a member of the House Education and Labor Committee, I too rise in support of this bill. The programs which have been developing under appropriations already made have been well spent. These expenditures have been beneficial to many millions of our citizens who otherwise would not have access to any library. As recently as 1956, as the report in his bill points out, as many as 26 million persons were without any library service. Since then library service to many millions has been improved or made available for the first time.

These programs are not yet fully developed. Neither are they self-supporting. Perhaps the Federal Government, by cutting off its modest appropriations, could run the risk of curtailment or abandonment of library services. We might hope that necessary funds would be made available at the local or State level. Mr. Speaker, in my opinion, this is a risk which should not be taken. This is a partnership program. Other proven benefits to many million throughout all 50 States justify this proposed continuation.

Mr. ELLIOTT. Mr. Speaker, I yield such time as he may require to the gentleman from Utah [Mr. DIXON].

Mr. DIXON. Mr. Speaker, during the last month, I took occasion to follow many of these bookmobiles. I want to tell you that they are an unmitigated blessing to the youth of our country and, especially, to the youth in the rural areas where they need the service as these libraries can give.

Some of the States have been a little slow in catching on to this big movement and putting it into effect, but they

are coming along beautifully. Many State legislatures set up the program and appropriated their share of funds. Please let us not stop it now. Let us provide funds that it may go on until the States really come into their own.

Mr. ELLIOTT. Mr. Speaker, I yield such time as he may require to the gentleman from New York [Mr. GOODELL.]

Mr. GOODELL. Mr. Speaker, I rise today to discuss briefly the proposed extension for 5 years of the Library Services Act of 1956.

You have before you the report of the Committee on Education and Labor, which gave its unanimous endorsement to this amendment.

The report clearly outlines the reasons for the support given to this measure, crossing party lines and the lines of geography which too often divide this House. These reasons are of far-reaching consequence and must have the earnest consideration of all of us.

However, the most important result of what we propose to do here today will be, without doubt, the spreading and the nurturing of knowledge in those quarters of our society which today lack the resources to bring to their people what the modern world demands: a full and informal awareness of the dynamic world in which we live.

It is therefore to the personalized results of this act that I address myself. In a program of this kind we would be remiss if we did not relate our actions to the concrete results affecting individual American citizens.

This program has effectively stimulated the availability of books and words which, when taken together, comprise the fount of human knowledge. Once having presented information in its most available form, have we any assurance that our citizens will come to drink at the fount? We know that they will. We know that on every occasion which arises for obtaining increased knowledge, many of our people have demonstrated their eager determination to make the most of it.

The key to our future is individual thirst for knowledge. I am not thinking here today of needs of the State, the county, the town or the village. It is of the young farm lad, the country schoolteacher, those youthful members of our society who can presently hope for no better than occasional opportunities to read and learn on their own of their past, the happenings of the present, and much more important, the hopes, dreams and plans for the future.

The lonely youth on the farm who can now only dream of college may consult, if he desires, the bookmobile for information on how to qualify. That information can lead to a better life, for him and perhaps, turn into reality the dreams of his family. He in turn can add his contribution to the rich heritage of his own State and community.

The farmer, vexed by the problems of his intricate business, can find factual and authenticated solutions on the shelves of the local, perhaps transient, library. It is a means to self-help in refreshing contrast to the Government servings of intellectual pablum that have become all too familiar to our farmers.

Our young men and women are the greatest natural resource that this Nation possesses. To allow any portion of this resource to lie fallow in the throes of ignorance because books are not available is wrong.

In considering individuals, we set ourselves apart from those societies and those governments which train and propagandize their people, not for the sake of those people, but for the state. These alien philosophies conceive of education and books as means to domination and control of the minds. We do the opposite in our great country. We look to the individual first, and to his mind, knowing that only by the liberation of intelligent minds can real human progress be attained.

Mr. Speaker, I have deliberately thus far confined myself to those aspects of this proposal which I feel to be the most compelling, avoiding the less appealing matter of statistics. As a member of the committee which approved this proposal, however, I do wish to call your attention to some interesting figures. The varied aspects of this program are demonstrated by the fact that it will soon be serving more than 75 million persons in rural areas.

Under the present act, the machinery in setting up this program, delayed so much at first, is just beginning to operate in such a manner as to reflect the thinking of the Congress. We have begun to receive the glowing reports of success in this endeavor, which were originally predicted. The notes of progress should not be allowed to prevent this program from reaching full fruition.

Now, one of the most gratifying aspects of this act is that it relies on the States, as well as the Federal Government for support. State aid to public library extension has increased 54 percent since the act went into effect on July 1, 1956. Under State programs developed under the act, 30 million persons now have new or improved library service. Library services have come to 1 million rural children for the first time. The rural communities of this Nation have added more than 5 million books to their facilities. A total of 200 new bookmobiles are in operation under the act. Projects and personnel have been improved.

Mr. Speaker, I am sure that those of you who have been accorded plentiful opportunities for reading can appreciate what it must be like not to have had those chances. How many untapped sources of greatness are there in this country? Thousands of individuals at all ages have the capacity of intellectual leadership so necessary today. We must afford them the material to develop their latent talents.

Mr. Speaker, I urge the approval of this extension of the Library Services Act of 1956, for the greater dignity of the American individual and for the greater good of our beloved democratic society.

Mr. ELLIOTT. Mr. Speaker, I yield such time as she may require to the gentlewoman from Washington [Mrs. MAY].

Mrs. MAY. Mr. Speaker, I am pleased that the House of Representatives is considering passage of the 5-year extension of the Library Services Act as one of its first official duties in reconvening for this extended 2d session of the 86th Congress. This, I believe, is an indication of the importance placed on the extension of the act at this time. It was my pleasure, on March 11 of this year, to introduce a companion bill to the one being considered at this time and to which I have given my complete support.

As the chairman is aware, the act, when passed in 1956, was so designed as to serve as a stimulus to the States to provide better public library services to rural areas.

In my home State of Washington, provisions of the act helped to inaugurate and successfully carry out the Columbia River Regional Library Demonstration in North Central Washington. As an example of the value of this demonstration in public enlightenment, nearly 48,000 residents of the five counties included in the demonstration now have library cards. Before the demonstration period, only 23,000 people had cards. Between 1957 and 1959 the number of library users increased nearly 76 percent, the amount of library materials borrowed increased more than 106 percent, and the hours of service per week increased more than 58 percent. Twenty-eight town or community libraries have had their shelves stocked with new books, and are open longer hours than previously. Three bookmobiles serve families living far from established libraries. Books may also be borrowed by mail.

When this particular project terminates, there will still be 17 counties in the State of Washington without rural library service.

That the people of my State feel that these programs are worthwhile is demonstrated by the fact that of the funds expended thus far in carrying out the provisions of the Library Services Act, the State itself has contributed $330,965 compared to $125,287 in Federal funds. Extension of the act will allow the State Library Commission to entertain proposals for demonstrations in other areas of the State. It is felt that such library demonstration programs are the one way of making known to rural residents the benefits of good library service.

Mr. Speaker, I strongly urge the House of Representatives to adopt this legislation at this time.

Mr. ELLIOTT. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. WAINWRIGHT].

Mr. WAINWRIGHT. Mr. Speaker, I would like to second the statement just made by the gentleman from Utah [Mr. DIXON]. This is a very much needed program. I certainly see the point made by the distinguished gentleman from Ohio [Mr. BOW]. However, it seems to me that the equities are far more in favor of continuing this library program. I was told earlier today by the Secretary

of Health, Education, and Welfare that the Vice President of the United States wholeheartedly endorses this program. I have a letter from the Vice President to that effect:

AUGUST 22, 1960.

Hon. STUYVESANT WAINWRIGHT,
House of Representatives.

DEAR STUYVE: I note that H.R. 12125 is to be considered today in the House under suspension of rules. This bill would extend the Library Services Act beyond its present statutory termination date of June 30, 1961. I understand that the Senate passed a bill to similar effect (S. 2830) on May 26, 1960.

Commissioner of Education Lawrence G. Derthick testified in support of extension of the act before your subcommittee on April 7, 1960.

I share the belief held by many, reflected in part by the large number of bills with bipartisan sponsorship which have been introduced in this Congress to extend the act, that it would be highly desirable to do so during this session of the Congress. Such timing of an extension would obviate uncertainty on the part of States and communities regarding the continued availability of Federal funds with which to plan and carry out programs of improved library services.

I am heartily in support of the basic purpose of the act; namely, to stimulate the States and rural communities to provide better public library service in rural areas. I understand that much has been accomplished since the act became effective in 1956. However, I also understand that the full attainment of the objective which Congress sought by this legislation would only be achieved if the act were extended.

I hope the House will act favorably on this bill.

Sincerely yours,

RICHARD NIXON.

This letter from the Vice President as you see, seconds and urges the extension of this program on the membership of the House of Representatives. Further than that, the Democratic platform contains a particular reference calling for a library extension program. So does the Republican platform.

The only reason I call this to the attention of the membership is to point out that the opposition to the bill is partisan. Both the Republican Party and the Democratic Party have wholeheartedly endorsed this program as have our leaders of both parties.

In the few moments remaining, I would like to call the attention of the membership to an editorial from the New York Times of July 14, 1960. It is as follows:

LIBRARY BILL

When Congress adjourned for its recess, H.R. 12125, the bill designed to permit the Library Services Act to continue its worthwhile work of developing needed public libraries in rural areas, was still bottled up in the Rules Committee.

It is indeed odd that in this time of great need for more easily distributed information and knowledge there are still individuals who believe that the institutions which can make it possible, in this case public libraries, are not worthy of Government aid. The reasoning is hard to follow when one considers the efforts which have been put forward to make it possible for us to be better understood abroad. Is it not as necessary for our own citizens to have at their disposal the informational materials to help in developing their own understanding?

It would seem to be pennywise pound foolish to nip the Library Services Act program in the bud just as the first fruits of the initial 5-year program are being harvested. The cost of the program is minute when compared to such broad-based actions as the National Defense Education Act, yet the results are possibly of the longer lasting variety because of the different levels of people being reached, and perhaps for the first time, with useful knowledge.

Let us hope that when Congress reconvenes it will approve this useful legislation.

The SPEAKER pro tempore. The time of the gentleman from New York [Mr. WAINWRIGHT] has expired.

Mr. BOW. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. JACKSON].

Mr. JACKSON. Mr. Speaker, opposing a measure like this is very much like opposing motherhood, or favoring sin. But I think it is abundantly clear that once a program of this kind is embarked upon by the Federal Government, it is, as the gentleman from Ohio [Mr. BOW] said, with us to stay.

Men seek books. Men seek education. Books do not seek men. It is inconceivable to me that Abraham Lincoln could ever have achieved any measure of success without the assistance of a library program.

I am reminded of the fact that he sought books. He walked miles to get them. He studied them by candlelight in order that he might know of the wisdom of the ages.

It is not the principle of whether knowledge is good or bad that is here involved. It is purely a question of whether or not those who seek understanding are prepared to seek it of their own accord or whether it must be carried to them by the Government.

There is here involved a very profound question which so far exceeds the matter of the small appropriation involved. This is one of those questions upon which honest men and women may honestly disagree. But I do feel, with the gentleman who has put forth the viewpoint of the minority in this debate, that this is a function for the individual, this is a function for the community, for the county, and for the State. We in California, I believe, have handled our problem very well. There are adequate facilities for those who want to know. I would dare say that there would be more cut pages on Lolita than there will on Plutarch's Lives under this program.

This is a minority opinion which probably is not shared in large part by those on the floor, but it is well that the minority opinion may be voiced here on the floor of the House of Representatives.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. BOW. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. CURTIS].

Mr. CURTIS of Massachusetts. Mr. Speaker, everybody agrees that making rural library service available to the people of the United States is a desirable objective, and I voted for the Library Service Act of 1956. At that time we were told that Federal aid was desirable for a limited time to stimulate state activity in this field. Now we are asked to extend it.

So I do not oppose the objective of this bill, but I do suggest that the provision of rural library service should be a responsibility of the States and local communities, and that the Federal Government should not engage permanently in a Federal aid program for this purpose. Where the States are able to support programs for rural library service, I believe that it is better that they should do so rather than adding to the responsibilities of the Federal Government.

The amounts here involved are almost small, but the principle is important. When Federal aid is relied upon, it involves taking money from certain States and redistributing it to others. It is noticeable that a State in the position of Massachusetts usually fares badly under this system.

Federal aid provided in this bill is no exception. Under the provisions of this bill each State receives a certain amount from the Federal Government and must itself make certain matching expenditures. In the case of Massachusetts, the Federal contribution is approximately 37 percent, while the State contribution is approximately 62 percent. For many States this figure is reversed. Even the great State of Texas receives 56 percent while itself contributing about 44 percent.

The State and communities of Massachusetts are ready and willing to furnish this service themselves and are doing so. I hope in the future the other States and communities will do the same, and not permanently rely on this new Federal aid program.

The more these Federal aid programs are adopted, the more the centralized power and administrative machinery of the Federal Government is built up. In many fields Federal aid is desirable, but I hope that it will not long be used in this field which should properly belong to the States.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. BOW. Mr. Speaker, I yield 1 minute to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I wonder if the gentleman from Massachusetts can tell us how much has been spent on the international media programs through the foreign handout program that he has supported so avidly?

Mr. BOW. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Speaker, I rise in opposition to this bill, but I beg to differ good naturedly with my esteemed colleague from California [Mr. JACKSON]. This is not a case of being against motherhood; this is a case of attempting to insist on the proper parentage for this type of activity and this type of legislation. There are some of us who believe the proper parents should be the State or the local community, and not the Federal Government.

I would like to quote one sentence from a statement made by the gentleman from

New Jersey [Mr. THOMPSON], when this bill was originally enacted. On that occasion he said:

> I believe when Federal funds cease after the fifth year the States and the communities will somehow find other sources of revenue to continue the service they have learned to appreciate.

I suggest that quite contrary to the prediction, hope, or expectation the demand for Federal funds has not ceased, and I note it is significant today that no advocate of this bill has suggested or ventured to predict that this will now be extended for only 5 years more.

I hope we may some day have the candor of one Member of Congress who publicly declared off the floor of Congress that there is every reason to use the Federal taxing system in preference to the State or local wherever there is a choice. At least that pronouncement has the virtue of candor and is an acknowledgement that its advocates are trying to centralize the tax-levying and revenue-dispensing functions of Government. I am against that proposal, but I honor the honesty of those who at least are frank about it. I urge the defeat of this bill.

Mr. BOW. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Speaker, I strongly urge the House to vote in favor of this measure. I supported it in the Committee on Labor and Education, and I support it here today.

Mr. Speaker, I have testified with firm conviction before the committee, on this measure, and I reiterate the stand I took at that time. There are so many valid reasons why this bill should be voted upon favorably. Certainly, the importance of books cannot be overemphasized. The access to reading matter, the rigid controls exercised over the minds of men through books, is a stamp peculiar to totalitarianism. However, here in our land, where the basic freedom of choice allows people to read what they want. it would be a grave omission and a contradiction on our part, if Americans would not be able to exercise that choice, simply because funds were not made available for libraries. It is very true, that library facilities in many American communities are inadequate or nonexistent. Under the Library Services Act, the bookmobile program has filled the need in those areas. In my own district of western Massachusetts, 30 towns are getting supplementary books via bookmobile and, still, there are communities which have not been serviced. These towns can only be included if this act is extended. People have written to me of their need for such facilities and others have attested to the great virtue of the program which has taken care of their needs the past years.

The expenditures under this Act are not great. The financial responsibility is shared with the Federal Government by the individual States. But aside from monetary considerations, I firmly believe that the great good which the program is doing cannot be computed only in terms of money. The minds stimulated by reading, the transmission of knowledge, the hours of pleasure and relaxation, contribute directly to the national good.

Therefore, I urge my distinguished colleagues to vote in favor of extending the Library Services Act for the benefit of our fellow Americans who are dependent upon its continuance.

Mr. ELLIOTT. Mr. Speaker, I yield such time as he may desire to the gentleman from Wisconsin [Mr. JOHNSON].

Mr. JOHNSON of Wisconsin. Mr. Speaker, I am happy to support H.R. 12125, the measure to extend the Library Services Act for an additional 5 years. I introduced a companion measure, H.R. 11118 to the measure we are taking up today, under suspension of the rules and testified in favor of such legislation when hearings were held before the Subcommittee on Special Education earlier this year.

When the library services bill was signed into law in June of 1956, some 26 million people in this country's rural areas were completely without public library service. An additional 50 million had inadequate library service as measured by State standards. Three hundred and nineteen rural counties did not have a public library within their borders.

In order to improve this situation, the Library Services Act authorized an appropriation of $7.5 million a year for 5 years for Federal grants to accelerate and stimulate State and local library development projects. This cooperative Federal, State, and local program has chalked up an impressive record.

Thirty million rural people now have new or improved public library service available to them. County and regional library developments have brought public library service for the first time to over 1 million rural children and adults plus substantially improving service to 7.6 million more.

State library extension agencies have been able to strengthen their staffs and resources to assist rural communities in improving their library service or in establishing new services. Some 90 field consultants have been added to State agency staffs. This represents an increase of 80 percent over the total field staff in 1956.

Approximately 200 new bookmobiles are rolling down rural roads to bring books and information to people in remote areas. More than 5 million books and other informational and educational materials have been added to the cultural resources of rural communities. Because of the availability of more good books, more staff, bookmobiles and added library branches and stations, many county and regional library projects report increases in book circulating of 40 percent and up.

In my home State of Wisconsin, the Free Library Commission has used Federal funds appropriated under the Library Services Act to sponsor 6 library extension projects that serve 18 Wisconsin counties. The Barron County library project is in my congressional district. Under this project, a central collection of books has been deposited at the public library of Rice Lake, the largest town in the county. The books are available to all the libraries in the county.

In addition, the Wisconsin Free Library Commission has added eight members to its staff in order to improve and expand its services. Scholarship funds for library training have been made available, and a grant has been made to the University of Wisconsin for a statewide survey of public libraries.

Demonstration bookmobiles have been used in several counties and regions. In 1958, the Milwaukee Public Library received a grant to provide bookmobile service on a demonstration basis to rural areas around Milwaukee. Following the trial period, eight of the communities voted to continue this service at their own expense.

The Federal grants under the Library Services Act have encouraged the States and local sources to make more funds available for library services. Since Federal grants were made available in 1956, State appropriations for public library service to rural areas have increased 54 percent. Local appropriations for public libraries under State plans have shown a 45-percent increase during the same period.

This list of accomplishments is impressive, but much work remains to be done. As of July 1, 1959, 25 million people in rural areas still were without any public library service. An additional 21 million had not had an opportunity to benefit directly from the cooperative local-State-Federal library development projects under the Library Services Act; 253 counties still had no public library service within their borders.

Time is a major factor in the overall success of this program. It takes time to train new staffs and to acquire equipment such as bookmobiles and large enough quantities of books and other materials to fill demand. Surveying areas for library development, deciding on project details and arranging contracts and agreements are also very time consuming. That is why it would be penny wise, dollar foolish to fail to extend the Library Services Act for another 5 years.

Since the Senate has already passed the bill, I hope the House will act favorably in order that we may continue to bring library services to millions of rural Americans.

Mr. ELLIOTT. Mr. Speaker, I yield such time as he may desire to the gentleman from New Jersey [Mr. DANIELS].

Mr. DANIELS. Mr. Speaker, I rise in support of this bill which would extend the present Library Services Act for a period of 5 years from June 30, 1961. This is an important and meritorious bill. I am sure all would agree that the library is a basic instrument of education. Education of our people is the foundation of our way of life and the preservation and success of our form of government depends on an informed and enlightened citizenry. Therefore, if our people are to be informed they must be able to read good books and other materials which should be made available by our libraries.

The library services bill was first enacted into law in June 1956 and it provided for an appropriation of $7.5 million a year for 5 years. The primary purpose of the act was to stimulate the States into providing better public library service for rural areas. Testimony before the Subcommittee on Special Education, of which I am a member, showed that in many rural communities library services were nonexistent prior to the enactment of the Library Services Act of 1956. Since this act has been in operation, 50 States and Territories have participated in the program and many library development projects were inaugurated, yet a number of these projects are incomplete and consequently the continuation of this act for an additional period of time has become a necessity.

The State of New Jersey in which I represent the 14th Congressional District has participated in this program and with the aid of Federal funds has been able to purchase books and other educational material and to engage library personnel, thus making greater and more efficient library service available to rural areas. Also New Jersey was thus able to inaugurate a demonstration center in that part of the State which lacked library facilities. Since the enactment of the Library Services Act, New Jersey has adopted a State library aid program and it is tailored after the Federal act and provides financial assistance on matching terms and in such a way that the countries and municipalities will be encouraged to increase their expenditures for library purposes and to raise library standards generally.

The opponents to this bill allege that it was originally enacted for a period of 5 years and that it should not be extended beyond its expiration date of June 30, 1961. The failure to extend this bill would mean an abrupt end of these library services before an orderly transition program or alternate progam could be established. I believe that the full intent of Congess, as expressed in the 1956 act, has not been realized for the following reasons:

First. It took much longer than anticipated to get the program underway. It was January 1957 before any State received any money;

Second. The $7.5 million authorized has not been appropriated each year. Two million fifty thousand dollars was appropriated for the first year; 5 million for the second year and $6 million for the third and fourth years. Even if the full $7.5 million is appropriated for the fifth year, only 70 percent of the total amount intended for this purpose have been spent;

Third. Inflation has cut into the cost of the program; and

Fourth. Seven and one-half million dollars was based on needs and values of the mid 1940's.

I urge extension of this act because 25 million people in rural areas are still without any public library service and because 253 counties are still without public library service within their borders.

I consider the funds spent on this bill as well spent, as an investment in the education and culture of our people and as an investment for the preservation of our American way of life. I ask your support and urge you to vote in favor of the passage of this bill.

Mr. ELLIOTT. Mr. Speaker, I yield one-half of the remaining time to the chairman of the Committee on Education and Labor, the gentleman from North Carolina [Mr. BARDEN].

Mr. BARDEN. Mr. Speaker, I have heard much of this legislation during the past few years. It is my judgment that the money has been wisely spent. The organization is carried on by a group of dedicated people who take interest principally in the rural folks of the country. They have spent this money wisely. I have seen no evidence, either in the country or anywhere else, that the money has not been spent cautiously, sensibly, and wisely.

I realize that probably there were statements made that this would be limited to 5 years. I do not know whether I made any such inference or not. If I did, may I say that there are some in this House now who think they have sense enough to predict the economy of this country in advance by providing higher rates in the wage and hour law for the next 3, 4, or 5 years by providing a graduated rise of 5 cents a year. We know we do not have the judgment to do it. We have nothing to predicate it on. And personally I think it would be unwise to attempt it.

Now, in this instance I am not so concerned about statements made back yonder 3 or 4 years ago. I am concerned over the fact that the money has been wisely spent and the program has been successful. You know, I can remember a thousand times when people on this floor have said "Just this time on foreign aid and no more." Well, it is still with us, and we have learned through experience, except then we were dealing in billions. I am not disturbed over the expenditure of money in this land of ours for our own people when it is expended wisely and honestly and for a good purpose. It promotes education and good government, for I believe that it is just as important to know how to cast an intelligent vote as it is to vote. We know how it works with hospitals. We know how it works with roads, and we know how it has worked with this program.

Now, I am sometimes known as a fairly conservative fellow; in other words, I am pretty tight with taxpayers money, and I am, except when I see the evidence of a reasonable amount of money spent for a good purpose and for a good cause for the good of our own people.

Mr. ELLIOTT. Mr. Speaker, I yield such time as he may desire to the gentleman from Connecticut [Mr. GIAIMO].

Mr. GIAIMO. Mr. Speaker, I rise in support of this legislation. I think that this program has worked very well over the past years and it should be continued so that the States can increase their activities in this field. Testimony before our subcommittee showed that there has been a tremendous increase in good reading, and this service provides many, many people in our country with that opportunity. Therefore I think we should continue to encourage the States in this regard.

With the help offered by this act, the States have developed a variety of programs that seek to encourage lifetime reading habits and the use and support of libraries. Since June 1957, the Connecticut State Department of Education, Bureau of Library Services, with the help of the Library Services Act, has been able to assist over 100 small libraries in the State by supplying them with books.

The extension of the Library Services Act, in accordance with the provisions of this bill, is a definite necessity for Connecticut in order for the State to continue bringing good reading to its rapidly growing population. Libraries in Connecticut are subject to the same pressures from population growth as other agencies and institutions. Small public libraries, originally fashioned to serve a small, stable population, are finding themselves swamped by the demands of new families, new schools, and the growing number of youths.

Once a year during National Library Week this Nation acknowledges the wonderful service that our public libraries perform. This Congress should—this Congress must—by its actions reflect the importance our country attaches to continuing the growth of our public-library system.

Mr. BOSCH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOSCH. Mr. Speaker, once again we are asked to disregard our promises of the past. When this bill was originally passed in 1956 it was represented to us that if we authorized a 5-year program that would be all that was expected and there would be no further need for additional authorizations for the library services program. It is my conviction that many Members who originally supported this legislation, just as I did, took the sponsors of this legislation at their word. Either they were right then or they are right now—evidently they have not and cannot express when they will be right. I cannot in good conscience support this legislation for a further 5-year extension of this legislation.

Mr. ELLIOTT. Mr. Speaker, I yield the remaining time to the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Speaker, as the gentleman from Utah [Mr. DIXON], and others have said here this afternoon, if we would only take the time to go out and spend a day on one of these bookmobiles, our minds would be made up, as mine and others have been in the past 2 or 3 weeks. I would not believe it unless I had seen it with my own eyes. Where no books are available to the people, in order to get books to read, young children and adults walk a mile to a crossroad or to a gas station.

It has been said by many educators in our country that our survival with Russia may not be determined by missiles

but may be determined in the field of education. And, when they come back and report to the Congress and to the committees of Congress that Russia is spending more on education than we are, I think that we should be concerned. Libraries are tied in with education. Libraries are teaching the youth of our country, and if we are concerned with the youth of our country and, with the problems of juvenile delinquency, the libraries are the centers where these people may go to gain knowledge. We have been told by experts in this field that one of the best ways to prevent juvenile delinquency is to provide young people with the facilities of learning and the books to read, because it is here that we are doing the most good for both youth and the adults of our country.

This bill to extend the Library Services Act—which I have been proud to support since its passage in 1956—places upon every one of us a tremendous responsibility. It enjoins us to consider the critical needs of our country with regard to education, and the basic role of libraries in the educational process.

On two recent occasions—a conference of the American Library Association, and a convocation at the Graduate Library School of the Drexel Institute of Technology—it was my privilege to discuss progress under the Library Services Act, and to commend library leaders for their active part in our educational system. I would like to include these two speeches in my remarks.

With the close of World War II, I pointed out, the value of education as a national resource was brought sharply into focus. It is now clear that America's supremacy and even survival demand a stronger fiber of education in the social fabric. One institution with a growing educational mission is the library.

It is my conviction—as expressed on this and other occasions—that libraries are more than storehouses: their broader function is to teach.

I often reflect on the importance of libraries to several programs of the Department of Health, Education, and Welfare—programs in which the role of libraries in education and science are vital. Many libraries and library groups collaborate in activities of the Office of Education and the National Library of Medicine. They share particularly the interests of the Public Health Service in aging and juvenile delinquency. I should like to mention briefly a few of the libraries' contributions in these problem areas that are of such deep concern to us all.

One of the great paradoxes of the modern world is the problem of our aging population—medical and social needs that have risen as a result of our longer lifespan. We can expect a continued increase in those burdens that weigh so heavily upon the aged—health problems, occupational difficulties, lower income, unsatisfactory living conditions, loneliness.

The American Library Association has outlined its objectives with regard to the aged. It has spelled out in congressional testimony how the public library renders direct service to the elderly; supplies middle-age groups with literature on retirement plans, housing, and income; coordinates interested civic groups and educational programs; and assists personnel who work with the aged through books, films, and exhibits.

An extension of the Library Services Act would enable libraries to continue this fine work of salvaging the elder population's vast resource of experience and skills.

Another group especially needful of library service is the young. At this critical age the mind of youth is capable of intense application in response to an inspiration. I have seen young people come to public libraries drawn by up-to-date material on inventions, the space age, sports, and recreation, career opportunities, and interesting lives. And I have seen this in districts where crime and violence beckon constantly to every child. The library stands as one of our great bulwarks against the terrible and ruinous waste of juvenile delinquency.

Many of you who are active in helping our young people will recall certain resolutions passed at the recent White House Conference on Youth, which included 100 librarians among its delegates. It was resolved that action should be taken to extend the availability of public library service to every citizen; that libraries be established in schools, with a view to helping them achieve higher standards; and that reading, training in the selection of literature, and recruitment of personnel trained in reading guidance be vigorously promoted. Most important of all, I think, was the resolution that young people should be encouraged to study the great ethical, moral, and religious truths, and to use these in formulating codes of conduct for their guidance toward good citizenship. Extension of the Library Services Act would do a great deal to further these worthy objectives.

Aging and juvenile delinquency are among the grave national problems to which the Congress has earnestly and effectively addressed itself in various acts. The bill before us now offers yet another opportunity to serve both the elder and the younger citizen.

This program administered by the U.S. Office of Education has already helped to bring library service to more than 30 million people in rural America. It has provided trained personnel, 200 bookmobiles, and 5 million books and other materials. Fifty-two States and Territories are now participating. Since the beginning of the program in 1957, the matching requirements have stimulated local governments to increase their library appropriations by 45 percent. One of the most encouraging results is the development of an effective system of libraries with strong centers, cooperative processing, and so forth. And there is a widespread and growing awareness of the meaning of libraries in education.

In my own State of Rhode Island, progress under the act has been typical. A special unit, public library services in rural areas, was set up in the office of the secretary of state to administer the program. A bookmobile was added, and a book grant was made to rural libraries, with provisions for emphasis on reference material. A series of workshops has been held at headquarters, and State consultant and bookmobile services have steadily grown. Although late in initiating a comprehensive plan, we have made remarkable progress under the act during the past 2 years. I am proud to say that 42 libraries have improved the quality of their collections, 33 have increased their circulation of books, and 14 have extended their hours of service. Local support has increased by 38 percent in Rhode Island in a period of 3 years only. And I would like at this point to include a table showing comparable statistics which has been prepared by Elizabeth G. Myer, supervisor of the Rhode Island Public Library Services in Rural Areas, as of July 14, 1960:

	1956	1959–60	Percent of increase
Total hours open	486¾	589¾	21
Total circulation	436,391	597,058	37
Local support (town)	$56,213.00	$77,339.50	38
Other sources	44,076.36	50,366.16	
Total	100,289.36	127,705.66	27

Behind these statistics is a story of sincere and dedicated effort and of deep gratitude on the part of many citizens for the legislation that has made this growth possible. I am so impressed with our progress in Rhode Island that I am confident—as many of you must be after reviewing the library program in your own States—of continued accelerating success. With public opinion firmly behind it, and with increasing resources, this program will advance until no man, woman or child in this country is denied the opportunity for intellectual and spiritual growth which access to a good library affords.

Society depends upon the library for many things. Not the least of which is its capacity to deepen appreciation and stimulate interest in the arts and sciences, in our principles and traditions, and in the peoples of other lands. This is an intangible role, but nonetheless a real one. It evokes a vital spirit in every American—the spirit to see our country progress and lead.

To summarize, I urge you to extend the Library Services Act in the broad interests of national progress and security. The libraries of this country must continue to help special groups, such as young people and the aged. They must continue to further science—directly by providing reference and educational materials, and indirectly by improving the national climate for scientific endeavor.

Public libraries are the bedrock of our communications structure. More than any other institution, they are responsible for passing information "vertically"—down through time. Today they are assuming a greater role in the dissemination of current facts. And they have always been instrumental in shaping our national destiny. An extension of the Library Services Act would help

in a very substantial way to strengthen America's heritage and insure her future.

Of particular interest to the people in my own State of Rhode Island is the following article written by Phyllis Meras for the Providence Sunday-Journal and an editorial which appeared in the Providence Journal on June 14, 1960, along with a number of letters which I have received from persons in Rhode Island who are vitally concerned by the possibility of the discontinuance of this most necessary service.

Mr. Speaker, I hope that this bill will pass by a big vote.

[From the Providence Journal, Apr. 10, 1960]

BOOKMOBILE SERVES RURAL AREAS: TWO THOUSAND VOLUMES TOUR STATE

(By Phyllis Meras)

Three days a week the Rhode Island bookmobile leaves the parking lot behind the Roger Williams Building and sets out down a road leading to a rural part of the State.

In three neat birch bookcases it carries 2,000 volumes. It stops at trailer camps and general stores, gas stations, drugstores, public schools. Its territory is any area where there is no public library within 2 miles.

On a northern Rhode Island trip the blue, blue-black and gray truck rolls down Louisquisset Pike to the Diamond Hill Trailer Camp. Driver James McCann honks a greeting to potential patrons. Trailer doors open and the bookmobile door opens.

A young mother in blue jeans climbs aboard and says she's looking for books on child care. She says also she's to pick up books for a neighbor. "He wants them on World War II or the Civil War," she explains.

Librarian Claire Mitsock searches the shelves and offers Bruce Catton Civil War accounts, JOHN KENNEDY'S "Profile in Courage," Ernie Pyle's "Brave Men."

The young housewife examines them all with a sigh.

"He'll say to me what do you think I am, just a book reader?" But she takes out the lot, along with "The Parents Guide to Everyday Problems of Boys and Girls," and "Is Your Child Really Fit?"

SERVICE STATION

At Gorst's Country Store, with its flower seed and feed advertisements in the windows, Mrs. Fred Gorst runs out with an armload of books from the bookmobile's last trip 2 weeks earlier.

"How about one on Senator KENNEDY? Got any of those today?

She's also interested in "How To Run a Small Business," and picture books for her children, and novels for her mother.

Across Diamond Hill Road and down a bit, the bookmobile stops again at McGee's Service Station so Mrs. McGee can bring back John Galsworthy's "Forsyte Saga."

She doesn't think she'll take anything out this week, she explains, because she's due to go down to Baltimore for a visit, But, under urging, she agrees to take "just a couple."

"If my husband can't find them when you come back, you just go in and look. I'll put them on top of the piano."

Librarian, Miss Mitsock, inquires about an invalid friend of Mrs. McGee's who lives down the road and likes historical novels. The bookmobile heads down the road.

It pulls in at Bradbury's Drugstore where Mrs. Richard Mania comes on to get books for her third graders at the Garvin School. Another patron takes a look at Rafael Sabatini's "Scaramouche."

"No, that's not my cup of tea."

MUCH EASIER

Inquiries are made for children about "Black Beauty" and "Swiss Family Robinson" and "The Wizard of Oz." One patron has extra books to get because neighbors' children are sick.

A book about Egyptian excavations is looked over. The librarian makes a note of Mrs. Edward McPartland's interest in Egyptology.

Whenever the bookmobile comes to Bradbury's, Mrs. McPartland—often with her youngsters—is on hand. "It's easier than going to the library. I live right up at the next house. I'm ironing today. All I have to do is run out the front door. I don't have to get the car and take the children and drive into town."

In 1959, the Rhode Island bookmobile—public library services in rural areas is its proper name—made 113 trips through Rhode Island. It lent 18,750 books to children and 8,646 to adults.

HEADQUARTERS

The bookmobile began after Congress Library Services Act of 1956 which authorized Federal money to match State money spent to improve library service in country areas. Besides the purchase of books for the bookmobile, the money is used for volumes for 42 rural libraries in the State.

Headquarters for the operation is the Roger Williams Building on Hayes Street, where books are processed and cataloged, orders sent out. A rural library patron can request any book he or she chooses. Unless it is clearly a book to be used only for a specific piece of research, Rural Library Services will buy it.

"It's worth our while because we can circulate it among all our libraries," Miss Elizabeth G. Myer, director of the program, explains.

As a result, books on bookmobile and rural library shelves include works on electrical engineering, dye making, foreign languages. A dictionary is among the most popular of bookmobile books.

Rhode Island's bookmobile has been in service only since 1958, but its staff maintains that the 20-foot long caravan of knowledge has made thousands of country-bound Rhode Islanders more conscious of the riches in books.

[From the Providence Journal, June 14, 1960]

A USEFUL FEDERAL PROGRAM FOR LIBRARIES NEEDS HELP

The Federal Library Services Act, embodying a program of State-Federal aid to libraries in smaller communities, is in danger, and it will die unless the House Committee on Rules reconsiders an adverse vote on the legislation or unless the measure can be taken from committee directly to the floor.

The act was passed in 1956, and a measure to extend its 5-year term past the expiration date of June 1961, went through the Senate without trouble. It also cleared the House Committee on Education and Labor, but the Rules Committee declined to let the bill get to the floor of the House.

Ironically, the vote in the Rules Committee was a tie, six to six, but the tie was as effective as an outright "no" in keeping the measure bottled up. Four Republicans and two Democrats joined to keep the bill from a vote which, it is reported, would be almost certain to be favorable.

The reason for the broad support of the plan to extend the life of the act rests on the success of the operation. The bill is intended to foster libraries in communities with populations under 10,000; in Rhode Island alone, 42 small libraries have qualified for help and have received substantial aid.

For the current fiscal year, the Federal Government's contribution to the program here is about $52,000; the State's cash share is about $21,000, and it is supplemented by various credits. Nationally, there are active programs in 52 States and territories, and rural library service has profited tremendously.

Although the act was passed in 1956, many of the States and Territories were not able to qualify for 2 or more years because of the need to get enabling State legislation and appropriations and to set up local programs. Now, with the program in full swing at last, it is in danger of being killed off.

In Rhode Island, for instance, the program has been of special value for hundreds of school youngsters. With the new interest in regional high schools, the program promised to be of even greater value than it has in the past. How the program will fare if Federal sharing of costs is killed isn't certain.

The entire delegation from Rhode Island in the House and Senate has supported the program. In particular, Congressman JOHN E. FOGARTY has been active on its behalf. But letters of support for the bill to the delegation would be useful in demonstrating to the Rules Committee the extent of general voter support for the program.

The program is not a handout; the State is required to match pretty closely the Federal grant through cash and services. At the very least, Congress ought to provide for an orderly transition to total State support, because outright refusal to extend the act now would throw the State programs into chaos.

Reconsideration of action by the House Rules Committee is highly desirable, but if it is necessary to circumvent the committee through suspension of House rules, we hope that the Rhode Island delegation will be as diligent in that effort as it has been to date in support of the program itself.

THE GREENVILLE PUBLIC LIBRARY

For 74 years the Greenville Public Library occupied a tiny building in the center of the village, next to St. Thomas Episcopal Church.

It had no running water. Even in recent years, only electricity of sorts. Before that, just a lamp or two. It was warmed by one small stove; later by a one-pipe furnace, the heat from which came through a central register and swiftly vanished as it neared the outer walls. The children's alcove was an area 8 by 10 feet square, its boundaries marked by bookshelves. But the walls and stacks of the library were crammed with books.

Small as the building was, and inconvenient, the librarian and the townsfolk loved their library. Year by year they gave it books they had enjoyed—6,000 books of travel, biography, and fiction. In 1948 two of its association members, Mr. and Mrs. Henry F. Jenckes, bequeathed the library several thousand dollars and a parcel of land halfway up the hill on the edge of the village. This fund, accumulating through the years, was finally sufficient for the erection of the present building. The library then had three assets—a delightful site, its 6,000 books, and enough cash in hand to pay the construction costs of the Jenckes Memorial Building, completed in 1956.

Equipment, furnishings, and maintenance were another matter. Furnishings and equipment were provided for through funds contributed by the townspeople, and by outside friends responsive to the library's readiness and eagerness to meet the needs of a fast-growing community. From a township beset with the problems of assimilating a dozen or more large housing developments suddenly sprouting in its outlying districts, only a modest budget can be asked for. Maintenance, therefore, rests on a sum considerably less than $2,500 received from the town of Smithfield, to which are added the annual dues from association members, plus

such special contributions toward maintenance, improvements, and educational activities as may be received annually from members and friends.

Books are purchased from the ever-helpful State and Federal allowances. The book circulation, which stood at 1,642 in the old building, reached 17,421 in the new building during 1959. The staff comprises an enthusiastic and industrious librarian and a part-time caretaker, plus a score of unpaid volunteer assistants, who under direction shelve, catalogue, type, file, paste, and label; or run art shows, lectures, musicales, receptions, teas or cake sales, as the case may require. Thus fortified, the library pursues its joyous but frugal way.

In the short years since the new building opened, a local arts and crafts festival conducted by the library has brought to light the surprising amount of skilled and professional work that is being done in the township. A junior craft festival has stimulated the work of our young people. Local artists have been invited to hold one-man and group shows in the lower study, as the library's assembly room is called, and other art shows have been provided by members of the Providence Art Club and the Rockport Art Association. And lectures on Russia, Alaska, and other timely subjects have been given before the association or the community at large. In fact, Professor Smiley, of Brown University, lectured at the library on satellites, while Sputnik I was still visible in orbit.

Meantime, over 4,000 books have been added to the original 6,000 on our shelves. The circulation, on the 3 days a week when the library is open, has become more than the librarian can handle single handed. New shelves have recently been installed for nonfiction and mystery books, in order to allow more space for new science and reference material. An anteroom planned and used as a workroom has had to be converted into a reference room, constantly filled with teenage students looking up their home assignments. Schoolchildren use the library in such numbers that the children's and junior sections as well as the reference room are already overcrowded, and ways and means are being discussed for a new wing. At the present rate, in another 2 or 3 years an addition to the library will be essential.

MARGARET BINGHAM STILLWELL,
Secretary, Greenville Public Library.

HARMONY, R.I., *July 5, 1960.*

Hon. JOHN E. FOGARTY,
Washington, D.C.

DEAR JOHN: I must say thank you again for all your work to keep the bill H.R. 12125 alive for a vote on August 22. The Rural Service Act has been a wonderful help to our small Harmony library. Six hundred books have been received. We hope the bill will pass so that we may have more help next year.

Sincerely,

ADAH S. HAWKINS,
Librarian.

RHODE ISLAND STATE LIBRARY.
Providence, June 7, 1960.

Hon. JOHN E. FOGARTY,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN FOGARTY: The program of the public library services in rural areas in the State of Rhode Island has been exemplary.

Newsletters of progress have been filed with Germaine Krettek of the American Library Association, Washington Office, 200 C Street SE., Washington 3, D.C.

This morning we received a letter from the supervisor of this program in Rhode Island who advises us that immediate action is needed to save the Library Services Act extension bill. Since June 2, the House Committee on Rules considered H.R. 12125 and denied it a rule.

The Rules Committee is the powerful House committee which decides what legislation shall come before the House for consideration, and under what provisions it shall be debated.

We are writing to the members of the House Rules Committee as of today asking for reconsideration of the decision and we are also writing to the Senators and Representatives from Rhode Island in Congress asking for their special effort to have this particular program of public library services in rural areas continued.

With Rhode Island, as the smallest State, in which the program has been exceedingly successful, we have the earnest desire to advise of our keen interest in favorable action with respect to this particular resolution.

Your assistance will be deeply appreciated.

Most cordially,

GRACE M. SHERWOOD,
State Librarian.

STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS,
DEPARTMENT OF STATE,
Providence, June 6, 1960.

Hon. JOHN E. FOGARTY,
Second Congressional District,
House Office Building,
Washington, D.C.

DEAR MR. FOGARTY: News from Washington on H.R. 12125 has quite dismayed us who believe in the extension of the Library Services Act.

We appreciate your support on behalf of this vital educational opportunity, and are writing members of the House Committee on Rules to request a reconsideration of their action.

Thanking you for all that you are doing on behalf of better education, health, and well-being of American citizens,

Very sincerely yours,

ELIZABETH G. MYER,
Supervisor.

PEACE DALE, R. I., *June 24, 1960.*

Hon. JOHN E. FOGARTY,
House Office Building,
Washington, D.C.

DEAR MR. FOGARTY: I am very certain that you are doing everything possible to retain the absolutely vital Library Services Act for at least another 3 years and, if possible, a longer period.

Our board of trustees is very concerned about the latest threat to curtail the above referred to act. It might interest you to know that our Peace Dale Library had approximately 17,000 books on its shelves and that our circulation in the year before the act became effective was 18,000. Our circulation for the year ending October 1959 was 35,000. These figures speak for themselves.

Cordially yours,

THOMAS P. HAZARD.

ARNOLD'S MILLS COMMUNITY LIBRARY,
Cumberland, R.I., June 15, 1960.

Hon. JOHN E. FOGARTY,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FOGARTY: The Arnold Mills Community Library Board members urge that the Federal Library Services Act, bill H.R. 12125, be placed on the floor and request a favorable vote on it.

Our library is deeply indebted to and appreciative of the Federal services to rural libraries.

Without the additions that the 1959–60 appropriations provided our library we could never have filled the need for up-to-date and necessary material for our students and adult patrons.

We appreciate your activity on behalf of this bill.

Sincerely yours,

MARJORIE B. TODD,
Mrs. Gordon F. Todd,
Library Board Secretary.

JAMESTOWN PHILOMENIAN LIBRARY,
Jamestown, R.I., June 17, 1960.

Hon. JOHN E. FOGARTY,
House of Representatives,
Washington, D.C.

DEAR MR. REPRESENTATIVE: Please support bill H.R. 12125, Library Services Act, as it is of vital importance to small libraries.

Sincerely yours,

LOUISE BRAMAN,
Librarian.
HOPE E. CARR,
Assistant Librarian.

ARNOLD'S MILLS COMMUNITY LIBRARY,
Cumberland, R.I., June 21, 1960.

Hon. JOHN E. FOGARTY,
House of Representatives,
Washington, D.C.

HONORABLE SIR: As librarian of a small rural library, I would like to express my appreciation and deep gratitude for your aid and support of the Library Services Act. Without such aid we could not have adequately served our schools in their increased science and reference demands, and we look forward to a continuance of the act to insure us the much-needed supply of books for the future.

We are exceedingly grateful for your interest in the past and look forward to your continued support in the future.

Respectfully yours,

FLORENCE G. ALDEN,
Librarian.

GREENE PUBLIC LIBRARY,
Greene, R.I., June 16, 1960.

Hon. JOHN E. FOGARTY,
Washington, D.C.

MY DEAR SIR: I am writing to you in regard to a bill H.R. 12125, known as the Library Services Act. This bill would greatly benefit the poor, small libraries in purchasing needed books, which otherwise we would not be able to obtain.

A companion bill S. 2830 passed the Senate May 25 without a dissenting vote.

All efforts to get H.R. 12125 out of the Rules Committee have failed. If you would contact some of the members of this committee, and persuade them to let this bill come out on the floor for a vote, I am quite sure it would pass.

Almost invariably it is not opposition to libraries, but unawareness of them that causes lack of support. We would greatly appreciate it if you would help get this bill out of committee and on to the floor of the House for a vote.

With all good wishes, I remain,

Cordially yours,

CLIFTON W. STEERE,
Librarian.

KINGSTON FREE LIBRARY, INC.,
Kingston, R.I., June 14, 1960.

Hon. JOHN E. FOGARTY,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE FOGARTY: The board of trustees of this institution has just learned that the House Rules Committee has denied the Rural Library Services Act, H.R. 12125, a rule and the opportunity to be considered by the House. This is very disturbing to us. The act has enabled us to increase our acquisitions at a time in which it is extremely difficult for small communities to meet rising costs in services and in purchase of publications. We urge you to do whatever you can to have the House consider this bill—and, no doubt, to pass it as

has already been done by the Senate. As we have written each member of the House Rules Committee: "Surely the United States of America which is spending so much money on material things can afford a contribution to rural libraries."

Please do what you can for us.

Sincerely yours,

DANIEL H. THOMAS,
President.

TIVERTON, R.I., *June 20, 1960.*

DEAR CONGRESSMAN FOGARTY: I wish to express our appreciation for the public library services in rural areas and express our desire to have the act, H.R. 12125, continued.

Our library serves a rural community. A large number of our patrons are children from a nearby school. They are the future leaders of our community, State, and Nation. With the aid of public libraries in rural areas we have been able to purchase many volumes which we would not otherwise have. This aid has enabled us to order a new set of encyclopedias and to bring our science collection up to date. We have replaced some of the classics with more appealing editions. Many of our classics were of ancient copyright.

I trust you will approve the motion to suspend the rules and thus get H.R. 12125 out of the Rules Committee. When the bill comes up for a vote please remember what this aid has meant to one rural library and multiply that appreciation by all the rural libraries.

Our future citizens have enjoyed the books we have purchased. We hope to be able to continue enlarging our book collection. A reading public is a well-informed public.

Please do as much as possible to be present and vote favorably on H.R. 12125.

Very truly yours,

GRACE M. SNELL,
Mrs. Ralph Snell,
Librarian, Union Public Library.

ELMWOOD PUBLIC LIBRARY,
Providence, R.I., June 9, 1960.

Hon. JOHN E. FOGARTY,
House of Representatives,
Washington, D.C.

DEAR MR. FOGARTY: I was most distressed to receive the special memo from Miss Kretek dated June 3 with the news about the action of the House Committee on Rules regarding the Library Services Act. I am sure that you must be equally disturbed.

For Rhode Island, especially, any action to terminate the Library Services Act program would be most disastrous. As you fully realize, it is the only program specifically designed to serve rural areas, and it has made a marked improvement in library service in these areas since its inception. Although we hope that some day the State will be able to carry on this program, it will require much advanced planning for such an undertaking.

I am confident that you will do everything possible to influence members of the House Rules Committee to reconsider this ruling and to vote favorably on this bill.

Sincerely yours,

DOROTHY W. BUDLONG,
Librarian and Past President Rhode Island Library Association.

ASHTON, R.I.

Hon. JOHN FOGARTY,
House of Representatives,
Washington, D.C.

MY DEAR MR. FOGARTY: During the past year our school has been very effectively served by the bookmobile operated by the Rhode Island Department of State Public Library Services in Rural Areas. This service has been keenly appreciated by the teachers, pupils, and parents, because we have no other library service available in this area. I understand that you have great personal interest in this project.

In a recent communication from the American Library Association we have been informed that this service may be terminated unless the House Committee on Rules reconsiders its action and votes favorably on bill H.R. 12125. We understand that the Senate has already voted favorably on the companion bill, S. 2630.

While the bookmobile is a comparatively new project in Rhode Island, it has proven to be very popular and highly beneficial. Any consideration that you may be able to give in behalf of its continued service will be greatly appreciated by your many friends in Cumberland.

Sincerely yours,

MARY M. GEDDES,
Principal, Ashton School.

NORTH SCITUATE, R.I., *June 29, 1960.*

MY DEAR MR. FOGARTY: Just a note in regards to the money appropriations for the rural library service. I would like you to be in favor of continuing this service. Our little girl has enjoyed the books so much that she has brought home from the bookmobile.

Sincerely,

EMILY ANGELL.

NORTH SCITUATE, R.I., *June 30, 1960.*

Hon. JOHN E. FOGARTY,
House of Representatives,
Washington, D.C.

DEAR SIR: May I express my appreciation to you for your efforts in behalf of the extension of Federal grants for rural libraries, and may I assure you of a vital interest in this program in our community in Rhode Island.

The enthusiastic response to the bookmobile in North Scituate clearly indicates that our people want to read, and will if good material is available.

Important additions have been made to the shelves of our public library, and a great deal more could be done there, in regard to volume and the days and hours that the library is open.

It would be a real loss to us if this program should be abandoned, and I heartily endorse your proposed 5-year extension of appropriations for same.

Sincerely yours,

MARGARET M. CHAMBERLAIN
Mrs. George W. Chamberlain.

WAKEFIELD, R.I., *June 28, 1960.*

Hon. JOHN E. FOGARTY,
House of Representatives,
Washington, D.C.

DEAR SIR: I realize you were instrumental in getting through the Library Services Act, originally.

Understanding there is a question it might be killed through adverse legislation, I want to express at least my hopes that your efforts to have it continued will be successful.

Sincerely yours,

FREDERICK R. KROENER.

KINGSTON FREE LIBRARY, INC.,
Kingston, R.I., July 15, 1960.

Hon. JOHN E. FOGARTY,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE FOGARTY: I wish to thank you for your recent letter concerning the Rural Library Services Act which was tied up in the House Rules Committee and for your efforts to have this bill brought out on August 22. This information was reported to the meeting of the trustees of our library earlier this week. I was requested by the members to write you thanking you for your interest, for your leadership in the move to get the bill before the House, and for your interest in our problem.

I am happy to do so at this time. It costs a rural library a very large proportion of its budget simply to pay the cost of the building and its upkeep and the salary of a librarian. Our own library is relatively fortunate because of an endowment from which we get the larger share of our income. Nevertheless, we were able almost to double our purchases because of the $800 which we received through the Library Services Act during the past year.

Again, it was good of you to take the leadership in the effort to keep this bill alive and to work for its passage. We want you to know that it is deeply appreciated.

Sincerely yours,

DANIEL H. THOMAS.

BROWNELL & FIELD CO.,
Providence, R.I., July 15, 1960.

Hon. JOHN E. FOGARTY,
Custom House Building,
Providence, R.I.

DEAR SIR: I want to express my thanks to you for your recent work which should ultimately insure passage of the bill extending Federal aid to rural libraries for the next 5 years.

I wrote you on behalf of the Barrington Public Library last April. I want you to know how much we appreciate your work aiding rural libraries.

Again I want to thank you for your efforts on behalf of the bill which would aid our library, the many rural libraries in the State of Rhode Island, as well as throughout the country.

Sincerely yours,

RUSSELL W. FIELD, Jr.,
Chairman, Barrington Library Trustees.

MANVILLE, R.I., *May 19, 1960.*

Hon. JOHN E. FOGARTY,
House of Representatives,
Washington, D.C.

DEAR SIR: May we here at Sherman Leclerc Library urge you to continue your interest in the extension of the Federal Aid to Rural Libraries Act.

It has meant so much to our organization to have been able to receive this extra help in adding to our book collection, and, as a result, watch our ever-increasing circulation.

Sincerely,

MARGUERITE C. WEGIMONT
Mrs. Francis J. Wegimont,
Librarian.

CONGRESS CONSIDERS LIBRARIES AND EDUCATION

(Address of Hon. JOHN E. FOGARTY, U.S. Representative, Second Congressional District of Rhode Island, at Public Library Association meeting, Washington, D.C., June 26, 1959)

I am grateful for this opportunity to meet with an organization that is doing so much on behalf of causes that I have long been proud to serve. I refer particularly to the broad fields of health and education. Few groups are more important than the American Library Association in meeting these national challenges.

These are times when every institution concerned with maintaining a free and informed citizenry is playing a critical part in our Nation's destiny. Public libraries, as a mainstay of our communications structure, are indispensable in this era of science and technology, of farflung interests abroad, of international tensions and complex domestic problems. These are times when every thinking person needs the information, the background that only reading can give, and the kind of stimulation and diversion that literature alone affords.

Let me say at the outset that the library's role in meeting the intellectual challenge of today is not, in my opinion, a passive one. It is a dynamic role that calls for action on the part of librarians, trustees, and the friends

of libraries. It is a role that demands a strong organization, in which all members are highly sensitive to social needs, their own goals, and the roads that are open to those goals. The needs that face us—and I think again of our many interests in common—urge an attack with all our resources.

For many years I have been concerned with those needs, both as a Representative to Congress from the Second District of Rhode Island, and as chairman of the subcommittee in the House of Representatives which is responsible for appropriations to the Department of Health, Education, and Welfare. Libraries share many of the Department's interests in the fields of health and education, particularly those of the Public Health Service in aging, juvenile delinquency, and blindness. Other common interests are the program of scientific translation and the National Library of Medicine, which became a part of the Service in 1956.

Since ancient times, libraries have served the civilized community as storehouses of information. The importance of this function alone is attested by the fact that an ability to accumulate knowledge and transmit it down the generations is an essential difference between man and the lower animals. Increasingly, however, libraries have assumed additional functions—have taken a more active role in the community. The library today is not only a medium of communication; it is an integral part of our educational structure. One of its principal functions is to teach.

We think immediately of school libraries and their importance in general and professional education. But I have in mind a broader concept. The educational institution—the school or college—must not only teach; it must point the student down the road of knowledge. With school behind us, our education has only begun. Here, then, is perhaps the main role of the library—to help us gain the education we need on our way through life. In this, the school library is joined by the public and special libraries—those of industry, societies, government. Together, these facilitate our self-development, our intelligent participation in public affairs, and our pursuit of special interests.

The broader role of the library, in the eyes of a mere observer, calls for more intensive development of special resources for communication, such as films and recordings. The addition of musical and audiovisual dimensions to literature can provide a rounded approach to the library's educational mission. To be sure, there are many difficulties. But only through such expanded programs can libraries, it seems to me, realize their full potential for education and creative experience.

This is most obvious with respect to special groups I have mentioned. Recordings for the blind, for example—an extremely valuable service—certainly bring the library into the forefront of educational institutions. The same might be said of records and prints used in seminars on music and art for the elderly. Or the showing of films in conjunction with courses under way in local schools, as an aid to the guidance of youth. It is these active ventures into education that I, in my work for these groups, find most gratifying in the progressive library of today.

I should like to make a special point about the efforts of the ALA toward the control of juvenile delinquency. This is a problem that has come often to my attention as a legislator. We have worked out, I believe, some good measures, such as the collaborative activity proposed in the current appropriation bills for the Children's Bureau and the National Institute of Mental Health. This is an effort to provide coordination and leadership through two agencies with interest, experience and resources in the fields of child welfare, child behavior, and child psychology. But legislation, however sound, can never solve this problem alone. It is a problem for the total community: the school, the church, the family—all of our social institutions. The library is very important here, primarily as a preventive, for it can offer books and programs to help our young adults understand themselves and adjust to life.

Many of you have given real thought to the problem of juvenile deliquency, and some of you, I know, are very active in this field. Libraries can reach children early and maintain contact as they grow and develop. Good progress has been made in bringing libraries to low-income areas; and in some cities, librarians trained for service to young people work cooperatively with welfare agencies. Given adequate funds and staffs, libraries can offer individual help, particularly to those who cannot read well. I believe the services to young people should be extended and promoted through adult groups, collaborative projects with juvenile courts, and mass media such as radio and television. To learn the best role of libraries in this problem, studies might well be done in collaboration with research and welfare agencies.

A realistic view of the library as an educational institution must take into account the question of funds. Legislation for the support of educational and research programs should generally be interpreted to include libraries as educational and research facilities. In the current research construction program of the Public Health Service, for example, the National Advisory Council that recommends grants to the Surgeon General holds that libraries are definitely research facilities. Few projects to date have included library construction because the funds have been insufficient to meet the need for laboratories, but the Council at its October meeting will consider whether research library construction can be expanded.

One of the Nation's most pressing medical and social problems is blindness. There are about 350,000 blind persons in this country, and the number is increasing despite public and private efforts over many years. The Public Health Service's National Institute of Neurological Diseases and Blindness is attacking the problem from the medical standpoint. On the social side, I have introduced a bill to establish a temporary Presidential commission to study and report on problems related to blindness and the needs of the blind. A prime objective is to help create a national atmosphere more favorable to the blind person and his role in society. This will call for studies of existing conditions, including rehabilitation programs, the education of blind children, and social services and research. One consideration will be how to provide books and recordings, including problems of procurement and distribution.

I am confident that standards and legislation will be developed through which the best library services now available for the blind will be augmented and extended. It gives me great satisfaction to work toward that end.

Among the most important library services are those extended to the older citizen. The magnitude of the aging problem demands that major resources such as libraries, so valuable in guidance, recreation, and many special activities, be encouraged in every way possible to do more in this field. Since 1900, people over 50 have increased in our population from 13 percent to more than 22 percent. By 1970, nearly 25 percent of the American people will be over 50, and 10 percent will be over 65. Social institutions should prepare for the impact of this growth. In an effort to help libraries in this regard, I will urge that they be cited in current bills before Congress.

Probably the legislation most directly significant to the ALA is the Library Services Act. As you know, the Congress has never appropriated the full $7.5 million authorized for this Office of Education program. But much progress has been made under the act, such as the extension of library services to 11 million people in rural American areas. I understand that 50 States and territories are now participating, and that the matching requirements have stimulated State and local governments to put 45 percent more money in libraries than they did before the program began.

Because this is one of the appropriations my subcommittee handles, I am proud of my own part in these achievements. The President's budget called for only $3 million last year. We in Congress raised this to $6 million—twice the budgeted amount. This year, the President's budget was $5 million. We in the House voted an additional million making it $6 million, the same amount as last year. The Senate on last Wednesday voted for $7.5 million. If a reasonable compromise is agreed to, the tremendous task of providing library services for 25 million more rural people in this country who do not now have access to public library service will be able to proceed. Having followed the program closely in Rhode Island, I am determined to see similar benefits extended throughout the greater United States.

I should like now to discuss some broad problems in which libraries are involved—problems impeding social and scientific progress, particularly in the field of medical research. One of these is the problem confronting the scientist when he searches the literature before undertaking an experiment. Although he may work in a highly specialized area, the information he needs will be widely scattered. Annually throughout the world, about 180,000 research reports appear in some 5,000 journals, and an estimated 10,000 books are published on medical and scientific subjects. The libraries can do little, of course, to control this volume of publication, although I am sure they would like to. There is, however, a major library responsibility for documentation—the vast field of lending order to this mountain of words.

I do not presume to understand the problem in detail—the many good proposals for solving it, the new equipment available, the programs under way. I do know that researchers in all fields, including the biological, physical, and social sciences, depend largely on libraries for the storage and retrieval of information. Those who write it and those who print it share the responsibility, but cannot come to grips with the problem because they are independent workers. The one unified element—the library—well organized and influential, should take the lead.

If some major library organization, such as the ALA or Library of Congress, were to adopt a plan acceptable to scientists and editors, cooperation would be assured through the desire of authors to be included in the system. For instance, authors would submit abstracts through editors to a central point for indexing, storage, and electronic retrieval. But this is just a thought; many of you are way ahead of me. I only mean to stress that the library—not the individual author, editor or reader—is the place to begin. It is the logical point of vantage for instituting a system that would streamline the search for data, now a task of such proportions as to threaten the value of reports themselves—even to threaten the continuity of knowledge.

Another major need—one in which libraries could play a larger part—is the distribution of educational material on science

and health. People are eager for literature on these subjects—current, factual, plain materials that answer their questions and expand their understanding. Federal, State, and local health departments, voluntary health agencies, and many other groups publish pamphlets and other materials on all the major health problems. Unfortunately, public libraries are often excluded from the distribution lists through doubt that the materials would be promoted or displayed. And the libraries have been unable to afford stocks of giveaways, the best approach to meeting the need. I believe, however, that cooperative arrangements could be worked out in which public libraries would play a key role in health education.

In making these various suggestions, I have failed to specify how they might best be adopted. Who would set the ball rolling? Certainly, librarians and ALA officials can do much in their own right, and it is they who must follow through once the services are instituted. But their authority and influence are limited. I appeal to the trustees and friends of libraries. They should take the initiative more often, lending their names and efforts to increasing support for their public libraries. Without the active participation of trustees and friends, the library can be little more than a storehouse. With their active aid, the library can be a dynamic agency working side by side with educational, research and welfare groups. It is largely through trustees and friends that an ancient and honorable institution—a latent force for social betterment—can realize its potential in the modern world.

To my mind, the most important ancillary function that a library can perform (a function so intangible that legislators can only talk about it) is to further the spirit of learning in this country. Basic to the improvement of domestic and foreign relations, to supremacy in science and technology, to the attainment of major national goals, must be a climate of public opinion more favorable to science, education and scholarship in general. Our need for this is felt keenly when one talks to scientists and educators, to people abroad. We need a national shift toward deeper appreciation of all that the library represents in our culture—knowledge, art, and their advancement through communication.

Librarians, through the selection of reading matter, group activities, and individual guidance, can help immeasurably to further the understanding of science and of the need for research. They can help acquaint young people with names and events in science, shaping their image of the scientist and a research career. They can call attention to opportunities in the sciences—courses of study, scholarships, positions. And above all, they can capture and stimulate that interest in the humanities which affects so strongly our sense of values, and thus our attitude toward the learned professions and their contribution.

To summarize, I would urge librarians to continue developing their programs along educational lines. You have an important mission in helping young people—the misguided and the gifted—older people, and many special groups. Health education is a particularly appropriate field. I urge you, collectively and individually, to further the sciences through advances in documentation and efforts to improve the national climate for scientific endeavor. And I call especially upon the trustees and friends of libraries to work on behalf of their institutions in such matters as support and the expansion of library functions.

For my part, I will do all I can to help the libraries of the Nation extend their basic and special services to every citizen.

Libraries, Education, and Society

(Remarks made by Representative John E. Fogarty, of Rhode Island, at Drexel Institute of Technology, May 17, 1960, on occasion of his receiving the Distinguished Achievement Award from the Graduate School of Library Science and the Library Alumni Association)

Today I saw for the first time the impressive new quarters of the library school here at Drexel.[1] I am sure they bring to you a deep sense of pride and gratification—much as your Distinguished Achievement Award, and this opportunity to meet with you have given me. It is a fine thing to feel that one's efforts have played some part in strengthening the American heritage.

A library school—or legislation to aid libraries—can do just that: it can enrich society and strengthen the Nation. It does this mainly through the enduring contribution of libraries to education.

America's strength was once felt to lie predominantly in her agricultural and geographic advantages. Since the turn of the century, industry and natural resources have been paramount. Both, of course, remain essential to our country's strength and her leadership among free peoples. But the close of World War II brought sharply into focus another basic resource—education; and recent years have commanded its critical appraisal. It is now clear to many that agriculture and industry, however prolific, cannot insure supremacy or even survival without a stronger fiber of education in the social fabric.

The modern concept of education is a broad one. Besides the schools at all levels, many institutions and media are recognized as educational—partly because of their mounting interest in the role. There are more and more educational uses of films and recordings, radio and television, magazines and newspapers, pamphlets and books. There is an upward trend in the publication of all factual matter. I believe these changes reflect generally a felt need of people for a broader view of the world about them.

One institution with a growing educational mission is the library. It is axiomatic, of course, that libraries should serve scholarship; but I refer to a more active part in the educational process. Increasingly the progressive library is concerned with information—with collecting, lending, and promoting current reading matter, films, recordings, and other educational materials. Thus, the library alines itself with institutions and forces that are shaping our national destiny.

It is my conviction that this is the way in which libraries of all types can best serve the community in our dynamic times. Libraries are more than storehouses; their broader function is to teach.

For many years I have given my best thought to certain needs and aspirations of our people. This has been basic to my responsibilities as a Representative to Congress from the Second District of Rhode Island, and as chairman of the subcommittee in the House of Representatives which is concerned with appropriations to the Department of Health, Education, and Welfare. I am pleased to say that many libraries and library groups are closely allied with the Department in several of its programs. They collaborate in activities of the Office of Education and the National Library of Medicine. They share particularly the interests of the Public Health Service in aging, juvenile delinquency, and blindness.

As an interested layman, I should like to express briefly some views on the library's role in these tremendous problems.

One of the great paradoxes of the modern world is the problem of our aging population—the medical and social needs that have risen as a result of our longer life span, which is largely attributable to advances in medicine and public health. Since 1900, people over 50 have increased in our population from 13 percent to more than 22 percent. By 1970, nearly 25 percent of the American people will be over 50, and 10 percent will be over 65. This implies a continued increase in those burdens that weigh so heavily upon the aged—health problems, occupational difficulties, lowered income, unsatisfactory living conditions, loneliness.

In attempting to come to grips with such a problem one naturally turns to institutions and individuals that might be expected to help. A group that has outlined its objectives with regard to the aged is the National Library Association. It has spelled out in congressional testimony[2] how the public library renders direct services to the elderly; supplies middle age groups with literature on retirement plans, housing and income; coordinates interested civic groups and educational programs; and assists personnel who work with the aging through books, films, and exhibits.

These seem to me excellent, practical objectives that might well be extended to all libraries. In addition, I should like to see library schools expand the training of librarians to work with the elderly. Some studies should be undertaken to settle the question whether cultural and educational interests can actually retard mental decline, and to learn how libraries can help bring out and utilize the older person's best attributes. It would be a great credit to library science, and quite fitting, if some library group were to lead the way toward salvaging the elder population's vast resource of experience and skills.

The library's place in our culture is nuclear: it offers literature, information and recreation to many groups, the young as well as the old. I feel that its values to youth have barely been tapped. In many young people, there is a spirit that rebels against education—or rather, against being taught. This finds a terrible and ruinous expression in the juvenile delinquent, whose rebellion may lead to total loss of educational contact. And yet the delinquent or predelinquent does not necessarily resist learning. His indifference or hostility may embrace only the formal aspects of education—the classroom and its implication of discipline and conformity. The same individual may sometimes be reached through an appeal to his curiosity, his need to excel, or his natural love for reading, music, or some related pursuit. Every era has its Bohemian movement, which is essentially rebellious and yet intellectual or artistic.

The difficulty, of course, is to capture and hold interest. The library has strong competition, and I can offer no formula. I only know that the mind of youth is capable of intense application in response to the right appeal. With no coercion whatever, youth can master difficult sports, jazz music, automotive mechanics, radio engineering. And we have all seen young people come to public libraries in underprivileged metropolitan sections, drawn by up-to-date material on invention, the space age, sports and recreation, career opportunities, and interesting lives. I have seen this in districts where

[1] The Graduate School of Library Science (3d oldest in the United States and among the first 5 in enrollment) and the Drexel Library are housed together in the Library Center, opened in the fall of 1959, and the latest addition to the physical plant in the current expansion program.

[2] Senate Committee on Labor and Public Welfare, Aug. 4, 1959.

crime and violence beckon constantly to every child. In light of these things, I am confident that ways can be found to enhance the appeal and effectiveness of libraries in helping the prospective citizen.

You may be interested in certain resolutions passed at the recent White House Conference on Children and Youth, which included nearly 100 librarians among the delegates.

One resolution called for adequately supported studies to determine the effects of reading books, magazines, and newspapers upon young people. Another recommended that much more extensive use be made of films and other instructional material in both formal and informal education. Several resolutions were aimed at augmenting the opportunities for training and participation in dramatics, theater arts, and film production.

With direct reference to libraries, it was resolved that action should be taken to extend the availability of public library service to every citizen; that libraries be established in schools, colleges, and universities, with a view to helping them achieve higher standards; and that reading, training in the selection of literature, and recruitment of personnel trained in reading guidance be vigorously promoted.

One of the forums resolved that young people should be encouraged to study the great ethical, moral and religious truths, and to use these to formulate codes of conduct for their guidance toward good citizenship.

I believe we shall soon see legislation and other efforts to implement these recommendations at local, State, and Federal levels. Meanwhile, library workers will be able to draw on the resolutions in seeking interest and aid.

Another medical and social area in which libraries are making a valuable contribution is blindness. Despite public and private efforts over many years, the number of blind persons in this country is about 350,000 and is steadily increasing. The Public Health Service's National Institute of Neurological Diseases and Blindness is attacking the problem from the medical standpoint. On the social side, I believe there is need for a good study on problems related to blindness and the needs of the blind. One objective would be to help create a national atmosphere more favorable to the blind person and his role in society This would call for studies of existing conditions, including the problem of providing books and recordings. The best library services now available for the blind should be augmented and extended.

Some of you may not know that the Library of Congress' program to provide books for the blind is currently operating under an appropriation of $1.6 million, which is a little more than ever before. To date, the Library has provided about 5,600 titles in braille and Moon type and 4,000 talking books. Approximately 70,000 of the Library's machines are now in use.

As I have indicated, many grave medical and social problems call strongly on libraries among other key groups. Assistance to libraries themselves has been made available through the Library Services Act. In fiscal year 1960 allotments are based on the maximum authorized appropriation, $7.5 million. In this session of Congress, I have introduced a bill to extend the act for another 5 years beginning July 1.

This Office of Education program has helped to bring library services to 30 million people in rural America. It has provided trained personnel, 200 bookmobiles, and 5 million books and other materials. Fifty-two States and territories are now participating. Since the beginning of the program in 1957, the matching requirements have stimulated local governments to increase their library appropriations by 45 percent. One of the most encouraging results is the development of an effective system of libraries, with strong centers, cooperative processing, and so forth. And throughout the Nation, there is a growing awareness of the meaning of libraries in education.

In my own State of Rhode Island, progress under the act has been typical. A special unit, Public Library Services in Rural Areas, was set up in the office of the secretary of state to administer the program. A director, assistant director, clerical staff, and a bookmobile were added and new quarters obtained. A book grant was made to rural libraries, with provisions for emphasis on reference materials. Books are ordered and processed by the State agency. A series of workshops has been held at headquarters, and State consultant and bookmobile services have steadily grown.

Another law that has much significance for libraries is the National Defense Education Act of 1958. This is primarily designed to strengthen, improve, and expand education in the United States at all levels. Libraries are specified as basic to the educational process. I should like to call attention to the fact that projects developed under the act may include books and other materials, and that these are not yet available in adequate quantity and quality. Library materials to aid both teachers and students are needed for a balanced program.

Of the 10 titles in the act, title III offers the most direct opportunities for libraries. This authorizes $70 million a year until July 1962 for improved science, mathematics and modern foreign-language instruction in public schools. Federal funds are available for laboratory and other special equipment. By the language of the act, special equipment includes printed materials (except textbooks) and audiovisual materials and equipment. Minor remodeling and special equipment needed by the library because of its necessary expansion may be included, under projects approved by the State educational agency and the U.S. Office of Education.

Other titles also pertain to libraries and librarians—title II, for example, which provides loans up to $5,000 for college students. Persons training to become librarians are eligible, and 50 percent of the loan will be cancelled for those who serve as school or teacher librarians for 5 years. Another example is title IV, which provides graduate fellowships aimed particularly at the preparation of teachers for colleges and universities.

I urge all of you to review the provisions of the National Defense Education Act (Public Law 85–864) and to be sure your students are familiar with the aspects pertaining to libraries. The ALA or the U.S. Office of Education will glady supply details.

While speaking of Federal aid to libraries, I will make a point that may seem to the older hands here a little obvious. I refer to the fact that a library in the modern sense, adequately stocked and staffed to pull its own weight in an educational program, requires strong support from many quarters—particularly in the form of funds. A school of library science would do well to train its advanced students in the practice of fund raising. You must have support at local, State and national levels. To this end, librarians should take steps to increase public awareness of the library—to make it felt as a part of the community. It is largely through trustees and friends of libraries that the trend toward a more educational role must be advanced.

Such a role is necessarily diversified, and I have mentioned only some aspects. I have merely alluded to the library's part in cultural enrichment. Society depends upon the library for many things, not the least of which is its capacity to deepen appreciation and stimulate interest in the arts and sciences, in our principles and traditions, and in the peoples of other lands. This is an intangible role, but nonetheless a real one. It evokes a vital spirit in every American—the spirit to see our country progress and lead.

In this complex troubled world, the sciences loom in importance. Our prestige among nations depends largely upon our scientific preeminence. No amount of military preparedness could compensate for a lag in scientific knowledge or manpower. Nor can we ignore the value of the health sciences in a military and economic sense, for the cost of disease is the greatest burden any country can bear in war or peace. All this has direct bearing in the library field. You must continue, and I hope expand, your efforts to interest more people in the various sciences—in their support, their progress, and their application. Again the library is a powerful force for motivating, guiding, and teaching.

It is a responsibility of libraries to help keep alive the spirit of culture and learning. I know of no better way than to cherish and promote the freedom to read. As a nation we are not given to slogans or glib phrases for expressing our deeper values. It is not easy to tell in a word or two what America stands for. Yet we can say that our country and its Constitution are flatly opposed to censorship—that anyone can go to a public library and read any book fit to print, whether or not the ideas it expresses are generally accepted. This is specific enough, and should be widely proclaimed as a basic fact. It is the librarians who make such freedom possible by seeing that all sides of a social issue are presented, trusting in the American way to speak for itself. Freedom to read is fundamental to true democracy.

I have rambled a good deal, but I believe I can sum up the main theme. The library in modern society is particularly important as an educational institution. To enhance its social value, it must strengthen its educational role. This may be effected through the teaching of librarians, studies in the use of the library as an educational instrument, promotion of science, and aid to special groups such as the young at critical ages and the elderly. Progress along these lines will require friends, funds, and a strong voice in the community. Finally, libraries of all types, in preserving the freedom to read, in the broadest sense, both serve and exemplify the American ideal.

The SPEAKER. The time of the gentleman from Rhode Island has expired. All time has expired.

The question is on suspending the rules and passing the bill.

The question was taken, and on a division (demanded by Mr. Bow) there were—ayes 190, noes 29.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A similar House bill and a motion to reconsider were laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, the gentleman from Alabama and many from both parties have given sound, clear

reasons for the extension of their well-proven legislation. I support it strongly and hope it will pass overwhelmingly.

Mr. GEORGE. Mr. Speaker, few measures considered on the floor of this House do so much for so many individuals who desire to increase their knowledge and improve their minds at such a small cost. Mr. Speaker, I urge the passage of S. 2830, to extend the Library Services Act.

Mr. BAILEY. Mr. Speaker, I come to the well of the House today to plead for the extension of one of the most universally approved pieces of legislation passed by the Congress in the last decade. This legislation, the extension of the present Library Services Act, was reported unanimously by the House Committee on Education and Labor, of which I have the honor to be a member. It was recommended by the present national administration and at the urging of State library commissions in a vast majority of our States.

Mr. Speaker, in 1961 there will be an estimated 22 million rural Americans still without access to library service and 13 million more Americans with inadequate service. One hundred and fifty counties in the Nation have no library service.

The present act will have accomplished before its expiration on June 30, 1961, extension of service to 4 million additional Americans; 32 million more will have their library service improved. One hundred and sixty-nine counties previously without library service are participating in the program.

Since a major part of these costs are provided by States and local communities, I feel that the appropriations to be made under the extension of this act are fully justified and will result in great good.

I handled the legislation in 1955, which failed to pass by a margin of two votes. The following year, 1956, a new proposal, sponsored and supported by the chairman of the Committee on Education, was approved for a 5-year period. It is this legislation that we seek today to extend. I urge my colleagues to give full support to this service to the American people.

Mr. PHILBIN. Mr. Speaker, the need for extending the Library Services Act has been well demonstrated by the resounding success of this worthy program since it was first approved by Congress a few years ago and I wholeheartedly applaud the leadership for making it possible for the House to work its will by bringing up this bill today under suspension of the rules.

I worked for and supported the original bill when the Congress authorized the enabling legislation after our Committee on Education and Labor received such impressive testimony in favor of this program. I was also pleased to join my colleagues in seeing to it that the necessary funds were made available to get this vital library activity under way.

Now that we have had the opportunity to see what a program of this kind can accomplish in its early stages, it becomes necessary more than ever to protect and advance these early gains by extending these necessary library services for another 5 years, so that those States which have not yet fully implemented their programs may yet take advantage of helpful Federal library aid.

I want to compliment the distinguished gentleman from Alabama, the Honorable CARL ELLIOTT, for his outstanding leadership in handling this bill. His eloquent appeal in behalf of H.R. 12125 has fully demonstrated the need for this legislation.

I propose to vote once again in favor of this vitally needed program and I hope the bill will pass by an overwhelming vote.

I am very proud and grateful for the unflagging interest and sustained able endeavors of my esteemed friend and constituent, Mrs. Alice Wallace, of Fitchburg, Mass., and her associates. Her inspiring leadership and their superb work for the entire library program constitute a magnificent public contribution that will long be remembered.

Mr. MONAGAN. Mr. Speaker, I am happy to support the extension of the Library Services Act.

The whole purpose of this act is to stimulate the States to provide better public library service for our rural areas.

Through this legislation in past years, much progress has been made in expanding the availability of books to that part of our public which would otherwise not be served by libraries.

It would be a pity to cut short the program at this time. The expansion of knowledge is one of the great aims of our democracy and this legislation will substantially further this objective, and thus serve the welfare of our country.

Mr. COFFIN. Mr. Speaker, 4 years ago when Congress passed the Library Services Act it established a program which has now become an indispensable branch of the education system in rural areas throughout every State.

The needs in education today—more schools, more teachers, more vocational training, rehabilitation, training for the gifted and opportunities for higher education—have become a seamless web. Every effort is closely related to another and if we drop one thread we weaken the whole structure.

Rural library services which now supply more than 5 million books to remote areas where people would not otherwise have access to them, is an invaluable adjunct to the overburdened educational systems of the States.

During the last month I have had the opportunity to visit one of our Maine bookmobiles as it stopped in the little town of Stockholm. I viewed the panorama of inviting books attractively displayed inside the bookmobile, and I realized the number of remote rural homes to which the world of books was being carried. Here, on the four wheels of the bookmobile, rode the principle of equal educational opportunity. And believe me, Mr. Speaker, these rolling tomes gather no moss.

For the fiscal year ending June 30, 1961, Maine will have available a total Federal allotment of $83,021, if State and local sources can raise $58,750 in matching funds. Here is one program where the Federal expenditure is modest in terms of the harvest—the cost of 1 week's storage of agricultural surpluses—where the incentive principle has worked, and where the allocation of funds takes into account the fact that States vary in their financial resources.

Mrs. DWYER. Mr. Speaker, the House this afternoon has an opportunity to extend for another 5 years one of the most inspiring and beneficial programs in which the Federal Government participates—the library services program.

Of the great many areas of our national life in which the Federal Government cooperates with States and local communities, I know of none where the return on the Federal investment is greater in terms of strengthening the basis of American democracy than it is with the Library Services Act. An informed and judicious electorate is still the greatest strength of democracy. And the public library is still the greatest educational institution in America.

Under the Library Services Act, States and the Federal Government have taken giant strides in expanding the services of public libraries, especially in rural areas, in developing new techniques and administrative arrangements for circulating more books to more people throughout the country.

There is something especially wonderful about this, Mr. Speaker. From the time most people are first introduced to the world of books, from the moment they first come in contact with the world of thought and imagination and information, the reading habit is caught. To foster this interest, to help make it available to others, to bring more good books within reach of more people—this is noble work, work worthy of the encouragement and support of governments dedicated to freedom and opportunity and the service of their people.

Under leave to extend my remarks, Mr. Speaker, I include an editorial which was published in the August 17 issue of the Plainfield (N.J.) Courier-News. As a thoughtful statement of the reasons for supporting this legislation, I urge our colleagues to read it, and then approve this extension of the Library Services Act.

The editorial follows:

LIBRARY SERVICES

Now that the House, too, has reconvened, it is hoped that one bill, lacking the glamour attached to space age projects or proposals of global significance, will not be forgotten in the concluding session so highly charged with politics.

When the Congress recessed last July 3 it failed to act on the library services bill. The Library Services Act became law in 1956. It provided Federal funds for library development in rural areas through 1961. Millions of Americans in rural areas gained new and improved public library service thanks to this act.

New Jersey has received nearly $300,000 from the Federal Government for its libraries. Added has been the State's matching appropriation. As a result, it has been possible to add to staffs, equipment, and books in rural communities. It also has helped the book borrower in rural communities where there are no libraries. Borrowers have obtained books through the State library's extension service.

In these wild-spending days, one hesitates to add a cent to a U.S. budget which has swollen to inflationary proportions. Yet, there are some services that States should perform for their residents but cannot because they are beyond their financial scope—particularly in times like this when the Federal Government takes a large share of the tax dollar.

The library service in rural areas is one of these responsibilities. America's greatest weapon today is knowledge—and knowledge is stored in books. We cannot afford to deprive anyone of information whose use can help America.

Thus, the Library Services Act must be extended.

The needed legislation has passed unanimously in the Senate. If this bill remains bottled up in the Rules Committee of the House then, on August 22, two-thirds of the House quorum can suspend the rules in order to act on this bill that would aid 1½ million residents of rural New Jersey, and millions of other Americans.

Mrs. GREEN of Oregon. Mr. Speaker, much has been made of the point that this was to be only a 5-year program. Rather than looking at words of well-meaning men and women 5 years ago, let us look at the urgent needs of today.

When Admiral Rickover appeared before the House Education and Labor Committee, he stated very forcefully that in his opinion "we must spend more on education even if we have to take it away from the Defense Department." It seems inconceivable to me that today, 3 years after the first sputnik when we are recognizing as we never have before the urgent need for more highly trained people—when we are seeking the best brains in the country—when we are putting more and more emphasis on adult education—it seems inconceivable that we would cut down on the funds for the libraries across the country.

Mr. Speaker, the rural Library Service Act is not the most extensive or the most costly of the Federal grant-in-aid programs. It may be that it is not the greatest contribution the Congress has ever made to adult education in this country, but this program is surely one of the most rewarding, one of the most encouraging, and one of the most productive of the educational grant programs. The experience we have had in the first 5 years surely augurs well for what can be accomplished in the last half decade as library doors swing open for more and more of our people. The best testimony as to the effectiveness of the program comes from the people who have been charged with the responsibility of working with the program.

From the editor of the Wilson Library Bulletin comes this statement:

Books have been the ultimate weapon in today's war of ideas. In its short life, the act has strengthened America's ideological arsenal out of all proportion to its cost.

From a librarian in Ohio:

It is of vital importance to library service in Ohio that the funds be continued for another 5 years. I believe it is imperative to urge prompt and favorable action on the bills to extend the Library Services Act.

And from a director of a library in Decatur, Ga.:

Since we know what the Library Services Act has meant to the rural development of this State, we are more than hopeful that you can have the Library Services Act extended for 5 years after 1961. We serve the largest rural population through regional service of any library in Georgia, and feel impelled to speak of what Federal funds have meant to us.

From the president of the Iowa Library Association:

I know of no legislation in Congress which has affected more people than the Library Services Act. An extension of this law will enable librarians throughout the country to continue their efforts of providing library service to all people.

From the Federal relations coordinator of the Massachusetts Library Association comes testimony of what it has meant to them:

The Library Services Act has made possible in the Commonwealth of Massachusetts the establishment of a State regional library center in the northeastern part of the State with personnel, books, a bookmobile, and quarters. This had been a rural area with distinctly inadequate library service. In addition the services of the three regional library centers previously established by the State on a limited basis have been expanded * * * these important activities have come about only because of the grant made to the State under the act.

From the Federal relations coordinator of the Arizona State Library Association comes a persuasive argument for the effectiveness of this program:

In 1957 there were 27 public libraries in Arizona and now in March 1960 we have 130. This is a 500 percent growth in 2½ years. The Library Services Act made this possible. There is still much to be done in this comparatively new State—drawing areas together in regional service and improving in qualitative ways. With the continuation of the Library Services Act and financial help from our own State we can continue to grow.

From North Carolina we are told:

Many of us in rural areas have programs of extended services begun with Federal funds which need more time and continued support until gradual absorption locally.

The American Association of University Women in West Virginia has this to say:

As a result of Federal appropriations under the Library Services Act, library facilities have been made available to many more areas in West Virginia and our per capita expenditures for such services has increased from 26 cents in 1956 to 45 cents in 1959. The West Virginia division feels strongly that extending the authorization for appropriations under this act is essential to maintain and even further increase library service which can be rendered in West Virginia.

From the American Association of University Women in my own State of Oregon comes this plea:

The American Association of University Women Oregon Division urges you to vote "yes" on the Library Services Act extension. Many rural areas and smaller towns in Oregon need this help in establishing library services for our citizens.

While this bill is largely for library service in rural areas, it also has the support of the people in the larger cities who know the value of such facilities.

From the city of New York, the secretary of the board of trustees of the Brooklyn Public Library, has this to say:

Brooklyn is not a rural area and our borough will receive no benefit from the Act, but we believe its enactment is of great importance to the country at large.

From Eloise Ebert, Oregon State librarian, comes this statement:

There is no doubt but that this program has had terrific impact in the areas where projects have been held and where a grant has been offered. The educational value of this program has made more people aware of library needs than anything that has happened in years.

Mr. Speaker, I know of no Federal program that offers so much to the American people for so little in dollars expended. I urge that this bill be passed and that the full appropriation be made for each of the next 5 years so that the libraries and the library services can be further expanded in the rural areas of this great country.

Mr. McGOVERN. Mr. Speaker, I rise in support of the legislation before us which would extend for 5 years the Library Services Act. As one of the cosponsors of this bill I am convinced that its passage is in the best interest of the American people.

First enacted in 1956, the Library Services Act was designed to assist the States in furnishing improved library service for rural areas. In many States, including South Dakota, there existed an acute shortage of library service for smaller towns and sparsely settled rural sections.

By encouraging the purchase and operation of bookmobiles and other library services to these areas, the Library Services Act has proved to be an invaluable program for rural America. An enlightened citizenry is our best defense against communism and the surest foundation for a better America. Good books contribute mightily to the enrichment and the enjoyment of the citizens, young and old, who determine the richness and strength of our Nation.

I strongly urge my colleagues to approve the legislation before us and thus insure for another 5 years the operation and improvement of the Library Service Act which has already contributed so much to my own State and to the country as a whole.

THE LATE FRANK J. DOWD

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, my home city of Chicago and my home State of Illinois, and indeed all of these United States, have suffered a great loss in the passing at the early age of 63 of Frank J. Dowd, one of the ablest lawyers that ever practiced in the courts of Illinois and as fine a gentleman as ever I have known. Frank Dowd was my close and beloved friend. He had a heart of

gold and a brain of matchless brilliance. I have known and have counted among my friends many lawyers and jurists of preeminent ability but I have never known a member of the legal profession that in my opinion had a more profound knowledge of the law or a keener analytical brain than Frank Dowd. He was one of the truly great men of the period of my lifetime.

To his wife Virginia, to his three fine daughters and his son, and to his eight grandchildren, members of a family closely knit in affection, goes my warmest sympathy.

FOREIGN SERVICE ACT AMENDMENTS OF 1960

Mr. HAYS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2633) to amend the Foreign Service Act of 1946, as amended, and for other purposes, with an amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Service Act Amendments of 1960."

SEC. 2. Section 416 of the Foreign Service Act of 1946, as amended, is amended to read as follows:

"SEC. 416. (a) A person appointed as a staff officer or employee shall receive basic salary at one of the rates of the class to which he is appointed which the Secretary shall, taking into account his qualifications and experience and the needs of the Service, determine to be appropriate for him to receive.

"(b) Whenever the Secretary determines that the needs of the Service warrant the appointment of staff officers or employees in a particular occupational group uniformly at a rate above the minimum rate of the applicable class, he may adjust the basic salary of any staff officer or employee in the same class and occupational group who is receiving less than such established rate."

SEC. 3. Section 417 of such Act is amended by striking out "(b)" in the first sentence.

SEC. 4. Section 431 of such Act is amended by striking out in the first sentence of paragraph (a) the phrase "the termination of time spent on authorized leave, whichever shall be later," and inserting in lieu thereof the phrase "upon termination of his service in accordance with the provisions of paragraph (b) of this section,"; and by amending paragraph (b) of this section to read as follows:

"(b) The official services of a chief of mission shall not be deemed terminated by the appointment of a successor but shall continue until he has relinquished charge of the mission and for such additional period as may be determined by the Secretary, but in no case shall such additional period exceed fifty days, including time spent in transit. During such period the Secretary may require him to render such services as he may deem necessary in the interests of the Government."

SEC. 5. Section 441 of such Act and the heading to such section are amended to read as follows:

"CLASSIFICATION OF POSITIONS IN THE FOREIGN SERVICE AND IN THE DEPARTMENT

"SEC. 441. (a) Under such regulations as he may prescribe, and in order to facilitate effective management, the Secretary shall classify all positions in the Service at posts abroad, excluding positions to be occupied by chiefs of mission, and in the case of those occupied by Foreign Service officers, Reserve officers, and staff officers and employees, he shall establish such positions in relation to the classes established by sections 412, 414, and 415, respectively. Positions occupied by alien employees and consular agents, respectively, shall be allocated to such classes as the Secretary may establish by regulation.

"(b) Under such regulations as he may prescribe, the Secretary may, notwithstanding the provisions of the Classification Act of 1949, as amended (5 U.S.C. 1071 and the following), classify positions in or under the Department which he designates as Foreign Service Officer positions to be occupied by officers and employees of the Service, and establish such positions in relation to the classes established by sections 412, 414, and 415."

SEC. 6. Section 444 of such Act and the heading to such section are amended to read as follows:

"COMPENSATION PLANS FOR ALIEN EMPLOYEES

"SEC. 444. (a) The Secretary shall, in accordance with such regulations as he may prescribe, establish compensation plans for alien employees of the Service: *Provided,* That such compensation plans shall be based upon prevailing wage rates and compensation practices for corresponding types of positions in the locality, to the extent consistent with the public interest.

"(b) For the purpose of performing functions abroad, other Government agencies are authorized to administer alien employee programs in accordance with the applicable provisions of this Act."

SEC. 7. Title V of such Act is amended by adding at the beginning thereof the following new section:

"POLICY

"SEC. 500. It is the policy of the Congress that chiefs of mission and Foreign Service officers appointed or assigned to serve the United States in foreign countries shall have, to the maximum practicable extent, among their qualifications, a useful knowledge of the principal language or dialect of the country in which they are to serve, and knowledge and understanding of the history, the culture, the economic and political institutions, and the interests of such country and its people."

SEC. 8. (a) The heading to section 516 of such Act is amended to read as follows: "ADMISSION TO CLASS 7 OR 8".

(b) Section 516 of such Act is amended by striking out "SEC. 516." and inserting in lieu thereof "SEC. 516. (a)" and by adding at the end thereof a new paragraph (b) which shall read as follows:

"(b) The Secretary may furnish the President with the names of those persons who have passed such examinations and are eligible for appointment as Foreign Service officers of class 8, whom he recommends for appointment directly to class 7 when in his opinion, their age, experience, or other qualifications make such an appointment appropriate."

SEC. 9. (a) Section 517 of such Act is amended by striking out the words "A person who has not served in class 8" which appear at the beginning of the first sentence, and inserting in place thereof the following: "A person who has not been appointed as a Foreign Service officer in accordance with section 516 of this Act".

(b) Section 517 of such Act is further amended by striking out the second and third sentences of such section.

SEC. 10. (a) The heading to section 520 of such Act is amended by striking out the phrase "REINSTATEMENT AND RECALL" and substituting in lieu thereof the phrase "REAPPOINTMENT, RECALL, OR REEMPLOYMENT".

(b) The first sentence of paragraph (a) of section 520 of such Act is amended by inserting a period after the word "Service" where it appears for the third time, and by striking out the remainder of that sentence.

(c) Paragraph (b) of section 520 of such Act is amended to read as follows:

"(b) The Secretary may recall any retired Foreign Service officer temporarily to duty in the Service whenever he shall determine such recall is in the public interest."

(d) Section 520 of such Act is further amended by adding at the end thereof a new paragraph (c) which shall read as follows:

"(c) Notwithstanding the provisions of title 5, United States Code, section 62, and title 5, United States Code, section 715a, a Foreign Service officer heretofore or hereafter retired under the provisions of section 631 or 632 or a Foreign Service staff officer or employee hereafter retired under the provisions of section 803 shall not, by reason of his retired status, be barred from employment in Federal Government service in any appointive position for which he is qualified. An annuitant so reemployed shall serve at the will of the appointing officer."

SEC. 11. Section 528 of such Act is amended by striking out in the second sentence of such section the phrase "subsection (d), section 7, of the Classification Act of 1923" and substituting in lieu thereof the phrase "the Classificaton Act of 1949".

SEC. 12. Section 531 of such Act is amended to read as follows:

"SEC. 531. The Secretary may, under such regulations as he may prescribe, appoint staff officers and employees on the basis of qualifications and experience. The Secretary may make provisions for temporary, limited, and such other types of appointment as he may deem necessary. He is authorized to establish appropriate probationary periods during which newly appointed staff officers or employees, other than those appointed for temporary or limited services, shall be required to serve. The Secretary may terminate at any time, without regard to the provisions of section 651 or 652, or the provisions of any other law, the services of staff officers or employees appointed for temporary or limited service and of other staff officers or employees who occupy probationary status."

SEC. 13. Section 532 of such Act is amended to read as follows:

"SEC. 532. Under such regulations as he may prescribe, the Secretary may assign a staff officer or employee to any post or he may assign him to serve in any position in which he is eligible to serve under the terms of this or any other Act. A staff officer or employee may be transferred from one post to another by order of the Secretary as the interests of the Service may require."

SEC. 14. (a) Section 571 of such Act is amended by striking out paragraphs (a), (b), (c), and (d), and the heading to such section and inserting in lieu thereof the following:

"ASSIGNMENTS TO ANY GOVERNMENT AGENCY OR INTERNATIONAL ORGANIZATION

"SEC. 571. (a) Any officer or employee of the Service may, in the discretion of the Secretary, be assigned or detailed for duty in any Government agency, or in any international organization, international commission, or international body, such an assignment or combination of assignments to be for a period of not more than four years, except that under special circumstances the Secretary may extend this four-year period for not more than four additional years.

"(b) If a Foreign Service officer shall be appointed by the President, by and with the advice and consent of the Senate, or by the President alone, to a position in any Government agency, any United States delegation or mission to any international organization, in any international commission, or in any international body, the period of his service in such capacity shall be construed as constituting an assignment within the meaning of paragraph (a) of this section and such person shall not, by virtue of the acceptance of such an assignment, lose his status as a

Foreign Service officer. Service in such a position shall not, however, be subject to the limitations concerning the duration of an assignment contained in that paragraph.

"(c) If the basic minimum salary of the position to which an officer or employee of the Service is assigned pursuant to the terms of this section is higher than the salary such officer or employee is entitled to receive as an officer or employee of the Service, such officer or employee shall, during the period such difference in salary exists, receive the salary and allowances of the position in which he is serving in lieu of his salary and allowances as an officer or employee of the Service. Any salary paid under the provisions of this section shall be the salary on the basis of which computations and payments shall be made in accordance with the provisions of title VIII. No officer or employee of the Service who, subsequent to the date of enactment of the Foreign Service Act Amendments of 1960, is assigned to, or who, after June 30, 1961, occupies a position in the Department that is designated as a Foreign Service officer position, shall be entitled to receive a salary differential under the provisions of this paragraph."

(b) Paragraph (e) of section 571 of such Act is amended by striking the phrase "with heads of Government agencies" where it appears in the second sentence and by redesignating the paragraph as "(d)".

SEC. 15. Section 575 of such Act is amended by striking out all after the word "accordance" and inserting in lieu thereof the phrase "with the appropriate provisions of titles III and IX of Public Law 402, Eightieth Congress (62 Stat. 7 and 13; 22 U.S.C. 1451–1453, 1478 and 1479)."

SEC. 16. Title V of such Act is further amended by adding at the end thereof the following new section:

"FOREIGN LANGUAGE KNOWLEDGE PREREQUISITE TO ASSIGNMENT

"SEC. 578. The Secretary shall determine annually the number of Foreign Service officer positions in a foreign country which shall be occupied only by an incumbent who has a useful knowledge of a language or dialect commonly used in such country. After December 31, 1963, the prescribed quota of language officers shall be maintained for each country: *Provided*, That the Secretary may make exceptions to this policy when special or emergency conditions exist. The Secretary shall establish foreign language standards for assignment abroad of officers and employees of the Service, and shall arrange for appropriate language training of such officers and employees at the Foreign Service Institute or elsewhere."

SEC. 17. Section 625 of such Act and the heading of such section are amended to read as follows:

"WITHIN-CLASS SALARY INCREASES OF FOREIGN SERVICE OFFICERS AND RESERVE OFFICERS

"SEC. 625. Any Foreign Service officer or any Reserve officer, whose services meet the standards required for the efficient conduct of the work of the Service and who shall have been in a given class for a continuous period of nine months or more, shall, on the first day of each fiscal year, receive an increase in salary to the next higher rate for the class in which he is serving. Without regard to any other law, the Secretary is authorized to grant to any such officer additional increases in salary, within the salary range established for the class in which he is serving, based upon especially meritorious service."

SEC. 18. Title VI of such Act is amended by inserting after section 625 the following new section and the heading thereto:

"RELATIONSHIP BETWEEN PROMOTIONS AND FUNCTIONAL AND GEOGRAPHIC AREA SPECIALIZATION

"SEC. 626. The achievement of the objectives of this Act requires increasing numbers of Foreign Service officers to acquire functional and geographic area specializations and to pursue such specializations for a substantial part of their careers. Such specialization shall not in any way inhibit or prejudice the orderly advancement through class I of any such officer in the Foreign Service."

SEC. 19. The heading "PART D—SEPARATION OF FOREIGN SERVICE OFFICERS FROM THE SERVICE" under title VI of such Act is amended to read as follows: "PART D—SEPARATION OF OFFICERS AND EMPLOYEES FROM THE SERVICE".

SEC. 20. Section 631 of such Act and the heading to such section are amended to read as follows:

"FOREIGN SERVICE OFFICERS WHO ARE CAREER AMBASSADORS OR CAREER MINISTERS

"SEC. 631. Any Foreign Service officer who is a career ambassador or a career minister, other than one occupying a position as chief of mission or any other position to which he has been appointed by the President, by and with the advice and consent of the Senate, shall upon reaching the age of sixty-five, be retired from the Service and receive retirement benefits in accordance with the provisions of section 821, but whenever the Secretary shall determine it to be in the public interest, he may extend such an officer's service."

SEC. 21. Section 632 of such Act and the heading to such section are amended to read as follows:

"PARTICIPANTS IN THE FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM WHO ARE NOT CAREER AMBASSADORS OR CAREER MINISTERS

"SEC. 632. Any participant in the Foreign Service Retirement and Disability System, other than one occupying a position as chief of mission or any other position to which he has been appointed by the President, by and with the advice and consent of the Senate, who is not a career ambassador or a career minister, shall, upon reaching the age of sixty, be retired from the Service and receive retirement benefits in accordance with the provisions of section 821; but, whenever the Secretary shall determine it to be in the public interest, he may extend such participant's service for a period not to exceed five years."

SEC. 22. Subparagraphs (1) and (2) of paragraph (b) of section 634 of such Act are amended to read as follows:

"(1) one-twelfth of a year's salary at his then current salary rate for each year of service and proportionately for a fraction of a year, but not exceeding a total of one year's salary at his then current salary rate, payable without interest, from the Foreign Service Retirement and Disability Fund, in three equal installments on the 1st day of January following the officer's retirement and on the two anniversaries of this date immediately following: *Provided*, That, in special cases, the Secretary may in his discretion accelerate or combine the installments; and

"(2) a refund of the contributions made to the Foreign Service Retirement and Disability Fund, with interest as provided in section 841(a), except that in lieu of such refund such officer, if he has at least five years of service credit toward retirement under the Foreign Service Retirement and Disability System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a), may elect to receive retirement benefits on reaching the age of sixty in accordance with the provisions of section 821. In the event that an officer who was separated from class 4 or 5 and who has elected to receive retirement benefits dies before reaching the age of sixty, his death shall be considered a death in service within the meaning of section 832. In the event that an officer who was separated from class 6 or 7 and who has elected to receive retirement benefits dies before reaching the age of sixty, the total amount of his contributions made to the Foreign Service Retirement and Disability Fund, with interest as provided in section 841(a), shall be paid in accordance with the provisions of section 841(b)."

SEC. 23. Section 635 of such Act and the heading to such section are amended to read as follows:

"FOREIGN SERVICE OFFICERS RETIRED FROM CLASS 7 OR 8

"SEC. 635. Any Foreign Service officer in class 7 who is appointed under the provisions of section 516(b) and any Foreign Service officer in class 8 shall occupy probationary status. The Secretary may terminate his service at any time."

SEC. 24. Section 636 of such Act is amended by striking out the phrase "Any Foreign Service officer" and inserting in lieu thereof the phrase "Any participant in the Foreign Service Retirement and Disability System".

SEC. 25. Section 641 of such Act is amended to read as follows:

"SEC. 641. All promotions of staff officers and employees to a higher class shall be made at a higher salary on the basis of performance and merit in accordance with such regulations as the Secretary may prescribe."

SEC. 26. Section 642 of such Act and the heading thereto are amended to read as follows:

"WITHIN CLASS AND LONGEVITY SALARY INCREASES

"SEC. 642. (a) Under such regulations as the Secretary may prescribe, any staff officer or employee whose services meet the standards required for the efficient conduct of the work of the Service shall receive an increase in salary at periodic intervals to the next higher salary rate for the class in which he is serving. Without regard to any other law the Secretary is authorized to grant any such officer or employee additional increases in salary within the salary range established for the class in which he is serving, based upon specially meritorious service.

"(b) Under such regulations as the Secretary may prescribe, any staff officer or employee who has attained the maximum salary rate prescribed by section 415 for the class in which he is serving may be granted from time to time an additional salary increase beyond the maximum salary rate for his class in recognition of longevity or proficiency in the Service. Each such salary increase shall be equal to the maximum salary rate increase of the applicable class and no person shall receive more than four such salary increases while serving in the same class."

SEC. 27. Section 701 of such Act is amended by adding at the end thereof the following: "The Secretary may also provide to the extent that space is available therefor appropriate orientation and language training to spouses of officers and employees of the Government in anticipation of the assignment abroad of such officers and employees. Other agencies of the Government shall wherever practicable avoid duplicating the facilities of the Institute and the training provided by the Secretary at the Institute or elsewhere."

SEC. 28. (a) Paragraph (a) of section 704 of such Act is amended by striking out "1923" in the two places where it appears and inserting in lieu thereof "1949".

(b) Section 704 of such Act is amended by adding at the end of such section a new paragraph (e) which shall read as follows:

"(e) The Secretary may, under such regulations as he may prescribe, in the absence of suitably qualified United States citizens, employ persons who are not citizens of the United States by appointment to the staff of the Institute either on a full- or part-time basis or by contract for services in the United States or abroad at rates not in excess of those provided by the Classification Act of 1949, as amended (5 U.S.C. 1071)."

SEC. 29. (a) Section 803(b)(2) of such Act is amended to read as follows—

"(2) have paid into the Fund a special contribution for each year of such service in accordance with the provisions of section 852(b)."

(b) Section 803 is further amended by adding at the end thereof a new paragraph (c) which shall read as follows:

"(c)(1) In accordance with such regulations as the President may prescribe, any Foreign Service staff officer or employee appointed by the Secretary of State who has completed at least ten years of continuous service in the Department's Foreign Service, exclusive of military service, shall become a participant in the System and shall make a special contribution to the Fund in accordance with the provisions of section 852.

"(2) Any such officer or employee who, under the provisions of paragraph (c)(1) of this section, becomes a participant in the System, shall be mandatorily retired for age during the first year after the effective date of this paragraph if he attains age sixty-four or if he is over age sixty-four; during the second year at age sixty-three; during the third year at age sixty-two; during the fourth year at age sixty-one, and thereafter at age sixty.

"(3) Any officer or employee who becomes a participant in the System under the provisions of paragraph (c)(1) of this section who is age fifty-seven or over on the effective date of this paragraph, may retire voluntarily at any time before mandatory retirement under paragraph (c)(2) of this section and receive retirement benefits under section 821."

SEC. 30. Section 804 of such Act is amended to read as follows:

"SEC. 804. (a) Annuitants shall be persons who are receiving annuities from the Fund and all persons, including surviving wives and husbands, widows, dependent widowers, children and beneficiaries of participants or annuitants who shall become entitled to receive annuities in accordance with the provisions of this Act, as amended, or in accordance with the provisions of section 5 of the Act of May 1, 1956 (70 Stat. 125).

"(b) When used in this title the term—

"(1) 'Widow' means the surviving wife of a participant who was married to such participant for at least two years immediately preceding his death or is the mother of issue by such marriage.

"(2) 'Dependent widower' means the surviving husband of a participant who was married to such participant for at least two years immediately preceding her death or is the father of issue by such marriage, and who is incapable of self-support by reason of mental or physical disability, and who received more than one-half of his support from such participant.

"(3) 'Child' means an unmarried child, under the age of eighteen years, or such unmarried child regardless of age who because of physical or mental disability incurred before age eighteen is incapable of self-support. In addition to the offspring of the participant and his or her spouse the term includes (a) an adopted child, and (b) a step-child or recognized natural child who received more than one-half of his support from the participant."

SEC. 31. Section 811 of such Act is amended to read as follows:

"SEC. 811. (a) Six and one-half per centum of the basic salary received by each participant shall be contributed to the Fund for the payment of annuities, cash benefits, refunds, and allowances. An equal sum shall also be contributed from the respective appropriation or fund which is used for payment of his salary. The amounts deducted and withheld from basic salary together with the amounts so contributed from the appropriation or fund, shall be deposited by the Department of State in the Treasury of the United States to the credit of the Fund.

"(b) Each participant shall be deemed to consent and agree to such deductions from basic salary, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all regular services during the period covered by such payment, except the right to the benefits to which he shall be entitled under this Act, notwithstanding any law, rule, or regulation affecting the individual's salary."

SEC. 32. (a) Paragraphs (a), (b), and (c) of section 821 of such Act are amended to read as follows:

"SEC. 821. (a) The annuity of a participant shall be equal to 2 per centum of his average basic salary for the highest five consecutive years of service, for which full contributions have been made to the Fund, multiplied by the number of years, not exceeding thirty-five, of service credit obtained in accordance with the provisions of sections 851, 852, and 853. However, the highest five years of service for which full contributions have been made to the Fund shall be used in computing the annuity of any participant who serves as chief of mission and whose continuity of service as such is interrupted prior to retirement by appointment or assignment to any other position determined by the Secretary to be of comparable importance. In determining the aggregate period of service upon which the annuity is to be based, the fractional part of a month, if any, shall not be counted.

"(b) At the time of retirement, any married participant may elect to receive a reduced annuity and to provide for an annuity payable to his wife or her husband, commencing on the date following such participant's death and terminating upon the death of such surviving wife or husband. The annuity payable to the surviving wife or husband after such participant's death shall be 50 per centum of the amount of the participant's annuity computed as prescribed in paragraph (a) of this section, up to the full amount of such annuity specified by him as the base for the survivor benefits. The annuity of the participant making such election shall be reduced by 2½ per centum of any amount up to $2,400 he specifies as the base for the survivor benefit plus 10 per centum of any amount over $2,400 so specified.

"(c)(1) If an annuitant dies and is survived by a wife or husband and by a child or children, in addition to the annuity payable to the surviving wife or husband, there shall be paid to or on behalf of each child an annuity equal to the smallest of: (i) 40 per centum of the annuitant's average basic salary, as determined under paragraph (a) of this section, divided by the number of children; (ii) $600; or (iii) $1,800 divided by the number of children.

"(2) If an annuitant dies and is not survived by a wife or husband but by a child or children, each surviving child shall be paid an annuity equal to the smallest of: (i) 50 per centum of the annuitant's average basic salary, as determined under paragraph (a) of this section, divided by the number of children; (ii) $720; or (iii) $2,160 divided by the number of children."

(b) Section 821 of such Act is further amended by adding new paragraphs (d), (e), and (f) which shall read as follows:

"(d) If a surviving wife or husband dies or the annuity of a child is terminated, the annuities of any remaining children shall be recomputed and paid as though such wife, husband, or child had not survived the participant.

"(e) The annuity payable to a child under paragraph (c) or (d) of this section shall begin on the first day of the next month after the participant dies and such annuity or any right thereto shall be terminated upon death, marriage, or attainment of the age of eighteen years, except that, if a child is incapable of self-support by reason of mental or physical disability, the annuity shall be terminated only when such child dies, marries, or recovers from such disability.

"(f) At the time of retirement an unmarried participant may elect to receive a reduced annuity and to provide for an annuity equal to 50 per centum of the reduced annuity payable after his or her death to a beneficiary whose name shall be designated in writing to the Secretary. The annuity payable to a participant making such election shall be reduced by 10 per centum of an annuity computed as provided in paragraph (a) of this section and by 5 per centum of an annuity so computed for each full five years the person designated is younger than the retiring participant, but such total reduction shall not exceed 40 per centum. No such election of a reduced annuity payable to a beneficiary shall be valid until the participant shall have satisfactorily passed a physical examination as prescribed by the Secretary. The annuity payable to a beneficiary under the provisions of this paragraph shall begin on the first day of the next month after the participant dies. Upon the death of the surviving beneficiary all payments shall cease and no further annuity payments authorized under this paragraph shall be due or payable."

SEC. 33. (a) Paragraphs (a), (b), and (c) of section 831 of such Act are amended to read as follows:

"(a) Any participant who has five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with provisions of section 851 or 852(a)(2), and who becomes totally disabled or incapacitated for useful and efficient service by reason of disease, illness, or injury not due to vicious habits, intemperance, or willful misconduct on his part, shall, upon his own application or upon order of the Secretary, be retired on an annuity computed as prescribed in section 821. If the disabled or incapacitated participant has less than twenty years of service credit toward his retirement under the System at the time he is retired, his annuity shall be computed on the assumption that he has had twenty years of service, but the additional service credit that may accrue to a participant under this provision shall in no case exceed the difference between his age at the time of retirement and the mandatory retirement age applicable to his class in the Service.

"(b) In each case, the participant shall be given a physical examination by one or more duly qualified physicians or surgeons designated by the Secretary to conduct examinations, and disability shall be determined by the Secretary on the basis of the advice of such physicians or surgeons. Unless the disability is permanent, like examinations shall be made annually until the annuitant has reached the statutory mandatory retirement age for his class in the Service. If the Secretary determines, on the basis of the advice of one or more duly qualified physicians or surgeons conducting such examinations that an annuitant has recovered to the extent that he can return to duty, the annuitant may apply for reinstatement or reappointment in the Service within one year from the date his recovery is determined. Upon application the Secretary shall reinstate any such recovered disability annuitant in the class in which he was serving at time of retirement, or the Secretary may, taking into consideration the age, qualifications, and experience of such annuitant, and the present class of his contemporaries in the Service, appoint him or, in the case of an annuitant who is a former Foreign Service officer, recommend that the President appoint him, by and with the advice and consent of the Senate, to a class higher than the one in which he was

serving prior to retirement. Payment of the annuity shall continue until a date six months after the date of the examination showing recovery or until the date of reinstatement or reappointment in the Service, whichever is earlier. Fees for examinations under this provision, together with reasonable traveling and other expenses incurred in order to submit to examination, shall be paid out of the Fund. If the annuitant fails to submit to examination as required under this section, payment of the annuity shall be suspended until continuance of the disability is satisfactorily established.

"(c) If a recovered disability annuitant whose annuity is discontinued is for any reason not reinstated or reappointed in the Service, he shall be considered to have been separated within the meaning of section 834 as of the date he was retired for disability and he shall, after the discontinuance of the disability annuity, be entitled to the benefits of that section or of section 841(a) except that he may elect voluntary retirement in accordance with the provisions of section 636 if he can qualify under its provisions."

(b) Section 831 of such Act is further amended by adding new paragraphs (d) and (e) which shall read as follows:

"(d) No participant shall be entitled to receive an annuity under this Act and compensation for injury or disability to himself under the Federal Employees' Compensation Act of September 7, 1916, as amended, covering the same period of time. This provision shall not bar the right of any claimant to the greater benefit conferred by either Act for any part of the same period of time. Neither this provision nor any provision of the Act of September 7, 1916, as amended, shall be so construed as to deny the right of any person to receive an annuity under this Act by reason of his own services and to receive concurrently any payment under such Act of September 7, 1916, as amended, by reason of the death of any other person.

"(e) Notwithstanding any provision of law to the contrary, the right of any person entitled to an annuity under this Act shall not be affected because such person has received an award of compensation in a lump sum under section 14 of the Act of September 7, 1916, as amended, except that where such annuity is payable on account of the same disability for which compensation under such section has been paid, so much of such compensation as has been paid for any period extended beyond the date such annuity becomes effective, as determined by the Secretary of Labor, shall be refunded to the Department of Labor, to be paid into the Federal Employees' Compensation Fund. Before such person shall receive such annuity he shall (1) refund to the Department of Labor the amount representing such computed payments for such extended period, or (2) authorize the deduction of such amount from the annuity payable to him under this Act, which amount shall be transmitted to such Department for reimbursement to such Fund. Deductions from such annuity may be made from accrued and accruing payments, or may be prorated against and paid from accruing payments in such manner as the Secretary of Labor shall determine, whenever he finds that the financial circumstances of the annuitants are such as to warrant such deferred refunding."

SEC. 34. Section 832 of such Act is amended to read as follows:

"SEC. 832. (a) In case a participant dies and no claim for annuity is payable under the provisions of this Act, his contributions to the Fund, with interest at the rates prescribed in sections 841(a) and 881(a), shall be paid in the order of precedence shown in section 841(b).

"(b) If a participant who has at least five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a)(2), dies before separation or retirement from the Service and is survived by a widow or a dependent widower, as defined in section 804, such widow or dependent widower shall be entitled to an annuity equal to 50 per centum of the annuity computed in accordance with the provisions of paragraph (e) of this section and of section 821(a). The annuity of such widow or dependent widower shall commence on the date following death of the participant and shall terminate upon death of the widow or dependent widower, or upon the dependent widower's becoming capable of self-support.

"(c) If a participant who has at least five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a)(2), dies before separation or retirement from the Service and is survived by a wife or a husband and a child or children, each surviving child shall be entitled to an annuity computed in accordance with the provisions of section 821(c)(1). The child's annuity shall begin and be terminated in accordance with the provisions of section 821(e). Upon the death of the surviving wife or husband or termination of the annuity of a child, the annuities of any remaining children shall be recomputed and paid as though such wife or husband or child had not survived the participant.

"(d) If a participant who has at least five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a)(2), dies before separation or retirement from the Service and is not survived by a wife or husband, but by a child or children, each surviving child shall be entitled to an annuity computed in accordance with the provisions of section 821(c)(2). The child's annuity shall begin and terminate in accordance with the provisions of section 821(e). Upon termination of the annuity of a child, the annuities of any remaining children shall be recomputed and paid as though that child had never been entitled to the benefit.

"(e) If, at the time of his or her death, the participant had less than twenty years of service credit toward retirement under the System, the annuities payable in accordance with paragraph (b) of this section shall be computed in accordance with the provisions of section 821 on the assumption he or she had had twenty years of service, but the additional service credit that may accrue to a deceased participant under this provision shall in no case exceed the difference between his or her age on the date of death and the mandatory retirement age applicable to his or her class in the Service. In all cases arising under paragraphs (b), (c), (d), or (e) of this section, it shall be assumed that the deceased participant was qualified for retirement on the date of his death."

SEC. 35. A new section 834 is hereby added to such Act as follows:

"DISCONTINUED SERVICE RETIREMENT

"SEC. 834. (a) Any participant who voluntarily separates from the Service after obtaining at least five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a)(2), may, upon separation from the Service or at any time prior to becoming eligible for an annuity, elect to have his contributions to the Fund returned to him in accordance with the provisions of section 841, or to leave his contributions in the Fund and receive an annuity, computed as prescribed in section 821, commencing at the age of sixty years.

"(b) If a participant who has qualified in accordance with the provisions of paragraph (a) of this section to receive a deferred annuity commencing at the age of sixty dies before reaching the age of sixty his contributions to the Fund, with interest, shall be paid in accordance with the provisions of sections 841 and 881."

SEC. 36. Section 841 of such Act is amended to read as follows:

"SEC. 841. (a) Whenever a participant becomes separated from the Service without becoming eligible for an annuity or a deferred annuity in accordance with the provisions of this Act, the total amount of contributions from his salary with interest thereon at 4 per centum per annum, compounded annually at the end of each fiscal year through June 30, 1960; semiannually as of December 31, 1960; annually thereafter as of December 31, and proportionately for the period served during the year of separation including all contributions made during or for such period, except as provided in section 881, shall be returned to him.

"(b) In the event that the total contributions of a retired participant, other than voluntary contributions made in accordance with the provisions of section 881, with interest at 4 per centum per annum compounded annually as is provided in paragraph (a) of this section added thereto, exceed the total amount returned to such participant or to an annuitant claiming through him, in the form of annuities, accumulated at the same rate of interest up to the date the annuity payments cease under the terms of the annuity, the excess of the accumulated contributions over the accumulated annuity payments shall be paid in the following order of precedence, upon the establishment of a valid claim therefor, and such payment shall be a bar to recovery by any other person:

"(1) To the beneficiary or beneficiaries designated by the retired participant in writing to the Secretary;

"(2) If there be no beneficiary, to the surviving wife or husband of such participant;

"(3) If none of the above, to the child or children of such participant and descendants of deceased children by representation;

"(4) If none of the above, to the parents of such participant or the survivor of them;

"(5) If none of the above, to the duly appointed executor or administrator of the estate of such participant;

"(6) If none of the above, to other next of kin of such participant as may be determined by the Secretary in his judgment to be legally entitled thereto.

"(c) No payment shall be made pursuant to paragraph (b)(6) of this section until after the expiration of thirty days from the death of the retired participant or his surviving annuitant."

SEC. 37. Section 851 of such Act is amended to read as follows:

"SEC. 851. For the purposes of this title, the period of service of a participant shall be computed from the effective date of appointment as a Foreign Service officer, or, if appointed prior to July 1, 1924, as an officer or employee of the Diplomatic or Consular Service of the United States, or from the date he becomes a participant under the provisions of this Act, as amended, but all periods of separation from the Service and so much of any leaves of absence without pay as may exceed six months in the aggregate in any calendar year shall be excluded, except leaves of absence while receiving benefits under the Federal Employees' Compensation Act of September 7, 1916, as amended, and leaves of absence granted participants while performing active and honorable military or naval service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States."

SEC. 38. (a) Paragraphs (a), (b), and (c) of section 852 of such Act are amended to read as follows:

"(a) A participant may, subject to the provisions of this section, include in his period of service—

"(1) civilian service in the executive, judicial, and legislative branches of the Federal Government and in the District of Columbia government, prior to becoming a participant; and

"(2) active and honorable military or naval service in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States.

"(b) A person may obtain prior civilian service credit in accordance with the provisions of paragraph (a)(1) of this section by making a special contribution to the Fund equal to 5 per centum of his basic annual salary for each year of service for which credit is sought subsequent to July 1, 1924, and prior to the effective date of the Foreign Service Act Amendments of 1960, and at 6½ per centum thereafter with interest compounded annually at 4 per centum per annum to the date of payment. Any such person may, under such conditions as may be determined in each instance by the Secretary, pay such special contributions in installments.

"(c)(1) If an officer or employee under some other Government retirement system, becomes a participant in the System by direct transfer, such officer or employee's total contributions and deposits, including interest accrued thereon, except voluntary contributions, shall be transferred to the Fund effective as of the date such officer or employee becomes a participant in the System. Each such officer or employee shall be deemed to consent to the transfer of such funds and such transfer shall be a complete discharge and acquittance of all claims and demands against the other Government retirement fund on account of service rendered prior to becoming a participant in the System.

"(2) No officer or employee, whose contributions are transferred to the Fund in accordance with the provisions of paragraph (c)(1) of this section, shall be required to make contributions in addition to those transferred, for periods of service for which full contributions were made to the other Government retirement fund, nor shall any refund be made to any such officer or employee on account of contributions made during any period to the other Government retirement fund, at a higher rate than that fixed by section 811 of this Act for contributions to the Fund.

"(3) No officer or employee, whose contributions are transferred to the Fund in accordance with the provisions of paragraph (c)(1) of this section, shall receive credit for periods of service subsequent to July 1, 1924, for which a refund of contributions has been made, or for which no contributions were made to the other Government retirement fund. A participant may, however, obtain credit for such prior service by making a special contribution to the Fund in accordance with the provisions of paragraph (b) of this section."

(b) Section 852 of such Act is further amended by adding at the end thereof new paragraphs (d) and (e) which shall read as follows:

"(d) No participant may obtain prior civilian service credit toward retirement under the System for any period of civilian service on the basis of which he is receiving or will in the future be entitled to receive any annuity under another retirement system covering civilian personnel of the Government.

"(e) A participant may obtain prior military or naval service credit in accordance with the provisions of paragraph (a)(2) of this section by applying for it to the Secretary prior to retirement or separation from the Service. However, in the case of a participant who is eligible for and receives retired pay on account of military or naval service, the period of service upon which such retired pay is based shall not be included, except that in the case of a participant who is eligible for and receives retired pay on account of a service-connected disability incurred in combat with an enemy of the United States or caused by an instrumentality of war and incurred in the line of duty during a period of war (as that term is used in chapter 11 of title 38, United States Code), or is awarded under chapter 67 of title 10 of the United States Code, the period of such military or naval service shall be included. No contributions to the Fund shall be required in connection with military or naval service credited to a participant in accordance with the provisions of paragraph (a)(2) of this section."

SEC. 39. Such Act is amended by adding after section 854 a new section as follows:

"RECOMPUTATION OF ANNUITIES OF CERTAIN FORMER PARTICIPANTS

"SEC. 855. The annuity of each former participant under the System, who retired prior to July 28, 1956, and who at the time of his retirement had creditable service in excess of thirty years, shall be recomputed on the basis of actual years of creditable service not in excess of thirty-five years. Service which was not creditable under the System on the date a former participant retired, shall not be included as creditable service for the purpose of this recomputation. The annuities payable to such persons shall, when recomputed, be paid at the rates so determined, but no such recomputation or any other action taken pursuant to this section shall operate to reduce the rate of the annuity any such person is entitled to receive under the System."

SEC. 40. The heading "PART H—OFFICERS REINSTATED IN THE SERVICE" under title VIII of such Act is amended to read as follows: "PART H—ANNUITANTS RECALLED, REINSTATED OR REAPPOINTED IN THE SERVICE OR REEMPLOYED IN THE GOVERNMENT".

SEC. 41. Section 871 of such Act is amended and a heading is added thereto as follows:

"RECALL

"SEC. 871. Any annuitant recalled to duty in the Service in accordance with the provisions of section 520(b) or reinstated or reappointed in accordance with the provisions of section 831(b) shall, while so serving, be entitled in lieu of his annuity to the full salary of the class in which he is serving. During such service, he shall make contributions to the Fund in accordance with the provisions of section 811. When he reverts to his retired status, his annuity shall be determined anew in accordance with the provisions of section 821."

SEC. 42. A new section 872 is hereby added to such Act as follows:

"REEMPLOYMENT

"SEC. 872. (a) Notwithstanding any other provision of law, any officer or employee of the Service, who has retired under this Act, as amended, and is receiving an annuity pursuant thereto, and who is reemployed in the Federal Government service in any appointive position either on a part-time or full-time basis, shall be entitled to receive the salary of the position in which he is serving plus so much of his annuity payable under this Act, as amended, which when combined with such salary does not exceed during any calendar year the basic salary such officer or employee was entitled to receive under sections 412 or 415 of the Act, as amended, on the date of his retirement from the Service. Any such reemployed officer or employee who receives salary during any calendar year in excess of the maximum amount which he may be entitled to receive under this paragraph shall be entitled to such salary in lieu of benefits hereunder.

"(b) When any such retired officer or employee of the Service is reemployed, the employer shall send a notice to the Department of State of such reemployment together with all pertinent information relating thereto and shall cause to be paid, by transfer or otherwise, to the Department of State funds necessary to cover gross salary, employer contributions, and gross lump sum leave payment relating to the employment of the reemployed officer or employee. The Department of State shall make to and on behalf of the reemployed officer or employee payments to which he is entitled under the provisions of paragraph (a) of this section, and shall make those withholdings and deductions authorized and required by law.

"(c) In the event of any overpayment under this section the Secretary of State is authorized to withhold the amount of such overpayment from the salary payable to such reemployed officer or employee or from his annuity."

SEC. 43. (a) So much of paragraph (a) of section 881 of such Act as precedes subparagraph (1) thereof is amended to read as follows:

"(a) Any participant may, at his option and under such regulations as may be prescribed by the President, deposit additional sums in multiples of 1 per centum of his basic salary, but not in excess of 10 per centum of such salary, which amounts together with interest at 3 per centum per annum, compounded annually at the end of each fiscal year through June 30, 1960; semiannually as of December 31, 1960; annually thereafter as of December 31, and proportionately for the period served during the year of his retirement, including all contributions made during or for such period, shall, at the date of his retirement and at his election, be—".

(b) Paragraph (c) of section 881 of such Act is amended by deleting the word "annually" and inserting in lieu thereof the phrase "as is provided in paragraph (a) of this section", and by changing the words "withdrawal from active service" at the end of such paragraph to "separation from the Service".

SEC. 44. Section 912 of such Act is amended by changing the heading thereto to read "LOAN OF HOUSEHOLD FURNISHINGS AND EQUIPMENT" and by inserting between the words "with household" the word "basic" and by inserting between the words "household equipment" the phrase "furnishings and".

SEC. 45. Section 913 of such Act and the heading thereto is amended to read as follows:

"TRANSPORTATION OF MOTOR VEHICLES

"SEC. 913. The Secretary may, notwithstanding the provisions of any other law, transport for or on behalf of an officer or employee of the Service, a privately owned motor vehicle in any case in which he shall determine that water, rail, or air transportation of the motor vehicle is necessary or expedient for all or any part of the distance between points of origin and destination. Not more than one motor vehicle of any such officer or employee may be transported under authority of this section during any four-year period, except that, as a replacement for such motor vehicle, one additional motor vehicle of any such officer or employee may be so transported during such period upon approval, in advance, by the Secretary and upon a determination, in advance, by the Secretary that such replacement is necessary for reasons beyond the control of the officer or employee and is in the interest of the Government. After the expiration of a period of four years following the date of transportation under authority of this section of a privately owned motor vehicle of any officer or employee who

has remained in continuous service outside the continental United States (excluding Alaska and Hawaii) during such period, the transportation of a replacement for such motor vehicle for such officer or employee may be authorized by the Secretary in accordance with this section."

SEC. 46. (a) Section 1021 of such Act is amended by inserting the phrase "the Department including" immediately prior to the phrase "the Service" wherever it appears in this section.

(b) Section 1021(a) is further amended by striking out the phrase "if recommended by the Director General" and inserting in lieu thereof the phrase "at the discretion of the Secretary".

SEC. 47. Section 11 of the Act of August 1, 1956 (70 Stat. 890), is hereby amended by inserting after the phrase "Government-owned vehicles" the phrase "or taxicabs", and by inserting after the phrase "public transportation facilities" the phrase "other than taxicabs".

SEC. 48. Paragraph (4) of section 104(a) of the Internal Revenue Code of 1954 (26 U.S.C. 104(a)(4)) (relating to the exclusion from gross income of compensation for injuries and sickness) is hereby amended to read as follows:

"(4) amounts received as a pension, annuity, or similar allowance for personal injuries or sickness resulting from active service in the armed forces of any country or in the Coast and Geodetic Survey or the Public Health Service, or as a disability annuity payable under the provisions of section 831 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1081; 60 Stat. 1021)."

SEC. 49. The following headings and sections in the Foreign Service Act of 1946, as amended, are hereby repealed:

(1) Section 442 of such Act and the heading thereto.

(2) Section 525 of such Act and the heading thereto.

(3) Section 576 of such Act and the heading thereto.

(4) Section 577 of such Act and the heading thereto.

SEC. 50. Any person who occupies a position in the Department of State to which he was appointed by the President, by and with the advice and consent of the Senate, at the time he was an active Foreign Service officer, and who while holding this position has retired for age as a Foreign Service officer, and who on the effective date of this section, continues to hold such position is hereby reinstated, effective as of the date of such retirement, to active status as a Foreign Service officer and shall be entitled to all the provisions of the Foreign Service Act of 1946, as amended, as though he had never retired.

SEC. 51. Notwithstanding the provisions of this Act, existing rules and regulations of or applicable to the Foreign Service of the United States shall remain in effect until revoked or rescinded or until modified or superseded by regulations made in accordance with the provisions of the Foreign Service Act of 1946, as amended by this Act, unless clearly inconsistent with the provisions of this Act or the provisions so amended.

SEC. 52. Notwithstanding any other provisions of law, any Foreign Service staff officer who accepted an appointment as a Foreign Service Reserve officer in the Department of State during the period beginning September 1, 1958, and ending December 31, 1958, both dates inclusive, shall not be separated from the Foreign Service before the expiration of his original appointment as a Foreign Service Reserve officer, except as authorized by section 637 or 638 of the Foreign Service Act of 1946, as amended.

SEC. 53. (a) The provisions of this Act shall become effective as of the first day of the first pay period which begins more than thirty days after the date of enactment of this Act, except as provided in paragraph (b), (c), (d), and (e) of this section, and except as otherwise provided in the text of this Act.

(b)(1) The provisions of paragraph (c)(1) of section 803 of the Foreign Service Act of 1946, as amended by section 29(b) of this Act, shall become effective on the first day of the first month which begins more than one year after the date of enactment of this Act, except that any Foreign Service staff officer or employee, who at the time this Act becomes effective meets the requirements for participation in the Foreign Service Retirement and Disability System, may elect to become a participant in the System before the mandatory provisions become effective. Such Foreign Service staff officers and employees shall become participants effective on the first day of the second month following the date of their application for earlier participation.

(2) The provisions of paragraph (c)(2) of section 803 of the Foreign Service Act of 1946, as amended by section 29(b) of this Act, shall become effective on the first day of the first month which begins more than three years after the date of enactment of this Act.

(c) The amendment made by section 31 of this Act, with respect to a contribution to the Foreign Service Retirement and Disability Fund to be made by the Department, shall become effective July 1, 1961.

(d) The amendment made by section 39 of this Act shall take effect on the first day of the first month which begins more than thirty days after the date of enactment of this Act.

(e) The amendment made by section 48 of this Act shall be effective with respect to taxable years ending after the date of enactment of this Act.

The SPEAKER. Is a second demanded?

Mr. FULTON. Mr. Speaker, I demand a second.

Mr. HAYS. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, a bill that has 53 sections to it may seem like a long bill to bring before the House under suspension of the rules. The length is deceptive because many of the sections comprise amendments to basic law that are technical, perfecting, or clarifying. Except for a few sections they are intended to improve the organization and administration of the Foreign Service rather than make substantive changes.

The hearings of the subcommittee on State Department Organization and Foreign Operations that studied this measure total 258 pages. In addition the subcommittee and the full committee considered the bill in executive sessions. I can assure the Members that this is a carefully worked out measure. It does not include everything that the State Department wanted. It does not incorporate all the provisions of the Senate bill which was before our subcommittee. It does not include everything that the subcommittee or the Committee on Foreign Affairs believes necessary for the efficient operation of the Foreign Service.

It is the best that we can bring before the House at this time. We believe the changes made are reasonable and necessary to improve the overall operation of the Foreign Service.

Before I explain some of the changes made by this bill, I want to express my appreciation to the members of my subcommittee on State Department Organization and Foreign Operations who participated in the lengthy sessions we held. Members on both sides were diligent in their attendance and searching in their queries. The gentleman from Michigan [Mr. BENTLEY] is the ranking minority member on the subcommittee. He is the only former Foreign Service officer in the House. He drew on his knowledge of, and experience in, the Foreign Service to raise very pertinent questions. I regret that he is leaving the committee this year.

The basic Foreign Service Act became law in 1946 when the Service was small and the demands placed upon it were fewer. Some changes were made in the act in 1955 and 1956 as a result of problems created by the integration of departmental personnel into the Service. Most of those changes, however, were confined to the professional Foreign Service officers and left the Foreign Service Staff personnel and other parts of the law untouched. A large number of changes in the bill now before the House reflect the experience of 14 years' operation of the provisions affecting the Foreign Service Staff and the Foreign Service retirement system.

The Staff personnel perform technical, administrative and clerical services. They serve tours of duty abroad. They enjoy the advantages and experience the disadvantages of life abroad.

Most of us maintain an efficiency that is in direct proportion to the efficiency of our own office staff. The efficiency of the Foreign Service is dependent upon performance by the Staff. My own observation is that the Staff personnel are generally hard working, and often unrecognized, employees overseas.

Staff personnel are presently under civil service retirement. In this bill it is provided that after 10 years of service in the staff they will come under the Foreign Service retirement system. After an individual has served 10 years, it may be assumed that he is making the Foreign Service his career. He is subject to the same requirements of oversea service as are Foreign Service officers. Hence it is logical that he is entitled to the same benefits as officers have. The retirement payments made by Staff personnel into the civil service retirement fund will be transferred to the Foreign Service retirement fund after the individual has completed 10 years in the Staff. The cost to the Government will not increase. It will simply be a shift from one retirement system to another.

There has been some concern among a small group of Foreign Service Reserve officers who served for many years in the Foreign Service Staff. Many members, I know, because some of them have communicated with me, have received communications from some of these people through their constituents expressing a concern that they will be removed from the Service before their 5-year period of service as Reserve officers is completed.

They were offered the opportunity to shift from the Staff to the Reserve because of the higher salary scale and because as Reserve officers they remained under the civil service retirement system. In that system they can continue until age 70 whereas under the Foreign Service retirement system they have to retire at age 60. Our subcommittee looked into this matter. In section 52 of the bill we expressly state that they are to continue in service for the duration of their 5-year appointment unless they reach the mandatory retirement age of 70 or, like all other Foreign Service personnel, are removed for some serious charge. Our subcommittee was advised by the Department that there was no disposition to force these officers out before they had completed their appointments. I understand that these individuals are completely reassured on this point.

The rapid birth of new nations since the end of World War II has presented the Foreign Service with a new problem. Briefly stated, it is how we can secure individuals who are familiar with the language and culture of these countries in order that the United States may be properly represented and informed. Our educational system has not yet produced students in adequate numbers who can fill the needs. Most of the candidates for the Foreign Service are young people with no specialized training.

The development of specialists raises difficult administrative problems. In the first place an individual himself must have a desire to specialize in a particular area. To assign an officer arbitrarily to become proficient in Burmese or Arabic when he has little or no interest is a waste of time and money. To provide an incentive for the study of esoteric languages, the committee has included in section 17 authority for within-class salary increases. One of the bases for such an increase will be where an officer on his own initiative becomes proficient in a difficult language.

Section 7 is an expression of congressional concern that our representatives abroad be knowledgeable about the country in which they serve. It is the expectation of the committee that chiefs of mission and Foreign Service officers have as good a grasp as is practicable of the language, culture, history, and institutions of the countries in which they are stationed.

We did this in order to avoid a hardship on these people who accepted a contract in the belief they would be entitled to enough time to get in their years for retirement. We thought this was justified, so we put in this provision.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Iowa.

Mr. GROSS. Just so we understand this bill, the compression from 20 classes to 10 classes is out. Is that correct?

Mr. HAYS. That is out.

Mr. GROSS. The bonus for learning difficult languages is out?

Mr. HAYS. That is out.

Mr. GROSS. The proposed housing allowance that was in the other bill is out?

Mr. HAYS. That was in the Senate bill, and that is taken out.

Mr. GROSS. The authority for the Secretary of State to give additional pay for so-called hazardous duty to couriers is out of the pending bill; is that correct?

Mr. HAYS. That is out of the bill.

Mr. GROSS. May I ask the gentleman this question, whether it is the intention of the members of the House committee when they go to conference to oppose these stricken provisions being put back into the bill?

Mr. HAYS. I might say to the gentleman there are some 20 amendments, I believe, that are in disagreement, which we did not put in but which the other body has put in, including I might say a $100 million open end—no restriction items—for buildings which we struck out. I do not propose to go to the other body and take their bill. I cannot guarantee to the gentleman that in trying to reach an agreement with the other body that we will not have to give ground on some amendments. But, the gentleman knows me pretty well and he knows that I do not give ground very easily. I assure the gentleman I will do my utmost to come back with as near the House bill as we possibly and humanly can.

Mr. GROSS. I would hope that that would be the case because the gentleman well knows that the Committee on Rules refused to give a rule on the other bill containing the provisions which the gentleman from Ohio now says has been stricken from the bill. I would certainly hope that the conferees on the part of the House would defend to the utmost the position taken by the House with respect to this bill, if it is passed.

Mr. HAYS. I think the conferees would have a moral responsibility to defend the House bill so far as they possibly can, and that is exactly what we will do.

Mr. GROSS. I thank the gentleman.

Mr. HAYS. Mr. Speaker, the rapid birth of new nations since the end of World War II has presented our foreign service with a new problem. Briefly stated, it is—how can we secure individuals familiar with the languages and cultures of these countries in order that the United States may be properly represented and informed? Our educational system has not yet produced these students in adequate numbers. Most of the candidates for foreign service are young people with no specialized training. The development of specialists raises difficult administrative problems. In the first place, an individual must have a desire to specialize in a particular area. To assign an officer arbitrarily to become proficient in Burmese or Arabic when he has little or no interest in those languages is a waste of time and money. To provide an incentive for the study of esoteric languages, the committee has included section 17 and provided authority for these salary increases for merit.

Mr. Speaker, I might say to the gentleman from Iowa that this is not the section that he was talking about. This is an ingrade increase for meritorious service. We do not say that they shall do it, if a man studies an esoteric language, but in the report we point out that in this age when it is necessary to have specialists, if they are going to give any ingrade promotions, which they will have authority to do, this would be a good thing to give them for.

We struck out the section to which many Members objected, which gave automatic bonuses. But, we do believe, and I am sure the gentleman will agree, that if you are going to get a man to study Arabic, you are going to have to hold out to him some incentive because we think an individual in the Foreign Service is not going to study an esoteric language on his own time unless he thinks it is going to result in some gain to him in his professional occupation.

I will say to the gentleman and to other Members, I have been as critical of the Department of State with reference to some of its actions as anybody in the House of Representatives. But, this is the only State Department—regardless of the name of the next President—this is the only State Department that we are going to have. I am not so sure that the next President is going to keep the peace of the world as I am sure of the proposition that the actions of the Department of State as a whole, as it presents the face of America to the other nations of the world, is what is going to win this cold war for us. I am interested in getting the best kind of Foreign Service that we can possibly produce. I am interested in enticing into our Foreign Service the best kind of people we can get. That is why I supported this recruitment program so that they could go out into these small colleges and universities all over the country as well as to the larger universities in the East and lay before these students what the Foreign Service is and try to get the cream of the crop. These are some of the reasons we come before you with this bill today.

Mr. Speaker, in section 7 we expressed concern that our representatives abroad be knowledgeable about the country in which they serve. We felt that they have not been in the past. It is the purpose that our chiefs of mission and our Foreign Service officers have as good a grasp as is practicable of the language, culture, history, and institutions of the countries in which they are stationed.

While the new language of the section is not mandatory, neither is it hortatory. It is the firm desire of the committee that the Department give increased and sustained attention to this problem. Career planning should include provision for specialized training.

Many of the senior officers of the Department entered the Foreign Service at a time when specialization was frowned upon. They rose through the ranks as generalists and tend, even today, to favor the all-around officer over the officer who has devoted himself to intense study of a particular field of knowledge. The result has been that younger officers with specialized training have felt their careers to be jeopardized. In section 18 the committee makes clear that specialization shall not inhibit or prejudice the promotional opportunities of officers.

No other Government service demands as much of the wife as does the Foreign Service. She must play a real part in representational work as well as in numerous other functions at posts abroad. She can discharge her responsibilities better if she is conversant with the language and has some orientation about the country in which her husband is stationed. Under the language of section 27, authority is granted the Secretary to provide such training on a "space available" basis. The facilities of the Foreign Service Institute here in Washington or such facilities as exist at oversea posts may be used.

I might say that it seems logical to me that if they have a class available, that they put those people in it. Let them have the benefit of this training, because in many cases they play an important part in the success or failure of the mission.

Sections 29 through 43 overhaul the Foreign Service retirement and disability system.

I am going to include a complete résumé of what this does in my remarks, but in the interest of saving time I will say that among other things it puts people on the same basis as the civil service retirement system.

I am sure many Members who are worried about the cost will be glad to know that it raises the contribution of the employee from 5 percent to 6½ percent.

As Members may recall, Foreign Service personnel have their own retirement system. While improvements and modifications have been made in other Government retirement systems, the Foreign Service retirement system has been almost unchanged since 1946. The amendments covering it are necessarily technical. It occurred to me that Members could more readily grasp the changes made by this bill if there were a table that compared the civil service system with which they are more familiar with the Foreign Service system as it is and as it will be amended by this bill. Such a table starts on page 25 of the report. Glancing down the last column of that table will show that almost all the changes will result in a retirement system that is identical with or very similar to the civil service retirement system. One significant change is to increase the compulsory contributions of participants from 5 percent to 6½ percent—the same as civil service.

Mr. Speaker, I have touched upon what I believe to be the principal provisions of this bill. I do not say that this bill corrects all the shortcomings or fills all the deficiencies in our Foreign Service. It does not contain all of the changes that I or my colleagues on the committee want. But it does make substantial improvements in that Service. It does provide some of the tools and guideposts that in the hands of competent administrators can make the Foreign Service what it should be—a nonpartisan career service of topflight men and women.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield.

Mr. McCORMACK. I understand this is the recommendation of the administration?

Mr. HAYS. This is the administration's bill, with a few deletions that the committee made, but what we are presenting is 100 percent the administration's request.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield.

Mr. GROSS. The gentleman is aware that Foreign Service employees benefited from the pay raise bill of 7½ percent?

Mr. HAYS. That is right.

Mr. GROSS. Will the gentleman turn to page 63. Does this mean page 63, section 625, that there are built-in pay increases in addition to the 7½-percent pay raise?

Mr. HAYS. No. This is not any built-in pay increase. The committee had considered the bill and the restrictions in the bill, and the in-grade pay increase was considered before the pay increase bill was passed. I was happy to strike that out. This was passed out of committee a few days before the other bill was passed.

Mr. GROSS. This gives the Secretary the authority to make certain in-grade promotions. That authority will not be used except in a few exceptional cases? Is that true?

Mr. HAYS. That is true, and we have instructed the Department accordingly, that we do not expect them to grant those indiscriminately.

Mr. GROSS. Page 68, subsection (b), would the gentleman's response to the same question be the same? Would that constitute a built-in pay increase?

Mr. HAYS. No. I would not say so. I am glad to put that in the RECORD, that we do not expect it to be used that way. The situation was that this was to be used only in case of meritorious action, in the discretion of the Secretary.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman from Pennsylvania is recognized.

Mr. FULTON. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, this bill is designed in part to meet the situation on U.S. representation abroad which has occurred theoretically in the book "The Ugly American." Some Members have been concerned about those actions cited in the book "The Ugly American."

Members would do well to look over the bill and the report and you will see that it does forestall situations of that type occurring. For example, I like particularly the emphasis on foreign language training, likewise training made available to wives and families of people who represent us abroad.

Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. BENTLEY].

The SPEAKER pro tempore. The gentleman from Michigan is recognized.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. BENTLEY. I yield to the gentleman from Ohio.

Mr. HAYS. I merely wish to correct one statement I made. I said to the gentleman that the original bill included a provision for $200 million for housing. I was in error; it was $100 million. I will correct that when I revise my remarks before they are printed in the RECORD.

Mr. BENTLEY. Mr. Speaker, it is somewhat coincidental that when I came here 8 years ago I came from the Foreign Service and that on the eve of my departure from the House I should be speaking on a bill designed to strengthen and improve the Foreign Service.

I want to pay my own tribute to the chairman of our subcommittee, the gentleman from Ohio, and to express my appreciation of his kind remarks about me. One of the many regrets I have upon leaving the House is that I will not be here next year to assume the chairmanship of the State Department Subcommittee and have the gentleman from Ohio as my ranking minority member.

Mr. Speaker, I think the chairman of the subcommittee, the gentleman from Ohio, has explained this bill very adequately. Very briefly, it contains three particular parts. There is, of course, legislation with respect to the strengthening of the Foreign Service Staff Corps. There is legislation also for the Foreign Service retirement and disability fund; and there is legislation for the overall improvement of the Foreign Service.

The gentleman from Ohio referred to an earlier bill which had been passed by the committee and which because of objections was changed. As the House is aware we are now considering the Senate bill 2633, with an overall amendment, which is the bill presently before us.

In addition to the $100 million authorization for Foreign Service buildings which was included in the original Senate bill, the specific items which have been taken out by the Foreign Affairs Committee from the Senate bill include, as was pointed out by the gentleman from Ohio, the reorganization of the Foreign Service staff, reducing it from 22 classes to 10 classes which arrangement had been somewhat outmoded by the recent 7½-percent Federal pay increase; the hazardous duty pay for couriers; the housing differential pay to Foreign Service officers assigned to Washington and the special incentive program in foreign languages; the travel expense item for dependents of persons attending international conferences, and the payment of salaries and expenses of participants in exchange programs.

Those items, Mr. Speaker, as originally included in the bill, with the exception of the housing provision which was never considered by the Committee on Foreign Affairs as a legitimate part of this bill, would at that time have made the overall cost of the bill $1,869,642 annually. Since we have now removed all of those provisions and since the only two items in the bill to represent any cost are the five-year language training program and the very small amount for the benefit of interclass promotion of Foreign Service staff officers and employees, the cost of

the bill presently before the House is estimated to be not more than $271,831 annually.

In addition to that, the various changes in the legislation which affect the Foreign Service retirement and disability fund are, I believe, expected to represent a total liability to the fund of not more than $190,000 per annum.

Mr. Speaker, I contend that the very small figures contained in this bill can, indeed, be justified for the purpose of strengthening and improving our Foreign Service. We do not pretend to say that the State Department or the Foreign Service is completely satisfied with this bill because, naturally, they would have liked to have included the provisions that were taken out by the committee. But I can say categorically that the State Department, the Foreign Service Association, and the administration is very desirous of having the bill now before the House passed at the present time without change insofar as the House is concerned and, whether or not a conference with the other body will ensue, as the gentleman from Ohio has said, we in the House will try to maintain the position of the House if, indeed, a conference is requested.

Mr. Speaker, I would like to say a word or two at this point about the Foreign Service of the United States which basically comprises three categories—Foreign Service officers who are nominated by the President and require Senate confirmation; the Foreign Service Reserve, very analagous to the Active Reserve of the armed services; and the Foreign Service staff officers and employees who are almost a forgotten category but who make up the clerical and technical personnel that give so much backbone to our Foreign Service. Without the Foreign Service staff and corps, the Foreign Service would be composed of a good many chiefs and very few Indians.

Just as we are interested in trying to make the career Foreign Service an attractive profession from the standpoint of encouraging the recruitment of our finest caliber of men and women, we must at the same time also take steps to make the Foreign Service staff corps, the technical and clerical corps, equally attractive, equally desirable. That is one of the main purposes for bringing this bill before you today.

Mr. Speaker, we are engaged in a cold war with the Soviet Union that is being fought on a great many fronts, indeed. It is being fought on the ideological front, the economic front, the cutlural front, and many other fronts. The only front it is not being fought on at the present time, and pray God that may never occur, is, of course, the military front. In all of these other fronts of our cold war struggle with international communism and with the Soviet Union, our Foreign Service, the Foreign Service of the United States, is indeed our frontline shock troops. Whether in Cuba, whether in the Congo, whether in the Middle East, whether in Berlin or the Far East or any of the other farflung parts of the world, the men and women of the Foreign Service are the ones who take the brunt of the cold war. They are the first line in our great conflict and struggle with international communism at this time. As desirous as we all are to maintain a strong armed force, the Army, the Navy, the Air Force, and other components of the armed services, because we believe in maintaining a strong Military Establishment to best guarantee peace, it would be the height of folly, it would be the height of shortsightedness not to do everything within our power to strengthen the Foreign Service of the United States whose contribution to victory in the cold war, whose contribution to the peace of the world and the security and safety of this country is equally as important as the contributions made by our Armed Forces.

I urge sincerely and earnestly that the House pass this bill without a dissenting vote, and let the people of our country, the people of the world, and the people of the Foreign Service know that we are united in wanting to strengthen and stabilize and improve our Foreign Service. Certainly we can make improvements in it. We can get more efficiency, we can get a better quality of people, we can get a higher class of administrators, we can do many things, but we cannot make those improvements by refusing the modest requests they have asked to make the Foreign Service what we would all like to see, and that is the finest Foreign Service that any country can boast of. So, on the basis of my experience in the Foreign Service, and on the basis of my experience with the Committee on Foreign Affairs, I hope this bill will be passed with no dissenting vote, with no opposition, but with a strong indication on the part of the House that we recognize the importance of the international crises we are going through today, and that we recognize at the same time that these crises have problems and that our successful solution of such problems will depend on the strength, the efficiency and the adequacy of our Foreign Service that has already done such a wonderful job.

I believe very sincerely that this bill will contribute to making all of these things possible.

Mr. FULTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Indiana [Mr. ADAIR].

Mr. ADAIR. Mr. Speaker, for some time the members of the Committee on Foreign Affairs have been very much interested in doing all that could be done legislatively to strengthen the Foreign Service. In the midfifties some steps were taken to amend the act of 1946, and those steps, I think, were constructive and helpful.

The proposal today, in my opinion, is another such forward-looking, beneficial step, and I urge that this proposed legislation be adopted. I think each of us is anxious to do everything that we can in these troubled days to give us the strongest possible Foreign Service. We want to encourage properly prepared people to enter the service, and we want to give them inducements to remain there once they are in that Service. This legislation will contribute to that end. It will, I repeat, strengthen our Foreign Service and make it more attractive. It will assist in building a strong body of Foreign Service people who will represent our country abroad and thus contribute to the cause of world peace.

Mr. Speaker, I urge the adoption of this proposed legislation.

Mr. FULTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, I rise in support of this legislation. It seeks to bring our Foreign Service into line with the realities of our present world situation. In the more leisurely days of the quiet past, which seems such a long time ago, the Foreign Service officer was trained to observe and interpret and report to his Government regarding events in a foreign country. He transmitted messages, carried on a certain amount of entertainment and in general upheld the prestige of his country. Now we are living in a world where a chief of mission not only has to do all of these things, but he is responsible in many countries for the operation of a foreign aid program that involves the management of as much as $100 million or $200 million or $300 million worth of aid each year. How many are there in the United States even in the business world qualified by training or experience to manage efficiently, economically, and successfully that big an operation? We simply have got to raise the Foreign Service to a higher level—in its training, in its emoluments, and its attractions, and in its rewards—if it is to do what the country needs and expects of it.

As the gentleman from Michigan has correctly said, this bill is to strengthen our first line of defense. It is only when that first line is not successful in protecting the interests of our country in its relations with other countries that we have to call on the armed services. We spend billions of dollars on the armed services without hesitation, but we have not become accustomed to giving the attention and thought that the times demand to making the Foreign Service adequate for the responsibilities we place upon it.

Mr. Speaker, I was shocked recently to learn that when a man retires from the Foreign Service, even though he may have served our country brilliantly for 30 or 35 years, yet he is not given a citation or a plaque or a certificate or an honorable discharge or anything from the President or the Secretary of State showing that he has served in the Foreign Service of the United States for a given length of time, or in such and such countries, in such and such positions, with great distinction and honor to his country. This is a shortcoming that should be promptly remedied.

Mr. Speaker, this bill is a very modest step. It requires very little additional money. I think it is long overdue, and I hope that the various provisions will induce the very ablest and most ambitious, if you wish, and most patriotic men and women in our country to enter the Foreign Service.

England knew she was an island for hundreds of years, and almost every great statesman in England's history for centuries had served an apprenticeship in its oversea activities—a consul on the

Gold Coast, a magistrate in Hong Kong, an executive with the East India Co. or the Hudson's Bay Co. Therefore the British thought in world terms, to their great advantage. In contrast, we in America had almost a whole continent to occupy our attention. Our best youth were challenged to become engineers, railroad builders, scientists, industrialists, to develop this vast, virgin continent. Now, belatedly, we are waking up to the fact that we, too, are just an island. And, in the end, America will survive, let alone progress, in direct proportion to our skill in handling our relations with the rest of the world. This bill is designed to make more effective the body of men and women who will handle this most vital function.

I am glad that we are making some headway in legislation to improve the Foreign Service.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JUDD. I yield to the gentleman.

Mr. GROSS. Do I understand that the contribution on the part of the Foreign Service employees is being increased under the terms of this bill?

Mr. JUDD. That is right.

Mr. GROSS. That is, their contribution to the retirement fund.

Mr. JUDD. That is right.

Mr. GROSS. What has it been?

Mr. JUDD. I understand it has been 5 percent and that this bill increases it to 6½ percent, which brings it into line with the contributions of other groups of Federal employees.

Mr. GROSS. So at long last they are attaining some equality with the rest of us in payments into the retirement fund; is that correct?

Mr. JUDD. I think that is correct.

Mr. GROSS. If the gentleman will yield further, I am curious to know why this bill was handled by the Committee on Foreign Affairs.

Mr. JUDD. I cannot give the gentleman a categorical answer, but it is my impression that it has been because the Foreign Service is such a specialized body. Its duties have been so different in many respects from those of the main body of Government personnel and it works under such a variety of conditions abroad. These conditions are studied and legislation dealing with them formulated and sponsored in the Congress by the Committee on Foreign Affairs which has the most direct responsibility in this field.

Mr. GROSS. The gentleman will recall that the 7½ percent increase pay bill came out of the Committee on Post Office and Civil Service.

Mr. JUDD. Yes. I know that. And I was one who voted reluctantly to sustain the President's veto of that bill, not because of the amount of money involved in raises for postal employees, but because I did not feel that this was the way to deal with pay and employment conditions of other employees, especially those in the Foreign Service.

Mr. GROSS. I am curious to know why there is this divided jurisdiction.

Mr. JUDD. One would have to go to the Speaker of the House of Representatives for an answer to that, I suppose. But this is the traditional way in which legislation dealing with Foreign Service personnel has been handled.

Mr. GROSS. I thank the gentleman.

Mr. FULTON. Mr. Speaker, I yield myself a minute.

Mr. Speaker, I would like to put it on record that I believe we have the best Foreign Service in the world. The U.S. Foreign Service officers, the staff personnel, the reserve officers, our U.S. wives and families in Foreign Service, and indeed they are, as well as our many efficient employees who come from beyond our U.S. borders, constitute the finest Foreign Service team assembled anywhere, any time, and by any country. I know it from my long years of experience in Congress, on the Foreign Affairs Committee, and as a U.S. delegate at the United Nations, and it should be firmly and openly stated, so all American citizens know of it, and view our U.S. Foreign Service with pride, respect, devotion, and honor.

Secondly, I would like to congratulate the members and families of our U.S. Foreign Service on their courage and competence because, in many fields and in many places all over the world, they have been rendering very fine and dedicated service to the American people—partiotic service. We hear so much criticism that I think we should have on record the feeling of the Congress, and especially the members of the Committee on Foreign Affairs who see the Foreign Service quite a bit, and work with them, that we do have this confidence in them.

Mr. FULTON. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Speaker, we have tried exceedingly hard in the Committee on Foreign Affairs and particularly in the subcommittee having to do with matters concerning the personnel of the Foreign Service, to bring to you a bill which is a just bill even though we should have liked to have included other items.

We feel strongly that there is a very real need for the changes this bill brings to you. So, Mr. Speaker, it is my earnest hope that recognition of this kind may be given to the Foreign Service officers and staff. They have served us well, and they will continue so to do. This is a moment in history when demands are being made upon them daily that demand training, knowledge, and ever increasing experience topped by a deep loyalty and courage. We feel that this bill may do much to encourage them, to give them the certainty that we here on the Hill know that things are not always easy for them and that we want them to have definite recognition from us.

I trust that this bill will be passed, and as the gentleman from Michigan so well said, that it will be passed without a dissenting vote.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill S. 2633, with an amendment?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

Mr. FULTON. Mr. Speaker, I heard no "noes" on the vote. Can it be entered on the RECORD that the bill was passed by unanimous consent?

The SPEAKER. That is not a parliamentary question.

BILLS FROM COMMITTEE ON WAYS AND MEANS TO BE CALLED UP UNDER UNANIMOUS CONSENT

Mr. McCORMACK. Mr. Speaker I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I want to announce to the House that the Committee on Ways and Means have reported out 12 bills that we shall consider later on this week or sometime later in this session; I should say probably this week. The chairman of the committee will ask unanimous consent for the consideration of these bills, a list of which I make part of the RECORD at this time:

H.R. 11266, prepaid dues income of certain membership organizations.

H.R. 6292, authorization of acceptance by the Government of gifts to reduce the public debt.

H.R. 9000, provision that only one retail liquor dealer tax need be paid by any State and political subdivision operating liquor stores.

H.R. 10960, determination of retail price for purposes of excise tax on cigars.

H.R. 6066, limitation on deduction in case of contributions by individuals to certain charitable organizations.

H.R. 3176, imposition of tire tax on tires delivered to manufacturer's retail outlet.

H.R. 12536, exclusion of local advertising charges from manufacturer's sales price.

H.R. 11681, amendment of section 902(b) of Internal Revenue Code.

H.R. 12329, gift and estate tax treatment of relinquishment of certain powers.

H.R. 12036, dividends-received deduction for dividends paid by a foreign corporation from earnings and profits accumulated by a domestic corporation.

H.R. 3392, certification of quotas on certain Philippine tobacco.

H.R. 11584, import taxes on lead and zinc.

RETIRED FEDERAL EMPLOYEES HEALTH BENEFITS BILL

Mr. DAVIS of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2575) to provide a health benefits program for certain retired employees of the Government, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Retired Federal Employees Health Benefits Act".

DEFINITIONS

SEC. 2. As used is this Act—

(1) The terms "employee", "Government", "member of family", and "Commission" have the same meanings, when used in this

Act as such terms have when used in the Federal Employees Health Benefits Act of 1959.

(2) "Health benefits plan" means an insurance policy or contract, medical or hospital service arrangement, membership or subscription contract, or similar agreement provided by a carrier for a stated periodic premium or subscription charge for the purpose of providing, paying for, or reimbursing expenses for hospital care, surgical or medical diagnosis, care, and treatment, drugs and medicines, remedial care, or other medical supplies and services, or any combination of these.

(3) "Retired employee" means any person who would be an annuitant as that term is defined in the Federal Employees Health Benefits Act of 1959 if the contribution and enrollment provisions of that Act had been in effect on the date the person became an annuitant, but does not include any person who was a noncitizen whose permanent-duty station was outside a State of the United States or the District of Columbia on the day before he became an annuitant.

(4) "Carrier" means a voluntary association, corporation, partnership, or other nongovernmental organization which lawfully offers a health benefits plan.

GOVERNMENT-WIDE PLAN

SEC. 3. (a) The Commission shall, without regard to section 3709 of the Revised Statutes or any other provision of law requiring competitive bidding, enter into a contract with a qualified carrier for one uniform Government-wide health benefits plan for retired employees. Such contract shall be for a period of at least one year and shall be automatically renewable in the absence of notice of termination by either party. The carrier shall, if the Commission so directs, cede reinsurance to such other companies which regularly issue group health insurance as may elect to participate or shall allocate its rights and obligations under the contract among such of its affiliates as may elect to participate in accordance with an equitable formula to be determined by the carrier and approved by the Commission. The contracting carrier, if an insurance company, shall be licensed to issue group health insurance in all the States of the United States and the District of Columbia and shall, in the most recent year for which data are available, have made at least 1 per centum of all group health insurance benefit payments in the United States.

(b) The contract under this Act shall contain a detailed statement of the benefits offered and shall include such maximums, limitations, exclusions, and other definitions of benefits as the Commission may deem necessary or desirable. No person may be excluded because of race, sex, health status, or age, and the contract may not deny or limit benefits because of any preexisting condition.

(c) The rates charged for the health benefits plan described in subsection (a) of this section shall reasonably and equitably reflect the cost of the benefits provided. Rates determined for the first term shall be adjusted for subsequent terms on the basis of experience. The Commission shall prescribe the extent to which reserves due to favorable experience may be retained by the carrier. Such reserves shall in any case be retained for the benefit of retired employees enrolled thereunder, and members of their families.

CONTRIBUTIONS

SEC. 4. (a) If a retired employee enrolls in the health benefits plan provided for by section 3 of this Act, the Government shall contribute toward his subscription charge such amounts as the Commission by regulation may from time to time prescribe. The amount so prescribed, if the employee is enrolled for self only, shall not be less than $3.00 monthly or more than $4.00 monthly. The amount to be prescribed for a retired employee enrolled for self and family shall be twice the contribution for one enrolled for self only. A retired employee may not receive a Government contribution for more than one plan, nor may a retired employee receive a Government contribution if he is covered under the enrollment of another employee or retired employee who is receiving a Government contribution toward his enrollment.

(b) In addition the Government shall contribute an amount, as prescribed by the Commission, up to 2 per centum of each contribution authorized by subsection (a) of this section of the Retired Employees Health Benefits Fund, for payment of expenses incurred by the Commission in administering this Act.

WITHHOLDING

SEC. 5. There shall be withheld from the annuity or compensation of each retired employee enrolled in the health benefits plan provided for under section 3 of this Act so much as is necessary, after deducting the contribution of the Government, to pay the total charge for his enrollment.

OTHER HEALTH BENEFITS PLANS

SEC. 6. (a) Subject to subsection (b) of this section a retired employee who elects to obtain a health benefits plan, or to retain an existing health benefits plan, other than the plan provided for under section 3 of this Act, directly with a carrier, shall be paid a Government contribution to the cost of his health benefits plan which shall be equal in amount to the appropriate Government contribution established by the Commission pursuant to section 4(a) of this Act, but may not exceed the cost to him of the health benefits plan in which he is enrolled or which he retains or, if the plan combines health benefits with other benefits, shall not exceed the cost to him of the premium fixed by the carrier for the health benefits portion of the plan in which he is enrolled or which he retains. A retired employee may not receive a Government contribution for more than one plan, nor may a retired employee receive a Government contribution if he is covered under the enrollment of another employee or retired employee who is receiving a Government contribution toward his enrollment.

(b) A retired employee who enrolls in a plan shall be entitled to the Government contribution provided by this section only if the carrier of the plan (1) has been providing health benefits for at least one year and (2), if an insurance company, is licensed to issue individual or group health insurance in all the States of the United States and the District of Columbia. Clause (2) of the immediately preceding sentence shall not apply to enrollment in a plan sponsored by an association or other organization more than 50 per centum of the members of which are Federal employees or former Federal employees.

(c) In addition, the Government shall contribute an amount, as prescribed by the Commission, up to 2 per centum of each contribution authorized by subsection (a) of this section to the Retired Employees Health Benefits Fund, for payment of expenses incurred by the Commission in administering this Act.

ELECTIONS

SEC. 7. Each retired employee shall, within such time after March 1, 1961, as the Commission shall prescribe, notify the Commission of his election (1) to enroll in the plan provided under section 3 of this Act, (2) to enroll in or retain another health benefits plan and receive Government contributions under section 6 of this Act, or (3) not to participate in the program offered under this Act. If the retired employee elects to enroll under clause (2) of this section, his election shall be accompanied by a certificate of the carrier certifying the fact of his enrollment and the cost to him of the health benefits plan, or of the health benefits portion of the plan.

RETIRED EMPLOYEES HEALTH BENEFITS FUND

SEC. 8. (a) The withholdings of retired employees under section 5 of this Act and the contributions of the Government under sections 4 and 6 of this Act shall be deposited in the Retired Employees Health Benefits Fund, hereinafter referred to as the "Fund", which is hereby created and which shall be administered by the Commission.

(b) The Fund shall be available without fiscal year limitation for all payments on account of the health benefits plan negotiated under section 3 of this Act, for payment of the Government's contribution provided for by section 6(a) of this Act to agencies of the Government which administer a retirement system for civilian employees of the Government, and for payment of expenses, not to exceed the Government's contributions authorized by sections 4(b) and 6(b) of this Act, incurred by the Commission in administering this Act.

(c) Any dividends or other refunds made by the carrier under section 3 of this Act shall be set aside in the Fund as a contingency reserve for the Government-wide plan. Such contingency reserve may be used to defray increases in future rates of or to reduce the retired employees' and the Government's contributions to, or to increase the health benefits provided by that plan, as the Commission may from time to time determine.

(d) The Secretary of the Treasury is authorized to invest and reinvest any of the moneys in the Fund in interest-bearing obligations of the United States for the purposes of the Fund. The interest on and the proceeds from the sale of any such obligations shall become a part of the Fund.

ADMINISTRATION

SEC. 9. (a) The Commission shall administer this Act and prescribe such regulations as are necessary to give full effect to the purposes of this Act.

(b) Such regulations shall fix minimum standards to be met by the carrier and the plan under section 3 of this Act, including extensions of coverage to be provided. The Commission may request all carriers to furnish such reasonable reports as the Commission determines to be necessary to enable it to carry out its functions under this Act. The carrier shall furnish such reports when requested and permit the Commission and representatives of the General Accounting Office to examine such records of the carriers as may be necessary to carry out the purposes of this Act.

(c) The Commission's regulations may include, but are not limited to, the following:

(1) exclusions of retired employees from coverage;

(2) beginning and ending dates of coverage, and conditions of eligibility;

(3) methods of filing the elections required by section 7 of this Act and other information;

(4) methods of making contributions authorized by section 6, and withholdings required by section 5 of this Act;

(5) changes in enrollment;

(6) questions of dependency;

(7) certificates and other information to be furnished to retired employees;

(8) contributions and withholding during periods of suspension of annuity payments and in other extraordinary situations;

(9) when, and under what conditions, an election not to participate in the programs offered under this Act may be withdrawn; and

(10) under what conditions and to what extent the cost of a plan shall be considered a cost attributable to the retired employee.

(d) Each agency of the United States or the District of Columbia which administers a retirement system for annuitants shall keep such records, make such certifications, and furnish the Commission with such information and reports as may be necessary to enable the Commission to carry out its functions under this Act.

(e) There are hereby authorized to be expended from the Employees Life Insurance Fund, without regard to limitations on expenditures from that Fund, for any fiscal years from the date of enactment through the fiscal year ending June 30, 1962, inclusive, such sums as may be necessary to pay administrative expenses incurred by the Commission in carrying out the health benefits provisions of this Act. Reimbursements to the Employees Life Insurance Fund for sums so expended, together with interest at a rate to be determined by the Secretary of the Treasury, shall be made from the Retired Employees Health Benefits Fund which is hereby made available for this purpose.

EXEMPTION OF CERTAIN EMPLOYEE ORGANIZATIONS

SEC. 10. Any employee organization under this Act or as defined in section 2(1) of the Federal Employees Health Benefits Act of 1959 (73 Stat. 710; 5 U.S.C. 3003(3)) shall be exempt from the provisions of the Fire and Casualty Act (54 Stat. 1063; D.C. Code 35–1301 and the following).

APPROPRIATIONS

SEC. 11. The amounts authorized by this Act to be contributed by the Government shall be paid from annual appropriations which are hereby authorized to be made for such purpose.

ANNUAL REPORT

SEC. 12. The Commission shall transmit to the Congress annually a report concerning the operation of this Act.

EFFECTIVE DATE

SEC. 13. The health benefits program provided for by this Act shall take effect July 1, 1961. The contributions and withholdings provided for by this Act shall take effect on June 1, 1961, with respect to annuity or compensation accruing for periods beginning on and after that date.

The SPEAKER. Is a second demanded?

Mr. REES of Kansas. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DAVIS of Georgia. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this legislation will provide a health benefits program for 415,000 retired Government employees and survivor annuitants who are not eligible to enroll under the Federal Employees Health Benefits Act of 1959—Public Law 86–382—because they became annuitants before that act took effect in July of this year.

The committee amendment to the Senate-passed bill substitutes the language of Congressman LESINSKI's bill, H.R. 12495. It represents a compromise on which, in the judgment of the committee, there can be general agreement in the interest of assuring that there will be a health benefits program for former Government employees and their survivors who were on the retirement rolls prior to July 1, 1960.

The primary requirement for eligibility is that the individual must have been retired on an immediate annuity with 12 or more years of service or for disability. Survivor annuitants will be eligible if the persons from whom their annuities derive would have been eligible in their own right had they lived.

The committee amendment requires the Civil Service Commission to contract with a qualified carrier for a single, uniform, Government-wide health plan for retired employees and survivor annuitants. The carrier will reinsure with other qualified carriers if the Commission so directs. The committee amendment contains substantially the same conditions now stated in the Federal Employees Health Benefits Act of 1959 to insure that the contract represents the best possible bargain for the Government and for the beneficiaries.

The Government will contribute in an amount—fixed by the Civil Service Commission—which is not less than $3 nor more than $4 monthly for a person who enrolls for self alone. That amount will be doubled for a person who enrolls for self and family. This double contribution for family enrollment is particularly appropriate, since most retirees' families consist of two persons.

There would be withheld from the annuity or compensation of each enrollee the amount required to pay the premium for such enrollee after deducting the Government contribution.

An alternative plan is provided which will allow retirees to select a qualified commercial health plan other than the single Government-sponsored plan if desired. An eligible person would have the option of retaining an existing health plan or of enrolling in another plan. The Government contribution in this case will be paid directly to the individual as an increase in his or her annuity check.

This is a voluntary plan and the retiree may elect to participate under this legislation or not, as he desires. If he elects to participate, his notice to the Commission shall specify his preference as to type of health plan desired—that is, whether he prefers to enroll in the single Government-sponsored plan under section 3 or to retain or obtain a different plan as provided in section 6. Any selection of such a different plan must be accompanied by a certification of the carrier of the fact of his enrollment and of the premium cost.

This legislation corrects an inequitable situation that has arisen under the Federal Employees Health Benefits Act of 1959. Participation of a major organization of Federal employees under that act—which was intended to be permitted when the act was approved—has been denied to the organization because of a technicality in the provisions of the Fire and Casualty Act—54 Stat. 1063; D.C. Code 35–1301 and the following. Section 10 will permit the intended participation by this organization in the Federal Employees Health Benefits Act of 1959 by exempting the organization from the technical provision of the Fire and Casualty Act.

This legislation will take effect July 1, 1961. This leadtime in the effective date is essential to permit negotiation of a contract for the Government-sponsored plan which is in the interest of the Government and the retirees, to advise the retirees of their rights and of the necessary procedures, and to carry out all of the administrative responsibilities and duties imposed on the Civil Service Commission.

I believe this represents the best possible solution of the pressing health and medical problems facing our retired employees and survivor annuitants and hope that it will be approved.

Mr. REES of Kansas. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this legislation, which has the unanimous approval of the Post Office and Civil Service Committee, will provide a health benefits program for the 415,000 Government employees who retired before the Federal Employees Health Benefits Act of 1959 became effective in July 1960. It will not provide any benefit for any employee or official presently employed or serving in office.

This legislation offers two methods of coverage. It will permit the Civil Service Commission to establish a single Government-wide health plan, or permit an annuitant to elect to continue the plan he now has or to obtain a commercial plan. Enrollment in any of the plans is strictly voluntary.

Another important factor dictates prompt approval of this legislation. Many of the Members will recall the serious situation which arose after enactment of the Federal Employees Group Life Insurance Act of 1954, when many employees and retirees faced loss of their life insurance because groups in which they were insured were forced out of business due to creation of the Government program. A similar situation now faces many thousands of retired Federal employees and survivors who have attempted to provide their own medical and health protection through individual or group health plans.

The Federal Employees Health Benefits Act of 1959 will cause the immediate or early collapse of a hundred or more health and medical benefit groups whose policies represent the only health protection for these retirees and survivors. When all of the active employees in such groups enroll under the Government program, the existing groups will expire through lack of new memberships. Only the active employees will be protected. The retirees and survivors on the annuity rolls will have to seek individual protection at prohibitive cost because of their advanced age group.

I think it is generally acknowledged that the promotion of positive and long-range health programs for people in older age groups will benefit everyone by increasing the capacities of these older people to live active and meaningful lives in their later years. The sharply rising costs of medical and hospital care in recent years has been felt by people of all ages. The impact of these rising costs has been particularly harsh and unfortunate with respect to those who have completed active service and earned a few years of life in retirement. Their medical and hospital care needs are far greater than similar needs for younger people. As a group they require nearly

three times as much general hospital care, on the average, as is needed by active workers as a group. The retirees also have special need for long-term or extended medical and hospital care.

Unfortunately, to meet their extraordinary medical and hospital expenses retired workers and surviving widows as a group may look only to incomes which are considerably lower, on the average, than the incomes of active workers. In many cases the retirees' incomes are either fixed or are declining in amount and hardly suffice to maintain a reasonable standard of living even without the misfortune of illness or injury to which they are so susceptible. By approving this legislation, the Government of the United States will be taking an important step in assisting its former public servants to achieve full and meaningful lives during retirement.

It is for these reasons that I voted for S. 2575, as amended by the Post Office and Civil Service Committee, and support this legislation today. It is my earnest belief that this legislation is necessary to prevent real hardship for a great many retired workers and their widows. I hope and believe that the legislation will be approved.

Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Speaker, I rise in support of this legislation.

I would like to stress the point that the distinguished ranking minority member of the committee emphasized, that this applies to 415,000 persons and dependents who retired from the service prior to July 1 of this year. This is a genuine example of temporary legislation, because it deals with a limited group and the category that is covered will ultimately pass from the picture, and this particular program will terminate with that event.

I support this legislation because on this matter as with the health program for Federal employees enacted by the Congress last year, the Government and the Congress are acting in the role of employer, in an employer and employee relationship. I hope that the example which is being set by the Federal Government in this matter will stimulate similar activity in the field of private enterprise, and if there can be more done in that field there will be less demand for massive intervention in these areas of medical care for the aged, in which the Government does not have the employer-employee relationship.

I urge the enactment of this bill, which was voted out unanimously by the House Committee on Post Office and Civil Service.

I yield back the balance of my time.

Mr. REES of Kansas. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. CORBETT].

Mr. CORBETT. Mr. Speaker, like the others who have preceded me, I rise in support of this meritorious legislation. The parliamentary situation in this session is such that this is the best bill that can be secured at this time. If we are going to get this program under way by next July 1, it becomes essential that this plan be adopted today.

We recognize that for the 415,000 retirees who will benefit from this act, that we are doing in large measure what many private industries have done for their employees, and we hope others will do the same.

Very definitely the retirees are the victims of the inflation which has occurred, and certainly for this Congress to go along and recognize the medical care needs of those retired employees is a right and proper thing to do.

Mr. SANTANGELO. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield.

Mr. SANTANGELO. I am supporting this bill, but I would like to ask, Is it true that the Bureau of the Budget opposed this bill and, notwithstanding the opposition of the Bureau of the Budget, the full committee recommended that it be passed?

Mr. CORBETT. The gentleman is right in the latter statement, that the committee recommended the bill unanimously, but I was under the opinion that the Civil Service Commission had approved of the bill with the Senate amendment. I cannot say whether the Bureau of the Budget has approved it or not.

Mr. SANTANGELO. On page 11 of the report is a letter from the executive officer of the Bureau of the Budget in which he indicates the administration opposition to the bill. Is that a fact?

Mr. CORBETT. I am now informed that the Budget Bureau expressed opposition to this measure primarily because it was not a budget item in the original message. However, I will say to the gentleman that he and others, including myself, have often acted on their own responsibility and not yielded to the Bureau of the Budget.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. DAVIS of Georgia. Mr. Speaker, I yield such time as he may desire to the gentleman from Oregon [Mr. PORTER].

Mr. PORTER. Mr. Speaker, I support this legislation. It seems fair and necessary.

I ask unanimous consent to insert at this point a statement by the ranking Democratic member of the Committee on the Post Office and Civil Service, the gentleman from Louisiana [Mr. MORRISON].

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

The statement referred to follows:

STATEMENT BY THE HONORABLE JAMES H. MORRISON, DEMOCRAT, OF LOUISIANA, ON S. 2575, AUGUST 1960

Last year the retired employees were very greatly disappointed that they were not included in the Federal Employees Health Benefits Act of 1959. They felt that they were discriminated against and, I think, rightly so. This is particularly true with reference to employees who were going to retire between the time that act was enacted on September 28, 1959, and July 1960, when the health plans went into effect. Any employee who retired before July 1960 is not covered by the 1959 act.

The committee was advised last year that it was actuarily unsound to attempt to include such an older group of retired employees in the bill with the employees who are covered. This bill establishes a separate fund, the retired employees health benefits fund. The fund will be used to pay the expenses of a program for persons of this older age group, which will provide health benefits at the best possible bargain obtainable.

The program is designed to give persons who retired prior to July 1, 1960, a somewhat similar program on a somewhat comparable basis, as will be enjoyed under the 1959 act by employees who retire after July 1, 1960. The conditions of eligibility are the same. The former employee must have retired on an immediate annuity with 12 or more years of service, or due to disability.

The Civil Service Commission has estimated the cost of the committee amendment for the first year as between $15 million and $25 million, which will decline rapidly in future years as the number of retirees in this advanced age group diminishes. The contribution to the cost of the program of the retirees who choose the Government-sponsored plan will be withheld from their monthly retirement check. The retiree who chooses to retain an existing commercial health plan, or to procure a new commercial plan, will receive the Government contribution by means of an increase in his annuity check. The Government contribution will be by annual appropriation to the fund.

I think this is a very beneficial bill and it will help the majority of Federal employees who retired prior to July 1, 1960. I urge the approval of the reported bill so that our retired Government employees may be assured of the establishment of a health program at the earliest practicable time.

Mr. DAVIS of Georgia. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. LESINSKI].

Mr. LESINSKI. Mr. Speaker, I have been deeply interested for quite some time in legislation to provide a health benefits program for Federal employees and introduced legislation for this purpose as early as the beginning of the 85th Congress.

The Federal Employees Health Benefits Act of 1959 provides a health benefits program for employees and persons who retire after the effective date of the act in July 1960. But employees who retired prior to July 1960, were not included because we were told last year that it would cost 2 to 3 times more to give the retirees the same schedule of benefits planned under the 1959 act.

S. 2575 as passed by the Senate would provide a health benefits program for retirees and survivor annuitants not covered by the 1959 act. However, that bill was strongly opposed by the administration and certainly faced a possible Presidential veto. The program proposed was too complex and offered too many different choices of programs by directing the Commission to contract with all of the 38 carriers approved under the 1959 act and such additional carriers as may be approved by the Commission.

After passage of the Senate bill I immediately conferred with representatives of the Civil Service Commission and retired employee groups. In my opinion, the best possible compromise was reached and I introduced a new bill, H.R. 12495, embodying the compromise. The amendment recommended by the committee to S. 2575 contains substantially the same language as contained in my bill, H.R. 12495.

This legislation will direct the Commission to contract for a single plan as

contrasted with many plans and provides for only two types of enrollment—for self only or for self and family—as compared with the five types of enrollment under the Senate passed bill. Retired employees who prefer can obtain private commercial plans or continue plans they now may have and they will be entitled to a Government contribution toward the cost of the program.

In my judgment, this legislation will not be vetoed because of the simplicity of the program now offered and because it is becoming more and more apparent that the health and medical groups which are the only source of protection for the majority of the retirees will soon collapse for lack of new membership since the active employees are enrolling under the Government program.

Mr. Speaker, I have every reason to believe that the committee amendment offers a solution to the very complex and difficult problem of carrying out our obligation to help protect the health of the hundreds of thousands of men and women who devoted their productive working lives to our Government.

Both the total cost and the expense and difficulty of administration will be kept within very reasonable bounds. I urge the approval of the committee amendment.

At this time, I would like to commend the gentleman from Georgia, the Honorable JAMES DAVIS, the chairman of the subcommittee, for his untiring efforts in holding hearings and getting the bill on the House floor. His fairness in acting upon this legislation has made its passage here today possible.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Is my understanding correct that the National Association of Retired Civil Service Employees supports this bill enthusiastically?

Mr. LESINSKI. One hundred percent.

Mr. EDMONDSON. I am certainly very pleased to see the action of the committee in reporting the legislation. I have been a supporter of legislation along this line. I strongly urge favorable action by the House upon the bill.

Mr. FOLEY. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield to the gentleman from Maryland.

Mr. FOLEY. As a member of the committee I rise in support of the bill S. 2575. I want to commend the leadership of the committee for bringing it to the floor. It remedies an inequity that exists at the present time and provides a very feasible and constructive health and welfare program for our retired civil service employees.

Mr. LESINSKI. I thank the gentleman for his support.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. Mr. Speaker, I rise in support of this legislation. During the recess I took occasion to talk to retired civil service employees in Florida. They pointed out their need and also their willingness to pay a portion of health insurance as provided in this legislation. I want to commend the committee for taking action at this time. I hope this bill can become law this session.

Mr. LANE. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield to the gentleman from Massachusetts.

Mr. LANE. I, too, want to congratulate the gentleman from Michigan for his untiring work on this legislation and to be recorded in hearty support of this bill.

This legislation, as has already been stated, is long overdue and well deserved.

As the gentleman from Florida [Mr. ROGERS] well stated, these retirees have been waiting most patiently for some action by Congress. I am glad the Committee on the Post Office and Civil Service has seen fit to take unanimous action on this legislation and I wish to congratulate the chairman of the subcommittee the gentleman from Georgia and his fine committee for their thought and study and report on this bill which merits the praise of the Members of Congress.

I know that the beneficiaries of this bill appreciate their sincere work.

Mr. LESINSKI. I thank the gentleman.

Mr. ALFORD. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield to the gentleman from Arkansas.

Mr. ALFORD. I want to take this opportunity to compliment the gentleman and the committee for the work they have done on this legislation and to point out specifically that it preserves the voluntary system, the traditional American system of free enterprise, and private enterprise through the voluntary efforts of the retired employees themselves. I am glad to see this extension of benefits to retired Federal Government employees, and I want to point out that this legislation in particular has had the full support of all the various health groups including physicians throughout the country.

Mr. SANTANGELO. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield to the gentleman from New York.

Mr. SANTANGELO. Mr. Speaker, I want to commend the gentleman from Michigan and the Committee on the Post Office and Civil Service for reporting this bill to the House for our consideration. As a former member of the Post Office and Civil Service Committee I appreciate the difficulties which this problem presented. This bill will take care of a great many retired Government employees who desperately need care but who were losing their chance for private insurance and their benefits because the Federal Government had entered the picture and destroyed the efficacy of employee plans which were practically destroyed by the elimination of all source of potential members of the plan.

I commend the gentleman and the committee for the vigorous way they have attacked this problem and the solution they have brought us.

Mr. REES of Kansas. Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. SCHENCK].

Mr. SCHENCK. Mr. Speaker, I want to express my appreciation to my distinguished friend and colleague, the Honorable EDWARD REES for granting me this time. I also want to express my deep personal regret that our good friend, ED REES is retiring from the Congress this year. To have the privilege of having served here with him is an honor for which I shall always be grateful. We shall all miss him and I know we each extend to him our every good wish for many more years of good health and happiness.

Mr. Speaker, the retired Federal Employees Health Benefits Act of 1960, S. 2575, is of special concern to many retired Federal employees in my Congressional District and the adjoining district represented by my distinguished colleague the Honorable CLARENCE J. BROWN. Some years ago employees at Wright-Patterson Air Force Base set up a plan of health insurance. It was operated by a civilian welfare fund council at the base under the chairmanship of Mr. F. S. Allen. This plan was available to all employees and could be continued on retirement at the same general rates.

At the time the Federal Employees Health Benefits Act of 1959 was being considered, the Paul Revere Life Insurance Co., carried a group contract with 11,606 employees at WPAFB. Some 600 of these employees had been retired but were still covered by the plan.

The local group applied to the Civil Service Commission to have the Paul Revere plan included under the new Federal Employees Health Benefits Act. The application was denied on the contention that the plan in effect was not national in scope. Mr. Allen appeared before the Civil Service Commission at a hearing on March 21, 1960, but the earlier decision was reaffirmed.

Those Federal employees in current Government employment were eligible for coverage under the new health benefits law, but the 600 retired employees were, of course, ineligible under the law's provisions.

This has created a great hardship on the retirees in this group since they must now shop for insurance on an individual basis. Not only are the rates much higher but many found that they were no longer able to get insurance at all.

Mr. Speaker, Congressman BROWN joins me in urging the approval of this legislation.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. SCHENCK. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I wish to congratulate the gentleman from Ohio [Mr. SCHENCK] for the statement he has just made. I not only approve of it, but I join with him in urging the passage of this bill in order to correct a very evident injustice which has been worked on the people of Ohio in connection with this retirement insurance matter.

Mr. SCHENCK. I thank the gentleman.

Mr. REES of Kansas. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. WALLHAUSER].

Mr. WALLHAUSER. Mr. Speaker, as a member of the committee reporting this bill I rise in support of the legislation which was carefully considered and unanimously reported, as has been said. I also agree with the expressed opinion that we in the Congress do have an obligation to correct an injustice to those loyal former employees who have rendered such a fine service to their Government, and who have not been accorded equal treatment, in terms of health and medical benefits.

So, Mr. Speaker, I am very happy to join in the request for the passage of this legislation and hope that it will be enacted unanimously.

Mr. REES of Kansas. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Speaker, I rise in support of S. 2575. I am very pleased that the committee has brought this bill before the House today. Of all the groups I feel that these retirees are probably the ones who need a program of this type the most, because they are dependent upon a fixed and limited income, and when they have a serious sickness and run up a big hospital bill or a big medical bill of any type, very frequently that presents a very serious financial problem to them. This, I believe, will solve that problem, and I am glad to support it.

Mr. REES of Kansas. Mr. Speaker, I yield 1 minute to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Speaker, I am in strong support of S. 2575, to provide health benefits for retired Government employees. I know of no group more deserving. In my district for many years I have met with the retired Government employees, and they have shown me to my own satisfaction that they badly have needed a health benefit plan of this kind. I want to thank the Committee on Post Office and Civil Service for bringing this legislation to final passage, and I want to emphasize that this is very essential legislation. It will help many needy retired people into whose pensions inflation has cut very deeply.

Mr. REES of Kansas. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I wholeheartedly endorse this legislation. I was a member of the subcommittee of the Committee on Post Office and Civil Service that heard the testimony and recommended the legislation to the Congress. It certainly is deserving, and I hope that the measure will be passed overwhelmingly. Our retired employees are entitled to this health insurance program, and I might add it is one of the finest programs of group health insurance available today.

Mr. REES of Kansas. Mr. Speaker, I yield 1 minute to the gentleman from Washington [Mr. TOLLEFSON].

Mr. TOLLEFSON. Mr. Speaker, S. 2575 is a much needed and worthwhile measure. It will provide a modest but helpful health benefit program for retired Federal employees. These employees served their Government well during the years of their employment and are entitled, it seems to me, to the same consideration which we gave to currently employed Federal employees when we approved a measure providing health benefits for them. I trust that the House of Representatives will approve this proposal by an overwhelming vote.

Mr. REES of Kansas. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Speaker, I strongly support and recommend the passage of S. 2575 to provide a health benefits program for retired Federal employees.

We have 415,000 individuals now on the retired rolls of the Federal Government who are not eligible to participate in the active employees program under Public Law 86–382 called the Federal Employees Health Benefits Act of 1959. We therefore must pass this legislation in order to be fair to our Federal retired employees who have given long, loyal, and dedicated service to our American people and I strongly recommend that we pass it overwhelmingly.

I have been thinking about it, and I do not know of a more loyal, uncomplaining and wonderful group of people in the United States of America than the retired Federal employees and postal workers. Their work and devotion are a good example for us today. Retired or not, they are certainly entitled to their place in the sun, and should not be forgotten. Let us in Congress always protect our retired Federal employees and postal workers, in their pensions, their health programs, and their well-earned benefits.

Mr. REES of Kansas. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. OSTERTAG].

Mr. OSTERTAG. Mr. Speaker, I rise in support of S. 2575, as amended by the House Post Office and Civil Service Committee, the Retired Federal Employees Health Benefits Act. This legislation seeks to correct the existing inequity by extending health insurance benefits to former Federal employees who retired before the effective date of the Federal Employees Health Benefits Act of 1959, entitling them to the same coverage enjoyed by the now employed civil servants.

I feel that the legislation proposed would effectively correct the injustice that has been done these approximately 415,000 individuals now retired, and ineligible under Public Law 382 of the 86th Congress. It is extremely important that these people, the majority of whom are living on fixed incomes, have their medical bills covered in this age of soaring prices. This is not intended to be a handout to our retired employees. It will, however, assure each one of them the opportunity to pay a fixed sum comparable to that paid by the now working civil servant, and thus be guaranteed against undue hardships as a result of overwhelming medical bills.

This matter of medical care for retired civil servants is one in which I have been very much interested for some time, having introduced H.R. 9103, the Federal Annuitants Health Benefits Act of 1959. I am happy that the bill under consideration today embodies in effect my proposal, as I feel very strongly that those who have served so well and faithfully in the service of their country deserve this opportunity. I hope that this measure will be enthusiastically adopted by the House and I wholeheartedly recommend it for your favorable consideration.

Mr. REES of Kansas. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, it is not at all difficult to understand why so many of my colleagues are in favor of this bill. This is an election year. It is said to be necessary to correct an inequality. The thing that is strange to me is that we always correct it upward. Everyone knows, of course, that the cost of living has increased, that there are many, many people in this country in need, but in my judgment this is the wrong way to go at the situation. What the Congress should do, Members should take a cut themselves and force all other Federal employees to take a cut. We are never going to solve this situation by giving ever increasing numbers more and more and putting ever increasing burdens upon an ever increasing minority. All right. I know you will pass it, but that is it.

If we continue the present policy of appropriations without regard to our ability to pay just how long can the taxpayers bear the burden?

Mr. DAVIS of Georgia. Mr. Speaker, I yield such time as he may desire to the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Speaker, I rise in support of S. 2575 to provide a health benefit program for certain retired employees of the Federal Government. As has been indicated heretofore, there are a number who have retired in the past who are not eligible to come under the Health Benefits Act for our Government employees. I strongly recommend the enactment of this legislation.

Mr. DAVIS of Georgia. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Speaker, I speak in support of this legislation and wish to express my gratification that we have the measure on the floor today for action. Because of need for medical assistance for Federal workers already retired and those who will retire before Public Law 86–382 goes into effect, I supported the original bill authored by the gentleman from Louisiana [Mr. MORRISON] and last year introduced a companion to his bill. This legislation, although modified, will deal with this inequity and I urge that we act directly and pass S. 2575 today.

GENERAL LEAVE TO EXTEND

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the pending bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BARRY. Mr. Speaker, as one of the sponsors of the original legislation in the House of Representatives and a member of the Civil Service Committee which reported this bill in its present revised and improved form, I felt a particular obligation to rise in its support on the floor of the House.

This bill, S. 2575, to which my bill, H.R. 8994, introduced last year was a companion, forestalls an inequity by providing a much-needed health benefits program for the already retired Government employees who were ineligible for the benefits of the Federal Employees Health Benefits Act of 1959 because they retired before it came into effect.

It is clearly a grave injustice that a person should be penalized because he or she retired after many years of faithful Government service in 1958 rather than in 1960. The number of persons involved is about 415,000. The cost to the Government in this bill will inevitably drop year by year and eventually vanish. It is the clear obligation of the Congress to provide equal treatment in terms of health and medical benefits for all its former employees no matter when they retired.

The justice of this bill is clearly shown by the fact that it received the approval of each and every member of the Post Office and Civil Service Committee.

The bill is technically an improvement over last year's Federal Health Benefits Act in that it consolidates the numerous and various health benefits plans into a single program.

Likewise, we in the House committee have provided a more simple and more favorable Government contribution structure than that provided in the Senate bill.

Thirdly, in order to meet the varying needs of retired persons and insure freedom of choice in the traditional American way, the committee has granted the option to retirees of retaining health benefits coverage they now have or of enrolling in a health benefits plan of their choice.

Proper care of our elderly retired citizens and equality of treatment for all are the principles necessitating this legislation. I am proud to have been one of those who introduced it in the House. I trust that we will approve it expeditiously.

Mr. RIEHLMAN. Mr. Speaker, I am indeed happy that my colleagues and I will have an opportunity today to work our will on S. 2575, the Retired Federal Employees Health Benefits Act. I am confident that in doing so we will erase the discouragement and disappointment of those 415,000 individuals now on the retirement rolls who were not included under the provisions of the Federal Employees Health Act of 1959. They were not provided for in the bill passed last year because Congress was informed that such a move would be actuarily unsound. I am thankful, as I know many of my colleagues are, that a sound program has now been devised, and that we can support it with no qualms.

It is imperative that we recognize our undeniable obligation to provide equal treatment for these former employees. We owe equal treatment to these loyal persons who have given so many years of their lives to Government service. I am thankful for the opportunity to eliminate this discrimination. I urge your support of this vital legislation.

Mr. BROYHILL. Mr. Speaker, when Congress passed the act granting certain hospitalization benefits for active Federal employees, inclusion of Federal retirees was purposely omitted because it was felt that the problems incident to the retirees were quite different and that consideration should be given them in separate legislation. The House Post Office and Civil Service Committee, of which I am a member, has given careful thought and study to these problems, and their conclusions are embodied in S. 2575, now under consideration. I know that the National Association of Retired Civil Employees is very earnest in its efforts to obtain this legislation and it is in full accord with the provisions of this bill.

This association has its own hospitalization program, under which 54,000 policies are in operation. Without the enactment of this legislation, these policyholders would sooner or later be jeopardized in their holdings because Federal employees who now retire will, for the most part, take with them into retirement the policies which they purchased as employees. For this reason, among others, it is highly important that S. 2575 be enacted and I earnestly support the legislation.

Retired Federal employees are on a fixed income and are, therefore, in a much more difficult position when hospitalization disaster strikes than is the case among other groups. I am always glad to lend my support to any reasonable legislation which tends to relieve them of their financial burdens.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

A GEORGIA COMMUNITY TAKES STEPS AGAINST OBSCENE MATERIAL

Mrs. BLITCH. Mr. Speaker, on May 3, I spoke briefly before this body, calling attention to the growing menace to the morals of our youth created by the widespread circulation of obscene literature on magazine racks and through the mails, and urging action by the Congress to curb this vicious practice. On the same occasion, I also paid tribute to the distinguished gentlewoman from Pennsylvania [Mrs. GRANAHAN], chairman of the Postal Operations Subcommittee, for the untiring efforts she has already made to combat this serious problem on the national level, by fostering legislation to strengthen our Federal antiobscenity statutes and by awakening the American people to the enormity of the half a billion dollar pornography trade now flourishing in this country.

Shortly after my remarks on this urgent subject appeared in the RECORD, I received the following letter from Mr. Bert Harsh, vice president of the comparatively new Parents' League of Moultrie and Colquitt County, Ga.:

JULY 21, 1960.

DEAR MRS. BLITCH: I have read with a great deal of interest your speech before the House of Representatives on the subject of obscene literature and I was particularly interested in the reference to a suggested program which communities might use in cleaning up local newsstands. Two years ago Moultrie and Colquitt County formed a Parents' League which has been assisting in combating adult and youth delinquency. The youth have taken great steps forward in combating youth delinquency, but adult delinquency still continues to be a frustrating problem. The type of literature on the newsstand in Moultrie is a good example of this delinquency on the part of adults. Any information or assistance you may be able to offer us in combating this problem will be appreciated. Enclosed is a copy of the Teen-Age-Adult Goals which the youth of Moultrie and Colquitt County drafted about 1½ years ago. It is doing a very fine job and provides those young people without proper parental guidance with a standard to go by. Also attached is a pamphlet on the Parents' League which you may find interesting.

Yours very sincerely,

BERT HARSH,
Vice President.

Now, Mr. Speaker, it happens that the writer of this letter, Mr. Harsh, is not a resident of my district, his home town of Moultrie, Ga., being located in the Second District of our State. And, on this occasion, I would like to congratulate my colleague, Congressman J. L. PILCHER, who so ably represents that district, on the fine work being done by the citizens of his home area to protect their children and teenagers against a problem which they alone are powerless to cope with completely.

Mr. Harsh's letter and the pamphlets he attached, describing the work of the Parents' League of Moultrie, clearly reflect, I believe, the aroused interest and serious concern which parents and youth leaders all over the Nation now feel regarding the ever-growing rash of filthy literature spread before our young people.

Despite the work which, in Mr. Harsh's opinion, yet remains to be done to clear the news and magazine stands in Moultrie of obscene literature, the steps already taken by the progressive citizens of this forward-looking Georgia community are a heartening example of what can be accomplished on the local level when parents and civic leaders bestir themselves and make up their minds to put a stop to undesirable influences affecting their children, young people, and adults.

The plans and program of their newly formed Parents' League, as set forth in the pamphlet sent me by Mr. Harsh, are so inspiring that I would like to enter them in the RECORD. I do this not only as a tribute to these enlightened citizens in my home State of Georgia, but with

the belief that the practical steps which they have taken to safeguard the morals of youth may serve as a helpful guide to parents and leaders of young people in other American communities, who may wish to mobilize their efforts in similar fashion. On a later occasion, I will enter the second pamphlet sent me by Mr. Harsh, "Teenage Adult Goals," written by the students of Moultrie Senior High School. The bold action of the parents and community leaders of Moultrie and Colquitt County, Ga., make me proud, as always, to be a southerner.

Here is their program:

DEAR FRIEND: In every community throughout the United States, parents, teachers, teenagers as well as "just plain adults" are concerned over what is commonly referred to as "juvenile delinquency." Some communities have recognized the problem and have taken corrective action toward curbing them, while other communities have, as yet, done nothing.

Fortunately, the people of Moultrie and Colquitt County have been aroused to the challenge and have taken steps to abolish or at least curb delinquency by a multipronged attack against all problem areas.

One may ask, "But how did this movement get started," and "What brought Moultrie to realize that action was necessary?" The following story answers these and many more questions regarding what has taken place in this Georgia community.

Late in 1957, the Junior Woman's Club of Moultrie sponsored a series of talks before civic clubs and high school groups by Dr. Edwin Hartz, chaplain of Florida State University in Tallahassee, Fla. Dr. Hartz also talked to parents of children in the subteenage group as well as to parents of children in the upper teenage group. In addition, many private counseling periods were conducted by Dr. Hartz with teenagers regarding personal problems at home and otherwise.

As a result of Dr. Hartz's talks, interest grew rapidly in the problems which were daily confronting our teenage children and so great was the interest, that Mr. M. S. McDonald, senior high school principal, was invited by the civic clubs and other organized groups to speak and elaborate on the community's problems. Mr. McDonald's talks were frank, honest, and presented to the people of Moultrie a factual evaluation of existing conditions.

Following Mr. McDonald's series of talks, the question on everyone's lips was the same: "What can be done to correct these influences in Moultrie which are demoralizing our youth?"

First of all, a movement was started to develop a code of behavior for parents, teenagers, and teachers. Hundreds of hours were spent by teenagers, teachers, and parents in the development of a code of behavior for all people in the community. "The Code" as it is familiarly referred to, is a simple but exacting statement of "what we believe" concerning daily human behavior.

It was during the drafting of the code of behavior that it was realized that the code, by itself, could not easily stand up against some of the evil influences in the community. Specifically, there was no control over showing of questionable movies to teenagers; inadequate control over sale of alcoholic beverages to teenagers; nor was there any control over the sale of questionable literature on the newsstands. Further, it was realized that some sort of educational program should be developed to emphasize the responsibilities of adults and parents toward the children of the community.

This realization led to the meeting of all civic club and organized group presidents in an effort to determine an effective course of action. An outgrowth of several of these meetings was the founding of the Parents' League, a nonprofit organization with no outside affiliations or political purposes, but whose prime goal was "to promote and foster in Moultrie and Colquitt County a healthy and moral atmosphere in which our youth may properly develop their minds and bodies."

In organizing the Parents' League, the following steps were taken:

(a) Establishment of a steering committee made up of two civic club presidents, the juvenile court judge, a merchant, a county schoolteacher, a city schoolteacher, a minister, a housewife, the senior high school principal and the youth center advisor. (All but one are parents of children in a broad age range.)

(b) Immediate steps were made to secure support from every individual adult and parent in the community, as well as support from civic clubs and organized groups. Dues for membership were set at $1 per year for individuals and $10 to $25 per year for sponsoring organizations depending upon size and financial capabilities.

(c) Talks outlining the story of the Parents' League were scheduled before all interested groups, soliciting their moral and financial assistance. Civic clubs and other organized groups were requested to establish parents' league committees to work with the steering committee in working out problems.

(d) Method of operation was to take whatever action was necessary to apply pressure, publicize and condemn influences in the community which served to make the code ineffective. Use of newspaper advertising, television, radio and personal talks were to be the means for effecting the desired results.

It is believed that the people of the community are faced with a real challenge in that the youth played a big part in the establishment of the code and the burden now is upon the parents and adults to make it possible for the code to operate.

Today the youth of this community believe in the code and they believe the Parents' League will make it possible for the code to work. The youth in Moultrie, as in other communities are aware of the bad influences which confront them daily. If adults and parents close their eyes to these poor influences and refuse to confront the problems of our community, will not the youth do likewise and thereby be demoralized even further by this indifferent attitude?

INCLUDING FLOATING DRYDOCKS UNDER THE TERM "VESSEL"

Mr. BONNER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 107) to amend title XI of the Merchant Marine Act, 1936, relating to Federal ship mortgage insurance, in order to include floating drydocks under the definition of the term "vessel" in such title.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1101(c) of the Merchant Marine Act, 1936, is amended by striking out "and fishing vessels" and inserting in lieu thereof "fishing vessels, and floating drydocks" which have a capacity of thirty-five thousand or more lifting tons and a beam of one hundred and twenty-five feet or more between the wing walls.

SEC. 2. Subsection (a) of section 1104 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1274), is amended by deleting the word "or" before clause (d) of paragraph (8) and adding the following new clause at the end of paragraph (8): "or (e) with respect to floating drydocks, in the construction, reconstruction, reconditioning, or repair of vessels."

SEC. 3. Subsection (b) of section 1104 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1274), is amended by deleting the word "or" before clause (d) of paragraph (2) and adding the following new clause at the end of paragraph (2): "or (e) with respect to floating drydocks, in the construction, reconstruction, reconditioning, or repair of vessels."

The SPEAKER. Is a second demanded?

Mr. DEROUNIAN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BONNER. Mr. Speaker, the purpose of the bill is to amend title XI of the Merchant Marine Act of 1936 so as to include floating drydocks among the type of vessels eligible for Federal ship mortgage insurance in order to facilitate their construction through private financing.

Mr. Chairman, this bill passed the House in a previous session of the Congress but failed of passage in the Senate. The Senate has passed this bill, in an improved form, in this session of Congress. Now it comes to the House.

The bill would set a minimum limit as to the size of floating drydocks to be built under this bill. There is not one on the west coast at the present time able to take care of vessels of 45,000 tons. So, Mr. Speaker, to save my soul I cannot see why anybody would have any objection to this bill. It is my guess that the gentleman who demanded a second had in mind a different bill.

Mr. DEROUNIAN. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the gentleman.

Mr. DEROUNIAN. Is this bill the same as H.R. 5383?

Mr. BONNER. This is S. 107.

Mr. DEROUNIAN. It is not the same as H.R. 5383?

Mr. BONNER. No.

Mr. DEROUNIAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Speaker, I think the Members of the House should know that the administration opposed this bill and submitted an unfavorable report. The Navy indicated that there was no need for these floating drydocks. On the other hand, it is only fair to say that if someone wanted to get one of these floating drydocks without going to the Federal Government for mortgage assistance, he could get one built abroad and towed here, pay the duty, and get it a lot cheaper.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman.

Mr. BONNER. The gentleman knows that you cannot build a vessel abroad and bring it in here.

Mr. PELLY. I think they could bring in a floating drydock and still save money. Therefore I do not see why we

should not pass the legislation and I am not going to oppose it, on that account. I think it could be built in Japan or Germany and towed to this country, at a total cost less than it could be built in this country.

Mr. BONNER. That is the case with any vessel today. It can be built cheaper abroad. But we have tried to protect labor in this country.

Mr. PELLY. That is exactly what I have in mind.

Mr. BONNER. And we have tried to protect other things in this country. Certainly I do not advocate taking our capital out of this country and depriving labor of its earning capacity in order to do construction work in foreign countries. Drydocks of this size would be very essential if an emergency should arise and commercially at the present time they are necessary on the gentleman's own coast.

Mr. PELLY. I will say to my distinguished chairman that at the present time I do not believe there is any need for any more floating drydocks or any drydocks of any kind. We do not have enough ship construction going on to utilize the drydocks we have now.

We are not going to have enough ship construction going on to utilize the drydocks we have now. Nevertheless, I am not going to oppose this bill, because I believe if there are any floating drydocks they should be built in this country. Therefore, I am simply taking this time to have the record straight to show that while the administration opposes it, I am not going to oppose the bill myself.

Mr. BONNER. I thank the gentleman.

Mr. PELLY. Mr. Speaker, I yield such time as he may desire to the gentleman from Washington [Mr. TOLLEFSON].

Mr. TOLLEFSON. Mr. Speaker, this bill simply amends existing law which provides for insured loans for new vessel construction. The amendment simply adds the words "floating drydocks" to present law.

It was testified in the hearings of the committee that there are not sufficient drydocks to take care of the new large vessels which are being constructed. I think there is only one large drydock on the east coast sufficiently large to take care of some of the new tankers that are being built.

The House should note that this bill costs the Government nothing. It simply provides for insured mortgages. The Government simply insures mortgages which are given to the financial institutions, so there is no cost to the Government whatsoever. As a part of the premium, ½ percent, I think, is charged by the Government to take care of any possible losses which might come about as the result of the program.

I would urge the committee to approve this measure even though there has been some administration oposition to it. I urge you to do so first on the basis that it does not cost the Government anything, and second, that I believe in the future as these larger vessels are being built we will need this extra floating drydock as a defense and emergency facility.

Mr. BONNER. Mr. Speaker, I yield such time as he may desire to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT of Florida. Mr. Speaker, I favor this legislation. I should like to point out that the Navy in their report say:

> As there may be a possible mobilization deficiency of floating drydocks in a future emergency, this Department would favor legislation which would encourage the building of additional floating drydocks.

This is from their report, which appears in the committee report.

Personally, I know of no opposition to the legislation. I feel that this legislation should be enacted promptly.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill S. 107?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DETERMINING STATUS OF PERSONNEL AT MERCHANT MARINE ACADEMY

Mr. BONNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5383) to amend section 216 of the Merchant Marine Act, 1936, as amended, to clarify the status of the faculty and administrative staff at the U.S. Merchant Marine Academy, to establish suitable personnel policies for such personnel, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 216 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1126), is amended as follows:

(1) By amending subsection (a) to read as follows:

"SEC. 216. (a) The Secretary of Commerce is hereby authorized and directed, under such rules and regulations as he may prescribe, to establish and maintain the United States Maritime Service as a voluntary organization for the training of citizens of the United States to serve as licensed and unlicensed personnel on American merchant vessels. The Secretary is authorized to determine the number of persons to be enrolled for training and reserve purposes in the said Service, to fix the rates of pay and allowances of such persons, and to prescribe such courses and periods of training as, in his discretion, are necessary to maintain a trained and efficient merchant marine personnel. The ranks, grades, and ratings for personnel of the said Service shall be the same as are now or shall hereafter be prescribed for the personnel of the Coast Guard. The Secretary is authorized to prescribe, by rules and regulations, the uniform of the Service and rules governing the wearing and furnishing of such uniform of persons in the Service."

(2) By adding at the end of the section, two new subsections to read as follows:

"(e) To effectuate the purposes of this section, the Secretary of Commerce is authorized to employ professors, lecturers, and instructors and to compensate them without regard to the Classification Act of 1949, as amended.

"(f) On such date as may be fixed by the Civil Service Commission with the approval of the Secretary of Commerce, not later than one year from the date of enactment of this subsection, persons then serving as administrative enrollees shall be brought into the competitive civil service or excepted civil service in accordance with the Civil Service Act and rules, and shall thereafter be compensated in accordance with the Classification Act of 1949, as amended, except as otherwise authorized by subsection (e) of this section or other provisions of law, and shall be subject to other laws of general applicability to civilian employees of the United States, subject to the following exceptions and conditions, notwithstanding any other provisions of law:

"(1) The rate of basic compensation of any person serving as administrative enrollee on the date immediately preceding the date specified in the first sentence of this subsection (f) shall upon conversion provided for in this subsection be fixed at a rate which is not less than the combined basic pay and quarters and subsistence allowances received immediately preceding conversion, or the value of such allowances when furnished the person in kind at the rate and in the amounts theretofore authorized by regulation for such allowances. In the case of any such person whose combined basic pay and quarters and subsistence allowances, or value thereof when furnished in kind, exceeds the entrance rate of the grade or level in which his position is placed, the basic compensation of such person shall be fixed at that step in the grade or level which is equal to, or if none be equal, which represents the next higher regular or longevity step or level over the person's combined pay and allowances, as specified above, received immediately preceding the date of conversion. In any case in which no such rate exists in the grade of his position, his rate of basic compensation shall be fixed at the next regular salary rate which is not less than his combined basic pay and quarters and subsistence allowances, or value thereof when furnished in kind. For the purposes of determining eligibility for step increases following conversion, the basic compensation as an administrative enrollee prior to conversion shall be considered as the total amount or value of basic pay, subsistence, and quarters allowances. Any adjustment in compensation required by this subsection shall not be considered to be an equivalent increase in compensation for the purpose of a periodic step increase, nor an increase in grade or rate of basic compensation for the purpose of a longevity step increase.

"(2) The rate of basic compensation authorized by this paragraph shall continue until the person is separated from his position or receives a higher rate of basic compensation by operation of law or regulation.

"(3) Any person who, as a result of the action required under the first sentence of this subsection (f), becomes subject to the Annual and Sick Leave Act of 1951, as amended (5 U.S.C. 2061 and the following) shall be credited under that Act with all annual leave remaining to his credit as an administrative enrollee, at the rate of five-sevenths of a day of leave chargeable under the Act (5 U.S.C. 2064) for each calendar day of leave remaining to the credit of the enrollee, without regard to the limitations on maximum leave accumulation provided by the Act, and shall be credited with thirteen days of sick leave in addition to any leave recredit to which the employee may otherwise be entitled.

"(4) Active service of any administrative enrollee performed prior to the date specified in the first sentence of this subsection (f) shall be considered creditable as civilian employment in the executive branch of the Federal Government for all purposes, except that in computing length of service for the

purpose of title VII of the Classification Act of 1949, as amended, continuous service immediately preceding the date established under the first sentence of this subsection (f) shall be counted either (1) toward one step increase under section 701, or (2) toward one longevity step increase under section 703, as the case may be.

"(5) Persons converted from their status as administrative enrollees to positions by or pursuant to this subsection (f) shall not be entitled, upon conversion or subsequent separation from such position, to payment of travel and transportation expenses which otherwise may be authorized under the joint travel regulations on separation from the United States Maritime Service; nor shall such persons upon conversion to positions by or pursuant to this subsection be entitled to free medical, dental, surgical, and hospital care under section 322(6) of the Public Health Service Act of 1944 (58 Stat. 696; 42 U.S.C. 249)."

The SPEAKER. Is a second demanded?

Mr. DEROUNIAN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BONNER. Mr. Speaker, a great many people are interested in the Merchant Marine Academy at Kings Point. Some of these people live within the immediate vicinity of Kings Point and then there are others within the State of New York and in other States who are greatly interested in the Academy. I think the history will show that I have been tremendously interested in the Academy. I am interested in seeing it made a permanent Academy and so expressed myself when effort was made to do away with the Academy. My feeling here is that I want to help the Academy which has been wallowing around in a status of uncertainty long enough. The staff at the Academy has been in a state of flux long enough. This bill would provide a definite status for the faculty of the Merchant Marine Academy. At the present time, the majority of the faculty are employees of the Maritime Service and wear the uniform of that service. At the same time, by rulings of the Civil Service Commission, a great many of their rights are governed by regulations of the civil service. This bill places them in a full civil service status without the loss of any rights. Faculty members would be placed under the exempt clause in the same status as the civilian instructors at the Naval Academy and it places the Kings Point Academy in the same academic status, or at least in line with the status of the Naval Academy. It would give greater freedom to the administration in recruiting qualified instructors. That has been a question for some time.

Mr. Speaker, this has the approval of the Academy Advisory Board which board consists of prominent educators throughout the United States. They have expressed the view that the establishment of a permanent status would be most beneficial to the educational standards of the institution. When this bill was up for consideration in the committee, great interest was shown by the gentleman from Washington [Mr. TOLLEFSON], by the gentleman from California [Mr. MAILLIARD], by the gentleman from Maryland [Mr. GARMATZ] as well as other members of the committee. This bill was reported out unanimously by the subcommittee and was unanimously reported out by the full committee. I realize there are differences of opinion as to how this Academy should be run. There are many people who want all the instructors to wear a uniform and to be retired "to the service" as they call it. But there is no place to retire them to. There is no regular status of the merchant marine that wears the uniform. So this is the finest and best solution we have been able to come up with.

This bill, as was the previous one, is intended to contribute to the strength and efficiency of the American merchant marine. It will do that by putting the staff of the Merchant Marine Academy on a sound and orderly basis. These objectives are in strict accord with the Democratic platform in which it is stated that:

A strong and efficient American-flag merchant marine is essential to peacetime commerce and defense emergencies.

I am surprised that the Republican platform does not take similar cognizance of this important segment of our national security and commercial transportation system. Be that as it may, no partisan issue is involved in this bill for it was unanimously reported from the full Committee on Merchant Marine and Fisheries by the able membership of that group who know and understand our needs in this vital field.

Mr. TOLLEFSON. Mr. Speaker, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Washington.

Mr. TOLLEFSON. Mr. Speaker, this bill at the request of the administration comes from the Department of Commerce. The Department of Commerce together with the Civil Service Commission has worked on this legislation before submitting it to the House. They have worked out a plan under which they feel the administration of the Merchant Marine Academy at Kings Point will be improved considerably. Heretofore—and I do not suppose the word "hodgepodge" would be an accurate word to use in connection with the present administration setup—but there have been a number of questions raised over the years by the Civil Service Commission and by the Department of Commerce and also by the General Accounting Office. As a result of those questions, this legislation was proposed. The legislation, if enacted, will place the faculty at Kings Point in exactly the same status as the faculty of the Naval Academy. The committee felt that this was a fair manner in which to deal with the faculty, and also a fair manner in which to deal with the other employees of the institution. As the chairman has said, there has been a tremendous amount of interest in the legislation. There has been some opposition to it, mostly, however, off the committee by Members of the House who did not hear all of the testimony. Appreciating that these differences of opinion do arise, our committee felt that we wanted to support the request of the Department of Commerce and the Civil Service Commission.

I urge that the House approve the measure.

Mr. DEROUNIAN. Mr. Speaker, everything the distinguished chairman of the committee has said about helping the U.S. Merchant Marine Academy is true, and we are indebted to him for this service. I seem to be one of the few in opposition to the bill. It happens to be in my congressional district, and I know most of the personnel involved. I do know that running one of the great academies from a bureaucratic civil service desk in Washington is not the way to run a Federal academy. This is going to be the effect of the bill. It is true that the Academy has had its ups and downs. There has been some dissension among the faculty. In fact, the faculty almost unanimously oppose H.R. 5383 and recommend the bill that I advocated before the committee. The committee did not see it that way. I say again that this being the fourth arm of our national defense, we should have an academy that has a military aspect to it for discipline. It should not be just another civil service department, as I think H.R. 5383 would make it. For that reason I am opposed to the bill, and I shall vote against it.

I now yield to the gentleman from New York [Mr. BECKER].

Mr. BECKER. Mr. Speaker, I also oppose this bill. My colleague from New York [Mr. DEROUNIAN] is not alone in his opposition. The United States Merchant Marine Academy at Kings Point is one of our fine institutions. We all agree with that. We have lived with it for many years. We have had an opportunity, as other Members have, to appoint many fine young men to this Academy and to see them graduate and go, not only into the marine service, but also the U.S. Navy as Reserve officers. There is no question they have done an exceptionally good job under the type of administration they have been operating.

It is quite true, as the distinguished chairman of the committee has said, there has been some trouble over the faculty at Kings Point, but it is also true that the faculty at Kings Point is absolutely unanimous against being placed under Civil Service, and I cannot blame them one bit. There has never been a question in the faculty properly instructing the youth in that Academy, nor has there been any question of the type of student graduated from that Academy. That has never been denied by anyone. If that is true, then why should we place the Academy under civil service jurisdiction? I say that putting those men under military discipline is the best type of operation.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. BECKER. I yield to the gentleman from North Carolina.

Mr. BONNER. I want to point out to the gentleman, and call his attention to the report sent down by the Secretary of Commerce. I want to read to you his own language:

The view was expressed that the wearing of the uniform was necessary as an element in the system of discipline at the Academy.

However, this practice does not prevail at the Naval Academy nor at a number of military schools throughout the country and it is the view of the committee that while uniforms should be worn by those members of the staff concerned with cadet discipline, the wearing of uniforms by instructors solely concerned with the educational aspect of the institution is not a necessary requirement for the proper functioning of the institution.

Mr. BECKER. I, too, agree with that in part, but actually they have worn the uniforms ever since its inception.

Mr. BONNER. The disciplinarian work of the Academy will be handled by those in uniform.

Mr. BECKER. That may be quite true, I would say, but to me it does not work. The fact of the matter is, it has been operating very satisfactorily with the faculty wearing uniforms for the past 20 years. I subscribe to the fact that this Academy has been one of the finest, one of the best operated. I have been very close to it for many years. I have attended functions there; I have seen the operation of the Academy, know its personnel and the parents of men who have been trained there. I would say that the passage of this bill would be a disservice to the Academy. I hope the bill will be defeated.

Mr. TOLLEFSON. The gentleman expresses concern that the transfer to civil service status would not work out. Is it not true that the civilian faculty members of the Naval Academy are under civil service? And has not that worked out?

Mr. DEROUNIAN. Some are, but to put all members of the faculty under civil service will not work out in this instance.

Mr. MAILLIARD. Mr. Speaker, will the gentleman yield?

Mr. BECKER. I yield.

Mr. MAILLIARD. It seems to me the essential discussion here has not yet been touched upon; that is that under the present system the officers of the Academy at Kings Point, which we all agree is a very wonderful institution, wear the uniform of the Maritime Service which has not been required except in time of war. The result is that they get all the benefits of the military service with none of the obligations of military service. In other words they secure the advantage that we give to our military people because of their being subjected to orders all over the world. We give them certain tax benefits, certain retirement benefits, but in return they have this function. So they get all the benefits we give the military yet they cannot be ordered to go to any other place of duty. I do not blame them for wanting it. But wearing a uniform leads to the conclusion that they are entitled to this preferential position. It seems to me quite clear they are not entitled to it.

Mr. DEROUNIAN. Mr. Speaker, in reply to the gentleman from California let me say I have not intimated that there is nothing wrong with the way the Academy is being run. There are remedial measures that could be taken, but why abolish the whole present system instead of correcting it?

If these men do not have sufficient military obligations let us put military obligations on them; let us not just wipe out the whole structure and expect civil service job descriptions and a bureaucratic procedure from Washington to take care of things that are best handled on a person-to-person, man-to-man basis.

Again I urge that H.R. 5383 be defeated.

Mr. BONNER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and the Speaker announced that the Ayes appeared to have it.

Mr. DEROUNIAN. Mr. Speaker, I demand a division.

The House divided and the Speaker reported that there were ayes 52, noes 14.

Mr. DEROUNIAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 291, nays 90, not voting 50, as follows:

[Roll No. 185]

YEAS—291

Abbitt	Corbett	Hardy
Abernethy	Cramer	Hargis
Addonizio	Curtin	Harmon
Albert	Curtis, Mass.	Harris
Alexander	Daddario	Harrison
Alford	Daniels	Hays
Andersen, Minn.	Davis, Ga.	Healey
Andrews	Delaney	Hechler
Ashmore	Dent	Hemphill
Aspinall	Denton	Herlong
Auchincloss	Diggs	Hiestand
Avery	Dingell	Hogan
Bailey	Dixon	Holland
Barr	Donohue	Holtzman
Barrett	Dorn, S.C.	Horan
Bass, Tenn.	Dowdy	Huddleston
Beckworth	Downing	Hull
Bennett, Fla.	Doyle	Ikard
Blatnik	Dwyer	Inouye
Blitch	Edmondson	Irwin
Boggs	Elliott	Jarman
Boland	Everett	Jennings
Bonner	Evins	Johnson, Calif.
Bow	Fallon	Johnson, Colo.
Bowles	Farbstein	Johnson, Md.
Boykin	Fascell	Johnson, Wis.
Breeding	Feighan	Jonas
Brewster	Fenton	Jones, Ala.
Brock	Fisher	Jones, Mo.
Brooks, La.	Flood	Judd
Brooks, Tex.	Flynn	Karsten
Brown, Ga.	Flynt	Karth
Brown, Mo.	Foley	Kasem
Broyhill	Forrester	Kastenmeier
Buckley	Fountain	Keith
Burke, Ky.	Frazier	Kelly
Burke, Mass.	Friedel	Keogh
Burleson	Fulton	Kilday
Byrne, Pa.	Gallagher	Kilgore
Canfield	Garmatz	King, Calif.
Carnahan	Gary	King, Utah
Casey	Gathings	Kitchin
Celler	Gavin	Knox
Chamberlain	George	Kowalski
Chelf	Giaimo	Kyl
Chenoweth	Gilbert	Lane
Chiperfield	Granahan	Langen
Clark	Gray	Lankford
Coad	Green, Oreg.	Lennon
Coffin	Green, Pa.	Lesinski
Cohelan	Griffiths	Levering
Colmer	Gross	Libonati
Conte	Gubser	Lindsay
Cook	Hagen	Loser
Cooley	Haley	McCormack
	Halleck	McCulloch
McDonough	Perkins	Sisk
McDowell	Pfost	Slack
McFall	Philbin	Smith, Iowa
McGinley	Pilcher	Smith, Miss.
McGovern	Poage	Spence
McIntire	Porter	Staggers
McMillan	Powell	Stratton
Macdonald	Preston	Stubblefield
Mack	Price	Sullivan
Madden	Prokop	Taylor, N.C.
Mahon	Pucinski	Teague, Calif.
Mailliard	Quigley	Teller
Marshall	Rabaut	Thompson, Tex.
Martin	Rains	Thomson, Wyo.
Matthews	Randall	Thornberry
May	Ray	Toll
Merrow	Reece, Tenn.	Tollefson
Metcalf	Rees, Kans.	Trimble
Meyer	Reuss	Tuck
Miller, Clem	Rhodes, Pa.	Udall
Mills	Riley	Ullman
Moeller	Rivers, Alaska	Vanik
Monagan	Rivers, S.C.	Van Pelt
Montoya	Roberts	Van Zandt
Moorhead	Rodino	Wallhauser
Morgan	Rogers, Colo.	Wampler
Morris, N.Mex.	Rogers, Fla.	Watts
Morris, Okla.	Rogers, Tex.	Weis
Moss	Rooney	Whitener
Moulder	Roosevelt	Whitten
Multer	Rostenkowski	Widnall
Murphy	Roush	Wier
Natcher	Rutherford	Williams
Nix	Santangelo	Willis
O'Brien, Ill.	Saund	Winstead
O'Brien, N.Y.	Saylor	Wolf
O'Hara, Ill.	Scott	Wright
O'Hara, Mich.	Selden	Yates
Osmers	Shelley	Young
Passman	Sheppard	Zablocki
Patman	Shipley	
Pelly	Sikes	

NAYS—90

Adair	Derounian	Moore
Alger	Derwinski	Mumma
Allen	Devine	Nelsen
Anfuso	Dooley	Norblad
Arends	Dorn, N.Y.	O'Konski
Ayres	Dulski	Ostertag
Baldwin	Fino	Pillion
Barry	Ford	Pirnie
Bass, N.H.	Frelinghuysen	Poff
Bates	Goodell	Quie
Becker	Griffin	Rhodes, Ariz.
Belcher	Halpern	Riehlman
Bennett, Mich.	Henderson	Robison
Bentley	Hoeven	St. George
Berry	Hoffman, Ill.	Schenck
Betts	Hoffman, Mich.	Scherer
Bolton	Holt	Schneebeli
Bosch	Hosmer	Schwengel
Bray	Jensen	Short
Broomfield	Johansen	Siler
Brown, Ohio	Kearns	Simpson
Budge	Lafore	Smith, Calif.
Byrnes, Wis.	Laird	Springer
Cahill	Latta	Taber
Cederberg	Lipscomb	Utt
Church	Meader	Wainwright
Collier	Michel	Weaver
Cunningham	Miller, N.Y.	Westland
Curtis, Mo.	Milliken	Younger
Dague	Minshall	Zelenko

NOT VOTING—50

Anderson, Mont.	Hess	O'Neill
Ashley	Holifield	Oliver
Baker	Jackson	Rogers, Mass.
Barden	Kee	Smith, Kans.
Baring	Kilburn	Smith, Va.
Baumhart	Kirwan	Steed
Bolling	Kluczynski	Taylor, N.Y.
Brademas	Landrum	Teague, Tex.
Cannon	McSween	Thomas
Davis, Tenn.	Machrowicz	Thompson, La.
Dawson	Magnuson	Thompson, N.J.
Durham	Mason	Vinson
Fogarty	Miller, George P.	Walter
Forand	Mitchell	Wharton
Glenn	Morrison	Wilson
Grant	Murray	Withrow
Hébert	Norrell	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert and Mr. Morrison for, with Mr. Hess against.

Mr. Kirwan and Mr. O'Neill for, with Mr. Baumhart against.
Mr. Oliver and Mr. Baring for, with Mr. Kilburn against.
Mr. Magnuson and Mr. George P. Miller of California for, with Mr. Mason against.
Mr. Ashley and Mr. Holifield for, with Mr. Smith of Kansas, against.
Mr. Thompson of New Jersey, and Mr. Thompson of Louisiana for, with Mr. Taylor against.
Mr. Fogarty and Mr. Forand for, with Mr. Wharton against.
Mr. Machrowicz and Mr. Kluczynski for, with Mr. Withrow against.

Until further notice:

Mr. Durham with Mr. Glenn.
Mr. Anderson of Montana with Mr. Jackson.
Mrs. Kee with Mrs. Rogers of Massachusetts.
Mr. Teague of Texas with Mr. Wilson.
Mr. Walter with Mr. Baker.

Mr. DENTON changed his vote from "nay" to "yea."

Mr. ANFUSO changed his vote from "yea" to "nay."

Mr. FENTON changed his vote from "nay" to "yea."

Mr. UTT changed his vote from "yea" to "nay."

Mr. CHAMBERLAIN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

AMENDING AGRICULTURAL ACT OF 1937

The SPEAKER. The Chair recognizes the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 12341) to amend section 8e of the Agricultural Adjustment Act of 1933, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to provide for the extension of the restrictions on imported commodities imposed by such section to imported shelled walnuts, dates with pits, dates with pits removed, and products made principally of dates, as amended.

The Clerk read the bill as follows.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8e of the Agricultural Adjustment Act of 1933, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is amended by inserting in the first sentence thereof after "grapefruit," the following: "shelled walnuts, dates with pits, dates with pits removed, and products made principally of dates."

The SPEAKER. Is a second demanded?

Mr. HOEVEN. Mr. Speaker, I demand a second.

The SPEAKER. Without objection a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from North Carolina is recognized.

Mr. COOLEY. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. SAUND].

Mr. SAUND. Mr. Speaker, this bill seeks to amend section 8e of the Agricultural Adjustment Act of 1937. To put it in simple words, this bill will require a quality inspection on imported walnuts and dates, the same type of inspection that is required on walnuts and dates grown in the United States of America.

The Agricultural Adjustment Act has already been amended so far as the following agricultural products are concerned: tomatoes, avocados, mangoes, limes, grapefruit, green peppers, Irish potatoes, cucumbers, and eggplant. This bill will just add walnuts and dates to the list.

All the bill requires is a quality inspection. It does not attempt to restrict imports or to place any import quotas on dates and walnuts.

All it requires is a quality inspection.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. SAUND. I yield to the gentleman from Louisiana.

Mr. WILLIS. Would that quality inspection mean that these dates thus imported would have to stand the same quality test that domestic dates have to stand? Is that about it?

Mr. SAUND. That is exactly what it is.

Mr. WILLIS. What is wrong with that?

Mr. SAUND. I do not see anything wrong with it. I have been talking to Members on the floor of the House, and I have not found one Member who says he is opposed to it. All it will be is a protection to the consumers. The consumers will get good clean products because it has been inspected by the Department of Agriculture. If there are any objections raised against the bill and the chairman of the Committee on Agriculture will give me some more time, I will answer those objections.

Mr. HOEVEN. Mr. Speaker, I yield 2 minutes to the gentleman from Maine [Mr. MCINTIRE].

Mr. MCINTIRE. Mr. Speaker, this legislation is directed toward the application of grade and size restrictions in effect in walnuts and dates to imported walnuts and dates of and when marketing orders are in effect. All it does is simply say that when producers impose upon themselves by means of marketing orders certain grade restrictions, then imports must meet the same standards. It is as simple as that. It places no limitations on volume of imports. It simply says when producers domestically are imposing grade limitations on themselves, then the imports shall meet the same grade regulations as those the producers impose upon themselves.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. MCINTIRE. I yield to the gentleman from California.

Mr. TEAGUE of California. Mr. Speaker, as a member of the subcommittee that heard the testimony on this matter, this is meritorious legislation. There has been a whole lot of misunderstanding about it, but the gentleman in the well of the House has very well described the reason for the legislation. It is quite simple. It is not new. It is entirely sound and has my full support. I associate myself with the gentleman from Maine.

Mr. HOEVEN. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Speaker, I rise in support of H.R. 12341. This bill simply continues the principle this Congress established many years ago when it recognized in the case of quite a number of other commodities, that if the domestic producers in this country take the time and trouble to establish marketing orders under which minimum standards of quality and size are established, they should likewise have the same assurance that similar standards of quality and size shall be applied to any imports of the same commodity.

This Congress in previous years has applied this principle, as has been mentioned before, to tomatoes, avocados, mangoes, limes, grapefruit, green peppers, Irish potatoes, cucumbers, and eggplant.

The growers of both walnuts and dates have established each year domestic marketing orders, which orders state that if domestic growers cannot produce walnuts or dates that meet minimum standards of quality or size, the walnuts or dates involved cannot be marketed in this country. Since these growers, as a matter of stabilizing the market and as a matter of protecting the consumers, have taken these steps, certainly the same limitations should be applied to imports from overseas. The consumer has become accustomed to getting a certain quality product in the sale of these commodities, and if the consumer is accustomed to it, certainly we should protect him so that he can get that same product whether it comes from domestic producers or overseas producers. That is the sole purpose of this bill, to recognize a principle that has already been recognized repeatedly by this Congress.

Mr. Speaker, I hope that the bill will be adopted.

Mr. COOLEY. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. HAGEN].

Mr. HAGEN. Mr. Speaker, growers of certain crops throughout this country have seen fit to impose standards upon their commodities by way of marketing agreements which are designed to protect the housewife who buys these products. In that connection there has been written into the Agricultural Commodity Agreement Act a proviso saying that any foreign product of the same kind and character shall meet these quality standards in the case of certain named commodities. All this bill does is seek to add two products to that list, to wit, walnuts and dates.

It is true, as may be alleged by someone here, that the Food and Drug Administration does conduct some inspection of imports, but it is only a hit and miss sampling; it is not a total inspection. Even then the only standard applied is that of minimum wholesomeness. For example, in the case of walnuts, which are involved here, with respect to shrivel in the kernel, the Food and Drug standard is 5 percent tolerance and the USDA standard is only a

2 percent tolerance. On the issue of mold, the Food and Drug tolerance is 5 percent and the USDA standard is 2 percent. On the issue of rancidity, the Food and Drug tolerance is 5 percent and the USDA tolerance is 2 percent. Thus it is apparent these industry standards guarantee the housewife a higher quality of walnuts than she would get under the test applied by the Food and Drug Administration, so that this service which we are asking for is a very valuable addition to the protection that the U.S. housewife will receive. It has been estimated that it will not cost the taxpayers in excess of $25,000 and possibly less.

Marketing agreement programs have been used as a means of providing more orderly marketing of agricultural commodities. They are not the panacea to all the problems of agricultural producers who use them, but can be an effective marketing tool.

Under the present Agricultural Marketing Agreement Act when a marketing agreement or marketing order is in effect for tomatoes, avocados, mangoes, limes, grapefruit, green peppers, Irish potatoes, cucumbers or egg plants the importation of these commodities may be regulated. No regulation of imports of these commodities can occur unless regulations under a marketing order are in effect governing the size, grade, quality or maturity of any of the above named commodities produced in the United States.

If any of these type regulations are in effect on these commodities the importation of the commodities into the United States is prohibited unless the imported commodities comply with the same grade, size, quality and maturity regulations issued under the marketing order.

If there are two marketing orders in effect in the United States regulating the same commodity the Secretary of Agriculture has the authority to establish regulations which will come the closest to the imported products. The Secretary also has authority to establish regulations which are equivalent or comparable to those imposed upon the domestic commodity if there is a difference.

This legislation would add shelled walnuts, dates with pits, dates with pits removed and products made principally of dates to this list of agricultural commodities in the Marketing Agreement Act that require imported commodities to meet the same or comparable grade, size, quality and maturity provisions as those in effect under a domestic marketing order. I do not believe it is unreasonable to require that commodities imported into this country meet the same quality standards that our domestic producers impose upon themselves under a Federal marketing order program. If lower standards exist for the imported commodities they tend to defeat the purpose of the quality control and orderly marketing programs which the marketing order program was designed to establish.

To my knowledge the use of this requirement for those commodities for which such authority is now provided in the Act has worked well. I have no reason to believe that it will not work in the case of dates and walnuts. I do not believe that it will establish any particular hardship on the importers of these commodities.

I believe these commodities should be added to the Marketing Agreement Act. I urge the passage of H.R. 12341.

I would like to read this telegram as a conclusion of my argument:

Hon. HARLAN HAGEN,
House of Representatives,
Washington, D.C.:

H.R. 12341 scheduled for consideration today under suspension rules. Would add dates and walnuts to list of commodities requiring imported products to meet domestic grade and quality standards when marketing orders are in effect. Believe it is reasonable to require that commodities imported into this country meet same quality standards as our own producers impose upon themselves under a Federal marketing order program. Farm Bureau favors H.R. 12341 and urges your suport.

JOHN C. LYNN,
Legislative Director,
American Farm Bureau Federation.

Mr. COOLEY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. MCFALL].

Mr. MCFALL. Mr. Speaker, I rise in support of H.R. 12341 which would provide quality controls on the importation of dates and walnuts. This legislation is a matter of simple equity and protection to both the consumer and the farmer of this country.

The legislation under consideration would amend section 8(e) of the Agricultural Marketing Agreement Act of 1937. That section provides that whenever a marketing order is issued regulating the grade, size, quality, or maturity of certain specified agricultural commodities, imports of these commodities shall be prohibited unless such imports comply with the grade, size, quality, and maturity provisions of the marketing order. The commodities now covered by this section are tomatoes, avocados, mangoes, limes, grapefruit, green peppers, Irish potatoes, cucumbers, and eggplants. The amendment simply seeks to add shelled walnuts and dates to this list of commodities. This bill originally would also add citrus fruits and figs and fig products but it is understood that the latter products have been dropped and are not before this committee for consideration.

Similar legislation was before the House in 1958 and received a strong majority vote but failed of passage because of the two-thirds vote required under the parliamentary situation. The two-thirds vote will also be required today for the passage of this legislation.

I am the author of H.R. 1018 and H.R. 1019 which would provide quality controls for imported walnuts and my bills were incorporated into H.R. 12341, when reported by the House Agriculture Committee.

The elimination of substandard walnuts from the market tends to stabilize prices for the standard walnut packages which are acceptable to the consumers and also tends to increase demand for the product.

Under the existing marketing order American walnut shellers are required by law to grade and ship only such classes of shelled walnuts as meet the standards established pursuant to the marketing-order regulations.

Consumer and manufacturers responded dramatically to the improved quality of the domestic shelled walnuts with consumption here in the United States increasing by 6 million pounds after 1 year of operation under the quality controls. Sales of domestic shelled walnuts are still trending upward so there is no doubt in our mind that this quality control is extremely beneficial to the industry.

However, the purpose of the marketing order breaks down if the imported walnuts are allowed to come in and be marketed in substandard grades.

It would appear only fair to use the same quality standards for competing imports as are now being used on domestically produced walnuts and I urge your favorable vote on this legislation.

Mr. HOEVEN. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I have listened with a great deal of interest to the debate that has taken place thus far, because this is the same old bill and the same old story that we have had before this House several times in the past. A bill similar to this was defeated in the House, as you well know. The bill has been taken off the Consent Calendar several times by the objectors. It has been brought before the Committee on Rules and tabled there.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. Very briefly.

Mr. COOLEY. Will the gentleman tell us when this bill was defeated on the floor of the House?

Mr. BROWN of Ohio. A bill similar to this.

Mr. COOLEY. When was that?

Mr. BROWN of Ohio. About a year or so ago. Just look up the RECORD. The gentleman ought to stay here and he would be amazed at what goes on.

Mr. COOLEY. I do stay here. I think the gentleman is in error.

Mr. BROWN of Ohio. Mr. Speaker, I decline to yield further.

Mr. COOLEY. No such bill has been defeated. If the gentleman will look up the RECORD, he will find out.

Mr. BROWN of Ohio. The gentleman will find out that there has been such a bill defeated. I think the memory of most Members of the House is pretty good.

Mr. Speaker, what does this bill do? Let us talk facts for a little while. This bill is designed for one purpose and one purpose only and that is, of course, to restrict the importation of two particular commodities; primarily dates and secondly walnuts. It restricts these importations by setting up certain standards through the Department of Agriculture that only American products could meet as the standards are drawn.

Nothing has been said here about the testimony that was given in connection

with this bill. If you look at your RECORD and your report you will find that three great departments of this Government are opposed to this legislation. The State Department is opposed to it, the Department of Commerce is opposed to it, and the Department of Health, Education, and Welfare is opposed to the enactment of this particular legislation.

Why is this bill before us? It is before us because only in one section of this country, as I understand it, are any amounts of dates produced. That happens to be in the very dry desert air around Indio, Calif. I cannot blame anyone from California who wants to protect his particular industry. But the proposal here is to do something to protect one industry or one business in the country; perhaps two, if you include walnuts, which are included under this bill. If we are going to do such a thing to protect an American industry from foreign competition, why not pass a general law to protect all American industry? We have industries in our own district that would like some protection.

Mr. DORN of New York. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. DORN of New York. Would not this put an enormous number of importers on the East Coast out of business?

Mr. BROWN of Ohio. Yes; I want to come to that point, if I may, in just a minute.

Mr. Speaker, California dates are wonderful dates. They are good to eat. But they do not keep in the ordinary process of manufacture. The dates that come from the Far East are a different type entirely. When they are dried they will keep for as long as 2 or 3 years on the shelf. They are used by all the baking industry of this country to make cakes, cookies, cake mixes, and different food products. Why? Because American dates cannot be used by industry unless refrigerated and usually spoil within 90 days. As a result, practically all of the producers of our cakes and cookies and cake mixes and all the different foods in which this product is used as a dried material, use the foreign imports and they oppose legislation of this type. That is the reason why legislation of this same type was defeated in this House and not too long ago.

Mrs. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentlewoman.

Mrs. CHURCH. Mr. Speaker, I would like to commend the gentleman from Ohio for calling to the attention of the House the fact that this bill was defeated on previous consideration. But I wanted to ask him in particular concerning the statement, in the committee report, of Mr. True D. Morse, Acting Secretary of Agriculture, who, while he says he does not object to the passage of the bill—which is certainly mild commendation to say the least—does go on to say,

> The Departments of State, Commerce, and Health, Education, and Welfare do not concur with the position taken by this Department on the proposed legislation. Enclosed are copies of letters from the abovementioned Departments in which their views are set forth.

However, I would say to the gentleman from Ohio that nowhere in the committee report do we find those reports which are opposed to the bill. Is that not an odd fact? Can the gentleman tell me if it is not the usual custom to include all Department reports, favorable or unfavorable?

Mr. BROWN of Ohio. This is a very well drawn report to actually favor a bill that the departments do not favor. I do not know the reason the report was drawn as it was; but I want to hasten on, if the gentlewoman will permit me.

It was stated here on the floor a moment ago that the Department of Agriculture approved this bill. It did no such thing. If you will read that report, the Department of Agriculture said they simply did not object, but pointed out that all the other departments and agencies did object.

The statement has been made here, and it has been whispered all around, about how impure these dates imported from abroad might be. They are checked, of course, and all tested by the Food and Drug Administration, just as our own dates produced in this country are checked before they can be sold for human consumption.

Let me say just a word or two in the best of good humor. We have heard a great deal in this House about payola. We have had a committee investigating payola. It is a shocking, terrible thing about payola. I would not charge for one moment that we have had payola here in the House of Representatives this afternoon, but somehow or other we have had three or four boxes of dates suddenly appear in the cloakrooms.

I hope that all the men who ate the dates will think it proper to vote against this bill, regardless of what kind you may have eaten. I say that because you had two kinds of dates put here suddenly this afternoon when this bill came here, one California-produced dates and the other one from the Near East. If they were as rotten, as bad, as some people told me they were, I hope none of you die tonight of ptomaine poisoning from eating any of those imported dates, because I happened to get a wrapper off a box of these dates that were put here for the use, not of payola—oh, my, no—but just having them here for the pleasure of the Members of the House the first day we happened to go to work in earnest. These happen to be imported dates, fancy, pasteurized, grown in Iraq, distributed by Calavo Growers of Los Angeles. There is your racket. In other words, they import these same dates that they say are so terrible in quality and they sell them like the same group that is telling you you ought to pass this bill. They are distributing and selling them out in California. What a terrible thing that is. My goodness, if that is right, if we ought to have restrictions to protect the American consumers, why do not our friends in California start right at home and have this Calavo—or whatever the name is—Growers of California, start selling California dates and not distribute these dates from abroad.

Mr. DORN of New York. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. DORN of New York. Is it not a fact that it would increase the price almost 50 percent to the American housewife if this bill passed, if this competition were prevented?

Mr. BROWN of Ohio. It would be the American housewife who would be unable to get dates, cookies, and food mixes of any keeping quality unless they bought foreign dates perhaps through Calavo Growers of Califoria, Inc., of Los Angeles.

So why not just leave it all alone as it is; let the natural law of competition work. Let us do what we have had to do, what American industry has had to do for many years, get the kind and type of dates we must have for the production of cakes and cookies and all these food mixes that will keep from the place they can get them, not get a kind of dates just because they are produced at home.

Let me conclude by saying this: If we are going to do this, if we are going to pass special legislation for the protection of one particular product in America, then in the name of fairness let us pass legislation that will protect every other product that may be manufactured or produced in your district and my district, because we are all faced with foreign competition. Let us be sensible. Let us either do what we have done in the past, kill this bill—or let us get a bill up here that will include all of the different products of America, whether they be from the farm or the factory, that run up against foreign competition.

Mr. HOEVEN. Mr. Speaker, I yield such time as he may require to the gentleman from California [Mr. TEAGUE].

Mr. TEAGUE of California. Mr. Speaker, I would like to ask this question of the gentleman from Ohio: Am I correct in deducing that the primary objection you have to this legislation lies in the field of dates rather than walnuts?

Mr. BROWN of Ohio. Yes; I do not know anything about walnuts, but I do know a lot about dates because I have had many dates of my own. But, we do not produce dates in Ohio. We have a great many people in Ohio and throughout the country who have written to me as a member of the Committee on Rules when this bill was originally up and, also, since that time, explaining the damage that this was doing to American industry and to American consumers by this legislation as far as dates are concerned, and they did not mention walnuts at all. You can take your walnuts and do as you please with them, but I do not think we have to pass this legislation about these dates.

Mr. COOLEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, apparently, the gentleman from Ohio has no real objection to this bill other than that it does not include all agricultural commodities, which might be adversely affected by imports. Actually, the law now covers

tomatoes, avocados, mangoes, limes, grapefruit, green peppers, Irish potatoes, cucumbers and eggplants and I can see no objection to including dates that are coming into this country from Iraq and Iran and other places in a very unsanitary condition and being sold in competition with clean, wholesome dates that are produced and packaged right here in our own country. Our colleague, the gentleman from California [Mr. SAUND], passed around pictures so that each Member of the House could see the unsanitary packaging of dates that are coming in in competition with domestically produced dates. If the gentleman from Ohio wants to include some other commodities, I am certain he has had opportunity heretofore to propose such inclusion and, yet, has failed to do so. I want to take this opportunity to congratulate and to commend our colleague, Congressman SAUND of California. He has been untiring in his efforts to protect the American consumers of dates which are imported from far distant countries, not because he is selfish and wants to protect the date producers of his own district merely. The producers of Judge SAUND'S district are not afraid of legitimate competition, but they do not want to sell and to market dates produced in America and harvested and packaged and offered for sale as a sanitary and wholesome food product in competition with dates which are not subjected to inspection and are not free from filth and perhaps even disease. Judge SAUND has not only championed the cause of the date producers of his district, but he has at all times been intensely interested in the welfare of all of the farmers of his district, State and Nation. While he is not a member of the House Committee on Agriculture, he has frequently appeared before that committee and has cooperated with the members of the committee in efforts to solve the many problems of the farmers of America. I am very grateful to him for the help he has given to us.

The SPEAKER. The time of the gentleman has expired.

Mr. COOLEY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. CLEM MILLER].

Mr. CLEM MILLER. Mr. Speaker, the gentleman from Ohio has said that the importation of dates and other products might raise prices. Actually, what this bill is about is a matter of fairplay. We want the products coming in from foreign countries to meet the same high standards that our own products have to meet. That is the issue involved in this bill. The question is—Will foreign products meet our standards that our products have to meet in order to be marketable? Is it anything less than fairplay that the products coming into our country from overseas meet these same standards? This in no way is intended to penalize foreign products being imported, but merely to upgrade their standards so that they will meet our standards.

Mr. Speaker, I urge that this bill be enacted into law.

Mr. HOEVEN. Mr. Speaker, I yield 1 minute to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Speaker, I take this time because during the debate I heard the gentleman from North Carolina [Mr. COOLEY] challenge the gentleman from Ohio [Mr. BROWN] on his statement that this bill had been defeated on the floor of the House.

On August 4, 1958, volume 104, part 12, page 16096, there was under consideration a bill dealing with the regulation of imported agricultural commodities. The bill mentioned dates, figs and some other items.

The vote was on August 6, volume 104, part 13, page 16419. The ayes were 136; the noes 109, and the bill failed of passage under suspension. So the gentleman from Ohio was eminently correct.

Mr. COOLEY. Mr. Speaker, I yield myself 1 minute to reply to the gentleman from Missouri.

As the gentleman knows, that was not an identical bill with the one now before the House.

Since that time our committee has considered the matter and the bill was amended. The author was authorized to introduce a clean bill which now limits the legislation to two commodities. There is an entirely different situation today than there was then, on the bill which the gentleman from Ohio says was defeated on a motion to suspend the rules.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. CURTIS of Missouri. The point is that this was similar. Certainly dates were involved. I well remember because I participated in the debate and was particularly concerned about the problem. At that particular time dates were involved. So there was a similar situation.

Mr. COOLEY. Dates were in the bill, but with other commodities.

Mr. CURTIS of Missouri. With some others.

Mr. COOLEY. Now we have two commodities. Why should we permit these dates to come in, in competition with American-grown products?

Mr. HOEVEN. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. TEAGUE].

Mr. TEAGUE of California. Mr. Speaker, I rise merely because the gentleman from Ohio mentioned the fact that Calavo imports dates from Iraq or Iran. I would like to point out to the gentleman that Calavo is a California company not involved in marketing domestic dates. It did not testify for or against this bill, and Calavo is in the same position as any other domestic company.

Mr. BROWN of Ohio. If these imported dates are so rotten as has been described by Members of the House on the floor, why were they placed in the cloakrooms to be fed to the Members of the House?

Mr. TEAGUE of California. I think they were put there that a comparison could be drawn between the imported dates and the domestic dates.

Mr. BROWN of Ohio. You should have warned the Members if they were so dangerous.

Mr. TEAGUE of California. They did not come from my district.

Mr. HOEVEN. Mr. Speaker, I have no further requests for time.

Mr. COOLEY. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. SAUND], author of the bill.

Mr. SAUND. Mr. Speaker, I will not take the full 3 minutes. The only thing I wish to say is that I put those dates in the cloakrooms and did it for a particular purpose. We are not against importing good dates. We concede that the best dates in the world are grown in Arabia, in Iraq, and Iran. The only difficulty arises when they pack all those dates together with pounds of flies and other dirty materials. When they come over here they are not safe.

I wanted to show that good dates are grown in Iraq and Iran. We want to help those people pack those dates so the good image of the dates which we have had brought into the United States before should be maintained.

I will tell you what we are against. Here is a file from the Department of Agriculture covering a shipment of dates supposedly inspected. Those dates were grown in Iraq, Growth No. 195, and this is what the Department of Agriculture found in it: Foreign material, straw, dirt, and rodent excreta.

That is what we are against, Mr. Speaker.

We are spending hundreds of thousands of dollars sending technicians from the United Nations to Iraq and Iran to teach them methods of properly packing their dates. We are only against the dirty dates that come in. With that situation corrected I believe it will be all right.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and the Speaker announced that two-thirds had voted in favor of the bill.

Mr. BROWN of Ohio. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

Mr. BROWN of Ohio. Mr. Speaker, I demand a division.

The House divided and there were—yeas 172, nays 54.

So (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

The title was amended so as to read: "A bill to amend section 8e of the Agricultural Adjustment Act of 1933, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to provide for the extension of the restrictions on imported commodities imposed by such section to imported shelled walnuts, dates with pits, dates with pits removed, and products made principally of dates."

LEGISLATIVE PROGRAM

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, may I ask the majority leader if he will inform us about the program for tomorrow?

Mr. McCORMACK. I will be very happy to.

The bill, H.R. 7201, will not come up for consideration tomorrow. It is taken off of the program.

The rest of the program will follow, first the contempt citation in the case of the New York Port Authority and several contempt citations coming from the Committee on Un-American Activities. Of course, they will follow call of bills on the Consent Calendar and Private Calendar. Thereafter, Senate Joint Resolution 170, relating to participation in the North Atlantic Treaty Organization, will come up for consideration.

DISPENSING WITH CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of this week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF AGRICULTURAL SERVICES TO GUAM

Mr. COOLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9866) to establish Federal agricultural services to Guam, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to establish and maintain an agricultural program in Guam which will include such programs administered by the United States Department of Agriculture, hereinafter referred to as "Department", as are determined by the Secretary will promote the welfare of that island. This authority may be exercised without regard to section 25(b) of the Organic Act of Guam (64 Stat. 390; 48 U.S.C. 1421c(b)) or any other provision of law under which Guam may have been excluded from such programs. The Secretary is authorized to provide for such modification of any such programs extended to Guam as he deems necessary in order to adapt it to the needs of Guam. The program authorized by this section shall be developed in cooperation with the Territorial Government of Guam and shall be covered by a memorandum of understanding agreed to by the Territorial Government and the Department. The Secretary may also utilize the agencies, facilities, and employees of the Department, and may cooperate with other public agencies and with private organizations and individuals in Guam and elsewhere: *Provided,* That the number of employees of the United States Department of Agriculture stationed on Guam to carry out the purposes of this Act shall not exceed five at any one time.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act. The moneys appropriated in pursuance of this Act shall also be available for the purchase and rental of land, the construction or acquisition of buildings, for the equipment and maintenance of such buildings, and such other expenditures as may be necessary to carry out the purposes of this Act. Sums appropriated in pursuance of this Act shall be in addition to, and not in substitution for, sums appropriated or otherwise made available to the Department, and may be allocated to such agencies of the Department as are concerned with the administration of the program in Guam.

The SPEAKER. Is a second demanded?

Mr. HOEVEN. Mr. Speaker, I demand a second.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. COOLEY. Mr. Speaker, I shall not consume very much time. I think if you will listen to the reading of this brief paragraph, you will understand the purpose of this bill.

The purpose of this bill is to authorize the Secretary of Agriculture to carry out a small program of technical agricultural assistance for the 40,000 American citizens who are natives and residents of the island of Guam. Under the terms of the committee amendment, not more than five employees of the Department of Agriculture could be assigned to Guam for purposes of this act at any one time. The Guam government now has a small extension service working with its farmers but it has no agricultural experiment station, State college, soil conservation service, or agricultural conservation program committee upon which to draw for technical advice and assistance. It is the intention of this bill that the Secretary of Agriculture should organize for the island of Guam a small, technical task force to provide for the Guam extension service and through it to the people of the island, technical agricultural information and advice which is not now available to them from any source.

My recollection is, Mr. Speaker, that there was little, if any, opposition to this bill in our committee. The bill was approved by the Department of the Interior. I have a letter addressed to me signed by Mr. Roger Ernst, Assistant Secretary of the Interior, dated April 25, 1960, and also a letter from Mr. True D. Morse, Under Secretary of Agriculture, dated November 20, 1959.

Without discussing the matter further, unless there are some questions, I shall conclude my remarks.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Iowa.

Mr. GROSS. How many Agriculture Department employees are presently in Guam?

Mr. COOLEY. I do not know that there are any. I am not certain that there are any Agriculture employees now on the island of Guam. Perhaps employees have visited there from time to time on special missions.

Mr. GROSS. Would the gentleman say again how many this bill proposes to put on the island of Guam?

Mr. COOLEY. Not to put any on the island of Guam other than those who might be sent there by the Secretary of Agriculture from time to time as needs on the island arise. We have limited the number to five.

Mr. GROSS. Is there any limitation? Is there any number?

How many would the gentleman anticipate would be sent there?

Mr. COOLEY. Not to exceed five under any circumstances, but I would say that perhaps after a team of three or four or five have visited the island and surveyed the situation and had drawn up a program, that most of them, or most all of them, would come back to Washington.

Mr. GROSS. How many farmers are there on Guam?

Mr. COOLEY. I am not certain, but a very small number, a comparatively small number. But, we still have 40,000 Americans there on the island, and most of the population on the island, I think, perhaps are now employed by the Federal Government in some sort of activity on the island.

I appreciate what the gentleman has in mind, that we are perhaps going into a broad, comprehensive program, an expensive program. But, this committee went into the matter very thoroughly, and I agree that 40,000 people, perhaps, when related to the entire population of America or your district or my district, comprises a very small number of people. But, they are isolated, away from the mainland, and the committee believes and the Department of Agriculture believes and the Department of the Interior believes that we should not neglect them but to take some interest in them and give assistance to them.

Mr. GROSS. It seems to me that one Agriculture employee ought to be sufficient at any time.

Mr. COOLEY. I said in the committee, I might say to my friend, that I thought one good county agent could go out there and solve the problem.

Mr. GROSS. I think so.

Mr. COOLEY. But we limited the number to five, and it all depends on the wishes of the Secretary of Agriculture who is in office at the time the need arises.

Mr. WESTLAND. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Washington.

Mr. WESTLAND. I was in Guam last fall. I believe there are 39 farmers out there.

I believe their gross product is about $200,000. I am not positive that that is the exact figure, but I think it is correct. This seems completely ridiculous to me, to send at least five people from the Department of Agriculture to Guam.

Mr. COOLEY. Not at least five people.

Mr. WESTLAND. If you limit them to five, there will be five, all right. They would go out there to look after 39 farmers with a gross product of about $200,000, as I recall the figure.

Mr. COOLEY. I agree with the gentleman that we should not send more people out there than are actually needed. But are you not willing to trust your own Secretary of Agriculture? He is not mine, but he will be your Secretary of Agriculture until January and then we will have another one whom we will have to trust. I say that

advisedly, because I see that your candidate does not want him and we will not have him. So we will have someone else in Mr. Benson's place after January.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Texas.

Mr. POAGE. Is not this the real question, not how many farmers there are on Guam today, but how we are going to provide for the needs of that island to provide its own sustenance as we withdraw our large military establishment? And we are withdrawing a large number of those people. And the people on Guam, as they lose jobs with our military establishment, have got to become more and more self-sufficient.

Mr. COOLEY. I think the whole idea here is to fix up a program which will enable the people of the island to produce at least some of the things that they need to live on, to subsist on, in the years ahead.

Mr. THOMSON of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. THOMSON of Wyoming. Am I to understand from the committee report that the cost of this would approximate $100,000 a year, to take care of this gross of $200,000 a year in agriculture, as suggested by the gentleman from Washington [Mr. WESTLAND]?

Mr. COOLEY. I cannot imagine that any Secretary of Agriculture would spend $100,000 a year on the island of Guam. I do not see anything in the report to indicate that the expenditures would amount to any such figure.

Mr. THOMSON of Wyoming. Was this program activated by reason of a request from the committee for a program from the Department under date of May 20, 1959? Did the committee make a request setting off such a program?

Mr. COOLEY. I have here a letter to me from the Department of Agriculture saying:

> This is in reply to your letter of May 20, 1959, requesting a draft of legislation embodying the recommendations contained in the Department's report on the agricultural needs of Guam.

Apparently Secretary Benson wrote to me on May 20, 1959. I replied and asked him to send up a legislative draft to carry out his recommendations and on November 20, 1959. I apparently received a draft from the Department.

Mr. THOMSON of Wyoming. I refer to the report on page 3 which says:

> On May 20, 1959, the chairman of this committee wrote to the Secretary of Agriculture requesting that the Department draft a bill embodying the recommendations of its study of the agricultural needs of Guam.

Was that initiated by the committee?

Mr. COOLEY. It was prompted by the Department's report. The Department made a report which it filed with us. We asked the Secretary to put his recommendations in legislative form.

Mr. THOMSON of Wyoming. I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. GROSS. Does the gentleman say that he does not think this will cost $100,000 a year?

Mr. COOLEY. The Department estimates that the program would not exceed $100,000. I cannot conceive that the Department would spend that amount of money on the island of Guam.

Mr. GROSS. I thought the gentleman said that it would not cost $100,000.

Mr. COOLEY. I said that it would not exceed that.

Mr. GROSS. $100,000 is not exactly alfalfa, even if it is spent on Guam.

Mr. COOLEY. I agree with the gentleman.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. SCHWENGEL. I have followed this discussion with interest. I felt that there is probably some really good reason for this legislation. Just yesterday and the day before we had a big conference out in my State to discuss some of the agricultural problems. One of the things that was discussed and one of the things they wanted, was a conservation reserve program everybody agreed was needed. I suppose that is about as important as the program in this bill. I just wonder if the chairman of the committee is going to get a bill like that out of his committee before we leave here this time.

Mr. COOLEY. I do not know whether we will be able to get a bill out of the committee before we leave this time, but I remind the gentleman of the fact that this House and the other body passed at least five agricultural bills that your President has vetoed. We are going to leave that record written here that you cannot erase.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. O'HARA of Illinois. Mr. Speaker, I commend the distinguished chairman of the great Committee on Agriculture for his wisdom and his vision in bringing this bill to the floor of the House. I say vision, Mr. Speaker, because nothing is watched more closely by the peoples of far away lands than our treatment of our own Guam. This the chairman of the Agriculture Committee well knows. It is understandable to my colleagues why my interest in Guam is so intense. Guam was ceded to the United States by the Treaty of Paris following the Spanish-American War. Since that war which was fought and won more than six decades ago the Stars and Stripes have flown over the island of Guam. The soil of this small island far in the Pacific is American soil. The men and the women and the children of Guam are Americans.

I would be abashed if a majority of my colleagues here in the House should turn their backs on this little part of the United States of America tucked far away in the Pacific. As a veteran of the Spanish-American War that brought Guam under the Stars and Stripes, I confess I would have a sense of disillusionment.

I appreciate that this bill is brought up under suspension of the rules and that the issue of cost has placed in the consideration of the bill a controversy that was unexpected. I do not think that the cost of the contemplated program would reach anywhere near $100,000, but that is the figure that has been flung at a wearied House at the close of a long legislative day. I trust that despite all this that sufficient of my colleagues will have the wisdom and the vision of Chairman COOLEY to give to the bill the two-thirds vote required when measures are brought to the floor under suspension of the rules.

But if this should prove not to be the case then I trust that the vote will show that a majority of the Members of the House of Representatives of the Congress of the United States had taken their place by the side of Guam by voting affirmatively. Under the normal procedure a bill is passed when a majority of the members voting answer "aye." If the required two-thirds vote is not achieved, but nevertheless a majority of the members vote affirmatively, then the people of Guam may have the assurance that come another Congress, and a similar measure brought up in the regular order, the measure will pass.

I am sorry the issue has become so clouded. The simple fact is that agriculture was Guam's major industry and the island was largely self-sustaining in food production until the incident of World War II and the Japanese invasion and occupation brought about a change. The result is that Guam now produces only a small percentage of its fresh fruits and vegetables and virtually none of the meats and poultry on the commercial market. Surely Guam should be provided with help to reestablish its agriculture. Let us not turn our backs on Guam, if we expect to hold the goodwill of the peoples in other faraway lands in a questioning world of change.

I hope that the Members on my side of the aisle, in great preponderence of number, will vote for H.R. 9866. I hope that my colleagues on the other side of the aisle will leave the little Island of Guam out of the political pot in a presidential election year and will vote, as their good hearts and minds I know would dictate, to do the right thing for this bit of the United States tucked far away in the Pacific.

Mr. COOLEY. I thank the gentleman for his observation.

I had occasion to visit Guam on one occasion. I know they did have a small farm population with a few chickens and a few pigs and a few cows. While I was there I found out that some experts of the Department of Agriculture had sent some cows to Guam. Unfortunately all of the cows were bred at the same time; they came fresh at the same time, and all went dry at the same time, and they had no milk on Guam. We do not anticipate that that will happen again. We do need some advice on developing agriculture there. I hope the bill will pass. A vote against this bill is a vote of lack of confidence in the Secretary of Agriculture, Ezra Taft Benson, and his associates. It is likewise a vote against the Secretary of Interior and his

associates. If you want to repudiate Mr. Benson again, here is your chance. As often as I have disagreed with Mr. Benson, on this occasion I find myself in agreement with his recommendations. The whole idea originated in the Department of Agriculture. The recommendations of the officials of the Department of Agriculture prompted me to introduce the bill; and, I repeat, I hope that the bill will be passed.

Mr. HOEVEN. Mr. Speaker, I yield myself 5 minutes.

Mr. HOEVEN. Mr. Speaker, I hesitate to take much time at this late hour, but this is a bill which warrants your careful attention. I opposed it in committee. It came out of our committee by a vote of 19 to 11 and the vote was across party lines.

In my judgment this bill cannot be justified at this time. The justification for the legislation, according to the committee report, is that we should get ready for the time when the military installations leave Guam so that the agriculture industry could be revived. For the life of me I cannot see in the foreseeable future why we would suddenly cut down on our military installations in Guam. In view of the world situation and in the Far East, I cannot foresee the military installations leaving Guam for a long time.

What about Guam? It is 30 miles long and 4 to 8 miles wide. It consists of 225 square miles. Of that, 37.5 square miles are devoted to agriculture. Already the government of Guam is using 30 employees of the Department of Agriculture in Guam in taking care of the agricultural needs in these 37.5 square miles. This bill proposes to add 5 more employees from the Department of Agriculture of the United States, which would mean 35 employees operating in 37.5 square miles. This means almost one employee for each square mile. The climate is tropical. The island is located in the typhoon belt. The yearly average rainfall is about 87 inches. The vegetation is largely tropical plants. There is a very small farm population. According to the hearings on the bill there are 243 farmers engaged in the production of various crops.

There are 174 engaged in livestock raising as follows: There are 86 raising cattle and 60 raising hogs and 28 raising poultry and eggs. In spite of the few farmers actually involved we now propose to add five Department employees of the Department of Agriculture to give the farmers expert information. That will be a foot-in-the-door operation which will grow with the years. It is my contention that the 30 employees now in the department of agriculture of Guam are doing all that is needed on 37½ square miles devoted to farming. The operation is already costing the taxpayers of Guam $148,156 per year. Adding the additional five employees will add another $100,000 to the overall cost.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from North Carolina.

Mr. COOLEY. I know that the gentleman is fair and does not want to leave the Members of the House with a false impression, or at least a misimpression, but I would like to point out the fact that these 30 employees that he is talking about are Guamanians, are they not, and are employed by the government of Guam and are paid by the government of Guam, and they are not sent there by Mr. Benson or the Department of Agriculture.

Mr. HOEVEN. No, I do not contend that. They are employees of the department of agriculture of Guam.

Mr. COOLEY. That is right.

Mr. HOEVEN. And I may say for the information of the House that the 30 employees consist of a director, an administrative secretary, and a clerk. Also in the service and custodial unit, they have a chief caretaker and an assistant to the caretaker, a carpenter, a laborer, and chief mechanic and another mechanic. In the extension service, they have a farm adviser and a supervisor and four advisers and a pest control operator.

In the next division, they have an agricultural entomologist and a gardener and four laborers.

In animal industry, they have a veterinarian, an animal husbandryman, a fish and game warden, and an assistant husbandryman, and four laborers.

This group of 30 people should be enough to take care of all the needs of Guam so far as agricultural problems are concerned in the limited 37½-square-mile agricultural area of the island.

When the committee considered this bill I suggested that if they needed additional and expert technical assistance, such services could be provided by the State of Hawaii where there are USDA technicians and agricultural experts whose services no doubt could also be made available to Guam. Furthermore there is no reason in the world why some of the group of 30 employees in the Department of Agriculture in Guam could not be taught some of the technical know-how instead of adding to the group already there. It is my opinion that this bill is a bit ill advised and premature at this time and should be defeated.

The SPEAKER. The question is: Will the House suspend the rules and pass the bill?

The question was taken; and on a division (demanded by Mr. COOLEY) there were—ayes 90, noes 51.

Mr. COOLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken and there were—yeas 203, nays 151, not voting 77, as follows:

[Roll No. 186]

YEAS—203

Abbitt	Anfuso	Beckworth
Abernethy	Aspinall	Bennett, Fla.
Addonizio	Baldwin	Blatnik
Albert	Barrett	Boggs
Alford	Barry	Boland
Andrews	Bass	Bonner
Brademas	Harrison	O'Hara, Mich.
Breeding	Hays	O'Konski
Brock	Healey	Patman
Brooks, La.	Hogan	Perkins
Brooks, Tex.	Holland	Pfost
Brown, Ga.	Holtzman	Pilcher
Brown, Mo.	Hull	Poage
Burke, Ky.	Ikard	Porter
Burke, Mass.	Inouye	Preston
Burleson	Irwin	Price
Byrne, Pa.	Jarman	Prokop
Canfield	Jennings	Pucinski
Carnahan	Johnson, Calif.	Quigley
Casey	Johnson, Colo.	Rabaut
Celler	Johnson, Wis.	Randall
Chelf	Jones, Ala.	Reuss
Church	Jones, Mo.	Rhodes, Pa.
Clark	Judd	Riley
Coad	Karsten	Rivers, Alaska
Coffin	Kasem	Rivers, S.C.
Cohelan	Kastenmeier	Roberts
Cook	Kearns	Rodino
Cooley	Kelly	Rogers, Colo.
Corbett	Kilday	Rogers, Fla.
Daddario	Kilgore	Rogers, Tex.
Daniels	King, Calif.	Rooney
Delaney	Lennon	Roosevelt
Dent	Lesinski	Rostenkowski
Diggs	Levering	Roush
Dingell	Libonati	Rutherford
Dixon	Lindsay	Santangelo
Dooley	Loser	Saund
Downing	McCormack	Scott
Dwyer	McDowell	Selden
Edmondson	McFall	Shelley
Elliott	McGinley	Sheppard
Everett	McGovern	Shipley
Evins	McIntire	Sikes
Fallon	McMillan	Sisk
Farbstein	Macdonald	Slack
Fascell	Mack	Smith, Iowa
Feighan	Madden	Staggers
Flood	Mahon	Stratton
Flynn	Matthews	Stubblefield
Foley	Merrow	Sullivan
Fountain	Metcalf	Taylor, N.C.
Friedel	Meyer	Teller
Fulton	Miller, Clem	Thomas
Gallagher	Mills	Thompson, Tex.
Garmatz	Montoya	Thornberry
Gathings	Moorhead	Toll
George	Morgan	Trimble
Giaimo	Morris, N. Mex.	Ullman
Gilbert	Morris, Okla.	Watts
Granahan	Moulder	Whitener
Gray	Multer	Wolf
Green, Oreg.	Murphy	Wright
Green, Pa.	Natcher	Yates
Griffiths	Nix	Young
Hagen	O'Brien, Ill.	Zablocki
Halpern	O'Brien, N.Y.	Zelenko
Harmon	O'Hara, Ill.	

NAYS—151

Adair	Dague	Keith
Alexander	Derounian	King, Utah
Alger	Derwinski	Kitchin
Allen	Devine	Knox
Andersen, Minn.	Donohue	Kyl
Arends	Dorn, N.Y.	Lafore
Ashmore	Dorn, S.C.	Laird
Avery	Dowdy	Landrum
Ayres	Dulski	Lane
Barr	Fenton	Langen
Bass, N.H.	Fino	Lankford
Bates	Fisher	Latta
Becker	Flynt	Lipscomb
Bentley	Ford	McCulloch
Berry	Forrester	McDonough
Betts	Frazier	Mailliard
Blitch	Frelinghuysen	Marshall
Bolton	Gary	Martin
Bosch	Goodell	May
Bow	Griffin	Michel
Bray	Gross	Miller, N.Y.
Brewster	Gubser	Milliken
Broomfield	Haley	Minshall
Brown, Ohio	Halleck	Moeller
Broyhill	Hardy	Monagan
Budge	Harris	Moore
Byrnes, Wis.	Hechler	Mumma
Cahill	Hemphill	Nelsen
Cederberg	Henderson	Norblad
Chamberlain	Herlong	Osmers
Chenoweth	Hiestand	Ostertag
Chiperfield	Hoeven	Pelly
Collier	Hoffman, Ill.	Philbin
Colmer	Hoffman, Mich.	Pillion
Conte	Holt	Pirnie
Cramer	Hosmer	Poff
Cunningham	Huddleston	Quie
Curtin	Jensen	Ray
Curtis, Mass.	Johansen	Rees, Kans.
Curtis, Mo.	Johnson, Md.	Rhodes, Ariz.
	Jonas	Riehlman

Robison	Springer	Wallhauser
St. George	Taber	Weaver
Saylor	Teague, Calif.	Weis
Schenck	Thomson, Wyo.	Westland
Scherer	Tollefson	Widnall
Schneebeli	Tuck	Williams
Schwengel	Vanik	Wilson
Short	Van Pelt	Winstead
Simpson	Van Zandt	Younger
Smith, Calif.	Wainwright	

NOT VOTING—77

Anderson, Mont.	Hargis	Passman
Ashley	Hébert	Powell
Auchincloss	Hess	Rains
Bailey	Holifield	Reece, Tenn.
Baker	Horan	Rogers, Mass.
Barden	Jackson	Siler
Baring	Karth	Smith, Kans.
Baumhart	Kee	Smith, Miss.
Belcher	Keogh	Smith, Va.
Bennett, Mich.	Kilburn	Spence
Bolling	Kirwan	Steed
Bowles	Kluczynski	Taylor, N.Y.
Boykin	Kowalski	Teague, Tex.
Buckley	McSween	Thompson, La.
Cannon	Machrowicz	Thompson, N.J.
Davis, Ga.	Magnuson	Udall
Davis, Tenn.	Mason	Utt
Dawson	Meader	Vinson
Denton	Miller, George P.	Walter
Doyle	Mitchell	Wampler
Durham	Morrrison	Wharton
Fogarty	Moss	Whitten
Forand	Murray	Wier
Gavin	Norrell	Willis
Glenn	O'Neill	Withrow
Grant	Oliver	

So, two-thirds not having voted in favor thereof, the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert and Mr. Morrison for, with Mr. Hess against.

Mr. Keogh and Mr. Buckley for, with Mr. Baumhart against.

Mr. Oliver and Mr. Baring for, with Mr. Kilburn against.

Mr. Wampler and Mr. Karth for, with Mr. Mason against.

Mr. Ashley and Mr. Hargis for, with Mr. Auchincloss against.

Mr. Denton and Mr. Doyle for, with Mr. Glenn against.

Mr. Durham and Mr. Kirwan for, with Mr. Gavin against.

Mr. Holifield and Mr. Walter for, with Mr. Taylor against.

Mr. George P. Miller and Mr. Thompson of Louisiana for, with Mr. Wharton against.

Mr. O'Neill and Mr. Machrowicz for, with Mr. Withrow against.

Mr. Kluczynski and Mr. Rains for, with Mr. Reece of Tennessee against.

Mr. Magnuson and Mr. Powell for, with Mr. Baker against.

Mr. Fogarty and Mr. Forand for, with Mr. Smith of Kansas against.

Mr. Steed and Mr. Thompson of New Jersey for, with Mr. Siler against.

Mr. Willis and Mr. Bailey for, with Mr. Utt against.

Mr. Anderson of Montana and Mr. Moss for, with Mr. Jackson against.

Mr. Udall and Mrs. Kee for, with Mr. Meader against.

Until further notice:

Mr. Smith of Mississippi with Mr. Horan.

Mr. Teague of Texas with Mrs. Rogers of Massachusetts.

Mr. Whitten with Mr. Belcher.

Mr. Kowalski with Mr. Bennett of Michigan.

Mr. DOOLEY changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. That is all the legislation for the day.

GRANTS FOR GRADUATE TRAINING IN PUBLIC HEALTH

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6871) to amend title III of the Public Health Service Act, to authorize project grants for graduate training in public health, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. HARRIS, ROBERTS, RHODES of Pennsylvania, BENNETT of Michigan, and SCHENCK.

U.S. CONSTITUTION 175TH ANNIVERSARY COMMISSION

Mr. BYRNE of Pennsylvania. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 784) amending the act of July 14, 1960, to extend the time within which the U.S. Constitution 175th Anniversary Commission shall report to the Congress.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the joint resolution as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the joint resolution entitled "Joint resolution providing for the preparation and completion of plans for a comprehensive observance of the one hundred and seventy-fifth anniversary of the formation of the Constitution of the United States", approved July 14, 1960 (Public Law 86-650), is amended to read as follows:

"SEC. 5. The Commission shall report to Congress on its activities (including, but not limited to, its recommendations for legislation) not later than January 3, 1961."

The joint resolution was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS IN THE CONGRESSIONAL RECORD

Mr. MOORE. Mr. Speaker, I ask unanimous consent that the following Members be permitted to extend their remarks in the CONGRESSIONAL RECORD, and to include extraneous matter:

Mr. FULTON.

Mr. BRAY.

Mr. VAN ZANDT in three instances.

Mr. WEAVER in three instances.

Mr. DOOLEY.

Mr. SCHWENGEL.

Mr. CURTIS of Massachusetts in one instance.

Mr. HOSMER.

Mr. CURTIS of Missouri in two instances.

NEW ENGLAND NEEDS MORE FUEL OIL IMPORTS

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the Presidential order that says New England cannot import all the residual fuel oil that it needs is a form of economic blackmail. In response to the demands of the coal industry, the administration tells the six New England States that it will not let them import enough of the cheaper and more convenient heavy crude oil that they want. The plain intent is to force feed them with coal.

This artificial rationing of oil will increase the price of residual oil that is extensively used by industry, electric plants, housing projects, and many apartment and office buildings. If this order that limits the supply of oil available for the last quarter of 1960 is not rescinded in favor of a more generous quota, the resulting scarcity will be inflationary.

Gardner Caverly, executive vice president of the New England council, has stated that this restrictive oil quota could cost east coast firms and residents millions of dollars. He warned that if New England is not permitted to bring in the quantity of heavy crude oil that it needs for its expanding economy and its increasing population residual oil prices will go up, leading to higher prices for electricity, among other things.

I cannot understand why the administration has decided to place this extra burden on the backs of New England industries and consumers. The needs of the coal-producing States, which the textile States of the Northeast understand because of our shared experience with labor-surplus problems, cannot be solved by compelling us to reconvert to the use of coal. Could it be that the administration is trying to play off the coal-producing States against the textile States of New England in order to split our unity in support of Federal legislation to assist in the industrial redevelopment of labor-surplus areas?

In any case, the administration contradicts itself. On the one hand it professes concern about any action that may inflate prices, but in this instance of the oil quotas it must assume responsibility for the inevitable increase in the cost of this basic fuel.

The administration tries to forestall criticism by saying that these quotas are somehow related to national defense. I fail to see how this contributes to our military security when it will increase the operating costs of the many industries in New England that are working on defense orders. In fact, the Government itself will pay part of the increased costs that it has engineered with so little regard for the ultimate consequences.

The reduction in the quota by 20,000 barrels a day as compared with last year, and 135,000 barrels a day less than the figure sought by the oil industry, will be

harmful to the economy of our area, at a time when the Government should be giving it every possible encouragement to develop.

I am confident that the whole New England delegation in Congress will protest against this unrealistic decision by the U.S. Department of the Interior and prevail upon it to grant us an expanded oil quota to meet our growing needs.

COMPLEXITIES OF OUR AGRICULTURAL ABUNDANCE

Mr. MOORE. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. WITHROW] may extend his remarks in the body of the RECORD and may include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. WITHROW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement made by former Governor Thomson, of Wisconsin, to the Republican platform committee at Chicago.

This statement by former Gov. Vernon W. Thomson shows an understanding of the farm problem which is necessary if we are to successfully handle the complexities of our agricultural abundance. But more than anything else I am impressed by Governor Thomson's understanding and realization of the problems of the Third Congressional District which I had the honor of representing for many years. I personally do not recall any other public figure who shows the understanding and who grasps the scope of the varied problems and interests of Wisconsin, and particularly southwestern Wisconsin. I am entirely in agreement with the statement Governor Thomson made.

The statement follows:

STATEMENT OF FORMER GOV. VERNON W. THOMSON

America must remain a nation of abundance—not only to meet the future demands of an exploding population, but also to provide strength for the free world. To remain a nation of abundance, we must make certain that the Nation's agricultural industry is revitalized and that our farm economy is restored to a healthy, vigorous, and rewarding status in our Nation's economy.

A house divided against itself cannot stand. Nor can our farm economy stand the division of views of our great farm organizations. Their violent conflicts leave the farmer lost and forgotten. For too long, our farmers and their economy have been made a political football. For too long, those who have controlled Congress have sought to perpetuate the farmers' plight as a political "issue" rather than to develop a practical solution.

Certainly a farm program is not good enough when you get less for a dozen eggs than you pay for a dozen angle worms.

For three reasons, I urge this all important committee to incorporate the following six points of principle and policy in the new farm program:

1. Insist upon a Secretary of Agriculture who will fight as vigorously for the farmer and his needs as the Secretary of Labor fights for the workingman or the Secretary of Commerce fights for the businessman.

2. Give the farmer the right of referendum—a right to vote on the kind of program under which he will have to work and live. Let the farmer participate in governing his economy under the time tested American system of self-determination. In Wisconsin and in my home district, this procedure has been notably successful in the tobacco program. Such a step will do much to restore the morale of the farm population; it will give them a strong voice in determining the policies and programs under which they must operate, the degree of controls they feel are needed, and will greatly improve their bargaining power in the marketplace. The right to vote coupled with a realistic parity protection will go a long way toward turning the farm economy toward a future which is more prosperous.

3. The soil bank and conservation reserve program should be expanded. At the same time however the Department of Agriculture and the Federal Government must see to it that this program is not nullified or rendered sterile by the reclamation of marginal lands in other areas.

Provision should also be made to eliminate the loss to local taxing units of the personal property tax base otherwise provided by farms put in the soil bank. This program should pay to the taxing unit the amount of taxes lost by soil banking the land and removing the personal property.

The farmer who stays on the farm should not be required to "pay the taxes or to make up the taxes," lost when the land is soil banked and the farm operator moves away.

Failure to include such a provision will continue to increase the tax burden upon the farmers who remain and continue to operate their farms.

4. An effective, practical and modern program to provide long term, low cost, financing for the capital requirements of farmers, particularly in respect to personal property must be provided. Today, the high cost of getting into business makes it virtually impossible for our young people to start a farm career. At the same time, the inflationary cost-price-tax squeeze prevents established farmers from keeping pace with competition and realizing the growth of which they are capable. Modern financing for our modern farms would include: (A) A long period of repayment; (B) a Government guarantee of the mortgage (such as is provided by the FHA for building homes); (C) a low interest rate, which would be acceptable to the lending institutions because of the Government guarantee. Such a plan would encourage and make possible the expansion and capital improvements which will improve efficiency and productivity of our farmers and stimulate the local business world with the purchases long delayed by the constantly rising costs.

5. We must act to expand America's export markets for our agricultural products. This can be done in part by removal of those price restrictions which hinder the free flow of agricultural products to foreign markets. And by requiring the Commodity Credit Corporation to sell at not less than 105 percent of parity any so-called surplus commodity on the domestic market.

At the same time we must review with care the policy of importing foreign food products—a policy that creates the danger of making our Nation the dumping ground for foreign agriculture products. The very real danger of this situation is best illustrated by the fact that last year the amount of cheese imported into this country equaled the amount of domestic cheese purchased as surplus by the Commodity Credit Corporation.

6. We can and must provide an ample food bank as an integral part of our civil defense survival program. Edible food is as essential for survival in the event of an attack or disaster as weapons and missiles are. Milk, meat, vegetables, and fruit processed for storage would answer this purpose.

The cost of this program is not a part of the farm program and it should not be charged against the farm program. The cost of this program should rightfully be charged to civil defense and placed where it belongs.

Thus, America can remain productive and a land of abundance as it must; for only the productive can be strong and only the strong can remain free. As a nation of strength domestically we can maintain a military strength which will command the respect of the Communist nations. We can with confidence show Chairman Khrushchev that we will never regret, nor apologize, for doing the things necessary to protect the freedom of our Nation and the peace of the world.

While this committee is not the forum for discussion we must mention that the same forces which are forcing the farmer's costs up and up are forcing the costs to the small businessman up and up, and are cutting his margin of profit to the point of despair. We must stop the upward cost spiral not only for the farmer and small businessman, but also for the worker and retired person whose dollars will no longer reach. We must prevent any Federal action which tends to push costs up. We must review our policy which permits the import of foreign goods at prices which steal the jobs from the skilled American labor. In my district you can buy rubbers made in Hong Kong, China, for about one-half the cost of rubbers made right in La Crosse, and zinc is imported at a price which prevents full employment here at home.

A sound fiscal policy which will encourage growth industries is vital.

The development of ports for the maximum use of our greatest river, the Mississippi, is essential. And added research projects specifically aimed at developing programs to take full advantage of our natural resources and industrial potentials will stimulate our economy and provide markets for our land of abundance.

Our times demand a balanced economy which, with our abundance, will provide prosperity for all. It's time we got to work to make this a reality. Let's go.

SO SIMILAR YET SO DIFFERENT

Mr. MOORE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ARENDS] may extend his remarks in the body of the RECORD and may include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ARENDS. Mr. Speaker, under leave to revise and extend my remarks, I am inserting in the RECORD an editorial from the Daily Pantagraph, Bloomington, Ill., of August 10.

The editorial is entitled "So Similar Yet So Different." It points out what constitutes the basic difference between the Democratic and Republican platforms in connection with agriculture.

As stated in the editorial written from the heart of the Corn Belt:

The GOP program recognizes the sickness in the farm economy during this period of the production revolution. It seeks to give curative medicine. * * * The Democratic platform accepts the disease as incurable, prescribes medicine to ease the pain and puts the farmer in a wheelchair forever to be pushed wherever and whenever the Government wishes to push him.

The editorial follows:

SO SIMILAR YET SO DIFFERENT

The agricultural planks in the two major party platforms have much in common. Both pledge:

1. To expand use of food products at home and abroad.

2. To initiate research programs to find new uses.

3. To encourage cooperatives, including REA electric and phone programs.

4. To help the marginal farmer, both to increase his income and to learn new off-the-farm vocations.

5. To strengthen financing facilities for farmers.

6. To encourage more orderly marketing for greater farmer benefit.

7. To help rural communities develop industry to absorb surplus labor.

The purpose, of course, is to raise the farm income level up to that of the nonagricultural part of the economy.

It is in detail that the two planks differ.

The Democrats, for example, make as their basic farm premise "the right of every farmer to raise and sell his products at a return which will give him and his family a decent living."

This flies in the face of all economics. Suppose someone decides to raise 1,000 acres of hedge apples. Has he a right by Government guarantee to sell these at a return which will give him and his family a decent living? Obviously there should be some relationship between production and need of that which is produced.

This is implied in the Republican plank. It proposes to use price supports at levels best fitted to specific commodities in order to widen markets, ease production controls, and help achieve increased farm family income.

The GOP program recognizes the sickness in the farm economy during this period of the production revolution. It seeks to give curative medicine and offers a crutch during the convalescent period.

The Democratic platform accepts the disease as incurable, prescribes medicine to ease the pain, and puts the farmer in a wheelchair forever to be pushed wherever and whenever the Government wishes to push him.

REWARDS OF COWARDICE

Mr. MOORE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ARENDS] may extend his remarks in the body of the RECORD and may include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ARENDS. Mr. Speaker, under leave to revise and extend my remarks I am inserting in the RECORD an editorial entitled "Rewards of Cowardice," written by John J. Lacey which appeared in the August issue of the Illinois Farm Bureau magazine, Record.

The editorial raises a very pertinent question: Are we who are privileged to be elected to Congress men of courage or are we cowards?

We know that the most important factor for the stability and security of our country is fiscal responsibility. We know that the overwhelming national debt has depreciated the value of our people's hard earned dollars. We know that our people are overburdened with taxes.

While we know this, do we have the courage to do what we know should be done? Or are we political cowards? Are we so cowardly that we cannot resist the political pressures for new spending programs and the enlargement of existing programs at increased expenditures? Are our own political fortunes as Members of Congress more important than the fortunes of our country?

Let us be men of courage. Let us work together for a stable dollar and a reduction of the national debt in the hope that the day may soon come that we can also reduce taxes.

REWARDS OF COWARDICE

(By John J. Lacey)

There was a time in this country, long ago, when we elected men to public office for their courage; today too many politicians reach office because of their cowardice.

Those who deplore the deterioration of standards in political life from the high level that prevailed when our Nation was young can find the main reason for this unhappy situation in that one fact.

A glaring example is the eagerness of Congressmen to vote to override President Eisenhower's veto of the bill raising the pay of Federal employees.

The salary increases, particularly in the case of postal workers, may have been justified. Where Congress showed its yellow streak was in its refusal to provide the tax money to pay the higher wages.

The administration itself had a wonderful opportunity to strike a telling blow for fiscal soundness by insisting that any postal salary boosts be tied to a bill raising postal rates. Nobody can say surely that such strategy would have been successful; but it is quite likely that it would have had a lot of support. Certainly it would have been worth the effort, even from the political angle.

The administration should have taken courage from the way the people so wholeheartedly backed the President in his great and successful fight for a balanced budget in fiscal 1960. But, this is an election year.

How many men can you remember in the past 30 years who campaigned for election on a platform of reduced Federal spending and a balanced budget and who backed up their campaign promises with effective action after they had been elected? I mean to include candidates for the Presidency in this list.

We are a tolerant people. We have already permitted our public servants to degrade our currency, little by little, until it now has less than half the purchasing power it had only 20 years ago.

The irony—and the tragedy of the situation—is that the unbalanced budgets that have been the biggest factor degrading our currency have been largely the result of measures which our lawmakers piously assured us were for the purpose of "meeting human needs." Many of them, in defending their actions, said that they "put people ahead of money."

Such glib rationalizations fall to the ground when the evils of the resulting inflation fall heaviest on the very people the politicians claimed they were helping. Then the lawmakers, always out to help, use the reduced buying power of the dollar as another excuse for further appropriations so that the beneficiaries can "keep even." It's the old process of the cat chasing its tail.

During the past 10 years, when national income has soared to spectacular levels, there has been no concerned or serious effort to start paying off the Federal debt. The time has not been right, say the spending crowd. But, if we can't pay off some of the debt in boom times, when can we do it?

The spending crowd has an answer for that one: Simply raise productivity by further Federal spending! "Operation Rathole."

The people have only one way out of the mess that has been created: To reward courage and integrity when they vote, then insist that no appropriation be made for public purposes unless the tax money is also provided to pay the bill.

SESQUICENTENNIAL OF THE TOWN OF ORANGE, MASS.

Mr. MOORE. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. CONTE. Mr. Speaker, the town of Orange, Mass., is commemorating the sesquicentennial of its establishment as a town in 1810. In actuality, the district of Orange was founded in 1783.

It may not seem important to discuss, in this age of large urban areas, the foundation of a comparatively small American city. However, size is not the criteria for its importance, for the vital contribution made to our initial struggle for independence looms large on our historical past. It is true, that during those days of revolt, the ideals and concepts which were to prove so influential in the establishment of this large and great Nation were nurtured in communities such as Orange. The history of this city is an integral part of our struggle for freedom in the War of Independence.

In 1762, Jacob Hutchins located on the eastern part of a grant of land including 325 acres, and lying on the west line of Athol. This grant was issued by the general court to Rev. Benjamin Ruggles in 1752 and, becoming in March 1762, a portion of Athol was, in 1783, included in the district of Orange. Ezekiel Wallingford is said to have located as early as 1747, and was not long afterward killed by Indians.

The earliest settlement near what is now Orange was probably that of Lewis Barker who took up a farm in 1791. In that year, the names of those who were settled in that community are recorded. To this day, descendants of these early settlers still reside in Orange.

In December 1783, the district raised £30 to defray necessary charges, and in October 15, 1785, Orange was incorporated as a district, having all the powers of a town except that of representation. It could vote for a representative only by joining another town and it allied itself for that purpose with South Warwick. In 1810, on February 24, the district of Orange was incorporated as a town with all the privileges and powers accorded that status under the laws and constitution of the Commonwealth. On April 2, 1810, Amos Woodward, Perley Barton, and Thomas Cobb, the first board of selectmen, held the first meeting of that body.

It is interesting to note that of the 117 families settled in Orange more than half served in the Revolutionary War. One of Washington's guards was Oliver Chain who settled in the new town.

The mills first mentioned in the district records were Metcalf's, Goddard's, and Woodward's.

Katy, daughter of Amos Woodward, born February 1784, was probably the first person born in the district. The first couple married were William Crosbee and Mary Higgins, in May 1784.

Nathan Goddard and Benjamin Mayo were probably the first storekeepers in Orange; one Foster the first blacksmith; Paddock and Barton among the early doctors. David Goddard, Humphrey Mellen, and Benjamin Mayo are said to have been the first hotelkeepers.

The first post office was established at what is now North Orange, in 1816. Lyman Harrington was the first postmaster.

The district, and later the town, was named in honor of William, Prince of Orange, and the first public meeting held under that name was held November 24, 1783. From the early records, it is interesting to note that in 1795 Mr. Forister, agreed in an open town meeting "to erect bars and to let people pass through his pasture in the winter season." In April 1795, the assessors were instructed to make taxes agreeable to a late act of the general court for introducing the dollar and its parts for the money of account.

The first school of any record was held in a barn in North Orange in 1793 and its first teacher Annie Temple.

It is recorded that the pupils sat on sap troughs or buckets hewn from blocks of wood and the teacher used a stump for her desk. This is, indeed, a far cry from the present schools in Orange. In 1780 £30 was raised for schools and in 1781 it was raised to £50, which represents approximately in today's money $150 and $250, respectively. Select schools were opened in 1859 in which the higher branches were taught as well as drawing, painting, and music. One school was conducted by Misses Packard and Giles, and another by Mrs. Maria Eastman. The people of Orange supported these private schools. In 1877 a high school was built.

Orange, too, has had its share of disasters as the tornado of 1821, the blizzard of 1888, and damage caused by an explosion of a barrel of gasoline in 1891. The floods of 1900, 1936, and 1938 caused considerable damage.

In 1849 railroad service was extended from Fitchburg, through South Orange to Millers Falls. The excitement caused by the first trains, which ran from Millers Falls then to Brattleboro, gathered people on the hills to watch them pass. The railroad was called the Vermont & Massachusetts Line.

The first paper was the Journal of Industry, published by Lafayette Stevens on March 25, 1871. The first library, located at the rear of Horton's jewelry store, opened in 1859 with 286 volumes. The first bank was established in 1873, as a private bank. In 1875 it was reorganized into a national bank. The Cooperative Bank was organized in 1888 and the Orange Savings Bank in 1871. Interestingly, the largest factory for steam automobiles in the world was established in 1896 by Grout automobiles.

I have given a brief chronology, Mr. Speaker, of those highlights in the history of Orange to demonstrate its continuous link with our great past. So, down to our day, the growth continues and the devotion to our great Nation increases. In all of our wars, Orange has given her sons to fight for a cause which traces its basic concepts and ideals to that of the War of Independence itself.

Looking forward, Orange is to be the center of international attention in 1962. I introduced a resolution in this House extending an invitation to the Federation of Aeronautique Internationale to hold the 1962 world parachute championships at Orange; indeed, an important event in this rapidly growing sport throughout the world. Orange will be pleased to host these sportsmen from all over the world.

I know that my colleagues in the Congress join me in extending to this great American city our congratulations on this their sesquicentennial. Above all, that we recognize its contributions to our noble history and that we know that Orange shall continue to grow, develop, and be a cradle of those ideals which represent these United States. To its citizens, our respectful good wishes for a bright and great future.

VIOLATION OF LAW BY POST OFFICE OFFICIALS

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I call to the attention of the House a violation of law and congressional intent by certain officials of the Post Office Department.

I refer to section 401 of Public Law 561, the Treasury-Post Office Appropriation Act, 1961. Section 401 reads:

> No part of any appropriation contained in this Act, or of the funds available for expenditure by any individual, corporation, or agency included in this Act, shall be used for publicity or propaganda purposes designed to support or defeat legislation proposed or pending before Congress.

Flagrant violations of this section in various parts of the country have been brought to my attention. These involve regional post office officials and postmasters, among others. They concern outright lobbying and propaganda activities, which I shall detail later, designed to cause the defeat of H.R. 12595, now pending before the Senate.

This bill, which would generally require airmail postage for airmail service, passed the House July 2.

I have written the Postmaster General asking whether these illegal actions have been taken with the knowledge of his staff or by the direction of his staff. I have also asked what steps he is taking to stop these illegal activities.

Unless the Postmaster General gives assurance that these illegal actions have been stopped once and for all, I will be compelled to refer this entire matter to the appropriate committees of Congress and the Department of Justice for further investigation.

FOOD FOR PEACE

Mr. DADDARIO. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. WOLF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. WOLF. Mr. Speaker, being from an agricultural area, I am personally familiar with the vast number of storage bins dotted across the landscape of the breadbasket area of our country wherein is stored America's surplus agricultural abundance.

Having visited some of the have-not nations of the world, I have seen thousands of undernourished children and adults and my heart has ached to find a way whereby these underfed people might be given a new lease on life through America's agricultural productivity.

Early in 1959, I introduced a food-for-peace bill wherein I proposed that arrangements be made through the United Nations to accomplish this purpose. On two occasions, once last year and once this year, I made an effort to attach this proposal as an amendment to the Mutual Security Act.

Much interest in food for peace has been generated since early 1959, and I am thrilled that this proposal now has bipartisan support.

Mr. Speaker, I am happy to announce that today I have introduced a concurrent resolution, identical to Senate Concurrent Resolution 114, introduced in the Senate by Senator FULBRIGHT on August 14, expressing the support of the Congress for a U.S. initiative in the United Nations looking toward the development of plans whereby all members of the United Nations can work through the United Nations system to provide substantial quantities of available foods to needy peoples in member states. This resolution follows the principle embodied in my food for peace bill, and, therefore, I am happy to have the opportunity to introduce it.

I hope that both Houses will adopt this resolution in this session of the Congress.

The text of the resolution follows:

> Whereas the United States has an abundance of food more than adequate to meet the needs of its own people; and
>
> Whereas the peoples of many less fortunate nations suffer from shortages of food, which cause human suffering and retard economic progress; and
>
> Whereas it is in the tradition of the United States and consistent with its humanitarian ideals to draw upon its resources to relieve

the suffering of needy peoples in other nations and to assist them in their efforts toward a better life; and

Whereas the United States has undertaken a food for peace program and has joined with the other members of the Food and Agriculture Organization of the United Nations in supporting the freedom from hunger campaign; and

Whereas the United Nations and the Food and Agriculture Organization of the United Nations are in a position to play an important role in the making available of food for needy peoples: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States supports the intention of the President of the United States to express at the forthcoming session of the General Assembly of the United Nations the willingness of the United States to continue furnishing food to less favorably situated peoples and also to join with other members of the United Nations and specialized agencies in developing plans whereby all members able to do so can work through the United Nations system to provide, without disturbing normal markets, substantial quantities of available foods to needy peoples in member states.

UN-AMERICAN ACTIVITIES

Mr. DADDARIO. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I cannot help but wonder if my colleagues really know what they are supporting. The following editorial is from the July 25, 1960, issue of the Des Moines Register, which by no stretch of the imagination, can be attacked as being in any way pro-Communist. The editorial speaks for itself.

If there is an explanation of the facts set forth, the House deserves to receive it.

UN-AMERICAN ACTIVITIES

Richard Arens, staff director of the House Committee on Un-American Activities, gave an astounding speech in Des Moines before the National Conference of Police Associations. It reinforced our belief that this committee, which is now headed by Representative FRANCIS E. WALTER, Democrat of Pennsylvania, should be abolished and whatever useful duties it performs turned over to the House Judiciary Committee.

Arens said that President Eisenhower's patriotism was somewhat questionable because Mr. Eisenhower introduced his grandchildren to Nikita Khrushchev.

He said it was "morally wrong" to invite Khrushchev to the United States last fall and Iowans lacked guts because they did not question Khrushchev about the famine in the Ukraine.

He said a Communist-dominated union controlled the telephone lines out of the Pentagon and attacked the administration for doing nothing about this.

He was angry because, he said, there were 109 employees now in the State Department who had been fired previously as security risks.

He was critical of the Supreme Court for its opinions in several security and passport cases which upheld the rights of individuals against arbitrary Government rulings.

He said the activities of the U.S. Information Service were appalling. He said the American Association of University Professors was not to be trusted. He also said editors of some newspapers which have been critical of his committee were not to be trusted.

Arens' suspicions, fears and undocumented charges would not be worthy of mention if they represented only his personal viewpoint. But unfortunately this isn't the case. This is the approach which the Un-American Activities Committee has taken generally in its investigation of subversive activities.

It subscribes to what Arens told the law enforcement officials: "The leaders of this country—both Republicans and Democrats—with a few exceptions still do not recognize communism as communism and a Communist as a Communist."

The committee seems to think that anyone who criticizes its method of operation is a Communist or a Communist dupe. It is suspicious of individuals or organizations that happen to be in agreement with the Communist position on any question, regardless of the merits of the issue. It supports the view, for example, that the National Council of Churches is a suspect organization.

The committee acts, as a Member of Congress pointed out recently, as a "roving police and prosecuting agency." And also as a court, without the fairness and impartiality of courts. It attempts to punish people, whom it decides under its own peculiar standards are un-American, by intimidation and exposure. It shows little or no respect for constitutional rights of free speech, freedom of assembly or due process of law.

We hope the law enforcement officers after hearing Arens' message, didn't return home convinced that every organization which speaks out for human rights is subversive, or start looking for Communists under every bed.

We trust that the officers have a better understanding of the American way of life than Arens. They should know that protecting the United States against subversion is not the job of the House Un-American Activities Committee. The Federal Bureau of Investigation and other professional counterespionage agencies are charged with this responsibility.

The Committee on Un-American Activities engages in un-American activities itself.

RESULTS OF QUESTIONNAIRES INDICATE ACTION ON FEDERAL AID TO EDUCATION LEGISLATION SHOULD WAIT

Mr. PELLY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, according to the Democratic congressional leadership, one of the must bills for action in the final days of this reconvened session of the 86th Congress is Federal aid to education.

The Senate has passed a bill providing $1,800 million over 2 years for school construction and teachers' salaries. The House has passed a bill authorizing $1,300 million over 4 years for construction only.

President Eisenhower has urged Federal assistance in the construction of facilities for colleges, universities, and elementary and secondary schools. The President has made it clear, however, he will not accept a school bill unless it meets the firm rules he feels essential. Let us clearly understand he favors a temporary construction subsidy only and opposes aid for paying teachers' salaries because that would mean permanent Federal intervention in the public schools.

The House-passed bill fails to meet one of the White House specifications; namely, the limiting of Federal aid to those school districts which are in need—in other words, the authorizing of funds only to those which lack adequate classrooms and are capable of demonstrating their inability to finance the construction of more school buildings.

I did not vote for this House school construction bill because it provided aid regardless of financial need and this violated the only real argument for Federal aid which should be given only to States that can demonstrate they are unable, due to lack of local funds, to maintain an adequate school system.

In my State of Washington the State gives aid for school building construction to a school district only after a careful study shows it is unable to provide adequate funds itself. The State aid in districts will vary from zero to 90 percent and I am told this plan has worked splendidly and has been given overwhelming support by our State legislature because the standards set up make it easy to operate.

In the congressional district I have the honor to represent, I recently distributed a questionnaire dealing with Federal aid to schools. This was sent to residents who live in a very fast growing area east of Seattle and Lake Washington in what is known as the Bellevue, Kirkland, and Bothell postal districts.

The replies from this questionnaire indicated 56 percent of the people favored Federal aid for school construction.

On the other hand, 71 percent opposed Federal aid to pay teachers' salaries.

Comments accompanying the replies gave evidence of an overwhelming belief that the strength of the American school system rests on its local support and administration.

Mr. Speaker, the majority of the American people know that when the Federal Government grants a general plan for school aid to States regardless of needs, local responsibility and interest is bound to diminish. That would spell Federal domination and a dangerous threat of centralized control. By such means it would be possible to condition the minds of young Americans for statism of one form or another. To preserve individualism and personal freedom, local responsibility of education must continue.

Last week a letter reached my desk from the National Education Association. It regretted that the Republican platform adopted at the recent convention in Chicago did not promise Federal aid for teachers' salaries, such as is contained in the Democratic platform.

The NEA is for aid for salaries and for permanent Federal aid to schools. I think this organization is wrong and most assuredly its thinking is contrary to the opinion of the people of my congressional district as regarding salaries.

My questionnaire had one question asking for a "yes" or "no" as to whether or not each citizen favored Federal aid for school construction. A second question asked for a "yes" or "no" on whether he or she favored Federal aid for school construction and teachers' salaries. These were sent to persons whose names appeared in local telephone directories.

My purpose in taking this poll in this fast growing residential and shopping area, where extra school taxes and levies have been regularly necessary, was to compare what pressure groups advocate with grass-roots opinion.

In this instance, I found the National Education Association did not reflect the majority thinking of my constituents. A majority of the people support temporary Federal aid for school construction where localities cannot meet the need themselves. The people, however, firmly believe in local responsibility and oppose aid for teachers' salaries or any Federal aid without a showing of actual need.

The position of the Republican Party platform is well taken in limiting Federal school aid to construction and then only on a basis of retaining local school management and demonstrated need for additional help.

If this school issue is taken to the American people, general Federal aid will not have their support. Meanwhile, neither the House- nor Senate-passed bills, nor any legislation that fails to meet President Eisenhower's specifications, should be enacted into law. Action on an education bill should wait.

QUESTIONNAIRE SHOWS WIDE DIVISION IN PUBLIC THINKING ON MEDICAL AID FOR AGED

Mr. PELLY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, the Congress has reconvened. The House has spent a fruitless and frustrating week doing nothing. The Senate is in the process of catching up with us. From now on let the membership forget partisan politics and the forthcoming elections. The best thing for the Nation would be for us to wind up essential business and go home.

The Democratic leadership has declared that before adjournment we must pass certain bills. One of these "must" measures on which it places a high priority is legislation to provide medical aid for the aged. The House passed a bill providing for a State-option health benefits program for the aged, which represents the conservative Republican position. The American Medical Association supports this kind of plan. Under it, eligibles could participate or provide their own protection with private insurers. The liberal labor group views this measure as inadequate and the Democratic platform has committed that party to fight for legislation resembling the Forand bill.

The main issue here is whether benefits should be linked to the social security system by increasing payroll taxes as the Democrats propose, or whether there will be a program of matching Federal-State grants, as President Eisenhower has recommended.

The discussion of medical care for the aged has produced violent controversy both in and out of Congress. Physicians generally are most fearful that any programs will lead to socialized medicine. The Republican administration has taken the position that any legislation passed should provide for a voluntary health program so that those who wish to take one of the many hospital plans available may do so. Also, President Eisenhower has taken the position that individuals should exert some financial effort toward meeting their health needs of future years. He also believes that the county and State should control and participate financially in any Government-sponsored program, with the Government providing a generous share. On the other hand, the Forand bill proposes that the medical care plan be handled by the social security system and that everyone start paying immediately regardless of age. This of course would mean that out of the 16 million persons over 65 today, 4 million not covered by social security laws would receive no protection.

Social-security payments under present law will take 9 percent of all wages by 1969. The Forand type measure would require withholding taxes so that every worker would contribute almost 30 percent of his earnings to the Government when including income tax deductions.

The provisions of the House-passed bill are for a Federal-State plan to take care of those who cannot afford their own medical care and while the Senate committee did not report a Forand type of bill, the Democratic Senate leaders are committed to fight for that kind of legislation.

Like other Members, Mr. Speaker, I have received a great deal of mail and of course pressure-group organizations have been very active. When the House passed the moderate State-option health plan recently, because of a conflict of interest on account of my association with a private health insurance company, I followed the rules of the House and voted "present." However, my personal responsibility did not cease there and I was constrained to determine the opinions of my constituents.

In March of this year, I sent out a questionnaire in which I asked the following question: "Are you in favor of amending the Social Security Act to include medical expenses, the increased cost to be paid by employees and employers?" The response showed 51.8 percent in favor and 48.2 opposed.

In July to get a fresh insight I sent out a second questionnaire. This was sent to 10,000 residents in my congressional district who reside in and about the Bothell, Kirkland, and Bellevue areas. The inquiries were addressed to names found in the respective telephone directories of those cities.

The questionnaire stated that Congress was meeting again to complete its unfinished business and that in the final session consideration would be given to Federal medical aid for the aged. I asked for "yes" or "no" answers to two questions: "Do you favor a moderate State-option plan?" and "Do you favor including medical protection under social security?"

Of the replies received, 54 were marked "yes" as favorable to the moderate State-option plan and also the plan under social security, indicating that these individuals favor Federal legislation of either nature. Adding these 54 to each of the two classifications resulted in 356 replies favorable to a plan under expanded social security and 303 favorable to the moderate State-option plan. Question marks in this latter classification indicated some who answered lacked information as to this latter program; 338 replies opposed both of the plans.

Thus, based on this survey of my congressional district, it would seem, Mr. Speaker, that public opinion is divided and certainly the comments included in my questionnaires show there are strong opinions on both sides of the issue. My concern is as to whether in these last few days of the 86th Congress, and with the elections very much in the minds of the Members, we should not delay this controversial matter. After all, there is a White House conference on problems of aging scheduled for next January.

I think we have plenty of facts, but I wonder if they have been fully weighed. Why not give public opinion a chance to jell and work its will. It seems obvious that the details of the House-passed bill are not generally known and by the same token, while the Forand bill by title has had strong support, its provisions certainly are not widely understood except in general terms. The fact that it discriminates against 4 million senior citizens and leaves them out completely, it seems to me, calls for a reevaluation.

Mr. Speaker, in this session we should act only on essential bills, such as appropriations, and close up shop, go home and discuss issues like medical plans for the aged with our constituents. Then next year, when the Congress is not under such pressure, the debate could be carried on under conditions more conducive to good legislation.

UNITED NATIONS GENERAL ASSEMBLY RESOLUTIONS ON HUNGARY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 1 hour.

Mr. FEIGHAN. Mr. Speaker, October 23 of this year will mark the fourth anniversary of the start of the Hungarian freedom revolution.

November 4 of this year will mark the fourth anniversary of the cruel Russian aggression against the Hungarian people which robbed them of their newly won freedom and national independence.

This November and December will also mark the fourth anniversary of the enactment of a series of United Nations General Assembly resolutions on Hungary which, first, condemned the Russian aggression against Hungary; and, second, called for the immediate withdrawal of all Russian military, political, and economic elements from Hungarian soil.

The most significant resolution passed was that of December 12, 1956, because it summarized actions taken on prior resolutions and therefore represents the concerted action of the overwhelming majority of the member nations of the United Nations on this historic question. It is significant to note, in this connection, that the vote taken on this resolution in the General Assembly on December 12, 1956, was 55 to 8. Only the Russians and the quisling regimes they have imposed upon the captive nations voted against this resolution.

These are important and meaningful anniversary dates. All the world knows and will never forget the inspiring actions taken by the Hungarian people, beginning on the afternoon of October 23, 1956, when they made their all-out bid for freedom and national independence. Since 1948 the Hungarian people have been under the ruthless and heartless control of a regime imposed by the Russian Communists except for the 5 days of freedom they won in 1956. The Russians, following the end of hostilities in Europe, had permitted a national election in Hungary in which non-Communist parties could put up a slate of candidates. These elections were by no means free, becaue the Russian Army in occupation of Hungary harassed the non-Communist parties and their candidates while providing every possible support for the Communist Party and its candidates. Nevertheless, the Hungarian people, by an overwhelming majority, decided that the Smallholders Party—a thoroughly democratic voice of the Hungarian people—should govern their affairs. The Russians refused to accept the majority voice of the Hungarian people and destroyed self-government in Hungary within 10 months after those national elections. A Communist regime, headed by one notorious Rakosi, was put in power by the Russians. This situation prevailed from 1948 up to the outbreak of the freedom revolution. During this 8-year period the Hungarian people had experienced such exploitation, degradation, and injustice that the nation had reached a breaking point. This accounted for the spontaneous freedom revolution which broke out on the afternoon of October 23, 1956.

History records the Hungarian people, without one bit of support or encouragement from the United States or other nations of the free world, drove the Russian occupier from their beloved homeland. This they did by sheer courage and the thoroughly aroused wrath of all the Hungarian people—from teenage children to aged grandmothers. So determined were the Hungarian people to rewin their freedom and national independence, no matter what the sacrifice to them, that by October 28, five days after the revolutionary started—the Hungarian people were in control of their own affairs and once again masters of their destiny. A revolutionary committee was established which began the rebuilding of their national culture, economy, and free way of life. Freedom-loving people the world over were inspired by this great victory won by the people of Hungary. The myth of invincibility which had been built up around the Red army was shattered and broken beyond repair. No longer were the Russian Communists the symbol of the wave of the future. In all the other captive non-Russian nations behind the Iron Curtain the cause of human freedom received a powerful stimulant. Hopes ran high among the other captive people that soon they too would be rid of the oppressive and degrading Russian yoke.

The revolutionary committee which governed Hungary during its 5 days of freedom and independence proclaimed the neutrality of Hungary, the withdrawal of Hungary from the Warsaw Military Pact, called upon the United Nations to recognize the new freedom status which applied in Hungary, and to give formal recognition to this status through appropriate action in the United Nations.

Then, early in the morning of November 4, 1946, the imperial Red army reinvaded Hungary. This new aggression against the Hungarian people represented a full-scale Russian military operation against the Hungarian people. The conscience of all civilized mankind was shocked by this ruthless, inhuman, and criminal action taken by the imperial Red army against the Hungarian people in violation of the spirit of international law and the letter of the United Nations Charter, killing many thousands of loyal Hungarians and robbing all the Hungarian people of their hard-won liberty, freedom, and national independence.

This criminal action of the imperial Russian Army against the Hungarian people caused a worldwide reaction by the common man, demanding that justice be done for the Hungarian people. At that time the United Nations Security Council and General Assembly were in session. The agenda was taken up with consideration of the so-called crisis in Suez. Preoccupied with the Suez crisis, the Security Council delayed action on the urgent pleas of the revolutionary government in Hungary until after the imperial Red army had reinvaded that country. It was not until the shocked conscience of the world cried out for action on the Hungarian case that the U.S. representative joined with others to introduce a resolution in the Security Council which would permit consideration of the Hungarian case by the General Assembly. As the full truth of the criminal Russian actions in Hungary began to reach the news media of the free world, the demands for action in the United Nations reached a pitch which could not be denied. Then, and only then, was the case moved to the General Assembly for action. A series of resolutions were then adopted by an overwhelming vote. The most significant action taken by the United Nations General Assembly was that of December 12, 1956, which summarized the actions taken hitherto in the General Assembly, crystallized the case against the imperial Russian Army and in support of the human rights of the people of Hungary.

Now, 4 years later, one of the great questions confronting the American people and all freedom-loving people is this: What has been done to cause the Russians to conform with the standing General Assembly resolutions on Hungary? The answer to that question can be put very quickly and simply. The United Nations has not taken a single action against the Russians since the Hungarian revolution. It has confined itself to eloquent words of protest and nothing more. This is a dismal record. It is a record which defies the pleas for action expressed by the common man the world over. It is, in every sense of the word, a victory for the Russian imperialists because they have demonstrated it is possible for them to launch military aggression against a newly independent nation and to go unpunished for such aggression.

We have witnessed within the past few days the Congo crisis, a situation in which the Russian imperialists forced the United Nations to take action against the Belgian nation under the clear threat that unless the United Nations acted to intervene in the Congo, the Russians would take unilateral action. The United Nations Forces thus went into the Congo under the direct threat that unless they did so, the military forces of Russian imperial communism would intervene in the Congo crisis. What a contrast this is to the dismal failure of the United Nations to take affirmative action in support of its standing resolutions on Hungary. If this shameful record is allowed to stand, the people of the world, including the Russian leaders, can draw no other conclusion but the following:

That the willingness to undertake the risks of applying force on a unilateral basis by one of the great powers is the only means of enforcing the collective will of the United Nations. While such action is a clear and obvious violation of the spirit and letter of the United Nations Charter, it is, nevertheless, a practical lesson in international politics and one which has brought significant returns for the cause of imperial Russian communism. Now the question before the people of the United States is whether this record—this shameful record—will be allowed to stand unchallenged and thus become a precedent for the settlement of future disputes in the United Nations.

It should be obvious that if we allow this record to stand the Russian leaders will regard it as an open invitation to become more aggressive and more provocative in using the United Nations as an instrument to advance their plan

of world conquest. The end result will be either the Russians will win the struggle for the world by their demonstrated willingness to use force to attain their objectives, or we will drift into a situation in which war—that is a hot war—will become inescapable. This we must not permit to happen.

What recourse do we have in this situation which demands immediate decision and positive action?

In seeking the answer to this question, I have examined the Charter of the United Nations and consulted with authorities on the charter, including the Department of State, to determine what sanctions can be applied against the Russians for their persistent, adamant, provocative, and contemptuous disregard for the United Nations standing resolutions on Hungary. I am advised that the most powerful sanction within the command of the United Nations is that of membership in that body. By that I mean the suspension or expulsion of a member nation which persistently has violated the letter of the charter and which stands in defiance of the expressed will of the General Assembly of the United Nations. The charter provides, under article 6, that any member of the United Nations which persistently violates the principles contained in the present charter may be expelled from the organization. Article 18 of the charter provides that suspension of the rights and privileges of membership and the expulsion of members requires a two-thirds majority of the members of the General Assembly present and voting. Article 12 provides that the General Assembly shall not act upon any dispute or situation while the Security Council is acting on it unless the Security Council so requests. The charter is not clear nor is there a procedural precedent to guide us on whether the General Assembly can take up directly a question of membership leading to suspension or expulsion of a member nation. Of one thing I am certain. That is, while the Russians do have the power of veto in the Security Council, they cannot, under established procedures, prevent a question involving continuing aggression by them from being presented to the General Assembly for consideration. The continued, flagrant, adamant, capricious, and provocative refusal by the Russians to abide by the General Assembly resolution on Hungary enacted on December 12, 1956, is a clear threat to international peace and security. My opinion is that the "uniting for peace" precedent in the United Nations would prevail on this question.

The question of procedure in the United Nations is not the concern of Congress. It is the concern of the executive branch of Government, and more particularly the Department of State. Therefore, it is not for Congress to argue the intricacies of the U.N. Charter, or to speculate on what can or cannot be done from a procedural point of view, or to tell the executive branch how to accomplish a political objective in that organization. However, I believe it is quite proper and in this case most appropriate for Congress to express its concern over the persistent, adamant, provicative, and contemptuous violations of the principles of the United Nations Charter by the Soviet Union and to call for political action to remedy this dangerous state of affairs.

If it develops that the United Nations is powerless to rid itself of a member which refuses to honor its obligations under the charter, then the issue will be clear. As matters now stand the issue is both unclear and untested. Advisory opinions are no test of a given situation and can be used to avert action where action is clearly called for. If, as some people fear, the Russians are in the U.N. to stay and there is nothing we can do to prevent them from using that organization to preserve and extend their empire, the American people are entitled to know that this situation exists. Certain knowledge that this is an established fact will point the way for clear and realistic thinking on the course we must pursue, as a nation, if we are to avert war or peaceful surrender of freedom's cause. We can establish that certain knowledge only through a formal, full scale test of the issue during the forthcoming session of the General Assembly of the United Nations.

Therefore, I propose that the time has arrived for a test on whether a member of the United Nations, in this case the Soviet Union, will be permitted to continue its membership while persistently violating the letter and spirit of the Charter of the United Nations. Allow me to assure you that there can be no reasonable question about the persistent violation of the Charter by the Soviet Union. For those who may have doubts on this question, I refer them to the report presented to the General Assembly by the Special United Nations Committee on Hungary under date of September 14, 1957, which was adopted by the General Assembly by a vote of 60 to 10. Let me just cite to you a few of the findings of that United Nations committee. I list them from the official report of the Committee as follows:

(a) The Union of Soviet Socialist Republics, in violation of the Charter of the United Nations, has deprived Hungary of its liberty and political independence and the Hungarian people of the exercise of their fundamental human rights;

(b) The present Hungarian regime has been imposed on the Hungarian people by the armed intervention of the Union of Soviet Socialist Republics;

(c) The Union of Soviet Socialist Republics has carried out mass deportations of Hungarian citizens to the Union of Soviet Socialist Republics;

(d) The Union of Soviet Socialist Republics has violated its obligations under the Geneva Convention of 1949;

(e) The present authorities in Hungary have violated the human rights and freedoms granted by the Treaty of Peace with Hungary.

The question before us is whether the United States, as a permanent member of the Security Council, and as the leader of the cause of human freedom, is prepared for a showdown with the Russians on the question as to whether they shall be permitted to remain in the United Nations when the United Nations itself has condemned the Russians over and over again for persistent violations of the letter and spirit of the Charter of the United Nations.

Moreover the Russians have adamantly and persistently refused to abide by the provisions of the General Assembly resolution on Hungary, and have shown a contemptuous and dangerous disregard for its meaning. Here let me cite you verbatim what Chou En-lai, leader of the Red Chinese, had to say about the United Nations, its concern for Hungary, and the failure of the United Nations to cause the Russians to abide by the finding and direction of the overwhelming majority of the members of that body. Here is what Chou En-lai said:

> The Hungarian people, with the friendly internationalist help of the Soviet Union, crushed the forces of the counterrevolution. The Western states made a big noise about the Hungarian events, they made a big thing of the Hungarian problem and brought it before the General Assembly of the United Nations. And what was the result? The noise subsided slowly. (As reported in Nepszabadsag, February 9, 1958.)

Chou En-lai said, "The noise subsided slowly." What Chou En-lai really means is that the United Nations is impotent to act unless the Soviet Union forces it to act. This stands as a challenge to American leadership, a challenge to all of us on the question of whether we believe the mere survival of the United Nations is more important than human rights and justice in the world.

In recent months a number of Americans who are frequently reported in the news have been calling for the rule of world law as the answer to the perplexing problems of our times. They have overemphasized the prospects of the International Court of Justice in pursuit of this worthy aim. These advocates seem to overlook the hard fact that the United Nations is an international organization with a charter based on the rule of law in international affairs. Membership in the United Nations, like membership in any organization, including the International Court of Justice, involves adherence to its basic rules and to the decisions of the majority of the members therein. A beginning in the use of law as a force in world order must be made somewhere and the logical place is the United Nations. The logical case is Hungary—including the many standing General Assembly resolutions summarized by the action taken on December 12, 1956. If the United Nations continues to allow the Russians to stand in defiance of its solemn resolutions, its authority as a world organization will be permanently impaired and the cause of law as a force in the world order will be destroyed.

The record shows that the United Nations has not taken a single action against the Russian Communists since the Hungarian Revolution. It has, as I have said, confined itself to eloquent words alone. Or as Chou En-lai puts it—a big noise and no action. The time has arrived for action. This action must be initiated and unequivocally supported by the American Ambassador to the United Nations. The action called for is very simply put. The Russian imperi-

alists must be required to abide by the General Assembly resolutions on Hungary or be expelled from membership in that body. A definite date must be fixed for withdrawal of all Russian military, economic, and political elements to insure against the Russians talking this action into inaction. If the Russians fail to abide within the time limit set, they must automatically be expelled from membership in the United Nations. It is time that Congress, representing the will of the American people, expressed itself clearly and unequivocally on this all important question.

I have therefore introduced today House Concurrent Resolution 716, expressing the sense of the Congress that the American Ambassador to the United Nations be instructed by the President of the United States to take immediate action to cause the Soviet Union to forthwith abide by the full provisions of the standing resolution on Hungary, including a set time limit for the withdrawal of all Russian military, economic, and political elements from Hungary under United Nations supervision, or be expelled from membership in the United Nations.

I should like to point out that the General Assembly of the United Nations is scheduled to convene on September 20 of this year. I am informed that the Department of State and the American Ambassador to the United Nations are presently preparing for that forthcoming session. I urge enactment of the resolution which I have introduced today in order to give positive direction and practical purpose to the American delegation for the forthcoming General Assembly of the United Nations.

During the week of July 17 through 23 of this year, the people of the United States observed officially Captive Nations Week in conformity with Public Law 86–90. During that week leading Americans in all parts of the country pledged their unwavering support to the cause of all captive nations as defined in that law. Hungary stands as a symbol of the cause of all the captive nations. As Hungary goes, also go all the captive nations in terms of human rights, in terms of self-determination, in terms of self-government, in terms of a new world order based upon justice for all nations and all people. The United Nations was organized as an international instrument to secure justice for all nations and all people. The resolution which I have introduced today will afford Members of Congress an opportunity to express the sincerity of our national purpose in making the United Nations an effective instrument to this end.

The able and distinguished Member from Michigan [Mr. BENTLEY] is cosponsoring this resolution, having introduced an identical one.

Mr. TOLL. Mr. Speaker, will the gentleman yield?

Mr. FEIGHAN. I yield to the gentleman from Pennsylvania.

Mr. TOLL. I take this opportunity, Mr. Speaker, to commend the gentleman from Ohio for his interesting and timely presentation on the subject of the valiant and courageous Hungarians.

Mr. FEIGHAN. I thank the gentleman.

Mr. BENTLEY. Mr. Speaker, will the gentleman yield?

Mr. FEIGHAN. I am happy to yield to the distinguished gentleman from Michigan.

Mr. BENTLEY. Mr. Speaker, I commend the gentleman from Ohio for calling this very important matter to the attention of the House, and I wish to announce I am happy to join in cosponsorship of his concurrent resolution.

I would like to point out to the gentleman that Ambassador Henry Cabot Lodge, our Ambassador to the United Nations, has already announced his intention of having the Hungarian matter placed upon the agenda of the forthcoming session of the General Assembly to take place in New York next month. Owing to the fact that the Special Representative of the United Nations on the Hungarian question—I believe his name is Sir Leslie Monroe of New Zealand—has been unable to obtain any cooperation or indeed any evidence of it either from the Soviet Government or the present Hungarian regime. As I say, Ambassador Lodge indicated his belief that this subject is a matter for the General Assembly to take up at the forthcoming General Session.

I should like to point out one thing to the gentleman, if I might, and that is that the responsibility of this Government to press for action in the United Nations on the Hungarian question is twofold, first, as a leading member of the United Nations and, of course, leader of the free world, we naturally have an obligation both legal and moral to see that the edicts, the resolutions, of the United Nations are enforced wherever possible; but we also have another obligation which the gentleman mentioned but did not emphasize in his very fine remarks, and that is that we together with the United Kingdom and the Soviet Union cannot close our eyes to what has happened since the Hungarian Peace Treaty of 1947 which guaranteed the establishment and preservation of the basic human rights and freedoms in Hungary as well as in the pro-Axis satellites of Romania and Bulgaria. We all have seen, I think, overwhelming proof that such freedoms and rights no longer exist in Hungary or in Rumania or in Bulgaria, for that matter.

As I say, as leader of the free world we have at least the moral obligation to raise this question in the United Nations, as Ambassador Lodge has announced our intention of doing.

I thank the gentleman for letting me make these remarks.

Mr. FEIGHAN. I thank the gentleman from Michigan for the very constructive contribution he has made. I merely wish to point out, however, that five times already the subject of Hungary has been presented to the General Assembly, but the only result has been eloquent words and no action. But if this Congress goes on record expressing the political judgment that the time has come for action, action which will result in the Russians conforming with the standing United Nations resolution on Hungary or cause themselves to be expelled from membership in the United Nations, then, and only then will we be facing up to the reality of this situation. It is timely to point out that Andrei A. Gromyko, the Russian Foreign Minister, is now insisting that the U–2 and RB–47 plane incidents, created by the Russians, be put on the United Nations General Assembly agenda for debate with the expressed purpose of branding the United States as guilty of "aggressive actions which constituted a menace to general peace."

Mr. BENTLEY. I completely agree in the gentleman's belief that the Congress should express itself, and as I say, that is why I join the gentleman as cosponsor of his resolution.

With regard to putting teeth into the resolution there is, of course, a question in my mind as to whether or not the United Nations charter empowers the General Assembly to put teeth into any of its resolutions. If I remember the United Nations charter correctly, I believe the General Assembly is pretty much limited to its power of merely passing resolutions of strong moral condemnation which, of course, they have already done. The only body of the United Nations that could take action in any effective sense is the Security Council where, unfortunately, the Soviet Union exercises the veto power.

Mr. FEIGHAN. That may or may not be true and certainly the question as to the power of the General Assembly to cause expulsion of a member has not been tested, nor have the procedures in the Security Council been tested for expulsion of a member, including the Soviet Union, which flagrantly violates the principles of the United Nations Charter.

We have had an advisory opinion of the Court of International Justice with reference to the granting of membership to a prospective nation, the question of expulsion of a nonconforming member has not been tested, and I feel it should be decided to determine whether or not the Soviet Union or any other nation as a member nation of the U.N. should be permitted flagrantly to violate all the resolutions of the United Nations, or commit acts of aggression in violation of the principles of the charter as the Special Committee on Hungary has already made a finding which was reported to and accepted by the General Assembly on September 14, 1957, and still maintain its membership.

Mr. BENTLEY. I think it would be useful and helpful to have the matter tested, but I wonder if the gentleman's recollection of history is accurate enough to recall in 1940 or possibly the latter part of 1939 when the League of Nations that was in existence was definitely on its last legs, but nevertheless at that time of weakness on the part of the League of Nations, the League then expelled the Soviet Union from membership in the League of Nations for its unprovoked aggression against Finland.

Mr. FEIGHAN. Yes, my memory is good on that point. The League of Nations did expel the Soviet Union from

membership in the League for aggression against Finland—on December 14, 1939. I do not make a judgment as to whether the United Nations is on its last legs at this point in history, but I will say that unless the action called for in the resolution which we have introduced is taken in the next General Assembly, the United Nations will then be on its last legs and beyond any point of possible redemption.

TARIFF COMMISSION COTTON TEXTILE RULING—THREAT TO AMERICAN ECONOMY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Alabama [Mr. HUDDLESTON] is recognized for 30 minutes.

Mr. HUDDLESTON. Mr. Speaker, on June 27, 1960, insult was added to the injury long suffered by our domestic cotton textile industry when the U.S. Tariff Commission ruled that imports of cotton textiles and cotton textile products were in no way adversely affecting the Government's cotton export subsidy program. This action, in effect, rang down the curtain on a sorry farce which had been playing on the administration's hastily constructed stage of concern for almost a year.

I feel sure, Mr. Speaker, that the Members of this body know exactly what I am talking about. Certainly, my colleagues from the southern and western cotton-producing States and my colleagues from the Middle Atlantic and eastern textile-manufacturing States know fully and in detail that sad story to which I now refer.

For the record, however, perhaps it is best that I review the sequence of events that led up to the Tariff Commission's June 27 decision.

In the past several years, informed Americans in many areas of public and private life have become increasingly aware of a problem which, while not as ostensibly dramatic nor perhaps even as ultimately drastic as the possibility of a nuclear holocaust, is nonetheless a very grave one—and I should say an increasingly large one. It is the problem of the rapidly snowballing imports of cotton textiles and cotton textile products. Spokesmen for the domestic industry which is most directly affected naturally were the first ones to sound the warning of the ultimate portent of the problem. Legislators of those areas most directly affected responded to the call and I know that many of them, like myself, personally researched and assembled all the pertinent facts to see whether there was any basis for the industry's initial alarm. The results of their studies have been voiced in the Halls of Congress frequently this year. This spring, in instances too numerous to cite, Senators and Congressmen from every State along the Atlantic seaboard and the South and representing both political parties spoke in unanimous agreement and concern about the fact that the continuing, excessive importation of cotton goods was creating not just a problem for our cotton industry and textile industry but was a mounting threat to our economy at large.

The press, through editorials and in the columns of eminent journalists, bespoke this danger. In January of this year, for example, Victor Riesel, writing in the New York Mirror, commented on the invasion of imported textile goods which he reported was "costing our garment manufacturers well over $200 million a year—and our needle workers tens of thousands of jobs."

And I want to emphasize, Mr. Speaker, that this problem was not one which merely bothered the domestic manufacturer for obvious economic reasons, nor simply bothered the politician for evident political motivations, nor only concerned the professional economist from a strictly academic viewpoint, nor just gave glib inspiration to the news reporter because of the headlines involved. This was—and is—a problem felt, in daily lives and in stinging practicality, by small cotton farmers and mill workers and all the other thousands of Americans whose daily bread is slowly but surely being rationed by a controllable yet sadly uncontrolled force.

As I have already implied, and as is otherwise evident, the plague of excessive cotton textile imports does not exclusively affect the American textile industry and the individuals associated with it. The situation which first hurts the textile manufacturing industry subsequently hurts the whole cotton economy and, in fact, definitely affects in an adverse way the economies of several great regions of our land if not, indeed, the whole economy of the United States. In the South and Southwest, where cotton is grown and later made into fine products of all sorts, as well as in those regions whose economic livelihoods are also based in large measure on cotton textile production and the production of fine cotton goods and apparel, the problem grows more critical by the month.

I am sure I need not point out in great detail why the prices on imported cotton goods, with which our American industries have to contend, are practically out of the range of competition. The wages and general living standard of the American worker—which incidentally I consider to be a tribute to the worker himself, the industry, and the American economic system—as compared with the plight of workers in other lands, and particularly in the Orient whence much of the excessive import problem stems, is answer enough to the question of why the industry cannot take care of the situation with no aid and no consideration from the Government.

Thus it was, Mr. Speaker, that after consultation with many leaders in the American textile industry and in concord with several of my colleagues here in Congress, I contacted the Secretary of Agriculture, Mr. Benson, on July 2, 1959, to urge him to act favorably on the petition which had just been filed with him by the National Cotton Council. I cited in detail my reasons for believing that an implementation of section 22 of the Agricultural Adjustment Act of 1933, as amended, which the petition called for and which he must initiate, would work toward remedying the plight of the domestic textile industry and related industries. I asked that he let me know when he had reached a decision on the matter and while he did not see fit to do so, I was nonetheless pleased to learn via the press some months later that the Secretary of Agriculture had asked the President to instruct the Tariff Commission to investigate and advise whether the textile imports situation justified an implementation of section 22.

It is worth noting, I think, that in the official pertinent press release issued by the President's press secretary, under date of November 10, 1959, it was stated:

> The President has asked the Tariff Commission to determine whether a fee on imported cotton textiles, equal to the amount of the subsidy, is necessary in order to prevent cotton textile imports from interfering with programs of the Department of Agriculture.

But the attached copy of the President's letter to the Chairman of the Tariff Commission showed that the President actually only requested the Commission to see if the Government's export program for cotton and cotton products was being harmed or was tending to be harmed. And on that seemingly small difference in phraseology, the subsequent sad events turned. In that letter, Mr. Speaker, the administration publicy indicated concern about the ultimate outcome of the game but, surreptitiously, stacked the deck against our side.

I think it is appropriate here to read section 22 of the Agricultural Adjustment Act of 1933, as amended, in order to make perfectly clear what real and comprehensive remedies the Congress provided to correct exactly the type situation that prevails in connection with our cotton industry today. This section reads in pertinent part as follows:

> SEC. 22. (a) Whenever the Secretary of Agriculture has reason to believe that any article or articles are being or practically certain to be imported into the United States under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, any program or operation undertaken under this title or the Soil Conservation and Domestic Allotment Act, as amended, or section 32, Public Law Numbered 320, Seventy-fourth Congress, approved August 24, 1933, as amended, or any loan, purchase, or other program or operation undertaken by the Department of Agriculture, or any agency operating under its direction, with respect to any agricultural commodity or product thereof or to reduce substantially the amount of any product processed in the United States from any agricultural commodity or product thereof with respect to which any such program or operation is being undertaken he shall so advise the President, and, if the President agrees that there is reason for such belief, the President shall cause an immediate investigation to be made by the United States Tariff Commission, which shall give precedence to investigations under this section to determine such facts. Such investigation shall be made after due notice and opportunity for hearing to interested parties, and shall be conducted subject to such regulations as the President shall specify.

The Commission, of course, was happy to restrict their activities to consideration of this one little phase of the great overall problem, for obvious reasons, and they set out to do so despite the protests of those who had originally requested the investigation, of a number of distinguished legislators who not only know the problem but know the spirit and the letter of the relevant law, and, it appears, despite the protest of two members of the Tariff Commission itself.

The director of the production suggested a departure from the authors' script, and since the proposed new lines were simpler anyway, the actors conveniently ignored the principles involved.

They set out to do just what the President asked them to do and dared not do one whit more and, it is interesting to note, those of the Commissioners who signed the final report spent approximately one-half of the 20-odd pages of their rationale explaining the legalistics which they said precluded them from getting down to the crux of the matter.

Mr. Speaker, what the Tariff Commission was asked to do and what they proceeded to do—despite what they actually could have done under the law and should have done if they were sincerely interested in securing and acting on the facts—is cogently stated in a section of the minority report, signed by two members of the Tariff Commission, Messrs. Walter R. Schreiber and Glenn D. Sutton:

> Although the export subsidy programs have been primary topics in this investigation, the consideration in vacuo of individual programs that are in reality segments of the total extensive national program on cotton is not a rational procedure. This is because all of the individual programs—or segments—are interrelated, interdependent, and operate together to attain major objectives. Hence, the individual programs cannot be viewed as mutually exclusive with regard to either economic influences or purposes. In broad perspective both the total cotton program and congressional policy call for an expanding domestic cotton agriculture with an increasing offtake of cotton in both domestic and export markets. To this end Congress has provided for marketing quotas and acreage allotments, for decreasing minimum annual price supports through 1962 to encourage larger domestic consumption, and for export and other aids. Clearly, developments which limit or thwart the increased disposition of American cotton constitute interference with objectives of the total cotton program to which the various individual programs are oriented.

And so, Mr. Speaker, the little theatrical progresses towards its denouement. Now having set up the painfully rigid guidelines, the Commission moves toward what it considers to be the issue involved and proceeds to render its unsupportable decision.

After superficially examining the facts presented by the Cotton Council, by the Department of Agriculture itself, and by all of us who attempted to make real contributions toward an objective appraisal and an ultimate, happy solution, the Commission rules that the ever mounting increases in imports of cotton textiles and cotton textile products are not in any way rendering ineffective or tending to render ineffective, or materially interfering with, the cotton export subsidy program of the Government.

The injury is complete. But now the insult. The Commission proceeds, with a galling attempt to gain the offensive for the administration and with devastating ill-logic to announce that to restrict these excessive imports of cotton goods would actually be bad for the American cotton export business and the Government's programs in connection therewith.

For rebuttal, I again turn to the minority report of Commissioners Schreiber and Sutton:

> It is also a spurious contention that the restriction of imports of cotton articles would be substantially detrimental to exports of domestic cotton, since foreign users of U.S. cotton who export cotton articles to the United States would retaliate by instituting measures that would discourage the use of U.S. cotton. Such a position ignores certain important facts. It overlooks, for example, that many major foreign users of U.S. cotton are not important suppliers of cotton articles to the U.S. market. It also fails to recognize that certain important suppliers of U.S. imports of cotton articles have not been, and are not likely to be, significant markets for U.S. cotton. The major error in this position, however, is that it obfuscates the realities of international trade. Such trade between two nations is something more than a vendetta, usually covers a variety of products, and actions are usually determined by germane economic considerations. Since retaliatory action hindering the use of U.S. cotton could have no economic value for a foreign country supplying U.S. imports of cotton articles, and since such action might even impair other important aspects of trade with the United States, it would be most unlikely that foreign countries would even seriously consider invoking retaliatory measures.

Thus the play ends, Mr. Speaker. And a tragic thing about it is that, aside from the performance having lacked even a semblance of edification, the results reach far beyond the immediate esthetic distaste. The effects of the Tariff Commission's decision, unless properly and promptly corrected, will be felt by thousands of individual Americans, by hundreds of American industries, and by the overall American economy.

The serious threat of continuing, grossly excessive imports of cotton textiles and derivative products remains, Mr. Speaker. It remains as formidable and as unrelenting as any militaristic adversary with which we as a nation have ever been confronted. It will not fade away. It cannot be ignored.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. QUIE (at the request of Mr. HALLECK), on account of death of his mother.

To Mr. BARING (at the request of Mr. ANFUSO), for Monday and Tuesday, August 22 and 23, on account of official business.

To Mr. HESS (at the request of Mr. HALLECK), from August 22 to September 10, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FEIGHAN, for 60 minutes, today, and to revise and extend his remarks.

Mr. FLOOD, for 1 hour, on Thursday, August 25.

At the request of Mr. MOORE, the following Members were granted special orders:

Mr. SCHWENGEL, for 1 hour, on August 25.

Mr. CURTIN, for 10 minutes, on August 23.

Mr. BRAY, for 15 minutes, on August 29.

Mr. BRAY, for 15 minutes, on September 1.

Mr. LINDSAY, for 15 minutes, on August 23.

Mr. HALPERN, for 15 minutes, on August 24.

Mr. HUDDLESTON, for 30 minutes, today, and to revise and extend his remarks.

Mr. ROGERS of Florida (at the request of Mr. DADDARIO), for 20 minutes, tomorrow.

Mr. POWELL (at the request of Mr. DADDARIO), for 1 hour, on Tuesday, August 30.

Mr. DENT (at the request of Mr. DADDARIO), for 30 minutes, on Wednesday, August 24.

Mr. CLARK (at the request of Mr. DADDARIO), for 2 hours, on Wednesday, August 24.

Mr. SANTANGELO (at the request of Mr. DADDARIO), for 1 hour, on Wednesday, August 24.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. JENSEN and to include extraneous matter.

Mr. SCHERER, his remarks on H.R. 12753 and to include extraneous matter.

Mr. O'HARA of Illinois in four instances.

Mr. PHILBIN and to include extraneous material.

Mr. MULTER (at the request of Mr. DADDARIO), to include a newspaper article in his remarks on the late Usher Burdick.

(At the request of Mr. DADDARIO and to include extraneous matter the following:)

Mr. MCCORMACK.
Mr. TELLER.
Mr. FLOOD.
Mr. IRWIN.
Mr. JOHNSON of Colorado.
Mr. REUSS.
Mr. WILLIS.
Mr. THOMPSON of Louisiana.
Mr. CELLER.
Mr. FARBSTEIN.
Mr. ZELENKO in two instances.
Mr. RIVERS of South Carolina.
Mr. BROOKS of Louisiana.
Mr. SANTANGELO in two instances.
Mr. BOGGS.
Mr. LEVERING.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 511. An act for the relief of the estate of Eileen G. Foster; to the Committee on the Judiciary.

S. 2917. An act to establish a price support level for milk and butterfat; to the Committee on Agriculture.

S. 3855. An act to increase the authorization for appropriations for the President's mutual security contingency fund for the fiscal year 1961, and for other purposes; to the Committee on Foreign Affairs.

S. 3861. An act to provide for assistance in the development of Latin America and in the reconstruction of Chile, and for other purposes; to the Committee on Foreign Affairs.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 7263. An act for the relief of Edward Ketchum; and

H.R. 8860. An act to stabilize the mining of lead and zinc by small domestic producers on public, Indian, and other lands, and for other purposes.

ADJOURNMENT

Mr. DADDARIO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 32 minutes p.m.) the House adjourned until tomorrow, Tuesday, August 23, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2411. A letter from the Clerk, U.S. House of Representatives, relative to a communication received from the Honorable Roy A. Taylor, in which certain questions are raised with reference to an attempt to contest his election as a Member of the House of Representatives at a special election held on June 25, 1960, in the 12th Congressional District of North Carolina (H. Doc. No. 450); to the Committee on House Administration and ordered to be printed.

2412. A letter from the Commissioner, Immigation and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases where the authority contained in section 212(d)(3) of the Immigration and Nationality Act are exercised in behalf of such aliens, pursuant to the Immigration and Nationality Act; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COOLEY: Committee on Agriculture. S. 2919. An act providing for a study and investigation of the desirability and feasibility of establishing and maintaining a national tropical botanic garden; without amendment (Rept. No. 2113). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R.11917. A bill to authorize and direct the Secretary of Agriculture to convey certain lands in Lassen County, Calif., to the city of Susanville, Calif.; with amendment (Rept. No. 2114). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H.R. 13060. A bill to amend section 203 of the Federal Property and Administrative Services Act of 1949 to authorize the donation of surplus property to volunteer lifesaving corps; to the Committee on Government Operations.

By Mr. BECKER:

H.R. 13061. A bill to amend the Railway Labor Act to prevent interference with the movement of interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. COOLEY:

H.R. 13062. A bill to extend the Sugar Act of 1948, as amended; to the Committee on Agriculture.

By Mr. DEROUNIAN:

H.R. 13063. A bill to amend the Railway Labor Act to prevent interference with the movement of interstate commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 13064. A bill to authorize the Director, Office of Civil and Defense Mobilization, to approve a financial contribution for civil defense purposes to the State of New York; to the Committee on Armed Services.

By Mr. FULTON:

H.R. 13065. A bill declaring October 12 to be a legal holiday, to be known as Columbus Day; to the Committee on the Judiciary.

By Mr. HARRIS:

H.R. 13066. A bill to amend section 4(a) of the Securities Exchange Act of 1934, as amended; to the Committee on Interstate and Foreign Commerce.

H.R. 13067. A bill to amend Public Law 86-619, an act to make uniform provisions of law with respect to the terms of office of the members of certain regulatory agencies, approved July 12, 1960; to the Committee on Interstate and Foreign Commerce.

By Mr. JENSEN:

H.R. 13068. A bill to increase the public benefits from the national fish and wildlife conservation areas through their incidental or secondary use for public recreation, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. JUDD:

H.R. 13069. A bill to amend the Mutual Security Act of 1954, as amended; to the Committee on Foreign Affairs.

By Mr. MOELLER:

H.R. 13070. A bill to eliminate the requirement that veterans have served for 90 days or more to qualify for certain benefits under laws administered by the Veterans' Administration; to the Committee on Veterans' Affairs.

By Mr. RHODES of Pennsylvania:

H.R. 13071. A bill to amend the Internal Revenue Code of 1954 to provide an exemption from income tax for certain nonprofit clubs organized and operated for the purpose of paying benefits to the members and their dependents; to the Committee on Ways and Means.

By Mr. SANTANGELO:

H.R. 13072. A bill to amend section 37 of the Internal Revenue Code of 1954 to equalize for all taxpayers the amount which may be taken into account in computing the retirement income credit thereunder; to the Committee on Ways and Means.

H.R. 13073. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition expenses paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

By Mrs. WEIS:

H.R. 13074. A bill to amend the Railroad Retirement Act of 1937 to provide for the recalculation and reaward of annuities which have been paid in a lump sum on a commuted-value basis to take account of annuity increases becoming effective after such payment; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN of Missouri:

H.R. 13075. A bill to authorize the Secretary of the Army to convey approximately 27 acres of land at Fort Crowder Military Reservation to the city of Neosho, Mo.; to the Committee on Armed Services.

Mr. GEORGE:

H.R. 13076. A bill to authorize the Housing and Home Finance Administrator to make additional payments to certain persons whose property is or has been acquired for the Armourdale urban renewal project, Kansas City, Kans., in recognition of and compensation for the investment which they made in rebuilding or restoring such property after the flood which occurred in that area in 1951; to the Committee on Banking and Currency.

By Mrs. KEE:

H.R. 13077. A bill to provide for a program of Federal loans to assist certain areas of substantial and persistent unemployment to develop and maintain stable and diversified economies; to the Committee on Banking and Currency.

By Mr. JENSEN:

H.J. Res. 787. Joint Resolution establishing a George Washington Carver Centennial Commission; to the Committee on the Judiciary.

By Mr. HOEVEN:

H.J. Res. 788. Joint resolution to improve farm income for producers of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed, by establishing a payment-in-kind program and increasing the resale price of surplus Government stocks of such commodities; to the Committee on Agriculture.

By Mr. JENSEN:

H.J. Res. 789. Joint resolution to improve farm income for producers of wheat corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed, by establishing a payment-in-kind program and increasing the resale price of surplus Government stocks of such commodities; to the Committee on Agriculture.

By Mr. GROSS:

H.J. Res. 790. Joint resolution to improve farm income for producers of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed, by establishing a payment-in-kind program and increasing the resale price of surplus Government stocks of such commodities; to the Committee on Agriculture.

By Mr. SCHWENGEL:

H.J. Res. 791. Joint resolution to improve farm income for producers of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed, by establishing a payment-in-kind program and increasing the resale price of surplus Government stocks of such commodities; to the Committee on Agriculture.

By Mr. KYL:

H.J. Res. 792. Joint resolution to improve farm income for producers of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed, by establishing a payment-in-kind program and increasing the resale price of surplus Government stocks of such commodities; to the Committee on Agriculture.

By Mr. ANDERSEN of Minnesota:

H.J. Res. 793. Joint resolution to improve farm income for producers of wheat, corn, oats, rye, barley, grain sorghum, soybeans,

and flaxseed, by establishing a payment-in-kind program and increasing the resale price of surplus Government stocks of such commodities; to the Committee on Agriculture.

By Mr. QUIE:

H.J. Res. 794. Joint resolution to improve farm income for producers of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed, by establishing a payment-in-kind program and increasing the resale price of surplus Government stocks of such commodities; to the Committee on Agriculture.

By Mr. NELSEN:

H.J. Res. 795. Joint resolution to improve farm income for producers of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed, by establishing a payment-in-kind program and increasing the resale price of surplus Government stocks of such commodities; to the Committee on Agriculture.

By Mr. LANGEN:

H.J. Res. 796. Joint resolution to improve farm income for producers of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed, by establishing a payment-in-kind program and increasing the resale price of surplus Government stocks of such commodities; to the Committee on Agriculture.

By Mr. WEAVER:

H.J. Res. 797. Joint resolution to improve farm income for producers of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed, by establishing a payment-in-kind program and increasing the resale price of surplus Government stocks of such commodities; to the Committee on Agriculture.

By Mr. FEIGHAN:

H. Con. Res. 716. Concurrent resolution expressing the sense of Congress that the President should instruct the American Ambassador to the United Nations to cause the Soviet Union to abide by the standing General Assembly resolutions on Hungary or, by their failure to do so, to be expelled from membership in the United Nations; to the Committee on Foreign Affairs.

By Mr. BENTLEY:

H. Con. Res. 717. Concurrent resolution expressing the sense of Congress that the President should instruct the American Ambassador to the United Nations to cause the Soviet Union to abide by the standing General Assembly resolutions on Hungary or, by their failure to do so, to be expelled from membersip in the United Nations; to the Committee on Foreign Affairs.

By Mr. LANDRUM:

H. Con. Res. 718. Concurrent resolution expressing the sense of Congress in favor of granting relief to the domestic carpet industry; to the Committee on Ways and Means.

By Mr. SCHNEEBELI:

H. Con. Res. 719. Concurrent resolution expressing the sense of Congress in favor of granting relief to the domestic carpet industry; to the Committee on Ways and Means.

By Mr. WOLF:

H. Con. Res. 720. Concurrent resolution expressing the support of the Congress for a U.S. initiative in the United Nations looking toward the development of plans whereby all members of the United Nations can work through the United Nations system to provide substantial quantities of available foods to needy peoples in member states; to the Committee on Foreign Affairs.

By Mr. JOHNSON of Colorado:

H. Con. Res. 721. Concurrent resolution expressing the support of the Congress for a U.S. initiative in the United Nations looking toward the development of plans whereby all members of the United Nations can work through the United Nations system to provide substantial quantities of available foods to needy peoples in member states; to the Committee on Foreign Affairs.

By Mr. STRATTON:

H. Con. Res. 722. Concurrent resolution expressing the sense of Congress in favor of granting relief to the domestic carpet industry; to the Committee on Ways and Means.

By Mr. BRAY:

H. Res. 603. Resolution to print as a House document certain statements made in Congress relating to the nomination of Abraham Lincoln for President; to the Committee on House Administration.

By Mr. LESINSKI:

H. Res. 604. Resolution to furnish each Member of the House of Representatives with 25 copies of the 1960 Census of Population according to States; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAILEY:

H.R. 13078. A bill for the relief of Mrs. Ann Wilson and her minor child, George Stephen Wilson, Jr.; to the Committee on the Judiciary.

By Mr. BASS of New Hampshire:

H.R. 13079. A bill for the relief of Hsien-Chi Tseng; to the Committee on the Judiciary.

By Mr. BOGGS:

H.R. 13080. A bill for the relief of Dimitri Elias Sartan; to the Committee on the Judiciary.

By Mr. BRAY:

H.R. 13081. A bill for the relief of Wen Nong Wong; to the Committee on the Judiciary.

By Mr. BROCK:

H.R. 13082. A bill for the relief of Joe, Catherine, and Francis Tobin; to the Committee on the Judiciary.

By Mr. BROWN of Ohio:

H.R. 13083. A bill for the relief of Capt. Jacob Haberle; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H.R. 13084. A bill for the relief of Stephanus H. Kleynhans; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H.R. 13085. A bill for the relief of Justina Clara Soto-Falcon; to the Committee on the Judiciary.

H.R. 13086. A bill for the relief of Victoria Rassami; to the Committee on the Judiciary.

By Mr. FENTON:

H.R. 13087. A bill for the relief of Mrs. Pagona Loukakou; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 13088. A bill for the relief of Eva Anna Marchewka; to the Committee on the Judiciary.

By Mr. LAIRD:

H.R. 13089. A bill for the relief of George Lee; to the Committee on the Judiciary.

By Mr. LESINSKI:

H.R. 13090. A bill for the relief of Guiseppina Mola; to the Committee on the Judiciary.

H.R. 13091. A bill for the relief of Domenico Tallarita Pelle; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 13092. A bill for the relief of Antonio Vidrio-Fierro; to the Committee on the Judiciary.

By Mr. MOELLER:

H.R. 13093. A bill for the relief of Alexander Elson and Mrs. Liza Elson; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 13094. A bill for the relief of Chan Tin Yuk; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 13095. A bill for the relief of Antranic Alexanian; to the Committee on the Judiciary.

By Mr. ROGERS of Texas:

H.R. 13096. A bill for the relief of James M. Norman; to the Committee on the Judiciary.

By Mr. WALTER:

H.R. 13097. A bill for the relief of Mrs. Maria Zondek; to the Committee on the Judiciary.

By Mr. ZELENKO:

H.R. 13098. A bill for the relief of Mrs. Virjini Mori; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Rights of the Workingman Under the Landrum-Griffin Bill

EXTENSION OF REMARKS

OF

HON. T. A. THOMPSON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. THOMPSON of Louisiana. Mr. Speaker, many people from my district have asked me for a concise explanation of the rights of the workingman under the Landrum-Griffin bill and under leave to extend my remarks in the RECORD, I submit the following:

If you are interested in labor and the problems of the workingman, please read the following provisions which state the facts about the Landrum-Griffin (antiracketeering) bill. They will show that this bill, repugnant to labor racketeers, is actually a labor bill of rights, protecting the union members from exploitation.

Under the Landrum-Griffin antiracketeering bill:

First. It is unlawful for a union official to betray his office of trust. The money he collects and uses and the properties he administers are solely for the benefit of the union and its members.

Second. It is mandatory that local union officials are elected by secret ballot.

Third. It is unlawful for unions to raise dues or assessments, except by a majority vote on a secret ballot.

Fourth. It is possible to discipline a union member only after giving him a list of the written charges, a full and fair hearing, and reasonable time to prepare his defense.

Fifth. It is necessary for union leaders to file annual financial reports with the Secretary of Labor. These reports must

show assets and liabilities, receipts for and sources of all funds. They must show and account for all loans to union members or employees.

Sixth. It is necessary for unions to adopt constitutions and bylaws and register them with the Secretary of Labor.

Why was this bill passed? Here are some of the excerpts from the McClellan committee report:

Dave Beck viciously abused the trust of the union's (Teamsters) 1½ million members and shamefully enriched himself at the members' expense.

Dave Beck took, not borrowed, more than $370,000 in union funds from the Western Conference of Teamsters Joint Council No. 28 building fund.

During the same hearings, Jimmy Hoffa made the following statement, exactly as quoted below:

They, the Congress, can pass all the bills they want to and it won't mean a thing. None of the bills worries me.

And to add to this un-American attitude:

To hell with them, the U.S. Senate.

I have been a friend of labor and labor unions, yet not unfriendly to industry. More industry in my areas means more jobs for my people and a better standard of living. I hope the above excerpts from the controversial antiracketeering bill show conclusively that this act is the best protection the individual worker can have. Our workers need organization, but they need organization without exploitation.

I shall continue to be alert to the problems of our workers and will always fight against the infiltration of Johnny Dio's and Jimmy Hoffa's, and others who would misguide and misuse the laboring man, into our areas of the South. Do not forget that Senator JOHN F. KENNEDY, our present nominee for the highest office of the United States, said he knew something must be done to protect the workingman from such unscrupulous labor bosses and he, as well as our two Louisiana Senators and every Louisiana Member of the House, voted for the Landrum-Griffin antiracketeering bill on final passage.

Federal Tax Deduction as Federal Aid for Education

EXTENSION OF REMARKS
OF
HON. ALFRED E. SANTANGELO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, August 22, 1960

Mr. SANTANGELO. Mr. Speaker, I have introduced today a bill which will aid taxpayers in their endeavors to provide education for their children and themselves. No grant or loan by the Federal Government is provided for in this bill. Assistance is provided in the form of an income tax deduction for a taxpayer to the extent of $600 paid by him for tuition for each dependent or himself. This deduction will be available for those taxpayers whose dependents attend private, parochial, secondary school, college, or university, and who are required to pay tuition.

Our country is the greatest in the world in the production of goods and in its material wealth. Our position in the field of education is a matter of speculation. Certain critics, notably Adm. Hyman G. Rickover, who studied the Russian educational system, assert that we are falling behind the Russians in this field. In any event, room for improvement exists not only in facilities and curriculum, but also in the availability of education. Reliable reports disclose that some brilliant students are denied higher educational opportunities for lack of funds. Others are denied educational opportunities for lack of facilities. Others are compelled to attend private or parochial schools because public facilities are overcrowded or unavailable. In many instances, taxpayers, because of the high cost of education, cannot afford the tuition for more than one of their children; and, consequently, the younger ones suffer. With the increasing cost of tuition, the burden on the taxpayer has grown heavier. The situation cries for remedy.

My bill provides a remedy. It provides assistance to the taxpayer without resorting to the timeworn remedy of more money. My bill will indirectly relieve municipalities of some of their burdens by diverting some of the students to private schools and will reduce to an extent the requirement of increased taxes to finance education.

Great Challenge to the U.N.—Africa

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Monday, August 22, 1960

Mr. HUMPHREY. Mr. President, I commend to the serious study of my colleagues and to our policy planners in the State Department an article by Representative CHESTER BOWLES in the August 21 edition of the New York Times magazine, called "Great Challenge to the U.N.—Africa."

Congressman BOWLES is concerned that the continent of Africa is going to become subject to the most disruptive pressures of the cold war. Its galloping problems are grave enough without compounding the seriousness of them by bringing the cold war infighting to Africa.

Therefore, Mr. BOWLES, with his usual clarity of insight, proposes a program that would keep Africa out of the cold war by having the United Nations administer the help that the new nations need. His plan is imaginative; it is highly necessary; and, most important, it is workable. Further, it is not a negative, stopgap program, but rather a positive one of action.

This is a most judicious and statesmanlike article and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GREAT CHALLENGE TO THE U.N.—AFRICA—MR. BOWLES OFFERS A PROGRAM THAT, HE SAYS, WOULD KEEP THAT EXPLOSIVE CONTINENT OUT OF THE COLD WAR BY HAVING THE U.N. ADMINISTER THE HELP ITS NEW NATIONS NEED

(By CHESTER BOWLES)

The recent explosion in the Congo, like a flare in a darkened sky, shows up the extent and depth of Africa's problems and the pressing need for bold American initiative in establishing a new relationship with that continent.

Africa's vast potential would be of enormous importance to the world even if the contest between freedom and communism did not exist. But if Africa, with all its tribal turmoil, nationalistic fervor and political confusion, is allowed to drift into the vortex of the cold war, the world is in for a time of troubles, the dimensions of which are appalling.

The land area of Africa is greater than that that of China, the United States and India together. Although Africa's resources are only partially explored, they probably rival those of both the Soviet Union and China combined. With a highly favorable ratio of population to land and mineral resources, the long-range outlook for African economic development is auspicious indeed. The Communist nations, keenly aware of Africa's promise, have already been moving, as in Guinea, Sudan, and the Congo, to fill the vacuum left by the forces of European colonialism, which are now in precipitate retreat. Meanwhile, American foreign policy is caught uncertainly between fear of offending our European allies and a belated but growing awareness of the powerful economic and political tides which are sweeping Africa.

The difficulties which have faced our allies have, of course been enormous, as they adjusted to changing relationships with their former colonies. There are obvious exceptions but in many instances they have acted responsibly and ahead of events. The British followed their dignified withdrawal from India, Pakistan, Burma and Ceylon with an equally dignified transfer of power in Ghana and, soon, in Nigeria, Tanganyika and Uganda. General de Gaulle's imaginative offer of freedom to the French colonies in West and Central Africa was a farsighted act of a great European statesman. Therefore, no blanket indictment is justified.

But the truth of the matter is that events in Africa have taken our Government by surprise. As late as 1955, our missions south of the Sahara were still living largely in a colonial dream world. Of the four American consuls general whom I met there in the winter of that year, only one had ever had a black African to dinner. Our African service itself was very nearly nonexistent. Even those few officials assigned to Africa, with some notable exceptions, appeared oblivious to the clearly foreseeable series of explosions that lay ahead.

Thus, when the French suddenly left Guinea in 1958, we could think of nothing more affirmative to do than to await developments. The developments included a rapid influx of Soviet, East German, Czechoslovak, and Hungarian technicians and capital. In all fairness, I must add that our policymakers, however belatedly, are now making rapid progress in creating and training a new and promising African service.

Yet without clear, courageous policy direction, acutely sensitive to the special requirements and hard realities of the emerging new Africa, our ablest representatives will fail.

What then should be the basic ingredients of a fresh and affirmative American

approach to Africa? The first essential is that we know precisely what we seek.

We have no desire or need to control Africa, even if we could. Our national economic and political interests, as well as the long liberal traditions of our democratic society, all point in the direction of a constructive partnership with free, independent, politically stable, prosperous new African nations. Such a partnership would assure open trade and communications with Africa and the friendship and respect of the African people in promoting our common objectives of world stability, prosperity and peace.

What about Soviet objectives in Africa? The leaders in the Kremlin have made it abundantly clear that their end goal is not cooperation but domination. Behind all the blandishments, their objective in Africa as elsewhere is total economic and political control, achieved by whatever techniques of subversion, nuclear brinkmanship or military adventure may appear most effective at the moment.

Now if this is a realistic comparison of American and Soviet objectives, the deep-seated potential strength of our position in Africa comes into clear focus. Our position there can be made strong because what we want for Africa is more or less precisely what the Africans want for themselves. The Soviet position, on the other hand, is inherently weak because Soviet objectives directly oppose the dream of the newly free African peoples for national independence and the opportunity to make their own political and economic choices.

Although the advantage that these common objectives give us is very great, it must be grasped with sensitivity and courage, or the opportunity for creative action will be lost forever. To meet the requirements of the emerging new Africa, it will not be enough simply to stretch policies and procedures that have been proving increasingly inadequate elsewhere.

For instance, both American and African interests will be best served by keeping Africa as free as possible from the tensions of the cold war. Although this will be a formidable task, there are unique circumstances that provide a measure of solid hope that it may be accomplished.

The key lies in the capacity of the United Nations to take the lead in filling the economic and political vacuum in Africa and in the exceptional readiness of most Africans to accept the United Nations in such a role.

Thus the starting point for an affirmative new American policy in Africa should be a dramatically expanded concept of the United Nations' contribution—a contribution that would include not only internal and external security, but also economic progress and orderly political transition. This fresh approach could be dramatized effectively by the introduction of an American-sponsored resolution at the fall session of the General Assembly proposing a charter of conduct for all non-African powers in Africa.

Such a charter should be far more than a negative statement of what the great powers agree not to do in Africa. It would propose that all members of the United Nations agree to a broad-scale course of constructive economic and political action that will assure the independence of the new African nations, encourage their orderly political and economic development, and relieve them in large measure of the pulling and hauling of the cold war.

A commitment of this kind would enable the more developed nations to help meet Africa's vast and varied needs through the neutral machinery of the United Nations, rather than through the dangerously volatile competition of the power blocs, which has kept the world on the brink of war in the Middle East and in southeast Asia.

Let us examine more precisely what some of those commitments might be.

(1) A pledge by all nations to refrain from agitating propaganda within Africa and to end all efforts at direct or indirect subversion. The United Nations could be authorized to investigate all charges of violation and to report to the General Assembly.

(2) A similar agreement not to feed the arms race in Africa. In present circumstances the actual military needs of the new African nations are modest. It is to our advantage and that of the Africans to keep them so. Such a pledge might build on the foundation of Prime Minister Macmillan's presummit proposal for a NATO-Soviet agreement not to ship additional arms to Africa except those minimal amounts clearly necessary for internal security.

(3) An agreement by the great powers to channel the bulk of all economic, technical, and educational assistance to Africa through the United Nations. The essential machinery already exists in the U.N. specialized agencies, the Technical Assistance Administration, the Special Fund, the World Bank, and the new International Development Association. What is needed now is the will to substitute this international machinery to the maximum possible extent for the well-worn path of bilateral aid, which inevitably introduces the competition of the cold war.

The World Bank under Eugene Black and the U.N. Special Fund under Paul Hoffman have a particularly important role to play in Africa in planning national and regional development projects and in raising the necessary funds from public and private sources. Transportation and communications are largely undeveloped in Africa. Resources are plentiful, but precise knowledge is limited and access to them is often poor. Most of the conditions for rational and fruitful economic development are lacking.

The proposed charter would specify that the necessary leadership and coordination should largely be provided by international agencies which, because they have no political axes to grind, would have the confidence of the African governments.

(4) An imaginative and comprehensive effort through a newly created United Nations civil service to meet Africa's overriding need for experienced administrators, technicians, engineers, teachers, and professional men of all sorts—outside the context of the cold war. Although lack of able personnel is common to all underdeveloped nations it is acute beyond all degree in Africa, where such positions have long been filled, almost exclusively, by Europeans of the mother countries.

Precise figures do not exist, but it has been estimated that in 1958 some 30,000 European civil servants occupied administrative and technical positions in the various African governments, colonial and otherwise. Many of these civil servants have already left Africa and others are preparing to leave. Although most of those who may be induced to remain are uniquely qualified through their familiarity with the technical aspects of African problems, they will continue to work under the disadvantage of their former colonial associations.

Yet, for a generation or more, non-African civil servants, working under African policymakers, will be essential to the rapid economic and political development of the African nations. The essential question is, where will those non-Africans be recruited? To whom will they owe their first loyalties? Will they help bring the cold war to Africa? Or will they serve the cause of international cooperation and understanding?

In 1958 the United Nations developed a small program called Operational and Executive Personnel (OPEX) to help supply administrative, technical and operating personnel to underdeveloped countries. On the request of an underdeveloped nation, OPEX attempts to find a person with the necessary qualifications who is politically acceptable to the host country. Once the new employee has been agreed upon, OPEX makes up the difference between the salary and benefits which he would receive in his home country and the salary and benefits normally provided by the underdeveloped country.

This machinery provides the ideal answer to the administrative shortage now existing in much of Africa. The proposed United Nations charter for Africa should call for its immediate and massive expansion. The U.N. civil service could provide an exciting new future for thousands of men and women of all nationalities qualified in industrial development, tax collection, clerical and office management, school administration and teaching, agriculture, village development and police administration. It could bring to Africa the skilled administrators who are urgently needed, free both of political involvement in the new African nations and of direct involvement in the cold war.

(5) The establishment of a permanent U.N. Police Force for use in Africa and elsewhere along the lines of that at present being shaped in the Congo. Such a force now represents the major hope of the new Congolese nation for internal security and national unity. Similar tensions are certain to develop in other areas not only as an aftermath of the withdrawal of European control, but also as conflicts develop among the new African nations themselves.

In West Africa, for instance, colonial access to the sea and a delicate balancing between great powers were the determining factors in establishing borders. This resulted in strips of territory such as Togoland and Dahomey, and enclaves such as Gambia, in which tribal, ethnic and language groups were abruptly severed by diplomatic agreements in faraway capitals.

A map of existing African loyalties superimposed on a map of national boundaries, therefore, produces a crazy quilt of overlapping and intersecting lines. This situation has already led to considerable friction as various federations have been proposed, announced and dissolved.

It is not for the United Nations to decide the outcome of these matters—either to insure the status quo or to promote changes, however wise they may appear to be. This is a matter solely for the Africans themselves. However, it is a proper and essential objective of the United Nations to prevent such situations from exploding into violence and particularly to prevent the great powers from intervening in behalf of one side or the other.

The existence of an adequate U.N. Police Force, recruited largely by the African nations themselves, could do much to reduce the temptation for direct unilateral military intervention from outside.

(6) The proposed African charter might also provide for the setting up of a special African court of justice, perhaps associated with the World Court, and specifically empowered to settle disputes between African nations and between African states and outside nations. Such a court, with its members drawn largely but not exclusively from the African nations, would provide an additional barrier to outside intervention—provided the African powers could be induced to accept its jurisdiction without too many qualifications.

I do not suggest that the United Nations can successfully shoulder all the problems of the turbulent new Africa. However, I believe it can provide by all odds the most effective machinery through which to approach these problems while isolating them from the explosive antagonisms of the cold war.

The sense of vigorous purpose that a bold new leadership role in Africa could bring to the United Nations could at the same time greatly increase the U.N.'s own prestige and effectiveness in speeding orderly development and in settling conflicts in other parts of the world.

Now let us frankly face the question of costs and alternatives.

The charter I have proposed calls for an unprecedented expansion of United Nations powers and responsibilities in Africa. The annual cost would amount to several hundred million dollars annually, much of which would be paid by the United States. The alternative, however, is not isolationist, inexpensive inaction. The alternative is a vast expansion of the cold war in Africa, in which American dollars will be increasingly matched against Russian rubles, American engineers against Russian engineers, and, eventually, American-made tanks against Soviet tanks.

Unless we are prepared to sit idly by while much of the world's richest and most promising continent becomes a bloody political and economic vacuum that ultimately will be filled by the Communists, this means that a major investment of American dollars and energies will be required in any event. The only practical question, therefore, is how can our dollars and our energies most effectively be brought to bear?

How would the Soviet Union react to the comprehensive United Nations charter for Africa which I have proposed? The Kremlin's dilemma in considering this question would be considerable.

The prestige of the United Nations in Africa is very great. By 1962 nearly one-third of the seats in the General Assembly will be occupied by Africans. If the Kremlin accepted our challenge to deal with Africa largely through the U.N., it would greatly limit, if not actually shackle, its program of subversion and infiltration there. If it rejected the proposal, or hedged its acceptance with political counterproposals, its true imperialistic objectives in Africa would become clear even to the most wishful thinkers in Léopoldville, Addis Ababa, Conakry and elsewhere.

In that case, much of the non-Communist world might still agree to proceed with most, if not all, of the proposed charter commitments I have suggested, including the U.N. police force, emphasis on U.N. multilateral development planning and aid the U.N. civil service and the special African court of justice.

If the Soviet Union still chose actively to oppose even these limited United Nations efforts, it would come into direct conflict not simply with America but with most of the non-Communist world. In those limited areas in Africa where the Kremlin was still able to operate unilaterally, it would be struggling—under the most adverse conditions—against the powerful flood tide of African nationalism which, with strong Asian and Latin American support, would be vigorously represented in the General Assembly of the U.N.

This brings me to the final decisive question: Is our own Government prepared to abandon our present inadequate and sterile approach to Africa and embark on a bold new effort in positive international cooperation there? Is it ready to regain the initiative in world affairs that we held in the days of the Marshal plan, to shake off our day-by-day obsession with Mr. Khrushchev's oratory and maneuvers, and to challenge the world through the U.N. General Assembly to a new cooperative beginning in the great African Continent?

If we timidly turn our back on this opportunity, only one thing is certain: Africa will rapidly become an ominous new battleground of the cold war, with explosively uncertain results. Let us hope, therefore, that we act positively, wisely, boldly, and soon.

Louisiana State Winner in National Teenage Safe Driving Road-e-o Again From Third Congressional District

EXTENSION OF REMARKS
OF
HON. EDWIN E. WILLIS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 22, 1960

Mr. WILLIS. Mr. Speaker, the Third Congressional District of Louisiana, which I have the honor of representing, has produced for the third successive year the State champion in the National Teenage Safe Driving Road-e-o sponsored by the Junior Chamber of Commerce of the United States.

Bill Vincent, 17, son of Mr. and Mrs. Britton Vincent, of Lafayette, senior and honor student at Lafayette High School, the Louisiana winner for 1960, has been in Washington for the finals of the ninth annual road-e-o. He finished first in the State competition at Ruston where approximately 50 victors in local contests participated. Jimmy W. Carter was State chairman.

Forty-eight State champions took part in the Washington events in which they were tested on their attitudes and their knowledge of road rules, given a driving machine test, interviewed and required to negotiate successfully four tricky obstacle courses in the District of Columbia Armory and a 6-mile run through District traffic. After all scores were compiled, prizes of $2,000, $1,500, and $1,000 scholarships were awarded to first, second, and third place winners respectively during a banquet at the Statler-Hilton Hotel, road-e-o headquarters. The Louisiana champion made a very good showing, placing 16th among the 48 contestants.

Young Price was accompanied to Washington by Donald E. Butcher, also of Lafayette, son of Mr. and Mrs. Edwin Butcher, of that city, a director of the Lafayette Junior Chamber of Commerce and local road-e-o chairman. Others in the Lafayette group visiting Washington were Mrs. Elden Butcher and Miss Gloria Foreman.

Bill brought with him for President Eisenhower a gold Lagcoe oil hat which had been presented to Bill for this purpose at a petroleum club luncheon in Lafayette by Leo Franques, chairman of the Louisiana Gulf Coast Oil Exposition. With the hat, symbolizing the Louisiana oil industry, the exposition, and Lafayette's position as the oil center of the South, was a scroll which read:

The Louisiana oil industry and its biennial exhibition, the Louisiana Gulf Coast Oil Exposition, is deeply honored to present this token of esteem to Dwight D. Eisenhower, President of the United States, accompanied by our most sincere wishes for a long and happy future, and a most cordial invitation to attend the Fourth Louisiana Gulf Coast Oil Exposition in October of 1961 at Lafayette, center of petroleum activity in the south of Louisiana, our Nation's greatest producer of petroleum per acre.

The scroll was signed by Chairman Franques; Maurice Heymann, developer of the Heymann Oil Center at Lafayette; and Sidney C. Ory, president of the Lafayette Chamber of Commerce.

Through arrangements made by my office the presentation took place at the White House where Bill and Donald were received by Secretary of the Cabinet Robert K. Gray who accepted the hat and scroll in behalf of the President.

The Lafayette Junior Chamber of Commerce, with a membership of around 40 young men active in community affairs, sponsors numerous civic projects in addition to the safe driving competition which is open to both boys and girls. Cary Moore is president and the other officers, in addition to Donald Butcher, are Lionel Prejean, first vice president; Alvin O'Fleurty, second vice president; Earl Grand, secretary; Scott O. Brame, treasurer; and Tom Rogers, I. J. Mires, and Noel Diuffrida, board of directors. Formed several years ago, the organization meets for a luncheon program on the first Wednesday of each month and gathers for a night meeting on the third Wednesday.

In 1958 Louisiana was represented in the road-e-o finals in Washington by State champion Raymond Albert Young, son of Mr. and Mrs. William Young, of Centerville, who was accompanied by Ted L. McIntyre, son of Mr. and Mrs. F. P. McIntyre, of Franklin, representing the Franklin Junior Chamber of Commerce as a member of the board of directors.

Last year's Louisiana champion also came from the Third Congressional District. Bill Young, son of Mr. and Mrs. Pierre W. Young, of Lafayette, competed in the Washington finals. Accompanying him was Cary Moore, son of Guilliam Moore and the late Mrs. Moore, who is head of the Lafayette Junior Chamber of Commerce of which at that time he was vice president and local road-e-o chairman.

Harry D. Strunk

EXTENSION OF REMARKS
OF
HON. PHIL WEAVER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 22, 1960

Mr. WEAVER. Mr. Speaker, it was with great shock that I learned the news on Saturday, August 6, of the passing of my good friend and the great reclamation leader of Nebraska, Harry D. Strunk of McCook.

I have known Harry Strunk for many, many years. During all of this time he was an outstanding and vigorous fighter for the development of sound and practical reclamation projects and flood control in the Republican Valley. His efforts were ceaseless and his devotion to this cause complete.

I suppose it was the great Republican River flood of 1935 which claimed over 100 lives that caused Harry Strunk to strike out so vigorously and so unceasingly for better protection for his neighbors. That may have been the trig-

gering reason; but he had always held a deep and abiding interest in flood control and in the development of sound, economic reclamation projects.

But in the middle thirties Harry Strunk started to wage a war which was still the center of his whole being the day he passed from us to his reward. Many of my colleagues who have sat on the Public Works and Appropriations Committees will remember him well. They will recall the long, lean, and weathered figure which appeared before their committees year after year. They will remember the intense face, the vigorous and eloquent speech. Most of all, though, they will remember the fire which burned throughout his being and the force that drove him, which he could so easily communicate to others.

Harry Strunk grew up in the newspaper business and for many years published the McCook Gazette at McCook, Nebr. He wielded a strong force in his community and his State, and became a potent force in the Nation in his efforts to broaden the concept of reclamation and to further the cause of flood control. Though primarily interested in the Republican River Valley, Harry Strunk worked diligently and hard for reclamation and flood control everywhere. No farmer in the reclamation States nor a single flood-threatened family anywhere in America had a better, truer friend. Their needs were his; their fears were likewise his.

He has created a living memorial to himself in the development of the Republican River Valley. But even at the close of his career he knew that his work was not done and he was still fighting.

Mr. Speaker, I cannot say how deeply I will miss the presence of this great man. I cannot express in words my own feelings completely. Let me say only that a great and fighting heart has stopped beating and that his absence will be felt.

Memorial Tribute to Philip B. Perlman

EXTENSION OF REMARKS

OF

HON. BYRON L. JOHNSON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. JOHNSON of Colorado. Mr. Speaker, 2 weeks ago one of the greatest champions of civil rights that this country has ever known passed away—former U.S. Solicitor General Philip B. Perlman. Over the last two decades Philip Perlman had held many positions of great responsibility and had distinguished himself in all of them.

It was, for example, he who presented the restrictive covenant cases to the Supreme Court in 1947. The subsequent ruling in 1949 constituted an important milestone in the abolition of legal sanction for segregation.

While I had been fully aware of his vigorous and aggressive role for years in the struggle to stamp out racial discrimination and assure all Americans equal rights under the law, it was only recently my great privilege to serve with him on the Platform Committee of the National Democratic Convention in Los Angeles and to watch at close range his brilliant and incisive mind in action as the cochairman of that committee. Little could I know or suspect that this was to be his last contribution to that cause.

Time and again throughout our deliberations and the drafting of the platform, as throughout his entire career, he revealed himself as a prodigious and diligent defender of the downtrodden, as an uncompromising protector of those people who have been the victims of prejudice. I am profoundly humbled by the opportunity and the experience of having shared in so small a way in the creation of that document, so appropriately entitled "The Rights of Man," which is an enduring monument to his memory.

Philip Perlman's passing is an irretrievable loss to the Democratic Party and indeed to the American people.

Camp Wigwam for Boys—A Half Century of Service to the Youth of America

EXTENSION OF REMARKS

OF

HON. LUDWIG TELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. TELLER. Mr. Speaker, with the close of the 1960 camping season, Camp Wigwam for Boys, located in Harrison, Maine, will have completed a half century of service to the youth of America. Established in 1910 by Arnold M. Lehman and Abraham Mandelstam, this outstanding camp is still piloted under the direction of its founders, and it has deservedly gained an enviable nationwide reputation as one of the leading private camps of our country. The engaging and implementing talents, characteristics, and abilities of "Pop" Lehman and "Mandy" have been sources of delightful jibe and playful comment by Wigwam staff members and generations of Wigwam campers, who have come away from their experience at Wigwam with lifelong respect for these two great educators and the ideas which they have put to work at their renowned Camp Wigwam. I served as a staff member at Wigwam for several years in the 1930's, and I recall my association with the camp as a worthful and many-faceted experience.

By the early introduction of cultural and artistic interests to go hand in hand with the physical and recreational aspects of the camping experience, Camp Wigwam has proved to be in the fullest and truest sense a pioneer that has now grown to be a tremendously important phase in the life of America's youth. It has blazed trails where there were once no trails at all, thus laying the foundation for a movement of national proportions in the field of education. It has taught the importance of active and democratic participation in community affairs. It has encouraged the development of leadership qualities, and it has thereby contributed to the greatness of our Nation and its freedom loving people.

Almost every State in the Union is today represented by the Camp Wigwam's alumni. Included among many others are such persons as Richard Rogers, composer and producer; Frank Loesser, librettist, composer, lyricist, and producer; William Zeckendorf, Sr., of the real estate firm of Webb and Knapp; Arthur Loesser, head of the Cleveland Conservatory of Music; and U.S. District Court Judge Charles Wyzanski, of Boston.

Among Camp Wigwam's staff members have been Mortimer Adler, educator and author; Dr. Leon J. Saul, author and internationally prominent psychiatrist; the late Clyde Fisher, curator in chief of the American Museum of Natural History; and Prof. Richard B. Morris, head of the History Department, Columbia University, and editor of the Encyclopedia of American History. Among the distinguished individuals who have spent entire seasons as honored guests at Camp Wigwam are the late Leopold Godowsky, composer and pianist; the late Josef Hofmann, world famous pianist. Another distinguished person who has visited at Camp Wigwam is former Premier Mendes-France of France. The two mentioned last entrusted their children to Camp Wigwam as campers.

Founded at a time when psychologists such as Freud, Jung, and Adler were drawing attention to the significance of emotional factors in the education of youth and in the moulding of healthy and well integrated personalities, Camp Wigwam has been among the first camps, if not the very first one, harmoniously to balance a boy's physical activities against his need for appropriate esthetic outlets and educational interests. This has been accomplished partly through the introduction of art, music, theater, and other means of esthetic stimulation. In the rustic setting of Camp Wigwam, its founders and directors have been able to inculcate young people with a more sensitive appreciation of those finer values which lead to an integrated life. At the same time, it has provided them with abundant opportunities for thriving physically in a wholesome atmosphere stimulated by closeness to nature. By being fortunate enough to get youngsters at the formative stage of their intellectual and emotional development, Camp Wigwam has been able to guide them into healthy adulthood and to infuse them with a sense of belonging and of sound democratic citizenship. In this manner, it has constantly furthered a tremendously worthwhile national camping movement that today is invested with a broad cultural and educational rather than solely recreational significance, geared to the needs of the individual youngster and his adjustment to conditions prevailing in an ever changing world.

Stockpiling for Survival

EXTENSION OF REMARKS
OF
HON. JOHN W. McCORMACK
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. McCORMACK. Mr. Speaker, under permission to extend my remarks I include a very interesting and informative letter signed by our colleague, the gentleman from North Carolina, Mr. COOLEY, and appearing in the New York Times of July 20, 1960. There is no man better versed in the needs and necessities of the agricultural life of our Nation, and in connection with the legislation relating to agriculture, than Mr. COOLEY, the distinguished chairman of the House Committee on Agriculture:

STOCKPILING FOR SURVIVAL—NIXON FOOD BANK PLAN DECLARED IN PAST REJECTED BY ADMINISTRATION

To the EDITOR OF THE NEW YORK TIMES:

Many newspapers recently have given generous emphasis to the idea of a world food bank administered by the United Nations, and a suggestion that our great stocks of food be stored close to the centers of population, against the emergency needs of our people in the event of a nuclear attack.

This affirmative interest is encouraging to those of us in the Congress who, along with the President and the various executive departments, have the responsibility for developing, and for effective administration of, the Nation's food policy, including the sharing of our abundance with friendly peoples in other countries.

I regret, however, that these propositions of such great meaning had received so little attention in the press until Vice President NIXON, in a recent North Dakota speech, threw them into the political arena. Actually, they have been proposed in the Congress and in the Food and Agriculture Organization of the United Nations for more than a decade. Both propositions have been rejected by the Eisenhower administration.

U.N. EFFORTS

The U.N. Food and Agriculture Organization made two attempts, in 1947 and 1949, to develop a world food bank. On each occasion they failed to gather sufficient support among the exporting nations. Subsequently, several congressional resolutions, by Senator MURRAY, of Montana, and others, were introduced, proposing a world food bank. A spokesman for the Eisenhower administration testified before a subcommittee of the Senate Foreign Relations Committee in May of 1956: "We see no need for the proposed world food bank." On June 27 Secretary of Agriculture Benson said: "The already burdened American taxpayer will question the vision of a world food bank which would require Uncle Sam to provide the stocks, the storage, and the cost of carrying the wheat."

In 1957, as chairman of the House Committee on Agriculture, I appointed a special subcommittee, under the able chairmanship of VICTOR L. ANFUSO, of New York, for the specific purpose of examining our food preparedness for civilian survival in the event of war.

This subcommittee, on July 17, 1957, following public hearings, issued a report finding that, "In the event of nuclear war, the United States is utterly without a plan to immediately feed its civilian population, including its territories and possessions." It recommended that the Government move swiftly "to assure that emergency stocks of food commodities will be available at accessible locations as reserves against possible disaster."

ADEQUATE FOOD

Just recently, before Mr. NIXON made his speech, I made inquiry of the Department of Agriculture as to what has been done with respect to stockpiling. On June 7 I received the following from that Department's Food and Materials Division:

"This Department has made a number of studies of the effects that various types of enemy attacks would have on the food situation and has come to the conclusion that there is and would be adequate food in the Nation after an attack without Government stockpiling."

It is surprising that Mr. NIXON now seems totally unaware that his administration has consistently opposed these two propositions he now proposes as his "farm plank."

I hope that, with the help of the Times and of our other great newspapers, large and small, we shall be able to make determinations with respect to a world food policy and to stockpiling for survival, in the best interest of this Nation and the world, and that these undertakings of such moment will not be lost in the confusion and bitterness of partisan politics.

HAROLD D. COOLEY,
Chairman, House Committee on Agriculture.

WASHINGTON, *July 8, 1960.*

National Defense in the Nuclear Age

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. VAN ZANDT. Mr. Speaker, it was my privilege to address the July 21 session of the 1960 Pennsylvania State Convention of the American Legion Auxiliary at Philadelphia, Pa., presided over by department president, Mrs. Mary W. Dague, wife of Representative PAUL B. DAGUE of the Ninth Congressional District of Pennsylvania. The convention was well attended and reflected the fine leadership furnished by Mrs. Dague in the role of department president.

My address, titled "National Defense in the Nuclear Age," follows:

NATIONAL DEFENSE IN THE NUCLEAR AGE

(Address delivered by Representative JAMES E. VAN ZANDT, Member of Congress, of the 20th District of Pennsylvania, at the Pennsylvania State Convention of the American Legion Auxiliary, Philadelphia, Pa., on July 21)

It gives me great pleasure to participate in your 1960 convention and to speak to you on a problem in which we are all vitally interested.

As many of you know I have long been active in organized veterandom with the result that I am conscious of the great work which you do to keep shining and bright the ideals and objectives of the American Legion.

They are ideals for which so many of our brethren have given all they could offer at freedom's shrine—their lives.

The efforts of all of us have been directed toward the creation of a better world for all the peoples of the earth.

Here in this decade of 1960—just begun—we have vast horizons before us—horizons of great hope—and horizons of just as great fear and dread.

It used to be—not so very long ago in time—although far distant in space—that we of America knew no such great fears for our future.

We were able to isolate ourselves from the troubles of the rest of the world.

At that time it appeared to be of no immediate concern to us if European nations were devastating each other—or that whites were enslaving blacks in Africa.

We were above the common herd—shielded from the sounds of battle by our great ocean barriers.

We found more time to work out our own domestic problems, to build our Nation, to dream of the future.

Many of you here tonight saw the first sign that our impenetrable defenses were no longer able to assure us safety in 1917.

Residents of this eastern seaboard of the United States could look out and see ships burning—ships sunk by enemy U-boats at our very doorsteps.

Modern technology had breached the walls of "fortress America."

But it took us longer to learn the lessons that "the war to end wars" could teach.

It even took a war far more devastating, catastrophic, and universal, a war that even more of us remember only to well.

World War II witnessed the deaths of 30 million people and great damage to civilization.

But it really took a bright flash of atomic light at Hiroshima on August 6, 1945, to tell us that, like the French Maginot line, our impregnable defenses were now no more useful than a suit of armor against a bazooka. The nuclear age had dawned, with the horizons of new advances for all mankind.

But we also know that as many people as have been killed in all wars that man has undergone for thousands of years now could be turned back into dust and ashes in the time that it takes to hear a sound, look into the sky, and start to pray.

The atom is a substance of such worth and value to a strife-torn world.

But, in the wrong hands it is a weapon that could truly end all wars because there might no longer be anyone alive to fight.

The advent of nuclear weapons in combination with the fact that aggression, conquest, and war were not ended with the destruction of Berlin and the annihilation of Hiroshima and Nagasaki have kept us from retreating back into our shell.

The job of guarding liberty and freedom for all mankind has been placed irrevocably on our shoulders.

There is no turning back.

As the guardian of free men everywhere we have witnessed with dismay the Red tide that since World War II has engulfed its neighbors, turned them from free men into slaves, and found one-third of the world behind the curtains of communism.

We are all familiar with Korea, Indochina, Laos, Tibet, Hungary, Berlin, and many more outrages that have been committed in the name of Marxism.

Since Stalin the pace of outright and brawling aggression has slowed a bit because new tactics have been tried.

Premier Khrushchev has posed as the friend of peace but it has been only a shield behind which the plan of world conquest is just as much of a reality as ever.

We have seen this same Premier Khrushchev deliberately wreck the summit meeting when he knew he could get no concessions from the free world in his efforts to trample on the rights and freedoms of men in Berlin.

We can see right now the efforts of Mao Tse-Tung to forestall any chance of real peace in the Far East.

We can see Communist rioting against the freely elected Government of Japan using student grievances and the desire for peace for Communist purposes.

And right at our doorstep we can view the Cuban revolution gone astray, opening wide its arms to the so-called blessings of Communist dictatorship.

We know that our own defense is permanently tied to the defense of our allies; a danger to one of us is a danger to us all.

The attacks of communism are coming thick and fast and in a variety of shapes and forms.

In the days of Stalin the threats were more readily recognizable.

His imperialism was not nearly as subtle as that of the present Red leadership.

Instead of outright aggression and subversion we now have so-called volunteers, aid programs, trade agreements, technical assistance, defense pacts, and insidious propaganda, all these besides old military and espionage activities.

We have learned that in order to achieve the final victory we must meet the challenge on thousands of military, economic, and psychological battlefields at home and abroad.

Now we come to the question of the specific threats that Red aggression presents to the security of this Nation.

First of all we must be prepared to meet the Russians on every level and in every form of large-scale thermonuclear warfare.

The full-scale world wars that may come in the future will not be fought with bayonets and machineguns, foxholes, and tanks.

Numerical superiority of manpower will not be of decisive importance in determining the outcome of such a war.

Instead, I can see these future global wars—if the come to us—being fought from continent to continent with ICBM's and from mobile bases in the seas to targets in the enemy lands.

I can see the cities of our world being laid waste by a single flash on a beautiful morning.

The whole world will be the battlefield and every human being, whether soldier or civilian, whether combatant or neutral, whether man, woman, or child, will be the potential victim.

The Soviet Union always keeping before it the vision of world conquest through nuclear warfare has bent every effort to the task of surpassing the United States in thermonuclear capability.

These nuclear weapons possess for aggressors like the Soviets many advantages not found in conventional methods of warfare.

From a few mobile and stationary bases it is possible to cover the entire globe.

There is a great ability to shift rapidly from one target to another.

Because there are degrees in levels of nuclear power there is great flexibility in the adaptation of weapons to meet specific strategic requirements.

The use of nuclear weapons offers the potentiality of complete surprise, destroying a nation's defenses before it is able to retaliate.

The use of nuclear weapons also has a great psychological impact upon the potential or actual victims of such a disaster.

And, last but not least, nuclear weapons offer the allurement of cheap world conquest.

The Soviets understand very well how nuclear weapons fit into their plans for world conquest.

They have been building fixed missile bases in the Soviet Union and the satellite countries.

Their recent tests in the Pacific show the potential range of their intercontinental ballistic missiles.

At the same time the Soviets have been continually modernizing and augmenting their air force.

But, most importantly of all, the Russians have been equipping a submarine fleet whose missiles point like daggers at every strategic area in the United States.

In order to guarantee our national survival we must be able to control not only the sea but the world beneath the surface of the sea.

The Reds have more than 450 submarines, 10 times the number of German U-boats which devastated allied transport in World War II.

They have launched a nuclear submarine program, with at least five under construction.

Just a few of these subs, equipped with missiles comparable to our Polaris, will place most of our Nation in danger of complete devastation in the event of war.

We must remember that we are far more vulnerable than the Russians to such a full-scale nuclear attack.

Our industries are far more concentrated—43 of our 50 largest cities and 85 percent of our industrial might is located within 500 miles of our coasts.

The Russians, on the other hand, have dispersed their industry from Minsk to Vladivostok, besides the fact that most of their big cities are located in inland locations far removed from the sea.

The ballistics missile has thus added a new dimension to the threat of submarine warfare.

Not only could attack submarines cripple our Navy and merchant marine, but these new missile subs possess the capacity to launch attacks upon our cities at will.

There is no doubt that America is greatly endangered by this ability of the Russians to launch a full-scale nuclear war at the slightest whim of the Soviet dictatorship.

The Communists know that the rest of the free world will surrender automatically if the United States is conquered; they would have no other choice.

What keeps the Russians from starting such a war?

The only defense we at present possess is our ability to retaliate.

The Russians possess far more freedom of decision than we have.

Our Defense Department cannot just blithely push a button and start a war without any responsibility to the millions of people in the United States whom this act might doom.

We must show the Russians that they would gain no advantage from attacking us.

We cannot be sure that it will do any good to appeal to them on the grounds of the Russian lives that will be lost, we must demonstrate that our retaliation would destroy their power.

The Red Chinese, in particular, have never shown the slightest regard for human lives.

Mao Tse-tung has even boasted that even if 300 million Chinese were to be killed in a nuclear war there would be 300 million left.

The leaders of Red China, without any scruples or regard for human beings, actually regard nuclear war as an advantage.

With the atomic weapons that they will almost certainly develop within the next few years the Red Chinese could very easily initiate the destruction of all mankind in order to satisfy their own lust for power.

Besides the dangers of deliberate aggression there is the danger of accidental warfare.

Marshal Malinovsky, the very conspicuous companion of Khrushchev in Paris, has announced that Soviet missile bases will immediately strike with nuclear missiles at any foreign base sending planes over the Soviet Union.

This means that any trigger-happy Russian enlisted man could conceivably be able to start our destruction merely by pushing a button in a moment of panic.

These dangers are great and the United States must demonstrate that nuclear war would destroy the Communist world as readily as the free.

To prepare our defenses against nuclear war does not mean the abandonment of conventional arms.

We must also be prepared to meet the threats of communism on the level of limited warfare.

Every one of the conflicts, wars, and revolutions instigated by the Communists since World War II has been fought entirely by soldiers with conventional nonnuclear weapons.

Whatever the reasons up to this time the Russians have wished no more than we to turn Korea, Indochina, or any other area of conflict into the site for a nuclear holocaust.

Furthermore, as the Russians increase their arsenal of thermonuclear weapons, and as there is an increasing gradation of weapons power they will be able to take advantage of an increasing number of strategic options.

We must remember that the vaunted reduction of manpower taken by the Russion Army, which has been dictated largely by economic, not strategic, reasons will still leave the communist bloc with a marked numerical superiority in manpower over the armies of the free world.

The Reds have more than 11 million men ready to be used for any size or type of war that may be desired by their leaders.

The satellites, especially China, may be used for limited "safe" wars as in Korea, Indochina, Laos, and Tibet.

We have seen how the Russians have used "volunteers" in the past, the success of such tactics virtually assures that they will be utilized even more extensively in the future.

These armies may not even have to be used their threat could be enough to blackmail smaller powers on the Soviet periphery.

As the fear of nuclear power grows, as the nuclear race becomes more deadlocked, such small-scale aggressions grow ever more likely.

Therefore—we need to maintain our dual capability—it is imperative that we have armed forces with the most modern of conventional weapons that can meet the challenge of communist aggression anywhere in the world.

This, then, is the challenge—a challenge of great power in the hands of unscrupulous tyrants—a challenge that we can and must meet.

What have we done and what should we do?

Congress this year voted an appropriations bill for the Defense Department of more than $40 billion.

Included in this is $17,157 million for the Air Force; $12,109 million for the Navy and Marines; and $9,537 million for the Army.

We have attempted to meet all the complex needs of our national defense through these appropriations.

Included in this was $293 million for an aircraft carrier.

This new carrier—in combination with others that have been or are being built—will provide mobile oversea bases for our planes and missiles.

With fixed oversea bases becoming ever more vulnerable to enemy attack, these carriers, in combination with our submarine fleet, will be able to provide a far-reaching line of defense for our Nation.

Also included was $394 million for the construction of five submarines, with partial funds for starts on seven others.

I introduced a bill in 1958 to provide for the construction of 100 nuclear-powered attack submarines during a 5-year period.

This bill was unfortunately defeated, but we are doing some development of nuclear submarines.

At the same time the Navy has been conducting a highly successful series of Polaris missile tests.

When the United States possesses nuclear submarines capable of cruising under the arctic ice, as our *Skate* and *Nautilus* have already done, and able to fire missiles at the heart of Russia, the United States will have obtained a greater deterrent power.

In this bill was also included $190 million more than the administration request for development of the B–70.

The U–2 flights demonstrated the extreme vulnerability of Soviet defenses at heights over 50,000 feet.

The development of the B–70, which would cruise at 80,000 feet, would give us a full range of power.

In combination with our missile program this development will give us a deterrent power not readily ignored by the Soviets.

The B–70 will strengthen the power of our Strategic Air Command, which at the present is the first line of our air defense.

Congress has also considered the need for armed forces capable of fighting in limited wars.

Included in the appropriations bill was $1,537 million for modernization of the Army.

The Russians are equipping their army to fight both conventional and tactical nuclear wars.

We are at the present time equipping our troops with a wide range of the most modern conventional and tactical atomic weapons.

Research and development of new weapons are being continually carried on.

We have also voted funds for the acceleration of the Midas-Samos satellite programs.

It has long been evident that the United States depends greatly upon our intelligence services.

The Central Intelligence Agency has done a fine job of obtaining information from a nation closed to outsiders.

There is no doubt that the Soviet intelligence service has a far easier time of obtaining our vital secrets in our open society.

As our ambassador to the United Nations, Henry Cabot Lodge has said: "The Russians have spied at heights far les than 70,000 feet."

It takes little effort of the memory to recall *Alger Hiss*, the Rosenbergs, Klaus Fuchs, or many others.

The Russians have used our freedoms to steal our secrets, subvert members of our society, turn our friends and allies against us, and overthrow our own free government by force.

Then to see the Communists don the veil of injured innocence would be almost comical if it were not such a serious matter.

The U–2 incident gave more emphasis to our need for accurate information if we are to survive as a free society.

Its usefulness is probably ended now but we need new sources of information.

The Midas and Samos satellites, equipped with all kinds of detection equipment, will not only help our intelligence, but will point to future uses in inspection of a possible disarmament program.

By these means we will be able to strengthen our Armed Forces for the struggle against communism wherever it may come.

We must be able to deter any type of attack.

For this task it is imperative that we possess the optimum in flexibility.

Therefore, we need a military organization which will be able to shift and maneuver to meet every strategic situation.

I introduced legislation to streamline the Defense Department and better coordinate its policies and practices.

For the organization must match in efficiency and modernity the weapons it dispatches and the men it controls.

The spectacle of Mr. K. at the summit, the ending of the disarmament talks by the Soviet walkout, demonstrate how important all of this is.

The world needs peace, the world needs disarmament.

But an agreement that we can be sure of must include the international control and inspection that the Soviets have thus far refused to concede.

We have had all too often examples of the bad faith and hypocrisy of the Communists in the past few months to accept their word that they have disarmed.

Until the Reds back up talk with constructive action toward peace we can only know them as the totalitarian aggressors—devoted to the task of world conquest—that they have always been.

But this is not all of our task.

It would be too easy to leave the whole job to the 2,800,000 boys in uniform and confine ourselves to remembering the wars in which we fought.

We must press forward the battle against communism on all fronts.

Military action must be augmented by action in other areas as well.

Just as our military power must be one of active deterrence so must we meet the threats of communism in the economic, ideological, and psychological spheres.

This is not the job for any one group but for all of us.

What we do will determine the future course of all mankind.

A great burden has been placed on our shoulders, the burden of billions of free people throughout the world.

We did not ask for it but it has come to us.

We are not defending our Nation alone but all men everywhere.

We cannot rest until there is peace, and happiness, and freedom for everyone.

For only then will we be really free from fear.

Yes, it was a long, long time ago, it seems, that America could go its own way in peace.

So much has happened since then to change the world.

We have seen it happen.

We saw the beginning of the struggle between communism and liberty and freedom but how will it end?

God grant that it does not end in a nuclear holocaust in which there might no longer be men to be either free or enslaved.

Let us dedicate ourselves in this decade of the 1960's to the horizons of hope that lie before us.

We must be ever vigilant until free men can once again be free of fear.

We can be, we must be, we will be strong.

It is through spiritual and material strength that we can preserve and protect not only our cherished ideals of liberty and freedom but aid in restoring them to many freedom-loving nations now in exile.

Therefore let us dedicate ourselves to America's awesome task hopeful that the day is not too distant when the atom's flash will bring light, not darkness, to the ends of the earth.

Tenth Anniversary of the Repeal of the 10-Cent-Per-Pound Tax on Margarine

EXTENSION OF REMARKS

OF

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. RIVERS of South Carolina. Mr. Speaker, July 1 was the 10th anniversary of the repeal by Congress of the 10-cent-per-pound tax on margarine. The passage of the National Margarine Act of 1950 marked the commencement of a period of fair competition for colored margarine in interstate commerce and in most States.

Production of margarine has increased from 862 million pounds in 1949 to the all-time high in 1959 or 1,611 million pounds. Production for the period January–April 1960 was 6.8 percent ahead of 1959.

The 10-year period since the repeal of the old Federal margarine taxes and restrictions has been marked by a growth in the acceptance of margarine. Per capita consumption, on a national average, has increased from 5.8 pounds per person in 1949 to 9.2 pounds per person in 1959.

During 1958, manufacturers in the margarine industry shipped products valued at $219 million, an increase of 10 percent over 1954, according to the U.S. Department of Commerce. Value added by the manufacturer, as adjusted, totaled $56.7 million, an increase of 29 percent since 1954. New capital expenditures in the margarine industry were reported by the Department of Commerce to be 3.4 million, an increase from 1954 of 127 percent. Figures are not available for other years.

The margarine industry is composed of firms of various sizes and types of enterprises, including small, family-owned firms. There are 32 firms with 60 plants producing margarine in the United States.

The chief ingredients of margarine are highly refined vegetable oils. American-produced soybean oil and cottonseed oil are the major vegetable oils used. Between 1949 and 1959 consumption of these oils almost doubled to reach 1,218 million pounds, refined basis. Further increases are expected. Corn and peanut oils are also used.

By far the largest source of fats and oils used in margarine is the American soybean. Soybean oil used in margarine reached a new peak of 1,094 million pounds—refined basis—in 1959 and constituted 85 percent of all the fats and oils used in margarine.

Ten years after the act of 1950 there are still restrictions on the sale and use of margarine. The consumer cannot buy colored margarine in Wisconsin and Minnesota. Six States—Wisconsin, Minnesota, Idaho, Utah, North and South Dakota—still maintain per-pound taxes. The U.S. Navy cannot buy margarine for table use, although the other branches of the military can. There are various restrictions in State laws on dealers, State institutions' use of the vegetable spread, and use by public eating places.

Major factors in the margarine outlook are continued population growth, plentiful supplies of major farm ingredients, a vigorously competitive industry, and continued increasing consumer acceptance that has raised per capita use levels for several years.

Margarine is 80 percent fat. The principal other ingredient is pasteurized, cultured skim milk. In 1959 margarine used an estimated 240 million

pounds of dry skim milk or its equivalent in fluid milk. Salt comprises about 2½ percent of the finished product.

All margarine is fortified to provide a minimum of 15,000 U.S.P. units of vitamin A. Some margarines add vitamin D also.

Port of New York Authority

EXTENSION OF REMARKS
OF
HON. EDWIN B. DOOLEY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, August 22, 1960

Mr. DOOLEY. Mr. Speaker, I am in complete agreement with the distinguished Representative from New York [JOHN H. RAY], who in his minority report holds that the majority of the Judiciary Committee is in error in recommending that contempt citations be issued against the chairman, S. Sloan Colt; the executive director, Austin J. Tobin; and the secretary, Joseph G. Carty, of the Port of New York Authority.

I agree with Congressman RAY that the action recommended by the majority of the Judiciary Committee would be unprecedented and unwise as a matter of Federal and State relations, as it is not sanctioned by law and might well be held unconstitutional.

The Port of New York Authority, which was created by the States of New York and New Jersey in keeping with an agreement validated by special legislation of each of those States, has been a great boon to the city of New York and to the surrounding metropolitan area. I mention this not because it affects the legality of the actions of the Port of New York Authority officials, but merely to indicate that the accomplishments of the port authority in solving the complex transport problems of a great city have been most effective.

The three men who are being considered for contempt citations by the Congress are extraordinarily outstanding citizens.

S. Sloan Colt not only has behind him a record of success in business enterprises, but has contributed immeasurably to the well-being of the city by his civic work in a number of areas. He works without compensation for the Port of New York Authority.

Austin J. Tobin, who has been with the Port of New York Authority for many years and is perhaps its most indispensable official, is a man of fine intellect and rare talent. His capacity for business administration is most unusual. His vision and imagination have done much to implement the objectives of the port authority, and New York is a better city because of his presence in it.

I do not know Joseph G. Carty personally, but it is fair to presume that, since he is an official of the port authority, he is a man of fine character and integrity.

When one recalls that Congress did not initiate or create the port authority, but merely gave its consent to the making of the compact, it appears that the Congress is stretching its authority in trying to supervise or regulate the activities of this bi-State agency.

Congress did reserve the right to amend, alter or repeal its resolution consenting to the compact, but it must be remembered that the compact itself can be altered only at the instance of the two States involved.

It must be remembered, too, that the three officials mentioned above appeared before the Judiciary Committee and delivered to that body all the minutes, financial reports, records, et cetera, authorizing official action. It was on the instructions of the Governors of the two States, New York and New Jersey, that the port authority officials declined to furnish the working papers and other internal studies which the committee requested. The Governors were acting in their lawful capacity as heads of two sovereign States.

It appears to me that the action recommended by the Judiciary Committee is in contradiction of the constitutional rights of the States concerned, and the committee therefore appears to be in error.

A Minimum Wage Law Does Not Square With Our U.S. Constitution

EXTENSION OF REMARKS
OF
HON. BEN F. JENSEN
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 22, 1960

Mr. JENSEN. Mr. Speaker, several years ago when the bill that placed the minimum wage at $1 per hour was voted on in the House, I voted for it, but after observing the operation of that law I have come to the conclusion I made a mistake in so doing.

The other body has recently passed a bill to raise the minimum to $1.25 per hour by degrees and to cover, under the law, some 4 million additional employees in private industry of most every nature, all of which in my studied opinion does not square with our free competitive private enterprise system.

From early boyhood and until I was elected to Congress, I worked for wages—as a farmhand, a muleskinner on a bridge building gang, a pearl button cutter, a tile ditch digger with a spade, a grocery clerk, a lumberyard man, and as manager of a retail lumberyard. Yes, and as a soldier for Uncle Sam, and since 46 years of age as a hired man in Congress for the people of the Seventh Iowa District and the Nation.

I know something about working for wages, so it is very natural that in the acid test, you will always find me in the hard working wage earner's corner.

Mr. Speaker, I learned early in life that there was no substitute for work, and that the only right and sure way to get a pay raise was to do a little more each day than the boss expected me to do. This holds true today, just as it has from the signing of our U.S. Constitution, which established our free competitive enterprise system, for not only the boss but for the hired man as well, and which made it possible for all men to be the masters of their own destiny—free to work and progress and enjoy the blessings of liberty; yes, or even to idle, go broke and suffer mental anguish, but not at the expense of the other fellow.

Let us not forget that when we place a floor under wages, by that very act we place a ceiling on wages for millions of employees who deserve more pay, especially in small businesses.

Many, many employers will be forced to make a choice under this new minimum wage law of either laying off the necessary number of lowest paid and lowest producers, or reduce the wages of the highest paid and highest producing employees in order to hold overhead down to the necessary point of enabling them to stay in business or, of course, he has the third choice of closing shop. Even that is still one of our American privileges.

Mr. Speaker, before the conference report on the wage hour bill comes back to the House for a vote, I invite all of my colleagues to ask one or a hundred wage earners who are now getting over $1.25 per hour, and they are in the great majority, if they would be willing to have their wages reduced in order to raise the pay of others now getting less than $1.25 per hour.

Remember, most every American wants to win his own spurs.

Congressman Levering Holds Conferences in District

EXTENSION OF REMARKS
OF
HON. ROBERT W. LEVERING
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, August 22, 1960

Mr. LEVERING. Mr. Speaker, from the beginning of my service in Congress, I have tried in every way possible to maintain a close contact with the people of the 17th Congressional District of Ohio, who elected me to represent them.

From the first days of the 86th Congress, I have made regular radio speeches to my people, filling them in on the problems of government from week to week. I have circulated a weekly newsletter to the newspapers of my district so that the editors and the people would be able to understand the issues and the many views relating to them. I have had personal contact with thousands of members of the public from my district. I have corresponded with other thousands.

Last year I sat down with my constituents in every county of our district and listened to their views on national and international problems, as well as those of a personal nature. Because these grassroots conferences were so highly successful, I am again arranging a series of meetings in the courthouses of the

seven counties of the district and I am urging members of the public to come to these meetings and to talk over any and all subjects they choose. I am convinced that only by personally contacting the people I serve, can I do the best possible job for them in the Congress of the United States.

I will be in the courthouses from 9 a.m. to 4 p.m. on the dates and at the places set forth in the following schedule:

Tuesday, September 6, Millersburg, Holmes County.

Wednesday, September 7, Ashland, Ashland County.

Thursday, September 8, Coshocton, Coshocton, County.

Friday, September 9, Mount Vernon, Knox County.

Monday, September 12, Delaware, Delaware County.

Tuesday, September 27, Newark, Licking County.

Thursday, September 29, Mansfield, Richland County.

I not only welcome visitors at these conferences, I urge individuals, regardless of political party or how they may have voted in the past, to come to see me. I am striving to represent all the people of the 17th District, regardless of their beliefs about any political or legislative issue, and I know that it is a great help for a Congressman to talk over personal, national and international problems with the people at home—problems on which he must make decisions from day to day that affect the lives of every person in our country.

I also invite the many fine young men throughout my district, who are interested in entering the various service academies, to call on me in order that I might have the opportunity to know them and to discuss their qualifications for appointment to the academy of their choice.

No appointments are necessary. I hope to see a large number of persons. The discussions can help me to serve them better and it can help them to understand my problems in striving to do the best possible job for all of the people in my district.

Paul Cunningham

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, August 22, 1960

Mr. CELLER. Mr. Speaker, it is with sorrow that I call the attention of the distinguished members of this House to the death on August 14 of Mr. Paul Cunningham, well-known songwriter and author, past president of the American Society of Composers, Authors, and Publishers (ASCAP) and at the time of his death ASCAP's director of public affairs. As a citizen who has long been interested in the musical arts, and as a strong supporter of the rights of all creators of music, serious and popular, I should like to express my profound sorrow at the loss of this courageous and sincere fighter for the rights of musically creative people.

It was a privilege of many Members of the Congress to have known Paul Cunningham personally over the more than a generation during which he championed the rights of composers, authors, and publishers to the fruits of their creative endeavors in the marketplace. I am sure that I reflect the sentiment of a great many of the Members of the Congress, when I pledge to the memory of Paul Cunningham, and the society which he so ably represented, that the efforts he made for the protection of creative musical property shall not be lost.

A native New Yorker, Mr. Cunningham became interested in songwriting and the theater while attending Manhattan College. With a bachelor of arts degree and experience in staging college shows behind him, he joined the songwriting staff of the Harry Von Tilzer Co. in 1914—the year ASCAP was founded.

In the period immediately following, Mr. Cunningham became an active, triple-threat man—as a singer, songwriter, and song plugger. He collaborated with Mr. Von Tilzer himself on a number of songs, including selections for "The Ziegfeld Follies."

He then began what proved to be a long association with the music-publishing firm of M. Witmark & Sons. During this period, Mr. Cunningham and his wife formed the headline vaudeville act of Cunningham and Bennett.

For several years Mr. and Mrs. Cunningham played the famed Keith circuit, both as performers and as writers. During their days in vaudeville the Cunninghams found themselves called upon to produce and direct stage presentations as well.

In 1928 the duo played the music halls of England and toured the Continent, and Mr. Cunningham wrote some additional material for the English public.

Among the popular songs with a Cunningham credit are "I Am an American," "Please Take a Letter, Miss Brown," "Men of Steel"—(official song of the United Steel Workers of America), "The Shores of Tripoli," "You Can't Make a Fool Out of Me," "Dakota," "Every Night When You Say a Prayer," and "From the Vine Came the Grape."

Among his composer-collaborators he lists Sigmund Romberg, Ernest R. Ball, James Monaco, Joe Burke, Peter DeRose, Earl Carroll, Vaughn Monroe, and Ira Schuster.

Mr. Cunningham became a member of the American Society of Composers, Authors, and Publishers in 1921. He was elected a director of the society in 1945, and served as secretary from 1951 to 1953, as president 1956–59, and as director of public affairs 1959–60. He was responsible for producing many of the shows ASCAP members have presented before various organizations, including an ASCAP oversea unit which toured military installations abroad. As a professional entertainer with a bright sense of humor and a gift for song, he was frequently called upon as an emcee and performer himself. Warmhearted, simple in habits, with boundless sympathy for the less fortunate of the musical world, Paul Cunningham's example will long remain in the hearts and minds of all of us who believe that the worker in the creative vineyard is entitled to his just rewards.

Labor-Management Reporting Act Most Important Bill Enacted by 86th Congress

EXTENSION OF REMARKS
OF
HON. PHIL WEAVER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 22, 1960

Mr. WEAVER. Mr. Speaker, of all the legislation enacted by the 86th Congress of the United States, only one law is likely to go down in history as an outstanding achievement, and that is the Labor-Management Reporting and Disclosure Act of 1959—better known as the Landrum-Griffin bill.

The need for this legislation became dramatically apparent because of the hearings held in the Senate, and so obviously necessary because of the hearings held here in the House that its enactment was inevitable.

Since the law became effective, actions by the Department of Labor under the able direction of Secretary Mitchell have provided additional proof that the law was not only desirable but necessary. Mr. Mitchell has undertaken vigorous enforcement of the new law designed to clean out the underworld elements which in some instances have infiltrated and subverted a segment of the labor movement. He has appointed competent men to administer the law. They have functioned well and have in the course of a few months begun to bring order out of the chaotic conditions which once existed.

In the first 6 months of administering the new law, the Department has instituted investigations into 654 cases and has turned 75 cases over to the FBI for further inquiry. Of the 654 cases, 27 involved bill-of-rights violations of individual union members; 7 were embezzlement cases; 27 involved violence; 15 were officer-convict violations; 6 involved Communist-suspect officers; 6 unlawful disciplinary actions against individual union members and 1 involved extortionate picketing.

This is only the beginning.

As the Department speeds up its activities in this field, the investigations will increase and—although it may take more than a few years—the cleanup of the labor movement will be completed.

The law that has made this possible was one of the most bitterly fought bills ever to come before the Congress. It was proposed only after long and careful investigation and was enacted only after weeks of hearings and long hours of

debate. In my years in Congress I have never seen the kind of tension, the bitterness and the heat that the Landrum-Griffin bill generated. I suppose that in years to come the rollcall on acceptance of the Landrum-Griffin substitute will be marked as one of the most dramatic moments in the recent legislative history. I know that it was one of the most tense.

Many who supported the bill were accused of being antilabor. This was not in most instances the case. Personally I supported the measure because I felt strongly that it was in the best interest of the average working man and woman. I do not for a moment believe that the rank and file of labor union members support and believe in the kind of corruption, intolerance and injustice uncovered by the Senate and House hearings. It was to eliminate this, and this alone, which brought so much solid and stanch support to the measure.

Mr. Speaker, this vital legislation has begun to have its effect. With the kind of continued vigorous administration which was begun under Secretary Mitchell, the measure will go a long way toward clearing up the mess which was found in a part of labor's house.

National Conventions Highlight Importance of the House in National Picture

EXTENSION OF REMARKS
OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. O'HARA of Illinois. Mr. Speaker, we are back again in this historic Chamber to complete the work of the 86th Congress, and we have returned with a strengthened sense of the importance in the national picture of the House of Representatives of the Congress of the United States. By unanimous consent, I am extending my remarks to include a radio address I made over station WIND in Chicago on the eve of the convening of the Republican National Convention and in which I stressed, among other significant matters, that the presidential nominees of both major parties were colleagues together in the 81st Congress and in the 80th Congress that preceded. I also mentioned the circumstances that the chairman of the resolutions committee at the Democratic National Convention and the keynoter at the Republican National Convention are both members of the Committee on Foreign Affairs in the 86th Congress. The radio broadcast follows:

I am speaking on the eve of the Republican National Convention with the Democratic National Convention just behind us, and I am thinking back only 12 years when first I came to the Congress, as the Representative from the Second Congressional District of Illinois. That was in 1949. There for the first time I had met JACK KENNEDY, now the nominee of his party for President of the United States, and DICK NIXON, the probable nominee of his party for the highest office in the world. I was a freshman Member, a first termer, and KENNEDY and NIXON were second termers, with only 2 years more of service in the House.

In this year of 1960, when we are facing perhaps the most serious fight for our survival in our history, one of these two young men who then were beginning only their second term in the House will be elected President of the United States to guide our ship of state and to carry the hopes of mankind in turbulent times with the world in the violent eruptions of dynamic changes. I am presuming of course that, as expected, Vice President NIXON will be the nominee of his party.

Also among my colleagues in the first Congress of which I was a Member were HENRY JACKSON, whom we all called by his nickname of "SCOOP," and THRUSTON MORTON. These are the relatively young men who now as chairmen of their respective parties will call the shots in the great campaign of this fall, a campaign destined for a high place in our national political history.

There were 435 of us in the House of Representatives of the Congress of the United States when we were sworn in the first week of January of 1949. The star of destiny was hanging over the heads of two in that group of 435 who were to battle for the Presidency in perhaps the most crucial period in our history. Also it was hanging over the heads of two others of that group who were to be the guiding managerial geniuses of the campaign of 1960.

When the 87th Congress convenes next January, I, if reelected, will look about the historic Chamber of the House, now with its 437 Members because of the admission to the Union of Hawaii and Alaska, and I will wonder over which of those 437 heads the star of a future destiny may be hanging.

The importance of the House of Representatives of the Congress of the United States in the making of Presidents is not to be overlooked by students of American politics. The House is very close to the people because its entire membership every 2 years must stand the test of the ballot box.

FROM MAYOR TO PRESIDENT

Grover Cleveland reached the White House from a start as mayor of the city of Buffalo in New York. That was the period when there was a large public interest in the conduct of the municipal chores. Cleveland caught the eye of the Nation and won the approval of the American people when as mayor of a city not as large as Chicago he effected economies, safeguards, and reforms in municipal government that long since have become fairly standard throughout the Nation. That seemed the road most likely to lead to the White House. Johnson and Baker of Cleveland, Pingree of Detroit, and Dunne of Chicago, at a later period, were the last of the era when crusading mayors were national news and national political idols.

Mayor Daley of Chicago has received more national and international news coverage of any chief executive of a city since that period because there has been an awakened interest in the tremendous and fascinating job of rebuilding great urban centers of population to meet modern conditions and an admiration of the herculean way Daley has gone about the job.

The fact, of course, is that nations cannot survive if their cities decay. Hence I would say that inevitably there will be a trend back to the days of Cleveland as regards the importance of the mayoralty in the national picture.

FROM STATEHOUSE TO WHITE HOUSE

The era of the Governors as the focus of popular national interest followed the era of the mayors. This was a natural development since many corrections of abuses manifested in municipalities, and reflected in the "Public be damned" attitude of traction and public utilities interests, required State legislation. Johnson of California, who ran for Vice President with Teddy Roosevelt and the Bull Moose, probably was the greatest of our Governors since he was the pioneer draftsman for much of the State legislation that put an effective check on prevailing evils of unbridled power.

Dunne of Illinois, with whom I served as Lieutenant Governor, must be placed high on the list of great American Governors if for no other reasons, and I think there are other reasons, than that his administration was responsible for the creation of a public utility commission that fixed the price of public utilities services on the basis of cost plus reasonable profit and also was responsible for the start of a program for good roads.

Today we have public utilities commissions in every State of the Union, with the sole exception of Texas, I believe, good roads programs in all of the States. In general, the patterns in State government have been set, and now it is largely a matter of improvement and efficiency. The old days of crusading for new State instrumentalities are gone.

Today the gubernatorial office is largely administrative, an office requiring integrity, high administrative ability and a dedication to the public service. It will continue to furnish a training school strictly on the administrative side for future Presidents, but I would think its glamour in the popular eye, a glamour that could lead to the White House, is on the decline.

There is a marked trend today toward the regional rather than the State approach. This is indicated by the increasing number of compacts among States in the same region to work jointly in common undertakings that Congress is asked to approve. A bill to approve a compact of the Great Lakes States has been held up for months in the House Committee on Foreign Affairs largely because there are three members of that committee from the Chicago area, Congresswoman CHURCH, Congressman MURPHY, and myself and, despite some unquestioned advantages in the compact, we wish more assurance than we have received to date that the other States in the compact would not gang up against Illinois in the Lake Michigan water diversion matter so vital to the people of Chicago.

But the point I wish to make is that in these compacts State sovereignty in limited areas and extent is being surrendered to regional sovereignty, and this is indicative of a trend. It all adds up, I think, to the diminishing attraction of the Executive Mansion for the young man who has set out to reach the White House. But, after all, I suppose destiny will continue to find her child wherever he may have wandered and guide him safely to his appointed spot.

COLLEAGUES IN 81ST CONGRESS

I was very fond of JACK KENNEDY. His simple democracy, his kindly consideration of the people in his office and around him appealed to me. I had heard of his heroism in the saga of the PT boat in the hostile waters of the Pacific. I knew, too, of the wealth of his family, and, perhaps more revealing, I had known his grandfather when "Honey Fitz" was mayor of Boston. Mayor Fitzgerald always will stand out in my memory as a man in public office who was all heart. JACK KENNEDY showed the same traits. Once I said to him, when he had put himself to much inconvenience to appear on a radio program, Quorum Call, I was preparing for my constituents in Chicago: "JACK, you come by this human charm naturally; you get it from your mother's father."

DICK NIXON was on the other side of the aisle, and in his freshman term had served as a member of the Un-American Activities Committee with the late Congressman Vail under the Thomas chairmanship. Once I

clashed with him in debate on the floor of the House. But when we did meet personally, as Members of the House frequently do during a session at dinners of the American Legion, Veterans of Foreign Wars, and similar occasions, the meetings were pleasant. Since he has been Vice President and circumstances have brought us together, there has been the pleasant nostalgia of a reunion of college alumni. After all, we were fellow graduates of the 81st Congress.

I would not have picked him out as likely to be a future nominee of his party for President. I suppose when William Jennings Bryan was a second termer in the 53d Congress—and seniority was much sterner then—none of his colleagues in the House would have picked him out. It would have been different, I think, in the case of McKinley because of his long seniority in the House and his reputation as an authority on the tariff, which then was the great political issue.

THRUSTON MORTON and "SCOOP" JACKSON, now the party leaders in the forthcoming battle for the Presidency, I knew much more intimately. "SCOOP," although only 37, was a fifth termer, having been elected to the 77th Congress at the early age of 29. MORTON was 40 and a second termer. He is of a wealthy Kentucky family and came to the Congress at 38.

Frank Roosevelt, namesake of his father, then a Member of the House and recently a campaigner for KENNEDY in the primary elections, and MORTON were members of a group of barbershop choristers that occasionally met in hours of relaxation during the 81st Congress, singing the classics of the yesterday under the direction of the old master, Congressman LOU RABAUT, and graciously recognizing the presence of one who enjoyed but could not sing by turning in my direction and singing "Irish Eyes."

I would expect both JACKSON and MORTON to conduct hard-hitting, hard-driving campaigns, but, after it all is over and the next President of the United States chosen by the people to lead the Nation in time of grave crisis, to shake hands, each with the feeling that the hand he clasped was as clean as his own.

FROM THE HOUSE TO WHITE HOUSE

I trust that I have not taken undue advantage of the invitation graciously extended me to appear on this program by talking of the Congress more in the terms of men than of measures. What I do wish to emphasize is the growing place in the overall national picture of the House of Representatives of the Congress of the United States and in connection with the two national conventions of this year to bring to the attention of my listeners some significant phases that otherwise might be overlooked.

In the House there are 31 members of the Committee on Foreign Affairs, 3 from the Chicago area. The present Secretary of State, Chris Herter, is a former member of that committee. It is to be noted that a Democratic member of that committee of 31, Congressman CHESTER BOWLES, was the chairman of the resolutions committee at the Democratic National Convention, and a Republican member of the committee, Congressman WALTER JUDD, will be the keynoter at the Republican National Convention. This is significant. It pinpoints the expanding importance of the House of Representatives in the making of policies and Presidents and one of the principle reasons therefore, the position of the United States as a world power. No longer are we a provincial people, beset only with local problems. What happens now in any part of the universe has repercussions in every American home. For better or for worse, our destiny under Providence has wedded us with world responsibility. The national conventions, as I have sought to interpret their significance, show the change this has made in the political scene.

TERM KEEPS HOUSE CLOSE TO PEOPLE

I would not pass over this opportunity to urge upon this radio audience, the men and women into whose homes my voice is reaching, a stout resistence to any suggestion that the term of tenure of office in the House of Representatives should be lengthened from 2 to 4 years. It is hard on Members of the House to run every 2 years. Of course, it is. But there is no law that compels a person to run for Congress, and once elected he may have an urge of duty to try for reelection, but there is no law to prevent his voluntary retirement if he chooses.

My experiences and observations during the years my constituents, to whose unfailing friendship I forever am indebted, have kept me in the Congress have confirmed and deepened my conviction that one of the greatest strengths of our Constitution is the provision that each member of the people's branch every 2 years must go back to his constituents for a new commission.

I doubt very much if the House of Representatives of the Congress of the United States would be in its present enviable position of expanding influence if its members were elected for 4 years, contrary to the concept of the wise men who wrote our Constitution, the concept that one branch of the Congress, the House should be kept very, very close to and immediately responsive to the will of the people, and the other branch, the Senate, its Members serving for 6 years, acting as a check.

If ever the gulf between the people and their Congress is widened from 2 to 4 years we will have been started on the way to rule, not by the people, but by government itself.

I am proud to have been a Member of the 86th Congress. There still is much to be done, and it will be done, advance in housing to bring a decent roof within the means of every family, broadening of the minimum wage concept that even the humblest are entitled to decent subsistence for their time and toil, medical care to save our aged from the tolls of pain and death they do not deserve. These are among our legislative objectives when we reconvene in August. But what already has been accomplished by the 86th Congress constitutes a page of brilliancy in the legislative history of our country.

A World in Turmoil

EXTENSION OF REMARKS
OF
HON. DONALD J. IRWIN
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Monday, August 22, 1960

Mr. IRWIN. Mr. Speaker, pursuant to permission previously granted, I would like to introduce into the RECORD for the information of my colleagues the latest issue of my newsletter "Report to the People" for August 10, 1960:

A WORLD IN TURMOIL

Since my last newsletter report to you, the world has been in turmoil—in turmoil to such a degree that developments abroad have to a considerable degree overshadowed congressional activity.

Congress, of course, has been busy and has been in session since January except for the recess declared July 3 for the national political conventions. Much important and vital legislation was acted upon before the recess and much more is awaiting action before final adjournment.

I have delayed writing you this newsletter for several reasons, among them the fact that I had hoped before doing so to be able to report on the final actions of Congress on all major legislation. But with Congress ending its recess, a later issue of the newsletter will report on unfinished business of the House and Senate.

Then, too, I hesitated about writing this newsletter while developments abroad—one after another—kept the world seething. These developments, starting with the U–2 spy plane incident and including the summit collapse and the critical situations which arose in Korea, Turkey, Japan, the Congo, and Cuba, left the world in a state of tension.

If nothing else, the developments abroad brought into sharp focus the problems of the hesitant leadership in our foreign policy program. They highlighted the lack of an aggressive leadership which, I maintain, is essential if we are to meet the challenges facing us in the world.

I expressed this view in Bridgeport on June 25 when I accepted nomination for re-election and I still maintain that ours is a world in revolution and in the last year we have suffered unexpected and incredible reverses. The situation in which we find ourselves is the result of a make-believe foreign policy—a policy which could cause countries in four continents to capitulate to communism.

In this world in ferment, our position has been weakened by lack of creative leadership and our only hope of survival is an aggressive foreign economic policy plus a strong military capability.

WHAT CONGRESS HAS DONE

Congress, with world tension tightening, has been active. When the recess began, Congress had acted upon 10 regular appropriations bills and several supplementals for fiscal 1960 and 1961 and sent them to the President. Elsewhere in this newsletter, I have reproduced a breakdown for your information showing the status of appropriations in the second session of the 86th Congress. I would like to point out, however, that other statements to the contrary, the Democratic-controlled Congress kept a close eye on expenditures and you will note that the amounts appropriated are several millions less than President Eisenhower had requested. But note, too, the Defense budget—particularly for the Polaris missile program—is higher than requested. The Polaris program, of course, gives great promise for an effective mobile missile launching capability and Congress authorized $241 million more for this program than had been requested by President Eisenhower.

In the field of foreign aid, I want to emphasize that I supported every effort to appropriate the full amount requested. In this area, I feel very strongly that we should do much more than has been done. The mutual security bill passed the House before the recess, but is under consideration by the Senate Appropriations Committee. It is my sincere hope the Senate will restore the funds trimmed from the foreign aid bill by the House.

In connection with this subject, incidentally, I expect and hope that with Congress reconvening the President will present his program for aid to Latin America, where the crisis has been deepening and fostering new problems as the result of Castro's appeal to many Latin American countries. Not only is a strong program for our Latin American relations long overdue, but this Nation also should move forward in developing additional programs of this nature for all other critical areas of the world. It would not seem too early to prepare an economic program for the development of

Africa, where the emergence of any newly independent but ill-equipped nation presents fertile soil for Communist activity.

Other legislation completed by Congress prior to the recess included:

Civil rights: I had voted for the House-passed civil rights bill at the time of my last newsletter. Later, of course, after a record filibuster, the Senate also acted on civil rights legislation. For those who may not have read my last newsletter, let me emphasize I have long been a strong advocate of civil rights. I felt the House-passed bill could be improved upon but nevertheless certainly represented a step in the right direction.

Sugar Act extension: I supported this legislation, passed after an all-night session, which gave the President complete authority to determine the amount of sugar to be imported from Cuba. I did so in view of our deteriorating relations with the Castro government and because I felt the President should have the power to act in an emergency.

Farm legislation: The farm problem is still in a muddle and I voted against a wheat bill providing for the maintenance of supports at 75 percent of parity. I still feel the administration has shirked its responsibilities in failing to offer a comprehensive farm program this year. Just before the recess, incidentally, one bill was enacted which can absorb some of the mounting surpluses on farm commodities. This was a measure authorizing the United States to participate in the 68-nation International Development Association to help underdeveloped countries. The law permits the overseas sale of some farm surpluses, with payment to be made in foreign currencies. Farm spokesmen say the new law may have a dual advantage. Besides serving to relieve the surplus problem, returns from sales, when invested in the nations in which the sales are made, can help create or expand markets for other U.S. commodities.

Federal employees' pay raise: This measure, passed over a Presidential veto, was less than a perfect bill. I supported it, however, because of a very definite need for substantially increased Federal salaries. Experience has shown that the Government needs higher salaries at top levels of civil service and there is a study presently being made which I hope will result in legislation to correct this shortcoming.

Rivers and harbors bill: This was legislation of particular importance to Stamford and the Fourth Congressional District I represent. Included in this authorization bill was a vitally needed hurricane flood control project for Stamford. Many hours of combined effort and hard work went into this particular project before it was finally authorized. It took close coordination, cooperation, and teamwork on the part of Stamford city officials, and interested industrial and civilian parties, operating in conjunction with my office, to get the project approved. Congratulations are due Mayor Walter Kennedy, Flood and Erosion Control Board Chairman Al Kanzler, and others for sticking with this matter until it finally was included in the bill. Much credit must go, too, to people like Stamford Finance Commissioner Norm Gluss; Dean Brossman, executive vice president for the Stamford-Greenwich management council; Gil Brooks, Dom Del Guidice, and Ed Bankowski, among numerous others. The fight is not finished, though—it will resume in January when efforts must be made to get the necessary funds appropriated. Assuming I am reelected, I shall, of course, continue to do everything in my power to have the funds appropriated for the project.

Better labeling bill: Overlooked and often ignored in the heavy publicity and news coverage given controversial measures are many noncontroversial, so-called unimportant bills. Yet these little-known laws frequently do great public good. A case in point is the better labeling law requiring far more prominent warnings on hazardous and poisonous materials brought into the average home daily. Hereafter, labels on these items (including cleansers, dyes, disinfectants, and polishes) must clearly state: "Keep out of the reach of children." Also, every package must henceforth display prominently first-aid antidotes for the misuse of such products. Why is this such an important piece of legislation? Every year some 600,000 youngsters swallow dangerous preparations and, of these, more than 500 die.

STILL AWAITING ACTION

The Senate has already returned after the recess. The Senate, with more pending business on its calendar, resumed sessions in advance of the House which must wait for the Senate disposition of various bills before it can take action on them. I anticipate the House sessions will be fairly short, perhaps of but 2 or 3 weeks' duration. I do not think there will be any major squabbling because there is a definite job to do and we will want to get it done.

The mass transportation bill: Of major importance from my personal viewpoint is what I hope and expect will be final House action on the Senate-approved bill sponsored by Senator WILLIAMS of New Jersey to provide loans and grants to ease the mass transportation problem. This bill, a companion to one I introduced in the House, is vital to the ultimate solution of the commuter situation in Fairfield County. Incidentally, I have expressed strong dissatisfaction over the action of the Interstate Commerce Commission in permitting another 10 percent boost in New Haven railroad fares even before the ICC's investigation of the line was concluded. It appeared to me that the proper action would have been to refuse the fare increase until public hearings were completed.

Bridgeport Harbor appropriation: Another item I expect favorable action on in the remaining days of the session is an appropriation bill before the Senate containing $750,000 to inaugurate improvements of the Bridgeport Harbor during the coming fiscal year. The amount, contained in the President's budget, nearly got sidetracked by a House subcommittee recently but fortunately I was able to convince the subcommittee to retain the allocation because of the tremendous importance of the project to Fairfield County. Eventually the harbor improvements will cost more than $6 million. Had the subcommittee knocked out the allocation, work could not have been started this year. Thanks to the support of two of my New England colleagues I was able to convince the subcommittee the Bridgeport Harbor is a distribution point for southwestern Connecticut where commerce is increasing, and that deepening and widening of the channel would eliminate tidal delays to existing commercial traffic and permit the use of larger vessels with substantial transportation savings.

Also on the calendar for further action are the following:

Health insurance for the aged: High on the priority list for consideration when Congress reconvenes is the extremely controversial bill providing health insurance for the aged. The House has already passed legislation providing increased social security benefits and a moderate, State-option, health benefits program. The Senate Finance Committee held hearings on this legislation before the recess started, but took no further action. Incidentally, I did not consider the House-passed bill adequate in the area of health benefits for the aged.

Federal aid to education: This is a bill snarled in controversy and parliamentary wrangling and I hope that definite action can be taken before final adjournment, though I am far from hopeful on this possibility. The Senate, early in the session, passed a bill providing $1.8 billion over 2 years for school construction and teachers' salaries. Late in May, the House passed a bill authorizing $1.3 billion over 4 years for construction only.

Minimum wage bill: Another bill passed by the House just before the recess was a minimum wage bill raising the minimum wage to $1.15 an hour for workers previously covered by the Fair Labor Standards Act and extending a $1-an-hour minimum, without overtime protection, to an estimated 1.4 million workers in the interstate retail chains. The Senate is still to act on the legislation.

Omnibus housing: Also lodged in the House Rules Committee is an omnibus housing bill providing funds for Federal housing programs. This bill, reported favorably by the House Banking and Currency Committee, would, it is hoped, revitalize housing production which dropped sharply over the past year.

Foreign investments: I am hoping for Senate action on H.R. 5, a tax-incentive measure to spur U.S. private investment in underdeveloped countries. This is a bill I supported when it passed the House.

Self-employed retirement: This is H.R. 10, the Keogh-Simpson bill which would permit self-employed to defer taxes on portions of their income set aside for retirement purposes. I voted for it when it passed the House, and regard it as forward-looking legislation which I would like to see enacted into law. Indications are, however, that the bill may encounter opposition in Senate floor debate.

VIEWS ON THE NATIONAL CONVENTIONS

I attended the Democratic convention in Los Angeles as a delegate. I was satisfied both with the choice of the ticket and the platform adopted there. I also watched the Republican convention in Chicago and was encouraged by developments there, too. Of particular note, in my opinion, was the adaptation of Vice President NIXON to a new posture concerning the issues before the Nation in the light of developments of the last year. For an interesting view of the Republican platform, I suggest you read the editorial on page 120 of the July 30 issue of Business Week magazine.

MY BACKGROUND TO JUDGE CUBA

In my last newsletter, I commented about the Cuban crisis, United States-Cuban relations, the Castro government, etc. My comments were based partly on a personal trip I made to Cuba in March. Several letters I received questioned my authority to judge Cuba on the basis of such a brief visit. I would like to say this, in the event others also wondered about my remarks in which I said I was convinced a poor job of administering Cuba by the Castro government would in itself bring serious economic troubles to that country in the near future. True, my visit to Cuba was brief, but for the benefit of those unaware of it, my knowledge of Spanish-speaking nations is extensive. For one thing, I was born and raised in Argentina, where I attended public school. My father worked for Swift & Co. in Argentina and in fact is still employed by that company although now residing, with my two sisters and my brother, in Brazil. Besides this background, I also was an instructor in Spanish at Yale College and at Hotchkiss School in Lakeville, Conn. Developments since my comments appear to be bearing out the views I expressed regarding Cuba. Castro has grown weaker and seems to be losing his hold, particularly with important and influential groups. They're talking out

against him now, warning of economic collapse. There are some sources in our own Government who think Castro will fall by year's end. Incidentally, you might also be interested in knowing that for some months now I have been making weekly Voice of America broadcasts in Spanish which are aired into Latin American countries. Usually these broadcasts are made jointly with Representative JOSEPH MONTOYA, of New Mexico, and we feel they are playing an important role in improving and strengthening our Latin American relations. Similar programs are broadcast as panel discussions whenever visiting Latin American legislators are in Washington.

Public Laws 592 to and Including 620

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. O'HARA of Illinois. Mr. Speaker, since the convening of the 2d session of the 86th Congress until the time of our adjourning for the recess, a total of 293 public laws were enacted. In the 1st session of the 86th Congress 383 public laws were enacted, hence the numbering for the 2d session starts with 384. In my reports to my constituents in the Second District of Illinois I have given a digest of all the new legislation, both major and minor.

Thinking that this digest might be of interest to my colleagues, and of some use for easy reference, I extended my remarks on pages 15880–15882, 15884–15886, 15889–15894, 15900–15902, and 15906–15908 of the CONGRESSIONAL RECORD of July 15, 1960, to include the digest of Public Laws 384 to and including 591. The large number of letters I have received from readers of the CONGRESSIONAL RECORD in all parts of the country has encouraged me further to extend my remarks to include Public Laws 592 to and including 620, as follows:

PUBLIC LAW 592

H.R. 12311: Sugar quotas

Public Law 592 (1) extends the Sugar Act of 1948, which had been extended in 1952 and in 1956 for 4-year periods, for a period of only 3 months, and (2) empowers the President to determine Cuba's quota for the balance of the current year and until March 31, 1961, "as he shall find from time to time to be in the national interest."

On the role of national unity in matters of immediacy in international relationships, the House voted to the President the power he regarded as essential in the existing situation in Cuba. The vote was 395 to 0.

In my remarks I said: "I trust that the power the President has asked will be administered without punitive design and in sole consideration of what in his judgment is just, wise, and necessary for the nations of the American Hemisphere, including our own."

The squabble over where Cuba's quota, if terminated, would go almost tied up the adjournment for the recess. It will be renewed when the Congress reconvenes on August 15.

PUBLIC LAW 593

Air Force is building up its own traditions. Public Law 593 helps along by changing the designation of "Distinguished Service Cross" and "Soldier's Medal," which are Army terms, to "Air Force Cross" and "Airman's Medal."

PUBLIC LAW 594

Public Law 594 removes the 4-year limitation on the $400,000 total income tax deduction for expenditures on explorations for ore or minerals (not gas or oil). Purpose is to benefit small operators whose limited capital requires them to take more time.

PUBLIC LAW 595

Public Law 595 adds to the national parks of our Nation the Arkansas Post National Memorial at the site of a fur trading post set up in 1686 by Henry de Tonty, a lieutenant of La Salle's, that figured in the "Mississippi Bubble" scheme, was a military post from 1730 on and once was the capital of Arkansas Territory.

PUBLIC LAW 596

Public Law 596 is of interest to conservationists. It ends the scandals in California and the Southwest arising from raids by sharp operators on the lands of the national parks under a defect in the "lieu lands" provision in the act of 1897 as amended. It corrects the defect, disqualifies heirs and assigns and makes compensation to clear title.

PUBLIC LAW 597

In 1959 the Air Force gave flight instructions to 1,663 ROTC cadets at 159 schools, the Army to 643 cadets at 66 schools. This qualifies the cadets for FAA private pilot certificates. Public Law 597 extends the program for Army, Navy and Air Force another 4 years.

PUBLIC LAW 598

Public Law 598 provides the furnishing of needed services of optometrists to veterans having service-connected eye conditions. It adds "optometrists services" to VA's medical duties. This is in addition to the eyeglasses given to veterans, 30,774 pair in 1959. I am happy to report to many constituents who wrote me that I cast your vote for Public Law 598.

PUBLIC LAW 599

Coal industry, hard hit by oil and gas, is in a bad way. Public Law 599 authorizes a $2 million coal research program to open new ways.

PUBLIC LAW 600

Since 1820, when Yankee Captain Nathaniel Palmer landed on the shores of Antarctica, Americans have been exploring into the frozen realms. Public Law 600 creates a special commemorative medal to be presented persons (military and civilian) who have served on Antarctica expeditions.

PUBLIC LAW 601

H.R. 11998: Defense appropriations

Public Law 601 appropriates $39,996,608,000 for the Department of Defense for fiscal 1961. That is slightly under $40 billion, and $661,608,000 above the budget, in part due to an increase in the number of Polaris nuclear submarines, in general to girding of defenses in a worsening world climate and to meet the challenge of Soviet missiles. The House passed the bill, 377 to 3. Your vote was aye.

PUBLIC LAW 602

This permits the Navy to swap some land in South Boston, no longer needed, for another piece of land owned by the Massachusetts Port Authority. It couldn't be done without the approval by Congress.

PUBLIC LAW 603

Public Law 603(1) eliminates requirement of physical examination every 4 years for members of the Standby Reserve, and (2) authorizes officers of the National Guard on inactive duty to issue orders to active duty for training and perform similar chores when designated by proper authority.

PUBLIC LAW 604

Former Members of Congress when they work for the Federal Government forfeit their civil service retirement annuities. Public Law 604 exempts them from such forfeiture when they work without compensation. This protects them from being penalized for rendering, gratuitously, a public service.

PUBLIC LAW 605

H.R. 12263: Dam on the Rio Grande

Public Law 605 authorizes agreements with Mexico for the joint construction and maintenance of a second major international storage dam, with water generating facilities (to be known as the Amistad Dam) on the Rio Grande River. The first major dam (the Falcon, 75 miles downstream from Laredo) under the 1944 Water Treaty with Mexico was completed in 1953.

Your representative, as a member of the Subcommittee on Inter-American Affairs, attended many days of public hearings in the processing of this measure. It is refreshing and strengthening to have two neighboring nations working together in friendly cooperation in joint undertakings for a common benefit.

PUBLIC LAW 606

Public Law 606 extends until June 30, 1961, the present suspension of duty on metal scrap.

PUBLIC LAW 607

H.R. 10644: Merchant marine

Merchant Marine Act of 1936 is credited with building up a hard-core American-flag merchant fleet by construction and operating differential subsidies to bridge the gap between costs here and abroad. Nevertheless, rising costs here have caused the American ship building industry to drop from first to eighth place among the nations of the free world. Hence Public Law 607 raises the permissable construction differential subsidy from 50 to 55 percent.

PUBLIC LAW 608

In 1935 Congress cooperated with the cities in their street-widening programs by authorizing gift to municipalities of portions of Federal lands needed to widen streets. Public Law 608 extends this to States, counties, and other political subdivisions. It sometimes happens that a Federal Building is in a city but adjacent to a State or country highway.

PUBLIC LAW 609

Public Law 609 legalizes and admits to polite communications society the humble antenna booster stations that have been the sole means of extending TV entertainment to small, remote communities. Here is how the booster, now legalized, works: (1) an ordinary rooftop antenna strategically located to get a usable signal from a distant station, (2) a shielded cable connected to a small amplifier and running to a second rooftop antenna, and (3) everybody happy, the second rooftop antenna beams the signal to the whole community.

PUBLIC LAW 610

Public Law 610 I place high on the achievements of the 86th Congress. It authorizes the President, the Department of Health, Education, and Welfare, and the Surgeon General to conduct an international cooperative program in health research, training and planning. It envisions a scientist-to-scientist relationship on an international basis, the mobilization of the medical researchers of the world in an assault upon all the dread diseases that plague mankind. This, I would say, is along the road to peace, progress and universal goodwill. You may be sure your vote was aye.

PUBLIC LAW 611

S. 747: Des Plaines conservation

Public Law 611 gives to the State of Illinois for wildlife, conservation and recreation some 2,200 acres at Des Plaines, formerly part of the Joliet Arsenal Military Reservation, 946 acres at a consideration of $303 an acre (total, $286,638), 1,500 acres directly contiguous thereto as an outright gift, subject to use by the Government in event of emergency. I received many letters from conservationists and sportsmen, introduced in the House a companion bill to Senator DOUGLAS' and appeared at committee hearings. While we were unsuccessful in getting the exact land we wished, due to the adamant position of the Defense Department, the compromise at least served the general purpose of protecting much of the surplus area from private encroachment and turning it over to all the people as part of their outdoors domain.

PUBLIC LAW 612

At present there are 496 retired Foreign Service officers and 118 widows receiving annuities. Public Law 612 boosts the annuities 10 percent.

PUBLIC LAW 613

S. 1283: Protection of children from poisoning

In one year there are 200,000 poisonings in the United States, with 5,000 deaths, from common household products, such as polishers, bleaches and cleaners. An estimated 600,000 children under 15 annually swallow poisonous substances. Illinois is one of eight States that have enacted State legislation requiring warning labeling of all hazardous substances for household use. Public Law 613 requires and regulates the labeling of such products in interstate commerce. Of course, your vote was aye.

PUBLIC LAW 614

United States has participated in the International Bureau for the Protection of Industrial Property since 1887. Chief work of the bureau is in the field of patents and trademarks. Public Law 614 (introduced by Congressman LIBONATI of Chicago) authorizes a back payment of $10,514 and an annual payment of $7,500 as Uncle Sam's contribution to the bureau.

PUBLIC LAW 615

This grants "grandfather rights" to motor carriers, freight forwarders and water carriers in Alaska. That means they can continue operation of transportation services on the accustomed lines.

PUBLIC LAW 616

Public Law 616 (1) permits Army and Air Force involuntarily to retire permanent colonels and lieutenant colonels who have three or more times failed of promotion, and (2) provides boards to separate officers for moral, professional, or security dereliction. Armed Services Committee states purpose was to improve officer quality, not create vacancies.

PULIC LAW 617

Public Law 617 increases from $250,000 to $500,000 the authorization for the appropriation for the Gorgas Memorial Laboratory in Panama to construct new facilities. This will make possible long-range studies of insects and the malaria, yellow fever and virus (among others) diseases they transmit. The laboratory is under American auspices, our chief such center in tropical America.

PUBLIC LAW 618

Protection of the health of the American people is the constant concern of the Congress. We like color in everything, including our foods, drugs, and cosmetics, where danger can lurk. Public Law 618 permits the use of suitable color additives but only after they have complied with rigid regulations (including maximum tolerances) and have been declared safe. Your vote always has supported health legislation.

PUBLIC LAW 619

This merely makes uniform the law fixing the terms of office of members of regulatory agencies of the Government.

PUBLIC LAW 620

Alaska University has 100,000 acres of land granted by the former territory. Public Law 620 permits its sale or lease by sealed competitive bids.

Address of Senator Keating to the National District Attorneys' Association

EXTENSION OF REMARKS

OF

HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Monday, August 22, 1960

Mr. MOSS. Mr. President, the National District Attorneys' Association held its annual conference in Boston, Mass., on August 11, 12, and 13 of this year. I had the honor to attend and to hear the remarks of Senator KENNETH B. KEATING, of New York, as he by wire addressed the members of the association at their final banquet on August 13.

Edward S. Silver, district attorney of Kings County, Brooklyn, N.Y., and immediate past president of the National District Attorneys' Association, at the closing dinner of their conference, stated that Senator KEATING's talk ought to be read not only by every prosecutor in the United States, but by every legislator in our country.

I agree that the statement of Senator KEATING should be available to every prosecutor and every legislator and I, therefore, ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ORGANIZED CRIME—WHAT CAN THE FEDERAL GOVERNMENT DO ABOUT IT?

(Remarks of Senator KENNETH B. KEATING at the conference of the National District Attorneys Association in Boston, Mass., August 13, 1960)

Mr. Chairman, members of the National District Attorneys' Association, it is a distinct personal pleasure to be with you tonight. Both as legislator and as lawyer I feel preeminently at home in this good company. This conference, I might add, is proof of the twofold attribute of the law. It doesn't merely send people away. It brings them together, as well.

I must say, Ed, that my pleasure is the greater because you are in the chair.

Ed and I are on different sides of the political fence, but with a fellow like Ed you just cut a hole through the fence and maintain a continuous good neighbor policy. After all, friendship was "invented" long before politics.

At the outset, let me tell you how warmly, how wholeheartedly I commend this fine association for the public-spirited initiative you have displayed in accenting, in emphasizing the tremendous and fateful challenge that life—and death—on our highways represents for America.

It is, indeed, one of the grimmest ironies of this century that thousands of our fellow countrymen set out each year on pleasure trips—that end in the cemetery—or in the hospital.

I have often thought the concept of the motorcar in the public mind needs a new definition. The handling of firearms is surrounded by all manner of training and care and caution. It is not a mere matter of learning how to pull the trigger. But in the case of driving, all too often it is, so to speak, the ability to pull the trigger that qualifies a citizen to drive his car on the public highway.

For this reason, we have millions of people moving about our Nation with loaded guns—and many of them without any conception of the lethal quality of the weapons they grasp in their two hands. To me it is, therefore, immensely heartening that this association has thrown the floodlight of its interest and its dedication on a problem that cannot, that must not, be accepted as one of the scourges of civilization. It is the part of civilization to rid itself of scourges—and you gentlemen, by your forthright and dynamic acceptance of this grave challenge, are rendering a service of incalculable significance.

Tonight I should like to talk to you about a malignant cancer this Nation suffers from—the cancer of organized crime. I shall discuss it in terms of its national implications and in relation to the role of our Government in meeting its nefarious challenge.

Following the investigations and disclosures of the Senate Crime Committee in 1951—when a Nation learned to its shock and anger that vice and corruption had become major industries in the United States—there was the fervent hope that drastic action would be taken to break the back of organized nationwide crime.

As a matter of record, certain steps have been taken in this direction, notably the creation of the Organized Crime and Racketeering Section in the Department of Justice. But today, 9 years after the Crime Committee's report, the proportions of the entire problem remain mountainous and frustrating.

We are still forced to prosecute alleged murderers and thieves for such comparatively innocuous offenses as tax evasion and contempt of court. There is evidence that organized crime syndicates continue to flourish in this country and, indeed that they are constantly spreading their influence into previously legitimate undertakings.

The hired killers, the narcotics peddlers, the labor racketeers, the blackmailers, the illegal gamblers are still in business. They intimidate honest citizens, corrupt entire police forces, make the public streets unsafe at night, exploit many businessmen and workers. They are a blight upon the land, a running sore of evil, and it will take courage and determination to wipe out the conditions in which they thrive.

There have been enough studies and exposés. The time for counterattack is long overdue. Crime is at war with America. It is high time we declare war on crime.

Unless you are aware of the magnitude of the situation, you will be shocked by the statistics. Crime in the United States today is at the highest point in its history. Almost 3 million major crimes are now committed each year. What does that mean. It means that everyone in this land can expect to be the victim of a major crime at least once in his life if he lives to be 60 years of age. The crime rate has increased almost four times faster than the population of the country since 1950. There were more convictions for extortion, fraud, bank robbery, and gambling offenses last year

than ever before in the life of the Republic.

J. Edgar Hoover pointed out in a recent speech that the total cost of crime for the entire Nation "has reached the alarming figure of $22 billion a year—or nearly one-third of the cost of running the entire Federal Government for a year." This is not a very impressive image of the leader of the civilized world. This is America with a scar on its face—a scar of shame.

One of the major obstacles to effective law enforcement at present is the absence of any statutory authority (with few exceptions) for the Federal Government to deal directly with organized interstate criminal activities. The contention that crime is strictly a local problem has been used to defeat efforts to fill this gap in the Federal legal arsenal. Most crimes, of course, are strictly matters for local law enforcement.

But a local enforcement agency, no matter how effective, just cannot deal with crimes that spill over into other jurisdictions. Interstate criminal operations are purposely organized to escape the authority of any one local law-enforcement agency. Criminality doesn't end at State borders; why should law enforcement? We're not chasing speeders here. We're chasing the enemies of society.

The specter of a national police force has been one objection frequently raised to expanding the Federal Government's role in law enforcement. In my view, there is no danger of such a development. At the present time, there are some 347,000 citizens engaged in some kind of law-enforcement work.

This includes uniformed policemen, law-enforcement agents, and clerical, administrative, and custodial personnel concerned with police protection activities. Of these 347,000 law-enforcement employees, 326,000 are employed by State and local governments. On the other hand, only 21,000 are employed by all the Federal law-enforcement agencies combined, including the FBI, Immigration and Nationalization Service, Bureau of Narcotics, and Secret Service. To give one direct comparison, the FBI employs only 6,000 special agents compared to the 24,817 policemen employed by the city of New York alone.

An interstate crime bill certainly would require expansion of the FBI, but not in a manner which would give cause for reasonable concern to any person. The FBI still would be limited to investigative activities. Direction of its activities would remain under the Attorney General, and decisions as to whether to prosecute would remain with the local U.S. attorneys and other Department of Justice officials. The FBI, under the outstanding leadership of J. Edgar Hoover, has never sought expansion of its jurisdiction or an increase in its powers.

The tradition developed during Mr. Hoover's long and brilliant career has established guidelines for the functioning of the agency which would in no way be altered by increasing its personnel.

In its simplest terms, an interstate crime bill would make it a Federal offense to use the facilities of interstate commerce to break certain specified State laws. The laws specified relate to the types of crimes to which these interstate syndicates are particularly prone, such as narcotics trafficking, fraud, murder, and gambling.

The bill is far reaching, but I do not believe it can be called drastic—although even some drastic measures to deal with the present menace would be justified. In many ways, my proposal is simply an extension of a trend started more than 60 years ago when Congress enacted the Lottery Act to cope with nationally organized lottery activities. Later, there were similar acts dealing with such previously local offenses as train robbery, cattle stealing, white slavery, and kidnappings. In every one of these fields the same thing happened: local criminals outgrew local law enforcement controls.

The intervention of the Federal Government in these cases has been very effective. The train robber, the white slaver and the kidnaper have now virtually vanished from the scene. It is time we moved with equal vigor against the new colossus of organized crime that confronts us today.

The practical operation of such a bill is easy to illustrate. Let us suppose, for example, that we wanted to move in on a big gambling syndicate operating out of New York with outposts in Chicago, Tampa and San Francisco. All you would have to prove is one overt act by a member of the conspiracy involving interstate commerce such as a telephone call or an interstate shipment, or the use of the mails. You could then close in. In one case, with a single conspiracy indictment, you could bag the rich overlords at the heart of the operation in New York and the lieutenants who were running things in Chicago, Tampa and San Francisco, and as many of the other small fry as you found wriggling in the bottom of the net. And that is not all. If the chiefs of police or sheriffs in certain towns and counties were mixed up in the mess, they would become defendants also.

This procedure in no way interferes with States rights, since under the terms of the law, State policies would control the definition of offenses. Nor would it throw an undue burden on our Federal law-enforcement officers.

A man can always do a better job with less trouble if he has the right tools. This is the right tool for breaking up these syndicates.

There is another aspect of crime control I have never been able to understand and that is the special protection we appear to be willing to give to crime plotted by telephone. This great scientific invention is fast becoming the privileged tool of the criminal. Recent court decisions have virtually succeeded in transferring the telephone into a private channel for organized crime.

I believe that we urgently need a Federal eavesdropping statute applicable to wiretapping and all other forms of electronic interception of conversations. Such a statute would permit Federal law-enforcement agents to utilize these devices for obtaining evidence of crime, but only under the safeguards of a court order. At the same time, as a protection against abuse, severe penalties should be provided for any electronic snooping not authorized by court order. And these penalties should be invoked against policemen, as well as ununiformed sleuths who ignore the limitations of the law. There is no criminal worse than a man who breaks the law he is sworn to uphold.

Congress should also make it clear that the States may adopt the same type of eavesdropping regulation.

In the recent decision by the U.S. Court of Appeals in New York in the Pugach case, a majority of the court refused to enjoin the introduction of wiretap evidence in two State court prosecutions. At the same time, every judge on the court agreed that Federal law makes it a criminal offense to present such evidence in a State court. One judge went so far as to invite the U.S. attorney to institute criminal proceedings against the New York district attorneys if they attemped to introduce any wiretap evidence.

This decision emphasizes the incredible legal situation which now prevails.

New York has the most well-balanced, carefully safeguarded, up-to-date laws on the subject of wiretapping and other forms of eavesdropping of any State in the Nation. Nevertheless, a New York district attorney, who acts in full compliance with the requirements of the New York law, now must face the risk of Federal prosecution. I cannot conceive of anything more illogical and indefensible.

If crime were not such a serious problem, the present situation would be ludicrous. I cannot believe that anyone in Congress intended, when the Federal Communications Act was passed, to make criminals out of district attorneys who obtain State court orders permitting wiretapping. We must act promptly to restore some sense and sanity in our handling of this subject.

The stark and ominous reality we must face is that crime is at war with America. It is about time America declared war against crime.

Congress must not delay any longer coming to grips with this challenge to our security. Immediate action is needed on the measures I have outlined. Comprehensive study is needed also to devise other solutions to this appalling nationwide scourge and shame. A national crime commission should be appointed to probe deeply into all the ramifications of this problem.

This should be a citizen's commission divorced from Congress, politics, or any existing law-enforcement agencies. Such a commission is imperative to adjust our operations against crime to the needs of today and the future. Many people shrink from such tasks—they display a certain disdain toward the whole subject of crime. But no one with the public welfare truly at heart can afford to shirk the duty to attack this evil.

In bringing these remarks to a close it is well to be reminded that even in our fight against crime no compromise can be condoned in according to every defendent his full constitutional rights. I would not stand for any departure from the requirements of due process no matter how heinous and outrageous the offense involved or how serious the problem to be dealt with.

At the same time, I do not equate a proper concern for the rights of an accused with a mawkish, sentimental dedication to safeguarding his every interest or convenience at the expense of the community. Law-abiding citizens have rights, too. I have tried to describe tonight some of the ways the Federal Government can protect those rights more effectively, but consistently with our traditions and principles.

Public Laws 621 to and Including 642

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent I am extending my remarks to include a digest of Public Laws 621 to and including 642 as reported by me to my constituents in the Second District of Illinois, as follows:

PUBLIC LAW 621

Bankruptcy lawyers, take note. False financial statement no longer is grounds for denial of discharge to a nonbusiness bankrupt. Public Law 621 provides, however, that obligations incurred by its use will not be discharged.

PUBLIC LAW 622

This exempts from future retirement contribution by civil service employees who remain with the Government after they have put in enough years to retire with an annuity of 80 percent of their salaries.

PUBLIC LAW 623

This is bigger news in Crawford in Nebraska than it is in Chicago. It permits sale of some land for $500 to the village of Crawford. It could not have been done without an act of Congress.

PUBLIC LAW 624

Public Law 624 is the Hawaii omnibus measure making complete and perfect the admission of Hawaii into the Union. It gathers up the loose ends of transition from territorial status to statehood, in many acts of Congress changes "Territory of Hawaii" to "State of Hawaii," in others includes the new state in grants-in-aid and other programs. Just a housekeeping job of rearranging the furniture.

PUBLIC LAW 625

In 1888 the Federal Government started contributing to the support of State homes for veterans. It gave $100 a year for each veteran. Now there are 33 State homes in 28 States and VA has been paying $700 annually for each veteran. Public Law 625 changes the rate from $700 a year to $2.50 a day, a 30 percent boost.

PUBLIC LAW 626

H.R. 11776: Independent offices appropriations

Public Law 626 is the annual appropriation act for the independent executive bureaus and agencies among which are the Veterans' Administration, National Science Foundation, Housing and Home Finance Agency and many others. It carries total appropriations for fiscal 1961 of $8,307,964,900, or about $109 million under the budget estimate.

PUBLIC LAW 627

Public Law 627 permits air carriers to give free or reduced rates transportation to (1) employees, present and retired, and their families, (2) widows and minor children of employees who died in air duty, (3) persons injured in air crashes, families, doctors and others in connection with the crashes, and (4) persons giving relief in times of pestilence or similar emergency.

PUBLIC LAW 628

H.R. 12232: 1961 legislative appropriations

Public Law 628 appropriates $129,470,410 for fiscal 1961 for the legislative department. This is $3,943,075 under the budget.

PUBLIC LAW 629

H.R. 1157: Ryukyu Islands

Our relationship with the Ryukyu Islands is unique in the history of the United States. I think you will share my interest in Public Law 629, which resulted from the studies of Congressman MELVIN PRICE, of Illinois, and bears his name, the Price Act. MEL was a buck private when we were at war with Japan, now is a veteran member of the Armed Services Committee.

Okinawa is the largest of 63 islands in the Ryukyu group, about midway between Tokyo and Manila. It is the base of our Pacific defense. Under the peace treaty with Japan the United States exercises all powers of administration, legislation, and jurisdiction. Yet the islands are not American possessions, eligible to share in what we do for our own. Neither are they foreign territory, eligible under our foreign aid program.

Problem is to build up the welfare and well-being of the Ryukyuan people with the objective of making them self-sustaining. Population density is among the world's highest, 1,000 persons per square mile.

Public Law 629 (1) authorizes an annual appropriation of $6 million (about equal to Japan's subsidy in pre-war years), and (2) turns over to the government of the Ryukyu Islands receipts from taxes and other sources much as is done with our own Guam and our own Virgin Islands.

PUBLIC LAW 630

H.R. 12231: Military construction appropriation

Public Law 630 carries fiscal 1961 appropriations for military construction, at home and overseas, housing, hospitals, missile, and other facilities of all military kinds. They total $994,855,000. This is $193,145,000 under the budget.

PUBLIC LAW 631

Chapter XIII of the Bankruptcy Act concerns only wage earners. Public Law 631 reduces the number of reports to the Treasury Department required of other bankrupts to a single notice to the regional internal revenue office of the first meeting of creditors.

PUBLIC LAW 632

Public Law 632 clarifies and strengths reemployment rights under the Reserve and Universal Military Training Acts. Among other things it specifies National Guardsmen are included. Employers, inductees, reservists, and others affected probably will wish to familiarize themselves with the provisions.

PUBLIC LAW 633

Court-Martial Manual automatically reduces to lowest pay grade an enlisted service person when convicted by court-martial. Court of Military Justice in the Sampson case said this held only when pay reduction was ordered by the court. Comptroller General, controlling the purse strings, sided with the manual. Congress quiets the confusion with Public Law 633. It (1) reduces pay to grade E–1 on conviction, and (2) restores former pay if court-martial sentence is set aside or pay reduction is not specifically included in the sentence.

PUBLIC LAW 634

Public Law 634 is another evidence of the amends the Congress is making for past trespasses upon the rights and dignity of the American Indian. It prohibits (1) the defacing or destruction of boundary markers on Indian reservations, and (2) the hunting, trapping, or fishing on Indian lands without permit. Penalties of both fine and imprisonment are provided.

PUBLIC LAW 635

Very important to our defense are the Polaris nuclear submarines. They are operated on a 2-crew plan, under which the crews rotate between sea duty and rehabilitation and training ashore. Public Law 635 extends extra incentive pay to the period both at sea and ashore.

PUBLIC LAW 636

Public Law 636 turns over to the Navajo Indian Tribe the irrigation project on its reservation in New Mexico. The Government will train tribal personnel and assist in operating project until trained tribesmen can take over.

PUBLIC LAW 637

In April of 1960 the Comptroller General reported a sampling of 13 oversea shipments by commercial air of household goods of officers of the armed services that cost the Federal Government $125,470 whereas the cost by water would have been $23,000. Two months later Public Law 637 had been drawn, passed by the Congress and signed by the President. It provides that hereafter no shipments, except in emergencies, shall be made by air if the cost is greater than by water or other means.

PUBLIC LAW 638

Public Law 638 puts reserve officers retiring after 8 years' service on the same basis as regular officers as regards travel pay to the places they have selected as their new homes.

PUBLIC LAW 639

Public Law 639 permits VA to furnish medical services for a non-service-connected disability, (1) in preparation for admission to hospital, and (2) in completion of treatment after leaving hospital. It is expected to accelerate patient turnover rate, partially check growing waiting lines as veteran population ages.

PUBLIC LAW 640

Grand Valley project in Colorado is one of the oldest and most successful of the Federal reclamation developments in the West. Public Law 640 permits the use (after operating expenses and payments to the Federal Government) of its revenues from power to meet its obligations for rehabilitation and improvements.

PUBLIC LAW 641

When a member of the armed services dies without a will (15 percent of the cases), settlement of his accrued pay cannot be made without approval of the General Accounting Office. That means a long delay, often pretty hard on a family with current bills to meet. Public Law 641 sensibly does away with reference to GA, except in unusual cases.

PUBLIC LAW 642

H.R. 11389: Executive Office appropriations

Public Law 642 appropriates $10,872,500 for fiscal 1961 for the Executive Office. The President is given $2,398,500 for personnel and expenses of the White House office, $1,500,000 for special staff assistants, $505,000 for upkeep of the White House itself, and $100,000 for White House repairs and furnishings.

Excerpts of Interview Between Senator Alexander Wiley and Dr. T. Keith Glennan, of NASA

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Monday, August 22, 1960

Mr. WILEY. Mr. President, the pace of our progress in space exploration has magnetically drawn the spotlight of respect and admiration by our own people, and the world. As a nation, our endeavors are: contributing, shot by shot, to our space knowledge; establishing a far faster rate of progress than had earlier been anticipated; and again reflecting favorably upon the ingenuity of a free people—putting their shoulders to a task.

With the rapid-fire space launchings and probes, it is difficult to keep abreast, not only of the specific shots, but of the significance of those ventures to the community of scientific knowledge, and to the ultimate conquest of the forces and elements of space.

Although there have been criticisms of our programs, it is not—realistically speaking—humanly possible to create beforehand a complete blueprint upon which to construct such a complex program—with so many yet unknown factors.

Despite the fact that the Soviet Union started well ahead of the United States, today, we—in my humble judgment, based on expert opinion—are the leaders in space exploration, and the progress of our programs is moving ahead at a far faster rate than that of the Communist nation.

Recently, I was privileged to discuss the highlights of our space exploration with the Administrator of the National Aeronautics and Space Administration, Dr. T. Keith Glennan, who is providing a splendid kind of leadership in this field.

I ask unanimous consent to have excerpts of our interview printed in the CONGRESSIONAL RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

TV INTERVIEW BETWEEN SENATOR ALEXANDER WILEY AND DR. T. KEITH GLENNAN, OF NASA

Mr. WILEY. Friends, welcome to the program.

In the 1960's, the exploration of space will offer new challenges, adventures, problems, and promises for all of us—and for mankind. In these fast-advancing times, man's thinking, ingenuity, imagination—and, yes, his perspective—must extend to the new horizons. The home, fireside, community, and the national and international boundaries can no longer be the limits of our planning, dreaming, and vision.

To cope with the emerging challenges, man must attain a "satellite's eye" view, not only of his progress, but of the new interrelationships of men and nations on the globe—and of our planet, earth, to the universe.

Today, our exploration of space is only in its infancy. As a young child—beginning to walk, step by step—we, the people of earth, are moving forward gingerly—and yet, with confidence—into the unknowns of space.

As yet, there is no known yardstick by which to determine, evaluate, or predict the ultimate knowledge which the mysteries will unveil for mankind.

However, the tremendous progress already attained within a short time reveals—within our present limited vision—the prospects for dramatic, yet practical, benefits from further development of instruments and vehicles for exploring and utilizing space.

Briefly, now, let's review the accomplishments, projected plans for the future, and the practical benefits and rewards of space exploration.

To present the space picture to you, I have invited Dr. T. Keith Glennan, Administrator of the National Aeronautics and Space Administration.

Welcome, Keith.

Mr. GLENNAN. I am happy to have the opportunity to discuss our program with you, Senator WILEY.

Mr. WILEY. As I recall, the United States has launched about 23 satellites, with 13 now in orbit?

Mr. GLENNAN. Yes; that's right. And I should point out that two of those are in orbit around the sun, of course.

Mr. WILEY. What, specifically, are these satellites doing up there?

Mr. GLENNAN. Senator, I would classify the accomplishments of our satellites into two broad categories. The first is the basic research category. This would include the Explorer and Vanguard series, which give us highly technical information about which we had earlier only been able to theorize. I refer to such matters as the Van Allen radiation belt; the concentration of low energy particles in space; radiation and magnetic storms and fields; and micrometeorites. All of these are tremendously important from the standpoint of basic research, and they help us in achieving our objectives of a more practical nature.

The second category of accomplishments goes toward the practical applications of our space program, and this would include the Pioneer, Transit, and Tiros series. From these we have the beginnings of reliable long-range communications, exact all-weather navigation, accurate earth and planetary mapping, and weather and climate prediction, and possibly control. These are scientific accomplishments to shatter the imagination, and they are at hand. Just as a case in point, we have here a half-scale model of Tiros I, which transmitted from orbit 23,000 excellent photographs of the earth's cloud cover, including the formation and movement of hurricanes and other violent weather phenomena all over the world.

Mr. WILEY. That's a splendid space-view of our accomplishments. Would it be your judgment, then, that—even though the Soviet Union launched the first sputnik, we are now ahead of the Communists in overall performance in space?

Mr. GLENNAN. It is impossible to gage Russia's overall performance in space, Senator, because space capability depends so heavily upon what is being done on the ground. Because of the policy of secrecy followed by Russia, it is difficult to compare their status with our own. I say unhesitatingly that from the standpoint of orbiting satellites—and not merely based upon numbers—that the genuine scientific accomplishments of our satellites surpass those of Russia.

Mr. WILEY. As I understand, you recently announced a new timetable of projects for the future, Keith. Would you give us a brief review of the program?

Mr. GLENNAN. Within the next 10 years, NASA plans about 260 major space shots, amounting to an average of more than 2 a month.

Before too many months have passed we hope to achieve a suborbital flight of an astronaut and, before the end of next year, a true manned orbital flight under Project Mercury. In, 1961, also we should see the first launching of an Atlas-Centaur vehicle employing for the first time liquid hydrogen as fuel.

In 1962 we hope to impact the Moon with a scientific payload and launch a spacecraft to the vicinity of Venus or Mars, or perhaps both.

In 1963–64 we should see the launching of the awesome Saturn vehicle, which we have here in model form. This 3-stage giant will be some 185 feet high and 21 feet in diameter at the base, will weigh about 1 million pounds as it stands on the launch pad, and will develop 1½ million pounds of thrust in the first stage alone. This scale model of a man standing at the base (pointing) gives you some conception of the size of the Saturn vehicle.

Also in the 1963–64 period we should see an unmanned soft lunar landing, as well as an Earth orbiting astronomical and radio astronomy laboratory. Unmanned vehicles are expected to circumnavigate the Moon and return to Earth, and reconnoiter Mars or Venus, or both.

In the 1965–67 period we will launch a program which we expect will lead to manned circumlunar flight, and an attempt to establish a permanent near-Earth space station. After 1970 we envision man on the Moon.

We recognize, of course, that unforeseen problems could slow down the achieving of these goals; or, conversely, breakthroughs could accelerate the program. At this time, however, we feel that this is a realistic plan for the 10 years ahead.

Mr. WILEY. The timetable of progress for the future is most impressive, inspiring, and challenging.

In looking ahead in space, it appears that the practical rewards may be just as dramatic and exciting as the idea of manned flights into space and to and from other planets. As a member of the Senate Space Committee—as a citizen and as a taxpayer—I am also interested in—as I know you are—these practical benefits. Would you review these for us?

Mr. GLENNAN. Although it's difficult to predict all the ultimate rewards of space, there are a number of foreseeable benefits, some of which I have already indicated:

(1) Improved radio, telephone, teletype, and television communications;

(2) more effective weather forecasting to minimize loss from tornadoes, hurricanes, and other storms and benefit agriculture and conservation programs for preservation of our natural resources;

(3) a stronger defense;

(4) further man's offorts to utilize heat and light from the sun and other natural forces of the universe; and

(5) generally gather other data and information about the elements and forces of space for harnessing them to serve mankind.

CONCLUSION

Mr. WILEY. I'm sure you'll agree that creating a greater public understanding of what we're "shooting for"—and what the benefits will be—is a most worthwhile objective.

Mr. GLENNAN. Very definitely. To secure the broad support of the people of the country—who must provide the resources and the personnel for manning the space program—this is absolutely essential.

Mr. WILEY. In conclusion, I want to congratulate you, Dr. Glennan, and your agency, for the splendid, outstanding accomplishments of the past, as well as the amazing plans you have for the future. Along with you, I sincerely believe that the forces and knowledge of space will play an increasingly significant role in the daily lives, security, welfare, and progress of our people in the years ahead.

Mr. GLENNAN. Thank you, Senator Wiley.

Mr. WILEY (to the audience). Now, friends, thank you for being with us.

Hemispheric Security: Congress Must Act

EXTENSION OF REMARKS

OF

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. FLOOD. Mr. Speaker, soon after the Congress recessed, Soviet Premier Nikita Khrushchev on July 9, 1960, publicly declared that the Soviet, with its arsenal of rockets, is pledged to all-out support of Cuba in event that that country were attacked by the United States.

Does this provocative statement signify the existence of a mutual defense pact between captive Cuba and its Kremlin masters? I do not know, but believe it does. Nevertheless, this threat was and is a challenge of the most brazen audacity that could not be ignored and the President reacted promptly with a policy pronouncement on the next day, which I now quote:

The statement which has just been made by Mr. Khrushchev in which he promises full support to the Castro regime in Cuba is revealing in two respects.

It underscores the close ties that have developed between the Soviet and Cuban Governments. It also shows the Soviet purposes in this hemisphere.

The statement of the Soviet Premier reflects the efforts of an outside nation and of international communism to intervene in the affairs of the Western Hemisphere.

There is irony in Mr. Khrushchev's portrayal of the Soviet Union as the protector of independence of an American nation when viewed against the history of the enslavement of countless other peoples by Soviet imperialism.

The inter-American system has declared itself, on more than one occasion, beginning with the Rio Treaty, as opposed to any such interference. We are committed to uphold those agreements.

I affirm in the most emphatic terms that the United States will not be deterred from its responsibilities by the threats Mr. Khrushchev is making. Nor will the United States, in conformity with its treaty obligation, permit the establishment of a regime dominated by international communism in the Western Hemisphere.

This was followed on July 12 with a statement by Premier Khrushchev to the effect that the Monroe Doctrine is dead, thus evoking a further statement on the matter by the Department of State on July 14 that I now quote:

[From the Washington Post, July 15, 1960]

TEXT OF MONROE DOCTRINE STATEMENT

In his remarks concerning the Monroe Doctrine at his press conference only July 12, Mr. Khrushchev again displayed his extraordinary ability to ignore facts.

In the first place, the principles of the Monroe Doctrine are as valid today as they were in 1823 when the doctrine was proclaimed. Furthermore, the Monroe Doctrine's purpose of preventing any extension to this hemisphere of a despotic political system contrary to the independent status of the American States is supported by the inter-American security system through the Organization of the American States.

Specifically the Organization of American States charter and the Rio Treaty provide the means for common action to protect the hemisphere against the interventionist and aggressive designs of international communism. Likewise, Mr. Khrushchev failed to mention that the Rio Treaty is the first of the regional treaties for which provision is made under article 51 of the United Nations Charter.

TREATY AIM CITED

Mr. Khrushchev might appropriately reflect on the fact that one of the considerations for establishing the Rio Treaty was that:

The American regional community affirms as a manifest truth that juridical organization is a necessary prerequisite of security and peace, is founded on justice and moral order and, consequently, on the international recognition and protection of human rights and freedoms, on the people and on the effectiveness of democracy for the international realization of justice and security.

One of the principal purposes of the Rio Treaty was to provide a method for dealing with threats of imperialistic powers seeking to establish their domination in the Western Hemisphere.

A further remarkable development was revealed in Mr. Khrushchev's meeting with the press. Speaking as the head of the Soviet Government, he arrogated to himself the power to determine what international agreements should or should not be binding—even though the Soviet Union is not a party thereto.

THREAT CALLED STRAW MAN

In this particular instance it was not only the Rio Treaty but also the treaty between the United States and Cuba covering Guantanamo, which he has sought to abrogate. While disregard for treaties to which it is a party may be viewed by the U.S.S.R. as a convenient approach to international relations, such an effort can only be regarded by law-abiding states as another example of Soviet intervention in the affairs of other countries.

Mr. Khrushchev's latest references to United States-Cuban relations are of a piece with his threat of July 9. As a pretext for his threat, he conjured up the strawman of a nonexistent menace of United States aggression against Cuba.

The threat of the use of force, made blatantly by the Soviet chairman in relation to the affairs of nations of the Western Hemisphere, is contrary to the basic principle of the United Nations Charter which rejects the use of force in the settlement of international disputes. This naked menace to world peace, brandished so callously by the Soviet leader, reveals the hypocrisy of his protestations in behalf of peace.

SEE BOLSHEVIK DOCTRINE

Moreover, these statements of Mr. Khrushchev appear to be designed to establish a Bolshevik doctrine providing for the use of Soviet military power in support of Communist movements anywhere in the world. Mr. Khrushchev speaks approvingly of the historically positive role of the Monroe Doctrine during the 19th century, when it was applied against the European imperialisms of that day, but declares that "everything has changed abruptly" now that it (the Monroe Doctrine) stands in the way of the new imperialism; international communism.

The principles which the U.S. Government enunciated in the face of the attempts of the old imperialism to intervene in the affairs of this hemisphere are as valid today for the attempts of the new imperialism. It consequently reaffirms with vigor the principles expressed by President Monroe: "We owe it * * * to candor * * * to declare that we should consider any attempt on their (European powers) part to extend this system to any portion of this hemisphere as dangerous to our peace and safety."

Today, nearly a century and a half later, the United States is gratified that these principles are not professed by itself alone, but represent through solemn agreements the views of the American community as a whole.

The agreements alluded to in the above statements are the 1947 pact of Rio, the 1948 Bogota Charter setting up the Organization of American States, and the 1954 Caracas Declaration.

With the sense of the statements above quoted, all thoughtful Americans of the Western Hemisphere, North, Central, and South, will heartily agree. But Executive pronouncements, merely reacting to crises created by our failure to lead boldly in making our position clear are not enough. They should be promptly followed up by adequate congressional actions on resolutions now pending in both Houses of the Congress to defend our policies from Bolshevist attacks.

In various previous addresses and unheeded warnings to this body, I have foreseen and predicted what is now happening, and outlined a definite program to remedy the situation in the Caribbean. So far, no conclusive measures have been taken and matters have been allowed to drift from bad to worse.

All the evidence increasingly emphasizes the necessity for immediate action and the gravest peril in further delay. We must make clear to all nations of the world exactly where we stand. Had the Congress and the Executive acted earlier, as they could and should have done, the present crucial situation might well have been avoided.

Thus, Mr. Speaker, I ask again: Why wait for new blows to fall which may start another world war?

Problems of Small Business

EXTENSION OF REMARKS

OF

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. SCHWENGEL. Mr. Speaker, for the past 3 years my research team at the University of Iowa, under the direction of Dr. Russell Ross, has conducted a study on the problems of small business. This study has been very interesting and worthwhile. This study has pointed up a need for certain legislation that will materially help resolve some of their problems about which I should like to comment briefly today.

Our study also reveals and it should be noted that American small business has grown, prospered, and gained more strength in 7 years of the Eisenhower administration than at any time during the previous 20 years. Today there are 4,666,000 businesses in the United States, an alltime high, and 95 percent of them are small enterprises.

This Republican administration recognizes that little businesses are the red corpuscles of the American free enterprise system. It has acted effectively to foster them. They must be kept healthy and vigorous and they must grow in numbers commensurate with the national growth.

To assist owners and managers of small firms improve their management techniques, the Small Business Administration cosponsors management extension courses with universities and colleges across the country. These courses are carried on at virtually no expense to the taxpayers, and to date about 700 courses have been conducted at 275 or more educational institutions. More than 22,000 students have attended.

Also as part of its management assistance activities, SBA publishes three series of leaflets for the benefit of small businessmen. These are titled "Management Aids for Small Manufacturers," "Technical Aids for Small Manufacturers" and "Small Marketers Aids." Distribution of SBA's aid leaflets has exceeded the 7-million mark.

Although much has been accomplished during the Eisenhower administration to foster and encourage small business enterprise and keep the doors of opportunity open to new businesses, there is urgent need for additional Government action directed at aiding small business firms to successfully solve their management problems in this age of rapid change and keen competition.

The need for such action is clearly demonstrated by the results of private surveys which time after time indicate that 9 out of 10 business failures in this country are attributable to incompetent or inexperienced management.

Let us examine for a moment the business failures record during 1959.

More than 95 percent of the 4.7 million businesses in operation in the United States are small. Yet it is among this group that most failures occur, and where the financial burden of loss is most severe. In 1959 the bulk of the failures was found in those business activities where small businesses are concentrated. For example, 39.6 percent of the failures occurred among the following industry groups:

Rank by number of failures:

Industry group:	*Number of failures*
1. Eating and drinking places	1,334
2. Retail food and liquor group	1,113
3. Retail automotive group	1,015
4. Retail apparel and accessories	1,011
5. Lumber and lumber products—manufacturing	503
6. Textile mill products and apparel—manufacturing	420
7. Food and kindred products—manufacturing	176

More than 28 percent of the total money loss was suffered by investors in these unsuccessful firms.

Recent Dun & Bradstreet reports with respect to the business failure experience of the American economy reveal that in 1959 approximately 14,053 businesses failed with a $692,808,000 loss to creditors. Thus, of every 10,000 businesses in operation in 1959, 52 failed, with a consequent average loss of $49,300 each. More than 60 percent of these failures had liabilities of less than $25,000, a relatively small amount in this land of multimillion-dollar corporations.

In the aggregate small business suffers by comparison with large and medium sized business when sales and profits are considered. Even at this time, when sales volumes generally are up, profits are down.

Since 1947 the annual rate of earnings on stockholders' equity has been consistently lower for manufacturing corporations with assets under $1 million than it has been for the larger ones. This may be attributed partly to the fact that industries in which small manufacturing corporations predominate, such as the textile, apparel, lumber and food groups, are characterized by relatively lower earnings. On the other hand, groups noted for large corporations, such as aircraft, electrical machinery, instruments, chemicals and drugs, and automobile manufacture, are characterized by relatively higher earnings. Nevertheless, when industry as a whole is considered, the earnings position of small manufacturing corporations has declined in the past decade. For these smaller corporations earnings before taxes in 1951 amounted to $2,027 million compared to $1,527 million last year—a drop of almost 25 percent. During the same period manufacturing corporations with over $1 million in assets increased their earnings from $25,592 million to $28,167 million, a 10-percent gain. Obviously, as the bigs get bigger, the smalls have to struggle harder and harder just to stay even.

Despite the danger of failure or the prospect of small profit, the desire of thousands of men and women to enter the competitive busines field is as strong as ever. This is reflected in the vigorous growth of our business population in recent months. During 1959 over 70,000 businesses were added to our growing business population. Virtually all of these were small with the greatest number of entries being made in the retail, service, and contract construction fields which are particularly characteristic of the small firm. Because Dun & Bradstreet tells us that over 57 percent of the firms which fail do so in the first 5 years, it is of paramount importance that these firms receive assistance.

The program that I have presented in H.R. 13039 is designed to provide such assistance.

Just what is the problem?

A simple answer to this question is difficult to state. But the general objective we are trying to achieve is to make it possible for a small enterpriser to establish a business and operate it profitably, without fear of being squeezed out of the market. We must provide the small businessman the help he wants and needs.

What does the small businessman need?

Management help, aid, and assistance is a primary need of our small businessman today. Dun & Bradstreet tells us that over 44 percent of the business failures in 1959 can be attributed directly to the incompetence of management. Lack of sufficient, balanced managerial experience accounts for an additional 35 percent of the failures, while unfamiliarity with the product line adds another 12 percent to the record. Thus, over 90 percent of the failures in 1959 can be attributed to one or more phases of management incompetency or inexperience.

Despite efforts on the part of Small Business Administration officials and employees, which have produced substantive results, much remains to be done. General Government experts can do only so much, and there are not enough of them to put more than a dent in a problem of such magnitude.

My bill will alleviate this problem. Small business advisers operating out of the business centers in the United States will be immediately available to the small businessman for on-the-spot consultation whenever problems arise. This adviser, using his skill, experience, and know-how, will provide sound management advice and technical assistance to any small businessman who seeks it. He will have at his beck-and-call—on a when-actually-employed basis—the literally hundreds of retired, successful businessmen who are concerned with the economic prosperity of their local communities, and who would be willing and anxious to assist the adviser when he is faced with problems beyond his comprehension or competence. These retired men have been owners, managers, production specialists and technicians who can give the technological aid so necessary for efficient operation of a plant or store; they have been financial specialists or operators who know how to raise and manage capital and operating funds; they have been marketing and distribution men who already have solved many of the mysteries of that important phase of business operation. Advisers, moreover, will have an intimate knowledge of Federal Government publications, technical bulletins and management aids, and sources of technical data. They will be able to help the small businessman exploit the almost limitless information resources already available, but of which he is presently unaware.

In our enterprising Nation where such rapid advances in science and technology are being made, new products and processes appear almost daily. Of course, this leads to increased obsolescence of plants, equipment, and products. Unfortunately, the small businessman is unable to enjoy the fruits of this research and development. He cannot afford to undertake a research and development program on his own account. He has neither the time nor the ability to evaluate the profit potential of a product or process discovered and developed by someone else. In this regard he cannot hope to compete with a large concern. Here the small business adviser will be most helpful. He will direct the attention of the small businessman to new developments affecting that businessman's field of operations. He will make available information with respect to new products and processes that can be manufactured or employed by the businessman.

These small business advisers will be performing an important and useful service and eventually, I know, will become dependable, invaluable cogs in the machine we call our economy. Small business will benefit, and the American people as a whole will profit.

Ukrainian American Congress

EXTENSION OF REMARKS
OF

HON. LEONARD FARBSTEIN

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. FARBSTEIN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my message on the 20th anniversary of the founding of the Ukrainian Congress Committee of America:

THE UKRAINIAN AMERICAN CONGRESS

Twenty years ago the Ukrainian Congress Committee of America was founded by the First Congress of Ukrainian-Americans. Its objectives reflected the devotion of Ukrainian-Americans to their new country and their love for their motherland. In regard to the United States these objectives called for participation in the efforts of America to maintain peace and to strengthen the Amer-

ican way of life. In regard to the land of their origin, they called for making known the plight of the Ukrainian people and for helping the Ukrainians in their native land achieve their goal of freedom.

Today the Ukrainian Congress Committee is representative of some 2½ million Americans of Ukrainian ancestry. It encompasses fraternal, civic, youth, religious, cultural, athletic, and other types of organizations from the many States in which Ukrainian-Americans have settled, providing a unity of action which is unique and valuable. For the past 20 years it has pursued its objectives with dedication and vigor, helping Ukrainian immigrants adapt to their new home, promoting the American way of life, and carrying on a campaign of education about the Ukraine, the largest non-Russian nation behind the Iron Curtain in Europe.

Through the informational activities of the Congress Committee, the longings of the Ukrainian people for independence have been kept before the eyes of the world in spite of Soviet attempts to hide them. The history of the Ukrainian people has been brought to life and we have become more vividly aware of their 300 years of suffering under tsarist tyranny, the proclamation of independence on January 22, 1918, and the tragic takeover by a new tyranny in the form of Soviet communism.

On this 20th anniversary, all Americans join in wishing the Ukrainian Congress Committee continued success in its endeavors. We wish to express our gratitude for the service it has performed to the United States and its citizens of Ukrainian heritage. Finally, we express our hope that its ultimate goal of freedom and democracy everywhere will someday be achieved and the people of Ukraine will live in liberty once again.

Public Laws 643–676

EXTENSION OF REMARKS
OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. O'HARA of Illinois. Mr. Speaker, this completes my digest of all the public laws of the 2d session of the 86th Congress enacted up to this time as given in my reports to my constituents in the Second District of Illinois:

BARRATT O'HARA'S REPORT FROM CONGRESS

PUBLIC LAW 643

Some 2,000 Americans owe Uncle Sam on notes for money for food and shelter when stranded in the Far East in the war years. Trouble is the notes are in foreign currencies. Example: One note for 16,800 Japanese central reserve bank dollars our GA says has a real American dollar value of $16.80. Public Law 643 enables Uncle Sam's debtors to settle on a realistic formula worked out by the General Accounting Office.

PUBLIC LAW 644

This clarifies special postal rates for educational, cultural and library books and materials. For instance, changes the term "phonograph records" to "sound recordings."

PUBLIC LAW 645

Public Law 645 authorizes $1.5 billion public works projects on rivers and harbors for flood control and improvement of navigation. CalSag, with $5,240,000, is among the approved projects.

Corps of Army Engineers at congressional direction has been a big factor in development and economic growth of the Nation. Our country now has 23,000 miles of navigable river, moving 115 billion ton-miles of traffic a year, 300 flood-protection projects, 32 multiple-purpose projects supplying 20 percent of all the hydroelectric power generated in the United States, 18 large reservoirs that supply 400 billion gallons of water annually for municipalities and industries, 6.1 million acre-feet of water for irrigation.

Congressman JOHN KLUCZYNSKI, of Chicago, with his seniority of five terms, is one of the high ranking and certainly one of the most popular and influential members of the important Committee on Public Works.

PUBLIC LAW 646

Public Law 646 removes the escape clause in the conveyance some years ago of land, no longer needed, to the city of Little Rock in Arkansas. This will enable Little Rock to float bonds for the improvement of its municipal airfield.

PUBLIC LAW 647

Public Law 647 "authorizes" and "requests" the President to issue a proclamation inviting foreign nations to participate in the Pacific Festival at San Francisco September 9 to 18, 1960. Please note the quoted verbs. Congress cannot direct or order the President.

PUBLIC LAW 648

House Joint Resolution 397, refugee resettlement

Since the end of World War II over 2 million refugees have been resettled in the countries of the free world, 711,212 in the United States, which has only 6 percent of the world's land area.

Public Law 648 marks the participation of the United States in the drive of all free world countries to find new homes for the remaining unsettled refugees. It admits into the United States additional refugees under U.N. mandate in number predicated by the number admitted by cooperating nations. Hope is that refugee camps, after 15 years of existence, may be closed and brighter horizons of opportunity and contentment opened.

PUBLIC LAW 649

Management of the vast public domain is a big business. Public Law 649 gives to the Bureau of Land Management a greater flexibility of authority in fixing fees (now totaling $1 million annually) to meet inflated costs and use of revenues in expansion and maintenance of roads and forest trails. Logging operators, making heavy use of forest roads, are required to share in cost of preventing deterioration.

PUBLIC LAW 650

Public Law 650 creates a commission to prepare plans for a national celebration of the 175th anniversary of the formation of the Constitution of the United States. Surely an anniversary that all the world will note.

PUBLIC LAW 651

H.R. 12740, supplemental appropriations

Public Law 651 makes supplemental appropriations for fiscal 1961 that total $138,293,740. Among items: (1) $1,500,000 for research to control insects, including the screw worm that causes annual damage to crops estimated between $25 and $125 million, (2) $73,666,700 subscription to International Development Association, (3) $5 million to purchase land near Capitol for new Library building, (4) $2,953,000 for Jefferson Memorial at St. Louis, and (5) $12 million additional for public housing.

PUBLIC LAW 652

St. Augustine in Florida is booming, needs more schools. Public Law 652 permits land conveyed to the city for a park to be used as site of a new schoolhouse.

PUBLIC LAW 653

Public Law 653 confers a Federal charter on the Blue Star Mothers of America, Inc. Membership is limited to mothers, adopted mothers and stepmothers of sons and daughters who served in World War II or in the Korea hostilities or are presently serving with the Armed Forces.

PUBLIC LAW 654

Public Law 654 (1) denies to the District of Columbia the defense of governmental immunity in auto accident claims, and (2) relieves employees of the District from personal liability.

PUBLIC LAW 655

Harpers Ferry in West Virginia was the site of John Brown's famous raid in 1859, was captured by Stonewall Jackson in the Antietam campaign of 1862, and after the Civil War emerged a ghost town, its mills and armory all destroyed. Public Law 655 authorizes an expansion of the Harpers Ferry National Monument to take in John Brown's "Fort" and other lands.

PUBLIC LAW 656

Public Law 656 is another tribute to the immortal memory of the four chaplains who chose to die together on the troopship *Dorchester* that others to whom they gave their lifebelts could live. There is no greater epic of heroism and self-sacrifice in recorded history. Your vote, as I know you devotedly would have willed, was cast for an award posthumously of Congressional Medals to Chaplains George L. Fox, Alexander D. Goode, Clark V. Poling, and John P. Washington.

PUBLIC LAW 657

Public Law 657 authorizes $1 billion a year for fiscal 1962 and 1963 in Federal aid for primary and secondary highway systems and their urban extensions. At present A–B–C highways embrace 790,000 miles and carry 48 percent of the highway traffic of the Nation.

PUBLIC LAW 658

System of land-grant colleges and universities was established in 1862, since 1890 they have received direct Federal appropriations for teaching basic and applied subjects related to agriculture and engineering. These include chemistry, physics, botany, zoology, mathematics, basic English, veterinary medicine, and other subjects. Public Law 658 increases to $11,950,000 the Federal contribution to the land-grant colleges for teaching.

PUBLIC LAW 659

In 1959 Uncle Sam sold some land to the city of Keosauqua in Iowa for a sewage disposal plant and park. Keosauqua is shy of ready cash. So Public Law 659 helps out a good cause by providing 20-year installment payments, with interest.

PUBLIC LAW 660

Motorists, watch your step and test your breath. Public Law 660 establishes with the Secretary of Commerce a national register of names of all persons whose licenses have been revoked for drunken driving or who have been convicted of driving involving loss of life anywhere in the United States of America, including Puerto Rico, District of Columbia, Guam, the Virgin Islands, and the Canal Zone.

George Stewart, of the National Safety Council of Chicago, and Bernard R. Caldwell, of Northwestern's Traffic Institute, were among advocates at House committee hearings. Motor deaths run about 40,000 annually, with 5 million persons injured and property loss of $7 billion.

PUBLIC LAW 661

Public Law 661 is stopgap legislation authorizing the Civil Aeronautics Board to permit 25 supplemental air carriers (nonscheduled airlines) to conduct limited operations for 12 months, pending further congressional study.

PUBLIC LAW 662

Public Law 662 makes the order of a referee in bankruptcy final unless a petition for review is filed within 10 days.

PUBLIC LAW 663

Public Law 663 increases from $225 to $265 monthly the rate of disability compensation to service-connected veterans who are totally disabled, or permanently housebound. It spells out that he does not necessarily have to require regular aid and attendance.

PUBLIC LAW 664

H.R. 10997, Guam

Pasco de Susana is the site of a public park in the city of Agana in Guam, the farmost territory of the American Union. Part of the area is land filled in by the dumping into Agana Bay of large quantities of debris resulting from the fighting in Agana in the liberation of the island from the Japanese. Public Law 664 turns title to this submerged or filled-in land over to the Government of Guam.

Congressman LEO O'BRIEN, who engineered the admission of Hawaii and Alaska to the Union and is confident that early in the 87th Congress Guam will be voted territorial representation in the House, was the author of Public Law 664. He tells me that favorable action on the measure was helped by Speaker Won Pat, Speaker of the Legislature of Guam, the most farflung legislative body under the Stars and Stripes. Speaker Won Pat is very popular on Capitol Hill. He has done an outstanding job in selling to the Congress that the United States will be judged in the far Pacific area by the warmth of the relationship between continental United States and Guam, its far away sister. With that I am in agreement.

PUBLIC LAW 665

This extends for 2 years the veterans guaranteed and direct loan program and requires that payments and deposits made by veterans shall be held in a trust fund to safeguard against claims of creditors of the seller.

PUBLIC LAW 666

Hydrofoil vessels, faster than vessels of conventional type, are not manufactured in the United States, therefore do not qualify under the law restricting commerce between American ports to American-built vessels. Public Law 666 makes an exception in the case of two hydrofoil vessels upon which the mainland of Puerto Rico depends for quick transportation with the off-lying island of Vieques.

PUBLIC LAW 667

Public Law 667 provides a new exempt category for income tax payments on trusts providing supplemental unemployment compensation benefits.

PUBLIC LAW 668

This relates only to the District of Columbia. It amends the District Narcotic Act to prevent too much dihydrocodeinone getting into a cough sirup to turn it from a medicine to a narcotic drug.

PUBLIC LAW 669

Public Law 669 establishes a National Capitol Transportation Agency for a coordinated system of rail transit, bus service and expanded highway and freeway networks, including portions of Maryland and Virginia, in the Washington Metropolitan area.

PUBLIC LAW 670

Public Law 670 affects only veterans of the Indian wars and the War with Spain. My advice to my Spanish War comrades is to look sharply before they leap. It permits them to get as much as $170 a month under Public Law 211 of the first session if helpless or blind to the extent of requiring the regular care and attendance of another person. Rub is that choice once made is irrevocable. If Spanish War vet remains permanently helpless he has made a good deal. But if his helplessness is temporary he cannot on recovery go back to his old Spanish War pension of $101.59 a month, paid regardless of his physical condition.

PUBLIC LAW 671

Public Law 671 is the first substantive change in assessments on banks under the Federal Deposit Insurance Act since 1950 when your representative was a member of the Banking and Currency Committee and carried the brunt of the fight for an extension of the coverage to $10,000 for the protection of bank depositors. Not a cent has been lost by any depositor and the reserve fund is now over $2 billion, will reach an estimated $3 billion by 1968. Former Congressman Wolcott, in 1950, the ranking minority member and later the chairman of the Banking and Currency Committee, is now the head of FIDC.

Public Law 671 simplifies procedures in determining bank assessments and slightly increases FIDC's refund to the banks from net income. The House passed the measure by voice.

PUBLIC LAW 672

Most of the surviving persons who worked for the Government in the digging of the Panama Canal (now 55 to 80 years old) live in poverty on pensions ranging from $15 to $45 a month, graded by years of service, 10 to 30. Public Law 672 increases the pension $10 a month.

PUBLIC LAW 673

Public Law 673 is intended to strengthen the Government's hand in excluding obscene and fraudulent matter from the mails. It provides for a court order, on showing of reasonable cause by the Postmaster General. The order would tie up the defendant's mail until the investigation is completed.

PUBLIC LAW 674

This reduces from 1 year to 6 months time for filing caveat to a will in the District of Columbia.

PUBLIC LAW 675

Public Law 675 waives the zoning laws to permit the National Society, Daughters of American Colonists to establish its national headquarters at the desired site in Washington.

PUBLIC LAW 676

Another evidence of the intensifying fight against obscenity and pornography. Public Law 676 creates a judicial officer for the Post Office Department to act in all such cases. Congresswoman GRANAHAN whose fight against obscenity has made her name well-known in American homes, including many in our district, is the author.

Has Congress the Power To Investigate the Port of New York Authority?

EXTENSION OF REMARKS

OF

HON. ALFRED E. SANTANGELO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. SANTANGELO. Mr. Speaker, on Sunday, August 14, 1960, I had the privilege of being a panelist on the program "Metropolitan Probe"—WNEW-TV, channel 5, 7:30 to 8 p.m.—with Gov. Robert B. Meyner; Councilman Stanley Isaacs, representative of New York; and the moderator, William Peer. We discussed the question of the authority of Congress to investigate the activities of the Port of New York Authority and the justification for its investigation.

This matter will be considered by the Congress, in view of the fact that the full House Committee on the Judiciary has voted to cite three members of the authority for contempt for refusing to produce the records of the Port of New York Authority.

The Port of New York Authority was created in 1921 with the consent of Congress. Without the consent of Congress, this bistate agency could not have come into being or into operation. This was the first bistate agency in the United States. Since then many other bistate agencies have come into being. These agencies operate in a manner which affects interstate commerce and, consequently, would be encroaching upon Federal authority if Congress had not approved the compact and the scope of its activities. The original compact of 1921, approved by the 67th Congress in chapter 77 of session 1, set forth the port authority's purposes, its scope, its powers. The resolution of Congress granted consent to the agreement for the creation of the port of New York district and for the establishment of the Port of New York Authority for the comprehensive development of the port of New York.

The Congress in its approving resolution declared as follows:

That the consent of Congress is hereby given to the said Government, and to each and every part and article thereof: *Provided*, That nothing herein contained shall be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region which forms the subject of said agreement.

SEC. 2. That the right to alter, amend, or repeal this resolution is hereby expressly reserved.

Approved August 23, 1921.

Again in 1922 when the 67th Congress, 2d session, granted consent and authority to the Port of New York Authority to execute the comprehensive plan approved by the States of New York and New Jersey by chapter 43, Laws of New York, 1922, and chapter 9, Laws of New Jersey, 1922, it stated in section 2:

That the right to alter, amend, or repeal this resolution is hereby expressly reserved.

This matter shortly coming before Congress is a very important one. It is fundamental and far reaching. I am attaching a copy of the TV broadcast in which I was a panelist. This broadcast will provide certain information to my colleagues, and I trust it will to a certain extent be helpful to them in arriving at a correct decision on the question whether the port authority representatives are in contempt of Congress.

The broadcast follows:

PEER. Good evening. This is Bill Peer with another session of "Metropolitan Probe." Tonight another inquiry into the way our most powerful leaders fulfill the responsibilities that necessarily go with power. Our guest tonight is a distinguished visitor from across the Hudson River, Gov. Robert Meyner, of New Jersey. Governor Meyner is in the middle of a hot dispute over a current congressional investigation of the Port of New York Authority, the agency which handles the operation of port facilities on both sides of the river and the huge airfields that serve the metropolitan area. To-

night we probe into Governor Meyner's reasons for opposing this investigation, commuter problems of New York and New Jersey, and Governor Meyner's own political future. Our panelists for this evening, on my right, Councilman Stanley Isaacs, of Manhattan, the only Republican in the city council. And on my left, Congressman ALFRED SANTANGELO, Democrat, of Manhattan. Councilman Isaacs, I believe the first question this evening is yours.

ISAACS. Governor Meyner, I understand that in connection with this controversy that Mr. Peer has mentioned, you wrote a letter to the various Governors of the States and Members of Congress, asking their support in your dispute with Congressman CELLER. Can you tell me why so few have responded?

MEYNER. Well I might say, Councilman Isaacs, that practically every Governor feels favorable to the proposition. I was out at Glacier National Park at the national Governors conference, and it was there that a resolution was presented which in essence opposes the very thing Congress is trying to do. This resolution was passed unanimously. Now to date I have probably had about six Governors answer me personally and not one has taken the side of the congressional leaders. And quite a number of Congressmen have replied and many of those are favorable. Of course Congress hasn't gotten back to Washington and many of the replies are coming from secretaries, saying, "When the Congressman comes in I am sure he will give serious consideration to your letter." I think the response has been excellent. I know that practically all of the governors are opposed to the proposition of probing into the internal records. I want to make it clear that we are not trying to prevent Congress from looking into the areas Congress is expected to look into. What we are objecting to is that they look at the internal records. For instance, we might as a port authority look into the question of whether a contractor is fit to do business. Look into his financial responsibility. Get a lot of internal confidential information. I don't think that should be available. We might check the employment record of a person who is to be employed or promoted. We don't think that should be the subject of a record. As a matter of fact when the subpena was issued against the three people from the port authority they took seven packing cases of information down there. And apparently the subcommittee was more interested at the moment in establishing a record to hold these people in contempt. Even the Congressmen who might be favorable to a probe in the sense that they want some of these internal records, say that there ought to be some method by which we ought to determine this controversy without holding reputable citizens in criminal contempt.

ISAACS. You do feel that Congress of course has general power over interstate commerce and foreign commerce and is interested in the substance of what the port authority does. Is there anything in the original act which gave you and the Governor of the State of New York the power to organize this commission originally? And to continue to appoint its members? Is there anything in that act that gives Congress continued supervision over its details?

MEYNER. Congress takes the attitude that they do have this continuing supervision. We say it is not supervision. We say that they have the power to give consent. Now I think what happened was originally when the Constitution was formed, the Thirteen States didn't want two or three States developing a competing sort of government. To that extent this limitation was put in the Constitution that said, "No contract between the States can be entered into without the consent of Congress." I think what the framers were thinking "Well we don't want these two or three States developing a competing form of government." Now I say if they—if the Government gives us money for airways or for airport they can come in and check our records to see that we use the money properly. If we are engaged in some type of enterprise by which commerce is affected they can come in and look at that. But I don't think that they can come in and look into the internal administration of the port authority. The port authority is carrying on functions that a city or a State could be carrying on. For instance, New York City has a marine division where they build piers and rent them.

We don't think Congress will come in and say to them "Now let's look at all of your detailed records in this area." And by the same token when we are doing something that is properly a State function and which we think can be done better with the two States through the port authority that this power of infinitesimal investigation should go on.

ISAACS. I see.

PEER. Congressman SANTANGELO.

SANTANGELO. Governor, I am glad to see that you feel that Congress has the power to investigate the port authority if the conditions warrant. Your position apparently is diametrically opposite to that taken by the attorney general of the State of New York who has sent letters and briefs to the Congressmen to the position, to the effect, that Congress does not have the power to investigate the port authority, and that it is a bistate agency. And so I am very happy to see that you feel that we have the right if conditions warrant.

MEYNER. I don't think I am in disagreement with the attorney general of New York. I think that this particular investigation is a fishing expedition. After all I don't see any resolution of Congress on the record saying that we want to check this phase of interstate commerce, or we want to check customs, or we want to check the aviation problems. They want a staff study by which they are going into all ramifications. There is no pending resolution before Congress, as I see it, which says that there is some problem here we've got to look into. I think it is a fishing expedition that they are interested in right now.

SANTANGELO. Well of course we haven't heard from the Congress in the full House the reasons why the investigation is wanted. But it is a fact, is it not, that since 1921 when the compact between the State of New York and the State of New Jersey was entered into with the consent of the Congress of the United States that not one investigation, or one inquiry, into the inner workings of the port authority has taken place.

MEYNER. I can't say that that is a fact.

SANTANGELO. I know that in 1954 when I was in the State Senate I introduced a resolution to the effect that we should investigate the exploitation of the motorists who were compelled to pay 50 cents for crossing the bridges and the tunnels when the original bonds which had constructed these had been paid off. And it was at that time the port authority approached me and said that this was a bistate investigation, or a congressional investigation and therefore should not be done by one particular State, or one particular legislature. Now the question is whether or not this investigation should take place. Not whether or not Congress has the power because in the compact of 1921 Congress reserved unto itself the right to repeal, alter or modify the compact.

MEYNER. It reserved the right to withdraw its consent. I fully believe that consent is a lot different from having power. It is my feeling that most of the activity in the port authority is in the area that can be normally done by a State or a municipality or authorized by a State. These are functions that are ordinarily done by we'll say a port like Norfolk or Mobile or New Orleans. It happens that this port is in two States and because it is in two States we get together and do it by compact. And the Constitution only says "consent." It doesn't say a power. It doesn't say you run the thing. And I think it is very much like this. I don't think Congress can go into the President's office and get his records, or into a Cabinet member's office and get his records. If conservation and economic developments are engaged in some program that affects navigable streams they can come in and look at it and we'll give them all the information. But to look any time at general records it seems to me is going a bit too far.

PEER. Governor, the point that Congressman SANTANGELO made about the continuing tolls on the facilities operated by the authorities, tolls not being reduced despite the fact that the original bonds have been retired, do you feel that some of these tolls should be reduced?

MEYNER. I don't see how under existing conditions they can be reduced. For instance, Holland Tunnel has been paid off many years ago. But the revenues that they get from the Holland Tunnel will enable them to build piers.

PEER. The motorist is paying for the piers. That hardly seems fair. Don't you think the motorist is entitled to some relief? We have been told that the authorities have large surpluses for various purposes. Why should they continue to soak the motorist with a 50-cent toll because they want to build piers? That doesn't make a great deal of sense.

MEYNER. Well, I should like to point out to you for instance that if the third tube of the Lincoln Tunnel had to pay its way the charge would be a dollar—a dollar and 10 cents. Now they are building a second deck on the George Washington Bridge out of the 50 cents. Now it may take present day costs, they are going to spend for double decking for approaches on the New York and New Jersey side the cost wouldn't be 50 cents for going across but it would be $1 or $1.25. Now the fact that they have these facilities which were built at a lower cost enable them to pledge that revenue to raise more money to take care of additional facilities. And by the same token if they didn't build these modern piers we'd be losing our traffic, or very vital international traffic to some other ports along the eastern seaboard or maybe to the St. Lawrence Seaway. This is vital. Maybe we wouldn't have any jobs to drive to in an automobile. If we didn't develop the New York port—the New York and New Jersey port. I might say in this connection that when we build them we pledge this revenue. We build them and we get money back that pays for them, but this enables us to finance, the port authority through New Jersey and New York has no power, for instance, to levy a tax against the citizens of New York and New Jersey. All they have is this revenue. It is a billion-dollar corporation. But I don't know how the job would be done by the respective States if we didn't have this agency and I might say that it is a bipartisan agency. It was started out by Alfred E. Smith and Walter Edge, a Democratic and Republican Governor of the respective States. It subsisted even though we've had Republican Governors and Democratic Governors in New York and New Jersey, and Republican and Democratic legislators. And any time it is not being operated properly it is subject to investigation by the Legislatures of New York and New Jersey. I am sure, Congressman, that at times it resisted some investigation but the power is always there for the Governor to ask for any information and on the part of both branches of the State legislature to do it, and I don't see any overwhelming

sentiment of Congress to do it. Of course, you are a Congressman, you may encounter different sentiment.

PEER. Councilman Isaacs.

ISAACS. I'd like to bring up a different subject. You mentioned the George Washington Bridge and the new level being built. When that was originally designed as I understand it it was intended for rapid transit at least in part. But that has been abandoned. And of course you are interested in all your residents whether they work in New York or not. Here people arrive at the other side of the river by all of the railroads or they have no connection today in most cases with New York City where they want to work. So far too many people, from my point of view, come in by bus and by cars. That is encouraged and everything else seems to be excluded today by the port authority. That is true of the Narrows bid in their proposal. Isn't it time that someone persuaded the port authority—I'll put it that way—to build an underground railroad connecting all the railroads in New Jersey at their terminals and swinging in either through the Hudson tube or through the Narrows Bridge or the George Washington Bridge or what have you, carrying them by rail into our city. It is infinitely better for us to have people come in underground and connect with our local transit than it is to have our streets flooded with busses and automobiles.

MEYNER. I couldn't agree with you more, Councilman Isaacs, but I am afraid that you put the cart before the horse. Before we persuade the port authority I think we've got to persuade the traveling public. The traveling public somehow would much rather jump in a car parked outside of their respective apartment or home and travel into a crowded, congested city and pay the costs of parking. By the same token because a bus carries fewer passengers but gives more frequent service we want to use the busses. I think something must be done to counter this trend because I think if it continues we'll have nothing but chaos. And we try to counter it by setting up a division of transportation in our highway department so that we say to the highway builders "Well now look at Rapid Transit. The port authority whether you want to criticize them rightly or wrongly have merely followed this public trend of people getting into cars and busses and they furnishing the facilities for those people who want to go into cars and busses.

ISAACS. But they have encouraged the trend.

MEYNER. Well, on the other hand, on the other hand, any of these propositions that have been developed cost money—$400 million, $600 million, and there isn't in any of those studies any indication that you can make them pay for themselves. It may be that we can ask the port authority to be sensible about this thing and get the public to support them to subsidize this rail transportation which is much more efficient. You can travel and occupy much less space but how to sell the public on this? Places like Los Angeles where I think 60 percent of the downtown section is occupied by parking lots or streets are just clogged, all you have to do is get one or two cars stuck and everybody is jammed up for an hour or two especially at the rush hour. They are looking for something that we got and we should retain. I agree with you that there ought to be some method but first we've got to sell the public on using these facilities.

SANTANGELO. Governor, the purpose of the port authority was to enhance the transportation facilities of interstate commerce between States and between nations and also to aid in the general mass transportation. Since the last 10 years the port authority or the business in the port of New York which includes New Jersey and New York has been falling down and you may recall within the last 2 years in New York, the New Jersey Legislature the port authority opposed the bills that had been proposed in the New Jersey Legislature to have them take over transit facilities and cooperate in trying to streamline the transportation between the States. Now why is it that the port authority which has as its purpose improving the transportation facilities, encouraging transportation, comes into New Jersey and opposes aiding in the transit facilities of railroads and other transit facilities and at the same time their major objective, to increase the travel and cargo shipments out of the port of New York has been falling off? For example within the last several months we have heard through Governor Rockefeller that the wheat shipments through the port of New York have dropped to the lowest point since 1953. The port authority seems to be going into all other businesses. It has been labeled an octopus extending its tentacles throughout the State of New York. It has gone into Newburgh, 90 miles from the port of New York, and opened up a hotel. It is running a bowling alley. It is doing every other thing in real estate. Much of its business is going into areas unrelated to transportation, unrelated to the motorist, unrelated to the port. Do you think, Governor, that all this extension into areas which are not their primary concern and which prevent them from reducing the toll of the motorists who are financing and paying for the port authority revenue is fair? And should something be done about this? And don't you think an investigation by the Congress of the United States should inquire into this area to see whether they are applying their funds for the purposes of transportation into State commerce and don't you think that Congressman CELLER'S resolution to investigate along these lines is appropriate?

MEYNER. Does that question really call for an answer?

SANTANGELO. It certainly does.

MEYNER. It is the kind of question that starts off like "When did you last beat your wife." No I think you have got to differentiate here. I think obviously that originally it was thought that rail transportation would become important and that the port authority would move in this area. But I call your attention to the fact that in Boston, in Los Angeles, in San Francisco in Chicago, transportation by rail became a rather difficult kind of thing because people couldn't make money at it. People were leaving rail transportation and going to bus or to motor vehicle. Now the port authority representing the view of the public—the public wanted these facilities. I didn't hear any objection to building an extra tube on the Lincoln Tunnel or building a Lincoln Tunnel or any of the bridges that have been built. I haven't heard one. The public wanted them. They were responding to it. If any objection can be made of the port authority it is that it is conducted as a successful business. They always look for the successful projects rather than for those which would be subsidized. I think what they are worried about and remember you have got six reputable citizens in New Jersey, six from New York, and these people realize that they can only exist and build new projects which they feel will serve both States, if those projects will be paying propositions. Now if they have too many on the subsidy side they are going to be in difficulty. I think we found out long ago in transportation in New York City that it is a losing proposition. And they have been reluctant to take over. The Governor of New Jersey and the Governor of New York are interested in trying to get them to take some of these facilities over. I think we are making progress in that direction, but we can't saddle too much of a burden on them. Now with respect to these independent enterprises it has been—there are cases where they own airports and where they have to control the land which is the flight of the plane, the actual runway. Now they have leased some of that to private enterprise. They say they are leasing it at comparable rates charged other people. And the money they get from that enables them to maintain the services. Now this was written in their original constitution—their original laws. The Legislature of New Jersey and New York can withdraw this authority to build a hotel out at an airport or to maintain piers. They can withdraw that. As I say we might have to furnish them the money somewhere else to replace what revenue they get there.

SANTANGELO. That's $5 million for the hotel over in Idlewild and there is a bowling alley that they are operating and also a plan on the part of them to take over with $300 million all the East Side of New York. Don't forget this is a tax-exempt corporation. It pays no taxes. Interest on the bonds are tax exempt.

MEYNER. By the same token we don't take any of our revenues from the State of New Jersey or New York to appropriate them to the port authority to maintain bridges and piers.

PEER. Now, Governor Meyner, to get away from the——

MEYNER. I brought piers in here too often.

PEER. You know several of them. To get away from the port authority for a little while, let's get around to Gov. Robert Meyner. There was some criticism of you, you probably have suspected or heard, at the Los Angeles convention for keeping your delegates to what appeared to be a commitment to go along with you as a favorite son. What do you feel that has done to your political future?

MEYNER. I don't know what it has done to my political future.

PEER. What is your political future?

MEYNER. The political leaders in New Jersey decided early in January in 1960 that they wanted me to be a favorite son. The delegates were elected on that basis. We went to the convention on that basis. I assured all of the contenders that it looked to me as though I would be the favorite son on the first ballot. And KENNEDY would get most of the votes on the second ballot. We lived up to the assurances we gave to everybody. We gave any of those people who felt they had an opportunity after the first ballot to get their bandwagon rolling. We lived up to what we said to all of the delegates was going to happen. We didn't change at the last minute.

PEER. Now, Governor, under the New Jersey law you cannot succeed yourself as governor, can you?

MEYNER. I cannot.

PEER. What are your political plans from here on in?

MEYNER. I plan to be as strong a voice as I can present for the Democratic Party in New Jersey. I have given, or will have given 8 years of my life to State government. And we have tried to establish integrity in government. We have tried to establish a 21-county party. We have tried to make our politics synonymous with good government. I am going to try to exercise what influence I have—little or great—for the future to keep that kind of a party and that kind of government in New Jersey.

PEER. If the Democratic ticket is successful in November, do you feel that you may be a member of the Cabinet of the incoming President?

MEYNER. I won't be in a position to accept any job openings until January 1962.

PEER. Until 1962?

MEYNER. That's right. I go a year beyond——

PEER. I see. Well then is there any possibility that you may run for the Senate?

MEYNER. I have always found that jobs are available when you don't seek them too fervently.

PEER. And that is your position at this time? You are not seeking fervently but you sort of hope that it comes along?

MEYNER. Well I love public life. It gives more satisfaction, I think, than having a lot of money or being an outstanding person in your profession, or running a successful business.

PEER. Governor, I wish we had more time to go into a great many aspects of our discussion, but that is all the time we have on this session of "Metropolitan Probe." Thank you, Governor Meyner.

Twentieth Anniversary of the Founding of the Ukrainian Congress Committee of America

EXTENSION OF REMARKS
OF
HON. HERBERT ZELENKO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, August 22, 1960

Mr. ZELENKO. Mr. Speaker, the past 20 years has witnessed the growth of an organization dedicated to keep alive the fires of Ukrainian independence and freedom. This organization, the Ukrainian Congress Committee of America, has persisted stubbornly despite obstacles, implementing American freedom and the power of the pen to spread truth and understanding about 114 million non-Russians in the Soviet Union, of which 42 million are Ukrainian. The many publications of the organization including the Ukrainian Quarterly and the Ukrainian Bulletin are acknowledged as authoritative literature, read by those who seek greater enlightenment in this area, maintaining the highest standards of integrity in their journalistic campaign of truth. The Ukrainian Congress Committee deserves the congratulations and gratitude of America for their endeavors, keeping our citizens aware of the Soviet rape of captive non-Russian nations in the U.S.S.R. and the struggles of these nations for independence, exposing myths of Soviet unity, and proposing ways and means to defeat imperialist Moscow in the cold war. They have rallied some 2½ million Ukrainian-Americans to the cause of Ukrainian sovereignty. They have refurbished four centuries of hope by the Ukrainian people for the cherished gifts of independence and freedom which were realized in 1918 only to be heartlessly and brutally suppressed by the Soviet, Communist regime. The yoke of tyranny forced upon these people can never be forgotten. The accomplishments of the organization in these 20 years have given the Ukrainian people a new birth of hope that their sacrifices for liberty will not have been made in vain and that the rebirth of one independent Ukrainian state will soon be realized.

It is an honor and privilege for me to join with all Americans in conveying the appreciation of our country for their work. The Ukrainian Congress Committee has not shirked its duty to their brethren across the sea or to the free world. Let us pray for the maintenance of their strength to carry on future endeavors and let me hope for the fulfillment of their dreams for Ukrainian independence.

Only by Cutting Expenses Can We Hope To Cut Taxes

EXTENSION OF REMARKS
OF
HON. PHIL WEAVER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 22, 1960

Mr. WEAVER. Mr. Speaker, of all the problems which face the average American homeowner, worker or housewife, one of the most serious, most frustrating is the burden of taxation. This is a problem which affects every citizen of our land regardless of wealth or lack of riches. It is one from which none can escape.

Every citizen is aware, in a general way, of taxes. We become acutely aware of them when April 15 rolls around and the Federal and in some instances State and city income taxes fall due. But few are aware that almost every waking moment involves the payment of some form of tax. There are excise taxes piled upon transportation taxes piled upon real property taxes, all of which the consumer must eventually pay. The taxation of large corporations means an increase in the cost of their products. The tax paid by the small retailer, too, is passed on to the housewife and consumer.

For instance, there is much discussion about the telephone excise tax of 10 percent. The telephone companies wanted it removed. It must be remembered, though, that the companies do not pay these taxes—the people who use telephones do. And not only the 10 percent excise taxes, but also the real estate taxes the telephone companies pay are reflected in the monthly bill, and so is the tax on telephone cable and other equipment, and, of course, the transportation taxes to get this equipment from factory to the home. At every step, at every level, there is additional taxation, all paid by the use of telephones.

The growth of taxation has been the result of the growth of government, Federal, State, and local. Every new service actually costs the people who are supposed to be served.

There is talk of socialized medicine for the elderly. This new service cannot possibly be paid for entirely by social security taxes; other taxes will have to go up to help foot the bill. And the very people whom this new service is designed to help will be forced to pay for it from their meager receipts.

Once a new program gets launched, it is nearly impossible to curb it or to prevent it from growing. Therefore, the Congress should look with a careful eye at every new spending proposal, regardless of its purpose.

The other way to curb expenditures is to eliminate waste. Several important efforts have been made to curb this waste. At nearly every turn these efforts, to a great extent, have been blocked. There is fat and waste in the military. Our Subcommittee on Defense Appropriations has attempted to trim this fat, to curb unnecessary military travel, to prevent the overhiring of personnel and to control the use of high-salaried officers to do menial tasks. We are making some progress in this area.

It is my own recommendation that the Congress concentrate more on developing an efficient, streamlined government and less on finding new ways to spend the peoples' money. Only that way can we ever hope to reduce taxes in an orderly, economically sound manner.

Washington's Newspapers Deserve Praise in Handling Racial Listings in Real Estate Advertisements

EXTENSION OF REMARKS
OF
HON. HENRY S. REUSS
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Monday, August 22, 1960

Mr. REUSS. Mr. Speaker, I am happy to report that this month Washington's three daily newspapers—the Post and Times Herald, the Star, and the News—have abandoned the use of racial designations in real estate advertising.

Almost a year ago, on September 11, 1959, I introduced H.R. 9209, which would have prohibited newspapers in the District of Columbia from using racial designations in listing houses for sale or lease. In introducing the bill, I said—CONGRESSIONAL RECORD, volume 105, part 15, page 19139.

> Some people may cry that this is an attempt to withhold information. It is nothing of the sort. It is an attempt to curb deceptive advertising. An examination of houses designated as "colored" in these ads will show that very often they are in neighborhoods still predominantly white. The ads falsely suggest to homeseekers who do not know the city that the houses are in a Negro neighborhood. Such designations act as a traffic signal, diverting white homebuyers to one section of the city and colored homebuyers to another. As a result, they are an obstacle to any attempt to stabilize these changing neighborhoods as integrated neighborhoods. Worse than that, the designations are used by some unscrupulous real estate dealers to "break" blocks, stir panic selling, and perpetuate and extend segregated neighborhoods. Deceptive advertising and racial zoning is not the proper business of newspapers.
>
> I regret to say that an example of a Federal area that continues this harmful practice is our Nation's Capital. The three major newspapers of the District of Columbia continue to list real estate by race, and show no disposition to examine the social and economic consequences of the practice. They have been listing houses by race for years and, though it is evident that the practice is a powerful force in creating racial ghettoes, the papers seem bent upon keeping things the way they are. This is the

result, I believe, of inertia, not of any careful consideration of what their advertising practices do. Because the welfare of this city and other Federal districts is entrusted to Congress, I believe we must take action in this matter.

The need for action to achieve the national goal of equal opportunity in housing was emphasized in the report of the U.S. Commission on Civil Rights, which we received this week. My bill will materially aid this objective. I hope it will be promptly enacted."

A recent statement by the American Veterans Committee, through J. Arnold Feldman, its executive director, commended the three Washington papers for their forward-looking step. Mr. Feldman's statement reads in part as follows:

These racial designations in real estate ads have been an insidious influence in fostering racial segregation, racial ghettos, and racial tensions. Their elimination will greatly benefit the growth, welfare, and stability of Washington's neighborhoods. The Washington newspapers have, by this change in policy, come into step with the newspapers in many other cities which no longer use such racial labels. Among these cities are Chicago, Cleveland, New York, Philadelphia, Detroit, Pittsburgh, Sacramento, Indianapolis, San Francisco, and others. Two States (Oregon and Colorado) recently enacted statutes prohibiting racial designations in real estate ads.

It is our understanding that the newspapers will permit reference to race in ads for rental of apartments and furnished rooms; but we further understand that such references will not be placed at the top of the ad, that the ads will not be grouped by race, and that racial references will not be compulsory, but will be included only upon the specific request of the advertiser.

The new policy represents a great step forward in eliminating a substantial stimulus to racial discrimination.

The three Washington daily newspapers deserve praise for their forward-looking action.

Medical Care for the Aged

EXTENSION OF REMARKS
OF
HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. CURTIS of Missouri. Mr. Speaker, in the Washington Insurance Newsletter of August 8, editor, Mr. Al Goldsmith, are my remarks on the outlook for medical-care-for-the-aged legislation in the rump session of this Congress. Under leave to extend my remarks in the RECORD, I wish to include this portion of Mr. Goldsmith's newsletter:

OUTLOOK FOR MEDICAL CARE FOR THE AGED LEGISLATION OF THE RUMP SESSION OF THE 86TH CONGRESS

(By Representative THOMAS B. CURTIS, Republican, of Missouri)

There is the usual flurry of predictions of what the Congress will do about health care for the aged when it reconvenes for its August rump session. They do not vary greatly from the predictions that were extant during the months of April, May, and June.

There is nothing fundamental about these predictions because they are all based upon a cynical approach to the subject. The presumption is that the entire matter will be decided upon the basis of what will get the most votes in the November election. The question of what might be best for the aged, their families, and our society as a whole does not enter into the discussions.

There is no question that some politicians in both political parties are treating the matter of health care for the aged in this fashion. Nonetheless, this is not the complete story.

There is a strong body of political opinion in both political parties that the question of health care for the aged should be decided upon what is best for the aged and our society as a whole, and not upon momentary political advantage.

Nor does this approach stem from a group of legislators who have taken a stand-pat position on the problems of the aged or, indeed, on the problems of our people in any area, in the past. It is headed by the chairman and the ranking minority member of the Social Security Subcommittee of the House Ways and Means Committee. They believe that nothing should be done in this area in 1960.

Here are the background facts about the 1960 amendments to the Social Security Act which passed the House before the July recess and included a program of increased Federal participation in health care for the aged.

In the fall of 1959, the Social Security Subcommittee of the Ways and Means Committee held extensive public hearings on the subject of proposed amendments to the Social Security Act. This subcommittee went into the whole broad field of social security except for one specific area, health care for the aged.

The reason this area was set aside was because the Congress, in 1958, passed the Fogarty resolution requiring the executive branch of the Government to conduct extensive studies into the entire field of the problems of the aged. Under the resolution, the White House Conference for the Aging had been set up and its work scheduled, with a conference to consider these studies and make recommendations for courses of action to be held in January 1961.

The Social Security Subcommittee of the Ways and Means Committee made a unanimous report to the Ways and Means Committee, based upon its studies. In conjunction with the unanimous report, a bill was introduced by the chairman of the subcommittee which embodied the recommendations of the subcommittee for extensive and broad amendments to the Social Security Act. These amendments correct many inequities, liberalize and extend many of the programs, and improve their administration.

The full Ways and Means Committee held executive sessions on the subcommittee's report and bill and, within a week or 10 days, had agreed to almost every proposal. There were some additional proposals made for amending the act which met with the unanimous approval of the subcommittee and the full committee. The subcommittee's work and its additional proposals became the basis of H.R. 12580.

At this point, however, the highly controversial subject of health care for the aged was injected into the full committee's executive sessions. It was the view of the majority of the committee that the subject of health care for the aged should not be interjected into the comprehensive bill for social security amendments which had received unanimous approval.

However, due to pressures from outside the committee proceeded without the benefit of public hearings in executive session to consider various proposals for health care for the aged.

The Forand bill, as one proposal in this area, was early rejected by a vote of 17 to 8. It was rejected by the same vote several times later in the executive sessions. Other proposals, including the one finally recommended by the administration, were likewise voted down from time to time.

Throughout these executive sessions, which lasted almost 3 months, not one witness outside the Department of Health, Education, and Welfare was called to give the committee information, on any phase of the subject. Time and again, the witnesses for the Department of Health, Education, and Welfare admitted that they just did not have the data or information requested by members of the committee relating to the points under consideration. Time and again, requests were made by members of the committee to obtain additional information, much of which was available.

It was quite clear throughout these executive sessions that the real question was not what program might be good for the aged and our society, but rather, what the political heat would be if this or that bill on health care for the aged were passed out, or no bill at all.

In other words, this performance was not one of a legislative committee at work. It was an example of legislating under outside pressures based upon ignorance, not knowledge.

Who indeed can predict what a servile Congress will do? One which does not base its decisions upon committee studies, public hearings, honest executive sessions, honest committee reports and forthright debate on the floor of the House and Senate, but rather, upon outside pressures?

There is no point to go to the legislators and the legislative halls to make predictions of what such legislative bodies will or will not do. Go to the source, to those who are wielding the political pressures to find out what decisions they have made.

Will the Senate of the United States pass out without hearings or study or meaningful debate a health care for the aged bill tied to the social security "insurance" system?

Will the House conferees accept the Senate version?

Then the question becomes, Will the President veto the bill containing all the good and the unanimously approved amendments to the Social Security program, in order to block the ill-conceived health care for the aged features in the bill?

Will the decision be made upon the impact on the coming election or upon the balanced consideration of what is best for our people?

We reached a point of servility in the Congress of the United States on several issues in 1960, not just the issue of health care for the aged. Once it is established that votes can be bought for daily bread in a society, and the power of those legislators who wish to preserve an independent Congress is insufficient to stand against this protestation, the day of the Caesars cannot be far away.

Explanation of Vote

EXTENSION OF REMARKS
OF
HON. JAMES G. FULTON
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. FULTON. Mr. Speaker, on rollcall 120, Friday, June 3, 1960, a record vote on a motion to adjourn, I am recorded as not voting. Had I been present and voting, I would have voted "nay."

Remove the Patent Monkey from NASA's Back

EXTENSION OF REMARKS
OF
HON. OVERTON BROOKS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 22, 1960

Mr. BROOKS. Mr. Speaker, a few days ago the world was forcefully reminded of the crucial competition for national superiority in the field of space and astronautics—and I say "crucial" because it is now conceded that space exploration is becoming a prime influence in the ideological struggle between the free world and the Iron Curtain countries.

The reminder came in the form of Russia's Sputnik V, reportedly a 5-ton satellite containing almost a menagerie, which circled the earth for 24 hours and then was successfully brought back to land at a selected point in the Soviet Union. While the time involved was too short for Western scientists to check the truth of the Soviet claims, there appears to be no reason at present to doubt them.

Assuming they are correct, therefore, it is obvious that the Soviets are not far away from successfully placing man into space. Many experts, in fact, are predicting that this will take place within a month or two. If so, both the scientific and political ramifications of the feat will be very great indeed.

The reason for my brief review of the situation is to emphasize two things:

One is that, no matter how we rationalize it, we cannot get away from the fact that America's national space effort is vital to our security and our prestige and that we cannot afford to be second in this effort to the Soviets or anybody else.

The other point is that, in spite of the recognized importance of our space program, we are still indulging in an incredible sort of public myopia by forcing the National Aeronautics and Space Administration to operate under provisions of patent law which hamper its efforts to improve space technology.

Mr. Speaker, I do not at this time care to get into the argument of how the United States stands vis-a-vis the Soviets in the so-called space race. As I have pointed out, the Soviets are very formidable. Nonetheless, in a relatively short time United States achievements have been remarkable and it would be idiotic to downgrade the worth of such recent ventures as Tiros, Transit, Pioneer V, Discoverer, and Echo. I note that Britain's eminent astronomer and space authority, Prof. A. C. B. Lovell, has said in just the past few days that the Russians "undoubtedly have a lead of several years over the Americans in their ability to put extremely heavy objects into orbit and also in the precision of their guidance. But, on the other hand, the Americans, from the extremely wide scope of their scientific experiments and their ability to extract fundamental results, have a considerable lead over the Russians."

This is not to suggest that our space program is all it should or could be. I have been critical of that program in some aspects in the past. I expect to be so again in the future. That is part of the function of the committee which I have to honor to chair. But I hope our criticisms will always be constructive ones leading to the fulfillment of our basic objective—which is to help make the American space effort as sound, effective, rapid, and economical as possible.

And it is in connection with this basic objective, Mr. Speaker, that I again emphasize the need to change NASA's organic act in order to free the Space Agency from its unduly burdensome patent provisions.

I am at a loss to understand the logic of continuing to require NASA to function in a condition of partial paralysis.

The National Aeronautics and Space Act of 1958 forces NASA to take the entire right, title, and interest to patentable inventions made by contractors in the course of their work with the Space Agency. Worse, it does not allow anyone to receive a patent on any invention which may have significant utility for aeronautics or space unless the inventor can prove that his brainchild was developed without the aid of Government money.

Is it any wonder that NASA has difficulty in getting the best research available and getting it economically?

In most cases, all the Government really wants, needs or can use is a permanent royalty-free license to inventions made under space research contracts. And this right the Government always obtains under NASA contracts. So why do we demand that the space agency clutter and foul its vitally important contract processes with patent provisions which are anathema to private enterprise and generally useless to the Government and the public? Why NASA—when other Government agencies (with the exception of the Atomic Energy Commission) are free to contract for research and development as they please?

Mr. Speaker, the Committee on Science and Astronautics, through its patents subcommittee headed by Representative ERWIN MITCHELL, of Georgia, and in full committee, investigated this complex patent problem for nearly a year. We found that the provisions tended to retard the conduct of the national space effort. And we agreed with the contention of NASA that the law could be amended in a manner to permit far greater contract flexibility and at the same time continue to safeguard the public interest from any flagrant misuse of government rights and funds.

We very carefully drafted a new provision which eventually drew the approval of Government experts, of industry, of the patent law profession and of small business.

That provision was contained in a bill—H.R. 12049—amending several parts of the Space Act. It was debated in the House for 2 days last June. At that time any arguments of potential dangers to the public interest, alleged by some to be inherent in the new provisions, were conclusively shown to be without foundation. The House passed the bill by the overwhelming vote of 235 to 31.

Now I freely acknowledge that Federal patent policy as a whole may need review and perhaps revision. But this will be a time-consuming matter for the proper authorities to investigate and weigh. Meanwhile, I cannot subscribe to the view that the U.S. space program should be made to suffer during this long interim, particularly when the recommended changes have the approval of our most knowledgeable Government patent officials and when authorities such as the Comptroller General of the United States express doubts that it will ever be possible for all Federal agencies to follow precisely the same contractual patent policies.

In my opinion it is folly to procrastinate where our space effort is concerned.

I do not know what plans the other body may have for considering the changes in the Space Act which the House has approved. But it is my earnest hope that those changes will become law in the near future.

Col. James Gaynor, U.S. Army

EXTENSION OF REMARKS
OF
HON. WILLIAM G. BRAY
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 22, 1960

Mr. BRAY. Mr. Speaker, 3 years ago a fellow Hoosier was assigned to the Office of Legislative Liaison, Department of the Army, as Chief of the Legislative Division. He has done a superior job in this assignment and has earned the respect of all who have had association with him in this job. No man could have served the Army better in this assignment which has been extremely difficult at times; and his fair, kind, and efficient handling of those problems with which he was confronted has added to the prestige of the Army.

It is no accident that Col. James K. "Jim" Gaynor has done an outstanding job, for he has always performed in that manner. During two of the years that he attended Indiana University he was managing editor of the Star-Courier, where he was highly regarded by all who had contact with him. He holds B.S. and J.D. degrees from Indiana University and LL.M. and S.J.D. from George Washington University. He is accomplished in the world of sports and was an accredited umpire in following leagues: Arkansas State League, Nebraska State League, Western Association, North Carolina State League, Northern New York-Vermont League, Pennsylvania-Ontario-New York League, Three-I League, American Legion Junior National Finals at Omaha, Detroit, Denver, and Miami.

Colonel Gaynor has had a distinguished military career which included a tour as judge advocate of the Ryukyus Command in Okinawa.

Colonel Gaynor has written many outstanding legal articles, the latest of

which is his book "The Army and the Congress," soon to be published, which is very informative and challenging.

We are happy that, although Colonel Gaynor is leaving his present assignment, he will still remain in Washington as a member of the board of review of the Office of the Judge Advocate General. Capitol Hill, especially those of us from Indiana, wish Colonel Gaynor the best.

Thirtieth Anniversary of the Establishment of the Veterans' Administration

EXTENSION OF REMARKS
OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. VAN ZANDT. Mr. Speaker, personnel of the Veterans' Administration Hospital, Altoona, Pa., under the leadership of Mr. Bernard E. Leighton, manager of the hospital, celebrated the 30th anniversary of the establishment of the Veterans' Administration at an enjoyable outing held at Lakemont Park, July 21, 1960, at 6:30 p.m.

During the fine program, it was my privilege to deliver the following address in keeping with the anniversary celebration:

ADDRESS DELIVERED BY JAMES E. VAN ZANDT, MEMBER OF CONGRESS, 20TH DISTRICT OF PENNSYLVANIA, IN CELEBRATION OF THE 30TH ANNIVERSARY OF THE ESTABLISHMENT OF THE VETERANS' ADMINISTRATION, JULY 21, 1960, 6:30 P.M., LAKEMONT PARK, ALTOONA, PA.

Thirty years have passed since the founding of the Veterans' Administration, and these three decades provide a record rich in human service.

For this reason, it gives me the greatest pleasure to appear before you today and to add my praise to those of many others throughout the country for the splendid accomplishments of the Veterans' Administration.

Before the Executive order was issued July 21, 1930, establishing the Veterans' Administration—many of us will recall the cumbersome manner in which veterans' laws were administered because of the lack of one central agency.

It was apparent after the armistice in 1918 that some means should be found to meet the growing needs of American veterans whose ranks were increased by the 4,744,000 veterans who—according to records of the Veterans' Administration—served in World War I.

From the close of World War I until 1930 there were numerous bureaus and agencies concerned in the administration of laws providing benefits for veterans.

The Executive order of July 21, 1930, was the result of the act of July 3, 1930, which authorized the President to consolidate and coordinate the Federal agencies especially created for or concerned with the administration of veterans' laws.

As a result, the Veterans' Administration was born for the purpose of placing the administration of veterans affairs "under one roof."

To those of us who recall the operation of the old agencies such as the Pension Bureau, the National Home for Volunteer Soldiers, and the Veterans Bureau, the creation of the Veterans' Administration was a master stroke for efficiency and service.

It would be difficult indeed to pick one program of the many sponsored by the Veterans' Administration as the most valuable or most successful.

If, for the sake of discussion, I were to single out one activity, however, I think few would quarrel with my choosing the hospital and medical care program of the Veterans' Administration, as one of the most essential.

We in Altoona have had good occasion to experience first hand the importance of the Veterans' Administration hospital program.

We are fortunate to have an excellent Veterans' Administration hospital in our community under the management of Mr. Bernard E. Leighton, who is recognized as one of the finest hospital managers among Veterans' Administration personnel.

The excellent medical care obtained at the Altoona Veterans' Administration hospital is due to the personal interest taken by Manager Leighton and the highly trained and efficient medical and nursing staffs and hospital personnel.

We are also deeply aware of the vital role a Veterans' Administration hospital can play in raising the health standards of the entire community.

This it does in two ways:

First of all, the Veterans' Administration hospitals and the medical care program take care of those service-connected disabilities incurred by former members of the Armed Forces.

It would be difficult—if not impossible in many cases—for veterans to obtain and finance care for these ailments in any other way.

The number of veterans in this country now stands at more than 22 million.

As the percentage of this group aged 65 and over has continued to grow—their health problems have become increasingly severe.

It is clearly to the advantage of the entire community that certain of the medical problems of this group be treated in special facilities at Government expense.

A second major advantage to the community of the Veterans' Administration hospital program lies in the inevitable interdependence of all the facets of a community's health services.

The excellence of each component contributes to the excellence of the whole.

Thus—many communities now boast improved hospital facilities as a partial result of the high level of care in Veterans' Administration hospitals.

Since the veteran is eligible for medical and dental care for service-connected disabilities from private physicians and dentists on a fee-for-service basis—the medical program of the Veterans' Administration is further integrated into that of the rest of the community through private practitioners.

The Veterans' Administration also authorizes care in other public and private hospitals and homes when this is necessary.

We can view the improvement in medical care for veterans as part of a larger picture—the tremendous advance in hospital care for the entire population.

We know that some provision has been made for the medical care of former members of the Armed Forces as far back as—and before—Civil War days.

We read of the founding of sanitary commission homes for sick and disabled soldiers and sailors in 1861.

But when we investigate the hospital conditions of that time, we can be more grateful than ever for Veterans' Administration and other hospitals of today.

Apparently a popular saying a century ago was—"Be born at home and die at home."

Hospitals of that era were a combination of pest houses and almshouses with a tremendously high death rate.

The mortality from amputations in the hospital hovered between the figure of 40 and 60 percent—a much higher number than those performed in private homes.

In addition—the lack of paying patients meant that hospitals faced a constant struggle to keep their doors open.

I understand that during the Civil War the Government stepped in to pay 94 cents a day per soldier patient.

A mere rundown of advances since that time makes my head swim.

There have been major revolutions in every conceivable facet of hospital operation from personnel to equipment—to methods of treatment.

Veterans' Administration hospitals account for about eight percent of the Nation's average daily patient load and hospital beds.

This significant segment of the Nation's hospital plant has become the center for the world's most remarkable and advanced medical care—along with the rest of the hospitals of this country.

The evolution of the modern hospital is vividly described in a report presented to the House Committee on Ways and Means in April 1959—by the Department of Health, Education, and Welfare, on the subject of hospitalization insurance for social security beneficiaries.

The report states in part:

"The hospital of today is as unlike the hospital of 20 or 30 years ago as the 1958 automobile is unlike the model T.

"You pay more but also get more.

"The hospital of today stands for the oxygen tent—the blood bank—the operating room—and the other instruments through which modern medicine demonstrates its ability to save life.

"It is also where the laboratory and radiographic procedures and radioactive elements are available for diagnostic procedures.

"It is a complicated organization of services most of which must be available for use on a moment's notice."

When we focus our attention specifically on the medical program of the Veterans' Administration—we note an amazing capacity for growth in excellence even in its development shortly after World War II when the Department of Medicine and Surgery was first organized.

An aspect of the changed procedures which interests me particularly is the organization at that time of a system of cooperation between Veterans' Administration hospitals and the rest of the medical community.

Based on the assumption that the finest of medical practice can be found in an atmosphere of teaching and research—committees composed of deans and the heads of major departments in participating medical schools give advice in staffing—education and research to the managers and staffs of Veterans' Administration hospitals.

There have been two vitally important by-products of this system.

One is the high level of care in Veterans' Administration hospitals made possible by access to the most enlightened and advanced medical opinion.

The other is the atmosphere of acceptance and understanding between practicing and teaching physicians and Veterans' Administration personnel.

Both groups are aware that they are working toward the same goal of better medical care for all the people of this great Nation.

In the field of medical research, too—collaboration with other Government agencies and private groups has resulted in a vital, successful Veterans' Administration program.

Many medical specialists have been attracted to the staffs of Veterans' Administration hospitals by the opportunity for research—and this has worked to the benefit of patients in these hospitals.

In addition—the program has yielded many worthwhile results—such as the development of a successful plan for the treatment of tuberculosis by chemotherapy.

This revolutionary development has shortened the period of hospitalization for tubercular patients and has substantially reduced the morbidity and mortality from this disease.

There is yet another aspect of the development of the Veterans' Administration hospital program which I find particularly encouraging.

This is the solution recently settled upon by the President—on request from the Administrator of Veterans' Affairs—to the problem of regulating the overall total of Veterans' Administration hospital beds.

The President set the total for Veterans' Administration beds at 125,000 and—at the same time—provided that—within the limit—beds could be shifted from one use to another or from one geographical area to another depending on medical needs.

This decision resolved two difficult questions in the Veterans' Administration hospital program.

First it removed the possibility that the total number of beds would continue to expand responding to pressures of all kinds—regardless of the number of unused or little used beds in certain areas.

The fixed total requires the most responsible kind of constant and continued evaluation to determine where and how Veterans' Administration beds may be most profitably used.

The resulting administrative stability will lead to better medical care.

Secondly, this policy decision clarified the issue of how much care would be available for veterans with non-service-connected illnesses.

It had previously been understood that such veterans could receive care if they were unable to pay for it otherwise—and if a bed were available.

But the possibility of demands for this type of care constantly expanding the total number of Veterans' Administration beds was not a pleasant one.

It is now clear that there will be an upper limit to the number of non-service-connected cases which can be cared for at Government expense after that.

In addition to constant improvement of its hospital care program—the Veterans' Administration has continued to meet the changing demands in medical problems of the veteran population.

Significant changes in medical practice have made it possible to increase the use of outpatient services and thereby to reduce hospitalization.

As the number of veterans suffering from permanent or chronic disabilities continues to grow—the domiciliary program becomes increasingly important.

Great advances in rehabilitation have opened up new possibilities for extending the productive life of disabled veterans.

We see in the medical program of the Veterans' Administration a living example of the gratitude of an enlightened society to those men who gave up valuable years of their lives and often their health to the service of their country.

We see not a grudging dole or a fixed pension—as if this debt could be repaid in any set dollar amount—but a changing, flexible program suited to meet the most urgent needs of the veteran.

We can also see a healthy attitude of self-evaluation on the part of the Veterans' Administration—A recognition that the problems of the veteran must be matched against the problems of other members of our society—that the requirements of the veteran are subject to continual change—and that this change must be reflected in the Veterans' Administration program.

In 1929 President Hoover commented in his state of the Union message on the advantages of a strong—unified agency to administer veterans' benefits.

He stated: "I am convinced that we will gain in efficiency—economy—and more uniform administration and better definition of national policies—if the Pension Bureau—The National Home for Volunteer Soldiers—and the Veterans Bureau are brought together in a single agency."

Thirty years have—I believe—confirmed his predictions.

Whether it is the veterans' hospital in our own community of Altoona—or the assistance to a disabled veteran or the home loan program of the Veterans' Administration—we are struck by the vigor and responsible attitude of a program designed to serve the veteran and the Nation.

Therefore, in concluding my remarks on this happy occasion, I wish to commend again Manager Bernard E. Leighton and the doctors, nurses, and professional employees—as well as all other hospital personnel—for the part they have played in maintaining the high standards of the Altoona Veterans' Administration Hospital.

In this connection, let it be remembered that all employees of the Altoona Veterans' Administration Hospital, regardless of the type of their employment, share in the credit being given for a well-staffed and efficiently operated hospital.

For that reason, all of you can "take a bow" because your contribution added to those of your fellow-employees, making it possible for the Altoona Veterans' Administration Hospital to maintain such a fine rating for efficient service, and excellent medical and hospital care.

It is my sincere hope that continued success will be the result of such highly dedicated service in the constant effort to alleviate human suffering and to restore peace and contentment to troubled minds.

Ukrainian Congress Committee of America

EXTENSION OF REMARKS
OF
HON. CRAIG HOSMER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. HOSMER. Mr. Speaker, this fall the Ukrainian Congress Committee of America will be celebrating the 20th anniversary of its founding. This committee is a uniquely united national organization reflecting the thoughts and sentiments of some 2½ million Americans of Ukrainian ancestry.

It is dedicated to the task of serving the national security interests of this country by first, advancing the strategic value of all the captive nations, particularly those in the Soviet Union itself; second, informing the people of this country about the independence struggles of the dozen captive non-Russian nations in the U.S.S.R.; third, exposing the many current myths about Soviet unity in all its alleged ramifications; and, fourth, proposing concrete ways and means to defeat imperialist Moscow in the cold war, the chief mode of which is psychopolitical and propagandistic.

I pay tribute to the Ukrainian Congress Committee of America and the Ukrainian people in this country and throughout the world who are dedicated to the belief that freedom is the right of all nations. It remains for us of the free world to help them sustain their faith in God and humanity, in their own survival and in their inevitable freedom. Words of encouragement and sympathetic expressions of understanding of their plight will mean a great deal to these people in their dark hours of desperation.

We must work diligently in support of freedom everywhere so all freedom-loving people of the captive nations may continue to hope fervently that they may soon enjoy the God-given right of independence with justice which should be the national heritage of all mankind everywhere.

Proposed Citation for Contempt of Congress by House of Representatives of Officials of the Port of New York Authority

EXTENSION OF REMARKS
OF
HON. JACOB K. JAVITS
OF NEW YORK
IN THE SENATE OF THE UNITED STATES

Monday, August 22, 1960

Mr. JAVITS. Mr. President, late today a telegram came to one of my colleagues from New York in the House of Representatives. Apparently it was sent to all Members of the House by the incumbent Governor of New York, Hon. Nelson A. Rockefeller, and the three preceding Governors of New York, Hon. W. Averell Harriman, Hon. Thomas E. Dewey, and Hon. Herbert H. Lehman. The telegram is with relation to a matter which will be before the House of Representatives tomorrow concerning certain citations for contempt involving three officials of the Port of New York Authority. This agency is a bistate agency.

The telegram makes an urgent plea which otherwise might not be available to all Members of the House tomorrow, because of their not having received a telegram or through other failures of delivery. Therefore, in fairness to my colleague, Representative LINDSAY, who has asked that this matter be placed in the RECORD, I ask unanimous consent, at the request of Representative JOHN LINDSAY, of New York, that the text of the telegram be printed in the CONGRESSIONAL RECORD, where it will be readily available to all Members of the House of Representatives.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

AUGUST 22, 1960.

Telegram to all Congressmen:

We join together in our respective capacities as Governor of the State of New York and as his immediate predecessors in that great State office to express our concern over the recommendation to be made to the House of Representatives tomorrow that the House cite three respected officers of this State and the State of New Jersey for contempt of Congress. One of these officers is serving our

State, on successive appointments by Governor Dewey and Governor Harriman, as the nonsalaried chairman of the Port of New York Authority.

To the best of our information and belief such precipitate and unhappy action would mark the first time in the history of the United States that the Congress ever voted to instigate criminal prosecution for contempt against State officers serving a State agency in a matter that concerns the proper exercise of their official State duties. What is more they will have been cited for carrying out the express and written instructions of the Governors of New York and New Jersey, based on the conclusion of the two Governors that "the furnishing of the internal records now requested, in the opinion of (the Governors') legal advisers, would represent a serious infringement of the rights of the States under the Constitution and could constitute a dangerous precedent as recognition of Federal authority in an area of State responsibility."

Prior to the issuance of these instructions the three officers had made available to the Congress great volumes of materials amply sufficient to supply all the information with which the Congress could have any proper concern in the pursuance of its legislative functions.

Since last April the Governors of New York and New Jersey, as well as many former Governors, had asked to be heard in opposition to the bill introduced by Congressman EMANUEL CELLER (H.J. Res. 615) which would require that all future projects of our port agency here in New York be conditioned upon the approval of the Congress and the President of the United States, and which would provide also for a continuous right of inspection, review and approval by the Congress of all books, records, and papers of the port authority. The hearings on this bill have been repeatedly and now indefinitely adjourned by Congressman CELLER with the result that both the two Governors and former Governors of New York and New Jersey have been denied any opportunity to be heard in opposition to this destructive legislation.

Furthermore, the appeal of Governor Rockefeller and Governor Meyner to be heard by Mr. CELLER's committee before any action was taken by his committee on the contempt citations was also rejected by Congressman CELLER.

We are therefore faced with an assertion of Federal power to control State and municipal agencies which would wrench our system of government from its established foundations. As Governor Rockefeller and Governor Meyner put it in their joint directives of June 25, 1960, to the port authority the subpena at issue appeared to us and our legal advisers to constitute a novel intrusion by the Federal Government into areas reserved by the Constitution to our respective States and to constitute a precedent which could subject various agencies of State government throughout the Nation to be similarly answerable to Federal authority.

There has thus been precipitated a clash between the Congress on the one hand and the constitutional rights of the people of the States to administer their own governments on the other which can and should be avoided. We respectfully request you support our position.

NELSON A. ROCKEFELLER.
W. AVERELL HARRIMAN.
THOMAS DEWEY.
HERBERT H. LEHMAN.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. WILLIAMS of New Jersey. Mr. President, it was my hope that this matter could be discussed at some length in the Senate today. There is great concern throughout the country over the proposed action in the House of Representatives. Not only are the Governors of New York and New Jersey concerned about the development; but we have had some expressions of concern from many Governors. Furthermore, there are 36 bistate agencies which are looking with interest, some with alarm, but all with concern, at this development.

Mr. President, I have prepared a statement which I thought might be timely for the discussion in the Senate today. However, the hour is late, so I ask unanimous consent that my statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF MR. WILLIAMS OF NEW JERSEY

I have refrained from public comment on the dispute between the Port of New York Authority and Subcommittee No. 5 of the House Judiciary Committee because I do not wish to interfere in a matter now directly under House consideration. Since, however, the subject has been raised here today, I would like to give a brief statement on my reasons for hoping that the subcommittee will not press for a contempt citation.

Thirty-six interstate agencies throughout the Nation now await the outcome of this dispute. Grave concern has been expressed by the directors of those agencies, by several Governors, by legislators, and by newspaper editors and others who have studied the relationship of State and Federal Government.

Already, several of the New Jersey Representatives who asked for the original House subcommittee inquiry into port authority operations have said that the demands made by the subcommittee go further than anything they asked for. Gov. Robert Meyner has found considerable agreement from other Governors on his stand against the investigation of records describing internal operations.

Undoubtedly, there are many general questions about the Port of New York Authority that warrant the attention of legislators here and all those concerned about the powers of such agencies elsewhere throughout the Nation. How, for instance, are metropolitan regions of the future to work cooperatively with such agencies to settle mutual problems? But I personally doubt that the issuance of subpenas will lead to little more than protracted court test and general confusion about the purposes of the original House subcommittee inquiry.

I think that Governor Meyner, in a letter to New Jersey representatives on August 19, suggested a wise and workable alternative. First he wrote that he objected only to the subcommittee request for material relating to internal management of the agency, not to requests for any documents necessary to help the Congress in its study of whether the agency is operating within the scope of its authority. Then he wrote:

"There is a simple, quick, and efficient means by which the issue could be resolved in court if the committee were willing to permit it. The Attorney General of the United States is fully empowered to bring an action against the port authority for a declaratory judgment as to the respective rights of the Federal and State Governments. *United States* v. *California* (332 U.S. 19 (1947)).

"I would be pleased to have a court test if Congress wishes to question the sanctity of confidential internal memoranda of an executive arm of State government. Indeed, I have requested such a court test. But I believe it would ill befit the importance of this principle of Federal-State relations to try the issue in a criminal proceeding against three eminent, reputable State officials who acted in conscientious obedience to the instructions of the elected chief executives of their States."

It may well be that, after nearly 40 years of operation under a novel method of authorization, the Port of New York Authority will require a legislative reassessment of some of its policies. Any such reassessment can be done most thoroughly, I believe, at a State level, while Congress lives up to its more general responsibilities.

I hope, therefore, that a more satisfactory way will be found for the subcommittee to continue its inquiry, if it is decided that the inquiry must be continued. Unless we do find a more satisfactory way, we shall find ourselves increasingly involved in side issues rather than in obtaining a more thorough understanding of the questions raised by the overall impact of interstate agencies on the Nation today.

Communist Propaganda in Asia

EXTENSION OF REMARKS
OF
HON. HALE BOGGS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, August 22, 1960

Mr. BOGGS. Mr. Speaker, recently while waiting in a barbershop in New Delhi, India, I looked around as one does in our country for something to read.

I picked up a magazine with a beautiful colored front. It was printed in English.

It was called Soviet Land. It was published in Moscow.

I glanced through it quickly. I immediately recognized a superb job of Communist propaganda.

It was not all. There were others in the pile. One was entitled "China Reconstructs." It told of the Red Chinese Communist experiment in vivid and dramatic language. It was published in Peiping. There were still others, all gorgeously prepared periodicals, from Communist satellite countries.

My curiosity was aroused. I was there as a U.S. Congressman, chairman of a committee which seeks to promote American private investment in the underdeveloped nations of Asia and the Middle East, hoping to improve the climate for such investment.

But the literature in the barbershop was a real barrier to my mission. I asked the barber where he got it. He said it came in free every week. I looked around for something to counteract this massive display of Communist propaganda.

There was nothing. Not a single publication from the United States or any other free world nation.

The next morning, I was back at our embassy in New Delhi, asking questions. Our officials there told me I had not seen anything yet. I had not. I was shown

a file packed with propaganda—Communist propaganda. It literally amazed me. It was also depressing. I knew that my mission was being hamstrung by such material. I felt that the first thing we must do is to portray our country as it is and not as this propaganda claims us to be.

The Communist propaganda portrays America as a land where a few millionaires exploit the masses by getting rich on the production of armaments, and that the rest of the world is threatened by our warmongering. The Communist countries are, of course, shown as dedicated to peace and progress and capable of producing all the good things of life in a new world Communist society.

The distorted propaganda has a tremendous effect. Such material is a vital weapon, and a firstline enemy, in the underdeveloped lands in the crescent from Turkey to Japan.

The reasons for this are easily seen when one visits these countries, as I did on this tour to encourage investment.

In these countries, the people depend on the media of propaganda for much of their information, and education. The village center with its few periodicals, the community radio, and the small library are the intellectual focus for millions of these impressionable people. Whoever provides the periodicals, the radio broadcasts, the books, has the best chance of winning the minds of these people who do not have the means to pick and choose among a great range of such material.

The Communist propaganda effort can subvert millions of minds. It is a deliberate, conscious, well-conceived, and well-financed campaign to do just that, and in doing so to destroy the correct image of America as a land of political freedom and economic opportunity.

What are some of the methods used by the Communists in this propaganda battle?

Everything.

Periodicals? One hundred and eighteen Communist publications are available in India, and most of them circulate throughout Asia and the Middle East. Soviet Land, my barbershop reading fare, has a circulation of over 1 million copies.

Books? Thirty-seven Communist publishing houses operate in India alone. A quarter of the space in the university library in Thailand is taken up with Communist books. Iran bookstores bulge with Communist titles.

The sum total: Communist publishing aimed at the underdeveloped nations in Asia and the Middle East increased 150 percent from 1957 to 1959.

The free world effort? Only a tenth of this.

An especially dangerous part of this publishing propaganda is a series of books for children which have come from Communist presses and are now flooding bookstores. One hundred titles are available in India alone. The Communists are putting major emphasis on this for obvious reasons.

Motion pictures? Communist films are increasingly competing with American commercial productions in Asian theaters. Communist bloc countries are producing films in Pakistan. Red China has turned out pictures in eight Asian languages.

Radio broadcasting? This country is far outstripped. Communist broadcasting overseas is three times that of our Voice of America. Red China alone beams nearly half as much time overseas as the Voice, all of it to the countries of Asia and the Middle East.

What does it add up to?

Dr. Robert Johnson, president of Temple University, recently estimated the total Communist propaganda effort amounts to $5 billion a year. I can readily believe this. The night skies in Indian cities are lit with great red signs urging people to "Read Soviet Books and Periodicals." Theater marquees invite people to see Communist movies.

The effects of this massive campaign are seen in every strata of Asian life. Attending a reception at an Asian university, I had a conversation with a student.

He told me: "We're going all the way down the path of socialism. Our country will be one of equals, not of very rich and very poor, as in your country."

I asked him how this would be achieved?

"We will break the back of the reactionaries in government, and pass laws. These laws will provide for the needs of the people, but nobody will be allowed to have more than he really needs," he replied.

I recognized the Communist line that is the theme of all the periodicals, the broadcasts, the books and the movies.

What is our response to this? What are we doing to present America as it really is, a nation of peace and democratic processes and of a free enterprise economic system?

Not much, not as much as we must do. In comparison to the Communist propaganda campaign, ours is feeble.

We have two periodicals which circulate in Asia and the Middle East. They are American Reporter—250,000 in India—and the New World—less than a million in 15 countries. We have participated in big international fairs and exhibitions. We have helped provide some textbooks for universities. We have a modest program of book translation.

The total budget of our U.S. Information Agency, our major information and education tool, is about $100 million a year. We support 60 cultural centers in the Middle East and Asia. Many of these are one-room affairs. They are spread thin. There is 1 for every 35 million people in India.

The effects of the big Communist effort shows. The Communist voting strength in India has tripled in the last 5 years. In other nations, the Communists are continually making new gains.

We must join in this battle for men's minds with a positive and sustained campaign.

What are some of the things we must do? I do not pretend to have all the answers. But in talking with knowledgeable people in Washington, including many of my colleagues in Congress, I find some things on which there is general agreement.

A basic need is more financial support.

The answer does not lie in money alone. But more money can be used and used intelligently.

Millions are available, in a form that would not cost the American taxpayer another dollar. These are counterpart funds, money which this country has earned through the operation of several aid programs, notably the Agricultural Trade Development and Assistance Act of 1954.

These currencies can only be spent in the oversea nations. There are more than $100 million in such currencies lying idle in oversea banks. Millions more are becoming available every year.

Why haven't they been put to work? Congress has restricted their use. Ridiculous legal restrictions do not allow us to use small amounts for publishing, student exchange, or broadcasting and film production. Only $3.5 million of these funds are budgeted to be spent in 1960.

I have introduced legislation to remove these restrictions. They are vital to our information and education effort. They are needed tools in the battle for men's minds.

The unleashing of these currencies is the first step in our battle. American taxpayers should demand that these funds be put to work.

With this money there are several programs which could be started, others greatly expanded.

For instance:

Publishing: Expansion of our periodical coverage is vital. Further, expansion of the textbook translation program is a key effort to export democracy. I especially favor a program of publishing children's books. All kinds of books, the tools of education and truth, should certainly be a major American weapon in the propaganda battle.

Higher education: We should establish chairs of American studies in Asian universities. We could provide scholarships for students to attend these universities, to take courses designed to show America as it is. We should help in the construction and stocking of college libraries and student centers.

Motion pictures: Educational films, and films showing how America has contributed to the overseas countries, could be produced in the countries themselves, paid for with counterpart currencies.

Science education: New methods of teaching the basic sciences, developed in this country, should be exported to help the growing public school systems of Asian countries. The simple materials used in these teaching methods, and the training of teachers to use them, could be supported by local currencies.

Committee centers: We should support the construction of thousands of community centers in the villages of the Asian-Middle Eastern area. They are the focus of community life and we should have a part in their success.

Educational television: This modern method is being used slightly in colleges and universities in India. It could be expanded to include the public school systems and become a quick means of overcoming the problem of mass illiteracy.

Exhibits: We have made a big hit with big exhibitions. We should develop a program of small, village-size exhibits for constant use. One such exhibit, on small industry possibilities, is now showing throughout India. It has been praised by Prime Minister Nehru on the floor of the Indian Parliament. Counterpart funds should develop and support other small exhibits.

Exchange: We have developed a great number of exchange programs. But these could be expanded fourfold and still not meet all the needs. We could support thousands of American students, teachers, and technicians with counterpart currencies.

All these programs could be carried on with idle money which this country desperately needs to put to work. This could be done without additional cost to American taxpayers.

To me, this makes sense.

Jane Addams and World Peace

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, August 22, 1960

Mr. PHILBIN. Mr. Speaker, at this time when the Nation and the world are yearning for peace and many of us are fervently dedicated to that cherished end, it is appropriate to dwell thoughtfully on the great contributions of the famous humanitarian, Jane Addams.

I will not here detail the brilliant career of this great woman, but would like to bring to the attention of the House by way of a reminder her heroic efforts for world peace.

As long ago as 1904 at the convention of the National Peace Societies held at Boston in my home State, Jane Addams spoke and worked for universal peace between nations.

In her "Newer Ideals of Peace" published in 1907 she sought and urged moral substitutes for war.

During World War I she worked to try to prevent the spread of that great conflict and the provoking of the most primitive antagonisms associated with it.

Her efforts to secure a conference of neutrals many leaders had urged were sustained with the same vigor and ability that typified her activities in conserving the food supply, in distributing food to allay hunger, suffering, and privation.

Jane Addams was a nonconformist in the sense that she possessed the courage to differ with the main stream of public opinion whenever she thought it wise or in the interests of the Nation to do so.

She was a controversial figure to be sure, because she spoke her own mind—and it was a great mind—and because she set her judgment against that of statesmen and other leaders who were more concerned about waging war than in trying to prevent it before it started, or end it when it had commenced.

One of her last comments on war ranks with her best:

> The worst thing about war is not the poison gas which wipes out lives and destroys cities, but the poison it spreads in the minds of men. * * * We must be ready not only with political institutions but with an educated public opinion which shall fight this poison's spread. Only thus—

She wrote—

> will people be able to come into friendly relationships with ever larger and larger groups, and to live constantly a more extended life.

It was inevitable that catch phrases, labels, and even epithets should be applied to those who were seeking peace while the Nation was at war. An incited and patriotic public was inclined to sweep away as unworthy and base every utterance or gesture for peace. It cannot be denied, of course, that when the Nation was fighting for its survival against cruel and ruthless aggressors that it could ill afford time to debate the merits of peace, let alone permit spies and traitors to weaken the national purpose by conspiring against the preparedness and readiness of our fighting forces to defend our liberties and win the war.

Notwithstanding that fact, it is clear that peace is not only a sacred goal, but it is a dire necessity, if freedom and civilization are to be sustained.

No campaign of terrorism appealing to fainthearted people and urging national helplessness and fostering doctrines of appeasement can successfully becloud the fact that while the American people mean to preserve their free heritage and will never surrender it, they are nevertheless willing to stand courageously for every practicable measure to lessen international tensions and promote international control of nuclear substances and weapons, effective disarmament and enduring peace.

While the goal has not changed since Jane Addams' day, it has become infinitely more desirable and critical. To reach it, wholehearted international efforts are imperative. Every nation must join earnestly and wholeheartedly in the quest for the sacred grail of peace.

To the extent that some nations are refusing to abandon their oft-expressed ambition to suppress freedom and dominate the world this problem becomes more difficult, if not impossible of accomplishment, until those nations have a change of heart. But that fact must never deter us from fighting as fiercely in the moral sense as we would fight a war to protect our shores and our homes and our liberties, for a just consideration and a just resolution of the problems that must be solved before peace can become a reality in this cruelly divided world.

Let not despair possess us, nor courage forsake us, in this fight. If the price of peace is loss of our freedom and a form of serfdom more abominable than death itself then by all means let us die in a fiery holocaust of destruction before we forfeit or surrender our God-given rights to be free men and women. But let us strive prayerfully and courageously for universal peace.

Among rational people, if there be such in the Communist world, there is no necessity for such a choice. The people of the world can and should make the choice now before they are engulfed by nuclear conflict, and they should never tolerate the machinations of communism, or any other ideology or bloc, to thwart the progress, freedom and security of man.

Jane Addams accomplished many things in her long, useful, life, and her work for peace was not the least of these. We can well recall today her thesis that consent should be substituted for coercion and a will to peace for a belief in war—that justice and love of humanity, brotherhood and devotion to the living God should prevail in the world.

William Parker Kennedy, President of the Brotherhood of Railroad Trainmen, Honored on His 50th Anniversary as a Member

EXTENSION OF REMARKS
OF
HON. HERBERT ZELENKO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, August 22, 1960

Mr. ZELENKO. Mr. Speaker, I take pleasure in making a part of this RECORD a most outstanding event concerning a most outstanding American.

On September 3, 1960, at the Leamington Hotel, Minneapolis, Minn., William Parker Kennedy, one of America's foremost citizens and great labor leaders, who is president of the Brotherhood of Railroad Trainmen, will be honored on the occasion of the 50th anniversary of his membership in that organization.

Among the many distinguished persons who will be present at that time to pay their respects to Mr. Kennedy will be the Honorable Hubert H. Humphrey and the Honorable Eugene J. McCarthy, Senators from the State of Minnesota; the Honorable Roy W. Wier, the Honorable Joseph E. Karth, the Honorable Fred Marshall, and the Honorable John A. Blatnik, Representatives from the State of Minnesota, and the following State officials from the State of Minnesota: the Honorable Orville L. Freeman, Governor; the Honorable Karl Rolvaag, Lieutenant Governor; the Honorable Walter F. Mondale, attorney general; the Honorable Joseph Donovan, secretary of state; the Honorable Roger L. Dell, Thomas Gallagher, Frank T. Gallagher, W. P. Murphy, and Lee Loevinger, justices of the

supreme court. Also present will be: Robert A. Olson, president, Minnesota AFL–CIO Federation of Labor; Walter Cramond, president, Minneapolis CLU; and R. D. Cramer, editor, Labor Review.

Mr. Kennedy's achievements in his many years of dedicated effort on behalf of his fellow man in all elements of our society have long been recognized. His preeminent standing in American life has been accomplished in the classic American tradition, having risen from the most humble beginnings.

William Parker Kennedy has been president of the Brotherhood of Railroad Trainmen since July 19, 1949, when he was appointed by the board of directors. He was elected by the brotherhood's 29th convention in 1950 and reelected at the 1954 and 1960 conventions. The brotherhood, with headquarters at 1528 Standard Building, Cleveland, Ohio, has a membership of 218,000 throughout the United States and Canada. It represents railway employees in train and yard service and intercity bus operators. Besides representing the members in labor-management matters it furnishes sound life, health, and accident insurance to its members and it is one of the largest fraternal insurance societies in America.

Mr. Kennedy was born in Huttonville, Ontario, Canada, April 3, 1892, and came to Chicago, Ill., at the age of 10. He attended Ogden School, Chicago.

At the age of 17, he worked as a news butcher on the Rock Island Railroad, between Chicago and Des Moines, on the Rocky Mountain Limited.

He first saw train service as a freight brakeman, on the Dakota division of the Great Northern Railway, working out of Grand Forks, N. Dak., beginning such employment October 1, 1909.

On July 24, 1910, he joined Wheat Sheaf Lodge No. 463, of the brotherhood, at Grand Forks, N. Dak., and has held continuous membership since that time. He resigned from the Great Northern Railway in 1911 and entered the service of the Canadian Pacific Railway, as a switchman, at Calgary, Alberta, Canada, May 7, 1911. He continued in this employment until October 22, 1911.

He was employed as a switchman on the Chicago, Milwaukee & St. Paul Railway, at Minneapolis, Minn., February 1, 1912, and still retains seniority rights in this terminal.

In 1913, he transferred his brotherhood membership to Minnehaha Lodge No. 625, Minneapolis, Minn., and retains his membership in that lodge.

He served as president and local chairman of that lodge and January 2, 1920, was elected secretary of the general grievance committee on the Chicago, Milwaukee, St. Paul & Pacific Railroad. In April 1921, he was elected general chairman of the grievance committee. He served in such capacity until June 1935.

He attended the 1917, 1919, 1922, 1925, and 1928 conventions of the Brotherhood, as a delegate, representing his lodge. At the latter convention, he was elected to the board of trustees and served as secretary of such board until June 1935, when the board of directors appointed him to the position of vice president in charge of the northwest territory of the United States and all of Canada, west of Fort William and Port Arthur.

While serving as vice president, he participated in numerous wage and rule movements and headed the committee which negotiated the electric lantern agreements. He was in charge of the committtee, at Washington, D.C., in the 1928 wage reduction fight, when the widely quoted Brotherhood defense book "Main Street Not Wall Street" was prepared and published.

From January 1, 1944, to August 30, 1946, Mr. Kennedy was in charge of the super-promotion department of the Brotherhood, with headquarters at the Sherman Hotel, Chicago, Ill.

While in this work, Mr. Kennedy handled 146 representation disputes in the United States and Canada, involving railroads in every section of both countries. He was successful in achieving 109 Brotherhood representation victories.

At the 1946 convention, held in Miami Beach, Fla., he was elected general secretary and treasurer and assumed that office January 1, 1947, and was serving in that capacity at the time he was appointed president.

While general secretary and treasurer, he also served as national reporting officer for the Railroad Retirement Board.

From July to September 1934, Mr. Kennedy made an extensive trip through Europe studying labor conditions in England, Ireland, Scotland, Norway, Sweden, Denmark, Germany, Holland, Belgium, France, Switzerland, and Italy.

In May 1955, as a guest of the Israeli Government, he visited that country, addressing large groups of railroad and government workers in Tel Aviv, Jerusalem, Beersheba, Tiberias, Haifa, and Jaffa. In July 1956, he was a delegate to the 24th Congress of the International Transport Workers Federation held at Vienna, Austria, at which time he also attended meetings at London, Paris, Rome, and Barcelona. In July 1958, he was a delegate to the 25th labor congress at Amsterdam, Netherlands; also attended meetings in Norway, Sweden, and Belgium.

While serving the brotherhood as secretary of the board of trustees, he traveled extensively through Canada and the United States, studying financial and banking conditions and wrote a series of articles for the official publication of the brotherhood, entitled "History of Banking in Canada." Such articles have been extensively quoted in many leading financial and trade publications.

He was instrumental in bringing the use of "piggybacking" to the railroad industry several years ago, a development that has since proven of great financial advantage to the railroads, and promises to bring even greater business to the railroads in the future.

At present, he is engaged on another campaign—one to bring order to the present chaos of transportation in major cities of the land, particularly in such metropolitan complexes as are growing in the New York, Washington, D.C., Los Angeles, Cleveland, and Chicago areas.

Mr. Kennedy was married January 21, 1913, to Amy Hannah Berglund at Minneapolis, Minn. Their daughter and three sons are: Miss Phyllis Kennedy, assistant to the librarian, at Minneapolis; R. P. Kennedy, attorney, Minneapolis, Minn.; W. H. Kennedy, traffic representative, Soo Line, Minneapolis, Minn.; and D. C. Kennedy, department manager, Sears, Roebuck & Co., Minneapolis. Mr. and Mrs. Kennedy have four grandchildren.

Mr. Kennedy is a member of Minnehaha Lodge 165, A. F. & A. M.; Ancient and Accepted Scottish Rite, and Zurah Temple A. A. O. N. M. S., in Minneapolis.

It is most appropriate and timely that the ceremony honoring the 50 years of devoted service of Mr. Kennedy to the preservation and enrichment of our democratic way of life be held on the eve of Labor Day.

Pennsylvania Sheriffs Association Annual Convention Banquet Held at Altoona, Pa., July 21, 1960

EXTENSION OF REMARKS

OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. VAN ZANDT. Mr. Speaker, my hometown of Altoona, Pa., was the scene of the 1960 convention of the Pennsylvania Sheriffs Association which was highlighted by the annual banquet held on Thursday, July 21 at 6:30 p.m., at the Penn-Alto Hotel. It was my pleasure to deliver the principal address of the evening at which time I spoke on "The Nature of the Communist Threat to America."

Blair County Sheriff V. Paul Reed proved to be a fine host to his fellow sheriffs of the Keystone State who in turn expressed their regard and esteem by electing him second vice president of the Pennsylvania Sheriffs Association. Sheriff Reed was the only newly elected officer and in line with the traditional policy, he is slated to become president of the association in 1962.

The 1960 convention was voted as one of the finest in the history of the Pennsylvania Sheriffs Association with the convention banquet providing a fitting climax to the annual convention proceedings.

My address on the occasion follows:

ADDRESS BY REPRESENTATIVE JAMES E. VAN ZANDT, MEMBER OF CONGRESS, 20TH DISTRICT OF PENNSYLVANIA, AT THE ANNUAL STATE CONVENTION OF THE PENNSYLVANIA SHERIFFS ASSOCIATION, HOTEL PENN-ALTO, ALTOONA, PA., JULY 21, 1960

It is a real pleasure to address this sheriffs' convention.

As we all know enormous problems beset our country and the world. One of these problems is communism, and I want to talk to you about it.

Certainly, you law enforcement officers, of all people, need not be reminded of the great dangers to our Nation and the free world that are inherent in the Communist threat.

The first page of every daily newspaper throughout the Nation carries a headline or byline—

(a) reporting a Soviet thrust in this quarter or that quarter of the globe.

(b) repeating another boast by Khrushchev about surpassing the United States militarily and economically.

(c) or disclosing the details of another Communist Chinese attack on Tibet, the Indian border, or Formosa.

Most of us are consciously aware of this ominous threat.

What we are not fully aware of, however, is the overall Soviet outlook on the world as it relates to us and the problems it presents to us.

We are not all fully conscious of the political problem and the moral problem that exists in the Soviet concept of a divided world.

There can be no mistake about the fact that theoretically the Soviets view the world as a divided world. In the Soviet mind, ours is the capitalist world; and theirs is the Communist world. Both are "camps," to use the Soviet terminology. Indeed it would be more accurate to say that both are "military camps" in the sense that the Soviets view this historic build-up of power in the same light as a military campaign.

Both "camps" or worlds are to the Soviets distinctly opposite in philosophic orientation, political behavior, and ultimate goals.

The Soviets claim further that as a matter of doctrinal truth both worlds are engaged in disputes at every level of human existence and as a result they are unavoidably engaged in a gigantic struggle for survival.

The Soviets claim that the struggle is a continuing one which will go on until either capitalism or communism triumphs.

Lenin, the founder of the Soviet state and world communism, put it in these terms, "who whom," or in other words, "who will conquer whom."

On another occasion Lenin described the contest for survival in this highly dramatic and imaginative way: "As long as capitalism and socialism (that is, communism) remained, we cannot live in peace.

"In the end one or the other will triumph—a funeral requiem will be sung either over the Soviet Republic or over world capitalism."

However, neither Lenin, Stalin, nor their successor, Khrushchev, doubted that communism would emerge triumphant and in Khrushchev's words, would "bury" us.

Thus, the Soviets are committed to a line of action that seeks not only to destroy the American way of life.

But it goes further because the Soviets are determined to transform the entire world in the Soviet image.

Regarding force and power as political weapons to be used ruthlessly in achieving this end, the Soviets press ever forward.

They seek advantages here and there, probing for soft spots in the defenses of the free world.

Furthermore, they aggressively assert their power through outright territorial conquests or through their fifth column operations within the world Communist movement.

So much for the Soviet world outlook.

On the other hand, what about the United States and the outlook of its people and leaders? We, Americans, have a completely different outlook on the world.

First of all, we, along with our allies, are trying to preserve the prevailing world political structure which we regard generally as the most acceptable structure for insuring freedom and democracy. For us, it is a simple fact of survival.

This does not mean that we are blindly attached to a type of status quo that preaches the ill-fated doctrine of keeping things as they are. We are, and always should be, sensitive to the winds of political change throughout the world.

We admit the necessity of political change not only in our own domestic politics but in world politics in general.

What we seek to preserve is the procedure of free government through which orderly transfer of political power can take place in a genuine spirit of liberty and justice.

Unlike the Soviets, we are not committed to the planned destruction of world societies. In a spirit of tolerance, we seek rather to assist the peoples of the world, wherever possible, to achieve a higher state of human liberty through the institution which is most likely to succeed in accomplishing this goal, a government of free people.

In addition, we are committed by heritage and national tradition to the belief that differences among nations—as those among individuals—can be resolved through the exercise of reason and good will.

Differences between us and the Soviets, as with any other nation, we would say, are not beyond solution, but rather are adjustable. So it is then that we Americans and the Soviets do have radically different conceptions of the world around us.

We have different national purposes and different national goals. We are both guided by wholly different philosophies of life. But the political problems inherent in this divided and contrasting view of the world has still another particular manifestation.

We could call it the problem of a divided morality. The Soviets operate within a very restricted framework of morality which is radically at variance with our own conceptions. The Soviet moral conscience is colored totally by the dogmatic belief that whatever is good for the advancement of communism is morally right. In addition the Soviets believe whatever deters or opposes communism is morally evil.

Lenin spelled out this belief in answer to the question, "Is there such a thing as Communist morality?" He said: "Of course there is."

He continued by saying: "It is frequently asserted that we have no ethics, and that * * * Communists deny all morality. * * * We say that our morality is wholly subordinated to the interests of the class struggle. We deduce our morality from the facts and needs of the class struggle. * * * At the basis of Communist morality lies the struggle for strengthening and completing communism."

Finally Lenin said: "For us morality is subordinated to the interests of the class struggle."

Ladies and gentlemen, these standards of morality and ethics conceived in these narrowly restricted terms permit the Soviets and their Communist allies great versatility in political action. Communists can and do operate completely unimpeded by codes of ethical conduct that are normally accepted in world society as morally correct. They can disregard morality, as we conceive it, and assert that to act otherwise would be to them "immoral."

This is a peculiar type of logic I know; but nonetheless this is the foundation of Communist morality. This is the way they, Soviets, think of good and evil.

What this means in concrete terms is that the Soviets are able to profess the principles of peaceful coexistence which explicitly stipulates noninterference in the internal affairs of other states.

Yet, at the same time they carry on subversive activities—on a mass scale—to destroy those states and expand Soviet power.

By the same perverted moral justification, a treaty is to be complied with only so long as it serves Soviet purposes. When its usefulness has been served, then it can be broken.

To you law-enforcement officers this problem of a divided morality has a special meaning.

For the Soviets, law that is formulated by a free capitalistic republic such as ours is not necessarily morally binding on Communists.

Only Communist law, as such, has the real force of moral compulsion in Soviet terms and thus must be obeyed. Non-Communist laws, as all other institutions, are looked upon by the Communists as instruments of what they call capitalist exploitation. As such, they are to be tolerated where no other course is possible until they can be destroyed.

At this point let me quote again Lenin's words on how the Communists are to use legislatures and parliaments, the very heart of free government, as devices to further Communist ends.

Lenin said: "No parliament can in any circumstances be for Communists an arena of struggle for reforms for betterment of the situation of the working class. The only question can be that of utilizing state institutions for their destruction."

Ladies and gentlemen, we don't have to look back very far in recent history to find excellent examples that illustrate the moral level upon which Communists function to accomplish their goals.

You may be interested to know that one of the first areas for penetration and seizure prior to a takeover in Communist tactical procedure is the organization for maintaining law and order.

Throughout Eastern Europe at the end of the war the Communists uniformly took over the functions of the interior ministry which in those countries controlled the national police.

In Czechoslovakia, the democratic opposition was paralyzed when the Communists asserted their power in February 1948 mainly because the police power had been successfully communized.

In Hungary, the Communist police were able to reduce the democratic opposition through terror, intrigue, and torture and thus establish uncontestable Communist control over every facet of national life.

It is significant that the notorious Hungarian secret police who were communized were the first victims of the Freedom Fighters in the revolution of 1956.

Similar patterns of communist control are seen in other countries that were conquered by Soviet Russia. And, there can be little doubt that the Communist supporters of Fidel Castro, following the Communist example elsewhere, have already conspired to assume total control over Cuba's police authority. With this weapon of manipulation and control in the hands of a dictator, the Cuban people will be hard pressed to stage a resistance movement against Castro's excesses.

The Communist aim in a period of takeover, as the East European experience indicates, is to win control over police authority within the nation and thereafter to impose their own system of law and order. But it is significant that one of the primary tactics of the Communists in doing this is to encourage and create civil disobedience. With the ultimate objective of destroying all civil law and order, the Communists seize upon any occasion that can be used to undermine the authority of established police power and destroy the laws it seeks to uphold and enforce.

Only very recently we had a dramatic, and I might add, lamentable, experience of seeing this tactic in operation. I am speaking, of course, of Japan and the recent riots there against the Japanese-American Security Treaty. We know now that a widespread feeling of neutralism existed in many quarters of Japanese political life which are not Communist. But, the Japanese Communists, aided financially by the Soviet Union, were able to exploit these deep-seated emotions of the Japanese populace and direct the vast energies generated as a consequence into a massive and prolonged demonstration of civil disobedience.

Surely, therefore, if there ever was a first line of defense in any nation against Communist internal subversion it is the law enforcement officers. They are in a sense the weapon and the shield of the law. They supply the inner structural discipline within the state that permits law and order to prevail.

The last 15 years' experience of Soviet Communist activity throughout the world bears out the truth of this generalization.

Ladies and gentlemen, great problems face us today and in the future that arise from the threat of world communism.

In many respects the 1960's are the beginning of a new era in American history. It is the beginning of a new revolutionary era in which we must face up to enormous problems. These problems have in part domestic and international implications.

The domestic implications are the following:

(a) The need to speed up our economic growth.

(b) Expansion of American educational facilities.

(c) Fulfilling the social needs of the Nation.

(d) And particularly the urgency of harnessing the enormous material resources of our Nation in the continuing struggle for survival against world communism.

The problems facing us have also international implications which are focused entirely on our conquest with Soviet powers.

Briefly, they are:

First the necessity of reformulating a policy for Western Europe that recognizes the emergence of our allies to a new status of economic and political independence.

Secondly there is the urgency in adjusting our policy requirements to meet the demands of the emerging new states of Asia and Africa.

And finally the need to recast our strategic thinking, taking into account the rising tide of neutralism in Asia and Africa and the development of intercontinental mass destruction weapons.

Ladies and gentlemen as I conclude my remarks let none of us underrate the great dimensions of the challenge of the 1960's.

As our forebears before us, let us extend ourselves and meet this challenge. Frankly our survival depends on it.

Consumer Credit

EXTENSION OF REMARKS

OF

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. CURTIS of Missouri. Mr. Speaker, on June 6, 1960, I addressed the 46th Annual International Consumer Credit Conference at Chicago, Ill. My remarks were printed in the Credit World of August 1960 and I have requested permission to have them included in the RECORD:

CONSUMER CREDIT

(By THOMAS B. CURTIS, of Missouri)

Consumer credit has been a subject in which I have been very much interested for many years.

Soviet Russia is now following Western Europe in developing consumer credit. Western Europe has been slow in developing consumer credit; indeed it has been only since the Korean war that consumer credit has assumed any importance there, and yet today there are indications that its growth rate is matching that which has occurred in the United States.

Consumer credit in the United States has been growing at a very rapid rate. At the end of 1950 total consumer credit outstanding was $21,741 million. At the end of 1959 the total was $52,046. The figure by the end of 1960 will be close to $60 billion.

Even in the United States consumer credit may be regarded as a recent and modern phenomena. In 1929 the total consumer credit outstanding was $6.4 billion and in 1945 it was $5.7 billion. It is apparent, however, that World War II stunted the growth of this economic phenomena, because in the 1941 the figure was $9.2 and this should be related to the nadir of 1933 of $3.5 billion.

The most rapid growth has been in personal loans: $2.8 billion in 1950 to $9.97 in 1959, although automobile paper is a close second, $6.07 billion in 1950 to $16.59 in 1959. Repair and modernization loans jumped from $1.016 in 1950 to $2.704 in 1959. Other consumer goods paper rose from $4.799 in 1950 to $10.234 in 1959. Noninstallment credit, though showing continuing growth, is less spectacular. The 1950 figure was $6.768 billion in comparison to $12.564 billion in 1959.

Underlying this growth is its strange imperviousness to the postwar recessions. Also notable is the commendable increase in the installment credit repaid figures which rise from $18.445 in 1950 to $43.239 in 1959. Of course, without this factor, installment credit would not be in a business.

I believe it is about time that consumer credit receive the social and economic analysis that its importance deserves. Much damage can result, indeed has resulted, from a misinterpretation of what consumer credit is in essence.

For example, I believe that consumer credit is really not a proper tool for monetary control except in very short periods of time, and even then only in very specific ways. And yet it is one of the first items listed by economists and monetary authorities when they speak of monetary restraint. When standby controls are mentioned reference is immediately made to consumer credit as one of the major controls to be implemented.

I believe, aside from the evidence before our own eyes in the United States and Western Europe, if a Communist State like Russia is beginning to use consumer credit it must have some real basis in modern economics.

The inherent power behind this economic phenomena has to be very great to break through the Communist ideology which it basically contradicts.

Indeed, this economic force is great. It stems from the fact that an individual's needs and wants do not conform to the years in his life during which he is gainfully employed. Consumer credit is the counterpart of pensions and annuities and insurance. Both seek to spread the earnings of the individual more equally over his entire life, and not bunch it in the years when he is actually productive.

Much has been done in our society by way of spreading income over from the working period of a man's life to the years of his retirement and many devices have been developed to assist him in performing this desirable economic and human function.

Little, however, has been said of anticipating the income of an individual so that the earlier years before the earnings are sufficient may be adequately and economically financed. Yet if spreading income over a person's entire life more equally is important, and I believe it is, attention should be paid to both periods when the income is not being earned the period before it is earned as well as the period after it has been earned.

The income of a man should be permitted, if at all economically possible, to be related to his expenditures. We have learned that business cycles no longer, if they ever did, relate to the number of days it takes the earth to go around the sun. Similarly, we should realize that the individual man has only 40 working years out of a lifetime of three score and ten. The expenditures required of a man when he starts married life, for example, are on the average greater than his expenses after his family has been raised, particularly after he has acquired equity interests in his home, consumer durables, savings, etc.

The income of a man should be spread, if it can be done economically, to cover the period when he is still learning his profession, or trade. I might interpolate that either it is his anticipated income that is used or it is bound to come somewhere from within the society, be it the family, privately endowed institutions or the Government, if we are to have education. Indeed, the correlation between amount of education and amount of income has now been clearly established and money invested in education can be paid off as a relatively small percentage of the increased earnings resulting from the education. Society as well as the individual benefits from this process.

I do not believe our society, based as it is upon the theory that men should be permitted to rise to the limits of their abilities, is well served by an economic system where only those who have assisting parents or inheritance can gain the capital necessary to get the education they can absorb to establish for themselves and their families the standard of living which their abilities would permit. Nor do I believe our society is well served by the alternative system of having a political bureaucracy set up a system of endowments and scholarships and select through whatever procedures they might develop who shall be more fully trained and educated and who shall not. Consumer credit is the way to get off this dilemma.

There is no question of the added value to society from spreading income from the earning years to cover the later years of retirement from earning. This process requires savings. Capital accumulation which is required to finance economic growth is dependent upon savings.

SPREADING INCOME

However, there is this added value to society from spreading income from the future back to the present in order to train and educate the future entrant into the labor market, which I suggest. Furthermore, there is, I have suggested, the value to society from spreading income anticipated in the future back to the present in order to permit young families to have and rear children in an atmosphere and home life of reasonable high standards. To be specific, if a young mother can have a dishwasher and a clothes drier during the period she is try-

ing to raise young children, she can do a much better job of rearing the children, and society definitely benefits from this process.

I believe the economists who look at the increasing amount of consumer credit in the United States with alarm should relax. The rapid growth should be related to the fact that consumer credit in the United States, if it is the economic and social phenomena I believe it is, has not yet matured, indeed it is in its infancy, and it will not mature until three full generations pass. Furthermore, as inherited wealth continues to decline in importance in our society, as I anticipate it will, I expect consumer credit to take up the gap. Consumer credit will reach maturity when the personal income of our society is fully spread both backward and forward relating the earning years to the full years of the individual's life.

There are many faults in our political economic structure which still operate at cross-purposes to the idea of spreading a person's income throughout their entire life as opposed to spreading it unevenly as we do over the working years of a person's life. Our tax laws still do not recognize this desirable feature, although in respect to savings and spreading income into the later years of life through annuities and other devices some recognition has been given to it. However, under our system of graduated income taxes we have no device which permits a person to spread his personal income for tax purposes over a period of years. The result is that those with fluctuating incomes like our farmers or those who amass most of their income for their life in a few short years like athletes and entertainers are taxed at higher rates in the years of great earnings and in the years of little or no earnings they frequently lose even the value of their personal exemptions. Accordingly, a great premium and one without any social values that I can see, is placed under our graduated income-tax laws upon a person with a more even flow of income.

We have seen the great efforts being made by our people to spread their income into their years of retirement through stock purchase plans, pension plans, insurance of all sorts, etc., which seek to avoid the impact of the high tax rate in their years of earning. This era has been one of insurance, one of prepayment, which is good. Now we are seeing an overlapping of a new era, that of postpayment, and it is important to examine it to see if it, too, is good.

I again point out that prepaying—saving—for retirement has received the social and monetary economists' sanction because it carries with it the desirable economic feature of generating savings. It also carries with it the sanctions of mankind's traditions developed over the centuries he has had to cope with economic laws based as they were upon scarcities. Therefore, the progress we are making in encouraging retirement programs has been widely acclaimed.

Unfortunately, postpaying * * * consumer credit * * * has not received this social sanction and indeed it is viewed as being something almost socially undesirable. One reason, of course, has been the thought that this is the reverse of saving. Another explanation is that we have not yet fully realized that base of all economic law of the centuries preceding us has been altered. Through the availability of electric power and technological advancements on a broad front, our society in America today is based upon plenty, not scarcity. But I can even speak to the subject in a traditional fashion and point up arguments which I think make credit respectable.

Some consumer credit may be the reverse of saving, but a great deal of consumer credit is in itself saving. Buying a consumer durable on time certainly is a device for gaining an equity investment in the consumer durable, and to this extent it is savings. Buying a home on time certainly has a large element of saving connected with it. I have suggested that buying an education on time is in essence a capital investment that produces an ample return on the investment. Therefore, even that has a large aspect of saving about it. Postpaying a trip to Florida or Europe seems to have little element of saving about it, and I can imagine other areas of use of consumer credit which on their face also seem to have little savings in them. Yet, I would not presume to judge hastily what is in reality a capital investment and what not. A trip to Europe to a budding young architect or a linguistic student might indeed be a very sensible capital investment and, therefore, have a real element of personal as well as social saving about it.

The most that can be said against consumer credit saving is that it does not provide accumulated capital for investing in economic growth. But even here we must pause to take stock. We are well aware of the fact that economic growth is dependent on something more than capital accumulation; it is likewise based upon human skills and capital must be used to train the skills if they do not already exist. It is not easy to separate capital from that which capital must be spent for. When we speak of capital being necessary to finance growth we certainly imply that the capital will be spent. Investing money in a company means that the company will use the capital for either building buildings, purchasing machines, or in training human skills or at least in gathering together human skills that already exist.

Am I coming through on this subject of consumer credit? If I am, then it should now be apparent why I view with great alarm the idea that consumer credit controls is a desirable social tool for controlling consumer spending. If what we are seeking in utilizing credit controls is to curb inflation then I would urge that we deal directly with what we are talking about * * * prices of goods and services. Much as I dislike the idea of price controls because of the administrative difficulties connected with them and the interference that it imposes in the free marketplace, I would much prefer this type of control to an attempt to interfere with the economic function being performed in our society by consumer credit * * * as I have been outlining it. Nor is it sufficient to state that consumer credit control would be selective. Who indeed is capable of selecting what our individual citizens should have and not have?

However, I would like to go one step further in discussing inflation itself because inflation has been as much misunderstood, in my judgment, as has consumer credit. Real inflation is what I call a blood disease. It exists when we have tampered with the value of money as a measure of goods, services, labor, and savings. I have said "tampered." Perhaps a better statement would be this: when through our ignorance we have failed to preserve the dollar as an accurate measuring device of goods, services, labor, and savings.

ECONOMIC COSTS

Part of our tampering or failure to act wisely in our treatment of the dollar as a "weight and measure" has been our failure to understand economic costs. Our method of measuring inflation has been primarily through the consumer price index, the wholesale price index and other selective series. All of these statistical series though very valuable have obvious defects about them.

None of them measure increase in quality or the cost resulting from increased variety or choice. Furthermore, none of these indexes measures other increased real costs; for example, the economic cost resulting from the depletion of the Mesabi iron ore in Minnesota was bound to increase the cost of steel and this increase unless compensated for by increased productivity was bound to show up in the consumer price index. Yet, it would be economically unsound to refer to this increased rise as an element of "inflation."

The cost of rapid technological advancement is another real economic cost which is not measured in our economic indices set up to measure inflation. We talk about the increased cost of drugs and seek to relate that to inflation or to some group of individuals trying to gouge the public. Both references are equally unsound. Rapid technological advancement springs from increased capital spent in research and development. This cost must be recouped in the price charged for the product. Rapid technological advancement brings in its wake obsolete equipment and obsolete skills. The cost of this, too, must be borne somewhere, usually in the price of the product or service to be sold. Rapid technological advancement requires training of new skills and the purchase of new equipment. These costs too must be borne. The only recoupment of these costs other than in sales price of the articles or services is through increased quality, which is very inadequately measured in our indices and increased productivity which might be reflected in a lowering of the cost.

Consumer controls or indeed price controls will not help to hold in line this economic process, except to damage it. If a wrong diagnosis has been made the only effect of treating this as the disease of inflation would be to curb future economic growth as well as undermine the present standards of living.

MONETARY DISEASE

There is such a thing as inflation—a monetary disease. It occurs when more money is printed than the economic growth up to that point justifies. Credit control is not money control. It can be affected by the amount of money available and it can be controlled by those who have the power to control the amount of money in ways short of credit controls. Unfortunately, in the past those who have the power to control money have confused credit with money and with the economic process which I have attempted to describe. In so doing they have damaged economic growth as well as price stability.

Credit is controlled, in essence, by the judgment of those in the business of extending it. If they—and that means essentially this audience—relate it to the ability of the individual to earn and they look upon this as a method of income spreading then we will keep the process from being abused.

Furthermore, I believe the success or failure of the creditman's business is so wrapped up in making an accurate appraisal of potential earnings of their customers that there really is little danger of their overextending credit. However, as in any business there can be those who enter it to abuse it—to make the fast buck and then to flee. But I regard policing against this kind of operation to be the same as policing against any kind of piracy. We must maintain constant vigilance, but as long as the pirates don't control the police force we are on safe grounds.

CREDIT CONTROL

In this respect I want to discuss briefly a subject where I believe those in the credit control field need to tighten up. A congressional committee has already started looking into this matter. I do not believe I am telling any of you anything. All I am really doing is emphasizing it. There must be an end to this business of using a consumer

durable business or any other business seeking to sell goods or services to the public as a front for what really is a business of extending consumer credit. However, these are rackets and like all rackets they cannot stand up against good competition. Indeed, the only way they can survive economically is gouging the public at high prices. I saw a great deal of this operation back in the thirties when I was chairman of the St. Louis Bar Small Loans Committee. And I am happy to state it was the good small loan companies who provided the force needed to curb the abuses and keep the matter in hand.

It is my opinion that you are in a new, growing, exciting and socially valuable economic operation. If you handle it well, as I believe you essentially have been handling it, you will be making a great contribution to the well-being of our society and to each individual who goes to make it up today and those who will be its composition three generations from now.

Vice President Nixon's Acceptance Speech in Chicago on July 28, 1960

EXTENSION OF REMARKS
OF

HON. LAURENCE CURTIS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 22, 1960

Mr. CURTIS of Massachusetts. Mr. Speaker, in extension of my remarks I include the outstanding acceptance speech of Vice President NIXON at the Republican Convention in Chicago:

Mr. Chairman, delegates to this convention, my fellow Americans, I have made many speeches in my life, and never have I found it more difficult to find the words adequate to express what I feel, as I find them tonight.

To stand here before this great convention, to hear your expression of affection for me, for Pat, for our daughters, for my mother, for all of us who are representing our party, is, of course, the greatest moment of my life.

And I just want you to know that my only prayer as I stand here is that in the months ahead I may be in some way worthy of the affection and the trust which you have presented to me on this occasion, in everything that I say, in everything that I do, in everything that I think in this campaign and afterwards.

PROUD OF PARTY

May I also say that I have been wanting to come to this convention, but because of the protocol that makes it necessary for a candidate not to attend the convention until the nominations are over, I have had to watch it on television. And I want all of you to know that I have never been so proud of my party as I have been in these last 3 days as I compared this convention, the conduct of our delegates and our speakers, with what went on in my native State of California, just 2 weeks ago. I congratulate Chairman HALLECK and Chairman MORTON and all of those who have helped to make this convention one that will stand in the annals of our party forever as one of the finest we have ever held.

Have you ever stopped to think of the memories you will take away from this convention? The things that run through my mind are these: That first day, with the magnificent speeches—Mr. Hoover with his great lessons for the American people; WALTER JUDD, with one of the most outstanding keynote addresses in either party in history and last night our beloved, fighting President, making the greatest speech I ever heard him make, before this convention.

Your platform and its magnificent presentation by Chuck Percy, the chairman. For these and for so many other things I want to congratulate you tonight and to thank you from the bottom of my heart and on behalf of Americans—not just Republicans, but Americans—everywhere for making us proud of our country and of our two-party system for what you have done.

WORLD STATESMAN

Tonight, too, I particularly want to thank this convention for nominating as my running mate a world statesman of the first rank, my friend and colleague, Henry Cabot Lodge of Massachusetts. In refreshing contrast to what happened in Los Angeles you nominated a man who shares my views on the great issues and who will work with me and not against me in carrying out our magnificent platform.

And, may I say that during this week we Republicans with strong convictions about our party and about our country had our differences—but as the speech by Senator GOLDWATER indicated yesterday, and the elegant and gracious remarks of my friend, Nelson Rockefeller, indicated tonight, we know that the differences that divided us were infinitesimal compared to the gulf between us and what the Democrats would put upon us as a result of what they did at Los Angeles during their convention 2 weeks ago.

It was only 8 years ago that I stood in this very place after you had nominated as our candidate for the President one of the great men of our century; and I say to you tonight that for generations to come Americans, regardless of party, will gratefully remember Dwight Eisenhower as the man who brought peace to America, as the man under whose leadership Americans enjoyed the greatest progress and prosperity in history. Above all, they will remember him as the man who restored honesty, integrity and dignity to the conduct of Government in the highest office of this land.

NEW PROBLEMS

And, my fellow Americans, I know now that you will understand what I am about to say, because the next President of the United States will have Dwight Eisenhower's great example to follow in confronting new and challenging world problems of utmost gravity. This truly is the time for greatness in America's leadership.

I am sure you will understand why I do not say tonight that I alone am the man who can furnish that leadership. That question is not for me to decide, but for you—and I only ask that the thousands in this hall and the millions listening to me on television make that decision in the most thoughtful way you possibly can, because what you decide this November will not only affect your lives and your future, it will affect the future of millions throughout the world. I urge you to study the records of the candidates, to listen to my speeches and my opponent's and Mr. Lodge's and his opponent's, and then, after you have studied our records and listened to our speeches, decide. Decide on the basis of what we say and what we believe who is best qualified to lead America and the free world in this critical period.

To help you make this decision I would like to discuss tonight some of the great problems which will confront the next President of the United States and the policies that I believe should be adopted to meet them.

QUESTION OF SURVIVAL

One hundred years ago, in this very city, Abraham Lincoln was nominated for President of the United States. The problems which will confront our next President will be even greater than those that confronted Lincoln. The question then was freedom for the slaves and survival of the Nation. The question now is freedom for all mankind and the survival of civilizations, and the choice that each of you listening to me makes this November can affect the answer to that question.

What should your choice be? Well, let us first examine what our opponents offered in Los Angeles 2 weeks ago. They claimed theirs was a new program, but you know what it was. It was simply the same old proposition that a political party should be all things to all men, and nothing more than that, and they promised everything to everybody with one exception: they didn't promise to pay the bill.

And I say tonight that with their convention, their platform, and their ticket, they composed a symphony of political cynicism which is out of harmony with our times today.

DISASTROUS PROGRAM

Now, we come to the key question, What should our answer be? And some might say to do as they do—out-promise them because that is the only way to win. And I want to tell you my answer. I happen to believe that their program would be disastrous for America, that it would wreck our economy, and that it would dash our people's high hopes for a better life. And I serve notice here and now that whatever the political consequences, we are not going to try to out-promise our opponents in this campaign.

We are not going to make promises we cannot and should not keep, and we are not going to try to buy the people's votes with their own money. And to those who say that this position will mean political defeat, my answer is this: We have more faith than that in the good sense of the American people, provided the people know the facts, and here is where we come in.

I pledge to you tonight that we will bring the facts home to the American people, and we will do it with a campaign such as this country has never seen before.

I have been asked all week long by the newsmen sitting on my right and left, "When is this campaign going to begin, Mr. Vice President? On Labor Day or one of the other traditional starting dates?" And this is my answer: This campaign begins tonight, here and now, and this campaign will continue from now until November 8 without any letup.

CAMPAIGN EVERYWHERE

I have also been asked by my friends in the press, "Mr. Vice President, where are you going to concentrate? What States are you going to visit?" And this is my answer: In this campaign we are going to take no States for granted, and we are not going to concede any States to the opposition.

I announce to you tonight, and I pledge to you, that I personally will carry this campaign into every one of the 50 States of this Nation between now and November 8. And in this campaign I make a prediction—I say that just as in 1952 and 1956 millions of Democrats will join us, not because they are deserting their party, but because their party deserted them at Los Angeles 2 weeks ago.

Now, I have suggested to you what our friends of the opposition offered to the American people. What do we offer? First, we are proud to offer the best 8-year record of any administration in the history of this country. But, my fellow Americans, that isn't all and that isn't enough, because we

happen to believe that a record is not something to stand on, but something to build on; and in building on the record of this administration we shall build a better America, we shall build an America in which we shall see the realization of the dreams of millions of people not only in America but throughout the world for a fuller, freer, richer life than men have ever known in the history of mankind.

Let me tell you something of the goals of this better America toward which we will strive. In this America, our older citizens shall not only have adequate protection against the hazards of ill health, but a greater opportunity to lead a useful and productive life by participating to the extent they are able in the Nation's exciting work rather than sitting on the sidelines. And in the better America, young Americans shall not only have the best basic education in America, but every boy and girl of ability, regardless of his financial circumstances, shall have the opportunity to develop his intellectual capabilities to the full. Our wage earners shall enjoy increasingly higher wages in honest dollars, with better protection against the hazards of unemployment and old age. And, for those millions of Americans who are still denied equality of rights and opportunity, I say there shall be the greatest progress in human rights since the days of Lincoln 100 years ago.

WILL HELP FARMERS

And America's farmers, to whose hard work and almost incredible efficiency we owe the fact that we are the best fed, best clothed people in the world, I say America's farmers must and will receive what they do not have today, and what they deserve—a fair share of America's ever-increasing prosperity. To accomplish these things we will develop to the full the untapped natural resources, our water, our minerals, our power with which we are so fortunate to be blessed in this rich land of ours. And we shall provide for our scientists the support they need for the research that will open exciting new highways into a future in which we shall have progress which we cannot even dream of today. Above all, in this decade of decision and progress we will witness the continued revitalization of America's moral and spiritual strength, with a renewed faith in the eternal ideals of freedom and justice under God which are our priceless heritage as a people.

Now, I am sure that many of you in this hall, and many of you watching on television, might well ask, "But Mr. NIXON, don't our opponents favor just such goals as this?" And my answer is, Yes, of course. All Americans regardless of party want a better life for our people. What is the difference then? I will tell you what it is. The difference is in the way we propose to reach these goals, and the record shows that our way works and theirs doesn't and we are going to prove it in this campaign.

We produce on the promises that they make. We succeed where they fail.

Do you know why? Because, as Governor Rockefeller said in his remarks, we put our primary reliance not upon government but upon people for progress in America. That is why we will succeed.

We must never forget that the strength of America is not in its Government, but in its people. And we say tonight there is no limit to the goals America can reach, provided we stay true to the great American traditions.

GOVERNMENT HAS ROLE

A government has a role, and a very important one, but the role of government is not to take responsibility from people, but to put responsibility on them. It is not to dictate to people, but to encourage and stimulate the creative productivity of 180 million free Americans. That is the way to progress in America.

In other words, we have faith in the people, and because our programs for progress are based on that faith, we shall succeed where our opponents will fail, in building the better America that I have described.

But if these goals are to be reached, the next President of the United States must have the wisdom to choose between the things government should and should not do. He must have the courage to stand against the pressures of the few for the good of the many. And he must have the vision to press forward on all fronts for the better life our people want.

Now, I have spoken to you of the responsibilities of our next President at home. Those which he will face abroad will be infinitely greater. But before I look to the future, let me say a word about the past.

At Los Angeles 2 weeks ago, we heard the United States, our Government, blamed for Mr. Khrushchev's sabotage of the Paris Conference. We heard the United States blamed for the actions of Communist-led mobs in Caracas and Tokyo. We heard that American education and American scientists are inferior. We heard that America militarily and economically is a second-rate country We heard that American prestige is at an alltime low.

This is my answer: I say that at a time the Communists are running us down abroad, it is time to speak up for America at home.

CRITICISM ESSENTIAL

And my friends, let us recognize that America has its weaknesses, and constructive criticism of those weaknesses is essential—essential so that we can correct our weaknesses in the best traditions of our democratic process.

But let us also recognize this: While it is dangerous to see nothing wrong in America, it is just as wrong to refuse to recognize what is right about America.

And tonight I say to you no criticism should be allowed to obscure the truth either at home or abroad that today America is the strongest nation militarily, economically, ideologically in the world; and we have the will and the stamina and the resources to maintain that strength in the years ahead.

Now, turning to the future. We must recognize that the foreign policy problems of the 1960's will be different and they will be vastly more difficult than those of the 1950's through which we have just passed.

We are in a race tonight, my fellow Americans, a race for survival in which our lives, our fortunes, our liberties are at stake. We are ahead now, but the only way to stay ahead in a race is to move ahead; and the next President will make decisions which will determine whether we win or whether we lose this race.

What must he do? These things I believe: he must resolve first and above all that the United States must never settle for second best in anything.

Let us look at the specifics. Militarily, the security of the United States must be put before all other considerations. Why? Not only because this is necessary to deter aggression, but because we must make sure that we are never in a position at the conference table where Mr. Khrushchev or his successor is able to coerce an American President because of his strength and our weakness.

MUST BE FIRM

Diplomatically, let us look at what the problem is. Diplomatically, our next President must be firm—firm on principles; but he must never be belligerent, he must never engage in a war of words which might heat up the international climate to the igniting point of nuclear catastrophe.

But while he must never answer insults in kind, he must leave no doubt at any time that in Berlin or in Cuba or anywhere else in the world, America will not tolerate being pushed around by anybody, because we have already paid a terrible price in lives and resources to learn that appeasement leads not to peace but to war. It will indeed take great leadership to steer us through these years, avoiding the extremes of belligerency on the one hand, and appeasement on the other.

Now, Mr. KENNEDY has suggested that what the world needs is young leadership; and, understandably this has great appeal, because it is true that youth does bring boldness and imagination and drive to leadership, and we need all those things. But I think most people will agree with me tonight when I say that President De Gaulle, Prime Minister Macmillan, and Chancellor Adenauer may not be young men—but we are indeed fortunate in that we have their wisdom and their experience and their courage on our side in the struggle for freedom today in the world.

And I might suggest that as we consider the relative merits of youth and age it is only fair to point out that it was not Mr. De Gaulle or Mr. Macmillan, Mr. Adenauer, but Mr. KENNEDY who made the rash and impulsive suggestion that President Eisenhower could have apologized or sent regrets to Mr. Khrushchev for the U–2 flights which the President had ordered to save our country from surprise attack.

But formidable as will be the diplomatic and military problems confronting the next President, far more difficult and critical will be the decisions he must make to meet and defeat the enemies of freedom in an entirely different kind of struggle. And here I want to speak to you of another kind of aggression, aggression without war, where the aggressor comes not as a conqueror, but as a champion of peace, of freedom, offering progress and plenty and hope to the unfortunates of the earth.

A DIFFICULT ASSIGNMENT

I say tonight that the major problem confronting the next President of the United States will be to inform the people of the character of this kind of aggression, to arouse the people to the mortal danger it presents, and to inspire the people to meet that danger. And he must develop a brand-new strategy which will win the battle for freedom for all men and win it without a war. That is the great task of the next President of the United States. And this will be a difficult task, difficult because at times our next President must tell the people, not what they want to hear, but what they need to hear. Why, for example, it may be just as essential to the national interest to build a dam in India as in California.

It will be difficult, too, because, you know, we Americans have always been able to see and understand the danger presented by missiles and airplanes and bombs; but we have found it hard to recognize the even more deadly danger of the propaganda that warps the mind, the economic offensive that softens a nation, the subversion that destroys the will of a people to resist tyranny.

And yet, I say tonight that while this threat is, as I believe it to be, the greatest danger we have ever confronted, this is no reason for lack of confidence in the outcome.

Do you know why? Because there is one great theme that runs through our history as a Nation: "Americans are always at their best when the challenge is greatest."

And I say tonight that we Americans shall rise to our greatest heights in this decade of the sixties as we mount the offensive to meet those forces which threaten the peace and the rights of free men everywhere.

But there are some things we can do and some things we must do, and I would like to list them for you tonight:

First, we must take the necessary steps which will assure that the American economy grows at a maximum rate so that we can maintain our present massive lead over the Communist bloc. How do we do this? There isn't any magic formula by which government in a free nation can bring this about. The way to assure maximum growth in America is not by expanding the functions of government, but by increasing the opportunities for investment and creative enterprise for millions of individual Americans.

WON'T TURN TOWARD REDS

And at a time when the Communists have found it necessary to turn to decentralization of their economy and to turn to the use of individual incentives to increase productivity—at a time, in other words, when they are turning our way—I say we must and we will not make the mistake of turning their way.

There is another step that we must take: our Government activities must be reorganized, reorganized to take the initiative from the Communists and to develop and carry out a worldwide strategy and offensive for peace and freedom.

The complex of agencies which have grown up through the years for exchange of persons, for technical assistance, for information, for loans and grants—all these must be welded together into one powerful economic and ideological striking force under the direct supervision and leadership of the United States.

Because what we must do, you see, is to wage the battles for peace and freedom with the same unified direction and dedication with which we wage battles in war. And if these activities are to succeed, we must develop a better training program for the men and women who will represent our country at home and abroad. What we need are men with a broad knowledge of the intricacies and techniques of the strategies of the Communists, with the keen knowledge of the great principles for which free people stand, and, above all, men who with a zeal and dedication which the Communists cannot match will outthink, outwork and outlast the enemies of freedom wherever they meet them anywhere in the world. This is the kind of men we must train.

NEED ALL FREE PEOPLE

And we must recognize that government cannot do this job alone. The most effective proponents of freedom are not governments, but free people; and this means that every American—every one of you listening tonight—who works or travels abroad, must represent his country at its best in everything that he does.

The United States, big as it is, strong as it is, cannot do this job alone. The best brains, the fullest resources of free nations, which have as great a stake in freedom as we have, must be mobilized to participate with us in this task to the extent they are able.

But do you know what is most important of all? Above all, we must recognize that the greatest economic strength that we can imagine, and the finest government organization—all this will fail if we are not united and inspired by a great idea, an idea which will be a battle cry for a grand offensive to win the minds and the hearts and the souls of men. Do we have such an idea?

The Communists proclaim over and over again that their aim is the victory of communism throughout the world. It is not enough for us to reply that our aim is to contain communism, to defend the free world against communism, to hold the line against communism; the only answer to a strategy of victory for the Communist world is a strategy of victory for the free world.

But let the victory we seek be not victory over any other nation or any other people. Let it be the victory of freedom over tyranny, of plenty over hunger, of health over disease, in every country of the world.

When Mr. Khrushchev says our grandchildren will live under communism, let us say his grandchildren will live in freedom. When Mr. Khrushchev says the Monroe Doctrine is dead in the Americas, we say the doctrine of freedom applies everywhere in the world.

WELCOME CHALLENGE

And I say tonight let us welcome Mr. Khrushchev's challenge to peaceful competition of our systems; but let us reply, "Let us compete in the Communist world as well as in the free world," because Communist dictators must not be allowed the privileged sanctuary from which to launch their guerrilla attacks on the citadels of freedom.

And, we say further, extend this competition, extend it to include not only food and factories as he has suggested but extend it to include the great spiritual and moral values which characterize our civilization.

Also, my friends, let us welcome the challenge, not be disconcerted by it nor fail to meet it, but welcome the challenge presented by the revolution of peaceful peoples' aspirations in South America, in Africa.

We cannot fail in this mission. We cannot fail to assist them in finding a way to progress with freedom so that they will be faced with the terrible alternative of turning to communism with its promise of progress at the cost of freedom.

Let us make it clear to them that our aim in helping them is not merely to stop communism, but that in the great American tradition of concern for those less fortunate than we are that we welcome the opportunity to work with people everywhere in helping them to achieve their aspirations for a life of human dignity. And this means that our primary aim must be not to help governments but to help people, to help people attain the life they deserve.

In essence, what I am saying tonight is that our answer to the threat of the Communist revolution is renewed devotion to the great ideals of the American Revolution, ideals that caught the imagination of the world 180 years ago and that still live in the minds and hearts of people everywhere.

I could tell you tonight that all you need to do to bring about these things that I have just described is to elect the right man as President of this country and leave these tasks to him. But, my fellow Americans, America demands more than that of me and of you.

ALL MUST WORK

When I visited the Soviet Union, in every factory there was a huge sign which read, "Work for the victory of communism," and what America needs today is not just a President, not just a few leaders, but millions of Americans working for the victory of freedom. Each American must make a personal and total commitment to the cause of freedom and all it stands for. It means wage earners and employers making an extra effort to increase the productivity of our factories. It means our students in schools striving for increasing excellence rather than adjusting to mediocrity.

It means supporting and encouraging our scientists to explore the unknown, not just for what we can get but for what we can learn, and it means each American assuming a personal responsibility to make this country which we love a proud example of freedom for all the world; each of us for example, doing our part in ending the prejudice which 100 years after Lincoln, to our shame, still embarrasses us abroad and saps our strength at home; each of us participating in this and other political campaigns not just by going to the polls and voting but working for the candidate of your choice. And, my fellow Americans, it means sacrifice—not the grim sacrifice of desperation but the rewarding sacrifice of choice which lifts us out of the humdrum life in which we live and gives us the supreme satisfaction which comes from working together in a cause greater than ourselves, greater than our Nation, as great as the whole world itself.

What I propose tonight is not new, it is as old as America, and as young as America, because America will never grow old. You will remember that Thomas Jefferson said, "We act not for ourselves alone, but for the whole human race." Lincoln said, "In giving freedom to these slaves we assure freedom to the free. We shall nobly save or meanly lose the last hope of the earth." And Teddy Roosevelt said, "Our first duty as citizens of the Nation is owed to the United States, but if we are true to our principles we must also think of serving the interests of mankind at large." And Woodrow Wilson said, "A patriotic American is never so proud of the flag under which he lives as when it comes to mean to others, as well as himself, a symbol of hope and liberty."

We say today that a young America shall fulfill her destiny by helping to build a new world in which men can live together in peace and justice and freedom with each other. But there is a difference today, an exciting difference, and the difference is because of the dramatic breakthrough in science for the first time in human history. We have the resources, the resources to wage a winning war against poverty, misery and disease wherever it exists in the world.

BELIEVES IN AMERICA

And upon the next President of the United States will rest the responsibility to inspire and to lead the forces of freedom toward this goal.

I am sure now that you understand why I said at the beginning that it would be difficult for any man to say that he was qualified to provide this kind of leadership. I can only say to you tonight that I believe in the American dream because I have seen it come true in my own life. I know something of the threat which confronts us and I know something of the effort which will be needed to meet it. I have seen hate for America, not only in the Kremlin, but in the eyes of Communists in our own country, and on the ugly face of a mob in Caracas.

I have heard doubts about America expressed, not just by Communists, but by sincere students and labor leaders in other countries searching for the way to a better life and wondering if we had lost the way. And I have also seen love for America in countries throughout the world, in a crowd in Chicago, in Bogota, in the heart of Siberia, and in Warsaw—250,000 people on the streets on a Sunday afternoon singing, crying with tears running down their cheeks and shouting "Niech Zyje America"—Long live the United States.

And my fellow Americans, I know that we must resist the hate, we must remove the doubts, but above all we must be worthy of the love and the trust of millions on this earth for whom America is the hope of the world.

A hundred years ago, Abraham Lincoln was asked during the dark days of the tragic War Between the States whether he thought God was on his side. His answer was, "My concern is not whether God is on our side, but whether we are on God's side." My fellow Americans, may that ever be our prayer for our country. And in that spirit, with faith in America, with faith in her ideals and in her people, I accept your nomination for President of the United States.

SENATE

TUESDAY, AUGUST 23, 1960

(Legislative day of Monday, August 22, 1960)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou guide of our pilgrim way, new mercies each returning day hover around us while we pray. We come confessing that we live too much in the shallowness and shabbiness about us and that in the rush and clash of busy hours too often we forget the heavenly vision that lifts our eyes to far horizons.

Whatever the new day may hold for us as it commandeers our strength of mind and body and heart, may its appeals lay hold of our wider sympathies and our ability to respond to the needs of Thy children, our brethren.

May the calls of duty and destiny assert their imperative claims upon the highest it is within us to do and to be. We are grateful that in hours of doubt and frustration which pounce upon us all, faith still stabs our hearts.

Put upon the lips of those who here speak for a free people the promise of a brightening future. Send us forth girded with Thy might, until by patience, persistence, and enduring courage we become sufficient for the tasks that in Thy name, and in Thy strength, we must accomplish for the world's redemption. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, August 22, 1960, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT OF HOUSING AND HOME FINANCE AGENCY — MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Banking and Currency:

To the Congress of the United States:

Pursuant to the provisions of Section 802(a) of the Housing Act of 1954, I transmit herewith for the information of the Congress the 13th Annual Report of the Housing and Home Finance Agency covering housing activities for the calendar year 1959.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 23, 1960.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 2575. An act to provide a health benefits program for certain retired employees of the Government; and

S. 2633. An act to amend the Foreign Service Act of 1946, as amended, and for other purposes.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 5383. An act to amend section 216 of the Merchant Marine Act, 1936, as amended, to clarify the status of the faculty and administrative staff at the U.S. Merchant Marine Academy, to establish suitable personnel policies for such personnel, and for other purposes;

H.R. 12341. An act to amend section 8e of the Agricultural Adjustment Act of 1933, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to provide for the extension of the restrictions on imported commodities imposed by such section to imported shelled walnuts, dates with pits, dates with pits removed, and products made principally of dates;

H.R. 12753. An act to amend the Subversive Activities Control Act of 1950 so as to require the registration of certain additional persons disseminating political propaganda within the United States as agents of a foreign principal, and for other purposes; and

H.J. Res. 784. Joint resolution amending the act of July 14, 1960, to extend the time within which the U.S. Constitution 175th Anniversary Commission shall report to Congress.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred, as indicated:

H.R. 5383. An act to amend section 216 of the Merchant Marine Act, 1936, as amended, to clarify the status of the faculty and administrative staff at the U.S. Merchant Marine Academy, to establish suitable personnel policies for such personnel, and for other purposes; to the Committee on Interstate and Foreign Commerce;

H.R. 12341. An act to amend section 8e of the Agricultural Adjustment Act of 1933, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to provide for the extension of the restrictions on imported commodities imposed by such section to imported shelled walnuts, dates with pits, dates with pits removed, and products made principally of dates; to the Committee on Agriculture and Forestry;

H.R. 12753. An act to amend the Subversive Activities Control Act of 1950 so as to require the registration of certain additional persons disseminating political propaganda within the United States as agents of a foreign principal, and for other purposes; and

H.J. Res. 784. Joint resolution amending the act of July 14, 1960, to extend the time within which the U.S. Constitution 175th Anniversary Commission shall report to Congress; to the Committee on the Judiciary.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on Interior and Insular Affairs and the Committee on Agriculture and Forestry were authorized to meet during the session of the Senate today.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there be the usual morning hour, and that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DIRKSEN, from the Committee on the Judiciary, without amendment:

H.J. Res. 658. Joint resolution to authorize and request the President to issue a proclamation in connection with the centennial of the birth of Jane Addams, founder and leader of Chicago's Hull House (Rept. No. 1899).

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, with an amendment:

S. 3339. A bill to provide that the Secretary of the Army shall establish a national cemetery in Fort Reno, Okla., on certain lands presently under the jurisdiction of the Secretary of Agriculture (Rept. No. 1902); and

H.R. 12759. An act to amend title V of the Agricultural Act of 1949, as amended, and for other purposes (Rept. No. 1901).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 3844. A bill for the relief of Woody W. Hackney of Fort Worth, Tex. (Rept. No. 1904).

By Mr. GRUENING, from the Committee on Interior and Insular Affairs, with amendments:

S. 1670. A bill to provide for the granting of mineral rights in certain homestead lands in the State of Alaska (Rept. No. 1905).

By Mr. HART, from the Committee on the Judiciary, without amendment:

H.J. Res. 402. Joint resolution granting the consent and approval of Congress for the States of Virginia and Maryland and the District of Columbia to enter into a compact related to the regulation of mass transit in the Washington, D.C., metropolitan area, and for other purposes (Rept. No. 1906).

By Mr. CHURCH, from the Committee on Interior and Insular Affairs, with an amendment:

H.R. 11813. An act to amend the Menominee Termination Act (Rept. No. 1907).

REPORT ENTITLED "REPORT ON PROCUREMENT" (S. REPT. NO. 1900)

Mr. THURMOND. Mr. President, from the Committee on Armed Services,

pursuant to section 4(a) of Public Law 86–89, I submit a report entitled "Report on Procurement," which I ask may be printed.

The PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from South Carolina.

Mr. THURMOND subsequently said: Mr. President, I ask unanimous consent that the Senator from Massachusetts [Mr. SALTONSTALL] may be authorized to file additional views in the report on procurement of the Committee on Armed Services, made pursuant to Public Law 86–89.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REPORT ENTITLED "WASHINGTON METROPOLITAN PROBLEMS: PROGRESS AND PROSPECTS" (S. REPT. NO. 1903)

Mr. BIBLE. Mr. President, I submit the concluding report of the Joint Committee on Washington Metropolitan Problems, adopted by the committee at its final meeting on August 23. This brings to a close the work of the committee, established by House Concurrent Resolution 172, as amended.

I take great satisfaction, on behalf of my colleagues on the committee, in noting the enactment by this Congress of three important pieces of legislation affecting the development of the Washington metropolitan area. In addition to this substantial accomplishment, the committee has published 28 reports and documents, the findings and recommendations of which point to further action. These committee publications, together with extensive pubic hearings on metropolitan problems, have generated a substantial activity by local governments in the Washington area, including important steps by the District of Columbia Commissioners, and thus set in motion efforts to deal with local matters at the appropriate level. The recommendations of the committee, therefore, concentrate upon the interest and responsibilities of the Federal Government for working to insure the orderly development of the metropolitan area.

The committee's work has obliged it to consider many emerging problems of Federal interest that are arising from the vast growth of urban and metropolitan areas. I believe its work will be found of value by other committees of the Congress that are now considering these problems.

Mr. President, I ask that the report be printed.

The PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from Nevada.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Administrator of General Services that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. ELLENDER, from the Committee on Agriculture and Forestry:

Carl J. Stephens, of Iowa, to be a member of the Board of Directors of the Commodity Credit Corporation.

By Mr. CARROLL, from the Committee on the Judiciary:

Harold R. Tyler, Jr., of New York, to be Assistant Attorney General.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE:

S. 3876. A bill for the relief of Chieh-Hsia Mao and his wife, Rose Tung-Pei Mao; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 3877. A bill to amend title 23 of the United States Code in order to provide more effective coordination between highway planning and other types of community and land-use planning; to the Committee on Public Works.

By Mr. ALLOTT:

S. 3878. A bill for the relief of Margaret Jean Dauel; to the Committee on the Judiciary.

By Mrs. SMITH:

S. 3879. A bill for the relief of Marie McPherson Eighmey; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota (for himself and Mr. JACKSON):

S.J. Res. 220. Joint resolution establishing a George Washington Carver Centennial Commission; to the Committee on the Judiciary.

SOCIAL SECURITY AMENDMENTS OF 1960—AMENDMENT

Mr. HUMPHREY submitted an amendment, intended to be proposed by him to the bill (H.R. 12580) to extend and improve coverage under the Federal old-age, survivors, and disability insurance system and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such system; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; and for other purposes, which was ordered to lie on the table and to be printed.

NOTICE OF RESCHEDULING OF HEARING ON NOMINATION OF ARTHUR S. LANE TO BE U.S. DISTRICT JUDGE, DISTRICT OF NEW JERSEY

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to announce that the public hearing originally scheduled on the nomination of Arthur S. Lane, of New Jersey, to be U.S. district judge, district of New Jersey, vice Phillip Forman, elevated, for 10:30 a.m., Friday, August 26, 1960, has been rescheduled for 10:30 a.m., Wednesday, August 24, 1960, in room 2228, New Senate Office Building.

At the indicated time and place all persons interested in the nomination may make such representations as are pertinent. The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. WILEY:

Excerpts from address delivered by him over Radio Liberty.

By Mr. CAPEHART:

Article entitled "A Senator Says—'Let's Abolish Our $1,000-a-Minute Farm Surplus,'" written by Senator MUNDT and published in Mechanix magazine for September 1960.

By Mr. BYRD of West Virginia:

Statement by him on the Social Security Amendments of 1960.

THE ANDERSON-KENNEDY AMENDMENT TO PROVIDE MEDICAL INSURANCE FOR THE AGED

Mr. DODD. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Connecticut may proceed for an additional 3 minutes, in connection with the subject he wishes to discuss.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DODD. I thank the majority leader.

Mr. President, on June 30, 1960, I spoke on the floor of the Senate in support of the McNamara bill which provided a program of medical care for the aged under the social security system, along the lines popularized by Representative AIME FORAND, of Rhode Island. Since that time those who favor the social security approach have united in support of the Anderson-Kennedy amendment to the social security bill adopted by the Finance Committee.

Senator KENNEDY, Senator MCNAMARA, and Senator HUMPHREY, each of whom had introduced medical bills, have joined as cosponsors of the Anderson proposal.

I speak today in support of that amendment, not only because it is essential that all advocates of an adequate Government medical program for the aged join forces in support of one measure, but also because the Anderson-Kennedy amendment is an excellent measure which would provide comprehensive medical care for our aged and would establish for all time the principle that medical insurance should be an integral part of our social security system.

My support of the Anderson-Kennedy amendment is based upon four premises:

First, 8 out of 10 of our aged are the victims of chronic illnesses of one type or another, illnesses which require longer periods of hospitalization and care than those of younger people;

Second. The average aged person must meet these heavy medical costs on an income that is a bare subsistence level.

Third. It is impossible for the average aged person to purchase adequate medical insurance from private sources, because the cost of comprehensive private insurance is almost as prohibitive as the cost of medical care itself;

Fourth. The only agency with the capacity to properly deal with this huge problem is the U.S. Government, and the most effective and fiscally sound Government approach is the adding of medical insurance for the aged to the present social security system.

The Anderson-Kennedy amendment would provide excellent medical coverage for 9 million people aged 68 and over, and all those who will come after them. While I regret that this bill does not cover persons between the ages of 65 and 68, and that it requires the person covered to pay the first $75 of hospital expenses, I am very much satisfied that in other respects it provides superior coverage to the other major bills that previously have been introduced.

The Anderson-Kennedy amendment provides for 120 days of hospitalization, 240 days of nursing home care, or 365 days of home health services. It also provides for such diagnostic services as X-rays and laboratory tests. It should be remembered also that the committee bill itself has provision, which will not be changed by the Anderson-Kennedy amendment, for medical assistance, in cooperation with the States, for 3.5 million people who are on public assistance or who are medically indigent.

Therefore, this is not a half measure or a mere foot-in-the-door. It is a great landmark in progressive legislation; and if it can be passed, it will be the most memorable achievement of this Congress.

When Representative FORAND first began making the fight for hospitalization benefits as a part of social security, the principal alternative to his proposal was that of doing nothing; and that choice prevailed for a number of years. It is a measure of the success of the Forand proposal that each of the three alternatives now before us involves a rival program of Government action.

It is no longer maintained by the President, or by either party, or by any committee of Congress that the problem of medical care for our aged can be met without a Government program of some kind. So the issue is not now between a Government solution or no solution at all. It is not between a Government solution and a private solution. The issue before us is which of three competing proposals of Government action we shall adopt.

The first is the Anderson-Kennedy amendment, which I support and which I have described.

The second is the committee bill, which was adopted under the leadership of our distinguished and able colleague from Oklahoma [Mr. KERR].

The third is the proposal of the able and respected Senator from New York [Mr. JAVITS].

I believe that the committee bill is a progressive step forward, as far as it goes; but I cannot accept it as the entire answer. To do so would be to ignore the medical needs of three-fourths of our aged people who are not covered, most of whom cannot meet the costs of major illness.

And while I welcome the improved benefits which the Kerr proposal represents, I do not regard this form of assistance as a satisfactory answer even for the minority of aged covered by it. Its beneficiaries must be paupers who submit to a pauper's oath. The kind and amount of aid they will receive, if any, is to be determined by individual States, only 16 of which presently have public assistance programs that provide direct payments for all basic elements of medical care. So I regard the committee proposal as only a partial solution to the problems of the indigent, and no solution at all to the medical problem of the average aged person in this country.

The third alternative is the Javits amendment, which has the approval of Vice President NIXON. The Javits amendment would offer aged people three options: coverage for short-term illness, coverage for long-term illness, or partial assistance in purchasing private insurance.

I will oppose the Javits amendment for the following reasons:

It excludes aged persons whose income is above certain modest levels, thus preventing the achievement of a universal program which treats all Americans uniformly;

It would be dependent for success or failure upon the action or inaction of 50 States;

It would place upon the States a large financial burden, which would in time amount to billions of dollars annually, a burden which they are unwilling and, in many cases, unable to assume;

It is at bottom a continuation of the "dole" or "handout" philosophy financed basically through general taxation by National and State Governments, rather than an insurance system, as proposed by Senator ANDERSON, which allows the individual to contribute for a lifetime for benefits to which he would be fully entitled in his years of retirement;

It provides for a deductible payment by the aged person of $250 each year, plus 20 percent of all his hospital expenses under the long-term illness option, in addition to the annual payment of an enrollment fee, thus providing inadequate protection for people living on subsistence incomes, and endangering public confidence in the program.

I suggest that a bill which has so many options, which is subject to the approval or nonapproval of each of the 50 States, which will have 50 different systems of administration, which requires enrollment fees and has large deductible features, which excludes millions of our aged from its coverage, which is financed according to a variety of formulas, depending upon the income of the State involved, and which imposes a burden, that would soon grow to several billion dollars annually, upon the general revenues of our National and State Governments, is too complicated, too contradictory, too vague, too chaotic, too inadequate to achieve or to retain the degree of public confidence which any program of this kind must enjoy if it is to succeed.

The Anderson-Kennedy amendment is superior to the alternative proposals. It provides more benefits for more people. It provides a fiscally sound method of paying for these benefits. It will in time remove the "dole" element, which today is the outstanding feature of private and public medical aid to the aged, a feature which will be frozen in permanently either by the committee bill or by the Javits proposal.

The Anderson-Kennedy amendment provides the most workable, efficient, and uniform system of administration at the least cost per medical dollar. It envisages no strain on National or State budgets. It does not divide the American people into groups according to their income, and it does not require means tests, financial investigations, or other humiliations. And it recognizes medical insurance as an essential and logical part of any system of social security.

At one stroke, through the passage of the Anderson-Kennedy amendment, we can enable the American people to provide for themselves a full measure of security in their old age. We can remove from the old the burden of medical expense or the tragedy of going without adequate medical care. We can remove from the young the future prospect of becoming a burden upon their relatives and their communities when they are aged and helpless. We can lift from the backs of our communities, our hospitals, and our private welfare agencies the crushing expense of charity medical treatment.

I am convinced that the majority of the American people want us to take this great step forward. It is my earnest hope that the Senate will adopt the Anderson-Kennedy amendment.

ELDERLY COUPLE IN ILL HEALTH URGENTLY NEED MEDICAL ASSISTANCE

Mr. PROXMIRE. Mr. President, recently an elderly couple in ill health and with a modest income wrote to me and told me of their plight, and pleaded for the assistance of those of us whose duty it is to make laws to help them. Their words speak for themselves, Mr. President; and I ask unanimous consent that their letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD as follows:

DEAR FRIEND: Ever since my husband retired in 1955, it has been very hard to get along on $157.50 per month, figuring gas, lights, fuel, water, and, of course, food. This leaves nothing for clothes or medical care.

My husband has hardening of the arteries and I have high blood pressure. Otherwise, we look good, people tell us, considering we

are both 70 years old. But we would be much better if we didn't have to worry all the time like so many thousands of others do who are in the same boat.

Don't you feel, Mr. P., that the majority of older folks are entitled to a break? Which side, if any, is going to help the older people? Please won't all you men in Congress do your best for us all? God knows we all need help. It would be greatly appreciated and a real Godsend. Please do what you can before it is too late for us all.

Mr. PROXMIRE. Mr. President, as their letter states, the income of this couple is $157.50 a month, and in their letter they show how very difficult it is for them to get along on that budget and to provide for the serious health problems each of them has. The husband has hardening of the arteries, and the wife has high blood pressure, and they have the expenses and problems which go with illness.

Mr. President, ever since the middle of May, I have been placing into the RECORD such letters, which tell of the personal, human problems to which the Senate is finally addressing itself today. Today the Senate will make its decision in regard to how it will provide for our elderly people.

Mr. President, if there has been one consistent note running through these letters, it has been a steady plea for the dignity of enjoying medical assistance as a matter of right, not as a matter of a handout or as a matter of charity from a providential Federal Government or a providential State. Our people want benefits which they have earned by their own contributions made over a lifetime out of their own wages and salaries, and coming to them as a matter of right, a right they had earned.

As the Senator from Connecticut [Mr. DODD] said so eloquently in the remarks he concluded a moment ago, the Anderson-Kennedy amendment provides for exactly the opportunity to receive such assistance as a matter of right. Other proposals before the Senate have their merits, and would do part of the job. But, Mr. President, the most efficient and the most responsible way to handle this very serious and difficult problem which confronts our elderly people is through the social security system.

It is also the way that will unquestionably permit us to achieve a comprehensive system of medical assistance more rapidly than in any other manner.

Last Saturday I engaged in a colloquy with the distinguished Senator from New Mexico [Mr. ANDERSON], author of the amendment, and in the course of the colloquy we discussed the manner in which the social security system had developed. I asked him at that time how long it would have taken the Congress to develop a system of comprehensive pensions for elderly people if we had not relied on social security, social insurance, the payroll tax system; and the Senator from New Mexico answered—and it seems to me his answer is completely irrefutable—that it would have taken a long time, and perhaps it would never have occurred. We would not have been able to solve this problem as comprehensively as we have for those who receive social security if we had had to rely upon general appropriations and general taxation to achieve it.

Mr. President, I earnestly hope the efforts I have been making since the middle of May to call the attention of our colleagues to the plight of elderly citizens in Wisconsin who are suffering from ill health and who need assistance will bear fruition. I hope the issue will be determined about 6 o'clock tonight, when we vote on the Anderson-Kennedy amendment. I fervently hope it will be adopted.

OSCAR HAMMERSTEIN II

Mr. JAVITS. Mr. President, it is with a sense of personal loss and personal grief that I bring to the Senate the news of the passing of Oscar Hammerstein II, one of the great musical figures of our times, one of the most beloved citizens of my home city of New York, a man who graced the American theater and American composition as lyricist in an unparalleled way.

It is probably not as well known as it should be that Oscar Hammerstein worked not only with Dick Rodgers in the famous Rodgers-Hammerstein partnership, a partnership as famous and as productive in terms of music in our country as the famous partnership of Gilbert and Sullivan, but he also worked with Rudolph Friml, Sigmund Romberg, Jerome Kern, Vincent Youmans, and George Gershwin—certainly among the greatest names in our folk theater.

The first time Oscar Hammerstein teamed up with Richard Rodgers was in 1943, and in their first effort together they were responsible for the American historical hit "Oklahoma." They had worked together in the last 18 years. Mr. Hammerstein died at 65; and, as is always true when a great artist makes a public appearance, he plays excerpts from the songs that he wrote. Perhaps today, Mr. President, the Members of the Senate might, in their own minds, run over the tunes and the words as I repeat these titles of great songs, a description which is true of them, so well known and so inherent in American life have they become.

Mr. President, he wrote the lyrics for "Ol' Man River"; "The Last Time I Saw Paris"; "When I Grow Too Old To Dream"; "Only Make Believe."

With Dick Rodgers he wrote the lyrics for, "Oh, What A Beautiful Morning"; "People Will Say We're In Love"; "Some Enchanted Evening"; "Younger Than Springtime."

Mr. President, few of our composers have been responsible for the richness and the beauty which Oscar Hammerstein helped to bring, not only to Broadway, but to the country and the world, for I think we all know that these compositions are deathless in terms not only of our own country, but to people throughout the world.

Let us remember, too, that as recently as 1960 Rodgers and Hammerstein put on "The Sound of Music." Few will forget the poster advertising the play, with Mary Martin, Dick Rodgers, and Oscar Hammerstein arm in arm, looking like the most lighthearted trio that mankind ever knew.

It is said of Oscar Hammerstein that Cole Porter, himself a great composer, was once asked to interpret the most profound change in the musical theater in recent years. He replied, "Rodgers and Hammerstein."

Mr. President, this is a great loss to the artistic, theatrical, and musical life of our country. As is so true of men who have a tremendously creative quality, Oscar Hammerstein was also interested in a better organization of the world. Whatever might be one's views as to the particular ideas he espoused, he was sincerely devoted to some effort to develop international government in the world, and gave it an enormous amount of his time and talent. Indeed, some of his friends thought he gave altogether more effort than he had a right to give, considering the output which he gave of himself in terms of the creativity of his work.

Mr. President, I speak all these things with great feeling because he was a man I knew personally and intimately and well. He visited at my home, and my wife and I visited at his home. He will leave a memory which will live with me always of the gracious, the beautiful, the creative.

Mr. President, as our hearts go out today to Mrs. Hammerstein and the Hammerstein family upon this loss, not only to them, but to the whole world, our hearts must also go out to Dick Rodgers, his constant friend, companion, and partner in work, and also his friend in real life, as the saying goes, to whom this will be a very great blow.

We cannot hope that words will assuage the pain in the heart of so great an artist as Dick Rodgers. We can only hope that the knowledge that he is so beloved and so admired and respected by so many millions will comfort him in this very trying hour.

So, Mr. President, we close a magnificent chapter in the life of our theater and in the life of American musical production with the passing of Oscar Hammerstein II. That rich and wonderful heritage will go down through the ages in the work which he has given us, some of which I have described, and will be a constant inspiration and example to all artists who can truly follow in his great footsteps.

Mr. KEATING. Mr. President, I wish to join my distinguished colleague from New York in paying tribute to Mr. Hammerstein. He has put the matter so ably that there is very little I can add.

Oscar Hammerstein is a man who has brought pleasure and delight to millions of people. His entire life was devoted to improving the lot of others. Almost no one who has visited the great city of New York has failed to come away in a better frame of mind, singing to himself one of Mr. Hammerstein's rich lyrical offerings. It is a rare event when any one person can make such a significant contribution to the life of his times. Mr. Hammerstein's gifts will be sadly missed not only by his family and close friends but also by lovers of song the world over.

To all of his family we of New York offer our deepest sympathy. To those others who have enjoyed his ever bright, ever gay lyrics, one lasting consolation will survive in the immortal life of Mr. Hammerstein's works.

Mr. President, I now desire to speak on another subject.

The PRESIDING OFFICER (Mr. BURDICK in the chair) the Senator from New York has the floor.

STUDY OF POWERS TRIAL CALLED FOR

Mr. KEATING. Mr. President, the trial of U–2 Pilot Francis Gary Powers has attracted the attention of this country and of the rest of the world. The virtually unanimous verdict of Americans is that the Soviet Union used the Powers trial for purely propaganda purposes. The final sentence of 10 years' detention for the unfortunate young flier was unquestionably foreordained by Soviet politicians.

In view of the importance of the trial and in view of the fact that every U.S. flier who goes anywhere near the borders of the Soviet Union seems to be running the risks of a similar rigged ordeal, I believe it would be a wise and constructive move on the part of the State Department to issue a verbatim text of the trial, in English, with comment and analysis. I have written Secretary of State Herter already to inquire whether such a release would be possible. The trial itself has passed into the annals of Soviet bombast, but the full meaning of it deserves careful study by experts in Soviet affairs.

By American standards, the trial was a travesty of justice. The judges—for there was no jury—met only to determine the severity of Powers' sentence. Powers' indictment was drawn up at least 6 weeks ago. The date of trial was set a month ago. But Powers was not allowed an attorney for his defense until all these arrangements had been made. Even then he could not call witnesses in his own defense.

There can be no question that the trial was, as the New York Times so aptly pointed out, a political rather than a personal show. Propaganda, not justice, was the motivation for it. In the eyes of Soviet officialdom, it was the United States, not Francis Powers, which was to be on trial.

That the Communists do not appear to have gotten as much propaganda mileage out of the flamboyantly staged affair as they had apparently hoped must be attributed to the growing sophistication and perception of the free world countries. Certainly the Russians did all they could to squeeze the last bitter drop of publicity from the affair.

In view of all that might be learned from a close study of the trial, I believe the State Department would be doing a wise thing in sharing at least part of their own experienced analysis of this important political phenomenon with interested people the world over. The publication of this material in a readily accessible form would be a very useful cold war document. It would be informative to the general public; and it would be invaluable to Soviet specialists.

The State Department should not, of course, be asked to make public any material which would in any way prejudice the best interests of this country. But surely much that is unclassified could be included in such a report to reveal the full political and judicial implications of this latest Soviet propaganda play.

Mr. President, it has long been clear that the more information we and the public at large have on the workings of Communist minds and the bases of Communist action, the better we shall be able to counteract the nefarious moves of their policy. The Vice President has already revealed the importance he attaches to a careful study of communism by the position paper he released last week on the subject.

Mr. President, we need to continue this kind of thorough research into what makes the Communists tick. A verbatim text of the trial, in English, with commentary by Soviet experts within the State Department, would be invaluable to all serious students of communism, and an interesting document for informed people in all countries. I hope the State Department will give every consideration to the possibility of making such a document available.

PROPOSED CITATION FOR CONTEMPT OF CONGRESS BY HOUSE OF REPRESENTATIVES OF OFFICIALS OF THE PORT OF NEW YORK AUTHORITY

Mr. KEATING. Mr. President, in a telegraphic message of historic significance, Governor Rockefeller and former Governors Harriman, Dewey, and Lehman, of the State of New York, yesterday appealed to all Members of the House of Representatives to reject any request for contempt citations against members of the Port of New York Authority.

This message emphasized that the proposed House citation would mark the first time in the history of the United States that the Congress ever voted to instigate criminal prosecution for contempt against State officials serving a State agency in a matter that concerns the proper exercise of their official State duties.

The message also recounts the efforts which have been made by the authorities in New York and New Jersey, including Governor Rockefeller and Governor Meyner, to resolve any jurisdictional clash between the Congress and the port authority without the necessity for contempt action.

Mr. President, while it of course would not be appropriate for a Member of the Senate to endeavor to tell Members of the coordinate branch what they ought to do under these circumstances, it seems to me it would be a matter of grave concern for any congressional committee, in the purported pursuit of its own interests, to overrun the legitimate rights of State agencies. I cannot escape the impression that with a greater degree of cooperation this very unhappy situation could have been avoided.

In any event, it should be made clear today that whatever action the other body may choose to take on this situation, it does not necessarily reflect the sentiment and the views of this body on the basic issues which have been raised. Each of the Houses of Congress is, of course, the judge of its own proceedings.

I would not want anything that I say today to be construed as an effort to influence the other body. At the same time, it should be abundantly clear that this body also enjoys its independent prerogatives, and that any citation which might be voted in the House of Representatives is a citation of that body and not of the whole Congress.

For some time I have had a bill pending (S. 1515) which would make it possible for the committees of the Senate and House to invoke the aid of the courts in determining the relevancy and privilege of testimony without the necessity of subjecting the witness or witnesses involved to any criminal contempt action. This bill would also serve to greatly expedite the procedure under which such legal questions could be determined in our judicial tribunals. In my mind it would be far more satisfactory if the energies of Congress for the brief time necessary to complete action on this measure were devoted to that objective, rather than to bringing to a head a threatened criminal prosecution of respected and dedicated State officials.

The objections which New York and New Jersey, with the support of interested agencies and newspapers throughout the country, have raised to the jurisdiction of the House committee are constitutional and legal objections of a kind that should be settled in civil proceeding and not by a grand jury indictment.

Mr. President, I ask unanimous consent that the message sent by the New York Governors be printed at this point in the RECORD.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

AUGUST 22, 1960.

We join together in our respective capacities as Governor of the State of New York and as his immediate predecessors in that great State office to express our concern over the recommendation to be made to the House of Representatives tomorrow that the House cite three respected officers of this State and the State of New Jersey for contempt of Congress. One of these officers is serving our State, on successive appointments by Governor Dewey and Governor Harriman, as the nonsalaried chairman of the Port of New York Authority.

To the best of our information and belief such precipitate and unhappy action would mark the first time in the history of the United States that the Congress ever voted to instigate criminal prosecution for contempt against State officers serving a State agency in a matter that concerns the proper exercise of their official State duties. What is more they will have been cited for carrying out the express and written instructions of the Governors of New York and New Jersey, based on the conclusion of the two Governors that "the furnishing of the internal records now requested, in the opinion of (the Governors) legal advisers, would represent a serious infringement of the rights of the States under the Constitution and

could constitute a dangerous precedent as recognition of Federal authority in an area of State responsibility."

Prior to the issuance of these instructions the three officers had made available to the Congress great volumes of materials amply sufficient to supply all the information with which the Congress could have any proper concern in the pursuance of its legislative functions.

Since last April the Governors of New York and New Jersey, as well as many former Governors, had asked to be heard in opposition to the bill introduced by Congressman EMANUEL CELLER (H.J. Res. 615), which would require that all future projects of our port agency here in New York be conditioned upon the approval of the Congress and the President of the United States, and which would provide also for a continuous right of inspection, review, and approval by the Congress of all books, records, and papers of the port authority. The hearings on this bill have been repeatedly and now indefinitely adjourned by Congressman CELLER with the result that both the two Governors and former Governors of New York and New Jersey have been denied any opportunity to be heard in opposition to this destructive legislation.

Furthermore, the appeal of Governor Rockefeller and Governor Meyner to be heard by Mr. CELLER's committee before any action was taken by his committee on the contempt citations was also rejected by Congressman CELLER.

We are therefore faced with an assertion of Federal power to control State and municipal agencies which would wrench our system of Government from its established foundations. As Governor Rockefeller and Governor Meyner put it in their joint directives of June 25, 1960, to the port authority "the subpena at issue appeared to us and our legal advisers to constitute a novel intrusion by the Federal Government into areas reserved by the Constitution to our respective States and to constitute a precedent which could subject various agencies of State government throughout the Nation to be similarly answerable to Federal authority.

There has thus been precipitated a clash between the Congress on the one hand and the constitutional rights of the people of the States to administer their own governments on the other, which can and should be avoided. We respectfully request you support our position.

NELSON A. ROCKEFELLER.
W. AVERELL HARRIMAN.
THOMAS DEWEY.
HERBERT H. LEHMAN.

THE NATION'S NEWSPAPERS CALL FOR ACTION ON NOMINATIONS OF BICKS AND KINTNER

Mr. KEATING. Mr. President, editorial indignation all across the Nation is being expressed over the Senate delay in confirming the nomination of Robert A. Bicks as head of the Justice Department's Antitrust Division and Earl W. Kintner to the Federal Trade Commission. The transparency of the obstructionism being practiced by the majority party in the Senate is underscored by the strong backing these men have received from objective observers.

It is doubtful whether two more qualified nominations for these posts have ever been submitted to the Senate. The vigor and success with which each man has carried out his duties will long serve as an inspiration and example to all who serve in these important positions. By their dedicated work in their jobs they have brought new life and importance to the work of the Antitrust Division and the Federal Trade Commission.

They have provided effective protection for those who need it most and in keeping with our traditional concepts of justice and fairplay. To delay their confirmation any longer is not in furtherance of the best interests of the American people. An article in the Wall Street Journal of August 22 points up the splendid record made by Mr. Bicks and Mr. Kintner. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Aug. 22, 1960]

THE TRUSTBUSTERS—MESSRS. BICKS AND KINTNER SET A FAST PROSECUTION PACE

(By William Beecher)

WASHINGTON.—If the Democrats take over the Government's executive branch next January, they may have a hard time matching the record of the current Republican regime at an old Democratic specialty—trustbusting.

Or if a Nixon administration comes to power instead, its antitrust police work may quite conceivably prove no more energetic than that of the dying Eisenhower regime.

For this administration is drawing to a close with the most vigorous trustbusters of recent times performing in the Government's two key antitrust enforcement posts. They are Robert A. Bicks, head of the Justice Department's Antitrust Division, and Earl W. Kintner, Chairman of the Federal Trade Commission, whose job calls for attacking monopoly and deceptive business practices.

The coming change of administrations, even if one Republican President is succeeded by another, could mean the departure from office of Mr. Bicks or Mr. Kintner or both. And because their personal influence in antitrust policy has been so great, their going could bring a slackening in trustbusting vigor.

No matter who wins the election, Mr. Bicks will turn in his resignation to the incoming President as is customary with top officials in executive agencies. Even a victory by RICHARD M. NIXON would not assure—though it would enhance—his chances of staying on. The Attorney General often is allowed to handpick his antitrust chief. Only if William P. Rogers continues in his current post, is Mr. Bicks expected to remain where he is. And Mr. Rogers' staying on is far from certain.

TERM EXPIRES SOON

Mr. Kintner's case is quite different; his term of office expires next month. The Senate has it within its power during the special session to extend the FTC boss a 7-year job contract. But a move of this sort would require unusual nonpartisanship by the Democratic-controlled upper House, since confirmation of Mr. Kintner would assure 3-to-2 Republican domination of FTC until well into 1962, regardless of who wins in November.

But even confirmation of Mr. Kintner to another hitch at FTC would not necessarily keep him in the top spot, since confirmation would merely be as a member of the Commission, not as chief. The new President would have the right of naming a chairman.

The trustbusting vigor shown under the Eisenhower regime is, of course, much more than a reflection of the personality, character, and beliefs of Messrs. Bicks and Kintner.

It was only in 1950 that Congress strengthened the antimerger provisions of the Clayton antitrust law—a change that, reinforced by later court interpretations, gave the trustbusters an important new legal weapon. All along, the Eisenhower administration has been eager to shed any appearance of favoritism to big business—acting largely on its own. But it's been prodded toward vigorous antitrust enforcement, too, by pressures from the Democratic Congress.

But the zeal of the two incumbent trustbusters has certainly produced new heights in this administration's antitrust enforcement record. While some onlookers have expressed surprise that two such hard-hitting antitrusters should rise from Republican ranks during a Republican administration, Messrs. Bicks and Kintner have a ready answer for this puzzlement. Independently, they argue there is nothing incompatible between a conservative's regard for a free enterprise system and his insistence that such freedom be protected by fair competition in the marketplace. In fact, the one cannot survive without the other, they maintain.

Both men are ambitious and aggressive, with keen analytical minds. Both have piled up impressive records during only about a year for each as head man in his respective shop. But there the parallel ends.

Mr. Bicks is the son of two New York lawyers, was educated at Yale College and Yale Law School and moved into Government service in 1953 as executive secretary of former Attorney General Herbert Brownell's national committee to study antitrust laws.

Mr. Kintner was born on a tenant farm in Indiana. His father died at an early age, leaving Earl's mother as sole support for four youngsters. During the depression of the thirties she sold patent medicines door to door at one time, and at another was a cook for a road construction crew. Mr. Kintner worked his way through DePauw University and earned his law degree at the University of Indiana. He started at FTC in 1948 as a trial attorney.

ACTIVE AGENCY

Since he was elevated by President Eisenhower in June 1959 from general counsel of FTC to Commission Chairman, Mr. Kintner has transformed the small agency into one of the most active in Government. The nomination was to an unexpired term running out September 26, 1960—giving him only 15 months at the helm. Under his hand the Trade Commission has smashed all previous enforcement records.

FTC's rising enforcement score includes plenty of actions of genuine significance. Last fiscal year the Commission challenged the merger of Union Bag & Paper Corp. and Camp Manufacturing Co., and that of Simpson Timber Co. and M. & M. Woodworking Co., as well as assorted acquisitions by Crane Co., Permanente Cement Co., and Continental Baking Co. In the new fiscal year, only about 6 weeks old, FTC has already brought out complaints against acquisitions of other companies by Hooker Chemical Corp., Minnesota Mining & Manufacturing Corp., and Kaiser Steel Corp., among others.

The Justice Department's Antitrust Division has been no less active under Bicks.

He was just crowding 32 years of age when appointed in April 1959 as acting head of the trustbusting corps. Of 95 cases filed during his stewardship, a remarkable won-lost record has been compiled: 24 wins, 9 partial victories (pleas or consent decrees entered into by fewer than all defendants), and only 1 loss. The rest are pending in various stages of litigation. During the past fiscal year, the antitrust division filed more cases—85—than in any year since Thurmond Arnold's peak activity in 1942.

Should both these men leave public service, Mr. Bicks has indicated he would like to practice law in New York, Mr. Kintner, in

Washington. Not a few Government attorneys of the next administration might well suffer nightmares over the prospect of facing either of these legal Goliaths in courtroom combat.

TRANSPORT OF 250 EAST AFRICAN SCHOLARSHIP STUDENTS

Mr. FULBRIGHT. Mr. President, it will be recalled that on last Wednesday, August 17, the junior Senator from Pennsylvania [Mr. SCOTT] made serious charges in the Senate concerning the role of the distinguished junior Senator from Massachusetts [Mr. KENNEDY] in connection with the efforts of the African-American Students Foundation to obtain approximately $100,000 to transport 250 East African scholarship students to the United States. In the discussion which followed, questions also arose concerning the role of the Department of State in this affair.

The following day, August 18, as Chairman of the Committee on Foreign Relations, I addressed a letter to the Secretary of State asking 13 specific questions and also requesting a copy of each letter, memorandum of conversation, or any other document in the possession of the Department relating to this subject. I requested a reply not later than Monday, August 22. That reply was delivered to the offices of the Foreign Relations Committee at approximately 9:20 last evening. I ask unanimous consent that my letter to the Secretary and the Department's reply, which is signed by Assistant Secretary William B. Macomber, Jr., be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

AUGUST 18, 1960.

HON. CHRISTIAN A. HERTER,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: I wish to draw your close and urgent attention to an issue discussed on the floor of the Senate last evening. It relates to the efforts of the African-American Student Foundation to obtain approximately $100,000 to transport 250 East African scholarship students to the United States—a project designated as "Airlift Africa, 1960." I believe Mr. Tom Mboya of Kenya made arrangements for these scholarships when in this country last year.

It is our understanding that, in July, Mr. Joseph Satterthwaite, Assistant Secretary for African Affairs, communicated to Mr. Montero of the African-American Foundation the Department's inability to provide the $100,000 for transportation. However, we also gather that the Department last week reversed the earlier unfavorable decision because of the intercession of a Mr. James Shepley, who apparently is on the campaign staff of a nominee for our highest office. We find this sequence of events most disturbing, and would like to obtain answers to the following questions by not later than next Monday.

1. Is it true that Mr. Satterthwaite informed Mr. Montero of the Department's denial of his request for funds?

2. When did this notification occur?

3. What were the reasons for the Department's decision not to provide help?

4. When did Mr. Shepley first approach the Department on this matter? What other, if any, individuals urged assistance on this project?

5. Did members of the Department meet or communicate or negotiate in any other way with Mr. Shepley?

6. If so, when and where and under what circumstances? Who was present?

7. When did the Department reverse its earlier decision? Who participated in the decision?

8. What were the detailed reasons for this reversal? What similar reversals have taken place this year on similar programs?

9. When and how was Mr. Shepley informed?

10. When and how was the decision communicated to the African-American Foundation?

11. Was a press release issued announcing the Department's decision? If not, why not in view of interest in this kind of activity?

12. What funds were used to make this $100,000 available? Public Law 402? Public Law 584?

13. As a matter of policy does the Department encourage or discourage private participation in exchange scholarship programs?

Because of the public attention drawn to the circumstances surrounding this issue, I would appreciate being supplied with a copy of each letter, memorandum of conversation, and any other documents in the possession of the Department relating to this subject which has been of such continuing concern to the Committee on Foreign Relations.

In view of the public interest in this subject, I expect to make copies of this letter available to the press.

Very truly yours,

J. W. FULBRIGHT,
Chairman.

DEPARTMENT OF STATE,
Washington, D.C., August 22, 1960.

The Honorable J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations,
U.S. Senate.

DEAR MR. CHAIRMAN: This will acknowledge receipt of your letter of August 18, 1960 with regard to efforts of the African-American Students Foundation, Inc., to obtain transportation for approximately 240 East African scholarship students to the United Statec for the academic year 1960–61. I hope that you will find the following responsive to your inquiry. Should you wish, the Department will be pleased to make available the documents, on which this reply is based, to you or a representative designated by you.

The sequence of events connected with these efforts insofar as the Department is concerned is as follows:

The representatives of this foundation have had several exchanges of correspondence and discussion with officers of the Department of State. Following a decision by the Department in August 1959 that it could not arrange for U.S. Air Force transportation for the approximately 80 students in this program coming to the United States for the 1959–60 academic year, Mr. William X. Scheinman, then president of the African-American Students Foundation, Inc., on November 18, 1959, wrote to Assistant Secretary Satterthwaite with regard to the 1960–61 program. In this letter Mr. Scheinman reported the foundation's plans to bring 243 students to the United States and again the question was raised of the U.S. Air Force providing the transportation for these students.

On December 10, 1959, Mr. Satterthwaite replied to Mr. Scheinman saying that the Department was keenly aware of the African interest in and need for higher education and of the Department's desire to do everything it properly could to help fill this need but that MATS transportation could not be provided for the 1960–61 program. On January 15, 1960, Mr. Scheinman acknowledged Mr. Satterthwaite's letter and stated that he fully appreciated that, in terms of the existing programs, there was no basis for any branch of the Government to bring the students to the United States in September 1960. He urged, however, that something special be done to allow for the participation of the U.S. Government in this unique and special project.

As far as I can determine, the next approach to the Department on this subject came in June 1960. On June 9, 1960, Mr. Jackie Robinson wrote to the Vice President describing the African-American Students Foundation's 1959–60 and 1960–61 programs and urging that the 1960–61 students be transported here by U.S. Air Force planes. Mr. Robinson expressed the hope, if the latter were not possible, that funds for this transportation might be made available under the President's recently announced special aid fund for Africa. On June 23, 1960, the Vice President wrote to Mr. Robinson emphasizing that he had long supported student and leader exchange programs and expressing his awareness of the excellent work Mr. Robinson had been doing in this field. He informed Mr. Robinson that he had passed on his idea to officials in the State Department and had asked that they give it serious consideration. He said that Mr. Robinson would be hearing directly from the Department and that Department officials would be happy to discuss the project with him. He pointed out that the Air Force is required to charge for all its passengers and suggested that all possibilities be explored in his meeting with State Department officials.

On July 8, Mr. Robinson wired the Department stating his desire to discuss the project with the Department, expressing his concern that he had not heard from us and noting that time was growing short. An officer in the Department's African Bureau attempted to telephone Mr. Robinson that same day but was unable to reach him.

On July 7, Assistant Secretary Satterthwaite had written to Mr. Robinson further to the Vice President's letter of June 23. Mr. Robinson had evidently not received this letter when he sent his wire on July 8. Mr. Satterthwaite explained in his letter of July 7 that the Department had given careful consideration to ways and means by which the Department might be helpful to the foundation but that unfortunately it did not appear possible to comply with either of the two proposals mentioned in Mr. Robinson's letter to the Vice President. He wrote that the question of the Air Force supplying the transportation of the students had been discussed with the Department of Defense and that the latter confirmed that this would not be feasible under current Air Force policies and regulations. With regard to the possibility of using funds from the special program for tropical Africa, Mr. Satterthwaite pointed out that these funds were designed primarily for strengthening institutions in Africa. He also noted that the House of Representatives had voted substantial reductions in this particular program. Mr. Satterthwaite assured Mr. Robinson of the Department's wish to cooperate with the foundation as fully as possible. He again indicated that officials in the Department would be available to discuss the transportation problem or any other matters of interest to the foundation.

Following this, a meeting was arranged on July 14 in the Department between Mr. Scheinman and Mr. Montero of the foundation and officers of the African and Cultural Affairs Bureaus. In addition to going over the matters discussed in Mr. Satterthwaite's letter other subjects were discussed. These included questions regarding the organization of the Department's educational exchange program, the means by which decisions were made to offer scholarships to other countries, the recent scholarship offers to Guinea and the Republic of the Congo, the

relationship of the foundation to personalities and organizations in Africa, arrangements which had been worked out to improve the caliber of students selected, the plans for this year's program, the financial problems of the foundation, and the financial difficulties some of the students had experienced while in this country. The foundation representatives indicated that they had not found Mr. Satterthwaite's reply entirely satisfactory and reiterated their hope for MATS planes or departmental assistance in supplying the funds necessary to provide the transportation for the 1960–61 students. The Department representatives said they could not be encouraging, at least at their level, so far as these specific requests were concerned, but expressed again their sympathy for the objectives of the work of the foundation.

I should explain here that since the inception of the foundation's program, the Department has been concerned not about the program's objectives, but about its implementation. We had been pleased to see some progress since the 1959 program with regard to its student selection process, but we had had disquieting reports regarding certain aspects of the management and support of the students while they were here. Departmental officers attending the July 14 meeting were not reassured on this point.

The Department had believed for some time that the foundation could better carry out its objectives by working through an organization with extensive experience in taking care of foreign students such as the Institute of International Education. In this connection, the Department as a result of the financial difficulties of the students in 1959 had held a number of informal conversations with representatives of the Institute of International Education and had urged them to use their good offices with individuals concerned with the Foundation to try to persuade them to work through the IIE and to use the utmost care in the selection, placement, and everyday care of the students.

In the absence of some such arrangement the Department was not prepared to seek alternative means (to the MATS or special fund proposal) by which the U.S. Government could provide transportation for the students.

On August 13 the undersigned received a telephone call from Mr. James Shepley. Mr. Shepley stated that he was calling on behalf of the Vice President and expressed the hope that the Department would review the request of the foundation and either through the Air Force or in some other manner provide the transportation for the 1960–61 program. He spoke in enthusiastic terms of the foundation's work which he believed to be vital to the long-range interests both of Africa and of the United States.

Mr. Shepley also mentioned to me that he understood that Senator KENNEDY was prepared to arrange for assistance to the foundation's program. I understand that the Vice President was unaware of Senator KENNEDY's interest at this time or any time prior to when the Department's ultimate offer and the foundation's rejection was reported in the press. I also understand that Mr. Shepley, following the Vice President's request, had started work on this project and had been working on it for several days prior to any knowledge of Senator KENNEDY's interest. In his conversation with me Mr. Shepley put his emphasis on the merits as he understood them of the foundation's request. On the basis of these merits, he indicated his strong belief that the Department should have agreed to supply the transportation for the students and asked that the question be reviewed at the top level of the Department.

I told Mr. Shepley that I recalled that a request to provide Air Force transportation for the 1959–60 student group had been turned down about a year ago, that I did not recall the reasons, and that I was not familiar with any of the developments or conversations which had taken place since then. I said I would look into it and call him back. I telephoned him shortly thereafter and explained that I was still not well briefed on this problem but that I had learned of the Department's reservations regarding the manner in which the students were looked out for once they reached this country and of its reluctance to underwrite their transportation here on that account. In view of the Vice President's interest, however, I assured Mr. Shepley that I would raise the question with Under Secretary Dillon with whom I had an appointment on other matters the following day. Mr. Shepley thanked me and requested that he have an answer by August 15 as Mr. Montero was coming to Washington that day.

The following day I reported Mr. Shepley's call to Under Secretary Dillon. He had not previously known of the foundation's proposal, reacted sympathetically to it, and instructed an aid to ask Mr. Robert Thayer, special assistant to the Secretary for the coordination of international educational and cultural relations, to look into the matter to see if the transportation could not properly and appropriately be provided. He stated that if Mr. Thayer should find this to be the case and that the necessary funds could be made available, he was authorized to take the decision to agree to provide the transportation. The Under Secretary suggested Government financing of a charter flight, or alternatively requesting commercial airlines to transport the students without charge on the understanding that the Department would make the necessary certification to enable the CAB to authorize this. The Under Secretary did not believe that Air Force transportation should be provided.

Under Secretary Dillon telephoned Mr. Shepley and indicated that he was sympathetic to the foundation's request and that the Department would try to inform Mr. Shepley of its decision by the following day.

On August 15, Mr. Thayer, in investigating the matter, found that the foundation was now willing to work with the IIE which would solve the problem of the management of the students while in this country. He also found a private source interested in cooperating with the Department of State in seeing that proper financial assistance was made available to the students. Under these circumstances, and in view of the current political situation in Africa which made it clearly of extreme importance that the United States should do everything in its power to emphasize its willingness to assist the people of Africa in every way, and after conversations with the IIE, ICA, and others, Mr. Thayer decided that the Department would either provide the necessary funds or seek, if appropriate, private commercial carriers, willing to donate the transportation. If the latter were not feasible Mr. Thayer placed an outer limit on the Department's contribution of $100,000.

Mr. Thayer then communicated this decision to me and I in turn telephoned it to Mr. Shepley. Mr. Shepley was authorized to inform Mr. Montero of the Department's decision when he talked with him, later in the day. He was also asked to have Mr. Montero get in touch directly with Mr. Thayer to discuss the details of the Department's offer.

Later that same day Mr. Montero telephoned Mr. Thayer to say that the Africa-American Student Foundation would not avail itself of the Department's offer as it had received an offer from a foundation to cover the expenses of the student's transportation.

In view of Mr. Montero's rejection of the Department's offer it is believed that no particular purpose would have been served by the Department's issuance of a press release announcing its action in this matter.

I believe, Mr. Chairman, that the foregoing answers your numbered questions 1–7, the first portion of question 8, and questions 9–11.

With respect to the remaining matters you raise, the Department offers the following comments:

The question as to what "similar reversals" have taken place this year on similar programs would require further detailed study before this information can be furnished to you. Whenever requests are made to the Department under the exchange program, these requests are under constant review to determine whether the situations which resulted in a negative response are changed sufficiently to warrant a reversal.

No specific determination had been made as to what particular funds would be used to make the $100,000 available but Mr. Thayer had received assurances from the financial section of the Bureau of International Educational and Cultural Affairs and from ICA that there were funds legally available for such an airlift.

With regard to your final question, as a matter of policy the Department of State is constantly encouraging private participation in the field of international exchange on the part of responsible individuals and organizations. As you know, the Government's participation is itself a very small part of the overall exchange program conducted by private individuals, institutions, universities, and foundations.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary.

Mr. FULBRIGHT. I also ask unanimous consent that there be printed in the RECORD at this point in my remarks a telegram I received from William X. Scheinman, vice president of the African-American Students' Foundation.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

LITTLEFERRY, N.J., *August 20, 1960.*

Hon. J. WILLIAM FULBRIGHT,
Chairman, Senate Foreign Relations Committee, U.S. Senate, Washington, D.C.:

Reference State Department statement August 18 as reported in press department's explanation that decision reversed re transportation 250 East and Central African students because we finally met requirements laid down by the Department is patently incorrect because the Department never laid down any requirements at all. They have repeatedly turned down this request as long ago as 12 months and as recently as the end of July this year, always stating reason as lack of funds. Their reported statement goes on to say that project was turned down on a lower level; but at the July 13 conference at the State Department in Washington Mr. Montero and I were told by the three representatives present, Mr. Derdan, Mr. Picard, and Mr. Snyder, that the project had already been up to the top and rejected. Department's statement then goes on to state the presumed requirements that they claim to have laid down to us, which they say we finally met, were: First, they objected that the original plan was to bring students from Kenya only. This is untrue, and it is clearly stated in my letter to Mr. Satterthwaite of January 15, 1960, that it is proposed "that the 243 students will not come from Kenya alone, but also from Tanganyika, Uganda, northern Rhodesia, southern Rhodesia, Nyasaland, and Zanzibar as well." Second, Department says we have confined our request to Air Force transport only. This also

not in conformance with the facts, because it has always been irrelevant as to what means of transport were used so long as the students got here. In fact, Congressman DIGGS even asked the Department about the possibility of sea transport. Department also reported as saying that we finally arranged to invoke the counsel of other veteran student-aid foundations. This also not in conformance with facts, and the only major foundation whose counsel and assistance we have been able to obtain is that of the Joseph P. Kennedy, Jr., Foundation, and that, of course, only after State Department finally rejected the project. We have correspondence and other material available to support all of the above statements and will appreciate opportunity to testify before your committee so that the record is clear. Inasmuch as at Phelps-Stokes Educational Conference in New York City on July 25 State Department representative, Mr. Snyder, explained very clearly Department could not support Project Airlift-Africa, 1960, we cannot understand how Department can claim that between the date and August 15, when they reversed their decision and did offer transportation costs, that we in any way met any presumed requirements that they are presumed to have laid down. The only significant event that occurred during that period was that following the July 25 conference, the next day, on July 26, Mr. Mboya, Mr. Montero, and myself went to visit Senator KENNEDY at Hyannisport. On that very day Senator KENNEDY agreed to help with a partial commitment, and by August 10, when we met with his representatives in Washington it was agreed Joseph P. Kennedy, Jr., Foundation would meet full commitment. The only stipulation given was that we must not release any publicity whatsoever about the commitment. It is further interesting to note that on Monday, August 15, when Mr. Montero and I were in Washington to meet with Mr. Robert Sargent Shryver, Jr., at 2:30 p.m. that afternoon, that at about 12:30 p.m. Mr. Shepley phoned Mr. Montero and said that he was not yet in a position to make a commitment, but asked us to wait for his return call in another 14 or 30 minutes. At about 1:15 p.m. he did, in fact, phone back to say he was then authorized to make a commitment on behalf of the U.S. Government. Therefore, State Department decision must have been made during that 45-minute period. Mr. Shepley stated that he knew we had a 2:30 p.m. appointment with Mr. Shryver and was, therefore, pressing to make a commitment before we went into that meeting. That meeting, however, was a meeting of education experts to advise the Kennedy Foundation as to how their grant was to be administered, and not whether or not the grant was to be made.

WILLIAM X. SCHEINMAN,
Vice President, African-American Students' Foundation, Inc.

Mr. FULBRIGHT. These documents speak for themselves, and I shall limit myself to only a few comments at this time.

Although the Department's letter leaves a good many questions unanswered, the main point comes through clearly enough. As early as August 1959—1 full year ago—the Department had rejected the Airlift Africa project. It steadfastly adhered to this position in separate decisions of December 1959, July 7, 1960, and July 14, 1960.

Thus the matter rested on August 13, 1960—a Saturday—when Mr. James Shepley telephoned Assistant Secretary Macomber on behalf of the Vice President and expressed the hope that the Department would review the matter. Mr. Shepley, to quote Mr. Macomber's letter, "spoke in enthusiastic terms" of the project. Mr. Shepley's enthusiasm obviously was contagious; for on August 14—a Sunday—Mr. Macomber reported on the matter to Under Secretary Dillon who reacted "sympathetically"—we are not told "enthusiastically"—and ordered the matter looked into.

It is to be noted that prior to Mr. Shepley's telephone call to Mr. Macomber—namely on August 10—a private foundation, the Joseph P. Kennedy, Jr., Foundation, had already agreed to support the full cost of transportation. This is clearly stated in the telegram from Mr. Scheinman.

On Monday, August 15, following Mr. Dillon's instructions, the State Department considered the matter further. The objections which the Department had held for a year quickly evaporated, and $100,000 was found to implement the project—though no specific determination was made as to where the money, which had been in short supply a month before, was coming from.

It is quite clear that the Department reversed itself on what it construed to be the orders of Mr. Shepley. I am not prepared to argue the merits of whether it should, or should not, have taken the substantive decisions which it did take, either before or after the Shepley call. I only deplore, as strongly as I can, a Department which is so susceptible to outside pressures.

It is to be noted that before Mr. Shepley's intervention, the Vice President had already expressed his interest in the project, but that it had been turned down notwithstanding. The matter rested there until Mr. Shepley got information, which he passed on to Mr. Macomber, that the Senator from Massachusetts [Mr. KENNEDY] was prepared to arrange for assistance to the project. Mr. Shepley and the Department thereupon entered the project on a crash basis. Although the Department protests that it "is constantly encouraging private participation in the field of international exchange," it did not bestir itself in this matter until private participation was an accomplished fact and then its interest apparently was mainly in spending public money in lieu of private money.

This, I submit, is rather a sorry performance; and it is compounded when the junior Senator from Pennsylvania attempts to turn it on the junior Senator from Massachusetts for political purposes.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. RUSSELL. What position does Mr. Shepley hold?

Mr. FULBRIGHT. I made inquiry of the Financial Clerk of the Senate as to whether or not he is an official of the Senate or whether he is on any payroll of the Vice President's Office or any other, and I am informed that he is not. I am informed by journalists that he is a reporter or a former official of Time magazine, and he is here, I assume, solely for the purpose of assisting the Vice President in the campaign.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. RUSSELL. I certainly deplore the influence exerted by Mr. Shepley. I have been trying for several years to save a few dollars for the taxpayers on programs of this nature. I have been happy on any occasion to see private enterprise of any kind venture into the foreign field. I am certainly not opposed to any foundation undertaking such a venture. It seems that in this case $100,000 which a private foundation was willingly furnishing was not utilized, but that for some imaginary political advantage it was decided to let the American taxpayer pay the $100,000.

Mr. FULBRIGHT. It is my information that, as a consequence of this situation, the foundation is going through with its supports of it. However, this effort of the State Department to supplant it seems to me to be a most unusual procedure.

Mr. RUSSELL. I associate myself with the statement that it is certainly a sorry spectacle on the part of the State Department.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. I ask unanimous consent that the Senator may have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. Is it not true that this Mr. James Shepley is a former bureau chief of Time, Life, Fortune in Washington? As a matter of fact, he still is a bureau chief, but is on leave to serve as a campaign assistant to the Vice President. Is that correct?

Mr. FULBRIGHT. That is my information.

Mr. MANSFIELD. Is it not true also that the Kennedy Foundation, as a result of a meeting between Senator KENNEDY and Mr. Tom Mboya, held at Mr. Mboya's request, did agree to give consideration to the proposal advanced by Mr. Mboya and that after due consideration, not $100,000, but $400,000 in a grant was advanced with the proviso—and I think this is very important—with the proviso that there would be no publicity attached to the grant?

Mr. FULBRIGHT. That is correct. The telegram bears that out; it bears out the fact that the only proviso which bears upon this matter was that there would be no publicity to the grant.

Mr. MANSFIELD. So, if there is politics in this matter—and no one will deny that there is not—we know where the politics is, and it is certainly not with Senator KENNEDY or the Kennedy Foundation.

Mr. FULBRIGHT. To me the most amazing thing is the effort of the Senator from Pennsylvania [Mr. SCOTT] to turn the facts around, and in that way to leave exactly the opposite effect to what the actual facts indicate. He seems to try to persuade the Senate and the country that the Kennedy Foundation was rushing in, trying to supplant—

or outbid, as he said—the foundation. It is exactly opposite to what is shown by the documents. The documents speak for themselves, and anyone can interpret them as he sees fit.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator may have an additional 3 minutes, because I see some of our colleagues on the other side of the aisle who apparently have some questions on this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KEATING. I will take only a minute. That will be ample time for me to speak on this matter. The Senator from Pennsylvania is not on the floor. I understand that he is in a department of Government downtown, and I hope he is in the State Department trying to expedite funds for this worthy purpose.

I should like to say to my friend from Arkansas that this is a very highly deserving objective. I hope the fact that the Kennedy Foundation considerably raised the ante on the State Department will lead the State Department to join in this matter wholeheartedly, and that both groups will be helpful in achieving this very worthwhile objective, which would certainly further the position of our country among the nations of the world, so many of whom are not of the white, Caucasian race.

Mr. FULBRIGHT. I agree with the Senator's sentiments as to the worthiness of the approach. It is a despicable distortion of the facts, however, to try to make political capital out of this kind of transaction, when I think both parties may have been acting in good faith, and to turn it around and try to show that it is motivated and inspired by the desire to buy votes. I think that is inexcusable. It undermines the validity of our democratic system.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. The Senator is absolutely correct. In response to what the Senator from New York has said, I wish to point out that the Kennedy Foundation was not matching the proposal of the State Department; as a matter of fact, it was the other way around, because when the State Department or Mr. Shepley found out that this was going to be done by the Kennedy Foundation, it was then that the State Department was again contacted, and it was then, and only then, that the State Department found the $100,000 somewhere—somewhere that it could not find the money before—and it was then that the offer was made for only 1 year, as compared with the Kennedy Foundation's offer of $400,000 over a 4-year period.

MAINE POLL ON ANDERSON-KENNEDY AMENDMENT TO SOCIAL SECURITY BILL

Mrs. SMITH. Mr. President, I ask unanimous consent to insert in the RECORD a telegram received from the committee on aging from my State of Maine. The Secretary, Muriel P. Frye, has requested that this be called to the attention of the Senate.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WATERVILLE, MAINE,
August 22, 1960.

Senator MARGARET CHASE SMITH,
Washington, D.C.:

The majority of the Maine committee on aging favor an Anderson-Kennedy amendment to the social security bill and urge your support. Committee requests that the results of their poll be inserted in the CONGRESSIONAL RECORD.

MURIEL P. FRYE,
Secretary, Committee on Aging, State of Maine, State House, Augusta, Maine.

DREW PEARSON AND EVENTS AT AN EXECUTIVE SESSION OF THE COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. GOLDWATER. Mr. President, in his column in the Washington Post on August 21, 1960, Drew Pearson with his customary casualness in handling the truth charged, and I quote, that I "in effect called Senator KENNEDY a liar during a closed session of the Senate Labor Committee. He didn't get away with it."

Fortunately, an official reporter was present at that meeting of the committee, and a transcript was taken of what transpired. It was decided by the committee that only one copy of the transcript be transcribed, and that such copy remain in the possession of the committee chairman, and not be made available to either the public or the press. It is obvious that someone who was present at the meeting leaked the story to Pearson, including certain quotations from the confidential transcript in a rather garbled form. Inasmuch as this has been done, I do not feel obligated to observe any agreement of secrecy, and especially I feel that in the interest of accuracy, certain portions of this transcript should be made public.

Several days prior to the executive session of the full committee, the Labor Subcommittee, headed by Senator KENNEDY, met to consider the so-called common-situs picketing bill. The committee rules require four members to be actually present to constitute a quorum for the transaction of business. Only three members actually showed up, but Senator KENNEDY nevertheless moved to report the bill favorably to the full committee and this was done.

I immediately wrote a letter to the chairman of the full committee protesting this violation of our rules. At the subsequent executive session of the full committee, to which Drew Pearson refers, I contended that the subcommittee action should be nullified as in violation of the rules. I now quote from the transcript:

Senator KENNEDY. Mr. Chairman, under the rules of the Senate, and at the time this matter was raised from the door by my friend from Arizona, I called the Parliamentarian and discussed this question with him.

He brought my attention to page 437 of the rules which says: "The Senate operates under the assumption that a quorum is present at all times unless the question is raised or the absence of a quorum is officially shown otherwise, or until a point of no quorum is raised, even though a voice vote is taken and announced in the meantime."

Now let us turn to Drew Pearson, and I quote him:

"I think the Senator from Massachusetts is basing his assumption on the wrong rules," snorted GOLDWATER. "Now when did you talk to the Parliamentarian?"

"I talked to him that day," said KENNEDY.

"Strange," said GOLDWATER. "I talked to him the next day and he said that nobody had talked to him except the members of my staff, that he gave no such ruling."

"Now wait a minute," snapped KENNEDY. He turned to two staff members, John Forsythe and Robert Perrin.

"Who did you talk to?" demanded KENNEDY. Both replied that they had discussed the question with Senate Parliamentarian Charles Watkins.

"The press said Senator KENNEDY visited the Parliamentarian," protested GOLDWATER.

"We asked members of the staff to call Mr. Watkins and get an opinion," said KENNEDY.

Thus Drew Pearson. Now let us see what actually occurred relying on the transcript itself, and I quote therefrom:

Senator GOLDWATER. I maintain that you did not have a quorum here.

Now, when did you talk with the Parliamentarian?

Senator KENNEDY. I talked to him that day. You remember I sent over?

Senator GOLDWATER. Strange, I talked to him the next day, and he said nobody had talked to him except members of my staff; that he gave no such ruling. And he further told me he could not interpret committee rules.

Senator KENNEDY. Now wait a minute. Who did you talk to?

Mr. PERRIN (administrative assistant to Senator MCNAMARA). I talked to Mr. Watkins.

Mr. FORSYTHE. I also talked to Mr. Watkins.

Senator KENNEDY. So there is no question about the conversation with Mr. Watkins.

Senator GOLDWATER. The press said Senator KENNEDY visited the Parliamentarian. Your office must have put that out, because it is here.

Senator KENNEDY. Mr. Chairman, if you will recall, we asked a member of the staff to call Mr. Watkins and get an opinion. So that was done. I do not think we are challenging that.

As the foregoing colloquy makes plain, Drew Pearson's quotations follow the transcript fairly closely. But he does not follow it far enough. Here is the portion he ignores:

Mr. KENNEDY. I suggest that Mr. Forsythe (the committee counsel) and Mr. Bernstein (the minority counsel) meet. We do not have any time to take any action on the bill, anyway, today. That they meet with Mr. Watkins (the Parliamentarian) this afternoon sometime and go through the matter and see if they can get a clear interpretation. If they cannot, then I suggest at the next meeting of the committee we vote.

Mr. Forsythe and Mr. Bernstein met with Mr. Watkins that afternoon. The full committee reconvened in executive session the following Monday, and Mr. Forsythe and Mr. Bernstein reported on their discussion with the Parliamentarian. I quote from the transcript:

Senator GOLDWATER. Now, as to applying Senate rules, we asked Mr. Bernstein and Mr. Forsythe to visit the Parliamentarian. I think I am right in expressing what the

Parliamentarian told them, because he told me the same thing: That he cannot make rules; he cannot make a ruling on subcommittee rules; that they have no bearing on Senate rules nor do Senate rules have any bearing on subcommittee rules. Am I right?

Mr. FORSYTHE. His position was that he, as Senate Parliamentarian, and the Senate itself, had no jurisdiction over actions of subcommittees; that the subcommittee was the creature of the full committee and it was up to the full committee to make whatever determinations they wanted about actions of their agents, which were the various subcommittees.

Is that right, Mike? Do you agree with that?

Mr. BERNSTEIN. Yes.

* * * * *

Senator KENNEDY. The presumption, however, in the Senate is that a quorum is present unless somebody raises a point of order.

Senator GOLDWATER. But the Parliamentarian says it does not apply.

Mr. FORSYTHE. He said he would not rule on it.

Senator GOLDWATER. He cannot rule on it because as he rightly says, the Senate rules do not apply.

I think the record, as I have set it forth, is a sufficient comment on the accuracy of Drew Pearson's column.

In conclusion, I point out the implications of the decision by which the full committee disposed of the objection which I had raised. The committee by a vote of the majority discharged the Labor Subcommittee from consideration of the bill and itself took over such consideration. It was emphasized by some of the Members present that such action was not to be construed as in any way a reflection on the previous action of the subcommittee against which I was protesting. I submit that in effect the full committee sustained my position, and by necessary inference ruled that the action of the subcommittee in reporting the bill in the absence of the necessary quorum was invalid. For it is quite clear that if such subcommittee action had been deemed proper, then the bill would have been officially before the full committee, and there would have been no need to discharge the subcommittee. In discharging the subcommittee from further consideration of the bill and voting to place it in the full committee for action there, the committee in effect declared that the bill had not theretofore been properly before it.

Mr. CLARK. Mr. President, as the senior Democratic member of the Committee on Labor and Public Welfare on the floor, I have listened with interest to the comments just made by the distinguished Senator from Arizona [Mr. GOLDWATER]. I have no doubt that, if he thinks it important, the distinguished Senator from Massachusetts [Mr. KENNEDY] will, at the appropriate time, reply to what the Senator from Arizona has said.

For my own part, having been fairly closely connected with the efforts of the Senator from Arizona—and they were legitimate efforts—to delay action on the situs picketing bill, I am firmly of the view that the action taken by the chairman of the subcommittee to expedite action on the bill—the chairman of the subcommittee being the Senator from Massachusetts [Mr. KENNEDY]—was correct, proper, and within the spirit of the interpretation of the Senate rules, which are intended to prevent unnecessary or undue delay.

I submit that if and when the complete transcript of the hearings before the full committee, at which the action of the subcommittee was elaborately reviewed, is placed in the RECORD, the position I am now taking will be supported by a majority of the Members of the Senate—and, indeed, of the general public, to the extent that they are interested.

I may say that this matter was discussed at great length before the full committee; and on the votes taken, I think I am correct in saying—and I know the Senator from Arizona will correct me if I am wrong—the Senator from Arizona did not receive the support of all the members of his own party on the committee.

In my judgment, the controversy has been blown up far beyond its real import, very much like that of the medieval argument about the number of angels which can dance on the point of a needle. I suggest in somewhat more Shakespearean terms that this subject is "Much Ado About Nothing."

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield within the limitations of the rule.

Mr. GOLDWATER. I am afraid the Senator from Pennsylvania misconstrued my remarks this morning. As the Senator knows, we agreed in the executive hearing that there would be one transcript made, and it would be the property of the chairman, to be used by members of the committee for their own personal purposes.

I was very much surprised yesterday to note that somebody in some position with the committee had leaked to Mr. Pearson the contents of the transcript, because he was accurate in his quotations, so far as he used them, which would indicate that he used the only source from which he could get them—the record.

In his column, Mr. Pearson tries to infer that I called Senator KENNEDY a liar. I resent that. I think the result of Pearson's statement in his column is that Pearson has left some serious doubts in the minds of his readers concerning the truthfulness of Senator KENNEDY.

I have never called Senator KENNEDY a liar, and I have never been accused by anyone of having done so, except by Mr. Pearson in his column.

I point out that, in my opinion, the second objection I raised, which was to having the committee meet to consider the bill without a quorum, was in effect sustained by the action of the full committee in relieving the subcommittee of further consideration of the bill.

I will admit to the Senator from Pennsylvania that on the first objection I raised, there was a lot of question within my own mind. I think the ambiguity of the language of the rules is such that the members of the committee who voted with me or against me did so according to their own interpretation. In other words, the rule is not so clear cut as the rule which I consider was violated.

If the Senator will read my remarks, I think he will agree that I was attempting to make it perfectly clear to the public that no one on the committee, including the junior Senator from Arizona, ever sought to call JACK KENNEDY a liar. I am a little resentful of the fact that a member of the press would try to infer such a thing, and then, by doing such a poor job of writing, leave doubts in the minds of his readers as to whether or not the charge is true, not from my point of view, but from Senator KENNEDY's point of view.

I hope this statement will clear the matter up.

Mr. CLARK. I thank the Senator from Arizona for his comment. I have not read the Pearson column. I think the Senator's remarks in that regard are certainly unobjectionable. I am in no position to take any stand one way or the other.

I think we might well let the matter rest where it is. If the Senator from Arizona thinks I said anything unfriendly about him, I assure him that there was nothing further from my mind.

Mr. GOLDWATER. I thank my friend.

I agree with the Senator from Pennsylvania, but in another way, there is no point in arguing about how many devils can dance on the head of a pin.

Certainly I am a believer in the rules. I realize that the Senator from Pennsylvania wants to change the rules of this body, so it can act more quickly; but I do not want it to act that rapidly.

ACCOMPLISHMENTS OF THE U.S. INFORMATION AGENCY DURING THE REPUBLICAN ADMINISTRATION

Mr. BRIDGES. Mr. President, one of the most important activities of our Federal Government today in the field of foreign affairs is propaganda and information. The U.S. Information Agency has contributed a great deal toward the dissemination of truth and knowledge about our country throughout the world.

Recently the senior Senator from Pennsylvania [Mr. SCOTT] rounded up in brief form the activities and accomplishments of USIA during the past 7½ years, and I ask unanimous consent that his report be inserted in the body of the RECORD at this point in my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

ACCOMPLISHMENTS OF THE U.S. INFORMATION AGENCY (USIA) DURING THE REPUBLICAN ADMINISTRATION, 1953–60

(By U.S. Senator HUGH SCOTT, of Pennsylvania)

After the Republican administration took office, a special Senate Foreign Relations Subcommittee, headed by Senator BOURKE B. HICKENLOOPER, Republican of Iowa, reported in 1953, after a yearlong review of American oversea information programs, that it had found—

Ineffective coordination of psychological policy;

Duplication and competition in informational activities of U.S. agencies operating abroad;

Ineffective administration, personnel management and evaluation;

Maladjustment of responsibility between Washington and the field;

Failure to secure foreign cooperation in propagating common concepts (anticommunism, need for mutual security pacts, etc.)

Failure to bring about public participation in promoting a better understanding of the United States and in developing mutually beneficial relations with other countries; and

Lack of a common understanding of the fundamental objectives of an American oversea information program.

Since its establishment late in 1953 by the Republican administration as an agency independent of the Department of State, the U.S. Information Agency has brought the oversea information program to a position of acknowledged maturity, credibility and effectiveness.

Last year, for example, the American Public Relations Association was so impressed with the agency's work in furthering "mutual understanding and trust between the people of Thailand and the people of the United States "that it gave to USIS Thailand its 1959 Silver Anvil Award, symbolic of an "outstanding performance in the field of international public relations originating outside the United States."

Clear evidence that English-language broadcasts by the Voice of America have a wide and enthusiastic audience was manifested late in 1959 when more than 65,000 letters poured in from abroad in response to a series of announcements of a VOA survey of the age, location, and program preferences of its listeners. (North Korea, North Vietnam and Albania were the only countries in the world not heard from.)

Conversely, USIA has been the constant object of Soviet vituperation, which is often the criterion for judging the effectiveness of those attacked. In a Radio Moscow broadcast in German on May 27, 1960, USIA was identified as a "dirty factory for the manufacture of lies and slander * * * headed by a theoretician of U.S. imperialism, George Allen."

Here is a partial chronicle of the many steps which have been taken since 1953 to overcome the deficiencies in the oversea information program cited by Senator HICKENLOOPER and his colleagues.

COORDINATION OF POLICY

The Director of USIA has been made a permanent voting member of the Operations Coordinating Board, and is a regular attendant at meetings of the Secretary of State, National Security Council and Cabinet. According to a Brookings Institute report submitted to the Senate Foreign Relations Committee in January 1960:

"At meetings in the (State Department) and in ad hoc interdepartmental groups set up to deal with particular problems, the Information Agency has achieved effective representation. By the presence of its Director in meetings of the National Security Council and in private discussions with the President, the Agency has been able to carry the views and requirements of the information program to the highest levels."

Overseas, USIS officers have become integral members of Ambassadors' country teams throughout the world, in a position to call attention to the public relations aspects of local problems.

The U.S. Advisory Commission on Information, which on many occasions has commended USIA on its progress and on its ability to develop avenues of cooperation with the Department of State on all levels of policy and administration, recently stated: "USIA has obtained more coordinated foreign policy guidance as an independent Agency than when it was in the Department. Many Ambassadors have also attested to the improvements that have been made."

INFORMATION PROGRAM DUPLICATION ELIMINATED

Under the terms of a Presidential directive issued in 1954, ICA ceased operating a separate information program of its own abroad. USIA and ICA have had a basic agreement since then covering the support which U.S. mutual security activities receive within the oversea information program. Close policy and media liaison exists between USIA and ICA in Washington, while at the field level the director of the ICA mission staff and the USIA public affairs officer are key members of the Ambassador's country team. This assures continuous joint assessment of ways to achieve maximum political, economic, and psychological support from U.S. aid in each country.

ADMINISTRATION—EVALUATION

Administration

Close administrative cooperation with the Department of State is evidenced by such steps as scheduling of USIA oversea inspections and audits to coincide with those of the Department and the naming of senior Department officers to USIA employment and promotion panels.

Executive officers have been assigned to several large USIS posts for the purpose of improving budget and accounting procedures, administrative support funds, contracting and procurement, and general post management.

To achieve greater administrative flexibility, the Agency has set aside a contingency fund which can be used by the Director for emergencies and unexpected events on the international scene.

In 1954, the Voice of America was moved from New York to specially designed studios in Washington without an instant's interruption in its worldwide broadcasts. The move has promoted integration with other Agency elements as well as faster and easier coordination with other elements of the Government. (VOA is currently implementing a comprehensive, long-range program for construction of new radio facilities in five different oversea locations, and is also building new transmitters in North Carolina to provide a more reliable and higher quality signal to its relay bases.)

The Agency has alertly modified its media and geographic structure to meet new program challenges and opportunities. In 1958, for example, in line with an explosive expansion of TV internationally, USIA established a separate Television Service headed by a television executive with heavy international experience. This year the mass emergence of African nations from a colonial or protectorate status has been recognized through the establishment of an African area office under an area assistant director.

Evaluation

An inspection staff of first-rank USIA officers has been set up to carry on a continuous, country-by-country examination of the program, with responsibility for inspection of USIS operations and personnel and evaluation of USIS programing.

The Agency's Office of Research and Analysis, organized in 1954, has also provided measurement of reactions to individual Agency campaigns as a program evaluation device, in addition to making continuing assessments of world opinion and analyzing Communist propaganda trends and techniques.

PERSONNEL MANAGEMENT

Today, USIA employs slightly more than 11,000 persons worldwide, as compared with 12,877 in its first year (fiscal year 1954). In recent years, USIA has placed less emphasis in its foreign service recruitment upon the technical mass-media skills. (Many of these skills are available to the Agency abroad and are in fact performed ably and more economically by about 7,100 foreign national employees under the guidance of American officers.) Recruitment emphasis today is more on broader education and training and the ability to communicate effectively with foreign audiences on a direct personal basis.

In its 15th annual report, the U.S. Advisory Commission on Information acknowledged that the Agency has had "singular success * * * with its junior officer training program in Washington (which has) both recognized the importance of personnel who are substantially knowledgeable and who can communicate and develop personal contacts."

The Director of USIA has approved the establishment of a career arm of the Foreign Service Reserve Corps by appropriate administrative rules and regulations. This is designed to give the Agency a career officer system as nearly like the Foreign Service Officer Corps as can reasonably be achieved without legislation. Career legislation has been sought consistently by the Agency since mid-1954, with the President recommending its enactment to the Congress in 1956, 1957, and 1959.

Because the Agency is obviously one which the Communists would like to infiltrate, USIA employment security standards are among the most stringent in the Federal Government. By law, every USIA employee must undergo a full field investigation by the U.S. Civil Service Commission before he can be hired. Even though employees transferred to its rolls when USIA was created in 1953 had been security cleared, to protect the public interest they were reinvestigated in the light of security rules stricter than those in effect when they were originally employed.

Since satisfactory personal adjustment of the individual officer and his family to foreign duty is so important, the Agency is experimenting with a psychiatric and psychological testing program designed to weed out new recruits who give indication that they would probably experience maladjustments and even failure if stationed abroad. In the opinion of the U.S. Advisory Commission on Information, "This is a new and promising service which, if administered carefully, fairly, and humanely, will go a long way toward developing a healthy Foreign Service Officer Corps."

For several years the Agency has given priority to training in languages spoken and read by millions in Asia, Africa, and the Near East. All USIA Foreign Service officers will be required to have a specified high level of proficiency in a Western European language or a satisfactory level in one of the languages of the Far East, South Asia, Near East, or Africa by June 1962.

Training of new employees assigned to work overseas has been intensified in recent years to include a more thorough study of Communist theory and strategy than was formerly required, a more thorough review of American civilization and more hours of work on effective use of communications techniques. With the cooperation of American sponsors in the communications media, civic, industrial, educational, and cultural fields, a highly effective orientation program has also been worked out whereby unusually capable foreign nationals employed by the Agency abroad are brought to the United States to get firsthand knowledge of our country and a picture of American life and democratic institutions through personal observation.

ADJUSTMENT OF WASHINGTON FIELD RESPONSIBILITY

Field officers have been given more discretion and greater responsibility for the development and execution of country plans and programs, the production of materials locally, and the definition and selection of target groups to be reached. USIS staffs

abroad therefore have a high degree of flexibility to meet complex problems and critical situations as they arise and to support country team decisions made on the scene. The Agency provides "overall creative plans and guidance" to the field and monitors field operations through country plans, inspections, and visits of area assistant directors to assure that posts operate in accordance with such plans and guidance.

FOREIGN COOPERATION IN PROPAGATING FREE WORLD CONCEPTS

The Agency has also aided in training personnel of friendly foreign governments—teachers, information specialists, etc.—who in turn instruct their people in democratic processes and conduct programs which bring about awareness of and effective opposition to Communist activity.

USIA has supported development with NATO, CENTO, and SEATO countries of programs which will increase public confidence in such treaty organizations as indispensable elements of an effective free world security system and as the framework within which the member nations can most advantageously exercise their partnership in free world affairs.

The binational center concept—so popular and long established in Latin America—has been extended successfully to other parts of the world, institutionalizing the efforts of foreign nationals and Americans living abroad to improve relations between our countries. Binational organizations (110 in 31 nations) now exist in such far-flung countries as Spain, Italy, Greece, Turkey, Iran, Burma, Thailand, and the Philippines.

The Agency has placed emphasis on the teaching of English to foreign nationals (150,000 a year at present), an activity which now lies at the heart of binational center and USIA cultural center programing. Annual seminars are being conducted for about 5,000 teachers of English in local schools (their pupils numbering about a million), who are not only acquainted with modern teaching techniques but also receive a basic orientation in American life and culture. USIA initiative and encouragement have also led to the establishment of many chairs and departments of American studies in foreign universities.

A high proportion of the films produced or acquired by USIA are now shown abroad by agencies of national and local governments and by civic, religious, and educational groups. Many USIA films are used in the educational systems of foreign countries. In West Germany more than 2 million persons a month see USIA films exhibited by about 500 all-German community film committees. This committee network is the Agency's chief means of noncommercial motion picture distribution there. In Greece groups known as community information councils exhibit USIA films on regular schedules.

In administering the educational exchange program abroad for the Department of State, the Agency has taken special pains to follow up with foreign students upon their return from the United States, encouraging them to give lectures and write articles about their impressions of American life and culture, furnishing them with current information about American progress and achievements in their study specialties, etc. Foreign student "alumni associations" have been established with the help of USIS posts, as indigenous vehicles for making American objectives, policies, and actions better known and understood.

Many foreign publishers have been encouraged, along with American firms, to produce inexpensive foreign-language editions of basic American textbooks, the "Classics of Democracy," and other literature promoting understanding of American life and democratic institutions. Last year alone USIA efforts in this area accounted for the publication of 653 foreign editions in nearly 6.6 million copies in 34 language, and of 1,815,000 copies of low-priced books, including 40 editions in 10 foreign languages and 46 English editions.

PUBLIC PARTICIPATION IN FOREIGN RELATIONS

USIA laid the groundwork for the launching of the people-to-people program by President Eisenhower in 1956. Hundreds of organizations—business, social, professional, representing millions of Americans—have since rallied to the support of the idea. Offering ways for every American to help build friendship and understanding with peoples of other nations, people-to-people projects include exchanges of people and professional know-how, school and town affiliations, letter-writing campaigns, magazine and book collections, hospitality for foreign visitors, and helpful advice for Americans who want to represent their country effectively when they travel abroad. Several large cities have even established umbrella-like people-to-people councils to enlist and coordinate the services of local civic groups and private industry in building international relationships.

The Agency's Office of Private Cooperation furnishes facilitative assistance, as necessary, to the many communities and groups engaged in this massive grassroots diplomacy effort. A 1958 survey of USIA "seed money" grants to help people-to-people committees to launch highly desirable new projects revealed that every USIA dollar granted generated at least $5 of private spending to achieve people-to-people objectives.

In another important area, the Agency has been able to get objective, expert advice on its overseas programing problems from the 16 top American public relations practitioners who comprise its Panel on Public Relations Policies and Techniques.

INFORMATION PROGRAM OBJECTIVES

President Eisenhower succinctly stated in his 1953 directive establishing USIA that the Agency's purpose shall be "to submit evidence to people of other nations by means of communication techniques that the objectives and policies of the United States are in harmony with and will advance their legitimate aspirations for freedom, progress, and peace."

Consistent with this mission, the Agency has concentrated on increasing the reliability of USIA as a source of factual information about the United States. Without in any way cutting down programs that depict American progress and advances in many fields, USIA deliberately omits any suggestion of boasting or bragging which frequently alienate and annoy foreign audiences.

There is "an already general acceptance abroad of the USIA as the reliable and truthful voice of the United States in the exposition of our foreign policies," the U.S. Advisory Commission has said, and "the achievement of this reputation is the best insurance against belief in Communist propaganda and their view of world events."

The Commission notes as evidence of this recognition a May 1959 statement by British historian Arnold J. Toynbee that "after a period of trial and error, the present-day Americans seems to me to have learned that the best way of instilling confidence in the foreign policy of the United States is to give people in other countries the factual information that will make them form their own judgments about the United States and its citizens. In this field, frankness, sincerity, and objectivity always prove to be the best policy."

In line with its overall effort to make the best possible use of Agency resources, USIA has in recent years developed detailed basic planning and guidance papers devoted to major themes (American life and culture, science, atomic energy, disarmament, anti-communism, American economy, minority affairs, women's activities, etc.) on which media should concentrate in their worldwide output. At the same time field staffs have been required to pinpoint their objectives and the themes in their country programs in order to achieve greater concentration of effort and greater impact.

This sharpening of Agency targets and themes has been accompanied by increasingly closer coordination among Agency policy, area and media elements. As a result theme possibilities are analyzed in terms of their exploitation potential and, in concert, the media are able to zero in on a theme and assure that it reaches the widest possible audience in a variety of ways. This multi-media approach has been successfully employed in many instances. To name a few—

1. Atoms for peace—one of the Agency's major themes since President Eisenhower's memorable speech before the U.N. General Assembly in 1953—has been so successful that the Soviet Union, which originally scorned the concept, has had to reverse itself and adopt it, too.

2. Peoples capitalism—emphasizing the opportunities and accomplishments of millions of ordinary Americans under our free economy—has been so well received abroad as a result of effective USIA media cross-play that the Communists have attacked the theme frequently and violently, and continue to pour upon it some of their choicest invective.

3. America's broad-based scientific and technological stature has also been stressed as a major USIA theme, in such activities as comprehensive exhibits on space exploration; timely films like "Nautilus Crosses the Top of the World," prints of which were dispatched abroad within hours of the announcement of the American submarine's historic feat; development of a highly popular portable library of paperback books on scientific subjects; work with oversea science clubs, and assistance with techniques of teaching science, American-style, in the schools of other countries.

4. One of the Agency's foremost long-range programs centers around the culture of America—stressing that America's art is worth seeing, its music worth hearing, its books worth reading; and that the American people place a high value on the spiritual and cultural aspects of life. The U.S. Advisory Commission on Information has also applauded the development in recent years of a more coordinated cultural program permeating all media and has noted considerable improvement in the quality of USIA cultural materials especially during the past 2 years.

The Lincoln Sesquicentennial Celebration in 1959 provided the Agency with a unique opportunity to build a comprehensive year-long, multimedia campaign around the Great Emancipator, whose life and deeds are of interest to peoples in the most remote areas of the world. Thus the Lincoln saga was unfolded in books and other publications (even comic books), exhibits, original and acquired films, radio and TV broadcasts, seminars and lectures, well-publicized ceremonies at which Lincoln busts or other memorabilia were presented to foreign dignitaries, etc.

Atoms for peace, the American economy, science and technology, culture and many other themes were forcefully packaged last summer in the American National Exhibition in Moscow which attracted nearly 3 million visitors. In effect, the exhibition placed 10 acres of the United States in the heart of the Soviet Capital for 6 weeks. In addition to coordinating the event, USIA mounted many of the exhibits, including the

astonishingly successful "Family of Man" photo exhibit by Edward Steichen, depicting the hopes, fears, joys, drives and other human denominators common to all the peoples of the earth. It arranged for the spectacular "Circarama" and "Septorama" film presentations; outfitted the electronic brain which instantaneously answered in Russian thousands of questions about American life, and trained and supervised the 75 bilingual guides who scored such a personal triumph in their contacts with exhibition visitors.

That an exhibition of this magnitude was mounted within 6 months in the face of seemingly insurmountable logistic (to say nothing of political) obstacles is a testimonial to the ingenuity, resourcefulness and effectiveness of USIA and the other governmental and private organizations which also participated. Despite the demands of this massive crash project, the Agency's normal level of worldwide programing was maintained.

SOCIAL SECURITY AMENDMENTS OF 1960

The PRESIDING OFFICER. Under the unanimous-consent agreement, now that the hour of 11 o'clock has arrived, the Senate will resume the consideration of the unfinished business.

The Senate resumed the consideration of the bill H.R. 12580, the Social Security Amendments of 1960.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that at this time I may suggest the absence of a quorum, and that the time required for it be charged equally to both sides.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I yield 10 minutes to the Senator from Pennsylvania [Mr. CLARK].

Mr. CLARK. I thank the Senator from Montana.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 10 minutes.

Mr. CLARK. Mr. President, I rise in opposition to the Javits amendment, and in support of the Anderson-Kennedy-McNamara amendment to the pending bill, which provides additional medical care for the aged.

My first point is that the Anderson-Kennedy-McNamara amendment clearly is in accord with the Democratic national platform adopted at Los Angeles on July 12 of this year. On the other hand, the Javits amendment is in opposition to that platform.

For the record, I should like to quote the pertinent parts of the Democratic national platform plank which deals with health, as follows:

> We shall provide medical care benefits for the aged as part of the time-tested social security insurance system. We reject any proposal which would require such citizens to submit to the indignity of a means test—a pauper's oath.

And again:

> The most practicable way to provide health protection for older people is to use the contributory machinery of the social security system for insurance covering hospital bills and other high-cost medical services. For those relatively few of our older people who have never been eligible for social security coverage, we shall provide corresponding benefits by appropriations from the general revenue.

And again, under the subtitle "A Program for the Aging":

> Health: As stated, we will provide an effective system for paid-up medical insurance upon retirement, financed during working years through the social security mechanism and available to all retired persons without a means test. This has first priority.

Mr. President, I take that plank seriously, and I am sure that the overwhelming majority of my Democratic colleagues do, too. It is indeed difficult for me to see how the Democratic Members of the Senate could fail to support that plank, here in the Senate, before the end of August, scarcely a month after the platform was unanimously adopted, according to the ruling of the Chair, at Los Angeles.

As the Senator from New Mexico [Mr. ANDERSON] said yesterday, I point out that never during the hearings before the platform committee or during the consideration of the platform by the convention was any question raised by any Democrat in opposition to that plank.

I feel morally committed to support that plank, for which I voted as a delegate. Other Democratic Senators will, of course, be guided by their own consciences.

It is not only the Democratic platform on which we on this side of the aisle base our opposition to the amendment submitted by my good friend, the Senator from New York [Mr. JAVITS], and our support of the Anderson amendment. The overwhelming majority of literate, intelligent, and modern editorial opinion throughout the country supports our position.

Much was made yesterday by my good friend the senior Senator from Florida [Mr. HOLLAND] of a couple of editorials indicating that the Senate was acting with undue haste and that the social security approach was an erroneous one. He quoted from an editorial from the Wall Street Journal, another one from the Baltimore Sun, and a third from the New York Daily News.

These fine newspapers, of course, are entitled to their own opinion. I sometimes think if we wanted to find out how Calvin Coolidge would have stood if he were confronted with these problems, or how Warren Gamaliel Harding would have stood if he were confronted with the problems of today, we could do no better than turn to the editorial pages of those great papers, the Wall Street Journal and the Baltimore Sun.

I submit that the position taken by so conservative an organ of the business community as Business Week summarizes perfectly the case in support of the Anderson-Kennedy-McNamara amendment and in opposition to the Javits amendment. Let me quote from it:

> The problem basically is that the aged are high-cost, high-risk, low-income customers. Their health needs can be met only by themselves when they are young or by other younger people who are still working. The only way to handle their health problem, therefore, is to spread the risks and costs widely. And that can best be done through the social security system to which employers and employees contribute regularly.

This position taken by the conservative Business Week has been supported by the New York Times, the Washington Post, the distinguished commentator Walter Lippmann, and a host of other people who have really studied this problem in the interest of getting something effective done to help our older people.

I submit the overwhelming weight of newspaper and commentator authority is in support of the Anderson amendment and in opposition to the Javits amendment.

Only social security can do the job in the field of medical care which so urgently needs doing. Here are the reasons why:

First. Only through social security can the risk be spread over virtually our whole population.

Second. Social security offers a system of prepayment through the period when a person is most apt to have earned income.

Third. Social security provides its benefits as a matter of right and requires no humiliating means test.

There are many objections, on the other hand, to the administration-Javits proposal, which bypasses the social security system.

Most States are not able now to provide the funds which would be required as their contribution. The recent Governors' conference went on record against plans along the lines of both the administration proposal and that of the Senator from New York. A leading advocate of the approach incorporated in the Anderson-Kennedy-McNamara amendment is the distinguished Governor of New York, Governor Rockefeller.

The administrative costs of the administration-Javits proposal would be fantastically wasteful, if not downright prohibitive.

Governor Lawrence, of Pennsylvania, has estimated that 700,000 people in our Commonwealth might be expected to participate immediately. Hundreds of caseworkers would have to be hired to investigate the required income test. A collection agency would have to be established to collect the $10 fee and other payments which each participant would have to make. A separate legal staff in each State would have to be set up to investigate fraudulent claims. There would have to be additional office space, equipment, and supplies to do the job, all of which would be expensive.

In contrast, placing medical care in social security would require no such monumental new apparatus. There

would be no income test—hence, no State-employed caseworkers, no new collection agency, and so forth. Social security would simply provide a mechanism for payment, a mechanism which is already in existence.

The Senator from New York has commented that the social security approach is practically a sales tax and that it taxes most heavily those at the lower end of the income scale. Let me point out that his proposal depends substantially on State revenues, which are derived mainly from sales and excise taxes. Most of the State tax increases since World War II have been in general sales taxes. The way to make the impact of social security taxes more progressive is to raise the taxable wage base—as many of us would favor doing—not to fall back on far more regressive State tax systems.

My attention has been called to an excellent editorial in the Washington Post of this morning, entitled "Security With Dignity," which, generally speaking, supports the position I have just taken. I thank the Senator from Michigan for calling my attention to it, and I ask unanimous consent that the editorial may appear at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SECURITY WITH DIGNITY

In the range of its benefits and its emphasis on preventive medicine, the plan proposed by Senator JAVITS and endorsed by Vice President NIXON for medical care for the aged seems extremely appealing. It is now being put forward as a compromise proposal on the theory that it might be acceptable to President Eisenhower although it is much more generous and comprehensive in its coverage than the administration's "medicare" program. It is also markedly superior in every respect to the bill passed by the House and to the bill reported out by the Senate Finance Committee.

To adopt the Javits plan would nevertheless be a misfortune, we believe. It embraces two serious defects. Its benefits would be available only to persons over 65 with an annual income under $3,000 ($4,500 for a couple)—a relatively generous cutoff but nevertheless entailing a means test for eligibility. And it would be financed through a complicated system of Federal-State matching grants under which participation would depend upon State legislatures and be subject to variations among the States.

The funds for the program would have to be appropriated each year by Congress and State legislatures. Participation in the program's benefits would be voluntary; but there would be nothing in the least voluntary about the taxes levied to support it; everyone would share in paying those.

Insurance against the health hazards of old age seems to us an integral and inescapable aspect of social security—logically a part of the social security system which has helped to stabilize the national economy and safeguard the welfare of individual Americans for the past quarter century. The costs of such insurance would be met through a slight increase in the payroll tax levied equally upon wage earners and wage payers and would give Americans, as a matter of earned right—without having to prove themselves paupers—medical and hospital care in retirement years.

Such a program would, as AFL–CIO President George Meany put it the other day, "bring real security with dignity to the lives of our senior citizens." Senator ANDERSON'S amendment would accomplish this. Even at the cost of getting no program at all through this short session of Congress, the Democrats should not settle for anything less.

Mr. CLARK. Mr. President, I yield back the remainder of my time.

Mr. JAVITS. Mr. President, I yield 10 minutes to my colleague from New York [Mr. KEATING].

The PRESIDING OFFICER. The Senator from New York is recognized for 10 minutes.

Mr. KEATING. Mr. President, I rise in support of the amendment which has been offered and so ably presented by my distinguished colleague. I am happy to be a cosponsor of this measure, which seems to me to be an extremely realistic approach to the health needs of the aged. I commend my distinguished colleague for his sponsorship of this proposal and for the depth of understanding which he has displayed in the debate over the past several days, during which he has so vigorously presented the case in favor of the amendment which is now before the Senate.

But it is not simply the arguments which my colleague has made here which are to be commended. He and the many experts in this field with whom he has worked so diligently have devoted countless hours of hard thinking and responsible planning to the framing of a health-insurance-for-the-aged program which is consistent with the fundamental structure of our Federal system and is geared to the special health and medical needs of the aged.

My colleague has placed before us a plan which consolidates the best thinking of the President of the United States, the Vice President, Secretary Flemming, the leading health and medical spokesmen in the Cabinet, experts from every part of our Nation, and countless aged persons who have written to us to tell us of their most pressing health needs and to suggest ways in which they may be met.

I recognize full well that many Members support the alternative approach which is before us and which was introduced by the distinguished Senator from New Mexico. I nevertheless feel that the needs which have been expressed by the aged are best met by the program which has been introduced by my colleague.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. CARLSON. I appreciate very much the Senator's yielding to me. I think it is also important to point out a seminar was conducted by the College of Physicians and Surgeons earlier this year. I think the summary in the memoranda, which is contained in the hearings, if the Senator will permit me to do so, should be read into the RECORD.

Mr. KEATING. I am happy to have the Senator do so.

Mr. CARLSON. The summary of the memorandum reads as follows:

The problem of health care for those 65 years old and over is distinct from the problem of health care for those under that age; Federal assistance is necessary in handling any health care program for the aging; and any such health care program should be voluntary, with contributions by the beneficiary as well as by State and Federal governments. These are the major conclusions that may be drawn from the papers and discussions of those who engaged in the conference.

I think it is important to note that the amendment of the Senator from New York meets those requirements. It is voluntary. It requires contributions from the individual, from the State, and from the Federal Government.

Mr. KEATING. That is very true, Mr. President.

I appreciate the fact that the distinguished Senator from Kansas has brought this out. Since he is a member of the committee which has considered this entire matter, I know he speaks with a voice of authority.

I do not intend to dwell on the basic tenets of governmental theory upon which the proposal now before us is based, nor do I intend to repeat the excellent arguments made yesterday by my colleague on the relative merits of the two basic financial approaches to the health needs of the aged. I prefer instead to concentrate on a number of practical considerations which I believe should be taken into account in reaching a decision on the issue which is before us.

First, I am convinced it would be a cruel hoax to pass a social security health insurance measure today unless we make it perfectly clear to everyone—and this includes those older citizens who would be immediately affected—that such a measure will very likely not be signed into law this year. I insist this should be made clear. It would be unfair to do otherwise. Whether or not one is in agreement with the position which the President has taken, the President has certainly made his intentions extremely clear.

Furthermore, the House of Representatives undoubtedly would reject any social security health insurance proposal which we adopt. The powerful Ways and Means Committee of that body has already turned down this approach, by quite a decisive vote. Perhaps my colleague from New York remembers what the vote was in the House Committee on Ways and Means.

Mr. JAVITS. Mr. President, if the Senator will yield, it is my recollection the vote was not less than 2 to 1.

Mr. KEATING. That is my recollection, that the vote was at least 2 to 1. The House as a whole was not able, although it may have wished to do so, to muster the necessary strength to reserve the committee action.

We have no evidence whatever before us, Mr. President, that the House would now be prepared to accept what it has already rejected out of hand.

Even if the House were to completely reverse itself and to accept a social security measure along the terms of the Anderson proposal, it is clear, it seems to me, that the President would not accept it.

The President has made it abundantly clear that he is not prepared to accept the social security approach in any way, shape, or form.

Of course, I have no actual knowledge as to what the President will do. I have no secret pipeline to the White House. I do not have a Dick Tracy two-way wrist radio to keep in touch with the activities of the President or of those around him. I do not think anyone needs one. The President has made it altogether clear that the social security approach is not acceptable to him.

As I have said, whether or not one is in agreement with our position, it certainly has been made clear that any such approach will mean we shall have no legislation at this session.

Every Senator who votes for the Anderson amendment—and I do not by any means suggest it is not an honest preference on his part—must recognize the fact that in doing so he is saying to all who would be eligible for the health insurance that they will have to wait a couple of years longer for it. It may well be that it would be worth waiting in order to get a particular kind of program. I do not think so. I am very much convinced of the merits of the plan which has been advanced by the group, led by my distinguished senior colleague.

For those who may still be undecided as to the two alternatives, I point out that ours is a proposal which can be passed today and which, without much question, would be acceptable to the House of Representatives, and would be signed by the President, to go into effect shortly thereafter. Indeed, this is the only plan which contemplates going into operation on October 1 of this year. All of the other plans are expected to be in operation not before July 1 of next year.

This seems to me to be a very compelling practical argument in favor of the passage of the amendment before us.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. KEATING. Mr. President, will my colleague yield me another 5 minutes?

Mr. JAVITS. Mr. President, I yield 5 additional minutes to my colleague.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 additional minutes.

Mr. KEATING. Mr. President, another practical matter of importance which I want to stess relates to the relative benefit packages of the two alternatives to be voted upon today.

I do not think anybody would dispute the fact that the benefit package in the amendment offered by my colleague is far superior to that offered in the Anderson amendment or, for that matter, to that offered in any of the other alternatives proposed.

The amendment before us would give the individual the choice as to whether he wishes to emphasize first cost coverage or insurance against long-run illness, or what the administration has called catastrophic illness. One program might suit one person while the other may be more appropriate for and suitable to his neighbor.

Within the two programs, our amendment would provide hospital care, physician's services, surgical services, and nursing home care; and, in the catastrophic program, laboratory and X-ray services, drugs, dental services, and home nursing.

The broad range of services in these two benefit packages offers a number of advantages. First, it is a "no fooling" proposition. By this I mean it does not, by promising only hospital care, ignore or further aggravate the existing serious national shortage of hospital facilities.

Mr. President, with a program limited to hospital care we may well have to turn a lot of people away from the doors. We shall perhaps be turning away people with very serious illnesses, to make way for those with minor illnesses who want to benefit under their insurance program.

That seems very serious to me. If everybody is to be given free hospitalization, it will naturally mean many will go to the hospitals who normally would be taken care of, as they could be under the proposal offered by my colleague, in a nursing home or by home care. In fact, by specifically including home care, home physician's services, and nursing home care in the proposal offered by my colleague [Mr. JAVITS] we may prevent people who are newly covered under a plan, who formerly had more limited plans, from going to hospitals when they do not need to in order to take advantage of their insurance benefits. Under the Anderson proposal those people would have to go to the hospital to obtain the benefits.

Good health insurance must be geared to the special needs of the aged, and must be varied in its benefit packages. If a man needs a doctor we cannot say to him, "Sorry, my friend, you are only covered for hospitalization, so go lie down for a while." Having a health-insurance-for-the-aged program which is unduly limited as to types of benefit is like asking a man to hammer a nail with a pair of pliers.

To sum up, I want to add my support to the very fine arguments which have been presented by my senior colleague during the past several days of debate.

At this moment, taking all present circumstances into account, I feel strongly that the best and most realistic course for the Senate would be to pass the very manageable and responsible program which we have put forth. I hope that any Senators who may still be "on the fence" will think hard, and in doing so, will recognize that of the available alternatives, the bill of which I am a cosponsor offers the best and most immediate solution to the health needs of our Nation's senior citizens.

Mr. President, at this point, if I may be permitted to do so, I should like to address a couple of questions to my colleague, who has studied this subject so thoroughly.

Am I correct that the proposd Anderson amendment would cover only those who come under the social security system, and that anyone who did not come under that system would not be within the purview of the Anderson amendment?

Mr. JAVITS. That is my understanding, and I draw that from section 226(a), page 2, of the Anderson amendment, which conditions entitlement upon attaining the age of 68, and entitlement under section 202 for monthly insurance benefits under OASI.

Mr. KEATING. Is it not true, furthermore, that the benefits in the Senator's plan would be extended to those who are not under social security?

Mr. JAVITS. As well as for those who are.

Mr. KEATING. The benefits would, I feel, be superior to those contained in the Anderson amendment as well as to those contained in the Kerr bill.

Mr. JAVITS. I believe so. I point out also that the fundamental direction, as the experts tell us, is for preventive care. At least the option for preventive care is something better than is provided under the Anderson amendment, and the comprehensive care package in the case of catastrophic illness is, I believe, superior to it, too.

Mr. KEATING. Much has been made here by the opponents of this plan and those who favor the social security approach, of the opposition of the Governors conference. Does not the Senator from New York feel that it is a perfectly natural reaction for a Governor of a State, without in any way impugning his motives, to prefer to have a health plan handled through a Federal system rather than one in which the State would participate?

Mr. JAVITS. It seems to me that is elementary. The State Governors are not eager to raise money for the purpose of paying their share of these programs if they can get them without doing so. So who would expect any other reaction? We could hardly expect anything else but that the Governors should say, "Sure, let the Federal Government do it."

Mr. KEATING. Under the plan of the senior Senator from New York, the beneficiary has three options; am I correct?

Mr. JAVITS. That is correct.

Mr. KEATING. He may select whichever one he feels best fits the particular problems which he faces and which his family faces?

Mr. JAVITS. The Senator is exactly correct.

Mr. KEATING. I think this answers the questions I wanted to ask. After the further presentation which my distinguished colleague makes today, I may have some further questions. In closing, I again commend him for the very great diligence which he has shown and the very constructive plan which he has presented.

Mr. JAVITS. I am very grateful to my dear friend and colleague, the Senator from New York.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. JAVITS. I yield 7 minutes to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I support the amendment of the Senator from New York as an improvement on the administration bill. I believe Mr. Flemming himself believes that the amendment is an improvement, and supports the Javits amendment.

I think the essential feature of the Javits amendment as opposed to the so-called Anderson amendment is that it is

voluntary. I think the best forms of medical care that we can have are those which embody a combination of the voluntary desires on the part of the individual and the cooperation of the State and the Nation.

The Federal Government can well contribute help to America's aged citizens in meeting the cost of high—and in some respects, as the technical experts in the field term it, "catastrophic"—medical expenses.

I have tried to make clear my own beliefs about this need and to contribute emphatically and directly to this end by introducing the administration's proposal of broad benefits—the so-called medicare bill, and cosponsoring the more recent proposal embodying the same basic principles filed by Senator JAVITS. His proposal improves that which I filed.

The number of people in the United States age 65 and over is increasing at the rate of 1 million every 3 years. There are today 16 million of these older citizens—nearly 9 percent of our total population. Income for older people is drastically smaller than in the case of lower age groups—a substantial portion of our aged have personal incomes of less than $1,000 annually. On the other hand, the average old person has from 2 to 3 times as much chronic illness as a typical young citizen. Medical care expenses of our old people are close to two times as much as for the general population. General medical costs have gone up 46 percent in the last 10 years; and two-thirds of our aged have no private health insurance.

The problem of keeping healthy is, simply, compounded for older people. First, their medical costs are more expensive than for younger age groups. Second, since their so-called productive years are drawing to a close or are already over, they have less money with which to cover these costs.

Perhaps the most serious aspect of this social problem is the heavy insecurity and apprehension, the depression and despair suffered by people in their old age, knowing that their illnesses may be more serious and last longer than previously and probably that there will be less money to cover the costs.

Because of these striking facts there is general agreement that some plan of Federal assistance in this field should be provided in addition to existing Federal programs providing grants-in-aid to support State old-age assistance programs. No one person, group, or one political party has a monopoly on the urgency of this issue or the conviction that something must be done about it. The question is what plan should it be; how should this matter be approached.

S. 3784, the administration proposal which I filed, is based on the following essential beliefs about Federal assistance to cover medical expenses of the aged; it must be voluntary—that is, placed outside of compulsory social security schemes, paid for out of general revenues rather than by a special tax; it must not be discriminatory; it must meet the specific need of helping out cases of chronic, long-term illness; it must involve some participation on the part of the individual in providing for his own welfare; it must involve State sharing and State administration of the program; and it must not act to clog already jammed medical facilities and institutions.

The proposal which the Senator from New York [Mr. JAVITS] has introduced and which I and seven other Senators cosponsored is essentially a blending of the medicare concept and an earlier bill introduced by the Senators from New York [Mr. JAVITS and Mr. KEATING], the Senator from Pennsylvania [Mr. SCOTT], and others.

I want to make it clear that far from being inconsistent with S. 3784, the new Javits proposal embodies the basic principles and provisions of that bill, as Secretary of Health, Education, and Welfare Flemming has recently made clear.

The Javits bill provides three optional plans from which participants can select the one they feel is best suited to their individual need: First, a diagnostic and short-term illness benefit plan emphasizing preventative medicine.

From my experience in studying this plan, it is always wiser to keep a man healthy than to help him get well after he is sick. A healthy man is an asset to himself, to his State, and to his Nation. A sick man is not an asset either to himself or to his Nation.

Second, a major medical services plan emphasizing chronic and long-term illness; and third, an optional private insurance benefit plan, covering 50 percent reimbursement of private program's cost up to $60.

Those people over 65 years of age who do not earn over $3,000 annually—couples, $4,500—would be eligible under this bill. Federal payments for the program would range from two-thirds for the poorest State to one-third for the richest State, averaging 50 percent and paid for out of general revenues. The annual Federal cost under this proposal is estimated at from $320 million to $460 million; the State cost up to $520 million. The States would administer the plan as outlined in the Medicare proposal.

The first two options under the Javits measure constitute minimum requirements to qualify for the Federal-State partnership. In addition to this, the Federal Government would participate in the cost of improving these plans up to a per capita cost of $128 per year for benefits—that is, up to the level of benefits provided by the administration's original bill.

The Javits plan calls for individual enrollment fees to be determined by the States according to the participant's income and with the approval of the Secretary of Health, Education, and Welfare. Its third option—the major long-term illness benefits plan—requires payment by the individual participant of 20 percent of costs after a deductible of $250, as under S. 3784.

What we now have under the new proposal is a more flexible plan both in terms of the type of benefits offered and the level of benefits covered; an aged medical care program which directly and specifically meets the particular kind of need involved, which allows wide freedom of choice for the individual, and which stresses ability to pay in both participating States and individuals.

The first Medicare program has been criticized because it faced the danger of States withholding their participation in a broad and expensive program of high benefits, and because it put heavy emphasis on covering the cost of chronic illnesses without sufficient treatment for cases of short-term illness. The new measure has answered these questions, while following the basic principles of the earlier proposal which I have outlined. The States can now accept a limited version of the earlier plan or scale the benefits upward, according to their financial ability. The citizens of States agreeing to participate can select the first option under the program if they feel first-dollar costs for short-term and preventative treatment is more helpful in their particular case.

The Javits proposal represents substantial progress in finding legislation to answer the question before us.

Mr. McNAMARA. Mr. President, I yield 10 minutes to the distinguished Senator from Ohio.

Mr. YOUNG of Ohio. Mr. President, at the outset I state with all the emphasis I can muster that I support H.R. 12580, the bill to amend the social security law. I support it, although I hope later in the day or tomorrow to vote for amendments which will make it a better bill than it is in the form reported by the Committee on Finance. At 2 o'clock today I propose to vote against the Javits amendment, and at 6 o'clock this evening I propose to vote in favor of the Anderson amendment.

The amendment which we are considering, offered by the distinguished senior Senator from New York [Mr. JAVITS], is a step backward, in my judgment, although it certainly has meritorious features.

The Democratic National Convention this year adopted a platform which is designated "The Rights of Man." That platform was adopted a few short weeks ago. In it there is an obligation which the junior Senator from Ohio recognizes and intends to adhere to. It is my hope that the Senators of my party, the Democratic Party, will recognize the obligation of the Democratic platform. I should like to read a few excerpts from it:

> Illness is expensive. Many Americans have neither incomes nor insurance protection to enable them to pay for modern health care. The problem is particularly acute with our older citizens, among whom serious illness strikes most often.

Mr. President, protracted illness or extended surgical and hospital care should not be a financial calamity afflicting citizens who are 68 years of age and over. Stupendous debt should not be the penalty that the aged and the relatives of the aged should have to pay when serious illness comes into their homes. The social security system should be perfected and amended to take care of this situation.

The platform then goes on to provide:

We shall provide medical care benefits for the aged as part of the time-tested social security insurance system. We reject any proposal which would require such citizens to submit to the indignity of a means test—a "pauper's oath."

The amendment of the senior Senator from New York requires a means test sometimes called a needs test, compelling our aged to take that humiliating step.

The platform goes on to say:

For young and old alike, we need more medical schools, more hospitals, more research laboratories to speed the final conquest of major killers.

I will read one more paragraph from our Democratic platform, because I feel there is an obligation on the part of Senators who are members of the Democratic Party to support that platform. If within a few weeks we are to shoot down the platform of our Democratic Convention, or today vote against the social security concept by supporting the Javits amendment, let no one point to the junior Senator from Ohio and say his was the assassin's bullet.

The Democratic platform states—and I feel an obligation to support it, and I want to support it, and I am glad to support it—

The most practicable way to provide health protection for older people is to use the contributory machinery of the social security system for insurance covering hospital bills and other high-cost medical services. For those relatively few of our older people who have never been eligible for social security coverage, we shall provide corresponding benefits by appropriations from the general revenue.

That is a clear-cut pledge. The amendment we will vote on at 2 o'clock, in my judgment, is a violation of that pledge. The 87th Congress convenes in about 4 months, in January 1961, for the welfare of the Nation and for the peace of the world. If the bill reported by the committee, as amended, does not take satisfactory care of the elderly people who are not now covered by social security, it will be a very simple thing to act a few months from now. The Presidential veto, which now hangs over the Senate will not then be hanging over the Senate, I am thankful to state.

We shall, for those relatively few of our elderly people who have never been eligible for social security coverage, provide corresponding benefits by appropriations from the general revenue. I support the committee bill, but I submit at this time an amendment——

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. McNAMARA. Mr. President, I yield to the Senator from Ohio the time necessary for him to conclude his statement.

Mr. YOUNG of Ohio. I thank the Senator from Michigan.

Mr. President, I submit an amendment to the pending bill. The amendment would extend the coverage of the Social Security Act to the physicians and surgeons of the Nation. I ask unanimous consent that the amendment lie on the table and be printed.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. YOUNG of Ohio. Mr. President, I have made it clear that I support the Anderson amendment and shall vote for it at 6 o'clock tonight. I shall vote for other liberalizing amendments, also.

Mr. President, when on August 14, 1935, Franklin D. Roosevelt signed the social security bill, the old age, survivors, and disability insurance program became the greatest law for the welfare of the American people ever enacted by Congress. We want to maintain this program. It is actuarially sound, and we propose to keep it so.

President Roosevelt stated on the day he signed the act:

This is a cornerstone in a structure which is being built but which is by no means complete. What we are doing is good, but it is not good enough.

It is well known that at that time the most powerful lobby opposing social security and urging its defeat, just as it is the most powerful lobby today, urging the adoption of the Javits amendment, was the American Medical Association.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I shall be happy to yield a little later.

Mr. JAVITS. I shall yield a minute of my time to the Senator from Ohio.

Mr. YOUNG of Ohio. I shall yield in a moment. If the American Medical Association is not opposing the Javits amendment, which we are now debating, I shall be very glad to learn that. I consider that there are many meritorious features in the proposal of the senior Senator from New York. I have so stated. However, I oppose the Senator's amendment because it is not tied to the social security system, which even the Governor of the State of New York has declared is the proper approach. I now yield to the distinguished senior Senator from New York.

Mr. JAVITS. I yield the Senator from Ohio 1 minute. I know the Senator from Ohio, and have great affection for him. I know he would not wish to be unfair. The American Medical Association is not backing my proposal. The only clue I have to their attitude is that the Senator from Wisconsin [Mr. PROXMIRE] and I debated with Dr. Annis, of Florida, on a television program relating to this type of legislation. I think the Senator from Wisconsin will bear out my statement that from what we could learn, Dr. Annis was clearly opposed to the Anderson proposal and to my own.

Mr. YOUNG of Ohio. The fact that the American Medical Association—that is, the ruling clique of delegates in control of it—is not supporting the Javits amendment enhances my present opinion of the Senator's amendment. It has many good features. Nevertheless, I hope it will be defeated because I believe the Anderson amendment is a better amendment; and I believe we can adopt the better amendment on the floor of the Senate later today.

Mr. President, the house of delegates of the American Medical Association has been operating in a high-handed, arbitrary, dictatorial manner. In my State of Ohio and in the States of Pennsylvania, New York, and New Jersey, physicians and surgeons have asked to be included within the beneficent provisions of the Social Security Act. I hold in my hand, for example, many telegrams and letters—almost 40—which I have received in the last few days from physicians and surgeons in all parts of Ohio. They all contain messages similar to those which I now read:

Please vote to support amendments to restore physician coverage in social security. Doctors desire that.

Please use your influence to restore coverage of physicians.

Vote for social security coverage for physicians.

Here is a package of telegrams.

Although the physicians and surgeons, in referenda taken in various States, have expressed a wish to be included within the Social Security Act, those willful men, holding onto their jobs and operating the American Medical Association as their own private property, have succeeded in having coverage for doctors stricken out of the bill reported by the Senate Committee on Finance.

The pending bill has many good features. It permits those who are covered by social security to earn $1,800 per annum after retirement instead of only $1,200; and even the $1,800 will, we hope, be liberalized a little later today. Disability benefits now commence at age 50. That is a misfortune for men and women who have been gainfully employed, who have paid premiums into the social security fund, but who have then suddenly become stricken at age 30, 35, or 40 and are totally and permanently disabled and may never again be gainfully employed. At the present time, under the social security system, such unfortunate persons must wait until they reach the age of 50—if they live that long—before participating in retirement benefits. Under the amendment of the committee such payments would begin immediately, regardless of a person's age.

The American Medical Association has made it very difficult for the aged of our country, who are not in good circumstances, to pay from their own funds for hospitalization, surgical and medical expenses. The little group of willful men who run the American Medical Association have upped the requirements for admission to medical schools. They have, in fact, so acted that there is an acute shortage of medical schools and medical departments in our universities.

The fact is that due to the actions, over the years, of the leaders of the American Medical Association, there is an acute shortage of trained physicians and surgeons in every section of the United States. The situation is becoming more acute. As it becomes more acute, the cost of medical and surgical attention zooms upward.

Mr. President, I should not admit this publicly, but as a young lawyer, with a young wife, in my first year in the practice of law in my home State of Ohio, I made $710. Today, when a man leaves

medical school as a practicing physician and surgeon, he does not have to struggle, as the present Presiding Officer of the Senate, the distinguished junior Senator from North Dakota [Mr. BURDICK], and other Senators, as young lawyers, struggled in their earlier years. Immediately, the income of a young physician or surgeon is very substantial and rises rapidly.

The highest paid group of professional men in the country are physicians and surgeons. Now the dictators of the American Medical Association are seeking to impose restrictions which would bar doctors from foreign nations, despite their training and admission to the practice of medicine in their own countries, from employment in hospitals in the United States in any capacity; this despite their training and experience in their own countries.

Twenty-five years ago the American Medical Association lobbied against and fought the social security proposal. It denounced it as state socialism and socialized medicine. Mr. President, social security was and is neither.

Despite the fact that physicians and surgeons in Ohio and other States have voiced, by overwhelming vote on every referendum taken, their desire to have the benefit of coverage in our social security program, during recent years the American Medical Association lobby has opposed coverage under this beneficent program for physicians and surgeons of the United States. That is the present policy of that small clique.

Despite their wishes, physicians and surgeons form the only professional group who do not pay social security premiums and are not covered by annuities purchased in the Old-Age and Survivors' Insurance System, affectionately known to millions of Americans as our social security system.

This AMA group fought the Forand bill and was instrumental in causing its defeat in the Committee on Ways and Means of the House of Representatives, and is fighting liberalization of the social security system to provide some hospitalization, nursing, and surgical benefits for elderly retired persons in need. It did that despite the fact that there was nothing in the Forand bill, or in any other seriously considered legislative proposal to liberalize the social security law, which would prevent individuals from employing the physicians and surgeons of their own choosing, or would prevent physicians and surgeons from choosing not to be so employed by any individual they may not desire to attend.

Mr. President, the bill now before us is a good one. It is an extension of our social security system. The actuaries of the Department of Health, Education, and Welfare, who serve under the direction of the Secretary, a member of President Eisenhower's Cabinet, agree that this bill is a good one, and point out that the Anderson amendment will be actuarially sound and will continue to be so, with its small increase of the present premium—an additional one-fourth of 1 percent paid by employers and employees and three-eighths of 1 percent paid by the self-employed.

Mr. President, the United States is the only important nation in the entire world in which there is not some form of universal state insurance for sick, aged people.

Anyone with a sense of history realizes that the social security system will always remain with us. Since the time when President Franklin D. Roosevelt first proposed it to the Congress and since he signed the Social Security Act in 1935, not one Republican presidential candidate has ever advocated repeal of the Social Security Act, although Republican candidates for the presidency like to orate against the New Deal. I doubt that any presidential candidate will ever advocate its repeal.

It is a fact that officials of the Eisenhower administration have adopted the theory of private old-age health insurance on a voluntary basis. Governor Nelson Rockefeller very accurately stated that this proposal is fiscally unsound. His position on this tremendously important subject is that the social security law should be amended and liberalized, and that surgical and hospital care and attention for our aged should not be on a Government-grant basis, at the taxpayers' expense, but should be tied to the Old-Age and Survivors' Insurance System.

We of the majority in the Congress, have all along proposed that.

Mr. President, let us liberalize and amend the Social Security Act in the ways provided by the Anderson amendment. Let us reject the Javits amendment. Then, let us go forward and provide hospital care and attention for our aged, but not on the basis of a Government grant at the expense of the taxpayers. Instead, let us tie this program to the Old-Age and Survivors' Insurance System, as is proposed in the Anderson amendment.

Whether the physicians and surgeons in the Nation are included under social security is a matter of relatively little concern, to be frank, to some Members of Congress who over the years have been amazed at the failure of the House of Delegates of the American Medical Association to respond to the wishes of the majority of the physicians and surgeons of the country. The intelligent and forward-looking physicians and surgeons who have been clamoring for social security coverage, many of whom have been sending me telegrams in which they ask to be included, are not properly represented by that little group of dictators.

Mr. McCARTHY. Mr. President, will the Senator from Ohio yield to me?

Mr. YOUNG of Ohio. Yes, Mr. President; I yield to the distinguished junior Senator from Minnesota.

Mr. McCARTHY. I thank the Senator from Ohio for yielding to me.

Mr. President, I wish to add to comments I made on yesterday in regard to a so-called scientific sociological study which was the subject of a release issued by the American Medical Association on Monday, August 15. The release reads in part as follows:

> An independent national survey just completed by university sociologists emphatically proves that the great majority of Americans over 65 are capable of financing their own health care and are prepared to do so on their own, without Federal Government intervention.

The release also states:

> The study disproves some dangerous misconceptions about the aged. Dr. Larson said it shows that most of these persons are in good health, not sick, and are in moderately good financial condition, not hardship cases.

The release goes on to cite a number of participants or, in the study at least, persons who were said to be participants by Mr. Wiggins and Mr. Schoeck, the authors of the report.

On August 18 the Wall Street Journal published an article by the same two men, Mr. James Wiggins and Mr. Helmut Schoeck. I must note that the article was published on the editorial page of the Wall Street Journal, and on that page the Wall Street Journal does not always follow the same standards of objectivity that it follows on its financial pages, and does not seem to impose upon its editors and those who contribute to its editorial page the same objective standards that it imposes upon its Washington reporters.

But, in any case, the Wall Street Journal published an article based on the so-called scientific study which was the object of the release by the American Medical Association.

Mr. President, on yesterday I inserted in the RECORD comments by a number of sociologists who, according to Mr. Wiggins and Mr. Schoeck, are said to have participated in the study. I should like to quote from a few statements made by some of those sociologists, who have commented since the release was made.

One of them, Professor Noel P. Gist, professor of sociology at the University of Missouri, wrote as follows:

> The AMA news release, intentionally or otherwise, ignored these qualifications. Instead, it has presented data on a limited and restricted sample of older persons as if this sample were representative of the aged population in general. For this reason the statements in the AMA news release are both misleading and deceptive. The average newspaper reader would probably not be sufficiently informed to detect this deception.

Mr. Leonard Z. Breen, associate professor of sociology and coordinator of research in gerontology at Purdue University, at Lafayette, Ind., wrote to the Senator from Michigan [Mr. MCNAMARA], the chairman of the Senate Subcommittee on the Aged, a letter from which I quote the following:

> I must report that I was appalled to read the paper which I found to be of poor quality of scientific research technique and writing. Indeed, I regretted at that point that I had been so naive as to have accepted the paper without having seen it in advance, especially since it would be presented before an audience of internationally known scientists who might think of this as representing American sociology. Fortunately, I had taken the precaution of appointing a well-known, highly competent research sociologist as the discussant of the paper following its presentation (a standard procedure in meetings of this kind).
>
> I discovered also that a press release had been prepared and distributed prior to the presentation of the paper: this press release had not been prepared by the press staff of the congress, and I do not know now

who did prepare it. The release was couched in such terms, however, which made it apparent that there were motivations in its release other than the dissemination of scientific knowledge.

I read further from the same letter to the Senator from Michigan:

I hope the above comments make clear what I intend; namely (a) we did not see the paper prior to its presentation at the congress, (b) it is far below the quality expected of a professional researcher, (c) it is totally misleading, and (d) it was discredited by the professional research scientists present at the congress meeting where the paper was presented.

Mr. President, it seems strange to me that the American Medical Association would give publicity to such a report, which indicated that 90 percent of the people over 65 years of age have no medical problems.

As all of us well know, the medical profession has been very particular in opposing attempts of amateurs to diagnose disease. The medical profession generally argues that a person should be examined by a competent member of the medical profession. But here we find the American Medical Association, apparently without any hesitation, taking the word of a group of sociologists that only 10 percent of people over age 65 have any medical problems.

I suggest that the medical profession look to the American Medical Association about this matter, because if such an attitude is continued, the point might come when the American Medical Association would recommend a self diagnosis and a kind of "do it yourself kit" so that a person would not need to consult a doctor at all.

This morning another wire was received, addressed to the Senator from Michigan [Mr. McNAMARA], again making comment on this same study. The author of that telegram is Miss Ethel Shanas, senior study director of the National Opinion Research Center. I should like to read from this telegram at this point:

At the request of Senator McNAMARA, I am sending you a brief statement on the paper, "A Profile of the Aging: U.S.A.," by James W. Wiggins and Helmut Schoeck.

In general, I agree with Professors Wiggins and Schoeck that the "aged" cannot be considered as a single homogeneous group. Persons 65 years of age and over may differ greatly from one another. Wiggins and Schoeck have made this point in an admirable fashion.

That is an obvious point. I think it is generally accepted that one aged person is not like every other aged person. The Senator would agree; would he not?

Mr. YOUNG of Ohio. That is correct.

Mr. McCARTHY. But the fact is that the Wiggins and Schoeck study did not really cover a cross section of the aged. After making this fine and rather obvious statement, they then sorted out about 35 percent of the aged and made their study on that particular group. For example, they did not take into account those on old-age assistance. They left that group out. They did not include in their study any excepting people over 65 who were members of the white race. They left out all other groups. They moved on down, eliminating one group after another, after having said that if one is going to study persons over 65 years of age, one should take into account the fact that they vary greatly one from another.

The wire continues:

I am concerned, however, about certain of the findings in the Wiggins and Schoeck paper which are in disagreement with findings from the study of the health needs of older people with which I am associated. My concern stems from Wiggins and Schoeck's claims that "each person in the universe from which the sample was taken had an equal chance to be included in the sample."

That is an elaborate statement:

Each person in the universe from which the sample was taken had an equal chance to be included in the sample.

The sample was not taken from the universe, I assure the Senator from Ohio.

Continuing with the telegram:

And that "respondents were found through the use of area probability sampling" in our study; also, every older person in the noninstitutional population had an equal chance of being located and interviewed, and our respondents were located through the use of area probability methods. Theoretically, if in both studies the samples represent all older people, and all such persons have equal chances of being located and interviewed, differences between the two samples should fall within the range of sampling error. In the National Opinion Research Center study our findings on the utilization of health resources have been compared with the reports of the national health survey; our reports on income have been compared with the reports of the U.S. Census Bureau and the Social Security Administration. Both the health survey and the Census Bureau employ area probability samples. In all of these comparisons, the degree of agreement has been good between our reports and these independent studies.

I am therefore concerned to find major areas of disagreement between Wiggins and Schoeck and our own research. By disagreement, I do not necessarily mean contradictions between Wiggins and Schoeck's findings and our findings. I would consider as a disagreement any difference in the magnitude of the replies to comparable questions where such a difference in magnitude could not be explained by sampling variation.

Careful reading of the Wiggins and Schoeck paper, however, leads me to believe that the authors have not employed an area probability sample as the term is commonly used in the literature. What they have is a quota sample drawn in 25 different areas of the United States. They are, therefore, not correct in saying "Every person in the universe from which the sample was taken had an equal chance to be included in the sample (P &)". Because of the differences in sampling technique, the Wiggins and Schoeck findings cannot be compared with those of the National Opinion Research Center study. The Wiggins and Schoeck study apparently is based on what the statistician Edward Deming has called a "chunk" of the population. (W. E. Deming, 1950, Some Theories of Sampling New York: John Wiley & Sons, p. 8). The National Opinion Research Center study, on the contrary, resembled in general design the design used by the Census Bureau and other governmental agencies.

Because of the limited time available to me I shall comment only on the financial data in the Wiggins and Schoeck paper. I am not clear from the paper whether the authors are speaking of individual income or couple income when they state "The modal cash income reported was between $2,000 and $3,000. Half of the respondents reported incomes in excess of $2,000 per year and 1 of 20 reported more than $10,000 annual income (p. 9).

Income data is usually reported in terms of medians rather than modal categories. In our study we reported a median income of $1,935 for men and $880 for women. In describing these medians we said:

"The median income of persons 65 years of age and older with money income in 1956 as reported in this survey was $1,300. For men who had some money income the median was $1,935, for women it was $880. These medians derived from the National Opinion Research Center sample are probably somewhat higher than the true figures, as a result of the methods of tabulation used, that is, wherein husband and wife both received income from social insurance programs or from public assistance, the total income for the couple was reported as the husband's income because of the difficulty in differentiating between the amounts received by each member of the couple. The Census Bureau for the year 1956 reports a median income of $1,421 for men with income and a median income of $738 for women with income.

These figures are in direct contradiction to those which were included in the Wiggins and Schoeck report.

I ask unanimous consent that the remainder of the telegram from Dr. Ethel Shanas, senior study director of the National Opinion Research Center, be included at this point in the RECORD.

There being no objection, the remainder of the telegram was ordered to be printed in the RECORD, as follows:

Over one-third of all persons 65 and over reporting money income in this survey had incomes of less than $1,000 a year in 1956 if persons with no money income of their own (including wives whose total income is reported by the husband) are added to that group whose money income was less than $1,000 a year, it may be estimated that about one-half (52 percent) of all persons aged 65 years and over had money incomes of less than $1,000 in 1956 (Ethel Shanas, "Financial Resources of the Aging," Health Information Foundation, p. 3).

Unpublished data from our study indicate that in 1956 the median income for couples both of whom were 65 years of age or over was $2,215 for couples where the male head was 65 years of age or older and the wife under 65, the median income was $2,625 our modal income categories for couples, based on 1956 data, was $1,000 to $1,999.

In conclusion, because of the limitations of the Wiggins and Schoeck sample, finding from their interesting and suggestive research cannot be generalized to the total older population of the United States.

Yours sincerely,

ETHEL SHANAS,
Senior study director, National Opinion Research Center.

Mr. McCARTHY. Mr. President, any Member of Congress who has taken note of the AMA release or anyone who has been moved by the Wall Street Journal article should look at these figures and note the contradiction.

Mr. YOUNG of Ohio. Mr. President, I express my complete agreement with the statement made by the Senator from Minnesota.

I ask this question of the distinguished Senator from Minnesota. He and I were both delegates at the Democratic National Convention a few weeks ago. I

was a humble delegate at large from the State of Ohio. The distinguished Senator from Minnesota has been acclaimed throughout the Nation as having made one of the greatest nominating speeches ever made in a national convention of any political party in the history of this Nation.

Does not the junior Senator from Minnesota feel that now, a few weeks after this convention, and for all time, there is a moral obligation on the members of the Democratic Party in the Senate to support the social-security approach and to expand and liberalize the social security system?

Mr. McCARTHY. If the proposal to develop a medical aid program as a part of the social security system had been initiated only at the convention, I would say we should come back in the next session and enact it into law. But this whole concept has been before Congress for a long time. We have had hearings on it and have had statements from many persons who are concerned with the problems of the aging, so I think we have an obligation in that regard—an obligation which was also sustained in adoption of the platform at the convention.

Those who are so critical of the welfare state seem to be in a position of suggesting, instead of the welfare state, a sort of hand-out state. If I must make a choice between the two, I will take the welfare state.

Mr. JAVITS. Mr. President, I yield 10 minutes to the Senator from Connecticut [Mr. BUSH].

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 10 minutes.

Mr. BUSH. Mr. President, I regret very much that we are rushing, in a politically charged atmosphere, to a vote on an issue of such tremendous importance to the people of the United States, especially the older people.

A few days ago I came across an article published in the Hartford Times, the headline of which is "Folsom Voices Caution Against Medical Aid Rush."

The article says that the former Secretary of Health, Education, and Welfare, who succeeded Mrs. Hobby in that job, said, "This is no time to be enacting far-reaching legislation 'in a political atmosphere' which would have a profound effect on the future."

He also said, "Congress has not given adequate study to the situation."

I agree with that, Mr. President. I do not think this problem has been given adequate study. I have in my hand the record of the hearings on the committee bill which is before the Senate, on the whole subject. There were 2 days of hearings, on June 28 and June 30. I submit that with regard to an issue of this magnitude this is entirely inadequate treatment. It is most unfortunate that we find ourselves in a position of having to vote upon this serious matter at this time.

Mr. President, the article from the Hartford Times gives the views of Mr. Folsom. He suggests the appointment of a nonpartisan commission to study and to report back by March 1. I considered offering an amendment, which would be an amendment to the committee bill, calling for the establishment of such a commission by law, but after appraising the political situation in the Senate I concluded it would be an idle gesture and would get nowhere, so I shall not offer the amendment.

However, I ask unanimous consent to have the article from the Hartford Times printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOLSOM VOICES CAUTION AGAINST MEDICAL AID RUSH

(By Paul Martin)

WASHINGTON.—Former Welfare Secretary Marion B. Folsom urged Congress yesterday to defer action on a Federal health insurance plan for old folks until after the 1960 election.

He said this is no time to be enacting far-reaching legislation "in a political atmosphere" which would have a profound effect on the future. He also said Congress has not given adequate study to the situation.

"There is no rush," Mr. Folsom declared. "This problem has been coming on us for years. There is no emergency to justify hasty legislation. We ought to give plenty of study to something like this before we do anything."

Instead of rushing into a new program in an election year, Mr. Folsom suggested that an advisory commission be appointed to study the entire field of health insurance for persons over 65 years of age, with instructions to report by next March 1, to the next Congress and the new administration.

Such a commission, he said, should include representatives of the medical profession, insurance industry, employers and labor unions, and the public. It should be given an appropriation and an adequate staff to conduct the study.

To avoid political partisanship, he said the commission might be appointed jointly by the chairmen of the Senate Finance and House Ways and Means Committee, both Democrats, and the Secretary of Health, Education and Welfare in the Eisenhower administration, a Republican.

"This is the logical way of getting the best possible program," Mr. Folsom observed. "This is a complicated business. We should go about it as we have the Social Security Act in the past. You would be surprised how much agreement you can get on a plan, once the facts are known."

The Democratic nominees for 1960, Senators JOHN F. KENNEDY of Massachusetts and LYNDON B. JOHNSON of Texas, have listed a compulsory health insurance program under the social security system as "must" legislation for this bobtail session of Congress.

However, the House has passed and the Senate Finance Committee has approved a limited program of medical care for old folks, to be handled by the States and financed out of the Treasury general fund, as proposed by President Eisenhower.

Mr. JOHNSON wants to make health insurance the next order of business in the Senate, after the pending minimum wage bill. Mr. KENNEDY has threatened a floor fight to expand the program and put it under social security taxes, as demanded by labor unions.

Mr. Folsom, now a director of the Eastman Kodak Co., Rochester, N.Y., is regarded as an authority on health and welfare programs. He helped draft the original 1935 Social Security Act, and served on two advisory commissions under Presidents Roosevelt and Truman.

Mr. BUSH. Mr. President, I think the senior Senator from New York [Mr. JAVITS] has rendered a very real service to the country in connection with this entire subject. This is not a new subject for him. As he pointed out himself, he introduced a bill more than 10 years ago very similar to the pending amendment upon which we are going to vote at 2 o'clock. I venture to say the Senator from New York has more background on this subject than any other Member of the Senate of the United States. I am grateful to him for his exposition of his own amendment, which to me, in the limited amount of time I have had to grasp the details of this important matter, makes a lot of sense.

First, we must realize it is quite clear that the House of Representatives will not support the so-called social security approach to this issue. The House has said so in its own proposed legislation. It would be idle for us, in my judgment, to pass such a measure, because it would simply mean there would be no legislation at all this year. If we are going to approach the issue in good faith and try to get a bill passed, I think we should support the committee bill, which I certainly intend to do.

It is equally clear, of course, that the President would veto a compulsory plan. How do we know that? He has said so. He said so plainly in his press conference a few days ago. Therefore, as I have said, I intend to support the committee bill as the first step in the right direction, because it would provide for those who are in dire need and distress.

Of the other alternatives which have been submitted, the Javits amendment appeals to me principally, and more than the others, because it is, first, a voluntary plan. It is designed for those who are 65 years of age and older who wish to be protected against health hazards but who cannot afford the full cost of such insurance.

Secondly, it is a program in which the subscriber himself pays a modest fee toward the cost of his protection. This fee the Senator from New York has estimated to range from $9 to $12.80 per year at the start.

Third, the plan would be participated in by the State governments and Federal Government. This is important, I think, because it stresses the responsibility of the States in this matter. The States are closer to the people than the Federal Government. I believe in this kind of welfare program the States should have control over the administration of the program. The Javits amendment clearly places the responsibility for administration upon the States. It also gives each State the option of buying insurance under the plan, if that seems to be the most logical way for the State to handle its responsibilities.

Fourth, the Javits proposal appeals because it would be financed from the general revenues. The budget of the Department of Health, Education, and Welfare is now about $3½ billion a year. It is true the Javits amendment would add something on the order of $450 million a year to that budget. But, Mr. President, it seems to me this approach

to the Federal Government's participation in the program is correct, because it would put the burden of assistance upon all the taxpayers, and not primarily upon the lower income workers in the social security system. It would not exempt a very large group of taxpayers who would be those best able to afford it, namely, those whose incomes are larger than the $4,800 a year which is the highest amount upon which social security taxes are paid. Everybody in the United States would have a part in the welfare program, exactly as we participate in the entire budget of the Department of Health, Education, and Welfare.

This is a welfare measure. It is for the welfare of individuals and it is for the welfare of the country. For that reason, Mr. President, the burden should be borne as a national one in the budget of the United States.

I have objected to the social security approach because it would exclude many people from the program and it would also exclude many people from supporting the program who, in my view, if there is to be such a program, have a responsibility to it which they are well able to discharge.

Mr. President, one thing which appeals to me particularly about the Javits approach is the emphasis upon preventive medicine.

As I have said repeatedly, if we can keep people out of hospitals, we shall do them a greater service than we could by taking care of such people while they are in hospitals. That is one of the strongest points in the Javits approach to this whole issue.

Finally, it has been very clearly indicated that the Javits amendment is acceptable to the President of the United States. It seems most likely he would sign the bill with that amendment. Therefore if we really want legislation and not a political issue, the Senate should vote to agree to the Javits amendment today. We have assurance from the President and the Secretary of Health, Education, and Welfare, who has given months of exhaustive attention to this subject, that the Javits approach is in line with their thinking.

I shall support the committee bill and the amendment offered by the distinguished Senator from New York [Mr. JAVITS], and I am grateful to the Senator for yielding to me this time.

Mr. JAVITS. I thank the Senator from Connecticut. Will the Senator yield back the remainder of his time?

Mr. BUSH. I yield back the remainder of the time allotted to me.

Mr. JAVITS. Mr. President, I yield 10 minutes to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I have been associated with health insurance legislation since my early days as a Member of the House of Representatives.

I have cosponsored the Javits amendment since its inception, because of my conviction that we must recognize the needs of millions of our older citizens for adequate health care.

In 1949 I joined with the senior Senator from New York [Mr. JAVITS], Vice President NIXON, Secretary of State Herter, and the junior Senator from Kentucky [Mr. MORTON] in offering a health care bill which embodied the basic principles and approach of the present Javits amendment.

I do not want to repeat what has been so ably presented by my colleague, the senior Senator from New York [Mr. JAVITS]—although I am sure more time is needed to permit a better understanding of what the Javits amendment offers—and particularly to offset the widespread promotion of the Forand-type legislation.

The two amendments before us today represent a conflict of philosophies:

The Javits amendment would preserve the dignity of the individual to select and contribute to his own care; the established right of the State to administer and participate—if it so desires—in a program designed to utilize professional and commercial services through normal and established channels. It builds on existing agencies.

The Anderson amendment would force a program of compulsory participation in health insurance upon a large segment of workers through increased taxation upon employer and employee; it would foster a superstructure of bureaucratic expansion; it would benefit (at this point) millions who have made no contribution to their health insurance; and it would establish for the future a socialized medical program, forced upon both the professional medical men and the working public.

There are certain points I would like to emphasize.

Some doubts have been expressed that the Javits amendment may not have the endorsement of both President Eisenhower and Vice President NIXON.

I believe those doubts were dispelled by the announcements made by the Secretary of Health, Education, and Welfare at his press conference yesterday—which appeared in all of the newspapers this morning.

I ask unanimous consent that a part of that report be printed in the RECORD at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Arthur S. Flemming, Secretary of Health, Education, and Welfare, today joined Vice President NIXON in endorsing a scaled-down version of the administration's original Federal-State plan for medical care for the aged.

Flemming threw his support behind a medical aid bill introduced by Senator JACOB K. JAVITS, Republican of New York, and eight other Senators on Saturday.

"I like the plan," Flemming told a news conference. He said that he had not discussed it with President Eisenhower in detail but he added that the President had "made it clear" to him that the Javits bill was consistent with the general principles endorsed by the administration in the medical care battle.

Flemming repeated his view that the basic issue involved in the controversy is whether the Nation would be "regimented" or whether old people should be given an option to join a voluntary medical insurance program financed by both Federal and State general tax revenues.

Flemming said he had met with NIXON earlier today and that NIXON had shown no hesitancy in endorsing the Javits bill which would amend a measure voted out by the Senate Finance Committee.

Flemming estimated that the Javits bill would cost from $720 million to $960 million, divided 50–50 with the States. This compares to a cost estimate of $1,200 million for the administration's original medicare insurance package offered last spring as an alternative to the Democratic-backed social security proposal.

The HEW Secretary said the Javits plan also differs from the administration's original plan in that it provides an optional plan for diagnostic service and short-term illness benefits. The old plan focused entirely on insurance for long-term catastrophic illnesses.

Mr. SCOTT. The Javits amendment does encompass the administration proposals, furthermore, it provides a more comprehensive coverage at considerably less cost,

With all due respect for the sincerity of my colleagues who are sponsoring the Anderson amendment and who endorse the social security approach—it is my conviction through contact with thousands of older citizens and through observation of the public relations job done by those favoring the increased social security tax approach—that they are deluding those who will be forced to participate, and misleading millions who need to benefit, but will not.

To supersede upon the old-age and survivors insurance program, paid for by the employer and the employee, an enforced participation in a health insurance program, which will immediately benefit between 11 and 12 million over 65's, who have never contributed a cent to the program, is in my opinion a windfall—the cost of which should be borne by all taxpayers and not just by those employers and employees who are presently paying into the social security fund.

The combined social security tax is now 6 percent. It will increase to 9 percent within a few years. I do not think for a moment that the one-half of 1 percent additional tax which it is estimated will take care of the Anderson amendment health program will do so, or that it will remain static any more than the present social security tax has done.

It has been brought out earlier that the fundamental difference between the Javits-administration approach and the Anderson or Forand approach is recognition of the dignity of the individual and his desire to shoulder what he can of his own health program.

In my opinion, this is a very important consideration. Our older citizen is still an important thinking and acting part of our economy. He wants to be able to select his own plan of coverage and his own medical doctor or medical services. The problems is that present-day medical costs have made it impossible for him to afford the amount or even the kind of medical care he needs most.

To hold out as a bonanza a federally enforced social security tax health insurance plan to the 58 million workers who are now covered under old-age and survivors insurance is misleading propaganda. A person who would pay into OASI today for health insurance—might continue to do so for 30, 40, or 50

years before attaining age 68, and the privilege of participating in its benefits. And he may never benefit if death overtakes him before reaching that age.

Why should we delude the younger worker into thinking this program is for him, when for a decade or a half century he may be paying into a fund for the benefit of the older retired worker who happens to be covered by old-age and survivors insurance at the time of enactment?

And let us not delude our older citizens over 65 who have not been covered by old-age and survivors insurance, or those workers whose employment is not covered by social security. There are millions.

The Anderson amendment does not cover any worker not covered under social security, and it does not apply to any older person, now 65 or over, who is not insured under old-age and survivors insurance.

What of those over 65 dependent upon small incomes or upon their families, who would not qualify under the Anderson amendment, or might not qualify under the indigent requirements of the Kerr-Frear provisions of H.R. 12530, as reported; for example, teachers, farmers, civil service workers, railroad employees, and physicians, as well as many other smaller groups?

I say this with all due regard for the provisions contained in the committee bill, which covers those who are on public assistance, or those whose incomes are so small as to make medical care an impossibility.

The Javits-administration proposal takes the "bitter pill" out of these probabilities.

It adds to the committee amendment a voluntary medical insurance program—tailored by means of three options to the different categories of medical care and services the subscriber may require or select.

Priority is given to preventive care, which sound medical practice dictates to forestall the hazards of chronic illness, and which emphasizes physicians' care rather than overutilization of hospital and institutional facilities. This option is available at once to the subscriber, with no deductibility and no coinsurance.

For the individual who can pay his own preventive care but wants to protect himself against long-term illness, there is the option, wherein the Federal and State Governments pay the major cost of lengthy hospitalization and related services after the individual incurs medical expenses of $250.

Third, is the option for the person who wants to purchase his own insurance coverage, aside from the State administered plan. He may receive 50 percent of his premium expense for a private health insurance policy—not to exceed $60 per year.

I commend my colleague, the senior Senator from New York on the maximum estimates he has submitted in connection with his amendment. I think they are outside estimates, based, as he has said, upon full participation by all States and almost all of the estimated eligible persons.

This would be desirable, but I do not think it will be the outcome.

Most States have means of finding matching funds for an attractive program, but it is impossible to estimate how many persons will apply or subscribe for this insurance. Certainly it will be a gradual development, and not one that will bring a sudden impact upon the taxpayer, and upon our medical facilities.

An estimated Federal cost of $450 million for the Javits amendment, plus an estimated $200 million under the committee bill for the public assistance and medically indigent aspects—paid for by all of the people, for all of the people—is not to be compared with the weight of paying for a social security-Federal superstructure and an increased tax burden upon the covered workers alone, who are already heavily tax-burdened.

And who will the worker, now contributing to old-age and survivors insurance, be paying for?

Mr. President, there is no way provided under the Anderson amendment for excluding the wealthy, the millionaire, the comfortably fixed person, who is thoroughly capable of paying for any kind of medical insurance he desires.

There is no way of excluding high income people from benefitting under the plan as laid down in the Anderson amendment. Limitation on earned income is the only limitation placed upon recipients of old-age and survivors insurance. Income received from investments—be it in the millions—does not exclude the insured.

What will be the reaction of the low income worker when he realizes that he is contributing to benefits for those who can well afford to pay for it themselves?

The Javits amendment has an income limitation for participation of $3,000 for the individual, $4,500 for the married couple. We want to reach and serve the older citizen living on a reduced income, which cannot stretch to cover the cost of expensive or extensive medical care.

The Javits amendment far surpasses any proposal yet before us in serving those who have served us in the prime of their life—and who deserve a better share in the benefits and comforts which medical science can offer.

Mr. President, I am very eager that we secure a proper, fair, and just medical care bill for our older citizens. I believe that of all the programs submitted, the Javits program best fits the needs.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, an article entitled "Congress: Medical Issue," published in the New York Times of August 21.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONGRESS: MEDICAL ISSUE—THREE PLANS ARE PROPOSED TO DEAL WITH INCREASING NEED OF OLDER PERSONS FOR HEALTH INSURANCE

(By Tom Wicker)

WASHINGTON, August 19.—The Senate of the United States comes to grips next week with what many believe to be the most potent political issue in domestic politics: the high cost of medical care for the Nation's 16 million persons over 65.

It is not simply that there are so many of these people—9 percent of the population. It is not even that their number is growing—by about 1,000 daily—so that by 1975 there will be 20 million in this age group.

Two other factors aggravate the issue, emotionally as well as economically. They are the high and increasing cost of medical care, particularly drugs and medicines, and the fact that so many younger persons have to devote part of their incomes to the support of aged relatives who can no longer support themselves.

ACUTE NEED

Moreover, it is precisely in the 65-and-over age group that the most acute need is felt for hospital and nursing care, and for the marvelous but costly drugs of the postwar era. Most people spend about $19 a year for drugs; those over 65 spend about $42 a year.

Paying for such services and medications is a real problem for many oldsters, about half of whom have incomes of $1,000 or less. Almost 2,500,000 Americans are old-age assistance recipients; they are officially paupers. An undetermined number—estimated as high as 10 million—are not needy in a strict sense but probably could not pay stiff medical bills.

Private insurance helps those who can afford it—but not enough. About 35 to 40 percent of persons over 65 were reported insured for health care in 1956 by the Census Bureau.

Most States provide varying levels of medical services for the aged—from the approximately $17,000 a year spent by Alabama and Montana to the $26 million expended by New York.

THREE PLANS

When the Senate debate opens tomorrow there will be three specific proposals, each backed by powerful segments of public opinion and political influence. Here are the provisions and the arguments for and against each.

First. The committee bill: This is a measure originated in the House Ways and Means Committee and expanded by the Senate Finance Committee. It has the backing of powerful Senate conservatives in both parties, with southern Democrats providing a basic core of support.

This bill would provide Federal participation in a State payment of $12 a month, specifically for medical care, to 2,400,000 persons on old-age assistance—although not all of them would need it. It also would permit Federal participation in State payments to older persons not on old-age assistance but unable to pay medical bills—probably less than 1 million of them.

The cost to the Federal Government would be $30 million in this fiscal year, and $160 million in the first full year, to be paid from general revenues. Its opponents point out that it would cover not many more than 1 million needy oldsters, would be dependent upon recurring appropriations at both State and Federal levels and would impose a "degrading" means test upon beneficiaries.

Its supporters contend that it helps only those who need help and spreads the cost among all taxpayers. The plan appeals to poor States, with big relief rolls, and is put forward as one that President Eisenhower would not veto.

KENNEDY PLAN

Second. The social security approach: This is embodied in the Kennedy-Anderson amendment, which liberal Democrats will seek to add to the committee bill. It is backed by Senator JOHN F. KENNEDY, the Democratic presidential nominee; and by the Democratic platform.

The plan would impose an additional one-quarter of 1 percent tax on employers and employees to build up a fund from which medical benefits would be paid, when

needed, to those who are eligible to receive old-age and survivors insurance payments and who are over 68. There are about 8,500,000 of these persons, but not all are receiving OASI payments.

The social security approach would not reach the needy aged, but its proponents seek to combine it with the committee bill, which would. Those who received social security medical benefits would get them regardless of their means. They could choose their own doctors, hospitals and nursing homes, and payments would be made directly from the Government to these vendors of medical care.

Benefits would include 120 days' hospital care, 240 days' home nursing care, 360 home health visits and diagnostic outpatient hospital services.

The plan would be fully self-financed, except that hospital patients would pay the first $75 of costs. There would be no drain on the Federal Treasury and no dependence on State appropriations.

VETO THREATENED

President Eisenhower calls this "compulsory medicine" and threatens a veto. Others point out that it puts the burden on the 70 million participants in social security, and that those who are already receiving OASI payments would contribute nothing for the new medical benefits. The American Medical Association calls the plan socialized medicine.

The social security approach, however, has powerful labor union, university and public support.

3. Contributory insurance: Originally proposed by President Eisenhower, this approach will be put forward by Senator JACOB K. JAVITS and other liberal Republicans in a somewhat altered form. It would provide Federal-State payments to help individuals defray the costs of private, voluntary health insurance.

Those subscribing could choose a major medical services plan, a preventive and short-term medical option, or payment of part of the cost of an existing private insurance policy. The cost to the participating individuals would vary according to their means. The minimum would be 10 percent.

Persons over 65 would be eligible to participate, except those with annual incomes over $3,000 individually or $4,500 for couples, and those needy aged covered by the committee bill—to which the Javits plan would be added. Senator JAVITS estimated that about 11 million would be eligible, in addition to those covered by the committee bill. The cost to the Federal Government would be about $450 million yearly.

Beneficiaries would choose their own medical vendors, with payments made much as in ordinary private health insurance plans. Benefits would vary according to the basic option chosen by the participant.

KEY BLOC

The original battle lines thus are fairly clear. In the final analysis, however, much depends upon the attitude of liberal Republicans. If they fail to put across the Javits insurance amendment, will they support the liberal Democrats in the social security approach, or rest content with the committee bill?

If the former, they will have to buck the opposition of Vice President NIXON, their presidential nominee, who has consistently opposed social security as a vehicle for medical benefits. If the latter, they will be accepting less than they desire and opening the way for the Democrats to exploit the issue against their party in the fall campaign.

Liberal Democrats concede they need a few Republican votes to put over the social security plan. They also know that a social security bill would face tough going in the House of Representatives, where a narrower measure than the committee bill has been passed already. They acknowledge that President Eisenhower has plainly signified his intent to veto a compulsory medicine bill.

CLEAR STRATEGY

But their strategy is clear. They will go to the country as the friends of the old folks. If their bill becomes law they can point with pride. If President Eisenhower vetoes it, they can view with alarm. If they cannot pass it, they will try to blame the Republicans.

The latter course, if it becomes necessary, may take some doing. For the real balance of power is held by the fiscal conservatives, most of whom are southern Democrats. Their strategy is the simplest of all. They will vote against any and all liberalizing amendments to the committee bill—Senator KENNEDY and the Democratic platform notwithstanding.

Mr. PROUTY. Mr. President, I yield myself 15 minutes.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 15 minutes.

Mr. PROUTY. Mr. President, Congress and the American people generally can ignore no longer the fact that one of the most important problems facing this Nation is how to provide adequate health care for our growing number of senior citizens.

There are approximately 15 million persons now age 65 and over in the continental United States—or about 8 percent of the population. Every day the number increases by about 1,000.

It is currently estimated that by 1970 we can expect to have approximately 20 million persons in the United States age 65 and over—about 9 percent of the population. Roughly two-thirds of the aged are between 65 and 75, and one-third are over 75. More than 2 million are over 80.

Census Bureau estimates of the 1958 income of the aged show that 60 percent of the individuals over the age of 65 had incomes of less than $1,000. Census figures also show that half of the families with older persons at the head had no more than $2,600 income in 1958.

How do the 15 million people of this country, past 65, most of whom are without jobs, and living on small incomes, meet the costs of medical care? Only about 40 percent of these people have some hospitalization insurance, notwithstanding the fact that voluntary insurance coverage for the aged has been increasing proportionately more rapidly than for all age groups.

Dr. Wilma Donahue, chairman of the division of gerontology at the University of Michigan, says that—

> Many old people neglect chronic illness (with greater cost later), others obtain medical care by sacrificing other essentials of healthful living, or turn to relatives for help.

She believes the mounting number of admissions of older patients to mental hospitals is one example of the effects of worry and lack of preventive and restorative medical care of this group. Many elderly people and even some middle-aged persons are emotionally beset by fears of becoming sick and not being able to pay for medical care. This insecurity, Dr. Donahue says, is the basis for what is called widows' disease, in which an elderly woman becomes overtaken by the fear that her money will not last until the end of her life.

It is only when we look at the financial aspects of medical care for the aged that we can see clearly how great our problems are.

Expenditures for medical care are more unevenly distributed among the aged than among younger persons. Very large expenditures for medical care occur about one and one-half times more frequently for the aged than for the total population. The costs of insurance and other prepayment for the aged generally are higher than for younger persons.

Persons age 65 and over require more days of hospital care per capita than any other age group. Available data on hospital use by the aged population show considerably more hospital use for persons 70 and over than for those 65 to 69. There are widely varying estimates of the annual number of days of hospital care per 1,000 aged, but it is safe to say that those 65 and over have more than twice as many days of hospitalization per 1,000 population as does the population as a whole.

More than 20 percent of all patients in nervous and mental hospitals are 65 and over. In private mental hospitals, about 42 percent are 65 and over.

In 1955 the tuberculosis case rate for persons age 65 and over was 83.2 per 100,000 as compared to 46.4 per 100,000 for the total population.

Data from a 1954 survey of patients in chronic disease hospitals in five States showed an average length of stay for all patients of 15 months; however, one out of six patients had been in the hospital for 5 years. The median age of these patients was 70 years.

Ninety percent of the patients in proprietary nursing homes are 65 years of age or over; and the average age of nursing home patients is 80 years.

The number of physician visits per person is 1.5 to 2.5 times as high for persons aged 65 and over as for the general population. The proportion of aged persons with 15 or more physician calls—home or office—per year is almost twice that of all age groups.

Mr. President, I think the facts which I have given make it unmistakably clear that there must be produced at this session of Congress a law which will give a greater health protection to the aged.

Basically, there are three approaches to the health-care problem which have been presented to the Senate. It is clear from the public statements of the President that he would be willing to give his approval to two of these proposals and that he would flatly reject the third. No one has any doubt about the fact that either the Javits proposal, of which I am a cosponsor, or the committee-reported bill would be acceptable to the White House. There is no clearcut division of sentiment in the Senate which would give one of the proposals a substantial margin of support not enjoyed by the others. However, one thing cannot be contradicted and that is the fact that a bill for medical aid for the aged, founded on the social security system, has no hope of becoming a law.

Listen to what the President of the United States said at his most recent press conference if you have any doubt about this situation:

I am for a plan that will be truly helpful to the aged, particularly against illnesses which become so expensive, but one that is freely accepted by the individual. I am against compulsory medicine, and that is exactly what I am against, and I don't care if that does cost the Treasury a little bit more money there. But after all the price of freedom is not always measured just in dollars.

The President is firm in his position and will not yield on the basic issue of the compulsory approach versus the voluntary approach. He feels, and perhaps rightly so, that the Anderson amendment and proposals like it would be the cornerstone of a compulsory national health scheme which once applied to the aged would soon be made applicable to all Americans regardless of age.

For the last two decades Republican Members of Congress have brought forth countless health insurance and related proposals for financing personal health services. Almost all of these have been devised on a voluntary basis. The interest of our party in providing health care to take care of the cost of major illness is without equal in legislative history. During the years 1949 through 1955 Senators Flanders and Ives fought for the enactment of a voluntary prepayment program for the entire population with Federal subsidy where needed. During those same years the distinguished senior Senator from Vermont and the distinguised senior Senator from Alabama also fought for their own bill which would bring voluntary health insurance within the reach of low-income families.

Between 1946 and 1949 the beloved Senator Taft of Ohio pushed a State-operated program for the medically indigent.

Senator Hunt, of Wyoming, introduced a national voluntary health insurance plan for persons with incomes under $5,000.

As early as 1940, 20 years ago, the Republican candidate for the Vice Presidency, Henry Cabot Lodge, advocated grants to the States to subsidize certain high-cost drugs and medical services.

Regrettably, all of these voluntary health care proposals met with little, if any, action. Had any of the major ones been adopted, we would not be having the problems we are facing today.

Mr. President, although there is a lot of talk about pushing on to new frontiers, I am reminded about the parable which formed the basis for the great speech of Russell Conwell entitled "Acres of Diamonds." Senators will remember that the principal character in this speech traveled all the way around the world in search of a fortune only to later find that a fortune was there for the taking in his own backyard.

For 20 years excellent voluntary health-care proposals have been sitting right in the backyard of the Senate and the Javits amendment, which is before the Senate, embodies the best of these proposals.

It is my understanding that in the highly unlikely event that the Anderson amendment were approved by the House and Senate and by the White House that the wealthy people in the country would pay very little toward a program of health care for the aged.

This is what the distinguished senior Senator from Oklahoma had to say on the point when he addressed the Senate on August 15:

I am advised by the representatives of the Department of Health, Education, and Welfare * * * that about 40 percent of the national income would make no contribution to the fund if it were secured from a social security tax.

Such a situation seems to me highly discriminatory because the cost of the Anderson program would fall on those who can least afford to pay for it.

The administration has been forthright in advising Congress with respect to a health care program for the aged. The President has set down four criteria which should be met in any health care bill.

Let us look for a moment at the criteria approved by the administration. First, that the plan should be voluntary; second, that it should be financed in part by the individual; third, that it should be financed in part by Federal-State cooperation; and, fourth, that the Federal Government's share of the financing should come from the general revenues.

It is the President's philosophy that the greatest in terms of wealth should help to pay for medical services needed by those in the lowest income brackets.

I have previously pointed out that the Anderson amendment will be paid for in large measure by those whose incomes are $4,800 or less.

In other respects the Anderson proposal is prejudicial to the welfare of those with small incomes.

Under the Anderson amendment the subscriber must pay the first $75 of costs. Under the Javits proposal which I have cosponsored, the individual pays no initial medical care costs whatsoever.

Reliable figures furnished by the Department of Health, Education, and Welfare bring sharply to focus the fact that 90 percent of those over the age of 65 who are hospitalized have stays averaging about 14 days. The median hospital stay for all aged citizens is 21 days.

Those of us who support the Javits amendment feel that it is carefully drawn to meet the needs of older persons as they have been revealed by the Department of Health, Education, and Welfare and other responsible sources.

Basically, the Anderson program is one geared to catastrophe and not designed to take care of the typical problem of the older person.

I say this because the Anderson program provides for 120 days of hospital care or 240 days of nursing home care or 365 days of health services in the home.

The distinguished senior Senator from New York spotlighted the shortcomings of the Anderson bill when he said:

If we are going to legislate a program which marks such a tremendous wrench from the traditional way in which our country has handled its medical care problems, we are at least entitled to the comfort of knowing that this is something essential to the overwhelming majority of our people over 65. But essentially the thrust of this program for long-term hospital care applies to roughly 10 percent of those over 65.

I cite as authority for this point the findings of experts who met in a seminar which I conducted with the College of Physicians and Surgeons in New York. I will key the Senate to the report of that very fine seminar, with the names of those who participated, who are probably among the most eminent doctors in the field of geriatrics in the United States.

That report showed that what was very desirable for our older people was preventive health care of the kind which is afforded by my amendment, and which is not afforded by the amendment of the Senator from New Mexico [Mr. ANDERSON] without any invidious comment on that score, except to show the thrust of these particular bills.

Mr. President, another important advantage of the Javits proposal over the Anderson amendment lies in the fact that all those over 65 years of age may take advantage of the Javits health care program while on the other hand the Anderson amendment applies only to those 68 years of age and over. Well over 2½ million older persons will be denied opportunity to get greater health care protection by reason of the higher age limit in the Anderson proposal.

The distinguished senior Senator from New York made it remarkably obvious yesterday why his plan is superior to the social security approach when he said:

We are constantly inhibited in the social security plan in terms of costs, because we do not want the social security taxes to get out of line. Under the social security taxes, a burden is put on only 60 percent of the income of the individuals of the country. I started to develop this point before: As between Democrats and Republicans—the whole world is turned topsy-turvy—the Democrats are for a program, on the whole—I do not say every one of them will vote that way—which puts this responsibility on the part of the population which is in the lowest income level, and only on part of the population. Hence, it becomes subject to the very argument which has been made here so often against the sales tax as a method of financing the Federal Establishment. The social security tax is put on about 70 million payers who are responsible for 60 percent of the income. On the other hand, my plan puts the responsibility on the totality of the income of persons who pay income taxes, because it comes out of the general revenues, and therefore spreads the burden widely and upon the basis of ability to pay, rather than on the basis of wage brackets, which come into consideration under social security. It seems to me in this case the roles of the parties have been reversed, and in quite an extraordinary way.

Under the Javits proposal, of which I am a cosponsor, an individual will have an opportunity to choose the approach best suited to his personal health problems and financial status. There are three options under the Javits plan: (1) the option of preventive care; (2) the option of catastrophic care; (3) the option enabling the individual to participate in the presentation of a health insurance policy of his own.

Under the first option in the Javits amendment, the individual gets very large benefits which begin at once.

There is no deductible to discourage him from getting the preventive medical care he needs.

Contrast this with the Anderson plan, the McNamara bill, and the Forand-type plan which tend to promote hospitalization and deemphasize the importance of preventive treatment.

Mr. President, the second option in the Javits plan takes cognizance of the fact that millions of Americans over the age of 65 can afford a part of the cost of catastrophic illness but could not bear the major portion of such illness. Under the second Javits option which is geared to the needs of those with a modest income, an individual would have to pay his first $250 of the cost of a catastrophic illness and 80 percent of the remainder would be absorbed by Federal and State contributions.

There are still other Americans, Mr. President, who would like to select their own medical care or health insurance policy. For these older citizens, the Javits amendment presents a third option which would embody a governmental contribution of up to $60 a year to help them pay for the policy they deem appropriate for themselves.

Mr. President, every time a program of Federal-State cooperation is presented in the House or Senate there are always those who say, "Let the Federal Government do the entire job; the States might not want to participate." To those who make this bland assertion I would say that the record of the States in their response to grant programs is a superb one.

The general health grant program began in 1936. Before the program had been in operation 1 year all States were participating. The same is true of the tuberculosis control program, the water pollution program, and the hospital and medical facilities construction program.

The cancer control and mental health programs were instituted in 1948. By the end of the first year 49 States were participating in the cancer program and 45 States in the mental health program.

The maternal and child health services program was initiated in 1936. By the end of 1 year 47 States were participating and by the end of 3 years all States were giving full cooperation.

These figures and facts should put to rest the doubts of those who feel that the States are negligent in facing up to responsibilities in health care and related fields.

I do not know whether the junior Senator from Massachusetts has ever been under social security but if such should be the case, he would certainly be entitled to benefits under the Anderson amendment, the cost of which would be absorbed by those principally in the lower income brackets. The same would be true of other wealthy people.

Mr. President, I think it is significant too that there are millions of farmers who retired before those in agricultural occupations were covered by social security. They would be given some protection under the committee reported bill if they are in receipt of old-age assistance or are medically indigent. But, Mr. President, some of these farmers do not fit into the old-age assistance or medically indigent categories. Notwithstanding their modest means, however, they would be given no help by the Anderson amendment or the Kerr bill.

Under the Javits proposal, they could take out health insurance with some degree of Federal and State assistance.

In closing, Mr. President, may I point out that I support the Javits proposal because its cost would be shared by the general population while the cost of the Anderson proposal would be carried principally by those in the lower income groups.

I favor the Javits proposal because it emphasizes the importance of preventive medicine and makes it possible for an older person without funds to get care immediately—in contrast to the Anderson amendment which requires the older person to scrape up a deductible.

I favor the Javits proposal because it contains three options, any one of which the individual may choose according to the lights of his needs and financial resources.

I favor the Javits proposal because it will permit 2¾ million individuals between the ages of 65 and 68 to get help in securing health care protection while the Anderson amendment would deny people in this category assistance.

I favor the Javits proposal because it meets the criteria laid down by the administration and stands a good chance of becoming a law.

Lastly, I favor the Javits proposal because it will not be the cornerstone for any compulsory national medical scheme but represents instead another hallmark in the longstanding tradition of Federal-State cooperation in meeting pressing problems.

I think the Senate can have every confidence that if the Javits proposal is adopted, it will be approved by the White House. This confidence is based on a statement issued by the Secretary of Health, Education, and Welfare at his most recent press conference. This is what the Secretary had to say:

> I have not yet discussed in full detail with the President the proposal for medical care for the aged which was introduced in the Senate on Saturday by Senator JAVITS, on behalf of himself and eight other Senators. The proposal, however, is consistent with the basic principles which the administration has stated should be found in any program for medical care for the aged.

I yield back the remainder of my time.

Mr. JAVITS. Mr. President, I wish to thank the Senator from Pennsylvania [Mr. SCOTT]—I was not in the Chamber when he completed his remarks—and the Senator from Vermont [Mr. PROUTY] for the most eloquent way in which they have explained their stand for my amendment, and also for understanding it so well. I think this demonstrates, too, the fact that my amendment is a clear and understandable alternative and should go out that way to the country as we talk on it here today.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. JAVITS. May I be informed as to the time which has been consumed?

The PRESIDING OFFICER. The Senator from New York has 33 minutes remaining; the other side has 36 minutes remaining.

Mr. JAVITS. May I suggest that perhaps the Senator from Michigan [Mr. MCNAMARA] might use some time?

Mr. President, I ask unanimous consent that there may be a call for a quorum, without the time being charged to either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call may be rescinded, and that the time taken for the quorum call may be charged equally to both sides.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HARTKE. Mr. President, I should like to speak for 10 minutes in the time of the opponents of the Javits amendment.

Mr. MCNAMARA. Mr. President, I yield to the Senator from Indiana as much time as he needs to make his presentation.

Mr. HARTKE. Mr. President, we are, in my judgment, now debating one of the most important and crucial domestic issues to confront the Congress in a quarter of a century.

It was just 25 years ago when the Congress and the President, working together, succeeded in enacting into law a program providing some semblance of security to our citizens.

Of course, at that time, there were great cries of socialism, welfare state, and other such epithets that tended to becloud the issue. But a great President and a great Congress refused to be "bullied," intimated, or swayed from carrying out its constitutional responsibility of providing for the general welfare—and I mean the welfare of all of our citizens.

But when this great social security program was enacted, our leaders foresaw that it was a new system, that it was just a foundation, and that time would indicate the weaknesses and strengths of it, and experience would guide congressional action in improving it.

There are in this body today Senators who were serving in Congress 25 years ago when this program was debated and approved. They will, I am sure, recall the words used in the Senate report in 1935, in which it was stated that insecurity of the American citizen and reliance on public charity stem from four sources: First, unemployment; second, old age; third, disability and loss of the wage earner; and fourth, illness.

Congress, over the years, has acted boldly in meeting some of these threats to the security of the individual.

We have provided a system of unemployment compensation which has been improved periodically.

We have attempted to remove the fear of growing old, by permitting retirement under the social security program. And I may add that we provided benefits under this program as a matter of right, not charity.

We have provided a system of disability insurance which we hope will be improved by the provision in the pending social security bill permitting the totally and permanently disabled to retire at any age if certain basic requirements are met. And this, too, is a matter of right, not charity.

Time—a quarter of a century—has shown the wisdom of the bold action taken in 1935. All but the most skeptical—and there are some—admit that this program has been one of the greatest humanitarian programs in the history of our Nation.

But, Mr. President, great as this program has been, it is still sadly deficient in meeting one of the grave threats to economic and personal security—the fear of illness in old age, when income is severely limited, and when illness and the need of medical care are the greatest.

There is a grave human need, Mr. President; and I challenge anyone here today to prove otherwise.

I do not believe it necessary to go through all of the elaborate statistics in order to prove that there is a pressing human need. The administration admits it. The Democrats admit it. The aged and their families agree. And the experts in health and medical economics have proven it.

All of these accept the facts of the special health needs of aged Americans, their limited financial means to pay for these basic needs, and the limited role of insurance companies in solving the problem.

So what we are really debating here, Mr. President, is not whether there is a pressing and critical human need, but, rather, how we are to fill it.

At this point, Mr. President, I want to emphasize my support for the medical care amendment approved by the Senate Finance Committee, and authored by my good friends and colleagues on the committee, the distinguished senior Senator from Oklahoma [Mr. KERR] and the distinguished junior Senator from Delaware [Mr. FREAR]. I compliment them for improving the old-age-assistance program and for providing for additional funds for other needy individuals.

But, Mr. President, that measure does not provide an adequate medical care program for all of our senior citizens. It must be supplemented. We can do that in either one of two ways: We can accept the Eisenhower-Nixon-Javits public charity approach, or we can accept the dignified, time-tested, prepaid social security approach.

I do not wish to be critical of our great President. But I would like to ask who is leading whom.

If I recall correctly, earlier this session the Senator from New York submitted a proposal which was similar to the one now pending. Soon thereafter the President said he had a program of his own which the Secretary of Health, Education, and Welfare would present to Congress. At that time, I believe we were playing follow the leader, and Vice President NIXON soon thereafter endorsed the administration proposal.

Now we play the game in the reverse order: The Senator from New York offered his proposal; the Vice President, we are told, endorsed it; and the President at the 11th hour, just yesterday, announced that it has his support.

This situation is, of course, confusing to many of us. The President never did submit a bill embodying his recommendations. When the President submitted his budget proposal, the message did not even contemplate any program of medical care for the aged. The President's state of the Union message did not mention the need for such a program.

Mr. RANDOLPH. Mr. President, will my distinguished colleague yield to me?

Mr. HARTKE. Mr. President, I am delighted to yield to the distinguished Senator from West Virginia.

Mr. RANDOLPH. I do not wish to interrupt the Senator's presentation of the various plans, including the one now reluctantly approved by the White House. But when the Senator from Indiana mentions the threat of veto, it is necessary to call attention again to the fact that proposed legislation passed by the Congress goes to the President, either for his approval or for his disapproval. If he disapproves a measure which has been passed by the Congress, he returns it to the Congress with his veto message, in which he states his objections to the action by the Congress.

But constantly during this administration we have been faced with the Presidential threat—and I use that word advisedly—that if the Congress does not write proposed legislation in a certain manner, it will be subject to a veto; we have been told that either directly or by implication.

I think it is clear that there has been arrogated to themselves by those on Pennsylvania Avenue a power which under the Constitution is not possessed by the Executive under the checks-and-balances system under which we operate.

Mr. HARTKE. Mr. President, certainly the distinguished Senator from West Virginia has spoken the truth.

In substantiation of the point he has made, let me point out that at the hearings held by the Finance Committee, I had the following colloquy with the Secretary of Health, Education, and Welfare, as appears in the hearings on page 178:

Senator HARTKE. Since you state the need is so great and that Federal action is necessary, if the Congress should accept the benefits which you propose, and if we accepted the deductible provisions which you have proposed and if we extended the coverage to help those who are not covered under the social security program, but either in one of two fashions put on an attachment that the payment be by social security or by payroll tax, would your oversensitivity to this particular approach be such that you would still oppose this legislation?

Secretary FLEMMING. I so indicated to Senator DOUGLAS and I will indicate again.

Senator HARTKE. And in your opinion, would you recommend to the President that if all of these conditions were accepted, would you recommend to the President that he veto such a bill?

Secretary FLEMMING. I normally don't discuss communications that I either send or might think in terms of sending to the President on a matter that is properly before the President. The President has stated time and again that he will not indicate what he will do with a piece of legislation until it is on his desk. Certainly it would be inappropriate for me as a member of his administration to comment on a hypothetical situation as to whether or not I would recommend or not recommend.

Senator HARTKE. Let me change it then: Would you be very strongly opposed to it to such an extent that you would feel it would be unacceptable legislation from the viewpoint of the Secretary of Health, Education, and Welfare?

Secretary FLEMMING. I stated to Senator DOUGLAS and I have stated to you that I would be opposed to the legislation. I stand on that.

The truth is the administration is using the veto threat and clever parliamentary manipulations in an all-out effort to prevent any really workable medical-care program for the aged. That threat runs through all the veins of this debate; and if one had any doubt about it, the doubt was completely dispelled when the current issue of Business Week tipped the hand of the administration, as follows:

NIXON's original measure to provide $1.4 billion annually from the Treasury funds for "catastrophic" illnesses has found meager support in the Senate. However, the measure may be put forward as a last-ditch effort to try to block a social security financed program.

So that is the last-ditch effort that is coming before us.

Mr. President, I did not mean to be diverted from my remarks on the two possible alternatives. However, it does become disconcerting to see this matter made a political football. I should like to comment briefly on the two approaches. In doing so, I am trying to consider on a purely human-need basis this problem of health insurance for the aged.

I think the issue has been resolved to three questions:

First. Who shall benefit from such a program?

Second. Shall eligibility be a matter of right or a matter of charity?

Third. How shall the program be financed?

Now, I propose to answer these questions as logically and dispassionately as possible.

First. Anyone who chooses to should have the right to benefits, just as anyone who chooses has the right to enjoy social security retirement benefits. The social security program is the only one which treats all Americans alike and in which virtually every American worker today participatess. It provides the nearest-perfect base for this health insurance program.

Shall we deny to the senior citizens of Indiana, for instance, the benefits of a health insurance program simply because a State administration has not the concern or the energy or the ability to set up a program? We have seen

in this Congress that the Federal-State system of rural libraries has no participation in Indiana, and about one million citizens of my State are, thus, denied access to libraries.

Second. I see old age health insurance as something which ought of right to be available for every American. Every plan except social security plans puts a needs test upon the individual who applies. It calls upon one who has paid for his home to sacrifice that before he can be eligible. It calls upon a senior citizen to beg for assistance.

Let us recall for a moment what Franklin Delano Roosevelt said about the social security program:

> I see an America where those who have reached the evening of their life shall live out their years in peace, in security, where pensions and insurance * * * shall be given as a matter of right to those who through a long life of labor have served their families and their Nation so well.

Did Jesus tell the sick and the poor to pawn their clothes before the community would help them? Did Isaiah tell the people to cast off the aged and let them shift for themselves? Did they put a price tag on mercy and justice and righteousness?

Charity medicine, I submit, is poor medicine.

Third. In the matter of financing, much has been said. Much of what has been said merely clouds the issue.

I think we can all agree on certain facts. If a person is eligible for benefits and he must be confined to a hospital for a goiter operation, for instance, the cost is the same—exactly the same—no matter how the hospitalization and surgery are paid for. It costs a certain amount whether the individual pays himself, whether it is through an insurance carrier, whether the State pays, as the administration proposes, or whether it is financed through social security. There is no bargain basement, no fire sale for health insurance. It is foolish to state that one plan is less costly than another. The only way any plan can be less costly is to eliminate beneficiaries or benefits. In any case, it has nothing to do with financing.

If, indeed, any financing plan is less costly, it should be social security because the necessary administration is set up and in operation. Only the social security program is one in which virtually every worker participates and would be in position to lay aside in escrow an amount for protection of his health in the evening of his life when health needs grow and income declines.

Here we are in 1960 quibbling over facts and figures, listening to the same old record of those who have eyes, but seeth not; of those who have hearts and nerves, but do not feel. The old phonograph record spins, but the label is that of 1935. When social security was debated in 1935, the record proclaimed: "When individuals realize that they can definitely count upon public monetary aid except in cases of adversity, the incentive for individual self-help, thrift, and forethought is weakened; and increasing proportions of the population receive support from public funds."

These are the words used in the 1930's. How familiar they seem today. Yet, self-help, thrift, and forethought still fit into the scheme of things today. And social security has worked, is working, and will continue to work.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. HARTKE. I am happy to yield to the Senator who is a member of the Finance Committee.

Mr. McCARTHY. Is not the Senator aware of the fact that approximately 18 to 20 million veterans either have available or actually do use the veterans' medical care program? Is there any indication that their incentive or their American spirit has in any way been dulled as a result of that program?

Mr. HARTKE. To the contrary, their incentive has been strengthened and their future has been lightened with regard to their ailments and medical care.

Mr. McCARTHY. Does the Senator think it is un-American for veterans to receive medical care under the veterans' program?

Mr. HARTKE. Not only is it not un-American, but it is a part of the spirit and a part of the American way of life.

Mr. McCARTHY. It has not had any effect upon their spirit of patriotism, or their dedication to the free enterprise system, and all the other elements that go to make up the American way of life, has it?

Mr. HARTKE. The Senator from Minnesota, as he usually does, has stated the case quite well. So far as the opponents of the social security approach are concerned, they do not want to meet the type of challenge which the Senator, in a few words, has stated.

I care not whether a specific bill is called the Forand bill, the McNamara bill, the Anderson bill, or the Kennedy bill so long as its program is sound. They are alike in that they all would provide guaranteed, definite, and self-respecting programs of medical benefits for millions of senior Americans through a system of self-financed, pay-as-you-work hospitalization and related insurance.

Mr. President, the issue, simply put, is this: The Nixon charity approach, based on inadequate State welfare programs and payments out of pocket during retirement, versus the social security approach, based on contributions while one is working and then benefits—as a right—when one is retired.

The principle of social security is well established. I doubt there is one in this Chamber who favors the repeal of this great and humanitarian act. We cannot, however, overlook the fact that there are those who would tear down the principle of social security—the edifice upon which it is built. Those who would circumvent this social security system in a health insurance program for the aged would tear down social security, because such circumvention defeats the very principle of social security—prepaid assistance for the aged as a matter of right, in dignity. We who favor financing a health program for the aged through social security are attempting to build up the edifice.

Mr. President, we cannot simply look at cold statistics when we consider this problem.

No citizen of this great Nation is a mere statistic.

Had our great Founding Fathers been influenced by statistics we never would have become the great democracy we are today—the greatest nation in the world.

We have become great because we believe in the human dignity of man. We consider all men as individuals. This is why we are different from some other nations of the world.

I can only refer those who fear every action we take in providing for the welfare of our citizens to our Constitution. Have they so little faith in that great document and the safeguards it contains?

Mr. President, we cannot be misled. We cannot afford to avoid the challenge. We must act now. And we must act boldly. Meeting this challenge and removing one more fear of growing old is democracy at its finest. Let us permit our citizens to help themselves. And let us follow the dignified approach embodied in our social security program.

If we do not, we shall still have a program under which only two groups in our society today can afford to be sick when they are old—one must be destitute, or one must be rich. That is not the proper way to provide for our people.

I should like to ask my distinguished friend, the Senator from New York, a few questions. Is it not true that, with respect to the enrollment fee which the Senator has provided in his proposal, there is a provision for either $9 or $12, but such a fee is the minimum fee, and the States could set a higher fee if they so desired?

Mr. JAVITS. That is correct; that is the fee which is stipulated. I think it is fair to say we estimate that to be about the optimum amount which would be charged to the individual.

Mr. HARTKE. Would not my distinguished friend agree that this is, in and of itself, a heavy tax on an unemployed retired group, and that it is equal to or more than the social security tax of $12 annually to be paid by a full-time employed younger worker under the Anderson proposal?

Mr. JAVITS. I do not agree. I think both of us have already agreed that the Kerr-Frear approach would look after the people who have no capability at all in respect to health care. Therefore, we are now talking, realistically, about the people who have some capability. I do not see there is any barrier with regard to the effectiveness of the plan involved in the very modest fee.

Mr. HARTKE. I should like to ask my distinguished friend from New York a question with regard to page 16903 of the CONGRESSIONAL RECORD for Saturday, August 20, on which page there is printed a table showing the number of people it is estimated will participate in the program under the Javits plan, and the cost estimates for the States and the Federal Government.

How was the assumption of 75 percent participation by the 11 million persons eligible to participate in the program factually arrived at?

Mr. JAVITS. It is strictly an estimate of the Department of Health, Education, and Welfare. The expert from the Department is serving the Senator's side as actively as he is serving our side. We are all using the same figures, which I think is a good thing.

Mr. HARTKE. Assuming that is correct, how were the cost estimates factually determined?

Mr. JAVITS. In exactly the same way. The cost estimates are the estimates of the Department of Health, Education, and Welfare. Again I wish to have my colleague note that I think our actuaries made the cost estimates in regard to the Anderson proposal exactly as they made the cost estimates in regard to mine.

Mr. HARTKE. The only thing I wish to point out is that in the State of Kansas it is estimated there will be 116,000 participants, though there is a total aged population of nearly 250,000. This would not provide anything for the additional 130,000.

In New York, there is an estimated actual aged population of 1.6 million, and the estimate for participation in this program is 924,000.

Mr. JAVITS. I think, if my colleague will allow me to say so, we would not get anywhere if we tried to argue about the validity or the invalidity of the figures which have been equally made available to us, upon which both of us have figured our examples. I am not prepared to argue that the figures are invalid. I have accepted them. I have premised my case upon them. I think the other side has done the same. It would be futile to get into that question. I do not think either of us could win.

Mr. HARTKE. In other words, so far as we are concerned, we cannot really come to a good conclusion as to the apparent difference between those figures?

Mr. JAVITS. I do not feel that way at all. I feel that both of us have relied on the most authoritative information we could obtain from people who know, who appear to be acting with great objectivity. I have relied upon the figures. I strongly commend to my colleague that his side must do the same. Otherwise, both of us will get nowhere.

Mr. HARTKE. The point is, it remains true that in the States of New York, with 1.6 million people in this category, under the Senator's proposal only 924,000 would be covered.

Mr. JAVITS. New York may have special circumstances. There is disability insurance and all kinds of State programs which have an effect as to the number participating. That is why I think the Department of Health, Education, and Welfare is a better judge than we are.

Mr. HARTKE. I should like to ask the Senator a question in regard to another point. Since the date of the initiation of the Federal-State programs the old-age assistance program has included a form of cash payment. There has been medical care available to old-age assistance recipients through federally aided public assistance vendor payments.

How many States have taken full advantage of the Federal grant?

Mr. JAVITS. I had a chart printed in the RECORD in that regard. I could show it to the Senator. I do not wish to use the Senator's time, because I do not think he has too much time remaining.

Mr. HARTKE. That is the chart on page 282 of the report of the Finance Committee. It is not in the RECORD. I believe the Senator will find it on page 282 of the report.

Mr. JAVITS. When I speak affirmatively I will answer the Senator's question. I do not wish to intrude upon the Senator's time, because I do not think he has much time remaining.

Mr. HARTKE. I think my distinguished friend would agree with me that the States are not fully participating at the present time; is that not correct?

Mr. JAVITS. I should like to supply that fact when I speak.

Mr. HARTKE. Does my distinguished friend disagree with my assertion that the States are not fully participating at this time?

Mr. JAVITS. I will say to my dear colleague, his distinguished friend simply does not know at the minute. When he knows he will state the answer. [Laughter.]

Mr. HARTKE. I have a great admiration for the Senator. The Senator knows that.

Do not a large percentage of the aged persons have medical expenses each year amounting to more than $500?

Mr. JAVITS. I can answer that question. According to the figures of the Department of Health, Education, and Welfare 15 percent of the persons who are over 65, or 2,250,000, have total medical expenditures on the average of $700 per year, not including nursing home care, and that is quite regardless of income. It is 15 percent of the totality of those over 65.

Mr. HARTKE. Assuming that is a fact, and I am not disputing the fact, how would a person know whether he would be better off, under the Senator's proposal, to take option No. 1 or option No. 2? In other words, how would he know he would be better off to take the so-called preventive medicine option as opposed to the catastrophic illness option?

Mr. JAVITS. I think that is one of the virtues of my proposal. The individual can determine for himself in his own circumstances which option he requires for his own protection. I believe a person with a very small income would want the preventive care. I would say a person with a modest income would desire the catastrophic illness plan. I think that is one of the advantages given a person, a choice based upon his own circumstances.

Mr. HARTKE. He would not know what might happen to him in the future. He would not know whether he would have a catastrophe or need preventive care.

Mr. JAVITS. I respectfully submit that the Federal Government would not know, either. I would rather have the citizens run their own business than be led around by the hand by somebody in Washington, D.C.

Mr. HARTKE. This is exactly the point. Under the social security program we would not have the Federal Government calling doctors and hospitals. The doctors and hospitals would determine the care. No Government agency would tell the people what to do under the social security approach. The doctors would have freedom of choice, without socialized medicine.

If such a person were to have a catastrophic illness, how would he switch from option No. 1 to option No. 2, or could he?

Mr. JAVITS. He could switch in different years if he decided his circumstances were such that he wished to take another type of insurance.

Mr. HARTKE. Let us assume that this man will live for a period of 15 years. That is the average number of years a man is expected to live at the age of 65. Let us assume that in each year he has a chronic illness which costs him about $400. Which of the options should he take, in the opinion of my distinguished friend?

Mr. JAVITS. I did not understand the Senator's question.

Mr. HARTKE. A man ordinarily has a life expectancy of about 15 years when he reaches the age of 65. That is the anticipation at the present time. In each of these years let us assume a man has a chronic illness which costs him $400 annually. Which option should he take?

Mr. JAVITS. I think that all depends upon his circumstances. He would determine what kind of an insurance policy he would buy, or any other kind of protection. He could not forecast the future. I do not think anybody in Washington, D.C., is in a better position to do it than the person himself.

Mr. HARTKE. How would this man at 65 know he would live for 15 years? How could he anticipate that, so as to make an intelligent decision?

Mr. JAVITS. In the first place, the coverage under my plan would cover the man for the rest of his life. There is no argument about that. Whatever plan he should choose would depend upon his circumstances. He could change his mind every year. It seems to me that freedom of choice is very much more commendable than tying the man down to some plan which the Government thinks is good for him.

Mr. HARTKE. Mr. President, I yield the floor.

Mr. JAVITS. Mr. President, I yield 5 minutes to the distinguished Senator from Hawaii [Mr. FONG].

Mr. FONG. Mr. President, today nearly 16 million Americans are 65 years of age or older. Through the miracle of modern medicine, by 1970 there may be 20 million in this age bracket.

Paradoxically, the blessing of longer life is mixed with special problems of a serious nature, such as health care for

the aged. When these people most need medical attention, they may be least able to afford it.

Both major political parties this year acknowledged in their platforms that this is a national problem. And now the Senate of the United States is deliberating various proposals to meet that national problem.

It is my privilege and pleasure to cosponsor with eight of my colleagues a comprehensive amendment which adds on to the pending Kerr-Frear proposal recommended by the Senate Finance Committee.

Mr. President, the senior Senator from New York [Mr. JAVITS] on Saturday made a detailed presentation of our amendment. I shall not burden the record with repeating the various details of the preventive care option, of the long-term illness option, and of the option for private health insurance. The minimum and maximum packages under these options are set forth quite clearly on pages 16900 and 16901 of the CONGRESSIONAL RECORD for August 20.

Mr. President, my purpose in speaking today is to emphasize that the benefits under the Javits amendment are very generous, even in the minimum package. Furthermore, there is every expectation that time and experience will lead to improvements.

The medical care benefits are realistic—they will meet actual needs of our older citizens which are revealed by U.S. medical use statistics. And, the benefits provided meet the widely differing needs of our people age 65 and over.

For example, in the preventive medical care option, the minimum package includes 12 home or office visits by a physician. It includes the first $100 of ambulatory, diagnostic, laboratory, or X-ray services. It includes 24 home nurse service calls as prescribed by a physician. When necessary, on the certification of a physician, it provides 21 days of hospital or equivalent nursing home care.

This is a first cost program; there is no deductibility and there is no coinsurance. The individual gets the benefit at once, as soon as he needs it, enabling him to obtain protection before chronic illness has set in.

Mr. President, I point out that this is the only proposal before the Senate which provides for preventive medical care.

In addition to generous and realistic benefits, our amendment is eminently practical. It uses existing facilities, yet avoids the defect of some other pending amendments which would overload our hospitals. It recognizes that different individuals have different medical care needs. It recognizes the different individuals have differing preferences, including a preference for private health insurance.

Our amendment recognizes the variations that exist among States, as well as among people.

Our 180 million Americans are not all cast in the same mold. We are each individuals in our own right. We live differently from each other. We work differently. What would be an excellent medical care plan for one person might not meet the needs of another person. Therefore, we cosponsors of this amendment believe we should have several options to enable each individual to choose the plan most appropriate and suitable for himself. Furthermore, we provide that he may from time to time have the opportunity to subscribe to one of the options if he wishes to make a change.

Similarly, our States are not all 50 identical miniatures of a Central Government here in Washington. Our States differ, too, and the Javits amendment recognizes that fact of life. There are those who contend that a plan which depends on State cooperation will not provide the necessary medical care because some States may not rise to the occasion to meet the needs of their people. This same argument could have been made about the many Federal-State grant programs and the many Federal-State cooperative programs.

But the States have joined in these national programs and I am confident they will in such an urgent program as that of medical care for their senior citizens.

Apart from the 2.4 million persons on old-age assistance who will receive added medical care benefits under the pending bill, our amendment will cover 11 million persons, a greater number than are covered under the Anderson social security amendment.

Our amendment has a further advantage besides generous, realistic benefits, a choice of programs, flexibility, and broad coverage: the cost is minimal, to the Federal Government, to the States, and to the individual.

Furthermore, these costs are widely spread. In the case of the Federal Government, the program would be financed out of general revenues to which all taxpayers contribute. Social security financing would lay all the Federal burden on the limited number of persons who pay social security taxes—and it would put an unwarrantedly heavy burden on those in the lower economic pay scales.

The weight of equity is on the side of general-revenue financing. Let all taxpayers share the cost of the medical care program. More and more people are living longer. It is only proper, in my opinion, for these costs to be borne by the greatest number of persons possible.

Our amendment has the further advantage of avoiding property criterion for eligibility in the program, and of avoiding the need for a pauper's oath which is so repugnant to our people. Our amendment bases eligibility solely on income reported on their Federal income tax forms. Terms of the amendment, as I have already stated, would permit coverage of an estimated 11 million persons age 65 or over.

Today, we in the Senate are not confronted with a partisan issue.

We are faced with the question of how best to meet the medical care needs of those citizens over 65 years of age.

The amendment before us, which I have cosponsored, gives greater coverage and greater benefits to more people than any other proposal now before the Senate. It includes the medically commended preventive care option which no other plan contains. The cost is modest and is spread widely so that the burden is not excessive on any one person or any one group. Our amendment offers freedom of choice to elderly persons in need of medical care and is in the finest tradition of our American system of meeting human needs.

I urge adoption of the Javits amendment.

I thank my colleague for yielding to me.

Mr. JAVITS. I thank my colleague for his fine statement.

Is there a speaker on the other side who wishes to address the Senate? If not, I yield myself 5 minutes. First I yield to the Senator from West Virginia [Mr. RANDOLPH], who wishes to ask a question.

Mr. RANDOLPH. Mr. President, I am grateful to the Senator from New York for yielding. I do not wish to be argumentative. I am attempting to be objective in the questions I shall ask.

What would be the total administrative costs under the plan advanced by the Senator from New York [Mr. JAVITS] with the support of other Senators?

Mr. JAVITS. I have had no estimate of the State cost of administration beyond the experience which the States have had in respect to old age assistance. I would not, of course, claim an analogy between the two. Therefore I must tell the Senator that I do not have an estimate of the administrative cost.

I should like to ask the Senator from West Virginia in turn to give me an estimate of administrative costs under the proposed social security plan.

Mr. RANDOLPH. I shall be glad to do so. Before I do, however, I wish to indicate that the Federal, State, and local costs naturally should be combined in calculating the total administrative cost. The present social security cost, as the Senator knows, is approximately 2 percent; the medical care program as advanced under the Anderson amendment, joined in by nine other Senators, including the Senator from West Virginia, is estimated very conservatively at approximately 5 percent.

In answer to the question which the Senator from New York did not answer in detail, I believe that the plan proposed by the Senator from New York would cost not 5 percent, but approximately 11 percent. I believe that to be true. I think it would be more costly because of the collection of enrollment fees from the aged. I believe that there would be added costs which would come from the detailed and oftentimes difficult explanations which frankly would have to be made. The option of buying private insurance, I believe would cause the administrative cost to be increased.

I have indicated my belief that the cost of his plan would be approximately 11 percent, while the cost of the so-called Anderson plan, with which I am in accord, would be 5 percent or less.

Mr. JAVITS. Of course, the cost of the Anderson plan would be borne by the Federal Government alone, and whatever cost there would be, would be shared

by the States under my plan. I shall address myself to that subject later.

I yield back the remainder of the time I have yielded myself. I yield 5 minutes to the distinguished Senator from Kentucky [Mr. COOPER].

Mr. COOPER. Mr. President, I strongly support the amendment offered by the senior Senator from New York, [Mr. JAVITS], as a substitute for the amendment offered by the junior Senator from New Mexico [Mr. ANDERSON]. Both of these amendments offer a medical care plan. When we vote, we will express our choice between these plans, our judgment of their merits, and of their ability to provide an adequate medical care plan for persons over 65 years of age. Let us never forget that it is those who need medical care that should be the only object of our consideration, not the interest of either political party, or any advantage that may be drawn from what we do in this special session of Congress.

I am a cosponsor of the Javits amendment. I support it because I believe it does offer a better medical care plan than the Anderson amendment. Yesterday, Senator Javits made a magnificent analysis of his amendment, and there is no need for me to repeat much of what he said.

Comparing the Javits and Anderson amendments with respect to the benefits offered those who need medical care, I do make these points:

First, the Javits amendment would provide benefits for persons when they reach the age of 65, while under the Anderson amendment, benefits would not be available until the age of 68. I do not need to argue that in this respect the Javits amendment is superior.

Second, the medical care benefits provided by the Javits amendment are much more adequate and appropriate to the needs of those who must have medical care than are the benefits which would be provided by the Anderson amendment. The Anderson plan does not provide for the payment of physicians—for calls at home, in the doctor's office, or in the hospital. It does not provide for the payment of drugs—of medicine—and every person knows their cost. The Anderson amendment provides payment of hospital and nursing home costs. No provision is made for the less serious ailments—or for preventive care. It has been estimated that it would reach only 15–20 percent of those who need medical care—that is, those who must spend a protracted period in hospitals or nursing homes.

By comparison, the Javits amendment provides for doctor's care at home or in the doctor's office, for preventive medical care, for diagnostic and laboratory costs, drugs, nursing care and hospitalization. It provides for every needed kind of medical care.

The cost of the Javits amendment, to those who actually need help, is certainly moderate. If his plan should be chosen—and as I have shown, it is certainly more generous than the Anderson hospitalization provision—the cost would be approximately $10 per year per individual. If a second option is chosen under the Javits amendment, one offering wide benefits and provision for long illnesses and serious operations, the cost would be $12.80 per year per individual. For those who pay no income tax, no payment would be required.

Of course a basic difference between these two plans is in their method of providing funds to pay for medical benefits. The Anderson plan would furnish assistance only to those who have met the requirements of the social security system—some 8,500,000 persons—and then only limited medical care. The Javits plan would be available to approximately 11 million individuals whose income does not exceed $3,000 and for couples, $4,500. Objections are raised against the Anderson social security system plan, or any social security plan, upon the basis that it is nonvoluntary. I recognize this objection. But I say for myself that, unlike some who oppose medical care plans based on the social security system, I do not take the position that the social security system should not be used in a comprehensive medical care plan. It may be found by the Congress, after thorough consideration, that the social security system is a proper element in a comprehensive plan to reach all people over 65 years of age; and if proof develops that this is true, I would not oppose it.

My chief concern is that a plan be adopted which will serve the greatest number of people, and which will most effectively meet their needs for medical care. I recognize that the social security system plan could be more easily put into effect and administered, but I believe there is great merit in a plan which calls for contributions by the Federal Government, by State governments, and for small contributions by individuals who can pay.

So much for the merits, which I can discuss only in this brief fashion at this time. I turn now to another issue. One question to which we must direct our attention is whether it is possible to secure a carefully considered medical aid bill at this session.

The Javits amendment is sound, and has been carefully developed. If it is adopted today by the Senate, and the House concurs, I believe there is a good chance that it will become law.

I respect wholly Senator ANDERSON, his sincerity and his constructive efforts. But the Anderson medical care plan is a makeshift, and does not meet adequately the needs of those who require medical care. If it should be adopted, I assume it would be vetoed. If this is true, and I think it is. we will end up with no bill—not even the bill passed by the House which, while it is in no sense an adequate medical care bill, would provide aid to millions of our needy, particularly those on old-age assistance, and both those who support the Javits amendment and those who support the Anderson amendment accept the bill voted by the House of Representatives—because they are offered as amendments to it.

I want an adequate medical aid plan. But I have been concerned that we would adopt at this special session, without full consideration and thorough knowledge, a makeshift medical care plan. Frankly, I do not think that the subject of medical care has had the consideration, the analyses, the care that it deserves—and that the people it will serve deserve. In the atmosphere of this special session—one preceding a presidential campaign, and when it is generally considered that medical care has been brought up for its political effect upon the presidential campaign—I believe it impossible to consider fully and objectively this most important subject.

It is wrong not to deal fully and fairly with this subject. And it is cruel and cynical to treat people over 65 as footballs in a political campaign. The Congress can and will pass an adequate medical care plan, on its merits, in the early part of the next session—for the benefit of the older people and not as a vote-getting issue in this political campaign.

The best interests of our country, and of those people over 65 who desperately need medical aid, will be best served by voting for the Javits plan, which at least has been carefully considered, and by voting against the Anderson amendment.

I make it clear again that I support medical care for the aged—but I object to its political use in this session.

Mr. JAVITS. Mr. President, I am very grateful to my colleague from Kentucky. It is well known in the Senate that I have only the highest regard and deep affection for him. He more often than anyone else bespeaks the conscience of the Senate as frequently and in as timeless a way as the Senator from Kentucky has just done. I ask what the state of the time is, by way of a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York has 11 minutes.

Mr. JAVITS. And the other side has how much time?

The PRESIDING OFFICER. The other side has 4 minutes remaining.

Mr. JAVITS. I yield myself 5 minutes. I should like, in the remaining minutes of the debate to address myself to a few questions which have been raised with respect to my amendment, by way of rebuttal.

First and foremost, I am deeply concerned and affected by the complete mix-up in the minds of some speakers between the plan contained in the bill and my plan, and the indiscriminate reference to both of them as a means test plan or a charity plan. One of the speakers even called it the Nixon charity plan. That just is not true.

I do not believe the committee plan is a charity plan. Every recipient under the old age assistance program would resent any such label, which in that case, of course, would apply to him for receiving old age assistance, as well as the additional benefits; and my plan is not a charity or a means test plan either.

It would be just as cruel—and I would never do this, of course—to say to Senator ANDERSON, "Why do you cruelly exclude those between age 65 and age 68, instead of letting them into this fine program, when we all know they need it?" One would never do that, because

we realize that the Senator from New Mexico is architecting a plan according to the means available.

Now let us look at the facts. In my amendment we set up the qualification of a man or woman who does not pay any income tax. I refer to page 13, line 15 of the amendment. If the person did not pay an income tax, that is it; he is immediately eligible.

That applies probably to 80 percent of all the older people in the country. If his income did not exceed $3,000, as an individual, or $4,500, as a married man, or a couple, such person is eligible. It is based strictly on the income tax return, and I am sure any person would be happy to certify that he did or did not file a tax return.

If there are to be any slurs cast upon those in need, I should like to ask the proponents of the Anderson amendment: "Is it all right to have a means test for the benefits, but not have a means test for the payoff?"

The proponents would tax those who do not earn more than $4,500. Is that a means test? Is mine a means test? That is nonsense.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LONG of Louisiana. Under social security we are taxing those who pay no income tax at all, as in the case of a man and wife who make $125 a month.

Mr. JAVITS. I thank the Senator from Louisiana. As long as he has interjected this fine bit of information, I would say that he touched a chord last night that was extraordinary.

What he said was, "What did you do when the social security system came into effect? Did you cover folks who had paid nothing?" Of course we did not.

Only 4 percent of those who were over 65 on August 14, 1935, when the social security system took effect, participated in the system, because Congress imposed strict rules as to eligibility based upon a payment of at least six quarters of coverage.

Of the 7,957,000 persons aged 65 or over in the United States, only 4 percent, or 340,000, who were over 65 participated in the system when it was first established. I think that is a significant point, as it bears upon the fact that this does not do any such thing. This embodies them all right into the system and lets the rest pay the bill.

This is the big difference between myself and those on the other side. I say, certainly, we have a responsibility for the aged; but it is a responsibility of all of us, not merely of the people who pay social security taxes. Let us all pay the bill. Let us all pay the bill for welfare both in the States and in the Federal Government.

One other point which I think is very important has just come up in the debate. When the Federal Government decided to adopt a plan for its employees, one would have thought it would pick the best and wisest plan for them. What plan did it pick? It picked the kind of plan I am now advocating. The employees contribute just about half the cost of the low option plan. They contribute something like five-eighths of the cost of the high option plan. The coverage is bought from private agencies. The Federal Government selected exactly the plan I am advocating. I think that is significant when we discuss whether this proposal is a gimmick for a campaign year or is a deeply entertained plan based on honest conviction.

I think this is the clincher. No one has yet stood up and stated whether it is 85 percent or 90 percent of the older people, or 84 percent or 93 percent. The fact is that the overwhelming majority of the older people do not need 120 days in a hospital. What they need is the kind of care they will get under my program. They need the care of physicians and the care of nurses. They need ambulatory and X-ray services. They need drugs. They do not need 120 days in a hospital. In other words, we will legislate a plan for 10, 15, or 16 percent of the aged, instead of a plan for 85 or 90 percent simply because it is felt that they should come under social security.

I am as good a liberal as any other Senator. I do not have to get it under social security. I can use my head and my 11 years of experience in Congress to find a better way.

Mr. President, I ask unanimous consent that there may be a quorum call, the time for the quorum call to be charged to neither side.

Mr. ANDERSON. Mr. President, if the Senator will withhold his request, I should like to ask unanimous consent that a technical expert on health, education and welfare from the General Counsel's Office may be permitted to be on the floor of the Senate during the discussion of the so-called Anderson amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, may I inquire how much time remains?

The PRESIDING OFFICER. The Senator from New York has 3 minutes remaining; the opponents have 3 minutes remaining.

Mr. JAVITS. Mr. President, I suggest to the Senator from Montana that there be a quorum call, the time for the quorum call to be charged to neither side.

Mr. MANSFIELD. Mr. President, I should like to yield the remaining time on our side to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 3 minutes.

Mr. HUMPHREY. Mr. President, I shall use the 3 minutes to make a summary in relation to the Javits amendment which provides a medical service plan for the aged. What I shall say has undoubtedly been emphasized in other parts of the debate.

What disturbs me about the proposal of the distinguished Senator from New York, who is well known for his genuine humanitarianism, is that his proposal, up until today, has lacked, through its preliminary stages, any of the support which it now seems to enlist as a last minute effort. I inquire if we are really to believe that the administration is sincere in the endorsement of this proposal, because it seems to me to have every mark of a political maneuver. I say this in the light of 2 years of stalling by the administration and the lack of any kind of support for any kind of workable medical program for the elderly.

On June 29 of this year the Secretary of Health, Education, and Welfare, when he appeared before the Committee on Finance, did not support the proposal which is before us; instead, he favored a bill which had not even been born, a bill which had not even been written, a bill which had not even been presented before the committee.

The Director of the Bureau of the Budget, Mr. Maurice Stans, on July 12, 1960, in a letter to the chairman of the Committee on Finance, the distinguished Senator from Virginia [Mr. BYRD], differed with Secretary Flemming on the provisions of the House bill for medical services for the medically indigent. Mr. Stans feared that the cost would be extravagant. Yet the Javits proposal, in the main, is at least in a form similar to the bill to which I referred, which had been introduced in the House.

So far as I know, this particular proposal, the Javits proposal, up until today, has not had the support of a single one of the many organizations which are concerned about medical care for the elderly.

It is a fact, of course, that the Anderson amendment has the support of the AFL–CIO—of organized labor; it has the support of the American Nurses Association and of the American Public Welfare Association.

However, the proposal before the Senate, with all due respect for it, does not command the support of the American Medical Association, the American Nurses Association, and the American Public Health Association. So far as I know, it does not command the support of a single organized group, including the Blue Cross Association.

This body has been lectured repeatedly, and Congress has been scolded often, by the administration for fiscal irresponsibility. The committee bill will cost somewhere in the neighborhood of $300 million; the Javits amendment, about $450 million. I say, most respectfully, that not one bit of financing has been provided for the proposal before us.

Fiscal irresponsibility means appropriating money which we do not have. Fiscal irresponsibility means suggesting to the public that we will do things for which we cannot pay.

Mr. President, the only fiscally responsible proposal is the one which has been offered by the distinguished Senator from New Mexico [Mr. ANDERSON] and his cosponsors. The proposal of the Senator from New York [Mr. JAVITS] lacks not only fiscal responsibility; it lacks organized support, as well.

Mr. JAVITS. Mr. President, I yield myself the remaining 3 minutes. The Senator from Minnesota is entitled to

an answer to the question he has raised, and I think it is a fitting point upon which to end the debate.

The administration came to my plan very slowly. I cannot say right now that I have the support of the administration. From what I know from the Secretary of Health, Education, and Welfare and from the Vice President, whose support I have, I assume that the President would very likely sign such a bill if it were passed.

Let us remember that the administration developed to this position by the fact that it presented its own program, in which I myself punched holes on account of its deductibility feature, grants, and the lack of preventive care.

If I have won something of a fight for my own party and within the administration, I think that is great. I have won something of which I would not want to deprive or shortchange myself.

Second, as to the element of support, certainly the American Medical Association does not support my program. It does not support any program, other than that for the needy, in which the Federal Government participates. Most of the welfare organizations have been supporting the social security approach.

But, Mr. President, the virtue of my program is that it follows the fundamental principle in which we have administered medical care, and will be administering it, even under the bill. Under the Frear-Kerr proposal in this bill, the States will simply have to extend what they are going to do anyhow in order to encompass my program, whereas under the social security scheme we have a brandnew sociological design. The bill which I have proposed provides better benefits, benefits which are more closely apportioned to what the American people need, than does the Anderson program, both in terms of eligibility at age 65 and in terms of a fine package of preventive care, with no deductibility of $75, or anything else, as would have to be paid under the Anderson proposal. My program will meet the first-cost medical care to provide for the individual who must have it when he needs it.

Mr. President, it is a plan entirely in the main stream of what we have been doing; and it is unnecessary to make the sharp break into a totally new and untried area of social security, because we can do all the things we want to do under this program.

I hope my amendment will be successful.

The PRESIDING OFFICER. The time available to the Senator from New York has expired.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names.

[No. 304]

Aiken	Bush	Case, S. Dak.
Allott	Butler	Church
Anderson	Byrd, Va.	Clark
Bartlett	Byrd, W. Va.	Cooper
Beall	Cannon	Cotton
Bennett	Capehart	Curtis
Bible	Carlson	Dirksen
Bridges	Carroll	Dodd
Burdick	Case, N.J.	Douglas
Dworshak	Keating	Pastore
Eastland	Kefauver	Prouty
Ellender	Kennedy	Proxmire
Engle	Kerr	Randolph
Ervin	Kuchel	Robertson
Fong	Lausche	Russell
Frear	Long, Hawaii	Saltonstall
Goldwater	Long, La.	Schoeppel
Gore	Lusk	Scott
Green	McCarthy	Smathers
Gruening	McClellan	Smith
Hart	McGee	Sparkman
Hartke	McNamara	Stennis
Hayden	Magnuson	Symington
Hickenlooper	Mansfield	Talmadge
Hill	Monroney	Thurmond
Holland	Morse	Wiley
Hruska	Morton	Williams, Del.
Humphrey	Moss	Williams, N.J.
Jackson	Mundt	Yarborough
Javits	Murray	Young, Ohio
Johnson, Tex.	Muskie	
Jordan	O'Mahoney	

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from South Carolina [Mr. JOHNSTON], are absent on official business.

I also announce that the Senator from Missouri [Mr. HENNINGS] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. MARTIN] is absent, by leave of the Senate, on official business.

The PRESIDING OFFICER (Mr. CANNON in the chair). A quorum is present.

The yeas and nays have been ordered.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. What is the pending question on which the Senate is about to vote?

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from New York [Mr. JAVITS], on behalf of himself and certain other Senators.

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from South Carolina [Mr. JOHNSTON] are absent on official business.

The Senator from Missouri [Mr. HENNINGS] is absent because of illness.

I further announce that if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Missouri [Mr. HENNINGS], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. MARTIN] is absent by leave of the Senate on official business.

The result was announced—yeas 28, nays 67, as follows:

[No. 305]

YEAS—28

Aiken	Dirksen	Mundt
Allott	Dworshak	Prouty
Beall	Fong	Saltonstall
Bridges	Goldwater	Schoeppel
Bush	Hickenlooper	Scott
Capehart	Hruska	Smith
Carlson	Javits	Wiley
Case, N.J.	Keating	Young, N. Dak.
Cooper	Kuchel	
Cotton	Morton	

NAYS—67

Anderson	Gruening	Monroney
Bartlett	Hart	Morse
Bennett	Hartke	Moss
Bible	Hayden	Murray
Burdick	Hill	Muskie
Butler	Holland	O'Mahoney
Byrd, Va.	Humphrey	Pastore
Byrd, W. Va.	Jackson	Proxmire
Cannon	Johnson, Tex.	Randolph
Carroll	Jordan	Robertson
Case, S. Dak.	Kefauver	Russell
Church	Kennedy	Smathers
Clark	Kerr	Sparkman
Curtis	Lausche	Stennis
Dodd	Long, Hawaii	Symington
Douglas	Long, La.	Talmadge
Eastland	Lusk	Thurmond
Ellender	McCarthy	Williams, Del.
Engle	McClellan	Williams, N.J.
Ervin	McGee	Yarborough
Frear	McNamara	Young, Ohio
Gore	Magnuson	
Green	Mansfield	

NOT VOTING—5

Chavez	Hennings	Martin
Fulbright	Johnston, S.C.	

So the amendment offered by Mr. JAVITS for himself and other Senators was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. KERR. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER (Mr. CANNON in the chair). The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The pending question now is on agreeing to the so-called Anderson amendment. The agreement is that the vote will come at 6 o'clock. The time is to be equally divided. The Senator from New Mexico [Mr. ANDERSON] controls the time in favor of the amendment, and the minority leader [Mr. DIRKSEN] controls the time in opposition.

Mr. KERR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KERR. Is it the unanimous-consent agreement that we shall vote at 6 o'clock, or is it that we shall vote not later than 6 o'clock?

The PRESIDING OFFICER. Not later than 6 o'clock.

Mr. KERR. In other words, if all Senators who desire time have used the time they wish to use, the vote could occur prior to 6 o'clock?

The PRESIDING OFFICER. The Senator is correct. The vote could occur before 6 o'clock.

Mr. ANDERSON. Mr. President, I yield 2 minutes to the Senator from Montana [Mr. MANSFIELD].

The PRESIDING OFFICER. The Senator from Montana is recognized for 2 minutes.

Mr. MANSFIELD. Mr. President, in the past several years, my distinguished senior colleague [Mr. MURRAY] and I have cosponsored legislation which would provide a more equitable method for computing the self-employment income of farmers under the Social Security Act. Since the time that the farmers were brought in under the self-employed category of the Social Security

Act we have received a number of complaints from farmers who feel they are not receiving equitable treatment.

Only the other day a constituent wrote to me advising that he had recently become completely disabled at the age of 60 but he is being denied disability payments because he did not make a profit on his farming operation during 1956, which gave him only 16 units in the past 5 years as a self-employed farmer, and his previous credits under the Social Security Act as an employee are not being considered.

I think that there is some justification in my constituent's complaint about the disability provision of the act, since he is totally disabled with 44 units of credit. He should be able to draw retirement with this record of contribution to the social security fund. He points out that others with as low as six units to their credit are receiving benefits.

I would like to ask the distinguished chairman of the Senate Finance Committee, the Senator from Virginia [Mr. BYRD], if there are any proposed changes in the status of farmers under the Social Security Act contained in the general provisions of H.R. 12580?

Mr. BYRD of Virginia. There are no changes with respect to the farmers which are not applicable to all other social security coverage. As the Senator from Montana no doubt knows, the disability provisions have been changed so as to make people eligible whenever they become disabled, instead of at the age of 50. There have been no basic changes relating to farmers.

Mr. MANSFIELD. I thank the chairman of the committee.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Nebraska.

The PRESIDING OFFICER. The time of the Senator from Montana has expired.

Mr. ANDERSON. Mr. President, I yield 2 additional minutes.

The PRESIDING OFFICER. The Senator from Montana is recognized for 2 additional minutes.

Mr. CURTIS. Mr. President, I believe the record will show that when the disability benefits were originally put into the act it was pointed out by the Senator from Nebraska that farmers were discriminated against because they did not have previous service upon which to rely. The Senator has pointed up a problem which exists. I hope at the earliest practical time the farmers can be given parity with other people.

Mr. MANSFIELD. Mr. President, I express my thanks to the Senator from Nebraska for his interest in this matter. I know, since the Senator comes from the State of Nebraska, he is aware of the problem involved.

I should like now to direct a question to the able junior Senator from New Mexico [Mr. ANDERSON]. Will farmers who qualify under the self-employed category be included among those eligible for benefits under the medical care program as proposed in the Anderson amendment to H.R. 12580?

Mr. ANDERSON. The answer is "Yes."

Mr. MANSFIELD. I thank the Senator.

Mr. ANDERSON. Mr. President, because he desires to speak upon a different subject, I yield 3 minutes to the able Senator from Ohio [Mr. LAUSCHE].

SUBSIDIES FOR LEAD AND ZINC

Mr. LAUSCHE. Mr. President, last week the Senate passed a bill to provide for subsidies to the zinc and lead mining industries of this country. In the discussion which was had in regard to the bill it was clearly demonstrated that if the bill were now in effect a lead mine operator producing 2,000 tons would be paid a subsidy of $200,000 in 1 year, and he would employ 40 persons. The number of 40 divided into $200,000 produces a subsidy of $5,000 for the employment of one individual.

The argument was made on the floor of the Senate that these uneconomical operations ought to be continued in existence and that we ought to help provide the employment which would come as a result of passage of the bill. The bill was passed, although it was evident that the taxpayers would be paying $5,000 to hire one person in these mining operations.

In the discussion on the bill, I pointed out that a precedent would be established, and that in all probability there would be brought before the Senate bills asking for subsidization of fluorspar, magnesium, tungsten, and other metals.

In this morning's mail I received word that when the helium bill (H.R. 10548) is considered in the Senate, there will be offered an amendment to subsidize the mining of fluorspar. It has taken about 5 days for the precedent which was established to take hold.

The argument in regard to the subsidization of fluorspar is that the industry is impoverished, rendered so by the importation of fluorspar, and that we ought to subsidize up to 100,000 tons of acid fluorspar per year at the rate of $10 per ton, and in addition we ought to subsidize up to 90,000 tons of metallurgical fluorspar at the rate of $7.50 a ton.

The precedent was established last week. The train of events which are to follow have begun today.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. LAUSCHE. Will the Senator yield 2 more minutes?

Mr. ANDERSON. I yield 2 additional minutes.

Mr. LAUSCHE. It may sound vain, but I predict that we will have before the Senate and the Congress within the next 2 years bills to provide for subsidies for tungsten, for magnesium, for ceramics, and so on. If it comes to that, perhaps the Senator from Ohio will be compelled to join the program, and may ask for the subsidy of the impoverished coal mines in southeastern Ohio.

In Ohio the ceramic industry is in difficulty. It would be entitled to a subsidy. I merely make that statement to point out what lies ahead. I shall oppose the proposed subsidy for fluorspar in the same manner that I opposed the subsidy for zinc and lead. I do not know when the bill to provide for such subsidy will be brought up, but I shall object to any suspension of the rules and will object to any unanimous-consent request or proposal that is made in connection with that bill.

I am very grateful to the Senator from New Mexico for yielding to me.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 68. An act to provide for continued delivery of water under the Federal reclamation laws to lands held by husband and wife upon the death of either;

S. 1781. An act to facilitate cooperation between the Federal Government, colleges and universities, the States, and private organizations for cooperative unit programs of research and education relating to fish and wildlife, and for other purposes;

S. 1857. An act to promote the foreign trade of the United States in grapes and plums, to protect the reputation of American-grown grapes and plums in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes;

S. 2369. An act for the relief of Sachiko Kato;

S. 2388. An act relating to the separation and retirement of John R. Barker;

S. 2576. An act to authorize the addition of certain donated lands to the Everglades National Park;

S. 2711. An act to quiet title to certain lands within the Nez Perce Indian Reservation, Idaho, and for other purposes;

S. 2772. An act to authorize the Secretary of Agriculture to convey land in the town of Cascade, El Paso County, Colo.;

S. 3030. An act for the relief of Michiko (Hirai) Christopher;

S. 3053. An act for the relief of the State of Connecticut;

S. 3070. An act to provide for the removal of the restriction on use with respect to certain lands in Morton County, N. Dak., conveyed to the State of North Dakota on July 20, 1955;

S. 3160. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the State of Idaho as a Territory;

S. 3264. An act to abolish the Arlington Memorial Amphitheater Commission;

S. 3532. An act to provide for the striking of medal in commemoration of Century 21 Exposition to be held in Seattle, Wash.; and

S.J. Res. 68. Joint resolution providing for the establishment of the New Jersey Tercentenary Celebration Commission to formulate and implement plans to commemorate the 300th anniversary of the State of New Jersey, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 107. An act to amend title XI of the Merchant Marine Act, 1936, relating to Federal ship mortgage insurance, in order to

include floating drydocks under the definition of the term "vessel" in such title;

S. 2830. An act to amend the Library Services Act in order to extend for 5 years the authorization for appropriations, and for other purposes; and

S.J. Res. 207. Joint resolution to suspend for the 1960 campaign the equal-opportunity requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President.

AMENDMENT OF FOREIGN SERVICE ACT OF 1946

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to S. 2633, which was passed by the Senate on September 9, 1959, and returned to the Senate by the House on August 22, 1960, with an amendment in the nature of a substitute.

The PRESIDING OFFICER (Mr. BURDICK in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2633) to amend the Foreign Service Act of 1946, as amended, and for other purposes, which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Foreign Service Act Amendments of 1960".

SEC. 2. Section 416 of the Foreign Service Act of 1946, as amended, is amended to read as follows:

"SEC. 416. (a) A person appointed as a staff officer or employee shall receive basic salary at one of the rates of the class to which he is appointed which the Secretary shall, taking into account his qualifications and experience and the needs of the Service, determine to be appropriate for him to receive.

"(b) Whenever the Secretary determines that the needs of the Service warrant the appointment of staff officers or employees in a particular occupational group uniformly at a rate above the minimum rate of the applicable class, he may adjust the basic salary of any staff officer or employee in the same class and occupational group who is receiving less than such established rate."

SEC. 3. Section 417 of such Act is amended by striking out "(b)" in the first sentence.

SEC. 4. Section 431 of such Act is amended by striking out in the first sentence of paragraph (a) the phrase "the termination of time spent on authorized leave, whichever shall be later," and inserting in lieu thereof the phrase "upon termination of his service in accordance with the provisions of paragraph (b) of this section,"; and by amending paragraph (b) of this section to read as follows:

"(b) The official services of a chief of mission shall not be deemed terminated by the appointment of a successor but shall continue until he has relinquished charge of the mission and for such additional period as may be determined by the Secretary, but in no case shall such additional period exceed fifty days, including time spent in transit. During such period the Secretary may require him to render such services as he may deem necessary in the interests of the Government."

SEC. 5. Section 441 of such Act and the heading to such section are amended to read as follows:

"CLASSIFICATION OF POSITIONS IN THE FOREIGN SERVICE AND IN THE DEPARTMENT

"SEC. 441. (a) Under such regulations as he may prescribe, and in order to facilitate effective management, the Secretary shall classify all positions in the Service at posts abroad, excluding positions to be occupied by chiefs of mission, and in the case of those occupied by Foreign Service officers, Reserve officers, and staff officers and employees, he shall establish such positions in relation to the classes established by sections 412, 414, and 415, respectively. Positions occupied by alien employees and consular agents, respectively, shall be allocated to such classes as the Secretary may establish by regulation.

"(b) Under such regulations as he may prescribe, the Secretary may, notwithstanding the provisions of the Classification Act of 1949, as amended (5 U.S.C. 1071 and the following), classify positions in or under the Department which he designates as Foreign Service officer positions to be occupied by officers and employees of the Service, and establish such positions in relation to the classes established by sections 412, 414, and 415."

SEC. 6. Section 444 of such Act and the heading to such section are amended to read as follows:

"COMPENSATION PLANS FOR ALIEN EMPLOYEES

"SEC. 444. (a) The Secretary shall, in accordance with such regulations as he may prescribe, establish compensation plans for alien employees of the Service: *Provided*, That such compensation plans shall be based upon prevailing wage rates and compensation practices for corresponding types of positions in the locality, to the extent consistent with the public interest.

"(b) For the purpose of performing functions abroad, other Government agencies are authorized to administer alien employee programs in accordance with the applicable provisions of this Act."

SEC. 7. Title V of such Act is amended by adding at the beginning thereof the following new section:

"POLICY

"SEC. 500. It is the policy of the Congress that chiefs of mission and Foreign Service officers appointed or assigned to serve the United States in foreign countries shall have, to the maximum practicable extent, among their qualifications, a useful knowledge of the principal language or dialect of the country in which they are to serve, and knowledge and understanding of the history, the culture, the economic and political institutions, and the interests of such country and its people."

SEC. 8. (a) The heading to section 516 of such Act is amended to read as follows: "ADMISSIONS TO CLASS 7 OR 8".

(b) Section 516 of such Act is amended by striking out "SEC. 516." and inserting in lieu thereof "SEC. 516. (a)" and by adding at the end thereof a new paragraph (b) which shall read as follows:

"(b) The Secretary may furnish the President with the names of those persons who have passed such examinations and are eligible for appointment as Foreign Service officers of class 8, whom he recommends for appointment directly to class 7 when in his opinion, their age, experience, or other qualifications make such an appointment appropriate."

SEC. 9. (a) Section 517 of such Act is amended by striking out the words "A person who has not served in class 8" which appear at the beginning of the first sentence, and inserting in place thereof the following: "A person who has not been appointed as a Foreign Service officer in accordance with section 516 of this Act".

(b) Section 517 of such Act is further amended by striking out the second and third sentences of such section.

SEC. 10. (a) The heading to section 520 of such Act is amended by striking out the phrase "REINSTATEMENT AND RECALL" and substituting in lieu thereof the phrase "REAPPOINTMENT, RECALL, OR REEMPLOYMENT".

(b) The first sentence of paragraph (a) of section 520 of such Act is amended by inserting a period after the word "Service" where is appears for the third time, and by striking out the remainder of that sentence.

(c) Paragraph (b) of section 520 of such Act is amended to read as follows:

"(b) The Secretary may recall any retired Foreign Service officer temporarily to duty in the Service whenever he shall determine such recall is in the public interest."

(d) Section 520 of such Act is further amended by adding at the end thereof a new paragraph (c) which shall read as follows:

"(c) Notwithstanding the provisions of title 5, United States Code, section 62, and title 5, United States Code, section 715a, a Foreign Service officer heretofore or hereafter retired under the provisions of section 631 or 632 or a Foreign Service staff officer or employee hereafter retired under the provisions of section 803 shall not, by reason of his retired status, be barred from employment in Federal Government service in any appointive position for which he is qualified. An annuitant so reemployed shall serve at the will of the appointing officer."

SEC. 11. Section 528 of such Act is amended by striking out in the second sentence of such section the phrase "subsection (d), section 7, of the Classification Act of 1923" and substituting in lieu thereof the phrase "the Classification Act of 1949".

SEC. 12. Section 531 of such Act is amended to read as follows:

"SEC. 531. The Secretary may, under such regulations as he may prescribe, appoint staff officers and employees on the basis of qualifications and experience. The Secretary may make provisions for temporary, limited, and such other types of appointment as he may deem necessary. He is authorized to establish appropriate probationary periods during which newly appointed staff officers or employees, other than those appointed for temporary or limited services, shall be required to serve. The Secretary may terminate at any time, without regard to the provisions of section 651 or 652, or the provisions of any other law, the services of staff officers or employees appointed for temporary or limited service and of other staff officers or employees who occupy probationary status."

SEC. 13. Section 532 of such Act is amended to read as follows:

"SEC. 532. Under such regulations as he may prescribe, the Secretary may assign a staff officer or employee to any post or he may assign him to serve in any position in which he is eligible to serve under the terms of this or any other Act. A staff officer or employee may be transferred from one post to another by order of the Secretary as the interests of the Service may require."

SEC. 14. (a) Section 571 of such Act is amended by striking out paragraphs (a), (b), (c), and (d), and the heading to such section, and inserting in lieu thereof the following:

"ASSIGNMENTS TO ANY GOVERNMENT AGENCY OR INTERNATIONAL ORGANIZATION

"SEC. 571. (a) Any officer or employee of the Service may, in the discretion of the Secretary, be assigned or detailed for duty in any Government agency, or in any international organization, international commission, or international body, such an assignment or combination of assignments to be for a period of not more than four years, except that under special circumstances the Secretary may extend this four-year period for not more than four additional years.

"(b) If a Foreign Service officer shall be appointed by the President, by and with the advice and consent of the Senate, or by the President alone, to a position in any

Government agency, any United States delegation or mission to any international organization, in any international commission, or in any international body, the period of his service in such capacity shall be construed as constituting an assignment within the meaning of paragraph (a) of this section and such person shall not, by virtue of the acceptance of such an assignment, lose his status as a Foreign Service officer. Service in such a position shall not, however, be subject to the limitations concerning the duration of an assignment contained in that paragraph.

"(c) If the basic minimum salary of the position to which an officer or employee of the Service is assigned pursuant to the terms of this section is higher than the salary such officer or employee is entitled to receive as an officer or employee of the Service, such officer or employee shall, during the period such difference in salary exists, receive the salary and allowances of the position in which he is serving in lieu of his salary and allowances as an officer or employee of the Service. Any salary paid under the provisions of this section shall be the salary on the basis of which computations and payments shall be made in accordance with the provisions of title VIII. No officer or employee of the Service who, subsequent to the date of enactment of the Foreign Service Act Amendments of 1960, is assigned to, or who, after June 30, 1961, occupies a position in the Department that is designated as a Foreign Service officer position, shall be entitled to receive a salary differential under the provisions of this paragraph."

(b) Paragraph (e) of section 571 of such Act is amended by striking the phrase "with heads of Government agencies" where it appears in the second sentence and by redesignating the paragraph as "(d)".

SEC. 15. Section 575 of such Act is amended by striking out all after the word "accordance" and inserting in lieu thereof the phrase "with the appropriate provisions of titles III and IX of Public Law 402, Eightieth Congress (62 Stat. 7 and 13; 22 U.S.C. 1451–1453, 1478 and 1479)."

SEC. 16. Title V of such Act is further amended by adding at the end thereof the following new section:

"FOREIGN LANGUAGE KNOWLEDGE PREREQUISITE TO ASSIGNMENT

"SEC. 578. The Secretary shall determine annually the number of Foreign Service officer positions in a foreign country which shall be occupied only by an incumbent who has a useful knowledge of a language or dialect commonly used in such country. After December 31, 1963, the prescribed quota of language officers shall be maintained for each country: *Provided*, That the Secretary may make exceptions to this policy when special or emergency conditions exist. The Secretary shall establish foreign language standards for assignment abroad of officers and employees of the Service, and shall arrange for appropriate language training of such officers and employees at the Foreign Service Institute or elsewhere."

SEC. 17. Section 625 of such Act and the heading of such section are amended to read as follows:

"WITHIN-CLASS SALARY INCREASES OF FOREIGN SERVICE OFFICERS AND RESERVE OFFICERS

"SEC. 625. Any Foreign Service officer or any Reserve officer, whose services meet the standards required for the efficient conduct of the work of the Service and who shall have been in a given class for a continuous period of nine months or more, shall, on the first day of each fiscal year, receive an increase in salary to the next higher rate for the class in which he is serving. Without regard to any other law, the Secretary is authorized to grant to any such officer additional increases in salary, within the salary range established for the class in which he is serving, based upon especially meritorious service."

SEC. 18. Title VI of such Act is amended by inserting after section 625 the following new section and the heading thereto:

"RELATIONSHIP BETWEEN PROMOTIONS AND FUNCTIONAL AND GEOGRAPHIC AREA SPECIALIZATION

"SEC. 626. The achievement of the objectives of this Act requires increasing numbers of Foreign Service officers to acquire functional and geographic area specializations and to pursue such specializations for a substantial part of their careers. Such specialization shall not in any way inhibit or prejudice the orderly advancement through class 1 of any such officer in the Foreign Service."

SEC. 19. The heading "PART D—SEPARATION OF FOREIGN SERVICE OFFICERS FROM THE SERVICE" under title VI of such Act is amended to read as follows: "PART D—SEPARATION OF OFFICERS AND EMPLOYEES FROM THE SERVICE".

SEC. 20. Section 631 of such Act and the heading to such section are amended to read as follows:

"FOREIGN SERVICE OFFICERS WHO ARE CAREER AMBASSADORS OR CAREER MINISTERS

"SEC. 631. Any Foreign Service officer who is a career ambassador or a career minister, other than one occupying a position as chief of mission or any other position to which he has been appointed by the President, by and with the advice and consent of the Senate, shall upon reaching the age of sixty-five, be retired from the Service and receive retirement benefits in accordance with the provisions of section 821, but whenever the Secretary shall determine it to be in the public interest, he may extend such an officer's service."

SEC. 21. Section 632 of such Act and the heading to such section are amended to read as follows:

"PARTICIPANTS IN THE FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM WHO ARE NOT CAREER AMBASSADORS OR CAREER MINISTERS

"SEC. 632. Any participant in the Foreign Service Retirement and Disability System, other than one occupying a position as chief of mission or any other position to which he has been appointed by the President, by and with the advice and consent of the Senate, who is not a career ambassador or a career minister shall, upon reaching the age of sixty, be retired from the Service and receive retirement benefits in accordance with the provisions of section 821, but whenever the Secretary shall determine it to be in the public interest, he may extend such participant's service for a period not to exceed five years."

SEC. 22. Subparagraphs (1) and (2) of paragraph (b) of section 634 of such Act are amended to read as follows:

"(1) one-twelfth of a year's salary at his then current salary rate for each year of service and proportionately for a fraction of a year, but not exceeding a total of one year's salary at his then current salary rate, payable without interest, from the Foreign Service Retirement and Disability Fund, in three equal installments on the 1st day of January following the officer's retirement and on the two anniversaries of this date immediately following: *Provided*, That in special cases, the Secretary may in his discretion accelerate or combine the installments; and

"(2) a refund of the contributions made to the Foreign Service Retirement and Disability Fund, with interest as provided in section 841(a), except that in lieu of such refund such officer, if he has at least five years of service credit toward retirement under the Foreign Service Retirement and Disability System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a), may elect to receive retirement benefits on reaching the age of sixty in accordance with the provisions of section 821. In the event that an officer who was separated from class 4 or 5 and who has elected to receive retirement benefits dies before reaching the age of sixty, his death shall be considered a death in service within the meaning of section 832. In the event that an officer who was separated from class 6 or 7 and who has elected to receive retirement benefits dies before reaching the age of sixty, the total amount of his contributions made to the Foreign Service Retirement and Disability Fund, with interest as provided in section 841(a), shall be paid in accordance with the provisions of section 841(b)."

SEC. 23. Section 635 of such Act and the heading to such section are amended to read as follows:

"FOREIGN SERVICE OFFICERS RETIRED FROM CLASS 7 OR 8

"SEC. 635. Any Foreign Service officer in class 7 who is appointed under the provisions of section 516(b) and any Foreign Service officer in class 8 shall occupy probationary status. The Secretary may terminate his service at any time."

SEC. 24. Section 636 of such Act is amended by striking out the phrase "Any Foreign Service officer" and inserting in lieu thereof the phrase "Any participant in the Foreign Service Retirement and Disability System".

SEC. 25. Section 641 of such Act is amended to read as follows:

"SEC. 641. All promotions of staff officers and employees to a higher class shall be made at a higher salary on the basis of performance and merit in accordance with such regulations as the Secretary may prescribe."

SEC. 26. Section 642 of such Act and the heading thereto are amended to read as follows:

"WITHIN CLASS AND LONGEVITY SALARY INCREASES

"SEC. 642. (a) Under such regulations as the Secretary may prescribe, any staff officer or employee whose services meet the standards required for the efficient conduct of the work of the Service shall receive an increase in salary at periodic intervals to the next higher salary rate for the class in which he is serving. Without regard to any other law the Secretary is authorized to grant any such officer or employee additional increases in salary within the salary range established for the class in which he is serving, based upon specially meritorious service.

"(b) Under such regulations as the Secretary may prescribe, any staff officer or employee who has attained the maximum salary rate prescribed by section 415 for the class in which he is serving may be granted from time to time an additional salary increase beyond the maximum salary rate for his class in recognition of longevity or proficiency in the Service. Each such salary increase shall be equal to the maximum salary rate increase of the applicable class and no person shall receive more than four such salary increases while serving in the same class."

SEC. 27. Section 701 of such Act is amended by adding at the end thereof the following: "The Secretary may also provide to the extent that space is available therefor appropriate orientation and language training to spouses of officers and employees of the Government in anticipation of the assignment abroad of such officers and employees. Other agencies of the Government shall wherever practicable avoid duplicating the facilities of the Institute and the training provided by the Secretary at the Institute or elsewhere."

SEC. 28. (a) Paragraph (a) of section 704 of such Act is amended by striking out "1923" in the two places where it appears and inserting in lieu thereof "1949".

(b) Section 704 of such Act is amended by adding at the end of such section a new paragraph (e) which shall read as follows:

"(e) The Secretary may, under such regulations as he may prescribe, in the absence of suitably qualified United States citizens, employ persons who are not citizens of the United States by appointment to the staff of the Institute either on a full- or part-time basis or by contract for services in the United States or abroad at rates not in excess of those provided by the Classification Act of 1949, as amended (5 U.S.C. 1071)."

SEC. 29. (a) Section 803(b)(2) of such Act is amended to read as follows—

"(2) have paid into the Fund a special contribution for each year of such service in accordance with the provisions of section 852(b)."

(b) Section 803 is further amended by adding at the end thereof a new paragraph (c) which shall read as follows:

"(c)(1) In accordance with such regulations as the President may prescribe, any Foreign Service staff officer or employee appointed by the Secretary of State who has completed at least ten years of continuous service in the Department's Foreign Service, exclusive of military service, shall become a participant in the System and shall make a special contribution to the Fund in accordance with the provisions of section 852.

"(2) Any such officer or employee who, under the provisions of paragraph (c)(1) of this section, becomes a participant in the System, shall be mandatorily retired for age during the first year after the effective date of this paragraph if he attains age sixty-four or if he is over age sixty-four; during the second year at age sixty-three; during the third year at age sixty-two; during the fourth year at age sixty-one, and thereafter at age sixty.

"(3) Any officer or employee who becomes a participant in the System under the provisions of paragraph (c)(1) of this section who is age 57 or over on the effective date of this paragraph, may retire voluntarily at any time before mandatory retirement under paragraph (c)(2) of this section and receive retirement benefits under section 821."

SEC. 30. Section 804 of such Act is amended to read as follows:

"SEC. 804. (a) Annuitants shall be persons who are receiving annuities from the Fund and all persons, including surviving wives and husbands, widows, dependent widowers, children and beneficiaries of participants or annuitants who shall become entitled to receive annuities in accordance with the provisions of this Act, as amended, or in accordance with the provisions of section 5 of the Act of May 1, 1956 (70 Stat. 125).

"(b) When used in this title the term—

"(1) 'Widow' means the surviving wife of a participant who was married to such participant for at least two years immediatley preceding his death or is the mother of issue by such marriage.

"(2) 'Dependent widower' means the surviving husband of a participant who was married to such participant for at least two years immediately preceding her death or is the father of issue by such marriage, and who is incapable of self-support by reason of mental or physical disability, and who received more than one-half of his support from such participant.

"(3) 'Child' means an unmarried child, under the age of eighteen years, or such unmarried child regardless of age who because of physical or mental disability incurred before age eighteen is incapable of self-support. In addition to the offspring of the participant and his or her spouse the term includes (a) an adopted child, and (b) a step-child or recognized natural child who received more than one-half of his support from the participant."

SEC. 31. Section 811 of such Act is amended to read as follows:

"SEC. 811. (a) Six and one-half per centum of the basic salary received by each participant shall be contributed to the Fund for the payment of annuities, cash benefits, refunds, and allowances. An equal sum shall also be contributed from the respective appropriation or fund which is used for payment of his salary. The amounts deducted and withheld from basic salary together with the amounts so contributed from the appropriation or fund, shall be deposited by the Department of State in the Treasury of the United States to the credit of the Fund.

"(b) Each participant shall be deemed to consent and agree to such deductions from basic salary, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all regular services during the period covered by such payment, except the right to the benefits to which he shall be entitled under this Act, notwithstanding any law, rule, or regulation affecting the individual's salary."

SEC. 32. (a) Paragraphs (a), (b), and (c) of section 821 of such Act are amended to read as follows:

"SEC. 821. (a) The annuity of a participant shall be equal to 2 per centum of his average basic salary for the highest five consecutive years of service, for which full contributions have been made to the Fund, multiplied by the number of years, not exceeding thirty-five, of service credit obtained in accordance with the provisions of sections 851, 852, and 853. However, the highest five years of service for which full contributions have been made to the Fund shall be used in computing the annuity of any participant who serves as chief of mission and whose continuity of service as such is interrupted prior to retirement by appointment or assignment to any other position determined by the Secretary to be of comparable importance. In determining the aggregate period of service upon which the annuity is to be based, the fractional part of a month, if any, shall not be counted.

"(b) At the time of retirement, any married participant may elect to receive a reduced annuity and to provide for an annuity payable to his wife or her husband, commencing on the date following such participant's death and terminating upon the death of such surviving wife or husband. The annuity payable to the surviving wife or husband after such participant's death shall be 50 per centum of the amount of the participant's annuity computed as prescribed in paragraph (a) of this section, up to the full amount of such annuity specified by him as the base for the survivor benefits. The annuity of the participant making such election shall be reduced by 2½ per centum of any amount up to $2,400 he specifies as the base for the survivor benefit plus 10 per centum of any amount over $2,400 so specified.

"(c)(1) If an annuitant dies and is survived by a wife or husband and by a child or children, in addition to the annuity payable to the surviving wife or husband, there shall be paid to or on behalf of each child an annuity equal to the smallest of: (i) 40 per centum of the annuitant's average basic salary, as determined under paragraph (a) of this section, divided by the number of children; (ii) $600; or (iii) $1,800 divided by the number of children.

"(2) If an annuitant dies and is not survived by a wife or husband but by a child or children, each surviving child shall be paid an annuity equal to the smallest of: (i) 50 per centum of the annuitant's average basic salary, as determined under paragraph (a) of this section, divided by the number of children; (ii) $720; or (iii) $2,160 divided by the number of children."

(b) Section 821 of such Act is further amended by adding new paragraphs (d), (e), and (f) which shall read as follows:

"(d) If a surviving wife or husband dies or the annuity of a child is terminated, the annuities of any remaining children shall be recomputed and paid as though such wife, husband, or child had not survived the participant.

"(e) The annuity payable to a child under paragraph (c) or (d) of this section shall begin on the first day of the next month after the participant dies and such annuity or any right thereto shall be terminated upon death, marriage, or attainment of the age of eighteen years, except that, if a child is incapable of self-support by reasons of mental or physical disability, the annuity shall be terminated only when such child dies, marries, or recovers from such disability.

"(f) At the time of retirement an unmarried participant may elect to receive a reduced annuity and to provide for an annuity equal to 50 per centum of the reduced annuity payable after his or her death to a beneficiary whose name shall be designated in writing to the Secretary. The annuity payable to a participant making such election shall be reduced by 10 per centum of an annuity computed as provided in paragraph (a) of this section and by 5 per centum of an annuity so computed for each full five years the person designated is younger than the retiring participant, but such total reduction shall not exceed 40 per centum. No such election of a reduced annuity payable to a beneficiary shall be valid until the participant shall have satisfactorily passed a physical examination as prescribed by the Secretary. The annuity payable to a beneficiary under the provisions of this paragraph shall begin on the first day of the next month after the participant dies. Upon the death of the surviving beneficiary all payments shall cease and no further annuity payments authorized under this paragraph shall be due or payable."

SEC. 33. (a) Paragraphs (a), (b), and (c) of section 831 of such Act are amended to read as follows:

"(a) Any participant who has five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with provisions of section 851 or 852 (a)(2), and who becomes totally disabled or incapacitated for useful and efficient service by reason of disease, illness, or injury not due to vicious habits, intemperance, or willful misconduct on his part, shall, upon his own application or upon order of the Secretary, be retired on an annuity computed as prescribed in section 821. If the disabled or incapacitated participant has less than twenty years of service credit toward his retirement under the System at the time he is retired, his annuity shall be computed on the assumption that he has had twenty years of service, but the additional service credit that may accrue to a participant under this provision shall in no case exceed the difference between his age at the time of retirement and the mandatory retirement age applicable to his class in the Service.

"(b) In each case, the participant shall be given a physical examination by one or more duly qualified physicians or surgeons designated by the Secretary to conduct examinations, and disability shall be determined by the Secretary on the basis of the advice of such physicians or surgeons. Unless the disability is permanent, like examinations shall be made annually until the annuitant has reached the statutory mandatory retirement age for his class in the Service. If the Secretary determines, on the basis of the advice of one or more duly qualified physicians or surgeons conducting such examinations that an annuitant has recovered to the extent that he can return to duty, the annuitant may apply

for reinstatement or reappointment in the Service within one year from the date his recovery is determined. Upon application the Secretary shall reinstate any such recovered disability annuitant in the class in which he was serving at time of retirement, or the Secretary may, taking into consideration the age, qualifications, and experience of such annuitant, and the present class of his contemporaries in the Service, appoint him or, in the case of an annuitant who is a former Foreign Service officer, recommend that the President appoint him, by and with the advice and consent of the Senate, to a class higher than the one in which he was serving prior to retirement. Payment of the annuity shall continue until a date six months after the date of the examination showing recovery or until the date of reinstatement or reappointment in the Service, whichever is earlier. Fees for examinations under this provision, together with reasonable traveling and other expenses incurred in order to submit to examination, shall be paid out of the Fund. If the annuitant fails to submit to examination as required under this section, payment of the annuity shall be suspended until continuance of the disability is satisfactorily established.

"(c) If a recovered disability annuitant whose annuity is discontined is for any reason not reinstated or reappointed in the Service, he shall be considered to have been separated within the meaning of section 834 as of the date he was retired for disability and he shall, after the discontinuance of the disability annuity, be entitled to the benefits of that section or of section 841(a) except that he may elect voluntary retirement in accordance with the provisions of section 636 if he can qualify under its provisions."

(b) Section 831 of such Act is further amended by adding new paragraphs (d) and (e) which shall read as follows:

"(d) No participant shall be entitled to receive an annuity under this Act and compensation for injury or disability to himself under the Federal Employees' Compensation Act of September 7, 1916, as amended, covering the same period of time. This provision shall not bar the right of any claimant to the greater benefit conferred by either Act for any part of the same period of time. Neither this provision nor any provision of the Act of September 7, 1916, as amended, shall be so construed as to deny the right of any person to receive an annuity under this Act by reason of his own services and to receive concurrently any payment under such Act of September 7, 1916, as amended, by reason of the death of any other person.

"(e) Notwithstanding any provision of law to the contrary, the right of any person entitled to an annuity under this Act shall not be affected because such person has received an award of compensation in a lump sum under section 14 of the Act of September 7, 1916, as amended, except that where such annuity is payable on account of the same disability for which compensation under such section has been paid, so much of such compensation as has been paid for any period extended beyond the date such annuity becomes effective, as determined by the Secretary of Labor, shall be refunded to the Department of Labor, to be paid into the Federal Employees' Compensation Fund. Before such person shall receive such annuity he shall (1) refund to the Department of Labor the amount representing such computed payments for such extended period, or (2) authorize the deduction of such amount from the annuity payable to him under this Act, which amount shall be transmitted to such Department for reimbursement to such Fund. Deductions from such annuity may be made from accrued and accruing payments, or may be prorated against and paid from accruing payments in such manner as the Secretary of Labor shall determine, whenever he finds that the financial circumstances of the annuitant are such as to warrant such deferred refunding."

SEC. 34. Section 832 of such Act is amended to read as follows:

"SEC. 832. (a) In case a participant dies and no claim for annuity is payable under the provisions of this Act, his contributions to the Fund, with interest at the rates prescribed in sections 841(a) and 881(a), shall be paid in the order of precedence shown in section 841(b).

"(b) If a participant who has at least five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a)(2), dies before separation or retirement from the Service and is survived by a widow or a dependent widower, as defined in section 804, such widow or dependent widower shall be entitled to an annuity equal to 50 per centum of the annuity computed in accordance with the provisions of paragraph (e) of this section and of section 821(a). The annuity of such widow or dependent widower shall commence on the date following death of the participant and shall terminate upon death of the widow or dependent widower, or upon the dependent widower's becoming capable of self-support.

"(c) If a participant who has at least five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a)(2), dies before separation or retirement from the Service and is survived by a wife or a husband and a child or children, each surviving child shall be entitled to an annuity computed in accordance with the provisions of section 821(c)(1). The child's annuity shall begin and be terminated in accordance with the provisions of section 821(e). Upon the death of the surviving wife or husband or termination of the annuity of a child, the annuities of any remaining children shall be recomputed and paid as though such wife or husband or child had not survived the participant.

"(d) If a participant who has at least five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a)(2), dies before separation or retirement from the Service and is not survived by a wife or husband, but by a child or children, each surviving child shall be entitled to an annuity computed in accordance with the provisions of section 821(c)(2). The child's annuity shall begin and terminate in accordance with the provisions of section 821(e). Upon termination of the annuity of a child, the annuities of any remaining children shall be recomputed and paid as though that child had never been entitled to the benefit.

"(e) If, at the time of his or her death, the participant had less than twenty years of service credit toward retirement under the System, the annuities payable in accordance with paragraph (b) of this section shall be computed in accordance with the provisions of section 821 on the assumption he or she has had twenty years of service, but the additional service credit that may accrue to a deceased participant under this provision shall in no case exceed the difference between his or her age on the date of death and the mandatory retirement age applicable to his or her class in the Service. In all cases arising under paragraphs (b), (c), (d), or (e) of this section, it shall be assumed that the deceased participant was qualified for retirement on the date of his death."

SEC. 35. A new section 834 is hereby added to such Act as follows:

"DISCONTINUED SERVICE RETIREMENT

SEC. 834. (a) Any participant who voluntarily separates from the Service after obtaining at least five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a)(2), may, upon separation from the Service or at any time prior to becoming eligible for an annuity, elect to have his contributions to the Fund returned to him in accordance with the provisions of section 841, or to leave his contributions in the Fund and receive an annuity, computed as prescribed in section 821, commencing at the age of sixty years.

"(b) If a participant who has qualified in accordance with the provisions of paragraph (a) of this section to receive a deferred annuity commencing at the age of sixty dies before reaching the age of sixty his contributions to the Fund, with interest, shall be paid in accordance with the provisions of sections 841 and 881."

SEC. 36. Section 841 of such Act is amended to read as follows:

"SEC. 841. (a) Whenever a participant becomes separated from the Service without becoming eligible for an annuity or a deferred annuity in accordance with the provisions of this Act, the total amount of contributions from his salary with interest thereon at 4 per centum per annum, compounded annually at the end of each fiscal year through June 30, 1060; semiannually as of December 31, 1960; annually thereafter as of December 31, and proportionately for the period served during the year of separation including all contributions made during or for such period, except as provided in section 881, shall be returned to him.

"(b) In the event that the total contributions of a retired participant, other than voluntary contributions made in accordance with the provisions of section 881, with interest at 4 per centum per annum compounded annually as is provided in paragraph (a) of this section added thereto, exceed the total amount returned to such participant or to an annuitant claiming through him, in the form of annuities, accumulated at the same rate of interest up to the date the annuity payments cease under the terms of the annuity, the excess of the accumulated contributions over the accumulated annuity payments shall be paid in the following order of precedence, upon the establishment of a valid claim therefor, and such payment shall be a bar to recovery by any other person:

"(1) To the beneficiary or beneficiaries designated by the retired participant in writing to the Secretary;

"(2) If there be no such beneficiary, to the surviving wife or husband of such participant;

"(3) If none of the above, to the child or children of such participant and descendants of deceased children by representation;

"(4) If none of the above, to the parents of such participant or the survivor of them;

"(5) If none of the above, to the duly appointed executor or administrator of the estate of such participant;

"(6) If none of the above, to other next of kin of such participant as may be determined by the Secretary in his judgment to be legally entitled thereto.

"(c) No payment shall be made pursuant to paragraph (b)(6) of this section until after the expiration of thirty days from the death of the retired participant or his surviving annuitant."

SEC. 37. Section 851 of such Act is amended to read as follows:

"SEC. 851. For the purposes of this title, the period of service of a participant shall be computed from the effective date of appointment as a Foreign Service officer, or, if appointed prior to July 1, 1924, as an officer or employee of the Diplomatic or Consular Service of the United States, or from the date he becomes a participant under the provisions of this Act, as amended, but all periods of separation from the Service and so much

of any leaves of absence without pay as may exceed six months in the aggregate in any calendar year shall be excluded, except leaves of absence while receiving benefits under the Federal Employees' Compensation Act of September 7, 1916, as amended, and leaves of absence granted participants while performing active and honorable military or naval service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States."

SEC. 38. (a) Paragraphs (a), (b), and (c) of section 852 of such Act are amended to read as follows:

"(a) A participant may, subject to the provisions of this section, include in his period of service—

"(1) civilian service in the executive, judicial, and legislative branches of the Federal Government and in the District of Columbia government, prior to becoming a participant; and

"(2) active and honorable military or naval service in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States.

"(b) A person may obtain prior civilian service credit in accordance with the provisions of paragraph (a)(1) of this section by making a special contribution to the Fund equal to 5 per centum of his basic annual salary for each year of service for which credit is sought subsequent to July 1, 1924, and prior to the effective date of the Foreign Service Act Amendments of 1960, and at 6½ per centum thereafter with interest compounded annually at 4 per centum per annum to the date of payment. Any such person may, under such conditions as may be determined in each instance by the Secretary, pay such special contributions in installments.

"(c)(1) If an officer or employee under some other Government retirement system, becomes a participant in the System by direct transfer, such officer or employee's total contributions and deposits, including interest accrued thereon, except voluntary contributions, shall be transferred to the Fund effective as of the date such officer or employee becomes a participant in the System. Each such officer or employee shall be deemed to consent to the transfer of such funds and such transfer shall be a complete discharge and acquittance of all claims and demands against the other Government retirement fund on account of service rendered prior to becoming a participant in the System.

"(2) No officer or employee, whose contributions are transferred to the Fund in accordance with the provisions of paragraph (c)(1) of this section, shall be required to make contributions in addition to those transferred, for periods of service for which full contributions were made to the other Government retirement fund, nor shall any refund be made to any such officer or employee on account of contributions made during any period to the other Government retirement fund, at a higher rate than that fixed by section 811 of this Act for contributions to the Fund.

"(3) No officer or employee, whose contributions are transferred to the Fund in accordance with the provisions of paragraph (c)(1) of this section, shall receive credit for periods of service subsequent to July 1, 1924, for which a refund of contributions has been made, or for which no contributions were made to the other Government retirement fund. A participant may, however, obtain credit for such prior service by making a special contribution to the Fund in accordance with the provisions of paragraph (b) of this section."

(b) Section 852 of such Act is further amended by adding at the end thereof new paragraphs (d) and (e) which shall read as follows:

"(d) No participant may obtain prior civilian service credit toward retirement under the System for any period of civilian service on the basis of which he is receiving or will in the future be entitled to receive any annuity under another retirement system covering civilian personnel of the Government.

"(e) A participant may obtain prior military or naval service credit in accordance with the provisions of paragraph (a)(2) of this section by applying for it to the Secretary prior to retirement or separation from the Service. However, in the case of a participant who is eligible for and receives retired pay on account of military or naval service, the period of service upon which such retired pay is based shall not be included, except that in the case of a participant who is eligible for and receives retired pay on account of a service-connected disability incurred in combat with an enemy of the United States or caused by an instrumentality of war and incurred in line of duty during a period of war (as that term is used in chapter 11 of title 38, United States Code), or is awarded under chapter 67 of title 10 of the United States Code, the period of such military or naval service shall be included. No contributions to the Fund shall be required in connection with military or naval service credited to a participant in accordance with the provisions of paragraph (a)(2) of this section."

SEC. 39. Such Act is amended by adding after section 854 a new section as follows:

"RECOMPUTATION OF ANNUITIES OF CERTAIN FORMER PARTICIPANTS

"SEC. 855. The annuity of each former participant under the System, who retired prior to July 28, 1956, and who at the time of his retirement had creditable service in excess of thirty years, shall be recomputed on the basis of actual years of creditable service not in excess of thirty-five years. Service which was not creditable under the System on the date a former participant retired, shall not be included as creditable service for the purpose of this recomputation. The annuities payable to such persons shall, when recomputed, be paid at the rates so determined, but no such recomputation or any other action taken pursuant to this section shall operate to reduce the rate of the annuity any such person is entitled to receive under the System."

SEC. 40. The heading "PART H—OFFICERS REINSTATED IN THE SERVICE" under title VIII of such Act is amended to read as follows: "PART H—ANNUITANTS RECALLED, REINSTATED OR REAPPOINTED IN THE SERVICE OR REEMPLOYED IN THE GOVERNMENT".

SEC. 41. Section 871 of such Act is amended and a heading is added thereto as follows:

"RECALL

"SEC. 871. Any annuitant recalled to duty in the Service in accordance with the provisions of section 520(b) or reinstated or reappointed in accordance with the provisions of section 831(b) shall, while so serving, be entitled in lieu of his annuity to the full salary of the class in which he is serving. During such service, he shall make contributions to the Fund in accordance with the provisions of section 811. When he reverts to his retired status, his annuity shall be determined anew in accordance with the provisions of section 821."

SEC. 42. A new section 872 is hereby added to such Act as follows:

"REEMPLOYMENT

"SEC. 872. (a) Notwithstanding any other provision of law, any officer or employee of the Service, who has retired under this Act, as amended, and is receiving an annuity pursuant thereto, and who is reemployed in the Federal Government service in any appointive position either on a part-time or full-time basis, shall be entitled to receive the salary of the position in which he is serving plus so much of his annuity payable under this Act, as amended, which when combined with such salary does not exceed during any calendar year the basic salary such officer or employee was entitled to receive under section 412 or 415 of the Act, as amended, on the date of his retirement from the Service. Any such reemployed officer or employee who receives salary during any calendar year in excess of the maximum amount which he may be entitled to receive under this paragraph shall be entitled to such salary in lieu of benefits hereunder.

"(b) When any such retired officer or employee of the Service is reemployed, the employer shall send a notice to the Department of State of such reemployment together with all pertinent information relating thereto and shall cause to be paid, by transfer or otherwise, to the Department of State funds necessary to cover gross salary, employer contributions, and gross lump sum leave payment relating to the employment of the reemployed officer or employee. The Department of State shall make to and on behalf of the reemployed officer or employee payments to which he is entitled under the provisions of paragraph (a) of this section, and shall make those withholdings and deductions authorized and required by law.

"(c) In the event of any overpayment under this section the Secretary of State is authorized to withhold the amount of such overpayment from the salary payable to such reemployed officer or employee or from his annuity."

SEC. 43. (a) So much of paragraph (a) of section 881 of such Act as precedes subparagraph (1) thereof is amended to read as follows:

"(a) Any participant may, at his option and under such regulations as may be prescribed by the President, deposit additional sums in multiples of 1 per centum of his basic salary, but not in excess of 10 per centum of such salary, which amounts together with interest at 3 per centum per annum, compounded annually at the end of each fiscal year through June 30, 1960; semiannually as of December 31, 1960; annually thereafter as of December 31, and proportionately for the period served during the year of his retirement, including all contributions made during or for such period, shall, at the date of his retirement and at his election, be—".

(b) Paragraph (c) of section 881 of such Act is amended by deleting the word "annually" and inserting in lieu thereof the phrase "as is provided in paragraph (a) of this section", and by changing the words "withdrawal from active service" at the end of such paragraph to "separation from the Service".

SEC. 44. Section 912 of such Act is amended by changing the heading thereto to read "LOAN OF HOUSEHOLD FURNISHINGS AND EQUIPMENT" and by inserting between the words "with household" the word "basic" and by inserting between the words "household equipment" the phrase "furnishings and".

SEC. 45. Section 913 of such Act and the heading thereto is amended to read as follows:

"TRANSPORTATION OF MOTOR VEHICLES

"SEC. 913. The Secretary may, notwithstanding the provisions of any other law, transport for or on behalf of an officer or employee of the Service, a privately owned motor vehicle in any case in which he shall determine that water, rail, or air transportation of the motor vehicle is necessary or expedient for all or any part of the distance between points of origin and destination. Not more than one motor vehicle of any such officer or employee may be transported under authority of this section during any four-year period, except that, as a replacement for such motor vehicle, one additional motor vehicle of any such officer or em-

ployee may be so transported during such period upon approval, in advance, by the Secretary and upon a determination, in advance, by the Secretary that such replacement is necessary for reasons beyond the control of the officer or employee and is in the interest of the Government. After the expiration of a period of four years following the date of transportation under authority of this section of a privately owned motor vehicle of any officer or employee who has remained in continuous service outside the continental United States (excluding Alaska and Hawaii) during such period, the transportation of a replacement for such motor vehicle for such officer or employee may be authorized by the Secretary in accordance with this section."

SEC. 46. (a) Section 1021 of such Act is amended by inserting the phrase "the Department including" immediately prior to the phrase "the Service" wherever it appears in this section.

(b) Section 1021(a) is further amended by striking out the phrase "if recommended by the Director General" and inserting in lieu thereof the phrase "at the discretion of the Secretary".

SEC. 47. Section 11 of the Act of August 1, 1956 (70 Stat. 890), is hereby amended by inserting after the phrase "Government-owned vehicles" the phrase "or taxicabs", and by inserting after the phrase "public transportation facilities" the phrase "other than taxicabs".

SEC. 48. Paragraph (4) of section 104(a) of the Internal Revenue Code of 1954 (26 U.S.C. 104(a)(4)) (relating to the exclusion from gross income of compensation for injuries and sickness) is hereby amended to read as follows:

"(4) amounts received as a pension, annuity, or similar allowance for personal injuries or sickness resulting from active service in the armed forces of any country or in the Coast and Geodetic Survey or the Public Health Service, or as a disability annuity payable under the provisions of section 831 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1081; 60 Stat. 1021)."

SEC. 49. The following headings and sections in the Foreign Service Act of 1946, as amended, are hereby repealed:

(1) Section 442 of such Act and the heading thereto.

(2) Section 525 of such Act and the heading thereto.

(3) Section 576 of such Act and the heading thereto.

(4) Section 577 of such Act and the heading thereto.

SEC. 50. Any person who occupies a position in the Department of State to which he was appointed by the President, by and with the advice and consent of the Senate, at the time that he was an active Foreign Service officer, and who while holding this position has retired for age as a Foreign Service officer, and who on the effective date of this section, continues to hold such position is hereby reinstated, effective as of the date of such retirement, to active status as a Foreign Service officer and shall be entitled to all the provisions of the Foreign Service Act of 1946, as amended, as though he had never retired.

SEC. 51. Notwithstanding the provisions of this Act, existing rules and regulations of or applicable to the Foreign Service of the United States shall remain in effect until revoked or rescinded or until modified or superseded by regulations made in accordance with the provisions of the Foreign Service Act of 1946, as amended by this Act, unless clearly inconsistent with the provisions of this Act or the provisions so amended.

SEC. 52. Notwithstanding any other provisions of law, any Foreign Service staff officer who accepted an appointment as a Foreign Service Reserve officer in the Department of State during the period beginning September 1, 1958, and ending December 31, 1958, both dates inclusive, shall not be separated from the Foreign Service before the expiration of his original appointment as a Foreign Service Reserve officer, except as authorized by section 637 or 638 of the Foreign Service Act of 1946, as amended.

SEC. 53. (a) The provisions of this Act shall become effective as of the first day of the first pay period which begins more than thirty days after the date of enactment of this Act, except as provided in paragraph (b), (c), (d), and (e) of this section, and except as otherwise provided in the text of this Act.

(b)(1) The provisions of paragraph (c)(1) of section 803 of the Foreign Service Act of 1946, as amended by section 29(b) of this Act, shall become effective on the first day of the first month which begins more than one year after the date of enactment of this Act, except that any Foreign Service staff officer or employee, who at the time this Act becomes effective meets the requirements for participation in the Foreign Service Retirement and Disability System, may elect to become a participant in the System before the mandatory provisions become effective. Such Foreign Service staff officers and employees shall become participants effective on the first day of the second month following the date of their application for earlier participation.

(2) The provisions of paragraph (c)(2) of section 803 of the Foreign Service Act of 1946, as amended by section 29(b) of this Act, shall become effective on the first day of the first month which begins more than three years after the date of enactment of this Act.

(c) The amendment made by section 31 of this Act, with respect to a contribution to the Foreign Service Retirement and Disability Fund to be made by the Department, shall become effective July 1, 1961.

(d) The amendment made by section 39 of this Act shall take effect on the first day of the first month which begins more than thirty days after the date of enactment of this Act.

(e) The amendment made by section 48 of this Act shall be effective with respect to taxable years ending after the date of enactment of this Act.

Mr. MANSFIELD. Mr. President, I move that the Senate disagree to the amendment of the House, ask for a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. FULBRIGHT, Mr. SPARKMAN, Mr. MANSFIELD, Mr. HICKENLOOPER, and Mr. CAPEHART conferees on the part of the Senate.

SOCIAL SECURITY AMENDMENTS OF 1960

The Senate resumed the consideration of the bill (H.R. 12580), the Social Security Amendemnts of 1960.

Mr. ANDERSON. Mr. President, I yield 10 minutes to the able senior Senator from Michigan [Mr. MCNAMARA], who is a leader in the field of care for the aged, and who has the respect of all of us.

Mr. MCNAMARA. Mr. President, I thank the distinguished Senator from New Mexico.

Much has been said in the past few days about the estimated cost to individuals under the social security approach in order to help solve the problems of medical care for the aged.

Strangely, those who would pay the cost are strongest for the social security approach to the problem before the Senate. If we analyze the subject, it is not hard to understand why. The participant would pay one quarter of 1 percent of $4,800 per year, which I understand is about $12. Twelve dollars a year would represent less than the cost of a pack of cigarettes a week.

The working people of this country, who are now covered by social security, believe that the program that has been offered in the bill, supplemented by the program embraced in the Anderson amendment, is well worth the cost to the individual.

The bill and the Anderson amendment would not only take care of those who are not covered by social security when their time to retire comes, but it would also help to take care of those who have been covered by social security and are now retired.

Certainly the plan is a bargain.

The charge of opponents of the Anderson amendment that the cost of one-quarter of 1 percent under the social security system approach is of alarming concern to the working people of this country is a gross exaggeration, I am sure.

I repeat that it would cost the individual less than the cost of a pack of cigarettes a week to provide the proposed insurance, not only for himself, but for those who are now retired and were formerly covered under the social security system.

The subcommittee of the Committee on Labor and Public Welfare which is charged with carrying on studies of the health problems of the aged, as well as many other problems of the aged, in the past 18 months has traveled throughout the country and has held a series of hearings in Washington. The members of the committee then took to the road and heard the testimony of hundreds of older people themselves.

Everywhere we went outside Washington we devoted part of our hearings to direct testimony from older folks themselves. They had an opportunity to be heard; consequently we know their problems firsthand.

We found that the greatest mental anguish of older folks is caused by worry over health and the high cost of health care in declining years. This is their No. 1 problem. There are many other problems, but this is the one with which we in the Senate are concerned at this time. Everywhere we went that point was emphasized. The aged want medical costs paid for, or to have the assurance that they will be paid for if they run into a serious illness that requires hospitalization.

Mr. RANDOLPH. Will the Senator yield?

Mr. MCNAMARA. I am happy to yield to the distinguished Senator from West Virginia, who traveled with the subcommittee around the country, and who was probably our most active member. It was certainly good to have him on

these assignments. His great interest in the subject has been most helpful to the entire committee and the staff.

Mr. RANDOLPH. I thank my colleague from Michigan. I will not labor the RECORD on the particular point which is being discussed by the Senator from Michigan, who is not only a student, but an expert in this field. I use the word "expert" advisedly.

I believe it is important that the RECORD show that prior to the vote on the Javits amendment, it was pointed out in the hearings which were held throughout the country that there was practically unanimous approval of the program which would place the responsibility for medical care within the framework of our social security system. That information was brought to us by persons who are themselves authorities in this field, and who came before the subcommittee to testify on the problems of the aged and aging.

Also I wish to reinforce the statement of the Senator from Michigan, chairman of the subcommittee, with respect to the anguish and the concern, regarding medical costs of the aged of our country, which was the paramount problem presented in all the hearings.

I again commend our subcommittee chairman for his intense interest in this subject and his enlightened thinking. We oppose the medieval concept of charity, but would make workable a plan where the employer and the employee would assume the necessary costs. In the twilight years of their lives I want our aged, though they walk the earth with slow and measured steps—to take them with dignity.

I believe the editorial approval of the social security framework within which to begin a medical care program, as advocated in the Charleston, W. Va. Gazette of yesterday, is valid. Our State's largest newspaper in circulation and geographical coverage said:

As many Republican editorialists are gleefully noting these days there is a split in the Democratic Party on certain issues. The social security bill with respect to a decent, adequate medical care and hospitalization program for the aged is a perfect example.

At their convention in Los Angeles the Democratic delegates adopted a program to be implemented through the regular social security processes which have over the years proved feasible and fiscally sound in the handling and distribution of other welfare programs. The Democratic nominees for President and Vice President—Senator JACK F. KENNEDY and Senator LYNDON B. JOHNSON—are supporting the action taken at the convention.

The Eisenhower administration also has a program to help our senior citizens. Coverage is limited, and payment will be dependent upon State participation, because the Federal and State Governments are to share costs. Incidentally, speaking of splits, Gov. Nelson A. Rockefeller, the GOP Governor of New York, has denounced the subsidy proposals of the administration plan as "fiscal irresponsibility."

On return to Washington after the conventions, the Senate Finance Committee, controlled by southern Democrats and conservative Republicans, scrapped the program overwhelmingly endorsed at Los Angeles and voted out the administration measure. KENNEDY and JOHNSON through use of amendments are vowing an all-out fight to rescue their bill, but odds admittedly are against them.

This, then, is what is causing joy in Republican circles—the prospects of a bitter struggle between conservative and liberal Democrats and eventual defeat to the party's leaders immediately before they take their presidential campaign to the American people.

As we see it, there is only one fly in the GOP ointment—the voters and their right to speak out on November 8. Should KENNEDY lose his fight, he must appeal to the electorate on this issue, for there is no comparison between the two measures. The Democratic bill will provide the medical care that is needed. The administration plan is a sham and plays directly into the hands of the American Medical Association, which has fought the whole idea of medical care for the aged from its inception.

"Our older people," KENNEDY has said, "do not want charity. They do not deserve to be treated like charity cases. They should be eligible for health benefits the way they are eligible for retirement benefits—as a right they have earned."

Defeat of the liberal Democratic bill to protect our senior citizens in times of sickness will provide KENNEDY with dramatic and forceful ammunition in the campaign ahead—just the sort of human issue that could snatch victory from defeat.

I ask unanimous consent to place, at this point in my remarks, the following telegram.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

Hon. JENNINGS RANDOLPH,
U.S. Senator,
Senate Office Building, Washington, D.C.:

On behalf of over 2,400 registered professional nurse members of the West Virginia Nurses Association, Inc., I urge your support of the extension and improvement of the contributory social insurance to include health insurance for beneficiaries of old age, survivors and disability insurance and nursing service, including nursing care in the home, as a benefit of any prepaid health insurance program.

MARGARET A. FABRY,
Associate Executive Director, West Virginia Nurses Association, Charleston, W. Va.

Mr. McNAMARA. I thank the Senator from West Virginia. His remarks indicate his enthusiasm for the program.

I should like to point out some of the conclusions we reached after the study that took place throughout the country.

The first conclusion was that the aged have high potential and actual disability and heavy costs of medical care.

Second, the aged, especially the retired, have markedly reduced incomes and limited liquid assets which are not replenishable.

Third, private insurance policies cannot meet their needs, either in terms of costs or benefits.

Fourth, the aged should not be required to undergo the humiliation of meeting medical costs through the charity approach.

Fifth, the aged and the aging prefer to obtain medical benefits through an insurance system to which they themselves contribute and receive benefits as a matter of right.

The system of OASDI now covers 9 out of 10 working Americans. It has been tested by experience. It is the efficient, effective method, and should be extended to include the financing of the basic medical needs of the aged.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. McNAMARA. I am happy to yield to my colleague.

Mr. CLARK. I should like to buttress what my friend from Michigan just told the Senate about the conclusions of the Special Committee on the Aged and Aging of which he has been the very able chairman.

I had the honor of serving on that committee and to participate in some of the hearings and deliberations of the committee. I had occasion to hold a hearing in Pittsburgh, in my State, slightly over a year ago, which was absolutely swarming with elderly citizens, demanding the social security approach to the health and elderly problem. I do not have much doubt that the findings of our committee, which have been stated by the Senator from Michigan, are amply and overwhelmingly supported by the testimony which I heard.

In my judgment, the so-called survey made by a couple of people from Emory University, in Atlanta, Ga., purporting to show that the elderly people do not want aid for their health problems, and do not want aid through social security, is completely unscientific and absolutely wrong, and should be given no credence by Senators as they make up their minds on how to vote on the pending amendment.

The PRESIDING OFFICER. The time of the Senator from Michigan has expired.

Mr. ANDERSON. I yield 5 additional minutes to the Senator from Michigan.

Mr. McNAMARA. The Senator from Pennsylvania has made a fine contribution to the debate. I thank him for it and for his contribution in the hearings and in the preparation of the report.

I was discussing the conclusions we had reached following the hearings. Certainly, the senior citizens with whom we talked throughout the country, as well as the children of those senior citizens, indicated over and over again that they do not want charity, but want to live their declining years in dignity, as Americans are entitled to live.

The proposal to make paupers out of people because they are what is called medically indigent is a step backward. It is really a step back toward the poorhouse. We got rid of poorhouses generally in this country, starting in the 1900's. That is what the old folks had to look forward to—"over the hill to the poorhouse." That was a threat to society and a weakness of our social system in those days. We have gone a long way since then under our present social security law.

Now it is proposed to make paupers out of people before they will get any medical assistance in their declining years. That is a step backward from the advances we have made since the days of "over the hill to the poorhouse."

I certainly hope that this country, in 1960, will be more concerned with the human dignity of elderly Americans, who

have made a great contribution to our economic structure as well as to our social heritage, and will treat them better than has been proposed by the opponents of the Anderson amendment.

I support the Anderson amendment, and I support the social security approach. In so doing I am convinced that I am following the dictates of the people we came in contact with throughout the country, not only the older people and the retired people, but also the children and grandchildren of these people, who at last are conscious of the fact that it can happen to them too.

I yield back the remainder of my time.

Mr. DIRKSEN. Mr. President, I yield 15 minutes to the distinguished Senator from Utah.

Mr. BENNETT. Mr. President, I have listened with interest to my colleagues discussing the merits of the various approaches to solve the medical care problems of our aged. It is my intention to confine my remarks to the bill which has been favorably reported to the floor by the Senate Finance Committee and the substitute proposal offered by the Senator from New Mexico [Mr. ANDERSON]. However, before taking up the comparison of these two bills, I would like to discuss the implications of a word which has been thrown around freely by those who oppose the Senate Finance Committee bill. That word is "need."

Essentially, we should approach this problem from two points of view—national need—and individual need. National need is, of course, the sum total of individual needs, as further modified by measurement of the extent to which they are not now being met by existing programs to care for medical problems of the aged.

There has been no real showing of the existence of a pressing national unmet need that demands immediate action.

There are 16 million persons in the United States 65 or over, only one-half million of whom can be classified as suffering from chronic illness. According to the Health Insurance Association of America, 49 percent of persons 65 or over are now covered by health and medical insurance.

Unquestionably there is a small segment of the aged who are chronically ill who do not have the financial means to meet high medical expenses. This group can and should be provided for and their needs will be met under the bill reported by the Senate Finance Committee.

NO POPULAR GROUND SWELL

During the months in which this legislation has been pending before Congress, I have received from constituents in Utah only a handful of what I would consider personally written letters urging the adoption of a medical care program tied to social security. It is true that I have received several hundred identical form letters inspired by labor unions and other pressure groups urging approval of the Forand approach to this problem. I have also received a great many postal cards, all from the State of Michigan, with a caption "Cast Me Not Off." I suspect these have been inspired by some pressure group, and while not explicit they infer preference for a medical care bill tied to the social security program. Generally, however, I have not received mail in sufficient volume to indicate there is any great ground swell demanding the enactment of a particular medical care program. In fact, most of the mail received from my State has indicated just the opposite—that there is no emergency which would require a crash program in this area.

Perhaps my own State of Utah, because of its historical development, has largely taken care of the needs of its aged population in an exemplary manner. This has been accomplished not only through the State health and welfare department, but through our individual families, and through the very effective and extensive welfare program of the Mormon Church.

One of the most recent and comprehensive studies to be made on the medical needs of the Nation was recently completed by Drs. James W. Wiggins and Helmut Schoeck. Dr. Wiggins presented a paper entitled "A Profile of the Aging" to the Fifth Congress of the International Association of Gerontology, at San Francisco, Calif., on August 11. The following pertinent facts have been extracted from the Wiggins report:

Nine of every ten older persons report they have no unfilled medical needs.

Ninety percent of those 65 or over reported they enjoy good or fair health.

Sixty-eight percent said they could pay for a medical emergency out of their own means.

Half of the persons queried reported income in excess of $2,000 per year; one out of 20 had income in excess of $10,000.

Most of the aged reported net worth in excess of $10,000.

Sixty percent did not think a new Federal program could do anything for them personally.

Majority indicated life was much easier for them than for their aged parents.

Ninety percent could think of no medical needs that were not being taken care of.

Eighty percent are members of a church. If special care was needed from outside the family, twice as many elderly Americans would prefer to get such assistance from their church rather than from the Government.

Much of what has been reported in the past about the health and welfare of older persons is based upon inaccurate data derived from the experiences of a generation ago or from the studies of the hospitalized or chronically dependent.

We can therefore conclude from the Wiggins report that the great majority of Americans over 65 are capably financing their own health care and prefer to do it without Federal Government intervention.

NATIONAL NEEDS

What then is the extent of the national need for medical care? What are the existing programs to meet this need? And how much unmet need is there?

The most practical way to answer these questions is by using the approach suggested in the Finance Committee bill and actually measure needs of individuals for medical care. This can only be determined by a program which within itself measures individual needs in individual cases. But this is decried as degrading and as charity by opponents of the committee's bill. So we are told we must impose this program on all of our workers under the Social Security Act to give people a right to medical care whether they have a need or not.

EUROPEAN EXPERIMENTS WITH SOCIALIZED MEDICINE

If we adopt the social security approach, we lose sight of needs and substitute rights which could produce a program far more extensive and costly than necessary and lead us rapidly down the road to national medical socialism. In this regard, we should look at what has happened in a number of European countries where medical care programs have been instituted. In England and in the Scandinavian countries, experiences with socialized medicine have been both costly and disappointing. Only recently Sweden has had to impose an additional 4 percent sales tax on top of other taxes to help finance their lagging medical care program. Disillusionment with these experiments in socialized medicine has been expressed not only by the recipients, but also by Government leaders who first sponsored these plans. The rosy glow is now turning to gray disappointment, and Europeans are realizing that governmental control of medicine is for the most part a complete flop.

MAJOR REASONS FOR SUPPORTING FINANCE COMMITTEE BILL

There are four major reasons why I prefer the approach contained in the bill reported by the Senate Finance Committee:

First. It takes care of everyone over 65 on the same basis. This is the fairest way and is in the best American tradition.

Second. It provides the most benefits for all of the aged at the least cost and is spread over the broadest tax base both Federal and State.

Third. It uses existing State systems for handling public health and welfare problems and preserves the greatest freedom of choice for the aged themselves.

Fourth. It will provide a permanent solution to the problem so that Congress will not have to be faced with enacting new legislation each session.

Let us look at each of these four areas in detail.

I. THE FINANCE COMMITTEE BILL WILL TAKE CARE OF EVERYONE ON THE SAME BASIS

First. Everyone uses same local agency.

Second. Same system works for everyone over 65.

Third. Will actually develop figures to determine need.

Under the Anderson bill there will be:

First. Two parallel agencies in each community—one State-operated and one Federal.

Second. Some people will always use a State agency.

Third. Others will use State agencies at ages 65 to 68, social security thereafter.

Fourth. Others will use social security until limited benefits are exhausted, then return to State agency.

Fifth. The actual needs of our aged may never be known for certain under the Anderson plan.

II. UNDER THE FINANCE COMMITTEE BILL, THE GREATEST BENEFITS ARE PROVIDED FOR THE MOST PEOPLE AT THE LEAST COST, SPREAD OVER THE BROADEST TAX BASE

First. Provides almost complete benefits: Inpatient hospital services, skilled nursing home services, physician services, outpatient hospital services, organized home care services, private duty nursing services, therapeutic services, major dental treatment, laboratory and X-ray services, and prescribed drugs.

Second. Costs are related directly to need—no excess "entitlement" to encourage overuse.

Third. Spreads cost over broadest tax base—full range of shared Federal and State taxes.

Fourth. It is a real pay-as-you-go system.

On the other hand, the Anderson proposal:

First. Has serious limits in that it only covers those persons over 68 and leaves a gap of those in the age bracket from 65 to 68. This plan also entails a $75 deductible feature which would place an undue burden on those most urgently in need of medical care. In addition, coverage is limited to 180 units each compared to unlimited coverage under the Finance Committee bill. Outpatient service and diagnostic treatment are also limited.

Second. This plan would substitute entitlement by "right" in place of actual need and would thus encourage overuse and abuse of the system.

I have always remembered a personal experience I had 25 or 30 years ago. A little company with which I was connected instituted a system to provide sick benefits for employees. One employee suddenly became sick almost every other day. When the visiting committee went to call on him one day, they found him in bed with his clothes on. They chided him for it and asked him why. His answer has been ringing through my mind ever since.

He said, "I means to have my share."

I am certain there are many persons who will attempt to have their share on the basis of entitlement rather than need.

Third. The Anderson plan would concentrate the entire cost on a narrow Federal tax basis of the first $4,800 of worker's income. Inasmuch as social security taxes are already due to rise to 9 percent of the payroll by 1969, this would place a tremendous burden on the low-income workers of the Nation. Secretary of Health, Education, and Welfare Arthur Flemming testified before the Senate Finance Committee that if medical care is tied to the social security program, it will not be long before payroll taxes will rise to 20 percent.

Fourth. In reality, contrary to statements of advocates of the Anderson plan, this system would not be a pay-as-you-go plan, but in fact, is a real handout to those over 65 and will be paid for by approximately 58 million workers covered by social security who are now under 65. The 9 million persons over 65 who are now receiving social security will receive a gratuity for which they have contributed absolutely nothing to the social security fund for the benefits which they receive. To make up this deficiency, those who are now employed will have to contribute a larger share to the fund. This would mean every six workers would have to, in addition to their own share, pay the cost or give a free ride to one person who is already retired.

III. THE SENATE FINANCE COMMITTEE BILL PROVIDES FOR USE OF EXISTING SYSTEMS AND CAN BE PUT INTO EFFECT IMMEDIATELY

First. Except for Veterans' Administration, all personal health problems are now handled by State and local authorities.

Second. Local agencies already exist—manned by experienced people—which can absorb this new burden with least difficulty.

Third. The needs test is an accepted part of many Federal programs—Veterans' Administration, farmers disaster loans, small business loans, assistance to blind, aid to permanently disabled, old-age assistance.

Fourth. The system can be put into effect immediately—October 1—without any delay for State enabling legislation. The Anderson plan would not go into effect before July 1, 1961, for hospital services and January 1, 1962, for all other services.

On the other hand, the Anderson proposal would:

First. Put a new Federal agency in the local health field.

Second. Require parallel organizations.

Third. Destroy present social security relationship with beneficiaries. Benefits are now paid directly to the beneficiaries, but under medical care will be paid to hospitals, doctors, and so forth. Benefits are now based on contributions beneficiary has paid into fund, but under Anderson plan, persons will receive benefits without regard to contributions.

Fourth. Destroy traditional doctor-patient relationship by interjecting Government as third party, thus leading to poorer medical service.

Fifth. Require compulsory contributions for a service that may never be needed—or for which other private insurance arrangements have been made

IV. IT WILL PROVIDE A PERMANENT SOLUTION TO THE PROBLEM, BECAUSE IT IS BASED ON EXISTING PROGRAM

The Senate Finance Committee proposal can operate indefinitely with only minor changes to existing medical care programs now in operation in the various States. Such is not the case with the Anderson proposal, since this is only the first step down the road to complete socialization of all medicine. It is a "foot in the door," the opening wedge driven by those who want and seek to socialize not only medical care, but many other traditional American institutions.

Based on present experience with the social security program, we can expect the liberals to exert political pressure:

First. To reduce the age from 68 to 62.

Second. To increase the range of benefits.

Third. To increase the rate of tax. For instance, the Health Insurance Association of America says the Anderson bill level premium cost of 0.50 percent of payroll is completely unrealistic and should be at least 1.40 percent to meet the medical costs which will be encountered under the plan.

Fourth. Although the Anderson plan does not now include doctors, it could be expanded to doctors as proposed in the Gore bill and then the door would be wide open for socialized medicine. The Gore bill was before the Finance Committee and was rejected at that time.

Fifth. When private local hospitals and other services fail to meet priorities, pressure for separate social security hospitals will build up. We already have separate VA hospitals for the same reason.

Mr. President, I ask unanimous consent to have printed following my remarks a letter I have received from the Health Insurance Association of America. This letter indicates that the 0.50 percent of payroll cost estimated for the Anderson plan is far too low and unrealistic. Based on historical records of the health insurance companies of America, which have had broad experience in dealing with the medical problems of the aged, the cost of the amended Anderson proposal should be set at 1.40 percent of payroll. This would indicate what I have already stated, that we can expect the cost of this new medical care program to rise tremendously in the years ahead if the Anderson plan is adopted.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HEALTH INSURANCE
ASSOCIATION OF AMERICA,
Washington, D.C., August 19, 1960.

Senator WALLACE F. BENNETT,
Senate Office Building,
Washington, D.C.

DEAR SENATOR BENNETT: You have invited our attention to the amendment to H.R. 12580 submitted by Senator DOUGLAS at page 16231 in the CONGRESSIONAL RECORD for August 11, 1960, and have requested our comment on the cost figures submitted by Mr. Robert J. Myers, Chief Actuary of the Social Security Administration in connection with this proposal. In addition, you have requested that we give you a cost estimate on the proposed amendment to H.R. 12580, as presented by Senator ANDERSON at page 16545 of the CONGRESSIONAL RECORD for August 17, 1960.

Our staff has carefully reviewed the estimates given by Mr. Myers in connection with the Douglas proposal. In presenting his cost estimates, Mr. Myers gives no indication of the bases upon which such estimates have been developed. We assume, therefore, in view of the order of magnitude of his estimates, that similar methodology was employed as is contained in prior cost estimates developed by the Department of Health, Education, and Welfare in connection with other proposed legislation in the same field, e.g., H.R. 4700. The insurance business is already on record with respect to its critique of such methodology. May I direct your attention to the testimony of Mr. E. J. Faulkner, representing the three insurance associations, given before the House Ways and Means Committee on July 16, 1959. In particular, I call your attention to the appendix of this statement beginning on page 20 of the enclosed reproduction.

Employing similar methodology for the amendment proposed by Senator DOUGLAS, with appropriate adjustment for the effect on hospitalization costs of a $75 deductible, we would estimate the cost of the program as follows:

(a) For the first year, a cost of $1,331 million which is equivalent to 0.61 percent of taxable payroll.

(b) A level premium cost of 1.60 percent distributed as follows: hospitalization 1.30, nursing home .10, home care .06, and diagnostic outpatient hospital service .14.

It will be noted that our level premium cost estimate is about 3 times that of Mr. Myers and that our first year cost estimate is almost double his.

Turning to the proposed amendment of Senator ANDERSON, we would estimate the cost of that program as follows:

(a) For the first year a cost of $1,242 million which is equivalent to 0.57 percent of taxable payroll.

(b) A level premium of 1.4 percent of payroll.

I trust we have answered your questions specifically and we will be happy to provide any additional factual material should you desire.

Very truly yours,

ROBERT R. NEAL.

Mr. BENNETT. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter from a widow in Utah which, to me, is a most powerful appeal for the defeat of the social security approach to this problem.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MURRAY, UTAH,
August 17, 1960.

Senator WALLACE F. BENNETT,
Washington, D.C.

DEAR MR. BENNETT: I am not writing this letter as a Republican or as a Democrat, but as an American citizen who loves her country very much. I hope and pray that for the benefit of hundreds of thousands of citizens all over America that this letter can be read in Congress.

I listened to every word and every action that took place at both the Democratic and Republican conventions. I stood up in my own living room when the "Star Spangled Banner" was played at the opening in Los Angeles, and pledged allegiance to our flag. Tears ran down my cheeks. No matter how important or unimportant we are, no matter how rich or how poor we are, we are all citizens of this great land of ours, and what affects any person who carries a social security card will affect every worker in America that carries one.

I have lain awake nights worrying about the proposed bill for medical aid to the aged, that is proposed by Mr. KENNEDY and the Democrats. I have studied it from every angle, and I sincerely feel that to allow this bill to be passed, and by doing so, without the consent of the people, would be the most disastrous thing that has ever been imposed on the American public.

Countless thousands of people who are already financially prepared to take care of themselves when they retire would be required to pay and pay.

And what about the poor man who is taxed to death? Can he afford to pay out large sums of money for the rest of his working years? What if he died before he was retired? Would all the thousands of dollars he has been forced to pay out do him any good? Would this money go back to his wife and children, or into a general fund?

I am in favor of some form of medical aid to the aged, but on an individual basis. Each person should be allowed to decide whether he wants it or not and to pay accordingly.

If this bill is allowed to go through, not only will the people who are covered now under this new plan suffer, but our children and grandchildren for the rest of their lives.

It is undemocratic to impose such a thing on the people (for their own good).

We do not want communism in America, but this bill is as near to communism as we will ever get and not be under the direct rule of a Russian leader.

Who is to say who needs this help and who doesn't?

I am a widow without financial help from anyone. I did not even receive social security when my husband died. I have taught school and reared two sons. Everyone knows what kind of a living every teacher has been able to make up until now—and even now.

I have no way of knowing how I will live when I retire, and I still owe thousands of dollars on my small home, but I will fight this proposed bill with every ounce of blood in my body.

Now, let's look at another side of this situation:

Can anyone deny the fact that the minute a person knows he is going to be able to go to the doctor or hospital any time he needs to or decides to, that he will stop striving to take care of himself?

I know of many people that save all their lives to be able to take care of themselves when they are old.

They pay for life insurance policies, buy war bonds, patch clothes, go without, and work like slaves to achieve security.

Anyone who would stop to think seriously about this matter would know that people would stop saving for this particular situation.

This will destroy their morals, and create a "don't care—easy come attitude."

Does this not do away with the very thing that has made America great—the desire to stand on one's own feet and go ahead?

No one knows when sickness or an accident will strike. But what about the bums, the drunkards, the leeches, the spendthrifts, and the lying hypocrites? Are the persevering, saving, and hard-working people of America going to be made to sacrifice their lives and money for these people?

I may be wrong, but every bit of intelligence I possess, and every beat of my heart tells me I am right.

I pray to God that this undemocratic, demoralizing bill will never be imposed on any intelligent, hard-working citizen.

I appeal to you—men of foresight—leaders of our beautiful United States—fight this bill with all the determination that the men that made our great Constitution had—when we became a free and independent country.

I am sure that if the public will investigate this bill and find out what it will do to their lives, their self-respect, and their integrity, that they would also feel as I do.

Let us pray that they can become properly informed. I appreciate the privilege of being able to write to such a fine and intelligent leader, and I hope that this letter will not be in vain.

I pray that many people who have the right to help to keep America free will hear this sincere and heartfelt plea from just one citizen in hopes that it will help to keep our "Government of the people—for the people—by the people" the way it was meant to be—for free citizens who do not wish to have their privileges and liberties taken away from them.

Respectfully yours,

EDNA H. THURMAN.

Mr. BENNETT. Mr. President, for the reasons I have stated, I urge the Senate to reject the Anderson amendment and approve the bill as reported by the Finance Committee.

I yield back the remainder of my time.

Mr. CARLSON. Mr. President, how much time did the Senator from Utah yield back?

The PRESIDING OFFICER. The Senator from Utah yielded back 3 minutes.

Mr. CARLSON. I thank the Chair. I now yield 15 minutes to the distinguished Senator from South Carolina.

Mr. THURMOND. Mr. President, Alexander Dumas once said, "There are virtues which become crimes by exaggeration." Current political concern for the medical care available to the Nation's aged, it seems to me, is now in danger of falling into this category.

An unequivocal recognition of responsibility for the welfare of the incapacitated, whether from causes of age, youth, disease, or misfortune, has long been deemed a distinguishing mark of a truly civilized society. The fulfillment of this responsibility by individuals is a virtue. When exaggerated and distorted by the extreme heat of the political arena, the resultant excesses are not only crimes against society, but are barbaric.

The Senate's consideration of proposals for medical benefits for the aged is both ill-timed and premature. It is ill-timed because of the proximity to the presidential election, when the course that best lends itself to a slogan with emotional appeal might well constitute an irresistible temptation to forsake the action dictated by the facts and sound judgment. It is premature because the many facts which will contribute to a knowledgeable decision on this issue will be forthcoming in the White House Conference on the Problems of the Aged, to be held next January.

Judging from the discussion of this matter in the press and the debate here on the Senate floor, some obvious misconceptions as to the problems of the aged prevail. The advances in medical science in the past few decades have caused a marked increase in the number of citizens of advanced age in our society. At the same time, the useful and productive portion of life has increased proportionately to the increase of the life span itself. As the average age of the population rises, we must bring ourselves to the realization that the time has come to reappraise upward our conception of the age at which incapacitation for work and income production becomes prevalent. It would be a serious mistake to assume that the group incapacitated by advanced age has increased disproportionately to the general population.

It would be equally fallacious to assume that all, or even a large proportion, of those who are retired or are within the brackets of what we conceive as the retirement age are financially unable to provide medical care for themselves. Neither would it be correct to assume that advanced age is always accompanied by an upsurge of illnesses requiring medical care and treatment.

In their proper perspective, the costs of medical care for other than the institutionalized patient are but one element of the cost of living. Undeniably,

medical care for the aged, on the average, accounts for a larger percentage of the family or individual budget than it does in the budget of younger persons. This is not due solely to increased illnesses, however, but is also due to other shifts in need, due to changed circumstances. The elderly citizen has usually completed the financial effort that accompanies the raising of a family, and finds interests in activities less expensive than those which appeal to the younger.

The cost of medical care is increasing, as are the costs of all services and commodities. Medical costs have risen either more or less than costs of other services and commodities, depending on the base period for which the increase in costs is computed. In the period 1936–56, the per diem cost of hospital care increased 265 percent; and from 1956 to September 1959, another 22 percent. Yet there is every indication that the actual service through hospital care has also increased, as is illustrated by the decline in the number of hospital days per patient illness from 12.6 days in the 1928–43 period to 8.6 days in the 1957–58 period.

Since medical care is one element of the cost of living, it is prudent to examine, in the initial stages of the approach to this problem, the income of the aged as a group. In doing so, we should be cautious to avoid a common error of accepting statistics for more than they are worth. Repeatedly it has been asserted—and correctly, to the best of my knowledge—that three-fifths of all persons aged 65 and over have money incomes less than $1,000. True as this is, it proves nothing. The wife of an elderly $50,000 per year executive, who has no income of her own, falls into the class of persons over 65 who have income less than $1,000. One would hardly class her, however, as in dire need of funds for medical care or other necessities.

It must also be taken into consideration that a person over 65 has an advantage in disposable income over a younger person with equal income. A young couple with two children and earnings of $4,000 pays approximately $365 in Federal income and FICA taxes, while a couple over 65 with $2,000 from social security and $2,000 income from other sources would pay no Federal taxes on the $4,000 income.

Another factor which bears on any appraisal of income of the aged as a group is their assets. A mortgage-free home releases income for purposes other than housing. Currently, over 70 percent of old-age and survivors disability insurance beneficiaries own their own homes, and 87 percent of these are mortgage free. In the 6 years from 1951 to 1957, the median net worth of a retired worker and his wife increased from $5,610 to $9,616, or 71 percent. In addition, no other age bracket shows as favorable a liquid asset position as does the group aged 65 and over. According to the census figures, the average income for all persons over 65, including those on public assistance, was $2,100 for males and $800 for women.

When considered in the light of a general decrease in several areas of financial responsibility that accompanies retirement, the decreased tax bite of the National Government, and the cushion provided by the increasing existence of substantial assets, these income figures do not justify the picture of gloom and doom that is being presented to the publice, both at home and abroad, in regard to the status of our elder citizens' financial ability to meet their physical needs, including medical care. When considered objectively, the situation is not really so calamitous; and, even more encouraging, it is improving.

Today, over 19 million workers are covered by private pension plans which have total assets of nearly $40 billion. By 1965, these are expected to have assets of $77 billion. According to Health Insurance of America, about 43 percent of Americans over 65 are now covered by some form of health insurance. Furthermore, it is estimated that the proportion of coverage of those who want and need it will reach 75 percent by 1965, and 90 percent by 1970.

This, then, is the other side of the coin picturing the existence of a catastrophic emergency in the form of inability of all persons over 65 to afford medical care. The need for medical-care programs at the hand of the Government cannot be tied to the nonhomogeneous group of persons over 65 referred to as the "aged."

Of the 15.4 million persons in the United States over 65 years of age, about 16 percent, or 2.5 million, receive some form of public assistance. Since public assistance programs, in widely varying degrees, are conditioned on need, it is safe to assume that this group of elder citizens is financially incapable of meeting the general cost of living, including costs of medical care, without public assistance. It may also be assumed that there is an additional group with sufficient income to meet normal costs of living, including medical care, that would be financially incapable of meeting a prolonged or catastrophic illness.

Even with the group so defined, the situation is not as desperate as one might be led to believe. Forty States have some form of medical-care provisions in their old-age assistance plans, and 16 States have direct or money payments for all essential items of medical care. South Carolina's program provides for direct payments for hospital care and nursing-home care. These statistics illustrate conclusively that an all-inclusive, compulsory medical-care program directed by the Government is not needed. They also illustrate that considerable additional information is essential for an objective appraisal of the scope, seriousness, and complexity of the overall problem. It would be much the better part of wisdom for the Congress to make further determinations of fact, before proceeding from a half-cocked position to a new program.

Although there is too little information available to make it possible to determine the actual breadth of the problem of lack of means to securing medical care for those within the group aged 65 and over, there is an overabundance of information and facts to illustrate the foolhardiness of any approach to the problem which utilizes the framework of the old-age and disability insurance program.

Mr. President, I cannot escape the conclusion that the overwhelming majority of Americans today suffer from the illusion that the social security program is financed along insurance principles. We know, of course, that nothing could be further from the truth. Insurance programs set aside the premiums that are paid by the insured, or at least a substantial portion thereof, in a trust fund or reserve which accumulates interest to provide the funds which eventually will be utilized to pay the benefits guaranteed by the insurance policy. The old-age and survivors disability insurance program, on the other hand, does not hold intact the contributions of workers and their employers, but, on the contrary, utilizes these payments in the first priority for payments of benefits of workers already retired in the year in which the contributions are made. In some years, contributions do not even balance benefit payments, much less administrative expenses. For instance, in 1959, total contributions were $8.52 billion, while benefit payments to retirees were $9.84 billion, and administrative expenses were $184 million. Therefore, for the year 1959, there was a deficit of $275 million. Since current contributions are utilized to meet current benefit liabilities, the trust fund remains at a meager level, and the interest on the trust fund is a relatively minor factor in the accrual of financing benefits, compared to interest on reserves in a true insurance program.

In 1939, when the OASDI program was inaugurated, the basic concept on which the Congress accepted the program was hinged to the principle that benefits would be payable in fixed dollar amounts. The system was also designed so that it would be workable under conditions of an expanding economy. In other words, the benefits schedule is so arranged and calculated that there must be an increasing number of salaries on which taxes are levied, in order to meet current benefit liabilities. When originally discussed in the Congress, the social security program was conceived as one in which the benefits payable through the program would remain constant, as would the rates of contribution as originally established. All of us are quite aware that repeatedly Congress has increased the benefits, as was essential if the inflation which we have experienced was to be offset and total impotency of the program to be avoided. These increases in benefits required a compensating increase in contribution rates directly and/or an increase in the salary base on which they were levied.

Contrary to many of the statements made on the 25th anniversary of the system, the OASDI program has really not yet provided its financial soundness. We know very well that both political and inflationary forces will repeatedly demand further increased benefits. In the absence of complete irresponsibility,

additional contributions must be required to meet the increases. At some point, however, we shall reach the breaking point, for total contributions are already scheduled to reach 9 percent of the first $4,800 of wages. Although it is impossible to foretell at just what point the break will come, it is obvious that the cycle of increased benefits and increased contributions must come to a halt, for at some point the wage earners, even if not the politicians, will rebel at further tax levies on wages. This situation could easily become even more crucial should our economy suffer a serious recession or depression, for the system is designed to operate successfully only in an expanding economy. Even so, under a high cost estimate, the old-age and survivors insurance trust fund will decrease from a maximum of about $55 billion in 20 to 25 years from now until it is exhausted in 1997.

Mr. President, millions of Americans have placed their complete confidence in the old-age and survivors insurance system to provide them with funds for retirement in their latter years. In reliance on this system, not only have they neglected to establish retirement plans in private sources, but, indeed, they have had no choice but to place such funds as they earn for this purpose in the old-age and survivors insurance program. A failure in the program would literally mean the economic destruction of millions of Americans. Although the soundness of the program, in my opinion, yet remains to be proved, we should at the very least treat the program in the manner best calculated to insure its continued solvency.

The medical care proposals which would utilize the framework of social security are not only unneeded, but, if enacted, would materially decrease the probability of continued solvency of the system. The proposal for medical-care benefits within the OASDI program—to which, for lack of a better name, I shall refer to as the Forand proposal, since apparently it was first introduced by Representative FORAND—would completely change the original concept of the OASDI program from one guaranteeing fixed dollar benefits to one which guarantees specified services. The fixed-dollar-benefit concept has the advantage of being resistant to inflation, although we must admit that in times of inflation there is a likelihood that it will not provide the resources in purchasing power for which it was originally intended. The guaranteeing of services, as contrasted to fixed dollar benefits, would not withstand the ravages of inflation, but would be marked by increasing costs of benefits as the cost of services themselves increase, and would tremendously increase the pressures for additional contributions to keep the fund solvent. Such a change in concept would materially hasten the day when the point of rebellion at further increased contributions would be reached. Whereas the present system, based on fixed dollar benefits, might be impaired by a relatively serious depression in the economy, the Forand-type concept would subject the fund to bankruptcy from possibly even a mild, extended recession of the economy.

Mr. President, we have no right to jeopardize the OASDI program by grafting on this new concept of guaranteeing services, in addition to dollar benefits. Rather than weaken this program, we should concentrate on checking the inflation which nullifies the purchasing power of fixed dollar benefits, in order that the confidence of the millions of contributors to the system will not be betrayed.

I cannot comment on this Forand proposal, Mr. President, without restating that it is socialized medicine, for it does not seek to provide the funds with which to obtain medical care; but, on the contrary, it seeks to provide medical service itself. In any approach of this sort, the Federal Government must control the disbursement of funds. It must decide the benefits to be provided. It must set the rates of compensation for hospitals, nursing homes, dentists, and doctors. It must audit and control Government expenditures to hospitals, nursing homes, and patients. It must establish and enforce standards of hospital care and medical care. These are but the basic and usual safeguards that accompany the spending of tax funds. Is anyone so naive as to believe that the National Government could exercise these responsibilities without affecting the quality of medical care received? The Government, not the patient and physician, will determine the quality and extent of medical care under the Forand proposal, and this is socialized medicine.

The disadvantages of socialized medicine are not merely reprehensible because there is a bad connotation placed on the word "socialized." The evil lies in the deterioration of the quality of service which inevitably results, to the detriment of the patient, from the Government's efforts to standardize a service which is by its very nature a personal service, and must so remain if it is to be of a high quality.

Mr. President, in this discussion of the proposals before us, I have refrained from utilizing either the constitutional or philosophical approach, and have attempted to discuss the various plans from the standpoint of sound judgment, need, and practicality. I realize, of course, that my approach to the problem is conservative—as is my philosophy—and consequently, I have sought to examine the problem in the light of the facts, removed from the utopian dreamworld of radical thought that appears to be prevalent in our political society. I could also just as well have adopted a constitutional approach, for I am convinced that the Forand proposal is repugnant to the intent and spirit of the Constitution.

In speaking at all, I am fully aware that I am joining in what we all know is an exercise in futility, for regardless of the outcome of the Senate's votes on the various proposals, there is very little likelihood that we will create more than a political issue, if that. Perhaps it is optimism on my part to harbor a sincere hope that the Senate of the United States will at least reject the Forand proposal, if it will not take the even wiser course of postponing any action on this subject until a more objective and better informed consideration can be obtained. Our actions and discussions in this fish bowl arena are more than ever in the eyes of the entire public, both American and foreign, and I cannot conceive that our actions and debate on this political, as contrasted to legislative, issue are well designed to promote respect and high regard for this parliamentary body.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CARLSON. Mr. President, may I inquire how much time the proponents have and how much time the opponents have on the pending amendment?

The PRESIDING OFFICER. The proponents have 86 minutes; the opponents have 82 minutes.

Mr. ANDERSON. Mr. President, I yield 10 minutes to the Senator from Indiana [Mr. HARTKE].

The PRESIDING OFFICER. The Senator from Indiana is recognized for 10 minutes.

Mr. HARTKE. Mr. President, I rise to support the Anderson amendment, of which I am a cosponsor. There is a present, pressing, and timely need for this proposal. That need has been enforced by statements made by the administration, Secretary Flemming, and by practically every person who has spoken on the floor.

I think there is a minority still living in the country who feels there is no problem, but I think we can dispense with that viewpoint by the generally accepted knowledge that there is a real problem which exists now. In that connection I can agree with the distinguished Secretary of Health, Education, and Welfare, Mr. Flemming, that we must act, and should act, in this Congress; that we should not wait.

I asked him specifically, at the hearings, whether we should wait until after the White House Conference. He said "No." He thought we had sufficient facts to enable us to come to an intelligent decision.

Basically, the question comes down to the fact we have 10 million people who are in need of medical care. No one contends that all these 10 million are indigent, or that all these 10 million are paupers. The problem before us is whether we are going to take care of most of these people, or only those who are indigent or who are paupers and need medical care, or whether we are going to go further.

I previously stated I intended to support and am in agreement with the committee approach as sponsored by the Senator from Oklahoma [Mr. KERR] and the Senator from Delaware [Mr. FREAR], but there was a lady in my office the other day. I asked her, "How do you feel about the medical care bill?" She said, "Well, I think we will have to wait and see how it comes out. I know these people need help. I know these aged people cannot meet their medical bills."

Mr. President, she has faith that this group of elected representatives are going to do what they think is right;

they are going to do something in the interest of the people; they are going to do what is best for giving us a program of medical care for the aged—not what is best for any particular group, not what is best for the doctors, hospitals, or nurses, not what is best for any particular selfish group which is interested in keeping these people at their mercy and forcing them to beg for help.

If we do not provide a satisfactory answer at this session, or very shortly in the coming session, then there will be a very serious reproach coming from these people, which none of us wants to happen.

So I think the question is: Do we accept the principle of social security, or do we not accept it? If we do not accept the principle of social security, then we cannot accept the principle of the Anderson amendment. But if we do accept the principle of social security, and agree that the social security program has worked well, then this approach is the answer to this particular problem.

Some persons say this is the same old story year after year. This is not the same old story. This is a story that is going to become increasingly new. Every child born today has a right to know the answer. One of every four of them can expect to live to the age of 83; the other three can expect to attain at least the age of 63. There will be children of the age of 60 who will have parents living. If science continues its advances, there probably will be more people reaching the age of 100. So the number of people who are going to need medical care in the future is going to increase constantly.

The question is: Are we going to put this burden on the general tax revenues? Are we going to raid the Treasury for the money that will be needed? Or are we going to proceed in an orderly fashion, on a pay-as-you-go method, in which younger people will pay into the fund while they are earning money, so we can make sure that a person does not have a specter hovering over him, the question of "When I get sick, will my children be able or be willing to provide for me, or will I have to sell my home and, hat in hand, ask the Federal Government or State government to give me help?" That is really what the problem is.

So far as the old-age and survivors' insurance program is concerned, I think it is a good program. It just does not go far enough. If medical care is to be extended to help the aged, it will have to be paid for either out of the Treasury or from the earnings of working people. Some persons say one method is less expensive than another. The least expensive method is the social security approach, because the machinery is already established. Another establishment does not have to be created. Investigators do not have to be sent out to learn whether a man has the means to pay for his medical care or not. Those items will be added expenses under any other method than social security.

Under this approach, every one of the 70 million people covered by social security can be provided for, in orderly fashion, and we can prevent the problem, rather than deal with it after it occurs.

This is a question of whether we want an insurance program or merely a relief progam.

I call attention to the resolution which was adopted at the Governors' conference on June 29, 1960. Thirty Governors signed the resolution, asking that the social security approach be adopted. These people know that their States cannot stand an additional drain on their finances, and that the best approach is the orderly procedure of contributions from employees during their working years. I read from the resolution:

> Whereas the Governors' conference for many years has been acutely aware of the growing number and complexity of problems faced by our increasing population of senior citizens, including health and medical care, employment and income maintenance, provision of suitable housing, and enrichment of leisure time activities; and
>
> Whereas the most pressing of these problems is the financing of adequate health and medical care: Now, therefore, be it
>
> *Resolved by the 52d annual meeting of the Governors' conference,* That Congress be urged to enact legislation providing for a health insurance plan for persons 65 years of age and over to be financed principally through the contributory plan and framework of the old-age survivors and disability insurance system; and be it further
>
> *Resolved,* That the States support and participate actively in the forthcoming White House Conference on Aging to the end that public and private agencies be stimulated and encouraged to develop approaches to all the problems of the aging.

I think we can summarize the points of the program very briefly. These principal points can be made as to why this approach is the best approach.

First, contributions would be collected from nearly all persons who work for a living.

Contributions would be payable, under this amendment, only while the individual is employed.

Contributions, under this amendment, would be levied in some measure commensurate with the ability to pay.

Contributions, under the amendment, would be levied in the individual's working lifetime, not during the period he is not earning or is in retirement.

Contributions, under the amendment, would not be related to the number of dependents a person has.

The employer would be required by the amendment to pay one-half of the cost. Under some other plans the employer would pay part of the cost, and under some plans the employer would be required to pay all of the cost.

The benefits under this plan would not be cancellable. The benefits under this amendment would not be limited during a person's lifetime. Under the amendment, the benefits would be more adequate than under many private plans.

Finally, the cost of administering the plan under our amendment would be less than the cost of administering existing private life insurance plans.

I sincerely believe that if Senators will vote upon the measure based upon whether they feel it will provide for an orderly method of insurance, instead of what might be related to political considerations, they will support the Anderson amendment.

Mr. ANDERSON. Mr. President, I yield 3 minutes to the Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. Mr. President, I wish to make a few comments about the amendment now pending before the Senate. Before I do so I should like to ask the sponsor of the amendment, the Senator from New Mexico [Mr. ANDERSON], a question.

In the event the Anderson amendment is agreed to, what will be the situation with respect to those elderly citizens who are not now within the purview of the social security law?

Mr. ANDERSON. I think those persons would be adequately covered under the provisions of the committee bill and under the so-called Kerr amendment.

Mr. LAUSCHE. It is the position of the Senator from New Mexico that his amendment would provide coverage for all elderly persons who are now within the operations of the social security law?

Mr. ANDERSON. Who are past the age of 68 years.

Mr. LAUSCHE. Who are past the age of 68?

Mr. ANDERSON. That is correct.

Mr. LAUSCHE. Those who are not under the coverage of the social security law who are past the age of 65 will be covered by the committee recommendations?

Mr. ANDERSON. Provided the State makes its appropriation.

Mr. LAUSCHE. Yes.

Mr. President, since 1945, in discussing social security laws, numerous have been the times when I have declared my concept of what ought to be done with respect to the Government providing social security. In effect, I have repeatedly stated I did not subscribe to the philosophy of giving doles and subsidies, but I believed in a system which was actuarially sound, operated in a businesslike manner under which payments were to be made out of a fund which was built up through joint contributions by employers and employees.

That philosophy has been with me, I would say, for at least 15 years. I believe a fund created in that manner in all probability will be prudently managed, since it places a joint responsibility on the employer and the employee, and in all probability it will be based upon a sound actuarial foundation and will be conducted with businesslike operations.

My belief is that the elderly people of our Nation are in need of this type of service. I think not only of the indigent but also of those who through prudence and thrift have accumulated a modest estate.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. ANDERSON. I yield the Senator 3 more minutes.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 3 additional minutes.

Mr. LAUSCHE. Mr. President, it is a rather dominant and frightening prospect for an elderly person to find, in the twilight days of life, that whatever he has accumulated through prudence is to be dissipated as a result of the huge costs which come in caring for one's self, especially during an illness in the mature years of one's life. I have in mind specific instances when people have told me, for instance, "I have assembled enough to have a modest home. I am proud of my home. I do not wish to see it dissipated, but I cannot see my way clear to save it if I have to carry these inordinate medical expenses."

The costs of living for the aged, especially those to fight disease, have become extraordinarily large. I need not discuss that, because it is generally understood that medical expenses, including drug costs and nursing services, are beyond the ability of the ordinary person to carry.

On that foundation, it is my judgment that the program of providing medical service cannot be avoided.

Next I shall discuss the question of whether I should support the Anderson amendment. I assume, on the basis of what I have said, if I did not support it I would be belying every one of these statements which I have made in the last decade and a half.

I am not giving my support to the proposal on the basis of its political implications. I am not giving it my support on the basis of the threats which are being made in the reception room against those who do not support it.

I recognize that support is being given to that measure on this floor by Senators who have espoused a social security philosophy that is entirely inconsistent with the method suggested in the financing of the program by the amendment of the Senator from New Mexico.

To reiterate and to summarize, it is my firm conviction that the funds out of which payments should be made for the social security approach should be accumulated through current contributions jointly made by employers and employees or earmarked taxes. Funds should not be established for that purpose except where it is inescapable, as it is in the situation before us, in which we would find ourselves with a large number of people uncovered under the law unless the committee proposal were adopted. I think we would encounter danger if we created this fund solely out of general taxpayers' money.

It is on that basis that I shall vote for the Anderson amendment. My vote would be cast clearly on the basis of the principles which I have established in my own mind as to the manner in which these funds ought to be established.

I thank the Senator from New Mexico for yielding to me.

Mr. ANDERSON. Mr. President, I yield to myself 1 minute. In that 1 minute I wish to say that when I yielded time to the Senator from Ohio I had no idea on which side of this question he would speak. I appreciate more than he can ever understand his statement that he is not taking his position on the basis of political motives but on the basis of a life devoted to the study of the needs of the people. I thank him and compliment him for that.

Mr. LAUSCHE. Mr. President, will the Senator yield me 2 additional minutes?

Mr. ANDERSON. I yield.

Mr. LAUSCHE. The position which I have taken here is completely consistent with the positions I have advocated on this floor with respect to subsidies.

There are entirely too many subsidies paid by all the taxpayers who are being taxed. The speed with which we are passing such subsidy bills is growing. My position on the bill is completely consistent with what I have declared to be my concept of free government. It is consistent with my fear that we are trying to buy votes by passing bills to provide subsidies. I do not claim that to be the purpose of the committee proposal.

I repeat that in my judgment we should not have had this special session. Politics are permeating it from beginning to end. What I have said is consistent with what I espoused during the entire 3½ years I have been in the Senate.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield 7 minutes to the Senator from Vermont.

Mr. AIKEN. It is always very difficult for me to disagree with my friend, the able junior Senator from New Mexico, with whom I have worked very closely since the days when he was one of our truly great Secretaries of Agriculture. However, when I discovered that under the social security approach to the problem which we are now considering only about 50 percent of the people of my State over the age of 65 could qualify for benefits, there was nothing left for me to do except to oppose that approach to this problem.

I think most of us in considering matters of this kind reduce our feelings to human terms and go a little further than that, perhaps, to reduce it to an individual human effect. I take that approach myself very frequently. In the case of the amendment offered by the Senator from New Mexico, I simply started down the road from my home to see how the proposal would affect my neighbors who are of the age of 65 or over.

As I went down the road, the first case to which I came was that of a man who is 86 years old. He was a farmer, but he has not been able to work his farm for a living since the time before which farmers could qualify for social security. Therefore he has no social security card.

Farther along the road there was another man who is 74 years of age. He has spent most of his life as a farm laborer, having worked on one farm or another. However, approximately 10 years ago arthritis afflicted him and he had to stop work. He cannot have a social security card because he could not qualify for one after he became technically eligible.

Going down the valley a mile or so farther, I came to the first school teacher I ever had in my life. She is still living and is about 90 years old. As far as I know, she is in fair physical condition, but she retired not only before the days when she could qualify for social security, but I am afraid before the days when she could qualify for retirement funds in my State as well. I know that she does not have very much on which to live; but she could not qualify for the old age health insurance provided in the Anderson amendment.

The younger sister of that teacher, who is 77 years old, lives there also.

I think she receives some teacher's retirement pay, though it is inadequate. Nevertheless, she retired, too, in the days before teachers were eligible for social security benefits.

Going into the town I found a man who has been self-employed most of his life, and who has helped other people in performing public spirited work for the town. I know that he is critically ill. I know also that his medical expenses must have run into hundreds, or even thousands of dollars during the last year or two. I cannot say for sure that he is not covered, that he has no social security card, but I do not think he has.

There are, then, the firemen and policemen who have retired on a pension of perhaps $1,200 or $1,500 a year. Firemen and policemen have been eligible for social security in my State only during the last few months, when Congress made them eligible. They would be left out of any benefits proposed by the Anderson amendment.

I have other neighbors who would qualify. One man lives a short distance from me. He worked at a place where I know he had a social security card. This last summer, however, he inherited, as I am informed, approximately $1 million. He has given up the job that he had and is self-employed at the present time; he probably will be self-employed the rest of his life. Of course, he can keep up his social security payments on up to $4,800 of his earnings a year if he wishes to. Nevertheless, if he does not wish to, when he reaches the age of 68 under the proposal before us, he may receive the full benefits without paying another nickel.

Another of my neighbors is the most prosperous farmer in town. After 1950 he incorporated his farm and paid himself a salary of $4,200 a year, which was the maximum social security earning base at that time. He will qualify for the benefits. However, dozens of other neighbors who are operating marginal farms did not have the money to incorporate, and did not even have the money to pay into social security. They would not qualify under the Anderson amendment.

As I said, only about 50 percent of the people over 65 in my State would qualify for benefits proposed by the Anderson amendment. Some of the remaining 50 percent I am sure would qualify under the Kerr-Frear bill. I cannot say how many. Now let us come a little closer to the Senate. The proposal we are asked to vote on is discriminatory, and we do not have to go outside the Senate Chamber to find discrimination. Some of the Members of the Senate have social security cards, and others do not. They are paid $22,500 a year, and some of them

could qualify for benefits under the Anderson disposal, and some of them could not.

When I think of these people back home, who have worked all their lives, but who cannot qualify for social security, and therefore would not be eligible for benefits under the amendment we are asked to adopt now, then I believe I would be rather coldblooded if I voted to enact legislation which excludes them from the benefits.

Mr. CURTIS. Mr. President, will the Senator yield very briefly?

Mr. AIKEN. Yes; I am happy to yield, even though I do not know how much time I have.

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. CURTIS. The distinguished Senator from Vermont is making a very fine point. The proposal would pay benefits to many people who do not need them at all, and it would reduce the take-home pay of everyone in the country.

Mr. AIKEN. I am talking only about cases with which I am familiar. I cannot go into the details. Many of these people have been covered, or will be covered. I realize that the heaviest part of the cost will be placed on those who are 20 to 40 years of age and are raising families. It has been explained here that millionaires would escape paying any important part of the cost of the program, whereas a young man, between the age of 20 and 40, who may have several children, will not only have to pay his share of this health insurance program, but will also have to carry insurance to carry him and his family, and will not only have to pay the $10 fee, but also the $150, at a time when the family can least afford to do so.

Finally, I say we would be very foolish to undertake to legislate this program at a time when it cannot fail to be a political matter. I believe we ought to consider it at the beginning of the next session, when we will have a new Congress, and when the election will not be impending, and at a time when we can act sanely and put through legislation which will cover all the people and require all the people to pay the cost of the program. There is much more I could say, but I know that time is in demand.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CARLSON. Mr. President, I yield 4 minutes to the Senator from Colorado.

Mr. ALLOTT. Mr. President, I believe in helping those who need help. I voted for the Javits approach and will support the committee bill because either represents a more realistic program of medical care than this "bobtailed" amendment now before us. Opponents of the committee bill would have it appear there is a great ground swell of sentiment among the elderly, indeed among people of all ages, for a social security health program. This problem, we are to understand, has popped up suddenly in a Presidential election campaign after apparently lying dormant for many years. Contrary to this, it has been with us for some time.

Many older persons have written through the years expressing a desire for increased social security money benefits, no question about that. This undoubtedly is the No. 1 problem on the minds of our needy elder citizens—enough funds to enable them to lead their lives in dignity and in security. Further burdening the Social Security System with a medical program financed by ever higher social security taxes can only postpone and make more unlikely any increase in regular benefits.

The Secretary of Health, Education, and Welfare has predicted that these taxes could rise in the foreseeable future to 15 or 20 percent of taxable income, if health care benefits are brought into the program. He noted—with reason—that Americans would rebel at such a tax piled on their already tremendous Federal and State income taxes.

During the past year or so, Members of the Senate have had a firsthand look at the problem through the hearings by the special Senate Labor Subcommittee on Problems of the Aging. This subcommittee, headed by the esteemed senior Senator from Michigan, went all over the country to sample, on the spot, the opinions of older people.

Town-meeting-like forums were held at which members of the audience were invited to stand up and tell the Senators how they felt about the problems of aging, and what solutions they sought. Here surely was a fine time and opportunity for the aged to demonstrate their enthusiasm for a social security health bill, or for any new Federal health program, for that matter.

But some of the meetings, despite much advance newspaper publicity, were ill attended. At some relatively few spectators were on hand. And of those that did speak their minds, a majority did not even mention health care financing as a major problem. And I am informed only a small fraction of the older people who did talk about health called for a social security approach.

One responsible segment of our population has already made its views on the subject known, and very forcefully. That is the Nation's newspapers, the great bulk of which have been outspoken about their opposition to bringing a health program under the social security system. Some 5,000 editorials have been written in the past year or so urging the Congress to reject the social security plan. The Washington Star put it well when it said:

> Both the young and old may someday question the price of insurance rewritten by Uncle Sam in election years.

Even the Washington Post, one of the few newspapers to support the social security approach, has decided that the heat and passions of the election-minded Congress is not the best atmosphere in which to develop sound and lasting legislation, and said the whole matter should be put off until next year.

The Christian Science Monitor calls the social security plan "a way to overload social security." The growth of private, voluntary health insurance, this newspaper declares, has been phenomenal and—I quote—"greatly preferable to Government-administered compulsory health insurance."

The Los Angeles Times says that—

> We think the insurance companies, encouraged by business, endorsed by an unsplintered medical fraternity, and supported by the whole public, can do better with health and medical care, and that Americans, young and old, will be better for the private effort.

The Chattanooga Times states:

> We hope and we believe that these very real needs can be met through private, volunteer initiative, which has worked a near miracle through the Blue Cross, Blue Shields, and other plans largely since World War II.

I could go on and on, quoting from newspapers in city after city, both Democratic and Republican journals. Here is just a random list of newspapers that have attacked a social security health plan: The Houston Chronicle, Wall Street Journal, Little Rock Democrat, New York Daily News, Los Angeles Herald-Express, New York Herald Tribune, Denver Post, Honolulu Star Bulletin, Chicago Sun-Times, New Orleans Times-Picayune, Baltimore Sun, and so forth. A rollcall of most of the great newspapers of America.

The New York Daily News summed up the major arguments against the social security plan about as well as any. The catches in this approach, the News says, are:

> 1. That it would give socialized medicine a foot in the U.S. door;
>
> 2. Would cost so much as to endanger the entire social security setup; and
>
> 3. Would most likely lead to extensions of free medical care to other groups as time went on—meaning heavier and heavier costs each year.

Mr. President, the committee bill avoids these pitfalls. It relies on established channels of aid for the needy of our country. Some have referred to the bill as moderate, or cut down, strange adjectives to use for the expenditures of hundreds of millions of dollars to give a helping hand to old persons who do not have the means to pay their medical bills.

The humanitarian committee bill sets no limits on the amount of health-care benefits the near-needy aged could receive as does the social security plan. It epitomizes the "help thy neighbor" philosophy of the Federal-State public assistance program—to help those who are in need of assistance, the proper and fitting role of Government.

Mr. President, I should like to make some comments on how the proposal would affect one State. Of course, I speak of my own State, the great State of Colorado. In Colorado, according to a communication which I have in my hand, written to me by Guy R. Justis, director of the department of public welfare, there are 146,700 persons in Colorado over the age of 65. They represent 8.1 percent of the total population of the State.

As of February 28, 1959, the Department of Health, Education, and Welfare reported a total of 59,344 persons in Colorado who were receiving OASI, or

social security. Relating this figure to the total estimated population aged 65 and over, we find that slightly more than 40 percent of Colorado residents aged 65 and over are receiving OASI.

Therefore, approximately 39 percent of Colorado old-age pensioners 65 and over were also receiving OASI. A total of 546 class B pensioners—those between the age of 60 and 65—also were receiving either OASI or OAS disability payments. The 546 class B pensioners receiving such payments represented 14 percent of the 3,769 cases.

On the basis of the figures which I have obtained from the Colorado records, it would appear that 58,570 Colorado residents aged 65 and over are not receiving either OASI or old-age pensions, or a combination thereof.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CARLSON. I yield 1 additional minute to the Senator from Colorado.

Mr. ALLOTT. Thus, 39.9 percent of persons over 65 would not be covered by a bill based on social security, such as the present amendment offers. Many of these are the ones who need help most. To say that such a bill solves the problem is a farce and a fraud upon our elder citizens.

In order that the figures may be spelled out in more detail, as well as to show additional information on the medical plan now provided for those under the public assistance program, and sent to me by the very capable director of the Department of Public Welfare of Colorado, I ask unanimous consent that his letter, dated May 5, 1960, be included in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE OF COLORADO,
DEPARTMENT OF PUBLIC WELFARE,
Denver, Colo., May 5, 1960.

Hon. GORDON ALLOTT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ALLOTT: In response to your letter of April 28, 1960, concerning the impact of the Forand bill or other related legislation upon Colorado, we are glad to send you the following information:

1. According to an estimate of the Colorado State Planning Division there are 146,700 persons in Colorado aged 65 and over. On the basis of this estimate, persons 65 and over represent 8.1 percent of the total population of the State.

2. As of February 28, 1959, the Department of Health, Education, and Welfare reported a total of 59,344 persons in Colorado who were receiving OASI. Relating this figure to the total estimated population aged 65 and over, slightly more than 40 percent of Colorado residents aged 65 and over are receiving OASI.

3. In March 1960, 18,530 Colorado old age pension recipients also were receiving OASI payments. The total number of pensioners 65 and over in March 1960 was 47,315. Therefore, approximately 39 percent of Colorado old-age pensioners 65 and over were also receiving OASI. A total of 546 class B pensioners (those between the ages of 60 and 65) also were receiving either OASI or OASDI payments. The 546 class B pensioners receiving such payments represented 14 percent of the 3,769 cases.

4. On the basis of the figures cited above, it would appear that 58,570 Colorado residents aged 65 and over are not receiving either OASI or old-age pension or a combination thereof. Thus 39.9 percent of persons over 65 would not be covered by a bill based on social security. Since only about 59,344 persons aged 65 and over in Colorado are receiving OASI, the remaining 87,356 would be dependent upon their own resources or the Colorado old-age pension.

5. The Colorado old-age pension medical care plan is limited by constitutional amendment to an expenditure of $10 million in each fiscal year. To summarize, the current medical care plan, as approved by the State Board of Public Welfare, includes the following benefits for recipients of old-age pension in Colorado.

(a) Hospitalization, drugs, and physicians' services in the hospital (including surgery).

(b) Nursing home care for pensioners who are patients in nursing homes approved by the Colorado State Department of Public Health.

Under this program a pensioner who is a patient in a nursing home pays $100 toward the cost of such care from his monthly old-age pension payment or from his pension payment plus any other income, such as OASI. He is allowed to retain $6 a month to meet his own personal needs.

His payment to the nursing home is supplemented by vendor payments from the old-age pension medical care fund which are made directly to the nursing home. The amount of such payments is related to the quality of service offered by the nursing home and the amount of care required by the individual pensioner. The maximum amount of the vendor payment is $95 a month. This amount, added to the $100 paid by the pensioner, makes a maximum of $195 a month that can be paid to a nursing home through the Colorado old-age pension program.

Pensioners in nursing homes also are eligible for a certain amount of physicians' services and for drugs prescribed by physicians.

(c) A limited program of physicians' home and office calls for pensioners living in their own homes.

(d) Transportation allowance to enable pensioners to receive medical care.

To supplement this brief summary of the Colorado old-age pension medical care program, we are enclosing a reprint of an article by A. Paul Shermack, assistant executive director of Colorado Medical Service (Blue Shield plan) which appeared in the Rocky Mountain medical Journal for January 1960. This article goes into more detail concerning the background and content of the old-age pension medical care program.

With respect to the last question in your letter, if some bills were passed which tied health insurance to OASI, the Colorado State Department of Public Welfare would look upon this insurance as a resource which our old-age pensioners would be expected to make use of before they would be eligible to receive medical care benefits under the Colorado old-age pension medical care program. This policy would be similar to our present policy in that an applicant for old-age pension is asked to apply for OASI if it appears he may be eligible for social security benefits.

It was good to hear from you and I hope the information which we have compiled will be of assistance to you in evaluating the impact of proposed legislation upon aged residents of Colorado.

Sincerely yours,

GUY R. JUSTIS,
Director.

Mr. ANDERSON. Mr. President, I yield 10 minutes to the Senator from Minnesota.

Mr. McCARTHY. Mr. President, I have tried to follow the debate during the 3 days the Senate has been considering the pending business. The charge that comes up again and again is that somehow or other the proposal in the Anderson amendment is for socialized medicine, and that the alternative, in the committee bill, or what was proposed in the Javits amendment, escapes the brand of socialism. Yet I note again, in reviewing the debate, that the arguments made in favor of the other proposals seek to show that almost every citizen in the country who is over the age of 65 will be covered under the program, which is essentially a Government program, although in part it involves the participation of the State governments.

I have never seen a definition of socialism which would establish the distinction that if it is done by the Federal Government it is socialistic, but if it is done by a State government it is somehow unsocialistic.

In each case, the program is a Government program. The laws are enacted by legislatures, either State or Federal, and the distinction is not one of socialism as against antisocialism or some other form of political or economic ideology.

The Javits amendment, for example, was proposed as one which would cover some 11 million people over the age of 65 in addition to or outside of the 2.4 million who were covered under the present old-age assistance program.

The second point which has been raised—and much attention has been given to this point—is that of the freedom or lack of freedom on the part of the patient to select his own doctor. I think we should make an honest, realistic examination of the current practice in the United States with respect to the selection of a doctor.

In the first place, as the distinguished Senator from New Mexico [Mr. ANDERSON] has established repeatedly, his amendment in no way sets any limit upon the freedom of a person who may participate under the social security medical aid program to select his own doctor. However, let us examine the general practice today. How much freedom does an individual have in the selection of a doctor? How far afield can he go? How many doctors has he available from whom he can make a choice? In almost every small town there is only one doctor, and he is the doctor of everybody in that town. One may, under some circumstances, go to the next town to find a general practitioner. Usually, however, that kind of selection is not made upon any medical basis, but involves some kind of personal touch or personal reason.

If one goes to a clinic, he may have his own doctor introduce him to the clinic. At a great clinic, such as the Mayo Clinic in Rochester, Minn., for example, one does not say, as he moves along through all the various examinations, "I want Dr. A, Dr. B, or Dr. C." One commits himself to the experts who say, "We will have you examined by doctors who are specialists, by doctors who know the most about this particular problem, this particular disability, or this particular ailment."

That is true not only in the great clinics, but also in the clinics which have developed in all the medium-sized towns

of America. As a result, the patients receive better treatment than they did when their entire care and treatment rested in the hands of one general practitioner or one family doctor. So the issue of freedom of choice to select one's doctor is, in the first place, as it has been raised and presented here, as misrepresented as the Anderson amendment itself.

In the second place, the issue is unrelated to the question of good medical care and to the growing practice of medicine in the United States. Some of the great industrial plants and great railroads have their own hospitals and their own doctors. Many of the great industrial corporations have their own medical programs and their own doctors. No one, so far as I know, has protested here against those practices or has said there is interference with freedom of choice on the part of the patient. The American Medical Association, so far as I know, does not forbid its doctors to participate or take employment in industrial medicine or employment with railroads for the care of railroad employees.

Four or five issues have been raised with regard to the bill which really have no objective relationship to the problem with which we are trying to deal. Our basic problem is that of trying to help citizens. Under the Anderson amendment, people over age 68 would receive assistance to meet the cost of better medical care, the cost of medication, and the cost of hospitalization. We are told that we will destroy the traditional doctor-patient relationship.

The Anderson amendment will not interfere with the genuine, fundamental, and proper professional relationship between doctors and patients. It will not interfere with the way in which doctors are chosen and the way in which proper care is given to patients. It will not introduce any new practice with respect to a method by which doctors are paid by their patients.

The practice has been established under some insurance programs, such as the Blue Cross-Blue Shield, of having the insurance company pay the hospital costs, the medical costs, and even the doctors' fees. This practice has come to be accepted in the United States. In addition, in the old-age assistance program, 2 or 3 years ago we were asked to change the law so that the Federal or State government could pay directly to the doctor the cost of the services, or to the hospital the cost of the services, which they had rendered to the old-age assistance recipients. Until that time, the practice had been to give the money to the old-age recipients, who in turn paid their doctors or their hospitals. However, the request was that there be a State agency or a Government agency to make the payments directly, so as not to have payments made through the patient. It was provided that the doctor or hospital could say, "This is the measure of cost for the services we have given, so we ask the Federal Government or the State government" — whichever agency was handling the matter—"to pay the bill directly to us, without its going through the hands of the patients."

In the case of Government programs and in the case of private insurance programs, the practice is fully established of having payment made directly by the Government agency or the insurance company to the hospital or to the doctor who has provided service to the patient. So we are not introducing any new idea by attempting to establish a medical aid program which is based upon the social security program, under which, when a person receives hospital care or medical care, payment may be made directly from the social security fund to the hospital or to the clinic which rendered the service to the patient.

As a matter of fact, what we recommend or propose is a practice which has been established and accepted by the medical profession and by the private insurance companies of the Nation.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. CARROLL. I think the able Senator from Minnesota would like to know, if he does not already know, that the State of Colorado has one of the finest old-age pensioners' health and medical care programs in the Nation. The total number of Coloradans who received old-age pensions in 1959 was 58,393; 32,733, or almost 56 percent, of the Colorado pensioners participated in the medical care program. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD, a chart I have prepared entitled "Colorado's Old-Age Pension, Health and Medical Care Program, 1959."

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

COLORADO'S OLD-AGE PENSION, HEALTH AND MEDICAL CARE PROGRAM, 1959

Total pensioners receiving old-age pension, 58,393.

Total pensioners receiving medical care, 32,733, 56 percent.

Total pensioners requiring hospitalization, 14,236, 24.4 percent.

Total pensioners requiring nursing home care, 4,907, 8.4 percent.

Twenty-five percent of pensioners used doctors' home and office services.

EXPENDITURES DURING CALENDAR YEAR 1959

Type of care	Expenditures	Percentage
Hospital care	$5,209,851	59.76
Nursing home care	1,804,724	20.7
Doctors' services	1,461,866	16.76
Drugs for patients in nursing homes	182,943	2.1
Transportation	59,145	.68
Total	8,718,529	100.00

DOCTORS' SERVICES

1. Services to pensioners in private hospitals:	*Billings*
Surgery	10,498
Medical care	14,207
Other (anesthesia, X-ray, lab, etc.)	8,860
Total	33,565
2. Services to pensioners in Colorado General and Denver General	1,768
3. Types of hospital care:	*Percent*
Surgery	31
Medical care	42
Other (anesthesia, lab, X-ray, etc.)	27

DOCTORS' SERVICES—continued

4. Average charge per billing for hospital service	$32.79
5. Home and office calls, 6-month period	*Cases* 39,111
6. Types of cases most frequently treated by doctors:	
(a) Medical:	
Circulatory diseases	4,003
Digestive	2,367
Respiratory	2,149
Nervous system	1,244
(b) Surgical:	
Digestive	2,225
Musculoskeletal system	2,341
Integumentary system	2,514
Urinary system	1,064
7. Cost of doctors' services:	
(a) Services to patients in hospitals	$1,265,129
(b) Home and office calls	133,240
(c) Nursing home calls	63,497
Total	1,461,866

HOSPITAL CARE

1. Admissions to hospitals (some pensioners had more than one admission):	*Admissions*
Women	13,522
Men	8,591
Total	22,113

2. 84 hospitals participated.
3. Days of hospitalization, 261,328.
4. Average length of admission, 11.8 days.
5. Average cost per day, $20.53.
6. Cost per hospital admission, $242.63.
7. 78.8 percent of hospital payments were for stays less than 30 days ($4,287,543).
8. 19 percent of hospital payments were for stays of 30 to 70 days ($1,038,612).
9. Two percent of hospital payments were for stays of over 70 days ($111,892).
10. Sixty percent of all hospital admissions were for less than 10 days; 94 percent of the admissions were for less than 30 days.
11. Principal types of diseases causing hospitalization:
(a) Circulatory, 4,768 cases, 21 percent.
(b) Digestive, 3,465 cases, 16 percent.
(c) Accidents, 2,835 cases, 23 percent.
(d) Respiratory, 2,341 cases, 23 percent.

NURSING HOME CARE

1. Vendor payments were made to nursing homes for 2,318 persons per month.
(Each pensioner in a nursing home paid $100 a month to the home from his pension).
2. Average monthly payment to a nursing home per patient was:

From pensioner	$100.00
Vendor payment	64.84
Total	164.84

3. Number of nursing homes being used, 144.

Mr. CARROLL. I do not wish to interrupt the speech of the Senator from Minnesota——

Mr. McCARTHY. I am glad to have the comments of the Senator from Colorado on this point.

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. McCARTHY. I yield myself an additional 5 minutes.

Mr. CARROLL. Our old-age pensioners carry identification cards. They choose their own doctors and identify themselves with their card. The doctor determines whether such a pensioner shall go to a hospital; whether it is necessary to have inpatient or outpatient

treatment. The Colorado medical care program pays the doctor and/or the hospital. It is a vendor payment.

The point I wish to underscore, and which is being made by the Senator from Minnesota, is that the Colorado old-age medical care program does not pay the pensioner, and the pensioner does not pay the doctor. The doctor is paid by the Blue Shield authorities in the area, and this takes place under a contract negotiated with the department of public welfare of the State of Colorado. The doctors have accepted and work successfully under this system. Blue Cross-Blue Shield is contracted with to administer the program. But my point is that while the doctor-patient relationship is carefully preserved, the patient does not pay. The Blue Cross-Blue Shield pays; and the State of Colorado, in turn, pays Blue Cross-Blue Shield.

Mr. McCARTHY. The Senator from Colorado is quite correct.

Mr. CARROLL. Let me ask the Senator from Minnesota another question. As I understand the Anderson-Kennedy bill, it does not have anything at all to do with the payment of doctors' bills.

Mr. McCARTHY. The Senator is quite correct.

Mr. CARROLL. In Colorado, we make maximum payments to our old-age pensioners of $106 a month. For an example, let us take a social security recipient who is receiving $75 a month. If such a person can qualify on the basis of need he can come under our Colorado pension program and we give him another $31; and, in addition, such a person is then qualified for medical care.

We now have approximately 20,000 people in Colorado who in addition to social security benefits also qualify for payments from the Colorado pension fund because their social security payments are less than $106 a month. I should like to ask this question for the record—would benefits received under the Anderson-Kennedy amendment in any way diminish the benefits a recipient may be entitled to receive under a State old-age medical-care plan?

Mr. McCARTHY. I know of no way in which the benefits to which they are entitled will be diminished. It might very well have the effect of reducing the cost of State programs, because this will establish on top, I think we could say, of the old-age-assistance medical program, another program, which will be based upon the social security program or the social security principle; and it leaves the way open to the third program, which has been incorporated in the Kerr amendment and is in the bill which we are seeking to amend by adding the Anderson amendment.

Mr. CARROLL. Mr. President, will the Senator from Minnesota yield further?

Mr. McCARTHY. I yield.

Mr. CARROLL. I see on the floor the able Senator from New Mexico [Mr. ANDERSON], one of the sponsors of the Anderson-Kennedy amendment. I should like to ask him: "Will the Anderson-Kennedy amendment benefits supplement rather than supplant benefits received under a State medical care program?"

For example in Colorado there are almost 19,000 persons who are drawing both social security and Colorado old-age pension benefits. These persons would be entitled to certain medical benefits under the Anderson-Kennedy amendment.

Colorado's old-age pension program is much more liberal than the Anderson-Kennedy proposal. However it is possible that the State welfare officials may require that a pensioner who is also on social security use the Anderson-Kennedy benefits.

In such a case is it the intention of the sponsors of this amendment that the social security recipient be entitled to have whatever other benefits he can get through the State's old-age assistance program?

Mr. ANDERSON. Mr. President, if the Senator from Minnesota will permit me to reply, the answer is "Yes."

Mr. CARROLL. For example, in my State, I am confronted with this problem—to state the matter a little differently: Our Colorado old-age pension program is more liberal than the Kennedy-Anderson program; and I do not wish to have those 20,000 people in Colorado who are social security recipients taken out of our State medical care program which I think is more comprehensive and more progressive, and thrown into a Federal program because they happen to be beneficiaries under this amendment.

Mr. ANDERSON. If the Senator from Minnesota will permit me to reply, I can say to the Senator from Colorado that the Anderson-Kennedy amendment will not affect that situation in any way.

Mr. McCARTHY. It can do nothing but improve the program; it cannot hurt it.

Mr. CARROLL. In all categories?

Mr. McCARTHY. Yes.

The PRESIDING OFFICER. The time available to the Senator from Minnesota has expired.

Mr. McCARTHY. I should like to have a few additional minutes, if I may.

Mr. ANDERSON. I yield 2 more minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 2 additional minutes.

Mr. McCARTHY. I thank the Senator from New Mexico.

Mr. CARROLL. Then let me say, if the Senator from Minnesota will permit, that the Anderson-Kennedy amendment provides that the first $75 of the medical care bill shall be paid by the recipient of the medical treatment. Would this provision prohibit the Colorado Welfare Department from paying the $75 out of its medical care fund?

Mr. ANDERSON. The answer is "No."

Mr. CARROLL. The aged in Colorado who are 65 years or over are eligible to receive old-age pensions, and at this time they are also eligible to receive medical care. The same age limit applies, also, to the Kerr-Frear bill.

But the Anderson-Kennedy amendment benefits will go to such persons beginning at age 68. How can a Colorado person age 66 who is on social security, but is not on a Colorado old-age pension, qualify to receive benefits under the Kerr-Frear bill?

Mr. ANDERSON. It will be up to Colorado to establish the yardsticks under which such persons would qualify.

Mr. CARROLL. Does that mean a person must be indigent? Is this to be a need test?

Mr. ANDERSON. The requirement is that he must be needy, yes. But the State can establish its own standards.

Mr. McCARTHY. But there is a need test principle involved.

Mr. ANDERSON. Yes.

Mr. CARROLL. That is the point.

Mr. ANDERSON. Yes.

Mr. CARROLL. In other words, he must show that he does not have the money and is in need; is that correct?

Mr. McCARTHY. The term used is "medically indigent."

Mr. CARROLL. Yes. If he draws medical care benefits, when he becomes age 68 will he be excluded from the old-age-assistance program and automatically be forced into the social security program?

Mr. ANDERSON. Not if he still has remaining needs.

Mr. CARROLL. So if he is over 68 years of age and if there is a basis of need, he may stay under the State medical care plan?

Mr. ANDERSON. Yes.

Mr. McCARTHY. And the State plan could supplement the Federal program.

Mr. President, I should like to point out that throughout this debate the question of socialized medicine has come up again and again; and it has been indicated that, somehow or other, anyone who participated in such a program would lose his freedom.

I think we should note that today there are approximately 31 million Americans who are involved in a Federal program of medical care, and this includes more than 22 million veterans of all our wars. Does anyone who is opposing the Anderson approach say we should back up, since this is so dangerous?

The PRESIDING OFFICER. The time yielded to the Senator from Minnesota has expired.

Mr. McCARTHY. May I have 2 more minutes?

Mr. ANDERSON. I yield 2 additional minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 2 additional minutes.

Mr. McCARTHY. I was asking whether anyone who is opposing the Anderson amendment approach says that we should back away from the medical benefits we have provided for our veterans.

In addition to the more than 22 million veterans, there are approximately 10 million more people who are under Federal programs of one kind or another; and this group, of course, includes the President and the members of his Cabinet, many of whom have taken advantage of the "socialized" medical facilities available in the Washington area during the last 8 years. In addition, there are approximately 2 million persons under old-age assistance programs,

who are eligible to receive some kind of benefits under the various State programs.

Mr. President, the arguments being made against the Anderson amendment are much the same as the ones made against the Social Security Act in 1935 and 1936.

We have been told by some that we should delay taking action on the program now proposed. In connection with that argument, let me read what was stated in 1936; I read now from a pamphlet which was put out by the Republican National Committee in the 1936 campaign:

> The way they've rigged this thing and rushed it through Congress, it appears to me that they figure a lot of us are willing to trade our votes for a counterfeit insurance policy.

Mr. President, the charge of politics has been raised against this measure, and it has been charged that we are trying to rush the bill through Congress. The same charge was made in 1936, about the social security program.

I read now another charge made in 1936; it was part of a spot broadcast by the Republican National Committee during the 1936 campaign:

> The facilities of this station have been engaged by the Republican National Committee in order to make the following announcement: "Under Roosevelt so-called social security, in 1937 you will be assigned a number: that will be your number wherever your work, as long as you live—no name, just a New Deal number.

That was supposed to frighten people away from social security in 1936.

I now quote another statement made in 1936:

> This is the largest tax bill in history. And to call it "social security" is a fraud on the workingman.

Mr. President, I say to you that many of the arguments made in 1936 against social security and many of the arguments made today against the Anderson-Kennedy amendment are the same, and have just about the same substance to them when they are applied to the Anderson amendment as they had when they were applied to the Social Security Act when it was proposed in 1936.

Mr. President, I thank the Senator from New Mexico for yielding me this time.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the distinguished Senator from New Hampshire [Mr. COTTON].

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 1 minute.

Mr. COTTON. Mr. President, our Nation's elderly stand in a class by themselves. Our complex economy has placed a special burden on them. Every time the Government launches a warship, orbits a satellite, buys surplus wheat, or builds a flood control dam, it scrapes a little thinner the dollar they have kept in the stocking for old age.

Furthermore, the finest health care in the world has helped to give the average American an extra 22 years of life expectancy since 1900, and, at the same time, has left many of our elderly unable to pay the medical bills in those extra years. It is a two-pronged problem: Our older citizens have more medical expenses than most people do, and they generally have less money with which to pay for them.

That is why I regard medical care for the aged as a must for this session of Congress.

The proposal recommended by the Senate Finance Committee is a sound and effective means of meeting this problem. It will provide comprehensive medical care assistance to all persons over 65 who need it, whether they have social security or not.

The committee proposal, like the Javits amendment which I supported as a logical and consistent improvement of it, is both voluntary and comprehensive. They recognize the responsibility of the States and the safeguards which will flow from State participation. They stress diagnostic and preventive care, and avoid an unwise overemphasis on hospital care alone.

I am unalterably opposed to the Anderson-Kennedy amendment, which, like the Forand bill, is tied to the social security system, and benefits only those who are entitled to social security. Furthermore, the Anderson-Kennedy amendment would aid only those aged 68 and over. A glance at the figures for my own State of New Hampshire shows the gaps it would leave and the discriminations it would create.

There are a total of 68,000 persons 65 and over in New Hampshire, but only 42,000 would be covered by the benefits of the Anderson-Kennedy amendment. Twenty-six thousand, or 38 percent, would be excluded, left out in the cold—in other words, all who are not eligible for social security and more than 4,000 persons who get social security but are in the 65–68 age gap created by the amendment. Those covered by the amendment would get the benefits whether they need them or not, whether they are retired or not, and regardless of their incomes. It is like shooting a blunderbuss full of birdshot in the hope that a few will hit the target.

This scatter-shot method would destroy voluntary insurance, crowd the hospitals with needless cases, and balloon the costs out of all reason. It would saddle the social security system with the crushing weight of a health program it was never designed to carry.

Adoption of the Anderson-Kennedy amendment would also jeopardize enactment of the whole social security bill, including the committee's medical care program, and other improvements like the sorely needed increase in the amount social security recipients can earn without having their benefits reduced.

I hope it will be rejected.

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the distinguished Senator from Maryland [Mr. BUTLER].

The PRESIDING OFFICER. The Senator from Maryland is recognized for 5 minutes.

Mr. BUTLER. Mr. President, I urge the passage of H.R. 12580, as amended by the Senate Finance Committee. I urge the rejection of any amendments designed to finance the health care of the aged through increasing social security taxes.

Let us look briefly at what has happened up to now. It was in 1957 that the Forand bill to provide a compulsory payroll tax was introduced, and I understand that the sponsor of this legislation acknowledged that it was drafted by the American Federation of Labor and Congress of Industrial Organizations' social welfare experts, who are well known to some Members of this body. I do not question the sincerity of the sponsor of this type of legislation, but I am informed that sponsoring witnesses before the House Committee on Ways and Means admitted that their motive behind the compulsory tax health proposal is to open the door to ultimate federalization of the practice of medicine, hospitalization, and all the various phases of caring for the health needs of the Nation.

If this Congress should enact and the President approve a bill to provide a payroll deduction plan to care for the aged needy, we can look down the road of the future and foresee in every election year a new drive to expand the program to a broad national health care package. I do not believe this socialization of health care will be beneficial to the country. I believe quite the contrary.

This country, under the existing system, has been most fortunate. Our scientists, doctors, and others engaged in caring for the health of our people have given us the highest quality medical care in the world. Rapid strides have been made in preventing diseases that once harassed mankind. I shall not list all the phenomenal accomplishments that medicine has made since the turn of the century, but I ask Senators to look at our growing population of aged people and the splendid health of our working and young people. We cannot but praise the dedicated physicians and scientists and all others involved in protecting our health for the splendid job they have done.

Now let us get back to the compulsory payroll type of legislation that is being sponsored here to a great extent to carry out a political pledge in the 1960 presidential campaign. The able Ways and Means Committee of the House of Representatives held hearings on the Forand bill more than a year ago. During the present session it spent many weeks working hard on this legislation and proposals of the administration. Many alternative proposals were considered. The entire problem was studied carefully. Experts were summoned and their advice considered. Despite strong political pressure from various groups, that committee rejected the compulsory payroll tax proposal 17 to 8. It then approved what is known as the Mills bill. The House passed this bill on June 23 by a vote of 381 to 23.

Brief hearings were held on this measure by the Senate Finance Committee and it was expanded to include the amendment of our distinguished colleague, the Senator from Oklahoma [Mr.

KERR]. After rejecting the compulsory payroll tax proposal, the vote on the Kerr amendment was 12 to 4.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BUTLER. May I have 1 additional minute?

Mr. CARLSON. I yield 1 additional minute to the Senator from Maryland.

Mr. BUTLER. Mr. President, I am informed that when Senator KERR was Governor of his State, he instituted a welfare program for the aged needy that has been most satisfactory, and that he is quietly proud of this accomplishment. And well he might be. What I wish to impress upon my colleagues is that the Senator from Oklahoma [Mr. KERR] wrote his amendment from a background of experience and knowledge, and since he did so, I feel sure that he believes his amendment included in the Mills bill is the correct answer to the problem. I am equally convinced that if the distinguished Senator from Oklahoma thought the compulsory payroll tax plan was the solution, he would have sponsored it. But he did not, and I agree with him that to tax the working men and women to pay for the aged ill through payroll tax deductions is hardly fair to them and their employers. The problem of the aged sick is not solely a financing problem for the workers and their employers, but a responsibility all the taxpayers should share. Furthermore, the Mills-Kerr program would be effective in October, and it is my belief that Senators who vote for a social security tax increase to pay for an aged health program actually will be voting against the enactment of any health legislation at this session. The administration has fought the compulsory payroll tax proposal before the responsible committees of Congress, and if the administration is consistent in its views—and I believe it is—the probability of a veto is imminent. Now, if the sponsors of the compulsory payroll tax route want a political issue instead of legislation, they can vote for it. But if they really want legislation to help the needy aged, then they can support the Mills-Kerr bill.

Congress authorized the expenditure of funds for this study, and I am informed that hundreds of experts on the health problem have been devoting the past 2 years to it. It does not seem reasonable to me to have Congress, under political pressure, embark on a social security payroll deduction plan without giving due consideration to the report of the White House Conference, which is due in January. Once a social security payroll tax increase for the health of the aged is written into law it could hardly be eliminated by a subsequent act of Congress, no matter how big a mistake it could be. Personally, I want to be certain of what we may get into. I think I know from what the advocates of this legislation outside of this body have been saying. Their goal is nationalization of medicine. Once medicine is nationalized, the march toward socialization of the entire Nation and all its economic structure naturally would follow. It is beyond my understanding how in this country of ours we could have people who cannot appreciate what has been accomplished under our fine system and without bureaucrats directing everything from birth to death. There is one thing certain. Bureaucrats may be able to doctor their reports, but they cannot doctor the people when they are sick. And I do not believe any bureaucrat is capable of telling a physician how to doctor his patients.

Mr. CARLSON. Mr. President, I yield 2 minutes to the Senator from Nebraska [Mr. HRUSKA].

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 2 minutes.

Mr. HRUSKA. Mr. President, I rise to oppose the Anderson-Kennedy amendment.

Much has been said to the effect that medical care programs for the aged under social security can be provided by an increase of one-half of 1 percent in the social security tax. We are told that a tax of that size would make the program actuarially sound. While I will readily admit to being mystified at the skill of actuaries to estimate the cost of programs 20, or even 100 years hence, I am even more amazed at the ability of this one-half of 1 percent to support different programs.

The Forand bill would have provided 60 days of hospitalization, or a combination of hospital-nursing home care for 120 days, and surgical services for one-half of 1 percent of payroll up to $4,800.

The McNamara bill, for the same amount of money, would provide 90 days of hospitalization, 180 days of nursing home care, 240 days of home health services, diagnostic outpatient services, and very expensive drugs.

The Anderson amendment would provide 365 days of hospitalization—subject to two deductibles totaling $150—180 days in a nursing home, plus 365 days of visiting nurse services.

The new Anderson-Kennedy amendment would provide 120 days of hospitalization—subject to a $75 deductible—up to 240 days in a nursing home, 365 home health visits and outpatient hospital diagnostic services.

Truly, this is an exceptionally capable and versatile one-half of 1 percent of payroll.

While I have not, as I have already admitted, been initiated into the intricacies of actuarialism, I have had an opportunity to read history. Through no fault of the actuaries, I am sure, their record as it applies to social welfare schemes has been poor indeed.

Mr. President, did you know that the British Ministry of Health in February 1945 estimated that the cost of the national health program would cost over a 20-year period, ending in 1965, £179 million? In this particular case, the prediction of the actuaries proved to be in error the very first year. Rather than £179 million, the program cost £242 million in the first year of operation. By 1959, when the program was modified, services reduced and nominal charges made, the program was costing annually £700 million—about four times as much as the original estimate.

Nor are the British the only ones who have been told their program would be actuarially sound. Projections made in 1935 for our social security program show that dollar payments in 1960 were estimated at only one-eighth of the amounts actually paid. Put another way, dollar payments made under the OASDI program this year will be about eight times more than the "actuarially sound" prediction made in 1935. Now, we all know that the probable reason for this prediction being so far off was that the program has been liberalized. But I raise the questions: Will the program envisaged by the Anderson-Kennedy amendment actually cost us three and one-half or four times the amount estimated—as under the British system—to make it actuarially sound? Will we liberalize the program in the future so as to make the cost eight times the amount necessary to make it actuarially sound? Congress has repeatedly, and with a virtual 2-year regularity, liberalized social security benefits. There is no reason to believe this same procedure will not be used in the health care area.

Heretofore the social security program has been dealing in dollar benefits. The only variable was the number of beneficiaries. Thus, we had two numbers—one a guesstimate as to what the program would cost. Under the Anderson-Kennedy amendment, and other social security approaches, we would establish a service program, thereby giving us two variables: How many social security beneficiaries will get sick and what kind of services will they need? It will take a wiser man than I to make these guesstimates.

On the other hand, the Mills bill, as modified by the Kerr-Frear amendment, is based on actual experience gained in the previous year.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HRUSKA. Mr. President, will the acting minority leader yield me a half a minute?

Mr. CARLSON. I yield half a minute to the Senator from Nebraska.

Mr. HRUSKA. I ask unanimous consent to have printed at this point in the RECORD, with reference to what the source of the one-half of 1 percent increase in social security tax will amount to, the colloquy between the Senator from Oklahoma [Mr. KERR], the Senator from Vermont [Mr. AIKEN], the Senator from Florida [Mr. HOLLAND], and the Senator from Illinois [Mr. DIRKSEN], as found at pages 16428 and 16434 of the RECORD of August 15, 1960.

There being no objection, the extracts were ordered to be printed in the RECORD, as follows:

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. KERR. I yield to the Senator from Vermont.

Mr. AIKEN. I am seeking information. Can the Senator from Oklahoma advise the Senate what part of the national income is represented by those having incomes of $4,800 or less? In other words, if we adopt the social security approach in connection with proposed legislation, in this field what part of the national income will escape paying

the cost of the old age health insurance program? I believe we ought to have that information.

Mr. KERR. I am advised by the representative of the Department of Health, Education, and Welfare, who has access to the information and statistics which are needed to answer the question, that about 40 percent of the national income would make no contribution to the fund if it were secured from a social security tax.

Mr. AIKEN. About 40 percent. That would be, for the most part, the well-to-do people of the country, who would escape paying a part of the cost of the program. Is that correct?

Mr. KERR. It would mean that that part of the national income would not make any contribution to the fund.

Mr. AIKEN. The entire cost of the program would fall on those whose income was $4,800 or less?

Mr. KERR. It would fall on a percentage of those whose earnings are not in excess of $4,800.

Mr. AIKEN. I thank the Senator.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KERR. I yield to the Senator from Florida.

Mr. HOLLAND. Does the Senator have available figures which he can place in the RECORD at this time to indicate the added percentage of tax which would have to be imposed on those who are under the social security system if the other program, the one based upon the social security system alone, were followed, rather than the program the Senator from Oklahoma is explaining?

Mr. KERR. I am advised that an additional 1 percent tax on payrolls subject to the social security tax would amount to $2 billion a year.

Mr. HOLLAND. I thank the Senator. I have received a number of letters, complaining letters, from young people in industries covered by the social security program, under which both employers and employees pay the social security tax, and they state that in their judgment any program which is based upon an increase in the social security tax would be unfair to the younger workers in the country. I wonder if the Senator has any observation to make on that point.

Mr. KERR. As I said a while ago, I believe a program for a group of people, including all of our citizens within a certain category, if Congress decides it is needed and should be provided, should be provided out of revenues secured from taxes on an equal basis and leveled on all the people, not secured by an additional tax on the workers in our country.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. HOLLAND. Is not this the gist of the point that the Senator makes, namely, that if the system is based upon social security alone, and based upon a tax levied upon that group, obviously the complaint of the young people under social security whom I have mentioned is well founded?

Mr. KERR. It is indeed.

Mr. HOLLAND. I thank the Senator.

Mr. KERR. I thank my good friend from Delaware.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. KERR. I yield to the Senator from Illinois.

Mr. DIRKSEN. The Senator has made an exceptional exposition. I know he has been on his feet for quite a while. I ask him if he would yield for a little catechizing in order to place the whole subject in a package.

First, the proposed legislation preserves the general principle set forth in the President's message, liberalizing it in the hope of making it adequate?

Mr. KERR. The statement is accurate.

Mr. DIRKSEN. The plan would not be financed out of general revenues but from funds made available in the form of grants-in-aid to the States that qualify under the program?

Mr. KERR. I am sure it would not be financed out of earmarked taxes, out of revenue secured from the general tax structure.

Mr. DIRKSEN. Out of general revenues appropriated for that purpose.

Mr. KERR. The Senator is correct.

Mr. DIRKSEN. A State is free to come in or stay out.

Mr. KERR. The Senator is correct.

Mr. DIRKSEN. There are enough incentives in the bill to make one properly assume that every State would want to come in under this program.

Mr. KERR. I believe that it would result in that happening.

Mr. DIRKSEN. The estimate with respect to the House bill was that if all States participated, the combined Federal-State cost would aggregate about $325 million. Can the Senator give us a rounded figure as to what this program would cost?

Mr. KERR. I believe that the estimate of cost of the bill as passed by the House for title XVI, which was the initial coverage, would be about $30 million a year, soon going up to $165 million, which would be the Federal cost. That would call for matching funds by the States, so that when it went into effect, after a year or so, the total cost to both State and local governments with reference to both title XVI and the slight expansion of coverage under title I of the existing law, would be about the amount named by the Senator from Illinois.

Mr. DIRKSEN. It is my understanding that every person over 65, whether on social security or not, who is in need would be eligible for the benefits provided in this plan.

Mr. KERR. The Senator is correct.

Mr. DIRKSEN. It is my understanding also that this program could be put into effect on or about the 1st of October of this year, if enacted into law in this session, as distinguished from alternative programs, which would require additional State legislation, and could probably not become effective until some time in the middle or latter part of 1961.

Mr. KERR. As I understand it, every substitute offered to the committee for its consideration had in it a provision which would have prevented the amendment from becoming effective before the middle of 1961, if enacted.

Mr. DIRKSEN. The proposed program makes no provision for a fee by a participant in the program, or any kind of action that might put a lien upon the property of a recipient of the benefits. Is that correct?

Mr. KERR. Not by reason of anything in the law.

Mr. DIRKSEN. That puts this matter into one good package. I congratulate the Senator on his magnificent presentation.

Mr. KERR. I yield the floor.

Mr. CARLSON. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Kansas is recognized for 5 minutes.

Mr. CARLSON. Mr. President, I rise to speak on the purpose of H.R. 12580 as amended by the Senate Finance Committee. It seems to me that in much of this debate we are losing sight of the main purpose of this worthwhile legislation. And what is its purpose? It is simply to help those persons 65 years of age and older who need medical care and need help in paying for that medical care.

I am sure that we are all in favor of doing this. But I do fear that differences over how this is going to be done will end up with nothing being done. I am afraid the Nation's elderly citizens who need help are going to be left holding the bag. I fear that the only thing they will have to look forward to is more political promises. Political promises are a poor substitute for real help. I, for one, believe these old folks would rather have the medical care than the promises.

We must look at the legislative situation realistically. It appears to me that it is obvious that a bill closely following the recommendations of the Senate Finance Committee is the only legislation in this field that stands any chance of becoming law this year.

Addition of any amendment utilizing the social security mechanism will mean that there will be no legislation enacted into law this year to provide medical care for elderly persons who need help. Candidates may have a campaign issue. But there will be no help for those old people who really need help in financing their medical costs.

I believe that the time has come to quit raising the hopes of our elderly citizens with promises. I believe that instead they should be offered a sound, efficient program that will provide for the medical care needs of those who need help.

Therefore, I wholeheartedly support H.R. 12580 as reported by the Senate Finance Committee. And I am going to vote against any amendment which utilizes the social security mechanism. If there were no other reasons—and there are many—for opposing such an amendment, I would do so because I am convinced that addition of a social security provision would kill this entire medical care program so far as this Congress is concerned.

The committee bill embodies a program of complete medical care for all those elderly persons who need help—those receiving social security payments, those receiving monthly assistance payments, and all others who need help in financing their health care costs.

In the committee bill, there are no limitations such as maximums of 120 days of hospitalization or 240 days of nursing home care following hospitalization. The committee's program would provide the health care services which are needed in each individual case without any arbitrary maximum applicable to all patients without regard to their needs. In other words, the care provided under the committee program would be tailored to the patient; and not the treatment tailored to the patient—which on the face of it, is an absurdity.

Under the legislation recommended by the Finance Committee, the health care services would include: inpatient hospital services, skilled nursing home care, physician services, outpatient hospital services, home health care, private duty nursing care, physical therapy and related services, dentures and other dental care, laboratory tests and X-rays, pre-

scribed drugs, eyeglasses, and sundry diagnostic screening and preventive services.

On the other hand, what medical care is provided for in the proposed plans that would be financed through a compulsory payroll tax? All of them offer only limited health care. None would provide for all the medical needs of an aged person.

One of the amendments rejected by the Senate Finance Committee would provide only for hospitalization, nursing home care and visiting nursing services. But there is no provision for drugs, a doctor's services, X-rays, and the other treatments and care required for various illnesses. And the patient would be required to pay $75 or $150 of the hospital costs.

Another of the proposed social security-approach amendments defeated in the Finance Committee would provide for 90 days of hospitalization a year, 180 days of nursing home care, 240 days of home health services, diagnostic outpatient services and "very expensive drugs." True, this is somewhat closer to well-rounded medical care. But when would it be available to our older citizens? None of it before the latter part of next year, and some of it not until 1963.

A third amendment calling for an increase in taxes on the pay of the Nation's workers, and also voted down by the Finance Committee, added surgical services—which, incidentally, I understand, is not a major medical problem of elderly persons. But various benefits under this plan also would not be available until later dates extending from the latter part of next year to 1963.

All of these plans calling for an increase in the payroll tax have two factors in common: First, medical care would be limited; second, even this limited care would not be available until late next year or even later. If it were not such a serious matter, I would suggest that these compulsory Government health insurance plans attempt, in effect, to tell our older citizens how sick they can afford to get and when they can afford to become ill.

The Senate Finance Committee acted wisely in rejecting all three of these proposed amendments, I believe. And I urge the Senate to abide by the committee's considered judgment and vote down the one that is being offered again in a modified form on the floor.

Let us not forget what we want to do is to provide medical care for our elderly citizens who really need help. The way to provide it, is to vote for H.R. 12580 as reported by the Senate Finance Committee.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. CARLSON. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, the Senator from South Dakota has been listening to the arugment today with a great deal of interest. He has read the debate and the speeches he has not been able to hear. He has come to the conclusion that the bill as reported by the committee is as far as we ought to go at this time.

Mr. President, it seems to me it is a pretty broad and big step even to support the committee bill, which proposes for the first time to have the Federal Government accept responsibility for formulating and paying for the major part of the program of medical care for those citizens over 65 who are in need. To go further would throw a very great burden upon the Treasury. If we accepted a modified pay-as-you-go plan, as proposed by the Anderson-Kennedy amendment, it seems to me it would set up a discriminatory system which would work unequally with regard to various people, as the Senator from Vermont [Mr. AIKEN] so ably pointed out.

As I understand it, the committee bill will cost the Federal Treasury $212 million and will cost the States an additional $71 million. The Javits amendment would have added $450 million to the Federal cost and would have added about $500 million to the cost of the States.

Mr. President, there are many demands upon the treasuries of the States and of the Federal Government today. It seems to me that the committee bill is as far as we ought to go.

The PRESIDING OFFICER. The time of the Senator from Kansas has expired.

Mr. CARLSON. Mr. President, I yield myself 2 additional minutes.

Mr. CASE of South Dakota. If the other programs were entirely self financing and not discriminatory in nature, I should still desire to consider the question of whether we ought to have a compulsory medical program. I do not think we ought to go that far that fast at this time. Therefore, I shall vote against the Anderson-Kennedy amendment, as I voted against the Javits amendment.

Mr. CARLSON. Mr. President, the Senator from South Dakota has had many years of legislative experience. He has demonstrated again his usual sound judgment in arriving at a decision on the matter pending before the Senate.

Mr. President, on August 4, 1960, Dr. George Baehr, one of America's distinguished physicians—and one of America's most outspoken exponents of a large role for the Government in medicine—pointed out why he thinks it is important to enact legislation which will put the Social Security Administration squarely in the business of paying hospital and nursing home bills for our senior citizens. In his letter of August 4 to the distinguished junior Senator from New Mexico, Dr. Baehr opposed the suggestion of Mr. James E. "Jeb" Stuart, president of the Blue Cross Association, that the Government would do well to permit Blue Cross to act as an agent for the Government in carrying out the provisions of the Anderson-Kennedy proposal to provide hospital benefits for OASDI beneficiaries. In his letter, Dr. Baehr said:

> In a letter dated August 2, 1960, Mr. James E. Stuart, president of the Blue Cross Association, urged you to modify your proposed amendment to H.R. 12580 so as to permit the Secretary of the Department of Health, Education, and Welfare to employ private nonprofit organizations to pay hospitals for services rendered to beneficiaries under this act.
>
> I write in opposition to this suggestion—unless all of the Blue Cross plans throughout the country and their present sponsoring agency—the Blue Cross Association—were to be united into a homogeneous, nationwide, nonprofit organization established under Federal charter comparable to that of the American Red Cross.
>
> The following are my reasons for opposing the recommendations of the Blue Cross Association:
>
> 1. Multiplicity of local Blue Cross plans which differ greatly from one another in operating costs, premium rates, and scope of benefit coverage.
>
> 2. Lack of control of the Blue Cross Association over the independent local Blue Cross plans.
>
> 3. Absence of control by Blue Cross plans over rising hospital costs.
>
> 4. Inability of Blue Cross plans to curb unnecessary utilization of hospital facilities and other hospital abuses.
>
> 5. Absence of any power of Blue Cross to regulate hospital standards and quality of hospital care.
>
> Under the above circumstances, Blue Cross or any other private insurance company would only serve as an unnecessary middleman to receive and pay hospital bills for OASI and then submit claims to the Secretary of the Department of HEW for reimbursement. This would tend to increase administrative costs without compensating advantages. The middleman, acting as a fiduciary agent for the Government, would feel no obligation to exercise any restraint upon the claimant hospitals whose lay and medical representatives comprise the majority of the board of directors of the Blue Cross plans.
>
> It is my opinion that the Government agency which pays bills on behalf of its beneficiaries directly is better able to enforce hospital standards and curb hospital abuses.

Mr. President, I yield myself 1 additional minute.

Mr. President, the distinguished Dr. Baehr has made is quite clear that he and his friends favor having a Government agency—the Social Security Administration—control the operation of hospitals and other health-care facilities. He favors Federal control of the costs of health services. He wants Federal standards for controlling the quality of medical care. In short, Dr. Baehr has tipped the hand of those who want Government control of medical care.

Mr. President, Dr. Baehr's letter of August 4 presents clear-cut evidence that the supporters of the Anderson amendment have concluded that they must put the facts on the table. They apparently are convinced that private effort and State effort—and a combination of Federal, State, and private effort—cannot succeed. They seem to believe that the Federal Government cannot depend on private organizations—even as contractors—to serve the public. What they believe—and, Mr. President, I admire Dr. Baehr for saying so—is that the Social Security Administration is our only hope for controlling the spiralling increases in the costs of medical care. This, I submit, is the philosophy of those who want State medicine and are willing to take any route to it.

Mr. President, I wish to address an inquiry to the distinguished Senator from Oklahoma [Mr. KERR]. I wonder if I may have the Senator's attention.

The PRESIDING OFFICER. The time of the Senator from Kansas has expired. Does the Senator yield additional time?

Mr. CARLSON. Mr. President, I yield myself 1 minute.

On page 205 of H.R. 12580, subparagraph (b) lines 6 to 11, inclusive reads:

(b) For purposes of this title, the term "medical assistance for the aged" means payment of part or all of the cost of the following care and services for individuals sixty-five years of age or older who are not recipients of old-age assistance but whose income and resources are insufficient to meet all of such cost——

Mr. KERR. Will the Senator please repeat the page and the line?

Mr. CARLSON. At page 205 of H.R. 12580, subparagraph (b), lines 6 to 11. I had concluded reading those lines.

The following lines of that subparagraph itemize the services which are available to those who are eligible for medical assistance, including dental services.

I should like to ask the distinguished Senator from Oklahoma [Mr. KERR] if it is not his understanding that the term "dental services" means services under the direction and supervision of a practicing dentist?

Mr. KERR. The Senator is entirely correct. Dental services would include things such as fillings, surgery, dentures and so forth.

Mr. CARLSON. I thank the Senator from Oklahoma.

Mr. President, I wonder if the Senator from New Mexico would care to yield time at this time.

Mr. ANDERSON. Mr. President, I yield 8 minutes to the Senator from Illinois [Mr. DOUGLAS].

The PRESIDING OFFICER. The Senator from Illinois is recognized for 8 minutes.

Mr. DOUGLAS. Mr. President, the Eisenhower-Kerr bill has many crucial weaknesses. One, of course, is the fact that many of the States may not accept the measure because of the added financial burden it will cause them, and therefore the so-called medical assistance for the aged may not take effect in a number of States. It should be remembered that many States are in bad financial straits and will not want to take on new and indeterminate burdens.

Another crucial weakness is the fact that it will require the needy aged to subject themselves to a rigorous "means test" before they can get medical assistance. Like applicants for old-age assistance, the sick will have to apply at the local public welfare offices for relief. The social workers attached to those offices will then be required by State law in most States to give the sick old folks a very tough probing as to what are their own financial resources and what are their other expenditures. For Louisiana and Oklahoma with their lax requirements are the exceptions and not the rule.

The welfare workers can deny medical assistance or can reduce medical assistance if they feel that the aged person spends too much on his clothing, on his rent, on his food, or his amusements or anything else, so that in effect, under the power of supervision, the entire budget of the applicant hitherto not a recipient of Federal relief will be gone over, scrutinized, and in part controlled. The amount of property which the applicant has will be checked and, aside from his home, most of it will have to be liquidated before relief can be given. Then if the aged sick have children, which I suppose most of them do have, these, too, will be subjected to a thorough going over to see how much they can contribute and how much they should contribute. The most intimate details of personal and family life will be probed by outsiders and subjected to a somewhat ruthless and impersonal judgment.

Mr. President, this is probably necessary in a relief program in order to prevent a few "deadbeats" from taking advantage of the taxpayers.

I shall not criticize that method as applied to relief recipients. But the point I want to make is that self-respecting Americans ought not to be compelled to subject themselves to such humiliation.

The majority of the aged will not, however, so subject themselves and the program will therefore fail to reach those who need it most. Those who do will inevitably lose some of their precious independence and self-respect and the program will make them more and more wards of the State. Political pressures can also ultimately be brought upon them. It is indeed extraordinary to find that our Republican friends who talk so much about these qualities of independence and who profess their abhorrence at making men and women dependent on the State should gleefully adopt this proposal in preference to self-respecting insurance which would give definite rights to hospital and nursing care without the older citizen being compelled to get down on his knees and beg for aid from welfare workers. For these, with the best intentions in the world—and I wish to credit them with fine intentions—will in turn be largely controlled by the political forces behind them.

Under the social security system, we have adopted unemployment compensation, retirement benefits and benefits for survivors, dependents and the disabled as the best method of making people less dependent upon public and private charity which even at its best, is humiliating, inadequate and uncertain. Why should we force the aged sick to seek these relief handouts and to take almost the equivalent of a pauper's oath? Should not our first line of defense be to provide nursing and hospital care as a matter of right, as a matter of entitlement, without requiring the sick to more or less grovel in order to get help. Insurance is the only way to do this and the Anderson-Kennedy amendment of which I have the honor to be a cosponsor does just that. People as a whole contribute minute amounts individually to build up funds from which the great losses which fall upon a minority are met. This is the whole principle of insurance. In addition men and women in their younger and more thoughtless years will lay up reserves to meet the risks and burdens of the winter which comes to most of them.

It is too late for people to wait until they reach the age of 65 to make provision against the heavy medical costs which fall upon them, because at that time their income goes down and their medical costs go up. If they lose their jobs, it is almost impossible to find others. We know, for example, that 60 percent of the 16 million aged have a cash income of less than $20 a week, and that approximately three-quarters have cash incomes of less than $30 a week. At the time their incomes are decreasing, their sickness costs are rising to from two to three times the average. We must therefore have an accumulation of contributions from a broader group and from people in their younger years to help meet these costs which will come upon those in the later years.

And to the Republican cry that this is compulsory, may I point out that they would institute a worse form of compulsion, namely, they would compel self-respecting men and women to go to relief offices for help and lose much of their independence in the process.

It should also be understood that there is no fixing of doctors' fees under the Anderson amendment, which deals only with nursing and hospital care and diagnosis, but there is such a fixing under the Eisenhower-Kerr proposal. For if the doctors think they can get by without the States fixing the fees they are to receive either directly or indirectly under medical assistance they are sadly mistaken. For the States will have to approve the schedule of medical charges for medical assistance just as they now do for medical care under old-age assistance. To head off self-respecting payment of hospital and nursing care the AMA is therefore willing to have doctors fees regulated by the State. This is jumping with a vengence from a nonexistent frying pan into the fire.

Another paradox is that we have constantly heard complaints from our Republican friends across the aisle that the budget is in very serious condition, that we cannot afford money to increase teachers' salaries, that we cannot afford money for housing, and that we cannot afford money for various welfare purposes. But now they propose to increase the burden upon the Federal Treasury by having the taxpayers meet these proposed costs instead of having them met by the time-honored principle of social security. So I believe our Republican friends have put themselves into a perfectly irresponsible position. I hope that very few on our side of the aisle will join them.

Finally, I ask unanimous consent that the minority views of the Senate Finance Committee as contained on pages 274 to 301 of the report be printed in the RECORD at the conclusion of my remarks.

There being no objection, the minority views were ordered to be printed in the RECORD, as follows:

MINORITY VIEWS ON HEALTH BENEFITS FOR THE AGED

Years of systematic study, intensive analysis, and debate have been devoted to the problem of financing the costs of medical care for the aged. Dozens of volumes of research reports, of hearings, of recommendations have laid a factual foundation for the following conclusions:

1. The aged have high potential and actual disability and heavy costs of medical care.

2. The aged—especially the retired—have markedly reduced incomes and limited liquid assets which are not replenishable.

3. Private insurance policies cannot meet their needs either in terms of costs or benefits.

4. The aged should not be required to undergo the humiliation of meeting medical costs through the charity approach.

5. The aged and the aging prefer to obtain medical benefits through an insurance system to which they themselves contribute and receive benefits as a matter of right.

6. The system of OASDI now covers 9 out of 10 working Americans; it has been tested by experience; it is the efficient, effective method, and should be extended to include the financing of the basic medical needs of the aged.

After all of this study and concentrated attention and in the face of increasing demand not only by America's senior citizens, but by their children as well, we are deeply perturbed and disappointed that the majority of the Senate Finance Committee rejected the sound, dignified way of meeting the cost of medical care for the aged. Have the American people labored so long only to receive so puny a mouse? We can only raise the question: Is this the way this major issue ends, "not with a bang, but a whimper?"

THE BASIC ISSUE BEFORE THE CONGRESS

The problems of the aged today are not the same as they were at the turn of the century. Today there are 16 million persons aged 65 and over; 10 million of them 70 or older. Life expectancy is rising. The aged population has increased, and will continue to increase, at a rate greater than any other age segment of our total society.

The "problems" of the aged in the second half of the 20th century are not an old and familiar story. New trends are emerging which call for a recognition by the people of the United States of the need for programs and policies appropriate to these trends. In 1960, men and women in their 60's—retired or about to retire—are faced with the potential or actual burden of supporting parents or other relatives aged 80 and over.

For every 100 Americans aged 60 to 64, there are 34 aged 80 and over—most of them women. By 1980, the latter age group will rise to 44 for every 100 aged 60–65—by the year 2000, 67.

The committee's bill does not reflect the implications of these and related trends.

As for the specific issue now under consideration, the question of financing adequate medical care, we all concur in the statement by Senator GORE, made on August 15 on the floor of the Senate:

"I believe there are still old people in America, and I hope that when my children are old there will still be old people in America who have sufficient pride that they will not humble themselves by seeking public alms. The committee bill follows the public-charity approach. The bill provides for public charity. It gives no old person an entitlement, a right. Ours is a proud people. It erodes the pride of our people to place them in the ignominious position of having to take their hat in hand and go to a welfare agent and plead their poverty before receiving aid of which they are in need.

"One would gather, from several remarks made on the floor of the Senate this afternoon, that this country made a great mistake when it enacted the social security program. It was with considerable surprise that I heard in the Senate, 1 day after the 25th anniversary of this, the greatest step in social security that mankind ever made, that it was wrong to have a program of compulsory insurance."

Furthermore, the record of the past few decades is clear that medical care provided on a charity basis is of a low quality and worse, typically on the basis of a philosophy of medicine that rejects a preventive medicine approach.

The time has come when action must be taken by the Congress to meet the health needs of the aged on a dignified insurance basis. This action can be effective only if the long-established and successful social insurance system is made the basis for financing medical care for our senior citizens. The plan that would be provided by the bill approved by the other members of the committee is certainly not the answer.

No plan that is based on a humiliating and degrading means test can satisfactorily meet the problem of the health needs of the aged. It is unthinkable to subject older workers and their families to a pauper's oath in order that they can get the medical care they need. We are surprised that after the 25 years of successful operation of the social security system there are those who would still have us rely on poor relief and public assistance methods as the sole governmental approach to meeting a major economic hazard of universal occurrence.

The 70 million workers covered under social security should be given the opportunity to contribute now, while working, toward paid-up medical-care protection in old age for themselves, their wives, and widows, so that the greatest threat to the economic security of the retired aged would be met on a planned and orderly basis—without being a drain on the general revenues of Federal, State, and local governments and in a way that supports the rights, dignity and freedom of the individual citizen.

It is not true, as implied by some, that only a small proportion of wage earners and salaried persons would contribute to such a program. All—we repeat, all—70 million would be participating, up to the first $4,800 of their wages and salaries. Thus, for a maximum of $1 a month, they would be prepaying for their health protection in old age.

When asked the question in proper terms, the majority of all Americans prefer this logical and practical solution.

We do not oppose the changes in the bill which improve the program of old-age assistance under title I of the Social Security Act. But we believe the committee, in addition to these improvements they would accept for these groups, should have recommended a new program of health benefits for the aged through the old-age, survivors, and disability insurance system.

The problem of insecurity arising from the high cost of medical care during the years of retirement is not primarily the problem of the very poor or the medically indigent. The objective should be to remove for all the aged (and their adult children) the haunting fear that an expensive illness will wipe out a lifetime accumulation of savings, threaten the ownership of a home, or make a person, after a lifetime of independence, submit to the humiliation of a test of need.

Our goal is, so far as possible, to prevent dependency rather than to deal with it at the expense of the general taxpayer after it has occurred. By contributing additional small amounts from their earnings to the nearly universal social security system, workers could gain insurance protection against medical care costs in retirement and their possible future dependency could be prevented. Since about 95 percent of the American labor force, including farmers and self-employed, will get retirement benefits under the self-financed contributory social security program, and since the wives and widows of workers are also covered, the addition of this type of protection to social security would mean that in the future almost all elderly people would be protected. The need for protection against the costs of medical care is not restricted to those aged persons who are destitute or who have practically no resources. But under the plan approved by the committee many persons in need of medical protection would be denied such protection because (a) States would not be able to finance their medical needs, or (b) the standard for eligibility as determined by each of the 50 separate States would make them ineligible. In contrast, the social insurance approach has the distinct advantage of providing medical care insurance to almost all the aged. No other plan can offer this important advantage.

We wish to remind the Senate of the public position taken on June 29, 1960, by 30 Governors whose States represent more than two-thirds of our national population. In their resolution, they cited the inadequacy of the Federal-State matching formula as a basic solution to the need for financing health insurance for the aged, and instead urged the Congress to adopt the social insurance approach.

The Senate should give full weight to the views of these Governors as to the financial resources of their States which are available for the purpose of meeting this problem.

TEXT OF RESOLUTION APPROVED BY GOVERNORS' CONFERENCE, JUNE 29, 1960, ON THE SUBJECT "PROBLEMS OF THE AGING"

"Whereas the Governors' conference for many years has been acutely aware of the growing number and complexity of problems faced by our increasing population of senior citizens, including health and medical care, employment and income maintenance, provision of suitable housing, and enrichment of leisure time activities; and

"Whereas the most pressing of these problems is the financing of adequate health and medical care: Now, therefore, be it

"Resolved by the 52d annual meeting of the Governors' conference, That Congress be urged to enact legislation providing for a health insurance plan for persons 65 years of age and over to be financed principally through the contributory plan and framework of the Old-Age Survivors and Disability Insurance System; and be it further

"Resolved, That the States support and participate actively in the forthcoming White House Conference on Aging to the end that public and private agencies be stimulated and encouraged to develop approaches to all the problems of the aging.

"Voted for (30): Patterson, Alabama; Egan, Alaska; Fannin, Arizona; Faubus, Arkansas; Brown, California; McNichols, Colorado; Ribicoff, Connecticut; Collins, Florida; Docking, Kansas; Combs, Kentucky; Reed, Maine; Furcolo, Massachusetts; Williams, Michigan; Freeman, Minnesota; Blair, Missouri; Aronson, Montana; Brooks, Nebraska; Sawyer, Nevada; Meyner, New Jersey; Burroughs, New Mexico; Rockefeller, New York; Di Salle, Ohio; Edmondson, Oklahoma; Del Sesto, Rhode Island; Herseth, South Dakota; Ellington, Tennessee; Daniel, Texas; Stafford, Vermont; Rosellini, Washington; Nelson, Wisconsin.

"Voted against (13): Boggs, Delaware; Vandiver, Georgia; Smylie, Idaho; Stratton, Illinois; Handley, Indiana; Powell, New Hampshire; Hodges, North Carolina; Hollings, South Carolina; Clyde, Utah; Almond, Virginia; Underwood, West Virginia; Coleman, American Samoa; Merwin, Virgin Islands.

"Absent or not voting (11): Quinn, Hawaii; Loveless, Iowa; Davis, Louisiana; Tawes, Maryland; Barnett, Mississippi; Davis, North Dakota; Hatfield, Oregon; Lawrence, Pennsylvania; Hickey, Wyoming; Boss (acting Governor), Guam; Muñoz-Marín, Puerto Rico.

"We the undersigned attending the 52d Annual Governors' Conference urge that you and your committee amend H.R. 12580 to provide health benefits under the provisions of the old-age, survivors, and disability insurance system. Such a program would enable the citizens of our country to contribute small amounts during their working lives and have as a matter of right a paid-up health insurance policy to protect them during retirement years when their medical needs are likely to be greatest and income lowest.

"Governors signing: James T. Blair, Jr., Governor of Missouri; Edmund G. Brown, Governor of California; LeRoy Collins, Governor of Florida; Bert Combs, Governor of Kentucky; Michael V. DiSalle, Governor of Ohio; George Docking, Governor of Kansas; William A. Egan, Governor of Alaska; Orval E. Faubus, Governor of Arkansas; Orville L. Freeman, Governor of Minnesota; Foster Furcolo, Governor of Massachusetts; Ralph Herseth, Governor of South Dakota; Luther H. Hodges, Governor of North Carolina; Herschel C. Loveless, Governor of Iowa; Steve McNichols, Governor of Colorado; Robert B. Meyner, Governor of New Jersey; Gaylord A. Nelson, Governor of Wisconsin; Abraham A. Ribicoff, Governor of Connecticut; Albert D. Rosellini, Governor of Washington; Grant Sawyer, Governor of Nevada; G. Mennen Williams, Governor of Michigan; John Burroughs, Governor of New Mexico; Buford Ellington, Governor of Tennessee; and John Patterson, Governor of Alabama."

THE SOCIAL INSURANCE APPROACH IS A PROVEN ONE

Contributory social insurance has been applied with great success to the need for income maintenance in retirement, for survivors after the death of the chief breadwinner in the family, and for the family after the disability of the worker. The general taxpayer has been saved billions of dollars a year, and the self-respect and independence of American workers have been greatly strengthened by this approach to the problem of security planning.

There is every reason to take the same approach with regard to the expenses of medical care after retirement. The cash benefit alone is not enough to provide security. The monthly amounts paid under social security are quite inadequate (the average worker's benefit is now $73 a month) and most retired people have barely enough to meet everyday living expenses. The cash benefit, designed to meet everyday living expenses, needs to be coupled with protection against the unforeseeable costs of illness. The retirement plan cannot give security if retired persons have no protection against the cost of medical care and have to face the costs currently at a time when their incomes are greatly reduced and the incidence and cost of illness greatly increased.

The social insurance approach would assure that benefits would definitely be available, that the individual could count on his eligibility for them, and that these benefits would be supported by adequate, advance financing.

Insofar as individuals have the resources to purchase private insurance, they would then be able to build such individual protection around the basic social insurance program. Contrary to fears that have been expressed, the development of social insurance has not interfered with the growth of commercial insurance; a tremendous growth of private protection has accompanied the development of the old-age, survivor, and disability insurance system. We anticipate a similar result if medical care benefits are added to the OASDI program.

FREEDOM OF CHOICE WOULD BE PRESERVED

The tax that would support medical benefits under the social insurance plan would be compulsory, of course, as are all taxes, including existing social security taxes. Any program financed, in whole or in part, by Government will require tax revenues.

Under any amendment, individuals would continue to exercise whatever choice they now have in regard to the persons or institutions from whom they obtain care. Our amendment would in no way impair the freedom of physicians to practice as they choose. Nor would it affect their responsibility for recommending and certifying the type of care necessary, whether in a hospital, a skilled nursing home, or the patient's own home. On both physicians and hospitals would continue to rest responsibility for developing improved methods of caring for aged persons, utilizing less expensive forms of care when they would prove constructive, and speeding rehabilitation so as to avoid permanent invalidism.

PUBLIC ASSISTANCE IS NOT THE PROPER ANSWER

Only the social security system can provide medical care insurance for the aged in a satisfactory manner. If medical care costs are not met by social insurance, increasingly they will have to be met through the less satisfactory method of relief. Almost $400 million a year is now being spent by Federal, State, and local governments for medical care under the old-age assistance program; the committee bill would increase this to close to about a billion dollars, and this would be just the beginning. In the absence of social insurance protection the present drain on general revenues will more than double in the next several years. A total of $2 billion to $2.5 billion in Federal and State funds would be required to meet the total need.

We wonder if the majority has adequately considered this particular implication of an aging population: The category of "medical indigents," if not buttressed by a social insurance program for health care for the aged, will continue to mount at a rapid pace and will constitute—as it already does in many communities—the major portion of State and local relief programs.

Although we support improvements in medical care assistance under title I, we believe that the method of assistance is greatly inferior to social insurance and that the need for such assistance should be reduced as much as possible, instead of being increased. It is necessary to recognize the inadequacies of any approach based on an income or means test, using 50 separate and different State laws, and financing the cost out of general revenues, with a large part of the burden placed upon the States, which are already burdened with heavy costs for education and other public services.

The committee bill will result in a large burden remaining on the States and on the State welfare programs for the care of the aged.

An official study by the Department of Health, Education, and Welfare of the estimated increased amount needed for medical care for old-age assistance recipients in 1958, showed that this was about $268 million. (Source: "Report of the Advisory Council on Public Assistance," S. Doc. 93, 86th Cong., 2d sess., Mar. 28, 1960, p. 69.) Since the majority recommendation makes available only $140 million additional under their proposal, their plan will still result in a shortage of about $128 million in necessary funds. Moreover, there is also an additional shortage of between $774 million to $786 million in funds to bring the money payments for old-age assistance recipients up to a decent minimum level. Together, these shortages amount to over $900 million annually. These estimates are only for aged persons presently on the old-age assistance rolls; they do not include the medically needy.

The provisions approved by the committee would not prevent or even significally reduce insecurity. On the other hand, if protection against medical care costs were provided under the OASI system, eligibility for such benefits would go along with eligibility for monthly cash benefits under the system, and each person would know where he stands. Thus, the distress and anxiety caused by periods of illness would not be aggravated by uncertainty about eligibility as it would be under a public assistance type of program.

The public assistance approach is much more expensive to administer than is social insurance. Each application for medical assistance would have to be checked in relation to the income, resources, and living requirements of the individual. This would throw a tremendous additional load on the State and local welfare agencies who would administer the new program along with their existing relief programs. The task of checking on income, resources, and living requirements would be especially difficult in the case of the large number of persons who move from State to State.

The present wording of title I of the Social Security Act permits the States to set their own standards of need. It is their own decision which has made them severe and restrictive as to assistance levels. The recommended increase in Federal matching grants will make it easier for some States to expand their aid to public assistance recipients. But experience indicates that in many States those who want to liberalize public assistance programs have great difficulty in securing liberalizing amendments and necessary State appropriations.

The provisions of the pending bill, although putting a big additional burden on general revenues, will in our opinion satisfactorily resolve the problem. Few States are in a position to raise the large amounts of money necessary to meet their share of the costs under the matching formula set up in the proposal.

An analysis of the present provisions for providing payments to the suppliers of medical care under State old-age assistance plans shows that—

1. There are only 16 States which pay for all essential medical items.

2. Eight States make no direct payments for medical services for needy aged persons.

3. Most other States have limited medical care programs.

Table 1 presents the list of States showing the extent to which they do or do not provide direct payments for medical services to needy aged persons. Table A summarizes the provisions of the State plans for medical care for the needy aged. Table B presents the State expenditures for direct payments for medical care for old-age assistance. These tables indicate the grossly inadequate situation as far as the States are concerned.

SUMMARY OF PROVISIONS OF OUR PROPOSED AMENDMENT

The amendment we will support on the floor of the Senate adds hospital and related health benefits to old-age, survivors, and disability insurance for persons aged 68 or more. The provisions are directed to

keeping within a long-range level-premium cost of 0.5 percent of payrolls, and contributions are increased sufficiently to meet estimated costs.

Social insurance is utilized as the first line of defense, in accordance with a quarter century of congressional practice. No means or income test would be required, nor any contributions after retirement, so that the dignity and the meager incomes of the aged would be protected. The burden on public assistance and general funds of the States would be diminished, and they would be able to provide more generous aid as the last resort of those for whom social insurance is unavailable or insufficient.

All financing would be through contributions during years of employment on earnings up to $4,800 a year, equal to one-quarter of 1 percent each by employers and employees and three-eighths of 1 percent by the self-employed. The great majority of the American people would thus be enabled to contribute during their working years for health protection in their old age.

TABLE 1.—*Medical care provisions of State old-age assistance plans*

No direct payments made for medical care (8): Alabama, Alaska, Arizona, Delaware, Georgia, Kentucky (to be changed Jan. 1, 1960), South Dakota, Texas.

Direct payments for hospital care only (3): Missouri, North Carolina, Tennessee.

Direct payments for nursing-home care only (2): Idaho, Vermont. (New Jersey also makes vendor payments for nursing home care.)

Direct payments for hospital care and nursing-home care only (4): Maine, Nebraska, South Carolina, Virginia.

Direct payments for other items—no more than 2 (4): Florida (hospital care and drugs), Hawaii (hospital care and other, not specified), Iowa (practitioner and drugs), Montana (practitioner and drugs).

More than 2 but less than comprehensive medical care through direct payments (13): Arkansas, California,[1] Colorado, Louisiana,[1] Michigan, Nebraska, Nevada, New Mexico,[2] Oklahoma, Pennsylvania,[1] Utah,[2] West Virginia,[2] Wyoming.

Direct or money payments for all essential items (16): Connecticut, Illinois, Indiana, Kansas, Maryland, Massachusetts, Minnesota, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oregon, Rhode Island, Washington, Wisconsin.

[1] Hospital care provided through public hospitals.

[2] Scope of services defined broadly, but quantity very low.

Source: Bureau of Public Assistance, Social Security Administration, June 1960.

TABLE A.—*Summary information on medical care available to old-age assistance recipients through federally aided public assistance vendor payments, and other resources (based on information supplied by Bureau of Public Assistance, June 1960)*

State	Vendor pay ment method used	Vendor payments					Other resources for medical care available to old-age assistance (OAA) recipients
		Practitioner	Hospitalization (including controls or limitations on hospital days)	Drugs	Nursing home care	Other	
Alabama	No	No	No	No	No	No	Maximum OAA money payment of $75 may be exceeded up to $110 for nursing home care. Recipient in hospital continues to receive money payment. State has program of hospitalization for medically indigent, administered by State health department.
Alaska	No	No	No	No	No	No	Maximum OAA money payment of $100 available for nursing home care. For nonnatives, State program of general assistance is used to meet medical needs, including hospitalization and nursing-convalescent home care not met in the money payment to the recipient. For natives, Bureau of Indian Affairs is a resource for medical care including hospitalization.
Arizona	No	No	No	No	No	No	Nursing home care provided through money payment up to maximum of $80 for OAA recipients. Recipients in hospital continue to receive money payment. Hospitalization and general medical care are county responsibility. For reservation Indians, Indian Health Service is a resource.
Arkansas	Yes	Yes [1]	As recommended by physician for all acute illnesses and injuries. General rule: 30 days a year; extension possible.	No [2]	$90 maximum, plus $5 in money payment for personal needs.	Yes	
California	Yes	Yes	No (vendor payments for OAA recipients in public medical institutions after 1st 60 days).	Yes	No	Yes	Nursing home care provided through money payment of $115 or $95 maximum (depending on recipient's income). Hospitalization available in all locations from county hospitals.
Colorado	Yes	Yes	All recommended by physician, except for purpose of diagnosis only. General rule: 30 days; extension possible.	Yes	Money payment $106, plus $20 to $95 vendor payment based on patient's needs.	Yes	
Connecticut	Yes	Yes	All recommended by physician for definitive medical treatment. No limitation on number of days.	Yes	No	Yes	Nursing home care provided through money payment to recipient. Pay budgetary deficit up to approved rate. Maximum rate: $212.33.
Delaware	No	No	No	No	No	No	Nursing home care provided through money payment. Maximum of $75 may be supplemented up to approved rate. Hospitalization for indigent persons reported as provided by county governments.
District of Columbia	Yes	Yes	All essential surgical and medical care and treatment. No limitation on number of days.	No [3]	No	Yes [3]	Nursing home care provided through money payment to $100 maximum, plus $10 for personal needs. Drugs available through District of Columbia Public Health.

[1] Applicable only if surgery is authorized by remedial eye services section for cooperating ophthalmologist.

[2] Some drugs provided by vendor payment when dispensed by hospital for continuation of treatment after discharge of a patient who has received inpatient care for the same condition.

[3] Vendor payments may be made for drugs, appliances, dental services, and optical supplies recommended by physician, hospital, or clinic when such are not available without cost to the agency through other services.

TABLE A.—*Summary information on medical care available to old-age assistance recipients through federally aided public assistance vendor payments, and other resources (based on information supplied by Bureau of Public Assistance, June 1960)*—Continued

State	Vendor payment method used	Vendor payments					Other resources for medical care available to old-age assistance (OAA) recipients
		Practitioner	Hospitalization (including controls or limitations on hospital days)	Drugs	Nursing home care	Other	
Florida	Yes	No	Limited to acute injuries and illness. Maximum: 30 days a year.	Yes	No	No	Nursing home care provided through money payment to $66 maximum, which may be supplemented from other sources up to rate determined for community.
Georgia	No	No	No	No	No	No	Nursing home care provided through money payment to $65 maximum, which may be supplemented from other sources up to maximum rate. Limited hospitalization through board of commissioners. Hospital care for medically indigent enacted in 1958, but not in operation.
Guam	No	No	No	No	No	No	Hospitalization and other medical care available through Government hospital.
Hawaii	Yes	No	All recommended by physician except Hansen's disease (leprosy). No day limitation.	No	No	Yes	Nursing home care provided through money payment. State agency and medical care provisions being reorganized. Outpatient care provided by State paid physicians who also dispense drugs to limited extent.
Idaho	Yes	No	No	No	$150 maximum, plus money payment for personal needs; maximum may be exceeded.	No	Hospitalization furnished under annual contract with private hospitals in some counties; general assistance used primarily for medical care. Public assistance recipient in a public medical institution can continue to receive assistance grant.
Illinois	Yes	Yes	All recommended by physician. General rule: 2 weeks, with provision for extension.	Yes	To meet need for care, not to exceed "going rate" in community.	Yes	
Indiana	Yes	Yes	Limited to nonelective surgery, injuries, acute illness, diagnosis. No day limitation.	Yes	Money payment or vendor, as determined by county. Rates negotiated in each county.	Yes	Scope of medical care determined by individual counties in line with content recommended by State agency.
Iowa	Yes	Yes	No	Yes	No	No	Nursing home care provided through money payment to meet rate for needed care; basic rate $80, plus amounts for additional care needed. Hospitalization available through general assistance and Iowa University Hospital.
Kansas	Yes	Yes	All recommended by physician. No day limitation.	Yes	No	Yes	Nursing home care provided through money payment to meet budgetary deficit of recipient up to the local rate. No statewide rates or ranges.
Kentucky	No	No	No	No	No	No	Nursing home care provided through money payment up to $66 (for total needs). New legislation to start in 1961. Covers all types of medical care to limited amount. Some counties make contributions to local hospitals for care of needy.
Louisiana	Yes	Yes	No	Yes	$110 maximum, plus $17 money payment for personal needs. $105 money payment in home not subject to license.	Yes	Practitioner services paid by vendor payment in nursing home cases only; in other circumstances, provided through money payment. Hospitalization available through State hospital program.
Maine	Yes	No	All recommended by physician. Maximum: 45 days a year.	No	$65 maximum money payment, remainder by vendor payment up to $130 or $166.	No	Other medical care must be met by recipient from money payment. OAA maximum is $65.
Maryland	Yes	Yes	All recommended by physician; 21 days for illness, exception possible upon medical recommendation.	Yes	No	Yes	Nursing home care provided through money payment up to $115.50 for total care. Maximums of $190, $200, $210 (according to group into which county is classified) on total money payment for total needs of recipient.
Massachusetts	Yes	Yes	All recommended by physician. No day limitation.	Yes	$6.50 maximum a day; may be exceeded. All other medical needs are met.	Yes	
Michigan	Yes	Applicable only if connected with hospitalization.	do	Applicable only if connected with hospitalization.	No	Applicable only if connected with hospitalization.	Nursing home care provided through money payment, $90 maximum; may be supplemented from State and local general assistance funds to maximum regional rate ($150 to $175). Practitioner services are in money payment. OAA maximum $80.

TABLE A.—*Summary information on medical care available to old-age assistance recipients through federally aided public assistance vendor payments, and other resources (based on information supplied by Bureau of Public Assistance, June 1960)*—Continued

State	Vendor payment method used	Vendor payments					Other resources for medical care available to old-age assistance (OAA) recipients
		Practitioner	Hospitalization (including controls or limitations on hospital days)	Drugs	Nursing home care	Other	
Minnesota	Yes	Yes	All recommended by physician. Maximum: 30 days; extension on recommendation of county medical advisory committee.	Yes	$60 by money payment, plus vendor up to $150, may be exceeded.	Yes	
Mississippi	No	No	No	No	No	No	Nursing home care provided through money payment, $33 administrative maximum; may be supplemented from local or private funds to $150 maximum. Some hospitalization available through State subsidies. Some counties contribute.
Missouri	Yes	No	For acute illness and injury when recommended by physician. Maximum: 14 days per hospital admission.	No	No	No	Nursing home care provided through money payment, $65 maximum, except $100 for "completely bedfast and totally disabled." Other medical care by money payment. Provisions being revised.
Montana	Yes	Yes	Limited to remedial eye care.	Yes	No	No	Nursing home care and all other medical care provided through money payment, $85 maximum. "Medical component" of nursing home care paid through general assistance. Vendor payment method limited to prevention of blindness and restoration of sight.
Nebraska	Yes	No	All recommended by physician. General rule: 31 days; extension possible.	No	Meet budgetary deficit up to fee range negotiated in each county.	No	Practitioner services and other medical services are in money payment up to $70 maximum for OAA.
Nevada	Yes	Yes	No	Yes	No	Yes	Nursing home care provided through money payment, $130 maximum, plus $8 for personal needs. Hospitalization is responsibility of county commissioners. Hospitalized recipients may continue to receive money payments to $75 maximum.
New Hampshire	Yes	Yes	All recommended by physician. General rule: 14 days; extension possible.	Yes	No	Yes	Nursing home care provided through money payment, $150 maximum; may be exceeded in unusual circumstances.
New Jersey	Yes	No	No	No	$180 basic; $190, including physician and prescriptions. Cash payment for personal use.	No	All medical care except nursing home provided through money payment. No maximum.
New Mexico	Yes	Yes	All except elective. No maximum; 7 days with reauthorization required.	Yes	$55 maximum on money payment, plus vendor to $150.	Yes	
New York	Yes	Yes	All recommended by physician. No day limitation.	Yes	Rates set locally. Personal needs met by money payment.	Yes	Counties have option as to method of payment for each of the services provided subject to State approval.
North Carolina	Yes	No	All recommended by physician. Maximum: 180 days.	No	No	No	Nursing home care provided through money payment, $175 maximum, applicable only to need for skilled nursing service following hospitalization; limited to 3 months; may be extended 3 times. All other medical care provided through money payment. No maximum. Average OAA payment, $40.
North Dakota	Yes	Yes	All recommended by physician. Maximum: 60 days.	Yes	Meet budgetary deficit up to maximum rates from $100 to $175.	Yes	
Ohio	Yes	Yes	All recommended by physician; nonelective surgery only, except after special review; 10 days each admission with possible extension.	Yes	No	Yes	Nursing home care provided through money payment to meet budgetary deficit for care needed up to approved rates, $65 to $160.
Oklahoma	Yes	Yes	Limited to life endangering conditions and conditions producing or alleviating blindness; 21 days per admission.	No	$66 maximum on money payment, plus $69 vendor payment.	Yes	Hospitalization limited; no specific items of medical care provided in budgeting for money payment.

TABLE A.—*Summary information on medical care available to old-age assistance recipients through federally aided public assistance vendor payments, and other resources (based on information supplied by Bureau of Public Assistance, June 1960)*—Continued

State	Vendor payment method used	Vendor payments					Other resources for medical care available to old-age assistance (OAA) recipients
		Practitioner	Hospitalization (including controls or limitations on hospital days)	Drugs	Nursing home care	Other	
Oregon	Yes	Yes	All recommended by physician. No maximum; reauthorization every 7 days.	Yes	$124 to $184 according to care needed. Personal items in money payment.	Yes	In lieu of nursing-home care, housekeeping or nursing service in own home provided in special payment directly to recipient.
Pennsylvania	Yes	Yes	No	Yes	No	Yes	Nursing-home care provided through money payment, $100 to $165 maximum, according to type of care; plus $5 for personal needs in money payment. Hospitalization through State-owned and State-aided hospitals.
Puerto Rico	No	No	No	No	No	No	Medical services of all types available from resources of public health department.
Rhode Island	Yes	Yes	All recommended by physician. General rule: 21 days with provision for extension.	Yes	No	Yes	Nursing-home care provided through money payment, $182 maximum, depending on type of care, plus $6 for clothing and personal needs.
South Carolina	Yes	No	Acute illness and injury. 30 days maximum.	No	(1) For continuing care, money payment to $60, plus supplement to $150 from other sources; (2) for persons who have been hospitalized, up to $94 vendor payment, plus $60 money payment.	No	Medicine provided through money payment; OAA maximum, $60.
South Dakota	No	No	No	No	No	No	Nursing home care provided through money payment of $75 to $165 depending on type of care needed. Hospitalization provided by county poor relief fund, financed in part by return to county of portion of State taxes earmarked for this purpose. Specified drugs and appliances provided in money payment. No maximum except for nursing home.
Tennessee	Yes	No	Acute illness or injury, and illnesses and injuries requiring hospitalization; 10-day maximum.	No	No	No	Nursing home care provided through money payment of $60 maximum; may be supplemented from other sources to $150, plus allowance for personal needs. No other items of medical care specified in provisions for money payment OAA maximum, $55.
Texas	No	No	No	No	No	No	Nursing home care provided through money payment, $67 maximum; may be supplemented from county funds up to $100 for nursing care, plus $64.50 for maintenance. Limited medical care through money payment. County commissioners generally maintain county hospitals or make payment to private hospitals.
Utah	Yes	Yes	All recommended by physician, except elective surgery. General rule: 30 days; extension possible.	Yes	No	Yes	Nursing home care provided through money payment of $87.50, $110 maximum, which may be supplemented from other sources to $200; $5 allowance for personal items.
Vermont	Yes	No	No	No	$165 for skilled nursing care; $135 for personal nursing service; $5 money payment for personal needs.	No	Hospitalization provided by "town" general assistance; other medical needs included in money payment. OAA maximum, $75.
Virgin Islands	Yes	No	No	Yes	No	No	Other medical treatment through department of health. Hospitalization available under system of municipal hospitals.
Virginia	Yes	No	Extension of vendor payment provisions to hospital care effective July 1, 1960.	No	$150 maximum, plus $6 money payment for personal items.	No	Other medical care provided through money payment; average OAA money payment, $37. (To July 1, 1960, hospitalization provided through State-local payments, not part of public assistance program.)
Washington	Yes	Yes	All recommended by physician. No day limitation.	Yes	$102 to $192 according to type of home. Personal items through money payment.	Yes	

TABLE A.—*Summary information on medical care available to old-age assistance recipients through federally aided public assistance vendor payments, and other resources (based on information supplied by Bureau of Public Assistance, June 1960)*—Con.

State	Vendor payment method used	Vendor payments					Other resources for medical care available to old-age assistance (OAA) recipients
		Practitioner	Hospitalization (including controls or limitations on hospital days)	Drugs	Nursing home care	Other	
West Virginia	Yes	Yes	Limited to acute illness, immediate surgery, diagnostic services; exceptions if will increase capacity for self-care. Maximum 30 days.	Yes	No	Yes	Nursing home care provided through money payment, $60 maximum a person, $165 a household, supplemented by general assistance under specified conditions. Practitioner services through money payment.
Wisconsin	Yes	Yes	All recommended by physician. No day limitation; reauthorization stipulated.	Yes	Pay budgetary deficit to meet rate for care needed; rates negotiated in each county. Allowance for personal needs in money payment.	Yes	
Wyoming	Yes	Yes	All recommended by physician. No day limitation.	No	$85 maximum money payment for maintenance, plus vendor payment up to $100.	No	Other medical services are responsibility of counties.

TABLE B.—*Old-age assistance: Payments for vendor medical bills: Total amount, amount for which type of service was not reported, and amount in all States reporting for specified type of service, by State, fiscal year 1959 (supplied by the Bureau of Public Assistance)* [1]

State	Total	Type of service not reported	In all States reporting for specified type of service				
			Practitioners' services	Hospitalization	Drugs and supplies	Nursing and convalescent home care	Other
Total	$220,749,925	$24,953,705	$21,344,694	$71,879,997	$31,877,084	$56,944,998	$13,749,447
Alabama	17,473		2,329	15,144			
Alaska							
Arizona							
Arkansas	2,989,720		21,393	1,671,037		1,294,030	3,260
California	22,140,019		6,649,307		13,100,862		2,389,850
Colorado	7,739,663		1,097,093	4,878,353	77,096	1,624,167	62,954
Connecticut	3,710,081		453,372	2,259,290	940,438	1,494	55,487
Delaware							
District of Columbia	202,936			196,454			6,482
Florida	1,390,427				1,390,427		
Georgia							
Hawaii	99,977	99,977					
Idaho	24,130					24,130	
Illinois	24,788,904		2,022,275	6,612,511	2,722,576	12,541,541	890,001
Indiana	5,807,135		1,277,606	1,619,147	872,201	1,849,526	188,655
Iowa	667,938		315,954		334,334		17,650
Kansas	$3,913,454		$622,473	$1,366,940	$795,779		$1,128,262
Kentucky							
Louisiana	2,394,230		32,935		115,304	$2,239,448	6,543
Maine	1,354,849			625,785		729,064	
Maryland	463,099	$463,099					
Massachusetts	29,654,045		683,863	10,306,418	4,640,549	13,030,875	992,340
Michigan	4,985,744	4,985,744					
Minnesota	14,723,821		1,419,212	6,027,400	1,536,242	5,354,227	386,740
Mississippi							
Missouri							
Montana	17,855		6,916	9,878	17		1,044
Nebraska	3,391,745			1,044,795		2,346,950	
Nevada	229,642		79,443		82,553		67,646
New Hampshire	1,222,136		178,044	709,419	274,920	32,661	27,092
New Jersey	5,800,800	5,800,800					
New Mexico	914,908		143,955	420,400	120,940	190,197	39,416
New York	26,050,471			14,766,084		4,918,973	6,365,414
North Carolina	832,317			832,317			
North Dakota	2,027,898		243,415	1,086,083	219,043	421,484	57,873
Ohio	9,402,926		1,543,879	5,747,637	1,753,514	17,721	340,175
Oklahoma	11,233,765		1,688,688	4,346,185		5,182,308	16,584
Oregon	4,335,246		170,611	912,817	404,232	2,805,116	42,470
Pennsylvania	2,708,931		588,050		1,197,393	687,050	236,438
Puerto Rico							
Rhode Island	980,836	980,836					
South Carolina							

[1] In some instances, figures are presented where no federally aided vendor payments are made; in others, no figures are presented where vendor payment programs are now in existence. These discrepancies are generally the result of the method and of the timing of the State reports. For example, Alabama, although it has no federally approved plan for vendor method payment, reports total payments of $17,473. This amount, however, represents payments from local funds only. New York, which has a vendor program for all types of services, reported its payments for practitioners, services and drugs and supplies under the heading designated "Other." Another example is the fact that no hospitalization payments are listed for Florida, because the program did not go into effect until October 1959.

TABLE B.—*Old-age assistance: Payments for vendor medical bills: Total amount, amount for which type of service was not reported, and amount in all States reporting for specified type of service, by State, fiscal year 1959 (supplied by the Bureau of Public Assistance)*—Con.

State	Total	Type of service not reported	In all States reporting for specified type of service				
			Practitioners' services	Hospitalization	Drugs and supplies	Nursing and convalescent home care	Other
South Dakota							
Tennessee	1,394,994			1,394,994			
Texas							
Utah	593,496		71,664	130,380	264,556	88,099	38,797
Vermont							
Virgin Islands	3,657	3,657					
Virginia	445,582					445,582	
Washington	8,326,489		1,843,036	4,113,408	913,708	1,071,204	385,133
West Virginia	745,866		113,924	591,393	19,758		20,791
Wisconsin	12,619,592	12,619,592					
Wyoming	403,128		75,257	178,078	100,642	49,151	

Nearly three out of four persons 68 years or older would automatically be entitled to the new benefits next year. Other groups could be covered by separate legislation, with special financing.

1. Persons eligible

All persons eligible for old-age, survivors, and disability insurance benefits who are aged 68 or more would receive lifetime health service protection, without any means or income test. Nine million persons would be eligible next year, or nearly three out of five of all persons over age 65. Table 2 presents the number eligible for health service benefits by States.

2. Health service benefits

The cost of four important types of health service is covered, subject to certain limits within 1 year:

(a) Hospital inpatient services, for up to 120 days. The individual pays the first $75 each year.

(b) Skilled nursing home recuperative care, up to 240 days.

(c) Home health services by a nonprofit or public agency, up to 365 visits.

(d) Diagnostic outpatient hospital services, including X-ray and laboratory services.

(e) The first three types of benefits have interchangeable features with an overall ceiling. A total of 180 units of services are available in 1 year. A unit of service is equal to 1 day of inpatient hospital care, 2 days of skilled nursing home care, or three home health visits. This provision is intended to keep down costs and encourage use of other facilities than a hospital.

3. Costs and financing

The program would be fully financed and actuarially sound, according to Robert J. Myers, the Chief Actuary of the Social Security Administration. It would require no appropriations from general revenues nor any contributions by the aged after they have retired and stopped working.

(a) The level-premium or long-range cost is estimated as 50 percent of taxable payrolls.

(b) Contribution rates would be increased in 1961 as follows: one-fourth of 1 percent for employers and employees and three-eighths of 1 percent for the self-employed on earnings up to $4,800 a year.

(c) These additional contributions would be set apart in a separate account in the OASI trust fund, from which all payments for medical services would be made.

4. Administration

(a) The Secretary of HEW would consult with a representative advisory council on policy and regulations, thus assuring full consultation with medical and consumer groups affected.

(b) Agreements relating to the provision of services would be made with the provider of service or with its authorized representative. Any qualified provider of services would have the right to participate, and individuals could choose among them. Payments would be based on the reasonable cost of rendering services.

(c) There is a specific provision that nothing in the act shall be construed to give the Secretary supervision or control of the practice of medicine or the manner in which medical services are provided, or over the administration of participating institutions.

(d) The Secretary is to carry on studies and make recommendations on problems related to the operation and improvement of the program.

TABLE 2.—*Estimated number of persons aged 68 and over eligible for health service benefits under the monthly OASDI program, by State, July 1, 1961*

[In thousands]

State of residence: [1]	Number
Total [2]	9,185
Alabama	120
Alaska	3
Arizona	45
Arkansas	93
California	736
Colorado	77
Connecticut	151
Delaware	21
District of Columbia	31
Florida	298
Georgia	125
Hawaii	16
Idaho	34
Illinois	554
Indiana	272
Iowa	181
Kansas	128
Kentucky	154
Louisiana	93
Maine	66
Maryland	119
Massachusetts	342
Michigan	398
Minnesota	193
Mississippi	85
Missouri	263
Montana	37
Nebraska	89
Nevada	9
New Hampshire	42
New Jersey	345
New Mexico	22
New York	1,004
North Carolina	166
North Dakota	32
Ohio	517
Oklahoma	109
Oregon	114
Pennsylvania	674
Puerto Rico	46
Rhode Island	58
South Carolina	72
South Dakota	39
Tennessee	149
Texas	332
Utah	33
Vermont	26
Virgin Islands	1
Virginia	151
Washington	163
West Virginia	99
Wisconsin	244
Wyoming	14

[1] Distribution by State estimated.

[2] Excludes persons residing outside the United States.

TABLE 2.—*Estimated number of persons aged 68 and over eligible for health service benefits under the monthly OASDI program, by State, July 1, 1961*—Continued

State of residence—Continued

The actuarial and financial soundness of our proposal is attested to by the Chief Actuary of the Social Security Administration in the following letters:

AUGUST 15, 1960.

Mr. ROBERT J. MYERS,
Social Security Administration,
Washington, D.C.

DEAR MR. MYERS: Would you kindly give me estimates on the cost of the attached proposal for providing health benefits for the aged as part of the old-age, survivors, and disability insurance system?

My objective is to provide a constructive program which can be adequately financed by additional contributions of one-fourth percent by employers, one-fourth percent by employees, and three-eighths percent by the self-employed on earnings up to $4,800. These contributions would start in 1961, and benefits would be payable July 1.

I would appreciate knowing (1) the level premium cost by item, and the early-year cost in percent of payrolls and in dollars; (2) whether the proposal can be considered actuarially sound.

With best wishes,

Faithfully yours,

PAUL H. DOUGLAS.

(Enclosure to letter follows:)

Proposal on health benefits to cost 0.5 percent of payrolls

Persons eligible: OASDI eligibles at age 68.

1. Hospital care up to 120 days with an initial deductible of $75.

2. Skilled nursing-home recuperative care upon transfer from the hospital up to 120 days with an additional 1½ days for each day of unused day of hospital care but not to exceed 240 days.

3. Home health services by nonprofit or public home health service agency up to 120 visits with 2 visits for each unused day of hospital care but not to exceed 360 visits.

4. Diagnostic outpatient hospital services.

Financing: One-fourth percent contribution by employers and employees, and three-eighths percent by the self-employed, starting in 1961, with a special account or trust fund.

AUGUST 15, 1960.

HON. PAUL H. DOUGLAS,
U.S. Senate, Washington, D.C.

DEAR SENATOR DOUGLAS: This is in response to your letter of August 15 requesting actuarial cost estimates for a proposal for providing health benefits for all eligibles of the old-age, survivors, and disability insurance program aged 68 and over. This would be financed by an increase in the combined employer-employee contribution rate of one-half percent (and a corresponding increase in the contribution rate for the self-employed), to go into a special account or trust fund.

Under the proposal, benefits would first be available for July 1961, while the additional contributions would begin in January 1961. The first benefit would be hospital care up to a maximum of 120 days per year, with an initial deductible of $75; this has a level-premium cost, according to the intermediate-cost estimate, of 0.43 percent of payroll. The second benefit would be skilled nursing home recuperative care upon transfer from hospital up to a maximum of 240 days per year (but with the maximum being reduced by 1½ days for each of the first 80 days of hospital care used—or in other words, this maximum could never fall below 120 days); the level-premium cost is 0.01 percent. The third benefit would be home health services (by a nonprofit or public agency) for a maximum of 360 visits per year (but with the maximum being reduced by 2 visits for each day of hospital care used); the level premium cost is 0.01 percent. The fourth benefit would be diagnostic outpatient hospital services (without any limits prescribed); the level-premium cost is 0.05 percent.

The total level-premium cost for the above proposal is thus 0.50 percent of payroll, which is exactly the same as the additional contributions provided, so that the proposal as it stands can be considered to be fully financed and thus actuarially sound. The total cost of the proposal in the first full year of operation is estimated at $690 million, which is equivalent to 0.33 percent of payroll.

Sincerely yours,

ROBERT J. MYERS,
Chief Actuary.

PRIVATE INSURANCE CANNOT MEET THE PROBLEM

Private insurance cannot meet the problems of the great majority of the aged. Basically the problem for private insurance is that the costs of medical care for the aged are high and retired people cannot afford to pay the necessary premiums. Persons aged 65 and over are sick in bed an average of more than 16 days per year. Persons under 65 average only 7 days. Six times as many persons aged 65 and over have serious chronic conditions as does the population below that age.

A program based on contributions over a working lifetime for paid-up protection in retirement is not offered by private insurance. The possibility of inflation and also the possibility of changes in medical costs arising from other factors make it impracticable for private insurers to undertake to insure against actual expenses at some future date. On the other hand, a contract providing for protection in terms of a fixed number of dollars would not give the protection needed. Moreover a requirement that commercial premiums be paid over a working lifetime means that no one obtains protection until several decades have gone by.

But little of the medical costs of the aged are now paid through insurance. Only one-fourth of the aged have even as complete medical insurance coverage as a Blue Cross policy would provide. Most of this group are little over the age of 65 and are still employed, with their protection based on such employment. Another 15 percent or so have medical insurance of a less adequate nature—usually a policy, which, for example, pays only $10 a day toward a hospital room which costs $20 or more. Even very inadequate protection costs an aged couple something like $13 per month.

THE ADMINISTRATION'S PLAN IS UNSATISFACTORY

We also want to take this opportunity to join the committee in rejecting the plan submitted by Secretary Flemming for the administration (S. 3784).

In 1958 the House Committee on Ways and Means requested the Secretary of Health, Education, and Welfare to report on methods of providing insurance against the cost of hospital and nursing home care for old-age, survivors, and disability insurance beneficiaries. A substantial report on the matter was submitted to the House committee on April 3, 1959. Testimony from a wide variety of witnesses was heard in 1958 and in July 1959. On July 13, 1959, the Secretary of Health, Education, and Welfare assured us that he would continue studying possible approaches and would report the results of his studies as soon as possible. No recommendations were received from him, however, until May 4, 1960. The House committee had by then been considering health problems of the aged and other social security amendments for more than a month.

The proposals of the administration were discussed by the House committee at some length but did not win its support, nor were they ever embodied in legislative language until after the Senate Committee on Finance had concluded its public hearings. The administration plan is unsatisfactory for the following reasons:

1. The idea on which this plan is based, that protection against medical care costs for the aged is necessary only for persons with incomes of less than $2,500 a year is completely untenable. A single illness may cost several thousand dollars, and meeting such costs would be completely beyond the means of most retired persons who have income enough to bar them from help under the plan.

2. The plan would place a huge additional burden on the general budgets of local, State, and Federal governments amounting to over a billion dollars to begin with and several billion dollars later. All this without consideration of where the money will come from and at a time when it is widely recognized that the services of many State and local governments are badly outmoded and tax resources for their improvement severely limited and uncertain.

3. Although putting a large additional burden on the general taxpayer, the plan would nevertheless leave the first $250 of medical care costs each year to the retired person and require him to pay 20 percent of all costs above this amount. Such a large deductible plus coinsurance, while perhaps appropriate for employed persons of middle income, offers little if any security to people living on the low income typical of the retirement years.

4. The administration has taken as a basic principle that a plan must be voluntary. But there is really nothing voluntary about the plan which they have proposed. Under that plan the general taxpayer is compelled to pay huge costs (except for the premium or enrollment fee paid by the beneficiary) and yet the old person will not be allowed to participate in the benefit side of the plan unless he submits to and meets an income test of $2,500 a year. For people with retirement incomes above $2,500, therefore, there is no choice but to have paid taxes, with no opportunity for benefits. The only sense in which the plan is voluntary is that those who have retirement incomes below $2,500 a year can refuse to take the benefits for which they and other taxpayers in their earlier years have paid the costs. For these unfortunates it is compulsory dependence upon public charity.

5. The proposed premium or enrollment fee, covering about one-fifth or so of the costs of this so-called voluntary insurance, and the option of electing a private insurance contract, would mislead many people into failing to act in their own best interests. Because of the fee some would not participate and thus would refuse the benefits which had been paid for by their own taxes. At the same time the $24 fee would be a barrier to voluntary election by the very lowest income groups. This too has a compulsory earmark.

6. There is no way to know when, if ever, the aged of the Nation would finally get protection under the plan. Nothing could be done until a State was able to find revenue resources to pay its share of the costs. Thus in many States it might take years before ways were found to raise the necessary revenues to permit the State to enter the plan.

ADVANTAGES OF THE OASDI APPROACH AS COMPARED WITH THE VOLUNTARY APPROACH

The OASDI approach in our amendment has a number of very important advantages over the voluntary approach. These advantages are as follows:

1. Contributions are collected from nearly all persons who work for a living under the bill: This results in a large number of persons contributing, without the adverse selection that tends to accompany voluntary community plans. This reduces the cost per person and assures a strong financial base to the whole program.

2. Contributions are payable under our amendment only while the individual is employed: Since contributions are payable in relation to earnings, an individual does not pay for any period in which he has no earnings or is not working. In voluntary plans, contributions must be paid for individuals whether they are earning or not.

3. Contributions under our amendment are levied in some measure with ability to pay: In voluntary plans, contributions customarily are on a flat basis in relation to number of dependents. Thus, in a voluntary plan, an individual earning $2,000 a year and an individual earning $6,000 a year both pay the same premium. Unequals are treated equally. In our amendment, since contributions are a uniform percentage of earnings up to a limit of $4,800 a year, the $2,000 individual would pay only two-fifths the amount the $4,800 or higher individual would pay.

4. Contributions in our amendment are levied over the individual's working lifetime and are not paid during the period when he is not earning and is retired: Under most voluntary plans, the individuals must continue to pay their premiums after they retire and until they die. Where employers contribute toward the cost of voluntary protection prior to retirement, such contributions usually cease on termination of employment. This is burdensome to many older people whose incomes are sharply reduced when they retire. The result is that as people grow older they may drop their voluntary insurance in order to conserve their limited funds. If they retain their voluntary insurance, the flat rate premium takes a very high proportion of a small income. Our amendment aims to solve these difficulties by requiring individuals and their employers to pay small amounts, in relation to their earnings, over an entire working lifetime and then to forgo any contributions when the individual has no earnings and is retired. The result is a financing arrangement better adapted to the lifetime earning pattern.

5. Contributions in our amendment are not related to the number of dependents: In voluntary plans, the contributions usually increase with the number of dependents. Thus, in a typical plan, there is one uniform rate for an individual, a higher rate for an individual and spouse, and a still higher rate for a family. The result is that the individual with the family has to pay a higher proportion of income for his protection than the individual without a family. From a social point of view, this is not only undesirable, but unnecessary. The individual with the family has the cost of maintaining and educating his family and, since his health costs rise in relation to the size of his family but not in relation to his earnings, he is doubly penalized. In our amendment since contributions are a uniform percentage of earnings, there is no such double penalty on the family earner.

6. The employer is required by our amendment to pay one-half of the cost: Under many voluntary plans, the employer pays part of the cost, and in some voluntary plans the employer pays all of the cost. However, this trend is spotty. In many plans the employer makes no contribution. Under our amendment, the employer would be required to pay one-half of the cost. The existing law permits employers to pay a larger proportion—or all of the cost—if the employer wishes, or if this is agreed to by the employer and employee by contract or collective bargaining. Thus, where the employer now pays all the cost, this would not be disturbed by the bill.

7. Benefits are not cancelable under our amendment: In many private plans benefits are cancelable at the option of the insurance carrier or the employer. They can be terminated by action of the insured when sufficient income is not available to pay the premiums. Whatever may be the reasons for these actions, they inevitably result in public agencies having to bear the cost of the care of those persons who cannot finance their medical care. This is undesirable. Our amendment provides for a paidup policy with the backing of the Federal Government. It gives patients and hospitals assurance of payment and protection superior to that of most private plans.

8. Benefits under our amendment are not limited during a person's lifetime: Under many private plans benefits are limited not only in terms of days of hospitalization per year but also in terms of total dollars over a person's lifetime. This completely undermines the security provided in the plan. Under our amendment no such lifetime limit is provided nor is it necessary. Thus, the OASDI approach is much superior to the private plan.

9. Benefits under our amendment in many cases are more adequate than under many private plans: In many voluntary plans, hospital insurance benefits are limited to 30 to 50 days or have a fixed dollar limit on payments per day of hospital care.

10. The cost of administering the plan in our amendment would be less than the administrative costs under existing private insurance plans: Since contributions would be collected as a part of the regular social security contributions, it would not require any new machinery. There would be no salesmen or acquisition costs as in private insurance. The savings in administrative costs would make it possible to pay the same benefits as private insurance at less cost, or more adequate benefits at the same cost.

SUMMARY

In summary, it is very clear that—

1. There is a great need for protection against medical costs for the aged.

2. The provisions in the proposed bill will not meet this need.

3. The logical and certain method for meeting the need is through the contributory social insurance provisions of the social security system.

4. We believe that the American people favor this additional protection.

5. They will gladly pay the modest amounts involved during their working years in order not only to provide protection for those now old but to spread the costs of that protection over workers and employers as a group rather than having it fall unevenly on those young people who have retired parents and other relatives who get sick.

6. Most of all we believe it is in the best American tradition to make prior provision for the future by having those now young start buying paidup insurance protection to be added to their cash benefit when they retire.

Therefore, we support the Anderson-Kennedy amendment insuring health costs of the aged on the dignified social insurance basis.

CLINTON P. ANDERSON.
PAUL H. DOUGLAS.
ALBERT GORE.
EUGENE J. MCCARTHY.
VANCE HARTKE.

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the distinguished Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, in my opinion the floor of the U.S. Senate is not the place to legislate on problems as complicated as one which deals with setting up an entirely new medical program for our aged.

I voted against the Javits amendment and will vote against the Anderson amendment on the basis that neither proposal as offered here today has ever had committee consideration and I do not think they are fully understood.

It is true that both the Senator from New York [Mr. JAVITS] and the Senator from New Mexico [Mr. ANDERSON] offered somewhat similar proposals to the committee for consideration, but since that time both have been substantially changed from their original text.

This is an entirely new field upon which the Government is being asked to venture and we cannot afford to be wrong. The Anderson amendment alone involves the question of adding a new billion-dollar compulsory medical care program over and above the provisions of the bill as approved by the Finance Committee.

The preelection political atmosphere which surrounds us here today is certainly no place in which to approve or to consider a gigantic new billion-dollar compulsory health program.

For this reason, without questioning the sincerity of any of the sponsors of these two proposals, and without attempting to discuss either the merits or demerits of their plans, I think it would be the better part of wisdom to reject the Anderson amendment, as we earlier rejected the Javits amendment, and then to let the whole question of medical care go over until next year, at which time we can have more time to give to the various suggested programs and give them more careful scrutiny.

I point out that the committee bill as reported provides adequate protection for medical care for all the aged in America who need such aid and who cannot afford it without some such assistance. Furthermore, the bill as reported by our committee provides such assistance under the already established State agencies on a cost sharing basis between the Federal Government and the States.

In the interest of good sound legislation in this field I think that both these proposals should be rejected by the Senate.

Mr. ANDERSON. Mr. President, I yield 2 minutes to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, this 2d session of the 86th Congress is considering many serious problems affecting the well-being of the citizens of the United States, but no other issue touches the heartstrings, the pocketbooks, and physical and mental pain and anguish of so many millions, as does this Medical Care Act.

Our work here today is watched with mingled anguish, suspense, and hope.

Our problem here today is to see whether the social organization of society keeps some semblance of pace with the advance of science. Civilized people have advanced from pastoral and agrarian societies through an industrial revolution into the scientific age, but our governmental and social advance has been so much slower than our scientific advance that the machinery of society is not geared smoothly.

The question we are trying to resolve here today is whether, or how, as the elective representatives of freemen, we will act to see that social progress keeps pace with miraculous, modern medical progress.

One of the proudest achievements of American medical science is that it has lengthened the lifespan of our people. Today there are 16 million Americans, 1 out of every 11 citizens, who are over 65 years of age. By 1980 there will be 25 million Americans in this over-65-year age group.

America as a nation is proud to have the finest physicians and hospital facilities in the history of man. But it is not proud of the fact that with all our great medical advances, we have not yet worked out a plan by which the majority of elderly Americans can afford medical care. Until we take corrective action, medical achievement made in the name of humanity is, to a very large degree, progress only for those who can afford to pay the price.

We do not need to launch some new and untried program in order to bring decent medical care within the reach of Americans. It seems clear to me that the general answer is a prepay plan where the people can put aside money in their productive and healthy years to meet the medical costs that are sure to come later. Under the leadership of the late great President Franklin D. Roosevelt the great system of social security, the plan for "security with dignity," was adopted by the Congress a quarter of a century ago.

We are commemorating the first quarter century of that accomplishment.

It is entirely logical, reasonable, and vital that we apply this principle to medical care for the aged.

The Anderson amendment performs this task by calling for an extension of the social security system. It seeks to eliminate wasteful expenses and procedural roadblocks that would develop in the creation of new agencies in many of the 50 States, each with its own method of operation and its individual standards.

The Anderson amendment would set up no new, untried, and costly measure. The Anderson amendment is a financially sound pay-as-you-go plan. Funds would be placed in a separate medical insurance account in the present old-age and survivors insurance fund; additional administration would be kept at a minimum, while the process of collecting and disbursing funds would be handled by persons already experienced in such procedures. In brief, this extension of the Social Security Act would enable over 9 million elderly citizens to secure financial aid for medical care—in 1961—without forcing our citizens to pay the cost of unnecessary administrative practices.

Just how badly needed this program is can be graphically illustrated by the present failure of our States to provide adequate medical programs for the aged. It is unrealistic to suppose that every State will appropriate adequate sums from its already overtaxed treasury to match Federal grants. The record shows they have not done this in the past. The following statistics from the minority report of the Senate Finance Committee report, August 19, 1960, at page 282, speak for themselves, and I ask unanimous consent to have this matter printed in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

MEDICAL CARE PROVISIONS OF STATE OLD-AGE ASSISTANCE PLANS

(Source: Bureau of Public Assistance, Social Security Administration, June 1960.)

No direct payments made for medical care (eight): Alabama, Alaska, Arizona, Delaware, Georgia, Kentucky (to be changed January 1, 1961), South Dakota, and Texas.

Direct payments for hospital care only (three): Missouri, North Carolina, Tennessee.

Direct payments for nursing home care only (two): Idaho, Vermont (New Jersey also makes vendor payments for nursing home care).

Direct payments for hospital care and nursing home care only (four): Maine, Nebraska, South Carolina, and Virginia.

Direct payments for other items—no more than two (four): Florida (hospital care and drugs), Hawaii (hospital care and other, not specified), Iowa (practitioner and drugs), and Montana (practitioner and drugs).

More than two but less than comprehensive medical care through direct payments (13): Arkansas, California,[1] Colorado, Louisiana,[1] Michigan, Nebraska, Nevada, New Mexico,[2] Oklahoma, Pennsylvania,[1] Utah,[2] West Virginia,[2] and Wyoming.

[1] Hospital care provided through public hospitals.

[2] Scope of services defined broadly, but quantity very low.

Direct or money payments for all essential items (16): Connecticut, Illinois, Indiana, Kansas, Maryland, Massachusetts, Minnesota, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oregon, Rhode Island, Washington, Wisconsin.

Mr. YARBOROUGH. The table shows that direct payments for hospital care are made by only three States, and only two States make direct payments for nursing home care. Only four States make direct payments for hospital care and nursing home care only. Four States make direct payments for other items. Only 16 States make comprehensive medical payments under the present permissive payments of the old-age pension plan.

Less than one-third of our States provide full coverage; eight States make no direct payments for medical care at all. The citizens of the 34 States not blessed with comprehensive programs deserve some measure of immediate relief. Right now the older citizens of my own State of Texas are losing $19.7 million a year from their old-age assistance checks because the State has been unwilling to match Federal funds already appropriated and waiting in the U.S. Treasury.

Other States are in the same condition. I am unwilling to make these old people suffer just because they live in a State with a government slow to meet its social responsibilities.

The Anderson amendment insures that in 1961, all the 9,185,000 citizens over 68 years of age eligible for social security benefits will be certain of financial aid for medical care, regardless of the economic condition of the State in which they reside.

Mr. President, the urgency of this situation demands action. The amended version of H.R. 12580, as presented by the Finance Committee, although helpful and a vast improvement over the House bill, does not go far enough.

Our 16 million citizens over 65 years of age are in a dire situation. With 3 out of every 5 individuals in this age range having a yearly income of less than $1,000, and with over 50 percent of the married couples having a combined income of less than $2,600, when one considers that the average hospital bill for patients from 65 to 69 is $406, the situation becomes even more critical. That does not include catastrophic illnesses.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter to the New York Times written by Frank Van Dyke, assistant professor, School of Public Health and Administrative Medicine, Columbia University, published in the New York Times of August 22.

There being no objection, the letter to the editor was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 22, 1960]

MEDICAL CARE FOR AGED—STATEMENT OF AMERICAN MEDICAL ASSOCIATION HEAD DISPUTED

To the EDITOR OF THE NEW YORK TIMES:

The Times of August 15 reports that Dr. Leonard Larson, president-elect of the American Medical Association, stated that "most persons over the age of 65 do not want a Government program of health care." He bases this conclusion and several others which are contrary to existing evidence on new research performed by a team, headed by a professor of sociology of Emory University in Atlanta who is also a consultant to the American Medical Association. Dr. Larson also said "Congress should take note" of this new report.

In my view, neither Congress nor anyone else should take note of the report until there has been time to subject it to scientific review.

The timing of this report, just before a vote in the Senate on a health insurance bill for older citizens, smacks of public relations rather than scientific inquiry.

A second and more important point is that the results of this survey as reported in the Times contradict the statistics of the Department of Health, Education, and Welfare and findings of independent studies.

During the past 2 years, Senator MCNAMARA's Subcommittee on Problems of the Aged and Aging has received thousands of pages of testimony on the financial status of the aged, the number of persons enrolled in voluntary health insurance plans, and the actual health status of the aged. The conclusions which can be drawn from the testimony (and which conflict with the American Medical Association consultant's study) are:

Most people over age 65 have a money income of less than $1,000 a year.

Most people over age 65 have no health insurance.

Most people over age 65 who do have health insurance have coverage which will pay for only a portion of a hospital or doctor's bill.

The health status of most people over age 65 is poor compared with that of persons in younger age groups.

The cost of medical care for persons over age 65 is, on an average, three times that of the population at large. This is the result of higher incidence of illness and prolongation of illness.

FRANK VAN DYKE.

Mr. YARBOROUGH. Professor Van Dyke states:

Most people over age 65 have a money income of less than $1,000 a year.

That means more than half the people over age 65 have a money income of less than a thousand dollars a year.

Professor Van Dyke also states:

Most people over 65 have no health insurance.

That means over half of them.

Most people over age 65 who do have health insurance have coverage which will pay for only a portion of a hospital or doctor's bill.

The health status of most people over age 65 is poor compared with that of persons in younger age groups.

The cost of medical care for persons over age 65 is, on an average, three times that of the population at large.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. Mr. President, may I have 1 more minute?

Mr. ANDERSON. I yield 1 more minute to the Senator from Texas.

Mr. YARBOROUGH. Our senior citizens have limited incomes, yet their medical expenses are the most costly. These are people who are eligible for help now; if H.R. 12580 is enacted as reported, some would have to wait until their State could plan, present, and finance some type of program.

But, even then, Mr. President, a debasing indignity would await every citizen who might desire aid for medical care. Our senior citizens should not have to put themselves in a classification of indigency in order to receive necessary benefits for their survival.

The Anderson amendment provides a financially sound and realistically conceived program to provide medical care for all eligible citizens over 68 years old who need it. Its coverage is extensive, and it is a concrete coverage, not a hypothetical estimate. Over 9 million citizens will be able to receive medical aid in 1961 at age 68. In the future a larger and larger percentage of our population will automatically become eligible for this assistance.

These people will not have to await the oiling of rusty State machinery before securing the means to a healthy existence.

The Anderson amendment is not a substitute, Mr. President. It is an insurance policy that guarantees to at least 9 million people the unqualified right to financial assistance for medical care.

Everything provided in the Kerr amendment is still available unimpaired if the Anderson amendment is adopted.

The States will have every opportunity to establish additional programs for those who are not eligible for social security benefits. I am convinced that the fully financed plan proposed by Senator ANDERSON, which allows individuals to provide for their future medical needs, is a badly needed improvement on the proposals now before us. I therefore urge the adoption of this amendment.

Mr. President, this is not charity. The amendment creates a right. It is vitally important that that point be established. The Anderson amendment would *establish* medical care as a matter of right. We know that prior to the establishment of the Railroad Retirement Act it was a question whether a man could get on the pension roll as a matter of charity, because there was usually a strange way in which the man would lose out at the last minute just before he was entitled to retirement. State laws have a way of being administered in the same way. Under social security the old people will get assistance as a matter of right; they will not have to come in, cringing, begging for help. We know that some of these investigators run their fingers under the table and say, "You are chewing gum. That is a luxury. We must cut your payments."

We ought to vote assistance as a matter of right, so that people can come in as a matter of right, and not as a matter of charity.

Mr. ANDERSON. I yield 3 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, I rise for the purpose of making an announcement which will be of interest to all Senators who believe in the soundness and importance of the Railroad Retirement system and who are in favor of increasing the benefits to those who are eligible.

I have on my desk amendments to the Railroad Retirement Act. The purpose of these amendments is to provide the same inpatient hospital services, skilled nursing home services, health services and outpatient hospital diagnostic services as would be provided under the Anderson-Kennedy amendments which are about to be voted upon. I have conferred with the Senator from New Mexico and the Senator from Massachusetts who are most anxious to extend these benefits to those eligible to receive railroad retirement benefits in the manner that I am proposing. Because of the parliamentary situation, it is not my present intention to offer these railroad retirement amendments to the Anderson-Kennedy amendments prior to the vote which will be held shortly. I am, however, serving notice upon the Senate that adoption of the Anderson-Kennedy amendments will afford the membership the opportunity to provide for similar benefits to those under the railroad retirement system.

I expect to describe these amendments in more detail later at the appropriate time. However, I think one point should be noted with respect to the method of financing these new benefits. The new program would be financed by raising the rate of employment taxes on railroad workers and employers by the same number of percentage points as the employment taxes would be raised on the covered social security workers and their employers. This device has the enthusiastic backing of the Railroad Brotherhoods who represent the bulk of the employees in question, and I am informed that the carriers have interposed no objection to having railroad employees treated similarly to employees under the social security system with respect to the benefits under question. Moreover, it has the virtue of appealing to all those interested in a proper increase in benefits to railroad workers and those who are retired under the Railroad Retirement system.

I think this statement ought to be made before the vote, because many questions are being raised as to whether we would be discriminating against the railroad workers of the country, if we did not add my amendments to the bill if the Anderson-Kennedy amendment passes. My amendment will see to it that they receive the same fair treatment as others receive under the Anderson-Kennedy amendment.

Mr. President, I shall vote to support the Anderson-Kennedy amendment.

Early in 1958 I was the first to submit in the Senate the companion bill to the Forand bill in the House. For many years I have fought for the Forand-Morse principle in the Senate. I prefer the principle of the Forand-Morse bill, enlarged by the McNamara bill, to the bill we are going to vote on this afternoon.

It has been my position that all people over the age of 65 should as a matter of right receive medical care as a part of our social security system. The Forand-Morse bill does just that. The McNamara bill also covers those persons who are not under social security. I strongly favor that policy as a matter of social and economic justice to the aged. However, we all know that the Forand-Morse bill and the McNamara bill do not have a ghost of a chance passing in this short session of Congress. We have counted noses and the votes are not here. The Anderson-Kennedy amendment is the best we can do now and we have only a slim chance of passing it.

Here, again, I am a realist, as I was the other day, when the Senate was debating the minimum wage bill. We must move as rapidly as we can toward an objective which I think all constitutional liberals have in mind; namely, to do those things necessary legislatively to promote and protect the welfare of all of our people as a total population.

The Anderson-Kennedy amendment is the only step which we have any chance of taking at this session of Congress which will bring the principle of medical assistance to the aged under the social security system. Without its being under the social security system, I think any law of this kind would be unwise. To me, this is a simple issue. It raises, again, the principle for which I stand in the Senate; namely, seeking to work for that proposal which will translate into legislation the moral obligations which we owe to the people of the country. Here, again, is another example of our doing for the economic weak what the economic strong, under the private enterprise system, should be expected to do. Here, again, is an obligation of democratic government to make certain that the specter of fear which hovers over the housetops of millions of homes of the aged will be removed—the fear that their life earnings will be wiped out with one serious illness under that rooftop.

Do we mean that this moral issue is one to which we bow our heads on Sunday, but which we will not put into practice on this Tuesday in the Senate of the United States? The rollcall about to take place will put Senators on the record. The people must hold them responsible in the November elections. I am sure they will not forget the record made in the rollcall about to be held.

Mr. DIRKSEN. Mr. President, I yield 7 minutes to the distinguished Senator from New York.

Mr. JAVITS. Mr. President, now that the vote has been taken on my alternative plan to the Anderson amendment and the strictly party line nature of this issue here is clear, I wish to make some observations with respect to my vote on the Anderson amendment which is now pending. First, to stress the affirmative, I am convinced that an effective plan giving adequate medical care to our older citizens over 65 is now assured, whether it takes place at this brief session of Congress or early in the next session. The backing of both candidates for the presidency and the support which is evident on the Republican side for my proposal and which I have little doubt will be evident on the Democratic side for the Anderson proposal, assure it; namely, that the older citizens of our country will have a very effective, very adequate medical care plan within the very near future.

At the very least, what has been attained is general agreement on the proposition that the rank and file of older

citizens are entitled to and will receive help from the Federal Government in obtaining an optimum standard of health care. Under these circumstances and being deeply motivated to bring about such a program myself, I have given the most careful consideration to the question of how to vote on the Anderson amendment, and I have concluded that at this time, under the intensely political circumstances of this brief session—which I would be blind not to see, and so would the American people—I must vote against it. My reasons are as follows:

First, it is by no means the best plan which can be developed, even on a social security basis, and shows clear indications of an effort to make a showing in this perfervid political atmosphere. This is confirmed by three points. An effort is made to trim benefits and therefore to trim costs by setting the eligibility age at 68, but there is no evidence that age 68 meets the need which is just as great at 65. In its emphasis upon hospitalization, the Anderson plan taxes further the already overburdened hospital facilities in practically every place in the country. Aside from creating frustration and dissatisfaction there is even the danger of physical harm in overtaxing the hospitals with older citizens on long waiting lists for the hospital beds Uncle Sam promised. In its failure to emphasize preventive care, the Anderson plan fails to satisfy the absolutely essential need of 85 to 90 percent of the aged in order to meet the needs of the remaining 10 percent.

Second, the Anderson plan is not based upon the varying medical facilities and opportunities available in the different States, but strives for a national program which at the very least in view of the unequal nature of medical facilities in different parts of the country must lead to inherent discrimination, injustice, and frustrating delays.

Third, it fails to preserve effectively the existing structure of medical care under which over 127 million Americans—72 percent of the population—are now the beneficiaries. Indeed, this is shown most markedly by the failure to give the beneficiary a cash alternative enabling him to acquire his own health protection or pay for his own health services. This would seem to be elementary if the concept of social security were really being carried out. It is also noteworthy that the cash option is a vital element in the approval of the social security approach by Governor Rockefeller of New York—and I yield to no one in my respect for the Governor of my State—which has been cited so often here as authority for the Anderson position.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. KEATING. That alternative, if I understand correctly, is the third alternative in the proposal advanced by my distinguished colleague from New York.

Mr. JAVITS. The Senator is exactly correct. I thank the Senator.

Fourth, it taxes the population at the lowest end of the earnings scale, reaching thereby only 60 percent of the country's taxable income instead of spreading the tax load on the whole population for a benefit to the aged population through appropriations from the general revenue. In addition, for some time the people who get the benefits will not have done the paying under the social security system, yet the system as originally designed made at least an effort to do that and not even an effort is being made here.

Fifth, it makes a profound sociological change in our country, inaugurating a national health scheme in practical effect which is quite inconsistent with our private concept of health care, and yet there is inadequate preparation for it and a program heavily imbalanced in hospital not preventive care. And notwithstanding the open and practically universal opposition of the doctors, this is to be done in a highly political atmosphere when the time in which the beneficiaries can enjoy the plan probably cannot be accelerated at all and will have to await a new administration which could very much more thoughtfully recommend the details of a plan of its own.

Finally, it is for all practical purposes an invitation to vote—an invitation which will do no one any good and everyone great harm because the whole bill will have to be vetoed; hence, social security improvements and the medical plan for the 2,400,000 on old-age assistance and the 500,000 to 1 million who could be benefited by the medically indigent provisions will go down the drain, too.

I cannot see under these circumstances how the path of responsibility can lead to any other than a negative vote. I realize and feel very keenly that many of our older citizens want very much to have the bill passed at this session with a social security approach. I respect and honor them and believe that the whole matter of medical care for the aged has now been brought to such a point where an adequate and truly responsible plan will without question become Federal law soon after a new administration takes over. In this connection I restate the principles of such a plan which I have supported and which I will continue to support as the basis for a sound and complete plan—but without being doctrinaire even about that.

Emphasis on preventive care with physicians services and first-cost coverage.

Eligibility for all over 65.

Voluntary participation.

State plans with Federal matching so that we can build on existing facilities.

Federal help out of general revenues.

These are the basic principles of the medical care plan for the aged I urge most strongly.

Whatever may be the strong feelings among many older citizens on this subject, they are neither improvident nor unfair; hence, I believe they should see the logic and justice of this position. Besides, I do not believe that they would wish to see endangered by a veto which the President would most regretfully have to make—at this stage in the face of an imminent presidential campaign—the early benefit to those among them who are truly in the most urgent need of medical care and who will get material help if at least the committee bill becomes law.

I do not think anyone can be doctrinaire about this matter, least of all myself. It may be that we shall find, as I said, a proper meeting ground between the ideas of the Senator from New Mexico [Mr. ANDERSON] and myself. But, Mr. President, after looking at the vote on my proposal, I think all the country can see what is happening here. This will be a straight political issue—Democrats against Republicans—with very little chance of anything else happening. I do not wish to be a party to seeing our elder people caught at those swords' points. I do not think it is necessary. I think they can be absolutely certain that they will have an adequate plan for medical care in view of the positions of both parties and both presidential candidates on this issue.

Mr. DIRKSEN. Mr. President, I ask unanimous consent, since we have come down to the last speakers, that I may suggest the absence of a quorum, the time for the quorum call to be charged to neither side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 306]

Aiken	Fong	Monroney
Allott	Frear	Morse
Anderson	Goldwater	Morton
Bartlett	Gore	Moss
Bennett	Green	Mundt
Bible	Gruening	Murray
Bridges	Hart	Muskie
Burdick	Hartke	O'Mahoney
Bush	Hayden	Pastore
Butler	Hickenlooper	Prouty
Byrd, Va.	Hill	Proxmire
Byrd, W. Va	Holland	Randolph
Cannon	Hruska	Robertson
Capehart	Humphrey	Russell
Carlson	Jackson	Saltonstall
Carroll	Javits	Schoeppel
Case, N.J.	Johnson, Tex.	Scott
Case, S. Dak.	Jordan	Smathers
Chavez	Keating	Smith
Church	Kefauver	Sparkman
Clark	Kennedy	Stennis
Cooper	Kerr	Symington
Cotton	Kuchel	Talmadge
Curtis	Lausche	Thurmond
Dirksen	Long, Hawaii	Wiley
Dodd	Long, La.	Williams, Del.
Douglas	Lusk	Williams, N.J.
Dworshak	McCarthy	Yarborough
Eastland	McClellan	Young, N. Dak.
Ellender	McNamara	Young, Ohio
Engle	Magnuson	
Ervin	Mansfield	

The PRESIDING OFFICER. A quorum is present.

Mr. ANDERSON. Mr. President, I yield 8 minutes to the distinguished Senator from Massachusetts [Mr. KENNEDY].

Mr. JOHNSON of Texas. Mr. President, may we have order in the Chamber, please.

The PRESIDING OFFICER. The Senate will be in order. The Senator from Massachusetts is recognized for 8 minutes.

Mr. KENNEDY. Mr. President, I think this vote involves a most important principle. I listened with great interest to

the speech of the Senator from New York [Mr. JAVITS] whom I regard as one of the most constructive Members of this body. He did state a political truth—that this Congress meets in highly political circumstances. He did suggest it appears that on this issue there may be a party line vote.

I will say to the Senate, I believe it will be impossible for us to secure the passage of this amendment—or at least it will make it difficult—as well as other pieces of proposed legislation, unless we can receive the support of at least five or six of the Senators on the other side of the aisle. If the Senators on the other side of the aisle vote a straight party vote on this issue, I would say we shall have an uphill fight, and I would say it would be difficult for the Anderson amendment to pass. I hope that will not be true, because if that is true then I think we are really stating that this Congress cannot really move in the next 2 weeks, that we cannot pass legislation because of disputes between our parties as to the coming elections, the difficulties involved in the procedures between the House and Senate, and the fact of having a President of the opposite party to the dominant party in the Congress.

It may be that the Senator from New York is correct. I do not in any sense criticize him. He may be stating facts. If he is stating facts, I think we can determine it on this vote. If we cannot pass the Anderson amendment, in my judgment, I think it means we are going to have an extremely difficult time passing any progressive legislation in this session of Congress. Then I think we should take the matter to the people of this country in October and November, in the election, to let them make the decision as to which way they wish to go. Then we can come back to Congress in January. Whoever is President I hope will commit himself to the social security principle, which I regard as essential.

I can imagine nothing more unwise than for this Congress to pass the pending bill and to accept the principle that the Federal Government and the States will operate with all the different standards which are going to be set up in the various States, with some States participating and many not participating. That would not solve the problem at all.

We use the phrase in the report that people will get such assistance if they are medically indigent, but we do not say what the standard is. If a couple has saved $1,000, and the wife happens to get cancer and is sick for 6 months or 7 months, do the couple have to spend their savings before they are eligible for assistance? In some States they will. In some States they will not.

We have a chance to do what was done in 1935—to place this under a system the people themselves will pay for, to make it self-liquidating rather than to lay down a burden which could conceivably, if the principle were fully implemented, cost $2 billion a year for both the Federal Government and the States.

The people themselves will pay for the program under the social security principle.

It may be that we shall not pass this measure tonight. It may be that if we did we could not get an agreement in conference. It may be that if we got an agreement in conference the President would not sign the bill. There is not any doubt that the roadblocks in the face of this proposed legislation in the next 2 weeks are hard. Therefore, I do not go into this vote on this measure in a spirit of high optimism, but I say we might as well vote. We might as well determine whether this Congress is going to move in this session or whether perhaps we should go home, whether we then should put it up to the people to make their determination, and come back in January and commit ourselves on that occasion to the social security principle.

Mr. DIRKSEN. Mr. President——

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DIRKSEN. I should like to ask the distinguished Senator from New Mexico if he has other speakers.

Mr. ANDERSON. There are other speakers, but the Senator from Illinois has more time remaining. Therefore, I yield to the Senator.

Mr. DIRKSEN. The difficulty arises from the fact that the unanimous-consent agreement requires a vote at 6 o'clock. The time otherwise would run beyond 6 o'clock, because the quorum call was not chargeable to either side. I think we ought to keep the RECORD straight.

Mr. ANDERSON. I thought the understanding was we would go beyond 6 o'clock, in view of the quorum call.

Mr. DIRKSEN. I would have no objection.

Mr. ANDERSON. We had a definite time. The Senator from New Mexico had 24 minutes and yielded 8 minutes to the Senator from Massachusetts, so he now has 16 minutes remaining. The Senator from Illinois has about 30 minutes remaining.

The PRESIDING OFFICER. The Chair will state that there remain 38 minutes to the opponents and 19 minutes to the proponents, if the time for the quorum call is not charged to either side.

The unanimous-consent agreement states that the vote will be taken not later than 6 o'clock p.m. A request in that regard was not included in the Senator's request that the time for the quorum call not be charged to either side. There was no request to modify the voting time.

Mr. JOHNSON of Texas. Mr. President, that was my understanding. I came to the desk and inquired, and I was informed that the quorum call had been made and the time would not be charged to either side, but would merely be added to the time at 6 o'clock. How long would it require?

The PRESIDING OFFICER. The Senator from Illinois requested that the time for the quorum call not be charged to either side, but the Senator neglected to make the request that the time be added on to the time at 6 o'clock for the vote. The quorum call required 22 minutes.

Mr. ANDERSON. Mr. President, if we stop the time at 6 o'clock we are charging the time.

Mr. DIRKSEN. Mr. President, I raised the question only after a discussion with the Parliamentarian.

Mr. JOHNSON of Texas. Mr. President, there is no dispute about the matter. May we have unanimous consent that the vote come at 6:22 p.m.?

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chairs hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, I yield 30 minutes to the distinguished Senator from Oklahoma [Mr. KERR].

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 30 minutes.

Mr. KERR. Mr. President, I thank the Senator from Illinois.

I am happy to have the opportunity to discuss the issues involved in the bill and in the Anderson amendment.

I have the greatest of respect for the sponsors of the amendment. I know they are sincere. I know they are earnest. I know they are fighting for what they believe to be the welfare of the people of the United States.

I will say to my good friend from Massachusetts [Mr. KENNEDY] that the term "medically indigent" is not in the bill. The proposed legislation is not limited to persons who could qualify under the term "medically indigent."

The provisions of the amendment which is in the committee bill are available to every citizen in this country 65 years of age or older if he comes under a program adopted by his own State, if medical, hospital, doctor or dental care is needed by him or by her. I remind Senators that is not the case with reference to the provisions of the Anderson amendment.

It has been said on the floor that medical care should be available to the aged as a matter of right. I remind Senators of the great number of people to whom medical care would not be available as a matter of right under the Anderson amendment. It would not be available to any citizen unless he or she were on the social security rolls, no matter how great the need might be. It would not be available to any citizen unless such citizen were 68 years of age, not 65, no matter how great the need might be. It would not be available to any citizen until July 1, 1961, and then for hospital care only, and then for 120 days only, with the beneficiary paying the first $75 of the cost of such hospital care.

The additional benefits under the bill, other than hospital care, for not to exceed 120 days, in which the beneficiary would pay the first $75 of cost, would not be available to any citizen until January 1, 1962.

I say to my great friend, the Senator from Massachusetts [Mr. KENNEDY], for whom I have as much respect as for any other Senator, that he is my standard bearer. I am supporting him. But he does not need to talk about the inconvenience of having to come back here next year to add additional benefits to those provided in the committee bill, be-

cause the amendment he sponsored would provide no benefits until 6 months after the beginning of the new year, and then but a very limited number of benefits.

The benefits provided by the committee bill would be available on October 1, 1960. Even after January 1, 1962, the only additional benefits provided by the Anderson amendment would be nursing home services upon transfer from the hospital for not to exceed 240 days, less twice the number of days the beneficiary had to spend in the hospital, for which the beneficiary would have had to pay the first $75 in cost; home health services, including visiting nurse services; practical nurse or occupational therapist; and outpatient diagnostic services.

In other words, if the Anderson amendment becomes law, it will not provide a doctor for the beneficiary, a surgeon for the beneficiary, or a dentist for the beneficiary, unless the doctor, surgeon, or dentist would give those services as a part of the hospital care. Senators know that such services on an adequate basis are not available as a part of the hospital care. Under the committee bill, on the contrary, those services would be available to every aged person in every State that would accept and implement this program, including inpatient hospital services without the $120 limitation and without requiring the patient to pay the first $75; skilled nursing home services, without limitation or chargeoff by reason of having spent some time in a hospital; physicians' services; outpatient hospital services; home health care services; private duty nursing services; physical therapy; and related services, dental services, laboratory and X-ray services, prescribed drugs, eyeglasses, dentures, and prosthetic devices; diagnostic screening, preventive services, and any other medical care or remedial care recognized under State law, so that a State may, if it wishes to do so, include medical services provided by osteopaths, chiropractors, optometrists, and remedial services provided by Christian Science practitioners.

We are not alone confronted with voting on the Anderson amendment. We are confronted with the certainty that if the Anderson amendment is agreed to and sent as a part of the proposed legislation to the President, we shall have no legislation this year. Is there a Senator who believes that the President of the United States would sign the bill if the Anderson amendment were made a part of it? Then we are carrying out platform pledges or campaign pledges or convictions that we have for need, if we endanger a truly great bill by adding to it a provision which, if agreed to by Congress, would not only be self-defeating, so far as the provision itself is concerned, but for the bill in its entirety?

The distinguished Senator from Ohio asked the Senator from New Mexico, What about the aged not covered by the Anderson amendment? My great friend, the Senator from New Mexico [Mr. ANDERSON], said that they would be provided for by the Kerr-Frear amendment, meaning the committee amendment. That would not be so, however, if the Anderson amendment were agreed to and sent to the White House, because both it and the committee bill would be vetoed.

The Kerr-Frear or committee amendment provides a program for every State that adopts it, and incentives are present in the bill that the States would find difficult to resist. It can be passed this year and it can become law this year.

My great friend the senior Senator from Illinois [Mr. DOUGLAS] said that horrors would be inflicted upon the aged and sick, for they would be required to get down on their knees to get hospital and nursing care. I say that statement is not founded upon reality, because if the amendment that the Senator from Illinois is sponsoring were agreed to, every aged person not on social security would still be left on his knees. He would still leave every person beyond 65, and not yet 68, on his knees.

The fact is that the committee bill would take people up off of their knees and let them look the world in the face and know that under the terms of the committee bill that is now before the Senate they can have hospital care, medical care, doctor's care, surgeon's care, and dental care, which are not provided in the Anderson amendment.

There are many other provisions in the bill. The bill would remove the age 50 eligibility requirement for disability benefits. It would enable 250,000 persons to draw benefits immediately. That benefit would go down the drain if the Anderson amendment should become a part of the bill and goes to the White House. It would increase children's benefits and the OASI program from 50 percent of the father's benefit to 75 percent. Four hundred thousand children will benefit by that provision. It would go down the drain if the Anderson amendment should become a part of the bill and goes to the White House.

The bill would liberalize what those on social security can earn free of penalty with reference to their social security benefits by increasing the limit from $1,200 to $1,800 per year. Every member of the committee voted for that provision. I believe every Senator would like to see it become law. Yet that provision would go down the drain insofar as the bill is concerned if the Anderson amendment should become a part of the bill before it goes to the White House. Increased coverage under the OASI for thousands of persons, including 60,000 ministers and 100,000 employees in nonprofit institutions is provided, together with other liberalizing provisions, including increased authorization for child welfare programs for retarded children in our States.

That provision, which is one of the most progressive elements in the bill, likewise would go down the drain if the Anderson amendment were added to the bill, thereby killing it if it should go to the White House. I ask again whether any Senator feels that the proposed legislation would be signed if the Anderson amendment should accompany it to the White House as a part of the bill?

My friend the Senator from Illinois [Mr. DOUGLAS] said this is the Eisenhower-Kerr bill.

One of the best things about the bill is that it is bipartisan in origin. It has been made clear that this is not the first choice either of the Republican nominee for President or the Democratic nominee for President. However, both nominees do favor the provisions of the committee bill, in their language, "as far as it goes."

If we can achieve this bill on the basis of that bipartisan support, we will have gone a long way to show that this is a responsible Congress, that we have met a great responsibility in providing a great program which can be passed and which can become law, and shall have done so on the basis that, while it is not the first choice of either candidate for President, and while it might not be the first choice of either political party, the provisions in it, as the committee brought the bill to the floor, has the approval of both parties.

My friend the Senator from Massachusetts—and I again wish to acknowledge my respect and esteem and affection for him—said that the committee bill does not go far enough. The members of the committee would be the first to recognize that. I do not know what the first minimum wage bill required as to the amount.

Mr. RANDOLPH. Twenty-five cents.

Mr. KERR. Some Senators now in the Chamber were Members of Congress when that bill was passed. Did they oppose it because it did not go far enough? I remember the additions we have made to it down through the years. My friend the Senator from Minnesota [Mr. MCCARTHY] talked about the adoption of the social security bill in eloquent language, showing a remarkable memory and understanding of it. He spoke of what a great thing it was.

If we apply the test that it does not go far enough, we could have said the same thing about the original social security bill. When the Saviour of the earth was crucified, did any one object to it because it did not go far enough, on the basis that the Resurrection would also have to occur in order to make salvation available to all mankind around the world?

Of course the bill does not go far enough. But since when has a legislative body in a free society turned down constructive legislation, bearing the approval of both political parties and of both nominees for President, and of great men and women everywhere, because it did not go far enough? In my judgment our duty is to go as far as we can. We know we can pass the provisions of the committee bill, and we believe it will be accepted by the House and approved by the President. I presume it is not a violent assumption to believe that we will be here another year. If there are provisions which will improve it, and if there are provisions that would add to it, we can look at them another year. The Anderson amendment would not become effective, if adopted and made law, until July 1 next

year, in part, and January 1, 1962, in part. No one, not even its sponsors, would claim that even it goes far enough to meet all the objectives that they have in mind. Therefore, how can we jeopardize a great bill, which we can pass, because it does not go far enough?

If we add the Anderson amendment to the bill, we will not be bothered by the Presidential action; we ourselves, by our action, will have pronounced the judgment of its own destruction.

I submit that the committee bill is not enough, but it is a beginning from which we can look forward to a greater future and a brighter day for all our people. We must remember the millions that it will help, and remember that, if passed, it will go into effect on October 1 of this year, and that it can be made available to every State in the Union, with the tremendous incentive of up to 80 percent of the cost.

Therefore, in the sense of the highest responsibility, in the sense of rising above political differences, in the sense of marching in the direction of meeting the needs of 16 million aged in our country, let us pass the committee bill as it is before us, and then look forward to another day for such amendments or improvements as any of us hopes might be made.

Mr. ANDERSON. Mr. President, I yield 5 minutes to the Senator from Tennessee [Mr. GORE].

Mr. GORE. Mr. President, my warm, great friend, the Senator from Oklahoma, has stated that the committee bill does not go far enough. That is a very interesting statement. If we look at page 6 of the committee report we find, in the fourth paragraph, that the bill would cover "all medically needy aged 65 or over."

I digress to say that the phrase "medically indigent" is not used in the bill, as the Senator from Oklahoma has said, but the term "medically needy" is used in the report. I looked at the definition of "indigent" in Webster's Dictionary, and the definition of that word is "needy."

I should like to read three sentences from the report:

> It would cover all medically needy aged 65 or over—

Now I skip to the first sentence in the next paragraph:

> A State may, if it wishes, disregard in whole or part, the existence of any income or resources, of an individual for medical assistance—

Now I turn to the top of page 7, beginning with the first full sentence:

> The State has a wide latitude to establish the standard of need for medical assistance as long at it is a reasonable standard consistent with the objectives of the title.

Now I turn to page 9 of the report. I wish to raise the question of how remarkable it is that the committee bill does not go far enough. At the top of page 9 we find this language:

> Under the revised title I, State plans (with Federal matching funds) could provide potential protection under the new program of medical assistance for the aged to as many as 10 million persons aged 65 and over.

The average annual cost of medical care and hospitalization in the United States for a person 65 years of age and over is $250. One can do his own calculating. If the bill should be fully implemented, the cost would be $2½ billion in the first year.

But there is a very interesting reason why, as the able Senator acknowledges, the committee bill does not go far enough. The States must implement the program and provide matching funds. My Governor tells me today that Tennessee is not now able to match all the assistance funds which are already available to Tennessee, even though the Federal share under present law is 65 percent.

What benefit will this bill make available to the State of Tennessee? In what way will it benefit the State of West Virginia and other States? The Social Security Administration has told me that one-half of the States are now unable to match in full the funds already available, most of it on practically a 2-to-1 basis. Yes, there is an interesting reason why the bill does not go far enough. Fortunately, some States are blessed with abundant economic resources. For them, the bill will be a bonanza. For the old people in 25 States, it may be an empty and hollow promise.

The Senator from Oklahoma has criticized the Anderson amendment. We have found flaws in the committee bill. But it is only by a combination of the two that we can make this program truly national in character.

Mr. President, those of us who are sponsoring the Anderson-Kennedy amendment are not trying to deny to the old people of Louisiana or of Oklahoma or of any other State any of the benefits provided in the committee bill. Then why are they not so generous with us? If we are not trying, as we are not trying, to substitute the Anderson amendment for the committee amendment; if we are seeking only to add the Anderson amendment to the committee amendment, thereby providing benefits and making medical care available to the old in all 50 States, where is their generosity? Where is their concern for the national character of the social security program?

Mr. President, I call upon Senators across the aisle not to consider this as a partisan question. I ask them to think of the welfare of the 9 million old people in need of medical care.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. ANDERSON. Mr. President, I yield 3 minutes to the Senator from Colorado [Mr. CARROLL].

Mr. CARROLL. Mr. President, I associate myself with the remarks of the able Senator from Tennessee. Colorado is one of the fortunate States about which the Senator from Tennessee has spoken. We have a far more comprehensive medical care program than is contained in the bill. The Kerr-Frear amendment would be of great benefit to my State. Nevertheless, like the able Senator from Tennessee, I could not, in good conscience, deny the value of the amendment of the Senator from New Mexico and the Senator from Massachusetts. Why? Because it moves into a new field.

It extends coverage in a new field, a field which many States, which are not financially capable, have not been able to cover through sound medical care programs for needy people.

I listened with great respect to the statement of the distinguished Senator from Oklahoma [Mr. KERR] about the medical indigents. There would be no State medical program in Colorado unless a need basis were established. This is the real issue in this fight. The able Senator from Massachusetts has said it.

For 10 years we have been trying to provide medical assistance through the social security program. This is a basic issue. Of course, I accept the Kerr-Frear amendment; but to make it more fully effective and equitable throughout the Nation, it is necessary to attach to it the Anderson-Kennedy amendment.

The Kerr-Frear amendment is really an effort to sweeten and expand the public welfare program year after year after year; to escape what some think are the sinister consequences of bringing our people abruptly into a contributory system to provide for their own health needs.

I say, in answer to the Senator from Oklahoma, Let the President veto the bill. The aged of this country have suffered through the years. They will be patient while we carry the issue to the country. Then we will come back here and enact a comprehensive program. This is the way to fight the issue. Let us go to the people. We will come back in January. I believe the people will be on the side of those who will sustain the Anderson-Kennedy amendment.

I commend the able Senator from Oklahoma and the able Senator from Delaware for their amendment. It is a good amendment. It would greatly help my State. But I also want to help the 45,062 people in my State who are receiving social security old-age benefits but who do not meet the medical needs test and hence do not qualify for any medical care program. Can I deny them this sort of program? Can I vote against providing them an opportunity to participate in a medical program which would meet their needs? That is what I would be doing unless I accepted the Anderson-Kennedy amendment.

Mr. DIRKSEN. Mr. President, how much time remains on my side?

The PRESIDING OFFICER. The Senator from Illinois has 18 minutes remaining.

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the distinguished Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, I believe the debate has made it perfectly clear that the issue before us is whether we shall give the aged people of the country, who are unable to pay medical bills, a medical program; or whether we shall give them a political issue between now and next January. The issue can still be taken to the country. Both sides can discuss the

issue. But are we to pass a bill which will be vetoed by the President, and which even if it became law will not pay anyone's medical bills between now and June of next year, during which time Congress can act again, if it cares to act?

The bill before us would place every State in the Nation in a position to do at least twice as much for the aged as it is doing at present.

The poorer States, which complain that they are not as well able to put up the money as are States which have a higher per capita income, would be in a position to have the Federal Government contribute as much as 80 percent of the cost. They could increase what they are doing for their aged by as much as 400 percent, even though they did not contribute an additional nickel over and above what they are contributing at this time. There are indications in the committee report as to how that would be done. In some States, the funds made available would be more than necessary, even if the States do not increase appropriations to take care of the aged in those States.

What is now proposed to be added to the bill? Something which will contribute an important controversial issue of compulsory health insurance. This is something which should be taken to the people. They should have an opportunity to pass upon it, because under the proposal all working people would be taxed in order to take care of some of the aged, because of all those who are aged and retired today, only a portion are under social security.

Those who are not under social security, no matter how needy they may be, would not be assisted by the Anderson amendment which is sought to be added to the bill.

For example, the Anderson amendment would put a tax on a workingman and his family having an income of $100 a month. They would be taxed one-half of 1 percent of the payroll. It would work like a hidden sales tax. The consumers would pay the whole thing. They would be paying one-half of 1 percent of their income to pay for the medical assistance in many cases to someone who is well able to pay his own medical bill.

I know of large numbers of people who have substantial incomes and who are well able to pay their medical bills. I am sure that if a close relative of any Member of this body sustained a large medical bill, that relative would receive assistance from the Member. The same would be true of Members of the House and of members of other professions

If the States wish to do so, they can provide that such persons need not be cared for by relatives who are well able to pay. However, merely because the Federal Government will pay the bill does not mean that we will escape paying our share. If we vote for this proposal, we shall vote to impose more taxes on ourselves in order to pay that bill.

How many people would rather pay their own bills than to have the Federal Government tax everyone to pay the bills? The cost would not be any cheaper merely because a man was taxed to pay his medical bill than it would be if he were allowed to pay his own medical bill.

Generally speaking, I am constrained to believe that most persons who are well able to take care of their own medical expenses would just as soon do it as to have Uncle Sam be the middle man and charge them extra taxes plus the expense of collecting the money, and then lack money to pay the bill under Federal standards. Under the Anderson amendment, the poor man will have to dig down into his own pocket and take money needed for his wife and children in order to pay an extra social security tax to provide for many persons who have no real need at all. I should like to see something done to extend this assistance to those who need it particularly to those in mental hospitals. But the approach based on providing such care to those who need it is the approach taken by this bill; and that is all we shall be able to do between now and next year. I would rather see that done, rather than to have such payments made to those who may not need them.

As a matter of fact, I know that in my own State, 57 percent of the people over 65 receiving such old-age assistance are today in a position to pay and automatically receive the benefits of this bill. We should provide that others who need to have their medical bills paid can receive this aid. That is all we can do at this time.

Certainly the best thing we can do now is to provide for the giving of this aid to those who need it, rather than provide a political issue for the next 9 months.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from New Hampshire [Mr. BRIDGES].

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 2 minutes.

Mr. BRIDGES. Mr. President, I think the Senator from Louisiana has stated the issue very clearly. The issue is whether we have medical care for the aged or whether we have a political issue.

For myself, I will support a medical-aid plan for the aged of the Nation; and I compliment the Senator from Oklahoma [Mr. KERR] and the other Senators who have joined him in sponsoring the committee's bill for coming forward with a bill which the Senator from Oklahoma says frankly may not be adequate, but nevertheless the long step in the right direction, and I believe will provide the medical care immediately and will put the administration into the hands of the States, rather than establish another great Federal bureaucracy, as would be done under the Anderson amendment or the Forand bill, as we know it.

I supported the plan proposed by the distinguished Senator from New York [Mr. JAVITS] because I thought it was a sound one. I still think it is.

But now I support the committee bill; and I hope that the great majority of the Members of the Senate will support the committee bill and will oppose the Anderson amendment.

Mr. ANDERSON. Mr. President, I yield such time as he may need to the Senator from Idaho [Mr. CHURCH].

Mr. CHURCH. Mr. President, I ask unanimous consent to have a statement by me in support of the Anderson amendment printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CHURCH

I support the Anderson-Kennedy amendment. I should like to explain briefly some of my reasons for doing so.

In my own State of Idaho, as in the rest of the United States, the percentage of population over 65 is increasing. There, as elsewhere, the aged have more need of medical care than the young, and as a group they are less able to pay for it. Medical and hospital costs have skyrocketed. Private insurance has not met the needs of the aged group, either in terms of coverage or benefits.

In 1959, medical assistance under the Federal public assistance program in the State of Idaho totaled only a little over $24,000, all for nursing home care. This pittance demonstrates the extent of our need for a medical care program worthy of the name.

In Idaho, as in other States, public-spirited citizens and organizations have concentrated time, effort, and money on the problem of medical care for the aged. Some of our counties have tax-supported hospitals which do what they can. Some of our churches and lodges operate worthy private welfare programs for their own membership, and some of these include medical assistance. Individual doctors give freely of their time and their professional skills to attend to urgent charity cases.

But all of this effort, both in public and in the private sector, is based upon the charity approach. It is not premised on entitlement as a matter of right. Neither is the committee bill. Such an approach, however well motivated, inevitably results in a vast disparity in coverage from State to State, as well as in the extent and quality of assistance extended to the individual.

Now, for the first time, we stand united, as a people and in the Congress, that the Federal Government bears a responsibility in this field. The platforms of both parties, and sponsorship of the various amendments before us, the speeches of our presidential candidates all bespeak an awareness of the problem and a desire to solve it.

The central question is: Shall we adopt the charity approach or the insurance approach?

I prefer the insurance approach, and that is why I support this amendment.

The premise of the Anderson-Kennedy amendment is that the aged should not be required to undergo the humiliation of seeking charity, but rather that they should obtain medical benefits through an insurance system, to which they themselves contribute, and from which they receive benefits as a matter of right.

Any program which is based upon a means test, or a needs test, is heir to all the abuses which have plagued public relief programs from their earliest inception, whether at the county, city, State, or Federal level There will be the proud who will never seek help, while freeloaders bring the program into disrepute.

We have only to look at the so-called pauper's oath used in our veterans hospitals to see how this elastic device leads to the acceptance of medical and hospital care by well-to-do people who'd never get by in the charity ward of a private hospital.

For the 9 out of 10 working Americans who are now covered under the social security system, the Anderson-Kennedy amendment

will add a new benefit; namely, provision for meeting their basic medical needs after they have reached the age of 68. This program is actuarially sound. Contributions to it are levied over an individual's working lifetime, while he is employed. Benefits are noncancellable, either for age or after a benefit limit has been reached.

Since contributions would be collected as a part of the regular social security contributions, no new machinery for collection would be required.

The program is minimal. It does not preempt a legitimate field of private insurance any more than the provision for early retirement for disability which the Congress added to the social security system in 1956 preempted such a field. On the contrary, there is strong evidence that the private insurance business will be stimulated by this kind of Federal program. Private life insurance was helped rather than hurt by the Government's national service life insurance program.

For these reasons, I believe the Anderson-Kennedy amendment to be required by the public interest, and I urge its adoption.

Mr. DIRKSEN. Mr. President, I now yield 2 minutes to the Senator from New York [Mr. JAVITS].

Mr. JAVITS. Mr. President, I rise to oppose the Anderson amendment.

The Senator from Massachusetts [Mr. KENNEDY] has appealed for some Republican votes. But I should like to explain why he faces this difficulty today.

On the Monroney amendment to the minimum wage bill, which was tabled, the Senator from Massachusetts had 6 Republican votes because we were working together to put through a minimum wage program in which both the ideas of the Senator from Massachusetts and my ideas were represented.

In the present case, I happen to think that my health bill is more liberal than the Anderson proposal; but the proponents of the Anderson amendment think otherwise. So that is the way the situation is.

But now the Senator from Massachusetts asks us to endorse the Anderson-Kennedy amendment. I am sorry, but this is not the season for that.

I repeat that it seems assured that the aged will have an adequate medical-care plan, because both the Senator from Massachusetts and the Vice President have absolutely assured that, as have 28 votes on this side, and I know that an enormous number of votes on the other side will also be cast for the Anderson amendment.

But, unhappily, the Senator from Massachusetts cannot ask liberal Republican Senators just to "sign here," when their ideas and their views and their deeply held convictions are not reflected in the paper they are asked to sign.

Mr. ANDERSON. Mr. President, I yield 5 minutes to the Senator from Minnesota [Mr. HUMPHREY].

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes.

Mr. HUMPHREY. Mr. President, one of the gratifying developments in this situation is that the issue is not whether we should have a program of medical care. Instead, the question is how best to provide for such a program.

So we have made some very real progress; and certainly we are indebted, I believe, to the members of the Finance Committee for that progress.

So the question now is the means by which we shall obtain that program.

The Anderson amendment provides for the kind of strengthening of the committee bill that is required by the situation. The Anderson amendment is not a substitute for the committee bill. As has been repeatedly stated, the Anderson amendment is supplementary to the committee bill; and the only check on the committee bill, in terms of fiscal responsibility, is the social security principle which is written into the Anderson amendment, which provides a means of financing the portion of the medical care which will come under the terms of the Anderson amendment.

The committee bill plus the Anderson amendment will provide for the medical care of those who are in need of it because of their age or because they should receive it as a matter of right, under social security, both because of the compassionate aspects and because of the principle of legal right under a paid-up, prepaid insurance program under social security.

Actually, Mr. President, three out of four people over 68 years of age are covered by the Anderson amendment. The benefits will start 6 months after the fund begins to accumulate—which means financial responsibility.

I heard the argument, today, about the wonderful benefits of the committee bill, as compared to those of the Anderson amendment. The interesting point is that one can paint a beautiful picture of the supposed benefits under the committee bill, and that will entice the votes of those who want to do good. But then one can say to those who are economy minded, "Don't worry too much about that, because all of it depends on whether the States authorize the program." In other words, both sides of the street would thus be played.

Mr. President, if we take all the benefits outlined under the committee bill as a recognizable, realizable fact, fiscal responsibility has been written off. But if we take the limitations which would come about by means of the failure of the State legislatures really to establish such a program, then medical care has been written off for a large number of those who need it.

So the Anderson amendment is the only hope of providing adequate medical care under what might be called a definite program under social security.

Mr. President, I wish to leave one other thought with my colleagues: It has been stated here that if we add the Anderson amendment, the bill will be vetoed—in short, will be an invitation to a veto. Who knows that? Has anyone had a message from the President of the United States today, saying that he is going to veto this measure? By the way, has anyone received from the President a message saying that he will sign the committee bill?

This morning we were told that the administration was in favor of the Javits amendment; but that word came only this morning. I do not think anyone can be at all sure what measure the President will sign.

But, Mr. President, when I hear it said that "This is not the season" to join with us in supporting the Anderson amendment, I wonder who is playing politics.

Mr. President, let me make it quite clear that I thought social security was no longer a partisan issue. I thought that even those who had fought it to the utmost of their ability had repented.

Today, social security is supposedly nonpartisan; and all in the world that the Anderson amendment means is the application of the time-tested, proven principle of social security to a limited type of medical-aid program that is safe and sound. I submit this is the kind of program the people of the United States want. We shall thus provide for the financing, and we shall also provide limitations as to the amount of care they will be entitled to receive under the program. That is to be done now, because every Member of the Senate knows that the entire job cannot be done all at once.

The Anderson amendment provides for an approach that is reasonable and sensible.

Finally, Mr. President, let me say that I hope Senators will not allow their actions to be governed by the views of some persons who believe that the responsibility for taking action in this field lies at the door of 1600 Pennsylvania Avenue. Let there be no mistake about that situation, Mr. President: The people of the United States will hold to account the Members of Congress and the administration for the provision of proper and adequate care for the aged.

I believe the Anderson amendment provides the sane and the sensible and, if I may add, the conservative and responsible way to provide medical care for those who should have it by right, because of their great contributions as productive citizens in the American economy.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from Vermont [Mr. AIKEN].

The PRESIDING OFFICER. The Senator from Vermont is recognized for 2 minutes.

Mr. AIKEN. Mr. President, after listening to the debate this afternoon, I wonder what has become of our concern for the small farmer.

It is true, as I pointed out earlier this afternoon, that every corporation farmer will be eligible for benefits under this proposed amendment if he has received a salary from his incorporated farm. It is equally true that a good share of the family farmers or marginal farmers cannot qualify for benefits under this proposal, and undoubtedly will not qualify in the future. How can a farmer earning $2,000 or $2,500 a year from his farm, gross income in many cases, pay himself $4,200 salary, as a corporation farmer can? Or how can he deduct 4½ percent, as presently provided, or 5¼ percent in

the next year or two, and still more in the future as the statutory rate of tax increases? He just cannot put himself in a position to qualify.

I have been amazed at the lack of concern for the small farmer of the country who does not have a social security card. Why should that farmer be left out in the cold in this type of unfortunate and discriminatory legislation? I would like, for once, to get the politics out of the issue and really try to consider the matter on its merits, as it should be. I have been ashamed at some of the things that have been said in this debate, and the obvious political overtones that have just smothered the question. Why can we not be decent about it?

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished Senator from Nebraska [Mr. CURTIS].

The PRESIDING OFFICER. The Senator from Nebraska is recognized for 2 minutes.

Mr. CURTIS. Mr. President, I think in dealing with any social legislation we should be compassionate about it. One cannot accept the philosophy of the Anderson measure in the spirit of compassion. In the first place, it is a plan that would give nothing to 3½ million people over 68. It would give something: It would blanket in some 8 or 9 million people over 68 who are already on social security, and there would be no provision that they contribute anything to this particular fund.

The other day a prominent businessman from Nebraska called on me. He is 73 years of age. He is one of our wealthy men. He is a beneficiary of social security, drawing $175 a month. He does not have to retire. He will draw medical benefits under the Anderson plan, if it is passed. Yet, the most destitute individual in Nebraska will draw nothing. Who are the aged who are not beneficiaries under OASI? They are the people who have been unable to work for a great number of years.

This program will not take care of the people who need to be taken care of at this time.

If the Anderson proposal were not a failure, if it were not a mistake, it would never be offered as an addition to the bill as reported from the committee. It is offered as an addition, and not as a substitute, because it does not meet the problem that is in the minds of people everywhere, and that is the provisions of adequate medical assistance for the people who are unable to provide it for themselves.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Illinois has 3 minutes remaining.

Mr. DIRKSEN. I yield 1 minute to the Senator from Louisiana [Mr. LONG].

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 1 minute.

Mr. LONG of Louisiana. Mr. President, we should remember that this is an issue which should go to the people. It is an issue that will go to the people, because they should decide who is to be included under the bill. Benefits start at age 68, but the bill does not include payment for doctor bills. If this amendment goes into effect, we know that next year the law will include payment for doctor bills. Then, the age will be reduced to 65. Then, the retirement age will be reduced to 60. Then, the people who have to pay their own medical bills will say, "How about us?" Probably within 10 years we will have to cover everybody else's medical bills by this compulsory approach. We know what the cost is going to be. The cost is going to be 4 percent of the payrolls. That is about $8 billion a year. That is assuming the costs are kept down once Uncle Sam pays the entire tab.

I suggest that Senators go to the people and see whether they would want to pay their own medical bills if they can afford it or have someone pay for them with their tax money.

Mr. MAGNUSON. Mr. President, will the Senator yield half a minute to me, so I may address a question to the Senator from New Mexico?

Mr. ANDERSON. Mr. President, I yield half a minute to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington is recognized for half a minute.

Mr. MAGNUSON. I wanted to ask the Senator from New Mexico a question. As all lawyers know, residence is a matter of intent, and involves the physical appearance of the person with the intent. If we did not have a uniform plan, as proposed by the amendment of the Senator from New Mexico, and the State of Washington took advantage of it and had a liberal program, to the hilt, as far as it could go, and the State of Idaho, if my friend had his way, had a similar program, but some people in some States did not like the program, and those States had no such program under as is proposed, would it not mean that aged or retired people would move to a State where they could take advantage of the liberal provisions of the law?

Mr. ANDERSON. That is possible under the bill. It is not only possible, but I have been a relief administrator in a State, a county, and a region of States, and that is what happened over and over again. If Senators want to start bidding for the indigent, this is the way to do it.

Mr. MAGNUSON. California and Florida will be loaded. [Laughter.]

The PRESIDING OFFICER. Each side has 2 minutes remaining.

Mr. DIRKSEN. Mr. President, it always takes me so much longer to unfold and expand than 2 minutes will allow, but I will say the Senator from Oklahoma has put his finger on the question before us: Do we want an issue or a bill? The bill must yet negotiate a conference. The House has not considered this amendment. If it successfully negotiates a conference, it must go to the White House.

I have been rather circumspect about talking to the President. I could say today unequivocally, because I made inquiry, that the President would have accepted and would have signed the proposals that were offered by the Senator from New York [Mr. JAVITS].

With respect to the pending Anderson proposal, I have to judge only from the statements the President has made to me privately and the statements he has made publicly with respect to the inclusion of a medicare program within the tax frame of social security. It is my considered judgment that if the proposal went to the White House, if it got over every other obstacle, it would invite a veto. And when we go home and confront our senior citizens, and they say, "What did you give us?" we can only say, "We gave you a veto." And when they ask, "Why did you not stay there and finish the job?" we can only say, "We were in a hurry to go home."

The President is elected by all the people, and he is a part of the legislative procedure, because the Constitution gives him that authority.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. If we want some bread, this is the time to get it by voting down the Anderson proposal.

Mr. ANDERSON. Mr. President, I thank my colleagues who have tried to help. We knew from the beginning this would be an uphill fight.

I was a little surprised to hear the statement that this was medical care for the aged on a political issue. I ask Senators to look at pages 378 and 379 of the hearings, where they will see that the finest body of social workers in America has labeled this a proper method by which to proceed.

As to the political issue, I ask Senators to look at page 161, to see the names of 30 Governors. It is true that they said we should follow the social security principle. A great many of them were Democrats, but among them was Nelson Rockefeller of New York, who had quite a time at the Republican Convention, as I remember it. I do not believe this is a political issue.

Also, it takes time to get benefits. I remember that in 1936 I was an admintrator for this very sort of program. We collected money for a long time before we started paying benefits. Is it remarkable that we should start collecting money under the program January 1 and not pay benefits for a while after that?

I hope the Congress will stand by the social security principle. We have done it in the case of disability. We have done it for old-age assistance and various other things. Why stop now? This is and has been a successful program. I urge Senators not to abandon it. I certainly urge Senators not to abandon it under the threat of a veto.

I have seen the Congress pass housing bills, public works bills, and bills of every nature, with the statement, "We will pass a proper bill, and then the President will have to do his proper duty.

The PRESIDING OFFICER. The time of the Senator from New Mexico has expired.

All time has expired.

The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. ANDERSON], for himself

and other Senators. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. BURDICK. On this vote I have a pair with the Senator from Arkansas [Mr. FULBRIGHT]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

Mr. MANSFIELD. I announce that the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from South Carolina [Mr. JOHNSTON] are absent on official business.

I also announce that the Senator from Missouri [Mr. HENNINGS] is absent because of illness.

I further announce that, if present and voting, the Senator from Missouri [Mr. HENNINGS] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. MARTIN] is absent by leave of the Senate on official business.

The result was announced—yeas 44, nays 51, as follows:

[No. 307]

YEAS—44

Anderson	Gruening	Magnuson
Bartlett	Hart	Mansfield
Bible	Hartke	Morse
Byrd, W. Va.	Hayden	Moss
Cannon	Humphrey	Murray
Carroll	Jackson	Muskie
Case, N.J.	Johnson, Tex.	O'Mahoney
Chavez	Kefauver	Pastore
Church	Kennedy	Proxmire
Clark	Lausche	Randolph
Dodd	Long, Hawaii	Symington
Douglas	Lusk	Williams, N.J.
Engle	McCarthy	Yarborough
Gore	McGee	Young, Ohio
Green	McNamara	

NAYS—51

Aiken	Ellender	Morton
Allott	Ervin	Mundt
Beall	Fong	Prouty
Bennett	Frear	Robertson
Bridges	Goldwater	Russell
Bush	Hickenlooper	Saltonstall
Butler	Hill	Schoeppel
Byrd, Va.	Holland	Scott
Capehart	Hruska	Smathers
Carlson	Javits	Smith
Case, S. Dak.	Jordan	Sparkman
Cooper	Keating	Stennis
Cotton	Kerr	Talmadge
Curtis	Kuchel	Thurmond
Dirksen	Long, La.	Wiley
Dworshak	McClellan	Williams, Del.
Eastland	Monroney	Young, N. Dak.

NOT VOTING—5

Burdick	Hennings	Martin
Fulbright	Johnston, S.C.	

So Mr. ANDERSON'S amendment was rejected.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. KERR. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 2633) to amend the Foreign Service Act of 1946, as amended, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. HAYS, Mrs. KELLY, Mr. FARBSTEIN, Mr. BENTLEY, and Mrs. BOLTON were appointed managers on the part of the House at the conference.

STATE, JUSTICE, JUDICIARY APPROPRIATION BILL

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD a chart with regard to the conference report on the State, Justice, Judiciary appropriation bill.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

STATE, JUSTICE, JUDICIARY APPROPRIATION BILL

House bill	$676,564,807
Senate bill	718,269,147
Conference bill	705,032,567
Increase over House	28,467,760
Decrease from Senate	13,236,580
Decrease under budget estimates	27,997,828

SOCIAL SECURITY AMENDMENTS OF 1960

The Senate resumed the consideration of the bill (H.R. 12580), the Social Security Amendments of 1960.

Mr. MORSE. Mr. President, earlier this afternoon I announced that in case the Anderson-Kennedy amendment was agreed to, I would then offer certain amendments which would also cover citizens who are on railroad retirement so that they would receive equality of treatment with those covered by the Anderson-Kennedy amendment. Now that the Anderson-Kennedy amendment has failed, I submit those amendments only for the record, for future reference, so that the CONGRESSIONAL RECORD will show what the amendments would have been. I ask unanimous consent that they be printed in the RECORD at this point in my remarks, together with a statement of explanation of the proposed amendments to the Railroad Retirement Act.

There being no objection, the amendments and explanation were ordered to be printed in the RECORD, as follows:

AMENDMENTS TO H.R. 12580

Add the following after section 607 of H.R. 12580:

"AMENDMENTS TO THE RAILROAD RETIREMENT ACT

"SEC. 608. The Railroad Retirement Act is amended by adding after section 20 the following new section:

"'MEDICAL INSURANCE BENEFITS

"'SEC. 21(a). For the purposes of this section, and subject to the conditions hereinafter provided, the Board shall have the same authority to determine the rights of individuals described in subsection (b) of this section to have payment made on their behalf for inpatient hospital services, skilled nursing home services, home health services, and outpatient hospital diagnostic services within the meaning of section 226 of the Social Security Act as the Secretary of Health, Education, and Welfare has under such section 226 with respect to individuals to whom such section applies. The rights of individuals described in subsection (b) of this section to have payment made on their behalf for the services referred to in the next preceding sentence shall be the same as those of individuals to whom section 226 of the Social Security Act applies and this section shall be administered by the Board as if the provisions of such section 226 were applicable, references to the Secretary of Health, Education, and Welfare were to the Board, references to the Medical Insurance Account were to the Railroad Retirement Account, references to the United States or a State included Canada or a subdivision thereof, and the provisions of subsection (g) of such section 226 were not included in such section. For purposes of section 11, a determination with respect to the rights of an individual under this section shall, except in the case of a provider of services, be considered to be a decision with respect to an annuity.

"'(b) Except as otherwise provided in this section, every individual who—

"'(A) has attained the age of sixty-eight, and

"'(B)(i) is entitled to an annuity, or (ii) would be entitled to an annuity had he ceased compensated service and, in the case of a spouse, had such spouse's husband or wife ceased compensated service, or (iii) had been awarded a pension under section 6, or (iv) bears a relationship to an employee which, by reason of section 3(e), has been, or would be, taken into account in calculating the amount of an annuity of such employee or his survivor,

shall be entitled to have payment made for the services referred to in subsection (a), and in accordance with the provisions of such subsection. The payments for services herein provided for shall be made from the Railroad Retirement Account (in accordance with, and subject to, the conditions applicable under section 10(b) in making payment of other benefits) to the hospital, skilled nursing facility, visiting nurse agency or homemaker service agency providing such services, including such services provided in Canada to individuals to whom this subsection applies, but only to the extent that the amount of payments for services otherwise hereunder provided for an individual exceeds the amount payable for like services provided pursuant to the law in effect in the place in Canada where such services are furnished.

"'(c) No individual shall be entitled in any benefit period as defined in section 226 of the Social Security Act to have payment made for services provided for in this section under both this section and section 226 of the Social Security Act. In any case in which an individual would, but for the preceding sentence, be entitled to have payment for such services made under both this section and such section 226, payment for such services to which such individual is entitled shall be made pursuant to certification of the Board or the Secretary of Health, Education, and Welfare, whichever first determines that the individual is entitled to have such services paid for. It shall be the duty of the Board and the Secretary with respect to such cases jointly to establish procedures designed to minimize duplications of requests for payment for services and determinations and to assign administrative functions between them so as to promote the greatest facility and efficiency of administration of this section and section 226 of the Social Security Act.

"'(d) Any agreement entered into by the Secretary of Health, Education, and Welfare pursuant to section 226 of the Social Security Act shall be entered into on behalf of both such Secretary and the Board. The preceding sentence shall not be construed to limit the authority of the Board to enter on its own behalf into any such agreement relating to services provided in Canada or in any facility devoted primarily to railroad employees.

"'(e) A request for payment for services filed under this section shall be deemed to be a request for payment for services filed as of the same time under section 226 of the Social Security Act, and a request for payment for services filed under such section 226 shall be deemed to be a request for payment for services filed as of the same time under this section.

"'(f) The Board and the Secretary of Health, Education, and Welfare shall furnish each other with such information, records, and documents as may be considered necessary to the administration of this section or section 226 of the Social Security Act.'

"AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT

"SEC. 609(a). Section 3201 of the Railroad Retirement Tax Act is amended by striking *': Provided'* and inserting in lieu thereof the following: '. With respect to compensation paid for services rendered after the date with respect to which the rates of taxes imposed by section 3101 of the Federal Insurance Contributions Act are increased with respect to wages by section 606(b) of the Act which amended the Social Security Act by adding section 226, the rates of tax imposed by this section shall be increased, with respect only to compensation paid for services rendered before January 1, 1965, by the number of percentage points (including fractional points) that the rates of taxes imposed by such section 3101 are so increased with respect to wages: *Provided'*.

"(b) Section 3211 of the Railroad Retirement Tax Act is amended by striking *': Provided'* and inserting in lieu thereof the following: '. With respect to compensation paid for services rendered after the date with respect to which the rates of taxes imposed by section 3101 of the Federal Insurance Contributions Act are increased with respect to wages by section 606(b) of the Act which amended the Social Security Act by adding section 226, the rates of tax imposed by this section shall be increased, with respect only to compensation paid for services rendered before January 1, 1965, by twice the number of percentage points (including fractional points) that the rates of taxes imposed by such section 3101 are so increased with respect to wages: *Provided'*.

"(c) Section 3221 of the Railroad Retirement Tax Act is amended by inserting after '$400' the first time it appears the following: '. With respect to compensation paid for services rendered after the date with respect to which the rates of taxes imposed by section 3111 of the Federal Insurance Contributions Act are increased with respect to wages by section 606(c) of the Act which amended the Social Security Act by adding section 226, the rates of tax imposed by this section shall be increased, with respect only to compensation paid for services rendered before January 1, 1965, by the number of percentage points (including fractional points) that the rates of taxes imposed by such section 3111 are so increased with respect to wages'."

EXPLANATION OF RAILROAD RETIREMENT AMENDMENTS

The amendments to the Railroad Retirement Act would provide for payment on behalf of aged railroad workers and their aged dependents for the same inpatient hospital services, skilled nursing home services, home health services and outpatient hospital diagnostic services as would be provided under the Anderson-Kennedy amendments for aged workers and their aged dependents under the social security system. The coverage under the railroad retirement amendments is the same as under the Anderson-Kennedy amendments, that is, both amendments would cover workers and dependents, age 68 or over, including only those who are eligible for immediate payment of monthly benefits, or annuities, or would be but for not having stopped work. The railroad retirement amendments would include an employee's relatives or dependents who, though not directly eligible for annuities, would be eligible for monthly benefits under the social security system if railroad service were covered by the social security system. An example of such relatives or dependents would be the employee's dependent parents who are not eligible for annuities under the Railroad Retirement Act when the employee's widow or child is eligible for a monthly annuity but which parents would be eligible for monthly benefits under the Social Security Act, without regard to the eligibility of the widow or child, if the employee's railroad employment had been covered by the Social Security Act.

Special provision would be made to prevent duplication of benefits.

This new benefit program for railroad workers would be administered by the Railroad Retirement Board through the incorporation in the Railroad Retirement Act of the provisions for payment of hospital and other health services under the Social Security Act, in the same way, and under the same conditions, generally, as the program for social security workers would be administered by those in charge of the social security system, except that the railroad program would extend to Canadian employees of American railroads insofar as the cost of these new benefits would exceed that required to be supplied by Canadian law.

All agreements with providers of service, that is, with hospitals, skilled nursing facilities, visiting nurse agencies, and homemaker service agencies, regulating the care to be provided and the pay for services furnished, would be made by the Secretary of Health, Education, and Welfare on behalf of the Secretary and the Board; and the Board would make such agreements only with railroad hospitals and facilities with which the Secretary might not have an agreement and with Canadian hospitals and health agencies.

Provision would also be made to pay for this new program by raising the rate of employment tax on railroad workers and employers by the same number of percentage points as the employment taxes would be raised on covered social security workers and their employers. The present financial interchange provisions of the Railroad Retirement Act would operate also with respect to this new program since the hospital and health benefits under the social security system would be paid for out of the medical insurance account which would be only a part of the Federal old-age and survivors insurance trust fund, and while increased taxes would be levied to pay for these new social security benefits, the proceeds would be appropriated into the Federal old-age and survivors insurance trust fund, although into a special account in that fund.

Mr. YARBOROUGH. Mr. President, I call up my amendment to H.R. 12580 and ask that it be stated.

The PRESIDING OFFICER. The amendment of the Senator from Texas [Mr. YARBOROUGH] will be stated.

The LEGISLATIVE CLERK. On page 29, between lines 21 and 22, it is proposed to insert the following new subsection:

INCLUSION OF TEXAS AMONG STATES WHICH ARE PERMITTED TO DIVIDE THEIR RETIREMENT SYSTEMS INTO TWO PARTS FOR PURPOSES OF OBTAINING SOCIAL SECURITY COVERAGE UNDER FEDERAL-STATE AGREEMENT

(k) Section 218(d)(6)(C) of the Social Security Act is amended by inserting "Texas," before "Vermont."

Mr. BYRD of Virginia. Mr. President, the proposed amendment applies only to the State of Texas. I accept the amendment and will take it to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas.

The amendment was agreed to.

MR. HARRIMAN'S MESSAGE TO MR. KHRUSHCHEV

Mr. KEATING. Mr. President, I have read with interest of an informal two-power meeting that occurred last night. Averill Harriman met with Soviet Ambassador Menshikov.

According to press reports, Mr. Harriman advised the Soviet Ambassador that "he should inform Mr. Khrushchev that Mr. Kennedy would be the next President of the United States, and to make his plans accordingly."

I find Mr. Harriman's statement most thought provoking. In the first place, Averill is not an acknowledged seer when it comes to political futures.

Thus, I am sure that Ambassador Menshikov will pass along the Harriman prophecy to Khrushchev with some such qualifying statement as "Mr. Harriman has been known to be wrong before, in assessing his own political future, so let us assume that in the present instance, he is thinking with his heart instead of his head."

Further, as an expert in issuing communiques strictly for home consumption, Ambassador Menshikov must appreciate that Mr. Harriman is presently in rehearsal, together with several other competitors, for a role that he feels eminently suited for—that of Secretary of State—in the unforeseen Cabinet of the Democratic candidate. As one of the stage struck, therefore, or perhaps State struck is more apt, he is trying to sound as global and profound and omniscient as the others who are rehearsing for the role. As a matter of fact, in all candor, I must admit that I would much prefer to see the distinguished former Governor of New York in the post position in the diplomatic sweepstakes than I would some of the other active entries who have been prominently mentioned.

It is not my intention to read too much into Mr. Harriman's historic message to Nikita. Indeed, perhaps the implication is one of warning, rather than of flexibility. Perhaps Mr. Harriman is cautioning the Soviet Premier that he will have a vigorous, able, unflinching, and supremely wise Secretary of State to deal with after the Eisenhower administration leaves office. As a matter of cold fact, Mr. Harriman is correct. There will be such a Secretary of State, and I am confident that, as an outstanding member of the Foreign Relations Committee, Senator KENNEDY will extend to that Secretary of State his full and valued support.

SOCIAL SECURITY AMENDMENTS OF 1960

The Senate resumed the consideration of the bill H.R. 12580, the Social Security Amendments of 1960.

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished chairman of the committee whether it is proposed to complete consideration of the pending bill tonight. If so, how many amendments are at the desk, and are they of a major or minor character?

Mr. BYRD of Virginia. There are quite a number of amendments, and probably it would be better not to finish the bill tonight. There are about 10 or 15 amendments, and their consideration probably will require a considerable length of time. Therefore it may be better not to finish the bill tonight.

Mr. DIRKSEN. If I correctly understand the distinguished Senator from Virginia, there are approximately 15 amendments at the desk, some of them of a major character, and therefore it is unlikely, in his opinion, that consideration of the bill can be completed tonight.

Mr. BYRD of Virginia. That is correct. I believe it would require some time.

Mr. ENGLE. Mr. President, I offer an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 29, between lines 21 and 22, it is proposed to insert the following new subsection:

CERTAIN EMPLOYEES IN THE STATE OF CALIFORNIA

(k) Notwithstanding any provision of section 218 of the Social Security Act, the agreement with the State of California heretofore entered into pursuant to such section may, at the option of such State, be modified, at any time prior to 1962, pursuant to subsection (c)(4) of such section 218 so as to apply to services performed by any individual who, on or after January 1, 1957, and on or before December 31, 1959, was employed by such State (or any political subdivision thereof) in any hospital employee's position which, on September 1, 1954, was covered by a retirement system, but which, prior to 1960, was removed from coverage by such retirement system if—

(1) after January 1, 1957, but before January 1, 1960, such individual has, in his capacity as an employee in such a position, participated in a referendum conducted in accordance with the requirements contained in subsection (d)(3) of such section, and

(2) prior to July 1, 1960, such State has, in good faith, paid to the Secretary of the Treasury, with respect to any of the services performed by such individual in any such position, the sums prescribed pursuant to subsection (e)(1) of such section 218. Notwithstanding the provisions of subsection (f) of such section 218, such modification shall be effective with respect to (A) all services performed by such individual in any such position on or after the date of enactment of this subsection, and (B) all such services, performed before such date, with respect to which such State has paid to the Secretary of the Treasury the sums prescribed pursuant to subsection (e) of such section 218, at the time or times established pursuant to such subsection.

Mr. ENGLE. Mr. President, this is a very technical amendment, which permits the inclusion of some people in the El Centro Community Hospital. Through a technical error, they were excluded from the provisions of the bill. I have cleared the amendment with the committee staff, with the chairman of the committee, with the minority, and with the Senator from Delaware. The committee is ready to accept the amendment. It permits the correction of a technical error. I offer it on that basis.

Mr. BYRD of Virginia. The amendment refers only to the State of California. I will accept the amendment and take it to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment by the Senator from California [Mr. ENGLE].

The amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, on behalf of myself and the Senator from Florida [Mr. SMATHERS], I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. Beginning on page 204, line 21, it is proposed to strike out all through line 2 on page 205, and insert in lieu thereof the following:

(f) (1) Section 6 of such Act is amended by striking out "or any individual (a) who is a patient in an institution for tuberculosis or mental diseases, or (b) who has been diagnosed as having tuberculosis or psychosis and is a patient in a medical institution as a result thereof".

On page 206, beginning with the word "or" on line 6, it is proposed to strike out all through the word "thereof" on line 9.

Mr. LONG of Louisiana. Mr. President, the purpose of the amendment is to correct what I believe is a gross oversight in the committee amendment. In committee I was one of those who joined as cosponsors of the committee amendment, because I believed the Federal Government should do what it can do to provide assistance for those who are not able to provide it for themselves.

A great number of Senators who voted for it will be surprised to find that the committee bill does not provide for those who are mentally sick.

Mental sickness affects 165,000 people, who are in mental institutions today. Ninety percent of them are not able to pay their medical bills. This is a disease which in many instances is incurable.

We are told that with the pressures of modern times the disease will occur far more frequently in the future. Yet the committee bill, while it would help take care of most of those who cannot afford to pay their bills while sick, does nothing for the mentally sick or for those who suffer from tuberculosis. Why is that exception made?

It is particularly unfortunate that those people should be left out. Why should people who are mentally sick or who have tuberculosis be left out? The cases of the mentally sick are the most crying cases of need of all. Young veterans have come to me—young men who have just graduated from college—to tell me that they and their brothers and sisters had spent every nickel they could lay their hands on to look after their father or mother in a mental institution. They have sought my help to have them taken care of in a U.S. hospital. Why is that? The record shows that in a State hospital there is little money available for such cases. It averages about $3 a person per day, or $90 a month.

Ninety dollars a month. Think of it. Ninety dollars a month to take care of people who are mentally sick people in the mental hospitals. Think of the tremendous expense which devolves upon relatives on the one hand or the unmet need on the other.

If we get them into a U.S. public health hospital, a veterans' hospital, a marine hospital, or some other hospital where Uncle Sam will foot the bill, the Federal Government pays between $15 and $16 a day to provide for such persons.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CASE of South Dakota. What would be the effect of the Senator's amendment on patients who are in a State hospital? For example my State has a tuberculosis sanitarium which is located near my home town. South Dakota also has a State hospital for the mentally sick. Would aid be available to pay the costs which otherwise would devolve upon the individuals in the counties, or the people who are of required age?

Mr. LONG of Louisiana. My amendment provides that the age requirement would be available just as it would be in any other hospital in the Senator's State. The State hospital, the county hospital, or the city hospital is subject to matching in the case of any disease from which a person is suffering, except mental illness or tuberculosis. Why exclude those diseases?

Mr. CASE of South Dakota. I do not believe they should be excluded. Certainly, tuberculosis and mental sickness should be regarded as any other illnesses. I think the Senator's amendment should be adopted.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CARLSON. Does the Senator's amendment apply only to those over age 65?

Mr. LONG of Louisiana. Only to those over age 65. However, I point out again that mental illness tends to be an old man's illness. Compare the situation with that in my own State. In Louisiana State hospitals, we find that those over age 65 are nearly 10 percent of those who are in the hospitals. But in our mental hospitals, the figure is 20 percent of the population.

I repeat: Mental illness tends to be an old person's disease. It arises, increases with the passage of time, and the pressure of circumstances. I suppose in some instances, the person's mind simply begins to wear out. He may have hardening of the arteries, which affects the brain cells and other parts of the body, thus tending to make mental illness occur later in life rather than earlier.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MAGNUSON. Not only does it occur later in life; but the Senator from Louisiana knows that the Senator from Washington has participated in many health programs. Great progress is being made in the curing of all kinds of diseases. But the charts indicate that mental illness is constantly rising in the United States.

As the Senator knows, I am the chairman of the Subcommittee on Appropriations which handles the appropriation for the Veterans' Administration. Every other bed in the veterans' hospital is occupied by a mental case. The charts indicate that cases of mental illness in private hospitals are constantly rising, whereas some progress is being made in overcoming other types of disease.

Mental illness is something we have not considered as much as we should. The cases of mental disease in veterans' hospitals in the United States alone cost more than $500 million annually simply for care.

Mr. LONG of Louisiana. I agree with the Senator from Washington. Suppose the Senate does not accept this amendment. Consider the ridiculous position in which we will find ourselves.

To provide old-age assistance the Federal Government will put up as much as 80 percent of the money for health care. If the aged people are placed in a mental institution where bills run the highest, because in many cases the disease is completely incurable, it is not possible to obtain any Federal help. The State has to assume the whole load by itself.

Consider an old person, 65 or 66 years old, who is drawing old-age assistance. The Federal Government pays anywhere from 60 to 80 percent of the entire cost of his old-age assistance. But the minute that person becomes mentally ill and must be in an institution for care, then all the Federal assistance is cut off. What kind of sense does that make?

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. SMATHERS. First, I congratulate the able junior Senator from Louisiana for presenting this amendment. I do not remember this amendment being discussed at great length in the committee discussions. It seemed to me that it was the sense of the majority of the committee that they wanted to do something in this field for elderly people. No one can rightly distinguish between a person who is so old that he cannot move because of rheumatism or dyspepsia, or something of that nature, and who will be helped by the Federal Government, and a person who is suffering mental illness will not be given such help; he will be denied treatment.

I do not believe it was the intention of the members of the committee, and I do not believe it is the intention of the Senate, to distinguish among illnesses. As I understand, the purpose of the bill is to help all aged people who are needy, who are in institutions, and who are not getting the proper kind of treatment.

The whole purpose of the so-called Finance Committee proposal was to help elderly people who found themselves unable to get proper treatment. So I congratulate the Senator from Louisiana upon his amendment. I hope the Senate will adopt it. I should like to think the chairman of the Committee on Finance will accept the amendment. I think that it was the intention of the committee, in good conscience, to have such a proposal in the original bill.

Mr. LONG of Louisiana. Mr. President, as one who voted for the committee bill and for the Kerr amendment, I thought the mentally ill were included. I never dreamed that it was proposed to look after the poor but not to include the mentally ill. I can think of no logical reason why they should not be included.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. RANDOLPH. I shall vote for the amendment offered by the Senator from Louisiana and the Senator from Florida. I feel we have given attention to the problems of the physically handicapped in practically all of the legislation in this area which we have passed and are discussing this afternoon. Now I should like to believe that it is proper and right that those who are mentally ill should be given the same coverage.

We are dealing here with the welfare of people, not with portions or segments of the person. In this respect we cannot well separate the mind from the body in the total functioning of the individual.

A person who suffers from mental disability to the extent that he or she has been hospitalized for a psychosis is just as undeniably in need and is as equally deserving of the provisions of this act as are the physically handicapped.

I have been conversant with the problems of the mentally ill and have been deeply concerned with them for some time, especially since the American Legion in West Virginia has taken the lead in my State in helping to bring public attention to bear on the question.

I am therefore pleased to join with my distinguished colleagues from Florida and Louisiana in support of this very significant piece of humanitarian legislation.

Mr. LONG of Louisiana. I thank the Senator from West Virginia. To show how this problem affects people, I am familiar with the situation in my own State of Louisiana. There is great difficulty on the part of any State government to spend its money where it will go the furthest. Therefore, in Louisiana—and Louisiana has very liberal requirements for entrance and eligibility—if sick people are admitted to a State general hospital for the treatment of tuberculosis or for a tonsilectomy, or anything else which needs medical care, the State knows that its case burden will be relieved in short order, and the State, therefore, is disposed to spend money for private care on a par with the kind of care that the person would receive in private institutions.

I have before me the averages of the cost per hospital day in Louisiana. On a hospital-day basis, about $15 a day is the average cost of treatment in the State hospitals, but not in the mental hospitals. If a person is so unfortunate as to be confined to a mental hospital, the treatment money is $3 a day, or about $1 compared with the $5 which would be spent to treat a person if he were in some other type of hospital. One reason for that is that illnesses of other kinds are easier to treat and shorter in duration.

Louisiana has one hospital where a special effort is made to treat people whose illness is thought to be curable. The cost is $9.41 a day.

What can be done with $1 as compared with the $5 spent in other general hospitals? About the best most mental hospitals can hope to do is to feed such patients and provide them with a change of bed linen. What kind of treatment can be expected on $3 a day?

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. HUMPHREY. Yesterday the Senator from Louisiana discussed this question privately with some of his colleagues. I fully concur in the proposal he is offering. There is no area in which there is a greater need. The greatest tragedy, I suppose, of all medical cases, is in the field of mental health. The Senator's proposal at least makes a determined effort to do something about providing modern care for the heartrending cases in the field of mental sickness. I compliment the Senator, as I told him last night. It is always good to be on his side in efforts to improve the social welfare structure, because in the main I find the Senator from Louisiana is always doing what I think is the proper thing. Not only that, but he sets a mighty good standard for his colleagues.

Mr. LONG of Louisiana. I thank the Senator from Minnesota.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MAGNUSON. The good thing about this amendment is that we find that when we can get the mental cases to a proper place to use the new drugs, especially the tranquilizer type of drugs, it has been possible to take care of mental health cases and cure them. Previously, such cases drifted along for many years.

Mr. LONG of Louisiana. If shock treatment is provided, a great number of mental disease cases can be completely cured in a short time.

Mr. MAGNUSON. But it is necessary to send such cases to institutions where they can properly be taken care of.

Mr. HUMPHREY. I think the best evidence for the Senator's argument is what happens in Veterans' Administration hospitals, where the record of improvement in the condition of so-called mental health patients, or patients having mental sickness is phenomenal. Veterans' Administration hospitals have done remarkable work. Why? Because they had the facilities, the modern drugs, and all the many new treatments,

such as the Senator has described, one of them being shock treatment. The Veterans' hospitals have had everything to work with. That is an indication that when the proper facilities and personnel, and drugs and care are available, progress can be made. The Senator's amendment is directed toward that purpose. If we do nothing else than do something in this field, together with what we have done in the treatments at the National Institutes of Health for research in the field of mental health care, we will be making very commendable progress.

Mr. LONG of Louisiana. Mr. President, I wish to say only one or two words about the so-called administrative objections. So far as I can ascertain, they are not objections on the part of President Eisenhower. In fact, they are so ridiculous that I do not believe they deserve to be associated with either the Vice President or the Secretary of Health, Education, and Welfare.

However, within the hidebound bureaucracy in the departments, some objections are found. It is said, in the first place, that the Federal Government never has done anything for a program of this type. But what sort of argument is that? It was only a year or two ago that the Federal Government provided any medical care, and only now is it proposed that the Federal Government help to provide medical care for almost all persons who need it.

It is said that if the Federal Government makes provisions for such a program, the States might reduce the contributions they already are making for the aid of these persons. The same argument could be made against any Federal program in any field in which the States also take a part.

Such arguments are completely spurious; there is no logic at all to them. In fact, I believe that any bureaucrat who presented such an argument to President Eisenhower would be told he was stupid.

This amendment will provide perhaps $120 million a year for the needy people of the country who are suffering from mental illness or tuberculosis. Many of them can be cured; and if this measure is enacted, many of them will be cured.

On the other hand, if we do not take the action called for by my amendment, but, nevertheless, provide for some medical care, we shall find that we have provided for all the groups except the very group which has the most crying need for medical care.

Furthermore, Mr. President, although we understand that the President is willing to go along with a bill which will cost $1,200 million, the way it now stands, yet some object to extending the bill to cover those who have the most crying needs of all, even though this logical extension would add only a small increase, comparatively, to the cost of the bill.

Mr. President, the State I represent will benefit greatly from this bill, even without this amendment. But I state frankly that I would rather have my State receive less Federal aid in the other categories and have some aid provided to those in Louisiana who, in my opinion, are the most neglected of all. Mr. President, the provision of aid to those in this group should be the starting point; they should not be the last ones to be provided for.

Mr. HUMPHREY. Mr. President, earlier I heard the Senator say that of all the illnesses that really take their toll on the income of either the individual or the family or the family friends, none has a more harmful effect than so-called mental sickness does. Certainly, that is true; and yet everyone knows that not one State or county or city in the Nation has adequate facilities for the mental illness cases which already have been diagnosed. As a matter of fact, there is not one State in the Union that does not need to double the available hospital space for its so-called mental sickness patients or mental health patients.

Mr. President, the argument the Senator from Louisiana has been making cannot be refuted. The only argument which can be made against his amendment is that it will cost some money. But on the basis of that argument, Mr. President, the whole bill could be opposed.

It is also argued that if this amendment is agreed to, perhaps the States will reduce the assistance they already are providing. But, Mr. President, the same argument could be made against the entire bill.

If it is said that we cannot afford to make the provision which the Long-Smathers amendment calls for, I point out that there is no illness that takes a greater toll in terms of production in the economy than does mental illness. We have found that in some of the hospitals where there is an extensive program of providing care for those who are mentally ill, it has been made possible for such illness to be cured and for those who suffer from mental illness to become once more productive, useful citizens and make real contributions to the community and to the economy.

In short, Mr. President, I do not think this amendment will actually cost one dime; and I speak with some knowledge of this situation, because I saw the results being obtained in the city of Minneapolis, where the care provided was such as to make it possible for persons suffering from mental illness to be returned to gainful employment and productive occupations.

Mr. LONG of Louisiana. Mr. President, on the question of agreeing to this amendment, I ask for the yeas and nays.

Mr. JOHNSON of Texas. Mr. President, I hope the yeas and nays will be ordered. Several Senators have engagements; and if the yeas and nays are ordered on the question of agreeing to this amendment, we can inform Senators of that, and also can arrange for the procedure for the remainder of the evening.

So, Mr. President, I ask for the yeas and nays on the question of agreeing to the Long-Smathers amendment.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Is there a sufficient second?

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, the Senator from Louisiana has already spoken for a certain length of time on his amendment. Will he agree to the following limitation to be applied to the further consideration of his amendment: 10 minutes for the proponents and 15 minutes for the opponents? If so, I make that proposal.

Mr. LONG of Louisiana. Or if the Senator from Texas prefers, he can request 5 minutes for the proponents and 10 minutes for the opponents.

Mr. JOHNSON of Texas. Very well, Mr. President; then I ask for 5 minutes for the proponents and 10 minutes for the opponents.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, at this point I ask unanimous consent that the time required for these requests not be charged to the time available to either side under the agreement already entered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I have talked with the chairman of the committee and also with the minority leader; and in that connection I now ask unanimous consent that debate on any other amendments which may be offered be limited to 20 minutes, to be divided equally between the proponents and the opponents, and controlled, respectively, by the proponent of the amendment and the majority leader.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. I also ask unanimous consent that there be a limitation of 30 minutes on the further debate on the bill, to be divided equally between the proponents and the opponents, and controlled, respectively, by the chairman of the committee and the minority leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I announce that we shall attempt to complete our action on the bill tonight. I ask that all Senators be on notice. I hope we shall not have to hold up any yea-and-nay votes because Senators are away from the Capitol. In view of the 20-minute limitation on amendments which has been ordered, Senators should either remain in the Chamber or should be in their offices, where they can be notified.

Mr. DIRKSEN. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. Is it possible to ascertain how many Senators have amendments which are yet to be called up?

Mr. JOHNSON of Texas. Mr. President, I now ask how many Senators have amendments which are yet to be called up? I am informed now that there will be four.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that

when the Senate concludes its business today, it stand in adjournment until tomorrow, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOCIAL SECURITY AMENDMENTS OF 1960

The Senate resumed the consideration of the bill H.R. 12580, the Social Security Amendments of 1960.

The PRESIDING OFFICER. Does any Senator wish to address the Senate at this time on the Long-Smathers amendment?

Mr. KERR. Mr. President, who is in charge of the time in opposition to the amendment?

Mr. JOHNSON of Texas. I am, but I yield to the Senator.

Mr. KERR. Mr. President, I yield myself 5 minutes in opposition to the amendment.

I want to say to my distinguished friend from Louisiana that he has discussed a matter which is near and dear to my heart, as I believe it is to his, and as I believe it is to every other Member of the Senate. But the Senator from Louisiana has not indicated what he thinks will be the cost of his amendment. He has not indicated what he thinks will be the effect of it upon the operation of institutions in the several States.

The distinguished Senator from Minnesota said that in every State, in every county, in every city are worthy cases of people who need medical care either because they are mentally ill or tubercular; and I have no fault to find with that.

The problem has not been studied by any committee. There are no estimates of what the amendment would mean in terms of dollars and cents. We spent several days on the Anderson amendment, which had the earnest support of nearly half the Members of this body. The Senator from Oklahoma took the position, as did the committee, that it would be unwise to attach the amendment to the bill, because the result would be the certain veto of the bill.

I must say to the Senator from Louisiana that I fear to take the amendment and let it become a part of the bill, because I think it would jeopardize the other provisions in the bill. No one did any more work to put the bill in its present form than did the great Senator from Louisiana. Nobody studied it more. Nobody made more preparation on the proposal and the very amendment that has now been approved by the Senate. Therefore, I know he wants to protect the bill and all the features in it. Yet he offers an amendment that is as broad as the United States, with cases in every community, every county, every State. It would more than double the cost of the bill, in my judgment, the very first 2 years.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. KERR. I yield to the Senator from Kansas.

Mr. CARLSON. I yield to no one when it comes to taking care of the interests of mentally ill people. Our State was 46th for taking care of mentally ill when I was elected Governor, and it is now No. 1 in the Nation.

I am not concerned with the cost of the amendment, but if we want to disrupt the mental health programs of the States, in which States hire mental health specialists at high salaries, and which have their programs under way, bringing the social security people into this field will surely disrupt those programs. I think it would be one of the most disastrous things that could happen. It is not the dollars involved or the threat of a veto that concerns me, but the fact that it would disrupt the State programs and be disastrous to them.

Mr. KERR. The Senator from Washington [Mr. MAGNUSON] talked about servicemen being mentally ill and hospitals being overcrowded with those patients. I say that is a matter which we should take care of in appropriations for veterans. I yield to no Senator in the efforts I have taken to provide adequate facilities for our veterans, and I have done it with all the energy I have; but I do not believe in taking this provision when neither I nor any of its sponsors know what will be the effect of it. If we are to expand our veterans' programs, we should do it under the guise or heading or identity of a veterans' program, and not in a bill on which the Senate and House committees have worked for many, many weeks.

After we have brought the bill here in workable form, it is sought to add an amendment which, in my opinion, would cost more than all the benefits provided in the bill in the first 2 years of its operation, with what I believe to be the very certain result of jeopardizing or losing the entire bill. I hope the amendment will not be agreed to.

Mr. LONG of Louisiana. Mr. President, I yield myself 2 minutes.

The statement has been made that there is no estimate of cost. The departmental adviser sits two seats from the Senator from Oklahoma. He has been sitting near him throughout the debate. He is the same adviser who advised us what the cost of the Kerr amendment would be. He came up with a cost of $210 million for the Kerr amendment, which I believe to be conservative. It is going to be more than that if the States match the Federal funds. That is the same source on which we rely for the Federal cost of the Long-Smathers amendment, and that estimate is $120 million.

I voted for the Kerr amendment and supported it. While we were providing medical care for adults who needed it, it was my impression in the committee that it included assistance for patients suffering from tuberculosis or mental illness.

The best estimates from the psychiatrists is that 1 person out of 12 is going to require confinement in a mental institution during his lifetime. Why turn our backs on those people? Why impose the burden of large medical bills on the families of those victims, when we are doing so much for others?

The provisions of this bill are going to cost $1,400 million. It provides many costly benefits to persons who are not needy at all. Are Senators going to tell the people they voted to help those who could not afford to pay for their medical care, when they know, every time they say so, that they left out those who suffer from mental illness or tuberculosis? Those who suffer mental illness are the most trying types of cases, with the possible exception of victims of cancer. Senators tell me that care is provided in the latter cases, whereas in mental illness or tuberculosis cases nothing is provided.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield myself 1 minute, and I yield to the Senator from Texas.

Mr. YARBOROUGH. I commend the Senator from Louisiana for his leadership in offering this amendment to cover a great gap left in the bill. I ask the Senator if it is not a fact that public health officers say one of the greatest dangers to public health comes from people who have tuberculosis and who work around food establishments because they cannot do heavier work? Would it not be foolish not to give those persons an opportunity to get well, so they will not be a hazard to the public health?

Mr. LONG of Louisiana. The Senator is correct. The only reason why tuberculosis was put in the same category as mental health is that the word "tuberculosis" had historically appeared in the same place in the law as the words "mental illness or psychosis."

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KERR. Mr. President, if 1 out of every 12 living Americans is going to be confined to a mental institution during his lifetime, where is the Senator who thinks that problem can be taken care of with $120 million a year?

Mr. LAUSCHE. Mr. President, will the Senator yield 1 minute to me?

Mr. KERR. I yield 1 minute to the Senator from Ohio.

Mr. LAUSCHE. Historically and traditionally, the States have carried the responsibility of care for their mentally ill. In 25 out of the last 30 years the Government has had deficit operations. The burden of carrying the responsibility of national defense is one of tremendous weight and significance. There has been a constant trend of State governments wanting to give up those responsibilities which are historically and traditionally theirs. As they ask the Federal Government to give up their own responsibility, the Central Government grows bigger and bigger and mightier and mightier.

I respectfully submit to the Senator from Louisiana that this responsibility ought to be left with the States.

Mr. HOLLAND. Mr. President, will the Senator yield me 1 minute?

Mr. KERR. I yield 1 minute to the Senator from Florida.

Mr. HOLLAND. Is it not true that not only is the responsibility historically one which the States have assumed but also one which involves the exercise of the police power? Incarceration

is required in most cases. This represents one of the heavy burdens for the local officials, particularly the county judges who have to pass upon questions of lunacy. They are repeatedly called upon to try to figure out what cases should be handled, in the public interest, at the State's expense.

Mr. LAUSCHE. The Senator is completely correct.

Mr. LONG of Louisiana. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Louisiana has 2 minutes remaining. The opponents have 3 minutes.

Mr. LONG of Louisiana. Mr. President, I will say to the Senators who voted for the Anderson amendment that they voted to take care of the mentally sick when they voted for the Anderson amendment. It was my impression that the Anderson amendment provided care for all the sick, and made no distinction as to whether one was mentally sick or otherwise sick.

I believe many Senators who voted for the Kerr amendment, as I did in the committee—I think the Senator from Florida [Mr. SMATHERS] believed the same as I in the committee—thought we were voting to provide for all sick people not in a position to pay their bills, not merely for those who were not suffering from mental diseases or tuberculosis.

Mr. YARBOROUGH. Mr. President, will the Senator yield to me for 30 seconds for a question?

Mr. LONG of Louisiana. I yield.

Mr. YARBOROUGH. The statement has been made that cases of mental illness often lead to incarceration. That is one of the problems. These people are not receiving treatment.

I have been a member of the Public Health Subcommittee, and from my experience on the committee have learned that psychiatrists and other doctors feel that if we would treat the mentally ill, an overwhelming majority, some four-fifths of them, could be cured. I see the distinguished chairman of the Public Health Subcommittee, who knows more about medicine than any other Member of this body, the distinguished senior Senator from Alabama [Mr. HILL], is nodding agreement. When we wait and do not provide treatment, the end result is incarceration for those people. Then the family or the State or someone has to pay for many years of confinement. Those people are totally lost. If they were treated in time four out of five of the mentally ill could be restored to society, restored to active life, to a useful life in the community.

If we fail to give proper treatment, I think we shall be acting in a very short-sighted way. We shall be denying these people the right to be cured, the right to return to society as useful members of society.

Mr. KERR. Mr. President, I yield myself 30 seconds.

I say to the Senator from Minnesota, to the Senator from Louisiana, and to other Senators who think that when they voted for the Anderson amendment they voted, as the Senator from Louisiana said, for a coverage of those in mental and tubercular hospitals, that on page 8, line 7 of the Anderson amendment these words appear, "The term 'hospital' shall not include a tuberculosis or mental hospital."

Mr. HOLLAND. Mr. President, will the Senator yield me 1 minute?

Mr. KERR. I yield 1 minute to the Senator from Florida.

Mr. HOLLAND. I have had the responsibility of serving as a county judge in my State for 8 years. I know the cases which are the most pitiful ones clear through that office or through similar offices in the various States.

The Senator from Louisiana comes from a State which has one of the finest organizations of any State to take care of the mentally ill. Insofar as my own State is concerned, our procedures are such that many people much prefer to send the mentally ill to our State institutions rather than to any of the private institutions which are available. To make such a fine effort an apparent effort to unload from the State a responsibility which has always been its responsibility, and one of its driving responsibilities, I think is the wrong thing to do. It will undoubtedly load this bill, which is not intended to cover that kind of case. I hope the amendment will not prevail.

Mr. JOHNSON of Texas. Mr. President, has all time been consumed?

The PRESIDING OFFICER. One minute remains for the opponents.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered..

The question is on agreeing to the amendment offered by the Senator from Louisiana [Mr. LONG]. All time has expired. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). Mr. President, on this vote I have a pair with the Senator from California [Mr. KUCHEL]. If he were present and voting he would vote "nay"; if I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from South Carolina [Mr. JOHNSTON], are absent on official business.

I also announce that the Senator from Missouri [Mr. HENNINGS] is absent because of illness.

I further announce that the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Missouri [Mr. SYMINGTON], are necessarily absent.

I further announce that, if present and voting, the Senator from Missouri [Mr. HENNINGS], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Missouri [Mr. SYMINGTON], would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Iowa [Mr. MARTIN] is absent by leave of the Senate on official business.

The Senator from Hawaii [Mr. FONG] is detained on official business.

The Senator from California [Mr. KUCHEL] is necessarily absent, and his pair has been previously announced.

The result was announced—yeas 51, nays 38, as follows:

[No. 308]

YEAS—51

Anderson	Gruening	Morse
Bartlett	Hartke	Moss
Bible	Hill	Mundt
Burdick	Humphrey	Muskie
Byrd, W. Va.	Jackson	Pastore
Cannon	Javits	Proxmire
Carroll	Johnson, Tex.	Randolph
Case, S. Dak.	Keating	Russell
Church	Kefauver	Scott
Clark	Kennedy	Smathers
Cooper	Long, Hawaii	Smith
Dodd	Long, La.	Sparkman
Douglas	McCarthy	Talmadge
Eastland	McGee	Williams, N.J.
Ellender	McNamara	Yarborough
Engle	Magnuson	Young, N. Dak.
Gore	Monroney	Young, Ohio

NAYS—38

Aiken	Dirksen	Lausche
Allott	Dworshak	Lusk
Beall	Ervin	McClellan
Bennett	Frear	Morton
Bridges	Goldwater	Prouty
Bush	Green	Robertson
Butler	Hart	Saltonstall
Byrd, Va.	Hayden	Schoeppel
Capehart	Hickenlooper	Stennis
Carlson	Holland	Thurmond
Case, N.J.	Hruska	Wiley
Cotton	Jordan	Williams, Del.
Curtis	Kerr	

NOT VOTING—11

Chavez	Johnston, S.C.	Murray
Fong	Kuchel	O'Mahoney
Fulbright	Mansfield	Symington
Hennings	Martin	

So the amendment of Mr. LONG of Louisiana was agreed to.

Mr. LONG of Louisiana. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr KERR. Mr. President, I send technical amendments to the desk. I ask unanimous consent that they be not stated, but printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments, ordered to be printed in the RECORD, are as follows:

On page 153, line 25, strike out "903(b)(2)," and insert in lieu thereof "903(b)(2)".

On page 156, line 3, after "SEC. 1202." insert in lieu thereof "(a)".

On page 156, after line 11, insert:

"(b)(1) There are hereby appropriated to the Unemployment Trust Fund for credit to the Federal unemployment account, out of any moneys in the Treasury not otherwise appropriated, amounts equal to the amounts by which—

"(A) 100 per centum of the additional tax received under the Federal Unemployment Tax Act by reason of the reduced credits provisions of section 3302(c) (2) or (3) of such Act and covered into the Treasury, exceeds

"(B) the amounts appropriated by paragraph (2). Any amount appropriated by this paragraph shall be credited against, and shall operate to reduce, that balance of advances, made under section 1201 to the State, with respect to which employers paid such additional tax.

"(2) Whenever the amount of such additional tax received and covered into the Treasury exceeds that balance of advances, made under section 1201 to the State, with respect to which employers paid such additional tax, there is hereby appropriated to the Unemployment Trust Fund for credit to the account of such State, out of any moneys in the Treasury not otherwise appropriated, an amount equal to such excess.

"(3) If, for any taxable year, there is with respect to any State both a balance described in section 3302(c)(2) of the Federal Unemployment Tax Act and a balance described in section 3302(c)(3) of such Act, paragraphs (1) and (2) shall be applied separately with respect to section 3302(c)(2) (and the balance described therein) and separately with respect to section 3302(c)(3) (and the balance described therein).

"(4) The amounts appropriated by paragraphs (1) and (2) shall be transferred at the close of the month in which the moneys were covered into the Treasury to the Unemployment Trust Fund for credit to the Federal unemployment account or to the account of the State, as the case may be, as of the first day of the succeeding month."

On page 159, line 6, strike out "Employment Security Act of 1960," and insert: "Social Security Amendments of 1960,".

On page 160, line 6, strike out "Employment Security Act of 1960," and insert: "Social Security Amendments of 1960,".

Mr. KERR. Mr. President, in redrafting the bill to conform to the decisions of the Committee on Finance, the provisions for placing the additional taxes for the repayment of a loan in the Federal Unemployment Account were inadvertently overlooked.

The technical amendments would restore these provisions to section 1202, with such modifications as are necessary to conform to the changes in the provisions for the repayment of loans, and ask unanimous consent that they be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were agreed to.

Mr. JAVITS. Mr. President, I call up my amendment identified as "8–20–60—E" and ask that it may be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 100, following line 24, it is proposed to insert the following:

SEC. 212. (a) Clause (3) of the first sentence of subsection (e) of section 216 of the Social Security Act is amended to read as follows: "(3) in the case of a deceased individual, (A) a stepchild who has been such stepchild for not less than one year immediately preceding the day on which such individual died, or (B) a child with respect to whom an individual has stood in loco parentis for not less than five years immediately preceding the day on which such individual died."

(b) Subsection (d) of section 202 of such Act is amended by adding at the end thereof the following new paragraph:

"(7) A child shall be deemed dependent upon the individual who stands in loco parentis with respect to such child at the time specified in paragraph (1)(C) if, at such time, the child was living with and was receiving at least three-fourths of his support from such individual."

Mr. KERR. The amendment was discussed in committee; it was probably due to an oversight that it was not considered and approved. I have discussed it with the chairman of the committee, and it is agreeable that the amendment be accepted.

Mr. JAVITS. Mr. President, I ask unanimous consent to have a statement on the purposes of the amendment printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JAVITS

Purpose: This amendment would permit a child to receive survivor benefits on the record of the individual who stood in loco parentis (in the place of the parent) for not less than 5 years immediately preceding the day on which the individual died. It also requires that the child must have been living with the worker at the time of death and have been receiving at least three-fourths of his support from such worker.

Cost: The Department of Health, Education, and Welfare estimates the cost to be negligible.

Departmental position: The Department of Health, Education, and Welfare favors this amendment and recommends its enactment. This report appears on page 466 of the Senate hearings, and indicates certain amendments which the Department proposes. In the main, these are based upon certain other provisions, such as length of a child's residence with the worker, with which the House bill dealt in other aspects of social security. However, as the Finance Committee deleted the provisions referred to, the proposed amendments have not been adopted. In addition, the Department has suggested that receipt of one-half support from the worker, rather than three-fourths, would be sufficient.

Background: A similar amendment was included in the 1956 Social Security Amendments, as passed by the Senate, but was deleted in the conference committee. It was suggested to me by a constituent, Mr. M. Chas. Rueckwald, of Watertown, N.Y., who has been the guardian and sole support of the children of his sister-in-law for many years, and who expressed concern that, in the event of his death, they would have no survivorship rights.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York.

The amendment was agreed to.

Mr. KEATING. Mr. President, I ask unanimous consent to have included in the RECORD a statement with regard to the amendment. I express my appreciation to the chairman of the committee and other members of the committee for accepting the amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KEATING

The amendment now before the Senate is one which is designed to insure that the intent and purpose of the present social security law is carried out regarding benefits to dependents of insured individuals. The proposed amendment would permit a child to receive survivor benefits on the record of an individual who stood in place of the parent for not less than 5 years. The qualification for such a condition of dependency is that the insured individual must have contributed at least three-fourths of the support of the child involved and that the child must have been living with that worker at the time of death.

It seems only fair that if an individual has fulfilled the financial obligations of a parent for a period as long as 5 years the child involved ought to be eligible to receive financial benefits from the insurance of such a person. In other words, if the individual is something of a "financial parent" to the child, it is only equitable and reasonable on the individual's death that this relationship ought to be recognized. This measure is hardly an extension of the social security system into a new area; in reality, it is little more than a grant of benefits to a group who, in the spirit of the present law, if not in the letter of it, are designated as beneficiaries of survivor's benefits.

If children lose their means of support, whether it be a parent or one who has served as a parent for them, they may be helpless and in serious danger of being deprived of many of the necessities of life. This provision covers very young children, as well as those who have reached their teenage years and are somewhat more capable of comprehending and meeting the situation with which they are faced. There is no earthly reason why these children who, goodness knows, have suffered enough in not being able to have their natural parents to care for them should further be punished by being deprived of what little they might derive in benefits from the insurance of those who were kind enough to aid them.

The Department of Health, Education, and Welfare has expressed its support of this amendment and, indeed, has suggested several changes which would even further extend its benefits. They have recommended that the amendment be modified to provide for payment in cases where a worker is disabled or retired, not only when he has died. The Department further asked that the test of dependency be lowered from three-fourths to one-half of the financial support of a child. Present law employs one-half support as a test of dependency, and there is no reason to believe that the present requirement is not an adequate one for the purposes of this amendment. Another recommendation of the Department is a change in the requirement of residence with the insured individual from 5 years to 1 year, which, the Department feels, is sufficient time to assure that benefits would be paid only in cases in which the worker had actually assumed the support of the child.

Considering the provisions of this amendment, including all of these modifications, which would have the effect of extending coverage even further, and to which I give my wholehearted support, the Department of Health, Education, and Welfare estimates that the cost of these provisions would be negligible.

I believe we have an obligation to correct this inequity which has resulted from a legal loophole, and not from any clear legislative intent. The children involved in this measure are clearly a group that the social security program was intended to benefit.

Mr. WILLIAMS of New Jersey. Mr. President, on behalf of myself and my colleague from New Jersey [Senator CASE], I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 100, after line 13, insert the following new paragraph:

(4) For purposes of section 214(a) of such Act (as it would be amended by this Act), the amendment made by subsection (a) shall not apply in the case of any individual who on, before, or after the date of enactment of this Act, becomes entitled to retirement benefits under the Teachers Pension and Annuity Fund of the State of New Jersey or to retirement benefits under the Public Employees Retirement System of the State of New Jersey.

Mr. WILLIAMS of New Jersey. I earnestly hope the Senate will accept this amendment. The hopes, expectations, and financial security of hundreds of dedicated New Jersey teachers and public employees depend upon it.

Mr. President, I wish to say that I strongly support the liberalizing features of these proposed amendments to the Social Security Act.

But I am confident that the Senate, in liberalizing the act, would not wish to cause financial losses of up to $1,300 a year for many hundreds of New Jersey teachers and public employees.

Unfortunately that is what will happen if the bill in its present form is adopted.

The amendment that my colleague and I are proposing relates to the liberalization of the retirement age requirement for men from the age of 65 to 62.

Our proposed amendment would not in any way adversely affect or work hardship on anyone in the United States who would benefit from the reduction in eligibility age from 65 to 62.

It would, however, protect New Jersey's male teachers and public employees from a serious loss in their retirement allowances that would occur because of the reduction in age.

Mr. President, I will try, briefly, to describe how this problem has arisen.

Because the laws of New Jersey provide for the integration of the Federal social security system with the New Jersey teacher's pension and annuity fund and the New Jersey public employees' retirement system, the State is permitted to reduce the amount of pension it owes to these groups of people by the amount of social security benefit for which the individual becomes eligible through New Jersey public employment.

Because of this provision, man teachers and public employees have retired or have planned their retirements in advance of the date on which they would become eligible for social security benefits as public employees, thus avoiding the reduction in their retirement allowances that would result if they earned the necessary number of quarters as public employees to make them eligible for social security benefits.

Now, however, the pending bill proposes to reduce the age requirement for men from 65 to 62. This change will have the effect of reducing the number of quarters of employment needed to become eligible for benefits. To take a specific example, under the existing law, a male teacher in New Jersey who was born in January 1899 would have to work 26 quarters to become eligible for social security benefits as a public employee. Perhaps he has already worked 23 quarters, or 3 short of eligibility. If the bill is passed in present form, he would need only 20 quarters for eligibility. Thus he would automatically become subject to a reduction in his New Jersey pension by the amount of his social security benefits. This loss for teachers would amount to an average of $1,300 a year. The loss for public employees would amount to an average of $960.

Mr. President, the amendment of my colleague and I would simply retain, for the male members of the New Jersey teachers and public employees pension systems, the same number of quarters necessary for eligibility under the existing law.

It will in no way affect anyone else in the country. Nor will it prevent New Jersey teachers or public employees from retiring at age 62 if they wish. It will simply require that they have the same number of quarters that they needed for eligibility under the existing law.

Mr. President, I wish only to point out that the older New Jersey teachers joined in this integrated program on the understanding that they would be able to avoid the State offset and receive both their full pensions and social security benefits. Well publicized official manuals gave careful instructions on the dates by which time they would have to retire to avoid the reduction.

Mr. President, our amendment would simply protect them from this reduction because of the proposed change in the Federal law. I hope the Senate will accept it.

Mr. CASE of New Jersey. Mr. President, on June 24, 1960, my colleague from New Jersey and I brought to the attention of the Senate the plight of approximately 3,400 New Jersey teachers and other public employees.

These people have retired or are shortly eligible to retire under a plan which permits the State of New Jersey to reduce the retirement allowance payable by the State pension fund if the employees earned a social security benefit through New Jersey public employment. Any social security benefit earned through such employment is used to relieve the State of all or a portion of its obligation to pay a pension to a retired public employee.

Many of these people who have already retired had purposely advanced the dates of their retirement in order to avoid earning a social security benefit through public employment in New Jersey. Others who are still working have long planned to take the same course. The ability to do this was held out to the New Jersey teachers and other employees as an inducement when they voted to come under the Federal social security program and it was a part of the terms of the service they have rendered since that time. Section 204(a) of H.R. 12580, however, proposed to cut eligibility requirements to such a degree that all of these people would be considered as having earned their social security benefit through New Jersey public employment.

The effect of this on these people would be a substantial reduction in income through loss of pension from the State of New Jersey.

To prevent this calamitous loss of much needed, and justly anticipated, income by many of our most deserving senior citizens, Senator WILLIAMS and I jointly introduced on June 24 an amendment to section 204(a) of H.R. 12580 which would protect members of the New Jersey teachers pension and annuity fund and the New Jersey public employees retirement system against the adverse effects of the proposed reduction of eligibility requirements. However, after careful study of this amendment and several alternative proposals, officials of the Department of Health, Education, and Welfare expressed their opposition to this approach. Other than deletion from section 204(a) of the proposal to cut in half the number of quarters of coverage required there appeared to be no Federal approach, acceptable to the Department, assuring New Jersey teachers and public employees they would receive the benefits they have been promised.

The social security bill reported out by the Senate Finance Committee does not contain a proposal to cut in half the number of quarters of coverage required. By deleting this provision the committee has, in effect, carried out the intent of the Williams-Case amendment, and acted to protect the interests of New Jersey teachers and public employees.

However, the Finance Committee bill does contain a new proposal to lower the retirement age for men from 65 to 62. Because eligibility requirements are directly related to retirement age, this would cause men to become fully insured with fewer quarters of coverage than are required under present law. As the retirement age for women is already 62, they would not be affected.

The net effect of the Finance Committee action on H.R. 12580 to date would be to prevent loss of income on the part of women teachers and public employees in New Jersey but to leave men still faced with the prospect of reduced benefits.

The amendment which Senator WILLIAMS and I now propose to the Finance Committee bill will eliminate the remaining threat of loss of income for these deserving teachers and public employees. At the same time, it will permit a reasonable liberalization of eligibility requirements. It will also permit a man to receive benefits 3 years earlier than under the present social security law. And, most importantly, it does not affect adversely any person or group.

Mr. KERR. Mr. President, I have not had time to digest the amendment; neither have the other members of the committee. However, in view of the fact that they have stated it relates only to New Jersey, I hope it will be accepted and taken to conference. If it is found there to be objectionable, it can be taken out of the bill.

Mr. WILLIAMS of New Jersey. I express my gratitude for the graciousness of my friend from Oklahoma.

Mr. CASE of New Jersey. I, too, thank the Senator from Oklahoma.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey [Mr. WILLIAMS].

The amendment was agreed to.

Mr. JAVITS. Mr. President, I call up my amendment identified as "8–20–60—D."

I ask unanimous consent that the amendment be not read, but printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 171, following line 12, insert the following:

"PART 4—EXTENSION OF FEDERAL-STATE UNEMPLOYMENT COMPENSATION PROGRAM TO PUERTO RICO

"Extension of titles III, IX, and XII of the Social Security Act

"SEC. 541. Effective on and after January 1, 1961, paragraphs (1) and (2) of section 1101(a) of the Social Security Act are amended to read as follows:

"'(1) The term "State", except where otherwise provided, includes the District of Columbia and the Commonwealth of Puerto Rico, and when used in titles I, IV, V, VII, X, and XIV includes the Virgin Islands and Guam.

"'(2) The term "United States" when used in a geographical sense means, except where otherwise provided, the States, the District of Columbia, and the Commonwealth of Puerto Rico.'

"Federal employees and ex-servicemen

"SEC. 542. (a)(1) Effective with respect to weeks of unemployment beginning after December 31, 1965, section 1503(b) of such Act is amended by striking out 'Puerto Rico or'.

"(2) Effective with respect to first claims filed after December 31, 1965, paragraph (3) of section 1504 of such Act is amended by striking out 'Puerto Rico or' wherever appearing therein.

"(b)(1) Effective on and after January 1, 1961 (but only in the case of weeks of unemployment beginning before January 1, 1966)—

"(A) Section 1502(b) of such Act is amended by striking out '(b) Any' and inserting in lieu thereof '(b)(1) Except as provided in paragraph (2), any', and by adding at the end thereof the following new paragraph:

"'(2) In the case of the Commonwealth of Puerto Rico, the agreement shall provide that compensation will be paid by the Commonwealth of Puerto Rico to any Federal employee whose Federal service and Federal wages are assigned under section 1504 to such Commonwealth, with respect to unemployment after December 31, 1960 (but only in the case of weeks of unemployment beginning before January 1, 1966), in the same amount, on the same terms, and subject to the same conditions as the compensation which would be payable to such employee under the unemployment compensation law of the District of Columbia if such employee's Federal service and Federal wages had been included as employment and wages under such law, except that if such employee, without regard to his Federal service and Federal wages, has employment or wages sufficient to qualify for any compensation during the benefit year under such law, then payments of compensation under this subsection shall be made only on the basis of his Federal service and Federal wages. In applying this paragraph or subsection (b) of section 1503, as the case may be, employment and wages under the unemployment compensation law of the Commonwealth of Puerto Rico shall not be combined with Federal service or Federal wages.'

"(B) Section 1503(a) of such Act is amended by adding at the end thereof the following: 'For the purposes of this subsection, the term "State" does not include the Commonwealth of Puerto Rico.'

"(C) Section 1503(b) of such Act is amended by adding at the end thereof the following: 'This subsection shall apply in respect of the Commonwealth of Puerto Rico only if such Commonwealth does not have an agreement under this title with the Secretary.'

"(2) Effective on and after January 1, 1961 (but only in the case of first claims filed before January 1, 1966), section 1504 of such Act is amended by adding after and below paragraph (3) the following:

"'For the purposes of paragraph (2), the term "United States" does not include the Commonwealth of Puerto Rico.'

"(c) Effective on and after January 1, 1961—

"(1) section 1503(d) of such Act is amended by striking out 'Puerto Rico and', and by striking out 'agencies' each place it appears and inserting in lieu thereof 'agency'; and

"(2) section 1511(e) of such Act is amended by striking out 'Puerto Rico or'.

"(d) The last sentence of section 1501(a) of such Act is amended to read as follows:

"'For the purpose of paragraph (5) of this subsection, the term "United States" when used in the geographical sense means the States, the District of Columbia, the Commonwealth of Puerto Rico, and the Virgin Islands.'

"Extension of Federal Unemployment Tax Act

"SEC. 543. (a) Effective with respect to remuneration paid after December 31, 1960, for services performed after such date, section 3306(j) of the Internal Revenue Code of 1954 is amended to read as follows:

"'(j) STATE, UNITED STATES, AND CITIZEN.—For purposes of this chapter—

"'(1) STATE.—The term "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

"'(2) UNITED STATES.—The term "United States" when used in a geographical sense includes the States, the District of Columbia, and the Commonwealth of Puerto Rico.

An individual who is a citizen of the Commonwealth of Puerto Rico (but not otherwise a citizen of the United States) shall be considered, for purposes of this section, as a citizen of the United States.'

"(b) The unemployment compensation law of the Commonwealth of Puerto Rico shall be considered as meeting the requirements of—

"(1) Section 3304(a)(2) of the Federal Unemployment Tax Act, if such law provides that no compensation is payable with respect to any day of unemployment occurring before January 1, 1959.

"(2) Section 3304(a)(3) of the Federal Unemployment Tax Act and section 303(a)(4) of the Social Security Act, if such law contains the provisions required by those sections and if it requires that, on or before February 1, 1961, there be paid over to the Secretary of the Treasury, for credit to the Puerto Rico account in the Unemployment Trust Fund, an amount equal to the excess of—

"(A) the aggregate of the moneys received in the Puerto Rico unemployment fund before January 1, 1961, over

"(B) the aggregate of the moneys paid from such fund before January 1, 1961, as unemployment compensation or as refunds of contributions erroneously paid."

Mr. JAVITS. Mr. President, I call up the amendment on behalf of myself and the Senator from Massachusetts [Mr. KENNEDY] and the Senator from New York [Mr. KEATING]. The purpose of the amendment is to conform our bill to the House bill in extending the Federal-State unemployment compensation program to Puerto Rico. This provision is contained in the House bill, and if we should enact the Senate bill tonight, with the amendment included, the provision would definitely be in the bill which will go to the President.

It does not represent an additional cost or burden. It merely harmonizes the relationships between our country and the Commonwealth in this very important respect. It is a matter which the people of Puerto Rico value very highly. I hope the committee will see fit to accept the amendment.

I ask unanimous consent to insert in the RECORD at this point a statement on the subject which appears in the House committee report, at page 57.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PART 4. EXTENSION OF FEDERAL-STATE UNEMPLOYMENT COMPENSATION TO PUERTO RICO

Part 4 of title V provides that Puerto Rico will be treated as a State for purposes of the several provisions of the Social Security Act dealing with unemployment compensation and the Federal Unemployment Tax Act. At the present time, the Commonwealth of Puerto Rico has an unemployment compensation program completely outside of the Federal-State unemployment compensation system. Employers in Puerto Rico are not subject to the Federal unemployment tax and Puerto Rico is not entitled to Federal grants to cover the administrative expenses of its unemployment compensation program. By separate legislation enacted in 1950, however, Federal grants were authorized to cover the costs of the employment service in Puerto Rico. It is estimated that the Federal unemployment taxes collected in Puerto Rico will meet all the costs of administering their unemployment compensation program and part of the costs of the employment service.

Part 4 includes provisions relating to the operation in Puerto Rico of title XV of the Social Security Act which deals with payment of unemployment compensation to Federal employees and ex-servicemen. At present, title XV provides generally that unemployed Federal employees and ex-servicemen will receive unemployment compensation paid for by the Federal Government but determined under the law of the particular State in which the individual last worked (in the case of Federal employees) or in which the individual resides (in the case of ex-servicemen). Title XV presently provides also that unemployment compensation to Federal employees and ex-servicemen in Puerto Rico and the Virgin Islands is to be computed under the law of the District of Columbia. Since Puerto Rico is to be considered a State for purposes of the unemployment compensation laws, your committee believes that an indefinite continuation of this use of the District of Columbia law for Federal employees and ex-servicemen in Puerto Rico is inappropriate. However, in view of the low level of Puerto Rican benefits, which (as of June 1, 1960) provided a maximum weekly amount of $12 and a maximum duration of 7 weeks, it does appear appropriate, for a transition period, to continue to determine the unemployment compensation payable to Federal employees and ex-servicemen in Puerto Rico under the law of the District of Columbia, and part 4 so provides. For weeks of unemployment beginning after December 31, 1965, Federal

civilian employees and ex-servicemen in Puerto Rico will be paid unemployment compensation under the unemployment compensation law of Puerto Rico.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. KEATING. I express my complete support of this amendment and join with my colleague from New York in the hope that the committee will accept it.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared with respect to the amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KEATING

The amendment to extend the unemployment compensation program to Puerto Rico is one which, I feel, deserves our immediate action. This provision was accepted as a part of the House bill, and is a measure which my colleague, the senior Senator from New York, and I have given a great deal of consideration.

Bringing Puerto Rico under the unemployment compensation system would be a benefit both to the Commonwealth of Puerto Rico and to the Nation as a whole. In its status as a Commonwealth, which it has held since 1952, Puerto Rico is subject to the Federal laws of the United States, and it follows from this that the Commonwealth ought to be encompassed in any Federal program of the nature of the unemployment compensation system.

Puerto Rico is covered under other aspects of the social security program, and there is no reason why it should not be included in this one. I am told that the cost of such action would involve only a slight expenditure, and in fact would be virtually negligible. I believe this is a measure which clearly ought to be enacted, and I hope the Senate will do so.

Mr. CHAVEZ. Mr. President, will the Senator from New York yield?

Mr. KEATING. I yield.

Mr. CHAVEZ. I join with the distinguished senior Senator from New York and the distinguished junior Senator from New York in supporting the amendment. I hope it will be adopted. It is about time, when we are taking care of everyone else in the world, that we begin to take care of the Puerto Ricans. I favor the amendment.

Mr. KEATING. Mr. President, I express my gratitude to the distinguished Senator from New Mexico for his valiant support of the amendment. I know of his interest in this problem, and I commend him for it.

Mr. JAVITS. Mr. President, I am grateful to my colleagues, especially the distinguished Senator from Virginia [Mr. BYRD] and the distinguished Senator from Oklahoma [Mr. KERR].

I am prepared to yield back the remainder of my time, if that is agreeable.

Mr. KERR. Mr. President, there is no opposition to the amendment on the part of the managers of the bill. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment offered by the Senator from New York [Mr. JAVITS] for himself and other Senators.

The amendment was agreed to.

Mr. JAVITS. Mr. President, I call up my amendment designated "8–20–60—B." I ask unanimous consent that the reading of the amendment be waived, but that the amendment be printed at this point in the RECORD.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

On page 165, following line 21, it is proposed to insert the following:

"CONDITIONS FOR REDUCED RATE OF CONTRIBUTIONS

"SEC. 505. Section 3303(c) of the Federal Unemployment Tax Act is hereby amended by adding at the end thereof a new paragraph as follows:

"'(9) Person—

"'The term "person" shall not include any organization, service for which is excepted from employment under paragraph (8) of section 3306(c).'"

Mr. JAVITS. Mr. President, I have two other amendments at the desk. I shall not put them to a vote. I simply wish to express a request to the committee in connection with them. I shall detain the Senate for only a minute on each amendment. I should like to have the attention of the manager on the part of the committee, the Senator from Oklahoma [Mr. KERR].

These amendments concern two urgent problems. I am under no illusions about having them adopted, because the committee is not ready to adopt them. However, I ask the committee to examine into them in the interval between now and next year.

The amendment I have just called up is one of great interest to the State of New York. It seeks to redefine the word "person" in the Unemployment Compensation Act, so as to permit nonprofit organizations—and there is an enormous number of them in the State of New York, employing 350,000 people—to come under the Unemployment Compensation Act without paying the tax, but on a reimbursable basis. To achieve this purpose will require both State and Federal action. Therefore, the State will have the option of deciding whether to permit such action in the case of a particular nonprofit organization or not. We feel strongly about this proposal in New York.

I hope the Senator from Oklahoma will agree—and I shall withdraw the amendment in a moment—to have the committee examine into the question carefully, to see if perhaps next year the proposal might not receive favorable consideration.

Mr. KERR. Mr. President, as one who hopes he will be here next year and will be a member of the committee, and after speaking to my distinguished colleague from Virginia [Mr. BYRD], who, the Lord willing, will be here, I may say that it will be a pleasure for us to hear the Senator from New York discuss the amendment to which he has referred.

Mr. JAVITS. I thank the Senator from Oklahoma.

Mr. President, the other amendment which I should like to have similarly considered—and I hope that the committee will actually put its staff to work on it—is one which I think will commend itself to many Senators. It appears that when a child is entitled to benefits by virtue of the coverage of his parent under the social security system, and the child attains the age of 18, he receives no further payments. Between the ages of 18 and 21, many children—and 350,000 of them are affected—attend schools and colleges, and really need this help urgently. It is very much in the national interest that they should have it.

The amendment, which I have not called up, proposes that children actually attending schools or colleges, who really need this help, shall have it, notwithstanding the fact that they have attained the age 18, until they are 21 years old.

By way of support for this proposal, I call the attention of the Senator from Oklahoma to a resolution adopted by the American Legion in national convention at Minneapolis, Minn., on August 24 to August 27, 1959, favoring exactly such an amendment to the social security law.

Again, I know this is not the kind of proposal that one should seek to have adopted in an oppositional sense. I simply ask most earnestly, that the committee examine into the question, and have its staff examine into it, also, in the hope that the Senate may act on the proposal next year.

Mr. President, I point out that both of these amendments are offered with the sponsorship of my colleague from New York [Mr. KEATING].

Mr. KEATING. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. KEATING. Mr. President, I am in accord with the judgment of my distinguished colleague from New York in not pressing for these amendments at this time. I join in the hope that the committee will approve them.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, a statement in explanation of the amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KEATING

The amendment to the Social Security Amendments Act of 1960 which my colleague, the senior Senator from New York, and I have introduced deals with a problem which, I believe, urgently demands action. The proposed amendment would permit children eligible to receive old-age and survivor's insurance benefits under the social security program to continue to receive such benefits until they reach the age of 21, if they remain continuously in school or college from the time the age of 18 was attained until they have reached age 21. The law presently provides that such benefits must be discontinued when a child reaches the age of 18.

The purpose of the amendment is, quite clearly, to enable students who would otherwise be forced to discontinue their education for lack of financial resources to carry on to a college degree. Under the present setup,

the sudden withdrawal of benefits when a child turns 18 frequently imposes so overwhelming a financial burden on the widow that any thought of further education must be abandoned. This burden is unfair, and there are very good reasons, both from the viewpoint of the just claims of the individuals involved and from the standpoint of the general welfare of the Nation, why it should be eliminated, or at least, somewhat alleviated.

First, benefits were discontinued at the age of 18 because it was presumed that upon graduation from secondary school and the attainment of the age of 18, the child would begin to earn his keep and would become financially independent. However, an 18-, 19-, or 20-year-old who remains a student is not any more independent financially than a 17-year-old. In fact, in most cases education beyond secondary school involves additional financial expenditure, so that the general financial situation of the family is worsened. The discontinuance of survivor's benefits only serves to make a bad situation even more impossible.

It is clear beyond a doubt that children who remain in school or college past the age of 18 are at least as much, in need of benefits as those younger than 18. Most likely, their need is greater. And it is just as manifest that they are entitled to these benefits, because their financial situation and their status with regard to dependence on their remaining parent is the same as that of a child under 18. If such is the case, the distinction now being made at age 18 must be viewed as a purely arbitrary one, bearing no relationship to the conditions under which the individuals involved must live.

That the extension of benefits to this vitally important group bears significant relevance to the national welfare is a point that ought hardly to be necessary to make. When we deprive youngsters who are interested in and capable of pursuing their education to a point where they can contribute significantly to our society, we are depriving our country of something we can ill afford to throw away. At a time when the events which take place every day in the world emphasize and reemphasize the overwhelming importance of fulfilling our maximum potential as a nation and, with that in mind, of giving our youth every opportunity to develop its potential to the fullest, we must not slacken in our efforts with regard to any group of potential leaders.

I am told that some 115,000 young people would benefit from the proposed amendment, which would provide, on the average, an additional $507 annually. Among that 115,000 may be some of our most distinguished leaders of the future, if they are given the chance. And we cannot afford not to give them that chance.

The cost involved in this measure would be 0.08 percent of the payroll on a level premium basis, estimated at about $75 million for the children, and $30 million for the continued benefits to the mothers. I believe this cost—only 0.08 percent of the payroll taxable under the old-age, survivors, and disability insurance programs—is indeed minimal when the potential benefits are considered.

Mr. President, the extension of benefits so that qualified and needy youth who deserve survivor's benefits may continue their education is a responsibility of the utmost importance, and I strongly urge that the Senate at an early date consider this amendment.

Mr. KERR. Mr. President, the committee will be very happy to study the amendment, as the Senators from New York have suggested.

Mr. JAVITS. I thank the Senator from Oklahoma.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of the resolution of the American Legion in national convention, to which I referred in my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas one of the major objectives of the American Legion's education and scholarship committee is to help make it possible for the children of veterans who have the ability and desire to receive an education beyond high school; and

Whereas present provisions of the Social Security Act, title II, terminates benefits to children of deceased wage earners when they attain the age of 18; and

Whereas it is at this age when the continuation of social security benefits would, in many instances, be the determining factor as to whether or not children would be financially able to continue their education beyond high school: Now, therefore, be it

Resolved, by the American Legion in national convention assembled at Minneapolis, Minn., August 24–27, 1959, That the American Legion actively support legislation which would amend title II of the Social Security Act in a manner which would authorize the continuance of payments to children after they reach age 18 while unmarried and enrolled in an approved school, but not beyond the age of 21.

Mr. JAVITS. Mr. President, I withdraw my amendment.

Mr. JAVITS subsequently said: Mr. President, I ask unanimous consent that I may make a brief statement as a part of the debate on amendments on the social security bill relating to miscellaneous matters, not on medical care.

I now read the statement:

It has been proposed by a number of organizations of civil service and post office employees in New York, that there be included in the social security bill a provision permitting such employees to participate in the social security system, on the same basis as self-employed persons, in addition to their participation under their own retirement system. They take the position that employees of State and local governments have been permitted to participate in the system on a voluntary basis to supplement their own benefits and that many persons covered by private industry retirement funds also have such additional coverage. They are, of course, not asking the Federal Government to contribute to this coverage in addition to their own—rather they suggest that they be subjected, on an optional basis, to the self-employment tax. This is a most interesting proposal, in my opinion, and I believe that it is worthy of the committee's study and consideration. I would, therefore, trust that the chairman of the committee will give consideration prior to the time the Senate next considers the matter of social security to this question of such coverage.

Mr. BYRD of West Virginia. Mr. President, I call up my amendment designated "8–22–60—C" and ask for its immediate consideration. I ask unanimous consent that the reading of the amendment be dispensed with, but that it be printed in the RECORD.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

On page 83 it is proposed to strike out line 1 and everything that follows down to and including line 13 on page 100, and insert in lieu thereof the following:

"'RETIREMENT AGE

"'(a) The term "retirement age" means age sixty-two.'

"(b)(1) Subsection (q) of section 202 of such Act is amended to read as follows:

"'ADJUSTMENT OF OLD-AGE, WIFE'S, AND HUSBAND'S INSURANCE BENEFIT AMOUNTS IN ACCORDANCE WITH AGE OF BENEFICIARY

"'(q)(1) The old-age insurance benefit of any individual for any month prior to the month in which such individual attains the age of sixty-five shall be reduced by—

"'(A) five-ninths of 1 per centum, multiplied by

"'(B) the number equal to the number of months in the period beginning with the first day of the first month for which such individual is entitled to an old-age insurance benefit and ending with the last day of the month before the month in which such individual would attain the age of sixty-five.

"'(2) The wife's or husband's insurance benefit of any individual for any month after the month preceding the month in which such individual attains retirement age and prior to such individual's attainment month (as defined in paragraph (10)) shall be reduced by—

"'(A) twenty-five thirty-sixths of 1 per centum, multiplied by

"'(B) the number equal to the number of months in the period beginning with the first day of the first month for which such individual is entitled to such wife's or husband's insurance benefit and ending with the last day of the month before such individual's attainment month, except that in no event shall such period start earlier than the first day of the month in which such individual attains retirement age.

In the case of a woman entitled to wife's insurance benefits, the preceding provisions of this paragraph shall not apply to the benefit for any month in which she has in her care (individually or jointly with the individual on whose wages and self-employment income her wife's insurance benefit is based) a child entitled to child's insurance benefits on the basis of such wages and self-employment income. With respect to any month in the period specified in clause (B) of the first sentence of this paragraph, if (in the case of a woman entitled to wife's insurance benefits) she does not have in such month such a child in her care (individually or jointly with the individual on whose wages and self-employment income her wife's insurance benefit is based), she shall be deemed to have such a child in her care in such month for the purposes of the preceding sentence unless there is in effect for such month a certificate filed by her with the Secretary, in accordance with regulations prescribed by him, in which she elects to receive wife's insurance benefits as provided in this subsection. Any certificate filed pursuant to the preceding sentence shall be effective for purposes of such sentence—

"'(i) for the month in which it is filed, and for any month thereafter, if in such month she does not have such a child in her care (individually or jointly with the individual on whose wages and self-employment income her wife's insurance benefit is based), and

"'(ii) for the period of one or more consecutive months (not exceeding twelve) immediately preceding the month in which such certificate is filed which is designated by her (not including as part of such period any month in which she had such a child in her care (individually or jointly with the individual on whose wages and self-employment income her wife's insurance benefit is based)).

If such a certificate is filed, the period referred to in clause (B) of the first sentence of this paragraph shall commence with the first day of the first month (i) for which she is entitled to a wife's insurance benefit, (ii) which occurs after the month preceding the month in which she attains retirement age, and (iii) for which such certificate is effective.

"'(3) In the case of any individual who is or was entitled to a wife's or husband's insurance benefit to which paragraph (2) is applicable and who, for any month after the first month for which such individual is or was so entitled (but not for such first month or any earlier month) occurring prior to such individual's attainment month, is entitled to an old-age insurance benefit, the amount of such old-age insurance benefit for any month prior to such attainment month, shall (in lieu of the reduction provided in paragraph (1) in any case in which such paragraph would otherwise have applied to such old-age insurance benefit) be reduced by the sum of—

"'(A) an amount equal to the amount by which such wife's or husband's (as the case may be) insurance benefit is reduced under paragraph (2) for such month (or, if such individual is not entitled to a wife's or husband's insurance benefit for such month, by an amount equal to the amount by which such benefit for the last month for which such individual was entitled to such a benefit was reduced), plus

"'(B) if the old-age insurance benefit for such month prior to reduction under this subsection exceeds such wife's or husband's (as the case may be) insurance benefit prior to reduction under this subsection and if paragraph (1) applied to such old-age insurance benefit, an amount equal to—

"'(i) the number equal to the number of months specified in clause (B) of paragraph (1), multiplied by

"'(ii) five-ninths of 1 per centum, and further multiplied by

"'(iii) the excess of such old-age insurance benefit over such wife's or husband's (as the case may be) insurance benefit.

"'(4) In the case of any individual who is entitled to an old-age insurance benefit and who, for the first month for which such individual is so entitled (but not for any prior month) or for any later month occurring prior to such individual's attainment month, is entitled to a wife's or husband's insurance benefit to which paragraph (2) is applicable, the amount of such wife's or husband's insurance benefit for any month prior to such attainment month, shall, in lieu of the reduction provided in paragraph (2), be reduced by the sum of—

"'(A) an amount equal to the amount by which such old-age insurance benefit for such month is reduced under paragraph (1) or (5) (if such paragraph applied to such old-age insurance benefit), plus

"'(B) an amount equal to—

"'(i) the number equal to the number of months specified in clause (B) of paragraph (2), multiplied by

"'(ii) twenty-five thirty-sixths of 1 per centum, and further multiplied by

"'(iii) the excess of such wife's or husband's insurance benefit (as the case may be) prior to reduction under this subsection over the old-age insurance benefit prior to reduction under this subsection.

"'(5) In the case of any individual who is entitled to an old-age insurance benefit for the month in which such individual attains the age of sixty-five or any month thereafter, such benefit for such month shall, if such individual was also entitled to such benefit for any one or more months prior to the month in which such individual attained the age of sixty-five and such benefit for any such prior month was reduced under paragraph (1) or (3), be reduced as provided in such paragraph, except that there shall be subtracted, from the number specified in clause (B) of such paragraph—

"'(A) the number equal to the number of months for which such benefit was reduced under such paragraph, but for which such benefit was subject to deductions under paragraph (1) or (2) of section 203 (b),

and except that, in the case of any such benefit reduced under paragraph (3), there also shall be subtracted from the number specified in clause (B) of paragraph (2), for the purpose of computing the amount referred to in clause (A) of paragraph (3)—

"'(B) the number equal to the number of months for which the wife's or husband's (as the case may be) insurance benefit was reduced under such paragraph (2), but for which such benefit was subject to deductions under paragraph (1) or (2) of section 203(b), under section 203(c), or under section 222(b),

"'(C) in case of a wife's insurance benefit, the number equal to the number of months occurring after the first month for which such benefit was reduced under paragraph (2) in which she had in her care (individually or jointly with the individual on whose wages and self-employment income such benefit is based) a child of such individual entitled to child's insurance benefits, and

"'(D) the number equal to the number of months for which such wife's or husband's (as the case may be) insurance benefit was reduced under such paragraph (2), but in or after which such individual's entitlement to wife's or husband's insurance benefits was terminated because such individual's spouse ceased to be under a disability, not including in such number of months any month after such termination in which such individual was entitled to wife's or husband's insurance benefits.

Such subtraction shall be made only if the total of such months specified in clauses (A), (B), (C), and (D) of the preceding sentence is not less than three. For purposes of clauses (B) and (C) of this paragraph, the wife's or husband's insurance benefit of an individual shall not be considered terminated for any reason prior to such individual's attainment month.

"'(6) In the case of any individual who is entitled to a wife's or husband's insurance benefit for such individual's attainment month, or any month thereafter, such benefit for such month shall, if such individual was also entitled to such benefit for any one or more months prior to such attainment month and such benefit for any such prior month was reduced under paragraph (2) or (4) be reduced as provided in such paragraph, except that there shall be subtracted from the number specified in clause (B) of such paragraph—

"'(A) the number equal to the number of months for which such benefit was reduced under such paragraph, but for which such benefit was subject to deductions under section 203(b) (1) or (2), under section 203(c), or under section 222(b),

"'(B) in case of a wife's insurance benefit, the number equal to the number of months, occurring after the first month for which such benefit was reduced under such paragraph, in which she had in her care (individually or jointly with the individual on whose wages and self-employment income such benefit is based) a child of such individual entitled to child's insurance benefits, and

"'(C) the number equal to the number of months for which such wife's or husband's (as the case may be) insurance benefit was reduced under such paragraph, but in or after which such individual's entitlement to wife's or husband's insurance benefits was terminated because such individual's spouse ceased to be under a disability, not including in such number of months any month after such termination in which such individual was entitled to wife's or husband's insurance benefits,

and except that, in the case of any such benefit reduced under paragraph (4), there also shall be subtracted from the number specified in clause (B) of paragraph (1), for the purpose of computing the amount referred to in clause (A) of paragraph (4)—

"'(D) the number equal to the number of months for which the old-age insurance benefit was reduced under such paragraph (1) but for which such benefit was subject to deductions under paragraph (1) or (2) of section 203(b).

"Such subtraction shall be made only if the total of such months specified in clauses (A), (B), (C), and (D) of the preceding sentence is not less than three.

"'(7) In the case of an individual who is or was entitled to a wife's or husband's insurance benefit to which paragraph (6) was applicable and who, for such individual's attainment month (but not for any prior month) or for any later month, is entitled to an old-age insurance benefit, the amount of such old-age insurance benefit for any month shall be reduced by an amount equal to the amount by which the wife's or husband's (as the case may be) insurance benefit is reduced under paragraph (6) for such month (or, if such individual is not entitled to a wife's or husband's insurance benefit for such month, by (i) an amount equal to the amount by which such benefit for the last month for which such individual was entitled thereto was reduced, or (ii) if smaller, an amount equal to the amount by which such benefit would have been reduced under pargaraph (6) for such individual's attainment month if entitlement to such benefit had not terminated before such month).

"'(8) In the case of an individual who is entitled to an old-age insurance benefit to which paragraph (5) is applicable and who, for such individual's attainment month (but not for any prior month) or for any later month, is entitled to a wife's or husband's insurance benefit, the amount of such wife's or husband's insurance benefit for any month shall be reduced by an amount equal to the amount by which such old-age insurance benefit for such month is reduced under paragraph (5).

"'(9) The preceding paragraphs shall be applied to old-age insurance benefits, wife's insurance benefits, and husband's insurance benefits after reduction under section 203(a) and application of section 215(g). If the amount of any reduction computed under paragraph (1), under paragraph (2), under clause (A) or clause (B) of paragraph (3), or under clause (A) or clause (B) of paragraph (4) is not a multiple of $0.10, it shall be reduced to the next lower multiple of $0.10.

"'(10) For purposes of this subsection, an individual's "attainment month" means—

"'(A) in the case of a man entitled to husband's insurance benefits, the month in which he attains, or would attain, the age of sixty-five;

"'(B) in the case of a woman entitled to wife's insurance benefits, the month in which she attains, or would attain, the age of sixty-five, or, if later, the month in which the individual (if entitled to old-age insurance benefits) on the basis of whose wages

and self-employment income she is entitled to such benefits attains, or would attain, the age of sixty-five.'

"(2) Subsection (r) of section 202 of such Act is hereby repealed.

"(3) Subsection (s) of section 202 of such Act is amended to read as follows:

"'DISABILITY INSURANCE BENEFICIARY

"'(s)(1) If any individual becomes entitled to a widow's insurance benefit, widower's insurance benefit, or parent's insurance benefit for a month before the month in which such individual attains the age of sixty-five, or becomes entitled to an old-age insurance benefit, wife's insurance benefit, or husband's insurance benefit for a month before the month in which such individual attains the age of sixty-five which is reduced under the provisions of subsection (q), such individual may not thereafter become entitled to disability insurance benefits under this title.

"'(2) If an individual would, but for the provisions of subsection (k)(2)(B), be entitled for any month to a disability insurance benefit and to a wife's or husband's insurance benefits, subsection (q) shall be applicable to such wife's or husband's insurance benefit (as the case may be) for such month only to the extent it exceeds such disability insurance benefit for such month.

"'(3) The entitlement of any individual to disability insurance benefits shall terminate with the month before the month in which such individual becomes entitled to old-age insurance benefits.'

"(c)(1) Clause (C) of section 202(b)(1) is amended to read as follows:

"'(C) is not entitled to old-age or disability insurance benefits or is entitled to old-age or disability insurance benefits based on a primary insurance amount which is less than one-half of the primary insurance amount of her husband.'

"(2) So much of such section 202(b)(1) as follows clause (C) is amended by striking out 'she becomes entitled to an old-age or disability insurance benefit based on a primary insurance amount which is equal to or exceeds one-half of an old-age insurance benefit of her husband,'.

"(3) Subsection (b)(2) of such section 202 is amended by striking out 'old-age or disability insurance benefit' and inserting in lieu thereof 'primary insurance amount'.

"(d)(1) Clause (D) of subsection (c)(1) of such section 202 is amended to read as follows:

"'(D) is not entitled to old-age or disability insurance benefits, or is entitled to old-age or disability insurance benefits based on a primary insurance amount which is less than one-half of the primary insurance amount of his wife,'.

"(2) So much of such section 202(b)(1) as follows clause (D) is amended by striking out 'or he becomes entitled to an old-age or disability insurance benefit equal to or exceeding one-half of the primary insurance amount of his wife,'.

"(3) Subsection (c)(3) of such section 202 is amended by striking out 'Such' and inserting in lieu thereof 'Except as provided in subsection (q), such'.

"(e) Subsection 202(j)(3) of such Act is amended to read as follows:

"'(3) Notwithstanding the provisions of paragraph (1), an individual may, at his option, waive entitlement to old-age insurance benefits, wife's insurance benefits, or husband's insurance benefits for any one or more consecutive months which occur—

"'(A) after the month before the month in which such individual attains retirement age,

"'(B) prior to (i) in the case of a man, the month in which he attains the age of sixty-five, or (ii) in the case of a woman, the month in which she attains the age of sixty-five or, if later, the month in which the individual (if entitled to old-age insurance benefits) on the basis of whose wages and self-employment income she is entitled to wife's insurance benefits attains the age of sixty-five, and

"'(C) prior to the month in which such individual files application for such benefits, and, in such case, such individual shall not be considered as entitled to such benefits for any such month or months before he filed such application. An individual shall be deemed to have waived such entitlement for any such month for which such benefit would, under the second sentence of paragraph (1), be reduced to zero.'

"(f) Section 203(b)(3) is amended to read as follows:

"'(3) in which such individual, if a wife entitled to wife's insurance benefits, did not have in her care (individually or jointly with her husband) a child of her husband entitled to a child's insurance benefit and such wife's insurance benefit for such month was not reduced under the provisions of section 202(q) and such month occurred prior to the month in which she attained the age of sixty-five or, if later, the month in which her husband (if entitled to old-age insurance benefits) attained the age of sixty-five; or'.

"(g) Section 3121(a)(9) of the Internal Revenue Code of 1954 is amended to read as follows:

"'(9) any payment (other than vacation or sick pay) made to an employee after the month in which he attains the age of sixty-two, if such employee did not work for the employer in the period for which such payment is made; or'.

"(h)(1) The amendment made by subsection (a) shall apply only in the case of lump-sum death payments under section 202(i) of the Social Security Act with respect to deaths occurring after October 1960, and in the case of monthly benefits under title II of such Act for months after October 1960 on the basis of applications filed in or after the month in which this Act is enacted.

"(2) For purposes of section 215(b)(3)(B) of the Social Security Act (but subject to paragraph (1) of this subsection)—

"(A) a man who attains the age of sixty-two prior to November 1960 and who was not eligible for old-age insurance benefits under section 202 of such Act (as in effect prior to the enactment of this Act) for any month prior to November 1960 shall be deemed to have attained the age of sixty-two in 1960 or, if earlier, the year in which he died;

"(B) a man shall not, by reason of the amendment made by subsection (a), be deemed to be a fully insured individual before November 1960 or the month in which he died, whichever month is the earlier; and

"(C) the amendment made by subsection (a) shall not be applicable in the case of any man who was eligible for old-age insurance benefits under such section 202 for any month prior to November 1960.

A man shall, for purposes of this paragraph, be deemed eligible for old-age insurance benefits under section 202 of the Social Security Act for any month if he was or would have been, upon filing application therefor in such month, entitled to such benefits for such month.

"(3) For purposes of section 209(i) of such Act, the amendment made by subsection (a) shall apply only with respect to remuneration paid after October 1960.

"(i)(1) The amendments made by subsections (b) through (f) shall take effect November 1, 1960, and shall be applicable with respect to monthly benefits under title II of the Social Security Act for months after October 1960 and with respect to lump-sum death payments, for deaths occurring after October 1960.

"(2) The amendment made by subsection (g) shall be effective with respect to remuneration paid after October 1960."

Mr. BYRD of West Virginia. Mr. President, the Senators know that the Senate Finance Committee adopted an amendment offered by me and cosponsored by 21 other Senators to permit men to voluntarily retire and receive actuarially reduced benefits at age 62 in the same way as such benefits are presently available to women at age 62. Following the adoption of the amendment, Mr. Robert Myers, Chief Actuary of the Social Security Administration, and other social security experts in the Department, discovered a technical deficiency in the language of the amendment. This technical deficiency must be rectified if the language is to carry out the intent and purpose of the Senators cosponsoring the amendment and the intent and purpose of the committee in adopting it. Under the language of the bill as it is presently written, the wife of a retired worker would suffer a double reduction in her benefit. One reduction would be based on her being under 65, and the other reduction would be based on her husband's being under 65. I am advised by the Chief Actuary of the Social Security Administration that, from an actuarial standpoint, it is necessary and proper that there be only one reduction in the wife's benefit. The amendment I am now offering is a perfecting amendment and it would correct the inequity that would result from the present language of the bill and would safeguard the wife's benefit against the double reduction. This amendment will provide that the single actuarial reduction be based on the wife's age, or, on the husband's age, if he is the younger of the two.

I have discussed this perfecting amendment with Senator KERR and Senator FREAR and with the chairman of the Senate Finance Committee, Senator BYRD of Virginia, and I believe that they have agreed to accept the amendment. I trust that the Senate will adopt it.

I also hope, Mr. President, that the House conferees will accept the amendment permitting male workers to voluntarily retire at age 62. Wives who now must wait until the breadwinner in the family reaches age 65 before receiving benefits, may also benefit from the amendment, because it will make possible the payment of benefits to wives who reach age 62 when the retired husband worker has reached age 62, if he and she so elect to apply.

Mr. President, I have discussed the perfecting amendment with the distinguished Senator from Virginia [Mr. BYRD], chairman of the Committee on Finance. I believe he has no objection to it. I hope the Senate will adopt it.

Mr. KERR. Mr. President, the Senator from West Virginia is correct. The committee believes the amendment should be approved.

Mr. BYRD of West Virginia. Mr. President, I yield back the remainder of my time.

Mr. KERR. I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment of the Senator from West Virginia.

The amendment was agreed to.

Mr. HARTKE. Mr. President, I ask unanimous consent to have several statements by me printed at this point in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HARTKE IN SUPPORT OF PROVISION REMOVING AGE REQUIREMENT FOR RETIREMENT BECAUSE OF TOTAL AND PERMANENT DISABILITY

Earlier this session I introduced legislation to remove the age 50 requirement contained in the disability insurance program. I am happy that this amendment was approved by the House of Representatives and the Senate Finance Committee. This provision is contained in the pending social security bill.

The age 50 requirement was included under the disability insurance program as part of its conservative program in 1956 when it acknowledged that individuals permanently and totally disabled should be able to draw benefits to assist them and their families when disability fell upon them.

Sufficient experience has now been gained to warrant the removal of the age requirement. This will benefit an estimated 125,000 disabled workers immediately and a like number of their dependents.

The removal of this restriction will enable many of these people to be removed from public assistance rolls. According to the committee report the first year's savings in public assistance will be $28 million.

This follows once again the great American principle of self-reliance, of permitting an individual to pay into an insurance fund from which he may benefit when he retires or when he becomes disabled and is no longer capable of working.

This is a great step forward because when a younger worker becomes disabled he is not the only one who suffers. This group of individuals usually have families who depend upon them for support. Now, if they are under 50, they must rely on public assistance. Under the committee-approved bill they will become eligible to begin drawing benefits under the disability insurance program of the social security system.

STATEMENT BY SENATOR HARTKE IN SUPPORT OF PROVISION LOWERING THE SOCIAL SECURITY RETIREMENT AGE FOR MEN TO 62

Among the social security amendments before us is one which would allow retirement of men at age 62 at benefits somewhat lower than those at age 65. I am an author of the Senate amendment to accomplish this and, therefore, I am extremely gratified that the Senate Finance Committee approved this liberalization.

Actually, this is in the nature of an equalizing amendment. The privilege of retirement at age 62 has been accorded to women for some time. It seems to me to be at least of equal importance to permit a wage earner to retire at age 62 if he must because of illness or other reasons which would deem it advisable for him to quit working.

There will be little, if any, cost to the social security trust fund with this earlier optional retirement. The benefits available to one who chooses to retire at age 62 would be 80 percent of the amount to which he would be entitled at age 65. The percentage would rise five-ninths of 1 percent for each month beyond age 62.

In areas of high unemployment especially this will be of immeasurable value. It is difficult, if not impossible, for persons of advanced age to obtain employment in these unemployment areas. This optional retirement will allow persons of 62 to obtain a measure of comfort.

STATEMENT BY SENATOR HARTKE IN SUPPORT OF PROVISION RELATING TO THE BLIND

Among the social security amendments approved by the Finance Committee is an amendment I introduced to help the blind. A man who loses his sight when he is 25 years of age—or 35 or 45—should not be on public assistance for the rest of his life.

A man who is still in his working years, who becomes blind, does not have to be on public assistance the rest of his life. He should be working and earning his own living. Many blind men and women today are doing just this—providing for themselves and their families, contributing to their community life, strengthening the economy of the Nation.

A man who becomes blind may have to accept the help of public assistance temporarily to feed himself and his family—but this help needs to be only temporary if it is geared to assist him to work his way off public assistance and into economic self-sufficiency. In 1950, the Congress recognized that blind and recipients did not have to be permanent public charges, by including in title X, the Aid to the Blind title of the Social Security Act, the earned income exemption concept.

This concept brought rehabilitation into the Federal-State blind aid programs. It provided that a blind person receiving aid could earn up to $50 a month—up to $12 a week—without having these earnings used to reduce the amount he received during that period from public assistance; if he earned, not $50 in a month, but $75, then the $25 excess over the exempted amount would be used to diminish his public assistance check.

This put rehabilitation into the public assistance for the blind—and it was a fine, a magnificent action—it was government help of the highest caliber, a help to disadvantaged men and women who had the spirit the determination and the willingness to rebuild their lives—but couldn't do it alone.

Ten years have changed very much the value of $50 and the action taken by the Congress in 1950 has become meaningless as the value of $50 has shrunk to a mere shadow in purchasing power.

I believed there was need to bring the action of 1950 up to date—to bring the rehabilitation principle incorporated into the aid to the blind title in 1950 up to date—to make it commensurate with today's values, with today's needs.

I therefore proposed an amendment to title X of the Social Security Act, which would change the present $600 annual earned income exemption for blind aid recipients to $1,000 a year plus 50 percent of income in excess of this amount. I am gratified that it was accepted by the Senate Finance Committee and that it is included in the pending bill. This is not a grab bag for the blind.

This provision does not mean that a blind person may earn $100,000 a year and still draw public assistance. It does mean that a limit should be placed on the earnings of a blind aid recipient so as to be sure that this can't and won't happen. It can't and won't happen with the amendment as I have proposed it—as it was adopted by the Finance Committee.

Let me give you an example: A blind man applies for public assistance and it is determined by the authorities that he has need for $75 a month or $900 a year to meet his basic needs. This man has a newsstand and he earns, let us say, $1,400 a year; according to my amendment the first $1,000 of this man's earnings would be exempt—exempt from being used to meet his basic needs; 50 percent of the balance or $200 of his earnings would also be exempt; this would leave $200 of his earnings not exempt and this amount would then be used to meet his basic needs to reduce his public assistance grant—so that he would receive not $900 public assistance but $700; and with each additional dollar of his earnings 50 cents will be used to reduce his public assistance check. When this man's income from his newsstand amounts to $2,800 a year, he will receive no public assistance at all.

So, instead of public assistance merely helping to feed this man, it is so structured by my amendment as to help him to eventually escape from public assistance.

And, I use the word "escape" with the knowledge that as of April 1960, the average blind aid check for 107,787 blind persons was $72.42 a month.

Last week, we declared by action of this Chamber that a man has a minimum need of $1.25 an hour and should receive it. What of the blind aid recipient? He has the same needs; he too must eat, must pay rent, and buy clothes—and he must make these purchases at the same stores used by everyone else. How does he make these purchases? He does it all—or more than 100,000 of them do—on a current monthly average of $72.42, or an average of $18.10 a week or, figuring it on a 40-hour-week basis, the blind aid recipient has an average hourly income of $0.45 to pay all his living costs.

I do not set forth these figures as an argument for increased public assistance funds; I state them so that all will understand why blind men and women who are on public assistance want and need release from public assistance, want and need the opportunity to get off public assistance.

My amendment gives them this chance—to work their way from dependence upon public aid to economic independence; it provides a means, it provides a gradual transition from complete reliance upon public funds, to complete independence of public funds.

I urge that my amendment be allowed to remain in the form in which I submitted it. There is no need for controls, or limitations on a blind man's earnings—the blind person's own initiative will in itself be a control, his own ambitions a limitation—for as his earnings increase, his public aid will decrease until one happy day, one wonderful day, the blind worker will discover he is again his own man, free of public aid, free because he has earned his freedom through his own efforts.

STATEMENT BY SENATOR HARTKE IN SUPPORT OF PROVISION INCREASING THE SOCIAL SECURITY EARNINGS LIMITATION

I am gratified that the Senate Finance Committee has recognized that there is an inequity in the present social security law which limits the earnings of a retiree to $1,200 a year. The committee has approved an increase in this limitation to $1,800, and this provision is contained in the pending bill.

The increase to $1,800 is an improvement, but I feel that a larger increase is justified.

Early this year I introduced legislation removing the earnings limitation. When the House acted on the social security revision bill I submitted several amendments designed to remove or increase the $1,200 earnings limitation. One amendment completely removed the ceiling. Another provided for gradual removal over a period of 5 years. The others increased the limitation to $4,800, $3,600, $3,000, $2,400, and $1,800.

This is still far short of the goal which I feel we should work for—that is the complete removal of the income limitation on earned income.

My colleagues are aware, I am sure, that there is no limitation on the amount an individual may receive from insurance, bonds, dividends, rents, etc. The provision adopted by the Senate simply will place those wishing to continue work and supplement their meager social security check on the same level as those receiving income from so-called unearned sources.

This great social security program was enacted to provide some measure of security for our elderly citizens. So long as this earnings limitation remains we are rewarding the rich and penalizing those who really need protection. It penalizes our great American initiative. We cannot continue to penalize the health and vigorous members of our society who would like to continue working in jobs for which they are qualified and needed in order to supplement the bare subsistence income they receive under social security.

In urging the Senate conferees to insist on this provision, I would like to quote from the November 1959 issue of Nation's Business. In an article entitled "Let's Take the Brakes Off Growth," it is stated:

"Permission for older people to work may often mean the difference between comfort and penury, self-confidence and despair, success, and failure.

"For both economic and psychological reasons, changes in our old-age pension systems are sorely needed."

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time on the bill, on condition that the minority leader will do likewise.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from South Carolina [Mr. JOHNSTON] are absent on official business.

I also announce that the Senator from Missouri [Mr. HENNINGS] is absent because of illness.

I further announce that the Senator from Montana [Mr. MURRAY] and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

I further announce that, if present and voting, the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Missouri [Mr. HENNINGS], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Montana [Mr. MURRAY], and the Senator from Wyoming [Mr. O'MAHONEY], would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Iowa [Mr. MARTIN] is absent, by leave of the Senate, on official business.

The Senator from California [Mr. KUCHEL] is necessarily absent. If present and voting, he would vote "yea."

The result was announced—yeas 91, nays 2, as follows:

[No. 309]

YEAS—91

Aiken	Engle	Magnuson
Allott	Ervin	Mansfield
Anderson	Fong	Monroney
Bartlett	Frear	Morse
Beall	Gore	Morton
Bennett	Green	Moss
Bible	Gruening	Mundt
Bridges	Hart	Muskie
Burdick	Hartke	Pastore
Bush	Hayden	Prouty
Butler	Hickenlooper	Proxmire
Byrd, Va.	Hill	Randolph
Byrd, W. Va.	Holland	Robertson
Cannon	Hruska	Russell
Capehart	Humphrey	Saltonstall
Carlson	Jackson	Schoeppel
Carroll	Javits	Scott
Case, N.J.	Johnson, Tex.	Smathers
Case, S. Dak.	Jordan	Smith
Chavez	Keating	Sparkman
Church	Kefauver	Stennis
Clark	Kennedy	Symington
Cooper	Kerr	Talmadge
Cotton	Lausche	Wiley
Curtis	Long, Hawaii	Williams, Del.
Dirksen	Long, La.	Williams, N.J.
Dodd	Lusk	Yarborough
Douglas	McCarthy	Young, N. Dak.
Dworshak	McClellan	Young, Ohio
Eastland	McGee	
Ellender	McNamara	

NAYS—2

Goldwater Thurmond

NOT VOTING—7

Fulbright	Kuchel	Murray
Hennings	Martin	O'Mahoney
Johnston, S.C.		

So the bill (H.R. 12580) was passed.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. WILLIAMS of Delaware. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make appropriate corrections in section and paragraph numbers.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. I ask unanimous consent that the bill as passed, showing Senate amendments, be printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of Virginia. I move that the Senate insist on its amendments and ask for a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BYRD of Virginia, Mr. KERR, Mr. FREAR, Mr. LONG of Louisiana, Mr. WILLIAMS of Delaware, and Mr. CARLSON conferees on the part of the Senate.

Mr. THURMOND subsequently said: Mr. President, I was compelled to vote against this program which is financed by the Federal Government in whole or in part. My position on this issue was not taken with any degree of insensitivity or callousness to the plight of our elder citizens. The medical problems of many of these citizens are genuine and real, and I have repeatedly urged appropriate legislative action by the Congress to assist them in their financial problems. However, the assistance which I have urged has not been in the form of a program of grants. On the contrary, I have urged repeatedly that the income tax laws be amended so as to give some measure of relief to persons 65 years of age and over and those who are assisting such persons.

Mr. President, I am convinced that the necessity for increased Federal intervention in this area diminishes with the growth of private pension plans and additional concern by the State governments. Today over 19 million workers are covered by private pension plans which have total assets of nearly $40 billion. By 1965 these are expected to have assets of $77 billion.

Mr. President, much has been said about a program of medical care for the aged which can be administered to all persons who have reached retirement age and retain a measure of dignity to the program. In my opinion, there can be no program administered by the Federal Government which can attain the mark of dignity which accompanies a program of health insurance administered by private companies and for which the elder citizen has himself voluntarily provided. Our citizens are not as insensitive to their future needs as the proponents of Federal programs for the aged would seem to believe. According to Health Insurance Association of America, about 43 percent of Americans over 65 are now covered by some form of health insurance. This percentage will continue to increase in proportion to our standard of living until the necessity for intervention by government will be completely eliminated.

Mr. President, the States of this Union have not ignored the medical and financial problems of their elder citizens. Forty States have some form of medical care provisions in their old age assistance plans, and 16 States have direct money payments for all essential items of medical care. My own State of South Carolina has a program which provides for direct payments for hospital care and nursing home care. Any federally financed program of medical care for the aged will increase the necessity for additional Federal revenues, diminish sources of revenue from which the States could draw, and thereby hamper additional efforts by the States to expand their present programs of medical care for the aged.

Mr. President, it was my sincere hope that the welfare clause of the Constitution would not be further expanded to the extent proposed by H.R. 12580.

SUGAR ALLOCATIONS TO DOMINICAN REPUBLIC—MESSAGE FROM THE PRESIDENT

Mr. BYRD of Virginia. Mr. President, the President of the United States has transmitted to the Senate today a message relative to sugar allocations to the

Dominican Republic. The message, I am informed, has been read in the House of Representatives and referred. I therefore ask unanimous consent that the President's message be printed in the RECORD, without reading, and referred to the Committee on Finance.

The PRESIDING OFFICER. Without objection, it is so ordered.

The President's message is as follows:

To the Congress of the United States:

The meeting of Foreign Ministers of the American Republics at San Jose, Costa Rica, has just completed its deliberations on the charges made against the Dominican Republic by the Government of Venezuela, as well as on the flagrant violation of human rights by the Trujillo regime. The Foreign Ministers voted unanimously to condemn the Dominican acts of aggression and intervention against Venezuela, culminating in the attempt on the life of the President of that country, and resolved to (1) break diplomatic relations with the Dominican Republic, and (2) interrupt partially economic relations with that country beginning with a suspension of trade in arms and implements of war, with the provision that the Council of the Organization of American States shall study the feasibility and desirability of extending this trade suspension to other articles. The United States joined with the other American Republics in approving these measures.

Some 322,000 short tons of the sugar not being purchased from Cuba pursuant to the reduction in the Cuban quota is, under the July amendment to the Sugar Act, to be allocated to the Dominican Republic. This allocation is in addition to the Dominican Republic's 1960 quota amounting to approximately 130,000 tons. Since total imports of sugar from the Dominican Republic in 1959 amounted only to about 84,000 tons, the statutory allocation would give that country a large sugar bonus seriously embarrassing to the United States in the conduct of our foreign relations throughout the hemisphere.

In view of the foregoing considerations, the Government should have discretion to purchase elsewhere the quantity apportioned to the Dominican Republic pursuant to the July amendment to the Sugar Act. I, therefore, request legislation providing that amounts which would be purchased in the Dominican Republic pursuant to the July amendment need not be purchased there, but may be purchased from any foreign countries without regard to allocation.

I would also remind the Congress that the Sugar Act's present termination date of March 31, 1961—only 3 months after the reconvening of Congress next January—could cause a serious gap in supplies, because it often takes as much as 1 or 2 months after purchase for sugar from distant areas to reach our refineries. Thus an extension of the Sugar Act beyond its present termination date is necessary at this session in order to protect consumers in the United States against the possibility of unreasonable prices for sugar next February and March.

I request that the Congress give urgent consideration to and take favorable action on the proposed legislation.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 23, 1960.*

MUTUAL SECURITY AND RELATED AGENCIES APPROPRIATIONS, 1961

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 1921, H.R. 12619.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 12619) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with amendments.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the time be limited to 30 minutes on amendments, and 4 hours on the bill, in the usual form.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the unanimous-consent agreement is entered.

The unanimous-consent agreement, as later reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on August 24, 1960, at the conclusion of routine morning business, during the further consideration of the bill, H.R. 12619, the Mutual Security Appropriation Act for 1961, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 30 minutes, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 4 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

"I AIM AT THE STARS"—MOTION PICTURE

Mr. SPARKMAN. Mr. President, recently I was privileged, along with my fellow Senator from Alabama, LISTER HILL, to sponsor a congressional preview showing of an unusual and important motion picture "I Aim at the Stars." This film is the story of Dr. Wernher von Braun, an adopted son of Alabama, whose work is so vital to our stake in the race into space. This film was made by Charles H. Schneer and will be distributed throughout the world by Columbia Pictures beginning in late August.

"I Aim at the Stars" is the first motion picture ever produced about a living man whose career is still in the ascendancy. It is, in many ways, the story of this generation, for it begins between the two World Wars, embraces World War II, the Korean conflict, and the current race between the United States and Russia to be the first to conquer space.

It is probably one of the most forthright stories ever brought to the screen about a living person. And I believe it is safe to say that not many stories in motion picture history have dared be as frank, forthright, and blunt as this.

Because of the story this motion picture tells and because of the manner in which it is told, I believe that every American should see it, and I hope that millions of people in other lands will see it also. Not only is "I Aim at the Stars" a well documented account of the life of a world-famous figure and a film filled with science fact rather than science fiction, but it is also a human document, expressing in personal terms the struggle of man to advance into the unknowns that still face him.

It is to the credit of Mr. Schneer that he undertook to make this film. Dr. Von Braun is a public figure not untouched by controversy. From the very moment of the decision to bring him to this country after World War II, he has been the subject of much argument. But the picture "I Aim at the Stars" does not gloss over any of the facts. Starting with Von Braun's childhood and his youthful infatuation with rocketry, it fully covers those years in which he was chief of the group of German scientists who developed the V–2 weapon and his membership in the Nazi Party.

The film also delineates fully the great decision that had to be made at the conclusion of the war by our military authorities on the disposition of the German rocket and missile experts. It clearly shows the swiftness and the firmness with which men of decision moved to corral the Von Braun group and offer them a working haven in the United States on a trial basis. The picture also shows, as we now well know, how that gamble paid off, not only to our great advantage in the race for space, but in gaining us a large number of good and valuable citizens who might otherwise have been forced behind the Iron Curtain.

Finally, this motion picture "I Aim at the Stars" tells the story of a man and his dedication in such universal human terms, in his contacts with his family and his coworkers, and even those who oppose him, that it will have strong appeal to men and women everywhere as a story alone, during the enjoyment of which they will also learn much of value about important steps on man's road of progress. It is to the credit of Mr. Schneer, J. Lee Thompson, the director,

Curt Jurgens, who portrays Von Braun, Victoria Shaw, who is seen as Mrs. von Braun, and all of the other actors, that they accomplish this.

Appreciation is also due the Department of Defense and the Army for the fullness of the cooperation they extended to the producers of the picture. Their help aided in assuring the authenticity of many of the events in the film, including scenes depicting Dr. von Braun's work at Redstone Arsenal in Huntsville, Ala., and other scenes showing the firing of rockets at Cape Canaveral.

One of the aspects of Von Braun's life the picture does not show, but of which we in Alabama are quite proud, is the way in which he and his fellow scientists have become outstanding and useful citizens. Von Braun and his cohorts from Germany have contributed much of their time, their collective energies and talents, as well as their zeal to the progress of Huntsville, Ala., as an outstanding American community. They have also had a large share in forging the reputation of Huntsville as "Rocket City," a city and an area that has and will continue to be one of the Nation's guarantees to the peace and security of the world.

I found "I Aim at the Stars" a truly inspirational experience, and trust that others will undergo similar reactions in viewing it. Among the inspiring aspects are the dedication of Dr. von Braun to reach his goal of the stars over every obstacle; his devotion to basic principles even when forced to do the bidding of the masters of Nazi Germany; his wonderful relationship with his wife; his continuing devotion to his coworkers. Equally inspiring is the development of Dr. von Braun and his fellow ex-Germans and their families as outstanding Americans, a further proof that the United States is able to accept people who have lived under the most foreign of doctrines and nurture them so that in a few short years they understand and accept our ideals of liberty and freedom and are accepted by their neighbors, as well as the law, as full citizens.

This can well be one of the most important films of our time, for it is really the story of tomorrow, based as it is on the career of one of the world's greatest rocket scientists. That small group of men may well hold, for good or evil, the destiny of our world in their hands, depending on whether rockets and missiles are to be developed for peace or for war.

Mr. Charles Schneer must be commended for his vision and his professional skill in undertaking this production. Columbia Pictures deserves every success in its distribution of this outstanding picture. The U.S. Army has performed notable services in lending that degree of cooperation which has helped bring about a screen must for everyone.

CURRENT STATUS OF ESCAPE CLAUSE APPLICATIONS BEFORE THE U.S. TARIFF COMMISSION AS OF JULY 1, 1960

Mr. SPARKMAN. Mr. President, there has been comment from time to time as to the situation of the textile industry, and particularly in connection with the recent applications by those interested in the textile industry in the United States for the escape clause by the U.S. Tariff Commission that have been turned down.

I think it will be of interest to those who may be concerned with this question to review the current status of the escape clause applications before the Tariff Commission as of July 1, 1960.

I ask unanimous consent that the tabulation be printed in the RECORD at this point.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

CURRENT STATUS OF ESCAPE CLAUSE APPLICATIONS BEFORE THE U.S. TARIFF COMMISSION (AS OF JULY 1, 1960)

1. Applications accepted by the Commission, 110.

2. Applications dismissed by the Commission at applicant's request, six.

3. Investigations terminated by Commission without formal findings, eight.

4. Investigations currently pending (barbed wire, cast-iron fittings, horseradish, hatters' fur, binding and baler twine, hard fiber cords and twine), six.

5. Investigations completed by the Commission, 90.

5a. Investigations in which the Commission decided against escape action (includes 14 cases dismissed under Executive order procedures prior to 1951 statute), 57.

5b. Investigations in which the Commission's vote was evenly split and dual reports sent to the President, five.

5c. Investigations in which the Commission voted in favor of escape action, 28.

6. Presidential action on Commission's escape clause recommendations in favor of escape action, 33.

6a. President invoked escape clause (women's fur felt hats and hat bodies, October 30, 1950; hatters' fur, January 5, 1952; dried figs, August 16, 1952; alsike clover seed, June 30, 1954; watches (2d investigation), July 27, 1954; bicycles (2d investigation), August 18, 1955; toweling, of flax, hemp, or ramie, June 25, 1956; spring clothespins (4th investigation), November 9, 1957; safety pins (2d investigation), November 29, 1957; clinical thermometers, April 21, 1958; lead and zinc (2d investigation), September 22, 1958; stainless-steel table flatware, October 20, 1959, 12.

6b. President declined to invoke the escape clause, garlic (1st investigation), July 21, 1952; watches (1st investigation), August 14, 1952; tobacco pipes and bowls, November 10, 1953; scissors and shears (1st investigation), May 11, 1954; groundfish fillets (2d investigation), July 2, 1954; lead and zinc (1st investigation), August 20, 1954; handmade blown glassware (1st investigation), September 9, 1954; spring clothespins (3d investigation), November 20, 1954; screen-printed silk scarves, December 23, 1954; wood screws (3d investigation), December 23, 1954; fluorspar (2d investigation), March 20, 1956; para-aminosalicylic acid, August 10, 1956; ferrocerium (lighter flints), November 13, 1956; groundfish fillets (3d investigation), December 19, 1956; velveteen fabrics, January 22, 1957; straight pins (2d investigation), March 29, 1957; violins and violas, March 30, 1957; umbrella frames, September 30, 1958; tartaric acid, March 14, 1959; cream of tartar, March 14, 1959, 20.

6c. President action pending (cotton typewriter ribbon cloth), one.

NEW YORK TIMES PAYS TRIBUTE TO AMBASSADOR LODGE FOR HIS WORK AT THE UNITED NATIONS

Mr. CASE of New Jersey. Mr. President, a number of editorials all across the Nation have paid tribute this week to the effective and vigorous representation of Ambassador Henry Cabot Lodge in the United Nations. His decision to resign as of September 3 in order to campaign for the Vice Presidency has served to emphasize the many contributions to world peace and understanding of this authentic "voice of America" in the U.N.

Time after time, Ambassador Lodge has quickly and ably rebutted Soviet distortions with American facts. He has countered Communist misstatements with free world truth. As a result, his own stature and that of the U.N. and the free world have been enhanced.

Ambassador Lodge's unexcelled knowledge of diplomatic techniques and Soviet talents will serve him and his Nation well whatever the future may hold in store for him. I am pleased to have this opportunity to salute him for a job well done in the U.N. and to wish him well in the days ahead.

I also wish to call to the attention of the Senate an editorial which appeared in the New York Times of August 21, concerning Ambassador Lodge's resignation. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 21, 1960]

THE LODGE RESIGNATION

Henry Cabot Lodge's resignation as U.S. Representative to the United Nations may or may not mean that he is entering into a wider field of activity. The voters will decide that question next November. It may be said, however, with complete nonpartisanship, that Mr. Lodge has done the right thing. He could not long continue at the U.N. in the double role of a candidate on a major party ticket and a diplomat representing all the people.

There can be no question that he has indeed most ably represented all the people in his 7½ years at the U.N. He has grown in stature, he has profited from his often arduous experience, and he has fully met the U.N. mission's relentless demands on time, strength, and patience. In virtue of his position, he has been a member of the President's Cabinet and has contributed to the formation of the Eisenhower foreign policy. It is, in a way, too bad that win or lose this phase of his career is over.

The White House announcement that James J. Wadsworth, Deputy Ambassador under Mr. Lodge, will succeed him was as welcome as it was expected. Mr. Wadsworth also labored wisely and prodigiously, especially in his long siege in Geneva during the nuclear negotiations with the Russians. Every informed person of whatever political faith will wish Mr. Wadsworth well, be his term long or short.

AUTHORIZATION FOR COMMITTEE ON THE JUDICIARY TO MEET TOMORROW AT 2:30 P.M.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that tomorrow at 2:30 p.m., notwithstanding the session

of the Senate, the Judiciary Committee may be permitted to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

MUTUAL SECURITY AND RELATED AGENCIES APPROPRIATIONS, 1961

The Senate resumed the consideration of the bill (H.R. 12619) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

Mr. HAYDEN. Mr. President, the mutual security appropriation bill, which is now before the Senate, recommends appropriations in the amount of $3,989 million. This is an increase of $399,304,000 over the House bill. However, it is $292,650,000 under the original budget estimate sent to the Congress by the President plus the $100 million budget estimate submitted by the President on August 17.

In view of the recent developments in Africa, the President requested this additional $100 million in the contingency fund. The committee has approved the full amount but has attached to the language in the bill a provision stipulating that our financial contribution to any program in any country in Africa should not exceed 40 percent of the total contribution to the United Nations for such program.

Another major increase by the committee is in the Development Loan Fund, where $150 million was added to the House bill to provide the full budget estimate of $700 million for this fund.

The committee increased the amount for defense support by $75 million and also increased the amount for special assistance by $50 million.

The technical assistance program suffered a $22 million reduction in the House of Representatives and the committee has restored this cut.

The bill, as it came to the Senate this year from the House, contained an unusually large number of objectionable language provisions. The committee, after taking detailed testimony on these provisions, has decided to eliminate all of them from the bill. The report is on the desk of each Senator and in addition to explaining all of the details of the increases made in the appropriations it explains the action of the committee on the language amendments to which I have referred.

Mr. President, I move that the committee amendments to the bill be agreed to en bloc and that the bill as thus amended be regarded for the purpose of amendment as original text; provided, that no point of order shall be considered to have been waived by reason of agreement to this order.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to.

The committee amendments agreed to en bloc are as follows:

Under the heading "TITLE I—MUTUAL SECURITY—MILITARY ASSISTANCE," on page 2, at the beginning of line 9, to strike out "$23,000,000" and insert "$25,000,000".

Under the subhead "ECONOMIC ASSISTANCE", on page 2, line 14, after "section 131(b)", to strike out "$600,000,000" and insert "$640,000,000, and in addition for defense support for Spain, authorized by section 131(b), $35,000,000, exclusive of technical cooperation."

On page 2, line 18, after "section 304", to strike out "$150,000,000" and insert "$172,000,000", and, after the amendment just above stated, to strike out the colon and *"Provided,* That no part of this appropriation shall be used to initiate any project or activity which has not been justified to the House of Representatives and the Senate".

On page 3, line 3, after "306(b)", to strike out "$1,500,000" and insert "$1,300,000".

On page 3, line 5, after "400(a)", to strike out "$206,000,000" and insert "$256,000,000", and at the beginning of line 6, to strike out *"Provided,* That no part of this appropriation shall be transferred by the International Cooperation Administration or the Department of State to the Benjamin Franklin Foundation, until a new agreement is entered into between the United States and the Benjamin Franklin Foundation which contains adequate financial and administrative controls for the protection of the Government of the United States".

On page 3, after line 12, to strike out:

"Special assistance, special authorization: For assistance authorized by section 400(c) for hospital construction, the equivalent of $1,500,000 in local currencies."

And in lieu thereof to insert:

"Special assistance, special authorization: For assistance authorized by section 400(c) for hospital construction, $1,500,000 to be used to purchase foreign currencies which the Department of the Treasury may determine to be excess to the normal requirements of the United States."

On page 3, line 22, after "405(a)", to strike out "$10,000,000" and insert "$6,700,000".

On page 4, line 11, after "405(d)", to strike out "$3,500,000" and insert "$3,350,000".

On page 4, line 23, after "411(b)", to strike out "$38,000,000" and insert "$40,000,000".

On page 5, after line 2, to strike out:

"Office of the Inspector General and Comptroller: Not to exceed $1,000,000 of the funds appropriated in this title shall be available to carry out the provisions of section 533A of the Mutual Security Act of 1954, as amended."

Under the subhead "CONTINGENCIES", on page 5, line 9, after "451(b)", to strike out "$150,000,000" and insert "$250,000,000", and in line 10, after the amendment just above stated, to strike out *"Provided,* That none of the funds appropriated in this paragraph shall be used for any project or activity for which an estimate has been submitted to Congress" and in lieu thereof, to insert *"Provided,* That none of the funds appropriated in this paragraph may be used to finance contributions to the United Nations for a program in any country in Africa in excess of 40 per centum of the total contributions to the United Nations for such program."

On page 5, after line 17, to insert: "Unobligated balances of funds heretofore made available under authority of the Mutual Security Act of 1954, as amended, and available as of June 30, 1960, are, except as otherwise provided, hereby continued available for the fiscal year 1961, for the same general purposes for which appropriated."

On page 5, after line 23, to insert: "Funds appropriated under each paragraph of this title (other than appropriations under the head of military assistance), including unobligated balances continued available, and amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated against appropriations heretofore made for the same general purpose as such paragraph, which amounts are hereby continued available (except as may otherwise be specified in this title) for the same period as the respective appropriations in this title for the same general purpose, may be consolidated in one account for each paragraph."

Under the subhead "DEVELOPMENT LOAN FUND", on page 6, line 21, after "203", to strike out "$550,000,000" and insert "$700,000,000".

Under the subhead "LIMITATION ON ADMINISTRATIVE EXPENSES, DEVELOPMENT LOAN FUND", on page 7, line 3, after the word "exceed", to strike out "$1,800,000" and insert "$2,150,000", and in line 7, after the word "expenses", to insert a colon and *"Provided,* That necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Fund or in which it has an interest as a result of its financing activities, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof."

Under the subhead "GENERAL PROVISIONS," on page 7, after line 16, to strike out:

"SEC. 101. None of the funds herein appropriated shall be used to carry out any provision of chapter II, III, or IV of the Mutual Security Act of 1954, as amended, with respect to any project or activity, or in any country, during any period when more than thirty-five days have elapsed between the written request (delivered to the office of the head of the appropriate department or agency) for, and the furnishing of, any document, paper, communication, audit, review, finding, recommendation, report, or other material in possession or control of such department or agency relating to the expenditure of funds with respect to such project or activity or in such country, to the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering legislation or appropriations for or expenditures of such department or agency."

On page 8, after line 10, to inert:

"SEC. 101. (a) Within sixty days following the date of enactment of this Act, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report containing a full and complete revision of the data presented to such committees in justification of appropriations requested for the Mutual Security program for the fiscal year 1961, showing any changes in such program approved subsequent to such presentation, including changes necessary to reflect actual appropriations for the program.

(b) Within thirty days following the approval of any change in the Mutual Security program for the fiscal year 1961, which will result in furnishing assistance of a kind, for a purpose, in an area, or in an amount, different from that described in the report transmitted under subsection (a), and which involves $1,000,000 or more, or 5 per centum of the amount appropriated under any paragraph of this title whichever is the lesser, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a full and complete report of such change and the reasons therefor.

(c) This section shall not apply to programs authorized by section 451 of the Mutual Security Act of 1954, as amended.

(d) None of the funds herein appropriated shall be used to carry out any provision of chapter II, III, or IV of the Mutual Security Act of 1954, as amended, in any country or with respect to any project or

activity, after the expiration of the thirty-five-day period which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering legislation or appropriations for, or expenditures of, the International Cooperation Administration, has delivered to the Office of the Director of the International Cooperation Administration a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material relating to the administration of such provision by the International Cooperation Administration in such country or with respect to such project or activity, unless and until there has been furnished to the General Accounting Office, or to such committee or subcommittee, as the case may be, (1) the document, paper, communication, audit, review, finding, recommendation, report or other material so requested, or (2) a certification by the President that he has forbidden its being furnished pursuant to such request, and his reason for so doing.

On page 10, line 14, after the word "which", to strike out "has not met the standards and criteria used in determining the feasibility of flood control, reclamation and other water and related land resource programs and projects proposed for construction within the United States of America as per circular A–47 of the Bureau of the Budget, dated December 31, 1952," and in lieu thereof to insert "does not meet a feasibility ratio of related programs in the United States based on the engineering information available at the time the project is being considered."

On page 11, after line 15, to strike out:

"SEC. 106. None of the funds herein appropriated shall be used to carry out the provisions of section 203(c) of the Mutual Security Act of 1960."

On page 11, after line 18, to strike out:

"SEC. 107. None of the funds herein appropriated shall be used to carry out the provisions of section 421 of the Mutual Security Act of 1954, as amended."

On page 11, after line 21, to strike out:

"SEC. 108. None of the funds herein appropriated shall be used to finance any of the activities under the Investment Incentive Fund Program."

At the top of page 12, to strike out:

"SEC. 109. None of the funds herein appropriated shall be used to carry out the provisions of chapter VIII of the Mutual Security Act of 1960."

On page 12, at the beginning of line 4, to change the section number from "110" to "106".

On page 12, at the beginning of line 21, to change the section number from "111" to "107".

On page 13, after line 5, to strike out:

"SEC. 112. None of the funds contained in title I of this Act may be used to enter into any contract with any person, organization, company, or concern or any of its affiliates who has offered or who offers to provide compensation to an employee of the International Cooperation Administration or who provides compensation to any former employee of the International Cooperation Administration whose annual salary exceed $5,000 and who has left employment with the International Cooperation Administration within two years of the date of employment with said person, organization, company, or concern, or any of its affiliates."

On page 13, after line 16, to insert:

"SEC. 108. The appropriations and authority with respect thereto in this Act shall be available from July 1, 1960, for the purposes provided in such appropriations and authority. All obligations incurred during the period between June 30, 1960, and the date of enactment of this Act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms hereof."

Under the heading, "TITLE II—DEPARTMENT OF THE ARMY-CIVIL FUNCTIONS—RYUKYU ISLANDS, ADMINISTRATION", on page 14, at the beginning of line 15, to strike out "$3,000" and insert "$4,000"; in line 24, after the word "appropriation", to strike out "$5,250,000" and insert "$7,704,000", and in line 25, after the word "exceed", to strike out "$1,633,000" and insert "$1,744,000".

Under the heading "TITLE III—EXPORT-IMPORT BANK OF WASHINGTON—LIMITATION ON ADMINISTRATIVE EXPENSES, EXPORT-IMPORT BANK OF WASHINGTON", on page 17, line 14, after the word "exceed", to strike out "$6,250" and insert "$6,250, and not to exceed $9,000 for entertainment allowances for members of the Board of Directors".

CITIES AND HIGHWAYS

Mr. WILLIAMS of New Jersey. Mr. President, earlier today I introduced, for appropriate reference, a bill (S. 3877) to provide more effective coordination of the Federal-aid highway system in our metropolitan areas.

Mr. President, this proposed legislation is the outgrowth of more than a year of intensive concern with the problems of metropolitan transportation. Last March I introduced a bill to help improve mass transportation services in metropolitan areas, which I was happy to see the Senate pass. During its consideration, the importance of highways to the metropolitan transportation network and their tremendous impact on urban development became increasingly evident.

The bill is a more immediate result of a particular highway problem in New Jersey, which I believe is becoming increasingly typical of the highway problems now affecting urban communities across the Nation.

Mr. President, I was not a Member of the Senate in 1956 when the Federal-aid highway program was given its first real start with the help of the vigorous efforts of the junior Senator from Tennessee [Mr. GORE] and many others. But since arriving I have become impressed by several facts.

The first is that two-thirds of the population of the United States, or more than 100 million people, now live in fewer than 200 metropolitan complexes scattered across the country.

The second is that nearly 50 percent of the money being poured into the largest public works program ever undertaken will be spent in the urban areas. This will amount to about $20 billion of the total allocated for the 41,000-mile system.

The third and most important point is that for good or ill these urban highway expenditures will have a profound effect on the face of our urban landscape for decades to come. As the forging of new railroad lines years ago determined, to a large extent, the shape of urban development, so today will the new highways—but to a much greater degree.

This is a matter of immediate concern because, since 1956, roadbuilding has largely concentrated in rural and lightly populated areas. We are now on the verge of large-scale construction in the metropolitan areas.

But do we know what we are doing? Do we know what these urban highways are for?

Mr. President, I am afraid that there is strong evidence that we do not truly know what these roads are for.

At the risk of oversimplification, I would say that the prevailing view is that a road is an end in itself, that the first and only purpose of a road is to move people.

As a result we find that to relieve the appalling traffic congestion which afflicts all our metropolitan centers, we must build more roads without regard to the question whether the roads will merely intensify demand and thus congestion, without consideration of the economic efficiency of the expenditure, without regard to the effect on local budgets, without regard to the loss of tax ratable property, without regard to the effect on commercial diversification, without regard to the problems of parking facilities, and traffic control.

To put it another way, for what purpose do we build our very costly urban highways if the effect is to eliminate or drive out the attractions which caused the demand for access in the first place?

Mr. President, I think it is clear that we cannot continue to view roads as ends in themselves, as mere instruments of vehicular traffic only.

I believe we must start looking at the urban portions of the Federal-aid highway system as a means to an end, as a means of building better urban communities, an important and integral instrument for shaping a better America, town and country.

The Interstate Highway System is of course a major portion of the entire program, and a major part of the Interstate funds are being spent in urban areas. Yet we find the law requires that the Interstate System "shall be so located as to connect by routes, as direct as practicable, the principal metropolitan areas, cities, and industrial centers, to serve the national defense."

Nowhere is there any requirement that an interstate highway bend a mile or 2 miles or 3 miles to meet community needs and desires. The paramount considerations appear to be directness and cost.

In New Jersey a very bitter and deep-seated controversy has arisen over the proposed location of the East-West Freeway cutting through the three Oranges and Newark. The State highway department has recommended, and the local citizens are intensely in favor of, a depressed highway. All but one of the communities involved have comprehensive plans for the redevelopment of their respective areas which call for the highway to be depressed.

The Bureau of Public Roads, however, will only approve the plan and provide the Federal share for an elevated highway, which would cost $13 million less.

In answer to contentions that an elevated highway would lower adjacent property values, the Bureau of Public Roads has replied that it has no evidence that such would be the case.

One is tempted to ask how authoritative and comprehensive BPR's surveys on this question are, or whether they have any way of judging comparative rises in value of property adjacent to depressed as opposed to elevated highways.

But perhaps more to the point: how does one put a dollar sign on community feeling?

Surely there can be no doubt that a Chinese wall is less desirable to residents of any community than a depressed roadway. As the Commissioner of the New Jersey Highway Department stated in his letter of recommendation:

> Each of us as individuals would prefer living next to a depressed roadway rather than an elevated one.

And as a matter of fact, it is my understanding that, when differences in cost are not involved, it is the general policy to depress highways in residential areas and elevate them, if need be, in commercial areas.

Furthermore it is not inconceivable that in future years ways could be found to cover sections of depressed highways with prefabricated roofs, which could be landscaped and converted into attractive malls.

But apparently it is impossible at present to weigh such intangibles on the cost scales of highway construction.

A few days ago, I had the pleasure of talking with the Federal Highway Administrator, Mr. Tallamy, about the East-West Freeway controversy.

Contrary to my expectations, I was told that local needs are not given equal consideration with the needs of interstate commerce in the allocation of interstate funds. Rather, the interstate needs are determined and local needs are considered to the extent that they do not affect the interstate requirements.

It is evident, I think, that this kind of standard is not conducive to the best interests of the metropolitan areas of the United States and the majority of citizens living in them.

I recognize that practical economic considerations make it impossible to make metropolitan community needs paramount and interstate traffic needs secondary—though I think there is little question that our intercity transportation networks are already unexcelled while our metropolitan transportation systems are the ones that writhe in agony.

But I do think that we might at least give parity to metropolitan and interstate needs—especially since our metropolitan areas are predominantly located in States which are receiving a disproportionately small share of Federal funds.

There is no denying that a genuinely equal consideration of metropolitan community needs will increase road costs in these areas. But I suspect there have now been enough mass protest meetings that, if necessary, the people would be willing to get along with a few less miles of road in order to insure that the roads which are built genuinely contribute to a better community environment.

I have mentioned the East-West Freeway controversy in New Jersey because it represents the kinds of problems that are cropping up with increasing frequency.

For example, it is common knowledge that our highway system has accelerated urban sprawl to the extent that communities from different metropolitan areas are blending together until they are indistinguishable.

Who is measuring the profound economic implications of this phenomenon? Who is calculating the crushing costs on the suburbanite for new schools, new sewers, new secondary roads, new hospitals, new police and fire departments? Who is estimating the added transportation costs to and from work? Who is keeping an eye on the amount of scarce first-class agricultural soil being plowed under. Who is looking out for the preservation of watershed areas and estimating the impact of land development on flood control? Who is in charge of our recreation and open space needs? Who is calculating the monotony of it all?

Within the broad outlines of such questions, there are still other problems. A metropolitan area may have started or may wish to encourage a high-density residential development in the northwest quadrant of the city, but may find that the dictates of interstate commerce are such that the new highway must go through the northeast quadrant. Or the city may have begun an urban renewal project only to find that a new highway is to travel right over the land it has acquired. Or it may find that there is, at present, little value to an attractive tree-lined thoroughfare which must be widened. Or its slum area may be a little too far removed to justify the expense of rerouting a highway through it. Or perhaps no provision has been made on a well-located highway for a sufficiently wide median strip to be used at a later date for a mass transit line.

These questions and problems suggest, I think, that we do not at present have any way of adequately coping with our highway and community needs on a metropolitan-wide basis.

In some States—and I am pleased to say that New Jersey is foremost among them—the State highway departments make an effort to examine these broader questions and consider local needs. Under Mr. Palmer's direction, for example, the New Jersey Highway Department is one of the few that has made a serious and successful effort to develop a balanced and comprehensive transportation system for the State.

But State highway departments generally are not capable of or suited to do the kind of comprehensive land use and transportation planning that is needed in our metropolitan areas. On the other hand those State highway departments, like New Jersey's, do not now have a legislative directive to insist on Federal consideration of local community needs. This is particularly evident in the case of the East-West Freeway controversy.

But basically the job of highway departments is to build roads, quickly, efficiently, economically, attractively and safely. Their planning activities must of necessity be primarily of a specialized and engineering kind.

As Wilfred Owen, a noted urban transportation expert, has noted:

> The State highway departments have done a considerable amount of planning. For more than two decades they have conducted elaborate surveys, in which the attempt has been made to project highway needs, to establish financial plans to meet the needs, and to plan the location and design of roadways suitable for the demands anticipated. * * * But the fact remains that the highway departments are not doing all the planning that needs to be done in the urban area. What some people call planning differs considerably from what others call it. To city or regional planners, it is something quite different from planning in the engineering sense. Their use of the term involves to a much more important degree the relation between roads and other aspects of the community. They point out that planning need not be geared simply to accommodating trends, but can also influence trends. The comprehensive community plan is aimed at improving the urban environment by bringing about the best possible total results from the many and varied changes that are continually taking place.

It might be added, too, that fundamentally the responsibility for shaping a community's development must ultimately rest not with the State highway departments but with the communities themselves.

At present a great deal of planning is taking place on the municipal level. In New Jersey, for instance, 424 of the State's 567 municipalities had established official planning boards by January 30, 1959. Two hundred and sixty-nine of those planning boards have been established since 1950. Communities are making good use of Federal funds; 101 municipalities are using grants available to them under provisions of section 701 of the Housing Act of 1954. One hundred and thirty-one master plans being prepared in the State are receiving Federal or State assistance.

In other words, many municipalities are going to great lengths in New Jersey to plan for the future. But a serious obstacle to that goal lies in the sprawl of urban communities over political boundaries. Each separate community in the metropolitan complex is inevitably and increasingly dependent on the cooperation of others for their own welfare. So far, however, there has been little progress in the development of cooperative planning for metropolitan areas as a whole. For example, one community may wish a road to run from point A to point B in its area, but the adjacent community may desire a quiet residential neighborhood at the spot where it joins point B. More than likely, any road through the two communities will respect the desires of neither.

The bill I have introduced is designed to help overcome the inherent difficulties faced by both State highway departments and individual communities.

It first of all attempts to establish a new policy direction for the use of highway funds in urban areas by setting forth an addition to the declaration of policy emphasizing that it is the intent of Congress that a primary purpose of

the highway system in urban areas is to assist the development of more orderly and well-balanced communities in which to live and work. It calls for the equal consideration of the values designed to improve the patterns of community living as well as the needs of interstate commerce.

It also establishes additional standards to guide the Secretary of Commerce in approving programs and plans, and directs him to require the greatest possible coordination of highway programs with other programs, like urban renewal, that also affect urban areas.

Second, the bill provides for the establishment by State law or by the Governor of a State of a regional planning commission for each standard metropolitan area where none already exist. These commissions would be responsible for long-range transportation and land-use planning for their respective areas.

After their establishment, the State highway departments would submit their programs and project plans to the commission for the area in which the programs and projects are to be located. The commissions would submit their recommendations to the Secretary of Commerce. While they would not have the power of approval or disapproval, the Secretary of Commerce would be required to provide the commissions with a written report on the disposition of its recommendations.

Third, the bill would make a change in the procedure for public hearings and provide, in addition to the present hearings, for public hearings in conjuction with the planning commissions on the broad programs that are proposed to be located within the commission's area.

The purpose of these changes is, first, to encourage local communities to begin to work and plan together for their common welfare and advantage and, second, to provide a mechanism by which the broad problems of metropolitan community development can be studied and by which the major issues surrounding highway location and community development can be evaluated, discussed, and aired.

The bill provides to finance the operation of these commissions with a modest increase in the research and planning funds available to the States from 1½ to 2 percent, and by the allocation of a portion of those funds to the commissions.

Mr. President, I wish to emphasize that I have introduced this measure to perhaps kindle interest and concern in this fundamental area of our economy. I intend before Congress reconvenes next January to seek widespread expert advice and suggestions on this bill with the expectation of reintroducing a more refined measure, with whatever modification or improvements that seem desirable.

I earnestly hope that the bill will receive consideration early next year, for no matter what legislation on this subject may ultimately be necessary, I think a thorough discussion of the impact of the Federal highway program on our urban communities is badly needed.

Mr. President, I ask unanimous consent that the following items be printed in the RECORD at the conclusion of my remarks:

First, a letter from Mr. Palmer of the New Jersey State Highway Department to the Bureau of Public Roads explaining the department's reasons for favoring a depressed East-West Freeway.

Second, an article by Charles Ball appearing in the summer 1959 issue of State Government, which describes the status of regional planning in our States and which, incidentally, cites the "profound need for regional transportation planning" and suggests that "the routing and design of new State highways might be reviewed by regional agencies."

Third, excerpts from the 1958 Sagamore Conference, sponsored by the American Municipal Association, the American Association of State Highway Officials, and others. It is interesting to note the agreement of the conference that—

> The goal of urban highway transportation service is * * * providing for the most expeditious movement of people and goods in harmony with plans for urban development, or in a manner to aid in proper urban development.

Also included in these excerpts is the statement by Mayor Ben West, of Nashville, that "lack of comprehensive community and areawide planning is one of our greatest deficiencies."

Fourth, an excerpt from a thought-provoking article by Daniel P. Moynihan appearing in the Reporter a few months ago, entitled "New Roads and Urban Chaos," which observes that—

> The Bureau of Public Roads recently considered an edict requiring that some area plans be developed before the interstate funds are allocated, but the idea was abandoned.

Fifth, an editorial entitled "Economy Minded," from the Sunday Star-Ledger of August 21, 1960.

There being no objection, the letter, article, and excerpts were ordered to be printed in the RECORD, as follows:

STATE OF NEW JERSEY,
STATE HIGHWAY DEPARTMENT,
Trenton, N.J., March 9, 1960.

Mr. H. P. BESCHENBOSSEL,
Division Engineer, U.S. Bureau of Public Roads, Trenton, N.J.

DEAR MR. BESCHENBOSSEL: Having held the public hearing for Route 280 through Newark and the Oranges, we are in a position now to formalize our thinking as to what we believe would be a proper recommendation to the Bureau of Public Roads, giving due consideration to the fact that economy of design is necessary and also to the economic effect of our design on not only the area as a whole, but also if possible, that which would be best for each municipally within that design.

AREA

The public hearing pretty well established that Route 280 was necessary to the area and that it would develop benefit to the area. This was brought out by the facts presented by all but West Orange. Newark has initiated its redevelopment program, which by testimony is dependent on better transportation than now exists.

East Orange has started on its 11-year program of redeveloping portions of East Orange. This redevelopment is along the route of the freeway. Orange, through its consultant, Scott Bagby, showed its development plans. In fact, early in our planning for Route 280 Mayor Reilly took us over the area to be redeveloped. This again was planned in connection with a utilization of the benefits the freeway would bring to Orange. West Orange at the hearing stated it had no redevelopment plans.

We ourselves, in proposing this route to the Bureau of Public Roads, investigated the population and industry with its employment and dollar value produced to show the service and economic benefit of this route location.

Additionally, Route 280 traverses an area where added capacity to the existing street system will take years to produce by reason of the dense development and the attending cost. Therefore the construction of Route 280 on a freeway basis should relieve many of the existing streets by reason of its capacity which for each lane of freeway is the equivalent of at least two lanes of city street.

NEWARK

There are two alinements considered in Newark with a total of five variations in design and cost. These are as follows:

Type:	*Cost*
Original alinement elevated (J)	$19,100,000
Original alinement depressed (J)	34,100,000
Alternate alinement (K) elevated	22,300,000
Alternate alinement (K) depressed cutting, 5 streets	21,500,000
Alternate alinement (K) depressed cutting, 2 streets	22,900,000

Our original alinement was used because it remained close to the Delaware, Lackawanna and Western Railroad.

In keeping the location in this area a large amount of structure is necessary either over or under the railroad, including the ramps into Newark, which makes depressions of the route excessively costly. Beside taking out the Armory it also requires part of the Newark Academy athletic field. This institution, by charter, dates back to the 1700's. Without an athletic field and recreational area any educational institution, such as this, is ineffective and would soon suffer a drop in attendance.

In Newark the alternate "K" alinement provides a greater flexibility for joining Route 280 and the Belmont Avenue north-south connector. It makes for a better and cleaner crossing of the Delaware, Lackawanna and Western Railroad and has the approval of the city of Newark and its planners.

The construction costs of this alinement are less than the construction cost of the original alinement. The property damage is greater. However, in our opinion this alinement will prove in the long run to provide greater benefit to the city of Newark.

RECOMMENDATION

Since the alternate "K" alinement has the endorsement of the city of Newark and since the difference in cost between depressing that alinement is about $800,000 less than elevation in one case and $600,000 greater than depressed in the other, we should consider the advantages and disadvantages of the two methods of depressing the alternate "K" alinement.

In the case where alternate "K" is $800,000 cheaper than the same alinement elevated, five of Newark's north-south streets are cut off or dead-ended, whereas at a cost of $600,000 more only two streets are cut off.

Within the city of Newark there are 17 north-south streets. These streets carry 147,000 vehicles per day. This circulation is

necessary to the city. To eliminate 5 of these 17 streets when the elimination of only 2 is necessary would place an undue traffic burden on the remaining streets and create not only congestion, but also hazard.

It is therefore recommended that the Bureau of Public Roads approve alinement K depressed, cutting off only two north-south city streets and coming to elevation to overpass the Garden State Parkway at a cost of $22,900,000.

EAST ORANGE

In East Orange there are two alinements under consideration. The original and from the parkway easterly the alternate K joining alternate K in Newark. The variations and their costs are as follows:

Type	Cost
Original elevated (J)	$14,300,000
Original depressed (J)	21,700,000
Original over parkway and depressed to Orange (J)	17,600,000
Alternate K to Newark elevated	15,200,000
Alternate K to Newark depressed and under parkway	21,500,000
Alternate K to Newark over parkway and depressed to Orange	17,800,000

East Orange has had plans for the redevelopment of the Evergreen section of East Orange. Steps have been initiated to bring these plans to reality. There is no doubt that a depressed highway through this section will enhance the investment by the city and coordinate with the city's plan. The redevelopment plan of this area is ambitious. Through the city is the elevated section of the Delaware, Lackawanna & Western Railroad. While everyone admits that in the past railroads have been responsible for the development of these cities along the railroads it is difficult, knowing the area, not to admit that the railroad in cut would have been responsible for a better type of development.

RECOMMENDATION

It is recommended that the Bureau of Public Roads approve the alinement as made up of the original alinement west of the Garden State Parkway and the alternate K alinement joining the Newark alternate and the character of design carrying the route over the Garden State Parkway with depressed design westerly to the Orange line and easterly to the Newark line at an estimated cost of $17,800,000.

ORANGE

In Orange there is only one alinement, but there are three types of design under consideration with the following cost:

Type:	Cost
Elevated throughout (J)	$6,500,000
Depressed throughout (J)	9,800,000
Depressed from East Orange to Lincoln Ave. and elevated to West Orange (J)	8,000,000

In Orange westerly of Lincoln Avenue the contour of the area drops off toward the railroad, which is more or less in a valley on embankment. To overpass the railroad would place Route 280 approximately 45 feet over the adjacent area.

By depressing the route in Orange from the East Orange line to the West Orange line, Route 280 would prove an advantage to the city in its redevelopment plans and we would be giving consideration to the future development of Orange.

RECOMMENDATION

It is therefore recommended that the Bureau approve the alinement of Route 280 in Orange as a depressed route from the East Orange line to the West Orange line underpassing the Delaware, Lackawanna & Western Railroad at a cost of $9,800,000.

WEST ORANGE

In West Orange several alinements were considered. The W–3 alinement was brought back into the picture by the Bureau of Public Roads after the Department had rejected it subsequent to our several visits with West Orange officials and after weighing the effects of this alinement on the West Orange area. This alinement crosses Northfield Road and passes between the two best apartments and near a school in West Orange. In so doing it eliminates the garaging facilities of the apartment buildings. Its elevation is such that the roadways supported by walls almost against the buildings would be level with the second floor rooms. It would take less houses than the State's proposal, but would take more expensive houses and traverse the better area of West Orange.

The State's proposed alinement would, after passing through low value area, cross Mount Pleasant Avenue and follow up a ravine which is a natural divider between West Orange proper and the Llewellyn Park section, which is practically a private and exclusive settlement of West Orange and would not create a second partitioning of West Orange.

West Orange has suggested an alinement following our alinement except that instead of turning northerly to follow the contours of the mountain, continues westerly in the form of a 3,300 or 3,400 foot tunnel.

The following are the various costs of the above described alinements:

Type:	Cost
State's original alinement (W)	$23,300,000
West Orange depressed alinement with tunnel (W–5)	37,400,000
W–3 alinement, Bureau of Public Roads	20,500,000
State alinement (W) under railroad depressed under Northfield Road and Mount Pleasant Avenue to 6 percent grade up ravine between Llewellyn Park and remainder of West Orange	24,800,000

As stated previously, this Department never favored the W–3 proposal which traversed more valuable area, although its cost was $2,800,000 less than the State's cheapest plan in West Orange. In our opinion this alinement will reflect the greatest overall damage to West Orange over the years.

The West Orange proposal advocates a tunnel in an area where there is relatively little development. By its plan of a tunnel, it precludes the possibility of an interchange with Prospect Avenue and while being shorter by 1,500 feet than the State's line forces Prospect Street traffic to travel 6,000 feet farther.

RECOMMENDATION

It is recommended that the Bureau approve the State's alinement through West Orange on a basis of underpassing the railroad and continue as a depressed roadway through the developed part of the city under Northfield Road and Mount Pleasant Avenue and following the ravine and contours of the Orange Mountain, on a 6-percent grade changing to a 5-percent grade, to a crossing of Prospect Street with interchange north of the shopping center to the Livingston line.

The advantage of this recommendation lies in the fact that better interchange can be achieved at Northfield Road. Interchange with Mount Pleasant Avenue, which is impractical if not impossible with an elevated highway, is easily adaptable with the above plan. This is important from a traffic standpoint. Under elevated plans with no interchange at Mount Pleasant Avenue, all of the traffic from Park Avenue and the north would either continue to use Mount Pleasant Avenue with 10-percent grades or go through the West Orange business center to reach Northfield Road to enter Route 280. The cost for this plan through West Orange is estimated as $24,800,000.

To this proposal is an added benefit. The original proposal of overpassing Northfield Road and Mount Pleasant Avenue and rising on a 5-percent grade necessitated fill sections, abutting the Llewellyn Park and Brookside sections of West Orange of some 10 feet to 20 feet in height and would require wall construction. This is one of the features which raised objections in that area.

The recommended plan of underpassing Northfield Road and Mount Pleasant Avenue and rising up the mountain on a 6-percent grade will reduce these fill sections to a level not much higher than, and in some places level with, the adjacent properties. It will also eliminate some walls planned along these properties.

With either the 5-percent or 6-percent grade, it will be necessary for this Department to provide a 24-hour patrol during the late fall and winter months to provide proper and adequate safety for the traveling public by continuous ice control.

SUMMARY

In reviewing this problem we have developed the benefit-cost ratios for the various schemes. We have found that the alinement giving the highest B.C.R. gives a lower dollar value of benefits to the motorist. Also, we have found that the recommendation contained herein is a compromise of all variations with a benefit-cost ratio of 5.0 which is still a return of $5 per dollar expended and proves the recommendation worthy of construction.

Studies have been made in an attempt to show the dollar reflection of depressed and elevated highways on adjacent properties. At our last meeting we indicated our doubt as to the probability of our being able to prove such values.

In this relation one thing seems to stand out pointedly. That is the fact that all through the 13-hour public hearing, every individual and all public officials pleaded for a depressed route. If these public hearings are to have any weight some recognition must be given to the voice of those at the hearings, especially so when no individual selfish motive can be attached to the requests voiced at these hearings.

Further, we have submitted with the record of the hearing master plans for these municipalities. In the case of East Orange, the master plan was prepared 10 years ago and has been brought up to date periodically. During all of this time the master plan included a freeway in the proposed location of Route 280 as a depressed highway.

Orange had a master plan prepared by Scott Bagby which similarly depicts a freeway through Orange as a depressed highway approximately in the location of Route 280.

The city of Newark has a similar master plan providing for approximately $50 million of redevelopment work. Our recommendation is in keeping with the plans of Newark.

West Orange is apparently the only municipality without redevelopment planning.

With the emphasis presently placed on the need for highway departments to cooperate in the master plans of our urban areas, it is difficult to understand how these plans can be disregarded.

Each of us as individuals would prefer living next to a depressed roadway rather than an elevated one and it is sincerely believed that rentals of apartments next to a depressed roadway would be higher than alongside an embankment or structure.

The north Jersey metropolitan area, through which Route 280 is located, is made up of closely knit municipalities. In riding

through this area municipal lines are not recognizable because of the similarity in character of the local development.

Recognizing the signs of deterioration which is attacking many urban areas throughout the Nation, businessmen and municipal officials have joined efforts in planning the modernization of the municipalities and, as a result, plans long dormant are now being activated by the investment of millions of dollars of public and private funds for the redevelopment and rebuilding of these municipalities. This spirit of self help and interest in the destiny of the area should receive every possible aid and encouragement by all governmental agencies.

It is interesting to note that in initial cost the plans vary from the cheapest at $63,200,000 to the costliest demanded by the municipalities of $103 million. We believe everyone will agree that the purchase of the cheapest article seldom provides the best results in the long pull. Conversally to adequately serve the needs one does not have to buy the most expensive because with that article there often are luxury appurtenances which do not necessarily provide added benefits.

The recommendations contained herein call for the adoption of a plan and alinement which contains the features which are of advantage to the area and the municipalities in those places where it is considered to count. The plan calling for depression in Newark, elevation over the parkway, depression in East Orange and Orange and depression in West Orange under Mount Pleasant Avenue is believed to give the necessary benefits at a cost not believed to be excessive in relation to the benefits; namely, $75,300,000.

DWIGHT R. G. PALMER,
Commissioner.

THE STATES AND REGIONAL PLANNING

(By Charles Ball)

Regional planning involves governmental planning for a multicommunity area, whether it be an economic region, an urbanized area, a watershed, a soils area, or the territory within a transportation complex. Often it is possible to define a planning region that will include many area types. Regional planning agencies are commonly engaged in work on a variety of these and other planning fronts.

Typically, regional planning is defined as the making of plans for the efficient molding and control of the regional environment, the comprehensive development of the natural resources of a region, and the arrangement of regional physical facilities to serve economic, social, and aesthetic ends.

Regional planning in the United States is purely informational and advisory, since no regional agencies have authority to make or enforce regulations or to set spending or planning policies for their constituent units of local government. Rarely do regional agencies in other countries have authoritative powers, and only then in newly developing regions in which most if not all land is publicly owned, as in the reclaimed polders of the Zuyder Zee in the Netherlands.[1]

THE NEEDS INVOLVED

Creation of regional agencies is the response of government to a variety of needs and problems:

1. Rarely are the activities of a State government coordinated in their application within a particular region. The following statement by an Assistant Attorney General in a meeting of the Wisconsin Natural Resources Committee of State Agencies, held in 1951, illustrates, in addition to the need for central policy direction at the State level, the need for coordination of State work within the region:

"I have been caught in the crossfire between agencies on a great many occasions, in problems in the use of water for recreation, power, irrigation, and particularly now of drainage in respect to potatoes. In these different problems, you will have one case when the Department of Agriculture tells farmers to go ahead and dam up the streams to get water to grow potatoes, the Conservation Commission says leave it alone, it is a beautiful spot. The soil conservation committee program is trying to preserve the land for their purposes * * *. Professor Penn, University of Wisconsin, urges irrigation * * * the public service commission wants a dam built." [2]

Typically, each State department is pursuing its own goals, and no one appears to be speaking for integrated program development and management phrased in terms of regional objectives and goals. A regional agency, on the other hand, can articulate regional goals and speak before the State government with intelligent, well planned programs for State activities. Such an agency can have a welcome effect on the location of State highways, the execution of State water pollution and watershed programs, and coordinated development of State parks and recreation areas.

2. Partially related to State activities, there is profound need for regional transportation planning that will integrate and coordinate development of highways, expressways, airports, harbor facilities, mass transit, rail and bus transport, and trucking. Scores of agencies presently have a hand in regional transportation, but they often work at cross purposes for want of regional policies, information and plans. Fractured transportation planning is fantastically expensive to government, business, industry, private individuals, and the transportation companies. Equally important, the absence of regional plans and policies tends to retard economic expansion through failure to correct an area's transportation disadvantages.

3. Within the Nation's metropolitan areas, regional planning is urgently required for coordination of the activities of local government. This is particularly the case in such public works fields as sewerage, storm water drainage, water supply and highway construction. There is also great need for regional thinking about parks and land use development. If nothing else, local governments need information about the activities of other agencies in the metropolitan complex and about regional economic tendencies. Such information can be gathered and interpreted by a regional planning staff.

In many metropolitan areas, suburban governments are too small to afford planning staffs. A regional agency can fill the gap through limited consultative services. In the Milwaukee-Racine-Kenosha area of Wisconsin, for example, only 5 of the 144 municipalities in the 7 counties involved have full-time planning personnel, and only 56 percent of the communities have planning commissions. In far too many communities, growth is taking place without benefit of planning. By providing advisory services, regional bodies can correct one of the major deficiencies in local government.

4. Regional planning is also required because the activities of government have a much greater regional impact than was the case in past years. Public works—involving sanitary drainage, transportation, water development and other services—become part of the environment when put in place and have an enormous effect on the regional economy. If the construction of major public works is to yield maximum benefits, those affecting a region must be planned on a regional basis. The interstate expressway construction program authorized by Congress in 1956, for example, will eventually put 41,000 miles of modern highways in place throughout the Nation, opening vast new tracts for residential, commercial, and industrial development. Attention should be paid to the regional impact of the program on each area's land use pattern, economic base, and government service requirements.

5. Finally, regional planning is essential to regional consideration of the use of natural resources. The depletion of such resources over the past century, together with the added burdens placed on them by a growing population, demands that areawide attention be given to the use of land, water supplies, forests, pure air and wildlife. This is true in areas adjacent to metropolitan concentrations as well as in open country areas.

PATTERNS OF STATE LEGISLATION

Several States have responded to these needs and problems through passage of regional planning statutes. In most cases, these have been permissive acts, granting local authorities the power to unite in forming regional bodies at their option.

A digest of planning laws prepared in 1952 by the Federal Housing and Home Finance Agency indicates that on January 1, 1951, planning was authorized on a regional basis in 22 States, and on a county basis in 27 States.[3] Since 1951, 11 other States have enacted regional planning statutes. Of the 16 States without statutes, 4 have county planning acts that might be viewed as adequate substitutes. The remaining States, with the exception of Delaware, Missouri, Rhode Island, and Virginia, are primarily rural States in which the pressure of urbanization has not created as apparent a need for areawide planning.

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[1] For a full discussion of regional planning in other countries, see International Federation for Housing and Town Planning, "Planning and Housing Problems in the Region" (The Hague, 1958), 274 pp.

[2] Natural Resources Committee of State Agencies, minutes of the second meeting, October 11, 1951 (Madison, 1951), p. 17.

[3] Housing and Home Finance Agency, "Comparative Digest of the Principal Provisions of State Planning Laws Relating to Housing, Slum Clearance and Redevelopment, as of Jan. 1, 1951" (Washington, USGPO, 1952).

Status of regional planning statutes in the 49 States

States with statutes in 1951	States which have enacted statutes since 1951	States without statutes	States which have made major changes in statutes since 1951
Alabama.	Florida.	Arizona.[1]	California.
California.	Kansas.	Arkansas.[1]	Connecticut.
Colorado.	Louisiana.	Delaware.	Georgia.
Connecticut.	Maine.	Iowa.[1]	Illinois.
Georgia.	Massachusetts.	Maryland.[1]	Indiana.
Idaho.	Minnesota.	Mississippi.	Michigan.

[1] Statutes in these States do, however, permit the optional organization of county planning departments.

Status of regional planning statutes in the 49 States—Continued

States with statutes in 1951	States which have enacted statutes since 1951	States without statutes	States which have made major changes in statutes since 1951
Illinois. Indiana. Kentucky. Michigan. Nevada. New Hampshire. New Jersey. New York. North Carolina. Ohio. Pennsylvania. South Carolina. Tennessee. Utah. Virginia. Washington. District of Columbia.	Montana. Oklahoma. Texas. Vermont. Wisconsin.	Missouri. Nebraska. New Mexico. North Dakota. Oregon.[3] Rhode Island. South Dakota. West Virginia. Wyoming.	New Hampshire. North Carolina. Pennsylvania.

[3] Status of statute in doubt.

NOTE.—Status of Alaska statute in doubt.

Sources: Housing and Home Finance Agency, "Comparative Digest of the Principal Provisions of State Planning Laws," (Washington, USGPO, 1952), passim; data supplemented by texts of statutes from various legal reporting services.

Many of the pre-1951 statutes were loosely drawn, and often vague about the details of organization, the size of the governing body, the method of selecting commissioners, and mechanisms for financing. These matters were commonly left to local determination. Only California and Georgia appear to have had statutes that required the organization of regional agencies. In Georgia, a 1947 statute required creation of a 14-member regional planning commission for the area covered by Fulton and DeKalb Counties, and in 1949, a similar district was required for the territory of Meriwether, Harris, and Talbot Counties and the Warm Springs Memorial area.

Although not requiring organization of regional agencies, a Tennessee statute of 1934 established a State planning commission that was authorized to create and establish regional agencies and define their areas of jurisdiction. Regional commission members—not less than 5 nor more than 15—were to be designated or appointed by the State planning commission.

A SHIFT TO STRONGER LAWS

Despite the number of statutes in force in 1951, little progress was made in many States up to then toward creation of regional commissions. The excessive reliance on local option prior to 1951 may partially explain why that was so. In effect local option asked city councils, village boards, town meetings, and county boards to get together to decide (1) whether a regional agency should be established, (2) what powers it should have, (3) how participating units should be represented, and (4) how costs should be allocated. This would have required local officials suddenly to exhibit extraordinary statesmanship in intercommunity affairs. It was perhaps vain to expect such statutes to produce regional agencies in metropolitan areas, particularly in view of the political acrimony that often characterizes suburban-central city relations.

Failure of local units to establish regional agencies under pre-1951 statutes now has led many States to tighten their legislation. Whereas in 1951 only California and Georgia (and the District of Columbia) required the organization of regional agencies, in 1958 five other States had similar requirements, either for the entire State or for certain regions: Connecticut, Illinois, Indiana, Minnesota, and North Carolina.

In all, 11 States have made substantial changes in their regional planning statutes—changes designed to improve chances for establishment of regional commissions, to streamline their organizations, or to grant them a larger voice in State and local planning. Developments in State statutes are summarized in the accompanying table.

Looking through the new and revised statutes, the following conclusions are appropriate:

1. There is a growing tendency to require the organization of regional agencies rather than to leave the matter to local option.

2. There is a tendency to specify in law the size and composition of regional commissions. Usually the new statutes call for smaller numbers of commissions, and all local units are not commonly represented.

3. Some States now give the State, through the Governor, power to appoint official representatives to regional commissions. Before 1951 no statutes contained such provision.

4. Regional agencies under the newer statutes in a few States have mandatory review powers and occasionally authoritative planning powers in the unincorporated rural-urban fringes.

These changes and improvements have doubtless worked to improve and encourage regional planning. A 1953 report of the American Society of Planning Officials listed 42 official regional planning agencies in the United States, and at least 60 appear to be in operation now. Twenty of the Nation's 25 largest urban centers have organized either regional planning agencies or county planning units that operate as regional agencies. Of the 20, 4 were organized before 1945, 10 between 1945 and 1951, and 6 since 1951. Seven of these agencies are departments of consolidated city-counties.[4]

Among the more active regional agencies in urban areas, the Los Angeles Regional Planning Commission, organized in 1923, serves both county and regional needs with an annual budget (1958) of $908,729. In Atlanta, the Metropolitan Planning Commission has reportedly prepared, published, and adopted the first master plan for an entire metropolitan area, and the Detroit Metropolitan Area Regional Planning Commission has nearly the same record. In Nashville-Davidson County, a joint county planning staff has executed model studies of sewerage, financial trends, and forms of metropolitan government.

The budgets of the planning agencies serving large urban regions averaged $125,000 in 1958. The largest was in Los Angeles, and the smallest in the Seattle area, where the recently formed Puget Sound Regional Planning Council worked with an appropriation of $23,642. With the exception of Los Angeles, most regional agencies, if not all, appear to be underfinanced. A typical city planning department in any of the Nation's 50 largest cities spends as much as, if not substantially more than the $125,000 average for regional agencies.

[4] Citizens' Governmental Research Bureau, Inc., County, Multicounty, or Bistate Planning Agencies (Milwaukee 1958), 8 pp.

PROBLEMS REQUIRING SOLUTION

Whether or not regional planning can offer solutions to the problems that it is advertised as capable of handling will, of course, require both time and sympathy on the part of local authorities. Meantime, regional planning faces several problems of its own that require solution before its work can be fully effective.

1. As indicated, regional planning has largely been handicapped through lack of funds. Mechanisms appear necessary that will guarantee the funds that are required for a virile program, executed on a variety of planning levels. Some States have given regional agencies limited taxing power, but this has not produced sufficient revenue. In other States, the State government has made a contribution, but these amounts also have been limited. The National Government, through section 701 of the Housing Act of 1954 as amended, can make grants to regional agencies, but the amounts available are almost too small to justify dealing with Washington. Increased State support, as well as additional regional taxing authority, appears necessary and desirable.

2. The functions of regional agencies vis-a-vis the State are seldom defined with precision. Although most of the new statutes give States an added tie with regional planning, through gubernatorial appointments and State financial support, there has been little definition of the role of regional agencies in the planning of State programs within an area. Creation of competent regional agencies would appear to present a needed opportunity for decentralized administration of some State functions. In many States, for example, the highway department requires that it review subdivision plats near State trunk highways. Health departments review plats to see whether soil conditions and lot sizes permit use of septic tanks.

These are activities that could easily be handled by a regional agency, provided that such an agency were properly staffed, so that State officers had confidence in it. It may be possible to go much further in decentralization of State activities. The routing and design of new State highways, for example, might be reviewed by regional agencies, or the location of new State parks might first require study and recommendations by regional planners. The goal is not decentralization in itself, nor is it a diminution of State power. Rather it is to insure that State projects mesh properly with intelligently drawn regional plans. Quite naturally, the regional plans must be prepared first if State administrators are to respect and have confidence in regional planners. One method of bringing the State government closer to the region would be to draw the boundaries of State administrative districts so that they are coterminous with regional planning area boundaries. If this were done, it would be a simple trick to create a coordinating committee of regional State officers and regional planners.

3. The final and crucial area in regional planning is that of staffing agencies. A shortage of competent planners continues to plague agencies at all levels. Without a larger supply of new and well-prepared talent, regional agencies will have to continue to rely excessively on high-grade draftsmen and low-grade engineers for their recruits. No simple answer, like higher salaries, will solve this personnel problem, since planning, regardless of salaries, appears unable today to attract the needed fund of new manpower. There are too few planning

schools (at least too few good ones), too few planning instructors, and far too many vacant planning positions. Failure of regional planning to attract the required personnel will have far more serious impact than poorly drawn plans.

On the other hand, if an area-wide agency can be properly financed, properly staffed, and given an appropriate and well defined set of functions and responsibilities, it can serve as a link between local and State government in the balanced development of its region.

EXCERPTS FROM SAGAMORE CONFERENCE, OCTOBER 1958

OPENING REMARKS

The dramatic fact that more than half of the Interstate Highway System funds, under the huge Federal road and modernization program, will be spent in urban areas has served to alert the Nation to the critical need for a coordinated approach to the closely related problems of urban transportation and community development.

America's traffic jam is heavily concentrated in the metropolitan areas. A twofold revolution has brought this about—rapid motorization and urbanization. Though our cities and other urbanized places represent only a small fraction of the total U.S. land area, two-thirds of the Nation's 173 million people are massed there. Urban streets and highways now account for half of the 650 billion miles of travel rolled up annually by motor vehicles. Nor does anything on the horizon suggest that these dynamic trends will soon diminish.

The general chairman of the conference, Executive Secretary A. E. Johnson of the American Association of State Highway Officials, in opening the conference, stated the urban highway challenge in these terms:

"In order to properly locate new highways in existing urban areas, we need to know more about the highways' effect on the area and the area's effects on highway design and location requirements. * * * In locating a highway in rural areas, most major controls are of a physical nature; whereas in urban areas, the major controls may be complex man-made ones or human problems of a vast living organism that is the modern urban community. We should give thought to the other benefits possible from such highway development, which may well outweigh the direct benefits to the highway user.

"The urban highway development authorized by the Federal-Aid Highway Act of 1956 makes possible critically needed urban highway construction well ahead of the time it could have been otherwise accomplished. In fact, it came about with such suddenness that some were not prepared for it.

"Both State highway officials and local authorities must nonetheless do the best they can to produce sensible, forward-looking plans to coordinate highway and general urban development. If they work together, and go to work promptly, they will generally find that despite the time schedule pressure, they will have time to do a good job.

"The legal and prime responsibility of moving the highway program has been vested in the State highway official and the time schedule for doing the job has been specified by Congress.

"It is the inescapable responsibility of officials and specialists of the affected levels of government to work harmoniously and effectively as a team, with the State highway official serving as the leader in activating the interstate highway program in an urban area.

"If a vacuum exists in any position on the team, others on the team must fill that vacuum. If the best interests of the public are to be served, every effort must be made to insure that no vacancies exist on the team, and such a goal should be a major objective to all concerned.

"The key to moving the road program and to realizing the maximum total benefits from the gigantic expenditure of highway funds in urban areas is 'understanding, cooperation, decision, and action—all in the public interest,' and this applies to all officials and citizens of an area."

Certainly the planless sprawl of much metropolitan growth has contributed greatly to chaotic traffic conditions. As Ben West, mayor of Nashville and cochairman of the joint AMA–AASHO committee on highways, pointed out while outlining the viewpoint of the city administrator in setting the stage for the conference:

"Municipal land use as it now exists all too often bears a startling resemblance to crazy quilts. It is a jungle of diversification, partly inherited, mostly created. Lack of comprehensive community and areawide planning is one of our greatest deficiencies. Formerly highways were built and they determined land use. Now we have an opportunity to determine the most desirable land use for the future growth of cities, and through cooperation, locate highways to advance overall community objectives.

"The city administrator must be concerned of course with the entire street system, including transit, trucking and parking, and the relation of new freeways to it," Mayor West added. "Local streets must not be regarded as ill-begotten children. Moreover, the city administrator must think of the overall city—in all phases of its development."

Mere token cooperation of highway and city officials will not suffice. A real working relationship right from the initial phases of the highway program is vital.

"In those cases where a comprehensive plan already exists for the area through which an urban expressway is projected, a close working relationship must exist between the highway planner and the urban planner beginning at an early point in the highway program," said Hayden B. Johnson, chief of the planning division, port development department, Port of New York Authority and the spokesman for planners. "Even in cases where no comprehensive plan has been prepared (which unfortunately is true in far too many American cities and regions), the urban planner's detailed knowledge of the area in question should still be utilized.

"Projected highways of various types are designed to serve definite purposes, and if these are fully understood by the urban planner, he can materially aid the highway planner to achieve them. At the same time, he can explain what else is planned for the area through which the highway will pass, give some idea of its impact on the other elements of urban development, and thus help to produce a better relation between highway transportation and other community facilities and services."

Mr. Johnson also called for a greatly expanded program of research into many phases of the overall relationship between highway planning and comprehensive urban planning.

Developing the proper climate for cooperation is the main requisite, according to Wilbur E. Jones, administrator of the interstate program, State Road Department of Florida, and cochairman of the joint AMA–AASHO committee on highways, in stating the viewpoint of the highway official. This can be achieved through consultation, friendly exchange of ideas and experience, and mutual understanding of one another's problems.

Mr. Jones also made these points: "For many years the State highway departments throughout the Nation had not concerned themselves too much with urban traffic problems. Now the highway department has what amounts to a mandate to deal with the urban highway program. We recognize the desirability of a master plan for city development. However, even if such a plan is not in existence, an interstate expressway can, with study and the cooperation of local officials and organizations, be located and constructed in an urban area so that it will be compatible with the orderly growth of the community."

The highway administrator must be certain that the expressway is located correctly, both as far as present and future traffic are concerned. He is also obliged to consider, along with current desire lines of travel, such factors as land uses, projected land patterns, and population growth and trends, as well as other pertinent factors involving social, cultural and esthetic conditions.

In short, with teamwork and creative vision, the urban highway program can provide valuable guidelines for sounder, more healthy area-wide development. It can help to restore many blighted areas and bring other benefits to communities. At the same time, the transportation values of the new and improved facilities will be immeasurably increased.

Considering the vast scope of highway construction involved, and the fact that the new motorways will have a service span well into the foreseeable future, this is an unique opportunity to revamp the urban environment on a substantial scale—in the interests of better living and safer, freer movement.

* * * * *

LEADERSHIP IN THE DEVELOPMENT OF PLANS

A majority of all vehicular trips have an origin, a routing, and a destination which involve roads and streets of several jurisdictions. Yet in the minds of motorists and in actual trip patterns, the entire highway network of the Nation is a single system without distinction or barrier. Therefore, we must recognize that no portion of a highway system in any area can be effectively planned, designed or operated without a complete understanding of the system as a whole, and its total function.

Because of the complexity of urban highway transportation, expert engineering at the State level will not alone suffice in developing effective local plans. This is so because urban conditions frequently are not measurable in engineering or monetary terms alone, but are related to the community in all its many aspects of social and economic life.

The planning task, instead, is a joint one, requiring intergovernmental cooperation. The basic initiative and leadership, however, should come from the local officials. Guidelines that should be considered in carrying out this planning task are:

1. Responsibility for preparing a community plan rests with local government, which should be encouraged to take immediate action to develop one if none exists. Where such planning is not undertaken, it behooves the State to take the initiative.

2. Regional planning should be initiated in every metropolitan area. The parent city should assume this responsibility; but if it doesn't State action should be taken.

3. Local government should establish a competent and continuing planning program aimed at preparing comprehensive plans and keeping them current. Local officials should consult regularly with the State highway department in the preparation of these plans for urban areas.

4. If legislation is lacking to enable proper planning on a local, metropolitan or regional basis, the State and local governments should work jointly to have such legislation enacted.

EXCERPT FROM REPORTER MAGAZINE ENTITLED "NEW ROADS AND URBAN CHAOS," BY DANIEL P. MOYNIHAN

CHAOS IN CONCRETE

It is not true, as is sometimes alleged, that the sponsors of the interstate program

ignored the consequences it would have in the cities. Nor did they simply acquiesce in them. They exulted in them. Thanks to highways, declared the Clay report, "we have been able to disperse our factories, our stores, our people; in short, to create a revolution in living habits. Our cities have spread into suburbs, dependent on the automobile for their existence. The automobile has restored a way of life in which the individual may live in a friendly neighborhood, it has brought city and country closer together, it has made us one country and a united people."

This rhapsody startled many of those who have been concerned with the future of the American city. To undertake a vast program of urban highway construction with no thought for other forms of transportation seemed lunatic.

The 1939 report that Roosevelt sent to Congress—prepared in the Department of Agriculture—took it as axiomatic that the new highways would be part of, and provide the occasion for, a "radical revision of the city plan," which would coordinate other urban programs such as slum clearance and provide for a "reintegration of facilities for the various forms of transportation." The 1944 legislation had much the same intent. But so far as the Highway Act of 1956 goes, there is no form of transportation but the automobile, and the act has no objective save providing more room for it.

It had always been understood that a large portion of the interstate funds would be spent in the metropolitan areas, but the 1956 legislation went further to declare that "local needs * * * shall be given equal consideration with the needs of intensive commerce," thus authorizing construction of arterial highways only by courtesy connected with the Interstate System.

It was clear at the time that locating the metropolitan portions of the Interstate System would constitute an unprecedented venture into national planning. It was estimated that the size of our metropolitan areas would double by 1975. For good or ill, the location of the interstate arterials would, more than any other factor, determine how this growth would take place. Yet no planning provisions of any kind were included.

In the absence of any other provisions, the planning would be done by highway engineers. Theirs, admittedly, is an unjustly maligned profession. Nothing in the training or education of most civil engineers prepares them to do anything more than build sound highways cheaply. In the course of doing this job they frequently produce works of startling beauty—compare the design of public highways with that of public housing. Yet, in the words of John T. Howard, of the Massachusetts Institute of Technology, "It does not belittle them to say that, just as war is too important to leave to the generals, so highways are too important to leave to the highway engineers."

Highways determine land use, which is another way of saying they settle the future of the areas in which they are built. It stands to reason that engineers should be required to conform their highway plans to metropolitan land-use plans designed in the context of more general economic and social objectives.

Yet in 1956 we had no metropolitan area plans, as we had no metropolitan area governments. The only one we have now is in Dade County (Miami), Fla., which is just getting started.

In this predicament, there was considerable sentiment for a moratorium on the urban interstate program until planning requirements could be imposed. Most of those concerned, however, as the distinguished Transportation Economist Wilfred Owen is frank to say, felt if the program went ahead it would precipitate such a crisis that something would have to be done at last about our metropolitan areas.

Across the Nation there seemed to be an increasing awareness among those who actually run the cities and suburbs that to do nothing more than build bigger highways only produced bigger traffic jams. There seemed a growing belief that a complex system of mass transit had to be preserved, or revived, or even indeed created—if only to make automobile transportation feasible.

The sorry results of carrying on a number of Federal urban-development programs completely independent of each other had become increasingly evident. Thus, the American Municipal Association formally requested legislation requiring that the urban renewal and highway program be coordinated.

The crisis has come. It has been impossible for the cities to resist the offer of unprecedented amounts of money, however futile they might know it will be to spend it on highways alone. In one metropolis after another the plans have been thrown together and the bulldozers set to work.

Here and there, as in Milwaukee, a vigorous and established city planning authority has been able to get intolerable plans redrawn. But in general the program is doing about what was to be expected: throwing up a Chinese wall across Wilmington, driving educational institutions out of downtown Louisville, plowing through the center of Reno. When the Interstate runs into a place like Newburgh, N.Y., the wreckage is something to see. Down the Hudson, Robert Moses is getting set to build the Canal Street Expressway, the first hundred-million-dollar mile.

The Bureau of Public Roads recently considered an edict requiring that some area plans be developed before interstate funds are allocated, but the idea was abandoned. Some felt it was too late anyway. As for relating the highway program to urban renewal, a recent policy statement of the American Institute of Planners said simply: "Except for the coordination which may be supplied at the local level * * * each one is apparently operating entirely independently of the other." The legislation asked by the municipal association was never introduced. It was with compassion that Paul Yivisaker of the Ford Foundation recently addressed a meeting of city planners as the "beaten profession."

Just ahead for all of us, perhaps, is Los Angeles, in the words of Harrison Salisbury, "nestled under its blanket of smog girdled by bands of freeways, its core eviscerated by concrete strips and asphalt fields, its circulatory arteries pumping away without focus * * * the prototype of Gasopolis, the rubber-wheeled living region of the future."

MONEY TALKS

Yet we may be learning our lesson after all: Owen may be right. All across the country, area planners and highway engineers are discussing what they recognize as their common problems with a new sense of urgency. It is clear that if the areas in which Federal highways are to be built were required to work out adequate plans for the use of land and transportation before the money was handed over, the planning would almost certainly be done. The demand for 90–10 highway funds is so great that there is almost nothing, however sensible, that local governments would not do to get their share.

It is true that metropolitan area planning will not be an easy matter to bring off. Dennis O'Harrow, director of the American Society of Planning Officials, says candidly: "There is a shortage of planners, a shortage of information, a shortage of money to support studies, and, more fundamentally, a shortage of information as to what should be done if you could do what you wished." But this is a normal condition of human affairs. Almost any effort to think a bit about what we are doing would help.

Simply by providing some flexibility in the program, we could produce great savings. If the cities were permitted to do what they thought best with, say, 50 percent of the more than $20 billion of interstate funds allotted to them, much of it would almost certainly go to mass transit and commuter facilities. This kind of money could reshape urban transportation in America: our total national investment in public transit is less than $4 billion, and a combined highway-mass transit-commuter program could almost certainly produce the same results at lower cost than a program dependent on highways alone.

It is becoming increasingly apparent that American government, both national and local, can no longer ignore what is happening as the suburbs eat endlessly into the countryside. Since the spreading pollution of land follows the roads, those who build the roads must also recognize their responsibility for the consequences. There are a number of obvious steps that could be taken. Public authorities could, for example, buy up the development rights of open land in the suburbs—not the property itself, but only an easement to prevent it from being turned into a factory site or a housing development. This could be done, as it is in England, in accordance with an area land-use plan that fixes the perimeter of the metropolitan area, or alternates built-up sections with open spaces. What this really amounts to is effective zoning regulations.

How could the money be found to pay for the development rights? A practical solution would be the technique of "excess-taking" as proposed by President Roosevelt in his 1939 message to Congress. As he put it: "The Government, which puts up the cost of the highway, buys a strip on each side of the highway itself, uses it for the rental of concessions and sells it off over a period of years to homebuilders and others who wish to live near a main artery of travel. Thus the Government gets the unearned increment and reimburses itself in large part for the building of the road."

This unearned increment can be staggering; a 5,000-percent increase in land values is not uncommon. At a time when State and local governments are reaching a limit of the money they can get out of taxpayers, here is an opportunity to get money that doesn't belong to anyone; it doesn't exist, as it were, until the Government builds the highway. It represents a legitimate source of Government revenue of great potential. Used to shape the development that the highways make possible, it could transform the suburbs of the next half century.

All these possibilities are enlivened by the investigation of the interstate program now getting under way in Congress. So much thieving, mischief, and blunder will be uncovered (if not, it will be necessary to investigate the investigators) that the public should be prepared for a serious reappraisal of the program by the next administration, Democratic or Republican.

We may yet impart some sanity and public purpose to this vast enterprise. We may yet establish some equity in paying for the highways and restore some balance between them and other elements of our transportation system. We may even refute Belloc's dictum, "The general rule in history is that a city having reached its highest point of wealth becomes congested, refuses to accept its only remedy, and passes on from congestion to decay." But we shall not escape his rule that "the road moves and controls all history."

Roads can make or break a nation.

[From the Newark (N.J.) Star-Ledger, Aug. 21, 1960]

ECONOMY MINDED

Whether an elevated freeway would affect property values more than a depressed freeway depends largely on the area through which the road would run. For that reason an argument over the relative merits of the two types of construction cannot be answered, except in relation to a specific project.

The statement that an elevated freeway does not affect surrounding property values more than a depressed freeway is a generalization which would be dangerous to apply when considering the impact of an elevated road.

Federal Bureau of Roads officials, who are discounting the effects of an elevated East-West Freeway, are really talking about a subject which is out of their field of experience. An intimate knowedge of the surrounding areas is needed to ascertain the impact of one type of construction over another. And the people with that type of knowledge are those who work and live in the area.

The officials and residents of the area through which the East-West Freeway will run are not asking for a more expensive road because they have no respect for economy. On the contrary, their concern is based on a deep respect for economy. Just because an elevated freeway would cost $13 million less than a depressed one doesn't mean it is the most economical. If it destroys many more millions of dollars in property values, where is the economy?

Too shortsighted a view of economy can be an expensive proposition. Officials in Washington should not view suspiciously the efforts of local officials and residents to protect their communities. They are the ones who are being most economy minded.

PROPOSED MODIFICATION OF SENATE RULE XIX RELATIVE TO TRANSGRESSION OF THE RULE IN DEBATE

Mr. CLARK. Mr. President, I submit, for appropriate reference, a resolution to amend paragraph 4 of rule XIX of the Standing Rules of the Senate relating to debate.

This is the fourth of my series of proposed Senate rules changes, and would modify rule XIX, requiring a Senator to take his seat without a ruling by the Chair that he has spoken disparagingly of another Senator. This has become a deterrent, in my opinion, to frank and free debate.

Rule XIX, sensibly revised, is quite unobjectionable, but it has been construed to permit a Senator at any time to interrupt another Senator, raise a point of order and require that Senator to take his seat without any ruling on the part of either the Presiding Officer or the Senate that the Senator called to order has violated the rule. All Senators will recall the several instances of abuse of the rule which have occurred during this session of Congress.

In the 2d half of the 20th century, the courtly procedures of the late 18th century frequently seem out of place. Ordinary courtesy, however, is still the rule of conduct between mature individuals. In the heat of debate, Senators may violate rule XIX, and if they do, should properly be required to take their seats. But this should never be done unilaterally entirely upon motion of the Senator who takes affront. In each instance the Chair should state whether, in its opinion, the rule has, in fact, been violated.

If the Chair's ruling is in the negative, the Senator should be permitted to proceed without taking his seat, subject to an appeal from a ruling. Similarly, if the Chair rules adversely to the Senator holding the floor, the latter should have the right to appeal from the ruling of the Chair before being required to take his seat.

Mr. President, I ask unanimous consent that the resolution may lie on the desk for 2 days to give other Senators an opportunity to cosponsor it.

The PRESIDING OFFICER. The resolution will be received and appropriately referred, and, without objection, the resolution will lie on the desk, as requested by the Senator from Pennsylvania.

The resolution (S. Res. 369) amending rule XIX relative to transgression of the rule in debate was referred to the Committee on Rules and Administration, as follows:

Resolved, That paragraph 4 of rule XIX of the Standing Rules of the Senate (relating to debate) is amended to read as follows:

"4. If any Senator, in speaking or otherwise, in the opinion of the Presiding Officer transgress the rules of the Senate, the Presiding Officer shall, either on his own motion or at the request of any other Senator, call him to order; and when a Senator shall be called to order he shall sit down, and may not proceed without leave of the Senate, which, if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate. Any Senator directed by the Presiding Officer to sit down, and any Senator requesting the Presiding Officer to require a Senator to sit down, may appeal from the ruling of the Chair, which appeal shall be open to debate."

THE PLIGHT OF JAROMIR ZASTERA

Mr. CLARK. Mr. President, I wish to take a few moments of the Senate's time to bring to the Senate's attention the plight of a young American citizen who has been imprisoned in a jail in Communist Czechoslovakia for almost 11 years. I am referring to Jaromir Zastera, who was arrested in Czechoslovakia in September 1949 and charged with antistate activities. Mr. Zastera was then 19 years of age. In April 1950, after a secret trial, he was sentenced to 18 years in prison, allegedly for espionage against the Czechoslovak Government. Since that date Mr. Zastera, whose American citizenship is acknowledged by the Czechoslovak authorities, has languished in various prisons.

Recently, broad grants of amnesty by the Czechoslovak Government to political offenders have given hope that Mr. Zastera's imprisonment, which has accounted for his entire adult life up to this point, might be terminated. We call on the Czechoslovak Government to consider the sad plight of this young man. We would ask that the Czechoslovak authorities consider the extension of amnesty to Jaromir Zastera, who has already served more than half his sentence, so that he may again enjoy the privileges of living a normal life.

I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, an article in the Shamokin Citizen of July 7, relating to the plight of Mr. Zastera.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KREHEL ASKS BORO VETS TO AID CZECH PRISONER—SUBMITS RESOLUTIONS FOR ADOPTION IN FIGHT TO FREE AMERICAN CITIZEN

With thoughts of Independence Day fresh in mind, both Kulpmont veterans' organizations have been asked to help in the fight to free Jaromir Zastera, an American citizen imprisoned by the Communist Government of Czechoslovakia.

The requests, in the form of resolutions to be acted upon by the bodies of the two organizations, were sent to the local Veterans of Foreign Wars and American Legion posts by Attorney Peter Krehel.

The local attorney pointed out that such action, when brought to the attention of the Czechoslovak Government, might exert favorable pressure in his behalf.

RESOLUTION

In the communications to both organizations he stated, that, although public information of Zastera's continued imprisonment is little more than a month old, the VFW state department anticipates a "resolution" on the floor of the coming convention in a manner similar to the action taken for John Hvasta, Hillside, N.J., in 1953 when Justice Michael Musmanno brought the matter to the floor.

He expressed confidence that the American Legion posts in the Harrisburg area will bring it to their convention floor although they only started their "resolution" last Thursday.

A similar device of "resolution" was used by other veteran organizations to help secure the release of Hvasta, who also was imprisoned by the Communists.

Attorney Krehel has already received response from several of his communications in this respect and has been informed that the United Nations' Division of Human Rights has been asked to treat his inquiry regarding Zastera as a communication subject to the provisions of resolution 75(V), paragraph (e) which is directed to the delegate from Czechoslovakia.

CONGRESSIONAL AID

After first describing the plight of Zastera, who was arrested in 1949 and detained without trial for a period of 8 months before being sentenced to serve 18 years in prison following a secret trial, for crimes against the state, the resolution asks that the U.S. Congress express its profound indignation at the conduct of the whole matter.

In part the resolution states:

"Whereas no American official or private legal counselor has been permitted to visit Jaromir Zastera since December 19, 1959; and

"Whereas the arrest and conviction of the American citizen Jaromir Zastera is a shocking violation of the fundamental freedom guaranteed by the Charter of the United Nations; and

"Whereas the persecution by Communist governments of other American citizens is condemned and deplored by the American people as well as throughout the free world; and

"Whereas the national offices of the Veterans of Foreign Wars (and American Legion) and other veteran and patriotic organizations are being asked to adopt similar resolutions; and

"Whereas, Attorney Peter Krehel, Kulpmont, a member of the Veterans of Foreign

Wars (and American Legion) has consulted with the Honorable JAMES M. QUIGLEY of the 19th Pennsylvania Congressional District, both of whom are in the vanguard to free Zastera, and have asked Post No. 8354, Veterans of Foreign Wars (and Post No. 231, American Legion) of Kulpmont, Pa., to adopt such a resolution; and

"Whereas the considerable and growing sentiment among our people against the tyrannies of Communist dictatorships should be made unmistakably clear to the rulers and the people of those countries: Now, therefore, be it

Resolved, That the U.S. Congress express its profound indignation at the arrest, sham trial, unjust conviction and continued imprisonment of Jaromir Zastera; that the executive agencies of the U.S. Government, such as the Department of State, be requested to take all possible action to bring about his release; and that the sense of this resolution be conveyed by the proper U.S. Government officials to the United Nations and to the Communist Government of Czechoslovakia.

CHEMICAL, BIOLOGICAL, AND RADIOLOGICAL WARFARE VERSUS MAN

Mr. CLARK. Mr. President, the danger of surprise attack in modern warfare is not confined to nuclear explosives delivered by missiles. Modern scientific war research has developed advance techniques against civilian populations quite apart from nuclear weapons.

The new techniques go by the name of CBR—chemical, biological, and radiological warfare.

These techniques are not to be confused with the poison gases used in the First World War, any more than the hydrogen bomb is to be confused with the mortar shell. The new methods are infinitely more effective and far more adaptable to sudden, overwhelming attack than the cumbersome gases of 1914–18.

Mr. President, I ask unanimous consent that a brilliant article on this subject entitled "CBR Versus Man," written by Norman Cousins, the editor of the Saturday Review, published in that distinguished journal July 23, 1960, may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CBR VERSUS MAN

(By Norman Cousins)

The danger of surprise attack in modern warfare is not confined to nuclear explosives delivered by missiles. Modern scientific war research has developed advanced techniques against civilian populations quite apart from nuclear weapons.

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These techniques are not to be confused with the poison gases used in the First World War, any more than the hydrogen bomb is to be confused with the mortar shell. The new methods are infinitely more effective and far more adaptable to sudden, overwhelming attack than the cumbersome gases of 1914–18.

CHEMICAL WARFARE

Chemicals have a much longer history in warfare than explosives. At least 500 years before Christ, the Greeks were using fire-making chemicals against their enemies. Some historians contend that chemical incendiaries were used in Greece as early as 1200 B.C. The Romans maintained and extended the practice.

Poisoning of wells, as old as recorded history, is a form of chemical and biological warfare. In the 14th century, Tartars in the Crimea hurled the bodies of plague victims over the walls of Italian forts. Two centuries later, the Italians developed an artillery shell that could deliver disease to the enemy. In pre-Revolutionary America, according to some historians, European traders gave blankets infected with smallpox to Indians in order to impair their fighting strength.

In modern times, the precedent for using poison chemicals in warfare was established by France and Germany in the First World War. Thereafter, all nations involved in the war, including the United States, used various kinds of poison gases. One of the most effective of these was phosgene, a choking gas. When a gas mask was developed that could protect against phosgene, Germany introduced a vomiting gas against which the mask was ineffective. When soldiers tore off their masks in order to vomit, they were exposed to the phosgene in the air. Another poison weapon that bypassed the mask was a mustard gas; it produced savage blisters.

Modern chemical warfare falls into two broad categories.

In the first category are chemicals that exercise their primary effects on the human system. For example, hydrogen cyanide, cyanogen chloride, and arsine have been developed into gases, liquids, and solids for use against human beings. When these agents get into the air and are breathed into the lungs, they pass into the bloodstream, where they interfere with the oxygen supply, thus injuring the central nervous system.

Lewisite is another chemical agent which, when used as a gas, can be highly dangerous to human tissue. It is rapidly absorbed through the skin. In sufficient quantities, it can cause blindness and interfere with the functioning of internal organs.

The most revolutionary development of all in the field of chemical warfare has the code name in the United States of "GB." It is a nerve gas. It is odorless and invisible. It is easy to disseminate. It can be packaged and delivered by short-range, medium-range, or long-range missiles. It can be spread over wide areas or used in limited situations by aerosol sprays. It can even be used in tiny dispensers of the kind that carry deodorizers.

GB, now being manufactured by the U.S. Army Chemical Corps, and, so far as is known, by other major powers, acts like a superinsecticide against human beings. Like DDT, its effect is widespread and almost instantaneous. Exposure to GB in gas form is lethal in a matter of seconds. A liquid droplet the size of a pencil dot on the skin will penetrate surface tissue and kill a man within 10 to 15 minutes. Respiration becomes erratic, followed by severe perspiration, vomiting, lack of bowel control, and convulsions.

GB derives its effectiveness by striking at one of the most mysterious and vital substances in the human body. For many centuries, doctors and scientists searched for the magic fluid or agent in the human body that enabled nerve signals to be transmitted to the muscles. The heart muscle, for example, receives a nerve impulse that causes it to beat rhythmically. Finally, medical researchers discovered this vital substance and gave it the name of cholinesterase.

Nazi Germany, in experimenting with insecticides, discovered some organic phosphates that were antagonistic to cholinesterase in the human body. The Germans called it GA. When GA came into contact with the human body, either as a gas or a liquid, it struck at cholinesterase. This made it impossible for the body to carry out the various functions that are independent of the conscious intelligence. Its cholinesterase attacked, the heart would go into rapid constriction and soon stop. Even without respect to the heart, all the other functions the body performs without conscious instruction—blood circulation, peristalsis, digestion, cell reproduction, utilization of oxygen, temperature control—can be blocked by the sudden impairment of cholinesterase.

At the end of the Second World War, the Soviet Union captured the German Tabun plant that manufactured GA and moved it to the U.S.S.R.

The U.S. Army, which came into possession of samples of GA at the end of the war, went on to develop its own nerve gas, the present GB. In a given concentration, GB is up to 20 times more potent than the original GA. Utilizing a combination of organic phosphorus fluorine compounds, GB can create casualties even before its presence is detected. It can be spread in the form of poison clouds over large areas. These clouds can be created by missile release.

American military officials testified before a congressional committee in June 1959, that, in many respects, GB is more effective against civilian populations than nuclear explosions. It has the additional advantage, they pointed out, of leaving the industrial establishment intact. Moreover, there is no radiation hazard for occupying troops or officials.

Testimony before the congressional committee also brought out that shelters, no matter how deep, could offer no protection against nerve gases. So far, no ventilation system has been devised that can filter out GA or GB. Hence, the shelters would become anticholinesterase death traps.

In the words of Maj. Gen. William H. Creasy, former chief chemical officer of the U.S. Army:

"If we go around gearing up our civil defense with underground shelters, to protect against the atomic bomb, and, instead of having the atomic bomb, when the guided missile comes over, it has a chemical or biological warhead, instead of saving people, you are guaranteeing sure death or sure sickness or whatever effect the particular warhead is designed to produce. As you go underground, you must have ventilation, and as you put in ventilating fans and air conditioners, you simply guarantee it will go down that particular intake you have conveniently arranged and hit your citizens."

The second broad category of chemical warfare is new, having been developed only since 1955. These are the psychochemicals.

Psychochemicals, unlike the blood gases and nerve gases, are not lethal except in large quantities. They also differ from the other chemicals in that they seek a temporary result. The main purpose of psychochemical warfare is to change the human personality and eliminate the will to resist or the capacity to think logically or purposefully. Psychochemicals can produce confusion, cowardice, extreme submissiveness, and mental aberrations.

A parallel family of psychochemicals can produce temporary blindness or deafness, or general paralysis.

These various psychochemicals are being manufactured by the major nations. They are made out of various lysergic acid derivatives. Like the nerve gases, they are odorless and invisible and impossible to detect by ordinary means. Advanced forms have been created and successfully tested on human beings by the U.S. Army Chemical Corps, the leaders of which have advocated their use in war or situations involving the national security.

General Creasy testified before the Committee on Science and Astronautics of the House of Representatives on June 16, 1959, about the Army experiments. He reported that men exposed to the lysergic acid derivatives turned into cringing, confused, and fawning specimens. He also called attention to the fact that a cat in a cage with a mouse was given a minuscule injection of the psychochemical. The result was that the cat fled from the mouse as though in terror for its life. General Creasy stated that it would be possible to introduce such psychochemicals into a nation's water supply, affecting large populations. The drugs retain their potency even when diluted in many parts of water. Their strength is such that they withstand boiling.

Psychochemicals can be used with equal effectiveness either against military personnel or civilian populations. General Creasy suggested the possibility that an enemy, with 30 or 35 trucks operated by special agents, could circle all U.S. Nike sites, spread the invisible and odorless gas, and convert all military personnel into nonfunctioning cowards. The same could also be done to Government offices and places carrying out vital services. The purposes would be to paralyze the sources of decision and retaliation—as an immediate prelude to atomic attack.

The research objective in chemical warfare is exactly the opposite to that of medical drug research. In medical research, the aim is to produce therapeutic agents and minimize the undesirable side effects. In chemical warfare research, all emphasis is placed on finding the agent with the undesirable characteristics which can be controlled by the attackers, but not by those attacked.

BIOLOGICAL WARFARE

While disease and war have always gone together, the full possibilities of deliberate use of manufactured microorganisms against human life were not systematically explored until after the end of the Second World War.

The U.S. Department of Defense has been undertaking extensive research in germ warfare. In seeking funds from Congress, CBR officials have expressed confidence that bacteriological weapons can take their place alongside nerve gases as cheaper and more effective devices against human life than nuclear weapons.

The central aim in developing microorganisms for war purposes is to produce a virulent strain that can overcome the usual degree of natural or acquired immunity in human beings. Other valued characteristics include high infection potential, fast reproduction, and slow rate of natural decay. Research centers have also been attempting to create mutant stains that resist counteracting agents such as antibiotics.

In general, five categories of germs form the basis of war by microorganisms:

1. Viruses: Epidemics that can be transmitted in war through the use of viruses include psittacosis, Russian spring-summer encephalitis, Venezuelan equine encephalitis, influenza, dengue fever, Rift Valley fever, smallpox, primary atypical pneumonia.

2. Protozoa: Amoebic dysentery and malaria are among the diseases in this category. However, protozoa are not so easy to grow or transmit as microorganisms in other categories.

3. Rickettsiae: Transmittable diseases in this group include Q-fever, Rocky Mountain spotted fever, undulant fever, typhus. Manufacture and transmission of these diseases in war are considered attainable and realistic.

4. Bacteria: Among the potent types useful in war are those that produce plague, cholera, diphtheria, tularemia, anthrax, brucellosis, typhoid.

5. Fungi: The principal use of fungi in war would be against fruits and vegetables. However, human beings are vulnerable to coccidiodomycosis (Joaquin Valley fever) transmitted by fungi.

Supplementing these living agents are the byproducts or toxins created by the microorganisms. Some of these toxins are highly poisonous. One of them produces botulism poisoning.

The use of bacteriological weapons need not be confined to their direct effect on human beings. Indirectly, human beings can be attacked by transmitting disease to animals and plants, thus contaminating the food supply. A wide spectrum of antianimal agents has been developed for that purpose. These viruses and bacteria can be made to produce hog cholera, Rift Valley fever, rinderpest, brucellosis, Newcastle disease, and east African swine fever, among others.

Biological agents that can be directed against crops include fungi, viruses, insects, and bacteria. The diseases they create include wheat rust, potato blight, and blast diseases of rice.

LeRoy D. Fothergill, special adviser to the U.S. Army Biological Laboratory, took part in a symposium at the 137th national meeting of the American Chemical Society in Cleveland, Ohio, on April 6, 1960. Mr. Fothergill considered the techniques of spreading infection.

"The overt means of dissemination," he said, "is aerosol spray in a biological cloud that is invisible, odorless, and tasteless. It permeates most structures, searches out and infects all targets permeable or breathing. It establishes new focuses of contagious disease in animals, insects, birds, and people, and contaminates hospitals, food supplies, water, milk, kitchens, restaurants, and warehouses. The infection of an entire continent by biological clouds is possible under proper meteorological conditions.

"Covert means of dissemination through saboteurs are almost endlessly imaginable and nearly as endlessly practical."

RADIOLOGICAL WARFARE

Nuclear explosions have three primary effects: blast, fire, and radiation. In the context of CBR warfare, however, radiological weapons specifically exploit the use of radioactive materials against human beings. Therefore, radiological warfare involves the dissemination of radioactive isotopes—not only through bombs but through nonexplosive means or techniques. As in the case of chemical and biological agents, radioactive isotopes can be laid down in a wide variety of ways.

There is no difficulty in producing radioactive materials outside a nuclear explosion. Controlled reactors or accelerators can be made to yield whatever quantity may be desired.

Whenever a nuclear explosion seeks its principal effect through radiation rather than through blast or heat, it falls in the category of a radiological weapon. Thus, the inclusion of a layer of cobalt in a nuclear bomb could create a radiation hazard far beyond even that of strontium 90 or cesium 137. Radioactive cobalt can be produced in incredibly large quantities. If a saturating radioactive effect is sought over a large area, cobalt is one of the deadliest of materials.

Latest research in radiological warfare is directed to the development of a neutron bomb. Its purpose is to attack large industrial centers or cities, killing off the population but allowing the machinery and the buildings to remain intact.

Research has also been directed to the creation of tactical radiological weapons for use in limited war situations. By laying down a barrage of radioactive isotopes with fast-decay characteristics, it would be possible, for example, to keep enemy troops from using an important mountain pass for a certain period of time. The short life of the radioactive materials would enable an attacker to occupy the area at the end of that time without hazard. Other isotopes could be tailored to fit specific military requirements.

In any event, the nuclear arsenal of the United States and those of other nuclear powers contain a wide variety of nuclear weapons designed to meet a broad range of radiation requirements, all the way from a small effect in a limited area to a saturating radiological effect over a large area.

Moreover, radioactive isotopes can be selected according to the principal effect desired against human beings. The following chart indicates specific characteristics of radioactive materials in their effect on man:

Isotope	Part of body affected	Half life in years
Cesium 137	Whole body	30.0
Carbon 14	do	5600.0
Calcium 45	Skeleton	
Strontium 89	do	0.1
Strontium 90	do	28.0
Yttrium 90 and 91	do	
Barium 140	do	
Lanthanum 140	do	
Uranium	do	100,000.0
Plutonium	do	24,000.0
Iodine	Thyroid	
(131, 132, 133, and 135)	Liver	
Manganese 56	do	
Cobalt 60	do	
Cerium 141 and 144	do	
Praesodymium 143 and 144	do	
Neodymium 147	do	

QUESTIONS OF POLICY

Many people hold the view that CBR weapons are so horrible that no country would dare to use them. Even though various nations are manufacturing CBR weapons, it is felt that this is largely for the purpose of retaliatory warning. Supporting this view is the fact that poison gases were not employed in the Second World War, despite their widespread use in the First World War.

This raises the general question of moral restraint in warfare, as well as the efficacy of treaties designed to eliminate inhumane methods of waging war.

In 1899, at The Hague, many nations, including France and Germany, signed a treaty banning the use of projectiles filled with poison gases.

In August 1914, shortly after the outbreak of the First World War, France used tear gas against German troops. France claimed that this gas was not lethal, being intended for harassment purposes, and therefore did not fall within the Hague Treaty. The next April, Germany employed lethal chlorine against the British and French. Six months later, the British retaliated with chlorine. Three months later, the Germans introduced phosgene, a choking gas. Shortly thereafter, the French introduced blood gases. The United States used phosgene in the closing months of the war.

After the end of the First World War, public revulsion and moral indignation over the use of poison gases resulted in an unsuccessful attempt at Washington in 1921 to prohibit all war gases. This treaty was blocked by France and did not come into effect. In 1925, however, a number of leading nations signed a treaty at Geneva under which both poison gas and bacteriological weapons were outlawed. Great Britain, France, the U.S.S.R. were among the signing powers. Among those which did not sign were the United States and Japan. In 1943 President Franklin D. Roosevelt declared that under no circumstances would the United States be the first nation to use poison gas or other chemical weapons in war.

In the Second World War, all the contending nations had poison gases available but did not use them. Some measure of restraint was clearly involved. However, it

was also true that poison gas was relatively ineffective in comparison to the new forms of warfare.

World War I was a war of attrition; it stressed defensive military operations. Artillery barrages and poison gas were readily adaptable to trench warfare and the protection of long lines of communication and supply.

World War II was far more comprehensive in its techniques and objectives. The bombing plane was the prime weapon. Correspondingly, civilian population became the prime target. TNT and incendiary mass air raids on cities, sometimes involving a thousand or more planes, were the principal means by which the nations sought to impose their will upon one another. Doubtless, poison gases could have added to the misery suffered by civilians and soldiers, but it is not clear that the gain would have been sufficient to warrant their use.

In any event, the fact that poison gas was not tried has led to a fairly widespread belief that CBR weapons would be proscribed in any future conflict. Indeed, some people even hold to the view that warring nations will not dare to use atomic bombs.

What, therefore, is the likelihood that these weapons will not figure in a major war?

The significant fact here is that the military leaders have already advanced the case for CBR. Certainly, there can be no doubt that nuclear weapons will be used in variety and profusion in another major war.

First, the main striking capability of a major military power in the modern world is based on nuclear explosive force. In the case of the United States, the separate strategies of the Air Force, Army, and Navy are tied to nuclear warfare. The relatively small size of the standing armies of the United States, Great Britain, and France has been justified in military terms by the existence of nuclear capability. The billions of dollars spent on missile research and development by the United States are designed to produce a special delivery system for nuclear explosives. The United States would not have built its Atlas or Polaris long-range missiles, for example, if they had been intended to carry nonnuclear explosives.

Moreover, the testimony of U.S. military officials before budget committees of the Congress has made it abundantly clear that they feel there is no limitation on their ability either to plan for nuclear war or to fight one if major war should break out. The validity of this working assumption has not been challenged by the Congress or any other branch of Government.

Quite the contrary. The United States has officially stated to the world that it is prepared to use nuclear weapons rather than give ground in situations affecting major national interests.

The U.S.S.R. has made similar declarations. Leading Soviet officials have announced their readiness to use nuclear power in any major conflict.

Great Britain and France, in internal discussions of military policy, have identified their nuclear explosive programs as their main claim to major status in the realpolitik of world national standing. There has been no talk of restraint in the use of these weapons if a major war should break out.

The overwhelming, significant difference between poison gas in the First World War and nuclear power in the next war, if it should occur, is that poison gas was one of a wide variety of weapons in the First World War, whereas nuclear power is absolutely central today in the strategy and tactics of the major nations in their military planning. If any doubt exists about the use of atomic explosives in the next war, the military leaders do not share it.

CBR warfare, however, especially as it concerns chemical and bacteriological weapons, may be in a somewhat different category. President Roosevelt's unilateral declaration against the first use of these weapons, as well as what would seem to be a public consensus, has in a sense created a moral position of restraint.

The existence of this restraint is decried by U.S. military officials in their testimony before congressional committees. They have called for congressional and public recognition of the need to be free of any prohibitions on CBR.

In short, the American military has taken an official position in favor of the use of CBR weapons in event of another war.

Their argument is that nerve gases, psychochemicals, and disease germs represent the most effective, cheapest, and, in their own words, most humane form of warfare available in the modern world. Moreover, the great advantage they see in CBR is that it searches out and kills people without at the same time destroying the great cities and industrial establishments. Essentially, therefore, the case for CBR warfare rests on a simple proposition: It is less reprehensible and fiendish than thermonuclear warfare.

Of this there can be no doubt. A hydrogen bomb can incinerate several millions of human beings at one time, deform and disfigure millions more, make a shambles of man's edifices and homes. Nothing in the long story of human horror can compare with it.

But the fact that thermonuclear warfare is more calamitous than CBR warfare is not a moral argument in favor of chemical and biological weapons. It doesn't make plague bombs and poison gas a humane form of warfare.

However, once the position is taken that it is proper to fight a war with nuclear weapons, the case against CBR collapses. What is important is to make a case against both. For nuclear weapons combine the worst features of chemical and biological warfare with the worst features of war by TNT. Nuclear bombs cause disease—leukemia, aplastic anemia, and other forms of cancer. They also leave an indelible stain on future generations through chromosome poisoning. Therefore, any argument against CBR warfare also applies to thermonuclear warfare and vice versa.

The existence of nuclear and CBR weapons should produce not merely revulsion but a determination to mobilize all our energies against war in the modern world. The question will be academic whether a man is dying of encephalitis produced by a biological weapon or aplastic anemia produced by radiation. There would not be enough doctors to try to give treatment or even to diagnose. City hospitals, overcrowded already under peacetime conditions, would be able to address themselves to only a minute fraction of the need; that is, if they were operable at all.

Difficult though it may be to get accustomed to the idea, a new major war would not be like most previous wars in history—marked by ebb and flow, by ground fought for and held or relinquished, by people taking to shelters during a raid and coming out at the sign of an all-clear to go back to work or return to their homes. A new war would be like putting a torch to a bird's nest.

A debate over the relative horrors of thermonuclear war and CBR war is a painful commentary on the human situation in our time. The real question is not whether the hydrogen bomb is more or less ghastly than the nerve gas, but whether human beings, before it is too late, can prevent a war in which either or both may be used.

Modern warfare, whether it features hydrogen explosives or anticholinesterase agents, is directed against human life in the mass, and the conditions that make individual human life possible. The answer to such warfare is to be found not in debate over relative situations of horror but in the control of the weapons, and even more fundamentally in the control of war itself.

For the crisis of man in today's world is represented not primarily by competing ideologies. It is represented by power without control. The competition between ideologies is real, but this competition has existed in various forms through most of history. Superimposed upon the present clash of ideologies today is a new fact. This is the fact that man is in possession today of almost total power but his instruments of control over that power are unscientific and indeed primitive.

One Member of Congress, ROBERT W. KASTENMEIER, of Wisconsin, has taken congressional leadership in calling upon the country to face up to the facts and implications of CBR warfare. He has introduced a resolution which "reaffirms the long-standing policy of the United States that in the event of war the United States shall under no circumstances resort to the use of biological weapons or the use of poisonous or obnoxious gases unless they are first used by our enemies."

Paradoxically, the two groups that stand at the opposite poles on the issue of CBR warfare—the military and the pacifists—have both worked diligently to provoke general awareness of the existence of CBR.

Members of the military feel they are seriously hampered in planning for the security of this country if any limitation is placed on their capacity to wage war. Moreover, they are convinced that an enemy will not be bound by polite rules of warfare, and is probably far ahead of the United States right now in the nature and size of his CBR arsenal. They feel that if this Nation is going to be inhibited by President Roosevelt's declaration in 1943 against the use of chemical and biological weapons, it may be difficult to get the kind of support required from Congress to step up their research and manufacturing programs. Hence their belief in the need for public discussion as an essential preliminary to public acceptance.

Pacifists and their supporters believe in public discussion—as an essential preliminary to reaching the public conscience. They feel that never before has the futility and shame of violence been more starkly dramatized than by CBR. They do not regard war by CBR as being any less reprehensible than war through explosives or any other means. But they feel that CBR may cut through calloused thinking about the nature of modern warfare. Waging war by deliberately spreading disease germs may strike a nerve in public opinion in a way that may touch off a long-overdue debate about the new weapons and their implications.

Accordingly, a "vigil" has been mounted at Fort Detrick, in Frederick, Md., where the U.S. Army operates a research center for the development of germ warfare. The vigil is not a mass demonstration; it is not a picket line; it is not agitation as the term is commonly understood. It is simply a group of people—and the number may vary from day to day—who stand silently near the entrance to Fort Detrick. A sign announces the fact that their purpose is to stop preparation for germ warfare. They mounted the vigil only after making their purposes clear to officials and community leaders.

Whether or not the vigil is succeeding in producing public awareness of CBR, it has had the effect of creating respect and even admiration for the silent standees by many who work at Fort Detrick and by the people of Frederick. For the men and women of the vigil have made it clear that their purpose is not to denounce or foment but to appeal to the best in man.

As the public debate over CBR proceeds, one fact of mountainous importance is bound to emerge. For the first time in our history we are preparing for a war we know we cannot win. The President of the United States has added his own confirmation to the essential truth that the next war will be an undertaking in mutual suicide and not an approach to victory.

All this being the case, it would seem clear that the Nation ought to be mobilizing its energy, its wisdom, and its conscience for the attempt to achieve peace—peace with freedom and justice. Certainly, not until the American people put at least as much thrust into the struggle for peace as they have into the new techniques of war can they satisfy themselves on their basic responsibilities to themselves and the rest of mankind.

The use of nuclear and CBR weapons against human beings may well be the most important moral question to come before any generation of Americans. For the effects of biological and nuclear war will not be confined to the warring nations. One billion or more people could be killed or made to suffer by a war in which their countries took no part.

The question that cannot be avoided is whether any nation, even in its own defense, has the right to destroy half of the rest of the world.

AID TO EDUCATION

Mr. CLARK. Mr. President, one of the subjects with which we are going to deal in the Senate before we adjourn is the question of aid to education and the extent to which the Federal Government should participate in making our educational system the best and finest in the world.

At Mansfield State College several months ago Prof. Henry Steele Commager, of Columbia University, who is one of our leading historians and one of the greatest students of education in the United States today, delivered a provocative address on this subject which I commend to the attention of my colleagues. I ask unanimous consent that the address may be printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY PROF. HENRY STEELE COMMAGER, PH. D., AT MANSFIELD STATE COLLEGE, MAY 29, 1960

The generation that saw the first teachers' colleges in the United States—the antecedents of your institution—was one of immense ferment in education at all levels. It opened with Emerson's plea for an American scholar; it presided over Horace Mann's heroic campaign for the establishment of a democratic educational system, and the monumental contributions of Henry Barnard to that program. It rejoiced in Thaddeus Stevens' triumph over the forces of reaction in Pennsylvania, and over comparable advancements in neighboring States. It was the generation of a score of notable studies and reports on education abroad—notably those by Mann, Barnard, Calvin Stowe, Benjamin Smith, and John Griscom; of the first educational journals; of the first great western State university—that at Michigan; it was the generation that saw the beginnings of higher education for women. But all of this activity was but a reflection of something deeper—of a searching examination into the place and role of education in our society.

Who can doubt that we are entering—indeed that we are in the midst of—an era which requires a comparable reconsideration of the role of education in society, and a comparable inventiveness to enable our schools and universities to perform the obligations that will be imposed on them?

For the revolution now under way is more far-reaching, more explosive than that which we associate with the Jacksonian era, and it will make heavier demands upon educational statesmanship. Let us look briefly at the ingredients of that revolution:

First—it is almost too obvious to justify comment—an immense growth in population in the United States as elsewhere on the globe. Familiar as it is, its significance still eludes us: otherwise we would make more adequate preparation for it. From 1607 to 1850—two and one-half centuries—the American population increased to 29 million; since 1950, we have increased our population by 29 million. When the young people who graduate today are as old as most of the faculty, the population of the United States will be close to 300 million. The increase after that will be astronomical—and the statesmen must look more than 40 years ahead.

A second ingredient in the revolution of our time is technological change—change whose consequence will be social as much as economic. Automation—to use that as a symbol of labor saving devices—is already bringing about a shorter working day, week, month, year and lifetime: it will prolong youth, it will hasten formal retirement; it will provide the vast majority of men and women with more time than they ever had before for activities other than industrial. The implications here for education are too clear for elaboration.

A third ingredient—and another consequence of the technological revolution now under way—is that the demand for unskilled and semi-skilled labor will decline, and the demand for expertise will increase. Society is becoming increasingly urban and increasingly complex: it is going to need an ever increasing supply of doctors, lawyers, psychiatrists, librarians, teachers, scholars, scientists, social workers—you can extend the list yourselves. Our colleges and universities will be called upon to provide these.

They will be called on to provide another labor force as well: one competent to serve the growing demands of the welfare state. For who can doubt that—whether we like it or not—the welfare state is with us, and is going to grow even more rapidly in the next generation than it grew in the last. The demands of civil service—at every level of government; of the army and navy; of the foreign service; of politics itself—all of these will be implacable. If the welfare state is indeed to provide for the common welfare, we must see to it that its servants are well educated, well trained, upright and faithful.

We can rejoice, too, that the demand of society will increase in another dimension as well in the next generation. The upsurge of genuine social and economic equality—equality for the millions of Negroes, Puerto Ricans, Mexicans, and other less privileged elements now effectively excluded from the full benefits of our affluent society—will mean that the demands on the educational and welfare activities of society will increase even faster than population itself increases, and that these demands will present us with new and difficult problems of adjustment.

These are some of the major changes now under way on the domestic scene. On the larger stage—the global stage—we are witnessing two interrelated and far-reaching changes. The first of these is the metamorphosis of traditional nationalism, with the possibility of the creation of a true international community. The second is the shift in the center of gravity from the Atlantic to the Pacific world, which may well alter the historic position of the United States in relation to other peoples and continents. These two things together may mean that the duties and opportunities of Americans will lie more and more in the international realm. They may portend for the United States the role in the modern world that Greece and Rome played in the ancient world, England and France in the world of the 18th and 19th centuries.

What are the implications of these revolutionary changes for education—and particularly for higher education?

1. On the most elementary level, there is the clear need for expansion while somehow maintaining and improving intellectual standards. This is going to require great ingenuity, and boldness too. Quantitative and qualitative growth should not be irreconcilable—they have not been so in our own past; we must take care that they are not in the future. Yet it is hard to avoid the conclusion that quantitative growth has meant, in recent years, a lowering of standards, particularly in those public institutions unable to protect themselves from public pressures. The private colleges and universities have a special responsibility here for maintaining standards and embarking on experiments difficult for public institutions.

But clearly the future of higher education in America belongs to public institutions. Already they provide education to a majority of students; within another generation they will, it is safe to prophesy, provide education for fully three-fourths of all students. They cannot leave to private institutions the responsibility for the maintenance of high standards, or the responsibility of bold experimentation. To do so would be to contribute to the development of class education in America—and a class education with divisions along intolerable lines of public and private.

2. It will mean that scholars and administrators and educational statesmen generally will have to give the kind of thought to adult or continuing education that they gave, in the generation of Mann and Barnard, to elementary education; in the generation of Gilman, Eliot and Harper, to higher education. The next half century is going to see not only emancipation from much of the drudgery of work, but an immense expansion of free time—an expansion of this time unimaginable to any previous generation. It is a sobering thought that while for thousands of years men worked from sunup to sundown, or its equivalent, in our lifetime, and yours, the workday will be reduced to a mere fraction of the total day—4 or 5 hours, 4 or 5 days a week: this is one of those tremendous revolutions so familiar that we fail to appreciate its real significance. Something has to fill the void that has so suddenly been created, something more than magazines and television programs that rot the brain—as most of them do now; something more than games and sports and the passionate search for the ideal vacation or the ideal escape; something to take the place of the national malady of our time—the yen to relax, as if relaxation were an end in itself, and a permanent coma the ultimate ideal. In all probability the line between higher education and continuing education will be blurred and continuing education will come to be as respectable as higher education is now. But where are the Horace Manns, the C. W. Eliots, the John Dewey's of adult education?

3. The growth of automation; the rapid growth of cities with their highly technical problems; the steady growth in governmental activities; the increasing role of science and technology; the pressure of worldwide activities—all these (as I have said) will combine to make new and heavy demands on expertness—on highly specialized training. The universities will be called on to provide for more specialists than they are now providing to meet the clamorous needs of a world that hopes to escape barbarism.

One thing that this will call for is training in public enterprise. It is not easy to provide this; it is not easy, even, to persuade society of its importance.

Ours is a society which is, in large measure, dedicated to private enterprise and to private enterprise chiefly in the economic and social areas. The American ideal—that held up to the young in every social mirror, preached in newspapers, shouted from the radio and television, celebrated even on ceremonial occasions—is that of private success in private enterprise. The very suggestion of public enterprise is, in certain quarters, equated with socialism, and socialism in turn smacks of communism: to listen to some of the opponents of socialized medicine, or public housing, or the TWA, these things were all born of a Stalinist conspiracy.

Somehow we must manage to restore the ideal of public enterprise that animated the generation that won our independence and established our Republic—the ideal that animated Washington, Franklin, Jefferson, Hamilton, John Adams, and others who come readily to mind: men who spent themselves, their lives, their fortunes, and their honor, in public service.

This is not to call for something new in public education; it is not even to invoke again the name of John Dewey. The oldest tradition in education is the tradition of education for public service. This is what was meant by Paidaea—you can read it in Plato's elaborate discussion of education, or in Werner Jaeger's gloss on the teachings of Plato and the Athenians of his day. It is in the oldest tradition of English education, too, the tradition of the great public schools who turned out, generation after generation, men who spent themselves in public service. It is basic to the educational philosophy of Pestalozzo and Fellenberg in Switzerland and Germany; it pervades the whole of Jefferson's educational teachings; it is central to the thinking of Horace Mann and Henry Barnard. Notwithstanding this long background, notwithstanding the teachings of the greatest educational statesman of our time—I mean, of course, John Dewey—we have drifted far away from this concept of education. Our education is increasingly technical and vocational rather than intellectual and moral. We must reverse this process; return to our own tradition and the great tradition of Western civilization.

The task, and the responsibility, that confronts your generation is even more arduous than that which confronted the statesmen of the early Republic because your generation will be called upon to train for service—in its broadest sense—not for the American people alone, but for a good part of the globe. You will have to raise up a generation prepared to spend themselves not only in service to the city—to use the Athenian phrase—but in the service of a great community of culture and learning.

The revolution in our global relationship is—as I have already observed—even more far reaching than the revolution in our domestic situation. Here we can say with William Vaughan Moody that—

"This earth is not the steadfast thing we landsmen build upon
From deep to deep she varies pace, and while she comes is gone
Beneath my feet I feel her smooth bulk heave and dip."

But you, young as you are must feel that.

Let me remind you of some of the elements in this global revolution that will affect your generation, and that will put new burdens on American education:

First, the passing of old fashioned nationalism. Though we are in the midst of the greatest era in the history of nationalism, who can doubt that nationalism as we have known it in the past century and a half is undergoing profound modifications? Who can doubt that though the sun of nationalism seems to be high in the heavens, it has already begun to decline, that the descent, once under way, will be speedy; that we will, ere long, enter a new world of international relationships. It is not improbable that in the near future nationalism will come to play on the world scene the role that States have played, in recent years, in the American Union, and that strict insistence on the prerogative of national sovereignty will come to seem as irrelevant to reality as strict insistence on States rights is in the America of today.

Second, we are passing over a great divide in the historic relationships and positions of the great powers. The emergence of the United States and of the Soviet Union to almost uncontested predominance on the world scene has been so swift and explosive that it has tended to bemuse even those familiar with the rise and fall of nations in the past. Yet we are already moving out of that brief interlude of a world dominated by two powers and into a world where there will be seven or eight great foci of power: China, India, Japan, Africa, Latin America, Central Europe, the Arab States, perhaps—in addition to the United States, Russia and the British Commonwealth. In this new drama the United States may come to play a role analagous to that which Britain and France played in the power complex of the 18th and 19th centuries.

In short, the center of gravity is moving with convulsive speed from the Western to the Eastern and perhaps the Southern Hemisphere. Populous nations like China, India, Japan, and the emergent nations of Africa, implacably required to find resources for their growing populations, will throw off the last vestiges of colonialism, embrace forced industrialization, enter the highly competitive race for resources, and—insofar as they can or must—will imitate the habits and practices of expansion exhibited by the Western World in recent centuries.

This new global situation will inevitably impose upon the United States a new historical role. As we recede from a position of unrivaled industrial and financial power and of immense military power, we will move into a position of even greater scientific, intellectual and cultural influence. The United States will be one of the older, one of the more sophisticated nations. It will be called upon to provide the skills and knowledge needed to close the desperate gap between resources and population; to divert national energies from the sterile channels of competition to the fruitful channels of cooperation; to instruct in and fashion a nationalism that is benevolent rather than chauvinistic. It will be required to be an example and a model to the new nations of Asia and Africa and to the new-old nations of Latin America. What Judea, Athens, and the Roman Republic, the city states of Renaissance Italy, the Low Countries, France, England and Scotland were to their neighbors and to their worlds at the periods of their greatest influence, the United States may be for the larger but interdependent world of the near future.

As we move across the great watershed of our time into a new world where the clashing divisions and clamorous demand of nation, race, interest and faith become largely irrelevant, we enter an era where the solution to the great problems that crowd upon us can be met only by the application of science, learning, art, morals, philosophy, all directed by catholic and distinterested intelligence.

The institution that organizes and makes available these instruments that meets the essential requirements of universality, competency and disinterestedness, is, of course, the university. It is worldwide in character, its transcends nationalism; it is by its very nature dedicated to the disinterested search for truth; it commands the talents, the intellectual and moral resources to master and reshape the contours of the future.

It does all of this if it is true to its historical nature.

For this is the historic tradition of the university. Universities like Bologna and Salamanca, Paris and Heidelberg, Oxford and Cambridge, flourished before the emergence of modern nationalism; it is probable that they will flourish long after nationalism, as we know it now, is a thing of the past. Many of our own universities antedate the creation of the American Nation—the University of Pennsylvania in this State, for instance. All of them are by their very nature dedicated to the permanent and the universal interest of mankind, as against the ephemeral and the parochial.

All of this is general—perhaps too general. Let me be more specific.

Let me suggest a few things that colleges and universities can do to advance and prosper the international community of learning.

They can adapt themselves to the easier interchange of faculty, students and facilities. There is already such interchange at higher levels—through the beneficent enterprise of the Fulbright Commission, or the work of the International Cooperation Administration, or the Ford or Rockefeller Foundations, of NATO, UNESCO, and similar organizations. That interchange is not invariably benevolent, but clearly its objectives are; its advantages are often intangible rather than material, but not the less precious for that.

They can work out more effective cooperation in teaching, research, library, laboratory and museum acquisitions and facilities than now obtains. Most of the cooperative programs now under way are sponsored by governments, here and abroad. This is not without value, but clearly governments are interested in immediate and practical results. Universities can afford a longer view, and universities should themselves take an active part—even take the lead—in the development of cooperative ventures from nation to nation.

They can introduce their own students more effectively to non-Western civilizations. The average American student emerges from his formal education with only the haziest idea of the history, the economy, the culture, of vast portions of the globe. How few Americans are really aware, after all, of the elementary fact that the white race is a minority race; the Christian religion a minority religion? How few of those who support so uncritically the policy of nonrecognition and exclusion of China are aware that China is a country with three times our population, and with a civilization that stretches back into the remote past over 2,000 years before America was born?

They can so teach history, literature, art, philosophy, politics—whatever subjects involve the history of man—as to abate rather than exaggerate and exacerbate nationalism. Almost all of our schools, colleges and universities grossly overemphasize American history, literature, politics and so forth: Americans are not alone in this astigmatism, for most of the Old World universities concentrate similarly on their own cultures. But because most European peoples preserve a more lively sense of historical continuity with the distant past, European students, for the most part, are familiar with the ancient and medieval worlds of art, religion and philosophy as well as of history. America, which in a sense has no past, and which

never had to fight the past, has to make a special effort to recapture her historic relationship with the past—and with the rest of mankind. History herself is a resolute teacher, and there is no doubt that she will bring home to us, in time, a sense of membership in a larger society. But time is pressing, and the provincial, the parochial, and the contemporary in American education is not only culturally deplorable; it is politically and socially dangerous.

Finally, if universities are to perform their beneficent functions—if they are to help emancipate us from the limitations of chauvinistic nationalism; if they are to chart the terrain on the other side of the great watershed—they must be free. That is the fundamental condition. The scholars who constitute them must be free not only from overt controls—from censorship, from tests of creed, from restrictions on travel, from the prying of investigating committees or, worse yet, of self-appointed guardians of loyalty and orthodoxy. More, and more difficult, they must be free from pressures to accept and celebrate particular social or economic or political creeds; they must be free from pressures to be service stations to their governments or their societies. (As Mr. Gardner of the Carnegie Foundation recently put it, "Shall the universities' activities be governed by a guiding philosophy or put up for sale to any and all comers?") This is not because service to society is not entirely proper—indeed, part of the great tradition of the university has been such service. It is rather because society, if it is to prosper, must provide itself with men and women whose business it is to think ahead, to think across parochial and national boundaries, to think dispassionately and objectively. Only by protecting scholars from the clamor of the forum and the din of the marketplace can society hope to get farsighted and disinterested service. It is the duty of scholarship to keep clear the distinction between the transient and the permanent, between what may be useful now and what is designed to be useful a generation from now. It is the duty of scholarship too to keep clear the distinction between the immediate community and the larger community of learning to which it owes its allegiance.

Universities exist within and are an integral part of a particular and local community. But they are, each of them, part of that august community of learning whose origins go back to Athens and Judea, whose possibilities stretch into the illimitable future, whose citizenry is all mankind, and whose ultimate and majestic purpose is truth.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

REPORT ENTITLED "IMPACT OF IMPORTS ON SMALL BUSINESS" (S. REPT. NO. 1908)

Mr. RANDOLPH. Mr. President, from the Select Committee on Small Business, I submit a report entitled "Impact of Imports on Small Business," which I ask to be printed.

The PRESIDING OFFICER. The report will be received and printed, as requested by the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I also ask unanimous consent to have printed in the RECORD a statement in reference to the report.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT FROM THE SENATE SMALL BUSINESS COMMITTEE

Six recommendations for softening the impact of imports on American industry were made today by the Senate Small Business Committee. The recommendations, contained in a report based on hearings of a subcommittee chaired by Senator JENNINGS RANDOLPH, Democrat, of West Virginia, had the approval of the full committee, of which Senator JOHN SPARKMAN, Democrat, of Alabama, is chairman.

The public hearing of the Randolph subcommittee was held on June 16 in response to numerous complaints the Senate committee had received from small businessmen that import competition was becoming an increasingly grave problem.

The six recommendations of the committee were:

1. American trade-agreement negotiators should "resist" granting tariff concessions on imports manufactured under "sweatshop" labor conditions. Negotiators should "press with vigor" for concessions for American exports "at least equal" to those granted on imports.

2. Consideration should be given to amending the escape-clause statute to permit the President to grant tariff or quota relief differing from the exact relief recommended by the Tariff Commission. A recent court decision construed present law as denying this flexibility to the President, who must either accept the Tariff Commission's proposed relief exactly or permit a tariff concession determined to be injurious to stand unaltered.

3. The Government should collect and publish more data, for the use of domestic industry, on the exact costs of production of imports, especially unit labor costs.

4. Tariff concessions should be granted only in a manner and to an extent that will avoid sudden, sharp increases in imports. Pointing to products in which imports doubled or tripled in a single year, the committee urged that increases, if and when necessary, should come at a slow enough rate to permit domestic competitors to "make a more gradual and orderly adjustment."

5. "The Government should continue efforts to secure international cooperation to protect patents and designs" against competition by foreign "pirates" of ideas and designs. "Congressional committees might usefully study the history and application (of sec. 337 of the Tariff Act, prohibiting "unfair competition" in foreign trade) with a view to possible simplification of its procedures, strengthening of its substance, or both."

6. "There is a moral obligation on the country as a whole to provide more tangible help (to an industry found to be seriously injured by imports), where the President has determined that higher tariffs or quotas are not in the interests of American foreign policy. No injured industry can be expected to bear willingly an economic burden that more properly belongs on the broader shoulders of the national economy." Specific readjustment aids, trade injury loans and tax concessions, the committee suggested, should be carefully considered as possible concrete methods of shifting the burden from an injured industry to the entire country.

The Small Business Committee's report briefly reviews existing and proposed legislation regarding tariffs and trade.

"Our desire," said Senator Randolph on releasing the report, "was to provide for small businessmen an introduction to the aids that are now available to them, as well as to some of the ideas that have been advanced for improving the aids, when import competition becomes a serious problem."

RESOLUTION

AMENDMENT OF RULE XIX RELATIVE TO TRANSGRESSION OF THE RULE IN DEBATE

Mr. CLARK submitted a resolution (S. Res. 369) amending rule XIX relative to transgression of the rule in debate, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. CLARK, which appears under a separate heading.)

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, August 23, 1960, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 107. An act to amend title XI of the Merchant Marine Act, 1936, relating to Federal ship mortgage insurance, in order to include floating drydocks under the definition of the term "vessel" in such title;

S. 2830. An act to amend the Library Services Act in order to extend for 5 years the authorization for appropriations, and for other purposes; and

S.J. Res. 207. Joint resolution to suspend for the 1960 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for nominees for the Offices of President and Vice President.

ADJOURNMENT UNTIL 10 O'CLOCK A.M. TOMORROW

Mr. AIKEN. Mr. President, if there is no further business to come before the Senate at this time, I move, pursuant to the order previously entered, that the Senate adjourn until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 8 o'clock and 30 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Wednesday, August 24, 1960, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate, August 23 (legislative day of August 22), 1960:

DIPLOMATIC AND FOREIGN SERVICE

James W. Barco, of Virginia, to be the Deputy Representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary and the Deputy Representative of the United States of America in the Security Council of the United Nations, vice James J. Wadsworth.

James J. Wadsworth, of New York, to be the Representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations, vice Henry Cabot Lodge, resigning.

James J. Wadsworth, of New York, to be a Representative of the United States of America to the 15th session of the General Assembly of the United Nations.

IN THE NAVY

Francis J. Vincent (civilian college graduate) to be a permanent lieutenant in the

Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

The following-named (Naval Reserve officers) to be permanent lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Herbert E. Glick	William P. Mulligan
Richard P. Johnsen	George G. Stebbins, Jr.
Ianthus I. Kibbey	Dewey H. Yarley

The following-named (Naval Reserve officers) to be permanent lieutenants and temporary lieutenant commanders in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Paul A. Hinds
Roger F. Milnes

The following-named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Clement H. Darby, Jr.	William A. Jacobson
Martin G. Field, Jr.	Alan U. Klatsky
Howard E. Gard	Richard J. Magenheimer
Franklin A. Hanauer	William J. Mullins, Jr.
Daniel A. Hart	David C. Weibel
Dennis F. Hoeffler	

Robert E. Kinneman, Jr. (Naval Reserve officer), to be a permanent lieutenant in the Medical Corps of the Navy, and to be promoted to lieutenant commander when his line running mate is so promoted, subject to the qualifications therefor as provided by law.

The following-named (Naval Reserve officers) to be permanent lieutenants in the Dental Corps of the Navy, and to be promoted to lieutenant commanders when their line running mates are so promoted, subject to the qualifications therefor as provided by law:

John A. McKinnon, Jr.
Howard B. McWhorter

Charles R. Linkenbach (Naval Reserve officer) to be a permanent lieutenant (junior grade) and a temporary lieutenant in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

Earl M. Archer, U.S. Navy retired officer, to be a commander in the line of the Navy for temporary service, pursuant to title 10, United States Code, section 1211.

Anthony A. Mitchell, chief warrant officer, to be a lieutenant in the line of the Navy for temporary service, subject to the qualifications therefor as provided by law.

Sidney H. Mathes, warrant officer, to be a lieutenant (junior grade) in the Civil Engineer Corps of the Navy for temporary service, subject to the qualifications therefor as provided by law.

William J. Gost (Naval Reserve Officers' Training Corps) to be a permanent ensign in the line of the Navy, subject to the qualifications therefor as provided by law.

The following-named (enlisted personnel, U.S. Navy) to be permanent ensigns in the Medical Service Corps of the Navy, subject to the qualifications therefor as provided by law:

Norman F. Bacon	Verne W. Hagstrom
Raymond R. Bogdan	Aubin H. Lovin
Robert D. Casler	Lawrence P. Metcalf
John A. Chamblin	Paul T. Ray
Joseph D. Cicero	James M. Robertson
Gary D. Despiegler	James R. Ruppe
James R. Erie	Marvin L. Stalnaker
Harlan D. Foster	Bailey E. Weems

The following-named (enlisted personnel, U.S. Navy) to be ensigns in the Medical Service Corps of the Navy for temporary service, subject to the qualifications therefor as provided by law:

Ronald R. Bolton	James L. Dupes
Billy R. Bonds	James A. Faulkner
Donald E. Brouillette	Francis A. Fink
William E. Diebner	David W. Fishel
Paul O. Dilley	William E. Groce
John E. Hendren	Charles A. Price
Frank N. Henson	James D. Quick
Vernon A. Krueger	Teddy R. Rhoads
Bernard W. Laclair	Berlin J. Taylor
Ollen C. Langston	Hollis B. Taylor
Alton E. McConnell, Jr.	Curtis R. Thompson
Clyde W. Null, Jr.	Paul D. Thomsen
Clyde T. Pate, Jr.	"D" "C" Williams
Eugene C. Piersol	

The following-named warrant officers to be ensigns in the Medical Service Corps of the Navy for temporary service, subject to the qualifications therefor as provided by law:

Richard W. Krollman
Melton L. Martin

The following-named line officers for transfer to, and appointment in, the Civil Engineer Corps in the permanent grade of lieutenant (junior grade):

Heyward E. Boyce III	Richard H. Knauf, Jr.
Joseph J. Gawarkiewuz III	Edmund F. Lewis

The following-named line officers for transfer to, and appointment in the Civil Engineer Corps in the permanent grade of ensign:

Heyward E. Boyce III	George E. Krauter
Joseph J. Gawarkiewuz III	Robert J. Kanoue
Richard H. Knauf, Jr.	James R. Lyons
	Clyde C. Schroeder

Everan C. Woodland, Jr., for temporary promotion to the grade of lieutenant commander in the Dental Corps of the U.S. Navy, subject to qualification therefor as provided by law.

The following-named officers of the U.S. Navy for permanent promotion to lieutenant (junior grade) in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

Line

Richard F. Bowers	Richard P. Karr
Donald G. Buxton	Gerald F. Klinger
William L. Cain	Gordon L. Murray, Jr.
Leroy C. Ermis	Bruce J. Obbink
Edmund F. Farrell	William L. Owen, Jr.
Bruce S. Fleming	Andrew K. Patrick
Donald J. Florko	Robert A. Rogers
Robert B. Gookin	James D. Waring
Joe C. Greer	

Supply Corps

Shirley T. Godsey	Norman K. Horner
Dan H. Hinz	Don L. Tadlock

Civil Engineer Corps

Frank L. Endebrock III	Karl R. Kullander

The following-named officers for temporary promotion to the grades indicated, subject to qualification therefor as provided by law:

Chief warrant officer, W–2

John C. Abbott, Jr.	Arthur C. Barlow
Howard F. Ackerman	Marvin R. Barnhart
Theodore H. Agidius	William E. Barter
Buford B. Akridge	Cornelius R. Bartholomew
Fred A. Allen	James A. Bates
Willie Allen	Conrad L. Baumgarner
William R. Alverson	John M. P. Bean
Roy A. Anderberg	Marvin M. Beardsley
Harland D. Anderson	Paul J. Bechard
James B. Anderson	Robert A. Begg
Oliver L. Anderson	Gustave W. Beiber
Justin J. Andries, Jr.	Thomas E. Belcher, Jr.
Mike M. Angulo	Jack L. Bell
William A. Ansley	Douglas A. Belson
Thomas M. Applegate	Harold G. Bender
Allen F. Ashbacher	Marjorie G. Bender
Albert M. Aspenwall	John H. Benson
Bryan L. Auwen	George J. Benton
Harrison W. Avery	Antone E. Berce
Ralph G. Bailey	Edwin N. Berry
Henry T. Baker	William P. Berthney
Richard H. Barber	Edward C. Beuster
Walter P. Barek	Lynwood A. Beverly
Paul K. Barger	Gene L. Bieber
James D. Barker	
Clarence R. Bilbo	James P. Coffman
William J. Bilderback	John A. Cole, Jr.
John J. Billington	Richard S. Collins
John D. Billodeau	Howard S. Combs
William M. Bird	Lilburn K. Combs
Robert P. Bishop	Howard W. Commons
Edward H. Bissen	Ralph H. Conaway
Lind B. Blackwell	Gordon P. Conine
Lewis Blackwell	Harold R. Conklin
William R. Blades	Joseph B. Conner
Ralph T. Blalock	Donald D. Conquest
Charles W. Bland	Merill M. Cooper
William E. Blizzard	Stuart H. Cooper
Thomas R. Block	Harold P. Cordova
William B. Boardman	Julian P. Corvin
Jerome F. Bogart	Maureen A. Coughlan
James B. Boles	Bill F. Cowan
Norman D. Boltz	Benjamin F. Cowell
George W. Bonsack	William H. Crabtree
Harold L. Boone	Max L. Cramer
Carl E. Borman	James F. Cranford
Carl A. Bowlby	Arthur G. Crawford
Albert E. Bowser	James C. Creek
Allen D. Boyes	Stephen J. P. Croughan
Joe L. Bradshaw	John O. Cullipher
William F. Bradshaw	Francis L. Cummings
Gerald R. Brayton	Thomas F. Cunniff
Lloyd E. Breedlove	Maxie R. Cunningham
Robert A. Brett	Cecil J. Cuthbert
Clifford N. Brinkerhoff	Walter A. Dagdigian
Junior E. Britton	Joseph F. Dalpay
Judson M. Brodie, Jr.	Charles W. Darr
Jack E. Bromley	Joseph G. Dauber
Thomas E. Brooker	William R. Davidson
Warren W. Broome	Jack A. Davis
Kenneth H. Broomhead	Leroy Davis
Burl E. Broomhead	Richard M. Davis
Albert L. Brown, Jr.	Richard P. Davis
Boyd "A" Brown	Samuel L. Dean
Charles O. Brown	James R. Demo
Joe W Brown	Robert B. Depeyster
Robert A. Brown	Harry J. Depp
Roland H. Brown	Cleo J. Devine
Arthur P. Brugman	Robert L. Devries
Anthony Bruno	Loyd E. Dickinson
Raymond C. Brykczynski	Max E. Diegelman
William O. Buckalew, Jr.	Ralph L. Dillin
Benton E. Buell	Malcolm C. Dion
Joe F. Buice	Milton S. Doane
John D. Bunnell, Jr.	John Dobranski
Bernard E. Burgett	Robert M. Donaldson
Herbert P. Burkhart	Raymond M. Dorcy
Russell L. Burkhart	Carlton D. Dowdy, Jr.
Rodman C.T. Burpeau	Allan W. Driscoll
Hugh A. Burwell	Charles F. Driscoll
Frank Byars	Charles F. Drucker, Jr.
Charles E. Cadenhead	Glen N. Drummond, Jr.
Andrew Calabro	Robert A. Dube
Stanton W. Cameron	Edward W. Dumann
James G. Cannon, Jr.	John B. Duran
Noah R. Carder	Otho E. Dyer
John D. Carey	Middleton Eason
Wallace D. Carey	James H. Eastman
Victor C. Carlson	Bernard E. Eaton
Frederick W. Carnes	Donald C. Eaton
Thomas R. Carroll	Harry M. Edwards
Burnett W. Carter	Herman B. Edwards
Hughie S. Carter	David J. Egan
Woodrow P. Cary	Walter E. Eggers
Henry F. Casey, Jr.	Robert E. Eiffert
William T. Castleberry	William F. Elrod
Frank T. Chambers	Vernon D. Emmerson
Jack W. Chase	Carl E. Erickson
James L. Chase	Theodore A. Erickson
Kenneth L. Chesmore	Roy L. Erlandson
Stanley W. Chwalek	Robert F. Erni
Charles T. B. Clark	Albert F. Evans
Eugene Clark	Samuel Fadale
Ira S. Clark	James F. Fagan
Victor L. Clark	George B. Faircloth, Jr.
Henry L. Claude	Harry R. Fallers, Jr.
Walter H. Clayton	Bernard M. Fallon
Charles A. Clemmons, Jr.	Paul J. Faust
Raymond F. Cleveland	Edward J. Feaser
William J. Coats	John Fedora
William A. Coffey	Carl L. Feit
	Richard T. Fellis
	Frank M. Fellrath, Jr.

Thomas W. Felts
Roy F. Fenstermaker
Charles C. Finch
Harold E. Finsterwald
Joseph L. Fitzgibbon
Walter B. Flanagan
James D. Flanigam
Ernest Flores
James W. Flow
Emery D. Fogg
Wesley A. Follis
Egbert A. Ford
Charles E. Foreman
Norman C. Frates
Melvin C. Freeman
Charles W. A. Furlow
George W. Furqueron
Elbert R. Fussell
Joseph P. Gabler
Robert B. Gage
Hugh P. Gallagher
Gordon "C" Gamble
Thomas H. Gardner
Edward R. Garms
"J" "P" Garner
Theodore H. Gemmill
Leon George
Charles J. Gerard
Sidney L. Getz
Jack D. Gibbs
Robert M. Gibbs
Harold R. Gilliatt
William W. Glass
Edward W. Gleason
Joseph M. Godfrey
Norman E. Goldsmith
Milford I. Gordon
Richard G. Gossman
Charles E. Goucher
Paul E. Gould
David P. Graham, Jr.
Earl W. Graves
Harry L. Gray
James E. Gray
Baxter D. Green, Jr.
William G. Greenfield
Maurice C. Greer
Richard P. Grimes, Jr.
Albert A. Groah
John H. Gross
Dale Grudt
Willis A. Gunnels
George W. Gustafson
Alfred Haberman, Jr.
James E. Hagen
Paul E. Hager
John C. Hahn
Norman R. Halderman
Willie E. Haley
George P. Hamblen
Jack Hamer
Lowell G. Hammond, Jr.
William A. Hammond
William C. Haney
Philip V. Hansen
Francis G. Hanson
Robert C. Harding
Normal N. Hardway
Melvin H. Harper
Raymond H. Harper
Robert C. Harreschou
George C. Harris
Jack L. Harris
Don C. Harrison, Jr.
Lawrence F. Harrison
Walter D. Hartley
George A. Hartman
Leo Q. Harvey
Karl W. Haubert, Jr.
Robert F. Hauser
William F. Havens
Nickey R. Hawrylciw
Alan G. Hayes
John F. Hayes
Clifford C. Hayter
James E. Heafner
Gordon R. Healy
Donald F. Heckbert
Devoe E. Hedrick
Charles P. Helms
Willis E. Hempfer
Richard J. Henderson
Ronald E. Henderson
William Hensler
Gerald E. Hermsen
Benjamin C. Hibbs
Francis E. Hill
Alexander H. Hilliard
George T. Hilt
James P. Hinckle
Donald R. Hitchcock
Hubert E. Hoadley
Jack J. Hofmann
Andrew S. Holland
Richard P. Holland
William C. Hollingsworth
James D. Hollis
Allen R. Hooten
Jack "M" Howard
Charles J. Hudock
James A. Hults
Johnathan J. Hults
Herbert E. Huntley
Milton T. Hurst
William B. Hutchison
Robert M. Hylton
Willard D. Inman
Benjiman F. Inscoe
Frank X. Isselhardt, Jr.
William M. Ivie, Jr.
Leon A. Jackson
Jerry J. Jacob
William H. Jacobsen
Albert N. James
Robert F. James
Robert C. James
Lester P. Jensen
Russell J. Jensen
Richard H. Jinnette
Benjamin M. Johnson
Donald J. Johnson
Donald R. Johnson
Edward H. Johnson
Theodore A. Johnson
Thomas F. Johnson
Thomas M. Johnson
Harvey C. Johnston, Jr.
Joshua T. "S" Johnston
Daniel G. Jones
Donald B. Jones
Frank L. Jones
Harry L. Jones, Jr.
Leonard F. Jones
Victor H. Jones
William O. Jones
Lawrence J. Josefowski
Joseph J. Kanicki
Raymond F. Kasch
Vincent B. Katnic
David F. Katusha
Dwayne E. Kauffman
Daniel W. Kauffman
Thomas E. Kavanaugh
Raymond G. Kazebee
Walter H. Keasler
Leroy Keaton
Thomas V. Keener
Alfred S. Kelley
Harold A. Kelly
James W. Kelly
William W. Kelly
Alfred O. Kelsay
Don A. Kelso
Richard I. Kenley
Richard Kennedy
Otis G. Kight
Walter E. Killian
Isham E. King
Robert E. King
Marcel P. Klimaszewski
Paul Klimkewicz
Virgil M. Klotzner
Herbert E. Kodger
Vincent J. Kopek
John F. Kralemann
Theodore Kramer
Richard W. Krollman
Calen M. Lacombe
Gene H. Lacy
Nimocks F. L. Ladner
Marshall J. LaFleur
Edward L. LaForce
Harvey R. Laird
Oriel Lake
George E. LaMaze
Jack Lancaster
Edward A. Lancaster
David E. Landers
Mack S. Lanham
Richard E. Larson
Don L. Lash
Louis M. LaTerza
Frederick W. Lawrence
Thomas C. Lawrence
Charles F. Lawson
Forrest E. Leamons
Donald D. Learned
Elmer A. Ledbetter
Harry G. Lewis
Warren E. Lindberg
Gene F. Liter
Richard F. Litzinger
Stanley A. Lokey, Jr.
Frank P. Longo
Eugene O. Loomis
John C. Lordan
John G. Lorimer
Thomas G. Loughran, Jr.
Owen Lovett, Jr.
Wendell W. Lovingood
Harold W. Lowry
Charles P. Luke
Relle L. Lyman
Wilbur L. Mace
Harry Magle
Levon M. Majure
Gale S. Malcomb
Floyd E. Mancill
Alfred E. Manson
Edgar F. Marbourg, Jr.
William E. Marckfeld
Adrian J. Markus
George T. Markward
Charles R. Marlitt
Robert C. Mars
Edward G. Marsden
Melton L. Martin
Raymond C. Martin, Jr.
George A. Marts
Thomas C. Mason
Sidney H. Mathes
Charles F. Maxwell
Robert I. Maynes
Philip C. Mazzara
Victor McCauley
"J" "L" McClain
Robert A. McClure
Thomas R. McCoy
Francis J. McDonough
Charles I. T. McDowell
Wendell E. McElroy
Quinton L. McElyea
Francis G. McEnaney
Harris O. McGehee
Edward F. McLarney, Jr.
Billy L. McLeod
John B. McLeod
Walter R. McMeins
Leonard D. Mealor
Eugene F. Meitl
Dale J. Mellencamp
William V. Merrick
Leo F. Midgett
Edgar C. Miller
Glenn L. Minteer
George Mitchell, Jr.
Tracy R. Mixon
Sigurd M. Moe
Jerome A. Monaghan
Leo L. Monroe
Verne L. Moore
Philip A. Morison
Peter C. Morrissey, Jr.
Bradford O. Mosher
George Moss
Marshus M. Mullen
Ray H. Mullins
Bruce T. Mundy
Arthur R. Murphy
Chester A. Murphy
Richard Murray
Theodore S. Myers
Richard A. Nelson
Joseph L. Nestor
Sanford M. Nichols
Robert W. Noble
Bob J. Nolan
Willis R. Nolan
Fred W. Nolting
Evertt L. Nordin
John T. Norris
William T. Northrop
James G. O'Connor
Charles P. Odle
Lawrence E. O'Donnell
John B. Oliver
Albert N. Olsen
Alfred E. Olson
Leon D. Olson
Michael M. Orbovich
Bernard Orner
Robert W. D. Overly
Leslie H. Ovre
John S. Palmatier
William V. Parkin
Eddie R. Parris
Wiley B. Parrish
George W. Partlow
William M. Patterson
George T. Paul
Horace E. Paul
Norman J. Paulsen
Claude F. Peak
Lester F. Peich
Joseph W. Pieronnet, Jr.
Martin U. Pellerin
Frank J. Pennington, Jr.
Joseph V. Peragine
Richard J. Petersen
Joseph Petro
Herbert H. Petzold
Bobby R. Pharis
John C. Phillips
Richard W. Phillips
Joseph M. Podbielski
Henry J. Poltack
Richard W. Poole
Irwin W. Popp
Stanley Porter
Llew M. Powers
Orville G. Powers
Frederick F. Poyner
Herbert G. Prater
Leonard H. Preston
Byron H. Price
Earl C. Price
Lyman N. Price
Gaylord L. Proper
Rollace A. Pugh
Raymond "G" Pugsley
Paul J. Punzo
John J. Pursel
Charles L. Quantrell
James W. Quick
William T. Ramsey
James F. Rankin
Charles D. Ransdell
James A. Rasbeary
Walter A. Rau
Billy J. Rawlins
Warren E. Reading
John R. Reames
Jack L. Reckler
Thomas C. Reece, Jr.
George Reich, Jr.
Alton E. Reid
Neal S. Reid
Adam W. Reis
John V. Reische
Lendo G. Renegar
Thomas C. Reppert
Wayman B. Rettig
Maurice "C" Rexroad, Jr.
Frederick W. Reynolds, Jr.
Joseph T. Rhatigan, Jr.
Robert E. Rhodes
Willard L. Riner
Duane T. Riplog
Raymond A. Rippa
Harley M. Rittgers
Jack A. Roberts
Homer E. Robinett
Dale W. Robinson
Richard L. Robinson
William O. Robinson
Leo L. Rodrigues
Frederick J. Roehs
William F. Rolland
James M. Rose
Jack P. Rosebrook
Rolf W. Rotnem
Frederick R. Rupert
Maurice E. Sadler
Ernest E. Sanchez
Ormond H. Sandell
Rex C. Scheinfeldt
William J. Schimpf
Robert L. Schlenker
Henry Schmidt
Robert C. Schrei
Howard H. Schremser
Robert F. Schroeder
Johnnie W. Scott
Charles H. Seaton
Marvin L. Segler
Leroy P. Selberg
Leslie R. Servies
William M. Sessions
Paul Shafner
Harold A. Shannon
John J. Sharp
John C. Shedd
Quintin M. Sheipe
George E. Shelton
John R. Sheppard
Gig M. Shoemaker
Welland T. Shoop
Charles M. Shorrock
Leonard B. Sidle, Jr.
Daniel H. Sigman
Charles L. Simpson
Joseph E. Singleton
Chester J. Skjod
Frederick A. Slemp
Frank W. Smallwood, Jr.
Roger C. Smallwood
William E. Smiley
Douglas B. Smith
George R. Smith
James R. Smith
Raymond J. Smith
Vernon G. Smith
William E. Smith
Carl L. Snyder
Gerard A. Sobieck
Carlos R. Soler
Moo T. Soohoo
William C. Soule
Delous R. Sparkman
Robert C. Sparks
George L. Sporhase
William J. Sprich
Philip R. Stagg
Wesley B. Stanfill
Herbert E. Stangl
Edward A. Stanley
George B. Steere
Frank Stephens, Jr.
Laurence M. Stevens
John L. Steward
James E. Stewart
Carmen N. Stigliano
Charles E. Stith
Jack W. Storey
John E. Stroberg
Raymond E. Strong, Jr.
Roscoe S. Strother
James L. Strube
George H. Sturla
Thomas A. Suglia
Hamilton R. Sullivan
Robert J. Surber
Cecil R. Surface
Aubrey E. Swan
Albert F. Swenson, Jr.
Thomas L. Swift
Edward D. Swirka
Cecil "J" Talbot
Arnold Tallant
Bruce A. Taylor, Jr.
Carl E. Taylor
David E. Taylor
Robert M. Taylor
Mathais N. Ternes
George E. Tessier, Jr.
Charles E. Tether
Louis "M" Tew
Theodore Theodorides
Douglass G. Thompson
George L. Thompson
James M. Thompson
James C. Thompson
Leslie F. Thorpe
Henry B. Thorsen
Charles E. Tiller
James B. Tillis
Walter Timchak
Joel W. Timmons
Cecil W. Toole
Robert E. Townsend
Richard D. Travis
Merle E. Tree
Beldon H. Trigg
Richard G. Trussell
Donald L. Tupper
Frank M. Turner
William H. Turner
Clyde R. Tyre
William J. Uber
Wallace J. Ullman
Charles W. Valentine
Jacque E. Vancleef
Russell F. Vancuran
George F. Vaughan
Byron C. Vautier
George J. Voelp
Henry E. Vongenk, Jr.
James I. Wagoner, Jr.
Vernon L. Waldeck
"A" "D" Wall
Jack C. Walters
Joseph H. Walters
Milton L. Walters, Jr.
Lloyd L. Ward
Donald A. Warner
John Warren
Willard F. Wasson
George C. Watson
Donald M. Waymire
Emil J. Welk, Jr.
Perry L. Wells
Harvey J. Westfall
Norman E. Wheeler
Claire B. White
Herbert D. White
James M. Whiteside
John H. Wieting
Mack R. Wilcox
Aaren H. R. Wildermuth
John M. Wilkerson
Robert P. Wilkinson
Charles J. Wilkinson
George E. Williams
Lowell K. Williams
Robert D. Williams
Thomas O. Williams, Jr.
Joseph M. Wilson
Theodore J. Wilson
William H. Wilson
Patrick J. Windward
Ernest F. Wohleb
John M. Wolfe
Clifford H. Wood

William H. Woodhouse
Kenneth W. Woods
Bernard D. Woody
Paul L. Woollard
Harry R. Worrell
Albert M. Worrells
Robert M. Worster
Benjamin W. Wright
Maurice J. Wurth
Leon Wurzel
Hilton A. Wylie
Fulton R. Wynn
Von C. Yoder
Adrian R. Young
Jackson B. Young
Leo F. Young
James C. Zapalac
Joseph G. Zimmerman
Joseph J. Ziner
Angelo D. Zingaro
Donald J. Zink

Chief warrant officer, W–3

Eugene J. Acosta
Elton R. Adams, Jr.
Robert "I" Adams
Lindo E. Agosti
Walter C. Ahlin, Jr.
Clyde R. Ainsworth
Harvey C. Akerson
Donald F. Albee
Eugene H. Albert
Donald L. Alford
Wesley J. Allard
Richard M. Allen
James F. Anderson
Ralph K. Anderson
Julian F. Andia
Edwin C. Anthony
Leonard L. Auclair
Harold C. Augustine
Joseph H. Austin
Arthur Auvermann, Jr.
Vernon Avery
Joseph J. Baglioni
Eugene V. Baker
Donald D. Ball
Raleigh W. Ballou
George R. Ballweber
Hugh O. Baney
William E. Bannon
Herman W. Barber
Robert A. Barchenger
Alfred L. Barnard, Jr.
Charles A. Barnes
Norman B. Barnett
Everett K. Barnsdale
Norman R. Barrett
Russell Bates
William E. Bates
Robert N. Bauer
Carl R. Beach
Austin W. Beales
Francis J. Beck
Morton H. Beckley
Grenval A. Bee
Francis L. Beeby
Robert S. Beggs
Eugene F. Begley
Arthur R. Bell
Victor C. Bell
Gerald Bellville
Arthur T. Bennett
Howard E. Bergman
Duane B. Bierce
Thomas W. Birch
Roy E. Blood
David Bly
Allen D. Bodine
Lawrence R. Bohm
Edward Bojnowski
James D. Bonds
George R. Bonnette
Roderick E. Bookout
Raymond E. Boone
Donald J. Bovill
William F. Boyd
James D. Bradfield
Carl L. Brehm
Lloyd C. Briggs
Reid L. Bronson
Frans O. Brooks
Harold F. Brothers
Willie J. Broughton
Glen R. Brown
Quentin L. Brown
Stanley C. Brown
Theodore H. Brown
Herbert W. Buch
Paul R. Buck
Thomas L. Buckingham, Jr.
William M. Bullock
Charles Bulzone
Paul O. Burch
Mary L. Burke
Irvin L. Burnham
James D. Bussey
Otis H. Cagle
Robert R. Calderon
William W. Calhoun
Rosario A. Caltabiano
Walton B. Campbell
Daniel A. Carrara
Meral J. Cathcart
Floyd M. Caverly
Frederick P. Cerwonka
Roland J. Chamberlain
John H. Chapman
Bjorn Christensen
Jerome W. Christensen
Ray L. Christner
Raymond G. Cieloha
Duane M. Clark
Ralph J. Clement
William F. G. Clements
Leslie E. Clow
Thomas L. Clyatt
Walter N. Coan, Jr.
James E. Coates
William R. Cole
Arthur "J" Coleman
Harley A. Colgrove
James T. Collins
Robert F. Comstock
Robert H. Conrardy
Frank E. Corn
William Cornett
John W. Coxon
Newton U. Crawford
David F. Crowell
Robert W. Crump
Omer T. Culwell
Lester "K" Cunningham
Norman B. Cyr
Frederick J. Daigle
Robert F. Daniels
Francis C. Danneels
Manuel J. Darouze
Lois Davidson
Claude R. Davis
Ralph B. Davis
William H. Davis
Richard F. Davison
John A. Debell
John R. Deboer
Thomas P. Dulaney
Edwin K. Delave, Jr.
Dale M. Denning
Paul W. Dennis
James W. Dennison
Paul J. Derocher
Wade A. Devine
Marinus DeWitte, Jr.
Emil R. Diamond
Quirino G. Dicroce
Salvatore L. Didonato
William B. Dillon
Alexander Dirienzo
William I. Ditch
Daniel L. Dobron
William E. Donnelly
Wilbur S. Dool, Jr.
William C. Doty
Daniel C. Douglas
Andrew Dranchak
Offie L. Drennan
Charles N. Dyer
Leo J. Earner
Richard M. Edwards
Walter G. Edwards
William L. Edwards
John S. Eiden
Fred H. Eldred
Oscar W. Ellis
Emanuel J. Endrizzi
George J. Englehardt
Richard T. Erickson
Helge W. Erlandson, Jr.
William A. Evans
Elmer F. Falkenbach
William F. Fant
George R. Fender
Harry Ferro
Herman W. Filbry
Phillip V. Fish
William D. Flegal
Ernest Fontana
Normand E. Forcier
Charles L. Forman, Jr.
William O. Fortin
Leonard Foust
Cloris D. Fraim, Jr.
Elmer H. Frantz, Jr.
Richard J. Frazer
Warren O. Freiwald
Daniel A. Frieson, Jr.
Ralph D. Fuller
John J. Furey
Edward L. Gacek
Wilfred C. Gagne
Malcolm C. Gailing
Herman Gallion
Howard J. Gamber
James J. Gaston, Jr.
Sam Gerstl
James M. Geyton
George W. Gilbert
Ralph W. Gilbrook
Marvin N. Gilliam
Edward B. Glass
Robert C. Glisson
James R. Goggin
Jack V. Goodman
Tom B. Gorman, Jr.
Irving W. Goss
James P. Graham
William S. Graham, Jr.
Norman B. Grant
Paul H. Grant
Raymond J. Greene
Roy W. Greenlees
William E. Gregory
Harold H. Gressman
John J. Gripp
Warren H. Griswold
Chester A. Guerry
Ersel E. Gunderman
Clyde L. Haines
Jesse M. Haines
Jack R. Hale
Raymond N. Hale
John W. Hall
Vincent L. Hall
Joseph M. Hamill
William F. Hamlin
Merle H. Hancock
George H. Hansell, Jr.
Ernest P. Hardin
Manual D. Hardman
Stephen Harobin
Thomas E. Harper, Jr.
William O. Harper
Harold N. Harris
Leland L. Harris
Albert R. Hartgrove
Albert F. Harvey
James C. Hawley
Wilbur Hayes
John R. Heckler
Harry M. Helgesen, Jr.
Allen E. Helma
Harold L. Helms
Earl Hendry
Alfred M. Henking
Keith B. Hill
Grover C. Hinds, Jr.
Charles W. Hinson
Lawrence E. Hinton
Harold L. Hoagland
George A. Hoffman
John R. Holmes
James C. Holtzclaw, Jr.
John D. Hopson
Virgil Horner
Rex W. Hovey
Charles W. Howell
Ervan C. Hubka
James W. Hudler, Jr.
Franklin M. Hudson
Fred P. Huffman
William C. Huffstutler
Jack W. Hughes
Raymond M. Huppee
Miles E. Hurley
William J. Huttig
Drennen G. Ikard
Vincent J. Ingleright
George M. Iwen
William C. Jackson
James R. James
William E. James
Harold R. Jameson
Eugene F. Jamison
Howard T. Janes
Homer A. Jeffers
Robert L. Jenkins
Donald W. Jewell
David A. Johnson
Harold L. Johnson
Rhea A. Johnson
Wilbur C. Johnson
Earl "M" Johnston
Barney T. Jones
John A. Jones, Jr.
William C. Jordan
Peter R. Jorgensen
William W. Jose
Joseph Karlin
Charles H. Kazar
Thomas C. Keane
John G. Kearney
John L. Keating
John E. Kehoe
Joseph H. Kelley
Harold D. Kellogg
Harry T. Kelly
Douglas R. Kemp, Jr.
Lisle A. Kennedy
Max A. Kenyon
Paul D. Keough
Michael Kerekesh
Wayne F. Kesterson
Clinton R. King
Carroll E. Kinkel
Winstead B. Kirschner
Laverne L. Klaas
Hans A. Koenig
William W. Kolling
Joseph V. Kossler
Michael Kovacs
Alex Kraly
Leonard J. Kreahling
Raymond Kuhlow
Earl A. Kuhn
Mitchell C. Kunkel
Louis P. Lacey
John H. Lagoyda
Eugene E. Lambson
Charles J. Langello
William D. Lankford
Wesley E. Lapham
Duane C. Larson
Willard L. Lauer
Walter D. Laughlin
Harold K. Lawrence
Ted J. Lawrence
Thomas H. Lawrence
Donald R. Lawson
William H. Lawton
Warren F. Leard
James V. Leatherman
John I. Lee
Oliver E. Lee
Samuel M. Lee, Jr.
Francis J. Lemieux
James O. Lence
Robert L. Leonard
Michael A. Leone
Harold P. Lesh
Paul B. Lester
Theodore B. Levieux
Edward L. Lewelling
Edgar E. Lewis
William A. Lewis
Norman D. Lichtman
Charles K. Lindahl
John E. Linder
Willis W. Lindstrom
Richard F. Lipp
Jack P. Loer
Harold K. Lodgsdon
Robert G. Long
William E. Long
Lee Lorenz
Dewey J. Loselle, Jr.
Arthur L. Lowther
Homer C. Lucas
Carmen Maccioli
Jack E. Macklin
John W. Magill
Frank Manis
Robert E. Mannetta
Bernell C. Mansfield
Frank Marit, Jr.
Truman O. Marlow
Joseph S. Marsh
William C. Marshall
Andrew J. Martignoni
Robert C. Martin
Walter Martindale, Jr.
George M. Massey
Joseph C. Mastantuno
Ivan R. Mathers
Floyd L. Matthews
James A. Matthews, Jr.
Fred H. Matthiesen, Jr.
Robert W. Maynard
Emmett S. Mayne
Joseph A. Mazgay
Herman W. McCabe
John C. McCaddin
James D. McCally, Jr.
Paul G. McCart
Lama D. McCleskey, Jr.
Billy B. McDonald
Melville E. McElvain
Lawrence B. McGaughy
Samuel E. McGinnis
James F. McGregor
John T. McGuigan
Dewitt T. McGuire
Raymond L. McKee
Rex U. McKinney
Junior D. McLeod
Douglas J. McNair
Edsel McNeil
Billie L. McRoy
William C. McWhirter
Gordon E. Meek
Bernard Mejia
Alfred Mello
Bill Mendenhall
Edward W. Merideth
Robert D. Merrells
Nicholas Mesagno
Andrew N. Michael
Thomas A. Micklos
Sumner K. Midgett, Jr.
Jack S. Miller
James Q. Mills
Henry W. Minehan
Joseph A. Mineo
Hammett Mitchel
Ward E. Mitchell
Jack E. Mittner
Frank Modic
Robert J. Mohan
Robert F. Molen
William A. Molnar
James L. Mooney
Clessen Moore
Henry L. Moore
Robert L. Moore
Adrien A. Morais
Ecil O. Morris
Glenn "J" Morris
Ross D. Moss
Thomas H. Moss, Jr.
Erwin F. Mueller
Edward L. Murphy, Jr.
Harrod B. Murphy
Wallace G. Murphy
Edmund "B" Naber
John Naschak, Jr.
Raymond P. Neese
Nehemiah W. Newell
Gordan B. Newton
Donald E. Noble
Donald N. Nolan
Gus Noll, Jr.
John H. Norris
Robert B. Nowland
Charles P. O'Donnell
Benjamin F. Ogley
Charles T. Orr
Gilbert H. Orr
Warren M. Page
Orlando L. Palombo
John Park
Albert W. Parker
Thomas U. Parsons
Ivan Paulson
Loye H. Payne
Paris E. Peckinpaugh
Jerry K. Peek
Robert M. Peltier
James F. Perdue
Allan C. Peringer
David W. Perkins
Seth J. Perry
Robert L. Petersen
Alton K. Peterson
John F. Phelan
Mack H. Phillips
Melvin F. Pickel
Joseph A. Pinto
John Pirozzi
Coy T. Plaster
Leslie K. Poledna
Kenneth Price
Joseph J. Prochaska
Allen B. Proctor
Leo A. Proteau
Charles L. Pruitt
George W. Purinton
Alvin F. Putman
Craig J. Queel
Elmer Quertermous
John M. Quesenberry
Joseph L. Quigley
Herbert M. Quinn
Thomas J. Rachford, Jr.
Charles C. Ramet
Joseph V. Ramsey
Joseph D. Ramsey
Anthony P. Rangus
Richard P. Rauenzahn
Virgil L. Reed
Morris A. Reeves
Joseph R. Renard
Charles H. Reustle
Donald M. Rhoades
Louis H. Richard
Lyle J. Richard
Wallace B. Richards
Carl W. Richardson
Wendell Riddle
Jay W. Rider
Charles R. Ries
Delbert A. Rigg
Robert R. Riley, Jr.
William E. Riley
Forrest "B" Rinehart
Joe Ringhoffer
Elmer G. Ripple
Stanley D. Robards
Earl B. Robbins
Tommie R. Robbins
Leo B. Roberts
Eugene Robinson
Lee R. Robinson
Steve H. Robinson
John P. Roby
Robert P. Roth

Walstein M. Rouse
George F. Rowan
Raymond A. Rundle
Albert O. Rustad
Ralph R. Ryan
Michael J. Sabota
Thomas D. Sailers
Jerome D. Samelson
John J. Sanfelippo
Gernie G. Saunders
Philip J. Sawin
Robert L. Schlichenmaier
John "A" Schmidt
Moulton L. Schreiber
Russell L. Schuler
Charles A. Schultz
Nelson Schweers
Delman J. Schwichtenberg
Charles E. Schwinn
Philip A. Sciotto
Robert M. Scott
Alben J. Sellers
Ollen "C" Sheets
Warren L. Shelton
"A" "J" Sherman
Ernest A. Sidney
Robert B. Sikes
Alex M. Sills
Frank M. Simko
Charles J. Simpson
Elliott B. Simpson
John Simzisko
Frank W. Singer
Albert B. Singleton
Andrew Sjogren
Grover C. Smelley
Earl E. Smith
Ernest H. Smith
Floyd G. Smith
Francis H. Smith
George D. Smith
Hugh W. Smith
John P. Smith
Leland R. Smith
Luther W. Smith
Paul R. Smith
Royden O. Snuffin
Julius A. Sofranik
Alfred Sokolowski
Franklin M. Solina
Russell L. Souders
George A. Soulard
Claude A. Sowada
Martin L. Sowle
Robert R. Spangler
Charles K. Sparrow
Charles J. Speckert
Stephen C. St. Amos
William C. Stone
Earl Strain
Merle E. Strunk
Edward L. Stuckarth
Cecil L. R. Suggs
John L. Sullivan
Sulo W. Suomi
John H. Swanson, Jr.
George H. Sweeney
Arthur H. Sweet
Wallace F. Sweetland
Wallace A. Swenson
Adalbert F. Swirk
George E. Tait.
Alfred J. Tarantino
Isaac B. Taylor
John O. Taylor, Jr.
John Telepchak, Jr.
Warren "D" Thomas
Lewis C. Thompson
Robert L. Thompson
David J. Thornton
Robert L. Thrasher, Jr.
Robert D. Thume
Eddie Travis
Benjamin L. Tripodi
Edgar C. Trotter
Edward D. Tungate
Arthur D. Turney
Winfield H. Twombly, Jr.
George C. Tyler
Willie E. Tyrone
Fred C. Ulmer, Jr.
Charles M. Unfried
Milton D. Unger
Robert C. Upchurch, Jr.
Joe M. Vaughn
George E. Vogel
Murl J. Waldron
Sylvester P. Walker
Lee A. Wall
Marvin L. Wallace
William H. Wallace
William T. Waller, Jr.
John L. Wandell
Leonard A. Ward
Herbert B. Warrick
Claude H. Waters
Clarence W. Weimar
Clyde F. Weisdorfer
Claude W. Welch
Aaron L. Wells
James R. Westover
Richard E. Wharton
Eugene D. Wheeler
Coleman L. White
Lyle F. Whitson
Chester D. Wiggs
Donald Wikoren
Rolland M. Wilber
Julian P. Wilder
Edward E. Wilgus
Gail E. Wilkes
George E. Willi
Henry P. Williams, Jr.
Kenneth Williams
Boyd W. Wilson
Emory H. Wilson
Joseph H. Wilson, Jr.
Reid B. Wimer, Jr.
Raymond R. Winters
James A. Wise
Walter C. Wittkopp
Phillip P. Wolfe
Gordon W. Wolten
Emmett B. Womack, Jr.
Harvey E. Woodard
Robert L. Woods
Ralph A. Wright
Ross W. Wright
Melvin E. Wyland
Joel E. Wyman
William Yanish
Bernard F. York
Norman "P" Young
Victor Young
Chester J. Youtkus
Peter G. Zachko
Don W. Zarr
Milton W. Zeitzmann
Richard E. Ziegler

Chief warrant officer, W–4

Forest G. Adams
Ralph L. Adkins
Silas R. Alexander
Roy J. Allard
Walter F. Ashe
Helmut P. Auerbach
Millard T. Baker
Paul "B" Baker
Francis Banevicz
Raymond E. Bard
Howard G. Bartow
Stanislaw Baskevic
George E. Bateman
James R. Bates
Carl L. Bauer
Willitt J. Beck
Melbert V. Belcoe
George A. Bennett
Gordon Bennett
Frederick F. Bennis
Charles B. Bernard III
Frederick J. Blahnik
Arthur A. Boehme
John Borgens
Cornelius S. Bracken
Marion Breeding
Ralph T. Briggs
Gail W. Brooks
Eli "J" Brown
Knox "A" Buchanan
Woodrow W. Bush
Raymond R. Byrd
Joseph P. Campbell
William M. Canavan
Jesse D. Cannon
Rufus R. Cannon
John J. Cantor
Jack E. L. Carleton
Edward H. Carpenter
Thomas G. Carroll
George R. Carruth
Ramon P. Castelli
Bennett D. Cecil, Jr.
Herbert P. Chambliss
Eugene T. Chandler
Carlton C. Chesnut
Harry D. Christensen
Arnold M. Christiansen
Samuel C. Chuckta
Michael Ciardullo
Frederick E. Clarke
Jack D. Clarke
Gene L. Cleven
William T. Clooney
George W. Clotfelter
Wesley O. Collette
Floyd O. Conn
Andrew B. Cooper
Damaso Corpuz
Raymond S. Cosby
Wilbur D. Coultas
John R. Covington
Samuel Cox, Jr.
Raymond K. Crabtree
Kenneth L. Crouch
James E. Cruce
Harold M. Daniels
Louis R. Daughety
Murray K. David
John R. Davis, Jr.
Joseph "G" Deiter
Joseph B. Dickey
Naaman Dingess
Robert H. Doud
George J. Dunnigan
Victor L. Ebersole
Harvey B. Eggeling
Wayne I. Egger
Terrence H. Emerson
Bobbie Epperson
John M. Farrell
Vernor Feild
Donald A. Felton
Marvin J. Ferguson
Donald W. Floyd
Orlon "C" Foster
Keith E. Frye
Edward A. Fultz
Leslie L. Funston
Jack M. Gandee
John M. Gittinger
Victor C. Giuliani
Theodore W. Glotzbach
Ralph T. Goerner, Jr.
Augustus K. Goffe, Jr.
Adolph Good
Charles H. Greene
Clyde H. Greene
Calvin L. Griffith
Michael Grochala
Phillip S. Gronvold
George A. Guess, Jr.
Jimmie C. Hall
William E. Hans
Merwin G. Hansen
Robert F. Hanseroth
Harley C. Hanson
Iver "O" Hanson
Jasper S. Hardin
Wilbert R. Harpool
Robert S. Harris
Carl B. Hatchell, Jr.
Homer L. Haughey
Jack E. Hayes
Philip C. Haynes
Charles V. Hebert
Benjamin O. Hemus, Jr.
Kenneth O. Hester
Albert L. Hewitt
Henry V. Hickey
Jeptha B. Hicks
William "H" Hofman
Arthur Hofmann
Floyd O. Holder
Ambrose H. Holdgrafer
Herbert M. Holmes
Ralph W. Holte
Kenneth E. Houghton
Robert E. Howe
Percy W. Hudson, Jr.
Clifford D. Hunter
George J. Hunter, Jr.
William M. Hutchins
John F. Jacks
Howard J. Jackson
Keith E. James
Verle L. Jameson
Robert E. Johnsen
George W. Johnson
William J. Johnston
Richard J. Kapsch
Edward G. Kasprzak
Frederick B. Kauper
Raymond D. Kester
Rudolph Klecky
John B. Knightly
Nandor Kozma, Jr.
Frank J. Kurtz
Guy M. Larmore
Benedict J. Laurent
Max L. Leech
John R. Lepard
Wendell D. Levan
Richard W. Lewis
John C. Locker
Joseph P. Malito
Andrew T. Malleck
Hal L. Malone
Harold L. Mason
William L. Mauldin
Frank L. Maxwell
Arthur E. Mayle
Garland M. McCarty
Raymond P. McDaniel
Noah C. McDowell
Charles H. McGee
James P. McGinley, Jr.
Robert W. McKamey
Mark E. McKim
Claud K. McKnight
Irwin R. McLain
Harold E. McLaughlin
Claude W. Miller
Frank B. Miller
Lawrence M. Miller
Rudolph T. Miller
Joseph E. Moriarty
George E. Mulcare
Blair D. Mulkins
Lloyd K. Mumford
Henry P. Niepsey
Robert P. O'Leary
Milo J. Olhausen
Clarence W. Ostlund
Robert A. N. Pappano
Roy E. Parker
Vernon "V" Parker
Lee Pasvogel
Frank J. Paulino
Harold M. Pfeifer
John H. Pinning
Frederick F. Pressel
James L. Quick
Walter E. Reece
John W. Reed
Max B. Reed
Robert H. Reed
Donald J. Reinke
Leroy C. Richey
Jack W. Roberts
Leonard C. Roberts
Woodrow B. Roberts
Leon N. Robertson
Herschel E. Robinson
Henry A. Rodes
Merril Q. Roper
Salvator P. Rossitto
Louis Russo
William H. Sadler
Joao C. Santos
Clarence H. Schaefers
Elmer O. Schoenfelder
Rudolf J. Schuller
Stanley W. Senkus, Jr.
Lewis C. Severance
Charles W. Shelly
Edmund Simanowicz
Rodney "W" Skaggs
Kenneth J. Slamon
Ralph G. Sluder
Daniel W. Smith
Martin H. Smith
Paul J. Smith
Roscoe W. Snider
David W. Snyder
"J" "B" Sorrells
Robert W. Spears
William G. Spence
Clarence D. Spencer
Kenneth R. Stabler
Eugene L. Stevens
Harold L. Still
Francis E. Sullivan
George P. Teche
Willis M. Tefft
Henry O. Thomas
Albert S. Thorne
Glenice B. Tindall
Eldridge G. Tinnell
John J. Tracy
Roy E. Tresback
Wesley J. Truelove
Mike W. Turnipseed
Litton E. Tye
Joseph P. Vanlandingham
Johnnie H. Vinson
Miczyslaw J. Wajda
Jesse D. Walker
Howard A. Wallace
Robert H. Ward
Lindsay R. Waters
Thomas C. Welsh
Tex L. Western
Reid Wilson
Victor F. Winn
Joseph J. Wolf
Kenneth R. Wolf
Hugo C. Wondergem, Jr.
Jesse L. Woodruff
Norman G. Woods
Robert H. Wootton
Wesley O. Wormwood
Foster Worthington
Henry C. Yates
Stephen P. Yorden
Elmer C. Young
Leroy Young
Joseph J. Zajac
Steven T. Zakrzewski
John F. Zatorski

The following-named officers for temporary appointment to the rank of first lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Robert D. Abney
Richard D. Acott
Charles R. Alexander
Rodney H. Alley, Jr.
Lewie E. Amick, Jr.
Joseph S. Andre
Gene E. Bailey
William S. Baldwin
William C. Barnsley
Kent V. Berchiolli
Richard A. Bishop
Robert B. Booher
Terrence M. Bottesch
Richard L. Carlton
Ross C. Chaimson
William E. Chase
Charles W. Davis
Marino T. Dominquez
John P. J. Embry
Danny A. Endresen
Lloyd E. Gailey
Charles G. Gerard
Richard E. Gleason
Wendell O. Grubbs
James T. Hagan III
Richard L. Hoffman
Anthony C. Huebner
Joseph L. James
Paul G. Judkins
Robert L. Kester
Floyd C. Lewis
Robert D. Lewis
Harrison A. Makeever
Michael R. McDonough
William A. McGaw
Melvin J. McIntyre
Paul F. McNally
Ronald E. Merrihew
Donald E. P. Miller
Royal N. Moore, Jr.
Daniel F. M. Nielsen, Jr.
Robert M. Ondrick
Luther L. Payton, Jr.
Richard J. Pederson
Horace Poore
Donald J. Roman
Patrick S. Simpson
John D. Stevens
Robert E. Stoffey
Robert L. Thien
James D. Turner
Gerald E. Walsh
Harry R. Warfield III
Everett E. York

The following-named officers for permanent appointment to the rank of first lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

John E. Aliyetti
Donald M. Babitz
Michael J. Barkovich
Donn C. Beatty
James R. Campbell
Howard Chapin
Robert S. Chereson
Edward E. Clanton
Harry Collins II
Charles K. Conley
Robert F. Daas,
Carmine W. De Pietro
Charles A. Dixon
Robert R. Doran
Henry D. Fagerskog
Gary R. Grant
Henry O. Grooms
Garry Harlan
Jackye W. Hayes
Ronald E. Heald
Eugene A. Homer, Jr.
Gerald L. Johnson
Lee T. Lasseter
Don L. Leach, Jr.
William W. Mackey
Huey P. L. Miller
Billy J. Palmer
David M. Pirnie
Charles A. Reynolds
Kent "L" Roberts
Danny A. Sharr
Robert N. Simpson
John M. Solan
Victor D. Steele
Eugene L. Wheeler
Jerry W. Wilson
Bruce P. Wood

IN THE MARINE CORPS

The following named officers of the Marine Corps for temporary appointment to the grade of major, subject to qualification therefor as provided by law:

Douglas E. Wade
Adolph G. Sadeski
Donald N. McKeon
Martin B. Reilly
Grover C. Koontz
Johan S. Geston
Jack Erwin
Eugene F. Hertling, Jr.
John N. Webb
William K. Rockey
Heman J. Redfield III
Arthur W. Anthony, Jr.
Richard E. Campbell
Marshall J. Treado
Robert E. Presson
Robert B. March
Charles G. Cooper
Grover J. Rees, Jr.
Robert A. Lindsley
Harold C. Colvin
James R. McEnaney
David J. Hunter
Norman B. McCrary
Henry V. Martin
Elliott R. Laine, Jr.
Thomas F. Manley
Frederick D. Leder
Alexander M. Stewart
David I. Carter
Robert D. Whitesell
John K. Davis
William B. Muir
Lloyd E. Tatem
Roddey B. Moss
William V. H. White
Howard L. Barrett, Jr.
Robert R. Montgomery
Robert E. Hunter, Jr.
Hugh T. Kennedy
Carlton D. Goodiel, Jr.
Hal W. Vincent
George E. Beattie
Clement C. Buckley, Jr.
James W. Abraham
James A. Todd
Richard H. Burnett
Paul X. Kelley
Ross L. Mulford
George W. Houck
Byron T. Chen
Peter F. C. Armstrong
John E. Buynak
Francis C. Cushing, Jr.
William J. Galyon
Charles K. Whitfield
William M. Tatum, Jr.
Richard D. Mickelson
James W. Laseter
Joseph L. Sadowski
Robert A. Walker
William K. Parcell
Winston F. Fontaine
Joseph M. Laney, Jr.
Raymond W. Craig
Carl R. Lundquist
Goodell P. Warren
Darrel E. Bjorklund
David Y. Westling
Edward J. Rutty
Robert W. Cooney
Edward J. Driscoll, Jr.
Philip M. Crosswait
Ronald I. Severson
Wilford E. Overgard
George D. Cumming
Robert E. Howard, Jr.
James G. Martz III
Robert E. Miller
George H. Shutt, Jr.
Dean C. Macho
Clarke A. Rhykerd
Raymond A. Cameron
Charles O. Hiett
Frank R. Smoke
William G. McCool, Jr.
Richard E. Percival
Russell W. McNutt
Ural W. Shadrick
Arnold E. Bench
Franklin G. Cowie, Jr.
Louis A. Bonin
Leslie L. Darbyshire
Francis E. Doud
Edgar K. Jacks
Charles A. Sewell
Conrad P. Buschmann
L. G. Linman
James A. Trout
Edward M. Guell
Paul A. Manning
Francis H. Thurston
Eugene R. Brady
James F. Meyers, Jr.
Clement C. Chamberlain, Jr.
Richard A. Bonney
Victor A. Ruvo
Palmer A. Roessle
Thomas P. Bartleson, Jr.
Freddie J. Baker
James M. Bannan
Dalvin Serrin
Donald R. Stiver
Donald L. Rice
Cecil G. Dunnagan
Francis L. Delaney
Preston E. Howell
Douglas E. Erway
Paul W. Niesen
Ralph D. Wallace
Dwight E. Howard
Frank D. McCarthy
Leonard M. Gillespie
Jack W. Conard
Daniel M. Wilson
James R. Omara
Jimmie W. Duncan
John H. Strope
James G., Doss, Jr.
Edward F. Penico
Baxter W. Seaton
David D. Finne, Jr.
Keith H. Helms
Charles E. Kiser

The following-named officers of the Marine Corps for permanent appointment to the grade of major, subject to qualification therefor as provided by law:

William C. Adams
Ulysses F. Cunha
Samuel R. Coffey
Everett W. Frank
Claud R. Swisher
Wesley D. Lamoureux
Walter W. Fleetwood
Harry D. Persons
William C. Bittick, Jr.
Stephen Sedora
John H. Menjes
Waldron E. Thomas
William E. Gardner
Francis X. Clegg
William K. Buskirk
Charles M. Schmidt
James W. Wilson

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 23, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Matthew 6: 33: *Seek ye first the kingdom of God, and His righteousness.*

God of all grace, may there be nothing in this day's work which shall be harmful to others and dishonorable to ourselves but may all that we say and do receive Thy benediction and redound to Thy glory.

Inspire us to pray continually and fervently for the coming of world peace when diplomacy and statesmanship shall open up new ways for nations to live together in harmony and in love.

May we apprehend Thy truth, and have the courage to pursue the ways of justice and brotherhood, giving them the place of preeminence in our endeavors to find the Christian solution to all the problems of our social order.

Hear us in the Master's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Miller, one of his secretaries.

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATION BILL, 1961

Mr. ROONEY. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a conference report on the bill H.R. 11666, making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

FAIR LABOR STANDARDS ACT

Mr. BARDEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 12677) to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of interstate retail enterprises, to increase the minimum wage under the act to $1.15 an hour, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. JOHANSEN. I object, Mr. Speaker.

FOREIGN MINISTERS MEETING OF THE AMERICAN REPUBLICS AT SAN JOSE, COSTA RICA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Agriculture and ordered to be printed:

To the Congress of the United States:

The meeting of Foreign Ministers of the American Republics at San Jose, Costa Rica, has just completed its deliberations on the charges made against the Dominican Republic by the Government of Venezuela, as well as on the flagrant violation of human rights by the Trujillo regime. The Foreign Ministers voted unanimously to condemn the Dominican acts of aggression and intervention against Venezuela, culminating in the attempt on the life of the President of that country, and resolved to (1) break diplomatic relations with the Dominican Republic, and (2) interrupt partially economic relations with that country beginning with a suspension of trade in arms and implements of war, with the provision that the Council of the Organization of American States shall study the feasibility and desirability of extending this trade suspension to other articles. The United States joined with the other American Republics in approving these measures.

Some 322,000 short tons of the sugar not being purchased from Cuba pursuant to the reduction in the Cuban quota is, under the July amendment to the Sugar Act, to be allocated to the Dominican Republic. This allocation is in addition to the Dominican Republic's 1960 quota amounting to approximately 130,000 tons. Since total imports of sugar from the Dominican Republic in 1959 amounted only to about 84,000 tons, the statutory allocation would give that country a large sugar bonus seriously embarrassing to the United States in the conduct of our foreign relations throughout the hemisphere.

In view of the foregoing considerations, the Government should have discretion to purchase elsewhere the quantity apportioned to the Dominican Republic pursuant to the July amendment to the Sugar Act. I therefore request legislation providing that amounts which would be purchased in the Dominican Republic pursuant to the July amendment need not be purchased there, but may be purchased from any foreign countries without regard to allocation.

I would also remind the Congress that the Sugar Act's present termination date of March 31, 1961—only 3 months after the reconvening of Congress next January—could cause a serious gap in supplies, because it often takes as much as 1 or 2 months after purchase for sugar from distant areas to reach our refineries. Thus an extension of the Sugar Act beyond its present termination date is necessary at this session in order to protect consumers in the United States

against the possibility of unreasonable prices for sugar next February and March.

I request that the Congress give urgent consideration to and take favorable action on the proposed legislation.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 23, 1960.*

HOUSING AND HOME FINANCE AGENCY ANNUAL REPORT, 1959—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Banking and Currency:

To the Congress of the United States:

Pursuant to the provisions of section 802(a) of the Housing Act of 1954, I transmit herewith for the information of the Congress the 13th Annual Report of the Housing and Home Finance Agency covering housing activities for the calendar year 1959.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 23, 1960.*

ELECTION OF MEMBER TO COMMITTEE

Mr. MILLS. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read as follows:

HOUSE RESOLUTION 605

Resolved, That ROY A. TAYLOR, North Carolina, be, and he is hereby, elected a member of the following standing committee of the House of Representatives: Committee on Interior and Insular Affairs.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LIBRARY SUBCOMMITTEE OF COMMITTEE ON HOUSE ADMINISTRATION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Library Subcommittee of the Committee on House Administration be permitted to sit today during general debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is the day designated for the call of the Consent Calendar. The Clerk will call the first bill on the calendar.

AGRICULTURAL ATTACHÉ ROTATION

The Clerk called the bill (H.R. 8074) to amend section 602 of the Agricultural Act of 1954.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CLAIMS OF CERTAIN EMPLOYEES FOR ALASKA RAILROAD

The Clerk called the bill (H.R. 4084) to confer jurisdiction upon the Court of Claims to determine the amounts due and owing and render judgment upon the claims of certain employees of the Alaska Railroad for overtime work performed.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Washington?

There was no objection.

APPROPRIATE MARKER FOR JOHN C. PAGE

The Clerk called the joint resolution (H.J. Res. 416) to provide for the erection in the city of Page, Ariz., of an appropriate marker to commemorate the achievements of former Commissioner of Reclamation John C. Page.

Mr. WEAVER. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

COOPERATIVE UNIT PROGRAMS OF RESEARCH AND EDUCATION RELATING TO FISH AND WILDLIFE

The Clerk called the bill (S. 1781) to facilitate cooperation between the Federal Government, colleges and universities, the States, and private organizations for cooperative unit programs of research and education relating to fish and wildlife, and for other purposes.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of developing adequate, coordinated, cooperative research and training programs for fish and wildlife resources, the Secretary of the Interior is authorized to continue to enter into cooperative agreements with colleges and universities, with game and fish departments of the several States, and with nonprofit organizations relating to cooperative research units: *Provided,* That Federal participation in the conduct of such cooperative unit programs shall be limited to the assignment of Department of the Interior technical personnel by the Secretary to serve at the respective units, to supply for the use of the particular units' operations such equipment as may be available to the Secretary for such purposes, and the payment of incidental expenses of Federal personnel and employees of cooperating agencies assigned to the units.

SEC. 2. There is authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

USE OF PESTICIDES OR OTHER CHEMICALS

The Clerk called the bill (H.R. 12419) to provide for advance consultation with the Fish and Wildlife Service and with State wildlife agencies before the beginning of any Federal program involving the use of pesticides or other chemicals designed for mass biological controls.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. AUCHINCLOSS. I object, Mr. Speaker.

RECREATION AND PUBLIC FACILITIES DEVELOPMENT IN RESERVOIR AREAS

The Clerk called the bill (H.R. 12539) to implement section 4 of the act approved December 22, 1944 (Public No. 534, 78th Cong.), as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in carrying out the provisions of section 4 of the Act approved December 22, 1944 (Public, Numbered 534, Seventy-eighth Congress), as amended, the Chief of Engineers, under the supervision of the Secretary of the Army shall, as a means of encouraging maximum participation by State and local governmental agencies and of obtaining maximum public benefits for recreational potential created by reservoir projects constructed with Federal funds, (1) acquire feet title as necessary to those lands needed to preserve and assure for the public benefit the recreational potentials created by the reservoir area, and (2) provide basic public facilities, including but not limited to access roads, parking areas, sanitary facilities, boat launching ramps, picnic and camp facilities, reasonably needed to preserve and make the recreational potentialities accessible to the using public: *Provided,* That before properties are acquired for that purpose in addition to those needed by public access, the probable extent of such additional acquisition shall be set forth along with other data necessary for project authorization, in a report submitted to Congress, or in the case of a project previously authorized, no such properties shall be acquired unless specifically authorized by Congress after a supplemental report covering such additional acquisition has been submitted to Congress: *And provided further,* That before such additional lands are acquired, a responsible State or local governmental agency shall furnish assurances satisfactory to the Secretary of the Army that they will manage and develop the area involved for public recreational use.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

APPROACH ROADS TO FERRY FACILITIES

The Clerk called the bill (H.R. 11240) to amend title 23, United States Code, to provide for participation of Federal aid highway funds in the construction of approach roads to ferry facilities on the Federal aid systems.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That section 129 of the title 23, United States Code, is hereby amended by adding thereto the following new subsection:

"(e) Notwithstanding the provisions of section 301 of this title, the Secretary may permit Federal participation under this title in the construction of a project constituting an approach to a ferry, whether toll or free, the route of which has been approved under section 103 (b) or (c) of this title as a part of one of the Federal-aid systems and has not been designated as a route on the Interstate System. Such ferry may be either publicly or privately owned and operated, but the operating authority and the amount of fares charged for passage shall be under the control of a State agency or official, and all revenues derived from publicly owned or operated ferries shall be applied to payment of the cost of construction or acquisition thereof, including debt service, and to actual and necessary costs of operation, maintenance, repair, and replacement."

SEC. 2. The caption of section 129 of title 23, United States Code, is amended to read as follows: "TOLL ROADS, BRIDGES, TUNNELS, AND FERRIES".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRINCESS ANNE COUNTY SCHOOL BOARD, VIRGINIA

The Clerk called the bill (H.R. 11136) for the relief of the Princess Anne County School Board, Virginia.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

POSTAL POWER BOAT SERVICE IN ALASKA

The Clerk called the bill (S. 1849) to amend the act of August 10, 1939, authorizing the Postmaster General to contract for certain powerboat service in Alaska.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

NATIONAL GUARD CLAIMS

The Clerk called the bill (H.R. 5435) to extend the Federal Tort Claims Act to members of the National Guard when engaged in training duty under Federal law, and for other purposes.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ADJUSTMENT BY POST OFFICE DEPARTMENT OF CERTAIN CLAIMS

The Clerk called the bill (H.R. 11531) to amend the act entitled "An act authorizing the Postmaster General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty," approved March 17, 1882, as amended, and for other purposes.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of March 17, 1882 (22 Stat. 29), as amended by the Act of December 7, 1945 (59 Stat. 603; 39 U.S.C. 49), is amended (a) by striking out the words "All such claims must be presented within six months from the time the loss occurred" in the last sentence of the first section thereof, and by inserting in lieu thereof the words "All such claims must be presented within one year from the time the loss is discovered", (b) by striking out "SEC. 2" and by inserting in lieu thereof "SEC. 3", and (c) by inserting, immediately following the first section, a new section 2, to read as follows:

"SEC. 2. (a) The Postmaster General in his discretion may relieve an employee of accountability and responsibility and allow credit in his official account for any loss in funds or accountable paper for which such employee is otherwise accountable whenever the Postmaster General finds after investigation that such loss did not result from a lack of due care or bad faith of such employee and (1) the employee was acting in the discharge of his duties or (2) that loss occurred by reason of the act of omission of a subordinate.

"(b) The Postmaster General shall prescribe the time within which losses shall be reported by any employee.

"(c) Whenever it is necessary in the opinion of the Postmaster General to restore or otherwise adjust the account of an employee for relief granted under this Act, the amount of such relief shall, unless an appropriation is specifically provided therefor, be paid from postal revenues.

"(d) As used in this section—

"(1) the word 'loss' or 'losses' include physical losses and losses resulting from illegal, improper, or incorrect payments.

"(2) 'employee' means any postmaster or other accountable officer or employee of the Post Office Department as well as any Armed Forces or Coast Guard mail clerk and any assistant Armed Forces or Coast Guard mail clerk.

"(c) The allowance of credit under this section to any employee shall not affect the liability of any other person on account of the loss involved.

"(f) The provisions of this section shall not be applicable where notices of exceptions or certificates of settlement have been issued by the General Accounting Office to accountable officers of the Post Office Department."

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That the Act of March 17, 1882 (22 Stat. 29), as amended by the Act of December 7, 1945 (59 Stat. 603; 39 U.S.C. 49), is amended—

"(1) by striking out the words 'All such claims must be presented within six months from the time the loss occurred' in the last sentence of the first section thereof, and by inserting in lieu thereof the words 'All such claims must be presented within one year from the time the loss is discovered';

"(2) by striking out 'Sec. 2' and by inserting in lieu thereof 'Sec. 3'; and

"(3) by inserting, immediately following the first section, a new section 2, to read as follows:

"'SEC. 2. (a) The Postmaster General in his discretion may relieve an employee of accountability and responsibility and allow credit in his official account for any loss in funds or accountable paper for which such employee is otherwise accountable whenever the Postmaster General finds after investigation that such loss did not result from a lack of due care or bad faith of such employee and (1) the employee was acting in the discharge of his duties or (2) that the loss occurred by reason of the act or omission of a subordinate.

"'(b) Whenever it is necessary in the opinion of the Postmaster General to restore or otherwise adjust the account of an employee for relief granted under this section, the amount of such relief shall, unless an appropriation is specifically provided therefor, be paid from postal revenues. Any amount paid by or on behalf of an employee in restitution of a loss for which relief is granted under this section shall, unless an appropriation is specifically provided therefor, be reimbursed from postal revenues.

"'(c) As used in this section—

"'(1) the word "loss" or "losses" include physical losses and losses resulting from illegal, improper, or incorrect payments, which are not cognizable under the first section of this Act.

"'(2) "employee" means any postmaster or other accountable officer or employee of the Post Office Department as well as any Armed Forces or Coast Guard mail clerk and any assistant Armed Forces or Coast Guard mail clerk.

"'(d) The allowance of credit under this section to any employee shall not affect the liability of any other person on account of the loss involved.

"'(e) The provisions of this section shall not be applicable to losses which have been questioned in writing by the General Accounting Office.'"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LIBRARY OF CONGRESS TRUST FUND BOARD

The Clerk called the bill (S. 1321) to authorize the Attorney General to consent, on behalf of the Library of Congress Trust Fund Board, to a modification of the terms of a trust instrument executed by James B. Wilbur.

There being no objection, the Clerk read the bill, as follows:

Whereas under the provisions of an instrument executed by James B. Wilbur, there was established a trust fund, known as the University of Vermont Trust Fund, composed of the sum of approximately $1,500,000, the income from which was to be used, subject to other provisions contained therein, to provide scholarships for residents of the State of Vermont attending the University of Vermont; and

Whereas that instrument provides further that in the event that the enrollment of the University of Vermont should exceed a number determined in conformity with provisions of that instrument, or if certain other contingencies should occur, the sum comprising the corpus of the fund should be paid to the Library of Congress Trust Fund Board; and

Whereas, by decree issued by the Washington County Chancery Court of the State of Vermont, dated September 19, 1932, the limitation contained in that instrument with respect to the enrollment of the University of Vermont was construed to apply to the College of Arts and Sciences of the University of Vermont, rather than to the entire enrollment of that University; and

Whereas the enrollment of the University of Vermont College of Arts and Sciences has approached the aforesaid numerical limitation, and it has become necessary to refuse admission to qualified applicants for enrollment because of said limitation in order to retain the benefits of these scholarships for the residents of the State of Vermont; and

Whereas the national policy, as recited by the National Defense Education Act of 1958, recognizes the need for additional and expanded educational opportunities, particularly in the sciences; and

Whereas the aforesaid limitation is in conflict with the stated policy of the National Defense Education Act of 1958: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Attorney General of the United States is authorized and directed to take such action, on behalf of and in the name of the Library of Congress Trust Fund Board, as he may determine to be necessary to give the consent of that Board to the entry of an appropriate decree for such modification of the terms of a supplemental indenture executed on March 5, 1928, by James B. Wilbur, creating a trust fund known as the University of Vermont Trust Fund, as may be required to remove therefrom a limitation contained therein providing for the payment of the corpus of that fund to the Library of Congress Trust Fund Board if the enrollment of the University of Vermont should exceed a number determined in conformity with the provisions of that instrument.

(b) The authority so conferred upon the Attorney General includes authority to (1) accept service of process, (2) enter an appearance, and (3) participate in any proceeding instituted in any court of the State of Vermont for the purpose of removing from the instrument described in subsection (a) the limitation referred to in that subsection. Such authority may be exercised through any legal officer of the United States designated by the Attorney General.

(c) This Act shall not be construed to authorize the Attorney General to give consent to any modification of the supplemental indenture described in subsection (a) other than the removal of the limitation to which reference is made in that subsection.

With the following committee amendments:

Page 3, line 2, after "name of the", insert "United States and the".

Page 3, line 4, after "consent of", insert "the United States and".

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

U.S. CITIZENS COMMITTEE ON NATO

The Clerk called the joint resolution (S.J. Res. 170) to authorize the participation in an international convention of representative citizens from the North Atlantic Treaty nations to examine how greater political and economic cooperation among their peoples may be promoted, to provide for the appointment of U.S. delegates to such convention, and for other purposes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

FUGITIVE FELON ACT

The Clerk called the bill (H.R. 11897) to amend section 1073 of title 18, United States Code, the Fugitive Felon Act.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 1073 of title 18 of the United States Code is amended to read as follows:

"Whoever moves or travels in interstate or foreign commerce with intent either (1) to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which he flees, for a crime, or an attempt to commit a crime, punishable by the laws of the place from which the fugitive flees by death or imprisonment for a term exceeding one year, or (2) to avoid giving testimony in any criminal proceedings in such place in which the commission of an offense punishable by imprisonment in a penitentiary is charged, shall be fined not more than $5,000 or imprisoned not more than five years, or both."

With the following committee amendment:

On page 1, beginning on line 9, after the word "by" strike "the laws of the place from which the fugitive flees by death or imprisonment for a term exceeding one year", and insert in lieu thereof "death or imprisonment for a term exceeding one year under the laws of the place from which the fugitive flees".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SURVIVORS' ANNUITIES UNDER CIVIL SERVICE RETIREMENT

The Clerk called the bill (H.R. 6743) to provide for certain survivors' annuities in additional cases under the Civil Service Retirement Act of May 29, 1930.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

REVISION OF TRANSPORTATION OF EXPLOSIVES ACT

The Clerk called the bill (S. 1806) to revise title 18, chapter 39, of the United States Code, entitled "Explosives and Combustibles."

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 18 of the United States Code, sections 831–835, inclusive, entitled "Explosives and Combustibles", as amended, is hereby amended to read as follows:

"CHAPTER 39—EXPLOSIVES AND OTHER DANGEROUS ARTICLES

"Sec.

831. Definitions.
832. Transportation of explosives, radioactive materials, etiologic agents, and other dangerous articles.
833. Marking packages containing explosives and other dangerous articles.
834. Regulation by Interstate Commerce Commission.
835. Administration.

"§ 831. Definitions

"As used in this chapter—

"Unless otherwise indicated, 'carrier' means any person engaged in the transportation of passengers or property, by land, other than pipelines, as a common, contract, or private carrier, or freight forwarder as those terms are used in the Interstate Commerce Act, as amended, and officers, agents, and employees of such carriers.

" 'Person' means any individual, firm, copartnership, corporation, company, association, or joint-stock association, and includes any trustee, receiver, assignee, or personal representative thereof.

" 'For-hire carrier' includes common and contract carriers.

" 'Shipper' shall be construed to include officers, agents, and employees of shippers.

" 'Interstate and foreign commerce' means commerce between a point in one State and a point in another State, between points in the same State through another State or through a foreign country, between points in a foreign country or countries through the United States, and commerce between a point in the United States and a point in a foreign country or in a Territory or possession of the United States, but only insofar as such commerce takes place in the United States. The term 'United States' means all the States and the District of Columbia.

" 'State' includes the District of Columbia.

" 'Detonating fuzes' means fuzes used in military service to detonate the explosive charges of military projectiles, mines, bombs, or torpedoes.

" 'Fuzes' means devices used in igniting the explosive charges of projectiles.

" 'Fuzes' means the slow-burning fuzes used commercially to convey fire to an explosive combustible mass.

" 'Fuses' means the fuses ordinarily used on steamboats, railroads, and motor carriers as night signals.

" 'Radioactive materials' means any materials or combination of materials that spontaneously emit ionizing radiation.

" 'Etiologic agents' means the causative agent of such diseases as may from time to time be listed in regulations governing etiologic agents prescribed by the Interstate Commerce Commission under section 834 of this chapter.

"§ 832. Transportation of explosives, radioactive materials, etiologic agents, and other dangerous articles.

"(a) Any person knowingly transports, carries, or conveys within the United States, any dangerous explosives, such as and including dynamite, blasting caps, detonating fuzes, black powder, gunpowder, or other like explosive, or any radioactive materials, or etiologic agents, on or in any passenger car or passenger vehicle of any description operated in the transportation of passengers by any for-hire carrier engaged in interstate or foreign commerce, by land, shall be fined not more than $1,000 or imprisoned not more than one year, or both; and, if the death or bodily injury of any person results from a violation of this section, shall be fined not more than $10,000 or imprisoned not more than ten years, or both: *Provided, however*, That such explosives, radioactive materials, or etiologic agents may be transported on or in such car or vehicle whenever the Interstate Commerce Commission finds that an emergency requires an expedited movement, in which case such emergency movements shall be made subject to such regulations as the Commission may deem necessary or desirable in the public interest in each instance: *Provided further*, That under this section it shall be lawful to transport on or in any such car or vehicle, small quantities of explosives, radioactive materials, etiologic

agents, or other dangerous commodities of the kinds, in such amounts, and under such conditions as may be determined by the Interstate Commerce Commission to involve no appreciable danger to persons or property: *And provided further*, That it shall be lawful to transport on or in any such car or vehicle such fuses, torpedoes, rockets, or other signal devices as may be essential to promote safety in the operation of any such car or vehicle on or in which transported. This section shall not prevent the transportation of military forces with their accompanying munitions of war on passenger-equipment cars or vehicles.

"(b) No person shall knowingly transport, carry, or convey within the United States liquid nitroglycerin, fulminate in bulk in dry condition, or other similarly dangerous explosives, or radioactive materials, or etiologic agents, on or in any car or vehicle of any description operated in the transportation of passengers or property by any carrier engaged in interstate or foreign commerce, by land, except under such rules and regulations as the Commission shall specifically prescribe with respect to the safe transportation of such commodities. The Commission shall from time to time determine and prescribe what explosives are 'other similarly dangerous explosives', and may prescribe the route or routes over which such explosives, radioactive materials, or etiologic agents shall be transported. Any person who violates this provision, or any regulation prescribed hereunder by the Interstate Commerce Commission, shall be fined not more than $1,000 or imprisoned not more than one year, or both; and, if the death or bodily injury of any person results from a violation of this section, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

"(c) Any shipment of radioactive materials made by or under the direction or supervision of the Atomic Energy Commission or the Department of Defense which is escorted by personnel specially designated by or under the authority of the Atomic Energy Commission or the Department of Defense, as the case may be, for the purpose of national security, shall be exempt from the requirements of sections 831–835 of this chapter and the rules and regulations prescribed thereunder. In the case of any shipment of radioactive materials made by or under the direction or supervision of the Atomic Energy Commission or the Department of Defense, which is not so escorted by specially designated personnel, certification upon the bill of lading by or under the authority of the Atomic Energy Commission or the Department of Defense, as the case may be, that the shipment contains radioactive materials shall be conclusive as to content, and no further description shall be necessary or required; but each package, receptacle, or other container in such unescorted shipment shall on the outside thereof be plainly marked 'radioactive materials', and shall not be opened for inspection by the carrier.

"§ 833. Marking packages containing explosives and other dangerous articles

"Any person who knowingly delivers to any carrier engaged in interstate or foreign commerce by land or water, and any person who knowingly carries on or in any car or vehicle of any description operated in the transportation of passengers or property by any carrier engaged in interstate or foreign commerce, by land, any explosive, or other dangerous article, specified in or designated by the Interstate Commerce Commission pursuant to section 834 of this chapter, under any false or deceptive marking, description, invoice, shipping order, or other declaration, or any person who so delivers any such article without informing such carrier in writing of the true character thereof, at the time such delivery is made, or without plainly marking on the outside of every package containing explosives or other dangerous articles the contents thereof, if such marking is required by regulations prescribed by the Interstate Commerce Commission, shall be fined not more than $1,000 or imprisoned not more than one year, or both; and, if the death or bodily injury of any person results from the violation of this section, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

"§ 834. Regulations by Interstate Commerce Commission

"(a) The Interstate Commerce Commission shall formulate regulations for the safe transportation within the United States of explosives and other dangerous articles, including radioactive materials, etiologic agents, flammable liquids, flammable solids, oxidizing materials, corrosive liquids, compressed gases, and poisonous substances, which shall be binding upon all carriers engaged in interstate or foreign commerce which transport explosives or other dangerous articles by land, and upon all shippers making shipments of explosives or other dangerous articles via any carrier engaged in interstate or foreign commerce by land or water.

"(b) The Commission, of its own motion, or upon application made by any interested party, may make changes or modifications in such regulations, made desirable by new information or altered conditions. Before adopting any regulations relating to radioactive materials the Interstate Commerce Commission shall advise and consult with the Atomic Energy Commission.

"(c) Such regulations shall be in accord with the best-known practicable means for securing safety in transit, covering the packing, marking, loading, handling while in transit, and the precautions necessary to determine whether the material when offered is in proper condition to transport.

"(d) Such regulations, as well as all changes or modifications thereof, shall, unless a shorter time is specified by the Commission, take effect ninety days after their formulation and publication by the Commission and shall be in effect until reversed, set aside, or modified.

"(e) In the execution of sections 831–835, inclusive, of this chapter the Commission may utilize the services of carrier and shipper associations, and may avail itself of the advice and assistance of any department, commission, or board of the Federal Government, and of State and local governments, but no official or employee of the United States shall receive any additional compensation for such service except as now permitted by law.

"(f) Any person who, being aware that the Interstate Commerce Commission has formulated regulations for the safe transportation of explosives and other dangerous articles, violates any such regulation shall be fined not more than $1,000 or imprisoned not more than one year, or both; and, if the death or bodily injury of any person results from such violation, shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

"§ 835. Administration

"(a) The Interstate Commerce Commission is authorized and directed to administer, execute, and enforce all provisions of sections 831–835, inclusive, of this chapter, to make all necessary orders in connection therewith, and to prescribe rules, regulations, and procedure for such administration, and to employ such officers and employees as may be necessary to carry out these functions.

"(b) The Commission is authorized to make such studies and conduct such investigations, obtain such information, and hold such hearings as it may deem necessary or proper to assist it in exercising any authority provided in sections 831–835, inclusive, of this chapter. For such purposes the Commission is authorized to administer oaths and affirmations, and by subpena to require any person to appear and testify, or to appear and produce documents, or both, at any designated place. No person shall be excused from complying with any requirement under this paragraph because of his privilege against self-incrimination, but the immunity provisions of the Compulsory Testimony Act of February 11, 1893 (49 U.S.C. 46), shall apply with respect to any individual who specifically claims such privilege. Witnesses subpenaed under this subsection shall be paid the same fees and mileage as are paid witnesses in the district courts of the United States.

"(c) In administering and enforcing the provisions of sections 831–835, inclusive, of this chapter and the regulations prescribed thereunder the Commission shall have and exercise all the powers conferred upon it by the Interstate Commerce Act, including procedural and investigative powers and the power to examine and inspect records and properties of carriers engaged in transporting explosives and other dangerous articles in interstate or foreign commerce and the records and properties of shippers to the extent that such records and properties pertain to the packing and shipping of explosives and other dangerous articles and the nature of such commodities."

With the following committee amendments:

1. Page 1, line 3, strike out "chapter 39,".

2. Page 9, line 6, after "shipper associations" insert ", including the Bureau for the Safe Transportation of Explosives and Other Dangerous Articles,".

3. Page 9, lines 12 through 14, strike out "Any person who, being aware that the Interstate Commerce Commission has formulated regulations for the safe transportation of explosives and other dangerous articles," and substitute "Whoever knowingly".

4. Page 10, line 16, after "privilege" insert "*Provided, however*, That before any person may be required to testify or produce documentary evidence, he shall be advised by the Commission that he must specially claim such privilege".

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MEDALS IN COMMEMORATION OF 100TH ANNIVERSARY OF FOUNDING OF STATE OF IDAHO AS A TERRITORY

The Clerk called the bill (S. 3160) to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the State of Idaho as a territory.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the commemoration of the one hundredth anniversary of the founding of the State of Idaho as a Territory, the Secretary of the Treasury is authorized and directed to strike and furnish to the Idaho Territorial Centennial Commission not more than ten thousand medals of either silver or bronze or both, of a suitable size and with suitable emblems, devices, and inscriptions to be determined by the Idaho Territorial Centennial Commission subject to the approval

of the Secretary of the Treasury. The medals shall be made and delivered at such times as required by the Commission in quantities of not less than two thousand, but no medals shall be made after December 31, 1963. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

SEC. 2. (a) The Secretary of the Treasury shall cause such medals to be struck and furnished at no less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such cost.

(b) Upon authorization from the Idaho Territorial Centennial Commission, the Secretary of the Treasury shall cause duplicates in silver or bronze or both of such medal to be coined, and sold, under such regulations as he may prescribe, at a price sufficient to cover the cost thereof (including labor).

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMEMORATION OF CENTURY 21 EXPOSITION TO BE HELD IN SEATTLE, WASH.

The Clerk called the bill (S. 3532) to provide for the striking of medal in commemoration of Century 21 Exposition to be held in Seattle, Wash.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in commemoration of Century 21 Exposition, to be held in Seattle, Washington, beginning April 21, 1962, and ending October 21, 1962, the Secretary of the Treasury is authorized and directed to strike and furnish to the Century 21 Commission not more than five hundred thousand medals with suitable emblems, devices, and inscriptions to be determined by the Century 21 Commission and subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the Commission in quantities of not less than two thousand. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such cost.

SEC. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes and of such metals as shall be determined by the Secretary of the Treasury in consultation with such Commission.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EMERGENCY USE OF SURPLUS GRAIN IN FEEDING OF RESIDENT GAME BIRDS AND OTHER WILDLIFE

The Clerk called the joint resolution (H.J. Res. 713) to authorize the use of surplus grain by the States for emergency use in feeding of resident game birds and other wildlife, and for other purposes.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the present consideration of the joint resolution?

Mr. FORD. Mr. Speaker, reserving the right to object, I would like to ask a question of a member of the committee as to the wording of the resolution. As I read the resolution, it states in part, and I quote:

The States are hereby authorized, upon a finding by the Secretary of the Interior that any area of the United States is threatened with serious damage or loss to resident game birds and other wildlife from starvation, to requisition from the Commodity Credit Corporation grain acquired by the Corporation through price-support operations.

Does that language reserve to the Secretary of the Interior veto authority on these or such requisitions by the various States, if the requisitions are unreasonable insofar as the amounts that are proposed?

Mr. JOHNSON of Colorado. This bill is not my bill. I happen to be the only member of the committee here on the floor at the moment. But, since the gentleman raises the question, this bill originated with the gentleman from Wisconsin [Mr. REUSS]. In the consideration of the bill in the committee, I do not think we were concerned that there would be any risk of overuse of this power. Rather, we were concerned here only with surplus grains and, actually, expected that damaged grain would be the most likely grain to be used; that is, grain that is unfit for human consumption anyway. Therefore, truly surplus grain would be the kind of grain that would probably be used for bird feeding. In effect, we are merely putting to a wildlife conservation use such grains in those rare cases where this need might occur, and thus using grain which otherwise would go for cattle feed or be thrown away or something of that sort.

Mr. FORD. I am in full accord with the purpose of this type of legislation; however, I think there ought to be a check by a responsible Federal agency or responsible Federal officials as to the amount that can be requisitioned by the States.

Mr. JOHNSON of Colorado. Does not the finding by the Secretary of the Interior, in effect, provide the Secretary with adequate power to limit the amount to be requisitioned by the State?

Mr. FORD. If you read that language carefully, it says: If the Secretary of the Interior finds there is a threatened loss, then the States may requisition. Is there language in the resolution which says the Secretary of the Interior or any other Federal official can limit the amount?

Mr. JOHNSON of Colorado. I call to the attention of the gentleman and the House language on page 2, in lines 1 through 7, which reads in part: "in such quantities (as referred to on lines 3 and 4) as mutually agreed upon by the State and the Commodity Credit Corporation and subject to such regulation as may be considered desirable by the Corporation."

This would certainly give the Commodity Credit Corporation complete control over the amount, and I would think the Commodity Credit Corporation would be influenced, since this is a wildlife conservation measure, by the findings of the Secretary of the Interior.

So I believe the language on page 2 should satisfy the objection.

Mr. FORD. In other words, the interpretation that you as a member of the committee place upon it——

Mr. JOHNSON of Colorado. Just as a member of the committee. That language on page 2 of the bill does give to a Federal official or a Federal agency the right.

Mr. FORD. That language gives a Federal official or a Federal agency the right to establish the amount that will be withdrawn from the Commodity Credit Corporation?

Mr. JOHNSON of Colorado. I think that that language satisfied the committee that there would be no harm in passing this bill, and I urge the gentleman not to proceed in his objection, but allow the bill to be approved.

Mr. FORD. Mr. Speaker, I withdraw my reservation of objection.

There being no objection, the Clerk read the resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of meeting emergency situations caused by adverse weather conditions or other factors destructive of important wildlife resources, the States are hereby authorized, upon a finding by the Secretary of the Interior that any area of the United States is threatened with serious damage or loss to resident game birds and other wildlife from starvation, to requisition from the Commodity Credit Corporation grain acquired by the Corporation through price support operations. Such grain may thereafter be furnished to the particular State for direct and sole utilization by the appropriate State agencies for purposes of this Act in such quantities as mutually agreed upon by the State and the Commodity Credit Corporation and subject to such regulations as may be considered desirable by the Corporation. The Corporation shall be reimbursed by the particular State in each instance for the expense of the Corporation in packaging and transporting such grain for purposes of this Act.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to reimburse the Commodity Credit Corporation for its investment in grain transferred pursuant to this Act.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSERVING THE BASIC COMPENSATION OF CLASSIFICATION OF EMPLOYEES IN DOWNGRADING ACTIONS

The Clerk called the bill (H.R. 12336) to amend section 507 of the Classification Act of 1949, as amended, with respect to the preservation of basic compensation in downgrading actions.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) (3) of section 507 of the Classification Act of 1949, as amended (72 Stat. 830; 5 U.S.C. 1107), is amended to read as follows:

"(3) whose reduction in grade is not or was not caused by a demotion for personal cause, is not or was not at his own request, is not or was not a condition of his temporary promotion to a higher grade, and is not or was not effected in a reduction in force due to lack of funds or curtailment of work;".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TEMPORARY AND PERMANENT POSITIONS IN THE BUREAU OF THE CENSUS

The Clerk called the bill (H.R. 12043) to amend sections 22, 23, and 24, title 13, United States Code, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 22 of title 13 of the United States Code is amended to read as follows:

"§ 22. Qualifications of permanent personnel

"All permanent officers and employees of the Bureau shall be citizens of the United States."

SEC. 2. Section 23 of title 13 of the United States Code is amended to read as follows:

"§ 23. Additional officers and employees

"(a) The Secretary may establish, at rates of compensation to be fixed by him without regard to the Classification Act of 1949, as many temporary positions as may be necessary to meet the requirements of the work provided for by law. Bureau employees who are transferred to any such temporary positions shall not lose their permanent civil service status by reason of the transfer. The Secretary may make appointments to such temporary positions in conformity with the civil service laws and rules.

"(b) In addition to employees of the Department of Commerce, employees of other departments and independent offices of the Government may, with the consent of the head of the respective department or office, be employed and compensated for field work in connection with the work provided for by law."

SEC. 3. Section 24 of title 13 of the United States Code is amended to read as follows:

"§ 24. Special employment provisions

"(a) The Secretary may utilize the services of nontemporary employees of the Bureau (by assignment, promotion, appointment, detail, or otherwise) in temporary positions established for any census, for not to exceed the period during which appropriations are available for that census. Whenever the Secretary determines that the services of an employee which have been utilized under this section are no longer required in such a temporary position, he may, without regard to the provisions of any other law, return the employee to a continuing position, with rank and compensation not less than that which he held in his last permanent position in the Bureau: *Provided,* That no employee shall, by reason of his service in a temporary position under this subsection, lose the protection of any law or regulation with respect to his separation, suspension, furlough, or reduction in rank or compensation below the level held in his last permanent position in the Bureau. Service by a nontemporary employee in a temporary position under this subsection shall be creditable for step-increases (both periodic and longevity) under title VII of the Classification Act of 1949, as amended, as though it were a continuation of service in his last permanent position.

"(b) As used in this title with respect to appointments or positions, 'temporary' shall be construed to mean not in excess of one year, or not in excess of the specific period during which appropriations are available for the conduct of a particular census, whichever is longer. No employee of the Bureau who holds only a temporary appointment within the meaning of this section shall be considered as other than strictly temporary for purposes of any other provision of law relating to separations, suspensions, or reductions in rank or compensation.

"(c) The enlisted men and officers of the uniformed services may be appointed and compensated for service in temporary enumerator positions for the enumeration of personnel of the uniformed services.

"(d) The Secretary may fix compensation on a piece-price basis without limitation as to the amount earned per diem, and payments may be made to enumerators for the use of private automobiles on official business without regard to section 4 of the Travel Expense Act of 1949, as amended (5 U.S.C. 837), but at rates not in excess of the rates provided by that Act.

"(e) The Secretary may authorize the expenditure of necessary sums for travel expenses of persons selected for appointment for attendance at training courses held by the Department of Commerce with respect to any of the work provided for by law."

SEC. 4. Section 202 of the Classification Act of 1949, as amended (5 U.S.C. 1082), is further amended by adding the following paragraph:

"(35) Temporary positions in the Bureau of the Census established under section 23 of title 13, United States Code, and enumerator positions in the Bureau of the Census."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF LAND IN MADISON COUNTY, KY., TO PIONEER NATIONAL MONUMENT ASSOCIATION TION

The Clerk called the bill (H.R. 11561) to authorize and direct the Secretary of the Army to convey part of lock and dam No. 10, Kentucky River, Madison County, Ky., to the Pioneer National Monument Association for use as part of a historic site.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized and directed to convey to the Pioneer National Monument Association by quitclaim deed all right, title, and interest of the United States in and to an area not exceeding 4.1 acres of land in Madison County, Kentucky, at lock and dam numbered 10, Kentucky River, determined by the Secretary of the Army to be available for use in connection with development of a fort-museum on adjacent property previously conveyed to the Pioneer National Monument Association under authority of the Act of April 2, 1956 (70 Stat. A31).

SEC. 2. The conveyance authorized by this Act shall be made without monetary payment therefor but on condition that the property be used in conjunction with the adjacent tract as part of a historic site or monument and shall be subject to such terms, conditions, and reservations as the Secretary of the Army deems necessary in the interest of the United States or in connection with the continued use of adjacent property by the United States including the relocation of buildings without cost to the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALARY PROTECTION FOR POSTAL FIELD SERVICE EMPLOYEES IN CERTAIN CASES INVOLVING REDUCTIONS IN SALARY STANDING

The Clerk called the bill (H.R. 12663) to preserve the rates of basic salary of postal field service employees in certain cases involving reductions in salary standing, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title V of the Postal Field Service Compensation Act of 1955, as amended (39 U.S.C. 991–994), is amended by adding at the end thereof the following section:

"SEC. 505. (a) As used in this section, the term 'salary standing' means—

"(1) basic salary and salary level, with respect to the Postal Field Service Schedule (excluding salary levels PFS 19 and 20 but including temporary rates while in effect),

"(2) basic salary and salary step, with respect to the Rural Carrier Schedule, and

"(3) basic salary and gross receipts category, with respect to the Fourth-Class Office Schedule (including temporary basic salary rates while in effect).

"(b) Subject to the limitation contained in subsection (c) of this section, each employee—

"(1) who at any time after the date of enactment of this section is reduced in salary standing;

"(2) who, on the effective date of such reduction in salary standing, holds or held a career appointment or a probational appointment in the postal field service;

"(3) whose reduction in salary standing is not or was not caused by a demotion for personal cause, is not or was not at his own request, and is not or was not effected in a reduction in force due to lack of funds or curtailment of work;

"(4) who, for two continuous years immediately prior to such reduction in salary standing, served in the postal field service with the same salary standing or with the same and higher salary standing; and

"(5) whose performance of work at all times during such period of two years is or was satisfactory or better than satisfactory, shall be entitled, as of the effective date of such reduction in salary standing or as of the first day of the first pay period which begins after the date of enactment of this section, whichever is later, unless or until he is entitled to receive basic salary at a higher rate by reason of the operation of this Act, or until the expiration of a period of

two years immediately following the effective date of such reduction in salary standing or immediately following the first day of such first pay period, as applicable, to receive the rate of basic salary to which he was entitled immediately prior to such reduction in salary standing so long as he continues in the postal field service without any break in service of one workday or more and is not demoted or reassigned for personal cause, at his own request, or in a reduction in force due to lack of funds, or curtailment of work.

"(c) The rate of basic salary to which such employee is entitled under subsection (b) of this section with respect to each reduction in salary standing to which this section applies shall not exceed the existing basic salary of the employee immediately prior to the reduction, nor shall it exceed the sum of (1) the minimum rate for the salary level or salary step, as the case may be, to which he is reduced under each such reduction in salary standing and (2) the difference between his rate immediately prior to the first of such reductions in salary standing and the minimum rate for the salary level or salary step, as the case may be, which is three salary levels or salary steps lower than the salary level or salary step from which he was reduced under the first of such reductions in salary standing.

"(d) The Postmaster General is authorized to issue regulations to carry out the purposes of this section.

"(e) For the purposes of determining the amount of insurance for which an individual is eligible under the Federal Employees' Group Life Insurance Act of 1954 (5 U.S.C. 2091–2103), all changes in rates of basic salary by reason of the operation of this section shall be held and considered to be effective as of the first day of the first pay period in which the payroll change is approved with respect to such individual.

"(1) For the purposes of section 502(a), the existing basic salary as of the date of promotion shall be the basic salary the employee would have received except for the provisions of this section.

"(g) For the purposes of this section, the term 'curtailment of work' does not include—

"(1) reductions in class or gross receipts category of any post office, or

"(2) reductions in route mileage for rural carriers."'

With the following committee amendments:

Page 2, line 17, insert "is not or was not a condition of his temporary promotion to a higher salary standing,".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE ADDITION OF CERTAIN DONATED LANDS TO THE EVERGLADES NATIONAL PARK

The Clerk called the bill (S. 2576) to authorize the addition of certain donated lands to the Everglades National Park.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to accept for Everglades National Park purposes, title to approximately 1,160 acres of land and submerged land lying within sections 25, 26, and 36 of township 53 south, range 29 east, and section 30, township 53 south, range 30 east, Tallahassee meridian, and being a portion of the land and submerged land donated and conveyed by three Collier deeds in 1951 and 1952 to the trustees of the internal improvement fund of the State of Florida for subsequent inclusion in the Everglades National Park. Such three Collier deeds are dated December 12, 1951, December 26, 1951, and March 21, 1952, and are recorded in deed book 22, page 240, deed book 22, page 244, and deed book 39, page 25, respectively, in Collier County, Florida. The aforesaid land and submerged land shall be subject to the reservations set forth in the aforementioned Collier deeds for public utility easements and rights-of-way of the public with respect to Indian Key Channel, and also to a public right-of-way for the State highway or causeway from Everglades City to Chokoloskee Island.

SEC. 2. All lands and submerged lands title to which is accepted by the Secretary of the Interior pursuant to the provisions of this Act shall, upon the acceptance of title thereto, become parts of the Everglades National Park and shall be subject to all laws and regulations applicable thereto.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REVISING THE BOUNDARIES AND CHANGING THE NAME OF THE FORT DONELSON NATIONAL MILITARY PARK, TENN.

The Clerk called the bill (H.R. 4684) to revise the boundaries and change the name of the Fort Donelson National Military Park, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in furtherance of the purposes of the Act entitled "An Act to establish a national military park at the battlefield of Fort Donelson, Tennessee", approved March 26, 1928 (16 U.S.C. 428 and the following), and to facilitate an appropriate observance of the one hundredth anniversary of the Battle of Fort Donelson, the Secretary of the Interior is authorized to designate for addition to the present Fort Donelson National Military Park such lands and interests in lands adjacent to said park as in his discretion are necessary to preserve and interpret this historic battleground, including the nearby historic Surrender House and the land upon which it is situated on Spring Street in the town of Dover, Tennessee, but the total area commemorating the Battle of Fort Donelson shall not exceed 600 acres.

SEC. 2. Within the area designated for addition to such park under the first section of this Act, the Secretary is authorized to acquire non-Federal lands and interests in lands by purchase, by donation, by purchase with donated funds, or in such other manner and by such means as he may deem to be in the public interest, except that the Surrender House and land upon which it is situated shall be acquired only by donation or by purchase with donated funds. Administrative jurisdiction and control over lands administered by the Corps of Engineers, Department of the Army, above contour elevation 367 and which, under authority of the first section of this Act, are designated for inclusion in the park, shall, upon agreement of the administering agency, be transferred to the Secretary of the Interior without a transfer of funds.

SEC. 3. Upon acquisition of the additional lands pursuant to authority contained in this Act, the Fort Donelson National Military Park shall be redesignated by the Secretary of the Interior as the Fort Donelson National Battlefield, notice thereof shall be published in the Federal Register, and any remaining balance of funds appropriated for purposes of the Fort Donelson National Military Park shall be available for the purposes of the Fort Donelson National Battlefield.

SEC. 4. The administration, protection, and development of the Fort Donelson National Battlefield shall be exercised by the Secretary of the Interior in accordance with the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535), as amended.

With the following committee amendments:

Page 2, line 16, strike out the figure "367" and insert in lieu thereof "369".

Page 2, after line 20, add a new section to read:

"SEC. 3. There is hereby authorized to be appropriated the sum of not to exceed $226,000 for the purpose of acquiring lands, interests in lands, and improvements thereon as may be necessary for carrying out this Act."

Page 2, line 21, strike out the section designation "3." and insert "4."

Page 3, line 5, strike out the section designation "4." and insert "5."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1066) to revise the boundaries and change the name of Fort Donelson National Military Park, and for other purposes, a similar bill to the bill just passed by the House.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in furtherance of the purposes of the Act of March 26, 1928 (45 Stat. 367), and to facilitate an appropriate observance of the one hundredth anniversary of the Battle of Fort Donelson, the Secretary of the Interior is authorized to designate for addition to the present Fort Donelson National Military Park such lands and interests in lands adjacent to said park as in his discretion are necessary to preserve and interpret this historic battleground, including the nearby historic Surrender House and the land upon which it is situated on Spring Street in the town of Dover, Tennessee: *Provided,* That the total area commemorating the Battle of Fort Donelson shall not exceed six hundred acres.

SEC. 2. Within the area so designated the Secretary is authorized to acquire non-Federal lands and interests in lands by purchase, donation, with donated funds or in such other manner and by such means as he may deem to be in the public interest, except that the Surrender House and land upon which it is situated shall be acquired only by donation or with donated funds. Administrative jurisdiction and control over lands administered by the Corps of Engineers, Department of the Army, above contour elevation 369 and which, under authority of section 1 of this Act, are designated

for inclusion in the park shall upon agreement of the administering agency be transferred to the Secretary of the Interior, without a transfer of funds.

SEC. 3. Upon acquisition of the additional lands, pursuant to authority contained in this Act, the Fort Donelson National Military Park shall be redesignated as the Fort Donelson National Battlefield by publication of notice thereof in the Federal Register, whereupon any remaining balance of funds appropriated for purposes of said park shall be available for the purposes of the Fort Donelson National Battlefield.

SEC. 4. The administration, protection, and development of the Fort Donelson National Battlefield shall be exercised by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes," as amended.

Mr. ASPINALL. Mr. Speaker, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Strike out all after the enacting clause and insert the language of the House bill H.R. 4684.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

ABOLISHING THE ARLINGTON MEMORIAL AMPHITHEATER COMMISSION

The Clerk called the bill (H.R. 11541) to abolish the Arlington Memorial Amphitheater Commission.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that S. 3264, an identical bill, be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Defense or his designee may send to Congress in January of each year, his recommendations with respect to the memorials to be erected, and the remains of deceased members of the Armed Forces to be entombed, in the Arlington Memorial Amphitheater, Arlington National Cemetery, Virginia.

(b) No memorial may be erected and no remains may be entombed in such amphitheater unless specifically authorized by Congress.

(c) The character, design, or location of any memorial authorized by Congress is subject to the approval of the Secretary of Defense or his designee.

SEC. 2. The Act of March 4, 1921, chapter 169 (24 U.S.C. 291–295) is repealed.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 11541) was laid on the table.

AUTHORIZING ESTABLISHMENT OF FORT BOWIE NATIONAL HISTORIC SITE, ARIZ.

The Clerk called the bill (H.R. 11876) to authorize the establishment of the Fort Bowie National Historic Site in the State of Arizona, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, this bill would establish as a brandnew historic site a fort that was abandoned in 1894, and I doubt if it has been heard from since.

It would call for the expenditure of over half a million dollars and the taxpayers of this country would be saddled with the expense of maintaining this so-called historic site in perpetuity.

I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

SELECTION BY ALASKA OF CERTAIN PUBLIC LANDS

The Clerk called the bill (H.R. 11957) to facilitate the selection by Alaska, pursuant to the act of July 7, 1958, of certain public lands under outstanding mineral lease or permit.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second and third sentences of subsection (h) of section 6 of the Act of July 7, 1958 (72 Stat. 342), are hereby replaced by the following sentences: "Such selection shall be made only from lands that are otherwise open to selection under this Act. When all of the lands subject to a lease, permit, license, or contract are selected, the patent for the lands so selected shall vest in the State of Alaska all the right, title, and interest of the United States in and to that lease, permit, license, or contract that remains outstanding on the effective date of the patent, including the right to all the rentals, royalties, and other payments accruing after that date under that lease, permit, license, or contract, and including any authority that may have been retained by the United States to modify the terms and conditions of that lease, permit, license, or contract: *Provided,* That nothing herein contained shall affect the continued validity of any such lease, permit, license, or contract or any rights arising thereunder. Where only a portion of the lands subject to a lease, permit, license, or contract are selected, there shall be reserved to the United States the mineral or minerals subject to that lease, permit, license, or contract, together with such further rights as may be necessary to the full and complete enjoyment of all rights, privileges, and benefits under or with respect to that lease, permit, license, or contract, but upon the termination of such lease, permit, license, or contract, title to the minerals so reserved to the United States, with respect to the area so selected, shall pass to the State of Alaska."

SEC. 4. Subsection (a) of section 6 of the Act of July 7, 1958 (72 Stat. 340), is hereby amended by the addition of the following: "*Provided further,* That for the purpose of this section the term 'public lands of the United States in Alaska which are vacant, unappropriated, and unreserved' shall include, without limiting the use thereof, the retained or reserved interest of the United States in lands which have been disposed of with a reservation to the United States of all minerals or any specified mineral or minerals."

With the following committee amendments:

Page 2, strike out all of lines 17, 18, 19, and 20, and insert in lieu thereof "contract; upon the termination of the lease, permit, license, or contract, title to the minerals so reserved to the United States shall pass to the State of Alaska."

Page 2, line 21, strike out the section designation "4." and insert in lieu thereof "2."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CORONADO NATIONAL MEMORIAL, ARIZ.

The Clerk called the bill (H.R. 10418) to revise the boundaries of the Coronado National Memorial and to authorize the repair and maintenance of an access road thereto, in the State of Arizona, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in furtherance of the purposes of the Act of August 18, 1941 (55 Stat. 630), as amended, and to facilitate the administration and development of the Coronado National Memorial, Arizona, the boundaries thereof are hereby revised by the following additions and deletions of land:

(1) Inclusion in the memorial and exclusion from the Coronado National Forest of lots 2 and 7 and a portion of Homestead Entry Survey 310 situated in section 18, township 24 south, range 21 east, Gila and Salt River base and meridian, said portion of Homestead Entry Survey 310 being more particularly described as follows: Beginning at the southwest corner (identified as corner number 1), of Homestead Entry Survey 310, said point being located on the present boundary of Coronado National Memorial and marked by an iron pipe with a brass cap and a rock cairn placed by the United States Bureau of Land Management in 1955; thence north zero degrees thirty-three minutes west, one thousand two hundred ninety-four and twenty-six hundredths feet, more or less, along the west boundary of said tract, which line is also the present boundary of said memorial, to the northeast corner of lot 8, section 18, said point being marked by an iron pipe with a brass cap and a rock cairn placed by the United States Bureau of Land Management in 1955; thence north zero degrees twenty-three minutes east, two hundred thirty and eight-tenths feet, more or less, along the west boundary of Homestead Entry Survey 310 to a point on a circular curve marked by an iron pipe with a National Park Service brass cap, said point being located south eighty-one degrees forty-four minutes east, exactly one hundred forty feet from the point of curvature of said

curve; thence southeasterly five hundred forty-eight and two-tenths feet along said circular curve to the right of radius one thousand seven hundred thirty-two and four-tenths feet and having a beginning tangent bearing of south eighty-four degrees three minutes east (from point of curvature to point of intersection), to the point of tangency of said curve; thence south sixty-one degrees sixteen minutes east, two hundred twenty-four and eight-tenths feet to the point of curvature of a circular curve to the right; thence southeasterly two hundred ninety-two and six-tenths feet along said circular curve to the right of radius six thousand twenty-nine and six-tenths feet to the point of tangency of said curve; thence south fifty-eight degrees twenty-nine minutes east, five hundred eighty-eight and seven-tenths feet to the point of curvature of a circular curve to the right; thence southeasterly two hundred twenty-five and nine-tenths feet along said circular curve to the right of radius two thousand two hundred nine and nine-tenths feet to the point of tangency of said curve; thence south fifty-two degrees thirty-eight minutes east, twenty-eight and eight-tenths feet to the point of curvature of a circular curve to the left; thence southeasterly two hundred sixteen and nine-tenths feet along said circular curve to the left of radius one thousand six hundred nine and nine-tenths feet to the point of tangency of said curve; thence south sixty degrees twenty-one minutes east, thirty and seven-tenths feet to the point of curvature of a circular curve to the right; thence southeasterly seven hundred thirteen and six-tenths feet, more or less, along said circular curve to the right of radius one thousand two hundred fifty-four and nine-tenths feet to a point on the southern boundary line of Homestead Entry Survey 310 marked by an iron pipe with a National Park Service brass cap, said point also being located on the present northern boundary line of Coronado National Memorial thence north eighty-nine degrees forty-nine minutes west two thousand three hundred and sixty-one feet, more or less, along the southern boundary line of Homestead Entry Survey 310, which line is also the present northern boundary of the said memorial, to the point of beginning (all bearings referred to the true meridian).

(2) Inclusion in the Memorial and exclusion from the Coronado National Forest of lots 5 and 6 in section 20, township 24 south, range 21 east, Gila and Salt River base and meridian.

(3) Exclusion from the Memorial and inclusion in the Coronado National Forest of the north half southwest quarter northwest quarter section 13, and the north half southeast quarter northeast quarter section 14, all in township 24 south, range 20 east, Gila and Salt River base and meridian.

SEC. 2. The Secretary of the Interior is authorized to acquire lands and interests in lands within the revised boundaries of the Coronado National Memorial by purchase, donation, with donated funds, or by such other means as he may consider to be in the public interest. Lands and interests in lands acquired pursuant to this Act shall become a part of the Memorial and be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended, and pursuant to sections 2, 3, and 4 of the Act of August 18, 1941 (55 Stat. 630), as amended.

SEC. 3. The Act approved August 7, 1946 (60 Stat. 885), is hereby amended by substituting a semicolon for the period at the end of subsection (a), section 1, and inserting immediately thereafter the following: "repair and maintenance of the class 'C' road lying between the terminus of F. A. 383 at the east boundary of Coronado National Forest and the point where said class 'C' road enters Coronado National Memorial in the vicinity of Montezuma Pass, approximately 5.3 miles."

With the following committee amendment:

Page 5, after line 15, add a new section to read:

"SEC. 4. There is hereby authorized to be appropriated the sum of not to exceed $3,000 for the purpose of acquiring lands, interests in lands, and improvements thereon as may be necessary for carrying out this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2806) to revise the boundaries of the Coronado National Memorial and to authorize the repair and maintenance of an access road thereto, in the State of Arizona, and for other purposes, a similar bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in furtherance of the purposes of the Act of August 18, 1941 (55 Stat. 630), as amended, and to facilitate the administration and development of the Coronado National Memorial, Arizona, the boundaries thereof are hereby revised by the following additions and deletions of land:

(1) Inclusion in the memorial and exclusion from the Coronado National Forest of lots 2 and 7 and a portion of Homestead Entry Survey 310 situated in section 18, township 24 south, range 21 east, Gila and Salt River base and meridian, said portion of Homestead Entry Survey 310 being more particularly described as follows: Beginning at the southwest corner (identified as corner number 1), of Homestead Entry Survey 310, said point being located on the present boundary of Coronado National Memorial and marked by an iron pipe with a brass cap and a rock cairn placed by the United States Bureau of Land Management in 1955; thence north zero degrees thirty-three minutes west, one thousand two hundred ninety-four and twenty-six hundredths feet, more or less, along the west boundary of said tract, which line is also the present boundary of said memorial, to the northeast corner of lot 8, section 18, said point being marked by an iron pipe with a brass cap and a rock cairn placed by the United States Bureau of Land Management in 1955; thence north zero degrees twenty-three minutes east, two hundred thirty and eight-tenths feet, more or less, along the west boundary of Homestead Entry Survey 310 to a point on a circular curve marked by an iron pipe with a National Park Service brass cap, said point being located south eighty-one degrees forty-four minutes east, exactly one hundred forty feet from the point of curvature of said curve; thence southeasterly five hundred forty-eight and two-tenths feet along said circular curve to the right of radius one thousand seven hundred thirty-two and four-tenths feet and having a beginning tangent bearing of south eighty-four degrees three minutes east (from point of curvature to point of intersection), to the point of tangency of said curve; thence south sixty-one degrees sixteen minutes east, two hundred twenty-four and eight-tenths feet to the point of curvature of a circular curve to the right; thence southeasterly two hundred ninety-two and six-tenths feet along said circular curve to the right of radius six thousand twenty-nine and six-tenths feet to the point of tangency of said curve; thence south fifty-eight degrees twenty-nine minutes east, five hundred eighty-eight and seven-tenths feet to the point of curvature of a circular curve to the right; thence southeasterly two hundred twenty-five and nine-tenths feet along said circular curve to the right of radius two thousand two hundred nine and nine-tenths feet to the point of tangency of said curve; thence south fifty-two degrees thirty-eight minutes east, twenty-eight and eight-tenths feet to the point of curvature of a circular curve to the left; thence southeasterly two hundred sixteen and nine-tenths feet along said circular curve to the left of radius one thousand six hundred nine and nine-tenths feet to the point of tangency of said curve; thence south sixty degrees twenty-one minutes east, thirty and seven-tenths feet to the point of curvature of a circular curve to the right; thence southeasterly seven hundred thirteen and six-tenths feet, more or less, along said circular curve to the right of radius one thousand two hundred fifty-four and nine-tenths feet to a point on the southern boundary line of Homestead Entry Survey 310 marked by an iron pipe with a National Park Service brass cap, said point also being located on the present northern boundary line of Coronado National Memorial thence north eighty-nine degrees forty-nine minutes west two thousand three hundred and sixty-one feet, more or less, along the southern boundary line of Homestead Entry Survey 310, which line is also the present northern boundary of the said memorial, to the point of beginning (all bearings referred to the true meridian).

(2) Inclusion in the Memorial and exclusion from the Coronado National Forest of lots 5 and 6 in section 20, township 24 south, range 21 east, Gila and Salt River base and meridian.

(3) Exclusion from the Memorial and inclusion in the Coronado National Forest of the north half southwest quarter northwest quarter section 13, and the north half southeast quarter northeast quarter section 14, all in township 24 south, range 20 east, Gila and Salt River base and meridan.

SEC. 2. The Secretary of the Interior is authorized to acquire lands and interests in lands within the revised boundaries of the Coronado National Memorial by purchase, donation, with donated funds, or by such other means as he may consider to be in the public interest. Lands and interests in lands acquired pursuant to this Act shall become a part of the Memorial and be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended, and pursuant to sections 2, 3, and 4 of the Act of August 18, 1941 (55 Stat. 630), as amended.

SEC. 3. The Act approved August 7, 1946 (60 Stat. 885), is hereby amended by substituting a semicolon for the period at the end of subsection (a), section 1, and inserting immediately thereafter the following: "repair and maintenance of the class 'C' road lying between the terminus of F. A. 383 at the east boundary of Coronado National Forest and the point where said class 'C' road enters Coronado National Memorial in the vicinity of Montezuma Pass, approximately 5.3 miles."

Mr. ASPINALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Strike out all after the enacting clause of S. 2806 and insert the following:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in furtherance of the purposes of the Act of August 18, 1941 (55 Stat. 630), as amended, and to facilitate the administration and development of the Coronado National Memorial, Arizona, the boundaries thereof are hereby revised by the following additions and deletions of land:

"(1) Inclusion in the memorial and exclusion from the Coronado National Forest of lots 2 and 7 and a portion of Homestead Entry Survey 310 situated in section 18, township 24 south, range 21 east, Gila and Salt River base and meridian, said portion of Homestead Entry Survey 310 being more particularly described as follows: Beginning at the southwest corner (identified as corner number 1), of Homestead Entry Survey 310, said point being located on the present boundary of Coronado National Memorial and marked by an iron pipe with a brass cap and a rock cairn placed by the United States Bureau of Land Management in 1955; thence north zero degrees thirty-three minutes west, one thousand two hundred ninety-four and twenty-six hundredths feet, more or less, along the west boundary of said tract, which line is also the present boundary of said memorial, to the northeast corner of lot 8, section 18, said point being marked by an iron pipe with a brass cap and a rock cairn placed by the United States Bureau of Land Management in 1955; thence north zero degrees twenty-three minutes east, two hundred thirty and eight-tenths feet, more or less, along the west boundary of Homestead Entry Survey 310 to a point on a circular curve marked by an iron pipe with a National Park Service brass cap, said point being located south eighty-one degrees forty-four minutes east, exactly one hundred forty feet from the point of curvature of said curve; thence southeasterly five hundred forty-eight and two-tenths feet along said circular curve to the right of radius one thousand seven hundred thirty-two and four-tenths feet and having a beginning tangent bearing of south eighty-four degrees three minutes east (from point of curvature to point of intersection), to the point of tangency of said curve; thence south sixty-one degrees sixteen minutes east, two hundred twenty-four and eight-tenths feet to the point of curvature of a circular curve to the right; thence south-easterly two hundred ninety-two and six-tenths feet along said circular curve to the right of radius six thousand twenty-nine and six-tenths feet to the point of tangency of said curve; thence south fifty-eight degrees twenty-nine minutes east, five hundred eighty-eight and seven-tenths feet to the point of curvature of a circular curve to the right; thence southeasterly two hundred twenty-five and nine-tenths feet along said circular curve to the right of radius two thousand two hundred nine and nine-tenths feet to the point of tangency of said curve; thence south fifty-two degrees thirty-eight minutes east, twenty-eight and eight-tenths feet to the point of curvature of a circular curve to the left; thence southeasterly two hundred sixteen and nine-tenths feet along said circular curve to the left of radius one thousand six hundred nine and nine-tenths feet to the point of tangency of said curve; thence south sixty degrees twenty-one minutes east, thirty and seven-tenths feet to the point of curvature of a circular curve to the right; thence southeasterly seven hundred thirteen and six-tenths feet, more or less, along said circular curve to the right of radius one thousand two hundred fifty-four and nine-tenths feet to a point on the southern boundary line of Homestead Entry Survey 310 marked by an iron pipe with a National Park Service brass cap, said point also being located on the present northern boundary line of Coronado National Memorial thence north eighty-nine degrees forty-nine minutes west two thousand three hundred and sixty-one feet, more or less, along the southern boundary line of Homestead Entry Survey 310, which line is also the present northern boundary of the said memorial, to the point of beginning (all bearings referred to the true meridian).

"(2) Inclusion in the Memorial and exclusion from the Coronado National Forest of lots 5 and 6 in section 20, township 24 south, range 21 east, Gila and Salt River base and meridian.

"(3) Exclusion from the Memorial and inclusion in the Coronado National Forest of the north half southwest quarter northwest quarter section 13, and the north half southeast quarter northeast quarter section 14, all in township 24 south, range 20 east, Gila and Salt River base and meridian.

"SEC. 2. The Secretary of the Interior is authorized to acquire lands and interests in lands within the revised boundaries of the Coronado National Memorial by purchase, donation, with donated funds, or by such other means as he may consider to be in the public interest. Lands and interests in lands acquired pursuant to this Act shall become a part of the Memorial and be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended, and pursuant to sections 2, 3, and 4 of the Act of August 18, 1941 (55 Stat. 630), as amended.

"SEC. 3. The Act approved August 7, 1946 (60 Stat. 885), is hereby amended by substituting a semicolon for the period at the end of subsection (a), section 1, and inserting immediately thereafter the following: 'repair and maintenance of the class "C" road lying between the terminus of F.A. 383 at the east boundary of Coronado National Forest and the point where said class "C" road enters Coronado National Memorial in the vicinity of Montezuma Pass, approximately 5.3 miles.'

"SEC. 4. There is hereby authorized to be appropriated the sum of not to exceed $3,000 for the purpose of acquiring lands, interests in lands, and improvements thereon as may be necessary for carrying out this Act."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider and a similar House bill (H.R. 10418) were laid on the table.

NEZ PERCE INDIAN RESERVATION, IDAHO

The Clerk called the bill (H.R. 7956) to quiet title to certain lands within the Nez Perce Indian Reservation, Idaho, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 2711) be considered in lieu of the House bill.

The Clerk read the title of the Senate bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be in enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the right, title, and interest of the United States in the lands within the Nez Perce Reservation, Idaho, now reserved for agency, school, or cemetery purposes is hereby declared to be held in trust for the Nez Perce Tribe of Indians, subject to the right of the United States to use said lands for agency, school, or administrative purposes.

SEC. 2. Nothing in this Act shall be construed as confirming or denying the claim that said lands have, since 1855 and up to the effective date of this Act been held in trust by the United States for the Nez Perce Tribe.

SEC. 3. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider and a similar House bill (H.R. 7956) were laid on the table.

SALE OF RESERVE MINERAL INTERESTS IN CERTAIN FLORIDA LANDS

The Clerk called the bill (H.R. 11200) to authorize the Secretary of the Interior to sell reserved mineral interests of the United States in lands located in the State of Florida to the record owners of the surface thereof.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey, sell, and quitclaim all mineral interests now owned by the United States in and to the hereinafter described lands to the present record owner or owners of the surface rights thereof:

East half of the northwest quarter, of section 25, township 38 south, range 19 east, Sarasota County, Florida.

SEC. 2. In the event the Secretary determines, after consultation with competent local authorities and the appropriate agencies within his own Department, that the said lands are not now nor prospectively valuable for minerals, the said mineral interests of the United States shall be sold for a consideration of $1 per acre; otherwise the mineral interests shall be sold at the fair market value thereof as determined by the Secretary after taking into consideration such appraisals as he deems necessary or appropriate.

SEC. 3. Proceeds from the sale made hereunder shall be covered into the Treasury of the United States as miscellaneous receipts.

With the following committee amendments:

The amendments are as follows:

Page 1, line 4, strike out the word "mineral" and insert in lieu thereof "phosphate".

Page 1, after line 9, insert the following:

"Southeast quarter of the northwest quarter and the southeast quarter of the southwest quarter of section 11, the south half of the southwest quarter and the north half of the southwest quarter of the southeast quarter of section 12, east half of the southwest quarter and the northwest quarter of the southeast quarter of section 1, all in township 32 south, range 27 east; and also the northeast quarter of the southeast quarter of section 36, township 31 south, range 27 east, all in Polk County, Florida."

Page 1, line 10, through page 2, line 8, strike out all of section 2 and insert in lieu thereof the following:

"SEC. 2. In the event that the Secretary determines that the lands described in section 1 are not prospectively valuable for phosphate, he shall convey the reserved phosphate interests to the present record owner or owners of the surface rights upon the payment of a sum of $200 to reimburse the United States for the administrative costs of the conveyance; otherwise, the phosphate interests shall be sold to the record owner or owners of the surface rights upon the payment of a sum equal to $200 plus the fair market value of the phosphate interests as determined by the Secretary after taking into consideration such appraisals as he deems necessary."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended to read: "A bill to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof."

A motion to reconsider was laid on the table.

CERTAIN REQUIREMENTS BY THE BOARD OF VETERANS' APPEALS

The Clerk called the bill (H.R. 12566) to amend section 4004 of title 38, United States Code, to require that the Board of Veterans' Appeals render findings of fact and conclusions of law in the opinions setting forth its decisions on appeals.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4004 of title 38, United States Code, is amended by adding at the end thereof the following:

"(d) The decisions of the Board shall be in writing and shall contain findings of fact and conclusions of law separately stated."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JUDICIAL REVIEW OF VETERANS' CLAIMS

The Clerk called the bill (H.R. 12653) to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

LAND CONVEYANCE TO TRINITY COUNTY, CALIF.

The Clerk called the bill (H.R. 9732) to authorize the Secretary of Agriculture to convey certain property in the State of California to the county of Trinity.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ASPINALL. Mr. Speaker, reserving the right to object, it is my understanding that the report in this case does not state fully the story of this particular legislation. This tract of land, small as it may be, was transferred to the State without compensation. I would like to ask the gentleman from California [Mr. JOHNSON] if that is correct, and if he has some evidence of that fact?

Mr. JOHNSON of California. Mr. Speaker, this particular parcel of land was deeded to the Government by the county for the location of a Forest Service headquarters. It consists of about 12 acres. Shortly afterwards, the State put a State highway through this area, separating two small parcels of land, amounting to about forty-nine one-hundredths of an acre. They are adjacent to a county fire district, and the county fire district wishes this piece of property back for the location of certain facilities. There is no objection on the part of the Federal Government or the fire district or the county. This land was deeded to the Federal Government without consideration.

I have a statement here from the district attorney, and also the chairman of the board of supervisors to that effect, and I would like to include that as a part of my remarks.

This statement follows:

OFFICE OF DISTRICT ATTORNEY,
TRINITY COUNTY,
Weaverville, Calif., August 18, 1960.

Congressman HAROLD T. JOHNSON,
House of Representatives,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN JOHNSON: This letter is sent to you to verify the following facts concerning the above noted Senate bill now pending before the Insular Affairs Committee:

1. The property, subject of the above mentioned bill, together with other property was transferred by the county of Trinity to the United States for use by the Department of Agriculture, U.S. Forest Service, without consideration of any kind.

2. Subsequent to the conveyance of the said property, a highway being part of California-United States Highway 299-W was constructed across a portion of the land conveyed.

The location of the highway left isolated the two fractional portions of property described in the bill, which portions cease to be of any use or benefit to the United States and which portions are in fact now physically removed by the presence of the highway from the remainder of the Forest Service land.

Had the course of the highway been known at the time of the grant, or had it been considered at the time of the grant, the portions of property subject of the above mentioned bill, would not have been transferred to the United States, nor do we believe the United States would have requested them.

You requested signatures on this verification by the district attorney, by the board of supervisors of Trinity County, and a representative of the U.S. Forest Service.

I regret that no member of the board of supervisors is available, the board not being in session at this time, and I have therefore asked the deputy county clerk of Trinity County as ex officio clerk of the board of supervisors to execute this verification in their behalf. The clerk herself is also away from the county.

Trusting this will answer the problems posed and thank you for your consideration and attention to this matter, we are,

Very truly yours,

DONALD R. KENNEDY,
District Attorney.
GLADYS M. CROSS,
Deputy County Clerk.
HORACE JONES,
U.S. Forest Service, Forest Officer in Charge.

Mr. FORD. Mr. Speaker, further reserving the right to object, I intended originally to ask unanimous consent that this bill be passed over. However, the statement just made by the gentleman from California is helpful and beneficial. The information I had before indicated this transfer was to be made without consideration for the purpose of permitting a county to construct certain streets, parking areas, sanitary facilities, and so forth for the community. The Congress has a policy which was established some time ago that in all transfers there should be compensation to the Federal Government based on fair market value. If the gentleman from California had not produced this evidence, the bill would have presented to the House the problem of making an exception in his case. It is a small amount of land that is involved, but I think we would have been forced to ask that the bill be passed over, if we had not had the benefit of the evidence the gentleman from California has presented.

May I ask that he put in the record the date that this transfer of land was made from the county to the Federal Government and the purpose for which the transfer was made. Can the gentleman give us at this time that information?

Mr. JOHNSON of California. Yes. The Federal Government made a request of Trinity County, which is 85 percent federally owned at the present time. When they made the request the county deeded 12 acres of land to the Government for the purpose of locating a Forest Service headquarters. This little community of Trinity is desirous of using this land that is not being used for forest purposes. House Report No. 2035 will show the dates of transfer to the Government and the date of the application from the county to the Government. I quote here excerpts from House Report No. 2035 of the Committee on Agriculture:

Discussions with county officials were begun in May 1933, concerning the acquisition of a Forest Service administrative site at Weaverville. Existing Forest Service facilities for supervisor's headquarters were inadequate to provide for the increased responsibilities the emergency programs of that period entailed. A new site was urgently needed. The county-owned tract in town was the only site suitable for the purpose because of size (12.36 acres), location and other factors. County officials readily agreed to a donation and cooperated in every respect. The donation was completed in 1934.

In the circumstances the exact needs of the United States and the county were not fully considered. In 1939 formal action was taken by the county board of supervisors for

recognition of the situation. By resolution the board requested permits for its use of the land pending application to have title restored for the two parcels. These permits were issued.

Mr. FORD. The Federal Government is now giving back to the county land which the county previously had made available to the Federal Government; is that correct?

Mr. JOHNSON of California. Yes; about a half acre of land, two small parcels divided by the highway.

Mr. THOMSON of Wyoming. Mr. Speaker, further reserving the right to object, can the gentleman from California tell me what was the purpose for which the Federal Government desired this land?

Mr. JOHNSON of California. The Federal Government desired this land to locate a Forest Service headquarters.

Mr. THOMSON of Wyoming. Did the Government build this headquarters?

Mr. JOHNSON of California. Yes; the headquarters are on the parcel of land.

Mr. THOMSON of Wyoming. The Government Operations Committee of this body, assuming other bills are referred, has a policy that if the Federal Government performs its part of the bargain by building the facility, then the land, even though donated in the first instance, cannot be returned without consideration. It seems to me that in this particular instance I find it impossible to differentiate between this case and the case in Cheyenne, Wyo., within my district, where land was donated for a veterans hospital. There is excess land, but since the veterans hospital has already been built, they say we cannot have it without paying full consideration. Can the gentleman distinguish this case from that case?

Mr. JOHNSON of California. This is a very small parcel of land. As I say, it is separated by the highway from the Forest Service holdings. The Forest Service has no use for it whatever. There was complete agreement between the county and the Forest Service and the Secretary of Agriculture on the deeding of the 12 acres to the Forest Service without consideration by the county, and now the Forest Service is of the opinion that they should deed this small parcel back to the county of Trinity. Trinity County is practically all owned by the Federal Government at the present time. The townsite has no place to go. They are only asking for this small area to locate a firehouse and for parking purposes and street purposes.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. THOMSON of Wyoming. I yield to the gentleman from Colorado.

Mr. ASPINALL. I would like to say to my colleague that to a certain extent his enunciation of policy is correct. However, during the consideration of this particular Consent Calendar we have given our official approval to another bill which has the same principle involved as this one, where land was transferred to the Federal Government. Land is to be returned, under the bill to which I have just made reference, to the State for park operations. That is the same thing that is involved here. Here is a public purpose. It seems to me in these exceptional cases we should not pay too close attention to a hard and fast rule. High values are not under consideration in this instance. The Federal Government paid nothing at all for this property. It is of practically no value except for the value that this little town of Trinity wishes to make use of.

Mr. THOMSON of Wyoming. Can the Consent Calendar be called again?

Mr. ASPINALL. I cannot speak for the House leadership, but I doubt very much whether it can. It seems to me that this bill has been argued sufficiently and the principle well enunciated, with notice given to what I consider a valid and desired exception to any hard and fast rule of policy.

Mr. JOHNSON of California. I might say in this case had they known where this highway was going, the land would never have been deeded to the Government. Due to the highway, they split that little corner into two parcels. The Government has no use for it whatever, and the fire district and the townsite of Trinity need this property.

Mr. THOMSON of Wyoming. Of course, I recognize the circumstances involved, and this being a small parcel, I am not going to object. But, I serve notice now that I am going to object to any other bill of this nature until we get these committees working together with the Government Operations Committee of this body and adopt the same criteria in considering bills brought before it.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to convey by quitclaim deed, without consideration, to the county of Trinity, State of California, all the right, title, and interest of the United States in and to the following described lands, which were conveyed to the United States by deed dated April 28, 1934, and recorded in book 53, page 186, in the records of the county of Trinity, California:

Parcel A: All the fractional portion of lot numbered 2 in block numbered 13 of the townsite of Weaverville, Trinity County, California, described as:

All that portion of said lot numbered 2 lying northeasterly of a line parallel to and 50 feet northeasterly of the centerline of State highway, and is more particularly described as beginning at a point on the southeast boundary of said lot numbered 2, north 31 degrees 43 minutes east, 50.44 feet from the centerline of State highway at engineers' station 806+89.71, said station being a point south 31 degrees 43 minutes east, 92.14 feet from the easterly corner of said lot numbered 2, thence from the point of beginning first north 31 degrees 43 minutes east 41.70 feet to the easterly corner of said lot 2; second north 70 degrees 02 minutes west, 122.69 feet on the boundary of said lot 2; third north 62 degrees 33 minutes west, 26.54 feet on the boundary of said lot 2; fourth from a tangent bearing south 54 degrees 47 minutes 21 seconds east along a 1,900-foot radius curve to the right through a central angle of 4 degrees 26 minutes 42 seconds a distance of 147.34 feet to the point of beginning. Excepting that portion of the above described parcel that part within the boundary of the following described parcel which was conveyed by a deed dated September 26, 1895, and recorded November 6, 1895, in Book 23 of Deeds at page 260; that portion of lot numbered 2 of block numbered 13 of the townsite of the town of Weaverville particularly described as follows to-wit: Commencing at a stake on the southeast corner of Garden Gulch Street and Union Street and running northwesterly 30 feet along Union Street to a stake; thence southwesterly 50 feet to a stake; thence 30 feet southeasterly to Garden Gulch Street to a stake; thence northeasterly 50 feet along Garden Gulch Street to the place of beginning and containing about .034 of an acre, more or less. Said parcel A containing about 0.034 acre.

Parcel B: All that portion of lots numbered 1 and 2 in block numbered 13 of the townsite of Weaverville, Trinity County, California, lying southwesterly of a line running parallel to and 50 feet southwesterly of the centerline of State highway and southeasterly of a line running north 41 degrees 40 minutes east to a point 50 feet southwesterly of the centerline of State highway and running south 41 degrees 40 minutes west, to the southerly boundary of said lot numbered 1 from a point which bears south 46 degrees 55 minutes east 148.28 feet from corner numbered 1 in the survey of lot numbered 47 in township 33 north, range 10 west, Mount Diablo base and meridian, which corner is also the 10th corner in the survey of the Weaverville Townsite; said portions of said lots being more particularly described as follows: Beginning at a 1-inch iron pipe set in the ground at a point south 46 degrees 55 minutes east 148.28 feet from corner numbered 1 in the survey of lot numbered 47 in township 33 north, range 10 west, Mount Diablo base and meridian; a 1-inch iron pipe set in the ground bears south 41 degrees 40 minutes west 146.13 feet; running thence, first north 41 degrees 40 minutes east 32.41 feet; second from a tangent that bears south 49 degrees 51 minutes 05 seconds east, on a curve to the right with a radius of 1,800 feet, through a central angle of 3 degrees 08 minutes 50 seconds, a distance of 98.72 feet to a point on the southeast boundary of lot 2 in block numbered 13 of the townsite of Weaverville, Trinity County, California, which point bears south 31 degrees 43 minutes west 50.47 feet from the centerline of State highway at engineers' station 806+89.71 P.O.C.; third south 31 degrees 43 minutes west 130.63 feet on the boundary of said block numbered 13 to the southeast corner of said lot numbered 1 in block numbered 13; fourth south 89 degrees 39 minutes west 154.00 feet on the boundary of said lot 1; fifth north 41 degrees 40 minutes east 191.71 feet to the point of beginning. Containing 0.462 acre, more or less.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STATE OF CONNECTICUT

The Clerk called the bill (S. 3053) for the relief of the State of Connecticut.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I am not so much concerned about the amount of money involved in this bill as the precedent which may be established. As I understand the situation, a National Guard

pilot, while in flight, dropped an airplane wing fuel tank and it caused $10,000 worth of damage to a house. The claim was for some $19,000 and the settlement was for $10,000 on the part of the State of Connecticut with the owner of the property.

Now comes the Federal Government to reimburse the State of Connecticut to the extent of $10,000.

I find this statement in the report at the bottom of page 2:

> Therefore, the State of Connecticut was asked by the National Guard Bureau to provide for the advanced training of Lieutenant Mancini at his Air National Guard home base. This was done, and while the training was in progress the accident in question occurred.

On page 3 of the report we find this statement:

> Accordingly, since the Air Force reasonably could expect to obtain active Federal duty benefits from this training when Lieutenant Mancini became fully qualified as a pilot, the Department of the Air Force has no objection to the enactment of subject bill.

My question to someone from the Committee on the Judiciary is this: What kind of precedent are you setting here?

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes; I am happy to yield.

Mr. FORD. The question the gentleman asks is a very legitimate one. Personally I think from my investigation of the facts and circumstances in this case that this is a justifiable proposal. I refer the gentleman to H.R. 5435, which is Calendar No. 515, which would give to the National Guard broad authority to obligate the Federal Treasury for any torts committed by members of the National Guard, even when they are discharging solely and exclusively State militia responsibilities. I asked that that bill be passed over because this is a brandnew policy which I think should not be considered on the Consent Calendar under the unanimous consent procedure. However, I believe that the committee is right in the instant case, S. 3053, considering the case individually on its merits. For that reason, even though I objected to the previous bill, I think this bill is justifiable.

Mr. GROSS. Will the gentleman give me his opinion as to what kind of precedent this bill would establish?

Mr. FORD. I do not think this establishes a bad precedent inasmuch as this is a case where the Air National Guard asked the Connecticut Air National Guard authorities to give this man this additional training at their facility because the Air Force could not because of other problems conduct his training at a regular Air Force facility.

Mr. GROSS. The request was made by the National Guard Bureau to the State and acquiesced in by the State.

Mr. FORD. But the National Guard Bureau is a part of the Army, Navy, and Air Force or more properly the Department of Defense. This was a request from Federal authorities to the Connecticut Air National Guard to give this pilot this additional training.

Mr. GROSS. On the basis of the statements by the gentleman from Michigan, I am not going to object to the bill. I certainly hope it will not stand as a precedent in the future so that the Federal Government will pick up any claim for damages caused by someone solely military in the service of the State.

Mr. FORD. I agree with the gentleman from Iowa 100 percent. That is why I asked that the other bill be passed over without prejudice.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the State of Connecticut, the sum of $10,000. The payment of such sum shall be in full satisfaction of all claims of the State of Connecticut against the United States for reimbursement of an amount paid by such State to certain persons as compensation for personal injuries and property losses which they sustained on September 24, 1957, when a wing fuel tank fell from a Connecticut Air National Guard F–94 jet aircraft while it was being operated by a United States Air Force Reserve officer on active duty: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DELIVERY OF WATER UNDER RECLAMATION LAWS

The Clerk called the bill (S. 68) to provide for continued delivery of water under the Federal reclamation laws to lands held by husband and wife upon the death of either.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, where the death of a husband or wife causes lands in private ownership to become excess lands, as that term is used in section 46 of the Act of May 25, 1926 (44 Stat. 636; 43 U.S.C. 423e), and those lands had therefore been eligible to receive water from a project under the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereto) without execution of a recordable contract under section 46 of said Act of May 25, 1926, the Secretary of the Interior is authorized to furnish water to them, without requiring execution of such a contract, so long as they remain in the ownership of the surviving spouse: *Provided,* That, in the event of the remarriage of the surviving spouse, such lands shall be governed by applicable law without regard to the provisions of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE PHYSICALLY HANDICAPPED

The Clerk called the bill (H.R. 12458) to increase the amount authorized to be appropriated for the work of the President's Committee on Employment of the Physically Handicapped.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "Joint resolution authorizing an appropriation for the work of the President's Committee on National Employment of the Physically Handicapped Week", approved July 11, 1949, as amended (63 Stat. 409), is amended by striking out "$225,000" and inserting in lieu thereof "$300,000".

Mr. DANIELS. Mr. Speaker, the House is considering today what I deem to be a real significant measure in that increasing the authorization for the President's Committee on the Employment of the Physically Handicapped we are not simply providing money for just another committee but rather encouraging one of the most successful programs ever initiated by our Federal Government. I am happy to endorse H.R. 12458, the bill which I sponsored in this session of Congress and which was given consideration and approval by the House Education and Labor Committee, of which I am a member.

Begun in 1947 by the President of the United States, the President's Committee on Employment of the Physically Handicapped has grown to the point where there is hardly an American who has not seen a poster, a TV advertisement, or heard radio broadcasts urging the hiring of the handicapped.

We live in an era when we must utilize to the fullest the potential of all our citizens. Through the hiring of the handicapped we have found that we not only provide jobs for those who would, in many cases, be burdens upon society but we have also added to our reservoir of technical knowledge many skilled workers.

The President's Committee is composed of over 350 individuals representing every possible phase of American life. It works through veterans' committees, employers' committees, high school officials, the press, radio, television, motion pictures, and speakers' bureaus. It provides valuable workmen's compensation studies which show conclusively that an investment in hiring of handicapped persons is good economics.

Since the authorization of $225,000 a year was fixed in 1954, the expenses of the President's Committee has increased tremendously.

The Committee has been influenced not only by inflation but also by changes in fiscal budgeting policies and by the fact that its services have been increased in the last few years.

Through informational, education, and promotional activities the President's Committee has contributed greatly toward creating a favorable climate of opinion in which handicapped persons are accepted just as other skilled workers may find gainful employment suited to their skills and abilities.

There is no program which costs so little and has done so much.

Mr. ELLIOTT. Mr. Speaker, I am happy to rise in support of H.R. 12458, a bill to increase, from $225,000 annually to $300,000 annually, the authorization for the President's Committee on the Employment of the Physically Handicapped. I would also like to pay my regards to the sponsor of this bill, the gentleman from New Jersey [Mr. DANIELS], who has shown such a keen interest and who has worked so diligently on this legislation, and on other measures which have been before our Subcommittee on Special Education.

The President's Committee on the Employment of the Physically Handicapped was established in 1947 by President Harry S. Truman. To my mind it represents one of our most successful national efforts to promote the general welfare. By encouraging employment of the handicapped the President's Committee is helping the Nation meet, at one of the most critical times in our history, a special need for technically trained and highly skilled workers.

Gov. LeRoy Collins, of Florida, speaking to this same point, has said:

> No better examples of enlightened democracy in action can be found than local, State, and National programs through which disabled persons are rehabilitated and their services utilized in well-chosen employment. Everybody profits when an individual who was idle because of a handicap is prepared for a job and given the opportunity to work *at his highest level.*

There are thousands of handicapped persons with highly specialized training that is valuable in our industrial and business world. They are using skills in the performance of jobs which are tedious and demanding. Many of these persons have been given employment as a result of the efforts of the President's Committee on the Employment of the Physically Handicapped.

In helping obtain rewarding employment for the handicapped the President's Committee works with groups and agencies at State and local levels. The main functions of the Committee are the encouragement of maximum employment opportunities for the physically handicapped by supplying information to employers; conducting a program of public education; and cooperating with Federal officials, State officials, Governors' committees, local committees, professional trade groups, and organized labor. The President's Committee works closely with the Department of Labor; the Department of Health, Education, and Welfare; the Veterans' Administration; State employment-security agencies; and State vocational rehabilitation agencies as well as representatives of industry, labor, and public and private agencies. It is through this means that the President's Committee attempts to bring the message of job opportunity for the handicapped to the eyes and ears of America.

The good work of the Committee must be continued and expanded. To meet the demands which are placed upon it, it must have additional funds. We, the American people, may lose or overlook the skills of many handicapped persons if the President's Committee does not function adequately.

The annual authorization for the President's Committee was set at $225,000 in 1954 by Public Law 565 of the 81st Congress. In fiscal 1961, for the first time, the Committee received its full appropriation. Since 1954 the cost of almost everything—including salaries, goods, and services—has increased. In addition, changes in fiscal budgeting policies have increased post office mailing costs, retirement costs, printing costs, and various other aspects of the Committee's program.

In addition to the increase in the Committee's operating expenses, the Committee has also expanded its program, increased its services, and provided greater quantities of promotional materials for the States—with special emphasis upon certain neglected groups which have a great potential in the Committee's programs. A major part of the Committee's expanded program is in the assistance of the mentally restored and the mentally retarded in finding increased employment opportunities.

We found that the President's Committee has consistently tried to effect all possible economies in their efforts. They have acted as a service agency to various government departments, to the States, and to public spirited volunteers and their organizations. An increase in the President's Committee's authorization will make it possible for them to do a better job, to render increased service, and to speed the day when a physical and mental handicap will be even less an obstacle to the workers than it is today.

To extend the past record of excellent performance, to expand services, and to further implement the American tradition of encouraging the development of the fullest potential of every individual, I heartily support this bill by the gentleman from New Jersey [Mr. DANIELS] for an increase of $75,000 in the authorization for the President's Committee on the Employment of the Physically Handicapped, thus bringing the total authorization to $300,000 annually. The Subcommittee on Special Education of which I happen to be chairman looked into this matter carefully. I urge its adoption.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CREDIT FOR TIME AND CUSTODY AWAITING TRIAL

The Clerk called the bill (H.R. 12208) to amend section 3568 of title 18, United States Code, to provide for reducing sentences of imprisonment imposed upon persons held in custody for want of bail while awaiting trial by the time so spent in custody.

Mr. PELLY. Mr. Speaker, it is my understanding that this measure or a measure similar to it passed the House on June 28. Therefore, I ask unanimous consent that this bill be laid on the table.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

PAYMENTS OF JUDGMENTS AND COMPROMISE SETTLEMENTS

The Clerk called the bill (H.R. 9523) to simplify the payment of certain miscellaneous judgments and the payment of certain compromise settlements.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2414 of title 28 of the United States Code is amended to read:

"§ 2414. Payment of judgments and compromise settlements

"Payment of final judgments rendered by a district court against the United States shall be made on settlements by the General Accounting Office. Payment of final judgments rendered by a state or foreign court or tribunal against the United States, or against its agencies or officials upon obligations or liabilities of the United States, shall be made on settlements by the General Accounting Office after certification by the Attorney General that it is in the interest of the United States to pay the same.

"Whenever the Attorney General determines that no appeal shall be taken from a judgment or that no further review will be sought from a decision affirming the same, he shall so certify and the judgment shall be deemed final.

"Except as otherwise provided by law, compromise settlements of claims referred to the Attorney General for defense of imminent litigation or suits against the United States, or against its agencies or officials upon obligations or liabilities of the United States, made by the Attorney General or any person authorized by him, shall be settled and paid in a manner similar to judgments in like causes and appropriations or funds available for the payment of such judgments are hereby made available for the payment of such compromise settlements."

SEC. 2. The last item in the analysis of chapter 161 of such title is amended to read:

"2414. Payment of judgments and compromise settlements."

SEC. 3. Section 1302 of the Act of July 27, 1956 (70 Stat. 694; 31 U.S.C. 724a), is amended by deleting the words "judgments (not in excess of $100,000 in any one case) rendered by the district courts and the Court of Claims against the United States which have become final" and inserting in lieu thereof the words "final judgments and compromise settlements (not in excess of $100,000, or its equivalent in foreign currencies at the time of payment, in any one case) which are payable in accordance with the terms of sections 2414 or 2517 of title 28, United States Code".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NEW JERSEY TERCENTENARY CELEBRATION COMMISSION

The Clerk called the joint resolution (S.J. Res. 68) providing for the establishment of the New Jersey Tercentenary Celebration Commission to formulate and implement plans to commemorate the 300th anniversary of the State of New Jersey, and for other purposes.

There being no objection, the Clerk read the joint resolution, as follows:

Whereas the year 1964 will mark the tercentenary of the patent conveying all the lands between the Connecticut River and the east side of the Delaware River from Charles II to James, Duke of York; and

Whereas the year 1964 will also mark the three hundredth anniversary of the execution of deeds of lease and release by the said James, Duke of York, to John Lord Berkeley, Baron of Stratton, and Sir George Carteret, of Saltrum, of those lands "* * * bounded on the east part by the main sea, and part by Hudson's river, and hath upon the west Delaware bay or river, and extendeth southward to the main ocean as far as Cape May at the mouth of Delaware bay; and to the northward as far as the northernmost branch of the said bay or river of Delaware, which is forty-one degrees and forty minutes of latitude, and crosseth over thence in a strait line to Hudson's river in forty-one degrees of latitude; which said tract of land is hereafter to be called by the name or names of New Caesarea or New Jersey * * *" and of the right of government therein; and

Whereas the year 1964 will also be tercentenary of the signing and publication by John Lord Berkeley and Sir George Carteret of "The Concessions and Agreement of the Lords Proprietors of the Province of New Caesarea or New Jersey to and with all and every the Adventurers and all such as shall settle or plant here", a declaration of the organic law of the colony and, truly, "the Magna Carta of New Jersey"; and

Whereas these foregoing events mark the beginning of the separate history of New Jersey as a colony; and

Whereas it is fitting and desirable that we commemorate the beginnings of the State of New Jersey, together with its subsequent history and its present and future role in the family of the United States, for the benefit of all the people of our Nation; and

Whereas such a commemoration, with careful planning, can be of enduring, rather than transitory, worth to our people: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a commission to be known as the New Jersey Tercentenary Celebration Commission (hereafter referred to in this joint resolution as the "Commission") which shall be composed of fifteen members as follows:

(1) Four members who shall be Members of the Senate, to be appointed by the President of the Senate;

(2) Four members who shall be Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives;

(3) Seven members to be appointed by the President.

(b) The President shall, at the time of appointment, designate one of the members appointed by him to serve as Chairman. The members of the Commission shall receive no salary.

SEC. 2. (a) The functions of the Commission shall be to develop and to execute suitable plans for the celebration of a series of anniversiaries occurring between 1959 and 1964, both years inclusive, commemorating the three hundredth anniversary of the State of New Jersey.

(b) In carrying out its functions the Commission is authorized to cooperate with and to assist the New Jersey Tercentenary Commission and any other agency created or designated by the Legislature of the State of New Jersey for the purpose of planning and promoting the New Jersey Tercentenary Celebration. If the participation of other nations in the celebration is deemed advisable, the Commission may communicate to that end with the governments of such nations through the Department of State.

SEC. 3. The Commission may employ, without regard to the civil-service laws or the Classification Act of 1949, as amended, such employees as may be necessary in carrying out its functions. Service of an individual as a member of the Commission or employment of an individual by the Commission, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of sections 281, 283, 284, 434, or 1914 of title 18 of the United State Code, or section 190 of the Revised Statutes of the United States (5 U.S.C. 99).

SEC. 4. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with patriotic and historical societies and with institutions of learning; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this joint resolution. The Commission, to such extent as it finds to be necessary, may, without regard to the laws and procedures applicable to Federal agencies, procure supplies, services, and property and make contracts, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this joint resolution.

(b) Expenditures of the Commission shall be paid by the executive officer of the Commission, who shall keep complete records of such expenditures and who shall account also for all funds received by the Commission. A report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress within two months following the celebration as prescribed by this joint resolution.

(c) Any property acquired by the Commission remaining upon termination of the celebration may be used by the Secretary of the Interior for purposes of the national park system or may be disposed of as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States.

SEC. 5. The Commission shall expire upon the completion of its duties, but in no event later than March 1, 1965.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROMOTING FOREIGN TRADE OF UNITED STATES IN GRAPES AND PLUMS

The Clerk called the bill (S. 1857) to promote the foreign trade of the United States in grapes and plums, to protect the reputation of American-grown grapes and plums in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful for any person to ship or offer for shipment or for any carrier, or any steamship company, or any person to transport or receive for transportation to any foreign destination, except as provided in this Act, any grapes or plums in packages which are not accompanied by a certificate issued under authority of the Secretary showing that such grapes or plums are of a Federal or State grade which meets the minimum of quality established by the Secretary for shipment in export. The Secretary is authorized to prescribe, by regulations, the requirements, other than those of grades, which the fruit must meet before certificates are issued. The Secretary shall provide opportunity, by public hearing or otherwise, for interested persons to examine and make recommendation with respect to any standard of export proposed to be established or designated, or regulation prescribed, by the Secretary for the purposes of this Act.

SEC. 2. The Secretary shall give reasonable notice through one or more trade papers of the effective date of standards of export established or designated by him under this Act: *Provided,* That any grapes or plums may be certified and shipped for export in fulfillment of any contract made within two months prior to the date of such shipment if the terms of such contract were in accordance with the grades and regulations of the Secretary in effect at the time the contract was made.

SEC. 3. Where the government of the country to which the shipment is to be made has standards or requirements as to condition of grapes and plums the Secretary may in addition to inspection and certification for compliance with the standards established or designated hereunder inspect and certify for determination as to compliance with the standards or requirements of such foreign government and may provide for special certificates in such cases.

SEC. 4. The Secretary may, by regulation, exempt from compliance with the provisions of this Act the shipment of such minimum quantities of grapes and plums to any foreign country as he may prescribe.

SEC. 5. For inspecting and certifying the grade, quality, or condition of grapes or plums the Secretary shall cause to be collected a reasonable fee which shall, as nearly as may be, cover the cost of the service rendered: *Provided,* That when cooperative arrangements satisfactory to the Secretary, or his designated representative, for carrying out the purposes of this Act cannot be made the fees collected hereunder in such cases shall be available until expended to defray the cost of the service rendered, and in such cases the limitations on the amounts expended for the purchase and maintenance of motor-propelled passenger-carrying vehicles shall not be applicable: *Provided further,* That certificates issued by the authorized agents of the United States Department of Agriculture shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained.

SEC. 6. After opportunity for hearing the Secretary is authorized to refuse the issuance of certificates under this Act for periods not

exceeding ninety days to any person who ships or offers for shipment any grapes or plums in foreign commerce in violation of any of the provisions of this Act. Any person or any common carrier or any transportation agency violating any of the provisions of this Act shall be fined not less than $100 nor more than $10,000 by a court of competent jurisdiction.

SEC. 7. The Secretary may make such rules, regulations, and orders, and require such reports, as may be necessary to carry out the provisions of this Act, and may cooperate with any department or agency of the Government, any State, Territory, District, or possession, or department, agency, or political subdivision thereof, or any person, whether operating in one or more jurisdictions; and shall have the power to appoint, remove, and fix the compensation of such officers and employees not in conflict with existing law, and make such expenditures for rent outside the District of Columbia, printing, binding, telegrams, telephones, law books, books of reference, publications, furniture, stationery, office equipment, travel, and other supplies and expenses including reporting services, as shall be necessary to the administration of this Act in the District of Columbia and elsewhere, and as may be appropriated for by Congress. This Act shall not abrogate nor nullify any other statute, whether State or Federal, dealing with the same subjects as this Act; but it is intended that all such statutes shall remain in full force and effect except insofar as they are inconsistent herewith or repugnant hereto.

SEC. 8. If any provision of the Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

SEC. 9. That when used in this Act—

(1) The term "person" includes individuals, partnerships, corporations, and associations.

(2) The term "Secretary" means the Secretary of Agriculture.

(3) Except as provided herein, the term "foreign commerce" means commerce between any State, or the District of Columbia, and any place outside of the United States or its possessions.

(4) The term "grapes" means vinifera species table grapes, European type, whether or not they have been in storage.

(5) The term "plums" means both European and Japanese type, whether or not they have been in storage, but does not mean Italian-type prunes, nor damson-type plums.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

USE OF CERTAIN LANDS IN MORTON COUNTY, N. DAK.

The Clerk called the bill (S. 3070) to provide for the removal of the restriction on use with respect to certain lands in Morton County, N. Dak., conveyed to the State of North Dakota on July 20, 1955.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized and directed to convey, without consideration and by quitclaim deed or other appropriate means, all reversionary interest which the United States has in and to certain lands in Morton County, North Dakota, by reason of the provision of the deed of July 20, 1955, whereby the United States, in conveying such lands to the State of North Dakota, provided that, if such lands ceased to be used for public purposes, title thereto should immediately revert to and become revested in the United States. Such lands are more particularly described as follows:

The southwest quarter of section 36 in township 139 north of range 81 west of the fifth Principal meridian, and lots 3 and 4, also known as the north half of the northwest quarter of section 1 of township 138 north of range 81 west of the fifth Principal meridian, containing 240.2 acres, more or less, and together therewith all accretion land and all and singular the water rights and other rights, tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSERVATION RESERVE PROGRAMS

The Clerk called the bill (H.R. 12849) to protect farm and ranch operators making certain land use changes under the Great Plains conservation program and the soil bank program against loss of cropland acreage and acreage allotments.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 16 of the Soil Conservation and Domestic Allotment Act of 1938, as amended, is amended as follows:

(1) Paragraph (3) of subsection (b) is amended to read as follows:

"(3) insofar as the acreage of cropland on any farm enters into the determination of acreage allotments and marketing quotas under the Agricultural Adjustment Act of 1938, as amended, the cropland acreage on the farm shall not be decreased during the period of any contract heretofore or hereafter entered into under this subsection by reason of any action taken for the purpose of carrying out such contract and, under regulations of the Secretary, shall not be decreased, for such period after the expiration of the contract as is equal to the period of the contract, by reason of the maintenance of any change in land use from cultivated cropland to permanent vegetation carried out under the contract;"

(2) Paragraph (4) of subsection (b) is amended to read as follows:

"(4) the acreage on any farm which is determined under regulations of the Secretary to have been diverted from the production of any commodity subject to acreage allotments or marketing quotas in order to carry out any contract heretofore or hereafter entered into under the program or in order to maintain, for such period after the expiration of the contract as is equal to the period of the contract, any change in land use from cultivated cropland to permanent vegetation carried out under the contract shall be considered acreage devoted to the commodity for the purposes of establishing future State, county, and farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended."

SEC. 2. Section 112 of the Soil Bank Act, as amended, is amended as follows:

(1) Paragraph (1) is amended to read as follows:

"(1) insofar as the acreage of cropland on any farm enters into the determination of acreage allotments and marketing quotas under the Agricultural Adjustment Act of 1938, as amended, the cropland acreage on the farm shall not be decreased during the period of any contract heretofore or hereafter entered into under this subtitle by reason of any action taken for the purpose of carrying out such contract and, under regulations of the Secretary, shall not be decreased, for such period after the expiration of the contract as is equal to the period of the contract, by reason of the maintenance of any change in land use from cultivated cropland to permanent vegetation carried out under the contract;"

(2) Paragraph (2) is amended to read as follows:

"(2) the acreage on any farm which is determined under regulations of the Secretary to have been diverted from the production of any commodity subject to acreage allotments or marketing quotas in order to carry out any contract heretofore or hereafter entered into under this subtitle or in order to maintain, for such period after the expiration of the contract as is equal to the period of the contract, any change in land use from cultivated cropland to permanent vegetation carried out under the contract shall be considered acreage devoted to the commodity for the purposes of establishing future State, county, and farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended."

With the following committee amendment:

Page 2, line 14, strike out "whch" and insert "which".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAND CONVEYANCE TO CLEAR TITLE, CASCADE, COLO.

The Clerk called the bill (S. 2772) to authorize the Secretary of Agriculture to convey land in the town of Cascade, El Paso County, Colo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to convey by quitclaim deed, without consideration, to Mary E. Cusack, her heirs, devisees or other successors in interest, donor in a certain deed to the United States dated May 5, 1920, filed for record in El Paso County on December 30, 1920, and recorded in book 627, page 439, all the right, title, and interest of the United States in and to the following described land located in the town of Cascade, El Paso County, Colorado: The easterly one hundred feet of lots numbered 7, 8, 9, 10, 11, 12, 13 and 14, block 24, all in addition numbered 1 to the said townsite of Cascade, El Paso County, Colorado, and lying and being within section 26, township 13 south, range 68 west of the Sixth principal meridian: *Provided,* That application for any such conveyance and proof of interest satisfactory to the Secretary of Agriculture shall be made within five years from the date of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. This concludes the call of the Consent Calendar.

APPROACH ROADS TO FERRY FACILITIES

Mr. RIVERS of Alaska. Mr. Speaker, the language in the bill (H.R. 11240) to amend title 23, United States Code, to provide for participation of Federal-aid highway funds in the construction of approved roads to ferry facilities in the Federal aid system, a bill which was passed on the call of the Consent Calendar earlier this morning, is included in another bill which is already law, so this bill serves no further purpose. Therefore, I ask unanimous consent that the proceedings by which the bill (H.R. 11240) was passed be vacated and that that bill be laid on the table.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

PRINCESS ANNE COUNTY SCHOOL BOARD, VIRGINIA

Mr. LANE. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Calendar No. 508, the bill (H.R. 11136) for the relief of the Princess Anne County School Board, Virginia.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

Mr. PELLY. Reserving the right to object, Mr. Speaker, it is my understanding this bill was opposed by the Department of the Navy, and on that basis I asked unanimous consent that the bill be passed over without prejudice, which was granted. If there is any information I did not have concerning this measure, I would be constrained to reconsider. Am I correct that the Navy Department opposes this legislation?

Mr. LANE. May I say that there was no opposition in the Committee on the Judiciary to this bill. This was brought to our attention by the school authorities in the Oceana Public School in Oceana, Va., due to the fact that they were having this very serious situation connected with Princess Anne County in Virginia.

The school is operated there at the Naval Air Base. The jet base is at that location. As a result of the noise caused by the jet aircraft, the school committee there and the school authorities and the school superintendent decided that there was nothing else they could do but to close the school down indicating that they felt there was no opposition to it, but the Navy did send a letter in opposition to this legislation. May I say to the gentleman, the naval authorities through their personnel at the airbase have been very, very sympathetic to this situation. They have worked feelingly with the school committee and the school superintendent and the town authorities to try to eliminate this nuisance. They have felt, as the committee have felt, in an individual way that the Government should reimburse Princess Anne County for their damage in order that they may erect a school in that area to take care of the 1,200 children affected by the jet airbase located so close to the school. As I repeat, and I want to repeat it over and over again, there was evidence offered to us not only by those who presented their arguments to the committee but through moving pictures that were shown to the committee and by other evidence in favor of this legislation that those who were closest to the situation, and I mean the Government people and the Navy people, felt as your committee felt, that something should be done about this situation.

May I say to the gentleman in conclusion, that this does not set any new precedents. Your committee has taken the same action in behalf of a school in the State of Indiana and also have taken care of a situation at Portsmouth, N.H. But in this particular bill, your committee could not decide as to the amount of the damage. We had no evidence on that and we felt the matter should be judicially determined and instead of giving them the award outright, the matter should be sent to the Court of Claims to decide how much Princess Anne County is entitled to to take care of this nuisance so that they might go ahead and construct a new school.

Mr. PELLY. Mr. Speaker, I thank the distinguished gentleman from Massachusetts for clarifying the situation. I did read the letter of the Under Secretary of the Navy, Mr. F. A. Bantz, which stated that the Department of the Navy has consistently opposed such legislation on the basis that by such means we usurp the functions of our courts. As I understand, the change in jurisdiction has now satisfied the objection of the Navy. Therefore, Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Massachusetts [Mr. LANE]?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Princess Anne County School Board, Princess Anne County, Virginia, the sum of $345,000, upon the conveyance to the United States within the one-year period beginning on the date of enactment of this Act of all right, title, and interest of such Board in and to such school property. The payment of such sum shall be in full settlement of all claims of the said Board against the United States on account of the loss of use of the school property known on Oceana Public School, and the cost of relocating such school, because of the noise and danger from jet-powered aircraft using the nearby Oceana Naval Air Station: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike "the sum of $345,000" and insert "the amount fixed by the Court of Claims in accordance with section 2 of this Act,".

Page 1, line 8, strike "of enactment of this Act" and insert "that Court certifies its determination of value as directed in section 2 of this Act,".

Page 2, line 5, strike "appropriated" and insert "paid as provided".

Page 2, following line 12 add a new section as follows:

"SEC. 2. Jurisdiction is hereby conferred on the Court of Claims to hear evidence concerning the value of the school property known as the Oceana Public School, determine that value, and certify its determination to the Secretary of the Treasury for payment of the amount found due to the Princess Anne County School Board, Princess Anne County, Virginia, in accordance with the authority contained in section 1 of this Act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRIVATE CALENDAR

The SPEAKER pro tempore (Mr. ALBERT). This is the day for the call of the Private Calendar.

The Clerk will call the first bill on the calendar.

WILLIAM L. BERRYMAN

The Clerk called the bill (H.R. 8885) for the relief of William L. Berryman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $50,000 to William L. Berryman, in full settlement of all claims against the United States. That such sum represents the financial loss incurred by Mr. Berryman, resulting from a physical injury received in Portland, Maine, on November 22, 1949. This claim is not cognizable under the Federal Tort Claims Act of 1946.

With the following committee amendment:

Page 1, line 5: strike "$50,000" and insert "$15,000".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EUGENE C. HARTER

The Clerk called the bill (H.R. 11560) for the relief of Eugene C. Harter.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Eugene C. Harter, Dayton, Ohio, is hereby relieved of all liability to repay to the United

States a sum of $1,140.20, which was erroneously paid to him by the Department of the Air Force as salary between May 29, 1955, and February 27, 1959. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is received by this Act.

With the following committee amendment:

Page 1, line 7, strike out "1959" and insert "1960".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESSIE V. JOHNSON

The Clerk called the bill (H.R. 12079) for the relief of Essie V. Johnson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Essie V. Johnson, Dayton, Ohio, is hereby relieved of all liability to repay to the United States a sum of $531.81, which was erroneously paid to her by the Department of the Air Force as salary between February 19, 1956 to February 1, 1960. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

With the following committee amendments:

Page 1, line 5, strike out "$531.81" and insert "$554.79".

Page 1, line 7, strike out "February 1, 1960" and insert "January 30, 1960".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the able.

WILLIAM C. WINTER, JR., LIEUTENANT COLONEL, U.S. AIR FORCE (MEDICAL CORPS)

The Clerk called the bill (H.R. 12100) for the relief of William C. Winter, Jr., lieutenant colonel, U.S. Air Force (Medical Corps).

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William C. Winter, Junior, Lieutenant Colonel, United States Air Force (Medical Corps), Lackland Air Force Base, San Antonio, Texas, the sum of $10,770.63 in full satisfaction of his claim against the United States for reimbursement in addition to the amount he received under the provisions of title 10, United States Code, section 2732, as amended, for household and personal effects destroyed or damaged in August 1955 when the warehouse in which such effects were stored in Waterbury, Connecticut, was inundated by a flood: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 4, strike out "in excess of 10 per centum thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VALIDATING CERTAIN CONVEYANCE OF LAND IN RIVERSIDE COUNTY, CALIF., MADE ON SEPTEMBER 28, 1885, BY THE SOUTHERN PACIFIC RAILROAD CO. AND OTHERS

The Clerk called the bill (H.R. 10154) to validate a certain conveyance of land in Riverside County, Calif., made on September 28, 1885, by the Southern Pacific Railroad Co., and others.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, except as provided in section 2 of this Act, the conveyance by deed dated September 28, 1885, to William Smith by the Southern Pacific Railroad Company and D. O. Mills and Gerrit L. Lansing, trustees, of lands in the north half of section 11, township 3 south, range 1 west, San Bernardino base and meridian, which were and are within the right-of-way granted to said company by section 2 of the Act of July 27, 1866 (14 Stat. 292), which deed was recorded August 27, 1886, in book 51, page 11, of the book of deeds of San Bernardino County, California, is hereby legalized, validated, and confirmed insofar as the lands involved lie within lot 1, block 8, of said north half of section 11, and said conveyance shall, to this extent, have the same force and effect as if said lands had been held at the time of their conveyance by the company and the trustees aforesaid in fee simple absolute.

SEC. 2. Nothing contained in section 1 of this Act shall operate to diminish the right-of-way therein identified or any part of it to a width of less than fifty feet on either side of the center of the main track or tracks of said Southern Pacific Railroad Company as now established and maintained or to legalize, validate, or confirm any right, title, or interest based upon or arising out of adverse possession, prescription, or abandonment. There is hereby reserved to the United States all oil, coal, or other minerals in the land to which this Act is applicable and the right to prospect for, mine, and remove the same under such rules and regulations as the Secretary of the Interior may prescribe.

With the following committee amendments:

Page 1, line 3, strike out the words "of this Act," and insert in lieu thereof "and on the conditions specified in section 3 of this Act,".

Page 2, after line 20, add a new section to read as follows:

"SEC. 3. Section 1 of this Act shall be effective only upon payment to the United States within one year from the date of this Act of the present fair market value of the lands described therein except such part of that value as is attributable to improvements on the lands which were not placed thereon by the United States and to mineral interests therein which are reserved to the United States by section 2, all as determined by the Secretary of the Interior. If the Southern Pacific Railroad Company or its successors in interest shall voluntarily pay over to the United States the consideration (other than nominal consideration, as determined by the Secretary) which it may have received for said conveyance, the Secretary shall issue a recordable certificate to the effect that such payment has been received and the amount required by the first sentence of this section to be paid to the United States shall be reduced accordingly. Nothing contained in this Act shall be construed as a waiver by the United States of its rights to recover said consideration from said company, or its successors in interest, and, if the payment required in the first sentence of this section is not made, to recover from any proper party rents, profits, or damages heretofore accrued or hereafter accruing and to seek and secure other appropriate relief."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH STARKER

The Clerk called the bill (H.R. 9041) for the relief of Joseph Starker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph Starker, a regular carrier in the postal service at New York, New York, the sum of $30. The payment of such sum shall be in full settlement of all the claims of Joseph Starker against the United States for reimbursement for a judgment obtained against him on November 6, 1958, by Murray Jamison for damages as a result of an accident which occurred while the said Joseph Starker was on duty as an employee of the Post Office Department: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 3, strike out "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NAMAN LOUIS

The Clerk called the bill (H.R. 10627) for the relief of Naman Louis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Naman Louis, Detroit, Michigan, the sum of $1,000. The payment of such sum shall be in full settlement of all claims of the said Naman Louis against the United States for reimbursement of the amount of a departure bond which was executed by Louis Lewis, acting as agent for the said Naman Louis, and posted in connection with the admission, on January 17, 1951, of the alien, Barbara Elias Nassar, to the United States. Such bond was declared breached on February 19, 1953, when such alien failed to depart from the United States as required by the conditions of the bond: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out "Naman Louis, Detroit, Michigan," and substitute in lieu thereof "Louis Lewis, Phoenix, Arizona,".

Page 1, line 7, strike out "Naman Louis" and substitute in lieu thereof "Louis Lewis".

Page 1, lines 9 and 10, strike out "Louis Lewis acting as agent for the said Naman Louis" and insert in lieu thereof "Louis Lewis".

Page 2, line 2, strike out "February 19," and insert in lieu thereof "April 16,".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended to read: "A bill for the relief of Louis Lewis.

MR. JOE J. FARMER

The Clerk called the bill (H.R. 11380) for the relief of Mr. Joe J. Farmer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 15 to 20 of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes" approved September 7, 1916, as amended (5 U.S.C. 765–770), are hereby waived in favor of Mr. Joe J. Farmer so as to enable him to file a claim for compensation based upon respiratory troubles allegedly brought about by employment and duties performed at the Pine Bluff Arsenal, Arkansas in 1942 and thereafter during World War II, and his claim is authorized and directed to be considered and acted upon under the remaining provisions of such Act, as amended, if he files such claim with the Department of Labor (Bureau of Employees' Compensation) not later than six months after the date of enactment of this Act. No benefits shall accrue by reason of the enactment of this Act for any period prior to the date of its enactment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY A. COMBS

The Clerk called the bill (H.R. 11757) for the relief of Mary A. Combs.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mary A. Combs, Xenia, Ohio, is relieved of liability to pay to the United States the sum of $293.49, which represents the aggregate amount alleged to have been erroneously paid to her by the United States because of administrative error in granting her a longevity pay increase as a file clerk employed by the United States at Wright-Patterson Air Force Base, Ohio. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this section.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary A. Combs, Xenia, Ohio, the amount certified to him by the Secretary of the Air Force as the aggregate amount paid to the United States by the said Mary A. Combs, or withheld by the United States from amounts due the said Mary A. Combs from the United States, on account of the liability referred to in the first section of this Act: *Provided,* That no part of the amount appropriated in this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 12, strike out "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CRUM-McKINNON BUILDING CO.

The Clerk called the bill (H.R. 8166) for the relief of the Crum-McKinnon Building Co., Billings, Mont.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Crum-McKinnon Building Company, Billings, Montana, the sum of $45,750. The payment of such sum shall be in addition to the rentals received by the Crum-McKinnon Building Company under lease GS–10B–160 (formerly I–3L 119), dated October 29, 1948 (as renewed beginning July 1, 1954), under which said company leased to the United States a certain building located in Billings, Montana), for the period July 1, 1954, through June 30, 1959, and shall be in full settlement of all claims of said company for the performance of its obligations under said lease through June 30, 1959: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$45,750" and insert $25,000, being payment for damages at the rate of $5,000 per annum.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLAIMS OF U.S. NAVY BAND

The Clerk called the resolution (H. Res. 585).

There being no objection, the Clerk read the resolution as follows:

Resolved, That the bill (H.R. 11905) entitled "A bill for the relief of the estates of certain former members of the United States Navy Band", together with all accompanying papers, is hereby referred to the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and the court shall proceed expeditiously with the same and report to the House, at the earliest practicable date, such findings of fact, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitation should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy, and conclusions based on such facts as shall be sufficient to inform Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SACHIKO KATO

The Clerk called the bill (S. 2369) for the relief of Sachiko Kato.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Sachiko Kato, the fiancée of Marcel F. Hoppe, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of three months, if the administrative authorities find (1) that the said Sachiko Kato is coming to the United States with a bona fide intention of being married to the said Marcel F. Hoppe, and (2) that she is otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Sachiko Kato, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections

242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within three months after the entry of the said Sachiko Kato, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Sachiko Kato as of the date of the payment by her of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN R. BARKER

The Clerk called the bill (S. 2388) relating to the separation and retirement of John R. Barker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Civil Service Retirement Act, John R. Barker, who served as an employee of the Post Office Department from August 15, 1920, to July 19, 1936, shall be considered to have been involuntarily separated from such service for reasons other than removal for cause. Notwithstanding any other provision of law, the benefits payable pursuant to this Act shall be paid from the civil-service retirement and disability fund. No annuity shall be paid, by reason of the enactment of this Act, for any period prior to the first day of the month in which it is enacted.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COL. JOHN A. RYAN, JR.

The Clerk called the bill (S. 2353) for the relief of Col. John A. Ryan, Jr.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

BORINQUEN HOME CORP.

The Clerk called the bill (S. 2770) for the relief of Borinquen Home Corp.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CONTE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

DR. JOSEPHINE L. GO AND DR. WELLES P. GO

The Clerk called the bill (H.R. 1464) for the relief of Dr. Josephine L. Go and Dr. Welles P. Go.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Josephine L. Go and Doctor Welles P. Go shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Page 1, line 8, strike out "fee" and insert "fees".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MICHIKO (HIRAI) CHRISTOPHER

The Clerk called the bill (S. 3030) for the relief of Michiko (Hirai) Christopher.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child, Michiko (Hirai) Christopher shall be held and considered to be the natural born alien child of Mr. and Mrs. Adolphus Christopher, citizens of the United States: *Provided,* That the natural parents of Michiko Christopher shall not by virtue of such parentage be accorded any right, privilege, or status under the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GRANT OF EASEMENT TO CINCINNATI SOUTHERN RAILWAY

The Clerk called the bill (S. 3665) to authorize the Secretary of Agriculture to grant an easement over certain lands to the trustees of the Cincinnati Southern Railway, their successors and assigns.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This concludes the call of the Private Calendar.

CALL OF THE HOUSE

Mr. CELLER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 187]

Bailey	Kowalski	Quie
Bolling	McSween	Reece, Tenn.
Bowles	Magnuson	Rogers, Mass.
Brademas	Martin	Smith, Kans.
Davis, Tenn.	Metcalf	Smith, Miss.
Edmondson	Miller,	Smith, Va.
Grant	George P.	Taylor, N.Y.
Hébert	Mitchell	Teague, Tex.
Hess	Morrison	Thompson, La.
Holifield	Murray	Thompson, Tex.
Kasem	Norrell	Udall
Kearns	Oliver	Walter
Kilburn	Powell	Withrow
Knox	Preston	

The SPEAKER. On this rollcall 391 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PROCEEDINGS AGAINST AUSTIN J. TOBIN

Mr. CELLER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CELLER. Mr. Speaker, there are three contempt citations before the House. Do I understand there will be an hour's time allotted to each citation?

The SPEAKER. On each resolution.

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the time allotted on the first citation, against Austin J. Tobin, be extended 1 hour, and that the time allotted on the other two citations be reduced to one-half hour each, so that there will be only 3 hours of debate in all, which would be the time ordinarily taken; and I further ask that the time be equally divided and controlled by the gentleman from Ohio [Mr. McCULLOCH] and myself.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, I rise to a question of the privilege of the House and offer a resolution which I send to the Clerk's desk along with a privileged report (Rept. No. 2117) of the Committee on the Judiciary detailing the facts concerning the contumacious conduct of the subject of the resolution.

The SPEAKER. The Chair would think that the gentleman would desire to file the report first and then offer the resolution.

Mr. CELLER. The report has been filed, Mr. Speaker.

The SPEAKER. The Clerk will read the report, then.

The Clerk read as follows:

PROCEEDINGS AGAINST AUSTIN J. TOBIN

Subcommittee No. 5 of the Committee on the Judiciary, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, of the 79th Congress, and under House Resolution 27 and House Resolution 530, both of the 86th Congress, caused to be issued a subpena duces tecum to Austin J. Tobin, executive director of the Port of New York Authority, 111 Eighth Avenue, New York, N.Y. The subpena directed Austin J. Tobin to be and appear before Subcommittee No. 5

of the Committee on the Judiciary, at 10 a.m. on June 29, 1960, in their chamber in the city of Washington, and to bring with him from the files of the Port of New York Authority certain specified documents, and to testify touching matters of inquiry committed to the subcommittee.

The subpena was duly served as appears by the return made thereon by counsel for the committee who was duly authorized to serve the subpena.

Austin J. Tobin, pursuant to the subpena duly served upon him, appeared before Subcommittee No. 5 of the Committee on the Judiciary on June 29, 1960, to give testimony as required by Public Law 601, section 121, of the 79th Congress, and by House Resolutions 27 and 530 of the 86th Congress. However, Austin J. Tobin, having appeared as a witness and having complied in part with the subpena duces tecum served upon him by bringing with him part of the documents demanded therein, (1) failed and refused to produce certain other documents in compliance with the subpena duces tecum, which documents are pertinent to the subject matter under inquiry, and (2) failed and refused to produce certain documents as ordered by the subcommittee, which documents are pertinent to the subject matter under inquiry.

At those proceedings the subcommittee chairman explained in detail the authority for the subcommittee's inquiry, the purpose of the inquiry, and its scope. The subcommittee also gave to the witness a lengthy and detailed explanation of the pertinence to its inquiry of each category of documents demanded in the subpena served upon the witness. Notwithstanding these explanations and notwithstanding a direction by the subcommittee to produce the documents required by the subpena, Austin J. Tobin contumaciously refused to produce the following categories of documents under his control and custody:

(1) Internal financial reports, including budgetary analyses, postclosing trial balances, and internal audits; and management and financial reports prepared by outside consultants;

(2) All agenda of meetings of the board of commissioners and of its committees; all reports to the commissioners by members of the executive staff; and

(3) All communications in the files of the Port of New York Authority and in the files of any of its officers and employees including correspondence, interoffice and other memorandums, and reports relating to—

(a) The negotiation, execution, and performance of construction contracts; negotiation, execution, and performance of insurance contracts, policies, and arrangements; and negotiation, execution, and performance of public relations contracts, policies, and arrangements;

(b) The acquisition, transfer, and leasing of real estate;

(c) The negotiation and issuance of revenue bonds;

(d) The policies of the authority with respect to the development of rail transportation.

The subcommittee was thereby deprived by Austin J. Tobin of information and evidence pertinent to matters of inquiry committed to it under House Resolutions 27 and 530, 86th Congress. His persistent and illegal refusal to supply the documents as ordered deprived the subcommittee of necessary and pertinent evidence and places him in contempt of the House of Representatives.

Incorporated herein as appendix I is the record of the proceedings before Subcommittee No. 5 of the Committee on the Judiciary on the return of the subpenas duces tecum served upon Austin J. Tobin and others. The record of proceedings contains, with respect to Mr. Tobin—

(1) The full text of the subpena duces tecum (app. pp. 31–32);

(2) The return of service of the subpena by counsel for the committee, set forth in words and figures (app. p. 32);

(3) The failure and refusal of the witness to produce documents required by the subpena issued to and served upon him (app. pp. 32–36);

(4) The explanation given to the witness as to the authority for, purpose and scope of, the subcommittee's inquiry (app. pp. 1–20);

(5) The explanation given the witness of the pertinence of each category of requested documents (app. pp. 48–52);

(6) The subcommittee's direction to the witness to produce the required documents (app. p. 54);

(7) The failure and refusal of the witness to produce the documents pursuant to direction (app. pp. 54–55); and

(8) The ruling of the chairman that the witness is in default (app. p. 55).

OTHER PERTINENT COMMITTEE PROCEEDINGS

At the organizational meeting of the Committee on the Judiciary for the 86th Congress, held on the 27th day of January 1959, Subcommittee No. 5 was appointed and authorized to act upon matters referred to it by the chairman. On June 8, 1960, at an executive session of Subcommittee No. 5 of the Committee on the Judiciary, at which Chairman EMANUEL CELLER, PETER W. RODINO, Jr., BYRON G. ROGERS, LESTER HOLTZMAN, HERMAN TOLL, WILLIAM M. MCCULLOCH, and GEORGE MEADER were present, Subcommittee No. 5 formally instituted an inquiry into the activities and operations of the Port of New York Authority under the interstate compacts approved by Congress in 1921 and 1922. At that meeting the subcommittee also unanimously resolved to request the following specified items from the files of the Port of New York Authority by letter and to subpena the same documents from the appropriate officials in the event this information was not voluntarily supplied:

(1) All bylaws, organization manuals, rules, and regulations;

(2) Annual financial reports; internal financial reports, including budgetary analyses, postclosing trial balances, and internal audits; and management and financial reports prepared by outside consultants;

(3) All agenda and minutes of meetings of the board of commissioners and of its committees; all reports to the commissioners by members of the executive staff;

(4) All communications in the files of the Port of New York Authority and in the files of any of its officers or employees, including correspondence, interoffice and other memorandums, and reports relating to—

(a) The negotiation, execution, and performance of construction contracts; negotiation, execution, and performance of insurance contracts, policies, and arrangements; and negotiation, execution, and performance of public relations contracts, policies, and arrangements;

(b) The acquisition, transfer, and leasing of real estate;

(c) The negotiation and issuance of revenue bonds;

(d) The policies of the authority with respect to the development of rail transportation.

On June 29, 1960, following the appearance of the aforesaid witness, Subcommittee No. 5 of the Committee on the Judiciary, at an executive session at which all members of the subcommittee were present, unanimously resolved to report the contumacious conduct of Austin J. Tobin and others to the Committee on the Judiciary with the recommendation that the committee report this conduct to the House of Representatives together with all particulars and recommend that the House cite Austin J. Tobin for contempt of the House of Representatives.

At an executive session on June 30, 1960, the Committee on the Judiciary approved the recommendations of Subcommittee No. 5 to report to the House all details concerning the contumacious conduct of Austin J. Tobin and others, and resolved to recommend that Austin J. Tobin be cited for contempt of the House of Representatives.

MINORITY VIEWS OF REPRESENTATIVE JOHN V. LINDSAY

I cannot agree with the majority recommendations in the committee report. The committee proceeding, calculated to form a basis for contempt citations under title 2, United States Code, section 192, in my opinion constitutes an unprecedented, unlawful, and unconstitutional exercise of Federal authority over a bistate agency, which can and should be avoided. The Port of New York Authority was created by the States of New York and New Jersey with the consent of Congress to exercise delegations of State, not Federal, powers.

My objections are threefold: (1) The committee acted without legal authority and exceeded its jurisdiction; (2) the committee lacked a legislative purpose in inquiring into the internal affairs of a bistate agency; and (3) the committee inadvisably and without caution initiated unprecedented exercise of Federal control in the delicate area of State sovereignty despite the pleas of the two interested Governors to be accorded a hearing before the return date of the subpenas. As a result, and I emphasize this point, the documentary material, which the witnesses did not produce, was withheld pursuant to written instructions from Governors Rockefeller and Meyner. The witnesses were damned if they complied with the subpenas and damned if they didn't.

These three witnesses, who now face the threat of criminal prosecution, are not hoodlums nor men who have ever flouted the law. Each is a public official of distinguished reputation in his community.

S. Sloan Colt, the authority chairman, has served without salary as a port authority commissioner for the past 14 years by appointment of Governors Dewey and Harriman of New York, bringing to its board his vast experience as a leading executive in the banking field. He also served the Federal Government as a member of the Clay Committee on Highway Grants-in-Aid and has been a Director of the Federal Reserve bank. During World War II, he served as the national chairman of the American Red Cross War Fund, and for the last decade has been president of the National Fund for Medical Education.

Executive Director Austin J. Tobin has been a port authority staff member for 33 years, rising through its ranks from law clerk to his present position as the chief administrative officer responsible for the execution of decisions of the board of commissioners. Mr. Tobin has served as port consultant to the Government of Thailand and to the World Bank in connection with port development in Israel. Both he and Mr. Colt have been honored by the Government of France with the Order of Legion of Honor Chevalier for their contributions to airport development and with honorary degrees from leading American universities for their outstanding public service.

Mr. Joseph G. Carty, the authority secretary, has served the port authority for over 30 years. A Navy veteran of World War I, he has been active in the National and State leadership of the American Legion for the last 40 years, including a term as New Jersey State commander. He is now a member of the Legion's national legislative commission and serves on the New Jersey State Veterans Service Council.

In the light of their record of public and civic service, it is not surprising that these witnesses felt bound to obey the instructions of their superior officers, the Governors of New Jersey and New York, governing their response to the committee's subpenas. They sought, as they were instructed to do, postponement of the proceedings to give their Governors an opportunity to be heard personally. Within the scope of their instructions from their superiors, they attempted to cooperate fully with the committee by producing a mass of records detailing all the activities of the authority and by offering to answer any questions which the committee might wish to ask.

Congress, which has as great a duty as any court to protect the liberties of individuals who appear before its committees, and, likewise, to preserve State sovereignty, should not, in disregard of conciliatory pleas to be heard by the chief executives of the two States precipitate a naked fight of Federal versus State power.

Congress consented to the compact between New York and New Jersey creating the Port of New York Authority. It did not create the authority. All the powers exercised by the authority are delegated to it by the Legislatures of New York and New Jersey.

The commissioners are appointed by the Governors of the respective States subject to the advice and consent of their senates. The port authority can only act through its commissioners. No action by them is binding unless taken at a meeting, and even then not until the minutes have been transmitted to the Governors, each of whom has 10 days within which to veto any action therein recited as having been taken by any commissioner appointed from his State. The chief financial officers of each State are authorized to audit the books of the port authority. The port authority is required to submit an annual report to the legislatures of the two States, setting forth in detail the operations and transactions conducted by it pursuant to the authority granted in the compact and supplemental legislation.

The port authority was created by the States of New York and New Jersey. It is fully subject to their control. It is their agency, not a Federal agency. Authoritative decisions in both the State and Federal courts conclusively establish the port authority's status as an agency of the States which created it to serve as their local port development agency and refute the suggestion that the consent of Congress to the port compact changed the port authority's status as a State agency (*Commissioner of Internal Revenue* v. *Shamberg*, 144 F. 2d 998 (1944), cert. den. 323 U.S. 792 (1945)).

Since the brief of the committee's counsel in support of the investigation of the Port of New York Authority challenges this conclusion without citing any applicable judicial authority, it will suffice here to note that the National Association of Attorneys General, composed of the chief legal officers of all the States, has recently reported:

"The obvious truth that the (Port of New York) Authority is a State agency and nothing else has been authoritatively and expressly determined by both Federal and State courts" (National Association of Attorneys General, "Memorandum Re Citation of State Officials for Contempt of Congress," July 22, 1960, p. 4).

Although Congress reserved the right to alter, amend, or repeal the resolution consenting to the port compact, this did not create power to amend the compact itself, which can only be altered by the contracting States. Nor can this reservation in the congressional consent reasonably be construed to vest in Congress the right to control the internal management or daily affairs of the compact agency. On this point, the National Association of Attorneys General makes the following statement:

"In this case, the interest of Congress in interstate compacts derives from one fact: the power of consent conferred over certain types of compacts so as to insure that particular compacts do not adversely affect the relationships of governmental units within the Federal system (*Virginia* v. *Tennessee*, 148 U.S. 503 (1893)). For Congress to satisfy itself on this score, it is neither necessary nor relevant to examine the internal management of agencies established by compact. The information on which such determinations depend relates to the results of agency operations and to the character of the programs conducted. These are revealed in observable activities and not in internal cerebrations."

The officials of the port authority voluntarily provided to the committee staff, and formally produced on the return date of the subpena, a mass of materials fully revealing in detail the nature and extent of the operations of the port authority (the bylaws, rules, and regulations, annual reports, and the minutes of all the meetings of its commissioners recording all actions of the port authority).

Counsel for the committee was apparently not confident that it could safely rely solely upon the compact clause of the Constitution to justify the sweeping demand for additional data relating solely to the internal affairs of the bistate agency. There was, therefore, also invoked in support of the committee's asserted authority, the commerce clause, the duty to provide for the national defense, the duty to insure that the authority's activities are consistent with the requirements of Federal regulatory agencies, and an asserted Federal concern with construction contracts, insurance matters, and public relations activities of the port agency.

The Council of State Governments noted in the memorandum on this matter which it sent to the Governors of all the States, "The grounds set forth by the Judiciary Committee would apply in similar degree to many agencies of State and local governments." The council concluded:

"Indeed, it seems unlikely that if the Judiciary Committee's present attempt to investigate the internal affairs and conduct of a State agency succeeds and if the grounds being advanced by that committee are established, any State or municipal agency could resist inquiry into, and congressional pressure on, its operations and administration" (Council of State Governments, "Memorandum Re Threatened Congressional Investigations of State Agencies;" July 19, 1960, pp. 1–2).

The committee is not entitled under the Constitution and the Rules of the House to the data relating to the internal affairs of the bistate agency. The Committee on the Judiciary has jurisdiction only under article I, section 10, clause 3 of the Constitution ("No State shall, without the Consent of Congress * * * enter into any Agreement or Compact with another State") rule XI, section 12, item (i) of the Rules of the House (interstate compacts generally) and House Resolution 27 as amended by House Resolution 530 (involving the activities and operations of interstate compacts). The committee's jurisdiction in this case, it is evident, is confined to the breadth and scope of the compact clause of the Constitution.

Congressional jurisdiction under the commerce clause, to the extent it exists, to inquire into the effect of the port authority's operations on interstate and foreign commerce, is vested in the Committee on Interstate and Foreign Commerce, not in the Committee on the Judiciary.

Similarly, the jurisdiction of Congress to inquire into whether various Federal agencies have properly discharged their duties, under Federal legislation of general application, with respect to specific aspects of port authority activities is vested in the Committee on Governmental Operations, not in the Committee on the Judiciary. National defense, construction of Federal projects, regulation of insurance, and the Federal interest, if any, in the public relations activities of local port agencies are all within the province of committees other than the Committee on the Judiciary.

Suffice it to say that the Committee on the Judiciary got the documentary material to which it is entitled under the Constitution and the Rules of the House. It did not request and it did not receive any broader delegation of authority from the House under House Resolution 27 as amended by House Resolution 530. The investigation can be no broader than the authorizing resolution.[1]

That delegation did not include investigation into wholly internal affairs of any State agency, whether created by compact or otherwise.

Lacking jurisdiction to conduct a broader investigation, the committee is also without a valid legislative purpose to inquire into the internal affairs of the port authority. To repeat, legislative purpose under the compact clause of the Constitution and the power reserved in the original resolution of approval can only extend to altering, amending, or repealing the resolution of approval. The Committee on the Judiciary cannot recommend legislation to alter, amend, or repeal the original agreement between the two States. Likewise, the committee cannot recommend legislation to otherwise regulate interstate and foreign commerce in this area.

As long ago as 1881 the Supreme Court in *Kilbourn* v. *Thompson* (103 U.S. 168) held that Congress has no right in the absence of a valid legislative purpose to inquire into purely private affairs. In 1936, a Federal district court on complaint of the United States enjoined the Pennsylvania State Legislature's attempt to conduct an investigation into the organization, administration, and functioning of the Works Progress Administration in Pennsylvania (*United States* v. *Owlett*, 15 F. Supp. 736. The Federal court there condemned the assertion of power by one partner in the Federal system over the internal affairs of the other as being "in contravention of our dual form of government" (p. 742)). By clear analogy, Congress has no right to inquire into the purely internal affairs of an agency of the two sovereign States of New York and New Jersey.

As recently as June 1959, the Supreme Court in *Barenblatt* v. *United States* (360 U.S. 109) spoke of the limitations of congressional investigations. In that case the Court stated:

"Broad as it is, the power is not, however, without limitations. Since Congress may only investigate into those areas in which it may potentially legislate or appropriate, it cannot inquire into matters which are within the exclusive province of one or the other

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[1] In *Watkins* v. *United States*, 354 U.S. 178 (1957), at p. 201 the Court stated:

"An essential premise in this situation is that the House or Senate shall have instructed the committee members on what they are to do with the power delegated to them. It is the responsibility of the Congress, in the first instance, to insure that compulsory process is used only in furtherance of a legislative purpose. That requires that the instructions to an investigating committee spell out that group's jurisdiction and purpose with sufficient particularity. Those instructions are embodied in the authorizing resolution. That document is the committee's charter."

branch of the Government. Lacking the judicial power given to the judiciary, it cannot inquire into matters that are exclusively the concern of the judiciary. Neither can it supplant the Executive in what exclusively belongs to the Executive. And the Congress, in common with all branches of the Government, must exercise its powers subject to the limitations placed by the Constitution on governmental action, more particularly in the context of this case the relevant limitations of the Bill of Rights".[2]

In the leading case of *McGrain* v. *Daugherty* (273 U.S. 135 (1927)), as in later decisions, the Court recognized that a witness has a right to refuse to answer when an investigation exceeds lawful limits. In that case the Court stated:

"We must assume, for present purposes, that neither House will be disposed to exert the power beyond its proper bounds, or without due regard to the rights of witnesses. But if, contrary to this assumption, controlling limitations or restrictions are disregarded, the decisions in *Kilbourn* v. *Thompson* and *Marshall* v. *Gordon* point to admissible measures of relief. And it is a necessary deduction from the decisions in *Kilbourn* v. *Thompson* and *In re Chapman* that a witness rightfully may refuse to answer where the bounds of the power are exceeded or the questions are not pertinent to the matter under inquiry." [3]

Thus to summarize, the committee may not exceed its jurisdiction (it is no argument to say that the House under all of the authority vested by the Constitution may have jurisdiction) and it may not conduct investigations into matters over which it has no authority to recommend legislation.

It also must be remembered that legislatures are ultimate guardians of the liberties of the people in quite as great a degree as the courts. Evidently the committee realized it was traveling too far too fast in this direction since it belatedly recommended withholding the report of the witnesses' alleged contumacious conduct pending the results of an after-the-fact invitation to the two Governors to present their views.

Now that the alleged contumacious conduct has been reported, I urge restraint and a reappraisal of the vital issues of Federal-State relationship before voting to commit the House of Representatives to an uncompromising, and, I believe, unsound position.

MINORITY VIEWS OF REPRESENTATIVE JOHN H. RAY

The majority of the Judiciary Committee recommends that contempt citations under title 2, United States Code, section 192 be issued against the chairman, the executive director, and the secretary of the Port of New York Authority. In my opinion the action so recommended by the majority would not only be unprecedented and unwise as a matter of Federal and State relations—it is not sanctioned by law and should and would be held unconstitutional.

The port authority was created by the States of New York and New Jersey pursuant to an agreement or compact authorized by special legislation enacted by each of those States. The compact defined the nature and scope of the powers and duties which the two States desired to grant to and impose upon the port authority. Before the compact could take effect, it was necessary that the States obtain, and they did obtain, consent of Congress to the making of the compact (Public Law 17, approved August 23, 1921; Public Law 66, approved July 1, 1922). Since the latter date, the port authority has operated under direct delegations of authority, and only as so authorized, by the Legislatures of New York and New Jersey .

Congress did not create the authority. The powers exercised by the authority were delegated to it by the Legislatures of New York and New Jersey. Congress lacks constitutional authority to alter the terms of the compact between the two contracting States. Congress reserved the right to alter, amend, or repeal the resolution by which it gave consent to the compact. Congress did not have power and it did not attempt to reserve any other right to supervise or to regulate activities of the bistate agency which the two States established.

I repeat Congress only reserved the right to alter, amend, or repeal its resolution consenting to the compact, and that the compact itself can be altered only by the contracting States. Therefore, no valid legislative purpose could be served by the committee subpena involved in this case.

Earlier this year the Judiciary Committee instituted the present investigation. The majority opinion of the committee sets forth accurately the developments in the investigation which resulted in the contempt citations. It is not necessary here to repeat details of that history, but I do wish to emphasize that on the return date specified in the subpena, the three officials of the port authority appeared and delivered to the committee all the minutes, financial reports, audits, and all records authorizing official action. On instructions of the Governors of the States of New York and New Jersey, port authority officials declined to furnish the working papers and other strictly internal studies specified in paragraphs (1), (2), and (3) on page 2 of the majority report. I submit such actions by the Governors and by the officials of the port authority are lawful and that the only lawful action indicated by the record is that of the Judiciary Committee in demanding and now insisting upon the production of the material which was not furnished.

The action recommended by the committee violates the constitutional rights of the States involved and the committee is attempting such action without any semblance of lawful authority.[1]

Mr. CELLER (interrupting the reading of the report). Mr. Speaker, I ask unanimous consent that the further reading of the report be dispensed with, since each Member has been supplied with a copy of the report.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, I offer a resolution (H. Res. 606) and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on the Judiciary as to the contumacious conduct of Austin J. Tobin in failing and refusing to furnish certain documents in compliance with a subpena duces tecum of a duly constituted subcommittee of said committee served upon him and as ordered by the subcommittee, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States attorney for the District of Columbia, to the end that Austin J. Tobin may be proceeded against in the manner and form provided by law.

The SPEAKER. Under the unanimous-consent agreement, the gentleman from New York [Mr. CELLER] will be recognized for 1 hour and the gentleman from Ohio [Mr. MCCULLOCH] will be recognized for 1 hour.

Mr. CELLER. Mr. Speaker, I yield myself 15 minutes.

Mr. Speaker, what is involved in this resolution is the dignity of the House of Representatives and the integrity of its process.

Over 70 years ago the Speaker of this body stated that the Members of the House can undertake no higher duty than the conservation of the rights and the privileges of the House. This comment is wholly applicable in the present situation.

It will be recalled that on June 1, 1960, the House adopted House Resolution 530 extending the investigative and subpena powers of the Committee on the Judiciary to "the activities and operations of interstate compacts" which are within the jurisdiction of the Committee on the Judiciary.

On June 29, Mr. Austin J. Tobin, the executive director of the Port of New York Authority dishonored a subpena duces tecum addressed to him pursuant to this House Resolution 530. The question at issue is whether the Congress having brought about the existence of the Port of New York Authority compact, by resolutions of approval in 1921 and 1922, which specifically reserved the right of the Congress to "alter, amend, or repeal" such approval, may constitutionally inquire into the activities and operations of that authority. That issue, after most careful consideration, has been answered in the affirmative by the overwhelming vote of the 32-member Committee on the Judiciary of this body representing the various sections of the country. Members of the House are aware that all members of its Committee on the Judiciary are attorneys, all are dedicated to constitutional principles.

Mr. Speaker, I will dwell for a moment on the nature and magnitude of the Port of New York Authority.

The Port of New York Authority is an interstate regional development authority established under bistate compacts between the States of New York and New Jersey and approved by the Congress in 1921 and 1922 for the purpose of dealing with the planning and development of terminal and transportation facilities and improving the commerce of the port district with foreign nations and with other States. It was the declared expectation of the Congress that the effectuation of these compacts would "better promote and facilitate commerce between the States and between the States and foreign nations and provide better and cheaper transportation of property, and aid in providing better postal, military, and other services of value to the Nation."

The magnitude of the activities of the port authority is apparent from a simple recital of the facilities it operates.

[2] 360 U.S. at pp. 111, 112.
[3] 273 U.S. at pp. 175, 176.

[1] The cases in point: *Graves* v. *New York ex rel O'Keefe*, 306 U.S. 466, 484 (1938); *Commissioner of Internal Revenue* v. *Shamberg's Estates*, 144 F. 2d 998, cert. den. 323 U.S. 792 (1944).

It operates La Guardia Airport, New York International Airport, Newark Airport, Port Authority Heliport, Teterboro Airport, Brooklyn Port Authority piers, Hoboken Port Authority piers, a grain elevator, a grain pier, Columbia Street Pier, pits, public open storage areas, Elizabeth Port Authority piers, Port Newark.

Erie Basin Port Authority, Newark Union Motor Truck Terminal, Port Authority Building which includes the Union Railroad Freight Terminal, Port Authority Bus Terminal.

It operates tunnels and bridges like the George Washington Bridge, the Holland Tunnel, and the Lincoln Tunnel.

It operates the Staten Island bridges like the Bayonne Bridge, Goethals Bridge and the Outerbridge Crossing.

Its activities include the operation of a hotel, office buildings, and factory and industrial sites, and other commercial undertakings in direct competition with private enterprise. It will also be borne in mind that the port authority is exempt from all Federal and State taxes.

The operations of the authority exercise a farflung influence on interstate commerce. They yield tax-exempt revenues in excess of $100 million annually from interstate tunnels, interstate bridges, terminals, airports, and shops, valued at more than $900 million. The port authority maintains offices in London, Zurich, Rio de Janeiro, San Juan, P.R., Chicago, Cleveland, Pittsburgh, and Washington, D.C. Its representatives appear frequently before congressional committees and Federal regulatory agencies for purpose of improving the competitive position of the Port of New York Authority vis-a-vis other U.S. ports. They lobbied against the St. Lawrence Seaway The States that border on the St. Lawrence Seaway should take heed in that regard. What right did they have to oppose the St. Lawrence Seaway? Yet they did just that.

The port authority's operations affect the economic lives of millions of Americans living outside as well as inside the port development area, and the States of New York and New Jersey. They intimately affect the operation of Federal agencies responsible, among other things, for the national defense, navigable waterways, and air, rail, and highway traffic. In short, they profoundly affect Federal interests of many and various kinds.

The authority of Congress to inquire into the activities and operations of the Port of New York Authority flows from article I, section 10, clause 3 of the Constitution of the United States, the so-called compacts clause, which provides as follows:

> No State shall, without the consent of Congress * * * enter into any agreement or compact with another State.

Pursuant to this constitutional provision, the Congress in 1921 and 1922 adopted resolutions approving the compacts creating the Port of New York Authority and inaugurating a comprehensive plan for the development of the port area lying within the States of New York and New Jersey. In adopting these resolutions Congress expressly reserved the right "to alter, amend, or repeal" its resolutions of approval. I repeat, Congress expressly reserved the right to "alter, amend, or repeal" its approval.

It is well also to recall that the port authority itself has told the Supreme Court of the United States that "there can be no doubt that Congress has made the port authority its agent for the effectuation of the comprehensive plan."

It is indisputable that Congress may enact legislation withdrawing its consent to any and all of the provisions of the port authority compacts. It may, as was proposed in 1952, enact legislation to repeal its consent to the compacts and thereby dissolve the port authority. It may enact legislation making its consent conditional upon the agreement of New York and New Jersey to delegate certain additional functions or withdraw certain functions from the port authority. Clearly, decisions of this kind have an enormous potential impact upon the Nation's greatest metropolitan area, its largest port, upon large segments of industry. To even suggest that Congress, entrusted with such powers cannot inquire into the operation of the Port of New York Authority is to say that Congress must exercise its legislative responsibilities blindfolded.

NEED FOR COMPREHENSIVE INVESTIGATION

Notwithstanding this clear constitutional mandate to Congress, for 40 years there has been no thoroughgoing review of the port authority's activities. The question may be asked as to why there is need to reevaluate congressional consent; why it should be necessary to determine whether congressional objectives are being realized by the port authority.

The need arises in part as the result of complaints varying widely in gravity and nature which have come to the attention of the Judiciary Committee. For example, it has been alleged that the port authority, in combining revenues for financing purposes from all its facilities, rather than reducing tolls on each facility as it is amortized, places an undue burden on the channels of interstate commerce and is contrary to national transportation policy. It is charged that although the Holland Tunnel has been paid for four times over and the George Washington Bridge twice over by interstate motorists, there has been no substantial reduction in tolls. This raises the question whether users of these crossings, who are residents of every State of the Union, are being taxed by the authority to subsidize such facilities as grain elevators, industrial sites for private business, hotels, and bowling alleys.

It has been alleged that the port authority has failed to discharge its responsibilities with regard to the New York-New Jersey rail commuter crisis—one of the principal reasons for its existence.

It has been alleged that the port authority has extended its operations beyond the geographic limits contemplated by the Congress. For example, it has been alleged that the port authority has made an arbitrary decision to locate a jet airport in Morris County, N.J., at a site which would require further extension of the port district.

It has been alleged that in the letting of certain service and construction contracts, the port authority has not permitted competition and has failed to grant the award to the lowest bidder.

It has been alleged that in numerous instances the authority has displayed favoritism and has unfairly discriminated in the award of contracts, permits, and concessions.

It has been alleged that the port authority engages in private business activities which compete unfairly with private enterprise.

Furthermore, the fact remains that the overall operations of the port authority have at no time been subjected to a comprehensive or overall audit by any governmental agency.

PORT AUTHORITY REFUSAL TO PROVIDE INFORMATION

At the request of Members of the New Jersey congressional delegation, the staff of the House Judiciary Committee was directed last March to make a study of the activities and operations of the authority, including a review of the scope of the authority's major operations, to determine the adequacy with which the port authority was carrying out its responsibilities entrusted to it under the congressionally approved compacts. The port authority failed to make available documents requested in a letter dated March 11, 1960. It agreed only to supply documents which for the most part were already matters of public record.

Thereafter, the House, on June 1, adopted House Resolution 530, extending the Judiciary Committee's subpena power with respect to the activities and operations of interstate compacts that are within the jurisdiction of the Judiciary Committee.

On June 8 the subcommittee again addressed a letter to the executive director of the authority requesting specified documents dating from January 1, 1946. Once more the executive director of the port authority declined.

It should be emphasized that this marked a strange change in policy. At hearings before this subcommittee in 1952, the same official of the authority testified:

> The port authority is a public agency and our records are completely available for perusal by the members of your committee or your staff.

On June 15 counsel for the subcommittee met with the executive director and the general counsel of the authority at its office but again they failed to make the requested documents available. They agreed only to supply documents which were virtually all a matter of public record. Such documents do not permit an adequate assessment of the port authority's operations.

Three months of patient effort to obtain needed data from the authority through informal efforts having proved fruitless, the service of subpenas in aid of the subcommittee's investigation became imperative. Accordingly, on June

15, 1960, subpenas were served on three officials of the authority. It should be added that the full Committee on the Judiciary approved the issuance of these subpenas.

Every category of documents required by the subpenas is essential to a thorough investigation, as was explained in patient detail at the return of the subpenas. Among the documents called for by the subpenas were the important records and correspondence between the port authority and outside concerns, dealing with multimillion dollar contracts.

At the return of the subpena on June 29, 1960, Mr. Tobin appeared, but persisted in refusing to produce the contested documents. At this stage he, for the first time, predicated his refusal upon the ground that Governors Meyner and Rockefeller had directed it and on the further assertion that the documents called for by the subpena were not pertinent.

The Governors, having expressed an interest in the proceedings, were invited to meet with the subcommittee and express their views. They declined, however, to appear before August 29, a date too late in the session to make an exchange of views useful. However, the subcommittee had the benefit of statements by the attorneys general of New York and New Jersey who represented the Governors.

At the return of the subpenas, also, the pertinence of the contested documents was explained to Mr. Tobin and the other two port authority officials in minute detail. Their continued refusal to comply left the subcommittee no alternative but to recommend this and the other citations for contempt.

Mr. Speaker, with respect to the subject of the resolution now under consideration, Mr. Austin J. Tobin, the report of the committee sets forth in detail his official position, the nature of his authority and the details of his contumacious conduct. It should suffice for me only to emphasize a few points. As Executive Director of the Port of New York Authority, Mr. Tobin is "generally in administrative charge of all activities of the port authority" as set forth in the bylaws of that authority. Further, Mr. Tobin testified he is "in complete charge and control of all files, documents, memoranda of the port authority." Nothwithstanding this general authority and power he willfully refused to comply with the lawful subpena of a duly constituted committee of the House of Representatives.

Moreover, Mr. Tobin testified that it was his recommendation to the Governors that the documents requested by the subpena be denied to the committee. Accordingly, Mr. Tobin placed himself in contempt of the House, not only for failing to supply the documents requested, but by initiating the action of his agency which has resulted in keeping those documents from congressional scrutiny.

And I want to say to a number of Members of the House who are interested in so-called port authorities, there are only two port authorities in the whole country that are the result of interstate compacts, compacts between two States; they are the Delaware River Port Authority and the Port of New York Authority. When these propagandists who have spent fortunes to defeat these resolutions, who have sought to misguide you, who tell you that port authorities throughout the length and breadth of the Nation are in danger, they are simply not telling the truth.

Mr. WILLIS. Mr. Speaker, will the gentleman yield at that point?

Mr. CELLER. I yield to the gentleman from Louisiana.

Mr. WILLIS. I do not want to engage in recrimination and questions of mental attitude in respect to this proposal, but I do say that I very much agree with what the gentleman has just said; namely, that there are only two port authority compacts in existence in America—the one under consideration and the one between the State of Pennsylvania and the State of Delaware. All other ports in America are, of course, the creation of State legislatures and are subject to the exclusive jurisdiction and control of State laws.

The proposal before us today has absolutely nothing to do with them, because we would have no power to do anything with respect to, let us say, the port of New Orleans, Houston, Galveston, San Francisco, or any other port.

The issue here, by the way, is not the merits of the compact or whether anything should be done about it. I have a completely open mind on the merits. I do not think anything should be done with respect to the reserved rights of Congress to look into this matter. This does not address itself to the merits of the case at all, but it is just upon certain representations made to the committee that the matter should be inquired into that is before us in an effort to stop the inquiry.

I might also say that on June 1 of this year this House specifically authorized the committee to conduct this inquiry.

Mr. CHELF. Mr. Speaker, will the gentleman yield at that point?

Mr. CELLER. I yield to the gentleman from Kentucky.

Mr. CHELF. Is it not also true that the two States which are involved, New York and New Jersey, are subject to Federal supervision under the compacts and are in a different category than those that the gentleman from Louisiana pointed out; to wit, those authorized, owned, operated, and supervised by a State government?

Is it not likewise true that the Port of New York Authority has agents in several countries urging shipment to and through the New York Port Authority to the disadvantage of these others?

Mr. CELLER. What the gentleman says with reference to the Port of New York Authority functions and their having offices abroad is correct.

Mr. CHELF. And is it not also true that its operations and income exceed $100 million per year?

Mr. CELLER. That is correct.

Mr. CHELF. And is the value of its assets not in excess of $900 million? Is not this tax-exempt money?

Mr. CELLER. That is correct.

Mr. CHELF. That is what I thought.

The SPEAKER pro tempore. The gentleman from New York has consumed 15 minutes.

Mr. CELLER. Mr. Speaker, I yield myself 5 additional minutes.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. CANFIELD. Will the gentleman tell the House whether the New York Port Authority has ever been investigated by any governmental agency?

Mr. CELLER. No. The port authority has never been investigated by any agency either State or Federal.

We have asked the Library of Congress to compile for us a list of all the bills calling for an investigation of the port authority that were offered in the Legislatures of the State of New Jersey and the State of New York. There are quite a number of them, and those resolutions of inquiry into the activities of the port authority never got to first base. They were killed in committee because of the inordinate influence of the port authority and its investment bankers. When they tell us they do not want to be investigated by any Federal instrumentality purports only because they are a State agency, we have this anomalous situation: they brought to bear upon the State legislatures their tremendous power to prevent any investigation by the various States under the guise, I understand, that they are a Federal agency. So they want those who are to investigate them to fall between two stools. The result is there has never been a comprehensive overall audit of their operations. Nor has there been searching scrutiny of their operations.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Ohio.

Mr. McCULLOCH. Did I understand the gentleman from New York to say that there had never been an independent audit of the overall operations of this authority?

Mr. CELLER. There have been audits by accountants, but the accountants were compelled to accept the figures given to them by the port authority.

Let me read you a very significant passage taken from the minutes of the New York Port Authority for April 9, 1959. This concerns the audit of Price Waterhouse & Co. The minutes state:

> It is generally recognized that it would be economic and unnecessary for the independent auditors or even the internal auditors to examine more than a small portion of the millions of transactions of a large enterprise. * * * Having satisfied ourselves as to the general effectiveness of the procedures, controls and the internal audit program, we were able to rely on them for substantiation of the accuracy of the majority of the transactions. Accordingly, in conformity with our usual practice on examinations of organizations having comprehensive methods of internal accounting control, we did not make a detailed audit of the cash or other transactions for the year, such as would be required to check the regularity of all transactions, although in the course of our examination a representative number of transactions came under our scrutiny.

It is high time, Mr. Speaker, that we examine into the activities of this Authority. We, the members of the Committee on the Judiciary, are not prosecutors. Our function is to obtain the facts so we may legislate appropriately. We regret that the port authority left us no alternative but to recommend the contempt citations.

The SPEAKER pro tempore. The time of the gentleman from New York has again expired.

Mr. CELLER. Mr. Speaker, I yield myself 5 additional minutes.

The committee needs those records to find out what has been happening all of these years in this port authority.

Mr. CHELF. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Kentucky.

Mr. CHELF. Is it not true that the entire delegation from the great State of New Jersey, Democrats and Republicans alike, requested this information and wanted an investigation of some kind or another in order to get the facts.

Mr. CELLER. I assure the gentleman that I did not seek, nor did the Committee on the Judiciary, nor its subcommittee seek this investigation. The attitude of the officials of the port authority with reference to selection of a site for a new jet airport at Morris County, N.J., prompted the members of the New Jersey congressional delegation to come to us and request a staff study. We complied with the request and started a staff study. We asked our staff members to proceed and get required information from the port authority. Our staff ran up against a blank wall. It was refused information. The subpenas were dishonored. What is Congress going to do under those circumstances? Are we going to carry out our responsibilities as Members of the Congress? Should we truckle to this port authority, with its tremendous power and potency?

Mr. CHELF. Mr. Speaker, if the gentleman will yield further; it has been said that all of the membership of this House have received a long telegram from the present Governor of the State of New York and former Governors, Averill Harriman, Thomas E. Dewey, and Governor Lehman, in which they have said that they have been denied an opportunity to be heard by the chairman of the Committee on the Judiciary of the House of Representatives. I read from that telegram as follows:

> The hearings on this bill have been repeatedly and now indefinitely adjourned by Congressman CELLER with the result that both the two Governors and former Governors of New York and New Jersey have been denied any opportunity to be heard in opposition.

Now, is it not true that the chairman of the Committee on the Judiciary gave them an opportunity to be heard in July, and again on August 8, 1960?

Mr. CELLER. I will say to the gentleman that we gave the Governors of the States of New York and New Jersey ample opportunity to present their views before our subcommittee. We invited them to appear on August 8 or at an earlier date. Governor Meyner said that if there were no alternative he would appear before the subcommittee on August 8 and express his views. Subsequently he reversed himself. Governor Rockefeller said he could not appear on August 8 or earlier, but he said he could appear—and mind you this—he said he could appear sometime after August 29.

Mr. CHELF. Yes; after we had adjourned probably.

Mr. CELLER. We will adjourn sometime after August 29. I informed Governor Rockefeller that an appearance after August 29 would be abortive. We would be stymied so far as the contempt citation was concerned; our efforts in that regard would be useless. Therefore I urged Governor Rockefeller to try to appear before August 8. I assured him of courteous and respectful consideration.

Mr. CHELF. But the point is, they were all given an opportunity to be heard.

Mr. CELLER. There is no question about that. And, Governor Meyner finally took the position that since Governor Rockefeller could not appear before the subcommittee on August 8, he likewise would not appear before the subcommittee on August 8. The conclusion is that these Governors were seeking to play fast and loose with the distinguished members of the Committee on the Judiciary.

The SPEAKER pro tempore. The time of the gentleman from New York, [Mr. CELLER], has again expired.

Mr. CELLER. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Speaker, first I think this matter of the Governors' having an opportunity to appear before the committee should be clarified once and for all. As the chairman of the committee has said, he was approached by the members of the New Jersey delegation; he did not give the exact time, but it was in the month of February of this year. After he was approached, he tried to look into the matter, and introduced House Joint Resolution 615. From that day on, every attempt to get either the Governor of New York or the Governor of New Jersey to come before this committee under any circumstances, so that we could ascertain from them certain facts, failed.

Under this compact, under article 7, which was first approved by the Congress, there is a provision to the effect that the port authority shall make an annual report to the legislatures of both States setting forth in detail the operations and transactions conducted by it pursuant to the agreement and any legislation thereunder.

Why they did not come on invitation, or agree to come down and talk with the Committee on the Judiciary we will never know save and except that after dickering around for a long time, a subpena was issued for these three men to come before the committee and produce certain documents. Then we received a wire dated the 23d day of June from Governor Rockefeller and Governor Meyner. Mind you, after the subpena had been issued, and when the 29th day of June had been set as the day for their appearance, here is what the Governors requested.

> I therefore join with Governor Meyner in requesting that the return date of these subpenas be adjourned from June 29 and that a date mutually convenient to the members of the committee and the Governors be arranged to discuss the serious matter involved.

They were willing to come upon one condition, that we set aside the subpenas that had been issued, and that we then try to arrive at some date to see them. Every Member knows that on the 22d day of June we were anticipating an adjournment on or about the 4th or 5th of July. So if we had withdrawn the subpena and not called these people down, and had gone ahead and adjourned on the 4th or 5th of July, they would have been over their hurdle. But we recessed and during the recess the chairman of our committee did everything within his power to get these two governors down here. But was he able to do it? No. Why they did not want to come I do not know.

The chairman of the committee suggested the 8th of August and then the 15th of August and finally yesterday we received a wire saying that they were denied the right to appear before the committee.

I want to make that crystal clear so that whatever allegations are made to the effect that these people did not have the opportunity to appear before the committee, they are in error. The chairman of the committee began in the month of February, but all they suggested was that they might come down sometime after the 29th day of August.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Louisiana.

Mr. WILLIS. The House should understand that one Congress cannot cite for contempt a person whose action involved another Congress, so the 86th Congress could not cite anyone for an action that occured in the 85th Congress, and next year, when we have the 87th Congress, that 87th Congress cannot cite persons for contempt of this Congress. So you cannot postpone this thing, you have to act. Unless we act now one way or another it is finished. Do not have in your mind that we will postpone it and look at it next year. It cannot be done.

Mr. McCULLOCH. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Speaker, while I am by way of experience probably the youngest man on the Committee on the Judiciary, and I suppose in time of service one of the youngest Members of the House, I perhaps can throw some light on this resolution which might be of help to the Members. The reason is that I am from New Jersey.

If I may, I would like to give you a little background of why the New Jersey delegation, both Republican and Democratic Members, unanimously asked the

Committee on the Judiciary to make a staff study of the New York Port Authority. We received through the newspapers in New Jersey an announcement that the New York Port Authority was going to erect a jet airport in one of the most desirable residential sections in the entire State of New Jersey. This was the first notice that any of us received of this proposed jet airport.

The distinguished gentleman from that district of New Jersey [Mr. FRELINGHUYSEN], immediately called a meeting of the New Jersey delegation. It then became apparent to all of us, many of whom had served in the New Jersey Legislature, and I happened to be one of them, that none of us really knew what was going on with the New York Port Authority, because there had never been any investigation and none of us knew whether this port authority was exceeding its powers that had been granted to it under this compact or whether it was fulfilling its obligations under the compact. So we decided as Representatives that the intelligent thing to do was to request a study by the proper congressional committee.

This is what happened. Just as the New York Port Authority has been flaunting the people of New Jersey for some 39 years and the New Jersey Legislature for an equal number of years, now they come along and attempt to flaunt the will of the Congress of the United States.

Mr. FRELINGHUYSEN. Mr. Speaker, will the gentleman yield?

Mr. CAHILL. I yield to the gentleman from New Jersey.

Mr. FRELINGHUYSEN. The gentleman made reference to the proposed jet airport in Morris County, which is in my congressional district. I should like to point out that the recommended site lies beyond the jurisdiction of the port authority in that it is some 30 miles west of Manhattan and therefore falls beyond the geographical limits of the authority's jurisdiction. This proposal has been very much opposed by the thousands of people who reside in this section of New Jersey.

However, inasmuch as there were no formal records, no minutes of the port authority regarding this Morris County site, there was nothing which could be vetoed by Governor Meyner or Governor Rockefeller. In other words, when this recommendation was made last December, and until the present, there is still no way by which either State or both States or either Governor or both Governors could formally pass on what the port authority recommended. In other words, in this particular situation there has been no possibility of controlling the port authority by either or both of the States. Incidentally, the entire New Jersey congressional delegation is on record in opposition to the Morris County site for a major airport, as is the New Jersey Legislature. As a practical matter, therefore, the activities of the port authority fall between the Federal Government and the two States. In such a case I think their operations are a fit case for scrutiny.

I thank the gentleman.

Mr. CAHILL. As a result of this agreement the gentleman from New Jersey [Mr. RODINO] and I sought out the chairman, and the chairman, not at his initiative but at our request, started to conduct this study. Members of the House, while I am new here and I have not had the pressures that many of you have had throughout the years, I saw start a series of pressures the likes of which I have never seen in my life. The day after the study was announced, I think five of the leading newspapers of the city of New York simultaneously came out with an editorial criticizing the chairman for what they said was his personal vindictiveness—this, in spite of the fact that he was only acting at the request of the New Jersey delegation. Then the pressures started—telegrams, telephone calls, newspaper articles—it is intrastate and not interstate—it is a violation of States rights—you are depriving us of our constitutional prerogatives and so on. I never heard so many ridiculous assertions to try to prevent a duly authorized committee of a duly authorized representative body of the people of this great Nation—to try to prevent, as I say, this committee from exercising its right to look at some records which we feel in New Jersey will be helpful.

Mr. Speaker, I want to be very brief, but may I say while I am a lawyer, I am not a constitutional lawyer, but I would like to respectfully call to the attention of the lawyers of the House and to the nonlawyers as well that your Committee on the Judiciary is composed of 32 lawyers—Republicans and Democrats. But in addition, it has a staff, and those men, while I do not know their politics, I do believe they are pretty well divided too. That staff was directed to make a study. The staff and the overwhelming majority of the lawyers on the committee concluded that this activity, this resolution, this endeavor, this study, is constitutional and, secondly, and I think this is important, that the things we requested are germane to that study.

The SPEAKER pro tempore. The time of the gentleman from New Jersey has expired.

Mr. McCULLOCH. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. CAHILL. Mr. Speaker, may I, in closing, just say this. I could talk about the morality of this, but I am sure that that is not relevant here. But, we have heard in New Jersey of many things that are going on in the New York Port Authority. We would like to know whether they are true or not. We would like to know about the salaries that are being paid. We would like to know about the public relations counsels.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. CAHILL. I yield to the gentleman from New Jersey.

Mr. CANFIELD. Does the gentleman know anything about some of the salaries?

Mr. CAHILL. Only what I have been told, and that is that the executive director is allegedly making $60,000 a year.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. CAHILL. I yield.

Mr. ROGERS of Colorado. You indicated a moment ago that you have been a member of the New Jersey Legislature.

Mr. CAHILL. Yes, sir; that is correct.

Mr. ROGERS of Colorado. While you were a member of the New Jersey State Legislature, did the port authority ever set forth in detail the operations and transactions conducted by it pursuant to this compact?

Mr. CAHILL. Not to my knowledge. I recall very vividly a very distinguished assemblyman from Hudson County by the name of Musto who was always urging that the Legislature of New Jersey get such a report, but to my knowledge we never received it.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CAHILL. I am happy to yield to my colleague.

Mr. GROSS. Was there any serious attempt ever made by the New Jersey Legislature to get such information?

Mr. CAHILL. Yes, there was; but it was always my observation that every serious attempt was buried in committee. It is surprising to me, may I say, that the Governors of the State of New Jersey, Democrats and Republicans alike, never seemed seriously interested in bringing this information to the public.

Mr. BROOKS of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. CAHILL. I yield.

Mr. BROOKS of Louisiana. Was any resolution ever passed by the State Legislatures either of New Jersey or New York asking for such information?

Mr. CAHILL. I cannot answer about the State of New York. All I know about is the State of New Jersey.

Mr. BROOKS of Louisiana. What about the State of New Jersey, was any resolution ever passed by the Legislature of the State of New Jersey?

Mr. CAHILL. All I can say is that there were resolutions introduced in the Legislature of the State of New Jersey. I do not know about the State of New York, but I see the gentleman from New York [Mr. SANTANGELO] is on his feet; perhaps, he can answer our colleague.

Mr. SANTANGELO. In answer to the inquiry of the gentleman from Louisiana, I would like to point out that I was a member of the Senate of the State of New York and in 1954 I introduced a resolution asking for an investigation of the Port of New York Authority because of the extortionate charges being made on tolls over the bridges and through the tunnels. For example, the Holland Tunnel had been paid for more than five times over and yet they continue to maintain a toll of 50 cents per passenger vehicle. It was the expectation, and statements had been made to the effect, that the tolls would be reduced when the original Holland Tunnel bonds were paid off. At the time I introduced that resolution in the legislature of the State of New York, the representatives of the New York Port Authority in answer to some of my questions told me that the New York Port

Authority should not be investigated by the State of New York because it was a bistate agency and it was subject to the jurisdiction of the Federal Government. We were told that it was not in the proper domain of the State of New York to investigate the Port of New York Authority.

I would like to state that this morning I received a note from this representative in which he states that I must have been misinformed, but in 1954 a resolution was killed in committee because they felt it should have been investigated by the Federal Government and not by the State.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. CELLER. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. CAHILL. I think it is most regrettable, and I am sure every member of the Judiciary Committee and every member of the New Jersey delegation feels that it is regrettable, that this procedure was necessary. We have several distinguished public servants on this authority. It is regrettable that this is necessary, but as I see it this goes to the very dignity, the very authority, and the very respect for the Judiciary Committee and the House of Representatives. As a Member from the State of New Jersey, I wholeheartedly support this resolution and urge its adoption.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. CAHILL. I yield.

Mr. CANFIELD. We do not acknowledge that the New York Port Authority is a supergovernment do we?

Mr. CAHILL. We certainly do not acknowledge it, but I am afraid many of our people believe that it is.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. McCULLOCH. Mr. Speaker, I yield myself 15 minutes. I rise to support the resolution. On a false issue of States rights, the named officials of an interstate development authority are attempting to block a valid congressional investigation.

By their refusal to produce the subpenaed material, they have challenged the investigative authority of the House of Representatives. The House authorized the investigation when it approved House Resolution 530, amending House Resolution 27.

Acting upon this delegation of authority, the Judiciary Committee, after careful and exhaustive consideration, issued the subpenas.

Now, the port authority has in effect told the Judiciary Committee of lawyers that it is not competent to determine what records it is privileged to examine. Instead, the interstate agency Congress "consented" into life has asserted the right of determination to withhold data Congress deems pertinent. This has now become a question of who has the superior right to determine the pertinency of subpenaed material, the Congress or the witnesses served with subpenas.

I need not recite all of the facts. The distinguished chairman of the committee, the gentleman from New York, has set forth the reasons for the investigation.

By way of example, Congress, if it receives the subpenaed material, will be able to determine whether the policy of the port authority in combining revenues from all operations to finance additional projects, rather than reducing tolls on each project as it is amortized, places an undue burden on interstate commerce. The latter was the policy of the port authority until 1935. In making a reappraisal of congressional consent to this policy, which certainly affects interstate commerce and which on its face is contrary to the national transportation policy, Congress must have all the financial data of the port authority, not just the data the port authority wishes Congress to consider.

Suffice it to say that since the approval of the original compact the port authority has ventured into many new fields including the operation of airports and the leasing of tax-free land to private industry. There are allegations that many of these projects are deficit operations carried on at the expense of that portion of interstate commerce using bridges and tunnels long since paid for through the collection of tolls. Yet these tolls have not been reduced. Interstate commerce is still being burdened and Congress, which has a superior right in this field, under the commerce clause of the Constitution, is told this is none of its business.

The construction contracts of the port authority run into hundreds of millions of dollars. There are allegations that these contracts have not always been awarded to the lowest qualified bidder. The Judiciary Committee has been refused copies of the contracts and data relative to the awarding of these very large contracts.

If any of these projects, as alleged, have gone to contractors charging substantial sums more than the lowest and best bidder, the public has paid the difference. We want to know. We are entitled to determine whether interstate commerce has been so burdened.

These are examples of the areas the Judiciary Committee wishes to consider. How can we validly reappraise congressional consent without probing such matters? What does the port authority, which is a public agency, fear, if we do determine the facts? We have no desire to embarrass, or harass, or to put the port authority out of business; but we are determined, with the help of the House, to find the facts and, if necessary, protect the superior Federal interest.

It is interesting that in 1952, in a prior hearing before the Judiciary Committee, Autin Tobin, the director of the port authority and one of the witnesses who now has refused to comply with the subpena, stated, and I quote:

> As a public agency the port authority has always taken the position that its books and records are public information.

On April 22, 1952, Mr. Tobin wrote the chairman of the Judiciary Committee, as follows:

> The commissioners of the port authority have also asked me to assure you of their desire to place at the disposal of your committee whatever records, information, data, or other material which may be helpful to your staff in preparation for the hearing on this resolution. The port authority is a public agency and our records are completely available for perusal by the members of your committee or your staff.

The Judiciary Committee has been very careful not to exceed the constitutional limitations of its jurisdiction. Neither has it abused the rights of any of the witnesses. We are, however, at a stage where a court test of the issues has become inevitable. Not to press for a resolution of the issues would be to surrender to outside pressures originating from the port authority. Congress will have withdrawn support from one of its committees and established a crippling precedent for conducting investigations only on the terms dictated by the subjects under investigation.

As the ranking minority member of the Judiciary Committee, I am not requesting you to vote for a contempt citation without being prepared to explain the necessity for resorting to this procedure.

First, the port authority made a partial compliance with the demands of the subpenas. The witnesses produced the material which in their opinion was material and competent to the investigation, but withheld the material they considered privileged.

Second, on the point of dispute—on whether the material is pertinent to the investigation or is privileged—this is a question within the competency of the Judiciary Committee to determine and it was determined before the subpenas were issued. This is not a matter to be determined by every individual witness who appears before a congressional committee. If every witness had such a veto power, the investigative function of the legislative process would soon come to an end. We are simply asking the House to confirm the Judiciary Committee's judgment of the law and facts relative to the legality of the subpenas.

The committee's position can best be advanced by exploding the flimsy excuse of the port authority, that a vital issue of States rights is involved, that the port authority is a State agency over which Congress, after granting consent to the original compact, has no further jurisdiction or control. This would establish a new concept—that a creature of congressional consent can become more powerful than Congress.

Even from a casual examination, the port authority does not appear to be a State agency exercising powers exclusively reserved to the States. The port authority is not the agency of one State, but of two States. It is a bistate or interstate agency requiring the consent of Congress under the compact clause of the Constitution. It must have congressional consent both for its creation and its continued existence.

It was not created to exercise powers purely reserved to the States. It was created for the purpose of jointly exercising the authority of the two States in the field of interstate commerce. In this field, under the commerce clause of the Constitution, the interest of the Federal Government is supreme.

In fact, when Congress approved the original compact and comprehensive agreement, both the Judiciary Committee and the House considered all the areas of Federal concern. Thus the congressional resolution approving the comprehensive plan, which set forth in detail the purposes of the interstate agency, recited, and I quote:

> The carrying out and executing of the said plan will the better promote and facilitate commerce between the States and between the States and foreign nations and provide better and cheaper transportation of property and aid in providing better postal, military, and other services of value to the Nation.

That the port authority was intended to function primarily in the field of interstate commerce is evident from reading the report of the Judiciary Committee approving the resolutions and the debates on the floor of the House.

Now that the Judiciary Committee in 1960 is attempting a reevaluation, the port authority on a pretext of preserving States rights refuses information on the vital areas of Federal concern. It is incomprehensible that an interstate agency, which operates extensively in the field of interstate commerce, can hope to claim that the Federal Government has no right to investigate its operations. If successful, the port authority will limit congressional reevaluation to narrower grounds than Congress considered at the time of original approval.

This investigation establishes no new precedent. A select committee of the House during 1955 and 1956 investigated the White County Bridge Commission—a commission authorized by Congress to construct and operate a toll bridge over the Wabash River connecting New Harmony, Ind., and White County, Ill. Again, during 1957 the Senate Public Works Committee investigated an acquisition by the Indiana State Highway Department of land acquired for a Federal aid highway. Although the character of these agencies are not entirely similar, the port authority has no greater immunity. It has no less degree of accountability to Congress.

I have not had enough time to present the facts and the authorities, but I hope I have impressed you with the very serious nature of the resolution before us. I appeal to every Member of the House to support the studied judgment of the overwhelming majority of the Committee on the Judiciary. We would regret the day, if it should ever come, when the House of Representatives votes to conduct an important investigation only on the terms dictated by the persons under investigation.

Mr. CHELF. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from Kentucky.

Mr. CHELF. In other words, if the Congress had the right to frock them, the Congress has the right to unfrock them; is that not right?

Mr. McCULLOCH. That is right.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from New York.

Mr. TABER. The Federal Government cannot go into the detail and operation of the internal affairs of a State agency, such as these two States have in this port authority, and unless you can show that there is some authority and that there is some way in which legislation could be created or something of that kind, there is no authority.

Mr. McCULLOCH. Mr. Speaker, the question of pertinency was covered at length by what I hope was a clear paragraph of my statement. But, by way of repetition, I think I can say that there is evidence in the committee's possession, allegations from people of responsibility, and documentary evidence from third parties that contracts may not have been let to the lowest and best bidder; that the burden on interstate commerce has been increased by the failure of the authority to do that which would be expected of it to be done.

Members of the House, the staff of the committee was unanimously of the opinion that the pertinency of the documents which have been required was established beyond any question.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. McCULLOCH. I yield to the gentleman from New York.

Mr. CELLER. Is not the answer to the inquiry of the gentleman from New York [Mr. TABER] the fact that when Congress granted consent to the compacts, it reserved the right to alter, amend, or repeal? Does not that reservation among others, give our committee the right to examine into the operations of this port authority?

Mr. McCULLOCH. The statement of the chairman of the committee is eminently correct and is an addition to the discussion of pertinency which I earlier made.

Mr. CELLER. Mr. Speaker, I yield 10 minutes to the gentleman from Louisiana [Mr. WILLIS].

Mr. WILLIS. Mr. Speaker, I wish there were an easy way to dispose of the issue and the principle presented to the House at this time. But there is not, and I want to tell you why. I wish we could put that issue and that principle on ice, or under the rug, during this session of Congress with good taste. But we cannot, and I want to tell you why.

We are not confronted with a feud between a few men or a group of men. If that were the case, the impasse we are confronted with would be different. The chairman of the House Committee on the Judiciary, the gentleman from New York [Mr. CELLER], is not on trial; Mr. Tobin, the general manager of the Port of New York Authority, and the Governors of New York and New Jersey, are not on trial. As I see it, the dignity of the full House Committee on the Judiciary and the dignity of this House are on trial.

Accordingly, as I see the problem, we cannot shrug our shoulders and wash our hands of the whole thing. The practice of finding an easy way out of a difficult situation and washing one's hands of a serious matter is as old as Christianity itself, but has not proven very courageous over the long years.

I would like to outline my understanding of the background of this controversy which has led up to the contempt citation under consideration today.

In a long telegram addressed to every Member of this body by Governor Rockefeller and former Governors Harriman, Dewey, and Lehman, of New York, yesterday, reference is made to House Joint Resolution 615, proposing certain modifications to the consent of Congress to the compact made between the States of New York and New Jersey, with the consent of Congress, back in 1921 and 1922. After this joint resolution was introduced, I was told that an effort would be made to bring it out without hearings. This information proved to be inaccurate. As a matter of fact, Mr. CELLER himself announced to the full committee that no action would be taken on that proposal without hearings. In any event, I said that so far as I was concerned I certainly wanted to take a long and hard look at that proposal before acting on it and that, of course, I was in favor of full and complete hearings. That was my position then, and it is my position now. But let me hasten to say that this proposal is definitely not before the House at this time.

In the meantime, the entire New Jersey congressional delegation made certain representations about certain actions of the Port of New York Authority to the Judiciary Committee and asked the committee to look into the matter.

A subcommittee decided to make a staff inquiry into the matter and sent one of the committee counsel to New York to look over the records of the Port of New York Authority. The counsel reported, however, that certain records were not made available and he could not proceed without a more thorough inspection.

At this point some question was raised about the authority of the Judiciary Committee to conduct an inquiry or investigation into this matter. In view of the attitude of the Port of New York Authority, the committee submitted the question to the House. On June 1, 1960, the House granted specific authority to make the inquiry or investigation. You will see, therefore, that in pursuing the inquiry or investigation, the subcommittee and the full committee have simply been carrying out the will of the House.

Despite the action taken by the House on June 1, 1960, the Port of New York Authority persisted in resisting the efforts of the committee to conduct the inquiry or investigation initiated at the request of the New Jersey congressional delegation. Faced with that impasse, the subcommittee felt dutybound to resort to issuing a subpena for the production of the records. Again, some question was raised about the authority of the subcommittee to issue the subpena, and the full committee approved the action of the subcommittee.

Following that action of the full committee, the Port of New York Authority submitted some of the records requested,

but not all. In other words, the Port of New York Authority took upon themselves the right to decide what records to disclose and what records not to disclose.

In this situation the subcommittee felt dutybound to vote for a contempt citation, and this action was approved by the full committee.

Accordingly, the question before us today is not whether the House should authorize an inquiry or investigation. The House already did that on June 1, 1960. And the necessity for the application to the House for a contempt citation does not represent only the judgment of the chairman of the full committee, the gentleman from New York [Mr. CELLER], and that of the ranking minority member, the gentleman from Ohio [Mr. McCULLOCH], it does not represent only the judgment of ED WILLIS, and other individual members of the committee; it does not represent only the judgment of the subcommittee. It represents the combined judgment of the members of the full committee.

Under the Constitution, a compact between two or more States cannot be entered into without the consent of Congress. Without the consent of Congress there can be no compacts between States. The Port of New York Authority came into being as the result of the joint action of the States of New York and New Jersey on the one hand, and that of Congress on the other. In granting approval to the compact, Congress specifically reserved the right to alter, amend, or repeal its consent. Congress cannot intelligently decide whether to alter, amend, or repeal its consent without full and complete hearings, investigation, or inquiry. This necessarily requires an examination and consideration of the actions and records of the Port of New York Authority. I, for one, fully realize that much of the material could and properly should be examined in executive session. Such a procedure would enable the committee to cull out the material from the immaterial. This procedure is frequently followed in judicial proceedings and as members of the Judiciary Committee, I am satisfied that such will be the course followed by the committee. But I do not see how the Port of New York Authority can consistently take the position that they want to be heard and welcome an inquiry or investigation into their operations, and at the same time say that they will decide what information and records to disclose or not disclose.

Now, I am not a member of the subcommittee designated to make this investigation or inquiry. I, frankly, do not know whether the complaints, charges, and countercharges being hurled about lately are true or not. I, for one, will not prejudge the merits of the case and will maintain an open mind.

I want to make it plain that we do not propose to cite the Governors of New York and New Jersey, or any elected officials of those States. We simply propose to cite the officials of the Port of New York Authority who have possession and control of the records. In so doing we are proceeding exclusively under the express provision of the Constitution relating to interstate compacts. There are only two port authority compacts in existence, the one under consideration, between the States of New York and New Jersey, and the one between Delaware and Pennsylvania. All other ports in the United States have been created by and are under the exclusive jurisdiction of State law. These ports and other local and State agencies are not and cannot be involved in the decision we make today.

The great principles of States rights and Federal and State relationships are likewise not in the least involved. I would be the last one on this floor to advocate this contempt citation if they were. And if my position on States rights is not known by now by Members of this body and by the people I represent, I am afraid it would be quite a waste of time to expound on it. I might say just in passing that my reaction to certain people from New York and elsewhere importuning State officials throughout the country in the name of States rights is, "Well, look who is talking."

As I indicated in my opening remarks, we cannot postpone a decision on the important question before us to a later date or to the next session of Congress. We must face it now. That is so because one Congress cannot cite a person for contempt of another Congress. For example, this 86th Congress could not cite a person for contempt of the 85th Congress; and the next 87th Congress could not cite a person for contempt of this 86th Congress.

Incidentally, either today, or certainly before adjournment of this Congress, the House Committee on Un-American Activities will propose several contempt citations. Now, I certainly do not want to draw an odious comparison between the persons proposed to be cited under this resolution and those proposed to be cited by the Committee on Un-American Activities. But remember, gentlemen, the principle involved is the same. Assuming, of course, that a case for contempt citation is made out, then I say to you that we cannot have a rule for the lowly and a rule for the mighty.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman.

Mr. JONES of Missouri. With reference to the resolution adopted on June 1 by the House to which the gentleman referred in his statement, was that resolution debated here on the floor?

Mr. WILLIS. Yes. There was not great debate, but I looked at the RECORD I think in the last few days and it was discussed on the floor. The issue of the Port of New York Authority was specifically made plain on the floor of this House.

Mr. JONES of Missouri. There was no rollcall on that?

Mr. WILLIS. No, not that I recall.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. McCULLOCH. Mr. Speaker, I yield 5 minutes to the gentleman from Louisiana.

Mr. TUCK. Mr. Speaker, will the gentleman yield?

Mr. WILLIS. I yield to the gentleman from Virginia.

Mr. TUCK. Is it not true that in addition to the legislative authority granted the committee by resolution of the House of Representatives the Constitution itself provides that no compact shall be made between the States without congressional approval and sanction?

Mr. WILLIS. That is absolutely correct, and that is the basis for this whole inquiry.

Mr. TUCK. Does it not therefore follow as a matter of course that if the Congress has the authority to set up and create and authorize these compacts the Congress would have the right to investigate or abrogate or liquidate them if it saw it necessary to do so?

Mr. WILLIS. There is no question in the world about it.

Mr. McCULLOCH. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. RAY].

Mr. RAY. Mr. Speaker, with all due respect to the learned lawyers who have preceded me and have expressed views contrary to those I hold, I venture to say that the three contempt citations we are now considering present most serious and difficult questions of constitutional law. They concern directly the power of Congress to pry into the internal workings of a bistate agency which the States of New York and New Jersey created with the consent of Congress in 1922.

In my opinion the action recommended by the majority of the committee would not only be unprecedented and unwise as a matter of Federal and State relations—I think it is not sanctioned by law and should and would be held unconstitutional.

Mr. Speaker, I ask leave to include in my remarks at this point my statement of minority views which is included in the committee print; and also the telegram concerning these citations which I received this morning signed by Governor Rockefeller, of New York, and three former Governors of that State, W. Averell Harriman, Thomas E. Dewey, and Herbert H. Lehman.

The SPEAKER. Is there objection?

There was no objection.

The matter referred to follows:

MINORITY VIEWS OF REPRESENTATIVE JOHN H. RAY

The majority of the Judiciary Committee recommends that contempt citations under 2 U.S.C. 192 be issued against the chairman, the executive director, and the secretary of the Port of New York Authority. In my opinion the action so recommended by the majority would not only be unprecedented and unwise as a matter of Federal and State relations, it is not sanctioned by law and should and would be held unconstitutional.

The port authority was created by the States of New York and New Jersey pursuant to an agreement or compact authorized by special legislation enacted by each of those States. The compact defined the nature and scope of the powers and duties which the two States desired to grant to and impose upon the port authority. Before the compact could take effect, it was necessary that the States obtain, and they did obtain, consent of Congress to the making of the compact (Pub. Res. 17, approved August 23,

1921; Pub. Res. 66, approved July 1, 1922). Since the latter date, the port authority has operated under direct delegations of authority, and only as so authorized, by the Legislatures of New York and New Jersey.

Congress did not create the authority. The powers exercised by the authority were delegated to it by the Legislatures of New York and New Jersey. Congress lacks constitutional authority to alter the terms of the compact between the two contracting States. Congress reserved the right to alter, amend or repeal the resolution by which it gave consent to the compact. Congress did not have power, and it did not attempt to reserve any other right, to supervise or to regulate activities of the bistate agency which the two States established.

I repeat, Congress only reserved the right to alter, amend or repeal its resolution consenting to the compact, and that the compact itself can be altered only at the instance of the contracting States. Therefore, no valid legislative purpose could be served by the committee subpena involved in this case.

Earlier this year the Judiciary Committee instituted the present investigation. The majority opinion of the committee sets forth accurately the developments in the investigation which resulted in the contempt citations. It is not necessary here to repeat details of that history, but I do wish to emphasize that on the return date specified in the subpena, the three officials of the port authority appeared and delivered to the committee all the minutes, financial reports, audits and all records authorizing official action. On instructions of the Governors of the States of New York and New Jersey, port authority officials declined to furnish the working papers and other strictly internal studies specified in paragraphs 1, 2, and 3 at the bottom of page 2 and the top of page 3 of the majority report. I submit such actions by the Governors and by the officials of the port authority are lawful and that the only unlawful action indicated by the record is that of the Judiciary Committee in demanding and now insisting upon the production of the material which was not furnished.

The action recommended by the committee violates the constitutional rights of the States involved and the committee is attempting such action without any semblance of lawful authority.

Cases in point: *Graves* v. *New York ex rel. O'Keefe* (306 U.S. 466, 484 (1938)); *Commissioner of Internal Revenue* v. *Shamberg's Estate* (144 F. 2d 998 certiorari denied, 323 U.S. 792 (1944)).

NEW YORK, N.Y., *August 22, 1960.*

Hon. JOHN H. RAY,
House Office Building,
Washington, D.C.:

We join together in our respective capacities as Governor of the State of New York and as his immediate predecessors in that great State office to express our concern over the recommendation to be made to the House of Representatives tomorrow that the House cite three respected officers of this State and the State of New Jersey for contempt of Congress. One of these officers is serving our State, on successive appointments by Governor Dewey and Governor Harriman, as the nonsalaried chairman of the Port of New York Authority.

To the best of our information and belief such precipitate and unhappy action would mark the first time in the history of the United States that the Congress ever voted to instigate criminal prosecution for contempt against State officers serving a State agency in a matter that concerns the proper exercise of their official State duties. What is more they will have been cited for carrying out the express and written instructions of the Governors of New York and New Jersey, based on the conclusion of the two Governors that "the furnishing of the internal records now requested, in the opinion of (the Governors') legal advisers, would represent a serious infringement of the rights of the States under the Constitution and could constitute a dangerous precedent as recognition of Federal authority in an area of State responsibility."

Prior to the issuance of these instructions the three officers had made available to the Congress great volumes of materials amply sufficient to supply all the information with which the Congress could have any proper concern in the pursuance of its legislative functions.

Since last April the Governors of New York and New Jersey, as well as many former Governors, had asked to be heard in opposition to the bill introduced by Congresman EMANUEL CELLER (H.J. Res. 615) which would require that all future projects of our port agency here in New York be conditioned upon the approval of the Congress and the President of the United States, and which would provide also for a continuous right of inspection, review and approval by the Congress of all books, records and papers of the port authority. The hearings on this bill have been repeatedly and now indefinitely adjourned by Congressman CELLER with the result that both the two Governors and former Governors of New York and New Jersey have been denied any opportunity to be heard in opposition to this destructive legislation. Furthermore, the appeal of Governor Rockefeller and Governor Meyner to be heard by Mr. CELLER's committee before any action was taken by his committee on the contempt citations was also rejected by Congressman CELLER.

We are therefore faced with an assertion of Federal power to control State and municipal agencies which would wrench our system of government from its established foundations. As Governor Rockefeller and Governor Meyner put it in their joint directives on June 25, 1960, to the port authority "the subpena at issue appeared to us and our legal advisers to constitute a novel intrusion by the Federal Government into areas reserved by the Constitution to our respective States and to constitute a precedent which could subject various agencies of State government throughout the Nation to be similarly answerable to Federal authority."

There has thus been precipitated a clash between the Congress on the one hand and the constitutional rights of the people of the States to administer their own governments on the other, which can and should be avoided.

We respectfully request you support our position.

NELSON A. ROCKEFELLER.
W. AVERELL HARRIMAN.
THOMAS E. DEWEY.
HERBERT H. LEHMAN.

Mr. RAY. In discussing this resolution yesterday with Members on both sides of the aisle, I found that many had regarded the resolutions before us as something which were of real concern only to the States of New York and New Jersey. Actually, adoption of the three resolutions before us could set the precedent for congressional interference with State activities in every State in the country.

Mr. Speaker, I ask unanimous consent to include in my remarks at this point a list of the acts of Congress authorizing or ratifying agreements between States from the beginning of our Government through September 21, 1959. There are 172 of them.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The matter referred to follows:

ACTS OF CONGRESS AUTHORIZING OR RATIFYING AGREEMENTS BETWEEN STATES (THROUGH JULY 31, 1957)

1. Joint resolution of May 12, 1820 (3 Stat. 609, V). Kentucky and Tennessee. Ratification of agreement made on February 2, 1820, to adjust and establish the boundary line.

2. Act of June 28, 1834 (4 Stat. 708–711). New York and New Jersey. Ratification of agreement made on September 16, 1833, and confirmed by the State legislatures, relating to boundary line, jurisdiction of fisheries, etc. (See also joint resolution of August 23, 1921, below.)

3. Act of February 15, 1848 (9 Stat. 211, c. 10). Missouri and Arkansas. Confirmation of boundary line surveyed by State commissioners and ratified by acts of Arkansas, December 23, 1846 and Missouri, February 16, 1847.

4. Act of January 3, 1855 (10 Stat. 602, c. 20). Massachusetts and New York. Consent to cession of district of "Boston Corner" to New York made by Massachusetts, act of May 14, 1853, and accepted by New York by act of July 21, 1853.

5. Act of February 9, 1859 (11 Stat. 382, c. 28). Massachusetts and Rhode Island. Attorney General directed to consent to an adjustment of the boundary dispute before Supreme Court, by a line agreed on by the parties and confirmed by decree of court.

6. Joint resolution of February 21, 1861 (12 Stat. 250, No. 9). Arkansas, Louisiana and Texas. Assent to acts of State legislatures, past or future, looking to removal of "Raft" from Red River.

7. Joint resolution of March 10, 1866 (14 Stat. 350, No. 12). Virginia and West Virginia. Recognition of transfer of Berkeley and Jefferson Counties to West Virginia, "and consent thereto."

8. Act of March 3, 1879 (20 Stat. 481–483). Virginia and Maryland. Ratification of award in the boundary dispute made on January 16, 1877 by arbitrators appointed under authority of State laws, and confirmed by the legislatures.

9. Act of April 7, 1880 (21 Stat. 72, c. 49). New York and Vermont. Ratification of cession by Vermont in adjustment of western boundary near Fair Haven, made by act of November 27, 1876, and accepted by New York on March 20, 1879.

10. Act of February 26, 1881 (21 Stat. 351–352). New York and Connecticut. Consent to agreement of December 8, 1879 settling the boundary line. (See also act of January 10, 1925, below.)

11. Act of October 12, 1888 (25 Stat. 553, c. 1094). Connecticut and Rhode Island. Consent to agreement of March 25, 1887 (confirmed by Connecticut on May 4, 1887 and by Rhode Island on May 5) settling the sea boundary.

12. Act of August 19, 1890 (26 Stat. 329–333). New York and Pennsylvania. Consent to agreement of March 26, 1886, settling the boundary line.

13. Act of July 24, 1897 (30 Stat. 214, c. 12). South Dakota and Nebraska. Consent to compact signed June 3–7, 1897 settling part of boundary line between Clay County, S. Dak., and Dixon County, Nebr.

14. Joint resolution of March 3, 1901 (31 Stat. 1465, No. 19). Tennessee and Virginia. Consent to cession of north half of main street between Bristol, Va., and Bristol, Tenn., by Tennessee (made by act of Tennessee, January 28, 1901 and accepted by act of Virginia February 9, 1901).

15. Act of March 1, 1905 (33 Stat. 820, c. 1295). South Dakota and Nebraska. Approval of compact (date not given) establishing boundary south of Union County, S. Dak.

16. Act of January 24, 1907 (34 Stat. 858–861). New Jersey and Delaware. Consent to agreement of March 21, 1905 defining jurisdiction over Delaware River, including a provision for concurrent legislation affecting fisheries.

17. Joint resolution of January 26, 1909 (35 Stat. 1160, No. 4). Mississippi and Louisiana. Authorization of compact fixing boundary line and settling criminal jurisdiction upon the Mississippi River.

18. Joint resolution of January 26, 1909 (35 Stat. 1161, No. 5). Mississippi and Arkansas. Authorization of compact fixing boundary line and settling criminal jurisdiction upon the Mississippi River.

19. Joint resolution of February 4, 1909 (35 Stat. 1163, No. 7). Tennessee and Arkansas. Authorization of compact fixing boundary line and settling criminal jurisdiction upon the Mississippi River.

20. Joint resolution of June 7, 1910 (36 Stat. 881, No. 31). Missouri and Kansas. Authorization of compact fixing boundary line and determining criminal jurisdiction upon the Missouri River.

21. Joint resolution of June 10, 1910 (36 Stat. 881, No. 32). Oregon and Washington. Authorization of agreement to fix boundary on Columbia River by mutual cessions.

22. Joint resolution of June 22, 1910 (36 Stat. 882, No. 34). Wisconsin, Illinois, Indiana and Michigan. Authorization of compact (between any two or more States) determining criminal jurisdiction on Lake Michigan.

23. Act of March 1, 1911 (36 Stat. 961, c. 186, sec. 1). General consent "to each of the several States * * * to enter into any agreement * * * with any other State or States" for conservation of forests or water supply.

24. Act of October 3, 1914 (38 Stat. 727, c. 315). Massachusetts and Connecticut. Consent to establishment of a boundary line "heretofore agreed upon" under acts of Massachusetts, March 19, 1908 and Connecticut, June 6, 1913.

25. Act of August 8, 1917 (40 Stat. 266, sec. 5). Minnesota and North Dakota and South Dakota (or any two of them) authorized to make agreements for improvement of navigation and control of floods on boundary waters and tributaries; execution to be with approval and under supervision of Secretary of War.

26. Act of April 8, 1918 (40 Stat. 515, c. 47). Oregon and Washington. Ratification of compact for protection of fish in Columbia River, etc. (requiring joint approval of any change in laws), approved by Oregon Laws 1915, chapter 188, section 20, and by Washington Laws 1915, chapter 31, section 116.

27. Act of September 13, 1918 (40 Stat. 959). Wisconsin and Minnesota. Ratification of mutual cessions of territory, and consequent change of boundary. (Wisconsin 1917, ch. 64 and Minnesota 1917, ch. 116.)

28. Act of July 11, 1919 (41 Stat. 158, ch. 11). New York and New Jersey. Consent to compact authorized by New Jersey Laws 1918, chapters 49, 50; and New York Laws 1919, chapter 70 and General Laws 1919, chapter 178, providing for construction, etc., of tunnel under Hudson River.

29. Joint resolution of March 4, 1921 (41 Stat. 1447, ch. 176). North Dakota, South Dakota, Minnesota, Wisconsin, Iowa, and Nebraska (or any two of them) authorized by compact to determine jurisdiction over boundary waters.

30. Joint resolution of June 30, 1921 (42 Stat. 104, ch. 38). Pennsylvania and Delaware. Ratification of reestablishment of boundary line (Newcastle circle) agreed to by Pennsylvania, act of June 22, 1897; and by Delaware, act of March 28, 1921.

31. Act of August 19, 1921 (42 Stat. 171, ch. 72). Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming. Consent to negotiation of an agreement (not later than January 1, 1923) for an apportionment of the waters of the Colorado River and its tributaries—subject to approval by legislature of each State and by Congress. An agreement was reached under this authorization, dated November 24, 1922, which was ratified by each of the States except Arizona during the year 1923. In view of the failure of Arizona to ratify, the other six States, at the 1925 sessions, waived the requirement of approval by all seven; and Congress, in the Boulder Canyon Project Act of 1928, ratified it as thus modified (45 Stat. 1064, sec. 13a).

32. Joint resolution of August 23, 1921 (42 Stat. 174–180). New York and New Jersey. Consent to agreement of April 30, 1921 (under provisions of New York Laws 1921, ch. 154; and New Jersey Laws 1921, ch. 151) for the development of the Port of New York Authority—phrased as a supplement to agreement of 1834, noted above.

33. Joint resolution of July 1, 1922 (42 Stat. 822–826). New York and New Jersey. (Consent to supplemental agreement for development of port of New York, contained in New York Laws 1922, ch. 43; and New Jersey Laws 1922, ch. 9.)

34. Joint resolution of September 22, 1922 (42 Stat. 1058). Kansas and Missouri. Consent to compact contained in a resolution of Missouri, April 15, 1921, and of Kansas, March 18, 1921, by which the States mutually exempted the municipal waterworks of Kansas City (Kansas and Missouri) from taxation.

35. Act of January 10, 1925 (43 Stat. 731–738). New York and Connecticut. Consent to agreement of January 3, 1911 (Conn.) and March 15, 1912 (N.Y.) redescribing the entire boundary—said agreement having been duly ratified and "congressional approval * * * authorized by said States."

36. Act of January 29, 1925 (43 Stat. 796–798). Colorado and New Mexico. Consent to compact for equitable distribution of waters of La Plata River, signed November 27, 1922, and ratified by Colorado, act of April 13, 1923, and by New Mexico, act of February 7, 1923.

37. Act of March 4, 1925 (43 Stat. 1268, c. 534). Washington, Idaho, Oregon, and Montana. Consent to negotiation of compact (not later than January 1, 1927—extended to December 1, 1927, by 44 Stat. 247, c. 129, and to December 31, 1930, by 44 Stat. 1403, c. 382) for apportionment of water supply of Columbia River and its tributaries—subject to subsequent approval by each State and by Congress.

38. Act of March 8, 1926 (44 Stat. 195–201). Colorado and Nebraska. Consent to South Platte River compact, signed on April 27, 1923, and approved by Colorado, act of February 26, 1925, and by Nebraska, act of May 3, 1923.

39. Act of July 3, 1926 (44 Stat. 831, c. 754). Idaho, Wyoming, Washington, and Oregon. Consent to negotiation of compacts for apportionment of waters of Snake River—subject to ratification by each State and by Congress.

40. Act of February 26, 1927 (44 Stat. 1247). South Dakota and Wyoming. Consent to negotiation of compacts for apportionment of waters of Belle Fourche and Cheyenne Rivers—subject to ratification by each State and by Congress.

41. Joint resolution of February 16, 1928 (45 Stat. 120–128). New York and Vermont. Consent "to enter into the agreement or compact executed by the commissioners" appointed by said States for the creation of the Lake Champlain Bridge Commission; ratified, approved, and confirmed.

42. Joint resolution of March 10, 1928 (45 Stat. 300–303). Wisconsin and Michigan. (Consent to enter into compact relating to construction and maintenance of bridge over Menominee River, executed by commissioners on January 14, 1927 under authority of 87, Wisconsin Statutes and Michigan Laws 1925, No. 354 and 1927, Spec. Act No. 98.)

43. Act of December 21, 1928 (45 Stat. 1058, c. 42). Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming. In addition to the ratification of the Colorado River compact in section 13, as noted above, the Boulder Canyon Project Act in section 4 authorized Arizona, California, and Nevada to make an agreement regarding apportionment of water; and in section 19 authorized the seven States mentioned to negotiate supplemental compacts for the development of the Colorado River.

44. Joint resolution of March 1, 1929 (45 Stat. 1444, c. 448). Oklahoma and Texas; Texas and New Mexico. Consent to negotiation of compact (apparently to be formulated by the President) relative to title to lands transferred under authority of the case of *Oklahoma* v. *Texas* (272 U.S. 21) and the case of *New Mexico* v. *Texas* (276 U.S. 557). Such compacts to be ratified by the States and by Congress.

45. Act of March 2, 1929 (45 Stat. 1502, c. 520). Colorado and New Mexico. Consent to negotiation of compact for apportionment of water supply of Rio Grande, San Juan and Las Animas Rivers; subject to approval by States and by Congress.

46. Act of March 2, 1929 (45 Stat. 1502, c. 521). New Mexico, Oklahoma, and Texas. Consent to negotiation of compacts for apportionment of water supply of Rio Grande, Pecos and Canadian or Red Rivers; subject to approval by the States and by Congress.

47. Act of March 2, 1929 (45 Stat. 1503, c. 522). New Mexico and Oklahoma. Consent to negotiation of compacts for apportionment of water supply of Cimarron River and any other streams in which jointly interested; subject to approval by States and by Congress.

48. Act of March 2, 1929 (45 Stat. 1517, c. 537). New Mexico and Arizona. Consent to negotiation of compacts for apportionment of water supply of Gila and San Francisco Rivers and other streams in which jointly interested; subject to approval by the States and by Congress.

49. Act of March 2, 1929 (45 Stat. 1517, c. 538). Colorado, Oklahoma, and Kansas. Consent to negotiation of compacts for apportionment of Arkansas River and other streams in which jointly interested; subject to approval by the States and by Congress.

50. Act of April 10, 1930 (46 Stat. 154, c. 130). Oklahoma and Texas. Consent "to any agreements or compacts that have heretofore been or may hereafter be entered into" relating to construction and maintenance of bridges over the Red River.

51. Act of June 17, 1930 (46 Stat. 767–773). Colorado, New Mexico, and Texas. Approval of Rio Grande compact, signed February 12, 1929, and approved by Colorado, act of April 29, 1929, by New Mexico, act of March 9, 1929, and by Texas, act of May 22, 1929.

52. Act of January 19, 1931 (46 Stat. 1039, c. 41). Idaho and Wyoming. Consent to negotiation of compacts with respect to boundary line—subject to approval by the States and by Congress.

53. Act of June 9, 1932 (47 Stat. 292, c. 224). Kentucky and Indiana. Authorization, through their highway commissions, to enter into "cooperative agreements" relating to the construction, maintenance and operation of bridge over Ohio River near Owensboro.

54. Act of June 9, 1932 (47 Stat. 294, c. 225). Kentucky and Illinois. Authorization, through their highway commissions,

to enter into cooperative agreements relating to construction, etc., of bridge over Ohio River near Cairo.

55. Act of June 14, 1932 (47 Stat. 308–317). Pennsylvania and New Jersey. Consent to compact signed July 1, 1931, relating to operation and maintenance of bridge over Delaware River between Philadelphia and Camden. (See acts of July 17, 1952, above.)

56. Joint resolution of May 29, 1933 (48 Stat. 105). Kansas and Missouri. Consent to compact approved by Missouri, Laws 1933, page 474 and Kansas, Laws 1933, 379, relating to bridge over Missouri River near Kansas City.

57. Act of June 6, 1934 (48 Stat. 909, c. 406). General. Consent "to any two or more States to enter into agreements or compacts for cooperative effort and mutual assistance in the prevention of crime," etc. (Repealed by Item 108, below.)

58. Act of June 5, 1935 (49 Stat. 325, c. 177). Colorado, New Mexico, and Texas. Extension of Rio Grande compact to June 1, 1937.

59. Joint resolution of August 23, 1935 (49 Stat. 736–743). New York and Vermont. Consent to an amendatory agreement executed by the two States on March 30, 1935, relative to the Lake Champlain Bridge Commission.

60. Joint resolution of August 27, 1935 (49 Stat. 932–938). New York, New Jersey, and Connecticut. Consent to compact between New York and New Jersey (to which Connecticut may be admitted) establishing an interstate sanitation commission for abatement of pollution of waters of the signatory States. (Amended August 3, 1956 (70 Stat. 966).)

61. Joint resolution of August 27, 1935 (49 Stat. 939–941). Oil-producing States. Consent to compact executed February 16, 1935, by representatives of Oklahoma, Texas, California, and New Mexico (to which any oil-producing State might become a party) for conservation of oil and gas by prevention of physical waste. Compact to have expired September 1, 1937.

Expiration date extended by acts of August 10, 1937 (50 Stat. 617–619), July 20, 1939 (53 Stat. 1071–1074), August 21, 1941 (55 Stat. 666–669), July 7, 1943 (57 Stat. 383–387), joint resolution of July 12, 1947 (61 Stat. 316–319), and by joint resolution of August 28, 1951 (65 Stat. 199–205), to September 1, 1955, and currently by joint resolution of July 28, 1955 (69 Stat. 385), to September 1, 1959.

62. Act of August 30, 1935 (49 Stat. 1058–1064, sec. 9). Pennsylvania and New Jersey. Consent to an agreement executed December 18–19, 1934, creating a Delaware River Joint Toll Bridge Commission for maintenance, etc., of bridges north of the Pennsylvania Railroad bridge between Morrisville and Trenton. (Supplemental compact consented to by Congress March 31, 1952, see act of March 31, 1952, below.)

63. Act of April 25, 1936 (49 Stat. 1239–1242). Tobacco-producing States. Consent to negotiation of compacts for regulating production of or commerce in any one or more kinds of tobacco. Compacts in conformity with the Virginia Tobacco Control Act of 1936 shall become effective without further ratification by Congress; but Congress may at any time withdraw its consent to any agreement entered into under the act.

64. Joint resolution of June 4, 1936 (49 Stat. 1472–1474). Vermont and New York. Consent to amendatory agreement executed April 1, 1936, relative to Lake Champlain Bridge Commission.

65. Joint resolution of June 8, 1936 (49 Stat. 1490, ch. 542). Maine, New York, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, Pennsylvania, West Virginia, Kentucky, Indiana, Illinois, Tennessee, and Ohio. Consent to negotiation by any two or more of said States of agreements for conserving, improving, or preventing pollution of streams having an interstate drainage.

66. Act of June 22, 1936 (49 Stat. 1571, sec. 4) General. Consent to compacts between any two or more States for flood control upon interstate streams—any compact to be subject to further ratification by Congress unless all work thereunder is to be performed by the War Department.

67. Act of June 23, 1936 (49 Stat. 1895, sec. 3). General. Consent to negotiation between any two or more States of compacts for development and maintenance of park or recreational areas.

68. Act of July 28, 1937 (50 Stat. 538–542). Maine and New Hampshire. Consent of Congress to compact for bridge between the States.

69. Act of August 2, 1937 (50 Stat. 551, ch. 552). Montana and Wyoming. Consent of Congress to negotiate, before June 1, 1939, compact for apportionment of water supply of Yellowstone River. (Act of June 15, 1940 (54 Stat. 399, ch. 372) authorized negotiation with North Dakota also and extended time until June 1, 1943.)

70. Act of August 10, 1937 (50 Stat. 617–619). See joint resolution of August 27, 1935, above.

71. Act of August 12, 1937 (50 Stat. 633–637). Connecticut, Maine, Massachusetts, New Hampshire, New York, Pennsylvania, and Rhode Island. Consent to minimum-wage compact of Concord, N.H., 1934.

72. Act of August 19, 1937 (50 Stat. 719–723). New York and New Jersey. Ratification of compact relating to Palisades Interstate Park Commission, etc.

73. Act of August 28, 1937 (50 Stat. 865–869). Pennsylvania and Ohio. Ratification of compact relating to Pymatuning Lake.

74. Act of April 2, 1938 (52 Stat. 150–153). South Dakota, North Dakota, and Minnesota. Consent to compact relating to utilization of, control of floods of, and prevention of pollution of, waters of Red River of the North, etc.

75. Act of April 5, 1938 (52 Stat. 200, ch. 74). New York, Pennsylvania, Ohio, Indiana, Illinois, Michigan, Wisconsin, and Minnesota. Consent of Congress to compact concerning fishing on Great Lakes, etc.

76. Act of May 16, 1938 (52 Stat. 379, ch. 228). Idaho and Wyoming. Consent of Congress for negotiation, before January 1, 1940, of compact for apportionment of water supply of Snake River.

77. Act of June 25, 1938 (52 Stat. 1163, ch. 683). New Jersey and Pennsylvania. Consent to compacts for construction, maintenance, and operation of vehicular tunnel under the Delaware River.

78. Act of May 31, 1939 (53 Stat. 785–792). Colorado, New Mexico, and Texas. Consent and approval of the Rio Grande compact.

79. Act of July 20, 1939 (53 Stat. 1071–1074. (See joint resolution of August 27, 1935, above.)

80. Act of August 10, 1939 (53 Stat. 1346, ch. 645). Iowa and Missouri. Consent of Congress to boundary agreement.

81. Act of June 8, 1940 (54 Stat. 261, c. 295). Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, and Florida. Consent of Congress to any two or more of the States named to negotiate compacts for regulation of fishing, etc., in the territorial waters of the Atlantic Ocean; subsequent approval by the legislatures of the signatory States and by Congress required. (See act of May 4, 1942, below.)

82. Act of June 13, 1940 (54 Stat. 382, ch. 345). Montana, North Dakota, South Dakota, and Wyoming. Consent of Congress for negotiation, before January 1, 1943, of compact relating to apportionment of water supply of the Little Missouri River, etc.

83. Act of June 15, 1940 (54 Stat. 399, ch. 372). See act of August 2, 1937, above.

84. Act of July 11, 1940 (54 Stat. 748–751). Maryland, Virginia, West Virginia, Pennsylvania, and District of Columbia. Consent to compact creating conservancy district in drainage area of Potomac River.

85. Act of July 11, 1940 (54 Stat. 752–756). New York, Illinois, Kentucky, Indiana, Ohio, Pennsylvania, West Virginia, and Virginia. Consent to compact relating to pollution of streams of the Ohio River drainage basin.

86. Act of August 21, 1941 (55 Stat. 666–669). See joint resolution of August 27, 1935, above.

87. Act of May 4, 1942 (56 Stat. 267–270). Atlantic States Marine Fisheries Compact. Consent and approval of compact, authorized by act of June 8, 1940, above, and ratified by Maine, New Hampshire, Massachusetts, Rhode Island, New York, New Jersey, Delaware, and Virginia, to be operative for not more than 15 years from May 4, 1942, for the better utilization of the fisheries of the Atlantic seaboard. (See under act of August 19, 1950, below, for amendment to compact.)

88. Act of July 17, 1942 (56 Stat. 661, ch. 506). Minnesota and Wisconsin. Authorization of agreements for acquisition or construction of bridge across St. Croix River.

89. Act of August 4, 1942 (56 Stat. 736, ch. 545). Colorado, Kansas, and Nebraska. Consent to compact for apportionment of waters of the Republican River.

90. Act of May 26, 1943 (57 Stat. 86–92). Colorado, Kansas, and Nebraska. Consent to compact for apportionment of waters of Republican River.

91. Act of July 7, 1943 (57 Stat. 386–387). See joint resolution of August 27, 1935, above.

92. Act of February 26, 1944 (58 Stat. 94–100). South Dakota and Wyoming. Consent to compact for apportionment of waters of Belle Fourche River Basin.

93. Act of March 16, 1944 (58 Stat. 117, c. 98). See act of August 2, 1937, above.

94. Act of April 19, 1945 (59 Stat. 53, c. 79). Colorado and Kansas. Consent to compact for apportionment of waters of Arkansas River.

95. Act of May 31, 1945 (59 Stat. 227–230). See act of February 16, 1928, above.

96. Act of July 24, 1945 (59 Stat. 502, c. 326). See act of August 28, 1937, above.

97. Act of June 11, 1946 (60 Stat. 246–254). Colorado and New Mexico. Consent to Costilla Creek compact.

98. Act of July 24, 1946 (60 Stat. 658, c. 609). Utah, Idaho, and Wyoming. Consent to compact for apportionment of waters of the Bear River.

99. Joint resolution of July 12, 1947 (61 Stat. 316–319). See joint resolution of August 27, 1935, above.

100. Act of July 24, 1947 (61 Stat. 419–422). California, Oregon, and Washington. Consent to compact for better utilization of the fisheries of the Pacific coast.

101. Act of July 31, 1947 (61 Stat. 682–685). Connecticut, Massachusetts, and Rhode Island. Consent to compact relating to control of pollution in waters of the New England States.

102. Act of August 4, 1947 (61 Stat. 752–756). Pennsylvania and New Jersey. Consent to compact concerning the construction and operation of toll bridges by the Delaware River Joint Toll Bridge Commission.

103. Act of June 3, 1948 (62 Stat. 294). Idaho and Wyoming. Consent to compact for division of waters of the Snake River and its tributaries.

104. Joint resolution of June 30, 1948 (62 Stat. 1152–55). Michigan, Minnesota, and Wisconsin. Consent to interstate boundary compact.

105. Act of June 30, 1948 (62 Stat. 1156 § 2(c)). GENERAL. Consent to compacts between two or more States for prevention and abatement of water pollution. Approval of Congress required for any such compacts entered into.

106. Act of April 6, 1949 (63 Stat. 31–43). Arizona, Colorado, New Mexico, Utah, and Wyoming. Consent to Upper Colorado River Basin compact.

107. Joint resolution of May 19, 1949 (63 Stat. 70–73). Alabama, Florida, Louisiana, Mississippi, and Texas. Consent to compact relating to the better utilization of the fisheries of the gulf coast.

108. Act of May 24, 1949 (63 Stat. 107 "§ 111"). GENERAL. Consent to any two or more States to enter into compacts for cooperative effort and mutual assistance in the prevention of crime. (See item 57.) (Amended August 3, 1956 (70 Stat. 1020).)

109. Act of May 31, 1949 (63 Stat. 145–152). Colorado and Kansas. Consent to Arkansas River compact.

110. Act of June 2, 1949 (63 Stat. 152). Montana, North Dakota, and Wyoming. Consent to enter into compact for division of waters of the Yellowstone River. Approval of Congress required. (Compact consented to by Congress, see act of October 30, 1951, below.)

111. Act of June 9, 1949 (63 Stat. 159–165). New Mexico and Texas. Consent to the Pecos River compact.

112. Act of June 25, 1949 (63 Stat. 271–276). Maine, New Hampshire, Vermont, Rhode Island, Connecticut, New York, and Massachusetts. Consent to interstate forest fire protection compact.

113. Act of October 26, 1949 (63 Stat. 930–932). Tennessee and Missouri. Consent to compact concerning Tennessee-Missouri Bridge Commission.

114. Act of March 21, 1950 (64 Stat. 29–35). Idaho and Wyoming. Consent to compact relating to waters of the Snake River.

115. Act of April 29, 1950 (64 Stat. 93). Oklahoma, Texas, and New Mexico. Consent to compact relating to waters of the Canadian River.

115½. Joint resolution of August 3, 1950 (64 Stat. 397). Missouri and Kansas. Consent to compact establishing boundary.

116. Act of August 19, 1950 (64 Stat. 467). Maine, New Hampshire, Massachusetts, Rhode Island, Pennsylvania, North Carolina, Connecticut, New York, Delaware, Maryland, Virginia, South Carolina, Georgia, Florida, and Vermont. Consent to an amendment to the Atlantic States marine fisheries compact. (See also act of May 4, 1942, above.)

117. Joint resolution of August 31, 1950 (64 Stat. 568–571). Missouri and Illinois. Consent to compact creating the Bistate Development Agency and Bistate Metropolitan District.

118. Joint resolution of August 28, 1951 (65 Stat. 199–205). See joint resolution of August 27, 1935, above.

119. Act of October 26, 1951 (65 Stat. 650–653). Pennsylvania and New Jersey. Consent to compact concerning a bridge across the Delaware River to provide a connection between the Pennsylvania Turnpike System and the New Jersey Turnpike.

120. Act of October 30, 1951 (65 Stat. 663–671). Montana, North Dakota, and Wyoming. Consent to compact relating to waters of the Yellowstone River, as provided by the act of June 2, 1949. (See act of June 2, 1949, above.)

121. Act of November 1, 1951 (65 Stat. 736, ch. 663). Texas and Louisiana. Consent to enter into compact relating to apportionment of waters of the Sabine River. Approval of Congress required.

122. Act of March 31, 1952 (66 Stat. 28–32). Pennsylvania and New Jersey. Consent to supplemental compact concerning the Delaware River Toll Bridge Commission. (See act of August 30, 1935, above.)

123. Act of May 17, 1952 (66 Stat. 74–78). Oklahoma, Texas, and New Mexico. Consent to compact relating to the waters of the Canadian River.

124. Act of July 1, 1952 (66 Stat. 315–318). New York, New Jersey, and Pennsylvania. Consent to compact relating to mutual military aid in an emergency. (Amended June 4, 1946, 70 Stat. 247.)

125. Act of July 16, 1952 (66 Stat. 737, ch. 919). Idaho, Montana, Oregon, Washington, and Wyoming. Consent to negotiate compact providing for the equitable division of the waters of the Columbia River. (Amended; see act of July 14, 1954, below.)

126. Act of July 17, 1952 (66 Stat. 738–747). New Jersey and Pennsylvania. Consent to supplemental compact concerning Delaware River Port Authority. (See act of June 14, 1932, above.)

127. Act of July 17, 1952 (66 Stat. 747–752). New Jersey and Pennsylvania. Consent to supplemental compact authorizing Delaware River Joint Commission to construct, finance, operate, maintain, and own a vehicular tunnel across the Delaware River. (See act of June 14, 1932, above.)

128. Act of June 6, 1953 (67 Stat. 45–52). Massachusetts, Connecticut, New Hampshire, and Vermont. Consent to compact for Connecticut River flood control.

129. Act of August 5, 1953 (67 Stat. 365, ch. 324). Nebraska, Wyoming, and South Dakota. Consent to negotiate compact for apportionment of waters common to the compacting States.

Act of August 8, 1953 (67 Stat. 490–493). Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, and the Territories of Alaska and Hawaii. Consent to any five or more of the named States to negotiate compact relating to higher education.

131. Act of August 12, 1953 (67 Stat. 541–557). New Jersey and New York. Consent to waterfront commission compact.

132. Joint resolution of August 14, 1953 (67 Stat. 584, ch. 489). Kentucky and Virginia. Consent to enter into compact for development of the Breaks on the Russell Fork of the Big Sandy River, as a bistate park; subsequent ratification by States and Congress required. (Compact consented to, see July 27, 1954, below.)

133. Joint resolution of April 22, 1954 (68 Stat. 59–62). District of Columbia and any State. Consent to negotiation of civil-defense compacts entered into between the District of Columbia and any State.

134. Joint resolution of May 6, 1954 (68 Stat. 77–78). Alabama and Florida. Consent and approval to agreement and establishment of boundary between such States.

135. Act of July 14, 1954 (68 Stat. 468, ch. 473). Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming. Amended the act consenting to the Columbia River compact by including the States of Nevada and Utah. (See act of July 16, 1952, above.)

136. Act of July 27, 1954 (68 Stat. 563–566). Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia. Consent and approval to southeastern interstate forest fire protection compact.

137. Act of July 27, 1954 (68 Stat. 571–573). Kentucky and Virginia. Consent to Breaks Interstate Park compact. (See also joint resolution of August 14, 1953, above.)

138. Act of August 10, 1954 (68 Stat. 690–697). Louisiana and Texas. Consent to compact authorized November 1, 1951, relating to waters of the Sabine River and its tributaries (See also act of November 1, 1951, above.)

139. Act of August 24, 1954 (68 Stat. 783–785). Arkansas, Louisiana, Mississippi, Oklahoma, and Texas. Consent and approval to any two or more of the States named to negotiate compact for prevention and control of forest fires in the south-central region of the United States.

140. Act of August 30, 1954 (68 Stat. 982–985). Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. Consent to any two or more of the States named to enter into compact relative to higher education, and creating the New England Board of Higher Education.

141. Act of June 28, 1955 (69 Stat. 184). Arkansas and Oklahoma. Consent to enter into a compact relating to the interests of each State in the development and protection from pollution, and for an equitable apportioning of the waters of the Arkansas River.

142. Joint resolution of July 28, 1955 (69 Stat. 385–391). See joint resolution of August 27, 1935, above.

143. Act of August 9, 1955 (69 Stat. 613). Oregon and California. Consent to negotiate compact for apportionment of waters of the Klamath River.

144. Act of August 11, 1955 (69 Stat. 631). Kansas and Oklahoma. Consent to negotiate compact relating to development and protection from pollution, and for an equal apportionment of the waters of the Arkansas River.

145. Act of August 11, 1955 (69 Stat. 654). Arkansas, Louisiana, and Texas. Consent to negotiate compact for equitable apportionment of waters of the Red River.

146. Act of August 11, 1955 (69 Stat. 675). California and Nevada. Consent to negotiate compact for distribution and use of waters of the Truckee, Carson, and Walker Rivers, and Lake Tahoe.

147. Act of June 4, 1956 (70 Stat. 247). New York and New Jersey and any State sharing a common boundary. Amendment of act of July 1, 1952 (item 124, above), so as to authorize consent, without submission to Congress, of compacts relating to mutual military aid in an emergency.

148. Act of July 9, 1956 (70 Stat. 498, sec. 3). General Consent to compacts between two or more States for prevention and control of water pollution. Approval of Congress required for any such compacts entered into.

149. Act of July 25, 1956 (70 Stat. 636–638). Delaware, Maryland, New Jersey, Pennsylvania, Virginia, and West Virginia. Consent and approval to the Middle Atlantic interstate forest fire protection compact upon its ratification by any two or more of the named States.

150. Act of July 27, 1956 (70 Stat. 696). Mississippi and Arkansas. Consent to the establishment of a bistate commission to investigate the possibilities of constructing a railroad bridge across the Mississippi River at or near Greenville, Miss., and Lake Village, Ark. (NOTE.—Although this does not involve an interstate compact in its strict sense, it is included herein because of its close relationship to the subject.)

151. Act of August 3, 1956 (70 Stat. 966). See joint resolution of August 27, 1935. Item 60 above.

152. Act of August 3, 1956 (70 Stat. 973). Illinois and Wisconsin. Consent to compact relating to interstate public school districts where an educational community extends into both States. (No further approval of Congress required.)

153. Act of August 3, 1956 (70 Stat. 1020). See act of May 24, 1949 (item 108), above.

154. Act of August 8, 1956 (70 Stat. 1124). Arizona and California. Consent to negotiate compact relating to the definition or relocation of the common boundary of the two States. (Further approval of Congress required.)

155. Act of April 23, 1957 (71 Stat. 18–25). Massachusetts and New Hampshire. Consent and approval of Congress to the Merrimack River flood control compact.

SUPPLEMENT TO ACTS OF CONGRESS AUTHORIZING OR RATIFYING AGREEMENTS BETWEEN STATES

156. Joint resolution of August 14, 1957 (71 Stat. 367). New York and Canada. Consent given to enter into compact providing for continued existence of the Buffalo and Fort Erie Public Bridge Authority.

157. Act of August 28, 1957 (71 Stat. 466). Montana, North Dakota, South Dakota, and Wyoming. Consent to negotiate compact relating to interests of States in the development, protection from pollution, and use of water resources of the Little Missouri River and its tributaries.

158. Act of August 30, 1957 (71 Stat. 497). California and Oregon. Consent of Congress given to the Klamath River Basin compact.

159. Act of March 17, 1958 (72 Stat. 38; Public Law 85-348). Idaho, Utah, and Wyoming. Consent to Bear River compact.

160. Act of May 29, 1958 (72 Stat. 147; Public Law 85-427). Nebraska, Wyoming, and South Dakota. Amendment to extend time for negotiation of compact consented to August 5, 1953 (67 Stat. 365), pertaining to use of waters.

161. Joint resolution of July 3, 1958 (72 Stat. 321; Public Law 85-504). Vermont and New York. Consent and approval to amendment to compact of February 16, 1928, relating to the creation of the Lake Champlain Bridge Commission.

162. Act of July 18, 1958 (72 Stat. 364; Public Law 85-526). Connecticut and Massachusetts. Consent and approval given to compact relating to flood control.

163. Act of July 31, 1958 (72 Stat. 455; Public Law 85-575). Oregon and Washington. Consent to compact establishing boundary.

164. Act of August 14, 1958 (72 Stat. 609; Public Law 85-653). Tennessee-Tombigbee Waterway development compact. Consent to States becoming parties to.

165. Joint resolution of August 20, 1958 (72 Stat. 635; Public Law 85-684). General. Consent to compacts between any two or more States for promotion of highway traffic safety.

166. Act of August 23, 1958 (72 Stat. 823; Public Law 85-734). Alabama, Georgia, Kentucky, Mississippi, North Carolina, Tennessee, and Virginia. Consent given to any of the named States to become a party to the Tennessee River Basin Water Pollution Control Compact.

167. Act of September 2, 1958 (72 Stat. 1701; Public Law 75-877). Minnesota and Manitoba, Canada. Consent to State to enter into compact for development of a highway.

168. Joint Resolution of August 7, 1959 (73 Stat. 290; Public Law 86-143). Consent to extension of oil and gas compact. (See also joint resolution of August 27, 1935, above.)

169. Act of August 11, 1959 (73 Stat. 333; Public Law 86-154). General. Consent to each of the States to enter into compact for the development or operation of airport facilities.

170. Joint Resolution of September 21, 1959 (73 Stat. 575; Public Law 86-302). New York and New Jersey. Consent to compact for creation of the New York-New Jersey Transportation Agency.

171. Joint Resolution of September 21, 1959 (73 Stat. 582; Public Law 86-303). Missouri and Illinois. Approval of additional powers conferred upon Bi-State Development Agency. (See joint resolution of August 31, 1950, above.)

172. Act of September 21, 1959 (73 Stat. 599; Public Law 86-331). West Virginia and Virginia. Consent to compact establishing boundary in certain area.

Mr. RAY. Every State in the Union is a party to one or more of these compacts and its actions with respect thereto might be subject to congressional controls and citations if the resolutions before us are adopted and take effect.

The subject matters of the compacts above mentioned cover a wide list of important subjects. They include such items as conservation of forests, water supply, improvement of navigation and control of floods on boundary rivers and tributaries, protection of fish, construction of tunnels under navigable waters, apportionment of the waters of rivers and tributaries, development of the Port of New York, construction and operation of bridges, interstate sanitation commissions for the abatement of pollution of waters, conservation of oil and gas, regulating production of or commerce in various kinds of tobacco, pollution of streams having interstate drainage, flood control upon interstate streams, development and maintenance of parks and recreational areas, fishing on the Great Lakes, regulation of fishing in territorial waters of the Atlantic Ocean, better utilization of fisheries of the Atlantic seaboard, construction and operation of toll bridges, interstate forest fire protection, creation of bistate development agencies and bistate metropolitan districts, mutual military aid in emergencies, Delaware River Port Authority, higher education—11 States parties, waterfront commission—New York and New Jersey, civil defense compacts, promotion of highway safety and development and operation of airport facilities.

The foregoing statements seem to me to make clear that Congress should not on short notice and without adequate studies establish the precedent which would be established should the resolutions now under discussion be adopted.

Mr. Speaker, I hope the resolutions will be voted down.

The foregoing statements seem to me to make clear that Congress should not, on short notice or without adequate study, establish the precedent which would be established should the resolutions now under discussion be adopted.

Mr. POFF. Mr. Speaker, will the gentleman yield?

Mr. RAY. I yield.

Mr. POFF. Mr. Speaker, I am not certain I entirely agree with the gentleman that this citation process is unconstitutional, but I am constrained to the view that it is bad policy. Even if we assume, without conceding, that the Congress does have the naked power to act, it does not necessarily follow that it is wise for us to exercise that power. What precedent are we setting with reference to the other 171 interstate compacts which are on the books?

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. RAY. I yield.

Mr. BECKER. I might say to my distinguished colleague from New York that I agree in all he has presented here today. In this report I do not see the basis of investigation upon any violation by the States of New Jersey or New York under their compact granted by the Congress as the insinuation for an investigation. Was any brought up at the committee hearings?

Mr. RAY. I am not a member of the subcommittee, and I cannot answer that question.

Mr. BECKER. But in fact was there any evidence of failure or any evidence of violation by the Port of New York Authority of the compacts?

Mr. RAY. As I say, I am not a member of the subcommittee.

Mr. BECKER. One other question, if I may: Under this intent of investigation was there any evidence of any kind presented that there was any wrongdoing on the part of the Port of New York Authority to warrant such an investigation into the question of the compacts granted by the Congress?

Mr. RAY. Whatever exists is in the minutes of the hearings, so far as I know.

Mr. BECKER. There is not any.

Mr. RAY. I refer the gentleman to the committee minutes.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. RAY. I yield.

Mr. CELLER. I do not think the gentleman wants to leave an erroneous impression with the membership. The Member who is speaking now is not a member of the subcommittee that is investigating the port authority.

Mr. RAY. I so stated.

Mr. CELLER. We have been denied access to the port authority's books and records, but are gathering a great deal of material from indirect sources though with the greatest difficulty. There are allegations of grave error in the awarding of contracts. There are allegations that one concern has a monopoly on the insurance brokerage business of the port authority. There are allegations that one concern has a virtual monopoly on handling air-trip insurance at various of the airports operated by the port authority.

The question is why do they persist in refusing to provide access to their records and books?

Mr. RAY. Mr. Speaker, I decline to yield further.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. RAY. I yield to the gentleman from Iowa.

Mr. GROSS. I think it should be made clear—I believe I am correct—that the Congress did not create the authority.

Mr. RAY. Congress did not create the authority; the States created the authority.

Mr. Speaker, I should like to make one statement in view of what has just been said by my chairman. I think we have been witnessing a somewhat disgraceful performance when our committee—and it is a great committee and I have high respect for every member, and the staff—throws aspersions on an agency of the States of New Jersey and New York, and in turn upon officials of that bistate agency.

It could have been avoided by an ordinary, gentlemanly sort of discussion with the Governors at an early date. That was not had for reasons known only to those who are conducting this investigation.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. RAY. I yield to the gentleman from Michigan.

Mr. JOHANSEN. In order to clarify one basic point, does the gentleman acknowledge the right of the Congress to repeal the compact?

Mr. RAY. Yes; if there is any question about the performance under the compact, but that question should be addressed to the States. There is ample remedy in the Congress, for example, to repeal the resolution approving the contract. But I submit we cannot go behind the States and investigate them by the back door through an agency of the State.

Mr. McCULLOCH. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Speaker, it is very difficult for me to take an opposite position to the distinguished chairman of the Committee on the Judiciary, with whom I have had the privilege now of working for 2 years, and who I hold in the highest respect and regard as one of the finest lawyers and certainly one of the finest public servants I have ever met. The same applies to the distinguished ranking minority member of the Committee on the Judiciary, the gentleman from Ohio [Mr. McCULLOCH]. I also find it very difficult to disagree with him because I hold him in very high regard as a person and as a lawyer. But I must disagree.

There are two grounds on which disagreement is based. One is that which was stated by the gentleman from Virginia [Mr. POFF], and goes to the question of policy and reasonableness. Is this wise policy? Is this a reasonable approach that we are taking?

The second question is the basic constitutional question as to whether or not the compact clause of the Constitution under which the Congress consents to bistate or multistate compacts carries with it the power of supervision over the day-to-day activities and internal affairs of a bistate agency.

On the first question, the question of wise policy and reasonableness, the question of whether we shall hold in contempt of Congress three distinguished citizens who acted on the basis of instructions from their Governors, I submit that we are acting hastily, unreasonably and unwisely.

Mr. POFF. Mr. Speaker, will the gentleman yield?

Mr. LINDSAY. I yield to the gentleman from Virginia.

Mr. POFF. May I ask the gentleman to tell the Members of the House what would be the penalty in the event this citation is passed by the House, what penalty would be incurred on conviction?

Mr. LINDSAY. The penalty is a fine up to $1,000 and imprisonment for not more than a year.

Mr. POFF. As a matter of fact, is it not true it is a mandatory fine and a mandatory jail sentence?

Mr. LINDSAY. If sustained by the courts, that is correct.

First of all, I do not want to take issue or split hairs on the question of whether or not the Governors of the two States have had an opportunity to be heard. I am sure that there is much to be said on both sides of the question. But so that the Members of the House may have the full story before them, I think the position of the two Governors ought to be put forward on the floor of the House. Thus far it has not been.

On April 27 and 28 a hearing was arranged at which the two Governors personally were to be present. For, I am sure, good and sufficient reasons, the hearing was postponed by the subcommittee. The executive director of the port authority, Mr. Austin Tobin, sent a telegram of protest to the chairman of the subcommittee, requesting that the decision to postpone be reconsidered, because the following, among others, had made their arrangements to come to Washington to be heard:

Gov. Robert B. Meyner, of New Jersey.

Gov. Nelson A. Rockefeller, of New York.

Hon. Alfred E. Driscoll, former Governor of New Jersey.

Hon. Charles Edison, former Governor of New Jersey.

Hon. Averell Harriman, former Governor of New York.

Hon. Thomas E. Dewey, former Governor of New York.

Hon. Herbert H. Lehman, former U.S. Senator, and former Governor of New York.

Senator Elisha T. Barrett, chairman, New York State Joint Legislative Committe on Interstate Cooperation.

National Association of Attorneys General.

Council of State Governments.

New Jersey CIO.

New Jersey American Federation of Labor.

New York State Chamber of Commerce.

In a letter addressed to the Members of Congress, signed by Governor Meyner, dated August 9, 1960, the Governor wrote as follows:

The implication that Governor Rockefeller and I have been given a fair opportunity to speak for the people of New York and New Jersey before the committee is not supported by the facts.

Congressman CELLER originally set April 5 as the date for a public hearing on his resolution. On that date I was on naval duty and Governor Rockefeller was in the midst of his 30-day bill period. Congressman CELLER postponed the hearing to later in April; then for his own convenience he postponed it to May, then to June and finally indefinitely, thus depriving Governor Rockefeller and me and the many other persons who wished to speak against his proposal of an opportunity to be heard. Then subpenas were served June 15, returnable June 29. On June 23, Governor Rockefeller and I telegraphed Congressman CELLER requesting an opportunity to meet with his committee before the return date of the subpenas. Our request was summarily rejected. Governor Rockefeller and I were prevented by our attendance at the Governors' conference from personally appearing at the June 29 proceedings. We sent our attorneys general, but Congressman CELLER flatly refused even to hear them until after he had made a record of default against our port officials for obeying their Governors' instructions. It was not until after the full Judiciary Committee had accepted Chairman CELLER'S recommendation of a contempt citation that the chairman unilaterally fixed August 8 as the date on which Governor Rockefeller and I might be heard.

What I submit has happened is that the Committee on the Judiciary has precipitated a head-on clash between the Congress and the bi-state agency which could and should have been avoided. The return date of this sweeping subpena should have been postponed until the Governors had been heard. At the hearing as to which the internal working papers were asked to be produced Mr. Sloan Colt, chairman of the New York Port Authority, one of the most distinguished gentlemen in the country, produced a letter from Governor Rockefeller in which the Governor said as follows:

The chairman of the Judiciary Committee has refused our request for a meeting and has refused to adjourn the date for the return of the subpena to permit us to present our objections. Accordingly, in order to insure that these basic issues may be presented and decided in an orderly way and with full opportunity for the States to present their views on these crucial questions, I am instructing the New York members of the Port of New York Authority to direct you, Mr. Tobin and Mr. Carty, when you appear before the subcommittee on June 29 to renew our request for an adjournment of the return date of the subpena to permit the Governors of the respective States to present their States' views to the committee. Failing the grant of this request, due regard for the important questions of constitutional propriety and legality presented and the necessity to have these questions determined by the appropriate tribunal, constrains me to instruct the New York members of the Port of New York Authority to direct you, Mr. Tobin and Mr. Carty, not to produce the internal memorandums, worksheets, day-to-day correspondence, and other materials now requested by the subpena.

Governor Meyner sent a similar letter.

So what Mr. Colt, Mr. Tobin, and Mr. Carty were doing was refusing to produce internal worksheets, day-to-day working papers of the New York Port Authority under specific instructions of their principals, the Governors of the two States.

Mr. McCULLOCH. Mr. Speaker, will the gentleman yield.

Mr. LINDSAY. I yield to the gentleman from Ohio.

Mr. McCULLOCH. Does my distinguished colleague wish the House to believe that the Governors had authority to direct noncompliance with the subpena?

Mr. LINDSAY. Well, as I see it, these gentlemen, two of whom are staff members of the port authority, and the third the chairman of the commission, were damned either way. If they did, they were damned; if they did not, they were damned.

Mr. McCULLOCH. One further question, Mr. Speaker. Can a witness safely act in relying upon the Governor's recommendation and direction in this matter?

Mr. LINDSAY. I am sorry; will the gentleman please repeat his question?

Mr. McCULLOCH. Can the witnesses safely act in accordance with the recommendation and advice of the Governors in this matter?

Mr. LINDSAY. If one takes the position that the persons who should have been subpenaed were the Governors themselves, you can take that position.

Mr. McCULLOCH. One further question, if I may; does the gentleman take that position?

Mr. LINDSAY. I think that is probably a reasonable position to take, because it strikes me that by their own statements the Governors of these two States have stated clearly that the responsibility for the conduct of the port authority is theirs.

Mr. Speaker, let me say one thing about the matter of responsibility, as long as I am on that subject. Here is what Governor Rockefeller, of New York, has to say:

One thing should be made very clear. The controls over port authority management and policies which are available to the two States are ample assurance that the States in fact employ the authority rather than the converse. These controls are both varied and effective. Wisely, those who drew the 1921 compact specifically provided for continuing review by the two States of authority operations and required recurrent and specific authorizations by the legislatures of the two States for the implementation of the authority's basic grant of power. Additional port authority powers and duties must be authorized by concurrent legislation of the two States. Authority plans for the development of the port district must be approved by the two legislatures.

The Governor of each State has the power to veto the minutes of port authority meetings. The interest of New York in this important means of control is demonstrated by the fact that as recently as 1957, New York enacted legislation to double the period of time during which the Governor of New York State may consider the necessity of vetoing authority minutes.

The SPEAKER. The time of the gentleman from New York [Mr. LINDSAY] has expired.

Mr. McCULLOCH. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. LINDSAY. Governor Meyner of New Jersey, on the same subject has this to say:

There are those who claim that the port authority carries on its work without proper and continuing review by the two States. Let me say flatly that nothing could be further from the facts. Indeed, there are few governmental activities in my State which are subject to such constant executive review as the work and program of the port authority. For example, as a practical matter, before any unused power permitted by the compact can be exercised by the port authority, there must be legislative approval by both houses of both States and the express consent of both Governors. Whenever the port authority presents a proposal and recommendation for a major new development or project not specifically authorized by the two States, the matter is given the most careful consideration, discussion and debate by both the legislative and executive branches of our government in New Jersey and the same holds true in our sister State of New York. The port authority acts only after both houses of both legislatures and both Governors have given their approval to identical permissible legislation in the two States.

In addition, each Governor has the right to veto the minutes of the port authority. Let me say that, contrary to the charge that you made in introducing your resolution, Mr. Chairman, there is, of course, no rubber stamping either by the State legislature or by the Governor in matters affecting the port authority. Such a charge is preposterous. I can state categorically that members of my cabinet, my personal staff and I myself are in constant and close touch with the port authority commissioners and staff on a host of subjects and problems of interest to the people of our State and to the people of the port district. During the 6½ years in which I have been chief executive of my State, I doubt that a single week has gone by without my having talked personally with members of the port authority at least once or twice—and often more frequently. Needless to say, the minutes of all meetings of the port authority are carefully reviewed by one of my counsel, if not by me personally. Where I consider it necessary or desirable, I discuss their actions directly with the commissioners. The executive director of the authority and I are in frequent contact, both by telephone and in personal conferences.

Much has been said here today about whether the financial affairs of the port authority are properly audited. Let me assure you that they are.

The port authority commissioners engage annually a national firm of independent public accountants to audit the authority's annual financial statements and the supporting records and accounts. The audits in the last 10 years have been performed by Ernst & Ernst and Price Waterhouse & Co. Their certificate appears in each annual report and annual financial report of the port authority.

Under leases with the cities of New York, Newark, and Hoboken covering La Guardia and New York International Airports; Newark Airport and Port Newark; and the Hoboken-Port Authority piers, the port authority has obligated itself to furnish copies of audit reports made by independent public accountants. Ernst & Ernst and Price Waterhouse & Co., who have performed a general audit of the authority's financial statements and books of the account in the last 10 years have also been engaged by the authority to prepare special certified reports covering operations under these leases. Such reports have been prepared and submitted annually to the respective cities.

In addition, the port authority engages Ernst & Ernst to audit the records pertaining to operations at New York International Airport under the airline lease (Dewey lease). The airline signatories of this lease engage the public accounting firm of Arthur Young & Co. to examine the New York International Airport records on their behalf. These audits have been made annually since 1953.

The city of New York has caused audits to be made, in 7 out of the past 10 years, by members of the city staff covering the records relating to the operation of La Guardia and New York International Airports under the agreement between the port authority and the city dated April 17, 1947.

The city of Newark has engaged independent public accountants on three different occasions to audit the authority's records pertaining to Newark Airport and Port Newark under the agreement between the city and the port authority dated October 22, 1947.

In connection with the joint study of arterial facilities undertaken by the Triborough Bridge and Tunnel Authority and the port authority, triborough has reviewed port authority programs of internal audit covering consultant agreements entered into by the port authority with costs to be shared by triborough. Conversely, the port authority has reviewed triborough's audits for triborough consultant agreements where costs are shared by the port authority.

Under the program of Federal aid to airports, the Federal Aviation Agency and its predecessor, the Civil Aeronautics Administration audits the records and accounts of the port authority for construction projects participating in the program. Such audits have been made annually for the last 10 years.

The authority's records pertaining to certain property at Fort Newark leased to the Navy have been audited on three separate occasions by the Navy Department.

In 1951 the General Services Administration audited the authority's accounts covering construction of the Federal Building at New York International Airport under an agreement providing for lease of this building by the Government at a rental based upon construction cost.

In addition to audits by these various agencies of the Federal Government, from time to time, the General Accounting Office has also examined port authority records for some of these same projects.

In connection with the construction of the third tube of the Lincoln Tunnel, all payroll expenses of this project, direct and indirect, were audited by the Insurance Company of North America.

On four separate occasions in the last 10 years the Motor Vehicle Bureau of the State of New Jersey has audited port authority records in connection with gasoline tax refunds.

In all of these examinations no material questions of fact have been developed. In making special examinations under agreements the auditors have access to all records pertaining directly or indirectly to the agreement.

So much for the policy question—the wisdom of what we do here today. In other words, in view of the request of the Governors of the two States, and in view of the history of this, is it not reasonable to suggest that what we do here today should not be done and that we give time for the Governors of the two States to sit down with the staff and principals of the Committee on the Judiciary and work out a modus vivendi which they have asked for.

Now let us talk about the legal question. The function of Congress under the Constitution in consenting to interstate compacts is to determine solely whether the proposed joint State action is compatible with our Federal system of dual Federal and State sovereignties. We may appropriately examine into the general scope of a bi-State compact. But in so doing you look at results, not housekeeping details. More than enough has been supplied to the subcommittee by the authority to enable the Congress to make a judgment on scope. The subpena, however, is a dragnet into all of the day-to-day housekeeping affairs of the authority, from the wages of the clerks to draft memoranda on every proposed contract, whether entered into or not.

In June of this year the 52d annual Governors Conference was held in Glacier National Park, Mont. A resolution was adopted opposing this kind of far-reaching, bottomless probe into the affairs of State agencies created pursuant to interstate compacts. In an accompanying memorandum the Governors had this to say:

Even the most elementary examination of the history of the Compact Clause of the Federal Constitution and the opinion of the U.S. Supreme Court in the leading case of *Virginia* v. *Tennessee* (148 U.S. 503) makes

it obvious that the extent of the Federal concern is to determine whether the purposes of particular compacts or the results flowing from them are likely to adversely affect the political viability of the Federal system. The examination of these questions depends on a study of the results of agency activities and not on a perusal of the internal administrative procedures by which the agencies function. The latter can be of legitimate interest only to the State or local governments to which the agencies in question belong.

But since an examination of such activities and results of the port authority's operations as would inform the Judiciary Committee concerning the agency's effect, if any, on the relationships of the Federal system would not necessitate access to records of internal management, the committee has chosen a ground of more sweeping and dangerous scope. It seeks to address itself to a fundamental characteristic which the port authority shares with all State and local administrative agencies; namely, its internal processes which must be kept in normal equilibrium if the agency is to perform efficiently and if it is to avoid the corrosive effect of undue pressure.

The most important aspect of the present events is not their inevitable effect on interstate cooperation. That is why the bulk of this memorandum has dealt with the threat to the integrity of all State and local governments contained in the Judiciary Committee's announced intentions and in its actions to date. Nevertheless, it is important to recognize that the use of the interstate compact status of the port authority by the congressional committee as the ostensible trigger of its interest can have a drastic effect on the entire movement for interstate cooperation. This movement has given States and localities opportunities to do many things on a joint or cooperative basis which would be more costly and inconvenient, or altogether impossible, if attempted by the States singly. To threaten such cooperative ventures with harassment can make officials hesitate to undertake projects of interstate cooperation. The loss to every State and to all the people of the country would be immeasurable, especially at a time when more and more suitable subjects for such cooperative endeavors are coming to light.

Nor can it be successfully argued that the interstate commerce clause gives us power to exert plenary power over a bistate agency. If it did, reason compels us to say that almost any single State agency, of whatever kind, is in the same position. They all affect interstate commerce one way or another.

In conclusion, then, let us exercise some restraint. What is proposed here today is not only unnecessary, but it can be very damaging to the judicious cause of multistate compacts for the solution of common problems.

Mr. CELLER. Mr. Speaker, I yield myself 1 minute to answer the remarks of the gentleman who just addressed the House. No State official governor or otherwise may interfere with the carrying out of Federal power. For that purpose I place in the RECORD the following brief memorandum on the subject, together with a more detailed legal analysis of the entire subject:

EFFECT OF ORDERS BY GOVERNORS OF NEW YORK AND NEW JERSEY TO WITHHOLD PORT AUTHORITY DOCUMENTS

The actions of the Governors of New York and New Jersey in ordering officials of the Port of New York Authority to desist from turning over certain documents requested by a duly authorized subpena of the House of Representatives raises a simple question. It is no more than this: Can a State official prevent the Federal Government from exercising its lawful authority? To ask this question is to answer it. The problem is so basic to our form of government that although it has recurred in various forms in the course of our history, it was in fact settled by the courts as long ago as 1809 in a decision by Chief Justice Marshall in *United States* v. *French* (5 Cranch 115).

In that case a Federal court had rendered a judgment against the estate of the Treasurer of Pennsylvania for money claimed by the State of Pennsylvania as the result of a conflicting judgment by a Pennsylvania court. The Pennsylvania legislature passed an act ordering the Governor of Pennsylvania to recover the money in the hands of the executors and requiring him to use any further measures he thought necessary to prevent the carrying out of the Federal judgment. In the face of the Pennsylvania statute the Federal district judge would not execute on the judgment. In an action for mandamus brought in the Supreme Court of the United States, Chief Justice Marshall rejected the argument that the laws of Pennsylvania could be used to vitiate the judgment of a Federal district court. He said:

"If the legislatures of the several States may, at will, annul the judgments of the courts of the United States, and destroy the rights acquired under those judgments, the Constitution itself becomes a solemn mockery; and the Nation is deprived of the means of enforcing its laws by the instrumentality of its own tribunals. So fatal a result must be deprecated by all; and the people of Pennsylvania, not less than the citizens of every other State, must feel a deep interest in resisting principles so destructive of the Union, and in averting consequences so fatal to themselves."

The decision in *United States* v. *Peters* was reaffirmed by the Supreme Court in 1932 in a case which is decisively similar to that raised by the actions of the Governors of New York and New Jersey. In *Sterling* v. *Constantin* (287 U.S. 378), the issue before the Court was whether the Governor of Texas could, by executive action, defy a decision of a Federal district court. In the Sterling case an appeal had been taken to the Federal district court from the decision of the Texas Railroad Commission to limit oil production in certain areas of Texas. The district court issued a temporary restraining order on the ground that the action of the Railroad Commission was arbitrary and illegal. The Railroad Commission abided by the order of the Federal court whereupon the Governor of Texas declared martial law and ordered the imposition of similar restrictions by the Texas militia. A three-judge Federal district court found that the action of the Governor was not required by military necessity and was unlawful. It, therefore, enjoined the Governor and the commanding officer of the Texas militia from any further attempt to impose production restrictions. On appeal, the judgment of the district court was affirmed by the U.S. Supreme Court.

In Peters, Sterling, and in the case of the actions by the Governors in ordering the Port of New York Authority to deny the House of Representatives access to its records, the basic issue is the same. The decision as to how that issue is to be resolved was settled when the Founding Fathers wrote into the Constitution of the United States paragraph to article VI which states:

"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."

LEGAL MEMORANDUM—AUTHORITY OF GOVERNORS OF NEW YORK AND NEW JERSEY TO DIRECT NONCOMPLIANCE WITH SUBPENAS IN PORT AUTHORITY INQUIRY AND EFFECT OF SUCH DIRECTORS IN PROCEEDING FOR CONTEMPT AGAINST NONCOMPLYING PORT OFFICIALS

INTRODUCTION

In connection with the Port of New York Authority inquiry conducted by Subcommittee No. 5 of the House Committee on the Judiciary, subpenas duces tecum were issued and served upon certain officials of the port authority.[1] These officials refused to produce the documents called for in the subpenas. They justified their noncompliance, in part, on the ground that letters had been received from the Governors of New Jersey and New York instructing the port authority commissioners from these States to direct the subpenaed officials not to submit certain of the requested materials to the subcommittee.[2] It is the purpose of this memorandum to discuss: (1) the authority of the Governors to direct such noncompliance and (2) the effect of such instructions in any proceeding for contempt which might be brought against the noncomplying officials.

An initial question is whether as a matter of State law the Governors were authorized to direct the port authority officials to refuse to comply with the subpenas.

1. EXPRESS POWER

The Governors' action in directing such noncompliance was alleged to be based on their express appointment, removal and veto powers with respect to the port authority.[3]

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[1] See inquiry before Subcommittee No. 5 of the House Committee on the Judiciary, "Return of Subpenas—Port of New York Authority Inquiry," 86th Cong., 2d sess. (1960) (hereinafter cited as "inquiry.")

[2] See testimony of S. Sloan Colt, inquiry 37–43. Colt, a New York commissioner and chairman of the port authority, received a letter from Governor Rockefeller stating that the Governor was constrained to "instruct the New York members of the Port of New York Authority to direct you, Mr. Tobin [the executive director] and Mr. Carty [the secretary] not to produce the internal memorandum, worksheets, day-to-day correspondence and other materials now requested by the subpena." The letter is set forth inquiry 39, 40. A similar letter from Governor Meyner with respect to the New Jersey commissioners was received by James C. Kellogg III, vice chairman of the authority. Inquiry 40, 41.

[3] At the hearings on the return of the subpenas, the chairman of the subcommittee questioned Mr. Tobin concerning the statutory authority of the Governors to give such instructions. Mr. Goldstein, general counsel of the port authority, was permitted to respond, and the following colloquy took place:

"Mr. GOLDSTEIN. Mr. Chairman, as you well know, this is a State agency created by a compact between the two States. The Governors of the two States exercise veto rights over the action of all port authority commissioners.

"No action of the port authority commissioners is complete without their approval.

"The CHAIRMAN. Thank you very much.

"Mr. GOLDSTEIN. They appoint the commissioners and they may remove" (inquiry 46).

Mr. ROGERS of Colorado also questioned Mr. Goldstein concerning "the authority which you are now outlining as a matter of law that it is necessary that the action taken by the port authority be submitted to the Governors for approval before it is final so far as the port authority is concerned" and his attention was directed to certain session laws of New York and New Jersey. Inquiry 46, 47.

The port authority compact provides for the appointment of twelve commissioners, six from each of the two signatory States and for the removal or suspension of such commissioners.[4] Furthermore, under the compact, each of the signatory States reserved the right to provide by law "for the exercise of a veto power by the Governors thereof over any action of any commissioner appointed therefrom."[5]

Both New York and New Jersey subsequently enacted legislation designed to implement these articles. New Jersey provided for the appointment of its commissioners by its Governor with the advice and consent of the senate, if in session, and for the removal of any commissioner "upon charges and after a hearing by the senate."[6] New Jersey also established machinery whereby the veto power of its Governor could be exercised. Thus, the minutes of every meeting of the authority must be transmitted by the secretary to the Governor, and no action taken at such meeting by any New Jersey commissioner may have force or effect for a period of 10 days after such transmittal. The Governor is authorized to return the minutes within 10 days after their delivery to him with or without his veto "on any action therein recited as having been taken by any commissioner appointed from this State." If the Governor vetoes such action of such commissioner it "shall be null and of no effect." Failure of the Governor to return the minutes within the 10-day period results in the automatic effectiveness of the action.[7]

New York's enabling provisions are similar. Vacancies on the authority are filled by the Governor with the advice and consent of the senate, and any commissioner may be removed upon charges and after hearing by the Governor.[8] No action taken at any meeting of the port authority by any commissioner appointed from New York shall have force or effect until the Governor "shall have an opportunity to approve or veto the same under the provisions of article 16 of the port compact. The machinery for implementing the exercise of this veto power is similar to that established under the New Jersey statute.[9]

It is evident from the record that procedure for obtaining the Governors' seal of approval on port authority action was not followed in connection with the return of the committee's subpenas. In other words, the commissioners of the port authority did not at a meeting vote to instruct the subpenaed officials to produce the requested materials, transmit a recital of this proposed action in the minutes to the Governors, and await their approval or veto. Instead, the Governors communicated directly with the commissioners instructing them not to comply. Thus there is manifest a failure by the Governors to follow the statutory procedures. Such failure may well have invalidated the Governors' instructions.

An even more basic question is whether the appointment, removal and veto power under State law authorizes the action of the Governors.

Relevant in this respect is a 1942 informal opinion of the attorney general of New York that the veto power was not intended to cut as broad a swath as Mr. Goldstein suggested at the subcommittee hearings.[10] In this opinion the attorney general first reviewed the historical background of the veto provision and noted that an early draft article XVI of the compact has provided for a veto "over any action of the port authority" instead of merely action by the commissioners. The attorney general also observed that, in approving the New York legislation of 1927 which had provided for the exercise of the veto power, Governor Smith had stated:

"While, therefore, the legislation passed by New York in broad terms vests the power in the Governor to veto any act of a commissioner from New York, it is my opinion that insofar as this power might be exercised to deal with matters permitted by agreement between the two States and the port authority it would be held unconstitutional. I shall not so construe it. I understand it to mean that it is for the protection of the State against abuse of power."[11]

The attorney general therefore concluded:

"The veto power is limited to individual acts of the State's commissioners, whether in abuse of power, malfeasance, or, when in some capacity delegated to such commissioner, contrary to the public policy of the State in question. It does not govern the actions of the authority taken as a municipal corporate body of the two States."[12]

Thus, it would not appear that the veto power authorizes the Governor to block a ministerial act by the port authority. Nor does the appointment-removal power possessed by the Governors afford carte blanche authority to direct noncompliance with the subpenas.

Also significant is a recent decision of the Supreme Court of New Jersey, *Morss* v. *Forbes*, indicating that the authority of the Governor to appoint and remove county prosecutors does not bring such officials directly within the confines of the State executive department nor does it render their daily functions subject to the supervision of the Governor.[13]

2. INHERENT POWER

It is also appropriate to inquire whether, apart from provisions specifically dealing with the port authority, the general law of New York or New Jersey provides a firm basis for the action of the Governors of those States in instructing the port authority officials not to comply with the committee's subpenas. Under the constitutions of both New York and New Jersey, the Governor is the chief executive officer, and is responsible for the faithful execution of the laws.[14] Article V, section 4 of the New Jersey constitution further provides that each principal department of the State shall be under the supervision of the Governor. However, the port authority is not itself such a department nor is it attached to any department. Under the New Jersey constitution, the Governor is empowered to enforce compliance with any constitutional or legislative mandate or to restrain violation of any constitutional or legislative power or duty of any officer or agency of the State, but this power must be exercised through resort to the State's judicial branch.[15]

These constitutional provisions were considered by the Supreme Court of New Jersey in *Morss* v. *Forbes*, supra. Significantly that case involved certain aspects of the very question at issue here; namely, the extent to which an officer of a body politic of a State could be clothed with immunity from a legislative subpena by virtue of his relationship to the executive of the State. In *Morss* a committee of the New Jersey Legislature studying wiretapping sought by subpena certain information from a county prosecutor. The prosecutor declined to comply, and sued members of the committee in a State court for an injunction and declaratory judgment, challenging the validity of certain legislation under which the committee was operating. He supported the propriety of his refusal to comply in part on the authority of the executive to withhold in its discretion any information from the legislative branch of the government. After noting that the county prosecutors in New Jersey are appointed by the Governor with the advice and consent of the senate, as are commissioners of the port authority, but that county prosecutors are not within the executive department of the State, the court said:

"Neither does it appear that the Governor is responsible for the daily functioning of the prosecutor's office. By virtue of the provisions of article V, section IV, paragraph 5, of the constitution of 1947, the Governor has removal powers over those employees who receive their compensation from the State, but the prosecutors receive their remuneration from the county.

"The constitution provides 'the executive power shall be vested in a Governor' and he 'shall take care that the laws be faithfully executed.' Article V, section I, paragraphs 1 and 11. The means for insuring faithful execution, however, is 'by appropriate action or proceeding in the courts brought in the name of the State, to enforce compliance with any constitutional or legislative mandate, or to restrain violation of any constitutional or legislative power or duty, by an officer, department or agency of the State * * *.'

"Undoubtedly, in a practical sense, the Governor enjoys a very real authority over the county prosecutors through his powers to supersede them in particular cases. To this extent, at least, the prosecutor's office is not completely divorced from control by the State executive. But the existence of this power of supersession does not bring the prosecutors so directly under the influence of the Governor that they automatically qualify as full-fledged members of the State executive branch."[16]

The court further observed that the attorney general [D. C. Furman, who was on brief for plaintiff] had conceded that "if the prosecutor is to assert any constitutional right to withhold records or information from the committee, it must be on the basis of his own unique status and not as a result of any immediate connection with the Governor or attorney general."[17]

In addition to its constitutional provisions, New York's executive law spells out certain of the powers of the Governor. Under section 6 of that law[18] the Governor is

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[4] Port compact of 1921, article IV, as amended by c. 419, Laws of New York, 1930, and c. 244, Laws of New Jersey, 1930; N.J. Stat. Ann., sec. 32:1–4 (1940); Unconsolidated Laws of New York, sec. 6405 (McKinney's 1953). See "Port of New York Authority, Treaties and Statutes 12" (1948) (hereinafter "Treaties and Statutes").

[5] Port authority compact, article XVI; N.J.S.A., sec. 32: 1–17 (1940); Unconsolidated Laws of New York, sec. 6417 (McKinney's, 1953); "Treaties and Statutes 17."

[6] Laws of New Jersey, 1930, c. 245, secs. 2, 4; N.J.S.A., sec. 32: 203, 5 (1940); "Treaties and Statutes, 464, 465."

[7] Laws of New Jersey, 1927, c. 333, secs. 1–3; N.J.S.A., sec. 32: 2–6–9 (1940); "Treaties and Statutes, 465–467."

[8] Laws of New York, 1921, c. 203, sec. 1; Laws of New York, 1930, c. 422, sec. 1; "Treaties and Statutes, 515–518, 529–532."

[9] Laws of New York, 1927, c. 700; "Treaties and Statutes, 522–524."

[10] "1942 Report of the Attorney General, New York 390" (1943); see note 3 supra. The report is set out in full in appendix A. It has been held that the port authority is immune from unilateral regulation of New York or New Jersey (*Port of N.Y. Authority* v. *J. E. Linde Paper Co.*, 205 Misc. 110, 127 N.Y.S. 2d 155).

[11] Id., at 392.

[12] Ibid.

[13] 24 N.J. 341, 132 A. 2d 1, 18 (1957). In New Jersey the power to remove port authority commissioners is vested in the senate.

[14] Constitution of New Jersey, art. V, sec. 1; constitution of New York, art. IV, secs. 1, 3.

[15] Art. V, sec. 1, par. 11.

[16] 132 A. 2d 18.

[17] Id. at 19.

[18] 18 McKinney's Consolidated Laws of New York, sec. 6 (1951).

authorized to examine and investigate the management and affairs of any department, board, bureau or commission of the State. Section 30 provides for an executive department, with the Governor at its head, having power to appoint and supervise such subordinates as may be necessary for the exercise of his authority. However, the port authority is not included in the statutory enumeration of various divisions of the executive.[19]

The power of the Governor of New York to withhold material requested of a New York agency by a committee of the Federal Congress was considered in a 1957 opinion of the Attorney General of New York.[20] The question there involved was whether the Harness Racing Commission could make available to unidentified Federal legislative committees [21] the private testimony of witnesses taken in executive session by a commission which had been appointed by Governor Dewey to investigate the Harness Racing Commission and upon the conclusion of its activities had submitted its report to the Governor and been discharged.

The attorney general took the position that during its existence the commission in question could itself determine whether the public should have access to testimony adduced at its private hearing by virtue of specific State statutes, but that when such a commission rendered its report to the appointing source, the Governor, and ceased to exist, the Governor had full control over all the records included in such report and that the matter of access thereto became one for his consideration.

It is obvious this opinion has little weight in connection with the port authority matter in view of the fact that the records of the port authority which were subpenaed do not constitute testimony adduced at a private hearing before a State investigating commission. However, the opinion of the attorney general of New York does seem to imply that even under State law the Governor's power to order the withholding of State agency records from congressional committees is not unlimited and that such authority may be operative only when the Governor has full control over all the records. It is noteworthy that such an opinion comes from the very source which now so stoutly upholds the power of the Governor of New York to instruct the port authority officials to deny this committee the records it seeks.

In view of the foregoing material, the following conclusions may be drawn at this point:

1. Clear authorization for the Governor's instructions directing noncompliance by the port authority officials with the committee's subpenas cannot be found in the express provisions vesting in the Governor's power to appoint, remove (in the case of New York), and veto the action of, port authority commissioners, or in the general executive law of the States. "1942 Informal Opinion of the Attorney General of New York," supra; *Morss* v. *Forbes, supra.*

2. The Governors of New York and New Jersey do not have blanket supervisory and directory powers over all actions of the port authority. "1942 Informal Opinion of Attorney General of New York," supra.

3. In New Jersey, a legislative committee may not be deprived of material in the possession of an officer of a State political subdivision, which is not a branch of the State executive department, on the ground that the prerogatives of the State executive shield such an agency from the onus of producing such information. *Morss* v. *Forbes, supra.*

3. THE GOVERNORS LACK POWER TO INTERFERE WITH LEGITIMATE ASSERTIONS OF FEDERAL AUTHORITY

It is clear that Governors, as well as other State officers, may not under color of State law interfere with the legitimate exercise of Federal authority. This fundamental proposition, so essential to the orderly functioning of our Federal system, was established early in American constitutional history by Chief Justice John Marshall in *United States* v. *Peters,* 9 U.S. (5 Cranch) 65, 76 (1809). There a Federal judge for the district of Pennsylvania had refused to execute a civil judgment pronounced by him on the ground that he was precluded from doing so by a supervening act of the Pennsylvania Legislature authorizing the Governor of that State to do what was necessary for the protection of the "just rights of the State" against the operation of the Federal decree. Justice Marshall held that the Pennsylvania Legislature could not thus interfere with the functioning of the Federal judiciary, even though that legislature considered the Federal court lacking in jurisdiction over the cause. The Justice deemed the ultimate right to determine this jurisdictional question to be vested in the Supreme Court. "If the legislatures of the several States may, at will, annul the judgments of the courts of the United States * * * the Constitution itself becomes a solemn mockery." [22]

These principles were applied to the action of a State Governor in *Sterling* v. *Constantin,* 287 U.S. 378 (1943).[23] A State agency had, pursuant to a State law, ordered certain owners of oil interests to limit their production. Thereafter, a three-judge Federal district court, at the behest of the owners, issued a temporary order restraining the State agency from enforcing its order. The Governor of the State directed the militia to compel immediate enforcement of the agency's order, and the militia proceeded to execute these directions. The Governor and certain other State officials were made parties to the suit in the Federal court and were enjoined from further interference with the Federal court's order. The Supreme Court affirmed the injunction holding that when a Governor of a State, purporting to act under State authority, invades rights secured by the Federal Constitution, he is subject to the powers of the Federal courts in order that the persons injured may have appropriate relief and that even though the Governor might be acting ultra vires his own authority the Federal court is not deprived of jurisdiction to restrain his action.[24] In brief, a Governor may not interfere with legitimate exercise of Federal authority.

The court in *Sterling* v. *Constantin* stated the rationale underlying its decision in the following terms:

"If (the) extreme position (of the Governor) could be deemed to be well taken, it is manifest that the fiat of a State Governor, and not the Constitution of the United States, would be the supreme law of the land; that the restrictions of the Federal Constitution upon the exercise of State power would be but impotent phrases, the futility of which the State may at any time disclose by the simple process of transferring powers of legislation to the Governor to be exercised by him, beyond control, upon his assertion of necessity. Under our system of government, such a conclusion is obviously untenable. There is no such avenue of escape from the paramont authority of the Federal Constitution." [25]

While these cases have involved interference by Governors or other State officials with the operations of Federal courts, the same principles should apply when a Governor meddles in the operations of the Federal legislature, the Congress of the United States. To paraphrase Chief Justice Marshall, if the Governors of the several States are permitted at will to impede the processes by which Congress informs itself, "the Constitution itself becomes a solemn mockery." While the court in *Sterling* v. *Constantin,* supra, was interested in protecting private litigants against encroachment of their Federal rights by State Governors, the court was also protecting the workings of the Federal judiciary, a department of the Federal Government, from such gubernatorial interference. Protection of one department of the Central Government from such interference with its legitimate functions is as essential as protection of the other.

It may be urged, however, that objections to the validity of the Governors' instructions to the port authority officials are merged in the more fundamental dispute as to whether Congress has authority to investigate the Port of New York Authority. If the Governors are right about this issue of congressional power, so the argument runs, it matters little whether their instructions to the port officials constituted a proper exercise of their authority. However, the ultimate issue of congressional power is not resolved until the courts are faced with a criminal action for contempt against the noncomplying officials. The Governors in giving their instructions to these officials have attempted to thereby foreclose such a proceeding for contempt. It may, therefore, be asked whether the Governors had power to give such instructions under principles of Federal constitutional law, even assuming that the ultimate issue of congressional authority may be resolved against Congress. In other words, may a State Governor who thinks Congress is acting ultra vires its authority intervene so as to foreclose the normal adjudication of the issues through a contempt of Congress action under 2 U.S.C. 192–194. In *United States* v. *Peters, supra,* Chief Justice Marshall held that the Pennsylvania Legislature could not interfere with the processes of a Federal court, even though the legislature thought the court to have exceeded its jurisdiction. A State Governor has no more power to stop Congress dead in its tracks than he has power to annul the decree of a Federal court. See *Sterling* v. *Constantin, supra.*

4. EFFECT OF GOVERNORS' INSTRUCTIONS ON LIABILITY OF NONCOMPLYING OFFICIALS

This section of the memorandum deals with the legal effect of the Governors' instructions to the port officials in a proceeding against such officials for contempt of Congress. Of principal concern is the question whether the officials could successfully plead such instructions as a defense to a contempt prosecution, even if the court decided that the committee was within its authority in requiring production of the records.

Sawyer v. *Dollar,* 190 F. 2d 623 (D.C. Cir., 1951), vacated as moot, 344 U.S. 806 (1952), indicates that the instructions of the Governors would be no defense to the port authority officials. That case arose out of a dispute as to the ownership of shares of stock in a steamship line, the American Presidents Line. Dollar sued members of the Federal Maritime Commission to obtain possession of these shares, which he claimed

[19] Executive law, sec. 31.

[20] 1957, "Report of the Attorney General, New York 264." The full text of the opinion is set forth in app. B.

[21] There are indications that one of the congressional committees involved was the House Antitrust Subcommittee in connection with its investigation of monopolistic practice in sports. See subcommittee file marked "Harness Racing."

[22] 9 U.S. (5 Cranch) at 77.

[23] See also *Davis* v. *Gray,* 83 U.S. (16 Wall) 203, 221 (1872).

[24] 287 U.S. at 393.

[25] Id at 397, 398.

had been pledged to the United States as security for a debt. The Court of Appeals ultimately held in favor of Dollar and a writ of certiorari was denied by the Supreme Court. The Secretary of Commerce was ordered by the court to execute certain acts and to instruct the president of the American Presidents Line, Killion, to transfer certain of the shares. Both the Secretary of Commerce, Killion, and others refused to obey the order of the court, acting on instructions from the Department of Justice. The Secretary, Killion, and others were made respondents in a proceeding for contempt of court and were adjudged guilty of civil contempt. As to Killion, the court said:

"Respondent Killion, who, as president of American Presidents Line, was a creature of respondent Sawyer, deliberately chose to follow the orders and instructions of his co-respondents and to disobey and resist the decree of this court." [26]

Respondents contended that they were immune from punishment for contempt, in part, because "the orders they received from their superior executive officials afford[ed] complete protection against contempt charges." [27] Respondents showed that the President of the United States had directed Sawyer to continue to hold the stock on behalf of the United States. After pointing out that the legal basis for this directive was erroneous, the court stated, "the directives of superior executive officials cannot nullify the court decree, and, moreover, those directives stemmed from a misunderstanding [of law]." [28]

SUMMARY OF CONCLUSIONS

1. The Governors of New Jersey and New York were not authorized to instruct the commissioners of the Port Authority to direct noncompliance with subpenas duces tecum served upon such officials by the committee under the express provisions of the Port Compact of 1921, as amended, under the statutes of New Jersey and New York vesting in the Governors the power to appoint, remove (in the case of New York), or veto the actions of, Port Authority commissioners, or under the general constitutional or executive law of the States. 1942 Informal Opinion of the Attorney General of New York [29] *Morss* v. *Forbes*.[30]

2. A Governor of a State may not interfere so as to obstruct the legitimate exercise of Federal authority. *Sterling* v. *Constantin*.[31] This principle is applicable to the exercise by Congress of its functions. Moreover, a Governor of a State may not act so as to preclude resolution of disputes as to the authority of a congressional committee through the normal route of the proceeding for contempt of Congress. Cf. *United States* v. *Peters*.[32]

3. That the Governors of New York and New Jersey instructed the subpenaed officials of the Port Authority to refuse to produce the required documents is no defense to an action for contempt of Congress brought against such officials. See *Sawyer* v. *Dollar*.[33]

Mr. CELLER. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Speaker, this matter with which we are dealing is one which I deem to be of considerable importance because I fear that we have seen a great deal of misinformation as to the true nature of the inquiry. I have had telephone calls from the Director of North Carolina Port Authority, a letter from the Governor of my State, and many others. I was surprised that they would be concerned about the New York Port Authority. However, they have expressed interest in the resolution now pending here in the House of Representatives.

Back in 1952, before I became a Member of this House, one of our former colleagues from the State of New Jersey introduced a resolution advocating the repeal or the rescission of the compact which created the Port Authority of New York. At that time hearings were held. Every living ex-Governor of the States of New York and New Jersey were apparently here to testify. It is a singular thing that so much anguish is being expressed toward the chairman of our Judiciary Committee [Mr. CELLER] when the RECORD in 1952 shows that he made this statement during hearings on the resolution of Mr. Sieminski to abolish the port authority. Chairman CELLER said this:

Governor Edison, I just want to tell you at this point that you need not fear that this committee would do anything that would have the idea in mind of destroying that compact between the States which set up the authority.

I have just shown that to the chairman, the gentleman from New York [Mr. CELLER], and he says that is still his position.

It is also interesting to note that at the time of the hearings in 1952, when the movement was to abolish the port authority, the gentleman whose citation is now before the House, Mr. Tobin, testified as follows before the Committee on the Judiciary:

As a public agency the port authority has always taken the position that its books and records are public information. On April 22, 1952, I wrote the chairman of this committee as follows:

"The commissioners of the port authority have also asked me to assure you of their desire to place at the disposal of your committee whatever records, information, data, or other material which may be helpful to your staff in preparation for the hearings on this resolution. The port authority is a public agency and our records are completely available for perusal by the members of your committee or your staff."

That is what the director of the port authority, Mr. Tobin, said in 1952 when he was apprehensive about the abolition of the port authority by the Congress of the United States. But now they split hairs and talk about "internal affairs," "meddling," "unconstitutional approaches," "We are a State agency" and all these other rather tenuous arguments that we have heard here today.

I would point out to you further that this same port authority in the case of the City of Newark against Central Railroad of New Jersey filed a brief in the Supreme Court of the United States where they set forth these three propositions. This is what they said in their brief:

1. There can be no doubt of the power of Congress to deal with the subject matter of the comprehensive plan nor of the effect of its action when it has so dealt.

2. There can be no doubt of the right of Congress to make the port authority its agent to carry out its legislation.

3. There can be no doubt that Congress has made the port authority its agent for the effectuation of the comprehensive plan.

Mr. Speaker, that is what the port authority said in a brief to the Supreme Court of the United States. In 1952 they said they felt Congress had a right to see every single record they had in their files because they said they are a public agency. But, today they take a different position. This Janus-like approach we are witnessing on the part of this apparently very powerful and far-reaching organization is something which I think challenges you and me as Members of this body to uphold the rights and prerogatives of the Congress. And this is true not only because we say we have them, but because in another day and in another place the very authority which now denies this jurisdiction at those times has asserted it without any reservation whatever.

Mr. Speaker, I ask that a very fine brief written by counsel for our committee, Mr. Murray Drabkin, be made a part of my remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

BRIEF IN SUPPORT OF INVESTIGATION OF PORT OF NEW YORK AUTHORITY

STATEMENT OF FACTS

The Port of New York Authority is an interstate, regional development authority established under compacts between the States of New York and New Jersey, approved by Congress in 1921 and 1922 for the purpose of dealing with the planning and development of terminal and transportation facilities and improving commerce of the port district. It was the declared expectation of Congress that the effectuation of these compacts would better promote and facilitate commerce between the States and between the States and foreign nations and provide better and cheaper transportation of property and aid in providing better postal, military, and other services of value to the Nation.

The operations of the authority exercise a farflung influence on interstate commerce. They yield tax exempt revenues in excess of $100 million annually from tunnels, bridges, terminals, airports, and shops valued at more than $900 million. The port authority's operations affect the lives of millions of Americans living outside as well as inside the port development area and the States of New York and New Jersey. They intimately affect the operation of Federal agencies responsible, among other things, for the national defense, navigable waterways, and air and surface traffic. In short, they profoundly affect Federal interests of many and various kinds.

Although 2 days of legislative hearings were held before this subcommittee in 1952 on a resolution that would have withdrawn congressional consent from the compacts and the authority, neither the Judiciary Committee, to which is assigned responsibility for interstate compacts of this character, nor any other congressional committee, has ever conducted a general investigation of the Port of New York Authority to determine its conformance or nonconformance to the limits of its authority or the extent or adequacy of its performance of its responsibilities in the public interest.

[26] 190 F. 2d at 634.
[27] Id. at 638.
[28] Id. at 640.
[29] 1942 Report of the Attorney General, New York 390 (1943).
[30] 24 N.J. 341, 132 A. 2d 1 (1957).
[31] 287 U.S. 378 (1932).
[32] 9 U.S. (5 Cranch) 65, 76 (1809).
[33] 190 F. 2d 623 (D.C. Cir., 1951), vacated as moot, 344 U.S. 806 (1952).

In recent months, complaints, varying widely in character and gravity, concerning the operations of the port authority under the compacts, have come to the attention of the committee.

In these circumstances and at the request of the entire New Jersey congressional delegation, the staff of the House Judiciary Committee was directed last March to make a study of the activities and operations of the authority under the 1921 and 1922 compacts, including a review of the scope of the authority's major operations. For that purpose the chairman, by letter dated March 11, 1960, requested the executive director of the authority to make certain of the authority's files available for examination by committee staff members. Notwithstanding this request, the port authority failed for the most part to make available the documents requested. Rather, it limited itself to supplying documents virtually all of which were already a matter of public record.

Against this background, the subcommittee voted on June 8, 1960, to begin a full inquiry into the activities and operations of the Port of New York Authority under the 1921 and 1922 compacts. Also, on the same date, the subcommittee addressed a letter to the executive director of the authority requesting him to make available for examination by subcommittee staff representatives specified documents dating from January 1, 1946, and indicating that counsel for the subcommittee would call at the offices of the authority on June 15 for the purpose of examining these files at that time.

Two days later, by letter dated June 10, the executive director of the authority raised a number of objections to the request for inspection of documents in the port authority's files.[1] In the same letter he expressed the hope that when committee counsel called at the offices of the authority and met with its general counsel, they would reach agreement as to the materials to be furnished in aid of the committee's inquiry. On June 15, counsel for the committee met with the executive director and the general counsel of the authority at its office, but the port authority persisted in refusing to make the requested documents available. Thereupon, subpenas requiring the production of documents necessary to carry out the inquiry were served, returnable in Washington on June 29, 1960. Subsequently, by letter dated June 17, 1960, the chairman notified the port authority that the committee would consider production of documents dating from January 1, 1946, to June 15, 1960, to be full compliance with the subpenas.

In taking these steps the subcommittee has acted and is acting pursuant to authority vested in, and responsibilities imposed upon, the Congress by the Constitution of the United States and, in turn, delegated to and imposed upon the House Judiciary Committee and this subcommittee.

[1] These objections mark an apparent change in policy. At hearings before this subcommittee in 1952, the same official of the authority testified:

"As a public agency the port authority has always taken the position that its books and records are public information. On April 22, 1952, I wrote the chairman of this committee as follows:

" 'The commissioners of the port authority have also asked me to assure you of their desire to place at the disposal of your committee whatever records, information, data, or other material which may be helpful to your staff in preparation for the hearings on this resolution. The port authority is a public agency and our records are completely available for perusal by the members of your committee or your staff.' " (Transcript of hearings on H.J. Res. 375 before a subcommittee of the House Committee on the Judiciary, 82d Cong., 2d sess., 346 (1952)).

I. ARTICLE I, SECTION 10, OF THE CONSTITUTION: THE COMPACT CLAUSE AND THE RESERVATIONS BY CONGRESS OF ITS RIGHT TO ALTER, AMEND, OR REPEAL THE PORT AUTHORITY COMPACT, FULLY SUPPORT A CONGRESSIONAL INQUIRY INTO THE OPERATIONS OF THE PORT AUTHORITY

It is well established that each House of Congress has the power to conduct investigations and compel testimony to provide information upon which its Members may intelligently base legislative decisions (*McGrain* v. *Daugherty*, 273 U.S. 135 (1927)).[2] It is also well established that the scope of the congressional investigative power is broad. It is as penetrating and far-reaching as the potential power to enact and appropriate under the Constitution (*Barenblatt* v. *United States*, 360 U.S. 109 (1959)). It may concern itself not only with the administration of existing laws, but also with proposed laws or the need for proposing laws. It may seek out defects in our social, economic, or political systems so that Congress may remedy them (*Watkins* v. *United States*, 354 U.S. 178 (1957)). Congressional power to investigate, however, is limited to those areas in which the Congress may potentially legislate or appropriate (*Barenblatt* v. *United States, supra*).

The question of whether the Congress is constitutionally authorized to inquire into the Port of New York Authority must, therefore, be resolved by determining (1) whether the status of the port authority is a proper subject of congressional legislation, and (2) whether the operations of the authority affect areas in which Congress may legislate. Where the Congress may legislate, Congress may investigate.

The creation of the port authority, its continued existence, and the terms of that existence are subjects of the will of Congress. Article I, section 10, of the Constitution specifically provides that—

"No State shall, without the consent of Congress * * * enter into any agreement or compact with another State."

Thus, before any compact can come into force, Congress must consider and enact legislation to grant its approval to the compact. In short, without congressional action there is no compact.

The purpose of this requirement was stated just last year by a longtime student of the compact clause, Mr. Justice Frankfurter, in *Petty, Admx.* v. *Tennessee-Missouri Bridge Commission* (359 U.S. 275, 288–89 (1959)):

"The constitutional requirement of consent by Congress to a compact between the States was designed for the protection of national interests by the power to withhold consent or to grant it on condition of appropriate safeguards of those interests. The compact may impair the course of interstate commerce in a way found undesirable by Congress. Or the national interests may derive from the necessity of maintaining a properly balanced Federal system by vetoing a compact which would adversely affect States not parties to the compact." See also Frankfurter & Landis, "The Compact Clause of the Constitution—A Study in Interstate Adjustments," 34 Yale I.J. 685.

Thus, the compact clause entrusts the Congress with a constitutional responsibility to safeguard both national interests and the interests of States which are not parties to the compact. If this responsibility is to be at all meaningful, congressional power cannot be limited to passing upon a compact in the first instance alone. This power must also include the right to alter, amend, and repeal consent subsequently.

This is so because administration of the compact may not be consistent with the purposes for which Congress had given its approval. Conditions change. As the Nation develops and progresses, the needs of one day are no longer the needs of another. Plans which do not adversely affect interstate commerce or the interests of other States at one time may, because of economic, political and social changes, have harmful results at a later time. What was once good for all the States may later become bad for most. The power to consent to an interstate compact must, therefore, carry with it the power to withdraw that consent.[3]

The validity of this argument was recognized in principle by the Supreme Court as long ago as 1916 in *Louisville Bridge Co.* v. *United States* (242 U.S. 409). In that case the appellant was the owner of a bridge, the design and structure of which had been approved by an act of Congress. Many years later, changes in design and structure were required by Congress. The Court rejected the argument that the terms of congressional approval were irrevocable and held that even in the absence of a specifically reserved right to alter, amend or repeal, Congress, nevertheless, must of necessity retain that right.

However, in the case of the Port of New York Authority, the power of Congress does not depend upon general principles alone. In consenting to both the 1921 and 1922 compacts, Congress specifically conditioned its approval upon the expressly reserved right to "alter, amend or repeal" its consent (42 Stat. 174; 42 Stat. 822).

It is, therefore, indisputable that Congress may enact legislation withdrawing its consent to any and all of the provisions of these interstate compacts. It may, as was proposed in 1952, enact legislation to repeal its consent to the compacts and thereby dissolve the port authority. (See H.J. Res. 375, 82d Cong.) It may enact legislation making its consent conditional upon the agreement of New York and New Jersey to delegate certain additional functions or withdraw certain functions from the port authority. (See *Petty, Admx.* v. *Tennessee-Missouri Bridge*

[2] The Supreme Court, in upholding this power, stated the underlying reason for congressional investigations: "A legislative body cannot legislate wisely or effectively in the absence of information respecting the conditions which the legislation is intended to affect or change; and where the legislative body does not itself possess the requisite information—which not infrequently is true—recourse must be had to others who do possess it. Experience has taught that mere requests for such information often are unavailing, and also that information which is volunteered is not always accurate or complete; so some means of compulsion are essential to obtain what is needed. All this was true before and when the Constitution was framed and adopted" (*McGrain* v. *Daugherty, supra,* at 175).

[3] This was the reason for the position taken in 1958 by the managers on the part of the House in the conference on H.R. 7153. The conference report states:

"A threat to the supremacy or efficiency of the Federal Government or to the interests of other States may develop or appear after a compact is consented to as well as before Congress gives its consent. In such circumstances Congress needs the power to take corrective action.

"It is possible that the present compact will not actually settle the boundary dispute between Washington and Oregon. Latent defects may be discovered in the future which would cause the continuance of the dispute. The compact describes the boundaries by points of longitude and latitude, but it does not guarantee to the Congress that disputes will not arise in the same way that disputes have arisen in the past over boundary description. Such disputes conceivably could affect the rights of citizens, other States, and even the national interest." Rept. No. 2234, House of Representatives, 85th Cong., 2d sess. (1958).

Commission, supra, 288–289.) Clearly, decisions of this kind have an enormous potential impact upon the Nation's greatest metropolitan area, its largest port, and upon large segments of industry. To suggest that a Congress, entrusted with such powers, cannot inquire into the operations of the Port of New York Authority is to say that Congress must exercise these legislative responsibilities blindfolded.

II. CONGRESS ALSO HAS AMPLE POWERS TO INQUIRE INTO THE OPERATIONS OF THE PORT AUTHORITY UNDER THE EXPRESS POWERS OF ARTICLE I, SECTION 8 OF THE CONSTITUTION AND ESPECIALLY ITS POWER TO REGULATE INTERSTATE AND FOREIGN COMMERCE

Although the responsibility to grant or withhold consent to interstate compacts provides ample authority for Congress to investigate the operations of the port authority, such authority also derives from the impact of the port authority's operations upon areas of constitutionally paramount Federal interest. That Congress intended that the creation of the port authority should in no way diminish the powers granted to it under article I, section 8 of the Constitution is apparent from the resolutions approving both the creation of the authority and the comprehensive plan which the authority was to administer.

Thus, the provisos to section 1 of the act of August 23, 1921, 42 Stat. 174, and section 1 of the act of July 1, 1922, 42 Stat. 822, declare:

"That nothing herein contained shall be construed as impairing or in any manner affecting any right or jurisdiction of the United States in and over the region which forms the subject of said agreement."

Section 1 of the act of July 1, 1922, supra, also provides:

"That the powers conferred are 'subject always to the approval of the officers and agents of the United States as required by acts of Congress touching the jurisdiction and control of the United States over the matters, or any part thereof, covered by this resolution'."

The second proviso to the act of July 1, 1922, supra, states:

"That no bridges, tunnels or other structure shall be built across, under or in any of the waters of the United States, and no change shall be made of the navigable capacity or condition of any such waters until the plans therefor have been approved by the Chief of Engineers and the Secretary of War."

The enormous effect of the port authority's operations in the area of Federal authority is apparent from a simple recital of the facilities operated by the port authority: [4]

Airports and heliports: La Guardia Airport, New York International Airport, Newark Airport, Port Authority Heliport, Teterboro Airport.

Marine terminals: Brooklyn-port authority piers, Hoboken-port authority piers. Port authority grain terminal includes grain elevator, grain pier, Columbia Street pier, public open storage area. Elizabeth-port authority piers, Port Newark, Erie Basin-port authority piers.

Terminals: New York Union Motor Truck Terminal, Newark Union Motor Truck Terminal. Port authority building includes Union Railroad freight terminal. Port authority bus terminal.

Tunnels and bridges: George Washington Bridge, Holland Tunnel, Lincoln Tunnel.

Staten Island bridges: Bayonne Bridge (Bayonne, N.J., to Port Richmond, Staten Island, N.Y.), Goethals Bridge (Elizabeth, N.J. to Howland Hook, Staten Island, N.Y.), Outerbridge Crossing (Perth Amboy, N.J., to Tottenville, Staten Island, N.Y.).

[4] Port Authority Instructions 5-1.01, revised Feb. 17, 1959.

It is perfectly clear that the operations of the port authority have a profound effect upon interstate and foreign commerce not only within the port area but upon every State in the Nation. The policy the authority adopts in respect to one form of transportation over another has a heavy impact upon the entire interstate transportation industry. By providing centrally located facilities for bus transportation, the authority profoundly affects railroad transportation in and out of the largest city in the Nation. By operating several of the Nation's busiest airports, the port authority is directly responsible for the safety and convenience of millions of air travelers from all over the United States and abroad. The quality of the facilities which the authority provides for docking, loading and off-loading ships, the facilities for the storage of goods in transit and the rates charged for these services are of decisive importance in foreign and domestic commerce.

The tolls set by the port authority for crossing from New York to New Jersey on one of the Nation's most heavily traveled highway networks affects the interstate travel of millions of Americans and of every industry that ships by truck. In turn, the quality of the administration of the port authority has a direct bearing upon the charges set by the authority for the use of its facilities and upon the kind of facilities which it can provide.

Operations of this kind are clearly subject to the powers expressly delegated to the United States in article I, section 8, of the Constitution. Indeed, this has been explicitly conceded by Mr. Sidney Goldstein, general counsel of the port authority, in a memorandum of law submitted to the Committee on the Judiciary at the May 1952 hearings, supra note 1. Mr. Goldstein stated:

"The port authority, far from undermining Federal authority and jurisdiction in interstate commerce, has fully complied with all Federal regulations therein and cooperates constantly with the many Federal agencies set up in the field."

Mr. Austin J. Tobin, the authority's executive director, likewise conceded the amenability of port authority operations to Federal controls when he stated that the port authority appears "before the ICC, the Maritime Commission, the CAB, the Army Engineers and similar Federal administrative agencies."

The concession that the operations of the port authority render it responsive to so many Federal agencies necessarily concedes that the operations occur in areas of primary Federal interest. As such they are subject to legislation by Congress, and under the fundamental rule of *McGrain* v. *Daugherty,* supra, the port authority is subject to the investigative authority of Congress.

III. CONGRESS IS NOT PRECLUDED FROM INQUIRING INTO THE OPERATIONS OF THE PORT AUTHORITY SIMPLY BECAUSE SUCH AN INQUIRY MAY INVOLVE MATTERS WHICH ARE ALSO OF STATE CONCERN

As an argument to deter the committee from pursuing its investigation of the port authority, it has been asserted that the authority "is solely the agency of the two States," that it "is in no sense a Federal agency," and it is, thereby, implied that in some way the authority is immune from congressional inquiry. This position is without foundation in either law or reason.

The authority itself has, on a number of occasions, officially described itself as an agent of Congress, carrying out Federal objectives.

Thus, in the progress report of the authority, dated February 1, 1923, it is stated that:

"The comprehensive plan is now legally authorized by the two States and the Congress of the United States, and the police powers of the States and the interstate commerce power of the Congress are joined in effectuating the definite plan, with one coordinating body as the State and Federal instrumentality." (Progress Report of Port of New York Authority, Feb. 1, 1923, p. 8.)

In the following year, in course of hearings before the House Committee on Military Affairs on the acquisition by the authority of the Hoboken shoreline from the Secretary of War, the following colloquy occurred:

"Mr. EAGAN. Do you contend that the Port of New York Authority in any sense is a Federal agency or instrumentality of the Federal Government?

"Mr. COHEN (counsel for the Port of New York Authority). It is for the purpose of effectuating the comprehensive plan, Congress having directed the port authority to effectuate it. We went further than that in the hearing before the Senate committee, and I shall submit all of that hearing as a part of this record."

Later, Mr. Cohen amplified this answer, saying:

"Now, with regard to this question here that Congressman Eagan has put, in our arguments with the railroads we have taken the position that when this comprehensive plan has approval by the two States it would not be effective as a regulation of interstate commerce until it was approved by the Congress of the United States, but that when it was approved by the Congress of the United States it was a Federal regulation of the commerce so far as these improvements were to be made in the port district, and that the port authority was the instrumentality, in that sense of the Federal Government, for the purpose of effectuating the comprehensive plan."

Thereafter, Congressman Eagan stated:

"I should like to ask Mr. Cohen whether or not I correctly understood him to say, in answer to my question of yesterday, that he considered the Port of New York Authority an agency or instrumentality of the Federal Government?"

Mr. Cohen replied:

"For the purpose of effectuating the comprehensive plan we are a Federal agency." (Hearings on S. 2287 and H.R. 7014 before the House Committee on Military Affairs, 68th Cong., 1st sess., 7, 55 (1924).)

Before the Senate committee, similar representations were made. Mr. Cohen said that the "plan involving interstate commerce, and the question of navigation and improvement of military roads and highways, and therefore necessitating approval by Congress, it was approved by Congress, so we are effectuating a Federal purpose, and in that sense we may be called a Federal instrumentality." (Hearings on S. 2287 before the Senate Committee on Military Affairs, 68th Cong., 1st sess., 34 (1924).)

Also, in 1924 in an amicus curiae brief filed with the Supreme Court of the United States, in *City of Newark* v. *Central Railroad of New Jersey* (267 U.S. 373 (1925)), the port authorty asserted as black letter law the following three points:

"I. There can be no doubt of the power of Congress to deal with the subject matter of the comprehensive plan nor of the effect of its action when it has so dealt."

"II. There can be no doubt of the right of Congress to make the port authority its agent to carry out its legislation."

"III. There can be no doubt that Congress has made the port authority its agent for the effectuation of the comprehensive plan." ("Records and Briefs," U.S. Supreme Court, vol. 267.)

These quotations from official positions taken by the port authority over the years demonstrate the futility of attempting to label interstate regional development authorities like the Port of New York Authority

as either "State" or "Federal." Most accurately, they carry out both State and Federal functions under intricate and overlapping State and Federal supervision.

In this respect, it is instructive to compare the decisions in *Helvering* v. *Gerhardt* (304 U.S. 405 (1938)), which held that Port of New York Authority employees are not employees of a State or political subdivision of a State within the exemption of the Revenue Acts, with that of *Commissioner* v. *Shamberg's Estate* (144 F. 2d 998 (2d cir. 1944)) holding that interest on securities of the port authority is exempt as interest on securities of a political subdivision of a State. These cases further highlight the impossibility of describing the interrelationships between the authority, the two States, and the Federal Government by any single label.

It is urged, nevertheless, by the port authority that the courts have, in fact, held that the port authority is a State agency. However, the numerous cases which have denied the right of private persons to sue the port authority (prior to 1951 legislation adopted by the States to authorize such suits) in no way support the proposition that the United States is precluded from investigating the operations of the port authority. Those cases are merely authority for the proposition that the port authority was not subject to suits by individuals.[5] No rule of sovereign immunity, however, immunizes States against suit by the United States. (*United States* v. *Texas*, 143 U.S. 621 (1891).) Insofar, therefore, as investigative power may be thought to be dependent upon the power to institute suit, the United States retains full authority to conduct an investigation into the operations of the port authority, irrespective of its precise status as a "State agency."

Investigation of the far-flung, federally related operations of the port authority will necessarily trench upon some matters of State concern. This is inevitable in the nature and scope of the matters entrusted to the port authority. Commerce within the port area and the two participating States cannot be segmented from commerce outside these areas. Commerce is continuous. To conclude that Congress is barred from gathering information upon which to base legislative decisions because of the incidence of some State interests among substantial Federal interests would be to ignore the development of the doctrine of Federal supremacy and to frustrate the Federal Government in carrying out its legislative responsibilities.[6]

What is more, under such a view, the port authority could—as some charge it already does—avoid effective supervision by any government.[7] For, if State interests suffice to debar the Congress, do not Federal interests operate to lock out the States? (*United States* v. *Owlett* (15 F. Supp. 736 (M.D. Pa. 1936)).) The supremacy clause resolves this dilemma, subordinating State interests in such situations to the interests of the people as a whole.

CONCLUSION

For the reasons stated above, it is submitted that the Congress has the authority to inquire into the scope of the port authority's activities as well as the adequacy with which the authority has performed its responsibilities under the compacts.

Mr. WHITENER. Mr. Speaker, may I in conclusion urge upon all of my colleagues to disabuse their minds of any of these so-called States rights arguments. If I thought that my State port authority was in any jeopardy by reason of what we are doing here today, I would be along side my good friend, the gentleman from New York [Mr. RAY], as I usually am.

Mr. CURTIS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Massachusetts.

Mr. CURTIS of Massachusetts. I would like to ask the gentleman whether his State is a party to any interstate compacts?

Mr. WHITENER. We certainly are a party to interstate compacts.

Mr. CURTIS of Massachusetts. Does the gentleman recognize that by seizing upon the right of the Congress to amend these compacts we are now told that the Congress shall have the right to pry into the affairs of these organizations formed under such compacts and investigate them and regulate them?

Mr. WHITENER. I would say to my distinguished friend, if I felt, as he apparently feels, I would have pending today a resolution to repeal article I, section 10 of the Constitution of the United States.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. McCULLOCH. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. OSMERS].

Mr. OSMERS. Mr. Speaker, when the New Jersey delegation decided in February to ask the Committee on the Judiciary for a staff study of the Port of New York Authority compact to determine the authority's legal right to construct an airport in Morris County, N.J., it was not our thought that the committee would seek to make a full investigation.

Somewhat overlooked in the debate today, is the fact that the port authority is governed by 12 commissioners, 6 from each State, all of whom serve without compensation. These commissioners are named by the Governors of New York and New Jersey and traditionally are distinguished citizens giving their time and very best efforts to improve and develop the port of New York in every proper way.

Mr. Speaker, may I also point out that both Governors, through their individual power to veto the authority's minutes, has complete control over every action of the commissioners and further that the New York and New Jersey Legislatures have full investigatory powers with respect to all operations.

Hundreds of millions of dollars worth of securities have been sold to the general public by the port authority through leading banking houses. The great confidence of the financial community and the general public in the authority is well founded and should not be disturbed by a congressional fishing expedition.

There are three sound reasons for opposing this citation: First, if there is contempt of Congress in this case, the contempt lies with the Governors of the two States and not with commissioners or employees of the authority. Second, the sole basis of the citation arises from geography, not from jurisdiction or nature of operations, for the reason that the port of New York lies within the boundaries of two States. We are not actually discussing Federal activities in this instance any more than we would be if we were investigating port activities at Boston, Norfolk, Jacksonville, New Orleans, Charleston, Galveston, Houston, San Francisco, Los Angeles, Portland, or Seattle. The activities conducted by the Port of New York Authority are State activities pure and simple just as activities are at these other ports. The Congress of the United States should not attempt to dominate and regulate this type of State government activity.

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[5] New York State Courts: *Voorhis* v. *Cornel Contracting Corp. and Port of New York Authority* (170 Misc. 908 (1938)), *LeBeau Piping Corp.* v. *City of New York and Port of New York Authority* (170 Misc. 644 (1938)), *Hergott* v. *Port of New York Authority* (269 App. Div. 770 (1945)), *Roochvarg* v. *Port of New York Authority* (190 Misc. 406 (1947)), *Port of New York Authority* v. *Elman* (196 Misc. 91 (1949)), *Marmor* v. *Port of New York Authority* (203 Misc. 568, 116 N.Y.S. 2d 177 (1952)), *Harris* v. *Lord Electric Co.* (281 App. Div. 693, 117 N.Y.S. 2d 593 (1952)), *Barra, Admx.* v. *Port of New York Authority* (192 N.Y.S. 2d 838 (1959)); New Jersey State Courts: *Miller* v. *Port of New York Authority* (18 N.J. Misc. 601; 15 A. 2d 262 (1939)), *Feeley* v. *Port of New York Authority* (53 N.J. Super. 233, 147 A. 2d 105 (1958)); New York Federal Courts: *Rao* v. *Port of New York Authority* (222 F. 2d 362 (2d Cir. 1955), aff'g 122 F. Supp. 595 (E.D.N.Y. 1954)), *Larson* v. *Port of New York Authority* (17 F.R.D. 298 (S.D.N.Y. 1955)); New Jersey Federal Courts: *Howell* v. *Port of New York Authority* (34 F. Supp. 797 (D.N.J. 1940)), *Wolkstein* v. *Port of New York Authority* (178 F. Supp. 209 (D.N.J. 1959)).

[6] In *United States* v. *Di Carlo* the District Court for the Northern District of Ohio supported the authority of Congress to investigate matters which may be within the reserved powers of the States. Insofar as those matters affect matters within the scope of the powers granted to the Federal Government, the court declared, Congress has a right to inquire into them. *United States* v. *Di Carlo*, 102 F. Supp. 597, 601 (N.D. Ohio, 1952).

The *Di Carlo* case is consistent with the earlier dictum of Chief Justice White in *Virginia* v. *West Virginia*. That case involved the enforcement by the United States of the terms of an interstate compact between those two States. Having found that Congress had the power to legislate for the purpose of enforcing the compact, the Supreme Court stated that "it must follow that the power is plenary and complete, limited, of course, as we have just said, by the general rule that the acts done for its exertion must be relevant and appropriate to the power. This being true, it further follows, as we have already seen, that, by the very fact that the national power is paramount in the area over which it extends, the lawful exertion of its authority by Congress to compel compliance with the obligation resulting from the contract between the two States which it approved is not circumscribed by the powers reserved to the States." (*Virginia* v. *West Virginia*, 246 U.S. 565, 602 (1918).)

[7] Ross D. Netherton, in a recent article calling upon both Congress and the States to reexamine their laissez-faire attitude toward area development authorities, stressed the virtual autonomy of these instrumentalities, "The parent States have bound themselves not to exercise the means of regulation in the public interest which are generally applicable to public agencies. The taxpayer-voter is completely out of the play. Not only are his civic functions paralyzed when he is cast in the role of the consumer of services rendered by the authority and financed through revenue bonds, but even when he has a chance to vote or sue, he lacks coherent information on the basis of which to make up his mind." (Netherton, "Area Development Authorities—A New Form of Government by Proclamation," (8 Vand. L. Rev 678, 691 (1955)).)

And third, Mr. Speaker, the constitutional grounds upon which this citation is based are weak indeed. Under the separation of powers in our Constitution these State activities are not, in my opinion, under the control of Congress.

It would be far better to have the Attorneys General of the States of New Jersey and New York with the Attorney General of the United States seek a declaratory judgment in the courts which would finally settle this jurisdictional controversy.

The SPEAKER. The time of the gentleman from New Jersey [Mr. OSMERS] has expired.

Mr. CELLER. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. FEIGHAN].

Mr. FEIGHAN. If I may address myself to the gentleman from New York.

In the minority views of the distinguished gentleman, he cites the case of Commissioner against Shamberg, decided by the second circuit, as decisive authority for the proposition that the port authority is a State agency. I take it that the gentleman is also aware of the case of Helvering against Gerhardt, decided by the Supreme Court of the United States, holding that employees of the port authority are not employees of a State for purposes of tax exemption under the Revenue Act. Is it not clear, therefore, that what we have, rather than any authoritative judicial decision as to the nature of the port authority for purposes of congressional inquiry, are two cases, one of which says that for certain tax purposes the authority is a State agency and for certain other tax purposes, the authority is not a State agency. Is it not perfectly clear, therefore, that tax decisions of this kind cannot form a basis for determining the scope of congressional power to inquire into the activities of the port authority?

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. McCULLOCH.. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. CURTIS].

Mr. CURTIS of Massachusetts. Mr. Speaker, I, too, regret being in disagreement with my former chairman when I served on the Committee on the Judiciary.

But I would point out that much of what he said about the need for this Federal investigation would apply to other ports. We have a port authority in Boston. It also has been interested in facilitating interstate and foreign commerce. It so happens, however, that the port of Boston is all in one State. So he says the Federal right to investigate the port authority does not exist in that case.

Just because a harbor happens to join two States, does that mean that the Federal Government has this right of regulation, which it does not have when the port is entirely within the border of one State?

This right is based on the reserved right of Congress to amend compacts. That right was never intended to justify such Federal intrusion. To uphold this procedure will jeopardize the whole interstate cooperation movement.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. McCULLOCH. Mr. Speaker, I yield to the gentleman from Michigan [Mr. MEADER] the remainder of the time on this side.

The SPEAKER. The gentleman from Michigan is recognized for 8 minutes.

Mr. MEADER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD and include pertinent material.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MEADER. Mr. Speaker, this is one of the most important questions the House will have to decide at this session. It involves the investigative authority of the House of Representatives and whether or not witnesses may defiantly and contumaciously disregard valid orders of a committee of the House.

In a way what the port authority officials are trying to do here is like the old Army shell game: When the States of New York and New Jersey independently on numerous occasions sought to establish commissions of inquiry or committee investigations of the financial affairs of the Port of New York Authority they were confronted with the argument that the port authority is not a New Jersey agency, or is not a New York agency, and thus is not amenable to the legislature of either one of those States individually.

On some occasions there have been efforts to establish joint commissions by the two States to investigate the port authority. I include a summary of the instances where the States of New Jersey and New York have sought without success to inquire into the financial affairs of the Port of New York Authority.

This summary was prepared by Legislative Reference Service of the Library of Congress:

JULY 28, 1960.

To: House Judiciary Committee, Antitrust Subcommittee, Hon. EMANUEL CELLER, chairman.

(Attention: Mr. Appel.)

From: American Law Division.

Subject: Bills introduced in the Legislatures of New York and New Jersey authorizing an investigation of the Port of New York Authority.

Reference is made to your telephone request of July 18, 1960, requesting information concerning bills introduced in the New York and New Jersey Legislatures authorizing an investigation of the Port of New York Authority.

The following is a list of bills and acts by the Legislatures of New York and New Jersey relating to the subject of investigation of the Port of New York Authority.

We are enclosing, herewith, pursuant to your request, verifaxed copies of the following:

New Jersey Senate Joint Resolution No. 18 (1933).

New Jersey Assembly Committee Substitute Resolution for Assembly Joint Resolution No. 12 (1935).

Laws of New Jersey 1950, chapter 90, pages 163, 164.

NEW JERSEY

New Jersey Senate Joint Resolution No. 18 (1933): A joint resolution creating a commission consisting of three members of the senate to be appointed by the president of the senate, and three members of the house of assembly to be appointed by the speaker thereof, who shall constitute a joint commission to inquire into matters relating to the Port of New York Authority. (Introduced March 9, 1933, by Mr. Powell and referred to committee of the judiciary, New Jersey Senate Journal, 1930, p. 356.)

New Jersey Assembly Joint Resolution No. 12 (1935): A joint resolution creating a commission consisting of three members of the house of assembly to be appointed by the speaker thereof, three members of the senate to be appointed by the president of the senate, and three citizens of the State of New Jersey, to be appointed by the Governor of the State of New Jersey, who shall constitute a joint commission to inquire into matters relating to the Port of New York Authority. (Introduced January 28, 1935, by Mr. Giuliano, and referred to the committee on miscellaneous business, minutes of the New Jersey House of Assembly, 1935, p. 223.)

Mr. Giuliano, chairman of the committee on miscellaneous business, reported assembly committee substitute resolution for Assembly Joint Resolution No. 12 (1935).

Mr. Giuliano moved that the clerk be directed to read in full the assembly committee substitute resolution for Assembly Joint Resolution No. 12. The title of the committee substitute resolution is as follows:

"A resolution creating a commission consisting of five members of the house of assembly to be appointed by the speaker thereof who shall constitute a commission to inquire into matters relating to the Port of New York Authority."

The New Jersey House of Assembly adopted the assembly committee substitute resolution for Assembly Joint Resolution 12 on February 5, 1935. (Minutes of the New Jersey House of Assembly, 1935, p. 293–295.)

On February 11, 1935, the speaker appointed five members of the house of assembly to this commission. (Minutes of the New Jersey House of Assembly, 1935, p. 325.)

New Jersey Assembly bill No. 391 (1950): An act authorizing the director of the Division of the Budget and Accounting of the Department of the Treasury of the State of New Jersey and the comptroller of the State of New York and their legally authorized representatives to examine the accounts of the Port of New York Authority and to make reports thereon.

This bill was enacted into law as chapter 90 of the session laws of New Jersey, 1950, pp. 163, 164. (N.J.S.A. 32: 2–33.)

New Jersey Assembly Joint Resolution No. 4 (1952): A joint resolution creating a commission to be known as the New Jersey Interstate Facilities Commission to study the subject of interstate tunnels, bridges and facilities, and the interstate and port authorities and commissions in which New Jersey is interested, particularly in relation to the financing and refinancing of the said facilities and their construction, maintenance and operation, and also in relation to the benefits obtained, the economies effected and the actual and potential returns from the said facilities, and also in relation to these interstate facilities as a source of revenue to the State and its political subdivisions; to provide for reports and recommendations by the said commission to the Governor and the legislature, and making an appropriation for the expenses of the commission.

New Jersey Assembly Joint Resolution No. 4 (1952) was introduced on January 21, 1952, by Mr. Musto and referred to the committee on interstate cooperation. (New Jersey Minutes of Assembly, 1952, p. 77.)

On March 24, 1952, Mr. Musto, pursuant to rule 68, gave 24 hours notice that he would move to relieve the committee on

interstate cooperation of further consideration of Assembly Joint Resolution No. 4 (New Jersey Minutes of Assembly, 1952, p. 501.)

New Jersey Assembly Joint Resolution No. 3 (1953): Joint resolution creating a commission to be known as the New Jersey Interstate Facilities Commission to study the subject of interstate tunnels, bridges and facilities and the interstate and port authorities and commissions in which New Jersey is interested, particularly in relation to the financing and refinancing of the said facilities and their construction, maintenance, and operation, and also in relation to the benefits obtained, the economies effected and the actual and potential returns from the said facilities, and also in relation to these interstate facilities as a source of revenue to the State and its political subdivisions; to provide for reports and recommendations by the said commission to the Governor and the legislature and making an appropriation for the expenses of the commission.

Assembly Joint Resolution No. 3 (1953) was introduced on February 2, 1953, by Mr. Musto and was referred to the committee on the judiciary. (New Jersey Minutes of Assembly, 1953, p. 130.)

On March 25, 1953, Mr. Musto, pursuant to rule 68, gave 24 hours notice that he would move to relieve the committee of judiciary of further consideration of Assembly Joint Resolution No. 3. (New Jersey Minutes of Assembly, 1953, p. 547.)

NEW YORK

An act creating a temporary commission to investigate the relationship between the port authority and the respective municipalities wherein is situated property of the port authority and particularly the subject of taxing such property; to confer thereon with a similar commission when and if appointed by the State of New Jersey and to report its findings to the legislature; and making an appropriation therefor. (New York Session Laws, 1925, ch. 1, p. 1.)

An act authorizing the comptroller of the State of New York and the comptroller of the State of New Jersey and their legally authorized representatives to examine the accounts of the Port of New York Authority and to make reports thereon. (New York Session Laws, 1929, ch. 648.)

On January 26, 1956, Mr. Composto introduced in the New York Assembly a bill entitled "An act in relation to the examination of the books and accounts of the Port of New York Authority by the State comptroller" (Int. No. 1624), which was read the first time and referred to the committee on ways and means. (New York Assembly Journal, 1956, p. 292, 293.)

On January 26, 1956, Mr. Hults introduced in the New York Senate a bill (Int. No. 1214) entitled "An act in relation to the examination of the books and accounts of the Port of New York Authority by the State comptroller," which was read the first time and by unanimous consent was also read the second time and referred to the committee on finance. (New York Senate Journal, 1956, p. 251.)

On February 7, 1957, Mr. Composto introduced in the New York Assembly a bill (Int. No. 2043) entitled "An act in relation to the examination of the books and accounts of the Port of New York Authority by the State comptroller," which was read the first time and referred to the committee on ways and means. (New York Assembly Journal, 1957, p. 400.)

On March 18, 1957, the New York Senate sent to the Assembly for concurrence the following bill entitled "An act in relation to the examination of the books and accounts of the Port of New York Authority by the State comptroller," (No. 1797, Rec. No. 587), which was read the first time and referred to the committee on rules. (New York Assembly Journal, 1957, p. 2473.)

On February 7, 1957, Mr. Hults introduced in the New York Senate a bill (Int. No. 1714) entitled "An act in relation to the examination of the books and accounts of the Port of New York Authority by the State Comptroller," which was read the first time and by unanimous consent was also read the second time and referred to the committee on finance. (New York Senate Journal, 1957, p. 376.)

This bill (pr. No. 1797, Int. No. 1714) was passed by the New York Senate on March 18, 1957. Secretary was ordered to deliver this bill to the Assembly and request their concurrence therein. (New York Senate Journal, 1957, p. 1922.)

Every effort on the part of the Legislatures of New Jersey and New York to investigate the Authority has been lobbied to death by this powerful organization, the New York Port Authority which seems to have unlimited funds and resources for lobbying against anything they do not want.

And now we see the effort being made here in the House of Representatives. Every Member has received a telegram which I understand would cost about $10 per telegram—some 437 Members. Who paid for this telegram?

What right has the Port of New York Authority as a public body exercising a power granted to it by two sovereign States and the Federal Government, to use their funds which, in a sense are public funds to seek to obstruct the work of the Judiciary Committee? They have enlisted Governors, State attorneys general, municipalities, and municipal associations to work on Members of the House and now have induced four Governors and former Governors of New York to send a long expensive telegram to every Member of this body designed to induce Members to repudiate and undermine the work of a House committee.

Mr. HOLTZMAN. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from New York.

Mr. HOLTZMAN. The gentleman has spoken of the old Army shell game. Part of this shell game I submit is the recommendation of Mr. Tobin against divulging the contested material that we seek and then hiding behind the cloak of an alleged mandate by the Governors to do the very thing he recommended to the Governors in the first instance.

Mr. MEADER. I have here a letter received from the Governor of the State of Michigan who now recognizes that there are such things as States rights. I insert that letter and my reply at this point in my remarks.

STATE OF MICHIGAN,
Lansing, August 12, 1960.

Hon. GEORGE MEADER,
Member of Congress,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN MEADER: It has come to my attention that the Port Authority of New York is the subject matter of an attempted investigation by a congressional committee. As you are aware, the authority was instituted between the States of New York and New Jersey pursuant to an interstate compact in 1921, and has operated as a State agency without Federal intervention since that date. The functions of the agency are controlled by the two States, including strict accounting and auditing of all disbursements and financial transactions. The performance of the authority in the field of public works has been highly commended.

The invasion of this agency's operations by a congressional investigating committee impresses me as being wholly without merit from the standpoint of policy and the law. While being completely aware of the Federal Government's right to regulate and control interstate commerce in most of its facets, I am convinced that the authority's operations are not and should not be within the purview of this precept. To hold otherwise is to invite Federal surveillance of gubernatorial appointments and State agencies upon the slightest pretext.

In view of the foregoing I call upon you to exert all possible effort to defeat the congressional action now sought to be taken against the Port Authority of New York.

Sincerely,

G. MENNEN WILLIAMS,
Governor.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 23, 1960.

Hon. G. MENNEN WILLIAMS,
Governor of the State of Michigan,
Lansing, Mich.

DEAR GOVERNOR WILLIAMS: This will acknowledge your letter of August 12, 1960, urging me to protect the New York Port Authority from investigation by the Judiciary Committee of the House.

It is apparent that the port authority in its lobbying and propaganda activities has been able to mislead you into the belief that this question is one of States rights. Parenthetically, I welcome your concern, of which I was not previously aware, about protecting the independence, vitality, and sovereignty of the States.

You probably were not aware that I am not only a member of the House Judiciary Committee but also a member of the subcommittee which is undertaking the inquiry into affairs of the Port of New York Authority, and that I am very familiar with the problem in all of its facets and have concluded that the inquiry is clearly within the jurisdiction of the committee and that the officials of the Port of New York Authority have arrogantly and contumaciously defied the committee in its efforts to get the facts.

The lengths to which the Port of New York Authority has gone to enlist you and others on their side and against the House committee is convincing evidence that it is high time some legislative body took a look at the affairs of this regional, interstate, public agency whose very existence stems from a consent Congress gave the bistate compact in 1921. For 40 years this agency has escaped inquiry from the States of New Jersey and New York and the Congress. It is inconceivable to me that Congress by consenting to an interstate compact has created a public body exercising governmental powers which cannot be called to account by anyone.

I believe if you were familiar with all the facts and the considerations as I am, you would take the same position I do.

Sincerely,

GEORGE MEADER.

I also have a letter from the Director of the Michigan Municipal League on behalf of the Port of New York Authority. I enclose this letter and my reply at this point in my remarks:

MICHIGAN MUNICIPAL LEAGUE,
Ann Arbor, Mich., August 5, 1960.

Hon. GEORGE MEADER,
House Office Building,
Washington, D.C.

DEAR GEORGE: Our attention has been directed to the recommendation of Subcommittee No. 5 of the House Judiciary Com-

mittee to be considered August 15, relative to the contempt citations directed at officials of the Port of New York Authority.

The Port of New York Authority and the Governors of New York and New Jersey we are certain are able to take care of themselves—and we have no intention of attempting to speak for them—however, the powers, claimed and asserted by the House Judiciary Committee in this instance goes far beyond the instant quarrel of Representative CELLER.

We join the Conference of State Governors and the National Association of Attorneys General in opposition to the above mentioned action on the part of the House Judiciary Committee.

It violates the traditional concept of Federal-State-local relationships—and poses, we believe, a serious threat to the dignity and independence of local government.

We urge you, only because of our interest in preserving the appropriate relationship between Federal, State, and local governments, to not concur in the House Judiciary Committee actions as currently contemplated with respect to the officers of the Port of New York Authority.

Respectfully yours,

JOHN H. HUSS, *Director.*

AUGUST 12, 1960.

Mr. JOHN H. HUSS,
Director, Michigan Municipal League,
Ann Arbor, Mich.

DEAR JOHN: This will acknowledge your letter of August 5, regarding the House Judiciary Committee's investigation of the Port of New York Authority.

It is apparent that the Port of New York Authority officials are conducting quite a campaign against our committee and I am curious to know who contacted you and what representations were made to you to induce you to write me as you did. I hope you will be willing to send me a copy of the letter or wire which led to your writing the letter. I am also curious as to whether this matter has been brought to the attention of your governing board.

There isn't the slightest doubt of the power of the Congress to inquire into the financial and other activities of the Port of New York Authority which is not correctly described as a State agency since its very existence was derived from a compact between two States which could have validity only after the approval of the Congress. This, of course, is provided in the U.S. Constitution. I believe the officials of the Port of New York Authority have wrongfully attempted to portray this inquiry as a violation of States rights and have imposed upon you and the other organizations you have mentioned in seeking to block the committee's inquiry.

I will be glad to discuss this further with you in person and I will be in Ann Arbor until the week of August 22.

Sincerely,

GEORGE MEADER.

Mr. WAINWRIGHT. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield.

Mr. WAINWRIGHT. I wish to support and substantiate the statements made by the gentleman from Michigan. I do not think all the Members heard the statement made by former Senator SANTANGELO, of New York, that every time the New York State Legislature or State Senate asked to look at the books of the New York Port Authority they were told that it was up to Congress. Now Congress is being told by their spokesmen here that it is not up to Congress, it is up to the State legislatures.

Furthermore, I believe that I may possibly be the only Republican from the State of New York voting to support the House Judiciary Committee. Tremendous pressure was put on us by this authority. Frankly, it is shocking. Mr. Speaker, if we renege on a careful decision of a major committee of the Congress of the United States, this will be a very shameful day.

These members of the port authority are fine people with special powers unto themselves. It is right and fitting that some higher body have a right to examine their activities.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. Mr. Speaker, the gentleman asked a question as to the right of an agency or citizen to petition the Congress. He has called it lobbying. But it is a right spelled out in the Constitution.

Under permission to revise and extend my remarks I am going to discuss that matter at some length. I may say another thing. This division of time has not been too fair. If the committee felt its case was so good, why did it not give equal time to those who wanted to present the opposite viewpoint the opportunity to do so? The Members of the House have had no opportunity to hear fully the other side of this very serious question. This is no way to proceed, I may say.

Mr. MEADER. I do not care to debate that matter, because the gentleman from Ohio [Mr. MCCULLOCH] can take care of himself. I point out, however, that the gentleman from New York [Mr. LINDSAY], the gentleman from New York [Mr. RAY], the gentleman from New Jersey [Mr. OSMERS], and others have spoken in opposition, and some of this discussion came out of the time originally allotted to me. I think opponents have had their opportunity to make their case.

The gentleman from Missouri [Mr. CURTIS] makes the point that the Constitution guarantees citizens the right to petition their Government. I have no quarrel with him on that point and would defend just as vigorously as he does the right of citizens to petition their just Government. It is quite another thing, however, in my judgment, for a public agency, exercising public authority and expending public funds, to use those funds as blatantly and arrogantly as has the Port of New York Authority in seeking to influence legislation and conducting a countrywide propaganda campaign to block a legitimate inquiry of a committee of the House of Representatives.

This is not a new program as far as the Port of New York Authority is concerned. It would be interesting to know how much they spent in public funds, including the man-hours of their officials and their staff, in an effort, which thank God was unsuccessful, to block the Great Lakes-St. Lawrence Seaway. They sent officials to testify repeatedly before congressional committees considering the seaway legislation and engaged in other lobbying activities seeking to defeat this meritorious legislation.

I am quite sure that the Port of New York Authority as a public agency is in no different category than the executive agencies of our Government with respect to lobbying and seeking to influence legislation and to propagandize the public. The gentleman from Missouri will recall that the Congress has repeatedly, in appropriation bills, prohibited agencies from using public funds for publicity and propaganda activities not authorized by the Congress.

Public agencies, including the Port of New York Authority, in my judgment, are merely servants of the public to carry out the policy decided upon by legislative bodies. It is unseemly and improper in my judgment for them to use authority and funds which really belong to the public to influence legislative policymaking decisions.

Mr. Speaker, this is not a State agency, it is not a Federal agency; it is an agency created by the power of two sovereign States plus the power of the Federal Government. Article I, section 10, clause 3 of the Constitution of the United States says expressly:

> No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into an agreement or compact with another State, or with a foreign power.

This agency, the Port of New York Authority, could not exist except with the approval given by the House of Representatives and the Senate in 1921. We can repeal that action, we can abolish the authority, we can withdraw our consent. We have a right to see what it has done with the powers we have granted this regional, interstate agency. It is within the purview of the Judiciary Committee's jurisdiction to investigate this matter.

Let me say to you that the officials of the Port of New York Authority acknowledged that in the hearings. The witnesses themselves conceded that the House Judiciary has the power to conduct this inquiry. I call your attention to pages 47 and 48 of the hearings before you. I asked all three of the witnesses whose contempt citations are before the House today whether or not the documents which they did produce they produced pursuant to the subpena. Every one of them answered unqualifiedly "yes."

In other words, they brought the documents which they were perfectly willing to make public, and said they did it in obedience to the subpena issued by the Committee on the Judiciary of the House; but, then, there were some other documents they did not want anybody to see, and they claimed those documents were beyond our jurisdiction. How can they say that when they have already obeyed the subpena with reference to certain documents? They recognized the power of the committee and treated the committee's subpena as being proper and calling for information within our jurisdiction. Now how can they raise any question of jurisdiction?

The testimony I referred to reads as follows:

Mr. MEADER. Mr. Chairman, I should like to address a question to the three officials of the port authority who have testified, to be sure that I understand their testimony correctly.

Mr. Tobin, of the documents described in the subpena, you have produced some and not produced the others. Is that correct?

Mr. TOBIN. That is correct, sir.

Mr. MEADER. Those that you have produced, you have produced pursuant to the subpena?

Mr. TOBIN. Yes, sir.

Mr. MEADER. I would like to ask the same question of Mr. Colt, if I may.

Did you understand the question, Mr. Colt?

Mr. COLT. Yes, I do; yes, sir.

Mr. MEADER. Those documents which you have produced here today, you have produced pursuant to the subpena, is that correct?

Mr. COLT. Yes.

Mr. MEADER. Mr. Carty?

Mr. CARTY. I heard the question, Mr. Congressman, yes.

Mr. MEADER. Those documents you have produced today, you have produced pursuant to the subpena, is that correct?

Mr. CARTY. Yes.

Mr. Speaker, the House Judiciary Committee in attempting to carry out the mandate of the House to investigate the operation of interstate compacts has been impeded by the arrogant, defiant and contumacious refusal of officials of the Port of New York Authority to produce papers and records relating to the exercise of public authority vested in this interstate regional public body, which records and papers were in the custody and control of those officials.

This defiance is an affront to the dignity, the prestige, the powers, and prerogatives of the House of Representatives and must not go unpunished. I urge the adoption of the resolution.

Mr. CELLER. Mr. Speaker, I yield 4 minutes to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I do not think there is anything that has come before this short bobtail session of the Congress that will give me as much pleasure and gratification as the matter now before us. I was one of those, I am sure everybody else did, too, who received this telegram that has been alluded to by the distinguished gentleman from Michigan [Mr. MEADER] from the Governor of New York, Mr. Rockefeller, and his immediate predecessors, Mr. Harriman, Mr. Dewey, and Mr. Lehman, all urging me on behalf of States rights to oppose this citation.

Mr. Speaker, if my memory and my knowledge of the political philosophy practiced by these gentlemen while serving as Governor and in other public office is correct, they have uniformly followed a pattern of centralization of government here in Washington as opposed to the constitutional theory of States rights. I want to assure them that they have my deepest and most sincere sympathy in this instance where they find the shoe on the other foot. Can it be that they have overnight seen the light and been converted to the doctrine of States rights? Or, is this just another case of local politics? But regardless of what motivated these distinguished liberals to take this stand, as an ardent and true advocate of States rights, I repeat, these gentlemen have my sympathy and my cooperation.

And I might add that this goes for the other distinguished gentlemen who are here today arguing against this citation on the grounds of States rights, but whose records here in this House they proudly boast of as being liberal.

In this contest I find myself in the position of the man watching a fight between his wife and a bear. I do not much care which way it goes; I am just glad to see the fight. I am happy that so many are in favor of States rights in the great States of New York and New Jersey today.

Mr. Speaker, I wonder where these distinguished gentlemen were when H.R. 3, the States rights bill, was up before this Congress, that would reenact the 10th amendment and say that those powers not specifically granted to the Federal Government should remain in the States or the people. I think I know where they were. I think I know where some of the gentlemen who were speaking against this resolution in behalf of States rights today were. I think I know where they were when the right of trial by jury was up here on the civil wrongs legislation. I am really happy to see that my friend, the chairman of the Committee on the Judiciary, is running true to form. I am sorry that he finds himself in disagreement with the gentlemen who are presently and have been Governors of his State. Mannie, I hope you will not get into too much trouble about it. But, at least you are consistent.

Now, my very good friend, the able Congressman from Louisiana [Mr. WILLIS], just spoke here in behalf of this bill. The gentleman from Louisiana is usually very consistent and a very able lawyer. But, he has a situation down in his State where the powerful arm of the Federal Government reached out down there and served notice on his Governor and upon his attorney general and upon his school officials that they have to integrate the schools down there in the city of New Orleans. I wonder how the gentlemen from New York, the great executives, present and prior, feel about that situation. Oh, it is so refreshing to see this fight here today. It is so gratifying to see that the chickens are coming home to roost.

Mr. CELLER. Mr. Speaker, I yield the balance of the time to the gentleman from New Jersey [Mr. RODINO].

Mr. RODINO. Mr. Speaker, it is with a deep sense of regret that I, as a Representative in Congress from the State of New Jersey, rise in support of the committee's resolutions recommending that certain officials of the Port of New York Authority be cited for contempt of Congress because of their failure to cooperate with the committee's inquiry into the activities and operations of that public body.

I wish to emphasize that the report of the committee, in which is contained its recommendation that contempt citations be issued, is in no sense a persecution, nor is it aimed at any particular individual or individuals. Those upon whom the subpenas were served were subpenaed because of the office they hold and not because of any personal animosity on the part of the committee. No one questions their integrity, their honesty, or the sincerity of the position on which they based their refusal to submit the documents of the port authority to committee scrutiny. Unfortunately, the only way in which the legal validity of their position can be tested is by the contempt citation which is before us today. Had there been any other approach we would have seized upon it eagerly. As the committee report points out, exhaustive legal research was undertaken with regard to this question; I personally explored whether other avenues existed; and the port authority itself, which has urged that this be submitted to the courts, has failed to come up with an alternative. The contempt citation sets in motion the only available method for judicial resolution of the issue which the port authority has seen fit to raise.

I wish to emphasize, also, that although this is a contempt action, no criminal penalties against these individuals are invisioned. If the judicial issue is resolved in favor of the Congress, the port authority will presumably move to comply with the decision, by supplying the subpenaed documents, and this will be the end of the matter.

The issue here is not one of States rights, rather it is whether the Congress, having brought about the existence of the New York Port Authority compact through resolutions of approval in 1921 and 1922—which specifically reserve to Congress the right "to alter, amend, or repeal" such approval—may constitutionally inquire into the activities and operations of the authority. The Port of New York Authority is an interstate, regional development authority established under bi-State compacts between the States of New York and New Jersey, approved by Congress in 1921 and 1922 for the purpose of planning and developing the transportation facilities and the commerce of the port district.

It is important to remember that the U.S. Constitution expressly provides that—

> No State without the consent of Congress * * * may enter into any agreement or compact with another State * * * (art. 1, sec. 10).

Pursuant to this constitutional provision the States of New York and New Jersey came to Congress in 1921 and in 1922 with a compact embodying a comprehensive plan for the development of the port area lying within the States of New York and New Jersey. Congress approved this plan, but in doing so it reserved the right "to alter, amend, or repeal" its act of approval. I repeat: Congress reserved the right "to alter, amend, or repeal" its approval.

It also reserved the Federal power of the United States in and over the port district region and further provided that no bridges, tunnels, or other structures could be built in the port area or changes

made in the navigable capacity or conditions of the New York waters without the approval of the Army.

Thus Congress has responsibilities both under the Constitution of the United States and under the compacts by which it breathed life into the port authority.

The purpose of the present inquiry is, as I have stated many times, merely this: Whether the port authority has fulfilled its compact obligations to the New Jersey-New York port area, and whether it has exceeded the authority which Congress originally gave to it.

The inquiry was initiated last spring shortly after it was learned that the port authority planned to construct a jet port in Morris County, N.J. A great hue and cry went up among the citizens of New Jersey when these plans were released.

Serious questions were raised as to whether the port authority had the authority to make such a decision without consulting the citizens who were to be directly affected, and as to whether this was not an arbitrary decision in excess of the power which had originally been delegated to the authority. In response to this deep-seated criticism, the 14-member New Jersey congressional delegation conferred, and deputized me and Congressman CAHILL to approach the Judiciary Committee and request an inquiry into the port authority's activities.

Against this background, the committee initiated a staff study and requested that the port authority make certain of its files available for the staff's examination. Notwithstanding this request, the authority failed for the most part to make the documents available. Rather, it limited itself to supplying documents virtually all of which were already matters of public record.

As the staff study continued, other complaints have come to the attention of the Judiciary Committee. For example, there has been complaint that the port authority is combining revenues for financing purposes from all its facilities rather than reducing tolls on bridges and tunnels as they are authorized and that such action places an undue burden not only on the New Jersey commuter but on the channels of interstate commerce, and is contra to our national transportation policy. The question is raised whether motorists should continue to pay tolls on tunnels and bridges which have been fully amortized—in fact, have paid for themselves three and four times over. Should they be required, in effect, to pay a special motorists' tax to finance a wholly unrelated project? It has also been alleged that the port authority is neglecting commuter railroad transportation which is one of its basic responsibilities under the compacts. The question is asked why the authority has adopted a hands-off attitude on railroad commuter service in the port district, and whether an agency which is entrusted with serving the public welfare can reasonably justify this position on the basis of its obligation to bondholders to go into only self-sustaining projects.

Should a public agency be permitted to pick merely the easier tasks from among its various functions and responsibilities when there is a public need for accomplishment of the more difficult and equally urgent, and if the public will suffer if these other needs are left unmet?

It has also been charged that the overall operations of the port authority have at no time been subject to a comprehensive, independent audit by the governments of the States of New York and New Jersey, even though both States have laws on their books authorizing such audits.

Because the port authority persisted in its refusal to supply the committee with the documents it needed to pursue its inquiry, the committee and the full House of Representatives voted to issue subpenas for the needed documents. The subpenas were issued and the port authority in response insisted on standing on its previous record of noncompliance by again making available under the subpena only documents of public record and withholding the remaining records so requested, on the grounds that they related to the internal operations of the port authority and that they were therefore beyond the scope of the congressional reach; and further that the Governors had instructed them not to comply on the grounds of separation of powers between the Federal and State Governments.

It is the committee's belief that the contention that many of the documents which the port authority is withholding on the ground that they are "internal working papers" is without substance since among the documents withheld are contracts and other important records and correspondence with outside persons dealing with their multi-million dollar arrangements which in no way may be labeled "internal working papers."

I firmly believe that Congress' right to inquire into the port authority's activities cannot be seriously disputed.

Congress, under the compact clause of the Constitution, gave the breath of life to the New York Port Authority. In doing so it reserved the right to make changes. To say that Congress, having a full share in the creation of a creature, may not now examine into its activities to determine whether changes are necessary, is to say that Congress must legislate blindfolded.

I might mention, in this connection, that the New York-New Jersey transportation compact, recently approved by the Congress, specifically provided that major changes in the transportation agency's activities would have to be approved by the Congress, and that this provision was agreed to by the two States involved.

In any event, these are the questions which will be judicially resolved by the machinery which will be set in motion today.

Since the port authority has persisted in its refusal to produce the requested documents, the subcommittee really had no choice but to recommend a contempt citation. However, I want to emphasize—and this is most significant—that the only way to have the issues which the port authority has raised settled is to submit them to the courts via the contempt citation before us today. The port authority itself has urged that the matter be settled in the courts, and no alternative method of accomplishing this is available. The committee is extremely anxious to have these preliminary issues resolved so that we can get down to the basic questions which I have briefly mentioned. I therefore support the report of the committee.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. RODINO. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. You will remember that the subcommittee and that the Attorney General of New Jersey suggested that this may be settled in a declaratory judgment, an action in the Federal court. I have in my hand a brief in that connection, and I ask unanimous consent that it be inserted in the RECORD after the gentleman has concluded his speech.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. RODINO. I am glad that the gentleman referred to that case. The case of Fishler versus McCarthy was decided on that point.

I state that we explored every possible avenue that might have been available and we found that a declaratory judgment is not available as a means of testing the validity of the position of the port authority in this case in refusing to turn over documents.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. RODINO. I yield to the gentleman from Louisiana.

Mr. WILLIS. Is it not true that if this House votes for a contempt citation the people involved will have all the opportunity in the world to test the action of this House? This is the operation of the democratic process, is it not? And if they want to go to court about it, they can go to court tomorrow if we act today. Is that right?

Mr. RODINO. The gentleman is absolutely correct. And I might point out to the House that although the port authority has said that it wants a judicial test of this question, no alternative proposal to accomplish this has ever been forthcoming from any member of the port authority or its staff or its counsel at any time. However, our committee staff has diligently researched this whole question and has found that the only method and means of judicially testing the validity of our power to inquire into this issue is by the proceedings which the contempt citation will set in motion. I might say this also, as a member of the New Jersey congressional delegation who was authorized to act as spokesman for the delegation to request a staff study of the Committee on the Judiciary. The gentleman from New York, the chairman of our committee, in pursuance of our request, authorized the staff to commence its study. However, on every occasion there were no documents which were made available which would have shed some light on the inquiry which we wanted to conduct.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, in pursuance of my colloquy with the gentleman from New Jersey [Mr. RODINO], I submit the following brief for the RECORD:

Subject: Unavailability of declaratory judgment in New York Port Authority matter.

INTRODUCTION

In connection with an inquiry into the activities of the Port of New York Authority by Subcommittee No. 5 of the House Committee on the Judiciary (hereinafter "Committee" and "Subcommittee"), certain officers and directors of the port authority refused to comply with subpenas issued and served upon them by order of the subcommittee.[1] It has been suggested by certain officials of New York and New Jersey and by the General Counsel of the port authority, and may yet be further suggested by others, that the serious constitutional issues involved in this inquiry should be resolved by a competent judicial tribunal prior to the institution of contempt proceedings.[2] The attorney general of New Jersey specifically recommended a suit for a declaratory judgment:

"I recommend that * * * the procedure followed should be an action by way of declaratory judgment brought by this committee or some other agency of the Federal Government to determine what are the boundary lines between the matters properly exclusively within the domain of the States and what are the matters which Congress can ferret out and investigate." [3]

This memorandum is directed to the question whether the Declaratory Judgment Act [4] might have been invoked in the manner and for the purpose suggested by the attorney general of New Jersey. Since that suggestion implies that the committee should have initiated the proceeding, the principal query is whether the committee or its members might maintain such an action under the Declaratory Judgment Act. It may in addition be instructive to determine whether the port authority might have sought such relief.[5]

I. ACTION INITIATED BY COMMITTEE

A. Does the committee, or do its members, collectively or separately, have authority to sue under the Declaratory Judgment Act?

The earnest suggestion that the committee might obtain a declaration of rights from a competent tribunal hardly gets off the ground, for under the doctrine of *Reed* v. *Board of County Commissioners of Delaware County, Pennsylvania* (277 U.S. 376 (1927)), neither the committee nor its members nor representatives are empowered to seek judicial relief without an explicit authorization from Congress. Such authorization has not been granted to the committee, to its chairman, nor to any of its members. In Reed, the Senate of the 69th Congress had by resolution created a special committee to investigate methods employed in influencing nominations for the office of U.S. Senator.[6] In 1927, the Senate, by further resolution, authorized the special committee to take and preserve certain ballot boxes, ballots, and other records used in connection with a senatorial election then subject to contest.[7] On behalf of the committee, its counsel, Mr. South, demanded possession of the boxes, ballots, and records, then in the custody of the commissioners and certain other officers of the county. The demand was refused, and the Senators constituting the special committee, together with South, brought suit in a U.S. district court to obtain possession of the material under section 24 of the Judicial Code.[8] The district court dismissed the suit for lack of jurisdiction,[9] and the court of appeals affirmed per curiam.[10]

The Supreme Court, in affirming the decree dismissing the suit, held that neither the special committee, nor "its members, collectively or separately," possessed the authority to invoke the power of the Judicial Department and hence, were not persons "authorized by law to sue" under section 24 of the Judicial Code. The plaintiffs had pointed to no act of Congress authorizing them to sue. R.S. 101–104,[11] it was noted, had been passed to facilitate congressional investigation, but these provisions embodied no license conferring upon the Federal courts jurisdiction over a suit by the committee. Hence, the Court decided, the suit could be maintained only if authority therefor could be gleaned from the enabling resolutions,[12] a process which proved fruitless:

"The power is not specifically granted by either resolution * * *. The Resolutions are to be construed having regard to the power possessed and cutomarily exerted by the Senate. * * * It has been customary for the Senate * * * and the House as well * * * to rely on its own power to compel * * * production of evidence in investigations made by it or through its committees. * * * Petitioners have not called attention to any action of the Senate and we know of none that supports the construction for which they contend. In the absence of some definite indication of that purpose, the Senate may not reasonably be held to have intended to depart from its established usage. Authority to exert the powers of the Senate to compel production of evidence differs widely from authority to invoke judicial power for that purpose." [13]

With respect to its authority to invoke the power of the Judiciary, the present Committee is in much the same position as the special committee in Reed. There is no new act of Congress which would provide such authority,[14] and the resolutions under which the Committee operates are couched in language even more restricted, for these purposes, than that of the resolutions involved in *Reed*.[15] Hence, it is clear that the doctrine of *Reed* v. *Board*, *supra*, applies to the Committee and that it or its members are not "authorized by act of Congress to sue" under 28 U.S.C. 1345.[16]

It follows that the committee and subcommittee lack capacity and authority to seek a declaration of rights under the Declaratory Judgment Act. Judicial authorities are in agreement that that act did not expand the scope of Federal jurisdiction and did not provide a new peg upon which litigants, otherwise lacking a basis for Federal jurisdiction, might hang their hats. As Judge Fee of the ninth circuit observed: "The Declaratory Judgment Act merely enlarges the range of remedies available in Federal courts. It does not afford an independent basis for Federal jurisdiction." [17] Thus, in *Mashunkashey* v. *U.S.*, an action for a declaratory judgment by the United States as guardian of certain Indians, the court pointed out that the act created no new rights and that the right of the Government to maintain the action must be found "in the general law." [18] In the case of this committee, the "general law," (in other words, the law outside the Declaratory Judgment Act), is as declared by the highest court of the land in *Reed* v. *Board*, *supra*. Neither the committee nor any of its members therefore have capacity to sue

[1] See inquiry before Subcommittee No. 5 of the House Committee on the Judiciary, "Return of Subpenas—Port of New York Authority Inquiry," 86th Cong., 2d sess. (1960) (hereinafter cited as "Inquiry").

[2] Statement of Louis J. Lefkowitz, attorney general of New York, Inquiry, 56, 58 ("I am reasonably satisfied that * * * there must and should be a way where * * * this important question can be tested before a tribunal which can have decision to do it"); statement of D. C. Furman, attorney general of New Jersey, Inquiry, 59, 60; statement of Sidney Goldstein, General Counsel of Port of New York Authority, Inquiry, 61, 68.

[3] Inquiry, 60.

[4] 28 U.S.C. 2201 (1958). The act provides: In a case of actual controversy within its jurisdiction, except with respect to Federal taxes, any court of the United States, upon the filing of an appropriate pleading, may declare the rights and other legal relations of any interested party seeking such declaration, whether or not further relief is or could be sought. Any such declaration shall have the force and effect of final judgment or decree and shall be reviewable as such.

[5] The record does not reveal that the port authority has instituted any action for a declaratory judgment although committee counsel invited their general counsel to file action to test the validity of the subpenas.

[6] S. Res. 195, 69th Cong., 1st sess. (1926).

[7] S. Res. 324, 69th Cong., 2d sess. (1927).

[8] 36 Stat. 1091 (1911), vested original jurisdiction in Federal district courts of all suits of a civil nature "brought by the United States, or by any officer authorized by law to sue." The present provision, 62 Stat. 933 (1948), 28 U.S.C. 1345 (1958), confers on the district courts jurisdiction "of all civil actions, suits or proceedings commenced by the United States, or by any agency or officer thereof expressly authorized to sue by act of Congress."

[9] 21 F. 2d 144 (E.D. Pa., 1927).

[10] 21 F. 2d 1018 (3d Cir., 1927).

[11] 2 U.S.C. 191–194 (1958) deal with the admission of oaths to witnesses (sec. 191), the refusal of witnesses to testify or produce documents (sec. 192), privileges of witnesses (sec. 193), and certification of failure to testify (sec. 194). Section 194 now provides that where a witness fails to produce required documents and such failure is reported to either House, the case must be certified to the appropriate U.S. Attorney, who must bring the matter to the attention of a grand jury. Thus, the statute establishes a well-defined procedural route for raising questions involved in a committee's assertion of its powers.

[12] Resolution 195 empowered the special committee to "require by subpena or otherwise the attendance of witnesses, the production of books, papers, and documents, and to do such other acts as may be necessary in the matter of said investigation."

[13] 277 U.S. at 388, 389.

[14] Since 1927, the Legislative Reorganization Act of 1946, 60 Stat. 812, has been enacted. Secs. 133 and 134 of that act, 60 Stat. 831–2, set forth committee procedures and powers. No power to sue or be sued in any court is granted.

[15] H. Res. 27, 86th Cong., 1st sess., as amended by H. Res. 530, 86th Cong., 2d sess. (set forth in inquiry 13, 14), which directs the Committee on the Judiciary, acting as a whole or by subcommittee, to conduct investigations relating to, inter alia, activities and operations of interstate compacts, provides: "For the purposes of carrying out this resolution the committee or subcommittee is authorized to * * * require by subpena * * * the production of such books * * * as it deems necessary." Note that this resolution omits the broad clause of the resolution involved in *Reed* permitting the special committee there "to do such other acts as may be necessary." See also House rule XI(1).

[16] See note 8, supra.

[17] *Fletes-Mora* v. *Brownell*, 231 F. 2d 579 (9th Cir., 1955). See also *Atlantic Meat Co.* v. *R.F.C.*, 166 F. 2d 51 (1st Cir., 1948).

[18] 131 F. 2d 288 (10th Cir., 1942), cert. den., 318 U.S. 764.

under the Declaratory Judgment Act, and the suggestion by the attorney general of New Jersey that it might have done so lacks merit as a matter of law.[19]

II. HAS CONGRESS POWER TO CONFER UPON THE COURTS JURISDICTION TO RENDER DECLARATORY JUDGMENTS CONCERNING THE AUTHORITY OF CONGRESSIONAL INVESTIGATING COMMITTEES?

Since it becomes clear that under *Reed* v. *Board, supra,* the committee presently lacks authority to sue for a declaratory judgment, further discussion of the suggestion of the attorney general of New Jersey would seem superfluous. But in the interests of preparing a thorough response to proponents of the declaratory judgment suggestion, it may be appropriate to speculate as to whether Congress might validly grant such authority to the committee should it choose to do so.[20] This question was left open by the Supreme Court in Reed, although it intimated that one House of Congress alone would not have power to invest its committees with the power of suit.[21] The district court in the Reed case, however, touched upon the question when it held that Congress lacked power to confer upon the district courts jurisdiction to determine the authority of the special committee, when the limits of that authority could be subsequently adjusted by the Senate alone.[22] The district court cited the ancient precedent of *Hayburn's Case,*[23] which had held that Congress could not assign to the courts any but judicial duties, and the landmark case, *Muskrat* v. *U.S.*[24] which had followed it. In Muskrat, the court had denied Congress power to confer jurisdiction upon the Court of Claims over suits to determine the constitutional validity of certain prior acts of Congress, such suits not involving a "case" or "controversy" within the meaning of the Constitution.[25]

Whether a congressional grant to a committee of power to seek a declaratory judgment concerning its authority would be valid under Muskrat is open to serious question. The Muskrat court saw in the statute before it an attempt to cast it in a role which it has stoutly resolved to avoid, that of an "adviser" on constitutional matters. Quite likely, congressional authorization to the committee to follow the procedures suggested by the attorney general of New Jersey would appear to the court a bold attempt to place it in just such a role vis-a-vis the grave constitutional issue raised in the port authority investigation.[26]

Moreover, one is compelled to wonder just when a "case" or "controversy" comes into play in connection with the movements leading up to a conviction for contempt of Congress for refusal to comply with a subpena.[27] Surely not before the subpena has been issued and the recipient has voiced his disinclination to honor it. But even then the controversy is still "inchoate," for the person subpenaed may decide to comply without benefit of sanction. Once there is a formal refusal to comply, the subcommittee, committee, or Congress may refrain from instructing the Attorney General to institute contempt proceedings. At any rate, at this stage there seems little to be gained by raising the legal questions in a declaratory judgment rather than the contempt proceeding.[28]

It is thus difficult to conjure up a fixed notion of the "timing" of such a suit. Its status as a "case" or "controversy" would rest on shaky foundation. Hence, in view of Muskrat, the power of Congress to provide the necessary authorization for a declaratory judgment proceeding at the behest of the committee, *Reed* v. *Board, supra,* is subject to serious doubt.

III. EVEN IF CONGRESS COULD AUTHORIZE THE COMMITTEE TO SUE FOR A DECLARATORY JUDGMENT, WOULD THE COURTS BE LIKELY TO ENTERTAIN SUCH A SUIT ON ITS MERITS?

Even granting, for the sake of argument, that Congress possessed the bare power to authorize the committees to sue for a declaratory judgment in connection with the port authority inquiry, it does not follow that a Federal court would entertain such a suit on its merits. For such a suit would be far from an ordinary "garden variety" action for a declaratory judgment; [29] it would seek resolution of "grave questions of constitutional propriety." [30] The Supreme Court, which is loathe to decide constitutional issues unless absolutely necessary [31] and, as has been seen, scorns attempts to foist upon it constitutional litigation through nonadversary, "friendly" proceedings,[32] cannot be expected to warmly embrace this proposed suit for declaratory judgment requesting determination of novel and fundamental questions of Federal jurisdiction. It is well known that the court has developed a complicated system of judicial machinery by which it limits constitutional decision whenever possible. The tenets of this code of judicial self-restraint were painstakingly summarized by Mr. Justice Brandeis concurring in *Ashwander* v. *T.V.A.*[33] The suggestion of the attorney general of New Jersey appears to violate a good number of them.

In the first place, for reasons already stated, plaintiff in such a suit would seek adjudication of constitutional issues before decision thereon is absolutely necessary.[34] Even after the refusal of those subpenaed persons to produce the requested documents, the necessity for a judicial decision does not arise until the House finally decides to certify the matter to a U.S. attorney and trial is begun.[35] Only then does resolution of the constitutional issues become a matter of "last resort," rendering such decision "legitimate." [36]

Second, the proceeding is implicitly a request for "advice" in a "friendly" suit, a kind of request which the court has steadfastly denied.[37] Indeed, the Attorney General of New Jersey could hardly have chosen an epithet less likely to inspire the court with confidence in the "adversary" nature of such a suit than his description of it as "a reasonable approach by reasonable men." [38] It would be surprising if the court did not view this as a challenge to find some grounds of "nonjusticiability."

Third, it does not require extensive citation to discover that the type of suit sug-

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[19] The suggestion that "some other" agency of the United States might seek a declaratory judgment in the port authority inquiry fails for the same reason. No agency now possesses such authority and the committee is no more authorized to direct "some other agency" to invoke the Declaratory Judgment Act on its behalf than it is to sue itself. Compare 2 U.S.C. sec. 194 which expressly authorizes the committee to take steps leading to the institution of proceedings by the attorney general. Nor, for the same reason, is any member of the Committee authorized to importune State officials to bring suit in the State courts in order to raise the constitutional issues involved in the inquiry.

[20] As a matter of policy, such a grant might be unwise. The present contempt provisions in title 2 of the United States Code were designed to expedite congressional investigations by deterring contumacy. Once the mechanics for a declaratory judgment were provided, reluctant witnesses would apply pressure for such action. If a committee chose not to seek such a judgment, an unsympathetic press might chastise it for being "unreasonable" in failing to "amicably" settle differences. Even if such suits were entertained by the courts, delays in obtaining a judgment might be interminable. In brief, serious disruption of the process by which Congress informs itself would take place.

[21] 277 U.S. 388.

[22] 21 F. 2d, 144, 151, 152.

[23] 2 U.S. (2 Dall.) 409 (1792).

[24] 219 U.S. 346 (1910).

[25] Art. IV, sec. 2.

[26] See the text of the attorney general's suggestion and the unprecedently broad scope of the judicial determination which he envisages, supra, p. 1.

[27] See R.S. 192–194, discussed supra, note 11.

[28] In addition, while purgation of contempt by compliance with the request of the congressional committee is no defense to a prosecution for contempt of Congress, *U.S.* v. *Brewster,* 154 F. Supp. 126 (D.C. 1957), reversed on other grounds, 225 F. 2d 899 (C.A.D.C., 1958), certiorari denied, 358 U.S. 842; Cf.. *Clark* v. *U.S.,* 289 U.S. 1, 19 (1932); *Sawyer* v. *Dollar,* 190 F. 2d 623 (C.A.D.C. 1951), vacated as moot, 344 U.S. 806 (1952) (Government officials and others adjudged guilty of civil contempt of court, under 18 U.S.C. 401, could purge themselves of such contempt by withdrawing contumacious advice and instructions), there is always the possibility that compliance with the subpena will result in suspension of sentence. This possibility must certainly be borne in mind in connection with the peculiar circumstances of the port authority inquiry where officers who refused to comply with the subpena claimed to be acting pursuant to orders of Governors of New Jersey and New York. Cf. *Sawyer* v. *Dollar, supra* (Government officials were acting on advice of Department of Justice in refusing to comply with Court order). Hence, questions of the scope of the committee's jurisdiction over the port authority may, after all, be resolved against the noncomplying port authority officers without imposition of sanctions. In effect, the contempt procedure, followed by the committee, would fulfill the role of the declaratory judgment proceeding suggested by the attorney general of New Jersey.

[29] *American Machine & Metal, Inc.* v. *DeBothezat Impeller Co.,* 166 Fed. 2, 535 (2d Cir.) (1948). (Action for declaratory judgment nor involving constitutional issues "justiciable" for purposes of Declaratory Judgment Act when plaintiff must make an irrevocable decision which may place him at the peril of legal damages.)

[30] See letter of June 25, 1960, from Nelson Rockefeller, Governor of New York, to S. Sloan Colt, Inquiry 39.

[31] See e.g., *Burton* v. *United States,* 196 U.S. 283, 295 (1905) ("It is not the habit of the court to decide questions of constitutional nature unless absolutely necessary to a decision of a case."); cf. *Blair* v. *United States,* 250 U.S. 273, 279. (1919).

[32] *Muskrat* v. *United States,* 219 U.S. 346 (1910).

[33] 297 U.S. 288, 341 (1936).

[34] Cf. Brandeis rule 1, Ashvander, supra note 33, at 347.

[35] Even if a court did decide the issues in declaratory judgment proceeding, adverse to the port authority, the House for independent reasons might decide not to certify the matter to the Attorney General. Cf. *Reed* v. *Board,* 21 F. 2d 144 (1927); supra, pp. 5 and 6. Moreover, in Federal courts, a declaration of the validity of penal legislation may not be obtained without a threat of official prosecution. See *Halco Products* v. *McNutt,* 137 F. 2d 881 (D.C. Cir. 1943); cf. *San Francisco Lodge* v. *Forrestal,* 58 F. Supp. 466 (N.D. Cal. 1944).

[36] *Chicago & Grand Trunk Ry.* v. *Wellman,* 143 U.S. 339, 345 (1892).

[37] See Brandeis rule 1, Ashvander, supra, note 33, at 346; *Muskrat* v. *United States, supra,* note 32.

[38] Inquiry 60.

gested here simply does not ring true. In constitutional litigation the plaintiff is attacking the constitutional validity of some statute or action, the operation of which will cause injury to him. Indeed, one of the Court's basic "justiciability" rules has it that standing to raise constitutional issues necessarily involves an element of prejudice to the challenger-plantiff.[39] Thus, in *Massachusetts* v. *Mallon*,[40] the Supreme Court refused to consider the merits of a suit brought by Massachusetts on its own behalf and that of its citizens attacking the validity of a Federal enactment, because that State was not prejudiced by the statute in its own right and could not claim standing as a benevolent parent of its citizens. The instant situation is an a fortiori case. Here, it is suggested that the committee, as plaintiff, institute a declaratory judgment proceeding, to defend, not attack, the constitutional validity of its own authority, in order to protect, not itself, but officers of an association which it is investigating, from the peril of a contempt action which it would set in motion. The committee thus would not only be unable to show that it might be injured from the operation of what it was attacking, it could not even show that it was attacking anything. Hence, the committee or "some other agency" of the Federal Government would lack standing to sue for a declaration of its authority to proceed with the port authority investigation.

Fourth, it is suggested that a judicial determination of "what are the boundary lines between the matters properly exclusively within the domain of the States and what are the matters which Congress can ferrent out and investigate" be requested. The very terms of this "recommendation" are so broad as to convince the Court that it was being asked to decide an "abstract," vague and ill-defined question of constitutional law, a request which the Court has consistently turned down.[41]

Finally, the declaratory judgment action has not engendered the enthusiasm of the Court as a vehicle for constitutional litigation. Even prior to 1934, the year the Declaratory Judgment Act was passed, the Court was resisting attempts to obtain its advice on broad, abstract questions of constitutional interpretation through suits for declaration of rights. Thus, in *New Jersey* v. *Sargent*[42] a bill by a State for a judicial declaration against Federal officers that certain parts of the Federal Power Act were unconstitutional was rejected as not justiciable. After reviewing a long line of "justiciability" cases, including Muskrat, supra, the Court declared: "On reading the present bill we are brought to the conclusion * * * that its real purpose is to obtain a judicial declaration * * * that Congress exceeded its own authority."[43]

With the advent of the Declaratory Judgment Act, the Court was alert to warn that the new remedy had not opened the door for advisory opinions or altered the "justiciability" rules. Significantly, one of the early cases was brought by the United States against West Virginia, in which the Federal Government sought, inter alia, a declaration of its right to control and use a certain stream.[44] The United States did not even attempt to sustain its bill under the Declaratory Judgment Act, so that the Court had merely to note that the Act "does not purport to alter the character of controversies which are the subject of the judicial power under the Constitution."[45] In dismissing the bill, the Court further characterized the suit not as one seeking protection against the invasion of any property right but merely an attempt to gain an authoritative resolution of a "difference of opinion between the officials of the two governments * * * whether there is power and authority in the Federal Government to control [the navigation of the rivers]."[46] In this context, it should be borne in mind that neither Congress nor the United States can claim any "invasion" of its rights from the action of the port authority. The port authority is not threatening to take any affirmative action. On the contrary, it is merely threatening to refrain from doing something which the committee wants it to do in order that the committee may execute its legitimate functions. The logical legal procedure for the committee to follow, in this case, is not to seek a declaration of rights but to seek a judicial remedy which will vindicate the authority of the committee.[47]

Finally, the Court put the matter to rest in the Ashwander case, supra, declaring:

"The act of June 14, 1934, providing for declaratory judgments, does not attempt to change the essential requisites for the exercise of judicial power. By its terms, it applies to 'cases of actual controversy,' a phrase which must be taken to connote a controversy of a justiciable nature, thus excluding an advisory decree upon a hypothetical state of facts."[48]

IV. SUIT BY PORT AUTHORITY FOR DECLARATORY JUDGMENT

It may be suggested that another mode of securing a declaratory judgment in the port authority matter would be for the port authority to bring suit for such relief. Although the attorney general of New Jersey did not recommend such a course of action at the outset, one wonders why the authority or the officers served with the subpenas did not even attempt to institute proceedings, if the declaratory judgment seemed to them such a marvelous panacea. The port authority has capacity to sue,[49] and, moreover, it would seem to have some standing to raise constitutional issues since it could claim that it would be prejudiced by the action of the committee which it would challenge as invalid.[50] However, a suit by the port authority would meet several effective roadblocks.

1. Legislative immunity

A suit by the port authority may fail for want of a proper defendant. A suit by the port authority which named the committee and/or its members as defendants might be rejected under the doctrine that legislators are to be free from civil process for what they do or say in legislative proceedings. U.S. Constitution, article I, section 6:[51] *Tenney* v. *Brandhove*, 341 U.S. 367 (1951); see *Kilbourn* v. *Thompson*, 103 U.S. 168 (1880).

In *Tenney* v. *Brandhove*, *supra*, the plaintiff brought a civil action against Tenney and other members of a committee of the California legislature investigating un-American activities. The action was based on 8 U.S.C. 43, 47(3) imposing civil liability on persons who, under color of law, deprive another of his constitutional rights of freedom of speech and petition. Brandhove alleged that the committee had denied him due process, and he sought damages in the amount of $10,000. The Supreme Court held that no cause of action against the committee and its members could be based on the statute by virtue of the doctrine of legislative immunity.

However, the Court pointed out that it was not holding that Congress could act outside its legislative role and defined the judicial function vis-a-vis congressional activity as follows: "The courts should not go beyond the narrow confines of determining that a committee's inquiry may fairly be deemed within its province."[52] Mr. Justice Black, concurring, thought that "today's decision indicates that there is a point at which a legislator's conduct so far exceeds the bounds of legislative power that he may be held personally liable under the Civil Rights Act."[53] At the same time, Black pointed out that Court, in denying the committee's amenability to suit, had not held its conduct legal. He suggested that the plaintiff Brandhove might still have plenty of room to contest the constitutionality of the committee's action in a proceeding instituted by the committee to fine or imprison him.

An older case, *Kilbourn* v. *Thompson*, 103 U.S. 168 (1880) strongly indicates that, notwithstanding any doubts about *Tenney* v. *Brandhove*, *supra*, neither the committee nor its members could be subjected to a suit by the port authority, even assuming arguendo, that the Court felt that the committee was exceeding its legislative jurisdiction in investigating the port authority. In Kilbourn, the plaintiff, who has been imprisoned by order of the House for contempt in refusing to supply one of its committees with certain material, brought suit to recover damages against the Sergeant at Arms, who had executed the imprisonment, and certain Members of the House, who had caused him to be brought before that body. The Supreme Court was convinced that the House resolution authorizing the investigation in which Kilbourn was asked to testify was in excess of the power conferred upon the House by the Constitution, and that the House and its committee were acting beyond their authority in requiring Kilbourn to testify and ordering him to prison.[54] It held that the Sergeant at Arms was liable, his having acted pursuant to the orders of the House being no defense. However, the Court refused to hold the defendant Members of the House liable. As to them, the protections of article I, section 6 of the Constitution, the immunity provision,[55] applied. The Court noted that these defendant Members had initiated the

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[39] Brandeis rule 5, *Ashwander*, supra note 33, 347; See *Columbus & Greenville, Ry.* v. *Miller*, 283 U.S. 96, 101 (1931) (constitutional guaranty does not extend to the mere interest of an official, as such, who has not been injured).

[40] 262 U.S. 447 (1923).

[41] See *United States* v. *West Virginia*, 295 U.S. 463, 474, 475 (1934).

[42] 269 U.S. 328 (1926).

[43] Id. at 334.

[44] *United States* v. *West Virginia*, *supra*, note 41.

[45] 295 U.S. at 475.

[46] Id. at 475.

[47] Although civil, rather than criminal, contempt is normally the procedural route followed by the Courts when enforcement of a request rather than vindication of authority is the objective, there is no "civil" contempt of the House under the statute, 2 U.S.C. 192, 194. However, the same effect is achieved where, after conviction is upheld by all appellate courts, defendants purge their contempt by complying with the subcommittee's order and the Court then suspends sentence. This was the procedure followed in *U.S.* v. *Goldfine*, D.C., Dist. of Colum., Crim. No. 1158–58 (1959).

[48] 297 U.S. at 325; *Accord Coffman* v. *Breeze, Corp.* 323 U.S. 316 (1945); *Electric Bond & Share Co.* v. *SEC.*, 303 U.S. 419, 443 (1938). See also *Public Service Commission* v. *Wycoff Co.*, 344 U.S. 237 (1952).

[49] Port authority compact.

[50] Compare discussion of committee's standing to sue, above.

[51] Art. I, sec. 6, of the Constitution, provides: "The * * * representatives * * * shall in all cases * * * be privileged from arrest during their attendance of the sessions of their respective Houses * * * and for any speech or debate in either House, they shall not be questioned in any other place."

[52] 341 U.S. at 378.

[53] Id. at 379.

[54] 103 U.S. at 192–196.

[55] See supra, note 51.

proceedings under which the plaintiff was arrested and had reported his refusal to testify to the House. In deciding that congressional immunity protected the Members, the Court in effect suggested that article I, section 6 might extend to all the official legislative acts in connection with the matter. Moreover, the protection was afforded even though, as the Court had observed, the acts were done in pursuance of legislative investigation which the House was not constitutionally authorized to conduct.[56] Thus, *Kilbourn* v. *Thompson, supra,* seems weighty precedent against a suit by the port authority. Certainly *Tenney* v. *Brandhove, supra,* did not purport to overrule Kilbourn.

The case most nearly in point, *Fishler* v. *McCarthy,* 117 F. Supp. 643 (S.D.N.Y.), 1954, affirmed, 218 F. 2d 164 (2d Cir., 1954), fully supports the position that a declaratory judgment action by the port authority would be dismissed as contrary to fundamental principles of constitutional government. In Fishler, plaintiffs were or had been employees of the Department of the Army. They were subpenaed to appear before the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations in connection with an inquiry it was conducting. At the hearings before the Subcommittee the plaintiffs, then still under subpena, were asked to produce certain documents. They refused and were directed to comply by December 7, 1953. On December 8, 1953, they brought suit to enjoin Senator McCarthy as chairman of the subcommittee from forcing them to produce the documents. The complaint also sought a declaratory judgment declaring "the rights, powers, and duties of the plaintiffs herein, and with respect to the defendant herein, and with respect to plaintiff's obligations to the Department of the Army." In addition, the complaint sought to quash or modify the demand and subpena previously served on plaintiffs. The district court per Judge Irving Kaufman refused a motion for an injunction pendente lite and granted a cross motion to dismiss the action.

After noting that there were defects in venue and jurisdiction, Judge Kaufman concluded that the nature of the relief sought compelled dismissal of the complaint. "It is entirely clear," he wrote, "that neither this nor any other court may prescribe the subjects of congressional investigation. Were a court empowered to limit in advance the subjects of congressional investigations, violence would be done to the principle of separation of powers upon which our entire political system is based." (648) He then quoted from Justice Brandeis to emphasize the dangers to free government arising from judicial disregard of the doctrine of separation of powers by encroachment upon the powers of the legislature.

The court then suggested how the question of congressional authority might properly be presented:

"Of course the courts may require the performance of a purely ministerial act by a member of another branch of the Government. *Noble* v. *Union River Logging R. Co.,* 1892, 147 U.S. 165, 13 S. Ct. 271, 37 L. Ed. 123. And if the plaintiffs in fact refuse to comply with the subpena (which is not the case presented here) and are cited for contempt, or comply and are faced with prosecution for violating military regulations, a justiciable controversy would then exist for determination. But, as I have indicated, it is quite clear that the question presented here has not 'ripened' for litigation, and restraints upon the defendant, if any, are at this time within the province of the Congress which established the subcommittee" (at 649).

Finally, as to the effect of the Declaratory Judgment Act, the Court declared:

"(T)he very first clause of the Declaratory Judgment Act limits its application to 'case(s) of actual controvers(ies) within its (the Court's) jurisdiction,' 28 U.S.C. 2201, and this controversy is beyond the jurisdiction of this Court because it seeks to enjoin the operation of a committee of another branch of the Government. There is no taking of property or infliction of punishment now before this Court. There is at best an allegation that the ramifications of the legislative act, once completed, may injure the plaintiffs. It would, as we have observed, be entirely proper for a court to consider the validity of the legislative act when and if its effect was in fact to injure the plaintiffs, as, for example, by prosecution for contempt. But the legislature cannot be compelled to submit to the prior approval and censorship of the judiciary before it may ask questions or inspect documents through its investigating subcommittees, or even before it enacts legislation, *New Orleans Water-Works Co.* v. *City of New Orleans,* 1896, 164 U.S. 471, 17 S. Ct. 161, 41 L. Ed. 518; *Hearst* v. *Black,* 1936, 66 App. D.C. 313, 87 F. 2d 68; *Alpers* v. *City and County of San Francisco,* C.C.N.D. Cal. 1887, 32 F. 503 any more than the judiciary can be compelled by the legislature to submit its rulings or decisions for legislative approval" (at 649, 650).

It is obvious that this case is clearly in point and that it disposes of any suggestion that the port authority might sue Mr. CELLER for a declaratory judgment in connection with the port authority inquiry.

2. Doctrine of separation of powers

Lower Federal courts have stoutly resisted attempts by litigants to seek their aid in curbing the actions of congressional committees through suits for injunctions on yet another ground, the doctrine that courts should not prematurely enjoin legislative action, even though unconstitutional. Thus, in *Hearst* v. *Black,* 87 F. 2d 68 (D.C. Cir., 1936), a publisher brought suit to enjoin a special Senate committee and the FCC from copying and using certain telegraphic messages in the possession of telegraph companies sent to him by his employees in the conduct of his business. The committee had subpenaed the messages from the companies and had asked the assistance of the FCC in securing compliance with the subpenas. The district court refused to grant the injunction, and the Court of Appeals affirmed. While deeming the action of the FCC illegal in making the contents of the messages available to the committee, the court held that it could not restrain the committee from using them. The court said:

"We are, therefore, of the opinion that the court below was right in assuming jurisdiction as to the commission, and if the bill had been filed while the trespass was in process it would have been the duty of the lower court by order on the commission or the telegraph companies or the agents of the committee to enjoin the acts complained of." [57]

In delivering itself of this dictum, the court in no way inferred that the members of the committee could be enjoined. The "agents" of the committee are not its members. Cf. *Kilbourn* v. *Thompson, supra.*

On the contrary, the court held that it had no power to enjoin action of the congressional committee and inferred that this would be so even if the committee were acting ultra vires the Constitution:

"The prayer of the bill is that the committee be restrained from keeping the messages or making any use of them or disclosing their contents. In other words, that if we find that the method adopted to obtain the telegrams was an invasion of appellant's legal rights, we should say to the committee and to the Senate that the contents could not be disclosed or used in the exercise by the Senate of its legitimate functions. We know of no case in which it has been held that a court of equity has authority to do any of these things. On the contrary, the universal rule, so far as we know it, is that the legislative discretion in discharge of its constitutional functions, whether rightfully or wrongfully exercised, is not a subject for judicial interference." [58]

The court relied upon the doctrine of separation of powers, and quoted several Federal court decisions for the proposition that the Judiciary lacks power to enjoin the enactment of even unconstitutional measures.[59]

In *Mins* v. *McCarthy,* 209 F. 2d 307 (D.C. Cir., 1953) the Court of Appeals held per curiam that where a committee of the Congress has issued a subpena ad testificandum to a witness to appear at a hearing, without defining the questions to be asked, "the judicial branch of Government should not enjoin in advance the holding of the hearing or suspend the subpena."

More recently in *Methodist Federation for Social Action* v. *Eastland,* 141 F. Supp. 729 (D.C. 1956), a three-judge court, including Judges Eigerton and Prettyman, dismissed a complaint in an action by a religious social action organization against members of the Senate Internal Security Subcommittee and others seeking a declaration that a certain congressional resolution directing publication of a certain Senate Document was unconstitutional, and an order enjoining defendants from printing and distributing the document. The court held that it lacked power to prevent the publication, since the document was ordered printed pursuant to resolution of both House and Senate, even if the document falsely declared that the organization was a communist front. It deemed article I, section 6, of the Constitution applicable. It also cited and relied upon the Hearst case, supra, in deciding that a judgment for the plaintiff would invade the constitutional doctrine of separation of powers. As to the members of the Senate subcommittee, the complaint was dismissed for lack of jurisdiction; as to the other defendants, the Public Printer and Superintendent of Documents, was dismissed for failure to state a claim on which relief could be granted.

Thus, it seems reasonably clear that the doctrine of legislative immunity or the doctrine of separation of powers, contained in the Constitution and the precedents discussed above would lead a court to dismiss a suit brought by the port authority against the committee, subcommittee, or members thereof on the grounds of congressional immunity.

Waiver of Immunity

It may be, although it has not yet been, suggested by adherents of the port authority that members of the committee might facilitate a declaratory judgment action by the

[56] The Court could not resist the temptation to offer a gratuitous remark: "It is not necessary to decide here that there may not be things done in the one House or in the other, of an extraordinary character, for which the Members who take part in the act may be held legally responsible." However, Mr. Justice Miller, who wrote the opinion, indicated that he was thinking in terms of such extremes as the House setting itself up to mete out capital punishment, as the French Assembly had done during the French Revolution (103 U.S. at 204, 205).

[57] 87 F. 2d at 71.

[58] Id. at 71.

[59] *McChord* v. *Louisville Ry.,* 183 U.S. 483 (1902); *New Orleans Waterworks Co.* v. *New Orleans,* 164 U.S. 471 (1896); *Alpars* v. *San Francisco,* 32 F. 503 (C.C. —) (not within competence of court to enjoin exercise of legislative power by legislative body, even though legislative action threatened may be unconstitutional).

port authority by waiving their immunity provided by article I, section 6, of the Constitution. It is submitted that this suggestion lacks merit.

In the first place, the congressional immunity doctrine is not the sole legal bar to a suit by the port authority, if it is a bar at all. In *Hurst* v. *Black, supra,* the Court in dismissing the action relied primarily on the doctrine that Judiciary lacks power to enjoin congressional activity under the doctrine of constitutional separation of powers. Application of this doctrine by a court is, of course, beyond the power of any member of the committee to control.

Second, it is very doubtful whether a Congressman could independently waive his immunity in order to open the way for a suit of this nature. It is well known that Representatives must secure the authorization of the House to even appear in a judicial proceeding when served with process. It would seem then that a resolution of the House, if not an act of Congress, would be required to authorize a Member of Congress to waive his immunity.[60] Carrying the matter even one step further, it is not even clear that Congress could constitutionally authorize a waiver of immunity. The Constitution provides that Senators and Representatives "shall not be questioned in any other place" for "any speech or debate in either House." Notwithstanding this provision, can one House of Congress provide that a Representative shall be so questioned?

Third, even if a waiver could be successfully executed, a court might feel that such a waiver of immunity had been motivated by a desire to obtain from the court an "advisory" opinion on the constitutional issues involved. It therefore might exercise its discretion to dismiss the suit on grounds of "justiciability."

3. Other objections

Assuming, for the sake of argument, that the port authority managed to get its foot in the door of a court in a declaratory judgment suit against the members of the committee, its troubles would not be over. It would still have to secure a decision from the lower court and it would ultimately have to convince the Supreme Court to take the case up on its merits. The same principles of "justiciability," which have been discussed in this memorandum in outlining the problems of a suit by the committeee, would obtain in a suit by the port authority. It is true that the port authority might have "standing" to raise the constitutional issues involved, where the committee did not possess such standing, because the port authority could show that it would be prejudiced by operation of the committee's action. However, the port authority would still have to show that constitutional adjudication was necessary as a last resort, that the suit was not one for "advice," that "abstract questions" were not being pressed, and that the suit was truly "adverse." As has been suggested earlier, any attempt by the committee to "cooperate" in such a suit (might not only be deemed collusive) it might also convince the Supreme Court that premature "advice" on broad constitutional questions was being asked.

CONCLUSIONS

When all is said and done, one is still left with the question: if the port authority thought there was any possibility for a successful action for a declaratory judgment, why did it not bring such a suit itself? It at least could have established the applicability of the doctrine of congressional immunity to its case; perhaps it might have somehow succeeded in gaining a decision of a lower Federal court. While, as has been stressed in this memorandum, the rules of "justiciability" of the Supreme Court may well have blocked such a suit, those rules, after all, are informal rules of practice, and one cannot predict with certainty their application. Instead, the port authority has self-righteously proposed that the committee should initiate declaratory judgment proceedings and has insinuated that it was the committee's fault that such proceedings could not be implemented. It has been the purpose of this memorandum to determine whether this suggestion had any legal merit and whether the committee might have, if it so choose, instituted or implemented such an action.

One is left with some doubt as to whether this suggestion was preceded by grave and considerable reflection.

1. The committee presently lacks authority to sue for any judicial judgment, whether declaratory or otherwise (*Reed* v. *Board of Commissioners of Delaware County, supra*).

2. This proposition alone should dispose of the suggestion. But, in an effort to explore all possibilities, it has also been demonstrated that grave doubt exists even as to whether Congress might constitutionally authorize the committee to seek such a declaratory judgment at this state of the port authority inquiry. It is not clear at what stage a "case" or "controversy" exists, and Congress cannot ask the courts to take jurisdiction over a matter which does not involve a "case" or "controversy" (*Muskrat* v. *United States*).

3. Putting that question aside, this memorandum further strongly suggests that even if the committee was legally authorized to seek a declaratory judgment, the Supreme Court, whose decision of course would ultimately be sought, would reject such a suit on its merits by applying one or a number of the rules of justiciability, which the Court keeps on hand to avoid unnecessary constitutional decision. Concurring opinion in *Ashwander* v. *TVA,* supra.

In this connection, it is noted that the committee appears to lack standing to sue, for it cannot claim that it was being injured by the assertion of its own authority, *Massachusetts* v. *Mellon,* supra. The suit moreover seems to involve many elements of a nonadversary, friendly, request for advice, which the Court so firmly rejects. Finally, constitutional decision on the issues is not absolutely necessary until the House decides to cite for contempt.

Therefore, it is submitted that the suggestion the committee might institute and maintain a declaratory judgment proceeding lacks merit as a matter of law, as well as being fundamentally deficient as a matter of policy. For the Supreme Court's attempt to limit decision on constitutional questions is not a matter of caprice or indolence. It is an integral, and a highly desirable tenet of constitutional government. To interfere with that policy of the Supreme Court or to take a position adverse to it should not be the function of the Judiciary Committee of the House of Representatives.

4. Furthermore, the port authority cannot maintain a suit against the members of the committee because under the doctrine of congressional immunity, and/or the doctrine of separation of powers, no court would have jurisdiction over such a suit. *Tenney* v. *Brandhove, supra; Kilbourn* v. *Thompson, supra; Hearst* v. *Black, supra; Mins* v. *McCarthy, supra; Methodist Federation* v. *Eastland, supra; Fishler* v. *McCarthy, supra.*

In view of the foregoing considerations and authorities, it is concluded that there is no legal merit in the suggestion that a suit for declaratory judgment might be brought in connection with the port authority inquiry.

ADDENDUM

In suggesting the declaratory judgment proceeding, the attorney general of New Jersey may have been inspired by a New Jersey case in which he, as deputy attorney general of New Jersey, participated on brief for plaintiff-appellant. *Morss* v. *Forbes,* 24 N.J. 341, 132 A. 2d 1 (1957). There, a New Jersey county prosecutor was served with a subpena duces tecum issued by a committee of the State legislature requiring him to produce certain records. He refused to do so and instituted an action in the State courts against members of the committee for an injunction and declaratory judgment. The lower court (superior court, chancery division) assumed jurisdiction and decided against plaintiff. On appeal by the plaintiff, the Supreme Court of New Jersey declined to pass on the jurisdictional aspects of the case and determined to render a decision on the merits since the defendant committee members had withdrawn their objections to the jurisdiction and joined in the petition that the constitutionality of certain challenged State statutes be tested. However, the court warned that it was by no means opening its doors to such suits on a regular basis:

"We shall therefore adjudicate the validity of the last-cited statute, but this is by no means to be considered a precedent establishing a procedure whereby anyone who feels he might be 'put upon' by the subpena or questions of a legislative committee can turn to the courts for a declaratory judgment vindicating his surmise." (132 A. 2d 6.)

In view of this language, it is highly doubtful that even the New Jersey Supreme Court, before which the attorney general of New Jersey practices, would take jurisdiction over a suit for a declaratory judgment brought by the port authority against members of the committee, assuming that somehow venue and service in New Jersey could be obtained. Such a suit, as distinguished from the action in *Morss* v. *Forbes, supra,* would involve a challenge to the validity of the action of Congress, not the New Jersey Legislature, and would call for resolution of Federal constitutional issues. Moreover, as has been pointed out, the Federal courts and in particular the Supreme Court of the United States, have generally established far stricter standards of justiciability than the State courts. Hence, *Morss* v. *Forbes, supra,* would hardly convince the Federal courts to abandon their normal attitude as expressed, for example, in *Fishler* v. *McCarthy,* toward a suit seeking to nip congressional action in the bud.

The SPEAKER. The time of the gentleman from New Jersey [Mr. RODINO] has expired.

Mr. GROSS. Mr. Speaker, despite all the charges that have been leveled against the Port of New York Authority I have yet to hear an acceptable answer to my question as to why the Legislature of New York or the Legislature of New Jersey, or both, have taken no action.

And if the legislatures have failed it is difficult to believe that the Justice Departments of either or both of the two States and their attorneys general have been completely remiss in their duties and responsibilities.

It is my contention that the Judiciary Committee of the House of Representatives should have insisted that the legislative bodies of the two States, together with their justice departments, take forthright action to correct any wrongdoing that exists in the administration of the Port of New York Authority be-

[60] See 7 Cannon's Precedents, sec. 2162 (1936).

fore calling upon all the Members of the House of Representatives to support such drastic action as the citing of certain officials for contempt.

It should be remembered that Congress granted the compact; it did not create the authority.

It should also be kept clearly in mind that Congress has granted many other compacts throughout the Nation. Does this action open the door to further invasions by Congress of other State administrations of authorities growing out of federally sanctioned compacts?

Mr. Speaker, it is difficult for me to believe that the States of New York and New Jersey are so irresponsible that it is necessary for the Federal Government to move in and put their public affairs in order.

It is difficult for me to believe that the citizens of those two States are so lacking in their sense of public responsibility that they would not insist that their officials resolve their difficulties in this respect.

To vote for these contempt citations is, in my opinion, an indictment not only of the public officials of the States of New York and New Jersey, but also an indictment of the millions of citizens.

I refuse to believe, without the benefit of documented evidence, that the Port of New York Authority is in the nature of a supergovernment which cannot be held accountable by the governments and the people of two great States.

I cannot and will not support the contempt citations until convincing evidence is provided that these States are incompetent through their governments to manage their own affairs.

Mr. CELLER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and upon a division (demanded by Mr. LINDSAY) there were—ayes 190, noes 60.

So the resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Carrell, one of its clerks, announced that the Senate disagrees to the amendment of the House to the bill (S. 2633) entitled "An act to amend the Foreign Service Act of 1946, as amended, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. FULBRIGHT, Mr. SPARKMAN, Mr. MANSFIELD, Mr. HICKENLOOPER, and Mr. CAPEHART to be the conferees on the part of the Senate.

AMENDMENT OF FOREIGN SERVICE ACT OF 1946

Mr. HAYS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2633) to amend the Foreign Service Act of 1946, as amended, and for other purposes, with a House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? The Chair hears none, and appoints the following conferees: Mr. HAYS, Mrs. KELLY, Mr. FARBSTEIN, Mr. BENTLEY, and Mrs. BOLTON.

PROCEEDINGS AGAINST S. SLOAN COLT

Mr. CELLER. Mr. Speaker, I send to the desk a privileged report (Rept. No. 2120) from the Committee on the Judiciary in relation to the conduct of S. Sloan Colt.

The SPEAKER. The Clerk will read the report.

The Clerk read as follows:

PROCEEDINGS AGAINST S. SLOAN COLT

Subcommittee No. 5 of the Committee on the Judiciary, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, of the 79th Congress, and under House Resolution 27 and House Resolution 530, both of the 86th Congress, caused to be issued a subpena duces tecum to S. Sloan Colt, chairman, board of commissioners of the Port of New York Authority, 111 Eighth Avenue, New York, N.Y. The subpena directed S. Sloan Colt to be and appear before Subcommittee No. 5 of the Committee on the Judiciary, at 10 a.m. on June 29, 1960, in their chamber in the city of Washington, and to bring with him from the files of the Port of New York Authority certain specified documents, and to testify touching matters of inquiry committed to the subcommittee.

The subpena was duly served as appears by the return made thereon by counsel for the committee who was duly authorized to serve the subpena.

S. Sloan Colt, pursuant to the subpena duly served upon him, appeared before Subcommittee No. 5 of the Committee on the Judiciary on June 29, 1960, to give testimony as required by Public Law 601, section 121, of the 79th Congress, and by House Resolutions 27 and 530 of the 86th Congress. However, S. Sloan Colt, having appeared as a witness and having complied in part with the subpena duces tecum served upon him by bringing with him part of the documents demanded therein, (1) failed and refused to produce certain other documents in compliance with the subpena duces tecum, which documents are pertinent to the subject matter under inquiry, and (2) failed and refused to produce certain documents as ordered by the subcommittee, which documents are pertinent to the subject matter under inquiry.

At those proceedings the subcommittee chairman explained in detail the authority for the subcommittee's inquiry, the purpose of the inquiry, and its scope. The subcommittee also gave to the witness a lengthy and detailed explanation of the pertinence to its inquiry of each category of documents demanded in the subpena served upon the witness. Notwithstanding these explanations and notwithstanding a direction by the subcommittee to produce the documents required by the subpena, S. Sloan Colt contumaciously refused to produce the following categories of documents under his control and custody:

(1) Internal financial reports, including budgetary analyses, postclosing trial balances, and internal audits; and management and financial reports prepared by outside consultants;

(2) All agenda of meetings of the board of commissioners and of its committees; all reports to the commissioners by members of the executive staff; and

(3) All communications in the files of the Port of New York Authority and in the files of any of its officers and employees including correspondence, interoffice and other memorandums, and reports relating to:

(a) The negotiation, execution, and performance of construction contracts; negotiation, execution, and performance of insurance contracts, policies, and arrangements; and negotiation, execution, and performance of the public relations contracts, policies, and arrangements;

(b) The acquisition, transfer, and leasing of real estate;

(c) The negotiation and issuance of revenue bonds;

(d) The policies of the authority with respect to the development of rail transportation.

The subcommittee was thereby deprived by S. Sloan Colt of information and evidence pertinent to matters of inquiry committed to it under House Resolutions 27 and 530, 86th Congress. His persistent and illegal refusal to supply the documents as ordered deprived the subcommittee of necessary and pertinent evidence and places him in contempt of the House of Representatives.

Incorporated herein as appendix I is the record of the proceedings before Subcommittee No. 5 of the Committee on the Judiciary on the return of the subpenas duces tecum served upon S. Sloan Colt and others. The record of proceedings contains, with respect to Mr. Colt:

(1) The full text of the subpena duces tecum (appendix, pp. 21–22);

(2) The return of service of the subpena by counsel for the committee, set forth in words and figures (appendix, p. 26);

(3) The failure and refusal of the witness to produce documents required by the subpena issued to and served upon him (appendix, pp. 23–25);

(4) The explanation given to the witness as to the authority for, purpose and scope of, the subcommittee's inquiry (appendix, pp. 1–20);

(5) The explanation given the witness of the pertinence of each category of requested documents (appendix, pp. 48–52);

(6) The subcommittee's direction to the witness to produce the required documents (appendix, pp. 52–53);

(7) The failure and refusal of the witness to produce the documents pursuant to direction (appendix, pp. 53–54);

(8) The ruling of the chairman that the witness is in default (appendix, p. 55).

OTHER PERTINENT COMMITTEE PROCEEDINGS

At the organizational meeting of the Committee on the Judiciary for the 86th Congress, held on the 27th day of January 1959, Subcommittee No. 5 was appointed and authorized to act upon matters referred to it by the chairman. On June 8, 1960, at an executive session of Subcommittee No. 5 of the Committee on the Judiciary, at which Chairman Emanuel Celler, Peter W. Rodino, Jr., Byron G. Rogers, Lester Holtzman, Herman Toll, William M. McCulloch, and George Meader were present, Subcommittee No. 5 formally instituted an inquiry into the activities and operations of the Port of New York Authority under the interstate compacts approved by Congress in 1921 and 1922. At that meeting the subcommittee also unanimously resolved to request the following specified items from the files of the Port of New York Authority by letter and to subpena the same documents from the appropriate officials in the event this information was not voluntarily supplied:

(1) All bylaws, organization manuals, rules, and regulations;

(2) Annual financial reports; internal financial reports, including budgetary analyses, postclosing trial balances, and internal

audits; and management and financial reports prepared by outside consultants;

(3) All agenda and minutes of meetings of the board of commissioners and of its committees; all reports to the commissioners by members of the executive staff;

(4) All communications in the files of the Port of New York Authority and in the files of any of its officers or employees including correspondence, interoffice and other memorandums, and reports relating to—

(a) The negotiation, execution, and performance of construction contracts; negotiation, execution, and performance of insurance contracts, policies, and arrangements; and negotiation, execution, and performance of public relations contracts, policies, and arrangements;

(b) The acquisition, transfer, and leasing of real estate;

(c) The negotiation and issuance of revenue bonds;

(d) The policies of the authority with respect to the development of rail transportation.

On June 29, 1960, following the appearance of the aforesaid witness, Subcommittee No. 5 of the Committee on the Judiciary, at an executive session at which all members of the subcommittee were present, unanimously resolved to report the contumacious conduct of S. Sloan Colt and others to the Committee on the Judiciary with the recommendation that the committee report this conduct to the House of Representatives together with all particulars and recommend that the House cite S. Sloan Colt for contempt of the House of Representatives.

At an executive session on June 30, 1960, the Committee on the Judiciary approved the recommendations of Subcommittee No. 5 to report to the House all details concerning the contumacious conduct of S. Sloan Colt and others, and resolved to recommend that S. Sloan Colt be cited for contempt of the House of Representatives.

MINORITY VIEWS OF REPRESENTATIVE JOHN V. LINDSAY

I cannot agree with the majority recommendations in the committee report. The committee proceeding, calculated to form a basis for contempt citations under title 2, United States Code, section 192, in my opinion constitutes an unprecedented, unlawful, and unconstitutional exercise of Federal authority over a bistate agency, which can and should be avoided. The Port of New York Authority was created by the States of New York and New Jersey with the consent of Congress to exercise delegations of State, not Federal, powers.

My objections are threefold: (1) The committee acted without legal authority and exceeded its jurisdiction; (2) the committee lacked a legislative purpose in inquiring into the internal affairs of a bistate agency; and (3) the committee inadvisably and without caution initiated an unprecedented exercise of Federal control in the delicate area of State sovereignty despite the pleas of the two interested Governors to be accorded a hearing before the return date of the subpenas. As a result, and I emphasize this point, the documentary material, which the witnesses did not produce, was withheld pursuant to written instructions from Governors Rockefeller and Meyner. The witnesses were damned if they complied with the subpenas and damned if they didn't.

These three witnesses, who now face the threat of criminal prosecution, are not hoodlums nor men who have ever flouted the law. Each is a public official of distinguished reputation in his community.

S. Sloan Colt, the authority chairman, has served without salary as a port authority commissioner for the past 14 years by appointment of Governors Dewey and Harriman of New York, bringing to its board his vast experience as a leading executive in the banking field. He also served the Federal Government as a member of the Clay Committee on Highway Grants-in-Aid and has been a director of the Federal Reserve bank. During World War II, he served as the national chairman of the American Red Cross War Fund, and for the last decade has been president of the National Fund for Medical Education.

Executive Director Austin J. Tobin has been a port authority staff member for 33 years, rising through its ranks from law clerk to his present position as the chief administrative officer responsible for the execution of decisions of the board of commissioners. Mr. Tobin has served as port consultant to the Government of Thailand and to the World Bank in connection with port development in Israel. Both he and Mr. Colt have been honored by the Government of France with the Order of Legion of Honor Chevalier for their contributions to airport development and with honorary degrees from leading American universities for their outstanding public service.

Mr. Joseph G. Carty, the authority secretary, has served the port authority for over 30 years. A Navy veteran of World War I, he has been active in the National and State leadership of the American Legion for the last 40 years, including a term as New Jersey State commander. He is now a member of the Legion's national legislative commission and serves on the New Jersey State Veterans Service Council.

In the light of their record of public and civic service, it is not surprising that these witnesses felt bound to obey the instructions of their superior officers, the Governors of New Jersey and New York, governing their response to the committee's subpenas. They sought, as they were instructed to do, postponement of the proceedings to give their Governors an opportunity to be heard personally. Within the scope of their instructions from their superiors, they attempted to cooperate fully with the committee by producing a mass of records detailing all the activities of the authority and by offering to answer any questions which the committee might wish to ask.

Congress, which has as great a duty as any court to protect the liberties of individuals who appear before its committees, and, likewise, to preserve State sovereignty, should not, in disregard of conciliatory pleas to be heard by the chief executives of the two States, precipitate a naked fight of Federal versus State power.

Congress consented to the compact between New York and New Jersey creating the Port of New York Authority. It did not create the authority. All the powers exercised by the authority are delegated to it by the Legislatures of New York and New Jersey.

The commissioners are appointed by the Governors of the respective States subject to the advice and consent of their senates. The port authority can only act through its commissioners; no action by them is binding unless taken at a meeting, and even then not until the minutes have been transmitted to the Governors, each of whom has 10 days within which to veto any action therein recited as having been taken by any commissioner appointed from his State. The chief financial officers of each State are authorized to audit the books of the port authority. The port authority is required to submit an annual report to the legislatures of the two States, setting forth in detail the operations and transactions conducted by it pursuant to the authority granted in the compact and supplemental legislation.

The port authority was created by the States of New York and New Jersey. It is fully subject to their control. It is their agency, not a Federal agency. Authoritative decisions in both the State and Federal courts conclusively establish the port authority's status as an agency of the States which created it to serve as their local port development agency and refute the suggestion that the consent of Congress to the port compact changed the port authority's status as a State agency (*Commissioner of Internal Revenue* v. *Shamberg*, 144 F. 2d, 998 (1944), cert. den. 323 U.S. 792 (1945)).

Since the brief of the committee's counsel in support of the investigation of the Port of New York Authority challenges this conclusion without citing any applicable judicial authority, it will suffice here to note that the National Association of Attorneys General, composed of the chief legal officers of all the States, has recently reported:

"The obvious truth that the (Port of New York) Authority is a State agency and nothing else has been authoritatively and expressly determined by both Federal and State courts" (National Association of Attorneys General, "Memorandum Re Citation of State Officials for Contempt of Congress," July 22, 1960, p. 4).

Although Congress reserved the right to alter, amend, or repeal the resolution consenting to the port compact, this did not create power to amend the compact itself, which can only be altered by the contracting States. Nor can this reservation in the congressional consent reasonably be construed to vest in Congress the right to control the internal management or daily affairs of the compact agency. On this point, the National Association of Attorneys General makes the following statement:

"In this case, the interest of Congress in interstate compacts derives from one fact: the power of consent conferred over certain types of compacts so as to insure that particular compacts do not adversely affect the relationships of governmental units within the Federal system (*Virginia* v. *Tennessee*, 148 U.S. 503 (1893)). For Congress to satisfy itself on this score, it is neither necessary nor relevant to examine the internal management of agencies established by compact. The information on which such determinations depend relates to the results of agency operations and to the character of the programs conducted. These are revealed in observable activities and not in internal cerebrations."

The officials of the port authority voluntarily provided to the committee staff, and formally produced on the return date of the subpena, a mass of materials fully revealing in detail the nature and extent of the operations of the port authority (the bylaws, rules and regulations, annual reports, and the minutes of all the meetings of its commissioners recording all actions of the port authority).

Counsel for the committee was apparently not confident that it could safely rely solely upon the compact clause of the Constitution to justify the sweeping demand for additional data relating solely to the internal affairs of the bistate agency. There was, therefore, also invoked in support of the committee's asserted authority, the commerce clause, the duty to provide for the national defense, the duty to insure that the authority's activities are consistent with the requirements of Federal regulatory agencies, and an asserted Federal concern with construction contracts, insurance matters, and public relations activities of the port agency.

The Council of State Governments noted in the memorandum on this matter which it sent to the Governors of all the States, "The grounds set forth by the Judiciary Committee would apply in similar degree to many agencies of State and local governments." The council concluded:

"Indeed, it seems unlikely that if the Judiciary Committee's present attempt to investigate the internal affairs and conduct of a State agency succeeds and if the grounds being advanced by that committee

are established, any State or municipal agency could resist inquiry into, and congressional pressure on, its operations and administration" (Council of State Governments, "Memorandum re Threatened Congressional Investigation of State Agencies," July 19, 1960, pp. 1–2).

The committee is not entitled under the Constitution and the Rules of the House to the data relating to the internal affairs of the bistate agency. The Committee on the Judiciary has jurisdiction only under article I, section 10, clause 3 of the Constitution ("No State shall, without the consent of Congress * * * enter into any agreement or compact with another State"), rule XI, section 12, item (i) of the Rules of the House (interstate compacts generally) and House Resolution 27 as amended by House Resolution 530 (involving the activities and operations of interstate compacts). The committee's jurisdiction in this case, it is evident, is confined to the breadth and scope of the compact clause of the Constitution.

Congressional jurisdiction under the commerce clause, to the extent it exists, to inquire into the effect of the port authority's operations on interstate and foreign commerce, is vested in the Committee on Interstate and Foreign Commerce, not in the Committee on the Judiciary.

Similarly, the jurisdiction of Congress to inquire into whether various Federal agencies have properly discharged their duties, under Federal legislation of general application, with respect to specific aspects of port authority activities is vested in the Committee on Government Operations, not in the Committee on the Judiciary. National defense, construction of Federal projects, regulation of insurance, and the Federal interest, if any, in the public relations activities of local port agencies are all within the province of committees other than the Committee on the Judiciary.

Suffice it to say that the Committee on the Judiciary got the documentary material to which it is entitled under the Constitution and the rules of the House. It did not request and it did not receive any broader delegation of authority from the House under House Resolution 27 as amended by House Resolution 530. The investigation can be no broader than the authorizing resolution.[1]

That delegation did not include investigation into wholly internal affairs of any State agency, whether created by compact or otherwise.

Lacking jurisdiction to conduct a broader investigation, the committee is also without a valid legislative purpose to inquire into the internal affairs of the port authority. To repeat, legislative purpose under the compact clause of the Constitution and the power reserved in the original resolution of approval can only extend to altering, amending, or repealing the resolution of approval. The Committee on the Judiciary cannot recommend legislation to alter, amend, or repeal the original agreement between the two States. Likewise, the committee cannot recommend legislation to otherwise regulate interstate and foreign commerce in this area.

As long ago as 1881 the Supreme Court in *Kilbourn* v. *Thompson* (103 U.S. 168) held that Congress has no right in the absence of a valid legislative purpose to inquire into purely private affairs. In 1936, a Federal district court on complaint of the United States enjoined the Pennsylvania State Legislature's attempt to conduct an investigation into the organization, administration, and functioning of the Works Progress Administration in Pennsylvania (*United States* v. *Owlett*, 15 F. Supp. 736. The Federal court there condemned the assertion of power by one partner in the Federal system over the internal affairs of the other as being "in contravention of our dual form of government" (p. 742)). By clear analogy, Congress has no right to inquire into the purely internal affairs of an agency of the two sovereign States of New York and New Jersey.

As recently as June 1959, the Supreme Court in *Barenblatt* v. *United States* (360 U.S. 109) spoke of the limitations of congressional investigations. In that case the Court stated:

"Broad as it is, the power is not, however, without limitations. Since Congress may only investigate into those areas in which it may potentially legislate or appropriate, it cannot inquire into matters which are within the exclusive province of one or the other branch of the Government. Lacking the judicial power given to the judiciary, it cannot inquire into matters that are exclusively the concern of the judiciary. Neither can it supplant the Executive in what exclusively belongs to the Executive. And the Congress, in common with all branches of the Government, must exercise its powers subject to the limitations placed by the Constitution on governmental action, more particularly in the context of this case the relevant limitations of the Bill of Rights."[2]

In the leading case of *McGrain* v. *Daugherty* (273 U.S. 135 (1937)), as in later decisions, the Court recognized that a witness has a right to refuse to answer when an investigation exceeds lawful limits. In that case the Court stated:

"We must assume, for present purposes, that neither House will be disposed to exert the power beyond its proper bounds, or without due regard to the rights of witnesses. But if, contrary to this assumption, controlling limitations or restrictions are disregarded, the decisions in *Kilbourn* v. *Thompson* and *Marshall* v. *Gordon* point to admissible measures of relief. And it is a necessary deduction from the decisions in *Kilbourn* v. *Thompson* and *In re Chapman* that a witness rightfully may refuse to answer where the bounds of the power are exceeded or the questions are not pertinent to the matter under inquiry".[3]

Thus to summarize, the committee may not exceed its jurisdiction (it is no argument to say that the House under all of the authority vested by the Constitution may have jurisdiction) and it may not conduct investigations into matters over which it has no authority to recommend legislation.

It also must be remembered that legislatures are ultimate guardians of the liberties of the people in quite as great a degree as the courts. Evidently the committee realized it was traveling too far too fast in this direction since it belatedly recommended withholding the report of the witnesses' alleged contumacious conduct pending the results of an after-the-fact invitation to the two Governors to present their views.

Now that the alleged contumacious conduct has been reported, I urge restraint and a reappraisal of the vital issues of Federal-State relationship before voting to commit the House of Representatives to an uncompromising and, I believe, unsound position.

[1] In *Watkins* v. *United States*, 354 U.S. 178 (1957), at p. 201 the Court stated:

"An essential premise in this situation is that the House or Senate shall have instructed the committee members on what they are to do with the power delegated to them. It is the responsibility of the Congress, in the first instance, to insure that compulsory process is used only in furtherance of a legislative purpose. That requires that the instructions to an investigating committee spell out that group's jurisdiction and purpose with sufficient particularity. Those instructions are embodied in the authorizing resolution. That document is the committee's charter."

[2] 360 U.S. at pp. 111, 112.

[3] 273 U.S. at pp. 175, 176.

MINORITY VIEWS OF REPRESENTATIVE JOHN H. RAY

The majority of the Judiciary Committee recommends that contempt citations under title 2, United States Code, section 192, be issued against the chairman, the executive director, and the secretary of the Port of New York Authority. In my opinion the action so recommended by the majority would not only be unprecedented and unwise as a matter of Federal and State relations, it is not sanctioned by law and should and would be held unconstitutional.

The port authority was created by the States of New York and New Jersey pursuant to an agreement or compact authorized by special legislation enacted by each of those States. The compact defined the nature and scope of the powers and duties which the two States desired to grant to and impose upon the port authority. Before the compact could take effect, it was necessary that the States obtain, and they did obtain consent of Congress to the making of the compact (Public Law 17, approved August 23, 1921, Public Law 66, approved July 1, 1922). Since the latter date, the port authority has operated under direct delegations of authority, and only as so authorized, by the Legislatures of New York and New Jersey.

Congress did not create the authority. The powers exercised by the authority were delegated to it by the Legislatures of New York and New Jersey. Congress lacks constitutional authority to alter the terms of the compact between the two contracting States. Congress reserved the right to alter, amend, or repeal the resolution by which it gave consent to the compact. Congress did not have power and it did not attempt to reserve any other right to supervise or to regulate activities of the bistate agency which the two States established.

I repeat Congress only reserved the right to alter, amend, or repeal its resolution consenting to the compact, and that the compact itself can be altered only by the contracting States. Therefore, no valid legislative purpose could be served by the committee subpena involved in this case.

Earlier this year the Judiciary Committee instituted the present investigation. The majority opinion of the committee sets forth accurately the developments in the investigation which resulted in the contempt citations. It is not necessary here to repeat details of that history, but I do wish to emphasize that on the return date specified in the subpena, the three officials of the port authority appeared and delivered to the committee all the minutes, financial reports, audits, and all records authorizing official action. On instructions of the Governors of the States of New York and New Jersey, port authority officials declined to furnish the working papers and other strictly internal studies specified in paragraphs (1), (2), and (3) on page 2 of the majority report. I submit such actions by the Governors and by the officials of the port authority are lawful and that the only unlawful action indicated by the record is that of the Judiciary Committee in demanding and now insisting upon the production of the material which was not furnished.

The action recommended by the committee violates the constitutional rights of the States involved and the committee is attempting such action without any semblance of lawful authority.[1]

Mr. CELLER (interrupting the reading of the report). Mr. Speaker, I ask unanimous consent that the further reading of the report be dispensed with.

[1] The cases in point: *Graves* v. *New York ex rel. O'Keefe*, 306 U.S. 466, 484 (1938); *Commissioner of Internal Revenue* v. *Shamberg's Estate*, 144 F. 2d 998, certiorari denied, 323 U.S. 792 (1944).

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, I offer a privileged resolution (H. Res. 607) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on the Judiciary as to the contumacious conduct of S. Sloan Colt in failing and refusing to furnish certain documents in compliance with a subpena duces tecum of a duly constituted subcommittee of said committee served upon him and as ordered by the subcommittee, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States attorney for the District of Columbia, to the end that S. Sloan Colt may be proceeded against in the manner and form provided by law.

Mr. CELLER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

Mr. LINDSAY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. LINDSAY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and three Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 270, nays 124, answered "present" 0, not voting 37, as follows:

[Roll No. 188]

YEAS—270

Addonizio	Brademas	Durham
Albert	Breeding	Dwyer
Alexander	Brewster	Edmondson
Alford	Brooks, Tex.	Everett
Allen	Brown, Ga.	Farbstein
Andersen, Minn.	Brown, Mo.	Fascell
	Brown, Ohio	Feighan
Anderson, Mont.	Buckley	Fisher
	Burke, Ky.	Flood
Anfuso	Byrne, Pa.	Flynn
Arends	Cahill	Flynt
Ashley	Canfield	Fogarty
Ashmore	Cannon	Foley
Aspinall	Carnahan	Ford
Avery	Celler	Forrester
Ayres	Chamberlain	Fountain
Bailey	Chelf	Frazier
Baldwin	Chenoweth	Frelinghuysen
Barr	Church	Friedel
Barrett	Clark	Fulton
Barry	Coad	Garmatz
Bass, N.H.	Cook	Gary
Bass, Tenn.	Cooley	Gavin
Bates	Corbett	George
Beckworth	Daddario	Giaimo
Belcher	Davis, Ga.	Gilbert
Bennett, Fla.	Delaney	Granahan
Bennett, Mich.	Dent	Gray
Bentley	Denton	Green, Pa.
Betts	Derwinski	Griffin
Blatnik	Diggs	Griffiths
Blitch	Dingell	Gubser
Boland	Dixon	Hagen
Bolton	Donohue	Halleck
Bonner	Downing	Hardy
Bow	Doyle	Hargis
Boykin	Dulski	Harmon
Harris	McGovern	Rogers, Fla.
Harrison	Macdonald	Rooney
Hays	Machrowicz	Roosevelt
Healey	Mack	Rostenkowski
Hechler	Madden	Roush
Hemphill	Mahon	Rutherford
Henderson	Mailliard	Santangelo
Hogan	Marshall	Saund
Holland	Meader	Saylor
Holtzman	Merrow	Schenck
Horan	Metcalf	Scherer
Huddleston	Meyer	Scott
Hull	Michel	Shelley
Inouye	Miller, Clem	Sheppard
Irwin	Mills	Shipley
Jackson	Moeller	Short
Jarman	Monagan	Sikes
Jennings	Montoya	Sisk
Johansen	Moore	Slack
Johnson, Calif.	Moorhead	Smith, Calif.
Johnson, Colo.	Morgan	Smith, Iowa
Johnson, Md.	Morris, N. Mex.	Smith, Va.
Johnson, Wis.	Morris, Okla.	Spence
Jonas	Moss	Staggers
Jones, Ala.	Moulder	Steed
Karsten	Multer	Stubblefield
Karth	Murphy	Sullivan
Kastenmeier	Natcher	Taylor, N.C.
Kearns	Nix	Teague, Tex.
Kee	Norblad	Teller
Keith	O'Brien, Ill.	Thompson, Tex.
Kelly	O'Hara, Ill.	Thornberry
Keogh	O'Hara, Mich.	Toll
Kilday	O'Konski	Trimble
Kilgore	Patman	Tuck
King, Calif.	Pelly	Ullman
King, Utah	Perkins	Vanik
Kitchin	Pfost	Wainwright
Kluczynski	Philbin	Wallhauser
Knox	Pilcher	Walter
Kowalski	Pillion	Wampler
Lane	Porter	Watts
Lankford	Price	Whitener
Latta	Prokop	Widnall
Lennon	Pucinski	Wier
Lesinski	Quigley	Willis
Levering	Rabaut	Wilson
Libonati	Randall	Wolf
Lipscomb	Rees, Kans.	Wright
Loser	Reuss	Yates
McCormack	Rhodes, Pa.	Young
McCulloch	Rivers, Alaska	Zablocki
McDonough	Rodino	Zelenko
McFall	Rogers, Colo.	

NAYS—124

Abbitt	Fallon	Ostertag
Abernethy	Fenton	Passman
Adair	Fino	Pirnie
Alger	Gallagher	Poage
Andrews	Gathings	Poff
Auchincloss	Glenn	Rains
Baker	Goodell	Ray
Becker	Green, Oreg.	Reece, Tenn.
Berry	Gross	Rhodes, Ariz.
Bosch	Haley	Riehlman
Bray	Halpern	Riley
Brock	Herlong	Rivers, S.C.
Brooks, La.	Hiestand	Roberts
Broomfield	Hoeven	Robison
Broyhill	Hoffman, Ill.	Rogers, Tex.
Budge	Hoffman, Mich.	St. George
Burke, Mass.	Holt	Schneebeli
Burleson	Hosmer	Schwengel
Byrnes, Wis.	Jensen	Selden
Casey	Jones, Mo.	Siler
Cederberg	Judd	Simpson
Chiperfield	Kasem	Smith, Miss.
Coffin	Kyl	Springer
Cohelan	Lafore	Stratton
Collier	Laird	Taber
Colmer	Langen	Teague, Calif.
Conte	Lindsay	Thompson, N.J.
Cramer	McDowell	Thomson, Wyo.
Cunningham	McGinley	Tollefson
Curtin	McIntire	Utt
Curtis, Mass.	McMillan	Van Pelt
Curtis, Mo.	Mason	Van Zandt
Dague	Matthews	Weaver
Daniels	May	Weis
Derounian	Miller, N.Y.	Westland
Devine	Milliken	Wharton
Dooley	Minshall	Whitten
Dorn, N.Y.	Mumma	Williams
Dorn, S.C.	Nelsen	Winstead
Dowdy	O'Brien, N.Y.	Younger
Elliott	O'Neill	
Evins	Osmers	

NOT VOTING—37

Barden	Bowles	Hébert
Baring	Davis, Tenn.	Hess
Baumhart	Dawson	Holifield
Boggs	Forand	Ikard
Bolling	Grant	Kilburn
Kirwan	Morrison	Smith, Kans.
Landrum	Murray	Taylor, N.Y.
McSween	Norrell	Thomas
Magnuson	Oliver	Thompson, La.
Martin	Powell	Udall
Miller, George P.	Preston	Vinson
	Quie	Withrow
Mitchell	Rogers, Mass.	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Taylor of New York against.

Mr. Morrison for, with Mr. Kilburn against.

Until further notice:

Mr. Thompson of Louisiana with Mr. Martin.

Mr. Magnuson with Mr. Hess.

Mr. Oliver with Mr. Quie.

Mr. George P. Miller with Mr. Baumhart.

Mr. Holifield with Mr. Withrow.

Mr. Powell with Mrs. Rogers of Massachusetts.

Mr. Baring with Mr. Smith of Kansas.

Mr. ANDERSON of Montana changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

PROCEEDINGS AGAINST JOSEPH G. CARTY

Mr. CELLER. Mr. Speaker, by direction of the Committee on the Judiciary, I submit a privileged report (Rept. No. 2121), concerning the contumacious conduct of Joseph G. Carty.

The Clerk read as follows:

PROCEEDINGS AGAINST JOSEPH G. CARTY

Subcommittee No. 5 of the Committee on the Judiciary, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, of the 79th Congress, and under House Resolution 27 and House Resolution 530, both of the 86th Congress, caused to be issued a subpena duces tecum to Joseph G. Carty, secretary, of the Port of New York Authority, 111 Eighth Avenue, New York, N.Y. The subpena directed Joseph G. Carty to be and appear before Subcommittee No. 5 of the Committee on the Judiciary, at 10 a.m. on June 29, 1960, in their chamber in the city of Washington, and to bring with him from the files of the Port of New York Authority certain specified documents, and to testify touching matters of inquiry committed to the subcommittee.

The subpena was duly served as appears by the return made thereon by counsel for the committee who was duly authorized to serve the subpena.

Joseph G. Carty, pursuant to the subpena duly served upon him, appeared before Subcommittee No. 5 of the Committee on the Judiciary on June 29, 1960, to give testimony as required by Public Law 601, section 121, of the 79th Congress, and by House Resolutions 27 and 530 of the 86th Congress. However, Joseph G. Carty having appeared as a witness and having complied in part with the subpena duces tecum served upon him by bringing with him part of the documents demanded therein, (1) failed and refused to produce certain other documents in compliance with the subpena duces tecum, which documents are pertinent to the subject matter under inquiry, and (2) failed and refused to produce certain documents as ordered by the subcommittee, which documents are pertinent to the subject matter under inquiry.

At those proceedings the subcommittee chairman explained in detail the authority for the subcommittee's inquiry, the purpose of the inquiry, and its scope. The subcommittee also gave to the witness a lengthy and detailed explanation of the pertinence to its inquiry of each category of documents demanded in the subpena served upon the witness. Notwithstanding these explanations and notwithstanding a direction by the subcommittee to produce the documents required by the subpena, Joseph G. Carty contumaciously refused to produce the following categories of documents under his control and custody:

(1) Internal financial reports, including budgetary analyses, postclosing trial balances, and internal audits; and management and financial reports prepared by outside consultants;

(2) All agenda of meetings of the board of commissioners and of its committees; all reports to the commissioners by members of the executive staff, and

(3) All communications in the files of the Port of New York Authority and in the files of any of its officers and employees including correspondence, interoffice and other memorandums, and reports relating to—

(a) The negotiation, execution, and performance of construction contracts; negotiation, execution, and performance of insurance contracts, policies, and arrangements; and negotiation, execution, and performance of public relations contracts, policies, and arrangements;

(b) The acquisition, transfer, and leasing of real estate;

(c) The negotiation and issuance of revenue bonds;

(d) The policies of the authority with respect to the development of rail transportation.

The subcommittee was thereby deprived by Joseph G. Carty of information and evidence pertinent to matters of inquiry committed to it under House Resolutions 27 and 530, 86th Congress. His persistent and illegal refusal to supply the documents as ordered deprived the subcommittee of necessary and pertinent evidence and places him in contempt of the House of Representatives.

Incorporated herein as appendix I is the record of the proceedings before Subcommittee No. 5 of the Committee on the Judiciary on the return of the subpenas duces tecum served upon Joseph G. Carty and others. The record of proceedings contains, with respect to Mr. Carty—

(1) The full text of the subpena duces tecum (appendix, pp. 26–27);

(2) The return of service of the subpena by counsel for the committee, set forth in words and figures (appendix, p. 26);

(3) The failure and refusal of the witness to produce documents required by the subpena issued to and served upon him (appendix, pp. 27–31);

(4) The explanation given to the witness as to the authority for, purpose and scope of, the subcommittee's inquiry (appendix, pp. 1–20);

(5) The explanation given the witness of the pertinence of each category of requested documents (appendix, pp. 48–52);

(6) The subcommittee's direction to the witness to produce the required documents (appendix p. 55);

(7) The failure and refusal of the witness to produce the documents pursuant to direction (appendix, p. 55); and

(8) The ruling of the chairman that the witness is in default (app. p. 55).

OTHER PERTINENT COMMITTEE PROCEEDINGS

At the organizational meeting of the Committee on the Judiciary for the 86th Congress, held on the 27th day of January 1959, Subcommittee No. 5 was appointed and authorized to act upon matters referred to it by the chairman. On June 8, 1960, at an executive session of Subcommittee No. 5 of the Committee on the Judiciary, at which Chairman EMANUEL CELLER, PETER W. RODINO, Jr., BYRON G. ROGERS, LESTER HOLTZMAN, HERMAN TOLL, WILLIAM M. MCCULLOCH, and GEORGE MEADER were present, Subcommittee No. 5 formally instituted an inquiry into the activities and operations of the Port of New York Authority under the interstate compacts approved by Congress in 1921 and 1922. At that meeting the subcommittee also unanimously resolved to request the following specified items from the files of the Port of New York Authority by letter and to subpena the same documents from the appropriate officials in the event this information was not voluntarily supplied:

(1) All bylaws, organization manuals, rules, and regulations;

(2) Annual financial reports; internal financial reports, including budgetary analyses, postclosing trial balances, and internal audits; and management and financial reports prepared by outside consultants;

(3) All agenda and minutes of meetings of the board of commissioners and of its committees; all reports to the commissioners by members of the executive staff;

(4) All communications in the files of the Port of New York Authority and in the files of any of its officers or employees including correspondence, interoffice and other memorandums, and reports relating to—

(a) The negotiation, execution, and performance of construction contracts; negotiation, execution, and performance of insurance contracts, policies, and arrangements; and negotiation, execution, and performance of public relations contracts, policies, and arrangements;

(b) The acquisition, transfer, and leasing of real estate;

(c) The negotiation and issuance of revenue bonds;

(d) The policies of the authority with respect to the development of rail transportation.

On June 29, 1960, following the appearance of the aforesaid witness, Subcommittee No. 5 of the Committee on the Judiciary, at an executive session at which all members of the subcommittee were present, unanimously resolved to report the contumacious conduct of Joseph G. Carty and others to the Committee on the Judiciary with the recommendation that the committee report this conduct to the House of Representatives together with all particulars and recommend that the House cite Joseph G. Carty for contempt of the House of Representatives.

At an executive session on June 30, 1960, the Committee on the Judiciary approved the recommendations of Subcommittee No. 5 to report to the House all details concerning the contumacious conduct of Joseph G. Carty and others, and resolved to recommend that Joseph G. Carty be cited for contempt of the House of Representatives.

MINORITY VIEWS OF REPRESENTATIVE JOHN V. LINDSAY

I cannot agree with the majority recommendations in the committee report. The committee proceeding, calculated to form a basis for contempt citations under title 2, United States Code, section 192, in my opinion constitutes an unprecedented, unlawful, and unconstitutional exercise of Federal authority over a bistate agency, which can and should be avoided. The Port of New York Authority was created by the States of New York and New Jersey with the consent of Congress to exercise delegations of State, not Federal, powers.

My objections are threefold: (1) The committee acted without legal authority and exceeded its jurisdiction; (2) the committee lacked a legislative purpose in inquiring into the internal affairs of a bistate agency; and (3) the committee inadvisably and without caution initiated an unprecedented exercise of Federal control in the delicate area of State sovereignty despite the pleas of the two interested Governors to be accorded a hearing before the return date of the subpenas. As a result, and I emphasize this point, the documentary material, which the witnesses did not produce, was withheld pursuant to written instructions from Governors Rockefeller and Meyner. The witnesses were damned if they complied with the subpenas and damned if they didn't.

These three witnesses, who now face the threat of criminal prosecution, are not hoodlums nor men who have ever flouted the law. Each is a public official of distinguished reputation in his community.

S. Sloan Colt, the authority chairman, has served without salary as a port authority commissioner for the past 14 years by appointment of Governors Dewey and Harriman, of New York, bringing to its board his vast experience as a leading executive in the banking field. He also served the Federal Government as a member of the Clay Committee on Highway Grants-in-Aid and has been a director of the Federal Reserve Bank. During World War II, he served as the national chairman of the American Red Cross War Fund, and for the last decade has been president of the National Fund for Medical Education.

Executive Director Austin J. Tobin has been a port authority staff member for 33 years, rising through its ranks from law clerk to his present position as the chief administrative officer responsible for the execution of decisions of the board of commissioners. Mr. Tobin has served as port consultant to the Government of Thailand and to the World Bank in connection with port development in Israel. Both he and Mr. Colt have been honored by the Government of France with the Order of Legion of Honor Chevalier for their contributions to airport development and with honorary degrees from leading American universities for their outstanding public service.

Mr. Joseph G. Carty, the authority secretary, has served the port authority for over 30 years. A Navy veteran of World War I, he has been active in the National and State leadership of the American Legion for the last 40 years, including a term as New Jersey State commander. He is now a member of the Legion's national legislative commission and serves on the New Jersey State Veterans Service Council.

In the light of their record of public and civic service, it is not surprising that these witnesses felt bound to obey the instructions of their superior officers, the Governors of New Jersey and New York, governing their response to the committee's subpenas. They sought, as they were instructed to do, postponement of the proceedings to give their Governors an opportunity to be heard personally. Within the scope of their instructions from their superiors, they attempted to cooperate fully with the committee by producing a mass of records detailing all the activities of the authority and by offering to answer any questions which the committee might wish to ask.

Congress, which has as great a duty as any court to protect the liberties of individuals who appear before its committees, and, likewise, to preserve State sovereignty, should not, in disregard of conciliatory pleas to be heard by the chief executives of the two States, precipitate a naked fight of Federal versus State power.

Congress consented to the compact between New York and New Jersey creating the Port of New York Authority. It did not create the authority. All the powers exercised by the authority are delegated to it by the Legislatures of New York and New Jersey.

The commissioners are appointed by the Governors of the respective States subject to the advice and consent of their senates. The

port authority can only act through its commissioners, no action by them is binding unless taken at a meeting, and even then not until the minutes have been transmitted to the Governors, each of whom has 10 days within which to veto any action therein recited as having been taken by any commissioner appointed from his State. The chief financial officers of each State are authorized to audit the books of the port authority. The port authority is required to submit an annual report to the legislatures of the two States, setting forth in detail the operations and transactions conducted by it pursuant to the authority granted in the compact and supplemental legislation.

The port authority was created by the States of New York and New Jersey. It is fully subject to their control. It is their agency, not a Federal agency. Authoritative decisions in both the State and Federal courts conclusively establish the port authority's status as an agency of the States which created it to serve as their local port development agency and refute the suggestion that the consent of Congress to the port compact changed the port authority's status as a State agency (*Commissioner of Internal Revenue* v. *Shamberg*, 144 F. 2d, 998 (1944), cert. den. 323 U.S. 792 (1945)).

Since the brief of the committee's counsel in support of the investigation of the Port of New York Authority challenges this conclusion without citing any applicable judicial authority, it will suffice here to note that the National Association of Attorneys General, composed of the chief legal officers of all the States, has recently reported:

"The obvious truth that the (Port of New York) Authority is a State agency and nothing else has been authoritatively and expressly determined by both Federal and State courts" (National Association of Attorneys General, "Memorandum re Citation of State Officials for Contempt of Congress." July 22, 1960, p. 4).

Although Congress reserved the right to alter, amend, or repeal the resolution consenting to the port compact, this did not create power to amend the compact itself, which can only be altered by the contracting States. Nor can this reservation in the congressional consent reasonably be construed to vest in Congress the right to control the internal management or daily affairs of the compact agency. On this point, the National Association of Attorneys General makes the following statement:

"In this case, the interest of Congress in interstate compacts derives from one fact: the power of consent conferred over certain types of compacts so as to insure that particular compacts do not adversely affect the relationships of governmental units within the Federal system (*Virginia* v. *Tennessee*, 148 U.S. 503 (1893)). For Congress to satisfy itself on this score, it is neither necessary nor relevant to examine the internal management of agencies established by compact. The information on which such determinations depend relates to the results of agency operations and to the character of the programs conducted. These are revealed in observable activities and not in internal celebrations."

The officials of the port authority voluntarily provided to the committee staff, and formally produced on the return date of the subpena, a mass of materials fully revealing in detail the nature and extent of the operations of the port authority (the bylaws, rules and regulations, annual reports and the minutes of all the meetings of its commissioners recording all actions of the port authority).

Counsel for the committee was apparently not confident that it could safely rely solely upon the compact clause of the Constiution to justify the sweeping demand for additional data relating solely to the internal affairs of the bistate agency. There was, therefore, also invoked in support of the committee's asserted authority the commerce clause, the duty to provide for the national defense, the duty to insure that the authority's activities are consistent with the requirements of Federal regulatory agencies, and an asserted Federal concern with construction contracts, insurance matters, and public relations activities of the port agency.

The Council of State Governments noted in the memorandum on this matter which it sent to the Governors of all the States: "The grounds set forth by the Judiciary Committee would apply in similar degree to many agencies of State and local governments." The council concluded:

"Indeed, it seems unlikely that if the Judiciary Committee's present attempt to investigate the internal affairs and conduct of a State agency succeeds and if the grounds being advanced by that committee are established, any State or municipal agency could resist inquiry into, and congressional pressure on, its operations and administration" (Council of State Governments, "Memorandum Re Threatened Congressional Investigation of State Agencies," July 19, 1960, pp. 1–2).

The committee is not entitled under the Constitution and the Rules of the House to the data relating to the internal affairs of the bistate agency. The Committee on the Judiciary has jurisdiction only under article I, section 10, clause 3, of the Constitution ("No State shall, without the consent of Congress * * * enter into any agreement or compact with another State"); rule XI, section 12, item (i), of the Rules of the House (interstate compacts generally), and House Resolution 27, as amended by House Resolution 530 (involving the activities and operations of interstate compacts). The committee's jurisdiction in this case, it is evident, is confined to the breadth and scope of the compact clause of the Constitution.

Congressional jurisdiction under the commerce clause, to the extent it exists, to inquire into the effect of the port authority's operations on interstate and foreign commerce is vested in the Committee on Interstate and Foreign Commerce, not in the Committee on the Judiciary.

Similarly, the jurisdiction of Congress to inquire into whether various Federal agencies have properly discharged their duties, under Federal legislation of general application, with respect to specific aspects of port authority activities is vested in the Committee on Government Operations, not in the Committee on the Judiciary. National defense, construction of Federal projects, regulation of insurance, and the Federal interest, if any, in the public relations activities of local port agencies are all within the province of committees other than the Committee on the Judiciary.

Suffice it to say that the Committee on the Judiciary got the documentary material to which it is entitled under the Constitution and the Rules of the House. It did not request and it did not receive any broader delegation of authority from the House under House Resolution 27, as amended by House Resolution 530. The investigation can be no broader than the authorizing resolution.[1]

That delegation did not include investigation into wholly internal affairs of any State agency, whether created by compact or otherwise.

Lacking jurisdiction to conduct a broader investigation, the committee is also without a valid legislative purpose to inquire into the internal affairs of the port authority. To repeat, legislative purpose under the compact clause of the Constitution and the power reserved in the original resolution of approval can only extend to altering, amending, or repealing the resolution of approval. The Committee on the Judiciary cannot recommend legislation to alter, amend, or repeal the original agreement between the two States. Likewise, the committee cannot recommend legislation to otherwise regulate interstate and foreign commerce in this area.

As long ago as 1881 the Supreme Court in *Kilbourn* v. *Thompson* (103 U.S. 168) held that Congress has no right in the absence of a valid legislative purpose to inquire into purely private affairs. In 1936, a Federal district court on complaint of the United States enjoined the Pennsylvania State Legislature's attempt to conduct an investigation into the organization, administration, and functioning of the Works Progress Administration in Pennsylvania (*United States* v. *Owlett*, 15 F. Supp. 736. The Federal court there condemned the assertion of power by one partner in the Federal system over the internal affairs of the other as being "in contravention of our dual form of government" (p. 742)). By clear analogy, Congress has no right to inquire into the purely internal affairs of an agency of the two sovereign States of New York and New Jersey.

As recently as June 1959, the Supreme Court in *Barenblatt* v. *United States* (360 U.S. 109) spoke of the limitations of congressional investigations. In that case the Court stated:

"Broad as it is, the power is not, however, without limitations. Since Congress may only investigate into those areas in which it may potentially legislate or appropriate, it cannot inquire into matters which are within the exclusive province of one or the other branch of the Government. Lacking the judicial power given to the judiciary, it cannot inquire into matters that are exclusively the concern of the judiciary. Neither can it supplant the Executive in what exclusively belongs to the Executive. And the Congress, in common with all branches of the Government, must exercise its powers subject to the limitations placed by the Constitution on governmental action, more particularly in the context of this case the relevant limitations of the Bill of Rights."[2]

In the leading case of *McGrain* v. *Daugherty* (273 U.S. 135 (1927)), as in later decisions, the Court recognized that a witness has a right to refuse to answer when an investigation exceeds lawful limits. In that case the Court stated:

"We must assume, for present purposes, that neither House will be disposed to exert the power beyond its proper bounds, or without due regard to the rights of witnesses. But if, contrary to this assumption, controlling limitations or restrictions are disregarded, the decisions in *Kilbourn* v. *Thompson* and *Marshall* v. *Gordon* point to admissible measures of relief. And it is a necessary deduction from the decisions in *Kilbourn* v. *Thompson* and *In re Chapman* that a witness rightfully may refuse to answer where the bounds of the power are exceeded or the questions are not pertinent to the matter under inquiry."[3]

Thus to summarize, the committee may not exceed its jurisdiction (it is no argument to say that the House under all of the

[1] In *Watkins* v. *United States* (354 U.S. 178 (1957), at p. 201) the Court stated:

"An essential premise in this situation is that the House or Senate shall have instructed the committee members on what they are to do with the power delegated to them. It is the responsibility of the Congress in the first instance, to insure that compulsory process is used only in furtherance of a legislative purpose. That requires that the instructions to an investigating committee spell out that group's jurisdiction and purpose with sufficient particularity. Those instructions are embodied in the authorizing resolution. That document is the committee's charter."

[2] 360 U.S. at pp. 111, 112.

[3] 273 U.S. at pp. 175, 176.

authority vested by the Constitution may have jurisdiction) and it may not conduct investigations into matters over which it has no authority to recommend legislation.

It also must be remembered that legislatures are ultimate guardians of the liberties of the people in quite as great a degree as the courts. Evidently the committee realized it was traveling too far too fast in this direction since it belatedly recommended withholding the report of the witnesses' alleged contumacious conduct pending the results of an after-the-fact invitation to the two Governors to present their views.

Now that the alleged contumacious conduct has been reported, I urge restraint and a reappraisal of the vital issues of Federal-State relationship before voting to commit the House of Representatives to an uncompromising and, I believe, unsound position.

MINORITY VIEWS OF REPRESENTATIVE JOHN H. RAY

The majority of the Judiciary Committee recommends that contempt citations under title 2, United States Code, section 192, be issued against the chairman, the executive director, and the secretary of the Port of New York Authority. In my opinion the action so recommended by the majority would not only be unprecedented and unwise as a matter of Federal and State relations—it is not sanctioned by law and should and would be held unconstitutional.

The port authority was created by the States of New York and New Jersey pursuant to an agreement or compact authorized by special legislation enacted by each of those States. The compact defined the nature and scope of the powers and duties which the two States desired to grant to and impose upon the port authority. Before the compact could take effect, it was necessary that the States obtain, and they did obtain consent of Congress to the making of the compact (Public Law 17, approved August 23, 1921; Public Law 66, approved July 1, 1922). Since the latter date, the port authority has operated under direct delegations of authority, and only as so authorized, by the Legislatures of New York and New Jersey.

Congress did not create the authority. The powers exercised by the authority were delegated to it by the Legislatures of New York and New Jersey. Congress lacks constitutional authority to alter the terms of the compact between the two contracting States. Congress reserved the right to alter, amend, or repeal the resolution by which it gave consent to the compact. Congress did not have power and it did not attempt to reserve any other right to supervise or to regulate activities of the bistate agency which the two States established.

I repeat Congress only reserved the right to alter, amend, or repeal its resolution consenting to the compact, and that the compact itself can be altered only by the contracting States. Therefore, no valid legislative purpose could be served by the committee subpena involved in this case.

Earlier this year the Judiciary Committee instituted the present investigation. The majority opinion of the committee sets forth accurately the developments in the investigation which resulted in the contempt citations. It is not necessary here to repeat details of that history, but I do wish to emphasize that on the return date specified in the subpena, the three officials of the port authority appeared and delivered to the committee all the minutes, financial reports, audits, and all records authorizing official action. On instructions of the Governors of the States of New York and New Jersey, port authority officials declined to furnish the working papers and other strictly internal studies specified in paragraphs one, two, and three on page 2 of the majority report. I submit such actions by the Governors and by the officials of the port authority are lawful and that the only unlawful action indicated by the record is that of the Judiciary Committee in demanding and now insisting upon the production of the material which was not furnished.

The action recommended by the committee violates the constitutional rights of the States involved and the committee is attempting such action without any semblance of lawful authority.[1]

Mr. CELLER (interrupting the reading of the report). Mr. Speaker, I move that further reading of the report be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CELLER. Mr. Speaker, I offer a privileged resolution (H. Res. 608) concerning the contumacious conduct of Joseph G. Carty and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on the Judiciary as to the contumacious conduct of Joseph G. Carty in failing and refusing to furnish certain documents in compliance with a subpena duces tecum of a duly constituted subcommittee of said committee served upon him and as ordered by the subcommittee, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States attorney for the District of Columbia, to the end that Joseph G. Carty may be proceeded against in the manner and form provided by law.

Mr. CELLER. Mr. Speaker, I move the previous question.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman withhold that for a moment and yield to me for a question?

Mr. CELLER. I yield to the gentleman.

Mr. HOFFMAN of Michigan. Does the gentleman want to shut off debate?

Mr. CELLER. We had debate for 2 hours on the other citation, which was similar to this.

Mr. HOFFMAN of Michigan. Some of us are so dumb we did not learn anything.

Mr. CELLER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to extend their remarks on the three citations just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. STRATTON. Mr. Speaker, after careful study of the issues I find it impossible, as a Representative from the State of New York, to support the committee's action in recommending criminal contempt citations for officials of the New York Port Authority who have acted under direct orders from Governor Rockefeller and Governor Meyner, and am therefore voting against all three contempt resolutions.

While I am as jealous as any other Member of the House of the prerogatives and responsibilities of the Congress of the United States, I just do not like the way in which this matter is being handled nor am I convinced that it is anywhere near as urgent as the committee has suggested. Indeed, I am not at all convinced that an exhaustive effort has been made to find other alternatives to obtaining the information desired by the committee.

After studying all the available information, it is apparent that the scope of congressional authority in dealing with the port authority is subject at the very least to some question.

I believe it is improper, unseemly, and unnecessary under such circumstances to try to resolve a constitutional question as complex as this in this way and by resort to criminal action. Surely there is some better way to resolve this issue in a satisfactory and dignified fashion than by voting hastily, in the closing days of this session, to issue criminal contempt citations for distinguished public servants.

Mr. BROOKS of Louisiana. Mr. Speaker, we have just disposed of the resolutions coming from the House Judiciary Committee directed against officials of the New York Port Authority, citing them for contempt of the House of Representatives. I have listened to all the debates on these resolutions, and I am opposed to them. I present herewith a telegram from the Governor of Louisiana, the Honorable Jimmie H. Davis, and a telegram from the mayor of New Orleans, Hon. DeLesseps S. Morrison. I have many other telegrams and letters opposing these resolutions.

BATON ROUGE, LA., *August 8, 1960.*
HON. OVERTON BROOKS,
House of Representatives,
Washington, D.C.:

Please consider supporting the New York and New Jersey opposition to the right of the Celler committee to cite officers of the Port of New York Authority for contempt.

JIMMIE H. DAVIS,
Governor of Louisiana.

NEW ORLEANS, LA., *August 20, 1960.*
HON. OVERTON BROOKS,
House Office Building,
Washington, D.C.:

If resolution of House Judiciary Committee is brought to House floor for contempt citation against New York Port Authority officials wish to urge you vote against their resolution. State and municipal officials throughout Nation are deeply concerned that such action would represent additional encroachment by Federal Government against principle of States rights into areas of State and local jurisdiction. We believe such a contempt citation against New York Port Authority officials would set a bad precedent which could be used to subject State and municipal agencies throughout Nation to create Federal control. Because of your interest in the principle of States rights I strongly urge that when and if this matter comes before you that you not vote in favor

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[1] The cases in point: *Graves* v. *New York ex rel O'Keefe*, 306 U.S. 466, 484 (1938); *Commissioner of Internal Revenue* v. *Shamberg's Estate*, 144 F. 2d 998, cert. den. 32 U.S. 792 (1944).

of proposal to assert congressional authority to investigate and control internal affairs of State and local agencies which would contravene the basic sovereignty of States. Believe it is particularly important that Representatives from the Southern States not take action which might be used in other areas as a precedent to consider State and municipal agencies as subject to Federal jurisdiction in matters which are basically local in nature. Your thoughtful and serious consideration of this request and viewpoint will be most appreciated if this subject should be presented for action on the House floor.

Sincerely,

DELESSEPS S. MORRISON,
Mayor.

Mr. Speaker, at this very hour in the State of Louisiana, the United States is seeking to further encroach upon the remnants of the last vested authority of our State. Under authority of an act of this Congress, a subpena to appear in court has been issued directed to the Governor of the State of Louisiana to require his presence before a Federal court of three judges. Marshals have visited the State capitol, the Governor's mansion at Baton Rouge, La., and other places where the Governor frequents, seeking to serve him with Federal citations. Other methods are being used to require the Governor to come into court and to submit to a Federal jurisdiction. Other means are being used by Federal lifetime-appointed judges to subordinate the high position of the Governor of the sovereign State to that of lower Federal courts and of a Federal authority. Such actions constitute travesties in the operations of a democratic government. They are reprehensible. The power and dignity of the several States have sunk to an alltime low. The United States is continually extending and broadening its powers and its authorities by use of legislative encroachments, edicts and fiats of the executive branch of Government, and citations of the Federal courts—all constituting a general plan and scheme and diabolical effort to do away completely with the sovereignty of the several States.

I earnestly feel the importance of the vote which I cast today against this citation. I hope that my people will see and construe this vote as a further determined effort to in some way halt the steady and apparently inexorable and constant encroachment of the United States on the authority of the several States.

Mrs. GREEN of Oregon. Mr. Speaker, many very responsible leaders in my State of Oregon have expressed their opposition to House Resolution 615.

I include their letters and telegrams in the RECORD at this point. Also, I include the resolutions adopted by the Oregon State Port Authorities Association and the port of Astoria at this point in the RECORD:

OREGON STATE PUBLIC
PORT AUTHORITIES ASSOCIATION,
Portland, Oreg., August 10, 1960.

Hon. EDITH GREEN,
U.S. Representative,
House Office Building,
Washington, D.C.:

The membership of this association is alarmed over the action of the House Judiciary Committee in connection with the investigation of the Port of New York Authority and at its last membership meeting in Seattle, Wash., held in conjunction with the Northwest Rivers and Harbors Congress on July 29, 1960, adopted the following resolution:

"*Be it resolved,* That in the current investigation of the Port of New York Authority by the Judiciary Committee of the House of Representatives, U.S. Congress, the Oregon Public Port Authorities Association is gravely concerned over certain aspects of the brief filed by its chairman, Representative EMANUEL CELLER. These aspects are those in which he attempts to justify and establish direct Federal control over the New York-New Jersey bi-State authority on the grounds that the port authority—

"(a) Has been created by Congress, and therefore it has an asserted right to exercise surveillance over its day-to-day affairs.

"(b) Is engaged in interstate commerce and enhances the national defense; be it further

"*Resolved,* That the Oregon State Public Port Authorities Association express its concern that if Representative CELLER'S views prevail, it will lead to the supplanting of Federal control for municipal and/or State control of public port bodies; be it further

"*Resolved,* That the secretary of the Oregon State Public Port Authorities Association is hereby instructed to immediately and most emphatically place these views before all members of the Oregon House delegation, and to ask them to do all in their power to prevent any action that would lead to such Federal control."

I have been asked to emphasize that the ports of this State treat this as a particularly serious matter inasmuch as such procedures could involve, under the interstate commerce and defense aspects, their own right of self-administration under State authority, and they regard Federal intervention of their affairs as unwarranted as well as unnecessary.

It is hoped that you will use your good office to carry out the intentions as expressed in the above resolution by the members of the ports of your State. Thanking you for your consideration of this request, I remain,

Yours very truly,

THOMAS J. WHITE,
Secretary.

SALEM, OREG., *August 9, 1960.*

Hon. EDITH GREEN,
U.S. Representative,
House Office Building,
Washington, D.C.

May I respectfully direct your attention to House Joint Resolution 615. It is my hope you will do all you can to defeat the contempt proceedings recommended to the House by the Judiciary Committee. I feel this is an area where we as representatives of the State of Oregon must take a firm united stand to protect the rights and future of our State.

MARK O. HATFIELD,
Governor of Oregon.

PORTLAND, OREG., *July 25, 1960.*

Hon. EDITH GREEN,
Member of Congress,
Portland, Oreg.

DEAR MRS. GREEN: My understanding of House Joint Resolution 615 is an attempt to extend Federal control further into State and local affairs in relation to interstate compacts and will become just one more restriction on the action of State and local units of government.

I am sure that you know all the ramifications which have brought about the introduction of this proposed House Joint Resolution 615, but I wanted to add my individual feelings for what they are worth.

Situated as we are, with the Columbia River between our State and the State of Washington, we can expect greater cooperation between the States by means of interstate compacts and it does not seem logical to place any more restrictions on such cooperation than is absolutely necessary.

Many people believe that States rights and home rule are fundamental parts of our government. They feel that any encroachment on these principles may lead to a disastrous breakdown of our State and local governments.

Sincerely yours,

ORMOND R. BEAN,
Commissioner of Finance.

STATE OF OREGON,
Salem, August 5, 1960.

Hon. EDITH GREEN,
House of Representatives,
House Office Building,
Washington, D.C.

DEAR MRS. GREEN: We have been informed through the Commission on Interstate Cooperation that the House Judiciary Committee is attempting to secure citations for contempt of Congress against three officials of the New York Port Authority who, on instructions of their Governor, refused to turn over papers relating to internal administration of their agency.

As chairman of the Oregon Commission on Interstate Cooperation I am respectfully requesting members of our congressional delegation to investigate this matter prior to taking action in the House of Representatives.

The matter arose when the House Judiciary Committee demanded that all records of the New York Port Authority between 1946 and 1960, regardless of pertinence or subject matter, be turned over for its investigation. The officials of the agency referred the demand to the Governors of New York and New Jersey for instruction. Both Governors issued instructions not to comply with the congressional committee's order.

The House Judiciary Committee is now prepared to request citations for contempt of Congress against the executive director, the secretary and the unpaid chairman of the New York Port Authority.

We in Oregon do not have firsthand knowledge of this matter. However, the National Association of Attorneys General and the Governors' conference have both expressed serious concern over this threat to interstate compacts as effective instrumentalities of sovereign States. The former group, in particular, has made available the results of its extensive analysis in printed form.

Personally, I do not feel adequately prepared to take a categorical position on this matter. However, I am thoroughly convinced that any precipitate action to approve a proposal to cite the three persons in question could be extremely dangerous.

Therefore, I am requesting that you as a Member of Congress examine this matter thoroughly before casting your vote.

Sincerely,

FREEMAN HOLMER,
Chairman, Commission on Interstate Cooperation.

COOS BAY, OREG., *August 15, 1960.*

Re House Joint Resolution 615.

Hon. EDITH GREEN,
U.S. Representative,
House Office Building,
Washington, D.C.

DEAR MRS. GREEN: We wish to call your attention to the matter of the current investigation of the New York Port Authority by the House Judiciary Committee, U.S. Congress, and certain aspects of the brief filed by its chairman, Representative EMANUEL CELLER.

The commissioners of the Port of Coos Bay are gravely concerned that if Representative CELLER succeeds in his attempt to establish direct Federal control over the New York-New Jersey bistate authority, it will eventually lead to the supplanting of Federal control for municipal and/or State control of public port bodies.

We respectfully request your cooperation in opposing the encroachment into the affairs of State agencies by the House Judiciary Committee, and sincerely hope you will lend every effort in support of our stand that such Federal intervention is both unwarranted and unnecessary.

Yours very truly,

PORT OF COOS BAY.
CHARLES W. MAHAFFY,
President.

THE PORT OF ASTORIA,
Astoria, Oreg., August 10, 1960.

Congresswoman EDITH GREEN,
House Office Building,
Washington, D.C.

DEAR MRS. GREEN: The Port of Astoria is very deeply perturbed over the implications contained in House Joint Resolution 615. This resolution is, in our opinion, an infringement upon the sovereign rights of State and local governments.

Attached is a copy of the resolution adopted by the board of commissioners of the Port of Astoria opposing this or any similar resolution or bill.

We respectfully request your support in opposing the resolution as being necessary to safeguard any local, State or Federal interest. We feel that the States of Oregon and Washington will grow so as to require the need for bistate port authorities on the Columbia River and the passage of such a resolution would become a deterrent to the establishment of such compacts.

With kindest regards.

Sincerely,

R. J. BETTENDORF,
Manager.

RESOLUTION OPPOSING FEDERAL INTERFERENCE WITH ESTABLISHED INTERSTATE COMPACT AGENCIES

Whereas the interstate compact has provided a means whereby two or more States may cooperate in the solution of common State problems across State lines; and joint action by groups of States through agencies of their own creation under such compacts and under their own direction and control have effectively contributed to improved government and services to the peoples of their respective States; and

Whereas the interstate compact offers even greater opportunity for resolution of common State and local problems by two or more States; and such joint action by the States frequently enables their people to resolve many common State and local problems without transfer of authority and centralization of control over such matters to the Federal Government; and

Whereas the continued vigor of our federal system of government depends upon the observance of the constitutional principles, proprieties and restraints by both the Federal Government and the States: Now, therefore, be it

Resolved, That the port of Astoria, at a regular meeting of its board of commissioners held in the office of the port on August 9, 1960, views with concern recent efforts to assert Federal jurisdiction and control over the operations and internal administration of State agencies created pursuant to interstate compacts; and be it further

Resolved, That the port of Astoria herewith records its opposition to the proposed House Joint Resolution 615 and any similar bill or resolution which would require prior congressional approval before State legislation authorizing State activities under the terms of compacts already approved by Congress could become effective; and be it further

Resolved, That copies of this resolution be forwarded to each member of the Oregon congressional delegation.

Mr. JOHANSEN. Mr. Speaker, I support the majority view of the Committee on the Judiciary and I offer these observations on the issue.

It is acknowledged even by those who oppose the contempt citations that the Congress has reserved to itself the right "to alter, amend, or repeal" the 1921 resolution of consent to the compact.

I regard both this reservation and the basic constitutional requirement of congressional assent to such a compact as clearly establishing that this was—and continues to be—a proper and legitimate field of legislation by the Congress.

I believe that it is a fundamental proposition that where Congress may legislate, Congress may investigate, and I believe this proposition carries with it the subpena powers necessary for such investigation.

For these reasons I am unable to accept the argument that the Port of New York Authority is strictly a State or bistate agency and therefore exempt from such congressional interest and processes.

Frankly I am both amazed and amused at some of the belated converts to the principles of States' rights and sovereignty and at some of the tardy opponents of alleged Federal intrusion..

Particularly I am struck by the protest of Governor Williams, of Michigan that the Judiciary Committee's position and recommendation, if accepted by this House, will invite Federal surveillance of gubernatorial appointments and State agencies upon the slightest pretext.

In such matters as Federal aid to education; the doctrine of Federal preemption; extension of minimum wage legislation to intrastate and industry; Federal policing and intervention in elections, including those of a purely local character; supervision by the Federal judiciary of school integration programs and timetables, and proposed Federal abolition of literacy tests for voters—all of which, I am sure, have the hearty endorsement of the Governor of Michigan—is it to be suggested that there will not be Federal surveillance of State agencies and officials?

Yet here, in an area in which the Constitution specifically provides a legislative role for the Congress—both at the inception of a compact between States and subsequently in terms of the authority to alter, amend, or repeal—the issue of Federal invasion of State rights and jurisdiction is being frantically pressed.

I note particularly the appeals by Representatives of New York and New Jersey for mutual forebearance as between the States and the Federal Government. I note the eloquent arguments for preserving the delicate balance between these two levels of government.

On March 21 of this year I pleaded on this floor, during debate on the civil rights bills, for maintenance of the delicate balance between the 10th and 15th amendments to the Constitution.

I argued that "there are values represented by both the 10th and the 15th amendments, neither of which must be sacrificed or eliminated for the benefit of the other."

My concern on this score evoked no similar interest or support from the sources which now plead for a delicate balance and the avoidance of a test of power between the Federal and State governments.

One final comment: Denial of the right of congressional investigation in the instant matter is a two-edged sword. If Congress has the right to repeal its resolution of consent and so abolish the Port of New York Authority—but has no authority to take all necessary steps to investigate the facts, including the right of subpena—then the Congress can and indeed must exercise that power of legislative decision blindfolded. I believe the rights and interests of this authority, quite as much as the rights and interests of those who may register complaints against the authority, are safeguarded by an affirmation of the right of the Congress to investigate and to employ the subpena power as part of the investigative process.

Let us keep this fact in mind as we face the present challenge to the authority of this House.

Mr. CURTIS of Missouri. Mr. Speaker, under the privilege to revise and extend my remarks I want to say a few words about the procedures under which we are considering House Resolution 606, a contempt citation against Austin J. Tobin, House Resolution 607, a contempt citation against S. Sloan Colt, and House Resolution 608, a contempt citation against Joseph G. Carty.

By unanimous consent these three companion resolutions were agreed to be considered by the House with the time allotted on the first citation be extended for 1 hour and that the time on the other two citations be reduced to one-half hour each, so that there will be only 3 hours of debate in all, which would be the time ordinarily taken; that the time be equally divided and controlled by the gentleman from Ohio [Mr. MCCULLOCH] and the gentleman from New York [Mr. CELLER].

Through an error the Speaker recognized the gentleman from New York for 1 hour and the gentleman from Ohio for 1 hour instead of one hour and a half for each as per the unanimous consent agreement.

The gentleman from New York [Mr. CELLER] of course is the chairman of the Judiciary Committee which is returning the citation for contempt and the contempt complained of was against a subcommittee of the Judiciary Committee. The gentleman from Ohio [Mr. MCCULLOCH] is the ranking minority member of the Judiciary Committee.

Both gentlemen are supporting the contempt citation. Under the rules of the House as they are presently set up time can be allotted according to political parties instead of to those who support the privileged resolutions and to those who oppose the privileged resolutions or there can be no allotment at all depending upon the discretion of the member who originally has the time. In other words an objection to the unanimous-consent request would have done

nothing to correct this inequity of having all the time for debate under the control of one side of the question at issue and no time for debate under the control of the other side of the question at issue.

This same rule prevails over other matters which come onto the floor of the House under what is called the hour rule. Apparently, there is no provision under the hour rule as there is under a motion to suspend the rules whereby one who is opposing the matter under consideration can demand half the time available for debate and gain it in competition with a member of the committee or otherwise who is not in opposition.

I am convinced this is a serious flaw in our rules. It cannot possibly be conducive to good debate. I will move to correct it if I am a Member of the next Congress.

The situation in regard to these three contempt citations brings the unwisdom of this procedure to view starkly. Here there is a determined opposition to these three citations for contempt. Minority views have been filed in the committee's reports which preceded the citations. Everyone recognizes that there is an honest and serious difference of opinion on this subject. Everyone realizes that the subject itself is an extremely complicated one. Everyone realizes that the implications of the decision we make on this matter are quite serious. Yet we debate it with the proponents taking over two-thirds of the time and not even granting to the opponents control of what time will be granted to them. They cannot control when they may speak, which ones shall be selected to speak, and how much of the limited time will be granted to each of them to speak. How, indeed, can the opposition effectively present their arguments?

It would be shocking enough if this were done unwittingly, but it passes understanding when we must accept the fact that it has been done deliberately. I personally raised the question of the fairness of this procedure with one of the members who could have corrected it to some degree to no avail. I raised the point after I had heard that the proponents had previously raised the question and had asked for fairness in the procedures under which this serious debate was to be conducted.

One of the Members in addressing himself to the substantive merits of the resolutions stated that the dignity of the House was at stake. My colleagues, I am not so certain about that, but I am certain that the dignity of the House suffers when we follow procedures as unfair as these we are following.

On previous occasions I have addressed myself to the point of the propriety and the interests of good action on the part of the House in permitting the committee against which an action of contempt on the part of an individual, has allegedly been committed preparing the report on the alleged contemptuous action upon which the House will consider the matter. The committee involved is bound to be somewhat subjective in its viewpoint. With this in mind I introduced an amendment to the rules which would require the Judiciary Committee or a subcommittee thereof to consider all questions of contempt citations which the House committees might desire to have the House act upon. I think better wisdom dictates that a special committee be set up on a permanent basis to which all matters of contempt citations be referred. Such an independent committee I am certain can make a more objective and meaningful report to the House upon which the House can act with more assurance that it is doing the right thing than is presently the case. Furthermore, this process I feel would result in some desirable self-discipline on the part of committee members who in their zeal to get at the bottom of an issue sometimes become a bit overbearing in their attitude toward witnesses appearing before them.

I want to make one final comment about the wild charges against lobbying that I have heard uttered. Good lobbying is an essential and good part of representative government. There is, of course, such a thing as bad lobbying techniques. Indeed, it is the bad lobbying techniques that are employed from time to time that bring the entire system of citizens and groups of citizens petitioning the Congress into disrepute. However, it is the bad techniques we should criticize adversely not the system of petitioning the Congress. I heard little about alleged improper techniques on the part of those who were complaining about the actions of the petitioners in this matter. All I heard was the fact that they had vigorously petitioned. I can find no fault in that. Nor can I find any fault in a State agency using tax funds to present the point of view of duly elected or duly appointed State officials on such a vital issue as this which involves the difficult definition of the borderline between State and Federal powers.

I am afraid we have not enhanced the dignity of the House by the procedures we have followed here today or by much of what has been said here today. The dignity of the House and of the Congress is very dear to me, as I am certain it is to all of you. We know that herein rests the living fire of democracy. Changing the rules of the House as I have suggested will I believe enhance the dignity of the House. However, in the long run it is only understanding and self-discipline of our Members, not rules, which build up respect and dignity for our Congress.

Mr. CURTIS of Massachusetts. Mr. Speaker, we are told that the Port of New York Authority has not properly conducted its business. We are told that it has made errors in the awarding of contracts and in other respects. Certainly there should be adequate supervision of this great enterprise, but that is the responsibility of the States of New York and New Jersey. It is not the responsibility of the Federal Government or of the Congress.

The Port of New York Authority is not substantially different in its legal structure from the Massachusetts Port Authority, except that it was organized by two States instead of by one. As in the case of the Massachusetts Port Authority, its functions are State functions. They are State functions performed by an agency of two States instead of by an agency of one State. That fact does not justify a greater exercise of Federal power over it than over the Massachusetts Port Authority.

It is argued that the Federal Government has greater power over the Port of New York Authority because it was formed under an interstate compact which required the consent of Congress in accordance with article I, section 10 of the Constitution, which reads:

> No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war unless actually invaded, or in such imminent danger as will not admit of delay.

This clause of the Constitution does not grant Congress any power of continuous oversight over State agencies formed under an interstate compact to which the Congress has given its assent.

Those who support the Federal investigation, however, rely on the reserved right of Congress to alter, amend or repeal its consent to an interstate compact. It is argued that if the Congress has the right to alter, amend or repeal its consent to a compact, it must necessarily have the right to investigate operations under the compact in order to determine whether it should exercise such right.

This reservation of the right of Congress to alter, amend or repeal its consent is a part of the resolution of Congress granting its consent. If the reserved right of Congress to alter, amend or repeal its consent carries with it the power of continuous supervision over the affairs of State agencies formed under an interstate compact, it greatly broadens the Federal power over such agencies.

But how can this broadening of Federal power be based on a resolution of the Congress? A grant of Federal power cannot be made by Congress, but must have its justification in the Constitution itself.

The words of the Constitution requiring the consent of Congress to an interstate compact cannot be construed as carrying with them the right of Congress to alter, amend or repeal its consent. This additional right would in turn carry with it a grant of Federal power of continuous supervision over agencies formed under a compact.

The above quoted article I, section 10 of the Constitution was clearly not intended to include such a grant of Federal power. To hold otherwise would be to read the article as though it also provided, following the requirement of consent to an interstate compact:

> And the Congress shall have power to alter, amend or repeal its consent and look into the operations of State agencies operating under the compact in order to determine whether such consent should be altered, amended, or repealed.

Had the framers of the Constitution desired to include such a provision they could have done so. And if it is claimed

that these words were included by implication, why is it necessary for the Congress in the resolution granting its consent to include a reservation of its right to alter, amend or repeal its consent?

The Federal power cannot be so broadened by any such implication.

Even if it be conceded that the constitutional requirement of the consent of Congress to interstate compacts gave it some rights to look into the operations under the compact, it is clear that those rights should be regarded as strictly limited. They should be construed as relating to such broad questions as to whether the agency was exceeding the rights which it could properly exercise under the compact.

They should not be construed as vesting in Congress the right to control the internal management or daily affairs of the agency, or to pry into such matters. The Port of New York Authority contends that the documents which it has refused to produce relate only to such matters.

The present controversy arose in connection with airport construction. The Port of New York Authority had occasion to study the need for a new airport in New Jersey. Its activities were preliminary, as it has no power to construct the airport without first submitting the project to the legislatures of the two States and securing legislative enactments authorizing the construction.

As a result of opposition to this project, a question was addressed to a committee of the Congress as to the extent of the powers and jurisdiction of the Port of New York Authority, and the committee undertook an investigation.

It is clear from the record that this investigation was not confined to determining whether the authority was exceeding the rights which it could properly exercise under the compact. The investigation sought in addition to look into detailed operations and internal management of the authority including such matters as the ways in which contracts for supplies had been negotiated and employees had been engaged.

Upon receipt of the demands for the production of this type of material, the Port of New York Authority referred the question to the Governors of the States of New York and New Jersey. After full consideration, the Governors authorized the Port of New York Authority to make available to the committee a mass of material indicating the nature and range of its activities, including the official minutes of the port of authority commissioners, its annual reports, and financial reports, and annual audit reports of independent outside auditors.

The Governors instructed that the materials relating to the internal structure, organization, and administration of this agency of the States were not lawful subjects of the investigation by the committee, and they directed the port authority not to produce such material. Three officers of the port authority refused to produce such material and were found in contempt of the committee, and resolutions citing them for contempt of Congress are now before the House.

I have urged that if the constitutional requirement of consent carried with it any right of Congress to investigate operations under the compact, that right should be regarded as limited to such broad questions as whether the agency was exceeding the rights which it could properly exercise under the compact. If so, a refusal to produce documents bearing only on the internal structure, day-to-day administration, and similar matters relating to this agency, was justified, and the resolutions before the House should be defeated.

Up to this point I have been discussing the constitutional requirement of consent to interstate compacts as justifying an investigation into the affairs of the Port of New York Authority.

Such right of investigation is also sought to be justified by the constitutional power of Congress over interstate commerce. I believe that the commerce power furnishes no such justification.

The power of the Federal Government over interstate commerce is not exclusive. Unless and until the Federal Government has seen fit to provide by legislation for Federal regulation of a State activity affecting interstate commerce—either specifically or under the doctrine of preemption—the power of the State to regulate that activity remains plenary and undisturbed.

The Massachusetts Port Authority and other port authorities deal with matters directly affecting interstate commerce, as does the Port of New York Authority. But we have been told by the gentleman from Louisiana [Mr. WILLIS], that "all other ports in America are the creation of State legislatures and are subject to the exclusive jurisdiction and control of State laws."

They all deal with matters affecting interstate commerce, and when it is a question of the right of Congress under the commerce power and not a question of the right of Congress under the alleged power flowing from its consent to a compact, it is hard to see why the same standards should not be applied to a bistate agency as to the agency of a single State.

It is a common misapprehension to assume that once it appears that a certain activity relates to interstate commerce, that fact justifies every kind of Federal intervention.

One of the acknowledged leaders of the House on constitutional law matters, the gentleman from Louisiana [Mr. WILLIS], does not rely on the commerce power as justifying the investigation of the Port of New York Authority. He justifies it on the power of the Congress to alter, amend or repeal its consent to the compact under which the authority was formed.

But other members, and also the committee report, have relied on the commerce power to justify the investigation. The fallacy of this argument is shown by the fact that practically everything they said regarding the interstate aspects of the activities of the Port of New York Authority would apply equally to the Massachusetts Port Authority which, according to the gentleman from Louisiana [Mr. WILLIS], "under the exclusive jurisdiction of State law."

I stated above that certainly there should be adequate supervision over the activities of the Port of New York Authority, but that was the responsibility of the States of New York and New Jersey, and not of the Federal Government or of the Congress.

It has been suggested that the States of New York and New Jersey lack adequate power to investigate and control the Port of New York Authority. But the record shows that the Governors of New York and New Jersey had very complete control. It shows that the activities of the Port of New York Authority had to be approved in the minutes of the board of the authority, and that the Governors of New York and New Jersey each had the right of veto over such minutes, and thus over the activities of the authority.

The proper forum for complaints about the operations of the Port of New York Authority was before the Governors or legislatures of these two States, not before the Federal Government or the Congress.

The States of New York and New Jersey have ample power to investigate the activities of the board, and no investigation by the Congress of the internal management and day-to-day activities of the Port of New York Authority is justified. Nor is the demand by the Congress for production of documents bearing on such matters proper, and the citations for contempt now before the House should be defeated.

PROCEEDINGS AGAINST JOSE ENAMORADO CUESTA

Mr. TUCK. Mr. Speaker, by direction of the Committee on Un-American Activities and at the request of the chairman, I offer a privileged report (Rept. No. 2122), from the Committee on Un-American Activities.

The Clerk read the report as follows:

PROCEEDINGS AGAINST JOSE ENAMORADO CUESTA

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, caused to be issued a subpena to Jose Enamorado Cuesta. The said subpena directed Jose Enamorado Cuesta to be and appear before said Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which Hon. FRANCIS E. WALTER is chairman, in U.S. courtroom, U.S. Courthouse and Post Office Building, San Juan, Puerto Rico, on Wednesday, November 18, 1959, at 10 o'clock, a.m., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena served upon said Jose Enamorado Cuesta is set forth in words and figures as follows:

"UNITED STATES OF AMERICA,
"CONGRESS OF THE UNITED STATES.

"To: JOSE ENAMORADO CUESTA, Greeting:

"Pursuant to lawful authority, you are hereby commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the

United States, or a duly appointed subcommittee thereof, on Wednesday, November 18, 1959, at 10 o'clock, a.m., at U.S. courtroom, U.S. Courthouse and Post Office Building, San Juan, Puerto Rico, then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To U.S. marshal, to serve and return.

"Given under my hand this 14th day of October, in the year of our Lord, 1959.

"FRANCIS E. WALTER,
"Chairman."

The said subpena was duly served as appears by the return made thereon by the U.S. marshal, who was duly authorized to serve the said subpena. The return of the service by the said U.S. marshal being endorsed thereon, is set forth in words and figures as follows:

"Subpena for Jose Enamorado Cuesta, before the Committee on the 18th day of November, 1959, at 10:00 a.m. (Wednesday).

"I made service of the within subpena by handling to and leaving original subpena with the within-named Jose Enamorado Cuesta personally at Ward Camarones, Guaynabo, Puerto Rico, at 6:15 p.m., on the 22d day of October, 1959.

"Dated October 23, 1959.

"SANTOS BUXO, Jr.,
"U.S. Marshal.
"DIEGO L. MARTIN, Jr.,
"Deputy."

The said Jose Enamorado Cuesta, pursuant to said subpena, and in compliance therewith, appeared before the said subcommittee on November 18, 1959, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress. The said Jose Enamorado Cuesta having appeared as a witness and having been asked the questions, namely:

"Are you now, this minute, a member of the Communist Party?

"Mr. Witness, I am going to request the interpreter or translator to read an article from a recent issue, October 1959 issue, of a Communist publication published here on the island of Puerto Rico. This publication is entitled "Pueblo." I am going to ask the interpreter to read one little article running about the equivalent of a normal half page.

* * * * *

"'Jose Enamorado Cuesta, 68 years old, is known in Puerto Rico and in the world because of his literary works as a writer, a poet and a newspaperman, because of his selfless patriotic struggle of 17 years in his newspaper Puerto Rico Libre'—

"Which means Free Puerto Rico—

because of his untiring struggle for the independence of Puerto Rico, for social justice and world peace, for which reasons he has been unjustly persecuted and jailed.

"'Enamorado is a veteran of the anti-Fascist war which the Spanish people waged in defense of the Spanish Republic. He has always been an admirer and defender of the struggles of liberty of the colonial peoples and those who are in a semicolonial status of democracy for the great working masses of Soviet power and of socialism.

"'For a long time he played an outstanding part in the ranks of the Puerto Rican Nationalist Party in Puerto Rico and abroad. His ideological preparation befits that of a national revolutionary patriot who is honest. His past ideological instability has given rise to the fact that some of his friends pointed out that he was a nationalist, others as a Communist, and others as an anarchist.

"'In spite of these concepts, all of these people will esteem him, respect him and express toward him some sort of solidarity. This is the Enamorado Cuesta who deserves this resolution to admit him into the ranks of the Puerto Rican Communist Party.

"'In making his request for admission, Enamorado Cuesta has expressed a great desire to better assimilate the Marxist-Leninist theory in order to more effectively serve the working class in its struggle for the independence of Puerto Rico, for the highest standard of living of the great working masses for world peace, and for the eventual establishment of a Socialist system in our country which will guarantee the broadest democracy and prosperity to the Puerto Rican people.

"'He accepted with pleasure the constructive criticisms made by some comrades. In his self-criticism, he pointed out the origins of his ideological preparation, his effort to become a Marxist and a member of the party, and the desire to make further political progress.

"'In admitting Enamorado Cuesta to the ranks of the Puerto Rican Communist Party, all of its members congratulate him warmly and at the same time feel great joy because of having among their ranks such an outstanding intellectual.

"'The entrance of Jose Enamorado Cuesta to our party should stimulate the entrance to our ranks of other honest Puerto Rican patriots who occasionally assume Marxist positions but who have stayed outside of the party.

"'San Juan, P.R., October 16, 1959, Puerto Rican Communist Party.

"'JUAN SANTOS RIVERA,
"'President.'

"Mr. Witness, I am going to lay before you, as I promised to do, the original document from which the interpreter just translated into English from this Communist publication, Pueblo, October 1959.

"Please, in your own tongue, Spanish, read this publication and tell us whether or not the facts recited there respecting your membership in the Communist Party are true and correct.

"Did you make known to your fellow demonstrators that your participation, at least in that demontration [picketing line in San Juan on Nov. 18, 1959, was a member of that conspiratorial organization known as the Communist Party?

"Now I lay before you, Mr. Witness, a document [diary] which has been identified by the U.S. Customs Inspector a few moments ago as a document intercepted by him from you a few months ago when you were arriving here at San Juan with a number of documents.

"Please look at this document and tell this committee whether or not the testimony of the inspector identifying this document is true and correct."

which questions were pertinent to the subject under inquiry, refused to answer said questions, and as a result of said Jose Enamorado Cuesta's refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon said Jose Enamorado Cuesta.

The record of the proceedings before the subcommittee on November 18, 1959, during which the said Jose Enamorado Cuesta refused to answer the aforesaid questions, pertinent to the subject under inquiry, is set forth in fact as follows:

"WEDNESDAY, NOVEMBER 18, 1959

"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
"San Juan, P.R.

"Public hearings

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m. in the U.S. Courthouse, San Juan, Puerto Rico, Hon. WILLIAM M. TUCK (chairman of the subcommittee) presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; and Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

"Counsel, let there be incorporated in the body of the record the resolution of the Committee on Un-American Activities authorizing and directing the holding of the instant hearings in San Juan.

"(The resolution referred to follows:)

"'*Be it resolved,* that hearings by the Committee on Un-American Activities or a subcommittee thereof, to be held in Puerto Rico, in New York City, and elsewhere as the Chairman may direct, on such date or dates as the Chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following matters and having the legislative purposes indicated:

"'1. Entry and dissemination in Puerto Rico of foreign Communist Party propaganda, the legislative purpose being to determine the necessity for, and advisability of amendments to the Foreign Agents Registration Act designed more effectively to counteract the Communist schemes and devices now used in avoiding the prohibitions of the Act.

"'2. Receipt of information relating to persons engaged in foreign travel, the legislative purpose being:

"'(a) Committee consideration of amendments to Sec. 215 of the Immigration and Nationality Act as contained in Title IX—Immigration and Passport Security—of H.R. 2232, introduced on January 12, 1959, and referred by the House of Representatives to the Committee on Un-American Activities;

"'(b) Consideration of legislative recommendations expressing the will and intent of Congress spelled out in direct and positive form, granting authority to the Secretary of State to issue, withhold, or limit passports for international travel of adherents to the Communist Party, and the granting of specific statutory authority, to the Secretary of State to issue substantive regulations in the passport field, as set forth in the annual reports of the Committee on Un-American Activities for the years 1956–1958.

"'3. The extent, character and objects of Communist infiltration and Communist Party propaganda activities in Puerto Rico, the legislative purpose being to add to the Committee's overall knowledge on the subject so that the Congress may be kept informed and thus prepared to enact remedial legislation in the national defense and for internal security.

"'4. The execution by the administrative agencies concerned of all laws and regulations relating to the Internal Security Act, the Communist Control Act, the Foreign Agents Registration Act, Passport Regulations, and all other laws, the subject matter of which is within the jurisdiction of the Committee, the legislative purpose being to exercise continuous watchfulness over the execution of these laws to assist the Congress in appraising their administration, and in developing such amendments or related legislation as it may deem necessary.

"'5. Any other matter within the jurisdiction of the committee which it, or any subcommittee hereof appointed to conduct these hearings may designate.'

"Mr. TUCK. Let there likewise be incorporated in the body of the record the order of appointment of the subcommittee to conduct the hearings, the order of Chairman WALTER.

"(The order referred to follows:)

"OCTOBER 6, 1959.

"To Mr. Richard Arens, staff director, House Committee on Un-American Activities.

"Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representative WILLIAM M. TUCK, as chairman, and Representatives MORGAN M. MOULDER and GORDON H. SCHERER as associate members, to conduct hearings in New York, N.Y., Monday and Tuesday, November 16 and 17, 1959, at 10 a.m., and in San Juan, Puerto Rico, Wednesday, Thursday, and Firday, November 18, 19, and 20, 1959, at 10 a.m., on subjects under investigation by the committee and take such testimony on said days or succeeding days as it may deem necessary.

"Please make this action a matter of committee record.

"If any members indicates his inability to serve, please notify me.

"Given under my hand this 6th day of October 1959.

"FRANCIS E. WALTER,
"Chairman, Committee on Un-American Activities.

"Mr. TUCK. The hearings which began today in San Juan are in furtherance of the powers and duties of the Committee on Un-American Activities, pursuant to Public Law 601 of the 79th Congress which not only establishes the basic jurisdiction of the committee, but also mandates this committee, along with other standing committees of the Congress, to exercise continuous watchfulness of the execution of any laws the subject matter of which is within the jurisdiction of the committee.

"In response to this power and duty, the Committee on Un-American Activities is continuously in the process of accumulating factual information respecting Communists, the Communist Party, and Communist activities which will enable the committee and the Congress to appraise the administration and operation of the Smith Act, the Internal Security Act of 1950, the Communist Control Act of 1954, and numerous provisions of the Criminal Code relating to espionage, sabotage, and subversion.

"In addition, the committee has before it numerous proposals to strengthen our legislative weapons designed to protect the internal security of this Nation.

"In the course of the last few years, as a result of hearings and investigations, this committee has made over 80 separate recommendations for legislative action. Legislation has been passed by the Congress embracing 35 of the committee recommendations and 26 separate proposals are currently pending in the Congress on subjects covered by other committee recommendations. Moreover, in the course of the last few years numerous recommendations made by the committee for administrative action have been adopted by the executive agencies of the Government.

"This subcommittee of the Committee on Un-American Activities has come to Puerto Rico to discharge a duty imposed by the U.S. Congress, namely, to develop factual information for the Congress in its endeavors to cope with the Communist conspiracy. We come here as friends in an enterprise which ought to be the concern of all freedom-loving people everywhere, irrespective of wherever they may reside.

"From past experience we know that the Communist propagandists will attempt to pervert the purpose of these hearings into an investigation of Puerto Ricans. We are not investigating Puerto Ricans as Puerto Ricans. We are pursuing the trail of the few dangerous Communists who are part and parcel of a world conspiracy which would destroy freedom.

"We do not expect to interrogate here every Communist on the island. We only expect to make a sampling of Communist activity here so that we will be able to know the pattern of the Communist conspiracy's efforts in this area and its connections with the Communist conspiracy on the mainland.

"One of the most insidious aspects of communism is its deceit. It pretends to be the friend of the workingman, but where it has seized power the workingman is crushed under its despotic heel. He finds himself regimented and disciplined. He may find himself in a slave labor camp. It pretends to seek peace and yet it is at war with free people everywhere. Communism masquerades behind a facade of humanitarianism but it has caused more bloodshed and misery than any other force in the history of civilization.

"The strength of the Communist operation in any area is not in proportion to its numbers. A conspiratorial force may actually weaken itself when it increases its size. It takes only one or two holes in a ship to sink it. It, likewise, takes only a few trained, disciplined zealots to undermine and weaken a nation or a free society.

"What are the present strategies and tactics of the Communist operation in this general area? What techniques are the hardcore Communists pursuing in order to avoid detection as they pursue their nefarious work? What are the lines of control and communication between the various Communists' nests here and on the mainland? What loopholes or weaknesses exist in our present security laws? How may those laws be strengthened?

"These questions shall be uppermost in the minds of the committee as we elicit testimony during these hearings.

"May I emphasize that the purpose of the subcommittee here in San Juan is to sample factual material with reference to types and patterns of activity, and not to attempt to exhaust the subject matter. We have not subpenaed witnesses for these hearings merely to put on a show, nor shall we attempt to interrogate in these hearings even a significant percentage of all possible witnesses on whom we have compiled information.

"It is a standing rule of this committee that any person identified as a member of the Communist Party during the course of the committee hearings will be given an early opportunity to appear before this committee, if he so desires, for the purpose of denying or explaining any testimony adversely affecting him, or which he may think adversely affects him.

"It is also the policy of the committee to accord any witnesses the privilege of being represented by counsel; but within the provisions of the rules of this committee, counsel's sole and exclusive prerogative is to advise his client.

"I would remind those present that a disturbance of any kind, or an audible comment during the hearings, will not be permitted. This is a serious proceeding in which we are earnestly trying to discharge an important and arduous duty.

* * * * *

"AFTERNOON SESSION, WEDNESDAY, NOVEMBER 18, 1959

"(The subcommittee reconvened at 2 p.m., Hon. WILLIAM M. TUCK, chairman of the subcommittee, presiding.)

"(Members of the subcommittee present at time of reconvening: Representatives TUCK and SCHERER.)

"Mr. TUCK. The subcommittee will be in order.

"(After hearing the testimony of one other witness, Jose Enamorado Cuesta was called before the committee.)

"Mr. ARENS. The next witness, if you please, sir, will be Jose Enamorado Cuesta.

"Please come forward and remain standing while the chairman administers an oath.

"Mr. TUCK. Would you raise your right hand?

"You do solemnly swear that the testimony you shall give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. ENAMORADO CUESTA. I do.

"Mr. DIAZ GONZALEZ. Mr. Chairman, I respectfully want to convey to you that the witness at this time has informed me that he doesn't have enough of a command of English to understand exactly the nature of the questions.

"Mr. ARENS. We have brought with us an official translator who has been sworn on this record.

"Mr. TUCK. We have an interpreter from the State Department.

"Did I understand that he answered the oath in the affirmative?

"Mr. DIAZ GONZALEZ. Yes, sir.

"Mr. ARENS. Mr. Chairman, I respectfully suggest the interpreter be requested to seat himself near the witness so that he may interpret into Spanish the English questions and into English the Spanish response.

"Mr. DIAZ GONZALEZ. I would respectfully request at this time, if it does not inconvenience the committee, as far as we are concerned it is perfectly all right for the interpreter to remain where he is, and I am sure it will be better because he is half away from you and half away from us, and at the same time it will be much better for us to communicate with the witness.

"Mr. ARENS. That is perfectly all right.

"Now, Mr. Chairman, so that there will be no question of this witness being administered an oath, I respectfully suggest that the chairman cause an oath to be administered to him via the translator who has already been sworn in this record, made in New York City, to truly and correctly make his translations and interpretations.

"Mr. TUCK. Will you raise your right hand?

"You do solemnly swear that the testimony you are about to give in this case will be the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. ENAMORADO CUESTA. All the truth.

"TESTIMONY OF JOSE ENAMORADO CUESTA, ACCOMPANIED BY COUNSEL, ABRAHAM DIAZ GONZALEZ AND GERARDO ORTIZ DEL RIVERO (DONALD F. BARNES, INTERPRETER)

"Mr. ARENS. Please identify yourself by name, occupation, and residence.

"Mr. ENAMORADO CUESTA. I wish to consult my counsel.

"(The witness conferred with his counsel.)

"Mr. SCHERER. Mr. Arens, in what language is this publication that was seized from this witness, that is, the minutes of the meeting?

"Mr. ARENS. In Spanish. We have it translated into English.

"Mr. ENAMORADO CUESTA. My name is Jose. Actually, my surname is Enamorado. My first surname and the maternal surname is Cuesta.

"Mr. ARENS. You are appearing today in response to a subpena which was served upon you by the Committee on Un-American Activities?

"May I interrupt to ask if you are reading from a prepared statement?

"Mr. ENAMORADO CUESTA. No, Senor——

"Mr. SCHERER. Did he say "No, Senior," to Mr. Arens' question?

"Mr. ENAMORADO CUESTA. I have respectfully come here in response to that subpena before this subcommittee, but I would like to say at the outset that I will refuse to answer any and all questions that are posed to me by the members of this committee, because

I believe that this committee has no jurisdiction in Puerto Rico, nor any moral force of any kind.

"Mr. ARENS. Do you understand the English language?

"Mr. ENAMORADO CUESTA. Some.

"I respectfully refuse to answer that question because I refuse to accept the jurisdiction of this committee in Puerto Rico.

"Mr. ARENS. You are represented by counsel in this proceeding?

"Mr. ENAMORADO CUESTA. I respectfully give the same answer as I did in the previous question.

"Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer the question if he is represented by counsel.

"Mr. TUCK. I respectfully order and direct the witness to answer the question. Without making any threat or doing anything to intimidate the witness, I feel it is my duty to warn him that he may find himself involved in a serious criminal matter by reason of his contempt before a committee of the Congress of the United States.

"In respect to the question that he raised regarding jurisdiction, if there is any merit at all to that question it will ultimately, of course, have to be decided by the court. This committee overrules the objection.

"The island of Puerto Rico was ceded to the United States as a result of the war with Spain in 1898. In 1917 by the Jones Act, and incidentally, a Congressman from the Commonwealth of Virginia, from which I come, gave them citizenship, and in 1952, by a unilateral compact and agreement between the United States and Puerto Rico, they became a commonwealth, and received their independence but became a commonwealth, although nevertheless a part of the United States.

"Their Governor attends the Governors' conferences of the United States. The last National Governors' Conference was held here in San Juan in Puerto Rico. This committee has held hearings all over the United States. We held hearings in Hawaii some years ago, and Hawaii occupied a status at that time not dissimilar to the status now occupied by Puerto Rico.

"In the light of those statements, the Chair again orders and directs the witness to answer the question.

"Mr. ENAMORADO CUESTA. I respectfully refuse to answer this question because I maintain and insist that this committee has no jurisdiction to hold this investigation, and this is supported by the statement which I have already handed to the committee in writing.

"Mr. TUCK. Let me interject that the committee does not accept the excuses which he has given. On the contrary, it rejects them. For the reasons heretofore stated by me, I again order and direct the witness to answer the question.

"Mr. ENAMORADO CUESTA. I respectfully insist on my position that the committee has no jurisdiction to hold this investigation for the reason that I have already outlined in the written statement already submitted to the committee.

"Mr. ARENS. Are you now, this minute, a member of the Communist Party?

"Mr. ENAMORADO CUESTA. I respectfully wish to give the same answer that I gave to the previous question.

"Mr. ARENS. Mr. Chairman, I respectfully request the witness now be ordered and directed to answer the question as to whether or not he is now, this minute, a member of the Communist Party.

"Mr. TUCK. The Chair rejects and does not accept the reasons assigned by the witness for not answering that question, and the Chair orders and directs the witness to answer the question.

"The Chair warns the witness that he may find himself involved in serious trouble with the courts and with the Department of Justice of the United States for his failure to answer that question.

"Mr. ENAMORADO CUESTA. With all due respect, Mr. Chairman, my answer to this question is the same as it was to the previous one.

"Mr. ARENS. Mr. Witness, I am going to request the interpreter or translator to read an article from a recent issue, October 1959 issue, of a Communist publication published here on the island of Puerto Rico. This publication is entitled "Pueblo." I am going to ask the interpreter to read one little article running about the equivalent of a normal half page.

"I am going to ask him to translate it from the Spanish in which it appears, into English, and then I am going to lay the Spanish original publication before your eyes for you to read.

"Now, Mr. Interpreter, please read this article beginning as marked in Pueblo of October 1959.

"Mr. BARNES. The magazine is called Pueblo, which is, in English, 'People.' The date it bears is October 1959. The title of the article says "Enamorado Cuesta Becomes a Member of the Communist Party." Then it bears a subtitle, "The entire press of the country has received a copy of this resolution of the Puerto Rican Communist Party. Due to its importance, we published it in its entirety as it has been requested of us."

" 'Jose Enamorado Cuesta, 68 years old, is known in Puerto Rico and in the world because of his literary works as a writer, a poet and a newspaperman, because of his selfless patriotic struggle of 17 years in his newspaper Puerto Rico Libre'—which means Free Puerto Rico—'because of his untiring struggle for the independence of Puerto Rico, for social justice and world peace, for which reasons he has been unjustly persecuted and jailed.

" 'Enamorado is a veteran of the anti-Fascist war which the Spanish people waged in defense of the Spanish Republic. He has always been an admirer and defender of the struggles of liberty of the colonial peoples and those who are in a semicolonial status of democracy for the great working masses of Soviet power and of socialism.

" 'For a long time he played an outstanding part in the ranks of the Puerto Rican Nationalist Party in Puerto Rico and abroad. His ideological preparation befits that of a national revolutionary patriot who is honest. His past ideological instability has given rise to the fact that some of his friends pointed out that he was a nationalist, others as a Communist, and others as an anarchist.

" 'In spite of these concepts, all of these people will esteem him, respect him and express towards him some sort of solidarity. This is the Enamorado Cuesta who deserves this resolution to admit him into the ranks of the Puerto Rican Communist Party.

" 'In making his request for admission, Enamorado Cuesta has expressed a great desire to better assimilate the Marxist-Leninist theory in order to more effectively serve the working class in its struggle for the independence of Puerto Rico, for the highest standard of living of the great working masses for world peace, and for the eventual establishment of a Socialist system in our country which will guarantee the broadest democracy and prosperity to the Puerto Rican people.

" 'He accepted with pleasure the constructive criticisms made by some comrades. In his self-criticism, he pointed out the origins of his ideological preparation, his effort to become a Marxist and a member of the party, and the desire to make further political progress.

" 'In admitting Enamorado Cuesta to the ranks of the Puerto Rican Communist Party, all of its members congratulate him warmly and at the same time feel great joy because of having among their ranks such an outstanding intellectual.

" 'The entrance of Jose Enamorado Cuesta to our party should stimulate the entrance to our ranks of other honest Puerto Rican patriots who occasionally assume Marxist positions but who have stayed outside of the party.

" 'San Juan, P.R., October 16, 1959, Puerto Rican Communist Party.

" 'JUAN SANTOS RIVERA,

" '*President.*'

"Mr. ARENS. Mr. Witness, I am going to lay before you, as I promised to do, the original document from which the interpreter just translated into English from this Communist publication, Pueblo, October 1959.

"Please, in your own tongue, Spanish, read this publication and tell us whether or not the facts recited there respecting your membership in the Communist Party are true and correct.

"Mr. SCHERER. I don't see how he can listen to the translator when he is talking to his counsel.

"Mr. DIAZ GONZALEZ. Would you wait a moment?

"Mr. BARNES. Yes.

"(The witness conferred with his counsel.)

"Mr. DIAZ GONZALEZ. Thank you, sir.

"Mr. ENAMORADO CUESTA. I wish permission to again consult my counsel.

"Mr. ARENS. Certainly, at any time.

"(The witness conferred with his counsel.)

"Mr. ENAMORADO CUESTA. I respectfully insist on the answer I gave to the preceding question.

"Mr. TUCK. The committee again wishes to state that they do not accept, but on the contrary reject, the reasons which he gave for not answering the question, and again orders and directs him to answer that question.

"Mr. ENAMORADO CUESTA. Mr. Chairman, I would like to save time for this committee, and I say this with all due respect and for all of the persons who are present here, and insist on the reply that I gave to the previous question, and also insist, Mr. Chairman, that I will give the same reply to all other questions that are posed to me.

"Mr. ARENS. May it be understood, then, counsel for the witness, that the Chair and the committee insist upon an answer to each of these questions which we are posing to the witness because, in the judgment of the committee, the information is vital for committee purposes in assembling factual information to be used by the committee in its legislative objectives as a committee of the United States Congress.

"Mr. TUCK. The director will proceed to examine the witness.

"Mr. DIAZ GONZALEZ. Excuse me, Mr. Chairman. Am I to understand that that question is addressed to me by counsel for the committee?

"Mr. ARENS. Yes, sir; if you please.

"Mr. DIAZ GONZALEZ. Should I answer his question, Mr. Chairman?

"Mr. TUCK, No. Under the rules of this committee, your sole function as counsel is to advise your client.

"Mr. DIAZ GONZALEZ. Your Honor, I posed the question to you whether I should answer it, because the staff director made it to me and I wanted to know if he had the authority to pose the question to me.

"Mr. ARENS. I will accept the responsibility for that, Mr. Chairman. I may have misled, erroneously, the counsel. The witness, as I understood via the interpreter, was requesting a curtailment of his rather lengthy answer, that he would just say, 'The same answer,' and obviously the necessity for reading this paper before him in response to each question.

"I wanted to be sure that his counsel understood that, and that counsel also understood that the committee was insisting upon

replies to the questions, and that by agreeing to the witness just saying the words 'same answer' rather than reading a lengthy statement, the committee was not in any sense waiving its right to insist upon an answer.

"Mr. DIAZ GONZALEZ. Your Honor, may I at this point convey to the committee that the witness has repeatedly stated respectfully that he declines to answer any question posed by this committee on the grounds that this committee has no jurisdiction to conduct this investigation, as stated, for the reasons which he conveyed to the committee in the statement which has already been filed with the committee.

"The statement by the witness was to the effect that he respectfully wanted to consider your time, and he didn't want the committee to lose time by making him 2, 4, 8, 100 questions, when he has respectfully repeated to the committee——

"Mr. ARENS. We understood that. We want to be certain that the committee is not in a position of agreeing to waive its rights to an answer, because this committee insists upon answers to these questions, and we didn't want the committee to be placed in the position of a waiver.

"Mr. TUCK. This committee is thoroughly accustomed to the objections which the witness and his counsel have raised. They are respectfully overruled. The counsel will proceed to examine the witness.

"Mr. ARENS. Witness, what was your last service for the Communist Party?

"Mr. DIAZ GONZALEZ. Mr. Chairman, if they could translate that for the witness, your last statement, so that he can have the benefit of your statement.

"Mr. TUCK. The interpreter will repeat what I said, in Spanish.

"(The translation was delivered by the interpreter.)

"Mr. ARENS. My question is, Mr. Witness, what was your last service that you have performed for the Communist Party?

"Mr. ENAMORADO CUESTA. I respectfully insist, Mr. Chairman, on my reply to the previous question. It is the same reply.

"Mr. ARENS. I put it to you as a fact, sir, that your last service to the Communist Party occurred in the course of the last few hours, when you were participating in a picket demonstration against the Committee on Un-American Activities here in San Juan.

"Mr. ENAMORADO CUESTA. With all due respect, Mr. Chairman, my reply is the same one I gave to the previous question.

"Mr. ARENS. And you understand, Mr. Witness, that the committee insists in this question, as well as all questions, on its right to an answer?

"Mr. ENAMORADO CUESTA. Mr. Chairman, my reply is the same as the one I gave to the other questions.

"Mr. ARENS. Did you make known to your fellow demonstrators that your participation, at least in that demonstration, was as a member of that conspiratorial organization known as the Communist Party?

"Mr. ENAMORADO CUESTA. With all due respect, Mr. Chairman, my reply is the same as the one I gave to the previous question.

"Mr. ARENS. And I want the witness, if you please, sir, to understand, counsel, that the committee insists upon an answer to that question.

"Mr. DIAZ GONZALEZ. Excuse me?

"Mr. ARENS. I want the witness to please understand that the committee insists upon an answer to that question.

"Mr. TUCK. The Chair orders and directs the witness to answer the question.

"Mr. ENAMORADO CUESTA. Mr. Chairman, with all due respect, I am not going to change my answer to your questions.

"Mr. ARENS. Now I lay before you, Mr. Witness, a document [diary] which has been identified by the U.S. customs inspector a few moments ago as a document intercepted by him from you a few months ago when you were arriving here at San Juan with a number of documents.

"Please look at this document and tell this committee whether or not the testimony of the inspector identifying this document is true and correct.

"Mr. ENAMORADO CUESTA. I give the same reply I gave to the preceding questions, Mr. Chairman.

"Mr. ARENS. Mr. Chairman, I respectfully suggest that the chairman now again order the witness—and direct the witness to answer this question.

"Mr. TUCK. The committee orders and directs the witness to answer this question. The committee does not accept the reasons which he has given for not answering the question. The committee feels it should again warn the witness of the fact that he may find himself in serious difficulties with the Department of Justice of the United States by reason of his failure to answer these questions.

"Mr. ENAMORADO CUESTA. Mr. Chairman, I also respectfully refuse to answer this question because I feel that this committee does not have the jurisdiction to hold this investigation for the reasons that I have already given the committee in a written statement.

"Mr. ARENS. Now, Mr. Witness, I have in my hand an English translation of this diary. I expect to interrogate you with reference to each of several items entered in the diary. It is a diary of J. Enamorado Cuesta, 1959.

"Mr. Witness, on January 1, 1959, in the diary as it is translated, you make reference to a contact which you have with a man by the name of Compostila, who is described by yourself in the diary as one of your comrades in the Spanish war. Based upon that item of information, I now ask you did you participate in the Spanish Civil War?

"Mr. ENAMORADO CUESTA. Respectfully, Mr. Chairman, I refuse to answer this question for the same reasons I gave in refusing to answer the previous question.

"Mr. ARENS. Now, Mr. Interpreter—I respectfully request the chairman, if you please, by the interpreter, to inform the witness, so that there will be no possible slip, of the insistence of the committee on answers to these questions, that the committee insists on an answer to each and every one of these questions.

"We don't want the witness to be in a ludicrous position in reference to every answer of going through a lot of words here. I respectfully suggest that any reasonable person would translate the position of this committee as an insistence for answers on each of the questions we are posing to the witness.

"Mr. TUCK. The Chair wishes to inform the witness that the committee insists upon his giving a direct answer to each and every question that is asked, and whether or not the insistence is made at his failure to reply to any particular question, the position of the committee, nevertheless, is that they insist that he give a true answer to each and every question that may be propounded here.

"Mr. ARENS. Now, Mr. Chairman, I would also like to inform the witness via the interpreter that if in reference to any question which I have posed or intend to pose or do pose to the witness, he is uncertain about the question or if he does not understand its relevancy or pertinency, we will be glad to explain it to him, because assuming that this proceeding finds its way into the courts, we do not want the witness to undertake to put the committee in the position of not making clear the pertinency or relevancy of any particular question.

"Mr. TUCK. The Chair further wants to make certain that the witness understands he may inquire at any time as to the pertinence of any question that may be asked. He is free to confer with his counsel.

"Mr. ENAMORADO CUESTA. I would like to consult with my counsel.

"(The witness conferred with his counsel.)

"Mr. DIAZ GONZALEZ. Mr. Chairman, may I respectfully submit at this time that in consideration of the many duties of this committee and the need which there is to save time for all of us, the committee has made distinctly clear in the record that it poses the witness a number of questions and the witness has repeatedly conveyed to the committee that he respectfully declines to answer the question on the ground that he challenges the jurisdiction of the committee to carry on this investigation.

"The committee has once and again, over and over, conveyed to the witness that he is directed to answer the next question, and the witness has restated time and again that he does not answer the question because it is his position that the committee doesn't have jurisdiction.

"I do believe in due fairness to the committee and in due fairness to everyone concerned that the position has been made clear to the effect that it is just a question of challenging the jurisdiction, and that it will not be possible to elicit any answer from the witness, because he will restate time and again the position which he has made, I think, respectfully, distinctly clear, that he does not believe that this committee has jurisdiction to conduct the investigation.

"Therefore, I respectfully submit that as far as keeping on with the examination is concerned, it would, in a certain way, be a waste of our time because he has respectfully submitted that the committee has no jurisdiction, has no power, within the law, to elicit any answers from him.

"Therefore, in a way, the best thing probably would be to admit that the witness doesn't recognize the jurisdiction of this committee and that, therefore, he refuses, as he has refused in the past, to answer the questions which have been posed to him and any more that may be posed to him, with due respect. That is his position.

"Mr. TUCK. We can well understand the position taken by the witness and by his counsel and the committee has already ruled on that.

"Counsel, proceed.

"Mr. ARENS. Now, Mr. Witness——

"Mr. DIAZ GONZALEZ. May I convey to the witness what has just transpired?

"(The witness conferred with his counsel.)

"Mr. ARENS. Now, Mr. Witness, I direct your attention to two entries in your diary, one on January 3 and the other on January 4, in which you state that a group of Yankee pacifists arrived in San Juan, and that you and Manuel Arroyo called on this group of Yankee pacifists and had certain sessions with them.

"Will you now recount to the committee the facts and circumstances surrounding the session which you and Manuel Arroyo had in January with this group which you have described in the diary as Yankee pacifists, who arrived here in San Juan in January?

"Mr. ENAMORADO CUESTA. With all due respect, Mr. Chairman, my answer is the same one that I gave to the preceding question.

Mr. ARENS. Is Manuel Arroyo in truth and in fact Manuel Arroyo Zeppenfeldt, of the Communist Party of Puerto Rico?

"Mr. DIAZ GONZALEZ. Mr. Chairman, I didn't understand the last——

"Mr. ENAMORADO CUESTA. My reply is the same, Mr. Chairman.

"Mr. ARENS. Now, I invite your attention to an entry in your diary of January 26, 1959, in which you speak of sending an emissary to Havana, Cuba. I ask you now if the emissary who was sent on or about January 26, 1959, from San Juan to Havana, Cuba, was a member of the Communist Party of Puerto Rico, who was sent on a mission of the conspiracy?

"Mr. ENAMORADO CUESTA. The same reply, Mr. Chairman.

"Mr. ARENS. I invite your attention to an entry of February 10, 1959, in your diary, and of March 2, 1959, and of March 17, 1959, in your diary, in which you tell of the solicitation for funds to finance a mission to Stockholm, Sweden.

"Please tell this committee while you are now under oath the facts and circumstances pursuant to which you solicited and collected, according to your diary, several hundred dollars to finance a mission from San Juan, Puerto Rico, to a meeting in Stockholm, Sweden.

"Mr. ENAMORADO CUESTA. Respectfully, Mr. Chairman, my reply is the same.

"Mr. ARENS. Now, I invite your attention to an entry in your diary of April 23, 1959, in which you state that 'We left San Juan on the 20th at noon aboard the *Antilles*, headed for Paris,' and which you follow with a number of items in succeeding days respecting what you are going to do when you arrive in Stockholm.

"Please tell this committee the facts and circumstances, in toto, which are reflected by these item entries in your diary.

"Mr. ENAMORADO CUESTA. With all due respect, Mr. Chairman, I would like to give the same answer.

"Mr. ARENS. Now, I invite your attention to an entry in your diary of April 28, 1959, specifically to this language:

" 'We were sailing all day and arrived at Le Havre at 5 p.m. There, two French comrades were waiting for me at the pier, one of them speaking Spanish very well—as he was born in Spain—by order of the vice president of the Conseil National, Mr. Souccer. I continued my trip to Paris by train and we arrived at 10 p.m. I registered at the Hotel du Casino at 41, ru de Chichi, just a step from the council, by recommendation of my comrade at Le Havre.'

"Please tell this committee while you are under oath the facts and circumstances, and the facts in toto, which are itemized on this entry of your diary for April 1959.

"Mr. ENAMORADO CUESTA. My reply is the same, Mr. Chairman.

"Mr. ARENS. Now, I invite your attention to an entry in your diary of May 1, 1959.

" 'Today was a big day in Paris. The P.C. [Communist Party] held a big mass meeting at the Bourse des Travailleurs [Labor Exchange] and there was an enormous crowd in front of the building on the big square there—* * * Maurice Thorez, the secretary general of the CGT, spoke, who closed the meeting, and two or three other speakers. It ended at 6 p.m. or at 18:00 o'clock as they say here. I was there and said hello to many comrades and bought the newspapers they were selling. I cabled Arroyo today [saying] only "OK."' '

"Please tell this committee whether or not the facts and circumstances recited in this diary are true and correct, and please give the committee, while you are under oath, a complete account of the facts respecting your sojourn in Paris in contact with the Communist conspiracy there.

"Mr. ENAMORADO CUESTA. Mr. Chairman, I respectfully insist on giving the same answer that I gave to the previous question.

"Mr. ARENS. Now, I invite your attention to your diary of May 2, in which you state that:

" 'This morning I called at L'Humanité and gave them my books—* * * also a copy, in Spanish, of my Message to the [Peace] Congress.'

"Please tell the committee while you are under oath the complete facts and circumstances of your call at this Communist entity in Paris.

"Mr. ENAMORADO CUESTA. Mr. Chairman, I respectfully refuse to answer this question for the same reasons that I refused to answer the previous questions.

"Mr. ARENS. Now, in summary, on a number of items, I invite your attention to entries made during the course of the month of May, in which you state that you had now arrived at Stockholm, Sweden, and in which you tell of sessions in which you have been engaged with Chinese, Vietnamese, Latin Americans, and others, and in which you tell in detail of certain sessions in which you participated in a conference there with others.

"Please tell this committee while you are under oath the complete facts and circumstances of these sessions.

"Mr. ENAMORADO CUESTA. I respectfully refuse to answer, Mr. Chairman.

"Mr. ARENS. Now, I invite your attention in all earnestness to an entry made on May 9, 1959, in which you recite, among other things, as follows:

" 'This morning I received a cable from Puerto Rico, announcing a shipment, by registered mail, of a "Single Message" as they said, with vitally important questions which cannot be put off.'

"And on which entry you likewise say—

" 'Today, Vadim Palekovsky, a young man from the Soviet Union and Spanish interpreter, invited me to record a talk by me, for Latin America, over Radio Moscow, which I did with great pleasure, and I sent him the rest on imperialism.'

"While you are under oath, sir, please tell this committee the facts and circumstances of this session, particularly of your session with the man from the Soviet Union and the facts and circumstances of the broadcast which you made to be beamed to Latin America.

"Mr. ENAMORADO CUESTA. I refuse to answer, Mr. Chairman, for the same reasons that I gave in refusing to answer all of the preceding questions.

"Mr. ARENS. Now, I invite your attention to two entries, one made on May 13, and one on May 14, the one of the 13th stating, 'Afterward there was a meeting,' this being in Stockholm, 'of the Latin Americans,' and on May 14th—

" 'I shall go to the U.S.S.R. It seems like a dream. The comrades were very nice. They are paying my expenses from here, their home, to Moscow and back. I will be the first Puerto Rican sent on any mission.'

"Now please tell this committee what mission it was that the comrades were sending you on beginning on May 14.

"Mr. ENAMORADO CUESTA. I respectfully decline to answer, Mr. Chairman, for the same reasons.

"Mr. ARENS. Now, Mr. Witness, if there is one word, one line, one implication, one suggestion, in anything that I have said, as I have commented in interpreting your diary thus far, please deny it now while you are under oath and correct me.

"Mr. ENAMORADO CUESTA. I refuse to answer, Mr. Chairman, for the same reasons for which I refused to answer the preceding question.

"Mr. ARENS. Now, Mr. Witness, I invite your attention to entries in the middle of May, in which you state, going from Stockholm to Helsinki, Finland, that you have gone from there, and you state:

" 'The "Intourist" agent received me, who had wired my departure to Moscow and would not let me pay the fare.'

"And on May 19:

" 'We arrived at Moscow at 1 p.m. I was received by Comrade Alexis Alexandrovich Rabinoskij, in perfect Spanish, who took me to the Hotel Ykpahz and put me in a luxury suite on the ninth floor overlook Moscow.'

"Please tell us the facts and circumstances indicated by these entries in your diary.

"Mr. SCHERER. This happened in May; is that right?

"Mr. ARENS. May 1959; yes, sir.

"Mr. SCHERER. And Khrushchev was here 5 months later, in September.

"Mr. ENAMORADO CUESTA. I refuse to answer this question, Mr. Chairman, for the same reasons I gave in refusing to answer the preceding ones.

"Mr. SCHERER. I want to direct a question to our counsel.

"Mr. Arens, is this witness a citizen of the United States? Does our investigation disclose him to be a citizen of the United States?

"Mr. ARENS. Yes, sir, because as we will hope to show in a few moments, he has attained a United States passport.

"Mr. SCHERER. Let me ask you: What does the Constitution say constitutes treason? Isn't it giving aid and comfort to the enemy in time of war?

"Mr. ARENS. The Constitution describes treason as giving aid and comfort to the enemy in time of war; yes, sir.

"Mr. SCHERER. We are not engaged in an aggressive, shooting war, but certainly we are engaged in a cold war.

"That is nothing to laugh about. This man's loyalty is being purchased with extravagant suites in Moscow by the Soviet Union, by the payment of his expenses, and I don't know how much more money he got. I have no hesitancy in saying what I said. I think his own words out of his own diary indict him.

"Mr. ARENS. Now, Mr. Witness, I invite your attention to a number of entries which I shall try to summarize: the latter part of May, in which you describe in your diary a number of meetings and sessions in which you participated in Moscow, and in which you describe other sessions in which you participated in other cities within the Soviet Union. I specifically invite your attention to an entry which you made in July, July 24, in which you recount receiving money from Puerto Rico, from Manuel, and certain correspondence which you had with him and certain remittances made by him.

"Please tell us the full name of this person in Puerto Rico with the name of Manuel, with whom you had this correspondence while you were in the Soviet empire, and who was making financial remittances to you.

"Mr. ENAMORADO CUESTA. I simply refuse to answer for the same reasons I gave in refusing to answer questions before.

"Mr. ARENS. Mr. Witness, in your diary there is a complete lapse from May 28 until July 12. We observe from the testimony of the U.S. customs inspector that when you returned to the United States you had certain publications which obviously emanated from Red China.

"Without in any sense suggesting that we have concrete information on that, I am asking you whether or not in the period between May 28 and July 12, which is completely without entry in your diary, you traveled from Soviet Russia into Red China. Please answer that question.

"Mr. ENAMORADO CUESTA. Respectfully, Mr. Chairman, I refuse to answer this question for the same reason that I refused to answer the preceding ones.

"Mr. ARENS. Now, Mr. Witness, I am skipping in the diary a number of days, and I am inviting your attention to July 27 and succeeding days, when, according to the diary, you attended—you were again in Paris and attended what you described as a session of the Communist group of the National Assembly in Paris.

"Please tell the committee the entire facts and circumstances surrounding that attendance by yourself of a Communist group in Paris in July of this year.

"Mr. ENAMORADO CUESTA. Mr. Chairman, I respectfully refuse to answer for the same reasons I gave before.

"Mr. ARENS. Now, I respectfully invite your attention to an entry of August 3. I shall read an excerpt from it and try to summarize fairly the remainder. You were then, according to the diary, I should interpose be-

cause I have skipped a number of days, in London. The following appears on August 3:

" 'I called at the offices of the Daily Worker today, where I was very cordially received and where I met C [Comrade] Carritt, foreign editor, who offered me all kinds of cooperation, even financial, which I refused, of course, and made an appointment for me for Wednesday.'

"Please tell the committee the facts and circumstances surrounding your visit to the office of the Communist Daily Worker of London on August 3 of this year.

"Mr. ENAMORADO CUESTA. Mr. Chairman, I respectfully refuse to answer for the same reasons given before.

"Mr. ARENS. Now, I invite your attention to an entry of August 5, 1959:

" 'I wrote an article for the Daily Worker, which Carritt had requested, on Puerto Rico, the Caribbean, and Latin America.'

"Can't you tell us about that article that you wrote for this Communist publication? Tell us whether or not that article was in behalf of freedom or in behalf of the Communist conspiracy.

"Mr. ENAMORADO CUESTA. I respectfully, Mr. Chairman, refuse to answer for the same reasons that I refused to answer the previous questions.

"Mr. ARENS. I invite your attention to an item of August 6, 1959, and an item of August 7, 1959. In the first of which you speak of sending articles to Moscow, sending articles to the Worker in New York, and in which you speak, while you are in London, of a visit of a member of a commission from Japan.

"Please tell the committee the entire facts and circumstances surrounding this itemized entry.

"Mr. ENAMORADO CUESTA. I respectfully refuse to answer, Mr. Chairman.

"Mr. ARENS. Now I invite your attention to remaining articles during the month of August in which you speak of a session with a Comrade Jean Cockburn, a comrade whom you describe as a comrade from Spain, and in which you describe sessions with certain youth who had been in attendance at the Communist Youth Festival in Vienna.

"I ask you now to tell this committee the entire facts and circumstances surrounding those various conferences and sessions.

"Mr. ENAMORADO CUESTA. I respectfully refuse to answer, Mr. Chairman, for the same reasons I have given before.

"(Document marked 'Enamorado Cuesta Exhibit No. 1' and retained in committee files.)

"Mr. ARENS. Now, Mr. Witness, I am going to interrogate you with respect to an item which this committee deems to be of deadly importance to the free world. It is a transcript [of the minutes] of the founding meeting of the Soviet Association of Friendship and Cultural Cooperation With the Countries of Latin America.

"The translation from which I shall be interrogating you is a translation of the document which was identified earlier today by an agent of the U.S. Customs Service as one of the documents which was taken from yourself as you arrived from abroad some few months ago seeking admission to Puerto Rico again.

"Mr. SCHERER. Mr. Chairman, may I ask this question of our counsel:

"Is this the document to which we referred before as the minutes of this organizational meeting?

"Mr. ARENS. Yes, sir. I propose to interrogate the witness on the basis of a translation of the minutes of the meeting held in Moscow in 1959, which minutes in the original Spanish language were seized from the custody of this witness when he sought entry with them into Puerto Rico some few months ago.

"Mr. SCHERER. The original minutes seized, were they in typewriting or in handwriting?

"Mr. ARENS. The original minutes are right here in Spanish.

"Mr. SCHERER. In typewriting or handwriting? Was the diary in handwriting?

"Mr. ARENS. Yes, sir.

"Mr. SCHERER. In the handwriting, presumably, of the witness?

"Mr. ARENS. Yes, sir.

"Mr. BARNES. Mr. Chairman, the counsel for the witness has asked for a translation of what has been said.

"Mr. TUCK. Go ahead.

"(The translation was delivered by the interpreter.)

"Mr. ENAMORADO CUESTA. I would like to consult with my counsel, Mr. Chairman.

"Mr. TUCK. You may.

"(The witness conferred with his counsel.)

"Mr. DIAZ GONZALEZ. Thank you, Mr. Chairman.

"Mr. ENAMORADO CUESTA. I respectfully refuse to answer this question, believing that the committee has no jurisdiction to hold this investigtaion for the reasons that I have already mentioned in my written statement.

"Mr. ARENS. Now, Mr. Witness, you can serve—and we say this without any apology to a living soul—you can serve the cause of the freedom of the West if you will now tell this committee all facts and circumstances in your possession respecting a session held in Moscow of the founding meeting of the Soviet Association of Friendship and Cultural Cooperation With the Countries of Latin America.

"Will you now impart to this committee in this public record, while you are on free soil, all information you have respecting the establishment of that internationl organization?

"Mr. ENAMORADO CUESTA. Mr. Chairman, I respectfully refuse to answer for the same reasons that I gave in refusing to answer the preceding question.

"Mr. SCHERER. I think I should make this observation for the witness. If he has any fear of reprisals from the Soviet secret police—wait a minute—if he has any fear of reprisals from the Soviet secret police for what he might tell us, he might as well forget about that because already by his doing what he did, keeping this diary and allowing it to fall into the hands of the United States authorities, and by doing what he did insofar as the minutes of this Communist meeting in Moscow is concerned, if I were he I would not be so concerned as to what the Department of Justice might do in the way of contempt, but I would be concerned with what his Russian comrades are going to do for his foolishness in doing what he did insofar as this diary is concerned.

"Mr. ENAMORADO CUESTA. I respectfully refuse to answer, Mr. Chairman, for the same reasons I gave before.

"Mr. ARENS. Now, I invite your attention, Mr. Witness, to statements made in this meeting. A man whose name I will have difficulty in pronouncing, but who is designated in the minutes as Deputy, Supreme Soviet, U.S.S.R., in which he states that:

" 'The Soviet Association of Friendship and Cultural Cooperation With the Countries of Latin America, which we are founding today, will take the necessary measures to initiate practical relations and contacts with the said organizations.'

"Tell this committee, while you are under oath, whether or not it is or has been part of your assignment to develop the so-called initial, practical relations and contacts with certain organizations on behalf of the international Communist conspiracy's efforts through this Soviet Association of Friendship and Cultural Cooperation.

"Mr. ENAMORADO CUESTA. I would like to consult with my counsel.

"(The witness conferred with his counsel.)

"Mr. DIAZ GONZALEZ. Could I have the question repeated in English? There is some data, and I don't know if it is correct.

"Mr. SCHERER. Mr. Chairman, he is not going to answer the question. They say we have no jurisdiction. I don't see any reason for reading the question.

"Mr. DIAZ GONZALEZ. There have been made some references to a document and I want to know if we have a right to inspect that document.

"Mr. SCHERER. I should say not. If he answers the question, we might let you look at it.

"Mr. TUCK. The counsel is entitled to have the question read to his client again.

"Mr. ENAMORADO CUESTA. I respectfully refuse to answer the question.

"Mr. ARENS. Now, Mr. Witness, in these minutes of this organization which was created in Moscow, we see the list of the officers, including the Commission for the Caribbean Countries. Curiously enough the chairman of the Commission for the Caribbean Countries is listed in this document as Nikolay Nikolaevich Diakonov, of Moscow.

"Did you, while you were in Moscow this year, have a session or sessions, or do you have information respecting a session or sessions, held by the Commission for the Caribbean Countries of this new organization under the chairmanship of this man whose name I will spell for you, D-i-a-k-o-n-o-v?

"Mr. ENAMORADO CUESTA. I would like to consult with my counsel, please.

"(The witness conferred with his counsel.)

"Mr. ENAMORADO CUESTA. I respectfully refuse to answer this question for the same reasons for which I refused to answer the previous questions.

"Mr. ARENS. Now, Mr. Witness, according to the minutes of this organization, the Soviet Association of Friendship and Cultural Cooperation With the Countries of Latin America, the president of the association and 15 of the vice presidents all come from behind the Iron Curtain.

"Can you tell us, while you are presently under oath, if you, while you were in Moscow on this mission reflected in your diary, were in session either with the president or any of the vice presidents, with reference to your function or activity or any function or activity of this organization, under this or any name, to be operated in the Caribbean?

"Mr. ENAMORADO CUESTA. Mr. Chairman, with all due respect, I refuse to answer that question for the same reason I gave in refusing to answer the previous ones.

"Mr. ARENS. Mr. Witness, I have only two more questions.

"Question No. 1 is: To your certain knowledge, is the operation of this association, created according to these minutes in Moscow, part and parcel of this program which Mr. Fishman of the Customs Service described this morning as a $100 million operation by the Communist empire to penetrate the Spanish-speaking countries of this hemisphere?

"Mr. ENAMORADO CUESTA. Respectfully, Mr. Chairman, and for the same reasons I gave before, I refuse to answer this question.

"Mr. ARENS. Mr. Witness, I have one final question.

"This final question is: How did you come by these minutes of this organization created in Moscow this year, which minutes were lifted from your possession as you sought entry some few months ago in Puerto Rico?

"Mr. ENAMORADO CUESTA. I respectfully refuse to answer that question as I have the previous ones.

"(Document marked 'Enamorado Cuesta Exhibit No. 2' and retained in committee files.)

"Mr. ARENS. Mr. Chairman, I owe an apology to counsel. I neglected to cause them to enter their appearance on this record. It was genuinely an oversight. I am sure the committee would appreciate it if you make yourselves known on this record, giving your identifications and addresses.

"Mr. DIAZ GONZALEZ. I am Abraham Diaz Gonzalez, 1556 Ponce de Leon, Santurce,

with Gerardo Ortiz Del Rivero, 650 Ponce de Leon, Santurce; Manuel Abreu Castilla, San Francisco 361, San Juan; Santos P. Amadeo, University of Puerto Rico; Benicio Sanchez Castano, Ochoa Building, San Juan; Felix Ochoteco, Jr., Banco Popular, San Juan; and Pedro Munoz Amato, 1557 Ponce de Leon, Santurce, Puerto Rico.

"Mr. TUCK. How many lawyers did the witness have?

"Mr. DIAZ GONZALEZ. Some did not appear today. They were all here this morning, but we didn't enter the appearance this morning.

"Mr. TUCK. I am not able to understand or speak Spanish, but I would like to know how many lawyers are representing this one witness.

"Mr. DIAZ GONZALEZ. How many? All of us.

"Mr. TUCK. How many?

"Mr. DIAZ GONZALEZ. This afternoon the four of us were here.

"Mr. TUCK. Any other lawyers besides yourself?

"Mr. DIAZ GONZALEZ. Yes. As of counsel this morning, appeared eight lawyers. It is a large group of witnesses and we are assisting them. So some lawyers assist some witnesses, and some other witnesses.

"Mr. TUCK. The question I asked was how many represented one witness.

"Mr. DIAZ GONZALEZ. You can have for the record that I represented him with Mr. Del Rivero.

"Mr. DEL RIVERO. Both of us.

"Mr. TUCK. Counsel, have you other questions?

"Mr. ARENS. No more questions of this witness, Mr. Chairman——

"Mr. TUCK. Mr. SCHERER, have you any questions?

"Mr. SCHERER. Mr. Chairman, I would like to ask the witness a number of questions, but obviously he would refuse to answer my questions, the same as he has refused to answer all questions up to this point.

"Therefore, I am going to make a statement and an observation. If anything I say in this observation or statement is untrue, then I am going to ask the witness to be given an opportunity to say in what respect what I say is not in accordance with the facts.

"Mr. ENAMORADO CUESTA. I would like to consult with counsel.

"(The witness conferred with his counsel.)

"Mr. ENAMORADO CUESTA. Mr. Chairman, I respectfully refuse to answer for the same reasons I refused to answer preceding questions.

"Mr. SCHERER. This morning at the beginning of the hearings, Mr. Chairman, it was pointed out that: the Emergency Civil Liberties Committee was a Communist-controlled and Communist-dominated organization, operating in the continental United States; that its chairman is an identified Communist presently under indictment; that its executive director, Clark Foreman, came to San Juan prior to these committee hearings; and that he followed the usual course that the Emergency Civil Liberties Committee has followed in going into cities prior to the committee hearings and organizing groups to protest the meetings of the committee and to attack the committee.

"In Pittsburgh, as well as some other cities, it was clearly shown by the evidence that Clark Foreman, who has been here in San Juan for the same purpose, met a number of days in advance with the witnesses who had been identified as Communists, with their lawyers, to prepare the testimony and to advise them how to act before this committee. He did this in addition to arranging for the protest meetings, the picketing, and the other things that take place when this committee meets in order to disrupt the hearings. I pointed out that Foreman is not a Puerto Rican.

"Yesterday he issued a press release, which I have here from the local press. This release says the director of the Emergency Civil Liberties Committee, Clark Foreman, of New York, said in San Juan this morning that the House Un-American Activities Committee, due to start here tomorrow, is in for a surprise.

"It is obvious that he has again been cooperating with the Communists in preparing the demonstrations against the committee, in causing the agitation that has taken place up to this point here in San Juan.

"The surprise, to which Foreman refers, of course, is obvious to all people, namely, that the witnesses are going to take the position of refusing to answer any questions of this committee on the ground that the committee had no jurisdiction to meet in Puerto Rico. That is the surprise, because heretofore it was supposed that the witnesses would invoke the fifth amendment in refusing to answer.

"I have been reliably informed by members of this bar, reputable members of the Puerto Rican Bar, that this same Clark Foreman, representing this Communist organization, participated in the preparation, again—you have heard him on your radio—participated in the preparation of the documents which were submitted to this committee, in which the witnesses argue the point that this committee has no jurisdiction in the island of Puerto Rico.

"I think the people of Puerto Rico would resent the intrusion of such an organization into Puerto Rico and its participation in broadcasts, in advance of the committee's appearance. He has a perfect right to do what he has done, but I think people should know who he is, what he is, what his history is, and what this committee which he represents is, so that the people of Puerto Rico will not be fooled by the name of the committee, which is an appealing one, namely, the Emergency Civil Liberties Committee, and so they might better evaluate what he says.

"Mr. DEL RIVERO. Do I have permission to address the Chair?

"I am one of the lawyers assigned by the Bar Association of Puerto Rico. I wish to state something because Congressman SCHERER stated——

"Mr. TUCK. If you have any statement to make, you can make it in writing and file it with counsel.

"Mr. DEL RIVERO. This is a question——

"Mr. DIAZ GONZALEZ. Mr. Chairman, I respectfully beg your attention for a minute. We are members of the Puerto Rican Bar, and we have appeared before this committee, sir, to assist the witnesses, without compensation, by designation by the president of the Puerto Rican Bar Association.

"I wish to afford this committee the benefit of testimony under oath. I am willing to take the oath right now and declare to this committee under oath, so that I may be prosecuted for perjury, that this is a lie, that anyone who comes here to take——

"Mr. TUCK. Let us have order. It is against the rules of this committee to have any such demonstrations as that. If the Chair hears any more noises of that kind, he will request the marshal to empty the room. The counsel has made a statement in which he denies, and that is all.

"Mr. DIAZ GONZALEZ. Sir, I do know that you have a sense of fairness, and I trust the sense of fairness of this committee. I wish to convey to you that I am ready with all my friends and lawyers who assisted me in the preparation of the briefs, to testify under oath that there was no assistance whatsoever.

"Mr. TUCK. As a member of the Bar of Puerto Rico, we will accept your statements for whatever they will be worth.

"Mr. DIAZ GONZALEZ. I respectfully state I am glad this corrects the wrong reflection that would have reflected on the board, on the bar, and this committee. I do know you have a great interest in preserving the sense of fairness.

"Mr. SCHERER. What I said I got from two outstanding, reputable members of this bar, who told me what I just repeated. There is nothing wrong in your accepting the suggestions of anyone as to what you should or should not do. There is nothing wrong in that.

Mr. DIAZ GONZALEZ. I think lawyers should, when drafting a legal document and assisting in a professional capacity, should accept no assistance except from lawyers.

"Mr. TUCK. The Chair understands that the counsel takes full responsibility for the statements filed with the committee.

"The committee will stand in recess for 5 minutes."

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to the said Jose Enamorado Cuesta, relative to the subject matter which, under Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, the said committee was instructed to investigate, and the refusal of the witness to answer the questions, namely:

"Are you now, this minute, a member of the Communist Party?

"Mr. Witness, I am going to request the interpreter or translator to read an article from a recent issue, October 1959 issue, of a Communist publication published here on the island of Puerto Rico. This publication is entitled "Pueblo." I am going to ask the interpreter to read one little article running about the equivalent of a normal half page.

* * * * *

" 'Jose Enamorado Cuesta, 68 years old, is known in Puerto Rico and in the world because of his literary works as a writer, a poet, and a newspaperman, because of his selfless patriotic struggle of 17 years in his newspaper Puerto Rico Libre'—

"Which means Free Puerto Rico—

because of his untiring struggle for the independence of Puerto Rico, for social justice and world peace, for which reasons he has been unjustly persecuted and jailed.

" 'Enamorada is a veteran of the anti-Fascist war which the Spanish people waged in defense of the Spanish Republic. He has always been an admirer and defender of the struggles of liberty of the colonial peoples and those who are in a semicolonial status of democracy for the great working masses of Soviet power and of socialism.

" 'For a long time he played an outstanding part in the ranks of the Puerto Rican Nationalist Party in Puerto Rico and abroad. His ideological preparation befits that of a national revolutionary patriot who is honest. His past ideological instability has given rise to the fact that some of his friends pointed out that he was a Nationalist, others as a Communist, and others as an Anarchist.

" 'In spite of these concepts, all of these people will esteem him, respect him, and express toward him some sort of solidarity. This is the Enamorado Cuesta who deserves this resolution to admit him into the ranks of the Puerto Rican Communist Party.

" 'In making his request for admission, Enamorado Cuesta has expressed a great desire to better assimilate the Marxist-Leninist theory in order to more effectively serve the working class in its struggle for the independence of Puerto Rico, for the highest standard of living of the great working masses for world peace, and for the eventual establishment of a Socialist system in our country which will guarantee the broadest democracy and prosperity to the Puerto Rican people.

" 'He accepted with pleasure the constructive criticisms made by some comrades. In his self-criticism, he pointed out the origins of his ideological preparation, his effort to become a Marxist and a member of the party, and the desire to make further political progress.

" 'In admitting Enamorado Cuesta to the ranks of the Puerto Rican Communist Party, all of its members congratulate him warmly and at the same time feel great joy because of having among their ranks such an outstanding intellectual.

" 'The entrance of Jose Enamorado Cuesta to our party should stimulate the entrance to our ranks of other honest Puerto Rican patriots who occasionally assume Marxist positions but who have stayed outside of the party.

" 'San Juan, P.R., October 16, 1959, Puerto Rican Communist Party.

" 'JUAN SANTOS RIVERA,
" 'President.'

"Mr. Witness, I am going to lay before you, as I promised to do, the original document from which the interpreter just translated into English from this Communist publication, Pueblo, October 1959.

"Please, in your own tongue, Spanish, read this publication and tell us whether or not the facts recited there respecting your membership in the Communist Party are true and correct.

"Did you make known to your fellow demonstrators that your participation, at least in that demonstration (picketing line in San Juan on Nov. 18, 1959), was as a member of that conspiratorial organization known as the Communist Party?

"Now I lay before you, Mr. Witness, a document (diary) which has been identified by the U.S. customs inspector a few moments ago as a document intercepted by him from you a few months ago when you were arriving here at San Juan with a number of documents.

"Please look at this document and tell this committee whether or not the testimony of the inspector identifying this document is true and correct."

which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony and places the said witness in contempt of the House of Representatives of the United States.

Other pertinent committee proceedings

The following resolution was adopted at the organizational meeting of the committee for the 86th Congress, held on the 23d day of January 1959:

"Be it resolved, That the chairman be authorized and empowered from time to time to appoint subcommittees, composed of three or more members of the Committee on Un-American Activities, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

The following is an extract from the minutes of an executive session of the subcommittee of the Committee on Un-American Activities, consisting of Hon. WILLIAM M. TUCK, chairman, Hon. MORGAN M. MOULDER, and Hon. GORDON H. SCHERER, of whom Hon. WILLIAM M. TUCK and Hon. GORDON H. SCHERER were present, held April 5, 1960, in room 225, Old House Office Building, Washington, D.C.:

"The subcommittee was called to order by the chairman of the full committee, who stated the purpose of the meeting was to consider what action the subcommittee should take regarding the refusal of certain witnesses to answer material questions propounded to them in the course of the hearings conducted by the said subcommittee in San Juan, P.R., beginning on the 18th day of November 1959, and what recommendation it would make regarding the citation of any such witnesses for contempt of the House of Representatives.

"After full consideration of the testimony of the witnesses given at the said hearing in San Juan, P.R., a motion was made by Mr. SCHERER, seconded by Mr. TUCK, and unanimously carried, that a report of the facts relating to the refusal of Jose Enamorado Cuesta to answer material questions before the said subcommittee at the hearing aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the refusal of said witness to answer material questions, together with all of the facts in connection therewith, be referred to the House of Representatives, with the recommendation that the said witness be cited for contempt of the House of Representatives for his refusal to answer questions therein set forth, to the end that he may be proceeded against in the manner and form provided by law."

The following is an extract from the minutes of an executive session of the Committee on Un-American Activities, consisting of Hon. FRANCIS E. WALTER, chairman; Hon. CLYDE DOYLE; Hon. WILLIAM M. TUCK; Hon. DONALD L. JACKSON; Hon. GORDON H. SCHERER; and Hon. WILLIAM E. MILLER, held on the 5th day of April 1960, in room 225, Old House Office Building, Washington, D.C.:

"The report of the facts relating to the refusal of Jose Enamorado Cuesta to answer material questions was submitted to the committee, upon which a motion was made by Mr. DOYLE, seconded by Mr. MILLER, and unanimously carried, that the subcommittee's report of the facts relating to the refusal of Jose Enamorado Cuesta to answer material questions before the said subcommittee at the hearing conducted before it in San Juan, P.R., on the 18th day of November 1959 be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report and refer the said refusal to answer questions before the said subcommittee, together with all the facts in connection therewith, to the House of Representatives, with the recommendation that the witness be cited for contempt of the House of Representatives for his refusal to answer such questions, to the end that he may be proceeded against in the manner and form provided by law."

Mr. TUCK. Mr. Speaker, I offer a privileged resolution (H. Res. 609) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Jose Enamorado Cuesta to answer questions before a duly constituted subcommittee of the Committee on Un-American Activities, together with all the facts in connection therewith, under seal of the House of Representatives, to the United States Attorney for the Commonwealth of Puerto Rico, to the end that the said Jose Enamorado Cuesta may be proceeded against in the manner and form provided by law.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROCEEDINGS AGAINST MANUEL ARROYO ZEPPENFELDT

Mr. TUCK. Mr. Speaker, by direction of the Committee on Un-American Activities, and at the request of the chairman, I submit a privileged report (Rept. No. 2123).

The Clerk read as follows:

PROCEEDINGS AGAINST MANUEL ARROYO ZEPPENFELDT

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, caused to be issued a subpena to Manuel Arroyo Zeppenfeldt. The said subpena directed Manuel Arroyo Zeppenfeldt to be and appear before said Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which the Honorable Francis E. Walter is chairman, on Wednesday, November 18, 1959, at 10 o'clock a.m., at U.S. Courtroom, U.S. Courthouse and Post Office Building, San Juan, Puerto Rico, then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena served upon the said Manuel Arroyo Zeppenfeldt is set forth in words and figures as follows:

"UNITED STATES OF AMERICA,
"CONGRESS OF THE UNITED STATES.

"To: MANUEL ARROYO ZEPPENFELDT, *Greeting:*

"Pursuant to lawful authority, You are hereby commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on Wednesday, November 18, 1959, at 10 o'clock, a.m., at U.S. court room, U.S. Court House and Post Office Building, San Juan, Puerto Rico, then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To U.S. marshal, to serve and return.

"Given under my hand this 14th day of October, in the year of our Lord, 1959.

"FRANCIS E. WALTER,
"Chairman."

The said subpena was duly served as appears by the return made thereon by the U.S. marshal, who was duly authorized to serve the said subpena. The return of the service by the said U.S. marshal, being endorsed thereon, is set forth in words and figures as follows:

"Subpena for Manuel Arroyo Zeppenfeldt before the Committee on the 18th day of November 1959 (Wednesday) at 10 a.m.

"I made service of the within subpena by handing to and leaving Original Subpena with the within-named Manuel Arroyo Zeppenfeldt personally, at Ward Las Lomas, K-7, Rio Piedras, P.R., at 8:25 o'clock, a.m., on the 19th day of October, 1959.

"Dated: October 20, 1959.

"SANTOS BUXO, JR.,
"U.S. Marshal.
"By DIEGO L. MARTIN, JR.,
"Deputy.

The said Manuel Arroyo Zeppenfeldt, pursuant to the said subpena and in compliance therewith, appeared before the said subcommittee on November 18, 1959, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 7 of the 86th Congress. The said Manuel Arroyo Zeppenfeldt having appeared as a witness and having been asked the questions; namely:

"Did you, on January 4, 1959, in concert with Jose Enamorado Cuesta, have a session in San Juan with a group which came from New York City?

"Are you now, this very instant, a member of that conspiratorial force known as the Communist Party?"

which quesions were pertinent to the subject under inquiry, refused to answer said questions, and as a result of said Manuel Arroyo Zeppenfeldt's refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of a subpena served upon said Manuel Arroyo Zeppenfeldt.

The record of the proceedings before the subcommittee on November 18, 1959, during which the said Manuel Arroyo Zeppenfeldt refused to answer the aforesaid questions, pertinent to the subject under inquiry, is set forth in fact as follows:

"WEDNESDAY, NOVEMBER 18, 1959
"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"San Juan, P.R.

"Public hearings

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m. in the U.S. Courthouse, San Juan, P.R., Hon. WILLIAM M. TUCK (chairman of the subcommittee) presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; and Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

"Counsel, let there be incorporated in the body of the record the resolution of the Committee on Un-American Activities authorizing and directing the holding of the instant hearings in San Juan.

"(The resolution referred to follows:)

"'*Be it resolved,* That hearings by the Committee on Un-American Activities or a subcommittee thereof, to be held in Puerto Rico, in New York City, and elsewhere as the chairman may direct, on such date or dates as the chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following matters and having the legislative purposes indicated:

"'1. Entry and dissemination in Puerto Rico of foreign Communist Party propaganda, the legislative purpose being to determine the necessity for, and advisability of amendments to the Foreign Agents Registration Act designed more effectively to counteract the Communist schemes and devices now used in avoiding the prohibitions of the act.

"'2. Receipt of information relating to persons engaged in foreign travel, the legislative purpose being:

"'(a) Committee consideration of amendments to section 215 of the Immigration and Nationality Act as contained in title IX—Immigration and Passport Security—of H.R. 2232, introduced on January 12, 1959, and referred by the House of Representatives to the Committee on Un-American Activities;

"'(b) Consideration of legislative recommendations expressing the will and intent of Congress spelled out in direct and positive form, granting authority to the Secretary of State to issue, withhold, or limit passports for international travel of adherents to the Communist Party, and the granting of specific statutory authority, to the Secretary of State to issue substantive regulations in the passport field, as set forth in the annual reports of the Committee on Un-American Activities for the years 1956–58.

"'3. The extent, character and objects of Communist infiltration and Communist Party propaganda activities in Puerto Rico, the legislative purpose being to add to the committee's overall knowledge on the subject so that the Congress may be kept informed and thus prepared to enact remedial legislation in the national defense and for internal security.

"'4. The execution by the administrative agencies concerned of all laws and regulations relating to the Internal Security Act, the Communist Control Act, the Foreign Agents Registration Act, passport regulations, and all other laws, the subject matter of which is within the jurisdiction of the committee, the legislative purpose being to exercise continuous watchfulness over the execution of these laws to assist the Congress in appraising their administration, and in developing such amendments or related legislation as it may deem necessary.

"'5. Any other matter within the jurisdiction of the committee which it, or any subcommittee hereof appointed to conduct these hearings may designate.'

"Mr. TUCK. Let there likewise be incorporated in the body of the record the order of appointment of the subcommittee to conduct the hearings, the order of Chairman Walter.

"(The order referred to follows:)

"OCTOBER 6, 1959.

"To Mr. Richard Arens, staff director, House Committee on Un-American Activities:

"Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representative WILLIAM M. TUCK, as Chairman, and Representatives MORGAN M. MOULDER, and GORDON H. SCHERER as associate members, to conduct hearings in New York, N.Y., Monday and Tuesday, November 16 and 17, 1959, at 10:00 a.m., and in San Juan, Puerto Rico, Wednesday, Thursday, and Friday, November 18, 19, and 20, 1959 at 10:00 a.m. on subjects under investigation by the Committee and take such testimony on said days or succeeding days as it may deem necessary.

"Please make this action a matter of committee record.

"If any Member indicates his inability to serve, please notify me.

"Given under my hand this 6th day of October 1959.

"FRANCIS E. WALTER,
"Chairman, Committee on Un-American Activities.

"Mr. TUCK. The hearings which begin today in San Juan are in furtherance of the powers and duties of the Committee on Un-American Activities, pursuant to Public Law 601 of the 79th Congress which not only establishes the basic jurisdiction of the committee, but also mandates this committee, along with other standing committees of the Congress, to exercise continuous watchfulness of the execution of any laws the subject matter of which is within the jurisdiction of the committee.

"In response to this power and duty, the Committee on Un-American Activities is continuously in the process of accumulating factual information respecting Communists, the Communist Party, and Communist activities which will enable the committee and the Congress to appraise the administration and operation of the Smith Act, the Internal Security Act of 1950, the Communist Control Act of 1954, and numerous provisions of the Criminal Code relating to espionage, sabotage, and subversion.

"In addition, the committee has before it numerous proposals to strengthen our legislative weapons designed to protect the internal security of this Nation.

"In the course of the last few years, as a result of hearings and investigations, this committee has made over 80 separate recommendations for legislative action. Legislation has been passed by the Congress embracing 35 of the committee recommendations and 26 separate proposals are currently pending in the Congress on subjects covered by other committee recommendations. Moreover, in the course of the last few years numerous recommendations made by the committee for administrative action have been adopted by the executive agencies of the Government.

"This subcommittee of the Committee on Un-American Activities has come to Puerto Rico to discharge a duty imposed by the U.S. Congress, namely, to develop factual information for the Congress in its endeavors to cope with the Communist conspiracy. We come here as friends in an enterprise which ought to be the concern of all freedom-loving people everywhere, irrespective of wherever they may reside.

"From past experience we know that the Communist propagandists will attempt to pervert the purpose of these hearings into an investigation of Puerto Ricans. We are not investigating Puerto Ricans as Puerto Ricans. We are pursuing the trail of the few dangerous Communists who are part and parcel of a world conspiracy which would destroy freedom.

"We do not expect to interrogate here every Communist on the island. We only expect to make a sampling of Communist activity here so that we will be able to know the pattern of the Communist conspiracy's efforts in this area and its connections with the Communist conspiracy on the mainland.

"One of the most insidious aspects of communism is its deceit. It pretends to be the friend of the working man, but where it has seized power the working man is crushed under its despotic heel. He finds himself regimented and disciplined. He may find himself in a slave labor camp. It pretends to seek peace and yet it is at war with free people everywhere. Communism masquerades behind a facade of humanitarianism but it has caused more bloodshed and misery than any other force in the history of civilization.

"The strength of the Communist operation in any area is not in proportion to its numbers. A conspiratorial force may actually weaken itself when it increases its size. It takes only one or two holes in a ship to sink it. It, likewise, takes only a few trained, disciplined zealots to undermine and weaken a nation or a free society.

"What are the present strategies and tactics of the Communist operation in this general area? What techniques are the hardcore Communists pursuing in order to avoid detection as they pursue their nefarious work? What are the lines of control and communication between the various Communists' nests here and on the mainland? What loopholes or weaknesses exist in our present security laws? How may those laws be strengthened?

"These questions shall be uppermost in the minds of the committee as we elicit testimony during these hearings.

"May I emphasize that the purpose of the subcommittee here in San Juan is to sample factual material with reference to types and patterns of activity, and not to attempt to exhaust the subject matter. We have not subpenaed witnesses for these hearings merely to put on a show, nor shall we attempt to interrogate in these hearings even a significant percentage of all possible witnesses on whom we have compiled information.

"It is a standing rule of this committee that any person identified as a member of the Communist Party during the course of the committee hearings will be given an early opportunity to appear before this committee, if he so desires, for the purpose of denying or explaining any testimony adversely affecting him, or which he may think adversely affects him.

"It is also the policy of the committee to accord any witness the privilege of being represented by counsel; but within the provisions of the rules of this committee, counsel's sole and exclusive prerogative is to advise his client.

"I would remind those present that a disturbance of any kind, or an audible comment during the hearings, will not be permitted. This is a serious proceeding in which we are earnestly trying to discharge an important and arduous duty.

* * * * *

"AFTERNOON SESSION—WEDNESDAY, NOVEMBER 18, 1959

"(The subcommittee reconvened at 2 p.m., Hon. WILLIAM M. TUCK, chairman of the subcommittee, presiding.)

"(Members of the subcommittee present at time of reconvening: Representatives TUCK and SCHERER.)

"Mr. TUCK. The subcommittee will be in order. Call your next witness.

"(After hearing the testimony of other witnesses, Manuel Arroyo Zeppenfeldt was called before the committee.)

"Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Manuel Arroyo Zeppenfeldt.

"Please come forward and remain standing while the chairman administers an oath.

"Mr. TUCK. Will you raise your right hand, please?

"Do you solemnly swear the testimony you are about to give this subcommittee of the House of Representatives will be the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. DIAZ GONZALEZ. Mr. Chairman, at this time in this proceeding I wish to convey to the committee that the witness has informed me that although he can read English and understand a little bit, when spoken in the usual fashion in which this proceeding takes place, he has some difficulty in grasping the meaning of the sentences.

"At this point I beg the committee to be kind enough to follow the same procedure with the use of an interpreter as in the first case.

"Mr. TUCK. We will do that. But do I understand that he answers the oath in the affirmative?

"Mr. ARROYO ZEPPENFELDT. I do.

"TESTIMONY OF MANUEL ARROYO ZEPPENFELDT, ACCOMPANIED BY COUNSEL, ABRAHAM DIAZ GONZALEZ (DONALD F. BARNES, INTERPRETER)

"(The witness conferred with his counsel.)

"Mr. DIAZ GONZALEZ. May I have a 5-minute recess? I haven't talked to him.

"(The witness conferred with his counsel.)

"Mr. DIAZ GONZALEZ. Mr. Chairman, any time, we are ready.

"Mr. ARENS. Please identify yourself by name, residence, and occupation.

"Mr. ARROYO ZEPPENFELDT. Manuel Arroyo Zeppenfeldt. I live in K–7, Las Lomas, Rio Piedras, and I am a commission agent.

"Mr. ARENS. You are appearing today in response to a subpena which was served upon you by this committee?

"Mr. ARROYO ZEPPENFELDT. I respectfully refuse to answer that question because I maintain that this committee has no jurisdiction to hold this investigation for the reasons set forth in the written statement that I gave to the committee.

"Mr. ARENS. You are represented by counsel?

"Mr. ARROYO ZEPPENFELDT. I respectfully refuse to answer that question because I maintain that the committee has no jurisdiction to hold this investigation for the reasons set forth in the written statement that I gave to the committee.

"Mr. ARENS. Counsel who is sitting next to the witness, will you kindly identify yourself for this record and will you be good enough to announce to the committee that you represent the witness?

"Mr. DIAZ GONZALES. Yes. My name is Abraham Diaz Gonzales and I represent the witness.

"Mr. ARENS. Mr. Witness, a few minutes ago we concluded the testimony of Jose Enamorado Cuesta, at which time we interrogated him with respect to a trip which he made to Moscow.

"In the course of that interrogation, we asked him about certain contacts he had, certain correspondence, and exchange of information with a man described in his diary by the name of Manuel Arroyo.

"I asked Mr. Enamorado Cuesta if the man described in this diary was yourself and he refused to answer. I now ask you, sir——

"Mr. DIAZ GONZALES. Excuse me, Mr. Chairman.

"Mr. ARENS. Let me complete my question.

"I now ask you, sir, were you, during the course of the last several months, in continuous or almost continuous contact in Moscow and other places behind the Iron Curtain, exchanging information with Jose Enamorado Cuesta?

"You are reading now from a prepared statement?

"Mr. ARROYO ZEPPENFELDT. I respectfully refuse to answer that question because I maintain that the committee has no jurisdiction to hold this investigation for the reasons that I set forth in the written statement that I gave the committee.

"Mr. ARENS. You are reading your response from a prepared statement; is that correct?

"Mr. ARROYO ZEPPENFELDT. I refuse to answer that question for the same reasons.

"Mr. ARENS. Are you the publisher or the printer of Pueblo one of the Communist Party publications distributed in San Juan, P.R.?

"Mr. ARROYO ZEPPENFELDT. I respectfully refuse to answer that question for the same reasons I gave a few moments ago to another question.

"Mr. ARENS. Now, we display to you an original edition of Pueblo of October 1959, and ask you to kindly glance at it and tell this committee, while you are under oath, if it is not a fact that you are the printer or the publisher, producer, of that publication?

"(The document was handed to the witness.)

"Mr. ARROYO ZEPPENFELDT. I respectfully refuse to answer that question for the same reasons I have set forth before.

"Mr. ARENS. Did you, on January 4, 1959, in concert with Jose Enamorado Cuesta, have a session in San Juan with a group which came from New York City?

"Mr. ARROYO ZEPPENFELDT. I respectfully refuse to answer that question for the same reasons.

"Mr. TUCK. The reasons which you have given are not satisfactory to the committee. We do not accept them. We reject them. The committee, therefore, directs and orders you to answer the last preceding question, as well as all of the questions which counsel has previously asked you.

"Mr. ARROYO ZEPPENFELDT. Without indicating any lack of respect for this committee, I should like to refuse to answer this question and any others which might be posed to me.

"Mr. ARENS. Are you now, this very instant, a member of that conspiratorial force known as the Communist Party?

"Mr. ARROYO ZEPPENFELDT. I respectfully refuse to answer that question for the same reasons.

"Mr. SCHERER. Mr. Chairman, I move that you direct the witness to answer the question.

"Mr. TUCK. The committee does not wish to be repetitious, but in order that the record may be entirely straight in this matter—and feeling, too, that the committee wants to warn the witness that he may find himself involved in some future difficulties of a criminal nature with the U.S. Department of Justice with the record that is now being made up—it will most likely be referred to them to rule on such action as they may deem appropriate. In the light of the preliminary statements, the committee now informs the witness that it does not accept his reasons and, therefore, orders and directs him to answer the question.

"Does the witness still refuse to answer?

"Mr. ARROYO ZEPPENFELDT. I do not want my answer to be interpreted as a lack of respect for this committee, but I respectfully refuse to answer this and any other questions which might be posed to me for the same reasons that I presented in the written statement given to the committee.

"Mr. ARENS. Mr. Witness, this morning, Mr. Irving Fishman, of the U.S. Customs Bureau, testified, based upon a study of that agency, the international Communist operation now has a campaign developing, costing in the neighborhood of $100 million, for the purpose of attempting to condition and penetrate the Spanish-speaking countries of this hemisphere, and he testified about Communist propaganda which is being disseminated in this area.

"In the course of the last hour or so, we likewise interrogated a man who brought into this country minutes of the meeting forming an international organization, in which minutes it speaks of the development of relationships between this international Communist organization and groups of organizations all through Latin America.

"I ask you now, sir, while you are under oath, if you have firsthand information respecting that program of penetration by this godless conspiratorial force known as international communism and its efforts to penetrate Spanish-speaking countries of this hemisphere.

"Mr. ARROYO ZEPPENFELDT. I respectfully refuse to answer that question because I maintain that the committee has no jurisdiction to hold this investigation for the reasons that I have set forth in my written statement.

"Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness now again be ordered and directed to answer the question, and that he be advised that if he does not understand the pertinency or relevancy of the questions we shall be glad to explain them to him.

"Mr. TUCK. The witness is advised that if he does not understand the relevancy or the purpose of the question which has just been asked him, which he declined to answer, we will be glad to explain it to him.

"The committee further warns the witness, without any thought of threatening him in any manner, what may happen to him if he refuses to answer. The chairman of the committee now directs and orders the witness to answer the question.

"Mr. ARROYO ZEPPENFELDT. Without indicating a lack of respect for this committee, I refuse to answer this question and any other questions which might be posed to me for the reasons I have already given.

"Mr. ARENS. Mr. Witness, Mr. Fishman testified this morning that Puerto Rico is now a nerve center for the transhipment of Communist Spanish propaganda to other Spanish-speaking countries of this hemisphere.

"I put it to you as a fact, sir, based upon information which has come to this committee from investigative sources that you are one of the architects of the dissemination of that Communist propaganda which comes via San Juan to other Spanish-speaking lands of this hemisphere.

"If that is not a fact, sir, deny it now, please, while you are under oath.

"Mr. ARROYO ZEPPENFELDT. I respectfully refuse to answer that question because I maintain that this committee has no jurisdiction to hold this investigation for the reasons set forth in my written statement given to the committee.

"Mr. ARENS. Mr. Chairman, I respectfully suggest that that will conclude the staff interrogation of this witness. We didn't proceed quite as fast this afternoon as we had originally anticipated. There are some witnesses who were subpenaed for appearance today whom we will not reach today."

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to the said Manuel Arroyo Zeppenfeldt, relative to the subject matter which, under Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, the said committee was instructed to investigate, and the refusal of the witness to answer the questions, namely:

"Did you, on January 4, 1959, in concert with Jose Enamorado Cuesta, have a session in San Juan with a group which came from New York City?

"Are you now, this very instant, a member of that conspiratorial force known as the Communist Party?"

which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony and places the said witness in contempt of the House of Representatives of the United States.

Other pertinent committee proceedings

The following resolution was adopted at the organizational meeting of the committee for the 86th Congress, held on the 23d day of January, 1959:

"Be it resolved, That the chairman be authorized and empowered from time to time to appoint subcommittees, composed of three or more members of the Committee on Un-American Activities, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

The following is an extract from the minutes of an executive session of the subcommittee of the Committee on Un-American Activities, consisting of Hon. WILLIAM M. TUCK, chairman, Hon. MORGAN M. MOULDER, and Hon. GORDON H. SCHERER; of whom Hon. WILLIAM M. TUCK and Hon. GORDON H. SCHERER were present, held April 5, 1960, in room 225, Old House Office Building, Washington, D.C.:

"The subcommittee was called to order by the chairman of the full committee, who stated that the purpose of the meeting was to consider what action the subcommittee should take regarding the refusal of certain witnesses to answer material questions propounded to them in the course of the hearings conducted by the said subcommittee in San Juan, P.R., beginning on the 18th day of November, 1959, and what recommendation it would make regarding the citation of any such witnesses for contempt of the House of Representatives.

"After full consideration of the testimony of the witnesses given at the said hearing in San Juan, P.R., a motion was made by Mr. SCHERER, seconded by Mr. TUCK, and unanimously carried, that a report of the facts relating to the refusal of Manuel Arroyo Zeppenfeldt to answer material questions before the said subcommittee at the hearing aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the refusal of said witness to answer material questions, together with all the facts in connection therewith, be referred to the House of Representatives, with the recommendation that the said witness be cited for contempt of the House of Representatives for his refusal to answer questions therein set forth, to the end that he may be proceeded against in the manner and form provided by law."

The following is an extract from the minutes of an executive session of the Committee on Un-American Activities, consisting of Hon. FRANCIS E. WALTER, chairman; Hon. CLYDE DOYLE; Hon. WILLIAM M. TUCK; Hon. DONALD L. JACKSON; Hon. GORDON H. SCHERER; and Hon. WILLIAM E. MILLER, held on the 5th day of April, 1960, in room 225, Old House Office Building, Washington, D.C.:

"The report of the facts relating to the refusal of Manuel Arroyo Zeppenfeldt to answer material questions was submitted to the committee, upon which a motion was made by Mr. DOYLE, seconded by Mr. MILLER, and unanimously carried, that the subcommittee's report of the facts relating to the refusal of Manuel Arroyo Zeppenfeldt to answer material questions before the said subcommittee at the hearing conducted before it in San Juan, P.R., on the 18th day of November, 1959, be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report and refer the said refusal to answer questions before the said subcommittee, together with all the facts in connection therewith, to the House of Representatives, with the recommendation that the witness be cited for contempt of the House of Representatives for his refusal to answer such questions, to the end that he may be proceeded against in the manner and form provided by law."

Mr. TUCK. Mr. Speaker, I offer a resolution (H. Res. 610) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Manuel Arroyo Zeppenfeldt to answer questions before a duly constituted subcommittee of the Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States attorney for the Commonwealth of Puerto Rico, to the end that the said Manuel Arroyo Zeppenfeldt may be proceeded against in the manner and form provided by law.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROCEEDINGS AGAINST CONSUELO BURGOS DE SAEZ PAGAN

Mr. TUCK. Mr. Speaker, by direction of the Committee on Un-American Activities, and at the request of the chairman, I submit a privileged report (Rept. No. 2124).

The Clerk read as follows:

PROCEEDINGS AGAINST CONSUELO BURGOS DE SAEZ PAGAN

The Committee on Un-American Activities, as created and authorized by the House of Representative through the enactment of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under the House Resolution 7 of the 86th Congress, caused to be issued a subpena to Consuelo Burgos De Saez Pagan. The said subpena directed Consuelo Burgos De Saez Pagan to be and appear before said Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which Hon. FRANCIS E. WALTER is chairman, in U.S. court room, U.S. Court House and Post Office Building, San Juan, Puerto Rico, on Wednesday, November 18, 1959, at 10 o'clock, a.m., then and there to testify touching matters of inquiry committed to said committee and not to depart without leave of said committee. The subpena served upon said Consuelo Burgos De Saez Pagan, is set forth in words and figures as follows:

"UNITED STATES OF AMERICA,
"CONGRESS OF THE UNITED STATES.

"To CONSUELO BURGOS DE SAEZ PAGAN,
Greeting:

"Pursuant to lawful authority, you are hereby commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on Wednesday, November 18, 1959, at 10 o'clock, a.m., at U.S. courtroom, U.S. Courthouse and Post Office Building, San Juan, Puerto Rico, then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To U.S. marshall, to serve and return.

"Given under my hand this 14 day of October, in the year of our Lord, 1959.

"FRANCIS E. WALTER,
"Chairman."

The said subpena was duly served as appears by the return made thereon by the U.S. marshal, who was duly authorized to serve the said subpena. The return of the service by the said U.S. marshal being endorsed thereon, is set forth in words and figures as follows:

"Subpena for Consuelo Burgos De Saez Pagan, correct name Consuelo Burgos De Pagan, before the committee on the 11th day of November 1959 (Wednesday) at 10 a.m.

"I made service of the within subpena by handing to and leaving original subpena with the within-named Consuelo Burgos De Saez Pagan, correct name Consuelo Burgos De Pagan personally at Arecibo St., No. 14, Hato Rey, P.R., at 1 o'clock, p.m., on the 19th day of October 1959.

"Dated October 20, 1959.

"SANTOS BUXO, Jr.,
"U.S. Marshal.
"By DIEGO L. MARTIN, Jr.,
"Deputy."

The said Consuelo Burgos De Saez Pagan was not called to testify on November 18, 1959, the day on which she was directed to appear, and was called as a witness on November 19, 1959. The said Consuelo Burgos De Saez Pagan, pursuant to said subpena, and in compliance therewith, appeared before the said subcommittee on the 19th day of November 1959, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 7 of the 86th Congress. The said Consuelo Burgos De Saez Pagan, having appeared as a witness and having been asked the questions, namely:

"Are you presently educational director of the Puerto Rican Communist Party?

"Now I display to you a photostatic reproduction of the Communist Daily Worker of some years ago. In fact, it is about 11 years ago. I expect to pursue with you questions respecting your career up to the present time in the Communist Party.

"This issue of the Communist Daily Worker of March 16, 1948, has an article and a photograph. The photograph in this reproduction is rather blurred, but underneath the photograph appears the following:

" 'Consuelo Saez, educational director of the Puerto Rican Communist Party, will speak with Foster at Manhattan Center Thursday night.'

"Then we observe likewise in this publication, in which it tells about William Foster's speech about Puerto Rico, that 'also speaking at the meeting will be Consuelo Saez, dynamic young educational director of the Puerto Rican Communist Party, who accompanied Foster on his visit to Puerto Rico.'

"Kindly look at that document and tell this committee whether or not you still maintain the status indicated by that Communist publication of some several years ago.

"Are you now, this moment, a member of the Communist Party?"

which questions were pertinent to the subject under inquiry, refused to answer said questions, and as a result of said Consuelo Burgos De Saez Pagan's refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon said Consuelo Burgos De Saez Pagan.

The record of the proceedings on November 18, 1959, insofar as it affects the appearance of the witness Consuelo Burgos De Saez Pagan on November 19, 1959, is set forth in fact as follows:

"WEDNESDAY, NOVEMBER 18, 1959
"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"San Juan, P.R.

"Public hearings

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m., in the U.S. courthouse, San Juan, P.R., Hon. WILLIAM M. TUCK (chairman of the subcommittee) presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; and Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

"Counsel, let there be incorporated in the body of the record the resolution of the Committee on Un-American Activities authorizing and directing the holding of the instant hearings in San Juan.

"(The resolution referred to follows:)

"'*Be it resolved,* That hearings by the Committee on Un-American Activities or a subcommittee thereof, to be held in Puerto Rico, in New York City, and elsewhere as the chairman may direct, on such date or dates as the chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following matters and having the legislative purposes indicated:

"'1. Entry and dissemination in Puerto Rico of foreign Communist Party propaganda, the legislative purpose being to determine the necessity for, and advisability of amendments to the Foreign Agents Registration Act designed more effectively to counteract the Communist schemes and devices now used in avoiding the prohibitions of the act.

"'2. Receipt of information relating to persons engaged in foreign travel, the legislative purpose being:

"'(a) Committee consideration of amendments to section 215 of the Immigration and Nationality Act as contained in title IX—Immigration and Passport Security—of H.R. 2232, introduced on January 12, 1959, and referred by the House of Representatives to the Committee on Un-American Activities;

"'(b) Consideration of legislative recommendations expressing the will and intent of Congress spelled out in direct and positive form, granting authority to the Secretary of State to issue, withhold, or limit passports for international travel of adherents to the Communist Party, and the granting of specific statutory authority to the Secretary of State to issue substantive regulations in the passport field, as set forth in the annual reports of the Committee on Un-American Activities for the years 1956–58.

"'3. The extent, character and objects of Communist infiltration and Communist Party propaganda activities in Puerto Rico, the legislative purpose being to add to the committee's overall knowledge on the subject so that the Congress may be kept informed and thus prepared to enact remedial legislation in the national defense and for internal security.

"'4. The execution by the administrative agencies concerned of all laws and regulations relating to the Internal Security Act, the Communist Control Act, the Foreign Agents Registration Act, passport regulations, and all other laws, the subject matter of which is within the jurisdiction of the committee, the legislative purpose being to exercise continuous watchfulness over the execution of these laws to assist the Congress in appraising their administration, and in developing such amendments or related legislation as it may deem necessary.

"'5. Any other matter within the jurisdiction of the Committee which it, or any subcommittee hereof appointed to conduct these hearings may designate.'

"Mr. TUCK. Let there likewise be incorporated in the body of the record the order of appointment of the subcommittee to conduct the hearings, the order of Chairman WALTER.

"(The order referred to follows:)

"OCTOBER 6, 1959.

"To: Mr. Richard Arens, staff director, House Committee on Un-American Activities.

"Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representative WILLIAM M. TUCK, as chairman, and Representatives MORGAN M. MOULDER and GORDON H. SCHERER as associate Members, to conduct hearings in New York, New York, Monday and Tuesday, November 16 and 17, 1959, at 10 a.m., and in San Juan, P.R., Wednesday, Thursday, and Friday, November 18, 19, and 20, 1959, at 10 a.m., on subjects under investigation by the Committee and take such testimony on said days or succeeding days as it may deem necessary.

"Please make this action a matter of Committee record.

"If any Member indicates his inability to serve, please notify me.

"Given under my hand this 6th day of October 1959.

"FRANCIS E. WALTER,
"Chairman, Committee on
Un-American Activities.

"Mr. TUCK. The hearings which begin today in San Juan are in furtherance of the powers and duties of the Committee on Un-American Activities, pursuant to Public Law 601 of the 79th Congress which not only establishes the basic jurisdiction of the committee, but also mandates this committee, along with other standing committees of the Congress, to exercise continuous watchfulness of the execution of any laws the subject matter of which is within the jurisdiction of the committee.

"In response to this power and duty, the Committee on Un-American Activities is continuously in the process of accumulating factual information respecting Communists, the Communist Party, and Communist activities which will enable the committee and the Congress to appraise the administration and operation of the Smith Act, the Internal Security Act of 1950, the Communist Control Act of 1954, and numerous provisions of the Criminal Code relating to espionage, sabotage, and subversion.

"In addition, the committee has before it numerous proposals to strengthen our legislative weapons designed to protect the internal security of this Nation.

"In the course of the last few years, as a result of hearings and investigations, this committee has made over 80 separate recommendations for legislative action. Legislation has been passed by the Congress embracing 35 of the committee recommendations and 26 separate proposals are currently pending in the Congress on subjects covered by other committee recommendations. Moreover, in the course of the last few years numerous recommendations made by the committee for administrative action have been adopted by the executive agencies of the Government.

"This subcommittee of the Committee on Un-American Activities has come to Puerto Rico to discharge a duty imposed by the U.S. Congress; namely, to develop factual information for the Congress in its endeavors to cope with the Communist conspiracy. We come here as friends in an enterprise which ought to be the concern of all freedom-loving people everywhere, irrespective of wherever they may reside.

"From past experience we know that the Communist propagandists will attempt to pervert the purpose of these hearings into an investigation of Puerto Ricans. We are not investigating Puerto Ricans as Puerto Ricans. We are pursuing the trail of the few dangerous Communists who are part and parcel of a world conspiracy which would destroy freedom.

"We do not expect to interrogate here every Communist on the island. We only expect to make sampling of Communist activity here so that we will be able to know the pattern of the Communist conspiracy's efforts in this area and its connections with the Communist conspiracy on the mainland.

"One of the most insidious aspects of communism is its deceit. It pretends to be the friend of the workingman, but where it has seized power the workingman is crushed under its despotic heel. He finds himself regimented and disciplined. He may find himself in a slave labor camp. It pretends to seek peace and yet it is at war with free people every here. Communism masquerades behind a facades of humanitarianism but it has caused more bloodshed and misery than any other force in the history of civilization.

"The strength of the Communist operation in any area is not in proportion to its numbers. A conspiratorial force may actually weaken itself when it increases in size. It takes only one or two holes in a ship to sink it. It, likewise, takes only a few trained, disciplined zealots to undermine and weaken a nation or a free society.

"What are the present strategies and tactics of the Communist operation in this general area? What techniques are the hard-core Communists pursuing in order to avoid detection as they pursue their nefarious work? What are the lines of control and communication between the various Communists' nests here and on the mainland? What loopholes or weaknesses exist in our present security laws? How may those laws be strengthened?

"These questions shall be uppermost in the minds of the committee as we elicit testimony during these hearings.

"May I emphasize that the purpose of the subcommittee here in San Juan is to sample factual material with reference to types and patterns of activity, and not to attempt to exhaust the subject matter. We have not subpenaed witnesses for these hearings merely to put on a show, nor shall we attempt to interrogate in these hearings even a significant percentage of all possible witnesses on whom we have compiled information.

"It is a standing rule of this committee that any person identified as a member of the Communist Party during the course of the committee hearings will be given an early opportunity to appear before this committee, if he so desires, for the purpose of denying or explaining any testimony adversely affecting him, or which he may think adversely affects him.

"It is also the policy of the committee to accord any witness the privilege of being represented by counsel; but within the provisions of the rules of this committee, counsel's sole and exclusive prerogative is to advise his client.

"I would remind those present that a disturbance of any kind, or an audible comment during the hearings, will not be permitted. This is a serious proceeding in which we are earnestly trying to discharge an important and arduous duty.

"The record of the proceedings on November 19, 1959, during which the said Consuelo Burgos De Saez Pagan refused to answer the aforesaid questions, pertinent to the subject under inquiry, is set forth in fact as follows:

"THURSDAY, NOVEMBER 19, 1959

"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"San Juan, P.R.

"Public hearings

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:45 a.m., in the U.S. Courthouse, Hon. WILLIAM M. TUCK, chairman of the subcommittee, presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

* * * * *

"AFTERNOON SESSION—THURSDAY, NOVEMBER 19, 1959

"(The subcommittee reconvened at 2 p.m., Hon. WILLIAM M. TUCK, chairman of the subcommittee, presiding.)

"(Members of the subcommittee present at time of reconvening: Representatives TUCK and SCHERER.)

"Mr. TUCK. The subcommittee will come to order.

"(After hearing the testimony of other witnesses, Consuelo Burgos De Saez Pagan was then called before the committee.)

"Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Consuelo Burgos De Pagan.

"Mr. TUCK. Will you raise your right hand, please?

"You do solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. DE PAGAN. I do.

"TESTIMONY OF CONSUELO BURGOS DE PAGAN (CONSUELO BURGOS DE SAEZ PAGAN), ACCOMPANIED BY COUNSEL, ABRAHAM DIAZ GONZALEZ, AND PRAXELES ALVEREZ LEANDRI

"Mr. ARENS. Please identify yourself by name, residence, and occupation.

"Mrs. DE PAGAN. My name is Consuelo Burgos De Saez Pagan. I live in 14 Arecibo Street, Hato Rey, P.R. I am a lawyer.

"Mr. ARENS. Are you admitted to practice law here in Puerto Rico?

"Mrs. DE PAGAN. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. You are appearing today in response to a subpena which was served upon you?

"Mrs. DE PAGAN. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. You are represented by counsel?

"Mrs. DE PAGAN. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. Counsel, will you please identify yourself on this record?

"Mr. DIAZ GONZALEZ. My name is Abraham Diaz Gonzalez, appearing with Mr. Goldman and Mr. Leandri, now on behalf of the witness.

"Mr. ARENS. Whom do you represent?

"Mr. DIAZ GONZALEZ. Consuelo Burgos Pagan.

"Mr. ARENS. Are you presently educational director of the Puerto Rican Communist Party?

"Mrs. DE PAGAN. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer the question, but before doing so I wish to advise the witness that if she does not understand the pertinency or any questions, we are happy to explain them. We are engaged in serious business.

"It is the information of this committee that you are now a hardcore Communist, active in this conspiracy. We are trying to elicit from you information which this committee may use in its legislative purpose in trying to protect this great, free people.

"Now, Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question as to whether or not she is still educational director of the Communist Party of Puerto Rico.

"Mr. TUCKER. The committee informs the witness that her reasons assigned for not answering the question propounded by counsel are not satisfactory and not acceptable to this committee. Therefore, the witness is ordered to answer the last immediately preceding question propounded by counsel.

"Mrs. DE PAGAN. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. Now I display to you a photostatic reproduction of the Communist Daily Worker of some years ago. In fact, it is about 11 years ago. I expect to pursue with you questions respecting your career up to the present time in the Communist Party.

"This issue of the Communist Daily Worker of March 16, 1948, has an article and a photograph. The photograph in this reproduction is rather blurred, but underneath the photograph appears the following:

"'Consuelo Saez, educational director of the Puerto Rican Communist Party, will speak with Foster at Manhattan Center Thursday night.'

"Then we observe likewise in this publication, in which it tells about William Foster's speech about Puerto Rico, that, 'Also speaking at the meeting will be Consuelo Saez, dynamic young educational director of the Puerto Rican Communist Party, who accompanied Foster on his visit to Puerto Rico.'

"Kindly look at that document and tell this committee whether or not you still maintain the status indicated by that Communist publication of some several years ago.

"Mrs. DE PAGAN. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"(Document marked 'De Pagan Exhibit No. 1,' and retained in committee files.)

"Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

"Mr. TUCK. The witness is ordered and directed to answer the question.

"Mr. ARENS. Now, ma'am, I display to you a thermofax reproduction of the Communist Daily Worker of May 20, 1954, issued in New York City, in which they are calling here for a liberation front policy, and speak of the Fourth Congress of the Puerto Rican Communist Party in session in San Juan; and tell of a number of people who were in attendance and participated there, including you.

"Please look at this document which I display to you and tell this committee whether or not you are truthfully and accurately identified there.

"Mrs. DE PAGAN. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer the question.

"Mr. TUCK. The committee informs the witness that the reasons assigned by the witness are not acceptable, are not satisfactory to the committee, and the Chair therefore orders and directs the witness to answer the preceding question.

"Does the witness still refuse to answer?

"Mrs. DE PAGAN. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"(Document marked 'De Pagan Exhibit No. 2' and retained in committee files.)

"Mr. ARENS. I display to you an article written by yourself, Consuelo Saez, educational director of the Puerto Rican Communist Party, entitled 'Puerto Rican Women Still Seek Emancipation.'

"Please glance at that article [the Worker of Apr. 11, 1948] and tell this committee whether or not that truly and accurately represents your authorship.

"Mrs. DE PAGAN. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"(Document marked 'De Pagan Exhibit No. 3'; and retained in committee files.)

"Mr. ARENS. Are you now, this moment, a member of the Communist Party?

"Mrs. DE PAGAN. For the same reasons, I will not answer this or any question, because I think you have no jurisdiction to conduct this investigation.

"Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be advised that the committee does not accept her reasons for declining, and that she be ordered and directed to answer the question.

"Mr. TUCK. The committee informs the witness that the reasons assigned in declining to answer the question are not acceptable and she is therefore directed and ordered to answer the question propounded by counsel.

"Does the witness still decline to answer?

"Mrs. DE PAGAN. I respectfully decline to answer that question on the ground that you

have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. Mr. Chairman, that will conclude the staff interrogation of this witness.

"Mr. TUCK. Call the next witness.

"The witness may stand aside."

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to the said Consuelo Burgos De Saez Pagan relative to the subject matter which, under Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, the said committee was instructed to investigate, and the refusal of the witness to answer the questions, namely:

"Are you presently educational director of the Puerto Rican Communist Party?

"Now I display to you a photostatic reproduction of the Communist Daily Worker of some years ago. In fact, it is about 11 years ago. I expect to pursue with you questions respecting your career up to the present time in the Communist Party.

"This issue of the Communist Daily Worker of March 16, 1948, has an article and a photograph. The photograph in this reproduction is rather blurred, but underneath the photograph appears the following:

" 'Consuelo Saez, educational director of the Puerto Rican Communist Party, will speak with Foster at Manhattan Center Thursday night.'

"Then we observe likewise in this publication, in which it tells about William Foster's speech about Puerto Rico, that 'also speaking at the meeting will be Consuelo Saez, dynamic young educational director of the Puerto Rican Communist Party, who accompanied Foster on his visit to Puerto Rico.'

"Kindly look at that document and tell this committee whether or not you still maintain the status indicated by that Communist publication of some several years ago.

"Are you now, this moment, a member of the Communist Party?"

which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and her refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony and places the said witness in contempt of the House of Representatives of the United States.

Other pertinent committee proceedings

The following resolution was adopted at the organizational meeting of the committee for the 86th Congress, held on the 23d day of January 1959:

"Be it resolved, That the chairman be authorized and empowered from time to time to appoint subcommittees, composed of three or more members of the Committee on Un-American Activities, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

The following is an extract from the minutes of an executive session of the subcommittee of the Committee on Un-American Activities, consisting of Hon. WILLIAM M. TUCK, chairman; Hon. MORGAN M. MOULDER, and Hon. GORDON H. SCHERER; of whom Hon. WILLIAM M. TUCK and GORDON H. SCHERER were present, held April 5, 1960, in room 225, Old House Office Building, Washington, D.C.:

"The subcommittee was called to order by the chairman of the full committee, who stated that the purpose of the meeting was to consider what action the subcommittee should take regarding the refusal of certain witnesses to answer material questions propounded to them in the course of the hearings conducted by the said subcommittee in San Juan, P.R., beginning on the 18th day of November 1959, and what recommendation it would make regarding the citation of any such witnesses for contempt of the House of Representatives.

"After full consideration of the testimony of the witnesses given at the said hearing in San Juan, P.R., a motion was made by Mr. SCHERER, seconded by Mr. TUCK, and unanimously carried, that a report of the facts relating to the refusal of Consuelo Burgos De Saez Pagan to answer material questions before the said subcommittee at the hearing aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the refusal of said witness to answer material questions, together with all the facts in connection therewith, be referred to the House of Representatives, with the recommendation that the said witness be cited for contempt of the House of Representatives for her refusal to answer questions therein set forth, to the end that she may be proceeded against in the manner and form provided by law."

The following is an extract from the minutes of an executive session of the Committee on Un-American Activities, consisting of Hon. FRANCIS E. WALTER, chairman; Hon. CLYDE DOYLE; Hon. WILLIAM M. TUCK; Hon. DONALD L. JACKSON; Hon. GORDON H. SCHERER; and Hon. WILLIAM E. MILLER, held on the 5th day of April 1960, in room 225, Old House Office Building, Washington, D.C.:

"The report of the facts relating to the refusal of Consuelo Burgos De Saez Pagan to answer material questions was submitted to the committee, upon which a motion was made by Mr. DOYLE, seconded by Mr. MILLER, and unanimously carried, that the subcommittee's report of the facts relating to the refusal of Consuelo Burgos De Saez Pagan to answer material questions before the said subcommittee at the hearing conducted before it in San Juan, P.R., on the 19th day of November 1959, be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report and refer the said refusal to answer questions before the said subcommittee, together with all the facts in connection therewith, to the House of Representatives, with the recommendation that the witness be cited for contempt of the House of Representatives for her refusal to answer such questions, to the end that she may be proceeded against in the manner and form provided by law."

Mr. TUCK. Mr. Speaker, I offer a privileged resolution (H. Res. 611) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Consuelo Burgos De Saez Pagan to answer questions before a duly constituted subcommittee of the Committee on Un-American Activities, together with all the facts in connection therewith, under seal of the House of Representatives, to the United States Attorney for the Commonwealth of Puerto Rico, to the end that the said Consuelo Burgos De Saez Pagan may be proceeded against in the manner and form provided by law.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken.

Mr. HOFFMAN of Michigan. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 385, nays 0, answered "present" 1, not voting 45, as follows:

[Roll No. 189]

YEAS—385

Abbitt	Daddario	Irwin
Abernethy	Dague	Jackson
Adair	Daniels	Jarman
Addonizio	Davis, Ga.	Jennings
Albert	Delaney	Jensen
Alexander	Dent	Johansen
Alford	Denton	Johnson, Calif.
Alger	Derounian	Johnson, Colo.
Allen	Derwinski	Johnson, Md.
Andersen, Minn.	Devine	Johnson, Wis.
	Dingell	Jonas
Anderson, Mont.	Dixon	Jones, Ala.
	Donohue	Jones, Mo.
Andrews	Dooley	Judd
Anfuso	Dorn, N.Y.	Karsten
Arends	Dorn, S.C.	Karth
Ashley	Dowdy	Kasem
Ashmore	Downing	Kastenmeier
Aspinall	Doyle	Kearns
Auchincloss	Dulski	Kee
Avery	Durham	Keith
Ayres	Dwyer	Kelly
Baker	Edmondson	Keogh
Baldwin	Elliott	Kilday
Barr	Everett	Kilgore
Barrett	Evins	King, Calif.
Barry	Fallon	King, Utah
Bass, N.H.	Farbstein	Kitchin
Bass, Tenn.	Fascell	Knox
Bates	Feighan	Kowalski
Becker	Fenton	Kyl
Beckworth	Fino	Lafore
Belcher	Fisher	Laird
Bennett, Fla.	Flood	Lane
Bennett, Mich.	Flynt	Langen
Bentley	Fogarty	Lankford
Berry	Foley	Latta
Betts	Ford	Lennon
Blatnik	Forrester	Lesinski
Blitch	Fountain	Levering
Boland	Frazier	Libonati
Bolton	Frelinghuysen	Lindsay
Bonner	Friedel	Lipscomb
Bosch	Fulton	Loser
Bow	Gallagher	McCormack
Boykin	Garmatz	McCulloch
Brademas	Gary	McDonough
Bray	Gathings	McDowell
Breeding	Gavin	McFall
Brewster	George	McGinley
Brock	Giaimo	McGovern
Brooks, La.	Gilbert	McIntire
Brooks, Tex.	Glenn	McMillan
Broomfield	Goodell	Macdonald
Brown, Ga.	Granahan	Mack
Brown, Mo.	Gray	Madden
Brown, Ohio	Green, Oreg.	Mahon
Broyhill	Green, Pa.	Mailliard
Buckley	Griffin	Marshall
Budge	Griffiths	Martin
Burke, Ky.	Gross	Mason
Burke, Mass.	Gubser	Matthews
Burleson	Hagen	May
Byrnes, Pa.	Haley	Meader
Byrnes, Wis.	Halleck	Merrow
Cahill	Halpern	Metcalf
Canfield	Hardy	Michel
Cannon	Hargis	Miller, Clem
Carnahan	Harmon	Miller, N.Y.
Casey	Harris	Milliken
Cederberg	Harrison	Mills
Celler	Hays	Minshall
Chamberlain	Healey	Moeller
Chelf	Hechler	Monagan
Chenoweth	Hemphill	Montoya
Chiperfield	Henderson	Moore
Church	Herlong	Moorhead
Clark	Hiestand	Morgan
Coffin	Hoeven	Morris, N.Mex.
Cohelan	Hoffman, Ill.	Morris, Okla.
Collier	Hoffman, Mich.	Moss
Colmer	Hogan	Moulder
Conte	Holland	Multer
Cook	Holt	Mumma
Cooley	Holtzman	Murphy
Corbett	Horan	Natcher
Cramer	Hosmer	Nelsen
Cunningham	Huddleston	Nix
Curtin	Hull	Norblad
Curtis, Mass.	Ikard	O'Brien, Ill.
Curtis, Mo.	Inouye	O'Brien, N.Y

O'Hara, Ill.	Rogers, Colo.	Teller
O'Hara, Mich.	Rogers, Fla.	Thomas
O'Konski	Rogers, Tex.	Thompson, N.J.
O'Neill	Rooney	Thompson, Tex.
Osmers	Roosevelt	Thomson, Wyo.
Ostertag	Rostenkowski	Thornberry
Passman	Roush	Toll
Patman	Rutherford	Tollefson
Pelly	St. George	Trimble
Perkins	Santangelo	Tuck
Pfost	Saund	Ullman
Philbin	Saylor	Utt
Pilcher	Schenck	Vanik
Pirnie	Scherer	Van Pelt
Pillion	Schneebeli	Van Zandt
Poage	Schwengel	Wainwright
Poff	Scott	Wallhauser
Porter	Selden	Walter
Price	Shelley	Wampler
Prokop	Short	Watts
Pucinski	Sikes	Weaver
Quigley	Siler	Weis
Rabaut	Simpson	Westland
Rains	Sisk	Wharton
Randall	Slack	Whitener
Ray	Smith, Calif.	Whitten
Reece, Tenn.	Smith, Iowa	Widnall
Rees, Kans.	Smith, Miss.	Wier
Reuss	Spence	Williams
Rhodes, Ariz.	Springer	Willis
Rhodes, Pa.	Staggers	Wilson
Riehlman	Steed	Winstead
Riley	Stratton	Wolf
Rivers, Alaska	Stubblefield	Yates
Rivers, S.C.	Sullivan	Young
Roberts	Taber	Younger
Robison	Taylor, N.C.	Zablocki
Rodino	Teague, Calif.	Zelenko

NAYS—0

ANSWERED "PRESENT"—1

Meyer

NOT VOTING—45

Bailey	Holifield	Preston
Barden	Kilburn	Quie
Baring	Kirwan	Rogers, Mass.
Baumhart	Kluczynski	Sheppard
Boggs	Landrum	Shipley
Bolling	McSween	Smith, Kans.
Bowles	Machrowicz	Smith, Va.
Coad	Magnuson	Taylor, N.Y.
Davis, Tenn.	Miller, George, P.	Teague, Tex.
Dawson	Mitchell	Thompson, La.
Diggs	Morrison	Udall
Flynn	Murray	Vinson
Forand	Norrell	Withrow
Grant	Oliver	Wright
Hébert	Powell	
Hess		

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Hess.

Mr. Sheppard with Mr. Quie.

Mr. Morrison with Mr. Baumhart.

Mr. Oliver with Mr. Taylor of New York.

Mr. Thompson of Louisiana with Mr. Smith of Kansas.

Mr. Kirwan with Mr. Withrow.

Mr. Magnuson with Mrs. Rogers of Massachusetts.

Mr. Boggs with Mr. Kilburn.

Mr. RAINS changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROCEEDINGS AGAINST JUAN SAEZ CORALES

Mr. TUCK. Mr. Speaker, by direction of the Committee on Un-American Activities, I offer a privileged report (Rept. No. 2125) from the Committee on Un-American Activities.

The Clerk read the report, as follows:

PROCEEDINGS AGAINST JUAN SAEZ CORALES

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, caused to be issued a subpena to Juan Saez Corales. The said subpena directed Juan Saez Corales to be and appear before the said Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which Hon. FRANCIS E. WALTER is chairman, in U.S. courtroom, San Juan, P.R., on Wednesday, November 18, 1959, at 10 a.m., then and there to testify touching matters of inquiry committed to said committee and not to depart without leave of said committee. The subpena served upon said Juan Saez Corales is set forth in words and figures as follows:

"UNITED STATES OF AMERICA,
"CONGRESS OF THE UNITED STATES.

"TO JUAN SAEZ CORALES, *Greetings:*

"Pursuant to lawful authority, you are hereby commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on Wednesday, November 18, 1959, at 10 o'clock a.m., at U.S. courtroom, U.S. Courthouse and Post Office Building, San Juan, P.R., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To U.S. marshal, to serve and return.

"Given under my hand this 14th day of October, in the year of our Lord, 1959.

"FRANCIS E. WALTER,
"Chairman."

The said subpena was duly served as appears by the return made thereon by the U.S. marshal, who was duly authorized to serve the said subpena. The return of the service by the said U.S. marshal being endorsed thereon, is set forth in words and figures as follows:

"Subpena for Juan Saez Corales before the committee on the 18th day of November 1959 (Wednesday) at 10 a.m.

"I made service of the within subpena by handing to and leaving original subpena with the within-named Juan Saez Corales personally at the entrance of Cafeteria Manolin, San Justo Street, No. 258, San Juan, P.R., at 1:30 p.m., on the 16th of October 1959.

"Dated October 20, 1959.

"SANTOS BUXO, Jr.,
"U.S. Marshal,
"By DIEGO L. MARTIN, Jr.,
"Deputy."

The said Juan Saez Corales was not called to testify on November 18, 1959, the day on which he was directed to appear, and was called as a witness on November 19, 1959. The said Juan Saez Corales, pursuant to said subpena, and in compliance therewith, appeared before the said subcommittee on the 19th day of November 1959, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 7 of the 86th Congress. The said Juan Saez Corales, having appeared as a witness and having been asked the questions, namely:

"I lay before you now a photostatic copy of an application filed by yourself on December 22, 1953, with the United States postal authorities, soliciting a post office box, in which the records reflect here was given to you, Box No. 2583, bearing your signature, Juan Saez Corales.

"Please look at this document which is now being displayed to you and tell this committee whether or not that is a true and correct reproduction of the application filed by yourself for a post office box.

"Now, Mr. Witness, are you now, this instant, a member of the Communist Party?

"Now, sir, in New York City just a few days ago, this committee interrogated an identified functionary or agent of the Communist conspiracy by the name of Ramon Acevedo. I do not at the instant have before my eyes the specific dates, but from the investigative techniques of this committee, this committee knows that you have been receiving and exchanging information via Box No. 2583 herein Puerto Rico with Ramon Acevedo, whom the committee interrogated just a few days ago.

"I put it to you as a fact, sir, that what I have said is true and correct. Please affirm or deny it while you are under oath.

"Via the investigative techniques of this committee, this committee has learned that beginning on December 18, 1957, you have been in an exchange via Box No. 2583, of Communist directives, orders, and exchanges of information with a Communist functionary in New York City whose address is 43 West 109th Street, New York, and whose name is Bill Albertson.

"While you are under oath, please affirm or deny that information."

which questions were pertinent to the subject under inquiry, refused to answer said questions, and as a result of said Juan Saez Corales' refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon said Juan Saez Corales.

The record of the proceedings before the subcommittee on November 18, 1959, insofar as it affects the appearance of the witness Juan Saez Corales on November 19, 1959, is set forth in fact as follows.

"WEDNESDAY, NOVEMBER 18, 1959

"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"San Juan, P.R.

"Public hearings

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m. in the U.S. Courthouse, San Juan, P.R., Hon. WILLIAM M. TUCK (chairman of the subcommittee) presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; and Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

"Counsel, let there be incorporated in the body of the record the resolution of the Committee on Un-American Activities authorizing and directing the holding of the instant hearings in San Juan.

"(The resolution referred to follows:)

" 'Be it resolved, That hearings by the Committee on Un-American Activities or a subcommittee thereof, to be held in Puerto Rico, in New York City, and elsewhere as the chairman may direct, on such date or dates as the chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following matters and having the legislative purposes indicated:

" '1. Entry and dissemination in Puerto Rico of foreign Communist Party propaganda, the legislative purpose being to determine the necessity for, and advisability of amendments to the Foreign Agents Registration Act designed more effectively to counteract the Communist schemes and devices now used in avoiding the prohibitions of the Act.

"'2. Receipt of information relating to persons engaged in foreign travel, the legislative purpose being:

"'(a) Committee consideration of amendments to Sec. 215 of the Immigration and Nationality Act as contained in Title IX—Immigration and Passport Security—of H.R. 2232, introduced on January 12, 1959, and referred by the House of Representatives to the Committee on Un-American Activities:

"'(b) Consideration of legislative recommendations expressing the will and intent of Congress spelled out in direct and positive form, granting authority to the Secretary of State to issue, withhold, or limit passports for international travel of adherents to the Communist Party, and the granting of specific statutory authority, to the Secretary of State to issue substantive regulations in the passport field, as set forth in the annual reports of the Committee on Un-American Activities for the years 1956–1958.

"'3. The extent, character and objects of Communist infiltration and Communist Party propaganda activities in Puerto Rico, the legislative purpose being to add to the committee's overall knowledge on the subject so that the Congress may be kept informed and thus prepared to enact remedial legislation in the national defense and for internal security.

"'4. The execution by the administrative agencies concerned of all laws and regulations relating to the Internal Security Act, the Communist Control Act, the Foreign Agents Registration Act, passport regulations, and all other laws, the subject matter of which is within the jurisdiction of the committee, the legislative purpose being to exercise continuous watchfulness over the execution of these laws to assist the Congress in appraising their administration, and in developing such amendments or related legislation as it may deem necessary.

"'5. Any other matter within the jurisdiction of the committee which it, or any subcommittee hereof appointed to conduct these hearings may designate.'

"Mr. TUCK. Let there likewise be incorporated in the body of the record the order of appointment of the subcommittee to conduct the hearings, the order of Chairman Walter.

"(The order referred to follows:)

"'OCTOBER 6, 1959.

"'To Mr. Richard Arens, staff director, House Committee on Un-American Activities.

"'Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representative WILLIAM M. TUCK, as chairman, and Representatives MORGAN M. MOULDER and GORDON H. SCHERER as associate members, to conduct hearings in New York, N.Y., Monday and Tuesday, November 16 and 17, 1959, at 10 a.m., and in San Juan, P.R., Wednesday, Thursday, and Friday, November 18, 19, and 20, 1959, at 10 a.m., on subjects under investigation by the committee and take such testimony on said days or succeeding days as it may deem necessary.

"'Please make this action a matter of committee record.

"'If any Member indicates his inability to serve please notify me.

"'Given under my hand this 6th day of October 1959.

"'FRANCIS E. WALTER,
"'*Chairman, Committee on Un-American Activities.*'

"Mr. TUCK. The hearings which begin today in San Juan are in furtherance of the powers and duties of the Committee on Un-American Activities, pursuant to Public Law 601 of the 79th Congress which not only establishes the basic jurisdiction of the committee, but also mandates this committee, along with other standing committees of the Congress, to exercise continuous watchfulness of the execution of any laws the subject matter of which is within the jurisdiction of the committee.

"In response to this power and duty, the Committee on Un-American Activities is continuously in the process of accumulating factual information respecting Communists, the Communist Party, and Communist activities which will enable the committee and the Congress to appraise the administration and operation of the Smith Act, the Internal Security Act of 1950, the Communist Control Act of 1954, and numerous provisions of the Criminal Code relating to espionage, sabotage, and subversion.

"In addition, the committee has before it numerous proposals to strengthen our legislative weapons designed to protect the internal security of this Nation.

"In the course of the last few years, as a result of hearings and investigations, this committee has made over 80 separate recommendations for legislative action. Legislation has been passed by the Congress embracing 35 of the committee recommendations and 26 separate proposals are currently pending in the Congress on subjects covered by other committee recommendations. Moreover, in the course of the last few years numerous recommendations made by the committee for administrative action have been adopted by the executive agencies of the Government.

"This subcommittee of the Committee on Un-American Activities has come to Puerto Rico to discharge a duty imposed by the U.S. Congress, namely, to develop factual information for the Congress in its endeavors to cope with the Communist conspiracy. We come here as friends in an enterprise which ought to be the concern of all freedom-loving people everywhere, irrespective of wherever they may reside.

"From past experience we know that the Communist propagandists will attempt to pervert the purpose of these hearings into an investigation of Puerto Ricans. We are not investigating Puerto Ricans as Puerto Ricans. We are pursuing the trail of the few dangerous Communists who are part and parcel of a world conspiracy which would destroy freedom.

"We do not expect to interrogate here every Communist on the island. We only expect to make a sampling of Communist activity here so that we will be able to know the pattern of the Communist conspiracy's efforts in this area and its connections with the Communist conspiracy on the mainland.

"One of the most insidious aspects of communism is its deceit. It pretends to be the friend of the working man, but where it has seized power the working man is crushed under its despotic heel. He finds himself regimented and disciplined. He may find himself in a slave labor camp. It pretends to seek peace and yet it is at war with free people everywhere. Communism masquerades behind a facade of humanitarianism but it has caused more bloodshed and misery than any other force in the history of civilization.

"The strength of the Communist operation in any area is not in proportion to its numbers. A conspiratorial force may actually weaken itself when it increases its size. It takes only one or two holes in a ship to sink it. It, likewise, takes only a few trained, disciplined zealots to undermine and weaken a nation or a free society.

"What are the present strategies and tactics of the Communist operation in this general area? What techniques are the hardcore Communists pursuing in order to avoid detection as they pursue their nefarious work? What are the lines of control and communication between the various Communists' nests here and on the mainland? What loopholes or weaknesses exist in our present security laws? How may those laws be strengthened?

"These questions shall be uppermost in the minds of the committee as we elicit testimony during these hearings.

"May I emphasize that the purpose of the subcommittee here in San Juan is to sample factual material with reference to types and patterns of activity, and not to attempt to exhaust the subject matter. We have not subpenaed witnesses for these hearings merely to put on a show, nor shall we attempt to interrogate in these hearings even a significant percentage of all possible witnesses on whom we have compiled information.

"It is a standing rule of this committee that any person identified as a member of the Communist Party during the course of the committee hearings will be given an early opportunity to appear before this committee, if he so desires, for the purpose of denying or explaining any testimony adversely affecting him, or which he may think adversely affects him.

"It is also the policy of the committee to accord any witness the privilege of being represented by counsel; but within the provisions of the rules of this committee, counsel's sole and exclusive prerogative is to advise his client.

"I would remind those present that a disturbance of any kind, or an audible comment during the hearings, will not be permitted. This is a serious proceeding in which we are earnestly trying to discharge an important and arduous duty."

The record of the proceedings on November 19, 1959, during which the said Juan Saez Corales refused to answer the aforesaid questions pertinent to the subject under inquiry, is set forth in fact as follows:

"THURSDAY, NOVEMBER 19, 1959

"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
"*San Juan, P.R.*

"Public hearings

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:45 a.m., in the U.S. Courthouse, Hon. WILLIAM M. TUCK, chairman of the subcommittee, presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

* * * * *

"Mr. ARENS. The next witness will be Juan Saez Corales.

"Mr. TUCK. Does he speak English?

"Will you raise your right hand? Be sworn, please.

"You do solemnly swear the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. SAEZ CORALES. I do.

"TESTIMONY OF JUAN SAEZ CORALES, ACCOMPANIED BY COUNSEL, ABRAHAM DIAZ GONZALEZ; SANTOS P. AMADEO; PRAXELES ALVEREZ LEANDRI; MAX GOLDMAN; AND MARCOS A. RAMIREZ (DONALD F. BARNES, INTERPRETER)

"Mr. ARENS. Please identify yourself by name, residence, and occupation.

"Mr. SAEZ CORALES. My name is Juan Saez Corales. I live in Bayamon, and I sell office equipment and commercial machinery.

"Mr. ARENS. You are appearing today in response to a subpena which was served upon you by this committee?

"Mr. SAEZ CORALES. Yesterday I submitted a written statement to the committee in which I expressed my conviction that I was

appearing in these hearings as a courtesy to the Congress of the United States, but that because of the fact that the committee has no jurisdiction to hold this investigation in Puerto Rico I would respectfully refuse to answer this or any other question that might be posed to me during this hearing.

"Mr. ARENS. You are represented by counsel?

"Mr. SAEZ CORALES. I respectfully refuse to answer that question as I did the preceding one.

"Mr. ARENS. Mr. Counsel, will you kindly identify yourself?

"Mr. DIAZ GONZALEZ. My name is Abraham Diaz Gonzalez. I am representing this witness with the counsel which are here which, together with me, were designated by the bar association to represent him.

"Mr. TUCK. Do you represent him?

"Mr. DIAZ GONZALEZ. Yes.

"Mr. TUCK. Name the counsel appearing with you.

"Mr. DIAZ GONZALEZ. I have Mr. Max Goldman, Professor Santos Amadeo, Mr. Marcos Ramirez and Mr. Praxeles Leandri, whose addresses have been already stated for the record yesterday.

"Mr. TUCK. Thank you.

"Mr. ARENS. Mr. Saez Corales, I expect, in the course of this interrogation, to pose a number of questions to you which this committee feels must be asked in order to attempt to elicit information from you for the legislative purposes of this committee.

"If there is any question which I ask you which you do not understand, or concerning the pertinency or relevancy of the question to the subject under inquiry, please ask me about them and I will be glad in response to any question which you pose—indicating uncertainty or indicating a lack of comprehension of its relevancy or pertinency—to give you a complete, detailed explanation.

"Mr. SAEZ CORALES. Respectfully, I once again refuse to answer this question in accordance with my already established position that this committee has no jurisdiction to hold this investigation.

"Mr. ARENS. I am uncertain, Mr. Reporter, whether or not the witness has given us his address, because of the language problem here. I am not certain I got it. Can you tell me whether or not your notes reflect his address?

"Mr. DIAZ GONZALEZ. He lives at J–7, Lomas Verdes, Bayamon, Puerto Rico.

"Mr. ARENS. Mr. Witness, do you receive your mail at this address which the counsel has just announced into the record?

"Mr. SAEZ CORALES. I respectfully refuse to answer once again because I believe that this committee has no jurisdiction to carry out this investigation.

"Mr. ARENS. I lay before you now a photostatic copy of an application filed by yourself on December 22, 1953, with the U.S. postal authorities, soliciting a post office box, in which the records reflect here was given to you, Box No. 2583, bearing your signature, Juan Saez Corales.

"Please look at this document which is now being displayed to you and tell this committee whether or not that is a true and correct reproduction of the application filed by yourself for a post office box.

"(The document was handed to the witness.)

"(The witness conferred with his counsel.)

"Mr. ARENS. At any time, whenever you want to consult your counsel, you just consult your counsel; consult all five of them, anytime you want to.

"(The witness conferred with his counsel.)

"Mr. SAEZ CORALES. I respectfully refuse to answer on the grounds that this committee has no jurisdiction to hold this investigation.

"Mr. ARENS. Now, Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

"Mr. TUCK. The Chair feels at this point that it should advise the witness or warn him—or issue a proclamation of warning—to the effect that he may endanger his own liberty or become involved in some serious matter with the Department of Justice of the United States if he persists in refusing to answer this question.

"After giving that warning, I order and direct the witness to answer the question.

"Mr. SAEZ CORALES. I respectfully would like to state for the record that I will not answer any questions posed during these hearings to me because I consider that this committee has no jurisdiction to hold these hearings.

"(Document marked 'Saez Corales Exhibit No. 1' and retained in committee files.)

"Mr. ARENS. Now, Mr. Witness, are you now, this instant, a member of the Communist Party?

"Mr. SAEZ CORALES. I respectfully refuse to answer that question because I consider that the committee has no jurisdiction to hold these hearings in Puerto Rico.

"Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the question.

"Mr. TUCK. The reasons assigned by the witness for not answering the question are insufficient and do not satisfy the committee. The committee, therefore, orders and directs the witness to answer the question.

"Mr. SAEZ CORALES. I respectfully would like to state once again for the record that yesterday I presented a document to the committee giving the reasons why I believe that the committee has no jurisdiction to hold these hearings and, therefore, for the same reasons I respectfully refuse to answer any queston that might be posed to me during these hearings.

"Mr. ARENS. Now, Mr. Witness, over the course of 2 years' time in the investigative techniques of this Committee on Un-American Activities, the committee has been able to ascertain the messages which have been received by you at this Box No. 2583, and some of the messages that have gone in the other direction.

"I should like now to ask you specifically respecting certain messages and certain material—which from the investigative techniques of this committee—you have received from known international agents of the Communist conspiracy as a Communist functioning here in San Juan, P.R.

"Mr. SAEZ CORALES. I respectfully refuse to answer this and any other questions that might be posed to me during the course of these hearings because I consider that the committee has no authority to hold these hearings.

"Mr. ARENS. First of all I should like to inquire if you have a recollection of receiving on January 8, 1958, a message destined to you at Box No. 2583 from Bucharest, Rumania. I am not speaking now of literature. I expect to get into that later. But a message, a directive, from Bucharest, Rumania, on January 8, 1958. Please respond to my question.

"Mr. SAEZ CORALES. For the same reasons that I have already given, I would respectfully refuse to answer this question and any others that you may ask of me.

"Mr. ARENS. I put it to you as a fact, sir, that on January 8, 1958, you as a Communist functionary in Puerto Rico received a directive from Bucharest, Rumania, received via box No. 2583.

"If that is not a fact, please deny it while you are under oath.

"Mr. SAEZ CORALES. I respectfully refuse to answer this question for the reasons that I have already stated, that this committee has no jurisdiction to hold this investigation.

"Mr. ARENS. Now, sir, in New York City just a few days ago, this committee interrogated an identified functionary or agent of the Communist conspiracy by the name of Ramon Acevedo. I do not at the instant have before my eyes the specific dates, but from the investigative techniques of this committee, this committee knows that you have been receiving and exchanging information via Box No. 2583 here in Puerto Rico with Ramon Acevedo, whom the committee interrogated just a few days ago.

"I put it to you as a fact, sir, that what I have said is true and correct. Please affirm or deny it while you are under oath.

"Mr. SAEZ CORALES. I respectfully refuse to answer this question for the reasons that I gave before.

"Mr. ARENS. Now sir, I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

"Mr. TUCK. The committee orders and directs the witness to answer the question.

"Mr. SAEZ CORALES. The witness, consistent with the position he has already established, respectfully wishes to state again that he will not answer this question or any other that might be posed to him by the committee.

"Mr. ARENS. Via the investigative techniques of this committee, this committee has learned that beginning on December 18, 1957, you have been in an exchange via Box No. 2583, of Communist directives, orders and exchanges of information with a Communist functionary in New York City whose address is 43 West 109th Street, New York, and whose name is Bill Albertson.

"While you are under oath, please affirm or deny that information.

"Mr. SAEZ CORALES. I respectfully refuse to answer that question because I consider that the committee has no jurisdiction to carry out this investigation in Puerto Rico.

"Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be informed that his response is not accepted by the committee and that he is ordered and directed to answer the question.

"Mr. TUCK. The Chair at this point informs the witness that the committee is not satisfied with his reasons and does not accept his reasons for not answering these questions.

"The Chair now specifically orders the witness and directs him to answer the previous question.

"Mr. SAEZ CORALES. I respectfully refuse to answer this question and any other that might be posed to me by the committee because I believe that the committee has no jurisdiction to hold these hearings in Puerto Rico.

"Mr. ARENS. Mr. Witness, via the investigative techniques of this committee, the committee has acquired information that beginning on January 10, 1958, you have been engaged in a series of exchanges of directives and messages with a functionary of the international Communist apparatus in Buenos Aires, Argentina.

"While you are under oath, please affirm or deny the validity of that information.

"Mr. SAEZ CORALES. I respectfully refuse to answer this question for the reasons that I have already stated several times.

"Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be informed that his answer is not acceptable to the committee and that he be ordered and directed to answer the question.

"Mr. TUCK. The committee informs the witness that his answer is not accepted and he is, therefore, ordered and directed to answer the question.

"Mr. SAEZ CORALES. I respectfully maintain my position that I will refuse to answer this question because the committee has no jurisdiction to ask it.

"Mr. ARENS. Now, Mr. Witness, it is the information of this committee, from its investigative techniques, that via Box No. 2583,

you have been in an exchange of messages with an international Communist functionary in Veracruz, Mexico.

"While you are under oath, please affirm or deny the validity of that information.

"Mr. SAEZ CORALES. I respectfully refuse to answer the question.

"Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness now be ordered and directed to answer the question.

"Mr. TUCK. The witness is further informed that the committee does not accept his reasons for not answering the question. He is ordered and directed to answer the specific question.

"Mr. SAEZ CORALES. I would respectfully like to submit once more that since I consider that the committee does not have any jurisdiction to hold these meetings in Puerto Rico, I do not feel obligated to answer these questions.

"Mr. ARENS. Now, Mr. Witness, it is the information of this committee through the use of its investigative techniques that using the facilities of Box No. 2583 over the course of the last several years, you have been a regular importer of Communist publications, principally from the mainland.

"These publications include the Communist Worker, they include Masses and Mainstream, subsequently retitled Mainstream; they include Political Affairs, they include the National Guardian, and a number of publications issued by New Century Publishers in New York City, which is a Communist publishing house.

"I ask you please, sir, while you are under oath, to confirm or deny the validity of that information.

"Mr. SAEZ CORALES. I respectfully refuse to answer that question because I consider that this committee does not have jurisdiction to hold these investigations in Puerto Rico.

"Mr. ARENS. Mr. Witness, yesterday a reputable, competent servant of this Government, Mr. Irving Fishman, who has been making a study of Communist propaganda in connection with the Post Office Department, testified before this committee that, among other things, the Communists now have a $100 million campaign for Communist propaganda, anti-American propaganda, beamed at the Spanish-speaking countries of this hemisphere, and that Puerto Rico was a nerve center for the direction and control of the flow of that Communist propaganda.

"Do you, sir, presently have information respecting that operation which you can now make available to your Government via this committee so that your Government can, in the discharge of its legislative functions, undertake to cope with this menace to freedom of the Western Hemisphere?

"Mr. SAEZ CORALES. I respectfully refuse to answer that question because I maintain that this committee has no jurisdiction to hold this investigation in Puerto Rico.

"Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be advised that his answer is not sufficient, the committee does not accept it, and that he be ordered and directed to answer the question.

"Mr. TUCK. The committee reaffirms what it has already said, that the committee is not satisfied with the reasons assigned by the witness, and does not accept his answer as legally justifiable for his refusal to answer.

"The Chair directs the witness and orders him to answer the immediately preceding question.

"Mr. SAEZ CORALES. The witness would like to reaffirm that this committee has no jurisdiction, in the understanding of the witness, to hold these hearings in Puerto Rico and, therefore, respectfully refuses to answer this question.

"Mr. ARENS. Now, Mr. Witness, when this committee left New York City some 2 or 3 days ago to come to San Juan on these particular hearings, we noticed that on the very plane which brought us to San Juan, were two or three of the comrades whom we had interrogated in New York City, as hard-core members of the conspiracy.

"Have you, since this committee arrived in San Juan, been in session with any of the comrades who have recently arrived from New York City?

"Mr. SAEZ CORALES. I respectfully refuse to answer that question because I consider that the committee has no jurisdiction to carry out this investigation in Puerto Rico.

"Mr. ARENS. One of the comrades, Mr. Witness, is seated here in the hearing room. I see him now in the second row, the third from my left here.

"Would you kindly look over your right shoulder and view the man seated there, the second row, the third man from the wall, and tell this committee whether or not you have been in session with him since this committee arrived in San Juan?

"Mr. SAEZ CORALES. In accordance with my position already established, I respectfully refuse to answer this question.

"Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

"Mr. SCHERER. I think there should be a direction by the Chairman to have this man follow the instruction of at least looking. He didn't ask him to answer any question. He just asked him to look at the party.

"Mr. TUCK. The Chair directs and orders the witness to respond to the question.

"Mr. SAEZ CORALES. I would respectfully like to inform the committee that in accordance with the position that I have already established, the committee has no jurisdiction to hold these hearings in Puerto Rico. I shall refuse to answer any questions or to look or to do anything else which the committee may direct me to do.

"Mr. ARENS. Mr. Chairman, I respectfully suggest that that will conclude the staff interrogation of this witness.

"Mr. SCHERER. I think the record should reflect the fact that the witness did not look——

"Mr. TUCK. We are not going to have any demonstration here.

"Mr. SCHERER. The record should reflect the fact that the witness did not look at the party designated by counsel. The record would not show that the witness failed to comply with the direction of counsel and the Chair. That is the reason I ask the record reflect it by my statement.

"Mr. ARENS. We have no further questions of this witness."

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to the said Juan Saez Corales relative to the subject matter which, under Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, the said committee was instructed to investigate, and the refusal of the witness to answer the questions, namely:

"I lay before you now a photostatic copy of an application filed by yourself on December 22, 1953, with the U.S. postal authorities, soliciting a post office box, in which the records reflect here was given to you, Box No. 2583, bearing your signature, Juan Saez Corales.

"Please look at this document which is now being displayed to you and tell this committee whether or not that is a true and correct reproduction of the application filed by yourself for a post office box.

"Now, Mr. Witness, are you now, this instant, a member of the Communist Party?

"Now, sir, in New York City just a few days ago, this committee interrogated an identified functionary or agent of the Communist conspiracy by the name of Ramon Acevedo. I do not at the instant have before my eyes the specific dates, but from the investigative techniques of this committee, this committee knows that you have been receiving and exchanging information via box No. 2583 here in Puerto Rico with Ramon Acevedo, whom the committee interrogated just a few days ago.

"I put it to you as a fact, sir, that what I have said is true and correct. Please affirm or deny it while you are under oath.

"Via the investigative techniques of this committee, this committee has learned that beginning on December 18, 1957, you have been in an exchange via Box No. 2583, of Communist directives, orders, and exchanges of information with a Communist functionary in New York City whose address is 43 West 109th Street, New York, and whose name is Bill Albertson.

"While you are under oath, please affirm or deny that information."

which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony and places the said witness in contempt of the House of Representatives of the United States.

Other pertinent committee proceedings

The following resolution was adopted at the organizational meeting of the committee for the 86th Congress, held on the 23d day of January 1959:

"Be it resolved, That the chairman be authorized and empowered from time to time to appoint subcommittees, composed of three or more members of the Committee on Un-American Activities at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

The following is an extract from the minutes of an executive session of the subcommittee of the Committee on Un-American Activities, consisting of Hon. William M. Tuck, chairman, Hon. Morgan M. Moulder, and Hon. Gordon H. Scherer; of whom Hon. William M. Tuck and Hon. Gordon H. Scherer were present, held April 5, 1960, in room 225, Old House Office Building, Washington, D.C.:

"The subcommittee was called to order by the chairman of the full committee, who stated the purpose of the meeting was to consider what action the subcommittee should take regarding the refusal of certain witnesses to answer material questions propounded to them in the course of the hearings conducted by the said subcommittee in San Juan, Puerto Rico, beginning on the 18th day of November 1959, and what recommendation it would make regarding the citation of any such witnesses for contempt of the House of Representatives.

"After full consideration of the testimony of the witnesses given at the said hearing in San Juan, Puerto Rico, a motion was made by Mr. Scherer, seconded by Mr. Tuck, and unanimously carried, that a report of the facts relating to the refusal of Juan Saez Corales to answer material questions before the said subcommittee at the hearing aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the refusal of said witness to answer material questions, together with all the facts in connection therewith, be referred to the House of Representatives, with the recommendation that the said witness be cited for contempt of the House of

Representatives for his refusal to answer questions therein set forth, to the end that he may be proceeded against in the manner and form provided by law."

The following is an extract from the minutes of an executive session of the Committee on Un-American Activities, consisting of Hon. FRANCIS E. WALTER, chairman; Hon. CLYDE DOYLE; Hon. WILLIAM M. TUCK; Hon. DONALD L. JACKSON; Hon. GORDON H. SCHERER; and Hon. WILLIAM E. MILLER, held on the 5th day of April 1960, in room 225, Old House Office Building, Washington, D.C.:

"The report of the facts relating to the refusal of Juan Saez Corales to answer material questions was submitted to the committee, upon which a motion was made by Mr. DOYLE, seconded by Mr. MILLER, and unanimously carried, that the subcommittee's report of the facts relating to the refusal of Juan Saez Corales to answer material questions before the said subcommittee at the hearing conducted before it in San Juan, Puerto Rico, on the 19th day of November 1959, be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report and refer the said refusal to answer questions before the said subcommittee, together with all the facts in connection therewith, to the House of Representatives, with the recommendation that the witness be cited for contempt of the House of Representatives for his refusal to answer such questions, to the end that he may be proceeded against in the manner and form provided by law."

Mr. TUCK. Mr. Speaker, I offer a privileged resolution (H. Res. 612) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Juan Saez Corales to answer questions before a duly constituted subcommittee of the Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States Attorney for the Commonwealth of Puerto Rico, to the end that the said Juan Saez Corales may be proceeded against in the manner and form provided by law.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROCEEDINGS AGAINST JOHN PETER HAWES

Mr. TUCK. Mr. Speaker, by direction of the Committee on Un-American Activities, and at the request of the chairman, I submit a privileged report (Rept. No. 2126).

The Clerk read as follows:

PROCEEDINGS AGAINST JOHN PETER HAWES

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, caused to be issued a subpena to John Peter Hawes. The said subpena directed John Peter Hawes to be and appear before the Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which Hon. Francis E. Walter is chairman, in U.S. Court Room, U.S. Court House and Post Office Building, San Juan, Puerto Rico, on Wednesday, November 18, 1959, at 2 o'clock p.m., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena served upon John Peter Hawes is set forth in words and figures as follows:

"UNITED STATES OF AMERICA,
"CONGRESS OF THE UNITED STATES.

"To JOHN PETER HAWES, *Greeting:*

"Pursuant to lawful authority, you are hereby commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on November 18, 1959, at 2 o'clock p.m., at U.S. Court Room, U.S. Court House, and Post Office Building, San Juan, P.R., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To U.S. marshal, to serve and return.

"Given under my hand this 30th day of October, in the year of our Lord, 1959.

"FRANCIS E. WALTER,
"Chairman."

The said subpena was duly served as appears by the return made thereon by the U.S. marshal, who was duly authorized to serve the said subpena. The return of the service by the said U.S. marshal being endorsed thereon, is set forth in words and figures as follows:

"Subpena for John Peter Hawes before the committee on the 18th day of November 1959, at 10 a.m.

"I made service of the within subpena by handing to and leaving original subpena, with the within-named John Peter Hawes personally at Ward Certenajas, Cidra, P.R., at 3:20 p.m., on the 2d day of November, 1959.

"Dated November 3, 1959.

"SANTOS BUXO, Jr.,
"U.S. Marshal.
"By: NEPOMUCENO MAS,
"Deputy."

The said John Peter Hawes was not reached on November 18, 1959, the day on which he was directed to appear, and was called as a witness on November 19, 1959. The said John Peter Hawes, pursuant to said subpena, and in compliance therewith, appeared before the said subcommittee on the 19th day of November, 1959, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 7 of the 86th Congress. The said John Peter Hawes, having appeared as a witness and having been asked the questions, namely:

"That is the information of this committee. We would like to have you help us with it—that you were a member of the Communist conspiratorial force—the Communist Party in Boston, until you moved here and transferred your membership down here. Can you help us on that, please?

"Was Mr. Philbrick telling us the truth or was he in error when he told us about your participation in Boston in the Communist Party?

"With that as an explanation, I ask you now, sir, are you a member of the Communist Party?"

which questions were pertinent to the subject under inquiry, refused to answer said questions, and as a result of said John Peter Hawes' refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon said John Peter Hawes.

The record of the proceedings before the subcommittee on November 18, 1959, insofar as it affects the appearance of the witness John Peter Hawes on November 19, 1959, is set forth in fact as follows:

"WEDNESDAY, NOVEMBER 11, 1959
"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
San Juan, P.R.

"Public hearings

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m. in the U.S. Courthouse, San Juan, P.R., Hon. WILLIAM M. TUCK (chairman of the subcommittee) presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; and Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

"Counsel, let there be incorporated in the body of the record the resolution of the Committee on Un-American Activities authorizing and directing the holding of the instant hearings in San Juan.

"(The resolution referred to follows:)

"'*Be it resolved*, That hearings by the Committee on Un-American Activities or a subcommittee thereof, to be held in Puerto Rico, in New York City, and elsewhere as the chairman may direct, on such date or dates as the chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following matters and having the legislative purposes indicated:

"'1. Entry and dissemination in Puerto Rico of foreign Communist Party propaganda, the legislative purpose being to determine the necessity for, and advisability of amendments to the Foreign Agents Registration Act designed more effectively to counteract the Communist schemes and devices now used in avoiding the prohibitions of the act.

"'2. Receipt of information relating to persons engaged in foreign travel, the legislative purpose being:

"'(a) Committee consideration of amendments to section 215 of the Immigration and Nationality Act as contained in Title IX: Immigration and Passport Security, of H.R. 2232, introduced on January 12, 1959, and referred by the House of Representatives to the Committee on Un-American Activities;

"'(b) Consideration of legislative recommendations expressing the will and intent of Congress spelled out in direct and positive form, granting authority to the Secretary of State to issue, withhold, or limit passports for international travel of adherents to the Communist Party, and the granting of specific statutory authority to the Secretary of State to issue substantive regulations in the passport field, as set forth in the annual reports of the Committee on Un-American Activities for the years 1956–1958.

"'3. The extent, character, and objects of Communist infiltration and Communist Party propaganda activities in Puerto Rico, the legislative purpose being to add to the committee's overall knowledge on the subject so that the Congress may be kept informed and thus prepared to enact remedial legislation in the national defense and for internal security.

"'4. The execution by the administrative agencies concerned of all laws and regulations relating to the Internal Security Act, the Communist Control Act, the Foreign Agents Registration Act, Passport Regula-

tions, and all other laws, the subject matter of which is within the jurisdiction of the committee, the legislative purpose being to exercise continuous watchfulness over the execution of these laws to assist the Congress in appraising their administration, and in developing such amendments or related legislation as it may deem necessary.

"'5. Any other matter within the jurisdiction of the committee which it, or any subcommittee hereof appointed to conduct these hearings may designate.'

"Mr. TUCK. Let there likewise be incorporated in the body of the record the order of appointment of the subcommittee to conduct the hearings, the order of Chairman Walter.

"(The order referred to follows:)

"'OCTOBER 6, 1959.

"'To: Mr. Richard Arens, staff director, House Committee on Un-American Activities.

"'Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representative WILLIAM M. TUCK, as chairman, and Representatives MORGAN M. MOULDER and GORDON H. SCHERER as associate members, to conduct hearings in New York, N.Y., Monday and Tuesday, November 16 and 17, 1959, at 10:00 a.m., and in San Juan, P.R., Wednesday, Thursday, and Friday, November 18, 19, and 20, 1959, at 10:00 a.m., on subjects under investigation by the committee and take such testimony on said days or succeeding days as it may deem necessary.

"'Please make this action a matter of committee record.

"'If any Member indicates his inability to serve, please notify me.

"'Given under my hand this 6th day of October 1959.

"'FRANCIS E. WALTER,

"'*Chairman, Committee on Un-American Activities.*'

"Mr. TUCK. The hearings which begin today in San Juan are in furtherance of the powers and duties of the Committee on Un-American Activities, pursuant to Public Law 601 of the 79th Congress which not only establishes the basic jurisdiction of the committee, but also mandates this committee, along with other standing committees of the Congress, to exercise continuous watchfulness of the execution of any laws the subject matter of which is within the jurisdiction of the committee.

"In response to this power and duty, the Committee on Un-American Activities is continuously in the process of accumulating factual information respecting Communists, the Communist Party, and Communist activities which will enable the committee and the Congress to appraise the administration and operation of the Smith Act, the Internal Security Act of 1950, the Communist Control Act of 1954, and numerous provisions of the Criminal Code relating to espionage, sabotage, and subversion.

"In addition, the committee has before it numerous proposals to strengthen our legislative weapons designed to protect the internal security of this Nation.

"In the course of the last few years, as a result of hearings and investigations, this committee has made over 80 separate recommendations for legislative action. Legislation has been passed by the Congress embracing 35 of the committee recommendations and 26 separate proposals are currently pending in the Congress on subjects covered by other committee recommendations. Moreover, in the course of the last few years numerous recommendations made by the committee for administrative action have been adopted by the executive agencies of the Government.

"This subcommittee of the Committee on Un-American Activities has come to Puerto Rico to discharge a duty imposed by the U.S. Congress; namely, to develop factual information for the Congress in its endeavors to cope with the Communist conspiracy. We come here as friends in an enterprise which ought to be the concern of all freedom-loving people everywhere, irrespective of wherever they may reside.

"From past experience we know that the Communist propagandists will attempt to pervert the purpose of these hearings into an investigation of Puerto Ricans. We are not investigating Puerto Ricans as Puerto Ricans. We are pursuing the trail of the few dangerous Communists who are part and parcel of a world conspiracy which would destroy freedom.

"We do not expect to interrogate here every Communist on the island. We only expect to make a sampling of Communist activity here so that we will be able to know the pattern of the Communist conspiracy's efforts in this area and its connections with the Communist conspiracy on the mainland.

"One of the most insidious aspects of communism is its deceit. It pretends to be the friend of the workingman, but where it has seized power the workingman is crushed under its despotic heel. He finds himself regimented and disciplined. He may find himself in a slave labor camp. It pretends to seek peace and yet it is at war with free people everywhere. Communism masquerades behind a facade of humanitarianism but it has caused more bloodshed and misery than any other force in the history of civilization.

"The strength of the Communist operation in any area is not in proportion to its numbers. A conspiratorial force may actually weaken itself when it increases its size. It takes only one or two holes in a ship to sink it. It, likewise, takes only a few trained, disciplined zealots to undermine and weaken a nation or a free society.

"What are the present strategies and tactics of the Communist operation in this general area? What techniques are the hardcore Communists pursuing in order to avoid detection as they pursue their nefarious work? What are the lines of control and communication between the various Communists' nests here and on the mainland? What loopholes or weaknesses exist in our present security laws? How may those laws be strengthened?

"These questions shall be uppermost in the minds of the committee as we elicit testimony during these hearings.

"May I emphasize that the purpose of the subcommittee here in San Juan is to sample factual material with reference to types and patterns of activity, and not to attempt to exhaust the subject matter. We have not subpenaed witnesses for these hearings merely to put on a show, nor shall we attempt to interrogate in these hearings even a significant percentage of all possible witnesses on whom we have compiled information.

"It is a standing rule of this committee that any person identified as a member of the Communist Party during the course of the committee hearings will be given an early opportunity to appear before this committee, if he so desires, for the purpose of denying or explaining any testimony adversely affecting him, or which he may think adversely affects him.

"It is also the policy of the committee to accord any witness the privilege of being represented by counsel; but within the provisions of the rules of this committee, counsel's sole and exclusive prerogative is to advise his client.

"I would remind those present that a disturbance of any kind, or an audible comment during the hearings, will not be permitted. This is a serious proceeding in which we are earnestly trying to discharge an important and arduous duty."

The record of the proceedings on November 19, 1959, during which John Peter Hawes refused to answer the aforesaid questions, pertinent to the subject under inquiry, is set forth in fact as follows:

"THURSDAY, NOVEMBER 19, 1959

"U.S. HOUSE OF REPRESENTATIVES,

"SUBCOMMITTEE OF THE

"COMMITTEE ON UN-AMERICAN ACTIVITIES,

San Juan, P.R.

"Public hearings

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:45 a.m., in the U.S. Courthouse, Hon. WILLIAM M. TUCK, chairman of the subcommittee, presiding.

Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

* * * * *

"AFTERNOON SESSION—THURSDAY, NOVEMBER 19, 1959

"(The subcommitte reconvened at 2 p.m., Hon. WILLIAM M. TUCK, chairman of the subcommittee, presiding.)

"(Members of the subcommittee present at time of reconvening: Representatives TUCK and SCHERER.)

"Mr. TUCK. The subcommittee will come to order.

"(After hearing the testimony of other witnesses, John Peter Hawes was then called before the committee.)

"Mr. ARENS. The next witness, if you please, Mr. Chairman, will be John Peter Hawes.

"Please come forward and remain standing while the chairman administers an oath.

"Mr. TUCK. Will you raise your right hand?

"You do solemnly swear the testimony you are about to give before this subcommittee of the House of Representatives will be the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. HAWES. I do.

"TESTIMONY OF JOHN (PETER) HAWES, ACCOMPANIED BY COUNSEL, ABRAHAM DIAZ GONZALEZ, GERARDO ORITZ DEL RIVERO, SANTOS P. AMADEO, PRAXELES ALVEREZ LEANDRI, AND MAX GOLDMAN

"Mr. ARENS. Please identify yourself by name, residence, and occupation.

"Mr. HAWES. My name is John Hawes. I live in Bayamon, in the municipality of Ciedra, in Puerto Rico, and I build musical instruments.

"Mr. ARENS. You are appearing today, Mr. Hawes, in response to a subpena which was served upon you by this committee?

"Mr. HAWES. I decline to answer that question on the ground that you have no jurisdiction to conduct this investigation and for the reasons that I conveyed in the written and signed statement which I submitted to the committee.

"Mr. DIAZ GONZALEZ. Mr. Chairman, to save time, I want to repeat that my name is Abraham Diaz Gonzalez, and with Max Goldman, Mr. Del Rivero, Dr. Santos Amadeo and Mr. Leandri, I am assisting the witness.

"Mr. ARENS. Did you say you build musical instruments?

"Mr. HAWES. As I said, sir, I submitted a written statement to the committee——

"Mr. ARENS. I know that. Did you a minute ago say that you build musical instruments or you play musical instruments?

"Mr. DIAZ GONZALEZ. He already stated that he makes musical instruments.

"Mr. ARENS. Do you also have a little avocation or vocation as a lecturer and writer on Latin-American affairs?

"Mr. HAWES. I have already stated, sir, in this written statement handed in to this committee, that I do not believe that the committee has jurisdiction to hold hearings here in Puerto Rico and, therefore, I must decline to answer this and all other questions.

"Mr. ARENS. According to the information of this committee, and we have here a bulletin of the Communist Samuel Adams School for Social Studies; you are or were a lecturer, "Peter Hawes, Lecturer and Writer on Latin-American Affairs."

"This Committee on Un-American Activities of your Government is here to develop factual information respecting the Communist penetration of Latin America. In view of the fact that you are a lecturer and writer on Latin-American affairs, we would like to have you tell us now if you have any information about Communist penetration of Latin America.

"Mr. HAWES. Once again, sir, on the same grounds that I used before, I must respectfully decline to answer this question.

"(Document marked 'Hawes Exhibit No. 1' and retained in committee files.)

"Mr. ARENS. You seem to have a Boston——

"Mr. TUCK. Just one minute, counsel.

"The committee now informs you that the reasons which you have assigned for declining to answer the question are not acceptable to the committee and do not constitute valid grounds. The chairman now directs and orders you to answer the last preceding question propounded to you by counsel.

"Mr. HAWES. With all due respect to the committee, Mr. Chairman, I stand on the written statement that I submitted to the committee and I must decline to answer the question.

"Mr. ARENS. You seem to have a Boston accent. Did you live in Boston prior to coming to Puerto Rico?

"Mr. HAWES. I am sorry, sir; I respectfully decline to answer that question on the same grounds that I stated before.

"Mr. ARENS. This is the information of this committee. We would like to have you help us with it—that you were a member of the Communist conspiratorial force—the Communist Party in Boston, until you moved here and transferred your membership down here. Can you help us on that, please?

"Mr. HAWES. As I stated before, sir, I do not believe that this committee has jurisdiction to hold these hearings here in Puerto Rico, and I cannot, therefore, answer.

"Mr. TUCK. The committee now informs the witness that the committee does not accept the reasons which he has assigned in declining to answer the question. He is, therefore, ordered and directed to answer the question.

"Does the witness still decline to answer?

"Mr. HAWES. With all due respect to the committee and to the chairman, I still decline.

"Mr. ARENS. Now, Mr. Witness, there was a fine, patriotic, dedicated man, relatively young, by the name of Herbert Philbrick. For several years, at great sacrifice to himself, he served in the Communist Party; reported regularly to his Government what this conspiratorial force was doing, and he made clear to his Government the devastating nature of this force; how the force tries to dupe people that it is humanitarian, that it is good, that it is for the working class and the like; but in truth and in fact how it is only an arm of a foreign power—it takes people and brainwashes them and conditions them as agents of its own objectives.

"He has reported to this committee that while he was serving his Government, sacrificially and patriotically acquiring information on this force, he knew you, sir, as part and parcel of this force in Boston, Mass., as a member of the so-called white-collar professional group of the Communist Party.

"Was Mr. Philbrick telling us the truth or was he in error when he told us about your participation in Boston in the Communist Party?

"Mr. HAWES. As I previously stated, sir, I do not believe that this committee has jurisdiction to hold these hearings in Puerto Rico, and I therefore decline with all due respect to answer this or any other question.

"Mr. TUCK. The committee informs the witness that the reasons which he has assigned are not acceptable. He is, therefore, ordered and directed to answer the question.

"Mr. HAWES. With all respect to the committee, sir, and to its chairman, I decline to answer the question.

"Mr. ARENS. Now, sir, the Committee on Un-American Activities is here trying to develop factual information respecting the current operations of the Communist Party so that it may take that information and return to Washington and use that information to develop laws and amendments to laws to help protect this country against the operations of this conspiratorial force known as the Communist Party.

"I expect in a few moments to ask you if you are now a member of the Communist Party. If you will give us a truthful full answer with respect to that, I then expect to pursue the line of questioning to try to elicit from you information that can be helpful to this committee representing the Government of the United States in this legislative purpose.

"If there is anything which I have asked you or which I do ask you which you do not understand—understand that the revelancy or pertinency of any question, just ask me and I will be glad to explain it to you.

"With that as an explanation, I ask you now, sir, are you a member of the Communist Party?

"Mr. HAWES. I respectfully decline to answer that question on the grounds that I do not believe that this committee has jurisdiction to hold this hearing in Puerto Rico.

"Mr. TUCK. The committee informs you that the reasons which you have given are not acceptable. You are ordered and directed to answer the question.

"Do you still decline?

"Mr. HAWES. With all respect to the committee, sir, and to you, sir, as chairman of the committee, I still decline.

"Mr. ARENS. Are you also employed or have you in the recent past been employed as a journalist with the Island Times?

"Mr. HAWES. I respectfully decline to answer that question on the same grounds that I stated before.

"Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

"Mr. TUCK. The witness may stand aside."

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to the said John Peter Hawes relative to the subject matter which, under Public Law 601, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, the said committee was instructed to investigate, and the refusal of the witness to answer the questions, namely:

"That is the information of this committee. We would like to have you help us with it—that you were a member of the Communist conspiratorial force—the Communist Party in Boston, until you moved here and transferred your membership down here. Can you help us on that, please?

"Was Mr. Philbrick telling us the truth or was he in error when he told us about your participation in Boston in the Communist Party?

" 'With that as an explanation, I ask you now, sir, are you a member of the Communist Party?' "

which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony and places the said witness in contempt of the House of Representatives of the United States.

Other pertinent committee proceedings

The following resolution was adopted at the organizational meeting of the committee for the 86th Congress, held on the 23d day of January 1959:

"Be it resolved, That the chairman be authorized and empowered from time to time to appoint subcommittees, composed of three or more members of the Committee on Un-American Activities, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

The following is an extract from the minutes of an executive session of the subcommittee of the Committee on Un-American Activities, consisting of Hon. WILLIAM M. TUCK, chairman, Hon. MORGAN M. MOULDER, and Hon. GORDON H. SCHERER; of whom Hon. WILLIAM M. TUCK and Hon. GORDON H. SCHERER were present, held April 5, 1960, in room 225, Old House Office Building, Washington, D.C.:

"The subcommittee was called to order by the chairman of the full committee, who stated that the purpose of the meeting was to consider what action the subcommittee should take regarding the refusal of certain witnesses to answer material questions propounded to them in the course of the hearings conducted by the said subcommittee in San Juan, P.R., beginning on the 18th day of November, 1959, and what recommendation it would make regarding the citation of any such witnesses for contempt of the House of Representatives.

"After full consideration of the testimony of the witnesses given at the said hearing in San Juan, P.R., a motion was made by Mr. SCHERER, seconded by Mr. TUCK, and unanimously carried, that a report of the facts relating to the refusal of John Peter Hawes to answer material questions before the said subcommittee at the hearing aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the refusal of said witness to answer material questions, together with all the facts in connection therewith, be referred to the House of Representatives, with the recommendation that the said witness be cited for contempt of the House of Representatives for his refusal to answer questions therein set forth, to the end that he may be proceeded against in the manner and form provided by law."

The following is an extract from the minutes of an executive session of the Committee on Un-American Activities, consisting of Hon. FRANCIS E. WALTER, chairman; Hon. CLYDE DOYLE; Hon. WILLIAM M. TUCK; Hon. DONALD L. JACKSON; Hon. GORDON H. SCHERER; and Hon. WILLIAM E. MILLER, held on the 5th day of April 1960, in room 225, Old House Office Building, Washington, D.C.:

"The report of the facts relating to the refusal of John Peter Hawes to answer material questions was submitted to the committee, upon which a motion was made by Mr. DOYLE, seconded by Mr. MILLER, and

unanimously carried, that the subcommittee's report of the facts relating to the refusal of John Peter Hawes to answer material questions before the said subcommittee at the hearing conducted before it in San Juan, Puerto Rico, on the 19th day of November 1959, be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report and refer the said refusal to answer questions before the said subcommittee, together with all the facts in connection therewith, to the House of Representatives, with the recommendation that the witness be cited for contempt of the House of Representatives for his refusal to answer such questions, to the end that he may be proceeded against in the manner and form provided by law."

Mr. TUCK. Mr. Speaker, I offer a privileged resolution (H. Res. 613) and ask for its immediate consideration.

The clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of John Peter Hawes to answer questions before a duly constituted subcommittee of the Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States Attorney for the Commonwealth of Puerto Rico, to the end that the said John Peter Hawes may be proceeded against in the manner and form provided by law.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROCEEDINGS AGAINST GERTRUDIS MELENDEZ PEREZ

Mr. TUCK. Mr. Speaker, by direction of the Committee on Un-American Activities, and at the request of the chairman, I submit a privileged report (Rept. No. 2127).

The Clerk read as follows:

PROCEEDINGS AGAINST GERTRUDIS MELENDEZ PEREZ

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, caused to be issued a subpena to Gertrudis Perez Melendez. The said subpena directed Gertrudis Perez Melendez to be and appear before the Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which Hon. FRANCIS E. WALTER is chairman, in U.S. Court Room, U.S. Court House and Post Office Building, San Juan, P.R., on Wednesday, November 18, 1959, at 10 o'clock, a.m., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena served upon Gertrudis Perez Melendez is set forth in words and figures as follows:

"UNITED STATES OF AMERICA,
"CONGRESS OF THE UNITED STATES.

"To GERTRUDIS PEREZ MELENDEZ, *Greeting:*

"Pursuant to lawful authority, you are hereby commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on Wednesday, November 18, 1959, at 10 o'clock a.m., Court Room, U.S. Court House and Post Office Building, San Juan, P.R., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To U.S. marshal, to serve and return.

"Given under my hand this 23 days of October, in the year of our Lord, 1959.

"FRANCIS E. WALTER,
"Chairman."

The said subpena was duly served as appears by the return made thereon by the U.S. marshal, who was duly authorized to serve the said subpena. The return of the service by the said U.S. marshal being endorsed thereon, is set forth in words and figures as follows:

"Subpena for Gertrudis Perez Melendez, correct name Gertrudis Melendez Perez, before the committee on the 18th day of November, 1959 (Wednesday) at 10:00 a.m.

"I made service of the within subpena by handing to and leaving original subpena with the within-named Gertrudis Perez Melendez correct name Gertrudis Melendez Perez personally, at Building 34, No. 403, Ward Las Casas, Santurce, P.R., at 12:09 o'clock p.m. on the 28th day of October, 1959.

"Dated October 29, 1959.

"SANTOS BUXO, Jr.,
"U.S. Marshal.
"By: DIEGO L. MARTIN, Jr.,
"Deputy."

The said Gertrudis Melendez Perez was not called to testify on November 18, 1959, the day on which she was directed to appear, and was called as a witness on November 19, 1959. The said Gertrudis Melendez Perez, pursuant to said subpena, and in compliance therewith, appeared before the said subcommittee on the 19th day of November, 1959, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress. The said Gertrudis Melendez Perez, having appeared as a witness and having been asked the question, namely:

"So with that background and that explanation, I am going to ask you a question now. That question is: Are you now a member of the Communist Party?"

which question was pertinent to the subject under inquiry, refused to answer said question, and as a result of said Gertrudis Melendez Perez' refusal to answer the aforesaid question, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon said Gertrudis Melendez Perez.

The record of the proceedings on November 18, 1959, insofar as it affects the appearance of the witness Gertrudis Melendez Perez on November 19, 1959, is set forth in fact as follows:

"WEDNESDAY, NOVEMBER 18, 1959
"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"San Juan, P.R.

"PUBLIC HEARINGS

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m. in the U.S. Courthouse, San Juan, P.R., Hon. WILLIAM M. TUCK (chairman of the subcommittee) presiding.

Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; and Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

"Counsel, let there be incorporated in the body of the record the resolution of the Committee on Un-American Activities authorizing and directing the holding of the instant hearings in San Juan.

"(The resolution referred to follows:)

"'*Be it resolved,* That hearings by the Committee on Un-American Activities or a subcommittee thereof, to be held in Puerto Rico, in New York City, and elsewhere as the Chairman may direct, on such date or dates as the Chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following matters and having the legislative purposes indicated:

"'1. Entry and dissemination in Puerto Rico of foreign Communist Party propaganda, the legislative purpose being to determine the necessity for, and advisability of amendments to the Foreign Agents Registration Act designed more effectively to counteract the Communist schemes and devices now used in avoiding the prohibitions of the Act.

"'2. Receipt of information relating to persons engaged in foreign travel, the legislative purpose being:

"'(a) Committee consideration of amendments to Sec. 215 of the Immigration and Nationality Act as contained in Title IX—Immigration and Passport Security—of H.R. 2232, introduced on January 12, 1959, and referred by the House of Representatives to the Committee on Un-American Activities;

"'(b) Consideration of legislative recommendations expressing the will and intent of Congress spelled out in direct and positive form, granting authority to the Secretary of State to issue, withhold, or limit passports for international travel of adherents to the Communist Party, and the granting of specific statutory authority, to the Secretary of State to issue substantive regulations in the passport field, as set forth in the annual reports of the Committee on Un-American Activities for the years 1956–1958.

"'3. The extent, character and objects of Communist infiltration and Communist Party propaganda activities in Puerto Rico, the legislative purpose being to add to the Committee's overall knowledge on the subject so that the Congress may be kept informed and thus prepared to enact remedial legislation in the national defense and for internal security.

"'4. The execution by the administrative agencies concerned of all laws and regulations relating to the Internal Security Act, the Communist Control Act, the Foreign Agents Registration Act, Passport Regulations, and all other laws, the subject matter of which is within the jurisdiction of the Committee, the legislative purpose being to exercise continuous watchfulness over the execution of these laws to assist the Congress in appraising their administration, and in developing such amendments or related legislation as it may deem necessary.

"'5. Any other matter within the jurisdiction of the committee which it, or any subcommittee hereof appointed to conduct these hearings may designate.'

"Mr. TUCK. Let there likewise be incorporated in the body of the record the order of appointment of the subcommittee to conduct the hearings, the order of Chairman WALTER.

"(The order referred to follows:)

"'OCTOBER 6, 1959.

"'To: Mr. Richard Arens, staff director, House Committee on Un-American Activities.

"'Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representatives WILLIAM M. TUCK, as chairman,

and Representatives MORGAN M. MOULDER and GORDON H. SCHERER as associate members, to conduct hearings in New York, N.Y., Monday and Tuesday, November 16 and 17, 1959, at 10 a.m., and in San Juan, P.R., Wednesday, Thursday, and Friday, November 18, 19, and 20, 1959, at 10 a.m., on subjects under investigation by the committee and take such testimony on said days or succeeding days as it may deem necessary.

" 'Please make this action a matter of committee record.

" 'If any member indicates his inability to serve, please notify me.

" 'Given under my hand this 6th day of October 1959.

" 'FRANCIS E. WALTER,
" *'Chairman, Committee on Un-American Activities.'*

"Mr. TUCK. The hearings which begin today in San Juan are in furtherance of the powers and duties of the Committee on Un-American Activities, pursuant to Public Law 601 of the 79th Congress which not only establishes the basic jurisdiction of the committee, but also mandates this committee, along with other standing committes of the Congress, to exercise continuous watchfulness of the execution of any laws the subject matter of which is within the jurisdiction of the committee.

"In response to this power and duty, the Committee on Un-American Activities is continuously in the process of accumulating factual information respecting Communists, the Communist Party, and Communist activities which will enable the committee and the Congress to appraise the administration and operation of the Smith Act, the Internal Security Act of 1950, the Communist Control Act of 1954, and numerous provisions of the Criminal Code relating to espionage, sabotage, and subversion.

"In addition, the committee has before it numerous proposals to strengthen our legislative weapons designed to protect the internal security of this Nation.

"In the course of the last few years, as a result of hearings and investigations, this committee has made over 80 separate recommendations for legislative action. Legislation has been passed by the Congress embracing 35 of the committee recommendations and 26 separate proposals are currently pending in the Congress on subjects covered by other committee recommendations. Moreover, in the course of the last few years numerous recommendations made by the committee for administrative action have been adopted by the executive agencies of the Government.

"This subcommittee of the Committee on Un-American Activities has come to Puerto Rico to discharge a duty imposed by the U.S. Congress, namely, to develop factual information for the Congress in its endeavors to cope with the Communist conspiracy. We come here as friends in an enterprise which ought to be the concern of all freedom-loving people everywhere, irrespective of wherever they may reside.

"From past experience we know that the Communist propagandists will attempt to pervert the purpose of these hearings into an investigation of Puerto Ricans. We are not investigating Puerto Ricans as Puerto Ricans. We are pursuing the trail of the few dangerous Communists who are part and parcel of a world conspiracy which would destroy freedom.

"We do not expect to interrogate here every Communist on the island. We only expect to make a sampling of Communist activity here so that we will be able to know the pattern of the Communist conspiracy's efforts in this area and its connections with the Communist conspiracy on the mainland.

"One of the most insidious aspects of communism is its deceit. It pretends to be the friend of the working man, but where it has seized power the working man is crushed under its despotic heel. He finds himself regimented and disciplined. He may find himself in a slave labor camp. It pretends to seek peace and yet it is at war with free people everywhere. Communism masquerades behind a facade of humanitarianism but it has caused more bloodshed and misery than any other force in the history of civilization.

"The strength of the Communist operation in any area is not in proportion to its numbers. A conspiratorial force may actually weaken itself when it increases its size. It takes only one or two holes in a ship to sink it. It, likewise, takes only a few trained, disciplined zealots to undermine and weaken a nation or a free society.

"What are the present strategies and tactics of the Communist operation in this general area? What techniques are the hard-core Communists pursuing in order to avoid detection as they pursue their nefarious work? What are the lines of control and communication between the various Communists' nests here and on the mainland? What loopholes or weaknesses exist in our present security laws? How may those laws be strengthened?

"These questions shall be uppermost in the minds of the committee as we elicit testimony during these hearings.

"May I emphasize that the purpose of the subcommittee here in San Juan is to sample factual material with reference to types and patterns of activity, and not to attempt to exhaust the subject matter. We have not subpenaed witnesses for these hearings merely to put on a show, nor shall we attempt to interrogate in these hearings even a significant percentage of all possible witnesses on whom we have compiled information.

"It is a standing rule of this committee that any person identified as a member of the Communist Party during the course of the committee hearings will be given an early opportunity to appear before this committee, if he so desires, for the purpose of denying or explaining any testimony adversely affecting him, or which he may think adversely affects him.

"It is also the policy of the committee to accord any witness the privilege of being represented by counsel; but within the provisions of the rules of this committee, counsel's sole and exclusive prerogative is to advise his client.

"I would remind those present that a disturbance of any kind, or an audible comment during the hearings, will not be permitted. This is a serious proceeding in which we are earnestly trying to discharge an important and arduous duty."

The record of the proceedings on November 19, 1959, during which the said Gertrudis Melendez Perez refused to answer the aforesaid question, pertinent to the subject under inquiry, is set forth in fact as follows:

"THURSDAY, NOVEMBER 19, 1959

"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"San Juan, P.R.

"PUBLIC HEARINGS

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:45 a.m., in the U.S. Courthouse, Hon. WILLIAM M. TUCK, chairman of the subcommittee, presiding.

Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

* * * * *

"AFTERNOON SESSION—THURSDAY, NOVEMBER 19, 1959

"(The subcommittee reconvened at 2 p.m., Hon. WILLIAM M. TUCK, chairman of the subcommittee, presiding.)

"(Members of the subcommittee present at time of reconvening: Representatives TUCK and SCHERER.)

"Mr. TUCK. The subcommittee will come to order."

After hearing the testimony of other witnesses, Gertrudis Melendez Perez was then called before the committee:

"Mr. ARENS. The next witness, if you please, sir, will be Gertrudis Melendez Perez.

"Mr. TUCK. Come forward.

"Will you stand and raise your hand to be sworn?

"You do solemnly swear that the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

"Miss MELENDEZ PEREZ. I do.

"TESTIMONY OF GERTRUDIS MELENDEZ PEREZ, ACCOMPANIED BY COUNSEL, ABRAHAM DIAZ GONZALEZ, GERARDO ORTIZ DEL RIVERO, SANTOS P. AMADEO, PRAXELES ALVAREZ LEANDRI, AND MAX GOLDMAN (DONALD F. BARNES, INTERPRETER)

"Mr. ARENS. Please identify yourself by name, residence, and occupation.

"Miss MELENDEZ PEREZ. My name is Gertrudis Melendez Perez, Caserio Las Casa, Building 34.

"Mr. DIAZ GONZALEZ. Excuse me, Mr. Chairman. The witness left her purse and she wants to go back and get it.

"Miss MELENDEZ PEREZ. My occupation is a domestic employee.

"Mr. TUCK. Proceed, Mr. Counsel.

"Mr. ARENS. You are appearing today in response to a subpena which was served upon you?

"Miss MELENDEZ PEREZ. I respectfully refuse to answer this question, believing that the committee has no jurisdiction to hold this investigation for the reasons which I set forth in my written statement submitted to the committee.

"Mr. ARENS. And you are represented by counsel?

"Mr. DIAZ GONZALEZ. Yes, sir. I want to repeat now what I said a while ago. I don't know if I went on the record for this witness, but we are representing her; yes.

"My name is Abraham Diaz Gonzalez, here with Professor Amadeo, Praxeles Leandri, Mr. Max Goldman at this time, and Mr. Del Rivero.

"Mr. ARENS. Witness, do you know the man who just preceded you to the witness chair, Juan Emmanuelli Morales—do you know him?

"Miss MELENDEZ PEREZ. I refuse to answer this question because I believe that this committee has no jurisdiction to hold this investigation for the reasons set forth in the written statement which I gave to the committee.

"Mr. ARENS. You are reading from a prepared statement, and have been, as have most of the witnesses today, are you not?

"Miss MELENDEZ PEREZ. I refuse to answer this question because I believe that the committee has no jurisdiction to hold this investigation for the reasons set forth in the written statement which I gave to the committee.

"Mr. ARENS. The man who preceded you to the witness stand just last Friday was in the office—he came there voluntarily—the office of the Committee on Un-American Activities in Washington, D.C., and stated that he had a story to tell—that he wanted to tell this committee about the Communist machinations and operations on this island.

"He began speaking, talking to the investigators of this committee, and in that preliminary investigation he told about his own enmeshment in this conspiracy. He got to the point in his conversation where they were asking him about Communists he knew, people who had been in this conspiracy, and in his conversation he got to the point where he named you as a person known by him to be a member of the conspiracy, a member of the Communist Party.

"Was he lying to us or was he telling the truth?

"Miss MELENDEZ PEREZ. I refuse to answer this question because I believe that the committee has no jurisdiction to hold this investigation for the reasons set forth in the written statement I gave to the committee.

"Mr. ARENS. Witness, I want to make a statement preliminary to asking you a question.

"This committee is confident it has jurisdiction to come here. It had no doubt in its mind at all. But, notwithstanding the fact that the committee itself was confident, it had the question researched, developed, and studied by the ablest counsel we could possibly enlist. Without dissent, the ablest counsel whom we could enlist to advise the committee advised us there is no question about the jurisdiction of this committee to come to Puerto Rico; no question; that, if people can be indicted and tried under the Smith Act here, this committee, which has a mandate of the Congress to watch the administration of our laws, our security laws, has jurisdiction to come here.

"Also, it is the position of this committee that if you do not understand any question we ask—its pertinency to the subject under inquiry; namely, communism, Communist propaganda, and its relevancy and the like—we want you to ask us. Say, 'I don't quite understand. Explain why I am here. Explainwhat this question has to do with me, why it is relevant and the like,' and then we will be glad to explain anything you want explained.

"In the meantime, we are engaged in the deadly serious work of trying to develop information on this Communist conspiracy. I think it is evident from this record how difficult it is to get this material.

"So, with that background and that explanation, I am going to ask you a question now. That question is: Are you now a member of the Communist Party?

"Mr. DIAZ GONZALEZ. Mr. Chairman, with all due respect to the committee, before the interpreter proceeds to translate the question, I have listened first to the statement and second to the question which has been posed by Mr. ARENS, and before it is translated to the witness that, by the way, is a woman who hasn't had the privilege of schooling, and she is just an ignorant housewife, I would like——

"Mr. SCHERER. I don't think you want that on the record, that this woman is an ignorant woman.

"Mr. ARENS. If she is ignorant, she has been writing an awful lot of articles for an ignorant woman. We are going to ask her about those in a few minutes, counsel.

"Mr. DIAZ GONZALEZ. If they are going to tell her that this committee has the best counsel available——

"Mr. ARENS. You know your sole and exclusive privilege is to advise your witness.

"Mr. DIAZ GONZALEZ. But the best counsel here feel otherwise.

"Mr. TUCK. You can tell her that. Your duty is to advise her. We have our own counsel. Your privilege is to advise your client. We have our own counsel.

"Proceed.

"(The witness conferred with her counsel.)

"(The pending question was then put to the witness through the interpreter, Mr. Donald Barnes.)

"Miss MELENDEZ PEREZ. I refuse to answer this question and any other question which might be posed. I consider that the committee does not have jurisdiction to hold this investigation for the reasons set forth in the written statement which I have given to the committee.

"Mr. TUCK. The committee at this point informs the witness that the committee is not satisfied with and does not accept the reasons assigned by her for a refusal to answer this question. The committee likewise informs the witness that she may involve herself in criminal troubles with the Department of Justice of the United States by reason of her refusal to answer these questions.

"This information is given to her not with any idea of coercing or threatening her, or terrifying her in any way, but simply to let her know that the Department of Justice very likely may review her testimony with a view to determining whether or not she is in contempt of this committee.

"The committee chairman now orders and directs the witness to respond and to reply to the question asked by counsel, the question most lately propounded to her.

"Miss MELENDEZ PEREZ. I refuse to answer this question because I consider that the committee has no jurisdiction to hold this investigation for the reasons that I have given in my written statement given to the committee.

"Mr. ARENS. Witness, although your counsel is not as enthusiastic as somebody might be about your education or your educational attainments, we have here three articles written by yourself in Pueblo, one entitled 'Wide Feminine Movement,' which reports on the role of women in the fight for peace, independence, and socialism.

"Another article is 'Women's Meeting in Favor of Unity,' another article of like vein appearing in Pueblo.

"Did you author the articles which I have alluded to which bear your name, or were they authored by someone else and your name just happened to get affixed to them?

"Miss MELENDEZ PEREZ. I refuse to answer this question and any others that might be posed to me because I consider that the committee has no jurisdiction to hold this investigation for the reasons set forth in the written statement which I gave to the committee.

"Mr. ARENS. It is the information of this committee, Witness, that you and others were participants in an exhibition film on alleged germ warfare in Korea, films which depict, falsely, of course, that the American Government and our boys who were dying and fighting in Korea were engaged in germ warfare. Those of us who have been engaged in this work know that is strictly Communist propaganda of the most insidious form.

"While you are under oath now, will you tell this committee what you know about the exhibition in San Juan of motion picture films allegedly depicting our boys, who were laying their lives down for freedom, using germ warfare?

"Miss MELENDEZ PEREZ. I refuse to answer this question because I insist that the committee has no jurisdiction to hold this investigation for the reasons set forth in the written statement which I gave to the committee.

"Mr. ARENS. Mr. Chairman, I respectfully suggest that would conclude the staff interrogation of this witness.

"Mr. TUCK. I think I might say to this witness, as well as to her counsel, that it is my purpose as chairman of this subcommittee to recommend to the full committee at its next regular meeting in Washington in January that this witness, as well as the preceding witnesses who have been interrogated and who have declined to answer pertinent questions, be cited for contempt of this committee.

"We will thus soon get a determination if there is any question in the minds of anyone as to the validity of the grounds upon which they are relying. This committee does not intend to have its work suppressed or thwarted in any such fashion as that if it can be avoided."

Because of the foregoing, the said Committee on Un-American Activities was deprived of an answer to a pertinent question propounded to the said Gertrudis Melendez Perez relative to the subject matter which, under Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 7 of the 86th Congress the said committee was instructed to investigate, and the refusal of the witness to answer the question, namely:

"So with that background and that explanation, I am going to ask you a question now. That question is: Are you now a member of the Communist Party?"

which question was pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and her refusal to answer the aforesaid question deprived your committee of necessary and pertinent testimony, and places the said witness in contempt of the House of Representatives of the United States.

OTHER PERTINENT COMMITTEE PROCEEDINGS

The following resolution was adopted at the organizational meeting of the committee for the 86th Congress, held on the 23d day of January 1959:

"Be it resolved, That the chairman be authorized and empowered from time to time to appoint subcommittees, composed of three or more members of the Committee on Un-American Activities, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

The following is an extract from the minutes of an executive session of the subcommittee of the Committee on Un-American Activities, consisting of Hon. WILLIAM M. TUCK, chairman, Hon. MORGAN M. MOULDER, and Hon. GORDON H. SCHERER; of whom Hon. WILLIAM M. TUCK and Hon. GORDON H. SCHERER were present, held April 5, 1960, in room 225, Old House Office Building, Washington, D.C.:

"The subcommittee was called to order by the chairman of the full committee, who stated the purpose of the meeting was to consider what action the subcommittee should take regarding the refusal of certain witnesses to answer material questions propounded to them in the course of the hearings conducted by the said subcommittee in San Juan, P.R., beginning on the 18th day of November 1959, and what recommendation it would make regarding the citation of any such witnesses for contempt of the House of Representatives.

"After full consideration of the testimony of the witnesses given at the said hearing in San Juan, P.R., a motion was made by Mr. SCHERER, seconded by Mr. TUCK, and unanimously carried that a report of the facts relating to the refusal of Gertrudis Melendez Perez to answer a material question before the said subcommittee at the hearing aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the refusal of said witness to answer a material question, together with all the facts in connection therewith, be referred to the House of Representatives, with the recommendation that the said witness be cited for contempt of the House of Representatives for her refusal to answer the question therein set forth, to the end that she may be proceeded against in the manner and form provided by law."

The following is an extract from the minutes of an executive session of the Committee on Un-American Activities, consisting of Hon. FRANCIS E. WALTER, chairman; Hon. CLYDE DOYLE; Hon. WILLIAM M. TUCK; Hon. DONALD L. JACKSON; Hon. GORDON H. SCHERER, and Hon. WILLIAM E. MILLER, held on the 5th day of April 1960, in room 225, Old House Office Building, Washington, D.C.:

"The report of the facts relating to the refusal of Gertrudis Melendez Perez, to answer a material question was submitted to the committee, upon which a motion was made by Mr. DOYLE, seconded by Mr. MILLER, and unanimously carried, that the subcommittee's report of the facts relating to the refusal of Gertrudis Melendez Perez to answer a material question before the said subcommittee at the hearing conducted before it in San Juan, P.R., on the 19th day of November 1959, be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report and refer the said refusal to answer said question before the said subcommittee together with all the facts in connection therewith, to the House of Represenatives, with the recommendation that the witness be cited for contempt of the House of Representatives for her refusal to answer such question, to the end that she may be proceeded against in the manner and form provided by law."

Mr. TUCK. Mr. Speaker, I offer a privileged resolution (H. Res. 614) and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Gertrudis Melendez Perez to answer a question before a duly constituted subcommittee of the Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States Attorney for the Commonwealth of Puerto Rico, to the end that the said Gertrudis Melendez Perez may be proceeded against in the manner and form provided by law.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROCEEDINGS AGAINST RAMON DIAZ CRUZ

Mr. TUCK. Mr. Speaker, by direction of the Committee on Un-American Activities, I send to the Clerk's desk a privileged report (Rept. No. 2128).

The Clerk read as follows:

PROCEEDINGS AGAINST RAMON DIAZ CRUZ

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 7 of the 86th Congress caused to be issued a subpena to Ramon Diaz Cruz. The said subpena directed Ramon Diaz Cruz to be and appear before the said Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which Hon. FRANCIS E. WALTER is chairman, in U.S. Courtroom, U.S. Courthouse and Post Office Building, San Juan, P.R., on Thursday, November 19, 1959, at 10 a.m., then and there to testify touching matters of inquiry committed to said committee and not to depart without leave of said committee. The subpena served upon said Ramon Diaz Cruz is set forth in words and figures as follows:

"UNITED STATES OF AMERICA,
"CONGRESS OF THE UNITED STATES.

"To RAMON DIAZ CRUZ, *Greeting:*

"Pursuant to lawful authority, you are hereby commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on Thursday, November 19, 1959, at 10 a.m., at U.S. Courtroom, U.S. Courthouse and Post Office Building, San Juan, P.R., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To U.S. marshal, to serve and return.

"Given under my hand this 14th day of October, in the year of our Lord, 1959.

"FRANCIS E. WALTER,
"Chairman."

The said subpena was duly served as appears by the return made thereon by the U.S. marshal, who was duly authorized to serve the said subpena. The return of the service by the said U.S. marshal being endorsed thereon, is set forth in words and figures as follows:

"Subpena for Ramon Diaz Cruz before the Committee on the 19th day of November 1959 (Thursday) at 10 a.m.

"I made service of the within subpena by handing to and leaving Original Subpena with the within-named Ramon Diaz Cruz personally at AM-28 Villa Rica, Bayamon, Puerto Rico at 9:05 a.m., on the 19th day of October, 1959.

"Dated October 20, 1959.

"SANTOS BUXO, Jr.,
"U.S. Marshal.
"By DIEGO L. MARTIN, Jr.,
"Deputy."

The said Ramon Diaz Cruz, pursuant to said subpena, and in compliance therewith, appeared before the said subcommittee on the 19th day of November, 1959, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress. The said Ramon Diaz Cruz having appeared as a witness and having been asked the questions, namely:

"With that explanation, I am going to ask you now: Are you, sir, a member of the Communist Party?"

"It is our information that you, in July of 1958, went and represented yourself as the representative of Puerto Rico in Stockholm, Sweden, at a Communist-sponsored fraud known as a World Peace Congress.

"That information comes to us, among other places, from the Communist publication—one of the Communist publications on this island, Pueblo, of October 1958, in which it says 'We have been informed that following the Congress For Disarmament and International Cooperation, which was held at Stockholm, Sweden, last July 16 to 22, and at which Puerto Rico was represented by Ramon Diaz Cruz, the World Peace Congress,' and so forth.

"Please tell this committee, representing the nation that gives you protection against the onslaught of this awful force, known as international communism, about your participation in that Communist fraud in Stockholm, Sweden, in July of 1958."

which questions were pertinent to the subject under inquiry, refused to answer said questions, and as a result of said Ramon Diaz Cruz' refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon said Ramon Diaz Cruz.

The record of the proceedings before the subcommittee on November 18, 1959, insofar as it affects the appearance of the witness Ramon Diaz Cruz on November 19, 1959, is set forth in fact as follows:

"WEDNESDAY, NOVEMBER 18, 1959

"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"San Juan, P.R.

"PUBLIC HEARINGS

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m. in the U.S. Courthouse, San Juan, P.R., Hon. WILLIAM M. TUCK (chairman of the subcommittee) presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; and Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

"Counsel, let there be incorporated in the body of the record the resolution of the Committee on Un-American Activities authorizing and directing the holding of the instant hearings in San Juan.

"(The resolution referred to follows:)

"'*Be it resolved*, That hearings by the Committee on Un-American Activities or a subcommittee thereof, to be held in Puerto Rico, in New York City, and elsewhere as the Chairman may direct, on such date or dates as the Chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefore, relating to the following matters and having the legislative purposes indicated:

"'1. Entry and dissemination in Puerto Rico of foreign Communist Party propaganda, the legislative purpose being to determine the necessity for, and advisability of amendments to the Foreign Agents Registration Act designed more effectively to counteract the Communist schemes and devices now used in avoiding the prohibitions of the Act.

"'2. Receipt of information relating to persons engaged in foreign travel, the legislative purpose being:

"'(a) Committee consideration of amendments to Sec. 215 of the Immigration and Nationality Act as contained in Title IX—Immigration and Passport Security—of H.R. 2232, introduced on January 12, 1959, and referred by the House of Representatives to the Committee on Un-American Activities;

"'(b) Consideration of legislative recommendations expressing the will and intent of Congress spelled out in direct and positive form, granting authority to the Secretary of State to issue, withhold, or limit passports for international travel of adherents to the Communist Party, and the granting of specific statutory authority, to the Secretary of State to issue substantive regulations in the passport field, as set forth in the annual reports of the Committee on Un-American Activities for the years 1956–1958.

"'3. The extent, character and objects of Communist infiltration and Communist Party propaganda activities in Puerto Rico, the legislative purpose being to add to the committee's overall knowledge on the subject so that the Congress may be kept informed and thus prepared to enact remedial legislation in the national defense and for internal security.

"'4. The execution by the administrative agencies concerned of all laws and regulations relating to the Internal Security Act,

the Communist Control Act, the Foreign Agents Registration Act, Passport Regulations, and all other laws, the subject matter of which is within the jurisdiction of the committee, the legislative purpose being to exercise continuous watchfulness over the execution of these laws to assist the Congress in appraising their administration, and in developing such amendments or related legislation as it may deem necessary.

" '5. Any other matter within the jurisdiction of the committee which it, or any subcommittee hereof appointed to conduct these hearings may designate.'

"Mr. TUCK. Let there likewise be incorporated in the body of the record the order of appointment of the subcommittee to conduct the hearings, the order of Chairman WALTER.

"(The order referred to follows:)

" 'OCTOBER 6, 1959.

" 'To: Mr. Richard Arens, staff director, House Committee on Un-American Activities.

" 'Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representative WILLIAM M. TUCK, as chairman, and Representatives MORGAN M. MOULDER and GORDON H. SCHERER as associate members, to conduct hearings in New York, N.Y., Monday and Tuesday, November 16 and 17, 1959, at 10 a.m., and in San Juan, Puerto Rico, Wednesday, Thursday, and Friday, November 18, 19, and 20, 1959, at 10 a.m., on subjects under investigation by the committee and take such testimony on said days or succeeding days as it may deem necessary.

" 'Please make this action a matter of committee record.

" 'If any member indicates his inability to serve, please notify me.

" 'Given under my hand this 6th day of October 1959.

" 'FRANCIS E. WALTER,

" '*Chairman, Committee on Un-American Activities.*'

"Mr. TUCK. The hearings which begin today in San Juan are in furtherance of the powers and duties of the Committee on Un-American Activities, pursuant to Public Law 601 of the 79th Congress which not only establishes the basic jurisdiction of the committee, but also mandates this committee, along with other standing committees of the Congress, to exercise continuous watchfulness of the execution of any laws the subject matter of which is within the jurisdiction of the committee.

"In response to this power and duty, the Committee on Un-American Activities is continuously in the process of accumulating factual information respecting Communists, the Communist Party, and Communist activities which will enable the committee and the Congress to appraise the administration and operation of the Smith Act, the Internal Security Act of 1950, the Communist Control Act of 1954, and numerous provisions of the criminal code relating to espionage, sabotage, and subversion.

"In addition, the committee has before it numerous proposals to strengthen our legislative weapons designed to protect the internal security of this Nation.

"In the course of the last few years, as a result of hearings and investigations, this committee has made over 80 separate recommendations for legislative action. Legislation has been passed by the Congress embracing 35 of the committee recommendations and 26 separate proposals are currently pending in the Congress on subjects covered by other committee recommendations. Moreover, in the course of the last few years numerous recommendations made by the committee for administrative action have been adopted by the executive agencies of the Government.

"This subcommittee of the Committee on Un-American Activities has come to Puerto Rico to discharge a duty imposed by the U.S. Congress, namely, to develop factual information for the Congress in its endeavors to cope with the Communist conspiracy. We come here as friends in an enterprise which ought to be the concern of all freedom-loving people everywhere, irrespective of wherever they may reside.

"From past experience we know that the Communist propagandists will attempt to pervert the purpose of these hearings into an investigation of Puerto Ricans. We are not investigating Puerto Ricans as Puerto Ricans. We are pursuing the trail of the few dangerous Communists who are part and parcel of a world conspiracy which would destroy freedom.

"We do not expect to interrogate here every Communist on the island. We only expect to make a sampling of Communist activity here so that we will be able to know the pattern of the Communist conspiracy's efforts in this area and its connections with the Communist conspiracy on the mainland.

"One of the most insidious aspects of communism is its deceit. It pretends to be the friend of the workingman, but where it has seized power the workingman is crushed under its despotic heel. He finds himself regimented and disciplined. He may find himself in a slave labor camp. It pretends to seek peace and yet it is at war with free people everywhere. Communism masquerades behind a facade of humanitarianism but it has caused more bloodshed and misery than any other force in the history of civilization.

"The strength of the Communist operation in any area is not in proportion to its numbers. A conspiratorial force may actually weaken itself when it increases its size. It takes only one or two holes in a ship to sink it. It, likewise, takes only a few trained, disciplined zealots to undermine and weaken a nation or a free society.

"What are the present strategies and tactics of the Communist operation in this general area? What techniques are the hard-core Communists pursuing in order to avoid detection as they pursue their nefarious work? What are the lines of control and communication between the various Communists' nests here and on the mainland? What loopholes or weaknesses exist in our present security laws? How may those laws be strengthened?

"These questions shall be uppermost in the minds of the committee as we elicit testimony during these hearings.

"May I emphasize that the purpose of the subcommittee here in San Juan is to sample factual material with reference to types and patterns of activity, and not to attempt to exhaust the subject matter. We have not subpenaed witnesses for these hearings merely to put on a show, nor shall we attempt to interrogate in these hearings even a significant percentage of all possible witnesses on whom we have compiled information.

"It is a standing rule of this committee that any person identified as a member of the Communist Party during the course of the committee hearings will be given an early opportunity to appear before this committee, if he so desires, for the purpose of denying or explaining any testimony adversely affecting him, or which he may think adversely affects him.

"It is also the policy of the committee to accord any witness the privilege of being represented by counsel; but within the provisions of the rules of this committee, counsel's sole and exclusive prerogative is to advise his client.

"I would remind those present that a disturbance of any kind, or an audible comment during the hearings, will not be permitted. This is a serious proceeding in which we are earnestly trying to discharge an important and arduous duty."

The record of the proceedings on November 19, 1959, during which the said Ramon Diaz Cruz refused to answer the aforesaid questions, pertinent to the subject under inquiry, is set forth in fact as follows:

"THURSDAY, NOVEMBER 19, 1959

"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"San Juan, P.R.

"PUBLIC HEARINGS

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:45 a.m., in the U.S. Courthouse, Hon. WILLIAM M. TUCK, chairman of the subcommittee, presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

* * * * *

"AFTERNOON SESSION—THURSDAY, NOVEMBER 19, 1959

"(The subcommittee reconvened at 2 p.m., Hon. WILLIAM M. TUCK, chairman of the subcommittee, presiding.)

"(Members of the subcommittee present at time of reconvening: Representatives TUCK and SCHERER.)

"Mr. TUCK. The subcommittee will come to order."

"After hearing the testimony of other witnesses, Ramon Diaz Cruz was called before the committee:

"Mr. ARENS. The next witness, if you please, sir, will be Ramon Diaz Cruz.

"Please come forward and remain standing while the chairman administers an oath.

"Mr. TUCK. Will you raise your right hand and be sworn?

"You do solemnly swear the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. DIAZ CRUZ. I do.

"TESTIMONY OF RAMON DIAZ CRUZ, ACCOMPANIED BY COUNSEL, ABRAHAM DIAZ GONZALEZ, MAX GOLDMAN, SANTOS P. AMADEO, PRAXELES ALVEREZ LEANDRI, AND GERARDO ORTIZ DEL RIVERO (DONALD F. BARNES, INTERPRETER)

"Mr. ARENS. Please identify yourself by name, residence, and occupation.

"Mr. DIAZ CRUZ. My name is Ramon Diaz Cruz. I live in AM—28, Julio Street, Villa Rica, Bayamon, P.R. My principal occupation is to struggle for the independence of Puerto Rico, for the welfare of the working class and for world peace.

"Mr. ARENS. You are appearing today in response to a subpena which was served upon you by this committee?

"Mr. DIAZ CRUZ. I respectfully refuse to answer that question because I maintain that this committee does not have jurisdiction to carry out this investigation for the reasons set forth to the committee in writing in my statement handed to it.

"Mr. ARENS. And you are represented by counsel?

"Mr. DIAZ GONZALEZ. At this point, I want to respectfully inform the committee that my name is Abraham Diaz Gonzalez. My address is 1556 Ponce de Leon Avenue; that I, together with Mr. Max Goldman, Mr. Leandri, Dr. Santos Amadeo, and Mr. Del Rivero, represent the witness.

"Mr. ARENS. I understood you to say a moment ago that one of your principal vocations was the struggle for world peace. Please tell us what you do in this struggle for world peace.

"Mr. DIAZ CRUZ. I respectfully refuse to answer that question because I maintain that this committee does not have jurisdiction to hold this investigation for the reasons set forth to the committee in my written statement.

"Mr. ARENS. In this expenditure of your energies for world peace, are you the director of "La Paz?"

"Mr. DIAZ CRUZ. I respectfully refuse to answer this question because I maintain that this committee does not have the jurisdiction to hold this investigation for the reasons expressed to the committee in the written statement which I gave to the committee.

* * * * *

"Mr. ARENS. I am going to ask the translator—the interpreter to read in English from 'Pueblo' of December 1958, an article entitled 'La Paz.' Then I am going to lay the original before you in a few moments so you may check to be certain nothing is erroneously said in the translation.

"Mr. Translator, will you now kindly read the article running some few paragraphs entitled La Paz in the December 1958 issue of Pueblo?

"Mr. BARNES. This is from Pueblo, December 1958, page 3, an article entitled 'Peace.'

" 'The first edition of La Paz is already in circulation. It is a special edition dedicated to the memory of Frederic Joliot-Curie and to the "Months of Common Action," in common proposed and defended by the World Peace Council. It contains an appeal against the guided missile station in Ceiba, as well as reflective expressions of opposition to this and other military bases by prominent sectors and persons, many of them concerned over the dark future which threatens to destroy us if a nuclear war conflict should take place.

" 'After denouncing to the world that "The conversion of our island into a great military base, establishing by unilateral imposition and maintaining against peaceful nature of our people, extensive and numerous naval, air and military units," in its vibrant editorial, it is said that "It is an abuse of power of a criminal nature to convert the Puerto Rican people into a forced target and a propitiatory victim of any enemy of the United States."

" 'We cordially congratulate the able editor, the young and daring newspaperman, Ramon Diaz Cruz, and we wish for La Paz future new triumphs.'

"Mr. ARENS. Mr. Witness, Mr. Lewis, of the staff, will display to you the article which the interpreter just read, so you may see in Spanish the article which you are identified as the editor or director of La Paz. Please look at the article and tell us whether or not it is a true and correct identification.

"Mr. DIAZ CRUZ. I respectfully refuse to answer this question because I maintain that the committee lacks and does not have any jurisdiction to hold this investigation for the reasons set forth to the committee in my written statements, and I would like to add that from now on when I am asked any question I will merely say 'no jurisdiction,' in order to avoid reading this long statement and thus save my voice.

"(Document marked 'Diaz Cruz Exhibit No. 1,' and retained in committee files.)

"Mr. ARENS. Mr. Witness, it is the understanding of this committee that you are a member of this conspiratorial force that is at war with freedom everywhere, a conspiratorial force that moved its tanks into Hungary and mowed down men, women and children, a conspiratorial force that has slave camps all over, that has agents on every continent on the globe, a conspiratorial force that by the pronouncements of its own leaders has warred to the hilt against the free world everywhere.

"I propose to ask you in a few moments whether you are now a member of the Communist Party. Before doing so, I want to explain to you that if you have any question in your mind respecting the pertinency or relevancy of the questions which I ask you, or the scope of inquiry of this committee, or how these questions relate to you, and how your situation would relate to the legislative purpose of this committee, I will be glad to explain in detail every one of them. I don't want to do so unnecessarily, however.

"With that explanation, I am going to ask you now: Are you, sir, a member of the Communist Party?

"Would you wait until he interprets my question to you, please?

"Mr. DIAZ CRUZ. I refuse to answer this question because I maintain that this committee does not have the jurisdiction to carry out this investigation for the reasons already set forth to the committee in a written statement.

"Mr. TUCK. The committee informs the witness that the reasons which he assigned are not sufficient, are not satisfactory to this committee, and the committee refuses to accept the reasons which he has assigned.

"The committee also wishes to inform the witness that, by his refusals to answer these questions, he may be found guilty of criminal contempt of one of the committees of the Congress of the United States.

"This statement is being made to him through no effort to intimidate or to excite his apprehensions or fears unduly, but simply to give him this information in order that he might have it—so that he will be properly warned.

"The Chair now orders and directs the witness to answer the question.

"Mr. DIAZ CRUZ. I refuse to answer that question and all others that you may ask of me because I maintain that this committee does not have and lacks jurisdiction to hold this investigation for the reasons set forth to the committee in my written statement.

"Mr. ARENS. Mr. Witness, it has been the experience of this committee in our study of this conspiratorial force as it has moved from area to area over the world, that the first thing the Communists do when they move in and take over a country is to kill off those who helped them take it over, because they figure if they would betray their own country they wouldn't want to trust them either.

"It is our information that you, in July of 1958, went and represented yourself as the representative of Puerto Rico in Stockholm, Sweden, at a Communist-sponsored fraud known as a World Peace Congress.

"That information comes to us, among other places, from the Communist publication—one of the Communist publications on this island, Pueblo, of October 1958, in which it says 'We have been informed that following the Congress for Disarmament and International Cooperation, which was held at Stockholm, Sweden, last July 16 to 22, and at which Puerto Rico was represented by Ramon Diaz Cruz, the World Peace Congress,' and so forth.

"Please tell this committee, representing the Nation that gives you protection against the onslaught of this awful force, known as international communism, about your participation in that Communist fraud in Stockholm, Sweden, in July of 1958.

"Mr. DIAZ CRUZ. I respectfully refuse to answer this question and all other questions which the committee may ask of me because I maintain, as I have maintained and I shall maintain, that this committee has no jurisdiction to hold this investigation for the reasons set forth to the committee in my written statement.

"(Document marked 'Diaz Cruz Exhibit No. 2' and retained in committee files.)

"Mr. TUCK. The subcommittee informs the witness that the subcommittee does not accept the reasons which he has assigned in declining to answer this question. The chairman of the subcommittee orders and directs the witness to answer the question.

"Does the witness still decline to answer the question?

"Mr. DIAZ CRUZ. I refuse to answer this question, as I have the ones before, and I will refuse to answer the following questions, because I maintain and have maintained and will maintain, that this committee has no jurisdiction to hold this investigation for the reasons expressed to the committee in the written statement signed by myself.

"Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

"Mr. TUCK. The witness may stand aside."

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to the said Ramon Diaz Cruz relative to the subject matter which, under Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, the said committee was instructed to investigate, and the refusal of the witness to answer the questions, namely:

"With that explanation, I am going to ask you now: Are you, sir, a member of the Communist Party?

"It is our information that you, in July of 1958, went and represented yourself as the representative of Puerto Rico in Stockholm, Sweden, at a Communist-sponsored fraud known as a World Peace Congress.

"That information comes to us, among other places, from the Communist publication—one of the Communist publications on this island, Pueblo, of October 1958, in which it says 'We have been informed that following the Congress for Disarmament and International Cooperation, which was held at Stockholm, Sweden, last July 16 to 22, and at which Puerto Rico was represented by Ramon Diaz Cruz, the World Peace Congress,' and so forth.

"Please tell this committee, representing the Nation that gives you protection against the onslaught of this awful force known as international communism, about your participation in that Communist fraud in Stockholm, Sweden, in July of 1958."

which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony and places the said witness in contempt of the House of Representatives of the United States.

OTHER PERTINENT COMMITTEE PROCEEDINGS

The following resolution was adopted at the organizational meeting of the committee for the 86th Congress, held on the 23d day of January 1959:

"Be it resolved, That the chairman be authorized and empowered from time to time to appoint subcommittees, composed of three or more members of the Committee on Un-American Activities, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

The following is an extract from the minutes of an executive session of the subcommittee of the Committee on Un-American Activities, consisting of Hon. WILLIAM M. TUCK, chairman, Hon. MORGAN M. MOULDER, and Hon. GORDON H. SCHERER; of whom Hon. WILLIAM M. TUCK and Hon. GORDON H.

SCHERER were present, held April 5, 1960, in room 225, Old House Office Building, Washington, D.C.:

"The subcommittee was called to order by the chairman of the full committee who stated the purpose of the meeting was to consider what action the subcommittee should take regarding the refusal of certain witnesses to answer material questions propounded to them in the course of the hearings conducted by the said subcommittee in San Juan, P.R., beginning on the 18th day of November 1959, and what recommendation it would make regarding the citation of any such witnesses for contempt of the House of Representatives.

"After full consideration of the testimony of the witnesses given at the said hearing in San Juan, P.R., a motion was made by Mr. SCHERER, seconded by Mr. TUCK, and unanimously carried, that a report of the facts relating to the refusal of Ramon Diaz Cruz to answer material questions before the said subcommittee at the hearing aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the refusal of said witness to answer material questions, together with all the facts in connection therewith, be referred to the House of Representatives, with the recommendation that the said witness be cited for contempt of the House of Representatives for his refusal to answer questions therein set forth, to the end that he may be proceeded against in the manner and form provided by law."

The following is an extract from the minutes of an executive session of the Committee on Un-American Activities, consisting of Hon. FRANCIS E. WALTER, chairman; Hon. CLYDE DOYLE; Hon. WILLIAM M. TUCK; Hon. DONALD L. JACKSON; Hon. GORDON H. SCHERER; and Hon. WILLIAM E. MILLER, held on the 5th day of April, 1960, in room 225, Old House Office Building, Washington, D.C.:

"The report of the facts relating to the refusal of Ramon Diaz Cruz to answer material questions was submitted to the committee, upon which a motion was made by Mr. DOYLE, seconded by Mr. MILLER, and unanimously carried, that the subcommittee's report of the facts relating to the refusal of Ramon Diaz Cruz to answer material questions before the said subcommittee at the hearing conducted before it in San Juan, Puerto Rico, on the 19th day of November 1959, be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report and refer the said refusal to answer questions before the said subcommittee, together with all the facts in connection therewith, to the House of Representatives, with the recommendation that the witness be cited for contempt of the House of Representatives for his refusal to answer such questions, to the end that he may be proceeded against in the manner and form provided by law."

Mr. TUCK. Mr. Speaker, I offer a privileged resolution (H. Res. 615) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Ramon Diaz Cruz to answer questions before a duly constituted Subcommittee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States Attorney for the Commonwealth of Puerto Rico, to the end that the said Ramon Diaz Cruz may be proceeded against in the manner and form provided by law.

The SPEAKER pro tempore (Mr. ALBERT). The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROCEEDINGS AGAINST FRANK RUIZ

Mr. TUCK. Mr. Speaker, by direction of the Committee on Un-American Activities, I send to the Clerk's desk a privileged report (Rept. No. 2129).

The Clerk read as follows:

PROCEEDINGS AGAINST FRANK RUIZ

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, caused to be issued a subpena to Frank Ruiz. The said subpena directed Frank Ruiz to be and appear before said Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which Hon. FRANCIS E. WALTER is chairman, in U.S. court room, U.S. Court House and Post Office Building, San Juan, Puerto Rico, on Wednesday, November 18, 1959, at 2 o'clock p.m., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena served upon said Frank Ruiz is set forth in words and figures as follows:

"UNITED STATES OF AMERICA,
"CONGRESS OF THE UNITED STATES.

"To FRANK RUIZ, *Greeting:*

"Pursuant to lawful authority, you are hereby commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on Wednesday, November 18, 1959, at 2 o'clock, p.m. at U.S. court room, U.S. Court House and Post Office Building, San Juan, P.R., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To U.S. marshal, to serve and return.

"Given under my hand this 14th day of October, in the year of our Lord, 1959.

"FRANCIS E. WALTER,
Chairman."

The said subpena was duly served as appears by the return made thereon by the U.S. marshal, who was duly authorized to serve the said subpena. The return of the service by the said U.S. marshal being endorsed thereon, is set forth in words and figures as follows:

"Subpena for Frank Ruiz, correct name Eusebio Ruiz Martinez, before the committee on the 18th day of November 1959 (Wednesday) at 2 p.m.

"I made service of the within subpena by handing to and leaving original subpena with the within named Frank Ruiz, correct name Eusebio Ruiz Martinez, personally at 7th floor of the Pentagono Building, stop 27, Santurce, P.R., at 4:05 p.m., on the 19th day of October 1959.

"Dated October 20, 1959.

"SANTOS BUXO, Jr.,
"U. S. Marshal.
"By DIEGO L. MARTIN, Jr.,
"Deputy."

The said Frank Ruiz was not called to testify on November 18, 1959, the day on which he was directed to appear, and was called as a witness on November 19, 1959. The said Frank Ruiz, pursuant to said subpena, and in compliance therewith, appeared before the said subcommittee on the 19th day of November 1959, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress. The said Frank Ruiz, having appeared as a witness and having been asked the question, namely:

"With that explanation, I now ask you, sir, Are you a member of the Communist Party?" which question was pertinent to the subject under inquiry, refused to answer said question, and as a result of said Frank Ruiz' refusal to answer the aforesaid question, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon said Frank Ruiz.

The record of the proceedings before the subcommtitee on November 18, 1959, insofar as it affects the appearance of the witness Frank Ruiz on November 19, 1959, is set forth in fact as follows:

"WEDNESDAY, NOVEMBER 18, 1959

"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"San Juan, P.R.

"Public hearings

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m. in the U.S. courthouse, San Juan, P.R., Hon. WILLIAM M. TUCK (chairman of the subcommittee) presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff member present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; and Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

"Counsel, let there be incorporated in the body of the record the resolution of the Committee on Un-American Activities authorizing and directing the holding of the instant hearings in San Juan.

"(The resolution referred to follows:)

"'*Be it resolved,* That hearings by the Committee on Un-American Activities or a subcommittee thereof, to be held in Puerto Rico, in New York City, and elsewhere as the chairman may direct, on such date or dates as the chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following matters and having the legislative purposes indicated:

"'1. Entry and dissemination in Puerto Rico of foreign Communist Party propaganda, the legislative purpose being to determine the necessity for, and advisability of amendments to the Foreign Agents Registration Act designed more effectively to counteract the Communist schemes and devices now used in avoiding the prohibitions of the act.

"'2. Receipt of information relating to persons engaged in foreign travel, the legislative purpose being:

"'(a) Committee consideration of amendments to section 215 of the Immigration and Nationality Act as contained in title IX—immigration and passport security—of H.R. 2232, introduced on January 12, 1959, and referred by the House of Representatives to the Committee on Un-American Activities;

"'(b) Consideration of legislative recommendations expressing the will and intent of Congress spelled out in direct and positive

form, granting authority to the Secretary of State to issue, withhold, or limit passports for international travel of adherents to the Communist Party, and the granting of specific statutory authority, to the Secretary of State to issue substantive regulations in the passport field, as set forth in the annual reports of the Committee on Un-American Activities for the years 1956–58.

"'3. The extent, character and objects of Communist infiltration and Communist Party propaganda activities in Puerto Rico, the legislative purpose being to add to the committee's overall knowledge on the subject so that the Congress may be kept informed and thus prepared to enact remedial legislation in the national defense and for internal security.

"'4. The execution by the administrative agencies concerned of all laws and regulations relating to the Internal Security Act, the Communist Control Act, the Foreign Agents Registration Act, passport regulations, and all other laws, the subject matter of which is within the jurisdiction of the committee, the legislative purpose being to exercise continuous watchfulness over the execution of these laws to assist the Congress in appraising their administration, and in developing such amendments or related legislation as it may deem necessary.

"'5. Any other matter within the jurisdiction of the committee which it, or any subcommittee hereof appointed to conduct these hearings may designate.'

"Mr. TUCK. Let there likewise be incorporated in the body of the record the order of appointment of the subcommittee to conduct the hearings, the order of Chairman WALTER.

"(The order referred to follows:)

"OCTOBER 6, 1959.

"To: Mr. Richard Arens, staff director, House Committee on Un-American Activities.

"Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representative WILLIAM M. TUCK, as chairman, and Representatives MORGAN M. MOULDER and GORDON H. SCHERER as associate members, to conduct hearings in New York, N.Y., Monday and Tuesday, November 16 and 17, 1959, at 10 a.m., and in San Juan, P.R., Wednesday, Thursday, and Friday, November 18, 19, and 20, 1959, at 10 a.m., on subjects under investigation by the committee and take such testimony on said days or succeeding days as it may deem necessary.

"Please make this action a matter of committee record.

"If any Member indicates his inability to serve, please notify me.

"Given under my hand this 6th day of October 1959.

"FRANCIS E. WALTER,
"Chairman, Committee on Un-American Activities.

"Mr. TUCK. The hearings which begin today in San Juan are in furtherance of the powers and duties of the Committee on Un-American Activities, pursuant to Public Law 601 of the 79th Congress which not only establishes the basic jurisdiction of the committee, but also mandates this committee, along with other standing committees of the Congress, to exercise continuous watchfulness of the execution of any laws the subject matter of which is within the jurisdiction of the committee.

"In response to this power and duty, the Committee on Un-American Activities is continuously in the process of accumulating factual information respecting Communists, the Communist Party, and Communist activities which will enable the committee and the Congress to appraise the administration and operation of the Smith Act, the Internal Security Act of 1950, the Communist Control Act of 1954, and numerous provisions of the Criminal Code relating to espionage, sabotage, and subversion.

"In addition, the committee has before it numerous proposals to strengthen our legislative weapons designed to protect the internal security of this Nation.

"In the course of the last few years, as a result of hearings and investigations, this committee has made over 80 separate recommendations for legislative action. Legislation has been passed by the Congress embracing 35 of the committee recommendations and 26 separate proposals are currently pending in the Congress on subjects covered by other committee recommendations. Moreover, in the course of the last few years numerous recommendations made by the committee for administrative action have been adopted by the executive agencies of the Government.

"This subcommittee of the Committee on Un-American Activities has come to Puerto Rico to discharge a duty imposed by the U.S. Congress, namely, to develop factual information for the Congress in its endeavors to cope with the Communist conspiracy. We come here as friends in an enterprise which ought to be the concern of all freedom-loving people everywhere, irrespective of wherever they may reside.

"From past experience we know that the Communist propagandists will attempt to pervert the purpose of these hearings into an invesigation of Puerto Ricans. We are not investigating Puerto Ricans as Puerto Ricans. We are pursuing the trail of the few dangerous Communists who are part and parcel of a world conspiracy which would destroy freedom.

"We do not expect to interrogate here every Communist on the island. We only expect to make a sampling of Communist activity here so that we will be able to know the pattern of the Communist conspiracy's efforts in this area and its connections with the Communist conspiracy on the mainland.

"One of the most insidious aspects of communism is its deceit. It pretends to be the friend of the working man, but where it has seized power the working man is crushed under its despotic heel. He finds himself regimented and disciplined. He may find himself in a slave labor camp. It pretends to seek peace and yet it is at war with free people everywhere. Communism masquerades behind a facade of humanitarianism but it has caused more bloodshed and misery than any other force in the history of civilization.

"The strength of the Communist operation in any area is not in proportion to its numbers. A conspiratorial force may actually weaken itself when it increases its size. It takes only one or two holes in a ship to sink it. It, likewise, takes only a few trained, disciplined zealots to undermine and weaken a nation or a free society.

"What are the present strategies and tactics of the Communist operation in this general area? What techniques are the hardcore Communists pursuing in order to avoid detection as they pursue their nefarious work? What are the lines of control and communication between the various Communists' nests here and on the mainland? What loopholes or weaknesses exist in our present security laws? How may those laws be strengthened?

"These questions shall be uppermost in the minds of the committee as we elicit testimony during these hearings.

"May I emphasize that the purpose of the subcommittee here in San Juan is to sample factual material with reference to types and patterns of activity, and not to attempt to exhaust the subject matter. We have not subpenaed witnesses for these hearings merely to put on a show, nor shall we attempt to interrogate in these hearings even a significant percentage of all possible witnesses on whom we have compiled information.

"It is a standing rule of this committee that any person identified as a member of the Communist Party during the course of the committee hearings will be given an early opportunity to appear before this committee, if he so desires, for the purpose of denying or explaining any testimony adversely affecting him, or which he may think adversely affects him.

"It is also the policy of the committee to accord any witness the privilege of being represented by counsel; but within the provisions of the rules of this committee, counsel's sole and exclusive prerogative is to advise his client.

"I would remind those present that a disturbance of any kind, or an audible comment during the hearings, will not be permitted. This is a serious proceeding in which we are earnestly trying to discharge an important and arduous duty."

The record of the proceedings on November 19, 1959, during which the said Frank Ruiz refused to answer the aforesaid question, pertinent to the subject under inquiry, is set forth in fact as follows:

"THURSDAY, NOVEMBER 19, 1959

"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"San Juan, P.R.

"Public hearings

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:45 a.m., in the U.S. courthouse, Hon. WILLIAM M. TUCK (chairman of the subcommittee) presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

* * * * *

"AFTERNOON SESSION—THURSDAY, NOVEMBER 19, 1959

"(The subcommittee reconvened at 2 p.m., Hon. WILLIAM M. TUCK, chairman of the subcommittee, presiding.)

"(Members of the subcommittee present at time of reconvening: Representatives TUCK and SCHERER.)

"Mr. TUCK. The subcommittee will come to order.

"(After hearing the testimony of several other witnesses, Frank Ruiz was called before the committee.)

"Mr. TUCK. The committee will come to order.

"Please stand and be sworn.

"You do solemnly swear that the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. RUIZ. I do.

"TESTIMONY OF FRANK RUIZ (FRANK RUIZ MARTINEZ) ACCOMPANIED BY COUNSEL, ABRAHAM DIAZ GONZALEZ, GERARDO ORTIZ DEL RIVERO, SANTOS P. AMADEO, PRAXELES ALVEREZ LEANDRI, AND MAX GOLDMAN (DONALD F. BARNES, INTERPRETER)

"Mr. ARENS. Please identify yourself by name, residence, and occupation.

"Mr. RUIZ. I was born—my Christian name was Eusebio Ruiz Martinez. I am known now as Frank Ruiz Martinez. I was born in the city of Ponce. I live at 67 Maestro Cordero Street, in Hato Rey, P.R. I am the secretary-treasurer of the Packinghouse Workers Union, AFL–CIO.

"Mr. ARENS. You are appearing today in response to a subpena which was served upon you by this committee?

"Mr. RUIZ. I respectfully refuse to answer that question because I maintain that this committee lacks jurisdiction to carry out this investigation in Puerto Rico.

"Mr. ARENS. You are represented by counsel?

"Mr. DIAZ GONZALEZ. Mr. Chairman, I respectfully want to request the record to show my name is Abraham Diaz Gonzalez, my address is 1556 Ponce de Leon Avenue. Mr. Ortiz Del Rivero, Mr. Max Goldman, Mr. Praxeles Leandri and Dr. Santos Amadeo assist me in the assistance to this witness.

"Mr. ARENS. Have you ever been convicted of a criminal offense?

"Mr. RUIZ. I respectfully refuse to answer this question and any others that may be asked of me because I understand and I maintain that this committee of the U.S. Congress lacks jurisdiction to investigate anybody in Puerto Rico.

"Mr. ARENS. It is the information of this committee that you pled guilty to seditious conspiracy and received a 5-year suspended sentence and were placed on probation.

"Please confirm or deny the validity of that information.

"Mr. RUIZ. I respectfully refuse to answer this question or any other because I understand that this committee does not have jurisdiction to investigate anyone in Puerto Rico.

"Mr. ARENS. Mr. Witness, this committee is here for the purpose of developing factual information which will assist it, and, via it, the U.S. Congress, in its legislative duties to protect this Nation against the Godless conspiratorial force known as the Communist Party.

"The committee is confident, not only on the basis of its own legal research, but on the basis of the advice of the most competent lawyers we can enlist, that the committee does have jurisdiction here without question.

"The committee needs the information which the committee thinks you have. I propose in a moment to ask you whether or not you are now a member of the Communist Party. If you answer that question, truthfully and fully, I expect then to pursue with you other lines of inquiry as to your activities in the Communist Party, as to the movements of the Communist Party in Puerto Rico, as to the connection between the Communist Party of Puerto Rico and the Communist Party working among Puerto Rican nationality groups in the continental United States.

"If there is anything you do not understand about my questions, including their pertinency or relevancy, scope of inquiry, anything at all, just stop me and ask, and I will be glad to explain them to you.

"With that explanation, I now ask you, sir, are you a member of the Communist Party.

"Mr. RUIZ. I maintain, as I did before, that I will refuse to answer any questions posed to me by this committee because, as I said previously, I believe that this committee has no jurisdiction to investigate anyone here in Puerto Rico.

"Mr. TUCK. The reasons assigned by the witness for declining to answer the question propounded by counsel are not accepted. The witness is ordered and directed to answer the preceding question propounded by counsel.

"Mr. RUIZ. I maintain the position that I expressed before to this committee, that is, that I do not believe that this committee has jurisdiction to investigate anyone in Puerto Rico.

"Mr TUCK. Proceed, counsel.

"Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness."

Because of the foregoing, the said Committee on Un-American Activities was deprived of an answer to a pertinent question propounded to the said Frank Ruiz, relative to the subject matter which, under Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, the said committee was instructed to investigate, and the refusal of the witness to answer the question, namely:

"With that explanation, I now ask you, sir, are you a member of the Communist Party?" which question was pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid question deprived your committee of necessary and pertinent testimony and places the said witness in contempt of the House of Representatives of the United States.

Other pertinent committee proceedings

The following resolution was adopted at the organizational meeting of the committee for the 86th Congress, held on the 23d day of January 1959:

"Be it resolved, That the chairman be authorized and empowered from time to time to appoint subcommittees, composed of three or more members of the Committee on Un-American Activities, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

The following is an extract from the minutes of an executive session of the subcommittee of the Committee on Un-American Activities, consisting of Hon. WILLIAM M. TUCK, chairman, Hon. MORGAN M. MOULDER, and Hon. GORDON H. SCHERER; of whom Hon. WILLIAM M. TUCK and Hon. GORDON H. SCHERER were present, held April 5, 1960, in room 225, Old House Office Building, Washington, D.C.:

"The subcommittee was called to order by the chairman of the full committee, who stated the purpose of the meeting was to consider what action the subcommittee should take regarding the refusal of certain witnesses to answer material questions propounded to them in the course of the hearings conducted by the said subcommittee in San Juan, Puerto Rico, beginning on the 18th day of November, 1959, and what recommendation it would make regarding the citation of any such witnesses for contempt of the House of Representatives.

"After full consideration of the testimony of the witnesses given at the said hearing in San Juan, Puerto Rico, a motion was made by Mr. SCHERER, seconded by Mr. TUCK, and unanimously carried, that a report of the facts relating to the refusal of Frank Ruiz to answer a material question before the said subcommittee at the hearing aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the refusal of said witness to answer a material question, together with all the facts in connection therewith, be referred to the House of Representatives, with the recommendation that the said witness be cited for contempt of the House of Representatives for his refusal to answer the question therein set forth, to the end that he may be proceeded against in the manner and form provided by law."

The following is an extract from the minutes of an executive session of the Committee on Un-American Activities, consisting of Hon. FRANCIS E. WALTER, chairman; Hon. CLYDE DOYLE, Hon. WILLIAM M. TUCK, Hon. DONALD L. JACKSON, Hon. GORDON H. SCHERER, and Hon. WILLIAM E. MILLER, held on the 5th day of April 1960, in room 225, Old House Office Building, Washington, D.C.:

"The report of the facts relating to the refusal of Frank Ruiz to answer a material question was submitted to the committee, upon which a motion was made by Mr. DOYLE, seconded by Mr. MILLER, and unanimously carried, that the subcommittee's report of the facts relating to the refusal of Frank Ruiz to answer a material question before the said subcommittee at the hearing conducted before it in San Juan, P.R., on the 19th day of November 1959, be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report and refer the said refusal to answer said question before the said subcommittee, together with all the facts in connection therewith, to the House of Representatives, with the recommendation that the witness be cited for contempt of the House of Representatives for his refusal to answer such question, to the end that he may be proceeded against in the manner and form provided by law."

Mr. TUCK. Mr. Speaker, I offer a privileged resolution (H. Res. 616) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Frank Ruiz to answer a question before a duly constituted subcommittee of the Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States attorney for the Commonwealth of Puerto Rico, to the end that the said Frank Ruiz may be proceeded against in the manner and form provided by law."

The SPEAKER pro tempore (Mr. ALBERT). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROCEEDINGS AGAINST JUAN EMMANUELLI MORALES

Mr. TUCK. Mr. Speaker, by direction of the Committee on Un-American Activities, I submit a privileged report (Rept. No. 2130).

The Clerk read as follows:

PROCEEDINGS AGAINST JUAN EMMANUELLI MORALES

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, caused to be issued a subpena to Juan Emmanuelli Morales. The said subpena directed Juan Emmanuelli Morales to be and appear before the said Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which Hon. Francis E. Walter is chairman, in U.S. courtroom, U.S. Court House and Post Office Building, San Juan, P.R., on Wednesday, November 18, 1959, at 2 p.m., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena served upon the said Juan Emmanuelli Morales is set forth in words and figures as follows:

"UNITED STATES OF AMERICA,

"CONGRESS OF THE UNITED STATES.

"TO JUAN EMMANUELLI MORALES, *Greeting:*

"Pursuant to lawful authority, You are hereby commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on November 18, 1959, at 2 p.m.,

at U.S. courtroom, U.S. Court House and Post Office Building, San Juan, P.R., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To U.S. marshal, to serve and return.

"Given under my hand this 5th day of November, in the year of our Lord, 1959.

"FRANCIS E. WALTER,
"Chairman."

The said subpena was duly served as appears by the return made hereon by the U.S. marshal, who was duly authorized to serve the said subpena. The return of the service by the said U.S. marshal being endorsed thereon, is set forth in words and figures as follows:

"Subpena for Juan Emmanuelli Morales before the committee on the 18th day of November 1959, 2 p.m.

"I made service of the within subpena by handing to and leaving original subpena with the within-named Juan Emmanuelli Morales personally at Cerra St. 611, Stop 15, Santurce, P.R., at 8:40 o'clock, a.m., on the 7th day of November 1959.

"Dated November 9, 1959.

"SANTOS BUXO, Jr.,
"U.S. Marshal.
"By NEPOMUCENO MAS,
"Deputy."

The said Juan Emmanuelli Morales was not called to testify on November 8, 1959, the day on which he was directed to appear, and was called as a witness on November 19, 1959. The said Juan Emmanuelli Morales, pursuant to said subpena, and in compliance therewith, appeared before the said subcommittee on the 19th day of November 1959, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress. The said Juan Emmanuelli Morales having appeared as a witness and having been asked the questions, namely:

"With that explanation, I again ask you are you now or have you ever been a member of the Communist Party?

"You indicated to us that after you got back to the island, you could have a chance to collect your thoughts on some matters, refresh your recollection on some matters, that you were pretty certain that you would be able to be considerably helpful to us, didn't you?"

which questions were pertinent to the subject under inquiry, refused to answer said questions, and as a result of said Juan Emmanuelli Morales' refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon the said Juan Emmanuelli Morales.

The record of the proceedings on November 18, 1959, insofar as it affects the appearance of the witness Juan Emmanuelli Morales on November 19, 1959, is set forth in fact as follows:

"WEDNESDAY, NOVEMBER 18, 1959

"U.S. HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
San Juan, P.R.

Public hearings

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m. in the U.S. Courthouse, San Juan, Puerto Rico, Hon. WILLIAM M. TUCK (chairman of the subcommittee) presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; and Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

"Counsel, let there be incorporated in the body of the record the resolution of the Committee on Un-American Activities authorizing and directing the holding of the instant hearings in San Juan.

"(The resolution referred to follows:)

"'*Be it resolved,* That hearings by the Committee on Un-American Activities or a subcommittee thereof, to be held in Puerto Rico, in New York City, and elsewhere as the chairman may direct, on such date or dates as the chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following matters and having the legislative purposes indicated:

"'1. Entry and dissemination in Puerto Rico of foreign Communist Party propaganda, the legislative purpose being to determine the necessity for, and advisability of amendments to the Foreign Agents Registration Act designed more effectively to counteract the Communist schemes and devices now used in avoiding the prohibitions of the Act.

"'2. Receipt of information relating to persons engaged in foreign travel, the legislative purpose being:

"'(a) Committee consideration of amendments to section 215 of the Immigration and Nationality Act as contained in title IX—Immigration and Passport Security—of H.R. 2232, introduced on January 12, 1959, and referred by the House of Representatives to the Committee on Un-American Activities;

"'(b) Consideration of legislative recommendations expressing the will and intent of Congress spelled out in direct and positive form, granting authority to the Secretary of State to issue, withhold, or limit passports for international travel of adherents to the Communist Party, and the granting of specific statutory authority to the Secretary of State to issue substantive regulations in the passport field, as set forth in the annual reports of the Committee on Un-American Activities for the years 1956–58.

"'3. The extent, character, and objects of Communist infiltration and Communist Party propaganda activities in Puerto Rico, the legislative purpose being to add to the committee's overall knowledge on the subject so that the Congress may be kept informed and thus prepared to enact remedial legislation in the national defense and for internal security.

"'4. The execution by the administrative agencies concerned of all laws and regulations relating to the Internal Security Act, the Communist Control Act, the Foreign Agents' Registration Act, Passport Regulations, and all other laws, the subject matter of which is within the jurisdiction of the committee, the legislative purpose being to exercise continuous watchfulness over the execution of these laws to assist the Congress in appraising their administration and in developing such amendments or related legislation as it may deem necessary.

"'5. Any other matter within the jurisdiction of the committee which it, or any subcommittee hereof appointed to conduct these hearings, may designate.'

"Mr. TUCK. Let there likewise be incorporated in the body of the record the order of appointment of the subcommittee to conduct the hearings, the order of Chairman WALTER.

"(The order referred to follows:)

"'OCTOBER 6, 1959.

"'To Mr. Richard Arens, staff director, House Committee on Un-American Activities.

"'Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representative WILLIAM M. TUCK, as chairman, and Representatives MORGAN M. MOULDER and GORDON H. SCHERER as associate members, to conduct hearings in New York, N.Y., Monday and Tuesday, November 16 and 17, 1959, at 10 a.m., and in San Juan, P.R., Wednesday, Thursday, and Friday, November 18, 19, and 20, 1959, at 10 a.m., on subjects under investigation by the committee and take such testimony on said days or succeeding days as it may deem necessary.

"'Please make this action a matter of committee record.

"'If any member indicates his inability to serve, please notify me.

"'Given under my hand this 6th day of October 1959.

"'FRANCIS E. WALTER,
"'*Chairman, Committee on Un-American Activities.*'

"Mr. TUCK. The hearings which begin today in San Juan are in furtherance of the powers and duties of the Committee on Un-American Activities, pursuant to Public Law 601 of the 79th Congress which not only establishes the basic jurisdiction of the committee, but also mandates this committee, along with other standing committees of the Congress, to exercise continuous watchfulness of the execution of any laws the subject matter of which is within the jurisdiction of the committee.

"In response to this power and duty, the Committee on Un-American Activities is continuously in the process of accumulating factual information respecting Communists, the Communist Party, and Communist activities which will enable the committee and the Congress to appraise the administration and operation of the Smith Act, the Internal Security Act of 1950, the Communist Control Act of 1954, and numerous provisions of the Criminal Code relating to espionage, sabotage, and subversion.

"In addition, the committee has before it numerous proposals to strengthen our legislative weapons designed to protect the internal security of this Nation.

"In the course of the last few years, as a result of hearings and investigations, this committee has made over 80 separate recommendations for legislative action. Legislation has been passed by the Congress embracing 35 of the committee recommendations and 26 separate proposals are currently pending in the Congress on subjects covered by other committee recommendations. Moreover, in the course of the last few years numerous recommendations made by the committee for administrative action have been adopted by the executive agencies of the Government.

"This subcommittee of the Committee on Un-American Activities has come to Puerto Rico to discharge a duty imposed by the U.S. Congress, namely, to develop factual information for the Congress in its endeavors to cope with the Communist conspiracy. We come here as friends in an enterprise which ought to be the concern of all freedom-loving people everywhere, irrespective of wherever they may reside.

"From past experience we know that the Communist propagandists will attempt to pervert the purpose of these hearings into an investigation of Puerto Ricans. We are not investigating Puerto Ricans as Puerto Ricans. We are pursuing the trail of the few dangerous Communists who are part and parcel of a world conspiracy which would destroy freedom.

"We do not expect to interrogate here every Communist on the island. We only expect to make a sampling of Communist activity here so that we will be able to know the pattern of the Communist conspiracy's efforts in this area and its connections with the Communist conspiracy on the mainland.

"One of the most insidious aspects of communism is its deceit. It pretends to be the friend of the workingman, but where it has seized power the working man is crushed under its despotic heel. He finds himself regimented and disciplined. He may find himself in a slave labor camp. It pretends to seek peace, and yet it is at war with free people everywhere. Communism masquerades behind a facade of humanitarianism, but it has caused more bloodshed and misery than any other force in the history of civilization.

"The strength of the Communist operation in any area is not in proportion to its numbers. A conspiratorial force may actually weaken itself when it increases its size. It takes only one or two holes in a ship to sink it. It, likewise, takes only a few trained, disciplined zealots to undermine and weaken a nation or a free society.

"What are the present strategies and tactics of the Communist operation in this general area? What techniques are the hard-core Communists pursuing in order to avoid detection as they pursue their nefarious work? What are the lines of control and communication between the various Communist nests here and on the mainland? What loopholes or weaknesses exist in our present security laws? How may those laws be strengthened?

"These questions shall be uppermost in the minds of the committee as we elicit testimony during these hearings.

"May I emphasize that the purpose of the subcommittee here in San Juan is to sample factual material with reference to types and patterns of activity, and not to attempt to exhaust the subject matter. We have not subpenaed witnesses for these hearings merely to put on a show, nor shall we attempt to interrogate in these hearings even a significant percentage of all possible witnesses on whom we have compiled information.

"It is a standing rule of this committee that any person identified as a member of the Communist Party during the course of the committee hearings will be given an early opportunity to appear before this committee, if he so desires, for the purpose of denying or explaining any testimony adversely affecting him, or which he may think adversely affects him.

"It is also the policy of the committee to accord any witness the privilege of being represented by counsel; but within the provisions of the rules of this committee, counsel's sole and exclusive prerogative is to advise his client.

"I would remind those present that a disturbance of any kind, or an audible comment during the hearings, will not be permitted. This is a serious proceeding in which we are earnestly trying to discharge an important and arduous duty."

The record of the proceedings on November 19, 1959, during which the said Juan Emmanuelli Morales refused to answer the aforesaid questions, pertinent to the subject under inquiry, is set forth in fact as follows:

"THURSDAY, NOVEMBER 19, 1959

"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"*San Juan, P.R.*

"Public hearings

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:45 a.m., in the U.S. Courthouse, Hon. WILLIAM M. TUCK, chairman of the subcommittee, presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

"The committee recognizes Mr. Arens.

"Mr. ARENS. Mr. Chairman, we would like at this time to call Mr. Emmanuelli Morales. The first name, as I have it, is Juan. Juan Emmanuelli Morales.

"Mr. DIAZ GONZALEZ. Excuse me——

"Mr. TUCK. Come forward.

"Mr. ARENS. Juan Emmanuelli Morales.

"Will the marshal or the deputy marshal page him in the corridors, please?

"Mr. DIAZ GONZALEZ. Mr. Chairman, Mr. Emmanuelli was subpenaed for the 19th, which is today, isn't it? And it was understood yesterday that those subpenaed for the 18th were to be taken up——

"Mr. ARENS. Do you represent Mr. Emmanuelli Morales?

"Mr. DIAZ GONZALEZ. Mr. Emmanuelli; yes. Therefore, we have the witnesses left over from yesterday here this morning, the ones that were subpenaed for the 18th. We have some left. That is why Mr. Morales and some of the others that were subpenaed for today haven't arrived, because we were under the impression that today we were going to take up the following, which were left over from yesterday after the chairman announced that those who were not taken up yesterday were going to be taken up today. That is, Juan Santos Rivera.

"Mr. ARENS. Will Mr. Emmanuelli Morales be here this afternoon?

"Mr. GONZALEZ. He will be here this afternoon.

* * * * *

"AFTERNOON SESSION—THURSDAY, NOVEMBER 19, 1959

"(The subcommittee reconvened at 2 p.m., Hon. WILLIAM M. TUCK, chairman of the subcommittee, presiding.)

"(Members of the subcommittee present at time of reconvening: Representatives TUCK and SCHERER.)

"Mr. TUCK. The subcommittee will come to order.

"Mr. ARENS. The next witness, if you please, Mr. Chairman, is Juan Emmanuelli Morales.

"Please come forward.

"Mr. TUCK. Raise your right hand and be sworn.

"You do solemnly swear that the testimony you are about to give before this subcommittee of the Committee on Un-American Activities will be the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. EMMANUELLI MORALES. Yes.

"Mr. TUCK. The answer is in the affirmative?

"Mr. EMMANUELLI MORALES. Yes, sir.

"TESTIMONY OF JUAN EMMANUELLI MORALES, ACCOMPANIED BY COUNSEL, ABRAHAM DIAZ GONZALEZ

"Mr. ARENS. Please identify yourself by name, residence, and occupation.

"Mr. EMMANUELLI MORALES. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the——

"Mr. ARENS. Perhaps you do not understand. I haven't asked a question yet. It was just to have you identified on this record.

"Please identify yourself by name, residence, and occupation.

"Mr. DIAZ GONZALEZ. For the purpose of the record, Mr. Chairman, I respectfully want to inform this committee—my name is Abraham Diaz Gonzalez. I am of counsel from this morning, the same counsel representing the witness.

"His name is Juan Emmanuelli. He is the person subpenaed, and he is represented by counsel.

"Mr. ARENS. You are appearing today in response to a subpena which was served upon you by this committee?

"Mr. EMMANUELLI MORALES. I respectfully decline to answer the question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to this committee in my written statement.

"Mr. ARENS. Mr. Emmanuelli Morales, when did you last see me?

"Mr. EMMANUELLI MORALES. I respectfully——

"Mr. ARENS. That is, prior to the time that we arrived in San Juan, P.R.

"Mr. EMMANUELLI MORALES. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. Did you not, on last Friday, in Washington, D.C., enter my office and state voluntarily that you had been a member of the Communist Party, and that you had information respecting a number of people who were Communists, and that you proposed to testify before this committee as a friendly witness, and tell this committee about a number of people who, to your certain knowledge, are Communist conspirators on the island now?

"Mr. EMMANUELLI MORALES. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. Has anyone threatened you since you returned to the island in order to prepare the testimony which you stated you were going to give before this committee in response to the session which we had in my office last Friday?

"Mr. EMMANUELLI MORALES. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

"Mr. EMMANUELLI MORALES. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to this committee in my written statement.

"Mr. ARENS. First of all, Mr. Witness, I want to make one thing clear to you: That if you do not understand the import of any question which I ask you, if you do not understand its relevancy, if you do not understand its pertinency, if you have any question in your mind respecting the question, just ask us, and we will give you a full explanation on each question in every regard.

"With that explanation, I again ask you are you now or have you ever been a member of the Communist Party?

"Mr. EMMANUELLI MORALES. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. I respectfully suggest now, Mr. Chairman, the witness be ordered and directed to answer the question.

"Mr. TUCK. The Chair informs the witness that the committee does not accept his reasons for refusing to answer the question as sound and sufficient. The witness is ordered and directed to answer the specific question last asked him.

"Mr. EMMANUELLI MORALES. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation——

"Mr. ARENS. Mr. Chairman, in the presence of this witness, I request that an investigator of this Committee on Un-American Activities who interviewed Mr. Emmanuelli Morales in my office last Friday at his solicitation after he came from San Juan to Washington, be sworn.

"Mr. George Williams, will you please stand up and be sworn?

"Mr. GONZALEZ. Mr. Chairman, I respectfully want to be informed whether this means that the witness has been discharged.

"Mr. TUCK. No, he has not been.

"Mr. ARENS. Mr. Williams, will you be sworn?

"Mr. TUCK. You do solemnly swear the testimony you are about to give before this subcommittee of the Committee on Un-American Activities of the House of Representatives will be the truth, the whole truth and nothing but the truth, so help you God?

"Mr. WILLIAMS. I do.

"TESTIMONY OF GEORGE C. WILLIAMS

"Mr. ARENS. Mr. Williams, just at your pace, give us a word about your own personal background.

"Mr. WILLIAMS. I was born in Pittsylvania County, Va.; graduated from the University of Virginia; a special agent for the Federal Bureau of Investigation for several years; subsequent to that time I have been employed on the staff of this committee.

"Mr. ARENS. Mr. Williams, on last Friday—I do not have the exact date, but on last Friday—Friday the 13th—I am advised—November 13 were you, Mr. Margetich, and myself conferring in my private office at the suite of offices of the Committee on Un-American Activities in Washington, D.C.?

"Mr. WILLIAMS. Yes, sir.

"Mr. ARENS. About what hour of the day was it when we were in conference there?

"Mr. WILLIAMS. As well as I can recall, it was approximately 6 o'clock.

"Mr. ARENS. In passing, I believe Mr. Lewis was also present, was he not, of our research staff?

"Mr. WILLIAMS. Yes; that is correct.

"Mr. ARENS. What happened about 6 o'clock when we were in conference there, Mr. Williams?

"Mr. WILLIAMS. Mr. Emmanuelli Morales came to the office and stated that he had come down to talk with us concerning the forthcoming hearings here in Puerto Rico.

"Mr. ARENS. May I interpose this question at that point: Had he been subpenaed by the committee for an appearance here?

"Mr. WILLIAMS. To the best of my knowledge, he had. I did not issue the subpena. I think he had.

"Mr. ARENS. All right, sir. Then tell us what transpired there in my office.

"Mr. WILLIAMS. We spoke with Mr. Emmanuelli Morales concerning the forthcoming hearings here in Puerto Rico.

"Mr. ARENS. Would you excuse me for another interruption, if I may refresh your recollection?

"Mr. WILLIAMS. Yes.

"Mr. ARENS. Did I not at that time invite you and, I believe, Mr. Margetich, and one other gentleman of the office, to retire to another office in order to interview Mr. Emmanuelli Morales?

"Mr. WILLIAMS. That is correct. After he made his initial appearance in the office, you asked us to take Mr. Emmanuelli Morales to another office, at which time we would interview him to get some idea of his information and the type of information he would furnish the committee here in Puerto Rico.

"Mr. ARENS. Now, Mr. Williams, was Mr. Emmanuelli Morales' appearance completely and wholly voluntary?

"Mr. WILLIAMS. Yes.

"Mr. ARENS. Did we at any time undertake, what might be loosely characterized as any pressure tactics, on him?

"Mr. WILLIAMS. No, sir.

"Mr. ARENS. He walked in unaccompanied, did he not?

"Mr. WILLIAMS. Yes.

"Mr. ARENS. Proceed at your own pace to say what happened after you and one or two other gentlemen from the office retired to another office to visit with Mr. Emmanuelli Morales.

"Mr. WILLIAMS. We went in another office. I conducted the interrogation, and notes were recorded at the time as a result of this interrogation. I have these notes in front of me here now.

"Mr. ARENS. You made those notes there, or they were made in your presence at the time of the conference with Mr. Emmanuelli Morales?

"Mr. WILLIAMS. That is correct, in our office in Washington, on the evening of Friday the 13th.

"Mr. ARENS. I wasn't present so you tell us what happened.

"Mr. WILLIAMS. All right, sir. Mr. Emmanuelli Morales stated that he had been a member of the Communist Party; that, by way of background, he had gone to New York in 1928 for a visit; remained in New York for a while, and then came back to Puerto Rico. In 1931 he moved to New York, more or less permanently.

"Mr. ARENS. Did he make any reference to any Communist Party activities by himself in New York City during this period?

"Mr. WILLIAMS. Not up to that time.

"Mr. ARENS. You mean in the chronology of his presentation?

"Mr. WILLIAMS. Yes; that is correct.

"Mr. ARENS. Go right ahead.

"Mr. WILLIAMS. He returned, as I say, to New York around 1931. In 1938 he was living in New York, employed as a printer. He was printing some, I believe, as well as I recall, and from the notes, some Spanish publications.

"At the time they were non-Communist publications. The party felt that—the Communist Party in New York felt that—this was a person who apparently could be of value to the party, so Mr. Emmanuelli Morales was approached, as I recall his statement to me, and in 1938 he joined the Communist Party and was assigned to the Harlem Section of the Communist Party in New York.

"Mr. ARENS. Did he tell you that?

"Mr. WILLIAMS. Yes, sir; he did.

"He remained in New York, and active—just a moment. Let me retract. He remained in the Communist Party up to 1941 when he entered the armed services of the United States. At that time he stated he resigned from the Communist Party. He was discharged from the service, I believe, in 1943 or 1944, at which time he received an honorable discharge and rejoined the Communist Party and again was assigned to the Harlem Section of the Communist Party in New York.

"Mr. ARENS. May I ask that date when he rejoined the Communist Party?

"Mr WILLIAMS. I have here, 1943 or 1944. He was not quite clear as to the exact date or the exact year. He remained in New York, active in the Communist Party until 1949 or 1950, he wasn't quite sure, when he returned to Puerto Rico. When he returned to Puerto Rico he joined the Communist Party of Puerto Rico here on the island.

"Mr. ARENS. Give us a word about the activities he said he was engaged in as a Communist on the island here.

"Mr. WILLIAMS. Perhaps it would clarify the situation if I said here that our conference with Mr. Emmanuelli Morales in Washington was not for a prolonged period of time. He had to come back to Puerto Rico, and we had other pressing matters. Mr. Emmanuelli Morales talked, I suppose, 30 or 45 minutes.

"Mr. ARENS. You made arrangements at my request then to meet Mr. Emmanuelli Morales here on the island in advance of these specific hearings in which we are engaged now?

"Mr. WILLIAMS. That is right. We set up a tentative appointment for Tuesday afternoon. As soon as I arrived in San Juan at the airport—my plane was a little late—I called his office immediately. He was out. I left word where I would be staying, and left word for him to call me.

"After I checked in the hotel, I made several attempts to call him again at his office. Each time he was out. I finally left word to ask him to be at my hotel at 7 o'clock so we could continue the interview which we had started in Washington.

"I was in my room at 7 o'clock and waited until 8:30. Mr. Emmanuelli Morales did not show up. The same thing yesterday. I tried to get in touch with him through his office. I finally set an appointment for last night, through his office, for 8 o'clock. Once again I waited for Mr. Emmanuelli Morales and he did not show up.

"Mr. ARENS. That was last night?

"Mr. WILLIAMS. Last night. At no time, though, have I been in direct contact with Mr. Emmanuelli Morales. I have been unable to reach him. I left my number at his office on numerous occasions. I talked to people in his office. I have not been able to talk with him, however. With that background, the interview in Washington was not as complete and as thorough as it would ordinarily be due to the lack of time.

"Mr. ARENS. Did Mr. Emmanuelli Morales during the course of the brief, preliminary interview which you had with him in the company of Mr. Margetich of our office, tell you the name of any person whom he knew who is now or currently a member of the Communist Party?

"Mr. WILLIAMS. As I said before, he stated he had left the Communist Party in 1953, but due to some knowledge that he had, he had reason to believe that people who were active then are still active. He gave one or two names at the time.

"Mr. ARENS. In that interview?

"Mr. WILLIAMS. Yes.

"Mr. ARENS. Give us now the names which he gave to you of persons whom he knew in 1953 as Communists here, whom he, on the basis of his understanding of their activities, were currently active in the party.

"Mr. WILLIAMS. Mr. ARENS, he gave me several different names. As I say, not realizing, of course, at the time that that would be the extent of my interview with the gentlemen——

"Mr. ARENS. So that we may be absolutely on sound ground in your presentation, give us now the names of one or two of the persons concerning whose membership in the Communist Party Mr. Emmanuelli Morales was certain in his preliminary interview about.

"Mr. WILLIAMS. Well, there is only one name that I have an absolute notation about that the person was active in 1953 and to the best of his knowledge was currently active.

"Mr. ARENS. Who was that?

"Mr. WILLIAMS. He indicated there were others, but, of course, anticipating a subsequent interview, I did not go into it at any great length at the time.

"Mr. ARENS. You were under the impression that he was merely making his acquaintance known to us and his desire to cooperate with the committee in making information available to us on this vital conspiracy?

"Mr. WILLIAMS. Yes; that is correct. The one name which he did give—which I have a notation by—is a name, Gertrudis Melendez Perez.

"As I said he mentioned several others, but I would be hesitant to mention them as being active in 1953 or currently active.

"Mr. ARENS. Have you covered the significant points of the interview?

"Mr. WILLIAMS. Yes; I think I have.

"TESTIMONY OF JUAN EMMANUELLI MORALES, ACCOMPANIED BY COUNSEL, ABRAHAM DIAZ GONZALEZ—RESUMED

"Mr. ARENS. You have just heard the testimony of this former FBI agent, Mr. Emmanuelli Morales, under oath. Is there any particular in which he has not told the truth? Is there any error in his testimony?

"Mr. EMMANUELLI MORALES. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons that I conveyed to the committee in my written statement.

"Mr. ARENS. Tell this committee, just man to man, what happened after you walked out of that office. You came in and wanted to tell us about this deadly conspiracy which threatens freedom everywhere, of which you were a part. What happened to change your position?

"Mr. EMMANUELLI MORALES. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. Have you been threatened by a member of the conspiracy since you left our office last Friday?

"Mr. EMMANUELLI MORALES. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. If you fear the conspiracy, this committee is prepared to assure you all of the protection necessary. Do you understand that? Because these conspirators, although they are conspirators, they are cowards.

"Have you been contacted, Mr. Morales, since you arrived back at the island from Washington, D.C., last Friday. Have you been contacted by any person known by you to be a member of the Communist Party?

"Mr. EMMANUELLI MORALES. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. We were under the impression, Mr. Emmanuelli Morales, at least I was, and I believe the investigators, that you had some information that would be of concern to this committee in its work in developing factual material to be used in trying to resist the encroachments of this conspiracy. Can't you tell us what happened?

"Mr. EMMANUELLI MORALES. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. Why didn't you call us if you changed your mind?

"Mr. EMMANUELLI MORALES. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. You indicated to us that after you got back to the island, you could have a chance to collect your thoughts on some matters, refresh your recollection on some matters, that you were pretty certain that you would be able to be considerably helpful to us, didn't you?

"Mr. EMMANUELLI MORALES. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. Mr. Chairman, I see there is no use pursuing this further. I want to be certain, however, that this record reflects a directive to him to answer the questions, because he is taking this course—I am sure he understands now—at his peril.

"I respectfully suggest, Mr. Chairman, that the witness be advised that his position is not acceptable to the committee, and that he be ordered and directed to answer the questions.

"Mr. TUCK. The Chair informs the witness that his reasons for his refusals to answer the questions, and particularly the immediately preceding questions propounded to him, are not acceptable to the committee, and do not constitute valid grounds in the opinion of the committee for him to refuse to answer.

"The witness is ordered and directed to answer the questions propounded by counsel for the committee, particularly the preceding question.

"Mr. EMMANUELLI MORALES. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. Would you raise your eyes and look at me before you leave? Don't you have information you can now publicly give this committee and the U.S. Congress for this Nation under whose flag you have protection, information about this conspiracy, of which you were a part and parcel until just a few years ago?

"Mr. EMMANUELLI MORALES. I respectfully decline to answer that question on the ground that you have no jurisdiction to conduct this investigation for the reasons which I conveyed to the committee in my written statement.

"Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness."

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to the said Juan Emmanuelli Morales relative to the subject matter which, under Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, the said committee was instructed to investigate, and the refusal of the witness to answer the questions, namely:

"With that explanation, I again ask you are you now or have you ever been a member of the Communist Party?

"You indicated to us that after you got back to the island, you could have a chance to collect your thoughts on some matters, refresh your recollection on some matters, that you were pretty certain that you would be able to be considerably helpful to us, didn't you?"

which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony and places the said witness in contempt of the House of Representatives of the United States.

Other pertinent committee proceedings

The following resolution was adopted at the organizational meeting of the committee for the 86th Congress, held on the 23d day of January, 1959:

"Be it resolved, That the chairman be authorized and empowered from time to time to appoint subcommittees, composed of three or more members of the Committee on Un-American Activities, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

The following is an extract from the minutes of an executive session of the subcommittee of the Committee of Un-American Activities, consisting of Hon. WILLIAM H. TUCK, chairman, Hon. MORGAN M. MOULDER, and Hon. GORDON H. SCHERER; of whom Hon. WILLIAM M. TUCK and Hon. GORDON H. SCHERER were present, held April 5, 1960, in room 225, Old House Office Building, Washington, D.C.:

"The subcommittee was called to order by the chairman of the full committee, who stated the purpose of the meeting was to consider what action the subcommittee should take regarding the refusal of certain witnesses to answer material questions propounded to them in the course of the hearings conducted by the said subcommittee in San Juan, P.R., beginning on the 18th day of November 1959, and what recommendation it would make regarding the citation of any such witnesses for contempt of the House of Representatives.

"After full consideration of the testimony of the witnesses given at the said hearing in San Juan, Puerto Rico, a motion was made by Mr. SCHERER, seconded by Mr. TUCK, and unanimously carried, that a report of the facts relating to the refusal of Juan Emmanuelli Morales to answer material questions before the said subcommittee at the hearing aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the refusal of said witness to answer material questions, together with all the facts in connection therewith, be referred to the House of Representatives, with the recommendation that the said witness be cited for contempt of the House of Representatives for his refusal to answer questions therein set forth, to the end that he may be proceeded against in the manner and form provided by law."

The following is an extract from the minutes of an executive session of the Committee on Un-American Activities, consisting of Hon. FRANCIS E. WALTER, chairman; Hon. CLYDE DOYLE; Hon. WILLIAM M. TUCK; Hon. DONALD L. JACKSON; Hon. GORDON H. SCHERER; and Hon. WILLIAM E. MILLER, held on the 5th day of April 1960, in room 225, Old House Office Building, Washington, D.C.:

"The report of the facts relating to the refusal of Juan Emmanuelli Morales to answer material questions was submitted to the committee, upon which a motion was made by Mr. DOYLE, seconded by Mr. MILLER, and unanimously carried, that the subcommittee's report of the facts relating to the refusal of Juan Emmanuelli Morales to answer material questions before the said subcommittee at the hearing conducted before it in San Juan, P.R., on the 19th day of November 1959, be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report and refer the said refusal to answer questions before the said subcommittee, together with all the facts in connection therewith, to the House of Representatives, with the recommendation that the witness be cited for contempt of the House of Representatives for his refusal to answer such question, to the end that he may be proceeded against in the manner and form provided by law."

Mr. TUCK. Mr. Speaker, I offer a resolution (H. Res. 617) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Juan Emmanuelli Morales to answer questions before a duly constituted subcommittee of the Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States attorney for the Commonwealth of Puerto Rico, to the end that the said Juan Emmanuelli Morales may be proceeded against in the manner and form provided by law.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROCEEDINGS AGAINST CESAR ANDREU IGLESIAS

Mr. TUCK. Mr. Speaker, by direction of the Committee on Un-American Activities, I submit a privileged report (Rept. No. 2131).

The Clerk read as follows:

PROCEEDINGS AGAINST CESAR ANDREU IGLESIAS

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, caused to be issued a subpena to Cesar Andreu Iglesias. The said subpena directed Cesar Andreu Iglesias to be and appear before said Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which Hon. FRANCIS E. WALTER is chairman, in U.S. courtroom, U.S. courthouse and Post Office Building, San Juan, P.R., on Thursday, November 19, 1959, at 10 o'clock, a.m., then and there to testify touching matters of inquiry committed to said committee and not to depart without leave of said committee. The subpena served upon said Cesar Andreu Iglesias is set forth in words and figures as follows:

"UNITED STATES OF AMERICA,
"CONGRESS OF THE UNITED STATES.

"TO CESAR ANDREU IGLESIAS, *Greeting:*

"Pursuant to lawful authority, you are hereby commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on Thursday, November 19, 1959, at 10 a.m., at U.S. courtroom, U.S. courthouse and Post Office Building, San Juan, P.R., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To U.S. Marshal, to serve and return.

"Given under my hand this 14 day of October, in the year of our Lord, 1959.

"FRANCIS E. WALTER,
"Chairman."

The said subpena was duly served as appears by the return made thereon by the U.S. marshal, who was duly authorized to serve the said subpena. The return of the service by the said U.S. marshal being endorsed thereon, is set forth in words and figures as follows:

"Subpena for Cesar Andreu Iglesias before the Committee on the 19th day of November 1959 (Thursday) at 10 a.m.

"I made service of the within subpena by handing to and leaving original subpena with the within-named Cesar Andreu Iglesias personally at 358 Lutz Street, 2d floor, Santurce, P.R., at 5:55 p.m., on the 19th day of October 1959.

"Dated October 20, 1959.

"SANTOS BUXO, Jr.,
"U.S. Marshal.
"By DIEGO L. MARTIN, Jr.,
"Deputy."

The said Cesar Andreu Iglesias, pursuant to said subpena, and in compliance therewith, appeared before the said subcommittee on November 19, 1959, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress. The said Cesar Andreu Iglesias, having appeared as a witness and having been asked the question, namely:

"With the background, sir, I ask you: Are you now a member of the Communist Party?"

which question was pertinent to the subject under inquiry, refused to answer said question, and as a result of said Cesar Andreu Iglesias' refusal to answer the aforesaid question, your committee was prevented from receiving testimony and information in accordance with the terms of the subpena served upon said Cesar Andreu Iglesias.

The record of the proceedings before the subcommittee on November 18, 1959, insofar as it affects the appearance of the witness Cesar Andreu Iglesias on November 19, 1959, is set forth in fact as follows:

"WEDNESDAY, NOVEMBER 18, 1959

"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"San Juan, P.R.

"Public hearings

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m. in the U.S. Courthouse, San Juan, P.R., Hon. WILLIAM M. TUCK (chairman of the subcommittee) presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; and Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

"Counsel, let there be incorporated in the body of the record the resolution of the Committee on Un-American Activities authorizing and directing the holding of the instant hearings in San Juan.

"(The resolution referred to follows:)

"'*Be it resolved*, That hearings by the Committee on Un-American Activities or a subcommittee thereof, to be held in Puerto Rico, in New York City, and elsewhere as the chairman may direct, on such date or dates as the chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following matters and having the legislative purposes indicated:

"'Entry and dissemination in Puerto Rico of foreign Communist Party propaganda, the legislative purpose being to determine the necessity for, and advisability of amendments to the Foreign Agents Registration Act designed more effectively to counteract the Communist schemes and devices now used in avoiding the prohibitions of the act.

"'2. Receipt of information relating to persons engaged in foreign travel, the legislative purpose being:

"'(a) Committee consideration of amendments to section 215 of the Immigration and Nationality Act as contained in Title IX—Immigration and Passport Security—of H.R. 2232, introduced on January 12, 1959, and referred by the House of Representatives to the Committee on Un-American Activities;

"'(b) Consideration of legislative recommendations expressing the will and intent of Congress spelled out in direct and positive form, granting authority to the Secretary of State to issue, withhold, or limit passports for international travel of adherents to the Communist Party, and the granting of specific statutory authority, to the Secretary of State to issue substantive regulations in the passport field, as set forth in the annual reports of the Committee on Un-American Activities for the years 1956–58.

"'3. The extent, character, and objects of Communist infiltration and Communist Party propaganda activities in Puerto Rico, the legislative purpose being to add to the committee's overall knowledge on the subject so that the Congress may be kept informed and thus prepared to enact remedial legislation in the national defense and for internal security.

"'4. The execution by the administrative Agents Registration Act, passport regulations relating to the Internal Security Act, the Communist Control Act, the Foreign Agents Registration Act, passport regulations, and all other laws, the subject matter of which is within the jurisdiction of the committee, the legislative purpose being to exercise continuous watchfulness over the execution of these laws to assist the Congress in appraising their administration, and in developing such amendments or related legislation as it may deem necessary.

"'5. Any other matter within the jurisdiction of the committee which it, or any subcommittee hereof appointed to conduct these hearings may designate.'

"Mr. TUCK. Let there likewise be incorporated in the body of the RECORD the order of appointment of the subcommittee to conduct the hearings, the order of Chairman WALTER.

"(The order referred to follows):

"'OCTOBER 6, 1959.

"'To: Mr. Richard Arens, staff director, House Committee on Un-American Activities.

"'Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representative WILLIAM M. TUCK, as chairman, and Representatives MORGAN M. MOULDER and GORDON H. SCHERER as associate members to conduct hearings in New York, N.Y., Monday and Tuesday, November 16 and 17, 1959, at 10 a.m., and in San Juan, P.R., Wednesday, Thursday, and Friday, November 18, 19, and 20, 1959, at 10 a.m., on subjects under investigation by the committee and take such testimony on said days or succeeding days as it may deem necessary.

"'Please make this action a matter of committee record.

"'If any member indicates his inability to serve, please notify me.

"'Given under my hand this 6th day of October 1959.

"'FRANCIS E. WALTER,
"'*Chairman, Committee on Un-American Activities.*'

"Mr. TUCK. The hearings which begin today in San Juan are in furtherance of the powers and duties of the Committee on Un-American Activities, pursuant to Public Law 601 of the 79th Congress which not only establishes the basic jurisdiction of the committee, but also mandates this committee, along with other standing committees of the Congress, to exercise continuous watchfulness of the execution of any laws the subject matter of which is within the jurisdiction of the committee.

"In response to this power and duty, the Committee on Un-American Activities is continuously in the process of accumulating

factual information respecting Communists, the Communist Party, and Communist activities which will enable the committee and the Congress to appraise the administration and operation of the Smith Act, the Internal Security Act of 1950, the Communist Control Act of 1954, and numerous provisions of the Criminal Code relating to espionage, sabotage, and subversion.

"In addition, the committee has before it numerous proposals to strengthen our legislative weapons designed to protect the internal security of this Nation.

"In the course of the last few years, as a result of hearings and investigations, this committee has made over 80 separate recommendations for legislative action. Legislation has been passed by the Congress embracing 35 of the committee recomendations and 26 separate proposals are currently pending in the Congress on subjects covered by other committee recommendations. Moreover, in the course of the last few years numerous recommendations made by the committee for administrative action have been adopted by the executive agencies of the Government.

"This subcommittee of the Committee on Un-American Activities has come to Puerto Rico to discharge a duty imposed by the U.S. Congress; namely, to develop factual information for the Congress in its endeavors to cope with the Communist conspiracy. We come here as friends in an enterprise which ought to be the concern of all freedom-loving people everywhere, irrespective of wherever they may reside.

"From past experience we know that the Communist propagandists will attempt to pervert the purpose of these hearings into an investigation of Puerto Ricans. We are not investigating Puerto Ricans as Puerto Ricans. We are pursuing the trail of the few dangerous Communists who are part and parcel of a world conspiracy which would destroy freedom.

"We do not expect to interrogate here every Communist on the island. We only expect to make a sampling of Communist activity here so that we will be able to know the pattern of the Communist conspiracy's efforts in this area and its connections with the Communist conspiracy on the mainland.

"One of the most insidious aspects of communism is its deceit. It pretends to be the friend of the workingman, but where it has seized power the workingman is crushed under its despotic heel. He finds himself regimented and disciplined. He may find himself in a slave labor camp. It pretends to seek peace and yet it is at war with free people everywhere. Communism masquerades behind a facade of humanitarianism but it has caused more bloodshed and misery than any other force in the history of civilization.

"The strength of the Communist operation in any area is not in proportion to its numbers. A conspiratorial force may actually weaken itself when it increases its size. It takes only one or two holes in a ship to sink it. It, likewise, takes only a few trained, disciplined zealots to undermine and weaken a nation or a free society.

"What are the present strategies and tactics of the Communist operation in this general area? What techniques are the hardcore Communists pursuing in order to avoid detection as they pursue their nefarious work? What are the lines of control and communication between the various Communists' nests here and on the mainland? What loopholes or weaknesses exist in our present security laws. How may those laws be strengthened?

"These questions shall be uppermost in the minds of the committee as we elicit testimony during these hearings.

"May I emphasize that the purpose of the subcommittee here in San Juan is to sample factual material with reference to types and patterns of activity, and not to attempt to exhaust the subject matter. We have not subpenaed witnesses for these hearings merely to put on a show, nor shall we attempt to interrogate in these hearings even a significant percentage of all possible witnesses on whom we have compiled information.

"It is a standing rule of this committee that any person identified as a member of the Communist Party during the course of the committee hearings will be given an early opportunity to appear before this committee, if he so desires, for the purpose of denying or explaining any testimony adversely affecting him, or which he may think adversely affects him.

"It is also the policy of the committee to accord any witness the privilege of being represented by counsel; but within the provisions of the rules of this committee, counsel's sole and exclusive prerogative is to advise his client.

"I would remind those present that a disturbance of any kind, or an audible comment during the hearings, will not be permitted. This is a serious proceeding in which we are earnestly trying to discharge an important and arduous duty."

The record of the proceedings on November 19, 1959, during which the said Cesar Andreu Iglesias refused to answer the aforesaid question pertinent to the subject under inquiry, is set forth in fact as follows:

"THURSDAY, NOVEMBER 19, 1959

"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"*San Juan, P.R.*

"*Public hearings*

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:45 a.m., in the United States Courthouse, Hon. WILLIAM M. TUCK, chairman of the subcommittee, presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: RICHARD ARENS, staff director; George C. Williams and William Margetich, investigators; Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

* * * * *

"AFTERNOON SESSION—THURSDAY,
"NOVEMBER 19, 1959

"(The subcommittee reconvened at 2 p.m., Hon. WILLIAM M. TUCK, chairman of the subcommittee, presiding.)

"(Members of the subcommittee present at time of reconvening: Representatives TUCK and SCHERER.)

"Mr. TUCK. The subcommittee will come to order.

(After hearing the testimony of several other witnesses, Cesar Andreu Iglesias was then called before the committee.)

"Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Cesar Andreu Iglesias.

"Mr. TUCK. Will the witness stand and be sworn?

"You do solemnly swear the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

"Mr. ANDREU IGLESIAS. I do.

"TESTIMONY OF CESAR ANDREU IGLESIAS, ACCOMPANIED BY COUNSEL, ABRAHAM DIAZ GONZALEZ, GERARDO ORTIZ DEL RIVERO, PRAXELES ALVEREZ LEANDRI, SANTOS P. AMADEO, AND MAX GOLDMAN (DONALD F. BARNES, INTERPRETER)

"Mr. ARENS. Please identify yourself by name, residence, and occupation.

"Mr. ANDREU IGLESIAS. Mr. Chairman, my name is Cesar Andreu Iglesias, and, by the way, I do understand English. I live on Lutz Street, 358, in Santurce, P.R., and I am a writer by profession.

"Mr. ARENS. Do you speak English as well as understand it?

"Mr. ANDREU IGLESIAS. I understand English, but I also believe that the natural language in Puerto Rico is Spanish, and, therefore, believe that here and anywhere else I should speak only Spanish.

"Mr. ARENS. Were these articles of yours in the Communist Daily Worker in Spanish or were they in English? I have an article here from the Sunday Worker magazine [August 22, 1948], 'Puerto Rico Fights Back'; another one authored by yourself in the Communist Daily Worker of February [12] 1951.

"Did you write in the Communist Daily Worker in Spanish or in English?

"(The witness conferred with his counsel.)

"Mr. ANDREU IGLESIAS. For reasons set forth in a document which has been submitted to the committee, with all due respect to the Congress of the United States and to this committee, I respectfully refuse to answer this and any other questions which may be posed to me.

"(Documents marked 'Andreu Iglesias Exhibits Nos. 1 and 2' and retained in committee files.

"Mr. ARENS. You are appearing today in response to a subpena which was served upon you by this committee?

"Mr. ANDREU IGLESIAS. My reply is the same as before.

"Mr. ARENS. And you are represented by counsel?

"Mr. ANDREU IGLESIAS. The same reply as before.

"Mr. DIAZ GONZALEZ. For the record, Mr. Chairman, my name is Abraham Diaz Gonzalez, my address is 1556 Ponce de Leon Avenue.

"I am here with Mr. Max Goldman, Mr. Leandri, Mr. Del Rivero, and Dr. Santos Amadeo, assisting the witness.

"Mr. ARENS. You represent the witness, Andreu Iglesias, who is presently now testifying?

"Mr. DIAZ GONZALEZ. Yes.

"Mr. ARENS. Mr. Witness, I propose to ask you in a few moments whether or not you are now a member of the Communist Party. If you will answer that question, I propose to pursue that principal question by undertaking to elicit from you information about your Communist Party activities, current activities, particularly propaganda activities, so that this committee can, with that information, which we might elicit from you, be able to have a fund of knowledge with which we can appraise proposals pending in the U.S. Congress to protect this great Nation, including Puerto Rico, from this godless conspiracy.

"If there is anything you do not understand in any question, either its pertinency or relevancy, if you have any doubts in your mind as to why we are asking the question—how it might relate to you, why it might or might not be germane to the subject matter under inquiry, the scope of the subject matter under inquiry, you just stop me and I will be glad to explain to you. I do not want to give all of these detailed explanations though, and have it just be fruitless.

"With that background, sir, I ask you: Are you now a member of the Communist Party?

"Mr. ANDREU IGLESIAS. For the reasons set forth in the document bearing my signature, which was handed to the committee, with all due respect for the Congress of the United States, I refuse to answer this or any other questions which may be posed to me.

"Mr. TUCK. The witness is informed, or you may inform the witness, that the reasons assigned by him for declining to answer the the question are not acceptable to the committee, and he is therefore directed and ordered to answer the question, the preceding question, propounded by counsel.

"Mr. ANDREU IGLESIAS. I am appreciative of the words spoken by the chairman of this committee, but I would like to repeat that I will refuse to answer, with all due respect to the Congress of the United States, this or any other question that is posed to me.

"Mr. ARENS. It is the information of this committee that you have, over the course of the last several years, been in constant contact with the high echelon of the Communist Party in New York City; that you have been a delegate to a number of the closed Communist functions in that city.

Would you please, sir, now provide the Committee on Un-American Activities with such information as you possess respecting those sessions?

"Mr. ANDREU IGLESIAS. For the reasons already set forth in writing and given to the committee, and with all due respect to this committee and to the Congress of the United States, I refuse to answer this and any other questions that are asked of me.

"Mr. SCHERER. Is that because he contends that this committee does not have jurisdiction?

"Mr. ANDREU IGLESIAS. My reasons for refusing to answer questions have been set forth in writing effectively and clearly and they are the same as for my refusing to answer this or any other question.

"Mr. SCHERER. I understand your reasons as set forth in writing are that this committee does not have jurisdiction to conduct this hearing in Puerto Rico.

"Would you be willing to tell the Internal Security Division of the Police Department of San Juan, of your activities in the Communist Party?

"Mr. ANDREU IGLESIAS. I believe that I do not have to repeat myself any further in continuing to deny or refuse to answer any questions that are asked of me by this committee.

"Mr. ARENS. Have you, sir, any information respecting any threats, any pressure of any kind, brought by any person known by you to be a member of the Communist Party against Juan Emmanuelli Morales in order to keep him from testifying fully and freely before this committee?

"Mr. ANDREU IGLESIAS. My reply is the same for the reasons already given in writing to this committee.

"Mr. ARENS. Have you been in contact in the course of the last several days here on the island with a man representing the Communist front, known as the Emergency Civil Liberties Committee—a man by the name of Clark Foreman?

"Mr. ANDREU IGLESIAS. My reply is the same.

"Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness."

Because of the foregoing, the said Committee of Un-American Activities was deprived of an answer to a pertinent question propounded to the said Cesar Andreu Iglesias relative to the subject matter which, under Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, the said committee was instructed to investigate, and the refusal of the witness to answer the question; namely:

"With that background, sir, I ask you: Are you now a member of the Communist Party?"

which question was pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid question deprived your committee of necessary and pertinent testimony and places the said witness in contempt of the House of Representatives of the United States.

Other pertinent committee proceedings

The following resolution was adopted at the organizational meeting of the committee for the 86th Congress, held the 23d day of January 1959:

"*Be it resolved,* That the chairman be authorized and empowered from time to time to appoint subcommittees, composed of three or more members of the Committee on Un-American Activities, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

The following is an extract from the minutes of an executive session of the subcommittee of the Committee on Un-American Activities, consisting of Hon. WILLIAM M. TUCK, chairman, Hon. MORGAN M. MOULDER, and Hon. GORDON H. SCHERER; of whom Hon. WILLIAM M. TUCK and Hon. GORDON H. SCHERER were present, held April 5, 1960, in room 225, Old House Office Building, Washington, D.C.:

"The subcommittee was called to order by the chairman of the full committee, who stated the purpose of the meeting was to consider what action the subcommittee should take regarding the refusal of certain witnesses to answer material questions propounded to them in the course of the hearings conducted by the said subcommittee in San Juan, P.R., beginning on the 18th day of November 1959, and what recommendation it would make regarding the citation of any such witnesses for contempt of the House of Representatives.

"After full consideration of the testimony of the witnesses given at the said hearing in San Juan, Puerto Rico, a motion was made by Mr. SCHERER, seconded by Mr. TUCK, and unanimously carried, that a report of the facts relating to the refusal of Cesar Andreu Iglesias to answer a material question before the said subcommittee at the hearing aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the refusal of said witness to answer a material question, together with all of the facts in connection therewith, be referred to the House of Representatives, with the recommendation that the said witness be cited for contempt of the House of Representatives for his refusal to answer the question therein set forth, to the end that he may be proceeded against in the manner and form provided by law."

The following is an extract from the minutes of an executive session of the Committee on Un-American Activities, consisting of Hon. FRANCIS F. WALTER, chairman; Hon. CLYDE DOYLE; Hon. WILLIAM M. TUCK; Hon. DONALD L. JACKSON; Hon. GORDON H. SCHERER; and Hon. WILLIAM E. MILLER, held on the 5th day of April 1960, in room 225, Old House Office Building, Washington, D.C.:

"The report of the facts relating to the refusal of Cesar Andreu Iglesias to answer a material question was submitted to the committee, upon which a motion was made by Mr. DOYLE, seconded by Mr. MILLER, and unanimously carried, that the subcommittee's report of the facts relating to the refusal of Cesar Andreu Iglesias to answer a material question before the said subcommittee at the hearing conducted before it in San Juan, Puerto Rico, on the 19th day of November 1959, be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report and refer the said refusal to answer said question before the said subcommittee, together with all the facts in connection therewith, to the House of Representatives, with the recommendation that the witness be cited for contempt of the House of Representatives for his refusal to answer such question, to the end that he may be proceeded against in the manner and form provided by law."

Mr. TUCK. Mr. Speaker, I offer a resolution (H. Res. 618) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Cesar Andreu Iglesias to answer questions before a duly constituted subcommittee of the Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States Attorney for the Commonwealth of Puerto Rico, to then end that the said Cesar Andreu Iglesias may be proceeded against in the manner and form provided by law.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROCEEDINGS AGAINST PABLO M. GARCIA RODRIGUEZ

Mr. TUCK. Mr. Speaker, by direction of the Committee on Un-American Activities, I submit a privileged report (Rept. No. 2132).

The Clerk read as follows:

PROCEEDINGS AGAINST PABLO M. GARCIA RODRIGUEZ

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, caused to be issued a subpena to Garcia, Pablo M. Rodriguez. The said subpena directed Garcia, Pablo M. Rodriguez to be and appear before said Committee on Un-American Activities or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which Hon. FRANCIS E. WALTER is chairman, in U.S. courtroom, U.S. courthouse and Post Office Building, San Juan, P.R., on Thursday, November 19, 1959, at 10 o'clock a.m., then and there to testify touching matters of inquiry committed to said committee and not to depart without leave of said committee. The subpena served upon said Garcia, Pablo M. Rodriguez, is set forth in words and figures as follows:

"UNITED STATES OF AMERICA,
"CONGRESS OF THE UNITED STATES.

"TO GARCIA, PABLO M. RODRIGUEZ, *Greeting:*

"Pursuant to lawful authority, you are hereby commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on Thursday, November 19, 1959, at 10 o'clock a.m., at U.S. courtroom, U.S. courthouse and Post Office Building, San Juan, P.R., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To U.S. marshal, to serve and return.

"Given under my hand this 14th day of October, in the year of our Lord, 1959.

"FRANCIS E. WALTER,
"*Chairman.*"

The said subpena was duly served as appears by the return made thereon by the U.S. marshal, who was duly authorized to serve the said subpena. The return of the

service by the said U.S. marshal being endorsed thereon, is set forth in words and figures as follows:

"Subpena for Pablo M. Rodriguez Garcia, correct name Pablo Manuel Garcia Rodriguez, before the committee on the 19th day of November 1959 (Thursday) at 10 a.m.

"I made service of the within subpena by handing to and leaving original subpena with the within-named Pablo M. Rodriguez Garcia, correct name Pablo Manuel Garcia Rodriguez, personally at E-16 Ward University Garden, Rio Piedras, P.R., at 6:25 o'clock, p.m., on the 19th day of October 1959.

"Dated October 20, 1959.

"SANTOS BUXO, Jr.,
"U.S. Marshal.
"By: DIEGO L. MARTIN, Jr.,
"Deputy."

The said Pablo M. Garcia Rodriguez, pursuant to said subpena, and in compliance therewith, appeared before the said subcommittee on the 19th day of November 1959, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress. The said Pablo M. Garcia Rodriguez having appeared as a witness and having been asked the questions; namely:

"Mr. Garcia, are you now or have you ever been a member of the Communist Party?

"Have you ever traveled abroad on a U.S. passport?

"We observe on here one of the reference signatures on the application as Pablo M. Garcia, San Juan, P.R. Please look at that application and tell this committee whether or not that is your signature—a fair and honest reproduction of your signature on that document."

which questions were pertinent to the subject under inquiry, refused to answer said questions, and as a result of said Pablo M. Garcia Rodriguez' refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon said Pablo M. Garcia Rodriguez.

"The record of the proceedings on November 18, 1959, insofar as it affects the appearance of the witness Pablo M. Garcia Rodriguez on November 19, 1959, is set forth in fact as follows:

"WEDNESDAY, NOVEMBER 18, 1959

"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"San Juan, P.R.

"Public hearings

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m. in the U.S. courthouse, San Juan, P.R., Hon. WILLIAM M. TUCK (chairman of the subcommittee) presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; and Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

"Counsel, let there be incorporated in the body of the record the resolution of the Committee on Un-American Activities authorizing and directing the holding of the instant hearings in San Juan.

"(The resolution referred to follows:)

"'*Be it resolved,* That hearings by the Committee on Un-American Activities or a subcommittee thereof, to be held in Puerto Rico, in New York City, and elsewhere as the chairman may direct, on such date or dates as the chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following matters and having the legislative purposes indicated:

"'1. Entry and dissemination in Puerto Rico of foreign Communist Party propaganda, the legislative purpose being to determine the necessity for, and advisability of amendments to the Foreign Agents Registration Act designed more effectively to counteract the Communist schemes and devices now used in avoiding the prohibitions of the act.

"'2. Receipt of information relating to persons engaged in foreign travel, the legislative purpose being:

"'(a) Committee consideration of amendments to section 215 of the Immigration and Nationality Act as contained in title IX—immigration and passport security—of H.R. 2232, introduced on January 12, 1959, and referred by the House of Representatives to the Committee on Un-American Activities;

"'(b) Consideration of legislative recommendations expressing the will and intent of Congress spelled out in direct and positive form, granting authority to the Secretary of State to issue, withhold, or limit passports for international travel of adherents to the Communist Party, and the granting of specific statutory authority to the Secretary of State to issue substantive regulations in the passport field, as set forth in the annual reports of the Committee on Un-American Activities for the years 1956–58.

"'3. The extent, character, and objects of Communist infiltration and Communist Party propaganda activities in Puerto Rico, the legislative purpose being to add to the committee's overall knowledge on the subject so that the Congress may be kept informed and thus prepared to enact remedial legislation in the national defense and for internal security.

"'4. The execution by the administrative agencies concerned of all laws and regulations relating to the Internal Security Act, the Communist Control Act, the Foreign Agents Registration Act, passport regulations, and all other laws the subject matter of which is within the jurisdiction of the committee, the legislative purpose being to exercise continuous watchfulness over the execution of these laws to assist the Congress in appraising their administration and in developing such amendments or related legislation as it may deem necessary.

"'5. Any other matter within the jurisdiction of the committee which it, or any subcommittee hereof appointed to conduct these hearings, may designate.'

"Mr. TUCK. Let there likewise be incorporated in the body of the record the order of appointment of the subcommittee to conduct the hearings, the order of Chairman WALTER.

"(The order referred to follows:)

"OCTOBER 6, 1959.

"To: Mr. Richard Arens, staff director, House Committee on Un-American Activities.

"Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representative WILLIAM M. TUCK, as chairman, and Representatives MORGAN M. MOULDER and GORDON H. SCHERER as associate members, to conduct hearings in New York, N.Y., Monday and Tuesday, November 16 and 17, 1959, at 10 a.m., and in San Juan, P.R., Wednesday, Thursday, and Friday, November 18, 19, and 20, 1959, at 10 a.m., on subjects under investigation by the committee and take such testimony on said days or succeeding days as it may deem necessary.

"Please make this action a matter of committee record.

"If any Member indicates his inability to serve, please notify me.

"Given under my hand this 6th day of October 1959.

"FRANCIS E. WALTER,
"Chairman, Committee on Un-American Activities.

"Mr. TUCK. The hearings which begin today in San Juan are in furtherance of the powers and duties of the Committee on Un-American Activities, pursuant to Public Law 601 of the 79th Congress which not only establishes the basic jurisdiction of the committee, but also mandates this committee, along with other standing committees of the Congress, to exercise continuous watchfulness of the execution of any laws the subject matter of which is within the jurisdiction of the committee.

"In response to this power and duty, the Committee on Un-American Activities is continuously in the process of accumulating factual information respecting Communists, the Communist Party, and Communist activities which will enable the committee and the Congress to appraise the administration and operation of the Smith Act, the Internal Security Act of 1950, the Communist Control Act of 1954, and numerous provisions of the Criminal Code relating to espionage, sabotage and subversion.

"In addition, the committee has before it numerous proposals to strengthen our legislative weapons designed to protect the internal security of this Nation.

"In the course of the last few years, as a result of hearings and investigations, this committee has made over 80 separate recommendations for legislative action. Legislation has been passed by the Congress embracing 35 of the committee recommendations and 26 separate proposals are currently pending in the Congress on subjects covered by other committee recommendations. Moreover, in the course of the last few years numerous recommendations made by the committee for administrative action have been adopted by the executive agencies of the Government.

"This subcommittee of the Committee on Un-American Activities has come to Puerto Rico to discharge a duty imposed by the U.S. Congress; namely, to develop factual information for the Congress in its endeavors to cope with the Communist conspiracy. We come here as friends in an enterprise which ought to be the concern of all freedom-loving people everywhere, irrespective of wherever they may reside.

"From past experience we know that the Communist propagandists will attempt to pervert the purpose of these hearings into an investigation of Puerto Ricans. We are not investigating Puerto Ricans as Puerto Ricans. We are pursuing the trail of the few dangerous Communists who are part and parcel of a world conspiracy which would destroy freedom.

"We do not expect to interrogate here every Communist on the island. We only expect to make a sampling of Communist activity here so that we will be able to know the pattern of the Communist conspiracy's efforts in this area and its connections with the Communist conspiracy on the mainland.

"One of the most insidious aspects of communism is its deceit. It pretends to be the friend of the working man, but where it has seized power the working man is crushed under its despotic heel. He finds himself regimented and disciplined. He may find himself in a slave labor camp. It pretends to seek peace and yet it is at war with free people everywhere. Communism masquerades behind a facade of humanitarianism but it has caused more bloodshed and misery than any other force in the history of civilization.

"The strength of the Communist operation in any area is not in proportion to its numbers. A conspiratorial force may actually weaken itself when it increases its size. It takes only one or two holes in a ship to sink it. It, likewise, takes only a few trained, disciplined zealots to undermine and weaken a nation or a free society.

"What are the present strategies and tactics of the Communist operation in this general area? What techniques are the hard-core Communists pursuing in order to avoid detection as they pursue their nefarious work? What are the lines of control and communication between the various Communists' nests here and on the mainland? What loopholes or weaknesses exist in our present security laws? How may those laws be strengthened?

"These questions shall be uppermost in the minds of the committee as we elicit testimony during these hearings.

"May I emphasize that the purpose of the subcommittee here in San Juan is to sample factual material with reference to types and patterns of activity, and not to attempt to exhaust the subject matter. We have not subpenaed witnesses for these hearings merely to put on a show, nor shall we attempt to interrogate in these hearings even a significant percentage of all possible witnesses on whom we have compiled information.

"It is a standing rule of this committee that any person identified as a member of the Communist Party during the course of the committee hearings will be given an early opportunity to appear before this committee, if he so desires, for the purpose of denying or explaining any testimony adversely affecting him, or which he may think adversely affects him.

"It is also the policy of the committee to accord any witness the privilege of being represented by counsel; but within the provisions of the rules of this committee, counsel's sole and exclusive prerogative is to advise his client.

"I would remind those present that a disturbance of any kind, or an audible comment during the hearings, will not be permitted. This is a serious proceeding in which we are earnestly trying to discharge an important and arduous duty.

"The record of the proceedings on November 19, 1959, during which the said Pablo M. Garcia Rodriguez refused to answer the aforesaid questions, pertinent to the subject under inquiry, is set forth in fact as follows:

"THURSDAY, NOVEMBER 19, 1959

"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"*San Juan, P.R.*

"*Public hearings*

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:45 a.m., in the U.S. courthouse, Hon. WILLIAM M. TUCK, chairman of the subcommittee, presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

* * * * *

"AFTERNOON SESSION—THURSDAY, NOVEMBER 19, 1959

"(The subcommittee reconvened at 2 p.m., Hon. WILLIAM M. TUCK, chairman of the subcommittee, presiding.)

"(Members of the subcommittee present at time of reconvening: Representatives TUCK and SCHERER.)

"Mr. TUCK. The subcommittee will come to order.

"(After hearing the testimony of other witnesses, Pablo M. Garcia Rodriguez was then called before the committee.)

"Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Pablo Rodriguez Garcia.

"Mr. TUCK. Stand and raise your right hand.

"You do solemnly swear the testimony you are about to give this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. GARCIA RODRIGUEZ. I do.

"TESTIMONY OF PABLO M. GARCIA RODRIGUEZ, ACCOMPANIED BY COUNSEL, ABRAHAM DIAZ GONZALEZ, SANTOS P. AMADEO, PRAXELES ALVEREZ LEANDRI, MAX GOLDMAN, AND GERARDO ORTIZ DEL RIVERO

"Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. GARCIA RODRIGUEZ. My name, sir, is Pablo M. Garcia Rodriguez. I live at E-16, University Gardens, Rio Piedras, San Juan, P.R., and I am an attorney.

"Mr. ARENS. You are appearing today in response to a subpena which was served upon you by this committee?

"Mr. GARCIA RODRIGUEZ. Sir, I respectfully decline to answer this question or any other question that you may raise during this hearing on the ground that you have no jurisdiction to conduct this investigation for the reasons that I have stated in the written statement that has been filed with you.

"Mr. ARENS. And you are represented by counsel?

"Mr. DIAZ GONZALEZ. Yes, sir. Abraham Diaz Gonzalez, Mr. Del Rivero, Max Goldman, Praxeles Leandri, and Santos Amadeo.

"Mr. ARENS. Mr. Garcia, are you now or have you ever been a member of the Communist Party?

"Mr. GARCIA RODRIGUEZ. I respectfully, sir, decline to answer that question on the grounds that you have no jurisdiction to conduct this investigation for the several reasons that I have stated in the statement filed with you.

"Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be advised that his reason for refusing to answer the question is not accepted by the committee and that he be ordered and directed to answer the question.

"Mr. TUCK. The witness is informed that the reasons which he has assigned for declining to answer the question propounded by counsel are not acceptable to the committee, and in the opinion of the committee are not valid. The chairman, therefore, orders and directs him to answer the question last propounded by counsel.

"Does the witness still decline to answer?

"Mr. GARCIA RODRIGUEZ. I see myself compelled again, sir, to decline to answer, very respectfully, your question, because of the same reasons that I have already stated.

"Mr. ARENS. Have you been a writer for the Communist Daily Worker in New York City?

"Mr. GARCIA RODRIGUEZ. I respectfully decline to answer, sir, for the same reasons that I have stated.

"Mr. ARENS. We display to you, sir, a photostatic reproduction of an article in the Communist Daily Worker [February 12, 1951] by Pablo M. Garcia. We ask you if you will kindly look at that article and tell this committee whether or not you have authored the article.

"Mr. GARCIA RODRIGUEZ. I refuse, sir, to answer that question on the same grounds that I have already stated.

"(Document marked 'Garcia Rodriguez Exhibit No. 1' and retained in committee files.)

"Mr. ARENS. We display to you still another article in the Communist Worker, Sunday, January 8, 1956, by Pablo M. Garcia.

"Kindly look at this document which is now being displayed to you and tell this committee whether or not you are truthfully and accurately described there as the author of the article.

"Mr. GARCIA RODRIGUEZ. Sir, I again see myself compelled to repeat that I respectfully decline to answer this or any other question that you may pose during the proceedings, during these hearings, because I honestly understand that you have no jurisdiction to carry out these hearings in Puerto Rico for the reasons stated in the statement that I have already filed with you.

"(Document marked 'Garcia Rodriguez Exhibit No. 2' and retained in committee files.)

"Mr. ARENS. I display to you now a copy of an article appearing in the Communist Daily Worker [May 20, 1954] respecting a Puerto Rican Communist Party adoption of certain policies [Fourth Congress]. In the course of the article, the following appears: 'A nine-member central committee was elected'; and among those who were elected to the central committee of the Communist Party session, according to this Communist publication, was Pablo Garcia Rodriguez, as treasurer.

"Please look at this article and tell this committee while you are under oath, whether or not that truly and accurately described your participation and status in that session.

"Mr. GARCIA RODRIGUEZ. Sir, I decline to answer this question for the same reasons that I have already stated to this committee.

"(Document marked 'Garcia Rodriguez Exhibit No. 3' and retained in committee files.)

"Mr. ARENS. Have you ever traveled abroad on a U.S. passport?

"Mr. GARCIA RODRIGUEZ. I again, sir, respectfully decline to answer this or any other question that you gentlemen may pose to me during the course of this hearing, because I am under the firm belief that you have no jurisdiction to carry out this investigation in Puerto Rico.

"Mr. TUCK. The Chair advises you that the reasons assigned by you for declining to answer that question are not satisfactory and not acceptable to the committee, and the Chair orders and directs you to answer the question.

"Do you still decline to do so?

"Mr. GARCIA RODRIGUEZ. I respectfully, sir, see myself compelled to differ from the opinion of Your Honor, and I must, therefore, refuse, respectfully, to answer this or any other question for the same reasons that I have already stated.

"Mr. ARENS. This Committee on Un-American Activities interrogated earlier a man by the name of Corales. We displayed to him an application, and the issuance of a certificate for Post Office Box 2583. We interrogated him respecting a number of messages from international Communist agents from various agents of the world which were processed through that Post Office Box 2583.

"We observe on here one of the reference signatures on the application as Pablo M. Garcia, San Juan, P.R. Please look at that application and tell this committee whether or not that is your signature—a fair and honest reproduction of your signature on that document.

"Mr. GARCIA RODRIGUEZ. For the same reasons, sir, I respectfully decline to answer your questions, for the very same reasons that I have already stated in the course of the hearings.

"Mr. ARENS. Have you been a participant with Corales in the processing of these directives and the channeling of these directives, and the channeling of any of this Communist propaganda which we covered with him in his testimony?

"Mr. GARCIA RODRIGUEZ. I decline to answer, sir, on the very same reasons that I have already stated.

"Mr. ARENS. It is the information of this committee that you are or have in the past been not only connected, but actually a full-fledged member of the Communist Party of France. Will you kindly confirm or deny that information?

"Mr. GARCIA RODRIGUEZ. I again, sir, see myself compelled to respectfully decline to answer your question on the grounds that this committee has no jurisdiction in Puerto Rico to carry out this investigation.

"Mr. TUCK. The committee informs the witness that the reasons assigned by him for declining to answer the question are not acceptable and not satisfactory to the committee, nor in the opinion of the committee is he on legal grounds upon which to rely.

"The committee, therefore, directs the witness and orders him to answer the last preceding question, which is a pertinent question.

"Mr. GARCIA RODRIGUEZ. With all due respect to you, Mr. Chairman, and to the rest of the members of this committee, and for the reasons that I have already stated, I see myself compelled, by my honest belief that this committee has no jurisdiction to carry out these proceedings in Puerto Rico, I therefore cannot answer it and will not answer your question.

"Mr. SCHERER. Assuming that you were right that this committee had no jurisdiction, wouldn't you want to tell a committee of the Congress of the United States what you know about the operations of the Communist Party? Why do you hide behind this question of jurisdiction?

"Mr. GARCIA RODRIGUEZ. For the same reasons, sir, for the same reasons that I have already stated, and because I believe that this committee has no jurisdiction whatsoever to carry out this investigation, I say I cannot honestly answer any of the questions that you may pose to me.

"Mr. SCHERER. I understand that you believe that. My question is even though you do believe that this committee has no jurisditcion—of course, we think you are wrong, but assuming that you are right—why would a man who has been educated at Harvard not give to the Congress of the United States, and your Government, information concerning the operation of a foreign power operating within the United States and in Puerto Rico?

"Mr. GARCIA RODRIGUEZ. Mr. Chairman, am I to understand that this question that he raises is out of the jurisditcion, out of the question of the proceedings of the committee?

"Mr. SCHERER. No. It is part of the proceedings.

"(The witness conferred with his counsel.)

"Mr. GARCIA RODRIGUEZ. I want to state, Your Honor and members of this committee, that the greatest contribution that I can make to the Congress of the United States is to bring to your mind the situation of injustice and inequality that exists in Puerto Rico, and that you are a committee coming to Puerto Rico exercising a legislative power appointed by a Congress in which the people of Puerto Rico are not represented, and I submit to you gentlemen that this is a situation which is contrary to the principles of the Constitution of the United States of government by representation.

"Your fellow citizen from Virginia, sir, Mr. Patrick Henry, his words are as true today as they were before, and I am certain that that is the greatest contribution that I can make to the Congress of the United States, and I would feel proud if I could make that contribution to the Congress.

"Mr. TUCK. Another outburst of that kind and I am going to ask the marshal to remove those people from the room.

"Mr. SCHERER. Is that the reason for your refusal to answer that you have just given?

"Mr. GARCIA RODRIGUEZ. I refuse to answer any question, sir, on the ground that I have already stated. I respectfully refuse.

"Mr. ARENS. I have here a photostatic reproduction of a form of the United States Post Office indicating that Pablo M. Garcia has now been issued a key under date of 1954, a key to Post Office Box 2583.

"Do you presently have a key to Post Office Box 2583?

"Mr. GARCIA RODRIGUEZ. For the same reasons that I have already stated, gentlemen, I refuse to answer this or any other question on the grounds that this committee has no jurisdiction to come to Puerto Rico and make this investigation. I respectfully submit to you the same reasoning as I did before.

"(Document marked 'Garcia Rodriguez Exhibit No. 4' and retained in committee files.)

"Mr. ARENS. Do you have information which you can supply this committee with now respecting an atheistic conspiracy—which threatens freedom everywhere—known as the Communist Party—threatens liberty that you were so generous in alluding to in Patrick Henry's statement? Do you have information now respecting the Communist conspiracy?

"Mr. GARCIA RODRIGUEZ. I refuse to answer, sir, on the same grounds that I have already stated.

"Mr. SCHERER. I ask that you direct the witness to answer the question.

"Mr. TUCK. The witness is informed that the committee does not accept the reasons assigned by him for his declination in answering that question. The witness is, therefore, directed to answer the question propounded by counsel.

"Mr. GARCIA RODRIQUEZ. I respectfully, sir, gentlemen, decline to answer the question on the grounds that I have already stated, that being that you gentlemen as a subcommittee have no jurisdiction to carry out this investigation in Puerto Rico for the reasons that I have already stated in my written statement.

"Mr. SCHERER. Let me ask you another question. Would you give to the Federal Bureau of Investigation the information that you have about the operations of the Communist Party? Would you tell them about the key? Would you tell them whether you had signed this application for this fellow? Would you tell them about that?

"Mr. GARCIA RODRIGUEZ. I respectfully, gentlemen, decline to answer on the same grounds that I have already stated.

"Mr. SCHERER. You wouldn't tell the Federal Bureau of Investigation? You feel that they occupy a similar status as does this committee insofar as jurisdiction is concerned?

"Mr. GARCIA RODRIGUEZ. I decline to answer your question, sir, on the same grounds.

"Mr. SCHERER. Would you give any other agency of the Federal Government any information that you might have?

"Mr. GARCIA RODRIGUEZ. I respectfully, sir, decline to answer your question for the same reasons.

"Mr. ARENS. When you took an oath to become a lawyer and be admitted to practice law, did you take an oath to support and defend the Constitution of the United States against all enemies, foreign and domestic?

"Mr. GARCIA RODRIGUEZ. I decline to answer your question, sir, on the same grounds.

"Mr. ARENS. Were you at the very time you took that oath a member of the atheistic conspiratorial force known as the Communist Party?

"Mr. GARCIA RODRIGUEZ. I decline to answer, sir, your question on the same grounds.

"Mr. ARENS. You have described here a number of issues which you regard as social injustices. Is the Communist Party's conspiratorial program the answer to these injustices which you allege exist in Puerto Rico?

"Mr. GARCIA RODRIGUEZ. Sir, I respectfully decline to answer your question on the same grounds that I have already stated for all of the preceding questions.

"Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

"Mr. TUCK. The witness may stand aside."

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to the said Pablo M. Garcia Rodriguez relative to the subject matter, which, under Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, the said committee was instructed to investigate, and the refusal of the witness to answer the questions, namely:

"Mr. Garcia, are you now or have you ever been a member of the Communist Party?

"Have you ever traveled abroad on a U.S. passport?

"We observe on here one of the reference signatures on the application as Pablo M. Garcia, San Juan, P.R. Please look at that application and tell this committee whether or not that is your signature—a fair and honest reproduction of your signature on that document."

which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony, and places the said witness in contempt of the House of Representatives of the United States.

Other pertinent committee proceedings

The following resolution was adopted at the organizational meeting of the committee for the 86th Congress, held on the 23d day of January 1959:

"Be it resolved, That the chairman be authorized and empowered from time to time to appoint subcommittees, composed of three or more members of the Committee on Un-American Activities, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

The following is an extract from the minutes of an executive session of the subcommittee of the Committee on Un-American Activities, consisting of Hon. WILLIAM M. TUCK, chairman, Hon. MORGAN M. MOULDER, and Hon. GORDON H. SCHERER; of whom Hon. WILLIAM M. TUCK and Hon. GORDON H. SCHERER were present, held April 5, 1960, in room 225, Old House Office Building, Washington, D.C.:

"The subcommittee was called to order by the chairman of the full committee, who stated that the purpose of the meeting was to consider what action the subcommittee should take regarding the refusal of certain witnesses to answer material questions propounded to them in San Juan, P.R., beginning on the 18th day of November, 1959, and what recommendation it would make regarding the citation of any such witnesses for contempt of the House of Representatives.

"After full consideration of the testimony of the witnesses given at the said hearings in San Juan, P.R., a motion was made by Mr. SCHERER, seconded by Mr. TUCK, and unanimously carried, that a report of the facts relating to the refusal of Pablo M. Garcia Rodriguez to answer material questions before the said subcommittee at the hearing aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the refusal of said witness to answer material questions, together with all the facts in connection therewith, be referred to the House of Representatives, with the recommendation that the said witness be cited for contempt of the House of Representatives for his refusal to answer questions therein set forth, to the end that he may be proceeded against in the matter and form provided by law."

The following is an extract from the minutes of an executive session of the Committee on Un-American Activities, consisting of Hon. FRANCIS E. WALTER, chairman; Hon. CLYDE DOYLE; Hon. WILLIAM M. TUCK; Hon. DONALD L. JACKSON; Hon. GORDON H. SCHERER; and Hon. WILLIAM E. MILLER, held on the 5th day of April 1960, in room 225, Old House Office Building, Washington, D.C.:

"The report of the facts relating to the refusal of Pablo M. Garcia Rodriguez to answer material questions was submitted to the committee, upon which a motion was made by Mr. DOYLE, seconded by Mr. MILLER, and unanimously carried, that the subcommittee's report of the facts relating to the refusal of Pablo M. Garcia Rodriguez to answer material questions before the said subcommittee at the hearing conducted before it in San Juan, P.R., on the 19th day of November 1959, be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report and refer the said refusal to answer questions before the said subcommittee, together with all the facts in connection therewith, to the House of Representatives, with the recommendation that the witness be cited for contempt of the House of Representatives for his refusal to answer such questions, to the end that he may be proceeded against in the manner and form provided by law."

Mr. TUCK. Mr. Speaker, I offer a resolution (H. Res. 619) and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Pablo M. Garcia Rodriguez to answer questions before a duly constituted subcommittee of the Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States Attorney for the Commonwealth of Puerto Rico, to the end that the said Pablo M. Garcia Rodriguez may be proceeded against in the manner and form provided by law.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROCEEDINGS AGAINST CRISTINO PEREZ MENDEZ

Mr. TUCK. Mr. Speaker, by direction of the Committee on Un-American Activities, I submit a privileged report (Rept. No. 2133).

The Clerk read as follows:

PROCEEDINGS AGAINST CRISTINO PEREZ MENDEZ

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, caused to be issued a subpena to Cristino Perez Mendez. The said subpena directed Cristino Perez Mendez to be and appear before said Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which Hon. Francis E. Walter is chairman, in U.S. Courtroom, U.S. Courthouse and Post Office Building, San Juan, P.R., on Thursday, November 19, 1959, at 10 o'clock, a.m., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena served upon said Cristino Perez Mendez is set forth in words and figures as follows:

"UNITED STATES OF AMERICA,
"CONGRESS OF THE UNITED STATES.

"TO CRISTINO PEREZ MENDEZ, *Greeting:*

"PURSUANT to lawful authority, YOU ARE HEREBY COMMANDED to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on Thursday, November 19, 1959, at 10 o'clock, a.m., at U.S. courtroom, U.S. Courthouse and Post Office Building, San Juan, P.R., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To U.S. marshal, to serve and return.

"Given under my hand this 14 day of October, in the year of our Lord, 1959.

"FRANCIS E. WALTER,
"Chairman."

The said subpena was duly served as appears by the return made thereon by the U.S. marshal, who was duly authorized to serve the said subpena. The return of the service by the said U.S. marshal being endorsed thereon, is set forth in words and figures as follows:

"Subpena for Cristino Perez Mendez before the committee on the 19th day of November 1959 (Thursday) at 10 a.m.

"I made service of the within subpena by handing to and leaving original subpena with the within-named Cristino Perez Mendez personally at his place of work located at Roosevelt Avenue (Woolworth Store near Grand Union Supermarket), Hato Rey, P.R., at 1:15 p.m. on the 19th day of October 1959.

"Dated October 20, 1959.

"SANTOS BUXO, JR.,
"U.S. Marshal.
"By DIEGO L. MARTIN, JR.,
"Deputy."

The said Cristino Perez Mendez was not reached on November 19, 1959, the day on which he was directed to appear, and was called as a witness on November 20, 1959. The said Cristino Perez Mendez, pursuant to said subpena, and in compliance therewith, appeared before the said subcommittee on the 20th day of November, 1959, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress. The said Cristino Perez Mendez, having appeared as a witness and having been asked the questions, namely:

"It is the information of this committee that you have received, along with some others, specialized training by the Communist Party in revolutionary techniques of force and violence.

"While you are under oath, please affirm or deny the validity of that information.

"With that background, I will ask you: Are you now a member of the Communist Party?"

which questions were pertinent to the subject under inquiry, refused to answer said questions, and as a result of said Cristino Perez Mendez' refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon said Cristino Perez Mendez.

The record of the proceedings before the subcommittee on November 18, 1959, insofar as it affects the appearance of the witness Cristino Perez Mendez on November 20, 1959, is set forth in fact as follows:

"WEDNESDAY, NOVEMBER 18, 1959

"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"San Juan, P.R.

"PUBLIC HEARINGS

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m. in the U.S. Courthouse, San Juan, P.R., Hon. WILLIAM M. TUCK (chairman of the subcommittee) presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; and Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

"Counsel, let there be incorporated in the body of the record the resolution of the Committee on Un-American Activities authorizing and directing the holding of the instant hearings in San Juan.

"(The resolution referred to follows:)

"'*Be it resolved*, That hearings by the Committee on Un-American Activities or a subcommittee thereof, to be held in Puerto Rico, in New York City, and elsewhere as the Chairman may direct, on such date or dates as the Chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following matters and having the legislative purposes indicated:

"'1. Entry and dissemination in Puerto Rico of foreign Communist Party propaganda, the legislation purpose being to determine the necessity for, and advisability of amendments to the Foreign Agents Registration Act designed more effectively to counteract the Communist schemes and devices now used in avoiding the prohibitions of the act.

"'2. Receipt of information relating to persons engaged in foreign travel, the legislative purpose being:

"'(a) Committee consideration of amendments to Sec. 215 of the Immigration and Nationality Act as contained in title IX—Immigration and Passport Security—of H.R. 2232, introduced on January 12, 1959, and referred by the House of Representatives to the Committee on Un-American Activities;

"'(b) Consideration of legislative recommendations expressing the will and intent of Congress spelled out in direct and positive form, granting authority to the Secretary of State to issue, withhold, or limit passports for international travel of adherents to the Communist Party, and the granting of specific statutory authority, to the Secretary of State to issue substantive regulations in the passport field, as set forth in

the annual reports of the Committee on Un-American Activities for the years 1956–58.

" '(3) The extent, character and objects of Communist infiltration and Communist Party propaganda activities in Puerto Rico, the legislative purpose being to add to the Committee's overall knoweldge on the subject so that the Congress may be kept informed and thus prepared to enact remedial legislation in the national defense and for internal security.

" '(4) The execution by the administrative agencies concerned of all laws and regulations relating to the Internal Security Act, the Communist Control Act, the Foreign Agents Registration Act, Passport Regulations, and all other laws, the subject matter of which is within the jurisdiction of the Committee, the legislative purpose being to exercise continuous watchfulness over the execution of these laws to assist the Congress in appraising their administration, and in developing such amendments or related legislation as it may deem necessary.

" '5. Any other matter within the jurisdiction of the committee which it, or any subcommittee hereof appointed to conduct these hearings may designate.'

"Mr. TUCK. Let there likewise be incorporated in the body of the record the order of appointment of the subcommittee to conduct the hearings, the order of Chairman Walter.

"(The order referred to follows:)

" 'OCTOBER 6, 1959.

" 'To Mr. Richard Arens, staff director, House Committee on Un-American Activities.

" 'Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representative WILLIAM M. TUCK, as chairman, and Representatives MORGAN M. MOULDER and GORDON H. SCHERER as associate members, to conduct hearings in New York, N.Y., Monday and Tuesday, November 16 and 17, 1959, at 10 a.m., and in San Juan, P.R., Wednesday, Thursday, and Friday, November 18, 19, and 20, 1959, at 10 a.m., on subjects under investigation by the committee and take such testimony on said days or succeeding days as it may deem necessary.

" 'Please make this action a matter of committee record.

" 'If any member indicates his inability serve, please notify me.

" 'Given under my hand this 6th day of October 1959.

"FRANCIS E. WALTER,
" 'Chairman, Committee on Un-American Activities.'

"Mr. TUCK. The hearings which begin today in San Juan are in furtherance of the powers and duties of the Committee on Un-American Activities, pursuant to Public Law 601 of the 79th Congress which not only establishes the basic jurisdiction of the committee, but also mandates this committee, along with other standing committees of the Congress, to exercise continuous watchfulness of the execution of any laws the subject matter of which is within the jurisdiction of the committee.

"In response to this power and duty, the Committee on Un-American Activities is continuously in the process of accumulating factual information respecting Communists, the Communist Party, and Communist activities which will enable the committee and the Congress to appraise the administration and operation of the Smith Act, the Internal Security Act of 1950, the Communist Control Act of 1954, and numerous provisions of the Criminal Code relating to espionage, sabotage, and subversion.

"In addition, the committee has before it numerous proposals to strengthen our legislative weapons designed to protect the internal security of this Nation.

"In the course of the last few years, as a result of hearings and investigations, this committee has made over 80 separate recommendations for legislative action. Legislation has been passed by the Congress embracing 35 of the committee recommendations and 26 separate proposals are currently pending in the Congress on subjects covered by other committee recommendations. Moreover, in the course of the last few years numerous recommendations made by the committee for administrative action have been adopted by the executive agencies of the Government.

"This subcommittee of the Committee on Un-American Activities has come to Puerto Rico to discharge a duty imposed by the U.S. Congress; namely, to develop factual information for the Congress in its endeavors to cope with the Communist conspiracy. We come here as friends in an enterprise which ought to be the concern of all freedom-loving people everywhere, irrespective of wherever they may reside.

"From past experience we know that the Communist propagandists will attempt to pervert the purpose of these hearings into an investigation of Puerto Ricans. We are not investigating Puerto Ricans as Puerto Ricans. We are pursuing the trail of the few dangerous Communists who are part and parcel of a world conspiracy which would destroy freedom.

"We do not expect to interrogate here every Communist on the island. We only expect to make a sampling of Communist activity here so that we will be able to know the pattern of the Communist conspiracy's efforts in this area and its connections with the Communist conspiracy on the mainland.

"One of the most insidious aspects of communism is its deceit. It pretends to be the friend of the workingman, but where it has seized power the workingman is crushed under its despotic heel. He finds himself regimented and disciplined. He may find himself in a slave labor camp. It pretends to seek peace and yet it is at war with free people everywhere. Communism masquerades behind a facade of humanitarianism but it has caused more bloodshed and misery than any other force in the history of civilization.

"The strength of the Communist operation in any area is not in proportion to its numbers. A conspiratorial force may actually weaken itself when it increases its size. It takes only one or two holes in a ship to sink it. It, likewise, takes only a few trained, disciplined zealots to undermine and weaken a nation or a free society.

"What are the present strategies and tactics of the Communist operation in this general area? What techniques are the hard-core Communists pursuing in order to avoid detection as they pursue their nefarious work? What are the lines of control and communication between the various Communists' nests here and on the mainland? What loopholes or weaknesses exist in our present security laws? How may those laws be strengthened?

"These questions shall be uppermost in the minds of the committee as we elicit testimony during these hearings.

"May I emphasize that the purpose of the subcommittee here in San Juan is to sample factual material with reference to types and patterns of activity, and not to attempt to exhaust the subject matter. We have not subpenaed witnesses for these hearings merely to put on a show, nor shall we attempt to interrogate in these hearings even a significant percentage of all possible witnesses on whom we have compiled information.

"It is a standing rule of this committee that any person identified as a member of the Communist Party during the course of the committee hearings will be given an early opportunity to appear before this committee, if he so desires, for the purpose of denying or explaining any testimony adversely affecting him, or which he may think adversely affects him.

"It is also the policy of the committee to accord any witness the privilege of being represented by counsel; but within the provisions of the rules of this committee, counsel's sole and exclusive prerogative is to advise his client.

"I would remind those present that a disturbance of any kind, or an audible comment during the hearings, will not be permitted. This is a serious proceeding in which we are earnestly trying to discharge an important and arduous duty."

The record of the proceedings before the subcommittee on November 20, 1959, during which the said Cristino Perez Mendez refused to answer the aforesaid questions, pertinent to the subject under inquiry, is set forth in fact, as follows:

"FRIDAY, NOVEMBER 20, 1959

"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE
"COMMITTEE ON UN-AMERICAN ACTIVITIES,
"San Juan, P.R.

"PUBLIC HEARINGS

"The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m. in the U.S. courthouse, Hon. WILLIAM M. TUCK (chairman of the subcommittee) presiding.

"Subcommittee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will come to order. Counsel will call the next witness."

After hearing the testimony of other witnesses, Cristino Perez Mendez was called before the committee:

"Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Cristino Perez Mendez.

"Mr. TUCK. Would you raise your right hand?

"You do solemnly swear the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. PEREZ MENDEZ. I swear.

"Mr. TUCK. Counsel, before you proceed to examine the witness, I would like to file with the committee a letter which we received this morning from a person in Puerto Rico in which he alleges that 15, or more than half of the 29 persons who signed the protest advertisement against this committee coming to Puerto Rico are non-Puerto Ricans.

"I would like to ask the staff to determine whether or not that is true.

"(Document retained in committee files.)

"TESTIMONY OF CRISTINO PEREZ MENDEZ, ACCOMPANIED BY COUNSEL, ABRAHAM DIAZ GONZALEZ, MAX GOLDMAN, AND PRAXELES ALVEREZ LEANDRI (DONALD F. BARNES, INTERPRETER)

"Mr. ARENS. Please identify yourself by name, residence, and occupation.

"Mr. PEREZ MENDEZ. My name is Cristino Perez Mendez. I live in Building 58, Apartment 1111, of the Caserio Luis Llorens Torres, and I am a carpenter.

"Mr. ARENS. You are appearing today in response to a subpena which was served upon you by this committee?

"Mr. PEREZ MENDEZ. I refuse to answer that question, understanding that this committee has no jurisdiction to hold these hearings in Puerto Rico for the reasons that appear in a document which you have.

"Mr. ARENS. And you are represented by counsel?

"Mr. DIAZ GONZALES. Yes, sir. At this time I want the record to show that Mr. Abraham Diaz Gonzalez, 1556 Ponce de Leon Avenue, Santurce; Mr. Max Goldman; and Mr. Praxeles Leandri will go on record as assisting the witness.

"Mr. ARENS. Mr. Witness, I want to pose to you, confront you with certain information which has come to this committee from its investigative sources and ask you, while you are under oath, to please respond to the questions and give the Government of the United States such information as you have on the subject matter.

"It is the information of this committee that you are part of a group of 12 activists of the Communist conspiracy in Puerto Rico, of the more fanatical fringe, who are dedicated to pursue a course of activity, with no restraint whatsoever, in accordance with any directive received.

"Please now, while you are under oath, either affirm or deny the validity of that information.

"Mr. PEREZ MENDEZ. I refuse to answer this question and any others because I understand that the committee has no jurisdiction to hold hearings in Puerto Rico and to investigate me for the reasons that appear in the document which you have.

"Mr. ARENS. It is the information of this committee that you have received, along with some others, specialized training by the Communist Party in revolutionary techniques of force and violence.

"While you are under oath, please affirm or deny the validity of that information.

"Mr. PEREZ MENDEZ. I refuse to answer this question and all others that you may ask because I understand that you do not have any jurisdiction to hold these hearings in Puerto Rico, and even less to investigate me, and my reasons are set forth in a document which you have already.

"Mr. TUCK. The committee declines to accept the reasons given by the witness for his failure to respond to the last preceding question, as well as the question prior thereto, and the committee orders and directs the witness now to answer both questions propounded by counsel.

"Mr. PEREZ MENDEZ. I will not answer this question asked by you because I think that this committee has no jurisdiction to ask me any questions, and even less to hold hearings in Puerto Rico, for the reasons that I have given you in the document which you have.

"Mr. ARENS. Mr. Witness, so that this record may be abundantly clear, I should like to make a statement.

"This Committee on Un-American Activities is attempting to develop factual information which will enable it to discharge its legislative duties to maintain a continuing surveillance over the administration and operation of the internal security laws, and to suggest amendments or changes, legislative proposals, to the U.S. Congress.

"This Committee on Un-American Activities in confident that you presently have information respecting current Communist activities and designs here in Puerto Rico, and from Puerto Rico to certain other areas in the Caribbean.

"I expect in a moment to ask you a simple question, namely, Are you now a member of the Communist Party? If you will give us a full and truthful answer to that question, I then expect to try to elicit from you information respecting your knowledge of Communist techniques, Communist activities in Puerto Rico and in the Caribbean, so that this committee may take that information on this record back to Washington to use it for its legislative purposes.

"If there is any phase of this inquiry which you do not understand, the pertinency or relevancy of any question, if you have any doubt in your mind about anything pertaining to this proceeding, just ask and I will be glad to give you a full and detailed explanation.

"With that background, I will ask you: Are you now a member of the Communist Party?

"Mr. PEREZ MENDEZ. I refuse to answer this question. I understand that this committee has no jurisdiction to investigate anybody in Puerto Rico for the reasons set forth in a document that you have.

"Mr. TUCK. For the reasons heretofore given, the witness is ordered and directed to answer the question.

"Mr. PEREZ MENDEZ. The witness refuses to answer this question, understanding that you do not have any jurisdiction to investigate me or anybody else in Puerto Rico for the reasons appearing in a document which you already have.

"Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

"Mr. TUCK. Are there any questions?

"The witness may stand aside."

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to the said Cristino Perez Mendez relative to the subject matter which, under Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, the said committee was instructed to investigate, and the refusal of the witness to answer the questions, namely:

"It is the information of this committee that you have received, along with some others, specialized training by the Communist Party in revolutionary techniques of force and violence.

"While you are under oath, please affirm or deny the validity of that information.

"With that background, I will ask you: Are you now a member of the Communist Party?"

which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony, and places the said witness in contempt of the House of Representatives of the United States.

OTHER PERTINENT COMMITTEE PROCEEDINGS

The following resolution was adopted at the organizational meeting of the committee for the 86th Congress, held on the 23d day of January 1959:

"Be it resolved, That the chairman be authorized and empowered from time to time to appoint subcommittees, composed of three or more members of the Committee on Un-American Activities, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

The following is an extract from the minutes of an executive session of the subcommittee of the Committee on Un-American Activities, consisting of Hon. WILLIAM M. TUCK, chairman, Hon. MORGAN M. MOULDER, and Hon. GORDON H. SCHERER; of whom Hon. WILLIAM M. TUCK and Hon. GORDON H. SCHERER were present, held April 5, 1960, in room 225, Old House Office Building, Washington, D.C.:

"The subcommittee was called to order by the chairman of the full committee, who stated the purpose of the meeting was to consider what action the subcommittee should take regarding the refusal of certain witnesses to answer material questions propounded to them in the course of the hearings conducted by the said subcommittee in San Juan, P.R., beginning on the 18th day of November 1959, and what recommendation it would make regarding the citation of any such witnesses for contempt of the House of Representatives.

"After full consideration of the testimony of the witnesses given at the said hearing in San Juan, P.R., a motion was made by Mr. SCHERER, seconded by Mr. TUCK, and unanimously carried, that a report of the facts relating to the refusal of Cristino Perez Mendez to answer material questions before the said subcommittee at the hearing aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the refusal of said witness to answer material questions, together with all of the facts in connection therewith, be referred to the House of Representatives, with the recommendation that the said witness be cited for contempt of the House of Representatives for his refusal to answer questions therein set forth, to the end that he may be proceeded against in the manner and form provided by law."

The following is an extract from the minutes of an executive session of the Committee on Un-American Activities, consisting of Hon. FRANCIS E. WALTER, chairman; Hon. CLYDE DOYLE; Hon. WILLIAM M. TUCK; Hon. DONALD L. JACKSON; Hon. GORDON H. SCHERER; and Hon. WILLIAM E. MILLER, held on the 5th day of April 1960, in room 225, Old House Office Building, Washington, D.C.:

"The report of the facts relating to the refusal of Cristino Perez Mendez to answer material questions was submitted to the committee, upon which a motion was made by Mr. DOYLE, seconded by Mr. MILLER, and unanimously carried, that the subcommittee's report of the facts relating to the refusal of Cristino Perez Mendez to answer material questions before the said subcommittee at the hearing conducted before it in San Juan, P.R., on the 20th day of November 1959, be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report and refer the said refusal to answer questions before the said subcommittee, together with all the facts in connection therewith, to the House of Representatives, with the recommendation that the witness be cited for contempt of the House of Representatives for his refusal to answer such questions, to the end that he may be proceeded against in the manner and form provided by law."

Mr. TUCK. Mr. Speaker, I offer a resolution (H. Res. 620) and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Cristino Perez Mendez to answer questions before a duly constituted subcommittee of the Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States Attorney for the Commonwealth of Puerto Rico, to the end that the said Cristino Perez Mendez may be proceeded against in the manner and form provided by law.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROCEEDINGS AGAINST JUAN SANTOS RIVERA

Mr. TUCK. Mr. Speaker, by direction of the Committee on Un-American Activities, I submit a privileged report, (Rept. No. 2134).

The Clerk read as follows:

PROCEEDINGS AGAINST JUAN SANTOS RIVERA

The Committee on Un-American Activities, as created and authorized by the House of Representatives through the enactment of Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, caused to be issued a subpena to Juan Santos Rivera. The said subpena directed Juan Santos Rivera to be and appear before the said Committee on Un-American Activities, or a duly authorized subcommittee thereof, of the House of Representatives of the United States, of which Hon. FRANCIS E. WALTER is chairman, in U.S. Courtroom, U.S. Courthouse and Post Office Building, San Juan, P.R., on Wednesday, November 18, 1959, at 10 a.m., and then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena served upon said Juan Santos Rivera is set forth in words and figures as follows:

"UNITED STATES OF AMERICA,
"CONGRESS OF THE UNITED STATES.

"To JUAN SANTOS RIVERA, *Greeting:*

"Pursuant to lawful authority, you are hereby commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on Wednesday, November 18, 1959, at 10 a.m., at U.S. courtroom, U.S. courthouse and Post Office Building, San Juan, P.R., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof fail not, as you will answer your default under the pains and penalties in such cases made and provided.

"To U.S. Marshal, to serve and return.

"Given under my hand this 14th day of October, in the year of our Lord, 1959.

"FRANCIS E. WALTER,
"Chairman."

The said subpena was duly served as appears by the return made thereon by the U.S. Marshal, who was duly authorized to serve the said subpena. The return of the service by the said U.S. Marshal being endorsed thereon, is set forth in words and figures as follows:

"Subpena for Juan Santos Rivera before the committee on the 18th day of November 1959 (Wednesday), at 10 a.m.

"I made service of the within subpena by handing to and leaving original subpena with the within-named Juan Santos Rivera personally at Segarra Street, No. 18, Hato Rey, P.R., at 10:40 o'clock, a.m., on the 19th day of October 1959.

"Dated October 20, 1959.

"SANTOS BUXO, Jr.,
"U.S. Marshal.
"By: DIEGO L. MARTIN, Jr.,
"Deputy."

The said Juan Santos Rivera was not called to testify on the 18th day of November 1959, the day on which he was directed to appear, and was called as a witness on November 20, 1959. The said Juan Santos Rivera, pursuant to said subpena, and in compliance therewith, appeared before the said subcommittee on November 20, 1959, to give such testimony as required under and by virtue of Public Law 601, section 121, subsection (q)(2) of the 79th Congress, and under House Resolution 7 of the 86th Congress. The said Juan Santos Rivera having appeared as a witness and having been asked the questions, namely:

"Beginning on page 3, there is an article entitled 'The Party of the Workers, Part XIV,' by J. Santos Rivera. I shall lay before you now the original publication in Spanish of Pueblo, and then I shall read to you in English excerpts from that publication which have been translated in English.

"Now, sir, if you will kindly glance at Pueblo in the Spanish while I read excerpts from this article, I will not try to read the entire article.

" 'After attending the Seventh Congress of the Communist International as fraternal delegate of Puerto Rico, I remained in the Soviet Union for almost 2 years, 1935 to 1937, trying to understand, in practice and theory, what the people who are making up the U.S.S.R.—200 million, inhabiting one-sixth of the globe—have been able to achieve under the wise leadership of the Soviet Communist Party.

* * * * *

" 'My conclusions are not inflated by an attempt to carry on propaganda in favor of my party and of my own Marxist ideology. * * *

" 'Everyone can see for himself that in the Soviet Union there is—

"And I will summarize at this point—there is plenty, that there are full educational facilities, religious freedom, no political discrimination, with the conclusion that abundance of democracy and freedom are enjoyed in all walks of life, and then a conclusion about the mortal wounds which will be inflicted upon the capitalistic system.

"I have read certain parts of this article and summarized other parts of the article. I ask you now, sir, during the 2 years in which you were, according to your article, a resident of the Soviet Union, from 1935 to 1937, were you trained in the training schools of the Communist empire to assume leadership as an international agent of the international Communist conspiracy?

"I put it to you as a fact, sir, based upon information coming to this committee from intelligence sources, that you were so trained as an international Communist agent, schooled in Communist political warfare, and sent by the conspiracy back to San Juan, P.R., for the purpose of carrying on the nefarious work of the conspiracy against the free world.

"If that is not a fact, please, sir, deny it while you are presently under oath.

"Now, sir, I intend to cause our record from Communist sources to reflect another stage in your career as an international agent of the Communist conspiracy. I invite your attention to an article by Cesar Andreu, appearing in Political Affairs of February 1951, in which Cesar Andreu is identified as chairman of the Communist Party of Puerto Rico and in which he writes an article entitled 'The Rising Tide of Struggle in Puerto Rico.' I shall read to you only the first paragraph.

" 'Two years ago I had the honor to attend the 14th Convention of the Communist Party of the United States as a fraternal delegate. I, together with the General Secretary of the Communist Party of Puerto Rico, Comrade Juan Santos Rivera, feel greatly honored today to be with you again. We bring you, at this 15th Convention, the warmest greetings, not only of the Communist Party but of the working class of Puerto Rico.'

"Please confirm, while you are under oath, the characterization and identification of yourself made in this article by Cesar Andreu as then General Secretary of the Communist Party of Puerto Rico.

"Now, sir, from still another Communist source, I desire to make reference to another phase, another status, of your activity as reflected in the Communist press.

"The Communist Daily Worker of May 20, 1954, of New York City, has an article entitled 'Puerto Rico CP Adopts Liberation Front Policy.' In the article appears the following:

" '"Our party has come out stronger and with a higher fighting spirit for carrying out the line adopted here."

" 'A nine-member Central Committee was elected; among the members were * * *; Juan Santos, president; * * *.'

"Please, sir, while you are under oath, tell this committee, is the characterization and identification and designation of yourself in the Communist press of May 1954 as then president of the Central Committee true and correct?

"Now, sir, I display to you a document which has just been picked up on the streets in the course of the last several days. It is in Spanish, attacking this committee. It is a leaflet. It bears a photograph of Juan Santos Rivera, president of the Communist Party of Puerto Rico, according to the leaflet, and which leaflet was published and printed, according to the leaflet, at the offices of Pueblo, here in San Juan.

"In order that we may trace, then, your status as of October 23, 1959, the date of this publication, please glance at this publication, particularly the photograph and the designation under the photograph, and tell this committee whether or not you are truly and honestly characterized there.

"(The document was handed to the witness.)

"State whether you are characterized properly as president of the Communist Party of Puerto Rico."

which questions were pertinent to the subject under inquiry, refused to answer said questions, and as a result of said Juan Santos Rivera's refusal to answer the aforesaid questions, your committee was prevented from receiving testimony and information concerning a matter committed to said committee in accordance with the terms of the subpena served upon the said Juan Santos Rivera.

The record of the proceedings before the subcommittee on November 18, 1959, insofar as it affects the appearance of the witness Juan Santos Rivera on November 20, 1959, is set forth in fact as follows:

"WEDNESDAY, NOVEMBER 18, 1959

"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
"San Juan, P.R.

"PUBLIC HEARINGS

"A subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m., in the U.S. Courthouse, San Juan, P.R., Hon. WILLIAM M. TUCK (chairman of the subcommittee) presiding.

"Committee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; and Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will be in order.

"Counsel, let there be incorporated in the body of the record the resolution of the Committee on Un-American Activities authorizing and directing the holding of the instant hearings in San Juan.

"(The resolution referred to follows:)

" '*Be it resolved*, That hearings by the Committee on Un-American Activities or a subcommittee thereof, to be held in Puerto Rico, in New York City, and elsewhere as the Chairman may direct, on such date or dates as the Chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following matters and having the legislative purposes indicated:

" '1. Entry and dissemination in Puerto Rico or foreign Communist Party propaganda, the legislative purpose being to determine the necessity for, and advisability of

amendments to the Foreign Agents Registration Act designed more effectively to counteract the Communist schemes and devices now used in avoiding the prohibitions of the Act.

" '2. Receipt of information relating to persons engaged in foreign travel, the legislative purpose being:

" '(a) Committee consideration of amendments to Sec. 215 of the Immigration and Nationality Act as contained in Title IX—Immigration and Passport Security—of H.R. 2232, introduced on January 12, 1959, and referred by the House of Representatives to the Committee on Un-American Activities;

" '(b) Consideration of legislative recommendations expressing the will and intent of Congress spelled out in direct and positive form, granting authority to the Secretary of State to issue, withhold, or limit passports for international travel of adherents to the Communist Party, and the granting of specific statutory authority, to the Secretary of State to issue substantive regulations in the passport field, as set forth in the annual reports of the Committee on Un-American Activities for the years 1956–1958.

" '3. The extent, character and objects of Communist infiltration and Communist Party propaganda activities in Puerto Rico, the legislative purpose being to add to the Committee's overall knowledge on the subject so that the Congress may be kept informed and thus prepared to enact remedial legislation in the national defense and for internal security.

" '4. The execution by the administrative agencies concerned of all laws and regulations relating to the Internal Security Act, the Communist Control Act, the Foreign Agents Registration Act, Passport Regulations, and all other laws, the subject matter of which is within the jurisdiction of the Committee, the legislative purpose being to exercise continuous watchfulness over the execution of these laws to assist the Congress in appraising their administration, and in developing such amendments or related legislation as it may deem necessary.

" '5. Any other matter within the jurisdiction of the committee which it, or any subcommittee hereof appointed to conduct these hearings may designate.'

"Mr. TUCK. Let there likewise be incorporated in the body of the record the order of appointment of the subcommittee to conduct the hearings, the order of Chairman WALTER.

"(The order referred to follows:)

" 'OCTOBER 6, 1959.

" 'To: Mr. Richard Arens, staff director, House Committee on Un-American Activities.

" 'Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representative WILLIAM M. TUCK, as chairman, and Representatives MORGAN M. MOULDER and GORDON H. SCHERER as associate members, to conduct hearings in New York, N.Y., Monday and Tuesday, November 16 and 17, 1959, at 10 a.m., and in San Juan, P.R., Wednesday, Thursday, and Friday, November 18, 19, and 20, 1959, at 10 a.m., on subjects under investigation by the committee and take such testimony on said days or succeeding days as it may deem necessary.

" 'Please make this action a matter of committee record.

" 'If any member indicates his inability to serve, please notify me.

" 'Given under my hand this 6th day of October 1959.

" 'FRANCIS E. WALTER,
" '*Chairman, Committee on Un-American Activities.*'

"Mr. TUCK. The hearings which begin today in San Juan are in furtherance of the powers and duties of the Committee on Un-American Activities, pursuant to Public Law 601 of the 79th Congress which not only establishes the basic jurisdiction of the committee, but also mandates this committee, along with other standing committees of the Congress, to exercise continuous watchfulness of the execution of any laws the subject matter of which is within the jurisdiction of the committee.

"In response to this power and duty, the Committee on Un-American Activities is continuously in the process of accumulating factual information respecting Communists, the Communist Party, and Communist activities which will enable the committee and the Congress to appraise the administration and operation of the Smith Act, the Internal Security Act of 1950, the Communist Control Act of 1954, and numerous provisions of the Criminal Code relating to espionage, sabotage, and subversion.

"In addition, the committee has before it numerous proposals to strengthen our legislative weapons designed to protect the internal security of this Nation.

"In the course of the last few years, as a result of hearings and investigations, this committee has made over 80 separate recommendations for legislative action. Legislation has been passed by the Congress embracing 35 of the committee recommendations and 26 separate proposals are currently pending in the Congress on subjects covered by other committee recommendations. Moreover, in the course of the last few years numerous recommendations made by the committee for administrative action have been adopted by the executive agencies of the Government.

"This subcommittee of the Committee on Un-American Activities has come to Puerto Rico to discharge a duty imposed by the U.S. Congress, namely, to develop factual information for the Congress in its endeavors to cope with the Communist conspiracy. We come here as friends in an enterprise which ought to be the concern of all freedom-loving people everywhere, irrespective of wherever they may reside.

"From past experience we know that the Communist propagandists will attempt to pervert the purpose of these hearings into an investigation of Puerto Ricans. We are not investigating Puerto Ricans as Puerto Ricans. We are pursuing the trail of the few dangerous Communists who are part and parcel of a world conspiracy which would destroy freedom.

"We do not expect to interrogate here every Communist on the island. We only expect to make a sampling of Communist activity here so that we will be able to know the pattern of the Communist conspiracy's efforts in this area and its connections with the Communist conspiracy on the mainland.

"One of the most insidious aspects of communism is its deceit. It pretends to be the friend of the workingman, but where it has seized power the workingman is crushed under its despotic heel. He finds himself regimented and disciplined. He may find himself in a slave labor camp. It pretends to seek peace and yet it is at war with free people everywhere. Communism masquerades behind a facade of humanitarianism but it has caused more bloodshed and misery than any other force in the history of civilization.

"The strength of the Communist operation in any area is not in proportion to its numbers. A conspirational force may actually weaken itself when it increases its size. It takes only one or two holes in a ship to sink it. It, likewise, takes only a few trained, disciplined zealots to undermine and weaken a nation or a free society.

"What are the present strategies and tactics of the Communist operation in this general area? What techniques are the hard-core Communists pursuing in order to avoid detection as they pursue their nefarious work? What are the lines of control and communication between the various Communists' nests here and on the mainland? What loopholes or weaknesses exist in our present security laws? How may those laws be strengthened?

"These questions shall be uppermost in the minds of the committee as we elicit testimony during these hearings.

"May I emphasize that the purpose of the subcommittee here in San Juan is to sample factual material with reference to types and patterns of activity, and not to attempt to exhaust the subject matter. We have not subpenaed witnesses for these hearings merely to put on a show, nor shall we attempt to interrogate in these hearings even a significant percentage of all possible witnesses on whom we have compiled information.

"It is a standing rule of this committee that any person identified as a member of the Communist Party during the course of the committee hearings will be given an early opportunity to appear before this committee, if he so desires, for the purpose of denying or explaining any testimony adversely affecting him, or which he may think adversely affects him.

"It is also the policy of the committee to accord any witness the privilege of being represented by counsel; but within the provisions of the rules of this committee, counsel's sole and exclusive prerogative is to advise his client.

"I would remind those present that a disturbance of any kind, or an audible comment during the hearings, will not be permitted. This is a serious proceeding in which we are earnestly trying to discharge an important and arduous duty."

The record of the proceedings before the subcommittee on November 20, 1959, during which the said Juan Santos Rivera refused to answer the aforesaid questions, pertinent to the subject under inquiry, is set forth in fact as follows:

"FRIDAY, NOVEMBER 20, 1959

"U.S. HOUSE OF REPRESENTATIVES,
"SUBCOMMITTEE OF THE COMMITTEE ON
"UN-AMERICAN ACTIVITIES,
"*San Juan, P.R.*

"PUBLIC HEARINGS

"The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a.m., in the U.S. courthouse, Hon. WILLIAM M. TUCK (chairman of the subcommittee) presiding.

"Subcommittee members present: Representatives WILLIAM M. TUCK, of Virginia, and GORDON H. SCHERER, of Ohio.

"Staff members present: Richard Arens, staff director; George C. Williams and William Margetich, investigators; Fulton Lewis III, research analyst.

"Also present: Donald F. Barnes, senior interpreter, U.S. Department of State, Washington, D.C.

"Mr. TUCK. The subcommittee will come to order. Counsel will call the next witness.

"Mr. ARENS. The next witness, if you please, sir, will be Juan Santos Rivera.

"Please come forward and remain standing while the chairman administers an oath.

"Mr. TUCK. Will you raise your right hand?

"You do solemnly swear that the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

"Mr. SANTOS RIVERA. I do.

"TESTIMONY OF JUAN SANTOS RIVERA, ACCOMPANIED BY COUNSEL, ABRAHAM DIAZ GONZALEZ, GERARDO ORTIZ DEL RIVERO, PRAXELES ALVEREZ LEANDRI, AND MAX GOLDMAN (DONALD F. BARNES, INTERPRETER)

"Mr. ARENS. Please identify yourself by name, residence, and occupation.

"Mr. SANTOS RIVERA. My name is Juan Santos Rivera. I was born in the country

of Betances, of Munoz Rivera de Hostos and Albizu Campos. I live at No. 18 Segarra Street, Stop 27, Hato Rey, P.R. I am a carpenter.

"Mr. ARENS. You are appearing today in response to a subpena which was served upon you by this committee?

"Mr. SANTOS RIVERA. I refuse to answer that question because I understand that this committee does not have the jurisdiction to hold this investigation for the reasons already established in a document which has been submitted for the consideration of this honorable committee.

"Mr. ARENS. You are represented by counsel?

"Mr. DIAZ GONZALEZ. Mr. Chairman, at this time I want to inform the committee that my name is Abraham Diaz Gonzalez. My address is 1556 Ponce de Leon Avenue; that I, together with Mr. Max Goldman, Mr. Leandri, and Mr. Del Rivero, are assisting the witness.

"Mr. ARENS. Do you have any other occupation besides the occupation of carpenter?

"Mr. SANTOS RIVERA. No. I made an original statement under oath a few minutes ago, and I respectfully repeat it to the committee, that I don't think—I understand that the committee does not have jurisdiction to hold any investigations here in Puerto Rico and I, therefore, refuse to answer this question. The reasons for this position appear in the document which has already been presented for the consideration of the committee.

"Mr. ARENS. Mr. Witness, I expect, in the course of the next several minutes, to trace the highlights of your career in certain activities other than the carpenter trade. In order to do so, I expect to make reference to certain publications. The first publication which I want to allude to is the September 1959 issue of a publication on the island known as Pueblo.

"Beginning on page 3, there is an article entitled 'The Party of the Workers, Part XIV,' by J. Santos Rivera. I shall lay before you now the original publication in Spanish of Pueblo, and then I shall read to you in English excerpts from that publication which have been translated in English.

"Now, sir, if you will kindly glance at Pueblo in the Spanish while I read excerpts from this article, I will not try to read the entire article.

" 'After attending the Seventh Congress of the Communist International as fraternal delegate of Puerto Rico, I remained in the Soviet Union for almost 2 years, 1935 to 1937, trying to understand, in practice and theory, what the people who are making up the U.S.S.R.—200 million, inhabiting one-sixth of the globe—have been able to achieve under the wise leadership of the Soviet Communist Party.

* * * * *

" 'My conclusions are not inflated by an attempt to carry on propaganda in favor of my party and of my own Marxist ideology.

* * *

" 'Everyone can see for himself that in the Soviet Union there is—

And I will summarize at this point—there is plenty, that there are full educational facilities, religious freedom, no political discrimination, with the conclusion that abundance of democracy and freedom are enjoyed in all walks of life, and then a conclusion about the mortal wounds which will be inflicted upon the capitalistic system.

"I have read certain parts of this article and summarized other parts of the article. I ask you now, sir, during the 2 years in which you were, according to your article, a resident of the Soviet Union, from 1935 to 1937, were you trained in the training schools of the Communist empire to assume leadership as an international agent of the international Communist conspiracy?

"Mr. SANTOS RIVERA. I respectfully refuse to answer, and insist that I will not answer this question because I understand that the committee has no jurisdiction to intervene in these matters for the reasons set forth in the document which has already been submitted for the consideration of this honorable committee.

"(Document marked 'Santos Rivera Exhibit No. 1' and retained in committee files.)

"Mr. ARENS. Now, sir, based——

"Mr. TUCK. I think we should inform you that if there is any question in your mind as to the pertinency of the question which has been asked of you by counsel, we will be glad to inform you as to the purposes of the question and the counsel's right to ask it.

"Also, I would say to you that the reasons which you have given for declining to answer counsel's question are not accepted by the committee, and you are ordered and directed to answer the question propounded by counsel.

"Mr. SANTOS RIVERA. I would like to very respectfully insist that I understand that this committee has no jurisdiction to intervene in the matters that are being considered in this hearing and that the reasons for this have already been set forth in the document which has been presented for the consideration of this committee.

"Mr. ARENS. I put it to you as a fact, sir, based upon information coming to this committee from intelligence sources, that you were so trained as an international Communist agent, schooled in Communist political warfare, and sent by the conspiracy back to San Juan, P.R., for the purpose of carrying on the nefarious work of the conspiracy against the free world.

"If that is not a fact, please, sir, deny it while you are presently under oath.

"Mr. SANTOS RIVERA. Very respectfully I insist that I will refuse to answer this question and any other which might be asked of me because I understand that the committee has no jurisdiction to hold this investigation for the reasons already set forth in the document which has been submitted for the consideration of this honorable committee.

"Mr. TUCK. The committee is not satisfied with the reasons which the witness has assigned for his refusal to reply to questions asked by counsel. The witness is ordered and directed to answer the question.

"Mr. SANTOS RIVERA. I very respectfully once again insist that this committee has no jurisdiction to hold this investigation in Puerto Rico for the reasons which have already been given in the document which is already in the hands of this honorable committee.

"Mr. SCHERER. I think there should be a direction there.

"Mr. ARENS. Mr. TUCK did.

"Mr. TUCK. Yes, I did.

"Mr. ARENS. Now, sir, I intend to cause our record from Communist sources to reflect another stage in your career as an international agent of the Communist conspiracy. I invite your attention to an article by Cesar Andreu, appearing in Political Affairs of February 1951, in which Cesar Andreu is identified as chairman of the Communist Party of Puerto Rico and in which he writes an article entitled 'The Rising Tide of Struggle in Puerto Rico.' I shall read to you only the first paragraph:

" 'Two years ago I had the honor to attend the 14th Convention of the Communist Party of the United States as a fraternal delegate. I together with the General Secretary of the Communist Party of Puerto Rico, Comrade Juan Santos Rivera, feel greatly honored today to be with you again. We bring you, at this 15th Convention, the warmest greetings, not only of the Communist Party but of the working class of Puerto Rico.'

"Please confirm, while you are under oath, the characterization and identification of yourself made in this article by Cesar Andreu as then general secretary of the Communist Party of Puerto Rico.

"Mr. SANTOS RIVERA. I would like to repeat very respectfully that I will refuse to answer this question since I understand that the committee has no jurisdiction to intervene through this investigation in Puerto Rico for the reasons already stated in a document which has been submitted for the consideration of this honorable committee.

"(Document marked 'Santos Rivera Exhibit No. 2' and retained in committee files.)

"Mr. TUCK. The chairman wishes to inform the witness that the committee is not satisfied with the reasons which he has assigned for refusing to answer the question and we do not accept the reasons.

"He is ordered and directed to answer the question asked of him by the counsel of the committee.

"Mr. SANTOS RIVERA. Very respectfully I would like to insist that I will refuse to answer this question because I understand that the committee has no jurisdiction to intervene through this hearing in the business of Puerto Rico, for the reasons already stated in the document which has been presented for the consideration of this honorable subcommittee of the Congress.

"Mr. ARENS. Now, sir, from still another Communist source, I desire to make reference to another phase, another status, of your activity as reflected in the Communist press.

"The Communist Daily Worker of May 20, 1954, of New York City, has an article entitled 'Puerto Rico CP Adopts Liberation Front Policy.' In the article appears the following:

" 'Our party has come out stronger and with a higher fighting spirit for carrying out the line adopted here.

" 'A nine-member Central Committee was elected; among the members were * * *; Juan Santos, president; * * *.'

"Please, sir, while you are under oath, tell this committee, is the characterization and identification and designation of yourself in the Communist press of May 1954 as then president of the Central Committee true and correct?

"Mr. SANTOS RIVERA. I will insist that I refuse to answer this question because I understand that the committee has no jurisdiction to hold these hearings for the reasons that have already been expressed in a document that has been submitted to this honorable committee for its consideration.

"(Document marked 'Santos Rivera Exhibit No. 3' and retained in committee files.)

"Mr. TUCK. I have no desire to be repetitious, but in order that the record may show the true facts, I am saying that the committee is not satisfied by the reasons assigned by the witness, and we do not accept the statement.

"He is ordered and directed to answer the question.

"Mr. SANTOS RIVERA. I very respectfully insist that I will not answer this question because I understand that the committee has no jurisdiction to hold these hearings in Puerto Rico for the reasons that appear in the document which has already been submitted to this committee.

"Mr. ARENS. Now, sir, I display to you a document which has just been picked up on the streets in the course of the last several days. It is in Spanish, attacking this committee. It is a leaflet. It bears a photograph of Juan Santos Rivera, president of the Communist Party of Puerto Rico, according to the leaflet, and which leaflet was published and printed, according to the leaflet, at the offices of Pueblo here in San Juan.

"In order that we may trace, then, your status as of October 23, 1959, the date of this publication, please glance at this publication, particularly the photograph and the designation under the photograph, and tell this committee whether or not you are truly and honestly characterized there.

"(The document was handed to the witness.)

"Mr. ARENS. State whether you are characterized properly as president of the Communist Party of Puerto Rico.

"Mr. SANTOS RIVERA. I insist that this committee has no jurisdiction to hold these hearings in San Juan and I, therefore, refuse to answer this question for the reasons already established in a document which has been submitted to this honorable committee.

"(Document marked 'Santos Rivera Exhibit No. 4' and retained in committee files.)

"Mr. TUCK. The witness is ordered and directed to answer the question.

"Mr. SANTOS RIVERA. Very respectfully, I insist that I will refuse to answer this question, understanding that the committee has no jurisdiction to hold these hearings in Puerto Rico for the reasons already set forth in the document which has been submitted to this honorable committee.

"Mr. ARENS. Now, sir, I invite your attention to an article by J. Santos Rivera, appearing in Pueblo, San Juan, in January of 1959, beginning on page 1.

"I shall lay before you the original Spanish document, itself, and shall in English allude to certain of the language appearing in your article. I will allude to just two or three items in this article. The first is your charge in the article that the Government of the United States, by dropping an atom bomb on Hiroshima, had killed hundreds of thousands of innocent human beings; that the Government of the United States had ordered the electrocution of the Rosenbergs; that the Government of the United States wants to unleash another worldwide slaughter; and that such a government has no right to lament the sentencing in Cuba of the war criminals and the revolutionary justice which Cuba is now administering.

"Please tell this committee, while you are under oath, if your statements appearing in the Communist publication Pueblo, attacking the Government of the United States and defending the operation in Cuba, were made in concert under the direction that you received from the hierarchy of the international Communist conspiracy?

"Mr. SANTOS RIVERA. I insist that I will not reply to this question, understanding that the committee has no jurisdiction to hold these hearings in Puerto Rico for the reasons already set forth in the document that has been submitted for the consideration of this honorable committee.

"(Document marked 'Santos Rivera Exhibit No. 5' and retained in committee files.)

"Mr. TUCK. For the reasons heretofore given, the committee orders and directs you to answer the question.

"Mr. SANTOS RIVERA. I insist very respectfully that I will not answer this question, understanding that the committee has no jurisdiction to hold these hearings in Puerto Rico according to the reasons that I gave to this honorable committee.

"Mr. ARENS. Do you presently maintain contacts with Communist agents operating in Cuba?

"Mr. SANTOS RIVERA. I insist that I will not answer this question, understanding that this committee has no jurisdiction to hold these hearings in Puerto Rico for the reasons that I have given in a document which has been presented to this committee.

"Mr. TUCK. The reasons assigned by the witness are not acceptable. He is ordered and directed to answer the question.

"Mr. SANTOS RIVERA. I insist very respectfully that I will not answer this question, understanding that the committee has no jurisdiction to hold these hearings in Puerto Rico for the reasons set forth in a document which has been submitted for the consideration of this honorable committee.

"Mr. ARENS. Did you, sir, in the course of the last several weeks, dispatch, first to Venezuela, and then to Cuba, on Communist missions, three persons who are now operating as Communist agents between the Communist Party of Puerto Rico and the Communist operation of Cuba?

"Mr. SANTOS RIVERA. I respectfully insist that I will not answer this question, understanding that this committee has no jurisdiction to hold these hearings in Puerto Rico for the reasons already set forth to this committee in a document bearing my signature.

"Mr. TUCK. The witness is ordered and directed to answer the question.

"Mr. SANTOS RIVERA. I very respectfully insist that I will not answer this question, understanding that this committee has no jurisdiction to hold these hearings in Puerto Rico for the reasons already set forth in a document which has been submitted for the consideration of this honorable committee.

"Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

"Mr. TUCK. Do you have any questions, Mr. SCHERER?

"Mr. SCHERER. Witness, you have said repeatedly that you are refusing to answer these questions asked of you by counsel for the reason that you feel this committee does not have any jurisdiction to hold these hearings in Puerto Rico. I am going to ask you whether or not you would answer particularly the question last asked you by Mr. Arens if it was asked you by the police department of the city of San Juan?

"Mr. SANTOS RIVERA. I insist very respectfully that I will not answer this question, understanding that this committee has no jurisdiction to hold these hearings in San Juan, Puerto Rico, for the reasons already given in the document which has been submitted for the consideration of this honorable committee.

"Mr. SCHERER. I understand his position thoroughly.

"I am going to ask you: If these questions were asked you by the representatives of the Commonwealth of Puerto Rico, whether you would answer the questions?

"Mr. SANTOS RIVERA. I respectfully insist once again that I will refuse to answer this question, understanding that the committee has no jurisdiction to hold these hearings in San Juan for the reasons that have already been given in the document that has been submitted for the consideration of this honorable committee.

"Mr. SCHERER. I want to ask you again: If the Federal Bureau of Investigation asked you these questions that have been asked you by our counsel, would you answer the questions?

"Mr. SANTOS RIVERA. I very respectfully insist that I will refuse to answer this question, understanding that this committee has no jurisdiction to hold these hearings in San Juan, P.R., for the reasons already set forth in the document that has been submitted for the consideration of this honorable committee.

"Mr. SCHERER. Do you contend that neither the Commonwealth of Puerto Rico, the police department of the city of San Juan, nor the Federal Bureau of Investigation has authority or jurisdiction to ask you these same questions?

"Mr. SANTOS RIVERA. I respectfully insist that I will refuse to answer this question, understanding that this committee has no jurisdiction to hold these hearings in San Juan for the reasons already set forth in the document that is being considered by this honorable committee.

"Mr. SCHERER. You contend that the committee has no authority, according to your last statement and your previous statements, to hold these hearings in Puerto Rico. If you were subpenaed to New York City, would you answer these questions in a hearing before this committee?

"Mr. SANTOS RIVERA. I insist that I refuse to answer this question, understanding that this committee has no jurisdiction to hold these hearings in Puerto Rico for the reasons already established in the document which has been submitted for the consideration of this honorable committee.

"Mr. TUCK. The witness may stand aside."

Because of the foregoing, the said Committee on Un-American Activities was deprived of answers to pertinent questions propounded to the said Juan Santos Rivera, relative to the subject matter which, under Public Law 601, section 121, subsection (q) (2) of the 79th Congress, and under House Resolution 7 of the 86th Congress, the said committee was instructed to investigate, and the refusal of the witness to answer the questions, namely:

"Beginning on page 3, there is an article entitled 'The Party of the Workers, Part XIV,' by J. Santos Rivera. I shall lay before you now the original publication in Spanish of Pueblo, and then I shall read to you in English excerpts from that publication which have been translated in English.

"Now, sir, if you will kindly glance at Pueblo in the Spanish while I read excerpts from this article, I will not try to read the entire article.

"'After attending the Seventh Congress of the Communist International as fraternal delegate of Puerto Rico, I remained in the Soviet Union for almost 2 years, 1935 to 1937, trying to understand, in practice and theory, what the people who are making up the U.S.S.R.—200 million, inhabiting one-sixth of the globe—have been able to achieve under the wise leadership of the Soviet Communist Party.

* * * * *

"'My conclusions are not inflated by an attempt to carry on propaganda in favor of my party and of my own Marxist ideology.

* * *

"'Everyone can see for himself that in the Soviet Union there is—'

"And I will summarize at this point—there is plenty, that there are full educational facilities, religious freedom, no political discrimination, with the conclusion that abundance of democracy and freedom are enjoyed in all walks of life, and then a conclusion about the mortal wounds which will be inflicted upon the capitalistic system.

"I have read certain parts of this article and summarized other parts of the article I ask you now, sir, during the 2 years in which you were, according to your article, a resident of the Soviet Union, from 1935 to 1937, were you trained in the training schools of the Communist empire to assume leadership as an international agent of the international Communist conspiracy?

"I put it to you as a fact, sir, based upon information coming to this committee from intelligence sources, that you were so trained as an international Communist agent, schooled in Communist political warfare, and sent by the conspiracy back to San Juan, P.R., for the purpose of carrying on the nefarious work of the conspiracy against the free world.

"If that is not a fact, please, sir, deny it while you are presently under oath.

"Now, sir, I intend to cause our record from Communist sources to reflect another stage in your carreer as an international

agent of the Communist conspiracy. I invite your attention to an article by Cesar Andreu, appearing in Political Affairs of February 1951, in which Cesar Andreu is identified as chairman of the Communist Party of Puerto Rico and in which he writes an article entitled 'The Rising Tide of Struggle in Puerto Rico.' I shall read to you only the first paragraph:

" 'Two years ago I had the honor to attend the 14th Convention of the Communist Party of the United States as a fraternal delegate. I, together with the General Secretary of the Communist Party of Puerto Rico, Comrade Juan Santos Rivera, feel greatly honored today to be with you again. We bring you, at this 15th Convention, the warmest greetings, not only of the Communist Party but of the working class of Puerto Rico.'

"Please confirm, while you are under oath, the characterization and identification of yourself made in this article by Cesar Andreu as then general secretary of the Communist Party of Puerto Rico.

"Now, sir, from still another Communist source, I desire to make reference to another phase, another status, of your activity as reflected in the Communist press.

"The Communist Daily Worker of May 20, 1954, of New York City, has an article entitled 'Puerto Rico CP Adopts Liberation Front Policy.' In the article appears the following:

" ' 'Our party has come out stronger and with a higher fighting spirit for carrying out the line adopted here.'

" 'A nine-member Central Committee was elected; among the members were * * *; Juan Santos, president; * * *.'

"Please, sir, while you are under oath, tell this committee, is the characterization and identification and designation of yourself in the Communist press of May 1954 as then president of the Central Committee true and correct?

"Now, sir, I display to you a document which has just been picked up on the streets in the course of the last several days. It is in Spanish, attacking this committee. It is a leaflet. It bears a photograph of Juan Santos Rivera, president of the Communist Party of Puerto Rico, according to the leaflet, and which leaflet was published and printed, according to the leaflet, at the offices of Pueblo, here in San Juan.

"In order that we may trace, then, your status as of October 23, 1959, the date of this publication, please glance at this publication, particularly the photograph and the designation under the photograph, and tell this committee whether or not you are truly and honestly characterized there.

"(The document was handed to the witness.)

"State whether you are characterized properly as president of the Communist Party of Puerto Rico."

which questions were pertinent to the subject under inquiry, is a violation of the subpena under which the witness had previously appeared, and his refusal to answer the aforesaid questions deprived your committee of necessary and pertinent testimony and places the said witness in contempt of the House of Representatives of the United States.

OTHER PERTINENT COMMITTEE PROCEEDINGS

The following resolution was adopted at the organizational meeting of the committee for the 86th Congress, held on the 23d day of January 1959:

"Be it resolved, That the chairman be authorized and empowered from time to time to appoint subcommittees, composed of three or more members of the Committee on Un-American Activities, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the committee as a whole is authorized to perform."

The following is an extract from the minutes of an executive session of the subcommittee of the Committee on Un-American Activities, consisting of Hon. WILLIAM M. TUCK, chairman, Hon. MORGAN M. MOULDER, and Hon. GORDON H. SCHERER; of whom Hon. WILLIAM M. TUCK and Hon. GORDON H. SCHERER were present, held April 5, 1960, in room 225, Old House Office Building, Washington, D.C.:

"The subcommittee was called to order by the chairman of the full committee, who stated the purpose of the meeting was to consider what action the subcommittee should take regarding the refusal of certain witnesses to answer material questions propounded to them in the course of the hearings conducted by the said subcommittee in San Juan, P.R., beginning on the 18th day of November 1959, and what recommendation it would make regarding the citation of any such witnesses for contempt of the House of Representatives.

"After full consideration of the testimony of the witnesses given at the said hearing in San Juan, P.R., a motion was made by Mr. SCHERER, seconded by Mr. TUCK, and unanimously carried, that a report of the facts relating to the refusal of Juan Santos Rivera to answer material questions before the said subcommittee at the hearing aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the refusal of said witness to answer material questions, together with all the facts in connection therewith, be referred to the House of Representatives, with the recommendation that the said witness be cited for contempt of the House of Representatives for his refusal to answer questions therein set forth, to the end that he may be proceeded against in the manner and form provided by law."

The following is an extract from the minutes of an executive session of the Committee on Un-American Activities, consisting of Hon. FRANCIS E. WALTER, chairman; Hon. CLYDE DOYLE, Hon. WILLIAM M. TUCK, Hon. DONALD L. JACKSON, Hon. GORDON H. SCHERER, and Hon. WILLIAM E. MILLER, held on the 5th day of April 1960, in room 225, Old House Office Building, Washington, D.C.:

"The report of the facts relating to the refusal of Juan Santos Rivera to answer material questions was submitted to the committee, upon which a motion was made by Mr. DOYLE, seconded by Mr. MILLER, and unanimously carried, that the subcommittee's report of the facts relating to the refusal of Juan Santos Rivera to answer material questions before the said subcommittee at the hearing conducted before it in San Juan, P.R., on the 20th day of November 1959, be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report and refer the said refusal to answer questions before the said subcommittee, together with all the facts in connection therewith, to the House of Representatives, with the recommendation that the witness be cited for contempt of the House of Representatives for his refusal to answer such questions, to the end that he may be proceeded against in the manner and form provided by law."

Mr. TUCK. Mr. Speaker, I offer a resolution (H. Res. 621) and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Juan Santos Rivera to answer questions before a duly constituted subcommittee of the Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States attorney for the Commonwealth of Puerto Rico, to the end that the said Juan Santos Rivera may be proceeded against in the manner and form provided by law.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO INCORPORATE THE AGRICULTURAL HALL OF FAME

Mr. FORRESTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5789) to incorporate the Agricultural Hall of Fame, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the Senate amendments as follows:

Page 1, line 6, strike out "Washington, District of Columbia" and insert "Albuquerque, New Mexico".

Page 2, lines 4 and 5, strike out "Washington, District of Columbia" and insert: "Concordia, Kansas".

Page 4, line 1, after "Kansas;" insert "M. W. Thatcher, St. Paul, Minnesota";

Page 4, line 6, after "Nebraska;" insert "Henry A. Wallace, South Salem, New York";

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

AMENDING THE MINERAL LEASING ACT OF FEBRUARY 25, 1920

Mr. ASPINALL submitted the following conference report and statement on the bill (H.R. 10455) to amend the Mineral Leasing Act of February 25, 1920.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2135)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10455) to amend the Mineral Leasing Act of February 25, 1920, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses, as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows: In lieu of the language inserted by the Senate amendment insert the following: "That this Act may be cited as the 'Mineral Leasing Act Revision of 1960'.

"SEC. 2. Sections 17, 17(a), and 17(b) of the Act entitled 'An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain', approved February 25, 1920, as amended (30 U.S.C. 226, 226d, and 226e) are further amended to read as follows:

" 'SEC. 17. (a) All lands subject to disposition under this Act which are known or believed to contain oil or gas deposits may be leased by the Secretary.

"'(b) If the lands to be leased are within any known geological structure of a producing oil or gas field, they shall be leased to the highest responsible qualified bidder by competitive bidding under general regulations in units of not more than six hundred and forty acres, which shall be as nearly compact in form as possible, upon the payment by the lessee of such bonus as may be accepted by the Secretary and of such royalty as may be fixed in the lease, which shall be not less than 12½ per centum in amount or value of the production removed or sold from the lease.

"'(c) If the lands to be leased are not within any known geological structure of a producing oil or gas field, the person first making application for the lease who is qualified to hold a lease under this Act shall be entitled to a lease of such lands without competitive bidding. Such leases shall be conditioned upon the payment by the lessee of a royalty of 12½ per centum in amount or value of the production removed or sold from the lease.

"'(d) All leases issued under this section shall be conditioned upon payment by the lessee of a rental of not less than 50 cents per acre for each year of the lease. Each year's lease rental shall be paid in advance. A minimum royalty of $1 per acre in lieu of rental shall be payable at the expiration of each lease year beginning on or after a discovery of oil or gas in paying quantities on the lands leased.

"'(e) Competitive leases issued under this section shall be for a primary term of five years and noncompetitive leases for a primary term of ten years. Each such lease shall continue so long after its primary term as oil or gas is produced in paying quantities. Any lease issued under this section for land on which, or for which under an approved cooperative or unit plan of development or operation, actual drilling operations were commenced prior to the end of its primary term and are being diligently prosecuted at that time shall be extended for two years and so long thereafter as oil or gas is produced in paying quantities.

"'(f) No lease issued under this section which is subject to termination because of cessation of production shall be terminated for this cause so long as reworking or drilling operations which were commenced on the land prior to or within sixty days after cessation of production are conducted thereon with reasonable diligence, or so long as oil or gas is produced in paying quantities as a result of such operations. No lease issued under this section shall expire because operations or production is suspended under any order, or with the consent, of the Secretary. No lease issued under this section covering lands on which there is a well capable of producing oil or gas in paying quantities shall expire because the lessee fails to produce the same unless the lessee is allowed a reasonable time, which shall be not less than sixty days after notice by registered or certified mail, within which to place such well in producing status or unless, after such status is established, production is discontinued on the leased premises without permission granted by the Secretary under the provisions of this Act.

"'(g) Whenever it appears to the Secretary that lands owned by the United States are being drained of oil or gas by wells drilled on adjacent lands, he may negotiate agreements whereby the United States, or the United States and its lessees, shall be compensated for such drainage. Such agreements shall be made with the consent of the lessees, if any, affected thereby. If such agreement is entered into, the primary term of any lease for which compensatory royalty is being paid, or any extension of such primary term, shall be extended for the period during which such compensatory royalty is paid and for a period of one year from discontinuance of such payment and so long thereafter as oil or gas is produced in paying quantities. The Secretary shall report to Congress at the beginning of each regular session all such agreements entered into during the previous year which involve unleased Government lands.

"'(h) If, during the primary term or any extended term of any lease issued under this section, a verified statement is filed by any mining claimant pursuant to subsection (c) of section 7 of the Multiple Mineral Development Act of August 13, 1954 (68 Stat. 708), as amended (30 U.S.C. 527), whether such filing occur prior to enactment of the Mineral Leasing Act Revision of 1960 or thereafter, asserting the existence of a conflicting unpatented mining claim or claims upon which diligent work is being prosecuted as to any lands covered by the lease, the running of time under such lease shall be suspended as to the lands involved from the first day of the month following the filing of such verified statement until a final decision is rendered in the matter.

"'(i) The Secretary of the Interior shall, upon timely application therefor, issue a new lease in exchange for any lease issued for a term of twenty years, or any renewal thereof, or any lease issued prior to August 8, 1946, in exchange for a twenty-year lease, such new lease to be for a primary term of five years and so long thereafter as oil or gas is produced in paying quantities and at a royalty rate of not less than 12½ per centum in amount or value of the production removed or sold from such leases, except that the royalty rate shall be 12½ per centum in amount or value of the production removed or sold from said leases as to (1) such leases, or such parts of the lands subject thereto and the deposits underlying the same, as are not believed to be within the productive limits of any producing oil or gas deposit, as such productive limits are found by the Secretary to have existed on August 8, 1946; and (2) any production on a lease from an oil or gas deposit which was discovered after May 27, 1941, by a well or wells drilled within the boundaries of the lease, and which is determined by the Secretary to be a new deposit; and (3) any production on or allocated to a lease pursuant to an approved cooperative or unit plan of development or operation from an oil or gas deposit which was discovered after May 27, 1941, on land committed to such plan, and which is determined by the Secretary to be a new deposit, where such lease, or a lease for which it is exchanged, was included in such plan at the time of discovery or was included in a duly executed and filed application for the approval of such plan at the time of discovery.

"'(j) For the purpose of more properly conserving the natural resources of any oil or gas pool, field, or like area, or any part thereof (whether or not any part of said oil or gas pool, field, or like area, is then subject to any cooperative or unit plan of development or operation), lessees thereof and their representatives may unite with each other, or jointly or separately with others, in collectively adopting and operating under a cooperative or unit plan of development or operation of such pool, field, or like area, or any part thereof, whenever determined and certified by the Secretary of the Interior to be necessary or advisable in the public interest. The Secretary is thereunto authorized, in his discretion, with the consent of the holders of leases involved, to establish, alter, change, or revoke drilling, producing, rental, minimum royalty, and royalty requirements of such leases and to make such regulations with reference to such leases, with like consent on the part of the lessees, in connection with the institution and operation of any such cooperative or unit plan as he may deem necessary or proper to secure the proper protection of the public interest. The Secretary may provide that oil and gas leases hereafter issued under this Act shall contain a provision requiring the lessee to operate under such a reasonable cooperative or unit plan, and he may prescribe such a plan under which such lessee shall operate, which shall adequately protect the rights of all parties in interest, including the United States.

"'Any plan authorized by the preceding paragraph which includes lands owned by the United States may, in the discretion of the Secretary, contain a provision whereby authority is vested in the Secretary of the Interior, or any such person, committee, or State or Federal officer or agency as may be designated in the plan, to alter or modify from time to time the rate of prospecting and development and the quantity and rate of production under such plan. All leases operated under any such plan approved or prescribed by the Secretary shall be excepted in determining holdings or control under the provisions of any section of this Act.

"'When separate tracts cannot be independently developed and operated in conformity with an established well-spacing or development program, any lease, or a portion thereof, may be pooled with other lands, whether or not owned by the United States, under a communitization or drilling agreement providing for an apportionment of production or royalties among the separate tracts of land comprising the drilling or spacing unit when determined by the Secretary of the Interior to be in the public interest, and operations or production pursuant to such an agreement shall be deemed to be operations or production as to each such lease committed thereto.

"'Any lease issued for a term of twenty years, or any renewal thereof, or any portion of such lease that has become the subject of a cooperative or unit plan of development or operation of a pool, field, or like area, which plan has the approval of the Secretary of the Interior, shall continue in force until the termination of such plan. Any other lease issued under any section of this Act which has heretofore or may hereafter be committed to any such plan that contains a general provision for allocation of oil or gas shall continue in force and effect as to the land committed so long as the lease remains subject to the plan: *Provided*, That production is had in paying quantities under the plan prior to the expiration date of the term of such lease. Any lease heretofore or hereafter committed to any such plan embracing lands that are in part within and in part outside of the area covered by any such plan shall be segregated into separate leases as to the lands committed and the lands not committed as of the effective date of unitization: *Provided, however*, That any such lease as to the nonunitized portion shall continue in force and effect for the term thereof but for not less than two years from the date of such segregation and so long thereafter as oil or gas is produced in paying quantities. The minimum royalty or discovery rental under any lease that has become subject to any cooperative or unit plan of development or operation, or other plan that contains a general provision for allocation of oil or gas, shall be payable only with respect to the lands subject to such lease to which oil or gas shall be allocated under such plan. Any lease which shall be eliminated from any such approved or prescribed plan, or from any communitization or drilling agreement authorized by this section, and any lease which shall be in effect at the termination of any such approved or prescribed plan, or at the termination of any such communitization or drilling agreement, unless relinquished, shall continue in effect for the original term thereof, but for not less than two years, and so long thereafter as oil or gas is produced in paying quantities.

"'The Secretary of the Interior is hereby authorized, on such conditions as he

may prescribe, to approve operating, drilling, or development contracts made by one or more lessees of oil or gas leases, with one or more persons, associations, or corporations whenever, in his discretion, the conservation of natural products or the public convenience or necessity may require it or the interests of the United States may be best subserved thereby. All leases operated under such approved operating, drilling, or development contracts, and interests thereunder, shall be excepted in determining holdings or control under the provisions of this Act.

" 'The Secretary of the Interior, to avoid waste or to promote conservation of natural resources, may authorize the subsurface storage of oil or gas, whether or not produced from federally owned lands, in lands leased or subject to lease under this Act. Such authorization may provide for the payment of a storage fee or rental on such stored oil or gas or, in lieu of such fee or rental, for a royalty other than that prescribed in the lease when such stored oil or gas is produced in conjunction with oil or gas not previously produced. Any lease on which storage is so authorized shall be extended at least for the period of storage and so long thereafter as oil or gas not previously produced is produced in paying quantities.'

"SEC. 3. Section 27 of said Act, as amended (30 U.S.C. 184), is further amended to read as follows:

" 'SEC. 27. (a) (1) No person, association, or corporation, except as otherwise provided in this subsection, shall take, hold, own or control at one time, whether acquired directly from the Secretary under this Act or otherwise, coal leases or permits on an aggregate of more than ten thousand two hundred and forty acres in any one State.

" '(2) A person, association, or corporation may apply for coal leases or permits for acreage in addition to that which is permissible under paragraph (1) of this subsection, but the additional acreage shall not exceed five thousand one hundred and twenty acres in any one State. Each application shall be for forty acres or a multiple thereof and shall contain a statement that the granting of a lease or permit for the additional lands is necessary to enable the applicant to carry on business economically and that it is believed to be in the public interest. On the filing of such an application, the coal deposits in the lands covered by it shall be temporarily set aside and withdrawn from all forms of disposal under this Act. The Secretary shall, after posting notice of the pending application in the local land office, conduct public hearings on it. After such hearings the Secretary may, under such regulations as he may prescribe and to such extent as he finds to be in the public interest and necessary to enable the applicant to carry on business economically, permit the applicant to take and hold coal leases or permits for additional acreage as hereinbefore provided. The Secretary may, in his own discretion or whenever sufficient public interest is manifested, reevalute a lessee's or permittee's need for all or any part of the additional acreage and may cancel any lease or permit covering all or any part of such acreage if he finds that cancellation is in the public interest or that the coal deposits in said acreage are no longer necessary for the lessee or permittee to carry on business economically or that the lessee or permittee has divested himself of all or any part of his first ten thousand two hundred and forty acres or no longer has facilities which, in the Secretary's opinion, enable him to exploit the deposits under lease or permit. No assignment, transfer, or sale of any part of the additional acreage may be made without the approval of the Secretary.

" '(b) (1) No person, association, or corporation, except as otherwise provided in this subsection, shall take, hold, own, or control at one time, whether acquired directly from the Secretary under this Act or otherwise, sodium leases or permits on an aggregate of more than five thousand one hundred and twenty acres in any one State.

" '(2) The Secretary may, in his discretion, where the same is necessary in order to secure the economic mining of sodium compounds leasable under this Act, permit a person, association, or corporation to take or hold sodium leases or permits on up to fifteen thousand three hundred and sixty acres in any one State.

" '(c) No person, association, or corporation shall take, hold, own, or control at one time, whether acquired directly from the Secretary under this Act or otherwise, phosphate leases or permits on an aggregate of more than ten thousand two hundred and forty acres in the United States.

" '(d) (1) No person, association, or corporation, except as otherwise provided in this Act, shall take, hold, own or control at one time, whether acquired directly from the Secretary under this Act or otherwise, oil or gas leases (including options for such leases or interests therein) on land held under the provisions of this Act exceeding in the aggregate two hundred forty-six thousand and eighty acres in any one State other than Alaska. In the case of the State of Alaska, the limit shall be three hundred thousand acres in the northern leasing district and three hundred thousand acres in the southern leasing district, and the boundary between said two districts shall be the left limit of the Tanana River from the border between the United States and Canada to the confluence of the Tanana and Yukon Rivers, and the left limit of the Yukon River from said confluence to its principal southern mouth.

" '(2) No person, association, or corporation shall take, hold, own, or control at one time options to acquire interests in oil or gas leases under the provisions of this Act which involve, in the aggregate, more than two hundred thousand acres of land in any one State other than Alaska or, in the case of Alaska, more than two hundred thousand acres in each of its two leasing districts, as hereinbefore described. No option to acquire any interest in such an oil or gas lease shall be enforcible if entered into for a period of more than three years (which three years shall be inclusive of any renewal period if a right to renew is reserved by any party to the option) without the prior approval of the Secretary. In any case in which an option to acquire the optionor's entire interest in the whole or a part of the acreage under a lease is entered into, the acreage to which the option is applicable shall be charged both to the optionor and to the optionee, but the charge to the optionor shall cease when the option is exercised. In any case in which an option to acquire a part of the optionor's interest in the whole or a part of the acreage under a lease is entered into, the acreage to which the option is applicable shall be fully charged to the optionor and a share thereof shall also be charged to the optionee as his interest may appear, but after the option is exercised said acreage shall be charged to the parties pro rata as their interests may appear. In any case in which an assignment is made of a part of a lessee's interest in the whole or part of the acreage under a lease or an application for a lease, the acreage shall be charged to the parties pro rata as their interest may appear. No option or renewal thereof shall be enforcible until notice thereof has been filed with the Secretary or an officer or employee of the Department of the Interior designated by him to receive the same. Each such notice shall include, in addition to any other matters prescribed by the Secretary, the names and addresses of the parties thereto, the serial number of the lease or application for a lease to which the option is applicable, and a statement of the number of acres covered thereby and of the interests and obligations of the parties thereto and shall be subscribed by all parties to the option or their duly authorized agents. An option which has not been exercised shall remain charged as hereinbefore provided until notice of its relinquishment or surrender has been filed, by either party, with the Secretary or any officer or employee of the Department of the Interior designated by him to receive the same. In addition, each holder of any such option shall file with the Secretary or an officer or employee of the Department of the Interior as aforesaid within ninety days after the 30th day of June and the 31st day of December in each year a statement showing, in addition to any other matters prescribed by the Secretary, his name, the name and address of each grantor of an option held by him, the serial number of every lease or application for a lease to which such an option is applicable, the number of acres covered by each such option, the total acreage in each State to which such options are applicable, and his interest and obligation under each such option. The failure of the holder of an option so to file shall render the option unenforcible by him. The unenforcibility of any option under the provisions of this paragraph shall not diminish the number of acres deemed to be held under option by any person, association, or corporation in computing the amount chargeable under the first sentence of this paragraph and shall not relieve any party thereto of any liability to cancellation, forfeiture, forced disposition, or other sanction provided by law. The Secretary may prescribe forms on which the notice and statements required by this paragraph shall be made.

" '(e) (1) No person, association, or corporation shall take, hold, own or control at one time any interest as a member of an association or as a stockholder in a corporation holding a lease, option, or permit under the provisions of this Act which, together with the area embraced in any direct holding, ownership, or control by him of such a lease, option, or permit or any other interest which he may have as a member of other associations or as a stockholder in other corporations holding, owning or controlling such leases, options, or permits for any kind of minerals, exceeds in the aggregate an amount equivalent to the maximum number of acres of the respective kinds of minerals allowed to any one lessee, optionee, or permittee under this Act, except that no person shall be charged with his pro rata share of any acreage holdings of any association or corporation unless he is the beneficial owner of more than 10 per centum of the stock or other instruments of ownership or control of such association or corporation, and except that within three years after the enactment of the Mineral Leasing Act Revision of 1960 no valid option in existence prior to the enactment of said Act held by a corporation or association at the time of enactment of said Act shall be chargeable to any stockholder of such corporation or to a member of such association so long as said option shall be so held by such corporation or association under the provisions of this Act.

" '(2) No contract for development and operation of any lands leased under this Act, whether or not coupled with an interest in such lease, and no lease held, owned, or controlled in common by two or more persons, associations, or corporations shall be deemed to create a separate association under the preceding paragraph of this subsection between or among the contracting parties or those who hold, own or control the lease in common, but the proportionate interest of each such party shall be charged against the total acreage permitted to be held, owned or controlled by such party under this Act. The total acreage so held, owned, or controlled in common by two

or more parties shall not exceed, in the aggregate, an amount equivalent to the maximum number of acres of the respective kinds of minerals allowed to any one lessee, optionee, or permittee under this Act.

"'(f) Nothing contained in subsection (e) of this section shall be construed (i) to limit sections 18, 19, and 22 of this Act or (ii), subject to the approval of the Secretary, to prevent any number of lessees under this Act from combining their several interests so far as may be necessary for the purpose of constructing and carrying on the business of a refinery or of establishing and constructing, as a common carrier, a pipeline or railroad to be operated and used by them jointly in the transportation of oil from their several wells or from the wells of other lessees under this Act or in the transportation of coal or (iii) to increase the acreage which may be taken, held, owned, or controlled under section 27 of this Act.

"'(g) Any ownership or interest otherwise forbidden in this Act which may be acquired by descent, will, judgment, or decree may be held for two years after its acquisition and no longer.

"'(h)(1) If any interest in any lease is owned or controlled, directly or indirectly, by means of stock or otherwise, in violation of any of the provisions of this Act, the lease may be canceled, or the interest so owned may be forfeited, or the person so owning or controlling the interest may be compelled to dispose of the interest, in any appropriate proceeding instituted by the Attorney General. Such a proceeding shall be instituted in the United States district court for the district in which the leased property or some part thereof is located or in which the defendant may be found.

"'(2) The right to cancel or forfeit for violation of any of the provisions of this Act shall not apply so as to affect adversely the title or interest of a bona fide purchaser of any lease, interest in a lease, option to acquire a lease or an interest therein, or permit which lease, interest, option, or permit was acquired and is held by a qualified person, association, or corporation in conformity with those provisions, even though the holdings of the person, association, or corporation from which the lease, interest, option, or permit was acquired, or of his predecessor in title (including the original lessee of the United States) may have been canceled or forfeited or may be or may have been subject to cancellation or forfeiture for any such violation. If, in any such proceeding, an underlying lease, interest, option, or permit is canceled or forfeited to the Government and there are valid interests therein or valid options to acquire the lease or an interest therein which are not subject to cancellation, forfeiture, or compulsory disposition, the underlying lease, interest, option, or permit shall be sold by the Secretary to the highest responsible qualified bidder by competitive bidding under general regulations subject to all outstanding valid interests therein and valid options pertaining thereto. Likewise if, in any such proceeding, less than the whole interest in a lease, interest, option, or permit is canceled or forfeited to the Government, the partial interests so canceled or forfeited shall be sold by the Secretary to the highest responsible qualified bidder by competitive bidding under general regulations. If competitive bidding fails to produce a satisfactory offer the Secretary may, in either of these cases, sell the interest in question by such other method as he deems appropriate on terms not less favorable to the Government than those of the best competitive bid received.

"'(3) The commencement and conclusion of every proceeding under this subsection shall be promptly noted on the appropriate public records of the Bureau of Land Management.

"'(i) Effective September 21, 1959, any person, association, or corporation who is a party to any proceeding with respect to a violation of any provision of this Act, whether initiated prior to said date or thereafter, shall have the right to be dismissed promptly as such a party upon showing that he holds and acquired as a bona fide purchaser the interest involving him as such a party without violating any provisions of this Act. No hearing upon any such showing shall be required unless the Secretary presents prima facie evidence indicating a possible violation of the Mineral Leasing Act on the part of the alleged bona fide purchaser.

"'(j) If during any such proceeding, a party thereto files with the Secretary a waiver of his rights under his lease (including particularly, where applicable, rights to drill and to assign) or if such rights are suspended by the Secretary pending a decision in the proceeding, whether initiated prior to enactment of this Act or thereafter, payment of rentals and running of time against the term of the lease or leases involved shall be suspended as of the first day of the month following the filing of the waiver or suspension of the rights until the first day of the month following the final decision in the proceeding or the revocation of the waiver or suspension.

"'(k) Except as otherwise provided in this Act, if any lands or deposits subject to the provisions of this Act shall be subleased, trusteed, possessed, or controlled by any device permanently, temporarily, directly, indirectly, tacitly, or in any manner whatsoever, so that they form a part of or are in anywise controlled by any combination in the form of an unlawful trust, with the consent of the lessee, optionee, or permittee, or form the subject of any contract or conspiracy in restraint of trade in the mining or selling of coal, phosphate, oil, oil shale, native asphalt, solid and semisolid bitumen, bituminous rock, gas, or sodium entered into by the lessee, optionee, or permittee or any agreement or understanding, written, verbal, or otherwise, to which such lessee, optionee, or permittee shall be a party, of which his or its output is to be or become the subject, to control the price or prices thereof or of any holding of such lands by any individual, partnership, association, corporation, or control in excess of the amounts of lands provided in this Act, the lease, option, or permit shall be forfeited by appropriate court proceedings.'

"SEC. 4. (a) Upon the expiration of the initial five-year term of any noncompetitive oil or gas lease which was issued prior to enactment of this Act and which has been maintained in accordance with applicable statutory requirements and regulations, the record titleholder thereof shall be entitled to a single extension of the lease, unless then otherwise provided by law, for such lands covered by it as are not, on the expiration date of the lease, withdrawn from leasing. A withdrawal, however, shall not affect the right to an extension if actual drilling operations on such lands were commenced prior to the effective date of the withdrawal and were being diligently prosecuted on the expiration date of the lease. No withdrawal shall be effective within the meaning of this section until ninety days after notice thereof has been sent by registered or certified mail to each lessee to be affected by such withdrawal.

"(b) As to lands not within the known geologic structure of a producing oil or gas field, a noncompetitive oil or gas lease to which this section is applicable shall be extended for a period of five years and so long thereafter as oil or gas is produced in paying quantities. As to lands within the known geologic structure of a producing oil or gas field, a noncompetitive lease to which this section is applicable shall be extended for a period of two years and so long thereafter as oil or gas is produced in paying quantities.

"(c) Any noncompetitive oil or gas lease extended under this section shall be subject to the rules and regulations in force at the expiration of the initial five-year term of the lease. No extension shall be granted, however, unless within a period of ninety days prior to the expiration date of the lease an application therefor is filed by the record titleholder or an assignee whose assignment has been filed for approval or an operator whose operating agreement has been filed for approval.

"(d) Any lease issued prior to the enactment of the Mineral Leasing Act Revision of 1960 which has been maintained in accordance with applicable statutory requirements and regulations and which pertains to land on which, or for which under an approved cooperative or unit plan of development or operation, actual drilling operations were commenced prior to the end of its primary term and are being diligently prosecuted at that time shall be extended for two years and so long thereafter as oil or gas is produced in paying quantities.

"SEC. 5. The Act of February 25, 1920, as amended (30 U.S.C. 181 and the following), is amended by adding a section 42 thereto to read as follows:

"'SEC. 42. No action contesting a decision of the Secretary involving any oil and gas lease shall be maintained unless such action is commenced or taken within ninety days after the final decision of the Secretary relating to such matter. No such action contesting such a decision of the Secretary rendered prior to enactment of the Mineral Leasing Act Revision of 1960 shall be maintained unless the same be commenced or taken within ninety days after such enactment.'

"SEC. 6. The last sentence of section 30(a) of the Act of February 25, 1920, as amended (30 U.S.C. 187a), is amended to read as follows: 'Upon the segregation by an assignment of a lease issued after the effective date of the Mineral Leasing Act Revision of 1960 and held beyond its primary term by production, actual or suspended, or the payment of compensatory royalty, the segregated lease of an undeveloped, assigned, or retained part shall continue for two years, and so long thereafter as oil or gas is produced in paying quantities.'

"The provisions of this section 6 shall not be applicable to any lease issued prior to the effective date of this Act.

"SEC. 7. (a) Section 1 of the Act of February 25, 1920, as amended (30 U.S.C. 181), section 21 of said Act (30 U.S.C. 241), and section 34 of said Act (30 U.S.C. 182) are amended by the insertion of the words 'native asphalt, solid and semisolid bitumen, and bituminous rock (including oil-impregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried)' immediately after the words 'oil shale,' in the first sentence of each section. Section 21 of said Act (30 U.S.C. 241) is further amended by striking out the period at the end of the last sentence and adding these words 'except that with respect to leases for native asphalt, solid and semisolid bitumen, and bituminous rock (including oil-impregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried) no person, association, or corporation shall acquire or hold more than seven thousand six hundred and eighty acres in any one State without respect to the number of leases.'

"(b) Section 21 of said Act is further amended by inserting the designation (a) immediately after the term 'section 21' and by adding two new subsections to read as follows:

"'(b) If an offer for a lease under the provisions of this section for deposits other than oil shale is based upon a mineral loca-

tion, the validity of which might be questioned because the claim was based on a placer location rather than on a lode location, or vice versa, the offeror shall have a preference right to a lease if the offer is filed not more than one year after the enactment of the Mineral Leasing Act Revision of 1960.

"'(c) With respect to native asphalt, solid and semisolid bitumen, and bituminous rock (including oil-impregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried) a lease under the multiple use principle may issue notwithstanding the existence of an outstanding lease issued under any other provision of this Act.'

"SEC. 8. No amendment made by this Act shall affect any valid right in existence on the effective date of the Mineral Leasing Act Revision of 1960."

And the Senate agree to the same.

WAYNE N. ASPINALL,
WALTER ROGERS,
THOMAS G. MORRIS,
JOHN P. SAYLOR,
J. ERNEST WHARTON,
Managers on the Part of the House.

JOSEPH C. O'MAHONEY,
CLINTON P. ANDERSON,
EUNEST GRUENING,
HENRY C. DWORSHAK,
GORDON ALLOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10455) to amend the Mineral Leasing Act of February 25, 1920, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report:

The Senate amendment, which was in the form of a substitute text, varied from the House bill in a number of important respects. The principal changes which it made, and the conference committee's disposition of these changes, are as follows:

1. A new subsection was added in the Senate version dealing with the circumstances in which certain present applicants for oil and gas leases on San Nicolas Island, Calif., which is not now open to leasing, might have a preference over others in the consideration of their offers if and when it is opened to leasing. This new subsection was eliminated by the conferees as being special legislation inappropriate for inclusion in a general law.

2. The third sentence of section 17(e) of the Mineral Leasing Act, as proposed to be amended in section 2 of the House bill, covered only lands on which actual drilling operations are prosecuted. This was enlarged in the Senate version to cover also lands for which such operations are prosecuted if they are under an approved unit or development plan. The conferees accepted the Senate version with two amendments: (a) a change from "approved unit or development plan" to "approved cooperative or unit plan of development or operation" to correspond to language appearing elsewhere in the basic act; (b) a change in punctuation to make clear that the language quoted applies only to lands for which the drilling operations are conducted and does not apply to lands on which they are conducted.

3. Section 17(h) was added by the Senate and adopted with technical amendments by the conference committee. The effect of this subsection is to suspend the running of time under any mineral lease with respect to any lands thereunder which are involved in a conflicting unpatented mining claim upon which work is being diligently prosecuted until a final determination of the matter is made.

4. The Senate added subsections (i) and (j) to section 17, restating portions of the present law which were omitted in the House version. They were adopted by the conference committee with minor technical changes.

5. There were five principal differences between the House and Senate versions of section 27(d)(2) of the Mineral Leasing Act, as amended in section 3 of the bill: (a) The House version provided that failure to report the granting of an option would render it both invalid and unenforceable; the Senate version provided only for its unenforceability. The conference committee adopted the Senate approach to this matter. (b) The House version required that notice of the granting of an option be subscribed by both the grantor and the holder; the Senate version provided for subscription only by the holder. The conference committee accepted the House version in this respect. (c) The House version required semiannual reports on options to be made to the Secretary of the Interior by both grantors and holders; the Senate version limited this requirement to holders. The conference committee adopted the Senate version in this respect. (d) The House version provided that these semiannual reports should not be available for public inspection until after the lapse of a specified period; the Senate version omitted this provision. The conferees concurred in the omission. (e) The Senate version contained a sentence to the effect that an unexercised option should continue to be chargeable against the acreage limitations specified in the act until notice of its expiration, relinquishment, or surrender has been filed with the Secretary of the Interior; the House version did not contain such a provision. The conference committee adopted the Senate version with amendments, the chief of which was the deletion of the reference to expiration.

6. Section 27(e)(1) was changed in the Senate to provide that, in computing the acreage held by any one person under the act, "no person shall be charged with his pro rata share of any acreage holdings of any association or corporation unless he is the beneficial owner of more than 10 per centum of the stock or other instruments of ownership or control of such association or corporation" and that, during the 3-year period following enactment of the present bill, valid options acquired by an association or corporation prior to enactment should not be chargeable to their stockholders and members. The conferees accepted the Senate language with minor perfecting amendments.

7. The Senate added to section 27(i), as it appeared in the House bill, a provision prohibiting the Secretary of the Interior from requiring a hearing upon the validity of a showing of a bona fide purchaser who is a party to a proceeding with respect to a violation of the Mineral Leasing Act unless the Department of the Interior has prima facie evidence of such violation in its files. This added provision was amended in conference to read: "No hearing upon any such showing shall be required unless the Secretary presents prima facie evidence indicating a possible violation of the Mineral Leasing Act on the part of the alleged bona fide purchaser."

8. In section 27(j), the House version provided for extension of a lease if, during a proceeding under the act, the lessee's rights were waived or suspended and if the lessee was found not to be in violation of the act. The Senate version substituted for this a provision suspending the running of time and payment of rental during the waiver or suspension. The conferees adopted the Senate version with a clarifying amendment.

9. Section 4 of the bill, dealing with extensions of existing leases, was nearly identical in the House and Senate versions. In subsection (d), however, the words "or for which under an approved cooperative or unit plan of development or operation" were added in conference to make the language correspond to that used elsewhere in the bill, as noted under 2 above, and the Senate reference to the "fixed term" of a lease was changed to "primary term," it being the understanding that the expression "primary term" does not include any period of time when the lease is held by production.

10. Section 5 of the House version of the bill was omitted in the Senate version. This section redesignated two sections of existing law which were not included in the House version. With the inclusion of these two sections as subsections (i) and (j) of section 17 of the Mineral Leasing Act, as set out in section 2 of the Senate version of the bill and as noted in 4 above, it was appropriate to omit section 5 of the House bill. The conferees therefore agreed to the omission.

11. The present section 5 was new in the Senate version. It constitutes, in effect, a statute of limitations applicable to actions contesting decisions of the Secretary of the Interior under the Mineral Leasing Act. The conferees accepted the principle of the Senate language which, however, they reworked.

12. Section 6 was added by the Senate and agreed to by the conference committee. It repeals the last sentence of section 30a of the Mineral Leasing Act ("The segregated lease of any undeveloped lands shall continue in full force and effect for two years and so long thereafter as oil or gas is produced in paying quantities") so far as future leases are concerned, and substitutes for it a provision which, in effect, makes the automatic extension applicable only to leases held beyond their primary term by production or by payment of compensatory royalty. The extension will be applicable to the undeveloped portion of the segregated lease, whether it is the assigned part or the retained part.

13. Section 7 was also added by the Senate. It brings various materials, often referred to collectively as tar sands, under the Mineral Leasing Act, limits the acreage of such materials that may be held to 7,680 in any one State, and sets a rule to govern those cases in which the lease offer is based on a mineral location theretofore made. The conference committee adopted this Senate provision with technical and clarifying amendments.

14. Section 8 was added by the Senate to avoid any question with respect to the effect of the amendments to the Mineral Leasing Act made by H.R. 10455 upon existing leases. The conferees adopted the Senate language with an amendment.

In addition to the above, numerous clarifying amendments were made here and there throughout the bill. None of them has any substantive effect, but many of them will help to avoid future disagreements as to the meaning of the bill.

WAYNE N. ASPINALL,
WALTER ROGERS,
THOMAS G. MORRIS,
JOHN P. SAYLOR,
J. ERNEST WHARTON,
Managers on the Part of the House.

PROBLEMS OF THE AGED

Mr. MOORE. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MUMMA] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. MUMMA. Mr. Speaker, now with all this discussion about the problems of the aged and who and where and how they are going to be solved, there was an interesting article that appeared in the August 18 edition of the Wall Street Journal.

On yesterday, during the first opportunity to do this, I had submitted the article for inclusion in the CONGRESSIONAL RECORD. But I find that because Senator BYRD of Virginia had already included it in the body of the RECORD during the Senate session of last Saturday, I was precluded from inserting this article as part of my remarks.

The newspaper caption is: "The Aging: Neither Indigent Nor Childlike, They Want Government Aid As Very Last, Not First, Resort."

This study by Professors Wiggins and Schoeck, social scientists on the faculty of Emory University in Atlanta, on yesterday, drew the editorial comment of the Washington Daily News.

Mr. Speaker, it is my hope that my colleagues here in the House will avail themselves of this opportunity to read this work by the professors about the aging wanting Government aid as a very last, not first, resort, that is the result of interviews conducted with a sampling of the aged population. It appears on page 16881 of the CONGRESSIONAL RECORD of August 20, 1960, where the article begins with the remarks of the Senator from the State of Virginia, Mr. BYRD.

REDUCTION OF EXCISE TAX ON MUSICIANS PROVIDES MANY JOB OPENINGS AS PREDICTED

Mr. MOORE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, in April of this year President Eisenhower signed into law the bill reducing the excise tax on establishments selling food which also provided musical entertainment from 20 to 10 percent. Already the effects of this tax reduction are becoming evident; it is once again possible, and profitable, for restaurants and other establishments to provide entertainment for their patrons along with food and drink. This is translated into jobs, jobs for musicians and other entertainers, more jobs for those who work in these restaurants and eating establishments.

One gentleman has written me from Philadelphia listing 16 public and private dining places which have started offering entertainment within the past few months. He concludes:

> We both know this innovation has provided more employment to many who may have needed it.

I have received a similar reaction from President Herman D. Kenin, of the American Federation of Musicians. He writes:

> On behalf of the quarter million musicians, whom I have the honor to represent, my sincere thanks to you for the assistance you rendered in helping enact H.R. 2164 into law. Without your wonderful help, we would again be knocking at doors in January.

Ken Farmer, president of the musicians local in my home area of St. Louis, echoed Mr. Kenin's sentiments.

The results of this tax reduction have been highly beneficial. No longer faced by an insurmountable tax barrier, private and public restaurants have expanded their businesses, providing many new jobs. This expansion which means jobs for so many as predicted by myself and others will eliminate and reverse any loss of tax revenue from the reduction of the tax rate.

BRING "PERIL POINT" DATA—UP TO DATE

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts.

There was no objection.

Mr. LANE. Mr. Speaker, we have witnessed a wide-ranging improvement in the competitive position of many countries, both old and new, since the end of World War II. Nations that once depended entirely upon the import of manufactured goods, have acquired the modern factories and manufacturing know-how, not only to provide for their own needs, but to compete aggressively in the world market.

The average invoice price used by the Tariff Commission in determining peril points for the protection of our textile industry, does not adequately reflect the market disruption, nor the intensity of the competition by low wage producers.

Mr. Solomon Barkin, research director for the Textile Workers Union of America, affiliate of the AFL–CIO, has made an excellent study of this problem which points up the need for defining the peril points in a more realistic manner.

I include the text of Mr. Barkin's illuminating findings and recommendations:

PERIL POINTS: A COMMENT ON CURRENT TECHNIQUES

(By Solomon Barkin)

Recent developments in the textile industry highlight the need for the reevaluation of the adequacy of current techniques for determining peril points. It is our information that the Commission relies largely on the "average invoice price" of articles being currently exported to the United States by foreign countries as the basis for its determinations.

The above procedure is inappropriate for the calculation of realistic peril points. The basic reason for the difficulty is that we are living in a dynamic world in which trade relations are no longer stable. Therefore, the basic data obtained from countries and producers who had formerly been major sources of competition may no longer be applicable. New competitors and producers are constantly arising. Moreover, the cost relations are being changed significantly as new countries enter upon the production of a specific item and their equipment is modernized, their managerial competence improved and the size of the international market for a particular item is either increased or decreased.

Competition is becoming more virulent in a period when countries are expanding their productive capacity and managerial "know-how" is spreading very rapidly and the drive to earn foreign exchange is becoming more intensive. Prices of manufactured and nonmanufactured goods on the international level have on the whole been markedly restrained and in some instances even reduced by the intensity of this competitive struggle for markets. These facts must be clearly embraced in the determination of peril points. It is no longer sufficient to base decisions on a consideration of past data.

I. IMPORTS ARE NO LONGER LIMITED TO TRADITIONAL SOURCES OF SUPPLY

The outstanding fact about the textile industry is that new sources of supply are arising. Many countries which had been importers in the prewar years and even in the first decade after the war are now actively seeking export markets. Other countries have become self-sufficient and are expanding their productive facilities so that they may in the near future actively be in competition for foreign markets.

This increased search for export areas has taken place in face of the declining percentage of world production devoted to foreign trade and the likelihood that even the present volume of trade will be reduced as the current regional trade communities are fully realized.

Among the nations which have recently entered upon the international textile market, seeking aggressively to press its exports, is India. Its tremendous capacity of factory produced textiles is oriented to foreign trade. Its neighbor, Pakistan, had been an importing nation and after achieving independence it sought actively to develop its own textile industry for internal consumption so that it could utilize its native sources of raw fibre. Now it is beginning to look for export markets. Hong Kong, which had an insignificant textile and apparel industry, has in recent years become a major exporter of both of these types of items. In the cotton yarn and fabric field, we find that countries like Portugal, Spain, Burma, Turkey, and Israel are looking for foreign markets. In the synthetic fabric area, European countries and Japan are expanding their "know-how" and their capacity so that they are challenging America's preeminence in this field. Japan is the most important new exporter of woolen and worsted fabrics.

These newer suppliers of textiles for the international market will not end the list of prospective competitors. Additional countries are now entering the field and newer nations will continue to be added to the list for years to come.

It is therefore necessary in developing the peril points for a particular product to envisage realistically just who the competitors will be. Otherwise, the rates structure is likely to become obsolete in short order. We have already witnessed this phenomenon in the textile industry.

The present rate structure negotiated in the post-war years on the assumption that our major competitor would be Europe. Unfortunately, this approach has proved illusory. The major source of competition has become Japan. We believe that it will shift in the next 5 years. The Tariff Commission should not repeat the folly in which the early negotiators engaged. It should define the peril points in a realistic manner in terms of the sources of supply which are likely to become the major contenders in the future.

II. EXISTING PRICES ARE NOT SUFFICIENT TESTS OF FUTURE PRICES

One of the consequences of the inclusion of a number of the newer sources of supply of textiles is to recognize that a new lower

price level will begin to dominate future international trade in textiles and the textile products sent to our shores will therefore challenge our price structure in an even more severe manner.

Several major trends are at work to reduce the relative international price level for textiles. The newer countries tending to engage in the export of textiles and apparel are likely to have low wage scales. They are generally the developing countries, with large reserves of underemployed and unemployed persons. An illustration of this trend is provided by India. The average wages for the Indian textile industry as represented by one of its higher-wage areas, Ahmedabad, is approximatly $25 per month. The textile and garment wages in countries such as Pakistan, Hong Kong and Taiwan are even lower.

Nor is there reason to believe that the productive efficiency of these countries is so low as to balance the lower hourly labor cost. As a matter of fact the textile industries of most nations of the world are modernizing their equipment and management techniques. This is true of the older textile nations as well as the newer ones. The proportion of automatic looms operating in the cotton industry has risen to 40 percent of the total and this ratio is constantly increasing. While the ratio is higher in the non-Communist world, the recent activization of the textile machinery manufacturing industry both in Russia and Red China indicates that this ratio will rise in that part of the world.

A survey of the European textile industry by the witness during the month of June 1960 indicates that modernization is proceeding apace. New equipment is rapidly supplanting older machines as the profits earned by this industry in countries such as Italy, Germany, and Holland are increased. In England, the Government is subsidizing the modernization of the cotton spinning, weaving, and finishing industry. Similar movements can be reported in other areas.

The Japanese textile machinery industry has developed and is building equipment on par with, and in some instances, ahead of that used by the Western nations. Moreover it has designed these machines for lower costs by the use of some lower priced materials which in no wise interfere with the productivity and efficiency of the equipment but adapt the tools for use by developing countries. Their great success in this field is helping in the modernization of the textile industries of these developing countries.

Lest we assume that the managements of these plants are strikingly inferior to those found in the United States, we must review the changes which are going on the world over. Many textile manufacturers come to the United States and examine our methods of production. Where we have something to offer, they have been avid students of the process. Moreover, the modern arts of management have been intensively propagated throughout the world. They are being actively taught in special management schools and business colleges. In many countries, new business and management educational institutions have been organized, modeled in part after American schools, to train the new managements. Where the need is urgent, special courses have been organized by the National Productivity Centers to equip the supervision for these tasks. For the longer pull, the universities in many countries have organized full university programs.

A visit to textile plants in countries such as Japan, Italy, Germany, Sweden and Switzerland reveals that the staff positions have been impressively expanded during the last few years and are manned by young men and women with special textile and managerial training who are applying the most modern techniques to the operation of the plant. Consultants are moreover traveling to the newer countries to help them adapt these competences to the new textile industries. The newer plants tend to be built with governmental cooperation and the managements are assured of the most active assistance from outstanding technicians and managers in foreign countries.

The newer textile plants are not conglomerations of broken down equipment bought at low prices by inexperienced entrepreneurs, directed by managements with little know-how or experience. A goodly proportion are plants which have been equipped with the advanced technology and guided by managements and advisers who have access to the best managerial know-how which we have developed in the textile industry.

The combination of low labor cost and relatively high efficiency means low prices in a highly competitive industry. Inasmuch as the struggle for the world market is likely to be even more intense as the volume of trade remains low in relation to productive capacity, and the search for foreign exchange is likely to be extremely diligent, prices are bound to be shaved by the newer countries in their anxiety to enter upon new markets and in view of the urgency of their need for foreign exchange.

III. CONCLUSION

We believe that the peril points which are established must take into account the fact that newer countries are likely to become the source of supply of textile imports and that the prices of textiles from these and established sources are likely to be at a lower level than current invoices would suggest. Therefore the peril points which are defined in terms of the ad valorem rate required to protect the American industry from serious injury must be set at a higher rate than current invoice prices would indicate.

We must not repeat the past procedure of setting peril points in terms of an obsolete pattern of international trade so that the rate structure will shortly become useless as a protection against injurious foreign competition and necessitate a continuing struggle to secure remedies which will protect the American textile industry.

We urge the revision of the procedure for the determination of peril points in terms of the cost structure and price levels of the newer sources of textiles seeking entry into the United States.

BILL JENNINGS, VET OF TWO WARS AND 45 YEARS WITH THE NATIONAL POSTAL TRANSPORT SERVICE

Mr. LANE. Mr Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, I bring to your attention an American who has served our country with distinction in both war and peace over a period of 45 years and 3 months.

Bill Jennings was born in Lynn, Mass., which is part of the Seventh Congressional District of the Bay State.

Before he was 20, he had made up his mind to devote his life to the service of our Federal Government, entering the Railway Mail Service on January 22, 1914.

From that day until April 30, 1959, when he retired as foreman, he served the public faithfully and well.

In addition to his daily work, he took an active interest in his fellow employees as a member of the National Postal Transport Association. In turn, he became president of the Boston branch, and president of the first division, NPTA. Later, he became a member of the national board of directors and chairman of its policy committee and was honored with the role of parliamentarian at the San Francisco and Kansas City conventions.

Both he and his wife, who served as chief yeoman in World War I, are outstanding Legionnaires. Bill was president of the Lynn Chapter of the Yankee Division Veteran's Association. His wife is the only woman ever elected as vice commander of the department in competition with men.

When Bill Jennings retired as division president on June 15, 1960, he was presented with the NPTA's Award of Merit, and a beautiful desk set by the first division, NPTA, in recognition of his work in behalf of the post office and the association. I include in the CONGRESSIONAL RECORD the following account of his stewardship, from the July 1960 issue of the Postal Transport Journal. His example is both a tribute and an inspiration to all Federal employees:

BILL JENNINGS LEAVES NATIONAL BOARD

(By Wallace J. Legge)

NPTA lost one of its most able officers when First Division President William Jennings retired from office on June 16. The patient and amiable Mr. Jennings served the members of NPTA long and well. During his 4 years on the national board of directors, he proved a stabilizing influence in a turbulent period. And in his capacity as parliamentarian at national conventions his calm and learned rulings prevented many a parliamentary hassle.

Bill Jennings was born on April 9, 1894, in Lynn, Mass. He attended schools in Lynn, the Berkley Preparatory School in Boston, the Bentley School of Accounting, and received a law degree from Suffolk University.

Mr. Jennings entered the Railway Mail Service January 22, 1914, at district 3, Portland, Maine. He served as a substitute until January 1, 1917, and was sworn in as a regular railway mail clerk at Camp McGinnis in Framingham, Mass., by Gen. Charles N. Cole. Bill served as a volunteer in the Yankee Division, Company B, 101st Infantry, in World War I. He was overseas for 21 months.

Upon his return from the war in 1919, Bill went to work in the North Terminal in Boston. In 1921 he transferred to the Rockport & Boston. He transferred to the Boston & Albany in 1924, where he served until his retirement. He was promoted to foreman on the B. & A. in 1943, and retired on April 30, 1959, with 45 years 3 months service.

The Boston branch selected Bill Jennings as delegate to the first division conventions in New York City in 1949, and New Haven, Conn., in 1951. He was elected vice president of the Boston branch in 1951 and succeeded to the presidency upon the resignation of President James Cuniff in 1952. Bill was elected vice president of the first division in 1953; and elected president of the first division in 1956 and reelected in 1958.

During his service on the national board of directors, Bill Jennings served as parliamentarian and as chairman of the constitution committee at San Francisco and Kansas City conventions. At the Kansas City convention he also served as chairman of the policy committee of the board of directors.

In 1958 he helped revise the national constitution and rewrite the retirement sections.

After his service in World War II, Bill became active in veterans' organizations. He was president of the Lynn Chapter of the Yankee Division Veterans' Association. He is married to the former Lillian Williams who is also active in American Legion affairs. Mrs. Jennings served as a chief yeoman in World War I, having entered the Navy at sixteen years of age. Lillian Jennings is the only woman ever elected vice commander of a Department in competition with men. She was elected vice commander of the Department of Massachusetts, and is now on the department finance committee and the national child welfare committee. She also served as chairman of the department rehabilitation and hospitalization committee. She is now engaged in a campaign for the office of Department of Massachusetts treasurer.

Throughout his career in the Postal Transportation Service and the National Postal Transport Association, Bill Jennings has exemplified the finest traditions of the post office and our association. Although he was selected for many of the big jobs in the association, he spent countless hours working on the problems of individual members. He became an expert in cases involving veterans' preference and many employees received retroactive pay because of his effective work.

As Bill Jennings stepped down from the division presidency, he was presented with NPTA's Award of Merit and a beautiful desk set, suitably engraved, by the members of the First Division, NPTA. The members of the first division are joined by his legion of friends throughout the country in wishing for Bill health and happiness in the days ahead.

THE ALLIED INDUSTRIAL WORKERS CELEBRATES ITS 25TH BIRTHDAY

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, this week the Allied Industrial Workers of America, AFL–CIO observes its 25th anniversary. The AIW has proved itself worthy of the mantle of responsibility it shares as representative of our Nation's working men and women.

It was born in a time when you could traverse the streets of our cities with the expectation that you were not likely to meet a union member.

It was born in a time when a worker might lose his job at the mere mention of a union.

It was born in a time when words such as grievance procedure, seniority, arbitration, pensions, health and welfare insurance, paid vacations and paid holidays were almost wholly unknown to the average person.

The men and women who founded this union went out, under the most difficult of circumstances, and helped build the American labor movement.

At the risk of losing their jobs; at the risk of being blacklisted; even at the risk of personal danger, they stood up to be counted.

They fought for industrial democracy. They fought for human dignity. They fought for the right of a worker to be a man.

All along the way they have demonstrated, over and over again, those qualities which have made ours a great nation.

While they were fighting off the attacks of hostile employers with one hand, they were resisting incursions by foreign ideologies with the other. They won over both antagonists, but not without paying the price. The wounds were deep. The scars still show.

But they emerged strong and vigorous, capable of joining with other unions in making a splendid contribution to the war effort.

Then, the members of the AIW were called on once again to do battle. This time their survival was threatened by officers who had forgotten that unions are first, foremost, and always a social, political, and economic institution created to serve working people. These officers came to have a proprietary interest in the union. To them the union was a business, not an instrument for serving the people.

And, once again, the good, the honorable, the courageous forces won out. In a monumental struggle they wrested control of the union away from those who would have compromised it. They restored it to its position of honor and dignity among the great unions which make up the American labor movement.

Today the officers and members of this union stand united in their determination to contribute to the well-being of working people and the Nation as a whole.

Through their constant efforts to seek a more abundant, a more wholesome, and a more satisfying life for their members they help our Nation and the world to achieve these same goals. I am proud that the AIW now makes its international headquarters in Milwaukee.

The names of Griepentrog, Backinger, Jewell, Evans, Smigel, D'Ambrosio, Luplow, Donahue, La Page, and Matchey, all national officers of the AIW, will be honored for the splendid leadership they have given.

AARON SCHEINFELD, BOARD CHAIRMAN OF MANPOWER, INC., OFFERS CONSTRUCTIVE PROPOSAL FOR ENABLING AMERICAN BUSINESS KNOW-HOW TO HELP UNDERDEVELOPED COUNTRIES

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, a distinguished American businessman has recently proposed a far-reaching reexamination of the role to be played by American business in foreign economic development. Aaron Scheinfeld, board chairman of Manpower, Inc., has recently returned from a 15-week, 25,000-mile world trip. During the trip Mr. Scheinfeld spoke to business executives and government officials in Turkey, Pakistan, India, Ceylon, and Thailand.

Mr. Scheinfeld, together with Elmer Winter, of Milwaukee, founded Manpower, Inc., in 1948. Today it is by far the largest complete business service in the world, with more than 200 offices spread throughout the United States, Canada, Mexico, and eight European nations.

The purpose of Mr. Scheinfeld's trip was to increase the number of Manpower franchised offices overseas. His specific proposals for channeling American business know-how into the service of our foreign economic policy deserve the most careful consideration at all levels of government and business.

Mr. Scheinfeld's address follows:

OUR CHOICE: POVERTY OR PEACE

Mrs. Scheinfeld and I recently completed a trip around this world of ours, traveling for three and one-half months happily, sadly and yet hopefully. We spent most of the time in Asia, and it would be pleasant and quite simple to give you a travel book account of the magnificent scenery, the lovely hotels, the excellent cuisine, the breathtaking Taj Mahal, the exciting shrines and temples, and the unbelievable bargains in this tourists' paradise.

It is possible to travel in this dream world, but only if your eyes and ears pay no heed to the misery of the millions of men, women, and children of the Asiatic world and the inescapable impact of that misery upon our Western civilization.

I undertook this trip, however, not as a tourist, but rather as an American businessman seeking to find out for myself just how deeply our destiny, our fate, was intertwined with the peoples of the have-not lands, and whether this terrifying problem of poverty was capable of solution. I was also motivated by the fact that I believed that our company with its offices around the world might be able to scratch the surface of this almost overwhelming challenge. I discovered much which was shocking and disturbing, and found that we were in the middle of an economic war, which was quite unlike anything that had ever happened to us before.

We, of the Western world, where free enterprise has meaning, have suddenly become aware of a new type of threatened competition in the world market from the Soviet and its satellite nations.

What essentially does this threat consist of? If you analyze it carefully, you very soon discover that the most telling fact about the Soviet marketing, or investment move, is that it has the full backing of the entire government of a large and powerful nation. There is a terrific unity about it all that gives it not only power but the appearance of a continuing stability, whether they are offering a low interest loan, dumping thousands of tons of aluminum, or sending a ship full of grain on long-term credit.

Khrushchev speaks for the Soviet and its satellites. He is the government (at least for the moment) and his commitments are final and binding so long as he is willing to respect them and carry them out. They are out to conquer the industrial and the economic souls of the have-not nations, and that will be easily and successfully followed by the conquest of the political souls of these unfortunate peoples. They are out to wreck our economy, to divide and conquer our allies and they believe that all of this is possible without firing a shot.

I am personally convinced that what happened in Paris is part of this strategy, and it is their hope to wreck our economy by continuously keeping us off balance and forcing us to expend billions upon billions of dollars for armaments, which cost them but a fraction of this amount. I do not believe

for one moment that they are interested in disarmament, and their behavior in Paris, and before the United Nations offers adequate proof of that.

Can a free world, therefore, ever approach the effectiveness of a monolithic state capitalism and meet this Russian challenge? This, devoutly-to-be-wished objective, is realizable if the free nations of the world will but work together toward one goal. Worldwide prosperity with freedom.

Free nations need economic unity as well as military unity; otherwise their military unity will not long endure. This economic war cannot be won by government alone, nor by the businessmen of the free world alone. The time has come for a coalition between the two, for a partnership between the businessmen of the free world nations, backed by their respective governments. The have-not nations and their businessmen must also be brought in as active partners in this free-world program, where human values will be mixed with money values.

I am not a visionary who is seeking either national socialism or world socialism. Nor do I seek any world government to rule the free nations, interfere with their sovereignty, or dominate their economies. The European coal and steel union, and the Euromart constitute no supergovernment, but rather the effort of free men to work together, live together, and resolve their differences of yesterday and their tensions of today with peace and prosperity as the achievable reward which beckons them. These nations, however, today have stable economies and their people enjoy a standard of living which, like that of a few other European nations, and the nations of the North American Continent, are shockingly high vis-a-vis the peoples of the have-not nations of the world.

Though war may be obsolescent, we cannot be certain of its end forever so long as there is the kind of poverty I have seen in Turkey, Pakistan, India, Ceylon, and Thailand. The worst of them all is India where thousands upon thousands live and sleep in the streets of Bombay, Calcutta, and Madras. Millions live in mud huts in the villages and rural areas and sleep 10 in a room. Millions of beggars; millions of hungry human beings with as much right as any one of us to a few creature comforts. There is only one kind of fuel available to these people: Dung cakes. To the women and children fall the lot of collecting the dung, shaping it into flat cakes and carrying them in huge baskets on their heads to a spot in the sun where they are dried for a week or more before using. This is their cooking fuel. What more need be said?

Added to this almost overwhelming misery is the problem of an exploding population which, by the end of this decade, will bring an additional 200 million to feed, house, and clothe. Birth control techniques will not solve this problem, not with the existing illiteracy, the religious ban, and the hunger they are suffering. It is of India that I speak, because I consider it to be the most important piece of real estate in all Asia.

As India goes, so will go all of Asia. And, as Asia goes, so may Europe go. We of the United States may find that we are living upon an island of prosperity, but for how long?

So, we must rid ourselves of our smugness and complacency and awaken to the fact that a strange and terrifying interdependence exists between the United States and the have-not nations of the world. If poverty persists, there will be no peace and there is a great danger that a worse fate may befall the free men of the still free world. There is no time to waste—there can be no delay—action must be taken now.

The problem of the poverty of the have-not nations will not be resolved by direct aid, nor by foreign investment in their industrial development, where such investment insists upon the ownership in perpetuity of these instruments of production. This type of foreign investment may be the most ideal from our point of view, but it is not a realistic one in the light of the feverish nationalism which one experiences the world over and, especially, in Africa and Asia. The governments of India and its neighboring Asiatic countries will never again permit either political or economic domination by outsiders. It will take military intervention and conquest, or infiltration by Communists, to change this. It is the thinking of the leadership of these countries that sooner or later their people must own their own instruments of production.

No degree of economic stability can ever be attained by these countries, unless they begin to develop an all-important middle class of their own. They have no objection to a few foreign-owned industries, or joint ventures between foreign investors and their own businessmen, but as one travels through these countries and talks with their political and business leaders, it soon becomes perfectly obvious that the trend is in the direction of developing their own industries with their own people. They welcome foreign aid, but only as a means to the desired end of owning their own industries.

I would not interfere with any existing foreign-owned industries, nor prevent private negotiations in these undeveloped countries, but under a Government-sponsored plan which I am urging, encouraging inducements will be offered to American industries, which are willing to approach the problem of economic nationalism in a spirit of compromise and with an awareness that such compromise is an alternative to the growing Russian economic threat.

There are also those amongst us who are seriously disturbed by the unemployment implications of any foreign aid program and their fears are not entirely without some foundation in fact. There will be some displacement of our own people resulting from the flow of commodities back to our country, commodities which have been manufactured at substantially lower labor costs. This, however, will also follow the lowering of our tariff rates and, therefore, the only alternative or substitute for foreign aid is economic isolationism and who among us would advocate that in a world which grows smaller day by day?

Economic isolationism is no answer to any of the world's economic problems, nor an answer to the economic threat directed at the West by the Russians today and by the Chinese in the days to come. It may be a case of Hobson's choice, or the choice of the lesser of evils, but I personally would rather join with the rest of the free world in the industrial development of the have-not nations and take my chances on meeting world competition, than to leave the industrial soul and economic fate of the underdeveloped countries to Russia and its allies.

Import liberalization on the part of recipient countries, as well as expansion and research and new and better products and marketing methods, and the development of economic unions are the answers to those who fear the foreign aid program.

In traveling around the world these last few months, I have run into salesmen from every industrially developed country, except the United States, and have found that we are still trying to sell our products out of catalogs, as we were successfully able to do in the early postwar years. It is time that we begin to employ our domestic and highly developed selling techniques in the markets of the world. Our products are still the equal, if not superior to those of our competitors and even if they are at times priced a little higher, we can counteract that with better quality, service and quicker delivery. We, however, must send salesmen into the world markets and the best we can recruit to do the job.

Ludwig Erhard, who is West Germany's economic minister, recently reported that there are 500 German salesmen operating out of Cairo alone. In three markets—Greece, Syria, and Iran—West Germany is the No. 1 trading country. The Bonn Government has given its exporters a competitive advantage over their Western rivals with a Government-sponsored insurance corporation called Hermes, offering a guarantee against default by their customers. According to Mr. Erhard, this guaranteeing agency has, to date, committed itself to more than $800 million in underwriting Middle East credits alone. Mr. Erhard stated, and I quote: "We failed in two wars to conquer the Middle East with soldiers, but now we have done it with salesmen. What we failed to do with cannon, we accomplished with sample cases." There are, therefore, effective answers to be found for those who fear the impact of a foreign aid program upon our own economy.

Realistically, therefore, since we are without choice in the matter of foreign aid, how then can the United States and other helping free nations approach this problem? I recently wrote to the President of the United States; to our Secretary of Commerce, and to our Secretary of State suggesting and recommending a positive program which, I believe, will be palatable and acceptable to these nations in need and be fully as attractive to the foreign investors who are aware of the urgency of extending this kind of help. Using India as the example, I offer the following:

1. The American and Indian Governments will together establish an agency consisting of Government representatives, businessmen, and economists. There is, of course, to be equal representation from each country, and I would recommend that the total membership of the agency be limited to 20, and be comprised of 8 Government representatives, 8 businessmen, and 4 economists.

2. It would be the function of this agency to analyze, appraise, and determine the industrial needs of India and to, thereafter, develop and establish a long-term program within a reasonable, realistic, and realizable budget.

3. This agency, with the aid of permanent staff members and a public-relations program, will then approach American industries for the purpose of prevailing upon them to establish branches in India, with or without participation by Indian partners.

4. The industry will be offered a long-term loan at low interest rates and the amount of the loan should equal at least 75 percent of the capital needed by the American investor for such foreign branch establishment and development. I would recommend that such loans be upon a nonrecourse basis, as far as the American parent corporation is concerned.

5. In addition to the long-term loan, I would strongly urge that tax incentives be generously offered to such investors by both the American and Indian Governments.

6. All of the terms and conditions are to be set forth in a contract to which both the American and Indian Governments should be signatories, as well as the industry involved. This contract should have the force and effect of an economic treaty, so that the industry approached will have complete assurance that the terms and conditions of the contract will be fully carried out.

7. The long-term loans should be financed either through the U.S. Development Loan Fund, the Export-Import Bank, the World Bank, the International Development Loan Fund, or any other existing finance agency.

8. Upon the termination of the contract, at the end of 25 years, or sooner, at the option of the American investor, the industries so established should be sold to Indian nationals at a price to be based upon five times the annual profit before taxes, averaged over a 5-year period prior to such termination, or book value, whichever is higher. Added to this, a royalty of from 2 percent to 5 percent of the sales, depending upon the product involved, should be paid to the seller for a period of 10 years, or longer. If there are no buyers, the offer is then to be made every 5 years thereafter, or at shorter intervals at the option of the seller. There will be instances where the American industry will have acquired Indian partners from the beginning, or during the term of the contract, and in such case the first offer to sell should be made to such partners.

9. The agency originally appointed is to remain in existence and, through a subcommittee, is to supervise and direct contract terminations as well as problems which may arise from time to time during the term of the contract entered into. The membership of the committee is to remain at the recommended number of 20, and each Government is to appoint successors to fill the vacancies created by the resignation or death of any one of its representatives. The compensation, if any, for the members of the committee or its staff members is to be determined by joint action by the two Governments. The rules and regulations governing the functions of the agency are also to be determined by the two Governments.

10. This formula is also to apply to the expansion of the productive capacity of presently operating industries in India. Where they are now wholly owned by Indian nationals, American partners with know-how are to be selected and financed, as above proposed.

11. Nothing in this proposal is to affect industries presently operating in India, whether wholly owned by Americans, or partially owned through a joint venture arrangement, nor should it prevent private joint ventures where desired and where otherwise financed.

As the result of contacts made in India and lengthy discussions with businessmen of that country, I am convinced that Mr. Nehru and other Indian leaders will accept such a plan, and be happy in their long-term plans for India, to know that these instruments of production, established under these terms, will in the not too distant future belong to Indian nationals. I believe also that in order to bring it about the Indian Government will offer encouraging inducements, including a freer flow of imports from the United States. Our American industrialists should be equally as enthusiastic since, with 75 percent of the necessary capital loaned to them by the Government on a nonrecourse basis, they will reap the profits from this venture for a period of 25 years, partially tax free, plus the benefits of a royalty arrangement for the 10 years or more thereafter.

This formula can be applied equally well to other countries in need, and can also be used wherever joint action with other helping countries is indicated.

There are details and mechanics to be worked out in the establishment and development of this plan, but time does not permit me today to dwell upon them. I am personally willing, and have so offered, to devote my own time and energy, without compensation, for the purpose of launching and implementing such a program. I do so because I sincerely believe that the freedom we may be securing through such a plan may be our own.

The free world gained a great advantage over the Russians as a result of the recent trip of President Eisenhower, last December, to 11 countries of Asia and Europe. I saw the film of this trip while in Colombo at an Embassy party, and I also witnessed the arrival of Khrushchev and his entourage in Delhi, and the parade which followed. Most of you have seen the Eisenhower films, and the tremendous excitement which greeted him everywhere. I also saw the expressionless reception which greeted Khrushchev in Delhi. There was no sound of any kind from the crowd, as the Khrushchev procession moved slowly down the street. The advantage over the Russians thus gained must now be followed up closely and quickly.

There are no hopeless situations in this world, but only sometimes men who are hopeless and who lose their freedom by default. We are still years ahead of the Russians in our creative and productive ability and capacity, and at least their equal militarily. We can beat the Russians in the economic war they have declared against us, if we will but strive to help the have-not nations help themselves to become industrially independent and to make life more livable for their millions.

Paradoxical as it may sound, we must learn to cooperate with the free nations of the world, have and have-not alike, in order to protect our right and the right of every other nation to compete. We must act together in defense of our right to act independently. We need Government help in order to avoid Government domination, and we must learn that the road to freedom lies through unity and that through such unity, the men of the free world will remain free. We must attack and destroy poverty, perhaps at a greater cost than we have heretofore incurred, but surely not as great a cost as war itself. The businessmen of the free world, in cooperation with their respective governments, hold in their grasp the key to peace on earth and a better life for all.

CONCURRENT RESOLUTION URGING MODIFICATION OR WITHDRAWAL OF U.S. TRADE CONCESSIONS ON AMERICAN CARPETS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, yesterday I introduced a House Concurrent Resolution 722, expressing the sense of Congress that the United States should withdraw or modify existing concessions which it has made regarding the importation of foreign carpets. The situation in the field of carpets has become extremely critical. I am aware of this since I have the honor to represent one of the major carpet manufacturing areas in the country, the city of Amsterdam, N.Y. Largely because of increased imports of foreign carpets, men and women in Amsterdam are out of work and the city has long been listed as a critical unemployment area.

Mr. Speaker, the damage in the carpet industry is particularly severe in the field of imports of wilton and velvet carpets. These imports come primarily from Belgium and Japan. The alarming increase of these imports demands that some immediate action be taken by the U.S. Government to prevent the ruin of our domestic carpet industry.

From 1948 to 1950 the duty of wilton and velvet imports was 30 percent ad valorem, and during this period imports were generally on the rise but averaged only about 5 percent of domestic consumption. From the beginning of 1951 through the middle of 1956, the duty on such imports was 25 percent, and during this period imports increased to approximately 12 percent of domestic consumption. In 1956, again in 1957, and again in 1958, the duty on such imports was reduced, and it stands today at 21 percent ad valorem. With such decrease in duty, imports have increased substantially. They rose 52 percent in 1959, and in the first quarter of 1960, they increased 60 percent. Imports of wilton and velvet carpets are now approximately 23 percent of domestic consumption.

Mr. Speaker, the mushrooming of imports of wilton and velvet carpets does not reflect a recapture by foreign producers of the domestic American market which was lost during the war. On the contrary, there were very few imports of such carpets prior to the war, and very little foreign capacity for the production of them. In 1939 the United States imported 200,000 square yards. In 1959 these imports stood at 7,012,000 square yards. Based on the first quarter rate, 1960 imports will reach 10 million square yards.

Mr. Speaker, the American Carpet Institute has attempted to utilize the provisions of the Reciprocal Trade Act to protect themselves from the impact of this tremendous surge of imports. In 1958 proceedings were instituted before the Tariff Commission under the escape clause. In its decision, handed down in January 1959, the Tariff Commission, in a 3 to 2 decision, denied relief, and a majority of the Commission indicated that there was no imminent danger to the domestic industry from imports. Now, slightly over a year later, these imports have almost doubled, rising from 12 percent of domestic consumption to 23 percent.

There is, however, another procedure whereby the American carpet industry can obtain relief under existing law. Article XXVIII of the General Agreement on Trade and Tariffs provides that—

> On the first day of each 3-year period, the first period beginning on January 1958, a contracting party may modify or withdraw concessions included in the appropriate schedule annexed to this agreement.

The American Carpet Institute has applied to the U.S. Government to modify or withdraw its concessions with regard to wilton and velvet imports, and in the future to apply the present rate of duty to imports during any calendar year up to an amount equal to 5 percent of domestic consumption for the 12-month period ending June 30 of the preceding year; and on imports in those of 5 percent of domestic consumption, all concessions should be withdrawn or a flat duty of 40 percent ad valorem should be levied. The low duty quota should be allocated among exporting countries on the basis of their history of exports to this country.

Mr. Speaker, refusal by the Administration to grant this relief to the domestic carpet industry would be completely unconscionable. In the relatively short period of 10 years, imports of Wilton and velvet carpets have increased from less than one-twentieth of domestic consumption to almost one-fourth of the domestic consumption. If the present trend is allowed to continue, the domestic industry will be completely destroyed. Article XXVIII of the General Agreement on Trade and Tariffs is a complete recognition by the contracting nations that such a situation should not be allowed to occur. In view of the calloused and irresponsible administration of the trade policy of the United States, as evidenced by the repeated refusals of the administration to grant relief under appropriate procedures established by the Congress, it is imperative that the Congress now express itself emphatically to the administration that the destruction of domestic industries must not, and will not, be permitted.

The concurrent resolution which I have introduced expresses the sense of Congress that the relief under article XXVIII of General Agreement on Trade and Tariffs, which has been requested by the American Carpet Institute, should be granted. I urge the Committee to give it immediate attention in order that it may be enacted prior to our final adjournment. Only in this way can people whose livelihood depends on carpet manufacture be properly protected, as they must be.

My resolution is identical with Senate Concurrent Resolution 113, recently introduced in the other body by the distinguished Senator from South Carolina [Mr. THURMOND]. I urge my colleagues who may have constituents who are similarly affected by these carpets imports, or who recognize the tremendous economic problem which faces this country over the long term in the form of low-cost, cutthroat foreign imports, to join with me in sponsoring this important legislation.

Under leave to extend my remarks I include a statement made by Mr. Paul M. Jones, president of the American Carpet Institute, Inc., before the Committee of Reciprocity Information on July 22, 1960, which spells out in greater detail the extent of this problem. I also include a list of those States and congressional districts in which plants of members of the American Carpet Institute are located, and where this problem of carpet imports is most acute.

STATEMENT BY PAUL M. JONES, PRESIDENT OF AMERICAN CARPET INSTITUTE, INC., BEFORE THE COMMITTEE FOR RECIPROCITY INFORMATION, JULY 22, 1960

Mr. Chairman and members of the committee, I appreciate this opportunity to make a brief oral statement on the application of the domestic wilton and velvet carpet industry for withdrawal of present tariff concessions on imported wilton and velvet carpets as permitted by article XXVIII of GATT.

We have summarized in a small leaflet the basic information relating to the very serious import problem this industry faces, copies of which have been given you.

You can readily see from chart No. 1 on the front page of this leaflet that we have a gravely serious problem facing us. Despite our making full use of the peril point procedures, rates of duty on wilton and velvet carpets have been successively lowered over the years. Following each reduction the volume of imports has risen sharply.

The increased imports have been the direct result of the low prices at which imported carpets can be sold in this country. At the present time, the average per square yard invoice value of imported wilton and velvet carpet is $3.42, to which approximately $1 is added to cover handling and duty for a total of $4.42 per square yard. The average invoice value of Japanese imports is $2.95 per square yard and the average for Belgian imports is $3.80 per square yard. These carpets compete with domestic carpets having an average wholesale per square yard value of $7, a difference of about $2.60 per yard.

The reason for lower prices on imported carpets is primarily one of lower labor costs, which apply not only to the direct manufacture of carpet, but to indirect costs, such as buildings, supplies, raw materials, transportation within the exporting country, taxes, fringe benefits, and many other factors which are essential in arriving at the total cost of manufacturing.

All the carpet wool and most of the backing material used by the domestic industry are imported. The importation of finished carpets is therefore principally an importation of foreign labor at the expense of the domestic labor force.

Neither the Belgian nor Japan industry has made any contribution to product development or product styling. Both industries are producing the best selling styles, colors, and textures established by the American industry. This is another reason why the effects of the import competition have been so pernicious.

Prior to World War II the duty was 60 percent ad valorem. At that time less than 200,000 square yards of wilton and velvet carpet were imported into this country. Based on actual imports during the first 5 months of this year, 10 million square yards will come into our market this year. This volume of low priced imports has seriously depressed carpet prices in most major markets, thus intensifying the serious injury caused by the direct loss of a large portion of the domestic market to imports.

Chart No. 2 shows that Belgium and Japan are the chief exporters to this country. Neither of these nations depended upon our American market prior to World War II. Belgium had a carpet industry prewar, but it has grown significantly during the past several years. Up until World War II there was no wilton and velvet industry in Japan.

I point this out to you so that you can fully appreciate the fact that wilton and velvet carpet imports are a new commercial development and do not rest upon an historical industrial pattern in world commerce. It is significant to note in this respect the current emergence of the Japanese industry.

I quote briefly from a consular report, a copy of which is available for you if you would like it. It is dated September 22, 1958.

"The wilton and velvet carpet industry of Japan obtained its start from orders placed by United States forces stationed in Japan after World War II. Exports to the United States were undertaken with the departure of the troops, beginning in 1955, and have grown from 270 square feet in that year to over 3,500,000 square feet * * * in 1957."

The same report also stated that the Japanese producers, under the "administrative guidance of the Ministry of International Trade and Industry * * * have voluntarily agreed not to increase their productive capacity for wilton and velvet carpeting."

Testimony before the Tariff Commission in 1958 also indicated that the Japanese industry would not grow beyond its then capacity. Events since that time have proven such representations to be utterly without foundation. Japanese imports increased 230 percent in 1959 and continue to grow at a phenomenal rate this year.

In 1958, when imports had reached 12 percent of domestic production and there seemed to be absolutely no limiting factors on the horizon to halt, or slow down, the rate of import growth, the industry instituted action under the escape clause provision of the Reciprocal Trade Act. After extensive investigations by the Tariff Commission and week-long public hearings, the industry was denied relief by a vote of three to two. Apparently the majority of the Commission felt that the industry was not being seriously injured at that time, nor was it "threatened" with serious injury. Two members of the Commission believed the industry was suffering injury with imports at 12 percent of domestic shipments.

You will note that in the short space of 1 year since the Tariff Commission decision imports have grown from 12 percent of domestic shipments to 23 percent of domestic shipments. During 1959 imports rose 52 percent; during the first quarter of 1960 they rose 60 percent over 1959, and the figures for the last 2 months reflect a continuance of this trend.

It now has become unmistakably clear to our industry that we must have relief from import competition or, simply stated, we are doomed to extinction.

Article XXVIII of GATT, under which we are seeking relief, permits any GATT participant to modify or withdraw previously made concessions before the expiration of any 3-year period, beginning on January 1, 1958. The current period of so-called "firm validity" expires December 31 this year. We believe this is a proper means by which our Government can afford some relief to our industry. It is certainly the best means for immediate correction of an intolerable situation.

If article XXVIII of the GATT agreement means what it says, it would seem our industry would present a classic case for the application of this article.

The concessions made by our Government were made when Belgium was the only major exporting country. Belgium labor costs average approximately 39 cents an hour, which compare with an average labor rate in our industry of $1.75 per hour. Japan is now a major factor in this situation, and their average wage rate is 19 cents an hour.

The volume of imports in yards and dollars and the volume of imports in relation to domestic production all have drastically changed since the last concessions were made, and it is now evident that a 21-percent duty gives no protection to the domestic industry.

We believe that our industry is entitled to the following:

Imports, at the current 21-percent ad valorem rate, should be limited to 5 percent of domestic shipments.

On imports above 5 percent, a duty of 40-percent ad valorem should be imposed.

If it is felt desirable that the initial 5 percent should be allocated among exporting countries, our industry has no objection to this being done.

We feel this is an equitable solution to our problem which will enable the domestic industry to grow and prosper, will not deny a fair share of the market to importers, and will allow importers to participate in the growth of the domestic market.

LIST OF AMERICAN CARPET INSTITUTE MEMBER PLANTS TOGETHER WITH SENATORS AND REPRESENTATIVES IN VARIOUS AREAS

CONNECTICUT

Bigelow-Sanford, Inc., Thompsonville, Conn., John M. Roddy, plant manager. Congressional District No. 1, EMILIO QUINCY DADDARIO, Democrat. Senator PRESCOTT BUSH, Republican. Senator THOMAS J. DODD, Democrat. Representative at Large FRANK KOWALSKI, Democrat.

GEORGIA

Cabin Crafts-Needletuft Rug Mills, Dalton, Ga., Fred R. Westcott, chairman of board. Congressional District No. 7, HARLAN ERWIN MITCHELL, Democrat.

Doerr Carpet Inc. (Philadelphia), Cartersville, Ga., Hanley Lewis, plant manager. Congressional District No. 7, HARLAN ERWIN MITCHELL, Democrat.

Georgia Rug Mill (Bigelow), Summerville, Ga., Richard J. Brusco, plant manager. Congressional District No. 7, HARLAN ERWIN MITCHELL, Democrat.

A. & M. Karagheusian, Inc., Albany, Ga., Arthur Lauman, plant manager, Congressional District No. 2, JOHN LEONARD PILCHER, Democrat.

Pine Tree Company (James Lees), Dahlonega, Ga., John E. Darlington, plant manager. Congressional District No. 9, PHILLIP MITCHELL LANDRUM, Democrat.

Rabun Mills, Inc. (James Lees), Rabun Gap, Ga., Kenneth C. Horne, plant manager. Congressional District No. 9, PHILLIP MITCHELL LANDRUM, Democrat. Senator RICHARD B. RUSSELL, Democrat. Senator HERMAN E. TALMADGE, Democrat.

MASSACHUSETTS

C. H. Masland & Sons, Brockton Division, Brockton, Mass., Daniel L. Masland, plant manager. Congressional District No. 13, JAMES A. BURKE, Democrat.

Roxbury Carpet Co., Saxonville, Mass., Alfred J. deGozzaldi, chairman of the board. Congressional District No. 3, PHILIP J. PHILBIN.

Whittal Division (Roxbury), Worcester, Mass., John Hilton, plant manager. Congressional District No. 4, HAROLD D. DONOHUE, Democrat; Senator LEVERETT SALTONSTALL, Republican; Senator JOHN F. KENNEDY, Democrat.

MISSISSIPPI

Greenville Mills, Division of Mohasco Industries, Inc., Greenville, Miss., Ernest Roberts, plant manager. Congressional District No. 3, FRANK ELLIS SMITH, Democrat; Senator JAMES O. EASTLAND, Democrat; Senator JOHN C. STENNIS, Democrat.

NEW JERSEY

Beattie Manufacturing Co., Little Falls, N.J., Michael F. Brennan, president. Congressional District No. 8, GORDON CANFIELD, Republican.

Hightstown Rug Co., Hightstown, N.J., John P. Chubet, president. Congressional District No. 4, FRANK THOMPSON, JR., Democrat.

A. & M. Karagheusian, Inc., Freehold, N.J., Edwin B. Bachman, plant manager. Congressional District No. 3, JAMES COATS AUCHINCLOSS, Republican.

A. & M. Karagheusian, Inc., Roselle Park, N.J., Richard Carlson, plant manager. Congressional District No. 6, FLORENCE P. DWYER, Republican; Senator CLIFFORD B. CASE, Republican; Senator HARRISON A. WILLIAMS, JR., Democrat.

NEW YORK

The Firth Carpet Co., Firthcliffe, N.Y., Russell R. Matthews, vice president. Congressional District No. 28, KATHARINE ST. GEORGE, Republican.

The Firth Carpet Co., Newburgh, N.Y., Russell B. Matthews. vice president. Congressional District No. 28, KATHARINE ST. GEORGE, Republican.

The Firth Carpet Co., Auburn, N.Y., John C. Melrose, vice president. Congressional District No. 36, JOHN TABER, Republican.

Mohasco Industries, Inc., Amsterdam, N.Y., Herbert L. Shuttleworth II, president. Congressional District No. 32, SAMUEL S. STRATTON, Democrat; Senator JACOB K. JAVITS, Republican; Senator KENNETH B. KEATING, Republican.

NORTH CAROLINA

The Firth Carpet Co., Burnsville, N.C., T. Ballou, plant manager. Congressional District No. 11 (Yansey County), BASIL LEE WHITENER, Democrat.

Greenville Mills (Artloom), Greenville, N.C., Vernon Howell, plant manager. Congressional District No. 1, HERBERT COVINGTON BONNER, Democrat.

A. & M. Karagheusian, Inc., Aberdeen, N.C., Cecil Beith, plant manager. Congressional District No. 8, A. PAUL KITCHIN, Democrat.

Karastan Rug Mills, Leaksville, N.C., James C. Norman, plant manager. Congressional District No. 5, RALPH JAMES SCOTT, Democrat.

Dixianna Mills (Mohasco), Laurinburg, N.C., Sanford D. Lee. Congressional District No. 8, A. PAUL KITCHIN, Democrat.

Fontana Mills (Jas. Lees), Robbinsville, N.C., Charles Lyle, plant manager. Congressional District No. 12, ROY A. TAYLOR, Democrat; Senator SAM J. ERVIN, JR., Democrat; Senator B. EVERETT JORDAN, Democrat.

PENNSYLVANIA

Artloom Carpet Co., Allegheny Avenue and Front Streets, Philadelphia, Pa. Congressional District No. 5, WILLIAM J. GREEN, Jr., Democrat.

Harwick & Magee Co., Lehigh Avenue and 7th Street, Philadelphia, Pa. Congressional District No. 3, JAMES A. BYRNE, Democrat.

Archibald Holmes & Son, Erie Avenue and K Street, Philadelphia, Pa. Congressional District No. 5, WILLIAM J. GREEN, Jr., Democrat.

Charles Lachman Co., Phoenixville, Pa., Herbert J. Potts, general manager. Congressional District No. 9, PAUL BARTRAM DAGUE, Republican.

James Lees & Sons Co., Bridgeport, Pa., Congressional District No. 13, JOHN A. LAFORE, JR., Republican.

The Magee Carpet Co., Bloomsburg, Pa., James G. Law. Congressional District No. 17, HERMAN SCHNEEBELI, Republican.

C. H. Masland & Sons, Carlisle, Pa., Frank E. Masland, Jr., president. Congressional District No. 19, JAMES M. QUIGLEY, Democrat.

Philadelphia Carpet Co., Allegheny Avenue and C Street, Philadelphia, Pa., Herbert E. Doerr, president. Congressional District No. 5, WILLIAM J. GREEN, JR., Democrat; Senator JOSEPH S. CLARK, Democrat; Senator HUGH SCOTT, Republican.

RHODE ISLAND

C. H. Masland & Sons, Wakefield, R.I., Daniel L. Masland, plant manager. Congressional District No. 2, JOHN EDWARD FOGARTY, Democrat; Senator THEODORE F. GREEN, Democrat; Senator JOHN O. PASTORE, Democrat.

SOUTH CAROLINA

Belton Yarn Mill (Bigelow), Belton, S.C., Richard Swallow, plant manager. Congressional District No. 3, WILLIAM JENNINGS BRYAN DORN, Democrat.

Dixianna Mills (Mohasco), Dillon, S.C., Alexander W. Coombs, general manager. Congressional District No. 6, JOHN L. MCMILLAN, Democrat.

The Firth Carpet Co., Laurens, S.C., Peter Austin, plant manager. Congressional District No. 4, ROBERT THOMAS ASHMORE, Democrat.

Landrum Mills (Bigelow), Landrum, S.C. Frank Sertl, plant manager. Congressional District No. 4, ROBERT THOMAS ASHMORE, Democrat.

Liberty Mills (Mohasco), Liberty, S.C., Allen E. Mirenghi, plant manager. Congressional District No. 3, WILLIAM JENNINGS BRYAN DORN, Democrat.

Oak River Mills (Mohasco), Bennettsville, S.C., Alexander Coombs, general manager. Congressional District No. 6, JOHN L. MCMILLAN, Democrat.

Rocky River Mills (Bigelow), Calhoun Falls, S.C., Joseph Jervis, plant manager. Congressional District No. 3, WILLIAM JENNINGS BRYAN DORN, Democrat. Senator OLIN D. JOHNSTON, Democrat, Senator STROM THURMOND, Democrat.

TENNESSEE

Roxbury Southern Corp., 4900 Hooker Rd., Chattanooga, Tenn., Glenn Plumlee, president. Congressional District No. 3, JAMES B. FRAZIER, Jr., Democrat. Senator ESTES KEFAUVER, Democrat, Senator ALBERT GORE, Democrat.

VIRGINIA

Bristol Mills (Bigelow), Bristol, Va., E. H. Buchles, plant manager. Congressional District No. 9, WILLIAM P. JENNINGS, Democrat.

James Lees & Sons Co., Glasgow, Va., Arthur Eisler, plant manager. Congressional District No. 7, BURR P. HARRISON, Democrat. Senator HARRY F. BYRD, Democrat, Senator A. WILLIS ROBERTSON, Democrat.

TEENAGE AND ADULT GOALS

Mr. BURKE of Kentucky. Mr. Speaker, I ask unanimous consent that the gentlewoman from Georgia [Mrs. BLITCH] may extend her remarks at this point in the RECORD and may include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mrs. BLITCH. Mr. Speaker, supplementing remarks that I made here yesterday concerning the serious problems posed for our children and teenagers by the reckless distribution of obscene literature on magazine racks and through the mails, I would like now to add to the RECORD the contents of a second pamphlet sent to me by Mr. Bert Harsh, Vice President of the Parents' League of Moultrie and Colquitt County, Ga. Title of this pamphlet is "Teenage and Adult Goals." By any standard, the rules of conduct which it sets forth for the guidance of youth would be outstanding. But the thing that makes this code so remarkable is that it was written by a group of teenagers themselves, all students of Moultrie Senior High School.

Here are their rules of conduct:

We believe that all people need to clarify and crystallize their basic beliefs and ideals in order to form a pattern of behavior which can be used to formulate future actions. We are free to do so because of our democratic heritage which can be perpetuated only as each individual strives for maximum achievement spiritually, mentally, physically, and morally.

RELIGION

We believe that the practice of religion is an expression of the individual's feeling toward his Creator. We believe in freedom of religion, but we also believe that human experience has proven the value of individual practice of religion. We further believe that this practice of religion is participation in the effort which built our civilized world. In addition, we believe that the acceptance of religious affiliation requires loyalty and

obedience to the moral teachings of the religious body to which the individual owes allegiance.

MORAL STANDARDS

We believe that moral standards are based upon religious convictions. We believe that indulgence in alcoholic beverages has proven to be injurious to the mental, physical, and spiritual health of great numbers of people, and thereby should be condemned. We believe that any use of narcotics beyond that of medical purposes prescribed by law leads to total depravity. We believe that smoking is unwise because it is harmful to the human body, and therefore should be discouraged. We believe that the use of profanity is contrary to all religious beliefs. We believe that vulgarity indicates immaturity, ignorance in an individual, lack of respect for himself and for others, and stems from warped interests. Attendance at vulgar and lewd forms of entertainment and reading obscene literature are morally degrading and lead to an unwholesome personality and deterioration of character. In the light of these beliefs we accept the idea that no individual can afford indulgence in any activity which is physically, mentally, or morally harmful to himself or to society.

HONESTY AND INTEGRITY

We believe that each individual should make constant effort at all times to be honest in his dealings both with others and himself. Dishonesty—such as lying, cheating, and stealing—is detrimental to a person's character and will destroy it if practiced long enough. Therefore, we believe that a person cannot afford to practice dishonesty. We also believe that honesty is a quality which should command the respect of all people.

PARENT-YOUTH RELATIONSHIPS

We believe that the home is the main influence upon teenagers because the character of the child is essentially shaped in the home. Moral standards gained from religious training and sound discipline are vital for proper character development.

We believe that any good relationship between parents and youth must be based upon mutual trust, understanding, affection, and respect. The parents owe it to their children to provide time in their daily lives for discussions with them concerning personal and family matters. We believe that the relationship between parent and teenager should be such that it would be possible to discuss any problems or to seek and accept guidance and understanding in any area. The parents should realize that family unity is dependent upon shared responsibility as well as shared family recreation, and so should make provisions for the development of a greater and wider variety of common interests.

Teenagers must also remember that, because parents are the primary source of discipline, the teenager owes it to his parents to respect their opinions and decisions. He must realize that he is a part of the family unit and that family interests should take precedence over individual interests.

BOY-GIRL RELATIONSHIPS

We believe that dating is a necessary and wholesome activity for all teenagers. The teenager should value his parents' opinions so that he would date persons acceptable to them. He owes it to his parents to let them know what plans have been made for a date. He should feel free to bring his friends into the home. We believe that teenagers should date a variety of persons and that confining one's dates too early to one person is not conducive to the development of the best social relationships.

We firmly believe that affection should be something of the highest value, so it is necessary to distinguish between affection and mere physical attraction. Good behavior does not condone public display of either. The teenager needs to realize that a display of physical attraction, whether in public or private, can too easily become an infringement upon another individual's dignity and integrity. Proper preparation for marriage does not permit physical indulgence.

STUDENT-TEACHER-PARENT RELATIONSHIPS

We believe that, outside the home and religious training, the school is the most important influence upon teenagers. We believe that many of our civilization's finest heritages are perpetuated through the schools and the teachers. Realizing that the school instructs in more than just factual areas, we believe that the responsible parent will make himself aware of the school's influence in helping to shape his child's life. Likewise, we hold that the conscientious teacher will seek to know those home influences which affect his students. This calls for firm and constant cooperation between teacher and parent, cooperation based on mutual trust and respect. We believe that contradictions, unnecessary criticisms, and prejudicial remarks are harmful to the young person caught in between. We also believe that parent-teacher organizations are of proven worth, and that teacher-visits in the home and parent visits to the school are invaluable.

Although the parent must remain the primary source of discipline, we believe that the teacher must accept a large secondary role in this important area of development. We believe that the teacher must have and convey an interest in each student. Keeping in mind this keen appreciation of individual worth, we assert that the teacher cannot, however, subordinate the group good to that of the individual. We believe that the teacher—as one source of knowledge and authority based on position, training, experience, and maturity—is due the respect of the parent and student. In order to develop that undergirding bond of comradeship so essential to good teacher-student relationships, the student must believe that the teacher is interested in him as a person.

SCHOOL ATTITUDES AND BEHAVIOR

We believe that a free education should be recognized by all students as a great privilege. Our society and its problems are of such a nature that they make increasing demands for intellectual achievements of high level. The solutions to these problems can be obtained only by well-educated and tolerant persons. Foundation for this education must come in the public schools. Therefore, we believe that in the final analysis it is the responsibility of the student to develop and use his talents to their fullest and to pay due regard to persons of high academic attainment.

Realizing their purpose for being in school, we believe that there are certain patterns of behavior by which students should abide. A student should know that school rules are not merely to "clamp down," but that they are devised for efficiency and the good of the majority. A student should be proud of his school grounds and equipment and should try actively to preserve them. A student should be friendly and considerate toward his fellow students and appreciative and respectful toward his teachers. A student should know that his behavior and appearance at school markedly reflect his family background, and he should accordingly strive to be neat in dress and to display good manners at all times. We believe that school life is a part of the maturing process and that the student who learns to be conscientious and responsible in school has taken a step toward adulthood.

PUBLIC BEHAVIOR

We believe that it is the responsibility of every person to conduct himself at all times in a manner portraying high standards of conduct because his actions reflect not only upon himself, but upon his family, his school, his friends, and his community. When in public, a person should refrain from interfering with or endangering the rights and privileges of others and should not indulge in conspicuous actions. A mature individual will realize that proper conduct will vary according to the activity in which he is participating, and that suitable behavior on one occasion could be out of place on another. We believe that respect for authority is a basic part of all good behavior. We further believe that refraining from wrong doing is not sufficient; by exercising his responsibilities and privileges of citizenship, a person of high standards will give evidence of positive, good behavior as he attempts to make his community, State, and Nation a better place in which to live.

These things we believe.

This, I submit, is a truly remarkable document. In these times when the problems of juvenile delinquency are being so constantly discussed, alas, often to little or no avail, these rules for right living, created by young people themselves, come as a clean, fresh breeze. I am proud that this breeze blows "up from Georgia," my native State.

And, if I may be pardoned, this added expression of home pride, I submit that the overtones of character, personal responsibility, and devotion to high ideals sounded by these Georgia youngsters in their rules of conduct, are somehow characteristic of a South which some of us know and love. In quiet simplicity they remind us of a way of life, born of an older and gentler tradition, which even today still puts kindness, mannerliness, and a firm adherence to the right ahead of the blind aggressiveness and self-indulgence which characterize so much of modern life—at home and abroad.

Better put, it is "wisdom of the heart," a legacy which we are sorely in need of in the sixties.

I salute the young people of Moultrie, and Colquitt County, Ga., and their leaders for the effort they are making to preserve those reservoirs of character and self-discipline which long before the age of juvenile delinquency, and long after, will keep this Nation strong and great.

THE LATE PHILIP B. PERLMAN

Mr. BURKE of Kentucky. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FRIEDEL] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, it is with considerable sadness that I rise to pay just tribute to the late Philip B. Perlman. The passing of this truly great and good man is an irreparable loss to the Nation because of the outstanding contributions of a brilliant intellect and an understanding heart that was his.

He was born 71 years ago in the city of Baltimore and was educated at the Johns Hopkins University and the University of Maryland.

Like so many men of achievement, Philip Perlman started his career as a journalist with the Baltimore Sun. After

graduating from the law school of the University of Maryland he was admitted to the Baltimore bar in 1911 and in a very short time thereafter began his meteoric rise. His keen power of analysis and his fine legal mind was quickly recognized by all and he became truly one of the leading lawyers in the State of Maryland.

The late Gov. Albert C. Ritchie appointed Mr. Perlman secretary of state. He later became the city solicitor for Baltimore and subsequently was appointed to a great number of boards and commissions among which were the President's Commission on Immigration and Naturalization, the Commission on Judicial Administration and many others.

Outside of the State of Maryland, Philip Perlman will perhaps be best remembered as the Solicitor General of the United States who became one of the truly great men who have occupied that office. As Solicitor General he had established a new record for the cases handled and won by the Government. Here indeed is a perfect example of high office seeking the man rather than the man seeking the office.

It is said that the law is a jealous mistress but Phil Perlman, as busy as he was with affairs of state and the solving of intricate legal problems gave freely of his time to charitable, religious, and civic endeavors. He was also a devoted patron of the arts, having been president of the Baltimore Symphony Orchestra, president of the board of trustees of the Walters Art Gallery, a member of the board of trustees of the Baltimore Museum of Art, as well as the Municipal Museum. He was a familiar figure during the opera and symphony seasons and his friends could always find him at his accustomed place at the Lyric.

Such devotion to the arts naturally tended to make him a kindly and sympathetic individual and all who knew him loved him.

Shortly before his passing, he contributed very much to the drafting of the platform at this year's National Democratic Convention. As adviser to the Governors and Presidents, as an advocate of worthy causes, as an outstanding civic leader, and as a friend of man, he will be missed by all. We mourn this irreparable loss.

A SOCIAL SECURITY INJUSTICE

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. CURTIN] is recognized for 10 minutes.

Mr. CURTIN. Mr. Speaker, I have asked for this time in order to speak again on a subject which I feel is of vital importance to our senior citizens, and which, to my mind, has not received the attention that it deserves.

Under date of January 15, 1959, I introduced H.R. 2516, a bill to increase to $2,400 annually the amount of earnings permitted each year without deductions from benefits provided under title II of the Social Security Act. This bill would amend the present law which provides for $1,200 to the aforesaid sum of $2,400 per year.

Since I introduced H.R. 2516, some 62 additional bills have been introduced on this same subject. Of these said bills, some 29 recommend an increase from $1,200 to $1,800 per year, and some 17 of the said bills, in addition to H.R. 2516, suggest an increase from $1,200 to the sum of $2,400. The amount recommended for an increase in the other bills ranges from a suggested maximum of $1,500 per year, through various other maximum sums, to two bills which suggest an increase to $5,000 per year.

It can be seen from the above that this is a subject about which not only I, but many of my colleagues, are deeply concerned.

Under date of September 3, 1959, I spoke before this honorable body on this same subject. At that time, I said that no group of Americans has been more cruelly pinched by the insidious hand of inflation than our senior citizens. The cost of living has steadily risen and the purchasing power of the dollar has declined under the hammer blows of deficit spending and runaway monetary policies, even while the incomes of those 65 years of age or older have remained fixed. Indeed, it has well been said that those least able to combat inflation are these senior citizens who live on incomes that stay the same, no matter what the dollar is good for at the store.

It must be remembered, too, that the lengthening lifespan of the American people, in combination with the increase of our population, makes it probable that the census of persons 65 or over will top 22 million by 1975. The average lifespan now approximates 70 years, whereas back in 1920 it was just 54 years. So the facts are on the record—American people are living longer, and there are more and more of them.

My concern in this problem is apparently shared by thinking people in all sections of the country. Editorials and newspaper columns have appeared in many of our leading newspapers calling attention to this social security injustice and commending me on H.R. 2516.

In this connection, I would call your attention to an editorial in the Cincinnati Post and Times-Star on November 2, 1959; the New York World Telegram of November 4, 1959; the Rocky Mountain News, Denver, Colo., on Friday, November 6, 1959; the Memphis Press Scimiter of November 26, 1959; and the San Francisco News of November 3, 1959. All of these editorials call for action on the part of the Congress.

There is yet another consideration that impels us to take a fresh look at the limitations imposed by present law. That is the important matter of our senior citizens' self-respect. Much has been said about the urgency and importance of making it possible for these persons to have more years of productive and remunerative employment. It is good for them, and it is good for America. Certainly we owe these citizens the fullest, broadest opportunity to take an active role in the life of their communities, States, and the Nation.

I much regret that no public hearings have been held on my bill, nor on any of the other 62 bills which I mentioned previously, all of which were introduced on this same subject.

Obviously there will be no remedial legislation on this problem during these last days of this session of the 86th Congress. However, at this time I would like to call my colleagues' attention to this continuing problem with respect to our senior citizens in the hope that when the new Congress is convened this will be an early program on the agenda. I feel this is vital so that all the men and women of America in their sunset years will know that we have an abiding interest in helping them feel more secure than ever.

CUBAN-BASED COMMUNIST CONSPIRACY IN LATIN AMERICA

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. ROGERS] is recognized for 20 minutes.

Mr. ROGERS of Florida. Mr. Speaker, in 1951, during the height of the Korean conflict, a meeting of Foreign Affairs Ministers of the Organization of American States was convened in Washington to consider the undermining influence of international communism. The Washington meeting resulted in the 21 member nations adopting a unity of purpose pledge of collective resistance against any Communist encroachment in the hemisphere.

This pledge was reaffirmed in the Caracas Declaration of 1954.

Now, in another time and in another place, the Foreign Affairs Ministers are again convened for the same purpose. This time, however, a live cell of international communism looms but 90 miles from our shores instead of thousands of miles as was the case a decade ago.

When Raul Roa, Castro's Minister of Foreign Affairs, arrived in Costa Rica on Sunday, August 14, he indicated the course of action he intends to pursue at the meeting of Ministers presently convened to consider the infiltration of international communism into the Western Hemisphere.

Quite cryptically he stated: "We come not as the accused but as accusers." Presumably he meant by this that his strategy would be to parrot the oft repeated irresponsible charges leveled at the United States by Castro and his underlings in countless, fanatical harangues. He apparently hopes that by using the "best defense is a good offense" approach, he will be able to divert attention away from the primary purpose for calling the meeting in the first place—to find ways and means to stem the spread of Cuban based communism before it gains a substantial foothold in this hemisphere. Roa's diversionary maneuver must be exposed for exactly what it is—a crude attempt to drive a wedge between the American States.

The time-honored propaganda technique he can be expected to employ simply will not bear up under the weight of factual scrutiny. And—try as he may

to focus attention of the world in other directions, one inescapable and incontestable fact remains—international communism has succeeded in establishing a beachhead in Cuba from which the party line is being beamed into all of Latin America. For Roa to maintain otherwise is pure fiction and contrary to the overwhelming mass of evidence.

Freedom of the Cuban press and other media of communication has been stifled despite Castro's previctory promises to the contrary. Free men are wondering what happened to the much heralded free elections Castro spoke of. Schools have become vehicles for instilling communistic propaganda and regimentation into Cuban youth. Opposition to the revolutionary government in any form is branded traitorous and brutally silenced. Private property has been taken in the name of reform without proper payment and Moscow-trained professional agitators have been elevated to positions of great authority within the Cuban revolutionary governmental structure. An increasing number of trade agreements and scientific and cultural exchanges are being concluded between the Castro regime and countries within the Sino-Soviet bloc. Key Castro underlings have made extended pilgrimages behind the Iron Curtain to confer with their Russian and Chinese counterparts. The hierarchy of the Roman Catholic Church, always one of the most firmly entrenched institutions in Latin America, has expressed "sorrow and concern" over the "road to peril being followed in Cuba." Nine prelates and bishops of the church in Cuba recently declared:

> The absolute majority of the Cuban people, who are Catholics, are against materialistic communism * * * and could only be led into a Communist regime by deceit and force.

This unmistakable pattern of Communist subversion goes on and on.

The simple truth is that the Communist conspiracy, aided and abetted by Castro and his antidemocratic revolutionary regime, is actively pursuing a course of political aggression against the free institutions of this hemisphere. This type of aggression, seeking as it does to conquer men's minds, is far more insidious and much more difficult to combat than are other forms. The prime targets of the Communist "soft sell" technique are not nations which have demonstrated the political and economic stability to resist its encroachment. They are, instead, those nations which are more susceptible to the fomenting of internal discord. Thus, it behooves the stronger nations to provide the leadership in countering Communist undermining tactics with every means at their disposal which are consistent with the precepts of international law and in accord with obligations imposed by alliances and treaties.

A State Department spokesman recently cited examples of the growing influence of the Peiping government in Latin American affairs. Using Cuba as a base of operation, the Red Chinese are stepping up their hemispheric undermining tactics. Since last November, a Chinese Communist newspaper has been published in Havana. A branch of the New China News Agency has been established there and for the first time a Spanish edition of a leading Red Chinese magazine is being distributed.

Joint "cultural associations" financed by the Red Chinese have been formed in Cuba, Colombia, Bolivia, Venezuela, and Uruguay. The number of Communist Spanish-language radio broadcasts to Latin America have been increased and since March, newly instituted Portuguese-language broadcasts have been aimed at Brazil.

Delegates from 11 Latin American countries attended the traditional Communist May Day ceremonies in Peiping and delegates from the Latin American countries went to the 11th World Federation of Trade Unions meeting in Peiping in June.

Visits to Red China by Latin Americans with expenses paid in part or in full by the Peiping government have increased by 350 percent in the past year.

It is in this atmosphere of tension and mounting Communist activity that the Ministers of the Organization of American States are meeting this week in Costa Rica to consider collective steps to protect the security of this hemisphere.

Free men everywhere are anxiously waiting to see what plan of action will emerge from the deliberations in San Jose. Those favoring the unilateral method of proceeding are frankly dubious over the prospects of positive, determined action. Those of us who have been urging that initial action be taken through the OAS are somewhat more optimistic about the final outcome.

It is significant to note that at the very same time the OAS Council of Ministers is meeting to consider the threat of Cuban-based Communist subversion, the National Congress of the Cuban Communist Party is also holding a conclave in Havana. Delegates from all over the world, including such luminaries of the Communist political firmament as Duclos of France, Chuan of Red China, Werner of East Germany, Werblan of Poland, Spanno of Italy, and many others are in Havana for the meeting. In all probability, this conference will follow the usual pattern of false denunciation and absurd claims, this time obviously intended to tie into the Communist diversionary strategy which Foreign Affairs Minister Roa promised when he arrived in San José.

If anyone had any doubts about the political stripe of the present Cuban Government, this cell meeting in Havana should dispel them in no uncertain terms. This brazen defiance of the principles and sentiments expounded in the Bogotá Pact and reaffirmed in the Treaty of Rio and the Caracas Declaration is an insult to the people of every nation in this hemisphere, including the people of Cuba.

The very fact that the Organization of American States is considering Communist infiltration in Latin America serves as official recognition that it exists and will continue to grow in influence until firm, collective action is taken to stem its spread.

It seems, then, that the efforts of the representatives of the free member nations of the OAS, meeting in San José, should be directed to formulating some plan of concerted resistance.

Such a plan, it seems to me, should be based on four important premises:

First. The nations of Central and South America are the immediate targets of the Cuban-based Communists conspiracy.

Second. Since collective security is at stake, collective rather than unilateral action is essential to maintain that security.

Third. Our collective countering efforts must be directed primarily at the stronghold of the conspiracy.

Fourth. The member nations of the OAS must be willing and prepared to combat this menace through the use of any and all methods provided in the Charter of the Organization of American States.

With these basic observations as a guide, I feel that a concrete effective plan of action can be formulated. Such a plan, in my opinion, should include:

First. A resolution adopted by the member nations indicting the Castro regime for seeking to foster the growth of the Communist conspiracy in this hemisphere thereby constituting a threat to hemisphere security.

Second. A joint agreement to withdraw diplomatic recognition from the present Cuba government.

Third. A joint agreement calling for the imposition against Cuba of the strongest sanctions, economic and otherwise, that are possible under the charter of the OAS.

Fourth. A joint resolution reaffirming the adherence of the nations of this hemisphere to the declarations against Communist infiltration in this hemisphere as set forth in the Caracas Agreement of 1954.

In my opinion, a basic four-point program such as I have outlined is reasonable and absolutely essential to the preservation of hemispheric security. It embodies a collective approach and serve notice that we will not tolerate communistic designs on our free institutions.

Just as events have made it imperative that the present Cuban Government be dealt with collectively and firmly, it is also important at the same time for us to do everything possible to reestablish the traditional ties of friendship and understanding which have always bound us to the people of Cuba. Recently a simple experiment in people to people diplomacy was initiated in south Florida by one of our most respected newspapers, the Miami Herald. The Herald invited its readers to become "do it yourself diplomats" in that each was requested to write a short friendly letter to a Cuban. These letters were sealed in an unaddressed envelope. Ten cents in stamps was placed on the envelope which in turn was placed in another envelope and mailed to the Herald where it was properly addressed and forwarded to Cuba. To date, this modest proposal has met with heartening response across the Nation from Hanceville, Ala., to Tucson, Ariz. Replies to these letters indicated

that this person-to-person relationship is paying large dividends in friendship and understanding.

This operation, termed "Dime Diplomacy", is showing once again that a plan designed to win friendship need not be complicated or call for lavish spending in order to be successful. Nor is it necessary for those taking part to be skilled in all the subtle nuances of diplomatic negotiation. Its virtue is in its simplicity and its success eloquent testimony to the proposition that the innate friendliness and sincerity of the average American makes him our best ambassador.

I mention this friendship campaign in hopes that other areas of the country will adopt similar plans of positive action. I also submit that the other nations in this hemisphere might well adopt this means of lessening tensions and promoting good will.

In my opinion two such positive programs as I have outlined—one aimed at the present Cuban Government and the other directed to the Cuban people—are the very least we can do to maintain hemispheric security and rebuild trust and confidence which are in danger of being lost. Taken together, they embody both the collective and the individual approaches and constitute a sound, workable plan of action for the future.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Florida. I am glad to yield to the gentleman.

Mr. BOW. Mr. Speaker, I would like to compliment the gentleman on bringing to the attention of the House the situation existing in Cuba. I am wondering whether or not the gentleman would agree with me that our complaint with Cuba is not against the Cuban people generally but against a government which we now recognize as being controlled by the Communist Party. That being true, I am wondering whether or not he would agree with me that there are probably many people in Cuba who for the duration of the present Castro regime would like to come to the United States or go to some other nation until the situation in Cuba is cleared up. The gentleman will recall that during the Hungarian revolution, during the difficulty there, we provided the opportunity for people to come to this country as parolees. Then, of course, if the situation cleared up, they could go home, as probably many who left Cuba would go back to Cuba.

I wonder if the gentleman would agree with me that it might be well for the House to give consideration to the fact that there are many people who might come here under those circumstances; but, if they came, they could come only with $5, under the Castro regime. So they would have nothing for subsistence. I am wondering whether we might perhaps amend the Parolees Act to permit people to come in and be gainfully employed in this country while they were here as parolees, with the opportunity to return to their country when it had a stable government.

Has the gentleman given any consideration to that? I think if we did that we would not only show the people of Cuba but the people of Latin America that our quarrel is not with the people, but with a system of government which we do not approve and in that way show our friendship actually, which we still have, for the people of Cuba and the peoples of Latin America.

Mr. ROGERS of Florida. I thank the gentleman for his suggestion. I had not given any thought to that, to be frank about it; that is, to our setting up a program of that type, mainly because I had understood that the Castro government itself has imposed restrictions on people who desire to obtain a departure permit from Cuba.

Mr. BOW. That is right, and those who come, come with only $5. We would have to provide some way that they could exist when they came here. But I think it would be only justice to the people of Latin America to say that any quarrel we have is not with the people of Latin America but with a system of government that might affect our whole hemisphere.

Mr. ROGERS of Florida. I think definitely that ought to be done, and I think we ought to make that clear to the whole Cuban people.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. VINSON, for an indefinite period of time, on account of official business.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. ASPINALL (at the request of Mr. BURKE of Kentucky) and to include extraneous matter.

Mr. DONOHUE in two instances and to include extraneous matter.

(At the request of Mr. BURKE of Kentucky, and to include extraneous matter, the following:)

Mr. KOWALSKI.

Mr. ROBERTS.

Mr. KARTH.

(At the request of Mr. MOORE, and to include extraneous matter, the following:)

Mr. SAYLOR.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 107. An act to amend title XI of the Merchant Marine Act, 1936, relating to Federal ship mortgage insurance, in order to include floating drydocks under the definition of the term "vessel" in such title;

S. 2830. An act to amend the Library Services Act in order to extend for 5 years the authorization for appropriations, and for other purposes; and

S.J. Res. 207. Joint resolution to suspend for the 1960 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 7263. An act for the relief of Edward Ketchum; and

H.R. 8860. An act to stabilize the mining of lead and zinc by small domestic producers on public, Indian, and other lands, and for other purposes.

ADJOURNMENT

Mr. BURKE of Kentucky. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 21 minutes p.m.), the House adjourned until tomorrow, Wednesday, August 24, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2413. A communication from the President of the United States, transmitting a proposed supplemental appropriation to pay claims and judgments rendered against the United States, as provided by various laws, in the amount of $20,322,281, together with such amounts as may be necessary to pay indefinite interest and costs (H. Doc. No. 452); to the Committee on Appropriations and ordered to be printed.

2414. A letter from the Assistant Secretary of the Interior, relative to reporting that an adequate soil survey and land classification of the lands in the LaFeria division, lower Rio Grande rehabilitation project, Texas, has been completed as a part of the investigations required in the formulation of a definite plan for project rehabilitation, pursuant to Public Law 172, 83d Congress; to the Committee on Appropriations.

2415. A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, transmitting the quarterly report of Federal contributions for the quarter ending June 30, 1960, pursuant to the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

2416. A letter from the Secretary of Commerce, transmitting the quarterly report of the Maritime Administration of the Department on the activities and transactions of the Administration under the Merchant Ship Sales Act of 1946, from April 1 through June 30, 1960, pursuant to section 13 of that act; to the Committee on Merchant Marine and Fisheries.

2417. A letter from the Comptroller General of the United States, transmitting a report on the audit of the check payment and reconciliation functions of the Office of the Treasurer of the United States, Treasury Department, December 1959; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McMILLAN: Joint Committee on Washington Metropolitan Problems. Report pursuant to House Concurrent Resolution 172 of the 85th Congress as amended by Senate Concurrent Resolution 2 of the 86th Congress; without amendment (Rept. No. 2115). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 2116. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. CELLER: Committee on the Judiciary. Report citing contempt proceedings against Austin J. Tobin; without amendment (Rept. No. 2117). Ordered to be printed.

Mr. SPENCE: Committee on Banking and Currency. S. 3619. An act to make permanent law the provisions of section 408 of the National Housing Act regulating savings and loan holding companies; without amendment (Rept. No. 2119). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. Report citing S. Sloan Colt; without amendment (Rept. No. 2120). Ordered to be printed.

Mr. CELLER: Committee on the Judiciary. Report citing Joseph G. Carty; without amendment (Rept. No. 2121). Ordered to be printed.

Mr. WALTER: Committee on Un-American Activities. Report citing Jose Enamorado Cuesta; without amendment (Rept. No. 2122). Ordered to be printed.

Mr. WALTER: Committee on Un-American Activities. Report citing Manuel Arroyo Zeppenfeldt; without amendment (Rept. No. 2123). Ordered to be printed.

Mr. WALTER: Committee on Un-American Activities. Report citing Consuelo Burgos de Saez Pagan; without amendment (Rept. No. 2124). Ordered to be printed.

Mr. WALTER: Committee on Un-American Activities. Report citing Juan Saez Corales; without amendment (Rept. No. 2125). Ordered to be printed.

Mr. WALTER: Committee on Un-American Activities. Report citing John Peter Hawes; without amendment (Rept. No. 2126). Ordered to be printed.

Mr. WALTER: Committee on Un-American Activities. Report citing Gertrudis Melendez Perez; without amendment (Rept. No. 2127). Ordered to be printed.

Mr. WALTER: Committee on Un-American Activities. Report citing Ramon Diaz Cruz; without amendment (Rept. No. 2128). Ordered to be printed.

Mr. WALTER: Committee on Un-American Activities. Report citing Frank Ruiz; without amendment (Rept. No. 2129). Ordered to be printed.

Mr. WALTER: Committee on Un-American Activities. Report citing Juan Emmanuelli Morales; without amendment (Rept. No. 2130). Ordered to be printed.

Mr. WALTER: Committee on Un-American Activities. Report citing Cesar Andrea Iglesias; without amendment (Rept. No. 2131). Ordered to be printed.

Mr. WALTER: Committee on Un-American Activities. Report citing Pablo M. Garcia Rodriguez; without amendment (Rept. No. 2132). Ordered to be printed.

Mr. WALTER: Committee on Un-American Activities. Report citing Cristino Perez Mendez; without amendment (Rept. No. 2133). Ordered to be printed.

Mr. WALTER: Committee on Un-American Activities. Report citing Juan Santos Rivera; without amendment (Rept. No. 2134). Ordered to be printed.

Mr. ASPINALL: Committee of conference. H.R. 10455. A bill to amend the Mineral Leasing Act of February 25, 1920 (Rept. No. 2135). Ordered to be printed.

Mr. ROONEY: Committee of conference. H.R. 11666. A bill making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1961, and for other purposes (Rept. No. 2136). Ordered to be printed.

Mr. WALTER: Committee on Un-American Activities. H.R. 11580. A bill to amend the Subversive Activities Control Act of 1950 so as to provide that no individual who willfully fails or refuses to answer, or falsely answers, certain questions relating to Communist activities, when summoned to appear before certain Federal agencies, shall be employed on any merchant vessel of the United States or within certain waterfront facilities in the United States; with amendment (Rept. No. 2137). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SPENCE: Committee on the Judiciary. S. 3439. An act authorizing the President of the United States of America to present a gold medal to Robert Frost, a New England poet; without amendment (Rept. No. 2118). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL:

H.R. 13099. A bill to amend the Federal Executive Pay Act of 1956 with respect to the annual salary of the U.S. member of the Board for the Validation of German Bonds in the United States; to the Committee on Post Office and Civil Service.

By Mr. HARMON:

H.R. 13100. A bill to amend title 38, United States Code, to provide for the payment of a pension of $200 a month to veterans of World War I who have attained the age of 60 years and who served for 60 days or more; to the Committee on Veterans' Affairs.

H.R. 13101. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

By Mr. McGINLEY:

H.R. 13102. A bill to amend the act of May 18, 1956, in order to provide for payment for rights-of-way used for the Ainsworth unit, Missouri River Basin project, being constructed by the Bureau of Reclamation; to the Committee on Interior and Insular Affairs.

By Mr. MERROW:

H.R. 13103. A bill to appropriate $238,000 to the Secretary of the Army to carry out certain works of improvement at Rye Harbor, N.H.; to the Committee on Appropriations.

By Mr. MILLS:

H.R. 13104. A bill to amend subchapter C of chapter 1 of the Internal Revenue Code of 1954 with respect to corporate distributions, loss carryovers, and other adjustments, and for other purposes; to the Committee on Ways and Means.

By Mr. MASON:

H.R. 13105. A bill to amend subchapter C of chapter 1 of the Internal Revenue Code of 1954 with respect to corporate distributions, loss carryovers, and other adjustments, and for other purposes; to the Committee on Ways and Means.

By Mr. FORAND:

H.R. 13106. A bill to amend subchapter C of chapter 1 of the Internal Revenue Code of 1954 with respect to corporate distributions, loss carryovers, and other adjustments, and for other purposes; to the Committee on Ways and Means.

By Mr. CUNNINGHAM:

H.R. 13107. A bill to increase the public benefits from the national fish and wildlife conservation areas through their incidental or secondary use for public recreation, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mrs. PFOST (by request):

H.R. 13108. A bill to provide for the withdrawal of certain public lands 40 miles east of Fairbanks, Alaska, for use by the Department of the Army as a Nike range; to the Committee on Interior and Insular Affairs.

H.R. 13109. A bill to provide for the withdrawal from the public domain of certain lands in the Big Delta area, Alaska, for continued use by the Department of the Army at Fort Greely, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 13110. A bill to provide for the withdrawal from the public domain of certain lands in the Granite Creek area, Alaska, for use by the Department of the Army at Fort Greely, Alaska, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 13111. A bill to provide for the withdrawal from the public domain of certain lands in the Ladd-Eielson area, Alaska, for use by the Department of the Army as the Yukon Command training site, Alaska, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WALTER:

H.R. 13112. A bill to enable certain refugees paroled into the United States to engage in gainful employment; to the Committee on the Judiciary.

By Mr. JENSEN:

H.J. Res. 798. Joint resolution establishing a George Washington Carver Centennial Commission; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.J. Res. 799. Joint resolution establishing a George Washington Carver Centennial Commission; to the Committee on the Judiciary.

By Mr. HIESTAND:

H. Con. Res. 723. Concurrent resolution expressing the sense of the Congress that the United States should forthwith sever diplomatic relations with Soviet Russia and Communist-dominated countries; to the Committee on Foreign Affairs.

By Mr. KITCHIN:

H. Con. Res. 724. Concurrent resolution expressing the sense of Congress in favor of granting relief to the domestic carpet industry; to the Committee on Ways and Means.

By Mr. MUMMA:

H. Con. Res. 725. Concurrent resolution expressing the sense of Congress in favor of granting relief to the domestic carpet industry; to the Committee on Ways and Means.

By Mr. DENT:
H. Res. 622. Resolution for the investigation of effects of foreign trade on American economy; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:
H.R. 13113. A bill for the relief of Zofia Wodynska; to the Committee on the Judiciary.

By Mr. BROYHILL (by request):
H.R. 13114. A bill for the relief of Isabelle A. Samaha; to the Committee on the Judiciary.
H.R. 13115. A bill for the relief of Mrs. Jack R. Ellis; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:
H.R. 13116. A bill for the relief of Djura Zelenbaba; to the Committee on the Judiciary.

By Mr. CURTIS of Massachusetts:
H.R. 13117. A bill for the relief of Nikolaos D. Koukounas; to the Committee on the Judiciary.

By Mr. DOOLEY:
H.R. 13118. A bill for the relief of Juliana Poleac; to the Committee on the Judiciary.

By Mr. FINO:
H.R. 13119. A bill for the relief of Marlene E. Belfast; to the Committee on the Judiciary.
H.R. 13120. A bill for the relief of Maria Cascarino; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:
H.R. 13121. A bill for the relief of Hans Hangartner; to the Committee on the Judiciary.

By Mr. HARMON:
H.R. 13122. A bill for the relief of William C. Wells; to the Committee on the Judiciary.
H.R. 13123. A bill for the relief of Richard Heffner; to the Committee on the Judiciary.
H.R. 13124. A bill for the relief of Delbert J. Mauller; to the Committee on the Judiciary.

By Mr. LANE:
H.R. 13125. A bill for the relief of Salvatore Tummino; to the Committee on the Judiciary.

By Mr. POFF:
H.R. 13126. A bill for the relief of Bryant David Virmani; to the Committee on the Judiciary.

By Mr. RAINS:
H.R. 13127. A bill for the relief of Santa Giamalva; to the Committee on the Judiciary.

By Mr. RIEHLMAN:
H.R. 13128. A bill for the relief of Maria Falato Colacicco; to the Committee on the Judiciary.

By Mr. SMITH of California:
H.R. 13129. A bill for the relief of Ali Khosrowkhah; to the Committee on the Judiciary.

By Mr. TEAGUE of California:
H.R. 13130. A bill for the relief of Jung Ngon Woon; to the Committee on the Judiciary.

By Mr. WALTER:
H.R. 13131. A bill for the relief of Narinder Singh Somal; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

535. Mr. KOWALSKI presented a resolution of the Department of Connecticut, Veterans of Foreign Wars of the United States, recommending continued identity and support of the Veterans' Employment Service, which was referred to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

We Want Medical Insurance, Not a "Giveaway"

EXTENSION OF REMARKS
OF
HON. FRANK KOWALSKI
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 23, 1960

Mr. KOWALSKI. Mr. Speaker, in view of the administration's long-shouted claims that the budget takes precedence over everything else, it is astonishing to find the President supporting a plan for direct subsidies that could cost the U.S. Treasury $1.7 billion a year. Were the program to have other sponsorship, I am sure that the very spokesmen who advocate it would be calling it a giveaway.

As for the means test requirements of the administration plan, should we move backward in our social thinking to the days of the poorhouse and the county farm?

Instead of the subsidy and charity proposals of the administration, I believe the American people would much prefer the pay-as-you-go, self-supporting medical care proposed in Forand-type legislation.

None of us and particularly the senior citizens of the United States want any Federal handouts; we don't want any Federal charity. We want a workable insurance program that will give us protection against the costs of illness when we reach retirement age.

We have an efficient social security system already operating, which could easily handle the administration of a medical care program. There is no need for the establishment of a costly new agency.

The administration's handling of this whole question has been incomprehensible. First it told us there was no need for any medical care program for the elderly. As the election approached, the administration took another look at the mass of incontrovertible evidence and suddenly espoused the cause of medical care for the elderly. But, instead of an insurance program under which our citizens would pay during their working years for protection in their older years, the administration advanced its subsidy-charity program.

I urge that we bury forever the charity concept in social programs. Let us allow each American to preserve his dignity as a free citizen; let us reject the anachronistic thinking whereby the administration would have us deal with our own senior citizens in terms of treasury handouts and public charity.

Knights of Lithuania 47th Annual Convention at Worcester, Mass., August 21, 1960

EXTENSION OF REMARKS
OF
HON. HAROLD D. DONOHUE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 23, 1960

Mr. DONOHUE. Mr. Speaker, last Sunday evening the Knights of Lithuania concluded their 47th annual convention with a great banquet at the Hotel Bancroft in my home city of Worcester, Mass.

The Most Reverend Bernard J. Flanagan, D.D., bishop of Worcester diocese, addressed the gathering and the Reverend John C. Jutt of St. Casimir's Church, Worcester, was the convention honorary chairman.

The feature of the evening was the ceremony during which the officials of this great patriotic organization conferred their Distinguished Award Medal upon our former colleague in the House and present junior Senator from Connecticut, THOMAS J. DODD. The medal is annually given to the non-Lithuanian who has done most to advance the freedom of Lithuania. Senator DODD's inspiring acceptance award address appears elsewhere in today's RECORD.

It was my privilege to speak briefly to the assemblage and I have been requested to include in the RECORD my remarks, which follow:

Madam Chairlady, Your Excellency Bishop Flanagan, Reverend Fathers, Your Honor Mayor O'Brien, invited guests, officers and members of the Knights of Lithuania, it is a particular privilege and pleasure to meet again with some of my old friends here and join in welcoming you out-of-town members to our great city, the heart of the Commonwealth.

It is a significant tribute to the character and understanding of the Lithuanian people that the fundamental objectives of your great organization are prominent among the virtues most desperately needed by this Nation today to successfully defeat the Communist enemy and lead the world to a lasting peace under God.

Your first purpose is to instill in your members a deeper love of the Catholic faith. This you have consistently done and by your public expression of belief and trust in divine providence you provide an inspiring example to your fellow citizens as well as, I might say, a timely warning.

You realize that without a wider acceptance and practice of basic moral laws and principles by our people, this Nation is in grave danger of collapsing from internal weakness. You are devoting yourselves, in patriotic concern, to preventing such a dis-

graceful catastrophe and the country is particularly indebted to you for your effective work on this score alone.

Your further objectives are to encourage the appreciation of American citizenship and Lithuanian traditions and provide social activities. As one who was born, and has lived and worked among you all my life, no one has to tell me about the high manner in which you have carried out these objectives.

Your patriotic zeal in instructing and promoting the acceptance of the responsibilities of good citizenship among your members is well recognized and universally admired.

The Lithuanian traditions, the heritage of your forefathers, are those of love of God, loyalty to country, family faithfulness, preservation of individual freedom, and persevering courage in the face of adversity.

The wholesome qualities of your social activities, consisting of good fun, friendly association, personality development, and gracious hospitality, are a legend in this area as they are in world history.

All these fundamental Christian virtues constitute the reason why you have not, and never will, forsake the promotion of freedom for your home people who are bravely enduring cruel and inhuman persecution by atheistic Communist tyrants.

They are also, of course, the reason why the people of Lithuania themselves will never be completely subjugated and will fight relentlessly on to the blessed day, by God's grace, that they, and all the other Communist enslaved people, will be restored to freedom and independence.

You may be certain that so long as I live, as a private citizen or a public official, the heroic efforts of yourself and the people of your homeland to regain their rightful independence, will always be given my complete support.

Because you have set such an inspiring example of devotion and dedication to the freedom of Lithuania, you have enlisted the aid of practically all of the good people of the United States and, particularly, a great many of those in high public office.

One such great leader is here with you today, in the person of U.S. Senator THOMAS J. DODD. I have had the honor and privilege of serving with him, side by side, in the U.S. House of Representatives. I have heard him, time and time again, both in the House and Senate Chamber, advocate your cause with intense sincerity, with the intimate knowledge of his own experience at the Nuremberg trials at Germany, and the persuasive eloquence with which he is gifted.

There is no greater champion or more devoted advocate of freedom and independence for Lithuania, and all subjugated people, in this country, than Senator DODD.

I am pleased, indeed, to join with you in welcoming him to Worcester. The high honor you are bestowing upon him today is richly deserved and I know your selection will be universally applauded.

Social Security

EXTENSION OF REMARKS

OF

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, August 23, 1960

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement by me on the Social Security Amendments of 1960.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BYRD OF WEST VIRGINIA

SOCIAL SECURITY

Although I supported the Anderson amendment, I do intend to vote for the passage of this bill. I am particularly interested in the provision to permit men to voluntarily retire at age 62. This language was adopted by the Senate Committee on Finance, it having been proposed by an amendment offered by me and cosponsored by 21 other Senators.

Moreover, I believe that removal of the age 50 requirement is a necessity. If we act favorably on this bill, it will mean immediate benefits for a quarter of a million people, disabled workers and their dependents. The lifting of the age-50 requirement will mean a first-year saving in public assistance funds of approximately $28 million. There is no basis for denying benefits to the group that is likely to be most in need of them—persons under age 50 who generally have family responsibilities. We all know that for a person to qualify for disability benefits he must be, according to the law, unable to engage in any substantial gainful activity. Sometimes he can be rehabilitated, and, despite his handicap, can earn a living for his family. More often he must look forward to a life without earnings of any kind. Many of our disabled are thereby forced to go on public assistance rolls.

I am also pleased with the provision paying benefits to survivors of workers who died before 1940. About 25,000 persons would benefit by this, most of them being aged widows of 75 and over.

What About Depressed Area Legislation?

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 23, 1960

Mr. SAYLOR. Mr. Speaker, I opposed the recess which split the 2d session of the 86th Congress into two parts. I am convinced that, had politics been set aside in favor of serious legislative procedure, adjournment could have been achieved without difficulty in ample time before the beginning of the conventions in Los Angeles and Chicago. Perhaps, however, there is a saving grace to the strategy calling for a return to Washington in order that campaign speeches may echo out from the Halls of the Senate. If Congress—at long last—enacts reasonable distressed area legislation, then the split session can be considered worthwhile.

For all too long, the bills to relieve this chronic unemployment have been subjected to political tinkering of ridiculous proportions. Surplus labor regions could certainly have escaped at least 2 discouraging years of dismay and distress. Had not our distressed area bill been loaded down with omnibus amendments to destroy the basic intent of the legislation, we could today be enjoying industrial progress in many if not all of the communities now listed in the surplus labor category. I have been over a large part of the 22d Congressional District in the past several weeks. In some communities and in some industries business is brisk and pay envelopes are plump. What is immediately apparent, however, are the valleys of inactivity and unemployment that mar what would otherwise be a very satisfactory relief map of economic conditions in our business district. You have the same conditions in regions of West Virginia, Kentucky, and in a number of other States.

To correct the situation would not require exceedingly heavy expenditures. I have proposed $75 million for industrial loans and $25 million for public facility loans. By foreign-aid standards, this disbursement would be extremely modest. Millions upon millions of dollars are provided annually by the International Cooperation Administration, whose source of income is the U.S. Treasury, to nations all over the globe for the purchase of materials—everything from soybeans and yarns to scientific instruments and industrial machinery. If you will but glance through a procurement information bulletin issued regularly by the ICA, you will be appalled at the number of listings of six- and seven-figure disbursements that permit the recipient nation to buy his promised trinkets and gadgets and automobiles and manufacturing plants wherever he wishes in the world market. Those are the items in which not a cent comes back to us, because the country enjoying our generosity is automatically relieved of any obligation to purchase the products of American industry and agriculture.

Then of course there is the Development Loan Fund which specializes in making available many millions of dollars so that nations other than the United States might enjoy the fruits of what the American taxpayer sends to Washington. The three brief announcements issued by the Development Loan Fund on June 3 recounted the approval of a $9.7 million loan to Vietnam for railroad cars and equipment, a $20 million loan to India for a thermopower plant, and a $23 million loan to Yugoslavia for a plastics and chemical plant. To a resident of an area where pockets of unemployment abound, such reports are most disturbing, particularly in view of the fact that the United States insists on making dollars available to Communist Yugoslavia at a time when certain American industries vital to the national defense are suffering for want of action by the Government.

An additionally alarming statement was released by DLF on June 13 when it announced that loan applications totaling $3,679 million had been received from 59 countries during the agency's first 26 months of operation. The report proceeds to list numerous categories in which loans have far exceeded the amount to be appropriated in the distressed area bills that I have before Congress.

The money to be used in carrying out the stated purpose of my latest bill would provide the means of getting American

workmen back on the payroll. These citizens would buy needed clothing and household materials and equipment from the processing and manufacturing plants of my State and yours. They would employ the services of electricians and plumbers and carpenters to provide long neglected repair work in their homes.

The money to be made available for a resurgence of industrial activity in specified communities and regions would generate business in other areas of the United States. It would not be sent abroad to be spent indiscriminately at the whim of foreign politicos.

While I have never subscribed to the theory that increased industrial and business activity is reflected in direct ratio to the amount of money allotted for public works and/or matching funds for stimulating employment, there is no question but that such appropriations will come back to us in many ways as compared with the donations that go to foreign nations. My proposal will not only make it possible for our people to return to work and once again assume the social and economic status that should be available to all of our citizenry; it will also once more enable them to begin contributing an important share of local, State, and Federal tax revenue. In addition, they will again be able to give to their churches and to charities, as has been their custom until economic inactivity set in.

Mr. Speaker, I appeal to you and to every Member of this legislative body to put into law as quickly as possible the distressed area legislation which I have proposed.

Address by Senator Wiley Over Radio Liberty

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Tuesday, August 23, 1960

Mr. WILEY. Mr. President, the East-West struggle—despite best efforts of the West to resolve the differences, and establish a solid foundation for peace—promises to be a long, arduous, trying contest between two ideologies, freedom and communism.

By experience, we have learned that the Soviets use every possible tactic: ethical and unethical, legal or illegal, right or wrong, to forward their cause.

Recognizing the great stakes in the struggle, I believe we need to explore every known avenue—and search for new ones—not only to counter the Soviet offensive, but to establish conditions under which ultimately peace, order, and law can be a normal process of life in the world, and such things as the Iron and Bamboo Curtains can be rolled back, to give the people in bondage a voice in self-determination.

As one way of "getting through" to the people behind the Iron Curtain, I was recently privileged to broadcast to the Soviet Union over Radio Liberty.

Personally, I feel that getting the facts to the peoples themselves, to provide them with the truth, and to offset the propaganda of the Kremlin-controlled press and other information media, will serve us well in the long struggle ahead against this infamous ideology.

At this time, I ask unanimous consent to have excerpts of the broadcast reviewing factors of the U–2 flight and the RB–47 case printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS OF ADDRESS PREPARED FOR DELIVERY BY HON. ALEXANDER WILEY, REPUBLICAN, OF WISCONSIN, SENIOR REPUBLICAN OF THE SENATE FOREIGN RELATIONS COMMITTEE, TO THE PEOPLE OF THE SOVIET UNION OVER RADIO LIBERTY

NEEDED: MORE EMPHASIS ON MUTUAL INTERESTS THAN DIFFERENCES

As citizens of great world powers, we have a great many mutual interests, together with mankind, around the globe. Fundamentally, I believe, we all want to attempt to create a better world in which to live.

Instead of quarreling about our differences, we would do better to expand areas of agreement and, as possible, to cooperate in support of programs that would achieve a better, safer life for all of us.

We would welcome the opportunity to channel the vast efforts, manpower, and resources going into armaments, in the United States and, yes, in the Soviet Union, as well as other nations, for things which would improve, not threaten to destroy, life on the globe. These resources could be used to produce more and better homes, schools, food, clothing, and other things that contribute to a good life.

NEEDED: GREATER EXCHANGES OF TRUTH

In a world weary of tensions, but full of promise for a better life, I believe there is a need for greater exchanges of truth between the people of our two great countries.

How can this be done? Through radio, television, newspapers and magazines opening the doors—that is, lifting the Iron Curtain for better neighbor-to-neighbor relations.

What would more exchange of ideas accomplish? Among other things, it would eliminate the fears, often born of untruths, that we as a nation want war; or that you, the people of the Soviet Union, want war; and also reaffirm our common dedication to peace; to a desire to channel our resources and the wonderful human ingenuity of our two great peoples to building a better life.

DIFFERENCES BETWEEN UNITED STATES AND SOVIET SYSTEM

Now, let's be realistic: There are differences in East-West ideology, between the political systems under which we live. From long experience, we have learned that these differences will not easily be eliminated.

However, the differing ideological beliefs should not obscure the reality that you and ourselves—in common with all other people of earth—want, wish for, and are willing to sacrifice to attain—peace.

Ultimately, we can hope for the great ground swell of free public opinion from the common people of the world to provide the strength and wisdom to direct the affairs of men and governments in all nations toward the goal of peace.

In the cycle of international events, regrettably, there continue to be problems—sometimes, we feel, deliberately created—to stir up tensions, distort the truth, create misunderstandings and alienate our people from each other. In such circumstances, we recognize, of course, that there are always two points of view.

Now, I'd like to review with you some of the current problems and our ideas on them so that you, the people of the Soviet Union, may better know how we feel about them.

To prevent the possibility of sneak attacks against any nation and thus eliminate one of the great fears in the hearts of the people of the world, for example, our Nation, in the past, has proposed open skies and mutual inspection of armament installations.

Despite President Eisenhower's effort to get open skies, Mr. Khrushchev, unfortunately, has not been willing to make such an arrangement.

As a people dedicated to peace, we have asked the question: Why? If the Kremlin, as it claims, is dedicated to peace, then why would it not open its doors as we would do to inspect armament installations, to prevent surprise attacks by any nation?

Had Mr. Khrushchev been willing to agree to an open skies proposal as recommended by President Eisenhower, or to work in a really constructive way to establish peace, the U–2 flight, for example, would not, I believe, have occurred at all.

In considering this flight, it's important to take into account the following factors:

1. The plane was not armed, instead it carried only cameras.

2. The U–2 flights occurring for 4 years have at no time committed any act of aggression against the people of the Soviet Union.

3. The information obtained from such flights has never been used for any aggressive acts against the Soviet Union, and

4. As yet, there have been no international agreements as to how high a nation's rights extend into air space. Consequently, there is serious question as to whether or not there was any real violation of international law with the plane flying at 60,000 or 70,000 feet. As you recall, for example, the Soviet Union launched the first satellite, Sputnik I. However, nobody attempted to shoot it down. If the U–2 violated air space, then perhaps the sputnik also violated the same interests of other nations.

RB–47 FLIGHT DID NOT VIOLATE SOVIET AIRSPACE

Now, let's look at another case. You will recall that recently, the Soviet armed forces shot down a U.S. plane over international waters. Then, charges were made against the United States in the U.N. that the RB–47 violated Soviet air space. Following the charges, the Security Council considered the case.

In effect, the U.N. threw the case out of court. Why? The charges were not based upon truth. To the contrary, it appears there has been a violation of international law by Mr. Khrushchev. How is this? Because the U.S. plane was flying over international waters at the time it was shot down. According to the evidence presented at the U.N., and substantiated on a scientific basis by other nations, the U.S. plane at no time flew closer than 30 miles to your country.

Consequently, the RB–47 incident has put the Soviet Government in a strangely unfavorable light. Why? First of all, it was a violation of international law; a needless killing of men; and an act that could result in grave consequences for world peace.

Secondly, the Soviet Government has been carrying on information-collecting activities near the United States. For example, a Soviet ship, equipped with radio-radar and

other devices for information collecting, anchored 13 miles off our coast. If the United States employed Mr. Khrushchev's tactics, we would have sunk the ship, and killed or imprisoned the persons aboard.

Did we do this? No. Instead, we merely took pictures, photographing the vessel, to prove that it was on an information-gathering mission.

At the U.N., the United States also proposed an impartial investigation of the facts of the RB–47 flight. Unfortunately, the Soviet Government refused to submit to such an investigation.

Why? From experience, we have learned that anyone, if he is right, is not likely to turn down an impartial investigation; in all likelihood, this would only provide greater evidence for his case.

Basically, we believe that the shooting down of the RB–47 flight was a violation of law, and of good conduct by nations. The actions of the Soviet Government, also, have resulted in the needless death of several persons aboard the RB–47, as well as illegally retaining custody of two of the fliers, Lt. John R. McKone and Lt. Freeman B. Olmstead in violation of international law.

With a long history of fairness and greatness, however, I feel that you, the people of the Soviet Union, would like to know both sides of the story including what we feel is the truth.

Submerged Lands Legislation

EXTENSION OF REMARKS
OF
HON. KENNETH A. ROBERTS
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 23, 1960

Mr. ROBERTS. Mr. Speaker, this week I introduced a bill—H.R. 12964—designed to correct a serious inequity which has developed regarding the claims of the several States on the Gulf of Mexico to tidelands oil, minerals, and other offshore resources.

This bill would amend section 4 of the Submerged Lands Act—43 U.S.C. 1312—to approve and confirm the seaward boundaries of the States of Alabama, Mississippi, and Louisiana as extending three marine leagues into the Gulf of Mexico.

Legislation such as this is required because of a recent Supreme Court ruling which I believe to be unfair and wholly unconscionable.

In its decisions in the cases of the United States versus the States of Louisiana, Texas, Mississippi, Alabama, and Florida, delivered May 31, 1960, the Court in divided opinions decided that the respective boundaries of Florida and Texas extend 3 marine leagues—or 10½ miles—seaward; while the boundaries of Alabama, Mississippi, and Louisiana extend only 3 miles to sea.

The result of this peculiar ruling, of course, is that two Gulf States are given special privileges in laying claim to offshore mineral wealth while three other States on the same gulf are relegated to lesser positions; and are, in fact, precluded from reaping the natural benefits of their geography.

Certainly it was not the intent of Congress in enacting the Submerged Lands Act of 1953 to rob, shortchange, or otherwise mistreat any of the Gulf States in relation to treatment given any other Gulf States.

In his opinion of the May 31 decision, partly concurring and partly dissenting, Mr. Justice Black said of the Submerged Lands Act—

> Nothing in the act itself indicates that Texas was to be given any more consideration in this case than Louisiana, Mississippi, and Alabama. Had Congress wanted to give the land to Texas and refuse to give it to the other States it easily could have done so. As Congress indicated, it is time that the problem be solved, the title be quieted, and the controversy be stilled. In my judgment to interpret this act in a way which grants the land to Texas and Florida and withholds it from the other Gulf States simply prolongs this costly and disquieting controversy. It will not be finally settled until it is settled the way Congress believes is right, and I do not think Congress will believe it right to award these marginal lands to Texas and Florida and deny them to the other Gulf States.

Those Members of Congress who were embroiled in the ramifications of this legislation in 1953 will recall that it was the expressed desire of Congress that the Submerged Lands Act would settle, one time for all time, the injustices, uncertainties, and delays which have for years plagued every sincere attempt to develop the sorely needed offshore resources.

The Senate Committee on Interior and Insular Affairs stated in both reports to the 80th and 83d Congresses:

> We are certain that until the Congress enacts a law consonant with what the States and the Supreme Court believed for more than a century was the law, confusion and uncertainty will continue to exist, titles will remain clouded, and years of vexations and complicated litigation will result.

Sponsors of the Submerged Lands Act in 1953 thought Congress had accomplished an equitable solution in that act, but apparently this act did not go far enough. The Supreme Court now interprets the actions of Congress that year as having desired favored treatment for one State over another.

I maintain Congress did not intend favored treatment for any one State. If the Supreme Court can read this intention into the Submerged Lands Act, let us pass additional legislation, spelling out in no uncertain terms that fair and equal treatment is to be meted to all the Gulf States in the access to offshore submerged lands.

This is what my bill, H.R. 12964, seeks to provide.

It gives to Alabama, Mississippi, and Louisiana the same seaward boundaries as the Supreme Court has awarded to Florida and Texas.

As Mr. Justice Douglas says in his dissenting opinion of the May 31 decision:

> If the policy of measuring the zone of the United States as "three leagues" into the gulf off the shore of Texas is to give Texas property rights to the submerged lands in that zone, the beneficiaries of that concern should be all our Gulf States. * * * All the States on the gulf should be given the same benefit of the doubts that have been resolved in favor of Texas.

I certainly realize, Mr. Speaker, that there are many matters which could and perhaps ought to be resolved at this abbreviated session of Congress, and there is precious little time in which to act.

But there is no matter of greater concern nor of more importance, it seems to me, than that of clearing the air for putting to work the mineral wealth which lies off the coasts of our Gulf States.

This matter of submerged lands has drifted aimlessly for so long and now is further complicated by such an unjustifiable Court decision that it behooves us to act upon it responsibly at the earliest possible time.

The Congressman From Hawaii: The Honorable Daniel K. Inouye

EXTENSION OF REMARKS
OF
HON. WAYNE N. ASPINALL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 23, 1960

Mr. ASPINALL. Mr. Speaker, a year ago, a distinguished war hero and a Territorial Senator named DAN K. INOUYE was overwhelmingly elected by the greatest number of votes recorded by any candidate in the history of Hawaiian politics to represent the new and sovereign State of Hawaii in the Congress of the United States. A brand-new State and a freshman Congressman—a combination that portended a hard challenge ahead.

The heavy mantle of responsibility for the young State of Hawaii was thrown upon the young shoulders of DAN K. INOUYE. The congressional records bear immutable evidence that the young State and the young Congressman met the challenge well. The same qualities which Hawaii saw in DAN won him the love and respect of seasoned legislative veterans and leaders of the Washington scene.

His parental ancestry, in combination with this thoroughly American-as-apple-pie personality, provided a cold war weapon which Congress and our Nation were quick to recognize and utilize. During the past year DAN has been sent to the Pacific Trust Territories, Okinawa, Korea, Japan, Formosa, the British Crown Colony of Hong Kong and the Philippines, functioning as a veritable one-man East-West center. A few months ago the young legislator was appointed as an American delegate to the conference of the Interparliamentary Union in Tokyo, Japan. DAN is the first freshman Member of Congress to represent the United States in the entire 80-year history of this the oldest international legislative organization. DAN was recently appointed cochairman of the Foreign Relations Committee of the President's

people-to-people program in charge of East-Asian activities. The Nation has recognized DAN's outstanding legislative and diplomatic talents.

As an experienced legislator, whose courage and love for his country are beyond question, Hawaii's first U.S. Congressman has written an eloquent paragraph for peace in today's stormy chapter of international affairs. DAN has brought great credit and prestige for the people of Hawaii.

The brilliance of DAN's international and national accomplishments is matched by his assiduous and devoted attention to the immediate, practical needs of the people who elected him. In a short period of 12 months DAN has astounded Washington observers by his legislative know-how in guiding and assisting in the passage of the following measures:

Establishment of the East-West Center for Cultural and Technical Interchange in Hawaii—H.R. 7500.

Assistance for the economic development of the Ryukyu Islands—H.R. 1157.

Construction of an enlarged turning basin in Kahului Harbor, $944,500—H.R. 7634.

Lifting of ceilings on loans administered by the Federal National Mortgage Association for the State of Hawaii—H.R. 10213.

Authorization to use Federal highway funds for the construction of approach roads to ferry terminal facilities and also for the construction of ferry terminal facilities—H.R. 10495.

Granting of the sum of $6 million to the college of agriculture at the University of Hawaii—H.R. 11602.

Granting of certain tariff and tax exemptions for Hawaii west coast shipping lines—H.R. 11748.

Provision for the permanent airlift of Hawaii's first-class mail—H.R. 12595.

Inclusion of Hawaii in the Interstate Defense Highway System, $12.5 million—H.R. 11602.

Provision for the presentation of the first U.S. flag with 50 stars to be flown over the U.S. Capitol to the honored dead now resting in Punchbowl National Cemetery—House Joint Resolution 546.

Appropriations of $10 million for the first year and $20 million for the following 2 years for the East-West Cultural Center—H.R. 11666.

Appropriations for feasibility studies by the Army Corps of Engineers—$10,000 for Honolulu Harbor project; $50,000 for Barbers Point Harbor project; $6,000 for Waikiki Beach erosion project; and $5,000 for the Kawainui Swamp project—H.R. 7634.

Authorization for the Army Corps of Engineers to make preliminary surveys and studies of the following projects—H.R. 7634: Kahoma Stream flood control, Maui; Kahaluu Harbor project, Oahu; Maalaea Bay deep sea harbor, Maui; lava flow barrier, Hawaii.

Authorization of a new Federal building in Honolulu, $23.5 million; authorization for a public health clinic and quarantine station in Honolulu—$1,887,000.

Increases in Federal grants to the State of Hawaii—over $400,000.

Authorization to conduct a feasibility study on the construction of a Hilo Harbor seawall or protective barrier—H.R. 7634.

Pay raises for Federal Government employees—H.R. 9883.

Hawaii has left an indelible mark of distinction in its first year of statehood. It has shared in the rewards of first-class citizenship. It has contributed its material and human assets to our Nation. And one of its proudest contributions has been Hawaii's first U.S. Congressman, the Honorable DAN K. INOUYE.

Why Not Use Our Farm Surplus?

EXTENSION OF REMARKS
OF
HON. HOMER E. CAPEHART
OF INDIANA
IN THE SENATE OF THE UNITED STATES
Tuesday, August 23, 1960

Mr. CAPEHART. Mr. President, our distinguished colleague, the senior Senator from South Dakota [Mr. MUNDT] has long been a champion and strong exponent of developing an effective research program so as to increase industrial utilization of our agricultural abundance.

The Senator from South Dakota, who serves so ably on the Committee on Agriculture and Forestry, has long held the conviction that the development of new markets for our farm products both at home and abroad can provide one of the solutions to the difficulties which now confront American agriculture.

That the Senator is recognized as one of the eminent authorities in this field is without question, for we all have followed with interest the dedicated efforts he has made and continues to make for the American farmer.

This week on the newstands of America, the distinguished Senator once again makes a strong case for this program to utilize farm products. An article written by Senator KARL MUNDT is appearing in the September issue of Mechanix Illustrated, entitled "A Senator Says—Let's Abolish Our $1,000-a-Minute Farm Surplus."

Not only does Karl Mundt's article make good reading, it makes good sense, and I deem it a privilege to bring this article to the attention of my colleagues, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A SENATOR SAYS LET'S ABOLISH OUR $1,000-A-MINUTE FARM SURPLUS

(By Senator KARL E. MUNDT)

In the past 26 years the American taxpayer has paid more than $40 billion for farm programs. This year alone the American taxpayer will pay more than $4 billion for farm supports; more than $1,500,000 a day—more than $1,000 a minute—to store farm commodities in surplus.

The American taxpayer pays $6,000 a day to store peanuts; $131 a day to store honey; $238 a day to store tobacco. Flaxseed and rye cost $7,000 a day in storage fees; oats, $15,000 a day. Rice costs $17,000; soybeans, $23,000 a day; milk and butter fats, $29,000; barley, $65,000 a day; and cotton, $76,000.

When the taxpayer reaches into his pocket to pay storage costs on more vital items in surplus, he pays $262,000 a day to store grain sorghums; $444,000 a day to store corn; $579,000 a day to pay wheat storage costs.

And these reported warehousing costs do not include miscellaneous charges such as acquisition costs, financing, supervision, and the salaries of needed administrative employees in the Department of Agriculture.

This entire support program, growing yearly in size, can collapse of its own weight at any time. As more than one of my colleagues in the Senate has asked—When are we going to get the American taxpayer out of the farm business?

American taxpayers have paid for farm programs that called for plowing under corn, killing pigs, subsidizing exports. During one 4-year period of the farm support program, the U.S. Government—meaning the American taxpayer—owned a total of 235 million pounds of surplus cheese and more than 1 billion pounds of surplus tobacco.

Yet the U.S. Government can solve the expanding farm surplus problem and relieve the American taxpayer. It can do for the agricultural industry the same type of job the so-called Manhattan project accomplished in the atomic field. With a stepped-up program of farm-product and farm-marketing research on a crash basis, we could channel our increasing farm output into an expanding market right here at home.

We are living in an industrial age. American people are using more products, more materials, more equipment of all kinds than ever before, and that use is increasing daily. Many of the products, equipment, and materials can be supplied from raw materials grown on American farms.

For instance, we can, as many European countries do, use alcohol extracted from grain as a blend with gasoline for our automobiles and farm tractors.

We are the greatest consumers of motor fuel in the world. If we blend only 5 percent of grain alcohol with gasoline, we will conserve precious supplies of petroleum that are now being exhausted. The Indianapolis Speedway drivers use alcohol in their fuel because it gives more propulsion, more speed, more efficiency. Expanding this one use alone would get the American taxpayer out of the farm business.

We could, as we did during World War II, make our synthetic rubber supplies of grain alcohol. The Department of Commerce predicts a doubling of synthetic rubber requirements by 1975. If we were to reopen the eight Government synthetic rubber plants closed after World War II, they would consume approximately 100 million bushels of grain annually.

This would mean we could use corn and wheat now in storage (that must be reaching a stage unfit for human consumption) in a productive fashion rather than adding to the tax burden.

We can divide a bushel of wheat, use the starch for alcohol and develop new markets for the protein that is the residue. We can make a K-ration, rich in vitamins and minerals, and pack it in a wheat carton to supplement our school lunch program and help the needy here at home who are on relief status.

The American petroleum industry now spends over $3 billion a year in research. The result is obvious in the flood of new

products from petroleum. This compares with the figure of about one-twentieth of 1 percent of the gross sales of our agricultural output devoted to the search for new uses for agricultural products.

But we have found that everything made today from petrochemicals can also be made from grain; the molecules are interchangeable. Grain alcohol can be used to make not only motor fuel and synthetic rubber but new, more pliable plastics; solvents; surface coatings to repair the 700,000 miles of roads that need repairing. It can be used for explosives, insecticides, lubricants. It can serve our missiles, turbojets, and rockets.

We can relieve the newsprint shortage by making newsprint from wheat straw. We can make paper from surplus wheat and corn. If we simply add grain starch to wood pulp in paper production, this one use alone would consume 100 million added bushels of corn yearly.

We could absorb the vast farm surplus; we could add new products from what we now consider waste. A few years ago, driving through South Dakota, one would see the horizon dotted by colorful piles of burning straw. Now we know this straw we once burned can be used to make much needed newsprint and strawboard.

We can use wheat and corn starches as coating agents for textiles. We already produce a corn fiber called vicara for the manufacture of clothes. With intensification of our agricultural research, we would see buildings constructed of corncob concrete. We will wear clothes made of a luxurious corn fiber similar to cashmere. We may soon wear rainproof coats made from corn. Some are already made from lard.

We must recognize that one of the strongest contributing factors to the food surplus problem exists in the very nature of farming. Our 6 million farmers have had little opportunity, due to the independent nature of farming, to apply the modern techniques of merchandising and research that have been the dynamic forces for growth in American industrial life.

If we but use the brains of some of our jet-age scientists in an agricultural Manhattan project that includes both creative and marketing research, we can bring to American homes a flood of new products that will stagger the imagination.

To spark this grain-chemical revolution, to organize this agricultural Manhattan project, we need to establish a separate agency of Government with funds and authority to apply modern techniques of research, marketing, and merchandising.

This new agency would have the authority to let contracts to industrial organizations with laboratories; it would have the authority to put scientists to work.

It would have the authority to seek out new ways to utilize the knowledge found in these laboratories; authority to develop markets, to help finance early production of new products from farm commodities. It would apply modern techniques to create a real consumer demand for these products. It would offer scholarships to young people to study farm-product science.

Some have suggested that the problem can be solved merely by shipping all our surplus food overseas to the needy peoples of other lands. We have shipped food overseas to many areas but to attempt to solve our gigantic surplus problem in this manner is to assume additional costs and burdens of transportation with little assurance the food will reach deserving peoples. We can ship the food to ports of underdeveloped nations but distribution facilities to the remote villages of the world are poor or lacking entirely.

And we must also remember that to try to solve our surplus food problem by foreign giveaways is to antagonize friendly allies who have surpluses of their own.

We must recognize that to find a realistic solution to these surpluses, and ultimate relief for the taxpayer, we must create additional farm-product markets at home. These markets can only be created by the research program suggested here and by industrial application of our farm products.

Established on a crash basis, this new project would not only move the giant surpluses out of the warehouses onto the American markets, it would create new jobs. It would spur merchandising, advertising, transportation—all retail progress. It would spark a new, higher standard of living throughout the entire American economy. It would mean a fair price for a full crop for farmers.

And it would end, once and for all, the crushing burden on the American taxpayer: $1,000-a-minute for the storage of farm surplus that should and must be put to productive use for the benefit of all.

Senator Thomas J. Dodd Receives Distinguished Award Medal From Knights of Lithuania

EXTENSION OF REMARKS

OF

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 23, 1960

Mr. DONOHUE. Mr. Speaker, last Sunday evening, August 21, 1960, it was my privilege and pleasure to attend the dinner, in my home city of Worcester, Mass., marking the closing session of the 47th Annual Convention of the Knights of Lithuania.

The outstanding feature of this dinner was the official conferring of this great organization's Distinguished Award Medal upon our former House colleague and present junior Senator from Connecticut, THOMAS J. DODD. The medal is annually given to the non-Lithuanian who has done most to advance the freedom of Lithuania.

The Most Reverend Bernard J. Flanagan, D.D., present bishop of Worcester, and former head of the diocese of Norwich, Conn., Senator DODD's birthplace, characterized the Senator as "a friend of freedom, a man who has spoken eloquently for captive peoples—and a man who has not let us forget our obligations toward them."

The Reverend John C. Jutt of St. Casimirs Church, convention honorary chairman, in his remarks, also praised Senator DODD for "his tireless efforts and dedication, which have given Lithuanians courage never to give up in the fight for freedom."

It was indeed another memorable event in the long, patriotic history of the Knights of Lithuania and, under leave to extend my remarks, I am pleased to include, at this point, the inspiring acceptance award address delivered by Senator DODD. His speech follows:

REMARKS OF SENATOR THOMAS J. DODD BEFORE KNIGHTS OF LITHUANIA CONVENTION IN WORCESTER, AUGUST 21, 1960

Bishop Flanagan, Mayor O'Brien, Father Jutt, distinguished guests, friends, I am moved and deeply honored by the award you have bestowed upon me. But when I ask myself, What have I done to deserve this award? I am, very frankly, troubled.

Somehow it seems to me that it would be more appropriate if I, as an American were here to present an award to a representative of the Lithuanian people. For no people in the world has fought more heroically for freedom, or suffered more cruelly under tyranny, or clung more tenaciously to their national identity, their cultural and spiritual heritage, their faith in the ultimate triumph of freedom.

This great nation, this nation of heroes and martyrs, has, in its suffering, become a symbol for free men everywhere.

On the one hand, the agony of your people serves as a constant reminder to us of the ignorance and cynicism and lack of foresight and courage that resulted in the abandonment of the captive peoples of Europe at the close of World War II.

On the other hand, by their obstinate refusal to reconcile themselves to tyranny, either under the Czars or under the Bolsheviks, the Lithuanian people have inspired all of us to fight harder and work harder for the eternal cause of freedom.

If I have sometimes spoken up on behalf of the Lithuanian people and the other captive peoples of Europe, if I have sometimes urged that we seek after more effective ways of promoting their liberation, I take no special credit for this. To me it has been a simple matter of conscience. I would have been delinquent had I done less. And so it seems to me that, instead of receiving an award from you, it is I who should be presenting an award—an award for exemplary courage and spiritual fortitude—either to some living Lithuanian patriot or to the unknown soldier of the Lithuanian resistance movement.

America has every reason to be proud of its citizens of Lithuanian extraction—and you have every reason to be proud of your ancestry.

The history of the Lithuanian people, as I have read it, is an epic story of heroism and suffering and man's unquenchable will to assert his God-given human rights. It is a story to be told again and again, for free men everywhere have much to learn from it.

I believe the story of Lithuania should be told for another reason. Better than any story I know, it illustrates the nature of the enemy we now confront. It teaches us how much trust can be placed in treaties with the Kremlin, in its pledges of coexistence, in its off-and-on pretenses of friendship. It teaches us how inhuman international bolshevism is, how utterly without morality or restraint.

When the Lithuanian people, at the close of World War I established their own Government and proclaimed their independence, the Bolsheviks invaded the newly established state. There were many bitter battles but finally the Lithuanian people emerged triumphant. On July 19, 1920, the Soviet Government signed a treaty of peace. It declared in this treaty—mark these words well—that it "voluntarily and forever renounces all sovereign rights possessed by Russia over the Lithuanian people and their territory."

For 20 years Lithuania knew peace and independence. During this period, there was a great renaissance of their national literature and culture.

But then came the Hitler-Stalin pact and the partition of Poland between Germany and the Soviet Union. Almost immediately the Kremlin demanded permission to place 20,000 troops in Lithuania for the duration of the war. These troops, it was emphasized, would be removed at the end of the war. Prime Minister Stalin himself stated—and again mark these words well—"We respect the independence of the Lithuanian State. We are *disposed* to defend its territorial integrity."

History records no blacker or more perfidious lie by the head of a great state.

On October 10, 1939, only 2 weeks after the original demand was served on Lithuania, the Soviet Union concentrated its armed forces on the Lithuanian frontier. The Government of this brave little nation had no alternative but to sign the pact of mutual assistance which the Kremlin placed before it. But at the point of signing, they discovered that the clause stipulating that Soviet bases would be maintained in Lithuania only for the duration of the war had been stricken from the agreement, on the personal instruction of Stalin.

This was only the beginning of the perfidy. Eight months later, on June 14, 1940, the Soviet Government demanded that the Lithuanian Minister of the Interior and Director of Security be brought to trial, that a government friendly to the Soviet Union be installed and that the Red army be granted free entry in force into the territory of Lithuania. There was not even time to reply to this ultimatum. The very next day, on June 15, the Red army occupied Lithuania and the Government was compelled to flee abroad.

The Communists had made their plans carefully, as they always do, and they moved rapidly. They had a quisling regime ready to install. They had their lists of names of Lithuanian patriots who were slated for arrest and execution. They had their plan of action.

On July 7, 3 weeks after the occupation, the quisling regime ordered the liquidation of all non-Communist parties and the arrest of their leaders. On July 14 and 15, the people were compelled to vote in national elections with only the Communist Party represented. The Lithuanian people resisted heroically, desperately. But they were fighting against hopeless odds. On July 17, the regime announced that 95.1 percent of the people had voted and that 99.19 percent of these had cast their ballot for the Communist Party.

Two days later, on July 21, the so-called People's Diet convened for its first session. In less than 1 hour, without any debate, it voted unanimously to ask the supreme Soviet of the U.S.S.R. to admit Lithuania into the Soviet state as one of its federated Soviet Socialist Republics.

What an object lesson this should be to all those who insist that we must be trustful, who wish to believe that the world's difficulties can be resolved by signing another treaty of nonaggression and coexistence with the Kremlin, who think that we can somehow improve relations by signing treaties on Antarctica or on outer space or on Berlin.

I know there are those who will say, "But the events you relate took place in Stalin's day. Today we have a new regime, a regime that is less brutal, less immoral." How they can argue this in the face of everything that has happened in the captive nations, in the face of the brutal suppression of the Hungarian revolution, in the face of Khrushchev's ultimatums and threats of nuclear war—how they can still pretend that there has been some basic change for the good in Soviet policy, I cannot understand.

Let me point to one simple fact. The man directly responsible for the occupation of Lithuania under Stalin was Gen. Ivan Serov. It was he who installed the quisling government, who directed the mass arrests of Lithuanian patriots, who was responsible for the brutal deportations of scores and hundreds of thousands of Lithuanians to the oblivion of the Soviet slave labor camps.

It was the same Gen. Ivan Serov who was responsible for the inhuman suppression of the Hungarian revolution, the perfidious arrest of General Maleter while he was negotiating under flag of truce, the mass deportations of Hungarians which took place after the Soviet occupation.

In short, the only thing that has changed in the Soviet slave empire is that Khrushchev has succeeded Stalin. There is the same total inhumanity, the same total perfidy, even the same General Serov. Let me correct myself. There has been another small change. General Serov has been promoted. He is now the head of the Soviet secret police.

The despots of the Kremlin may be efficient, but, like all tyrants, they have a blind spot. They believe that, with enough oppression, they can ultimately destroy the human will to freedom. How wrong they are. The Hungarian revolution and the continuing resistance of the Lithuanian people and of the other peoples of the captive nations prove once again that neither 1 generation nor 2 generations nor 10 generations of brainwashing can produce a breed of men that is willing to accept the denial of the God-given human rights as natural and proper.

The word "liberation" has been somewhat compromised because in the 1952 campaign it was used as a crude election slogan. It is however a good word, a word for which there is no substitute. Instead of abandoning the word, as some have proposed, we must redeem it and give it meaning.

To use it again as an electioneering slogan or simply to pay lip service to it would—I agree completely—be the height of irresponsibility. If we use the word again—and I wholeheartedly urge that we do—we must do so as a serious act of self-dedication, and we must spell out precisely what we mean. "Liberation" does not mean that we confront the Soviets with an ultimatum and launch a war if they object to it. Basically, liberation will have to come from within. But what we say and what we do can encourage or discourage the spirit of liberation—while our behavior at critical moments like the Hungarian revolution can be of decisive importance.

How should we go about encouraging the liberation movement? The first step, in my opinion, would be to demonstrate the earnestness of our concern by raising the issue of the captive nations at every diplomatic conference and at every U.N. session.

In enslaving the captive nations, the Soviets were guilty of violating a whole series of international agreements that guaranteed free election. In imposing their regimes and maintaining them in power, they have used the Soviet Army in the most flagrant manner as an instrument of political intimidations; and when intimidations failed in Germany and in Hungary in recent years, they resorted to open military intervention and repression. They have violated the U.N. Charter repeatedly and at almost every point.

Let us spread the facts about Soviet imperialism on the record at every available opportunity. Let us continue to demand that the Soviets respect all their obligations.

Above all let us make liberation a cardinal goal of our diplomacy. I do not underestimate the difficulty of persuading the Kremlin to liberate its satellite empire. But, after Hungary, I find it easy to conceive of a situation where a combination of division within the Kremlin, unrest in the satellites and hard bargaining on the part of the West will induce the Soviets—in their own interest—to grant freedom to the unyielding, troublesome captive peoples of Europe.

Liberation is not a pipedream. It is the only conceivable way in which we can recapture the political offensive. And, as every schoolboy knows, a side which defends itself when attacked but never takes the offensive, is bound to lose. The same is true in politics.

A point in history has been reached where men who are free must come to the aid of those who seek to be free, because if they do not, the chances are that they will lose their own freedom.

Mr. Chairman, in accepting this award, I salute the brave people of Lithuania. I promise you that I shall continue to speak about the captive nations and the issue of liberation at every appropriate opportunity.

And I venture to prophesy that, before I am too old to travel, I will some day have the great pleasure of visiting a free Lithuania—of visiting your ancient capital of Vilnius, which I have so often wanted to see, and of drinking a toast to freedom and to enduring friendship between the Lithuanian and American nations there, with some of my friends in this audience.

Self-Employed Individuals Retirement Act

EXTENSION OF REMARKS

OF

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 23, 1960

Mr. KARTH. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following remarks concerning H.R. 10, the Keogh bill:

SELF-EMPLOYED INDIVIDUALS RETIREMENT ACT

Most of us in Congress agree that the problems of our present aged population deserve our most urgent consideration. No less pressing, however, is the problem of our aged of the future. The question of how the needs of this growing segment of our population will be met may soon assume critical proportions if we continue to neglect seeking the answers.

One answer to this many-faceted question is found, I believe, in H.R. 10, the Keogh bill, which would help millions of our self-employed people provide for their retirement years. These people—workers in agriculture, forestry, fishing, small businesses and the professions—would be allowed to deduct from their Federal income tax up to 10 percent of their annual net earnings, or $2,500 (whichever is less), in order to put this money into their own retirement program as specified in the bill. Under this legislation, the self-employed would finally have the tax advantage on their retirement savings similar to that which employees covered by employer-financed pension plans have had for some time.

The spirit of individuality which the self-employed exemplify is basic to our national heritage and to our economy. To fail to encourage it through removing legislative inequities is economic and social folly.

Our men and women must be given the opportunity to use their years of productivity to prepare for less prosperous days. For the self-employed, H.R. 10 is a just means to this important end.

SENATE

WEDNESDAY, AUGUST 24, 1960

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

Rev. Robert C. Farb, Ph. D., pastor, Grace Lutheran Church, Lakeland, Fla., offered the following prayer:

Almighty and gracious God, our Heavenly Father, who by Thy providence didst lead our forefathers to this land wherein they found refuge from oppression and freedom to worship Thee, we turn our hearts to Thee during this moment of prayer.

Guide and direct us in all our doings with Thy most gracious favor, and further us with Thy continual help. Where we have sinned, forgive us; where we are in error, correct us; where we are in the right, strengthen and undergird us.

We humbly beseech Thee to regard favorably the Members of this legislative body, that they may be high in purpose, wise in counsel, and unwavering in duty, as they carry out this day the solemn responsibilities of their high office.

We ask these things in the name of Jesus Christ, our Lord and Saviour. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, August 23, 1960, was dispensed with.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, under the agreement entered into on yesterday, there will be the usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CORRECTION OF ANNOUNCEMENT IN VOTE ON ANDERSON AMENDMENT TO SOCIAL SECURITY AMENDMENTS OF 1960

Mr. BURDICK. Mr. President, at page 17220 of the RECORD for yesterday, August 23, 1960, on the vote on the Anderson amendment, I am quoted as follows:

> Mr. BURDICK. On this vote I have a pair with the Senator from Arkansas [Mr. FULBRIGHT]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The statement is in error, and just the opposite of what I announced. The true situation and the true statement should be:

> If the Senator from Arkansas [Mr. FULBRIGHT] were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea."

I ask that the permanent RECORD be corrected accordingly.

The PRESIDENT pro tempore. The correction will be made.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. BURDICK. I yield.

Mr. MANSFIELD. I wish to corroborate what the distinguished junior Senator from North Dakota has just said. The RECORD is in error. The Senator from North Dakota did announce he had a live pair with the Senator from Arkansas, who was absent on official business. He stated that if the Senator from Arkansas were present, he would vote "nay"; that if he, the Senator from North Dakota, were permitted to vote, he would vote "yea"; therefore, he withheld his vote. So I am glad the RECORD has been cleared up, because the news dispatches had been accurate, and this statement in the RECORD would create a wrong impression. By making this request this morning, the Senator from North Dakota has cleared up the situation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FREAR, from the Committee on the District of Columbia, with an amendment:

S. 3867. A bill to exempt from taxation certain property of the National Guard Association of the United States in the District of Columbia (Rept. No. 1909).

By Mr. BYRD of Virginia, from the Committee on Finance, with amendments:

H.R. 7885. An act relating to the income tax treatment of nonrefundable capital contributions to Federal National Mortgage Association (Rept. No. 1910).

RECESS APPOINTMENTS TO THE SUPREME COURT — MINORITY VIEWS (PT. 2 OF S. REPT. 1893)

Mr. KEATING. Mr. President, I ask unanimous consent to submit the minority views of the Senator from Wisconsin [Mr. WILEY], the Senator from Nebraska [Mr. HRUSKA], and myself to Senate Resolution 334 relative to recess appointments to the Supreme Court of the United States, which was reported to the Senate on Monday, August 22, and ask that the minority views be printed as part 2 of Senate Report No. 1893.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. RUSSELL, from the Committee on Armed Services:

Gen. George Henry Decker, U.S. Army, for appointment as Chief of Staff, U.S. Army.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LUSK (by request):

S. 3880. A bill to guarantee consumers in the Pacific Northwest first call on electric energy generated at Federal plants in that region; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. LUSK when he introduced the above bill, which appear under a separate heading.)

By Mr. HICKENLOOPER (for himself, Mr. LAUSCHE, Mr. DIRKSEN, and Mr. HOLLAND):

S. 3881. A bill to extend the Conservation Reserve Program and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HICKENLOOPER when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA (for himself and Mr. CURTIS):

S. 3882. A bill to provide for the issuance of a special series of postage stamps in celebration of the one-hundredth anniversary of the completion of the first transcontinental telegraph line and to honor the memory of Edward Creighton, a pioneer in American communication; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. HRUSKA when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 3883. A bill for the relief of the Housing Authority of the City of Derby, Conn.; to the Committee on the Judiciary.

By Mr. GOLDWATER:

S. 3884. A bill for the relief of Mrs. Keum Ja Asato (Mrs. Thomas R. Asato); to the Committee on the Judiciary.

By Mr. CASE of New Jersey:

S. 3885. A bill to permit services performed by an individual in the employ of his son or daughter to constitute "employment" for purposes of coverage under the insurance program established by title II of the Social Security Act; to the Committee on Finance.

RESOLUTIONS

CHANGES IN CERTAIN COMMITTEE MEMBERSHIPS

Mr. DIRKSEN submitted a resolution (S. Res. 370) making changes in certain committee memberships, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. DIRKSEN, which appears under a separate heading.)

ASSIGNMENT OF SENATOR BURDICK, OF NORTH DAKOTA, TO COMMITTEE SERVICE

Mr. JOHNSON of Texas submitted a resolution (S. Res. 371) assigning Senator BURDICK, of North Dakota, to committee service, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. JOHNSON of Texas, which appears under a separate heading.)

GUARANTEE TO PACIFIC NORTHWEST CONSUMERS OF FIRST CALL ON ELECTRIC ENERGY GENERATED THERE

Mr. LUSK. Mr. President, I introduce, for appropriate reference, a bill to guarantee consumers in the Pacific Northwest first call on electric energy generated at Federal plants in that region. I wish to make a brief statement concerning the bill.

Mr. President, during the past year the Committee on Interior and Insular Affairs has been holding hearings in regard to a contract which the Secretary of the Interior was proposing to enter into with the Pacific Gas & Electric Co., for the sale and delivery of waste or dump electric energy from Bonneville Dam into the State of California.

At certain seasons of the year, such electric energy from Bonneville, in excess of the needs of customers in the Pacific Northwest, is available, but the water with which to generate it is wasted to the sea, because of the fact that there are no customers for such excess electric energy in the Pacific Northwest.

For the purposes of this bill, the Pacific Northwest is identified as the States of Oregon, Washington, Idaho, and the part of Montana west of the Continental Divide.

The proposed contract would enable the Department of the Interior to dispose of this waste energy for a consideration of $1,800,000 a year, revenue which now is lost to the Government.

Objection to the execution of the contract has been voiced by the Committee on Interior and Insular Affairs, for the reason, among others, that it would result in extending the Bonneville marketing area into California, to the prejudice, it is feared, of the acknowledged prior rights of consumers in the Pacific Northwest.

The purpose of the bill is to obviate this result, by requiring the Secretary of the Interior to incorporate into the contract a provision which would make it mandatory for the Secretary to discontinue any delivery of electric energy under such contract whenever in his judgment it should appear that such energy was necessary to fulfill contracts or applications for contracts of customers in the Pacific Northwest.

I am introducing the bill at the request of the Honorable Mark O. Hatfield, Governor of Oregon; and the Secretary of the Interior has approved the bill.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3880) to guarantee consumers in the Pacific Northwest first call on electric energy generated at Federal plants in that region, introduced by Mr. LUSK, by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CONSERVATION RESERVE PROGRAM

Mr. HICKENLOOPER. Mr. President, on behalf of myself, the senior Senator from Ohio [Mr. LAUSCHE], the junior Senator from Illinois [Mr. DIRKSEN], and the senior Senator from Florida [Mr. HOLLAND], I introduce, for appropriate reference, a bill dealing with the conservation program.

Many of my colleagues will recall that during the consideration of the wheat bill in June of this year I submitted an amendment as title III of S. 2759, extending the conservation reserve program.

The bill I am introducing today is basically the same as the amendment to the wheat bill; however, I have attempted to add some features to this legislation in an attempt to overcome some of the objections raised by my colleagues during the previous consideration of this matter.

In brief, the bill merely provides that the Secretary of Agriculture is authorized to enter into contracts with producers during the 8-year period, 1956–63, to be carried out during the period ending not later than December 31, 1972, except that contracts for the establishment of tree cover may continue to December 31, 1977. And also, in carrying out the conservation reserve program, the Secretary may enter into contracts which will affect the placing of up to 70 million acres of land into the conservation reserve program.

Another feature of this proposal is that it places a limitation of 25 percent that may be placed in the conservation reserve in any county in the United States. I believe this is a safeguard that will meet with enthusiastic approval of some of those who have raised objections to expanding this program.

Also included in this bill is a provision for payment-in-kind.

There is no single remedy that will suffice for our current farm problem, but during the congressional recess I have had an opportunity to travel extensively throughout the United States and have discussed this matter with many people; and I am convinced that by extending and expanding the conservation reserve program we will be taking a step forward toward a solution to our overproduction problem. I think it will be very unfortunate if this Congress should adjourn and allow the authority for entering into contracts under the conservation reserve to expire.

I shall not take the additional time to discuss this matter since I believe that most of my colleagues are familiar with the operation of this program. During the debate of June 9 on the wheat bill, I placed in the RECORD facts to substantiate the need for the continuation and expansion of this program.

I do wish to reemphasize that contracts which now cover land in the conservation reserve will begin to expire at the end of this year and much wheatland will begin to come back into production unless prompt action is taken. It is therefore imperative that the Congress act on this matter immediately in order that we shall not only preserve the retirement program which we already have, but that we shall add to it in sufficient amount so that a real benefit will result.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3881) to extend the conservation reserve program and for other purposes, introduced by Mr. HICKENLOOPER (for himself, Mr. LAUSCHE, Mr. DIRKSEN, and Mr. HOLLAND), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

SPECIAL SERIES OF STAMPS TO CELEBRATE 100TH ANNIVERSARY OF TRANSCONTINENTAL TELEGRAPHY

Mr. HRUSKA. Mr. President, nearly 100 years ago one of Omaha's greatest citizens set out to span the continent by telegraphy. The dream and determination of Edward Creighton to link the east and west coasts of the United States by "singing wires" became a reality on October 21, 1861.

The significance of this achievement hardly needs relating. The country was then in the throes of a civil war testing whether its people would remain united. Without the telegraph, its westernmost State, California, would be cut off from the rest of the Nation. The first words tapped over the newly strung wires by the mayor of San Francisco expressed that thought.

The story of Edward Creighton himself was recently told in an article by Robert Reilly for the Catholic Digest, which my colleague, the junior Senator from Nebraska [Mr. CURTIS], has already inserted in the CONGRESSIONAL RECORD. It can be found in the April 4, 1960, issue at page 7201. Edward Creighton's life was one of great imagination and personal courage. Its influence is felt down to the present day, for another venture of his—the founding of Creighton University of which the Senator from Nebraska is an alumnus—is the heritage of modern-day Americans.

It is appropriate, Mr. President, to commemorate the forthcoming 100th anniversary of the completion of the first transcontinental telegraph line which was surveyed and constructed by Edward Creighton. I am therefore introducing a bill, for appropriate reference, which calls for the issuance of a special series of postage stamps honoring the occasion and the memory of the man who pioneered this work. Contained in the bill is the recommendation that the stamps be issued in Omaha, the eastern terminus of the first transcontinental telegraph line, and make reference to the university on the first-day cancellation of the stamps.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3882) to provide for the issuance of a special series of postage stamps in celebration of the 100th anniversary of the completion of the first transcontinental telegraph line and to honor the memory of Edward Creighton, a pioneer in American communication, introduced by Mr. HRUSKA (for himself and Mr. CURTIS), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

AMENDMENT OF TITLE V OF AGRICULTURAL ACT OF 1949—AMENDMENT

Mr. CASE of South Dakota submitted an amendment intended to be proposed by him, to the bill (H.R. 12759) to amend title V of the Agricultural Act of 1949, as

amended, and for other purposes, which was ordered to lie on the table and to be printed.

PROTECTION OF CERTAIN OPERATORS UNDER SOIL BANK PROGRAM—AMENDMENT

Mr. CASE of South Dakota submitted an amendment, intended to be proposed by him, to the bill (H.R. 12849) to protect farm and ranch operators making certain land use changes under the Great Plains conservation program and the soil bank program against loss of cropland acreage and acreage allotments, which was ordered to lie on the table and to be printed.

INTERVIEW WITH MRS. LYNDON B. JOHNSON

Mr. GORE. Mr. President, I was deeply impressed with an article, appearing this morning in the New York Times, relating to an interview with a very charming, and gracious lady, Mrs. Lyndon B. Johnson, the wife of our distinguished majority leader. I have known "Ladybird" Johnson, of course, for a number of years. Her qualities are many. I shall not take this occasion to pay tribute to this great and lovely lady, but I do wish to ask unanimous consent that the interview with her be printed at this point in the RECORD, in connection with my remarks.

I wish to read one particular response by this sensitive, thoughtful lady:

Asked about a published report that a drive against the Democratic ticket had been organized in Texas by the forces who led a successful campaign against Alfred E. Smith in 1928, Mrs. Johnson said:

"There is such a thing as a religious issue. That we all know.

"But the more deeply one reads the Bible, the more fair one is going to be. And so, I do not believe it will be a decisive issue in our State."

I ask unanimous consent that the entire article published in the New York Times be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BIGOTRY SCORED BY MRS. JOHNSON—SHE MINIMIZES ITS EFFECT ON ELECTION—PLANS A TEXAS TRIP WITH KENNEDY KIN

(By Bess Furman)

WASHINGTON, August 23.—Mrs. Lyndon B. Johnson met the religious issue head on today at a news conference called to announce a Texas tour for her and two woman relatives of Senator JOHN F. KENNEDY.

Asked about a published report that a drive against the Democratic ticket had been organized in Texas by the forces who led a successful campaign against Alfred E. Smith in 1928, Mrs. Johnson said:

"There is such a thing as a religious issue. That we all know.

"But the more deeply one reads the Bible, the more fair one is going to be. And so, I do not believe it will be a decisive issue in our State."

CITES FOREBEARS

It was mentioned that Baylor University, a Baptist college in Texas, had been cited as a center of this opposition. Mrs. Johnson responded that two sides could be presented on this point. She said her husband, the Democratic candidate for Vice President, "has plenty of Baptist forebears in his bloodline."

"LYNDON'S great-grandfather, George Washington Baynes was the second president of Baylor," she said. "He converted Sam Houston—and we still have the letter from Sam Houston to him, saying so. It is framed and hanging on the wall.

"If my house was on fire, I'd grab that letter on the way out."

The news conference was held at the Women's National Democratic Club, complete with coffee, which is to be the symbol of sociability at each Texas stop. Mrs. Johnson said that she was taking Mrs. Sargent Shriver, sister of Senator KENNEDY, and Mrs. Robert F. Kennedy, his sister-in-law, "to give the people of Texas a chance to meet two charming women—we want both [Texas and the Kennedys] to know each other."

CAMPAIGN SUGGESTION

Mrs. Kennedy, present with Mrs. Johnson, said she had never been to Texas.

Somebody asked whether she and her two guests were going either to carry along an enlarged photograph of Mrs. John F. Kennedy or to find some other means of introducing the Democratic candidate's wife in Texas.

"A good idea." Mrs. Johnson responded. Mrs. Kennedy cannot campaign because she is expecting a second child.

A male voice asked Mrs. Johnson's view on Mrs. John F. Kennedy's hairdo, which the questioner said, "seemed to be an issue."

"I think it's more important what's inside the head than what's outside," was the reply.

On another issue—medical care for the aged—Mrs. Johnson gave her views. Her own father, she said, is now in the hospital at a staggering cost. He has been fortunate, and can pay. But such costs, she said, would be "the financial ruin of some of my friends."

Mrs. Johnson said she thought that the women relatives of candidates did count in the consideration by voters—and that the Texas trip would help the Democrats.

The women will hold meetings, all open to the public, in Houston at the Shamrock Hotel at 3 p.m., August 29; in Dallas at the Adolphus Hotel at 10:30 a.m., August 30; in Wichita Falls at the Women's Forum at 3 p.m., August 30; in Amarillo at the Federation of Women's Clubs at 10:30 a.m., August 31; in El Paso at the Cortez Hotel at 3:30 p.m., August 31; and at the Midland-Odessa Airport, a refueling stop, at 10:30 a.m., September 1.

Mr. MANSFIELD. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. MANSFIELD. I wish to join the distinguished Senator from Tennessee in commending Mrs. Johnson for the statesmanlike position she took in her interview on yesterday. With "Ladybird," there is no sectionalism in this country. With "Ladybird," there are no religious differences in this country. And she speaks—as does her husband—as a true American; and she brings into practice what her husband said when he addressed a political gathering in Tennessee—that in going up and down this country, he was going up and down it as an American speaking to Americans, regardless of race, religion, or region.

I thank the Senator from Tennessee.

Mr. GORE. Mr. President, I would say, further, that in the years that I have known Mrs. Johnson, she has always demeaned herself as a Christian lady, and in every way has shown only the finest qualities.

HISTORY OF THE ST. LAWRENCE SEAWAY PROJECT—ARTICLE BY SENATOR WILEY

Mr. DIRKSEN. Mr. President, the very distinguished senior Senator from Wisconsin [Mr. WILEY] is the author of a brief but, I believe, a very useful history of the St. Lawrence Seaway project, the vital link that is the greatest inland waterway in the world. From my own knowledge, I can add that the Senator from Wisconsin was one of its vigorous proponents, and had much to do with the effectuation of the legislation out of which this great watercourse was developed.

Senator WILEY is due great credit for his dedicated work in behalf of the waterway, part of which is named the Wiley-Dondero Channel, in honor both of Senator WILEY and of former Representative Dondero, of Michigan, with whom it was my privilege to serve, and who also was a sincerely dedicated public servant.

I commend to all the reading of the report by the senior Senator from Wisconsin, as a useful and concise review of the waterway and of the accomplishments of the Seaway Development Corp.; and I ask unanimous consent that this concise review be printed at this point in the body of the RECORD, as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ST. LAWRENCE SEAWAY ACCOMPLISHMENTS—THE WORLD'S GREATEST WATERWAY SYSTEM DEVELOPED BY AND UNDER THE REPUBLICAN ADMINISTRATION

(By U.S. Senator ALEXANDER WILEY, of Wisconsin, senior Republican member, Senate Foreign Relations Committee)

The St. Lawrence River, together with the Gulf of St. Lawrence and the Great Lakes Basin, provides a continuous waterway extending 2,342 miles into the heart of the North American Continent from the Atlantic Ocean. They constitute the greatest inland water system in the world.

The St. Lawrence Seaway project, connecting these waterways with the Atlantic Ocean, was created by law May 13, 1954—and was a Republican-sponsored project from start to finish. The $124-million seaway was established as a self-sustaining and self-liquidating enterprise. Construction activities were financed by proceeds from revenue bonds issued to the Secretary of the Treasury. The cost of operations, payment of interest, and the repayment of borrowings are financed from toll revenues.

Although the St. Lawrence Seaway in its generally accepted scope extends only from Montreal to Lake Erie, it is nonetheless a vital part of the St. Lawrence River-Great Lakes Waterway. It provides the connecting link between the lower reaches of the St. Lawrence River and the Great Lakes.

By the use of 15 locks, oceangoing vessels and large lake-type vessels are raised or lowered a total of 552 feet. This is the highest total elevation that large vessels are lifted or lowered in any waterway of the world. The St. Lawrence Seaway provides navigation facilities for large ships with

cargo-carrying capacity up to 8,500 tons for oceangoing general cargo vessels and up to 25,000 tons for lake bulk-type vessels.

The St. Lawrence Seaway from Montreal to Lake Erie is operated under concepts, principles, and laws which distinguish it from other waterways in the United States and Canada.

The seaway is international in character. The navigation facilities are located in both Canada and the United States.

The seaway is operated by governmental corporations of two countries, the St. Lawrence Seaway Development Corporation of the United States and the St. Lawrence Seaway Authority of Canada. Each corporation is given certain powers and obligations for carrying out the responsibilities of its respective laws. The Seaway Development Corporation has authority to make arrangements and negotiations with the Seaway Authority of Canada on the operation and maintenance of the seaway.

The major accomplishments of the St. Lawrence Seaway Development Corporation are as follows:

1. The St. Lawrence Seaway was opened to deep-draft vessels on April 25, 1959, on a toll basis. During the 1959 navigation season, 6,595 cargo vessels transited the seaway with 20½ million tons of cargo. The income derived from the seaway was sufficient to pay all operating costs and to return to the Treasurer of the United States $2,150,000 as a payment on the accrued interest and debt of the Corporation. The United States portion of the seaway is operated with a small number of employees. The total employment in June was 179.

2. The U.S. portion of the seaway, which consists of the Eisenhower and Snell Locks, the 10-mile Wiley-Dondero Channel, dredging in the Thousand Islands and in the South Channel at Cornwall, as well as the construction of the related navigation facilities including floating plant, has for all practical purposes been completed. The Corporation constructed jointly with the Seaway Authority of Canada, the Cornwall-Massena International Bridge. This was done under a tight construction schedule which was reduced in time from 7 to 5 years.

3. All arrangements with the Seaway Authority of Canada, and the Power Authority of the State of New York and the Hydro-Electric Power Commission of Ontario were made and the work coordinated in order to meet the completion schedule of the agencies in the two countries involved.

4. The St. Lawrence Seaway Development Corporation completed a study and negotiated an agreement on tolls with the St. Lawrence Seaway Authority of Canada. The agreement was approved by the President on February 25, 1959, and later made the subject of an exchange of notes between the United States and Canada.

5. The St. Lawrence Seaway Development Corporation and the St. Lawrence Seaway Authority of Canada prescribed operating rules and regulations for vessels transiting the seaway. These joint regulations are uniform throughout the seaway.

6. The construction of the seaway, exclusive of interest during construction, was financed for about $124 million. This is well within the $140 million borrowing authority authorized by the Congress to construct the U.S. portion of the seaway.

BIRTHDAY FELICITATIONS TO SENATOR JOHN SHERMAN COOPER, OF KENTUCKY

Mr. DIRKSEN. Mr. President, we have had so many birthday anniversaries in the last few days that I have had some difficulty keeping abreast of them; but I believe on yesterday we observed the natal anniversary of the distinguished Senator from Kentucky, JOHN SHERMAN COOPER.

If ever there was a nobleman who came to this body, if ever there was a gentle person that I have encountered in my lifetime, that person is indeed JOHN SHERMAN COOPER.

It has been my privilege over the years, when he was a candidate for the Senate, so often just for a short unexpired term, to go to Kentucky and to talk with his people in the hills, on the mountains, in the valleys, and in the cities. I doubt whether I ever encountered, for one offering himself for public service, the real affection and esteem for an individual as I saw in the hearts of the Kentucky people for JOHN SHERMAN COOPER.

There is a charm about him, an affability, a deep sincerity, that deeply impress people. I have a deep affection for him.

I did not want the anniversary to go by without at least remarking the fact and paying my tribute of esteem, admiration, and affection not only to a great citizen, but to a great Senator and a great person.

Mr. KEATING. Mr. President, will the minority leader yield to me?

Mr. DIRKSEN. I yield to the Senator from New York.

Mr. KEATING. Mr. President, I wish to join the distinguished minority leader in paying tribute to our colleague. It was my pleasure earlier this year to be in Louisville, Ky., to speak, and I know exactly what the minority leader means. The love and affection which the Kentucky people bear for JOHN SHERMAN COOPER was evident in their faces, in their manner of approach to him, and in his approach to them.

JOHN SHERMAN COOPER is a modest product of the Kentucky hills, who has risen to greatness. He has run for office successfully in his great State, without becoming partisan about it. I know of the great affection that is felt for him on the other side of the aisle, perhaps as much as for any Member on this side. He has served this country well in diplomatic capacities as Ambassador to India and Nepal and as part of the U.S. delegation to the United Nations.

Without becoming too partisan, I express the hope that JOHN SHERMAN COOPER will be back here in the next Congress to continue his illustrious service.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I wish to join with the distinguished minority leader in what he had to say about JOHN SHERMAN COOPER, who as a gentleman and a Senator, applies his great integrity and high devotion to the job which he has been sent here to do for the people of his State and the Nation.

I think he was honored, and deservedly so, by a poll taken by Newsweek earlier this year, which listed him as the outstanding Republican Member of this body. He has proved himself in the United Nations, as Ambassador to India, and also as a hard working, diligent, devoted Member of this body.

It is a personal pleasure and privilege for me to join the distinguished minority leader in extending congratulations to JOHN SHERMAN COOPER on his natal day.

Mr. DIRKSEN. I thank the acting majority leader.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the Senator from Connecticut.

Mr. BUSH. Mr. President, I am happy to join in the accolade of approval in behalf of my very dear friend and colleague from Kentucky, JOHN SHERMAN COOPER. I regard Senator COOPER as the most outstanding Republican in the history of Kentucky in this century.

I do not know of any Republican in Kentucky or of Kentucky to whom I would liken him other than Abraham Lincoln. But certainly he has been, in the last 30 years, the most stalwart member of our party in the great State of Kentucky, and perhaps the most stalwart politician in the whole State. At least, from our point of view, that is the case.

JOHN SHERMAN COOPER has had an extraordinarily fine record of service at various levels of government—in the judiciary, in legislative work, in the Senate of the United States, and in diplomacy. In each of these fields he has distinguished himself remarkably, so much so that he is one of the most widely respected Members of the Senate of the United States, not only in Kentucky, but in States all over this country.

There are few Senators who are more in demand as speakers at events of various kinds—social, political, economic, and otherwise—than JOHN SHERMAN COOPER.

His friendship has been one of the rare privileges I have enjoyed in the Senate, and I am happy to join with our leader and other Senators in complimenting him upon his birthday, and wishing him every good luck and a long life full of happiness.

POLITICAL PUBLIC OPINION POLLS

Mr. BUSH. Mr. President, on August 22 the distinguished Senator from Tennessee [Mr. GORE] made some remarks concerning political public opinion polls.

I do not know what prompted the remarks, and certainly I do not question the right of the Senator to make them. It has been suggested they might have been prompted by the recent poll which showed that the Nixon-Lodge ticket is very popular in this country. The Senator from Tennessee [Mr. GORE] may have had other reasons for challenging the accuracy of polls, as well as their propriety.

I think the Senator also questioned the propriety of the pollsters making such polls respecting the coming elections. He attempted to show that these polls are not accurate or reliable. It is to this point I wish to address myself.

I believe the record of the polls has been extremely reliable, and surprisingly so. One proof of it is that I hear

from day to day that individual candidates have taken polls in their own States. I hear the parties have taken polls in the South. I hear polls have been taken in the North. Why would the money spent on these polls, which is so hard to collect from political donors, be spent if there were not a feeling that the polls are accurate?

The classic case which is cited—I believe it was referred to by the Senator from Tennessee—is the Gallup poll in 1948. The Senator said that Dr. Gallup predicted a "nip and tuck" race, and so forth. It is claimed the polls in 1948 were wrong. Actually, the polls were not wrong. I do not have the exact figures for 1948, but I discussed the 1948 polls after the election with pollsters. Of course, the prediction of the pollsters was wrong. They predicted Governor Dewey might win over President Truman. What they actually did was to misinterpret their own polls.

Mr. Elmo Roper, a Connecticut citizen with whom I discussed this matter, explained to me that it was the misinterpretation of, or an attempt to interpret, the undecided vote, which was large at that time, which threw them for a loss.

The figures were something of this proportion: The polls showed that 48 percent of the people were going to vote for Mr. Dewey and 42 percent intended to vote for President Truman. The poll was not wrong about Mr. Dewey, because he actually received 49 percent of the vote. The interpretation of the undecided vote got the pollsters into trouble, because 9 percent out of the 10 percent undecided voted, in the end, for President Truman, who won. Those are round figures, and I do not wish to be held to them exactly.

That is the principle which is involved. That is what hurt the prestige of the pollsters, because they misinterpreted the undecided vote. Based on their own interpretation, they predicted the results of the election.

I wish to defend the pollsters, because I think they provide a very great service in this country. This service is provided not only in connection with disclosing of public opinion on many important matters, including elections, great political issues, great political figures, and candidates, but also in connection with market research and analyzing situations affecting commerce and industry. The polls are useful in determining public attitudes toward education, toward health issues, toward welfare issues and many other things.

Without in any way casting any aspersions upon my good friend from Tennessee, I wish to say that I think the pollsters have rendered a valuable service, and by and large their findings are quite reliable, so much so that great decisions are made upon the basis of their findings not only in the field of politics, but also in the fields of commerce, industry, and other fields.

Mr. BUSH subsequently said: Mr. President, I should like to observe further on the subject of political public opinion polls that the Senator from Tennessee [Mr. GORE], in his remarks on August 22 with respect to the poll that showed the Nixon-Lodge ticket at 50 percent and the Kennedy-Johnson ticket at 44 percent in public favor, said:

> I think such an influence is entirely unjustified, and to the extent that it affects or may affect the judgment of the people or the attitudes of our leaders, it is a disservice to our elective process to attach such importance—indeed, any measurable importance—to such a political poll.

As I said previously, I do not question the Senator's right to hold such an opinion and to express it, but I do say that I think we should differ with him in the fact that it does a disservice. If we should accept his point of view, we might as well say that newspapers should not editorialize on what they find to be public opinion.

I recall in 1956 the New York Times sent reporters all over the country and conducted their own private poll in that way. The newspaper ran a series of articles regarding the election results in the different States as they thought they would be. Their record of correctness was only about 50 percent but, nevertheless, they were not criticized for taking the poll. I think if they choose to analyze the polls in the various States that they should not be criticized for doing so.

Likewise, I do not think that the pollsters should be criticized either.

I wish to make this point. I am afraid that had I not answered the remarks of the Senator from Tennessee [Mr. GORE] and made my own observations, that his remarks might have had an effect of hurting the business of pollsters who, I think, as I said earlier, render in many ways a very valuable public service, not only in the fields of politics, but in the fields of commerce, industry, education, and other fields as well.

I would furthermore and finally say that the Senator from Tennessee in his own insertion in the RECORD on page 16959, of August 22, shows that although the headline read "Nip and Tuck Race Tuesday Indicated in Final Survey," the survey showed at that time:

	Percent
Eisenhower	47
Stevenson	40
Undecided	13

That was in 1952.

It is not surprising that the pollster should be careful in trying to analyze the undecided vote. Undoubtedly he was careful in predicting that it might be a close race. It actually turned out to be not so close, because the undecided vote which he did not attempt to analyze this time turned out to be more favorable to President Eisenhower than the undecided vote turned out to be for Governor Dewey.

SUGAR ALLOCATIONS TO DOMINICAN REPUBLIC

Mr. ELLENDER. Mr. President, I ask unanimous consent that during the morning hour I may proceed with a discussion of a message which the President sent to the Congress yesterday relating to the Dominican Republic.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator yield to me so that I may suggest the absence of a quorum?

The PRESIDING OFFICER. Does the Senator from Louisiana yield for that purpose?

Mr. ELLENDER. I yield for that purpose, provided I do not lose my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, for several weeks, I have been engaged in efforts designed to compel the Department of State to purge itself of the contempt it has manifested toward the so-called Emergency Sugar Act; that is, the act of July 6, 1960. As Senators may know, the Department of Agriculture, an accomplice in this travesty of justice, acting under pressure from the Department of State, has been compelled to flagrantly ignore the system of priorities created in the act, priorities designed to assure to American consumers a stable supply of sugar, at reasonable prices, upon reduction of what normally would have been the sugar quota assigned to Cuba.

On August 8, immediately upon returning from abroad, and immediately upon familiarizing myself with the arbitrary actions of the Department of State in this regard, I directed a letter to Secretary of State Herter, in which I referred to the Department's failure to permit the importation into the United States of some 322,000 tons of sugar from the Dominican Republic, while, at the same time, allocating sugar for purchase from at least two countries which are presently outside the longstanding quota system, countries which have never been given a quota to sell sugar to United States importers. In that letter, I reminded the Secretary of the system of priorities carefully provided for in the Emergency Sugar Act, under which nonquota countries were to be permitted to export sugar into the United States only should supplies from, first, domestic producers and, second, quota countries—of which the Dominican Republic is one—be exhausted.

I reminded the Secretary that as a result of his Department's willful and blatant refusal to abide by the clear letter of the law, the price of raw sugar had climbed to a 23-year high. In order to offset this development, the Department of State, I pointed out, had actually compelled the Department of Agriculture to unduly inflate the consumption estimate, in order to obtain, in bits and pieces, from a number of

suppliers, a supply of sugar which was and is readily available within the Dominican Republic. I reminded him that the present marketing year for sugar, under the act, expires December 31; that domestic sugarcane producers, particularly Louisiana producers, will begin marketing their crop in the late fall of this year, and that should the Dominican allocation remain unpurchased until that time, it would doubtless have the effect of unduly depressing domestic sugar prices, thus working grave and unwarranted injury upon American farmers.

I do not wish to read the entire letter I addressed to Secretary of State Herter, but I ask unanimous consent that my letter dated August 8, 1960, to Hon. Christian A. Herter, Secretary of State, be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 8, 1960.

HON. CHRISTIAN A. HERTER,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: I returned from abroad only this morning, and was shocked and amazed to find that the Department of State, by exerting its influence upon the Department of Agriculture, has twisted, tortured, and perverted the authority accorded to the executive branch in connection with emergency sugar legislation approved by the Congress on July 3, 1960.

Specifically, according to my information, the Department of State has willfully and wrongfully denied entry into the United States of some 322,000 tons of sugar from the Dominican Republic—sugar which the Dominican Republic is entitled to market in the United States under the clear terminology of the act.

To refresh your recollection, the act of July 6, 1960 authorizes the President to take certain actions vis-a-vis the sugar quota for Cuba. In order to meet the requirements of U.S. consumers, the President is further authorized to "cause or permit to be brought or imported into or marketed in the United States * * * a quantity of sugar, not in excess of the sum of any reductions in quotas" which he may have previously imposed. This quantity, under law, must be derived from certain sources, in accordance with certain priorities, as outlined in section 3 of the act of July 6, 1960. The priorities spelled out in that act are, generally speaking, as follows: first, domestic producers; second, countries presently accorded quotas under the act, and, third, and last, countries not presently enjoying quotas under the act. Purchases are to be made from countries in this third category only as a last resort, that is, after supplies of sugar in domestic areas and quota countries have been exhausted.

Yet, on two occasions since the passage of the act of July 6, 1960, the consumption estimate has been increased, and those pro rata shares of such increases (along with a share of the quota formerly assigned to Cuba) which should have been acquired from the Dominican Republic have not been so acquired. Thus, it would seem that while allocations of some 322,000 tons of sugar to the Dominican Republic have been computed and assigned, no purchase authorizations against those allocations have been approved or issued. Instead, about 200,000 tons of sugar have either been purchased, or been authorized for purchase, from Brazil and the British West Indies, neither of which are quota countries.

It is obvious that the priorities created by the act of July 6, 1960 have been flagrantly ignored; purchases have been made from nonquota countries, while the sugar so purchased could have been, but was not, acquired from at least one quota country, that is, the Dominican Republic.

This, in my opinion, is unconscionable and entirely without justification. It does, I fear, reflect an attitude on the part of the Department of State which is both unrealistic and dangerous.

In a nutshell, our Department has apparently determined to flaunt and violate the clear and specific intent of Congress—the letter of the law, if you please, for reasons which, although unrevealed publicly by the Department of State, are doubtless based upon a desire among some persons in your Department to wreak vengeance upon the Government of the Dominican Republic.

Why this attitude should prevail is unknown to me; as a matter of fact, it is inconceivable that the Department would undertake to blatantly and maliciously do violence to a friendly foreign government.

I am not unaware of the criticism which has been heaped upon the Government of the Dominican Republic by some elements in the United States, particularly some elements of the mass media—the press, radio, and television. In many instances, these are the same elements which not too long ago were hailing the Castro revolution. Herbert Matthews of the New York Times and Jules Dubois of the Chicago Tribune transformed Castro and his cohorts in the eyes of many members of the American public from merely another rag-tag and bob-tail coterie of revolutionists to the bearers of "democracy" for Cuba. That their initial evaluation has been proved tragically wrong is abundantly clear in the light of today's events, particularly and specifically, events which only today culminated in the seizure and confiscation of all U.S.-owned property in Cuba.

I suggest that the willingness of the Department of State to heed the cries of these same elements, as evidenced by the Department's actions toward the Government of the Dominican Republic, are in the same category, and may very well lead to similar results.

It is to me obvious, though perhaps not to all, that U.S.-inspired and assisted efforts to injure the existing government of the Dominican Republic, even should they be provoked by reasonable considerations, are highly dangerous at this time.

First, and foremost, it ill behooves a government which is dedicated to the principle of self-determination for all peoples to endeavor, in an ex parte manner, and through the manipulation of domestic legislation, to attempt to influence the course of a government which, to all intents and purposes, is still a friendly government. It strikes me that if the people of the Dominican Republic are desirous of changing their leadership, the ultimate determination as to the time and manner of that change should be left up to the people, themselves, without interference, direct or indirect, on the part of the Government of the United States.

Second, should the Government of the United States find it expedient, or even necessary, to pursue a course of action designed to affect domestic events within a friendly country, such action should not be taken until full and fair consideration has been given to the ultimate effect such course of action would have upon our own interests. In the case at hand, should the existing Government of the Dominican Republic be displaced, we have no assurance that it would not be replaced with a government of the same kind or character as now confronts us in Cuba.

In addition, there is every indication, if not every assurance, that political chaos in the Dominican Republic would ultimately lead to the need for some form of U.S. assistance to that country which, at the present time, is on a sound economic basis. It has become painfully obvious that when the Castro dictatorship in Cuba is rejected by the people of Cuba, the economic ruin caused by the ignorant elements in charge there will require the extension of U.S. aid. I cannot believe that the imposition of another economic liability upon the Treasury of the United States can be justified, even as a means of satiating and propitiating the attitudes and opinions expressed by some elements of the U.S. mass media.

Let me make it abundantly clear that this letter is not to be construed as an endorsement of any individual, or any form of government which may prevail, in the Dominican Republic. The character of the Government of the Dominican Republic is, in my opinion, not open to inquiry as far as I personally am concerned. I do know, from personal experience, that economic conditions in that country are head and shoulders above any which I observed in most of the other Caribbean countries on my trips in that area. In this connection, you have in the files of the Department of State a copy of the report I filed with the Senate Committee on Appropriations in January of 1959, covering an inspection mission which I performed in the South and Central American area during the fall of 1958. (S. Doc. 13, 86th Cong., 1st sess.) With specific reference to the Dominican Republic, pages 484 and 485 of that report reflect my views and comments as of that time—views and comments, I hasten to add, which have not changed since the date of my report. I remarked:

"The Trujillo reign has been the subject of much criticism in the United States. In all frankness, I wish to make it abundantly clear that I do not regard myself as being in a position to comment on the conduct of the Government of this country, one way or the other. I have no personal knowledge as to the internal policies or, for that matter, the political composition of the Government of the Dominican Republic, although Americans with whom I spoke during my visit offered some criticism and also lots of praise.

"I did find that hundreds of new homes have been built in Ciudad Trujillo. In addition, I saw many fine schools, good hospitals, and excellent market facilities. I was informed that similar facilities have been provided in other parts of the country. I did not see cleaner and better operated markets in any South or Central American country than those I saw in the Dominican Republic. It is apparent that good meat, fine poultry, and a large assortment of vegetables and other products are now being produced in large quantities."

The physical well-being of the Dominican Republic comes into even clearer focus when conditions in that country are contrasted with those I found to exist in Haiti—a country which, with the Dominican Republic, shares the Island of Hispaniola. I refer you to the report I mentioned previously, pages 500 and 501, where I observed:

"It is doubtless true that tremendous problems face the leaders of this country. There are demands for increasing the educational level and to provide an opportunity for graduate studies for Haitians. Because there is little room for advancement for Haitians who have finished college and gone on through graduate school, it would do the country little good to create an upper strata of well-trained individuals.

"I never saw anything like these markets, save perhaps in Accra, Gold Coast, and Lagus, Nigeria. Actually, the methods are identical.

"The streets are positively filthy—sewers are open and I nearly fell into an open manhole. I was told that the manhole has been open for months—that someone must have stolen the cover.

"Small street restaurants, specializing in boiled cornmeal, are plentiful, but other cooked foods are also sold. Plantains, cassava roots and other root crops are used to make flour.

"One must see the extremely adverse conditions that prevail in the markets of Port-au-Prince to believe them.

"I fear that no matter what amount of money we have spent or may spend in the future to improve health conditions, the present deplorable and depressing standards will continue to prevail."

My fear, Mr. Secretary, is that present efforts to injure the Government of the Dominican Republic, through your Department's failure to observe the requirements imposed upon the executive branch by the act of July 6, 1960, are part and parcel of a concerted effort to depose the existing Government of the Dominican Republic, without any assurance that it will not be replaced by a Castro-type dictatorship. Furthermore, this effort may well result in reducing that country to the status of some nearby nations, similarly situated geographically, but whose poverty and economic distress require our extending various kinds of assistance to them.

I would also like to point out to you that your Department's unwillingness to abide by the legislation of July 6, 1960, as evidenced by the assignment of increased sugar supply rights to the Dominican Republic, without accompanying purchase authorizations, has resulted in the threat of injury to both domestic consumers and producers. At the very time the Department was refusing to permit producers in the Dominican Republic to market their share of the increased consumption estimate in the United States, raw sugar prices, f.a.s. New York, duty paid, reached a 37-year high.

According to my information, raw sugar was commanding something like $6.70 to $6.75 per 100 pounds, a price level which the domestic market had not seen since 1923. As a result of this skyrocketing price, the consumption estimate had to be artificially inflated, in order to pick up, in bits and dribbles, from a score or more of foreign countries, raw sugar which was readily available from producers in the Dominican Republic—many of whom, I might add, are U.S. firms employing hundreds of American citizens.

The fruits of this arbitrary action are already becoming apparent at this time insofar as domestic producers may be concerned. Sugar prices have begun to fall; as of Friday, August 5, they had dropped from $6.70–6.75 to $6.40, f.a.s. New York, duty paid. This drop doubtless reflects the market's awareness that the Department of State has taken to itself almost full and complete control over the mechanics of marketings under the sugar act. With some 322,000 tons of the Dominican Republic's "quota" outstanding, and subject to the issuance of purchase authorizations, the softness of price in the market will doubtless be compounded as the marketing year draws to a close, for, as the period over which such a large quantity of sugar could be marketed in the United States is reduced, the impact of such quota upon the market becomes correspondingly greater. I warn you now, that should the Department of State withhold the issuance of purchase authorizations against this sugar until later in the fall, the impact upon the producers of mainland sugarcane is going to be enormous. How your Department can square the possibility of such enormous harm with the mandate of the act itself is beyond my comprehension.

For the reasons enumerated above, I most respectfully request that the Department of State purge itself of the contempt it has shown for the letter of the law, as embodied in the July 6, 1960 enactment; that it fulfill the mandate imposed upon it to utilize its efforts to protect both consumers and producers of sugar in the United States; that it cease and desist from actions designed to impose the views of some of its personnel and a few of the mass media outlets upon the people of a friendly foreign government. I want to particularly urge you to undertake to discover who in your Department may be behind the venomous campaign against the Dominican Republic.

Very truly yours,

ALLEN J. ELLENDER,
U.S. Senator.

Mr. ELLENDER. I have awaited with interest a reply from the Secretary of State. Today one was received at approximately the same moment I received a copy of a special message from the President of the United States, with reference to sugar legislation. It is interesting to lay these two documents side by side for comparison.

The gist of the Department of State's reply is that under the Emergency Act, the Department is given almost total discretion as to the timing of purchases—that while the act creates priorities, in one section, a separate proviso accords to the President authority to jiggle and juggle the time at which allocations of sugar made under the system of priorities can enter the United States.

In a subsequent paragraph of the letter, the Department takes the position that the act, although clear on its face, actually authorizes the Department to indulge in some of the most fantastic legal gymnastics it has ever been my misfortune to encounter. I read from the Department's letter:

> The Department considers that section 408(b)(2) authorizes the President to purchase or authorize the purchase of sugar from quota and nonquota countries under the proviso to subparagraph (iii) even though sugar apportioned to the Dominican Republic has not first been imported from that country, and even though all supplies of sugar in quota countries have not been exhausted; and the Department considers that the priorities established in that section have in no way been violated or ignored.

In this paragraph the Department seems to say that under its tortured interpretation of the act, the proviso actually would permit the Department to ignore the system of priorities carefully created by the Congress. The Department also has the gall and temerity to invoke what it describes as "a basic rule for the construction of statutes and other legal instruments," in support of its position.

I most respectfully declare to the Department of State and its legal beagles that it is not I who requires a lesson in statutory construction, and if it is rules of law which the Department desires to apply, the Department might find it prudent to take a look at any bona fide legal publication dealing with legislative intent. To use a proviso as a means of perverting, yes, destroying, legislative intent, is not statutory construction, it is statutory destruction, and I wish to state most emphatically, that the position of the Department of State, if sustained, would result in the complete and utter destruction of this statute.

The Department says that the proviso permits it to go outside the system of priorities as to quota countries. If this can be done as to quota countries, then the same course of action could be applied against domestic producers, as well. No one in his right mind could ever believe that the Congress ever intended anything of this nature.

Taken to its logical conclusion, the interpretation demanded by the Department of State would permit the Secretary of Agriculture to give all of the reduced Cuban quota to one foreign country, or to one segment of the domestic industry. I cannot believe that any Member of this Congress would contend that such was ever contemplated.

It strikes me that the nit-picking, legal-loopholing, intent-ignoring document submitted by the Department of State in answer to my protest warrants the complete and utter censure of the Senate, indeed, of all of our people. If this kind of legal legerdemain is going to be characteristic of our executive agencies, then I most emphatically declare that the people of our country cannot go to bed in safety tonight—that the Bill of Rights may soon be construed to authorize any number of heinous acts.

I hardly completed my initial perusal of the Department of State's letter before the President's message was placed upon my desk, and, Mr. President, a comparison of the two makes interesting reading.

The Department of State declares that the emergency act gives it carte blanche authority over the timing of purchases; presumably, the Department of State, under its interpretation of the law, could, through the device of timing preclude from now until doomsday the entry of any Dominican sugar into our market. If, indeed, the timing of Dominican imports is vested in the Department of State, solely and exclusively, then such an exclusive and preemptive grant would, logically extended, carry with it the power to refuse entry to such sugar entirely.

Yet, evidently the President believes otherwise, for in the message he sent to Congress today he states, and I quote:

> In view of the foregoing consideration, the Government should have discretion to purchase elsewhere the quantity apportioned to the Dominican Republic pursuant to the July amendment to the Sugar Act. I therefore request legislation providing that amounts which would be purchased in the Dominican Republic pursuant to the July amendment need not be purchased there, but may be purchased from any foreign countries without regard to allocation.

I ask unanimous consent to have printed in the RECORD at this point in my remarks a copy of the letter addressed to me by the Secretary of State in answer

to my letter of August 8, which I previously placed in the RECORD. This letter is signed by Mr. William B. Macomber, Jr., Assistant Secretary.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, D.C.

The Honorable ALLEN J. ELLENDER,
U.S. Senate.

DEAR SENATOR ELLENDER: I refer to your letter of August 8, 1960, to the Secretary, in which you raise various questions with regard to the administration by the executive branch, and in particular by the Department of State, of certain provisions of the Sugar Act of 1948, as amended, and with regard to the general relations between the United States and the Dominican Republic.

As you are aware, in applying the provisions of section 408(b)(2), the Secretary of Agriculture has, pursuant to Proclamation No. 3355 of July 6, 1960 (25 F.R. 6414), and with the concurrence of the Secretary of State, authorized the purchase by private importers of the amount of sugar by which the Cuban quota has been reduced as a result of that proclamation (25 F.R. 6873, July 20, 1960; 25 F.R. 7091, July 27, 1960; 25 F.R. 7356, Aug. 5, 1960; 7 C.F.R. 818.4). In making the apportionment pursuant to subparagraph (iii) of section 408(b)(2), an apportionment of some 322,000 short tons, raw value, was made to the Dominican Republic, but was "not authorized for purchase at this time" (ibid.). As you are also aware, certain quantities of sugar have been authorized for purchase from nonquota countries.

With reference to these actions, you charge that "the Department of State, by exerting its influence upon the Department of Agriculture, has twisted, tortured, and perverted the authority accorded to the executive branch in connection with emergency sugar legislation approved by the Congress on July 3, 1960." More specifically, you state that (1) "the Department of State has wilfully and wrongfully denied entry into the United States of some 322,000 tons of sugar * * * which the Dominican Republic is entitled to market in the United States under the clear terminology of the act"; and (2) that "purchases are to be made from countries in this third [nonquota] category only as a last resort, that is, only after supplies of sugar in domestic areas and quota countries have been exhausted," and that "the priorities created in the act of July 6, 1960, have been flagrantly ignored, purchases have been made from nonquota countries, while the sugar so purchased could have been, but was not, acquired from at least one quota country, that is, the Dominican Republic."

The Department must respectfully disagree with your position in this matter, and asserts its belief that the executive branch, and the Department of State insofar as it has been concerned, have acted entirely in accord with the applicable law as regards the actions to which you refer. An examination of section 408(b)(2) of the Sugar Act, which was added to the act by amendment on July 6, 1960 (Public Law 86-592, sec. 3), will make this clear.

In the first place, the Department of State is of the view that the action of not authorizing the purchase from the Dominican Republic "at this time" is permissible under the language of section 408(b)(2), which authorizes the President "to cause or permit to be brought or imported into or marketed in the United States, at such times and from such sources, including any country whose quota has been so reduced, and subject to such terms and conditions as he deems appropriate under the prevailing circumstances, a quantity of sugar" not in excess of that by which the Cuban quota has been reduced. In the opinion of the Department of State, the above language grants to the President discretion with regard to the timing of importation. It may be pointed out that the provisos in section 408(b)(2) contain no language purporting to limit this grant of discretion with respect to the timing of importation as between sources referred to in subparagraph (iii). In this connection, the Department respectfully calls attention to a basic rule for the construction of statutes and other legal instruments, to the effect that a proviso or exception which restricts a general grant must be strictly construed.

Secondly, the Department considers that section 408(b)(2) authorizes the President to purchase or authorize the purchase of sugar from quota and nonquota countries under the proviso to subparagraph (iii) even though sugar apportioned to the Dominican Republic has not first been imported from that country and even though all supplies of sugar in quota countries have not been exhausted; and the Department considers that the priorities established in that section have in no way been violated or ignored.

As you know the Secretary of Agriculture in authorizing purchases from nonquota countries acted pursuant to the proviso to subparagraph (iii) of section 408(b)(2), which provides "that if additional amounts of sugar are required, the President may authorize the purchase of such amounts from any foreign countries, without regard to allocation."

It may first be pointed out that the Secretary of Agriculture did not in authorizing the purchase of sugar from nonquota countries under the proviso to subparagraph (iii) authorize the purchase of any of the sugar apportioned to the Dominican Republic under subparagraph (iii), but only of that sugar apportioned thereunder to other countries which he determined such other countries would be unable to supply. No part of the sugar apportioned to the Dominican Republic under subparagraph (iii) has been authorized to be purchased from any other source.

Secondly, the proviso, read in conjunction with the preceding part of subparagraph (iii), sets forth a statutory scheme under which, if a deficit exists in the amounts to be derived from countries falling under such first part of subparagraph (iii), that deficit is not required to be made up from the other countries falling under the first part of subparagraph (iii), but is rather to be made up under the proviso as an additional amount to be derived from any foreign sources, whether quota or nonquota countries.

Further, there is nothing in the language of the proviso, especially when viewed in the light of the practicalities of the supply and price situation, that warrants the interpretation that all available amounts apportioned under subparagraph (iii) must actually be purchased before any deficit may be filled from the sources authorized under the proviso. In this connection the Department repeats its view that the language of section 408(b)(2) clearly grants discretion as to the timing of importation.

It is expected that an amendment to the Sugar Act of 1948, as amended, as it relates to the Dominican Republic problem will be requested in the near future.

I would now like to turn briefly to the economic questions you raise.

Your letter calls attention to the fact that the price for bagged raw sugar f.a.s. New York, duty paid, rose to a peak of $6.70 per 100 pounds, for a few days during the month of July. This price was, as you observe, one of the highest prices for many years and apparently reflected a temporary market situation and, perhaps, unjustified fears that this country might run short of sugar. Naturally, the executive agencies of the Government were aware of this situation and would not permit a shortage to develop so long as it could be avoided. Accordingly, the Departments of State and Agriculture collaborated in actions making adequate supplies available. The result is that the price, though still materially above the level prevailing during the first half of the year, is now approximately the same as the level prevailing a year ago. In this connection, it may be noted that for the first 6 months of 1960 raw sugar prices varied from $5.85 to $6.40 per 100 pounds, averaging $6.09. For the month of June 1960 the average price was $6.25 per 100 pounds.

You also express concern over the possible adverse effects on prices if this country purchases as much as 322,000 tons of sugar from the Dominican Republic over a short period of time, and late in the marketing year. The executive branch is also aware of this problem and is considering ways to meet it.

The actions of the Trujillo regime both inside and outside the Dominican Republic have for some time been the cause of grave concern to the United States and the other nations of the hemisphere. On June 3, 1960, the Inter-American Peace Committee of the Organization of American States issued a report, in which the United States concurred, which concluded that the Dominican Republic has contributed to political tensions in the Caribbean area by its flagrant violation of human rights including the use of intimidation and terror as a political weapon. Seven Latin American countries had already broken diplomatic relations with the Dominican Republic before the meeting of Foreign Ministers convened last week in San Jose to discuss the problem which the Trujillo regime presents to the hemisphere. At this meeting the charges brought against the Dominican Government by Venezuela were considered, the Foreign Ministers voting to condemn the Dominican acts of aggression and intervention against Venezuela, culminating in the attempt on the life of the President of that country, and resolved to (1) break diplomatic relations with the Dominican Republic, and (2) interrupt partially economic relations with that country beginning with a suspension of trade in arms and implements of war, with the provision that the Council of the Organization of American States shall study the feasibility and desirability of extending this trade suspension to other articles. The United States joined with all the other American Republics in approving these measures.

I hope that the above discussion provides a satisfactory explanation of the Government's actions.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary.

Mr. ELLENDER. I ask unanimous consent to have placed in the RECORD at this point in my remarks the message of the President to which I have just referred.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

To the Congress of the United States:

The meeting of Foreign Ministers of the American Republics at San Jose, Costa Rica, has just completed its deliberations on the charges made against the Dominican Republic by the Government of Venezuela, as well as on the flagrant violation of human rights by the Trujillo regime. The Foreign Ministers voted unanimously to condemn the Dominican acts of aggression and intervention against Venezuela, culminating in the attempt on the life of the President of that country, and resolved to (1) break diplomatic relations with the Dominican Republic, and (2) interrupt partially economic relations with that country beginning with a suspension of trade in arms and implements of war, with the provision that the Council of the Organization of Ameri-

can States shall study the feasibility and desirability of extending this trade suspension to other articles. The United States joined with the other American Republics in approving these measures.

Some 322,000 short tons of the sugar not being purchased from Cuba pursuant to the reduction in the Cuban quota is, under the July amendment to the Sugar Act, to be allocated to the Dominican Republic. This allocation is in addition to the Dominican Republic's 1960 quota amounting to approximately 130,000 tons. Since total imports of sugar from the Dominican Republic in 1959 amounted only to about 84,000 tons, the statutory allocation would give that country a large sugar bonus seriously embarrassing to the United States in the conduct of our foreign relations throughout the hemisphere.

In view of the foregoing considerations, the Government should have discretion to purchase elsewhere the quantity apportioned to the Dominican Republic pursuant to the July amendment to the Sugar Act. I therefore request legislation providing that amounts which would be purchased in the Dominican Republic pursuant to the July amendment need not be purchased there, but may be purchased from any foreign countries without regard to allocation.

I would also remind the Congress that the Sugar Act's present termination date of March 31, 1961—only 3 months after the reconvening of Congress next January—could cause a serious gap in supplies, because it often takes as much as 1 or 2 months after purchase for sugar from distant areas to reach our refineries. Thus an extension of the Sugar Act beyond its present termination date is necessary at this session in order to protect consumers in the United States against the possibility of unreasonable prices for sugar next February and March.

I request that the Congress give urgent consideration to and take favorable action on the proposed legislation.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 23, 1960.*

Mr. ELLENDER. In other words, Mr. President, the President of the United States, in a special message to the Congress, declares emphatically that he does not have that authority which his own Department of State declares that he has, and, further, that the President is now requesting the Congress, as an ex post facto act, on a nunc pro tunc basis, to give him such authority.

Mr. President, where are we—in "Alice in Wonderland"—and who is Alice, the President, or the Department of State?

Let us look further into this fantasy, this obnoxious display of naked misuse of Executive power.

A careful reading of the President's message and the Department of State's letter reveals that the so-called legal arguments advanced by the Department of State are not legal arguments at all, but, in fact, are smokescreens advanced by the executive branch as a means of hiding activities and actions, which the Congress expressly has denied them the power to pursue.

Both documents, stripped to their bare essentials, reveal that the deliberate flouting of the law engaged in by the Department of State finds its basis not in any provisos or priorities, not in any rules of statutory construction, not in any legal theory ever devised by the mind of man, but, rather, in the Department's overwhelming desire to wreak vengeance upon the people of the Dominican Republic—including our own citizens doing business there—pursuant to a half-baked scheme concocted by certain so-called leaders in some Latin American countries, principally the dictator Betancourt in Venezuela.

Even on this basis, Mr. President, the authority requested by the President could not be justified, and I am amazed to find that the President of the United States seeks to leave the impression that such is the case.

Specifically, in his message, the President declares that the extraordinary authority which he requests—the same authority which his fancy-pants advisers in the Department of State already claim to be his right—is imperative because—

> The Foreign Ministers resolved to (1) break diplomatic relations with the Dominican Republic, and (2) interrupt partially economic relations with that country beginning with a suspension of trade in arms and implements of war.

I most emphatically declare that such is not the whole truth, and, even if it were, no such authority as the President requests should be given to him.

First, a careful reading of the resolution adopted by the Foreign Ministers of the OAS does not support the impression sought to be left by the President.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

TEXT OF OAS RESOLUTION ON THE DOMINICAN ISSUE

The sixth meeting of consultation of ministers of foreign affairs, to serve as organ of consultation in application of the Inter-American Treaty of Reciprocal Assistance.

Having seen the report of the investigating committee appointed pursuant to the provisions of the third paragraph of the resolution approved by the Council of the Organization of American States of July 8, 1960, and

Considering:

That the Charter of the Organization of American States sets forth the principle that international order consists essentially of respect for the personality, sovereignty and independence of states, and the faithful fulfillment of obligations derived from treaties and other sources of international law;

That in connection with the incident denounced by the Government of Venezuela before the Inter-American Peace Committee on November 25, 1959, that organ of the Inter-American system reached the conclusion that "the necessary arrangements to carry out the flight from Ciudad Trujillo to Aruba—planned for the purpose of dropping leaflets over a Venezuelan city—and to load these leaflets in Ciudad Trujillo, could not have been carried out without the connivance of the Dominican authorities";

That the committee of the Council of the Organization of American States acting provisionally as organ of consultation that was entrusted with the investigation of the acts denounced by the Government of Venezuela, reached the conclusion that the Government of the Dominican Republic issued diplomatic passports to be used by Venezuelans who participated in the military uprising that took place in April 1960 in San Cristobal, Venezuela;

That the Committee of the Council of the Organization of American States, acting provisionally as organ of consultation, which was charged with the investigation of the acts denounced by the Government of the Republic of Venezuela, also reached the conclusions that:

1. The attempt against the life of the President of Venezuela perpetrated on June 24, 1960, was part of a plot intended to overthrow the Government of that country.

2. The persons implicated in the aforementioned attempt and plot received moral support and material assistance from high officials of the Government of the Dominican Republic;

3. This assistance consisted principally of providing the persons implicated facilities to travel and to enter and reside in Dominican territory in connection with their subversive plan; of having facilitated the two flights of the plane of Venezuelan registry to and from the military air base of San Isidro, Dominican Republic; of providing arms for use in the coup against the Government of Venezuela and the electronic device and the explosives which were used in the attempt; as well as of having instructed the person who caused the explosion in the operation of the electronic device of that explosive and of having demonstrated to him the destructive force of the same.

That the aforementioned actions constitute acts of intervention and aggression against the Republic of Venezuela, which affect the sovereignty of that state and endanger the peace of America; and

That in the present case collective action is justified under the provisions of Article 19 of the Charter of the Organization of American States:

Resolves, to condemn emphatically the participation of the Government of the Dominican Republic in the act of aggression and intervention against the state of Venezuela that culminated in the attempt on the life of the President of that country and, as a consequence, pursuant to the provisions of articles 6 and 8 of the Inter-American Treaty of Reciprocal Assistance.

Agrees:

1. To apply the following measures:

(a) Breaking of diplomatic relations of all the member states with the Dominican Republic;

(b) Partial interruption of economic relations of all the member states, with the Dominican Republic, beginning with the immediate suspension of trade in arms and implements of war of every kind. The Council of the Organization of American States, in accordance with the circumstances and with due consideration of the constitutional or legal limitations of all and each one of the member states, shall study the feasibility and desirability of extending the suspension of trade with the Dominican Republic to other articles.

2. To authorize the Council of the Organization of American States to discontinue, by a two-thirds vote of its members, the measures adopted in this resolution, at such time as the Government of the Dominican Republic should cease to constitute a source of danger to the peace and security of the hemisphere.

3. To authorize the Secretary General of the Organization of American States to transmit to the Security Council of the United Nations full information concerning the measures agreed upon in this resolution.

Mr. ELLENDER. Mr. President, the severing of relations with the Dominican Republic called for in the resolution does not involve, nor does it contemplate, a termination of economic intercourse between the other members of the OAS and the Dominican Republic. As I understand matters, the United States proposes to withdraw its Ambassador, but a consul general will remain in Ciudad Trujillo. Further, normal economic intercourse between the United States and

the Dominican Republic will be maintained. To do otherwise would be to write off hundreds of millions of dollars of American investments in that country.

Second, the economic sanctions voted to be applied by the OAS to the Dominican Republic consist solely and simply of suspending trade in arms and implements of war. Quoting from the resolution at this point would serve to clarify matters. The OAS members agreed to apply the following measure:

> Partial interruption of economic relations of all the member states with the Dominican Republic, beginning with the immediate suspension of trade in arms and implements of war of every kind. The Council of the Organization of American States, in accordance with the circumstances and with due consideration of the constitutional or legal limitations of all and each one of the member states, shall study the feasibility and desirability of extending the suspension of trade with the Dominican Republic to other articles.

Notice, Mr. President, that while the resolution uses the term "beginning with," no economic sanctions other than suspension of arms trade are authorized, or even contemplated at this time. As a matter of fact, the resolution, by its clear terminology, contemplates only further study, and not further action at this time with regard to—and I quote again: "the feasibility and desirability of extending the suspension of trade with the Dominican Republic to other articles."

Notice, too, Mr. President, that the "suspension of trade in arms and implements of war" voted against the Dominican Republic is not completely absolute, but that even this sanction is—and I quote again from the text of the OAS resolution:

> In accordance with the circumstances and with due consideration of the constitutional or legal limitations of all and each one of the member states.

There is nothing mandatory about even the limited economic sanctions voted, should the application of such sanctions not be in accordance with—and listen to this: "The circumstances, constitutional limitations, or legal limitations" of the member states.

I most respectfully state, Mr. President, that nothing in the OAS resolution compels, or even suggests, the course of action recommended by the President, for, as I have pointed out, severing of diplomatic ties does not, of itself, contemplate dissolution and termination of economic intercourse between the United States and the Dominican Republic, and, further, the only specific reference in the resolution to economic intercourse applies only to trade in arms and implements of war.

The President is presumed to know and understand these facts, and the question still remains as to why he should request such authority, at this late date.

Again, Mr. President, a careful reading of the President's message will supply the answer. The President wants this authority not because he already possesses it—as the State Department at one time evidently believed—not because it is required by the OAS resolution, not because circumstances in the Dominican Republic justify it, but because the President evidently believes that purchases of sugar from the Dominican Republic constitute, in effect, a gratuity to that country. This attitude becomes apparent and is manifested in these words, and I quote again from the President's message:

> Some 322,000 short tons of the sugar not being purchased from Cuba pursuant to the reduction in the Cuban quota is, under the July amendment to the Sugar Act, to be allocated to the Dominican Republic.
>
> This allocation is in addition to the Dominican Republic's 1960 quota amounting to approximately 130,000 tons. Since total imports of sugar from the Dominican Republic in 1959 amounted only to about 84,000 tons, the statutory allocation would give that country a large sugar bonus seriously embarrassing to the United States in the conduct of our foreign relations throughout the hemisphere.

Would the purchase of this sugar from the Dominican Republic be "seriously embarrassing to the United States in the conduct of our foreign relations throughout the hemisphere," Mr. President?

I submit most emphatically that it would not.

First, and foremost, sugar purchases from the Dominican Republic are not in the nature of a gratuity to a foreign government.

They constitute arm's-length sales, and, let me make it clear, sales not from the Government of the Dominican Republic to the United States, but from private business operating within the Dominican Republic to the United States.

In this connection, one company, the South Puerto Rico Sugar Co., has substantial sugar interests in the Dominican Republic. This company is an American firm, listed on the New York Stock Exchange, the ownership of which is vested in thousands of American shareholders. This company employs hundreds of Americans in its operations in the Dominican Republic.

It is firms such as this which the President's embargo power would injure, if not destroy completely, and any sane person who believes otherwise is in for a rude awakening.

Second, purchasing from sugar producers in the Dominican Republic is far from a gratuity; we get value received for every penny we spend there. It is true that because of our quota system sales to refiners in the United States command higher prices than sales on the so-called world market, generally speaking, but, again, the fruits of such sales go to privately owned producers of sugar, not the Government in the Dominican Republic. I am amazed that the Department of State and the President either do not realize and appreciate these facts, or, if they do, that they are ignoring them.

Mr. President, while I would be the last to suggest that the Government of the United States pursue a course of action which would be injurious to the present or future welfare or safety of our country, I cannot believe that imposing an embargo on purchases of sugar from firms operating in the Dominican Republic is warranted at this time.

In the first place, Mr. President, if embarrassment is sustained as a result of such purchases, who suffers such embarrassment? Is it the United States? I cannot believe that it could be. Certainly, our country has never in the past been embarrassed because we paid full value for commodities acquired from any country unless a state of war existed; or unless, as is the case with the Soviet Union, international considerations of an overwhelming magnitude so dictated. Are there any circumstances in our relationship with the Dominican Republic which should compel such embarrassment? I submit that there are not.

The Dominican Republic has never imposed undue restrictions upon U.S. citizens visiting in that country, upon U.S. business operations therein, or upon normal trade between the United States and the Dominican Republic. Contrast this, if we will, with the depredations worked upon our interests—civil, economic, and military—in Cuba, at the hands of demagog-dictator Castro.

I have heard no protests against unfair treatment at the hands of the Dominican Government from any reliable American; contrast this with the almost hourly complaints directed against the heavy hands of Castro's Red-tinged hordes in Cuba.

To the best of my knowledge, the Government of the Dominican Republic has not on any occasion indulged in an act of aggression, either economic or military, against the United States. Contrast this with the militant attitudes displayed every day by Castro, Castro and Guevera, and their cohorts, in Cuba.

Why should we be embarrassed to engage in normal commercial transactions with a friendly nation, the Dominican Republic?

If there is an answer to this question, it is to be found in the fact that several governments to the south of us want the United States to assist them in removing from authority over the Dominican Republic a government with which these countries do not agree, and whose removal they feel would be beneficial to their own interests or philosophies.

But, I ask, if we are to succumb to such pressures, where will we draw the line? Are we serenely and supinely to bow down to the wishes of each and every "two-bit" dictator in the Western Hemisphere?

There is talk of "hemisphere solidarity." Where was this solidarity when Castro was coming to power in Cuba? Where is it today, when American interests have been confiscated, American citizens insulted, our flag subjected to ridicule, and the good name of our Republic coupled almost daily with epithets and oaths emerging from behind the ragged beard of Fidel Castro?

There is reference in the OAS resolution to certain so-called aggressive acts which, it is alleged, were either sanctioned or instigated by the Trujillo regime in the Dominican Republic.

Where were the other OAS members, where was Venezuela and its chief, Betancourt, when Castro was heaping hate upon the United States? Where are they today? Are they imposing economic sanctions on Castro? Is Mexico refusing to sell oil to Cuba? Is there any other OAS country which is initiating, either individually or collectively, an arms embargo against Castro?

For that matter, where were Venezuela and Betancourt when Castro was proclaiming that he intended to "liberate" the Dominican Republic? Where is the resolution of condemnation directed against the Castro government for its attempts—abortive, fortunately—to invade the Dominican Republic?

Mr. President, the so-called facts recounted in the OAS resolution, designed to support that resolution, the recitation of events which purported to justify that resolution, either occurrred quite some time ago, prior to the institution of reforms in the Dominican Republic, or, if subsequent to that time, have found their counterparts, and more, in the demented ravings and vile acts of the present Government of Cuba.

Yet, strangely, I hear no condemnation of Castro issuing from the OAS.

Under no circumstances should the President be given the authority he requests, and I promise Senators that I intend to exert every effort at my command to defeat any proposals designed to accord him or any of his hirelings such power.

In the first place, for reasons I have already indicated, such power is not needed, nor is it justified. Certain beneficial developments have taken place within the Dominican Republic during recent months which bode good for the future. It strikes me that the United States and the OAS should be encouraging such developments, expressing gratification at such developments, instead of seeking to drive from power the Government which has instituted them. In this connection, here are some of the changes—changes for the better—which have transpired in the Dominican Republic. I remind Senators that most, if not all, of these have occurred subsequent to the acts complained of in the OAS resolution.

These are actions taken by President Joaquin Belaguer, of the Dominican Republic, since he took office on August 3, some 3 weeks ago:

First. Hector Trujillo has resigned from Presidency.

Second. Rafael Trujillo has resigned as head of the Dominican Party and chief of the armed forces and is appointed to head delegation to 1960 United Nations General Assembly.

Third. Jose Garcia Trujillo removed as armed forces secretary.

Fourth. Louis Ruiz Trujillo removed as presidential secretary.

Fifth. Gen. Rafael Trujillo, Jr., has been sent to Geneva to headquarters of General Agreement on Tariffs and Trade, and has resigned as chairman of military joint chiefs of staff.

Sixth. Free general elections are scheduled for 1962.

Seventh. Municipal and provincial elections to be held December 15, 1960.

Eighth. Safe conduct passes and passports have been granted to all political refugees who had taken asylum in the embassies.

Ninth. New President has dismissed personal security guard assigned to former Dominican Presidents.

Tenth. Opposition parties have been established and are openly operating in the Dominican Republic. No action has been taken nor is any contemplated against these parties by the Government. Opposition parties advocate the defeat of the existing Government through the electoral process at elections referred to above.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Mississippi for a question.

Mr. EASTLAND. Is it not true that Trujillo has been a friend of the United States?

Mr. ELLENDER. I do not believe there is any doubt about that. I have visited the Dominican Republic on two or three occasions; I was there in 1958. As a matter of fact, it was my privilege to visit every country in South and Central America in 1958. My report filed as a result of that trip shows that I stated then, and I again state now, that there is not one country in South or Central America which, since 1952, has shown greater economic progress than the Dominican Republic.

Senators should do as I did; go there and see for themselves—go and see what that Government has done. The Dominican Republic has the finest kind of roads, excellent schools, and modern hospitals. The amount of housing has increased tremendously. All of this has been done through the prudent and wise development of the natural resources in that country.

In my humble judgment, much of the trouble which we are now experiencing in Latin America stems from the fact that quite a few of the countries in that area will not try to do what has been done in the Dominican Republic—that is, use existing resources as a means of achieving economic progress.

Mr. EASTLAND. And they have done it without handouts from others.

Mr. ELLENDER. That is certainly true as to the Dominican Republic. That Government has used its own resources, and the people have worked hard. I visited some of the farms there. Japanese have been brought in by the Government, as have other nationalities. Their talents have been put to good use. Evidence of progress is evident almost everywhere. For instance, I saw as fine a dairy there as I have ever seen, Mr. President. Let me emphasize again that all of these developments have been accomplished by the people of the Dominican Republic without gifts of money from any foreign power. The job has been done by efficiently developing the available natural resources of the country.

Mr. EASTLAND. Mr. President, will the Senator from Louisiana yield further?

The PRESIDING OFFICER (Mr. BURDICK in the chair). Does the Senator from Louisiana yield further to the Senator from Mississippi?

Mr. ELLENDER. I yield.

Mr. EASTLAND. Did the Senator from Louisiana find that the people there were happy and contented?

Mr. ELLENDER. I saw no evidence of unrest, but I must be frank in stating that I did not go there looking for any. However, let me say that conditions in the Dominican Republic are much better than in Haiti, the next-door neighbor of the Dominican Republic. The only thing dividing Haiti from the Dominican Republic is a small chain of mountains. The two countries have about the same available natural resources. But the lack of progress in Haiti, under the present regime, is shameful, to my way of thinking. We have been supplying millions of dollars to help those people, but the progress is very slow, whereas we have not spent a dime of economic aid money in the Dominican Republic. Yet as the distinguished Senator from Mississippi has said, the people of the Dominican Republic are prosperous and are living in peace.

As I took pains to state in my report, I am not competent to comment on what, if anything, Generalissimo Trujillo may have done when he first took office. He may have had to use strong tactics to accomplish things; I frankly do not know. But I daresay that there is no country in Central America or in South America which would qualify as a democracy as the term is generally understood in the United States. Several are actually military dictatorships.

Mr. EASTLAND. Mr. President, will the Senator from Louisiana yield further?

Mr. ELLENDER. I yield.

Mr. EASTLAND. Is it not true that the Dominican Republic has had more revolutions than any other country in the history of the world, and that Trujillo has given the country stability—something it never had before?

Mr. ELLENDER. There is no question about that.

Mr. EASTLAND. Is it not also true that it takes a strong arm to rule in countries of that sort and in Latin America?

Mr. ELLENDER. That is certainly true in many instances. As a matter of fact, based upon my observation of conditions in the Dominican Republic as compared with conditions in some of the other countries I visited in that area, it might be said that a little of that same kind of leadership should be applied in some additional areas.

I invite Senators to visit there and see for themselves what has taken place.

I repeat that the people in the Dominican Republic are apparently happy. They have good schools, good hospitals, fine roads, and an abundance of food.

Mr. President, let me give Senators just one specific example of the kind of economic progress which has taken place there. I visited a sugar mill, Rio Haina, the largest in the world. I was dumbfounded; we have nothing like it in the Louisiana sugarcane areas. To the best of my knowledge, there is nothing like it in Florida or in any other part of the

world. That sugar mill is just one of many such symbols of progress. But today there are some who wish to destroy all that.

Mr. EASTLAND. If it were destroyed and if a vacuum were left, who would march in?

Mr. ELLENDER. Another Castro, without a doubt.

Mr. EASTLAND. Mr. President, will the Senator from Louisiana yield for another question?

Mr. ELLENDER. I yield.

Mr. EASTLAND. Is it not true that the same group in the State Department who had a hand in delivering Cuba to Castro desire to overthrow the Trujillo government in the Dominican Republic?

Mr. ELLENDER. I would not be at all surprised to find that to be the case. The Foreign Relations Committee should investigate that situation and should find out who in the State Department is so anxious to have the present regime in the Dominican Republic overthrown. I think it is shameful for our State Department even to consider action designed to affect the existence of a friendly government. That decision is one to be made by the people of the country involved—not by the U.S. Department of State.

Mr. EASTLAND. Is it in the interest of the United States that that regime be overthrown?

Mr. ELLENDER. Certainly I cannot believe that to be the case, Mr. President. I shall discuss that aspect a little later in my remarks.

An orderly change in leadership within the Dominican Republic should be encouraged, Mr. President, not squelched, as the OAS resolution proposes—as the power the President seeks to wield would insure. In politics, both domestic and foreign, as in physics, a vacuum once created is quickly filled. The sanctions which the President proposes to impose against the Dominican Republic—commercial sanctions, as opposed to an embargo on arms shipments—will, in time, I am convinced, result in the removal of the existing government of that country and in the creation of a political vacuum. Once a vacuum develops, Mr. President, it will be quickly filled—and, I predict now, as I stated a moment ago, that it will be filled by a Castro-type government.

Then where will the United States be? What will then be the position of our citizens in the Dominican Republic, of our economic interests there?

The President's request, if implemented, will bring a pro-Castro, anti-U.S., pro-Red government to power in the Dominican Republic as a matter of absolute certainty; and I cannot believe that any American could regard such a development as helpful.

Furthermore, Mr. President, the imposition of economic sanctions of the magnitude proposed by the President against the Dominican Republic would doubtless result in economic ruin to that little country. The good Lord knows there never was a more economically sound country in the Caribbean than Cuba, before Castro and his henchmen took control there. But today, Cuba's economy lies in a shambles; she is, for all practical purposes, ruined. Yet, apparently there are some who desire the same result to obtain in the Dominican Republic.

Mr. President, I visited the Dominican Republic just 2 years ago, in 1958. Upon my return, I filed with the Senate Committee on Appropriations a report which was printed as Senate Document 13 of the 86th Congress, 1st session. In that document, I contrasted conditions existing in the Dominican Republic with those prevailing in other countries in the same general area. Without an exception, the Dominican Republic at that time stood head and shoulders above all others, with the possible exception of Cuba. But, of course, today Cuba would no longer be an exception. With specific reference to the Dominican Republic, pages 484 and 485 of that report reflect my views and comments as of that time—views and comments, I hasten to add, which have not changed since the date of my report. In my report I stated:

> The Trujillo reign has been the subject of much criticism in the United States.

Mr. EASTLAND. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. EASTLAND. Is not Trujillo the foremost enemy of communism in Latin America?

Mr. ELLENDER. I never met anyone there who so often and vocally professed his opposition to communism.

Mr. EASTLAND. And he opposes the Communists, does he not?

Mr. ELLENDER. There is no doubt about that.

Mr. EASTLAND. That is the reason why Castro attempted to overthrow him, is it not?

Mr. ELLENDER. I presume that is the reason.

Mr. EASTLAND. In Venezuela is there democracy?

Mr. ELLENDER. Not as the term is generally understood in the United States. Many governments are actually dictatorships.

Mr. EASTLAND. And always have been, have they not?

Mr. ELLENDER. Certainly. Until the people there are better educated, through better schools, and so forth, that condition will continue.

Mr. President, I now read further from my report on the Dominican Republic:

> In all frankness, I wish to make it abundantly clear that I do not regard myself as being in a position to comment on the conduct of the Government of this country, one way or the other, I have no personal knowledge as to the internal policies or, for that matter, the political composition of the Government of the Dominican Republic, although Americans with whom I spoke during my visit offered some criticism and also lots of praise.
>
> I did find that hundreds of new homes have been built in Ciudad Trujillo. In addition, I saw many fine schools, good hospitals, and excellent market facilities. I was informed that similar facilities have been provided in other parts of the country. I did not see cleaner and better operated markets in any South or Central American country than those I saw in the Dominican Republic. It is apparent that good meat, fine poultry, and a large assortment of vegetables and other products are now being produced in large quantities.

Compare conditions in that country with those I found to exist in Haiti—a country which, with the Dominican Republic shares the island of Hispaniola. I refer Senators to the report I mentioned previously, pages 500 and 501, where I observed—

> It is doubtless true that tremendous problems face the leaders of this country. There are demands for increasing the educational level and to provide an opportunity for graduate studies for Haitians. Because there is little room for advancement for Haitians who have finished college and gone on through graduate school, it would do the country little good to create an upper strata of well-trained individuals.
>
> I never saw anything like these markets, save perhaps in Accra, Gold Coast, and Lagos, Nigeria. Actually, the methods are identical.
>
> The streets are positively filthy—sewers are open and I nearly fell into an open manhole. I was told that the manhole had been open for months—that someone must have stolen the cover.
>
> Small street restaurants, specializing in boiled cornmeal, are plentiful, but other cooked foods are also sold. Plantains, cassava roots, and other root crops are used to make flour.
>
> One must see the extremely adverse conditions that prevail in the markets of Port-au-Prince to believe them.
>
> I fear that no matter what amount of money we have spent or may spend in the future to improve health conditions, the present deplorable and depressing standards will continue to prevail.

Speedy removal of the existing government of the Dominican Republic, a government which is trying its best to improve conditions there, combined with economic sanctions against that island republic will, if granted, accomplish two results:

First, we will confront another Castro in the Caribbean—if, indeed, Castro himself does not move into the Dominican Republic.

Second, we will be laying the foundation for economic retrogression in the Dominican Republic. Instead of a healthy economy in that country, there will soon be a sick one and, just as soon as this happens, the Dominican Republic will be placed on the American dole. This is not farfetched, Senators; Haiti, which possesses much the same natural resources as the Dominican Republic, is already on our economic aid list; Cuba, once Castro is deposed, will be added, as well.

Other Senators may proceed in this direction if they desire, but they will journey without the company of the senior Senator from Louisiana. I was not elected to the U.S. Senate by the people of Louisiana to endorse presidential policies, or any other policies, which would, in their application, be detrimental to the United States.

Mr. President, the President's request, the Department of State's letter, are merely latter-day manifestations of the same old hand-to-mouth foreign policy whose miserable results are apparent throughout the world today. There is apparently no thought given as to long-range results; the Department of State

lives only for the moment, and under the philosophy that if we react today, tomorrow will take care of itself.

And tomorrow will take care of itself, Mr. President, in this instance.

Tomorrow will bring chaos and violence to the Dominican Republic, if the President's request is granted. Chaos and violence in that country will inevitably be accompanied by the establishment of a government there whose attitudes, to say nothing of objectives, will be inimicable to the interests of the United States—indeed, of the entire Western Hemisphere, and the free world as a whole.

I urge the Congress to refuse to knuckle down to the bankrupt foreign policy of the Department of State—a policy which is not only bankrupt of new ideas, but a policy whose apparent objective is to bankrupt the United States.

Let us cooperate with those in the Dominican Republic who desire, through orderly means, to make any improvements in the government which the people may demand, or require.

Let us not throw overboard plain common sense, and, in the process, actually assist in the implementation of a policy which will create another Castro dictatorship in the Caribbean, and lead to the addition of another nation to Uncle Sam's foreign aid program.

Mr. President, I ask unanimous consent to place in the RECORD at this point a very short brochure indicating recent developments in the Dominican Republic, pointing up the trade that has existed between us and the Dominican Republic, and other matters which I am sure will be of interest to Senators.

There being no objection, the brochure was ordered to be printed in the RECORD, as follows:

OUTLINE OF PROGRESS IN THE DOMINICAN REPUBLIC

VITAL FACTS AND FIGURES

Area: 19,332 square miles.

Population: 2,948,740 inhabitants (estimated January 1, 1960).

Capital: Largest city, Ciudad Trujillo, with 337,477 inhabitants.

Principal seaports: Recently modernized harbors include Ciudad Trujillo, Azua, Barahona, Cabo Rojo, La Romana, Puerto Plata, Puerto Libertador, Samaná, Sánchez, San Pedro de Macoris, and Rio Haina.

Form of government: Civil, republican, democratic and representative; with executive, legislative, and judicial branches.

Religion: There is complete freedom of worship, but most Dominicans are Roman Catholic.

Chief of state: Generalissimo Héctor B. Trujillo Molina, elected President in 1957 for 5 years.

Cabinet: Consists of 15 Secretaries of State.

Senate: Consists of 26 Senators; one from each province and the national district.

Chamber of Deputies: There are 64 deputies; one for every 30,000 inhabitants.

Currency: The Dominican Republic peso (written RD$) is at par with the U.S. dollar.

Estimated budget for 1960: $168,828,795.

Independence Day: February 27.

Favorable trade balances—1958 figures:

Exports	$136, 614, 711
Imports	129, 519, 037
Balance	7, 095, 678

Principal products

Sugar: Authorized production for 1959: 1,088,000 short tons.

Coffee: Estimated production for 1958: 32,448,000 kilograms. (Total export for that year: 25,751,922 kilograms, valued at $23,789,042).

Cocoa: Estimated production for 1958: 34,000,000 kilograms. (Total export for that year: 24,096,469 kilograms, valued at $20,568,171).

Tobacco: Estimated production for 1958: 22,339,189 kilograms. (Total export that year: 11,505,089 kilograms, valued at $4,790,262).

Airlines with stops in Ciudad Trujillo

Compañía Dominicana de Aviación, C. por A. (Dominican Airlines); Caribair (Caribbean Atlantic Airlines); Pan American World Airways; Delta Airlines; KLM; Varig Airlines; Aerovias Brasil, S.A.

On December 11, 1959, a new airport was inaugurated at Punta Caucedo. Pan American and Varig have jet flights landing on this airport.

Shipping lines which serve the republic

Flota Mercante Dominicana (Dominican Merchant Fleet); Hamburg Amerika Lines; Royal Dutch Steamship Co.; Transatlántica Española (Spanish Transatlantic); French Lines; Alcoa Steamship Co.; Three Bays Lines; Royal Mail Lines; Mitsui Lines; Saguenay Shipping, Ltd.; Fratelli Grimaldi, S.A.; Bull Insular Lines; Lykes Brothers; Great White Fleet; Dominican Fruit and Steamship Co.; James Nourse, Ltd.

There is periodical service between the Dominican Republic and the ports on the St. Lawrence Seaway.

INTRODUCING A NATION

A view of the Dominican Republic from an ascending space rocket would show a long island with two mountain ranges standing out, broadening to the east, from plains and river valleys carpeted with rich crops and vegetation.

The Republic occupies the eastern two thirds of the island of Santo Domingo (3 hours and 5 minutes from Miami, 3 hours and 15 minutes from New York, by jet). The western end of the island consists of the Republic of Haiti.

The country has an area of 19,332 square miles—which is a little larger than that of the States of Vermont and New Hampshire together. Its population, many of whom are of Spanish descent, enters the sixties around the 3 million mark. The Republic is the second largest in the West Indies. Its climate is subtropical with an average annual temperature of 77° F.

The Caribbean trade winds refresh the island during the summer and warm it in the winter. The interior mountains are considerably cooler at all times of the year and during the winter, frost is by no means unknown.

Spanish is the official language of the country, but English and French are taught in schools and the former is generally spoken.

The constitution is modeled on the U.S. pattern. Executive power is vested in the President, who is elected by direct vote for 5 years and may be reelected. His cabinet is formed by 15 secretaries of state. Legislative authority is vested in Congress, which includes a senate consisting of 26 members, and a chamber of deputies with 64 members. The highest court of justice is the supreme court.

The capital, Ciudad Trujillo, with a population of 337,477, is the principal seaport and commercial district. Santiago de los Caballeros is the main market and distributor of the richest, most productive agricultural region of the valley of the Cibao. Puerto Plata, on the northern coast, which is third in commercial importance, is the dispatch point for the entire Cibao district and from it, large quantities of tobacco, coffee, cocoa, etc., are shipped.

People

Like elsewhere in the Western Hemisphere, the people of the Dominican Republic are a mixture of several different racial stocks. When the first European settlers arrived, the island was populated by aborigines that the Spaniards called Indians. These soon died out as a pure race, partly through unaccustomed hard work and partly through newly introduced diseases. Negroes from Africa were then brought in as laborers. Today, the population is composed of pure whites, pure Negroes, and a mixture of the two in different proportions, in which there is probably also mixed some Indian blood. There are some Asiatics, but in very small number. There is no racial discrimination whatsoever.

Form of government

The Government is democratic and representative. All persons of either sex over 18 years of age have the right to suffrage. The President of the Republic is elected by direct vote every 5 years. In the same manner are elected the members of the national Congress, which consists of 26 Senators and the 64 members of the Chamber of Deputies. The topmost judicial body is the Supreme Court of Justice.

Executive powers are vested on the President of the Republic who is assisted by a Cabinet of 15 members. The other two branches of the Government, the legislative and the judicial, are autonomous.

The Republic is divided politically into 26 provinces whose Governors are appointed by the President. The Governors assist the Executive with recommendations as to local needs for improvement and on matters that would bring about a betterment of general conditions in their provinces.

From the founding of the Republic, the principle of separation of state and religion has been firmly adhered to. However, as the country was colonized by Spain and the Catholic Church was introduced at the establishment of the colony, the Roman Catholic religion is still the official one.

During the times of penury and strife, which preceded the present state of prosperity, the clergy became extremely scanty and inadequate for the spiritual needs of the people. The Government made efforts to increase the clergy and also invited several teaching orders, in its efforts to provide the people with more adequate education, both material and spiritual. The old churches which dated from the time of the colony were restored or rebuilt by the Government and many new churches were erected in the growing communities. The teaching orders that came to the country were generously provided with comfortable buildings for their schools and convents.

There is freedom of worship in the country and, although the Roman Catholic Church received the bulk of the Government's help, other sects have been offered ample protection and given assistance when they have established schools, hospitals or similar institutions for the common good. Some of the Protestant churches seem to have entered the country mainly through the importation of workers for the cane industry. As most of the Dominican peasants own their lands, they are reluctant to leave them to go to work in the canefields. Therefore, migrant workers had to be imported from the neighboring islands, mainly from British possessions. These were Protestants. Some Protestants are descended from American Negroes who fled to the Dominican Republic during the American Civil War. Other Protestants have come

in as missionaries and, although they have made some converts, Protestantism remains still a religion for foreigners. The main Protestant Churches in the country are the Episcopalians and Anglicans, the Seventh Day Adventists, and the Evangelicals.

There is a small number of Jews, mostly those who were given asylum in the country during the Hitlerite persecutions in Europe. These were established in the settlement of Sosúa and some have drifted into the cities. There is now a synagogue at Ciudad Trujillo and another in the settlers colony of Sosúa. Previous to this influx, there was a moderate migration toward the end of the 19th century. These were mostly Sephardites, who came to the country via the Dutch possessions in the Caribbean. They were not the classical immigrants, as they were well educated people and with ample financial means. They soon married into the upper social classes and were assimilated. Though their elders may have practiced Judaism in private, the children were soon converted into the Roman Catholic Church.

There are in the country quite a few Lebanese and people of Levantine descent. They all practice the Roman Catholic religion. As for the Asians, the Chinese who have been in the country for some time have married Dominican women and their children have been brought up as Christians. The small number of Japanese immigrants are at liberty to practice whatever religion they choose. There are freemasons in the country. The Dominican lodges do not oppose the church in any way. They are rather social clubs and devote themselves to cultural and charitable activities.

Home

The advances in engineering and architecture in the country during the last decades have contributed to make the average homes more solid and more beautiful. Although there are in the countryside frame houses, some of which are still very primitive, there has been a tremendous improvement in home building. The Government has undertaken a thorough program of housing and already in the main cities can be seen the model neighborhoods, called Barrios de Mejoramiento Social, which have been built to house workers. These homes are not intended for renting, but for private ownership by the occupant, and are sold on extremely easy installments.

Persons with private means have built themselves beautiful, up-to-date houses. It is necessary to build very solidly in the country, which stands in the path of the tropical hurricanes. The cyclone of 1930 was a tremendous lesson, which has been thoroughly learned and now houses are built both for beauty and for strength. The new cement plant has given a great impulse to building, as formerly it was necessary to import the cement. As mentioned before, it is necessary to build solidly and in this respect it has been found that reinforced concrete answers the need for solidity, at the same time lending itself to the interpretation of both traditional and modern designs. In general, the homes are of the single family type, but in the larger cities apartment buildings have been erected. In these, the apartments are roomier than they are in temperate zones, as the tropical climate makes it necessary to have more space for air circulation. Air conditioning is being used extensively, but still nothing can match the pleasure of a well orientated porch, which catches the soft breezes of the sea.

The new homes, as well as the new public buildings, are both beautiful and functional. Modern appliances are a part of the new homes.

Tourism

The country offers ample facilities to travelers. There are frequent communications by boat and by plane to the Republic. Besides the foreign shipping companies and airlines that serve the Republic, there is the Dominican merchant fleet (Flota Mercante Dominicana), with weekly sailings from New York, and also the Dominican Airline (Compañía Dominicana de Aviación), which connects Ciudad Trujillo with Miami and San Juan, P.R. Both Pan American Airways and the Brazilian airline Varig have jet services to Ciudad Trujillo, which boasts an up-to-date airport. The formalities for tourists are extremely simple, limited to obtaining a tourist card at the local travel agency or at the Dominican consulate, which allows the bearer to travel to and from the Republic during the period of 15 days.

The department of tourism does everything in its power to please the tourists. There are excellent hotels in the country, of the highest international standing. It is worth mentioning El Embajador at Ciudad Trujillo and the Hamaca at the resort beach of Boca Chica, both equally near the new airport. In the interior there are the Matum at Santiago, the San Cristobal at the town of the same name, and the Maguana at San Juan. In the mountains the resort hotels Montaña and Neuva Suiza offer excellent opportunities for relaxation in an ideal climate.

The Dominican Republic offers to the traveler a striking contrast between the magnificent buildings, churches, and palace of the colony, and the modern achievements of a progressive country. The cathedral was the first one erected in the New World and the famed palace of Columbus' son, the Alcazar, gives an unequaled example of what life was like at the court of the first Viceroy in the New World. This palace has been beautifully restored and furnished with magnificent examples of period furniture and art objects.

All over the Republic there are safe water supplies, which add to the peace of mind of the traveler; rapid communications by telephone, radio and cable. There are well-trained doctors, serving up-to-date hospitals. There are no noxious animals in the country and no dangerous endemic diseases.

For sports, there are fishing, hunting, riding, excellent golf courses and tennis courts and, of course, swimming in well-protected beaches and swimming pools. For spectators, there are horse races throughout the year; cockfights, polo and baseball. Baseball players from the big leagues come to the Dominican Republic during the winter to play with the local teams and likewise Dominican players come to the United States to play in the series. There are casinos and amusement parks. The zoo is really beautiful, in a setting of natural caves. Free music concerts are offered at the zoo and at other public parks. There are theater and ballet performances and the Dominican television and radio put on interesting programs.

In 1955 an international fair was celebrated to commemorate 25 years of peace and progress. This fair, which embraced several activities, was so successful that some of its features have been retained in a permanent basis. There is a free zone at the fair, where luxurious merchandises from all over the world can be purchased free of taxes. Also, for those who love animals, there is an annual livestock fair which attracts fine specimens.

WEALTH FROM THE PLOW

The Republic's wealth stems from her rich soil. Farm produce forms the greater part of the export trade. The most important crop is, of course, sugarcane. It is worth noting that when Columbus founded the settlement sugarcane was grown here for the first time in the New World. The production from Dominican sugar mills for 1959 was 1,088,000 tons. Of the total production 722,000 tons have been taken up by the world market, and 75,188 tons by the United States. The amount assigned for domestic consumption totaled 94,040 tons. In 1958 Dominican sugar exports consisted of 668,883,440 kilograms, valued at $56,626,057.

Coffee is the second major crop. Of the 1958 production of 32,448,000 kilograms, 25,751,922 kilograms with a value of $23,789,042 were exported. The cocoa crop in 1958 was estimated at 34 million kilograms; the total export being 24,096,469 kilograms, valued at $20,568,171.

Other agricultural products exported from the breadbasket of the Caribbean are corn, plantains, bananas, vegetable oil, rice, sisal, cotton, livestock, and meat products.

The Government's far-reaching plans for diversification and improvement of the already booming farm economy include financial aid and advice in the production and export of crops other than sugar, such as cocoa, coffee and rice. Concurrently, industries are being encouraged which make use of farm products, for example, the processing of peanuts and candies, by means of tax exemption. A Government research program is actively investigating new uses of byproducts, such as bagasse. Aid is being given in the production of new crops, like cotton and sisal.

LAND FOR THE PEOPLE

It is a basic human desire to run your own show—raise crops on your own land. The Dominican Government, recognizing this need, has established agricultural settlements on state-owned land both for Dominicans as well as refugees from Europe. For example, in 1958 alone, 13 new settlements were established in an area of 350,000 acres. Of this area a quarter is already under development.

Some 1,000 houses have been provided with Government funds and another 4,700 by private building. The state makes provision for water and irrigation, roads and electrical supply. The crop yield from these settlements sold to local markets during 1958 amounted to some $2 million.

A measure of the happy racial relations existing in the country is shown by the success of immigration policy. In 1958 the carrying out of the immigration program for agricultural development adopted by the Government in 1955 continued. During 1958, for example, 495 immigrants as well as 1,244 Dominican farmers with 5,422 persons making up their families, were settled in these agricultural developments which by the end of the year included 1,239 Spaniards, 6,173 Dominicans, 1,183 Japanese and 103 Hungarian residents. Religious toleration, ample opportunities for enterprise and government cooperation have made the new citizens a contented and dynamic element in the community. Total number of settlement houses provided in 1958 was 1,205, 3 schoolhouses, 3 warehouse-offices, 3 chapels, and 3 clinics costing in all $873,000. Water-supply lines were constructed for four developments at a cost of $250,000.

On the following chart are found the data of the agricultural settlements established in the Republic from January 1 to July 31, 1959.

Settlements for Dominicans

	Acres
Area under cultivation	57,000
Area made ready for planting	9,400
Area being prepared	2,700

Settlements for immigrants

	Acres
Area under cultivation	8,200
Area made ready for planting	3,400
Area being prepared	3,000

Total acreage of settlements

	Acres
Under cultivation	65,000
Made ready for planting	12,800
Being prepared	5,700

Crops raised by farm settlers, 1958

On settlements for Dominicans	$1,198,598
On settlements for immigrants	669,205
Total	1,867,804

Irrigation lifeblood of agriculture

Water supply in the rural areas has been improved out of all recognition by the Government. Before 1930, the total area under irrigation was 7,000 acres compared to tens of thousands of acres of parched, dusty land, heartbreaking to farmers, while today the Dominican Republic has a network of 95 irrigation canals built at a cost of $27,296,171. These canals have a capacity of 1,500 cubic feet per second, and are 2,100 miles in length, with an irrigable area of 350,000 acres.

The most important of these systems are: the Haina, with an irrigable area of 14,300 acres, and built at a cost of $2,225,333, and the Los Montones, with an irrigable area of 4,300 acres. The rollcall of some of the new canals which have changed the old pattern of wasteful farming are the Juan Carlos, Rio Limpio, the Guayajayuco, La Vigia, the Mao-Gurabo, and the Navarrete.

Industrial developments

Thirty years of stable government and internal peace have given the Dominican Republic a wonderful opportunity to develop and diversify her economy. Even though it is primarily an agricultural country, the introduction of industries has raised production of Dominican raw materials and has strengthened still further the favorable trade balance. In order to raise the production of primary products, industries, with heavy home as well as oversea investment, such as a furfural plant using bagasse from the sugar mills, and chocolate processing plants using domestic cocoa, have been set up. Good examples of industries which help the farmer as well as reduce the import of oversea products are the extraction of vegetable oil from peanuts, and the manufacture of sacks, ropes, and twine from sisal.

There is no sign of slackening pace in the Republic's industrial revolution. During 1958 and 1959 there were both the formation of new businesses (441 new industrial concerns in 1958) and a great expansion in those established since the war. A sure sign of the inherent stability of the economy was seen in increased productivity which has allowed an expansion of welfare services offered by the industrial firms, services which guided by government labor legislation are acknowledged to be some of the most advanced of their kind.

Total capital invested in industry in 1958 amounted to $226,408,227, exceeding more than 5½ times the industrial capital deployed in 1936. Billings for raw materials used in 1958 by Dominican industry totaled $87,292,081 contrasted with $81,557,143 in 1957: An increase of $5,734,938. Total sales rocketed to $272,916,861, over $28 million higher than sales in 1957. In little more than two decades annual production of national industries increased from a mere $16,279,000 to $256,637,000.

Although special facilities for oversea investing have made the Republic an extremely safe and promising investment area, the major share in industry is held by Dominicans. Examples of their new industries are: cement, oil, textiles, marble, asbestos-cement, beer, minerals, furniture, soaps, meat and its derivatives, matches, glassware, cigars and cigarettes, rum and liquor, condensed milk, ceramics, aluminum furniture, storage batteries, rawhides, cardboards, air-conditioning units, barbed wire, lubricants, paper bags, canned foods, plastic goods, flour, etc.

A MINERAL EL DORADO

A wealth undreamed of by the Conquistadores when they panned for gold in the Republic's streams is provided by the rich nickel and other metals from ore deposits lately exploited. Efforts have been intensified, with the help of foreign investments, to promote the exploring and exploiting of mineral deposits to the full. Equitable legislation exists to govern the granting of concessions for mining exploitation. A purely Dominican concern, Sal y Yeso, is exploiting Barahona's rock-salt (the largest solid deposit in the world), gypsum, marble and other ornamental rock deposits. Begun with government aid, the company is now self-supporting and has become private property.

At Hatillo, near Haina, iron ore is extracted and shipped to the United States through the Rio Haina seaport. The iron content in this ore is 67.42 percent and it has been highly praised, in particular by Japanese mining experts.

An American company, the Alcoa Exploration Co., has a concession to explore and exploit the bauxite deposits in Barahona. Other surveys to locate further deposits will be commenced in the near future. Eventually a bauxite processing plant will be constructed.

The Canadian Falconbridge Co. also plans a sizable investment in the Republic and is exploring the interior tracking down nickel deposits, which exist in substantial quantities. In 1956 a company was formed to explore and exploit oil deposits and other hydrocarbons. There is now sufficient production to provide several Dominican firms with fuel oil, and deep drills 12,500 feet are being made.

COMPLETE FINANCIAL INTEGRITY

In financial affairs the Dominican Republic feels that she has something to boast about. The Republic is in the rare position of being free of debts, internal or external, with a balanced budget and whose only foreign aid is a small sum earmarked for Western Hemisphere defense installations.

The Dominican gold peso (symbol RD$) contains 0.888671 gram of gold, and was accepted in 1948 by the International Monetary Fund. It is on a par with the U.S. dollar and also subdivides into a hundred cents (centavos). The $1 to $1,000 bills are issued by the Banco Central de la Republica Dominicana under the control of a Monetary Board. Silver, copper, and nickel coins are also issued; silver coins of 50, 25, and 10 cents; a copper-and-nickel coin worth 5 cents and a 1-cent copper coin. For the U.S. visitor or resident the use of the currency is therefore simplicity itself and, of course, it is not subject to sudden devaluation.

The national gross expenditure attained in 1958 a record figure of $672.5 million, exceeding by 4.2 percent the 1957 figure of $645.3 million. Investment of capital effected in 1958 was $65 million, an increase of 7.4 percent over the 1957 figure, $60.5 million. Of the $672.5 million of gross expenditure, $558.5 million were spent on consumer goods. This showed an increase of 9.4 percent above that of 1957 and betokened a similar rise in living standards. Approximately a third of government expenditures, $51.2 million was assigned to construction. The importance of public works to the economy cannot be overemphasized—fine highways for taking goods to seaports, harbor installations, air strips, hospitals and schools are at the very root of the Republic's progress.

A country that is secure and that has faith in its future indicates its belief with its business. Insurance returns, excluding life insurance in 1958 totaled $1,244,737, an increase of 9.33 percent over the previous year's business.

State revenue reached the sum of $151,476,867 in 1958, an indication of the continual progress in the economic and financial development of the country. An interesting point is that in spite of higher prosperity revealed by trade figures quoted above, tax collection only rose by under $300,000. Thus giving to all sections of the community a very real incentive to greater effort.

The Dominican budget for 1960 is some 27 times the size of the annual budget of a quarter of a century ago. Total customs revenues collected in the Dominican Republic from 1905 to 1930, which were the Government's principal source of income, amounted to only $100 million. The 1960 budget has more than 1½ times the total of those collections during a quarter of a century.

BANKING—A SOUND BASE

There are three Government banks in the country. The Banco Central de la Republica Dominicana (Central Bank of the Dominican Republic) was established in 1947, following the final settlement of the foreign debt, when an independent national currency was inaugurated. This is the sole issuing bank. The balance to December 31, 1958, showed assets of $109,179,842.35.

The Banco de Reservas (Reserves Bank) was established in 1941 with a capital of $1 million. It is the Government fiscal agency and also operates as a commercial bank. Its capital is now $7 million completely provided by the State.

The Banco de Credito Agricola e Industrial (Agriculture and Industrial Credit Bank) was founded in 1945 to provide credit for the development of the country's resources. The authorized capital for this bank was originally $1 million and has increased to $100 million.

ACTIVE PARTNER IN WORLD TRADE

While the Republic itself has for many years had close trade relations with the United States, its principal customer, it has also consistently bought more from the U.S. market than it has sold to it.

[In U.S. dollars]

Year	Exports to to United States	Imports from United States	Balance
1952	51,262,145	66,807,591	−15,545,446
1953	48,078,664	57,935,123	−9,856,459
1954	67,766,356	53,436,018	−14,330,338
1955	60,389,690	63,278,377	−2,888,687
1956	56,171,914	68,886,767	−12,714,853
1957	62,031,526	71,129,878	−9,098,352
1958	68,732,172	77,391,612	−8,659,440
Total 7 years	414,432,467	458,865,366	−44,432,899

Demonstrating the amicable relations between the Republic and the United States this also shows a cardinal principle of Dominican trade policy—the maximum freedom possible—and under normal conditions the minimum of tariffs and other bars to the free flow of trade.

The total value of imports and exports with other countries in 1958 was $266.1 million: $136.6 million worth of exports and $129.5 million worth of imports, a favorable trade balance of $7.18 million.

The following table gives details of the trade movement:

[In millions of dollars]

Continent	1957	1958
Total	277.9	266.1
America	155.9	171.0
Europe	110.5	78.4
Asia	9.7	14.9
Africa	1.3	1.8

Commercial activity with America, Asia, and Africa in 1958 exceeded that of 1957, showing an increase of $15.1, $5.2, and $0.5 million respectively, while with Europe it decreased by $32.1 million.

The 1958 exports totaled $136.6 million for 1,267,807 tons of cargo; 45 percent of the bulk and 55.8 percent of the value went to America, the United States getting 34.8 percent and 50.3 percent respectively. The corresponding figures for 1957 were 570,090 tons worth $76.2 million, of which the United States bought 441,357 tons worth $68.7 million.

Exports to Europe represented 45.9 percent of the tonnage and 36.8 percent of the value, 581,962 tons and $50.3 million. The best customer in Europe was the United Kingdom (448,026 tons worth $33.3 million), followed by the Netherlands (51,601 tons worth $6.5 million), Belgium (10,021 tons worth $1.8 million), Western Germany (15,288 tons worth $1.6 million), and Spain (2,094 tons worth $1.6 million). Exports to Asia totaled 113,355 tons worth $9.1 million, with Japan the main buyer, taking 75,050 tons worth $5.9 million.

HELPING TO FEED THE NATIONS

Dominican foodstuff exports amounted to 861,039 metric tons, valued at $118.7 million in 1958, the largest export being raw vegetable products. Sales totaled 162,340 metric tons valued at $51.1 million, exceeding by 37,571 metric tons and $7.8 million 1957's foodstuff exports. Coffee was the largest of this group of exports, with 25,751 metric tons worth $23.8 million. There was an increase over 1957 shipments by 4,063 metric tons, but a fall in value of $1.3 million. Principal coffee buyers were: the United States, 21,350.1 metric tons for $19.4 million; Italy, 1,186 metric tons for $1.2 million; and Canada, 1,173 metric tons for $1.2 million.

Cocoa, on the other hand, increased its selling. The export of 24,096 tons earned $20.6 million, surpassing the 1957 figure by 136.6 metric tons and $7.1 million. The United States acquired nearly all of it, buying 24,025.6 metric tons worth $20.5 million.

Dominican bananas are becoming well known for their size and taste. Exports for 1958 were 85,811 metric tons worth $4.8 million, a rise of 34,031 metric tons and $2.2 million over 1957. Principal buyer was again the United States with 49,457 metric tons for $2.4 million. Western Germany's fast reviving trade with the Republic took 12,779 metric tons for $0.8 million and the Netherlands bought 14,980 metric tons for $1.1 million.

Manufactured food product export was 696,686 metric tons worth $66.3 million, with the sugar export of 669,883 metric tons worth $56.6 million as the main product. This figure represents 52.8 percent of the total bulk and 38.7 percent of the total value. It can be seen that the Republic is no longer a single crop country at the mercy of world prices ruling on one product. Europe was the principal buyer acquiring 461,707.6 metric tons worth $37.9 million: 69 percent of the total sugar exported and 67 percent of the total value. The United Kingdom bought 398,985 tons for $32.2 million and the Netherlands 29,580.1 tons for $2.6 million. The United States was the second best sugar customer, 89,319 tons for $9.3 million, exceeding the 1957 figure by 23,977 tons and $1.3 million. Japan took 74,577 tons for $5.8 million, raising its 1957 purchase by 35,530 tons and $1.5 million.

The new Dominican chocolate industry provided 7,791 tons of exports valued at $8 million, topping earnings on the previous year by $2.5 million. The United States purchased 6,958 tons for $7.2 million, while in 1957 it acquired 7,068 tons for $4.8 million. The Netherlands bought 583 tons for $0.6 million.

The export of processed meat products, a recent development, rose to 2,012 tons worth $1.3 million. Fresh or refrigerated meats were a main export with 1,950.5 tons worth $1.252 million.

GROWING OVERSEA INDUSTRIAL EARNINGS

The output of Dominican factories is making a new contribution to the country's trade. In 1958, 320,007 tons of manufactures worth $13.9 million were sold abroad. Tobacco was the main product—11,505 tons worth $4.8 million were sold. Spain, the Netherlands, Algeria, and Western Germany were the principal customers.

Although 1958 molasses exports of 206,942 tons were up on the 1957 figure by 40,137.7 tons, earnings of $5.4 million were reduced to $3.8 million. The United States purchased 158,914 tons for $3.3 million, an increase of 56,450 tons and a decrease of $0.4 million in value.

All furfural, a chemical used in the manufacture of nylon, was taken by the United States and totaled 13,704 tons worth $3.1 million. Cement sales abroad went down from 65,332 tons worth $0.9 million in 1957 to 35,005.5 metric tons for $0.5 million in 1958, principally because of the increased needs of the Republic's own public works program. Honduras and the Dutch West Indies were the main buyers.

Growth of oil industry

	1956	1936
Number of industries	3,002	1,076
Number of employees	75,974	20,301
Capital invested	$266,804,758	$62,314,340
Value of sales	$173,251,470	$16,279,130
Wages and salaries	$32,310,315	$4,561,184

In 1958, the number of employees in these industries was 92,367; the capital invested was over $226,409,000; the value of sales over $272,917,000; and wages and salaries over $40,135,000.

EXPANDING THE NATION'S BUYING CAPACITY

The general increase in the Republic's 1958 imports is part of the dynamic drive seen throughout the economy. This results from the government's industrialization policy; with the urgent demand for capital goods and raw materials, and to the increase in population and its constantly enlarging earning potentialities.

Consumer goods therefore represent a high proportion of total imports—66.2 percent in 1958, totaling $85.8 million. The principal products imported were: foodstuffs 55,448 tons worth $12.0 million; and electrical goods and appliances worth $7.7 million, a significant increase of 34.7 percent over the 1957 value.

Capital goods totaled $43.7 million or 33.8 percent of the total value of imports for 1958. Showing that industries are still fast developing this is an increase of $6.0 million over the 1957 figure. The main imports were: trucks and pickup trucks, $3.3 million worth, a decrease of 4.4 percent of the 1957 figure; liquid fuel, 189,540.2 tons for $5.5 million, an increase of 0.8 percent over the 1957 figure; construction materials, 33,648 tons worth $6.1 million, an increase of 11.8 percent over the 1957 figure; and machinery for sugar processing worth $6.7 million, an increase of no less than 100.5 percent over the 1957 figure. To sum up: the Dominician Republic offers unique opportunities for oversea exporters. Exchange control presents no problem, and as has been indicated import restrictions are confined to a very few categories of commodities to protect local manufactures. Referring to payments by Dominican companies the Chemical Corn Exchange Bank reports "The December results of payments compare closely with those of the previous 12 months and these are representative of the prompt manner in which Dominican collections were paid during the year."

EDUCATION—CORNERSTONE OF DEMOCRACY

Democracy cannot exist without a literate, thinking people. The Dominican Government believes that the only real safeguard of personal freedoms and Western values is the best system of public education which can be evolved. A complete system of free elementary schooling is provided by the government throughout the country. There are also many private schools, which benefit from government grants. The public school system has intermediate and secondary schools, and several vocational schools. No promising pupil is allowed to miss the opportunity of a university education for financial reasons.

The number of both children and adults completing educational courses increases every year. In 1958 the construction of new schools (now totaling over 4,500) proceded and also the government's campaign to eradicate illiteracy. Schools were provided with excellent equipment and every effort was made to further raise teaching standards. New reforms were introduced in the university and the development in fine arts was intensified. New courses were planned—for example for veterinary surgeons and sugar technologists, top-rank scientists and technicians.

A total of 4,098 students enrolled in the university during the last academic year. This is the highest figure since its founding in 1538. Keeping abreast of the sciences has been a continuous program at the university. A new building for the faculty of architecture and engineering which cost almost RD$1 million was inaugurated in 1959 and has a capacity of 1,000 students. Another study center is being erected for the faculty of economic and commercial sciences.

The ultimate wealth of a country cannot be measured with statistics: it is to be found in the richness of the people's spiritual and cultural life. The Dominican educational system seeks to produce lovers of the arts as well as top rank scientists and technicians.

The Public Expenditure Act for Education called for $10,144,009.96 in 1958 an increase of $141,087.46 over the 1957 budget. This did not include the construction of the physical recreation stadium "Leonidas Rhadames" at Santiago; the construction of a school campus at Monseñor Nouel, and the "España" and "Angelita" schools in Ciudad Trujillo, nor the construction cost of the building for the Department of Education and Fine Arts, which was begun in 1957 and completed in 1959. The total cost of these additional developments was $2,591,110.

There were 12,476 units for illiterate adults during 1958, with a total of 267,880 pupils. Of these 74,691 successfully covered the preliminary course during their first year, and 42,534 completed the fundamentals during their second year. The Government contributed $896,000 to this cause and private contributions, mainly from industrial firms, raised $251,274.81.

During 1958, 506,694 pupils were taught in 4,955 schools. Over a quarter of the population, including adults, are attending courses.

The Radio Corporation of America has recently completed a survey made at the request of the Dominican Republic Government on the possibility of using television in the drive to end illiteracy. For the survey, R.C.A. has had the advice of several education experts. Improvements which could be introduced into the present television system to increase reception, including three new relay stations, have been suggested.

ARTS FOR THE PEOPLE

The Government has taken care to see the arts are available to all. The National Symphony Orchestra gave 30 concerts at the Capital as well as in other cities; the School of Drama gave 40 performances at which more than 40,000 persons attended. There is undoubtedly a true revival of interest for the theater in the Republic. A good recent example of the Government's work in this direction was the engagement of the Washington Ballet, with its international stars, to play gratis to fully representative audiences.

BOOSTING SPORT FOR PHYSICAL FITNESS

The sport program has been given a great boost with the inauguration at Santiago of a baseball park (Estadio Leonidas Rhadames), built at a cost of $1,500,000, and the construction of another baseball park at San Pedro de Macoris. Other items in the sport program were the second world championship of juvenile baseball, in which seven teams participated and the Dominican Republic obtained the world champion title, and the improvement of the sport instructors, with the help of international experts.

The Republic is now the headquarters of the International Federation of Amateur Baseball's annual assembly. The construction of volleyball courts, the distribution of sports gear to the schools and the provision of playing fields are allowing many more to participate in as well as to follow sport.

WHERE ILLNESS IS NOT FEARED

The Government has constructed modern hospitals in nearly all towns and provides free treatment to the needy. Some of these hospitals come under the administration of social welfare, for the benefit of those authorized to receive medical attention under the social security program. There are now more than 11,000 beds in 134 hospitals, maternities, sanatoriums, and private clinics all over the country. Of these, 9,000 beds are in State establishments where anyone may receive medical attention completely free of charge.

Much progress has come about in the medical field. In 1958 the following hospitals were inaugurated: The 1,000-bed TB sanitorium, Dr. Rodolfo de la Cruz Lora, constructed at a cost of over $2½ million; the 700-bed psychiatric sanatorium "Padre Billini; the 150-bed hospital, Altagracia Julia in Moca; and the 250-bed hospital, Dr. Luis Manuel Morillo King in La Vega. The 200-bed hospital, Dario A. Contreras and the 300-bed, Dr. Francisco Moscoso Puello, both in Ciudad Trujillo, were opened later. There can be few countries in the world whose public health services are being developed so rapidly.

A campaign to fight TB was started in 1951, and already many have been vaccinated with BCG. This first period of the campaign was extended to December 1957 and during that time 291,201 were given tuberculin tests and 227,811 were vaccinated. Since November 1958, there has been general vaccination and a 2-year program first, to reduce reoccurrence of tuberculosis; to teach auxiliary personnel tubercular investigation techniques; and to make vaccination a general service of the department of public health and social welfare that will benefit all parts of the country. From November 24, 1958 to August 29, 1959, 383,819 persons had been given tuberculin tests, and 240,341 had been vaccinated with BCG. The total of both phases of the program is 675,020 persons tested with tuberculin and 468,152 vaccinated with BCG.

Through its medical aid programs, the Government provides pecuniary aid, and milk to those in need. In 28 months 8 million pints of milk have been distributed and specific medications have been provided. (For example, in those years, 397,023 grams of dihydrostreptomycin and 3,951,903 tablets of isoniazid have been distributed.)

The Government maintains complementary food centers and in 1959 the number of these centers has increased to satisfy the state's concern for improving the people's nutrition through scientifically balanced diets. For this the Government spends approximately $2 million a year. There are 32 dietetic and nutrition centers for infants under a year old. In these establishments 6,000 children were taken care of, and 4,036,000 nursing bottles of milk were distributed at a total cost of $144,597.

Good employers

The act providing life insurance, unemployment and invalid benefits for public officials and employees earning up to $400 a month, was instituted on November 18, 1958. In the first case, the insured person receives the amount matching 1 year's salary. In the second case, unemployment, the insured receives the amount matching 50 percent of the paid premiums; and lastly, through the invalid benefits, the insured receives the amount matching a year's salary distributed monthly at the rate of 30 percent.

This act provides loans for the construction of houses for those insured, repayable over 20 years through monthly payments. Up to now, 206 houses, valued at $1,158,227.12 have been allocated. The funds for applying this act are drawn from 2 percent discount of the employees' monthly salary.

Land of the future

The evidence provided by this booklet will, it is hoped, convince the reader that the progress achieved by the Dominican Republic is no flash in the pan. The republic has enjoyed 30 years of unsurpassed stability and prosperity under the leadership of Generalissimo Rafael Trujillo. Budget surpluses and trade balances have been carefully husbanded and the country's economic sights can now be raised.

The republic has never been isolationist in its policies but recognizes that oversea businessmen and technicians with know-how can co-operate to mutual benefit with Dominican industry. Opportunities, we truly believe, for foreign investment and business will vastly expand in the promising sixties.

A cardinal point in the Republic's Government's basic political thinking is the importance of the individual. It is hoped that this has come across from the preceding factual account. The individual's freedom of choice and action, his welfare in times of trouble, and his spiritual well-being, are matters to which the state gives top priority. No legislation is allowed to pass which could damage these principles, and the same is true for the Republic's guests and business colleagues from other nations. The Dominican way of life is a young but potent concept based on religious and racial tolerance. We are not ashamed of being proud of this way of life and would say to our old and new friends "Come and see for yourselves—and welcome."

Mr. ELLENDER. Mr. President, I yield the floor.

Mr. EASTLAND. Mr. President, I ask unanimous consent to be recognized for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EASTLAND. Mr. President, there was a time when the United States dealt realistically with the other nations of the world, basing our actions on the principle of enlightened self-interest. In those days it was part of our policy that we did not attempt to dictate to any nation what form of government it should maintain. The most important question we asked about another nation was: Is this nation friendly to the United States?

In the attitude of our State Department toward the Dominician Republic, and now in the suggestion that we put into effect economic sanctions against that nation, we see how far we have come from those days of forthright diplomacy.

How must we answer the key question of whether the Government of the Dominican Republic is friendly toward the United States, and opposed to the world Communist conspiracy? The record is absolutely clear on this point. No government in this hemisphere has been more consistently friendly to the United States, nor more consistently and realistically opposed to communism.

Mr. President, the present regime in the Dominician Republic is the most recent of many governments which have, at one time or another, ruled on the strife-torn island of Santo Domingo.

That little island has had more revolutions than any other piece of territory on this globe. Before the present regime in the Dominican Republic came to power some 30 years ago, there was no stable government, the economy was a shambles, the standard of living of the people was as low as any in this hemisphere, and human misery was a commonplace on that little island.

Mr. President, conditions became so chaotic that we had to send in Marines and occupy it for many years in order to establish order.

The present regime has changed all that. The economy of the Dominican Republic is stable and growing. The country has a sound currency. Economic and social conditions are vastly improved, not only over what they were, but also over conditions in similar territories elsewhere in this hemisphere. But there appear to be forces in our State Department which wish to tear down this regime, and we hear now the proposal that economic sanctions be applied to the Dominican Republic.

Mr. President, these are the same forces which had a hand in placing Castro in power in Cuba.

I have in my hand a news article published by the Associated Press. It states:

NEW BEDFORD, MASS., August 11.—A former U.S. Ambassador to Cuba blamed the State Department today for the difficulties with Cuba.

Arthur Gardner, Ambassador from 1953 to 1957, declared in an interview copyrighted by the New Bedford Standard-Times that he attempted to convince the State Department that Premier Fidel Castro talked and acted like a Communist and did not merit the support or friendship of the United States.

Mr. Gardner said that the State Department "pulled the rug out" from under Fulgencio Batista, Premier Castro's predecessor, by stopping arms shipments to the dictator.

Mr. Gardner said that Herbert L. Matthews of the New York Times, more than any other U.S. writer, sold Americans, including the State Department, on the idea that Dr. Castro was "a bright-eyed idealist and the savior of his people."

Mr. Gardner said his successor as Ambassador to Cuba, Earl E. T. Smith, a former New York investment broker, had been instructed by the State Department to consult with Mr. Matthews before taking the post.

That is true. Mr. Matthews' articles on Castro were very influential with the State Department in this country.

This is the same group which is attempting to set up a new regime in the Dominican Republic. Mr. President, setting up a new regime there now would be detrimental to the best interests of our country.

The only result, if this effort is successful, will be to create a vacuum into which Communist power will flow.

Mr. President, we cannot afford that.

Of course, we could not afford to see a Communist Government established in Cuba, but we have seen it, and our State Department had a hand in it.

It would seem that the same forces which, through both action and inaction, helped to bring about the establishment of a Communist dictatorship in Cuba, are working toward the same end with respect to the Dominican Republic.

In Cuba, before Castro came to power, the Batista government was on its way out in a peaceful and orderly manner. There had been an election. A new President had been elected. Within the space of a few weeks, the new government would have taken over control of the country, and Castro's chance to come into power would have been lost forever. But this was not allowed to come about.

The caliber of the man who was elected President in Cuba was such that he went to the island and lived for months under the Castro dictatorship and was not touched, because he was an honorable man.

We did not help to preserve the status quo in Cuba. We did not help the newly elected government to take over in an orderly manner. We did not give that newly elected government our support. On the contrary, we swung our weight in the other direction. Batista was forced to flee, and a vacuum was created into which Castro marched unimpeded, and the world Communist conspiracy had a solid beachhead in the Western Hemisphere.

In the Dominican Republic, elections are scheduled within a few months. A government will be elected by vote of the people, in a democratic manner, and if we give that newly elected government our help, the transition can be peaceful and orderly and there will be no opportunity for the Communists to take over. But if the Trujillo regime is forced out of power prematurely, there can be only one possible result: the world Communist conspiracy will have another beachhead in this hemisphere.

Fidel Castro did not win a revolution in Cuba. He never even won a battle. Castro simply walked into a vacuum which we had helped to create in Cuba; and it took him 2 days to get down out of the hills after Batista had fled the country.

I mean that literally. He was "holed up" in the hills surrounded by soldiers loyal to the government, and it took him 2 days to get out of hiding after he had become the head of government.

If we help to create a vacuum in the Dominican Republic, there is no force and no power ready to step into that vacuum except the force and the power of world communism.

The Communist objective is to use the Castro government as a tool in bringing all Latin America under Communist domination. One of Castro's prime objectives was to take over the Dominican Republic. Are we now going to help him accomplish this objective?

After Franco came into power in Spain, we applied economic sanctions against his government. As a result, the Government of Spain had to make many economic adjustments. When the realities of the cold war forced us to a recognition of the necessity that we establish bases in Spain, we found that we had to spend hundreds of millions of dollars to assist in the improvement of the Spanish economy in order to make Spain the strong and dependable ally which she is today. If we help to tear down the present regime in the Dominican Republic, the day will come when we shall have to spend hundreds of millions in an effort, possibly a vain effort, to restore the economy which we shall have helped to shatter.

The PRESIDING OFFICER. The time of the Senator from Mississippi has expired.

Mr. EASTLAND. Mr. President, I ask unanimous consent that I may proceed for an additional 5 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

Mr. EASTLAND. It would be a grave mistake, Mr. President, to cut the sugar quota of the Dominican Republic. On the contrary, what we should do is increase the Dominican sugar quota, and take what other action we can to help strengthen the economy of this little country which has stood so stanchly at our side in resisting the thrust of Communist aggression.

We came to the point of economic sanctions against Cuba only after the Communist dictatorship of that country had seized hundreds of millions of dollars worth of American property without just compensation, had imprisoned American citizens without just cause and without fair trial, and had repeatedly insulted this Nation, officially and publicly.

There has been no such provocation from the Dominican Republic. American property there is safe. American lives there are safe. The Dominican Republic is the target of aggression by Castro, and the sworn enemy of our greatest and most dangerous enemy, the world Communist conspiracy. Yet now it is proposed that we apply economic sanctions against the Dominican Republic.

If this is permitted, Mr. President, we shall not deserve the respect or the confidence of other Latin American nations; nor shall we have their respect or their confidence.

Nations, like people, respect strength; they respect fairness; they seek alliances they can trust. How will the nations of Latin America regard us if we make it clear that we will not stand by our friends, that we will not stand up to our enemies, that we have neither the wisdom to know what is good for us and our friends, nor the strength of purpose which both good judgment and a sense of fairplay would seem to dictate?

TRIBUTE TO SENATOR GREEN

Mr. AIKEN. Mr. President, I would not want the present session of Congress to close without paying tribute to the senior Senator from Rhode Island [Mr. GREEN], and to express regret at his decision to retire as a Senator.

I met THEODORE GREEN some years before he came to the Senate, while he was Governor of the State of Rhode Island.

I have always respected and admired him as a great statesman from my neighboring State in New England. I served under him while he was chairman of the Senate Committee on Foreign Relations, and found him eminently fair and almost always sound in his judgment.

Only once have I found any fault with the great Senator from Rhode Island, and that was when he was Governor of his State. At that time Rhode Island produced nearly all the milk consumed in that State, but not quite. One of the distributors in the State of Rhode Island thought he could make more money by obtaining milk from Vermont, which he proceeded to do, and he imported it into the State of Rhode Island.

State officials of Rhode Island decided it would be best to color that milk a little so that consumers in Rhode Island would know that they were getting Vermont milk instead of Rhode Island milk. Unfortunately, they chose the color pink. I am sure they would not do so today, because there is nothing pink connected with Vermont products. Nevertheless, for 3 or 4 days, the Vermont milk that was sent into Rhode Island was colored pink.

Then the State officials decided that such coloring was not the thing to do and ceased that operation. Whether it was an attack of conscience or a reading of the law that caused them to stop coloring Vermont milk pink I do not know. Anyway, it was stopped and all was forgiven. Since that time Rhode Island has been producing less and less milk, until today the people of Rhode Island are very glad indeed to get a good share of the milk which they consume from the State of Vermont.

I do not know what the plans of the Senator from Rhode Island may be. I am sure he will not remain idle very long. It would not surprise me if he went back to Rhode Island and reentered the political field there. But there is only one request I wish to make of him and that is if he does run for Governor again—and I am sure if he does he will be reelected—to treat our Vermont milk kindly, please, because Rhode Island needs that milk today far more than it did 25 years ago.

I wish to express a sentiment which I know we all hold, which is that the future will hold many good things in store for our great friend from Rhode Island.

RELIGION AND POLITICS

Mr. DODD. Mr. President, the Connecticut Jewish Ledger of Hartford, Conn., carried an editorial in its August 4 issue entitled "Religion and Politics," by Rabbi Jacob Neusner, an instructor in the Department of Religion of Columbia University. It is one of the finest statements on this subject that I have seen and I ask unanimous consent to have this editorial printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Jewish Ledger, Aug. 4, 1960]

RELIGION AND POLITICS

What has religion to do with politics?

Some people say, nothing at all. Religion is irrelevant to politics.

Others say, a great deal. Religion is decisive in politics.

We agree, in some measure, with both. Religion is in some ways completely irrelevant to politics, and in some ways, essential and crucial in the political process.

Religion plays a legitimate role in politics in two ways:

First, it is a primary source of the values and ideals of the American citizen, helping him to discover exactly what he wants to do with and through his Government. At the same time, religion prepares him to make the sacrifices necessary to good government. It provides him with standards of honesty and concern for his fellow man which make him willing to pay his taxes and to give up his own wealth for the sake of others, and for the sake of the local and national interest. Religion thus educates the citizen for citizenship.

Second, religion is one legitimate concern of citizens, and hence, it forms one of the interests which govern a person's political choice. Through government, many Americans seek to carry out essentially religious purposes, such as the achievement of economic and social justice, the fulfillment of obligations to the poor and unfortunate, and the embodiment of fundamentally religious concerns for a moral society through enforcement of moral law. Religion thus provides government with many of its purposes and tasks.

Some would want government to do more than this. They want government to serve not only religious ends, but also religious means. Thus they want local and national Government to assist in religious education through assistance to religious schools for those who do not choose the means of public education. We do not agree with these people. We do not agree that all citizens, whatever their belief or disbelief, ought to be coerced by the instruments of government to carry out the purposes of particular religions. We agree that the government should contribute to the health, safety, and welfare of all citizens; and if some children receive public medical or health benefits, all children should. There should be no discrimination against the children in private or parochial schools in public programs aimed at safeguarding the health and welfare of the young. But we do not agree with those who want government to advance the educational or religious purposes of voluntary, private education through provision of textbooks or through other essentially sectarian means of achieving religious ends. In America, religion is voluntary and free. No citizen is coerced to support, or to refrain from supporting, religious instrumentalities. The church and synagogue are, and ought to be, the private enterprise of the individual citizen.

With this in mind, in what ways is religion irrelevant to politics?

Some think that the religion or lack of religion of a particular candidate is subject to public debate. We do not agree.

The results of religion, as manifested by the character, personality, and ideals of a candidate, are clearly evident, and will certainly enter the political decision. But this is by indirection, by reference to the results of a long process of education and personal religious experience. A candidate may, in truth, be witness to the truth of his religious convictions. He may be a decent, honorable, upright man, because his religion has taught him these things. The citizen will then honor this man, and through him, the religion which has formed his character.

Religious ends and the consequences of faith will be relevant to the political process. But not the means. Judging the man, his character and personality and capability, a citizen may want to know what is the consequence of a candidate's religion. But how his religion (or his deep commitment to human ideals which may have been formed in his mind without religion), has resulted in his moral character is not the legitimate concern of the voter, because it is a private experience irrelevant to the political process.

An election is not a plebiscite on religion. The citizen does not vote for Judaism, or Catholicism, or Protestantism. He does not vote against a specific religion either. He does not vote for or against atheism, or agnosticism. An election does not constitute endorsement or approval of a religious viewpoint, or of how a man prays to God, or of what he thinks about God, or of whether he rejects entirely belief in God.

(We need hardly remind our readers, to be specific, that the Jewish faith was not a political issue in the Connecticut gubernatorial elections of 1954 and 1958; and in no other election in this State that we can remember was a candidate's religion the subject of legitimate political concern.)

Some have argued that the content and beliefs of a particular religion may so influence a candidate that he cannot carry out the public interest. This may be true, but the question must then be, which candidate?

Assuming for the sake of argument that a particular religion insisted on total pacifism, one might argue that no adherent of that religion should be President, or Secretary of Defense. But this is hardly the whole issue. Each man adhering to that religion has a right to be asked, will you carry out your oath to uphold the Constitution, which will obligate you to carry out the defense, through military and even warlike means, of the United States of America? If he affirms that he will, he becomes a legitimate candidate, despite his pacific faith. There ought to be no public rule that any pacifist may not be elected President; the issue is only, which pacifist?

We hope, therefore, that in the coming national election, as in so many others in our own State, all our fellow citizens will adhere to these principles:

First, that an election is not a plebiscite on religion, and a vote does not constitute an endorsement of a theology (or a lack of theology);

Second, that the consequences, and not the means, of religious belief represent what are relevant concerns in the political process;

Third, that these consequences, of decency, virtue, and humanity, are achieved by various men in various ways;

And fourth, that therefore the moral character, wisdom, and dedication of a candidate to the public interest and his devotion to American constitutional government will constitute the only legitimate and realistic standards by which a citizen votes.

Finally, we affirm that every candidate who will be on the ballot in the State of Connecticut is a vigorous exponent of the principles of American democracy, and, consequently, is worthy of carrying out the highest responsibilities his fellow citizens can give him. The election should be decided, therefore, on policies, programs, and the promise of leadership, and not on bigotry, or anti-American prejudice.

This is the key: religion—the creeds, theologies, rites and rituals—are not relevant to politics. The ends and purposes of religion—the creation of a just society in America, and a world of peace and human brotherhood under God—are central and fundamental in making the political decision.

INSTRUCTIONS OF PREMIER LUMUMBA TO FOLLOWERS IN THE CONGO

Mr. DODD. Mr. President, the August 20 issue of the Tablet, the Catholic newspaper of the diocese of Brooklyn, carried an extremely interesting article describing the secret instructions which Premier Patrice Lumumba has circulated among his followers in the Congo. The anti-Western, anti-Christian, pro-Russian tone of these instructions is very disturbing to me and I believe that this article will help us all to better understand Lumumba and what is going on in the Congo.

I ask unanimous consent to have this article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Tablet, Aug. 20, 1960]

ANTI-CATHOLIC CONSPIRACY IN CONGO EXPOSED—SECRET INSTRUCTIONS TO LUMUMBA FOLLOWERS CALL FOR LIES TO PARALYZE CLERGY, OVERTHROW RELIGION

ENTEBE, UGANDA.—An anti-Catholic conspiracy is clearly spelled out in secret instructions to followers of Patrice Lumumba, Premier of the strife-ridden 7-week-old Republic of the Congo.

The document, a copy of which has fallen into the hands of outsiders for the first time, says:

"The greatest enemy of our movement is the clergy; they have the most influence on many of the people." (The Congo has more Catholics than any other nation in Africa, 4,865,813 out of a total population of 13,559,000.)

Entitled "A Parchment That Every Ankutshu (Bakusu) Must Have and Know by Heart," it asserts:

STRONGEST WEAPON: BIG LIE

"The strongest weapon we must use from the very beginning is the lie, because once the masses are aroused, the accused will see themselves attacked and will no longer be able to offer competition [to us].

"We must use every ruse to paralyse the clergy; never respect it; cause them every possible trouble so that they will not be able to oppose us.

"We must find every false means to create enmity toward them, even on the part of their own faithful, so as to overthrow their doctrine and impose our own teaching, which you know."

The secret instructions were brought by Congolese natives to neighboring Uganda. They were translated into French and sent

from this capital city to avoid possible reprisals. They are from a source which is regarded as completely reliable.

TYPICAL OF FANATICISM

They are certainly believable as typical of the exclusive, fanatic attachment among members of rival tribes. The instructions call for the Bakusu to pose as benefactors to other tribes and races, to cooperate with them but never give them positions of importance. The goal is said to be to "subordinate all the Congolese peoples forever."

The hatred revealed in the document throws into a new light several actions of the young government, which has many anticlerical deputies and senators.

The Republic of the Congo has described itself as "a secularist state" which "will use all possible means to prevent any religion whatever from being imposed directly or indirectly, particularly by means of education." It has threatened to nationalize all mission schools.

In a radio broadcast, Minister of Information Anciet Kashamura charged that Auxiliary Bishop Joseph Malula of Leopoldville and Msgr. Luc Gillon, rector of the Catholic Lovanium University, were involved in a plot against Premier Lumumba's life.

LINKS TO COMMUNISM SEEN

This fits into the pattern of the "big lie," the typical Communist technique.

Although the secret document makes only one mention of Russia ("We must send men of our race to all the universities of the world, the greatest number to Russia"), there would seem to be other references to communism:

"Never be afraid to show and to convince other peoples of our superiority, because behind us we have a supreme force that will help us without hesitation in anything and everything.

"Never be afraid to spend money—we have plenty."

The Uganda resident who translated the secret document appends this note:

"The great Communist hypocrite Patrice Lumumba who has excited his people to all kinds of crime and disorder now runs to the United States and U.N. for help instead of putting order in the house he boasted he could well govern.

"The misery, the tears of refugees we have had to witness these last several weeks are hardly describable. They were horribly treated and everything was stolen from them. And the reason? The criminal hatred of a lunatic."

SECRET INSTRUCTIONS TO LUMUMBA FOLLOWERS

1. Every Bakusu owes esteem and perfect confidence to our liberator, Patrice Lumumba, the greatest leader of the Congo.

2. Every Bakusu is urged to make a special effort to show his nobility, to yell loud and everywhere in order to intimidate the other races around us.

3. Never be afraid to show and to convince other peoples of our superiority, because behind us we have a supreme force that will help us without hesitation in anything and everything.

4. After the other tribes have been intimidated by our menacing and shouting, we will be ready to dominate them completely.

PLENTY OF MONEY AVAILABLE

5. Never be afraid to spend money—we have plenty—this is the only (shrewd) way to easily have all the Congo in our hands. Without wasting money we will not easily be able to attract supporters, because the Congo must become our Ankutshu possession and domain.

6. You know, of course, that the white man is our enemy; without him the Congo would already have been our domain, because in the time of the Arabs our race had already ravaged several countries and had put them under our domination.

7. We must pursue this goal of our forefathers, and if we do not succeed in submitting some obstinate people, we must have recourse to force, if not violence.

8. The strongest weapon which we must use from the very beginning is the lie, because once the masses are aroused, the accused will see themselves attacked and will no longer be able to offer competition (to us).

OVERTHROW RELIGION

9. The greatest enemy of our movement is the clergy; they have the most influence on many of the people. We must use every ruse to paralyze the clergy; never respect it; cause them every possible trouble so that they will not be able to oppose us. We must find every false means to create enmity toward them, even on the part of their own faithful, so as to overthrow their doctrine and impose our own teaching, which you know.

10. We must incite the masses never to practice nor believe the Christian religion so that they might more easily revolt against the missionaries and the secular priests.

11. When the Congo will be entirely under our power, we will put our own men in all the positions of command, and the intellectuals of other races will be eliminated little by little.

12. We must send men of our race to all the universities of the world, the greatest number to Russia, where we will have the most privileges. The moneys that our political chief Lumumba has gathered are to be used especially for this goal.

13. You will first approach the peoples who are most easily fooled and dominated, because this will help us to convince their racial brothers to adopt our doctrines. They will all believe that we are working for their welfare and for unity with them, and everywhere we must treat them as did the colonialists, with seeming humanity.

14. We must never refuse to take in other races with us, but we must never place full confidence in them nor give them positions of importance.

PLEDGE LOYALTY UNTO DEATH

15. We must never betray one another, even if it is a question of death. We must remain calm, even if we have no arguments to present. Thus we shall dominate the entire Congo, and we will subordinate all the Congolese peoples forever. Amen.

N.B.—This must be kept secret among the Ankutshu only. It must never be shown to anyone of another race. If unfortunately it falls into the hands of another race, we must deny it categorically and say that our enemies have published these ideas to cause us trouble.

RELIGIOUS FAITH IN THE FOUNDING OF OUR COUNTRY

Mr. DODD. Mr. President, the August issue of the magazine These Times, a Protestant magazine published in Nashville, Tenn., carried a brief but moving article by J. Edgar Hoover. This great American reminds us of the vital role which religious faith played in the founding of our country and should play in our national life today.

I ask unanimous consent that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT FAITH IN GOD HAS MEANT TO ME

(By J. Edgar Hoover)

The men who laid the foundations and reared the soaring arches of our great Republic had a vigorous, indomitable, and all-encompassing belief in God. Faith permeated their thoughts, their words and deeds. We see Thomas Jefferson's hand guiding the quill which wrote, "I have sworn upon the altar of God, eternal hostility against every form of tyranny over the mind of man." We see George Washington, when the fires of hope had flickered to embers, kneeling in the snow at Valley Forge. And we see wise old Ben Franklin suggesting to a constitutional convention, deadlocked time after time, that "we have prayers every morning."

This Nation was born out of faith in God. It can continue to exist in freedom only as that faith remains forthright and strong. A statesman of a past age said, "Despotism may govern without faith, but liberty cannot."

Faith in God remains the solid rock that stands unmoved amid the sliding sands. The antithesis of cynicism, it is the dynamo which sparks the minds and actions of men who think beyond the pettiness of self. It is the tie which binds mankind in mystic unity, exalting the human creature until, indeed, he is "little lower than the angels." And it is the balm which salves the sting of time and death.

Faith in God has meant to me the enjoyment of those manifold "blessings of liberty" which the Founding Fathers sought to secure for all posterity. It is a fathomless source from which to draw strength in times of adversity. And it has helped me to catch a glimpse of the wisdom implicit in those immutable laws by which He rules His universe.

MEETING THE NATION'S HEALTH NEEDS

Mr. BRIDGES. Mr. President, those of us who are in good health and who are not called upon to minister to the sick are sometimes prone to forget a basic truth.

And that is that good health is a basic need. It is a basic need of every individual. It is a basic need of the Nation as a whole.

To the extent that individual Americans do not have good health, both they and their country suffer. Without good health, the individual is unable to do all the things that add up to a full life for himself and his country. Without good health, the individual is a drain upon his family and his Nation, economically, physically, mentally.

On the other hand, a healthy citizenry is America's first line of defense, at a time when strength is vital in the fight against communism.

A healthy citizenry is America's first force for progress at home and abroad.

To these two reasons—defense and progress—we must add a third and higher reason for seeking better health. And that is our obligation as human beings under God to alleviate suffering.

For these reasons I have supported numerous health programs—particularly programs designed to combat the great killer diseases and the great crippling diseases, such as heart disease, cancer, and mental illness.

These and similar illnesses strike the young and the old citizens of our country. They take an especially heavy toll among the age group that is our mainstay—the most productive, the most experienced age group in our land.

I do not mean to say that my interest in health programs has been limited to

those mentioned, for it has not been so limited, as the following brief outline of some of the health meaures sponsored or cosponsored by me will show.

HEALTH MEASURES SPONSORED OR COSPONSORED

Not all of the health bills I sponsored or cosponsored became law, but among those which did are these:

Public Law 244, 75th Congress: This law established the National Cancer Institute as a division of the Public Health Service. This Institute is dedicated to the discovery and prompt use of the most effective methods of prevention, diagnosis, and treatment of cancer. This dread disease has not yet yielded all its secrets to research and treatment, but progress has moved steadily forward under this law.

Public Law 655, 80th Congress: This law, called the National Heart Act, established the National Heart Institute.

Mr. President, heart disease is the biggest killer in America today, claiming more than 900,000 American lives each year. It presently accounts for 55 percent of all deaths in this country. In addition, diseases of the heart and circulatory system currently disable an estimated 15 million Americans.

Because of these and other facts, Mr. President, I want to present at this point some additional information about heart disease and the National Heart Act.

Apart from the tragedy and grief suffered by hundreds of thousands of American families because of heart disease, our national economy is constantly drained by it. A National Health Survey showed that in the single fiscal year 1958, 71 million work days were lost due to heart disease—the equivalent of removing 300,000 people from our work force at a cost of more than $700 million a year in lost wages.

More than 200,000 victims of heart disease in 1958 were in the working age group from 25 to 64 years of age. If these 200,000 people in the prime of their life had been able to live just one extra, healthy year, they would have earned over $1 billion in that 1 year.

HEART DISEASE DURING WORLD WAR II

As a member of the Armed Services Committee, I became aware of the toll taken by heart disease during World War II. During the 4 years of our participation in that war, more than 2 million people died in the United States of disease of the heart and circulation—nearly eight times as many people as were killed in action while serving in our Armed Forces.

Even more alarming was the military manpower loss in World War II because of heart disease. More than 300,000 of the youth of our Nation were refused induction into the service because of heart or circulatory diseases. In addition, 80,000 men were given disability discharges from military service, or died in military service, from heart disease between 1942 and 1945. This manpower loss would have been enough for 27 infantry divisions.

I became convinced that we, as a nation, must mount a major medical research offensive against the ravages of heart disease.

I was one of the sponsors of the act creating the National Heart Institute in 1948, and over the 12 years since that time I have actively supported its growth.

INSTITUTE PLAYED A MAJOR ROLE

Looking back over the work of the National Heart Institute during the past 12 years, I think it is fair to say that the research and training programs of that Institute have played a major role in dispelling the fear with which all forms of heart disease used to be viewed in this country.

A victim of heart disease today is seldom told to go to bed and await the advent of the Grim Reaper. He is most frequently restored to productive activity. It is a demonstrable fact that thousands upon thousands of Americans owe their very lives today to the new medical knowledge developed in the programs of the National Heart Institute.

I am proud to have played a part in its creation.

Public Law 835, 84th Congress: Another law I am proud to have cosponsored is the Health Research Facilities Act of 1956. This act provided for matching grants to non-Federal institutions for the construction and equipping of facilities for research in the science related to health. This law also established the National Advisory Council on Health Research Facilities.

OTHER HEALTH BILLS SPONSORED

S. 3252, 84th Congress: Also in 1956 I was a sponsor of a bill known as the Medical and Dental Research and Teaching Construction Act. This bill provided for a 5-year program of Federal construction grants for the purpose of assisting medical and dental schools to expand and improve their research and teaching facilities. It would have helped other public and nonprofit institutions do the same thing. Unfortunately, this bill never became law.

S. 4033, 84th Congress: Another health bill which I sponsored along with other Senators was the Public Health Service Act. If it had become law, it would have made certain clinics eligible for Federal aid to diagnostic or treatment centers. The clinics would have been eligible if they were nonprofit corporations or associations having contractual affiliation with a nonprofit hospital approved for intern or resident training.

S. 3588, 85th Congress: I also cosponsored a bill to make certain clinics in rural areas eligible for Federal aid to diagnostic or treatment centers. The bill referred to centers serving a rural area having a population not in excess of 15,000 and the Federal share not to exceed $25,000. Under these circumstances, the rural clinics would have been eligible if they could have provided services unavailable in the area. Unfortunately, this bill failed to become law also.

REPEATED WARNINGS GIVEN

Mr. President, we have had repeated warnings of the havoc wreaked upon our national strength by the inroads of heart disease, cancer, mental illness, arthritis, and the other killing and crippling diseases.

In 1953 and 1954, the House Interstate Commerce Committee held exhaustive hearings on the subject. That committee reported that disease was then costing this Nation $30 billion a year in hospital costs, lost economic productivity, and lost taxes.

A year ago, the Senate Appropriations Committee, of which I am a member, appointed a distinguished group of the Nation's medical and industrial leaders to investigate the proper role of the Federal Government in combating disease. After hearing more than 100 witnesses from the fields of government, industry, and medicine, the group reported to the Senate on May 19, 1960. The report said, and I quote:

> The magnitude of the problems of disease and disability confronting our people today is still so vast as to be beyond the comprehension of most of us. The nature of our enemies has shifted from the communicable diseases to the chronic disorders, and especially to cardiovascular-renal disease, cancer, mental illness, and other problems predominating in the older age group which has been greatly increased in numbers. Aside from the unhappiness and tragedy represented in the incidence rates of these conditions, we should remember that the present cost of disease and disability to our Nation is estimated as at least $35 billion a year. Only through medical research and the application of its findings can these losses be reduced.

NEED FOR RESEARCH

The special group of consultants emphasized the importance of giving greater attention to two areas in particular:

First. The need to develop now the resources required for future medical research; and

Second. The need to provide more support to assure the full use of present resources for medical research.

Gen. David Sarnoff, a member of the consultant group, said:

> There is no solution to cancer until you have found the answer to cancer. There is no solution to heart disease until you have found the answer to it. Research is the distance we must travel between the problem and the answer.

APPROPRIATIONS COMMITTEE ACTION

The Appropriations Committee of the Senate, on which I am proud to serve, was guided by this and other advice by the group of consultants. As one result, the committee reported, and the Senate passed, a bill providing additional money for the National Institutes of Health. I supported it.

I did so because I felt, as the committee did, that the appropriation fully met the guidelines stated by the President in August 1959 for new research and training programs:

First. That it is of such high priority and great promise that its deferment would be likely to delay progress in medical discovery;

Second. That it will not result in the harmful diversion of manpower and other resources needed for teaching and medical care services; and

Third. That it will not bring about the substitution of Federal for non-Federal sources of support for medical research and training.

IMPORTANCE OF THE NATIONAL INSTITUTES OF HEALTH

The National Institutes of Health form a bureau devoted to research directed toward the solution of major problems of disease and disability, and for the acquisition of new knowledge that will permit the people's health to be protected and improved in the years ahead.

Thus, it holds great promise of really getting to the cause and cure of the dread diseases.

Under the National Institutes of Health are these branches:

First. General research and services;

Second. National Cancer Institute;

Third. Mental health activities;

Fourth. National Heart Institute;

Fifth. Dental health activities;

Sixth. Arthritis and metabolic disease activities; and

Seventh. Neurology and blindness activities.

I was glad to support, on the Appropriations Committee and in the Senate, fiscal 1961 appropriations for these activities totaling $664 million, which, as I said, was more than the budget and the House figure.

MEDICAL RESEARCH PAYS OFF

I have supported these and other programs designed to bring better health to our people.

I could cite numerous accomplishments of medical research in the areas I have noted. But these accomplishments would have to be in terms too technical for me and for most other people who are not members of the medical profession.

Instead, I shall put these accomplishments this way:

Largely through the contributions of medical research, more than 2 million American lives have been saved in the period from 1944 to 1958.

In 1958 alone, these people saved from death earned almost $4 billion in income, on which they paid about $638 million to the Federal Treasury in taxes. This does not take into account the elimination of millions of disabilities which would have resulted without these medical research discoveries.

In 1960, $400 million was appropriated to the National Institutes of Health. It can be seen from this that the increased tax returns alone more than pay for this Government outlay.

Mr. President, I am, and have always been, deeply concerned with our fiscal solvency and the importance of achieving a balanced budget. I support increased medical research expenditures because they contribute to these desirable goals.

They increase the number of taxpayers and decrease the number of tax recipients.

But even beyond that, medical progress, particularly through medical research, is really a shortcut to a healthy, strong, prosperous, and happy America.

And, of no less importance, medical progress through research offers us the best way today to live up to those Christian principles that call upon all of us to relieve human suffering, to respect and help the aged, and to treat others as we would have them treat us.

ANNIVERSARY OF THE TAKING OF OFFICE OF THE FIRST TWO SENATORS FROM HAWAII

Mr. FONG. Mr. President, 1 year ago today the first two Senators elected to represent the State of Hawaii took the oath of office in this Chamber.

It was an historic day for Hawaii, and, needless to say, it was one of the proudest days of my life.

On this first anniversary of this great occasion, I should like to have the RECORD show that full representation in the Congress of the United States has been very beneficial to the people of Hawaii.

Whereas once Hawaii was often an afterthought in national legislation and national programs, now we have an equal voice in the Senate with our 49 sister States.

As we derive benefit by joining the Union, so do we contribute in return, supplying many "firsts" and superlatives to this grand federation.

Hawaii is the first island State, consisting of eight main islands and numerous smaller islands.

Hawaii is the first semitropical State, with the mildest climate and the narrowest extremes in temperature of all the States.

Hawaii relocated the southernmost point in the United States from Key West, Fla., to Ka Lae on the island of Hawaii.

It has the world's largest volcano, Mauna Loa, and the world's largest inactive volcano crater, Haleakala.

Hawaii brings to the Union the wettest spot on earth on the island of Kauai, with an average annual rainfall of 470 inches.

It produces more sugar, pineapple, and coffee than any other State of the Union and is the only State with a palace where once kings and queens ruled over their subjects.

Within 4 months of the passing of the statehood bill by the Congress, Hawaiian citizens went to the polls to elect their first officials. Hawaiians long had prided themselves as a showcase of racial and religious harmony, a homogeneous community born out of diverse ethnic origins and cultures. Statehood elections, therefore, put them to the test before the watchful eyes of the world's people.

The event of Hawaii's attaining full equality with 49 other States was routinely regarded by the world, for this area, although having a nonwhite majority, had long been part of the United States of America and was considered fully American. But the action of the Hawaiian citizens in their first election, however, made a most telling impression at home and abroad, especially in Asia and the Pacific areas.

With 93 percent of the electorate voting, Hawaii lived up to its reputation for racial tolerance and amity. Paying no attention to race or political party, the citizens of Hawaii elected a Republican Caucasian Governor, a Republican part-Hawaiian Lieutenant Governor, a Democratic Caucasian U.S. Senator, a Republican U.S. Senator of Chinese ancestry, and a Democratic Congressman of Japanese ancestry. Thus, it was not so much the formality of statehood but this action by the free electorate that made stunning impact on the doubting millions in the Eastern Hemisphere. Vividly they saw in Hawaii the people of many races in a free election choosing from their midst a multiracial group of officials who will govern them and who will express their voice in determining the domestic and foreign policies of the United States.

The biggest winner in Hawaii's first election was not the Republican Party or the Democratic Party, but democracy itself.

It was an exciting, inspiring example of democracy at work. Here is fresh proof that our faith in our fundamental tenets, among them equal opportunity and racial equality before the law, are stronger than ever.

As a living symbol of civil rights at their best, Hawaii has demonstrated that it can foster understanding and respect for all races and win the friendship of other peoples, especially those in Asia and in the Pacific areas.

With admission of Hawaii as a State a new dimension has been added to the Union. It is doubtful that our Founding Fathers, all learned men of great vision, in their collective wisdom could have dreamed even in their fancy that their flag of 13 stars representing 13 Atlantic seacoast States would have one day 50 stars representing a nation reaching to the Arctic and into the midst of the Pacific Ocean.

On this first anniversary I would be remiss if I failed to pay tribute to my colleague, Mr. LONG, the junior Senator from Hawaii. We have worked closely during the past years on many matters of concern to the people of Hawaii, often jointly pleading Hawaii's case before committees of Congress and before Federal agencies.

If I may continue for a few moments in a personal vein, I should like to convey my deep appreciation to my colleagues on both sides of the aisle who have been most helpful and kind to me, a newcomer to the Senate. I value their counsel and I cherish their friendship.

To the many, many capable and cooperative staff members of Senate committees, of Senators' offices, on the Senate floor, in the cloakroom, in the office of the Secretary of the Senate, the official reporters, the Capitol Police, and all the willing workers of the Congress, I extend my heartfelt thanks.

My colleagues and friends, you have made this a memorable year for me, and I look forward to our continued harmonious association as we strive to serve our country and our countrymen.

AMBASSADOR LODGE ONCE MORE REBUTS THE SOVIETS

Mr. KEATING. Mr. President, with the lightning response we have come to expect of him, our U.N. Ambassador, Henry Cabot Lodge, has called upon the United Nations to air the Hungarian tragedy when the General Assembly meets on September 20. This rebuttal came in reply to Soviet demands that the General Assembly debate the subject of spy planes, and by his swift and effective answer, Mr. Lodge has once more taken the wind out of the Kremlin's propaganda sails.

What is more, by threatening the Communists with an exposé of their perfidy and subjugation of the Hungarian people, Ambassador Lodge—the authentic voice of free world truth in the U.N.—has in effect told the Soviets to either put up or shut up. The fate of noble Hungary and her people is a subject which must be ever kept before the world.

We must leave no stone unturned in our efforts to spotlight before the world the cruel oppression now practiced behind the Iron Curtain. We must give hope and encouragement to these fine people, to whom America owes so much, and we must work and pray for the day when Hungary and other once independent nations can again take their rightful place in the family of free nations.

That is why Ambassador Lodge's dramatic use of the U.N. forum is of such importance. The world is again on notice that the United States has not forgotten the bloody suppression of the Hungarian revolution and the iron-fisted Communist rule which has followed. We will not rest until these people once more walk in the sunlight of freedom. I hope Mr. Lodge's successor, James J. Wadsworth, will press for U.N. consideration of this subject.

Mr. President, an excellent and succinct editorial in the New York Daily News of August 23 underscores the importance of Ambassador Lodge's retort to the Soviets. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Daily News, Aug. 23, 1960]

LET'S TALK ABOUT HUNGARY

Soviet Russia demands a United Nations General Assembly debate on our spy planes, and U.S. U.N. Ambassador Henry Cabot Lodge at once cracks back with a demand for a debate on Hungary after the Assembly convenes on September 20.

From the time of the 1956 Hungarian anti-Communist uprising to this day, Russia has refused to let U.N. inspectors enter that tragic nation.

We'd like to congratulate Mr. Lodge on this swift and embarrassing retort to Moscow. It's the only way to counter the Soviet bullies and blowhards in the U.N.

Lodge has resigned, effective September 3, to begin running full blast for Vice President on the Nixon ticket. We hope that Lodge's probable successor, James J. Wadsworth, will carry on the Lodge policy of always giving the Russians better than they send, and within minutes or hours after they send it.

NEEDED: STRONG MUTUAL SECURITY PROGRAM

Mr. WILEY. Mr. President, the mutual security program now before the Senate represents a major U.S. effort to strengthen the free world alliance in its opposition to communism.

The adoption by the Congress of a realistic program this year, I believe, is absolutely essential if we are to meet our responsibilities of free world leadership.

Over the years, we recognize that there have been conflicting views on the merits of this program. In my humble judgment, however, mutual security, dollar for dollar, still provides more defense for less money than can be obtained in any other way.

In addition to strengthening the military power of the free world, nonmilitary assistance to allies and less developed countries reflects a unique, constructive effort not only to enable our friends around the world to withstand Communist pressures, but also to enable them to move forward economically.

We recognize, of course, that this covers a broad gamut of activities—including military assistance, defense support, technical cooperation, special assistance, and reimbursable aid under the Development Loan Fund.

These, of course, are in addition to the funds for Latin America, as well as expansion of the contingency funds to provide the President with a flexible hand in dealing with critical situations such as that which is now arising in Africa.

Under these programs, the American taxpayers are being asked to underwrite over $4 billion.

With such a demand upon our taxpayers, I believe that we must again be vigilant and watchful to assure (a) that the program is being administered efficiently and effectively; (b) that the recipient nations are assuming a proportionate share of the responsibility; and (c) that our allies, too, many of them making rapid economic progress, bear a logical share of the burden—particularly in aid to less developed countries.

Actually, a great many of these nations have been assuming an increasing share of the responsibility. Since 1954, Japan, Canada, and industrialized countries of Europe, for example, have increased their expenditures substantially—amounting to about one-third of the aid provided the free world. The contributions, in some instances, represent a larger share of their national income than that constituted by our own aid programs.

Recognizing the fact that the scope of the Communist menace is enlarging—not diminishing—however, we can not afford to cripple efforts that serve effectively against communism.

At this time, I ask unanimous consent to have three items reflecting the scope of the aid programs including the contribution by private American companies, printed at this point in the RECORD.

First. "Private Foreign Aid Is Large," from the Milwaukee Journal.

Second. "Free World Aid," from the Christian Science Monitor.

Third. "Mushrooming Aid" from the Christian Science Monitor.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Milwaukee Journal]

PRIVATE FOREIGN AID IS LARGE

American aid to foreign countries and peoples takes many forms. The great share of it is governmental, and is distributed through the many mutual security programs. An impressive amount, however, comes from individuals, religious organizations, private groups and the great foundations.

Just a glimpse of the activities of the foundations is given in the report of the Rockefeller Foundation on its grants during the second quarter of 1960. Here are some examples from the report:

For research and training designed to meet medical needs of the Caribbean area, $288,000 to the University College of the West Indies in Jamaica.

To build and equip a teaching hospital, $500,000 to the All-India Institute of Medical Sciences, New Delhi. For 60 scholarships for graduate medical studies at the same institute, $30,500.

For expansion of facilities of a training center for medical teachers and researchers, $230,000 to the American University at Beirut, Lebanon.

To improve training of health workers for village medical centers, $50,000 toward a new instruction center at Wangige, Kenya.

To establish a field station for study of diseases of the tropical rain forest, $96,000 to the University of Valle in Colombia.

For equipment needed in research programs, $85,000 to the colleges of agriculture at Poznan and Cracow and the veterinary institute of Pulawy, Poland.

These are only examples and not included are dozens of individual fellowships granted foreign scholars and scientists. Some finance study and research in foreign universities; most will bring foreigners to this country for study.

Not only the Rockefeller Foundation, but Ford and Carnegie and numerous smaller foundations are contributing significantly to this country's overall foreign aid program. Their efforts are acknowledged and appreciated abroad; they deserve more recognition here at home.

[From the Christian Science Monitor]

FREE-WORLD AID

(By Neal Stanford)

One of the most underplayed stories of the last year—in fact of the last several years—is the amount of financial help the industrial nations of the free world are pouring into the less-developed countries.

It is a story of which the free world can be proud—but a story which shows that the industrial powers are still far from meeting the requirements and needs of these less-developed countries.

It is also a story that is as much of self-interest for the industrial nations participating as of economic help to the less-developed areas. It is a case of self-interest and world interest becoming identical.

Here is the story in round figures: $18 billion in 6 years from 15 nations—or an average of almost $3 billion annually. In 1959 the average was over $4 billion.

The participants ranged from the United States (which contributed $12 billion of the $18 billion—or two-thirds) to tiny Switzerland which contributed $600,000.

France has made the second largest contribution, $3,800 million over the 6 years—to Britain's $1 billion.

French aid has largely gone to oversea territories of the French community. France actually contributes a higher proportion of gross national product to economic aid to less-developed areas than any other country.

The tale of 6-year totals follows:

Australia	$181,600,000
Belgium	54,200,000
Canada	215,300,000
Denmark	700,000
France	3,825,900,000
Germany	274,500,000
Italy	72,900,000
Japan	53,200,000
Netherlands	133,000,000
New Zealand	23,300,000
Norway	6,100,000
Sweden	4,300,000
Switzerland	600,000
United Kingdom	1,058,700,000
United States	12,025,500,000
Total	17,929,800,000

That aid of this size and even larger is going to continue seems obvious—for numerous reasons, and not only the threat of Communist imperialism:

The industrial nations of the free world are prospering as never before in this postwar era—and therefore are able to make larger contributions.

The large and growing disparity of living standards in the less-developed countries increases the need for assistance annually.

The rapid population growth in some of the less-developed countries makes it difficult for aid to even keep up with expanding requirements.

The continuing technological revolution in the advanced countries makes aid increasingly possible.

And, the continuing emergence of new nations with new expectations and aspirations suggests a growing need for outside assistance.

Also, as mentioned, as an impetus to free-world help there is the expanding economic aid program of the Communist bloc—primarily designed to export communism rather than build national economic strength and political independence.

To take care of free-world aid programs, new institutions are being periodically created—such as the Overseas Development Fund of the European Economic Community, the United Nations Special Fund, the Inter-Amercian Development Bank, and the International Development Bank. These are all designed to increase the flow of capital and technical assistance from industrialized free-world countries to less-developed areas.

Also, it can be expected that as the quantity of economic aid grows, so will the quality and effectiveness of the capital and aid contributed. This will be shown in improved technical and managerial skills, in improved government administration and development policies and practices, in advanced social and cultural patterns throughout the less-developed areas, in greater cooperation and coordination of various bilateral aid programs and multilateral arrangements. In other words, not only is it expected that more aid will be given in the future, but by these countries more can be done with the same contributions.

Actually, to date there has been very little overlapping between the various bilateral programs and multilateral programs of the free-world countries. However, as programs grow and underdeveloped countries look farther and farther abroad for help, there is going to be the prospect of overlapping—which means greater need of cooperation and coordination.

But the unwritten stories today are really of what is actually being done. It would take a lot of words to tell the whole story of $18 billion.

[From the Christian Science Monitor]

MUSHROOMING AID

(By Neal Stanford)

The more one looks into this subject of free world economic help to underdeveloped countries, the more impressive it becomes—and the more it is obvious that such help is bound to increase.

Of course, the United States accounts for the lion's share of such help—some $25 billion in 10 years. But its industrialized allies of the free world are doing more and more yearly—and the contributions of international organizations are expanding regularly. What is not often recognized is that even the less developed countries are helping each other—in modest, but effective ways.

A look at the overall picture is not only impressive but astonishing. For example, in addition to the United States there are 10 other industrialized nations of the West helping the less developed countries of the world with their own aid programs: Australia, Belgium, Canada, France, Germany, Italy, Japan, the Netherlands, Portugal, and the United Kingdom. In the last 6 years these countries have put some $6 billion into foreign aid programs.

But perhaps it is the mushrooming of the international organization approach to economic aid to underdeveloped countries that is the most spectacular. There are those institutions of the United Nations, each with its own special type and form of aid: the General Assembly, the Economic and Social Council, specialized agencies of the U.N. such as the Food and Agriculture Organization, the International Labor Organization, the U.N.'s Educational, Scientific, and Cultural Organization, and the World Health Organization. Then there is the U.N.'s technical assistance program, and now the U.N.'s Special Fund set up in 1958.

Of major importance in this area of aid are those several international financial assistance agencies associated with the U.N.: the World Bank, the Monetary Fund, the International Finance Corporation, and now the International Development Association.

The subscribed capital of the World Bank is over $19 billion. The bank has made nearly $3 billion in loans to less-developed areas as of this spring. Then there is the Fund, with total subscription quotas of $14 billion. Gross drawings against the Fund amount to nearly $3,500 million—with $1,500 million being drawn by less developed countries.

The IFC, an affiliate of the World Bank, and set up in 1956 to encourage private enterprise to invest abroad, has loaned some $26 million to less developed countries. The IDA is too new to have started business, but it is an affiliate of the World Bank, with initial capital of $1 billion.

The Atlantic Community and Western Europe also have their own economic assistance programs—separate from U.N. operations. There is NATO with consultations on aid to less developed countries; the OEEC, now being reshaped into the OECD, with its interest and help in aiding less developed European countries. And there is the EEC (European Economic Community), often called the Common Market, with its European Investment Bank and Overseas Development Fund.

Then there are other regional organizations with their own specific aid programs: The Organization of American States, the Inter-American Development Bank, the Caribbean Commission, the Colombo plan, the Southeast Asian Treaty Organization, the South Pacific Commission, the Central Treaty Organization, the Arab Financial Institution for Economic Development, and the Commission for Technical Cooperation in Africa South of the Sahara.

Through the OAS, collective aid is channeled through the Inter-American Economic and Social Council, the Pan American Sanitary Bureau, the Inter-American Statistical Institute, and its technical cooperation program. The IDB, chartered only last year, with $850 million in capital, is designed to speed up economic development in the American Republics by promoting public and private investment.

Finally, there is that small area of aid which less-developed countries are extending each other—limited mainly to the training of specialists in various fields. Among the countries participating are: Taiwan, Indonesia, Korea, the Philippines, Thailand, Vietnam, Brazil, Costa Rica, Ecuador, Peru, Mexico, Ceylon, Israel, India, Iran, and Lebanon. Israel is extending technical help to several Asian and African countries. India is helping Nepal. Under the Colombo plan Indonesia is training 85 students from other countries; Pakistan is providing seeds and seedlings at cost to other members; India is training 1,156 students from other less-developed countries. And so it goes.

The free world's economic aid program is comprised of circles within circles—and aid agencies upon aid agencies. What each is doing is a story in itself. Together they challenge the imagination.

MUTUAL SECURITY AND RELATED AGENCIES APPROPRIATIONS, 1961

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed. Without objection, the Chair lays before the Senate the unfinished business, which is H.R. 12619.

The Senate resumed the consideration of the bill (H.R. 12619) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

Mr. BRIDGES. Mr. President, I offer an amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 13, after line 23, insert the following:

SEC. 109. No funds provided hereunder shall be available for any country which, in the judgment of the President of the United States, directly or indirectly is selling arms, munitions or implements of war, to the Castro regime in Cuba, or directly or indirectly is giving or loaning military or economic aid to that regime.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time be not charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I hope the Senator from New Hampshire will give the Senate a brief explanation of his amendment.

Mr. BRIDGES. Mr. President, the amendment provides:

No funds provided hereunder shall be available for any country which, in the judgment of the President of the United States,

directly or indirectly is selling arms, munitions, or implements of war to the Castro regime in Cuba, or directly or indirectly is giving or loaning military or economic aid to that regime.

Mr. President, the amendment is very simple. There is not a Member of the Senate—there is not a thoughtful person in our Nation—who does not know what is taking place in Cuba. Everyone knows about the Castro situation. There is no need to elaborate it upon the floor of the Senate.

Mr. Castro and his entire regime have confiscated hundreds of millions of dollars' worth of American property. He is playing fast and loose with Communist regimes in other countries of the world. He has insulted this country time and time again.

The U.S. Secretary of State has told the Organization of American States that Communist agents are being trained in Cuba and are then spreading out in fanlike fashion all over Central and South America. We want no Communist satellite in this hemisphere and we want no Communist beachhead 90 miles from our shore.

My amendment provides that the United States will not furnish mutual aid to a nation which is helping to promote the Castro regime in Cuba by selling them arms, munitions, or military equipment, or giving them economic aid.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. AIKEN. I am certain most people will agree with the purpose of the Senator from New Hampshire. There is one point in his amendment which I think should be clarified. Would ordinary trade—the exchange of nonmilitary goods between Cuba and another country—be considered as giving economic aid? For instance, if a South American country wished to sell, let us say, coffee to Cuba, and bought sugar or some other Cuban commodity in exchange, would that kind of transaction be considered as extending economic aid to Cuba?

Mr. BRIDGES. No. In my judgment, the intent of the amendment is to prevent the supplying of military assistance to the Castro regime. So far as I am concerned, that is very clearly the intent. The normal trade between nations, whether in sugar or coffee or bananas, or any other commodity of that type, would not be interfered with or would not be considered a violation.

Mr. AIKEN. I was certain that that was the intent of the Senator from New Hampshire, but I thought it ought to be placed on the RECORD, so that it would not be said that the United States was insisting that all other countries apply total economic sanctions to Cuba. With that explanation by the Senator from New Hampshire, I have no objection to the amendment.

Mr. BRIDGES. I thank the Senator from Vermont.

Mr. COTTON. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield to my colleague.

Mr. COTTON. This amendment is in keeping with the consistent and constant efforts of my distinguished senior colleague from New Hampshire to have this country maintain a completely firm and unflinching attitude to prevent the Communists from gaining a beachhead in the Western Hemisphere through Cuba. The senior Senator from New Hampshire is to be highly commended for offering the amendment. I consider it a privilege to support it.

Mr. BRIDGES. I thank my colleague.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. KEATING. The distinguished senior Senator from New Hampshire has performed a distinct service in calling up this amendment. We in the United States are deeply concerned about what is happening in Cuba. It is a very serious situation when a Communist beachhead, be it ideological or otherwise, is established 90 miles from our shore. I do not believe the taxpayers expect to have their funds used to bolster a Cuban regime which has shown itself to be militantly anti-American. It would be a grave misuse of these funds.

I hope that the great bulk of the American people feel that the mutual security program is a good one and should be continued and encouraged. Certainly that is my feeling. But it is obvious that we shall be thwarting the very purpose we are seeking to serve by means of the program if we do anything to bolster regimes that are seeking to ruin us, on our doorstep or elsewhere.

The Subcommittee on Internal Security of the Senate Judiciary Committee has held executive hearings over a considerable period of time, on the infiltration of Communists into the Castro government. It has become increasingly evident that that is what is happening; and I feel that this amendment is deserving of our support. I hope it will receive the unanimous support of the Members of this body.

Mr. BRIDGES. I thank the Senator from New York for his observations.

Mr. MORSE. Mr. President, will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. MORSE. I wish to say that I favor the amendment submitted by the Senator from New Hampshire, so far as it goes. I certainly believe we should make clear, not only to our friends in Latin America but also to some of our friends in Europe, that they are not helping the cause of peace and the freedom of the world when they sell arms to Latin American countries, when those arms will be used not for peaceful purposes but for purposes other than peaceful, to strengthen dictatorships in Latin America.

The situation in Latin America is rather complicated.

I strongly support the amendment with respect to Cuba. But I should like to ask the Senator from New Hampshire whether he would accept an amendment which would apply his amendment also to the Dominican Republic, because, likewise, there is in the Dominican Republic a situation which again involves a dictatorship regime, although in that instance, in my opinion, a Fascist one rather than a Communist one. But so far as human rights and dignity are concerned, there is no difference.

Our Secretary of State made very clear, in the conference now going on at San Jose, Costa Rica, what our position is in regard to the deplorable situation in the Dominican Republic. We know that the power play between Cuba and the Dominican Republic has not been helpful to stable and peaceful conditions in Latin America.

First, let me ask whether the Senator from New Hampshire would be willing to enlarge his amendment so as to place the restriction on the Dominican Republic as well as on Cuba.

Mr. BRIDGES. Let me say that my feelings are very much the same as those of the Senator from Oregon about the situation he has so ably described. But I wish to make it strikingly clear that I feel so strongly about the subject of giving aid to Cuba that I would not wish to jeopardize the success of my amendment by overloading it with other matters. I will point out to the Senator from Oregon that he can, of course, submit his own amendment; but I would prefer to have the Cuban-Castro amendment adopted first, and thereafter deal with the Senator's amendment independently.

I feel that combining the two proposals might place my amendment regarding the Castro regime in jeopardy. I have heretofore talked to a great many of my colleagues who have specifically indicated a desire to support the amendment which I have offered this morning. Therefore, having received their acceptance, I do not desire to change the wording of the amendment at this time.

Mr. MORSE. The Senator got whose acceptance?

Mr. BRIDGES. Numerous Senators have indicated to me their agreement with my amendment in its present form. I do not presume to speak for them, and, therefore, I shall not name them specifically at this time. My distinguished colleague from New Hampshire [Mr. COTTON] and my good friend from New York [Mr. KEATING] have already expressed their support of my proposal on the floor of the Senate. For this reason, I do not wish to complicate the action on my amendment by adding to it another amendment at this time.

Mr. MORSE. I do not wish to upset the parliamentary procedure in connection with the amendment of the Senator from New Hampshire. But I give notice that immediately after the Senate disposes of his amendment, I will offer an amendment to deal with other dictatorships in Latin America.

This problem has another aspect, because it not only involves the sale of arms to Cuba and the Dominican Republic. In addition, some other countries are involved and affected. The great President of Chile, President Jorge Alessandri, last year demonstrated real statesmanship, which I believe has

augured well for better relationships in our hemisphere, when he suggested that all countries of Latin America proceed with a disarmament program and put it into practice. One of the things that caused that proposal to be made by the President of Chile, and seconded by the President of Peru, was the fact that when one Latin American country buys arms, its neighbors feel that they must buy arms also, and then the first country feels that it must buy more arms, and a classical armaments race develops. Further, the civilian governments of Latin America which are struggling to achieve economic development with inadequate resources need to have their hands strengthened in regard to their own military establishments. In Peru, for example, certain governmental revenues are earmarked for the armed forces and can be spent in the discretion of the armed forces without going through the regular budgetary process. Thus the Peruvian Navy last year was able to purchase a cruiser from Great Britain without the Peruvian Government even knowing about it. Certainly we must realize that if there is a war, it will be a nuclear war; and the type of arms being shipped into Latin America will not be very helpful in a nuclear war. In fact, every country in Latin America knows that in a nuclear war, Latin America would not protect the United States; instead, the United States would have to protect Latin America.

Without taking time to go into detail, I simply make this statement and inform the Senate that in my opinion the evidence in support of my statement is everwhelming: the fact is that there is a rivalry among certain countries in Latin America, as regards building up armaments of so-called conventional weapons, which could not be of much use or help in connection with a world war of a nuclear type. However, they could be used in conflicts between and among Latin American countries. That is what the President of Chile was pointing out—namely, that the sale of such armaments is causing difficulties in Latin America, from the standpoint of attempts to avoid an armaments race. Such armaments can, of course, be used to keep down freedom; and they could be used in that way by any totalitarian group which might come into power in a Latin American country.

In some instances, those countries have sought to buy such supplies from the United States; and when we refused to sell them, or indicated that we were reluctant to sell them, the answer was, "If you do not sell them to us, we will buy them from some place else"—from England, from France, from some of our good allies in Europe.

In my opinion, there must be a stop to all that, insofar as we are concerned. We must find out whether our allies in Europe are going to sell arms to Latin American countries in connection with the armament races which sometimes develop between Latin American countries, to the detriment of peace in this hemisphere.

When the great Prime Minister of Great Britain, Mr. Macmillan, was here, I discussed this matter with him. He indicated that he was very sympathetic about the problem. At that time there was a discussion of whether Great Britain would sell some planes to Cuba. I told him that I thought it was a great mistake for Great Britain to consider selling planes to Cuba. The Prime Minister of Great Britain gave the usual argument, "If we do not sell them to Cuba, Castro will get them elsewhere." As I recall, the British in fact did not sell the planes.

But in any case, Mr. President, I do not accept the argument, that if we or our allies do not sell arms to Latin America, some one else will. I believe that we should find out what countries are willing to sell such arms. It will be helpful to know what countries if any in Latin America are willing to buy arms from Russia. The good neighbor policy carries with it mutual obligations of cooperation. I am opposed to selling arms to Cuba or the Dominican Republic just because we may be presented with the threat that if we do not sell them then those governments will buy them elsewhere, even in Russia.

If we set a good example, by refusing to sell U.S. arms, I think we shall then be in a position to ask our allies in Western Europe not to sell arms to those countries, either.

If there is in Latin America a country—whether it is under a dictatorship or is not under a dictatorship—that wants to turn to the Soviet bloc countries for the purchase of such armaments, let us find it out. That will certainly be a test of its good faith and of whether it wants to work with us for a program of mutual security in the Western Hemisphere, knowing very well that in the event of a nuclear war the United States will be the one that will have to provide the defense for all of Latin America.

The PRESIDING OFFICER. The time yielded to the Senator from New Hampshire has expired.

Mr. JOHNSON of Texas. Mr. President, does the Senator from New Hampshire wish to have a few additional minutes yielded to him?

Mr. MORSE. May I have an additional half minute?

Mr. JOHNSON of Texas. Very well; I yield an additional one-half minute to the Senator from Oregon.

Mr. MORSE. Mr. President, this problem of mutual defense is a most important common problem.

So I believe that in this mutual security bill we must use language which will make clear to all the world that we are opposed to the buildup of armaments in Latin America.

In my judgment, what we ought to be doing is exercising our powerful leadership through the Organization of American States in regard to this question of armaments in Latin America, because when one country buys a destroyer, it is an incentive for another country to buy a destroyer, and it becomes an arms race. That is what the President of Chile pointed out when he made his disarmament proposal.

The amendment of the Senator from New Hampshire is a good start. I shall support the amendment with regard to Cuba only because he has an understanding with the chairman of the committee that he will take it to conference.

I want to say to the chairman of the committee that it is just as important that the principle be applied to the Dominican Republic, which is also a country that is following anything but a peaceful course of action in Latin America.

In a moment, I shall offer an amendment which will apply the same principle to the Dominican Republic.

Mr. HAYDEN. It seems to me the Senator's proposal should be a general one, and not single out one country.

Mr. MORSE. If the Senator will take an amendment which does not single out the Dominican Republic, but singles out the whole problem of military aid to dictatorships, I will word it that way; but if he is accepting now an amendment which singles out Cuba, I do not see, by any premise of logic, why it would not justify our singling out also the Dominican Republic.

Mr. BRIDGES. The only thing is that, with respect to Cuba, the Castro regime is castigating us, confiscating our property, and insulting us, threatening us, and I would like to have Cuba dealt with by itself.

Mr. MORSE. I have already said I would accept it, but I think we make a great mistake in Latin American affairs if we single out Cuba, and not say anything about the Dominican Republic, because there are over 3,000 people imprisoned in the Dominican Republic today, without having had a fair trial, because they are moderates. They are anti-Communist and anti-fascist. They are the people we should look to in case of a revolution in that country.

I think we ought to make it clear that if the present situation in the Dominican Republic continues, we are not going to give aid and comfort to the Dominican Republic or to any other dictatorship in Latin America.

I shall offer my amendment later.

Mr. JOHNSON of Texas. Mr. President, I will yield back my time if the mover of the amendment will yield back his time.

Mr. HAYDEN. Mr. President, I will take the amendment to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire.

The amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, I think the Senator from New Hampshire has another amendment. Does he care to offer it now?

Mr. BRIDGES. No.

Mr. CASE of South Dakota. Mr. President, I desire to offer an amendment, on page 13, after line 23, to insert a new section that would read:

None of the funds appropriated in this Act may be used to finance more than 90 per centum of the total cost of any program in any foreign country.

The PRESIDING OFFICER. The amendment offered by the Senator from South Dakota will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 13, after line 23, to add a new section as follows:

SEC. 109. None of the funds appropriated in this Act may be used to finance more than 90 per centum of the total cost of any program in any foreign country.

Mr. CASE of South Dakota. Mr. President, this amendment is intended to insure that there shall be some local participation or some participation by others to the extent of at least 10 percent in any program. I did not draft the amendment to make it apply specifically to every project, but it would be applied to the total program proposed to be financed in the pending bill.

Mr. JOHNSON of Texas. Mr. President, I am informed by the chairman of the committee that no hearings have been held on the amendment and he is not familiar with it, but he is willing to take the amendment to conference, if the Senator and Secretary of State can furnish him with certain information.

Mr. CASE of South Dakota. I will be glad to do that. This amendment is comparable to a provision which was carried originally to initiate the Marshall plan. It was first objected to by some in connection with the program. After it was tried for a year, the officials said it was the best policeman they had to insure success of the program.

I appreciate the chairman's being willing to take the amendment to conference.

Mr. JOHNSON of Texas. Mr. President, I am willing to yield back my time, with the understanding that the Senator from South Dakota yields back his time.

Mr. HAYDEN. Mr. President, I will take the amendment to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota.

The amendment was agreed to.

Mr. JOHNSON of Texas. Mr. President, the Senator from Connecticut [Mr. DODD] had an amendment to the State, Justice, and Judiciary appropriation bill which was adopted unanimously. The conferees thought it would be more applicable to the pending bill. The amendment is at the desk. The chairman of the committee has agreed to take the amendment to conference. I am hopeful the conferees will agree to it.

The PRESIDING OFFICER. The amendment of the Senator from Connecticut will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 13, after line 23, to insert the following language:

SEC. 111. It is the sense of the Senate that in the administration of section 414 of the Mutual Security Act of 1954, as amended, the Secretary of State should take such action as may be necessary to prevent the importation or reimportation into the United States (other than for use by the Armed Forces of the United States) for resale of firearms manufactured for the armed forces of any country, or parts thereof for reassembly, except those which are curios or antiques or weapons of obsolete ignition incapable of using a fixed cartridge or fixed shotgun shell.

Mr. HAYDEN. Mr. President, when this amendment was under discussion as an amendment to the State, Justice, Judiciary appropriation bill, it was discussed in the committee. It was felt it would be more appropriate to have it in the mutual security bill than in that bill. Therefore, it was omitted, so far as the Senate was concerned, from the other appropriation bill. The committee has no objection to its adoption in connection with the pending bill.

Mr. JOHNSON of Texas. Will the distinguished Senator from Connecticut agree to modify the amendment by striking out the language "it is the sense of the Senate," so that it will read "It is the sense of the Congress"?

Mr. DODD. Yes; I would like to have my amendment changed so that it will read that way.

The PRESIDING OFFICER. The Senator has a right to modify his amendment.

Mr. JOHNSON of Texas. Mr. President, I yield back my time, with the understanding that the mover of the amendment yields back his time.

Mr. DODD. I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Connecticut.

The amendment as modified was agreed to.

Mr. JOHNSON of Texas. Mr. President, I congratulate the Senator from Connecticut for his cooperation, and express the hope that the House conferees will agree to the amendment, now that it has been decided to add the provision to the mutual security appropriation bill.

Mr. President, I should like to announce that as soon as the conference report on the State-Justice-Judiciary appropriation bill is agreed to in the House, we shall call it up here.

Mr. DODD. Mr. President, I express appreciation to the majority leader for his cooperation on this amendment.

The purpose of this amendment is to advise the Secretary of State to take action to prevent foreign nations from dumping millions and millions of surplus military rifles on the American market and thus destroying the arms producing industry of the United States.

The U.S. Government owns many millions of surplus military M–1 rifles. It has not permitted the sale of these rifles on the domestic market? Why? Because such action would ruin the domestic firearms industry, which is rightly considered a vital element of our national defense. How strange, therefore, that the State Department is permitting foreign nations to unload their surplus military weapons here.

Since 1956, the number of surplus rifles imported into the United States has climbed rapidly each year. These imports increased by 20 times between 1955 and 1958 while domestic center-fire rifle sales decreased by 50 percent. In 1958, the number of military surplus firearms imported into this country actually exceeded our domestic sales.

It has been estimated that the Soviet Union will dump 10 million surplus arms on the market in the next 2 years and unless we act to prevent it, these rifles could be imported into the United States. Added to the steady flow of surplus firearms imports from England, Italy, Sweden, and Germany, this would cripple our own domestic industry. We cannot allow this to happen.

We are dependent upon our firearms producers to develop new and better weapons in time of peace and to mass produce these weapons in time of national emergency. Does it make sense to permit the ruin of this vital American industry through the importation of vast numbers of foreign surplus military rifles to be sold here at cutrate prices with which neither our firearms industry nor any other firearms industry in the world can compete?

This is a sense resolution which is not binding upon the State Department. It does one thing. It advises the State Department that the U.S. Senate is alarmed over the possible destruction of our domestic arms industry through the importation of surplus military rifles from abroad.

In my State are great arms producing companies like Winchester, Colt, and Remington. We call on these companies in times of emergencies. If they are to survive, certainly they ought to get some protection against this kind of competition which has been flooding the country.

Mr. SALTONSTALL. Mr. President, I am in hearty agreement, as a Senator from Massachusetts, with the Senator from Connecticut on his amendment. The matter was taken up by the conference committee on the State Department bill. However, we shall now try to retain it in this bill in conference, if we can.

Mr. DODD. I am very grateful to my friend, the very able Senator from Massachusetts. I know of his interest in the subject, and of his great assistance. I am extremely grateful to him.

The PRESIDING OFFICER. The bill is open to amendment. If there be no further amendment to be proposed——

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Are amendments in order?

The PRESIDING OFFICER. The bill is open to amendment.

Mr. MORSE. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. After line 23, page 13, it is proposed to insert:

No funds provided hereunder shall be available for any country which, in the judgment of the President of the United States, directly or indirectly, is selling arms, munitions, or implements of war, to any country in Latin America being subjected to economic or diplomatic sanctions by the Organization of American States.

Mr. MORSE. Mr. President, I ask the chairman of the committee if he is willing to take the amendment to conference.

In effect, the amendment would provide that if the Organization of American States should take a position of imposing economic or diplomatic sanctions

against any of the Latin American countries, then we would consider the sale of arms to that country to be something which would justify our denying military or economic aid to the country selling the arms while the sanctions were applicable.

Mr. JOHNSON of Texas. The discretion would be purely with the President?

Mr. MORSE. The discretion would be with the President of the United States.

Mr. HAYDEN. I have no objection to the amendment.

Mr. JOHNSON of Texas. Mr. President, I yield back my remaining time.

Mr. MORSE. Mr. President, I yield back my remaining time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to amendment. If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 12619) was read the third time.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the action by which the bill was read the third time.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SALTONSTALL. Mr. President, I should like to ask the chairman of the committee a question on the appropriation for special assistance.

The committee recommended an appropriation of $256 million, which is an increase of $50 million over the House figure, but is still $12.5 million under the budget estimate. This latter $12.5 million reduction was made during consideration of the bill when it was in the authorizing stage. The House report states that none of the cut in the special assistance appropriation is to be applied to the $38 million included in the total for malaria eradication. I strongly support the malaria-eradication program, but I doubt whether it should be funded in full in the face of the 20-percent reduction approved by the House. Other important items make up this appropriation, such as the fund for tropical Africa and others.

Would the Senator be willing to give his interpretation in this regard?

Mr. HAYDEN. The Senator is entirely correct. The committee made its recommendations with full knowledge of the position taken by the other body. The committee believes that latitude in the distribution of any reduction from the original request for special assistance must be left to the executive branch, in the interest of efficient administration.

Mr. SALTONSTALL. Mr. President, I thank the chairman of the committee. I think the chairman [Mr. HAYDEN] and the members of the committee have done a fine job on the bill. I hope it will be passed. I hope we shall have a satisfactory conference with the House of Representatives.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum with the understanding that the time will be charged equally to both sides.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that further proceedings under the quorum call be suspended.

The PRESIDING OFFICER. Without objection, it is so ordered.

REGULATION OF WAGE RATES FOR EMPLOYEES OF PORTSMOUTH, N.H., NAVAL SHIPYARD

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate may proceed to the consideration of Calendar No. 1929, S. 3800, with the understanding that as soon as the Senate has concluded action upon the bill we shall return to the consideration of the unfinished business, H.R. 12619, making appropriations for mutual security and related agencies.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill (S. 3800) to provide a method for regulating and fixing wage rates for employees of Portsmouth, N.H., Naval Shipyard.

Mr. JOHNSON of Texas. Mr. President, the bill would require that the Secretary of the Navy establish the hourly rates of pay for all per diem employees of the Portsmouth, N.H., Naval Shipyard, at the same hourly rates paid to employees of similar classification at the Boston, Mass., Naval Shipyard.

I understand there is no opposition to the bill. I hope the Senate will pass it.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3800) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy shall establish the hourly rates of pay for all per diem employees employed at the Portsmouth, New Hampshire, Naval Shipyard at the same hourly rates as are paid to employees of similar classification resulting from area wage survey applicable to employees of the Boston, Massachusetts, Naval Shipyard.

SEC. 2. This Act shall take effect on the first day of the first pay period which begins after the date of enactment of this Act.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mrs. SMITH. Mr. President, I move to lay that motion on the table.

Mr. MANSFIELD. Mr. President, I move to lay the motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider. [Putting the question.]

The motion to lay on the table was agreed to.

MUTUAL SECURITY AND RELATED AGENCIES APPROPRIATIONS, 1961

The Senate resumed the consideration of the bill (H.R. 12619) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I yield 1 hour to the very able and distinguished Senator from Louisiana [Mr. ELLENDER], and I express to him my deep gratitude for his complete cooperation in this matter.

Mr. ELLENDER obtained the floor.

Mr. CASE of South Dakota. Mr. President, will the Senator yield briefly for a question?

Mr. ELLENDER. I yield for a question.

Mr. CASE of South Dakota. Has the Senator had an opportunity to consider the potential good in the direction of improving the expenditure of money under the amendment which the Senator from South Dakota offered just prior to the third reading? It was agreed to and is to be taken to conference. I wish to read it because I thought the Senator might lend his support to the retention of the amendment in conference. The amendment to section 109 is:

> None of the funds appropriated in this Act may be used to finance more than 90 per centum of the total cost of any program in any foreign country.

My purpose in offering the amendment was to try to insure that in every recipient country foreign-aid programs would have the endorsement and contribution of at least 10 percent by the recipient country.

Mr. ELLENDER. My only regret is that the Senator did not place his percentage at a little more than 10 percent. It strikes me that this program has gone along far enough now so that the countries we are assisting are well able to do more for themselves than they have in the past. I believe the amendment of the Senator from South Dakota is a step in the right direction. It should have been a provision in the program when it was first started.

Mr. CASE of South Dakota. I appreciate the statement of the Senator from Louisiana. Of course, the percentage is not restrictive. They can contribute more than 10 percent if they wish, but at least that much should be required.

Mr. ELLENDER. Mr. President, prior to consideration of the pending bill by the Senate Committee on Appropriations I had entertained hopes that the amount of funds for foreign aid as approved by the House could be drastically

reduced. However, during the hearings and committee consideration of the bill it became apparent that the sentiment of a majority of the committee was opposed to any large-scale reduction.

Nevertheless, I am proud to state that the committee, after a little persuasion on my part, refused to add $200 million in military assistance so as to increase that item to the budget estimate. The administration had insisted that the amount provided for this purpose be not less than $2 billion. The committee bill provides $1.8 billion for military aid—a sum which in my opinion is extravagantly large, but an amount which, in my judgment represents the deepest cut which any reasonable person could expect the Senate to approve under the prevailing world conditions.

The whole subject of foreign aid has become involved in an atmosphere of semihysteria. This is particularly true as to military assistance, a program which in large measure is nothing more than a subsidy of our so-called Western European allies, who are well able to take care of their own defense needs.

A number of reasons compel me to reach this conclusion, all of which I hasten to add, are based upon a personal inspection of conditions in Western Europe, which I was privileged to make for the Senate Appropriations Committee during the recent congressional recess.

First and foremost is the matter of the international balance of payments; that is, the relationship which exists between the amount of dollars which leaves the United States and the amount of dollars which comes into the United States. Figures for the first 6 months of 1960 show, I understand, a greater overall deficit in our balance of payments than had originally been expected by the Department of Commerce. The Wall Street Journal for Friday, August 12, pointed out that U.S. gold stocks were depleted in excess of $62 million in the latest week for which data are available. This article read in part, and I quote:

With total gold reserves of just under $19.1 billion, the United States still holds almost half the free world's supply. But, of that amount, nearly $11 billion must be held as a 25-percent reserve against Federal Reserve banknote and deposit liabilities. The current stock is equal to just over 40 percent of those liabilities.

I ask unanimous consent that there be printed in the RECORD at this point in my remarks the article which appeared in the Wall Street Journal, issue of August 12, 1960, entitled "U.S. Gold Stocks Fell $62 Million in Latest Week."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Aug. 12, 1960]

U.S. GOLD STOCKS FELL $62 MILLION IN LATEST WEEK—AMOUNT DECLINED $240 MILLION IN PAST 5 WEEKS, BROUGHT 1960 TOTAL TO $374 MILLION—BUT DROP TRAILS 1959 TO DATE

Uncle Sam's gold holdings dropped $62 million in the week ended Wednesday in the fifth consecutive sizable weekly decline, according to figures released by the New York Federal Reserve Bank.

The drop lowered the Treasury's total gold holdings to $19,082 million and brought the decline so far this year to $374 million. Some $240 million of that drop has come in the past 5 weeks.

While the gold outflow has picked up speed in recent weeks, the drop so far this year is still less than the decline in the comparable 1959 period when the gold stock had fallen $934 million from the first of the year.

In all 1959, U.S. gold holdings fell $1,076 million through sales to foreign government buyers, compared with a $2,275 million decline in 1958.

With total gold reserve or just under $19.1 billion, the United States still holds almost half the free world's supply. But of that amount nearly $11 billion must be held as a 25 percent reserve against Federal Reserve banknote and deposit liabilities. The current stock is equal to just over 40 percent of those liabilities.

A source of concern to some bankers is the potential drain on the remaining $8 billion or so of gold by short-term liabilities of foreigners and international institutions. These short-term liabilities, which include bank deposits here and holdings of U.S. Treasury bills and other short-term investments by foreigners, totaled $20.1 billion at the end of May, up almost $4 billion from the end of 1958. During the same period, the Treasury's gold stock fell about $1.2 billion.

ONE BILLION DOLLARS "HOT" MONEY

However, some bankers contend the bulk of this $20 billion in potential foreign claims represents "working balances" of foreign businesses, banks and others who maintain funds in this country to facilitate trade. Only about $1 billion or so, some bankers estimate, is considered so-called "hot" money, which flows from country to country seeking the highest interest rates.

The recent pickup in the gold outflow, so far at least, has been taken calmly by U.S. bankers and Treasury officials, who contend it is in part a "natural" reaction to the spread between interest rates at home and abroad. The Treasury says its representatives in London, Paris, Bonn, and other European financial centers detect no noticeable decline in confidence in the dollar.

As interest rates have stiffened in a number of oversea nations but slackened here in recent months, some short-term investment funds have been moving overseas. This has resulted in a buildup of dollar balances of foreign governments and central banks, which, in turn, have used some of the added dollars to buy gold from Uncle Sam.

The gold drain also reflects a continuing deficit in the U.S. balance of payments position. The balance of payments is the total of all this Nation spends, lends and gives abroad matched against all the payments it gets from foreign countries. So far this year, the U.S. deficit is running at an annual rate near $2.5 billion. Bankers say this is still a high rate but is well under the $3.7 billion deficit last year and the $3.4 billion deficit in 1958.

The movement of short-term investment funds abroad could slow down or halt if an autumn pickup in business causes interest rates to rise here, Treasury officials suggest. Yet, there is a touch of nervousness in the Treasury about a possible change in foreign sentiment about the stability of the dollar. It's feared that promises and statements in the U.S. presidential campaign about bigger Government spending and a "cheap money" policy could whittle foreign confidence in the dollar and stimulate new gold sales.

Dollars can be converted into gold at the rate of $35 an ounce. Because of this easy convertibility, the dollar has become a standard currency around the globe for trade and to settle accounts among nations.

PSYCHOLOGICAL SETBACK AT $19 BILLION?

Would a drop in the gold stock below $19 billion cause a psychological setback, as some persons have suggested? "They said the same thing when it went below $20 billion," snorts one top Washington monetary official.

There are indications the gold movement has had some influence on recent policies of the Treasury and the Federal Reserve Board, though officials of both agencies say it isn't accurate to put too much stress on it.

The Treasury, in its just completed refunding operation, used a cash refunding technique to limit an offering of 8-year bonds to $1 billion. This, they say, prevented an excessive flow of funds away from the short-term investment area. A movement of funds away from the Treasury's short-term certificates could have resulted in a scarcity of short-term issues, thus increasing prices—and depressing yields—still more to widen the gap between rates here and abroad.

Gold also was a factor in the Federal Reserve's timing of its decision earlier this week to liberalize rules controlling reserves—and the lending capacity—of commercial banks. An outflow of gold tends to shrink bank reserves, since the foreign government buyers draw on their deposits at banks in this country to pay the Treasury for the gold. It was assumed the gold outflow would continue in August and September. This, plus the expected seasonal currency drain on bank reserves in the fall, is considered likely to muffle the credit-expanding impact of the reserve requirement adjustments.

Mr. ELLENDER. Mr. President, I also ask unanimous consent that there be printed in the RECORD at this point in my remarks a portion of a Business Week summary entitled "International Outlook" for August 13, 1960, dealing with the balance of payments.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Washington is rather blue about the outlook for the U.S. balance of payments. Figures for the first 6 months, just released by the Commerce Department, indicate a bigger overall deficit for 1960 than had been expected.

The trade surplus for the first half year ran at a seasonally adjusted rate of $3.4 billion—at least $1 billion higher than the most optimistic estimates earlier in the year. But the overall deficit still was running at an annual rate of about $3 billion, compared to an anticipated $2.5 billion or less.

A heavy outflow of private capital is the problem. This has helped push the deficit for the month of July to $400 million, and during this 1 month the United States lost $176 million in gold. Seasonal tourist expenditures accounted for part of the problem in July. But there is no sign that the capital drain is tapering off.

Mr. ELLENDER. The fact is that our balance of payments deficit is due in large part to the economic prosperity which prevails in Western European countries—a prosperity which has been increased in large measure by billions upon billions of U.S. aid money flowing into these countries.

As an indication of this prosperity let me review some vital statistics concerning production and investments by these prosperous European countries. By using 1953 as a base point with an index of 100, the index of industrial production of the Western European OEEC countries increased to 131 by 1957, while the index of our own industrial production

increased to only 107 during this period. Thus, it is easily seen that the industrial production of these countries is growing at a rapid rate, while our own is merely creeping along, on a relative basis.

Furthermore, while the United States has a gross national product which at the present time is in excess of $500 billion, we are investing only about 15 percent of our GNP to expand our production base. On the other hand our European allies, excluding Greece, which under this bill will receive about $745.1 million in military assistance subsidy are investing substantially more than we in the expansion of their production. For example, France is investing approximately 20 percent of its GNP. West Germany is investing approximately 25 percent and the other countries of Western Europe are investing percentages ranging from 20 to 25 percent of their GNP's.

Mr. President, this clearly indicates that these countries could be expending a good deal more for defense purposes than is presently the case.

What is the impact of these three factors on the military assistance program? First, it is obvious that by sending U.S. dollars abroad for the purpose of subsidizing the defense programs of the Western European countries, the United States is permitting these Western European countries to devote more of their national resources to expanding production than would normally be the case. Second, this expanding production, coupled with lower comparative wage rates and lower standards of living in these countries, enable our so-called allies to invade U.S. foreign markets, to say nothing of the U.S. domestic markets.

Third, this worldwide hunting license on U.S. markets, both domestic and foreign, means that the United States will sell less both abroad and at home, without any reduction in expenditures or the outflow of U.S. dollars. In other words, while sending dollars abroad, we are permitting foreign countries to sell more goods in the United States and, to a great extent, further aggravate our already severe balance-of-payment problem.

In this connection, I ask unanimous consent that at this point in my remarks there be printed an article from U.S. News & World Report of August 15, 1960, entitled "Gold Flowing Out Again—What It Means."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From U.S. News & World Report, Aug. 15, 1960]

GOLD FLOWING OUT AGAIN—WHAT IT MEANS

There's a new drain on U.S. supplies of gold. Reserves are at a 20-year low. Why?

Demand for gold by foreigners has picked up. Some are moving funds out of low-yielding U.S. Treasury bills into foreign securities paying higher interest.

Is this a threat to the dollar? U.S. officials say there's no cause for alarm at the moment. Here are the facts:

Once again, the flow of gold out of the United States is on the rise.

In July alone, about $178 million in gold was transferred out of this country's reserves and into foreign treasuries. That was the largest decline in gold stocks so far this year, and the heaviest rate of outflow since 1958, when more than $2 billion in gold left U.S. hands.

Reserves of gold in the United States now total about $19.2 billion—the lowest in more than 20 years.

As the chart on this page shows, possible claims of foreign owners of dollars against the gold reserve total $18.5 billion. In other words, claims against U.S. gold are almost equal to all the gold this country owns.

The renewed drain on gold is causing concern among many people in this country, and in key financial centers abroad. It gives rise to such questions as these:

What brought on the latest outflow of gold? Does it indicate some worry, around the world, about the outlook for business in the United States? Does it mean the American dollar is losing some of its strength among the world's currencies?

TROUBLE IN TRADE

A big part of the answer, it turns out, is tied to this country's deficit in foreign trade. In recent years the United States has paid out more each year to foreigners for imports, investments and economic aid than it has received from them for goods and services.

In 1959 this deficit in the balance of payments was $3.8 billion. For 1960 the deficit will be about $2.5 billion, based on trade figures for the early months of this year.

There are two chief ways for foreign countries to settle their trade balances with the United States.

One is to take payment in gold. Many countries have elected to do this in the past 2 or 3 years, though the cashing of dollars for gold in 1959 and the early months of 1960 was relatively small compared with the heavy drain on gold in 1958.

The other way is for private investors abroad, and the central banks of foreign countries, to hold their dollars in U.S. banks, or invest them in American securities including short-term obligations of the U.S. Treasury.

Because of the relatively high yields on such Treasury securities over the past year or two, foreigners have kept substantial sums invested here in the United States.

In the past few months, however, interest rates in the United States have declined. At the same time, interest rates abroad have gone up. As a result, some foreign investors have switched out of U.S. Treasury bills into foreign securities, including British treasury bills. As part of this movement of funds abroad, central banks in some cases are selling dollars and taking U.S. gold.

From a monetary authority in London comes this explanation of what has been happening.

"Interest rates in the United States have been reduced, partly as a measure to revive the sagging U.S. economy. Britain and other European countries, on the other hand, still are worried about inflationary pressures, and are keeping interest rates up. So anti-recession measures in the United States tend to drive out money seeking investment, at the very time that anti-inflation measures in Europe tend to attract it."

GOLD BUYING, TENSION

Another reason for the drain on U.S. gold is given by Treasury officials in Washington. That is the fact that, in recent weeks, a number of foreign governments have made substantial payments of gold to the International Monetary Fund. To keep their own gold stocks up, some of these governments, including that of Spain, have bought U.S. gold with the dollars they had on hand.

Two other reasons have been cited for the latest movement of gold from the United States, though monetary authorities tend to minimize their significance:

Troubles in the Congo, and the threat of spreading tension in Africa, may have persuaded some foreign holders of dollars to convert them to gold. Says one authority: "In times of crisis, foreign central banks often tend to build up their gold holdings. Americans, on the other hand, prefer to keep most of their savings in productive wealth, such as stocks, bonds, business concerns or real estate."

Domestic politics in the United States may be creating some uneasiness overseas. There have been hints from abroad that uncertainty over the spending and budgetary policies of a new administration in Washington next year may have accounted for some shifting of assets by foreign owners of U.S. dollars.

Despite the recent decline in gold reserves, there has been no evidence of a "run" on the dollar. One New York banker declares: "There is no greater worry abroad about the safety of the dollar than there was a year ago. The outflow of funds from the United States is a normal development, to take advantage of higher interest rates abroad."

In the past, U.S. officials have regarded an outflow of gold as something to be desired, rather than shunned, so long as the drain did not get out of hand. For many years the United States has held a disproportionate share of the free world's gold. Even today, U.S. gold stocks total almost half the entire free-world supply.

Lately, private gold holdings have been increasing in countries where currency controls have been relaxed. This makes it necessary for central banks to build up their gold supplies. Gold-reserve losses occurred in some countries in 1959 and early 1960. These countries now are in a position to build up their reserves again.

Italy has been buying gold recently on the London market. Other countries which probably have added to their gold holdings recently, says a banking authority, are the Netherlands, France, Switzerland, and West Germany.

THE LONG-HAUL WORRY

While U.S. Government officials and private bankers are not unduly disturbed by the recent rise in claims against U.S. gold, they are concerned about the longer term outlook for the U.S. economy—and the stability of the U.S. dollar—if this country continues to run a trade deficit year after year, or if future administrations resort to deficit financing on a large scale.

From Chairman John J. McCloy of Chase Manhattan Bank comes this comment:

"The plain fact is that a balance-of-payments deficit of $3 to $4 billion yearly is too much. It increases the claims against the U.S. at too rapid a rate, and it causes our creditors justifiably to take a close look at how we are managing things."

Edward M. Bernstein, former director of research and statistics for the International Monetary Fund, now a private economic consultant, says: "The reserve position of the United States is still deteriorating. The rapid growth in liabilities to foreigners on short-term dollar claims and on holdings of long-term Government securities is a threat to our international liquidity. It is of great importance to the world economy as well as to this country to avoid a serious impairment of the reserve position of the United States."

At the U.S. Treasury, officials believe the current outflow of gold is a temporary situation, tied largely to the disparity in interest rates between this country and Europe. They do not think it reflects any decline in confidence in the dollar.

These officials note, too, that gold sales thus far in 1960 are well below the $566 million in sales for the comparable period of 1959.

Even so, the gold picture is being watched closely, for any signs that the drain on U.S. reserves is going beyond limits that are considered normal or desirable.

THIS IS THE GOLD PROBLEM

Since the beginning of 1958: U.S. gold reserve has shrunk by $3.7 billion; gold on hand January 1, 1958, $22.9 billion; gold on hand July 31, 1960: $19.2 billion.

Possible foreign claims against U.S. gold have increased by $3.6 billion; foreign claims January 1, 1958, $14.9 billion; foreign claims July 31, 1960: $18.5 billion.

Gold left over, free of foreign claims, has diminished by $7.3 billion: Free gold January 1, 1958, $8 billion; free gold July 31, 1960: $.7 billion.

But, U.S. gold must have on hand now, as backing for money, $11.9 billion in gold.

Thus, if all claims were presented for payment in gold, United States would not have enough gold to go around and still maintain the reserve required by law against currency and deposits.

Actually it is highly unlikely that all these claims would be presented for gold. Nearly half of all the claims are privately held, and these would be paid in gold only if turned in through foreign central banks.

Still with possible claims continuing to rise, and the gold outflow now taking another spurt, the trend is becoming a matter of official concern.

(NOTE.—Dollar claims of international institutions, about $4 billion, are excluded from foreign claims above, as only a portion of these claims is payable in gold.)

Mr. ELLENDER. Mr. President, this article states among other things, "that at the present time if all claims against U.S. gold reserves were presented for payments the United States would not have enough gold to go around and still maintain the reserve required by law against currency and deposits."

What I am stating now is nothing new. I pointed this out to the Senate in 1959, as well as in 1958. In 1958 I pointed out that for the first time since the War Between the States, over a period of almost 100 years, more dollars left this country than came in. The figure for 1958, as I will point out, indicates that we went in the red, so far as the balance of payments was concerned, by almost $5 billion.

Last year, during 1959, the aggregate was $3.7 billion. For the year 1960 we may be in the red by as much as $3 billion. Anyone with common sense knows that we cannot keep this up and retain the way of life which has made America so great.

It is obvious that when we are confronted by a balance of payments problem, one of two things must occur. We must either reduce the flow of dollars from the United States, or we must increase our exports and, therefore, stimulate the flow of dollars into the United States. Actually, both should be done. Yet, realistically, this is not possible.

Mr. President, it is extremely difficult for us to export more goods abroad, sell more goods in foreign markets, when we are unable to meet the low-wage rates which foster competition abroad. As long as we are able to invest only 15 percent of our GNP into modernizing American plants, while Germany and other countries are investing between 20 to 25 percent for this purpose, it is obvious that we are moving backward instead of forward in this area.

Of course, the administration has fancy ideas about ways and means of selling more goods abroad and otherwise attracting more dollars into the United States, and some of these border on the ridiculous.

During this past week, the Secretary of Commerce, Mr. Mueller, and Assistant Secretary of State, Mr. Dillon, have both appeared before the Senate Appropriations Committee for supplemental funds to finance the addition of personnel both to the Commerce Department and the State Department who will be assigned the task of bringing about an increase in our exports to Western Europe and other countries of the world. This is patently absurd.

Salesmanship is always worthwhile but salesmanship is always subject to competitive pricing. Unless American goods are able to compete, pricewise with foreign products on the international market, all the salesmanship, all the salesmen obtainable cannot achieve increased exports. The fact is, that America's goods are not able to compete to the extent they should in free world markets. Germany, the United Kingdom and Japan enjoy lower wage rates and have capital plants that are either as modern as ours, or capital plants which are currently being made as modern as ours, by virtue of the ability of these countries to invest a high percentage of their GNP in capital plant expansion.

As I indicated earlier, it was my privilege to spend 28 days in Western Europe during the recent congressional recess. I was amazed at the tremendous economic progress I found in evidence there. Business is booming there. There is no such thing as unemployment, except in certain parts of Italy. Certain countries in Western Europe—to be specific, the Netherlands—are now importing labor from Italy.

How can we compete with these people, when the highest average hourly wage is 78 cents in West Germany and ours is $2.71 an hour? I am not preaching that we should lower our standard of living. I am merely saying that since Western Europe has a wage scale so much lower than ours we cannot possibly compete on the open market, especially since billions of dollars of our taxpayers' money has been used to modernize European industry. In other words, we are subsidizing their industry, thus relieving them of that cost, and at the same time, we are trying to compete with them, although our wage scale is so much higher.

The sad thing about this is that we are still contributing to the OEEC fund. In this bill, we are making available a million dollars, to teach our so-called allies in Western Europe how to better dispose of the commodities they produce.

The chickens are coming home to roost. Unless we put a stop to this state of affairs, sooner or later we will lose our way of life. What has made America great is our native drive, our incentive to improve ourselves. But our high taxes will destroy that incentive. I do not want that to happen.

An article I read this week stated that of four contracts let for hydroelectric powerplants in this country, two were to foreign firms—one from Japan and one from the United Kingdom. The Japan contract, I might add, marks the first time in the history of the United States that Japanese industry will furnish machinery for U.S. hydroelectric powerplants. It should also be noted that the Buy American Act was not applicable in these two cases because both bids were more than 6 percent below the lowest U.S. bid.

Mr. President, this is only a starter. Stop to recall that under the Buy American Act, if a foreign bidder makes a bid which is 6 percent under any American bid, the Buy American Act does not apply. Here we are confronted with a situation in which the Japanese, our former enemy, is in competition with us to the point where it is truly hurting American industry.

Japan is not the sole example of a former enemy's economic force, for West Germany, too, is an international economic power.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Now, in West Germany: A Driving Business-Oriented Society," published in the magazine Business Week of August 13, 1960. The article declares that "West Germany, on almost any economic measure, has become the strongest of the free nations, after the United States."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NOW, IN WEST GERMANY: A DRIVING BUSINESS-ORIENTED SOCIETY

West Germany, on almost any economic measure, has become the strongest of the free nations after the United States. An aggressive new class of nonowner managers has provided the push for fantastic growth. Industrial workers, long lagging, now have high pay, high productivity, a rising living standard.

Apply almost any economic yardstick to West Germany today, just 15 years after the end of World War II, and that truncated country looks fantastically strong.

Take gross national product, exports, and currency reserves as measures of national economic power. West Germany, rather than Britain, now rates second to the United States among the nations of the free world. The German gross national product will reach an estimated $61 billion in 1960 and will exceed Britain's for the first time since 1945. By last year, the West Germans already had edged the British out of second place in exports and passed them in reserves of gold and foreign exchange.

In terms of sheer economic weight, neither West Germany nor Britain (each with a population of 52 million) stands comparison with the United States. This is evident from gross national product estimates for 1960—$510 billion for the United States, compared with $61 billion for the Germans and $60 billion for the British.

SOURCE OF EMBARRASSMENT

Even so, West Germany's economic power in the world marketplace has reached the point where it is a source of some financial embarrassment to the United States as well as to Britain. The return on German short-term investments is so attractive today that private capital has been moving from New York to Frankfurt for some months, strengthening the D-mark. Private capital also was moving from London to Frankfurt until the recent increase in the British bank rate.

JUSTIFIED CONFIDENCE

Moreover, there is no sign that this picture will change very much in the near future. No serious economic problems appear to lie ahead for the Germans, barring a disastrous slump in the free world.

Of course, top Government officials and economists in West Germany will talk, as they have for the past 10 years, about the threat of inflation that arises from the steady increase in wage levels. But, with the price level in Germany remaining as stable as it has anywhere else, the men who run German industry seem less concerned today about inflation than they have been for a long time. Businessmen exude confidence not only about the future of their own companies but also about the competitive strength of German industry as a whole.

INDICATORS OF STRENGTH

The physical evidence of economic strength and widespread prosperity can be seen all over West Germany—in the old strongholds of heavy industry in the Ruhr; in the automotive centers of Wolfsburg, Russelsheim, Stuttgart, and Cologne; in scattered chemical and electrical equipment plants; and in the growing network of highways, extra-high voltage powerlines, oil pipelines, and refineries that reach to all parts of the country.

The strength shows up, too, in the production and sales totals that are expected for 1960—35 million net tons of steel; 2 million autos, trucks, and tractors; more than $5 billion in chemical sales; some $4.5 billion in electrical equipment sales. German industry will supply about 60 percent of continental West Europe's capital goods this year, pushing its total exports to approximately $11 billion.

Current investment expenditures tell the same story. Volkswagen is spending $120 million to expand its capacity to 4,000 units a day, while Opel (GM) is putting $100 million into a new plant at Bochum in the Ruhr. The chemical industry's Big Three—Bayer, BASF, and Hoechst—together are spending close to $250 million for plant expansion.

FRUITS OF PROSPERITY

At the same time, there has been a general trend to higher wages and shorter working hours. A recent French statistical study shows the average hourly wages (including fringe benefits) in West German manufacturing industry now are as high as in Britain and Switzerland, and are exceeded in Europe only by Sweden. Productivity, however, has been rising at least as fast as wage costs, so that total industrial costs haven't been much affected so far.

Rising wages show up in the higher consumption standards of the German worker and the white collar employee. The baby cars for which these workers traded their motorcycles or scooters 3 or 4 years ago now are being replaced by Volkswagens or some other car of the same class. Washing machines, refrigerators, and TV sets already are common in working class apartments and houses.

The postwar economic revolution in West Germany already has gone far enough to force the opposition party, the Social Democrats, to forsake their nationalization programs and shift unmistakably closer to the economic philosophy of Chancellor Konrad Adenauer's middle-of-the-road Christian Democrats. Adenauer, for his part, now is talking of the need for "increasing ownership in the broad masses of the people."

WORKER SACRIFICES

It is only in the past 3 or 4 years, of course, that the German workingman has started to come into his own as a consumer. Until then, he received a considerably smaller share of the national cake than his counterpart in, say, Britain or France. The chief beneficiary was German industry. By being satisfied with this smaller share, say some observers, the German worker contributed more than anyone else to the country's strength, since he gave industry a chance to get solidly on its feet.

No doubt, some German workers feel they were compensated for their restraint in the earlier postwar years by having the Government impose the system of codetermination—an arrangement under which the unions have been able to choose up to 50 percent of the company directors in coal and steel and a smaller percentage in other industries. Interference with important management decisions has been negligible.

ECONOMIC MIRACLE WORKERS

The Adenauer government clearly deserves considerable credit for the West German "economic miracle" and the way it has been sustained. Men like Economics Minister Ludwig Erhard, Finance Minister Franz Etzel, and Bundesbank President Karl Blessing are highly skilled at guiding a national economy.

In one area, tax policy, the Adenauer government has been especially solicitous of private industry. It has encouraged enterprise with a scaled corporation tax, under which a company pays a smaller corporate tax on that part of its earnings paid out to stockholders. In this way, the investor is spared some of the double taxation that exists in the British and American tax systems. The Government also has granted tax benefits for new investment by allowing companies to set up nontaxable investment reserves. The effect is to exempt a large portion of corporate earnings from taxes.

The German businessman himself has taken full advantage of the breaks he has received in the past from his workers and the Government. Ever since the German currency reform of 1948, management has shown a drive and devotion to work that has scarcely been matched either in the United States or in Western Europe. Even today, the average German executive puts in longer hours than his American, British, or French counterpart. In return, he gets a high personal reward in terms of salary, of tax-free expense account, and other benefits.

Among West Germany's leading business figures of today, there are two fairly distinct types.

OLD INDUSTRIALISTS

On the one hand, there are the old standard bearers: Krupp, Siemens, and Flick. But of this trio, only old Friedrich Flick personally masterminds his diversified empire of steel, automobile, chemical, metalworking, paper, and aircraft companies. Both Alfred Krupp and Dr. Ernest von Siemens are more nearly figureheads than rulers in their respective empires of heavy engineering and electrical equipment. In Krupp's case, the power wielder is Berthold Beitz, a prominent member of the nonowner, manager class that has sprung up in postwar Germany.

NEW BREED OF MANAGERS

It is this new type of business manager who provides most of the drive in West German industry today, especially in the big companies that had their origins in the prewar days. Hans-Guenther Sohl, who directs the Thyssen steel fortunes, belongs to this group. So do the chief executives of the Big Three in chemicals. Hans Boden of Allgemeine Elektricitaets Werke (AEG) also fits this category, along with many others in somewhat smaller companies.

In addition, there are a number of self-made owner-managers. Max Grundig is one of these. He has personally built up a booming electronics company since the war, starting from a bicycle repair shop in southern Germany. Willy Schlieker parlayed his wartime experience as a "boy wonder armaments czar" into the most modern shipbuilding company in the country today.

BUSINESS-ORIENTED SOCIETY

Taken as a whole, the German businessmen are an extremely powerful group, with great influence in the Christian Democratic Party and the Government. They have given Adenauer, who is temperamentally bored with business and economics, the wherewithal to pursue his political objectives—resisting communism and building economic and political unity in Western Europe. And Adenauer, for his part, has paid attention to the needs of the business community, partly because of his close personal association with one or two of West Germany's leading bankers.

Perhaps this is only another way of saying that, for the first time in their history, the Germans have successfully developed a business-oriented society, with purposes and drives that aren't very different from those of American society. There was a similar development after World War I, but this was choked off by the great depression and the rise of Hitler.

There are differences, of course, between the business environment in West Germany and that in the United States. German businessmen don't have to live under nearly so strict anticartel laws. Nor do German managers have to pay so much attention to their stockholders, partly because the legal requirements are less exacting and partly because ownership is far less widely distributed. In fact, a few leading West German bankers still play a large role in German industry, almost in the way that J. P. Morgan once did in the United States.

EMPHASIS ON TRADE

Another difference, and a more important one, is the emphasis that German industry puts on foreign business. This grows out of the much greater dependence West Germany has on foreign trade. It is probably this fact that accounts for what can only be described as a drive for economic power in the German business community.

An outsider who visits West Germany today can't fail to notice this power drive. It is as if a strong national ambition, which the Germans once dedicated to political-military expansion, now has been channeled into an economic groove. Making West Germany the top exporter in the world and making the deutsche mark the world's strongest currency seem to be the present goals of the German businessman, so far as his goals reach beyond personal gain and power.

On the surface, it may seem hard to square such national goals with the keen German interest in the six nation European Economic Community (EEC) and in European political unity. But German industry sees this as a bigger "domestic" market—that will be a useful base for gradually winning a larger and larger share of the world market.

German industrialists are supremely confident that they can compete successfully in any market with their rivals of the United States and Western Europe. They don't even fear Japanese competition, except in the domestic German market, and there Japanese goods are pretty well excluded.

OUTSIDE CRITICISM

However, German export successes don't sit too well with other big trading nations, including the United States and Britain. That's mainly because these successes have helped produce the large annual surplus in the German balance of payments and the steady gain—at other countries' expense—in German currency reserves. Another important factor is the $1 billion a year the Bundesbank takes in from military expenditures in West Germany by the United States, Britain, France, and Belgium.

More and more, you hear complaints in Washington and London that, given its strong financial position, West Germany should either revalue the deutsche mark upward or contribute more to Western defense costs and to economic aid in the underdeveloped countries. The West Germans, the critics say, are not playing the role of good creditors.

These critics believe West Germany's recent loan of $250 million (half in U.S. dollars, half in deutsche marks) to the World Bank is a step in the right direction. But there is still a feeling that the Adenauer government will have to do more if it is to show the kind of international responsibility that goes with great economic strength.

Mr. ELLENDER. Mr. President, it seems to me that the only thing we can do to relieve our balance of payments problem is to reduce our subsidies to those foreign countries which are well able to stand on their own feet—to reduce military aid to Western Europe. It is obvious that the argument offered in opposition to this position, to the effect that "we are only giving these people military hardware" is without any real merit.

To the extent that we donate hardware to foreign countries, such donations do two things. First, they aggravate the balance of payments position of the United States, since U.S. goods are going out without any offsetting inflow of dollars or other media of exchange. Second, to the extent that we donate hardware to any foreign countries we relieve such countries of the obligation of buying such hardware and, in that manner, free their resources for other uses—uses which, in the case of Western European countries, permit the investment into their own economy of large percentages of their GNP's for plant modernization and capital development.

Mr. DWORSHAK. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. DWORSHAK. The Senator from Louisiana, as has been his custom for many years, is making a most informative and persuasive comment about our foreign aid spending program. It seems to me to be most tragic, when we consider that the bill embraces an expenditure of about $4 billion, that only a few Senators are present in the Chamber to hear the Senator from Louisiana.

I wonder if the Senator from Louisiana has reached the same conclusion I have; namely, that there is very little interest in any appropriation bill which provides for the spending of billions of dollars; whereas, if the Senate were considering a very unimportant bill, probably a majority of Senators would be present.

Does not the Senator from Louisiana become deeply discouraged as he observes the complacency and the indifference displayed by Members of this body so far as the foreign-aid program is concerned?

Mr. ELLENDER. Mr. President, I have been a Member of the Senate for almost 24 years. I am used to talking to empty chairs, particularly when I attack such a sacred cow as our wasteful foreign-aid program; that is nothing new. However, I sometimes believe that, somehow, representative government has gone with the wind. Representatives are becoming prone to follow, either the dictates of the executive branch or certain pressure groups.

I wish other Senators could have been with me during the days I recently spent in Europe. If I were capable of telling this body the condition of the NATO Alliance, somebody would want to use a shotgun on those in charge of it. However, because of the high secrecy which applies to the so-called NATO agreements, contracts, obligations, and the like, I am unable to tell the Senate or the American people fully the conditions which now exist in Western Europe. In my opinion they are shameful. I wish I could be more specific. But as the Senator from Idaho [Mr. DWORSHAK] knows the information is classified "top secret."

While we have furnished Western Europe under the NATO agreement the same number of divisions we contracted for 10 years ago, our allies have been greatly reducing their own forces.

Lately, Belgium has said that she plans to reduce her contribution to the NATO Alliance. Of course, Belgium is not furnishing much, but she says she will reduce the little she is furnishing. Why? Because of the Congo situation.

Mr. President, we can pour into the lap of Prime Minister Lumumba all the money we have in the Treasury—whatever we have left—and all the money we can borrow, but that will not solve the problem of the Congo, for the simple reason that they have no real leadership available. Imagine a country, as large as the western part of the United States from the Mississippi to the west coast, containing only about 20 college graduates. I think it is most tragic that the Belgians have left the Congo.

Mr. President, it was my privilege to visit the Belgian Congo in 1954. In my report to the Appropriations Committee later that year I placed the Belgian Congo at the top of the ladder of the colonies in Africa because of the accomplishments effected by the Belgians. They were doing a fine job, in my opinion. The Belgian Congo was divided into seven states, with a Governor General in charge of the entire Congo. Each of the seven states had a governor appointed by the Belgian King. Each of the seven governors of the seven states of the Congo worked hand in hand with the leading chiefs in the various States. In addition, 94 cents out of every dollar of profit made on any investment in the Congo was plowed back into the economy of the Congo, for its development. In other words, the Belgians did not permit anyone, not even their own people, to exploit the Belgian Congo. A reasonable profit of 6 percent on the investment was all that was allowed. Resources were being developed for the good of the local people. It is true the Belgians may have been slow in providing fancy schools and colleges, and so forth. But, Mr. President, I would like to point out that the Belgians were making a start in the right direction; if one visits almost any part of Africa, including Liberia, which has been a democracy for a hundred and ten years, one will see that very little progress has been made there except under the leadership of people from the Western World.

Mr. GRUENING. Mr. President, will the Senator from Louisiana yield?

The PRESIDING OFFICER (Mr. MUSKIE in the chair). Does the Senator from Louisiana yield to the Senator from Alaska?

Mr. ELLENDER. Yes, Mr. President, I yield to my good friend.

Mr. GRUENING. Does not my colleague from Louisiana feel that a great mistake has been made by our own Government in not understanding that the word "colonialism" is not a blanket epithet of opprobrium, and that peoples that are wholly unprepared for self-government, that are primitive, inexperienced, illiterate, cannot be thrust into self-government suddenly without resulting chaos, and that the situation in a country such as the Congo or other newly born nation in Africa is totally different from the situation which existed in our country at the time the Thirteen Colonies launched their revolt against Old World colonialism and carried out the American Revolution? At that time our country was blessed with such great leaders as Washington, Franklin, Jefferson, Madison, and Hamilton, who were among the most enlightened people of their time, or perhaps in all history.

But for the newly born nations of Africa to attempt to rely for leadership in self-government on those largely primitive African people, some of whom are scarcely "out of the trees"——

Mr. ELLENDER. In fact, many of them are still cannibals.

Mr. GRUENING. Yes; and to attempt to have them assume self-government and have it succeed is fantastic.

I hope that in connection with the situation of the new nations of Africa, the wise course of action proposed by President de Gaulle, of France, in regard to Algeria will prevail, and that the great heritage of European civilization may not be lost; otherwise chaos will certainly follow in those African nations—there will be independence but not freedom—and no amount of money which we may send there will prevent it.

This administration seems to have adopted the philosophy and the policy that the giving of money will cure all ills and solve all problems abroad. But certainly it will not, as we shall definitely discover following the fantastic performance in the Senate the other evening, when the Senate voted to the administration blank-check authority to spend half a billion dollars in Latin America without any plan, program or controls. We shall soon see that that money will be largely wasted and misspent, just as a large part of the other $80 billion of foreign aid has been wasted and misspent.

So I hope Congress will exercise some checks over these expenditures in the future, even though there is very little prospect of doing so under this administration.

Mr. ELLENDER. Mr. President, I appreciate my friend's remarks. I agree with him. I think it is tragic that the wave of nationalism that has swept over

Africa has made it possible for the reins of government to fall into the hands of people who, as the Senator from Alaska has said, are uneducated and do not understand right from wrong——

Mr. GRUENING. And can neither read nor write.

Mr. ELLENDER. Yes, can neither read nor write. When we speak to them of democracy and freedom, many of them think that means the freedom to go into anyone's home or store and help themselves to everything they might want. That is their conception of freedom.

Mr. GRUENING. That is correct.

Mr. ELLENDER. Mr. President, this situation is tragic. Regardless of how much money we might pour into such countries, it will not accomplish democracy as we know it.

As I pointed out in my previous remarks today about the Dominican Republic, even in South and Central America, where many people are well educated, it is impossible for democracy to be practiced in the way we know it in the United States.

May the good Lord save the people of wild Africa when attempts are made to force democracy upon them almost overnight. It will take several centuries to educate those people.

I certainly hope our country does not embark on a large-scale, long-range foreign-aid program to Africa, for if we do, we might as well kiss American liberty goodby. If we take such a move we might as well hang the crepe on the door of private enterprise, because, Mr. President, our economy could not stand such a gigantic assault on the not unlimited resources of this country.

I hope that if any great amount of aid is given to the newly independent countries of Africa, it will be done through the medium of the United Nations, so that all the countries of the world which belong to that Organization can make their just contributions to the progress of these African countries.

In other words, Mr. President, we are spending our own strength, and in the process we are actually courting economic disaster both at home and abroad.

Even these circumstances might compel me to alter my position with regard to military aid to the countries of Western Europe if it could be shown that U.S. military assistance to those countries has the effect of stimulating defense spending on their own part. But such is not the case. On the contrary, Mr. President, last year, when we cut back military assistance to $1.3 billion—a reduction of $300 million from the amount requested by the administration, and most of the cut was applied against programs in the countries of Western Europe—what was the effect of the reduction? I will tell you, Mr. President: Practically every country in Western Europe increased its defense expenditures for the fiscal year 1960. That development must be measured against the record of previous years—years when U.S. defense subsidies to Western European countries were increasing. During those years, those countries, almost to a nation, reduced their own expenditures for defense.

In other words, the record bears out my contention that as U.S. military assistance goes up, the defense expenditures of the European countries go down. Furthermore, on the basis of the record last year—a year when the United States reduced defense subsidies to Western Europe—it seems clear that when the United States cuts back on arms subsidies there, then, and only then, will our so-called NATO allies begin to consider carrying more of their own loads.

Under the circumstances, Mr. President, I am convinced, even more than ever, that the only way we shall compel the countries of Western Europe to pay their own arms bill—the only way we shall stem the tendency on their part to let Uncle Sam pay their defense bills, while they broaden their capabilities to reduce U.S. exports in foreign markets—the only way quickly available to us to restore a favorable balance of payments—is for the United States to drastically reduce military aid to those countries.

At this point, Mr. President, I should like to discuss defense support.

Before I do so, Mr. President, I should like to say that we are spending for defense in the neighborhood of 11 percent of our gross national product. This is compared to less than 3 percent that Denmark is spending on defense. None of the countries of Western Europe spend more than 6 or 6½ percent of their gross national product on defense. If only those countries would spend, on the average, half of what we are spending, they would not need any additional funds from us to bolster their defenses.

But they regard the entire matter as political. They take the position that if they increase their defense expenditures, their governments may topple.

On the other hand, our administration takes the position that it is all very well for our country to go deeper and deeper into debt just so long as we keep pouring our dollars into these countries. Insofar as these countries of Western Europe are concerned, we seem to continue to bear the burden of their own defense, irrespective of the impact which all these expenditures will have on our own economy.

And now, I shall return to the item in this bill, known as defense support.

For fiscal year 1961 the administration requested $724 million for defense support. The Congress authorized $675 million, and the House allowed $600 million for this purpose. The result of the Senate committee action was to appropriate an amount equal to the authorization.

Defense support, I might say, is economic aid pure and simple. It goes to those countries which have defense alliances with the United States. If these countries did not have alliances with the United States, this aid would not be called defense support, but would be described as special assistance.

Special assistance, I might also remark, is merely another fancy name for economic aid. So I preface my remarks, in this connection, with the reminder that, although I am presently discussing what the administration likes to call defense support, I am really dealing with economic aid. This aid, despite the nomenclature "defense support" does not consist of military equipment or military supplies of any other nature, or military training in any form. It involves commodities, equipment, and, in some instances, direct cash payments—that is, dollar gifts for the economic enhancement of the recipient countries.

The 12 countries programed to receive defense support for fiscal year 1961 have been recipients of the largest amount of grant aid from us in the past. In fact, Mr. President, if we did not appropriate another dollar for defense support, the pipeline available for expenditure in these countries, including funds available through the Development Loan Fund and title I of Public Law 480, would aggregate almost $1.5 billion. According to figures furnished the Senate Appropriations Committee by the ICA, the unexpended balances in the defense support appropriation alone amounted to $805,012,000 as of June 30, 1960. In addition, the unexpended balances in the development loan appropriation programed for these very same countries, which receive defense support, amounted to $440,509,283, at that same date. Furthermore, these very same countries are programed to receive $209 million under title I of Public Law 480. If these amounts are added together, the total funds available for expenditure in these countries, excluding the amount appropriated in this bill, amount to $1,454,-521,283.

Mr. President, these data prove what I have long maintained:

First. Defense support, which is purely and simply economic aid, continues to flow in huge amounts to countries which we have aided substantially, if not enormously, over the last 6 to 7 years.

Second. The total amount of funds available for expenditure for this purpose, despite the creation of the Development Loan Fund, has not been reduced, but, if anything, remains stable and, in many cases, has actually been increased.

Third. This element of the bill, as well as title I—that is, the provision for military assistance—promises a further drain on our already diminishing gold resources. It is not inappropriate to point out that quite a few of the countries scheduled to receive gifts of American dollars under the guise of defense support are actually using our donated dollars to purchase goods from American competitors—principally Western European countries, which are also on the U.S. dole. Simply put, defense support involves not only dollar donations to underdeveloped countries, but, also, because most of these dollars are spent in Western European countries to purchase goods and equipment from those countries, defense support is an additional subsidy to our already heavily subsidized Western European competitors.

I should not have to repeat what effect the expenditure of defense support dollars in Western European countries has on our balance-of-payments problem.

It should also be noted that here, again, Uncle Sam is "playing patsy." When Western Germany, for example, sets up credits in foreign countries, it does so with the restriction that these credits be utilized only in Western Germany, but when Uncle Sam goes forth into the world throwing dollars around like a drunken sailor, we refuse to do the same. How long this can continue I do not know, but, I repeat again, defense support as well as the other sections of the pending bill involve a wholesale squandering of U.S. funds without any benefit to our economy or to our security.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. ELLENDER. My time is limited.

Mr. GRUENING. Very briefly. I merely wish to call attention to the fact that the entire body of the Senate now on the floor is in sympathy with the Senator's view of the shocking waste that is committed, and it might be appropriate to have a motion to table the bill.

Mr. ELLENDER. I do not know what views the Presiding Officer might have on such a motion. [Laughter.]

The next section of the bill to which I desire to refer is "special assistance."

Special assistance, as I have already remarked, is another type of dollar donation. It goes to countries which do not have defense alliances with us and, as is the case with defense support, involves no restriction on where our dollars may be spent.

Again, in many instances, these dollars are spent in Western European countries and, as a result, are transformed into supplemental economic aid to those countries.

At the risk of being facetious, I might also say, as to special assistance, that it offers assurance that any country which might not otherwise have a pipeline to the Federal treasury is given one.

The bill, as reported by the committee, appropriates $256 million for "special assistance." The bulk of this will go to four countries: Morocco, Libya, Jordan, and Afghanistan. Special assistance to Libya and Morocco used to be justified as a kind of "hush" money—a rental payment for U.S. airbases there. However, since our airbases are being closed out, it would seem that perhaps the rental payments should be terminated. Unfortunately, such is not the case. Uncle Sam is probably the only lessee in history who continues to pay his rent while he is moving out his furniture.

Mr. President, I do not wish to dwell on this section of the bill dealing with special assistance to any great extent except to say it also includes substantial contribution to six countries located to the south of us. We have heard quite a bit lately about U.S. economic aid to Latin American countries. But in this bill under the category of special assistance relatively large amounts of money are proposed to be appropriated for Bolivia, Brazil, Guatemala, Haiti, Paraguay, and the West Indies. These allocations, I might point out, are not new; they have occurred in previous years. Yet, there are those who say we are "neglecting" Latin America.

Again, at the risk of being facetious, I would like to make the record clear that my own State of Louisiana would be delighted to be "neglected" in this manner.

The next portion of the bill is the contingency fund.

This fund, Mr. President, is somewhat like the old story about the college boy's jalopy—"a wreck looking for some place to happen."

The contingency fund, through the consummate salesmanship of the Department of State, has been purveyed to the Congress in years past as a means according flexibility to American policy abroad—a repository for noncommitted funds, a means of permitting the President to react quickly to any unforeseen events which might occur. In other words, it might almost be said that the contingency fund is "a crisis looking for a place to happen."

When the House considered this bill, it approved $150 million—the full amount of the authorization—for contingencies. Of course there were no plans available as to how these funds might be spent because, as a Department of State spokesman put it, one could not predict where the next crisis might occur.

Between the time the House passed the bill and our Appropriations Committee marked it up, a crisis had developed in the Congo. Quite a few of us, upon reading of events there in the newspapers, must have felt that "Well, this will be taken care of when we give the President his contingency fund." But, lo and behold, upon our return to Washington, we were told that since a contingency had developed, more money would be required. Why it is that $150 million originally earmarked for contingencies should have to be almost doubled, upon the appearance of a bona fide contingency, would seem to be—as Churchill once so picturesquely stated—"a riddle wrapped in a mystery inside an enigma."

Reference to my remarks during original consideration of the authorizing legislation earlier this year will prove that this apparent riddle is easy to answer. The contingency fund was never really designed as a means of meeting world crises but, rather, was used solely and simply as a separate "slush fund," out of which the President could restore at least part of any cuts which the Congress might impose in other titles of the bill. I dislike making such a statement, but the facts fully support it because, last year, a year when there was, thankfully, no real world crisis which had not been foreseen, large portions of congressional reductions in military assistance and defense support assistance were overcome by the simple expedient of the President dipping into the contingency fund and transferring contingency fund money to those mutual security appropriations.

On Friday, August 19, the Senate apparently decided to go along with the administration's plea by authorizing a $100 million increase in the contingency fund to help meet the crisis in the Congo. I opposed this $100 million increase, Mr. President, because it struck me that if $100 million was the sum required to meet certain difficulties in the Congo, this sum could be taken from the appropriation recommended by the House of $150 million and still leave a surplus of $50 million to meet any subsequent crisis. In other words, I took the position that the contingency fund should be used for contingencies; that the Congo situation was the only contingency which had developed, and that the necessary funds to meet developments there could be drawn from the $150 million contingency authorized earlier, for which an appropriation had been approved by the House.

I also insisted that in the light of the administration's previously announced determination to use $100 million in the Congo to finance various projects in that country, through the United Nations, the United States should hew to the line on its previous position to the effect that U.S. contributions to U.N. projects should be limited to one-third of the total cost of such projects.

Senators will recall that we had an unfortunate experience with a previous U.N. effort—UNRRA. UNRRA was supposed to be an international cooperative relief program; all members of the U.N. were to join in it and help finance it, but in its application this theory was lost. As matters worked out, Uncle Sam paid the bills and Russia and other countries got the lion's share of the credit. With this in mind, I determined that the same mistake should not be made in the Congo, and insisted on tying "strings" to our aid.

Although I lost my fight in committee as to a specific percentage, I believe I won a victory for the people of our country in principle. As reported, the bill stipulates that in no event can our contributions to the United Nations for use in Africa exceed more than 40 percent of the total contributions to the United Nations for such programs. Furthermore, language was added in the committee report expressing the intent of the committee that this 40-percent figure should be regarded as a ceiling and that it should be reduced to one-third as soon as possible.

Actually, Mr. President, a strong case could be made for refusing any aid to the Congo until Premier Lumumba purges himself of the contempt he has displayed for the United States, the U.N. Secretary General and for our own Ambassador. It goes without saying that a nation that permits the wanton bludgeoning of United Nations troops, a nation which greets a U.S. Ambassador with a bayoneted rifle and refuses to permit him to keep a previously made appointment—should be denied assistance entirely. Unfortunately, such is not the policy of this Government. We are too soft. We rush in to give assistance irrespective of the impact that these enormous expenditures will have on our own economy.

I might also remark that I refrained from offering an amendment designed to specify that the 50–50 shipping clause should apply to the transportation of

goods or commodities to Africa, purchased out of the proceeds of our contribution to the U.N. for that purpose, upon learning that the Foreign Relations Committee staff is of the opinion that such clause remains applicable. As I understand the situation, the 50–50 shipping clause applies to all programs authorized under the Mutual Security Act, including the contingency fund, unless expressly waived by law, as was the case with the Indus Basin project. Thus, since our contribution of $100 million to the U.N. for use in Africa comes from the contingency fund, goods purchased with such contribution remain subject to the 50–50 shipping requirement.

Mr. President, I have spoken more in detail than I originally intended, and I do not wish to dwell to any great extent on the Development Loan Fund. I do wish to say that, when originally submitted to the Congress, the Development Loan Fund was said to be a program in which all of the "soft" loans administered by the United States could be concentrated, and further, that creation of the Development Loan Fund would permit shifting U.S. aid from a grant to a loan basis.

I have already remarked upon the fact that neither special assistance nor defense support have been appreciably reduced since the creation of the Development Loan Fund. As a matter of fact, special assistance of a project nature has increased from $42.6 million in 1956, to a proposed $123 million in fiscal 1961. Defense support would seem to show, on its face, a small reduction since 1956, but this reduction is more apparent than real, since Public Law 480 local currency uses have frequently more than offset any reduction in direct dollar appropriations.

In any event, the committee has included in its report language which, if observed by the administrators, will reinstate the policy under which the Congress was told the Development Loan Fund was to operate at its inception. I quote from the committee's report:

> This fund was created by the Congress in 1957 as a separate and distinct corporate entity. It was established primarily as the instrument to be used to provide capital for the long-term economic growth in the less developed countries. In fulfilling this purpose the Development Loan Fund is intended to gradually displace project-type grant assistance provided in both the defense support and special assistance appropriations.

While this, in my opinion, is a salutary development, I am concerned at the wholesale propagation taking place in U.S. lending agencies. In addition to the Development Loan Fund, we have recently created the so-called Inter-American Bank. Earlier this year, the Congress authorized our participation in the International Development Association, which purports to do on a multilateral basis what the Development Loan Fund was created to do on a bilateral basis.

On Friday, August 19, the Senate took another step toward creating more duplication in U.S. foreign lending agencies, by authorizing the issuance of a blank check in the amount of $500 million to the President, for use in Latin America, plus $100 million for Chilean disaster relief. Fortunately, before this check is endorsed, the Appropriations Committee will, I understand, take a long, hard look at what is involved. Why this program should have been authorized at all is beyond my comprehension. Even the distinguished chairman of the Committee on Foreign Relations professed a "lack of enthusiasm because of the vagueness of this proposal."

No one has advocated and supported increased United States-Latin American cooperation more than the senior Senator from Louisiana. Louisiana is the gateway to Latin America; the Port of New Orleans is the great funnel through which goods between the two continents must be exchanged, but the piecemeal approach, the patchwork policy, which has characterized our relationships with the countries to the south of us bodes no good for American interests or American friendships there.

I believe I know a little bit about the people of Latin America and the way they think. They are proud people, and in their hearts, I am convinced that they harbor a spirit of friendship for the people of the United States.

It is true that in recent months evidences of dissatisfaction with some American policies have been noted there, but dissatisfaction with American policies will not be overcome by an increase in U.S. gifts to these people. Latin America does not want, nor does Latin America need, charity. The nations of Latin America abound in natural resources. All the people there want is an opportunity to develop these resources for their own betterment. Exploitation must not be permitted; development must be fostered.

This development cannot feasibly be accomplished through gifts of money. The people of Latin America are not for sale, and it ill behooves a great country, which likes to think of itself as a good neighbor, to try to buy allegiance or friendship, to say nothing of respect, in this part of the world.

I fear that the same old dollar balm which has been purveyed in other areas by the present administration is being introduced into Latin America and, as has been the case in other parts of the world, this treatment is going to result in more strife, not less; in more bitterness, not more friendship; in less regard for U.S. policies, not more respect for the objectives which we profess.

Much is said of a Marshall plan for Latin America. Mr. President, we have poured billions into Europe through the European Marshall plan. We are today reaping our harvest of dislike, discord, and burgeoning restrictions against trade with the United States.

We tried wholesale donations of money in the Middle East. Never before has the Soviet Union been stronger in that part of the world.

We lavished American dollars on southeast Asia. Laos, whose army was in our pay, has revolted, and a neutralist government has been created there. The Government of South Korea, which, only 2 years ago, the State Department was hailing as a model of freedom, has fallen—the victim of vice, graft, bribery, thievery and wholesale vote stealing. Throughout the Far East, in countries which were at one time friendly toward the United States, a spirit of neutralism, if not actually dislike, is rampant. Do we want the same to happen in Latin America? Can our security survive such developments there?

On the other hand, if we embark upon a program of lavish gifts, based upon the principle that friendship and respect can be bought and sold in the arena of economic aid, how long will it be before we are called upon to undertake a Marshall plan for Africa? Newly independent governments desirous of dollar gifts know full well that the quickest way to prevail upon Uncle Sam to "come across" is to indulge in a dalliance with international communism. It works with India and it is apparently working in some areas of Latin America.

I say today, Mr. President, that once we add Latin America to our dole; once we put Africa on the American handout list, none of the free world, to say nothing of the United States alone, possesses sufficient wealth to appreciably raise living standards in all of these areas. The entire treasure of the United States could be dumped into Africa and never be found again.

Mr. President, as I indicated when I began this address, I did not propose to offer any amendments to this bill today—for a number of reasons—not the least of which is that I fear an atmosphere of almost hysteria prevails among some Members of the Congress, to say nothing of the administration, but I plead with Senators to think upon these issues for themselves. Dollars are no substitute for a sound foreign policy; we have tried that approach and failed.

The Congress must not permit the administration to compound previous mistakes by according to them our endorsement and support. Foreign aid has not won friends in the past, nor will it win friends in the future, and I urge Senators to join with me in voting against this bill in the hope that a new approach will be engendered. Only through defeating existing programs can we compel a reexamination of our attitudes toward foreign lands; only through failing to implement an outmoded and long discredited policy can we force its abandonment.

Mr. President, I renew my motion.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HAYDEN. Mr. President, I yield 30 minutes to the Senator from Alaska.

NO NEW STARTS AT HOME—UNLIMITED NEW STARTS ABROAD

Mr. GRUENING. Mr. President, from time to time, since the first of the year,

I have risen on the floor of the Senate to discuss the double standard which the Eisenhower-Nixon administration has been following.

Under this double standard, funds in amounts running into the billions have been requested by the Eisenhower-Nixon administration on a "no cuts permitted" basis for the very same type of projects which, when suggested for the United States, are roundly condemned by that same Eisenhower-Nixon administration as wasteful, unnecessary and as tending to unbalance the budget.

For 7½ years now the Eisenhower-Nixon administration, through the use of the veto or the threat of a veto, has managed to prevent the adoption of legislation which would have provided adequately for domestic programs in such fields as education, water pollution control, public works, forest preservation and development, airports, housing, highways, area redevelopment, the development of the Nation's coal resources, and so forth.

And all during these same 7½ years the Eisenhower-Nixon administration has been urging more and more appropriations for projects abroad in exactly these same fields but without the far tighter budgetary controls exercised by the Congress over domestic programs.

Mr. President, at this point, I wish to review very briefly the record of the Eisenhower-Nixon double standard in some of these fields.

First let us consider the field of education.

During its first 2 years in office, the Eisenhower-Nixon administration—with a Republican Congress—did not even offer a program of Federal aid to education, even though President Eisenhower on October 9, 1952—approximately a month before his election—had stated that "1,700,000 American boys and girls" were "without any school facilities."

Was it any wonder that the Secretary of one of our departments of Government during that period earned the nom de plume of Secretary of the Department of "Not Too Much" Health, Education and Welfare?

In 1955 the Eisenhower-Nixon administration presented to the Congress a school aid program which would have been of great benefit to the bond market but not the Nation's schoolchildren.

The years that followed showed indifference and opposition on the part of the Eisenhower-Nixon administration to the enactment of an adequate bill providing for Federal aid to education.

This very year saw the Vice President himself break a tie in the Senate to vote against Federal aid for teachers' salaries although teachers' salaries were included for foreign countries in the foreign aid program.

Was the Eisenhower-Nixon administration similarly indifferent and opposed to sending U.S. dollars abroad to meet education needs there?

It was not.

Since fiscal year 1955, over $131 million—American dollars—have been spent on educational projects abroad.

While millions of American schoolchildren faced, and continue to face, the hard realities of overcrowded classrooms, half-day sessions, and overworked, underpaid and sometimes undertrained schoolteachers and the Eisenhower-Nixon administration was cynically playing the game of attaching civil rights riders to school aid bills and then voting overwhelmingly against the bill itself, that same Eisenhower-Nixon administration was approving such projects as $660,000 in fiscal year 1955 for aid to education in Iran, $49,656,900 for fiscal years 1955 through 1959 to aid the educational system in Nationalist China, and $1,091,000 in fiscal year 1958 alone for the educational system in Korea, and so on and on.

Those are only a few examples of a great many.

I ask unanimous consent that there be published at this point in my remarks a tabulation and recapitulation which I have had prepared showing the foreign aid projects in the field of education from fiscal year 1955 through fiscal year 1959.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 1.—*Recapitulation—Mutual security grants for education, by continent and fiscal years 1955 to 1959, inclusive*

Continent	Fiscal year 1955	Fiscal year 1956	Fiscal year 1957	Fiscal year 1958	Fiscal year 1959	Cumulative through fiscal year 1959
Far East	$5,159,800	$10,979,784	$13,037,000	$11,682,000	$9,981,000	$50,839,584
Near East and Asia	7,693,162	8,341,523	7,081,000	6,311,000	8,532,000	37,958,685
Africa	1,191,480	2,304,433	4,357,000	5,905,000	6,005,000	19,762,913
Europe	151,853	78,128	20,000	102,000	130,000	481,981
Latin America	2,546,266	3,575,072	4,146,000	4,540,000	4,574,000	19,381,338
Total	16,742,561	25,278,940	28,641,000	28,540,000	29,222,000	128,334,501
Asian Economic Development Fund				2,923,000	400,000	3,323,000

Prepared by the office of Senator ERNEST GRUENING (Democrat, of Alaska) from information furnished by ICA.

EDUCATION

(62) Vocational Agriculture Education

Fiscal year 1955

FAR EAST

China: Improvement of vocational agriculture school — $79,000
Philippines: Vocational agricultural training — 492,000
Thailand: Vocational agriculture — 42,000

NEAR EAST, AFRICA, AND SOUTH ASIA

Iraq: Vocational agricultural education — 17,087
Israel: Study methods of agricultural education, participant — 5,000
Jordan: Kadoori Agricultural School — 505,465
Libya: Vocational agricultural education — 97,000

LATIN AMERICA

Bolivia:
Vocational agricultural education — 5,828
Vocational agricultural school in Montero — 41,532
Honduras:
Vocational agricultural education — 12,030
Education in crafts and trades — 44,246
Nicaragua: Rural and elementary education — 67,200
Overseas territories:
British Honduras: Vocational agricultural education — 4,000
Jamaica: Vocational agricultural education — 3,000

Fiscal year 1956

FAR EAST

Cambodia: Food and nutrition training course — 18,900
China:
Improvement of vocational agricultural schools — 72,000
Establishment of vocational agricultural teacher training department, TCA — 19,000
Philippines: Vocational agricultural training — 657,498
Thailand: Improvement, vocational agricultural schools — 68,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Vocational agricultural education — 107,000
Jordan: Agricultural education — 92,000

AFRICA

Libya:
Vocational agricultural education:
Cyrenaica — 180,500
Tripolitania — 183,600

EUROPE

None.

LATIN AMERICA

Bolivia: Practical vocational agricultural school at Montero — 55,456
El Salvador: Agricultural education — 26,800

Fiscal year 1956—Continued

LATIN AMERICA—Continued

Honduras:
Vocational agricultural education (education cooperative service) — $31,000
Education in crafts and trades (education cooperative service) — 66,540

Fiscal year 1957

FAR EAST

China (Taiwan):
Improvement of vocational agricultural schools — 79,000
Establishment of vocational agricultural teacher training department, Taiwan Provincial College of Agriculture — 26,000
Philippines: Vocational agricultural training — 219,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Vocational agricultural education — 121,000
Jordan: Agricultural education — 26,000

LATIN AMERICA

Bolivia: Vocational agricultural education project — 49,000
Honduras:
Vocational agricultural education — 19,000
Education in crafts and trades (education cooperative service) — 90,000

Fiscal year 1958

FAR EAST

China (Taiwan): Vocational agricultural education — 101,000
Philippines: Vocational agricultural training — 143,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Vocational agricultural education — 96,000
Iraq: Advisers in agricultural education — 25,000
Jordan:
Agricultural education — 103,000
Khadouri Agricultural School — 235,000

AFRICA

Tunisia: U.S. rural teacher training program (French language) — 18,000

EUROPE

No projects.

LATIN AMERICA

Bolivia: Vocational agricultural education project — 55,000
Honduras:
Vocational agricultural education (education cooperative service) — 19,000
Education in crafts and trades (education cooperative service) — 121,000

Fiscal year 1959

FAR EAST

China (Taiwan): Vocational agricultural education — 462,000

Fiscal Year 1959—Continued

NEAR EAST AND SOUTH ASIA

Afghanistan: Vocational agricultural education $64,000
Iraq: Advisers in agricultural education 38,000
Jordan: Agricultural education 54,000

AFRICA

Tunisia: U.S. rural teacher training program (French) 2,000

EUROPE

None.

LATIN AMERICA

Bolivia: Vocational agricultural education project 52,000
Colombia: Vocational agricultural education 24,000
Honduras:
Vocational agricultural Education (education cooperative service) 24,000
Education in crafts and trades (education cooperative service) 95,000

(63) Home Economics Education

Fiscal year 1955

FAR EAST

Philippines: Home economics training 83,000

NEAR EAST, AFRICA, AND SOUTH ASIA

India: Home science education and research 703,000

Fiscal year 1956

FAR EAST

China (Taiwan): Improvement of home economics teacher training department (TPNU) 10,000

NEAR EAST AND SOUTH ASIA

India: Home science education and research 13,740

AFRICA

None.

EUROPE

None.

LATIN AMERICA

El Salvador: Education in home economics 22,700
Guatemala: Home life education (SCIDE) 17,260

Fiscal year 1957

NEAR EAST AND SOUTH ASIA

India: Assistance to home science education and research 11,000

Fiscal year 1958

FAR EAST

China (Taiwan): Home economics education 18,000

NEAR EAST AND SOUTH ASIA

India: Assistance to home science education and research 319,000

AFRICA

No projects.

EUROPE

No projects.

LATIN AMERICA—OVERSEA TERRITORIES

British Guiana: Training in developing leadership for home economics programs 2,000

Fiscal year 1959

FAR EAST

China (Taiwan): Home economics education 31,000

NEAR EAST AND SOUTH ASIA

India: Assistance to home science and research 2,000

OVERSEA TERRITORIES

United Kingdom: Women's occupational training center 15,000

EUROPE

None.

LATIN AMERICA

None.

(64) Elementary Education

Fiscal year 1955

FAR EAST

Cambodia: Rural education demonstration and training program 179,800
Philippines: Elementary curriculum development 161,000

NEAR EAST, AFRICA, AND SOUTH ASIA

Egypt: Training of teachers for rural elementary schools of Egypt 91,300
Ethiopia: Teacher education 20,000
Iraq: Education—Elementary Teachers Institute 2,710
Israel: For teacher training workshops 5,000
Libya: Elementary education 174,000

LATIN AMERICA

Bolivia:
Indian school nucleos 50
Rural normal schools project—Education servicio 96,118
Teachers' workshops 500

Fiscal year 1955—Continued

LATIN AMERICA—Continued

Ecuador:
Rural education teacher training $71,685
Urban education teacher training 33,703
Education division administration 37,085
Honduras:
Rural elementary teacher training 20,741
Rural normal school development 57,000
Panama: Elementary (rural) education 109,400
Paraguay: Elementary teacher education 132,088

Fiscal year 1956

FAR EAST

Cambodia:
Preparation of textbooks and teaching aids 30,000
Rural demonstration and training 153,000
Laos: Elementary education 65,000
Philippines: Elementary curriculum development 74,000
Thailand: Curriculum development—Chachoengsao 50,000

NEAR EAST AND SOUTH ASIA

Egypt:
Education—teacher education (grades 1–6) 115,746
Education post primary schools 15,655
Jordan: Bedouin education 75,000
Lebanon: Rural teacher college 53,050

AFRICA

Ethiopia: Teacher education 47,888
Libya:
Elementary education, Cyrenaica 11,000
Elementary education, Tripolitania 7,400

EUROPE

None.

LATIN AMERICA

Bolivia:
Construction of Mineros rural school education servicio 100
Rural normal school project 141,978
Teachers workshops and all other inservice training—Education servicio 500
Brazil: Elementary education 95,000
Dominican Republic: The development of community school concept in rural education (SCIDE) 51,474
Ecuador:
USOM cooperative education service 106,000
Rural education teacher training 96,800
Urban education teacher training 71,600
Education division administration 43,700
Guatemala:
Rural elementary teacher training (SCIDE) 35,500
Rural socio-education development (SCIDE) 31,000
Honduras:
Rural elementary teacher training (education cooperative service) 39,090
Rural normal school development (education cooperative service) 71,200
Nicaragua: Education, rural and elementary 115,040
Panama: Elementary (rural) education 206,400
Paraguay: Elementary teacher education 103,418

Fiscal year 1957

FAR EAST

Laos: Elementary education 145,000
Philippines: Elementary curriculum development 66,000
Thailand: Elementary education 404,000
Vietnam: Elementary education 351,000

NEAR EAST AND SOUTH ASIA

Egypt: Training of teachers for rural elementary schools 33,000
India: Assistance to the National Institute of Basic Education 23,000
Lebanon: Rural teacher college 1,000

AFRICA

Ethiopia: Ethiopian teacher education 50,000
Libya:
Rural education 15,000
Teacher education 435,000
Do 700,000

LATIN AMERICA

Bolivia: Rural education project 124,000
Brazil:
Brazilian-American assistance to elementary education 132,000
Elementary education 135,000
Costa Rica: School of education development project 20,000
Dominican Republic: Development of community school concept in rural education 40,000
Ecuador:
USOM cooperative education service 72,000
Rural education teacher training 92,000
Urban education teacher training 44,000
Education division administration 52,000
Honduras:
Rural elementary teacher training 19,000
Rural normal school development 49,000
Nicaragua: Education, rural 105,000
Panama: Elementary (rural) education 99,000
Paraguay: Elementary teacher education 123,000

Fiscal year 1958

FAR EAST

Cambodia: Preparation of textbooks and teaching aids $1,000
Laos: Elementary education 365,000
Thailand: General education development 497,000
Vietnam: Elementary education 125,000

NEAR EAST AND SOUTH ASIA

India: Assistance to the National Institute of Basic Education 2,000

AFRICA

Libya: Teacher education 52,000
Morocco: Rural teacher training 21,000

EUROPE

No projects.

LATIN AMERICA

Bolivia: Rural education project 115,000
Brazil:
Brazilian-American assistance to elementary education 75,000
Do 180,000
Costa Rica: University of Costa Rica assistance (school of education development project) 24,000
Dominican Republic: Rural ecucation 53,000
Ecuador:
Rural education teacher training 109,000
Urban education teacher training 39,000
Education division administration SCIE 47,000
Guatemala: Teacher training program 300,000
Honduras:
Rural elementary teacher training (education cooperative service) 16,000
Rural normal school development (education cooperative service) 38,000
Nicaragua: Rural and elementary education 93,000
Panama: Elementrary (rural) education 117,000
Paraguay: Elementary teacher education 73,000

Fiscal year 1959

FAR EAST

Laos: Teacher training 384,000
Thailand: General education development 410,000
Vietnam: Expansion and improvement of elementary education 197,000

NEAR EAST AND SOUTH ASIA

India: Assistance to National Institute for Basic Education 15,000

AFRICA

Liberia:
Teacher training 508,000
Rural school development 79,000
Libya: Teacher education 179,000
Morocco: Rural teacher training 34,000
Tunisia:
Assisting Tunisian textbook preparation 11,000
Bilingual normal school teacher training 50,000
Elementary school assistance 6,000

EUROPE

None.

LATIN AMERICA

Bolivia:
Rural education project 106,000
Brazilian-American assistance to elementary education program 75,000
Elementary education program 160,000
Colombia: Primary education 35,000
Costa Rica:
University of Costa Rica assistance (School of Education development project) 20,000
Ministry of Education assistance normal education (elementary) 46,000
Dominican Republic: Rural education 84,000
Ecuador:
Rural education teacher training 47,000
Urban education training 34,000
Education division administration 111,000
Honduras:
Rural elementary teacher training 40,000
Rural normal school development 34,000
Nicaragua: Rural and elementary education 128,000
Panama: Elementary (rural) education 102,000
Paraguay: Elementary teacher education 80,000

(65) Secondary Education

Fiscal year 1955

NEAR EAST, AFRICA, AND SOUTH ASIA

Iran:
Training Iranian nationals 810,974
Secondary education support 160,000
Iraq:
Commercial and scientific education 110,000
Education-secondary teachers institute 2,384

Fiscal year 1956

FAR EAST

China (Taiwan): Educational materials center 25,000
Philippines: Secondary education improvement 45,000
Thailand: Improvement of secondary education 38,000

Fiscal year 1956—Continued

NEAR EAST AND SOUTH ASIA

India: Secondary school teacher extension project	$1,206,900
Iran: Training Iranian national (this project considers expanded subproject for Teheran Institute of Technology)	1,064,745

AFRICA

None.

EUROPE

None.

LATIN AMERICA

Brazil: Improvement of secondary education curriculum	25,400
Costa Rica: School of education team visit project	5,000
El Salvador: Education English language program	18,850
Guatemala: Urban education, reorganization and development (SCIDE)	29,700

Fiscal year 1957

FAR EAST

China: Educational materials center	27,000
Philippines: Secondary education improvement	93,000
Thailand: Improvement of secondary education	122,000
Vietnam: Secondary education	132,000

NEAR EAST AND SOUTH ASIA

India: Assistance to the extension training program for secondary-school teachers	323,000
Iran: Training for educational development	414,000

LATIN AMERICA

Brazil: Secondary education	66,000

Fiscal year 1958

FAR EAST

China (Taiwan): Educational materials center	32,000
Vietnam: Secondary education	339,000

NEAR EAST AND SOUTH ASIA

Ceylon: Science education	199,000
Iran: Educational development	353,000

AFRICA

No projects.

EUROPE

No projects.

LATIN AMERICA

Brazil: Brazilian-American assistance to secondary education	61,000

Fiscal year 1959

FAR EAST

Korea: Secondary education	91,000
Vietnam: Expansion and improvement of secondary education	204,000

NEAR EAST AND SOUTH ASIA

Ceylon: Science education	81,000
India: Assistance to the extension training program for secondary school teachers	35,000
Iran: Educational development	445,000

AFRICA

Tunisia: Strengthening secondary science instruction	6,000

OVERSEA TERRITORIES

United Kingdom: North Nyanza education development	234,000

EUROPE

None.

LATIN AMERICA

Brazil: Secondary education	27,000

(66) Professional and Higher Education

Fiscal year 1955

FAR EAST

China:	
Improvement of Taiwan College of Engineering	278,000
Improvement of NTU College of Engineering	2,000
Expansion of educational facilities for oversea Chinese	22,000
Indonesian Republic:	
Development of university level instructional staffs	128,400
Advanced scientific and engineering training	170,000
Philippines:	
University of the Philippines	41,500
Philippine Military Academy	200,000
Electronics training	125,000
Thailand: Teacher training	724,000
Vietnam: National normal schools and university	35,000

NEAR EAST, AFRICA, AND SOUTH ASIA

Afghanistan: Institute of education	350,000
India: Technical education	892,000
Liberia: ED–2 community education and teacher training, rural education	76,812
Pakistan: Intercollege exchange project	686,920
Turkey: University contract, agriculture	100,000

Fiscal year 1955—Continued

EUROPE

France:	
Liaison between universities and business	$6,400
Applied industrial research institutes: University-industry liaison	12,455
Italy: Business administration courses	93,000

LATIN AMERICA

Bolivia: Normal school professors seminar	9,140
Costa Rica: University of Costa Rica reorganization project	100,000
Guatemala: Advanced training for dental professor	2,000
Mexico: Education, professional and higher education	4,750
Peru: Chemistry and instrumentation program	115,800

Fiscal year 1956

FAR EAST

Cambodia: Teacher training	10,000
China (Taiwan):	
Improvement of Taiwan College of Engineering	391,700
Expansion of educational facilities for oversea Chinese	153,000
Indonesian Republic:	
Development of university-level staff	72,000
Advances scientific and engineering training	21,000
Library operation and teacher training	49,000
Korea:	
Seoul National University:	
Technical assistance	627,055
Operation facilities	1,450,000
Teacher training	345,000
Technical assistance in business administration	125,000
Assistance to Seoul National University, Public Administration Department	125,000
Technical assistance to Foreign Language Institute	15,000
Philippines: University of the Philippines	137,000
Thailand:	
Improvement of teacher training	854,400
Engineering education study	1,500
Improvement, Chulalongkorn University, Engineering Department	30,000
Vietnam:	
Seoul School, equipment for higher education	10,000
Equipment for Lycee Tran-Hung-Dao (ex-Bao Long)	3,000
National normal school	27,905

NEAR EAST AND SOUTH ASIA

Afghanistan:	
Institute of Education	666,000
Faculty of agriculture and engineering	88,000
Ceylon: University of Ceylon	600,000
India: Assistance to technical education institutions	443,381
Iran: Improving teacher education through the National Teachers College of the University of Teheran	108,500
Iraq: General education and educational administration	8,840
Turkey: University contract, agriculture	275,000

AFRICA

Liberia: ED–2, community education, teacher training, and rural education	78,904

EUROPE

Germany: Developing advanced management education at university level with assistance of American guest professors	20,000
Italy: Business administration courses	5,000

LATIN AMERICA

Cuba: University Central (Santa Clara)	48,075

Fiscal year 1957

FAR EAST

China (Taiwan):	
Improvement of engineering education at Cheng Kung University (formerly Taiwan College of Engineering)	275,000
Expansion of educational facilities for oversea Chinese	227,000
Indonesia: Development university-level staff	766,000
Korea:	
Seoul National University technical assistance	423,000
Seoul National University operating facilities	1,800,000
Teacher training	1,166,000
Technical assistance in business administration	200,000
Technical assistance in public administration	200,000
Philippines: University of the Philippines	201,000
Thailand: Improvement Chulalongkorn University, engineering	458,000
Vietnam: Teacher training and higher education	710,000

Fiscal year 1957—Continued

NEAR EAST AND SOUTH ASIA

Afghanistan:	
Institute of Education (teacher education)	$240,000
Faculty of agriculture and engineering	162,000
Ceylon: Assistance to the University of Ceylon	435,000
India: Assistance to the Central Institute of Education	10,000
Iran: Improving teacher education through the National Teachers College of the University of Teheran	135,000
Iraq:	
General education and educational administration	32,000
Teacher education	11,000
Turkey: Nebraska University, professional and higher education	294,000
Liberia: Community education and teacher training, rural education	111,000

AFRICA

Overseas territories—United Kingdom: Vanderbilt University, graduate training in economic development	5,000

LATIN AMERICA

Brazil: Naval architecture	80,000
Cuba: University Central (Santa Clara)	56,000

Fiscal year 1958

FAR EAST

China (Taiwan):	
Improvement of engineering education at Cheng Kung University	135,000
Expansion of educational facilities for the oversea Chinese	430,000
Indonesian Republic: Development of university level staff	1,296,000
Korea:	
Seoul National University, operating facilities	500,000
Improvement teacher training	1,272,000
Improvement business administrative teaching	200,000
Technical assistance in public administration	200,000
Philippines: University of the Philippines	164,000
Thailand: Teacher training	771,000
Vietnam: Teacher training and higher education	120,000

NEAR EAST AND SOUTH ASIA

Afghanistan:	
Institute of Education	597,000
Faculty of agriculture and engineering	390,000
India:	
Assistance to the Central Institute of Education	5,000
Assistance to the National Professional Education Center	300,000
Teacher training in engineering education	409,000
Iran: Improvement teacher education through the National Teachers College of the University of Tehran	1,000
Iraq: Teacher education	54,000
Nepal: Teacher training and related activities	196,000
Pakistan: Intercollege exchange, Texas A. & M. College, State College of Washington, Colorado State University	1,179,000
Turkey: Professional higher education, Nebraska University contract	210,000

AFRICA

Liberia:	
Elementary-school teacher training	124,000
Rural teacher training institution	100,000
Libya: Assistance to Libyan University	814,000
Tunisia: Tunisian University study team	6,000

EUROPE

No projects.

LATIN AMERICA

Brazil:	
Aeronautical engineering	213,000
Naval engineering and architecture	20,000
Survey of needs and resources of the Technological Institute of Aeronautics at Sao Jose dos Campos	3,000
Cuba: University Central (Santa Clara)	48,000
Peru: Chemistry and instrumentation program	82,000

ASIAN ECONOMIC DEVELOPMENT FUND

SEATO Graduate School of Engineering	423,000

Fiscal year 1959

FAR EAST

Burma: Intermediate college at Rangoon University	250,000
China (Taiwan): Expansion of educational facilities for overseas Chinese	297,000
Indonesia: Development of university level staff	1,213,000

Fiscal year 1959—Continued

FAR EAST—Continued

Korea:	
Improvement teacher training	$675,000
Technical assistance, public administration	100,000
Higher education	911,000
Philippines: University of the Philippines	288,000
Thailand:	
Teacher training	276,000
Improvement Chulalongkorn University, engineering	130,000
Vietnam: Expansion and improvement of teacher training and higher education	607,000

NEAR EAST AND SOUTH ASIA

Afghanistan:	
Institute of Education	776,000
Faculty of agriculture and engineering	465,000
India:	
Assistance to National Professional Education Center	92,000
Teacher training in engineering education	872,000
Iran: Improving teacher education through the National Teachers College of the University of Tehran	352,000
Iraq: Teacher education	100,000
Pakistan:	
Intercollege exchange	183,000
Teacher training institutions	60,000
Turkey: Professional higher education, Nebraska University contract	567,000

AFRICA

Ethiopia: Higher education survey	150,000
Tunisia: Tunisian University study team	7,000

OVERSEA TERRITORIES

Somalia: Assistance to higher institute of law and economics	10,000
United Kingdom: Western region, teacher training	125,000

EUROPE

None.

LATIN AMERICA

Argentina: Planning of basic science facilities at University of Cuyo	1,000
Brazil:	
Aeronautical engineering	17,000
Survey of Brazilian higher education	46,000
Chile:	
University of Concepcion, development of science institutes	15,000
Catholic University, School of Sociology	10,000
Cuba: University Central (Santa Clara)	50,000

ASIAN ECONOMIC DEVELOPMENT FUND

TOTAL

SEATO Graduate School of Engineering	400,000

Fiscal year 1955

(67) Fundamental Adult and Community Education

FAR EAST

China: Community school demonstration	47,000
Thailand:	
Community schools: Supervisory and in-service education project	148,500
Popular education (literacy campaigns) Ministry of Education	35,000
Popular education and community pilot schools	9,000

NEAR EAST, AFRICA, AND SOUTH ASIA

Egypt:	
Rural school development	15,800
Fundamental education	18,500
Ethiopia:	
Women's social and education center	62,000
Cooperative education	98,750
Lebanon: Adult education–English teaching	30,000
Overseas Territories—United Kingdom: Expansion of adult literacy in Kenya	20,000

LATIN AMERICA

Guatemala: Urban youth activities project (contract with Association of Scouts of Guatemala)	15,000

Fiscal year 1956

FAR EAST

Cambodia: Fundamental education	20,000
China (Taiwan): Community school demonstration	89,000
Thailand: Improvement of supervisory and in-service education activities	137,000
Vietnam: Popular education and community pilot schools	34,180

NEAR EAST AND SOUTH ASIA

Egypt: Education fundamental education	11,753
Lebanon: Adult education, English teaching	39,630
Nepal: Project for educational activities	13,990

AFRICA

Ethiopia: Cooperative education	330,842

EUROPE

None.

LATIN AMERICA

None.

Fiscal year 1957

FAR EAST

China (Taiwan): Community school demonstration	$81,000
Vietnam: Adult literacy training	119,000

NEAR EAST AND SOUTH ASIA

India: Assistance to training in adult education	25,000
Lebanon: Adult education, English teaching	70,000
Nepal: Project for educational activities	77,000

AFRICA

Ethiopia:	
Ethiopia teacher education	62,000
Cooperative advisory services	350,000

Fiscal year 1958

FAR EAST

Philippines: Community education	168,000
Vietnam: Scholarships for leadership training	100,000

NEAR EAST AND SOUTH ASIA

Lebanon: Adult education, English teaching	77,000
Nepal: Project for educational activities	104,000

AFRICA

Ethiopia: Community education	27,000

OVERSEA TERRITORIES

United Kingdom: Visual aids to adult literacy	30,000

LATIN AMERICA

Guatemala: Adult education program in the Guatemalan army	43,000

Fiscal year 1959

FAR EAST

Laos: General education for rural development	50,000
Philippines: General education	297,000
Vietnam: Scholarships for leadership training	250,000

NEAR EAST AND SOUTH ASIA

India: Assistance to training in adult education	29,000
Lebanon: Adult education, English language	113,000
Nepal: Education development	396,000

AFRICA

Ethiopia: Women's education	55,000

OVERSEA TERRITORIES

United Kingdom:	
Education and community development	49,000
Adult literacy, training in the United States	4,000
Training in audiovisual aids	8,000

EUROPE

None.

LATIN AMERICA

None.

(68) Educational Administration

Fiscal year 1955

FAR EAST

Indonesian Republic: Survey of technical education	15,000

NEAR EAST, AFRICA, AND SOUTH ASIA

Egypt:	
Educational research	23,260
Administration of projects of Egyptian-American Joint Committee for Education	25,150
Education—Educational administration training	1,500
India: Educational Advisor Ministry of Education, GOI	57,747
Liberia:	
ED–1 Improved administrative, supervisory, and instructional services	23,735
ED–4 Scholarships, vocational preparation, and on-the-job training	47,603
Libya: Educational administration	48,000

LATIN AMERICA

Bolivia:	
Education Administration	600
Do	3,063
Panama: Training in administration of vocational schools	4,000

Fiscal year 1956

FAR EAST

Cambodia: Improvement of Cambodian school supervising system	52,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Kabul University administration	18,000
Egypt:	
Education—Educational research	35,960
Administration of projects of Egyptian-American Joint Committee for Education	53,485
Education—Educational administration training	1,000
India: Educational administration	57,875

Fiscal year 1956—Continued

AFRICA

Liberia:	
ED–1. Improved administrative supervisory, and instructional services	$27,787
ED–4. Scholarships, vocational preparation, and on-the-job training	56,012
Libya: Educational administration	41,300

EUROPE

None.

LATIN AMERICA

Paraguay: Educational administration	5,300

Fiscal year 1957

FAR EAST

Vietnam: Textbook development and special services	80,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Kabul University administration	106,000
Egypt: Educational research	5,000
India: Educational administration	10,000
Liberia: Education administration, supervision and instructional service	23,000

Fiscal year 1958

FAR EAST

Vietnam: Textbook development and special services	114,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Kabul University administration	55,000
Iran: Technical assistance to Tehran University	30,000

AFRICA

Ethiopia: Cooperative education advisory services	83,000
Liberia: Improved administration and supervision of education	14,000

EUROPE

No projects.

Fiscal year 1959

FAR EAST

Vietnam: Instructional materials development	130,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Kabul University administration	82,000
Pakistan: Senior educational leaders training	9,000

AFRICA

Ethiopia: Provincial education	63,000
Ghana: Training in organization and administration of education institutions	3,000
Liberia: Education administration, supervision, and instructional services	6,000

EUROPE

None.

LATIN AMERICA

None.

(69) All Other Education

Fiscal year 1955

FAR EAST

China:	
National Taiwan University business administration	6,000
Education advisor	15,000
Indonesian Republic: Education-technical support	46,133
Philippines: Overall TA education	27,000
Thailand:	
Curriculum development, Chacoengsao	51,000
Education, administration	60,000
Reactor training	6,000
Vietnam: English language laboratory	40,500

NEAR EAST, AFRICA, AND SOUTH ASIA

Afghanistan: Education	459,000
Egypt:	
Educational materials service	43,700
Vocational education	96,800
Iran:	
Educational activities (technical support)	77,766
Providing building and facilities	169,009
Iraq:	
Education technical support	41,331
Education program direction and consultative services to ministry	11,250
Jordan:	
Field project assistance	56,131
Training of Jordanian nationals	188,198
Audio-visual center	27,996
Lebanon:	
Technical support	52,800
School health	26,533
Educational statistics and research	31,250
Library administration	500
Libya:	
Education technical support	31,100
Education-survey for basis establish junior-type college in Libya	5,000
Education-participants	21,300

Fiscal year 1955—Continued

NEAR EAST, AFRICA, AND SOUTH ASIA—Continued

Nepal: Teacher training and university development	$49,000
Pakistan: General education advisory services	119,335

EUROPE

Austria: Commercial training of young businessmen	11,500
France: Foreman training	12,350
Yugoslavia: Georgetown University contract	1,000

LATIN AMERICA

Bolivia:	
Participants (education servicio)	68,816
Administration project (education servicio)	39,696
Construction project (education servicio)	200
Transportation and customs project (education servicio)	200
Brazil: Education, cooperative industrial education program	33,100
El Salvador: Education	107,782
Haiti: Technical aid in rural education	96,400
Honduras: Administration	45,565
Nicaragua: Administration, public education cooperative service	16,900
Panama: Servicio administration	36,200
Paraguay: Administration (education division)	36,322
Peru:	
General administrative services	45,709
Normal school education	116,779
Rural elementary education	29,644
Interregional: Columbia University Teachers College citizenship education project	25,000

Fiscal year 1956

FAR EAST

China (Taiwan):	
Improvement of Business Administration Department, NTU	15,000
Education adviser	26,000
Productivity training in postprimary schools	5,000
Korea:	
Classroom construction	1,135,182
Education participants	4,000
Philippines: Overall technical assistance, education	37,000
Thailand: Education program, administration	27,000
Vietnam:	
Construction and reconstruction of elementary and secondary schools	20,000
English language laboratory and language classes	35,000
Youth activities, youth group work, physical and character education	66,600

NEAR EAST AND SOUTH ASIA

Afghanistan: Helmand Training Center	173,000
Egypt: Education, educational materials service	93,210
India:	
Education program direction and development	167,030
School building improvement	4,975
Indian Ministry of Education officials' visit to U.S. educational institutions	10,000
Iraq: Education, program direction and consultative services	34,400
Israel:	
Education supervision	32,550
Education, participants	9,761
Jordan:	
Field project assistance, education	53,000
Training of Jordanian nationals	182,268
Lebanon:	
Education statistics and research, vocational survey	74,100
Library administration	1,800
Education training, AUB	13,000
Nepal:	
Nepal-American educational cooperative service	29,000
Overhead project for cooperative service in education	146,500
Pakistan: General education advisory services	122,600
Turkey: Georgetown English language program	101,500

AFRICA

Ethiopia:	
Ethiopian-American joint fund for education	50,000
Vocational trade school, Addis Ababa	
Libya:	
Libyan-American education joint service	425,600
Education joint service support	28,500

EUROPE

Yugoslavia: English language training program	21,428

LATIN AMERICA

Bolivia:	
Administration project (education servicio)	32,509
Transportation and customs project (education servicio)	200
Special technical training program	201,800

Fiscal year 1956—Continued

LATIN AMERICA—Continued

Brazil:	
General education	$10,200
Comissao Brazileiro-Americana de Educaquo Industrial (CBAI)	60,000
Administrative services, Brazilian-American Commission on Industrial Education (CBAI project A)	94,023
Colombia:	
Reorganization of the curriculum of the Chemistry Department of the National University	35,000
Primary, secondary, and vocational education in the departments of Valle del Cauca, Cauca, and Caldas (rural and urban)	45,000
Dominican Republic: Administration and auxiliary expenses	37,528
El Salvador: Education, administration	30,800
Guatemala:	
Cooperative education service (Servicio Cooperativo Interamericano de Educacion)	41,095
Teachers workshop and training	36,500
Haiti:	
Cooperative service in rural education	100,000
Technical aid in rural education	125,845
Honduras: Administration, education cooperative service	40,375
Mexico: Education training grants (Ministry of Education)	20,000
Nicaragua: Administration, public education cooperative service	19,940
Panama: Servicio administration (education)	34,600
Paraguay: Administration (education division)	57,203
Peru:	
General administrative services, education cooperative service	43,898
Normal school education (SECPANE) (teacher training)	144,404
Rural elementary education (SECPANE)	40,088

OVERSEA TERRITORIES

Jamaica: Vocational education	26,700

Fiscal year 1957

FAR EAST

Cambodia:	
Rural development through education (general education)	497,000
English language laboratory	43,000
China (Taiwan): Education adviser	27,000
Korea: Classroom construction	1,000,000
Philippines: Overall technical assistance, education	28,000
Thailand:	
Education program administration	38,000
Education, general training	2,000
Regional total	2,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Educational facilities	1,600,000
Egypt:	
Educational materials service	36,000
Vocational education	30,000
India:	
Education program direction and development	58,000
School building improvement	28,000
Assistance to rural institutes	25,000
Assistance to teacher training in audio-visual education	190,000
Assistance to Ministry of Education	50,000
Iran: Demonstration vocational education facilities	1,550,000
Iraq: Education consultative services to the ministry	22,000
Israel:	
Education (supervisory)	34,000
Education (participants)	1,000
Jordan: Training for Jordanian nationals	80,000
Pakistan: General education advisory services	4,000
Turkey:	
Georgetown English language program	67,000
General education services	100,000

AFRICA

Ethiopia: Cooperative education and teacher training program, and the Imperial Ethiopian Mapping and Geography Institute	579,000
Libya:	
Education joint service support and advisory service to GOL	85,000
Instructional materials development	27,000
Technical and vocational education	95,000
Do	189,000
Rehabilitation, remodeling and construction of school buildings	470,000
Instructional materials development	256,000
Assistance in oversea study for Libyan students	600,000

LATIN AMERICA

Bolivia: Administration	42,000
Brazil: Administrative services: Brazilian-American Commission on Industrial Education	58,000

Fiscal year 1957—Continued

LATIN AMERICA—Continued

Colombia:	
Reorganization of the curriculum, department of chemistry, National University	$13,000
Primary, secondary and vocational education, Valle del Cauca, Cauca, Caldas	46,000
Dominican Republic: Administrative and auxiliary expenses	63,000
El Salvador: Education advisory and training services	164,000
Guatemala:	
Administrative service	42,000
Rural education	72,000
Urban education	38,000
Haiti:	
Cooperative service in rural education	100,000
Technical aid in rural education	132,000
Honduras: Administration of education cooperative service	41,000
Mexico: Education training support	23,000
Nicaragua: Administration—public education cooperative service	24,000
Panama: Servicio Administration (education)	36,000
Paraguay Servicio: Administration (Education Division)	49,000
Peru:	
General administrative services	57,000
Teacher (normal) education	136,000
Rural elementary and normal school education	32,000
Atomic sciences training	12,000
Jamaica: Vocational education	29,000
Regional: Technical training office of technical services in Puerto Rico (app. II of contract between ICA and Commonwealth of Puerto Rico)	550,000
Interregional: Citizenship education (contract with Teachers College, Columbia University)	2,000

Fiscal year 1958

FAR EAST

Cambodia:	
Rural development through education	306,000
English Language Laboratory	5,000
China (Taiwan): Educational advisory services	84,000
Korea: Classroom construction	500,000
Philippines: Overall TA to education	31,000

NEAR EAST AND SOUTH ASIA

India: School building improvement	17,000
Iraq: Youth activities	3,000
Israel: Education, teacher training and vocational education	18,000
Jordan:	
Training Jordan nationals	68,000
Expanding educational facilities	140,000
Turkey:	
Georgetown English language program	130,000
General education services	355,000
United Arab Republic: Vocational education	1,000

AFRICA

Ethiopia:	
Education cooperative service	145,000
Education general support	46,000
Teacher education	57,000
Libya:	
Education joint service support	330,000
Education joint service support and advisory service to GOL	118,000
Instructional materials development	73,000
Technical and vocational education including agriculture	189,000
English language program	95,000
Assistance in oversea study for Libyan students	250,000
Provision of teachers for Libyan schools	1,116,000
School construction	1,520,000

EUROPE

Yugoslavia: English language training program	25,000

LATIN AMERICA

Bolivia: Administrative support education servicio	44,000
Brazil: Administrative services education division	87,000
Colombia:	
Education servicio, administration	9,000
Reorganization of the curriculum, department of chemistry, National University	16,000
Primary, secondary, and vocational education, Valle del Cauca	47,000
Dominican Republic: Technical support for administration of servicio program and all other projects	76,000
El Salvador: Education, advisory, and training services	101,000
Guatemala:	
Administration	43,000
Rural education	133,000
Urban education	112,000
Vocational education	133,000

Fiscal year 1958—Continued

LATIN AMERICA—Continued

Haiti:	
Cooperative service in rural education	$120,000
Technical service in rural education	168,000
Honduras: Administration of education cooperative service	52,000
Mexico: Education training support	10,000
Nicaragua: Administration, public education cooperative service	38,000
Panama: Servicio administration (education)	50,000
Paraguay:	
Administration (education division)	50,000
Training of personnel in education	47,000
Peru:	
North American Peruvian cooperative service in education	115,000
General administrative services	49,000
Teacher (normal) education	106,000
Rural elementary and normal school education	57,000

OVERSEA TERRITORIES

Jamaica: Education, vocational agriculture program	26,000
Regional total: Technical training in Puerto Rico	300,000

ASIAN ECONOMIC DEVELOPMENT FUND

Establishment of regional facilities for improvement of English language training	1,500,000

Fiscal year 1959

FAR EAST

Cambodia:	
Rural development through education	472,000
English language laboratory	24,000
China (Taiwan):	
Education administration and development	94,000
Science education	391,000
Indonesia: Public education development	49,000
Philippines: Overall TA, education	23,000

NEAR EAST AND SOUTH ASIA

India:	
School building improvement	18,000
Rural institute	231,000
Assistance to teacher training in audio-visual education	11,000
Iraq:	
Education consultative services to ministry	33,000
Youth activities	1,000
Israel: Teacher training and vocational education	13,000
Jordan:	
Teacher education	61,000
Arab Development Society	75,000
Expansion of training facilities of the Arab Development Society	75,000
Turkey:	
Georgetown English language program	193,000
General education services	567,000
Literacy training in the armed forces	715,000

AFRICA

Ethiopia:	
Education general support	44,000
Curriculum development	59,000
Teacher education	68,000
Libya:	
Education joint services support	46,000
Technical and vocational education	278,000
English language program	4,000
Provision of teachers	800,000
School construction	1,216,000
Instructional materials	43,000

OVERSEA TERRITORIES

Somali: Educational activities	17,000

EUROPE

Yugoslavia: English language training	52,000

LATIN AMERICA

Bolivia: Administrative support education servicio	43,000
Brazil: Administration services, education division	58,000
Colombia:	
Administration, education servicio	33,000
Training, education servicio	110,000
National University, reorganization of chemistry curriculum	2,000
Dominican Republic: Technical support of administration of education servicio programs	32,000
El Salvador: Education advisory and training services	93,000
Guatemala:	
Administration	59,000
Rural education	119,000
Urban education	123,000
Technical cooperation in vocational education	73,000
Haiti:	
Cooperative service in rural education	120,000
Technical service in rural education	194,000
Honduras: Administration of education cooperative service	54,000
Mexico: Education training support	26,000
Nicaragua: Administration, public education, cooperative service	37,000

Fiscal year 1959—Continued

LATIN AMERICA—Conuinued

Panama: Servicio administration (education)	$49,000
Paraguay:	
Administration (education division)	45,000
Training	43,000
Peru:	
Peruvian North American cooperative education service	115,000
General administrative service	52,000
Normal school education	160,000
Rural elementary and normal education	32,000

OVERSEA TERRITORIES

Jamaica: Vocational education	5,000
The West Indies and East Caribbean: Education, teacher training	3,000
Regional total:	
Technical training in Puerto Rico	446,000
Bilingual rural school supervision program (Pennsylvania State University)	131,000
Contract between ICA and Research Foundation of State University of New York	80,000

Mr. GRUENING. Mr. President, if, during the past 7½ years the Eisenhower-Nixon administration has shown such an astonishing lack of concern for aiding our overcrowded schools and our underpaid teachers, was its attitude with respect to the development of our own natural resources any different?

Did the Eisenhower-Nixon administration exhibit even as much concern for resource development at home as it did for resource development abroad?

Unfortunately for the economic growth of our Nation, Mr. President, the answer to both these questions must—on the record—be in the negative.

The slogan for the past 7½ years under the Eisenhower-Nixon administration in the field of natural resource development might well be: "No New Starts at Home—Unlimited New Starts Abroad."

During this period the public interest at home with respect to the fullest development of our great natural resources has suffered time and time again at the hands of the Eisenhower-Nixon administration.

There was Dixon-Yates and there was Al Sarena; there was the underdevelopment at Hells Canyon, by which the people will secure half the power at twice the cost and no irrigation or flood control, and the proposed underdevelopment of Nez Perce; there were vetoes of public works bills in 1956 and 1959—the latter, fortunately, overridden—and, above all, there was a lack of leadership in the development of our natural resources and a positive slowing down of projects begun.

In the same period, Mr. President, was there the same slowdown in the U.S. dollars we sent abroad to develop the natural resources of foreign nations?

There was not.

In the same period of "No New Starts at Home," the Eisenhower-Nixon administration was spending on public works projects abroad hundreds of millions in some 60 countries.

Thus during this time, we have, among other similar things, given Nationalist China the sum of $49,363,000 for hydroelectric development projects; we have given India $1,108,000 for similar projects; Pakistan $19,758,000, and Korea, $310,000 for the same purposes. We are planning to spend in the near future $515 million for dams and other projects on the Indus River.

Mr. President, I ask unanimous consent that a complete list of natural resource development projects supported abroad through the first 6 months of fiscal year 1960 be printed at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Summary of ICA and predecessor agencies' obligations for irrigation, reclamation (including flood control), and power projects cumulative, Apr. 3, 1948–Dec. 31, 1959

[Millions of dollars]

Program	Table in which detail is shown	Obligations at Dec. 31, 1959	Fiscal year 1960 (6 mos.)
Total		518.9	1.8
Inactive programs:			
European industrial projects	II	97.8	
European oversea territory projects	III	4.1	
Continuing programs:			
Far East	IV	224.5	.5
Near East and South Asia	V	150.2	.5
Africa	VI	13.7	.5
Latin America	VII	11.1	.3
Europe	VIII	17.5	(1)

[1] Less than $50,000.

NOTE.—Data exclude projects financed under the Development Loan Fund.

Source: International Cooperation Administration, Office of Statistics and Reports May 6, 1960.

European industrial projects [1]—ICA or predecessor agencies' obligations for irrigation, reclamation, and power projects by country and project, Apr. 3, 1948–Dec. 31, 1959

[Thousands of dollars]

Country and project	Cumulative total through Dec. 31, 1959	July 1, 1954, through Dec. 31, 1959	Prior to fiscal year 1955
Europe, total	97,838	−2,285	100,123
Denmark:			
Steam electric station (60,000 kilowatts) at Kynby	3,317		3,317
France	17,879	−150	18,029
Thermal electric powerplant at Dechy (120,000 kilowatts)	11,921	−127	12,048
Boiler for steam electric station at Arrighi (100,000 kilowatts)	2,444		2,444
Boiler equipment for steam electric unit at Nantes Chevire (100,000 kilowatts)	1,801	−4	1,805
Extension of the Office du Niger irrigation project in French West Africa	1,191		1,191
Boiler equipment for 2d steam electric station at Arrighi (100,000 kilowatts)	522	−19	541
Iceland	4,857	−4	4,861
Expansion of hydroelectric plant on Sog River	3,890	−1	3,891
Expansion of hydroelectric plant on Laxa River	967	−3	970
Italy	59,979	−2,131	62,110
Steam electric station (100,000 kilowatts) at Piacenza	10,357	−162	10,519
Turbogenerator (50,000 kilowatts) at Genoa for Societa Edison, Milan	6,111	−58	6,169

[1] This special program, in which certain procurement authorizations issued by ECA and MSA were identified with various European projects, was particularly active during the Marshall plan period from 1949 to 1952. The last projects added to this program were the 2 thermal power projects for Spain authorized in June 1954. This table shows the current status, as of Dec. 31, 1959, of the obligations originally entered into during that earlier period.

European Industrial projects—ICA or predecessor agencies' obligations for irrigation, reclamation, and power projects by country and project, Apr. 3, 1948–Dec. 31, 1959—Con.

[Thousands of dollars]

Country and project	Cumulative total through Dec. 31, 1959	July 1, 1954, through Dec. 31, 1959	Prior to fiscal year 1955
Italy—Continued			
Turbogenerator with 60,000-kilowatt capacity to serve northern Italy	6,092	−138	6,230
Steam electric station (60,000 kilowatts) at Naples	6,014	−83	6,097
Turbogenerator (50,000 kilowatts) near Turin for Societa Idroelettrica Piemonte	5,937	−159	6,096
Steam electric station (60,000 kilowatts) at Palermo	5,730	−336	6,066
Steam electric station (60,000 kilowatts) at Civitavecchia, Rome	5,608	−502	6,110
Steam electric station (50,000 kilowatts) at Genoa	5,510	−159	5,669
Steam electric station (30,000 kilowatts) at Naples	3,280	−69	3,349
Addition to steam electric plant (30,000 kilowatts) at Turin	2,862	−363	3,225
Steam electric plant (120,000 kilowatts) near Tavazzano for STEI	2,478	−102	2,580
Netherlands: Thermal powerplant (120,000 kilowatts) on the Amer River	3,092	----------	3,092
Portugal: Irrigation and power development in the Sorraia Valley and Plains of Villa Franca	897	----------	897
Spain	7,300	----------	7,300
Thermal powerplant at Burenca	3,650	----------	3,650
Thermal powerplant at Escatron	3,650	----------	3,650
International: Austro-German hydroelectric powerplant at Braunau on Inn River	517	----------	517

Source: International Cooperation Administration, Office of Statistics and Reports, May 6, 1960.

European oversea territories—ICA or predecessor agencies' obligations for irrigation, reclamation, and power projects as of Dec. 31, 1959

[Thousands of dollars]

Area and project	Cumulative total as of Dec. 31, 1959	July 1, 1954, through Dec. 31, 1959	Total prior to fiscal year 1955
Total	4,084	−228	4,312
Belgian territories: Belgian Congo soil survey	38	----------	38
French territories: French soil conservation program, Algeria	535	----------	535
Netherlands territories: "Eysvoogel plan" land reclamation, Surinam	1,084	−212	1,296
United Kingdom territories	2,427	−16	2,443
Power station, Malta	2,203	−16	2,219
Mid-Clarendon irrigation project, Jamaica	175	----------	175
Construction of reservoirs, British Somaliland	32	----------	32
Antierosion and reclamation, Cyprus	17	----------	17

GENERAL NOTE.—This program, in which ECA utilized European program funds to finance directly specific projects in the overseas territories of European countries, was active in fiscal years 1950 and 1951. This table shows the current status, as of Dec. 31, 1959, of the obligations originally entered into during that earlier period.

Source: International Cooperation Administration, Office of Statistics and Reports, May 6, 1960.

Far East program—ICA or predecessor agencies' obligations for irrigation, reclamation, and power projects by country and type of project, June 5, 1950–Dec. 31, 1959

[Thousands of dollars]

Country and project	Cumulative total through Dec. 31, 1959	Fiscal year 1960 (6 months)
Far East total	224,468	497
Burma	7,100	----------
Land restoration	5,400	----------
Reconstruction of Kabo Dam	1,700	----------
Cambodia	1,718	43
Irrigation and drainage development	1,396	43
Development of Kompong Som water power study	322	----------
China (Taiwan)	99,762	26
Power transmission distribution	20,176	----------
Shen-Ao 2d unit thermal	18,805	----------
Primary system improvement and power control	8,532	----------
Shen-Ao 1st unit thermal	8,367	----------
Shihmen multipurpose dam	7,872	10
Ku Kwan hydropower	6,726	----------
Nan-Pu 1st unit thermal	5,873	----------
Nan-Pu 2d unit thermal	5,052	----------
Tien-Leng hydroelectric powerplant	4,082	----------
Lung-Chien hydro	3,214	----------
Wu Sheh hydrodam	2,265	8
Thermal power generation	1,575	----------
Li-Wu hydropower station	1,478	----------
Land and water resources, JCRR	1,187	8
Tachien Reservoir exploration	1,000	----------
Sun-Moon (peaking) power station	674	----------
Tien-Leng (peaking) power station	590	----------
Taiwan Power Co. thermal	462	----------
URAI power station	457	----------
Pei-Pu thermal power station	394	----------
Water resources survey	292	----------
Irrigation and reclamation	182	----------
Hydroelectric power development, Ta Chien Reservoir	141	----------
Deep-well improvement	119	----------
Sun-Shan thermal power station	78	----------
Farm reclamation	73	----------
Power system, Tsoying	58	----------
Peng-Hu thermal power station	38	----------
Indonesia	1,063	23
Land development and conservation	990	23
Soil conservation and land utilization	73	----------
Korea	80,935	183
Thermal power development (Seoul, Pusan, Samchok)	28,416	----------
Thermal electric generating plant	9,292	----------
Rehabilitation and improvement, Hwachon Dam plant	8,928	----------
Irrigation and land reclamation	7,925	----------
Rehabilitation and construction of thermal transmission lines	6,752	
Rehabilitation of Chong Pyong Dam	6,000	----------
Rehabilitation of Yongwol and Tangin-Ri thermal	5,458	90
Forest and watershed management	2,994	76
Flood control	1,537	7
Rehabilitation and improvement, electric power distribution system	1,412	----------
Power rehabilitation engineering services	640	----------
Training for ROK electric power system	569	3
Forest erosion control and stream improvement	392	----------
Hydro exploratory survey	310	----------
Electric power communications	195	----------
Rehabilitation of Unam powerplant	115	----------
Laos	615	----------
Powerplant extension	587	----------
Powerplant survey	28	----------

Far East program—ICA or predecessor agencies' obligations for irrigation, reclamation, and power projects by country and type of project, June 5, 1950–Dec. 31, 1959—Con.

[Thousands of dollars]

Country and project	Cumulative total through Dec. 31, 1959	Fiscal year 1960 (6 months)
Philippines	16,325	41
Irrigation, services	10,600	16
Flood control	2,171	----------
MERALCO power project	2,045	----------
Water resources planning and development	788	20
Soil conservation	399	5
Power market development	316	----------
Electric power survey	6	----------
Thailand	11,673	145
Maemoh thermal facility	3,469	----------
Irrigation and reclamation	2,818	----------
Bangkok interim power	1,980	----------
Power system survey and improvement	1,451	----------
Power service training	820	145
Ground water resources and development	689	----------
Tank irrigation and water construction	446	----------
Viet Nam	1,757	36
Electric power development	1,095	----------
Rehabilitation irrigation and drainage	512	36
Reforestation and erosion control	150	----------
Cambodia, Laos, and Viet Nam	1,260	----------
Irrigation and reclamation	803	----------
Thermal power generation	457	----------
Asian Economic Development Fund: Mekong River project (AEDF)	2,260	----------

Source: International Cooperation Administration, Office of Statistics and Reports, May 6, 1960.

Near East and south Asia—ICA or predecessor agencies' obligations for irrigation, reclamation, and power projects by country and type of project, Apr. 3, 1948–Dec. 31, 1959

[Thousands of dollars]

Country and project	Cumulative total through Dec. 31, 1959	Fiscal year 1960 (6 months)
Near East and south Asia total	150,215	529
Afghanistan	10,692	48
Helmand electric power, Kandahar	3,351	----------
Helmand irrigation construction and survey	2,834	----------
Helmand resources development	2,065	----------
Helmand Valley development	686	----------
Helmand Authority development operations	554	29
Helmand land development	500	----------
Helmand Canal operations and maintenance	385	----------
Helmand surface and ground water irrigation	188	19
Helmand agriculture development	116	----------
Helmand Arghandab irrigation and survey	13	----------
Ceylon	4,281	85
Irrigation and land development	3,228	11
Hydropower survey and training	499	----------
Physical research survey and planning	284	----------
Water resources and planning	270	74

Near East and south Asia—ICA or predecessor agencies' obligations for irrigation, reclamation, and power projects by country and type of project, Apr. 3, 1948–Dec. 31, 1959—Continued

[Thousands of dollars]

Country and project	Cumulative total through Dec. 31, 1959	Fiscal year 1960 (6 months)
Greece [1]	12,666	
Thermal electric plant in Eubean Gulf Territory (80,000 kilowatts)	7,040	
Owner-engineer services to Greek Government on Greek electric power program	4,996	
Electric transmission, transformation, and distribution from Eubean Gulf Territory station	198	
Electric transmission, transformation, and distribution out of Ladhon plant	129	
Natural resources development project	91	
Electric transmission, transformation, and distribution out of Agra plant	83	
Electric power system training	59	
Hydroelectric plant (5,000 kilowatts) at Louros	42	
Irrigation farm practices demonstration courses	25	
Electric transmission, transformation, and distribution out of Louros plant	3	
India	44,002	109
Ground water irrigation	18,304	
River valley development	7,957	
Rihand Valley development	6,011	1
Ground water exploration	4,097	
Delhi thermal plant	4,000	
Improvement of Rajasthan power facilities	1,065	
Technical services and water resources power development	837	17
Electric distribution system maintenance training center	510	60
Water resources survey and minor irrigation works	480	
Flood control	209	
Soil and water conservation	172	31
Development of forest research and desert afforestation	168	
Technical and engineering services to Central Water and Power Commission	100	
Technical assistance to Irrigation Research Institute	92	
Iran	2,602	46
Construction of Karaj Dam	627	
Municipal power system	487	
Reclamation and irrigation development	348	46
River basin survey	205	
Development land and water use plan	188	
Completion of Karkheh Dam	151	
Rehabilitation of deep wells in Yezd area	147	
Demonstration of Ghanat construction	140	
Completion of Golpayegan Dam	131	
Improvement of farm irrigation system and irrigation practices	84	
Completion of Sheikh Ali Khan Dam and Kuhrang irrigation tunnel	50	
Development of Zayendeh Rud Basin	42	
Improvement of Thera municipal power system	2	
Iraq	305	9
Irrigation administration and development	190	9
Range management	76	
Miri Sirf land development	39	
Israel	231	3
Water resources	228	
Development of water resources	3	3

[1] All projects listed, except the last 3 entries, were originally authorized under ECA and MSA as part of the "Industrial Projects" program. The data shown represent the current status, as of Dec. 31, 1959, of the obligations made by ICA's predecessor agencies.

Near East and south Asia—ICA or predecessor agencies' obligations for irrigation, reclamation, and power projects by country and type of project, Apr. 3, 1948–Dec. 31, 1959—Continued

[Thousands of dollars]

Country and project	Cumulative total through Dec. 31, 1959	Fiscal year 1960 (6 months)
Jordan	6,940	37
East Ghor main canal	2,500	
Land and water resources development	1,894	37
Yarmuk Jordan Valley	1,309	
Afforestation watershed protection	778	
General wadi development	338	
Range management	71	
Lebanon	2,574	
Power transmission	1,140	
Kasmie construction	544	
Litani River Basin investigation	461	
Water reconnaissance survey	339	
Irrigation	90	
Nepal: Nepal Valley multipurpose project	2,106	
Pakistan	37,095	85
Karnafuli multipurpose	19,743	4
Taunsa barrage	5,902	
Punjab ground water survey	4,086	59
Multan Lyallpur power transmission	3,600	
Ganges Kabadak irrigation	1,925	
Makhi Dhand reclamation	820	
Soil and water conservation	577	22
Ground water exploration and tube wells	188	
Water resources advisory	124	
Soil and water conservation (Baluchistan Sailaba)	77	
Soil and water conservation (range and pasture)	53	
Turkey	24,209	107
Sariyar hydroelectric plant	14,609	
Bosphorous aerial transmission line	8,003	
Reclamation (river valley)	710	54
Soil and water resources	491	42
Power supply priority study	200	
Power planning	171	11
Irrigation seminar	25	
United Arab Republic (Egypt)	2,512	
Land reclamation and development for Arbis area (EARIS)	1,153	
Land reclamation and development, Qasta area	669	
Underground water survey	245	
Agriculture drainage	212	
Land reclamation and development (EARIS Kom Oshiem)	150	
Land and water utilization	57	
Drainage investigations and improvements	26	

Source: International Cooperation Administration, Office of Statistics and Reports, May 6, 1960.

Africa—ICA or predecessor agencies' obligations for irrigation, reclamation, and power projects by country and type of project, July 1, 1951–Dec. 31, 1959

[Thousands of dollars]

Country and project	Cumulative total through Dec. 31, 1959	Fiscal year 1960 (6 months)
Africa total	13,703	510
Ethiopia	3,855	330
Water resources survey co-op service	1,973	
Blue Nile River Basin investigation	1,179	330
Well drilling (for irrigation)	400	
Electric power stations	156	
Water resources survey	147	

Africa—ICA or predecessor agencies' obligations for irrigation, reclamation, and power projects by country and type of project, July 1, 1951–Dec. 31, 1959—Continued

[Thousands of dollars]

Country and project	Cumulative total through Dec. 31, 1959	Fiscal year 1960 (6 months)
Ghana: Volta River survey project	105	
Liberia	708	
Forest conservation	473	
Electric survey	235	
Libya	7,866	105
Tripoli power project	3,500	
Soil conservation	2,158	36
Ground water development	876	28
Forestry	805	11
Irrigation development	302	16
Range management	225	14
Morocco: Irrigation project	14	8
Tunisia	406	30
Equipment for maintenance of primary drainage canals	240	
Surface water impounding	90	23
Assistance for irrigation of crops	76	7
Somalia	195	37
Water resources development	160	37
Forestry development	24	
Reclamation	11	
Overseas territories, United Kingdom: Land planning, soil and water conservation	554	

Source: International Cooperation Administration, Office of Statistics and Reports, May 6, 1960.

Latin American program—ICA or predecessor agencies' obligations for irrigation, reclamation, and power projects by country and type of project, July 1, 1951-Dec. 31, 1959

[Thousands of dollars]

Country and project	Cumulative total through Dec. 31, 1959	Fiscal year 1960 (6 months)
Latin America total	11,126	263
Chile	796	103
Reforestation, soil and water conservation	467	43
Water utilization	190	
Water development and resources	139	60
Colombia: Power resource development	32	
Costa Rica	15	
Soil survey project	9	
Tempisque Valley (water resources development)	6	
Dominican Republic: Hydroelectric and irrigation survey	9	
El Salvador: Land and water resources	197	36
Guatemala	4,334	
Rural development (clearing, land preparation)	2,041	
Rural development (including land development)	1,923	
Rural development (small irrigation works)	354	
Rural development (land clear)	16	
Haiti	4,335	
Development of Artibonite Valley	2,475	
National irrigation development program	1,261	
Watershed control	220	
Development of Quartier-Morin Plain	209	
Irrigation, Leogene	110	
Clearing lands, Grand 'Anse	60	

Latin American program—ICA or predecessor agencies' obligations for irrigation, reclamation, and power projects by country and type of project, July 1, 1951–Dec. 31, 1959—Continued

[Thousands of dollars]

Country and project	Cumulative total through Dec. 31, 1959	Fiscal year 1960 (6 months)
Honduras: Land and water resources	217	16
Nicaragua	105	15
Industry and mining water resources investigation	62	
Agricultural land and water resources and forestry	43	15
Panama: Water resources development	126	22
Peru	894	22
Cooperative rural development	800	
Irrigation engineering	67	13
Forestry development program	27	9
Overseas territories, British Guiana	66	49
Irrigation problems, practices training	57	49
Ground water principles training	9	

Source: International Cooperation Administration, Office of Statistics and Reports, May 6, 1960.

Europe—ICA or predecessor agency obligations for irrigation, reclamation, and power projects by country and type of project, July 1, 1954–Dec. 31, 1959

[Thousands of dollars]

Country and project	Cumulative total through Dec. 31, 1959	Fiscal year 1960 (6 months)
Europe, total	17,527	6
Iceland	5,021	
Sog development, Upper Sog hydroelectric plant and Keflavik Air Base tie	5,000	
Hydroelectric survey	21	
Spain	11,491	
Thermopower boilers	5,638	
Electric power, fiscal year 1956	3,587	
Electric power industry (transmission and distribution)	1,941	
Forestry and range management demonstrations	174	
Irrigation and reclamation demonstrations	67	
Soil conservation and improvement	59	
Irrigation and underwater study	18	
Ground water development for public water supply	7	
Yugoslavia	1,015	6
Soil improvement and water resources	658	
Forestry	245	
Power	112	6

Source: International Cooperation Administration, Office of Statistics and Reports, May 6, 1960.

Mr. GRUENING. Mr. President, the same story of a double standard by the Eisenhower-Nixon administration during the past 7½ years can be related with respect to water pollution control in the United States.

On February 23, 1960, President Eisenhower vetoed an antipollution bill which would have authorized the appropriation of a modest sum of $90 million a year for 10 years to assist communities in the construction of sewage disposal plants.

This, said President Eisenhower, in his veto message, is a local matter. He said:

> Polluted water is a threat to the health and well-being of all our citizens. Yet, pollution and its correction are so closely involved with local industrial processes and with public water supply and sewage treatment, that the problem can be successfully met only if State and local governments and industry assume the major responsibility for cleaning up the nation's rivers and streams. The Federal government can help, but it should stimulate State and local action rather than provide excuses for inaction—which an expanded program under H.R. 3610 would do.

As a matter of fact, that bill provided for a much larger share of local and State participation than of Federal participation. Is it not common sense to say that pollution which starts in a river like the Mississippi, way up in Minnesota, or the Missouri in Montana is not carried downstream past other States and pollutes their coastal waters? To me, that is definitely a part of Federal responsibility. But President Eisenhower vetoed the bill.

Apparently for the Eisenhower-Nixon administration there is something grossly wrong in sending U.S. dollars into our own local communities to help prevent the pollution of our own rivers and streams, but there is something noble and uplifting in sending U.S. dollars abroad to do precisely the same type of a job on foreign rivers and streams.

In the five fiscal years since 1955, 48,539,797 U.S. dollars have been sent abroad to assist foreign programs of environmental sanitation.

I suppose to the Eisenhower-Nixon administration the pollution of the Missouri, the Mississippi, the Columbia, or the St. Lawrence, or even the Potomac River is a local matter, while the pollution of the rivers and streams of Korea or Pakistan or Ethiopia or Brazil or Cambodia is a matter of grave international concern. Frankly, Mr. President, I cannot see the situation in this light. We should be at least as much concerned about the pollution of our own rivers and streams as we are about the pollution of rivers and streams in foreign countries.

Congress was concerned, but the President vetoed the action of Congress in this matter, as in other such matters of vital concern to the American people.

But, apparently, under the double standard of the Eisenhower-Nixon administration, which has prevailed during the past 7½ years, these domestic needs are not to be satisfied.

U.S. dollars given to local communities for pollution control, the President indicates, are debilitating of local action and lead to local inaction. On the other hand, the same U.S. dollars sent abroad for the same purpose will not have such an effect.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a list which I have had prepared of the environmental sanitation projects all over the world, for which grants of U.S. dollars were made in the 5 fiscal years since 1955. I hold up these two thick volumes containing summaries of the various types of foreign aid projects, so that Senators may see how voluminous, so far as one is permitted to see it in this form, our foreign aid program is. A corresponding volume for similar, new domestic projects during the Eisenhower-Nixon seven and a half years would be a slender booklet by comparison.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

TABLE NO. 3.—*Health and sanitation projects*

(52) Environmental sanitation

Fiscal year 1955

FAR EAST	
Cambodia: Sanitary wells in rural areas	$26,000
China:	
Kachsiung waterworks rehabilitation	694,000
Improvement village water supply	5,000
Improvement sanitary engineering practices	44,000
Philippines: Water supply (wells and springs)	842,000
Thailand:	
Environmental sanitation	189,000
Do	4,000
Vietnam: Rural water supply	125,000
NEAR EAST, AFRICA, AND SOUTH ASIA	
Egypt:	
Installation of portable water supply system	7,488,000
Sanitary engineering department	69,730
India: National water supply and sanitation program	1,926,600
Iraq: Environmental sanitation	18,547
Israel:	
For sewerage and sewage treatment	9,000
Public health sanitation participantship	5,000
Sanitary engineering participantship	3,000
Jordan: Environmental sanitation	86,690
Lebanon:	
Extension of health and medical services to villages	84,766
Village water supply	88,700
Pakistan: Greater Karachi water and sewage disposal project	3,795,000
LATIN AMERICA	
Colombia: Public health engineering	45,300
Costa Rica: Engineering studies project (L)	5,120
Ecuador:	
Environmental sanitation	22,181
Technical assistance in environmental sanitation	18,538
Honduras: Environmental sanitation	5,300
Mexico: Division of health and welfare	4,838
Nicaragua: Environmental sanitation	44,750
Panama:	
Training in environmental sanitation, sewage disposal and garbage collection	5,000
General engineering services for the servicio (environmental sanitation)	18,600
Peru:	
Sanitary engineering instruction	50,277
Sanitary engineering	23,359

Fiscal year 1956

FAR EAST	
Cambodia:	
Sanitary wells in rural areas	55,000
City water supplies	416,000
China:	
Improvement of sanitary engineering practices	55,300
Establishment of environmental sanitation bureau	10,000
Korea:	
Waterworks rehabilitation	850,000
Construction of wells and sanitary facilities	800,000
Seoul water distribution system rehabilitation	300,000
Seoul waterworks enlargement Goo-I-Ri plant	500,000
Philippines: Water supply (wells and springs)	2,107,000
Thailand: Environmental sanitation	66,000
Vietnam:	
Rural water supply	143,000
Disposal of waste	23,000
NEAR EAST AND SOUTH ASIA	
Egypt: Sanitary engineering services (D)	46,525
India: National water supply and sanitation program	897,358

Fiscal year 1956—Continued

NEAR EAST AND SOUTH ASIA—Continued

Iraq: Village sanitation project	$15,690
Jordan: Environmental sanitation	159,000
Lebanon: Village water supply	83,050
Pakistan:	
Greater Karachi water supply and sewage disposal project	10,000
Municipal water supply	112,270
Village water supply	1,743,900
Chittagong water supply and sewerage	420,000
Dacca water supply and sewerage	420,000

AFRICA

Ethiopia: Well drilling, Ethiopia	52,534
Libya:	
Development domestic water	441,600
Sanitation activities	83,900

EUROPE

None.

LATIN AMERICA

Brazil: Sanitary (environmental) engineering	192,200
Colombia: Public health engineering	60,900
Costa Rica:	
Engineering studies project	6,000
Water supply project (M)	1,000
Environmental sanitation personnel training project	10,000
Ecuador: Environmental sanitation	37,500
Honduras: Environmental sanitation (M) (health cooperative service)	15,900
Mexico:	
Health and sanitation:	
Sanitary engineering consultation to Ministry of Hydraulic Resources	8,000
Environmental sanitation	41,000
Nicaragua: Environmental sanitation	32,926
Panama: General engineering services for the servicio (environmental sanitation)	27,300
Peru: Sanitary engineering	15,786
Venezuela: Rural water supplies engineering and construction	24,900

OVERSEA TERRITORIES

British Honduras: Training in engineering for municipal services	3,500

Fiscal year 1957

FAR EAST

Cambodia: Improvement of city water supplies	300,000
China (Taiwan):	
Kaohsiung waterworks rehabilitation	5,000
Improvement of sanitary engineering practices	51,000
Environmental Sanitation Bureau (Institute)	5,000
Korea:	
Waterworks rehabilitation	2,026,000
Construction of wells and sanitary facilities	514,000
Street and city drainage	762,000
Philippines: Water supply (wells and springs)	981,000
Vietnam: Rural water supply	30,000

NEAR EAST AND SOUTH ASIA

Ceylon: Environmental sanitation	18,000
India: National water supply and sanitation program	109,000
Iraq: Village health services	12,000
Jordan: Environmental sanitation	28,000
Lebanon: Village water supply	193,000
Pakistan: Greater Karachi water supply and sewage disposal	5,000

AFRICA

Ethiopia:	
Community water supply	500,000
Community water supply, well drilling, Ethiopia	238,000
Lybia:	
Sanitation activities	76,000
Development of domestic water	27,000
Development of domestic water supplies	760,000
Sanitation activities	42,000

LATIN AMERICA

Bolivia: Environmental sanitation	85,000
Brazil: Sanitary (environmental) engineering	151,000
Colombia: Public health engineering	90,000
Ecuador: Environmental sanitation	48,000
Guatemala:	
Environmental sanitation	12,000
Do	500,000
Honduras:	
Environmental sanitation	5,000
Health and sanitation project for specific problems in the Republic of Honduras	1,250,000
Mexico: Health and sanitation, environmental sanitation	26,000
Nicaragua: Environmental sanitation	4,000
Panama:	
Extension of water and sewers	2,000,000
General engineering service for the services (environmental sanitation)	24,000

Fiscal year 1958

FAR EAST

Burma:	
Rangoon water supply	1,400,000
Rangoon sewerage system	645,000

Fiscal year 1958—Continued

FAR EAST—Continued

Burma—Continued	
Village water supply and sanitation	$577,000
Town water supply	224,000
Rangoon General Hospital	752,000
Cambodia: Improvement of water supplies	224,000
China (Taiwan):	
Sanitation and water supply	38,000
Municipal water supply, Taichung	130,000
Korea:	
Waterworks rehabilitation	1,139,000
Construction of sanitary facilities	528,000
Philippines: Water supply (wells and springs)	964,000

NEAR EAST AND SOUTH ASIA

Ceylon: Environmental sanitation	28,000
India: National water supply and sanitation program	82,000
Iraq: Rural health services	23,000
Jordan: Environmental sanitation	107,000

AFRICA

Ethiopia: Community water supply	135,000
Libya:	
Development of domestic water supplies	321,000
Municipal slaughterhouse development	28,000

EUROPE

No projects.

LATIN AMERICA

Bolivia: Environmental sanitation	52,000
Brazil: Sanitary (environmental) engineering	118,000
Colombia: Public health engineering	54,000
Costa Rica:	
Engineering studies project	15,000
Water supply project	1,000
Municipal sewerage systems	2,000
Ecuador: Environmental sanitation	60,000
Guatemala: Environmental sanitation (public health cooperative service)	500,000
Haiti: Water distribution, construction, and water sewerage surveys for Port-au-Prince	330,000
Panama:	
General engineering services for the servicio (environmental sanitation)	39,000
Extension of water and sewerage system of the city of Panama	1,000
Venezuela: Rural water supply, engineering and construction	21,000

Fiscal year 1959

FAR EAST

Cambodia: Improvement of water supplies	315,000
China (Taiwan): Improvement of sanitation and water supply	38,000
Korea:	
City drainage improvement	447,000
Environmental sanitation	368,000
Philippines: Water supply (wells, springs, and waterworks)	427,000

NEAR EAST AND SOUTH ASIA

Ceylon: Environmental sanitation	20,000
India: National water supply and sanitation program	113,000
Iran: Environmental sanitation	126,000
Jordan: Environmental sanitation	71,000
Pakistan: Greater Karachi water supply and sewage disposal	24,000

AFRICA

Libya:	
Domestic water	584,000
Slaughterhouse	107,000

EUROPE

No projects.

LATIN AMERICA

Bolivia: Environmental sanitation	30,000
Brazil: Sanitary engineering	106,000
Colombia: Public health engineering	35,000
Costa Rica: Environmental sanitation	19,000
Ecuador: Environmental sanitation	47,000
Guatemala: Public health services (environmental sanitation and health education)	89,000
Nicaragua: Environmental sanitation	15,000
Panama: General engineering services	39,000
Venezuela: Rural water supplies, engineering, and construction	19,000

Mr. GRUENING. Mr. President, on our own west coast, the salmon fishing industry is gravely depressed. It needs rehabilitation. The proper agency to undertake such a course of rehabilitation is the Federal Government because through years of Federal mismanagement this once great resource has been sorely depleted. The Alaska pack reached the lowest point in 60 years in 1959, the last year of Federal control.

Has the Eisenhower-Nixon administration in the past 7½ years come forward with a program—with a dynamic, far-sighted program—for the rehabilitation of the salmon fishing industry of the Pacific Northwest, or of any of our fishery resources? It has not.

Still, under its double standard, the Eisenhower-Nixon administration has developed programs for the rehabilitation of fishing industries in many countries abroad.

I ask unanimous consent to have printed at this point in my remarks a list of fishing projects abroad for the 5 fiscal years since 1955 for which the Eisenhower-Nixon administration has made grants of U.S. dollars.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

TABLE 4.—*Agriculture and natural resources*

(18) Fisheries

Fiscal year 1955

FAR EAST

China: Ocean fisheries improvement	$204,000
Indonesia:	
Expansion and modernization of marine fisheries	224,700
Expansion of inland fisheries	51,000
Philippines: Fisheries development	82,000
Thailand: Fisheries	59,000
Vietnam:	
Development of inland fisheries	3,000
Development of marine fisheries	95,000

NEAR EAST, AFRICA, AND SOUTH ASIA

Ethiopia: Fisheries survey	10,200
India: Project for modernization and expansion of marine and inland fisheries and exploratory fishing program	278,100
Liberia: Marine and fresh water fisheries	22,000
Pakistan: Karachi fish harbor	364,000
Turkey: Purse seine fishing specialists	6,500
Peru: SCIPA project fisheries	32,061
Total	1,431,561

Fiscal year 1956

FAR EAST

China (Taiwan):	
Fishing fleet rehabilitation	5,000
Fish propagation (RETSER)	8,000
Indonesian Republic: Expansion and modernization of marine and inland fisheries	150,498
Korea: Fishing boat construction	1,000,000
Laos: Inland fish culture	13,450
Thailand: Fisheries	71,000
Vietnam:	
Development of inland fisheries	13,500
Development of marine fisheries	46,000

NEAR EAST AND SOUTH ASIA

India: Expansion and modernization of marine and inland fisheries	437,520
Pakistan:	
Fisheries development: West Pakistan	371,375
Fisheries development: East Pakistan	129,295
Turkey: Purse seine fishing specialists	10,000

AFRICA

Ethiopia: Fisheries survey	7,000
Liberia: Marine and fresh water fisheries	25,280

EUROPE

Iceland: Canning industry team for the fish industry, 3d country training	4,600
Yugoslavia: Fisheries	14,020

LATIN AMERICA

El Salvador: Fisheries	15,055
Peru: Fisheries development program (SCIPA project fisheries)	33,910
Total	2,355,503

Fiscal year 1957

FAR EAST

China:	
Fishing fleet rehabilitation program	17,000
Fisheries	13,000
Tuna long liners	530,000
Indonesia: Expansion and modernization of marine and inland fisheries	149,000
Korea: Fisheries development	2,314,000
Thailand: Fisheries	17,000
Vietnam:	
Development of inland fisheries	7,000
Development of marine fisheries	160,000

NEAR EAST AND SOUTH ASIA

India: Expansion and modernization of marine and inland fisheries	93,000
Pakistan:	
West Pakistan fisheries development	45,000
Fisheries development, East Pakistan	46,000
Turkey: Purse seine fishing specialists	2,000

Fiscal year 1957—Continued

AFRICA

Ethiopia: Fisheries development project	$26,000
Liberia: Fresh water fisheries	18,000
Tunisia: Aid to commercial fisheries	48,000
Oversea territories: Somalia: Fisheries development	2,000

EUROPE

Iceland:	
Canning industry team for the fish industry 3d country	5,000
Fish byproduct utilization	2,000
Herring processing study 3d country	1,000

LATIN AMERICA

El Salvador: Fisheries	8,000
Peru: Renewable resources development	56,000
Total	3,415,000

Fiscal year 1958

FAR EAST

Cambodia: Fisheries conservation	35,000
China (Taiwan): Fisheries development	11,000
Indonesian Republic: Expansion and modernization of marine and inland fisheries	68,000
Korea: Fisheries development	160,000
Vietnam: General fisheries development	192,000

NEAR EAST AND SOUTH ASIA

India: Expansion and modernization of marine and inland fisheries	134,000
Pakistan:	
Fisheries development, West Pakistan	116,000
Fisheries development, East Pakistan	56,000

AFRICA

Liberia: Fresh water fisheries	19,000
Tunisia: Aid to commercial fisheries	16,000

AFRICA

Overseas territories:	
Somalia: Fisheries	121,000

EUROPE

Yugoslavia: Fisheries	8,000

LATIN AMERICA

Peru: Renewable resources development (forestry and fisheries)	30,000

ASIAN ECONOMIC DEVELOPMENT FUND

Marine research in South China Sea and the Gulf of Thailand	560,000
Total	1,526,000

Fiscal year 1959

FAR EAST

Cambodia: Fisheries conservation	41,000
China (Taiwan): Fisheries development (JCRR)	13,000
Indonesia: Expansion and modernization of marine and inland fisheries	84,000
Korea: Fisheries development	475,000
Vietnam: Fisheries development	898,000

NEAR EAST AND SOUTH ASIA

India: Expansion and modernization of marine and inland fisheries	106,000
Pakistan:	
Fisheries development, West Pakistan	91,000
Fisheries development, East Pakistan	32,000

AFRICA

Liberia: Fresh-water fisheries	15,000
Tunisia: Aid to commercial fisheries	20,000
Oversea territories: Somalia: Fisheries	18,000

EUROPE

Iceland: Fish control survey	2,000

LATIN AMERICA

Oversea territories: British Guiana: Snapper fishing equipment demonstration project	6,000

ASIAN ECONOMIC DEVELOPMENT FUND

Marine research development in South China Sea and Gulf of Thailand	400,000
Total	2,201,000

Mr. GRUENING. Mr. President, the Eisenhower-Nixon double standard record on housing is equally significant.

Congress had to pass three housing bills before it found a low enough formula for such a bill to warrant a Presidential signature.

To the unwary this might signify that the Eisenhower-Nixon administration was quite reluctant to see Federal dollars being used to assist housing programs.

But not so.

This reluctance applies only to programs in our own country. The picture abroad is different.

Under the ICA program, grants—outright grants with no payment expected—have been made in the 5 years since 1955 to many countries in a sum totaling $12,289,899. Yet this is the same Eisenhower-Nixon administration that balked at loans for housing for the elderly and loans for college housing.

I ask unanimous consent to have printed at this point in my remarks a list of housing projects abroad for which grants of U.S. dollars were made in the 5 years since 1955 pursuant to the double standard of the Eisenhower-Nixon administration.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

TABLE 5.—*Housing*

(83) Housing

Fiscal year 1955

FAR EAST

China: Housing program (public)	$14,000
Indonesian Republic:	
Workers' housing and community planning	102,587
Building construction testing and research center, Bandung	20,400
Low-cost housing and community facilities improvement	74,800

NEAR EAST, AFRICA, AND SOUTH ASIA

Egypt: Building research and training center	5,500
Iran: Urban and rural low-cost housing	51,401
Israel:	
Public Housing Administration participant housing	3,000
Housing construction participantship	3,000
Liberia: Division of Public Building and Housing	37,167
Pakistan:	
Social welfare and housing, housing research, Experiment and Demonstration Station	71,000
Welfare—Community development, housing	47,700
Turkey:	
Low-cost housing consultants	750
Middle East Technical University	98,000

EUROPE

Austria: Housing and urban redevelopment study	8,000
Germany: Housing programing and administration	3,200
Italy: Housing productivity	16,460

REGIONAL

Modular coordination in building	3,000
Preplanning in the building industry	43,200

LATIN AMERICA

Brazil: Housing	34,492
Chile: Housing	32,000
Costa Rica: Housing project	8,735
Haiti: Technical aid in housing	17,600

Fiscal year 1956

FAR EAST

China (Taiwan): Public housing program	27,000
Indonesian Republic:	
Workers' housing and community planning	48,000
Building materials development, low-cost housing training and demonstration	295,000
Technicians' housing	164,000
Thailand: Low cost housing development	18,000

NEAR EAST AND SOUTH ASIA

Egypt: Housing building materials standards and training center	137,810
Greece: Labor housing expert	10,600
Iran: Urban and rural low-cost housing	44,885
Pakistan: Welfare—Community development, housing advisory services	35,430
Turkey: Low-cost housing consultant	12,000
Regional total: Regional housing office	23,300

AFRICA

Liberia: Division of Public Buildings and Housing	32,100

EUROPE

Iceland: Survey of Icelandic building industry	7,000
Spain: Housing studies	26,880

Fiscal year 1956—Continued

YUGOSLAVIA

Housing	$11,000
Regional—USRO total:	
Preplanning in the building industry	7,500
Building in the United States	20,000

LATIN AMERICA

Brazil: Housing	39,884
Chile: Cooperative housing	68,220
Costa Rica: Housing project	53,190
Guatemala:	
Housing program:	
Technical assistance	20,000
Development assistance	1,464,000
Uruguay: Housing—City and regional planning	3,500
Interregional total: Publications and training materials, housing	10,000

Fiscal year 1957

FAR EAST

China (Taiwan): Public housing program	14,000
Indonesian Republic:	
Aided self-help housing and low-cost housing training	86,000
Technicians housing	8,000
Korea: Housing construction materials	2,042

NEAR EAST AND SOUTH ASIA

Egypt: Building research and training center	15,000
Greece: Labor housing expert	11,000
Iran: Development of low-cost housing	20,000
Lebanon: National housing program	200,000
Pakistan: Housing research—Experiment and demonstration station	2,000
Regional: Regional housing office	23,000

AFRICA

Liberia: Public building and housing	18,000

EUROPE

Spain: Housing studies	20,000
Yugoslavia: Housing	26,000

LATIN AMERICA

Brazil: Housing	7,000
Chile: Housing	57,000
Colombia: A cooperative program in rural and urban housing in Colombia between the International Cooperation Administration and the Colombian Institute of Territorial Credit	23,000
Costa Rica: Housing and planning project	61,000
Guatemala: Housing program	41,000
Nicaragua: City planning and housing	19,000
Peru: Advisory service to Peruvian National Housing Commission	21,000
Uruguay: Housing (city and regional planning)	2,000

INTERREGIONAL

Publications, films, and training materials—Housing	26,000
Housing study on tropical minimal houses	22,000
Publications, films, and training materials—housing (finance)	14,000

Fiscal year 1958

FAR EAST

No projects.

NEAR EAST AND SOUTH ASIA

No projects.

AFRICA

No projects.

EUROPE

No projects.

LATIN AMERICA

No projects.

Fiscal year 1959

FAR EAST

Korea: Housing construction materials	1,251,000

NEAR EAST AND SOUTH ASIA

Lebanon: National housing	47,000

AFRICA

Tunisia: Workers housing program	18,000

EUROPE

German/Berlin: Study of housing and construction program in West Berlin	2,000
Spain: Housing studies—town and country planning	8,000
Yugoslavia: Housing construction	150,000

LATIN AMERICA

Costa Rica: Housing and city planning	40,000
Guatemala: Housing program	71,000
Uruguay: Housing	11,000

OVERSEA TERRITORIES

The West Indies and East Caribbean: Housing	25,000

INTERREGIONAL TOTAL

Publications, films, and training materials—housing	1,000
Housing—Research on earth for homes	29,000

(84) Aided Self-Help Housing

Fiscal year 1955

OVERSEA TERRITORIES

Trinidad: Aided self-help development $65,400

Fiscal year 1956

FAR EAST

Cambodia: Housing improvement 20,000

OVERSEA TERRITORIES—MISCELLANEOUS—LATIN AMERICA

Aided self-help development 73,266

Fiscal year 1957

FAR EAST

Cambodia: Development of town planning and housing 59,000

NEAR EAST AND SOUTH ASIA

Turkey: Aided self-help housing adviser 5,000

AFRICA

Ethiopia: Low-cost urban housing 200,000

LATIN AMERICA

Ecuador: Aided self-help housing 1,000

OVERSEA TERRITORIES

Miscellaneous DOTS: Aided self-help housing 2,000

REGIONAL

Aided self-help housing development 34,000

Fiscal year 1958

FAR EAST

China (Taiwan): Public housing program 11,000

Korea:

Housing construction materials 1,996,000

Housing, Chungju fertilizer plant 450,000

NEAR EAST AND SOUTH ASIA

Greece: Labor housing adviser 16,000

Lebanon: National housing program 683,000

Regional total: Regional housing office 3,000

AFRICA

Liberia: Public buildings and housing 5,000

EUROPE

Spain: Housing studies 33,000

Yugoslavia: Housing construction 84,000

LATIN AMERICA

Chile: Housing 175,000

Costa Rica: Housing and city planning 59,000

Guatemala:

Housing program 54,000

Aided self-help housing program 1,400,000

Nicaragua: Community development-city planning 37,000

Uruguay: Community development (city and regional planning) 3,000

INTERREGIONAL TOTAL

Publications, films, and training material (housing) 3,000

Fiscal year 1959

FAR EAST

No projects.

NEAR EAST AND SOUTH ASIA

Turkey: Aided self-help housing adviser 11,000

AFRICA

No projects.

EUROPE

No projects.

LATIN AMERICA

Nicaragua: Housing, aided self-help 364,000

Peru: Consultation to national housing commission 3,000

Regional total: Self-aided housing, Caribbean Commission 20,000

(85) Supporting projects, housing

Fiscal year 1955

NEAR EAST, AFRICA, AND SOUTH ASIA

Israel: Assistance in housing 3,500

EUROPE

Italy: Productivity center support, housing specialists 23,000

Fiscal year 1956

NEAR EAST AND SOUTH ASIA

Israel: Assistance in housing 28,400

Fiscal year 1957

FAR EAST

Korea: Housing research and development 51,000

NEAR EAST AND SOUTH ASIA

Israel: Assistance in housing 7,000

Fiscal year 1958

FAR EAST

Korea: Housing research and development 109,000

NEAR EAST AND SOUTH ASIA

No projects.

AFRICA

No projects.

Fiscal year 1958—Continued

EUROPE

No projects.

LATIN AMERICA

No projects.

FAR EAST

Korea: Housing research and developing $32,000

NEAR EAST AND SOUTH ASIA

No projects.

EUROPE

No projects.

AFRICA

No projects.

LATIN AMERICA

No projects.

(86) Emergency Housing

No projects authorized for any of the countries under this code

(86) Emergency Housing

Fiscal year 1957

NEAR EAST AND SOUTH ASIA

Turkey: Reconstruction of earthquake damage in Fethiye 500,000

Mr. GRUENING. Mr. President, with respect to highway construction, the record of the Eisenhower-Nixon administration is equally one of applying a different and a tighter standard to our program here at home than is applied to highway projects for which U.S. dollars are spent abroad.

Here at home the Eisenhower-Nixon administration is adamant that the highway fund be kept solvent. And taxes must be raised to keep it so, says this administration.

However, abroad there is no question of any trust fund. Outright grants are made for highways in many foreign countries.

I ask unanimous consent to have printed at this point in the RECORD a list of highway projects for which U.S. dollars have been spent in the 5 fiscal years since 1955.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

TABLE 6.—*Mutual security projects, by countries and fiscal years, 1955 to 1959, inclusive*

RECAPITULATION, TRANSPORTATION

Code (31): Highways

Country	Fiscal year 1955	Fiscal year 1956	Fiscal year 1957	Fiscal year 1958	Fiscal year 1959	Cumulative through fiscal year 1959
Far East	$9,156,430	$29,592,119	$41,886,000	$36,622,000	$25,616,000	$142,872,549
Near East and Asia	16,526,628	5,544,339	9,411,000	4,108,000	3,376,000	38,965,967
Africa	----------	262,200	1,267,000	1,765,000	899,000	4,193,200
Europe	17,400	15,000	12,000	56,000	73,000	173,400
Latin America	4,225,345	11,523,312	8,816,000	1,019,000	754,000	26,337,657
Asian Economic Development Fund, India-Nepal Roadway	----------	----------	----------	5,000,000	----------	5,000,000
Total	29,925,803	46,936,970	61,392,000	48,570,000	30,718,000	217,542,773

TRANSPORTATION

(31) Highways

Fiscal year 1955

FAR EAST

China: Traffic safety engineering $5,000

Laos: Improvement of and extension of Laos highway system 1,370,930

Philippines: Highway improvement (Barrio roads) 3,789,000

Thailand:

Highway development 55,000

Construction equipment training 75,000

Special northeast highway project, Saraburi-Korat-Ban Thai Highway 3,130,000

Expanded aid program highways 355,000

Vietnam: General program for roads and bridges 376,500

NEAR EAST, AFRICA, AND SOUTH ASIA

Egypt:

Highway improvement 6,514,000

Transportation and communications, highways 10,500

Transportation, asphalt and bitumen training 3,000

Iran: Demonstration and training in use of highway maintenance equipment 406,667

Iraq: Highway development (Edwards, Kelcey, Beck contract) 176,496

Israel: For road construction 18,750

Jordan: Roads 2,537,250

Lebanon: Public roads development 5,700,000

Liberia: Highway program (PW-5) highway maintenance 291,000

Pakistan:

East Pakistan road development training program 4,660

Baluchistan States union road projects 693,815

Pakistan highway system and research development program 35,340

FAR EAST

China: Traffic safety engineering 5,000

Laos: Improvement of and extension of Laos highway system 1,370,930

Philippines: Highway improvement (barrio roads) 3,789,000

Thailand:

Highway development 55,000

Construction equipment training 75,000

Special northeast highway project, Saraburi-Korat-Ban Thai Highway 3,130,000

Expanded aid program highways 355,000

Fiscal year 1955—Continued

FAR EAST—Continued

Vietnam: General program for roads and bridges $376,500

NEAR EAST, AFRICA AND SOUTH ASIA

Egypt:

Highway improvement 6,514,000

Transportation and communications, highways 10,500

Transportation, asphalt and bitumen training 3,000

Iran: Demonstration and training in use of highway maintenance equipment 406,667

Iraq: Highway development (Edwards, Kelcey, Beck contract) 176,496

Israel: For road construction 18,750

Jordan: Roads 2,537,250

Lebanon: Public roads development 5,700,000

Liberia: Highway program (PW-5) highway maintenance 291,000

Pakistan:

East Pakistan road development training program 4,660

Baluchistan States union road projects 693,815

Pakistan highway system and research development program 35,340

LATIN AMERICA

Honduras: Consultation in highways 9,600

Mexico: Observation and seminars for Latin American public works and highway officials 3,000

Paraguay:

Trans-Chaco road project 20,817

Demonstration and training project, road construction and maintenance 100,000

Peru: Bridge construction 3,650

Overseas territories: British Guiana: Transportation, highways 2,600

Fiscal year 1956

FAR EAST

Cambodia:

Port highway 7,400,000

Highway repair and maintenance 765,000

Repair, rehabilitation, and construction, bridges 650,000

China (Taiwan):

East-West highway construction (RETSER) 400,000

Heavy construction equipment, THB 208,200

Highway improvement and administration 13,000

Indonesian Republic: Highway technical training 34,000

Fiscal year 1956—Continued

FAR EAST—Continued

Korea:	
Highway transportation trainees	$15,000
Asphalt hot mix plant	160,000
Highway and bridge construction	545,000
Heavy equipment and spare parts for highway and street construction	275,000
Laos: Reopening and establishing maintenance on national roads	2,678,019
Philippines: Highway improvement	2,419,000
Thailand:	
Highway development	75,000
Highway; special northeast	6,212,000
Highways, expanded aid	2,302,900
Vietnam: Highways and bridges	5,440,000

NEAR EAST AND SOUTH ASIA

Egypt: Transportation and communications highway improvement	21,500
Greece: Training in road design, pavements and testing material	27,000
India: Highway transportation	8,000
Iran: Demonstration and training in the use of highway maintenance equipment	354,900
Iraq: Highway development (Edwards, Kelcey Back contract)	316,000
Israel: Road construction	25,000
Jordan: Roads	263,100
Lebanon:	
Public roads development of Lebanon-Beirut-Maameltein highway	100,000
Beirut-Syrian border highway	3,200,000
Pakistan:	
East Pakistan road development and training program	939,389
Pakistan highway system and research demonstration program	142,450
Turkey: Highway engineering advisers	147,000

AFRICA

Liberia: Highway program, PW-5	256,200
Oversea territories: United Kingdom: Public Works Department engineer to United States	6,000

EUROPE

Spain: American highway practices study	15,000

LATIN AMERICA

Bolivia:	
Administration (Bolivian-American Cooperative Road Service)	52,313
Demonstration of equipment maintenance and repair (Servicio Cooperativo Boliviano-Americano de Caminos)	32,187
Demonstration of road maintenance and betterment (Bolivian-American Cooperative Road Service)	51,100
Construction and maintenance of road system, Cochabama-Santa Cruz	1,187,350
Colombia:	
Training program in highway construction and maintenance	23,500
Highway construction and maintenance project Valle, Cauca, and Caldas (CVC)	10,000
Costa Rica: Highway improvement project	27,960
Guatemala:	
Pacific Slope Highway (Popoja to Cotepeque section)	1,700,000
Atlantic Highway	5,205,000
Quetzaltenango-Retalhuleu Road	950,000
Pacific Slope Highway, east and west sections	1,206,000
Haiti:	
Voldrogue Pourcine Road (completion)	423,740
Anse D'Hainault, sources Chaudes market road (completion)	38,800
Low level bridge across Voldrogue River	63,842
Survey and construction of Pestel-Corail Highway	222,000
Survey and construction of Les Anglais-Tiburon market road	40,000
Honduras: Consultation in highways	39,076
Nicaragua: Public roads	17,644
Paraguay:	
Trans-Chaco road project	91,200
Demonstration and training, road construction and maintenance	123,700
Overseas territories: British Guiana: Highway construction, maintenance and design project	18,000

Fiscal year 1957

FAR EAST

Cambodia:	
Port highway	8,500,000
Highway, bridge rehabilitation and construction	435,000
China:	
Highway bridge engineering	5,000
Municipal road improvement, provincial department of reconstruction	6,000
East-west highway construction	450,000
Highway improvement	5,000
Highway and traffic engineering training	4,000
Japan: Highway study	39,000
Korea:	
Highway and bridge construction and rehabilitation	1,561,000

Fiscal year 1957—Continued

FAR EAST—Continued

Korea—Continued	
Heavy equipment and spare parts for highway, street paving, bridge construction and repair shop	$2,400,000
Road and street paving rehabilitation	913,000
Laos: Reopening and establishing maintenance on national roads	1,050,000
Philippines: Highway improvement	3,579,000
Thailand:	
Highways, special northeast	1,824,000
General highway improvement	8,102,000
Highway department operations	454,000
Bangkok-Bangkapi road improvement	97,000
Vietnam: Highways and bridges	12,462,000

NEAR EAST AND SOUTH ASIA

Afghanistan: National roads improvement and maintenance	2,132,000
Ceylon: Highway development	965,000
India: Highway transportation	13,000
Iran: Highway equipment maintenance and repair shops	1,060,000
Iraq: Highway development	304,000
Israel: Road construction	7,000
Jordan:	
Road development	7,000
Roads	1,358,000
Highway administration	16,000
Lebanon:	
Public roads development of Lebanon (coastal)	1,000,000
Highway advisory and training project	28,000
Pakistan:	
East Pakistan road development and training	79,000
West Pakistan road construction	35,000
Highway system	34,000
Turkey: Highway engineering advisers	173,000
Baghdad Pact:	
Regional highway project, Turkey and Iran	1,340,000
Do	860,000
Total	9,411,000

AFRICA

Liberia: High wayprogram	343,000
Libya: Rehabilitation and construction of provincial and federal roads	907,000
Overseas territories:	
Somalia: Highway improvement	2,000
United Kingdom:	
Road research engineer	8,000
U.S. highway economist-engineer to the Federation of Rhodesia and Nyasaland	4,000
Southern Rhodesia, highway planning and construction	3,000

EUROPE

Spain: American highway practices studies	12,000

LATIN AMERICA

Bolivia:	
Administration (Bolivian-American Cooperative Road Service)	46,000
Demonstration of road maintenance and betterment (Bolivian-American Cooperative Road Service)	133,000
Colombia: Highway construction and maintenance project Valle, Cauca and Caldas and training of highway engineers	24,000
Costa Rica: Highway improvement project (training personnel)	14,000
Guatemala:	
Atlantic highway	6,043,000
Pacific slope highway east and west sections	1,700,000
Project access roads (rural development program)	700,000
Honduras: Consultation in highway development	32,000
Mexico: Training facilities for operators and mechanics	100,000
Nicaragua: Transportation, highways	14,000
Oversea territories: British Guiana: Road development project	10,000

(32) Urban Transit and Traffic Engineering

Fiscal year 1957

FAR EAST

Korea: Urban transit-streetcar rehabilitation	105,000

NEAR EAST AND SOUTH ASIA

Israel: Highway transportation and automotive requirements	18,000

EUROPE

Spain: Urban transportation study	7,000

(31) Highways

Fiscal year 1958

FAR EAST

Cambodia:	
Port highway	6,111,000
Highway and bridge repair and rehabilitation	398,000

Fiscal year 1958—Continued

FAR EAST—Continued

China (Taiwan): East-west highway construction (RETSER)	$589,000
Indonesian Republic: Highway construction and rehabilitation	8,000,000
Korea: Highway and bridge construction and rehabilitation	992,000
Laos: Reopening and maintenance on national roads	1,107,000
Philippines: Highway improvement	1,635,000
Thailand:	
Highways, special northeast	692,000
Highway department operations	154,000
East-west highway	2,000,000
Vietnam: Highways and bridges	14,944,000

NEAR EAST AND SOUTH ASIA

Afghanistan: National roads improvement and maintenance	807,000
Ceylon: Highway development	111,000
India: Highway transportation	12,000
Iraq: Highway development	140,000
Jordan:	
Roads	1,200,000
Highway administration	402,000
Highway construction	1,045,000
Lebanon: Highway development of Lebanon	37,000
Nepal: Regional projects personnel	43,000
Pakistan:	
East Pakistan road development and training program	83,000
Karachi-Kalat-Quetta road project	66,000
Turkey: Highway engineering advisers	162,000

AFRICA

Liberia: Highway program	394,000
Libya: Rehabilitation and construction of Provincial and Federal roads	1,300,000
Overseas territories:	
Somalia: Highway improvement	47,000
United Kingdom:	
Highway engineering	22,000
Study of highway maintenance	2,000

EUROPE

Spain:	
American highway practices study	15,000
Training highway construction mechanics and operators	41,000

LATIN AMERICA

Bolivia:	
Administration (road servicio)	68,000
Demonstration road maintenance and betterment	181,000
Colombia: Transportation, practical training in highway construction and maintenance	29,000
Cuba: Public roads training	5,000
Guatemala: Project access roads (rural development program)	675,000
Honduras: Consultation in highways	37,000
Mexico: Training facilities for operators and mechanics	2,000
Nicaragua: Transportation, highways	5,000
Overseas territories: British Guiana: Roads development project	17,000

ASIAN ECONOMIC DEVELOPMENT FUND

India-Nepal roadway	5,000,000

Fiscal year 1959

FAR EAST

Burma: Rangoon-Mandalay road	750,000
Cambodia:	
Port highway	2,246,000
Highway engineering advisory services	6,000
China (Taiwan): East-west highway construction (RETSER)	33,000
Korea: Highway and bridge construction rehabilitation	1,057,000
Laos: Development of Lao national road system	1,265,000
Philippines: Highway improvement	546,000
Thailand:	
Highway department operations	403,000
East-west highway	3,813,000
Bangkok-Saraburi highway	115,000
Korat-Nongkai highway	85,000
Highway materials survey	15,000
Vietnam: Highway and bridge construction	15,282

NEAR EAST AND SOUTH ASIA

Afghanistan: National roads improvement and maintenance	400,000
Ceylon: Highway development	151,000
India: Highways and bridges	29,000
Jordan:	
Highway and management	150,000
Highway construction	470,000
Lebanon: Highway development	361,000
Nepal: Regional project	96,000
Sudan:	
Highway development	901,000
Highway construction demonstration (North Khartoum-Khogalab road)	560,000
Turkey: Highway engineering advisers	132,000
United Arab Republic: Highway development	225,000

Fiscal year 1959—Continued

AFRICA

Liberia: Highway program	$292,000
Libya: Roads	600,000
Overseas Territories: United Kingdom: Southern Cameroons, highways engineering training	3,000
Road engineering study courts	4,000

EUROPE

Spain: American highway practices study	22,000
Training highway construction mechanics operators	51,000

LATIN AMERICA

Argentina: Highway transportation, advanced highway engineering training	4,000
Bolivia: Administration (roads serviclo)	91,000
Demonstration road maintenance and betterment	168,000
Colombia: Training, highway construction and maintenance	38,000
Costa Rica: Ministry of Public Works, highway planning	7,000
Cuba: Public roads training	1,000
El Salvador: International road educational foundation training program	6,000
Honduras: Consultation in highways	47,000
Mexico: Training facilities for operators and mechanics	31,000
Nicaragua: Transportation, highways	7,000
Overseas territories: British Guiana: Roads development project	19,000
The West Indies and East Carribean: Road improvement demonstration and training	11,000

Mr. GRUENING. Mr. President, the Eisenhower-Nixon double standard also applies to the development and utilization of one of the Nation's great mineral resources—coal.

A bill passed by Congress last year to encourage and stimulate the production and conservation of coal in the United States received a Presidential veto, but the Eisenhower-Nixon policy of sending U.S. dollars abroad to develop foreign mineral resources continued unabated.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a list of mineral development projects abroad supported by U.S. dollars under the Eisenhower-Nixon administration.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

TABLE 7.—*Industry and mining*

Fiscal year 1955

FAR EAST

China (Taiwan): Coal Exploration	$5,000
Coal Production Techniques	2,000
Philippines: Coal surveys	35,000
Vietnam: Coal strip mining survey	7,000

NEAR EAST AFRICA AND SOUTH ASIA

Afghanistan: Mineral resources and coal production	67,000
Turkey: Zonguldak coal basin development P-1	204,400

EUROPE

Austria: Coal mining experts	10,000
Spain: Coal mining study	8,640

LATIN AMERICA

Colombia: Development of coal resources of Department of Cauca and the Cauca Valley	19,238
Honduras: Coal resources survey and development	7,950

Fiscal year 1956

FAR EAST

China (Taiwan): Coal mine improvement	103,000
Coal exploration	25,000
Coal mine demonstration	100,000
Korea: Coal mining operations and management	1,800
Development of Hambaek coal fields	550,000
Test drilling of Hambaek coal field	500,000
Philippines: Coal surveys	53,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Mineral resources and coal production	93,000
Pakistan: Development Makarwall collieries	502,000
Turkey: Zonguldak coal basin development	661,000

Fiscal year 1956—Continued

EUROPE

Spain: Coal mining productivity study	$3,840
Coal mining consultants	11,925

LATIN AMERICA

Colombia: Development of coal resources, Department of Cauca and the Cauca Valley	23,000
Honduras: Industry, mining coal resources survey	29,107

Fiscal year 1957

FAR EAST

China (Taiwan): Coal mine improvement	782,000
Korea: Test drilling of Hamraik coalfields	139,000
Mine development—Daehan coal mine	3,247,000
Geophysical survey and test drilling, Haasum and Eunsung coalfields	136,000
Philippines: Coal surveys	24,000
Vietnam: Nong Son coal exploration survey	56,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Mineral resources and coal production	875,000
Turkey: Zonguldak coal basin development	380,000

LATIN AMERICA

Colombia: Coal resources development in the Department of Cauca in the Cauca Valley	13,000
Honduras: Industry mining coal resources development	75,000

Fiscat year 1958

FAR EAST

China (Taiwan): Coal mining development	689,000
Korea: Coal mining development	245,000
Vietnam: Nong Son coal exploration survey	12,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Mineral resources and coal production	164,000
India: Assistance to coal industries	10,000
Turkey: Zonguldak coal basin development	62,000

EUROPE

Yugoslavia: Mining and minerals, coal mining, coke and byproducts	308,000

LATIN AMERICA

Colombia: Coal resources development in the Department of Cauca in the Cauca Valley	25,000
Honduras: Coal resources development	13,000

Fiscal year 1959

FAR EAST

China (Taiwan): Coal mine development	966,000
Korea: Coal mine development	963,000
Vietnam: Nong Son coal mine development	1,630,000

NEAR EAST AND SOUTH ASIA

Afghanistan: Mineral resources and coal production	82,000
India: Assistance to coal industry	27,000
Turkey: Undersea coal mining operations	3,000

EUROPE

Yugoslavia: Mining and minerals, coal mining, coke and coke byproducts	266,000

LATIN AMERICA

Colombia: Coal resources development in the Department of Cauca in the Cauca Valley	19,000
Honduras: Coal resources survey	18,000

Mr. GRUENING. My final example—although many more are available, and would be referred to if time permitted—of the Eisenhower-Nixon double standard relates to this administration's lack of a comprehensive program of forest and range management research, of a program for forest protection research, of a program for forest products utilization, and of a program for forest resources research. Those programs are of great interest to many Members of the Senate—not only to me, but also to the distinguished Senator from Mississippi [Mr. STENNIS] whom I see on the floor, as well as to many other Senators. But despite the programs which were voted by Congress, this administration proceeded, on the basis of the Eisenhower-Nixon double standard, to insist that no funds or scant funds should be devoted to such programs in our country, whereas the administration was at the same time continuing to take the position that it was essential that large amounts of the funds of the American taxpayers be spent for very large programs of conservation and forest resources development in other countries. Mr. President, that is but another example of the double standard that is being followed by this administration.

Mr. STENNIS. Mr. President, I wish to thank the Senator from Alaska for his statement in support of the importance of these programs in the United States—programs which are of extremely great importance; and certainly we hope that these programs in our country will be carried forward next year by the Congress.

Mr. GRUENING. All of us certainly hope so.

A forest research program was sponsored by the Department of Agriculture and the modest sum of $6 million was requested for the fiscal year 1961. But this request, approved by the Secretary of Agriculture, was cut by the Bureau of the Budget to $1,780,400—it was cut to less than one-third of what the Secretary of Agriculture of this very administration believed was needed for this vital program at home.

Such a distressing lack of a broad-range research program with respect to a product vital to the United States is in marked contrast to the Eisenhower-Nixon program for the development of forest resources abroad.

I ask unanimous consent that there be printed at this point in my remarks a list of such projects abroad supported under the Eisenhower-Nixon administration's double standard.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

TABLE 8.—*Agriculture and natural resources*

(17) Forestry

Fiscal year 1955

FAR EAST

China: Logging operations improvement	$355,000
Laos: Development of lumber industry	134,000
Philippines: Forest management and forest products laboratory	325,000
Vietnam: Reforestation and erosion control	92,500
Regional: Study of U.S. mechanical extraction of timber by J. O. Egerton, of Malaya	3,160

NEAR EAST, AFRICA, AND SOUTH ASIA

India: Tropical forestry training, Puerto Rico	15,000
Iran: Forestry and conservation	81,238
Jordan: Afforestation and watershed protection	500,000
Lebanon: Range management and forestry	36,000
Liberia: Forest conservation	69,500
Libya: Forestry: Tripolitania	13,875
Cyrenaica	33,905
Pakistan: East Pakistan, forest research laboratory	78,600
Chittagong hill tracts timber extraction	254,660
Turkey: Forest range and watershed management	1,500
Forestry	30,800

OVERSEA TERRITORIES

United Kingdom: Forestry program	63,500

EUROPE

Spain: Organization and methods for the prevention and control of forest fires and forest pests	4,032
Forestry, range management	4,032
Use of mechanical equipment in forestry	4,032
Forest utilization and products	4,032
Yugoslavia: 3d country training, forestry practices and policies	4,800

Fiscal year 1955—Continued

LATIN AMERICA

Chile: Reforestation, soil and water conservation in the area development program (lands and colonization)	$19,500
Colombia: National forestry experiment station	13,378
Costa Rica: Forestry development and conservation	13,881
Guatemala: Tropical forestry training course	629
Haiti: Technical assistance in forestry	8,900
Mexico: Tropical forestry course	2,175
Paraguay: Forestry	14,324
Peru: Agriculture and Natural resources	2,480
Total, 1955	2,184,427

Fiscal year 1956

FAR EAST

China (Taiwan):	
Forestry (JCRR)	63,000
RETSER forestry	60,000
Forest policies and management plans (JCRR)	25,000
Korea: Forestry development	112,000
Laos: Development of lumber industry	200,000
Philippines: Forest management and Forest Products Laboratory	155,000
Vietnam: Reforestation and erosion control	76,130

NEAR EAST AND SOUTH ASIA

Greece: Training in forestry	10,290
Iran: Forestry and conservation	53,068
Jordan:	
Forest management	40,000
Afforestation and watershed protection	37,000
Lebanon: Range management and forestry	17,000
Pakistan: Chittagong Hill tracts timber extraction project	169,630
Turkey: Forestry development	36,650

AFRICA

Liberia: Forest conservation	78,980
Libya:	
Forestry:	
Cyrenaica	145,400
Tripolitania	104,400

EUROPE

Spain:	
Forest utilization and products	3,000
Forestry	24,840
Forestry range management specialists	12,900
Reforestation mechanization specialist	4,000
Yugoslavia: Forestry	27,076

LATIN AMERICA

Chile:	
Chilean-American agreement for a program of silviculture assistance (Corfo)	33,500
Reforestation, soil, and water conservation in the area development program (lands and colonization)	25,000
Do	21,950
Colombia: National forestry experiment station	17,600
Guatemala: 5th international tropical forestry course in Costa Rica	490
Haiti: Technical assistance in forestry	12,851
Paraguay: Forestry	24,812

OVERSEA TERRITORIES

Miscellaneous DOTS: Tropical forestry training in Puerto Rico	5,500
Regional total: Regional forestry specialist (Panama)	15,900
Total, 1956	1,612,967

Fiscal year 1957

FAR EAST

Cambodia: Forest resources development	20,000
China:	
TA Shu Shan logging operations	481,000
Forestry	82,000
Forest policies and management plans	18,000
Forestation and tree gum	40,000
Korea: Forestry development	168,000
Laos: Conservation and development of forest resources	44,000
Philippines: Forest management and forest products laboratory	46,000
Vietnam: Reforestation and erosion control	13,000

NEAR EAST AND SOUTH ASIA

Iran:	
Range and forest management	56,000
Project for contributing to the completion of forest surveys in Iran	151,000
Pakistan:	
East Pakistan Forest Research Laboratory	165,000
Chittagong Hill tracts—Timber extraction project	270,000
Turkey: Forestry development	355,000

AFRICA

Liberia: Forest conservation	59,000
Libya:	
Forestry	23,000
Do	196,000

Fiscal year 1957—Continued

OVERSEAS TERRITORIES

Somalia: Forestry development	$3,000
United Kingdom: U.S. dry-zone silviculturist to Nyasaland	27,000

EUROPE

Spain:	
Forestry demonstrations	41,000
Reforestation mechanization specialists	4,000
Forage and range management demonstration	16,000
Yugoslavia: Forestry	38,000

LATIN AMERICA

Chile:	
Reforestation, soil, and water conservation in the area development program	13,000
Do	22,000
Haiti: Technical advisory assistance to Société Haitiano-Americanne de Developpement Agricole	12,000
Paraguay: Forestry	15,000

OVERSEA TERRITORIES

British Guiana: Preliminary forest survey project	2,000
Total, 1957	2,380,000

Fiscal year 1958

FAR EAST

Burma: Forestry, timber extraction	690,000
Cambodia: Forestry resources development	135,000
China (Taiwan):	
TA Shu Shan logging operations	256,000
Forestry development (JCRR)	81,000
Laos: Conservation and development of forest resources	12,000
Philippines: Forest management (including College of Forestry)	132,000

NEAR EAST AND SOUTH ASIA

Iran: Range and forest management	38,000
Jordan: Afforestation watershed protection	100,000
Pakistan:	
East Pakistan Forest Research Laboratory	41,000
Chittagong Hill tracts, timber extraction	300,000
Turkey: Forestry development	65,000

AFRICA

Liberia: Forest conservation	54,000
Libya: Forestry	335,000

OVERSEA TERRITORIES

Somalia: Forestry	17,000

EUROPE

Spain:	
Forestry demonstrations	46,000
Organization and development of a forestry grazing service	4,000
Yugoslavia: Forestry	55,000

LATIN AMERICA

Chile: Forest development	45,000
Colombia: National forest resource development	45,000
Costa Rica: Forestry	15,000
Haiti: Technical advisory assistance to Societe Haitiano-Americaine de Development Agricole	22,000
Paraguay: Forestry	21,000

OVERSEA TERRITORIES

British Guiana: Check cruise of forest survey in Bartica area	1,000
Total, 1958	2,510,000

Fiscal year 1959

FAR EAST

Cambodia: Forest resources development	80,000
China: Forestry development (JCRR)	79,000
Laos: Conservation and development of forest resources	28,000
Philippines: Forest management	224,000

NEAR EAST AND SOUTH ASIA

Iran: Range and forest management	115,000
Jordan: Afforestation and watershed protection	38,000
Pakistan: East Pakistan Forest Research Laboratory	26,000

AFRICA

Liberia: Forest conservation	230,000
Libya: Forestry	359,000

OVERSEA TERRITORIES

Somalia: Forestry	3,000

EUROPE

Spain: Forestry demonstration	57,000
Yugoslavia: Forestry	192,000

Fiscal year 1959—Continued

LATIN AMERICA

Colombia: Forest resources development	$48,000
Guatemala: Forestry school	21,000
Paraguay: Forestry	6,000
Peru: Forestry resources development program	19,000
Total, 1959	1,525,000
Total foreign aid expenditures on forestry programs, fiscal years 1955 through 1959	10,212,394

Mr. GRUENING. The foregoing, Mr. President, are but a few of the many examples which can be cited of the Eisenhower-Nixon double standard under which needed programs at home are cut back, starved, or "phased out" while similar projects abroad are dealt with with a lavish hand and are accompanied by a strict injunction from the White House that not one penny should be cut by Congress from the funds requested by the administration for those projects in other countries.

The high water mark was reached the other day when the Congress was asked to vote a blank check for $100 million for the foreign aid for Africa and $500 million for South America, with no details being given as to how the funds authorized would be used—despite the fact that Congress had voted a blank check contingency fund for such emergencies, as the distinguished senior Senator from Louisiana [Mr. ELLENDER] pointed out earlier this afternoon.

Mr. President, I predict that when the appropriation bill carrying out this authorization comes before us, we shall find ourselves estopped from setting forth in that bill any guidelines for these programs.

It was most gratifying the other evening when the distinguished junior Senator from Montana [Mr. MANSFIELD] indicated that he would give serious consideration to joining me in insisting that foreign projects meet the same standards as domestic projects. But such standards are not applied in the pending bill to foreign projects—which is why I cannot in good conscience support this foreign-aid program. I am old fashioned or conservative enough to believe that the American people should at the very least have equal treatment from their own Government with the people of foreign countries.

I was pleased, therefore, to note that the bill as reported contains the provision in section 102 that foreign projects "must meet a feasibility ratio of related programs in the United States based on the engineering information available at the time the project is being considered."

I compliment the distinguished senior Senator from Arizona [Mr. HAYDEN], and the other members of his committee on the decision to accept wording so similar to that contained in the House version of the bill.

I have refrained from offering an amendment restoring the House language. I would, however, address this question to the distinguished senior Senator from Arizona: Can he give me any assurance that, in conference, some language along the lines of that contained

in section 102 will be retained, and that the entire concept will not be dropped?

Mr. HAYDEN. The Senator from Alaska can certainly depend on having the Senate conferees do their utmost to have the concept retained, not dropped.

Mr. GRUENING. I certainly hope it will be retained. I also hope very much that the procedure and controls that are applied to domestic programs also will be applied to our foreign-aid programs.

Mr. President, I yield the floor.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 1066. An act to revise the boundaries and change the name of Fort Donelson National Military Park, and for other purposes; and

S. 2806. An act to revise the boundaries of the Coronado National Memorial and to authorize the repair and maintenance of an access road thereto, in the State of Arizona, and for other purposes.

The message also announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 1321. An act to authorize the Attorney General to consent, on behalf of the Library of Congress Trust Fund Board, to a modification of the terms of a trust instrument executed by James B. Wilbur; and

S. 1806. An act to revise title 18, chapter 39, of the United States Code, entitled "Explosives and Combustibles."

The message further announced that the House had agreed to the amendment of the Senate to the bill (H.R. 5054) to amend the Tariff Act of 1930 with respect to the marketing of imported articles and containers.

The message also announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H.R. 2339. An act to revise, codify, and enact into law title 39 of the United States Code, entitled "The Postal Service"; and

H.R. 5789. An act to incorporate the Agricultural Hall of Fame.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2669) to extend the period of exemption from inspection under the provisions of section 4426 of the Revised Statutes granted certain small vessels carrying freight to and from places on the inland waters of southeastern Alaska.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10455) to amend the Mineral Leasing Act of February 25, 1920.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11666) making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1961, and for other purposes, and that the House receded from its disagreement to the amendment of the Senate numbered 22 to the bill, and concurred therein.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 12580) to extend and improve coverage under the Federal old-age, survivors, and disability insurance system and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such system; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; and for other purposes; agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. FORAND, Mr. KING of California, Mr. O'BRIEN of Illinois, Mr. MASON, Mr. BYRNES of Wisconsin, and Mr. BAKER were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 1464. An act for the relief of Dr. Josephine L. Go and Dr. Welles P. Go;

H.R. 8166. An act for the relief of the Crum-McKinnon Building Company, Billings, Mont.;

H.R. 8885. An act for the relief of William L. Berryman;

H.R. 9041. An act for the relief of Joseph Starker;

H.R. 9523. An act to simplify the payment of certain miscellaneous judgments and the payment of certain compromise settlements;

H.R. 9732. An act to authorize the Secretary of Agriculture to convey certain property in the State of California to the county of Trinity;

H.R. 10154. An act to validate a certain conveyance of land in Riverside County, Calif., made on September 28, 1885, by the Southern Pacific Railroad Co., and others;

H.R. 10627. An act for the relief of Louis Lewis;

H.R. 11136. An act for the relief of the Princess Anne County School Board, Virginia.

H.R. 11200. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof;

H.R. 11380. An act for the relief of Mr. Joe J. Farmer;

H.R. 11531. An act to amend the act entitled "An act authorizing the Postmaster General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty," approved March 17, 1882, as amended, and for other purposes;

H.R. 11560. An act for the relief of Eugene C. Harter;

H.R. 11561. An act to authorize and direct the Secretary of the Army to convey part of lock and dam No. 10, Kentucky River, Madison County, Ky., to the Pioneer National Monument Association for use as part of a historic site;

H.R. 11757. An act for the relief of Mary A. Combs;

H.R. 11897. An act to amend section 1073 of title 18, United States Code, the Fugitive Felon Act;

H.R. 11957. An act to facilitate the selection by Alaska, pursuant to the act of July 7, 1958, of certain public lands under outstanding mineral lease or permit;

H.R. 12043. An act to amend sections 22, 23, and 24, title 13, United States Code, and for other purposes;

H.R. 12079. An act for the relief of Essie V. Johnson;

H.R. 12100. An act for the relief of William C. Winter, Jr., lieutenant colonel, U.S. Air Force (Medical Corps);

H.R. 12336. An act to amend section 507 of the Classification Act of 1949, as amended with respect to the preservation of basic compensation in downgrading actions;

H.R. 12458. An act to increase the amount authorized to be appropriated for the work of the President's Committee on Employment of the Physically Handicapped;

H.R. 12539. An act to implement section 4 of the act approved December 22, 1944 (Public No. 534, 78th Cong.), as amended;

H.R. 12566. An act to amend section 4004 of title 38, United States Code, to require that the Board of Veterans' Appeals render findings of fact and conclusions of law in the opinions setting forth its decisions on appeals;

H.R. 12663. An act to preserve the rates of basic salary of postal field service employees in certain cases involving reductions in salary standing, and for other purposes;

H.R. 12849. An act to protect farm and ranch operators making certain land use changes under the Great Plains conservation program and the soil bank program against loss of cropland acreage and acreage allotments; and

H.J. Res. 713. Joint resolution to authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds and other wildlife, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 5789) to incorporate the Agricultural Hall of Fame, and it was signed by the President pro tempore.

HOUSE BILLS AND JOINT RESOLUTION REFERRED OR PLACED ON CALENDAR

The following bills and joint resolution were severally read twice by their titles and referred or placed on the calendar, as indicated:

H.R. 1464. An act for the relief of Dr. Josephine L. Go and Dr. Welles P. Go;

H.R. 8166. An act for the relief of the Crum-McKinnon Building Co., Billings, Mont.;

H.R. 8885. An act for the relief of William L. Berryman;

H.R. 9041. An act for the relief of Joseph Starker;

H.R. 9523. An act to simplify the payment of certain miscellaneous judgments and the payment of certain compromise settlements;

H.R. 10627. An act for the relief of Louis Lewis;

H.R. 11136. An act for the relief of the Princess Anne County School Board, Virginia;

H.R. 11380. An act for the relief of Mr. Joe J. Farmer;

H.R. 11560. An act for the relief of Eugene C. Harter;

H.R. 11757. An act for the relief of Mary A. Combs;

H.R. 11897. An act to amend section 1073 of title 18, United States Code, the Fugitive Felon Act;

H.R. 12079. An act for the relief of Essie V. Johnson; and

H.R. 12100. An act for the relief of William C. Winter, Jr., lieutenant colonel, U.S. Air Force (Medical Corps); to the Committee on the Judiciary.

H.R. 9732. An act to authorize the Secretary of Agriculture to convey certain property in the State of California to the county of Trinity; and

H.J. Res. 713. Joint resolution to authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds and other wildlife, and for other purposes; to the Committee on Agriculture and Forestry.

H.R. 10154. An act to validate a certain conveyance of land in Riverside County, Calif., made on September 28, 1885, by the Southern Pacific Railroad Co. and others;

H.R. 11200. An act to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof; and

H.R. 11957. An act to facilitate the selection by Alaska, pursuant to the act of July 7, 1958, of certain public lands under outstanding mineral lease or permit; to the Committee on Interior and Insular Affairs.

H.R. 11531. An act to amend the act entitled "An act authorizing the Postmaster General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty," approved March 17, 1882, as amended, and for other purposes;

H.R. 12043. An act to amend sections 22, 23, and 24, title 13, United States Code, and for other purposes;

H.R. 12336. An act to amend section 507 of the Classification Act of 1949, as amended with respect to the preservation of basic compensation in downgrading actions; and

H.R. 12663. An act to preserve the rates of basic salary of postal field service employees in certain cases involving reductions in salary standing, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11561. An act to authorize and direct the Secretary of the Army to convey part of lock and dam numbered 10, Kentucky River, Madison County, Ky., to the Pioneer National Monument Association for use as part of a historic site; placed on the calendar.

H.R. 12566. An act to amend section 4004 of title 38, United States Code, to require that the Board of Veterans' Appeals render findings of fact and conclusions of law in the opinion setting forth its decisions on appeals; to the Committee on Finance.

MODIFICATION OF TRUST INSTRUMENT EXECUTED BY JAMES B. WILBUR

Mr. AIKEN. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to Senate bill 1321.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1321) to authorize the Attorney General to consent, on behalf of the Library of Congress Trust Fund Board, to a modification of the terms of a trust instrument executed by James B. Wilbur, which were, on page 3, line 2, after "the", where it appears the second time, insert "United States and the", and on page 3, line 4, after "of", where it appears the first time, insert "The United States and."

Mr. AIKEN. Mr. President, this is a bill relating to a trust fund of the University of Vermont. I have discussed the matter with the majority leader and the minority leader. The House amendments are simply clarifying amendments.

I move that the Senate concur in the House amendments.

The amendments were agreed to.

MUTUAL SECURITY AND RELATED AGENCIES APPROPRIATIONS, 1961

The Senate resumed the consideration of the bill (H.R. 12619) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

Mr. DWORSHAK. Mr. President——

The PRESIDING OFFICER. How much time does the Senator from Idaho yield to himself?

Mr. DWORSHAK. Mr. President, acting under the authority of the minority leader, I yield to myself such time as I may require. I do not expect to use more than 30 minutes.

The PRESIDING OFFICER. The Senator from Idaho may proceed.

Mr. DWORSHAK. Mr. President, as we proceed to deal with the very important subject of our program of aid to other countries, I believe it important to stress the point that, in my opinion, although excessive sums have been requested by the administration and have been appropriated, no aspect of partisanship has been involved in the program.

I emphasize that before the executive branch can spend any funds for this program, those appropriations must have been voted by the Congress. So it is obvious that whatever may be the faults or the limitations of this foreign aid program, and however excessive may have been the appropriations made for it, certainly the program is bipartisan, because it has been continued for many years only because the executive branch and an overwhelming majority of the Members of Congress have been in accord with the basic principles, which were outlined more than a decade ago when the Marshall plan was first initiated.

I wish to emphasize that point, Mr. President, because I am somewhat hesitant to oppose the administration's program. Although I am very sympathetic as regards the needs of other countries which are real friends of ours, I cannot agree with the objective of this administration and its philosophy that by spending more and more billions of dollars, we shall win new friends everywhere and thereby generate more interest among the free nations in resisting aggression by Soviet nations.

Mr. President, I, too, wish to commend the distinguished senior Senator from Louisiana [Mr. ELLENDER] for his courageous efforts during the past several years to clarify the entire issue of foreign aid spending by our country. I believe he has been broadminded in his approach to this issue, because he, too, realizes that although the executive branch spends the money for the program, the Congress itself makes the appropriations for it.

The Senator from Louisiana and I have served on the Appropriations Committee for a number of years; and during that service we have heard much testimony—although too much of it has been classified—dealing with our foreign aid operations, and also our relations with NATO. Likewise, the Senator from Louisiana and I have had the privilege of serving on the Appropriations Committee's Subcommittee on Appropriations for the Department of Defense, in connection with the defense budget, which this year amounts to approximately $41 billion.

MODERNIZATION IS EXPENSIVE

Mr. President, I wish that all Members of the Senate could serve on the Appropriation Committee's subcommittee which handles the budget for the Department of Defense, for then every Senator would realize that in the transition to the atomic era and the missile age, we are constantly faced with the necessity of modernizing our Armed Forces.

In that respect there has been criticism in recent months by certain Members of this body because allegedly the Appropriations Committee did not recommend the appropriation of adequate funds to take care of modernizing and accelerating the missile program.

Mr. President, if we are getting the results we are entitled to get from the $41 million we are spending on our defense program, certainly that sum is an adequate one. But, more important than that, we cannot justify spending billions of dollars to modernize the defense forces of our allies, particularly those in NATO. When we are facing the very sinister challenge which comes from behind the Iron Curtain, obviously we should endeavor to inspire our allies in NATO to make greater contributions to providing adequate manpower and financial support with which to implement the military program and the shield that NATO is presumed to be, in opposing the Soviet menace.

WARNING OF FINANCIAL CRISIS

Mr. President, just a year ago I made some remarks on the floor of the Senate, trying to forewarn Congress of the possibility that our rapidly dwindling supply of gold might create an emergency situation which could overnight become very acute, and subject this country to difficult problems and the possible loss of confidence and respect on the part of our allies.

A year ago in that speech I said I wanted to emphasize to the American people "that the security of their currency is being jeopardized by complacency in the handling of our gold reserves by the U.S. Treasury and indifference by Congress." I also pointed out that I thought Congress had a joint responsibility in meeting this challenge to preserve the solvency of our financial structure.

The record shows that in the intervening year this situation has not improved. In reality, it has worsened materially,

because gold is going out of this country in the last three or four months at a more rapid rate than in the previous year.

Mr. President, it is heartening to note that some publications of nationwide circulation are endeavoring to sound an alert and a warning to the American people that we cannot be indifferent to these trends without courting disaster.

I wonder how long we shall continue to be complacent, thereby actually encouraging these trends which will lead to utter financial destruction.

The U.S. News & World Report of August 15, 1960, calls graphic attention to a further deterioration in the gold situation since I made my statement.

It notes a decline of $3.7 billion during the 31 months ending July 31, 1960, to a total of $19.2 billion gold on hand July 31.

Possible claims of foreign individuals and governments were reported increased by $3.6 billion, during the same period, to a total of $18.5 billion.

On July 31, 1960, U.S. gold, free of foreign claims, was reported as $700 million, or $300 million less than $1 billion.

On February 6, 1960, Senator ROBERTSON, chairman of the Senate Committee on Banking and Currency, directed this question, among many others to William McC. Martin, Jr., Chairman of the Federal Reserve System Board of Governors:

What is the total amount of gold required for the backing of our currency?

To which Mr. Martin replied as follows:

Twelve thousand one hundred and eighty-two million dollars (December 31, 1959; equal to 25 percent of Federal Reserve notes and deposit liabilities plus $187 million reserve against U.S. notes, Treasury notes of 1890, and pre-1933 issues of gold certificates).

So today, while we have virtually only one-half billion dollars of gold in our reserves against which there are no foreign commitments or obligations, the Chairman of the Federal Reserve Board admits that, under the law, there should be $12 billion worth of gold to back up our Federal Reserve notes. I wonder if we can justify this kind of financial manipulation?

DEMAND FOR GOLD INCREASES

I also want to refer to some comments appearing in the August 15 issue of U.S. News & World Report, based on statistics furnished by the U.S. Treasury and the Federal Reserve Board. In this article, which is headed, "Gold Flowing Out Again—What It Means," the publication says the following:

There's a new drain on U.S. supplies of gold. Reserves are at a 20-year low. Why?

Demand for gold by foreigners has picked up. Some are moving funds out of low-yielding U.S. Treasury bills into foreign securities paying higher interest.

Is this a threat to the dollar? U.S. officials say there's no cause for alarm at the moment.

This is an introduction to a very informative article, telling the readers of the U.S. News & World Report, and Americans throughout our country, the grave implications and the possible impact unless we can terminate, or minimize materially, the constant drain on our gold reserves.

The same publication on August 15 refers to some pertinent facts. I quote them:

Since the beginning of 1958:

U.S. gold reserve has shrunk by $3.7 billion.

Gold on hand January 1, 1958: $22.9 billion.

Gold on hand, July 31, 1960: $19.2 billion.

Possible foreign claims against U.S. gold have increased by $3.6 billion.

Foreign claims January 1, 1958: $14.9 billion.

Foreign claims July 31, 1960: $18.5 billion.

Gold left over, free of foreign claims, has diminished by $7.3 billion.

Free gold January 1, 1958: $8 billion.

Free gold July 31, 1960: $.7 billion.

But United States must have on hand now, as backing for money, $11.9 billion in gold.

Thus, if all claims were presented for payment in gold, United States would not have enough gold to go around and still maintain the reserve required by law against currency and deposits.

Actually, it is highly unlikely that all these claims would be presented for gold. Nearly half of all the claims are privately held, and these would be paid in gold only if turned in through foreign central banks.

Still, with possible claims continuing to rise, and the gold outflow now taking another spurt, the trend is becoming a matter of official concern.

Mr. President, I should like to refer to another excerpt of that article, calling attention to the long-range outlook, as follows:

While U.S. Government officials and private bankers are not unduly disturbed by the recent rise in claims against U.S. gold, they are concerned about the longer term outlook for the U.S. economy—and the stability of the U.S. dollar—if this country continues to run a trade deficit year after year, or if future administrations resort to deficit financing on a large scale.

From Chairman John J. McCloy of Chase Manhattan Bank comes this comment:

"The plain fact is that a balance-of-payments deficit of $3 to $4 billion yearly is too much. It increases the claims against the United States at too rapid a rate, and it causes our creditors justifiably to take a close look at how we are managing things."

Mr. President, it seems to me the American people should give heed to this information. I recognize that usually Americans are long suffering and patient about financial matters; but it seems to me the trend in the past 2 or 3 years has pointed in the direction of undermining the financial stability of our country. What kind of challenge do we need? Do we need a financial debacle or upheaval, or some recession or depression, to awaken the American people to a full realization that we must stop this trend whereby we are constantly losing our gold reserves, so that within a year we may have no gold reserves remaining in this country for payment of foreign claims?

Mr. President, only a few weeks ago in the Appropriations Committee hearing with respect to the supplemental appropriation bill and the bill currently before the Senate we heard testimony from the Honorable C. Douglas Dillon, Under Secretary of the Department of State.

I ask unanimous consent at this point to have the questions and answers printed as a part of my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

MUTUAL SECURITY AND RELATED AGENCIES APPROPRIATION BILL, 1961—ADDITIONAL SUPPLEMENTAL APPROPRIATIONS, 1961—WEDNESDAY, AUGUST 17, 1960, U.S. SENATE, COMMITTEE ON APPROPRIATIONS, WASHINGTON, D.C.

STATEMENT OF HON. C. DOUGLAS DILLON, UNDER SECRETARY

Chairman HAYDEN. The committee will be in order. This morning we hear the Under Secretary of State and associates on the need for $1,042,000 to finance the State Department's portion of the President's export expansion program.

Senator DWORSHAK. Mr. Secretary, I recall that 2 years ago our balance of payment was unfavorable to the extent of about $4 billion.

I think a year ago about almost $3 billion.

What do you anticipate it will be this year?

Mr. DILLON. Two years ago it was about $3.4 billion. It went up last year to the highest amount, which was $3.7 billion, nearer $4 billion.

My own anticipation, personal anticipation, which is about the same as the report of the Committee for National Trade Policy, which makes these reports every 6 months, is that it will probably be in the neighborhood of $2½ billion at the end of the year.

Senator DWORSHAK. That is still an alarming deficit.

Mr. DILLON. I would agree, yes; it is higher than we can maintain.

It is not as alarming as the other figures. The trend is in the right direction. It has to go lower.

Senator DWORSHAK. You, of course, have been reading in the past few weeks as the rest of us have, that our gold reserves have dwindled to about one-half billion dollars and if the payment of credits held abroad were demanded in gold dollars, we would be virtually bankrupted as far as our gold reserves are concerned. How long are we going to continue to do this without facing a more serious situation which will obviously result in losing the respect and the confidence of our allies?

Mr. DILLON. We certainly are working very hard and have to work harder to improve that situation. That was the basic point of this export program that we are asking your assistance on.

Senator DWORSHAK. I thought that was one of the reasons, but it seems to me you are coming about 2 years too late for this request.

Mr. DILLON. That may be.

Senator DWORSHAK. Have you not had representatives abroad in the last 2 or 3 years that have been acquainted with this downgrade of the U.S. position?

Mr. DILLON. With no increase in funds we have more than doubled the number of officers in the State Department who were working on this type of thing abroad.

The thing that has happened relatively recently to make this a much more profitable opportunity is that it was only during the course of calendar year 1959 and the early part of this year that there were these substantial eliminations of quotas in the discriminations which prevented our goods in large measure from moving abroad.

That opened up the possibility for very substantial activity and beginning last fall we decided this should be our major effort.

Now, we want to present a well-thought-out program to the Congress, not something half baked, and that took a little time.

The export-study groups met. The basic report was completed in February. The President's message went up in March. We are still here for the appropriation.

Senator DWORSHAK. Next month you are going to initiate your meetings at Geneva under GATT supervision. What has GATT done in the last 4 or 5 years to help out the United States?

We have been making concessions which have been virtually a one-way street. If we had been gaining any real advantage comparable to the other countries with whom we have been dealing tradewise, then we would not be in this serious dilemma, would we?

Mr. DILLON. GATT has been very helpful in getting these discriminations removed. At their last session in Tokyo the GATT adopted a very strong resolution saying there was no longer reason, balance-of-payment reasons for maintaining these discriminations and they should be promptly eliminated.

They have been one of the, if not the, major means through which we have had our success in getting these dollar restrictions removed. So they have helped us.

Senator DWORSHAK. They have not been very successful or we would not be minus gold today. I do not think you justify success on these programs when we have been losing out constantly. The record shows we have not been making progress.

Mr. DILLON. I can claim that very easily, Senator. The record shows that during the first 6 months of this year that our exports increased by between $2½ and $2 billion over the year before.

Large parts of that were in specific commodities such as cotton when there was a special reason. But in addition there were very large increases in consumer products to Europe and to Japan which were the types of products against which there were discriminations before.

By getting discriminations removed, exports have already begun to move and we hope they will move much more rapidly by a program such as this.

Senator DWORSHAK. I hope that you will reverse the loss of gold which has been plaguing us for a couple of years because we cannot stand much more with only a half billion dollars remaining.

UNFAVORABLE PAYMENT BALANCE

Mr. DWORSHAK. Mr. President, I wish to emphasize that when I called the attention of Under Secretary Dillon to what I consider to be a real menace to our security, he said:

Two years ago (our unfavorable payment balance) was about $3.4 billion. It went up last year to the highest amount, which was $3.7 billion, nearer $4 billion.

The Secretary said:

My own anticipation, personal anticipation, which is about the same as the report of the Committee for National Trade Policy, which makes these reports every 6 months, is that it will probably be in the neighborhood of $2½ billion at the end of the year.

Mr. President, we have an official admission by the Under Secretary of State that we have had for several years an unfavorable balance of payments. This comes about not necessarily because we have greater imports than exports, but because we are exporting our gold dollars under the foreign aid program.

We are getting rid of these dollars for programs which could not be justified on the basis of their merit.

It is somewhat encouraging, Mr. President, to know that officials in the Department of State and in the Department of the Treasury are cognizant of these trends. These officials recognize something must be done to reverse the trends, but unfortunately nothing—or very little—has been done during the past 2 or 3 years to correct this situation.

PSYCHOLOGY CREATES HAZARD

Mr. President, I realize the psychological situation we face throughout the world today. We have observed the failure of the summit conference, the uprisings in Latin America and in Asia, and the very serious and tragic situation in Africa. There probably is some justification for the claim which is made by members of the Appropriations Committee that it would cause unnecessary fear and apprehension if we were to make a reduction in the amounts available for foreign aid at this time—that we would discourage our allies and create the erroneous concept that possibly we are backing away from our financial responsibilities.

Mr. President, in this regard I wish to emphasize that if we are to make a success of NATO and of our alliances with the free nations in other sections of the globe, I contend there should be a diminution of the responsibilities placed upon the United States, because we are rapidly dissipating our financial resources. If our allies are in complete agreement with our objective—that we must do something to strengthen the free world—obviously, in view of the fact that their economies have greatly progressed since the end of World War II, we should be able to get a greater degree of participation on the part of those countries.

Mr. President, only recently we authorized the participation of the United States in the Inter-American Development Bank. Within the past few days we authorized the participation by our Government in conferences in Latin America to give assurances that we are willing to obligate the United States for another program—although we already have the Export-Import Bank, the Development Loan Fund under the ICA, and the Inter-American Development Bank—a new program which has been characterized by some of my colleagues as a new Marshall plan for Latin America.

Mr. President, if we are to be realistic we ought to recognize that more harm can be done by assuming responsibilities and financial burdens beyond our capabilities than if we were to try to convince our allies today that we are limited in what we can do in an era when we have many domestic problems to solve at home.

UNITED STATES ASSUMES TOO MANY BURDENS

I believe it is necessary to continue the leadership of the United States among the nations of the free world, but at the same time I contend we should not willingly assume burdens beyond our capacity to fulfill. I think we are moving entirely too fast, and that although we have motivations which are inspired by the friendship we have for free countries everywhere and for the Latin American countries in particular, we should not wait until our gold reserves have been completely dissipated, and then face the very acute and urgent financial situation which inevitably would weaken our capabilities for leadership in the free world.

Mr. President, in conclusion, I wish to emphasize that for several years there has been an agitation on the part of some Members of Congress and of Americans who are alerted to these trends affecting our gold reserves that we ought to have a reappraisal of our foreign aid program. I emphasize that this is not a partisan issue. A Republican executive department and a Democratic legislative branch jointly are responsible for directing programs like this and for expending the billions of dollars required to implement such programs everywhere in the world.

Mr. President, I believe the Senate is not measuring up to its full responsibilities when it does not direct the appropriate committee of the Senate to undertake a full survey and study of the various problems involved in regard to the foreign aid program, and to give consideration also to the new responsibilities which we are willing to assume in Latin America.

CHALLENGE TO ALL AMERICANS

Mr. President, unless the American people realize the serious predicament facing our Nation today, where will the responsibility rest if we have a serious financial crackup in this country within the next few years? I say this is a challenge which every American ought to face, whether he is a Member of Congress or is serving in some other walk of life. It is also a real challenge for our allies, wherever they may be dispersed throughout the globe, for they must realize that if we fail at home in a domestic way, as we face these problems in our financial program, then certainly greater responsibilities will devolve overnight upon our allies.

It would be most tragic if we were to face a situation which would justify the forecasts made many years ago by Soviet leaders, that Russia would not necessarily have to resort to military aggression to subdue the United States, but would merely have to encourage us to follow the path of financial irresponsibility, because by doing so our country would be destroyed sooner than it would be by becoming embroiled in military warfare.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield 5 minutes to the Senator from Mississippi.

Mr. STENNIS. My remarks on the bill will be brief. I have no extended argument to make. In fact, I have no argument at all to make. However, I do wish to point out that I voted for the authorization of one item contained in the bill which was adopted by the Senate only a few days ago. I refer to page 5 of the present bill, beginning on line 7, marked "Contingencies."

The amendment increased the President's special authority and contingency fund from $150 million to $250 million.

The chief justification for that item, before the Appropriations Committee had to do with the problem of the Congo in Africa, and particularly the furnishing of funds for the emergency program that is in effect there now. The funds would be used to evacuate those who are victims of assault, unrest, and the semi-civil war that has been going on there in various phases for the past several weeks.

Having voted for the authorization that is now contained in the bill, I emphasize that I favor that part of the appropriation, largely on the ground that it was an emergency and the activities are being carried on through the United Nations.

I do not think we have been presented with any facts or any plan which justify our going into another major phase of the so-called mutual security program or foreign aid program for this area. I do not wish this part of the appropriation bill to be pointed to later as a precedent. For that reason I thought some special remarks representing that point of view on this particular item should be made now.

I am informed that within the last few weeks, following attacks, assaults, and atrocities not fully publicized, more than 9,000 people have been flown out of that area and that many thousands of tons of equipment of various kinds have been brought out with our cargo planes. I am very glad indeed that we have been able to furnish support, and even more than our fair share of the funds to provide that program.

My concern is that many nations which are being created there are becoming independent nations, with all the rights and privileges of sovereignty, and yet at the same time they are unable to support an economy. They are unable to support a government. They are unable to take their places in the field of diplomacy and world affairs. They are unable to carry on or even to preserve order within their own governments.

I do not point out this development to the discredit of those nations, but I point it out as one of the gravest situations in the world. A sound program or policy in that area will require more than mere sympathy. Of course, all of us extend our sympathy.

I have been surprised, in viewing the grave consequences, that since 1950 so many nations have been recognized as sovereign nations and have been given membership in the United Nations. Certainly I would favor the giving of membership in the United Nations to any nation that is capable of maintaining an economy and a stable government.

In Africa alone, the following nations have gained independence and membership in the United Nations since 1950:

Libya (1951): U.N. Member since 1955.
Sudan (1956): U.N. Member since 1956.
Morocco (1956): U.N. Member since 1956.
Tunisia (1956): U.N. Member since 1956.
Ghana (1957): U.N. Member since 1957.
Guinea (1958): U.N. Member since 1958.

I also have a list of African countries that have gained their independence during the past year or expect to gain it during this calendar year. They are Nigeria, Somalia, Cameroon, Togoland, and, of course, the Congo.

Moving toward independence now are several more. They are Sierra Leone, the Federation of Rhodesia, and another; numerous others have achieved autonomy within the French community.

The point I raise is that, without the proper preparation and showing that such nations can support themselves, or even that they can keep order, we are permitting those nations to be created and then elevating them to positions of power and responsibility, without any measure of the consequences should they fail, and without any plan of proper assistance or support if and when they should fail or need support.

Fortunately we do have a United Nations and we do have a plan that can operate in a crisis. But I believe that we are sowing seeds in that continent that will plague us and haunt us in the future, and will cause the most serious consequences in world affairs.

These problems cannot be solved merely by pouring money into that area of the world, as we may be asked to do. They cannot be solved by merely building transportation systems, other public service units or public service avenues. Those countries cannot be built into nations merely by spending great sums of money for material or internal improvements.

To be able to live in the family of nations they must know something of the lessons of austerity, personal sacrifice, and self-government. I believe we are rushing by a great number of red lights—ignoring the warning of history. Instead of improving the circumstances of people in that area and strengthening the position of the West in world affairs, we are going so fast, without heeding the warnings of history, that we might create far more problems than we have a chance to solve.

These problems will not go away. They will continue, and instead of becoming less they will multiply and fester, unless we solve the basic problems.

I hope we will be able to formulate plans and thinking in advance, before we take a part in creating these new nations and giving them responsibilities which they cannot carry, and admit them as full-fledged nations in the family of nations, before they can carry their burdens.

I am entirely willing, when they show their capacity and their economy and their strength, to have them take their places in world affairs. It is very distinctly my impression that they are traveling in the opposite direction.

I do not know what study is being made by the Department of State or by the Western World or by the United Nations. Certainly someone has been asleep at the switch, and did not anticipate the natural reaction of a great many of these people. The conditions have been growing not only steadily worse but rapidly worse. I hope that the small amount which is contained in the bill will be sufficient to meet some of the emergencies. I hope it will not be interpreted as the forerunner or the initial payment or the beginning of a vast economic program of so-called relief, which I do not believe will have a chance to do any good until some of these fundamental questions have been solved.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks an article entitled "Eight African States Backed for U.N.," written by Lindesay Parrott and published in the New York Times of Wednesday, August 24, 1960.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EIGHT AFRICAN STATES BACKED FOR U.N.—SECURITY COUNCIL FAVORS THEM WITHOUT OPPOSITION—ASSEMBLY WILL ACT

(By Lindesay Parrott)

UNITED NATIONS, N.Y., August 23.—The Security Council voted today to admit eight new African states to membership in the United Nations.

The 11-nation body did so without opposition. The new countries, all of them former French colonies in central and northwest Africa, will be seated in the world organization after the General Assembly approves them, probably in September or October.

The Council acted after Armand Bérard of France had taken the members through a personally conducted tour of the new territories.

Generally, he pictured them as peace-loving states that could support themselves with natural resources ranging from diamonds to coffee and that were able and willing to fulfill their duties under the United Nations Charter.

UNDUE AID NOT EXPECTED

The French representative stressed that the new countries could support themselves without seeking emergency aid from the United Nations or elsewhere.

Many smaller states admitted to the United Nations or seeking to be admitted, will need some form of immediate economic help.

Generally, the French Ambassador drew a picture of the new African countries as little states that had been slowly brought from tribal rule to domestic autonomy and independence.

They had adopted such modern appurtenances, he said, as woman suffrage and the right to strike and had acquired roads, railroads, airstrips, hydroelectric power, and new breeds of crops and livestock.

ADMISSION ASSURED

No question existed here tonight that the new members of the French community would be granted admission to the United Nations. Just how the new members would vote or where they would fall in line, however, seemed to be another matter.

The admission by the Assembly of the newly proposed 8 states will raise the membership of the United Nations to 96. The Council already has recommended Cameroon, Togo, Mali, Malagasi, Somalia, and the Congo (formerly Belgian).

The states approved today were Dahomey, Chad, Niger, Upper Volta, Ivory Coast, the Congo Republic, Cabon, and the Central African Republic.

M. Bérard, told the Council the total area of these states covered at least a seventh of the total area of Africa. All, he asserted, are "truly democratic" as a result of efforts by France to educate native leaders.

Only three members of the new states listened to M. Bérard endorse them. Others still were in Africa or in Paris discussing

their future roles in the French community that has supplanted the former African empire.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HAYDEN. I yield 1 more minute to the Senator from Mississippi.

Mr. GRUENING. I find myself in full accord with the sentiments expressed by the Senator from Mississippi. I ask him whether he does not think, in view of the increased urgency with which we are asked by this Administration to appropriate money for foreign aid that Congress has not exercised the responsibility which it has, namely, to inspect the programs before approval of the appropriations and to collaborate with the executive department in checking the programs, in the same way that we do with respect to domestic programs.

If the Forest Service wished to build a cabin in Mississippi, the Senator knows that that project would have to run the gamut of authorization and appropriation by the appropriate committees of both the House and the Senate, before it would be approved by both Houses of Congress. There is no such control in connection with appropriations for foreign projects.

I should like to ask the Senator whether he does not believe the time has come when Congress should exercise greater control with respect to these foreign aid expenditures than it has in the past.

Mr. STENNIS. The Senator is correct. The Senator from Mississippi made that point before the Committee on Appropriations, that there is a lack of surveillance in the executive branch of the government and also in the legislative branch of the government. It is something that we fail to carry out.

Mr. GRUENING. I hope the Senator will continue to press for such action.

Mr. STENNIS. I thank the Senator.

Mr. HAYDEN. Mr. President, I yield 1 additional minute to the Senator from Mississippi.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. ROBERTSON. I commend our distinguished colleague from Mississippi for the statement he has made on the problems which face us, especially in Africa, as these new nations are suddenly brought into being and made members of the General Assembly of the United Nations, with an equal vote in the Assembly, and as those votes affect our destiny and the destiny of the world.

Certainly I shared his belief when I voted with him the other day to authorize $100 million of contingency money, providing that not one dollar of it will go directly into the Congo, but is to be at the disposal of the President.

The Senator will recall that when the Senator from Arkansas [Mr. FULBRIGHT] presented the bill, he made it very clear that it was not a specific appropriation for the Congo, but was to meet what could develop into a very serious international problem unless the United Nations was willing to cooperate. I associate myself with the splendid statement of the Senator from Mississippi.

Mr. STENNIS. I thank the Senator.

VISIT TO THE SENATE BY VIETNAMESE PARLIAMENTARIANS

Mr. AIKEN. Mr. President, I ask unanimous consent that the Senator from Montana may be permitted to present to the Senate our distinguished visitors from Vietnam, without the time being charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, it is my privilege to present to the Senate a most distinguished group of parliamentarians. They come from a republic which a few years ago did not exist. They are representatives of a people with a long and brilliant history but who were, I regret to say, little known to us scarcely a decade ago.

That has changed, Mr. President. Within the past few years, the Republic of Vietnam has not only come into existence as a free nation but its progress as a free nation has caught the attention of the world and won for it a widespread and most deserved admiration.

The people of Vietnam are known to us now as friends and associates in the common cause of freedom. Through the mutual security program we have contributed to their efforts to build a strong and responsible nation. It has been a helpful association over the years and the people of Vietnam, under their oustanding President, Mr. Ngo Dien Diem, have achieved a great deal in the realm of defense, economic stability and the growth of responsible political institutions.

Having had the good fortune to be an early American observer of the founding of this new nation, having watched its rapid growth with great interest through the years, I take special pleasure in presenting to the Senate at this time these distinguished members of its parliament, these most welcome guests.

The leader of the delegation is Mr. Truong Vinh Le. He is a member of the Personalist Community, and President of the National Assembly of Vietnam. His office is the equivalent of our Speaker of the House and President pro tempore of the Senate.

Mrs. Nguyen Thi Xuan Lan, a member of the Foreign Affairs Committee. I understand that her name means Spring Orchid.

Mrs. Phan Thi Nguyet Minh is a member of the Foreign Affairs Committee. I understand that her name means Moon Light.

Mr. Co Van Hai, Chairman of the Agriculture Committee of the National Assembly, President of the Socialist Alliance, and Secretary General of the Vietnam Socialist Party.

Mr. Pham Duy Lan, Deputy Secretary General of the National Assembly and First Vice President of the Socialist Alliance. He is also a member of the Constitutional Committee.

Dr. Tran Sy Don is a member of the Cultural, Educational, and Youth Committee of the National Assembly, and is a former Chairman of the Defense Committee.

Mr. President, I want our guests to know that we are highly honored and deeply privileged to have this opportunity to greet them as colleagues.

[Applause, Senators rising.]

Mr. AIKEN. Mr. President, as a member of the minority party of the Senate, I wish to join our majority colleague, Senator MANSFIELD, in extending greetings to our distinguished visitors from Vietnam. We are very glad that they can be with us today, and we are very proud of our cooperation with that great country.

It is significant that this young nation of Vietnam should be represented here today by young people. We hope that as they grow older their nation will also grow stronger and more prosperous. The Senator from Montana has made reference to his visit with President Ngo Dien Diem. I had the privilege of accompanying the Senator from Montana on that visit to the President of Vietnam, about 2 years ago. I was very much impressed with what was being done to strengthen and improve the economy of the country of Vietnam.

It gives me great pleasure to join in welcoming these representatives of Vietnam today.

Mr. HUMPHREY. Mr. President, I join with the distinguished Senator from Montana [Mr. MANSFIELD] and the distinguished Senator from Vermont [Mr. AIKEN] in expressing a very warm and cordial welcome to these fine, distinguished representatives of the free country of Vietnam. It is reassuring to us to have them here. It brings a note of happiness and joy to realize that the representatives of this fine free country in Southeast Asia should be with us in the Chamber of the U.S. Senate today.

I feel that the comments which have been made about the purpose and the vitality of this nation, the youthfulness of its spirit, and its most recent experience in self-government, as well, are expressions which are well taken. There is no doubt in my mind that in Vietnam we have one of the stanch allies in the cause of freedom. We surely want to welcome to the United States the representatives of the parliamentary structure of a free government in a free country.

Mr. DODD. Mr. President, I wish to join with the able acting majority leader and other Senators in welcoming this distinguished delegation from Vietnam.

It is a genuine personal pleasure for me, because to my very pleasant surprise I discovered an old friend, Mrs. Phan Thi Nguyet Minh, or Pauline Tho, as she is known to her friends, who is a member of this delegation and is a member of the National Assembly of Vietnam. Pauline Tho lived among us in my State of Connecticut, where she was a student at Yale with her wonderful husband.

Pauline Tho is a great woman and a dear friend and a real fighter for freedom.

It is good to have these grand people with us. They are our friends. They are building a splendid country.

Again I say that I am happy to join with all the Senators in extending to them a most hearty welcome.

Mr. SPARKMAN. Mr. President, during this brief interlude, I should like to join with other Senators in expressing a welcome to these distinguished visitors from the national legislative body of Vietnam.

As has been so well said, free Vietnam represents one of the most recent experiences in free government. We all know how well the people of Vietnam have discharged the responsibilities of free government.

There is something else for us to keep in mind as these distinguished parliamentarians are among us today, and that is that free Vietnam constitutes, one might say, the keystone in the structure of Southeast Asia, an area which has been so greatly threatened by the onrush of communism over the past years. We know how well the Vietnamese have built their Government against the threat of communism. They have built institutions of government. They have reestablished and built their economy. They have taken care of a million refugees escaping from the Communist system of government in North Vietnam. How well they have done all that, we know. What a wonderful testimonial it is to that free government that they are holding a responsible, bulwark position in Southeast Asia.

It is a great day for us to have this delegation visit us. I believe it is the first parliamentary delegation which has come to visit us from this great little nation. I join with all other Senators in extending to them a hearty welcome.

MUTUAL SECURITY AND RELATED AGENCIES APPROPRIATIONS, 1961

The Senate resumed the consideration of the bill (H.R. 12619) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

Mr. HUMPHREY. Mr. President, would the distinguished Senator from Vermont be willing to yield to me 15 minutes on the bill?

Mr. AIKEN. I yield up to 15 minutes to the distinguished Senator from Minnesota.

Mr. HUMPHREY. I thank the Senator from Vermont.

Mr. President, I commend the Committee on Appropriations and its chairman, the distinguished senior Senator from Arizona [Mr. HAYDEN], for their judicious and statesmanlike consideration of the mutual security bill. The committee has done the Nation a great service by restoring a substantial percentage of the nonmilitary cuts made by the House. The headlines of the last several weeks underscore all the more severely the necessity of a substantial mutual security program.

Mr. President, I shall comment briefly on some specific items in the committee report.

The Mutual Security Authorization Act provides authority for the use of $10,000 for a study on the advisability and practicality of a point 4 youth corps. The House prohibited the use of any funds for this purpose, but the committee has very wisely deleted the House prohibition.

The point 4 youth corps is along the lines of my own peace corps bill, and I am a vigorous supporter of the study which the committee report calls for. The plan envisions the use of some of our most skilled and dedicated young people to serve overseas, as an alternative to the draft, on development projects. This would be a people-to-people program in the finest sense of the word, and it deserves serious study. I hope that our conferees will insist on the Senate Appropriations Committee action on this matter.

THE AMERICAN RESEARCH HOSPITAL FOR CHILDREN IN POLAND

I turn to page 7 of Senate Report No. 1849. I commend the members of the Committee on Appropriations for the excellent statement which they have presented there.

Not only did they wisely recommend $1.5 million to be used to purchase foreign currencies for the proposed American research hospital for children in Poland, but they recommended that "$100,000 of the foreign currencies be made available for an immediate start on engineering and preparatory work and that the remaining $1,400,000 should be made available to the project during the fiscal year 1961 under an agreement between the International Cooperation Administration and the Committee for the American Research Hospital for Children in Poland."

Mr. President, I have long been interested in this hospital as a demonstration of the true meaning and true purpose of the United States in its foreign policy. I have sometimes reminded Senators that when the Russians occupied Poland, they set up, as a reminder of their occupation, a grotesque, ugly statue of Josef Stalin, which is to be found in Warsaw.

We Americans are contemplating the establishment of a splendid research hospital for children's diseases at the University of Krakow, in Krakow, Poland. Krakow is one of the great universities of Europe.

I believe these two tangible symbols of the respective countries indicate the difference between totalitarianism and freedom. The totalitarian from Moscow placed in Warsaw an ugly statue of Joseph Stalin. The freedom-loving heart of the United States of America makes available to the people of Europe, of the world, and, in particular, of the children of Poland, a wonderful medical research establishment at one of the great cultural institutions of the world, the University of Krakow.

"GREEN LIGHT" NEEDED

This is a most welcome "green light" for this great project.

Full speed ahead is necessary, because only thereby can we be assured of the hospital's availability in time for the celebration of the 600th anniversary of the University of Krakow in 1964.

The hospital in Krakow will be a great asset to the children of the world, not just the war-ravaged children of heroic Poland, but children of all lands who will benefit from its research.

And so, it is my earnest hope that the Senate-House conference committee in its report will reiterate the language of Senate Report No. 1849. To do less would, I believe, be really to weaken the purposes and the objectives of American policy.

BACKGROUND OF THE ZABLOCKI-HUMPHREY AMENDMENT

I may say that it has been my privilege since the inception of this concept to help advance it.

It will be recalled that this hospital is to be constructed under what has come to be known as the Zablocki-Humphrey amendment to the mutual security law of 1959.

Under that amendment and subsequent appropriations a sum of up to $10 million in foreign currencies was authorized to be made available for assistance for American-sponsored hospitals abroad, with $50,000 equivalent having been made available for planning purposes for this specific center.

Thus we turn the surplus of our agriculture into medical research, into university training, into public health for people all over the world. We have sold it to Poland for Polish currency, and a small portion of that currency now is being made available for a great hospital in that country.

PLAQUE TODAY FROM PULASKI FOUNDATION

On this very day it is my pleasure to receive from the Pulaski Foundation a plaque for this effort—an honor which has already been well conferred upon my able colleague of the House Committee on Foreign Affairs, Representative CLEMENT ZABLOCKI.

I wish to congratulate the members of the Appropriations Committee, and particularly the distinguished senior Senator from Louisiana [Mr. ELLENDER], for his interest in this hospital. Let me also express my gratitude for the support which has been given the project by my colleague on the Subcommittee on Reorganization of International Organizations, the distinguished Senator from Maine [Mr. MUSKIE], who at this time occupies the chair and is presiding over the Senate.

I acknowledge our sincere appreciation of the very valuable contributions made by these distinguished Senators and by many others.

I particularly want to commend the Appropriations Committee for granting the full $700 million request for the Development Loan Fund, which is $150,000 over the House amount. The Development Loan Fund, as all of us know, is to provide capital for long-term economic growth in the less-developed countries. The reasons for granting the full amount requested are even more pressing now than they were when the budget estimate was drawn up.

Further congratulations are due to the members of the committee for reporting the full requests of $12 million for the United Nations Children's Fund, for the United Nations Expanded Program of

Technical Assistance, for recommending $2.5 million for the American University at Beirut, Lebanon, and for deleting some of the restrictions put in by the House of Representatives.

In some instances, I do not think the committee went far enough. Referring now to pages 17 and 18 of Senate Report 1849, I regret that the committee cut $12.5 million from the Special Assistance Fund, $3.3 million from the Intergovernmental Committee for European Migration, $200,000 from the program of the United Nations High Commissioner for Refugees, $150,000 from the escapee program, $2 million from the United Nations Relief and Works Agency, $600,000 from the NATO science program, $1.9 million from the atoms for peace program, and $25 million from the President's special authority and contingency fund.

All these are urgently needed, vital, necessary programs; and I remind my colleagues that the next administration, whether it be Democratic or Republican, will have to start its operations with the funds that we appropriate here today. Furthermore, we have no way of knowing how much greater the needs may be 6 months from now.

I am aware that some of my colleagues would like to get out of the so-called aid business; but, realistically speaking, that is not possible. Furthermore, I suggest that we stop talking about foreign aid, and start talking about mutual security, for that is just what this program is.

We are concerned here with matters relating to our own best interest; and we are not talking primarily about aid to foreigners. We are considering the matter of security for ourselves; not giving money away, but gaining the defensive strength necessary for the preservation of peace; not offering one-way help, but the mutual efforts of free nations to promote economic progress, to further their joint welfare and to win the worldwide war against disease, famine, poverty, ignorance, and unemployment.

Before concluding, Mr. President, I want to urge that the next administration give more thought to long-term planning. We know that within the administration, the influence of the Bureau of the Budget in determining foreign policy through budgetary control is proportionate to the relative strengths of the Treasury Department and the Department of State, and that during the present administration the strength of the Treasury Department has increased steadily to a position of acknowledged dominance. The end result is that the sum made available for mutual security is determined more on the basis of what is estimated will be available than on what is known to be needed.

In view of the importance of the program, this can well be viewed as too haphazard a procedure. The business of mutual security is important enough to justify a businesslike approach to it, and this means, first of all, a careful scrutiny of the cost factor on a long-term basis.

This can be determined only by a series of thorough, competent economic and technical feasibility surveys, the aim of which is to assess the totality of what is needed by our partner nations in financial, commodity, and technical assistance. The United Nations Special Fund can be of help in better planning.

A promising, though admittedly all too small, start has recently been made in this direction in the form of a survey of India and Pakistan, initiated at the suggestion of the Congress, and completed in the early months of this year.

Assisted by a staff of trained economists, a review was made of the present and proposed 5-year plans of India and Pakistan, evaluating them from the standpoint of the realism of their proposed goals, the accuracy of their figures, the reasonableness of the share of the economy devoted to military needs, the relationship of past economic performance to the possibility of realizing projected future growth, and the magnitude of the margin of safety proposed as a protection against droughts or floods which might jeopardize national food production. They predicted what was required by way of investment to produce a projected rate of growth; they listed available domestic resources, and calculated the amount of external financing required to achieve the desired rate of economic growth.

Many nations have announced 5-year plans for economic development. As with India and Pakistan, some of them reflect a high degree of economic maturity, but others represent little better than educated guesses or the sum total of things hoped for. It would be a mistake to take all of them at face value.

Consequently, the excellent, though belated, start made in the Indo-Pakistan international survey needs to be followed up with the remaining nations. We in the free world must have a complete and careful analysis of the expected costs of the job to be done if there is to be any reasonable answer to the problems arising from the revolution of rising expectations now sweeping the hitherto underdeveloped world.

Surveys as to cost factors must be followed by intelligent planning as to the most effective use of the available domestic and external resources, planning which requires full understanding between the nations being assisted and those doing the assisting.

Furthermore, Mr. President, we must plan in conjunction with our allies. I hope that one of the changes in the next few years will be that of multilateral development projects. It is highly important that we encourage our more wealthy friends to contribute much more toward the emerging areas, and, also, that we encourage economic confederations of new nations, when such confederations make economic sense.

I conclude by again emphasizing the need for more long-term planning, and the necessity of the multilateral approach to technical assistance and economic aid in the coming years.

FARM CREDIT

Mr. HUMPHREY. Mr. President, one of the pressing needs of modern-day agriculture is the expansion and improvement of the farm-credit facilities. The next Congress should place at the top of the legislative priority list emergency credit assistance or a complete review and modernization of the farm credit structure.

The urgency of this matter has been pointed out in a recent letter that I received from Mr. Ed Christianson, president of the Minnesota Farmers Union. I ask unanimous consent that this letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MINNESOTA FARMERS UNION,
St. Paul, Minn., August 16, 1960.

Hon. HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HUMPHREY: The provision of emergency credit assistance to tide farmers over until next year should be included in any farm action taken by the Congress.

The most recent report of U.S. Department of Commerce Survey of Current Business reports that total farm debt in 1959 was $11.4 billion for operating credit and $12.4 billion for farm real estate loans, a total of $23.8 billion.

This is some $400 million greater than the debt load a year earlier and constitutes an all-time high.

The 1959 figures compare with a total farm mortgage debt of $7.2 billion in 1952 and farm operating loans of $8 billion. In each instance, the farm debt load has increased more than 50 percent in the past 7 years.

The rapid increase in farm debt in recent years shows the extent to which farmers have gone into debt to stay in business.

Credit is being substituted for farm purchasing power to an alarming degree, a situation which will surely lead to disaster if there is not an early improvement in the farm price and income picture.

Therefore, provision for adequate credit at reasonable rates is an essential part of any program to bring about recovery in agriculture. This would help tide farmers over until a new administration and a new Congress can act early next year to improve farm prices and income.

There is before the Senate a House bill, H.R. 11761, which consolidates various farm credit laws. It might be fruitful if you would examine the possibility of amending this bill in the Senate to provide some emergency credit provisions. This would be economic emergency rather than natural disaster emergency loans.

Some of the points we have in mind are a directive to FHA to make available to any farmer, loans for production purposes, if the farmer cannot obtain such loans elsewhere at 5 percent interest or less.

Provide for spreading of repayment period on loans over 2 or 3 years for 1961 production loan and for present loans needing to be refinanced.

Provide for unsecured emergency production loans—3 percent—through FHA when the farm plant has the potential, but is already loaded with mortgage debt.

Provide for a debt adjustment program under FHA, making it possible for a farmer to consolidate his debt under a single payment program.

Provide ample funds for FHA to service this "economic emergency."

I believe the real crisis this fall will be the need for farmers to consolidate their debt, at reasonable interest rates, so that they can pay it off over a longer period of time.

I will be seeing you at Des Moines on Sunday.

Personal regards,

EDWIN CHRISTIANSON,
President.

CULTURAL EXCHANGE

Mr. HUMPHREY. Mr. President, Blanche Thebom, the great operatic singer, has written for the New York Times one of the most intelligent discussions of our cultural exchange program that I have read. I wish to quote one brief passage:

The program has cost the Government little more than $2 million a year and has given value in helping keep the peace far more effectively than, say, an atomic submarine costing many times more. Nevertheless, it is not the kind of coordinated intelligence and long-range planning that is needed.

Mr. President, I ask unanimous consent that the article entitled "Improving Cultural Exchange," published in the New York Times of June 26, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IMPROVING CULTURAL EXCHANGE

(By Blanche Thebom)

The State Department's cultural exchange program is of great importance, being able at the least, to counterbalance negative attitudes to us, and at the most, to create positive ones. But like most things that grow, not from farseeing plans, but in response to the pressures of the moment, it has some imperfections and has not always realized its full potential.

What are these imperfections and how can they be remedied? The answer lies in the matter of budget and in the matter of our press. The ANTA part of the program has for the last 5 years cost the Government little more than $2 million a year, and has given value in helping keep the peace far more effectively than, say, an atomic submarine costing many times more. Nevertheless, it is not a budget that allows the kind of coordinated intelligence and long-range planning that is needed.

CRITICISM

I have heard criticism in the "field" about ANTA's planning, saying that the ticket prices are too high for the man in the street, who is the one we want to reach; that the majority of the attractions perform only in the capitals and larger cities, and that the individual artists or groups have too little time to spend informally in the important person-to-person contacts that are equal in value to the actual performances.

All these shortcomings are well known to the officials of ANTA, who are aware of the crippling handicaps of the unrealistic budget with which they must operate on a worldwide scale.

Tickets to Soviet touring good will attractions can be given to labor unions, to students, or to whatever other groups seem strategically important to the Soviet Ministry of Culture at a given moment and place, because its budget is unlimited. But when American attractions tour, their fees must be defrayed, at least in part, through the sale of tickets by the local impresario who presents them, and in many cases he must even raise his customary price scale.

Let us now briefly consider the other area that could enhance its effectiveness, the press. To the more sensationally oriented segment of our press, the quiet and efficient functioning of the American artists under the ANTA program throughout the world does not constitute news. The fact that I had been robbed in Taipei, Taiwan, during 1959 appearances in the Far East was carried in detail in every paper in this country. But very little appeared anywhere about the actual concerts or the popular reaction to them.

How much more valuable it would have been for our people to have been informed of those aspects of good will tours—of barriers broken down, of broken lines of contact mended, of warmth and respect created where only distrust and disregard existed before.

On my recent Rumanian trip I was invited to visit the Ministry of Fine Arts and Culture to discuss the possibilities and advisability of beginning a cultural exchange program with us.

It was embarrassing to have to admit that because we do not have a Department of Fine Arts, certain things possible for them are impossible for us. Since the U.S. Government does not pay the bill for the opera companies existing in this country, it is impossible to notify any of them that they must furnish a certain exchange artist with a specified number of performances of a particular role within a prescribed time.

INDIVIDUAL WILLINGNESS

Similarly, we have no control over orchestra soloists and must depend on the willingness and enterprise of our individual managers to engage these foreign artists and to secure representative performances for them. I can understand that such a way of doing things must seem a willy-nilly business to people from organized countries such as those in the Soviet bloc.

In the light of what I have learned during these years, I wish I had a magic lamp to grant me certain wishes. I would wish for the establishment of a Department of Fine Arts in our Government. I would wish for a realistic and long-range budget to expand the effectiveness of our cultural program abroad. Lastly, I would wish for a greater understanding from our press of its responsibility to inform Americans generally of our Nation's cultural achievements.

Mr. HUMPHREY. Mr. President, I thank the Senator from Vermont for his courtesy in yielding this time to me.

MUTUAL SECURITY AND RELATED AGENCIES APPROPRIATIONS, 1961

The Senate resumed the consideration of the bill (H.R. 12619) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

Mr. LAUSCHE. Mr. President——

Mr. COOPER. I yield 5 minutes to the Senator from Ohio [Mr. LAUSCHE].

The PRESIDING OFFICER. The Senator from Ohio is recognized for 5 minutes.

Mr. LAUSCHE. Mr. President, this afternoon, Senators have debated at various times the $100 million increase in the President's contingency fund intended to be used with the United Nations in dealing with the Congo problem. I concur in the expressed view that this increase should not be interpreted as the establishment of a definite policy that we intend to continue this type of grant in seeking the solution of the many problems which may arise in Africa. I cannot subscribe to any yielding by our country to Lumumba, after his threats to the effect that if our country did not conform to his wishes, he would turn to an alliance with Soviet Russia. I think it would be dishonorable and contrary to good policy for us to yield to any intimidation attempts of that type. But that is what he said. If the $100 million increase in the President's contingency fund were interpreted as being the congressional response to that threat—in other words, if other nations believed that, following that threat, we hastened to provide from our Treasury the $100 million in an attempt to solve the problem within the Congo—certainly we would merely be giving encouragement to other nations to make such threats when similar conditions existed. Such a threat was made by Castro.

I believe the time has come when, in self-defense and in the interest of the preservation of our own honor, we cannot take action of this sort under such shotgun circumstances.

Seventeen nations are coming into existence in Africa. When this subject was discussed in the Foreign Relations Committee, I stated that in my opinion we should review the future prospects. I do not think we should approach these problems on an ad hoc, separate basis, and thus attempt to deal with each problem as it is presented to us.

How many similar situations are likely to arise in Africa? How many new nations have been created where the portents are that the people are not ripe for independence and that, by the creation of those independent nations, we create circumstances under which a vacuum is likely to occur?

It was for that reason that I suggested to the Foreign Relations Committee we ought to make a study of the prospective problems that will arise in Africa. Then, on the basis of an appraisal of all that is in prospect, we should formulate a long-range program.

The Senator from Minnesota made mention of that need, and I think it is indispensable. We cannot be running all over Africa under circumstances such as exist in the Congo, and try to deal with it solely on an ad hoc basis, a separate basis, without considering the entire context of problems that will confront us.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. HUMPHREY. I wanted the Senator to yield only for one purpose. I merely wish to say I fully subscribe to the general thought the Senator from Ohio is expressing. I happen to believe we are constantly rushing to the Treasury to find ways and means of trying to correct matters that are not going to be properly corrected just by another check or another cash contribution. The necessity for long-term, carefully designed plans cannot be overestimated; and I believe this is true not only in Africa, but, may I say, in Latin America. I am going to be very watchful when the appropriation comes up on the Latin American authorization, because there is not enough money in the United States of America to take care of the needs of all the people in the world, and, surely, the only way that money can be used properly is by careful and prudent planning and with the comprehensive thought that is required.

Mr. LAUSCHE. I now want to devote a brief period to the psychology of the practice which has rather widely developed of individual countries saying to

our country, "You will bow to our wishes, or we will go to the Communists for an alliance." I submit that, psychologically, we cannot allow the world to believe that such efforts will precipitate us into obedience of the demands made upon our country.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. May I have 5 more minutes?

Mr. COOPER. I yield 5 minutes to the distinguished Senator from Ohio.

Mr. LAUSCHE. If an individual comes to me and, legitimately, says, "I am your friend. I have been your friend. I need help. Please give it to me," that is one thing. But if an individual comes to me and says, "I have to decide whether I am going to be your friend or the friend of X. X is your enemy. I am going to X unless you give me this help," I would have doubt about the intellectual and moral integrity of anyone who made a request of me in that way.

I need not remind the President that those situations are arising entirely too frequently. I have practically reached the state of mind that, when a situation of that type arises, I feel it would be better, at the very beginning, to say, "Under the gun, I will do nothing. Go wherever you please."

I should like to direct my attention for a moment to South America. The argument was made on the floor of the Senate, and it has been rather generally repeated, that we have done nothing for South America. Last Wednesday I placed in the RECORD a tabulation of figures which showed that under the mutual security program, under the program authorized by Public Law 480, under the export-import long-term loan program, and under miscellaneous U.S. economic programs, we have provided for the nations of South America $3,971 million since 1946.

In addition to that amount, the World Bank has loaned to South American nations $1 billion. We are participants, in the amount of 32 percent, in the capital structure of the World Bank.

I am not arguing that we have dealt adequately with South America on the basis of the mutual security program, but it ought to be made clear to the South Americans that we have provided practically $4 billion of aid.

It has been suggested that $600 million be made available for the South American program. I have no quarrel with it, except that we ought to make certain that any major part of the money will be loaned rather than given. We have sadly learned that gifts do not bring friendship. Frequently, when those gifts are discontinued, they bring antipathy to the benefactor, rather than friendship.

One further thought as to whether we should continue giving financial aid to countries with Communist governments. The Senator from Minnesota, a moment ago, made a statement with respect to aid we will give to Poland. On that score, I think we ought to take a look at this proposition: Aid to people within nations having unwanted Communist governments should be distinguished from aid for the perpetuation of those governments themselves. I could not help feeling distressed and aggrieved when I read in the paper of the development in the United Nations when the question came up about having an impartial investigation of the plane incident in the northerly part of the Soviet, in which our Government asserted that Soviet planes had forced our plane over Soviet territory and then brought it down.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. Will the Senator yield me 3 more minutes?

Mr. COOPER. I yield 3 more minutes to the Senator from Ohio.

Mr. LAUSCHE. The Polish representative at the United Nations voted against our Government and with the Soviets. I have no doubt that many citizens, when they read about that account, said to themselves, "We are giving financial aid to the Polish Government, yet its representative votes against us in the United Nations on a subject which is of great significance."

Were the Soviets telling the truth? Was the United States telling the truth? The limited investigation disclosed that we were in the right and the Soviets were in the wrong, but when the time came to authorize an impartial investigation the Polish representative turned his back on the United States in favor of Communist Russia.

We have given about $1½ billion worth of aid to Yugoslavia.

From my standpoint, Mr. President, I am prepared to give aid to the Polish people. The Polish people are freedom-loving people. They believe in the Lord. They do not believe in atheistic communism. They wish to be on our side. When we give aid to Poland, I am in favor of it upon the basis that the aid will go to the Polish people and not to the Polish Government. My belief is that the Polish people understand the aid, and they know we are not giving it to perpetuate Gomulka and his philosophy.

In conclusion, Mr. President, I favor the bill, but I think the Committee on Foreign Relations will have to take a look at the entire African problem. We must take a severe and careful look at this program of aiding the Communist countries.

I thank the Senator from Kentucky very much for granting me this time.

Mr. COOPER. Mr. President, I yield 10 minutes to the senior Senator from New York [Mr. JAVITS].

The PRESIDING OFFICER. The Senator from New York is recognized for 10 minutes.

INVESTMENT INCENTIVE FUND PROGRAM

Mr. JAVITS. Mr. President, I wish to address myself to two matters with respect to the pending bill. First, I wish to discuss what is called the investment incentive fund program.

Mr. President, this program would set up an agency of the ICA engaged in stimulating, encouraging, and finding opportunities for private investment in the less developed areas of the free world which we are aiding under our program. I have been constantly connected with the development of this idea and its expansion, because it is one of the most constructive and effective ways by which we can help the less developed areas. It represents permanent participation in their economies in a very constructive way in most cases, as well as an opportunity for training of the people, who can then develop their own economies based upon this example.

In addition, this program represents an opportunity for our friends to observe how, in our country, private enterprise contributes to the general welfare. It is, therefore, an object lesson in what we consider in this country to be a very important element of our freedom. That does not mean every country's social system has to follow ours or that private enterprise is the only way in which things can be done, but it means insofar as we can we shall not only help but we shall try to teach as well, in terms of the techniques which have been highly developed in this country.

It was therefore with very great distress, Mr. President, that I noticed the House of Representatives had put language in the bill stating that "None of the funds herein appropriated shall be used to finance any of the activities under the investment incentive fund program."

Let us remember that we cannot possibly give enough aid in terms of public funds to bring along less developed areas to the satisfactory stage of development at which they will be induced to feel that their best bet for the future is with the free world. In order to do this we must have private investment.

For example, our whole economic aid program is about $2 billion a year. The net private investment of the United States now—and it should be materially increased—is $3¾ billion a year. This is magnified all over the world. There must be encouragement of private enterprise in terms of overseas private investment. That includes the foundations, the nonprofit organizations, the colleges, the universities, and the religious organizations. All of this is absolutely indispensable.

Indeed, public investment is only the prelude, the way in which facilities are created. This is the climate. There are roads, ports, and sanitation facilities developed in order to attract private investment.

I was very glad to observe, and I compliment the committee upon, the fact that the committee has stricken out the restriction, which I think was very much against our interests. Now the bill will go to conference. I hope very much the Senate committee will stand by its guns and will not yield on this proposition of a very small sum—$2 million, which is actually involved, though not recited in the bill—for the investment incentive fund program.

Mr. President, to bear out the efficacy of this program and to give some examples as to exactly what the program would do, in the specific countries it would reach, I ask unanimous consent to have a memorandum which I have prepared on that score, referring to activities in Thailand, Taiwan, India, and Ecuador, printed in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

INVESTMENT INCENTIVE PROGRAM

THE HOUSE BILL

Section 110 of the House bill provides that "none of the funds herein appropriated shall be used to finance any of the activities under the investment incentive fund program."

EXECUTIVE BRANCH POSITION

The executive branch opposes the House provision.

Within the appropriation requested for special assistance, the sum of $2 million has been planned for the investment incentive program. This program is designed to stimulate local private enterprise in underdeveloped areas and to encourage private investment, domestic and foreign, in those areas. It consists of furnishing expert advice, surveys, and the like, not of providing capital for investment. It is conducted on a selective basis in particular countries or for specific projects where such assistance can be most effective. The program includes such activities as:

1. Advisory assistance in the establishment and operation of development banks which specialize in providing loan capital to new and expanding local private enterprise, especially small business to which international capital cannot readily be attracted.

2. Conducting surveys to assist interested countries in attracting private investment by identifying obstacles to such investment which can be removed, ascertaining the most promising fields for investment, and in some instances doing the more detailed technical and economic analyses necessary to show preliminarily the feasibility of investment in a particular field or industry, such as chemicals or aluminum.

3. Assisting in the establishment of investment centers to which local entrepreneurs can turn for expert technical help in planning and developing new or expanded business projects to the point where they are economically sound and can attract equity and loan capital.

A list of some of the activities undertaken under this program during the year is attached.

The investment incentive program is a direct outgrowth of the so-called Straus study conducted in 1958 pursuant to the specific directive of Congress enacted in section 413(c) of the Mutual Security Act. It is one of the means by which effect is given to the congressional declaration of policy in section 413 of the Mutual Security Act, headed "Encouragement of Free Enterprise and Private Participation."

Activities of the type covered by the investment incentive program have been conducted as part of the regular country programs of assistance from the earliest days of mutual security. The program itself, initiated a year ago, involves setting aside a sum, outside the amounts programed as part of the regular country programs, to be used to expand and reinforce such activities.

Section 110 of the House bill would, as the executive branch construes it, preclude the use of this special program technique as a means of expanding and emphasizing projects and activities of the type described above designed to stimulate and encourage private enterprise and investment abroad. As pointed out above, such activities also have been and are being conducted as part of the regular country programs of assistance (e.g., technical cooperation or special assistance) in the same way as are projects and activities in other fields such as agriculture or education. The executive branch does not construe the language of section 110 to affect such projects and activities programed and carried out as part of regular country programs.

But section 110, if enacted, would prevent setting aside an amount ($2 million has been planned for fiscal year 1961) to be used to take advantage of emerging opportunities to conduct additional and intensified activities of this type. The executive branch believes that activities of the type described above to encourage private enterprise and investment deserve the special emphasis represented by the investment incentive program, and that this technique of earmarking an amount to expand and emphasize such activities is a sound one. It, therefore, opposes the prohibition in section 110 of the House bill.

REPRESENTATIVE ACTIVITIES OF INVESTMENT INCENTIVE PROGRAM DURING FISCAL YEAR 1960

Thailand

Under the investment incentive program, ICA financed an investment survey team of American businessmen which prepared recommendations on measures needed and feasible to expand local enterprise and foreign investment in Thailand. ICA also is financing the services of several experienced American banking experts who are furnishing advice to a new private Thai development bank established to make loans to local small business. Technical guidance is being provided for the establishment of an investment center in Bangkok to furnish special technical assistance to potential small-scale investors and to serve as a collection point and clearinghouse for economic and technical data of interest to persons considering going into private business or investing in Thailand.

Taiwan

ICA is financing advisory assistance in the organization of an investment center to aid in the preinvestment technical and economic analysis necessary to ready a project for financing, with a particular view to developing privately sponsored small and medium-sized enterprises which might qualify for loans from the new Taiwan development bank.

India

Under the investment incentive program, advisory assistance is being provided in the organization and initial operation of an investment center to carry on systematic professional efforts, in India and in the major capital markets of the world, to attract new private investment to India.

Ecuador

An ICA-financed team of American industry experts has completed a study of the feasibility of establishing a basic chemicals industry in Ecuador. A project agreement has been signed for the furnishing of advisory assistance in the establishment of an investment center in Quito, similar to those described above in Taiwan and India, for surveying specific private industrial investment opportunities and for preparing prospectuses to facilitate the transfer of certain government-owned plants to private ownership.

THE PROBLEM OF DICTATORS

Mr. JAVITS. Mr. President, I wish to speak also upon the subject of what we shall do about dictators, especially dictators in the Western Hemisphere, but dictators whatever may be their coloration—black or white, brown or red.

Two amendments have now been written into the bill. One of them proposes, with respect to the Castro regime in Cuba, to bar from our aid program any nation directly or indirectly giving or loaning military or economic aid to the Castro regime.

Then, on the other side of the medal, there is an amendment which proposes we shall not give any aid to any nation which is supplying arms, munitions, or instruments of war to any country being subjected to economic and diplomatic sanctions by the Organization of American States. Specifically, since August 20, that means the Dominican Republic.

Mr. President, I think both of these provisions demonstrate a totally new position which our country has assumed, which will now be reflected in our law and certainly in our policy, of which we should be apprised as a part of the debate with respect to the bill.

We are no longer, obviously, engaged in "gunboat" diplomacy, which for years was our method in Latin America, very unhappily. We are not even engaged in the "good neighbor" policy any more, Mr. President, which in a sense implied a great, big, generous, powerful neighbor to the north being a "good neighbor" to younger brothers to the south.

Mr. President, today we are in a complete partnership. The United States, notwithstanding the enormous irritations to which it has been subjected and the enormous dangers inherent in the problems of Cuba and the Dominican Republic, has not moved without the concord of the other American States. We are in a new era, an era of regional partnership. This is the policy of the United States now with respect to Latin America, a great and a good policy.

Mr. President, this is the only even-handed way with which to deal with dictators. Certainly we have had strange contradictions in our policy. On the one hand we have dealt with Trujillo, and on the other hand we have condemned Communist dictators. The way in which to reconcile that and accord it with the national interest is to let the democratic consciences of all the nations in a region decide how a dictator is to be dealt with. The conscience of the Organization of American States has now decided in the case of the Dominican Republic, and will decide tomorrow or the next day in the case of Cuba.

Exactly as we have done in the United Nations, we should be one of the parties making the decision, but we should also be the greatest champion of the decision, the most willing to defend it with our enormous resources after it is made.

Mr. President, to bear out the fact that this idea is winning more friends among the Latin American nations, this morning's news gives us words uttered by the Foreign Minister of Colombia, Senor Turbay, of the most eloquent kind.

That is the most eloquent confirmation that at last our people are on the right road; that is the way to preserve the Monroe Doctrine. I know of few things that the President has done which have made a greater impact upon the people than his absolute determined stand on that issue. The way to do it is in partnership with the American Republics. This is what Senor Turbay said about Cuba:

> In the opinion of Colombia, no nation in this hemisphere needs the political or military help of an extracontinental power in order to protect its independence and its sovereignty.

And then to fully confirm the validity of our new policy—and I call it a new policy advisedly—in Latin America, Senor Turbay went on to say:

If the present conflict were between the Government of Cuba and that of the United States there would be occasion for some popular sectors to express their enthusiasm for the leader of the Cuban revolution.

But in a conflict between America and Russia, or in other words between democracy and communism, we do not believe that the American nations have the right to be neutral.

This is a historic turn in the relations of our country with the nations of Latin America.

I hope the American people will hear this well and will not be swept away by the idea that we, the most powerful nation on earth, can tell everybody how to run things, and will rely upon the fact that just as we depend upon a majority here—win, lose, or draw—we fight, but when the decision is made, we all loyally support it. So we must all do the same in the regional organizations to which we adhere, of which the shining example is now the Organization of American States.

This is the true basis of American policy in the decade of the 1960's. I am very glad that Senor Turbay, in this most eloquent way, has confirmed it for all of us from a nation with the long-standing democratic traditions of Colombia.

I thank my colleague for yielding the time.

Mr. COOPER. Mr. President, I yield back the remainder of the time on this side.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time, and I ask for the yeas and nays on passage of the bill.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SYMINGTON (when his name was called). On this vote I have a pair with the senior Senator from South Carolina [Mr. JOHNSTON]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], and the Senator from South Carolina [Mr. JOHNSTON] are absent on official business.

I also announce that the Senator from Missouri [Mr. HENNINGS] is absent because of illness.

I further announce that the Senator from Pennsylvania [Mr. CLARK] and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Pennsylvania [Mr. CLARK], the Senator from Missouri [Mr. HENNINGS], and the Senator from Texas [Mr. YARBOROUGH] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. MARTIN] is absent by leave of the Senate on official business.

The result was announced—yeas 67, nays 26, as follows:

[No. 310]

YEAS—67

Aiken	Engle	McNamara
Allott	Fong	Magnuson
Anderson	Fulbright	Mansfield
Bartlett	Gore	Monroney
Beall	Green	Morse
Bennett	Hart	Morton
Bridges	Hartke	Moss
Burdick	Hayden	Mundt
Bush	Hickenlooper	Murray
Butler	Holland	Muskie
Byrd, W. Va.	Humphrey	O'Mahoney
Cannon	Jackson	Pastore
Capehart	Javits	Prouty
Carlson	Johnson, Tex.	Proxmire
Carroll	Keating	Randolph
Case, N.J.	Kefauver	Saltonstall
Case, S. Dak.	Kennedy	Scott
Church	Kuchel	Smith
Cooper	Lausche	Wiley
Cotton	Long, Hawaii	Williams, N.J.
Dirksen	Lusk	Young, Ohio
Dodd	McCarthy	
Douglas	McGee	

NAYS—26

Bible	Gruening	Schoeppel
Byrd, Va.	Hill	Smathers
Curtis	Hruska	Sparkman
Dworshak	Jordan	Stennis
Eastland	Kerr	Talmadge
Ellender	Long, La.	Thurmond
Ervin	McClellan	Williams, Del.
Frear	Robertson	Young, N. Dak.
Goldwater	Russell	

NOT VOTING—7

Chavez	Johnston, S.C.	Symington
Clark	Martin	Yarborough
Hennings		

So the bill (H.R. 12619) was passed.

Mr. DIRKSEN. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HAYDEN. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. MUSKIE in the chair) appointed Mr. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. HOLLAND, Mr. STENNIS, Mr. BRIDGES, Mr. SALTONSTALL, and Mrs. SMITH, conferees on the part of the Senate.

REVISION OF BOUNDARIES OF CORONADO NATIONAL MEMORIAL

The PRESIDING OFFICER (Mr. MUSKIE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2806) to revise the boundaries of the Coronado National Memorial and to authorize the repair and maintenance of an access road thereto, in the State of Arizona, and for other purposes, which was, to strike out all after the enacting clause and insert:

That, in furtherance of the purposes of the Act of August 18, 1941 (55 Stat. 630), as amended, and to facilitate the administration and development of the Coronado National Memorial, Arizona, the boundaries thereof are hereby revised by the following additions and deletions of land:

(1) Inclusion in the memorial and exclusion from the Coronado National Forest of lots 2 and 7 and a portion of Homestead Entry Survey 310 situated in section 18, township 24 south, range 21 east, Gila and Salt River base and meridian, said portion of Homestead Entry Survey 310 being more particularly described as follows: Beginning at the southwest corner (identified as corner number 1), of Homestead Entry Survey 310, said point being located on the present boundary of Coronado National Memorial and marked by an iron pipe with a brass cap and a rock cairn placed by the United States Bureau of Land Management in 1955; thence north zero degrees thirty-three minutes west, one thousand two hundred ninety-four and twenty-six hundredths feet, more or less, along the west boundary of said tract, which line is also the present boundary of said memorial, to the northeast corner of lot 8, section 18, said point being marked by an iron pipe with a brass cap and a rock cairn placed by the United States Bureau of Land Management in 1955; thence north zero degrees twenty-three minutes east, two hundred thirty and eight-tenths feet, more or less, along the west boundary of Homestead Entry Survey 310 to a point on a circular curve marked by an iron pipe with a National Park Service brass cap, said point being located south eighty-one degrees forty-four minutes east, exactly one hundred forty feet from the point of curvature of said curve; thence southeasterly five hundred forty-eight and two-tenths feet along said circular curve to the right of radius one thousand seven hundred thirty-two and four-tenths feet and having a beginning tangent bearing of south eighty-four degrees three minutes east (from point of curvature to point of intersection), to the point of tangency of said curve; thence south sixty-one degrees sixteen minutes east, two hundred twenty-four and eight-tenths feet to the point of curvature of a circular curve to the right; thence southeasterly two hundred ninety-two and six-tenths feet along said circular curve to the right of radius six thousand twenty-nine and six-tenths feet to the point of tangency of said curve; thence south fifty-eight degrees twenty-nine minutes east, five hundred eighty-eight and seven-tenths feet to the point of curvature of a circular curve to the right; thence southeasterly two hundred twenty-five and nine-tenths feet along said circular curve to the right of radius two thousand two hundred nine and nine-tenths feet to the point of tangency of said curve; thence south fifty-two degrees thirty-eight minutes east, twenty-eight and eight-tenths feet to the point of curvature of a circular curve to the left; thence southeasterly two hundred sixteen and nine-tenths feet along said circular curve to the left of radius one thousand six hundred nine and nine-tenths feet to the point of tangency of said curve; thence south sixty degrees twenty-one minutes east, thirty and seven-tenths feet to the point of curvature of a circular curve to the right; thence southeasterly seven hundred thirteen and six-tenths feet, more or less, along said circular curve to the right of radius one thousand two hundred fifty-four and nine-tenths feet to a point on the southern

boundary line of Homestead Entry Survey 310 marked by an iron pipe with a National Park Service brass cap, said point also being located on the present northern boundary line of Coronado National Memorial thence north eighty-nine degrees forty-nine minutes west two thousand three hundred and sixty-one feet, more or less, along the southern boundary line of Homestead Entry Survey 310, which line is also the present northern boundary of the said memorial, to the point of beginning (all bearings referred to the true meridian).

(2) Inclusion in the Memorial and exclusion from the Coronado National Forest of lots 5 and 6 in section 20, township 24 south, range 21 east, Gila and Salt River base and meridian.

(3) Exclusion from the Memorial and inclusion in the Coronado National Forest of the north half southwest quarter northwest quarter section 13, and the north half southeast quarter northeast quarter section 14, all in township 24 south, range 20 east, Gila and Salt River base and meridian.

SEC. 2. The Secretary of the Interior is authorized to acquire lands and interests in lands within the revised boundaries of the Coronado National Memorial by purchase, donation, with donated funds, or by such other means as he may consider to be in the public interest. Lands and interests in lands acquired pursuant to this Act shall become a part of the Memorial and be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), as amended, and pursuant to sections 2, 3, and 4 of the Act of August 18, 1941 (55 Stat. 630), as amended.

SEC. 3. The Act approved August 7, 1946 (60 Stat. 885), is hereby amended by substituting a semicolon for the period at the end of subsection (a), section 1, and inserting immediately thereafter the following: "repair and maintainance of the class 'C' road lying between the terminus of F. A. 383 at the east boundary of Coronado National Forest and the point where said class 'C' road enters Coronado National Memorial in the vicinity of Montezuma Pass, approximately 5.3 miles."

SEC. 4. There is hereby authorized to be appropriated the sum of not to exceed $3,000 for the purpose of acquiring lands, interests in lands, and improvements thereon as may be necessary for carrying out this Act.

Mr. HAYDEN. Mr. President, the bill provides for the revision of the boundaries of the Coronado National Memorial and authorizes the appropriation of not to exceed $3,000 for the purpose of acquiring lands, interest in lands, and improvements thereon as may be necessary for carrying out this act.

I move that the Senate concur in the amendment of the House.

The motion was agreed to.

COMMITTEE SERVICE—SENATOR MARTIN, OF IOWA, AND SENATOR YOUNG OF NORTH DAKOTA

Mr. DIRKSEN. Mr. President, I submit a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The resolution (S. Res. 370) was read, as follows:

Resolved, That the Senator from Iowa, Mr. MARTIN, is excused from further service on the Committee on Interior and Insular Affairs; be it further

Resolved, That the Senator from Iowa, Mr. MARTIN, be assigned to the Committee on Rules and Administration, and the Senator from North Dakota, Mr. Young, be assigned to the Committee on Post Office and Civil Service.

Mr. DIRKSEN. Mr. President, I wish to express the appreciation of the minority for the action on the part of the Senator from Iowa [Mr. MARTIN] in releasing his assignment on the Committee on Interior and Insular Affairs. The Senator from Iowa by reason of his membership on the Interior and Insular Affairs Committee was appointed by the President of the Senate as a member of the Commission on Outdoor Recreation Resources Review. As a Senator will no longer be a member of that Commission, I wanted the RECORD to show that because of the great interest which he has shown throughout his lifetime in recreation activities, the Commission will lose a valued member and an ardent supporter. It is my hope that when a final report is made by the Commission due credit will be given to the Senator from Iowa for his loyal and faithful service.

The PRESIDING OFFICER. Is there objection to the consideration of the resolution?

There being no objection, the resolution (S. Res. 370) was considered and agreed to.

COMMITTEE SERVICE—SENATOR BURDICK, OF NORTH DAKOTA

Mr. JOHNSON of Texas. Mr. President, I submit a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be stated.

The resolution (S. Res. 371) was read, as follows:

Resolved, That the Senator from North Dakota, Mr. BURDICK, be assigned to service on the Committee on Interior and Insular Affairs and the Committee on Labor and Public Welfare.

The PRESIDING OFFICER. Is there objection to the consideration of the resolution?

The resolution was agreed to.

AMENDMENT OF MINERAL LEASING ACT OF 1920—CONFERENCE REPORT

Mr. O'MAHONEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10455) to amend the Mineral Leasing Act of February 25, 1920. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read, for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 23, 1960, pp. 17371–17375, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. O'MAHONEY. Mr. President, this conference report is an agreement between the two Houses on amendments to the Mineral Act of February 25, 1920. The bill is the result of 14 months of deliberations. On June 15, 1958, I introduced S. 2181, a general revision of the oil and gas sections of the Mineral Leasing Act. Part of the bill dealt with the relief of bona fide purchasers. This was an emergency provision which passed both the Senate and the House, and was signed by the President on September 21, 1959.

On February 4, this year, I introduced S. 2983, another general revision of the Mineral Leasing Act, recast in view of the facts which had been ascertained in the hearings on S. 2181. Representative WAYNE ASPINALL, chairman of the Committee on Interior and Insular Affairs of the House of Representatives, introduced a bill to the same effect on March 23, 1960. This eventuated in the passage of H.R. 10455 by the House of Representatives before the Senate Committee on Interior and Insular Affairs had an opportunity to deal with S. 2983. House bill 10455 was, therefore, taken by the Senate Committee on Interior and Insular Affairs as the measure which it would amend and report to the Senate, because in that way it would be easier to hold a conference.

The conference report by the Senate conferees, which I now submit, was unanimously agreed to by the Senate conferees. The House report which was passed by the House this afternoon was likewise unanimously agreed to by managers on the part of the House.

The measure is one of great importance. Four hundred million acres of the Western States are public lands. Except for the granite core of the great mountain ranges, these public lands embrace great sedimentary basins prospectively valuable for the deposits of oil which are locked within them.

Proceedings which have been instituted by the Department of the Interior, involving a large acreage, have, in effect, brought a stalemate in drilling. The revision contained in the conference report which I am presenting is designed to clarify the law and make it possible for oil operators, large and small, to resume their operations in compliance with the provisions of law which have been agreed upon by the Congress in consultation with responsible officials of the Department of the Interior.

The principal changes include:

First. A consolidation of the acreage limitations with respect to leases and options. Under present law, a person may hold 46,080 acres under lease and 200,000 acres under option in any one State, for a total holding of 246,080 acres. The conference report does not alter this overall limitation. It provides, however, that this acreage may be held either by lease or by option, except that not more than 200,000 acres may be held by option.

Second. An increase in minimum rental from 25 cents an acre to 50 cents has been authorized. In addition, the

present waiver of the second-year and third-year rentals had been deleted. This was done upon the emphatic recommendation of the Department of the Interior, which was accepted by the House, and was concurred in by the Senate Committee on Interior and Insular Affairs, upon the strong representations of several Senators. The increase in rentals was authorized to compensate for the decrease in the value of the dollar which has taken place since the last time the rental was set, and to bring the rental of public lands more in line with the rentals obtained by owners of fee lands under similar circumstances.

Third. Provision for a new type lease was added by the Senate. It is a tar sands lease. Under the bill as agreed upon by the conference, persons will be able to secure leases on not to exceed 7,680 acres in any one State, to exploit the hydrocarbons now locked in tar sands and recoverable only by mining methods.

There are other substantive changes, but not of a major order. In addition, there are numerous clarifying, modifying, and perfecting changes which operations under the present law have suggested. The changes substantive, clarifying and perfecting, are all designed to secure a more closely drawn law, to the end that exploration and production of oil and gas may proceed on the public lands in an orderly and effective manner.

Mr. President, I move that the report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. ANDERSON. Mr. President, I desire to pay tribute to the able senior Senator from Wyoming [Mr. O'MAHONEY], who was the author of a Leasing Act 25 years ago, and who again has his name on another Leasing Act today.

I desire to pay tribute to the distinguished Senator from Wyoming for the outstanding work he has done in the committee over a long period of time, and particularly for the great contribution he has made to the preparation of this report.

PROTECTION OF FARM AND RANCH OPERATORS AGAINST LOSS OF CROPLAND ACREAGE AND ACREAGE ALLOTMENTS

Mr. ELLENDER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 12849.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 12849) to protect farm and ranch operators making certain land-use changes under the Great Plains conservation program and the soil bank program against loss of cropland acreage and acreage allotments.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana?

Mr. CASE of South Dakota. Mr. President, what is the request?

Mr. ELLENDER. The request is to consider H.R. 12849, which is similar to a Senate bill which was passed a few weeks ago. It seems that the House overlooked the Senate bill when it passed the House bill. So it is my desire to have the House bill considered at this time.

Mr. CASE of South Dakota. Mr. President, reserving the right to object, the bill comes, I assume, from the House Committee on Agriculture.

Mr. ELLENDER. That is correct.

Mr. CASE of South Dakota. Does the Senator from Louisiana know of any other bill coming from the House Committee on Agriculture which will be presented to the Senate during this session?

Mr. ELLENDER. Yes; one came to my attention this morning. I do not know of any other bill except that one and the one which we considered yesterday at the regular meeting of the committee and reported to the Senate.

Mr. CASE of South Dakota. What is the other bill which has come to the Senator's attention and which may come over from the House?

Mr. ELLENDER. The Senator from California [Mr. ENGLE] presented the bill just a moment ago. It affects nuts and other products of California.

Mr. CASE of South Dakota. Mr. President, the Senator from South Dakota is always reluctant to object to any request which comes from the distinguished Senator from Louisiana, who is chairman of the Committee on Agriculture and Forestry. However, we confront this situation: Up to this good hour, the committee of conference has not adopted a comprehensive farm bill. It has not passed proposed legislation dealing with the wheat problem.

The Senate passed a bill which went to the House, and the House failed to pass it by a very few votes.

It has occurred to me that if action is to be obtained at this session on farm legislation, it is almost necessary that it be attached by way of amendment to some bill which will come from the House, through the House Committee on Agriculture.

If this is to be the only opportunity in which we can consider and deliberate upon farm legislation, it seems to me we ought not to miss the opportunity.

I had prepared an amendment to be offered in connection with some other legislation which I had hoped would come from the House Committee on Agriculture and Forestry, a bill dealing with the wheat problem. It proposed that with respect to the wheat support loans the support price be fixed at 77 percent of parity; that the reduction in acreage be established at 22 percent; and that the payment in kind be for 55 percent of the idle acres under the 22-percent reduction.

Up to this time, we have not had an opportunity to consider that proposal. I am reluctant to lose an opportunity to offer it in the consideration of any proposed legislation which may come over from the House Committee on Agriculture. Therefore, I am constrained to object to the consideration of the bill at this time.

Mr. KUCHEL. Mr. President, will the Senator withhold his objection?

Mr. ELLENDER. Mr. President, the Committee on Agriculture and Forestry has been very diligent in an effort to develop a wheat bill which would be of benefit to farmers and at the same time reduce the cost of the program.

Because of the seriousness of the situation surrounding wheat, the committee decided to give priority to consideration of wheat legislation at the beginning of the 86th Congress.

As soon as the President's farm message was received in 1959, the Secretary of Agriculture was invited to appear before the committee and elaborate on the wheat problem. Meetings for this purpose occurred on February 16 and 17, 1959. After giving his views, he was requested by the committee to submit his proposal in bill form. Alternative proposals were received by the committee counsel on March 12, 1959. Arrangements were immediately made for hearings which were held during the period March 20 through 25, 1959. All major farm organizations and others interested in wheat were heard. Department of Agriculture officials also testified. All appearing before the committee agreed that some action was necessary, but presented different and in some cases divergent views as to what should be done to reduce the pressure of mounting wheat surpluses; and it was evident that no generally acceptable major changes in the program were possible.

Following these hearings the committee met in executive session and decided to hold further hearings on a committee print which had been developed as a stopgap measure to correct generally recognized deficiencies in the current program. These hearings were held on April 22, 1959. Again farm organizations, as well as the Department of Agriculture, presented divergent views to the committee. Following this, the committee held numerous executive sessions in an effort to develop a wheat bill which would prevent further accumulation of surpluses and be less costly to the Government, but, at the same time, provide farmers with necessary price protection.

On May 18, 1959, the Senate committee reported S. 1968, which provided a choice of price supports at 80 percent of parity coupled with a 20 percent reduction in acreage or price supports at 65 percent of parity with no reduction in allotments.

This bill was passed by the Senate with amendments. Subsequently the House amended S. 1988 to provide for price supports at 90 percent of parity with a reduction in acreage allotments of 25 percent and a one-third payment-in-kind on the reduced acreage.

A conference committee agreed on a 2-year bill with price supports at 80 percent of parity coupled with an acreage reduction of 20 percent and a one-third payment-in-kind.

The Senate agreed but the House rejected the conference report by a vote of 214 to 202. The Senate thereafter

accepted the House amendment—90 percent, 25 percent—but this was vetoed by the President.

On January 7, 1960, I introduced S. 2759 in the Senate.

Hearings were held on February 23, at which time the National Association of Wheat Growers and the National Farmers Union, with the tentative concurrence of the National Grange, proposed a program which was not yet in bill form, while the American Farm Bureau Federation indicated support for a different approach.

After a temporary suspension to provide time for the National Association of Wheat Growers to put their proposal in bill form and for the National Grange to determine its position, hearings were resumed on April 20 and 21 at which time the proposals of the various farm organizations, as well as a new proposal by the Department of Agriculture, were fully explored.

Executive meetings were held by the Committee on Agriculture and Forestry on April 26 and 27, during which time S. 2759 was amended and reported on May 2, 1960.

The bill was passed by the Senate. The House acted on June 21, 22, and 23, rejecting two attempts to substitute the Senate bill, and ended by finally defeating its own bill.

The pending measure is a very simple one. It affects the Great Plains and conservation reserve program.

My good friend, the Senator from North Dakota [Mr. YOUNG], introduced the bill several months ago. It was voted on affirmatively by the Senate. The House passed a bill similar to the one the Senate passed.

All I desire is to have the House bill considered, for the simple reason that when the House considered the proposal, instead of substituting the Senate bill for the House bill, the House simply passed its own bill.

I am asking that the House bill which is similar to the one we passed a few weeks ago be acted on today——

Mr. CASE of South Dakota. But it comes to us now, under the request of the Senator from Louisiana, with a House bill number.

Mr. ELLENDER. That is correct.

Mr. CASE of South Dakota. Then, if we amend the bill, obviously it will go back to the House, either for its concurrence or for a conference. Obviously that is the only way we can obtain the enactment of agricultural legislation at this session.

I am not attempting to have action taken now only for agriculture; I am also attempting to have action taken now for both political parties, inasmuch as both political parties at their recent conventions spoke in detail and at length on the need for the enactment of agricultural legislation.

I understand that the distinguished Senator from Massachusetts [Mr. KENNEDY] went to Des Moines, Iowa, to attend a conference there, and at the conference pledged active support of agricultural legislation. In fact, as I recall, following the recent convention in Los Angeles, the Democratic nominee for President announced he was taking the lead in presenting agricultural legislation before the Senate.

I am merely taking this opportunity to try to help him carry out his pledge and his promise. If the Senator from Massachusetts were here now, this would be his opportunity to attach to the bill coming to us from the House of Representatives the agricultural program he favors for the country, and this would be his opportunity to have it considered here.

Mr. ELLENDER. Mr. President, my request is made at the suggestion of another Member of the Senate; the Senator from North Dakota [Mr. YOUNG] has made this suggestion. If the Senator from South Dakota wishes to object, that is his privilege. Obviously, in view of my previous comments anything we might try to do in the case of wheat would be futile.

Mr. JOHNSON of Texas. Mr. President, I hope the Senator from Louisiana will withdraw his request?

Mr. ELLENDER. Very well, Mr. President; I withdraw my request.

Mr. CASE of South Dakota subsequently said. Mr. President, I ask unanimous consent that the amendment I proposed to offer to House bill 12849, if it had been called up this afternoon, may be printed at this point in the RECORD. I have already sent the amendment to the desk, to be printed, for the information of Members of the Senate; but I also wish to have the amendment printed at this point in the RECORD.

There being no objection, the amendment submitted by Mr. CASE of South Dakota was ordered to be printed in the RECORD, as follows:

On page 1 after line 2 insert "Title I, Great Plains, Conservation Program", and renumber sections 1 and 2 as "101" and "102", accordingly.

Following title I add a new title reading as follows:

"TITLE II—PRICE SUPPORT AND ALLOTMENTS

"SEC. 201. Title I of the Agricultural Act of 1949, as amended, is amended by adding the following new sections:

"'SEC. 107. (a) Notwithstanding the provisions of section 101 of this Act, for each of the 1961, 1962, and 1963 crops of wheat price support shall be made available as provided in this section. The support price for each such crop shall be 77 per centum of the parity price therefor. Price support under the foregoing provision of this section shall be made available only to cooperators, only in the commercial wheat-producing area, and only if producers have not disapproved marketing quotas for the crop. In case marketing quotas are disapproved, price support to cooperators shall be as provided in section 101(d)(3).

"'(b) If marketing quotas are in effect for the particular crop of wheat, wheat of any such crop, and any other commodity produced on a farm to which a wheat marketing quota is applicable and in the calendar year in which wheat of any such crop is normally harvested, shall be eligible for price support only if—

"'(1) the farm is in compliance with the farm wheat acreage allotment for such crop;

"'(2) the total acreage on the farm devoted to the production of nonconserving crops as determined by the Secretary which would normally be harvested in the calendar year in which such wheat crop is normally harvested does not exceed the total average annual acreage on the farm devoted to the production of such nonconserving crops for harvest in 1958 and 1959, less an acreage equal to 22 per centum of the farm acreage allotment for such crop of wheat which would be in effect for the farm except for the reduction thereof as provided in section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended; and

"'(3) the producers on the farm in accordance with regulations prescribed by the Secretary—

"'(i) designate an acreage on the farm equal to the 22 per centum reduction in the farm acreage allotment required under section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended, for the particular crop of wheat, and

"'(ii) do not produce any crop thereon which is normally harvested in the calendar year in which the particular crop of wheat is normally harvested and do not graze such acreage during such year.

A farm shall be deemed in compliance with the requirements of clauses (1) and (2) if no crop not subject to acreage allotments is produced on the farm for harvest, and the farm is in compliance with the farm acreage allotments. In accordance with regulations prescribed by the Secretary, the acreage of such nonconserving crops for harvest in 1958 and 1959 may be adjusted to the extent the Secretary determines appropriate for abnormal weather conditions, established crop rotation practices for the farm, changes in the constitution of the farm, participation in soil bank or Great Plains programs, or to give effect to the provisions of law relating to release and reapportionment or preservation of history, and such other factors as the Secretary may deem appropriate. For the purposes of eligibility for price support a producer shall not be deemed to have violated any of the foregoing conditions unless the producer knowingly violated such condition, but the Secretary may provide by regulation for adjusting any payment in kind under subsection (c) or (d) on account of any violation of any such condition or any other condition of eligibility for such payment. For the purposes of this section a wheat marking quota shall not be deemed to be applicable to any farm exempt from wheat marketing quotas under item (7) of Public Law 74, Seventh-seventh Congress, as amended (7 U.S.C. 1340(7)) or exempt from wheat marketing penalties under section 335(f) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1335(f)).

"'(c) Producers of wheat meeting the foregoing conditions of eligibility for price support for any calendar year shall be entitled for such year to a wheat payment in kind from Commodity Credit Corporation stocks equal in value to 55 per centum of the average annual yield in bushels of wheat per harvested acre on the farm for the three years immediately preceding the year for which the designation is made, adjusted for abnormal weather conditions and as determined under regulations prescribed by the Secretary multiplied by the number of designated acres. Such wheat may be marketed without penalty but shall not be eligible for price support. The payment in kind shall be made by the issuance of a negotiable certificate which Commodity Credit Corporation shall redeem in wheat equal in value to the value of the certificate. The certificate shall have a value equal to the number of bushels determined as aforesaid multiplied by the basic county support rate per bushel for number one wheat of the crop normally harvested in the year for which the acreage is designated and for the county in which the designated acreage is located. The wheat redeemable for such certificate

shall be valued at the market price thereof as determined by Commodity Credit Corporation. The Secretary shall provide by regulation for the sharing of a certificate among producers on the farm on a fair and equitable basis. The acreage designated under this section shall be in addition to any acreage devoted to the conservation reserve program.

"'(d) If marketing quotas are in effect for the 1961 crop of wheat and the producers on the farm agree to meet the requirements of subsection (b) for 1961, 1962, and 1963, and, in accordance with regulations prescribed by the Secretary—

"'(1) designate an acreage on the farm equal to not less than 22 per centum nor more than 100 per centum of the acreage allotment which would be in effect for the farm for the 1961 crop of wheat except for the reduction thereof as provided in section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended, and do not produce any crop thereon which is normally harvested in the calendar years 1961, 1962, and 1963 and do not graze such acreage during such years, but devote such acreage to soil and water conserving uses;

"'(2) reduce by the number of acres so designated the acreage of wheat on the farm in each such year below the acreage allotment which would be in effect for the farm for such year except for the reduction thereof as provided in section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended; and

"'(3) reduce by the number of acres so designated the acreage of nonconserving crops on the farm in each such calendar year below the average annual acreage on the farm devoted to the production of such nonconserving crops for harvest for 1958 and 1959 adjusted as provided in subsection (b),

such producers shall be entitled to a wheat payment in kind, in lieu of the payment provided by subsection (c), for each such year from Commodity Credit Corporation stocks equal in value to 55 per centum of the average annual yield in bushels of wheat per harvested acre on the farm for the three years 1958 through 1960, adjusted for abnormal weather conditions and as determined under regulations prescribed by the Secretary, multiplied by the number of designated acres. Such wheat may be marketed without penalty but shall not be eligible for price support. The payment in kind shall be made by the issuance of a negotiable certificate which Commodity Credit Corporation shall redeem in wheat equal in value to the value of the certificate. The certificate shall have a value equal to the number of bushels determined as aforesaid multiplied by the basic county support rate per bushel for number one wheat of the crop normally harvested in the year for which the payment is made and for the county in which the designated acreage is located. The wheat redeemable for such certificate shall be valued at the market price thereof as determined by Commodity Credit Corporation. The Secretary shall provide by regulation for the sharing of a certificate among producers on the farm on a fair and equitable basis. The share of any producer in certificates issued under this subsection with respect to any year and with respect to all farms in which he has an interest, based on the face value of the certificates, shall not exceed the greater of (1) $10,000, or (2) such producer's share of payments made under this subsection for acreage required to be designated either in 1961 or in such year as a condition of price support. If such producers fail to comply with the requirements of this subsection for all or any part of the three year period, such producers shall forfeit or refund in cash all or such part of the payments provided for by this subsection as the Secretary determines to be fair and equitable and prescribes by regulation. The acreage on any farm which is determined under regulations of the Secretary to have been diverted from the production of wheat by reason of designation under this subsection shall be considered acreage devoted to wheat for the purposes of establishing future State, county, and farm acreage allotments under the Agricultural Adjustment Act of 1938, as amended. In applying the provisions of paragraph (6) of Public Law 74, Seventy-seventh Congress (7 U.S.C. 1340(6)), and section 326(b) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1326(b)), relating to reduction of the storage amount of wheat that part of the acreage designated under this subsection in excess of the 22 per centum reduction required under section 334(c)(2) of the Agricultural Adjustment Act of 1938 on any farm shall be regarded as wheat acreage on the farm of normal production as that term is defined in section 301(b)(9) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301(b)(9)).

"'SEC. 108. Notwithstanding the provisions of section 101 or 107 of this Act or any provision of the Agricultural Adjustment Act of 1938, if marketing quotas are disapproved for the 1961 crop of wheat, the level of price support to cooperators and noncooperators for the 1961 crop and each subsequent crop of wheat shall be 50 per centum of the parity price of wheat and no national marketing quota or acreage allotment shall be proclaimed with respect to any subsequent crop of wheat: *Provided*, That if price support at 50 per centum of the parity price is in effect under this section, the current price support for wheat, for the purposes of section 407 of the Agricultural Act of 1949, as amended, shall be determined on the basis of a price support level for wheat of 77 per centum of the parity price therefor.'

"SEC. 202. (a) Item (1) of Public Law 74, Seventy-seventh Congress, as amended, is amended, effective beginning with the 1961 crop of wheat, to read as follows:

"'(1) If a national marketing quota for wheat is in effect for any marketing year, farm marketing quotas shall be in effect for the crop of wheat which is normally harvested in the calendar year in which such marketing year begins. The farm marketing quota for any crop of wheat shall be the actual production of the acreage planted to such crop of wheat on the farm less the farm marketing excess. The farm marketing excess shall be an amount equal to double the normal yield of wheat per acre established for the farm multiplied by the number of acres planted to such crop of wheat on the farm in excess of the farm acreage allotment for such crop unless the producer, in accordance with regulations prescribed by the Secretary and within the time prescribed therein, establishes to the satisfaction of the Secretary the actual production of such crop of wheat on the farm. If such actual production is so established the farm marketing excess shall be such actual production less the actual production of the farm wheat acreage allotment. Actual production of the farm wheat acreage allotment shall mean the actual average yield per harvested acre of wheat on the farm multiplied by the number of acres constituting the farm acreage allotment. In determining the actual average yield per harvested acre of wheat and the actual production of wheat on the farm any acreage utilized for feed without threshing after the wheat is headed, or available for such utilization at the time the actual production is determined, shall be considered harvested acreage and the production thereof in terms of grain shall be appraised in accordance with regulations prescribed by the Secretary and such production included in the actual production of wheat on the farm. The acreage planted to wheat on a farm shall include all acreage planted to wheat for any purpose and self-seeded (volunteer) wheat, but shall not include any acreage that is disposed of prior to harvest in accordance with regulations prescribed by the Secretary.'

"(b) Item (2) of Public Law 74, Seventy-seventh Congress, as amended, is amended, effective beginning with the 1961 crop of wheat, to read as follows:

"'(2) During any marketing year for which quotas are in effect, the producer shall be subject to a penalty on the farm marketing excess of wheat. The rate of the penalty shall be 65 per centum of the parity price per bushel of wheat as of May 1 of the calendar year in which the crop is harvested.'

"(c) Item (3) of Public Law 74, Seventy-seventh Congress, as amended, is amended, effective beginning with the 1961 crop of wheat, to read as follows:

"'(3) The farm marketing excess for wheat shall be regarded as available for marketing, and the penalty and the storage amount or amounts of wheat to be delivered to the Secretary shall be computed upon double the normal production of the excess acreage. If the farm marketing excess so computed is adjusted downward on the basis of actual production, the difference between the amount of the penalty or storage computed on the basis of double the normal production and as computed on actual production shall be returned to or allowed the producer or a corresponding adjustment made in the amount to be delivered to the Secretary if the producer elects to make such delivery. The Secretary shall issue regulations under which the farm marketing excess of wheat for the farm shall be stored or delivered to him. Upon failure to store, or deliver to the Secretary, the farm marketing excess within such time as may be determined under regulations prescribed by the Secretary the penalty computed as aforesaid shall be paid by the producer. Any wheat delivered to the Secretary hereunder shall become the property of the United States and shall be disposed of by the Secretary for relief purposes in the United States or foreign countries or in such other manner as he shall determine will divert it from the normal channels of trade and commerce.'

"(d) Item (7) of Public Law 74, Seventy-seventh Congress, as amended (7 U.S.C. 1340(7)), is amended to read as follows:

"'(7) A farm marketing quota on any crop of wheat shall not be applicable to any farm on which the acreage planted to wheat for such crop does not exceed fifteen acres: *Provided, however*, That a farm marketing quota on the 1961 and subsequent crops of wheat shall be applicable to—

"'(i) any farm on which the acreage of wheat exceeds the smaller of (1) twelve acres or (2) the highest number of acres planted to wheat on the farm for harvest in the calendar years 1956, 1957, 1958, 1959, or 1960; and

"'(ii) any farm on which any wheat is planted if any of the producers who share in the wheat produced on such farm share in the wheat produced on any other farm.'

"(e) Item (12) of Public Law 74, Seventy-seventh Congress, as amended (7 U.S.C. 1340(12)), is repealed, effective beginning with the 1961 crop of wheat.

"(f) Section 326(b) of the Agricultural Adjustment Act of 1938, as amended, is amended, effective beginning with the 1961 crop of wheat, to read as follows:

"'(b) If a farm is in compliance with its farm acreage allotment for any crop of wheat and the actual production of such crop of wheat on the farm is less than the normal production of the farm wheat acreage allotment, an amount equal to the deficiency may be marketed without penalty

from wheat of previous crops stored by the producers on the farm to postpone the payment of marketing quota penalties.'

"SEC. 203. The Agricultural Adjustment Act of 1938, as amended, is amended as follows:

"(a) Section 334 is amended by inserting '(1)' after '(c)' and adding a new subparagraph (2) following subparagraph (c)(1) to read as follows:

"'(2) Notwithstanding any other provision of law, each old or new farm acreage allotment for the 1961 and subsequent crops of wheat as determined on the basis of a minimum national acreage allotment of fifty-five million acres shall be reduced by 22 per centum. In the event notices of farm acreage allotments for the 1961 crop of wheat have been mailed to farm operators prior to the effective date of this subparagraph (2) new notices showing the required reduction shall be mailed to farm operators as soon as practicable.'

"(b) Section 334(e) is amended to read as follows:

"'(e) If, with respect to any crop of wheat, the Secretary determines that the production of any kind of wheat will be inadequate to provide a sufficient quantity of that kind of wheat to satisfy the demand therefor, the wheat acreage allotment (and the number of acres which may be planted under item (7)(1) of Public Law 74, Seventy-seventh Congress, without making a farm marketing quota applicable to the farm) for such crop for each farm located in a county which has produced such wheat for commercial food products during one or more of the five years immediately preceding the year in which such crop is harvested, shall be increased by such uniform percentage as he deems necessary to provide for such quantity. No increase shall be made under this subsection in the wheat acreage allotment of any farm (or in the acreage which may be planted without making a farm marketing quota applicable to the farm) for any crop if any kind of wheat other than that for which the increase is made is planted on such farm for such crop. Any increases in wheat acreage allotments authorized by this subsection shall be in addition to the National, State, and county wheat acreage allotments, and such increases shall not be considered in establishing future State, county, and farm allotments. The provisions of paragraph (6) of Public Law 74, Seventy-seventh Congress (7 U.S.C. 1340(6)), and section 326(b) of this Act, relating to the reduction of the storage amount of wheat shall apply to the allotment for the farm established without regard to this subsection and not to the increased allotment under this subsection, except that any farm in compliance with its increased allotment under this subsection shall be considered in compliance with its farm acreage allotment for the purposes of said section 326(b). Any farm receiving an increased allotment under this subsection shall be excused from complying with clauses (2) and (3) of section 107(b) of the Agricultural Act of 1949 to the extent deemed appropriate by the Secretary to provide for the increase in allotment under this subsection, and no farm on which acreage is designated pursuant to section 107(b)(3) or 107(d) of the Agricultural Act of 1949 in a greater amount than required as a condition of price support for any crop shall be eligible for an increased allotment under this subsection for such crop.'

"(c) Subsection (f) of section 335 is amended by striking out the semicolon at the end of item (1) and adding 'and shall not apply to other farms with respect to the 1961 and subsequent crops;'

"(d) Section 336 is amended to read as follows:

"'SEC. 336. Between the date of issuance of any proclamation of any national marketing quota for wheat and July 25 of the year in which the proclamation is made the Secretary shall conduct a referendum by secret ballot to determine whether farmers favor or oppose such quota. Farmers eligible to vote in such referendum shall be farmers who were engaged in the production of the crop of wheat normally harvested in the calendar year immediately preceding the calendar year in which the referendum is held on a farm in the commercial wheat-producing area for such crop and on which more than twelve acres was planted to wheat of such crop if such crop was the 1961, 1962, or 1963 crop, or on which more than fifteen acres was planted to wheat of such crop if such crop was any crop other than the 1961, 1962, or 1963 crop. Any acreage considered as being devoted to wheat in establishing future allotments under applicable provisions of law shall be considered as wheat-producing acreage for the purpose of determining eligibility to vote. If the Secretary determines that more than one-third of the farmers voting in the referendum oppose such quota he shall prior to the effective date of such quota by proclamation suspend the operation of the national marketing quotas with respect to wheat.'

"(e) Section 362 is amended by deleting the second sentence thereof.

"(f) Subsections (b) and (c) of section 335 are hereby repealed and subsection (d) of said section is repealed effective beginning with the 1961 crop of wheat.

"(g) The first proviso of section 377 is amended by striking out 'Provided, That beginning with the 1960 crop' and inserting in lieu thereof 'Provided, That beginning with the 1964 crop in the case of wheat and the 1960 crop in the case of any other commodity'.

"SEC. 204. Section 101(d) of the Agricultural Act of 1949, as amended, is amended by—

"(A) striking out paragraph (5); and

"(B) amending paragraph (7) to read as follows:

"'(7) No price support shall be made available for any crop of wheat for which acreage allotments are not in effect and no price support shall be made available for any crop of wheat in any State designated under section 335(e) of the Agricultural Adjustment Act of 1938, as amended, as outside the commercial wheat-producing area for such crop.'.

JOHN A. SKENANDORE

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to Senate bill 285, for the relief of John A. Skenandore.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 285) for the relief of John A. Skenandore, which were, on page 1, line 5, after "to" insert "the estate of"; on page 1, line 6, strike out "his" and insert "the"; on page 1, line 6, after "claim" insert "of the decedent"; on page 1, line 7, strike out "he" and insert "the decedent", and to amend the title so as to read: "An Act for the relief of the estate of John A. Skenandore."

Mr. JOHNSON of Texas. Mr. President, while the House amendment is in the nature of a substitute, it merely changes S. 285 to provide that relief be granted to the estate of John A. Skenandore. During the time that the bill for the relief of Mr. Skenandore was pending, Mr. Skenandore died, and the House amended the bill to provide for the payment of the amounts to his estate.

Mr. President, I move that the Senate concur in the House amendments.

The motion was agreed to.

ARTHUR E. COLLINS—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4826) for the relief of Arthur E. Collins. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4826) entitled "An act for the relief of Arthur E. Collins," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered II.

That the House recede from its disagreement to the amendment of the Senate numbered I, and agree to the same.

JAMES O. EASTLAND,
PHILIP A. HART,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

THOMAS J. LANE,
HAROLD D. DONOHUE,
JOHN E. HENDERSON,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JOHNSON of Texas. The Senate amended the House-passed bill (1) by inserting a change in the address of the claimant, and (2) by striking the 10-percent attorneys fee proviso. The House disagreed to the amendments, and requested a conference.

In the conference report now before the Senate, the conferees of the House agree to the first amendment of the Senate, and the Senate recedes from its second amendment. The conferees on the part of the Senate recommend that the conference report on H.R. 4826 be agreed to.

Mr. President, I move that the Senate agree to the conference report.

The motion was agreed to.

EXTENSION OF "ANTI-KICKBACK STATUTE" TO ALL NEGOTIATED CONTRACTS

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Arkansas [Mr. MCCLELLAN]; and I appreciate very much his cooperation and courtesy in waiting until now to present the matter which he will submit.

Mr. MCCLELLAN. Mr. President, I ask that the Presiding Officer lay before the Senate the amendment of the House of Representatives to Senate bill 3487.

The Presiding Officer laid before the Senate the amendment of the House of Representatives to the bill (S. 3487) to amend the "Anti-Kickback Statute" to extend it to all negotiated contracts, which was, to strike out all after the enacting clause and insert:

That the Act of March 8, 1946 (60 Stat. 37), entitled "An Act to eliminate the practice by subcontractors, under cost-plus-a-fixed-fee or cost reimbursable contracts of the United States, of paying fees or kickbacks, or of granting gifts or gratuities to employees of a cost-plus-a-fixed-fee or cost reimbursable prime contractors or of higher tier subcontractors for the purpose of securing the award of subcontracts or orders" is hereby amended to read as follows:

"That the payment of any fee, commission, or compensation of any kind or the granting of any gift or gratuity of any kind, either directly or indirectly, by or on behalf of a subcontractor, as hereinafter defined, (1) to any officer, partner, employee, or agent of a prime contractor holding a negotiated contract entered into by any department, agency, or establishment of the United States for the furnishing of supplies, materials, equipment or services of any kind whatsoever; or to any such prime contractor or (2) to any officer, partner, employee, or agent of a higher tier subcontractor holding a subcontract under the prime contract, or to any such subcontractor either as an inducement for the award of a subcontract or order from the prime contractor or any subcontractor, or as an acknowledgment of a subcontract or order previously awarded, is hereby prohibited. The amount of any such fee, commission, or compensation or the cost or expense of any such gratuity or gift, whether heretofore or hereafter paid or incurred by the subcontractor, shall not be charged, either directly or indirectly, as a part of the contract price charged by the subcontractor to the prime contractor or higher tier subcontractor. The amount of any such fee, cost, or expense shall be recoverable on behalf of the United States from the subcontractor or the recipient thereof by setoff of moneys otherwise owing to the subcontractor either directly by the United States, or by a prime contractor under any contract or by an action in an appropriate court of the United States. Upon a showing that a subcontractor paid fees, commissions, or compensation or granted gifts or gratuities to an officer, partner, employee, or agent of a prime contractor or of another higher tier subcontractor, in connection with the award of a subcontract or order thereunder, it shall be conclusively presumed that the cost of such expense was included in the price of the subcontract or order and ultimately borne by the United States. Upon the direction of the contracting department or agency or of the General Accounting Office, the prime contractor shall withhold from sums otherwise due a subcontractor any amount reported to have been found to have been paid by a subcontractor as a fee, commission, or compensation or as a gift or gratuity to an officer, partner, employee, or agent of the prime contractor or another higher tier subcontractor.

"SEC. 2. For the purpose of this Act the term 'subcontractor' is defined as any person, including a corporation, partnership, or business association of any kind, who holds an agreement or purchase order to perform all or any part of the work or to make or furnish any article or service required for the performance of a negotiated contract or of a subcontract entered thereunder; the term 'person' shall include any subcontractor, corporation, association, trust, joint-stock company, partnership, or individual; and the term 'negotiated contract' means made without formal advertising.

"SEC. 3. For the purpose of ascertaining whether such fees, commissions, compensation, gifts, or gratuities have been paid or granted by a subcontractor, the General Accounting Office shall have the power to inspect the plants and to audit the books and records of any prime contractor or subcontractor engaged in the performance of a negotiated contract.

"SEC. 4. Any person who shall knowingly, directly or indirectly, make or receive any such prohibited payment shall be fined not more than $10,000 or be imprisoned for not more than two years, or both."

Mr. McCLELLAN. Mr. President, I may state that the bill was passed by the Senate on June 18. The title of the bill is "To amend the 'Anti-Kickback Statute' to extend it to all negotiated contracts."

The bill has been passed by both Houses, and provides technical amendments which I think very appropriate.

There is no objection to the amendment.

Therefore, Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

Mr. McCLELLAN. Mr. President, I thank the Senator from Texas for yielding to me.

ALASKAN VESSELS INSPECTION EXEMPTION ACT—CONFERENCE REPORT

Mr. BARTLETT. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. BARTLETT. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2669) to extend the period of exemption from inspection under the provisions of section 4426 of the Revised Statutes granted certain small vessels carrying freight to and from places on the inland waters of southeastern Alaska. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read, for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2669) to extend the period of exemption from inspection under the provisions of section 4426 of the Revised Statutes granted certain small vessels carrying freight to and from places on the inland waters of southeastern Alaska, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the amendment of the House, amend the Senate engrossed bill by striking out line 3 on page 2 and inserting in lieu thereof the following: Striking out "March 15, 1960" and inserting in lieu thereof "December 31, 1962"; and the House agree to the same.

CLAIR ENGLE,
E. L. BARTLETT,
JOHN MARSHALL BUTLER,
Managers on the Part of the Senate.

EDWARD A. GARMATZ,
FRANK W. BOYKIN,
FRANK M. CLARK,
JOHN H. RAY,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. DIRKSEN. Mr. President, I understand this has the concurrence of the distinguished Senator from Kansas [Mr. SCHOEPPEL] and all the minority conferees.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

AMENDMENT OF UNITED STATES CODE WITH RESPECT TO CONCEALMENT OF ASSETS IN CONTEMPLATION OF BANKRUPTCY

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate the message of the House of Representatives disagreeing to the amendments of the Senate to the bill (H.R. 5747) to amend section 152, title 18, United States Code, with respect to the concealment of assets in contemplation of bankruptcy and asking a conference with the Senate on the disagreeing vote of the two Houses thereon.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 5747) to amend section 152, title 18, United States Code, with respect to the concealment of assets in contemplation of bankruptcy, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON of Texas. Mr. President, at the meeting of Monday, May 16, 1960, of the Committee on the Judiciary, the committee considered the amendment which was offered to the bill on the floor, and the committee determined that the amendment so offered and adopted by the Senate was not germane to bankruptcy matters, inasmuch as the amendment would prescribe qualifications for Federal probation officers.

Information received from the Committee on the Judiciary, of the House of Representatives, discloses that there is now pending before that committee a separate bill embodying the probation officer proposal, which that committee is still studying.

In addition to this, the House Committee on the Judiciary has resolved to recommend that the House conferees accept only that portion of the bill dealing with bankruptcy matters.

Mr. President, in view of the fact that the House committee has before it a separate bill on the probation officer

proposal, which it is still studying, I move that the Senate recede from its amendments to H.R. 5747.

The motion was agreed to.

REDUCTION OF SENTENCES OF IMPRISONMENT IMPOSED UPON CERTAIN PERSONS

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to S. 2932, to amend section 3568 of title 18, United States Code, to provide for reducing sentences of imprisonment imposed upon persons held in custody for want of bail while awaiting trial by the time so spent in custody.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2932) to amend section 3568 of title 18, United States Code, to provide for reducing sentences of imprisonment imposed upon persons held in custody for want of bail while awaiting trial by the time so spent in custody, which were: to strike out all after the enacting clause and insert:

That (a) section 3568 of title 18, United States Code, is amended to read as follows:

"§ 3568. Effective date of sentence; credit for time in custody prior to the imposition of sentence.

"The sentence of imprisonment of any person convicted of an offense in a court of the United States shall commence to run from the date on which such person is received at the penitentiary, reformatory, or jail for service of said sentence: *Provided*, That the Attorney General shall give any such person credit toward service of his sentence for any days spent in custody prior to the imposition of sentence by the sentencing court for want of bail set for the offense under which sentence was imposed where the statute requires the imposition of a minimum mandatory sentence.

"If any such person shall be committed to a jail or other place of detention to await transportation to the place at which his sentence is to be served, his sentence shall commence to run from the date on which he is received at such jail or other place of detention.

"No sentence shall prescribe any other method of computing the term."

(b) Item 3568 of the analysis of chapter 227, immediately preceding section 3561 of title 18, United States Code, is amended to read as follows:

"3568. Effective date of sentence; credit for time in custody prior to imposition of sentence."

SEC. 2. The amendments made by the first section of this Act shall be effective only with respect to persons sentenced to imprisonment on or after the thirtieth day after the date of enactment of this Act.

And to amend the title so as to read: "A bill to provide for credit for service of sentence for time spent in custody for want of bail prior to the imposition of sentence by the sentencing court where the statute requires the imposition of a minimum mandatory sentence."

Mr. JOHNSON of Texas. While the House amendment is in the nature of a substitute, it merely changes S. 2932 to provide that credit be given for time spent in custody "prior to the imposition of sentence," rather than for time in custody "awaiting trial," and provides that the application of the statute is only in those cases which involve the imposition of a minimum mandatory sentence.

Mr. President, I move that the Senate concur in the House amendments.

The motion was agreed to.

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATION BILL, 1961—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, I send to the desk the conference report on the Departments of State and Justice, the Judiciary, and related agencies appropriation bill, and ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today, pp. 17472–17474, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11666) making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11666) making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

As agreed to by the conferees, the bill provides for appropriations totaling $705,032,567. This is an increase of $28,467,760 over the House bill, and a decrease of $13,236,580 from the Senate bill.

Most important of all, the amount contained in the conference bill is a reduction of $27,997,828 from the budget estimates.

I am happy to state that both the conference bill and the conference report were agreed to unanimously by the conferees from both Houses.

The House has already adopted the conference report agreed to yesterday.

Furthermore, even though the final amounts approved were $27,997,828 under the budget estimates, it was the judgment of all the conferees that this bill provides adequately for all the important functions of the agencies covered by the bill.

In conference, it was necessary to resolve 37 specific points of disagreement between the House and Senate bills. I must say that I have rarely seen a group of men attack complicated problems with a greater spirit of cooperation and a willingness to consider all points of view.

I would like to pay tribute, here on the floor of the Senate, to the Members of the other body who served as conferees on this bill. I refer to the distinguished subcommittee chairman, Mr. ROONEY and his distinguished colleagues, Mr. CANNON, of Missouri; Mr. SIKES, of Florida; Mr. Bow, of Ohio, and Mr. TABER, of New York. I know his colleagues will not misunderstand if I pay special tribute to my good friend, JOHN ROONEY, who demonstrates time and again why he is acknowledged to be one of the most thorough, diligent, able, and fairminded Members of the Congress.

I would also like to express my gratitude and appreciation for the outstanding contributions made by the other Senate conferees. A conference chairman is assured that the views of the Senate will be given full weight and consideration when the members of his team include such able and distinguished Senators as the Senator from Louisiana [Mr. ELLENDER], the Senator from Arizona [Mr. HAYDEN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Iowa [Mr. HICKENLOOPER].

Mr. President, the actions of the conference committee constitute a gratifying demonstration that men of good will—regardless of political affiliation or the section of the country from which they are elected—can unite in acting for the national interest.

In considering the appropriations for the State Department and the U.S. Information Agency, the conferees were in full agreement concerning the importance of providing the financial resources necessary to carry forward the programs of these agencies effectively.

With respect to the State Department, the conferees agreed to provide $115 million for salaries and expenses. This is $2,700,000 above the 1960 appropriation, and $1,500,000 above the amount in the House bill.

While the House conferees believed that the $113,500,000 which had been provided for this purpose in the House bill was fully adequate, they agreed to provide an additional $1,500,000 in order to assure that the State Department would have the necessary resources and flexibility to meet changing conditions and high priority problems. This additional amount will enable the State Department to open new posts and expand its political, economic, and consular activities in Africa and South America, as well as in other areas of the world. It will also permit the State Department to allocate funds for disarmament studies, in order to explore new possibilities of arms control, as had been provided in the Senate bill.

With respect to the U.S. Information Agency, the House bill had provided $101,557,300 for salaries and expenses—the same amount as in fiscal year 1960. The Senate bill had increased this amount by $2 million. The conferees agreed to an increase of $1 million, which will enable USIA to proceed with its program of opening 10 additional posts in Africa and expanding its activities in Latin America. The con-

ferees also endorsed the language in the Senate report, which stated:

The committee strongly recommends that personnel which is so greatly in excess of the needs, in areas such as Western Europe, be transferred to countries where their services can really be utilized. It is further recommended that more stress be placed upon binational centers, where the people of the countries in which the centers are operating have the primary responsibility for operating the centers, with U.S. personnel merely giving guidance and assistance.

Another item of particular interest to Members is the International Educational Exchange Program operated by the State Department. It was agreed to provide $25,705,000 for this program in fiscal year 1961—an increase of $2,495,000 over the 1960 appropriation.

We were able to provide only $25,705,000 for these programs. The budget estimate provided for $28,200,000. The House conferees wanted to leave the amount for the program at the amount provided last year. Finally, after much discussion and exchange of views back and forth, we got them to go up approximately $2½ million, and we came down approximately the same amount.

There was one item on which the House conferees were adamant, namely, the amendment introduced by the Senator from Connecticut [Mr. DODD] and included as section 107 of the Senate bill. This amendment expressed the sense of the Senate that the Secretary of State should take such action as may be necessary to prevent the importation of military firearms into the United States for resale. Without reference to the merits of this provision, the House conferees felt that it was inappropriate to include it in this particular appropriation bill. It was therefore agreed to delete the provision from the appropriation bill, with the expectation that it would be presented to the Senate again. This was done earlier today in the form of an amendment to the mutual security appropriation bill, where it was suggested the amendment should go. The distinguished chairman of the Committee on Appropriations accepted the amendment and took it to conference.

I am particularly pleased to report that the House conferees agreed with the Senate on providing $10 million for the Center for Cultural and Technical Interchange Between East and West. I am proud of the part that I have played in the promotion of this program, and I am gratified at the bipartisan support that has been given to this unique opportunity for the free world to take a noteworthy step forward in the battle for men's minds.

Since this conference report has been unanimously agreed to, I do not propose to discuss the items in detail; unless Senators desire to ask questions about it.

I ask unanimous consent to have printed at this point in the RECORD summary tables covering this bill.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Summary of bill

Activity	1960 appropriation	1961 estimate	1961 House bill	1961 Senate bill	Conference action
State	$229,802,564	$262,361,610	$223,769,754	$257,471,954	$247,172,754
Justice	266,935,000	283,200,000	278,220,180	280,320,180	280,320,180
Judiciary	49,120,300	52,714,865	49,800,045	50,836,445	50,149,065
USIA	118,234,746	125,158,920	116,988,980	121,354,720	119,354,720
Funds appropriated to the President	6,145,500	8,600,000	6,935,848	7,435,848	7,185,848
Civil Rights Commission	780,000	995,000	850,000	850,000	850,000
Total	671,018,110	733,030,395	676,564,807	718,269,147	705,032,567

TITLE I—DEPARTMENT OF STATE

Item	Appropriations, 1960	Budget estimates, 1961	House bill, 1961	Senate bill, 1961	Conference action
ADMINISTRATION OF FOREIGN AFFAIRS					
Salaries and expenses	$112,300,000	$119,850,000	$113,500,000	$117,377,000	$115,000,000
Representation allowances	825,000	875,000	835,000	875,000	850,000
Acquisition, operation, and maintenance of buildings abroad	17,372,000	17,372,000	10,723,000	10,723,000	10,723,000
Acquisition, operation, and maintenance of buildings abroad (special foreign currency program)		4,850,000	4,500,000	4,500,000	4,500,000
Emergencies in the diplomatic and consular service	1,500,000	1,000,000	1,000,000	1,000,000	1,000,000
Payment to foreign service retirement and disability fund	2,360,000	2,540,000	2,540,000	2,540,000	2,540,000
Extension and remodeling, State Department building	3,000,000	800,000	225,000	596,200	500,000
Total, administration of foreign affairs	137,357,000	147,287,000	133,323,000	137,611,200	135,113,000
INTERNATIONAL ORGANIZATIONS AND CONFERENCES					
Pan American Health Organization building site		1,000,000		875,000	875,000
Contributions to international organizations	54,533,064	49,380,000	48,700,754	48,700,754	48,700,754
Missions to international organizations	1,949,500	1,966,000	1,835,000	1,868,000	1,868,000
International conferences and contingencies	2,100,000	2,450,000	1,843,000	1,843,000	1,843,000
International tariff negotiations		900,000	600,000	700,000	650,000
Total, international organizations and conferences	58,582,564	55,726,000	52,978,754	53,986,754	53,936,754
INTERNATIONAL COMMISSIONS					
International Boundary and Water Commission, United States and Mexico:					
Salaries and expenses	573,000	578,000	578,000	578,000	578,000
Operation and maintenance	2,610,000	1,982,000	1,840,000	1,982,000	1,982,000
Construction	1,400,000	4,000,000	2,000,000	9,256,000	4,000,000
American sections, international commissions	345,000	385,000	365,000	365,000	365,000
International fisheries commissions	1,725,000	1,925,000	1,875,000	1,875,000	1,875,000
Total, international commissions	6,653,000	8,870,000	6,658,000	14,056,000	8,800,000
EDUCATIONAL EXCHANGE					
International educational exchange activities	23,210,000	28,200,000	23,210,000	28,200,000	25,705,000
International educational exchange activities (special foreign currency program)	3,000,000	6,960,610	6,600,000	6,600,000	6,600,000
International educational exchange activities permanent appropriation (special foreign currency program)		(1)	(2)	(2)	(2)
Total, educational exchange	26,210,000	35,160,610	29,810,000	34,800,000	32,305,000
OTHER					
Rama Road, Nicaragua	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Center for cultural and technical interchange between East and West		8,300,000		10,000,000	10,000,000
Presentation of a statue to Uruguay		18,000		18,000	18,000
Payment to the Government of Japan for Bonin Islanders claims		6,000,000		6,000,000	6,000,000
Total Department of State	229,802,564	262,361,610	223,769,754	275,471,954	247,172,754

See footnotes at end of table.

Summary of bill—Continued

TITLE II—DEPARTMENT OF JUSTICE

Item	Appropriations, 1960	Budget estimates, 1961	House bill, 1961	Senate bill, 1961	Conference action
LEGAL ACTIVITIES AND GENERAL ADMINISTRATION					
Salaries and expenses, general administration	$3,695,000	$4,010,000	$3,805,000	$3,805,000	$3,805,000
Salaries and expenses, general legal activities	12,790,000	13,750,000	13,175,000	13,375,000	13,375,000
Salaries and expenses, Antitrust Division	4,500,000	4,760,000	4,760,000	4,760,000	4,760,000
Salaries and expenses, United States attorneys and marshals	22,700,000	23,900,000	23,010,180	23,310,180	23,310,180
Fees and expenses of witnesses	1,775,000	1,800,000	1,650,000	1,650,000	1,650,000
Total, legal activities and general administration	45,460,000	48,220,000	46,400,180	46,900,180	46,900,180
FEDERAL BUREAU OF INVESTIGATION					
Salaries and expenses	114,600,000	118,000,000	118,000,000	118,000,000	118,000,000
IMMIGRATION AND NATURALIZATION SERVICE					
Salaries and expenses	55,800,000	60,460,000	57,800,000	59,400,000	59,400,000
FEDERAL PRISON SYSTEM					
Salaries and expenses, Bureau of Prisons	42,350,000	43,545,000	43,045,000	43,045,000	43,045,000
Buildings and facilities	5,625,000	9,875,000	9,875,000	9,875,000	9,875,000
Support of United States prisoners	3,100,000	3,100,000	3,100,000	3,100,000	3,100,000
Total, Federal prison system	51,075,000	56,520,000	56,020,000	56,020,000	56,020,000
OFFICE OF ALIEN PROPERTY					
Limitation on salaries and expenses, Office of Alien Property	(1,500,000)	(650,000)	(650,000)	(650,000)	(650,000)
Total, Department of Justice	266,935,000	283,200,000	278,220,180	280,320,180	280,320,180

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES					
Salaries	$1,335,600	$1,370,000	$1,370,000	$1,370,000	$1,370,000
Printing and binding Supreme Court reports	90,000	90,000	90,000	90,000	90,000
Miscellaneous expenses	74,000	87,000	69,800	87,000	69,800
Care of the building and grounds	347,400	290,800	287,200	290,800	287,200
Automobile for the Chief Justice	6,300	6,365	6,365	6,365	6,365
Total, Supreme Court	1,853,300	1,844,165	1,823,365	1,844,165	1,823,365
COURT OF CUSTOMS AND PATENT APPEALS					
Salaries and expenses	332,000	343,000	343,000	343,000	343,000
CUSTOMS COURT					
Salaries and expenses	748,000	879,300	799,260	799,260	799,260
COURT OF CLAIMS					
Salaries and expenses	875,000	886,000	886,000	886,000	886,000
Repairs and improvements	9,500	9,500	9,500	9,500	9,500
Total, Court of Claims	884,500	895,500	895,500	895,500	895,500
COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES					
Salaries of judges	9,185,000	9,397,000	9,200,000	9,200,000	9,200,000
Salaries of supporting personnel	21,501,000	23,168,000	22,035,520	22,235,520	22,085,000
Fees of jurors and commissioners	4,820,000	4,660,000	4,500,000	4,500,000	4,500,000
Travel and miscellaneous expenses	3,500,000	4,416,700	3,665,000	3,999,000	3,785,000
Administrative office, salaries and expenses	1,200,000	1,470,000	1,238,400	1,470,000	1,292,940
Referees, special account:					
Salaries	(2,006,500)	[1] (2,177,500)	(2,100,000)	(2,150,000)	(2,125,000)
Expenses	(3,050,000)	[1] (3,463,700)	(3,200,000)	(3,400,000)	(3,300,000)
Total, other courts and services	40,206,000	43,111,700	40,638,920	41,404,520	40,862,440
Total, the Judiciary, excluding special accounts	44,063,800	47,073,665	44,500,045	45,286,445	44,724,065
Total, the Judiciary, including special accounts	49,120,300	52,714,865	49,800,045	50,836,445	50,149,065

TITLE IV—RELATED AGENCIES

UNITED STATES INFORMATION AGENCY					
Salaries and expenses	$101,557,300	$105,800,000	$101,557,300	$103,557,300	$102,557,300
Salaries and expenses (special foreign currency program)	4,927,446	3,493,180	3,000,000	3,000,000	3,000,000
Acquisition and construction of radio facilities	9,000,000	9,200,000	8,740,000	8,740,000	8,740,000
Philippine-American Cultural Foundation		1,365,740		1,365,740	1,365,740
Payment to informational media guarantee fund	2,750,000	5,300,000	3,691,680	4,691,680	3,691,680
Total, United States Information Agency	118,234,746	125,158,920	116,988,980	121,354,720	119,354,720
FUNDS APPROPRIATED TO THE PRESIDENT					
President's special international program	[4] 6,145,500	8,600,000	[5] 6,935,848	7,435,84	7,185,848
COMMISSION ON CIVIL RIGHTS					
Salaries and expenses	780,000	995,000	850,000	850,000	850,000
Total, related agencies	125,160,246	134,753,920	124,774,828	129,640,568	127,390,568
Grand total, Departments of State and Justice, the Judiciary, and related agencies excluding special accounts	665,961,610	727,389,195	671,264,807	712,719,147	699,607,567
Grand total, Departments of State and Justice, the Judiciary, and related agencies including special accounts	671,018,110	[6] 733,030,395	676,564,807	718,269,147	705,032,567

[1] Permanent indefinite appropriation requested.
[2] Consolidated with "International educational exchange activities" (special foreign currency program).
[3] Budget proposed consolidation of "Salaries" and "Expenses" into 1 appropriation item.
[4] In addition, $265,000 of unobligated, prior-year balances were authorized.
[5] In addition, $104,652 of unobligated, prior-year balances were authorized.
[6] Includes $13,226,640 budget amendments in S. Doc. 106 and $6,000,000 in S. Doc. 107.

Summary of bill—Continued

TITLE V—ADMINISTRATIVE EXPENSES OF GOVERNMENT CORPORATIONS

Corporation	Authorization, 1960	Estimate, 1961	House bill, 1961	Senate bill, 1961	Conference action
DEPARTMENT OF JUSTICE					
Federal Prison Industries, Inc.	$1,268,000	$1,415,000	$1,415,000	$1,415,000	$1,415,000

Mr. JOHNSON of Texas. Mr. President, I believe this is a good bill, and I believe it is one which merits the support of all Senators. I would have liked to have had some of my views prevail. I spent several hours trying to get Members of the other body to accept my views, but in several instances they felt they could not yield, and would not yield, and this report represents the best agreement that the men who were present could produce.

I recommend adoption of the conference report.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I should like to confirm what the majority leader has said. As a conferee who was present during the entire conference, and who sat on the subcommittee that marked up the Senate bill, I am in accord with the conference report. It does not provide in several instances as much as I would like to have had and as much as I believe the State Department should have.

The House was adamant on several provisions. In other instances we were very successful. The report as a whole is satisfactory. I confirm what the majority leader has said.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. FULBRIGHT. Mr. President, I always dislike to disagree with a conference report. Unfortunately, due to a very important previous engagement, I was unable to attend the conference. I have attended the conferences in the last several years, and I have never been able to sign the conference report because of disagreement with the results of the conferences.

I disagree with the results of this conference. I would not have signed the report if I had been present.

I am not saying there is not much good in the bill. I congratulate the committee for what it did in several instances, as alluded to by the majority leader.

Once again we see a repetition of the pattern which has been set primarily by the House committee, of cutting down on the exchange program. It is a very strange thing that within the last week we have been called upon to vote a $500 million emergency program for Latin America without any plan at all. One of the main reasons we had to do so is that we have not pursued, over a long period of time, an intelligent program to try to bring some order in this revolutionary era in which vast changes are taking place in both Africa and Latin America.

This is one hopeful program which has been authorized for some 14 years. It is about the only program of importance which never receives the full budget request. We all know how difficult it is to get the Bureau of the Budget to agree to a request. In this instance, the Bureau of the Budget for the exchange program allowed $28.2 million, and we are not able to get that from the Congress.

I sympathize with the majority leader. I have attended these conferences. I think the majority leader does all he can do. What I question is the basic wisdom of our approach to the whole international problem.

We have authorized the appropriation of $500 million for Latin America.

We have increased the contingency fund in the mutual security bill from $150 million to $250 million to take care of we do not know what in Africa.

The only orderly way to approach the whole problem is to lay plans and to try to do something in advance, instead of, year after year, coming in on an annual basis and trying to cure the trouble after it has broken out.

I disagree with the cutting of the exchange program by some $2½ million. I think it should have been given the budget amount. As a matter of fact, only a year or two ago the Bureau of the Budget allowed $30 million, and because the House was unwilling to go along, and the Senate could not persuade the House to go along at that time, the next request was $22 million. The budget representative said to me and to others. "There is no use in asking for any more, because you cannot get the House to go along."

We see the world crumbling about us. This is acknowledged at last by the administration, by its request for an additional $600 million for Latin America and $100 million for the contingency fund. Despite this, the House and the Senate are going along as if nothing is happening in the world at all. This is one program which might be calculated to do something about correcting the situation.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. CAPEHART. Does the Senator understand, as I do from a most reliable information source, that the country of Venezuela has 1,000 students in Moscow in Russia at the moment receiving 4 years of college training, with all their expenses paid by Russia? I have been told that by people whom I believe.

Mr. FULBRIGHT. The program was announced last year. Russia has created a university to accommodate from 5,000 to 10,000 students, and Russia pays all expenses. I do not know whether that many are involved, but I know the Russians are drawing students from all over the world.

Mr. CAPEHART. I have been told by people whom I believe to be reliable that there are 1,000 students from Venezuela in Moscow in Russia today.

Mr. FULBRIGHT. I think that is quite likely. Last spring in Cairo a request was presented to me, which I mentioned the other day in connection with the recent controversy over the African students, for permission to send 500 students to the United States. Those students, or some of them, had been in Moscow. There was no desire to have the students indoctrinated in communism, and the students wished to come to the United States. I will give our Government credit for doing all it could to find the money. The Government finally found enough money to bring 200 students to the United States, or less than half of the students who wished to come from Cairo.

Then we wonder why the Egyptians are sympathetic in some respects with the Communists. I do not think they wish to be Communists, but they are sympathetic as to economic collaboration, at least, with the Communists. I have an understanding of their attitude. They look at this country. They know we can afford the program. They observe that we appropriate $500 million out of thin air. They see us appropriate $41 billion without any trouble for our defense program. It is not that we do not have the money, we simply do not choose to put it in the right places.

I am quite confident that what the Senator says is true. If that is not the exact figure, it is a large number of students. That is true with respect to many other countries.

That is not the only reason I object to the conference report. I had intended to attend the conference, and I wished to comment on some of the language in the Senate report, which the administration is very likely to interpret as a limitation, I suppose.

I have the greatest of respect for my very dear colleague from Louisiana, but I understand he sponsored the language, and I cannot agree with the language. The language is:

> The committee strongly recommends that this program be adjusted to provide for a greater exchange of scholarships between the United States and the countries of Eastern Europe, the Far East, and other areas of the world where the need is manifestly the greatest—

I do not object to that part of the language, but I object to that which follows:

> and that exchanges with Western Europe be sharply reduced.

I think it would be a catastrophe to do so. I think this is the wrong interpretation of the whole objective of the program.

This is not a relief program. This is not a grant program. This has nothing like the characteristics of the Public Law 480 program. I do not support this

program on the theory that we are giving something to these other countries. I support this program only on the theory that we are getting something; that is, we are getting young people to come to this country to study in this country and to understand this country so that in the years to come they will support the concepts for which this country stands in the way of organizing society. This is one of the few ways I can think of which over a long period of time might prevent the triumph of the Communist world.

These people of Western Europe, in spite of all the troubles we have had with them, are still the most advanced, the most intelligent, the most industrialized, the most powerful people, if they can get together—and they are getting together.

I wonder if Senators saw the report published in the Times of the day before yesterday, concerning the tremendous and unexpected success of the Common Market last year and the first 6 months of this year? There has been an unprecedented increase in industrialization and trade among those countries. There is no doubt in my mind that if we do not have a great catastrophe this area is going to become an even more powerful area.

What are we planning to do? Are we going to cut ourselves off from these countries? Do we wish to disassociate ourselves from England? From France? From Germany? From Italy? From Holland? I think nothing would be more shortsighted.

This program was not conceived on the idea that it is a charity program, to simply aid poor people who need it. It is not that kind of program at all. It may have some overtones of that nature. It is true that these people themselves, I think, will benefit from their association with us, but the real reason for the program is the benefit this country will receive.

I believe we benefit more, by having our young people go to these countries to learn in very advanced countries by associating with not only the nationals of those countries but also other people who are in those countries. In these countries we find foreign students from all the rest of the world.

There are many more teachers and students in France from Africa and Asia than one will find in any other country besides this.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. JOHNSON of Texas. I spent a good portion of my day yesterday attempting to work out the best agreement in conference that we could. Apropos of what the Senator from Arkansas has said about the distribution of funds for these governmental programs, in view of the fact that the House bill provided $5 million less than did the Senate bill, is the Senator aware of the fact that the Department did not recommend that any of the additional $5 million go to Western Europe?

Mr. FULBRIGHT. The language I am speaking of is interpreted to mean that the Western European program will be sharply reduced, and I say it should not be sharply reduced.

Mr. JOHNSON of Texas. The Senator does not answer my question. I wish to point out to the Senator that the appropriation is being sharply reduced from the $28 million that the Department requested. We are getting only $25 million. The House provided only $23 million. Is the Senator informed of the fact that the State Department does not expect any of the $5 million difference to be used in Western Europe, and has not allocated any of those funds for Western Europe?

Mr. FULBRIGHT. I do not know about the $5 million, but I know that the existing programs that are already in being should not be reduced. The language of the Senate report would indicate to me that they expect them to be reduced. In all honesty I did not expect to receive what was requested in the budget, because the House of Representatives has never given what the budget has requested.

I do not wish to complain about the role of the majority leader. I have been in conferences and I know what he is up against. But because of my regard and respect for the majority leader and also the Senator from Louisiana, I wish to have my say about what I think with respect to the wisdom of what the House of Representatives and the Senate finally does.

Mr. JOHNSON of Texas. I wish the RECORD to show that the Department is getting every dollar that it requested for Western Europe.

Mr. FULBRIGHT. What is the meaning of the language which states that exchanges with Western Europe are to be sharply reduced? That statement applies not only to the $5 million, it apparently applies to the entire program.

Mr. JOHNSON of Texas. The Department stated that it would use the extra $4,999,000, if they received it, in a certain way. They got but half of their request. Here is how they would redistribute it: $708,000 to the American Republics. Western Europe would get nothing. Eastern Europe would get $138,000. The Far East would get $2,031,000. The Near East and South Asia would receive $1,098,000. Africa would receive $670,000.

Mr. FULBRIGHT. The Senator from Texas misunderstands me. It is the existing program that is already under way with which this language would seem to interfere, and I do not think it should. The money that those countries would receive in addition to funds for the program for the current year, I assume, would be used to enlarge their programs.

Mr. JOHNSON of Texas. I think it is their position, and will continue to be, that the whole $28 million, together with $6,600,000 for the purchase of foreign currencies, would still be appropriated. We have $25 million instead. It was the feeling of the Senator from Louisiana [Mr. ELLENDER]—and I believe that feeling was shared by many other members of the conference—that of the extra money we got, $2½ million over and above what we received last year, and an amount over and above what the House had given, none of that money would go to Western Europe.

Mr. FULBRIGHT. I accept that proposal if we can make the legislative history here that that is what is meant by that language. I hope the Senator from Louisiana will agree that he meant and intended it to apply only to the additional money that might be granted above what is provided for the current program. If that be true, I accept the statement. But that is not the way the report reads.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. ELLENDER. As was pointed out by the distinguished Senator from Texas, the amount of money provided for the 1960–61 request does not disturb the money to be allocated to Europe.

Personally, I believe that if there is to be a drastic cut in funds, some of the cut should be taken from Europe instead of our not allocating, let us say, to the American Republics.

I believe that an exchange program, if it is to be cut, should be cut deeper as to Western Europe than it would be for the American republics or for countries in Eastern Europe. I believe that that is how the committee as a whole felt.

Mr. FULBRIGHT. If the Senator from Louisiana is speaking only about the additional money the Department hoped to get above what is provided in the current appropriation, I shall not argue too much about it. What I say is that the integrity of the established program in Western Europe ought not to be disturbed in order to service some of the new countries which are coming in. If we are going to bring in new countries, extra funds for those countries ought to be provided in the appropriation.

I do not agree with the level of this program. I wish to make it very clear that I do not understand at all, and do not accept, the wisdom of putting $500 million into the appropriation for an unknown purpose for the benefit of Latin America, where we have no program, while at the same time we are not able to provide the budgeted amount of $28 million for a program which is worldwide. I think it is shortsighted, and, if we fail in our competition with the Communists, failure in this appropriation will be one of the principal reasons, in my opinion, because the rest of the countries will not have very much confidence in the wisdom of the leaders of our country.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. SALTONSTALL. Mr. President——

Mr. FULBRIGHT. I yield.

Mr. JOHNSON of Texas. I wish to finish my colloquy with the Senator from Louisiana, and then I shall yield to the Senator from Massachusetts.

Mr. ELLENDER. I should like to ask my good friend from Arkansas this question. Suppose there should be a cut greater than the one made in conference. Does not the Senator feel it more

advisable to provide more of these funds to the American Republics and to countries of Eastern Europe than to the countries of Western Europe?

Mr. FULBRIGHT. I do not.

Mr. ELLENDER. I would like to know why.

Mr. FULBRIGHT. There is a very good reason for that. I have already said that the most important countries at the moment for this country to continue to maintain and, I would say, to strengthen, are the western community of nations. We must work with those countries. We cannot allow the Western European countries, the Common Market Inner Six and Outer Seven, to drift away from us and to isolate us from their industrial, intellectual, and their scientific influence.

Mr. JOHNSON of Texas. We are not isolating. We have provided that 30 percent of the funds go to them.

Mr. FULBRIGHT. I disagree with the whole philosophy of that statement. There seems to be in it the philosophy that the need is manifestly greatest in other countries. The need is in these Western European nations. We need the cooperation of these countries if we are to combat the Communist world. It is not a charity program at all. I have never thought of it as handing out something. We are trying to get the active cooperation and understanding of these countries so that they will create economic, political and other alliances. In other words, the free world must work together equally as well as does the Communist world.

Are we going to disassociate ourselves from our most powerful partners? The whole philosophy is wrong.

Mr. JOHNSON of Texas. We are not disassociating, I submit to the Senator.

Mr. FULBRIGHT. The Senator from Texas would cut their appropriation. If we must cut, we should not cut out the countries most able to make a contribution to our defense, whether it be military, economic, or any other kind.

Mr. JOHNSON of Texas. I believe the Senator misunderstands us.

Mr. FULBRIGHT. One other point. We would get more for our money. These funds cannot be transferred. These dollar appropriations are only part of the picture. One dollar will generate $5 of local currencies in the Western countries. They have their own resources.

They make a contribution far greater than the others. There is no way to transfer a program from Germany to Bulgaria or to any other Eastern European country. In the first place, they have not so far indicated any willingness to have a program, except Yugoslavia, and we ourselves turned down Yugoslavia.

Mr. JOHNSON of Texas. I share the Senator's high regard for Western Europe, but I am fearful that the Senator has not read the recommendation of the State Department in which it says, "If you give us every dime requested in the budget over and above the amount appropriated by the House, we will not spend one penny of it in Western Europe."

If the Senator, with his distinguished record in this field, is unable to convince the State Department, over which he has jurisdiction, that they should spend an extra dollar, it is pretty difficult for me to convince anyone else.

Mr. FULBRIGHT. I said a moment ago I do not understand the Senator's point of view. I am not arguing about the additional money we might receive. The language in the Senate report was called to my attention by the State Department. They said, "What does this mean? Will we be expected to live up to it?"

I intended to propose to insert after the words, "Western Europe" the words, "where feasible," to give them latitude, and not have the committee later say, "Why did you not transfer this money from Western Europe to Eastern Europe?"

Mr. JOHNSON of Texas. I would not expect the State Department to understand this, but the fact is that we have tried to restore $708,000 for the American republics, $138,000 for Western Europe, $2,031,700 for the Far East, $1,098,000 for the Near East and South Asia, and $767,800 for Africa; as well as $245,800 for administrative expenses.

They do not recommend one penny.

We attempted to get the entire budget amount restored, and the Senator realizes that that is not an easy job, because the State Department can reverse itself. After a great deal of effort we concluded that we would take back $2½ million of the $4,900,000 and not spend it, but divide it among the other countries, as specified in the chart. We thought we would make that recommendation to the State Department. Of course it is pretty difficult to follow them from day to day, because they do not usually stay hitched for very long. They turn down money one day and then grant it 2 or 3 days later, when they get a little pressure exerted on them.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. SALTONSTALL. I should like to add one comment. I have always been sympathetic toward the program of the Senator from Arkansas. I have tried to help him. I have tried to help him with this program in the Committee on Appropriations, and in the Conference Committee. He is familiar with what happens because he has sat on conference committees. We do the best we can. This year the Senate appropriated the full amount requested by the administration both for the program itself and the administrative expenses connected with it. The House cut the budget request by $4,900,000. We restored the full amount of money. We did not earmark the money for specific countries. We felt it should go to any country where the State Department felt it wisest to allocate it.

I also call attention to the fact that in the House bill the so-called Smith-Mundt program suffered to a greater extent than did the Fulbright program. The money, as I say, was put back, with no strings attached. The State Department can use the additional amount over what was allowed by the House, as it sees fit.

Mr. FULBRIGHT. I appreciate the Senator's comments. I regret, however, that there is the possibility that the Department cannot continue the Western European program at least on the present level.

Mr. SALTONSTALL. It is my understanding that when the Senate Committee took up this matter, there was no intention to cut it all out in Western Europe. What we were trying to do was to emphasize that perhaps more money could be better spent in other areas. The language in our committee report was perhaps somewhat stronger in emphasis than I for one—and I believe the committee as a whole—intended.

The Senator from Arkansas may not agree with me on this, but I call attention to the fact that we have restored half of the House cut for international educational exchange activities, a program in which he is interested.

In addition, in this bill we have other programs relating to cultural matters. We appropriated $10 million for a center in Hawaii for cultural and technical interchange between the East and West. This is a new program which is just starting.

Furthermore, we have appropriated the full amount requested to establish the Philippine-American Cultural Foundation. The Philippine Government is making available land worth $900,900 and offering annual tax exemptions valued in excess of $20,000. Private Philippine cash contributions are expected to provide approximately $1 million more. This is another cultural foundation that is building up.

The Senate added a million dollars to the Informational Media Guarantee Fund. In conference we agreed to provide authority to use for this program in fiscal year 1961 $500,000, instead of the Senate direct appropriation of $1 million, of the $1,365,740 appropriated to purchase the Philippine pesos for the Cultural Foundation. The IMG is also, you can say, another type of cultural program.

So I say to my friend from Arkansas these are all cultural programs which have been increased in each instance by the Senate and the conference committee over the amount allowed by the House. They are not strictly the Fulbright program. They are not strictly the Smith-Mundt program. But this is certainly an effort to broaden the total cultural effort.

Mr. FULBRIGHT. I am very pleased to learn that. All I say is that one of these days—and I do not believe it will be very far off—we will wake up, as we did in respect of Latin America, to the fact that we are too late with too little. I know this is not the fault of my friends, the Senate conferees, but this is the only place where I can complain about it and where I can register my disagreement with the action of the conferees, although I know who is responsible. I have been on conference committees myself.

Mr. SALTONSTALL. Mr. President, will the Senator yield further?

Mr. FULBRIGHT. I yield.

Mr. SALTONSTALL. I hope the Senator keeps on complaining, because I am heartily in sympathy with him. We do the best we can. I hope he keeps on complaining.

Mr. FULBRIGHT. What is happening in Latin America is a recent illustration. I do not want to be forced into a crash program, for example, to be asked for $500 million. The Senate several times recommended, and on occasion passed bills on this subject, and we brought out of our committee only about a year ago a bill recommending a 5-year economic program, to try to prevent an emergency program. It always costs infinitely more when it must be done on that basis. Here is the same thing.

The Russians are moving into the educational exchange field. They recognize the importance of it. They are proceeding on a bigger scale than we are. Ours is a very small program, when it is spread all over the world. I am complaining about that. Ever since the program started, we have had budget difficulties. This is not the only restriction. The House also put in restrictions on the way in which they can use the currency. Ever since the Rabaut amendment was added, we have had difficulties because of the restrictions on use of foreign currency. They have tried to stifle the program—in fact, they have tried to prevent it from breathing.

There is a provision in the bill which prevents them from buying foreign currencies during the course of a year. Apparently what they are trying to do is prevent them from allocating local currencies as they may become available during the course of a year. In other words, the Department may be stuck with the plan as it begins on the first of the year. That destroys all the flexibility of the program. It may destroy the capacity to negotiate new agreements with any new countries during the year. I do not care whether it is the Fulbright program, the Public Law 402 program, or any other program. They are all important. All I say is that this is an activity which the newer nations, and many of the old ones, regard as very important. There is nothing these nations need today so urgently as they need trained personnel. That is true particularly of the Congo, which is an extreme example. In all the Congo, there are only 17 college graduates in a nation having a population of more than 12 million. Sixteen more such countries will soon be coming into being. Few of them will have adequately trained personnel.

The greatest need in those countries is trained personnel, not raw material. They do not lack minerals, water, or land. They need trained personnel. Those nations will have to train their personnel in some way. If such personnel are not trained in their own countries or in Western Europe, we know where they will be trained. I am looking—trying to look to the future. I am simply saying that if we continue the shortsighted, minute program we are following today, in 8 or 10 years someone will say, "Give us $500 million, and we will spend it in any way we can." And it will be wasted.

Worse than that, though, representatives of those countries have already gone to Russia, have already come home, and have said, "That is the way we want to be."

Mr. DIRKSEN. Mr. President, has the Senator from Arkansas finished?

Mr. FULBRIGHT. I should like to say one thing further. Is the Senator from Illinois impatient with my remarks?

Mr. DIRKSEN. Oh, no.

Mr. FULBRIGHT. Does he wish me to stop?

Mr. DIRKSEN. No. I wanted to ask an unrelated question of the majority leader.

Mr. FULBRIGHT. I merely wanted to bring to the attention of the Senate, and the public why I do not approve of the proposal that funds for Western Europe should be restricted. I think that is very important. If I understand correctly the language of the Senate report, it is not intended to be as severe as I have interpreted it to be.

Mr. SALTONSTALL. Certainly not.

Mr. JOHNSON of Texas. First of all, I do not know what the attitude of the State Department is on this subject; they have not talked with me about it.

Mr. FULBRIGHT. They have not talked with me about it.

Mr. JOHNSON of Texas. I think they would do well if they gave their views to the committee which considers their appropriation. The latest information we have is that they do not intend to take one cent of the increased amount which has been allocated to Western Europe.

Mr. FULBRIGHT. The language I am concerned about is in the Senate committee report, page 6, where, after the words "Western Europe," it was proposed to insert "where feasible."

Mr. JOHNSON of Texas. The Senator is talking about the language in the report when the report contained $28 million for the exchange program.

Mr. FULBRIGHT. That is correct.

Mr. JOHNSON of Texas. That has nothing to do with the conference report. We have reduced the amount to $25 million. The State Department has never suggested anything about an increase for Western Europe.

Mr. FULBRIGHT. Am I to continue to understand that the committee does not expect the State Department to transfer funds such as they have from Western Europe?

Mr. JOHNSON of Texas. If we could depend on it that they would not change their mind overnight, and would not be lobbying around outside, the Department would spend $8,666,000 for the program in Western Europe. That is what they told us they wanted. They said they had a full budget request of $4,900,000 additional, and they would not use any of it there. I am surprised that they would run around to other groups and discuss the question, but not consult with the committee about it.

Mr. FULBRIGHT. They do not run around. I asked them about this. The State Department people in charge of this program have been so maltreated by some members of committees of the House, particularly with respect to this program, that they are scared to death.

Mr. JOHNSON of Texas. They are not scared to tell us.

Mr. FULBRIGHT. They said they were told, "If you come up and ask us, we will cut your heads off."

Mr. JOHNSON of Texas. No one associated with our committee ever made such a statement.

Mr. FULBRIGHT. No; I did not say it was the Senator's committee. The Senator knows who it was.

Mr. JOHNSON of Texas. They started with a program of $14 million in 1955. We raised the amount to $18 million in 1956; to $20 million in 1957; to $22 million in 1959; and to $23 million in 1960.

Now we have provided an extra $2,500,000 this year. We provided it notwithstanding the Senator's absence. If he had been here, perhaps they could have secured an extra half million dollars.

Mr. FULBRIGHT. No; the Senator from Texas does much better; he understands the problem.

Mr. JOHNSON of Texas. We provided every cent the State Department wanted for Western Europe.

Mr. FULBRIGHT. It is a great record of increase when, within 2 months, the appropriation for Latin America has been increased from $64 million to $500 million. That has taken place since last May. I favored it, and so did everybody else. There was no difficulty about that.

Mr. JOHNSON of Texas. I was not aware that we had made any such appropriation.

Mr. FULBRIGHT. It is authorized. It has been voted for.

Mr. JOHNSON of Texas. Oh, yes; but there is a great difference between an authorization and an appropriation.

Mr. FULBRIGHT. I think there is no doubt that the money will be appropriated.

Mr. JOHNSON of Texas. I understood the Senator to say only last week that he planned to review the subject very carefully next January, and that the funds would not be appropriated unless a good case was made for them. As a matter of fact, the Senator left the impression with me that he would not take any action to appropriate at all; that he got the request only last Monday; and that the best way to deal with it was to proceed to authorize the appropriation, but to examine into the subject more fully next January.

Mr. FULBRIGHT. I explained that there was no plan for its expenditure. I voted in committee for the authorization of a 5-year program of $3 million. They regret now that they did not get it. They are sorry they did not get it, because, before very long, they will be in very much more serious trouble than they are in now.

Mr. JOHNSON of Texas. The Senator from Texas went along with the views of the Senator from Arkansas.

Mr. FULBRIGHT. I know he did. I am not complaining about the part played by the Senator from Texas in any respect.

Mr. JOHNSON of Texas. But the State Department ran out on us then.

Mr. FULBRIGHT. The Treasury overrode the State Department.

Mr. JOHNSON of Texas. Someone else is always responsible for the actions of the State Department.

Mr. FULBRIGHT. I know what happened. The Budget and the Treasury persuaded the President to oppose it. The Senator from Illinois knows how that worked out. He knows how it was defeated on the floor.

Mr. JOHNSON of Texas. I want to make this point——

Mr. FULBRIGHT. I am not complaining about the part which the Senator from Texas played in this program. He knows I am not.

Mr. JOHNSON of Texas. I understand; but I point out to the Senator that the committee and the Senate provided every dollar the State Department requested for Western Europe. We are cutting $2.5 million more off the amount for the rest of the world. If the Senator from Arkansas is concerned about Western Europe, he should understand that the committee has provided every cent which was requested.

Mr. FULBRIGHT. The Senator does not expect them to transfer what they ask for to some other nation.

Mr. JOHNSON of Texas. No. If the Senator will tell me who it is that it is upset about the question, I will call him up.

Mr. FULBRIGHT. No, no. These people do not come snooping around. I see them all the time. I try to help them in every way I can.

Mr. JOHNSON of Texas. I know that. We have extended an invitation to them to come before our committee. When they recommended $8,666,000, and they got every cent of it, I do not think they ought to be going to someone else saying that somebody is running over them. They got every cent they asked for.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. DIRKSEN. Mr. President, I am glad the Senator from Arkansas mentioned my name and my home State. I had to find something on which to hang a question. The Senator could town, or my State. Since the Senator did, I must now ask the majority leader have mentioned my name, my home a question.

I should like to ask, first of all, whether it is contemplated that there will be a yea-and-nay vote on the conference report—and I enter the hope that we shall not have such a vote.

Mr. JOHNSON of Texas. No; that is not contemplated.

Mr. DIRKSEN. Second, I should like to ask the majority leader when he proposes to move to recess or adjourn, because I must leave shortly. I invited a number of other Senators to be my guests on a visit to the President. I think it is time for me to put on a clean shirt and a fresh tie and go downtown. So I thought we ought to find out at what time the Senate will convene tomorrow.

Mr. JOHNSON of Texas. Mr. President, I shall try to answer the Senator's questions in the order in which they were asked.

First, I do not anticipate any yea-and-nay votes.

Second, it is expected to have the Senate take a recess until 11 o'clock tomorrow morning.

Mr. President, I ask unanimous consent for an order to that effect now.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Third, the Senator is free, so far as I am aware, to go home, put on his fresh shirt and clean tie, and get ready for his visit with the President. We will go on and complete the public business. If anything should develop during the evening about which the Senator should be concerned, I shall get in touch with him.

Mr. DIRKSEN. Does the Senator anticipate any further rollcalls this evening?

Mr. JOHNSON of Texas. Oh, no. I would not let the Senator leave to attend an important function, and then have rollcalls while he was gone, if I could avoid it.

Mr. DIRKSEN. Can the Senator assure me that there will be no fiery, reverberatory discussions?

Mr. GORE. Mr. President, that is going too far.

Mr. DIRKSEN. Mr. President, I want to give the majority leader my telephone number, so he will know just where to get me in case the atmosphere here takes on some temper. [Laughter.]

Mr. BUTLER. Mr. President, I am trying to do something nice for the majority leader now. What do Senators think we can do for him that will be very nice? [Laughter.]

DEPARTMENTS OF STATE AND JUSTICE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATION BILL, 1961—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11666) making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

Mr. FULBRIGHT. Mr. President, I wish to express my disappointment that, once more, we have been unable to bring this program up to the size it should be or make the progress which should be made on it. I think the country will regret it in the years ahead.

The PRESIDING OFFICER. The question is on agreeing to the report.

Mr. HUMPHREY. Mr. President, I wish to ask whether the item relating to funds for the arms control studies by the State Department was included or deleted.

Mr. JOHNSON of Texas. In my original statement I said that the agreement between the House and the Senate will permit the State Department to allocate funds for disarmament studies, in order to explore new possibilities of arms control, as had been provided in the Senate version of the bill.

Mr. HUMPHREY. I thank the Senator from Texas. I regret that I had to be away from the floor at that time; and I wished to make sure that this item had been included. I appreciate this reassurance.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the table previously referred to, which shows the exchange program distribution by countries.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Distribution of House allowance, by areas

	1960 estimate	1961 request	House allowance	House reduction and restoration request
Governmental program expenses:				
(a) American Republics	$4,498,000	$5,206,000	$4,498,000	$708,000
(b) Western Europe	6,868,000	6,866,000	6,866,000	
(c) Eastern Europe	472,500	611,000	472,500	138,500
(d) Far East	4,313,300	6,347,000	4,315,300	2,031,700
(e) Near East and South Asia	3,397,800	4,496,000	3,397,800	1,098,200
(f) Africa	2,073,200	2,841,000	2,073,200	767,800
Grants for private U.S. programs	150,000	150,000	150,000	
Administrative expenses	1,437,200	1,683,000	1,437,200	245,800
Total	23,210,000	28,200,000	23,210,000	4,990,000

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

WABASH BASIN INTERAGENCY WATER RESOURCES COMMISSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1907, Senate bill 3625.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (S. 3625) to establish a Wabash Basin Interagency Water Resources Commission.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be not to exceed 1 hour of debate on the bill and not to exceed 30 minutes of debate on any amendment thereto, and that the usual form in connection with unanimous-consent agreements be followed.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The unanimous-consent agreement as subsequently reduced to writing is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Thursday, August 25, 1960, at the conclusion of the call of the calendar, during the further consideration of the bill (S. 3625) to establish a Wabash Basin Interagency Water Resources Commission, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 30 minutes, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

ORDER FOR CALL OF THE CALENDAR TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that on tomorrow, following the morning business, we may have a call of the measures on the calendar, beginning with Calendar No. 1911, Senate bill 3524, for the taking of action on the measures to which there is no objection.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

RECESS UNTIL 11 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, in accordance with the order previously entered, I now move that the Senate stand in recess until tomorrow, at 11 a.m.

The motion was agreed to; and (at 5 o'clock and 5 minutes p.m.), the Senate took a recess, under the order previously entered, until tomorrow, Thursday, August 25, 1960, at 11 o'clock a.m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 24, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Galatians 6: 2: *Bear ye one another's burdens, and so fulfil the law of Christ.*

O Thou gracious Benefactor, we rejoice that daily Thou art supplying us with many blessings but we confess with shame that we are often so thoughtless and selfish in our appropriation and use of them.

May we strive to solve the problems of economic distress and social maladjustment on the levels of a hallowed respect for the dignity of man, created in Thy own image and destined for immortality.

Show us how we may help to remove from the minds of men those attitudes of bigotry and prejudice which engender strife and may they be supplanted by the virtues of forbearance and good will.

To Thy name we shall ascribe all the praise. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 12580. An act to extend and improve coverage under the Federal Old-Age, Survivors, and Disability Insurance System and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such system; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD of Virginia, Mr. KERR, Mr. FREAR, Mr. LONG of Louisiana, Mr. WILLIAMS of Delaware, and Mr. CARLSON to be conferees on the part of the Senate.

SOCIAL SECURITY AMENDMENTS OF 1960

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 12580) to extend and improve coverage under the Federal old-age, survivors, and disability insurance system and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such system; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; and for other purposes, together with Senate amendments thereto, disagree to the Senate amendments and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. MILLS, FORAND, KING of California, O'BRIEN of Illinois, MASON, BYRNES of Wisconsin, and BAKER.

CONFERENCE REPORT ON DEPARTMENTS OF STATE, JUSTICE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS, 1961

Mr. ROONEY. Mr. Speaker, I call up the conference report on the bill (H.R. 11666) making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1961, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. GROSS. Mr. Speaker, reserving the right to object, I trust that the gentleman from New York will take ample time before we are called upon to vote on the adoption or rejection of the conference report to explain what transpired in conference.

Mr. ROONEY. I most certainly shall do so.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2136)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11666) making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1961, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 11, 12, 19, 25, 26, 33, and 35.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 9, 15, 16, 17, 18, 20, 21, 23, 24, and 34, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment, insert "ten"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$115,000,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$850,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree

to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$500,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$650,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,000,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "25,705,000"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,568,750"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$22,085,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,785,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,292,940"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,125,000"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,300,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$102,557,300"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$7,185,848"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$30,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 22.

JOHN J. ROONEY,
ROBERT L. F. SIKES,
CLARENCE CANNON,
FRANK T. BOW,
JOHN TABER,
Managers on the Part of the House.

LYNDON B. JOHNSON,
ALLEN J. ELLENDER,
CARL HAYDEN,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
BOURKE B. HICKENLOOPER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11666) making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1961, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF STATE

Administration of foreign affairs

Salaries and Expenses

Amendment No. 1: Provides for the purchase of ten passenger motor vehicles instead of nine as proposed by the House and thirteen as proposed by the Senate.

Amendment No. 2: Appropriates $115,000,000 instead of $113,500,000 as proposed by the House and $117,377,000 as proposed by the Senate.

Representation Allowances

Amendment No. 3: Appropriates $850,000 instead of $835,000 as proposed by the House and $875,000 as proposed by the Senate.

Extension and Remodeling, State Department Building

Amendment No. 4: Appropriates $500,000 instead of $225,000 as proposed by the House and $596,200 as proposed by the Senate.

International organizations and conferences

Missions to International Organizations

Amendment No. 5: Appropriates $1,868,000 as proposed by the Senate instead of $1,835,000 as proposed by the House.

International Tariff Negotiations

Amendment No. 6: Strikes out the proposal of the Senate for the purchase of one passenger motor vehicle.

Amendment No. 7: Provides a limitation of $2,000 for representation instead of $1,000 as proposed by the House and $5,000 as proposed by the Senate.

Amendment No. 8: Appropriates $650,000 instead of $600,000 as proposed by the House and $700,000 as proposed by the Senate.

International commissions

International Boundary and Water Commission, United States and Mexico

Amendment No. 9: Appropriates $1,982,000 for "Operation and maintenance" as proposed by the Senate instead of $1,840,000 as proposed by the House.

Amendment No. 10: Appropriates $4,000,000 for "Construction" instead of $2,000,000 as proposed by the House and $9,000,000 as proposed by the Senate.

Amendments Nos. 11 and 12: Strike out the proposals of the Senate relative to "Construction" since they were provided for in the Supplemental Appropriation Act, 1961.

Educational exchange

International Educational Exchange Activities

Amendment No. 13: Appropriates $25,705,000 instead of $23,210,000 as provided by the House and $28,200,000 as provided by the Senate.

Amendment No. 14: Provides a limitation of $1,568,750 for administrative expenses instead of $1,437,500 as proposed by the House and $1,700,000 as proposed by the Senate.

Center for Cultural and Technical Interchange Between East and West

Amendment No. 15: Appropriates $10,000,000 as proposed by the Senate.

Presentation of a statue to Uruguay

Amendment No. 16: Appropriates $18,000 as proposed by the Senate.

Pan American Health Organization Building site

Amendment No. 17: Appropriates $875,000 as proposed by the Senate.

Payment to the Government of Japan for Bonin Islanders' claims

Amendment No. 18: Appropriates $6,000,000 as proposed by the Senate.

General provisions—Department of State

Amendment No. 19: Strikes out the proposal of the Senate relating to the importation or reimportation into the United States of certain firearms.

TITLE II. DEPARTMENT OF JUSTICE

Legal activities and general administration

Salaries and Expenses, General Legal Activities

Amendment No. 20: Appropriates $13,375,000 as proposed by the Senate instead of $13,175,000 as proposed by the House.

Salaries and Expenses, United States Attorneys and Marshals

Amendment No. 21: Appropriates $23,310,180 as proposed by the Senate instead of $23,010,180 as proposed by the House.

Amendment No. 22: Reported in disagreement.

Immigration and Naturalization Service

Salaries and Expenses

Amendment No. 23: Appropriates $59,400,000 as proposed by the Senate instead of $57,800,000 as proposed by the House.

General provisions—Department of Justice

Amendment No. 24: Strikes out the proposal of the House relative to the compensation of certain Commissioners appointed in lands cases.

TITLE III—THE JUDICIARY

Supreme Court of the United States

Miscellaneous Expenses

Amendment No. 25: Appropriates $69,800 as proposed by the House instead of $87,000 as proposed by the Senate.

Care of the Building and Grounds

Amendment No. 26: Appropriates $287,200 as proposed by the House instead of $290,800 as proposed by the Senate.

Courts of appeals, district courts, and other judicial services

Salaries of Supporting Personnel

Amendment No. 27: Appropriates $22,085,000 instead of $22,035,520 as proposed by the House and $22,235,520 as proposed by the Senate.

Travel and Miscellaneous Expenses

Amendment No. 28: Appropriates $3,785,000 instead of $3,665,000 as proposed by the House and $3,999,000 as proposed by the Senate.

Administrative Office of the United States Courts

Amendment No. 29: Appropriates $1,292,940 instead of $1,238,400 as proposed by the House and $1,470,000 as proposed by the Senate. Of the total amount allowed, $79,540 is for the "Rules group."

Salaries of Referees

Amendment No. 30: Appropriates $2,125,000 instead of $2,100,000 as proposed by the House and $2,150,000 as proposed by the Senate.

Expenses of Referees

Amendment No. 31: Appropriates $3,300,000 instead of $3,200,000 as proposed by the House and $3,400,000 as proposed by the Senate.

TITLE IV—RELATED AGENCIES

United States Information Agency

Salaries and Expenses

Amendment No. 32: Appropriates $102,557,300 instead of $101,557,300 as proposed by the House and $103,557,300 as proposed by the Senate.

Amendment No. 33: Provides a limitation of $90,000 for representation as proposed by the House instead of $135,000 as proposed by the Senate.

Philippine-American Cultural Foundation

Amendment No. 34: Appropriates $1,365,740 as proposed by the Senate. The conferees are agreed that $500,000 of this sum is to be made available in fiscal year 1961 to support the issuance of additional Informational Media Guarantee Contracts.

Payment to Informational Media Guarantee Fund

Amendment No. 35: Appropriates $3,691,680 as proposed by the House instead of $4,691,680 as proposed by the Senate.

Funds appropriated to the President

President's Special International Program

Amendment No. 36: Appropriates $7,185,848 instead of $6,935,848 as proposed by the House and $7,435,848 as proposed by the Senate. The increase allowed is for the trade fair program including labor missions.

Amendment No. 37: Provides a limitation of $30,000 for representation instead of $25,000 as proposed by the House and $70,700 as proposed by the Senate.

JOHN J. ROONEY,
ROBERT L. F. SIKES,
CLARENCE CANNON,
FRANK T. BOW,
JOHN TABER,
Managers on the Part of the House.

Summary of bill H.R. 11666

Activity	1960 appropriation	1961 estimate	1961 House bill	1961 Senate bill	Conference action	Comparison of conference action with—		
						1961 estimate	House bill	Senate bill
State	$229,802,564	$262,361,610	$223,769,754	$257,471,954	$247,172,754	−$15,188,856	+$23,403,000	−$10,299,200
Justice	266,935,000	283,200,000	278,220,180	280,320,180	280,320,180	−2,879,820	+2,100,000	
Judiciary	49,120,300	52,714,865	49,800,045	50,836,445	50,149,065	−2,565,800	+349,020	−687,380
USIA	118,234,746	125,158,920	116,988,980	121,354,720	119,354,720	−5,804,200	+2,365,740	−2,000,000
President's fund	6,145,500	8,600,000	6,935,848	7,435,848	7,185,848	−1,414,152	+250,000	−250,000
Civil Rights Commission	780,000	995,000	850,000	850,000	850,000	−145,000		
Total	671,018,110	[1] 733,030,395	676,564,807	718,269,147	705,032,567	−27,997,828	+28,467,760	−13,236,580

[1] Supplemental estimates totaling $19,226,640 were sent to the Senate subsequent to the passage of the bill by the House.

I now yield to the distinguished gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding. I see that the conferees did a fair job in offering some of the Senate increases, but $28 million above the House figure is a pretty substantial increase.

Mr. ROONEY. I have just pointed out that there were supplemental requests, not submitted to the House, inserted in the bill by the other body, amounting to $19,226,640.

Mr. GROSS. What does the gentleman mean by "supplemental requests"?

Mr. ROONEY. There were quite a number of such items. For instance, there was an item of $6 million for payment to the Government of Japan, recommended by the Department of Defense, which every member of the conference agreed could not be reduced or deferred. I cite that as an example of just one of them.

There was an item of $875,000 for acquisition of property for the Pan American Health Organization Building which was authorized by the House not too long ago.

There was an item of $10 million for a center for cultural and technical interchange between East and West to be given as a grant to any appropriate agency of the new State of Hawaii. This is the brainchild of the distinguished majority leader of the other body, Senator LYNDON JOHNSON, of Texas. He has labored long and arduously to create such a cultural and technical interchange center, which I understand is to be located at the University of Hawaii. In the present state of international affairs this center for cultural and technical interchange between East and West is highly essential and can make an important long-term contribution to the promotion of better relations and understanding between this country and the people of the Far East. The amount $10 million carried in the pending conference report is the first year's cost of a 3-year program which will total approximately $31 million.

In giving Senator LYNDON JOHNSON this deserved credit to which he is entitled for the establishment of this cultural and technical interchange between East and West I should also say that he is a great American, one of the finest, fairest, and most capable men I have ever met in my life. As a "damnyankee" who has known him for over 16 years I can say that there is not an ounce of discrimination against any race, creed, or color in his ample Texas frame.

Incidentally, my good friend LYNDON JOHNSON has sure been one powerful representative of the State of Texas in his years in Washington. I have learned this appropriationwise after my years of service on the House Committee on Appropriations.

The SPEAKER. The gentleman from New York [Mr. ROONEY] is recognized.

Mr. ROONEY. Mr. Speaker, the pending conference report on the Departments of State and Justice, the Judiciary, and related agencies appropriation bill for 1961 fiscal year recommends funds in the amount of $705,032,567. This total amount is $27,997,828 below the amount of the total budget requests of $733,030,395. It is $28,467,760 above the House bill, unfortunately. However, there were supplemental estimates sent to the other body following the House action on this bill in the amount of $19,226,640. The agreed-upon amount as compared with the Senate bill is $13,236,580 less than it. Moneywise, the total amount arrived at represents trading at a ratio of 8 to 13. I think the House conferees did a pretty fair job of trading.

The following summary indicates last year's appropriations, the requests for 1961 fiscal year, the amounts contained in the House and Senate bills, and the conference action thereon:

I assure my colleagues the House conferees did the best they could under all the circumstances to save some of the taxpayers' money.

Mr. GROSS. I notice that the liquor funds went up too.

Mr. ROONEY. With reference to representation funds, I shall say to the distinguished gentleman there was an increase by the other body of various representation items in this bill totaling $134,700 over the House figures. The conference agreed to but $21,000 over the House figures. I think that was a pretty fair trade.

Mr. GROSS. I thought they already had too much liquor to wallow around in, in the amount the House appropriated for that purpose.

Mr. ROONEY. This is only $21,000 worth of wallowing.

Mr. GROSS. There is $10 million for a cultural set-up in Hawaii added to this bill.

Mr. ROONEY. That is correct. I am 100 percent in favor of it. If we are going to have a cultural and technical interchange center for East-West relations it could not be better situated than at the University of Hawaii in Honolulu.

Mr. GROSS. Of course, I do not think we are in any position financially in this Government of ours to be spending $10 million on a cultural center anywhere.

Mr. ROONEY. I am sure the gentleman will agree that a little culture will not hurt anyone.

Mr. GROSS. We have had quite a little culture, have we not? Then I notice a statement there is an additional $225,000 for remodeling the State Department building. Was that because of an underestimate of their needs or some additions to that fancy top floor?

Mr. ROONEY. The conference amount is a reduction of $96,200 below the Senate amount, as I recall.

All in all, we did the best we could on every item in disagreement and now bring you the result for your approval.

Mr. GROSS. I am sorry this bill is $28 million above the House bill.

Mr. ROONEY. I assure the distinguished gentleman that I am too.

Mr. GROSS. Let the record show I am opposed to the bill.

Mr. ROONEY. I am pleased to announce to the House that the Senate conferees have agreed to completely delete from this bill section 107 thereof which stated that it was the sense of the Senate that in the administration of section 414 of the Mutual Security Act of 1954, as amended, the Secretary of State should take such action as may be necessary to prevent the importation or reimportation into the United States—other than for use by the Armed Forces of the United States—for resale of firearms manufactured for the armed forces of any country, or parts thereof for reassembly, except those which are curios or antiques or weapons of obsolete ignition incapable of using a fixed cartridge or fixed shotgun shell. This language might raise havoc with the small sporting goods dealers and gunsmiths all over the country.

Mr. ROONEY. Mr. Speaker, I yield such time as he may desire to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point on the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, on the occasion of the final passage of the fiscal year 1961 appropriation for the Department of State, I would like to emphasize the importance of the Department and its Foreign Service in these critical days. The conferees on this bill have agreed to some additional appropriations in support of the programs many of us consider to be of vital importance to our national interests. I refer particularly to the increases for the opening of new posts and the elevation of posts in seething Africa and to the funds for increased activity in Latin America. Certainly the increasing importance of Latin America and of Africa adds to the opportunities and the responsibilities of U.S. diplomacy.

This will be a momentous year for all of us. It will be a year of decision, domestically and internationally. It is a presidential election year. It is also the year when the entire membership of the House of Representatives and one-third of the membership of the Senate will be chosen by the people. It is a year that will mark the end of the incumbent administration. In January of next year a new administration will take over. There will be new leaders in the executive branch. And there will be new faces in Congress.

Regardless of the political coloration of the new administration, regardless of the changes in Congress, we must continue to demonstrate to the free peoples of the world—and to the captives as well—that this great land of ours is resolute in the aspiration of peace and friendship in freedom.

Undoubtedly this is the great challenge of the new decade and I realize that, as Secretary Herter has said, it will take courage of a high order and strong nerves to construct a new relationship between antagonistic systems of free men and of communism, but that this must be done if civilization is to survive.

Recent events and daily headlines give emphasis to the need for supporting and strengthening the Department of State, which has the responsibility for the apparatus of American diplomacy.

The Department has been described as America's first line of defense in peacetime. We must be able to rely upon this diplomacy and this first line of defense to protect our well-being and our security as a nation.

Our efforts to strengthen and unify the free world economically or politically, and our attempts to cope with the diplomatic hoodlumism of the Soviets depend in large measure upon the apparatus of American diplomacy.

The machinery of the past will not serve us well today or in the future. The task of representing the United States abroad in today's highly technological world presents a challenge that increases in complexity with every passing day. Recent weeks have shown again and again the magnitude of the propaganda challenge.

Adequate representation abroad clearly demands adequate material support in matters ranging from housing and education of dependents to language training and the hiring of specialists in a wide variety of fields. Our representatives abroad contend with a range of problems from atomic energy to agricultural surpluses, from educational exchange to currency stabilization, from immigration matters to the impact of nationalism upon the climate of investment.

Almost hourly from all corners of the globe the Department is presented with problems of a most delicate character. Its farflung responsibilities and needs are with it 24 hours a day and 7 days a week. This big job is done on less than one-third of 1 percent of the total Federal budget.

Those who must assist in finding the answers have a very great responsibility. Manifestly, they should be provided with the means and facilities necessary for the execution of the tasks assigned them.

Many of us are at times critical of some aspects of the Department and its administration. There are ofttimes reasons for criticism. But it would be folly to deny that it is important for us to build up and support the State Department and to have a first-rate diplomatic corps around the world. The Department of State carries out the Nation's foreign policy. It provides the President with the information he needs for major policy decisions. It negotiates treaties and trade agreements. It represents the United States at the United Nations and at most international conferences.

In these critical times there is need for a constantly improved State Department. Its job becomes more difficult all the time as new pressures are built up all around our perimeter by the Soviets. The Congress should provide adequate funds for the job that must be done. However, no amount of money is in itself sufficient to do this job. An understanding of the job, esprit de corps, and downright determination not to let this Nation be outtraded, outmaneuvered, or outbluffed, are more essential than appropriations. There is the feeling that the United States is losing ground diplomatically in the worldwide contest with Communist forces. I hope before we are back here with another bill next year for funding State Department operations that we can say that trend has definitely and positively been reversed.

Mr. ROONEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The conference report was agreed to and a motion to reconsider was laid on the table.

The SPEAKER. The Clerk will report the amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 22: Page 20, line 1, insert: *"Provided further,* That of the amount herein appropriated not to exceed $200,000 shall be available for payment of compensation and expenses of Commissioners appointed in condemnation cases under rule 71A(h) of the Federal Rules of Civil Procedure."

Mr. ROONEY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY moves that the House recede from its disagreement to the amendment of the Senate numbered 22 and concur therein.

The motion was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ROONEY. Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks on the conference report and including extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

GENERAL SUMMARY OF 15 APPROPRIATION BILLS

The SPEAKER. The Chair recognizes the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a summary of the 15 appropriation bills passed up to this time, including the conference report just presented by the gentleman from New York.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, so that the membership may have up-to-the-minute information on the status of the appropriation bills in comparison with the President's budget requests, I include a summary tabulation.

The 15 bills completed, including the conference report of today, are below the budget requests of the President. But the few remaining bills, hiked far above House totals by the other body, afford opportunity for substantial cuts.

The tabulation, limited to the regular appropriation bills, follows:

Status of the appropriation bills for the 86th Cong., 2d sess., as of August 24, 1960

	Bills compared with House	Bills compared with budget
Net total for the 15 session bills enacted		−$32,328,403
Loan authorizations		(+211,400,000)
Pending:		
1. Labor-HEW, as passed by the Senate	+$301,766,200	+465,566,950
2. Public works, as passed by the Senate	+115,211,620	+25,869,425
Subtotal	+416,977,820	+459,107,972
3. Mutual security, as reported by Senate committee	+399,304,000	−202,650,000
As the bills now stand (appropriations)	+816,281,820	+166,457,972

NOTE.—Supplemental bill is yet to come.

SUPPLEMENTAL APPROPRIATION BILL MADE IN ORDER ON FRIDAY, AUGUST 26

Mr. CANNON. Mr. Speaker, I ask unanimous consent that it may be in order on Friday next for the Committee on Appropriations to submit and for the House to consider the last of the appropriations bills, the supplemental appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AMENDING THE MINERAL LEASING ACT OF FEBRUARY 25, 1920

The SPEAKER. The Chair recognizes the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (H.R. 10455) to amend the Mineral Leasing Act of February 25, 1920, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of August 23, 1960.)

The SPEAKER. The question is on the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, the unanimous report of the conference committee on H.R. 10455 marks the culmination of the successful and cooperative efforts of many persons to further perfect the Mineral Leasing Act of 1920 and adapt it to the changing conditions.

This is another step ahead in the conservation and use of natural resources.

The author of the bill, our colleague from New Mexico [Mr. MORRIS], the senior Senator from Wyoming, Senator O'MAHONEY, and others too numerous to mention, deserve appreciation for the constructive results to be derived.

Representatives of the Department of the Interior, as well as industry spokesmen, have been helpful to the Committee on Interior and Insular Affairs in studying mineral leasing problems.

Under its policy of operation, this legislation was referred for hearings to the Subcommittee on Mines and Mining, under the chairmanship of our colleague from New York [Mr. POWELL]. During part of the hearings, the subcommittee met under the acting chairmanship of our colleague from Texas [Mr. ROGERS].

Six days of hearings were held on H.R. 10455 and similar bills. Full opportunity was given for the receipt of suggestions and comments from the public and all comments were carefully considered.

The bill reflects a wide area of agreement on the substantive points considered and fully modernizes four sections of the basic act.

It has been a personal satisfaction to me as committee chairman to have had a part to play in this constructive legislation.

Interest and activity under the Mineral Leasing Act is increasing constantly. As my colleagues know, mineral leasing, in addition to developing a natural resource, is a revenue-producing activity. Receipts in the year ended in June 1959, were nearly $96 million. The major portion of this was from oil and gas rentals and royalties.

In approaching this legislation—H.R. 10455—it is well to bear in mind that mineral leasing is a highly technical operation. The laws, regulations, and procedures are very complex and the activity touches many States and many individuals. As of June 30, 1959, there were in effect over 141,000 mineral leases, permits, and licenses affecting nearly 117 million acres of Federal lands. Nearly 98 percent of these cases and over 95 percent of the acreage involve oil and gas.

This is legislation that the President should promptly sign to benefit not only those engaged in the mineral industry but the entire country.

Mr. THOMSON of Wyoming. Mr. Speaker, I am indeed pleased with the adoption of this conference report. This represents a culmination of many months of effort on the part of Members of Congress and those in our oil and gas industry, to effect much-needed and necessary amendments to the Mineral Leasing Act of 1920.

The act is not exactly as I would have preferred, and I suppose the same might be said as to everyone else. It does, though, represent good and much-needed legislation. It will remove the confusion in the distinction between land chargeable directly under lease and indirectly under option, and by so doing, will prevent that confusion from thwarting the further exploration and development of oil and gas resources on the public lands.

Time does not permit reviewing the legislation in detail. There are, though, a couple of points that I would like to specifically mention.

In the first place, I would like to commend the conferees on the language they have worked out as a substitute for the Senate language contained in section 5, providing for a new "section 42" to be added to the act. Under the conference committee language, all suggestion that Congress gives approval to the theory of administrative cancellation or forfeiture of or title to any oil and gas lease, is removed. The Senate language expressly mentioned such administrative cancellation or forfeiture. The language worked out by the conferees deletes any such reference. The question of administrative cancellation or forfeiture is presently in litigation before the courts. As I covered at length when the bill was being considered in the House, on the basis of the legislative history and the action of this Congress, I am confident that the courts will find no such authority. It is my firm conviction that cancellation or forfeiture should only be by court action, as presently provided in the act.

I also want to commend the committee for adding the word "promptly" in the bona fide purchaser portion of section 3, amending section 27 of the act. This would cause section 27(i) to read "shall have the right to be dismissed promptly as such a party upon showing that he holds and acquired as a bona fide purchaser the interest involving him as such a party without violating any provisions of this Act."; and further, for the provision that—

> No hearing upon any such showing shall be required unless the Secretary presents prima facie evidence indicating a possible violation of the Mineral Leasing Act on the part of the alleged bona fide purchaser.

It has recently come to our attention that regional solicitors and representatives of the Department in the field may be imposing unreasonable requirements upon those who are joined as party defendant, simply because they have had some dealings with the principal party accused of violation of the act. This should make clear the intention of Congress and bring a halt to any such practices. It is hoped that the Department, as time permits and in the near future, will work out regulations providing for a procedure for release of such a party,

upon their filing a statement of ultimate facts, showing them to be a bona fide purchaser and not to have been otherwise in violation of the act in the acquisition of the particular lease or leases involving them as a party. I am advised that the Department is working on this. This problem came to our attention only recently, and it was impossible to have spelled out such a procedure in the short time remaining for consideration of this legislation. If such action is not taken, it may well be that the Congress will have to further consider this in the next session. That, however, should not be necessary, for the intention of Congress to provide for a simple and prompt disposition is made clear by these amendments to the act of September 21, 1959.

Mr. Speaker, I repeat that this legislation provides amendments much needed for a healthy oil industry in the public land areas and the economic well-being of the Nation. It is deserving of support, and I urge the adoption of the conference report.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that any Members desiring to do so may have permission to extend their remarks immediately following approval of the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

ALASKAN VESSELS INSPECTION EXEMPTION ACT

Mr. GARMATZ. Mr. Speaker, I call up the conference report on the bill (S. 2669) to extend the period of exemption from inspection under the provisions of section 4426 of the Revised Statutes granted certain small vessels carrying freight to and from places on the inland waters of southeastern Alaska, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

Mr. PELLY. Mr. Speaker, reserving the right to object, may I ask the distinguished gentleman from Maryland as to whether or not during the consideration of this conference report he intends to yield time so that anyone in opposition to the report may express their views?

Mr. GARMATZ. Mr. Speaker, I will yield such time as he may desire to the gentleman from Washington.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2086)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2669) to extend the period of exemption from inspection under the provisions of section 4426 of the Revised Statutes granted certain small vessels carrying freight to and from places on the inland waters of southeastern Alaska, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the amendment of the House, amend the Senate engrossed bill by striking out line 3 on page 2 and inserting in lieu thereof the following: "striking out 'March 15, 1960' and inserting in lieu thereof 'December 31, 1962'."; and the House agree to the same.

EDWARD A. GARMATZ,
FRANK W. BOYKIN,
FRANK M. CLARK,
JOHN H. RAY,
Managers on the Part of the House.

CLAIR ENGLE,
E. L. BARTLETT,
JOHN MARSHALL BUTLER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (S. 2669) to extend the period of exemption from inspection under the provisions of section 4426 of the Revised Statutes granted certain small vessels carrying freight to and from places on the inland waters of southeastern Alaska, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The bill as passed by the Senate amended section 2 of the act of August 23, 1958, to extend for four years (from March 15, 1960, to March 15, 1964) the provisions of present law granting an exemption from inspection and manning requirements otherwise applicable to certain vessels under 150 gross tons, owned by or demise chartered to any cooperative or association engaged solely in transporting cargo owned by any one or more of the members of such cooperative or association on a nonprofit basis between places within the inland waters of southeastern Alaska and between such places in the inland waters of southeastern Alaska and Prince Rupert, British Columbia, or places within the inland waters of the State of Washington.

The amendment of the House would have limited the extension of such exemption for two years (or until March 15, 1962).

The conference agreement extends the exemption granted under the act of August 23, 1958, until December 31, 1962.

EDWARD A. GARMATZ,
FRANK W. BOYKIN,
FRANK M. CLARK,
JOHN H. RAY,
Managers on the Part of the House.

Mr. GARMATZ. Mr. Speaker, I yield such time as he may desire to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Speaker, the conference report on the bill S. 2669 should be rejected.

As the House passed this bill on June 24, 1960, it would have extended for 2 years the exemption from Coast Guard inspection granted to certain vessels under 150 gross tons operated by a cooperative association between the State of Washington and Alaska.

As passed by the Senate the bill called for an extension of 4 years.

This conference report represents a compromise. But there is no justification for a compromise.

Mr. Speaker, the Coast Guard opposed the original bill which granted exemption from inspection and safety regulations to vessels operated by the Ketchikan Merchants Cooperative Association. Likewise the Coast Guard is in opposition to S. 2669 and to an extension of that law.

As my colleague from the State of Washington [Mr. TOLLEFSON] and I stated in filing minority views on S. 2669, safety at sea and proper manning are not luxuries to be provided only when convenient, but rather are requirements imposed by law because they are necessary to the protection of life and property.

When S. 2669 was considered by the House Merchant Marine Committee I told my fellow members of the committee that anyone voting for this measure would have to accept responsibility in the event of an accident or disaster.

Well, Mr. Speaker, there has been a disaster. It occurred on July 19, 1960, less than 1 month after the House passed S. 2669.

The incident I refer to is the burning and total loss of the motor vessel *Coral Sea* which was one of the boats exempted from Coast Guard inspection by this legislation.

Fortunately no lives were lost, but Mr. Speaker, the report of the Coast Guard shows that the presumed cause of fire under usual Coast Guard safety requirements would have been corrected.

There is no justification of the Congress waiving safety requirements.

This conference report should be rejected.

Mr. Speaker, I include at this point a letter date August 17, 1960, of J. A. Hirshfield, vice admiral and acting commandant, to me regarding the loss of the *Coral Sea*.

And likewise I ask to include the report of the investigating officer and the finding of facts on the burning and loss of the uninspected freight vessel *Coral Sea*.

This conference report should be defeated. A 3-year lull would mean a continuation of this unwholesome situation. The 2-year lull at least could be justified somewhat on the basis of providing a reasonable period for the operator to adjust its affairs.

MV "CORAL SEA,"
August 17, 1960.

Hon. THOMAS M. PELLY,
House of Representatives,
Washington, D.C.

DEAR MR. PELLY: In further reference to our telephone conversation of August 11, 1960, there is enclosed a copy of the Coast Guard investigation concerning the burning and loss of the MV *Coral Sea*, O.N. 254813.

The *Coral Sea* was being operated as an uninspected freight vessel, serving southeastern Alaskan ports in accordance with a waiver of the vessel inspection and navigation laws granted by section 2 of Public Law 85–739, which amended 46 U.S.C. 404.

The investigating officer, in his "conclusions," states that the fire originated in the engine room in way of the main engine exhaust piping. Under the provisions of our marine engineering regulations, it is probable

that the exhaust system of the *Coral Sea* did not fully comply with Coast Guard requirements.

Title 46, Code of Federal Regulations, section 57.10-5(d)(1)(iii) requires the woodwork within 6 inches of the exhaust pipe shall be protected by ¼-inch asbestos board covered with not less than No. 22 USSG galvanized sheet iron. Further, subparagraph 2 of this paragraph also requires that the exhaust pipe shall be properly supported by noncombustible hangers or blocks. Neither of these requirements were met on the *Coral Sea*, as pointed out in paragraph 4 of the investigating officer's findings of fact.

Sincerely yours,

J. A. HIRSHFIELD,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

U.S. COAST GUARD,
Juneau, Alaska, July 27, 1960.

From: Investigating Officer, Juneau, Alaska.
To: Commandant (MVI).
Via: (1) Officer in Charge, Marine Inspection, Juneau, Alaska; (2) Commander, 17th Coast Guard District (m).
Subject: MV *Coral Sea*, O.N. 254813; burning and loss of.

FINDINGS OF FACT

1. On 19 July 1960 the MV *Coral Sea*, burned and was lost off Cape Fanshaw, Alaska. There were no injuries and no loss of life. Monetary amount of loss was given as $82,000.

2. The MV *Coral Sea* was built of wood in 1943 and was of 148 gross tons, 96 feet in length, 21-foot beam, 10-foot depth, and propelled by a 400-horsepower oil screw engine. The vessel was owned by the Coral Sea Boat Co., Inc. (Washington), 509 East Northlake Avenue, Seattle, Wash., and at the time of the casualty was being operated under charter by Ketchikan Merchants Cooperative Association, Inc., Box 1051, Juneau, Alaska, formerly Ketchikan Merchants Charter Association.

3. The MV *Coral Sea* was being operated as an uninspected freight vessel, serving southeastern Alaska in accordance with a waiver of the inspection laws granted by section 2 of Public Law 85-739 which amended 46 U.S.C. 404.

4. At the time of the casualty the vessel was under way, without cargo, en route from Juneau to Wrangell, Alaska, with a crew of four. Firefighting equipment consisted of one 15-pound CO_2 extinguisher in the wheelhouse, one 15-pound CO_2 extinguisher in the galley, two 15-pound CO_2 extinguishers in each end of the lower engineroom, and two 100-pound CO_2 extinguishers located outside of the engineroom forward access door. These latter extinguishers were provided with a single length of hose and a horn for application of the extinguishing agent. The extinguishers were not connected together. This required that the hose be disconnected from the expended bottle and connected to the full bottle, in order to use both, an operation requiring approximately 1 minute. There was one separately driven, combination fire and bilge pump in the engineroom with one hydrant and hose located on deck. There were also two fire axes. The engineroom, all service spaces, and living quarters had been completely repainted recently, the painting having been completed approximately 1 week prior ot the casualty. The main engine was in good operating condition, although in the past there had been some difficulty experienced with sticking valves which caused vibration in the main engine and its connected piping. The main engine exhaust pipe was approximately 8 inches in diameter and extended vertically from the engineroom in an exhaust trunk to the muffler and stack. The exhaust trunk was about 3 feet square, constructed of wood and covered with sheet asbestos. At the engineroom overhead and also at the top of the deckhouse the clearance between stack and woodwork reduced to about 3 feet forward and aft due to a shelflike projection to which the exhaust pipe supporting brackets were secured.

These brackets were connected to collars around the exhaust pipe and were not insulated from the exhaust pipe nor from the woodwork. The exhaust piping was covered with insulation material throughout its length. Approximately 2 years prior to this casualty, the woodwork in the exhaust trunk became charred from the heat of the hot exhaust gases escaping through a deteriorated section of the exhaust pipe in way of a flange. Following this incident, all the exhaust piping, flanges, muffler, and charred woodwork were replaced. Main engine exhaust temperature under normal operating conditions was about 650° F.

5. The weather at the time of the casualty was good, with a calm sea, light airs, low overcast, and good visibility.

6. At approximately 0345 on July 19, 1960, the vessel was under way in the waters of Frederick Sound approximately 3 miles due west of Cape Fanshaw, Alaska, with the following persons on board:

Master: Harold F. Green, license 201812, chief mate, steam or motor vessels, any gross tons, oceans.

Mate: Hardy Hofstad, MMD, Z-1006673, endorsed able seaman, any waters, unlimited.

Chief engineer: John A Boberg, MMD, Z-1106800, endorsed ordinary seaman and wiper.

Assistant engineer: Arthur M. Larson, MMD, Z-1067368, endorsed ordinary seaman and wiper.

7. Hofstad had the deck watch and was at the wheel. Larson had the engineroom watch. Green and Boberg had retired to their quarters. Larson customarily stood his watch by making a tour of the machinery spaces each half hour, attending to the propulsion machinery and auxiliary equipment as necessary. He had made his last round at 0330, finding all in order, and was in the wheelhouse talking to Hofstad, when they heard a popping sound from the engineroom. Larson went to the engineroom and found the overhead forward of the exhaust trunk to be on fire. He went back up the stairs, notified Hofstad, called Boberg, got a fire extinguisher from the galley and returned to the engineroom to fight the fire. Hofstad called the master and the three men fought the fire with the equipment they could reach, which consisted of both of the 100-pound CO_2 extinguishers and three of the 15-pound extinguishers. The flames spread rapidly and the heat and smoke became very intense forcing the men out of the engineroom. They then closed all hatches, secured the engineroom vent motor, and covered all ventilators and the stack with canvas and plywood to exclude the air. The master contacted the Coast Guard by radio, requesting help. CG-65401-D from Petersburg and CG-95301 from Juneau were ordered to assist. About 1 hour later smoke began issuing from the fuel tank vents and the crew abandoned ship in a skiff. At about 0615, no increase in fire activity being noted, the four crewmembers returned to the vessel. The deck was very hot in way of the stack. Efforts were made to keep it cool with buckets of water. At about 0800, the CG-65401-D arrived on the scene. The master gave permission to O/C CG-65401-D to take whatever action he thought necessary to put out the fire. Three coastguardsmen went aboard the burning vessel with one OBA and two firehoses with spray nozzles. Hatches were removed to provide access and the men entered the area and proceeded to fight the fire. However, the smoldering woodwork burst into flame almost immediately and the men were forced to back out and fight the fire from the deck. The fire got progressively worse especially in way of the fuel tanks, and because of fear of an explosion, all hands went on board the CG-65401-D and pulled off to await the arrival of CG-95301, with additional firefighting equipment. At approximately 1000 the CG-95301 arrived and assumed on-scene command. Both vessels conducted combined firefighting operations. However when it became apparent that the vessel could not be saved, the master gave permission to beach the vessel in shallow water and attempt to flood it. The vessel was pushed aground on the beach in position 57°08'.2'' N. and 133°24' W. at approximately 1500. The hull was holed at the waterline in several places and streams of water were directed on the burning vessel from portable pumps on the beach. The vessel continued to burn until all superstructure and most of the hull were consumed. At 2345, after all fire was out and the hulk was secure on the beach, CG-95301 left the scene and returned to Juneau with the four survivors.

CONCLUSIONS

8. It is concluded that the MV *Coral Sea* burned to a total loss off Cape Fanshaw, Alaska on July 19, 1960, as the result of a fire originating in the engineroom in way of the main engine exhaust piping. It is further concluded that the fire was the result of hot exhaust gases acting on the woodwork of the exhaust trunk; that the gases escaped from the pipe through a fracture in way of the flange at the bottom of the exhaust trunk; that the fracture was caused by metal fatigue from vibration, extreme temperature changes, and hot gas erosion; that the fact that all spaces had been freshly painted contributed to the rapid spread of the fire; that inability to operate the fire pump seriously hampered the crew's firefighting efforts; that the close proximity of the woodwork to the exhaust piping contributed to the cause; that none of the personnel of the Coast Guard or any other Government agency contributed to the casualty; and that no Coast Guard-approved or inspected equipment was involved.

RECOMMENDATIONS

9. It is recommended that no further action be taken and that the case be closed.

A. E. HAMPTON.

Mr. PELLY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. RIVERS of Alaska. Mr. Speaker, I arise in vigorous support of the approval of this conference report on S. 2669 which would extend an existing waiver of Coast Guard inspection and manning requirements for another 2 years and 9 months with regard to a few small cargo boats operating between Seattle, Wash., and certain points in southeastern Alaska. Since these vessels include in their service certain small outports with virtually no other service, and since the forthcoming 2-year-and-9-month period is required for the effectation of other arrangements, it appears obvious that this waiver should be granted, notwithstanding the fact that one of the small vessels recently suffered destruction by fire, which, as I understand it, could have happened even if that vessel had been under the Coast Guard requirements which I have mentioned. This matter has been carefully

considered by the appropriate committees of both Houses and overwhelmingly approved despite certain opposition. I urge that the House approve this conference report.

Mr. GARMATZ. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

CONTEMPT CITATIONS

The SPEAKER. The Chair desires to announce that, pursuant to sundry resolutions of the House, he has, today, made certifications to the U.S. attorney, District of Columbia, and the U.S. attorney, Commonwealth of Puerto Rico, as follows:

To the U.S. attorney, District of Columbia:

House Resolution 606, the refusal of Austin J. Tobin to furnish certain documents to the Committee on the Judiciary.

House Resolution 607, the refusal of S. Sloan Colt to furnish certain documents to the Committee on the Judiciary.

House Resolution 608, the refusal of Joseph G. Carty to furnish certain documents to the Committee on the Judiciary.

To the U.S. attorney, Commonwealth of Puerto Rico:

House Resolution 609, the refusal of Jose Enamorado Cuesta to answer questions before the Committee on Un-American Activities.

House Resolution 610, the refusal of Manuel Arroyo Zeppenfeldt to answer questions before the Committee on Un-American Activities.

House Resolution 611, the refusal of Consuelo Burgos De Saez Pagan to answer questions before the Committee on Un-American Activities.

House Resolution 612, the refusal of Juan Saez Corales to answer questions before the Committee on Un-American Activities.

House Resolution 613, the refusal of John Peter Hawes to answer questions before the Committee on Un-American Activities.

House Resolution 614, the refusal of Gertrudis Melendez Perez to answer a question before the Committee on Un-American Activities.

House Resolution 615, the refusal of Ramon Diaz Cruz to answer questions before the Committee on Un-American Activities.

House Resolution 616, the refusal of Frank Ruiz to answer questions before the Committee on Un-American Activities.

House Resolution 617, the refusal of Juan Emmanuelli Morales to answer questions before the Committee on Un-American Activities.

House Resolution 618, the refusal of Cesar Andreu Iglesias to answer questions before the Committee on Un-American Activities.

House Resolution 619, the refusal of Pablo M. Garcia Rodriguez to answer questions before the Committee on Un-American Activities.

House Resolution 620, the refusal of Cristino Perez Mendez to answer questions before the Committee on Un-American Activities.

House Resolution 621, the refusal of Juan Santos Rivera to answer questions before the Committee on Un-American Activities.

DEPARTMENTS OF HEALTH, EDUCATION, AND WELFARE AND LABOR APPROPRIATION BILL, 1961

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a report on the bill (H.R. 11390), making appropriations for the Departments of Health, Education, and Welfare, and Labor for the fiscal year 1961.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

THE POSTAL SERVICE

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2339), to revise, codify, and enact into law, title 39 of the United States Code, entitled "The Postal Service," with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 8, in line 3 of section 705(e), strike the words "the Territory of".

Page 9, in the fourth line of § 710, strike the word "it" and insert in lieu thereof the word "they".

Page 26, in the fourth line, strike the word "termination" and insert in lieu thereof the word "determination".

Page 35, in the last line, strike the word "Controller" and insert in lieu thereof the word "Comptroller".

Page 47, in the first line of § 3313, following the word "and" insert the word "any".

Page 47, in the third line of subsection (a)(1) of § 3315, strike the words "spector or other special agent" and insert in lieu thereof the words "post office".

Page 47, in the second line of subsection (a)(3) of § 3315, following "spector", insert the words "or other special agent".

Page 112, in the second line of § 4053, strike the words "and a postmark".

Page 123, in the last two lines of § 4302(b), strike the words "He shall provide for the treatment of unpaid or short-paid air parcel post".

Page 124, in the second and third lines of paragraph (2) of subsection (d) of § 4302, strike the words "event shall it be less than the rate provided for first-class surface mail.", and insert in lieu thereof the following: "case shall be less than 3 cents an ounce or fraction thereof."

Page 124, in line 1 of subsection (d)(3)(A) of § 4303, strike the word "continental".

Page 124, in line 1 of subsection (d)(3)(B) of § 4303, strike the word "continental".

Page 128, in the last two lines of subsection (c)(3) of § 4358, strike the words "the rates under paragraph (1) hereof" and insert in lieu thereof the words "those rates".

Page 129, strike out subsection (a) of § 4359 and insert in lieu thereof the following:

"(a) Except as provided in sections 4358, 4361, and 4362 of this title, the rates of postage set out in this section are applicable to copies of publications entered as second-class mail when (1) mailed by the publisher thereof from the post office of publication and entry or other post office where entry is authorized and (2) when mailed by news agents, registered as such under regulations prescribed by the Postmaster General, to actual subscribers thereto or to other news agents for the purpose of sale and (3) sample copies to the extent of 10 per centum of the weight of copies mailed to subscribers during the calendar year."

Page 129, in the third line of subsection (b) of § 4359, strike out "subseition" and insert in lieu thereof the word "subsection".

Page 129, in the last line of the table of rates contained in subsection (b) of § 4359, strike the words "Publications of nonprofit organizations" and insert in lieu thereof the words "A publication of a qualified nonprofit organization".

Page 129, strike out paragraph (2) of subsection (e) of § 4359 and insert in lieu thereof the following:

"(2) 'a publication of a qualified nonprofit organization' means a publication published by and in the interest of one of the following types of organizations or associations if it is not organized for profit and none of its net income inures to the benefit of any private stockholder or individual: Religious, educational, scientific, philanthropic, agricultural, labor, veterans', and fraternal; and".

Page 133, in the first line of § 4421, strike the word "that" and insert in lieu thereof the word "which".

Page 133, strike the word "are" in paragraph (4) of § 4421 and insert in lieu thereof the words "may be".

Page 133, in the first line of § 4422, strike the word "rates" and insert in lieu thereof the word "rate".

Page 133, in the third line of § 4422, following the word "title" insert the following: "when mailed in the manner prescribed by the Postmaster General,".

Page 134, in the first line of § 4452, strike the word "rates" and insert in lieu thereof the word "charge".

Page 134, in the second line of subsection (b) of § 4452, strike the word "rates" and insert in lieu thereof the word "charge".

Page 134, in the table in subsection (b) of § 4452, insert the word "qualified" immediately after the word "than".

Page 134, in the table in subsection (b) of § 4452, insert the word "Qualified" immediately preceding the word "nonprofit" in the second line of the table.

Page 134, in the footnote to the table in subsection (b) of § 4452, strike the word "rate" and insert in lieu thereof the word "charge".

Page 134, in the first line of subsection (d) of § 4452, insert the word "qualified" immediately preceding the word "nonprofit".

Page 135, in the sixth line of § 4452(e), strike the word "mail" and insert in lieu thereof the word "mailed".

Page 137, amend § 4554(a)(4) by inserting in the last line immediately following the word "answer" the following words: ", test scores, or identifying information recorded thereon in writing,".

Page 138, in the first line, strike the word "matter".

Page 138, in the first line of subsection (c) of § 4554, strike the words "film strips" and insert in lieu thereof the word "filmstrips".

Page 138, in the first line of subsection (c) of § 4554, insert a comma following the word "projection".

Page 159, in the third line of § 6211, strike out "economis" and insert in lieu thereof the word "economies".

Page 164, in paragraph (b)(3) of § 6352, strike the word "charges" and insert in lieu thereof the word "changes".

Page 164, in the second line of paragraph (b)(4) of § 6352, strike the word "services" and insert in lieu thereof the word "service".

Page 166, in the first line of subsection (a) of § 6403, strike out "(4)" and insert in lieu thereof "(5)".

Page 183, in the first line of section 11, strike "1959" and insert in lieu thereof "1960".

Page 195, under "1916–July 28" delete the last line.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

SOCIAL SECURITY AMENDMENTS OF 1960

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the conferees on the part of the House have until midnight tonight to file a conference report to accompany the bill H.R. 12580.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MASON] and myself have permission to extend our remarks with respect to the several bills that are about to be called up.

The SPEAKER. Without objection, it is so ordered.

EXCLUSION OF LOCAL ADVERTISING CHARGES FROM MANUFACTURERS SALE PRICE

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 12536) relating to the treatment of charges for local advertising for purposes of determining the manufacturers sale price, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4216 of the Internal Revenue Code of 1954 (relating to definition of price for purposes of the manufacturers excise tax) is amended by adding at the end thereof the following new subsection:

"(f) EXCLUSION OF LOCAL ADVERTISING CHARGE FROM SALE PRICE.—

"(1) EXCLUSION.—In determining, for purposes of this chapter, the price for which an article is sold, there shall be excluded a charge for local advertising (as defined in paragraph (4)) to the extent that such charge—

"(A) does not exceed 5 percent of the price for which the article is sold (as determined under this section by excluding any charge for local advertising),

"(B) is a separate charge made when the article is sold, and

"(C) is intended to be refunded to the purchaser or any subsequent vendee in reimbursement of costs incurred for local advertising.

In the case of any such charge (or portion thereof) which is not so refunded before the first day of the fifth calendar month following the calendar year during which the article was sold, the exclusion provided by the preceding sentence shall cease to apply as of such first day.

"(2) AGGREGATE AMOUNT WHICH MAY BE EXCLUDED.—In the case of articles upon the sale of which tax was imposed under the same section of this chapter—

"(A) the sum of (i) the aggregate of the charges for local advertising excluded under paragraph (1), plus (ii) the aggregate of the readjustments for local advertising under section 6416(b)(1) (relating to credits or refunds for price readjustments), shall not exceed

"(B) 5 percent of the aggregate of the prices (determined under this section by excluding all charges for local advertising) at which such articles were sold in sales on which tax was imposed by such section of this chapter.

The preceding sentence shall be applied to each manufacturer, producer, and importer as of the close of each calendar quarter, taking into account the items specified in subparagraphs (A) and (B) for such calendar quarter and preceding calendar quarters in the same calendar year.

"(3) NO ADJUSTMENT FOR OTHER ADVERTISING CHARGES.—Except to the extent provided by paragraphs (1) and (2), no charge or expenditure for advertising shall serve, for purposes of this section or section 6416 (b) (1), as the basis for an exclusion from, or as a readjustment of, the price of any article.

"(4) LOCAL ADVERTISING DEFINED.—For purposes of this section and section 6416 (b) (1), the term 'local advertising' means only advertising which—

"(A) is initiated or obtained by the purchaser or any subsequent vendee,

"(B) names the article for which the price is determinable under this section and states the location at which such article may be purchased at retail, and

"(C) is broadcast over a radio station or television station or appears in a newspaper."

SEC. 2. The first sentence of paragraph (1) of section 6416 (b) of the Internal Revenue Code of 1954 (relating to credits or refunds for price readjustments) is amended by inserting after "or allowance," the following: "including (in the case of a tax imposed by chapter 32) a readjustment for local advertising (but only to the extent provided in section 4216 (f) (2) and (3)),".

SEC. 3. The amendments made by this Act shall apply with respect to articles sold on or after the first day of the first calendar quarter beginning more than twenty days after the date of the enactment of this Act.

Mr. MILLS. Mr. Speaker, H.R. 12536, which was reported by your Committee on Ways and Means, without amendment, deals with so-called cooperative advertising arrangements under which manufacturers—or producers or importers—of products subject to the manufacturers' excise tax make a separate charge to, or agree to reimburse, the retailers—or other distributors—for all or a part of the costs incurred by the latter in locally advertising the manufactured products. The question is whether the amount paid for the local advertising is to be excluded from the manufacturer's price on which the tax is based, or in the case of reimbursements for this advertising, whether the price on which the tax is based is to be readjusted for this amount.

In 1932 the Internal Revenue Service ruled that specific additional charges billed by a manufacturer to a distributor for advertising were to be excluded from the sales price for purposes of a manufacturer's excise tax. Since that time the Internal Revenue Service has issued numerous private rulings permitting readjustments of sales price for local advertising expenses incurred by retailers or other distributors.

Then in the forepart of 1956, in testimony before the Forand subcommittee on Excise Tax Technical and Administrative Problems, the Internal Revenue Service indicated that it was planning to issue a ruling with respect to cooperative advertising which in general would have excluded such amounts from the tax base, or permitted a private readjustment for them where the reimbursement procedure was followed. However, late in 1956 the Commissioner of Internal Revenue informed the subcommittee that it could no longer go forward with the publication of such a ruling. Finally in 1958, the Treasury Department issued a regulation denying taxpayers an exclusion from, or readjustment of, the sales price for advertising charges or expenditures. In the case of those who had specific private rulings, this applied only prospectively. However, many other taxpayers had not themselves obtained private rulings but instead relied on information generally available to the effect that cooperative advertising charges were excludable—or that price readjustments attributable to such charges would result in refunds of taxes. For them the new regulation was applied on a retroactive basis.

In addition, in May of this year the Court of Claims in General Motors Corp. against United States held that the taxpayer in that case could properly readjust its sales price for articles sold, to the extent of the amount it paid dealers for the cost of local advertising under a cooperative advertising plan.

Because of this confusion as to the status of advertising charges in determining the tax base for manufacturers' excise taxes, your committee has concluded that statutory clarification is needed on this point and also provision for some limitations on the extent to which advertising charges can be excluded from the tax base for purposes of the various manufacturers excise taxes.

Your committee concluded that it was appropriate to exclude from the manufacturers' sales price a reasonable amount of local advertising where such advertising is under the control of the local retailer—or other distributor—since such an expense customarily is one incurred by the retailer and not the manufacturer. Therefore, it is more appropriately reflected in the retail distributors' price rather than in the manufacturers' sales price.

Accordingly, the bill provides that where a manufacturer—or producer or importer—makes a separate charge for

local advertising of a taxable product, or reimburses the local retailer—or other distributor—for all of the part of the expenses incurred by the latter for local advertising of the taxable products, such charge is to be excluded from the manufacturers' sales price and hence excluded from the base of the manufacturers' excise tax. The amount excluded is limited to radio, television, and newspaper advertising, the cost of which does not exceed 5 percent of the sales price of the articles, excluding the local advertising charges where a separate charge is made. The bill provides that the 5 percent limitation is to be initially computed on the basis of sales made during a calendar quarter but also takes into account sales in prior quarters in the same year to the extent the 5 percent ceiling did not apply in those quarters.

The amendment provided in this bill is to apply with respect to articles sold on or after the first day of the first calendar quarter beginning more than 20 days after the date of enactment of this bill.

The Treasury Department has indicated that it does not object to the enactment of this bill.

Mr. MASON. Mr. Speaker, it is the purpose of the legislation to clarify the excise tax consequences of cooperative advertising arrangements. The bill would provide that amounts expended for local advertising under cooperative advertising programs may be excluded from a manufacturer's selling price for excise tax purposes and that amounts refunded to customers by manufacturers for local advertising are to be considered as price readjustments of the manufacturer's sales price.

This amendment providing a solution to the difficult problems arising from cooperative advertising arrangements has been worked out in close cooperation with the Treasury Department.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACCEPTANCE BY GOVERNMENT OF GIFTS TO REDUCE THE PUBLIC DEBT

Mr. MILLS. Mr. Speaker, I ask unanimouse consent for the immediate consideration of the bill (H.R. 6292), to authorize the acceptance by the Government of gifts to be used to reduce the public debt, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to afford to the people of the United States an opportunity to make gifts to the Government of the United States to be used for the purpose of reducing the public debt—

(a) the Secretary of the Treasury is authorized to accept on behalf of the United States (1) any gift of money made on the sole condition that it be used to reduce the public debt of the United States, (2) any gift of obligations of the United States included in the public debt of the United States, if made on the sole condition that the obligations be canceled and retired and not reissued, or (3) any gift of other intangible personal property made on the sole condition that it be sold, and the proceeds realized from the sale be used to reduce the public debt of the United States; and

(b) the Administrator of General Services is authorized to accept on behalf of the United States any gift of other property, real or personal, made to the United States on the sole condition that it be sold and the proceeds realized from the sale be used to reduce the public debt of the United States: *Provided, however,* That the Secretary of the Treasury or the Administrator of General Services, as the case may be, is authorized to reject any gift under this section whenever he determines such action to be in the interest of the United States.

SEC. 2. The Secretary of the Treasury shall convert into money, at the best terms available, any gift accepted by him under the provisions of paragraph (a)(3) of the first section of this Act; and the Administrator of General Services shall convert into money, at the best terms available, any gift accepted by him under the provisions of the first section of this Act.

SEC. 3. If under applicable law any gift accepted under section 1 is subject to a gift or inheritance tax, the Secretary of the Treasury or the Administrator of General Services, as the case may be, is authorized to pay such tax out of the proceeds of the redemption, or sale, of any such gift.

SEC. 4. There is hereby established on the books of the Treasury a special account into which shall be deposited all money received as gifts under this Act and all money received as a result of the conversion into money of gifts of property other than money received under this Act. The Secretary of the Treasury shall from time to time utilize the money in the special account for the payment at maturity or the redemption or purchase before maturity of any obligations of the United States included in the public debt of the United States. All obligations of the United States paid, redeemed, or purchased with money out of the special account shall be canceled and retired and shall not be reissued. All money deposited in the special account is hereby appropriated and shall be available for expenditure for the purposes of the Act.

Mr. MILLS. Mr. Speaker, H.R. 6292, which was introduced by our colleague, the gentleman from Florida [Mr. BENNETT], and which was unanimously reported by your Committee on Ways and Means, specifically authorizes the Secretary of the Treasury and the Administrator of General Services to accept gifts of money or other property which are made on the sole condition that they are to be used for the reduction of the public debt. This bill provides that gifts made on this condition shall be deposited in a special account on the books of the Treasury and the money in this account shall be utilized solely to retire obligations of the United States which are part of the public debt. However, both the Secretary of the Treasury and the Administrator of General Services are also given authority to reject any such gifts whenever they determine such action to be in the interest of the United States.

At the present time, when gifts of money or other property are made to the U.S. Government for the purpose of reducing the public debt, no absolute assurance can be given that the gifts will be so used since such gifts are generally treated as unconditional gifts and have been deposited in the general fund of the Treasury. Your committee has been advised, however, that the donors of such gifts may prefer to provide specifically that their gifts shall be used solely for reduction of the public debt and not for incorporation in the general funds of the Treasury.

The Treasury Department has indicated that it has no objections to the enactment of this bill.

Mr. MASON. Mr. Speaker, H.R. 6292 provides specific authority for the U.S. Government to accept gifts which are to be used for the reduction of the public debt. Existing law gives to the Treasury Department no authority to use gifts that are given on condition that the gift be used to reduce the public debt. The absence of such authority leaves the possibility that a question could be raised by other possible claimants to property as to whether the Government was fulfilling the conditions of the gift. This legislation will clarify the authority of the Secretary of the Treasury to accept such gifts and devote the gifts to a specific purpose.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTIFICATION OF QUOTAS ON CERTAIN PHILIPPINE TOBACCO

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 3392), relating to duty-free imports of Philippine tobacco, which was unanimously reported favorably by the Committee on Ways and Means.

The clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the duty-free treatment provided for in paragraph 2 of article II of the agreement between the United States of America and the Republic of the Philippines concerning trade and related matters during a transitional period following the institution of Philippine independence, signed at Manila on July 4, 1946, as revised by the agreement of September 6, 1955, shall apply to only such Philippine articles falling within the class specified in item B in the schedule to that paragraph 2 of article II as are certified by the Government of the Republic of the Philippines to have been allocated for exportation to the United States of America free of duty under the paragraph.

SEC. 2. This Act will enter into force on the thirtieth day after the date of its enactment.

With the following committee amendment:

Page 1, line 3, strike out "in paragraph 2" and insert "scrap tobacco and filler tobacco described in item B in the schedule to paragraph 2."

The committee amendment was agreed to.

Mr. MILLS. Mr. Speaker, the purpose of H.R. 3392, which was introduced by our colleague on the committee, the Honorable JOHN WATTS, of Kentucky, is to limit imports of certain Philippine tobaccos that may be charged to the United States duty-free quota on such products to those Philippine tobaccos exported from the Philippines which have been specifically licensed by the Philippine Government for export to the United States under the quota.

In the trade agreement between the Republic of the Philippines and the United States, there is a provision for a duty-free import quota of 6,500,000 pounds of imported scrap and filler tobaccos of Philippine origin each year. This quota is to be progressively reduced until January 1, 1974, when the amount of the quota becomes nil. The present quota is 5,850,000 pounds per year.

There is no provision in the trade agreement or in the U.S. legislation authorizing the Philippine-U.S. trade agreement regulating the types of tobacco that can be entered duty-free under the quota, other than that the tobaccos shall be of Philippine origin and it shall be scrap and filler tobaccos. Historically the trade in Philippine tobaccos has been of the cigar-filler type and it was understood when the trade agreement was negotiated that the U.S. duty-free quota would be filled by the importation of this traditional type of tobacco. This was in the interest of U.S. cigar manufacturers and of domestic tobacco growers who were anxious to see that cigarette tobaccos would not be imported duty-free under the quota.

Recently, however, considerable quantities of low-quality, flue-cured tobacco, grown in the Philippines have been exported to the United States. Although such tobacco was not licensed by the Philippine Government it was shipped to a third country and later transshipped to the United States. The United States Customs authorities have not, under existing law, been able to exercise discretion and were obliged to admit such tobacco duty-free under the quota. As a result, the quantities of duty-free tobacco which licensed exporters in the Philippines might otherwise have shipped to the United States has been reduced. This has adversely affected the traditional trade in cigar tobaccos and has caused concern to the U.S. tobacco growers.

Your committee's bill would merely give effect to the basic purposes of the United States—Philippine trade agreement by providing that only those tobacco exports licensed by the Philippine Government for shipment to the United States would be eligible for admission into the United States under the duty-free quota applicable to Philippine tobacco. Any nonlicensed Philippine tobacco would be subject to duty.

Your committee was advised by the Department of State that the Philippine Government has requested assistance in administering its regulations on tobacco exports to the United States and that the enactment of your committee's bill would serve that purpose.

The Committee on Ways and Means was unanimous in recommending enactment of H.R. 3392.

Mr. MASON. Mr. Speaker, there is in effect between the United States and the Republic of the Philippines a trade agreement which among other things governs the amount of tobacco that may be brought into the United States from the Philippines on a duty free basis. The present quota is slightly less than 6 million pounds a year.

The Philippine Government has controlled exports of tobacco to the United States through an export licensing arrangement. Recently tobacco that has not been licensed for export to the United States by the Philippine Government was shipped to a third country and later transshipped to the United States. The transshipment of this tobacco under the quota arrangement served to reduce the duty free quantities which the licensed exporters in the Philippines might ship to the United States duty free. H.R. 3392 would prevent circumvention of the licensing procedures prescribed by the Philippine Government on exports of tobaccos to the United States. This would be accomplished by providing that U.S. customs authorities will admit duty free under the Philippine tobacco quota only such tobacco as has been licensed for export to the United States by the Philippine Government.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCISE TAX ON CIGARS

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 10960) to amend section 5701 of the Internal Revenue Code of 1954 with respect to the excise tax upon cigars, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That the portion of section 5701(b)(2) of the Internal Revenue Code of 1954 which follows paragraph (2)(G) thereof is amended to read as follows:

"In determining the retail price, for tax purposes, regard shall be had to the ordinary retail price of a single cigar in its principal market, exclusive of any State or local taxes imposed on cigars as a commodity. Cigars not exempt from tax under this chapter which are removed but not intended for sale shall be taxed at the same rate as similar cigars removed for sale."

With the following committee amendment:

That the next to the last sentence of section 5701(b) of the Internal Revenue Code of 1954 (relating to tax on cigars) is amended by striking out "exclusive of any State or local taxes imposed on the retail sale of cigars" and inserting in lieu thereof "exclusive of any State or local taxes imposed on cigars as a commodity".

SEC. 2. The amendment made by the first section of this Act shall apply with respect to cigars removed on or after the ninth day of the first month which begins after the date of the enactment of this Act.

The committee amendment was agreed to.

Mr. MILLS. Mr. Speaker, H.R. 10960, which was introduced by our colleague on the committee, the Honorable SID HERLONG, and which was unanimously reported by your Committee on Ways and Means, with amendments, deals with the determination of the tax base for purposes of the imposition of the Federal excise tax on cigars. This bill provides that there shall be excluded from this tax base any State or local taxes imposed upon cigars as a commodity.

The Federal excise tax on cigars is paid by manufacturers but the amount of such tax is based on the intended retail price of the cigars. Although under present law any State or local retail sales taxes are excluded from this tax base, State or local taxes imposed at any other level, such as at the manufacturers' or wholesalers' level, are not excluded.

The bill provides that for the purposes of the imposition of the Federal excise tax on cigars, any State or local taxes imposed on cigars as a commodity, regardless of the level at which imposed, are to be excluded in determining the retail price at which the cigars are intended to be sold. This removes discriminatory Federal tax treatment of cigars based solely on the happenstance as to whether State or local taxes are imposed at the retail or wholesale or other level.

The Treasury Department has indicated that it is in favor of the enactment of this bill.

Mr. MASON. Mr. Speaker, under existing law the Federal excise tax applicable to cigars is affected by the differences in State or local taxes imposed on cigars. This has resulted in competitive discrimination in certain States and to remove this discrimination the Committe on Ways and Means has approved H.R. 10960 to provide that in determining the retail price of cigars for tax purposes the price shall be determined exclusive of any State or local taxes imposed on cigars as a commodity.

The Treasury Department has favored the enactment of this legislation and the Committee on Ways and Means was unanimous in reporting it favorably to the House.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PREPAID DUES INCOME OF CERTAIN MEMBERSHIP ORGANIZATIONS

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 11266) to amend the Internal Revenue Code of 1954 to permit the prepaid dues income of certain membership organizations to

be included in gross income for the taxable years to which the dues relate, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. HOFFMAN of Michigan. Reserving the right to object, Mr. Speaker, this refers to certain organizations. What organizations?

Mr. MILLS. Primarily it would apply to organizations like the Triple A that collect dues from members of the organization and render services over a 12-month or a 24-month period. The question arises, when do you report the income, in what taxable year? The bill would permit the income to be prorated over the period of time during which the service is to be rendered to the dues-paying members.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

The was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subpart B of part II of subchapter E of chapter 1 of the Internal Revenue Code of 1954 (relating to taxable years for which items of gross income are included) is amended by adding at the end thereof the following new section:

"SEC. 456. PREPAID DUES INCOME OF CERTAIN MEMBERSHIP ORGANIZATIONS.

"(a) YEAR IN WHICH INCLUDED.—Prepaid dues income to which this section applies shall be included in gross income for the taxable years during which the liability described in subsection (e)(2) exists.

"(b) WHERE TAXPAYER'S LIABILITY CEASES.—In the case of any prepaid dues income to which this section applies—

"(1) If the liability described in subsection (e)(2) ends, then so much of such income as was not includible in gross income under subsection (a) for preceding taxable years shall be included in gross income for the taxable year in which the liability ends.

"(2) If the taxpayer ceases to exist, then so much of such income as was not includible in gross income under subsection (a) for preceding taxable years shall be included in gross income for the taxable year in which such cessation of existence occurs.

"(c) PREPAID DUES INCOME TO WHICH THIS SECTION APPLIES.—

"(1) ELECTION OF BENEFITS.—This section shall apply to prepaid dues income if and only if the taxpayer makes an election under this section with respect to the trade or business in connection with which such income is received. The election shall be made in such manner as the Secretary or his delegate may by regulations prescribe. No election may be made with respect to a trade or business if in computing taxable income the cash receipts and disbursements method of accounting is used with respect to such trade or business.

"(2) SCOPE OF ELECTION.—An election made under this section shall apply to all prepaid dues income received in connection with the trade or business with respect to which the taxpayer has made the election; except that the taxpayer may, to the extent permitted under regulations prescribed by the Secretary or his delegate, include in gross income for the taxable year of receipt the entire amount of any prepaid dues income if the liability from which it arose is to end within 12 months after the date of receipt. An election made under this section shall not apply to any prepaid dues income received before the first taxable year for which the election is made.

"(3) WHEN ELECTION MAY BE MADE.—

"(A) WITH CONSENT.—A taxpayer may, with the consent of the Secretary or his delegate, make an election under this section at any time.

"(B) WITHOUT CONSENT.—A taxpayer may, without the consent of the Secretary or his delegate, make an election under this section for its first taxable year (i) which begins after December 31, 1959, and (ii) in which it receives prepaid dues income in the trade or business. Such election shall be made not later than the time prescribed by law for filing the return for the taxable year (including extensions thereof) with respect to which such election is made.

"(4) PERIOD TO WHICH ELECTION APPLIES.—An election under this section shall be effective for the taxable year with respect to which it is first made and for all subsequent taxable years, unless the taxpayer secures the consent of the Secretary or his delegate to the revocation of such election. For purposes of this title, the computation of taxable income under an election made under this section shall be treated as a method of accounting.

"(d) TRANSITIONAL RULE.—

"(1) Amount includible in gross income for first election year. If a taxpayer makes an election under this section with respect to prepaid dues income, such taxpayer shall include in gross income, for the taxable year to which such election first applies, not only that portion of prepaid dues income received in such year otherwise includible in gross income for such year under this section, but shall also include in gross income for such year an additional amount equal to the amount of prepaid dues income received in the 2 preceding taxable years which would have been included in gross income in the year for which the election is made had the election been made 2 years earlier.

"(2) DEDUCTION OF AMOUNT INCLUDED IN INCOME MORE THAN ONCE.—A taxpayer who makes an election with respect to prepaid dues income, and who includes in gross income for the taxable year to which the election first applies an additional amount computed in accordance with subsection (d)(1), shall be permitted to deduct, for the taxable year to which the election first applies and for each of the 4 succeeding taxable years, an amount equal to one-fifth of the additional amount computed under subsection (d)(1), but only to the extent that the additional amount included in gross income under subsection (d)(1) was also included in the taxpayer's gross income during either of the 2 taxable years preceding the taxable year to which the election first applies.

"(e) DEFINITIONS.—For the purposes of this section—

"(1) PREPAID DUES INCOME.—The term 'prepaid dues income' means any amount (includible in gross income) which is received by a membership organization in connection with, and is directly attributable to, a liability to render services or make available membership privileges over a period of time which extends beyond the close of the taxable year in which such amount is received.

"(2) LIABILITY.—The term 'liability' means a liability to render services or make available membership privileges over a period of time which does not exceed 36 months, which liability shall be deemed to exist ratably over the period of time that such services are required to be rendered, or that such membership privileges are required to be made available.

"(3) MEMBERSHIP ORGANIZATION.—The term 'membership organization' means a corporation, association, federation, or other organization—

"(A) organized without capital stock of any kind, and

"(B) no part of the net earnings of which is distributable to any member."

(b) The table of sections for such subpart B is amended by adding at the end thereof the following:

"Sec. 456. Prepaid dues income of certain membership organizations."

SEC. 2. The amendments made by this Act shall apply with respect to taxable years beginning after December 31, 1959.

With the following committee amendments:

Page 3, line 16, strike out "An" and insert "Except as provided in subsection (d), an".

Page 4, strike out line 19 and all that follows down through line 21 on page 5, and insert:

"(1) AMOUNT INCLUDIBLE IN GROSS INCOME FOR ELECTION YEARS.—If a taxpayer makes an election under this section with respect to prepaid dues income, such taxpayer shall include in gross income, for each taxable year to which such election applies, not only that portion of prepaid dues income received in such year otherwise includible in gross income for such year under this section, but shall also include in gross income for such year an additional amount equal to the amount of prepaid dues income received in the 3 taxable years preceding the first taxable year to which such election applies which would have been included in gross income in the taxable year had the election been effective 3 years earlier.

(2) DEDUCTIONS OF AMOUNTS INCLUDED IN INCOME MORE THAN ONCE.—A taxpayer who makes an election with respect to prepaid dues income, and who includes in gross income for any taxable year to which the election applies an additional amount computed under paragraph (1), shall be permitted to deduct, for such taxable year and for each of the 4 succeeding taxable years, an amount equal to one-fifth of such additional amount, but only to the extent that such additional amount was also included in the taxpayer's gross income during any of the 3 taxable years preceding the first taxable year to which such election applies.

Page 6, line 19, strike out the quotation marks and, after line 19, insert:

"(4) RECEIPT OF PREPAID DUES INCOME.—Prepaid dues income shall be treated as received during the taxable year for which it is includible in gross income under section 451 (without regard to this section)."

The committee amendments were agreed to.

Mr. MILLS. Mr. Speaker, H.R. 11266, which was introduced by our colleague, the gentleman from Wisconsin, the Honorable JOHN BYRNES, and which was unanimously reported by your Committee on Ways and Means, with amendments, provides that prepaid dues income of certain membership organizations may, at the election of such organizations, be included in their gross income ratably over the period of time during which such organizations are under a liability to provide services to their dues-paying members.

The membership organizations to which this bill applies are limited to those which have no capital stock and which make no distributions of net earnings to members. Furthermore, in order for this bill to apply, the liability of such

organizations to provide service to their members must extend beyond the end of the current year but may not extend beyond a period of more than 36 months. Finally, since under present law it has been held that such organizations must include the full amount of any prepaid dues in income in the year of receipt, in order to mitigate the effect of the revenue loss involved, the bill contains a special transitional rule which operates to spread the revenue loss attributable to any given year over a 5-year period.

The bill would be effective for taxable years beginning in 1960 and provides substantially similar treatment to that provided for prepaid subscription income in the Technical Amendments Act of 1958.

Mr. MASON. Mr. Speaker, the bill H.R. 11266 pertains to the way in which prepaid membership dues shall be treated for income tax purposes by the receiving membership organization.

It will be recalled that the Internal Revenue Code of 1954 as originally enacted contained section 452 which gave an election to taxpayers to report prepaid income over the period of time that the prepaid income was being earned. This section was subsequently repealed by the Congress retroactively. At the time of taking this retroactive action the Congress indicated its intention to give further study to the tax treatment of prepaid income as well as prepaid expenses with a view to developing appropriate accounting provisions for the tax treatment of these types of transactions.

In the Technical Amendments Act of 1958 an amendment to the Internal Revenue Code was approved which provided for the spreading forward of prepaid subscription income in the case of newspapers and periodicals. The bill that has just passed the House would provide that prepaid membership dues may be spread over the period during which there is a liability on the part of the membership organization to provide a service to its members. This tax treatment is limited to those membership organizations which have no capital stock and make no distributions of net earnings to members.

The Committee on Ways and Means was unanimous in reporting this legislation favorably to the House.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOREIGN TAXES PAID BY CERTAIN PREDECESSOR CORPORATIONS

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 12036) to amend section 902 of the Internal Revenue Code of 1954 with respect to foreign taxes paid by certain predecessor corporations, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. GROSS. Reserving the right to object, Mr. Speaker, may we have a brief explanation of this bill?

Mr. MILLS. Yes; I will be glad to advise the gentleman as to that.

There is a provision of law which permits a domestic corporation to obtain an intercorporate deduction of 85 percent with respect to dividends received from another domestic corporation. In other words, one domestic corporation receiving a dividend from another domestic corporation is required to include only 15 percent of that dividend in income for tax purposes in order to avoid further doubling of the tax. However, in the case of dividends received from certain foreign corporations, there is at the present time a doubling of the tax since the intercorporate dividends received deduction does not apply to such dividends. This bill, introduced by the gentleman from New York [Mr. BOSCH], is designed to eliminate that situation where the profits out of which the dividends are paid by a foreign corporation were accumulated by a predecessor domestic corporation which was subject to the regular U.S. corporate income tax while such profits were being accumulated.

Mr. GROSS. Is it bad to have some of these foreign corporations paying a tax?

Mr. MILLS. They pay the tax, of course, in the foreign country, and the domestic corporation gets what is left. However, in the circumstances contemplated in this bill the profits out of which the dividend would be paid to the domestic corporation would, but for this bill, be taxed twice by the United States—once when accumulated by the domestic predecessor of the foreign corporation, and again when distributed to the U.S. parent.

Mr. GROSS. They are not taxed twice in the foreign country?

Mr. MILLS. No; but there could be a doubling of the U.S. tax in some instances.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from West Virginia.

Mr. BAILEY. Would the bill have anything to do with implementing the bill H.R. 5?

Mr. MILLS. Nothing whatsoever.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 902(c) of the Internal Revenue Code of 1954 (relating to credit for corporate shareholder in foreign corporation) is amended by adding at the end thereof the following new paragraph:

"(3) For purposes of this section, a foreign corporation shall be deemed to have paid any income, war profits, or excess profits taxes paid or deemed to be paid by any predecessor corporation to any foreign country or possession of the United States. For purposes of the preceding sentence, the term 'predecessor corporation' means any corporation all of the assets of which were acquired (subject to liabilities) by the foreign corporation."

SEC. 2. The amendment made by the first section of this Act shall apply to dividends received after the date of the enactment of this Act.

With the following committee amendment:

Strike out all after the enacting clause and insert "That section 243 of the Internal Revenue Code of 1954 (relating to deduction for dividends received by corporations) is amended by adding at the end thereof the following new subsection:

"'(d) CERTAIN DIVIDENDS FROM FOREIGN CORPORATIONS.—For purposes of subsections (a) and (b) of this section and for purposes of section 245, any dividend from a foreign corporation from earnings and profits accumulated by a domestic corporation during a period with respect to which such domestic corporation was subject to taxation under this chapter (or corresponding provisions of prior law) shall be treated as a dividend from a domestic corporation which is subject to taxation under this chapter.'

"SEC. 2. Section 861(a)(2) of the Internal Revenue Code of 1954 (relating to treatment of dividends as income from sources within the United States) is amended by striking out the period at the end of subparagraph (B) and inserting in lieu thereof ', or', and by adding after subparagraph (B) the following new subparagraph:

"'(C) from a foreign corporation to the extent that such amount is required by section 243(d) (relating to certain dividends from foreign corporations) to be treated as dividends from a domestic corporation which is subject to taxation under this chapter, and to such extent subparagraph (B) shall not apply to such amount.'

"SEC. 3. The amendment made by the first section of this Act shall apply to dividends received after December 31, 1959, in taxable years ending after such date."

The committee amendment was agreed to.

Mr. MILLS. Mr. Speaker, H.R. 12036, which was introduced by our colleague on the committee, the Honorable ALBERT BOSCH, and which was unanimously reported by your Committee on Ways and Means with amendments, would provide that the 85 percent intercorporate dividends received deduction shall apply to dividends received by a domestic corporation from a foreign corporation if such dividends are paid by the foreign corporation out of earnings and profits accumulated by a domestic predecessor of the foreign corporation during a period that such domestic predecessor corporation was subject to the regular U.S. corporate income tax.

This bill is designed to provide relief from double taxation in a situation in which a domestic subsidiary of a U.S. corporation which, after having accumulated profits abroad is merged into or is reincorporated as a foreign corporation for other than tax avoidance reasons such as a foreign government requirement of local incorporation. In such case, the accumulated profits or the predecessor domestic corporation are carried over to the successor foreign corporation. Under present law, any dividends paid from such profits by the foreign corporation to the U.S. parent are fully taxable even though such profits had previously been taxed to the predecessor domestic corporation during the period in which they were accumulated.

H.R. 12036 relieves this double U.S. taxation by providing that dividends paid by a foreign corporation out of the previously taxed profits of a predecessor domestic corporation shall be treated as if they had been paid by such predecessor domestic corporation. That is, the 85-percent intercorporate dividends received deduction is available for any dividend received from a foreign corporation which is paid out of profits accumulated by a domestic corporation during a period in which the domestic corporation is subject to the regular U.S. corporate income tax.

The amendments contained in this bill will be effective with respect to dividends received after December 31, 1959 in taxable years ending after that date. The Treasury has indicated that it does not object to the enactment of this bill.

Mr. MASON. Mr. Speaker, the bill which has just passed the House with amendment would provide that the 85 percent intercorporate dividend received deduction is to be available when a foreign corporation pays a dividend out of earnings and profits if such earnings and profits were accumulated by a predecessor domestic corporation which was subject to the regular U.S. corporate income tax.

The bill as originally introduced would have amended section 902(c) of the Internal Revenue Code by deeming the payment of taxes by a foreign corporation that was a successor to a predecessor corporation that paid the tax. The amendment adopted by the committee was developed in cooperation with the staff of the Treasury Department.

In discussing this matter the committee gave consideration to the problem that arises with respect to a successor foreign corporation and whether or not a foreign tax credit would be available to the extent that a predecessor foreign corporation had paid or was deemed to have paid a tax. In regard to this problem the committee was advised that existing law is adequate to provide relief for such situations that arise in connection with a change of corporate character in respect of wholly owned foreign subsidiaries of U.S. parent companies. For example, if a foreign corporation which has paid creditable foreign taxes transfers its assets to a new foreign corporation in a tax-free reorganization, such creditable foreign taxes would transfer over to the new foreign corporation. By recommending passage of the present bill it is not intended to disturb such relief available under existing law.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend the Internal Revenue Code of 1954 with respect to certain dividends paid by foreign corporations."

A motion to reconsider was laid on the table.

TAXES PAID BY STATE LIQUOR STORES

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 9000) to provide that States and political subdivisions which operate liquor stores shall not be required to pay more than one tax as a retail dealer in liquor, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 5123(b) of the Internal Revenue Code of 1954 (relating to application of special tax on retail dealers in liquor where business is conducted in more than one location) is amended by adding at the end thereof the following new paragraph:

"(3) LIQUOR STORES OPERATED BY STATES, POLITICAL SUBDIVISIONS, ETC. No liquor store which is operated by a State, by a political subdivision of a State, or by the District of Columbia, shall be required to pay any special tax imposed under section 5121 if such State, political subdivision, or District has paid the applicable special tax imposed under section 5121."

(b) Section 5113(b) of such Code (relating to application of special tax on wholesale dealers in liquor to liquor stores operated by States, political subdivisions, etc.) is amended—

(1) by striking out "or Territory" and "Territory," each place such terms appear, and

(2) by striking out "if such liquor store" and inserting in lieu thereof "if such State, political subdivision, or District."

(c) The amendments made by subsections (a) and (b) shall take effect on July 1, 1960.

With the following committee amendment:

Strike out line 8 on page 1 and all that follows through line 4 on page 2, and insert:

"(3) LIQUOR STORES OPERATED BY STATES, POLITICAL SUBDIVISIONS, ETC.—A State, a political subdivision of a State, or the District of Columbia shall not be required to pay more than one special tax as a retail dealer in liquors under section 5121(a) regardless of the number of locations at which such State, political subdivision, or District carries on business as a retail dealer in liquors."

The committee amendment was agreed to.

Mr. MILLS. Mr. Speaker, H.R. 9000, which was introduced by our colleague on the Committee on Ways and Means, Hon. WILLIAM GREEN, of Pennsylvania, as reported by your Committee on Ways and Means, with amendments, would provide that only one retail liquor dealer's tax must be paid by any State or political subdivision which operates retail liquor stores, regardless of the number of stores operated.

Under present law, States and political subdivisions that operate retail liquor stores are, like private retail liquor dealers, required to pay a retail liquor dealer tax for each store location. In the case of private liquor dealers, the requirement that a tax be paid with respect to each store location prevents discrimination in favor of dealers having multiple locations. However, since retail liquor stores operated by governmental entities are invariably operated on a noncompetitive or monopoly basis, a tax on each store location is not required to prevent competitive discrimination.

Accordingly, effective July 1, 1960, H.R. 9000 merely requires that States and political subdivisions that operate retail liquor stores need only pay one retail liquor dealer's tax.

The committee was unanimous in ordering this bill reported.

Mr. MASON. Mr. Speaker, section 5121 of the Internal Revenue Code requires retail liquor dealers to pay an annual occupational tax of $54 for each location in which they carry on their business. This occupational tax applies to State and local government stores as well as to stores that are privately owned.

The Committee on Ways and Means has learned that in 16 States retail liquor outlets are operated by the respective State governments and in two other States they are operated by county governments. The fact that the occupational tax is applicable to each retail outlet results in the imposition of a significant tax on the respective State and local governments involved. Under the bill, H.R. 9000, the tax as it applies to retail outlets owned by State or local governments will be changed so that the occupational tax would apply only once with respect to a State or political subdivision or the District of Columbia regardless of the number of locations of retail outlets.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LIMITATION ON DEDUCTION IN CASE OF CONTRIBUTIONS BY INDIVIDUALS TO CERTAIN CHARITABLE ORGANIZATIONS

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 6066), relating to the deduction for income tax purposes of contributions to charitable organizations whose sole purpose is making distributions to other charitable organizations, contributions to which by individuals are deductible within the 30-percent limitation of adjusted gross income, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 170(b)(1)(A) of the Internal Revenue Code of 1954 (relating to limitation on amount of deduction for charitable contributions by individuals) is amended by striking out "or" at the end of clause (ii), by inserting "or" at the end of clause (iii), and by inserting after clause (iii) the following new clause:

"(iv) a corporation, trust, fund, or foundation exempt under section 501 and not denied exemption under section 502 (relating to feeder organizations), 503 (relating to

organizations engaged in prohibited transactions), or 504 (relating to organizations accumulating income) which is organized and operated exclusively for the purpose of distributing its net earnings for any taxable year on or before the 15th day of the third month following the close of such taxable year and such portion of the principle as may be deemed desirable to one or more of the organizations referred to in clauses (i), (ii), and (iii) of this subparagraph,".

(b) Section 170(b)(1)(B) of such Code is amended by striking out "any charitable contributions to the organizations described in clauses (i), (ii), and (iii)" and inserting in lieu thereof "any charitable contributions described in subparagraph (A)".

SEC. 2. The amendments made by this Act shall apply only with respect to taxable years beginning after December 31, 1958.

With the following committee amendment:

On page 22, line 22, strike out "1958" and insert "1960".

The committee amendment was agreed to.

Mr. MILLS. Mr. Speaker, H.R. 6066, which was introduced by our late colleague on the Committee, the Honorable Richard Simpson, and which was unanimously reported by your Committee on Ways and Means, with amendments, would increase the limitation on the amount that individual taxpayers are permitted to deduct as contributions to certain charitable organizations.

Under present law, individuals are generally permitted to deduct up to 20 percent of their adjusted gross income for contributions made to, or for the use of, charitable organizations. However, if such contributions are made directly to churches, operating schools or hospitals, or related medical research organizations, this limitation is increased to 30 percent of their adjusted gross income.

The bill provides that for taxable years beginning after December 31, 1960, this 30-percent limitation shall also apply to contributions made to charitable organizations which are organized and operated exclusively for the purpose of distributing currently their entire net earnings to charitable organizations to which, under present law, contributions are subject to the 30-percent limitation. This permits taxpayers to be subject to the same deduction limitation whether they make direct gifts or indirect gifts to the organizations that qualify as recipients entitling the taxpayers to the maximum 30-percent limitation.

Mr. MASON. Mr. Speaker, this legislation is concerned with the limitation on the deductibility of charitable contributions by individuals.

It will be recalled that under present law individuals may deduct up to 20 percent of their adjusted gross income for charitable contributions with this maximum increased to 30 percent if the additional 10 percent goes directly to churches, educational institutions, hospitals, or affiliated medical research organizations. H.R. 6066 would allow the additional 10-percent deduction to be available in the case of contributions to foundations if such foundations are organized and operated exclusively for the purpose of giving to churches, educational institutions, hospitals, or medical research organizations. The Committee on Ways and Means was unanimous in reporting this legislation favorably to the House.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GIFT AND ESTATE TAX TREATMENT OF RELINQUISHMENT OF CERTAIN POWERS

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 12329) relating to the gift and estate tax treatment of the relinquishment of certain powers in the case of reciprocal and other trusts, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1000 of the Internal Revenue Code of 1939 (relating to the imposition of gift tax) is amended by adding at the end thereof the following new subsection:

"(h) CERTAIN RECIPROCAL AND OTHER TRUSTS.—In the case of property in a trust created prior to June 7, 1932, if and to the extent that such property may be deemed to have been transferred to such trust by the spouse of the nominal grantor of such property by reason of the fact that such spouse has furnished in whole or in part the consideration for the creation of such trust, a relinquishment by such spouse on or before December 31, 1961, of any interest in or power over such property or the income therefrom shall not be deemed a transfer of the property for the purposes of this chapter. This subsection shall not apply to the relinquishment of either an unconditional right to receive principal or income or a general power of appointment (as defined in subsection (c)(3) over principal for income exercisable by such spouse alone."

(b) (1) Subchapter B of chapter 12 of the Internal Revenue Code of 1954 (relating to transfers for purposes of the gift tax) is amended by adding at the end thereof the following new section:

"SEC. 2518. Certain Reciprocal and Other Trusts.

"In the case of property in a trust created prior to June 7, 1932, if and to the extent that such property may be deemed to have been transferred to such trust by the spouse of the nominal grantor of such property by reason of the fact that such spouse has furnished in whole or in part the consideration for the creation of such trust, a relinquishment by such spouse on or before December 31, 1961, of any interest in or power over such property or the income therefrom shall not be deemed a transfer of the property for the purposes of this chapter. This subsection shall not apply to the relinquishment of either an unconditional right to receive principal or income or a general power of appointment (as defined in section 2514 (c)) over principal or income exercisable by such spouse alone."

(2) The table of sections for such subchapter B is amended by adding at the end thereof the following:

"Sec. 2518. Certain reciprocal and other trusts."

(c) In the case of a decedent who relinquished on or before December 31, 1961, a power or interest described in section 1000 (h) of the Internal Revenue Code of 1939 or section 2518 of the Internal Revenue Code of 1954, such relinquishment, for the purposes of sections 2036, 2037, and 2038 of the Internal Revenue Code of 1954, shall be deemed not to have been made in contemplation of the death of such decedent and shall be deemed not to have been a transfer of property by such decedent if such relinquishment, by virtue of the enactment of this Act, is not deemed a transfer of property for the purposes of the gift tax. In the case of a decedent who died after August 16, 1954, and prior to December 31, 1961, without relinquishing such a power or interest, the existence of the power or interest shall not cause the trust property to be includible in the decedent's gross estate under section 2036, 2037, or 2038 of the Internal Revenue Code of 1954.

With the following committee amendments:

Page 2, line 3, strike out "on or before December 31, 1961,".

Page 2, line 25, strike out "subsection" and insert "section".

Page 3, line 18, strike out "prior to" and insert "on or before".

The amendments were agreed to.

Mr. MILLS. Mr. Speaker, H.R. 12329, which was introduced by our colleague on the committee, the Honorable JACKSON BETTS, and which was unanimously reported by your Committee on Ways and Means with amendments, deals with the gift and estate tax treatment of certain interests in and powers over property which was transferred in trust prior to June 7, 1932, and which, under subsequent court decisions, was deemed to have been transferred to such trust by the spouse of the nominal grantor under the reciprocal trust doctrine.

The bill provides, with certain exceptions, that the release of any such deemed interest in or power over the trust property prior to December 31, 1961, shall not be considered a transfer for gift tax purposes, nor shall any such release be considered a transfer in contemplation of death for estate tax purposes. The bill further provides that if the holder of any such interest or power dies at any time during the period from August 16, 1954, to December 31, 1961, without having released his rights in the property, the property shall not be included in his estate for extate tax purposes.

The relief provided in this bill is somewhat similar to that provided in the Technical Changes Act of 1949 except that the 1949 act for the most part dealt with reciprocal trusts created after June 7, 1932, while this bill is concerned with trusts created before that date.

Mr. MASON. Mr. Speaker, the purpose of the legislation which has just passed the House is to alleviate a possible tax hardship by extending relief from gift and estate taxes to a person who is not the nominal grantor of a

trust but is considered the grantor because the trust was created by such person's spouse. The bill would permit such a person who is considered the grantor to relinquish the power of property or to relinquish an interest in property without incurring liability for gift tax. The bill also provides that if the power or interest is relinquished before January 1, 1962, the relinquishment will not be considered a transfer of the property by such person for estate tax purposes.

The bill is limited in its applicability to trusts created before January 7, 1932.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF SECTION 902(B) OF INTERNAL REVENUE CODE

Mr. MILLS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 11681) to amend section 902(b) of the Internal Revenue Code of 1954 to allow a credit for foreign taxes paid by a foreign corporation 20 percent or more of the voting stock of which is owned by another foreign corporation in which a domestic corporation has a substantial stock interest, which was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. GROSS. Mr. Speaker, reserving the right to object, could we have a brief explanation of this bill since it deals with foreign corporations?

Mr. MILLS. Mr. Speaker, H.R. 11681, which was introduced by our colleague on the committee, the Honorable VICTOR KNOX, and which was unanimously reported by your Committee on Ways and Means without amendment, deals with the allowance of the foreign tax credit in a situation in which a domestic corporation owns stock in a foreign corporation which, in turn, owns stock in a second foreign corporation or in a "sub-of-a-sub" as it is sometimes called.

Under present law, the domestic corporation cannot claim a credit for foreign taxes paid by the second foreign corporation unless the first foreign corporation owns 50 percent or more of the stock of the second foreign corporation. Your committee has been advised, however, that a number of foreign countries prohibit a 50-percent ownership of the stock of their corporations by other foreign corporations and that the present 50-percent requirement raised problems and inequities where there was multiple ownership of a foreign corporation by two or more other foreign corporations.

Accordingly, H.R. 11681 is designed to overcome these objections by reducing the present 50-percent stock ownership requirement in the second foreign corporation to 20 percent.

The change made by this bill is to be effective with respect to dividends received by domestic corporations in taxable years ending after date of enactment.

Mr. GROSS. I see the gentleman from West Virginia on the floor. Perhaps he would like to ask the question he did a moment ago with respect to the bill, H.R. 5.

Mr. MILLS. This has nothing to do with H.R. 5. The bill, H.R. 5, did not deal with foreign corporations. That bill, H.R. 5, dealt with the situation of an American corporation doing business in a foreign country.

Mr. GROSS. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 902(b) of the Internal Revenue Code of 1954 (relating to foreign tax credit for corporate shareholders in foreign corporations) is amended by striking out "50 percent" and inserting in lieu thereof "20 percent".

SEC. 2. The amendment made by the first section of this Act shall apply with respect to dividends received by domestic corporations described in section 902(a) of the Internal Revenue Code of 1954 in taxable years of such corporations ending after the date of the enactment of this Act.

Mr. MASON. Mr. Speaker, present law permits a domestic corporation owning 10 percent or more of the voting stock of a foreign corporation to claim a foreign tax credit for foreign income taxes paid by the foreign corporation. Present law also allows a foreign tax credit to a domestic corporation with respect to foreign taxes paid by a subsidiary that is owned 50 percent or more by another foreign corporation which in turn is owned 10 percent or more by the domestic corporation.

H.R. 11681 would reduce the 50 percent ownership requirement in the case of a subsidiary of a subsidiary to a 20 percent ownership test. It is the national policy in several foreign countries to preclude ownership by a nonnational of as much as 50 percent interest in one of their domestic corporations. Such a policy makes it impossible for an American corporation to operate a foreign subsidiary in these countries and receive a foreign tax credit with respect to dividends of any foreign corporation. Another meritorious aspect of the change proposed in the bill H.R. 11681 is that it will provide to American business increased opportunity to participate in world commerce through the partial ownership of foreign economic enterprises.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNOUNCEMENT AS TO PROGRAM

Mr. MILLS. Mr. Speaker, those are the bills that will be called from the list read by the majority leader on Monday. It is not my purpose today to call up the bill, H.R. 3176, or the bill, H.R. 11584, which are two bills which are on that list, because notice has been served that there will be objections to those bills—one by the gentleman from Ohio [Mr. AYRES] and the other by the gentleman from Indiana [Mr. HALLECK].

MARKING OF NEW PACKAGES FOR IMPORTED ARTICLES

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5054) to amend the Tariff Act of 1930 with respect to the marking of imported articles and containers, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 12, after "account." insert "This subsection shall not apply in cases where the Secretary of the Treasury finds that compliance with the marking requirements of this subsection would necessitate such substantial changes in customary trade practices as to cause undue hardship and that repackaging of the article in question is otherwise than for the purpose of concealing the origin of such article."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I ask unanimous consent to extend my remarks on the amendment at this point, and also that the gentleman from Illinois [Mr. MASON] may have the same permission.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, as the Members of the House will recall, H.R. 5054 amended section 304(b) of the Tariff Act of 1930, to provide that articles of foreign origin whose container must be marked, if removed from that container, repackaged, and offered for sale in the new package by an importer, jobber, distributor, dealer, retailer, or other person, such new package shall be marked in such a way as to indicate to the ultimate purchaser in the United States the English name of the country of origin of the article. The importer's liability would be limited to the repackaging done by him or for his account.

As indicated in the report of the Senate Finance Committee, as the bill passed the House, it could possibly result in hardship on some items, even though customary procedures were followed and there was no intent to conceal the country of origin of the imports. Accordingly, the Committee on Finance adopted an amendment, which was accepted by the Senate, which provides that in cases where the Secretary of the Treasury finds that compliance would necessitate such substantial changes in customary trade practices as to cause undue hardship and that the repackaging in question was otherwise than for the purpose of concealing the origin of the article, the requirements of H.R. 5054 would not apply. A number of cases would thus be excluded from the requirements of the

bill. For example, the cleaning and mixing of spices and subsequent repackaging in the same type of packages that have, for a long time, been recognized by ultimate purchasers and consumers, would not come under the purview of the bill as amended. The same would apply to the packaging of such items as tea, chocolate, mixed nuts, olive oil, and related products.

I urge that the House accept the amendment of the Senate.

Mr. MASON. Mr. Speaker, I have concurred in the request of the Chairman of the Ways and Means Committee that the House accept the Senate amendments to H.R. 5054. This amendment is essentially to improve the House bill and has been explained by my colleague from Arkansas [Mr. MILLS]. The Senate amendment would alleviate some hardships that might result from the House approved language and would improve the administrative requirements under the bill.

Mr. MILLS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from West Virginia.

Mr. BAILEY. I understand you are clearing the calendar of the Ways and Means Committee on a series of pieces of legislation. I would just like to remind my colleagues in the House that I have had pending before the Ways and Means Committee since sometime in February a request for a hearing on House Concurrent Resolution 512, which would make no further reduction in our import duties for a period of 2 years. That request was signed by 42 Members who introduced the same sort of resolution, and it was also signed by 112 additional Members of Congress, making a total of 154.

I am curious to know why I have not been granted an opportunity to be heard by the Ways and Means Committee on legislation which is of so much interest.

Mr. MILLS. The committee has had a great many matters referred to it that it has not been able to consider, including the proposition discussed by the gentleman from West Virginia. The committee has spent all of its time on something during the year, but we have not been able to consider everything we have been asked to consider.

Mr. BAILEY. May I ask the gentleman that perhaps that be placed on the agenda of the committee when the Congress reassembles in January?

Mr. MILLS. Not for the remainder of this session, and I cannot make any statement as to the next session because I might not be here.

Mr. BAILEY. There will be some other present member of the committee who will be here.

Mr. MILLS. That person would have to make the statement.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from California.

Mr. ROOSEVELT. I notice that in the medical aid bill passed by the other body there is a provision for increasing the amount that may be earned.

Mr. MILLS. Without any provision for an increase in taxes. Yes.

Mr. ROOSEVELT. I would like to express the hope that the House conferees look with sympathy upon the Senate amendment, because I believe the amendment has considerable support in the House.

Mr. MILLS. We look with a great deal of sympathy on any suggestion by the other body.

U.S. CITIZENS COMMISSION ON NATO

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 587 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (S. J. Res. 170) to authorize the participation in an international convention of representative citizens from the North Atlantic Treaty nations to examine how greater political and economic cooperation among their peoples may be promoted, to provide for the appointment of United States delegates to such convention, and for other purposes. After general debate, which shall be confined to the resolution, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the resolution for amendment, the Committee shall rise and report the resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Indiana [Mr. MADDEN] is recognized.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 190]

Andrews	Kearns	Murray
Barry	Kee	Nix
Baumhart	Kilburn	Norrell
Bentley	Kirwan	Powell
Bolling	Landrum	Preston
Bowles	Lankford	Quie
Celler	Loser	Rogers, Mass.
Davis, Tenn.	McCulloch	Smith, Kans.
Dawson	McDowell	Smith, Va.
Durham	McSween	Spence
Grant	Macdonald	Thompson, La.
Healey	Magnuson	Thompson, N.J.
Hébert	Mahon	Tollefson
Hess	Mitchell	Vinson
Ikard	Morrison	Withrow

The SPEAKER pro tempore (Mr. HOLLAND). On this rollcall, 385 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

U.S. CITIZENS COMMISSION ON NATO

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, House Resolution 587 provides for the consideration of Senate Joint Resolution 170, a resolution to authorize the participation in an international convention of representative citizens from the North Atlantic Treaty nations to examine how greater political and economic cooperation among their peoples may be promoted, to provide for the appointment of U.S. delegates to such convention, and for other purposes. The rule is open with 1 hour of general debate.

Senate Joint Resolution 170 would create a Commission of not more than 20 private U.S. citizens to be appointed jointly by the President of the Senate and the Speaker of the House after consultation with the Foreign Relations and Foreign Affairs Committees. The Commission would be directed to seek to arrange and participate in a convention attended by similar Citizens' Commissions from the other NATO countries for the purpose of developing paths toward greater political and economic cooperation within the alliance.

Since the creation of the North Atlantic Treaty Organization 11 years ago, the principal focus of the organization has been on greater military cooperation and collaboration among the signatories. This was, and still is, a necessary function. During the past several years there has developed within the NATO community a recognition that such cooperation and collaboration should extend into the political and economic areas, not only to counter the stepped-up Soviet bloc economic offensive, but to add strength to NATO's military efforts.

It is clearly the intent of the Congress that the citizens appointed to the Commission are not to be spokesmen for the U.S. Government. The executive branch is the recognized channel for official communications between governments.

Members of the Commission would serve without compensation but would be reimbursed for their expenses. They would be authorized to employ and remunerate a staff of not more than 10 members. While in no way enabled to represent the United States officially, the Commission would report and account for its expenditures to Congress. Not to exceed $300,000 would be authorized to be appropriated for the resolution's purposes; not more than $100,000 of that sum would constitute the Commission's share of expenses in any international conference. The Commission would cease to exist on January 31, 1962.

Mr. Speaker, I urge the adoption of House Resolution 587.

I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman have any idea where the pressure comes from for this junketing organization?

Mr. MADDEN. I have no idea where the pressure came from for the organization of these proposed conventions, but I think it has been too long delayed. It has been several years ago, when we had legislation on the floor pertaining to our foreign problems, when I made the suggestion that we should have some kind of a convention or committee of free nations to combine our efforts against the economic pressures of the Communists. This is similar to the organization we have under NATO against the military pressure of the Communist organizations.

Mr. GROSS. Can the gentleman tell us how many of these advisory commissions we already have in the international field?

Mr. MADDEN. I only know of one, and that has made a very valuable contribution to the cold war and that is the Atlantic Alliance. That organization has made a great contribution in combating the Soviets in the cold war, but I think we have delayed too long in having an organization of representatives of free nations working together to combat the political and economic encroachments of Communist nations. I think this is the beginning of a program that has been too long delayed.

Mr. GROSS. Does the gentleman know whether this is another General Draper proposition?

Mr. MADDEN. I do not think there would be any question but what the Members who know the purpose of this organization will believe that it will be highly effective in aiding our trade and international relations. It would not cost a great deal outside of the expenses of these conventions or meetings.

Mr. GROSS. The gentleman knows this will cost $300 million?

Mr. MADDEN. I think compared with the $40 billion that we appropriate annually for armament this represents a small contribution in an effort for preservation of the free world.

Mr. GROSS. General Draper is one of the main springs in promoting this.

Mr. MADDEN. I have no knowledge about General Draper, but I do know that the purpose of these conventions will certainly contribute a great deal toward curbing the Communist economic aggression.

Mr. GROSS. Is this the same General Draper who was or is chairman of the board of a power company in Mexico?

Mr. MADDEN. I would not be able to answer that.

Mr. GROSS. I hope before the debate is over somebody will give us a little information as to who is promoting this enterprise and the real reason for it.

Mr. MADDEN. I think it is a very laudable and economical program, compared with the billions we are spending on armament. We should spend a few million dollars to help curb the global economic expansion of the Communists.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I might desire.

Mr. BROWN of Ohio. Mr. Speaker, as the gentleman from Indiana [Mr. MADDEN] has explained, this resolution makes in order consideration of Senate Joint Resolution 170, with 1 hour general debate, and it is an open rule.

The purpose of the Senate Joint Resolution 170 is to name a U.S. Citizens' Commission on NATO, made up of 20 individuals who will have no power to commit the U.S. Government, according to the resolution, but will be authorized, after they have been appointed by the Speaker of the House and by the President of the Senate, to enter into negotiations with other nations belonging to NATO for the holding of conferences and conventions to discuss matters affecting the NATO nations, although, as I said a moment ago, the Citizens' Commission will have no authority to commit the U.S. Government in any way.

The joint resolution further provides this special Commission of 20 citizens, which will have no power or authority to bind the United States in any way, according to the resolution, will be provided with a temporary professional and clerical staff of not more than 10 persons, whose compensation shall not exceed the maximum rates authorized for committees of Congress, which runs up to, I believe, $16,000 or $18,000 a year per individual.

It further provides the U.S. Government, through the Treasury, shall pay up to $100,000, but not in excess of that amount, toward the cost of holding these joint international conferences of citizens representing the various NATO governments.

Finally, it provides the members of the Commission shall serve—that is, the 20 to be appointed—without compensation, but shall be reimbursed for, or shall be furnished with, travel, subsistence, and other necessary expenses incurred by them in the performance of their duties under this resolution, but not to exceed $300,000.

Frankly, I am not as well informed on some of our foreign relations or our activities in the diplomatic field as I would like. I noted a moment ago the question was asked as to what Americans might be supporting this legislation. I notice in the committee report that Dr. Edward H. Litchfield, chancellor of the University of Pittsburgh, who I understand is a very able educator, is one; Percival F. Brundage, former Director of the Bureau of the Budget is another; and Clarence K. Streit who, I believe, was a sponsor of the "union now" movement, is another. If this resolution prevails, I hope it will not result in our giving up any of our national sovereignty under a "union now" arrangement of any kind. I notice Mr. HAYS, our colleague in the House, and an able member of the Committee on Foreign Affairs, was another witness. The committee also had statements filed by William L. Clayton, former Under Secretary of State, and others.

This is the type legislation I feel should be debated fully, freely, and frankly, so all the Members of the House may be well informed on it.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. The gentleman has been here a long, long time, and has rendered an exceptionally valuable service. The gentleman mentioned Mr. Streit. Does he happen to recall anything about his activities? The name has a familiar ring to me.

Mr. BROWN of Ohio. I said I understood he was the author of a number of books, and had also appeared before the Congress, in favor of some sort of a plan of union now, or an Atlantic Union, or something of that sort, in which there was some question involved as to whether or not the Government of the United States, by joining such a movement, might not surrender some of its sovereignty. Of course, that is something with which I cannot agree.

Mr. HOFFMAN of Michigan. That was some years ago. Is he the gentleman who advocated this one world organization that we had shown here on the floor some time ago?

Mr. BROWN of Ohio. That is my understanding, from the testimony given before the Rules Committee when this legislation was before that committee some time before the recess, or the present summer session of Congress was even thought of.

Mr. HOFFMAN of Michigan. Did he advocate that plan? The gentleman will remember that our great President Roosevelt had a birthday and at that time there came before the House a resolution to appropriate a million dollars to provide a sort of a constitution for that organization, then $100 million to put it into effect. Is that the same outfit?

Mr. BROWN of Ohio. I am sure the gentleman's memory is much better than mine. I do not recall the details of the legislation mentioned, and I am certainly not an authority on all the many activities of Mr. Streit. I would not want to pose as an authority of Mr. Streit, or his position on American or world activities.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Iowa.

Mr. GROSS. I note on page 2 of the resolution this provision:

> The U.S. Citizens Commission on NATO is not in any way to speak for or to represent the U.S. Government.

Now, is this not a strange situation wherein we have private citizens on private missions, paid for out of Government funds?

Mr. BROWN of Ohio. I think I made it clear in my statement that under the provisions of the resolution this Citizens Commission would have no authority to bind the U.S. Government in any way.

Mr. GROSS. Well, then, how, under the Constitution of the United States,

can Federal funds be used to pay the expenses of private citizens on private missions?

Mr. BROWN of Ohio. That is a matter the gentleman himself will have to pass upon. Sometimes I wonder if the Constitution is still in effect in this country. The gentleman will have to decide the answer to his question himself.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Ohio.

Mr. HAYS. I would like to say, to clear the matter up, that that was put in deliberately to make it crystal clear that while this Commission could make recommendations, it had no authority to commit the Government to those recommendations, and I think that is the way everybody would want it.

Mr. BROWN of Ohio. I believe such testimony was presented to the Committee on Rules, I may say to the gentleman.

Mr. Speaker, I now yield 5 minutes to the gentleman from Pennsylvania [Mr. CORBETT].

Mr. CORBETT. Mr. Speaker, I rise in support of this rule and this bill. I am fearful that too many Americans do not recognize that NATO is the sword and the shield of the free world and that everything possible that can be done to strengthen that alliance is a blow against communism.

Mr. Speaker, I know very definitely that the one thing that the Communist conspiracy would most like to accomplish is the destruction of the North Atlantic Treaty Organization. Consequently, when we have an opportunity to draw together responsible citizens from all of the NATO countries, and when we have an opportunity to benefit from their thinking on political and economic and social matters, and when we recognize that this can be done for a cost not to exceed $300,000 it looks like a real bargain. In view of all of our numerous expenditures on foreign aid of all kinds, this resolution and this bill presents an opportunity that this Congress and this Nation cannot well afford to sacrifice.

There has been some questions raised about where this idea originated. I can tell you that in the Parliamentarian's Conference in 1957 it was unanimously recommended that such a conference as this be held and such a conference was held in 1959. Again, the Parliamentarian's Conference in 1959 reaffirmed the value of the citizens conferences and requested that such a conference be held in 1960.

Mr. Speaker, I recommend to this House that it act favorably upon the rule and upon the bill and in doing so recognize further that this is one of the finest things that the Congress can do to help stop the Communist threat in the free world.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Wyoming [Mr. THOMSON].

Mr. THOMSON of Wyoming. Mr. Speaker, I am impressed with many of the purposes that have been mentioned with respect to this proposed legislation. However, whenever I find more commissions to be appointed, particularly commissions to serve without compensation, I must say I tend to have some misgivings. It seems to me that that experience shows that they tend to become a lobby for a certain position. I rather prefer to see people who are going to serve the Government of the United States paid for their services. Then I know that all people who are available to serve can serve. Further, they are then obligated to serve the interests of all the people of the United States who are paying them.

Another thing that concerns me about this legislation as I listen to this debate is this: As politics has become more intense, I have heard some Democrat critics of the foreign policy of this country charge that there is no positive clear position of this country. If such a body as this were appointed, one that is not responsible to anyone, speaks for no one, how can what they do be correlated with the activities of the State Department, with the activities of the executive branch? I do not mean that in criticism of anyone who may serve, but it seems to me that if we are going to have a clear and positive foreign policy, we must have a well coordinated management of our foreign affairs with clear lines of responsibility and authority.

Mr. Speaker, I would like to ask this question: Why cannot this work be done within the framework of our regularly constituted Government agencies? Why do we need what might be designated as rump organizations who may come up with separate and different ideas, are responsible to no one and speak for only themselves but are supported by all the taxpayers. May their positions not be fodder for Communist propaganda? I think this proposal needs to be explained and explained carefully. I shall vote for the rule and shall listen to the debate carefully, but I have a deep concern when I see a commission proposed to be appointed, such as this, without compensation and outside the direction of the people who are responsible for the foreign affairs of this country.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan.

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, I was just leaving the floor for an office appointment, when by the gentleman from Ohio [Mr. BROWN], speaking on the rule, my attention was drawn to the resolution itself and to the fact that its purpose was but another enlargement of what since 1942 and perhaps before has been an ever-growing and continuing effort to give away parts of our national sovereignty, to, in addition, distribute abroad what some might assume to be surplus dollars. In truth and in fact our national and our per capita debt and individual taxpayers' burden are both greater than that of any other nation, any other people.

To those familiar with the history of our country, with the suffering, the sacrifices, the cost our people endured through 8 long years of the War of Independence, there would seem to be neither logic nor good sense in surrendering any part of the independence then won from George III.

The Boston Tea Party has been forgotten by those who now participate in social functions, and tea is no longer the favorite beverage.

One bill passed this session carried a million dollars for entertainment.

We have had so much personal freedom, enjoyed so many material benefits, forgotten so many fundamental principles, that the sacrifices of the people of those days seem to have been in vain, our lofty statements insuring man's opportunity, prosperity, security, wholly forgotten.

All that was then won has from time to time been frittered away and what is the argument that is advanced to justify past and proposed expenditures and surrender?

Not once but many times have I listened to its advocates attempt to point out the benefits which we as a people and as a nation have received from the policy which they have advocated and forced upon our citizens and the expenditures which we have incurred under it.

Today, there was handed to me a statement showing that we had contributed to Latin nations somewhere between $800 and $900 million since 1946.

How much we have spent in attempting to carry out foreign policy no one is able to accurately state. We do know that our expenditures and obligations are running close to $100 billion.

Let me repeat—what are our advantages? What have we won? We are told that we have avoided war. True, we have not as yet engaged in a shooting war. Whether war would have come had we not followed this policy is problematical. The answer is not certain.

Boiled down, the argument of the advocates of this measure is that, had it not been for our international policy, for our expenditures, we might have fared worse.

Logically the argument sums up to the familiar one that, if the individual did not each day carry an umbrella and a raincoat, he would continually be all wet. Yet even the advocates of this measure will admit that it does not rain every day and that there can be no worse fate befall us or our Nation than the surrender of our independence, of opportunity, of the acceptance of a dictator.

Instead of being free from fear, instead of being secure both as a nation and as individuals, instead of being free to govern ourselves, we find that we are so far committed to cooperation with other nations that those in authority in Cuba, just off our shores, are able to defy us.

We find we can take no action to protect either our citizens or their property in that island until we have secured the

consent of other members of the agreement into which we have entered, it is said, for national defense and security.

And what do the papers of today tell us? Is there peace throughout the world? Almost everywhere there is trouble, one nation at the throat of another. Nation after nation, no matter how small, threatening to involve us in another world war which the advocates of this measure seem to think can only be avoided by the creation of another advisory body and the expenditure of additional funds. F. D. R. told us we had nothing to fear but fear itself. Fear is with us all the time, forcing us each day into unsound action.

Just a few days ago a native of the Congo, reportedly without funds to even pay for his own transportation to this country, defied the United Nations and told it to get out of that country.

True, a few days later, realizing his impudence, his total lack of power, he withdrew his threat. But there is still with us the prospect of another world war. In an early August issue of Life my attention was drawn to a picture of a young American fleeing pursuit by natives of the Congo who carried spears. What was he doing in the Congo? He was an officer—a pilot—in charge of a helicopter, likewise shown in the picture, sent in by the United States to rescue a missionary.

We have dropped into the habit, as individuals, of assuming and believing that the disasters of our foreign policy will not affect us as individuals. But this young man was the son of next-door neighbors in my small home town of Allegan, Mich., Mr. and Mrs. Rock Myers. It was their son, a companion of my grandsons—one in the Navy, another in the Army in Germany—born and reared in that little town, who was fleeing for his life from natives who apparently, from all we can learn, are not capable of enjoying the independence, the freedom, the liberty, the opportunities, which the international organization has forced upon them.

The incident shows that we cannot with safety delegate to other nations the solution of the problems which affect us, which are brought upon us by our vain attempt to, by law, confer liberty and independence upon people who do not know their meaning, or endow others with the benefits of the civilization which we now enjoy and have earned through years of hardship and effort.

The chosen representative of the Congo who has so recently assumed to tell the United Nations what it should or should not do; the ruler of Cuba, just outside our door, who defies us when we attempt to protect our citizens, as well as others, are emboldened, encouraged in their unjustifiable assumptions by the fact that we can no longer exercise our own authority for our own protection and the protection of our people without the consent of other nations. We have lost our independence.

We seem to have completely forgotten the statement of Robert G. Harper, a Member of Congress from South Carolina, who said: "Millions for defense but not a cent for tribute."

We seem to have forgotten that a Teddy Roosevelt ever existed. We seem to have surrendered everything we won at the Boston Tea Party, by the War of Independence. And there seems to be nothing that a minority of us can do to prevent the repeated creation of a new commission, a new agency, a new department, a new appropriation running into billions of dollars.

As long ago as January 27, and again on January 30, 1942, it was my privilege to call to the attention of the Members of Congress what I considered to be the unsoundness of the move then on foot to create a one-world organization, the United Nations, to which we now turn as does an alcoholic to his bottle.

What was then said will be found in the CONGRESSIONAL RECORD, volume 88, part 1, 77th Congress, 2d session, pages 744 to 745, January 27, 1942; and CONGRESSIONAL RECORD, volume 88, part 1, 77th Congress, 2d session, pages 886 to 889, January 30, 1942.

I sent to the office and obtained a copy and will insert it at this point to show that today's proposal is but another step on the long and ruinous road then pointed out:

DON'T HAUL DOWN THE STARS AND STRIPES

(Remarks of CLARE E. HOFFMAN of Michigan, in the House of Representatives)

(Jan. 27, 1942)

Mr. HOFFMAN. Mr. Chairman, on the assumption that, following the Declaration of Independence, guided by the principles enunciated in the Constitution, our people have established here a nation where the average man enjoys a greater degree of material prosperity, intellectual advancement, and religious freedom than in any other part of the world, the people of these United States of America are fighting a war, so it is said, to carry those blessings to all other people.

That war, the cost of which no man can estimate and which, if carried on according to present plans, will take the lives of millions of American men, the President and his supporters tell us, is being fought to bring to other peoples the same right of independence and self-government which we have enjoyed.

The hypocrisy of those who claim that to be the purpose of our present involvement in this war is clearly demonstrated when we receive from them a petition to repudiate our own independence, surrender our existence as an independent nation, and become a part of a United States of the World.

It is quite true that, under our Constitution, men have the right of a free press and free speech; that, under the provisions of that Constitution and the security granted by it, they may advocate its repudiation. Therefore, the man Streit and all those who join with him in asking us to surrender our independence and become a part of a world nation are within their legal rights.

However, Hitler, Mussolini, Hirohito are, it is said, also seeking to destroy our independence and make us a part of a world group. Streit and his associates seek to accomplish the same end—the destruction of our independence—by a more subtle and a peaceful method, and they say for a different purpose.

Our Constitution was adopted in order that there might be formed a more perfect Union of the States. Streit and his adherents would destroy that Union. This Nation of ours is a Union of 48 States. The Civil War was fought to preserve that Union. Most of us many times have said:

"I pledge allegiance to the flag of the United States and to the Republic for which it stands, one nation indivisible, with liberty and justice for all."

THEY WOULD BETRAY US

Streit and his associates now repudiate that pledge of allegiance to the Republic, "one nation indivisible," and would make it a part—and only a part—of a world nation.

Misapplied ambition is a ruinous thing. Unchecked, it destroys everything it touches, tearing down the good with the evil it seeks to end.

"To reign is worth ambition, although in hell. Better reign in hell than serve in heaven."

This country of ours, for more than 150 years, has not only been the haven but the heaven of those who in other lands were oppressed, enslaved, and denied opportunity. Yet Streit and Ickes and their associates, however distinguished they may be, would rather form and reign in a hell made up of all the nations of the world, of all the people of the world, than serve under the Constitution to which they have pledged allegiance, in a land where all have equal opportunity.

Ever since the President had his conference with Churchill on the high seas, we have been hearing from editorial writers, radio commentators, and New Deal spokesmen of the United Nations. Now comes a member of the President's Cabinet, Ickes; a member of the U.S. Supreme Court, Roberts; both of whom have sworn to uphold and defend the Constitution, and add their endorsement to the Judaslike betrayal of our people into and as one of a United States of the World.

While Germany, Italy, and Japan seek by force of arms to overthrow us as a nation, to make us subservient to a group of world powers headed by themselves, Streit and his associates seek, through propaganda, to accomplish the same thing and make us a part of a United States of the World, dominated by England, Russia, China, and whatever other nations may seek to participate in a world redistribution of the wealth of the United States and its people.

Alexander the Great wept because there were no other worlds to conquer. Is not Franklin Delano Roosevelt satisfied with being a third-time President of the United States, an honor which the patriotism of Washington forbade him to accept? Is he not satisfied with his opportunity of conquering the whole world, far greater than in Alexander's day? Are his spokesmen behind this move to surrender our independence, our national existence; become a part of a United States of the World, and make Franklin Delano Roosevelt the president of that world nation?

Yes; ambition is a cancerous growth and often in the past, as history discloses, has destroyed the one who harbored it. Alexander was ambitious. Caesar was ambitious. Napoleon was ambitious. Hitler was ambitious. But the people who were the playthings of their ambition suffered and died. So, too, if this move to make us a part of a world nation—and a subservient part at that—goes through, will our people suffer, our independence, our Nation die.

It is said that we are the richest nation in the world. It is undenied that the average citizen of these United States of America enjoys more of everything that goes to make man contented and happy than the people of any other land or nation. And yet these men, like Judas, who betrayed his Master, would, before we are fairly in this war, betray our people; surrender our independence; connive to destroy our liberty and our freedom. They would surrender that for which the war is being fought—our national existence—before the war is fairly begun.

Let them be stripped of their hypocrisy. Let us expose them for what they are—enemies of the Republic, boring from within.

They seek to take advantage of our involvement in this war and while the attention of the people is directed to the winning of the war. They would do what the armies of the Confederacy could not accomplish—destroy us as a nation, one and indivisible; make us a part of the United States of the World, where the communistic Russian, who denies the existence of God, where the Chinese, the Hottentot, and the people of India would have equal voice in curtailing the liberties, spending the tax money, of American workers, farmers, and businessmen—a United States of the World where all the peoples of the world would be glorified participants in a WPA, a PWA, a Federal housing program, the triple A—a program to rebuild after the war all the cities, towns, and villages which may be destroyed in that war—and all at the expense of the American taxpayer.

Oh, that Streit and all his associates who are dissatisfied with our Declaration of Independence, with the working of our Constitution, with our country, would only go and take up permanently their residence in some one of the many countries whose system of government they evidently so greatly admire.

Let Streit go and live with the Chinese. Let Ickes go to Russia and live with the Communists, who tell us that religion is a fraud. Let Justice Roberts sojourn a while in India with Gandhi, who is demanding that Britain grant freedom to millions of the oppressed in his native land.

If the administration wants to win this war, let it put aside the ambition of the President's advisers to make him or one of themselves a president of the world. Let this administration get rid of the more than a thousand Communists on the Federal payroll—bloodsuckers seeking to destroy our national existence.

Let the ambitious politicians remember that the first thing, the important thing, is the winning of the war, and that the American people will only devote themselves enthusiastically and wholeheartedly to that purpose as they believe in our own Government, the maintenance of our own freedom and independence.

A Birthday Gift

(January 30, 1942)

Mr. Hoffman. Mr. Speaker, inasmuch as it is the President's birthday, it may not be out of place to call attention to the fact that a birthday gift has been requested of Congress for the Chief Executive.

The 4th day of July 1776 was the day when our Declaration of Independence was adopted. Here is an organization which undoubtedly has expended considerable sums, which now proposes to celebrate the President's birthday by having Congress adopt a resolution doing away with the Declaration of Independence. I do not know; I have not been able to learn, whether any Member of the House has introduced such a resolution.

I have introduced a resolution—it was introduced yesterday—House Resolution 425—asking for the appointment of a committee to investigate the purpose and ascertain who are the members of these two or three organizations which advocate the surrender of our independence and the sources from which they derive the funds which they are spending.

This movement to surrender our independence and become a part of a world supergovernment has the support of Cabinet Member Ickes, Justice Roberts of the Supreme Court, Federal Union, Inc., Red Christian Fronters, and Communists.

While we are celebrating today the President's birthday we should have this other movement in mind. There are many of us who in the past have bitterly opposed some of the President's political policies. There are some of us who will continue to oppose those domestic policies while giving him support in the effort to win the war. There is none, however, who should in my judgment at least not be able and willing to join in the hope that God will grant him many happier returns of the day. We can all join in the request that God give him wisdom, and strength, and courage to frown upon such efforts as the one which is here suggested.

THE DAY FIXED FOR OUR BETRAYAL

The people will now back this administration in this war effort, they will give wholehearted support to the Army, the Navy, and the Air Force; but how about the future when the people learn that there is in administration circles, or at least entertained by one member of the Cabinet the purpose to destroy our independence?

The answer to that question depends upon whether they consider the war a just war; a worthwhile war; a war to preserve our independence; a war to perpetuate our Nation; a war to protect our freedom and our liberty.

At the present time, our people believe that this war must be won. They are willing, even though it cost billions of dollars, millions of lives; even though it means the lowering of the standard of living for many generations to come in order to meet the tax bills which will follow this war, to make whatever sacrifices may be necessary to win.

But let our people once discover or arrive at the conclusion, sound or unsound, that they are being betrayed; that their sacrifices are in vain, that at the end of the war they will have lost their independence, our constitutional form of government, our existence as a free and independent Nation destroyed, and no longer will this administration have their support.

Of our more than 130 million people, those who think believe in some vague way that we today, as our forefathers in the Revolutionary War, as in the days of the Civil War, are not only fighting for the preservation of our Nation, but that, when we win, the freedom of the individual, the independence of the Nation, will be rendered more secure and its permanency insured.

We know that Hitler, Mussolini, and Hirohito, at the heads of their respective nations, are our enemies. They would destroy our national existence. They, according to this administration, would enslave us, destroy what has been described as the American way of life. There are other enemies who would accomplish the same purpose. These others are a greater menace than are Hitler, Mussolini, and Hirohito, for they carry on their battle to destroy us, not directly, not openly, with announced purposes, but in an underhand, treacherous, traitorous way, pretending they would make secure the freedoms and liberties, the national existence which they seek to destroy.

Using the false plea that we can win the war and after it is over establish permanent peace throughout the world—a desirable objective—Federal Union, Inc., headed by Clarence K. Streit, by the expenditure of thousands of dollars, is carrying on a campaign of propaganda, the purpose of which is, while our attention is distracted by the war, to cause us to surrender our independence and our national existence and become the economic slaves of other world powers.

That organization would inveigle our citizens into a united states of the world where their property, their incomes, would be at the mercy of Old World politicians.

* * * * *

Federal Union, Inc., and World Fellowship, Inc., which has a similar objective, would make the American taxpayer the Santa Claus of the world; the peoples of Europe, Asia, and Africa glorified members of a world WPA. We Americans—workers, farmers, merchants, industrialists, professional men and women, all of us—would furnish the money for the boondoggling and the warring of princes, dukes, kings, and dictators.

We would, in addition, furnish the cannon fodder for the war games which they might play when they grew tired of boondoggling.

Is the foregoing but a creature of the imagination? In full-page ads in newspapers of the East the campaign to do the things just mentioned is being carried on.

Yesterday, January 29, to me, as a Congressman, and no doubt to every other Congressman and to every Senator, from World Fellowship, Inc., came propaganda asking that, as a Member of the House of Representatives, I support a joint resolution which this organization asks be passed on the President's birthday, January 30, 1942, as, I quote, "a present to him, to us, to the world." The word "him" is capitalized. A proposal for a birthday gift which the President should lose no time in condemning.

That resolution proposes, as step 1, among other thing:

"That the Congress of the United States of America does hereby solemnly declare that all peoples of the earth should now be united in a commonwealth of nations to be known as the United Nations of the World, and to that end it hereby gives to the President of the United States of America all the needed authority and powers of every kind and description without limitations of any kind that are necessary in his sole and absolute discretion to set up and create the Federation of the World, a world peace government under the title of the United Nations of the World, including its constitution and personnel and all other matters needed or appertaining thereto to the end that all nations of the world may by voluntary action become a part thereof under the same terms and conditions."

If you are an American citizen, willing to make the needed sacrifices to win this war, if you believe in the independence of our Nation, what do you think of this proposed grant of authority to the President of the United States to set up a United Nations of the World? Why should Congress grant to the President of the United States power to create a new world government, United Nations of the World, of which we would be a part?

By what stretch of the imagination can it be assumed that we, the people of the United States, have the right, or, for that matter, the power to set up a world government entitled "United Nations of the World," and to write and prescribe a constitution and to pick the officers of such a government?

If the President of the United States is not satisfied with the office which he holds, if he and his advisers and supporters or any of the rest of us are not content to live under the Constitution which we have sworn to maintain and uphold, then why does not he, his wife Eleanor, Ickes, Perkins, and the horde of Reds which surrounds him, and those of us who are not satisfied, emigrate to Russia, or to Germany for that matter—for Hitler has the same idea of uniting all the peoples of the world under his rule—and there establish the world government?

This proposed joint resolution contains this further provision:

"There is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated the sum of $100 million or so much thereof as may be necessary to be extended by the President in his sole and absolute discretion to effectuate the purposes of this joint resolution."

Consider this language. This organization asks, in this time of war, when every dollar is needed to support the Army, the Navy,

and the Air Force, for an appropriation of $100 million to be expended by the President of the United States without accounting to anyone in any manner, for the purpose of establishing a United Nations of the World.

The resolution contains this further language, immediately following the foregoing:

"And in addition the sum of $1 billion for the immediate use of the United Nations of the World under its constitution as set up and created by the President of the United States of America as provided in this joint resolution."

While MacArthur is fighting in the Philippines; while American soldiers and sailors are dying there and in many, many places throughout the world in the belief that they are fighting for the preservation of our Government; for the safety and independence of the folks at home; for their parents, their brothers and their sisters, here at home, in America, through the mails of the U.S. Government comes this propaganda, which would destroy all that these boys have fought and died to save.

The Treasury of the United States is not only empty of funds, but in it are stored obligations which call upon future generations for the payment of billions of dollars in taxes. Yet this organization, these men and women who sponsor it, whose purpose is the surrender of our independence, the destruction of our constitutional form of government, destroy the morale of our fighting men. They sap the courage of our citizens. They create the feeling that this administration, by permitting their efforts to go unrebuked, may be charged with not carrying on a war to preserve the American way of life, to protect our people, to render our Government secure and permanent, but, driven by ambition, seeks to make us a part of a world power.

Let this administration—let the President of the United States—without delay, assure the American people that he wants no part in the creation of a united states of the world—in the formation of a United Nations of the World.

Let him assure us that when this war is won—that when this war is over—our independence as a Nation will be sacredly preserved and that we will not become a part of any world political union.

I append hereto, as exhibit A, excerpts from the full-page ad of Federal Union, Inc.; also appended, as exhibit B, are excerpts from World Fellowship, Inc.

Yesterday I introduced a resolution—House Resolution 425—calling for an investigation of this movement. I ask that a copy of that resolution be printed herewith as exhibit C.

Here we are—a Nation billions of dollars in debt, needing every resource at our command, not only to carry on a war, as the President said, on every continent and in every sea, but to prepare for our own national defense here at home; and yet come these men and ask that we appropriate $100 million to aid in forming a united nations of the world, and an added $1 billion to be expended by that organization when formed.

They ask that we surrender our independence, appropriate $1,100 million, and offer it to the President of the United States, Franklin Delano Roosevelt, as his birthday gift on January 30, 1942.

Yes; I wish the President many returns of this birthday of his. I hope that each of those days will bring less for him to worry about; that the morning sun of each of those days will rise upon a world at peace—upon a United States of America still independent—indivisible.

God grant that each of those birthdays of our President and the dawn of many succeeding centuries will see us as a people free, independent, our liberties secure; our National Government, the United States of America, a republic, still the refuge, still the hope, of the oppressed throughout the world.

Oh, I ask you, I appeal to the leaders of the House, to the dean of the House as he sits here, because he said he believes in the independence of our country, our institutions, and our form of government, are we going to let pass unchallenged such appeals as these, which have been sent to every Member of the House, undoubtedly, and to every Senator? This same proposition is being advocated by full-page advertising in the great daily newspapers. I ask you, Mr. Sabath, chairman of the Committee on Rules, to give us a rule in support of the resolution which I have introduced, and let us learn who is back of this movement and who is paying for it.

EXHIBIT A

[From the Washington Evening Star of Jan. 5, 1942]

"IN UNION NOW LIES POWER TO WIN THE WAR AND THE PEACE—A PETITION

"That the President of the United States submit to Congress a program for forming a powerful union of free peoples to win the war, the peace, the future;

"That this program unite our people, on the broad lines of our Constitution, with the people of Canada, the United Kingdom, Erie, Australia, New Zealand, and the Union of South Africa, together with such other free peoples, both in the Old World and the New, as may be found ready and able to unite on this federal basis;

"We welcome President Roosevelt's conferences with Prime Minister Churchill and the 'declaration of united nations'."

(Churchill is the man who said, "Give us the tools, and we will finish the job," and who, since these remarks were made on the floor of the House and after the fall of Singapore, said, referring to the entry of the United States into the war:

"That is what I have dreamed of, aimed at, and worked for, and now it has come to pass.")

Referring to this proposed supergovernment, the advertisement continues:

"Now the responsibility is ours either to create or defer too long that 'common community or state' whose importance Mr. Churchill stressed in the Senate December 26.

"Organizing the democracies effectively in a union need take no longer than organizing them in an ineffective alliance or supreme war council, and will safeguard their national rights far more securely and equally. There already exist carefully studied concrete plans for just the kind of emergency union that we need. These plans provide for representation responsible to the people and in proportion to self-governing population. They work out the details and assure the American people a majority in the union congress at the start."

THE SOVIET STATES HAVE A COMMON GOVERNMENT

(Note those who would pull down our flag and run up in its place the symbol of Union Now graciously tell us that, at the beginning, we are to have a majority vote in this new supergovernment. They fail to tell us that, shortly, outvoted by the more numerous peoples of Russia, the British Empire, and others, we would become but a vassal state.)

"We gain from the fact that all the Soviet republics are already united in one government, as are also all the Chinese-speaking people, once so divided. Surely we and they must agree that union now of the democracies wherever possible is equally to the general advantage."

(Yes, Union Now advocates suggest—in fact, they insist—that we now accept, as full partners and as participants, not only in the carrying on of the war but in our domestic affairs, in our daily lives, Communists of Russia and the people of China.)

"Let us begin now a World United States.

"THIRTY MILLION AMERICANS FAVOR UNION

"Thirty million American adults, according to the December Fortune survey, already believe the United States 'after the war' should 'join a union of democracies in all parts of the world to keep order.'

"The surest way to shorten and to win this war is also the surest way to guarantee to ourselves, and our friends and foes, that this war will end in a union of the free. The surest way to do all this is for us to start that union now."

(In other words, surrender our independence; burn the Declaration of Independence and substitute in its place a declaration of interdependence. Pull down the Stars and Stripes and run up the flag of Union Now. That is the plea these men are making.)

The advertisement continues:

"As citizens to our fellow citizens, we recommend this proposal to your serious consideration.

"Robert Woods Bliss, Grenville Clark, Gardner Cowles, Jr., Russell W. Davenport, Harold L. Ickes, Owen J. Roberts, Daniel Calhoun Roper, William Jay Schieffelin, John Foster Dulles.

"Inviting you to help create now a living, growing World United States.

"FEDERAL UNION, INC.,
"10 East 40th Street, New York, N.Y.
"(A nonprofit membership association)

"Please put me, an American citizen, on record as favoring your petition for union—now, as explained in your advertisement in the Evening Star, Washington, D.C., January 5, 1942.

"_____ 1942.

"Name _____

"Street _____ City _____

"Check here for an enrollment card ☐, literature ☐, reprints of this advertisement ☐.

"We need funds to carry on this campaign quickly. If everyone who believes in a World United States will give now what he can to help create it, we shall have it soon. Please insert here _____ the amount of any gift you enclose.

"Federal Union, Inc.: A. J. G. Priest, chairman; Clarence K. Streit, president; E. W. Balduf, director; P. F. Brundage, secretary; John Howard Ford, treasurer; Patrick Welch, acting director.

"Philadelphia, Architects Building. Washington, D.C., 726 Jackson Place, Republic 2425. Chicago, 135 La Salle Street. St. Louis, Arcade Building. San Francisco, Russ Building. Los Angeles, 1717 North Vine Street, Hollywood.

"National Headquarters, 10 East 40th Street, New York City."

EXHIBIT B

IN TIME OF WAR PREPARE FOR PEACE—WORLD FELLOWSHIP, INC.

(Started in 1918—the armistice year)

To Members of the Senate and the House of Representatives of the United States of America:

We ask the Members of the Senate and House to take the three steps presented here for your consideration.

We hope these two joint resolutions will be introduced and passed by Congress on the President's birthday, January 30, 1942. A present to him, to us, to the world.

STEP 1

To be enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

Joint resolution authorizing the President of the United States of America to set up and create a Federation of the World, a World Peace Government, under the title of the "United Nations of the World"

Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress of the United States of America does hereby solemnly declare that all peoples of the earth should now be united in a commonwealth of nations to be known as the United Nations of the World, and to that end it hereby gives to the President of the United States of America all the needed authority and powers of every kind and description, without limitations of any kind that are necessary in his sole and absolute discretion to set up and create the Federation of the World, a world peace government under the title of the "United Nations of the World," including its constitution and personnel and all other matters needed or appertaining thereto to the end that all nations of the world may by voluntary action become a part thereof under the same terms and conditions.

There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $100 million or so much thereof as may be necessary, to be expended by the President in his sole and absolute discretion, to effectuate the purposes of this joint resolution, and in addition the sum of $1 billion for the immediate use of the United Nations of the World under its constitution as set up and created by the President of the United States of America as provided in this joint resolution.

The President may appoint such committees and summon such advisers, from any part of the world, as he may deem necessary to effectuate the foregoing purposes with all convenient speed.

EXHIBIT C

[H. Res. 425, 77th Cong., 2d sess.]

Whereas through full-page advertisements published in many great dailies, Federal Union, Inc., Clarence K. Streit, president, is now advocating the surrender of our national independence and our entrance into a United States of the world; and

Whereas World Fellowship, Inc., is now propagandizing Congress to appropriate $1,100 million for the purpose of forming a United Nations of the world, which would involve the surrendering of our national independence; and

Whereas such activities tend to undermine the morale of our people and to raise in their minds a suspicion that there is on foot a powerful movement which, notwithstanding the winning of the war, would, if successful, result in the surrendering of our national independence, the destruction of the liberty of the citizen: Now, therefore, be it

Resolved, That the Speaker of the House of Representatives be, and he is hereby, authorized to appoint a special committee to be composed of five members for the purposes of conducting an investigation to ascertain—

(1) The extent, character, and objectives of Federal Union, Inc.; of World Fellowship, Inc.; and of any and all similar organizations, and the members of such organizations in the United States;

(2) The sources from which such organizations and individuals receive the funds which enable them to carry on their activities; the amount and the date of contributions made for that purpose; and the names, places of residence, and occupation of the persons contributing; and

(3) All other questions in relation thereto that would aid Congress in any advisable remedial legislation.

That said special committee, or any subcommittee thereof, is hereby authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, by subpena or otherwise, and to take such testimony, as it deems necessary. Subpenas shall be issued under the signature of the chairman and shall be served by any person designated by him. The chairman of the committee or any member thereof may administer oaths to witnesses. Every person who, having been summoned as a witness by authority of said committee or any subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the investigation heretofore authorized, shall be held to the penalties provided by section 102 of the Revised Statures of the United States (U.S.C., title 2, sec. 192).

SEC. 2. The committee shall file its report to the House on October 31, 1942, or may file same earlier in the event the House is not in session, with the Speaker of the House for printing as a public document.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. THOMSON of Wyoming. Mr. Speaker, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Wyoming.

Mr. THOMSON of Wyoming. I would certainly appreciate it if the gentleman who is a member of the committee would explain why in the committee report there is no written report from the departments and executive agencies concerned. I have looked over the hearings quickly and I find that no one from the executive branch of the Government, charged with the administration of our foreign affairs, testified on this. Could the gentleman explain this?

Mr. FULTON. I will be glad to answer that. The Secretary of State has favored this resolution. Because this is a Senate resolution, it has come over to us in the House and we reported out Senate Joint Resolution 170. The Foreign Relations Committee of the Senate sought the opinion of the Department of State. No witness appeared for the administration in either the Senate or House committee. The position of the Department of State has been stated in two letters of William B. Macomber, Jr., Assistant Secretary of State dated May 28, 1959, and August 25, 1960, printed in the hearings of the Senate Foreign Relations Committee of January 19, 1960, on page 1 and page 2. Also there is on page 60 of the Senate hearings, a statement received subsequent to the hearings of January 19, 1960, the statement by Ivan B. White, Deputy Assistant Secretary of State for European Affairs.

Mr. PILLION. Mr. Speaker, will the gentleman yield?

Mr. FULTON. I yield.

Mr. PILLION. Does this resolution contemplate the formation or the formulation of a basis for the Atlantic Union type of government, the one government authority of the Atlantic nations?

Mr. FULTON. This resolution is really in conformity with article II of the North Atlantic Treaty. It is following out the purposes of that, not only to have a military organization of the Atlantic countries, each of which are sovereign, but to have cooperation among them on an economic and political basis. Article II of the North Atlantic Treaty states, which was agreed to by the signing nations in 1949:

> The parties will contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being. They will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them.

It has been pointed out by the gentleman from Pennsylvania [Mr. CORBETT] that this proposed conference is strengthening the North Atlantic Treaty Organization, which is one of the best defenses against aggression that we have. There are two facets: First, the economic and political cooperation under article II of the North Atlantic Treaty; and, second, cooperation in the context of what we could call the cold war.

Mr. PILLION. I thank the gentleman for the very general explanation and the general statement, but, specifically, does this contemplate a political union—one government of the Atlantic nations? Is that the purpose of this resolution—to formulate a base for that type of government? Could the gentleman answer me specifically and particularly with reference to that?

Mr. FULTON. This arose originally in the NATO Parliamentarians' Conference in 1957 not in connection with the Atlantic Union organization or the so-called union now. They unanimously recommended a conference with leading representative citizens from the NATO countries be convoked to examine this matter and make recommendations how greater cooperation and unity of purpose may best be developed.

In June 1959 the Atlantic Congress met for a week in London. I believe that various Members from this body were there. Its 650 delegates discussed a wide range of activities that could appropriately contribute to the end about which we are speaking. The Fifth NATO Parliamentarians' Conference in 1959 reaffirmed its proposal for a citizens' meeting. So, you see, the basis of the initiation of this Commission, as well as the proposed Conference, is much broader than any particular organization or any special sponsorship. I would say to you that the goals of this Commission and Conference are not set. The proposal contains the idea that the Commission be organized for citizens to be appointed so that they will be of an advisory and not of a compelling nature to the U.S. Government, nor shall there be power to commit the United States or any other participating nation to any or all recommendations of the Commission or the Conference.

Mr. BROWN of Ohio. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Ohio.

Mr. HAYS. I think in all fairness the gentleman is entitled to an answer to his question. As chairman of the U.S. delegation, I thought I had made it clear in the Atlantic Congress resolution that that was not the purpose of it; that this commission was not to favor a union now, or anything of that kind. It was merely to explore how foreign nations could closer cooperate under article II of the NATO Charter. How they could have closer economic and cultural cooperation, as well as military cooperation. So a definitive answer to the gentleman's question is "No."

Mr. FULTON. The gentleman is correct as to the origin, but we must remember that the U.S. commission and the convention are private citizens free to express any opinion, and make any recommendation.

Mr. PILLION. We have a Department of Commerce and various bureaus who can presently and efficiently explore the economical and political operations with other countries.

Mr. FULTON. The Hoover Commission was appointed from our U.S. citizens for just such purpose of making recommendations and nonbinding proposals to our U.S. Government agencies. There is to——

The SPEAKER. The time of the gentleman has again expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield the balance of the time to the gentleman from Texas [Mr. ALGER].

Mr. ALGER. Mr. Speaker, I take the floor because I do not understand this resolution and I am trying to get some information. To that end I have read the report, I have read the bill, and I read the rule, and I have listened to the debate thus far. These tell us little.

I realize that behind this could be a world of good will. The report says, "for the purpose of developing paths toward greater political and economic cooperation within the alliance."

That is wonderful. Then it says, "military cooperation and collaboration into the political and economic areas."

I thought we had a State Department to do that. Then on page 2 the report points out article II of the treaty which again sounds like the acknowledged purpose of the State Department. Maybe I am wrong. I do not know how the Hoover Commission gets in here except that the members served without compensation.

Then on the next page, page 3, we have an astounding thing, and I quote:

> Some attention was given to the geographic expansion of terms of the resolution in order to include representatives from countries other than the North Atlantic Community.

Geographic extension it is called. And the report says there was no basic opposition to that. When you talk about political and economic collaboration, does that mean that no one objected to taking in nations outside of the framework of free democracies, such as Socialist governments? I do not know what political and economic collaboration will be as it is used there, but I am very suspect about the political side. What is political collaboration? What are we talking about? Are we suggesting here that we unite politically with other people, or is the course of the United States made stronger by protecting our sovereignty?

Mr. GROSS. Mr. Speaker will the gentleman yield?

Mr. ALGER. I yield to the gentleman from Iowa.

Mr. GROSS. I think the gentleman knows this is just another propaganda organization paid for by the taxpayers of this country.

Mr. ALGER. I would suspect that is possible.

Mr. GROSS. It is designed to propagandize Members of Congress as well as others. That is what it is for.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from Minnesota.

Mr. JUDD. The gentleman referred to the paragraph at the top of page 3. In committee I suggested an amendment to make it possible for the representatives of the various NATO countries on this Commission to invite representatives from other countries if they saw fit to do so. The reason was very simple. All wisdom and experience are not in the North Atlantic Community. One of the greatest difficulties we face in the total world is that the Communists are trying to organize all non-Caucasian peoples against all Caucasian peoples. I felt it might well be considered desirable to have on the Commission some other countries, outside the NATO area, which have demonstrated stability and cooperation and devotion to democratic values and processes.

Mr. ALGER. May I point out to the gentleman that the things he is expressing to us now would certainly have been a help in the report so that we know what it is we are asked here to do and the functions of this Commission. The Hoover Commission had guidelines and goals. We need guidelines and goals for this Commission.

Mr. JUDD. The members of this Commission are to be appointed by the Speaker of the House and the President of the Senate. I cannot imagine they are going to appoint any citizens to the Commission who are not outstanding in their fields. I see no reason to be concerned about the qualifications of the people who will be appointed to it.

Mr. ALGER. It is not their qualifications here before us; rather that they should have something to guide them to know what is expected of them.

Mr. JUDD. These will be high-grade people who will approach the problem with unprejudiced minds. Let them report back what they think ought to be done. The Commission will give us a chance to look at our total relationships afresh.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken and the Speaker announced that the ayes appeared to have it.

Mr. FULTON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken and there were—yeas 349, nays 39, not voting 43, as follows:

[Roll No. 191]

YEAS—349

Abbitt	Daddario	Jackson
Abernethy	Dague	Jarman
Adair	Daniels	Jennings
Addonizio	Dawson	Johnson, Calif.
Albert	Delaney	Johnson, Colo.
Alexander	Dent	Johnson, Md.
Allen	Denton	Johnson, Wis.
Andersen, Minn.	Derounian	Jonas
	Derwinski	Jones, Ala.
Anderson, Mont.	Diggs	Jones, Mo.
	Dingell	Judd
Andrews	Dixon	Karsten
Arends	Donohue	Karth
Ashley	Dooley	Kasem
Aspinall	Dorn, N.Y.	Kastenmeier
Auchincloss	Downing	Kearns
Avery	Doyle	Keith
Ayres	Dulski	Kelly
Baker	Durham	Keogh
Baldwin	Dwyer	Kilday
Baring	Edmondson	Kilgore
Barr	Elliott	King, Calif.
Barry	Everett	King, Utah
Bass, N.H.	Evins	Kitchin
Bass, Tenn.	Fallon	Kluczynski
Bates	Farbstein	Knox
Becker	Fascell	Kowalski
Beckworth	Fenton	Kyl
Belcher	Fino	Lafore
Bennett, Fla.	Fisher	Laird
Bennett, Mich.	Flood	Lane
Betts	Flynn	Langen
Blatnik	Flynt	Lankford
Blitch	Fogarty	Latta
Boland	Foley	Lennon
Bolton	Forand	Lesinski
Bonner	Ford	Levering
Bowles	Fountain	Libonati
Boykin	Frazier	Lindsay
Brademas	Frelinghuysen	Lipscomb
Breeding	Friedel	McCormack
Brewster	Fulton	McCulloch
Brock	Gallagher	McDonough
Brooks, La.	Garmatz	McDowell
Brooks, Tex.	Gary	McFall
Broomfield	Gathings	McGinley
Brown, Ga.	Gavin	McGovern
Brown, Mo.	George	McIntire
Brown, Ohio	Giaimo	Machrowicz
Broyhill	Gilbert	Mack
Burke, Ky.	Glenn	Madden
Burke, Mass.	Goodell	Mailliard
Burleson	Granahan	Marshall
Byrne, Pa.	Gray	Martin
Cahill	Green, Oreg.	May
Canfield	Green, Pa.	Meader
Cannon	Griffiths	Merrow
Carnahan	Gubser	Metcalf
Casey	Hagen	Meyer
Cederberg	Halleck	Michel
Celler	Halpern	Miller, Clem
Chamberlain	Hardy	Miller, George P.
Chelf	Hargis	
Chenoweth	Harmon	Miller, N.Y.
Chiperfield	Harris	Milliken
Church	Harrison	Mills
Clark	Hays	Moeller
Coad	Hechler	Monagan
Coffin	Hemphill	Montoya
Cohelan	Henderson	Moore
Collier	Herlong	Moorhead
Colmer	Hoeven	Morgan
Conte	Hogan	Morris, N. Mex.
Cook	Holifield	Morris, Okla.
Cooley	Holland	Moss
Corbett	Holtzman	Moulder
Cramer	Horan	Multer
Cunningham	Huddleston	Mumma
Curtin	Hull	Murphy
Curtis, Mass.	Inouye	Natcher
Curtis, Mo.	Irwin	Nelsen

Norblad	Robison	Teague, Calif.
O'Brien, Ill.	Rodino	Teague, Tex.
O'Brien, N.Y.	Rogers, Colo.	Teller
O'Hara, Ill.	Rogers, Fla.	Thomas
O'Hara, Mich.	Rogers, Tex.	Thompson, Tex.
O'Neill	Rooney	Thomson, Wyo.
Oliver	Roosevelt	Thornberry
Osmers	Rostenkowski	Toll
Ostertag	Roush	Tollefson
Passman	Rutherford	Trimble
Patman	St. George	Tuck
Pelly	Santangelo	Udall
Perkins	Saund	Ullman
Pfost	Saylor	Vanik
Philbin	Schenck	Van Zandt
Pilcher	Scherer	Wainwright
Pirnie	Schneebeli	Wallhauser
Poage	Schwengel	Walter
Poff	Scott	Wampler
Porter	Selden	Watts
Powell	Sheppard	Weaver
Price	Shipley	Weis
Prokop	Sikes	Whitener
Pucinski	Simpson	Whitten
Quigley	Sisk	Widnall
Rabaut	Slack	Wier
Rains	Smith, Iowa	Willis
Randall	Smith, Miss.	Wilson
Ray	Smith, Va.	Wolf
Rees, Kans.	Spence	Wright
Reuss	Springer	Yates
Rhodes, Ariz.	Staggers	Young
Rhodes, Pa.	Steed	Younger
Riehlman	Stratton	Zablocki
Riley	Stubblefield	Zelenko
Rivers, Alaska	Sullivan	
Roberts	Taylor, N.C.	

NAYS—39

Alford	Feighan	Matthews
Alger	Forrester	Minshall
Bailey	Gross	O'Konski
Berry	Haley	Pillion
Bosch	Hiestand	Short
Bow	Hoffman, Ill.	Siler
Bray	Hoffman, Mich.	Taber
Budge	Holt	Utt
Byrnes, Wis.	Hosmer	Van Pelt
Davis, Ga.	Jensen	Westland
Devine	Johansen	Wharton
Dorn, S.C.	McMillan	Williams
Dowdy	Mason	Winstead

NOT VOTING—43

Anfuso	Ikard	Preston
Ashmore	Kee	Quie
Barden	Kilburn	Reece, Tenn.
Barrett	Kirwan	Rivers, S.C.
Baumhart	Landrum	Rogers, Mass.
Bentley	Loser	Shelley
Boggs	McSween	Smith, Calif.
Bolling	Macdonald	Smith, Kans.
Buckley	Magnuson	Taylor, N.Y.
Davis, Tenn.	Mahon	Thompson, La.
Grant	Mitchell	Thompson, N.J.
Griffin	Morrison	Vinson
Healey	Murray	Withrow
Hébert	Nix	
Hess	Norrell	

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Reece of Tennessee.

Mr. Anfuso with Mrs. Rogers of Massachusetts.

Mr. Loser with Mr. Bentley.

Mr. Shelley with Mr. Taylor of New York.

Mr. Ashmore with Mr. Hess.

Mr. Barrett with Mr. Kilburn.

Mr. Nix with Mr. Quie.

Mr. Kirwan with Mr. Smith of California.

Mr. Morrison with Mr. Baumhart.

Mr. Magnuson with Mr. Griffin.

Mr. Boggs with Mr. Withrow.

Mr. Thompson of Louisiana with Mr. Smith of Kansas.

Mr. BROOKS of Texas changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

Mr. ZABLOCKI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (S. J. Res. 170) to authorize the participation in an international convention of representative citizens from the North Atlantic Treaty nations to examine how greater political and economic cooperation among their peoples may be promoted, to provide for the appointment of United States delegates to such convention, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of Senate Joint Resolution 170, with Mr. BASS of Tennessee in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Wisconsin [Mr. ZABLOCKI] will be recognized for 30 minutes, and the gentleman from Minnesota [Mr. JUDD] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. ZABLOCKI].

Mr. ZABLOCKI. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the resolution before the House, Senate Joint Resolution 170, was reported unanimously from the Committee on Foreign Affairs only after considerable thought and discussion. The events of the last few months, weeks, and days have pointed up the need for a more imaginative approach to the issues which confront our country today.

It must be readily apparent to even the most casual reader of the daily papers that the conduct of the Communist bloc places upon the nations of the non-Communist world a heavy responsibility to meet the challenges that are emerging on all sides. I say "Communist bloc" advisedly because we must consider Communist China, a rapidly developing threat.

Thus far much of the thinking on the ways and means by which we can counter the Communist threat has been in the military field. We and our North Atlantic allies have devised a strategy to combat military aggression. What we—and I include all the nations of the North Atlantic community—have neglected too long, is to devise a strategy that will be operative in times of peace. I am not arguing for a diminution of effort in the military field. On the contrary, I believe all of the nations must exert stronger efforts in that field. But we cannot rely on our weapons alone. They are necessary to defend that which we hold, but they are insufficient to advance the causes in which we believe. They are inadequate to meet the growing Communist threat in the economic and political fields.

The principal discussion within and outside of the North Atlantic Treaty Organization has understandably been on the military side. Everyone who has followed NATO's progress in military collaboration must be heartened by how much has been achieved. For us in this country who have never had the experience of peacetime military alliances, it represents a triumph for our leadership and support. I know that the military alliance has its shortcomings. Nor are the efforts of all parties equal to their responsibilities. If its strength were put to the test, it might reveal deficiencies that have not been anticipated. But I stress that it is making progress.

What is often overlooked when one talks about NATO is that those who drafted that plan had the vision to recognize that cooperation in nonmilitary fields is no less important than cooperation in military matters. I quote article 2 of the North Atlantic Treaty:

> The parties will contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being. They will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them.

The purpose of the resolution now before the House is to give more meaning to that article.

Let me restate briefly what this resolution proposes so that there will be no misunderstanding about its scope or its implications in our foreign affairs.

The resolution would authorize the appointment of a Commission of not more than 20 private American citizens to be appointed jointly by the President of the Senate and by the Speaker of the House of Representatives, after consultation with the Committee on Foreign Relations of the other body and the Committee on Foreign Affairs of the House of Representatives. This Commission would be directed to seek to arrange and to participate in a convention attended by similar citizens' commissions from the other NATO countries for the purpose of exploring and developing ideas that will result in greater political and economic cooperation by, with and among our allies. Members of the Commission would serve without compensation, but they would be reimbursed for their expenses. They would be authorized to employ and remunerate a staff of not more than 10 members. An amount not to exceed $300,000 is authorized to be appropriated for carrying out the purposes of the resolution. Of that sum not more than $100,000 would constitute the share of the Commission's expenses in any international conference. The Commission would report and account for its expenditures to the Congress. All funds it expends would be subject to the rules and regulations governing the accountability of obligations and expenditures made under the jurisdiction of the Department of State. That means they will be subject to review by the Comptroller General. Wherever it is possible for the Commission to meet its expenses through the use of local currency, the Commission will use appropriated dollars to purchase such currencies thereby reducing its dollar outlay. The Commission would cease to exist on January 31, 1962. I wish to repeat that this is not a continuing commission. The Commission would cease to exist on January 31, 1962.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield.

Mr. GROSS. Then the gentleman is saying that he will not offer, nor does he anticipate anyone else will offer a resolution to continue this Commission?

Mr. ZABLOCKI. Future Congresses will have an opportunity to study and review the progress, success, or failure of the Commission. Then we will be in a position to determine what course of action we will take respecting the future of the Commission.

Mr. GROSS. But you do not expect it to be discontinued?

Mr. ZABLOCKI. We do not know what its future will be. This resolution specifically provides that the Commission will terminate on January 31, 1962. The Hoover Commission was continued only because it was successful. Personally, I would vote against the continuation of this Commission if it should prove to be a failure.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield.

Mr. TABER. How could this Commission operate without interfering with the responsibility that rests with the State Department to look after our foreign affairs? Is it not going to get us into more trouble rather than to help the situation?

Mr. ZABLOCKI. Assuming that other nations signatory to the North Atlantic Treaty Alliance are willing to cooperate by selecting comparable unofficial delegations to participate in the deliberations sanctioned by the provisions of Senate Joint Resolution 170, it may be demonstrated that passage of such legislation will not seriously impede the normal conduct of foreign relations by the executive branch. Any recommendations emanating from negotiations in which such extra-legal commissions engage will be wholly advisory in character, and each member nation, including the United States, will retain undiminished freedom of discretion to accept or reject them as it sees fit.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield.

Mr. PASSMAN. The gentleman said he would not vote to continue the Commission unless it is determined to be a success. Do you have a predetermined policy by which you are able to determine whether the Commission is a success or a failure? How are you going to judge the failure or success of the Commission?

Mr. ZABLOCKI. The Commission would make a report. If the Commission included in its report certain recommendations that were deemed to be unrealistic—or if it failed to make a report or any recommendation, it would be a failure. For example, if other foreign countries did not appoint comparable bodies or would not cooperate, then our Commission would not be in a position to meet in conference, and it would be a failure.

Mr. PASSMAN. If the gentleman will yield for one further question. What if the Commission should recommend large additional expenditures within the United Nations; would that be accepted as a successful Commission?

Mr. ZABLOCKI. One would have to study carefully the reasoning behind any additional expenditures.

Mr. PASSMAN. But if they should recommend large additional expenditures, made some reason for the expenditures, would that be a credit to the Commission?

Mr. ZABLOCKI. Not necessarily. It would depend on the recommendation and to the extent that they are able to verify their findings and recommendations.

Mr. PASSMAN. Most of these commissions, as history will reveal, almost without exception have come back and have recommended huge additional expenditures. The Draper Committee is a recent example. It was supposed to make recommendations for savings, but it came back and recommended large additional expenditures. It was given much praise in certain quarters for that recommendation.

Mr. ZABLOCKI. I can assure the gentleman that whatever recommendations are made by this Commission, the proper committees of Congress will give proper attention to them.

Mr. PASSMAN. The gentleman understands these are procedures, and that some of the recommendations are quite expensive.

Mr. CORBETT. Will the gentleman yield?

Mr. ZABLOCKI. I yield.

Mr. CORBETT. I woud like to say to the gentleman in reply to the remarks just made that we should remember that such a commission did exist in 1959. It made recommendations, and on the basis of the success of that body the NATO Parliamentarians' Meeting of 1959 recommended that another such conference should be held.

Mr. ZABLOCKI. The gentleman is referring to the Atlantic Congress?

Mr. CORBETT. Yes. So I am saying that we already have proof of the success of this conference by the renewed recommendation, and I would like to say to the gentleman, if he will yield further, that even if the United States did not participate in this conference in 1960 the conference would be held anyway.

Mr. ZABLOCKI. That is very likely.

The CHAIRMAN. The gentleman from Wisconsin has consumed 10 minutes.

Mr. ZABLOCKI. Mr. Chairman, I yield myself 4 additional minutes.

Mr. Chairman, the approach proposed by this resolution has been the subject of consideration at several sessions of NATO parliamentarians. Last year an Atlantic Congress of 650 delegates met in London and strongly endorsed the idea of a citizens' study group. It may be asked whether these and similar organizations are not adequate or sufficient to make the necessary studies and recommendations envisoned by this resolution and thus make unnecessary this resolution. I do not think they are. All of these other groups meet for relatively brief periods ranging from a few days to a week. They are concerned with a multitude of other issues.

Democracy has many admirable qualities, not the least of which is the hospitality it gives to new ideas. Its participants are given every encouragement to think about and to debate these ideas fully and freely. Some may question whether those who will be appointed to this Commission will be wiser than those who participate in existing parliamentary organizations. That is not the issue. Wisdom is not the monopoly of any one group in a democracy. The purpose of this resolution is to tap the vast human resources of our country and of other countries. I do not know who the participants will be. But I expect that they will not approach their assignment with fixed dogmas and static ideas. As we state in our report they should have a depth of knowledge and understanding and a flexibility of approach that would make it possible to develop reasonable and intelligent recommendations to achieve the objectives sought.

Further, in the platform of both parties adopted at the recent conventions this proposal was endorsed. Let me read from the Democratic platform:

> To our friends and associates in the Atlantic Community: We propose a broader partnership that goes beyond our common fears, to recognize the depth and sweep of our common political, economic, and cultural interests.
>
> We welcome the recent heartening advances toward European unity. In every appropriate way, we shall encourage their further growth within the broader framework of the Atlantic Community.

The Republican platform of 1960 contains this statement:

> We will encourage the countries to initiate appropriate regional groupings to work out plans for economic and educational development. * * * We would propose that such groupings adopt means to attain viable economies following such examples as the European Common Market. And if from these institutions, there should follow stronger economic and political unions, we would welcome them with our support.

Congress should support this proposal. Both the Presidential nominees support it.

I cannot repeat too strongly that these citizens will not speak for our Government. Nothing in the resolution will disturb the well-established principle of our Government that the Executive is the recognized and proper channel for official expressions of our Government.

There is some precedent for this kind of approach. The Hoover Commission is one example. The Harriman Commission was set up to study the requirements of aid as a preliminary to the creation of the European recovery program. State governments often establish citizen groups to examine pressing public problems by individuals outside the mainstream of active politics. The novelty of the resolution before the House is only that it extends into the international arena a pattern which we have used profitably at home.

Some weeks ago I read a stimulating article in which the author made a clear and succinct distinction between the free world and the Communist world. He

said that the free world has liberty but lacks unity. The Communist world, on the other hand, has unity but lacks liberty. He then observed that whichever of these two competing systems is the first to achieve both liberty and unity would win the struggle for men's minds.

This resolution is intended to strengthen the unity of the non-Communist world. Through the familiar democratic process of orderly examination and rational discussion I expect that our citizens commission and individuals similarly appointed by other countries will be able to advance the unity of the non-Communist world.

There has been some concern that the geographical limitations of the resolution will have an adverse effect upon our friends and allies elsewhere in the world. It was the thought of the committee that if modest but solid accomplishments could be made among those who have had some experience in mutual cooperation the geographical boundaries could be enlarged to include like-minded groups from other non-Communist countries. But that is for the more distant future. The immediate problem is to make progress in the North Atlantic area.

The fact that the approach of this resolution is a novelty in the international field is no argument against it. We are living in a time when innovations are more a norm of action than ever before. Certainly in the physical sciences innovation is the order of the day.

I do not say to the Members of the House that this resolution is the panacea for all that besets us. But I do believe it offers a modest possibility. If it does nothing else, it will make known to us the depth and degree of differences that separate the nations and to which our Government and our people must give greater attention if we are to continue to enjoy our liberties.

I strongly urge the adoption of Senate Joint Resolution 170.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Virginia.

Mr. HARDY. I appreciate the gentleman yielding. This will be a commission appointed by the joint action of the Speaker of the House and the President of the Senate, as I understand it. There would be no executive department participation in the formation of this Commission; is that correct?

Mr. ZABLOCKI. That is correct.

Mr. HARDY. Does the gentleman have any idea that the formation of such a commission might reduce some of the so-called ad hoc committees that the executive branch has been in the habit of appointing to send all over the world and to come back with predetermined reports to support a particular objective?

Mr. ZABLOCKI. The idea of the Committee on Foreign Affairs was that this would provide a new and fresh look. It would not be a commission that had a predetermination on what it was to report. We hope that the Commission will make a complete factual finding in the area of better political and economic relations and offer such recommendations as it believes appropriate.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. ZABLOCKI. Mr. Chairman, I yield myself an additional 4 minutes.

Mr. HARDY. The point is this: So many of us have often had the feeling that some of these commissions and committees that have been appointed by the executive branch have come back with a report designed to support a particular objective that the executive branch had before they went over, and it seems to me we ought to try to avoid that. If this is going to be an objective commission without any predetermined ideas, but one that is coming back to make a factual report based on what is necessary and what is needed, we should support it. I would hesitate to support this kind of a move if it is merely going to be another form of commission to support some special preconceived idea.

Mr. ZABLOCKI. I can assure the gentleman the committee does not want a commission that will report a preconceived idea. It will study all aspects and give the Congress a candid analysis of the problems with which it has dealt. Therefore, I strongly urge the adoption of Senate Joint Resolution 170.

Mr. JUDD. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, as my distinguished colleague from Wisconsin has stated, this joint resolution has been passed by the Senate unanimously, I think, and recommended by the Committee on Foreign Affairs unanimously.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Iowa.

Mr. GROSS. The vote in the Senate committee was 8 to 7, the vote on the Senate floor on passage, surprisingly, was 51 to 44, a 7-vote margin.

Mr. JUDD. I stand corrected. I appreciate the gentleman's giving the actual vote to the House.

Mr. Chairman, what are the reasons for a resolution to establish a Citizens Commission of this sort? All the common people in the world want peace, and no one wants peace more earnestly than the American people. From Old Testament times to the present, people have cried, "Peace, peace," but there was no peace. So many still seem to think peace is attainable by wishing for it or by legislating it, or by talking about it. But the hard fact is that there never has been such a thing as a stable and enduring peace without, first, the establishment of an order.

Peace is the byproduct of order. The problem is how to get a stable order. Basically there have been only two ways of establishing order: one, when it is imposed from the top, and the other, when it comes up from the bottom by agreement of sovereign states or nations, as was the case with our Original Thirteen States when they formed the order known as the United States of America. There was Pax Romana for several centuries, imposed by Rome. There was Pax Britannia the last century during which the world had probably the best period of peace and development in the history of mankind. It was policed and maintained by the British Navy. It was necessary for the British to do it if they were to maintain their empire. It was advantageous to them. It was advantageous to us. Everybody that did not want something other than peace benefited from it. Now, that old order is disappearing. The British Government advised us in the spring of 1947 that it was no longer in a position to maintain the world order that it had maintained for more than a century. Britain was too weakened abroad and in too great trouble at home in the terrible winter of 1947.

The U.S. Government to the eternal credit of President Harry S. Truman and the Department of State at that time said, "We have got to take over; somebody has to maintain order." There was nobody else in the world that had the strength or the wealth or the capacity to do so.

Now, we have carried most of that responsibility during the last 13 years. Some of us from the very beginning warned that it could be only a temporary arrangement. No country is strong enough or wise enough or good enough to maintain order indefinitely in our kind of world today. We do not have an empire to protect and the incentives which the British had, and scores of peoples which were docile in those years are not docile now.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Ohio.

Mr. HAYS. I am just happy to hear the gentleman give this credit to Mr. Truman, and I wish he had done it on television the other night.

Mr. JUDD. I have made the same statement many, many times, including here in the House. It was one of the great decisions of modern history, and Mr. Truman, fortunately, had a Republican Congress which cooperated, which adopted the legislation and put into operation the Greek program and the Marshall plan program which he proposed.

Now, the old order passeth away and the new order is not yet born. What is the new order to be, and how and by whom is it to be established? Well, there is in the world a force which knows the kind of order it wants to impose on the world and it has the will to do it. The Communist world conspiracy has organized, efficient, disciplined units in every other country.

When there is trouble in another country, its leaders do not say "We will pull out and go home." Rather, they rejoice that there is trouble and take advantage of it to try to impose their type of order which might be called "Pax Sovietica." It already controls one-third of the world. I do not hesitate to say that I must expect it to succeed worldwide, unless the free peoples of the

world, with imagination and determination, face up to this new situation. It is one that America in her whole 180 years of free existence has never faced before.

That is the reason for this piece of legislation. What kind of an order are we and other free peoples going to try, and please God, be able to set up by voluntary agreement in place of the old order in which we grew up and which is disintegrating with the breakup of the colonial system; and in place of the new Communist order which surely nobody here wants established?

I warned here back in 1948 that if we alone try to police the world and to support the world, we will not succeed, because no country has enough strength and resources for that. We could do it in the emergency, but we cannot do it indefinitely. I also said at that time that if we tried to do it indefinitely, we would wind up with most of the world hating us.

Just what is the future order going to be, and how is it to be established? I do not think anybody will stand up in this House and say he knows the answer. Is there any better thing for us to do than to authorize the Speaker of the House to choose 10 outstanding American citizens and the President of the Senate to appoint 10 outstanding citizens—not Government employees, not persons with axes to grind—but persons called to make a whole new study—to join with 80 similar persons from the NATO countries to constitute a temporary Commission to examine this total situation beginning with NATO? I have no idea what its recommendations will be. If I thought persons had recommendations already figured out ahead of time that they were going to try to find reasons to support, I would not recommend their being named to the Commission.

Surely the best place to begin is where there is already greatest experience in self-government, where there is already the greatest development—politically, socially, educationally, and economically. Most of the more highly developed countries in the world lie around the North Atlantic. On the west side, the United States and Canada have 200 million highly developed people, with stable institutions and economy, highly industrialized and all the rest.

On the other side of the North Atlantic, in Western Europe, are some 250 million people, as capable, as skilled, as experienced in self-government, and as well disciplined in orderly behavior as any people on the planet. Is it not good sense to explore ways to increase cooperation among these 200 million on our side and the 250 million on the other side? Surely we need to pool the strengths and experience of these 450 millions so that, instead of being divided, we may work more unitedly for a free-world order and against the type that a united enemy seeks to establish?

The Communist strategy everywhere is to try to divide the strong and subvert the weak. Our policy has to be to try to increase the unity of the strong and to help the weak become strong so that they then cannot be subverted, either.

In simple and broad terms, this is the rationale of this resolution. I do not know that anything useful will come out of the Commission's work. But when I see the kind of deterioration that is undeniably going on in much of the world, I cannot believe that it is wise for us to sit here and just continue to do what we have been doing in the past. It may have been adequate for a former day, but it is not adequate for this new day, especially with the new Soviet tactics since Paris. Surely no harm can come from setting up this kind of ad hoc commission to analyze, examine, study the whole situation, and perhaps come up with some new insights, some new approaches, some different strategies on our side. Our members on the Commission will then report to the Congress of the United States, with the citizens from the other countries reporting to their respective Parliaments with whatever proposals they may wish to recommend.

Maybe nothing important will come out of it; but I cannot see any possible reason for fearing that there is some concealed danger here. There is no commitment by the Congress or the executive branch. I cannot see any risk. For anyone to oppose this resolution because of something that he fears might happen under it is like the ancient comment of Jesus about those who strain at the gnat of what might happen while swallowing the camel of what most certainly is happening.

When I am faced with a malignant process, which is what the Communist cancer is, a new growth which encroaches on tissues that do not belong to it, which is never satisfied with the place where it starts and which spreads sometimes by direct invasion of neighboring organs, but preferably by metastases, daughter cells that spread to and work within other organs to weaken and consume them, when I am faced with such a malignant world process, proved by its doctrines and its history, I cannot sit down and do nothing. If there is risk in this proposal, the risk in just going on as we are is far greater. I cannot accept such a risk. So I urge approval of this resolution.

Mr. Chairman, if anyone wants to ask questions, I will be glad to answer them to the best of my ability. In essence, this is to be an ad hoc commission of distinguished private citizens appointed not by the State Department, not with preconceived ideas, but appointed by our own Speaker and by the President of the Senate to see what different or better ways might enable us to get greater security and surer peace at less cost and risk.

The need is real and the hour is late. It seems to me this is a sound step that we should take from which great benefit can come.

Now I yield to the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Chairman, I thank the gentleman for yielding to me. There are several questions I should like to ask him relative to the mechanics of this joint resolution. On page 3, in paragraph 3, it says:

> To employ and fix the compensation of such temporary professional and clerical staff as it deems necessary: *Provided*, That the number shall not exceed ten: *And provided further*, That compensation shall not exceed the maximum rates authorized for committees of the Congress.

I am wondering if the gentleman can tell us whether there is any difference in the maximum paid to members of the staffs of House and Senate committees; and what is that maximum? And how much could these 10 people be paid if the maximum were paid, disregarding the Civil Service rates?

Mr. JUDD. I am not aware that there is any substantial difference in the maximum compensation paid to clerical and professional staffs of the House and of the Senate. It certainly would not exceed the highest allowed by either body.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. Chairman, it is my understanding there is no difference between the maximum salaries of House and Senate.

Mr. BOW. But can the gentleman tell us what the maximum is?

Mr. ZABLOCKI. I understand it is $17,600.

Mr. BOW. So we can spend $17,600 on salaries alone. I think there should be some limitation which would relate to the Civil Service laws.

My next question goes to paragraph 5 which says:

> To pay its share of such expenses as may be involved as a consequence of holding any meetings or conferences authorized by subparagraph (2) above, but not in excess of $100,000.

We do have a limitation of $100,000, but what is our share? Do we mean by that that it will be pro rata according to the number of nations participating, or will our share be an arbitrary figure such as we run into in the case of some of these organizations, up to 90 percent?

Mr. JUDD. My understanding is that the total composition of the commission will be 100 members. The United States, as the largest member, will appoint 20. Other members will appoint roughly in proportion to their size. Maybe one will appoint 14, another 11, another 8. If the expenses are prorated according to the number of members, the separate nations have on the commission, our share would be one-fifth since we will have 20 out of 100 members, although there is no firm commitment of that sort. Perhaps the gentleman from Ohio [Mr. HAYS] has a more definite answer. He was active at the parliamentary conference from which came the suggestion. I invite his contribution.

Mr. HAYS. It will be based on a prorating of NATO which is, I believe 24.2 percent for us, but not more than 25 percent. Our share would certainly not be more than that, and as much less as it would be possible for our delegation to get them to agree to.

Mr. JUDD. Approximately 24 percent?

Mr. HAYS. Yes.

Mr. BOW. I have two more questions, if the gentleman will yield further.

What is the basis of the travel and subsistence allowance under section 4? Would that be under the new regulations that have been adopted by the Congress this year on travel regulations?

Mr. JUDD. Yes, I would think so. The same regulations should apply to employees and members of this commission as apply to employees of the House Foreign Affairs Committee or the Appropriations Committee who are sent out on specific missions involving travel and expenses.

Mr. BARRY. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from New York.

Mr. BARRY. Mr. Chairman, I rise in support of this resolution, and wish to associate myself with the remarks of the distinguished gentleman from Minnesota.

Mr. Speaker, we have before us a most important resolution which would authorize the participation in an international convention of representative citizens from the North Atlantic Treaty nations to examine how greater political and economic cooperation among their peoples may be promoted.

As a delegate from the United States to last year's NATO Parliamentarian Conference, I have become increasingly concerned with the importance of cooperation among the peoples of the nations of the North Atlantic area. This resolution (S.J. Res. 170) stems from a proposal of the Third NATO Parliamentarian Conference, held in 1957, and has been reaffirmed by that organization since. Meetings of prominent able Americans such as this resolution proposes to assemble can perform a different service than those appointed strictly as Government officials. The future of the Atlantic community can be discussed frankly and realistically by thoughtful people without the sometimes hampering responsibility of government position. Any practical ideas which might emerge from the proposed convention would then be available for the State Department, NATO, and the United Nations. The cause of North Atlantic unity can best be served if it is clear that in the research to be conducted that no government commitment is involved. The entire remarkable development of NATO is a new process in intergovernmental relations. It is in a state of growth and development. Many unprecedented things have already been accomplished by it. I should hope that the Congress would concur with the State Department and the Committees of the House and Senate which have reported this resolution. It is by such progressive and constructive action that the future of the free world is strengthened. Let us not leave bold and imaginative ideas to the Communists. Let us bring the thinking of able private individuals to the aid of free governments.

I urge that the Congress speedily approve this resolution.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from West Virginia.

Mr. BAILEY. At the top of page 2 appears this language:

> Said Commission shall consist of not to exceed 20 U.S. citizens, not more than one-half of whom may be from any one political party, and who shall be appointed from private life.

One of the big handicaps Congress has had in meeting these international problems is the lack of information. Why do you deliberately bar Members of Congress, particularly members of the Committee on Foreign Affairs? Are you just setting up another commission here to ignore the Congress in the future, or shall we have a commission that really means something to the Congress?

Mr. JUDD. In committee I myself proposed an amendment to accomplish such an objective; in fact, I had several amendments which I thought would make the resolution a little tighter and more specific without in the least handicapping the ability of the Commission to have necessary flexibility and freedom to explore every possible avenue to strengthen political and economic cooperation within NATO. I thought that following the pattern of the Hoover Commission it would be advisable to have on this Commission, out of the 10 members appointed by the Speaker, two Members of the House, one from either party, and out of the 10 appointed by the President of the Senate two Members of the Senate. Perhaps our committee would have accepted that amendment if we had had more time, but this came to us from the Senate just before the end of June and it was thought then that Congress would adjourn sine die before the national conventions. The leadership in both bodies advised that if we wanted to get the resolution through we should accept the Senate language without amendments. If we had to send it to conference, we probably would not get it through. So I accepted the Senate language on that basis, and believe the House should do the same.

Personally, I think there are advantages in having on such a commission two Members of the House and two Members of the Senate who have had experience in what is legislatively attainable. Two questions must always be asked. First, what is sound and desirable—what is good? Second, what can we get? The Members of the House and of the Senate with practical experience are more likely to have good judgment at to what is attainable. They can be useful on such a commission by saying, where indicated, "That may be a wonderful idea but you cannot get it through the Congress; so do not try quite so much."

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from North Carolina.

Mr. JONAS. Would the gentleman tell the Committee what the background of the thinking was that fixed upon 100 members, and 20 members from the United States? It seems to me, you are getting too many members on a commission here. My own experience indicates that more can be accomplished in preliminary discussions and exploring problems with a smaller group.

Mr. JUDD. My first answer is that this proposal did not come just from the United States. It came out of the North Atlantic Parliamentarians' Conference. The countries participating made preliminary studies and suggested the number of 100. We did not think it was our job to try to change that figure and perhaps give the impression that they had to play according to our ideas or not at all. The whole group agreed on that figure and we thought it a good enough proposal. Would the gentleman from Ohio [Mr. HAYS] care to add to that?

Mr. HAYS. At the Parliamentarians' Conference, which was an organization or a meeting composed of 650 people, we found just exactly what you are saying prevailed. It was too unwieldy and too large and the meeting was far too short a time to do anything. The suggestion there, which brought this resolution about, was that the committee be composed of not more than 100 members and the idea was that it would be divided into 5 subcommittees to work in 5 different fields that the Atlantic Congress thought needed to be worked upon. That would make each committee about the size of a committee of the Congress or a little smaller.

Mr. THOMSON of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield.

Mr. THOMSON of Wyoming. I greatly respect the gentleman's position in this area of foreign affairs. I wondered when I heard the gentleman speak if I understood him correctly, that this conference would consider more or less world affairs and world organizations; is that correct?

Mr. JUDD. That is correct.

Mr. THOMSON of Wyoming. Then this is my concern, and I think I can express it sincerely to the gentleman in this way. Would not there be a danger that these people so meeting would come up with a recommendation that to relieve world tensions, we should admit Red China into the United Nations and use their position as a lobby to cause that position to prevail?

Mr. JUDD. That is conceivable, but I do not think that it is likely to happen. The experience that most of the countries have had with Communist China has not been very happy. But, I think they ought to be given carte blanche to make that or any other proposal that the majority, after study, considers a step forward. The members from other countries will be outstanding citizens, too. I do not think they will have to take second place to any of us here. I cannot believe that such persons are likely to go off the deep end and make unsound or dangerous proposals. They know the problems are tremendous.

The purpose of the Commission is not to increase the burdens upon the United States.

The purpose is to lessen the burdens, if you will, by pooling the strengths of all free peoples in this area. It is not to weaken the security of the United States, but to strengthen it. Therefore, I think we ought to vote for this resolution.

Mr. DOWDY. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Texas.

Mr. DOWDY. The gentleman mentioned that he wanted people on this committee with imagination. I know what imagination means so far as Members of Congress is concerned—it is the quality of being adept in imagining new ways to spend money. I wonder if it is

possible to get someone on this committee with imagination as to the ways of raising the money.

Mr. JUDD. I think that to appoint people with imagination who may find better ways of solving the problem is the best way to save money. Certainly, we are not doing it very cheaply under present arrangements.

Mr. DOWDY. Does the gentleman not agree that the imagination spoken of in all of these things is imagination to spend and to find new ways of spending money?

Mr. JUDD. Sometimes it is, but not necessarily so. I feel we have reached a point where we need to take a brand-new overall look at our total world situation and the position of the United States and the other free peoples in it. If we cannot safely begin such a fresh look with those who have the most at stake, and who have the greatest experience in self-government and self-support, and who are the most highly developed, and with whom we have historically the closest ties, then I do not know where in the world we can begin.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. ZABLOCKI. Mr. Chairman, I yield such time as he may require to our distinguished chairman of the Committee on Foreign Affairs, the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Chairman, I rise in support of Senate Joint Resolution 170. The purpose of the resolution is to utilize the services of private citizens in seeking ways and means of strengthening the NATO alliance. They would function in an advisory capacity in the international field in much the same way as did the Hoover Commission in the national area.

These private citizens would serve as a U.S. Citizens' Commission on NATO. There would be 20 from the United States, appointed by the Speaker of the House of Representatives and the President of the Senate. Although appointed officially, they would express their views as individuals and would not in any way speak for or represent the U.S. Government. They would supplement official consideration of NATO problems by the systematic infusion of the views and recommendations of responsible citizens representing a cross section of competent and experienced people. The resolution spells out their functions, which would be to arrange for and participate in meetings and conferences with similar citizens' commissions in the other NATO countries in order to explore means by which greater cooperation and unity of purpose may be developed and democratic freedom promoted by economic and political means.

NATO has been successful to a very measurable degree in building up the defensive strength of the western allies. The Soviets recognize its deterrent potential and continue to make it a primary target of their cold war efforts; their most savage propaganda attacks are aimed at dividing the western nations and breaking up the NATO alliance.

There is a very real need for application of the Hoover Commission-type approach to the problems we face. Although NATO has achieved a significant posture of defense, Western Europe is presently split into two rival economic groups—the European Common Market and the European Free Trade Association. If these two groups continue their divergent ways, the consequent military unity and economic disunity could turn NATO into an unworkable anomaly. It could weaken our joint defense and also harm our foreign trade.

This resolution has developed impressive support. It has already been approved by the Senate and was reported by the Committee on Foreign Affairs by unanimous vote. As stated in the committee report:

> The strength of a democracy lies in an enlightened citizenry. The resources of a democracy include the ability to call upon its citizens to contribute their thinking to the common good.

The cost is small in comparison with potential savings that could be accomplished as a result of their efforts. Testifying in support of the resolution, the former Director of the Bureau of the Budget, Percival F. Brundage, estimated that "the overall saving, if we were to accomplish a real effective coordination to the extent of unified forces, common bases, common weapons, and a common master plan, could amount to more than $10 billion a year." Mr. Brundage added that "the strength that lies in Atlantic unity has rightly been called our vast untapped reserve of power."

Mr. Chairman, I am convinced that the passage of this resolution will make possible a very effective additional effort to promote improved conditions in the North Atlantic community that will add materially and significantly to our collective defense strength. I urge its immediate adoption.

Mr. ZABLOCKI. Mr. Chairman, I yield to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, when Dr. Streit appeared before our committee in advocacy of the resolution now before us he referred to the fact that the Constitution of the United States was not the product of a convention of specialists. It was indeed far from that. It is doubtful that a convention composed exclusively of the ablest political economists of the age could have produced the imperishable document that the experience of the decades has proved to be the place among the political documents of the ages of the Constitution of the United States of America. The men who wrote the Constitution of the United States came from all the walks of life, and they had had the experiences of men facing many problems in many activities of human existence. These human experiences gave them understanding, and above all an understanding of good intentions but coupled with human frailties and from this understanding came the Constitution of the United States.

Dr. Streit pointed out two members of our committee, one the chairman and the other a top ranking member of the minority, Dr. MORGAN and Dr. JUDD. They are both pre-eminent in the medical profession and they are both family physicians. It is no disparagement of the specialist and of the great contribution he has made to medical progress, but it is the family physician who keeps the family on its feet and who ministers to its need for medical attention, in minor and in major ailments the clock around and on every day of the calendar.

Dr. Streit's presentment and his analogy made a tremendous impression upon me. What the world most needs today is an assurance of peace. I am 78 and I have very much less to lose than a young man of 18. Yet the young man of 18 is in exactly the same position as am I at 78 if on a flash an atomic war is sprung. I am 78 and I want to live. I do not want my future, however short it might prove along the way of natural causes, made shorter by an atomic bomb. How much greater is the stake of the young man of 18.

Mr. Chairman, you get people together from all of the NATO countries, and this thought I know will be uppermost in their minds. They need not be specialists. The big thing is that they would be human beings with backgrounds of human experiences. They would have no authority to authorize any sort of a program. Their principal function would be to get together and to talk together, and, Mr. Chairman, when you get people with good hearts and with a common interest and from many countries getting together and talking and thinking things out you are going to make real progress in finding the path to peace. That is my faith. If one does not believe in people one cannot believe in God, and if one believes neither in God nor people he is hopeless.

I hope the resolution will be adopted overwhelmingly. It may mean spending a little money. Perhaps as much as the wee fraction of the cost of an atomic bomb or a battleship, a wee wee fraction thereof. But it will be one of the best investments for peace ever authorized by this Congress. I repeat, Mr. Chairman, that I am 78 and I want to go on a little longer. In voting for this resolution I am voting for something that I think is a real contribution to my chance of not having my life abruptly cut short by an atomic war at the early age of 78.

Mr. JUDD. Mr. Chairman, I yield to the gentleman from New York [Mr. LINDSAY].

Mr. LINDSAY. Mr. Chairman, I rise in support of this resolution to create a U.S. Citizens Commission to develop constructive and practical ideas toward greater political and economic cooperation between the NATO countries.

The unified cohesive force established by the NATO nations must be continually fortified and encouraged at all levels. The exploration of mutual political and economic problems discussed realistically by thoughtful and responsible citizens can be very useful and the combined thinking of all on these problems will inevitably enhance one of our foremost bastions against Soviet aggression.

I support this resolution enthusiastically.

Mr. ZABLOCKI. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS. Mr. Chairman, I had not anticipated using any time on this, but I think perhaps if I take 3 or 4 minutes I might answer some questions that seem to be in the minds of some Members as to how far reaching this may be.

When this was originally proposed, it was much more far reaching than the resolution before you today. While I do not wish to take any undue credit, I think I can honestly say I had as much or more to do with toning the matter down to the point where we think it will work on a problem that needs to be worked on; that is, the implementation of section 2 of the Atlantic Charter.

As I said in either the first or second of the NATO Parliamentary Conferences, the nations of the Atlantic Community have shown for the first time that they can have a military alliance which will hold together for a period of 10 years or more. It has been longer than that now, of course. But I think in the case of a depression or recession which reached worldwide proportions, other nations have not shown that they could stand together at all. On the contrary, as I said, they have not only not stood together but they have actually fallen apart, and they have blamed each other for their economic situation. I think all of us have heard often enough of the Communist propaganda that the way they expect to win is through economic pressure and the economic cold war. I think we have seen enough of Khrushchev's tactics to show that he is trying to divide the free nations on an economic basis.

We have a NATO organization set up. It has at least done the job it was supposed to do militarily, but what happens when economic pressure is being put on; and if we get it, coupled with a depression, then the opportunity for the Communists is ripe, and do we have any defense for it?

What I do hope this Committee would try to do is to seek some of the answers to that problem. That is why I tried to direct the resolution of the Atlantic Congress along those lines, and that is why I think we have a bill today which will do that.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. ZABLOCKI. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. CORBETT. I just wanted the gentleman to emphasize that he agrees with the fact that the NATO alliance is the real alliance of the free world against the Communist world.

Mr. HAYS. I agree with the gentleman, and I think it is the one alliance in the world which has stood the test of time and which has shown that when among nations there is the will to make an organization work, it will work.

Mr. CORBETT. Would not the gentleman agree that if NATO could be broken up this would give the Russians as much pleasure as anything?

Mr. HAYS. I think that is most obvious in their propaganda, because you do not issue propaganda against something that does not bother you; you do not oppose something that is not doing you any harm, real or imagined; you do not want to disturb something that is not thwarting your purpose, but it seems the one thing they are most anxious to destroy is NATO.

Mr. ZABLOCKI. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the President of the Senate and the Speaker of the House of Representatives acting jointly are hereby authorized, after consultation with the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, to appoint a United States Citizens Commission on NATO, hereafter referred to as the Commission. Said Commission shall consist of not to exceed twenty United States citizens, not more than one-half of whom may be from any one political party, and who shall be appointed from private life.

(b) Vacancies in the Commission shall not affect its powers. Vacancies shall be filled in the same manner as in the case of the original selection. The Commission shall elect a chairman and a vice chairman from among its members.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. GROSS. Mr. Chairman, at the outset I should like to reemphasize that this resolution came out of the Senate committee by a vote of 8 to 7, the Foreign Relations Committee of the other body. It passed the Senate by a close vote, 51 to 44. I was amazed to see that kind of vote in the Senate where with the greatest of ease they usually pass resolutions of this kind.

I am sure that every Member of the House is for peace, and every Member of the House is against the spread of communism; but here we are about to set up a new commission to cost $300,000. There are plenty of places in the Third District of Iowa where we could use $300,000, and I am sure that this is true of Pennsylvania, Minnesota, and all the congressional districts of the country.

The passage of this resolution and the appointment of the commission would give it some flavor of official standing for 20 private citizens to go hither and yon over the face of the earth. Most of these advisory bodies, after touring the world, come back to this country and start propagandizing for bigger and better foreign giveaway appropriations, and so on and so forth.

I should like to ask somebody a question, and I do not care who answers it.

Mr. THOMSON of Wyoming. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. THOMSON of Wyoming. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and twenty-one Members are present, a quorum.

Mr. PASSMAN. Will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Louisiana.

Mr. PASSMAN. About 2 years ago we had a man by the name of Draper who handled a committee. We thought Mr. Draper would go out and find ways to save money but, rather than finding ways to save money, he came back and recommended an increase of $400 million in the military program. I wonder if Draper had anything to do with this commission, or did he testify for it in either the House committee or the Senate committee?

Mr. GROSS. The record shows that Mr. Draper was one of the principal witnesses in favor of this resolution before the Senate.

Mr. PASSMAN. I recommend that the House take a long look at the recommendation of this committee if Mr. Draper had anything to do with it, because ultimately we will wind up by spending more money.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Perhaps the gentleman can answer the question as to what concrete contributions the NATO Parliamentary Conference or the Interparliamentary Union or any of the rest of these high-flying junketing outfits already in operation, have made to the cause of peace or stopping the spread of communism?

Mr. HAYS. They brought this resolution before the House. That is one concrete contribution.

Mr. GROSS. That is what I thought the answer would be.

Mr. HAYS. Another one is that the NATO Parliamentary Conference was instrumental in setting up in Brussels the international study graduate group, which is financed by contributions from industry. Not a dime of Government money in it. I can inform the gentleman of some more things.

I would like to speak about what the gentleman from Louisiana said. You cannot hold it against a bill because somebody you do not like testified for it, or against it. I am not going to desert the Democratic Party because the gentleman from Louisiana has deserted it, and I do not think the Democratic Party is going to founder because he is against it. Let us not get engaged in that kind of business.

Mr. PASSMAN. I want to say to the gentleman from Ohio that the Democratic Party deserted me, I did not desert the Democratic Party, and if they will come back where we started when we formed the Democratic Party they will find me there waiting.

(By unanimous consent (at the request of Mr. GROSS) Mr. PASSMAN was allowed to proceed for 5 additional minutes.)

Mr. PASSMAN. I would like to have the record show that I have no personal dislike for Mr. Draper. I am not dealing in personalities. I am talking about

American taxpayers' dollars. We expected Mr. Draper to come in with a recommendation that would save money when he testified for such before another committee, but rather than come in with a recommendation to save money he came in with a recommendation to spend more money, and I am afraid he will do likewise if this is passed.

Mr. GROSS. I have no personal antipathy toward Mr. Draper, but I wish he would stay down in Mexico where his power company is, and run that instead of propagandizing the Congress of the United States to spend additional billions on bigger and better foreign giveaway programs and more free trade, in both instances imposing added burdens on the taxpayers of this country.

Mr. HAYS. As far as General Draper is concerned, I have no brief for him or against him, but if this legislation passes the Speaker of the House is going to appoint a certain number, and the President of the Senate will appoint a certain number. If you people who object to any individual have any influence with the Speaker you are free to lay it before him. As far as I am concerned, I have a great deal of confidence in the judgment of the Speaker to appoint the right people, and I have the same confidence in the man who may be elected Vice President of the United States.

Mr. GROSS. I cannot yield further for a political discussion. You had your Democrat political convention out in Los Angeles.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. I am sure the distinguished gentleman from Iowa is sincere in his presentation. He has mentioned General Draper as being one of the prime sponsors. It is my understanding that General Draper was invited to testify in the other body. He did not seek to testify.

Mr. GROSS. I do not care whether he was invited or hauled in, it does not make any difference.

Mr. ZABLOCKI. He was there to report on the Atlantic Conference, and I hope the vote on this resolution will not depend on one individual. The gentleman mentioned that the committee of the other body voted 8 to 7.

Mr. GROSS. The trouble is, I will say to my friend from Wisconsin, that we find the same individuals, appearing before the committees all the time promoting the establishment of these advisory commissions which invariably become propaganda mouthpieces.

Mr. ZABLOCKI. The gentleman mentioned the vote that was taken in the other body.

Mr. GROSS. I would like to finish my statement. Can the gentleman get me a little more time?

Mr. ZABLOCKI. Mr. Chairman, I ask unanimous consent that the gentleman from Iowa may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Wisconsin.

Mr. ZABLOCKI. The gentleman mentioned the very close vote by which this resolution passed the other body. I am sure the gentleman is cognizant that the vote was not on the merit of the resolution but the procedure in the Foreign Relations Committee in the other body. I hope that the resolution before us this afternoon will be acted upon on the merits rather than on the likes or dislikes of any individual.

Mr. GROSS. I cannot agree with the gentleman. If the gentleman will go to the CONGRESSIONAL RECORD of Wednesday, June 15, 1960, he will find plenty of debate in the other body as to the merits of this resolution. And, I can cite the pages to the gentleman, but I do not believe that is necessary.

Mr. THOMSON of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Wyoming.

Mr. THOMSON of Wyoming. The subject came up of Mr. Draper being invited to testify, and I would like to read a brief statement from page 4 of the Senate hearings:

> Neither our honorary chairman, Lewis W. Douglas, nor our genial chairman, Eric Johnson, can be in Washington today. If they could be present, they would both testify in favor of this resolution.

Now, it seems to me I remember a Mr. Johnson lobbying in support of some of these propositions. Is this an attempt to get another $100,000 for lobbying?

Mr. GROSS. I am glad the gentleman mentioned Eric Johnson. He is a front runner in all of this sort of thing and one of the reasons is that he is employed by an industry which has a big financial stake in the exporting of movies.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Why fail to mention Paul Hoffman? He is a bigger spender.

Mr. GROSS. I have seen his footprints in most of these deals.

Mr. HAYS. All I can say, if you quit berating Congressmen, then we can have a vote upon it.

Mr. GROSS. I have not berated any Member of Congress. Once in a while we ought to deal with things around here without reference to politics. Here we are dealing with the taxpayers' money. It is proposed to dig into the taxpayers' pockets for $300,000 for a Citizens Commission, and I will say to the gentleman from Ohio that the NATO Parliamentary Conference apparently is not worth its salt or there would be no need to even suggest that a bunch of citizens be organized for the alleged purpose of giving advice.

Mr. HAYS. I will say to the gentleman if an atomic war comes and it is not prevented and it happens here, there will not be anybody around to worry about the gentleman and the taxpayers and so on.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Is it not true that in connection with mutual security and other foreign aid programs we now have 72 separate committees and everyone recommending additional expenditures in their reports?

Mr. GROSS. Yes. And, if you want to know how many international organizations we have, get this year's Appropriations Committee hearings on the Departments of State and Justice. Beginning on page 990, and page after page thereafter you will find listed the international organizations that the taxpayers of this country are supporting. You tell me what the citizens of this country get out of about 99/10 percent of these international organizations. Then, in Switzerland, U.S. taxpayers maintain an international organization to wet-nurse all international organizations. We are spending more than $300,000 a year on this international setup in Switzerland to provide liaison for the other international organizations. Incidentally, these hearings provide a list of assessments that have not been paid by other countries who are members of these international organizations. The NATO parliamentary organization is not yet old enough to have a record of unpaid assessments but give it time.

Mr. HAYS. The only country that has not paid this year up to date is the United States, and that is because of the recess, and the bill not being passed until this conference report was adopted today. So I presume that our contribution will be forthcoming. But everybody else in the organization has paid up to date, including 1960.

Mr. GROSS. Yes; there is not the slightest question that the United States will come up with its part of the funds; and with far more than any other country.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. HOFFMAN of Michigan. How much of what the gentleman talks about did we loan or give them? Here is a sheet that just came out from downtown which shows that between $80 billion and $90 billion have been given them since 1946. These are their own figures.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield; but before I do, I wish the gentleman would tell me why we maintain an international organization in Geneva to wet-nurse all these other organizations.

Mr. JUDD. I am not familiar with whatever one the gentleman has in mind.

The gentleman asked if anybody knew of any international organization that had not recommended greater spending. May I recall one to him. When the Marshall plan was proposed, the original amounts asked by the European countries were about $31 billion for 4 years. Then there was set up the Office of European Economic Cooperation, OEEC consisting of recipients of the proposed aid.

They checked each other, reviewed the program and reduced the total requested to $23 billion. Then they reviewed it again and got it down to $17 billion. The Congress then authorized approximately that amount. But they used only about $13 billion, as I recall. So a very substantial saving of almost $20 billion was accomplished by that international commission.

Mr. GROSS. I had a letter the other day from a person who apparently would like to be on this commission, who said it might save $10 billion. Does the gentleman think that this commission that he is proposing to establish would, by the wildest stretch of the imagination, save $10 billion?

Mr. JUDD. If it makes some headway toward getting more security in the world, which would permit us to reduce our defense budget, that would be the best way, probably the only way, to make any substantial saving.

The CHAIRMAN. The time of the gentleman from Iowa [Mr. GROSS] has expired.

Mr. BARRY. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for 1 additional minute.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BARRY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. BARRY. I would like to ask the gentleman if he has read the report of the Canadian Parliamentarians Conference held last year.

Mr. GROSS. No; but I anticipate that we will probably have to have a Citizens Commission for this new Canadian Parliamentarians Conference and also one for Mexico. Then will come Ghana, the Congo, and a host of others.

Mr. BARRY. I would like to ask the gentleman if he has read the report of the NATO Parliamentarians Conference here in Washington last year.

Mr. GROSS. I have read I think all or parts of most of the reports of these junketing organizations. I have yet to find one that was worth reading.

Mr. BARRY. I am familiar with both of those NATO Parliamentarian Conferences and I think they resolved many differences between this country and Canada.

Mr. GROSS. Name them.

Mr. BARRY. The boundary dispute between Canada and the United States.

Mr. GROSS. How much did we spend on that?

Mr. BARRY. It is not a matter of how much was spent. It was a matter of resolving differences.

Mr. GROSS. If the gentleman will go through the record he will probably find that we have had a longstanding Boundary Commission, and other groups dealing with Canada.

Mr. Chairman, there is absolutely no justification for the establishment of this new Commission, especially since there is already a parliamentary group as an adjunct to NATO, and we are surfeited with international organizations of one stripe or another. Is there no regard for the taxpayers of this country and their ability to pay all these bills? This is one more vehicle to provide junkets for private citizens and soft jobs at top pay for a staff of employees. Let the record show that I am unalterably opposed to this creation.

Mr. HAYS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am willing to let our Republican friends over there deal with their own intramural troubles. I am going to talk a little bit about ours. About the only opposition I have heard to this from our side has come from the gentleman from Louisiana [Mr. PASSMAN] who has disassociated himself from the party, wants it wiped out. The most important thing, he said in the press, was that the Democratic Party be defeated in 1960—if the press quoted him correctly. I understand that even up to and after the convention he was pretty active in the Democratic Party until some certain influences began to work on him. He told me the other day—he said, "I had to do this to save my seat." Do you know something? I think we can spare him a lot easier than we can spare the Democratic Party. And I am not so sure that the rest of the Democratic Party will not feel the same way when we have our caucus next year. The gentleman has a perfect right to oppose this, but he has the right to oppose it on legitimate grounds. There is nothing in this resolution, in any way, shape, or form that says that it is going to make any recommendation about spending money. As a matter of fact, the idea of setting it up was that it would not make any recommendations about spending money but it would make recommendations about how the NATO nations could cooperate better with each other.

I do not care if the gentleman opposes it or does not oppose it, but I think the testimony the gentleman offers should be evaluated in the light of its worth. That is the point I make.

Mr. PASSMAN. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I am sure that the Democratic Party could spare me, but I doubt if they could spare the distinguished gentleman from Ohio who would read a life-long Democrat out of the Party because he refuses to support and embrace a philosophy the Democratic Party has not heretofore advocated.

Let me say for the record that I enjoy playing rough; however, I did not get into this discussion to argue Louisiana politics, but I would be willing to do so if it were not that we must get along with the business under consideration. I have no apologies to offer for the fight I have made in behalf of the American taxpayer during my 14 years in the Congress.

Our total expenditures in the so-called foreign-aid program considering all phases now amount to in excess of $103 billion since the end of World War II. I mentioned earlier a total of 72 or 82 commissions that have been brought into being since the inception of the foreign-aid program. So far as I know, not a one of them ever recommended reducing foreign aid expenditures. Without exception they recommended increasing expenditures.

I shall never have to apologize to the American taxpayer for the position I take politically. Inasmuch as my friend from Ohio had to bring that up, I stand on the statement I made, and I make no apologies. It will be up to the electorate of Louisiana to decide whether I shall remain in the Congress, and not the gentleman from Ohio. If he had worked as hard to save the American taxpayer's dollar as I have in my 14 years here, then we would not owe a public debt of $288 billion, nor would we have foreign aid in 76 of the other 86 nations of the world.

At the proper time I shall place in the RECORD what I have said about the party, its platform and its nominees. I will not be quoted out of context, and I shall ask no mercy of the gentleman from Ohio or any others in the Democratic Party.

I have never voted the Republican ticket in my life and do not plan to do so at this time, but that does not necessarily mean that I will support the Democratic ticket and the strange philosophies set forth in the platform, and I shall make no apologies for what I said. The gentleman from Louisiana will be in a position to take care of himself next January and the January following that. Let that be understood. We can discuss legislation here without dealing in personalities by bringing in a statement that the gentleman does not know too much more about than I know about surgery. I will ask him to wait and read the entire statement, if he so desires.

When the Draper committee was set up more than 2 years ago, I thought he would bring in a recommendation that would save some money in the foreign aid program, but he brought in a recommendation that resulted in more than $400 million being spent in that year. The time has come when we should think about the American taxpayer. The other body upped the House bill by almost $500 million, and just during the 5 weeks' respite from our legislation here the administration thought of ways by which they could spend an additional $700 million over and above what they requested earlier. It is time to stop being a rubber stamp around here and stand up and fight some of these commissions and committees that ultimately bring in recommendations for larger and larger expenditures. This is the position I shall take as long as I am a Member of this Congress.

Mr. FLYNT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FLYNT: Page 2, line 4, after "political party" strike out "and who shall be appointed from private life" and insert "five of whom shall be appointed from the United States Senate, five of whom shall be appointed from the United States House of Representatives, and ten of whom shall be appointed from private life."

Mr. FLYNT. Mr. Chairman, I have listened attentively to the discussion of Senate Joint Resolution 170. I listened to the debate on the rule and I have listened to the general debate on the resolution itself. There is not a Member of the House of Representatives who does not concur in the objectives stated in the title of this joint resolution. We all yearn for the political and economic development of the Western allies which comprise NATO. Yet, I share the apprehension that has been expressed by a number of my colleagues on both sides of the aisle that the net result and the end result of this Commission will be to spend more money without bringing a justifiable return in any way—in security, or world peace, or in domestic tranquillity, or in the form of any financial returns to this country. I think it could, perhaps, under some circumstances perform a great service. I voted for the rule because I wanted to hear it debated. I am not certain at this time whether I shall oppose the resolution, but I am confident in its present form I shall not support Senate Joint Resolution 170. If I understood the discussion during general debate, I think I heard gentlemen from both sides of the aisle say that at the time this was before the House Committee on Foreign Affairs one or more of them desired to have a provision written into this resolution that one or more members of this Commission should be from the House of Representatives and that one or more should be from the U.S. Senate. If I misunderstood that, I certainly will yield for a correction at this time.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I am glad to yield to the gentleman from Minnesota.

Mr. JUDD. I said my proposal was that two Members be appointed from each of the two congressional bodies, assuming that one Member would be a Democrat and the other a Republican. The main purpose of that was the same as in the Hoover Commission. The Hoover Commission was a tripartite body—one group of members designated by the President, one by the Speaker of the House of Representatives, and one by the President of the Senate. Each of the two groups appointed by the presiding officers of the Senate and House of Representatives had two Members of the House or Senate respectively. It seemed to us at that tme, and I think it is wise now, to have two Members from each House on any such commission. I think the gentleman's proposal of five is too many. Not many of us have time to give the sustained attention to these matters and to make as thorough a study of them as the situation requires. But, two Members from each body, I think, would strengthen the committee and make it more practical in its recommendations.

Mr. FLYNT. I thank the gentleman for his contribution. I think he has made the best argument that could be made for my amending which would provide for five Members from the House and five Members from the Senate on this Commission. The gentleman from Minnesota knows the situation that prevails with the legislative program in Congress and that if we have only two Members from the House, one Democrat and one Republican, then it would be sometimes virtually impossible to have this body represented at a meeting of the Commission.

It is my purpose in having five from the House and five from the Senate that there would be reasonable certainty that the Congress of the United States would be represented whenever this Commission was in session.

I hope the gentleman from Minnesota and the gentleman from Wisconsin will support my amendment.

Mr. THOMSON of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman from Wyoming.

Mr. THOMSON of Wyoming. If Members of Congress who are paid a salary of $22,500 would not have time to devote to this, I wonder how somebody serving without compensation is going to find time to do it.

Mr. FLYNT. I think the gentleman has made a very interesting observation, and I agree with his remarks.

Mr. BARRY. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield.

Mr. BARRY. I would like to know if other countries have parliamentary representatives on this Commission.

Mr. FLYNT. I do not know, but I will say for one that I am interested in the national interest of the United States first and foremost and above any other nation on earth.

Mr. BARRY. Do you think that your amendment would be duplicating the NATO Parliamentarian Conference where Members of this Congress and members of other Parliaments congregate? The Commission we are setting up here is a layman's group.

Mr. FLYNT. I will say to the gentleman from New York that if this Commission is going to perform any good, effective purpose on behalf of the people of the nations, it is worthy of having at least one member from each party from each House of the Congress in attendance whenever this Commission is meeting. I think the presence of Members of Congress from this and the other body would have the effect of strengthening this Commission in the event it is enacted into law.

Mr. BARRY. I am inclined to agree, but I think the ratio is a little high. You have got it very heavily weighted in favor of the legislative branch.

Mr. FLYNT. I will say to the gentleman in answer to the remarks made by the gentleman from Minnesota [Mr. JUDD] that I thought he made as good an argument as I am doing now for the fact that we should have at least a proportion in order to guarantee that there would be a representative of Congress present whenever this Commission was in session.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. FLYNT] has expired.

(By unanimous consent, Mr. FLYNT was granted 3 additional minutes.)

Mr. BARRY. Will the gentleman yield further?

Mr. FLYNT. I yield.

Mr. BARRY. Should the gentleman have the assurance that the members appointed from Congress were as devoted to this assignment as they are to their committee assignments, would he then be willing to reduce the number from the Congress and increase the number of public members?

Mr. FLYNT. I would not, because I feel this amendment probably would guarantee a proportionate membership.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield.

Mr. GROSS. How does the gentleman justify this on any basis? If you put Members of the House and Senate on this Commission you have only duplicated the junketing which already exists.

Mr. FLYNT. I will have to say that I have not justified it yet. The resolution may pass and I want it to be in the best possible form in the best interests of the American taxpayers, if it does prevail.

Mr. GROSS. Let us lay the whole thing at rest and plant a bouquet on it and call it over.

Mr. FLYNT. I hope the gentleman will support my amendment.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman from Iowa.

Mr. KYL. You hit very close to a vital matter, because the matter we are debating originated in an ex officio group. Then we are told this proposed conference will be held whether we are present or not. We are either obligated to go along with this or we give the appearance that we are not cooperating. I fear that each time we create another agency or function of this kind, we go further to getting our hands tied. We are forced to go along with the decisions made by ex officio groups.

I agree with the gentleman's thought. We have got to consider the national welfare of our own country first, then the welfare of these other nations.

Mr. FLYNT. I certainly thank the gentleman from Iowa for his observation.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. HAYS. Mr. Chairman, I ask unanimous consent that the gentleman from Georgia [Mr. FLYNT] be allowed to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, may I say to the gentleman I am in sympathy with the general idea. One of the prime reasons I supported this resolution in the beginning was because I have found that in these international meetings which are planned to last a week or 10 days, they do not have the time to give the study to the propositions which may be advanced that the propositions need.

The gentleman knows there is a lot of criticism of Congress because it does not get its work completed in 5 or 6 months, but the gentleman also knows that the committees give very careful scrutiny and observation to the matters coming before them.

Can the gentleman tell me how the ideal of setting up this Commission, which was that it should meet for 3 or 4 months, if necessary, to give the proposals the kind of study, scrutiny, debate, and discussion they need, if he can tell me how Members of Congress can get away for such a length of time? That is the problem we are up against; how do you solve it?

Mr. FLYNT. I thank the gentleman for asking that question; it is a good question and I am going to try to answer it. First of all, I will say that the objective of having 10 Members of Congress of this Commission, 5 from this body and 5 from the other body, was to meet such a contingency and would be the only way possible through which there would be practically 1 Member of Congress, preferably 1 from each body, in attendance at every session that is held.

I believe the gentleman knows from his own able experience in participating as U.S. representative on the NATO interparliamentary group—and I congratulate him for the work he has done on it—I think that he certainly agrees that the experience which he and other Members of this body have gained and have learned in participation in this NATO group to which I just referred, that such experience would be of incalculable value to the best interests of the United States whenever this Commission meets. I certainly think that many Members of this House could serve a very great purpose if selected to serve on this Commission and I certainly include my friend from Ohio.

Mr. HAYS. I thank the gentleman for the very complimentary things he has had to say about me and my colleagues, and I am inclined to agree with him that people who have had such experience would be valuable members of such a Commission, but I am confronted with the practical situation of how a Member of Congress could get away for the length of time that would be necessary.

Mr. FLYNT. Does not the gentleman feel that the interests of the United States would be increased and enhanced by having men of parliamentary experience representing this Nation on that commission?

Mr. HAYS. I do not think there is any question about it. But there are people available in private life who have had such experience, and it would be desirable that such people be picked. I certainly agree with the gentleman in principle but I am overwhelmed by how to solve the problem that is involved of a Member's getting away for such a long period of time.

Mr. FLYNT. I thank the gentleman from Ohio for his contribution and I hope he, too, will support my amendment.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman from New York.

Mr. PILLION. I certainly congratulate the gentleman on his amendment. It seems to me the importance of the amendment does not lie in the fact that you need Members of the House or the Senate engaged in the associations or the preliminaries.

The important part of the gentleman's amendment is these Members of the House and Senate would have the power to refuse the recommendations which will be made eventually to this Congress. That is the important part of the gentleman's amendment, and I agree with him.

Mr. FLYNT. I feel it is an important part of the technical amendment which I have offered.

Mr. ZABLOCKI. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Georgia.

Mr. Chairman, as has been pointed out in general debate, a similar proposal was given full consideration and study in the committee. The amendment was not adopted because at this late stage in the session the measure would die in conference. I am sure that the gentleman from Georgia will agree that any amendment offered at this time to the proposal in effect will kill the resolution.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Florida.

Mr. HALEY. Just because the gentleman thinks it is so late in the session we cannot work this thing out, we should pass bad legislation?

Mr. ZABLOCKI. I disagree with the gentleman.

Mr. HALEY. Why not go ahead and defeat it now?

Mr. ZABLOCKI. I disagree with the gentleman that it is bad legislation. Since it has been announced that the session may end within a week, the gentleman will agree with me that it would be impossible to have a conference report before adjournment.

In reference to membership on this commission of Members of the Senate and the House, I call to the attention of the gentleman from Georgia the fact that we have many able former Members of Congress who could serve on this commission. It is my understanding that in the Chamber at the present time is the distinguished former chairman of the Committee on Foreign Affairs, Mr. Richards, who would be an excellent member and would serve with distinction on this commission.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Minnesota.

Mr. JUDD. I want to associate myself with the views expressed by my colleague from Wisconsin [Mr. ZABLOCKI]. As has been said heretofore, I prepared an amendment in committee to have two Members from the House and two from the Senate on this commission. But we are faced with a practical situation. I accepted that situation in committee, and I accept it here. The main thing is to pass this legislation. If we accept amendments here today, the whole thing is likely to fall by the board. Therefore, I hope these amendments will not be adopted, and that any other amendments that may be offered will not be adopted. I hope the House will accept the bill as passed by the Senate, and recommended by our committee, and then we can go ahead and make some progress, I hope, in this important field.

Mr. ZABLOCKI. I thank the gentleman.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the distinguished gentleman from Ohio.

Mr. HAYS. I would like to point out that we have an excellent man sitting back here, a distinguished former chairman of the Committee on Foreign Affairs, the gentleman from South Carolina, Mr. Richards, who would make an ideal member of this commission. He has had experience in Congress, he has had experience as an ambassador. He is the only man I ever knew that they sent out to give away money, some $200 million, and who brought some of that back with him. That would answer the economy end of the argument.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Are we admitting that we have legislation that should be amended and could be amended, but on account of the lateness of the session we have to take it as is on account of getting a resolution through?

Mr. ZABLOCKI. I am not saying anything of the sort. I am pointing out that this is a meritorious piece of legislation. It received the unanimous approval of the House Committee on Foreign Affairs. Perhaps it could be perfected. The question is whether a minor perfection should be adopted at the expense of the loss of the entire resolution.

Mr. PASSMAN. We cannot perfect the legislation on account of the lateness of the session, is that what the gentleman in effect said?

Mr. ZABLOCKI. I said in effect, if we want to see the resolution passed, all amendments should be rejected. In my opinion any amendment would very likely kill the proposal for this session.

Mr. FLYNT. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Georgia.

Mr. FLYNT. I would like to ask the chairman of the subcommittee, is it not true that several members of the committee in committee sessions expressed approval of the objective of my amendment?

Mr. ZABLOCKI. Yes; but over and above the acceptance of the amendment the sponsors and committee considered the meritorious features and passage of the proposal during this session of Congress. Certainly, we do not want to lose the resolution at the expense of an amendment.

Mr. THOMSON of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Wyoming.

Mr. THOMSON of Wyoming. What is the urgency here after we have gotten along for 150 years without commissions of this kind?

Mr. ZABLOCKI. I wish to call the gentleman's attention to my remarks in general debate. I pointed out that we are living in a critical era. We need the counsel and assistance and wisdom of informed citizens. It is our hope that such citizens would be appointed to this commission. I am confident that the deliberations, discussions, and recommendations of the commission proposed by this legislation would be helpful in coping with world problems. I am sure that the gentleman will agree that the situation in the world is not very harmonious.

Mr. THOMSON of Wyoming. Does the gentleman feel that is best served by expediency?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

The question is on the amendment offered by the gentleman from Georgia [Mr. FLYNT].

The question was taken; and on a division (demanded by Mr. FLYNT), there were—ayes 33, noes 59.

So the amendment was rejected.

Mr. THOMSON of Wyoming. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I stated at the outset during consideration of the rule, I was willing to listen to the debate on this resolution and to consider it with an open mind. I have done that, and I have listened attentively. But, when we reach the point where we say that no amendment should be considered because it might defeat the bill, then we have reached the point where we should consider letting this important and novel proposal go over until such time as we can consider it with the due deliberation it deserves.

Now, Mr. Chairman, this is an important matter, because it is going to set a pattern, as I will show you. In the first place, if I understood the gentleman from Pennsylvania correctly in response to my question when he was discussing the resolution, it was indicated that the Department of State was strongly in favor of it. Is that correct?

Mr. FULTON. I did not use the word "strongly." I said there had been no witness that the Department of State had favored it. I might say there was no witness from the Department of State or the Government that came up to the Hill before either committee——

Mr. THOMSON of Wyoming. I refuse to yield further, Mr. Chairman.

Mr. FULTON. The Department's position is contained on pages 1 and 2 of the Senate hearings and on the last page.

Mr. THOMSON of Wyoming. I am glad the gentleman mentioned that.

Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wyoming?

Mr. BOW. Mr. Chairman, reserving the right to object, and I do not intend to object, I have three amendments pending at the desk, and I do not want to find myself again in the position today that I was in in the past, where many Members took additional time and I was not given sufficient opportunity to present my amendments.

The CHAIRMAN. Is there objection to the request of the gentleman from Wyoming?

Mr. CORBETT. Mr. Chairman, further reserving the right to object, and I will not object at this time, since the gentleman from Illinois is not present, I will object to any further requests for additional time.

The CHAIRMAN. Is there objection to the request of the gentleman from Wyoming?

Mr. HALEY. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. HALEY. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN (after counting). One hundred twenty-two members are present, a quorum.

Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. THOMSON of Wyoming. Mr. Chairman, I appreciate the gentleman from Pennsylvania clarifying his statement that the Secretary was in favor of this and calling our attention to the Senate hearings, because I have looked at the Senate hearings and I have found this to be the fact. By letter of May 28, 1959, Mr. Macomber, Assistant Secretary in the Department, replied that:

> The NATO Parliamentarians Conference is itself a new institution and the forthcoming Atlantic Congress is an even more recent initiative. In fact, the entire very remarkable development of NATO in the last few years, particularly in the field of political consultation, is a new process in a state of growth and development.

And then in italic is this statement:

> The Department therefore suggests that action on Senate Concurrent Resolution 17 be deferred.

Then under date of August 25, 1959, just 4 months later we see another letter from the same gentleman, Mr. Macomber, being written and this letter says:

> The Department has no objection,

They continue to kick it back and forth some time. I shall not read the letter at length, but I have here the colloquy in the Senate immediately after its insertion in the record.

> Senator GREEN. Are these letters favorable?
>
> The CHAIRMAN (the Senator from Arkansas). They are not unfavorable. In brief, the Department takes the position that they have no opposition.
>
> Senator GREEN. They are noncommittal?
>
> The CHAIRMAN. The nearest I can state is that they say they have no opposition to the resolution.
>
> Senator GREEN. This means it is favorable.
>
> The CHAIRMAN. The letter speaks for itself.

Then we find that it gets down to this. The State Department says that the executive wants no part of this. They say in effect, if you leave us out entirely we will not interpose opposition. In other words, the executive is not about to turn over its affairs to some 20 people from among the citizenry of the United States. I submit, why should the elected Representatives of those people, the Congress of the United States, turn its powers or responsibilities over to any such group? And why should they do it by giving the taxpayers' money to such a group to go out and hold this Congress or convention or whatever you want to call it and give these 20 citizens full discretion as to whether they report at all and to whom they report, and so forth. If the executive branch is not going to turn its powers over to them and is afraid of such a situation as this, does not want anything to do with it, why should we as the elected Representatives of the people be willing to create such an agency, using the taxpayers' money, and give them the authority of Congress to go out, then come back with a report or reports if they in their sole discretion so elect and set up another lobby such as we had set up after our more recent commissions, to carry out their recommendations.

I suggest to you that the lobby is already at work. The lobby went to work between the dates of these two letters from the State Department in May and in August, to get the Department to change its position and at least interpose no objection. I suggest to you that those people are already at work, figuring out, getting recommendations of who might serve. They are very fine people, but they are not elected to represent the United States. They are not agents of the U.S. Government. And here is the great danger, as I see it. It is this: If there is one thing we need, and I agree in this respect with some critics of our foreign policy, it is to have clear-cut lines of authority and lines of responsibility. But how are you going to maintain or obtain that when you have people that are not responsible to the Congress although they are appointed by it, and who have nothing to do with the executive, meeting in a convention and coming up with reports and recommendations?

How many of you remember the Conference on Education and how it was used and manipulated to lobby for Federal aid to education. Yes; the Hoover Commission as the first such a commission did a splendid job, but there we had a committee formed to carry out the recommendation of the Hoover Commission. Others seeing the success have seized upon this as a vehicle for getting through about every pet scheme imaginable. This becomes a taxpayer-paid lobby to lobby the Congress, and

we are appropriating the taxpayers' money to pay for it. If you please we are hiring a lobby to lobby the Congress in many instances.

Look at what this joint resolution sets up. There are no guidelines as to what they shall do or anything else. They are responsible to no one. They are required to report only as they themselves see fit. The joint resolution states that the Commission is "to submit such reports as it deems appropriate."

I admire the gentleman from Minnesota. He made a very persuasive argument about the need to discuss world situations and how they could possibly come up with some solutions. But I find that original Senate Resolution 17 expressly provided that this Commission would be "designed to achieve more effective and democratic unity in advancing economic and political affairs, joint defense, and the aims of world peace and individual freedom."

In the joint resolution before us "aims of world peace and individual freedom" have been stricken from the bill. The only thing they can do, as is stated on page 2 of the joint resolution, is to hold conferences to explore means by which greater cooperation and unity of purpose may be developed to the end that democratic freedom may be promoted by economic and political means. The rest is stricken.

Then I begin to wonder who is promoting this. I find Mr. Draper, Eric Johnston, and others who have contacted me on one occasion or another. I am happy to have their opinion. I do not happen to agree with them. They are the ones who are promoting this economic and political cooperation. I think that is fine, but their idea of such seems to be more foreign aid at our taxpayers' expense and giving up more of our American products and jobs to foreign imports. I wonder if there are going to be some recommendations for more economic cooperation whereby this country opens further its trade doors and other countries shut theirs to us. I wonder which one of these NATO countries it is that needs this economic help I heard mentioned. It seems to me they are all doing great. Their economies are advancing, with one exception, and I recognize that one exception. In that case they do not now have a legislature to appoint anybody to go to this convention. But look at Italy, Germany, England, and so forth. Their economies are going up, up, up. So I think we have been doing pretty well in helping them.

I am very happy to see us develop greater political cooperation and greater economic cooperation, but I should like to see it done within the framework of the Constitution of the United States of America by an executive department that is elected by the people with the regular appointive officers and with treaties confirmed by the Senate of the United States. Above all, I do not want to see the Congress of the United States give up its power by adding agencies and commissions like this, appointed with no responsibilities or guidelines, to make policy, to write reports, and propagandize at taxpayers' expense as they see fit. There are no controls on the spending of this $300,000. So my position is simply this: that I think we would do well to let this go over until next session and give us time to give it the deliberate consideration it deserves. If it is to be considered at all, we should know more about it. I fear it embarks us on a dangerous course that might well threaten our very liberty and our constitutional government.

Mr. HAYS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I should like to recall some history for you. I am sure all of you remember the Hague Conference of 1949. That was a citizens' group from all the countries that are now the NATO nations. It met at a time of strict military emergency. One of the recommendations which came out of that and which was ultimately enacted into a working organization was what is now called NATO. This simply proposes a smaller, more workable group of people to sit down and give some thought to the problems confronting these NATO nations in a different field of activity.

I certainly do not envisage that this organization will call upon us to make any contributions to the NATO countries. I would think it would be more likely it would call upon the NATO countries to join with us and carry some of the burden of fighting this economic cold war. I have been led to believe by what I have read in the press and by what I have heard in other places that some of these countries are willing to do this if there is some kind of meeting of the minds as to how to do it. Now the gentleman expresses great fears because this is a nongovernmental body. I am sure he is sincere. I think that is a legitimate point to be raised. I happen to be chairman of the subcommittee on the State Department and one of the things that these people tell our subcommittee in the Committee on Foreign Affairs many times is that they do not have the time to sit down and give the thought to some of these problems that they would like to because they are so busily involved in the day-to-day operation of the Department of State. I would like to say to the gentleman in all honesty and sincerity, in answer to what I know is an honest fear, that this specifically spells out that we are not going to bind the executive to anything and we are not going to bind the Congress to anything, and that we are going to try to have these people, and I would hope that some of them would be the kind of people we had at the Atlantic Congress, like the president of the University of Pittsburgh and the president of the University of Minnesota and the president of the University of Alabama, who are three that I remember, who would give of their fine brains and of their time to think out some proposed solutions to some of these problems to lay before the Congress and to lay before the executive. Then, if we do not like them, we do not have to take any of them. But I think the gentleman will agree that all of us are pressed for time to think about these problems. This is an effort to get the job done by some of the best people that we can talk into doing this for the good of the country and for the good of the free world. It is just as simple as that.

Mr. THOMSON of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I am glad to yield to the gentleman from Wyoming.

Mr. THOMSON of Wyoming. Does the gentleman envision this as a continuing setup?

Mr. HAYS. No; the gentleman does not envision this as a continuing setup. The gentleman envisions this as a one shot or, at most, a two-shot operation; perhaps, a meeting and then a recess for the national delegations to get together and then a final meeting and recommendations. I certainly would not ever envision it as being a continuing body. I do not think very many people in the Atlantic Congress who proposed the resolution so envisioned it. I heard nobody express an opinion that it would be a continuing body.

Mr. THOMSON of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Wyoming.

Mr. THOMSON of Wyoming. Dr. Litchfield testified on page 6 of your hearings. He was the leadoff witness on this and he said:

> What one such convention would do I think is limited. I think it would do a great deal to help citizens in the various parts of these countries to talk together.

He further said:

> I think this is another of many, many steps that are essential in gradually building a Western culture into a closer understanding.

Mr. HAYS. Of course, he has the right to speak his own opinion, but I just do not feel that a continuing organization of this kind is what we want to set up. I do not envision that as being set up by this resolution. I agree thoroughly with the gentleman from Wisconsin [Mr. ZABLOCKI] that I would not be in favor of continuing it unless it can show some overwhelming progress and some overwhelming reason to continue it for another year.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Minnesota.

Mr. JUDD. The gentleman has correctly stated that this commission would have no authority to speak for any governmental body, either legislative or executive, of these United States. And, certainly, we want it that way. But, is it not also true that the Congress would not in the slightest degree be delegating on limiting any of its powers when it appoints this commission?

Mr. HAYS. Of course, it would not. It would be just like the Foreign Relations Committee of the other body when they hire universities and other organizations to make studies of certain facets of foreign policy matters. The Members do not have the time to make such studies themselves. There are a great many things that I would like to have my subcommittee study. We have two or three proposed studies before us, but the problem is when can we get them done?

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. JUDD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to add one point—that there are many good precedents for this sort of ad hoc commission. Next January there will be a conference here in Washington called by the President to consider the problems of the aging. This is also a citizens' group, set up by the executive branch, to study all the facts and facets and factors of the problems of our elderly citizens. It will have no authority. It will make recommendations, which I hope the Congress will find useful. They will be considered by the proper committees of the Congress. If the committees approve them, they will formulate appropriate bills, report them to the Congress, and the Congress then can vote them up or down as the majority deems wise.

We had the Hoover Commission a decade ago to study the various agencies within our own Government and the relations between them. The Congress did not surrender any power when it established that Commission. The findings of the Hoover Commission were studied by the proper committees of the Congress. The recommendations which the committees thought to be desirable were worked into legislation and brought before the Congress and the Congress worked its will.

I cannot see how anybody can find any danger in this proposal to appoint 20 distinguished, public-minded, public-spirited citizens of the United States to sit down with 80 citizens of other NATO countries to study our relations with the other countries of the NATO area in terms of our present world situation. It is not in any sense to increase the burden the United States is carrying. It is an attempt to share the burden by pooling our strengths, that is, to get help in carrying the burden. The dangers are infinitesimal compared to the benefits that may be gained. So I hope we will go ahead and pass this resolution.

Mr. ZABLOCKI. Mr. Chairman, I ask unanimous consent that all debate on this resolution and all amendments thereto close at 4:30.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

Mr. BOW. Mr. Chairman, I object.

Mr. ZABLOCKI. Mr. Chairman, I move that all debate on the resolution and all amendments thereto close at 4:30.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The gentleman from Illinois [Mr. O'HARA] is recognized.

Mr. O'HARA of Illinois. Mr. Chairman, my approach to this legislation is one of trust in peace. I think we are living in very serious times. I think if we are going to find a solution we must go not to the legislative halls but to the grass roots. So I welcome this suggestion that 20 Americans, not Americans in public office, Americans perhaps in the ministry, in education, in the professions in the various fields, to meet with people from other lands in the countries friendly to us, and in their talks together perhaps find a solution for our own problems.

I am not in favor of study groups. They get nowhere, only kill time. I am not in favor of expenditures of money unnecessarily, but it seems to me, just as a matter of commonsense, that while we still have hope of reaching our objective of peace we should encourage this bringing together—not dressing them up with authority—they are only getting together as people talking together. Certainly I think this is only commonsense that we should view with sympathy and pass this resolution.

Mr. BOW. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. Bow moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes.

Mr. BOW. Mr. Chairman, I regret very much that time for debate has been limited. I have three amendments I sincerely believe will improve this bill.

Time after time there has been an extension of time here again today in general debate by members of the committee and others, yet when we come down to reading the bill there is an attempt to cut off debate. I think it is unfair and unjustified especially to Members who have amendments they wish to offer. At the proper time when the Clerk reaches that portion of the bill I shall offer my amendments but I will explain them briefly at this point.

Paragraph 3 on page 3 of the bill provide that there shall be 10 employees of this commission and that compensation shall not exceed the maximum rates authorized for committees of the Congress. That would mean that under that provision $176,000 could be used for the employment of personnel.

My amendment would limit it and provide that the total payment shall not exceed $50,000. Fifty thousand dollars is enough to spend and give them enough money to hire experts and their stenographic staff.

My second amendment is in paragraph 5 which provides that the United States shall pay its share of the expenses and limits the amount to $100,000. My amendment would add to that "or not over 20 percent of the total." With the number of nations in this we should not pay over 20 percent of the total.

My third and last amendment is to section 4 and would require the members of the commission to make the same report on travel as Members of Congress are required to make under the bill which we passed not long ago.

It seems to me these are proper amendments of limitation of funds.

Look at the resolution. The total authorized to be appropriated is not to exceed $300,000. The gentleman from Ohio [Mr. HAYS] has said these people may sit for 3 or 4 months. If they sit for 3 or 4 months being paid a per diem, travel expenses, especially if they are 3 or 4 months traveling abroad, staying at high-priced hotels, that $300,000 will melt away and they will be back in a supplemental for additional funds.

It seems to me proper at the very start that we have definite limitations on what they can spend. I know from my own experience as a member of a Subcommittee on Appropriations where we have to deal with money authorizations for commissions. We appropriate the full amount, but it is not long before they come back with a supplemental and with additional authorization for an increase in the payments. I think these amendments are needed; I think they are liberal. They would allow them $50,000 for clerical and professional staff; limit to 20 percent of the total our contribution; and the members of the commission are required to file the same kind of reports to the House as Members are required to file under the legislation we passed before the recent adjournment.

The CHAIRMAN. The question is on the motion of the gentleman from Ohio.

The motion was rejected.

The CHAIRMAN. Does the gentleman from Ohio care to offer his amendments?

Mr. BOW. I did not know the Clerk had reached that portion of the resolution.

The CHAIRMAN. Without objection the balance of the resolution will be considered as read and open to amendment at any point.

There was no objection.

(The balance of the resolution follows:)

SEC. 2. (a) It shall be the duty of such Commission to endeavor to arrange for and to participate in such meetings and conferences with similar citizens commissions in the NATO countries as it may deem necessary in order to explore means by which greater cooperation and unity of purpose may be developed to the end that democratic freedom may be promoted by economic and political means.

(b) The United States Citizens Commission on NATO is not in any way to speak for or to represent the United States Government.

SEC. 3. To promote the purposes set forth in section 2, the Commission is hereby authorized—

(1) to communicate informally the sense of this resolution to parliamentary bodies in NATO countries;

(2) to seek to arrange an international convention and such other meetings and conferences as it may deem necessary;

(3) to employ and fix the compensation of such temporary professional and clerical staff as it deems necessary: *Provided*, That the number shall not exceed ten: *And provided further*, That compensation shall not exceed the maximum rates authorized for committees of the Congress;

(4) to submit such reports as it deems appropriate; and

(5) to pay its share of such expenses as may be involved as a consequence of holding any meetings or conferences authorized by subparagraph (2) above, but not in excess of $100,000.

SEC. 4. Members of the Commission, who shall serve without compensation, shall be reimbursed for, or shall be furnished, travel, subsistence, and other necessary expenses incurred by them in the performance of their

duties under this joint resolution, upon vouchers approved by the Chairman of said Commission.

SEC. 5. Not to exceed $300,000 is hereby authorized to be appropriated to the Department of State to carry out the purposes of this resolution, payments to be made upon vouchers approved by the Chairman of the Commission subject to the laws, rules, and regulations applicable to the obligation and expenditure of appropriated funds. The Commission shall make semiannual reports to Congress accounting for all expenditures.

SEC. 6. The Commission shall cease to exist on January 31, 1962.

Mr. BOW. Mr. Chairman, I offer my amendments and ask that they be considered en bloc.

The Clerk read as follows:

Amendments offered by Mr. Bow: On page 3, line 8, after "Congress", insert a semicolon and the following: "*Provided, further*, That the total compensation shall not exceed $50,000."

Page 3, line 14, after "$100,000" insert "and not to exceed 20 percent of the total cost."

Page 3, line 20, after "commission", insert "and shall be subject to the provisions of section 105 of the Legislative Branch Appropriation Act, 1961".

Mr. FULTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FULTON. Mr. Chairman, I favor the last amendment, but oppose the first two. I do not believe the chairman put to the Committee the question whether there was any objection. I do object.

The CHAIRMAN. The gentleman from Ohio [Mr. Bow] offered three amendments, and he asked unanimous consent that they be considered en bloc.

Mr. FULTON. That was not put to the Committee.

The CHAIRMAN. That question has not been put to the Committee. Is there objection?

Mr. FULTON. I object to their being considered en bloc.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. BOW. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BOW. That is, on the three amendments?

The CHAIRMAN. That is on all three amendments, under the unanimous consent agreement already entered into.

(By unanimous consent, Mr. FLYNT yielded the time allotted him to Mr. Bow.)

(By unanimous consent, Mr. DOWDY yielded the time allotted him to Mr. Bow.)

Mr. BOW. Mr. Chairman, I shall repeat what I said in the well a few minutes ago as to this amount, particularly the first amendment, which I think is very important.

The provision says they may have not to exceed 10 staff members. There is no limitation. It has not been stated that they shall be appointed according to the Civil Service classifications or rules, or the classifications of the State Department. It simply says they may have 10 and that the compensation shall not exceed the maximum rate authorized for committees of the Congress.

The maximum rate authorized by the committees of Congress is $17,600. So you see we do have a chance of spending $176,000 of the total of $300,000 to be used for payment of the staff. My amendment limits this to $50,000 a year. They can hire experts with that, and stenographers and clerks, and that is sufficient to carry on the work.

We know there are certain instances of groups where the United States is paying much more than its fair share for the maintenance of these commissions. I know one that appeared before our committee where we are paying 98 or 99 percent of the total cost. It seems to me that just saying "we shall pay our share" is not sufficient. We should say what that share shall be. This is an important amendment, the second one. We say that share shall not exceed 20 percent of the total.

We have that $100,000, which is a limitation, but still we should get down to the 20 percent and let the other countries know how much we would be able to contribute.

Number 4, on the reports of the commission. We should make them provide the same reports that Members of Congress make on travel expenses.

Mr. Chairman, the argument is going to be made again that if any amendments are adopted to this bill, there will be no bill. I must join with others who have said that we have a bill that should be amended. We should spell out the facts in the bill. Certainly we should not pass it if is a bad bill merely because we are close to the end of the session. That is no reason for passing bad legislation.

If we pass this today, these are simple amendments and it would be a very simple thing to call the Senate conferees, get them together and agree or disagree to an amendment such as this. I cannot understand why we cannot pass this bill today with amendments, get the conferees together and clear it up. It can be done and it should be done in order to have legislation that is proper so that we can understand the manner in which the taxpayers' funds are going to be used.

Mr. JUDD. Mr. Chairman, I rise in opposition to the amendments.

Mr. Chairman, I am in sympathy with what the gentleman from Ohio is seeking to do. But I think that his amendments are unnecessarily restrictive. The first amendment sets a limit of $50,000 on the salaries of up to 10 people to do the staff work. That is too small. The commission will be crippled and ineffective unless it has good staff workers. This would allow $5,000 each per year. Now, just where can you get competent and able persons at $5,000 apiece?

Or if three top grade staff men were appointed for the salary necessary for such men, they would have no secretarial help. The limitation of $300,000 on total expenditures is surely adequate to prevent extravagance. If we are to set up a commission and expect it to do a good job, it seems to me it ought to have flexibility within the overall limitation to decide how much should go for staff and how much for travel expenses and how much for per diem for commission members, and so on. I cannot believe that when we consider the world dangers for which we are appropriating some $44 million each year to try to maintain our security in peace, we should skimp on how much of the total is to go for technical staff. I do not want to set up a commission at all unless it is able to hire the very best people available. I cannot think of anything more penny wise and pound foolish than to put in this limitation which might save $10,000 here or $40,000 there at the possible cost of losing several billion dollars in the end.

So, first, I think the amendments are too restrictive and, second, if we add amendments today, we are practically dooming this legislation to an untimely death as far as this session of the Congress is concerned. For those two reasons, I hope the amendments will be voted down.

The CHAIRMAN. The question is on the first amendment offered by the gentleman from Ohio [Mr. Bow].

Mr. FLYNT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FLYNT. Was not objection made to the request that they be voted on en bloc?

The CHAIRMAN. The Chair is now taking a vote on the first amendment offered by the gentleman from Ohio [Mr. Bow].

Mr. FLYNT. Mr. Chairman, I ask that the amendment be again read by the Clerk.

The CHAIRMAN. Without objection, the amendment will again be read.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. Bow: On page 3, line 8, after "Congress", insert ": *And provided further*, That the total compensation shall not exceed $50,000.

The question was taken; and on a division (demanded by Mr. Bow) there were—ayes 38, noes 55.

So the amendment was rejected.

The CHAIRMAN. The Clerk will report the next amendment offered by the gentleman from Ohio [Mr. Bow].

The Clerk read as follows:

Amendment offered by Mr. Bow: On page 3, line 14, after "$100,000" insert "and not to exceed 20 percent of the total cost."

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. Bow) there were—ayes 40, noes 58.

Mr. BOW. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. Bow and Mr. ZABLOCKI.

The Committee again divided, and the tellers reported that there were—ayes 45, noes 76.

So the amendment was rejected.

The CHAIRMAN. The Clerk will report the next amendment offered by the gentleman from Ohio.

The Clerk read as follows:

Amendment offered by Mr. Bow: On page 3, line 20, after "Commission", insert "and shall be subject to the provisions of section 105 of the Legislative Branch Appropriation Act, 1961."

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Chairman, may I point out that the funds under this resolution will be expended on vouchers signed by the chairman of the commission. Further, all funds expended will be subject to the rules and regulations governing the accountability of obligations and expenditures made under the jurisdiction of the State Department. Such accounts are subject to review by the Comptroller General. Wherever it is possible for the commission to meet its expenses through the use of local currency, the commission will use appropriated dollars to purchase such currencies.

So we do have adequate control. I looked this up after the amendment was offered, and there is adequate control.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. Bow].

The amendment was rejected.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 4, line 3, strike the period, and insert a colon in the following: *"Provided,* That no part of any appropriation contained in this resolution or of the funds available for expenditure for any individual included in this resolution, shall be used for publicity or propaganda purposes designed to support or defeat legislation proposed or pending before Congress."

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, this is the same amendment I have offered to a number of appropriation bills in this session of Congress and in previous sessions of Congress. In almost every instance they have either been accepted by the chairmen of the committees or adopted by the House. I would hope that the chairman of this subcommittee and the ranking minority member would accept this amendment. It would make certain that this outfit could not be used for propaganda purposes, at least with respect to Congress.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS].

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 43, noes 65.

So the amendment was rejected.

Mr. HOSMER. Mr. Chairman, it is not without reservation that I oppose this measure. Its purposes are all to the good. However, it is my general feeling that diversification and decentralization of the conduct of our international affairs leads to confusion. Matters which have to do with this country's relations with other countries that fall within the general purview of international law I feel should be handled by our Department of State which has been established constitutionally for this purpose. It is in adherence to that principle of organization that I oppose the measure.

Mr. CARNAHAN. Mr. Chairman, the breakdown of personal diplomacy in the conduct of our foreign affairs during these past several weeks has sharpened the ideological, political and economic struggle now going on throughout the entire world. The situation is grave indeed, but not without real hope. Perhaps two things of positive good in the interest of freedom and justice across the face of the earth can yet be accomplished as a result of the diplomatic disappointments of the past several weeks: First, it might well be that we have had pointed out to us in a way more dramatic than otherwise might have been possible the aims and tactics of the international Communist movement. Writing in his book, "The Real Soviet Russia," the late Joseph Stalin said:

Words must have no relation to actions—otherwise what kind of diplomacy is it? Words are one thing, actions another. Good words are a mask for the concealment of bad deeds. Sincere diplomacy is no more possible than dry water or wooden iron.

Certainly the events from Camp David to the ill-fated summit meeting in Paris, to the postsummit events in the Far East, bear out in bold detail this statement. Second, it could bring about at an even earlier date than might have otherwise been thought possible a convention among NATO members to explore further NATO cooperation in the vitally important fields of economic and political action.

I believe, Mr. Chairman, that NATO is strong militarily and prepared for the military defense of Western Europe. However, all is not so muscular with other aspects of NATO endeavor and I refer to such matters as the various economic, monetary and political problems of the North Atlantic Treaty Organization. These economic, monetary and political factors are equally as important to the functioning of NATO as is the military strength of NATO. All of these facets are interrelated and go to make up the whole pattern of North Atlantic defense. The argument may be put forward, Mr. Chairman, that we have held numerous other NATO conferences and this is true. However, the fact is that these previous conferences have tackled the problem piecemeal and none have tackled them as a whole. If NATO is ever to function as an integrated entity with all its component parts making their own peculiar and significantly needed contribution to this defense alliance, we need a "Committee on the Whole" which will wrestle with the problems involved from the beginning to the end as a whole and not on a piecemeal basis.

I urge affirmative action on this proposal. If we seek strength today in the unity of the North Atlantic community we shall show Moscow that we are in no frame of mind to make huge unilateral concessions. Visible and within our grasp, we have the possibility of building such military, economic and moral strength that the Communists will not dare challenge our position of freedom in the North Atlantic community. We can yet prove this union to be one of the world's most potent influences toward peace.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. BASS of Tennessee, Chairman of the Committee of the Whole House on the State of the Union reported that that Committee having had under consideration the joint resolution (S.J. Res. 170) to authorize the participation in an international convention of representative citizens from the North Atlantic Treaty nations to examine how greater political and economic cooperation among their peoples may be promoted, to provide for the appointment of U.S. delegates to such convention, and for other purposes, pursuant to House Resolution 587, he reported the joint resolution back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the third reading of the Senate joint resolution.

The resolution was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the Senate joint resolution.

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the resolution?

Mr. GROSS. I am unequivocally opposed to it, Mr. Speaker.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GROSS moves to recommit Senate Joint Resolution 170 to the House Committee on Foreign Affairs with the following amendment: On page 4, line 3, strike the period and insert a colon and add the following: *"Provided,* That no part of any appropriation contained in this resolution or of the funds available for expenditure for any individual included in this resolution, shall be used for publicity or propaganda purposes designed to support or defeat legislation proposed or pending before Congress."

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the joint resolution.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently, no quorum is present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 289, nays 103, not voting 39, as follows:

[Roll No. 192]

YEAS—289

Adair	Foley	Miller, Clem
Addonizio	Forand	Miller,
Albert	Ford	George P.
Allen	Frazier	Miller, N.Y.
Anderson,	Frelinghuysen	Milliken
Mont.	Friedel	Moeller
Anfuso	Fulton	Monagan
Arends	Gallagher	Moore
Ashley	Garmatz	Moorhead
Aspinall	Gathings	Morgan
Auchincloss	George	Morris, Okla.
Avery	Giaimo	Moss
Ayres	Gilbert	Moulder
Baker	Granahan	Multer
Baldwin	Gray	Mumma
Barr	Green, Oreg.	Murphy
Barry	Green, Pa.	Natcher
Bass, N.H.	Griffin	Nelsen
Bass, Tenn.	Griffiths	Norblad
Bates	Gubser	O'Brien, Ill.
Becker	Hagen	O'Brien, N.Y.
Beckworth	Halleck	O'Hara, Ill.
Bennett, Fla.	Halpern	O'Hara, Mich.
Bennett, Mich.	Hardy	O'Neill
Blatnik	Hargis	Oliver
Boggs	Hays	Osmers
Boland	Hechler	Ostertag
Bolton	Hemphill	Patman
Bonner	Henderson	Perkins
Bowles	Hogan	Philbin
Boykin	Holifield	Pilcher
Brademas	Holland	Poage
Breeding	Holtzman	Porter
Brewster	Horan	Powell
Brooks, Tex.	Huddleston	Price
Broomfield	Inouye	Prokop
Brown, Ga.	Irwin	Pucinski
Brown, Mo.	Jackson	Quigley
Broyhill	Jarman	Rabaut
Burke, Ky.	Johnson, Calif.	Rains
Burke, Mass.	Johnson, Colo.	Randall
Burleson	Johnson, Md.	Ray
Byrne, Pa.	Johnson, Wis.	Rees, Kans.
Cahill	Jonas	Reuss
Canfield	Jones, Ala.	Rhodes, Pa.
Carnahan	Judd	Riehlman
Chamberlain	Karsten	Riley
Chelf	Karth	Rivers, Alaska
Chenoweth	Kasem	Rivers, S.C.
Chiperfield	Kastenmeier	Roberts
Church	Kearns	Robison
Clark	Keith	Rodino
Coad	Kelly	Rogers, Colo.
Coffin	Keough	Rooney
Cohelan	Kilday	Roosevelt
Collier	Kilgore	Rostenkowski
Conte	King, Calif.	Roush
Cook	King, Utah	Santangelo
Cooley	Kluczynski	Saund
Corbett	Knox	Schenck
Cramer	Kowalski	Schneebeli
Cunningham	Lafore	Schwengel
Curtin	Laird	Selden
Curtis, Mass.	Lane	Shelley
Daddario	Langen	Sheppard
Dague	Lankford	Shipley
Daniels	Latta	Sisk
Delaney	Lennon	Slack
Dent	Lesinski	Smith, Iowa
Denton	Levering	Smith, Miss.
Derounian	Libonati	Spence
Diggs	Lindsay	Springer
Dingell	Lipscomb	Staggers
Dixon	McCormack	Stratton
Donohue	McCulloch	Stubblefield
Dooley	McDonough	Sullivan
Dorn, N.Y.	McDowell	Taylor, N.C.
Doyle	McFall	Teague, Calif.
Dulski	McGovern	Teller
Durham	McIntire	Thomas
Dwyer	Macdonald	Thompson, Tex.
Edmondson	Machrowicz	Thornberry
Elliott	Mack	Toll
Everett	Madden	Tollefson
Evins	Mailliard	Trimble
Fallon	Marshall	Udall
Farbstein	Martin	Ullman
Fenton	May	Vanik
Fino	Meader	Wainwright
Fisher	Merrow	Wallhauser
Flood	Metcalf	Walter
Flynn	Meyer	Wampler
Fogarty	Michel	Watts
Weaver	Wilson	Young
Weis	Wolf	Younger
Widnall	Wright	Zablocki
Willis	Yates	Zelenko

NAYS—103

Abbitt	Flynt	Pfost
Abernethy	Forrester	Pillion
Alexander	Fountain	Pirnie
Alford	Gary	Poff
Alger	Gavin	Reece, Tenn.
Andersen,	Goodell	Rhodes, Ariz.
Minn.	Gross	Rogers, Fla.
Andrews	Haley	Rogers, Tex.
Ashmore	Harmon	Rutherford
Bailey	Harrison	St. George
Baring	Herlong	Saylor
Belcher	Hiestand	Scherer
Berry	Hoeven	Scott
Betts	Hoffman, Ill.	Short
Blitch	Hoffman, Mich.	Sikes
Bosch	Holt	Siler
Bow	Hosmer	Simpson
Bray	Hull	Smith, Calif.
Brock	Jennings	Smith, Va.
Brooks, La.	Jensen	Steed
Brown, Ohio	Johansen	Taber
Budge	Jones, Mo.	Teague, Tex.
Byrnes, Wis.	Kitchin	Thomson, Wyo.
Cannon	Kyl	Tuck
Casey	McGinley	Utt
Cederberg	McMillan	Van Pelt
Colmer	Mason	Van Zandt
Curtis, Mo.	Matthews	Westland
Davis, Ga.	Mills	Wharton
Derwinski	Minshall	Whitener
Devine	Montoya	Whitten
Dorn, S.C.	Morris, N. Mex.	Wier
Dowdy	O'Konski	Williams
Downing	Passman	Winstead
Feighan	Pelly	

NOT VOTING—39

Barden	Healey	Morrison
Barrett	Hébert	Murray
Baumhart	Hess	Nix
Bentley	Ikard	Norrell
Bolling	Kee	Preston
Buckley	Kilburn	Quie
Celler	Kirwan	Rogers, Mass.
Davis, Tenn.	Landrum	Smith, Kans.
Dawson	Loser	Taylor, N.Y.
Fascell	McSween	Thompson, La.
Glenn	Magnuson	Thompson, N.J.
Grant	Mahon	Vinson
Harris	Mitchell	Withrow

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Taylor of New York against.

Mr. Bentley for, with Mr. Hess against.

Mr. Celler for, with Mr. Baumhart against.

Mr. Buckley for, with Mr. Kilburn against.

Mr. Kirwan for, with Mr. Withrow against.

Until further notice:

Mr. Morrison with Mr. Glenn.

Mr. Thompson of Louisiana with Mr. Quie.

Mr. Loser with Mrs. Rogers, Mass.

Mrs. MAY changed her vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on Senate Joint Resolution 170 just prior to its passage.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 12619. An act making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. HOLLAND, Mr. STENNIS, Mr. BRIDGES, Mr. SALTONSTALL, and Mrs. SMITH to be the conferees on the part of the Senate.

MUTUAL SECURITY APPROPRIATION BILL, 1961

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 12619), making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1961, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

The Chair hears none, and appoints the following conferees: Messrs. PASSMAN, GARY, CANNON, TABER, and FORD.

LEGISLATIVE PROGRAM

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I would like to inquire of the majority leader if he can tell us as to the program for tomorrow, either definitely or as a probability.

Mr. McCORMACK. I am glad the gentleman made that inquiry. I have no legislative business or program for tomorrow, as I announced earlier. I do not know what the situation will be in connection with conference reports. I know of none now, although the committee handling Health, Education, and Welfare has until midnight tonight to file a report. Of course, those may be brought up at any time.

In the event that the Rules Committee should report a resolution to take from the Speaker's desk and send to conference the minimum wage bill, then the leadership on both sides of the aisle—this colloquy is for that purpose—alerts Members that that rule may be brought up tomorrow.

Mr. HALLECK. May I say to the gentleman that, as far as I am concerned, and I am sure his attitude is the same, we would want to discuss that with our members on the Rules Committee to determine whether or not if a rule is reported such action would be in line with what they want done. As far

as I am concerned I would be glad to go along with any such arrangement if a rule is reported.

Mr. McCORMACK. The gentleman's position is clearly understood and it is a very fair and proper one. This colloquy between the gentleman from Indiana and myself is simply to let the Members know and be on their guard that there is a reasonable if not strong probability that if a rule is reported out it may be brought up tomorrow.

I understand also that the Committee on Ways and Means has until midnight to file a report on a bill.

Conference reports can be brought up at any time. We just want to advise the Members about the probability of sending the minimum wage bill to conference.

Mr. HALLECK. I thank the gentleman.

DISTRICT OF COLUMBIA

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight tonight to file certain reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

GEORGE WASHINGTON CARVER CENTENNIAL COMMISSION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent—and I make this request not only for myself, but for my distinguished friend, the gentleman from Iowa [Mr. JENSEN], who filed a companion resolution—for the immediate consideration of House Joint Resolution 799, establishing a George Washington Carver Centennial Commission.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Mr. Speaker, reserving the right to object, what is this going to cost?

Mr. McCORMACK. Mr. Speaker, the gentleman knows that George Washington Carver was not only one of the great Americans, but one of the great men of all time. On the occasion of his 100th anniversary, the resolution provides for the establishment of a commission to be known as the George Washington Carver Centennial Commission. The number of members is provided in the joint resolution. The authorization is $249,000.

Mr. GROSS. Does the gentleman anticipate that that will take care of this Commission, and there will be no further requests for money?

Mr. McCORMACK. I would prefer that the gentleman from Iowa [Mr. JENSEN] answer that question.

Mr. JENSEN. I may say to the gentleman from Iowa [Mr. GROSS] that there will be no further requests for this purpose. It is a most worthy cause. George Washington Carver, as the gentleman knows, was a person of great fame not only to every colored person in America but every person in America. We worship his memory. July 13 of this year was the 100th anniversary of the birth of this great American. I trust there will be no opposition to this legislation.

Mr. McCORMACK. May I say to the gentleman from Iowa [Mr. GROSS] that we cleared this with the chairman of the Committee on the Judiciary, the ranking member, and the minority leader. It has all been cleared. If we are going to do this at all we have to do it now, otherwise next year it will be too late.

Mr. JENSEN. If the gentleman will yield further, may I say that I introduced this joint resolution a few days ago and was pleased and proud when the gentleman from Massachusetts [Mr. McCORMACK] said to me that he would be proud to have the privilege of introducing a similar resolution, which he did. He has carried this thing along now. I know that every American who has known of the great work of George Washington Carver will be proud of the Congress of the United States for doing this thing.

Mr. GROSS. I would say only this, that I think there is more justification for the passage of this joint resolution than the one passed just a few moments ago.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from West Virginia.

Mr. BAILEY. For many years George Washington Carver was on the faculty of West Virginia State College. He was one of the three or four outstanding Negroes of his generation. He carried on many experiments that led to the development of the peanut and other industries while he was on the faculty of West Virginia State College. Later he moved his activities to Alabama. I am very much in favor of the joint resolution introduced by the gentleman from Massachusetts.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) (1) There is hereby established a Commission to be known as the "George Washington Carver Centennial Commission" (hereinafter referred to as the "Commission") which shall be composed of sixteen members as follows:

(A) Five members who are outstanding Americans, to be appointed by the President;

(B) Two members who are Members of the Senate, to be appointed by the President of the Senate;

(C) Three members who are Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives;

(D) One member from the Department of the Interior who shall be the Director of the National Park Service, or his representative, and who shall serve as executive officer of the Commission; and

(E) Five members to be appointed by the President after consideration of such recommendations as may be made, upon the request of the President, by the George Washington Carver National Monument Foundation.

(2) The President shall, at the time of appointment, designate one of the members appointed by him to serve as Chairman, and two of the members appointed by him to serve, upon the recommendation of the George Washington Carver National Monument Foundation, full time under the direction of the Chairman in carrying out the functions of the Commission. The two members of the Commission serving full time shall receive compensation at a rate fixed by the Chairman and shall be reimbursed for their actual and necessary traveling and subsistence expenses incurred in the discharge of their duties. The other members of the Commission shall receive no salary but shall be reimbursed for their actual and necessary traveling and subsistence expenses incurred in the discharge of their duties.

(b) The functions of the Commission shall be to develop and to execute suitable plans for the celebration of the 100th anniversary of the birth of George Washington Carver. In carrying out these functions the Commission is authorized to cooperate with and to assist the George Washington Carver National Monument Foundation to plan a centennial celebration of the birth of George Washington Carver, and to invite all of the people of the United States to join therein.

(c) The Commission may employ, without regard to civil service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions.

(d) (1) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with patriotic and historical societies and with institutions of learning; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this section. The Commission, to such extent as it finds to be necessary, may, without regard to the laws and procedures applicable to Federal agencies, procure supplies, services, and property and make contracts, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this section.

(2) Expenditures of the Commission shall be paid by the executive officer of the Commission, who shall keep complete records of such expenditures and who shall account also for all funds received by the Commission. A report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress not later than June 30, 1962. The Commission shall terminate upon submission of its report to the Congress.

(3) Any property acquired by the Commission remaining upon termination of the celebration may be used by the Secretary of the Interior for purposes of the national park system or may be disposed of as surplus property: *Provided,* That any property so acquired which may be requested by the George Washington Carver National Monument Foundation to assist it in carrying out its functions and purposes shall be donated to the Foundation. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States.

(e) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the Commission, for necessary expenses in carrying out its functions under this section, $249,000.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and I

further ask that all Members who desire to do so may have 5 legislative days in which to extend their remarks on the joint resolution just passed and with regard to the late George Washington Carver.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, in an age dominated by scientific achievement, there are many great names to consider and many great deeds to praise. Even so, there is no doubt that some stand alone in their magnificance, no matter how worthy the others may be.

In such a category do we find Dr. George Washington Carver, a giant among giants in his field.

Born a slave in the Civil War era, Dr. Carver rose above the traditional barriers and pitfalls of poverty, plus that of race, to wholly revolutionize the field of agricultural chemistry.

His contributions to the field have earned for him such names as the "Wizard of Tuskegee." Nor has he worked for science alone. Indeed, his discoveries have so elevated the economic value of the once-neglected peanut, to the point where it stands today as one of the greatest money crops in the southern United States.

A benefit to science, to agriculture, and to economic prosperity, Dr. Carver merits the praise he receives today, from every corner of the land.

Mr. Speaker, may I say further that I have talked to two of our colleagues, one from North Carolina and the other from South Carolina, about the joint resolution just passed, and the words of praise they had for the late George Washington Carver were certainly inspirational to me. I know each of them has indicated to me that he wants to insert his remarks in the RECORD in relation to this great man.

Mr. Speaker, I have ready to file in this august legislative body this day, a copy of House Joint Resolution 787, dated August 22, 1960, on that day introduced by the distinguished gentleman from Iowa [Mr. JENSEN] establishing a George Washington Carver Centennial Commission. This copy of Mr. JENSEN'S resolution was presented to me yesterday by Mr. Phillips, of the distinguished Tuskegee Institute, with the request that I join in sponsoring House Joint Resolution 787.

In view of the fact that our distinguished majority leader has this day done another of the very fine, exemplary legislative acts which are his custom, and has called this resolution to the floor for action at this time, I, of course, will not file House Joint Resolution 787 as I intended to do before the close of legislative business today.

But, may I say that I heartily approve this resolution and the very appropriate and timely purpose thereof; for, the resolution provides that the Commission therein provided for is to be constituted by five outstanding Americans to be appointed by the President; two members who are Members of the U.S. Senate, appointed by the President of the Senate; three members who are Members of the House, appointed by the Speaker of the House; one member from the Department of the Interior who shall be the Director of the National Park Service, or his representative, who shall serve as executive officer of the Commission; and five members to be appointed by the President of the United States after consideration of such recommendations as may be made, upon the request of the President, by the George Washington Carver National Monument Foundation.

Subdivision (b), on page 3 of House Joint Resolution 787 provides, as follows:

> The functions of the Commission shall be to develop and to execute suitable plans for the celebration of the 100th anniversary of the birth of George Washington Carver. In carrying out these functions the Commission is authorized to cooperate with and to assist the George Washington Carver National Monument Foundation to plan a centennial celebration of the birth of George Washington Carver, and to invite all the people of the United States to join therein.

Mr. CUNNINGHAM. Mr. Speaker, I join in support of this resolution in honor of George Washington Carver. In addition to all those things we know of this eminent statesman and scientist, he was also an author. For more than 20 years I have had a framed enlargement of his famous poem hanging on my office wall. It is entitled "You Have What It Takes," and it is the most inspirational message delivered in modern times.

Mrs. BOLTON. Mr. Speaker, it is a very special satisfaction to me as a longtime member of the board of trustees of Tuskegee Institute where Dr. Carver did much of his invaluable research to vote for this timely resolution introduced by the majority leader [Mr. McCORMACK] and the distinguished Member from Iowa [Mr. JENSEN].

This resolution establishes a George Washington Carver Centennial Commission and authorizes the expenditure of $249,000.

The research, largely in the agricultural field, has benefited hundreds of thousands of our people. All America is grateful to this humble dedicated scientist as are many nations overseas. It is fitting indeed that we do him honor.

Mr. RIVERS of South Carolina. Mr. Speaker, the late George Washington Carver, noted Negro scientist, was outstanding in the field of agriculture. As the present decade marks the 100th anniversary of his birth, it is, indeed, appropriate that we pause to recall his accomplishments and pay tribute to his greatness.

Dr. Carver, eminent in the field of science, and especially chemistry, was for many years an honored educator at Tuskegee Institute in Alabama. It was Booker T. Washington, great Negro educator, who induced George Washington Carver to join in the work for the youth of his race which he was undertaking.

The boy George Carver, born of slave parents, was taken into the home of kindly people disposed to give room to his eagerness for learning. He learned from the field and wood and soon developed a sense of deep economy of the trees and flowers. As a young lad he determined to get a good academic education and, further, to take part in the work of educating his people. When he arrived at Tuskegee he was caught up in the opportunity he faced to meet their fundamental needs.

With a zeal almost evangelical, George Washington Carver began right off to try to turn the interests from cotton planting to peanut planting. He knew there was a large market awaiting peanuts; and, besides, it was a plant good for the soil. It was enriching.

Reluctantly the Negro farmers followed him. They raised so many peanuts that subsequently there was no market for them. But Dr. Carver was determined not to betray the confidence of his people in his efforts.

Then followed weeks alone in his laboratory. He had only the crudest type of equipment, but out of his earnest prayers, his unfailing courage, and his skill came forth uses for the peanut that opened up market after market for the planter.

It is not to be wondered that this man became familiar among the world's men of learning and the recipient of medals and doctorates from many learned societies.

His friend Thomas A. Edison once offered him the facilities of the New Jersey Edison Laboratory for his work, but Dr. Carver chose to stay at his beloved Tuskegee Institute. It was there he died in 1943.

Presidents, statesmen, leaders of industry, and the humble called at Carver's laboratory. Henry Ford visited an exhibit in Carver Memorial Museum to view the peanut-oil massage display. In 1936 Dr. Carver experimented with peanut oils as a massage for after-treatment of infantile paralysis. Prior to 1936 he had developed numerous everyday uses for sweetpotatoes, peanuts, cornstalks, and blossoms. For the products of the South's red clay he developed milk, ink, plastics, cosmetics, paper, and paints.

Besides being chief of research and experiment at Tuskegee Institute, Dr. Carver was closely connected with the research work of the U.S. Department of Agriculture.

While he was best known for his contributions to agriculture, Dr. Carver was also listed among the artists of his age.

Near the close of his career, Dr. Carver was asked if his labors did not seem arduous, considering how alone he worked to prove his beliefs in his experiments. He denied this emphatically with the following comment:

> No, I am just an interpreter. I have only to listen for God's voice, and to do what He tells.

Mr. Speaker, I consider it an honor to pay tribute to this great American, George Washington Carver, who rose from the ashes of the unfortunate institution of slavery to become one of the world's great scientists.

Mr. TOLL. Mr. Speaker, as the unquestioned giant of this and all future generations, science has come to dominate the attention of the world. And America is justly proud to find so many of her sons dedicated to scientific pursuits.

Among our men of science, a few stand out in exceptional splendor, for service to a cause worthy only of the clearest intellect. Included in the group—as one of a select, special nucleus comprising the most ingenious of all—stands George Washington Carver, the "Wizard of Tuskegee," and the miracle man of agricultural chemistry.

Entering American society as a slave of the Civil War era, George Washington Carver rose quickly to academic recognition, and upon joining the staff at Tuskegee Institute, Ala., soon claimed the attention of the scientific world.

The work of Dr. Carver centered in the preservation of our soil and to this end he proposed the planting of peanuts as a substitute for cotton. Certain of the scientific principles involved, Carver was also a practical man, and therefore set out to improve the economic status of the peanut; a course which carried him not only into the field of economics, but medicine, as well.

When finally he concluded his experimentation, Dr. Carver had developed hundreds of new uses for the peanut, including an oil for the cure of paralysis. In consequence, the farmers of the Southern States found a wide market for peanuts, which soon became a major money crop in the southern economy.

Captivated by so astonishing a performance, the Royal Society of Arts of London admitted Dr. Carver to its councils in 1916, and the scientific community hailed him as one of their most distinguished leaders. Thereafter, Dr. Carver was showered with honors and hired as an expert in his field to advise in the operation of a branch of the U.S. Agriculture Department.

A pioneer in the professional sense and a hero in the personal sense, he has earned the appreciation he receives today from every corner of the globe. All America is proud to join in honoring this man of genius and conscience whose service to mankind shall never be forgotten.

PROPOSAL FOR AN OFFICE OF AGING WITHIN THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, with 16 million senior citizens in the United States, and with the number increasing in proportion to the whole population, it is clear that we need an office within the Department of Health, Education, and Welfare to correlate all efforts in their behalf.

Because we did not anticipate the extent and the seriousness of this problem of security in old age, we met each challenge with a piecemeal solution, tacking on new responsibilities to existing agencies.

In the beginning, we thought that old-age and survivors insurance benefits, and old-age assistance benefits would provide an overall solution. But then we learned that special public housing units must be built for some of the aged. We are presently concerned with the design of a suitable health insurance program for them.

This step-by-step improvisation has resulted in too much overlapping and duplication that has obscured other problem areas where the aging need our advice and help. A single office to serve as a clearinghouse for information, for research and training programs, and to provide clear leadership and direction, will coordinate Federal, State and community action in behalf of a comprehensive yet unified approach to the whole problem. In addition to the meeting of prime needs of sufficient retirement income, suitable housing, and health insurance, we must achieve greater fulfillment for the aged by reaching the following objectives:

Full restorative service for those who require institutional care.

Equal opportunity to employment with no discriminatory personnel practices because of age. Furthermore, the present limitation of $1,200 on earnings by those who are receiving old-age insurance, should be raised to $1,800 or $2,400 before the recipient starts to forfeit his monthly benefits.

Retirement in health, honor, dignity after years of contribution to the economy.

Pursuit of meaningful activity within the widest range of civic, cultural, and recreational opportunities.

Efficient community services which provide social assistance in a coordinated manner and which are readily available when needed.

Immediate benefit from proven knowledge which can sustain and improve health and happiness.

Freedom, independence, and the free exercise of initiative in planning and managing their own lives.

The establishment of an Office of Aging within the Department of Health, Education, and Welfare, to promote these objectives, will expedite progress toward solution of the problems of aging. It will give our aged something to look forward to, and it will help our legislators and our public officials to implement plans with constructive action.

The modest appropriations for planning grants; project grants; and grants to institutions and organizations; under the terms of the bill I have introduced, will earn human dividends in greater security and happiness for those whose years of full-time work are behind them.

A U.S. Office of Aging will help to bring comfort and dignity in the harvest-time of life to those who have contributed so much to the progress of our Nation.

RUSSIAN EDUCATION

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ELLIOTT. Mr. Speaker, in recent years there has been much publicity in the American press dealing with the Soviet education system. During the same time, there has been a spirited reappraisal of education in the United States.

In light of these developments, and under leave to extend my remarks, I call to the attention of my colleagues an article appearing in the July 4, 1960, issue of the U.S. News & World Report entitled "The Truth About Soviet Education." The article sets forth the views of two vocational educators, Dr. Mark Nichols and Dr. Hoyt H. London, former presidents of the American Vocational Association, who spent several weeks in Russia during April and May of 1960. The article follows:

Question. What overall conclusion did you draw from your intensive study of Soviet education?

Answer. Here is our conclusion: You see, Russia, by our standards, is a poor country. You walk down the street and there'll be 10,000 people and you can't hear a belly-laugh among them. They just walk in silence. Education is conceived by the people at the top, the parents, the kids, everybody, as the one and only ladder that leads from poverty and commonness right up through the ceiling to a life of achievement and respectability. Every person is trying to climb it.

Question. Is education the only way to the top in Russia?

Answer. An education is indeed the ladder to economic achievement in Russia. For instance, if a boy drops out of school at the seventh or eighth grade in America, he may get into business ultimately—in fact, he may become a millionaire. The opportunities are his to use his abilities.

If a boy drops out of school in Russia, he becomes a manual worker at that grade, and so his opportunities for achievement and a better standard of living are based on his education.

The boy who comes out of the trade school will not do as well with his job salarywise as the boy who comes out of the technical school. And the young man or the young woman who gets up to the technical institute will do far better than any of those. The individuals who get to the university seem to have top priority.

Educational competition in Russia is terrific among young people. That is a basis for the seriousness that we observed in the students.

Question. Do the Soviets try to give everybody a college education?

Answer. Not now. Since the change in their educational system in 1958, they are doing a thing we should consider very seriously in this country. That is to train every individual as much as possible for production proficiency in terms of his native ability and the needs of society. Apparently the 1958 change was a shift away from emphasis on higher education toward more emphasis on vocational training.

Question. Why was that shift made?

Answer. Apparently because of their lack of capital and consumer goods—a great lack—and the need of vocational education for training productive workers to make consumer goods available in larger quantity.

You see, Russia has three main problems—they'll tell you frankly. One problem is housing, and another is farming. Roughly 47 percent of their labor force is buckled down on their farms at a time when they've challenged America and the other capitalistic countries for the industrial markets of the world.

They realize, if they are going to win this economic struggle, they've got to increase the efficiency of agriculture so they can release a great bulk of their farm labor to go into industry. And, secondly, they've got to train people to build not only more houses but better houses.

And, then, their third problem, we are told, is finance. They're manipulating their money system now, trying to correct this somewhat.

Question. How do these problems affect Soviet education policies?

Answer. They look upon vocational and technical education as a means of providing the skilled manpower that will enable them to turn out both capital and consumer goods, and thus surpass America.

Just walk, drive or fly around any place in Russia, and you can see these problems glaring everywhere. Russia is 50 years, at least, behind America or the Scandinavian countries, but they know where they are going and they are coming up fast.

They have recognized that, although science, mathematics, and languages are important to an educated people, you just cannot run a competitive economy with everybody trained for a job at the top. And they are meeting that head on—realistically through vocational and technical education.

Question. By training workers?

Answer. Yes. And so they're dignifying the life of the worker. In the May Day parade, we saw 600,000 workers march 100 to 125 abreast—across Red Square, singing, carrying banners and artificial flowers. Many were singing the workers' song, "Moscow in May"—apparently happy and proud of the fact that their industry had exceeded its assigned quota.

The Russians are glorifying, to a very great extent, what we would call the "blue collar" worker in America, as distinguished from the "white collar" worker.

Question. They glorify him, but apparently they don't let a worker into college unless he has exceptional academic abilities?

Answer. He can't make it, no—in the face of their terrific competitive emphasis in education.

Question. Does the government decide who goes to college?

Answer. There is an examination, we discovered, after the seventh grade in the 10-year school and again after the 10th grade. It was our observation—we at least deduced by innuendo—that students who do not do too well academically in these exams at the seventh year go, or are sent, into trade schools. A trade school is a one-specialty affair where a student spends from 10 months to a year and a half—or 1 to 2 years—in a specialty; and, in the second year, a lot of time is spent out on the job.

The first-year instruction is devoted about 70 percent to skill training and practice, and about 30 percent to theory or related instruction. Students in these trade schools are rather young boys—and a few girls.

Question. What must a Soviet youngster do in order to get to college?

Answer. He must make a good grade—academic grade—from the 10-year school, and pass the entrance examinations, which are pretty comprehensive, we were led to believe, for the institutes and the universities.

Question. Isn't this creating a "class" in Russia? Communists talk about a classless society——

Answer. We thought we saw a distinctly "class" society.

Question. What were the classes?

Answer. The intelligentsia—the scientists, the professors, the engineers, the designers, the planners. By the way, one of us said to a fellow, "What would you do with me in Russia? I happen to have a Ph. D." He said, "Why, we'd put you on the payroll." I said, "What for?" "Well, just because you have a Ph. D.; we would find some use for you."

Question. Is the top layer the intelligentsia?

Answer. Yes, and then they've got a management group. Next come the factory workers, and at the bottom they have what they call "peasants" running collective and state farms.

Question. What kind of teachers do the Russians have?

Answer. Teachers are of two kinds in most of the schools we saw. A "teacher" teaches the theory; an "instructor" teaches the practice. The instructors are graduates of "technicums" (something like American trade high schools) and the teachers are graduates of technical institutes or universities.

The instructors who teach the skill processes in the schools follow their students into the factories to see that they become adjusted to their jobs and to give some orientation training on the job—a good idea, we thought.

Each one of the "technicums" has what is known as a patron factory, and they plan their manpower supply realistically to meet current and future needs.

To illustrate, if you are putting down a foundation for a house and you have 50 half-inch bolts to fasten the sill to, then you need 50 nuts of that size and with a thread that matches to go on them.

Apparently the Russians study their manpower needs in industry just like that, and they structure or pattern their educational program accordingly—just like making half-inch nuts for half-inch bolts. We've got nothing like that in America.

Question. Is that a good thing?

Answer. To a degree, it's a good thing. It doesn't follow that we've got to do it as they do, but it gets at something that is a big problem in American education of all sorts—not only in vocational education, but in professional education at the higher level as well.

For example, according to the American Association of School Administrators, we need 800 men per year for school superintendents to replace those who die or retire.

But how many are we training? Eight hundred? No, not at all. We have 300 or 400 institutions in America training literally thousands to be superintendents of schools. And so you've got a great discrepancy between what's really needed and what's being prepared, and little if any attention is given to it.

That's not only true in school administration. Take medicine—we seem to have a great shortage of qualified physicians and dentists in this country. What are we doing about it? Practically nothing, except maintaining the status quo.

And so the Russian system is vastly different from ours in this respect, and much more realistic, we are convinced.

Question. Does the Russian system take all initiative away from the students? Are the students told what to study?

Answer. No, not directly. That was a point that interested us greatly and we questioned Russians at length about it. They insist that the parent and the student have some choice—and they do, within a degree or range.

But the fact is, as we got it from our observations and what we were told, the series of examinations given after the seventh grade is a determining factor, along with the academic achievements. If students do well on these examinations, they are encouraged; if they do not do well, they are directed toward occupations that make use of their type of ability and where there is a recognized need.

Question. But if a Russian boy wants to be a biologist, he isn't told that he has to be a medical doctor?

Answer. Oh, no. We didn't see any evidence of that.

WHAT STUDENTS MAY DECIDE

Question. Is he allowed to follow his own bent?

Answer. He has the choice within the scope of his demonstrated achievements.

Question. Then, how do they make sure they get enough biologists and not too many medical doctors?

Answer. That was a stumper to us, and yet they maintained that it was relatively simple to solve. The incentives given, the stipends paid, and other encouragements of various kinds, are used to regulate this. We have never seen a society anywhere that had so many different types of devices used to motivate people.

Question. What are some of those motivating devices? Do they depend on guidance counselors?

Answer. We didn't find in any school that they had guidance counselors, as we have in our schools. But apparently in Russia the school principals are very much concerned, the teachers are concerned, and then they have individuals at the city level, at the republic level and I would say at the national level, too, very much concerned about manpower needs—and the schools work very closely with them.

We did not get the answer conclusively to our satisfaction, but they did point out that they used three devices to get students into desired areas.

In the first place, if there's an occupation where they have a shortage—and they claim they have shortages in nearly every occupation and that the difference is a matter of degree—then they offer a higher stipend to youngsters going into training for that occupation.

Secondly, if the industry needing the workers is out in Siberia, say, and most of the people want to live in the city because the standard of living is higher, then they raise the wages to attract the person who has been trained to go to Siberia to work and live.

And, thirdly, they manipulate the allotments of housing. Housing is one of their big problems, and everywhere people are crowded. A young fellow going out into one of these new industrial areas in Siberia would, as we understand it, be given a housing preference, whereas if he stayed in Moscow, say, he wouldn't have it.

Finally, and this has a bearing on Russian scholarship: The students who do well may receive a stipend of up to 25 percent more because of excellence, so there's a pay incentive.

ENCOURAGING BETTER WORK

Question. Is this stipend what they are paid to live on while going to school?

Answer. Perhaps—at the technical schools. The trade-school pupils don't receive a stipend, nor do they in the 10-year school. But in the technical schools they receive a stipend of an average of 275 rubles per month—that's $27.50 per month—and it may go up to 297, or it may go down as low as 235. So it's regulated. There is, then, an incentive for a student to do well.

Question. Did the students live at these schools?

Answer. They did not live at the technical school which we visited. But they live at the University of Moscow and some of these other schools. They have a series of universities and what they call technical institutes and technicums.

Students in the university and those in technical institutes are all paid stipends, we were told—or practically all. They said

about 80 percent of the students at the University of Moscow receive stipends. And that is manipulated, as explained earlier, to attract people into fields where the need is greatest, and also to promote scholarship.

If a student does better, he gets an additional sum of something like 45 rubles a month. They think of the money as scholarships, rather than stipends.

Question. In other words, the state reaches into the lives of each of these schoolchildren, just as it affects everything else?

Answer. Oh, there's no question about that. But it's not as harsh as we've been led to believe. People there have more freedom than Americans generally think they do.

Question. What kind of extracurricular activities are there in Soviet schools?

Answer. They have extracurricular organizations that work in cooperation with the schools. For example, they have what they call Palaces of Culture for the Young Pioneers, and they have Clubs for Labor Reserves—youths in their late teens and early twenties. These agencies are run in close cooperation with the schools, and they emphasize music, dramatics, athletics, and so on. In other words, they've somewhat divorced these things from the school. And the school is a pretty formal affair—you walk in the room and the students jump up, and sit down when they're told to—getting factual information and drilling for examinations.

All over the country—in every school we visited in Russia—on the billboards and fences in Moscow and Leningrad and other cities, and on the cowbarns in rural areas, are plaques with Lenin's picture at the top followed by the basic principles of the 7-year plan, all urging the people to be more productive so they can beat the capitalistic world. This is their crusade. And the goals—they live by goals, the goals of the 7-year plan. The students constantly receive the goal indoctrination in the schools. They take production goals very seriously—they're very much concerned about achieving them.

Question. Critics of U.S. schools have said that Soviet schools have higher standards than ours and that Russian youngsters are crammed full of science and mathematics and foreign languages practically from the time that they can walk. How much truth is there to that?

Answer. A good deal of that is fiction. There is no question about their emphasis on math and science and foreign languages. But we had an opportunity on several occasions to visit freely with young Russians, and we did. We were astonished to find how few of them, really, could speak English—or German or any other language except Russian.

Yet our observation in the 10-year schools that we visited was that they were emphasizing math and physics and chemistry to quite an extent. We saw, for instance, organic chemistry being taught in a 10-year school, and you don't observe that organic chemistry is being taught in too many high schools in America.

Question. Are Soviet teaching methods superior to ours?

Answer. We would say generally not, although we saw some instruction devices that were unique and different from what we have in this country, and better. But on the whole our methods of teaching would compare favorably and in our better schools probably would excel theirs. We saw one instructional device of illustrative panels at the front of classrooms which we hadn't seen in our country and which we thought was excellent.

Question. Otherwise, are the teaching methods much the same?

Answer. Yes, in their shops and drawing classes. The teaching is very formal. The teacher-student relationship is far more formal than ours and appeared to us to be somewhat stilted. But the seriousness on the part of the students to learn was strikingly noticeable and observable in all the schools that we visited.

Question. Do all Russian students have to meet certain national standards? Pass nationwide tests?

Answer. Admiral Rickover, for example, and other critics of American education have led us and perhaps other people to believe that Russia has a system of national standards and that they measure everybody by standardized tests on which they do better than American students. Well, we were visiting a 10-year school, and in looking through a boy's chemistry textbook, we found a copy of the national examination for chemistry.

One of us questioned the boy and his teacher in great detail, and here's what they told us about these examinations:

They do have such standards, and they have examinations that are worked out at the national and republic levels. But—note this—they give the boy in the 10th grade and also his teacher a copy of the examination in September (start of the school year) along with the textbook, and he has it to study by all year, and the teacher has it to teach by. Comes the following June, and he takes the examination. Why shouldn't he do well?

Question. Do you mean, then, that a Soviet student studies just to answer questions which have been posed for him in advance and that he doesn't do free study?

Answer. No, you couldn't say that entirely. But the impression has been given to the people of this country that, at the end of a school year, Russian youngsters are descended upon and given a comprehensive examination on which they do better than our youngsters do. We just don't believe this is a true picture.

EXAMS AS A STUDY PLAN

Question. Would you compare the Soviet system with the case of an American student who crams for an examination to which he has stolen the questions from the teacher's desk?

Answer. Well, you wouldn't say it's quite that simple because these examinations are made by subject-matter specialists, and we were told that they're pretty comprehensive. Obviously, they give the student something definite to study for and the teacher something definite and concrete to teach.

Question. Do you think this approach takes anything out of education that might be important?

Answer. Oh, it may take out of education some of the training and ability that comes from independent research, investigation, and reading. We didn't see much evidence of the free type of reading that goes on in an American high school—although in fairness it must be said that we were astounded to find many youngsters who seemed to know more about Mark Twain and Jack London than most Americans, including those who have read a great deal of both.

Question. Did you notice any of the so-called "frills" in their school buildings? Do they have cafeterias, gymnasiums, and other things that some people call "frills"?

Answer. We saw some cafeterias, but we didn't see in any school a gymnasium as we know it in American high schools. We saw some rather small playrooms, or recreation rooms, but not gymnasiums.

Question. Do the Soviets put any emphasis at all on sports in their schools?

Answer. Sports aren't emphasized over there to the extent that they are here. And there is no sea of shiny new automobiles around every school in Russia, as you see parked around the average American urban high school. There were no student-owned automobiles, and in most instances we saw no bicycles—they walk to school 6 days per week.

And, with their formal-discipline procedure, they're studying specialties pretty narrowly. We didn't see students smile very often, either. That's a significant thing.

Question. Are Russian schools coeducational?

Answer. Yes.

Question. Did you see more men teachers than women teachers?

Answer. Yes, we saw more men than women teachers in the vocational schools. In the general schools, we would say there are more women than men, as is true in our country.

HOW SUMMERS ARE SPENT

Question. Do Soviet students get a summer break?

Answer. Yes, but the students in all general and vocational schools, so we were told, are required to work 25 days during the summer either on a collective or state farm or in a factory—that's what they call "polytechnic education" in their reorganized system. They are convinced that work education is essential, and they conceive of their vocational and technical schools as the instruments through which to recruit, upgrade and use their manpower to outproduce the capitalistic world.

Students at the 10-year school we visited in Moscow work for 25 days on collective farms after the eighth year and after the ninth year they work for 25 days in factories during the summer.

Question. What do Soviet students do at home?

Answer. What they do at home is a question. The Russians have built thousands of huge apartment houses. We visited one, and had dinner in the apartment of one school principal. We were told that there were 110 families living in that apartment house. They said each individual is entitled to eight square meters [86 square feet] of floor space, and that isn't very much. So home life for young people apparently isn't too good from the standpoint of ample space.

And so we saw tens of thousands of people out walking on the streets—just walking and with no observable loud talking or laughter.

Question. Out walking to escape from crowded homes?

Answer. Eight families, we were told, use one bath and one kitchen in many instances. That is the workers. Those that have better positions—one school principal, for instance, had a kitchen, a living room, a bedroom and a bathroom as a part of his apartment.

Question. How would you compare a Soviet school with a first-rate American high school?

Answer. You can't compare an American high school with a Russian school of any sort. They're too different. The buildings are different. Teaching is different. Time is scheduled differently. Their schools are managed differently.

Question. Who learns the most—a Russian student or an American student?

Answer. We got the impression that, as far as our vocational and technical schools are concerned, the American student does very well, and, if he isn't superior, then we've been fooled.

Question. What explains that?

Answer. The American student has better equipment to work on. And again and again we got the impression that the course of instruction given in the trade schools of this country is superior to that in Russia. The Russians might disagree with this.

Question. But just how is the American system superior?

Answer. It's more comprehensive. They narrow the Russian students down to a very, very narrow range—and in America we give a broader type of training. Now that has some advantages because it makes for versatility. Apparently, they don't want versatility over there. They want to train each student to fill a specific manpower need.

Question. On the whole how would you compare the Soviet system with the American system of education?

Answer. So far as vocational education is concerned, the idea of a systematic study of manpower needs and an efficient approach to training the number of people needed—not wasting your time and money on those that aren't needed—makes sense.

In all honesty, we must admit, they're more realistic and more efficient than we are in this respect. Now, that doesn't mean that, if we were trying to improve this phase of our education, we'd have to do it as they do. But we learned something from the Russians on that score.

In the second place, this idea of recognizing fully that, if a nation is to compete successfully in the markets of the world, it must take every last individual and make him as productive as possible is sound. They've done that.

The idea of incorporating work experience with theory is also good. As far as buildings are concerned—and teachers, curriculum, content—we wouldn't say they're superior to us in any respect, except in the one school previously mentioned where we saw some unusually fine visual-education materials.

Question. Do you think that education has just become so readily available in this country that Americans don't appreciate it?

Answer. There may be something to that; yes. We just take it for granted, and, for some, going to college is a social achievement. In our colleges we have football teams and fraternities and all that type of thing that may detract from education or at least academic learning. Somebody has said that football has the same relationship to education that bullfighting has to agriculture. In Russian higher education, this is conspicuous by its absence.

MORE CONTRASTS WITH UNITED STATES

Question. What other differences did you find?

Answer. One of the significant differences was a recognition of individual differences in pupils. It seems to us that, in America, we school people generally give lipservice to it, but Russia has an education program which does something constructive about individual differences.

Question. You mean differences in aptitude?

Answer. Aptitude, yes. They are recognizing these differences, and giving every student the greatest possible opportunity to achieve in terms of them. In America it's socially so desirable, and parents generally are so very anxious to have their children attend college or universities—that's regarded as a great achievement in and of itself.

Russia recognizes that only those should go to universities who have the academic abilities to profit from such an experience. But they recognize the many other abilities besides academic ability and have adjusted their school programs to make the most of them. This is one of the significant differences between American and Russian educational philosophy and procedure. And, then, as has already been stated, their matching of educational programs with manpower needs is a surprising achievement.

Question. Do you think the United States should adopt the Soviet school system?

Answer. We don't think that, in America, we should follow the Russian system, but we can give far more recognition to the vocational facets of guidance in our public schools than we're doing today. We have guidance programs, but the vocational facets of guidance are lacking as compared with our emphasis on psychological and clinical guidance. That's the No. 2 difference.

And then, No. 3, there's a great difference, as already mentioned, between the Russian formal procedures and our American procedures of instruction and course content as well as our concepts about what students should be taught and learn.

We apparently have recognized competitive athletics as an important and integral part of the American educational system or we wouldn't have spent the millions of dollars on gymnasiums and football fields. Russia does not do that. And this is another difference.

Question. Do they put less emphasis on the social side of education?

Answer. They do not recognize the social facets of life in the same light that we do. Yet they seem to be doing much in helping youth to make a sound occupational choice and to profit by work experience.

At present, Russia is prescribing some work experience for every last kid from elementary school up through the university, and if that is sound, then they may have something that is very desirable.

Perhaps that is a procedure that we can emulate more in America.

If a youngster is taught to work and knows what it means to sweat in the earning of a dollar, he should be a wiser spender and have a greater appreciation for our economic way of life.

We haven't gotten around to recognizing this as an important facet of secondary education in America. Student work experience in our competitive capitalistic economy must be implemented in a different way than in Russia—but to recognize the importance of student work experience and to implement it into action for its maximum educational contribution is a challenge for those of us engaged in education leadership in this country.

We have done a lot in promoting good recreational programs. We still have much to do in providing desirable work-experience programs as an integral part of education.

Question. What changes in the American system do you think should be made as a result of what you saw in Russia?

Answer. Well, No. 1, a greater attention to the vocational facets of guidance. That's the No. 1 need in American secondary and higher education.

No. 2, recognizing that work—some kind of productive work experience—on the part of secondary-school youth is a desirable thing for good citizenship.

And, thirdly, we should put more emphasis on the study of economics. It appears that every youth in Russia understands the Russian economic system. That is not the case in America. We need much more emphasis on economics. We need a crusade in this country to convince our young people of the values inherent in our economic system and of the elements essential to its success in our democracy.

LET'S GET THE FACTS: CHOLESTEROL—HEART ATTACKS

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, cholesterol is a term which, in the last few years, has come out of the laboratory and entered the vocabulary of untold millions of Americans.

Cholesterol is much in our minds today because many medical doctors and scientific researchers believe that a high level of cholesterol in the blood is a contributing cause of diseases of the heart and the arteries.

We in the Congress must be concerned not only with the health of ourselves and our families but of our whole population. Having the facts on cholesterol, its causes, and its effects is of tremendous interest and importance to the American public and, therefore, to the Congress.

We cannot help but be concerned about heart disease. It is the No. 1 killer in the United States today. It annually snuffs out the lives of more than 800,000 Americans. Hardening of the arteries—known in its severe form as atherosclerosis—is the principal cause of heart disease. Atherosclerosis is the artery condition underlying heart attacks and strokes. Heart attacks killed 6,549 persons in Wisconsin in 1958, nearly 18 percent of all deaths in the State.

No further statistics are needed to point up the problem. The question is where cholesterol enters the picture, and to what extent.

Our newspapers and magazines have been filled with articles on the subject of diet, cholesterol, and heart attacks. Despite the fact that these articles, in most cases, have carefully pointed out that the whole truth is far from being known, much of the public has reached the following conclusions:

Heart attacks are caused by atherosclerosis; atherosclerosis is caused by cholesterol; cholesterol is caused by fats in the diet, particularly the saturated fats in dairy products, fatty meat, eggs and certain other foods; therefore, to avoid having a heart attack, you should give up whole milk, butter, cream, eggs, and animal fats generally.

How many Americans have reached this kind of extreme conclusion? We do not know. Numbers have taken up the no-fat diet, although this in itself can lead to grave nutritional difficulties.

We have not experienced a huge drop in consumption of dairy products and meat—which indicates that the great majority of our people are receiving the news of cholesterol research with reason, not panic. But we have experienced some decline in the consumption of these foods, and it is reasonable to assume that this can in part be attributed to public reaction to the diet-cholesterol-heart attack publicity, and to people cutting down on certain fats either on the basis of competent medical advice or self-prescription.

It is clear, however, that medical findings—one way or the other—concerning diet and cholesterol can have a serious effect on the dairy industry, which is of such vital importance to Wisconsin and other States, and on agriculture generally.

Therefore, both from the health standpoint and from the economic standpoint, we need the answers—the sooner the better—on the exact relationships between dietary fats and cholesterol, and the exact relationship, if any, between cholesterol and heart disease.

Mr. Speaker, at this point I should like to insert in the RECORD several articles which represent current thinking on the subject.

The following article from the Milwaukee Journal of June 14, 1959, summarizes the opinion of heart experts, given at the annual meeting of the Wisconsin Heart Association:

"EAT LESS FAT," PATIENTS TOLD—HEART VICTIMS ADVISED

A panel of heart experts Saturday agreed that patients who had had heart attacks should sharply curtail their consumption of butter, cream, and other fatty dairy products.

Several members of the panel, speaking at the annual meeting of the Wisconsin Heart Association went further than that. The meeting was at the county general hospital.

Dr. W. Ford Connell, Kingston, Ontario, chairman of the Department of Medicine at Queens University Medical School, said he advised patients with high levels of blood cholesterol to reduce their butter and meat fat consumption. He said he also advised them to supplement their diet with corn oil or some other vegetable oil.

(Cholesterol is a fatty substance made by the body. Some studies indicate that diets high in animal fats cause the body to make more cholesterol, which circulates in the blood. Some researchers believe this leads to formation of fatty plaques in the walls of arteries, causing heart and blood vessel diseases.)

ADVICE FOR PATIENTS

Dr. Connell made it clear that his advice was for patients rather than for well persons. He said it was "suggestive," but not yet proved that too much animal fat in the diet was a contributing cause of the high rate of coronary artery disease in the United States.

Dr. Connell suggested that dairy farmers, instead of bragging about the high butterfat production of their cows, try to breed animals that give milk with more proteins.

"I'm a great advocate of skim milk," he said.

Dr. John S. La Due, New York City, associate professor of medicine at Cornell University, said he kept "seeing one more nail struck in the coffin" on the importance of dietary fats in heart disease. Animal fats, he said, may increase the clotting tendency of the blood, besides clogging the arteries with cholesterol.

Dr. La Due said he advised his patients to reduce the animal fat in their diets to 25 percent of total calories, and for those over 40 to use vegetable oil as freely as they like.

HE USES CORN OIL

Dr. A. Carlton Ernstene, chief of medicine at the Cleveland, Ohio, clinic and president-elect of the American Heart Association, said: "We give about the same advice."

Both Drs. Ernestene and La Due were asked whether they themselves had changed their dietary habits.

"I have practically cut out eating butter," Dr. Ernstene said, "and reduced my amount of cream and animal fats."

Dr. La Due said he had reduced dairy products and animal fats and was using corn oil to supplement his diet. He said that enzymes could be used experimentally to dissolve blood clots that block arteries, causing heart attacks and strokes. But the enzymes now available are too crude, unstandardized and expensive for use in human patients.

Dr. Clark H. Millikan, Rochester, Minn., associate professor of neurology at the Mayo Foundation, said treatment with drugs that slow blood clotting often could prevent progression of a developing stroke. Surgery also may be useful, he said.

Next, I submit two articles, dated August 22 and 29, 1959, about heart attacks, by the Milwaukee Journal's very able medical writer, James C. Spaulding:

[From the Milwaukee Journal, Aug. 22, 1959]

IS HEART ATTACK TIED TO CERTAIN KIND OF FAT?—MAJORITY OF MEDICAL AUTHORITIES BELIEVES QUESTION CANNOT BE ANSWERED YET

(By James C. Spaulding)

A single question raises what is probably the most vital health issue in the United States today: Does too much of a certain kind of fat in the diet cause the excessive rate of heart attacks among middle-aged men?

Reputable medical scientists can be found who will answer flatly either yes or no. But the majority of more respected researchers and heart specialists believe that the question cannot be answered yet. A flat answer may never be possible.

They say that 5 to 10 more years of research will be needed. They admit, however, that in the meantime something has to be done. They are trying to adopt an attitude that will provide the most chance of protection with the least risk of harm.

PUBLIC IS CONCERNED

Public concern is evident. Patients ask their doctors to order blood cholesterol tests. Sales of unsaturated fats, chiefly corn and cotton oils, are increasing.

Atherosclerosis, the artery condition underlying heart attacks and strokes, is the major cause of death in the United States. Heart attacks killed 6,549 persons in Wisconsin last year, nearly 18 percent of all deaths in the State. Many of those who died were in the prime middle years from 40 to 65. Thousands of others were hospitalized with nonfatal heart attacks.

Since 1900 the life expectancy at birth has increased about 20 years. But in the same time expectancy at age 50 has risen only 2.2 years, despite great medical advances. The major reason is the increasing death rate from atherosclerosis, chiefly heart attacks.

COMMON IN 30–40 GROUP

A Milwaukee cardiologist said that heart attacks used to be so rare in the 30 to 40 age group that doctors wrote articles for medical journals about them. Now they are common.

In Wisconsin last year there were at least 10 such fatal attacks among men 25 to 29 (1 among women), and 18 among men 30 to 34. There were 45 heart attack deaths in the 35 to 39 age bracket for men.

Women are thought to have relative immunity to heart attacks before the menopause because of a protective effect of female sex hormones in the body. After the menopause, the heart attack rate in women increases sharply and becomes nearly as high as for men.

In atherosclerosis, fats and cholesterol (a fatlike substance that is a normal constituent of the blood) become deposited in patches within the lining of a blood vessel wall.

LESIONS "NARROW" VESSEL

These atheromatous lesions narrow the diameter of the vessel. The lesions tend to become invaded with tiny blood vessels that bleed and swell the lining of the artery. The lesions also are apt to slough, ulcerate and become the site for formation of blood clots.

The heart muscle obtains the nourishment it needs to pump blood from two large coronary arteries that branch and divide into many smaller arteries.

Unfortunately, the coronary arteries are a favorite site for the lesions of atherosclerosis. When such a lesion suddenly blocks a branch of one of these arteries, part of the heart muscle is deprived of nourishment.

If the infarcted (blocked) area is small, the heart goes on beating and the injured spot eventually heals with scar tissue. If the area is large or the infarct affects the nerve conduction system in a certain way, the heart may stop, causing death.

LESIONS BY AGE 25

Autopsies of soldiers killed in Korea showed that by age 25 many American men had obvious atherosclerosis of the coronary arteries. Chinese and Korean soldiers had no such lesions.

By age 45 or 55, coronary atherosclerosis is severe in the majority of American men. Many do not develop heart attacks, of course, but the essential underlying condition is there.

There have been four chief indications that fat in the diet is related to atherosclerosis:

The artery lesions have a high fat and cholesterol content.

Atherosclerosis can be produced in animals by anything that raises the blood cholesterol level.

The incidence of human atherosclerosis is higher among persons suffering from diseases in which fat metabolism is abnormal.

Studies of populations all over the world seem to show that atherosclerosis is associated with diet, including its fat content.

The best evidence favoring the nutritional theory is the observation that in humans premature atherosclerosis is commoner when the level of cholesterol and fats in the blood is excessive for long periods of time. This is believed to account for the greater incidence of atherosclerosis in diabetes, for instance.

Population studies so far have shown low heart attack rates where the usual diet has been low in animal and dairy fats and animal proteins, low in refined carbohydrates (sugar), and high in roots and grains. This applies to lower economic groups in Spain, Egypt, Japan, and South Africa, among others.

The epidemiologic studies seem to show, also, that population groups eating relatively large amounts of vegetable oils, the so-called unsaturated fats, also have a lower heart attack rate than is found in the United States.

SOLID OR LIQUID

The usual American diet is said to derive 40–50 percent of its calories from fats, mostly of dairy and animal origin. These are the saturated fats.

The terms "saturated" and "unsaturated" when applied to fats indicate the relative number of hydrogen molecules not bound chemically to carbon molecules.

For practical purposes, saturated fats are solid at room temperature and unsaturated fats are liquid. Vegetable oil shortenings that have been solidified by hydrogenation are relatively saturated. There are exceptions to the rule. Coconut oil, for instance, is saturated, although liquid.

Some researchers report that they have been able to lower patients' blood cholesterol levels significantly by reducing the total fat of the diet and substituting vegetable oils for animal and dairy fats to a certain extent.

MULTIPLE CAUSES?

Some go so far as to say that by reducing the percentage of dietary fat calories to 30 or 35 percent and substituting vegetable oils, they can lessen a person's chance of developing a heart attack.

More conservative scientists say there is no proof of this. Many of them doubt that it is true. They say that much of the evidence is only suggestive or inconclusive. Some is simply shaky.

The majority of cardiologists believe that coronary atherosclerosis has multiple causes, both environmental and hereditary.

Stocky, thick chested heavily muscled men, for instance, seem more likely to have heart attacks than those of thinner build.

High blood pressure and obesity are known to predispose to heart attacks. Emotional stress, smoking, and lack of physical activity are other suspected factors, besides dietary fat.

[From the Milwaukee Journal, Aug. 29, 1960]

HEART ATTACKS, STROKES HAVE HEREDITARY BASIS—EVIDENCE ALSO MOUNTS THAT A HIGH DIET OF ANIMAL FAT MAY BE A BIG FACTOR, TOO

(By James C. Spaulding)

Evidence is accumulating that a diet high in dairy and animal fats may be a major factor in the process leading to heart attacks. But other factors appear important, also.

Probably the most important single influence on the process of atherosclerosis, which underlies heart attacks and strokes, is heredity—the individual's inborn characteristics.

Blood pressure, body weight, metabolic rate, level of physical activity, occupation, emotional makeup, and possibly smoking, besides diet, all apparently affect the process of atherosclerosis.

This makes it difficult for cardiologists to give any general advice to American men, who are particularly susceptible to heart attacks in middle age.

HEART MUSCLE NEEDS BLOOD

On the basis of what is known currently, the heart and nutrition experts do not recommend now that all men reduce their intake of dietary fat. But they believe that certain men should.

In atherosclerosis, fat and fatlike cholesterol become deposited in plaques within the walls of blood vessels. These deposits swell the vessel wall and narrow the inner diameter. Ulceration, sloughing, and clotting tend to occur at the site of the lesion.

Atherosclerosis has a predilection for the two coronary arteries, which supply the heart muscle with the blood it requires for nourishment. When a coronary artery or one of its branches suddenly is blocked, part of the heart muscle is injured. This is a heart attack. Twenty to thirty percent of first heart attacks are fatal. About 18 percent of all deaths in Wisconsin last year were caused by heart attacks.

INCREASES CHOLESTEROL

The dietary fat theory of heart attacks, somewhat oversimplified, is this: Eating excessive amounts of dairy and animal fats increases the amount of cholesterol in the blood and the amount deposited in the arteries. This accelerates the process of atherosclerosis and leads to earlier heart attacks.

Another aspect of the theory is that so-called unsaturated fats, principally liquid vegetable oils, tend to lower the amount of cholesterol in the blood when substituted for solid animal and dairy fats.

Some doctors think that this may protect against premature development of atherosclerosis and heart attacks. The majority, however, believe that there are too many other contributing factors to rely on diet alone.

Population studies in different countries suggest that blood cholesterol levels are higher where the diet contains the most animal and dairy fats.

INTERPRETATION IS DIFFICULT

The rate of heart attacks appears low in underdeveloped countries, where the diet is skimpy or lacking in dairy products, meat fats, and sugar.

But these findings must be viewed skeptically. In most of the studies, diets were estimated on the basis of food available for consumption, rather than food eaten.

The concept of what constitutes a heart attack differs from one country to another. Accuracy in reporting causes of death varies, also.

Interpretation of dietary studies is difficult. The same population that subsists on a diet low in animal and dairy fats is likely to be one in which most of the labor is still performed by human muscle.

Diet studies fail to show a direct correlation between the amount of dietary fat and the heart attack rate. Austria and the United States have diets containing about the same amount of animal and diary fats. But the heart attack death rate is 300 per 100,000 population in Austria and 739 in the United States.

SMOKE MORE, WALK LESS

There is no question, however, that Americans today smoke more cigarettes and walk less than 50 years ago.

Dr. Jeremiah Stamler, director of the heart disease control program of the Chicago board of health says that "the fact that many persons eating a typical American diet for decades reach old age without evidence of atherosclerosis—this fact alone refutes any attempt to imply (simple) cause and effect relationship between diet and disease."

However, Dr. Stamler believes that a high-fat diet is a prerequisite to development of atherosclerosis and heart attacks.

Obesity, high blood pressure, diabetes, a family history of early heart attacks, a high blood cholesterol level and heavy smoking are danger signs for middle-aged men, according to Dr. Stamler.

OBESITY IS A FACTOR

When large groups of men, originally free from heart disease, are observed from month to month, it turns out that the risk of heart attack is definitely proportional to body weight, blood pressure, and blood cholesterol, Dr. Stamler said.

"It can be roughly estimated," he said, "that a low risk middle-aged man, normal in weight, blood pressure, and serum cholesterol, has 1 chance in 20 of developing clinical coronary heart disease during the age period from 45 to 64.

"In contrast, a middle-aged man with two or three abnormalities (obesity, high blood pressure, high blood cholesterol) stands almost one chance in two."

A highly respected Milwaukee cardiologist was asked whether he thought that men generally should reduce the amount of animal and dairy fat in their diet and substitute vegetable oils when possible.

WATCH FAMILY HISTORY

He replied that dietary changes did not seem justified for all men, but that such changes would be wise for any young man who has had a heart attack or suffers from angina pectoris, the painful ailment caused by lack of enough blood to the heart muscle.

Others for whom dietary fat reduction is desirable, the cardiologist said, are men with a family history of heart attacks, strokes, diabetes, and high blood pressure.

Men with this family history probably should have a blood cholesterol test made, the heart specialist said, even though results of cholesterol tests are difficult to interpret.

There are additional valid reasons for reducing dietary fat consumption. Fat is the most concentrated source of calories. Avoiding it helps prevent obesity. Obesity adds to the risk of developing atherosclerosis.

INCREASE CLOT RISK

Fatty meals shorten the time it takes blood to clot. This has the effect of increasing the risk that clots will form in an artery affected by atherosclerosis.

By training, doctors are conservative in their treatment and advice. They find fads distasteful in medical science, and the fat-cholesterol-heart attack theory has attracted health faddists.

A consensus seems to be that moderate reduction of dietary fat might be a worthwhile hedge until researchers find more conclusive evidence about the multiple causes of heart attacks.

Regular exercise, organization of living activities to avoid excessive anxiety, and moderation in smoking habits might be equally worthwhile precautions.

Mr. Speaker, I want to point out that I have been interested in the cholesterol problems for many years, being one of many Members of Congress who has been put on a regimen of unsaturated fats. In 1957 I had the Legislative Reference Service of the Library of Congress prepare a study on the subject of diet, cholesterol, and atherosclerosis, covering research done in all parts of the world:

DIET, CHOLESTEROL, AND ATHEROSCLEROSIS

(By Warren W. Morse)

The leading cause of death in this country is coronary atherosclerosis, the causes and etiology of which are not definitely known. It is known that persons who have had atherosclerosis or a myocardial infarct often have above normal levels of serum cholesterol, but many persons with such high levels never have a serious coronary disease, and the level of serum cholesterol is not of value diagnostically.

In terms of national groups, it has been observed that recorded rates of atherosclerosis are highest in those countries whose typical diets contain the highest proportions of fats. Population groups whose diets have a high fat content are also characterized by high average serum cholesterol levels. From these facts it is inferred by many investigators that it is reasonable to assume a casual relationship between diet and atherosclerosis.

Numerous investigations have established that changes in the fat content of the human dietary can cause changes in average serum cholesterol levels. To eliminate the possible influence of race, it has been established in experiments with natives of Japan and South Africa that their normal low levels of cholesterol can be elevated by adding fats to their dietary, while a study of serum cholesterol levels in infants born to native African and European mothers in South Africa showed that there were no differences at birth although the European mothers had higher levels than did the native Africans. It has also been found that within a given country, as in Yugoslavia, serum cholesterol average levels in different sections reflect broad dietary differences.

The question has been raised as to whether the serum cholesterol level may not be related to some factor in the diet other than its fat content such as its cholesterol or protein content. Keys established through studies in Minnesota and Sardinia that variations in the cholesterol content of the diet had no detectable effect on serum cholesterol levels. Populations customarily living on low fat diets tend also to be low in protein intake. To test whether or not the protein content of the diet might be related to serum cholesterol levels, Keys and associates tested reactions in physically healthy schizophrenic patients to diets varying between high and low protein content. No relation was found between serum cholesterol levels and dietary protein.

Although there is no conclusive evidence of a causal link between serum cholesterol and atherosclerosis, the relationship is such

that various researchers advocate a low-fat diet as a preventive to coronary heart disease. Among those who hold that diet is the chief clue to the causes of atherosclerosis there is a sharp disagreement between those who hold that it is related to the total fat content of the diet, those who see the cause of atherosclerosis in the relative proportions of saturated to unsaturated fats in the diet, and those who believe coronary heart disease is caused primarily by a lack of certain "essential fatty acids" (EFA).

A South African study found that serum cholesterol levels were correlated with dietary intake of animal fats, but not with vegetable fats. Ingestion of animal fats (which are saturated) and saturated vegetable fats (i.e., unsaturated fatty acids converted through hydrogenation to saturated salty acids, as in margarine) raised these levels, while the unsaturated or natural vegetable oils, such as olive oil, sunflower seed oil, or ground nut oils, and marine oils, had a reverse effect. On the basis of this study, Bronte-Stewart and associates believe that "a possible common difference between animal fats and hydrogenated vegetable fats, on the one hand, and natural vegetable oils and marine oils, on the other, is not the cholesterol, sitosterol, vitamin, or protein content but is in some way connected with the proportion of highly unsaturated fatty acids in the fat concerned."

In commenting on the study by Bronte-Stewart and associates, the Lancet said that if the findings were "substantiated, coronary-artery disease becomes in part a preventable disorder—but at the cost of a complete revolution in our present day dietary habits. The hydrogenation plants of our modern food industry may turn out to have contributed to the causation of a major disease."

The article points out, however, that little is known about the relative proportion of saturated and unsaturated fats in the diet, or of the proportion of essential to total fatty acids consumed, or of the nature of total fats consumed.

Keys has made a study of the effects of different types of fats on serum-cholesterol levels. He cites numerous studies to support the statement that the serum cholesterol level in man can be lowered by substituting carbohydrates for the common meat and dairy fats in the diet, and that this effect does not depend on the intake of cholesterol itself. Different food fats, however, differ in their effect, and certain vegetable oils may depress the serum cholesterol levels.

One researcher had found corn (maize) oil particularly effective, deducing from this that the effect of dietary fats on serum cholesterol levels was due to the relative degree of saturation of their constituent fatty acids. But, Keys noted, corn oil has a relatively high content of the essential fatty acid linoleic acid, and he considers the theory that hypercholesterolemia (i.e., an excess level of serum cholesterol) reflects a deficiency of essential fatty acids in the diet, rather than the presence of saturated fats. From a practical, dietary point of view, the question would be whether to eliminate one class of fats from the diet, or add another to the one already consumed. It was decided to compare the results of using sunflower seed oil, richer in linoleic acid than corn oil, and fish oil, which is practically deficient in linoleic acid but is the most unsaturated food oil, and corn oil itself. These oils were to be compared to each other, and also to butter, which is known to increase serum cholesterol levels, for their effects in depressing serum cholesterol levels. Groups of men took 100 grams daily for 2 weeks of each of these fats, in addition to a normal, controlled, matched diet. Corn oil had a greater depressing effect than either sardine oil or sunflower seed oil. This indicates to Keys the possibility that neither linoleic acid nor a high proportion of unsaturated fatty acids in the diet is chiefly responsible for depressing serum cholesterol levels, but that corn oil "is remarkable in some way not measured by either of these two characteristics." Keys feels that a high serum cholesterol level is not simply an inverse function of the essential fatty acid content or the degree of unsaturation of the fatty acids in the diet. He finds that serum cholesterol levels rise in groups as fat consumption rises, and that when this happens consumption increases for both saturated and unsaturated fats. It seems obvious to Keys that rather than attempt to effect a complete change in our dietary habits it would be wise simply to reduce consumption of all fats. To the argument that our diet may be deficient in essential fatty acids, Keys replies that he doubts the possibility of this, since it is very difficult to supply such diets even to experimental animals.

In the study made in Yugoslavia by Brozek and associates diets of the three groups chosen for analysis were characterized respectively by a high animal fat content, a low fat content of mixed source (animal and vegetable), and a high vegetable fat content (olive oil) with almost no animal fats. Serum cholesterol levels were highest in the high animal fat diet group and lowest in the high vegetable fat diet group, although in total fat content these groups were practically identical. Inasmuch as animal fats are relatively saturated, while olive oil fats are relatively unsaturated, these findings tend to support the theory that the proportion of saturated fats in the diet has more effect on the serum cholesterol level than does total fat content.

The most controversial figure among those who hold diet responsible for coronary artery disease is H. M. Sinclair, who directly disagrees with the position of Keys that total dietary fat of whatever kind is related to atheroma and coronary thrombosis. "Since then I have come to realize that Keys' hypothesis is not correct: What matters in atheroma is, I believe, the amount and structure of the dietary fatty acids."

Sinclair believes that modern methods of food preparations, involving the hydrogenation of vegetable fats and the extraction of essential oils from flour lead to deficiencies in the essential fatty acids, in vitamin B6, and in vitamin E. The significant factor in atherosclerosis and coronary thrombosis, he feels, is not the total levels of cholesterol, but the deficiency of fatty acids needed for proper metabolism of fats, so that the esterified cholesterol collects, clogs, hardens, and eventually leads to clotting of the arteries.

Citing a variety of studies on experimental animals, Sinclair sees increasing evidence for the theory that a dietary deficient in essential fatty acids, or with an excess of unusually saturated or unnatural (i.e. artificially produced) fatty acids, predisposes not only to coronary artery disease, but also to cancer of the lungs and leukemia. His arguments for including bronchial carcinomas and leukemia are as follows: "Thirdly, EFA-deficient animals are much more sensitive to noxious agents such as ultraviolet light (mild doses of which we found to produce complete necrosis of an irradiated paw), to X-irradiation including probably its carcinogenic action, and perhaps to chemical carcinogens. In your columns (of the Lancet) Dr. Nyrop has argued for EFA-deficiency increasing the sensitivity of males particularly, to a chemical carcinogen in tobacco smoke and so contributing to bronchial carcinoma, and in general I endorse his views. Aortic atherosclerosis is unusually common in persons dying of bronchial carcinoma." He also feels that increases in the death rates from leukemia may be influenced by a dietary essential fatty acid deficiency which increases sensitivity to the carcinogenic action of X-rays.

To test the relation of the essential fatty acids to atherosclerosis, Rinehart and Greenberg subjected 40 monkeys to a synthetic diet deficient in vitamin B6 (pyridoxine, an essential fatty acid). The monkeys developed alterations in the blood vessels which resembled arteriosclerosis as it develops spontaneously in man, as well as fatty metamorphosis and cirrhosis of the liver, and a high rate of dental caries. Calling attention to the essentiality of vitamin B6 in metabolism, particularly of proteins, the authors state that it is problematical whether the average daily intake of pyridoxine in man (1.5 mg.) is adequate to meet metabolic needs. They raise the question of whether or not long-term suboptimal intake of pyridoxine may be a contributory factor in the pathogenesis of important human diseases—arteriosclerosis, dental caries, and cirrhosis of the liver.

In an experiment with young men who had arteriosclerotic heart disease, Farquhar and associates found that the administration of beta sitosterol resulted in highly significant reductions in serum cholesterol and beta-lipoprotein lipid. The apparent lack of deleterious effect, coupled with the observed changes, suggested to them that sitosterol might be a therapeutic agent, although its value has not been established clinically.

In another study Pollak found that simultaneous feeding of sitosterol and cholesterol to rabbits results in complete inhibition or mitigation of the hypercholesteremia commonly resulting from feeding cholesterol alone to rabbits. Pollak also found that the administration of sitosterol to man will reduce the serum cholesterol level without harming health, or interfering with metabolism of any foodstuff other than cholesterol. Sitosterol is found in the oils of wheat germ, the common bean, rye germ, and corn germ, in corn gluten, in the dry hull of hempseed, and in the leaves of kale and broccoli.

Pollak doubts the significance of the fact that populations on low fat and cholesterol content diets have relatively low serum cholesterol values, holding that it is not clear what causes the low serum cholesterol. Although it is possible, as usually assumed, that it may be the result of lowered fat intake, it is also possible that a relatively high intake of proteins leads to relative hyperalbumenemia and stabilization of plasma colloids, including lipoproteins and cholesterol. This phenomenon could be due, he states, to an intake of sitosterol sufficient to prevent resorption of dietary cholesterol. "Much attention is being paid to the foodstuffs missing from the diet of those persons, but little attention is paid to the relative or absolute increase of other nutrients. * * * It would be interesting to learn the sitosterol content of diets in people with low blood cholesterol values."

In still another approach to the relation between diet and health, a group of over 400 British physicians and dentists sponsored a public declaration on soil, food, and health. This public declaration, which was a call for further research, points to experimental farm work tending to show that foodstuffs raised on land fertilized either exclusively or in part by chemical fertilizers have the effect of altering the chemical composition of that food, or of stock fed on it, to the detriment of its nutritive value. Seeing a possible connection between the increased use of commercial fertilizers and the incidence of degenerative diseases, the framers of the declaration make the following statement:

"In our view, the recent suggestion of the importance of the essential fatty acids to the circulatory and nervous systems and to the carcinoma barrier points to the kind of knowledge which is becoming essential to us as practitioners."

L. C. Fillios and his coworkers produced gross atherosclerosis in rats by feeding them a synthetic diet containing cholesterol, sodium cholate, and thiouracil for periods up to 363 days. They noted that although "the mechanisms involved in the atherogenic process are still subject to speculation, the bulk of experimental evidence favors the theory that the occurrence of atherosclerotic lesions is associated with impaired cholesterol metabolism." In their study, they felt that the dietary cholate may have interfered with cholesterol-to-cholic acid conversion in the liver, with resulting hypercholesteremia. In addition, they feel, the sodium cholate feeding may have facilitated the absorption of the dietary cholesterol and this in turn contributed to the increased serum cholesterol levels. The cholate feeding may also have added to the depletion of body organic sulfur stores. Sulfur amino-acid deficient diets facilitate or enhance induced hypercholesteremia.

There have been other studies indicating that atherosclerosis and hypercholesteremia may be related to a disturbance in cholesterol metabolism that is not, in itself, the result of a high fat content in the diet. A genetic study of patients with atherosclerosis led Adlersberg and associates to the conclusion that "it appears that the common factor for most patients with atherosclerosis may be a hereditary disturbance of cholesterol metabolism manifested by elevated serum cholesterol." Gertler and White also conclude that coronary heart disease is a familial disease, and believe that the implications of studies indicating this are of "utmost importance for the control of the disease."

Gertler and White are doubtful that diet plays so important a role in atherosclerosis. Noting that there is practically no correlation between amount of cholesterol ingested and serum cholesterol levels, they suggest that "a major source of cholesterol could possibly be endogenous." When atherosclerotic patients are put on a low cholesterol diet, they note, serum cholesterol levels drop off at first, then resume former levels, indicating that when exogenous source is cut off, the endogenous source eventually takes up the slack. They also note that the phospholipids may act as colloidal stabilizers by maintaining the serum cholesterol in suspension, preventing its tendency to be attracted to the intimal tissues and thus be deposited there. Hence, a disturbance in the colloidal state of the blood may be one of the most important factors in atherosclerosis.

They discount the value of comparative studies of different national groups. Autopsies of Okinawans, they say, show that about 12 percent have atherosclerosis, which figures are comparable to United States data. The low rates of death from atherosclerosis of national groups on poor diets may not be a sign of health: "actually, ill-nourished individuals and chronic alchoholics are more prone to other diseases at an early age and hence do not always attain the age at which degenerative diseases manifest themselves."

They question also the comparability to humans of data obtained from rabbits and dogs. The cholesterol levels induced in laboratory animals are much higher than man would have; lesions in the arteries produced by excessive cholesterol are mainly in the distal arteries, not in the coronary arteries, meaning that the human disease process has not actually been reproduced in animals.

In March 1957 the American Medical Association's Council on Foods and Nutrition held a symposium to sum up present knowledge of the interrelationships of fats, serum cholesterol, and atherosclerosis. In the words of the journal editorial commenting on this symposium, "the one definite conclusion that resulted from this investigative meeting is that quite a bit more study concerning dietary fats will have to be done before the average American's eating habits are to be drastically altered."

No reason is seen, the editorial states, for nonoverweight persons with normal serum cholesterol levels and without a familial history of early death from heart disease to make any change in diet. Obese persons with cholesterol levels that are not elevated might do well to reduce, they believe, but "at the present time this is the only diet modification that can be recommended for such persons." Individuals with consistently elevated serum cholesterol levels would "have somewhat more reason" to attempt to lower them, particularly if they have family histories of early death from cardiovascular disease. It is emphasized, however, that the present state of knowledge is inconclusive.

I submit also an article on atherosclerosis by Dr. Donald S. Fredrickson of the National Heart Institute, National Institutes of Health:

CURRENT ATTITUDES ABOUT ATHEROSCLEROSIS

(By Donald S. Fredrickson, M.D.)

(Evidence grows that fat metabolism is causally related to atherosclerosis. Susceptible persons can sometimes be singled out by doing blood lipid or lipoprotein measurements. And for some patients, dietary instruction appears to be in order—instruction that includes (1) proper caloric intake, (2) curtailment of saturated fat. To date, there is no drug therapy that deserves unqualified recommendation.)

At present it is more accurate to consider the problem of atherosclerosis, especially its clinical management, in terms of attitudes rather than in terms of established facts about the causes, prevention and cure of this disease. The chronic nature of atherosclerosis, the awkward uncertainties in premortem diagnosis, and the requirement that man be the ultimate experimental subject make it very difficult to satisfy the demand for categoric answers from the brilliant but limited research advances which have been so recently made. The result is an understandable and, no doubt, temporary chaos, from which the physician is, nevertheless, expected to extract something worth while for his patient's care and comfort.

It may be refreshing to review a few questions concerning atherosclerosis along with some answers apt for the time of this writing. While the answers will be meant to reflect a majority opinion of those closely studying this disease, they must be taken for what they are—current attitudes about atherosclerosis.

Question 1. Are we any closer to understanding the cause of atherosclerosis than we were, say, 5 years ago?

Answer. Yes, we are. At least evidence has grown much stronger which tends to incriminate fat—either fat in the diet or some wayward aspect of fat metabolism—as casually related to atherosclerosis.

Up to 5 years ago, almost all the evidence supporting this relationship had been obtained by direct experiments with animals. The work is now about 45 years old which first showed that the feeding of cholesterol to rabbits could lead to development of typical lesions in their arteries. In recent years this has been extended to other animals, up to and including the monkey. But such experiments still fall short of the critical animal, man. Because of the obvious difficulties of performing this last and most important experiment, more recently the evidence has been sought indirectly, through epidemiologic studies. These have taken several forms. One has led to incontrovertible evidence that groups of patients with good clinical evidence of coronary artery disease have higher blood lipids than comparable groups of normals. This is certainly true for Americans, and it appears to be valid for some other population groups as well. In the study of populations on a worldwide basis, it is also strongly suggested that the nature of the diet is correlated with the plasma lipid levels and the incidence of atherosclerosis. It may be tentatively concluded, at least, that diet is more important than race, for example.

Most of these studies have concentrated upon the amount, and more recently, the kinds of fat eaten by one group as opposed to another. They have succeeded in demonstrating that populations eating larger amounts of animal fat seem to have more atherosclerosis. They have not proved a cause and effect relationship and have not attempted to rule out all other variables even in the diet.

Finally, although most advances have been made in correlating lipid metabolism with atherosclerosis, there are other areas, some unrelated, of progress. There is now convincing statistical evidence that hypertension accelerates development of atherosclerosis. Intimal injury and other local effects have been demonstrated to be of importance, and various aspects of blood-clotting mechanism are being given increasing attention.

Question 2. If most Americans have higher values for blood cholesterol than, say, the South African Bantus, does measurement of blood lipids constitute a worthwhile clinical test for screening patients for atherosclerosis in this country?

Answer. Yes. Blood lipid measurements do help single out patients prone toward accelerated development of atherosclerosis. However, every physician is aware that many patients may still have severe atherosclerotic coronary artery disease with blood lipid values well below the considered upper limit of normal for our population.

Question 3. Aren't cholesterol measurements old fashioned, and isn't it better to measure the plasma lipoproteins or the atherogenic index?

Answer. First, let us review several helpful points about lipid transport. All the fats in the blood circulate bound to protein. The cholesterol, phospholipids, and the triglycerides, sometimes called neutral fat, are present in plasma and lymph in association with globulins, or as "lipoproteins." The small amount of liquid remaining, the unesterified fatty acids, are largely bound to albumin. The lipoproteins contained in the plasma of a normal fasting human may be considered for convenience in two great groups, arbitrarily called the "low density" and the "high density" lipoproteins. Each group contains several subspecies of lipoproteins. The low density liproproteins have been divided into classes by means of ultracentrifugal techniques first described by Gofman and his colleagues. They are denoted by S_f numbers which indicate the rate of flotation of the lipoproteins, a property inversely related to their densities. The "atherogenic index," introduced by these workers, is a mathematical term derived from the sum of the weighted concentrations of certain S_f classes. They have shown that the average "atherogenic index" of a group of patients with coronary artery disease is significantly higher than a group of similar age and sex who are free of clinical evidence of atherosclerosis. Strictly speaking, measurements of plasma cholesterol and plasma low-density lipoproteins are not the same. With the lipoproteins one also indirectly obtains a measurement of other lipids, particularly the triglycerides, which make up more of the lipoprotein molecules of lower density (and higher S_f values). About two-thirds of the cholesterol normally pres-

ent in plasma is carried in the low-density lipoproteins. For reasons only poorly understood, it happens that an elevation in plasma cholesterol usually expresses itself in a raised concentration of some or all of the low-density lipoproteins. Hence measurement of cholesterol gives a rough index of low-density lipoprotein levels. It alone does not distinguish between which S_t classes of lipoproteins may be elevated. Gofman and his group have stressed that these latter measurements, which constitute the "atherogenic index" are necessary for accurate diagnosis of patients with an atherosclerotic tendency, and, more recently, for proper dietary management of such patients.

Recently a careful study of the relative diagnostic values of cholesterol and lipoprotein determinations was published. It unfortunately involved only a 2-year period of observation, a short interval for study of atherosclerosis. The results failed to convince the majority of the workers involved that the more sophisticated lipoprotein measurements were any more successful than cholesterol measurements alone in helping select those patients likely to soon develop coronary artery disease. This by no means disproved the possibility that certain lipoproteins have more to do with the cause of atherosclerosis than cholesterol alone. The present evidence makes it extremely difficult, however, to recommend to a physician that he use the more expensive ultracentrifugal analyses as a routine diagnostic procedure.

Question 4. What is the exact relationship between dietary fat, the blood cholesterol, and the atheroma?

Answer. The exact relationship between these three parameters is still a major unsolved problem. A relationship of the dietary fat to atherosclerosis is strongly suggested by epidemiologic studies. On the basis of good experimental studies, a relationship of dietary fat to plasma chloresterol likewise seems to be established. There is not enough evidence to be absolutely certain that these three factors are sequentially involved, i.e., that dietary fat is related, through elevating the plasma cholesterol, to the development of atherosclerosis. Despite the studies that indicate that some fats have differing effects on the plasma cholesterol, there is yet no experimental evidence in man, or in animals for that matter, that different kinds of dietary fat will have a different effect on the development of atherosclerosis. The evidence to forge this important link in the chain must still be obtained.

Question 5. What exactly is currently meant by dietary fat in relation to atherosclerosis? Is this the amount of cholesterol in the diet or is it something else?

Answer. It has been shown that the amounts of cholesterol per se likely to be found in the American diet do not influence the plasma cholesterol level. Emphasis has passed from cholesterol to the triglycerides or esters of fatty acids and glycerol, which make up most of the body and dietary fat. These dietary constituents have been shown to affect plasma cholesterol.

The triglycerides consist mainly of fatty acids which may differ chemically in several ways. One important difference is the degree of saturation with hydrogen of the bonds linking carbon atoms in the fatty acid chain. Acids containing double bonds are called unsaturated acids, because they still can be saturated with more hydrogen at these linkages. The saturated acids have no carbon-to-carbon double bonds.

It is convenient to define the degree of unsaturation in terms of the iodine number, in other words, by the amount of iodine which can be added to existing double bonds. The more iodine, the higher the iodine number, and the greater the degree of unsaturation.

Question 6. What are the sources of the saturated and unsaturated fats?

Answer. With the exception of one vegetable fat, coconut oil, most saturated fats are of animal origin, such as milk and egg fat, lard and other meat fats. Most unsaturated fats such as olive, peanut, cottonseed, corn, soybean and safflower oils come from plants. Some of the most unsaturated fats such as the fish oils again may be animal in origin. Commercially, hydrogen is added to many naturally unsaturated fats to protect against rancidity and alter their texture for various purposes.

Good evidence, based strictly on experimental diets, indicates that there is a very real difference between the effect of certain dietary fats on the plasma cholesterol. When given in large amounts (50 to 100 grams per day) those fats which are saturated will raise the plasma cholesterol. When these fats are replaced by large amounts of unsaturated fats, such as corn oil, the cholesterol level is lowered. There is no question about these experimental facts at the present time, although it is not certain that degree of saturation is the only factor involved in results obtained with these diets.

Question 7. Is, then, vegetable fat (oleomargarine) healthier than animal fat (butter)?

Answer. This question has been raised to make a point. The actual answer is unknown. Oleomargarine usually consists largely of a mixture of naturally unsaturated cottonseed and soybean oils. However, partly because the housewife may not like her spreads to run at room temperature, and for other reasons, oleomargarine is partially hydrogenated. While few if any studies have been made using oleomargarine as the only source of fat, extensively hydrogenated vegetable oils appear to have the same effect on plasma cholesterol as do the saturated animal fats. Hence the origin of fat is less important than the subsequent handling, if this includes hydrogenation.

Question 8. The so-called essential fatty acids like linoleic acid are unsaturated and come largely from vegetable sources. Is not atherosclerosis then a deficiency disease, a deficiency of essential fatty acids or of vitamins?

Answer. However attractive this hypothesis may be, it has not been buttressed as yet by much experimental data. Most nutritionists believe there is no evidence of an absolute deficiency of essential fatty acids in the American diet. It has also not been shown that essential fatty acid deficiency in animals will produce atherosclerosis.

Question 9. Does the present state of knowledge warrant the use of diet therapy to prevent or cure atherosclerosis?

Answer. No one knows with certainty whether altering the fat in the diet in any way will reduce the amount of atherosclerosis in our population. The reluctance of most nutritionists to recommend sweeping changes in the diet of everyone on the basis of what we now know is understandable. We also do not know if radical changes in the diet in humans will cause atherosclerotic lesions to regress. But, for some patients, dietary instruction appears to be in order.

Our best working hypothesis today is based on the observations that elevated blood lipids are related in some way to atherosclerosis and that blood lipids can be affected by diet. The modifications in diet necessary to produce presumably desirable changes in blood lipids have also not been demonstrated to be potentially harmful. It therefore seems unreasonable to ignore the information now available in the care of those patients who bear a greater threat of an untimely death from atherosclerosis.

Question 10. Who are these patients to whom attention to diet should be recommended?

Answer. This group properly includes patients with so-called essential elevations in blood cholesterol or low-density lipoprotein levels. There is a prevailing attitude that it should also include any patient with coronary artery disease or a family history which is suggestive of hypercholesterolemia, xanthomas or a tendency to accelerated development of atherosclerosis, even though these patients may have normal cholesterol levels.

Ideally every patient over 40, with a suggestive history or not, should have a determination made of plasma lipids. The minimum examination of blood lipids must be made on blood taken after an overnight fast. It includes: (1) Observation, preferably by the physician himself, of the clarity of the serum or plasma. If even faint turbidity is present, one may be fairly certain that the triglycerides, and concomitantly the levels of the lower density, triglyceride-rich lipoproteins are elevated. (2) Determination of plasma cholesterol by a reputable laboratory capable of furnishing its own limits of normal in terms of age and sex. Every physician caring for this type of problem should arrange for the proper execution of these two simple, inexpensive tests. If more elaborate information is desired, serum may be sent to a specialized laboratory for lipoprotein analyses. With the finding of an elevated cholesterol level or turbidity in fasting serum with or without marked elevation in cholesterol (or the finding of abnormal low-density lipoprotein values), the patient deserves some nutritional instruction from his physician.

Question 11. What dietary changes should be recommended to these patients?

Answer. Diet instruction in atherosclerosis lies in an area at present so controversial that the most conservative attitude is justifiable. In the experimental studies so far reported, however, three conclusions stand out which can be incorporated into a reasonable dietary approach. These are: that a diet high in saturated fat will result in higher cholesterol levels than diets high in unsaturated fats; that a diet very low in all kinds of fat, and therefore usually high in carbohydrate, may tend to raise, rather than lower, some of the low-density lipoprotein levels; that any diet containing excess calories, even if these include large amounts of unsaturated fat, will adversely affect plasma lipid levels. It has been adequately shown that obesity is associated with greater incidence of coronary artery disease.

Therefore, for the patients chosen for attention to diet: (1) The proper number of calories to maintain ideal weight should be prescribed. A balanced reduction diet may have to be used initially. (2) Major sources of saturated fat should be curtailed. This means that visible fat on meats is to be left uneaten and the use of lean meats such as chicken and baked fish is to be encouraged. The use of whole milk products should be sharply reduced and skim milk, a valuable source of protein and calcium, should be substituted. Butter and oleomargarine should be used sparingly, one pat a day, for example. If an egg is eaten, the daily ration of lean meat should be reduced. Fruits and vegetables are freely permitted. Unsaturated oils, like corn, cottonseed, soybean, safflower, peanut, and others, which are inexpensive and widely available, should be used liberally and with all ingenuity. Such oils may be used not only as salad dressing but for cooking and some baking as well. For some patients, the use of palatable commercial preparations of vegetable oils may be advisable as a dietary supplement, but never to caloric excess. There is

no evidence whatever to suggest the capsules containing a gram or less of linoleic acid will offer anything of benefit when added to the above balanced diet. The same is true of small quantities of vitamins available in certain special vitamin preparations, although adequate multivitamin supplement is a wise addition to any reduction diet.

Such general dietary instruction represents a practical formula designed to give appropriate patients the benefit of current developments in research. It may not cure atherosclerosis, and in some cases it may even fail to lower elevated blood lipids. However, dietary management of this type represents a positive approach of potential benefit—about all that we have to offer at the present time.

Question 12. What about drugs in addition to diet? Specifically, heparin, sitosterols, or estrogens?

Answer. Sitosterols are cholesterol-like sterols found in plants. Careful experiments have shown that daily ingestion of large amounts of sitosterols can lower serum cholesterol. A few experimentalists believe that some of the vegetable oil effect on serum cholesterol may be due to presence of sitosterols. There is evidence to indicate they may interfere with absorption of cholesterol in the diet, and endogenous cholesterol secreted into the gut. However, it is general experience that sitosterols will usually effect not more than a 10- to 15-percent fall in serum cholesterol, and this is not consistently obtained. A major problem, as with all drugs, is the apparent necessity of continued administration for continued effect. This alone limits enthusiasm for wider use of sitosterol preparations.

There are two possible rationales for using heparin. One is its anticoagulant effect. The other is the interesting fact that heparin causes the release into the blood stream of "clearing factor," or "lipoprotein lipase," an enzyme catalyzing hydrolysis of triglycerides. Such enzyme activity may change hyperlipemic blood from a creamy to a clear state. Heparin is being used in several large experimental studies. It has been reported to increase the longevity of patients following myocardial infarction. It is still unknown whether this is due to the anticoagulant effect or to the effect on "clearing factor." We are going to hear much more about heparin and other anticlotting agents in the future, but at the present time it is still expensive, requiring parenteral administration, and it is not entirely without hazard. Long-term clinical trials with heparin for patients surviving myocardial infarction are justified. Its use in patients with abnormal blood lipids but without coronary artery disease is still experimental.

Finally, estrogens. There is no question but that giving estrogens will revert the lipoprotein pattern of a male to that of a premenopausal female. There is also no doubt that the young female enjoys more immunity from atherosclerosis. However, all estrogenic preparations must be pushed to the point where the patient has the usual unsatisfactory side effects before appreciable changes in blood lipids are observed. There are several long-term studies in progress on the effect of the estrogens on the longevity of patients surviving myocardial infarction. They have not yet produced significant conclusions. The use of estrogens in uncomplicated hyperlipidemias is also still restricted to experimental studies. For obvious reasons, present estrogenic preparations will never be applicable to a large population of patients.

In effect, there are today no drugs to be unqualifiedly recommended to the practitioner for treatment of atherosclerosis per se. For elevated blood lipids accompanying diabetes or hypothyroidism, insulin or thyroid preparations, of course, have a distinct place in therapy.

These are some current attitudes about atherosclerosis. Some of them may soon be discarded; all are subject to change. This changeability itself expresses our expectation of gradually finding more definitive means of affecting the development of this important disease.

Finally, I submit an article from the Milwaukee Journal of June 26, 1960, demonstrating the concern of the Nation's dairy industry over this problem:

DAIRY FOODS SURVEY MADE—DOCTORS QUESTIONED

CHICAGO, ILL.—News stories linking dairy products to heart disease have not undermined doctors' confidence in those foods, an official of the National Dairy Council said Saturday.

Gaylord P. Whitlock, director of the council's health education program, said that in a survey of 1,000 physicians, only 10 percent said they had been affected by such reports. Less than half of these said the reports had affected their dietary recommendations.

Whitlock spoke at the closing session of a summer conference of the nutrition research organization.

"The big story centered around the fat-heart disease controversy," said Whitlock. "Only about 10 doctors out of the 1,000 expressed concern about strontium 90 (nuclear fallout)."

FOURTEEN PERCENT URGE LESS FAT

The survey, taken by the council, showed that only 6 out of each 10 doctors surveyed make any diet recommendations to their patients. More than one-third of these doctors do not restrict the use of dairy products, while 10 percent do restrict certain dairy products and 14 percent recommend reduction of fat in the diet.

"Two-thirds to three-fourths of all doctors recommend whole milk for all age groups, varying from infants to senior citizens, and recommend milk in amounts that are generally acceptable to the nutrition authorities—more than three glasses per day for youngsters and about two and one-half glasses per day for oldsters," said Whitlock.

Where doctors did not recommend dairy products, other than whole milk, their reasons were primarily that the diet could be balanced without them, and to reduce fat.

"I'D LIKE SOME ANSWERS"

A sense of urgency in settling the questions raised about milk products was shown by the board chairman of the council, a Kentucky dairy farmer.

John A. Moser of Louisville, who also is treasurer of the American Dairy Association, said in an interview that "scientists are troubled and I'd like some answers myself." This is the feeling of other farmers, too, he said.

"We can't cram down the throats of the consumers anything that they don't want, especially if the doctors say it is not good for them," Moser said.

As a Holstein breeder, Moser said he had been asking himself if he should be breeding for 4-percent fat content in milk, when some experts are saying that a 2.5-percent milk is what the public wants.

Moser said he didn't want to call the professional men wrong in the weight problem, but he felt there was "a difference in human beings—just like a beef calf puts on more meat than a dairy calf."

Moser noted that researchers had reported at a recent meeting of the American Medical Association that: "There are plenty of factors, other than diet, implicated in heart disease, including heredity, sex, obesity, exercise, hypertension, and stress."

Moser rapped food faddists for making a "favorite target" out of milk or dairy foods.

What do we or can we conclude from these samplings on the subject of diet, cholesterol, and heart disease?

It adds up to the fact that we do not know nearly all that we need to know to protect the health of our people or to guide the future of the dairy industry and agriculture.

There is evidence to show that a diet high in saturated fats will result in a high level of blood cholesterol. There is evidence indicating that excessive blood cholesterol may produce atherosclerosis, which may in turn produce coronary artery disease, heart attacks, and death.

There is other evidence, of equal importance, showing that heredity, blood pressure, body chemistry, obesity, lack of exercise, nervous tension, and even smoking, are of as much or more significance in producing atherosclerosis.

Diet may be a factor in producing heart diseases—but it is at most only one factor. How much weight should be placed upon diet in this context is a matter of debate between the most eminent medical scientists. Some give it no weight, others think it the most important factor.

When the experts disagree so widely, when different doctors give different advice to patients as to whether they should or should not eat dairy products or meat, and how much or how little, can the public be expected to do the right thing?

Is the dairy cow a much-maligned animal? Are her butter and cream good for us, or not? Is milk the perfect food it has been thought to be?

Personally, I am inclined to think that the cow and her products have been overly insulted—that the saturated fat-cholesterol-atherosclerosis link up has been overpublicized and overrated.

However, we want to be, and we must be, realistic; we are dealing with something which might affect the life span of millions of people.

If animal fats and the dairy cow are shown to be the villain in producing heart attacks, I shall admit it. But I do not want to wait 5, 10, 15, or more years to get the facts.

The current haziness on saturated fats, unsaturated fats, and cholesterol needs to be dispelled promptly. We want the truth, and the whole truth.

To that end, I suggest the following program of action:

First. Continuing, and greatly accelerating, basic research by the National Institutes of Health in cooperation with other research institutions into the composition and effect of cholesterol, its relation to saturated fats in the diet, and its relation to atherosclerosis and other diseases.

Second. Continuing, and greatly accelerating, research to discover drugs and medicines which will safely reduce the blood cholesterol level in human beings.

Such work is now being done by the National Institutes of Health and by many pharmaceutical companies. I have been advised, for example, that the William S. Merrill Co. of Cincinnati now has available for doctors' prescription,

a drug called MER/29, which reduces high blood cholesterol levels. Other companies have developed or are working on other drugs of this nature. The National Institutes of Health should promptly test these drugs for safety and side effects, so that the best possible products will be available to the public.

Third. An all-out effort by the Department of Agriculture, in cooperation with such groups as the National Dairy Council and the American Dairy Association, to discover means of reducing the saturated fat content of the foods we eat and drink.

A number of researchers have experimented with means to reduce the fat content of meat and milk, without affecting the taste or flavor of the product. This work should be stepped up, and should have the support of the Department of Agriculture and of the industries involved.

The dairy industry particularly needs to be realistic. Unlike the tobacco industry, which has tended to scoff at the evidence of a connection between smoking and cancer, the dairy industry can, I believe, gain popular good will if it seriously engages all along the line in scientific effort to bring out the facts concerning diet, cholesterol, and heart disease.

I am writing the Secretary of Health, Education, and Welfare, and the Secretary of Agriculture, urging them to implement the program referred to above.

I hope that HEW, Agriculture, and the industries involved will work closely together to attack this problem promptly and with coordination.

The public deserves the facts, and we in the Congress have a duty to see that they get the facts quickly.

TRANSFER OF NIKE SITES TO NATIONAL GUARD

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DULSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. DULSKI. Mr. Speaker, during the recent recess of the House, I had occasion to visit the Nike-Ajax Orchard Park—East Aurora Site No. 34. This is one of the sites adjacent to the city of Buffalo, N.Y., which was turned over to the New York State National Guard by the Army recently.

Upon my arrival I was met by the commanding officer and escorted to a briefing room. After the briefing, a tour was arranged for me to go through the facilities by the following officers:

Capt. Earl Close, commanding officer, Battery D, 2d Missile Battalion—Nike-Ajax—106th Artillery, New York Army National Guard.

First Lt. Owen B. Schnitzer, commanding officer, Battery A, 2d Missile Battalion—Nike-Ajax—106th Artillery, New York Army National Guard.

Maj. James F. Swist, information officer, 209th Artillery Group—Air Defense—New York Army National Guard.

Capt. Thomas Pierino, intelligence officer.

Capt. Edmund J. Dietzel, chaplain.

First I was shown the electrical devices which are the integral part of the operation. These were manned by soldiers, and the details were explained by the officer-in-charge.

Following this inspection of the base, our entire party was driven to the missile location.

In viewing the operation of this facility and observing a practice alert, I found that the men who operate this well equipped defense installation are familiar with the equipment. They handle it with expertness and ease—which creates confidence in the people whose safety, homes, and lives may depend upon this capability in the event of enemy attack. The assumption of the operation of these bases by the National Guard places this organization in an active, day-to-day role in the defense area. This transfer plays an important part in the overall military policies of the United States. Furthermore, this transfer of operational responsibilities releases Regular Army personnel, who manned these facilities previously, for reassignment elsewhere.

This maximum utilization of manpower is an excellent method of stretching our defense dollars to meet the ever-present threats and dangers of the existing cold war.

This visit to one of the segments of the defense of my immediate congressional district was an enlightening experience. While we, in Congress, concern ourselves mainly with the overall defense of our country, it is well to maintain contact with matters close at home so that we can get a more clear picture.

OPERATION UNDER DONABLE SURPLUS PROPERTY PROGRAM

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MCCORMACK. Mr. Speaker, I am advised by the Secretary of the Department of Health, Education, and Welfare that public health, education, and civil defense organizations received, at acquisition cost, $97,860,585 worth of personal and real property pursuant to the donable surplus property program during the period April through June 30, 1960. The Secretary's press release states:

Property transferred to the States includes such items as school and hospital building sites; buildings suitable for college dormitory or faculty housing; motor vehicles; hospital, school, and office furniture; hand and machine tools; motion picture projectors; laboratory equipment; and school and office supplies.

A breakdown of the property distribution by States follows:

Department of Health, Education, and Welfare—Personal property received by State surplus Property agencies for distribution to public health and educational institutions and civil defense organizations and real property disposed of to public health and educational institutions, Apr. 1 through June 30, 1960

States	Personal property	Real property	Total
Total	$89,578,615	$8,281,970	$97,860,585
Alabama	3,682,872		3,682,872
Alaska	838,825	114,452	953,277
Arizona	1,284,278		1,284,278
Arkansas	1,114,282		1,114,282
California	10,388,641	225,543	10,614,184
Colorado	849,557	5,953,441	6,802,998
Connecticut	819,762		819,762
Delaware	306,484		306,484
Florida	4,020,580		4,020,580
Georgia	2,001,579	500	2,002,079
Hawaii	282,165		282,165
Idaho	535,072		535,072
Illinois	3,640,471		3,640,471
Indiana	3,610,633		3,610,633
Iowa	547,718	4,000	551,718
Kansas	999,883	179,250	1,179,133
Kentucky	1,651,957	17,245	1,669,202
Louisiana	1,853,873		1,853,873
Maine	488,921		488,921
Maryland	1,756,412	77,817	1,834,229
Massachusetts	2,760,243		2,760,243
Michigan	2,334,400	6,469	2,340,869
Minnesota	1,997,408		1,997,408
Mississippi	1,720,900		1,720,900
Missouri	819,319		819,319
Montana	218,775	8,000	226,775
Nebraska	495,437	24,000	519,437
Nevada	287,992		287,992
New Hampshire	199,724		199,724
New Jersey	1,740,599	1,750	1,742,349
New Mexico	905,679	86,975	992,654
New York	5,733,176		5,733,176
North Carolina	1,713,387	51,000	1,764,387
North Dakota	178,756	250,757	429,513
Ohio	3,158,522	777,796	3,936,318
Oklahoma	1,979,700	15,130	1,994,830
Oregon	853,017	2,650	855,667
Pennsylvania	2,049,961	72,750	2,122,711
Rhode Island	314,572		314,572
South Carolina	961,702	53,203	1,014,905
South Dakota	275,462		275,462
Tennessee	2,413,996	36,018	2,450,014
Texas	5,707,252	97,249	5,804,501
Utah	1,372,358		1,372,358
Vermont	314,704		314,704
Virginia	2,751,275	105,782	2,857,057
Washington	1,880,902	94,380	1,975,282
West Virginia	767,088		767,088
Wisconsin	1,857,569		1,857,569
Wyoming	268,455		268,455
District of Columbia	368,582		368,582
Puerto Rico	503,738	25,813	529,551
Virgin Islands			

AREA DEVELOPMENT: A TRAGEDY IN THREE ACTS

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. SLACK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SLACK. Mr. Speaker, as we near the close of this session, all of us who have been so vitally interested in the adoption of a program to begin rehabilitation of areas now depressed by long-term unemployment must face the sad realization that we will return to our districts emptyhanded. When this second session convened in January most of us were convinced that the need for area redevelopment legislation was so great, and was so widely recognized, that we could confidently anticipate the enactment of an appropriate measure to place in the law of the land a mark of

Federal interest in the problem, and authorization of the first tangible efforts to correct it.

What we have witnessed instead has been the drawing of the final curtain on a tragedy in three acts. The first act ended on a note of disappointment for the people residing in depressed areas with the Presidential veto of a measure passed by the 85th Congress. The second act was climaxed by a second Presidential veto of an area redevelopment bill passed at this session of the 86th Congress which added to the disillusionment of the unemployed.

The final act was played to a foregone conclusion last week when the Secretary of Commerce appeared before a Senate subcommittee and testified for 3 hours. This meeting was called to seek a compromise among differing viewpoints. No compromise was reached, and none was possible under the circumstances.

The congressional majority which passed S. 722 in this 86th Congress was bipartisan, and it supported a reasonable approach to a serious national problem. It was never said by any responsible person that the contents of S. 722 offered a full and complete answer to the conditions created by long-term technological unemployment. Any bill passed by the Congress which is designed to deal with a situation without precedent is bound to be experimental by the very nature of the matter. And this is a situation without precedent—the existence of pockets of heavy unemployment in a time of generally high wages, new highs in personal income, and rising costs and prices.

The administration has consistently, during the past 5 years, viewed area redevelopment as if it were a new form of pork-barrel activity designed to distribute Federal funds at random and without justification. The Secretary of Commerce has repeatedly projected himself in the image of Old Mother Hubbard, pointing at an empty cupboard and wailing piteously that we can't afford to make the effort to reverse the economic cycle in areas which today do not contribute their proper share of productive activity to our economy.

They take the position, apparently, that some 3 million citizens and their families who have not had gainful employment for a year or more, and who reside in communities where employment prospects have evaporated, will suddenly, by a wave of a magic wand, become substantial employed persons again, without any investment of time, thought, planning, or money by anybody.

The administration was specifically requested by the Congress, through the medium of the passage of S. 722, to indicate a willingness to approach this problem of area redevelopment with an open mind. The bill contained sections which would have caused activity to be generated at several levels—in urban areas, in rural areas, in worker retraining, in public works tied to the creation of industrial attractiveness and utility. Admittedly, some of these approaches might have been found ineffective, and might have been dropped or superseded by others. In any case, we would have learned something about a problem whose solution has defied us for over 10 years.

The answer to the passage of S. 722 was a veto. The answer to the effort to compromise was insistence upon a narrow program offering minimum hope of success, unworthy of support by the Congress. The areas of long-term unemployment were offered a gesture, a collection of crumbs off the table of national plenty.

Until recent weeks, there was a general disposition to consider area redevelopment on a bipartisan basis. Recently, however, we have been treated to a wave of oratory, especially from persons who do not serve in the Congress, which is designed to spread the belief that a so-called practical area redevelopment bill could have received White House approval. The word "practical" is not defined in this oratory, but those of us who have studied the problem know that the only practical approach is one offering the greatest hope of success at its point of application.

As matters stand, we will adjourn soon and file out of these halls after the conclusion of an area redevelopment tragedy with overtones of farce. We will have reached a zenith in impracticality in dealing with the problem. No remedial legislation will have been enacted, and everybody will lose—the unemployed, the merchants and businessmen of the affected communities, the employed persons who must pay for public services to the unemployed, and even the Federal Treasury, whose income depends heavily on the withholding tax from employed persons.

Clearly the issue must be joined again in the new climate of a new Congress, and joined it will be. As to the authorship of the tragedy, that will be determined by the people in November, and I have every confidence that they will lay the burden of guilt precisely where it belongs.

THE LATE HONORABLE OSWALD WEST

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, on Monday, August 22, a very grave loss was suffered by the people of Oregon. The Honorable Oswald West, one of Oregon's greatest Governors, died at the age of 87. Os West, as three generations of admiring Oregonians have called him, was Governor for only one term, from 1911 to 1915. But in that one term, his devotion to government in the public interest changed the face of our State.

Governor West was responsible for initiating Oregon's State highway system, for enacting Oregon's pioneering workman's compensation law, and for the creation of the State board of control. Perhaps his most enduring contribution to Oregon, his greatest gift to Oregon's people, and his own most lasting memorial is the principle of public ownership of Oregon's 400 miles of ocean beach—on which there are no private preserves, no stretches to which the public can be denied access to this day.

Os West, Mr. Speaker, was a Democrat, and as a Democrat I am proud of that fact. But he never hesitated to criticize his fellow Democrats when, in his eyes, they went wrong. His devotion to the welfare of Oregon, and his concern for the reforms which he established in his tenure as Governor, went far beyond party lines.

Os West, Mr. Speaker, was one of Oregon's authentic great men. His courage was boundless. His passion for justice was unlimited. His wit, his integrity, his understanding of the purposes of democracy will be sorely missed.

OLD CURRENCY LEGISLATION

Mr. MOORE. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. WESTLAND] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. WESTLAND. Mr. Speaker, 3 years ago I introduced the old currency bill which would save the taxpayers of this country somewhere between $3 and $5 million each year. Early in the 86th Congress, I again introduced my bill, H.R. 5691. This legislation, although noncontroversial, has not even been the subject of hearings in the Banking and Currency Committee. I believe this indicates that the majority members of the committee are not interested in a sound financial approach to problems of the Treasury and are not interested in saving money for the taxpayers.

Early in July I had hopes of favorable action by the House. It was at that time the Senate passed S. 3712, a bill that would accomplish the same purpose as H.R. 5691. Unfortunately, my anticipation that this Congress would finally approve this money-saving measure disappeared yesterday when the Banking and Currency Committee voted to table S. 3712.

Mr. Speaker, the responsibility for preventing the Federal Treasury from receiving the benefits of an immediate cash improvement totaling $98.3 million and for robbing our taxpayers of better than $3 million annually rests with the majority members of the committee. The vote in committee that has effectively killed the old currency bill was 13 to 9. Thirteen Democrats voted to table S. 3712. Two responsible Democrats and seven Republicans voted to report it out to the House.

Before I present figures that show the amount of money lost because of dilatory action during the past 3 years, I want to refresh the memories of Members of the House as to how this proposed legislation came about and again give credit to the man who brought the situation concerning old currency to light.

On January 12, 1957, Mr. Charles E. Putnam, of Seattle, Wash., asked the Secretary of the Treasury for an analysis of outstanding paper currency carried on the books of the Treasury. Mr. Putnam learned, for example, there was

$1,143,198 in Treasury notes of 1890 outstanding, yet only about one-tenth of 1 percent was being returned for cancellation each year. He reached the conclusion it would take more than 1,000 years to cancel this obligation, during which time the Government would have to pay interest on the outstanding balance each year.

The results of such an unbusinesslike approach were obvious, so he wrote to me May 16, 1957, and suggested that I cooperate with others in the Congress and the Treasury Department to find the proper action to take.

Treasury officials informed me legislation was needed to get to the heart of the problem, so we worked out a bill which I introduced August 26, 1957, with hope of early enactment. Now, 3 years have passed since Mr. Putnam suggested this way of saving the American people a minimum of $10,000 a day. Action by the Congress 3 years ago could have saved more than $6 million, by the most conservative estimates, and possibly as much as $13.5 million.

Earlier, I mentioned this proposal would have the effect of improving the Treasury's cash position by $98.3 million. This would include $31.2 million in gold now held as security for outstanding gold certificates, $30 million in silver held as security for old silver certificates and $37.1 million to be received from Federal Reserve banks to discharge their liability on account of the old large-scale Federal Reserve notes. The increase from these sources would enable the Treasury to decrease by corresponding amounts our outstanding interest-bearing marketable public debt obligations with an annual saving in interest costs of $3 to $3.5 million at current interest rates.

Mr. Speaker, I want to emphasize that each day the old currency bill is delayed, money that could be used for defense or other operations of the Government is being lost. The action of the committee in refusing to report S. 3712 to the House is an example of futility in extending this session of the Congress unnecessarily beyond July. It is a clear-cut example that when political maneuvering takes precedence over constructive, responsible legislation it is the American people who suffer. The example of fiscal irresponsibility exhibited yesterday by the Democratic majority on the Banking and Currency Committee is one which will be remembered by the voters on November 8.

THE THREAT OF COMMUNISM

Mr. MOORE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HIESTAND] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HIESTAND. Mr. Speaker, we in these legislative halls have a keenness and awareness of the problems which face our country. The American people have given us the daily assignment to grapple with these problems, both large and small, and somehow find ways to resolve them.

We labor under the U.S. Capitol dome, a glowing symbol of a free people in a free Nation.

Above our Capitol, and our Nation, hangs the scourge of communism, a wicked symbol of domination and greed. Its leaders are greedy men; they hunger for the control of our minds and bodies.

Some will tell you that this angry cloud is but a ghost. But we must not believe that, although the scourge may be shrouded in lofty slogans or pious oratory.

The aggression of communism is our most serious, most deadly and most immediate concern. It is a grave danger. And a danger, too, is the attitude of some on ways to resolve this greatest of all conflicts.

As the Communists wage war, they would have us wage peace. As the Communists seek victories, they would have us seek appeasement. As the Communists strike out to dominate the world, they would have us pamper other lands and peoples.

Mr. Speaker, there is only one clear-cut goal for the United States in this cold war. And that goal is not a plateau of stalemate; that goal is victory. If we do not win this war, we shall lose it. Our policies must reflect our goal of victory.

I have introduced a resolution which puts us on the inside lane of the first bend in that road to victory. I believe it should be the sense of Congress to break off diplomatic relations with the Soviet Union and other Communist dominated countries.

Almost by the hour, the Communist regime hurls an insult, breaks an agreement, assaults our citizens and property, or throws added sparks into the cold war. The recent shooting down of an Air Force RB–47 is but one example of Communist arrogance.

Let us show this gangster regime that we are not going to merely sit back and smile. Severance of relations would reflect a tough U.S. attitude. And is there anything wrong with that? Of course not, it is exactly what I believe the American people want.

The move would serve as a firm and forthright example to other countries of our disapproval of Communist tactics and perfidy.

The Communists harass our diplomats, shoot down our aircraft, kidnap our citizens, enforce their threats with espionage and blackmail. And, with diplomatic relations, they are provided an opportunity to carry out these programs within our very borders.

Severance of diplomatic relations would shut off the huge Communist network of espionage, headquartered here in the embassies of our Nation's Capital. It would halt a large influx of Communist agents into the United States. Many of these are now protected by diplomatic immunity.

And, aside from these reasons, if the American people felt that—with such action—the U.S. Government felt that strongly about it, there must be something important about this communism business, after all.

We do not recognize Red China and our reasons for not doing so apply to Soviet Russia and her satellites. Against this entire evil bloc we must direct our thoughts of victory. Why favor our opposition with moral support?

CIVIL RIGHTS

Mr. MOORE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GLENN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. LINDSAY. Mr. Speaker, last week I introduced a civil rights bill which I ask the House to enact. Most of this bill is not new. It picks up where we left off last May in our work on the Civil Rights Act of 1960. That was a good piece of legislation. But the House will recall that certain additional proposals, contained in bills that I and others introduced, did not survive House deliberation. Three of these proposals are now renewed in the bill that I have introduced. The fourth is a new proposal.

The Congress chose to stretch out its session in order to compelte unfinished business. Among the items of unfinished business is civil rights. As I have stated, most of what I now propose was rejected by the Congress before the political conventions. However, at the conventions both parties in their platforms pledged performance on each of these points. Therefore, how can we now avoid our responsibilty to finish the job?

The bill first, recognizes and grants congressional sanction to the Supreme Court's school desegregation case by providing technical assistance to those communities that are making efforts to comply with the law; second, calls for the creation of a statutory Commission on Equal Job Opportunities on Government Contracts with statutory powers; third, authorizes the Attorney General to bring actions for school desegregation when economic coercion or threat of physical harm is used to deter persons from going to court to establish their rights.

Each of the above proposals were contained in legislation which I introduced a year and a half ago.

And, fourth, the bill calls for strengthening of existing efforts to guarantee the right to vote to all qualified citizens by providing that completion of six primary grades in a State accredited school is conclusive evidence of literacy for voting purposes. This is a new proposal. It is in the Republican platform. There have been mass denials of the right to vote under the 15th amendment by discriminatory applications of State literacy tests or by lack of objective standards. This is born out by the reports of the Civil Rights Commission and of the Attorney General of the United States.

We have heard many promises in the recent party conventions on the subject of Federal civil rights legislation. We have the promises; now let us have performance.

PORT OF NEW YORK AUTHORITY

Mr. MOORE. Mr. Speaker, I ask unanimous consent that the gentleman

from New York [Mr. GLENN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. GLENN. Mr. Speaker, yesterday, during the hearings on House Resolutions 606, citing Austin J. Tobin; 607, citing S. Sloan Colt; and 608, citing Joseph G. Carty, for contumacious conduct before a subcommittee of the Committee of the Judiciary, it was necessary that I leave the floor for a short period on urgent committee business. I therefore did not hear the remarks of my colleague from New Jersey, FRANK OSMERS, but I have now had the opportunity of reading his remarks in the RECORD.

I subscribe to and support his statement that when the New Jersey delegation decided in February to ask the Committee on the Judiciary for a staff study of the Port of New York Authority's compact to determine the authority's legal right to construct an airport in Morris County, N.J., it was not our thought, nor did we give any support to a resolution that would request the subcommittee of the Judiciary Committee to make a full investigation of the Port of New York Authority. In fact, this point was raised in the discussion and assurance was given that such was not the purpose of the meeting of the New Jersey delegation inasmuch as there were some of the members of the delegation who were not in accord with or in favor of a fishing expedition type of investigation of this bistate authority.

I was one of those present who so felt.

I join with my learned colleague the gentleman from New Jersey [Mr. OSMERS], in his very sound and logical reasons for his stated opposition to these citations, and I am sure that when the proper tribunal passes on the constitutional grounds under which these citations were issued, they will be quashed and the matter will be adjudicated properly, as could have been done previous to this time by a declaratory judgment settling the jurisdictional controversy and without any harm to the reputation and standing of three very outstanding citizens who now stand cited for criminal contempt proceedings, which are altogether uncalled for.

JAPANESE AND ENGLISH COMPETITION IN PURCHASES BY THE FEDERAL GOVERNMENT

The SPEAKER pro tempore [Mr. FLOOD]. Under the previous order of the House, the gentleman from Pennsylvania [Mr. DENT] is recognized for 30 minutes.

Mr. DENT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and to include extraneous matter, including tables.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Speaker, I want to discuss a serious matter before this Congress today. Recently I sent the following letter to the Department of the Interior.

AUGUST 17, 1960.

U.S. DEPARTMENT OF INTERIOR,
CONGRESSIONAL LIAISON OFFICE,
Washington, D.C.

DEAR SIR: The following is a direct quote of an article recently appearing in one of our local papers:

"A Japanese company for the first time was chosen to supply electricity-generating equipment for a Federal power project. The Interior Department named Hitachi New York, Ltd., to supply two turbines for a power plant near Redding, Calif., for $664,860. The agency also picked English Electric Export & Trading Co., Ltd., of New York, a British concern, to build two turbines in a plant near Lewiston, Calif., for $832,830. In both cases, the difference in bids by the foreign companies and those by U.S. firms was greater than the 6-percent differential which the 'Buy American Act' requires."

I would appreciate, at your earliest convenience, any information concerning the above—as to details on the bids for these two purchases, who the bidders were, and any other pertinent information you may be able to send me.

Thanking you in advance for your prompt attention in this matter, I am,

Sincerely yours,

JOHN H. DENT,
Member of Congress.

[Department of the Interior, Information Service Release, Aug. 12, 1960]

RECLAMATION AWARDS CONTRACTS FOR TURBINES FOR FOUR PROJECT POWERPLANTS

Award of contracts to manufacture nine hydraulic turbines required for four major hydroelectric powerplants on Bureau of Reclamation projects in California and Utah was announced today by the Department of the Interior.

The four contracts, involving work totaling $3,421,240, were awarded as follows:

The contract for three 50,000-horsepower turbines for the Flaming Gorge powerplant, on the Green River in Utah near the Utah-Wyoming border, was awarded to James Leffel & Co., of Springfield, Ohio, on its bid of $798,550.

Two 105,000-horsepower turbines for the Spring Creek powerplant, to be located about 2 miles north of Keswick Dam in Shasta County, Calif., will be built by Newport News (Va.) Shipbuilding & Dry Dock Co. for $1,125,000.

Two 93,500-horsepower, 225-revolutions-per-minute vertical shaft hydraulic turbines for Clear Creek powerplant, near Redding, Calif., will be built by Hitachi New York, Ltd., a Japanese firm, at a bid price of $664,860.

Two 85,000-horsepower turbines for Trinity powerplant, near Lewiston, Calif., will be built by English Electric Export & Trading Co., Ltd., of New York City, an English firm, for $832,830.

Bidding was heavy on each contract, with participation in each bid invitation by both foreign and domestic manufacturers.

The Hitachi firm which has its main fabricating plant at Ibaragi-Ken, Japan, became the first Japanese firm to win a Bureau of Reclamation turbine contract. It was low among seven bidders for the contract to build the turbines for the Clear Creek unit of the Central Valley project's Trinity River division. The installation, to be constructed on Clear Creek approximately midway between Redding and Lewiston, Calif., will consist of two 67,000-kilowatt generators, each driven by a 93,500-horsepower turbine.

English Electric also won its first Bureau of Reclamation turbine contract with its low bid for the Trinity powerplant turbines, in competition with four other bidders. The installation, on Trinity River about 8 miles northeast of Lewiston, Calif., will include two 50,000-kilowatt generators, each driven by a vertical shaft Francis-type hydraulic turbine. Each turbine will have two interchangeable runners—one to deliver 85,000-horsepower at a 426-foot head and the other to deliver 70,000-horsepower at a 334-foot head.

Assistant Commissioner of Reclamation N. B. Bennett, Jr., explained that the award of these contracts at this time would require the concurrent production of nine turbines for four major and important powerplants of the Bureau of Reclamation. He explained that it would not be in the interests of the Bureau under these circumstances to award more than one major turbine contract to each of the two firms that have not heretofore manufactured turbines for the Bureau, pending demonstration that technical standards of Bureau specifications did not present obstacles to satisfactory contract performance.

Based on this decision, Hitachi's bid for the Flaming Gorge turbines was rejected in favor of Leffel's second low bid of $798,550. The powerplant installation at Flaming Gorge Dam, approximately 60 miles south of the city of Green River, Wyo., will consist of three 36,000-kilowatt generators, each driven by a 50,000-horsepower, vertical shaft Francis-type hydraulic turbine. The 490-foot-high Flaming Gorge Dam is the second largest feature of the Colorado River storage project. Work on the dam was started in mid-1958.

The Bureau's decision was applied in the bidding for the two Spring Creek turbines. Bids of the Hitachi and English Electric firms were rejected and the third low bid of Newport News firm was accepted. The Newport News bid was 13 percent below the engineer's estimate.

The Spring Creek powerplant, located on the west bank of Keswick Reservoir, will be connected with the Whiskeytown Reservoir by the 2.9-mile Spring Creek power conduit. The powerplant installation will consist of two 75,000-kilowatt, 225-r.p.m. generators, each driven by a 105,000-horsepower turbine.

Bids for the generators for the Trinity powerplants and the Flaming Gorge plant will be invited this fall. The three major Trinity Division powerplants (Trinity, Clear Creek, and Spring Creek) will have a total installed generating capacity of 384,000-kilowatts. These plants are expected to generate an average of 1.27 billion kilowatt-hours of hydropower annually for the Central Valley project power system. Completion of the project construction is scheduled for late 1963.

Pursuant to this information I issued the following public release:

Congressman JOHN H. DENT today condemned the administration's 6-percent-differential ruling in Government procurement. He blamed the loss of two turbine generators to Japanese manufacturers and two more to English manufacturers on the unrealistic unsound differential established by this administration which reduced the differential between foreign and American turbine manufacturers from 25 percent to 6 percent.

"This isn't enough to make up the difference in cost of production mandated by our Federal laws on social security, unemployment compensation, and other costs not encountered by foreign manufacturers. I warned 2 years ago after the loss of millions of man-hours of work for American workers that the 6-percent differential would be an open invitation for all low wage, low economy, low standard producers in foreign countries to take over the entire need of the United States for electrical generating facilities.

"It is apparent that this is fact becoming the rule rather than the exception when Japan, a country that has been a buyer of turbines from us, now sells their products to our Government.

"With the unemployment situation as it is in my area amongst this type of manufacturing it becomes a serious and dangerous matter. We can no longer ignore warnings that stand out both in our economic as well as our defense programs.

"This country can ill afford the luxury of government mandated unemployment and economic depression," concluded DENT.

Now, Mr. Speaker, I submit an analysis of the real differential that exists in actual transactions in Government procurement:

PURCHASES BY THE FEDERAL GOVERNMENT—DOMESTIC VERSUS FOREIGN

Question: "In instances where the Federal Government has the opportunity to purchase required goods of equal quality either from a foreign producer or from a domestic producer at a higher price, which purchase is the most economical for the Federal Government?"

The accurate answer to this question can not be determined by just applying the usual business approach of "when goods are of equal quality, buy on price." In fact, from a business standpoint, this axiom certainly does not apply in Federal Government transactions.

With the objective of proving that buying foreign goods at a lower price is not economical when compared with purchasing the same quality goods from a domestic producer, an analysis has been made of the flow of money resulting from both a foreign transaction and a domestic transaction.

The main point of this analysis is the inescapable fact that when any money is put to work within the United States it produces tax revenues for the Federal and State Governments. When money is paid directly to a foreign entity, no tax revenue is generated for the benefit of the United States.

For example, a domestic corporation receives an order from the Federal Government for $100,000 of goods. To fill the order the corporation purchases its raw materials from suppliers; it purchases certain services necessary for its operations; it pays the wages of its employees and it pays for transporting the goods to their destination. The profit on the transaction is distributed as income taxes, as dividends to its stockholders and, in some instances, a portion is used to purchase new property and equipment.

Each of the above steps made by the domestic corporation results in the generation of revenue for some taxing entity; i.e., the supplier of materials must go through a similar process in his business; the companies and individuals furnishing services have business cycles which generate tax revenues; the employees receiving wages pay taxes directly and also contribute to the tax generating business of the merchants and others who serve them and their families.

This tax generating phenomenon is not activated when funds are paid directly to a foreign entity.

The following analysis shows that on the original transaction of selling $100,000 of goods to the Federal Government, an average domestic manufacturing corporation will pay Federal and State taxes of $6,250 or 6.25 percent of the gross sales value.

The taxes paid by the suppliers and employees on revenue paid to them by the average domestic manufacturing corporation, amount to an additional $9,199.

At this point, of the original payment by the Federal Government for the $100,000 purchase, Federal and State taxes aggregating $15,449 have been generated.

The analysis carries the example transaction further so as to complete two cycles of money turnover. At the end of the second cycle, Federal and State tax generation amounts to $36,014 or 36.014 percent of the original $100,000 outlay.

ANALYSIS OF FEDERAL AND STATE TAX GENERATION RESULTING FROM A $100,000 PURCHASE BY THE FEDERAL GOVERNMENT FROM A DOMESTIC MANUFACTURING CORPORATION

Only the following taxes have been considered:

1. Federal and State income taxes.
2. Federal excise taxes.
3. State sales taxes.
4. Federal old-age benefit taxes (social security).
5. Federal and State unemployment taxes.

No consideration was given to:

1. Various State and local taxes such as franchise, ad valorem, personal property, gross receipts, etc.
2. Tax generation resulting from taxes paid, i.e., salaries of Federal and State Government employees paid from tax receipts.
3. Tax generation which would result from the purchase of new or replacement manufacturing equipment by the domestic corporation.

Exhibit A sets forth, in summary, the tax generation for an average domestic corporation within various manufacturing groups. (The average corporation for each group was determined by reference to "Statistical Abstract of the United States.")

Exhibit B sets forth, in detail, the tax generation for an average domestic manufacturing corporation. (The average corporation was determined by reference to "Statistical Abstract of the United States.")

References to specific source data are set forth in "Notes" and cross-referenced to exhibits A and B.

NOTES

Only two reference works have been used for basic data; namely:

Internal Revenue: "Statistics of Income" by Internal Revenue Service as published in "Statistical Abstract of the United States" by U.S. Department of Commerce; references are to the "Abstract", number in front of reference represents edition year.

United States: "U.S. Income and Output" by U.S. Department of Commerce, edition 1958.

1. One hundred thousand dollar contract award:

The assumed payment made by the U.S. Government to a domestic manufacturing corporation. When foreign competition is involved it may be assumed that the size of the contract is such that only businesses with a corporate financial setup will be able to compete.

2. Federal corporation income tax on an average manufacturer:

Nineteen hundred and fifty-nine Internal Revenue, page 380, table No. 482, "Active corporation income tax returns, 1956," total compiled receipts from returns with and without net income for manufacturing, line 18, $319,313,746,000; income tax, $12,289,618,000; computed tax rate, 3.84 percent on receipt.

3. State corporation income tax:

Nineteen hundred and fifty-nine Internal Revenue, page 379, table No. 481, "Corporation income tax return, 1956," total compiled receipts, $679,868 million for returns with and without income.

United States, page 165, table III–2, "State and local government receipts, 1956," line 9, corporate profits tax accruals, $1,041 million.

Computed tax rate: 1,041 plus 679,868 equals 0.15 percent on receipt.

4. Excise and sales taxes, corporate and noncorporate taxpayers:

Although the Federal Government cannot be taxed, most State laws consider the Government contractor the consumer and subsequently charge him for the tax.

	Million
United States, p. 164, table III–1, "Federal Government receipts and expenditures, 1956," line 10, indirect business tax and nontax accruals before refunds	$11,726
United States, p. 165, table III–2, "States and local government receipts, 1956," line 11, sales tax	7,989
Total excise and sales taxes	19,715

	Amount	Computed ratios	Type of taxpayer
1958 Internal Revenue, p. 488, table No. 606, "Sole Proprietorships, Partnerships, and Nonmanufacturing Corporations, Gross Receipts, 1956":	*Million*	*Percent*	
Sole proprietorships	$117,100	22.02	Noncorporate.
Partnerships	75,000		
Note 3, 1st paragraph total compiled receipts for corporations	679,868	77.98	Corporate.
Total gross receipts	871,968	100.00	

Computed tax rate: 19,715 plus 871,968 equals 2.26 percent on receipt.

5. Distribution of dividends and salaries and wages by average manufacturer:

Nineteen hundred and fifty-nine Internal Revenue, page 380, table No. 482, "Active corporation income tax returns 1956," line 18, manufacturing:

	Amount	Computed ratios
		Percent
Total compiled receipts	$319,313,746,000	100.00
Dividends paid	7,177,397,000	2.26
United States, p. 201, table VI–2, "Wages and salaries by industry, 1956," line 12, manufacturing	77,697,000	24.33

6. Individual Federal income tax:

Twenty percent is the lowest tax bracket for individuals. It is assumed that wages resulting from the contract transaction would be subject, at least, to this lowest tax rate.

7. Individual State income tax:

Nineteen hundred and fifty-nine Internal Revenue, page 377, table No. 478, "Individual Income Tax Returns With Income, 1956," adjusted gross income, $268,584 million.

United States, page 165, table III–2, "State and Local Government Receipts and Expenditures, 1956," line 3, personal income taxes, $1,580 million.

Computed tax rate: 1,580+268,584=0.59 percent on dividends, wages, and salaries received by stockholders and employees.

8. Unemployment insurance tax:

United States, page 170, table III–6, "Contributions for Social Insurance":

	Million
1956; line 4, State unemployment insurance	$1,475
1956; line 5, Federal unemployment tax	326
Total	1,801

United States, page 201, table VI–2, "Wages and Salaries, By Industry, 1956," line 1, all industries, $227,304 million.

Computed tax rate: 1,801 plus 227,304 equals 0.79 percent on wages and salaries.

9. Social security taxes:

Six percent is the actual rate effective January 1, 1960, being paid equally by employer and employee. "Business Statistics" 1957 biannual edition, U.S. Department of Commerce, page 69, shows as weekly earnings in 1956 $86.31 for durable goods industry and $71.10 for the nondurable goods industry, or approximately $4,800 and $4,000 respectively, per year. Subject earnings are well below the $4,800 annual social security base.

10. Federal income tax for average U.S. corporation:

Nineteen hundred and fifty-nine Internal Revenue, page 379, table No. 481, "Corporation income tax return, 1956," returns with and without income:

	Million
Total compiled receipts	$679,868
Total tax liability	21,364

Computed tax rate: 21,364 plus 679,868 equals 3.14 percent on funds distributed to corporate suppliers, etc.

11. Federal income tax for business entities other than corporations:

Nineteen hundred and fifty-eight Internal Revenue, page 488, table No. 606, "Sole proprietorships, partnerships, and nonmanufacturing corporations, 1956":

[In billions]

	Gross receipts	Net profit before taxes
Sole proprietorships	$117.1	$14.8
Partnerships	75.0	7.9
Total	192.1	22.7

Computed: Profit to gross receipts 22.7 plus 192.1 equals 11.82 percent. At the lowest individual tax rate of 20 percent, the tax rate on gross receipts is 11.82 percent times 20 percent equals 2.36 percent on funds distributed to noncorporate suppliers, etc.

12. Distribution of dividends and salaries and wages by average U.S. business entity:

	Amount	Computed ratios
	Million	*Percent*
Note 4, total gross receipts computed	$871,968	100.00
Note 8, wages and salaries, all industries	227,304	26.06
U.S., p. 206, table VI-8, net corporate dividend payments, 1956, line 1, all industries	12,038	1.38

EXHIBIT A.—*Direct taxes generated for use by the Federal and State Governments and the economic cost to the United States from a $100,000 contract award to individual U.S. manufacturing groups as compared with contracts awarded to foreign entities*

	Contract to U.S. manufacturer			Actual cost to the United States for foreign purchase under a 7-percent margin	Percentage increase of cost to the United States when buying "foreign" as compared to "domestic," after only 2 cycles have been completed. The percent of excess cost will increase as more cycles are being added
	Accumulated tax generation				
	Through 1st cycle	Through 2d cycle	Economic cost to the United States after completion of only 2 cycles		
Stone, clay, and glass products (highest tax generation within the manufacturing group)	$24,324	$39,143	$60,857	$92,999	53
Machinery, other than electrical	22,960	38,046	61,954	92,999	50
Paper and allied products	22,379	37,578	62,422	92,999	49
Chemical and allied products	21,953	37,237	62,763	92,999	48
Transportation equipment	21,851	37,154	62,846	92,999	48
Primary metal industries	21,801	37,113	62,887	92,999	48
Electrical machinery and equipment	21,502	36,868	63,132	92,999	47
Rubber products	20,134	35,775	64,225	92,999	45
Textile mill products	19,230	35,092	64,908	92,999	43
Petroleum and coal products	18,988	34,851	65,149	92,999	43
Tobacco (lowest tax generation within the manufacturing group)	18,882	34,763	65,237	92,999	43

NOTE.—The same bases and ratios have been used as in exhibit B to accumulate above data, except that the 1st cycle reflects bases and ratios characteristic for the individual group. The sources are the same as those used for compiling the data for exhibit B.

EXHIBIT B.—*Direct taxes generated for use by the Federal and State governments and the flow of funds resulting from a $100,000 contract award to an average U.S. manufacturing corporation*

	See note	Distribution base	Total funds available	Distribution of funds by taxable categories				Tax generated per turnover	Accumulated tax generation
				Dividends	Wages and salaries	For supplies, services, etc., paid to—			
						Corporate entities	Noncorporate entities		
1ST CYCLE									
Original distribution of funds by the Federal Government to a domestic manufacturer	1		$100,000						
Which receipt is taxed at the following rates:									
Federal corporation income tax	2		[1] 3.84						
State corporation income tax	3		[1] .15						
Excise and sales taxes	4		[1] 2.26						
Giving a total tax rate of			[1] 6.25						
And tax generation in the amount of								$6,250	$6,250
The balance of the funds, namely, $100,000 less $6,250 for taxes, is distributed by the manufacturer to its employees, stockholders, suppliers, etc.									
The ratio of distribution to employees and stockholders is based on the original receipt of $100,000 to the employer	5	$100,000		[1] 2.26	[1] 24.33				
While distribution to suppliers, etc., is the remainder of the funds, namely:									
Original contract receipts $100,000									
Less: Taxes $6,250									
Dividends (2.25 percent of $100,000) 2,260									
Wages and salaries (24.33 percent of $100,000) 24,330									
32,840									
Funds available to suppliers 67,160									
Since suppliers, etc., may be both corporate and noncorporate entities, the amount, $67,160, is broken down in the ratio of	4	67,160				[1] 77.98	[1] 22.02		
Resulting in the following tax bases			$93,750	$2,260	$24,330	$52,371	14,789		

See footnotes at end of table.

EXHIBIT B.—*Direct taxes generated for use by the Federal and State governments and the flow of funds resulting from a $100,000 contract award to an average U.S. manufacturing corporation*—Continued

	See note	Distribution base	Total funds available	Distribution of funds by taxable categories				Tax generated per turnover	Accumulated tax generation
				Dividends	Wages and salaries	For supplies, services, etc., paid to—			
						Corporate entities	Noncorporate entities		
The balance of funds, etc.—Continued									
Since suppliers, etc.—Continued									
Which are taxed at the following rates:									
Individual Federal income tax	6			[1] 20.00	[1] 20.00				
Individual State income tax	7			[1] .59	[1] .59				
Unemployment insurance tax	8				[1] .79				
Social security taxes	9				[1] 6.00				
Federal corporation income tax	10					[1] 3.14			
State corporation income tax	3					[1] .15			
Federal noncorporation income tax	11						[1] 2.36		
The sum of the tax rates is applied against the tax bases				[1] 20.59	[1] 27.38	[1] 3.29	[1] 2.36		
And results in tax generation of								$9,199	$15,449
Before the funds revert back to usage by business, the suppliers, etc., pay their employees and stockholders in the ratio based on:									
Corporate tax base $52,371									
Noncorporate tax base 14,789									
Total distribution base 67,160	12	$67,160		[1] 1.38	[1] 26.06				
Which give a tax base of				$927	$17,502				
Applying the tax rates used in the preceding distribution				[1] 20.59	[1] 27.38				
A total tax generation results in the amount of								4,982	20,431
2D CYCLE									
The stockholders and the wage earners buy consumer goods, etc., while the suppliers acquire new inventory items, capital goods, and services, bringing the funds distributed in the 1st cycle back into business. Since it is difficult to ascertain the distribution of taxes collected by tax authorities, the only funds considered available are the original receipt in the 1st cycle, $100,000, less tax generation up to this point, $20,431, leaving $79,569 for further distribution.									
The 1st tax generation under the 2d cycle arises from the receipts, $79,569, by business; however, as previously a distribution by corporation and noncorporate taxpayers must be made in the ratio of	4					[1] 77.98	[1] 22.02		
Resulting in the tax bases of		79,569				$62,048	$17,521		
To which the following tax rates are applied:									
Federal corporation income tax	10					[1] 3.14			
State corporation income tax	3					[1] .15			
Federal noncorporation income tax	11						[1] 2.36		
Excise and sales taxes	4					[1] 2.26	[1] 2.26		
Resulting in total tax rates of						[1] 5.55	[1] 4.62		
And tax generation in the amount of								4,253	24,684
When business has paid direct taxes, $4,253, on its receipts of $79,569, a balance in the amount of $75,316 is left for further distribution to employees, stockholders and suppliers, etc.									
The basis and ratios for percentage distribution is the receipt, $79,569 less tax $4,253, of the employers	12	75,316		[1] 1.38	[1] 26.06				
While distribution to suppliers, etc., is the balance, namely:									
Original receipts $79,569									
Less: Taxes $4,253									
Dividends (1.38 percent of $79,569) 1,039									
Salaries and wages (26.06 percent of $79,569) 19,627									
24,919									
Funds available to suppliers 54,650									
But, as suppliers, etc., may be both corporate entities, the amount of $54,650 is broken down in the same ratios as used in the 1st cycle, namely	4	54,650				[1] 77.98	[1] 22.02		
The following tax bases are the result			$75,316	$1,039	$19,627	$42,616	$12,034		
Which are taxed at the same total rates as used in 1st cycle				[1] 20.59	[1] 27.38	[1] 3.29	[1] 2.36		
Resulting in tax generation of								7,275	31,959
As in 1st cycle, the suppliers, etc., pay their employees and stockholders in the same ratios used in 1st cycle but based on above distribution of:									
Corporate entities $42,616									
Noncorporate entities 12,034									
Total distribution base 54,650	12	54,650		[1] 1.38	[1] 26.06				
Which give a tax base of				$754	$14,242				
And applying the tax rates used in the preceding distribution				[1] 20.59	[1] 27.38				
Total taxes are generated in the amount of								4,055	[2] 36,014

[1] Percent.

[2] This amount of $36,014 represents direct taxes generated from the $100,000 contract through the 2d cycle and since taxing continues indefinitely, this amount will continue to increase. Compare this to a contract awarded to a foreign entity where under the current regulations of a so-called 7-percent margin would cost the United States as much as $92,999, and stay fixed. A full margin of 25 percent, as has been discussed by some Members of Congress, would still leave as uneconomical a contract awarded to a foreign entity.

Mr. Speaker, at this point let me acquaint the House with Russia's policy on imports. No product imported in Russia can be sold to the consumers at a price less than that charged for a similar or like product produced in Russia—authority—U.S. News & World Report. Compare this to the disastrous policy followed in our American market.

FANTASTIC FAILINGS

To those of us whose lives are closely knit to our homes, our communities, our neighbors and our country, the realities of our conditions here and abroad seem like something out of a fairy tale.

To sit by and watch community after community become almost entirely dependent upon Government surplus, unemployment compensation, relief, social security and local charities is as

unbelievable as anything that has happened to this Nation in all of its history.

This is not a report based upon fiction but one that is based entirely upon facts and figures that are substantiated by the record. It is a sad record but a true one.

Recently, Dewey Anderson and associates covered the subject of depressed areas and used as a base for their article a special report by Julius Duscha from the Washington Post. Let me quote some of the findings and observations from this report as well as some of my own facts gathered by going through many pages of Government reports and news items in our leading journals.

Quote: "A scandal that will not die—From the Blue Ridge Mountains of Virginia to the trail of the Cumberland Gap in Kentucky, tens of thousands of Americans live in appalling poverty. Live? No, they hardly exist."

This is not the exaggeration of a "do-gooder" or a "bleeding heart" or a labor "boss" out to get a bigger cut of dues money, as the chamber of commerce would say. No, it is the calm statement of a special reporter for the Washington Post sent by his newspaper into the Appalachian region of the United States to tell the story of what is happening to thousands of our fellow Americans in the chronically depressed areas.

How long will it be before the conscience of our people is moved to the point where we do something for the whole counties that "are precariously held together by a flour-and-dried milk paste of surplus foods," counties of proud mountain folk for whom "relief has become a way of life"?

The answer may well lie in the present session of Congress which has so much crucial legislation to cram into the relatively few days that lie between us and the election campaign. Will anything be done? Why has it not been done before? Has our failure as a people to act been an example of cruel indifference? Does it lie in violently conflicting theories of political philosophy? Are there actually powerful, selfish interests in our country who simply do not want to pay higher taxes for the benefit of those in need?

The tragic truth lies in a combination of all these reasons—a combination that for 5 years and through two presidential vetoes has thwarted every effort to bring aid to the depressed areas.

What are the facts?

There are hundreds of communities in southern New York State, Pennsylvania, West Virginia, Kentucky, Virginia, and New England that have become ghost towns or are inhabited by people living in abject poverty, people who exist only by virtue of relief and Federal handouts of surplus agricultural products that are given away not because they constitute a decent diet but because this is one way to get rid of them. For one reason or another the basis of their industry has dried up. They need help to get a new start.

For 5 years Congress, under the dogged leadership of Senator PAUL H. DOUGLAS, Illinois Democrat—supported by the majority in Congress, including your Congressman—has tried to do something for these people. In 1958 Congress adopted legislation that would have extended massive aid to the distressed areas. The President vetoed it. Again this year Congress passed a second bill calling for roughly $250 million in aid. The President vetoed it for the second time.

Why? An excellent case can be made for the fact that the American people have not been adequately aroused to the real tragedy of the depressed areas. The Washington Post story is one of the relatively few firsthand reports that we have had. "Yet," says Reporter Julius Duscha, "one cannot forget the faces that have been hungry for so long, the houses that have been unpainted for even a longer time and the sense of despair which lingers over so many of the valleys and ridges. It is hard for a visitor to forget people whom the Nation has so easily put as far out of mind as they are out of sight."

There are others, however, for whom it is easy to forget—like the National Association of Manufacturers and the United States Chamber of Commerce, which have been battling the Douglas bills with vindictive persistence.

"Why should the successful be taxed to reward the unsuccessful?" they ask. "Why help the depressed areas to compete with your areas?" "Why don't these people move out and get jobs elsewhere?" "Why don't they help themselves?" "Why try to save areas that are done for, anyway?" In brief, "Root, hog, or die."

Why? One can honestly ask that question when he reads in every newspaper of the President's great concern for underdeveloped countries, for the economic aid to every nation on earth, directly or indirectly. No one denies the need for aid to help the world and the many friends we hope to make and keep in a world torn by conflicting ideologies.

Somehow, though, it does not rest well to know our own needs in so many areas and yet be called upon in the name of humanity and patriotism to spend billions in tax money to help foreign countries as well as opening up our marketplaces to floods of cheap, low-wage manufactured consumer goods which in a great measure are responsible for some of the distress right here at home, even in our own backyard in Westmoreland County.

The answer is not simple, but one thing is sure—we cannot continue the present policy without courting serious economic disaster.

Recently one of our best-known district industries sent me a report on foreign competition with its disastrous effects upon their ability to stay in business.

These local citizens, both labor and management, have always supported our foreign-aid program, believing, as all of us have believed, that this was the open road to peace on earth, good will to men.

However, let me quote from this letter:

DEAR JOHN: There are several enclosures accompanying this letter which I think you will find very interesting. At the present time here at ——— Steel, we have laid off about 25 percent of our work force, and the enclosures will explain, to a large degree, why.

The two price sheets speak for themselves, as does the letter from one of our salesmen to Mr. Dahl, vice president in charge of our sales. The importation of foreign steel, particularly by Bohler, is quite serious. They are taking over many, many small accounts throughout the United States; and the paragraph which I have marked on the copy of our salesman's letter shows what they are trying to do with our big accounts. The M-2 type mentioned in the letter is responsible for the largest sales in our high-speed steel, and you can see there's a difference of 24 cents per pound in base prices and, in addition, they do not charge any extras.

All of our laid off employees are constituents of yours, and so, I am sure you will do everything possible in their favor to see if some relief can be granted in the future.

Coupled with our reciprocal trade program as administered with the Tariff Commission being guided in its decisions by the international trade and tariff organization—GATT—the results are becoming disastrous.

This Nation has foolishly measured its foreign export and import balances upon dollar volumes with little or no regard to the serious deficiencies in manhours and payroll dollars as well as dividend incomes to stockholders.

It is easy to figure who gets hurt when we sell Japan $100 million worth of raw goods—cotton, and so forth—and buy back $100 million worth of finished goods to be sold to our consumers. The difference in manhours and payroll dollars is tremendous.

I recently compiled a partial list of items that are flooding our American market and the increase in just 4 years is beyond reason when you figure the difference in our costs for wages, taxes, and payroll deductions forced upon our cost of production by Government edict.

Let us look at just a few items for comparison. Even the U.S. News & World Report has taken serious notice of this grave situation:

Automobiles—here is a striking illustration of what has happened to U.S. trade. Sales of American cars abroad have dwindled year after year, now amount to less than half of what they were in 1955. Demand for foreign cars in the United States, at the same time, has skyrocketed. In just the last 3 years, the foreign share of total auto sales in the United States has jumped from less than 2 percent to more than 10 percent—1956 imports, 108,000 cars; 1959 imports, 668,000.

Tires—cars, trucks, other vehicles are rolling on foreign-made tires as never before. Many of these tires are products of U.S. firms operating abroad. In 3 years, tire imports have multiplied by 8, not counting those on the wheels of imported cars—1956 imports, 149,000 tires; 1959 imports, 1.2 million.

Typewriters. Most of the big manufacturers of typewriters have set up plants abroad. Some figure they can sell foreign-built machines in the United States for about half the price of similar models made here. Italian, Swiss, German, and Japanese firms are selling more and more typewriters in the United

States. Exports of U.S. typewriters have dropped sharply—1956 imports, 276,000 typewriters; 1959 imports, 470,000.

Machine tools. With a price advantage on their side, foreign producers have been stepping up sales of these important industrial machines. Trade sources estimate that a machine tool costing $6,250 to make in Germany would cost $10,000 here. Why? Mainly because a machine-tool worker averages 60 cents an hour in Germany, $2.40 in the United States—1956 imports, $25 million; 1959 imports, $35 million.

Steel. Last year's steel strike pushed demand for foreign steel to record highs, and much of this lost market is not expected to be recaptured by U.S. steelmakers. Industry officials estimate imports this year at 3½ million tons, nearly triple the imports of 1956—1956 imports, 1.3 million tons; 1959 imports, 4.4 million.

Shoes. Americans are buying a record number of leather shoes; boots and slippers made in factories abroad—1956 imports, 5.3 million pairs; 1959 imports, 13.8 million.

Farm machinery. In 1959, nearly 15,000 tractors were shipped into the United States—about double the number only 3 years ago. Some 13,000 combines were imported—also double the 1956 total. Other farm machines show a similar trend.

Barbed wire. This item was invented in the United States. Yet, in 1959, more than 60 percent of all the barbed wire used in this country was made abroad—1956 imports, 62,000 tons; 1959 imports, 78,000 tons.

Trucks. Imports of trucks have not increased at anything like the rate of foreign auto imports. Still, trucks have been coming into this country at an accelerating pace. Imports were less than one-half of 1 percent of U.S. truck production in 1956. By 1959, truck imports equaled nearly 2 percent of domestic production—1956 imports, 2,800; 1959 imports, 22,000.

Clothing and textiles. Overall imports of cotton, wool, and silk goods went up nearly one-third in just 3 years. Examples: Imports of cotton shirts reached 2.2 million dozen in 1959—nearly double the 1956 total. Japan exported no suits to this country in 1956; last year it shipped 30,000, and this year the total may reach 80,000. About 2.5 million dollars' worth of corsets and brassiers came into this country from Hong Kong in 1959; in 1956, there were no U.S. imports of these items from the British Colony—1956 imports, $340 million; 1959 imports, $446 million.

Optical instruments. Imports of binoculars, microscopes, telescopes, and the like have nearly doubled in 3 years. U.S. exports of these products have dropped—1956 imports, $14 million; 1959 imports, $24 million.

Electrical machinery. U.S. industry has stepped up its buying of imported generators, transformers, switches, and motors. Foreign makers increased their sales to the United States by 50 percent in just 3 years—1956 imports, $22 million; 1959 imports, $33 million.

Hand tools. Local hardware stores are displaying a growing variety of hammers, saws, screwdrivers, wrenches, and so forth, made in foreign countries. They usually sell at prices considerably below those made in the United States—1956 imports, $15 million; 1959 imports, $25 million.

Nuts and bolts. While U.S. exports of nuts, bolts, screws, and rivets have been dropping off, imports have doubled. Congress was told earlier this year that indicated imports of these items in 1960 would require 130,000 tons of steel to produce. That amount of steel, if made in the United States, would provide jobs for 1,000 workers, according to the testimony—1956 imports, $9 million; 1959 imports, $18 million.

Office equipment. Here, again, imports have about doubled in 3 years. Many American firms are setting up plants in Europe to take advantage of cheaper labor—in some cases only a third as high as in the United States. The figures do not include typewriters—1956 imports, $14 million; 1959 imports, $27 million.

Steel cutlery. U.S. exports of knives, forks, and spoons made of steel were only $800,000 in 1959, a third as much as 3 years earlier. Imports in the same period about doubled—1956 imports, $8 million; 1959 imports, $14 million.

Remember, this has happened since 1956. When you compare these figures with 1952, the first Eisenhower year, you receive a real shock.

We have proven one thing—our money can help distressed and underdeveloped nations; then why cannot we try the same medicine here at home in the thousands of American communities where the coal is worked out, where industries have moved out, where the community needs help to rehabilitate its utilities, widen streets, build facilities, and, in general, do here what we have done abroad? The issue is still there. The tragedy of hungry Americans in a land that boasts day and night of its opulance cannot be brushed aside. It must haunt men of good will day and night until it is resolved. This next session of Congress gives us a new chance to show whether we mean business or not.

Recently I had a group of visitors in my Washington office—most of them from my hometown and district. They were in Washington to appear before the Tariff Commission pleading for fair treatment by GATT in regards to the importation of window and plate glass.

Those of us living in and around Jeannette, Arnold, and Belle Vernon know what has happened to our jobs, as well as to our local businessmen, because of the failure of this administration to afford relief under the escape clause of the Reciprocal Trades Agreement.

Here, in part, is the testimony presented to the Commission by Enoch R. Rust, vice president of the United Glass & Ceramic Workers of America:

My appearance here is to plead for the cessation of any further tariff cuts and to argue for a protective quota system to be established for glass and ceramic products.

The Glass & Ceramic Workers Union normally consists of approximately 57,000 members and nearly 228,000 people directly dependent upon our industries. Due, however, to automation and imports, that figure has been drastically cut. Thousands of our glass and ceramic workers are walking the streets today and many thousands of their dependents face poverty. These Americans are confused and bewildered. They cannot understand why their breadwinner's job has been exported overseas. They are even more confused by the fact that often these jobs have gone to the nation which they understand to be the outstanding enemy of our way of life, the Soviet Union.

Certain business interests with the aid of political friends of both parties are playing a devious role in using imports to undermine the high standard of living enjoyed by Americans in every State of our great Nation. All too often the same capitalists who seek union cooperation and assistance in meeting foreign competition are actually financing that foreign competition. The relatively higher wage levels which prevail in the American continent should and do serve as a stimulant to workers in other lands. Certain big business interests, however, give the appearance of making a concentrated effort to use imports as a means of lowering the standard of living for working people at home.

The United Glass & Ceramic Workers have always favored reciprocal trade with friendly nations. Our organization has always supported policies calling for a fair and equitable trade program. We believe that the continuous flow of goods in and out of the United States could be a great contributing factor to the assurance of world peace. Reciprocal trade means that all parties entering into a mutual agreement will trade equally with one another. Today we find ourselves faced with a trade program that has all but lost any resemblance to reciprocity. Instead it tends to take on the appearance of a vast program initiated and designed to club the American workers into submission by flooding our markets with goods produced by cheap, and in some cases perhaps, slave labor.

In the United States the imports of window and plate glass alone equal the full-time output of at least 4,100 production and clerical workers. This means in effect an export of a payroll of approximately $34,012,000 annually to nations all over the world. Among these nations are Poland, Czechoslovakia, and the Soviet Union. The impact is equally as bad in the ceramic field. Approximately 3,000 such jobs with a possible payroll of $18,720,000 annually have been exported.

If, however, Mr. Mitchell's statement at the Rotary convention were to come to pass, "such industries as watches, bicycles, glass, pottery, and certain textiles are threatened with extinction because of comparative wage levels abroad," we would find that the window and plate glass industries alone would displace 13,162 workers between the ages of 40 and 65.

It is clear then, gentlemen, that we are not merely dealing with jobs or business, but that our primary duty is to protect the well-being of our own people. It is with these people in mind that we ask for a cessation of tariff cuts and for protective quotas. The facts and figures are plain but the policies behind these facts and figures are often hard to understand. Over 425 million square feet of window glass was imported into America in 1959. That means that over 2,600 choice American jobs were exported. In March 1960, 500 tons of window glass arrived from Russia. Approximately 500 choice American jobs thus went to the Soviet Union. How can we explain that to American glassworkers? Thirty-eight million feet of plate glass was imported along with the millions of square feet that arrived in the 668,000 imported automobiles. For that we exchanged nearly 2,000 of our best jobs. Forty-six million square feet of floor and wall tile were

imported in 1959. Between 3,000 and 4,000 jobs in the floor and wall tile industry left our country in those transactions. In 1960 it will certainly be worse, unless we act, and we must act now.

Gentlemen, our international union has supported a reciprocal program. Now, however, we find ourselves faced with a fight for survival. In many instances we find that we are fighting with our friends who have not yet awakened to the stark reality of the trade situation.

The very purpose behind foreign trade and the foreign aid program is being defeated in Europe today.

These programs, since their inception, were to work as economic aids to the nations of the world, especially those of the free world bloc. But today, we find the reciprocal trade program working in reverse; in fact it is retarding the economic growth of European nations.

We must take a firm and positive position to create a quota system that will protect our old established industries from extinction and that will insure the worker the security he once envisioned as a young man. We must inaugurate a fair trade program. If we do not begin such a program soon, the pendulum will swing once again far to the right. We will again be faced with the high and unfair tariff barriers which may well have been the foundation for both World Wars. This we do not want.

Mr. Khrushchev has said that Russia would bury us economically. By importing 500 tons of window glass and exporting 500 American jobs to the Soviet Union we have begun to assist him in making his prediction a reality. Why must we help him do it?

Next the Commission heard from Marshall Lewis representing the National Association of Mirror Manufacturers in behalf of the industry side of the picture. A few excerpts from his statement shows the same worry, the same problem and futility faced by the workers:

The purpose of this appearance is to express opposition of the association to further tariff reductions on mirrors which are dutiable under tariff paragraphs 223, 224, and 230(b), all of which have been included in the list of items which it has been announced will be considered for tariff reduction.

The hearing and investigation to establish the peril point on tariff paragraph 223 was held in October 1959. And now, before the results of the other proceeding have been announced, we find this commodity again listed for possible tariff concessions.

There should be some end to litigation. The mirror industry believes it is being treated rather harshly by being placed in the position of continually having to defend itself against additional tariff reductions.

Japan is the principal country supplying U.S. imports of mirrors not over 144 square inches in size. Exhibit III indicates the large percentage of imports in this category which come from Japan. Imports from Japan have been increasing rapidly under tariff paragraph 230(b), particularly since the rate of duty has been reduced.

Labor cost, it is estimated, constitutes approximately 60 percent of the cost of finished plate glass mirrors.

We have been unable to obtain exact comparisons of the wage rates in the glass industry manufacturing in Belgium and in Japan in comparison to those in the United States.

However, generally U.S. wages in manufacturing are approximately four times those prevailing in Belgium and many times the rates in Japan.

Most U.S. mirror manufacturers are located in small towns with the plants being important to the economic life of these communities by providing the means of livelihood for many families as well as tax revenue for the towns themselves.

We are convinced that the present rates of duty assessable under paragraphs 223 and 224 are not adequate to cover the differences in costs of production here and abroad.

The protection remaining to the American mirror industry is in effect only a figure of speech in view of the wide difference in wage rates and other elements in costs of mirror manufacture which operate to the disadvantage of the highly competitive American industry—which at best is operating mainly on a marginal profit basis with a very substantial number of concerns actually operating at a loss.

The U.S. productive capacity of mirrors is far in excess of demand which results in competition being very severe. Imports have been increasing even though the average unit value of imports has been declining materially. A further lowering of the rates of duty would only accentuate the amount of imports which already are at an increasing rate and threaten serious injury to the domestic mirror manufacturing industry. Total value of imports of mirrors of all sizes for 1952, $423,343; for 1959, $2,031,461.

The same story is told by the manufacturers of tennis balls, sporting goods and all other lines. Typical of how we are becoming enmeshed in a system of American enterprise abroad with unemployment growing here at home is the following late news on developments that have a serious bearing on our future:

Pressure is building up in Europe at two strategic points—productive capacity and the labor supply. Most countries, but particularly Germany, simply cannot build new plants fast enough to cope with current and anticipated demand. At the same time, the labor supply is being stretched to the breaking point.

Typically, we've heard of a U.S.-owned firm in Germany which is putting new plants in remote villages chiefly because untapped local labor was available. There are now about 10 vacancies for every 4 unemployed workers in Germany as a whole.

In Britain, job openings about equal the number of unemployed. Allowing for "frictional" unemployment and turnover, this means some areas are in for a worsening pinch. Even Italy has been hit by a shortage of trained technicians and engineers.

Switzerland reports more than twice as many vacancies as unemployed.

An agreement between Ford Motor and Toyota of Japan is said to be imminent. The joint venture calls for capital investment of $1.1 million by each of the companies. Toyota will provide equipment, buildings, and labor and Ford will supply engineers, machine tools and prototypes. The plan (if it is approved by the Japanese Government) is to build Falcons or a new midget car that has been perfected but not yet produced by Ford. Most of the Japanese-made Fords would be earmarked for sale in Japan and throughout Asia. Toyota already sells small cars in the United States and South America.

Toyota's chief rival in Japan, Nissan Motors (Datsun), has closed a deal with Mexican interests for establishment of the first full-process car production plant in Mexico. Mexico puts a tariff of almost 100 percent on American cars.

Mr. Speaker, what does it all add up to? Simply this, we are putting more of our tax dollars into nonproductive incomes. These incomes are limited and naturally tend to buy goods at the cheapest prices which in turn brings into the United States more cheaper made goods and puts more Americans out of work.

The millions of Americans who are not producing today and living on limited incomes runs up into the millions.

As a partial list, let us add a few figures: 17 million on social security; 3 million on private or personal retirements; 7 million on relief recipients; 5 million unemployed—formerly employed; 3 million unemployed—not recorded as such, youths, handicapped, and so forth; total, 35 million Americans living at below payroll incomes.

Add to this about 9 million more persons who are employed in governments at all levels, plus the hundreds of thousands of farmers who receive a partial Government income from subsidies, soil bank payments, and so forth, and finally the number of workers in private industry whose income stems from Government spending in both military and nonmilitary procurements, and you have a picture of the American economy that ought to cause every real American to sit up and take notice of our serious economic condition.

Yesterday I introduced House Resolution 622, and I quote from its contents:

Whereas there has been a continuing and growing unrest in certain industries of the United States because of the operations of the General Agreement on Tariffs and Trade over the Reciprocal Trade Agreements Act; and

Whereas the administration of the Buy American Act has been detrimental to the American economy; and

Whereas there is a continuing and chronic unemployment of approximately five million workers in the United States: Now, therefore, be it

Resolved, That the chairman of the House Committee on Education and Labor appoint a select committee of a proper number of members of the committee, said membership to be at the discretion of the chairman, to immediately start a full investigation of the operations of reciprocal trade agreements and all of the allied operations, the economic developments under the foreign and mutual aid programs, the rulings and operations of the Buy American Act and the Small Business Administration Act to determine the effects on the economics of this country; and be it further

Resolved, That a study be made by this same committee on the direct or indirect relationship of foreign trade on domestic employment; and be it further

Resolved, That this resolution become effective immediately upon passage.

Mr. Speaker, too many of the Members of Congress refuse to even look at the picture of unemployment from the base of foreign import labor deplacement and yet some of the most ardent supporters of foreign aid and reciprocal trades agreements are finally seeing the dismal results of our overzealous and unrealistic policies in these fields of administrative and congressional action.

I quote now from the National Independent Labor Journal on the "Effect of Foreign Competition on the American Economy:"

EFFECT OF FOREIGN COMPETITION ON THE AMERICAN ECONOMY

Did you know that metalworking is the largest of all industries? Sales last year were in excess of $150 billion. This industry accounts for 43 percent of all manufacturing employment in the country.

Did you know that we are not only importing larger quantities of metalworking products into this country, but we are losing export sales which formerly was a large part of the metalworking industry's market.

Did you know that traditionally, we have exported more finished steel products than we have imported, but the tide has turned. During the past 3 years, the increase in imports has resulted in 7 million tons of finished steel not being produced in American mills by American labor. This is equal to 10 million tons of ingots or 11 percent of last year's domestic production.

Did you know that had this 7 million tons of steel been produced in this country, it would have provided employment for 56,000 more people in the steel industry. (This calculation is based on the industry's experience of 16 man hours required to produce a ton of finished steel.)

Did you know that last year, we imported 625,000 foreign built passenger cars, while our export of American built passenger cars dropped to 115,000. This means we lost the production of over 700,000 passenger cars, annually, which would have required an additional 1¼ million tons of finished steel and would have provided job opportunities to 65,000 additional American workers. This is only the direct job losses in steel mills and automobile plants. If we were to roll back labor requirements for making an automobile all the way to the farms and mines 700,000 cars would represent the labor of 350,000 people.

Did you know that in 1953 we imported 16 million pounds of metal fasteners and last year imports reached 70 million pounds with a sharp and steady decrease in exports. The indicated imports of metal fasteners in 1960 would require more than 130,000 tons of steel to produce. This loss to American industry would provide employment for another 4,000 American employees since the production of metal fasteners requires 40 to 50 man-hours per ton.

Did you know that during 1950, we imported 153,000 sewing machines and last year we imported 1,229,400 units. There are many who will shrug off the loss of this industry, just as we shrugged off the loss of the watch industry, bicycle industry, the typewriter and business machine industries, but we cannot shrug off the loss of the machine tool industry because of its economic and security implications.

In the forties the machine tool plants sold abroad 40 percent of their total output. Today, less than 10 percent of American tool production is being sold abroad. Foreign machine tools are invading the domestic market and has now reached 18 percent of our total consumption.

Did you know that in an attempt at self-preservation, many machine tool builders and other manufacturers have acquired manufacturing facilities in foreign countries to take advantage of the cheaper labor available there and the more favorable tax policies existing there.

Did you know that surveys indicate that half of all the companies building machine tools now have or are in the process of acquiring manufacturing facilities in foreign countries. This presents a threat in the event of a national emergency, such as we faced in the last war.

Did you know that we are so vulnerable to foreign competition because:

1. We have aided financially the establishment of modern industrial plants for them through our foreign aid program.

2. We have shared our technological know-how with countries who are our industrial competitors.

3. In our preoccupation with foreign aid, we have neglected domestic aid which other governments have granted their industries. For example, the overhauling of depreciation rules and regulations to encourage modernization and efficiency of industry, the extension or guarantee of credit, the protection of home markets to import quotas, and restrictions.

4. Our industries pay wage rates which are fantastically higher than those paid by our foreign competitors. For instance, in the machine-tool industry the average rate for production rate workers in America, exclusive of fringe benefits, is $2.40 an hour. In England, 85 cents per hour, Germany, 60 cents per hour; Italy 35 cents per hour. This explains why Western European machine-tool builders can manufacture products in their modern plants, ship them to this country, pay freight, insurance, tariff, and still undersell domestic builders by 30 percent.

Did you know that in the steel industry, exclusive of fringe benefits, the average hourly earnings in the United States in 1959 were $3.11 per hour; in Germany, 67 cents; England, 80 cents; Belgium, 77½ cents; Japan, 41 cents?

This disparity in wage rates has been increased by the wage contract signed this year in the basic steel industry. That contract raised the cost of labor 40 cents an hour over the term of the contract. Meanwhile, foreign steelworkers have settled for increases approximating 5 cents per hour.

It takes about 16 man-hours to finish a ton of steel. Under the present wage rates, that means that the cost of labor input per ton of steel in this country is now $60 a ton. In Western Europe the labor input cost is around $12 to $14 a ton, and in Japan it is in the neighborhood of $7 to $8 per ton.

The steelmaking facilities of those countries are as modern, if not more modern, than ours. With a labor savings of $50 per ton, it is no wonder that foreign steelmakers can flood world and American markets with steel at prices $30 to $40 a ton under the cost of manufacture in our mills. The narrowing margin of American technological superiority cannot overcome such an enormous cost advantage.

It is an obvious conclusion that our competition from foreign countries has made inroads on the steel industry that poses a national problem and should be recognized as such.

The Government must modernize their depreciation system to encourage increasing production efficiency and take all proper steps to aid American industry to maintain a competitive position in world trade.

Source: Report by Walter J. Campbell, editor, Steel magazine, before the House Appropriations Subcommittee on Foreign Operations.

Mr. Speaker, does this point up the need for the investigation I am asking for or are we going to put our heads in the sand like the ostrich that refuses to see the dangers that threaten our very existence?

Too often the only motive behind the expansion of American investments abroad is to make exhorbitant profits, get away from American governmental regulations and safety laws, run away from union contracts, and to get out from under the close scrutiny of their accounts by the Revenue Department.

Does this sound like the high-toned aims of the public proclamations by the President, the State Department, and the free traders and foreign aiders we hear on the floor of Congress?

Time magazine in June published the following article on profits that ought to interest every Member of Congress:

PROFITS FROM IMPORTS—BUSINESS GOES ABROAD TO SELL IN THE UNITED STATES

The rising challenge of bargain-priced foreign imports has sparked a profound—and controversial—change in the strategy of many U.S. businesses. To meet the competition, hundreds of U.S. firms are going abroad to manufacture or buy products to sell in U.S. markets. Already U.S. firms import or manufacture overseas an estimated $1 billion worth of products each year for U.S. customers—and the trend is growing fast.

The shift overseas has raised a storm of protest at home. Some businessmen use it as an argument for higher tariffs; chambers of commerce often consider it downright disloyal; unions complain that it exports U.S. jobs, cuts employment. David Dubinsky, president of the International Ladies Garment Workers, says: "Expansion is legitimate, but expansion at the expense of American workers is illegitimate."

Few firms go abroad with the prime intention of making products for the U.S. market. They usually begin by buying cheaper components abroad to put into U.S.-made products, or by setting up plants overseas to compete better in growing world markets. Once overseas, an increasing number of firms, undercut at home by foreign imports, find their cheaper, foreign-made goods just the thing to fight competition in U.S. markets. Royal McBee set up a typewriter plant in Holland in 1953 as part of its world marketing program, but heavy competition in the United States from foreign-made, lightweight typewriters forced it to begin shipping a similar, Dutch-made model into the United States.

Chief reason for manufacturing abroad is low foreign wages, which some manufacturers find are 25 cents an hour in Japan, 60 cents in Germany against $2.25 in the United States. International Harvester, which imports its small diesel tractors from a British subsidiary, sells them for $2,800, compared with an estimated $3,400 they would cost if made in the United States. Hamilton Watch bought a factory in Switzerland last year, now makes it lowest-priced watch there.

There are other reasons besides wages for going abroad. The International Telephone & Telegraph Corp., which announced last week that it may soon resume sales of foreign-made consumer equipment (radios, appliances, etc.) in the United States, is already bringing in automatic post office equipment made by its Belgian and German subsidiaries. Reason: I.T. & T. says that the equipment is technically superior to any available in the United States. Manhattan's Lafayette Brass Manufacturing Co., producing overseas since 1953 for the U.S. market, has found cheaper tool costs abroad enable it to change designs more frequently than in the United States, keep its products up to the minute. Other firms set up abroad to be near raw materials.

Moving overseas is not always easy. Many countries, such as Brazil and Peru, have tough labor laws that make it almost impossible to fire an incompetent worker, and others exercise strict control over investment. In some countries the problem is payola for government licenses, etc. Blueprint standards have to be changed, laws and languages learned.

For many U.S. firms the move is almost a matter of survival. Singer Manufacturing Co. is the only major U.S. manufacturer left in the household sewing machine industry, where cheaper Japanese and European imports have captured 65 percent of the U.S. market. Part of Singer's secret of survival: it makes its two lower priced models at its factory in Scotland.

Nevertheless, firms that go overseas often fear U.S. public reaction, often market foreign-made products under their own U.S. labels and play down their oversea operations. Some businessmen make no secret about their foreign imports, vigorously defend the practice.

U.S. News & World Report had this to say on the subject:

International Telephone & Telegraph plans to invade the U.S. consumer goods field with products made abroad.

Beginning next year, International Telephone & Telegraph will import, under its own label, consumer products made by foreign subsidiaries and affiliated companies.

That is a reversal of policy. International Telephone & Telegraph has been manufacturing abroad—but only for sale in foreign markets.

First items to be imported: radios and tape recorders from Japan and Germany. Some products will be assembled from components made in several countries.

In every field we find the same complaint, we can't do business under American standards and compete in the marketplace.

It has been pointed out that when we talk of our inability to compete with imports we always want to blame the American wage standard for our trouble.

It is true that we have a higher wage level and that our workers enjoy a higher standard of living. It is also true that this has always been the case. Even if you go back 50, 40, 30, 20, or 10 years you'll find that the American worker received compensation far in excess of the wages paid in foreign countries.

What really makes the problem so pronounced and serious today is a combination of wages, taxes, foreign investments by Americans, Government handouts to competitor nations, foreign operations unrestricted by antitrust laws, antimonopoly practices, Walsh-Healey, Davis-Bacon, social security, hospitalization, unemployment compensation.

Some of these humane and social acts are necessary to our way of life and competitively are not the difference between success or failure in trade.

The real culprit lies in our mistaken policy of putting profit above people both here and abroad.

Are we really helping our friends by building up American industries abroad, syphoning off a great deal of our foreign aid into a few pockets, both American and foreign, rather than spreading it out over the entire populace of an aided nation.

I've said before and I repeat again that our present foreign policy can be summed up in two short sentences, "Blame everything on Khrushchev and the Communists and send every nation more money."

Recently, Hon. Spruille Braden had this to say about "friendships for sale":

Of course, as usual, when confronted with the Cuban situation, Washington had no courage or imagination and so reverted to the wornout, frayed solution of trying to buy friendship.

Some of my Latin American friends are insulted at our assumption that their friendship is for sale. An Argentine friend writes me: "I hope I'm wrong, but I fear that with the aid of North American dollars we will follow the same path as Yugoslavia, Czechoslovakia, Poland, Bolivia, and so many others who have fallen under Communist tyranny with the aid of dollars taken under compulsion from the North American people."

Too often the second step in our diplomacy has been to grant trade concessions with the same hope of buying friendship. Money and trade concesions have brought us nothing but failure.

Another example of the growing awareness to the seriousness of the problem is highlighted by this news story:

GARMENT UNION MAY BOYCOTT CLOTH IMPORTS

MIAMI BEACH, May 30.—The Amalgamated Clothing Workers of America threatened today a union-enforced boycott of Japanese fabrics and finished garments.

The threat of direct union refusal to work on Japanese goods represented a major tactical shift in the Amalgamated's campaign to check invasion of the domestic market by sweatshop imports from the Far East. Up to now the union has relied primarily on Government aid in negotiating trade quotas.

WARNS AT CONVENTION

The warning was given by Jacob S. Potofsky, president of the Amalgamated, at the opening of its 22d biennial convention here.

Representatives of the union's 385,000 members in the men's clothing industry cheered his assertion that the workers could not be compelled to commit economic suicide by working on goods made in low-wage countries abroad.

He disclosed that the union would confer with leading manufacturers in New York on June 8 on specific measures to enforce the import cutoff.

At this time I want to present certain statistical and logical arguments presented to the tariff commission on this serious subject.

Foreign imports started out as an encroachment upon the American market but has now become a full fledged invasion.

I now quote from the presentation of the Pittsburgh Plate Glass Co. and the Admiral Corp.:

STATEMENT OF ROBINSON F. BARKER, VICE PRESIDENT, GLASS DIVISION, PITTSBURGH PLATE GLASS CO., BEFORE U.S. TARIFF COMMISSION, AUGUST 17, 1960

My name is Robinson F. Barker. I am vice president and general manager of the glass division of Pittsburgh Plate Glass Co., and have been in the glass business for 25 years.

First, I wish to thank you for the opportunity to appear here.

My company—PPG—has previously filed with you three confidential memoranda in opposition to further reductions in existing tariff rates—one relates to sheet glass, one to plate glass, and the third to optical glass.

Because of limitations of time and, more important, because sheet glass constitutes our most acute problem, I shall rely upon the memoranda we have filed in the cases of plate glass and optical glass and confine my remarks here to the crucial sheet glass problem.

I appear to present facts which will demonstrate the complete lack of justification for any further reduction in existing tariff duties and the absolute need for the granting of relief at the earliest practicable date by invoking the escape clause provisions of the Trade Agreements Act.

The problem can be stated simply—the U.S. sheet glass industry is losing the domestic market. We respectfully submit that this should concern not only the U.S. Tariff Commission and the Committee for Reciprocity Information, but also the American public at large.

Of course, we are mindful of the desirability of reciprocal trade relations among the nations of the world, and it is not our purpose to quarrel with the wisdom of the concept underlying our country's overall international trade policy.

But, we are also mindful of the fact that loss of the U.S. sheet glass market to foreign producers necessarily jeopardizes thousands of jobs as well as sizable investments which people in this country have made over a long period of years.

I feel that I am qualified to speak about loss of jobs for the reason that one of my major company responsibilities is that of supervising all our glass manufacturing operations. In that capacity, I know from day to day which of our facilities are operating and what the status is of our factory labor force.

It is not pleasant to report to you that commencing with August 1959 each succeeding month, with but one exception—December 1959—has witnessed a decline in the number of our factory workers employed. It has now reached the point where nearly 25 percent of our normal complement of 2,900 sheet glass factory workers are unemployed. My company is not unique in this respect, and we believe that our experience is typical of all domestic sheet glass producers.

The principal markets for sheet glass include the building construction, automotive (including laminating and tempering), sash and door, mirror and specialty manufacturing, and glass jobbing industries. According to the U.S. Department of Commerce, the total volume of sheet glass shipped in 1959 by the domestic producers was $134,502,000 (U.S. Department of Commerce facts for industry series BDSAF-375-09, Feb. 18, 1960).

The following companies manufacture sheet glass in the United States:

1. American St. Gobain Corp.: Sheet glass plants at Arnold, Pa., Jeannette, Pa., and Okmulgee, Okla.

2. Blackford Window Glass Co.: Sheet glass plant at Vincennes, Ind.

3. Ford Motor Co.: Sheet glass plants at Dearborn, Mich., and Nashville, Tenn.

4. Harding Glass Co.: Sheet glass plant at Fort Smith, Ark.

5. Libbey-Owens-Ford Glass Co.: Sheet glass plants at Charleston, W. Va., and Shreveport, La.

6. Pittsburgh Plate Glass Co.: Sheet glass plants at Clarksburg, W. Va., Henryetta, Okla., Mt. Vernon, Ohio, and Decatur, Ill.

7. Rolland Glass Co.: Two sheet glass plants at Clarksburg, W. Va.

I have listed these companies alphabetically and not according to size. Parenthetically, we believe that PPG produces about one-third of the sheet glass manufactured in this country.

Having asserted that the U.S. sheet glass industry is losing the domestic market, I should state the bases for this assertion. If my assertion is correct, as I firmly believe it to be, then this forum presumably will wish to know how this came about, what role the tariff has played, what domestic damage has resulted, and—finally—what can or should be done about it.

Let's begin with some basic facts.

IMPORT IMPACT

In 1950 foreign imports of sheet glass into the United States totalled a modest 31.7 million pounds. In 1959 these imports had risen to the staggering figure of 502.6 million pounds. This represents an increase over 1950 of 1,485 percent.

This phenomenal growth in the absolute amounts of imports over the past 10 years is shown graphically in a chart we have

prepared. With the permission of the chairman I shall hand up copies of the chart with the request that it be designated as an exhibit, and made a part of the record.

You will observe that this chart, which we have entitled "Foreign Invasion of U.S. Sheet Glass Market," records imports in terms of millions of 50-foot single strength equivalent (SSE) boxes rather than in pounds. Fifty-foot SSE boxes constitute the standard unit for measuring sheet glass quantites and that unit is used by the Bureau of Census, Department of Commerce, in the statistics it compiles respecting this industry.

The impact of this absolute volume of imports upon the domestic sheet glass producers is readily discernible from our next chart.

Our second chart, which we also request be make an exhibit, shows—as the title indicates—"Foreign Penetration of the U.S. Market as a percent of U.S. Sheet Glass Production".

The rate of penetration of this market by imports has been fantastic. In 1950 foreign sheet glass imports were equivalent to 2½ percent of the total estimated domestic production. In 1959, imports increased to over 31 percent.

I cannot refrain from observing that in the 10-year period in which this foreign penetration occurred there were a series of reductions in the U.S. rates of duty applicable to imported sheet glass—the 1951 Torquay reduction and the subsequent Geneva reductions in 1956, 1957 and 1958—all on top of prior severe cuts together aggregating 62 to 67 percent.

The two exhibits I have handed up demonstrate that the amount of imports as well as the ratio of total U.S. production supplied by imports increased each year over the previous year shown, with but one exception—1957. Although we do not pretend to have the complete explanation for the 1957 decline in imports, we do know that the domestic demand was off sharply in that year. This is in contrast with a preceding 2-year period of unprecedented demand which undoubtedly led to some scare buying in 1956. With U.S. demand down in 1957 it is logical to assume that the foreigners concentrated more on other markets in that year in preference to the United States.

DECLINE IN EXPORTS

During the 1950–59 period U.S. sheet glass exports have declined substantially. As shown in our revised table 6, U.S. exports in 1950 were 13.4 million pounds, or 231,837 SSE 50-foot boxes (U.S. Department of Commerce (FT–410) reported 8,586,534 square feet). By 1955 U.S. exports had declined to 7.2 million pounds, or 124,026 SSE 50-foot boxes (U.S. Department of Commerce, 4,593,535 square feet), and in 1959 to only 4.3 million pounds, or 74,046 SSE 50-foot boxes (U.S. Department of Commerce, 2,742,437 square feet). Thus, the 1959 exports amounted to only three-tenths of 1 percent of total U.S. production. Contrasted with imports amounting to over 31 percent of domestic production, the picture is certainly a dismal one for this American industry.

One further word about exports from the United States—in recent years we have seen our export markets slowly dwindle away for the reason that more and more countries are establishing their own sheet glass plants. These plants not only serve their own respective domestic needs but also create additional sources of imports to the United States. As a result, during the 1956–59 period, over 30 countries shipped sheet glass into this country.

The foregoing might well be captioned "The Problem Confronting the U.S. Sheet Glass Industry."

At this point you might properly ask: "Well, how did this come about?"

In answering this question, I will first summarize the reasons which have occasioned the loss of a substantial part of our market to the foreigners and then take up each in some detail. The reasons are as follows:

1. There is equality of technology, labor skills, and productivity among foreign and domestic producers;

2. Ocean freight rates constitute no barrier to importation into the United States;

3. Most important is the fact that the foreigners have an overwhelming cost advantage over the domestic producers. This permits the foreigners to cut well below domestic prices.

4. Finally, successive reductions have increased the ineffectiveness of our tariffs in equalizing or offsetting in any way the foreigners' cost advantage.

EQUALITY OF TECHNOLOGY

Considering, first, equality of technology, labor skills and productivity, I am mindful that there is a line of thought in this country that American industry can always meet—and beat—foreign competition simply by the adoption of production-line techniques and mass mechanization. Possibly that line of thought might have application to some domestic industries—I don't know. But, I do know that it does not apply to sheet glass.

It must be remembered that the flat-glass industry had its origin in Europe and over the years a large number of European companies entered the flat-glass manufacturing business. Today, many of those old, established companies are of great size (even by American standards) and they operate internationally.

Those European companies have large research and engineering organizations and their plants are highly mechanized. Many of the European sheet glass facilities have undergone extensive enlargement and modernization since the end of World War II. Unquestionably the Europeans possess sheet-glass technologies equal to those used in this country. Moreover, the quality of their product is comparable to that produced in the United States.

These same observations, only to a slightly lesser degree, are applicable to the Japanese sheet-glass industry. And, in this connection I respectfully urge that you mark well the fact that in 1959 Japan, which has been steadily increasing its position as a world sheet-glass supplier, moved up to second place in the foreign invasion of the U.S. sheet-glass market.

In summing up this point, it is indeed fair to state that by reducing our sheet-glass tariffs this country has not been giving needed sustenance to small, weak foreign glass manufacturers; rather it has given vast, powerful, international companies more fat.

OCEAN FREIGHT RATES

The second reason why we are losing the U.S. market to foreign competitors is that ocean freight rates constitute absolutely no barrier to importation. A few illustrations will make my point.

Using Boston as our first example, you will be interested in learning that the freight rate from Antwerp to Boston is 84 cents ($0.8391) per hundredweight. This is to be compared with the rate of $0.86 per hundredweight which is applicable to shipments from our nearest plant at Clarksburg, W. Va., to Boston.

Another illustration—the rate from Liverpool to Miami is 73 cents ($0.7344) per hundredweight. This compares with the rate of $1 from Clarksburg to Miami, Clarksburg again being our nearest plant.

Turning to the west coast for our final illustration, we find that the rate from Yokohama to San Francisco is $1.24 ($1.2375) per hundredweight. This is 38 cents ($0.3825) lower than the $1.62 per hundredweight rate from our nearest plant, Henryetta, Okla., to San Francisco.

FOREIGN COST ADVANTAGE

By far the most important reason underlying the success of the foreigners in invading the U.S. market is the overwhelming cost advantage they possess over the domestic producers.

This cost advantage applies not only to the cost of labor, by far the most important component of total cost, but also to the cost of raw materials.

Let's examine now what this cost advantage amounts to.

LABOR COSTS

Turning first to comparative labor costs, the advantage possessed by the foreign producers over us is aptly demonstrated by this chart which is entitled "Glass Workers Average Hourly Wages, 1959." We ask that it also be designated as an exhibit.

You will observe that in 1959 the average hourly wages in Japan, excluding fringe benefits, were 33 cents and that such wages (including fringe benefits) were 69 cents and 75 cents, respectively, in West Germany and Belgium.

On the other hand, our average hourly wages in that year were $3.72. Thus, our wage rates were four times those of Belgium, five times those of West Germany, and eight times those of Japan.

While no data were available respecting Japanese fringe benefits, it is unlikely that such benefits would increase the Japanese 33-cent figure above a maximum of 40 cents.

With respect to our PPG figure of $3.72, I should mention that labor contracts we have negotiated in recent months have provided for increases which will raise the $3.72 figure as follows: February 1960, $3.82; September 1960, $3.87; February 1961, $3.92.

The significance of this almost insuperable labor cost advantage held by the foreigners is best appreciated when it is realized that our labor content represents more than 50 percent of our total costs in making sheet glass. (See p. 7, PPG memorandum, for a more precise labor content percentage figure—a figure I do not wish to disclose to my competitors.)

RAW MATERIALS COST

Is the foreigners' labor cost advantage offset by higher cost of raw materials? The answer is no. In fact they have an advantage here too.

This advantage is reflected in a chart entitled "Raw Materials Costs—Belgium and United States." (Costs of five principal ingredients in 1 ton of sheet glass batch). We request that a copy be marked as an exhibit.

In our memorandum—page 11—we had listed a cost comparison between Belgium and the United States of four principal materials needed in the manufacture of sheet glass. Since the memorandum was filed we have obtained comparable costs of a fifth principal material—dolomite—and, accordingly, this additional information is also reflected in this chart which now accounts for 96 percent of the batch composition.

This raw materials cost comparison shows that PPG's costs are approximately 14 percent higher than those of the Belgians. So, here again we are at a marked disadvantage in competing against them.

We are frequently reminded by those who are interested in lowering still further the tariffs on sheet glass that the European producers suffer a great cost disadvantage because of the relatively high price of gas-producing coal in Europe. The fact of the matter is that producer gas is not the principal fuel used in the manufacture of sheet glass abroad. The principal fuel used is oil,

and it is a fact that the delivered cost of oil in Belgium is less than in the United States so that during those winter months when natural gas service is interrupted in domestic plants, the Belgian fuel cost is actually less than that of the U.S. manufacturers. During the months of the year when natural gas is available in the United States the domestic producer does have a fuel cost advantage over his Belgian competitor, but too small to offset the raw materials cost advantage enjoyed by the foreigners.

OTHER ADVANTAGES OF FOREIGNERS

But, these are by no means all of the foreigners' cost advantages.

Replacement and repair costs, and research and development expenses are appreciably lower abroad primarily because of the lower labor costs they enjoy.

Then, too, the foreigners have greatly reduced marketing expenses in selling their sheet glass in the United States. Each of the domestic manufacturers advertises extensively. Although this advertising produces certain benefits, it obviously costs money. Unfortunately the foreigners get a "free ride" from the extensive domestic advertising and they derive substantial benefits from it.

For example, a few years ago we promoted at our expense the use of heavy sheet glass in jalousies, a new product. Within a short period of time the foreigners, by means of deep price cuts which their substantially lower costs permitted, took over this new market entirely and without any promotion expense of the kind incurred by us.

Looking ahead, it is evident that the European producers within the Common Market can look forward to further advantages which will flow from the economic integration of the member countries. Moreover, utilization of the St. Lawrence Seaway will enable the foreign producers to invade our inland domestic markets on an even more economical basis than formerly was the case.

From the foregoing it is crystal clear that the foreigners have an overwhelming cost advantage over the U.S. producers. In this cold, hard fact lies the principal explanation why they have been able to invade the U.S. market successfully.

It is equally clear that our tariff has been completely ineffectual in equalizing or offsetting this tremendous cost advantage.

Since the Tariff Act of 1930 there have been absolute reductions from the basic rates of duty ranging from 62 percent to 67 percent. Moreover, the ad valorem equivalents have declined from 62 percent in the 1936–39 period to only 14.8 percent in 1959. And, in the case of very thin sheet glass, the ad valorem equivalent is down to about 5 percent.

Under these circumstances no reasonable basis exists for consideration of any further reductions in our tariff duties.

The latest in the series of tariff reductions to which we have been subjected became effective as recently as July 1958. In the full year 1958, imports of sheet glass into the United States were approximately 300 million pounds. In 1959, the first full year after the latest reduction, imports zoomed to 502 million pounds—an increase of 67 percent.

DOMESTIC PRICE DISADVANTAGE

With their tremendous cost advantage obviously the foreigners can and do undersell us consistently in this market. Furthermore, as I will demonstrate, regardless of the level of domestic prices at any given time, the foreigners are able to sell at prices ranging from 8 percent to nearly 25 percent below us.

At this point permit me to hand up copies of our revised tables 8 and 9. The information set forth in these tables is identical to that contained in tables 8 and 9 at pages 18–19 of our memorandum except that we have added price data for a typical inland city—Pittsburgh. You will observe that revised table 8 compares the laid-down prices—prior to April 25, 1960—of Western European producers with our prices. You will note that for this comparison we selected such major ports as New York, Chicago, Miami, New Orleans, and Seattle and, as I noted above, Pittsburgh.

As revised table 8 shows, during the period prior to April 25, 1960, the Western European producers laid-down prices ranged from 7.8 percent (Chicago and Miami) to 12.3 percent (New Orleans) below PPG. And, during that period, the prices of Japanese sheet glass laid down on the west coast were approximately 16.5 percent below our prices.

Effective April 25, 1960, we cut our delivered prices to meet this competition and for a brief period we were quoting at approximate parity with the European producers. This, however, was short lived and in a matter of days the foreign producers announced reductions which effectively restored and in some cases even exceeded their previous differentials under our prices.

The results of our abortive attempt to narrow the foreign producers' price differentials are reflected in revised table 9. This table shows at a glance what happened after April 25 in the same port cities—and Pittsburgh—which are shown in our revised table 8. Thus, you will observe that the post-April 25 differentials of the Western European producers below PPG on "B" quality glass ranged from a low of 9.9 percent (Chicago) to a high of 11.1 percent in Seattle (port city) and 11.9 percent in Pittsburgh.

Japanese prices for single and double strength glass on the west coast after April 25, 1960, have ranged from 16 to 19 percent below our delivered prices and in Miami their prices are now approximately 23 percent below ours. This evidences their ability to quote even lower prices whenever they wish to invade a particular market.

It is apparent, therefore, that our April 25, 1960, price reductions did not effect any significant shrinkage in the differentials in favor of the foreign producers. In fact, in important instances, those differentials were further widened.

Since the date of the filing with you of our memorandum, there has been a price development which I should bring to your attention.

On or about July 14 at least one U.S. importer sent telegrams to its U.S. glass jobber customers indicating that its Western European factory sources were about to increase their sheet glass prices aproximately 6 percent. Shortly after that date a number of the European sheet glass producers published such increased prices. I do not know at this time whether those new prices have actually been put into effect. Nor do I know what has motivated this action. I cannot help but observe, however, that this foreign price activity occurred on the eve of the issuance of the witness schedule which lists those who are appearing before you in connection with this extremely vital tariff matter. Whether this is a mere coincidence, I do not know.

In addition we realize, of course, that there is nothing whatever to stop the foreign producers from reestablishing the same deep price cuts as soon as these hearings are concluded.

In any event, we learned just last week that one of the domestic producers has also recently announced slightly higher sheet glass prices. A comparison of the new prices announced by the European producers with those of that domestic producer indicates that were such prices to stick there would be a moderate narrowing in the differentials which previously obtained. The amount of this narrowing seems to approximate 3.7 percent.

My company has not changed its prices and is studying most carefully these recent developments.

Obviously, these price gyrations have not materially altered the basic disadvantages which confront us. Foreign sheet glass continues to be sold at considerable price differentials below domestic prices. And, foreign producers continue to possess substantial advantages in every significant element of cost.

INVASION OF AUTOMOTIVE MARKET

Proponents of tariff reductions in sheet glass from time to time contend that the domestic producers have a significant advantage in making sales to the large volume domestic automobile manufacturers. This is not the fact.

Chrysler Corp., which fabricates half of its glass parts, is presently purchasing 70 to 80 percent of its raw sheet glass requirements from foreign producers. Similarly, the Ford Motor Co., both a producer and fabricator of glass, has contracted to buy sheet glass heavily from abroad. Such glass is used by Chrysler and Ford for fabricating side lights and rear windows. Also independent fabricators of auto glass parts are purchasing a large volume of their sheet glass requirements from foreign producers.

The all-important product for automotive glazing when tempered is 7/32-inch "A" quality heavy sheet glass. Prior to April 25, 1960, the published prices of the Western European producers for this product laid down in Detroit were 12 percent lower than ours. This was 4½ to 5 percent greater than the differential those producers were quoting in Detroit on "B" quality SS and DS window glass, which products are not generally used in automotive glazing.

After April 25, 1960, the differential in most bracket sizes of 7/32-inch "A" quality heavy sheet glass was increased from 12 percent to 14 percent, and in the case of the bracket size needed for automotive side vents to 17.5 percent. These differentials are to be compared with a differential of 8 percent which the European producers applied after April 25 in sales of SS and DS "B" quality window glass in Detroit.

Manifestly these prices, on their face, show that the Western European producers are engaging in an all-out effort to capture the large volume domestic automotive market.

I am informed that PPG's sales and profits in recent years were the subject of comment in a brief filed by one of the importers that is urging for another tariff reduction. For that reason, I feel that I should speak to this subject.

In 1959 PPG had net sales of nearly $607 million and net earnings of $44.1 million. Comparable figures in 1958 were $513.7 million and $32 million. We have recently reported sales of nearly $324 million and net earnings of about $25.7 million for the first 6 months of 1960. Viewed abstractly these are large amounts of money but let us examine for the moment their sources.

For competitive reasons PPG, like most diversified companies, does not disclose its sales and profits for separate products. For the most part PPG derives its sales and earnings from the operations of its five major divisions, namely glass, paint and brush, fiber glass, merchandising, and chemicals and cement (through a wholly controlled subsidiary).

Each of these divisions in turn deals in multiple products. For example, sheet glass is only one of the many products handled by our glass division. Other such products would include plate glass, laminated glass, tempered glass, multiple-glazed units, structural glass, storefront metal, and special glass products for national defense purposes.

Presumably reference to PPG's consolidated sales and earnings are made to suggest that each of its many product lines is relatively profitable. This, of course, is not the case. And, with respect to sheet glass, it should be obvious that no industry with a heavy investment can make a satisfactory profit contribution when operating at 55 percent of capacity in a market fraught with intense price competition of the type I have described.

By way of summary, the tariff on sheet glass declined from 60 percent in 1939 to 14.8 percent in 1959. The absence of effective tariff rates, coupled with excessively low wage rates, has enabled European producers to sell in the United States at prices 8 percent to 17½ percent below domestic producers and has permitted Japanese producers to sell as much as 25 percent below. As a result, imports of foreign sheet glass increased from 2 percent to 31 percent of domestic production in the short span of 10 years—from 1950 through 1959. In the absence of vitally needed tariff relief there is every reason to believe that this steady loss of markets will continue unabated. It should be kept in mind that many cost disadvantages of the domestic producer are the direct result of rules and regulations which have been established by our Government to attain the high standard of living which prevails in this country. I have in mind here our laws relating to minimum wages, collective bargaining, social security and taxes—to name a few. After helping American workers to secure a fair wage, it cannot be the policy of the Government to promote buying abroad to avoid the resulting higher wage costs of domestic producers. These cost disadvantages materially affect our ability to compete.

At present, we are producing at only 55 percent of our capacity with nearly 25 percent of our normal number of sheet glass factory workers out of work. Operating at such a low rate sharply increases our per unit cost of production, which in turn places us at an even greater competitive disadvantage. In addition, our inventories of sheet glass have been steadily increasing even at our current low rate of operations. Today our inventories are at an all time high and nearly double what they were a year ago. We believe that our experience in this regard is typical of all domestic producers.

In conclusion, I invite your careful attention to one of the most alarming situations which faces us—namely, the steady loss of our position in the American market and the substantial denial of participation by us in the increased demands of the U.S. market for sheet glass. It is my understanding that there is agreement in many quarters that the decade in the sixties will open a golden period of dynamic growth in American industry. Based upon our research and development, and market studies we have every reason to believe the market for sheet glass will be an expanding one. However, under the conditions which presently exist, and which I have endeavored to outline to you, we have no present hope or expectation of sharing in that growth.

We do not believe that it is the purpose or policy of our Government under the Trade Agreements Act or any other provision of law to deny to any American industry—and in this instance particularly to the sheet glass industry—the opportunity to participate in the indicated steady economic growth of our country. That participation, we fear, may be difficult if not impossible unless prompt action is taken to place us on some basis of equality with the foreign sheet glass producers in the U.S. market. We do not ask for, nor expect, an embargo—we ask only for a fair opportunity to compete.

For all these reasons we respectfully submit that this Commission should report to the President of the United States that the peril point for sheet glass has been reached and exceeded, and that pursuant to the provisions of the Trade Agreements Act this Commission institute on its own motion an escape clause investigation in order that action may be taken at the earliest practicable date to extend essential relief to this industry.

BACKGROUND MEMORANDUM ON JAPANESE ELECTRONIC EXPORTS TO THE UNITED STATES FROM ADMIRAL CORP., AUGUST 1960

The tidal wave of Japanese electronic products continues to flood U.S. markets. First quarter statistics from the U.S. Department of Commerce indicate that electronic exports from Japan to this country were nearly double the level of last year. In some categories, first quarter shipments were nearly as great as those during the entire year 1959.

More than 4 million Japanese transistor radios (with three or more transistors) were sold in the United States in 1959, while nearly 500,000 tube radios were shipped here. These radios were produced by Japanese earning from 12 to 16 cents an hour, a wage level which existed in this country some 60 years ago.

It is of interest to note that there is no limit on the number of Japanese radios that can be landed in the United States because of this country's wide-open-door policy. The U.S. duty is only 12½ percent, compared with an 18-percent duty imposed on any American radios shipped to Japan.

On the other hand, although American labor rates in the electronics industry average $2 and more per hour, the Japanese government restricts the importing of American radios by subjecting them to licensing which is rarely granted. According to the U.S. Department of Commerce, only 835 American-made radios were exported to Japan during the entire year of 1959.

In addition to their extremely low wage levels, it should be noted that Japanese electronic plants also are automated to a high degree. The wide discrepancy in wage rates of American and Japanese workers is made even greater by the many fringe benefits including social security and unemployment compensation offered in this country.

In calling for an immediate reevaluation of American trade policies with Japan, Ross D. Siragusa, president of Admiral Corp. of Chicago, said,

"We recognize the need for foreign trade, but we do not believe American workers and industry should be forced to suffer because of our Government's wide-open-door policy and lack of restrictions."

What are American manufacturers doing to combat the heavy Japanese electronic imports? Most of them have taken the line of least resistance and are buying components or complete Japanese radios for marketing under their own brand names (Motorola, Emerson, Bulova, OE, etc.).

Admiral has followed a buy American program and has steadfastly refused to use Japanese components or otherwise cheapen its radios or television receivers. Suppliers, who have been concerned about shrinking employment as well as diminishing business, have cooperated wholeheartedly in the Admiral effort to be competitive in today's market.

Admiral radio cartons proudly carry this identification: "Made by American craftsmen with guaranteed quality American components." RCA and Zenith also are using similar slogans.

Admiral's advertising mentions "100-percent American quality—100-percent American made." The company has carried its fight against Japanese inroads to its big Times Square spectacular sign in New York City which now calls attention every 60 seconds to buy American.

The Electronic Industries Association, Washington, D.C., asked the Office of Civil and Defense Mobilization last year to take action without apparent results.

While in favor of protecting the American electronics industry, EIA is split within its organization by the many companies that are buying finished Japanese radios or are using Japanese components in radios assembled in the United States.

Proof that the foreign imports are hurting American employment is evidenced by a statement from M. Frank Darling, president and business manager of Local 1031, International Brotherhood of Electrical Workers, pointing out that the number of employed members in his Chicago area local has dropped 14,000 over the past 3 years.

Local 1031, largest in the United States with some 42,000 members, carries this message on a huge sign in front of its headquarters building on West Madison Street:

BUY AMERICAN-MADE PRODUCTS—THE JOB YOU SAVE MAY BE YOUR OWN

The union sponsored a 26-week series of spot announcements recently on WGN radio, urging listeners to buy American-made goods and support U.S. industry.

The United States is not the sole target of Japanese radios. Canada, too, has been feeling the effects of heavy imports. The Electronic Industries Association of Canada blames the Federal Government's inaction as "rapidly forcing the Canadian electronics industry out of business."

In Canada Japanese radio imports have increased 769 percent since 1957; Japan has taken 32.5 percent of that country's electronic market; employment at receiving tube plants has dropped 24 percent in 1 year as a result of Japanese imports.

Stuart D. Brownlee, retiring president of EIAC and president of Canadian Admiral Corp., Ltd., of Port Credit, Ontario, said that the 395,000 Japanese radio receivers imported by Canada in 1959 represented 2,370,000 man-hours of labor lost. Quotas seem to offer the only real solution, he added.

In Australia, where Japanese radio imports began to flood dealers about a year ago, the Government took prompt and effective action to stem the tide. A $22.50 duty was imposed on every imported product with transistors no matter where it came from. The result: no more imported radios and no more problems.

Radio industry manufacturers in the United Kingdom are especially concerned about Japanese sets flooding their market. One industry official (Norman Dodd) while speaking recently in the House of Commons said it was regrettable that the government increased the quota last month.

"Japanese components are being imported in Austrian and Italian transistor sets. As a result of the Irish Government's favorable terms to a Japanese subsidiary we are likely to get more shipments from the free port of Shannon. The main components of these transistors are not the raw materials but labor—they have a high labor content."

It was pointed out that in addition to direct imports from Japan there were other imports of receivers with a large Japanese content coming from the Continent and Hong Kong.

A spokesman estimated the Japanese transistor radios would corner 20 percent of the expected United Kingdom market in 1960 "at a time when our industry is just beginning to get the market going here. The United Kingdom Government must be aware of what has happened to the transistor radio industry in the United States, Canada, and elsewhere. Similar circumstances may face the United Kingdom radio industry."

A few months ago the Research Clinic of Woodbury College conducted a survey for Admiral among 2,500 families in the Metropolitan Los Angeles area. More than 72 percent indicated a preference for American-made transistor radios despite higher retail prices. According to the survey, these results point up the greater confidence of consumers in American quality and workmanship.

Within the next few months the Japanese will embark on another electronics invasion of the United States—with television receivers. Ross D. Siragusa, the president of Admiral, does not believe the Japanese will enjoy anywhere near the same success with their TV sets as they did with radios.

"The American public realizes that television is a complex electronic instrument," Siragusa pointed out. "I am confident that when the consumer buys a TV set he wants to be certain he can get it repaired and obtain replacement parts anywhere, should they be required. I also want to mention that at the present time no Japanese TV sets carry the Underwriters Laboratories' seal which assures the safety of electrical products in regard to fire and shock dangers."

Incidentally, Japanese TV sets will be taxed at the rate of only 10½ percent when they begin to arrive in this country. Any American TV sets which are licensed for shipping to Japan are hit with a 25-percent duty.

Mr. Siragusa said there is growing evidence of attempts to delude the American public with highly questionable marketing practices for Japanese radios. He called attention to a new brand name for transistor radios—Americana—announced by Sanshin Jitsugyo Co., Ltd., Tokyo, and also referred to a full-page advertisement of Transistor World Corp. in the August 2, 1960, issue of Home Furnishings Daily.

The ad by the distributor of Toshiba radios in the United States carries this headline: "Acceptance Built on Integrity," and features a large photographic illustration of the Mount Rushmore National Monument (South Dakota) showing Presidents Washington, Jefferson, Roosevelt, and Lincoln.

The shipment of electronic components from Japan to the United States in the first 3 months of 1960 shows alarming increases in every category: Receiving tubes, up 383 percent; loudspeakers, up 233 percent; transistors, up 1,059 percent.

It is obvious that these increases cannot continue for long without inflicting serious and permanent damage on American suppliers.

Therefore, Admiral Corp. hopes the administration in Washington will make an immediate reappraisal of American trade policies with Japan, especially in the area of electronics.

Mr. Speaker, I also include a press release from my office dated August 23, 1960:

Congressman JOHN H. DENT today prevailed upon Congress to pass a resolution calling for an investigation of the administration of the Buy American Act, the reciprocal trades program, and the influence of GATT on the American economy.

DENT cited the long list of American industries and American labor groups that have been spending high sums of money and many days of futile efforts in protesting tariff cuts and quota liberalizations before the Tariff Commission in vain.

The added weight of the import lobby, the Presidential veto power, the State Department's blending of foreign affairs with tariff concessions, the new reciprocal trade agreements fraud, perpetrated by the international trade groups that control GATT are just too much for many American industries.

The vigorous protest of the American glass manufacturers and American glass and ceramic workers seems to fall on deaf ears year after year and in the meantime, we've made Japan the world's largest glass producer, particularly for the U.S. market. Glass isn't alone in its protest. I've received vigorous statistical protests from steel, paint, window glass, coal, steel producers, flint glass, ceramic, sporting goods, toy, tire and tube manufacturers from my own district showing absolute proof that they cannot compete with foreign producers with our tax structures and American standards of living. Steel, rubber goods, toys, tennis balls, watches, and in fact, all of the consumer goods are in serious trouble with foreign imports.

Our Government can't expect anything but chaos and more unemployment, factory closings, and main street bankruptcies unless it starts right at the top and enforces the Buy American Act in Government procurement. The unrealistic 6-percent differential established by the Eisenhower administration in Government procurement practically closes the door upon American industry and the American workman. Actually, if carried out to its ultimate, not one American car would be sold to our Government, not one American rifle or uniform, not one American piece of equipment because by actual competition the American producer doing business with our Government starts off with 36.014 percent against him since this much out of every gross dollars worth of business with our Government is paid back to the Government in only five categories of Government payroll and profit taxes.

If all local and raw material supplier taxes are computed, the amount the Government assesses against every American bid is fantastic, especially so when you figure the unrealistic differential allowed Americans.

THE MEXICAN MIGRANT LABOR PROGRAM

The SPEAKER pro tempore (Mr. FLOOD). Under the previous order of the House, the gentleman from New York [Mr. SANTANGELO] is recognized for 60 minutes.

Mr. SANTANGELO. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter and tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SANTANGELO. Mr. Speaker, on June 29 of this year the House passed H.R. 12759, which extends Public Law 78 which permits the use of migrant labor on American farms. We have seen that approximately 440,000 Mexican nationals, known as braceros, are working on American farms producing food and fiber. Approximately 60 percent, or 260,000, are working on cotton farms. Most of the braceros are working in five States: Arizona which has 24,630; Arkansas, 27,387; California, 136,012; Texas, 205,959; New Mexico, 18,290.

During the consideration of the bill, I became greatly concerned about the charges made against this program. I heard talk about the slave wages being paid these braceros, the horrible housing conditions which were provided by the growers who hire these men and the lack of sanitary conditions. I also heard about the immorality of hiring braceros and migrant workers and how domestic workers were being ousted from employment by these migrant workers. Representatives from the Southwest and Far West on the other hand claimed that these accusations were untrue, that braceros earned more than $1 an hour and that also it was imperative for growers to hire these braceros in order to harvest their crops.

As a matter of fact, I was impressed by the argument as to the dire need of the bracero program and was also impressed by the dangers of exploitation inherent in hiring cheap foreign labor. I introduced an amendment, which because of a limitation of time, received little consideration. My amendment provided that the Secretary of Labor should not authorize the entry of Mexican nationals for farm labor except for the cultivation and harvest of food supplies. This would exclude the use of braceros on cotton farms, which is in surplus which our Government subsidizes and which is costing our Government storage charges because of the surplus. That amendment was defeated, but not my interest in this growing subject of migrant labor. I decided to see for myself.

As a member of the Appropriations Committee Subcommittee on Agriculture, I visited several areas in California and in Arkansas during the week of July 18, 1960, shortly after the debate. I was accompanied by a staff officer, Ross Pope and Congressman ROLAND LIBONATI, of Illinois, a member of the Judiciary Committee, who was deeply interested in the immigration aspects of the importation of these braceros. We sought to observe the type of agricultural conditions in these areas and to study farm labor problems with respect to both domestic farmworkers and Mexican nationals—braceros. Throughout my trip I was accompanied by representatives of the Department of Labor and the Department of Agriculture. They were very helpful and cooperative.

I take this opportunity to report to you what we found in California and in Arkansas, what we learned and what conclusions I have drawn. I shall discuss the wage rates, the housing conditions, the employment opportunities, the pending litigation, the employer-company store, and my conclusions and recommendations. The conclusions that I have drawn are my own. I do not bespeak the sentiments of the other members of the Appropriations Subcommittee on Agriculture. Their views may or may not accord with mine. I shall pull no punches and shall praise or criticize this program without fear or without bias.

REPORT: SANTANGELO CALIFORNIA AND ARKANSAS TRIP

It seems to be the thinking of the majority of those who hire braceros that a Mexican national—bracero—is fortunate to find employment in the broiling sun at 100 degrees or better at 50 cents

an hour, and that housing discomforts and insanitary facilities are necessary evils. Because these housing discomforts are endured for a short period of time and are temporary in character and that these braceros are accustomed to poverty, insecurity, and inequality, it is felt that a standard of living which is at a level slightly higher than the standard of poverty to which they are accustomed is a benevolence. Such a viewpoint cannot be accepted by a humane society and a nation which rejects the notion that poverty is inevitable. No group of people which believes in the dignity and worth of a human being can tolerate the degrading housing conditions and lack of sanitary facilities which exist in certain areas. The Department of Labor must see to it that a decent standard of living considering the circumstances must be maintained. This program no matter how necessary it is to growers should be permitted to continue only if clean housing and sanitary facilities are provided.

CALIFORNIA

The schedule in California included visits to a number of farms and ranches in the San Joaquin, Santa Clara, and Napa Valleys as follows:

First. We visited the DiGiorgio Farms at Arvin, near Bakersfield. This property covers 10,000 acres, 6,000 of which are in vineyards. This operation supports some 900 people on an annual basis and about 2,000 at peak periods, including around 300 Mexican nationals. We were told that the labor turnover rate was very high.

The farm workers average 50 hours per week in busy periods and 40 hours per week during slack periods. The rates of pay for picking grapes were $1 per hour. Where grapes are both picked and packed in the field, the rate was $1 per hour, plus 10 cents per box. Thompson seedless grapes are produced in the main. For picking plums and peanuts, the rates were $1.25 per hour. Packers in the packinghouse receive $1 per hour for grapes and a piecework rate for plums which averages at least $1 per hour. One packing house was completely air conditioned.

We were told that these rates applied to both domestic workers and Mexican nationals. The charge for room and board was $2 per day for domestics and $1.75 for nationals.

Second. We visited the Coit Ranch at Mendota, near Fresno. This is an 11,000-acre property with 4,000 acres devoted to the production of cantaloupes. They are delicious and succulent. Considerable acreage is planted to cotton also. This operation employs 100 to 150 domestics on a year-round basis, with 150 to 200 Mexican nationals on a seasonal basis. Here we observed the cantaloupe fields and inspected the domestic labor camp and single workers' camp—primarily for Mexican nationals.

Third. We visited the G. Oberti and Sans olive processing and canning plant at Madera, near Fresno. This organization has about 800 acres planted to olives on 9 ranches. One orchard totals 320 acres, the largest olive orchard in the United States. It uses about 600 seasonal workers, both domestic and Mexican nationals, for 6 to 8 weeks each year during the harvesting period.

The group visited the canning plant and inspected the farm labor camp which was unused and looked structurally sound and airy.

Fourth. We visited the Progressive Growers Farm Labor Association at Santa Clara. This is an association of Santa Clara Valley growers which is responsible for obtaining both domestic and foreign labor for the individual member growers. Last year it used some 4,000 braceros at peak periods, with an average of 500 for 8 to 10 months of the year. It also provided employment through its members for an average of 2,000 to 2,500 domestic workers for 8 to 10 months of the year. Here we reviewed the payroll and picking records of Mexican nationals and domestic workers. It was interesting to note that generally the Mexican nationals were more productive than the domestic workers. We also inspected the Walter Brown Labor Camp which houses 425 single workers used by various growers in the area, and the L. G. Farms, a small user of farm labor.

Last year on September 16, 1959, the Secretary of Labor, James P. Mitchell, made a surprise visit to Santa Clara farm labor camps, and ordered one to be closed down and ordered some others to clean up or shut down. One of the barracks belonged to the Progressive Growers Association camp. I am happy to report that the barracks which I observed belonging to the Progressive Growers Association were acceptable in my opinion. It provided tolerable housing accommodations, running water, sanitary facilities, and also a community playroom where I observed braceros playing pool, listening to Spanish music on a juke box and playing cards.

Fifth. We visited the Louis Martini winery at Rutherford, north of San Francisco. This winery was founded in the early 1900's and has over 600 acres of vineyards. The group toured the winery and observed various operations from crushing of grapes to final bottling and labeling. Also, the group inspected the farm labor housing—60-man capacity—and some of the vineyards.

Sixth. We visited the C. E. Herrick Farms at Napa, north of San Francisco, a large prune ranch employing some 10 workers. Here we observed the prune orchards, visited the farm labor housing—12-man capacity—and inspected an automated prune dehydrating plant just installed. Housing was adequate, but sanitary facilities could be improved upon.

Seventh. The group also visited the main office in San Francisco of the DiGiorgio Fruit Corp., which owns and operates in California six large fruit ranches, one of which has been discussed earlier in this report, three processing plants, several wineries, a bottling plant, and a lumber and box plant. It also has two properties in Florida. Here we conferred with Mr. J. S. DiGiorgio, president of the company. We were told that this company declared dividends of 3 percent last year, that farm labor turnover had averaged 500 percent last year and that wages throughout the organization for farm workers had averaged $2.50 to $2.75 per hour for Japanese workers; $2 to $2.50 per hour for Mexican nationals; and $1.35 to $1.75 per hour for domestic workers. Mr. DiGiorgio pointed out that his organization employed every domestic worker referred to them, despite their poorer production record and their general undependability. He stated, however, that during peak periods they had to depend on foreign workers to get the crops harvested.

ARKANSAS

The visit to the Mississippi Delta area near West Memphis, Ark., included the following stops:

First. The Kuhn plantation, near Lepanto, Ark., a 4,000-acre cotton farm. Here we inspected a farm labor camp with a capacity of 50 men. Living conditions were very poor here, with outdoor sanitary facilities and no running water. Such camps as these should not be permitted to continue and should be closed down unless sanitary conditions are immeasurable improved. We so indicated our feelings to the farm manager and to the authorities, and the Mexican nationals were moved out—see report of Roy L. Haynes to his supervisor dated August 2, 1960, attached herewith. We have been informed that these housing facilities will no longer be used unless and until the unsanitary conditions are corrected.

Second. A group of farmer cooperative associations which use 1,500 to 2,000 Mexican nationals each year, at Lepanto, Ark. These associations included the Lepanto Growers Association, the Citizens Independent Growers Association, and the Parkin Growers Association. These organizations are paying 50 cents per hour for "cotton chopping" for both domestics and braceros and $2.50 to $3 per hundred pounds for cottonpicking. It was pointed out that most of the domestic workers are women, children, and older people who are not as productive as the braceros. It was also pointed out that, on occasion, the local wage rates for domestics are less than the rates paid the Mexican nationals.

Here we visited the farm labor housing facilities of several member growers, including the J. P. Gooch plantation and the Joe Roy Nash plantation, both near Lepanto. The Gooch property has 250 acres of cotton and employs about 10 Mexican nationals in the spring and around 40 in the fall of the year. The Nash property covers 160 acres, of which 55 are in cotton, and employs three braceros in the spring and eight in the fall. The housing facilities inspected here were in poor condition, very much like those found on the Kuhn plantation. Sanitary conditions would have to be improved and maintained; otherwise, it is our recommendation that the housing

should be closed down—see report of Roy L. Haynes to his supervisor, dated August 2, 1960, attached herewith. These conditions, in any charitable sense, could not be labeled livable. We have been informed that bad sanitary conditions have been corrected.

Generally the buildings are those which were previously used by tenant farmers and have been converted for this purpose. Housing is usually furnished free of charge and each person is expected to furnish his own meals with stoves in the houses. We were told, however, that many Mexican nationals prefer this type of housing where they can live in small groups to the large labor camps in Texas and California which are more like military camps.

The group also observed the recontracting of Mexican nationals who had finished their work in Arkansas for further farm work in Michigan and Wisconsin.

Third. We visited the Robert Wilson Co., of Wilson, Ark. This is a large company with sizable holdings, including most of the town of Wilson. It operates some 25,000 acres, largely planted to cotton. It employs some 450 permanent domestic workers and as many transient domestics as it can get during the peak cotton picking period; it also uses as many as 2,000 Mexican nationals. The group consulted with the owner, R. E. L. Wilson 3d, and the manager, Jim Germany. The wage rates are generally the same as paid in the rest of the area—50 cents per hour for cotton chopping and $2.50 to $3.50 per hundred pounds for cotton picking. Mr. Wilson stated that the average worker can make from $25 to $45 per week picking cotton. We inspected the hourly work sheets, which confirmed the company's representations that the workers were being credited the hourly minimum wages. The records also indicated that most of them were working in excess of 8 hours per day at 50 cents per hour, 5 days per week, on the cotton farms doing hoeing or chopping. Mr. Wilson also stated that "Mexicans are wonderful workers and can usually exceed $25 to $45 per week." When braceros chop or hoe cotton, it is unlikely that they can earn more than $40 per week.

He further pointed out that the organization expects to increase its production of vegetables in the future to provide more continuous employment for 8 to 10 months of the year. He indicated that this type of operation should provide permanent employment throughout most of the year for some 350 to 500 farmworkers. The company has several farm labor camps which can accommodate from 25 to 200 workers. The group inspected one of these facilities and found it to be very satisfactory, much like those found in California.

SUMMARY OF FINDINGS

First. Wage rates: Farm labor wage rates in California are generally $1 per hour or more for most operations, except in the Imperial Valley. The more experienced workers can earn considerably more than this on a piecework basis. I am attaching a Department of Labor release showing average hourly earnings of Mexican nationals in various counties in California during May 1960.

Reports which we have received regarding wages and employment conditions in the Imperial Valley of southern California indicate that growers request a greater supply of braceros than their farm needs require. Of the 14,000 in this area, over 9,000 work on cotton farms. Consequently, many braceros find their modest maximum income reduced by part-time employment, by the cost of food consumption during their enforced leisure hours, and by reductions for medical care. Weekly wages after deductions in the Imperial Valley of southern California have amounted on occasions to a paltry $2 or $3 per week. Complaints have also been received that the medical treatments guaranteed by the medical insurance programs in time of need have not been forthcoming or are inadequate. We did not go into this matter, but the Agriculture Committee, if it has not done so, should do so.

Wage rates in Arkansas are much less than those in California—50 cents per hour for cotton chopping in the spring to perhaps 75 cents to $1.25 per hour picking cotton. It must be realized, however, that all income levels are lower in Arkansas and that living costs are much lower, particularly for housing and utilities.

In most areas, Mexican nationals and domestic workers are paid the same wages for similar work. In some instances it appears that domestic workers in Arkansas earn slightly less than braceros on some occasions.

Second. Housing conditions: Farm labor housing in Arkansas is very inferior to that observed in California from the standpoint of cleanliness, comfort, eating facilities, and recreational opportunities. Most labor camps in California are relatively new and are easier to maintain. Since the number of persons housed is much larger in camps on the typical California ranch, central eating facilities are provided with excellent menus. In Arkansas, most of the farms are small, employing only a few workers. The housing provided there is usually reconverted tenant housing with outside sanitary facilities and no running water. The occupants are provided with cooking facilities and are required to provide their own meals which are less costly to the worker but far less satisfactory. The Mexican national is charged $1.75 per day for meals and lodging in California—$12.25 per week. We were told that the average Mexican could feed himself for around $5 to $6 per week in Arkansas with no charge for housing.

The DiGiorgio Fruit Corp. representatives in California showed us plans for improved housing to accommodate 4 braceros in a cottage instead of 7 barracks accommodating 50 or more Mexican nationals.

In Arkansas, in the main, the lack of running water is a degradation to the farmworker who returns home after an 8- or 10-hour workday in the broiling sun. In my opinion, the regulations by the Department of Labor should require running water for toilet and bathing facilities as a condition precedent to certification by the Department of Labor that the housing conditions are acceptable for the importation of braceros.

Third. Employment opportunities: Despite a 5- or 6-percent unemployment rate in California, it appears that the growers there are employing all domestic workers referred to them. In addition, they are using many Mexican nationals during the peak seasons to enable them to meet their planting, growing, and harvesting schedules. Because of the large variety of crops produced in California, with the periods of harvesting staggered throughout the year, there is a need for farmworkers for nearly 10 months of the year from March through December. The growers contacted generally felt that there is a need for additional sources of farm labor, in view of the deficiencies of domestic workers.

Agriculture in Arkansas is limited to fewer crops, generally cotton and soybeans, which means that the need for itinerant domestics and Mexican nationals is limited to a few months in the spring and again in the fall. As indicated earlier, there is some effort being made to introduce additional crops to lengthen the season, stagger peak periods of work and stabilize income. If such trend becomes widespread, more continuous employment opportunities will be possible for both domestic and foreign workers.

Fourth. Pending litigation: Presently there is litigation pending in the courts involving the right to enforce the regulations by the Department of Labor as to the minimum wages payable and the acceptable working conditions.

The program of importing Mexican nationals in my opinion cannot be justified unless decent housing conditions and sanitary facilities are provided and maintained by the growers. An enforcement of the regulations must be effective. Two attempts have been made to stop the enforcement of the Department of Labor regulations. The first involved a group of agricultural employers in the lower Rio Grande Valley of Texas, who instituted legal action to restrain certain officials of the Department of Labor from requiring them to pay Mexican workers in their employ more than $2.30 per hundredweight for picking cotton. The second involved an association of agricultural employers which sought a temporary injunction enjoining certain officials of the Department of Labor from placing the name of the association upon a list of employers not eligible to contract Mexican workers because the employers failed to keep accurate payroll records. The background and status of these cases is set forth in a memorandum attached herewith.

Fifth. The employer company store: Complaints have been heard that the infamous company store operated by

mine owners and gouging employers has found its appearance in the Southwest of the United States and that braceros were being overcharged in the purchase of food commodities far in excess of their true value or comparable prices in noncompany stores. We requested and obtained a comparison of prices which braceros are required to pay in the so-called company store and the prices which obtain in the nearby markets out of the area of the employers' premises and in the neighboring sections.

Attached herewith is a summary of commodities most used by Mexican nationals working in the area of Wilson, Ark., and which are purchased in the company and noncompany stores. A reading of the report indicates that in the Wilson Grocery and Market in Wilson, Ark., that in 10 out of 13 commodities, the company charged a difference from 1 to 5 cents over the average selling price in the adjoining areas. In two of the commodities, the noncompany stores on the average charged about a penny more than the price which was being charged in the company store. It appears, therefore, that the complaints have very little substance in this regard in this area.

I am attaching a letter from Robert C. Goodwin, Director of the U.S. Bureau of Employment Security, dated August 12, 1960, in which he sets forth a summary of the litigation pending in the U.S. District Court in the Southern District of Texas, the tabulation of findings of the prices of food commodities current in the area of Wilson, Ark., and the action taken by the Department of Labor in regard to the housing conditions which we observed and which we complained about. The Department of Labor has taken effective action, but it is recommended that more frequent inspections be made, and in the event that personnel be insufficient, that additional personnel be engaged to make periodic and frequent inspections.

U.S. DEPARTMENT OF LABOR,
BUREAU OF EMPLOYMENT SECURITY,
Washington, D.C., August 12, 1960.

HON. ALFRED SANTANGELO,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN SANTANGELO: During your recent visit to Arkansas you requested Mr. Ray Haynes, of our Dallas regional office, to secure and furnish you with information concerning the injunction suit in the Lower Rio Grande Valley of Texas and a summary of our findings on a study of food costs (selected items) in the towns of Lepanto, Osceolo, and Wilson as compared to charges made on the same items at stores (commissaries) on the Lee Wilson Plantation, particularly at Marion and Wilson, Ark.

In compliance with this request I am enclosing copies of the "Summary of Litigation Pending in the U.S. District Court in the Southern District of Texas," and a tabulation of our findings of the "Prices of Food Commodities Most Used by Mexican Nationals Working in Area of Wilson, Ark."

I am also enclosing excerpts from Mr. Haynes' report to his superviser, W. B. McFarland, dated August 2, 1960. These excerpts summarize the action taken concerning housing deficiences observed during your visit.

I am pleased to provide you with this information and if I can be of any further service please let me know.

Sincerely yours,

ROBERT C. GOODWIN,
Director.

SUMMARY OF LITIGATION PENDING IN THE U.S. DISTRICT COURT IN THE SOUTHERN DISTRICT OF TEXAS

A group of agricultural employers in the Lower Rio Grande Valley of Texas instituted legal action to restrain certain officials of the Department of Labor from requiring them to pay Mexican workers in their employ more than $2.30 per hundredweight for picking cotton. The background to this litigation is as follows:

Section 503(2) of title V of the Agricultural Act of 1949, as amended, prohibits the Secretary of Labor from making Mexican nationals available for agricultural employment in the United States unless he can certify that their employment will not adversely affect the wages and working conditions of similarly employed domestic agricultural workers.

Until 1958, no studies had been made of the earnings produced by the various piece rates paid to Mexican workers in the many agricultural activities in which they were employed. In 1958, the Department of Labor conducted a survey of the earnings produced by the piece rates paid to Mexican workers employed in the vegetable harvest in the Lower Rio Grande Valley of Texas. This survey revealed that on the basis of the then prevailing piece rate paid to Mexican workers their earnings averaged 33 cents per hour. The Secretary of Labor thereupon determined that he could not, consistent with the statutory responsibility imposed upon him under title V of the Agricultural Act, certify the employment of Mexican workers, working at piece rates producing earnings of less than 50 cents an hour, where under the statute he would be placing domestic agricultural workers in competition with such Mexican workers. Accordingly, in order to carry out his statutory responsibilities, the Secretary adopted the "90–10" wage policy. This policy requires, as a condition precedent to the determination and certification called for by section 503, that the piece rate offered by an employer to Mexican agricultural workers must afford to at least 90 percent of the employer's Mexican workers of normal competence and diligence, within a given pay period, average earnings of not less than 50 cents per hour.

For a number of years, in the Lower Rio Grande Valley of Texas $2.05 per hundredweight was the rate paid by growers for employment in cotton picking. Studies in 1953 disclosed that at least $2.30 was necessary to meet the provisions of the "90–10" wage policy and growers in the area advised that the Secretary of Labor would not be able to certify that a rate less than $2.30 per hundredweight would not result in adverse effect. Because the information obtained was inconclusive as to whether $2.30 per hundredweight was adequate to meet the "90–10" wage policy, the growers were at the same time advised that a further study would be made at the end of the 1959 cotton harvest season to determine the adequacy of the piece rate.

Prior to the beginning of the 1959 cotton harvest season, the Department of Labor held a series of conferences with the growers who assured the Department that they would, on a do-it-yourself basis, comply with the "90–10" wage policy.

At the end of the 1959 cotton harvest, a study was undertaken of the earnings that the $2.30 per hundredweight had produced. The Department examined the payroll records of 35 employers who had employed 36,574 Mexican workers in cotton picking during the 1959 cotton harvest in the lower Rio Grande Valley. This examination revealed that 29 of these employers, employing 34,395 workers, had not maintained adequate and accurate records of the hours worked by Mexican workers employed by them in the cotton-picking harvest. It was thus impossible for the Secretary to determine the actual hourly earnings of the Mexican workers. Accordingly, it became necessary for the Secretary to develop pertinent information from the best sources available to the Department of Labor. Therefore, the Secretary caused an examination to be made of the payrolls of employers of Mexican workers similarly used in cotton picking during the 1958 and 1959 cotton harvests in the El Paso and trans-Pecos areas of west Texas and in 13 counties in Arkansas.

This investigation revealed that in the El Paso and trans-Pecos areas of west Texas where the per acre production of cotton is more than double the per acre production of cotton in the Lower Rio Grande Valley of Texas the earnings of Mexican workers barely met the requirements of the "90–10" wage policy at piece rates of $2.05 and $2.25 per hundredweight for short staple cotton and $3 to $4 per hundredweight for long staple cotton; that in the 13 counties of Arkansas, where the average per acre production of cotton in 1959 was approximately 20 percent higher per acre than the production of cotton in the four counties of the Lower Rio Grande Valley of Texas, the prevailing rate paid to Mexican workers employed in cotton picking ranged from $2.50 to $3 per hundredweight. Consequently, on the basis of this investigation, the Secretary of Labor determined that he was unable to certify under section 503 of title V of the Agricultural Act of 1949, as amended, that the employment of Mexican workers in the cotton harvest in the four counties of the Lower Rio Grande Valley of Texas at wage rates less than $2.50 per hundredweight for picking cotton did not adversely affect the wages and working conditions of domestic agricultural workers similarly employed.

It was this decision of the Secretary of Labor that he could not certify that there would be no adverse effect unless a piece rate of $2.50 per hundredweight was paid that precipitated the aforementioned litigation. In this case, the U.S. district court has issued a preliminary injunction and an appeal by the Department is pending at the present time.

In another case, pursuant to the provisions of the Migrant Labor Agreement of 1951, as amended, an association of agricultural employers had been declared ineligible to contract Mexican workers because of the failure of the association to keep accurate payroll records. The association has obtained a preliminary injunction temporarily enjoining certain officials of the Department of Labor from placing the name of the association upon a list of employers not eligible to contract Mexican workers and from requiring the association to terminate its contract with Mexican workers now employed and under contract to the association.

AUGUST 2, 1960.

W. B. MCFARLAND.
ROY L. HAYNES.

(Visit to northeastern Arkansas by U.S. Congressmen ALFRED SANTANGELO and ROLAND LIBONATI on July 22, 1960.)

Reference is made to my report dated July 25, 1960, to Tracy Murrell on "Visit to Northeastern Arkansas by U.S. Congressmen

ALFRED SANTANGELO and ROLAND LIBONATI, July 22, 1960."

The West Memphis district office has made a follow-up reinspection of housing units at Marion and Lepanto, Ark., which is summarized, as follows:

I. MRS. R. T. KUHN HOUSING

Located 3½ miles west of Marion, Ark., on U.S. Highway 61, across the highway from Kuhn store, consists of 4-room frame house, good roof, sidewalls, and floor; outdoor privy, pit type; separate building 12 feet by 12 feet for bathing; hand pump on well 60 feet from cooking area. Basic standards had been met but entire quarters were dirty and unsanitary when inspected by Congressmen SANTANGELO and LIBONATI on July 22.

At request of District Supervisor Dave Foster, workers were removed on July 23. All nationals (15) were returned to Mexico. (Contracts had been completed on July 21.) A recheck made on July 25 by FLSR masters of the West Memphis district office, confirmed removal of workers. Employer will not be permitted to use the facilities again for Mexican nationals until the sanitary conditions are corrected, after reinspection has been made and housing approved.

II. CITIZENS INDEPENDENT GROWERS ASSOCIATION, LEPANTO, ARK.

J. I. Gooch, user-member. Housing located 1 mile south of Lepanto, Ark., tenant-type frame, four rooms, maintained in poor condition, particularly bad drainage of grounds and unsanitary interior of house at time of inspection on July 22.

A total of 14 deficiencies were noted. Ten workers were living in the quarters at the time of inspection. Employer made immediate correction on July 23 and 24. A followup inspection was made on July 25 and the following had been done:

1. Tabletops had been covered with new surface.
2. Stoves had been scrubbed with steel wool and thoroughly cleaned.
3. One back room had been set aside as the cooking and eating area and all stoves were moved into this room.
4. Two sleeping rooms had been papered with new wallpaper.
5. Bathhouse (separate unit) was moved to a distance of 50 feet from living quarters and a deep drainage ditch was dug. This will be covered as required by the regulations.
6. Fill dirt was placed around the outside of the living quarters to eliminate any pools of standing water after rains.
7. Floors of house (living quarters) were scrubbed with soap.
8. Loose sections of screen doors were repaired. .
9. New steps erected at front entrance of house.
10. New mattresses replaced some that were worn out; clean covers provided for all mattresses with assurance they will be be laundered by employer at least once a week.
11. Gravel walk provided to toilet.
12. Self-closing device (spring) installed on privy door.

III. CITIZENS INDEPENDENT GROWERS ASSOCIATION, LEPANTO, ARK.

Joe Roy Nash, user-member. Housing located three-fourth mile south of Lepanto. Two-room frame house with front porch. Three workers were housed in this unit at time of inspection on July 22, 1960.

Reinspection was made on July 25 and all workers were removed on that date. The following action had been taken by employer even though workers had been recontracted and sent to Michigan employers:

1. Screen doors had been repaired.
2. Kitchen had been cleaned.
3. Weeds had been cut around house.

By July 27 he had scheduled correction of following deficiencies:

1. Provide smooth, hard-surface tabletops.
2. Provide storage space for utensil storage.
3. Clean or paint kitchen ceiling.
4. Provide one window to bathhouse, two lights and bench.
5. Provide drainage for bathhouse.
6. Provide walk to toilet and bathhouse.
7. Remove all dirty, wornout mattresses and provide clean mattress covers.
8. Cut weeds around toilet; provide vent in roof; install self-closing device on door; provide lime for privy.

The regional office and the West Memphis office will conduct a series of meetings before cotton harvest season to discuss with employers, housing and transportation regulations, particularly their responsibilities of keeping accurate records on employment of contracted nationals.

Average hourly earnings of Mexican nationals in all activities paid at piece rates by county, by activity for employment during the month of May 1960

County [1]	Activity	Hourly rate for activity	Total wages paid	Total hours worked	Average hourly earning
Alameda	Strawberries, harvest	$1.00	$5,713	4,770	$1.20
Butte	Peaches, thin	1.00	3,713	3,742	.99
	Sugar beets, thin	.90	395	319	1.24
Colusa	do	1.00	26,532	21,241	1.25
Contra Costa	Asparagus, cut	1.00	123,071	123,719	.99
	Sugar beets, thin	1.00	576	576	1.00
El Dorado	No activities paid by piece rates.				
Fresno	do				
Glenn	Sugar beets, thin	.90	2,182	2,249	.97
Imperial	Carrots, harvest	.75	59,576	61,906	.96
	Grapefruit, pick		3,101	2,532	1.22
	Onions, harvest and dry	.75	32,624	40,761	.80
	Miscellaneous vegetables, harvest.	.75	565	476	1.18
Kern	Cucumbers, harvest	.90	6,792	7,325	.93
Kings	No activities paid by piece rate.				
Lake	do				
Los Angeles	Beets, table, pull and tie	.90	285	239	1.19
	Grapefruit, pick		2,376	2,425	.98
	Green onions, bunch	.90	6,893	6,566	1.05
	Lemons, pick		24,162	24,469	.99
	Moving sprinkler irrigation pipe.	1.00	8,410	6,471	1.29
	Mushrooms, harvest and cultivate.	1.00	5,341	4,223	1.26
	Oranges, pick		28,829	30,101	.96
	Radishes, pull and tie	.90	2,478	1,717	1.43
	Rhubarb, harvest	.90	588	538	1.09
	Spinach, pull and tie	.90	152	142	1.07
	Turnips, bunch	.90	192	194	.90
Madera	No activities paid by piece rate.				
Mendocino	do				
Merced	Peaches, thin	1.00	114,721	106,524	1.08
	Sugar beets, thin	.90	260	320	.81
Modoc	No activities paid by piece rate.				
Monterey	Broccoli, harvest	.90	4,071	3,780	1.08
	Peas, harvest		5,127	5,049	1.02
	Strawberries, harvest	.90	51,876	50,959	1.02
Napa	No activities paid by piece rate				
Nevada	do				
Orange	Carrots, top	.90	11,429	9,552	1.19
	Lemons, pick		13,146	13,916	.95
Orange	Oranges, pick		$205,889	217,574	$0.95
	Parle, bunch	$0.90	12,480	8,862	1.40
	Parsnips, top	.90	3,264	2,744	1.18
	Rhubarb, harvest	.90	365	214	1.70
	Rutabagas, top	.90	1,744	1,263	1.38
	Turnips, top	.90	6,032	4,666	1.29
Placer	No activities paid by piece rate				
Riverside (East)	Carrots, harvest	.75	4,202	4,076	1.03
	Citrus, harvest		18,580	14,530	1.47
	Dates, tie bunches		384	252	1.45
	Onions, harvest and dry	.75	35,962	37,776	.95
	Green onions, harvest	.75	1,145	1,271	.90
	Tomato plants, pull and bunch.	.75	18,810	17,603	1.06
Riverside (West)	Apricots	1.00	1,558	1,344	1.16
	Grapefruit, pick		5,933	5,492	1.08
	Lemons, pick		11,272	10,325	1.09
	Oranges:				
	Navel, pick		868	808	1.07
	Valencia, pick		37,544	35,299	1.06
Sacramento	Asparagus, cut	1.00	27,776	32,625	.85
	Sugar beets, thin	1.00	8,243	6,524	1.26
	Hops, string	1.00	2,521	2,199	1.15
	Peas, harvest	1.00	7,997	6,690	1.20
San Benito	Strawberries, harvest	1.00	9,920	8,913	1.11
San Bernardino	Grapefruit, pick		10,184	9,150	1.11
	Lemons, pick		25,868	24,947	1.03
	Oranges (Valencia), pick		58,136	55,592	1.05
	Rhubarb	1.00	433	297	1.46
San Diego	Grapefruit, harvest		515	531	.97
	Lemons, pick		2,762	3,012	.92
	Oranges, pick		32,386	31,906	1.02
San Joaquin	Asparagus, cut	1.00	841,228	840,335	1.00
	Sugar beets, thin	1.00	18,948	16,808	1.13
	Boysenberries, pick	1.00	99	120	.83
	Cherries, pick	1.00	3,174	2,719	1.17
	Onions, top	1.00	357	342	1.04
	Strawberries, pick	1.00	88,830	89,455	.99
San Luis Obispo	Celery, harvest	.90	3,823	2,548	1.50
San Mateo	No activities paid by piece rate.				
Santa Barbara	Broccoli, harvest	.90	414	371	1.12
	Lemons, pick		116,154	104,530	1.11
	Lettuce, loading	.90	761	488	1.55
	Miscellaneous vegetables [2]	.90	4,036	3,606	1.11

[1] The 43 counties listed are those in which Mexican nationals were authorized in 1959 or 1960 to date. The 15 counties in which Mexican nationals were not authorized in 1959 or 1960 to date are: Alpine, Amador, Calaveras, Del Norte, Humboldt, Inyo, Lassen, Marin, Mariposa, Mono, Plumas, San Francisco, Sierra, Trinity, and Tuolumne.

[2] Miscellaneous vegetables include: Cutting endive, lettuce harvest, cut-load cabbage, and carrot harvest. Of the 3,606 hours shown, 1,234 was spent cutting endive and harvesting lettuce; 1,691 for cutting and loading cabbage, and harvesting lettuce; 139 for cutting endive; 542 for carrot and lettuce harvest. The Oso Flaco district of San Luis Obisco County also included in this report.

Average hourly earnings of Mexican nationals in all activities paid by piece rates by county, by activity for employment during the month of May 1960—Continued

County	Activity	Hourly rate for activity	Total wages paid	Total hours worked	Average hourly earning
Santa Clara	Cherry, pick	$1.00	$91	81	$1.12
	Raspberry, pick	1.00	1,259	1,363	.92
	Strawberries, harvest	1.00	103,003	92,791	1.11
Santa Cruz	Peas, pick	1.00	451	352	1.28
	Strawberries, pick	1.00	1,062	940	1.13
Shasta	No activities paid by piece rate.				
Siskiyou	do				
Solano	Asparagus, cut, sled	1.00	65,701	62,929	1.04
	Sugar beets, thin	1.00	11,848	9,639	1.23
Sonoma	Strawberries, harvest	1.00	2,496	2,479	1.00
Stanislaus	Sugar beets, thin	1.00	431	423	1.02
	Peaches, thin	1.25	9,752	6,661	1.46
	Strawberries, pick	1.00	27,071	27,938	.97
Sutter	Sugar beets, thin	.90	409	399	1.03
	Peaches, thin	1.00	61,883	44,793	1.38
Tehama	No activities paid by piece rate.				
Tulare	Potatoes, harvest	1.00	8,445	6,808	1.24
Ventura	Cabbage:				
	Pack	$0.85	$589	350	$1.68
	Thin	.85	19	14	1.36
	Carrots:				
	Harvest	.85	116	118	.98
	Load	.85	114	57	2.00
	Flowers, cut and harvest	.85	4,355	2,581	1.68
	Lemons, harvest		410,011	396,394	1.03
	Lettuce, thin	.85	252	158	1.60
	Oranges, pick		22,880	23,993	.95
	Spinach, cut and crate	.90	185	92	2.00
	Tomato plant, pull	.85	17,603	14,984	1.17
Yolo	Asparagus, cut, sled	1.00	17,461	20,347	.86
	Sugar beet, thin	1.00	38,388	31,937	1.20
	Peas, harvest	1.00	1,907	1,729	1.12
Yuba	Hops, string	1.00	12,947	11,207	1.16
	Peaches, thin	1.00	4,864	4,277	1.14

Source: "Employer" payroll records, California.

Prices of food commodities most used by Mexican nationals working in area of Wilson, Ark.

	Pinto beans per pound (1)	Sugar per pound (2)	Canned milk (Pet) large (3)	Rice per pound (4)	Coffee per pound (Folgers) (5)	Potatoes per pound (6)	Fresh hot peppers ½-pound jar (7)	Flour 25-pound bag (8)	Eggs (large) per dozen (9)	Oatmeal (large box) (10)	Pure lard per pound (11)	Bread (small loaf) (12)	Vermicelli (13)
	Cents	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*	*Cents*		*Cents*	*Cents*	*Cents*	*Cents*	*Cents*
Portis Super Market, Lepanto, Ark. (17 miles from Wilson, Ark.)	16.0	13.0	16.0	16.0	80.0	10	25.0	$2.42	55.0	55.0	15.5	2—33	21.0
Ferrells Grocery, Marie, Ark. (13 miles to Lepanto), (15 miles to Osceola)	15.0	11.0	15.0	15.0	87.0	8	27.0	2.39	50.0	55.0	16.0	20	20.0
Wilson Grocery Market, Wilson, Ark. (12 miles to Osceola), (17 miles to Lepanto)	17.0	11.0	17.0	18.0	85.0	8	29.0	2.49	55.0	57.0	17.0	21	20.0
National Food Store, Osceola, Ark. (12 miles from Wilson)	15.0	10.5	15.0	17.0	77.0	7	29.0	2.39	49.0	53.0	17.0	17	17.0
Big Star Grocery, Osceola, Ark. (12 miles from Wilson)	15.0	11.5	15.5	15.0	75.0	7	39.0	2.39	55.0	47.0	16.0	2—33	19.0
Average cost	15.7	11.4	15.7	16.2	80.8	8	29.8	2.416	52.8	53.4	16.3	18	19.4

Source: Compiled by FLSR Oscar E. Masters, West Memphis district office, July 25, 1960.

Mr. SISK. Mr. Speaker, will the gentleman yield?

Mr. SANTANGELO. I yield to the gentleman from California.

Mr. SISK. Mr. Speaker, I appreciate very much the gentleman from New York yielding at this time, and I want to take this opportunity to express my deep appreciation to my colleague from New York for the statement he has made. I think it has been an outstanding one, and I feel a very factual statement.

I am deeply impressed by his apparent zealousness in analyzing the problems he had an opportunity to see. I may say to the gentleman from New York, I hope that more people will go out and actually observe what is taking place in this program. I realize the discussions that went on here some weeks ago at the time we voted on an extension of Public Law 78 were not conclusive. I realize a committee acts and talks sometimes without understanding all of the situations that exist. That is why I say I appreciate what I believe to be a very factual statement on his part. I frankly admit now that there have been abuses of this program from time to time. There are among our farmers those who would take advantage, as we have business in other areas who will take advantage of a situation and do things that are outside the law. There is no question in my mind but what we have had abuses in California, and we have had them from time to time in other areas. It has been my position that if the law was strictly enforced as Public Law 78 is written, we would have less difficulty.

I may say that I agree with the gentleman there should be more regular inspections and these inspections very closely and rigidly followed out in order to require that the law be met and complied with.

I am concerned primarily with the well-being and welfare of our domestic workers, as I think my colleague is. This is of far more concern than that of the imported workers. We are all concerned to see that our American workers, the people in this country, have the very best living conditions and working conditions that can possibly be made available to them. I am concerned with them, as I know my colleagues from California, Arkansas, Texas, and other areas are concerned.

So, in closing, I would hope that we might have more people who have the willingness to go out and spend time and effort as our distinguished friend from New York has done, and actually see what is taking place, because I believe that if we work together with the program, we can make better progress. We may adjust the program, we may amend the law if the facts justify, to make a more workable program, something that is fair to our domestic people as well as fair to our farmers who, as I say, and as I think my colleague has agreed, in certain instances will need certain foreign workers.

Mr. SANTANGELO. I thank the gentleman for his remarks.

Mr. GATHINGS. Mr. Speaker, will the gentleman yield?

Mr. SANTANGELO. I yield to the gentleman from Arkansas.

Mr. GATHINGS. I want to say to the gentleman I wish more of the committees would come back to the House and make a report such as the gentleman has made. It is most informative. It is a reasonable report. The report he brings here from my State does show that some of our housing is not of the very best—that is, our farm housing. But our folks are not rich. We do not have running water in some instances. It would be well if we did. But the housing that we have over in Arkansas is far superior to the housing that the Mexican nationals have been accustomed to in their own country, and corrections are being made all the time, and we are bettering the housing conditions in Arkansas right along.

For example, the Phillips County Farmers Association, which is to the

south of where the gentleman visited, have rigid rules and requirements for their members; and, if a member of that association does not comply, they will drop that member and will not allow him to obtain Mexican nationals for his use. So, the housing conditions are being improved right along in that area. I appreciate the fact that the gentleman has brought us this factual report. As to the amount of money paid for the picking of cotton, the cottonpickers, both domestic and Mexican, in our area make from $7 to $10 a day. This bracero program is a great program. These Mexicans come over and they are able to send money back home to Mexico so that they can move into the village and give their children an opportunity to go to school. It is a great program. It helps build good will between the two countries as well. It is the second biggest medium for bringing in more dollars to Mexico. I appreciate the gentleman's approach to this problem and the report that he has made.

Mr. SANTANGELO. I thank the gentleman for his comment. But, I would like to observe that in Arkansas there is an outstanding company, the Lee-Wilson Co., which is cooperating with the Department of Labor to improve its housing facilities. But, I cannot say the same thing for the other growers who neglect the housing facilities where the braceros are housed. To me the conditions there were deplorable and degrading. And, even though the conditions might be a little better than the conditions in which the bracero finds himself in Mexico, the standard is not the standard that we in America think that a human being should be compelled to live in.

Mr. GATHINGS. You can find right here in the shadow of the Capitol some most undesirable housing. We find that situation everywhere. And, there is need for improvement, that is true, but at the same time the gentleman ought to bear in mind that the farmer down there does not make much money from his operations, and it is very difficult for him to comply every time with these standards set up by the Department of Labor. In so many instances those standards are better than the farmer himself has for his own family.

Mr. SANTANGELO. I would like to state that if the farmer is not making so much money under conditions which exploit braceros, he should not be permitted to let these people harvest his crops. I believe the braceros should have decent housing, and the farmer, whether he is a large or small farmer, should not exploit them for profit. I have not seen the rest of the country, but the fact that we have bad housing in the District of Columbia is no excuse for maintaining bad conditions.

Mr. GATHINGS. According to the report, there is no exploitation of the Mexican bracero.

Mr. SANTANGELO. I said as far as the chopping or hoeing of cotton is concerned, they make a maximum of 50 cents an hour, and I pointed out that the average earnings on piecework is a little higher than 50 cents an hour.

Mr. GATHINGS. The report of the Committee on Agriculture showed that in some instances, in those areas in Arkansas, where they did not use Mexican braceros, the wage rate was less than in those areas where the braceros are employed.

Mr. SANTANGELO. That is right. There is where the 50-cent maximum hourly wage raises the wage of the domestics. Where the bracero is not there to earn that minimum wage, the domestic sometimes is paid 30 or 40 cents an hour. However, a 30- or 40-cent an hour wage these days is no wage for any person to earn. I think wages like that will send them on the relief roll.

Mr. GATHINGS. You did not find any 30- or 40-cent-an-hour wage in Arkansas, did you?

Mr. SANTANGELO. There were instances we found where the domestics were getting 40 cents an hour.

Mr. GATHINGS. Farm wage rates, I will say to the gentleman from New York, have increased more than any other classification in this period.

Mr. SANTANGELO. It is interesting to observe that in the picking of cotton, 10 years ago they were getting $3½ a hundredweight or 3½ cents a pound. Today in Arkansas they are getting maybe $2.50 a hundredweight or 2½ cents a pound to pick cotton.

Mr. GATHINGS. I should like to say that in 1946 I was in the implement business for a short time. At that time it took the gross proceeds of seven bales of cotton to buy a tractor. Today it takes the gross proceeds of 17 bales of cotton to buy the same tractor. So there are quite a number of considerations involved.

Mr. SANTANGELO. The worker is getting less today and the dollar does not purchase as much.

Mr. GATHINGS. The price of the commodity has gone down.

Mr. SANTANGELO. I read the report of the gentleman from Arkansas and it is quite detailed and complete. But I do think an effort should not be made to frustrate the Department of Labor in the enforcement of its regulations, but that there should be some cooperation with the Department to see that the regulations are enforced so that the standard of living of these people may be raised; so that they may have a decent place to live, with sanitary facilities and with running water. Perhaps the gentleman's own people, the domestic workers, as well as the growers themselves, may be able to sink pumps and get running water.

Mr. GATHINGS. It would be wonderful if that situation could be improved all across the land. I think good living conditions are desirable everywhere, even right here in the Nation's Capital.

Mr. SANTANGELO. I went through the desert heat in California, which got up to 110 degrees, and where they have had to dig deep for water. The gentleman may be able to do the same thing in Arkansas.

Mr. GATHINGS. I appreciate the fact that the gentleman brought out the point that it is difficult to get domestic labor to do this work in this intense heat. That is true. They do not like that stoop labor. So there is a shortage of domestic workers. We only bring this labor in here as a supplemental supply. We do not bring that labor in unless it is absolutely essential. It costs the farmer, out of his own pocket, $42.10 to bring the labor up from the Mexican border to Arkansas, a distance of 1,000 miles, and to get him back. That is $42.10 that he, the farmer, has to pay and which is not reimbursable. He would not bring that labor up unless it were absolutely necessary and needed badly.

Mr. SANTANGELO. I thank the gentleman for his contribution.

Mr. SAUND. Mr. Speaker, will the gentleman yield?

Mr. SANTANGELO. I yield to the gentleman from California.

Mr. SAUND. Mr. Speaker, I, too, wish to compliment the gentleman for the fine spirit he has shown, along with his colleagues, who went with him to visit these camps. I think he has made a very fine report. Let me say that the gentleman is not the only one who is concerned about abuses in the operation of Public Law 78. I have been a Member of this Congress for 4 years and I have been waging a continuous and unrelenting fight to get rid of the abuses, at least in my district. Mr. Speaker, I wish to read to the gentleman the last few paragraphs of a Washington report which I sent out to my people in July of this year.

> Public Law 78 will expire on June 30, 1961, unless it is extended by Congress prior to that date. During the busy days preceding the recent recess of Congress, a bill to extend the program to June 30, 1963, was passed by the House of Representatives. It is now pending before the Senate. Rough going for final passage of this bill is foreseen by both the proponents and opponents of the Mexican national program.
>
> Then my concluding paragraph:
>
> I have been informed that areas where Mexican nationals are now being used, including Riverside and Imperial Counties, will be under very close scrutiny by committees of Congress and the Department of Labor during coming months. There should be no mistake about that. I earnestly hope that the business and farm leaders in these two counties will get together to lay out a plan and program of community effort, whereby local merchants will be protected from the abuses of the past and American citizens will be assured of their right to obtain employment on American farms at decent wages.

I think the gentleman from New York realizes that my feelings in this matter are the same as his.

I make this statement, that even the gentleman has made a good study of the program, he has made some rather erroneous statements. He made the statement that in some instances the payment was $2 a week. How many payrolls did the gentleman or his committee examine to come to that conclusion?

Mr. SANTANGELO. I observed not only some of the payrolls but I had some affidavits in which the checks themselves were presented to me in which not less than two dozen checks indicated take-home wages of about $2. One was

for 36 cents. These were wage checks for workers in the Imperial Valley.

Mr. SAUND. What were the wage rates per hour?

Mr. SANTANGELO. Fifty cents per hour for chopping or hoeing, but because of the lack of employment, because of the surplus of workers in that area, the workers were not able to get a full week's work. They were making $15 a week, but out of that they ended up with $2 or $3.

Mr. SAUND. That is what I have been saying to the Department of Labor. I went there 2 years ago and told the Secretary, when he was going to write out regulations, that he did not have to sit in Washington writing regulations, that he should use the money given to him by Congress to enforce the statutes already on the statute books.

The gentleman says there were 14,000 Mexican nationals at one time employed in Imperial County?

Mr. SANTANGELO. That is correct.

Mr. SAUND. The number 14,000 multiplied by 10 weeks would be 140,000. Out of that you found two checks. They are showing two checks 3 years old. There are three or four people in my county who go out and collect these checks. If the committee will look at them, those checks go back 5 years. These people keep them as samples to show.

Let me assure the gentleman we are trying everything we can. It is not true that in that county they get $2.50 a week. They get a guaranteed wage. I agree with the gentleman that we should do more to enforce the regulations than we are doing. I am willing to cooperate with the gentleman in every way possible, but I must make the statement that that is not an accurate representation of the condition existing in Imperial Valley.

Mr. SANTANGELO. For workers in the Imperial Valley of California I have photostatic copies of these checks which came into my possession, checks which came from people who claim they were doing part-time work and consequently taking home $2 or $3 per week. The reason they give is that they could not get a full week's employment because of the lack of employment. This indicates that too many braceros have been permitted to come into that particular area, consequently only some of them get work.

I am aware of the gentleman's fight to try to improve conditions long before I interested myself in this problem. I commend him on the work he has done in his area. I have no quarrel with him on that score. But surely the gentleman does not condone these employers who give low wages because there is a surplus of labor.

Mr. SAUND. I do not condone that at all; in fact, I hope the gentleman will cooperate with me in seeing that the regulations are enforced and that no more braceros are certified than the need exists and calls for. But I again maintain that it is not a fair statement to say that $2.50 is the net pay of Mexican nationals in Imperial County. I know; I live there. They send their money home. We try to help them all we can, but conditions can be improved, and the Department of Labor should enforce the regulations.

Mr. SANTANGELO. The gentleman will have my cooperation.

Mr. SAUND. Did the gentleman find a need for Public Law 78?

Mr. SANTANGELO. I found not only that there was a need by the food producers and growers but that they would like to get many more braceros. It is just like a snowball, it is going to grow bigger. If the wages of the domestics were increased, perhaps many of those who have gone into industry would return to the farm, but at the wage structure of 50 cents an hour in a heat of 100° to 110°, working 8 or 10 hours a day, conditions are not conducive to having people leave the factories where they are making $1.50 an hour or higher. We cannot expect men to leave industrial jobs at $1.50 per hour to do work on a farm at 50 or 75 cents or $1 an hour.

Mr. SAUND. Is there a need for Public Law 78? I do not condone the abuses. If the abuses are removed and the law is properly enforced, does the gentleman find a need for such a measure?

Mr. SANTANGELO. I found need for it so far as the harvesting of food is concerned, but I was not so definitely certain as to the need with reference to the cotton harvest. I recognize the fact that some of the larger cotton growers could not produce as much. But, I will agree with my colleague that in connection with the cultivation and harvesting of food, there is a definite need. I am not able to subscribe wholeheartedly to the proposition that there is a need so far as the production of cotton is concerned.

Mr. SAUND. I am not talking about cotton. I mean the need for Public Law 78 because a word from you means a great deal since I know you have made a thorough study.

Mr. SANTANGELO. I am dividing the thing into two categories—one, the need for producers of food supplies, and, two, the need for producers of cotton. I state definitely now that I find a need for this program in connection with the cultivation and harvesting of food.

Mr. SAUND. I thank my colleague very much.

Mr. GIAIMO. Mr. Speaker, will the gentleman yield?

Mr. SANTANGELO. I yield to the gentleman from Connecticut.

Mr. GIAIMO. Would there be as much of a need for Public Law 78, if our immigration laws were relaxed somewhat?

Mr. SANTANGELO. If some of the gentlemen from the South and Southwest would vote for a liberalization of the immigration laws, which would permit many people from Europe and all over the world to come into the United States, there would be a lesser need for braceros. In that way, many people who are real farmworkers could come into the United States and be able to help the farmers of America.

Mr. GIAIMO. I thank my colleague.

Mr. LIBONATI. Mr. Speaker, will the gentleman yield?

Mr. SANTANGELO. I yield to the gentleman from Illinois.

Mr. LIBONATI. I am sure our colleague, the gentleman from New York, in speaking of these conditions in generalities does not mean that these conditions are such which in a sense a provision of law would cure. The observations made by the gentleman from New York are in reference to specific areas where, through personal observation and questioning, certain facts from conditions observed were evident. Is that correct?

Mr. SANTANGELO. That is true. The gentleman from Illinois, our colleague, who was with me, recognizes that we have made our observations with respect to those areas which we visited and where we observed the conditions that exist. We make no assertion or any charges against areas which we did not study or observe.

Mr. LIBONATI. In other words, these isolated instances may not be the general rule but may be the exception. So that when you spoke of Arkansas and the gentleman representing that district, you did not intend those remarks to be a generalization of conditions in that section of the country or in his congressional district.

Mr. SANTANGELO. I specifically referred to those places which we observed and my comments and conclusions were with respect to such places. I do not intend to make any reference or generalization regarding areas that were not visited or where conditions were not observed or studies made.

Mr. LIBONATI. As I understand, you did point out that sometimes the practices of individuals themselves contributed to unsanitary conditions; is that correct?

Mr. SANTANGELO. That is correct.

Mr. LIBONATI. I congratulate the gentleman from New York on his fairness.

Mr. SANTANGELO. I would like to make this observation. The gentleman from Illinois pointed out to one of the growers that the conditions under which he was permitting the Braceros to live were intolerable and that if the growers continued such practices, the Congress would not permit this program to continue and that even the friends of this program would be opposed to it.

Mr. LIBONATI. That is very true.

Mr. SAUND. Did the gentleman from New York meet Mr. Goodwin?

Mr. SANTANGELO. No, I did not. I met Mr. Roy Haynes. In fact, we met many men. There were eight or nine representatives of the agriculture and labor departments.

Mr. SAUND. I know that Mr. Goodwin is charged with the enforcement of that public law and I have had Mr. Goodwin in my office at least a dozen times in the last 4 years. On each occasion I have actually begged Mr. Goodwin to please enforce Public Law 78. He comes back every year with excuses. In fact, one time I had Mr. Goodwin in the office of our colleague, the gentleman from Rhode Island [Mr. FOGARTY] because I thought Mr. FOGARTY would have more influence over him than I since Mr. FOGARTY is the man who holds the

pursestrings inasmuch as he is chairman of the subcommittee on appropriations, having jurisdiction of this program.

But nothing was done, however. Mr. Goodwin may have come and made a report, but let me assure you Mr. Goodwin and his department has collaborated with the people who have abused Public Law 78 and come over here just to excuse their own mistakes and lay the blame on somebody else.

Mr. SANTANGELO. Mr. Speaker, I yield back the balance of my time.

REPORT ON NATO INSPECTION TOUR

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Pennsylvania [Mr. CLARK] is recognized for 2 hours.

Mr. CLARK. Mr. Speaker, on July 30, eight Members of this body departed Washington as members of the NATO Parliamentarians' Conference, for the purpose of visiting the major NATO headquarters and selected NATO troop units in Europe. The distinguished gentleman from Ohio [Mr. HAYS] as the permanent U.S. member of the standing committee of the conference was chairman of the U.S. delegation. Unfortunately, the press of business in the United States would not permit the gentleman from Ohio [Mr. HAYS] to make the entire tour. He returned to the United States after the initial meetings at SHAPE and NATO headquarters in Paris, leaving me in charge as acting chairman of the U.S. delegation. It is in this capacity that I rise to address the House today.

In addition to the gentleman from Ohio [Mr. HAYS], and myself, the U.S. delegation included the gentleman from California [Mr. SAUND], the gentleman from Nebraska [Mr. WEAVER], the gentleman from New Jersey [Mr. CAHILL], the gentleman from Michigan [Mr. BROOMFIELD], the gentleman from Connecticut [Mr. MONAGAN], and the gentleman from Ohio [Mr. HENDERSON]. On completion of my remarks, I shall yield such time as these Members may require in order to make known their own views on the matters brought to light during the trip.

I should like to render a brief report of our itinerary, activities, and some general impressions concerning the NATO alliance and the state of readiness of the forces which support it. I point out at the outset that this parliamentarians tour is conducted annually under NATO auspices, and this year included three parliamentarians from France, two from the United Kingdom, and one each from the Federal Republic of Germany and the Netherlands, in addition to the U.S. delegation.

Our tour took us to SHAPE and NATO headquarters in Paris, to Northern Army Group 2d Allied Tactical Air Force Headquarters in northwestern Germany; to 4th Allied Tactical Air Force and Central Army Group Headquarters in central Germany; to Allied Forces South Headquarters in Naples, Italy; and to Headquarters, Allied Forces Mediterranean on the Island of Malta. In addition to those headquarters mentioned, we visited British, Canadian, French, German, and American ground and Air Force units, in garrison and in the field.

One cannot complete a tour such as this, even in the brief time available in this instance, without being profoundly impressed with the formidable, versatile, and responsive combat force which has been forged under the able and inspiring leadership of General Norstad, as Supreme Allied Commander, Europe.

The spirit of full and freely given cooperation evident in the high NATO military headquarters cannot fail to impress even the casual visitor. The most optimistic internationalist of 1945 would not have had the termerity to suggest that by 1960, officers from France, Germany, the United States, the United Kingdom, Italy, Greece, Belgium, Turkey, and the Netherlands would be living and working together under one command. The organization and operation of these NATO staffs give us a practical demonstration of effective international cooperation at the working level. The NATO forces strive collectively, rather than individually, to confront the Soviet leaders with a deterrent force so powerful as to make clear to the most expansionist-minded commissar that the cost of waging an aggressive war would be prohibitive. Their success is made abundantly clear by the intemperate and vitriolic attacks on the NATO alliance made periodically by Khrushchev and his spokesmen.

Continued U.S. participation in, and support of, the NATO alliance is, of course, essential to its survival. Happily, the burgeoning economy of Western Europe now permits much greater financial participation by most members of the alliance than was possible at its inception, with a corresponding reduction in the percentage of U.S. expenditures. Some members, such as Turkey and Greece, must continue to receive substantial support in money and materials from the stronger members of the alliance, since their internal economic situations preclude the self-sufficiency of their armed forces.

I, for one, was very pleased at the receptions accorded the parliamentarians at all troop units, whether air or ground, of whatever nation, which we visited. They appeared genuinely glad to receive us, and answered our questions candidly and promptly, without equivocation. There are well recognized problems confronting the NATO military leaders—the same ones which have confronted all the great captains of history. They boiled down to men, material, and money.

Our 7th U.S. Army in Germany makes up the best trained and most combat-ready peacetime army in our history. Units of the 5th U.S. Army Corps in Grafenwoer, the great U.S. training area near the Czech border, gave the parliamentarians a demonstration of combat troops in action which filled the U.S. delegation with justifiable pride. The fact remains, however, that we in the United States have developed better tanks, better small arms, and machineguns, better personnel carriers than were in the hands of our 7th Army troops. This is our NATO army—deployed along the borders of Soviet satellite nations in Eastern Europe—our first line of defense. I urge the prompt modernization of this 7th Army with the best weapons this great Nation can make available. The modernization of our Air Force units in Germany has already begun. The parliamentarians were shown one of our AF missile bases—one which is operational and ready. Again the U.S. delegation was justly proud.

In the Mediterranean, the NATO sea, air, and ground forces, under the able leadership of U.S. Adm. "Cat" Brown, as commander in chief, south, form the southern anchor of freedom of the Western World. It is regrettable that the time available did not permit the parliamentarians to visit the magnificent U.S. 6th Fleet—another U.S. contribution to NATO in which we, and all our fellow Americans, can take quiet pride and satisfaction.

Before terminating these remarks, I should like to express the appreciation of the entire U.S. delegation for having had the opportunity to meet, travel, and exchange views with these parliamentarians from other nations of the NATO alliance: Senator Dechevigny and Representatives Palewski and Noiret of France; Members of Parliament Dudley Williams and John Peel of the United Kingdom; Vice Admiral Heye, retired, of the Bundestag; and Col. W. Wierda, retired, Member of Parliament of the Netherlands.

We are also appreciative of the efforts of Mr. Otto Van H. Labberton, executive secretary of the NATO Parliamentarians' Conference, who coordinated the itinerary and made travel arrangements for the full group within Europe.

In conclusion, the NATO tour we have recently completed was informative, instructive, and well worth the time, effort, and funds expended. It is regretted that the Senate's schedule did not permit any Members of that body to participate. I hope they will be able to do so in the future. My own faith in the NATO alliance has been fortified, and I shall continue to support it with confidence and vigor.

Mr. SAUND. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield.

Mr. SAUND. Mr. Speaker, I had the privilege of traveling with this group of which the gentleman from Pennsylvania [Mr. CLARK] was chairman. I wish to compliment him on the fine way in which he managed the trip and the accommodations and other facilities provided to us through his hard work. He made an excellent chairman and was a very great credit to the Congress of the United States. He had a clear understanding of the work to be done and was tireless in his efforts. I hope the next time I have to make a trip it may be under the same kind of genial, hardworking, cooperative chairman as the gentleman from Pennsylvania [Mr. CLARK].

Mr. CLARK. I thank the gentleman from California.

Mr. HENDERSON. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield to the gentleman from Ohio.

Mr. HENDERSON. Mr. Speaker, I had the privilege of accompanying this group. It was a very extensive and very intensive inspection trip. There are a great number of impressions that the members of the committee received. I think, by and large, the greatest impression was that of the magnitude of the strength and the degree of training of the NATO forces. I had an opportunity to make personal observation of just a fraction of the American might, and it would dispel any misconception that ours is a weak, decadent, or second-class military force. Our forces combined with those of other nations form a massive military array, a forceful deterrent to the Iron Curtain combine, a remarkable preserver of political equilibrium, a source of hope and fountain of inspiration for nations which are on the very no man's land of a war which but for NATO might have already occurred.

There is more to NATO than arms and men; there is a NATO spirit, an alliance of like-minded peoples. It is an experiment that is working. Old national rivalries and hatreds are being laid aside while former enemies are working in cooperation for a common cause.

It is not all brightness, not all sweetness and light; there are difficulties, shortcomings, and obstacles. You cannot hope to wipe away overnight national similarities and peculiarities. Differences of supply, differences in weapons, strategy, have all played a part in keeping the path of NATO from being a perfectly smooth one. There are political considerations in each of the member nations that must be recognized. There are internal and external problems which may temporarily focus national attention away from the NATO objectives.

No, I am not so naive as to believe that there are not many dark recesses which we could not or were not permitted to examine in which there are added difficulties. But what I do wish to say and to bring to the attention of my colleagues is that NATO machinery is in operation. As a deterrent it has been outstandingly successful. It appears to be able to perform further missions if called upon. It deserves sympathy, cooperation, and assistance of this Congress. Not without criticism, not without scrutiny, not without question. Blank checks are fashionable these days, but I do not advocate them. We as a member country need to do our part; but by the same token we must insist that other nations do theirs, do far more than they have in the past.

Mr. CAHILL. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield to the gentleman from New Jersey.

Mr. CAHILL. Mr. Speaker, I, too, would like to spread upon this record a few observations that I have as a member of this inspection force to the NATO countries. It was a great education, and I am sure every Member of the U.S. Congress who visited NATO came back with a deeper appreciation of the danger of the Soviet threat and an appreciation of the preparedness of the allied forces to meet that threat.

Personally, I was very much impressed not only by the numerical number of the forces but by the quality of the troops and by the quality of the equipment. We saw at first hand the firing of atomic cannons, Honest John missiles; we saw at first hand the operation of tanks and the Air Corps and all manner and form of military machines. We were all deeply appreciative of what America is doing to preserve peace throughout the world through our cooperation in NATO.

More than that, it was my impression that NATO is indeed the best insurance that the United States has against communism. The best proof of the value of NATO is that since 1951 there has been no further aggression by Soviet Russia throughout Europe. It is interesting to note that our troops were all happy and most of the ones I talked to, at least, of all foreign assignments the one in Germany was indeed the best.

I would like to close my remarks by paying personal tribute to the gentleman from Pennsylvania [Mr. CLARK] who is not only an able chairman but was a most considerate one. I would like to say, too, that as far as the members of the committee were concerned, I found their company not only interesting, but I feel I have profited by the many discussions that we had at dinner and at organizational meetings when we were able to exchange ideas.

To me as a freshman Member of this Congress it was indeed an honor to have been appointed in the first place as a member of the committee, but I feel I have come back, Mr. Speaker, a much better Representative for it, and I feel I will be by reason of this experience better able to serve the people of my district.

Mr. MONAGAN. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield to the gentleman from Connecticut.

Mr. MONAGAN. Mr. Speaker, I, too, had the privilege of being a member of this NATO group that has been referred to. First of all, I want to congratulate the gentleman from Pennsylvania [Mr. CLARK] for giving us this opportunity to make a record of our reactions as members on this trip, because, certainly, one of the reasons for the trip has been to give us a chance to view the whole NATO program and to bring back to our various parliaments our own personal reactions.

I would like to say, too, that the gentleman in acting as chairman of the group certainly performed a service in the highest standards of the Congress, and not only in organizing the trip and in his relations with members of the other parliaments who were represented, he did an outstanding job. I congratulate him at this time for the work that he did.

There are a few reactions I personally experienced that I would like to record.

First of all, the importance of having an opportunity to talk and exchange views with members of other parliaments is one the importance of which cannot be overestimated.

I think that all of us profited from that experience. I wish all those who discussed NATO on the floor of this House could have had the same opportunity that we had, for I am sure that in many cases their views would have changed. With reference to NATO, the most significant thing, it seems to me, is that for the first time in history a peacetime combination of this size and magnitude has existed, and that is a token of success, it seems to me, for the future. If the gentleman will recall, when we were at Paris I asked General Norstad if NATO was out of date, if it was an anachronism. He said definitely not; that it has performed the job at the present time in holding back the Communist threat and that, even though there may be a new development of long-range missiles and new weapons, nevertheless this alliance has a very vital and important function to maintain. As the gentleman from Michigan said, there are problems that have to be solved in this alliance. The coordination must be increased. Weapons must be made more uniform. The scope must be broadened. But, the experience that we had, with all of these 15 nations working together, their officers working and living together, the members of the families living together, certainly is an aura for a successful future. And, I hope, as Mr. Spaak suggested, that the alliance will be able to move from the purely military into the political and into the cultural field, because in these fields tremendous advances can be made that in my opinion could be of equal importance to that of the military development. I thank the gentleman.

Mr. CLARK. I thank the gentleman from Connecticut.

Mr. MOORE. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. BROOMFIELD] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BROOMFIELD. Mr. Speaker, not too many years ago, if the average American had been asked what NATO stood for, he probably would have hazarded a guess that it was the name of a Japanese movie star or possibly a new brand of household detergent.

Today, an increasing number of Americans are aware of the valuable part that the North Atlantic Treaty Organization is playing in protecting the free nations of Europe from the insidious encroachments of communism.

Last week, I returned from a tour of inspection of our NATO bases in Europe, along with a number of my colleagues in the House: Representatives WAYNE L. HAYS of Ohio, FRANK M. CLARK of Pennsylvania, D. S. SAUND of California, JOHN S. MONAGAN of Connecticut, PHIL WEAVER of Nebraska, JOHN E. HENDERSON of Ohio, and WILLIAM T. CAHILL of New Jersey. May I thank the Speaker for giving me an opportunity to participate in the NATO Parliamentarians' Conference inspection and briefing tour and the Honorable FRANK M. CLARK, acting chairman of the U.S. delegation, for his inspired leadership.

Like many, my impression of NATO before this trip was of a strictly military alliance, a loose confederation of divisions, naval units and aircraft, a sort of marriage of convenience of military units, shoved together out of necessity and lacking cohesion and general purpose.

Instead, I found splendid cooperation and coordination among the forces of 14 nations, a sense of purpose and a common goal. That goal is the protection of the vital nations of free Europe from the creeping paralysis of communism.

It is an eerie feeling to see former officers in the German Luftwaffe, our enemies just a few short years ago, and find them working in close cooperation with Americans, French, Belgians, Canadians, Dutch and Norwegians. It must have been very strange to one of our fellow parliamentarians from Denmark, who lost all his teeth in a beating in a Nazi concentration camp.

There was a great sense of pride and security in visiting the elaborate control centers far underground in which a constant check is kept on air activity over Europe.

There was awe as I watched an Honest John rocket start a noisy trip toward the Iron Curtain from a point only twenty miles from the Czech border. Naturally, the rocket's target was on our side of the Iron Curtain.

Everywhere I visited, on Malta, in Germany, France and Italy, I found a fusion of NATO fighting forces into a solid mass of strength, cool efficiency in the performance of their complicated tasks, and calm coordination and dedication in purpose, the purpose of individual freedom and world peace.

Although the rockets, the arms, the fighting forces are important to NATO, this organization is more than a simple sword and shield for the free nations of Europe.

The battle against the spread of communism is being carried on by NATO on the political, economic, scientific and educational fronts as well.

The Soviet Union has made repeated attempts to split the 15 member nations away from each other so that each can be gobbled up more easily by the Communist offensive. On the political front, there have been promises and threats, sweet words of peace and bullying boasts of atomic annihilation of all those who cooperate in mutual protection against communism.

There have been attempts to outflank NATO defense installations through political offensives in the Mideast and in North Africa.

The Soviet Union has made repeated attempts to obtain "conditioned responses" from individual NATO nations by alternate threat and promise much in the manner of Pavlov's famous dog. But the Reds have found the Western World refuses to perform as a trained dog act to Soviet sirup and strychnine. We and our allies in Europe have stood together strongly in the face of Communist propaganda warfare and we will continue to do so in the future.

On the economic front, NATO nations have never been stronger. It is difficult to believe that only a few years ago our friends in Europe were attempting to pull themselves up out of the rubble and devastation left in the wake of World War II. But in this short time, most signs of this utter devastation are gone. New homes have been built. Entire new cities have been created. New industries are booming. The economy of Europe is growing at a tremendous rate.

Its people are working as they have never worked before. There are more jobs and at better pay than at any time in history. They are enjoying a constantly rising standard of living which is one of the most telling weapons against Communist plans for expansion and infiltration from within. Communist parties in Italy and France, for instance, have shriveled to shadows of their former selves because free men have demonstrated that living standards can rise most quickly outside a totalitarian system.

Despite these improvements, the military has not been neglected. From its humble beginnings in December 1950, when General Eisenhower was appointed the first NATO Supreme Allied Commander in Europe, the NATO force has grown from 12 divisions to 50, from 400 aircraft to 6,000. Arms and armaments are standardized and interchangeable. Communications for NATO have been built into a complex net of 26,500 miles. NATO forces are equipped with the most modern and up-to-date weapons and equipment, including atomic artillery and guided missiles.

Some 160 jet airfields now ring the Soviet Union and its satellites behind the Iron Curtain, a constant warning to the Reds that we are ready should world tensions threaten to erupt into war.

These modern weapons of war—capable of almost unimagined destruction—are our best hope of peace in the former battleground of Europe.

We have deterrent strength to check Soviet aggressive moves, and we have let the Reds know that we know how to use this strength if necessary.

Perhaps the best test of NATO is in performance. Since its creation not a single inch of ground has been lost to the Communists in Europe, despite an unceasing propaganda and pressure campaign against the West. In Europe, I believe there is more calm self-assurance in the powers of NATO and the forces of freedom than there is here in the United States, despite the fact that the Iron Curtain, at the most, is only a few minutes away by jet or missile.

The soldiers, statesmen, economists, technicians and scientists of free Europe are learning to work together in more than cooperation—perhaps coordination is a better word—toward the common goals of peace and freedom, and they find they like it.

Each nation in NATO is still its own master. Each decision by NATO must have unanimous approval of all participating nations, including ourselves. Decisions have been made forcefully and fearlessly. Europe is stronger. The United States is stronger because of this alliance of free men and women working toward a universal and common objective.

Mr. WEAVER. Mr. Speaker, I would like to join my colleagues at this time in discussing the situation and the problems which we found on a recent tour of North Atlantic Treaty Organization bases in Europe. I took part in this inspection trip at the urging of the minority leader of the House, the gentleman from Indiana [Mr. HALLECK]. I was pleased to take part in this important inquiry into the conduct of NATO affairs also because of my position on the Subcommittee on Department of Defense Appropriations. I learned a great deal of valuable information about our potential and about the manner in which our NATO defense dollars are being spent. This information will be of great value to me in my capacity as a member of that Subcommittee in the consideration of defense matters.

Mr. Speaker, at the outset of these remarks I would like to congratulate the chairman of our group, the Honorable FRANK CLARK, of Pennsylvania, for the very fine manner in which he represented the Congress of the United States while in Europe. He did a splendid job.

Mr. Speaker, I found that our position in Europe is a good one, a strong one and a remarkably flexible one. The position is especially good considering the frequent turnover of governments in some parts of Europe, such as France and Italy.

I found the morale of the troops I visited to be excellent, both American and foreign troops included. We can be proud of the leadership within NATO and I congratulate General Norstad and our other military commanders most highly.

I found the morale of the people whom I visited and with whom I talked to, to be good. They are particularly impressed by the stability of the United States and the steadfastness of our purpose in defending the free world against the encroachment of communism.

From this trip I find that the affairs of the free world, particularly as they are reflected in Europe, are better today than ever before in recent history. Although there are tensions of the cold war and these tensions are apparent, there is a growing recognition among the people of Europe that the Communist cause is weakening. There is a general recognition that the antics of the Communist leaders prove that they are disturbed and that they realize the road they have been following leads them nowhere. They realize that the flamboyant actions and statements of the Communist leaders are nothing more nor less than a propaganda cover for the fact that communism has failed to make the kind of advances in Europe that had once been expected.

The Eisenhower administration through its efforts with NATO and similar organizations has shown that we can work and spend money for peace to a better advantage than through the destruction of world war or even limited warfare. One great saving that has been overlooked is the saving of life under this type of program. The costs of human life and maimed human bodies cannot be estimated and cannot be gaged in terms of dollars and cents.

There is one point concerning the present NATO forces which I would like to emphasize and that is that they must be armed with the most modern weapons available. If NATO troops are to serve as frontline fighters in the continuing struggle against world communism, they must be armed to meet the aggressor.

In some instances, Mr. Speaker, I found that our allied troops were still armed with original Marshall plan grant weapons. This must be repaired. These weapons must be replaced with modern, effective, and efficient weapons as rapidly as possible. This is being done, but not on the needed scale.

I would like to comment on another aspect of diplomacy at this time.

We in the United States have been blessed with bumper crops year after year. Our farmers through their ingenuity and their determination and their use of new techniques have been able to supply far and away more food than our own country can at this time consume. This food has been stored and has become surplus. It has become costly to the American taxpayer and a burden to the American farmer. It has tended to depress farm prices and to destroy the morale of our farm citizens.

And yet, Mr. Speaker, even in some parts of Europe there are people who are hungry. We must not permit malnutrition to be the accepted standard of living.

These conditions do exist to a degree in some parts of Europe. I know from personal experience that they exist to a much greater degree in other parts of the world. In some areas the situation is not only critical, it is disastrous.

It is my suggestion here that the United States undertake through diplomatic means to break down the international barriers that prevent the use of this surplus American food as a great weapon of peace. It is my thinking that our surplus wheat and corn, butter and eggs, milk and soybeans can and should be used to feed the starving peoples of the world. It is my thinking that this would mean a great stride in the direction of stabilizing the forces which are loose in the world and which tend to cause dissension and distrust. We can and should use our abundance and our ability to produce even more abundantly for world peace.

I plan to make this suggestion officially and formally to the adviser on agriculture to Vice President NIXON, Secretary of the Interior Fred A. Seaton. I shall also discuss this with other leaders in the Republican Party and I hope that it can be incorporated in the Republican agricultural program as it is developed.

WABASH VALLEY FLOOD CONTROL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. MACK] is recognized for 5 minutes.

Mr. MACK. Mr. Speaker, I have today introduced a bill to authorize the establishment of a Wabash Basin Interagency Water Resources Commission to coordinate Federal, State and local plans for development of one of America's most fertile—and most neglected—river valleys.

The Wabash Valley is rich in soil and mineral resources but much of it is a distressed area because of heavy and chronic unemployment in its cities.

Floods that destroy life and property are an annual problem. All this surplus water in flood season could become an asset instead of a liability if stored in reservoirs. As it is, many towns have to haul water during dry seasons and the river runs uncontrolled.

Coordinated planning for the future is imperative if the Wabash Valley is to share the prosperity that most other parts of the country have enjoyed during the postwar years.

My bill would make possible the preparation of a comprehensive, integrated plan for developing the land and water resources of the basin. This approach is a proved and effective one. It has been used with success in the New York-New England region, in the Arkansas-White-Red River Basins and in other large areas with similar problems.

The Commission to be created by this legislation would be composed of both State and Federal representatives.

The President would appoint the Federal members, representing the Army Corps of Engineers, the Soil Conservation Service and such other Federal agencies as have a substantial interest in the work to be undertaken.

The Governors of Illinois and Indiana would be authorized to nominate members representing their respective States. In addition, there would be a representative of the Illinois-Indiana compact which I cosponsored and Congress approved in 1959.

The Wabash River drains a total area of more than 33,100 square miles of which 320 are in Ohio, 24,220 in Indiana and 8,560 in Illinois. This area has a population of more than 2½ million. One of the principal tributaries of the Wabash is the Embarrass River, which is in Illinois and flows through a section of my congressional district.

Floods have taken a tremendous toll of life and property over the last century. Damage to crops alone in the States of Illinois and Indiana exceeded $48½ million in 1957 and 1958. Again this year black headlines in newspapers throughout the valley told a sad story of ruined farm crops and washed-out bridges.

Mr. Speaker, I hope that this comprehensive study may be authorized without undue delay because the need is great.

PLIGHT OF THE DAIRY FARMERS IN SOUTHWEST MISSOURI

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. BROWN] is recognized for 10 minutes.

Mr. BROWN of Missouri. Mr. Speaker, once again I want to call the attention of this Government to the serious plight of our dairy farmers in southwest Missouri, and ask that the House join the Senate in a last-ditch effort to get remedial action.

A good dairyman told me last week that he and his wife and five children milk 50 cows, but they cannot even begin to break even. He has better dairy equipment than ever; he has better cows; he works harder and more efficiently; but he is losing money, and he can show you his books to prove it.

This man, and thousands more who are in the same boat in our area, are second-class citizens in 1960 America; and they are at a loss to understand why.

There is no serious overproduction of milk. In fact, milk production has increased only 1 percent a year in recent times, while population has increased considerably faster than that.

Government-held surpluses are not overhanging the market, keeping prices down. The Government does not have enough dairy products to carry on a good school lunch program, much less a market-depressing surplus. As of today, Government supplies of butter and dried milk total only $85,000 worth; and Government supplies of cheese are about $3,000 worth—an infinitesimal amount.

Consumers are paying recordbreaking prices for milk, about 5 cents a quart more than 8 years ago. Yet, farmers are receiving 18 percent less for milk and 22 percent less for butterfat than they received in 1952.

It seems that every time the consumer price goes up, the farm price goes down; and slowly but surely, the dairy farmer has been driven to the wall by a cost-price squeeze that is insufferable.

In the past 12 years, dairy farmers' cash expenditures have increased more than 33 percent; the prices of all the items that go into the operation of a farm have skyrocketed—motor vehicles are up 47 percent; farm machinery, up 58 percent; and farm real estate taxes, up 94 percent. Similar increases have occurred in the prices paid for other production items, as well as interest on farm mortgages.

The average dairy farmer is getting 40 cents an hour for his labor.

The law of supply and demand is not functioning justly; and only the Government can correct this serious inequity.

To correct a similar situation that prevailed in the 1920's and to prevent it ever happening again, Congress passed Federal laws in the 1930's empowering the Secretary of Agriculture to prevent unjust farm prices.

Under those laws, the Secretary of Agriculture could correct the present dairy depression, in quick order, if he wanted to do it. He has the authority to step in and raise minimum price support levels on manufacturing milk from the present $3.06 level to as much as $3.67 per hundred, at the farm; and he could raise butterfat prices to farmers from the present 56.6 cents a pound to 59.6, if he so desired. And any increase in manufacturing milk prices would result in corresponding increases in grade A blend prices.

But for 7 years now, the Secretary of Agriculture has devoted his time to lowering the farmer's milk prices, not in raising them to reasonable levels. The dairy farmer's legal protector has deserted him; and we have witnessed the

incongruous situation where Congress has to pass laws to protect the farmer from the farmer's Secretary.

In 1957, we passed a bill in Congress to prevent the Secretary of Agriculture from lowering milk price supports below $3.25 per hundred on manufactured milk.

We warned the Secretary at that time that any further reductions in raw milk prices would not be passed on to consumers, that per capita consumption of dairy products would not increase, that the only result would be to gyp the farmer and leave a void for distributors and processors to absorb.

Secretary Benson ignored those warnings and got the President to veto that 1957 bill. Then he proceeded methodically to lower farm milk price support levels from $3.25 to $3.06 per hundred. From that day forward, we have been reaping the harvest of what the Secretary of Agriculture sowed: Depression and disposal sales in the best dairylands in America.

After the sad veto experience of 1957, it is understandable that Congress despaired of any dairy programs until we could get a Secretary of Agriculture who cared about the welfare of the farmer.

We have hoped against hope that, once Government supplies of dairy products were disposed of and Government acquisitions became negligible, the present Secretary would see that the law of supply and demand would not assure justice for the dairy farmer, because of today's semi-monopolistic marketing conditions.

Processors and distributors have so much more economic power than any individual farmer or group of farmers that dairy farmers cannot hope to get a just share of the milk dollar unless Government protects them with minimum level price floors.

This year, supplies are in balance with demand. No appreciable amount of dairy products is flowing into Government warehouses. Yet, the farmer still cannot get a reasonable price for his milk.

On August 19, 1960, the Senate passed an emergency bill that would raise present minimum support prices on grade C manufacturing milk—grade C—from the present level of $3.06 to $3.22 per hundred and raise minimum floor levels on butterfat from 56.6 cents per pound to 59.6 cents.

I urge the House to pass the Senate bill and send it to the White House for the President's consideration.

By this formal action, we could at least get the dairy farm depression before the President personally, so the President himself could review the policy or lack of policy of his Secretary of Agriculture and take proper action.

As a dairy bill, the Senate measure is certainly no long-range solution to the dairy problem and no one even pretends that it is. The low minimum levels in the bill are nowhere near what the farmer deserves; but if it will get the dairy situation in front of the President himself, it could serve a worthwhile purpose.

Also, it would hold the line against any further decreases in the dairy farmer's income and protect him from further injustices.

Even in areas such as ours, where some farmers are being paid a premium for milk in tanks, there is no ironclad assurance that the grade C price will not go to $3.06 next year, as long as $3.06 is the support price level.

So, lest a bad situation get worse, let us at least hold the line at $3.22 cents a hundred on manufacturing milk and 59.6 cents on butterfat.

The side effects of passing this bill could be good. In areas like southwest Missouri and Tennessee, where even grade A milk is bringing only a little more than $4, an increase in base support prices should increase grade A blend prices to farmers immediately. All milk prices are constructed on grade C levels, with premiums added for production under grade A conditions. So, better grade C price means better grade A price, also better blend price.

In our own area I have tried for many, many long months to get the Secretary of Agriculture to reopen the marketing order applicable to our section to see what could be done to improve our grade A prices.

But the Secretary sees no justification for reopening the marketing order; and here again his inaction is inexcusable. In summary, our dairy farmers have been in serious trouble for a long time. Our pleas for justice have fallen on deaf ears. Our acts in Congress have been vetoed. And we are desperate.

The consumer pays a fair price, but the farmer does not get a fair share; and the Government, the only agency big enough to correct the situation, refuses to correct the inequity.

Mr. Speaker, let us pass the Senate dairy bill and, by this formal action, call the dairy situation to the attention of the President himself and hope that he personally will do what his Secretary of Agriculture refuses to do—let farmers share in this country's general prosperity.

THE SCHOOL TEACHER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, our Founding Fathers based their hopes for the continuance and the success of a government of free peoples on nationwide literacy. They knew that knowledge is power, and that command over the written and spoken word was the only thing that enabled a people to choose between right and wrong, between wisdom and foolishness, between unenlightened selfishness and respect for the public interest. Hence they promoted free schools and a liberal education.

It is improbable that they could foresee a time in this Republic when the free schools would not only give the youth of the land the power to choose, but actually to set the standards of right and wrong, wisdom and foolishness, benevolence and selfishness. It is a far more important thing to be able to set standards than merely to judge actions by standards imposed by other agencies of society. And it is true that the schools exercised their original functions so well that society has entrusted them with ever increasing responsibilities. Today the whole world of the child almost from infancy to adulthood revolves around the school. He remains under its influence from the early formative years of the nursery school and the kindergarten until he is called to man the defensive forces of the Nation or to fill the workshops, offices, and professions. His waking hours are filled with tasks and activities and thoughts connected with his school life. The nature and the direction of his training in the school will determine his life attitudes and practices, whether in the field of politics or economy or social understanding.

The power and the prestige of the school as an institution tends somewhat to eclipse the individuals who direct the learning process. The teacher who sits behind the desk in the classroom actually holds the throttle which controls the mighty engine of progress in the arts and sciences, in national and international relationships, in ethics itself. Whether we shall go forward safely and surely toward a better world, or be wrecked on the obstructions of evil and uncertainty and doubt depends on the skill and judgment of the teacher. An institution, after all, is only the lengthened shadow of a man. The teacher is the school, and the school holds the key to the future of America. And that future, as has often been said, is a race between education and catastrophe.

Two things stand in the way of full realization of the potentialities of the school. They are, simply: prestige for the teacher; and money.

In this country, we assume that prestige must be earned for anyone. We do not accord prestige because of the accident of birth or because someone has managed to insinuate himself into office, public or private. Prestige is earned through skill in performance of duty, through complete devotion to the demands of one's calling, and through unwavering integrity and dependability. I insist that teachers have already earned that prestige, and it should be accorded them. One of the few criticisms of American education made by visiting teachers from foreign countries is that teachers in this country fail to receive the prestige due them.

My reasons for making these statements here in the Congress of the United States is that I feel every elected representative of the people has a definite responsibility in the field of education. I, in common with many of my colleagues in this body, know something of the teaching profession, of its frustrations as well as its accomplishments, having been a teacher myself on both the high school and the college level. I have two sisters, a brother, an uncle, and an aunt now serving the public schools of my native State. Further, my wife and I have six children enjoying the unparalleled advantages of a public school system. We want them to grow daily in knowledge and virtue, and we crave an equal opportunity for every child in the land.

I do not know of any specific legislative enactment which could confer prestige on the teaching profession. But I do feel that we need to combat by word and thought whatever anti-intellectualism may exist in this country. We must treat the whole educational process with the gravity it needs to preserve a free government of free people. Given an outspoken understanding and a wholehearted sympathy with the difficulties of the schools and of teachers on the highest national level, we may hope to raise immeasurably the prestige that rightly belongs to the schools of our Nation.

As for the financial needs of the schools, the Congress is in a position to do something definite. Incessant wranglings over amounts that should be appropriated, over methods of distribution, over control of final expenditure, serve only to confuse the real issue, which is that we must spend much more money on education. Whether the money originates in the tax offices of the Nation, the State, or the locality, it all comes from the same American taxpayers. It is folly to assume that a centralized control of the expenditure of every last dime on the local level could be as judicious as community management without a vast bureaucracy of unimaginative and unadaptive pseudo-educators. I favor immediate dedication of a much more realistic share of our national income to the vital cause of public education, lest by saving a little in the name of economy, we may lose all in the breakdown of our entire system of communicating the achievements and the aspirations of the past to the rising generations.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES, APPROPRIATION BILL

Mr. FOGARTY submitted a conference report and statement on the bill (H.R. 11390) making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1961, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to

Mr. THOMPSON of New Jersey (at the request of Mr. FOUNTAIN), for today, August 24, 1960, on account of official business.

Mr. BENTLEY (at the request of Mr. HALLECK), for August 24, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MACK, today, for 5 minutes.

Mr. BROWN of Missouri, for 10 minutes, today, and to revise and extend his remarks.

Mr. STAGGERS (at the request of Mr. MCCORMACK), for 5 minutes, today, and to revise and extend his remarks.

Mr. REUSS, for 1 hour, on tomorrow.

Mr. COFFIN, for 15 minutes, tomorrow, and to revise and extend his remarks.

Mr. MADDEN, for 30 minutes, on Wednesday next.

Mr. BAILEY, for 30 minutes, on Friday next.

Mr. PUCINSKI, for 30 minutes, on Wednesday next.

(At the request of Mr. MOORE, the following Members were granted special orders:)

Mr. RHODES of Arizona, for 1 hour, on Monday next.

Mr. CURTIN, for 15 minutes, on August 25.

Mr. AVERY, for 1 hour, on August 29, Monday.

Mr. POWELL (at the request of Mr. ZABLOCKI), for 1 hour, on tomorrow, and 1 hour, on Saturday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. HOFFMAN of Michigan in two instances and to include extraneous matter.

Mr. GARMATZ.

(At the request of Mr. MOORE, the following Members were granted permission to extend their remarks in the CONGRESSIONAL RECORD and to include extraneous matter:)

Mr. TOLLEFSON.

Mr. BERRY in two instances.

(At the request of Mr. ZABLOCKI and to include extraneous matter the following:)

Mr. DINGELL.

Mr. MCDOWELL.

Mr. JOHNSON of Maryland.

Mr. TOLL.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5789. An act to incorporate the Agricultural Hall of Fame.

ADJOURNMENT

Mr. CLARK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 24 minutes p.m.) the House adjourned until tomorrow, Thursday, August 25, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2418. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation entitled "A bill to amend and extend the provisions of the Sugar Act of 1948, as amended"; to the Committee on Agriculture.

2419. A letter from the Assistant Secretary of Agriculture, transmitting reports on four violations of section 3679 of the Revised Statutes, as amended, by officers of the Forest Service, Department of Agriculture, pursuant to subsection (1) (2) of the Revised Statutes; to the Committee on Appropriations.

2420. A letter from the Administrator, Foreign Agricultural Service, U.S. Department of Agriculture, transmitting a report concerning agreements concluded during July 1960 under title I of the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, 83d Cong.), as amended, pursuant to Public Law 85-128; to the Committee on Agriculture.

2421. A letter from the Administrator, General Services Administration, transmitting the report of the Archivist of the United States on records proposed for disposal under the law; to the Committee on House Administration.

2422. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, relative to the case of Elias Alvanos, also known as Louis Alven, A2610759, involving suspension of deportation, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

2423. A letter from the Attorney General, transmitting a report containing a review of the status of this Department's current survey relating to the Defense petroleum procurement and of the outstanding voluntary agreements and programs established, pursuant to section 708(e) of the Defense Production Act of 1950; to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COOLEY: Committee on Agriculture. H.R. 12491. A bill to authorize the Secretary of Agriculture to convey certain lands in the State of Wyoming to the county of Fremont, Wyo.; without amendment (Rept. No. 2138). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. S. 3146. An act to authorize the Commodity Credit Corporation to donate dairy products and other agricultural commodities for use in home economics courses; without amendment (Rept. No. 2139). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCMILLAN: Committee on the District of Columbia. S. 3416. An act to provide for the restoration to the United States of amounts expended in the District of Columbia in carrying out the Temporary Unemployment Compensation Act of 1958; without amendment (Rept. No. 2144). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCMILLAN: Committee on the District of Columbia. S. 3727. An act to authorize the bonding of persons engaging in the home improvement business, and for other purposes; without amendment (Rept. No. 2145). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCMILLAN: Committee on the District of Columbia. H.R. 13053. A bill to increase the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia, the U.S. Park Police, the White House Police, and for other purposes; without amendment (Rept. No. 2146). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 12993. A bill to amend the District of Columbia Teachers' Salary Act of 1955, as amended; with amendment (Rept. No. 2147). Referred to the Committee of the Whole House on the State of the Union.

Mr. FLYNT: Committee on Interstate and Foreign Commerce. S. 1740. An act to amend section 202(b) of the Communications Act of 1934, in order to expand the Federal Communications Commission's regulatory authority under such section; with amendment (Rept. No. 2148). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. S. 1964. An act to amend the act requiring certain common carriers by railroad to make reports to the Interstate Commerce Commission with respect to certain accidents in order to clarify the requirements of such act; with amendment (Rept. No. 2149). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 11535. A bill to amend the District of Columbia Alcoholic Beverage Control Act to provide that class C and D licensees shall not be prohibited from serving alcoholic beverages in their establishments on New Year's Day when New Year's falls on Sunday; without amendment (Rept. No. 2150). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 12775. A bill to increase the relief or retirement compensation of certain former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service; and of their widows, widowers, and children; without amendment (Rept. No. 2151). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOGARTY: Committee of conference. H.R. 11390. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1961, and for other purposes (Rept. No. 2152). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COOLEY: Committee on Agriculture. S. 882. An act for the relief of the heirs of J. B. White; without amendment (Rept. No. 2140). Referred to the Committee of the Whole House.

Mr. COOLEY: Committee on Agriculture. S. 3759. An act authorizing the Secretary of Agriculture to convey certain lands to Auburn University, Auburn, Ala.; without amendment (Rept. No. 2141). Referred to the Committee of the Whole House.

Mr. McMILLAN: Committee on the District of Columbia. S. 2306. An act to exempt from taxation certain property of the National Woman's Party, Inc., in the District of Columbia; without amendment (Rept. No. 2142). Referred to the Committee of the Whole House.

Mr. McMILLAN: Committee on the District of Columbia. S. 3415. An act to exempt from taxation certain property of the American Association of University Women, Educational Foundation, Inc., in the District of Columbia; without amendment (Rept. No. 2143). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BAKER:

H.R. 13132. A bill to amend the Internal Revenue Code of 1954 to provide for the bracket method of depreciation, and for other purposes; to the Committee on Ways and Means.

By Mr. BENNETT of Michigan:

H.R. 13133. A bill to amend the Tariff Act of 1930 by transferring wood charcoal from the free list to the dutiable list; to the Committee on Ways and Means.

H.R. 13134. A bill to amend the Tariff Act of 1930 by adding nutshell charcoal and lignite briquets, to be sold for cooking purposes, to the dutiable list; to the Committee on Ways and Means.

By Mr. DEROUNIAN:

H.R. 13135. A bill to amend a provision of the Railroad Unemployment Insurance Act relating to days of unemployment; to the Committee on Interstate and Foreign Commerce.

By Mr. MILLS:

H.R. 13136. A bill relating to the dutiable status of certain articles containing foreign material which come into the United States from its insular possessions; to the Committee on Ways and Means.

By Mr. MASON:

H.R. 13137. A bill relating to the dutiable status of certain articles containing foreign material which come into the United States from its insular possessions; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 13138. A bill to amend the Internal Revenue Code of 1954 to provide an additional $2,400 exemption from income tax for amounts received as annuities, pensions, or other retirement benefits; to the Committee on Ways and Means.

By Mr. MACK of Illinois:

H.R. 13139. A bill to establish a Wabash Basin Interagency Water Resources Commission; to the Committee on Public Works.

By Mr. OLIVER:

H.R. 13140. A bill to establish within the Housing and Home Finance Agency a new program of mortgage insurance to assist in financing the construction, improvement, expansion, and rehabilitation of harbor facilities for boating and commercial craft; to the Committee on Banking and Currency.

By Mrs. MAY:

H.R. 13141. A bill to amend and extend the provisions of the Sugar Act of 1948, as amended; to the Committee on Agriculture.

By Mr. BYRNE of Pennsylvania:

H. Con. Res. 726. Concurrent resolution expressing the sense of Congress in favor of granting relief to the domestic carpet industry; to the Committee on Ways and Means.

By Mr. DORN of South Carolina:

H. Con. Res. 727. Concurrent resolution expressing the sense of Congress in favor of granting relief to the domestic carpet industry; to the Committee on Ways and Means.

By Mrs. SULLIVAN:

H. Res. 623. Resolution relative to the operation of the Panama Line; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KILDAY:

H.R. 13142. A bill for the relief of Kwan Chung Yin; to the Committee on the Judiciary.

By Mr. ROBERTS:

H.R. 13143. A bill for the relief of Lee Dock On; to the Committee on the Judiciary.

By Mr. TABER:

H.R. 13144. A bill for the relief of Georg Puffal; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Discriminating Against the Worker

EXTENSION OF REMARKS
OF
HON. CLARE E. HOFFMAN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 24, 1960

Mr. HOFFMAN of Michigan. Mr. Speaker, in the Senate, Senators KENNEDY and JOHNSON, respectively Democratic candidates for President and Vice President, with a two-thirds Democrat majority back of them and Senator JOHNSON in the powerful position of majority leader, are pushing S. 2643, introduced by Senator KENNEDY—H.R. 9070 in the House—in an effort to please a few labor leaders and so capture the so-called labor vote.

At the same time, they are insisting upon legislation which they say will give equal rights to all. On equality they blow hot and cold.

It needs but a glance at S. 2643 and H.R. 9070 to show rank inconsistency. The purpose of both bills is to amend the present labor law so as to enable a minority group on a construction job to tie up the whole job.

Example: A partnership at Port Chester, N.Y., contracted to build a home for a man in Greenwich, Conn. The partnership used its own employees on all but the electrical installation. That they subcontracted to an employer who had two nonunion men on the job. Other workers by a strike tied up the whole job. The U.S. Supreme Court held (*Electrical Workers* v. *Labor Board* (341 U.S. 694)) that it was not lawful to throw all the other workers out of their jobs just because the two electrical workers did not belong to the union.

Now Senator KENNEDY and Senator JOHNSON insist the law be changed to enable union officials to do just that.

Where hundreds of union workers are employed on the construction of an

apartment building, an office building, or an industrial plant or home, they can be thrown out of work just because a comparatively small minority is dissatisfied.

In this day and age when there are several million out of work in this country, when workers from other countries are coming here, when politicians are insisting upon equal rights for all, is there any consistency or advantage in advocating legislation which will enable a few (in the case decided by the Supreme Court they numbered but two) to throw hundreds of other workers who are satisfied with their working conditions and their wages out of their jobs and onto the unemployment rolls where the rest of us must contribute to their support?

Yet that is just what S. 2643 and H.R. 9070, sponsored by Senators KENNEDY and JOHNSON, the Democratic candidates for President and Vice President, would permit if it became the law of the land.

In my judgment, after spending 38 years trying jury lawsuits, 25 years here in Washington, it seems the height of folly to enact legislation which will permit any small group to injure and deprive other citizens, several million of them, of their right to earn a livelihood.

This proposed legislation is not designed to protect the worker against his employer.

It is designed to permit a few union employees—a very few—and a very few union officials, to tie up any construction job. Its enactment would permit a few dissatisfied union workers to throw all other workers—union and nonunion—on the job out of their jobs, halt construction.

Apparently, the advocates of the legislation have forgotten the slogan over the Supreme Court door, "Equal justice under law."

I shall vote against the bill—vote to protect the worker against discrimination by a union would-be dictator.

H.R. 9866

EXTENSION OF REMARKS
OF
HON. E. Y. BERRY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 24, 1960

Mr. BERRY. Mr. Speaker, the vote on the bill, H.R. 9866, to authorize the spending of $100,000 for five agricultural employees in the island of Guam is typical of what has been happening under the leadership of the Democrat majorities in Congress. The Department already has about 30 employees serving the island of Guam in an agricultural area about 37 square miles or, in other words, about the area of one township.

Only the day before yesterday afternoon I appeared on the same platform with my colleague, GEORGE MCGOVERN, who blasted the amount of spending of the Department of Agriculture and told how much it was costing the taxpayers to operate this Department as compared with a few years ago. He left that meeting by plane, flying directly to Washington, and upon his return yesterday afternoon one of the first bills upon which we were called to vote was this bill requiring the Department to spend an additional $100,000 on a project as unnecessary as any project could possibly be and yet he and his New Deal colleagues voted for it.

My opponent in this campaign has many times said he would vote exactly as MCGOVERN has voted. Just how can they make sense out of blasting spending one day and voting additional spending on the very next day?

"Traffic Safety," Speech by Hon. Samuel N. Friedel, of Maryland, at "Clean Sweep" Luncheon, Safety First Club

EXTENSION OF REMARKS
OF
HON. EDWARD A. GARMATZ
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 24, 1960

Mr. GARMATZ. Mr. Speaker, it is a privilege to be able to insert in the RECORD the text of a speech made by my colleague, SAMUEL N. FRIEDEL, of the Seventh Congressional District of Maryland, before the Safety First Club of Maryland, at its "Clean Sweep" luncheon held in Baltimore on August 19. The luncheon marked the endorsement received from the Governors of all 50 States for the organization's nationwide campaign for the issuance of a commemorative traffic safety postage stamp.

Mr. FRIEDEL was the author of the original bill introduced in Congress to establish a Special Subcommittee on Traffic Safety, and he was appointed a member of that committee. It functioned so effectively that its work is being continued at the present time and the results of its efforts will be felt nationwide. The speech follows:

TRAFFIC SAFETY

Mr. Chairman, members of the Safety First Club, and friends, it is indeed a pleasure for me to be with you today for this "clean sweep" luncheon. I know how gratified each of you must be in the knowledge that you made a clean sweep of all the 50 States Governors in your drive to obtain support for the issuance of a special traffic safety stamp. This is a real accomplishment.

No one knows better than I do the terrific amount of work that has gone into this project. At this time I would like to commend the chairman of this drive, Harry Abell, the president of the Safety First Club, J. O. Shuger, as well as Morris Kasoff, Sam Abrams, Dr. Leo Kline and the secretary, Maurice Shochatt. Without the untiring efforts of these public spirited citizens we would not be here today to mark a clean sweep of all our State Governors in support of this worthy cause.

It has been my privilege from time to time to assist the executive committee for the special traffic safety stamp in whatever way they deemed appropriate. When your committee passed a resolution last August, calling for the issuance of a special stamp, I was very enthusiastic about using this means of calling to the attention of all our citizens the importance of driving safely on our Nation's streets and highways. In fact, I thought so much of this project that I spoke about it on the floor of the House of Representatives on August 20, 1959, and called upon the Postmaster General to issue a special traffic safety stamp. I pointed out then, and I would like to repeat now, that our most precious asset is the people of our country.

On March 30, 1960, it was my pleasure to announce on the floor of the House of Representatives that the Safety First Club of Maryland had been successful in obtaining the support of the Governors of 48 States in their drive for this special stamp. At that time I asked my colleagues in the House to get behind this drive and assist in every way possible to have such a stamp issued. Today it is a great pleasure for me to note that we now have the support of the Governors of all our States and this could not have been accomplished without the persistent efforts of the members of this club.

As you all know, the Postmaster General has advised me that a special traffic safety stamp cannot be issued this year. However, on Wednesday of this week, I was assured that this proposal will be considered when the decision is made as to the special stamps to be issued in 1961. Our present Postmaster General has made the decision regarding the stamps to be issued in the first 3 months of 1961. However, I hope we will have a new Postmaster General for the balance of next year and that he will be a man who is aware that anything we can do to stop the killing of our citizens on the highways is a moral obligation we all face. I still maintain that if we can issue special stamps calling attention to the need for soil conservation, water conservation, and such other matters, we can certainly find a way to issue a stamp calling attention to the need for conserving human lives. You can rest assured that I will continue my efforts in this direction.

I have stated many times over that traffic safety is everybody's business, yet this continues to be one of our unsolved national problems. Many fine organizations, such as the Safety First Club of Maryland, have expended great effort to bring this problem to the attention of the public and to make people safety conscious. However, much more work is needed if we are to stop the slaughter on our Nation's highways. Just this past weekend our Governor the Honorable Millard Tawes, proclaimed his desire that this be a "deathless weekend" on Maryland highways. Yet, in less than 3 hours after the start of the weekend we had two deaths resulting from accidents on Maryland highways. This makes it look as though we are not getting our message across to the driving public.

I think all of you here realize that we must exert even more effort to make every automobile driver aware of the great necessity for driving safely. We must make him understand that accidents do not always happen to the other fellow—they can happen to us. Each individual driver must do his part by obeying traffic laws and watching the other fellow as well as himself when he is behind the wheel.

I know that each of you here today are doing a great deal to help solve this traffic safety problem, but I think you will agree that the need for safety on our Nation's highways cannot be brought to the attention of the American people too often. Wide circulation of a traffic safety stamp would be very useful in our campaign to stop the needless loss of the lives of so many of our citizens. Again, let me assure you that I will continue to do everything in my power to have such a traffic safety stamp issued next year.

Thank you for giving me this opportunity to address the Safety First Club of Maryland today. Now that we have made a clean sweep in obtaining the support of Governors for our special traffic safety stamp campaign, let us use this support in every possible way so that all our citizens will be made aware of their social responsibility, respect the rights—and the lives—of others. In this way, I believe we can ultimately stop this disgraceful slaughter on the highways.

Anniversary of the Ukrainian Congress Committee of America

EXTENSION OF REMARKS
OF
HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 24, 1960

Mr. DINGELL. Mr. Speaker, in this period of our history of conflicting ideals and sometimes lack of definite purpose it is encouraging to find an organization of 2½ million Americans united in one single, overpowering aim. The Ukrainian Congress Committee of America is just that. I take pride in congratulating it on its anniversary for 20 years of holding the ideals of freedom and independence from tyranny before the American public and all the world. It is indeed rare to find such a group that works selflessly and tirelessly to prove to those of us who have sometimes taken our liberties for granted that there are hundreds of millions of people today that do not and have never had such liberties. The members of the Ukrainian Congress are ideally suited to make us aware of these facts, for the history of the Ukraine is the history of liberty hard fought for, hard won, and then hard lost.

In 1918, the Ukrainian peoples declared themselves independent from the newly formed Soviet Government. Two years later it capitulated to the forces of the Soviet, after more than a year of resistance against overwhelming military odds. There followed the suppression by force of the Ukrainian culture and the Ukrainian heritage under the militant Communist regime, which confiscated the produce and resources of the Ukraine. Collectivization was enforced; Ukrainian nationalist leaders were persecuted; and the Ukrainian Autocephalous Orthodox Church was dissolved. Thus was the Ukraine drawn into the Soviet Union, no longer to have a voice in the world except through such agencies as the Ukrainian Congress.

The Congress was organized in 1940 for one major purpose—to be the voice of the 40 million Ukrainians who are not free to inform the world of their captive condition. The membership of the Congress is composed of 2½ million Americans of Ukrainian ancestry. Ultimately they hope to see once again an independent Ukraine. In the interim they devote their time to exposing to Americans and to the world the methods and atrocities of Russian tyranny, so well exemplified in the history of the Ukraine in the last 40 years. They speak on behalf of all captive nations and captive peoples. In their publications, local organizations, public programs, and promotion of the annual Captive Nations Week their message has become more and more startlingly clear. Soviet goals and methods are diametrically opposed to everything the United States stands for. Sometimes it takes an organization like the Ukrainian Congress, with ties and interests in a country subjected to Communist rule, to remind us of our own purpose and beliefs.

An Investment in the People—Educational Television

EXTENSION OF REMARKS
OF
HON. HARRIS B. McDOWELL, JR.
OF DELAWARE
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 24, 1960

Mr. McDOWELL. Mr. Speaker, a significant study by the U.S. Chamber of Commerce, "An Investment in the People" concludes that the country or the State with the highest per capita income is the one with the best educated people. Obviously, if a people are not educated, they cannot take advantage of the resources of a country no matter how rich it potentially may be.

In educational television we have a new and highly important tool for bringing America's educational system abreast of the times.

It is the hope of many Delawareans that the Federal Communications Commission will assign the now silent channel 12 to Delaware for purposes of educational television broadcasting. This is a step which I have strongly supported in the past and will work for in the future with all the means at my disposal. I have, in addition, cosponsored with Senators MAGNUSON and SCHOEPPEL legislation on the subject of educational television which would give financial assistance to get this important program off the ground. In this connection it is important to recognize the tremendous support which the Federal Government has given to American railroads, to the airlines, and to shipping, and highway transportation. Certainly, educational television is equally deserving and is equally important to the welfare of the people of this great Nation.

I include here, as part of my remarks, the text of my weekly radio broadcast to the people of Delaware the week of August 23, 1960, over seven Delaware radio stations:

My subject for this week's report from Congress is one which I know is of great interest to the people of Delaware, and one which has occupied a great deal of my time these past 2 years as a Delaware Congressman. This subject is educational television.

But first, since this is my last report, I want to thank all of the listeners in Delaware who have heard my bimonthly broadcasts, and especially I want to thank your radio station which has made these public service broadcasts possible.

On May 12 and 13, 1959, hearings were held before the Subcommittee of the Committee on Interstate and Foreign Commerce on a number of bills, including one which I had introduced on the subject of educational television.

On April 13, 1959, the Senate had passed such legislation introduced by Senators MAGNUSON and SCHOEPPEL. I am going to quote to you from the testimony of two prominent educators who testified before the committee. Their views coincide with my views on this important and vital new media which is available to the American people, and more specifically of interest to Delawareans is the assigning of the now silent channel 12 to Delaware for educational television broadcasting.

Raymond D. Hurlbert, general manager of the Alabama Educational Television Commission, had this to say:

"Many of you are familiar with U.S. Chamber of Commerce study, 'An Investment in the People.' This study points out that it is not the country or the State with the greatest natural resources which has the highest per capita income, but the one with the highest literacy, the best educated people. Our State is rich in natural resources, but our great need is to raise the per capita income through education.

"We are on the threshold of tremendous advances in the field of education. Should we ask the question, Has the time come for updating the educational system of schools in America and if so, as an aid, do we not have an available tool in educational television? In fact, we have a providential tool to help make the hurdle of leaping from the traditional to the modern needs in education. What does industry do when it is time for a retooling job? Is not expense for retooling considered essential in the light of future efficiency and greater production, and are not new methods inaugurated? There is no question as to what business would do in such a case. Should we not apply just as much good business to the education of our youth? As stockholders in this big business of education, should we not test the potential in educational television, and its ability to bring increasingly valuable dividends?"

Donald H. McGannon, president, Westinghouse Broadcasting Co. had this to say:

"It is an interesting thing about educational television, that while it is in the sixth academic year and represents a $60 million investment, it has achieved the outstanding goals it has, but far more lies in the future than in the past. As I have indicated, I believe that to be true of television in general but the educational phase represents a dimension without which the medium cannot achieve its full potential or capacity. Commercial television as a medium of entertainment, information and advertising requires the pure research and laboratory techniques and opportunities of educational television, working hand in hand to achieve the degree of fuller enlightenment every one of us in the industry feel can and even must be achieved. Much has been accomplished in less than a decade but far more need be accomplished in this world of nuclear physics and international hypertension.

"In other more blunt words, get the educational station on the air in order that the whole evolutionary and developmental process of qualitative programing can be undertaken and perfected. The longer this is delayed, the longer these vital frequencies are left unused, the longer the American people are deprived of such educational opportunity; yes, the longer our already strained educational system and overburdened municipal finances are denied this dynamic and collateral aid. Then, too, will our ability to achieve the blessings and opportunities of the ultimate public service educational system be forestalled.

"The United States must improve and increase the use of all educational means at our disposal but surely television and radio, occupying so prominent a place among the interests of our people, have a great opportunity and a still greater obligation in this regard."

Many other prominent officials of public and private institutions gave similar testimony in support of Federal participation in the promotion of educational television broadcasting. It is my belief that it is only a question of time before public demand will bring about a more complete use of the vast potential of educational television. There is no mistaking that the most overwhelming fact today is that we no longer have the enormous luxury of time—we must adjust our institutions and methods of democracy to the life or death demands of a speeding world where there can be few mistakes, few revisions and few fumblings. Complete and total education of all of our people is our greatest secret weapon in the cold war struggle of democracy versus communism.

Enter Ye in at the Strait Gate: for Wide Is the Gate, and Broad Is the Way, That Leadeth to Destruction

EXTENSION OF REMARKS
OF
HON. CLARE E. HOFFMAN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 24, 1960

Mr. HOFFMAN of Michigan. Mr. Speaker, today, Tuesday, July 26, 1960, Republicans in Chicago are writing their party platform and tomorrow will name their candidate for President—the Democrats recently finished that job.

You now have an opportunity, a duty, to consider seriously the kind of Government you will bequeath to your children and their descendants.

We differ in our decisions as to methods and policies we should follow which will give to our people the greatest possible opportunity for prosperity, happiness, and freedom, as to the course we should follow in dealing with other nations.

Differences in opinions are not only permissible, but unavoidable. However, there is no excuse for the mentally indolent individual who fails to think and act when opportunity is given to personally, effectively participate in solving questions which vitally affect not only his own welfare, but that of all, as well as the future security of our Nation.

By 8 long years of hardship, suffering, sometimes death, our forefathers won our freedom, and for the first time in the world's history, established a Government of principles which, if religiously followed, mean freedom and happiness to us as individuals, as well as security for our future existence.

Billy Graham, today's evangelist, might well have used the words uttered last night by Herbert Hoover who, in substance, told us that insuring our moral and spiritual future is just as, if not more important than attaining temporary material prosperity. It is obvious that unless we give more and effective thought and action to the principles underlying our Government, the United States of America will follow the road to ruin down which every nation has traveled since the dawn of civilization when its people preferred idleness, pleasure, and wasteful practices to methods and policies which called for courage, endurance, and thrift.

The nation, as well as the individual, which seeks "the wide gate, the broad way" is, as was written so many years ago, doomed ultimately to failure.

Reading the Chicago Tribune this morning, I learn that Republican politicians are striving for a platform which will assume to give the greatest degree of civil liberty to each of us, regardless of race, creed, or state of origin. That is all to the good, and to that principle, all can subscribe.

However, on the same page stretches a headline reading "One Thousand Goons Besiege Plant." The caption reads "State Refuses Protection in Racine," and the story discloses that "a mob of 1,000 strike goons and sympathizers besieged the struck plant, without deterrence by State authorities or Gov. Gaylord Nelson." Is anyone concerned about the civil liberties of colored, yellow, or white who desire to work?

Eager to secure votes in November, the Democratic Party platform and presumably the Republican platform to be adopted today, will go far to protect some civil rights, to prevent certain discrimination, but why deny the right of any one to earn a livelihood as at present is the practice? Why boast about efforts to prevent discrimination in some fields of activity while sanctioning it by failure to act in others? Why yield to political expediency rather than adhere to principle?

All civil rights of everyone should be protected.

Statement to the Annual Convention of the Maryland, Delaware, and District of Columbia Moose Association

EXTENSION OF REMARKS
OF
HON. THOMAS F. JOHNSON
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 24, 1960

Mr. JOHNSON of Maryland. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I include my statement to the annual convention of the Maryland, Delaware, and District of Columbia Moose Association held in Washington, D.C., on August 19–21, 1960:

Fellow members of the Loyal Order of Moose, as the Representative of the First Congressional District of Maryland, and as a member of the Salisbury Lodge, No. 654, Loyal Order of Moose, I welcome you to our Nation's Capital.

The Loyal Order of Moose, an international fraternal society composed of more than 1,700 lodges with a total membership of nearly 1 million men, is dedicated to the service of his fellow man and loyalty to his country.

Moose lodges throughout our Nation have distinguished themselves by supplying leadership, manpower, and financial aid for worthwhile community affairs, with particular emphasis on youth activities.

All of us are proud of Mooseheart, situated in the Fox River Valley of northern Illinois, 40 miles west of Chicago. Since Mooseheart was founded in 1913, more than 5,000 children of deceased members of the Loyal Order of Moose have benefited by its educational and training program.

All of us are proud of Moosehaven, located in Orange Park, Fla. This model home for our senior citizens stands as an epitaph of our concern for the aged and a challenge to all organizations to equal.

True democracy can only survive so long as all men practice humanitarian service to his fellow man. You have pioneered in child welfare, education, and care for the aged. You will carve new frontiers in service, because you are loyal members to the Loyal Order of Moose. I wish you a most successful convention.

America's Military and Economic Strength Is Great

EXTENSION OF REMARKS
OF
HON. THOR C. TOLLEFSON
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 24, 1960

Mr. TOLLEFSON. Mr. Speaker, for the benefit of those Members who have not had an opportunity to read them, I am inserting herewith in the CONGRESSIONAL RECORD excerpts from President Eisenhower's speech at Chicago last month. He pointed to our economic and military strength, and to our position in the world today. What he said merits the attention of everyone who has concern over these matters.

The excerpts follow:

To this convention I bring no words of despair or doubt about my country—no doleful prediction of impending disaster. Whoever misleads by calculated use of some but not all the facts, whoever distorts the truth to serve selfish ambition, whoever asserts weakness where strength exists—makes a mockery of the democratic process and misrepresents our beloved country in the eyes of the watching world.

The irrefutable truths are that the United States is enjoying an unprecedented prosperity; that it has, in cooperation with its friends and allies, the strongest security system in the world, and that it is working ceaselessly and effectively for a peace with justice, in freedom.

Our own mounting living standards, and the history of these Republican years, provide the proof that these are facts.

THE ECONOMY

There are more Americans today employed, at higher wages and with more take-home pay, than ever before in our history. They have more confidence in the stability of their money than they have enjoyed in three decades.

In these past 7½ years, the annual gross national product has increased by $100 billion or 25 percent. This figure, though stupendous, is asserted by some to be unnecessarily low. But what would they say if they knew that during the almost 8-year duration of the prior Democratic administration, the gross national product actually declined in every single peacetime year, save one.

During all the years of this administration, I've heard much from the opposition, especially from its free-spending clique, about increasing the rate of economic growth by depending principally on governmental activity, with vastly increased Federal expenditures.

We reject the argument that healthy growth can thus be bought from the funds of the Federal Treasury.

We believe profoundly that constant and unnecessary governmental meddling in our economy leads to a standardized, weakened, and tasteless society that encourages dull mediocrity, whereas private enterprise, dependent upon the vigor of healthful competition, leads to individual responsibility, pride of accomplishment and, above all, national strength.

Inflation—the most insidious and cruel form of taxation ever devised—drove prices up 48 percent in the previous administration, thus robbing millions of our people of savings and of purchasing power.

In the last 7½ years, we have succeeded in keeping the total price rise below 11 percent. And, at least this is my fixed opinion, this record could have been even better if I might have had the privilege of working all these years with a Republican Congress.

SECURITY

In the sum of our capabilities we have become the strongest military power on earth. But just as the Biblical Job had his boils, we have a cult of professional pessimists who, taking counsel of their fears, continually mouth the allegation that America has become a second-rate military power. This extraordinary assertion amazes our friends in the world who know better; it even bewilders many of our own people who have examined our 7½-year record of military expansion and who are not used to hearing their gigantic defense efforts so belittled.

Defense expenditures during the 12 months preceding the outbreak of the Korean war were less than $12 billion. Today we are spending, after 7 years without hostilities, over three times that much, more than $41 billion annually on a powerful, flexible and adequate defense establishment, which commands worldwide respect.

The United States today possesses a military establishment of incalculable power. Combined with the strength of our NATO, SEATO and other allies, the free world is prepared to meet any threat and, by its retaliatory strength, to face any potential aggressor with a mighty deterrent.

All this—all this—has been brought about by vigorous and imaginative leadership, the genius of our scientists, the skill of our Armed Forces, and by the sacrifices of the American people. To belittle this might, and the prestige, pride, and capabilities of these groups does such violence to my sense of what is right that I have difficulty in restraining my feelings of indignation.

If we can be blessed with experienced and steady leadership in Washington, the possibility of the outbreak of future war will be minimized and we can eventually win the peace.

THE WORLD

In the pursuit of world peace, I have personally journeyed more than 90,000 miles during the past year and visited the people of more than a score of nations on four continents. I have heard the insistent demands of multitudes for the right to live their lives in peace, and I have seen and taken part in many impressive American initiatives directed toward this crucial goal. The United States has made proposal after proposal, each in good faith, in an effort to reduce tension in the world and to lessen the economic burden of armaments. Moreover, we are prepared always to consider any reasonable proposal made by others.

Only a few months ago the men in the Kremlin were calling for complete and total disarmament. But suddenly thereafter, they began devising one crisis after another.

They brutally wrecked the summit conference.

They have threatened us with missiles.

And today, they cold-bloodedly boast of shooting down one of our planes legitimately traveling over intercontinental waters.

The Soviet dictator has said that he has, in his recent journeys and speeches, succeeded in damaging the prestige of America.

Now, this is indeed an empty boast.

Concerning this matter of comparative national prestige, I challenge him to this test: Will he agree to the holding of free elections under the sponsorship of the United Nations to permit people everywhere in every nation on every continent to vote on one single simple issue?

And that issue is: Do you want to live under a Communist regime or under a free system such as is found in the United States?

My friends, are the Soviets willing to measure their world prestige by the results of such elections? Well, you know the answer to that.

But the United States would gladly do so.

THE PARTY

The people expect and demand honesty, integrity, and moral courage from the men and women who bear public responsibilities. They know that political office should be, and demand it be, a position of trust and honor; qualification for it must comprehend more than mere personal ambition. They realize, as never before, that the stakes in today's world are too high to risk their futures to the hands of frivolous, irresponsible, or inexperienced government.

In the successes of the past 7½ years you have a solid foundation on which to build toward new levels of attainment.

The Scheinfeld Address on Underdeveloped Countries

EXTENSION OF REMARKS
OF
HON. HERMAN TOLL
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 24, 1960

Mr. TOLL. Mr. Speaker, on Tuesday of this week the Honorable HENRY S. REUSS, of Wisconsin, presented to the House the address of Aaron Scheinfeld, chairman of the board of Manpower, Inc., one of the Nation's thinking business leaders on the subject of "Industrial and Business Development of the Underdeveloped Countries of the World."

His suggestions may well be considered by the business leaders of the country, because they offer a method of developing free countries as friends of the United States and eventually saving the taxpayers of our country subsidies and contributions which are now needed to keep as much of the world as possible independent and free.

Congressman REUSS is to be commended for bringing to the attention of the Members a report of such great interest; that their constituents may read with great profit to themselves and to their neighbors one of the most helpful solutions ever offered for the problems affecting the world today.

The address can be found on pages 17378–17380 of the CONGRESSIONAL RECORD for Tuesday, August 23, 1960.

He Refuses To Conform

EXTENSION OF REMARKS
OF
HON. E. Y. BERRY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, August 24, 1960

Mr. BERRY. In the totalitarian states of the world, the central government assumes the responsibility for the care and security of everyone from the cradle to the grave. To shoulder this responsibility means that the central government must at the same time be able to regulate the amount of work the individual shall do to compensate for such lifelong security. This is known as the "work norm."

By the same token, if the individual "refuses to conform," the state must have some leverage, some power, or some control to force such conformity. In some states this method of persuasion is called the Gestapo. Others have their particular name for persuaders, but in each the purpose and result is the same. Conformity must be compulsory in a totalitarian state. Any state which guarantees security, which compensates each individual according to his need, must also be able to compel conformity.

TOTALITARIANISM

The founders of this Nation came to these shores to free themselves from conformity. They came here to free themselves from central government security. They came here seeking only opportunity for the individual, opportunity to provide for his today and his tomorrow through the fruits of his own efforts and ability.

But, despite the good purposes of the Founding Fathers, there has grown up within these borders the totalitarian philosophy. Central Government planners have moved into each breach and have established their foreign philosophy, not as much through laws passed by Congress, because Congress is responsible to the voters and dare not authorize these steps directly, but instead Congress has given a free reign to the bureaucrats who in turn socialize through the Federal rules and regulations.

THE INDIAN PROBLEM

There are few totalitarian states where the central government forces conformity of the individual more strictly than on the Indian reservations of the United States. This system has created what is popularly known as the "Indian problem."

There is no Indian problem, there is only a totalitarian or "socialist" problem. There are many examples; I shall relate but one.

BACKGROUND

Years ago Congress provided for the allotment of lands on many of the In-

dian reservations to the individual Indian, this on the theory that the Indian was found on the land and it was assumed that all of them should be farmers and live from the soil.

For years the tendency of the Department of the Interior, which was given guardianship over the property of the individual Indian, was to increase the freedom of the Indian. The Indian was given the right to lease his land and to use the proceeds of such lease rental to help provide his livelihood. When the Department of Interior determined that he was competent to handle his own affairs, he was permitted to sell and dispose of his allotment and to use the proceeds thereof as any individual would.

Then under the so-called New Deal there came a strange philosophy into this free Nation, a move back toward the totalitarian state from which the forefathers had come. The plan of subjection of the individual to the state was slower among the non-Indians because with the return of crops and production and good times, the individual demanded a return of his freedom. The return of that freedom has become a political issue and is the dominant issue in the present election. The voters in the November 1960 election shall decide whether they wish "security with conformity" or whether they want "individual freedom with opportunity."

The Indian, however, has no alternative, he must accept "security with conformity" at least so long as he chooses to live on or near an Indian reservation, or until the Congress repeals the Wheeler-Howard Act enacted in the early days of the New Deal.

EXAMPLE

The Bureau of Indian Affairs at the Washington level is adamant in their stand that an Indian allottee is free to handle his own land so long as he conforms to the regulations, the regulations being that he himself must work his own land unless he turns complete authority to the Bureau.

Under the policies of the Bureau all land on the reservation is classified to determine the best "use" to which such land shall be put. In grazing areas, all land in a certain tract, whether it is tribal or allotted, goes into a "grazing unit" and the allottees in that area must sign a power of attorney authorizing the Department to handle the rental of their land for them.

If an allottee—who by the way is supposed to be a free American—refuses to conform, refuses to give a power of attorney or attempts to revoke one already given, he is required to fence his own land out of the unit and handle the use of that land himself. He dare not rent it. He cannot contract to have the hay put up and sold. He cannot contract to have the work done on shares so that he gets his portion of the crop. He must do the work himself, or he must hire the work done and pay the cost himself out of his own pocket. Then he can sell the crop and pay the cost of having someone who does have the harvesting machinery do the work. If he refuses to conform, the Bureau steps in and forces conformity.

Yesterday, I received a frantic call from an Indian allottee on one reservation in my congressional district. I shall not mention his name or the name of the reservation for fear of reprisals either upon the Indian or the employees involved. The allottee told me he had hired a non-Indian rancher to cut and bale the hay on his allotment, which he had refused to put into a grazing unit because it was an especially good hay quarter and was worth more for hay than the normal rental for grazing purposes. Those allottees who conform in a grazing unit receive the same rental as all other allottees in the grazing area, regardless of the productivity of the allotment, because under this system, as in all totalitarian states, "equal compensation shall be provided for all."

The allottee told me that he did not have the cash to pay for the cutting and baling of the hay, so he had contracted with the non-Indian to do the work with the understanding he would sell the hay to the non-Indian who owned the haying equipment for $15 per ton, first to pay the cost of harvest and the remainder to be his cash rental return for the production of his allotment.

He told me that the Department had stepped in, taken over the baled hay and was selling it to someone else, proposing to deposit the proceeds of his account in the Agency office to be paid to him as they decided it should be disbursed. He asked me what chance an Indian had to establish his own credit, to get started in the ranching business, if his contracts were to be summarily revoked by the Great White Father at the will of the Great White Father.

When I called the Superintendent I was advised that it appeared the contract with the non-Indian was a fraud, that instead of the Indian making a contract to hire the hay cut and baled, then sold to the rancher at the price of $15 per ton to pay the cost of harvesting the hay and the balance to go in cash to the allottee, it was apparent to the Department that the contract had been made to harvest the hay on a share basis with the rancher taking a certain share for harvesting the hay and then buying the share of the allottee, which, the Bureau official advised, was strictly against the regulations of the Department.

I was told that the Bureau was having trouble with this Indian "because he refuses to conform."

I was also advised that this procedure becomes necessary because the Bureau has the "responsibility of protecting the property and the income of the Indian people."

When the Founding Fathers established a system of government which provided the utmost of individual freedom and opportunity, they failed to take into account that certain forces would in later years be at work guaranteeing security to certain groups and that with that guarantee of security comes the responsibility of the "work norm," or the "rental norm" in this case, which compels "conformity" of all, and that with this compelled conformity, individual rights, individual privileges and individual opportunity is sacrificed. Socialism? Totalitarianism? Where? Here in America.

SENATE

THURSDAY, AUGUST 25, 1960

(Legislative day of Wednesday, August 24, 1960)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by Senator RUSSELL B. LONG, of Louisiana.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, who hast given us this good land for our inheritance, deepen our gratitude, this day, that so much is bestowed upon us. We are grateful for its sheer beauty, all decked in summer glory—hills and valleys, fields, meadows and woodlands, lakes and mountains, and wide rivers carrying their commerce to the seas.

Yet, we thank Thee more for the heritage our fathers have bestowed upon us—with liberty, justice, and the sacredness of human rights.

In the joy and blessedness of this time, daily fenced about with devotion, make quiet our fears and revive our spirits within us. Let no ungenerous thought find lodgment in our minds today as we deal one with another.

May no intent or purpose that would unduly hurt or wound a comrade's spirit be given room. Let no motive sit in the saddle of our words or deeds, for which we would blush with shame if it stood revealed before all men.

Stay our hands when we attempt to postpone into the future the justice waiting to be done today.

So may we work today, for the night cometh when we can no longer work. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, August 24, 1960, was dispensed with.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., August 25, 1960.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. RUSSELL B. LONG, a Senator

from the State of Louisiana, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. LONG of Louisiana thereupon took the chair as Acting President pro tempore.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the joint resolution (S.J. Res. 170) to authorize the participation in an international convention of representative citizens from the North Atlantic Treaty nations to examine how greater political and economic cooperation among their peoples may be promoted, to provide for the appointment of U.S. delegates to such convention, and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 12619) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1961, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PASSMAN, Mr. GARY, Mr. CANNON, Mr. TABER, and Mr. FORD were appointed managers on the part of the House at the conference.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. SMATHERS. Mr. President, reserving the right to object——

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. No debate is in order. If there is objection, the quorum call will continue.

Mr. GOLDWATER. Is there to be a morning hour?

Mr. JOHNSON of Texas. We will have a morning hour as soon as we finish the quorum call.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Arizona?

Mr. SMATHERS. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Chief Clerk resumed the call of the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that we have a morning hour, with a limitation on statements of 3 minutes, and that the morning hour precede the call of the calendar.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON AGREEMENTS CONCLUDED UNDER AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, reporting, pursuant to law, on agreements concluded during July 1960, under title I of the Agricultural Trade Development and Assistance Act of 1954, with the Governments of Poland, Iran, and India (with accompanying papers); to the Committee on Agriculture and Forestry.

REPORTS ON REAPPORTIONMENT OF APPROPRIATIONS

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans Administration for "Maintenance and operation of supply depots," for the fiscal year 1961, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans Administration for "Inpatient care," for the fiscal year 1961, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

REPORT ON OVEROBLIGATION OF APPROPRIATIONS

A letter from the Assistant Secretary of Agriculture, reporting, pursuant to law, on four overobligations of appropriations in the Forest Service; to the Committee on Appropriations.

REPAIR AND REHABILITATION OF CERTAIN NAVAL RESERVE TRAINING CENTERS

A letter from the Assistant Secretary of Defense, reporting, pursuant to law, on the repair and rehabilitation of berthing piers and installation of dockside utilities at U.S. Naval Reserve Training Centers, Everett, Wash., and Jersey City and Perth Amboy, N.J., and U.S. Coast Guard Station, Atlantic City, N.J., at an estimated cost of $24,700, $40,400, $18,300, and $25,830, respectively; to the Committee on Armed Services.

PROPOSED TRANSFER OF BOAT TO DOUGLAS COUNTY FAIR, ROSEBURG, OREG.

A letter from the Assistant Secretary of the Navy (Material), reporting, pursuant to law, on the proposed transfer of a 42-foot Retriever Boat to the Douglas County Fair, Roseburg, Oreg.; to the Committee on Armed Services.

PUBLICATION OF NOTICE OF PROPOSED DISPOSITION OF CERTAIN VANADIUM ORE

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a copy of a notice to be published in the Federal Register of a proposed disposition of approximately 4,310 short tons of low-grade vanadium ore, approximately 2,950 short tons of lead vanadate concentrates, and approximately 35,350 pounds of subgrade fuses vanadium oxide (pentoxide), now held in the national stockpile (with an accompanying paper); to the Committee on Armed Services.

PUBLICATION OF NOTICE OF PROPOSED DISPOSITION OF CERTAIN QUININE

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a copy of a notice to be published in the Federal Register of a proposed disposition of approximately 13,860,000 ounces of quinine now held in the national stockpile (with an accompanying paper); to the Committee on Armed Services.

REPORT ON DEFENSE PRODUCTION

A letter from the Attorney General, transmitting, pursuant to law, his report on activities under the Defense Production Act of 1950, as amended, as of August 9, 1960 (with an accompanying report); to the Committee on Banking and Currency.

EXTENSION OF SUGAR ACT OF 1948

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend and extend the provisions of the Sugar Act of 1948, as amended (with an accompanying paper); to the Committee on Finance.

REPORT ON GIFTS AND BEQUESTS RECEIVED FOR THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

A letter from the Acting Secretary, Department of State, transmitting, pursuant to law, a report on gifts and bequests received by the U.S. National Commission for the United Nations Educational, Scientific, and Cultural Organization, fiscal year 1960 (with an accompanying report); to the Committee on Foreign Relations.

AUDIT REPORT ON CHECK PAYMENT AND RECONCILIATION FUNCTIONS, OFFICE OF THE TREASURER OF THE UNITED STATES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the check payment and reconciliation functions, Office of the Treasurer of the United States, Treasury Department, December, 1959 (with an accompanying report); to the Committee on Government Operations.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAME

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Elias Alvanos, also known as Louis Alven, from a report relating to aliens whose deportation has been suspended, transmitted to the Sen-

ate on September 1, 1959 (with an accompanying paper); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report of the Archivist of the United States on a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS

The ACTING PRESIDENT pro tempore laid before the Senate a resolution adopted by the board of directors of the Houston, Tex., Junior Chamber of Commerce, relating to a repeal of the so-called Connally amendment, which permits the United States to determine matters which it deems to be under the jurisdiction of the World Court, which was referred to the Committee on Foreign Relations.

RESOLUTION OF EXECUTIVE BOARD, COUNCIL OF POLISH SOCIETIES AND CLUBS OF STATE OF DELAWARE

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have incorporated in the RECORD, a resolution adopted by the executive board of the Council of Polish Societies and Clubs in the State of Delaware, and of the Delaware division of the Polish-American Congress on June 28, 1960.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

The executive board of the Council of the Polish Societies and Clubs in the State of Delaware and of the Delaware division of the Polish American Congress at its meeting held on Tuesday evening, June 29, 1960, have passed the following resolution:

"We continue to oppose the seating of Communist China in the United Nations, thus upholding international morality and keeping faith with the thousands of American youths who gave their lives fighting Communist aggression in Korea.

"To seat a Communist China which defies, by word and deed, the principles of the U.N. Charter would be to betray the letter, violate the spirit, and subvert the purposes of that charter.

"We further continue to oppose U.S. diplomatic recognition or any other steps which would build the power and prestige of the Chinese Communist regime, to the detriment of our friends and allies in Asia and of our national security.

"Any such action would break faith with our dead and the unfortunate Americans still wrongfully imprisoned by Communist China and would dishearten our friends and allies in Asia whose continued will to resist Communist China's pressures and blandishments is so vital to our security interests in that part of the world.

"That a copy of this resolution be sent to the U.S. Senators JOHN J. WILLIAMS, J. ALLEN FREAR, JR., and to Congressman HARRIS B. MCDOWELL, JR."

CASIMIR CHETKOWSKI,
President.
VINCENT J. KOWALEWSKI,
Secretary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BYRD of Virginia, from the Committee on Finance, without amendment:

H.R. 4384. An act to amend paragraph 1774 of the Tariff Act of 1930 with respect to the importation of certain articles for religious purposes (Rept. No. 1911);

H.R. 10841. An act to amend the Tariff Act of 1930 to place bamboo pipe stems on the free list (Rept. No. 1912); and

H.R. 12659. An act to suspend for a temporary period the import duty on heptanoic acid (Rept. No. 1913).

By Mr. BYRD of Virginia, from the Committee on Finance, with amendments:

H.R. 11573. An act to provide for the free entry of an electron microscope for the use of William Marsh Rice University of Houston, Tex., and an electron microscope for the use of the University of Colorado Medical Center, Denver, Colo. (Rept. No. 1914).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, without amendment:

S. 3830. A bill to provide for the establishment of the Roger Williams National Monument (Rept. No. 1917).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Charles R. Burrows, of Ohio, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Honduras;

Robert Newbegin, of New Hampshire, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Haiti;

Roy Richard Rubottom, Jr., of Texas, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Argentina;

Edwin M. Martin, of Ohio, a Foreign Service officer of class 1, to be an Assistant Secretary of State;

Christian M. Ravndal, of Iowa, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Czechoslovakia;

Henry S. Villard, of New York, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to the Federation of Mali;

Fraser Wilkins, of Nebraska, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Cyprus;

Frederic P. Bartlett, of New York, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Malagasy Republic;

Daniel M. Braddock, of Michigan, and sundry other persons, for appointment and promotion in the Foreign Service.

By Mr. DIRKSEN, from the Committee on the Judiciary:

Arthur S. Lane, of New Jersey, to be U.S. district judge for the district of New Jersey.

By Mr. CANNON, from the Committee on Armed Services:

Gen. Nathan F. Twining (major general, Regular Air Force), U.S. Air Force, to be placed on the retired list in the grade of general.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAVEZ (by request):

S. 3886. A bill to authorize the making and enforcement of regulations at water supply projects in the District of Columbia and environs, and for other purposes; to the Committee on Public Works.

By Mr. HUMPHREY:

S. 3887. A bill for the establishment of a Commission on Science and Technology; to the Committee on Government Operations.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia:

S. 3888. A bill for the relief of Dr. Alberto Gagan Capinpin; to the Committee on the Judiciary.

By Mr. ANDERSON:

S. 3889. A bill amending section 809(g) of the National Housing Act, providing for insurance of certain mortgages; to the Committee on Banking and Currency.

RESOLUTIONS

AMENDMENT OF RULE RELATING TO PREVIOUS QUESTION IN DEBATE

Mr. CLARK submitted a resolution (S. Res. 372) providing for the previous question in debate, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. CLARK, which appears under a separate heading.)

AMENDMENT OF SENATE RESOLUTION 155, 86TH CONGRESS, 1ST SESSION

Mr. MCCLELLAN submitted a resolution (S. Res. 373) authorizing the payment of additional obligations incurred by the Select Committee on Improper Activities in the Labor or Management Field, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. MCCLELLAN, which appears under a separate heading.)

COMMISSION ON SCIENCE AND TECHNOLOGY — AMENDMENTS AND BILL

Mr. HUMPHREY. Mr. President, although but a relatively short time remains prior to the recess of the 86th Congress, it is not too late for us to take action on a subject which could, I believe, become regarded as one of the great landmarks of this Congress.

I refer to the possibility of the approval of long-considered legislation for the establishment of a Federal Commission on Science and Technology.

I do not believe that any factor of a personal, political, private, or vested nature should interfere with the prompt authorization of such a Commission.

COMMISSION FREE TO REPORT AS IT SEES FIT

It would be entirely free to report as it saw fit within the broad mandate laid down within the legislative authority.

No reasonable individual scientist or layman need fear if such a distinguished body of men as is proposed were to be authorized and directed to come to grips with the great challenge of how the U.S. Government should in the future organize its science and technology program.

The chips could follow wherever they might in this objective review.

In any event, precious time could be saved toward the ultimate meeting of this challenge.

To lose the remaining months of 1960 and much of 1961 by delaying all action on this subject would in my judgment, represent a serious loss of time.

That is why I am introducing today this measure in a way which will, I hope, overcome the objections which have been previously encountered on this subject, for example, as regards the size and composition of its membership.

I believe, moreover, that any further reasonable compromise should be considered in order not to lose this opportunity to take decisive action.

Let me remind my colleagues that this is no new subject.

THREE YEARS OF INTENSIVE STUDY

Let me point out that the Senate Committee on Government Operations has given 3 years of intensive study to the issue of the Federal organization of science and, in particular, the organization and management of scientific information.

Those years of effort were culminated in part by the issuance on July 28, 1960, of Senate Document 113, 86th Congress on "Documentation, Indexing, and Retrieval of Scientific Information." This has been one of the best received Senate documents within my experience. It represents the fruits of careful study by members of the committee and by the professional staff under its staff director—chief clerk, Mr. Walter Reynolds.

This then may serve as an introduction to my action today.

TWO ACTIONS TODAY

I am offering now:

First, amendments to the bill, S. 1851, providing for the establishment of a Commission on a Department of Science and Technology, which is presently pending on the Senate Calendar; and

Second, a "clean bill"—identical to the amendment—for the same purpose.

Both the amendments and the clean bill represent modifications of S. 1851. These modifications are made in order to meet objections which have been raised. But, the points previously at issue are not, I believe so substantive as to merit further disagreement or delay.

The original bill was drafted under my direction by the staff of the Committee on Government Operations to conform to recommendations made to the Subcommittee on Reorganization and International Organizations at its hearings in 1959 on the bill, S. 676, to create a Department of Science and Technology and to transfer certain agencies and functions to such department, and was reported unanimously from the committee on June 18, 1959.

The original bill has been held to be somewhat restrictive and has been misinterpreted as a sort of mandate to the effect that its creation would indicate that the Congress, by approving it in its present form, favored the creation of a Department of Science and Technology, even before the commission had submitted its findings and recommendations. I assure Members of the Senate that was not the intent of the committee.

The president and the vice president of the Engineers Joint Council and the executive secretary of the American Chemical Society recommended to the committee at the subcommittee hearings that there was an urgent need for the appointment of a commission patterned along the lines of the Hoover Commission to conduct a study as to whether or not a Department of Science should be created, and, if such a department was found to be desirable, that the proposed Commission should recommend to the President and to the Congress which functions now being performed by other departments and agencies of the Government should be transferred to such department.

It was suggested that the Commission should be composed of eminent authorities in the field of science and who are recognized leaders of the scientific community, representatives of the Federal Government agencies which were engaged in basic civilian science activities, and of members of the legislative branch of the Government.

Practically every witness who testified at the first 2 days of hearings on S. 676 were in agreement that, in order to insure the establishment of a workable and acceptable program for the proper coordination of Federal science activities, drastic reorganizations in existing Federal agencies dealing with science, technology, or engineering would be required. Some of the witnesses supported the objectives of S. 676, and others expressed opposition to the creation of a Department of Science and Technology, primarily because the proposal did not have the approval of the administration or of some of the leaders of the scientific community. There was also general disagreement as to what agencies of the Federal Government should be incorporated in the proposed new department or in any agency that may be established for the centralization of such activities.

In testifying before the subcommittee, in opposition to S. 676 as drafted by the staff of the Committee on Government Operations, the then Secretary of Commerce, Lewis L. Strauss, in reply to a question which I directed to him as to his views on the proposal to create "an impartial commission along the lines of the Hoover Commission formula," stated:

> I think it would be an excellent idea. * * * I would say that such a survey * * * would be a very salutary thing.

In supporting the bill, Dr. Wallace Brode, chairman of the board and past president of the American Association for the Advancement of Science, and now the science adviser to the Secretary of State, stated that—

> Two major decisions are required, one as to whether a Department of Science should be formed, and, second, as to the composition of such a department. A commission of governmental and nongovernmental experts in science and nonscience areas, similar to a Hoover Commission type, might consider these problems, and especially the second phase; if a Department of Science is inevitable, just what activities of the Government should be included.

The bill, S. 1851, which I filed in the Senate last year on behalf of the Committee on Government Operations would have established such a commission. Its authority would provide that the Commission would conduct two basic studies: First, the desirability of establishing a Department of Science and Technology, and second, what functions should be transferred to such department if established; and to submit its report and recommendations to the Congress and to the President.

In drafting S. 1851 the subcommittee gave consideration to extending the authority of the proposed Commission to include specific requirements in the declaration of policy and in the section dealing with the duties of the Commission, that the Commission should also study and report on problems relating to, first, the need for strengthening American science and technology as one of our essential resources for national security and welfare; second, the promotion of better centralization and coordination of Federal science programs and operations through necessary and desirable reorganizations of existing departments and agencies which relate directly to Federal science and research; and third, to formulate effective policies for training, recruiting, and utilization of scientific and engineering manpower.

These and other areas of great importance to the Federal science program, such as meteorology, oceanography, and so forth, were not specifically outlined in the bill. For instance, I stated at the time of introduction that oceanography certainly should come within the purview of the studies to be conducted by the Commission if a complete review is to be made of all Federal science activities. The importance of this program is set forth in the subcommittee's report to the Senate—Senate Report No. 120, 86th Congress, pages 51–57—which includes the text of a report submitted by the Subcommittee on Oceanography of the National Academy of Sciences—National Research Council. Also, Dr. L. B. Berkner, president, Associated Universities, Inc., in recommending the creation of a Department of Science, proposed specifically that a division or bureau of oceanography should be incorporated within such department.

While these directives are not specifically spelled out in the bill as introduced, nor in the amendment I am now proposing, it was and is the view of the sub-

committee that studies would be made into these areas of Federal science activities since this type of information would be essential to members of the Commission before a report and recommendations could be made to the President and the Congress.

The substitute I am now proposing for consideration of the Senate has expanded section 1 of the bill so that, should such a commission be created, its authority would be broad enough to insure coverage of all areas of Federal science activities. The objectives have also been amended so as to permit the Commission full latitude relative to determining whether or not a Department of Science and Technology should be created, or whether other types of reorganization of Federal science activities would be considered to be preferable.

Section 3 of S. 1851, as reported by the Committee on Government Operations, relating to the membership of the Commission, deviates from the composition of the Hoover Commissions in that it would provide for the appointment of 16 members—8 by the President and 4 each by the Senate and House of Representatives—whereas the Hoover Commission consisted of 12 members—4 by the President and 4 each by the Senate and House of Representatives.

The objectives in recommending the increased number of members to be appointed by the President was, primarily, first, to give recognition to the desirability of having the President initiate any program calling for the creation of a Department of Science and Technology, and, second, to permit the President to designate at least four members from the executive branch who are responsible for the operations of major Federal science programs—for instance, the special assistant to the President and head of the Council on Science and Technology, and the heads of Atomic Energy Commission, the National Aeronautics and Space Administration, and the National Science Foundation, may wish to be represented—and to permit him to appoint four members who are outstanding in the scientific community, in addition to four eminent scientists who would be appointed by the legislative branch. This authority for appointment of not less than 16 members, 8 of whom would represent the scientific community, would permit a wider selection of qualified representatives of the sciences involved. It was the view of the subcommittee that, before any Department of Science is created, the scientists themselves should actively participate in the development of any program that may be recommended by the proposed Commission.

My amendment would provide for the appointment of 12 members—on exactly the same basis as were the Hoover Commissions—4 by the President, 4 by the Senate, and 4 by the House of Representatives; two from the executive branch and two members from the Senate and House, with two scientists to be named by the President and two each by the President of the Senate and the Speaker of the House.

The amendments I am offering, which are in the nature of a substitute for S. 1851, in no way conflicts or changes the purpose and objectives of the original bill as reported by the committee. They are submitted only for the purpose of clarification, and to overcome some objectives which have arisen as to the areas to be covered by the proposed Commission and as to the composition of its membership.

The ACTING PRESIDENT pro tempore. The bill and amendments will be received and appropriately referred.

The bill (S. 3887) for the establishment of a Commission on Science and Technology, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Government Operations.

The amendments intended to be proposed by Mr. HUMPHREY to the bill (S. 1851) for the establishment of a Commission on a Department of Science and Technology, were received, ordered to be printed, and to lie on the table.

PROPOSED REVISION OF RULE XII RELATIVE TO VOTING

Mr. CLARK. Mr. President, I send to the desk for appropriate referral an amendment to rule XII of the Standing Rules of the Senate, relative to voting.

Under the proposed new rule a majority of the Senate could decide to take action on any matter pending before the Senate after it had been debated for not less than 15 hours by voting to "move the previous question." The proposed rule would permit the Senate to take action on a pending bill, resolution, or amendment, after 15 hours of debate. It is my opinion that the Senate can no longer afford the luxury of unlimited debate, if we are to attend to the legislative business of the country.

All Senators are aware of the frequent use in this body of the motion to table to put off indefinitely further consideration of a pending measure. My plea is for a countervailing motion to allow a vote on the merits of a pending matter after reasonable debate.

The Senate has thoroughly explored during both the 85th and 86th Congresses amendments to rule XXII dealing with cloture of debate. In my judgment, tinkering with this rule will get us nowhere.

I believe the proper course is to restore the rule providing for moving the previous question which was one of the procedures recognized in the Senate rules during the first six Congresses. The U.S. Senate from 1789 to 1806 recognized the motion for the previous question. Extensive research by the eminent American historian Irving Brant, supplemented by the research of Senator DOUGLAS and his staff, has shown that the motion was used on four occasions during those early years. On two of those occasions the motion was made for the purpose of closing debate and bringing a vote on the pending business. On one of those two occasions that actually happened, and on the other occasion the motion, though not voted upon, achieved the same result.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a summary of research by Mr. Irving Brant and Senator DOUGLAS on the development and use of the previous question motion in American and British practice.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF RESEARCH BY MR. IRVING BRANT AND SENATOR PAUL H. DOUGLAS ON THE DEVELOPMENT AND USE OF THE PREVIOUS QUESTION MOTION IN AMERICAN AND BRITISH PRACTICE [1]

The motion for the previous question originated in the British Parliament at the beginning of the 17th century. It was used in the American Continental Congress late in the 18th century and appeared in the first rules of both Houses of the U.S. Congress in 1789, but was dropped by the Senate in 1806 after being invoked on four occasions. The previous question rule was first used to close debate in the House of Representatives in 1811 and since then it has been invoked innumerable times in the House. Today the motion for the previous question procedure is set forth in rule XVII of the rules of the House of Representatives.

A. SENATE PROCEDURE, 1789–1806

Senate rule IX adopted on April 15, 1789, stated as follows: "The previous question being moved and seconded, the question from the chair shall be, 'Shall the main question be now put?' And if the nays prevail, the main question shall not then be put."

The previous question was used four times in the U.S. Senate from 1789 to 1806. It was phrased in the negative as well as the affirmative, although the rule stated only the latter form. The negative form of the motion was: "Shall the main question be not now put?" When the motion was put affirmatively and a majority of the Senators voted yea, they could close debate and the pending matter could be brought to an immediate vote. On the other hand, when the majority voted nay when the motion was put in the affirmative, this had the effect of postponing consideration. When the motion was put in the negative, a majority yea vote had the effect of postponing consideration, while a majority nay vote closed the debate.

On two of the four occasions on which the motion was put in the Senate, the purpose and effect of the motion was to postpone debate. On the other two occasions the motion was moved for the purpose of closing debate and bringing a vote. On one of those two occasions that actually happened, and on the other the motion—thought not voted on—achieved the same result. A brief synopsis of the four occasions follows:

1. In August of 1789 the Senate had before it a bill entitled, "An act providing for the expenses which may attend negotiations or treaties with the Indian tribes." On August 17 and 18, 1789, the previous question was moved on each day and put in the form provided in the rules: "Shall the main question be now put?" On both occasions the motion was defeated, and the effect was to postpone the main question.

2. The second occasion on which the previous question motion was used was on January 12 and 16, 1792. The Senate had before it the consideration of various Presidential nominations of U.S. ministers at foreign courts, and specifically the nomination of William Short of Virginia to be Minister

[1] CONGRESSIONAL RECORD, vol. 103, pt. 5, pp. 6669–6686.

Resident at The Hague. The Senate disregarded its rules and put the previous question in the negative: "That the main question be not now put." The motion carried, and this resulted in postponement.

3. On the third occasion when the previous question was moved, on February 26, 1799, it was moved in the form prescribed by the rules. The Senate had before it the nomination of William Bans Murray to be Minister of the United States to France. The previous question motion was moved in the words: "Shall the main question be now put?" On this vote the yeas prevailed. The debate was then stopped and the main question was put to an immediate vote. It was a clear instance of the use of the previous question motion in the affirmative form to stop debate.

4. On March 10, 1804, the Senate was sitting as a court of impeachment in the trial of Judge Pickering, and under the rules all motions had to be voted on by yeas and nays in open session. Debate on motions was forbidden except in closed sessions. The previous question was moved, phrased in the affirmative, as the rules required. Written evidence shows that the minority Senators felt that the majority's purpose was cloture—to cut off debate and force the main question to an immediate vote. The Senate was in closed session debating a resolution offered by Senator White of Delaware when Senator Jackson, of Georgia, moved the previous question. To vote on it, it was necessary to open the doors. As indicated, opening the doors stopped the debate, and that was the purpose of moving the previous question. With the doors open, nothing remained except to take the yeas and nays on the controversial resolution, which was thereupon defeated by the same Senators who had cut off the debate.

B. HOUSE OF COMMONS

In the 17th and 18th centuries—from 1604, when it was first used, to 1789, when it was adopted by the first Senate—the previous question was moved on 899 occasions in the British House of Commons. Its effect was to close debate 539 times and postpone 360 times.

From 1790 to 1882—when the House of Commons adopted a specific cloture rule—the previous question motion actually limited debate on no less than 67 occasions. In this later period the motion resulted in postponement on something like 294 occasions.

C. CONTINENTAL CONGRESS

In 1778 a majority of the Continental Congress voted "nay" on a previous-question motion, phrased in the negative—i.e., "That the main question be not now put"—which had been made for the ostensible purpose of postponing debate until the next day. After the vote on the motion a move was made to postpone action on the substantive matter until the next day. A question was then raised if the Congress were not required to proceed to a vote since the previous question was in the negative. The question was put before the Congress itself, and by a 7-to-3 vote it decided that when the negative form of the previous question was passed in the negative they were required to proceed to a vote on the substantive issue before them. In other words, two negatives made an affirmative, and the debate was therewith closed.

D. HOUSE OF REPRESENTATIVES

The House of Representatives has always had the previous-question motion available. From 1789 to 1880 it was the same form as that provided by the early rules of the Senate; namely, "Shall the main question be now put?" In 1880 it was decided that the Speaker on motion should ask for yeas and nays on the ordering of the previous question.

In the House of Representatives the filibuster was used in an effort to prevent a vote in 1811. When the crisis reached its peak on February 27, 1811, it was effectively dealt with when the motion to move the previous question was used six times in one night to force a crucial question to a vote. The event which occasioned its use as a cloture motion was a bitter contest over foreign policy which preceded the War of 1812, and the filibuster was being used to defeat the nonintercourse bill.

The present procedure for invoking the motion for the previous question is set forth in rule XVII of the Rules of the House of Representatives. The annotations to the rule show how it has been developed to its present use as an effective instrument to terminate debate, a procedure in constant use in House deliberations.

Mr. CLARK. Mr. President, I wish to pay a special tribute to the Senator from Illinois [Mr. DOUGLAS] for his efforts in trying to modernize Senate procedure. I am confident that he will be reelected in November and will return to the Senate for 6 more valuable years. He is one of our most valued Senators, and I am sure that he will take a leading part in the effort to bring our Senate rules up to date.

The motion has been used frequently in the House of Representatives for the purpose of ending debate ever since 1811 and is specifically incorporated in House rule XVII. Research done for me by the Library of Congress shows that the same procedure is permitted in practically all of the senates of the State legislatures of the country.

Thomas Jefferson pointed out that this kind of procedure was used in the British Parliament as long ago as 1604. Certainly it cannot be considered a practice alien to sound Anglo-Saxon parliamentary procedure.

Vital senatorial business in the 1960's cannot be handled at the same leisurely pace that has characterized our deliberations in the past. Full and fair debate is desirable, even essential, to the democratic process. Unlimited debate is an abnegation of those processes. Fifteen hours of debate on a given issue, especially if the debate were required to be germane as I have previously proposed, would provide an ample opportunity for the Senate to determine whether it has exhausted the possibilities of productive debate. If not, a majority vote against the previous question motion would permit additional debate. If a majority wished to come to a vote on the pending business, and the motion were approved, there would still be an opportunity for 1 hour of additional debate on each amendment covered by the motion and 4 hours of additional debate on the passage of the bill or resolution.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a memorandum giving a brief summary of State senate rules on limitation of debate. I call particular attention to the rules of the State senates of Florida, Georgia, and Mississippi, in which the previous question may be moved as a matter of course. In Florida and Georgia there is a limitation of 30 minutes on debate under this procedure.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., August 24, 1960.

To: Hon. JOSEPH S. CLARK.

From: American Law Division.

Subject: Brief summary of State senate rules on limitation of debate. (Taken from latest rules available. Rules for Hawaii and Alaska not available.)

SUMMARY

The motion for the previous question is recognized in the rules of State senates in 37 States, and adoption by majority vote, terminates debate. In 4 other States, like procedure is recognized to permit a majority to bring the pending business to a vote.

Alabama (1957): Debate may be limited by a vote of two-thirds of all elected members (rule 19). Members limited to twice the number of times to speak on one measure and limited to 1 hour each time (rule 37).

Arizona (1958): Previous question authorized rule XVIII. Presumably requires majority vote.

Arkansas (1951): Previous question authorized if seconded by at least five members (rule XV). Presumably requires majority vote. Dilatory motions forbidden (rule XIV, sec. 19).

California (1957): Previous question authorized by majority vote (rule 41).

Colorado (1958): Previous question authorized by majority vote (rule IX). Debate may be limited not less than 1 hour after adoption of motion to that effect by majority vote (rule IX, 3).

Connecticut (1957): When yeas and nays have been ordered by one-fifth of members present, each Senator when his name is called shall declare openly his assent or dissent (rule 10).

Delaware (1957): "Roberts Rules of Order" to settle all parliamentary procedure (rule 24).

Florida (1957): Members may not speak longer than 30 minutes nor more than twice on any one question without leave of the senate (rule 20).

Georgia (1957): Previous question authorized by majority vote (rule 58). Speeches are limited to 30 minutes unless by leave of senate (rule 15).

Idaho (1947): Previous question authorized (rule 4). Presumably by majority vote.

Illinois (1958): Previous question authorized (rule 54). Presumably by majority vote. Members are limited to 15 minutes at any one time without consent of senate (rule 33).

Indiana (1949): Previous question authorized (rule 17). Presumably by majority vote.

Iowa (1957): Previous question authorized by majority vote (rule 12).

Kansas (1957): Previous question authorized (rule 28) presumably by majority vote. No senator may speak more than twice on same subject on same day (rule 15).

Kentucky (1958): Previous question may be ordered by majority of Senators elected (rule 12). Members are limited to one 30 minute speech on a measure until all members desiring to be heard have spoken (rule 21).

Louisiana (1958): Previous question authorized by majority vote (rule 17). Debate may be limited by majority vote so that no senator shall speak longer than 1 hour at one time without leave of senate (rule 9).

Maine (1957): Members are limited to one speech on a measure to the exclusion of any other member without leave of senate (rule 10). Reed's Rules and Cushing's Law and Practice govern whenever applicable (rule 37).

Maryland (1958): Members are limited to one speech on any measure to the exclusion

of any other member. Each member is required to confine himself to the subject (rule 14). Jefferson's Manual governs when not inconsistent with standing rules (rule 92).

Massachusetts (1958): Debate may be closed not less than 1 hour after adoption of motion to that effect (rule 47). Presumably by majority vote. Cushing's Manual and Crocker's Principles of Procedure shall govern when not inconsistent with standing rules (rule 62).

Michigan (1958): Previous question authorized by majority vote of members present and voting (rule 65). Members are limited to two speeches in any one day on the same measure (rule 23).

Minnesota (60th session): Previous question authorized by majority vote (rule 24).

Mississippi (1956): Previous question authorized (rule 112). Presumably by majority vote.

Missouri (1957): Previous question authorized by majority vote of members elected (rule 76). Members are limited to one speech on same question without leave of senate (rule 72).

Montana (1951): Previous question authorized by majority vote (rule XIV). Members are limited to two speeches in any one debate on same day in exclusion of others (rule XII).

Nebraska (1957): Previous question authorized by a vote of a majority of elected members (rule 10). Members are limited to two speeches in any one debate during a legislative day without leave of legislative (rule 1).

Nevada (1951): Previous question authorized by majority of members present (rule 18). Members are limited to two speeches on one question on the same day (rule 44).

New Hampshire (1951): Previous question authorized (rule 9). Presumably by majority vote. Members are prohibited from speaking more than twice on the same day on a measure without leave (rule 4).

New Jersey (1958): Previous question is authorized (rules 41, 43). Presumably by majority vote. Prohibits any members from speaking more than three times on same subject without leave (rule 47).

New Mexico (1958): Permits debate to be closed after 6 hours debate by a majority vote of members present (rule 68). Previous question authorized when demanded by a majority of members present (rule 58). Members are prohibited from speaking more than twice in any one debate on same day (rule 12).

New York (1959): Debate may be limited by majority vote of those present whenever any bill, resolution, or motion shall have been under consideration for 2 hours (rule XIV, sec. 3).

North Carolina (1951): Previous question authorized (rule 57). Presumably by majority vote.

North Dakota (1957): Previous question is authorized (rules 18, 21). Presumably by majority vote. Ordinary members are limited to speak only 10 minutes on same subject, then 5 minutes, until every member choosing to speak has spoken (rule 13).

Ohio (1957): Previous question is authorized on demand of three members (rule 89). Presumably by majority vote. Members are prohibited from speaking more than twice on same question (rule 74).

Oklahoma (1955): Previous question authorized by majority vote of members voting (rule 39).

Oregon (1951): Previous question authorized by majority vote (rule 69). Members are limited to speaking on any question to two times (rule 25).

Pennsylvania (1958): Previous question authorized (rules 9, 10). Presumably by majority vote. Mason's Manual to govern when applicable (rule 34).

Rhode Island (1958): Motion to close debate authorized after consideration for 2 hours (rule 23). Presumably by majority vote. Members are limited to speaking on a measure to two speeches without leave of senate (rule 18).

South Dakota (1957–58): Previous question authorized, if seconded by one-seventh of the members-elect, and adopted by majority vote will end debate (rule 53).

South Carolina (1957): Previous question is authorized if seconded by at least one-seventh of members elected and requires a vote of a majority of members present to carry (rule 53).

Tennessee (1949): Previous question authorized by vote of two-thirds of members present; if rejected, committee of rules may, upon demand of a majority of the members, submit rule fixing of limiting time for debate for adoption by majority of senate (rule 20).

Texas (1949): Previous question authorized by majority vote (rule 101).

Utah (1957): Previous question specifically forbidden (rule 45). Provides that no member speak more than twice in any one debate on same day without leave (rule 42).

Vermont (1957): Previous question specifically forbidden (rule XVIII, 55). Provides that no member shall speak more than twice on same question without leave (rule X, 66).

Virginia (1958): Previous question authorized if seconded by majority of members present (rule 50). Prohibits members from speaking more than twice on same subject without leave (rule 56).

Washington (1957): Previous question authorized by majority vote of members present (rule 30). Prohibits members from speaking more than twice on same subject on same day without leave (rule 16).

West Virginia (1957): Previous question authorized by majority vote (rule 53). Prohibits members from speaking more than twice on same subject without leave (rule 17).

Wisconsin (1957): Previous question authorized on demand of five members (rules 76, 77). Presumably by majority vote. Prohibits members from speaking more than twice on same subject without leave (rule 59).

Wyoming (1957): Previous question authorized when seconded by three members (rule 43). Presumably by majority vote. Prohibits members from speaking more than twice on same subject on same day without leave (rule 32).

GROVER S. WILLIAMS,
Legislative Attorney.

Mr. CLARK. Mr. President, I have submitted five proposed rule changes during the August session of the Senate. I hope very much that they will receive the very careful consideration of the Committee on Rules and Administration, and that they will be reported to the Senate, probably when we come back next January.

I ask unanimous consent that the resolution may lie on the table for 2 days in order that Senators who may desire to do so may have an opportunity to cosponsor it.

The ACTING PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, without objection, the resolution will lie on the desk, as requested by the Senator from Pennsylvania.

The resolution (S. Res. 372) was referred to the Committee on Rules and Administration as follows:

Resolved, That Rule XII of the Standing Rules of the Senate (relating to voting) is amended by adding at the end thereof the following paragraph:

"4. Whenever any measure, motion or other matter pending before the Senate has received consideration for a total of not less than fifteen hours, any Senator may move the previous question with respect thereto. When such a motion is made and seconded, and a quorum is present, it shall be submitted immediately to the Senate by the Presiding Officer, and shall be determined without debate by yea-and-nay vote. A previous question may be asked and ordered with respect to one or more pending measures, motions or matters, and may embrace one or more pending amendments to any pending measure, motion or matter described therein and the passage or rejection of the pending bill or resolution. If the previous question is so ordered as to any measure, motion or matter, that measure, motion or matter shall be presented immediately to the Senate for determination. One hour of debate, equally divided between opponents and proponents, shall be allowed on any measure, motion or matter, other than the passage or rejection of the bill or resolution on which the previous question has been ordered, and four hours of debate, divided in the same manner, shall be allowed on the passage or rejection of the bill or resolution covered by such order."

COMMISSION ON PRESIDENTIAL OFFICE SPACE—AMENDMENT

Mr. CASE of South Dakota submitted an amendment, intended to be proposed by him, to the bill (S. 3524) to provide for a Commission on Presidential Office Space, which was ordered to lie on the table and to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MOSS:

Address entitled "Water Resources Development: Key to Tomorrow," delivered by Senator GALE W. MCGEE at the Western Resources Conference, Boulder, Colo., August 22, 1960.

By Mr. CANNON:

Address delivered by Senator Moss at the 11th annual summer conference of the National District Attorneys' Association, Boston, Mass., August 13, 1960.

By Mr. HUMPHREY:

Article entitled "America's Way of Hope—Family Farming," written by Senator HUMPHREY and published in the July 1960 issue of Catholic Rural Life.

OBSERVATIONS CONCERNING SOUTH AFRICA

Mr. ERVIN. Mr. President, one of my constituents, Mrs. Gladys Childs, of Lincolnton, N.C., who was born of English ancestry in South Africa, wrote me an interesting letter on August 4, 1960, setting forth her first-hand observations concerning that distant land. Believing as I do that her observations may aid us in appraising realistically some of the problems confronting South Africa, I ask unanimous consent that her letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD.

LINCOLNTON, N.C., *August 4, 1960.*

Senator SAM ERVIN,
Morganton, N.C.

DEAR SENATOR ERVIN: This may be a long letter which you may or may not find time to read, but one I feel compelled to write.

To introduce myself, I was born in South Africa. My parents were British born South Africans. My late father was head of the highway division in Natal, South Africa.

Because of these facts, and the unrest presently in South Africa, I would like to pass along some firsthand knowledge of the natives over there.

I grew up alongside of the Zulus. I know their temperament. Americans cannot possibly understand the thought of the Africans, because they are not there long enough to absorb the depths of their brand of thinking, and of course I refer to the 80 million blacks compared with the some 2 million whites in southern Africa.

Ironically enough, my two sisters and I learned the Zulu language before we even perfected our own, due mostly to our colored servants who did not learn our language, so we learned theirs. I played with the children of our colored servants. There was never any question of integrated social life however. We respected them. They respected us. There was a bond of understanding. This was the domestic side of my early growing up years. My father provided good living quarters for our servants. They did not live in grass shacks. The natives of Africa differ according to their area environment. They speak some 300 different dialects, according to those areas, which affect their thinking.

While I was still very young there was a native uprising, a native rebellion. My father came home at 7 o'clock one evening and said we just had time to pack some personal clothing and catch the 9 p.m. train to Durban, the only train out of Vryheid where we were living. He was called out to fight. He was in the Natal Carbineers, similar to the National Guard here.

It was many, many months later when we returned to our home and found it to be in beautiful order, with table resplendent with silver appointments like it used to be, thanks to the faithful colored servants.

The tales my dad told about that native rebellion still make my hair curl. How the blacks speared the whites to trees, eyeballs hanging out and tongues protruding. They used assegais, and attacked en masse. If they had had organized modern procedures I would not be writing this letter. Your stories on American Indians could probably match above. They were so true.

We have again in South Africa Indians from India. The coolie who is more or less in the agriculture field, growing vegetables, selling them by hawking them from door to door. The Indian cooks, excellent ones, and then the Moslems. I came mostly in contact with these while working in a law firm in my teens in another town we had moved to. The latter Indians were the rich merchants who could afford the most expensive cars. The caste system was much in evidence, and despite contrary opinion I believe still exists in India.

The Indian merchants serviced the colored race and some whites. They did try on many occasions to outdo the blacks and friction resulted.

After the sudden deaths of my parents, 6 months apart, and the return from northern Nigeria from the Ropp Tin Mines of my fiance, a school romance, I married and went to live on a Winterton Settlement farm purchased by my husband and his two brothers.

Here I came in contact with the more or less heathen type native, some 100 of them. They lived in mud rondavels with thatched roofs, very clean mud floors. Their cooking consisted of a three-legged black pot over a small wood fire. In it they would place some water, a little salt, when it boiled they threw in a handful or two of corn meal and stirred it for a few minutes. This they made into cones with their hands and ate it, drinking cold clear water from the spring. At times they would mix pumpkin with the meal, or eat it with sour thick milk. We called this "pootu and marse" (I spell it like it is pronounced). In fact many a time my husband bypassed lunch for a plate of pootu and marse. I liked the meal cones and the soured milk separate.

One thing the Zulus loved was "dead" meat. If anything died they would unearth it, cook it and eat it before we could intervene. Heaven knows how they survived other than a stomach ache from gorging. The Zulus were strong, husky, healthy, had strong white teeth, were never sick, never needed a doctor, did not wear clothes, other than skin skirts or a blanket for the women, and brief strategic covering for the men. They were a happy, contented people, very, very superstitious. They loved to steal, rather than ask for what they wanted. Tea and lard were the things they loved to steal most. The lard was used to grease their legs. We treated them kindly but firmly. They respected us. We knew their language and could converse with them and make them understand. I made uniforms for my house servants as I did not want them serving meals too unclad, although we never thought of them as "naked." We grew up with it and it was not an issue.

Our settlement farms adjoined. We had 365 acres. Top lands of 200 acres in corn, cotton, etc., and 65 acres under irrigation. We planted wheat, tobacco, vegetables, and always had a fruit orchard. We had cows, and oxen for the plows. We sold milk and butter to the dairies, and raised chickens and hogs, and had pets.

The Zulus did not respect a farmer who could not speak their language or who was too soft with them. An elderly Scotch couple had a farm on our right. A family from the goldfields on our left. A little further on a family, white, from India, and then there was another lovely family about 20 minutes walk away from us. The last-named farmer had occasion to use a sjambok on an umfaan for some misdeed. He was a little strict. The next day 30 of Laurie's best $150 each cows lay dead side by side in the kraal.

The natives tried to burn out the Scotch couple twice and each time we saved them. The natives poisoned five of their donkeys. They put enough arsenic of soda in the milk of the farmer who had the settlement post office to kill off his whole family, but by the grace of God it was discovered in time. Our stock was unharmed, we were the only ones who did not come under the poison session. Primarily because the natives knew my husband, although a young man, was boss, kind but firm, no monkey business, and so they respected him.

Zulus ridiculed farmers who could not effectively speak their language and who were soft with them, that is letting them have their own way too much.

In the cities the situation was different. The semieducated native who learned the white man's language was dangerous. The groups were called "lighter gangs." No one dared leave a door or window open at night. An intruder would take advantage of it. Heavy hail guards on windows served a double purpose. Keeping out hail and blacks. Screens were most inadequate.

I have returned to Africa for visits since coming to the States with my South African husband (now deceased). We pioneered in the Everglade swamps before coming to Lincolnton to the tin mine.

I was appalled at the change in South Africa. Since the war thousands of natives have moved from the farms to the cities. Being housed in rooms, eating the white man's foods, tasting of unprepared civilization, thousands find themselves in TB hospitals. Now they are expecting to take over the white man's possessions. Freedom to them means walking in and taking over the white man's home, his possessions, and his wife, living like kings, and when it is all over then what? They are too unprepared for the meaning of freedom. Instead of being proud of their own race, building a life for themselves, which I am sure clear thinking people would respect, they want it handed to them on a silver platter because their minds are not yet conditioned to what makes a way of life.

Before the black man is entitled to freedom he must first educate his thinking, and discipline his emotions, and earn the respect of the white man, who I am sure would help him more voluntarily.

Many Americans see the situation in Africa emotionally. The poor blacks, they say, and those cruel whites. People from England thought the same way—until they lived 6 months in Africa, and then they quickly reversed their thoughts. These things I know first hand.

Today Durban, the most beautiful city in the world to me (my paternal grandfather once owned a big slice of the center of the city) is being overrun with semi- and uneducated blacks. A little knowledge is very dangerous used wrongly. There is not enough housing or work for whites, and the coloreds want to bypass the menial jobs for the top rung of the ladder, rather than climb it. They will kill to have.

Now there is another side to this Africa of mine. The Dutch government. Most of this white race is on a par with the great Mr. K. Need I say more? They are a little on the cruel side in dealing with the hordes of blacks, and at the same time do not have a great love for the British born South African who has been responsible for the beauty of the progress down the years. The Dutch, most of them, are crude and more or less uncultured. In the beginning, as you know the blacks had Africa, the Dutch took it away from them in the Boer War, at least prior thereto, and the British took it from the Dutch in the Boer War. My father and his four brothers were in the siege of Ladysmith. They received recognition from Lord Roberts. Now the Dutch want to get the country back from the British and the blacks want it back from the Dutch, and we are going back to the dark ages if a constructive solution is not brought about pretty soon.

Actually the male South African native has been the worst offender on down through the years. He is the one who breaks into people's homes, robs, and sometimes kills.

There are native beer canteens in the cities which do not help emotions. On the farms the natives make their own "Twali" from mabela. It is a reddish color and the taste may appeal to some.

We did not want to be killjoys. When there was a celebration of a native wedding we let the natives have their "Twali," but, we supervised the quantity they drank, otherwise emotions would have turned into savagery.

Now there are many cultured and educated South African natives, but they are in the minority group. To be true leaders they must use their heads and their understanding, and not lose themselves emotionally.

I spent a night in the Belgian Congo, at Leopoldville, en route home for a visit by KLM airlines. French is the main language spoken in that section, and I do not know French.

I regret when the Supreme Court ruling did not say when passing the civil rights bill, "First you colored peoples must educate your thinking and discipline your emotions and prepare yourselves to take your place on a white level, prepare yourselves by making your own schools and churches strong, make

your own way of life in the business and social world, make of yourselves a race to be respected, rather than wholesale integration—running before you can walk." Why would God make the colors of the races different if He meant them to be as one?

Before the passage of that drastic ruling, the whites and blacks of Lincolnton got along fine, one with the other. There is no language barrier between whites and blacks. The color was not recognized as an issue until the ruling. Now the white youth here are antagonistic and hurl insults at a white woman if she is seen talking to an old faithful colored person she has known for years. This happened a few days ago to a young, lovely teenage girl who was speaking to an old colored servant. The servant was embarrassed and apologized to the white girl, who was gracious and sympathetic to the situation and ashamed of her race at that moment. The blacks here have been made very conscious of their color, which they had accepted before. Now there is fear—fear of being seen together, white and black.

I am president of the Lincolnton Little Theater, Inc., and direct its variety shows. Because of this coming integration in schools, Mrs. James R. Sigmon, my dance instructress, and I have been going out to the colored school here each Wednesday afternoon for an hour or so and giving them free training in how to walk, etc., and teaching them tap dancing and other routines. During the summer, these children, small to teenage size, have been having supervised recreation under the city schools program. We are encouraging them to perfect their own way of life, to be proud of their race enough to be prepared for what may come. We also encourage them to train for variety shows, to put on at their own schools, to make money for their schools, which, incidentally, here are almost better than the white schools. Then, too, they will have their own officers and their own little theater. We feel bringing out the best in them may prevent delinquency. I have 44 young people in our junior theater and about 20 in the adult theater (white).

I am a lone wolf, so to speak; no relatives here other than an American-born son whom I have not seen in 10 years—and I can't just sit and cry in my soup. I work for a justice of the peace and am the Lincolnton correspondent for the Charlotte News. I was with the Lincoln County News for 7 years and covered your speeches when you were in this area. I am a hundred-percent Democrat in my thinking and thoroughly enjoyed the two conventions, especially the Democratic one. I loved every minute, because I learned face to face on TV more about the top executives in this country. I watched the Republican convention because I wanted to know something about their procedures. Theirs seemed so cut and dried—no competition, actually. I think Senator KENNEDY has a very tough campaign, and I think people who make an issue of religion are stupid. I was given to understand that this country was founded on "freedom of worship," so why censor a man for his choice and call him a heathen because he chose to be a Catholic? My own son, an Episcopalian, attended Belmont Abbey College, and they certainly did not try to make a Catholic out of him. Catholic schools and hospitals are very efficient. I grew up with Jews and Catholics and coloreds, and I have learned a great deal down the years.

Excuse me, Mr. Senator; I did not mean to write a book. I am concerned about South Africa and I read an article of yours on the situation in the Congo, and you made very good sense, so maybe you can help others to understand that we whites in South Africa—now sleeping with guns under the pillows—have a side, too, which needs understanding. All my family live in the various danger spots, and I know them all firsthand. The British South Africans are the ones who most need sympathy; they like peace, and they built South Africa culturally. They are kinder to the black man, and the black man has more respect for the British South African.

End of page and end of me.

Sincerely,

Mrs. GLADYS CHILDS.

SENATOR KENNEDY AND THE EDUCATIONAL DEVELOPMENT OF AFRICA

Mr. LONG of Hawaii. Mr. President, there has been pointed discussion in this Chamber of the case of the African students. One of our colleagues from across the aisle has felt moved to criticize the Kennedy Foundation for undertaking to pay the transportation costs of 250 students from several countries of east Africa who have received scholarships and fellowships to attend American universities.

The criticism implied that the transportation grants, amounting to $100,000 for a year, were offered to attract political support for the Senator from Massachusetts [Mr. KENNEDY] in his campaign for the Presidency of the United States. It was further implied that this interest in the education of African students was a sudden one, stemming perhaps from the Los Angeles convention of the Democratic Party.

Mr. President, only eyes blinded by the dust of partisan politics can see in this grant—unpublicized until this cry was raised on the floor of the Senate last week—anything but a desire to promote the interests of the new countries of Africa and to better our relationships with them. As the junior Senator from Montana, the junior Senator from Minnesota, and the junior Senator from New York then indicated, it is reprehensible to seek, in the actions of charitable and civic foundations, political motivation.

The record is clear that the Senator from Massachusetts [Mr. KENNEDY], through his experience as chairman of the Senate Foreign Relations Subcommittee on Africa, has for some time been concerned with the critical need for assisting the emerging young leaders of Africa to get the training they want in American universities.

The other evening I was going through the Senator's new book, "The Strategy of Peace," and read with special interest his speech on this very subject, given at Wesleyan University, Lincoln, Nebr., on October 13, 1959. Other Members may not yet have seen this statement, and I therefore ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHN KENNEDY

Regardless of what Africa has been in truth or in myth, she will be that no longer. Call it nationalism, call it anticolonialism, call it what you will, Africa is going through a revolution.

Africans want a higher standard of living. Seventy-five percent of the population now lives by subsistence agriculture. They want opportunity to manage and benefit directly from the resources in, on, and under their land. They want to govern their own affairs believing that political freedom is the precondition to economic and social development. Most of all, they want education—for education is in their eyes the backbone to gaining and maintaining the political institutions they want. Education is the means to personal and national prestige. Education is, in truth, the only key to genuine African independence and progress.

I believe that most Americans are sympathetic to these desires of the African people. After all, it was in our schools that some of the most renowned African leaders learned about the dignity and equality of men, and saw in practice the virtues of representative government, widespread education, and economic opportunity. These are the ideas and ideals that have caused a revolution—a largely bloodless revolution, but no less far reaching for that.

But having been the catalyst to many of these changes, do we see the implications to ourselves? We cannot simply sit by and watch on the sidelines. There are no sidelines. Under the laws of physics, in order to maintain the same relative position to a moving body, one cannot stand still. As others change, so must we, if we wish to maintain our relative political or economic position.

The African peoples believe that the science, technology, and education available in the modern world can overcome their struggle for existence. They believe that their poverty, squalor, ignorance, and disease can be conquered. This is their quest and their faith. To us the challenge is not one of preserving our wealth and our civilization—it is one of extension. Actually, they are the same challenge. To preserve, we must extend. And if the scientific, technical, and educational benefits of the West cannot be extended to all the world, our status will be preserved only with great difficulty—for the balance of power is shifting, shifting into the hands of the two-thirds of the world's people who want to share what the one-third has already taken for granted. Within 10 years, for example, African nations alone may control 25 percent of all U.N. votes.

To thus extend ourselves will require a political decision. But such a decision will take economic and educational forms. For what Africa needs and wants first is education, to know how to develop the resources and run the industries and administer the government; and second, capital, for without the initial capital—to develop the resources and spur the trade—they will never generate sufficient capital themselves to provide for expanding services and development. An initial injection of capital, personnel to train others, and scholarship opportunities is necessary to start this spiral on its way.

As chairman of the Senate Foreign Relations Subcommittee on Africa, I have proposed that we in the United States establish an Educational Development Fund for Africa, and that, in cooperation with many nations, there should be established a multinational Economic Development Fund for Africa. These, or better proposals to accomplish the same purposes, must be carried through while the initiative for constructive and peaceful action is still open to us.

If African progress falters because of lack of capital and education, if these new states and emerging peoples turn bitter in their taste of independence, then the reason will be that the Western powers, by indifference or lack of imagination, have failed to see that it is their own future that is also at stake. As Economist Barbara Ward stated it, "The profoundest matter at stake in Africa is the quality and capacity of Western society itself." Will we accept this challenge—or will it be that some future historian will say of us, as of previous civilizations, that "where there is no vision the people perish"?

PROJECTS APPROVED BY THE COMMITTEE ON PUBLIC WORKS AND SUMMARY OF THE WORK OF THE COMMITTEE DURING THE 2D SESSION, 86TH CONGRESS

Mr. CHAVEZ. Mr. President, in order that the Members of the Senate and other interested parties may be advised of projects approved by resolution of the Committee on Public Works, in accordance with existing law, I submit for inclusion in the CONGRESSIONAL RECORD information on this matter.

The first is a list of six building projects approved by the committee on August 16, 1960, under authority of the Public Buildings Act of 1959. Approval of these buildings is based on prospectuses submitted by the Administrator of General Services.

The committee also approved three small watershed projects under the provisions of Public Law 566, 83d Congress, as amended.

On August 22, 1960, I wrote a letter to the Senator from Texas [Mr. JOHNSON], the majority leader of the U.S. Senate, transmitting to him a report of the legislative accomplishments of the Committee on Public Works for the 2d session of the 86th Congress. I ask unanimous consent that the letter be printed in the RECORD, together with a summary of the activities of the Committee on Public Works, U.S. Senate, 86th Congress, 2d session.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

Projects under Public Buildings Act (Public Law 249, 86th Cong.) approved by committee Aug. 16, 1960

Location	Type	Estimated cost
Des Moines, Iowa.	Construction	$10,335,000
Alexandria, La.	Alteration and extension	2,515,000
Boston, Mass.	Construction	4,970,000
Detroit, Mich.	Alteration	4,340,000
Fayetteville, N.C.	Construction	2,690,000
Fort Worth, Tex.	do	20,600,000
Total		45,450,000

Projects under the Watershed Protection and Flood Prevention Act, Public Law 566, 83d Cong., as amended, approved by committee Aug. 16, 1960

Project	Estimated Federal cost
Fourche Maline Creek, Okla.	$2,682,260
Leader-Middle Clear Boggy Creek, Okla.	1,230,454
Plum Creek, Tex.	2,284,068
Total	6,196,782

AUGUST 22, 1960.

Hon. LYNDON B. JOHNSON,
Majority Leader, U.S. Senate,
Washington, D.C.

DEAR LYNDON: It is with a measure of great pride that I transmit to you a report on the legislative accomplishments of the Committee on Public Works for the 2d session of the 86th Congress.

Ours is a committee which authorizes the truly creative projects for a whole Nation and thus fulfills the most vital of economic necessities. You will note that 58 measures were referred to the committee of which 11 became law together with 12 other bills which were included in other legislation that became law. Of these, we authorized over $1 billion for each of fiscal years 1962 and 1963 to advance our ABC system of highways, park roads and trails, parkways, Indian reservation roads, and public lands highways. The omnibus flood control—river and harbors bill which when signed into law authorized over $1.4 billion for flood control projects, river and harbor improvement, and navigational improvement and development. Pursuant to the Public Buildings Act of 1959, the committee authorized the construction of $919,885,000 in new Federal buildings across the Nation, and $37,176,050 worth of alterations for old Federal buildings was approved. Unfortunately, the efforts of the committee and Congress to amend and expand the Water Pollution Control Act were for naught as the President vetoed the legislation. You will also note that the committee approved various watershed protection and flood prevention projects in critical areas. Many other local projects are manifest in this session's work of the committee.

I think you readily understand why I have always considered this committee to be one of the most vital to our Nation, and one which, I am happy to say, escapes the criticism of partisanship. I feel certain that all Americans can take pride in the activities of this committee for this session.

Committee activities for the 1st session, 86th Congress, appear in the CONGRESSIONAL RECORD, volume 105, part 15, pages 19637 to 19640.

With kindest regards, I am,
Sincerely,

DENNIS CHAVEZ,
Chairman.

SUMMARY OF ACTIVITIES OF THE COMMITTEE ON PUBLIC WORKS, U.S. SENATE, 86TH CONGRESS, 2D SESSION

Under the provisions of the Legislative Reorganization Act, the Committee on Public Works of the U.S. Senate has jurdisdiction over legislation relating to flood control, improvements of rivers and harbors for navigation, public buildings, public roads, water power, bridges over navigable waterways, pollution control of navigable and interstate waters, and public reservations and parks in the District of Columbia.

During the 2d session of the 86th Congress there were 58 measures referred to the committee. The committee approved 27 bills, of which 12 were passed by both Houses, and 11 became public law. In addition, 12 measures referred to the committee were included in other bills and became law.

Among the measures approved by the committee was the very important legislation such as the Federal-Aid Highway Act of 1960; the Omnibus River and Harbor and Flood Control Act; authority for the General Services Administration to construct, alter, and acquire public buildings for the Federal Government; and amendments to the Water Pollution Control Act of 1956, which was vetoed by the President.

In compliance with the provisions of Public Law 1018, 84th Congress, the committee approved 15 watershed protection and flood prevention projects. These projects involve a total cost of more than $43 million, of which about $26 million would be Federal cost.

Under the provisions of the Public Buildings Act of 1959, Public Law 249, 86th Congress, the committee approved the construction of 79 public buildings having an estimated Federal cost of $919,885,000, and alterations, extensions, and remodeling of 37 existing Federal buildings having an estimated cost of $37,176,050.

Hearings were held by the committee and subcommittees for 14 days. Survey reports on flood control and navigation projects were received and reviewed. Reviews of previous reports covering 50 basins and localities were authorized by resolutions of the committee. Surveys of buildings projects by GSA at eight locations were authorized by resolutions of the committee.

Four nominations were approved.

There follows herewith a tabulation of measures reported by the committee, with their final disposition, and a discussion of the important measures that were approved by the committee.

Bills and resolutions enacted into law as of Aug. 22, 1960

Public Law No.	Date approved	Provisions	Estimated cost	Public Law No.	Date approved	Provisions	Estimated cost
	1960				*1960*		
388	Feb. 20	Amending the act relating to rail transit crossing across the Bay of San Francisco.	0	469	May 14	To authorize preliminary study and review of proposed additional building for the Library of Congress.	$75,000
395	Mar. 28	Authorizing purchase of certain property in the District of Columbia and conveyance to the Pan American Health Organization for use as a headquarters site.	$875,000	477	May 26	Authorizing Architect of Capitol to permit certain temporary and permanent construction work on the Capitol Grounds.	0
399	Mar. 31	Authorize the construction of the Bardwell Reservoir, Waxahachie Creek, Tex.	6,992,000	608	July 7	To permit conveyance of certain real property of United States to States, municipalities, etc., for highway purposes.	0
458	May 13	Provide for conveyance to Orange County, Calif., right, title, and interest of the United States to certain real property.	0	645	July 14	To authorize construction of public works on rivers and harbors for navigation, flood control, beach erosion control, and other purposes.	1,445,694,300
462	do	To change the name of locks and dam No. 41 on the Ohio River to McAlpine locks and dam.	0	657	do	To authorize appropriations for fiscal years 1962 and 1963 for construction of certain highways (the Federal-Aid Highway Act of 1960).	2,089,500,000
466	do	To provide better facilities for enforcement of the customs and immigration laws, to increase amounts authorized to be expended.	0				

Bills reported by Committee on Public Works and passed by Senate

Bill No.	Date approved	Provisions	Estimated cost
S. 219	1959 Apr. 29	To provide for construction of a fireproof annex building for use of the Government Printing Office.	$5,251,000
S. 846	May 20	To rename the lock and dam on the Ohio River near Cannelton, Ind., as the George Ewing lock and dam.	
S. 1511	1960 Apr. 11	To provide for the annual audit of bridge commissions and authorities created by act of Congress, for the filling of vacancies in the membership thereof, and for other purposes.	
S. 2919	June 18	To provide that the Secretary of the Smithsonian Institution shall study and investigate the desirability and feasibility of establishing and maintaining a national tropical botanical garden.	10,000
S. 3108	1960 June 28	To provide for public hearings on air pollution programs of more than local significance, and to extend the duration of the Federal air pollution control law.	0
S. 3260	do	To authorize the Secretary of the Army to modify certain leases entered into for the provision of recreational facilities in reservoir areas.	0
S. Res. 247	Mar. 24	To authorize the Committee on Public Works to employ additional temporary personnel, and providing additional funds for the committee.	$125,000

Bills reported by the Committee on Public Works

Bill No.	Date approved	Provisions	Estimated cost
S. 3324	1960 June 30	Authorizing the Secretary of the Army to convey part of lock and dam No. 10, Kentucky River, to the Pioneer National Monument Association.	0
S. 3625	Aug. 11	To establish a Wabash Basin Interagency Water Resources Commission.	0
S. 3524	Aug. 18	To provide for a Commission on Presidential Office Space.	$17,850,000
H.R. 900	do	To validate certain overpayments inadvertently made by the United States to several of the States.	72,452
H.R. 2178	do	To authorize the Secretary of the Army to make certain changes in the road at Whites Branch, Grapevine Reservoir, Tex.	180,000
H.R. 9377	1960 Aug. 18	Providing for the protection of forest cover for reservoirs under jurisdiction of the Secretary of the Army.	0
H.R. 12530	do	Authorizing adjustment of rentals under leases for commercial facilities at the John H. Kerr Reservoir, Va. and N.C.	0
S. 3681	do	Authorizing the Rhode Island Turnpike and Bridge Authority to combine for financing purposes bridge across West Passage Narragansett Bay with the Newport Bridge.	0

Bills vetoed by the President

Bill No.	Date vetoed	Provisions	Estimated cost
H.R. 3610	Feb. 22, 1960	Amending the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works. Veto message in H. Doc. 346.	$400,000,000

FEDERAL-AID HIGHWAY ACT OF 1960

(Public Law 657, 86th Cong.)

The Federal-Aid Highway Act of 1960 provides for a continuation of the regular Federal-aid highway program for an additional 2-year period, for fiscal years 1962 and 1963, as well as for certain of the road systems on the public domain. It also changes the sliding scale ratio of Federal-aid participation in public land States; provides for advance reimbursement on Federal-aid projects undertaken by a Federal agency; permits Federal participation in approach roads to ferry facilities; provides for inclusion of the estimated cost of completing the additional 1,000 miles of the Interstate System in the future cost estimates; and makes technical changes in the Federal-aid highway laws.

The act authorizes $925 million for the regular Federal-aid systems for each of fiscal years 1962 and 1963. These funds are available for expenditure on the Federal-aid highways as follows:

System	Fiscal years	
	1962	1963
Primary (45 percent)	$416,250,000	$416,250,000
Secondary (30 percent)	277,500,000	277,500,000
Urban (25 percent)	231,250,000	231,250,000
Total	925,000,000	925,000,000

Apportionment to the several States will be in the manner now provided by law. Matching for these categories is on a 50–50 basis, adjusted for the sliding scale for public land States.

The law also provides other authorizations for roads on Federal lands and reservations as follows:

Forest highways, $33 million for each of fiscal years 1962 and 1963.

Forest development roads and trails, $35 million for fiscal year 1962, and $40 million for fiscal year 1963.

Roads and trails in national parks, monuments, and other areas administered by the National Park Service, $18 million for each of fiscal years 1962 and 1963.

Parkways, $16 million for each of fiscal years 1962 and 1963.

Indian reservation roads and bridges, and roads and bridges to provide access to Indian reservations and Indian lands, $12 million for each of fiscal years 1962 and 1963.

Public land highways, $3.5 million for fiscal year 1962, and $3 million for fiscal year 1963.

Public Law 657 amends the existing law to provide for the use of both reserved and unreserved lands in the public domain, and nontaxable Indian lands, individual and tribal, but exclusive of national forests and national parks and monuments, in computing the State matching share on Federal-aid highway projects in public lands States. Existing law permits only the use of unappropriated and unreserved public lands and nontaxable Indian lands. The Federal share payable on account of projects in States containing areas of such lands in excess of 5 percent of the total area of such States, is increased by a percentage of the remaining cost equal to the percentage that the area of the public lands is to total area of the State. The Federal share on the regular ABC systems which is normally 50 percent is thus increased above that percentage in the public lands States, being highest in Alaska where the reserved and unreserved public domain lands are 89.86 percent of the total area of the State, and the Federal participation in Federal-aid highway projects is 94.93 percent. On the Interstate System the Federal participation is normally 90 percent, but the sliding scale ratio adjustment in public lands States cannot permit the Federal share to exceed 95 percent.

Public Law 657 also provides for the inclusion of the cost of completing the 1,000 additional miles of the Interstate System authorized by the Federal-Aid Highway Act of 1956, in the next estimate of cost of completing the Interstate System to be submitted to the Congress, which will be in January 1961.

RIVERS AND HARBORS AND FLOOD CONTROL

(Public Law 645, 86th Cong.)

The second session of the 86th Congress approved a comprehensive rivers and harbors, beach erosion control, and flood control bill, the first general authorization bill since the Flood Control Act of 1958. This act will carry forward the important programs for development and improvement of the rivers and harbors of our Nation, for protection of our citizens against the rav-

ages of flood waters, and for general development of the water resources of our country.

It is believed that additional authorization is advisable at this time to continue the unified basin water resources development now in progress, to modify basin programs where changing conditions have shown the necessity for additional or altered improvements, and to provide for individual projects found to be feasible and justified. Completion of the projects authorized in Public Law 645 will contribute substantially to the economic expansion of the Nation.

In addition, Public Law 645 declares the policy of Congress that owners and tenants whose property is acquired by the Federal Government for public works projects shall be paid a just and reasonable compensation therefor, and authorizes the payment of a purchase price, after full and complete negotiation with the property owners, which will take into consideration this established policy. It also authorizes the Secretary of the Army to keep the owners and occupants advised as to the probable timing for the acquisition of project lands and other matters affecting them, after initial appropriations are made for a project, public meetings at convenient locations will be held in order to advise the owners and tenants to be displaced of the proposed plans for acquisition of their property. The Chief of Engineers is required to issue regulations for the dissemination of information to those affected on appraisals, legal rights, condemnation proceedings, payments, removal, easements, use of land, and other pertinent matters.

The Omnibus Act further amends the existing law relative to beach erosion control; provides for the expenditure of $2 million annually for construction of small navigation projects where justified, with a limitation of $200,000 for a project at any single locality; provides for the utilization and improvement of existing roads for access to public works projects, and clarifies the responsibility of the Chief of Engineers with respect to replacement of existing public roads necessitated by construction of water resource development projects; provides for the sale of surplus land for port development at water resource projects; and provides for the expenditure of $1 million annually for the compilation and dissemination of information on floods, flood damages, and flood hazards in the flood plains of the streams of the Nation.

The total authorizations contained in the omnibus bill is $1,445,694,300 for 120 projects located in 37 States, including $60 million for the Bureau of Reclamation in the Missouri River Basin. It also authorizes 19 new navigation and 11 flood control surveys to be carried out in 14 States. The authorizations divided by major categories are as follows:

Monetary summary of Public Law 645—(cost of new work)

Navigation (56 projects)	$203,519,300
Flood control (44 projects)	277,589,200
Beach erosion control (9 projects)	22,345,800
Basin authorizations (11 projects)	942,240,000
Total	1,445,694,300

WATER POLLUTION CONTROL

The Water Pollution Control Act Amendments of 1956 authorized the Surgeon General to make grants to any State, municipality, or interstate agency for the construction of necessary treatment works to prevent the discharge of untreated or inadequately treated sewage or other waste into any waters, and for preparation of reports, plans, and specifications in connection therewith. These grants are made to appropriate State agencies for allocation to projects, are limited to 30 percent of the estimated cost of the project, or $250,000, whichever is the smaller, the grantee to pay the remaining cost. Apportionments are made to the States on the basis of 50 percent on ratio of population and 50 percent on the ratio of per capita income.

The grant program authorized an appropriation of $50 million for each fiscal year, or an aggregate of $500 million, with at least 50 percent of the funds to be used for construction of treatment works serving municipalities with populations of 125,000 or less.

The act established a Water Pollution Control Advisory Board composed of the Surgeon General and nine members appointed by the President, none of whom shall be Federal officers or employees.

The act also includes provision for enforcement measures against pollution of interstate waters in or adjacent to any State or States which endangers the health or welfare of persons in a State other than that in which the discharge originates. This will be done by conferences, discussions, hearings, notices of remedial action necessary, study by appointed board, and court action.

The water pollution control program has proved very popular all over the Nation, and has served to stimulate construction of municipal waste-treatment facilities, and its success has resulted in construction which will clean up over 14,000 miles of our streams for a large number of water uses. Considerable expansion of the program is necessary to eliminate the huge backlog of construction needs and provide for plant obsolescence and population growth.

In matching the Federal funds, experience has shown that for each dollar of Federal aid received, local agencies spend $4 of their own. In the first 5 fiscal years of the program, authorizations have totaled $250 million and appropriations have been $230 million. In the President's budget for 1960 he recommended an appropriation of $25 million, and for 1961 an appropriation of $20 million for the program, but Congress appropriated $45 million for each of those fiscal years.

Recognizing the tremendous value of this program and the need for further stimulating construction of waste-treatment facilities, the Congress passed H.R. 3460, which would have increased the grant limitation on projects from $250,000 to $450,000; the annual authorization for appropriations from $50 million to $90 million; the total authorization from $500 million to $900 million; and would permit construction of joint facilities to serve more than one municipality with each community obtaining the appropriate Federal grant. It would also increase from 12 to 18 months the period during which a State must obligate funds allotted to it, and would make the provisions of the Davis-Bacon Act applicable to these projects.

On February 22, 1960, the President vetoed H.R. 3460, stating that the primary responsibility for solving the water pollution problem rests with State and local governments, rather than with the Federal Government, and that the promise of a large-scale program of long-term Federal support would tempt municipalities to delay essential water pollution abatement efforts while they waited for Federal funds. The Congress failed to override the President's veto of H.R. 3460.

PUBLIC BUILDINGS

Public Law 249, 86th Congress, vests authority and responsibility in the Administrator of General Services for acquiring, constructing, altering, improving, or extending public buildings and acquiring the necessary sites or additions to sites in connection therewith. It recodified existing public building laws, retains many of the desirable features of the Public Buildings Act of 1926, and deletes many features of various laws no longer applicable or desirable.

The act establishes a logical method of securing approval of public building projects unquestionably needed throughout the country. Approval by resolutions of the Committee on Public Works of the Senate and the House of Representatives is required for construction or acquisition of any building involving an expenditure of $100,000, or alteration of an existing building which costs in excess of $200,000. For securing consideration of such approval, the Administrator of General Services is required to submit a prospectus to Congress outlining the details of the proposed project. The estimated maximum cost of any approved project could be increased by a percentage increase in construction or alteration costs over that set forth in the prospectus, but not to exceed 10 percent of such estimated maximum cost.

The committees may rescind by resolution their approval of any project for construction, alteration, or acquisition, for which an appropriation has not been made within 1 year after the date of such approval, at any time thereafter before such an appropriation has been made. The committees cannot approve any project when there are 30 or more projects costing in excess of $100,000 which have been approved for more than 1 year but for which appropriations have not been made, until approval has been rescinded or appropriations have been made which results in there being less than 30 such projects.

The act authorizes the Administrator to carry out any authorized construction or alteration by contract if deemed advantageous; to temporarily employ by contract or otherwise, the services of architectural or engineering corporations, firms, or individuals, to the extent such services are required for any authorized public building project; and places the responsibility for approval and administration of contracts, vouchers, and payments, in the Administrator.

The Administrator of General Services and the Postmaster General are authorized to make such building project surveys as may be requested by resolution of either Committee on Public Works, and make a report thereon to the Congress containing the information included in a public building prospectus. The Administrator is required to submit a report to Congress each January on the status and progress on uncompleted projects approved under the act, and is authorized to make a continuing investigation and survey of the public building needs of the Federal Government, with the advice, cooperation, and assistance of all Federal agencies, and to submit to Congress prospectuses on projects deemed necessary and distributed equitably throughout the United States, with due regard to the comparative urgency of the need for each particular building. The act also authorized the Administrator to enter into leases of public buildings or office space for periods of 20 years instead of 10 years under existing law.

The act defines various terms used therein such as Federal agency, executive agency, alter, and construct, and defines the term "public building" to include single or multitenant occupancy buildings, grounds, approaches, and appurtenances, generally suitable for office or storage space, such as Federal office buildings, post offices, customhouses, courthouses, warehouses, etc., but not to include buildings and construction projects on the public domain, on properties of the United States in foreign countries, on Indian and native Eskimo lands held in trust, on lands in connection with Federal programs, on military installations, on Veterans' Administration installations, and other projects specifically excluded.

The act does not apply to construction of small public buildings outside the District of Columbia authorized by the Public Buildings Act of 1926; to projects authorized in the Independent Offices Appropriation Act, 1959, including Federal office buildings Nos. 6 and 7 in the District of Columbia and the U.S. mission to the United Nations building; to lease-purchase projects under construction; to public buildings for which an appropriation for direct construction by an executive agency other than the General Services Administration has been made prior to the date of enactment of this act; and it also exempts smaller buildings of the Customs and Immigration and Naturalization Services, and buildings constructed with unappropriated funds.

To date the committee has approved 79 Federal building projects in 42 States and the District of Columbia, with an estimated cost of $919,885,000, and 37 projects for alterations to existing Federal buildings, having an estimated Federal cost of $37,176,050. Reports were received by the committee on eight authorized surveys and seven of those projects authorized. There were only three prospectuses submitted to the committee on which no action was taken.

COMMISSION ON PRESIDENTIAL OFFICE SPACE

(S. 3524)

The committee approved a bill to establish a Commission on Presidential Office Space and authorized it to carry out a program of construction and remodeling in accordance with recommendations (a) and (c) of plan 1 of the report of the President's Advisory Commission on Presidential Office Space, printed as House Document No. 211, 85th Congress, including remodeling of the east wing of the White House and construction of the necessary tunnels.

The Commission would be composed of seven members, of which two would be Members of the Senate, two would be Members of the House of Representatives, and three persons appointed by the President from the executive branch or private life. The Commission would appoint the necessary staff to assist in carrying out its duties.

It would be the duties of the Commission, after consultation with the President occupying the White House at that time, to approve all design and construction plans, determine the methods for selecting and approve the selection of the architect, and to utilize the services of the Chief of Engineers to the maximum practicable extent, in awarding contracts for the construction work and in supervising the progress of the design and construction work. Measures would be taken to assure that all lumber, fixtures, and other materials removed from the Executive Mansion or other buildings are carefully examined to determine their historical value, and their proper preservation and distribution.

The proposals of plan 1 that would be authorized by S. 3524 are:

(a) Provide a new building to house only the White House Office on the site of the existing Old State, War and Navy Building, extend the White House Grounds to include the site and building, and connect it to the White House by tunnel.

(b) Remodel the West Wing of the White House for use as quarters for visting dignitaries.

The authorization would also include remodeling of the east wing of the White House, to be occupied by the social staff of the President and First Lady, the White House Police, for gallery and museum purposes, and similar activities not directly related to operations of the White House Office.

Construction of Federal Office Building No. 7, to be located on the square north of Pennsylvania Avenue between Jackson Place and 17th Street, has been authorized to be used for other organizational units of the White House Office. It will be connected with the White House Office Building by tunnel.

The estimated cost of the work authorized by S. 3524 is $17,850,000.

For many years the offices of the President were housed in a structure designed and intended for residential purposes. Official business activities were intermingled with personal and family activities. The temporary west wing was constructed in 1902 and rebuilt in 1934. The east wing was constructed and occupied in 1942. The State Department activities were removed from the Old State, War and Navy Building in 1947, and the building reassigned for use by the offices of the President. The building is in bad condition, deficient in design and space arrangement, and does not solve the problem of housing the President's Office with its attendant functions.

It is considered of utmost importance to provide adequate space and facilities for Executive Mansion and the Executive Office commensurate with the dignity and importance of the high position of the President of the United States. The authorization provided will fulfill the needs of the White House Office, provide security and privacy for the President and his Office, and retain and enhance the traditional character of the White House and its surroundings.

WATERSHED PROTECTION AND FLOOD PREVENTION PROJECTS

Public Law 566, 83d Congress, as amended by Public Law 1018, 84th Congress, requires approval by committee resolution of any watershed plan involving an estimated Federal cost in excess of $250,000, or which includes any structure providing more than 2,500 acre-feet of total storage capacity. Such approval of any plan containing a single structure of less than 4,000 acre-feet total capacity is the responsibility of the Committee on Agriculture, and those in excess of such capacity require approval by the Committee on Public Works.

The program has proved to be extremely popular and is very beneficial for water conservation, watershed protection, and flood prevention in many areas of the Nation. A large number of these projects have been approved, many of them are under construction, and others are being planned.

The following watershed projects were approved by the committee during this session of the Congress, in compliance with the provisions of existing law.

Watershed protection and flood prevention projects

Watershed	Federal cost	Non-Federal cost	Total cost	Benefit-cost ratio
Terrapin Creek, Ala. and Ga.	$1,316,154	$946,875	$2,263,029	1.8
Big Prairie and French Creeks, Ala.	2,402,972	2,603,285	5,006,257	1.4
East Fork Point Remove Creek, Ark.	1,406,991	490,854	1,897,845	1.3
West Fork Point Remove Creek, Ark.	2,952,289	958,728	3,911,017	1.5
Upper Verdigris River, Kans.	4,385,483	657,568	5,043,057	1.5
Beaver Creek, Ky.	173,050	341,380	514,430	1.5
Misteguay Creek, Mich.	702,638	3,040,896	3,743,534	9.6
Town Fork Creek, N.C.	1,168,348	800,042	1,968,390	1.4
Fourche Maline Creek, Okla.	2,682,260	880,345	3,562,605	1.2
Leader-Middle Clear Boggy Creek, Okla.	1,230,454	1,300,094	2,530,548	3.3
Upper Black Bear Creek, Okla.	2,627,739	1,781,771	4,409,510	1.5
Mill Run, Pa.	339,318	130,750	470,068	1.7
Reelfoot-Indian Creeks, Tenn. and Ky.	1,773,365	1,048,911	2,822,276	2.6
Olmitos and Garcias Creeks, Tex.	995,664	1,268,221	2,263,885	1.3
Plum Creek, Tex.	2,284,068	1,161,701	3,445,769	1.4
Total	26,440,793	17,411,421	43,852,214	

MEDICAL CARE LEGISLATION

Mr. McNAMARA. Mr. President, this morning two of America's greatest newspapers, the Washington Post and Times Herald and the New York Times, carried editorials about the medical care legislation voted on by the Senate last Tuesday.

These editorials contain clear explanations why liberal Democrats, who considered the medical care provisions inadequate, nevertheless voted for final passage of the social security bill.

I ask unanimous consent that the editorials be printed in the RECORD at this point.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 25, 1960]

PATENT MEDICINE

The Senate's action Tuesday on medical care for the elderly is an object lesson in the folly of legislating under pressure and in haste. The bill finally passed by the Senate is an unhappy hodgepodge, unsatisfactory to the Democratic leadership, unsatisfactory to the Republican leadership, and unlikely to give the country's senior citizens realistic or adequate protection against the health hazards of old age.

First, in an almost straight party line vote, the Democratic majority defeated the Javits bill which would have financed a reasonably generous and comprehensive program through Federal grants to the States on a flexible matching basis. Next, a coalition of Republicans and southern Democrats defeated the Anderson bill which would have financed a modest yet heartening program through an increase in the social security tax. And then, surveying the wreckage, all the Senators—save two who seem to consider all governmental activity socialistic—voted for what nobody really wanted, a bill providing niggardly Federal participation in State relief medical payments to the needy aged.

The only justification for support of the bill by the Democratic leadership and Senator Kennedy is that it contained some desirable provisions not related to medical care for the aged. It affords no solution to the medical care problem. The issue will have to be taken to the electorate in the fall election campaign; and it will have to be resolved finally in the new Congress which will convene next year.

It seems to this newspaper essential, as a matter of principle, that a medical care program be made a part of the social security system. This is the only way in which the benefits of the program can be given as a matter of earned right, rather than as a matter of charity subject to a degrading means test. It is the only way in which the standards of the program can be made uniform throughout the country without debasing variations by some of the States. It is the only way to assure financing for the future against the contingency that State legislatures may refuse or be unable to appropriate needed funds.

Here is a good issue for the coming campaign. We hope that the flabby bills passed in the House and the Senate will not be allowed to obscure it.

[From the New York Times, Aug. 25, 1960]

HEALTH AID FOR THE ELDERLY

Few issues have aroused such prolonged and warm debate during this session of Congress as has the question of providing adequate financing for the medical needs of persons over 65. Among the various alternatives available we favored the principle of attaching to the social security system a mechanism for accomplishing this end. This principle the Senate has now rejected, and whatever plan emerges from conference with the House is bound to be less than adequate.

The arguments for the social security approach may be briefly summarized. It would avoid anything resembling a means test for eligibility, a kind of test we believe Americans find abhorrent. It could have taken effect nationally in short order because the apparatus required already exists in the existing administrative arrangements for social security measures. There is no objectionable element of compulsion involved because Americans already accept the principle of paying social security taxes, and the change involved would only be a slight increase in those taxes accompanied by corresponding benefits for those meeting eligibility requirements. And we believe there is no real element of socialism attached since hospitals, doctors, and others involved in giving medical care to beneficiaries would not be controlled by the State as they are where systems of socialized medicine exist.

By now the use of the social security system as the means by which our society attempts to provide a minimum cushion and protection for the elderly is a well-established part of our American tradition and practice. Its extension to medical care for this same group seems logical and beneficial. We hope and believe it will ultimately prevail.

The increased number of our people in the elderly population bracket and the steadily rising cost of medical care combine to present a problem that must for human reasons be solved, and before too much time has passed. The Congress will have to come to grips more realistically with this problem when it reconvenes in January after the political season.

HIGH ROAD? LOW ROAD?

Mr. YOUNG of Ohio. Mr. President, in the weeks to come we shall witness a presidential campaign of ever-increasing intensity. As the election draws nearer and the ranks close behind the respective candidates, the temptation on the part of some to adopt degrading tactics and in some instances to make entirely untruthful statements may be too great to be resisted by them. It is my fervent hope that the campaign will be fought on the highest plane upon vital issues which confront the Nation. These must be resolved by the next President.

Unfortunately, Mr. President, at this early date there are those who have already begun the campaign somewhat below the pavement level. These attempts have met with little success. In fact, they encountered rebuke and embarrassing refutation. However, they are indicative of what can be expected unless they are challenged and dealt with immediately.

I ask unanimous consent to embody as a part of my remarks to be printed at this point in the RECORD an editorial of August 24 in the Washington Post and Times Herald, one of the Nation's great newspapers, entitled "The Battered Truth."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald, Aug. 24, 1960]

THE BATTERED TRUTH

Congratulations are in order to the Saturday Evening Post for condemning a distortion by the Republican political magazine Battle Line. An article by Stewart Alsop about Senator KENNEDY'S victory at Los Angeles had mentioned the theory that Mr. KENNEDY'S father had masterminded his son's ambitions. Battle Line gleefully picked this up for rebroadcast but carefully omitted the next sentence which added: "The only thing wrong with this mastermind theory is that it simply isn't true."

Enough undocumented charges about campaign finances and "vote buying" are already circulating to make one despair of ever learning the relatively full truth. Most of the charges so far have come from the Republicans, as in the instance of the cheap accusations by Senator HUGH SCOTT on the issue of help to the African students. They add little luster to the GOP's appeal. Does Mr. NIXON, zooming along his elevated highway, condone this reckless driving on the lower level?

Of course the Democrats have no patent on virtue; perhaps they will yield to a similar urge. It remains for fairminded persons to help bring these hit-and-run tactics to book wherever they may occur.

Mr. YOUNG of Ohio. This editorial points out clearly that it is the duty of all fairminded Americans to bring these hit-and-run tactics to book whenever and wherever they may occur.

My view is that most Americans are so fairminded and intelligent they will discard and disregard innuendoes, irrelevancies, and downright falsehoods when these tactics rear they ugly heads in this political campaign.

Mr. President, in the same issue of the Washington Post and Times Herald was an incisive article written by one of America's most respected journalists, Marquis Childs. I reaffirm and reiterate the statements made in his article and ask unanimous consent that they may be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald, Aug. 24, 1960]

A POOR TARGET FOR POLITICAL MUD

(By Marquis Childs)

In the political quarrel Senator HUGH SCOTT stirred up over whether the Kennedy Foundation or the State Department should get credit for initiating an airlift of African students to this country the only loser seems likely to be the whole program of student exchange. Unless, it may be added, it is Senator SCOTT himself.

There is much to be proud of in the student exchange program, which has grown in recent years to truly remarkable proportions. The Institute of International Education in its report for 1960 said that 48,486 foreign students were in this country. This compares with the 15,000 reported last year by the Soviet Union as studying in Soviet educational institutions.

One of the remarkable things about the American program is the wide range of areas from which they come. The largest number, 17,175, continued as in the past years to come from the Far East. The second largest total, 9,428, was made up of students from Latin America. They attended universities and colleges in every State in the Union.

What is particularly impressive is the percentage—27.7—supported through scholarships provided by private organizations. Another 38.3 percent are studying on their own funds, and U.S. Government grants cover only 5.5 percent of the total foreign student population.

This last relates directly to the Scott charge that the Kennedy Foundation at the instigation of Senator KENNEDY, the Democratic candidate, sought to outbid the State Department in bringing 250 African students to this country. As the report of the Institute of International Education makes abundantly clear, the pressure of students from all over the free world to come to America to study is so great that there can be no question of public or private sources of support outbidding each other.

The number of students coming here, many of them on their own, has multiplied so rapidly that in many instances they are lost in the shuffle. As Delia and Ferdinand Kuhn, specialists in this field, pointed out in the New York Times, too often the foreign student has no supervision or assistance in finding his way through our great impersonal universities. Often his English is deficient. The result is that the effort and money he expends are not merely wasted but he becomes resentful and bewildered, and he may go home with a strong anti-American bias.

The picture that SCOTT gave of the State Department and the Kennedy Foundation fighting to see who could bring in the African students as a political coup is an illustration of how the program can be distorted. One fortunate consequence of what has been otherwise an unhappy episode is that at the request of the Kennedy Foundation a team of experts is going to Kenya to make sure that the students who come here are qualified to benefit from education in this country. However fine the motives behind a mass movement of young Africans, more harm than good is done if they cannot take advantage of what the diverse American system has to offer.

The foreign student coming to this country is given almost complete freedom. This is in marked contrast, as young Westerners going to Moscow have discovered, with the Soviet approach. There the student's life is regimented and he is likely to discover that fraternizing with his fellow Soviet students comes under the head of espionage.

Exciting things are happening in this field in which the competition between East and West should serve in the long run to bring widespread gains to the underdeveloped countries. The Senate has passed and a Senate-House conference is now considering Senator LYNDON JOHNSON'S bill to create an East-West institute in Hawaii.

As evidence of the interest, while the State Department asked for an appropriation of $8 million, the Senate Appropriations Committee recommended and the Senate approved $10 million a year for 3 years. In the State Department proposal the institute could take only 200 students. At the end of 3 years, as approved by the Senate, it will have a capacity of 2,000.

Money alone will not bring light and learning to the students coming here from every corner of the globe. There is a great demand growing greater every year for truly trained teachers at every level for our own rapidly expanding school population. It is a first step to recognize the dimension of the need at home and abroad.

Mr. YOUNG of Ohio. Mr. President, in his column, Mr. Childs discusses how

political irresponsibility can do serious harm to the Nation, in this instance our foreign student exchange programs.

As the distinguished junior Senator from Arkansas [Mr. FULBRIGHT], who is chairman of the Committee on Foreign Relations, pointed out on the floor of the Senate on August 17, 1960, a great deal of time has been spent trying to protect the exchange programs, some of which bear his name, from any political influence.

To inject this issue or similar nonpolitical ones into the presidential campaign can do irreparable harm not only to these programs, but also to our prestige abroad. I commend this article to my colleagues in the Senate.

ORDER OF BUSINESS

Mr. GOLDWATER. Mr. President, I am glad that the majority leader is present this morning. I only wish that the distinguished junior Senator from Massachusetts [Mr. KENNEDY] would have found it possible to remain. I wish to ask some questions about our date of adjournment, because some of the statements I have been hearing lately lead me to believe that we might be heading for adjournment on Saturday night. I have plans to make, and I should like to get the advice of the majority leader as to what his feelings are.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. GOLDWATER. When I finish.

Mr. JOHNSON of Texas. The Senator does not want me to answer his question.

Mr. GOLDWATER. I have to ask the question first.

Mr. President, in the RECORD of August 23, 1960, I read the remark of the Senator from Massachusetts:

> We might as well determine whether this Congress is going to move in this session or whether perhaps we should go home, whether we then should put it up to the people to make their determination, and come back in January and commit ourselves on that occasion to the social security principle.

Mr. President, I read on the ticker:

> KENNEDY told newsmen that Congress should go home and let the voters voice their feelings if medical care and minimum-wage legislation were to be hopelessly inadequate.

On the other wire Mr. KENNEDY is reported as having said:

> If all we can do is pass inadequate bills, we might as well go home.

I think there is an understandable need for Members of Congress to know what the plans are. We are hearing more and more rumors about Saturday night. I have some plans for next week that would be changed considerably if we were to leave on Saturday night. In fact, I have some plans for September that would be changed considerably.

I repeat what I said before the recess, that I do not think we should go home as long there is work to do. In that respect I agree with what the press representative of the junior Senator from Massachusetts [Mr. KENNEDY] said. He said:

> KENNEDY and his running mate, Senator LYNDON B. JOHNSON of Texas, had said before the session opened that they were "going to do the people's business first and then campaign."

I agree with that remark, but I also think in that respect we should know from the majority leader if there is a possibility of our getting away this Saturday, and if not, what his prediction would be. I have asked that question of the Senator. I shall be glad to yield to the Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I will take the floor in my own right when the Senator finishes.

Mr. KEATING. Mr. President, will the Senator yield to me?

Mr. GOLDWATER. I yield.

Mr. KEATING. I wish to join the Senator from Arizona in reiterating that we should not consider adjourning until the people's business——

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that I may have 1 more minute.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. JOHNSON of Texas. Mr. President, I should like to answer the Senator's question.

The ACTING PRESIDENT pro tempore. Is there objection to the request for 1 more minute?

Mr. JOHNSON of Texas. I object.

Mr. President, I wish to answer the question of the Senator from Arizona as frankly as I can. I can understand his concern for getting out of here, in his capacity as chairman of the Republican Senatorial Campaign Committee, in which position he has a great responsibility. It is a responsibility which he finds very difficult, I am sure, in the light of the expressions of the American people. When North Dakota starts to send Democrats to the Senate, it is a sign that there is a need for his party to get on the hustings.

I wish I could tell the Senator with complete accuracy when we may expect to get away, but I do not think anyone can tell until we see how many Republicans on the House Rules Committee are willing to vote to send the minimum wage bill to conference; until we see how many Republicans on the House Rules Committee are willing to send the housing bill that we have already passed to conference; and until we see how many Republicans on the House Rules Committee are willing to vote to send to conference an education bill that we passed last February.

I think we must also consider how long it will take the conferees to determine what kind of medical aid bill we are to have. We waited all last session for a recommendation from the executive department. We could not get one. The President did not submit his recommendation. The Secretary of Health, Education, and Welfare could not make up his mind. There were two or three plans submitted in the last month of the session. Finally, a day or two before we voted, the Vice President came forth with a new plan that would involve some $1 billion to be shoveled out of the Federal and State treasuries, and it received some 30-odd votes.

I think that when we get these matters out of conference we can decide how long Senators will wish to talk about them. But we should try to consider each one of those measures. I have heard that today those measures are to be put to a test in the Rules Committee; and if one Republican votes for it, we shall get the school bill to conference. If one Republican votes for it, we can get the minimum wage bill to conference.

I cannot predict the action of the Rules Committee. We have come back here to try to complete the work. We will complete it if we can. But whether we can or not will depend upon what the Republicans on the House Rules Committee do.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield, if I have any time remaining.

The ACTING PRESIDENT pro tempore. The Senator has 1 minute.

Mr. GOLDWATER. It is becoming rather strange to hear the Democratic side begging the Republican side——

Mr. JOHNSON of Texas. Mr. President, I am not begging anybody. I am just pointing to the facts.

Mr. GOLDWATER. The Senator yielded to me.

Mr. JOHNSON of Texas. Yes, but I did not yield to the Senator to make——

Mr. GOLDWATER. Will the Senator from Texas allow me to finish my statement? The Senator was on the floor the other day and he heard the Senator from Massachusetts ask for five or six votes from Senators on this side of the aisle. Now my friend from Texas is suggesting that Republicans should help in the Rules Committee. I think the Rules Committee is 2 to 1 Democratic. In this body the ratio is almost 2 to 1. It is amazing that the Democrats cannot control things better when they have such a majority.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. GOLDWATER. I still have not had an answer to my question as to when we shall adjourn.

Mr. JOHNSON of Texas. The answer to that question depends entirely upon whether Republicans continue to be obstructionists.

STRENGTH AND PRESTIGE OF THE UNITED STATES

Mr. BUSH. Mr. President, I noticed in this morning's newspaper an account of a speech by the distinguished Senator from Massachusetts, the Democratic Party nominee for President, in which he is reported as having alleged a decline of American power and prestige, connecting Mr. NIXON with that, and mentioning that Mr. NIXON presided over the National Security Council.

He then said:

> During the 8 years he has been presiding, our security has declined more rapidly than over any comparable period in our history—in terms of defensive strength and retaliatory power, in terms of our alliances, in terms of our scientific effort and reputation.

I should like to point out two things about that statement. First, it is wrong; second, it is dangerous. I believe that for the presidential candidate of one of our great parties to downgrade this country at a time like this is an extremely dangerous thing, particularly when the facts do not support it. In support of my assertion that the facts do not support it, I ask unanimous consent to insert in the RECORD an editorial from the Kansas City Star which is entitled "Advice for Americans: Keep Up Your Nerve."

It starts off with a quotation from a statement by James V. Forrestal, the first U.S. Secretary of Defense. He was asked about the long-range security of the United States. In response, he said:

The best we can hope for is an armed truce with the Communists. It may last a generation or two. Perhaps longer. The Russians will keep pressing us, and the American people had better keep up their nerve. The pressures are going to be terrific.

The editorial states that during the past 10 years, not only has our strength not declined, but that it has increased, and many of the accomplishments are set forth point by point in the editorial.

Those who believe there has been any decline in the strength of the United States during this period should read the editorial, and I heartily commend a reading of it to them. It is a complete answer to the statement made last night by the distinguished Senator from Massachusetts [Mr. KENNEDY]. I ask unanimous consent that the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Kansas City Star, Aug. 7, 1960]

ADVICE FOR AMERICANS: KEEP UP YOUR NERVE

Shadows were falling on Washington's Pentagon Building late one afternoon in the spring of 1948. The writer of this editorial was seated at the desk of the late James V. Forrestal, the first U.S. Secretary of Defense. Near the close of the interview Forrestal was asked this question:

"What do you see for the long-range security of the country?"

Forrestal, who was articulate and intelligent, puffed thoughtfully at his pipe. After a moment, he replied substantially as follows:

"The best we can hope for is an armed truce with the Communists. It may last a generation or two; perhaps longer. The Russians will keep pressing us, and the American people had better keep up their nerve. The pressures are going to be terrific. We will have to get strong and stay strong. That will mean heavy sacrifices. And if we can't hold up our end, we will find ourselves in deep trouble. The alternative to an armed truce is world war. We had better face up to it. It will be one or the other."

Twelve years later Forrestal's prophecy has stood the test of time. The Soviet Union—with the latter-day support of Red China—has steadily maintained pressure on the free world. The history of the last dozen years has been a succession of crises that started with the Communist grab of Czechoslovakia in 1948.

Civilization could have been blown to smithereens several times in the past decade. But it wasn't. That's the all-important fact. Each crisis has passed or gone into suspension. Some of the worst danger spots, Formosa, for example, flare up year after year.

A great many Americans work themselves into a frightful stew whenever trouble erupts. They are alternately excited and depressed. Lately the Castro campaign against the United States and the Cuban dictator's linkup with communism have stirred wild reactions in this country. You hear such irresponsible mutterings as: "We ought to send the marines down to Cuba. That's the way the Russians took care of Hungary."

But this is 1960. The practice of sending troops to intervene in Latin American countries was discarded almost 30 years ago. And after all these years it has left resentment and hate against the United States. Dispelling this hostility is a big problem for the U.S. Government.

Today every policy and action must be weighed against its probable effect on hemisphere and world thinking. A U.S. expeditionary force to Haiti or Nicaragua would be out of the question. Properly we refused to take such action against the Communist-line government that was overthrown in Guatemala in 1954. And no responsible person has been known to suggest military intervention in Cuba in 1960. The new era demands adroitness and restraint.

But some politicians are quick to cry doom at every unpleasant development in the international field. In their view, the U.S. policy, prestige and power are in tatters. They picture this Nation as stumbling through the gloom toward Armageddon.

It is not surprising that Americans are worked up to a state of permanent alarm punctuated by periodic hysteria. Such is the mass psychology of our times. Yet the history of the 1950's show that the overall world situation has grown better instead of worse for the United States and its allies. Consider these extremely important gains:

In the decade our three principal European NATO partners have made remarkable economic recoveries. Ten years ago Britain, France, and West Germany were still struggling out of the near ruin of war. Today all three are more prosperous than before World War II. The West Germans have built their way to democratic strength from the shambles of total defeat. Today the Germans provide the largest army on European duty with NATO. It is growing to a strength of 12 fully equipped and modern divisions.

France, despite the running sore of Algeria, has achieved political stability at last. The embarrassingly frequent turnovers in the Paris government ended when Gen. Charles de Gaulle returned to power in the spring of 1958. The Fifth Republic was created in the image of a strong executive. The U.S. prophets of doom said the rise of the nationalistic De Gaulle would mean the collapse of NATO.

De Gaulle still has his own ideas about revising NATO. But he has not tried to wreck the grand military alliance as some suspicious leaders in the West feared he would do. Thus NATO, armed with A-bombs and missiles, continues to discourage any attack on free Europe. And France is a much more stable country today than it was a few years ago.

Recall the events in the Far East. In 1949 the Communist forces finally triumphed on the Chinese mainland. It was widely predicted that communism quickly would overrun the whole of Southeast Asia.

So far, the fear hasn't materialized. The Reds have gained only the north part of Vietnam. It was the unavoidable price of an armistice halting the Communist uprising in Indochina.

The anti-Communist nation of South Vietnam was formed. At first even the optimists gave it little chance to remain free and independent. But South Vietnam has achieved stable government. The outstanding leadership of President Ngo Dinh Diem had much to do with the achievement. So did the extensive economic and military aid supplied by the United States.

The Reds have not given up their designs on South Vietnam or nearby Laos and Cambodia. But their ambitions have been thwarted for a decade. The SEATO pact, backed by the armed power of the United States, warns the Communists to keep hands off the entire area. They have stopped short of outright aggression, perhaps to avoid retaliation by the SEATO powers.

In Malaya, as in the Philippines previously, a Communist insurrection has been crushed. A 12-year state of emergency ended officially last Sunday. Malaya is now an independent state, released from colonial rule by Britain. Her great riches of rubber and tin have been saved for the free world.

Japan is even a more brilliant example of a trend generally going our way. Ten years ago Japan faced a bleak outlook. Its world markets were gone and unemployment soared. Now the war-battered Japanese have made an economic recovery comparable to that of West Germany. Japan cannot defend herself. But she remains linked with the United States in a 10-year military alliance. This tie holds the most advanced industrial nation of Asia on the side of the West.

The recent demonstrations against the United States-Japan Defense Treaty reflected a certain amount of growing neutralist sentiment. Some domestic issues also were involved. But it appears fairly apparent that the Communist-led rioters and demonstrators did not speak for a majority of the 93 million Japanese people.

To the southwest the Red Chinese broadcast their propaganda threats against Chiang's Formosan stronghold. But, so far, they have not dared challenge the might of the U.S. 7th Fleet on patrol duty in Formosa Straits.

In Korea the guns have now been silent for 7 years. The U.S. 8th Army and South Korea's 600,000 troops bar the way to further Communist aggression. The fighting from 1950 to 1953 was not permitted to ignite a global war. Korea's own Government has been stabilized with a comparatively enlightened administration.

In the Middle East conditions are calmer now than at any time in the last 15 years. Yet it was only 2 years ago that the United States risked troop landings in Lebanon at the urging of the Lebanese Government. A rebellion subsided. Order was restored in the half Christian, half Moslem country.

A bloody revolt had just overthrown the pro-Western regime in Iraq and sent the U.S. prophets of doom to the depths of despair. There seemed to be real danger that pro-Nasser, anti-Western forces of Arab nationalism would seize control of Lebanon, Jordan, and possibly Saudi Arabia plus the tier of small sheikdoms rich in oil. Lurking in the shadows were Soviet plotters eager to dominate the entire Middle East.

But quiet came, just as it had come in late 1956 when United Nations action (morally led by the U.S. Government) cooled off the Suez crisis. Today Nasser's United Arab Republic and revolutionary Iraq are held apart by self-interest and mutual suspicion. They are alike only in that neither has fallen for the traps and lures of Soviet imperialism. Both remain ostensibly neutral in the cold war. They have taken Russia's grants of economic and military aid without surrendering their independence.

The Arabs' highly emotional differences with Israel still smolder. But the powder keg of the Middle East is out of sight in the desert sands. Around it are the remains of intermittent crises.

The Communists are nosing around for opportunities in Africa, a continent quivering with nationalism. Some headway may have been made with the new Republic of Guinea. But so far communism has not established a reliable beachhead in Africa. Moscow threatened to move in when the Congo disorders exploded. But the Rus-

sians thought better of it as the United Nations acted fast to save the Congo from chaos.

It was one of the U.N.'s finest hours. The current effort in the Congo will be remembered along with crises in Iran, Greece, Berlin in 1948–49, Kashmir and the Suez. On each of these occasions the U.N. displayed its unique ability to stamp out raging fires.

Of course, even the U.N. has not been able to compose the fundamental differences and tensions between communism and the West. Russia and the United States are the two great centers of power. Each distrusts the other. And if our people are worried about Soviet intent and capability, consider the predicament Russia is in.

The United States and its allies have ringed the Communist land masses with forward air, ground and naval bases. U.S. planes and ships operate from 80 bases in 25 lands and territories. Our planes buzz near the very frontiers of the Soviet Union. The U–2 missions are now history. But they did far more than bring back intelligence data and aerial photographs. They demonstrated, to the distress of the men in the Kremlin, that manned aircraft can penetrate the vaunted air defenses of the Russian heartland.

Yet Americans cry in anguish over the Communist influence in Cuba. Suppose we were in the Russian situation. In that case the United States would be a potential target for bombers and missiles based in Canada, Mexico and most of Central America. Russian planes would be skirting our shores or flying over Kansas.

For a decade the Communist world has been held in line but it is not shrinking. Armed strength has materialized to block further Communist expansion. The retaliatory power developed by the West evidently did not figure in Russia's calculations when she started spreading out into Eastern Europe and the Balkans.

It was good advice that James Forrestal offered 12 years ago. Americans should keep up their nerve. There is no cause for panic. We have made our way past many crises. There will be more. We had better learn to live with them and to surmount them as they come.

THE DANGER OF ISOLATION

Mr. CLARK. Mr. President, I ask unanimous consent that there may be printed in the RECORD at this point a statement by Mr. David Lilienthal, published in the New York Times of Friday, July 8, 1960. It is entitled "Lilienthal Says United States Faces Peril of Gradual, Enforced Isolation."

The article by Mr. Lilienthal is a sound, realistic appraisal of the present perils facing our country, and shows the way in which we have lost our leadership in the free world.

Mr. Lilienthal points specifically to measures which we should take to regain our leadership in the world. I am happy to say that most of his suggestions have been included in the platform of the Democratic National Party, which met in convention in Los Angeles last month.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LILIENTHAL SAYS UNITED STATES FACES PERIL OF GRADUAL, ENFORCED ISOLATION

(By David Lilienthal)

America is face to face with a clear and present danger.

The danger is not war. Nor is our jeopardy something that can be overcome by an increase in our military strength alone, nor by increased appropriations for foreign economic aid if administered along present lines.

The heart of our danger is that we shall be isolated.

This would not be an isolation by our own choice, but an enforced isolation, a gradually tightening suffocation and quarantine that we could not endure and still maintain our place in the world, our standard of life and even our survival as a free people. And this without a shot being fired.

The danger is clear and present, not remote and vague. For the tempo and technique of world political and economic changes, like those of technology and science, have become fantastically swift.

Our danger is a consequence of the fact that we seem to have run out of ideas on how to retain our hitherto unchallenged world leadership.

Our officialdom, and most of their corps of experts and professional thinkers as well, are without fresh ideas that meet our needs under the wholly changed conditions of a world in revolution, economic and political.

The danger can be averted, and turned to a spirited, creative revival of American leadership, but on one precondition: The rank and file of citizens must have the means of knowing what is going on; they must have a way of knowing the fix we are in, and the even greater troubles we must soon face.

The handling of the President's trip to Japan is an example of how badly informed all of us are, how little understanding we have been given of what is going on in other countries. Even a young American student in Japan, John D. Rockefeller 4th, in his article in a recent New York Times magazine on Japanese youth, saw what our professional observers failed to see or, if they saw it, did not have the candor to report.

To dismiss the protests of youth as of little significance, or as wholly Communist inspired, is to disqualify oneself as a reliable observer of present-day life.

The illusion, carefully nourished by officials and many intellectuals, that there was relaxation of tensions is another example of how poorly we citizens known what the score is—until the debacle comes, as it did in the Paris summit mess.

The writer suggests a number of things that, in his opinion, need to be done now, without delay, to open the doors of public discussion and individual thinking so that new and workable ideas and programs can emerge and replace those that have failed us.

First, we must begin at once to develop an angry public opinion that will make this demand of our responsible public officials: Look, don't spare us. Give it to us straight, pretty or not.

Second, we must have, both abroad and at home, tougher, more realistic observers and perceptive interpreters of what is going on and what is happening to us and to our antagonists.

Third, our minds should be prepared for other setbacks that may be in the offing, so that we can all be thinking of how to devise ways to ameliorate or to prevent them. We should have information and nonpartisan comment about such possibilities or probabilities as the following, among others: the leasing by Cuba to the Soviet Union of air bases and missile launching sites, an economic alliance between Japan and Red China, rejection by Japan of the United States-Japan Security Treaty as recently ratified, and the prospect that we may soon begin to be outvoted in the United Nations General Assembly and the Security Council.

Fourth, a reexamination of many of our currently accepted ideas and methods for maintaining our leadership in the world. This must be pitiless and without pride of past opinion. Here are a few examples of issues we should fearlessly consider: The risks of keeping bases on other nations' soil; the establishment of comprehensive oversea state trading corporations to counter the economic offensive of the Soviet state trading corporations; methods by which we could acquire direct and reliable information on mainland China, a rising empire with which every realistic people must reckon, and establishment of a biparty Cabinet and congressional reforms in the direction of greater speed and more focusing of legislative responsibility.

The ordinary private citizen has a right to expect grave issues such as these to be discussed by candidates of both parties in the coming national election. He has a right to demand that the next administration, be it Republican or Democratic, keep the citizen currently and candidly informed.

THE MYTH OF THE MAGIC EXPENSE ACCOUNT

Mr. CLARK. Mr. President, on August 16 I inserted in the CONGRESSIONAL RECORD, at page 16498, an article by Mr. Clarence B. Randall, which dealt with the myth of the magic expense account. Inadvertently I stated that the article had been published in Fortune magazine. Frankly, I was a little surprised that that fine magazine of the Luce publications should publish an account which took such exception to the present condition of the swindle sheet.

Mr. Randall has written to me to say that the article was not published in Fortune magazine but in Dun's Review and Modern Industry. I am happy to make the correction, and I ask unanimous consent that Mr. Randall's letter may be printed in the RECORD at this point. I note that it is written on White House stationery. Mr. Randall states that he has had an extraordinary reaction from all parts of the country to his article, and that almost all of it has been favorable. I am a little surprised that the White House itself has not seen fit to help us put through the anti-swindle-sheet bill, which the Senate passed over the unanimous opposition from all agencies which the White House controls.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, D.C., August 22, 1960.

The Honorable JOSEPH S. CLARK, JR.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CLARK: I am highly honored that you inserted in the CONGRESSIONAL RECORD my piece entitled "The Myth of the Magic Expense Account."

There was one slight slip-up, however, and I wonder whether you would think it worth while to correct it.

The article appeared not in Fortune, but the August issue of Dun's Review and Modern Industry.

I might add that I have had an extraordinary reaction from all parts of the country to that article—almost all of it favorable.

Sincerely yours,

CLARENCE B. RANDALL.

THE PRESENT SESSION OF THE SENATE

Mr. KEATING. Mr. President, it seems to me that the distinguished Senator from Arizona [Mr. GOLDWATER] has

performed a constructive service in calling attention to the rumors which are circulating in the Capitol and in the press as a result of the suggestion of the distinguished Senator from Massachusetts [Mr. KENNEDY] that we should fold up our tents and silently steal away, because the particular measure which he favored has been defeated and because he obviously cannot have his own way as to what the Congress does.

Mr. President, charges such as the distinguished majority leader has made have been heard before. Why is it that the Democrats, with a 2 to 1 majority in the Congress, need Republican votes in order to put through their program. Such charges will not appeal to the American people, but I am afraid they will continue to fly like bugs around a light bulb on a summer night.

Many of us have differed as to what we should do in this session. I and a number of my colleagues have urged that civil rights should be one of our major fields of legislative endeavor. But the majority leadership has "called the shots." They have decided to bring up a number of the most controversial economic measures in the platforms of both parties, and have shunted aside much other important business. They have not been successful and it appears that they now want to fold up their tents and go home.

Mr. President, this week we honored the lyricist Oscar Hammerstein. He made a truly great contribution to our Nation's culture. It was Hammerstein who wrote the lyrics which I think most aply describe what the Democratic leadership is now apparently thinking. It is in a song in the musical "Oklahoma!" in which Hammerstein wrote "We've gone about as far as we can go."

Mr. President, I do not subscribe to these statements. There is no reason for us to shunt aside the many vital pieces of proposed legislation which are still before us. To paraphrase a comment widely published in the press this summer: "We must not leave the shop untended."

There are many bills before us which have been the subject of extensive hearings and would require only a few days of debate by this body.

More judges are needed. War claims legislation is ready for Senate action. Immigration legislation has been the subject of much serious study and is ready for action.

What about the farm bill which was passed by the Senate, or the one which was promised by the Democratic candidate for President, and which he said he would introduce at this resumed session of Congress?

An excellent administration depressed areas bill is in committee. That bill apparently conforms with the views of a majority of the Members of this body.

Several bills are pending which would give the Secretary of State the authority to provide a greater measure of security for our country in the issuance of passports.

There are many other such issues which, perhaps, are not so sweeping as the two major economic issues both of which we have considered and passed, and both of which are important and should be brought to a conclusion before we leave here.

Housing is another subject which is important and should be acted upon by this Congress.

Mr. President, we should not adjourn until we have attended to the people's business. We have heard so much about the need to do the people's business, that many of us intend to oppose any effort to leave here until that has been attended to.

ATTENTION TO DEFENSE DURING EISENHOWER ADMINISTRATION

Mr. COTTON. Mr. President, we have a saying in my State: "There is no use crying over spilled milk."

I do not approve of running a political campaign on the basis of who has done what in the past. However, when a candidate for President of the United States makes the astounding statement that under this administration our defenses have deteriorated more than in any other comparable period in our history, I think the record should be corrected at once.

I shall refer to an incident which took place in my first year in Congress, on February 19, 1947, when the man who was then the Chief of Staff of the U.S. Army appeared before the House Committee on Appropriations and said:

> In the field of guided missiles, electronics, and supersonic aircraft, we have no more than scratched the surface of possibilities which we must explore in order to keep abreast of the rest of the world. Neglect to do so could bring our country to ruin and defeat in an appalling few hours.
>
> Those of us who were in Europe in the black days when Hitler was making his last desperate gamble with V–1 and V–2, know how close to success that gamble came. Yet those weapons, terrible and effective as they were, were child's toys in comparison with those which can be produced.

The man who said that was Dwight D. Eisenhower, then the Chief of Staff. Immediately after he made that statement, the contracts which had already been made for guided missiles by the Truman administration were canceled, and from 1945 to 1952 the United States spent only $3,500,000 on intercontinental missiles, although during the same period $117 million was spent to support the price of peanuts.

In the first year of the Eisenhower administration, expenditures jumped to over $1 billion. During the period from 1953 to 1960, $29 billion was devoted to the field of missile research. In addition, millions of dollars have been spent for the development and construction of the Polaris submarines and a long line of other weapons which had previously been neglected.

Of course, the present administration has made mistakes, as have all other administrations. But when a statement is made by a candidate for President of the United States that the defense of this country has been allowed to deteriorate more than in any other period in history, that is an irresponsible statement and should not be allowed to go unchallenged.

SPEECH ABOUT NIXON AND KHRUSHCHEV

Mr. SCOTT. Mr. President, in his speech of yesterday, the junior Senator from Massachusetts [Mr. KENNEDY] made the statement:

> The Eisenhower Middle East doctrine was a farce.

Under that doctrine, the Lebanon landings occurred. Does the junior Senator from Massachusetts wish to be understood as charging that the action of the President, enforcing our foreign policy against aggressors, in our landings in Lebanon was a farce? As a matter of fact, the junior Senator from Massachusetts has previously criticized the Middle East policy and has stated that one of the mistakes made by President Eisenhower some months ago was the policy of refusing to continue to build for Egypt the Aswan Dam, and it is referred to in an issue of U.S. News & World Report.

In my opinion, it was a mistake to consider the building of the Aswan Dam in the first place, and the refusal to continue the building of that dam for Nasser was an indication of very wise judgment on the part of our administration.

I am sorry that the junior Senator from Massachusetts agrees with Nasser and the Egyptians on this point, and that he regarded the discontinuance of American assistance as a mistake. I do not so consider it.

Furthermore, the junior Senator from Massachusetts said, referring to Vice President NIXON:

> And in the Soviet Union he argued with Mr. Khrushchev in the kitchen, pointing out that while we might be behind in space, we were certainly ahead in color television.

The intent of that statement was to mislead the American people. That statement could only have the effect of deceiving the American people into believing that Vice President NIXON made such a statement to Khrushchev. Vice President NIXON's statements to Khrushchev were covered on television and by the press very accurately. I defy anyone whomsoever, be he a candidate for the Presidency or any other office, to establish that Vice President NIXON ever made the statement with the meaning attributed to him by the junior Senator from Massachusetts. The Vice President made no such statement about color television, in the way quoted, and he did not make any such statement to Khrushchev indicating that we were behind in the space race, except as to thrust.

On the contrary, the Vice President of the United States stood up to Mr. Khrushchev, and made it clear to him that our country was strong; that we were not afraid of him; and said to Mr. Khrushchev, "You don't know everything."

I think the junior Senator from Massachusetts ought to apologize or send regrets to Vice President NIXON for that kind of quotation, or alleged quotation,

or attempted putting of words into the mouth of the Vice President which never happened. The junior Senator from Massachusetts is interested in accuracy. I suggest that he try it.

Mr. SCOTT subsequently said: Mr. President, I have made some research on the statement to which I referred earlier in the day, when I mentioned that in a speech made yesterday by the Senator from Massachusetts [Mr. KENNEDY], the statement was made:

> And in the Soviet Union he argued with Mr. Khrushchev in the kitchen, pointing out that while we might be behind in space, we were certainly ahead in color television.

I have seen the statement which was made at the time by the Vice President, and I quote it now:

> There are some instances where you may be ahead of us, for example, in the development of the thrust of your rockets for the investigation of outer space. There may be some instances in which we are ahead of you—in color television, for instance.

There is a considerable variation in meaning in the way in which the statement was actually made.

THE DEMOCRATIC SALINE WATER PROGRAM

Mr. MURRAY. Mr. President, the record of what each of the parties has accomplished is one of the best guides voters can use in determining who will best serve them, and for that reason it is especially important that the record be correct at this time.

The Democratic Party has a solid record of accomplishment in the field of natural resources, and I am proud that in the Senate the Committee of Interior and Insular Affairs, under Democratic leadership, has consistently strengthened programs for development and conservation of the Nation's resources. Particularly is this true with respect to water resources that are so critical for the future of the entire Nation.

It is gratifying that the Subcommittee on Irrigation and Reclamation under the distinguished chairmanship of the junior Senator from New Mexico [Mr. ANDERSON] has taken a leading part in so many effective water resource measures, although I shall not review them at this time.

One important program is a bold and imaginative advance in water development, and it is closely linked with the Interior and Insular Affairs Committee. This is the program of saline and brackish water conversion.

The Republican 1960 platform—page 15—mistakingly claims the saline and brackish water conversion program as "Republican initiated."

Democrats initiated, extended, and supplied continuing support for the saline and brackish water conversion program, in the face of Republican indifference or resistance.

The saline and brackish water program was first proposed by Democratic Senator JOSEPH C. O'MAHONEY on March 18, 1949, and saline and brackish water conversion research was authorized by the Democratic 82d Congress. It was approved by President Truman on July 3, 1952, after having received strong support from Democratic Secretary of the Interior Oscar L. Chapman.

The research program was enlarged and extended by the Democratic 84th Congress pursuant to legislation sponsored by Democratic Representative, now Senator, CLAIR ENGLE.

The principal advance of the saline and brackish water conversion program was brought about by Democratic Senator CLINTON P. ANDERSON. His bill, Senate Joint Resolution 135 of the 85th Congress, was enacted September 2, 1958, against considerable resistance from the Republican administration. It establishes a program of demonstration operations to place the conversion work on a practical basis. Under this Anderson Act, the Department is directed to construct and operate three saline water plants and two brackish water plants.

Senator ANDERSON again in the 86th Congress took the lead in passage by the Senate of Senator LYNDON JOHNSON'S bill (S. 3557) of which Senator ANDERSON and other Senators were cosponsors. This bill will authorize a program of Federal loans to States and municipalities desirous of building their own conversion plants, and thus it will make possible widespread use of the results of research and demonstration.

Mr. President, I hope this brief statement will correct the misstatement of the Republican platform regarding the saline water program. There are also other misstatements that need to be corrected before November.

It is important that the people have the correct information.

Mr. ANDERSON. Mr. President, let me commend the Senator from Montana for his review of the saline water program and for his leadership in that field.

WHAT EVERY GOOD AMERICAN WANTS TO KNOW ABOUT ELECTIONS

Mr. MURRAY. Mr. President, in this momentous election year it is vital to our country that our citizens be informed not only as to the immediate issues but also that they be knowledgeable about the mechanics of our election system and its history. These are matters concerning which relatively few Americans have accurate information.

It is with particular gratification, then, that I have learned of the action taken by Leo M. Bernstein, president of the Guardian Federal Savings & Loan Association of Washington and Silver Spring, Md., in distributing, as a public service, many thousands of copies of a booklet entitled "What Every Good American Wants To Know About Elections."

This booklet, in compact, easily readable form, sets forth the technical facts of how we Americans choose our Presidents and Vice Presidents, including, of course, the little understood workings of the electoral college and just what would happen if no candidate received a majority of electoral votes. Also set forth in concise form are facts on the powers and duties of the President and Vice President, the Presidential succession, the powers of Congress and qualifications for membership, as well as the more familiar Bill of Rights and the main events of U.S. history.

Of particular interest is a thumbnail sketch of each of our Presidents, from Washington through Eisenhower, listing what the author of the study conceives to be the principal achievements of each administration. As to this section of the pamphlet, I am constrained to state, Mr. President, that I myself would present the relative achievements of the administrations of Franklin Delano Roosevelt and Dwight D. Eisenhower somewhat differently. One might reasonably question the bland assertion that Mr. Eisenhower has "stopped inflation, stabilized the purchasing power of the dollar, reduced personal income taxes." As to reduction in personal income taxes, the legislation providing such temporary reduction was enacted by a Democratic Congress during the administration of President Truman in 1951. President Eisenhower recommended and brought about restoration of the old rates. How can it be contended that inflation has been stopped when the cost of living continues to spiral ever upward? Also, there is still another factual error in the statement that this administration has "outlawed the Communist Party."

On the other hand, completely ignored are such Roosevelt achievements as ending the depression, collective bargaining legislation which brought a degree of peace, at least, to American industry and has contributed so much to the growth of the American economy, the Civilian Conservation Corps, which saved so many hundred of thousands of America's youth, the Securities and Exchange Act, and a host of other social and economic reforms which preserved the American way of life and which, I may add, have been adopted by the Eisenhower administration and are carried still further in the Republican Party plank of 1960.

However, these matters might be said to be differences in political opinion and do not obscure Mr. Bernstein's truly great contribution in printing and distributing free of charge through his association the booklet "What Every American Wants to Know About Elections." This is a genuine public service.

In addition, I should point out that Mr. Bernstein's association, Guardian Federal Savings & Loan, has since its inception made office space available to both the Democratic and Republican campaign committees. His branch in Silver Spring is, I am informed, the only commercial establishment in this country with a carillon on it, and it rings out the Lord's Prayer every day to the spiritual uplift and pleasure of thousands of our citizens and visitors. The building's huge outdoor clock also informs at least 60,000 persons daily as to the time of day and the temperature.

All in all, Mr. President, I wish to commend most heartily Mr. Leo M. Bernstein on his spirit of public service and his contribution to public understanding and knowledge in this crucial election year.

NEEDED: STUDY OF GREAT LAKES WATER LEVELS

Mr. WILEY. Mr. President, the Great Lakes waterway system holds the key to the economic prosperity of the upper Midwest and the Nation.

Once the greatest inland waterway system in the world, the lakes, transformed by the completion of the seaway into an international water traffic system, now offers more new opportunity for the great industrial-agricultural complex of the upper Midwest.

Unfortunately, there are still serious problems to be resolved in getting the maximum benefit from the lakes. A major task is to learn more of, and how to cope with, the fluctuating water levels. This includes protection from damage by these changing levels.

In 1952, the Corps of Engineers initiated a study of the problem. Unfortunately, this was interrupted. Because of the impact upon shipping, industrial, residential, resort, and other interests, in Wisconsin and elsewhere around the lakes, however, I believe the study should now be completed, to see what can be done to effectively cope with the situation.

The purpose would be to:

First. Determine the possibility and/or feasibility of attempting to control water levels in the lakes; and

Second. Devising ways and means for protecting areas adjacent to the lakes from damage due to either extremely high or low water conditions.

Recently, I contacted Gen. E. C. Itschner, Chief, U.S. Corps of Engineers, to urge the completion of the study, initiated in 1952.

At this time, I request unanimous consent to have a copy of my letter printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Lt. Gen. E. C. ITSCHNER,
Chief, U.S. Corps of Engineers,
Department of the Army,
Washington, D.C.

DEAR GENERAL ITSCHNER: I am writing to respectfully urge inclusion in your 1962 fiscal budget of recommendations for a study of Great Lakes water levels.

As you well recall, the Corps of Engineers undertook a comprehensive study of the lakes in 1952 to determine:

1. The feasibility of a plan of regulation of the levels of the Great Lakes which would best serve the interests of all water uses, including the reduction of damages to shore properties, the use of the Great Lakes for navigation, and the use of the storage and outflow from the Great Lakes for power development; and

2. The advisability of adopting local protection flood control projects for areas along the shores of the Great Lakes and tributary streams that are subject to inundation as a result of fluctuations in the levels of the lakes where such projects are found to be feasible and economically justified.

Unfortunately, the study was interrupted and postponed.

You are well aware, of course, that the water levels of the Great Lakes fluctuate in irregular long-range cycles in a range of approximately 5 feet. Consequently, extreme high levels result in inundation of shore lands, beach erosion, difficulties in the docking and loading of vessels and damage to dock facilities, interference with land drainage, and aggravation of floods on tributary streams to the Great Lakes. Conversely, extreme low levels reduce the cargo-carrying capacity of vessels on the lakes, require extensive harbor, and dock improvements, expose unsightly flats, decrease the area of waterfowl nesting grounds, and cause excessive shoaling.

As you recall, extensive damage from high-water levels to Great Lakes shoreline properties were officially estimated by the Corps of Engineers at $61 million in the single year 1951–52.

As I understand it, the report on this survey—originally scheduled for completion in fiscal year 1957—still has not been completed because of lack of funds.

With the completion of the St. Lawrence Seaway, the Great Lakes waterway system—formerly an inland system—has now become an international waterway, carrying large volumes of shipping to and from the ports of the world, and the lakes traffic is increasingly important to the economy of the Midwest and the country.

A comprehensive study of the factors involved in the fluctuations of water levels, accompanied by recommendations on what might possibly be done either to avert the fluctuations or at least to minimize the damage resulting, would, I believe, be of great value to the country.

I respectfully urge, therefore, that such a special study be undertaken and completed as soon as possible.

With appreciation for the consideration I know you'll give this matter, and with kindest personal regards, I am,

Yours sincerely,

ALEXANDER WILEY.

ONE-PARTY CONTROL OF EXECUTIVE, LEGISLATIVE BRANCHES ESSENTIAL TO THE NATION'S PROGRESS

Mr. GRUENING. Mr. President, newspaper headlines last night and this morning interpreted President Eisenhower's remarks at his press conference as taunting the Democrats on the failure of the Anderson amendment to the medical-care-for-the-aged bill to be passed. Today's New York Times headline says: "President Taunts KENNEDY on Split in Senate Ranks—Says He Can't Understand Why Candidate Wants More Democrats in Congress—Heavy Majorities Cited."

I think that the comments by the nationally known and respected columnist, Walter Lippmann, are a pretty effective answer to the alleged Presidential taunt. Mr. Lippmann, in his syndicated column published this morning in the Washington Post and in many other newspapers, analyzes the votes on the Javits amendment and the Anderson amendment and on the final passage of the committee bill, and his conclusion is "that while KENNEDY cannot say that he has a united Democratic Party behind him, he can say that, if elected, he can, and that NIXON cannot, establish a comprehensive system of medical care for the aged." Mr. Lippmann goes on to the conclusion "that NIXON, if elected, will have a very hard time dealing with Congress." Mr. Lippmann then writes: "The evils of divided government, which have been assuaged by Eisenhower's personal popularity and prestige, would almost surely be blatant under NIXON." The conclusion is therefore that not the Democratic majority in Congress, but President Eisenhower himself, is responsible for the failure to achieve an adequate medical aid bill.

I ask unanimous consent that the full text of Walter Lippmann's article be printed at this point in the RECORD in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 25, 1960]

THE SENATE VOTES

(By Walter Lippmann)

In the voting on the medical care issues the Senate proved once more that ours is a presidential system of government. It was the President in office who prevailed as against both NIXON and KENNEDY, one of whom will be his successor. Although there was a large majority in the Senate which thinks the President's program is inadequate, such is the power of the President that he was able to defeat this majority.

There were 44 votes, all but one of them Democratic, for the Anderson amendment which had the backing of KENNEDY. There were 28 votes, all of them Republican, for the Javits-Nixon amendment which is much more liberal than the Eisenhower proposal. But the Senate was incapable of organizing a majority for a positive measure. Why? Because only the President can do that kind of thing.

By his power to threaten a veto the President is able to penalize, and for positive legislation to frustrate, a congressional majority. On the other hand, the voting on Tuesday shows rather clearly that if KENNEDY were in the White House he could easily enough have gotten a majority for his proposal. He needed to change only 4 votes out of the 32 Republicans and 19 southern Democrats who voted against him. Among these 51 Senators there must have been at least 4, probably quite a few more, who agree with Senator KENNEDY and Governor Rockefeller that the right principle is to base medical care for the aged on the social security system. It was the threat of the President's veto and the threat of the President's displeasure which kept the necessary four votes away from KENNEDY.

The result proved that KENNEDY will be quite justified in arguing that there is no prospect of a comprehensive medical care bill unless he is elected. For while the Nixon-Javits proposal has some merit, it would be enormously complicated to administer and almost certainly more costly to the general taxpayer than the Kennedy-Anderson proposal. NIXON, if elected, would face the opposition of a large part of the powerful Democratic majority. On Tuesday they voted unanimously against him.

The net result is, it seems to me, that while KENNEDY cannot say that he has a united Democratic Party behind him, he can say that, if elected he can, and that NIXON cannot, establish a comprehensive system of medical care for the aged.

In these test votes neither candidate was able to form a majority in favor of his own views. But on the question of who will be the more effective in leading Congress, KENNEDY was shown to be much the stronger. He mustered 44 votes and came within 4 votes

of a majority for his proposal. NIXON mustered only 28 votes and was 20 votes short of a majority.

The figures support the view, which many observers have already expressed, that NIXON if elected will have a very hard time dealing with Congress. The evils of divided government, which have been assuaged by Eisenhower's personal popularity and prestige, would almost surely be blatant under NIXON.

Mr. GRUENING. Mr. President, a further most pertinent comment appears as the leading editorial in this morning's Washington Post, entitled: "Patent Medicine," which comes to the conclusion that the bill passed by the Senate the day before yesterday "is an unhappy hodgepodge, unlikely to give the country's senior citizens realistic or adequate protection against the health hazards of old age," and that "it affords no solution to the medical care problem."

The Post editorial, in effect, warmly supports Senator KENNEDY'S declaration on the floor of the Senate that this issue of adequate medical care for our senior citizens will now have to be taken to the country, and as the Post says: "Here is a good issue for the coming campaign."

Certainly the issue is clear that the Democratic leadership, and the Democratic nominees for President and Vice President, Senator JOHN F. KENNEDY and Senator LYNDON B. JOHNSON, wanted a bill that would not be an "unsatisfactory hodgepodge," and that the hope of our elderly citizens for adequate medical care lies in the election of a President and Congress of the same party, so that this divided leadership, which has so greatly stymied much essential progress for the American people in the legislative field, may be ended. Obviously, there is no chance whatever of the Republicans capturing control of the Congress. That its spokesmen freely admit. The answer, then, is to elect JOHN F. KENNEDY as our next President.

The Republican candidate for the Presidency, meanwhile—RICHARD NIXON—has been dealt a body blow in his own house, by President Eisenhower's statement in his press conference yesterday that Mr. NIXON has not been, as his campaign pronouncements so blatantly proclaim a factor in the decisionmaking of the Eisenhower administration. Indeed, after so asserting, categorically, when asked whether Mr. NIXON had ever even contributed an idea which led to a Presidential decision, the President concluded his conference by saying: "If you gave me a week I might think of one. I don't remember." Obviously, Mr. NIXON'S vaunted participation in policymaking, his great leadership role which is now being ascribed to him as the campaign gets under way, was so slight that the President could not even remember a single contribution by Mr. NIXON, although no doubt, after a week's reflection, President Eisenhower will be briefed to recall something that the Vice President might have contributed. So the campaign myth of Vice President NIXON'S great preparedness and training for the Presidency because of his participation in the Presidential policymaking, vanishes into thin air.

This situation is well elucidated in an article written by Chalmers M. Roberts, and published today in the Washington Post, entitled "A Nixon Balloon Spiked by Ike." I ask unanimous consent that the article be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 25, 1960]

A NIXON BALLOON SPIKED BY IKE

(By Chalmers M. Roberts)

One of the things that makes politics so interesting is that you never know for sure what comes next. Consider the case of the NIXON campaign.

On Tuesday night, after the defeat of the Kennedy-backed medical care plan, the Republicans were riding high. But yesterday the NIXON campaign line, or a major part of it, had some big holes shot in it. And the shots were fired not by a Democrat but by Republican President Eisenhower himself.

The GOP line, as is well known, is that the Vice President and his running mate, Henry Cabot Lodge, "are trained by long years of experience in dealing with the Soviets," that NIXON has presided over the National Security Council and the Cabinet "handling the whole spectrum of domestic and international issues," that the experience he gained in his foreign travels "enabled him to recommend and help put into effect many significant changes in foreign policies" and that, "in a phrase, NIXON already knows how to be President."

All of these quotations are from official NIXON campaign material. The party orators at the Chicago convention went even further. In nominating NIXON, Oregon's Governor Hatfield said that the Vice President "has known what it is to bear the full executive burden."

NIXON himself has been very careful not to make any such claim. But if he did not approve in advance the Hatfield speech, for instance, he breached the normal political procedure.

The reason NIXON has himself avoided any claim to have been an acting President during the Eisenhower illnesses or otherwise to have made foreign policy is that he knows President Eisenhower is more than touchy on the subject. But there is no record that NIXON has put any clamps on claims in his behalf on that score.

Part of the point of the claim for NIXON is to counter the Democratic argument that the President himself has left leadership of the Nation to others. In 1956, for example, Adlai Stevenson described Mr. Eisenhower as a weak, buckpassing executive, asking "Who's in charge here?"

Some of Mr. Eisenhower's closest associates long have resented the idea that NIXON or anybody else but the boss has had anything to do with running the store these past 7½ years. It was the same sort of feeling on the part of the President himself which welled up at his press conference yesterday.

Mr. Eisenhower said that neither NIXON nor anyone else participates in Presidential decisions, that he has to make them himself. NIXON, he said, is one of his principal advisers. Later on the President was asked about the GOP claims of NIXON'S experience, Mr. Eisenhower replied that while NIXON had often expressed opinions and made recommendations, he was "not a part of decisionmaking." Finally, he said that if the reporters would give him a week he might think of a case when a major NIXON idea had been adopted.

Now all of this doubtless is painful to the Republicans, and the Democrats can be counted on to throw the President's words back at the GOP claims about NIXON'S experience. That's fair enough in politics.

Actually Mr. Eisenhower is right. Different Presidents have put it in different ways. Mr. Truman had a sign on his desk which said "the buck stops here." Mr. Lincoln canvassed his Cabinet, found them all hostile to his idea, and then declared it adopted.

Decisionmaking by a President is done in many ways, both by commission and by omission. The uniform judgment of the men who have held the office is that the time always comes, to some more often than to others to be sure, when only he can and must decide.

What Mr. Eisenhower did yesterday, whether because of injured pride or for other reasons, was to put in perspective the NIXON role these last years. The truth is that NIXON has been influential, that he has made recommendations, that he has expressed his opinion, and done so forcefully. He has, however, often been overruled by the President on the advice of others.

But the reason NIXON was given this opportunity was not to give him a decisionmaking role, as the GOP would like to have it. It was to prepare him for the Presidency not as a possible candidate but for the very sensible reason that NIXON is next in line in the succession, as Mr. Eisenhower himself noted yesterday.

The ACTING PRESIDENT pro tempore. The time available to the Senator from Alaska, under the 3-minute limitation applicable to the morning hour, has expired.

Mr. GRUENING. May I have 1 additional minute?

The ACTING PRESIDENT pro tempore. If there is no objection.

Mr. GOLDWATER. Mr. President, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Chair will recognize the Senator from Alaska for 3 additional minutes if no other Senator desires to obtain recognition in the morning hour.

Mr. BUSH. Mr. President, I seek recognition in the morning hour, in my turn.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut is recognized.

RECREATION FOR THE AMERICAN FAMILY COMPARED WITH RECREATION FOR THE RUSSIAN FAMILY

Mr. BUSH. Mr. President, in the Wall Street Journal for today appears an editorial entitled "Which Dream?" The editorial commences with a quotation from the works of John Kenneth Galbraith, the distinguished economist who wrote the book entitled "The Affluent Society." In this particular quotation, Mr. Galbraith, takes a very dim view of the American family; but the Wall Street Journal editorial then proceeds to paraphrase the passage by Mr. Galbraith, in which he refers rather critically to the lot of the American family, by referring to the unhappy state of the Russian family. The comparison is extremely interesting; and, therefore, I ask unanimous consent that the editorial be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Aug. 25, 1960]

WHICH DREAM?

The argument that our society is all out of balance—"private luxury amid public squalor"—found one its neatest expressions in this passage by John Kenneth Galbraith:

"The (American) family which takes its mauve and cerise, air-conditioned, power-steered, and power-braked automobile out for a tour passes through cities that are badly paved, made hideous by litter, blighted buildings, billboards and posts for wires that should long since have been put underground.

"They picnic on exquisitely packaged food from a portable icebox by a polluted stream and go on to spend the night at a park which is a menace to public health and morals. Just before dozing off on an air mattress, beneath a nylon tent, amid the stench of decaying refuse, they may reflect vaguely on the curious unevenness of their blessings. Is this, indeed, the American genius?"

We won't inquire how exactly this description may fit your own experience. The point is that Professor Galbraith and his economic students, Senator KENNEDY and the other liberals, mean to redress the balance by vigorous Federal Government action, building up the public sector at the expense of the private sector. They do not stress that such action means moving in the direction of a collectivist or Soviet-type society. So it is perhaps fair to do a bit of paraphrasing:

"The (Russian) family leaves its two-room, air-conditionedless, bathless apartment, with its cracked plaster and exposed wires and stale aroma from the communal kitchen down the hall. Having no car of any sort, they must walk through cobblestone streets, swept by old women, flanked by dreary rundown public buildings and occasional log cabins. They come in due course to the "park of rest and culture," a pleasant oasis of green and flowers, marred only by the giant posters of Lenin, etc., the sleazy clothing of the people, and the drunks.

"Here they eat their unpacked lunch of bread and potatoes. Lacking camping equipment of any kind, they cannot spend the night outdoors here or elsewhere; they walk back home. While trying to get to sleep in the close atmosphere of the room with too many people always in it, they may reflect bitterly on the curious evenness of their afflictions, both public and private. Is this, indeed, the collectivist genius?"

ONE-PARTY CONTROL OF THE EXECUTIVE AND LEGISLATIVE BRANCHES ESSENTIAL TO THE NATION'S PROGRESS

Mr. GRUENING. Mr. President, when objection was made a moment ago—possibly because of the content of my remarks in which I may have helped to debunk a Republican myth—I was about to refer to an excellent cartoon by Herblock, which appears this morning in the Washington Post. In the cartoon the President is shown addressing an audience, with his hand on the Vice President's shoulder; and there is a heading, in quotation marks, in which the President says, "Seldom Has a Candidate Had so Much Experience at Not Being Responsible for Decisions."

The fact is—a fact obviously unpalatable to our Republican colleagues—that Vice President NIXON's alleged great experience, his alleged great participation, his alleged great training for the post to which he aspires—the Presidency—all this has been torpedoed by his chief, President Eisenhower. Surely the President ought to know. And that is the burden of Mr. Chalmers Robert's article which I had just had inserted into the RECORD when a Republican objector cut me off.

In the current issue of the Atlantic Monthly there is an excellent article by John Kenneth Galbraith, the noted Harvard economist. The article is entitled "The Age of the Wordfact," and the purport of the article is that under a new, unprecedented policy inaugurated by the Eisenhower-Nixon administration, unpleasant facts are disposed of by stating that they do not exist.

It is as a result of this Dr. Pangloss policy, this pollyanna policy that the country has been lulled into a false sense of security and kept unaware of the increasingly deteriorating position of the United States in the world. Indeed, Mr. President, some of our friends on the other side of the aisle have admitted as much.

Mr. President, in this situation, the answer is clear: It is time for a change. In fact, the change is overdue.

I ask unanimous consent that the article to which I have referred, entitled "The Age of the Wordfact," be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE AGE OF THE WORDFACT

(By John Kenneth Galbraith)

After the loss of New York and Long Island to Howe in 1776, General Washington, made no effort to picture this misfortune as an important gain for the Continental Army. Lincoln was similarly remiss after the debacle at First Manassas. In 1919 Wilson succeeded in persuading a clear majority of the Senate to vote in favor of the covenant of the League of Nations, although not the necessary two-thirds majority. Nothing whatever was made of this moral victory.

Things are different today. In June of 1960 President Eisenhower returned from a trip to the Pacific which would seem, superficially, to have been an unparalleled disaster of its kind. Japan, which was the principal object of his tour, had been beset by violent riots over the visit, and in the end it had been forced to urge him not to come. With the aid of his press secretary, however, the President was able to report on his return that the trip had been a success. A small number of Communists, acting under outside orders, had made things a trifle sour in Japan. But that was because they knew how powerful was the impression Mr. Eisenhower made on his trips to other lands, and they determined, as a result, that no such impression would be made on Japan. This was not the first time this kind of thing had happened. Two years earlier, Communists in South America had been forced to take similar preventive action because of the overwhelming appeal of Mr. NIXON to the Latin populace.

Some will perhaps conclude from this comparison that Mr. Eisenhower (and also Mr. Nixon and Mr. Hagerty) has a deeper and more perceptive insight into the ultimate meaning of events than did Washington, Lincoln, or Wilson. After all, the battles of Long Island, of Bull Run, and over the League all occurred in wars that were eventually won. Such a conclusion would be wrong. The earlier Presidents operated, in fact, without the help and support of one of the most important modern instruments of public administration. Just possibly they would not have used it, but the issue is academic, for it had not been invented. I refer to the institution of the "wordfact."

The wordfact makes words a precise substitute for reality. This is an enormous convenience. It means that to say that something exists is a substitute for its existence. And to say that something will happen is as good as having it happen. The saving in energy is nearly total.

There is a distinct possibility that the inventor of the wordfact was an editor or a newspaperman. But whatever its origins, it has come to have present-day importance less in journalism than in government. A press that fully accepts the institution is essential to its employment, but one of the principal functions of the modern public leader is to find the language which adequately improves the reality. Where once it was said of a statesman that he suited action to the words, now he suits the words to the action. If past action (or inaction) has failed to produce the desired result, then, by resort to wordfact, he more quickly establishes that the undesired result was more desirable than the desired result.

Lest any of this seem farfetched or complicated, let us remind ourselves of some of the achievements of wordfact in these last years. We agree, of course, that any manifestation of anti-American sentiment abroad is the work of a misguided minority. And until last summer there was no misunderstanding that could not be cured, no resentment that could not be alleviated, no fear that could not be dissipated by a smiling visit of 2 days to the capital of the country. It would then be stated with appropriate solemnity that the visit was a success; the papers would report that it was a great success; the problems then were presumably gone. Perhaps never before in history had diplomacy become so simple.

But not even traveling has always been necessary. By a bold use of wordfact, we were long able to convert South American dictators into bulwarks of the free world, although on occasion it was thought necessary to drive home the point by decorating them. The recent rise of military regimes in Asia is not a setback for democracy. Rather, it reflects the natural and inevitable difficulty in these countries of basing government on the consent of the governed.

Here at home it is no longer easy to think of unemployment as a misfortune. It reflects the introduction of needed and desirable slack in the system. No properly run economy can be without it. The drastic decline in farm income in recent years has become a manifestation of the vitality of the market system. Though farmers have been leaving their farms at an unprecedented rate, the forces making for this migration have been favorably described by the Secretary of Agriculture in a book with the agreeable title "Freedom To Farm." Bad television programs were strongly defended early this year by the Federal Communications Commission as a precious manifestation of the freedom of speech. The networks found this a more than satisfactory substitute for any improvement in their programs. They are said, as a result, to be coming up with autumn offerings of unparalleled banality and horror. One hopes that some Sunday afternoon they will have a statesmanlike salute to the principal modern architects of the wordfact.

However, as an indication of what can be done by skillful deployment of the wordfact, with the aid of an acquiescent press, it is unlikely that any recent event matches that of the ill-fated U–2. Until Francis Powers made his unpremeditated landing, the sending of military or paramilitary aircraft by one country over another without the permission of the latter would have been considered a somewhat provocative act. (Even now the appearance of such planes over the United States would not be regarded with any real warmth and enthusiasm.) To have an aircraft shot down in the course of such an excursion into another country would have been regarded as a serious misfortune from which little comfort or reward of any kind could possibly be gleaned.

Yet in the days immediately following the last flight of the U–2, by the massive use of wordfact all of the relevant circumstances were changed. Flying planes over other countries became a kind of fifth freedom, to be justified, not without sanctimony, by the secrecy of the other country. The information gained justified the danger incurred and the mistrust aroused among our friends. Indeed, the flights would have to continue. The loss of the plane had proved, as nothing else, the weakness of the opposing defenses. The flights were then suspended, and this became an act of wise restraint. At this stage, the information being gathered ceased to be important as compared with the danger involved and the discomfort and mistrust created among our allies.

Such is the service of wordfact in transforming misfortune into fortune. But it has at least an equal value in transforming inaction into action. Thus, for a year and a half now, a Cabinet Committee headed by Vice President NIXON has been dealing with the problem of inflation. This it has done all but exclusively by denouncing it, and so great has been the fury of its denunciation that it has not deemed it necessary to propose any concrete remedies of importance. In recent years, medical care for the aged has become a major political issue. As this is written, both parties in Congress are endeavoring to make a record on the issue. Records are made not by enacting legislation but by indicating an all but uncontrollable desire to enact legislation. Yet there is a difference, which is recognizable to those who are old and ill and faced with a terrible medical bill. Strong statements in favor of school integration and voting rights for Negroes are a widely accepted substitute for progress, and much less complicated in practice. To most congressional and campaign strategists, it would be considered little short of eccentric to inquire what might be accomplished. The important thing is to find the form of words that will satisfy, and if possible inspire, the Negro voters. One imagines, incidentally, that the invasion of the lunch counters by Negro students is related to the discovery that much of the civil rights discussion is purely inspirational.

On occasion, as when Republicans opposed slavery and Democrats favored alcohol, political platforms in the past have been a guide to ensuing action. But these, too, have been taken over by wordfact. In those hammered out this summer at Los Angeles and Chicago, little thought was given to whether the good things mentioned in them could or would be done. It would have been a jarring note had anyone on either platform committee asked: "Are we sure we can keep this promise?" (It was a jarring note at Los Angeles when Paul Ziffren, the California Democratic national committeeman, said that it was less important to write platforms than to get them enacted.) In the case of the platforms, the people appear to be fully aware of the use of wordfact. As a result, they pay them only the most perfunctory attention. It is unfortunate, but words have value only if they have some nexus, however tenuous, with action.

This truth is well illustrated on a global and tragic basis by the discussion of disarmament. Here it is all but taken for granted that no one means what he says, that proposals are made for their effect on public opinion and not on the arms race. And, as a result, people have ceased to pay any attention to the proposals. Civilized survival may in this instance depend on our ability to redeem this problem from the practitioners of wordfact.

But the redemption had better be general. To some extent, of course, it is automatic. It cannot be supposed that the vast verbal fallout of recent years is intrinsically attractive. It is certain to breed a reaction. Convention viewers doubtless saw the beginning of such a reaction this year in the massive inattention that was accorded these wordy proceedings. One sees it also in the tendency to assume, when the Government explains that all is well, that something must be wrong.

In part, the control of wordfact requires only that our leaders be slightly more sensible in their approach to the American people. It would be to their own interest. When President Eisenhower described his trip to the vicinity of Japan as a success, he was fooling no one capable of consecutive thought. He did risk giving the impression that he was susceptible to such nonsensical conclusions. And certainly he revealed an unflattering attitude toward the gullibility of the American people.

This, to some extent, was their—or our—fault. We have come to suffer nonsense gladly, and pompous nonsense far too gladly. Elaborate rationalizations of failure should not be met by bored silence or even by a fishy stare. They should be greeted by loud and vulgar laughter, followed immediately by equally uncouth speeches and letters and, if nothing else is possible, by scribbling on walls. All who proclaim good intentions should be immediately asked for their program as to performance. Speeches of candidates for public office this autumn should be scrupulously clipped and saved—and sent to them at intervals over the next couple of years with a request for a progress report. Four years from now, when the parties meet to write their programs, a large number of articulate citizens must be on hand to inquire what in hell happened to the pious promises of 1960. They should have this year's copies in hand.

Perhaps, having organizations for almost everything else, we should have an organization for enforcing election promises and for fingering the man who imagines that he can make his record with words. At a minimum, however, we must reconstruct our hierarchy of political delinquency. The most serious delinquent, the man now to be marked for extinction even before the Florida freeloader, is the man of any political faith or persuasion whose talk shows any sign of being unmatched by intention. The windy liberal should go, along with the windy conservative, and, as a liberal, I devoutly hope that he will go first. And while dealing kindly with all who confess honest error, we should make a special bipartisan onslaught on any man who defends his mistakes by saying that the unintended was better than the intended and that it was really planned all along.

GRANTS FOR GRADUATE TRAINING IN PUBLIC HEALTH

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 6871) to amend title III of the Public Health Service Act, to authorize project grants for graduate training in public health, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HILL. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Acting President pro tempore appointed Mr. HILL, Mr. YARBOROUGH, Mr. WILLIAMS of New Jersey, Mr. JAVITS, and Mr. CASE of New Jersey conferees on the part of the Senate.

ACCOMPLISHMENTS OF THE REPUBLICAN ADMINISTRATION IN CIVIL DEFENSE AND DEFENSE MOBILIZATION

Mr. HRUSKA. Mr. President, on previous occasions the accomplishments of various facets of the Republican administration have been placed in the CONGRESSIONAL RECORD. No report is perhaps more significant than an accounting of the achievements in civil defense and defense mobilization.

It is usually the case to think of civil defense in terms of aid for local disaster caused by natural forces. But civil defense today assumes a far more pervasive and vital role. It is an integral part of our total defense, designed to meet the challenges of the cold war and the continuing threat of open hostilities.

We need to know what steps are being taken by our Nation to survive any trial that may come in the years ahead. For this reason, Mr. President, I ask unanimous consent to insert in the RECORD at this point, a report on the progress of our civil defense and defense mobilization program.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ACCOMPLISHMENTS OF THE REPUBLICAN ADMINISTRATION—CIVIL DEFENSE AND DEFENSE MOBILIZATION

As this session of the 86th Congress nears adjournment, it would be useful to take a few minutes to review the accomplishments of the Republican administration in a field of vital concern to the safety and security of America.

This is the Nation's civil defense and defense mobilization.

In the past, the tendency has been to regard this crucial activity as a piecemeal effort to form voluntary groups trained to cope with any emergency that might arise. This is no longer the case. While individual effort is needed as never before, our obligation goes far beyond such efforts. The realities of the thermonuclear age impose upon America the requirement for a home defense that is tightly and efficiently organized from the President of the United States down through every level of government to the individual citizen.

It is not necessary to dwell on the dangers of nuclear attack. Nothing is more apparent that the fact that hydrogen weapons coupled with modern delivery systems could carry a nuclear war to our backyards.

Our home defenses serve another purpose. With each improvement in the ability of our people, our institutions, and our industry to survive, our deterrent strength

grows and the prospect of a surprise assault lessens. In a word, civil defense is a vital component of total defense. A potential enemy convinced of our second strike capability and of our people's determination to recover and win is less likely to launch an attack.

Moreover, a potential enemy so persuaded is less likely to use the threat of force at the conference table. Nuclear blackmail cannot work against a united people determined to stand on principle and ready to fight for what is right and just whenever necessary.

Despite our best efforts to insure the peace, attack could come by miscalculation, madness, or accident.

In a world filled with tension and peril, we cannot rest until our home defenses are sufficiently advanced to assure survival for the American people.

That is why our country can take pride in the sizable progress made in strengthening our home defense.

The record is impressive:

1. The National Plan for Civil Defense and Defense Mobilization was promulgated by the President in October 1958. It clearly sets forth the mission and, step by step, relates how it is to be accomplished and by whom. This one document with its 39 annexes is the blueprint for survival and recovery. It is the model for all State and local government plans. Each State now has a survival plan, developed with Federal assistance; 240 of our great cities and more than 2,300 counties and communities also have survival plans.

2. At administration request, the Congress provided funds for Federal assistance to the States and local governments to hire full-time well-trained civil defense personnel. These funds will strengthen the very heat of civil defense, the State and local governments.

3. We have an excellent warning system. As soon as an enemy attack is detected by North American Air Defense Command, we can today warn 376 critical points throughout the Nation within 15 seconds. This is being expanded to 500 points.

4. Our communications network is excellent. Not only do we have wire communications, but the same is being backed up by radio to all States.

5. Preparations for continuity of government have progressed satisfactorily. The survival of the Nation could well depend on the ability of government to lead and direct in case of an emergency. To assure this capability, all governments are encouraged to establish lines of succession for key personnel, provide safe storage of essential records, establish protected alternate sites and make full use of all government personnel, resources and equipment for emergency operations—38 States have already taken action.

6. We have in our emergency stockpile approximately $225 million worth of medical and engineering supplies, and over 2,000 emergency hospitals. This stockpile is to be materially increased within the next few years.

7. At this time, we have over $8 billion worth of materials in our strategic stockpiles to be used in the recovery action. In addition, we have an ample stock of food in the Commodity Credit stockpiles.

8. Planning and action are based on the sound principle that responsibility for civil defense rests squarely on governments at all levels, industries and people.

9. Information and training have been greatly accelerated:

(a) In the past 2 years, $100 million in TV and radio time, and other news media have been provided at a cost to the Government of less than $1 million.

(b) Adult education includes civil defense instructions in seven States.

(c) Civil defense is being taught in 15,000 high schools and colleges, with 2 million students receiving this instruction during the last school year.

(d) An emergency civil defense handbook has been distributed to every household—over 40 million.

All of these achievements reflect the new importance assigned to civil defense in the highest councils of Government.

A major aspect of this new drive to prepare the American people for any emergency has been an accelerated program to develop protection against fallout. On May 7, 1958, the administration announced a national shelter policy aimed at saving millions of American lives. Exhaustive tests and studies, and the evidence of the most respected scientific groups in America including the National Academy of Science, the Bureau of Standards, and the American Medical Association, had confirmed the need for fallout shelter. It is the one proven method of protecting the individual and his family from deadly radiation.

The national shelter policy places responsibility on the individual to provide his own shelter. The Federal role is limited to education, example, and leadership. This program has been pursued vigorously and it is obtaining wide acceptance. Most national organizations fully support it.

Not long ago the average citizen, when confronted with the facts of nuclear life, threw up his hands in despair. With the shelter policy pursued vigorously in the last 2 years this attitude has changed. Today, the average American knows that something can be done to protect himself and his family. The result is that thousands of shelters are being built throughout the country

A recent Gallup poll confirmed this new public response. This survey showed that 71 percent of the people favor fallout shelters and 38 percent are willing to spend up to $500 in building such a shelter.

But they needn't spend that much. A family fallout shelter can be built for as little as $100, and plans are available.

The administration has encouraged widespread shelter construction in very practical ways. The Housing and Home Finance Agency now cooperates with building contractors and private individuals for the provision of shelter in all types of new housing, and the FHA will insure installment loans for family shelter construction under its home improvement program.

Additionally, the administration has begun a prototype shelter program which places these demonstration units in each State, most major cities, and many rural areas.

Studies and surveys have been intensified to design shelters for every kind of building, and existing structures are being assessed for their potential value as shelters. To date, these surveys show conclusively that there are adequate shelter spaces in existing structures for over 25 percent of our people.

Shelter can also be provided in new and existing Federal buildings. Funds to permit this construction are being requested by the administration under the annual Independent Offices Appropriation Acts.

The solid progress toward a sturdy home defense achieved in the Eisenhower administration speaks for its vision in recognizing the long-term character of the perils we face today. As long as nuclear assault is possible we must pursue with unabated vigor and resourcefulness the achievement of an effective civil defense.

Our heritage as a free people who place a transcendent value upon human life, and our unshakable will to defend our land and liberty at all sacrifice, demand that civil defense and defense mobilization be assigned high priority in these troubled times.

This we have done. This we pledge to continue to do in the next administration.

FARM LEGISLATION

Mr. HRUSKA. Mr. President, the Senator from Nebraska heard the discussion on the floor earlier today with respect to adjournment and the passing comment on farm legislation, and especially on the wheat bill, as one of the subjects needing immediate action and immediate attention of the Senate.

May I suggest that it is a subject which should be accorded more than passing interest. I read from an article which appeared in the Denver Post on July 15, 1960, written by William M. Blair, of the New York Times News Service:

> Senator JOHN F. KENNEDY has promised to introduce in Congress next month an emergency farm bill to attack what he called the No. 1 domestic issue.
>
> He asserted that January, when a new administration takes office, was too late to write legislation aimed at bolstering falling farm income and farm prices.
>
> Speaking to North Dakota delegates to the Democratic national convention, he said his staff already was at work on a farm bill that would guarantee farmers full parity income.
>
> He gave no details, but he supported the farm plank in the party platform submitted to the Democratic national convention.

On August 21, that same Senator, the junior Senator from Massachusetts, was in Des Moines, attending a farm conference there. A news article from Des Moines on that date states that—

> Senator KENNEDY outlined a farm program for a new Democratic administration. However, it was largely repetitious of the Democratic party's platform and was stated in general terms.

In the meantime, there has been no bill submitted by the Democratic candidate for the Presidency, nor is there anything of any more concrete form than that statement.

At that conference in Des Moines there was reference to the fact that in 1954, in that same city, the Republican nominee for the Presidency made the statement that history would record Secretary Benson as the greatest Secretary of Agriculture. There was a charge, at an earlier time, of betrayal by the Republican nominee of Secretary Benson, and so forth, because of the alleged change of position of Vice President NIXON in the field of farm policy.

Mr. President, I ask unanimous consent to have inserted in the RECORD at the conclusion of my remarks an editorial entitled "A Lack of Beliefs, Indeed," from the St. Louis Post-Dispatch.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HRUSKA. In that editorial it is pointed out that:

> In 1954 Senator KENNEDY voted with the Republicans for the Benson flexible price support formula on five basic crops at a time when the Democrats were opposing it, 35 to 10.
>
> In 1956, he voted with the Republicans to delete from the farm bill a provision calling for return to 90 percent of parity price supports—an amendment which the Senate Democrats opposed, 35 to 13.
>
> Again in 1956, Senator KENNEDY took his stand with a majority of Republicans to vote

against the bill establishing 90 percent price supports for 1 year and setting up the soil bank. In this case he was one of only four Democrats opposing the bill.

Since 1957—

The editorial says—

when Senator KENNEDY began eyeing the Presidency in a serious way, he has been more friendly to the orthodox Democratic approach to farm policy.

The editorial concludes by saying:

Would they not both (NIXON and KENNEDY) contribute more to an enlightening campaign by forgetting about the past and addressing themselves to the drafting of an effective and just farm policy for the future? Senator KENNEDY's call for a farm conference August 21 to work out long-range plans for legislation is much more promising than his spurious concern over Mr. NIXON's "betrayal" of Mr. Benson.

I read again from the article written at Des Moines at the time of the farm conference:

Senator KENNEDY outlined a farm program for a new Democratic administration. However, it was largely repetitious of the Democratic Party's platform and was stated in general terms.

In short, with a virtual 2 to 1 Democratic lead in each House, just more of talk and promise, talk and promise, without action. The American farmer will note this well in light of recent pledges to sponsor, introduce, and act on a farm bill during this session of the Congress.

Mr. President, I yield the floor.

EXHIBIT 1

A LACK OF BELIEFS, INDEED

Senator KENNEDY struck a stern moral stance in accusing Vice President NIXON of a "lack of basic beliefs" on farm policy, but his criticism would have carried more weight if his own record on this subject had been more consistent. Not until he began running for the Presidency did Senator KENNEDY become the fierce foe of Ezra Taft Benson policies that he now professes to be. As a matter of fact, a good many of his Senate votes prior to 1957 show that he was, just like Vice President NIXON, in sympathy with the Benson approach at the time.

Thus in 1954 Senator KENNEDY voted with the Republicans for the Benson flexible price support formula on five basic crops at a time when the Democrats were opposing it, 35 to 10.

In 1956 he voted with the Republicans to delete from the farm bill a provision calling for return to 90 percent of parity price supports—an amendment which the Senate Democrats opposed, 35 to 13.

Again in 1956 Senator KENNEDY took his stand with a majority of Republicans to vote against the bill establishing 90-percent price supports for 1 year and setting up the soil bank. In this case he was one of only four Democrats opposing the bill.

Since 1957, when Senator KENNEDY began eyeing the Presidency in a serious way, he has been more friendly to the orthodox Democratic approach to farm policy, which as embodied in the 1960 platform includes a pledge of 90-percent price supports. And of course he now denounces the Benson program roundly as a disastrous failure, recalls that Mr. NIXON defended Mr. Benson and his policies before winning the Republican nomination, and piously remarks that "election day conversions are not an indication of conviction."

True enough, but we would say that on farm policy there is a certain amount of election day conversion on both sides. Mr. NIXON, in trying to liberate himself from the Benson policies with which he has so long been identified, cuts just as amusing a figure as Senator KENNEDY does. Would they not both contribute more to an enlightening campaign by forgetting about the past and addressing themselves to the drafting of an effective and just farm policy for the future? Senator KENNEDY's call for a farm conference August 21 to work out long-range plans for legislation is much more promising than his spurious concern over Mr. NIXON's "betrayal" of Mr. Benson.

REPEAL OF THE CONNALLY RESERVATION

Mr. DODD. Mr. President, the July issue of the American Bar Association Journal contained a powerful argument against the repeal of the Connally reservation written by Alfred J. Schweppe.

Mr. Schweppe's article deals perceptively with many facets of this question. He reminds us that the basic integrity of the International Court of Justice is undermined by the presence of judges from Communist nations, judges who, as Communists, accept the dictum that anything which advances the cause of communism is right and just, and anything which hinders that cause is wrong and unjust.

This is a point that has long troubled me with respect to repealing the Connally reservation which allows our country to decide what matters involving it will be adjudicated by the International Court of Justice. The number of Communist judges on this Court will doubtless increase in the years ahead and we in the Senate should take a long and sober look at any action which would place the legitimate interests of our country at the mercy of an International Court whose decisions are considerably influenced by Communist participants.

Mr. Schweppe's article raises many other valid points which we must carefully consider before reaching a decision on this matter and I ask unanimous consent that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CONNALLY RESERVATION SHOULD NOT BE WITHDRAWN

(By Alfred J. Schweppe)

The withdrawal of the Connally reservation has been well described by Mr. Raymond Moley in Newsweek of February 22, 1960, as "legal disarmament"—as disastrous at this juncture as would be military disarmament. That brilliant expression states the case in a nutshell.

Actually, in the light of recent events, a discussion of the Connally reservation[1] to the World Court treaty seems wholly academic.

If there was ever any basis for the idea, certainly there would seem to be no doubt today that the U.S. Senate should not withdraw the Connally reservation. In the absence of that reservation a question which the United States deems a domestic question could be determined by the International Court of Justice, "the principal judicial organ of the United Nations" (art. 92), to be an international question by a vote of the two incumbent judges from Communist Russia and Communist Poland, although these countries have held themselves immune from the jurisdiction of that Court. I am sure that the U.S. Senate can be counted on to look after the best interests of the United States, in view of the clarification of international attitudes in recent weeks.

In appraising the utopian goal of world peace through law, we must not overlook that most major wars have arisen over issues that are not justiciable. Certainly the immediate cause of World War I, the assassination at Sarajevo of an Austrian archduke in July 1914, and the subsequent Austrian demands for apology and punishment were not justiciable issues. Hitler's invasion of Poland over the Polish Corridor, which had been legally established by treaty, did not raise a justiciable issue. The Korean police action did not arise over a justiciable issue. It would seem then that our enthusiasms for world peace through law must be presently narrowed by the realities of world history and human conduct.

The dream of world peace through law is not something new invented in 1958 or 1945. It is many centuries old and constitutes one of the eternal yearnings of much of mankind in a world in which the war method of settling disputes has been a major business for centuries.

PEACE THROUGH LAW ONLY ATTAINABLE BY WORLD GOVERNMENT

However, the noble objective of world peace through law, in my opinion, is not attainable (1) until all war, whatever the provocation, is outlawed—made completely illegal just as simple assault and battery is illegal and justiciable on the domestic scene, (2) until all nations agree to this concept, (3) until all other nations believe that each nation so agreeing will accept world court judgments and has disabled itself from doing anything else, and (4) until there is a worldwide enforcing agency undoubtedly capable of enforcing such judgments—in short, a complete world government, functioning with essentially the same authorities and sanctions as our own government in respect of each of its citizens.

That time is a long way hence, if it ever arrives.

In order to grasp the full import of the withdrawal of the Connally reservation the citizen should seek the answers to two questions: first, who will be the judges, and, second, what will they judge?

THE WORLD COURT JUDGES

All of the members of the United Nations are ipso facto parties to the statute creating the court and the representatives of each are eligible for membership on the court.

The World Court consists of 15 judges. The election of judges is made by an absolute majority of the Security Council and the General Assembly of the United Nations. Judges hold office for 9 years and may be reelected. Only one judge may be elected from any member country. The United States now has one member. The Iron Curtain countries now have two members, those from the U.S.S.R. and from Poland. There is no limit to the number of judges who may come from the Iron Curtain countries other than the number of judges on the court and the number of Iron Curtain countries. If Red Communist China is admitted to the United Nations, its representation on the World Court would almost certainly follow expeditiously, for those exponents of membership who

[1] In accepting voluntarily by treaty the compulsory jurisdiction of the International Court of Justice in 1946, the United States excluded from its acceptance "disputes with regard to matters which are essentially within the domestic jurisdiction of the United States as determined by the United States." The last six words were added on motion of Senator Connally of Texas and passed by a vote of 51 to 12 on Aug. 3, 1946.

volubly insist that 600 million Chinese cannot be ignored by the United Nations would be equally voluble for representation on the World Court for a people representing 25 percent of the world's population. A somewhat different logic would be advanced on behalf of, say, Ghana.

The member from Great Britain, Sir Hersch Lauterpacht, Q.C., having died in May 1960, the present membership of the Court is 14, as follows: Norway, Pakistan, France, United States of America, Poland, United Arab Republic, Uruguay, U.S.S.R., Argentina, Mexico, Nationalist China, Greece, Australia, and Panama.

THREE TYPES OF JUDGES

While it is futile to try to forecast the formation of the World Court country by country in the future, it may not be idle speculation to suggest to the inquiring citizen that he judge the possibilities and probabilities of the court including at all times individuals possessing the following qualifications:

A. A type of judge devoted to the highest principles of jurisprudence, incorruptible, above all improper influence of any nature, whose decisions will always be those of a jurist, not a legislator.

B. A type of judge, well intentioned and conscientious as a man, but capable of being influenced by the consequences of any decision into entering the field of legislation if he feels strict adherence to the law will in his opinion have unfortunate results.

C. A type of judge who is not his own master, but bound to follow, in some or all fields, outside forces to whom he is in some manner beholden.

It should be difficult to convince the American citizen, who has recently observed all of these three types of judges on certain American courts, that these same type will not also be found in the World Court. As to the proportion of each type to be expected, who could possibly speak with assurance?

COMMUNIST JUDGES WON'T DECIDE AGAINST COMMUNIST INTERESTS

However, no one will seriously pretend that at the present time there are not at least two grade C judges on the Court. Whatever may be the personal qualifications of representatives of the Iron Curtain countries, is it conceivable that they could decide against the vital interests and advantages of the Kremlin or miss any opportunity to embarrass the United States in any issue of importance? Imagine, if you will, in the present state of world tension a situation in which the two grade C judges have the deciding vote on a question of jurisdiction of matters involving the United States before that Court, which the U.S.S.R. ignores and to whose processes it is immune. To ignore these realisms seems a blind idealism. Surely we cannot expect these judges to defect to the free world, which would be the only safe way in which they could protect themselves from reprisals were they to attempt independence.

WHAT IS TO BE JUDGED

The repeal of the Connally reservation will throw into the hands of the World Court Justices the question as to what matters are essentially within the domestic jurisdiction of the United States and what matters are essentially foreign or international in nature and proper subjects for their adjudication. However well defined this distinction between domestic and foreign affairs may be in the mind of the citizen, he must not forget that his own judgment is quite irrelevant and ineffective. The World Court judges will be interpreting the terms "domestic" and "foreign" in the light of conditions of 1960 and beyond. The significance of submission of American affairs to a World Court under current conditions must not be approached as if this were 1907, 1920, or even 1946. Certain developments have come to light in the last decade which have effectively removed the issue of expanding the World Court's powers from the exclusively international field and have rendered the issue one of involving a revolutionary reformation of our entire constitutional system and a surrender of sovereignty.

THE STATE DEPARTMENT DECLARATION OF 1950

In the spring of 1951, the writer was paying a visit to the State Department in Washington to hear a lecture in the company of that distinguishd international lawyer and scholar, the late Dr. George A. Finch, of Washington, D.C., then editor in chief of the American Journal of International Law, and who was then, along with the writer and others, on the American Bar Association's Committee on Peace and Law through United Nations. During this visit the writer quite accidentally encountered a pamphlet which had been published only a few months before by the State Department for wide distribution.

The opening sentence of this publication froze his attention: "There is no longer any real distinction between domestic and foreign affairs." This astounding pronouncement can be found in Department of State Publication 3972 "General Foreign Policy Series 26," September 1950, with a foreword by President Truman. It was published in the report of the American Bar Association's committee on peace and law for September 1950, as indicating that apparently the State Department considered all essentially domestic subjects within the treaty power. 76 A.B.A. Rep. 225, 228–9.

Now in 1960 let the inquiring citizen read the State Department pronouncement and satisfy himself as to whether it will not be taken literally by the 15 judges on the World Court whether they be grade A, grade B or grade C. Certainly the authority of the American State Department could not be surpassed as determinative of what matters are domestic and foreign in the judgment of the World Court.

"There is no longer any real distinction between domestic and foreign affairs," says the State Department. This is definitely a statement against interest. The State Department has never retracted this pronouncement. Any attempt now to avoid the impact of these words, whether it be through interpretation, retraction or repudiation, obviously will come too late to influence the World Court. It would now be a strictly self-serving retraction.

Speaking bluntly, those Americans who favor withdrawal of the reservation are willing to submit all of our American affairs to an international court of 15, composed of representatives in part of our enemies, in part of a few friends, in part of lukewarm allies, in part of Moslems, at least in part unfriendly and with a totally different legal background, and in part of nations jealous of our world position, a majority of whom, without any discredit to them, have no genuine conception of the values and system of rights that we believe in and consider strictly our own business.

U.N. HAS INVADED DOMESTIC JURISDICTION

Aside from this foreign policy series declaration of the State Department in 1950, it cannot have escaped anyone's notice that the United Nations itself, of which the Court is the principal judicial agency, under an identical restriction against dealing with matters essentially within the domestic jurisdiction of a member state, has invaded numerous areas generally deemed by us to be domestic. Can the Court be expected to go in a contrary direction?

To those who say that the Court will be careful about our rights—confidence in man, which Jefferson decried—the answer is that the concept of judicial self-restraint has not worked in the United States in areas where the law has been long considered settled. Witness, for example, what has happened judicially to such concepts as intrastate commerce and States rights. So how can judicial self-restraint be expected to work with a tribunal of unlimited power composed as is the World Court in an area where there are no settled criteria at all? One hesitates to think what the World Court would do to the word "domestic." There is absolutely no control over what it declares. Imagine what will happen to the domestic jurisdiction of the United States.

One needs only to read the learned work of a recently deceased member of that Court, his recognition of the absence of generally accepted law, the element of judicial discretion and the possibilities of judicial legislation, to realize the grave dangers of unlimited submission to the jurisdiction of that Court.[2]

Americans abhor unlimited power anywhere. The adjudicating power of this World Court, if invested with plenary jurisdiction over all of our affairs, is much greater than that of the Supreme Court of the United States, whose judgments can be at times offset by corrective congressional legislation, always by constitutional amendment (*Chisholm* v. *Georgia* and the 11th amendment; *Farmers Loan & Trust Co.* case and the 16th amendment), whose original jurisdiction is minor and whose appellate jurisdiction is in the hands of Congress to be enlarged or narrowed at will (art. III), and which, according to Mr. Dooley, even reads the election returns. The judgments of the World Court are subject to no such corrective measures. It speaks from Olympus. Its judgments must be taken as rendered.

To those who say, like Senator HUMPHREY, former American Bar Association President Charles Rhyne, the association's section of international and comparative law, and others, that if the court renders a decision that we think is wrong, we can exercise our veto power in the Security Council (the enforcement agency), one may answer by asking what kind of international morality is that—the recommendation that we repudiate in the Security Council the judgments of the World Court, whose compulsory jurisdiction we will have been persuaded to accept? One has difficulty in apprehending this suggestion. One may hope that our enemies behind the Iron Curtain who have resorted to the veto so many times will not be too encouraged by this incredible proposal. It underscores, of course, the fact that any judgment of the World Court is beyond all possibility of appeal. To counteract this grim reality it is blandly asserted that the American Nation can repudiate its obligations whenever they are distasteful by a resort to the veto procedure of the United Nations. And this suggestion is made in the face of the internationalist creed that the World Court will make world law, and that we must lead in its acceptance. Actually those who now emphasize this method of escaping the judgments of the court will be among the first to insist that in good faith it cannot be used.

Let all American Senators and all other citizens face the fact that once we have eliminated the Connally reservation, and committed ourselves to the mercies of the World Court, there can be no retreat with both peace and honor.

The sponsors of withdrawal assure our U.S. Senators and the rest of us of another escape route. We are told that under the U.S.

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[2] Sir Hersch Lauterpacht, Q. C., "The Development of International Law by the International Court," London, Stevens & Sons Ltd., 1958, 400 pages.

adherence it may terminate its entire declaration of adherence, including its acceptance of jurisdiction, on 6 months' notice.

This is an astonishing suggestion from persons who profess to be so deeply concerned with high principles of world leadership for the United States. If these principles are such as now to impel this Nation voluntarily to subject itself to the plenary powers of this World Court, how can it ever, consistent with these principles, withdraw from its commitment, no matter what the provocation?

THE SELF-INTEREST ARGUMENT BACKFIRES

It is argued that the reservation should be withdrawn as a matter of self-interest. It is said that the reservation prevents litigation of many matters of interest to the United States and its nationals, because of the reciprocal principle established by the court that a nation having a reservation like ours, if it sues a nation having no such reservation, may suffer dismissal of its case. To illustrate this argument, reference is made to the case of certain Norwegian loans, wherein France instituted an action against Norway because of Norway's refusal to pay in gold, gold obligations or bonds marketed in France. It is intimated that the court would have had jurisdiction of this case except for Norway's invoking the French reservation. The trouble with this argument is that it backfires, for the question of whether Norway had a right to repudiate payment of Norwegian bonds in gold appears to be a domestic matter and one for the Norwegian courts. It would seem that a nation has the right, as a domestic matter, to protect its financial stability without rendering itself internationally liable. Most nations, including our own, have indulged in repudiating gold clauses for domestic reasons.

RECIPROCITY DEVICE MUST BE USED IN GOOD FAITH

But whether the question of such loans is domestic or international, the result is the same. If truly domestic the international court would have no jurisdiction. If the question is demonstrably international under recognized principles of international law, then such a defendant would be improperly using the protective reciprocity device developed by the international court. As respects the United States, it cannot complain and is not concerned when the defendant invokes the domestic jurisdiction claim in a proper case, because it has retained the same right and the court would have no jurisdiction anyway. When a defendant nation invokes the domestic jurisdiction claim in a demonstrably improper case, and cannot be induced to change its position, it simply proves that such a defendant is not ready to deal maturely and in good faith on truly international claims. The United States and its nationals can well afford to take the risk to find this out. Until the United States improperly invokes the domestic jurisdiction claim, no other nation is in an honorable position to do so. It must be assumed that the United States will weigh each instance with meticulous care, and listen avidly to all arguments on the nature of the question submitted. The United States as a government in the area of international claims can certainly take care of itself. And U.S. nationals doing business abroad have carefully appraised the risks and have presumably protected themselves without regard to whether any of their claims are enforceable in the international court, and are satisfied with the stability and honor of the nations where they are doing business, and with the courts of the forum. The so-called argument of self-interest on the part of the United States is far outweighed by the benefit of retaining the Connally reservation.

To those who say that the risk is small, as does the American Bar Association's section of international and comparative law, it may be answered that they admit the existence of risk. Risks should not be taken with the domestic interests of the United States before such a tribunal.

The United States is a unique country. It has a unique Constitution. It holds a unique position in the world. It is by no means requisite that the United States follow other governments, who have either made no reservation or abandoned one previously made. Our stakes in maintaining the integrity of our position are high. We cannot expect anyone other than the United States to look after its interests. If the United States were the only nation making such a reservation, it would certainly in the present posture of world affairs be justified.

Americans may look to their own Constitution as well to learn why the Connally reservation should be preserved. By relinquishing this reservation we would permit the sovereignty of the United States to be substantially impaired. In effect, we would be giving to an international tribunal, without right of appeal or other redress, power to decide questions arising under the U.S. Constitution that might affect our country, its several States, and each of us in a manner contrary to that contemplated by the Constitution. The Founding Fathers might have welcomed the submission of truly international questions to a World Court on a case-by-case basis, or on a treaty-by-treaty basis where the international character of the issue is clear in advance. They certainly never contemplated an unqualified blanket release of sovereignty of the kind that would occur with the withdrawal of the Connally reservation. It is surely open to question whether the Senate should assume such power under the Constitution as it is now written.

SELF-JUDGING—ONLY A SLOGAN

The proponents of withdrawal seek to disparage the Connally reservation by indiscriminate use of the word "self-judging." It is demonstrably a sloganizing maneuver. The United States was under no obligation to submit any controversies to the World Court. When it chose to submit some controversies but not others it was entirely proper to define, in any manner it chose, the extent of such submission. The declaration that it would not submit any controversies judged by it to be within the domestic jurisdiction of the United States was an honest, forthright statement. Subsequent events have demonstrated to many thoughtful Americans, whatever their sentiments may have been at the time, that the reservation was prophetically wise. The judgment of the United States that a controversy lies within its own domestic jurisdiction cannot be regarded as a judgment in its own favor in a case actually being litigated, which seems to be one of the implications suggested.

The reservation has not been a deterrent to the use of the World Court on truly international issues. The United States has submitted cases involving international disputes and abided by the Court's decisions. Nations which sincerely believe in the peaceful adjudication of international problems of a justiciable nature and want to use that Court are free to do so. Nor has it been established that America will use its reservation unfairly. If the United States cannot be trusted to be fair in this matter, how, from our standpoint, can more trust be reposed in this international tribunal?

The chief result of the reservation has been to retain in American hands jurisdiction over issues that are best decided by Americans.

It is true, perhaps, that resort to the court on genuine questions of international law does not occur as often as some of us might wish. However, the reason seems to rest largely on the widespread current belief that international problems of consequence should be settled at the diplomatic level by way of summit or comparable conferences, and not at the judicial level. The Suez Canal treaty, for example, might have made a justiciable case for the court, but instead, the resort was to diplomacy. It may be that the Berlin issue is of a justiciable nature; but it will doubtless not be settled in the World Court. Certainly, so long as the Communist nations refuse to use the court, the settlement of great international issues at the judicial level—world peace through world law—is not capable of realization.

RESERVATION IS CONTINUATION OF MONROE DOCTRINE

In fact scholarly research has demonstrated that the Connally reservation is completely consistent with our foreign policy beginning with the Monroe Doctrine, namely, that the United States has consistently reserved the exclusive right to pass on what have been called in official language "American questions".[3]

Is there then no hope for the increased use of law in resolving international disputes?

Definitely there is. The goal is well worth working for and working hard. But we must not make the Utopian move of jumping too far too soon. The question is one of means. We were closer to world peace through law in 1909 by virtue of The Hague conferences and of voluntary submissions to international tribunals than at any time since.

WORLD IS NOT READY FOR COMPULSORY COURT

The writer's belief is that we will have to go through a long period of voluntary submissions of problems to the World Court, either on a case-by-case basis, or on a treaty-by-treaty basis, or both, before the world is conditioned to accept a greater degree of world peace through law than now exists. In the writer's judgment, we must attain at least a relatively calm atmosphere of legal settlement of international problems such as prevailed just prior to World War I (and this must include the Communist nations, without whom world peace through law is an utter impossibility) before we are ready to consider compulsory jurisdiction of any World Court, however constituted.

After all, the concept of peace through law contemplates maintenance of the status quo except as changed by orderly legal processes, either of legislation or of adjudication, or both. The brutal fact is that we are living in a world in which much of its population is dissatisfied with the status quo and is not willing to wait for orderly legal change but is prone to resort to revolution and the use of force.

We might as well look squarely in the face the cold fact that at the present time the sovereignty of the United States should not be impaired in favor of an idealistic and illusory concept, even if, for the moment, one were to concede that the Constitution as now written admits of such a relinquishment of sovereignty by Senate action. Our efforts should be directed toward gradually bringing back to this greatly troubled world a genuine respect for international law and order such as existed prior to Wold War I, and to further the cause of world peace through law in that direction. This will take time and may be impossible of accomplishment if the Communist nations continue the practice of making agreements

[3] Miss Eleanor R. Finch, a Washington, D.C., lawyer, widely versed in international law, has furnished the writer with a monograph prepared by herself which establishes the substance of this paragraph.

only to gain time and then to break them at will. However, until then, the domestic affairs of the United States should not be risked with an international tribunal such as the present World Court.

Back in 1947, organizations such as the house of delegates of the American Bar Association recommended withdrawal of the Connally reservation. However, the international scene has changed so radically since those honeymoon days of relative harmony that the same association has disapproved of numerous proposed United Nations treaties as impinging improperly on the best interests of the United States. With all of the disillusionments and disappointments in the international field since 1947, changed conditions warrant a reexamination.

It is true that, more recently, in 1959, a committee of the section of international law of the association has urged in a published report (since approved by the section itself) the withdrawal of the Connally reservation "at the first favorable opportunity." The committee report and section approval do not represent action of the association itself. Association action is that of the house of delegates before which reconsideration of the 1947 recommendation is now pending. The section's committee adds that "its withdrawal would have broad international ramifications involving problems beyond our competence. Accordingly, we express no views as to the manner and timing of the withdrawal."

The writer suggests that the problems will also have broad domestic ramifications. These should be weighed with the most searching discrimination before any action is taken to withdraw the reservation. In the writer's opinion the time to do so has not arrived.

CALL OF THE CALENDAR

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

Under the previously agreed to unanimous consent arrangement, the clerk will call the calendar——

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KEATING. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. PASTORE in the chair). Without objection, it is so ordered.

Pursuant to the order previously entered, the clerk will proceed to a call of the measures on the calendar to which there is no objection.

The clerk will state the first measure on the calendar.

COMMISSION ON PRESIDENTIAL OFFICE SPACE—BILL PASSED OVER

The bill (S. 3524) to provide for a Commission on Presidential Office Space, was announced as first in order.

Mr. KEATING. Over, Mr. President, by request.

Mr. CASE of South Dakota. Mr. President, will the Senator withhold his objection for a moment, so that I may make a brief statement?

Mr. KEATING. I am happy to withhold my objection.

Mr. CASE of South Dakota. Mr. President, the Senator from South Dakota is aware of the fact that there are Senators who believe the additional office space needed for the White House staff should be provided by a remodeling of the present building known as the Old State, War, and Navy Building. The Senator from South Dakota is not opposed to that position particularly. He thinks it would be desirable to have an authorization passed at this session of Congress for the additional office space needed for the Chief Executive.

The reason is that if a new President should come to the Congress and propose an authorization, it might be subject to the objection or to the criticism that he was seeking to aggrandize the office. It is the hope of the present administration, which is obviously going out, that an authorization can be created.

The Senator from South Dakota, therefore, after consultation with members of the committee and of the staff, has drafted an amendment. He merely wishes to read it for the information of the Senate at this time, in the hope that those who have been concerned as to the possibility that the bill, if passed as originally drafted, would result in the demolition of the Old State, War, and Navy Building, will be satisfied.

The amendment would read: "At the bottom of page, at the end of line 11, strike the period, insert a semicolon and the following:

Provided, That proposal (a) of said report shall be modified to provide for renovation and remodeling of the old State, War, and Navy Building to provide the additional Presidential office space.

I recognize that the bill hardly can be passed at this time, considering the objections registered with the committee, but I should like to have those who are concerned about the matter consider the amendment. Possibly the House, the committee, and the objectors may agree later to having the bill considered on motion, with the amendment.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield to the Senator from New Mexico.

Mr. CHAVEZ. Do I correctly understand the Senator from South Dakota to mean that if the amendment is agreed to by the Senate he will have no objection to the consideration of the bill at the present session of Congress?

Mr. CASE of South Dakota. That is correct. In fact, I hope it may be considered.

Mr. CHAVEZ. I should like to ask the Senator what objections have been made to the creation of the Commission recommended by the committee. I believe the Senator heretofore served as a member of the Building Commission.

Mr. CASE of South Dakota. I do not think I was a member of the Commission.

My understanding is that objections have been filed with the committees on both sides of the aisle. As nearly as I can determine the nature of the objections, they are based upon the probable demolition of the Old State, War, and Navy Building to provide the site. I had merely hoped that if we provided for the authorization, as stated, it would overcome the objections.

Mr. CHAVEZ. I am in favor of the Senator's amendment. I think the Senator is correct. I know that no matter who is elected to be the new President, there is no question whatsoever about the need for additional office space.

Mr. CASE of South Dakota. Mr. President, the Senator from New Mexico is eminently correct. The Congress has provided additional space for its requirements in the last few years. We have provided a second House Office Building, a third House Office Building, and a second Senate Office Building. Despite this, the President, with all the manifold duties and responsibilities which now adhere to that office, is confined to the cramped and crowded quarters in the wing of the White House at the present time.

Mr. CHAVEZ. I was mistaken in thinking that the Senator was a member of the Commission heretofore. That was the Senator from Nebraska [Mr. HRUSKA], who was the other Member of the Senate on the Commission, who served with some of the House Members. The Commission was headed by Mr. Fleming of the Riggs National Bank.

Mr. Floete belonged to it, and several other officials of the Government. There is no question as to the need. Therefore, I hope that the objectors will accept the Senator's amendment, because I feel as the Senator does about the demolition of the Old State, War, and Navy Building.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KEATING. Mr. President, I am very sympathetic with the views expressed by my friends from South Dakota and New Mexico. I think they made effective arguments. They will appreciate, however, I am sure, that objection was filed with me, and I am acting in a representative capacity. In that position, I am obliged to object.

The PRESIDING OFFICER. Does the Senator from South Dakota [Mr. CASE] desire to file his amendment, or to have it printed and lie on the table?

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that the amendment be printed and lie on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

VALIDATION OF CERTAIN OVERPAYMENTS TO SEVERAL STATES

The bill (H.R. 900) to validate certain overpayments inadvertently made by the United States to several of the States and to relieve certifying and disbursing officers from liability thereon was considered, ordered to a third reading, read the third time, and passed.

CHANGE IN ROAD AT WHITES BRANCH, GRAPEVINE RESERVOIR, TEX.

The bill (H.R. 2178) to authorize the Secretary of the Army to make certain changes in the road at the Whites

Branch, Grapevine Reservoir, Tex., was considered, ordered to a third reading, read the third time, and passed.

PROTECTION OF FOREST COVER FOR RESERVOIR AREAS

The bill (H.R. 9377) to provide for the protection of forest cover for reservoir areas under the jurisdiction of the Secretary of the Army and the Chief of Engineers was considered, ordered to a third reading, read the third time, and passed.

ADJUSTMENTS OF RENTALS UNDER LEASES FOR RECREATIONAL FACILITIES

The bill (H.R. 12530) to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the John H. Kerr Reservoir, Va. and N.C., was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 3713) to increase the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia, the U.S. Park Police, the White House Police, and for other purposes, was announced as next in order.

Mr. BARTLETT. Mr. President, I ask that the bill be passed over. I wish to make clear that the only reason for the request that the bill go over is that it involves $2,300,000 and is considered inappropriate for consideration on the calendar call.

Mr. BEALL. Mr. President, will the Senator yield?

Mr. BARTLETT. I yield.

Mr. BEALL. While it is true that the bill involves that amount of money, it attempts to bring the salaries of the officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police, and the White House Police in line with salaries authorized for other civil service employees. There is another bill on the calendar which will provide the money with which to pay these officers. The bill has been heard by the committee and has been brought up.

The PRESIDING OFFICER. The bill will be passed over.

The clerk will state the next order of business.

The bill (H.R. 10346) to amend the District of Columbia sales tax so as to increase the rate of tax imposed on gross receipts from certain sales, and for other purposes, was announced as next in order.

Mr. BARTLETT. Mr. President, over by request.

The PRESIDING OFFICER. The bill will be passed over.

ADDITIONAL REVENUE FOR THE DISTRICT OF COLUMBIA

The bill (H.R. 12563) to amend the act entitled "An act to provide additional revenue for the District of Columbia, and for other purposes," approved August 17, 1937, as amended, was considered, ordered to a third reading, read the third time, and passed.

COMBINATION FOR FINANCING THE BRIDGE ACROSS WEST PASSAGE OF NARRAGANSETT BAY WITH THE NEWPORT BRIDGE, RHODE ISLAND

The Senate proceeded to consider the bill (S. 3681) authorizing the Rhode Island Turnpike and Bridge Authority to combine for financing purposes the bridge across the West Passage of Narragansett Bay with the Newport Bridge and any other project acquired or constructed by said authority, which had been reported from the Committee on Public Works, with amendments, on page 1, at the beginning of line 9, to strike out "amended by inserting immediately after section 3 the following new section:" and insert "hereby amended by striking out section 4, and inserting in lieu thereof the following new section:"; on page 2, line 12, after the word "tolls", to insert "in accordance with State law"; at the beginning of line 16, to strike out "amended" and insert "amended."; in the same line, after the amendment just above mentioned, to strike out "*Provided*, That the rates of tolls charged for the use of said bridge, bridges, and structures included in any such project shall be so adjusted as to provide in the aggregate a fund not to exceed an amount sufficient to pay the reasonable costs of maintaining, repairing, and operating all of the structures or facilities included in the project under economical management, and to provide a sinking fund sufficient to amortize the aggregate cost of constructing or acquiring the structures hereby authorized included in the project, including the principal and interest on revenue bonds issued for financing such cost, or on any bonds issued to refund the same, under reasonable charges as soon as possible, but within a period not exceeding forty years from the date of completion of the last completed structure or facility included in the project."; on page 3, after line 5, to strike out:

SEC. 2. That section 4 of such Act is amended to read as follows:

"SEC. 5. After a sinking fund sufficient to amortize the cost of the bridges, structures, or facilities included in any such project and sufficient to pay the principal and interest and any lawful retirement premium on revenue bonds issued as aforesaid with respect to such project shall have been so provided, the bridges, structures, or facilities included in such project shall be maintained and operated free of tolls."

SEC. 3. That sections 5 and 6 be redesignated as sections 6 and 7, respectively, and the word "bridge" in the first line of section 5 be stricken and the word "bridges" be inserted in lieu thereof.

And, after line 18, to insert:

SEC. 2. That the word "bridge" in the first line of section 5 be stricken and the word "bridges" inserted in lieu thereof.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act authorizing the State of Rhode Island, acting by and through the Jamestown Bridge Commission as an agency of the State, to construct, maintain, and operate a toll bridge across the West Passage of Narragansett Bay between the towns of Jamestown and North Kingston," approved April 4, 1938 (52 Stat. 194), is hereby amended by striking out section 4, and inserting in lieu thereof the following new section:

"SEC. 4. That upon title to the bridge which was constructed under the authority of this act becoming vested in the Rhode Island Turnpike and Bridge Authority, created by chapter 3390, Public Laws of Rhode Island, 1954 (chapter 12 of title 24, General Laws of Rhode Island, 1956), said authority shall be authorized to combine said bridge for financing purposes with any other bridge, bridges, or structures financed by said authority under the provisions of said chapter 12, as heretofore amended, and to fix and charge tolls in accordance with State law for the use of said bridge and such other bridges and approaches so combined into one project, and to pledge the use of such tolls in accordance with the provisions of said chapter 12, as amended.

SEC. 2. That the word "bridge" in the first line of section 5 be stricken and the word "bridges" inserted in lieu thereof.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SALE OF CERTAIN PUBLIC LANDS IN ALASKA

The Senate proceeded to consider the bill (S. 3469) to amend the act of March 8, 1922, as amended, to extend its provisions to public sales, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 1, line 9, after the word "gas", to insert "deposits", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of March 8, 1922 (42 Stat. 415; 48 U.S.C. 376, 377), as amended is hereby further amended by adding a new section thereto reading as follows:

"SEC. 3. The Secretary of the Interior may sell under the provisions of section 2455 of the Revised Statutes (43 U.S.C. 1171), as amended, lands in Alaska known to contain workable coal, oil, or gas deposits, or that may be valuable for the coal, oil, or gas contained therein, and which are otherwise subject to sale under said section 2455, as amended, upon the condition that the patent issued to the purchaser thereof shall contain the reservation required by section 2 of this Act."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3605) to amend sections 4504, 4511, 4520, and 4549 of the Revised Statutes relating to shipping articles was announced as next in order.

Mr. BARTLETT. Mr. President, over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF DISTRICT OF COLUMBIA REDEVELOPMENT ACT OF 1945

The Senate proceeded to consider the bill (S. 3688) to amend the District of Columbia Redevelopment Act of 1945, as amended, and the act approved December 20, 1944, as amended, and for other purposes, which had been reported from the Committee on the District of Columbia, with an amendment to strike out all after the enacting clause and insert:

That section 3 of the District of Columbia Redevelopment Act of 1945 (60 Stat. 790), as amended (sec. 5–702, D.C. Code, 1951 edition), is amended—

(a) by redesignating the definitions designated "(b)" through "(r)" as "(c)" through "(s)", respectively;

(b) by inserting after the definition of "Agency" in such section the following new definition:

"(b) 'Blighted area' means any area, whether residential or nonresidential, or a combination of residential and nonresidential, which is substandard within the meaning of section 2 of this Act, regardless of whether the buildings in such area are used or will be used after redevelopment for human habitation.";

(c) by striking "an area" in the definition of "Project area" and inserting in lieu thereof "a blighted area"; and

(d) by inserting in the definition of "Redevelopment company", after the words "project area", the phrase "or part thereof".

SEC. 2. Subsection (a) of section 5 of such Act (sec. 5–704(a), D.C. Code, 1951 edition) is amended by striking "section 7(i)" and inserting in lieu thereof "section 7(h)".

SEC. 3. Paragraph numbered (2) of subsection (b) of section 6 of such Act (sec. 5–705, D.C. Code, 1951 edition) is amended by adding at the end thereof the following: "Such plan may provide for the redevelopment of areas which are residential or nonresidential in character, or a combination thereof, and such areas may be redeveloped for (i) residential uses, (ii) nonresidential uses, or (iii) a combination of residential and nonresidential uses, as the Planning Commission and the District Commissioners may determine appropriate to facilitate the proper growth and development or redevelopment of the community in accordance with sound planning standards and to afford maximum opportunity for the redevelopment of the project area by private enterprise."

SEC. 4. The second sentence of subsection (b) of section 7 of such Act (sec. 5–706(b), D.C. Code, 1951 edition), is amended (a) by striking "than publicly owned properties" and inserting in lieu thereof "publicly owned properties which are not to be devoted to public use"; (b) by striking the words "and District" in the last clause of said second sentence; and (c) by inserting immediately before the period at the end of subsection (b) the following: "; and the District Commissioners are authorized to transfer any real property owned by the government of the District of Columbia to the Agency for such sums or other consideration as may be agreed upon: *Provided*, That the District Commissioners may not transfer any such real property until the expiration of thirty days from the date upon which a report of the facts concerning any such proposed transfer is submitted to the Committees on the District of Columbia of the Senate and House of Representatives."

SEC. 5. The first section of the Act approved December 20, 1944 (58 Stat. 819), as amended (sec. 1–244, D.C. Code, 1951 edition), is amended by adding the following subsection:

"(1) To enter into leases of, or to grant revocable permits for the use of, the public space over or under the streets and alleys of the District of Columbia to an extent not inconsistent with the use of such streets and alleys by the general public for the purpose of travel, and in connection with any such lease or permit to impose such terms, including but not limited to the deposit of bond or other security, and to provide for the payment of such rents or fees as the Commissioners may, in their discretion, determine to be necessary or desirable, but the Commissioners shall, in connection with entering into a lease for, or granting a permit for, the use of public space over the streets and alleys of the District of Columbia, provide as a condition of any such lease or permit that such space shall not be used by the lessee or permittee in such manner as to deprive any real property not owned by such lessee or permittee of its easements of light, air, and access."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INCREASED MAXIMUM BORROWING AUTHORITY BY THE DISTRICT OF COLUMBIA

The bill (S. 3834) to increase the maximum amount which may be borrowed by the District of Columbia for use in the construction and improvement of its sanitary and combined sewer systems, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 214 of the District of Columbia Public Works Act of 1954 (68 Stat. 108; sec. 43–1613, D.C. Code, 1951 edition) is amended by striking "$5,000,000" and inserting in lieu thereof "$32,000,000."

Section 217 of such Act (68 Stat. 109; sec. 43–1616, D.C. Code, 1951 edition) is amended by inserting "(a)" immediately before the first word of such section and by adding at the end thereof the following subsection:

"(b) Notwithstanding the provisions of the preceding subsection, the interest and principal payments on not to exceed $10,000,000 of the loans authorized by section 214 of this Act shall be deferred whenever the Secretary of the Treasury finds that the income received from charges for sewerage service attributable to sewage flowing into the District of Columbia sanitary sewage works from the Potomac interceptor (authorized by Public Law 86–515) is inadequate to provide for the payment of such interest or principal, or both interest and principal, and such deferred interest and principal shall be added to the sums payable to the Secretary of the Treasury in later years."

CIVIC PROGRAMS COMMEMORATING THE 100TH ANNIVERSARY OF THE CIVIL WAR

The Senate proceeded to consider the bill (S. 3835) to authorize the District of Columbia Civil War Centennial Commission to plan and carry out in the District of Columbia civic programs in commemoration of the 100th anniversary of the Civil War; to authorize the Commissioners of the District of Columbia, the Secretary of the Interior, and the Secretary of Defense to make certain property of the District and of the United States available for the use of such Commission; to authorize the said Commissioners to make certain regulations and permit certain uses to be made of public space, and for other purposes which had been reported from the Committee on the District of Columbia, with amendments, on page 3, line 5, after the word "conditions", to insert "and at such times", and on page 4, line 22, after the word "deem", to strike out "proper." and insert "proper: *Provided*, That the granting of licenses to sell in places under the jurisdiction of the head of a department of the United States shall require his approval."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District of Columbia Civil War Centennial Commission is authorized and empowered to prepare, arrange, supervise and carry out in the District of Columbia appropriate civic programs to commemorate the one hundredth anniversary of the Civil War. In carrying out its functions the Commission shall collaborate with the Civil War Centennial Commission established by the joint resolution of September 7, 1959 (71 Stat. 626).

SEC. 2. (a) As used in this Act the terms "District of Columbia Civil War Centennial Commission" and "Commission" mean the District of Columbia Civil War Centennial Commission created by the Board of Commissioners of the District of Columbia on April 28, 1959, and the terms "Commissioners of the District of Columbia" and "District Commissioners" mean the Board of Commissioners of the District of Columbia or their designated agent.

(b) The Commission shall consist of such members, and shall continue in existence until such time, as the District Commissioners shall determine.

(c) The members of the Commission shall serve without compensation, but shall be paid for all necessary expenses incurred by them in carrying out their duties, including traveling expenses.

(d) The Commission shall, in carrying out its functions and duties, be subject to the supervision and control of the Board of Commissioners of the District of Columbia.

(e) The Commission is authorized to utilize such personnel, facilities, and property, real or personal, of the District of Columbia or of the United States as may be made available for the use of said Commission, and under such conditions and at such times as may be prescribed, by the District Commissioners or by the head of the concerned department, agency, or instrumentality of the United States, or by his designated agent.

SEC. 3. (a) The members of the District of Columbia Civil War Centennial Commission shall not be personally liable in damages for any official action of the said Commission in which the said members participate, nor shall any member of said Commission be liable for any costs that may be taxed against them or the Commission on account of any such official action by them as members of the said Commission, but such costs shall be charged to the District of Columbia and paid as other costs are paid in suits brought against the municipality; nor shall the said Commission or any of its members be required to give any bond or security for costs or damages on any appeal whatever.

(b) Service of an individual as a member of the said Commission or in connection with carrying out any activity authorized by this Act shall not be considered as service or employment bringing such individual within the provisions of sections 216, 281, 283, 284, 434, or 1914 of title 18 of the United

States Code, or section 190 of the Revised Statutes (5 U.S.C. 99) nor shall any member of the said Commission by reason of his status as such be deemed to be an "officer of the Government" within the meaning of the Act of April 27, 1916 (5 U.S.C. 101).

SEC. 4. Notwithstanding any other provision of law, the Commissioners may accept the voluntary services of persons appointed as members of the said Commission or in connection with carrying out any activity authorized by this Act.

SEC. 5. (a) In connection with the various activities scheduled to take place during the observance of the centennial of the Civil War, the District Commissioners are authorized and directed to make all reasonable regulations necessary to secure the preservation of public order and protection of life, health, and property; to make special regulations respecting the standing, movement, and operation of vehicles of whatever character or kind during said period; and to grant, under such conditions as they may impose, special licenses to peddlers and vendors for the privilege of selling goods, wares, and merchandise in such places in the District of Columbia, and to fix such fees for such privilege, as they may deem proper: *Provided,* That the granting of licenses to sell in places under the jurisdiction of the head of a department of the United States shall require his approval.

(b) The Commission is authorized to establish such fees and charges as it deems appropriate in connection with any activity officially connected with the observance of the centennial anniversary of the Civil War, and the District of Columbia Civil War Centennial Commission shall be responsible for the collection of such fees and charges, with the exception of those fees and charges provided in subsection (a) of this section.

(c)(1) There is hereby authorized to be appropriated for the use of the District of Columbia Civil War Centennial Commission such sums as may be necessary to carry out the purposes of this Act, and such sums shall be deposited in the Civil War Centennial Fund, District of Columbia, authorized by paragraph (2) of subsection (c) of this section.

(c)(2) All moneys collected pursuant to fees and charges made under authority of subsections (a) and (b) of this section shall be paid to the District Commissioners and deposited in a revolving fund in the Treasury which is hereby authorized to be established, to be known as the Civil War Centennial Fund, District of Columbia. Such fund shall be used to carry out the purposes of this Act, and may be expended without regard to the laws and procedures applicable to District of Columbia or Federal agencies for the procurement of supplies, services, and property. Contracts may be entered into for the purposes of this Act without regard to applicable District of Columbia or Federal laws or regulations.

(d) The District Commissioners may use any property acquired by the District of Columbia Civil War Centennial Commission remaining upon its termination, or they may dispose of the said property as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities shall be deposited in the Treasury to the credit of the District of Columbia.

(e) The Commission is authorized to carry public liability insurance protecting the Commission, members, officials, and employees thereof; the United States and the District of Columbia and their officers and employees performing service under this Act, and persons performing voluntary services under provisions of this Act.

SEC. 6. There are hereby authorized to be appropriated such sums as may be necessary, payable in like manner as other appropriations for the expenses of the District of Columbia, to enable the District Commissioners to provide additional municipal services in said District in connection with any program, function, or activity prepared, arranged, supervised, or carried out by the Commission or by the Civil War Centennial Commission established by the joint resolution of September 7, 1959 (71 Stat. 626), including employment of personal services without regard to the civil service and classification laws; travel expenses of law enforcement personnel from other jurisdictions; hire of means of transportation; meals for policemen and firemen, cost of removing and relocating streetcar loading platforms, construction, rent, maintenance, and expenses incident to the operation of temporary public comfort stations, first-aid stations, and information booths, and other incidental expenses in the discretion of the Commissioners.

SEC. 7. The District Commissioners may authorize the Commission to install suitable overhead conductors and install suitable lighting or other electrical facilities, with adequate supports, for illumination or other purposes. If it should be necessary to place wires for illuminating or other purposes over any park or reservation in the District of Columbia, such placing of wires and their removal shall be under the supervision of the official in charge of said park or reservation. Such conductors with their supports shall be removed by the date specified by the said Commissioners or by said official, as the case may be. The said Commissioners, or such other officials as may have jurisdiction in the premises, shall enforce the provisions of this Act, take needful precautions for the protection of the public, and insure that the pavement of any street, sidewalk, avenue, or alley which is disturbed or damaged is restored to its previous condition.

SEC. 8. The regulations and licenses authorized by this Act shall be in full force and effect for such period of time as may be specified by the Commissioners of the District of Columbia. Such regulations shall be published in one or more of the daily newspapers published in the District of Columbia and no penalty prescribed for the violation of any such regulation shall be enforced until three days after such publication. Any person violating any regulation promulgated by the said Commissioners under the authority of this Act shall be fined not more than $100 or imprisoned for not more than 30 days. Each and every day a violation of any such regulation exists shall constitute a separate offense, and the penalty prescribed shall be applicable to each such separate offense.

SEC. 9. Nothing contained in this Act shall be applicable to the United States Capitol buildings or grounds or other properties under the jurisdiction of the Congress or any committee, commission, or officer thereof: *Provided, however,* That any of the services or facilities authorized by or under this Act shall be made available with respect to any such properties upon request or approval of the Senate and House of Representatives.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PAYMENT OF TUITION OF CERTAIN PERSONS ATTENDING PUBLIC SCHOOLS OF THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H.R. 7124) to require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia, and for other purposes, which had been reported from the Committee on the District of Columbia, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "District of Columbia Nonresident Tuition Act".

SEC. 2 (a) In the case of (1) each adult who attends a public school of the District of Columbia and does not reside in the District of Columbia, and (2) each child who attends such a public school and does not have a parent or guardian who resides in the District of Columbia, or is not an orphan, there shall be paid to the Board of Education the amount fixed by the Board of Education pursuant to subsection (b) of this section.

(b) The amount which shall be paid with respect to each person subject to subsection (a) of this section shall be fixed by the Board of Education with the approval of the Board of Commissioners of the District of Columbia as the amount necessary to cover the expense of tuition and cost of textbooks and school supplies used by such person.

(c) All amounts received by the Board of Education under this section shall be paid into the Treasury of the United States, to the credit of the District of Columbia.

(d) Notwithstanding the provisions of subsection (a) of this section, upon the submission of evidence satisfactory to the Board of Education that care, custody, and substantial support are supplied by the person or persons with whom that child is residing in the District of Columbia, and that the parent or guardian of such child is unable to supply such care, custody, and support, or that such child is self-supporting, such child shall be considered a resident of the District of Columbia for the purpose of school attendance and exempt from the requirement to pay tuition.

SEC. 3. (a) The Board of Education shall take such action as may be necessary to determine which of the persons, attending or desiring to attend the public schools of the District of Columbia, for whom tuition shall be paid as required by section 2, and said Board is authorized, with the approval of the Commissioners of the District of Columbia, to make regulations to carry out the intent and purposes of this Act.

(b) Any person who makes a statement required or authorized by this Act to be filed with the Board of Education knowing that the information set forth in such statement is false, shall be fined not more than $300 or imprisoned for not more than ninety days, or both. Any person violating any regulation made pursuant to the authority in this Act shall be fined not more than $100 or imprisoned for not more than thirty days.

(c) All prosecutions for violations of this Act, or regulations made pursuant thereto, shall be conducted in the name of the District of Columbia by the Corporation Counsel or any of his assistants. As used in this Act the term "Corporation Counsel" means the attorney for the District of Columbia, by whatever title such attorney may be known, designated by the Board of Commissioners of the District of Columbia to perform the functions prescribed for the Corporation Counsel in this Act.

SEC. 4. As used in this Act—

(1) the term "child" means a person who is less than twenty-one years of age;

(2) the term "orphan" means a child who resides in the District of Columbia and who does not have a living parent or guardian;

(3) the term "adult" means a person who is twenty-one years of age, or older;

(4) the term "guardian" means a person (A) appointed as a guardian for a child by a court of competent jurisdiction, and (B) who has control or custody of such child;

(5) the term "parent" means a person (A) who (i) is a natural parent of a child, (ii) is a stepfather or stepmother of a child, or (iii) has adopted a child, and (B) who has custody or control of such child; and

(6) the term "Board of Education" means the Board of Education of the District of Columbia.

SEC. 5. (1) Nothing in this Act shall be construed so as to affect the authority vested in the Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Commissioners of the District of Columbia or in any office or agency under the jurisdiction and control of said Commissioners may be delegated by said Commissioners in accordance with section 3 of such plan.

(2) This Act shall not be construed as superseding the Act approved April 23, 1958 (72 Stat. 98), and such Act approved April 23, 1958, shall continue in full force and effect.

SEC. 6. The following provisions of law are repealed:

(1) The last paragraph under the heading "Public Schools" in the Act of March 3, 1899, as amended (D.C. Code, sec. 31–301).

(2) The last paragraph under the side heading "Miscellaneous" which follows the center heading "Public Schools" in the Act of July 21, 1914 (D.C. Code, sec. 31–302).

(3) The last paragraph under the side heading "Miscellaneous" which follows the center heading "Public Schools" in the Act of March 3, 1915 (D.C. Code, sec. 31–303).

(4) The second paragraph under the center heading "Public Schools" in the Act of March 28, 1918 (D.C. Code, sec. 31–304).

(5) The last paragraph under the heading "Capital Outlay" which follows the center heading "Public Schools" in the Act of June 28, 1944 (D.C. Code, sec. 31–305).

(6) The last paragraph under the heading "Capital Outlay" which follows the center heading "Public Schools" in the Act of June 29, 1949 (D.C. Code, sec. 31–306).

SEC. 7. Nothing contained in this Act shall be construed as preventing the Board of Education from requiring students of the District of Columbia Teachers College to pay tuition, and the said Board is authorized, in its discretion, to require the payment of tuition by the students of such college, whether or not resident in the District of Columbia, with the exception of those students who are authorized to be excused from the payment of tuition by an Act other than this Act.

SEC. 8. This Act shall take effect on the first day of the school semester which commences at least sixty days after the date of enactment of this Act.

Mr. BEALL. Mr. President, I offer an amendment to the committee amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Maryland will be stated.

The LEGISLATIVE CLERK. On page 8, line 8, in the committee amendment, it is proposed to strike the word "that" and insert in lieu thereof the word "a."

Mr. BEALL. Mr. President, this is a typographical error, and the amendment is a correction of that error.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ACCELERATION OF COMMENCEMENT DATE OF CIVIL SERVICE RETIREMENT ANNUITIES

The Senate proceeded to consider the bill (H.R. 8289) to accelerate the commencing date of civil service retirement annuities, and for other purposes, which had been reported from the Committee on Post Office and Civil Service with an amendment, and subsequently reported from the Committee on the District of Columbia with an additional amendment.

The amendment of the Committee on Post Office and Civil Service was, on page 4, after line 18, to insert a new section, as follows:

SEC. 3. Section 4(3) of the Federal Employees Health Benefits Act of 1959 (73 Stat. 711; 5 U.S.C. 3003(3)) is amended by adding at the end thereof the following: "Any employee organization as defined in section 2(i) shall be exempt from the provisions of the Fire and Casualty Act (54 Stat. 1063; D.C. Code 35–1301, and the following)."

The amendment of the Committee on the District of Columbia was, on page 4, after line 18, to strike out the amendment of the Committee on Post Office and Civil Service.

The amendment was agreed to.

The amendment of the Committee on the District of Columbia was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 3269) authorizing the Secretary of the Navy to convey certain property to the State of Hawaii, was announced as next in order.

Mr. BARTLETT. Mr. President, over by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3299) to provide for the conveyance to the State of Maine of certain lands located in such State, was announced as next in order.

Mr. BARTLETT. Mr. President, over by request.

The PRESIDING OFFICER. The bill will be passed over.

CONVEYANCE OF CERTAIN PROPERTY TO THE CITY OF BISMARCK, N. DAK.

The bill (S. 1663) directing the Secretary of the Interior to convey certain property in the State of North Dakota to the city of Bismarck, N. Dak., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to clear the title to the property hereinafter described the Secretary of the Interior is authorized and directed to convey by quitclaim deed, without consideration, to the city of Bismarck, North Dakota, all right, title, and interest of the United States in and to the following described tract of land, together with all buildings and other improvements thereon, situated in the city of Bismarck, North Dakota:

Part of the southeast quarter of section 5, township 138, range 80, beginning at the southeast corner of such section, thence due west for 1,786 feet, thence north 25 degrees and 46 minutes west a distance of 1,122.5 feet, thence north 66 degrees and 39 minutes west a distance of 454.9 feet, thence north 33 degrees and 22 minutes west a distance of 679 feet, thence north 25 degrees and 24 minutes west a distance of 610 feet, thence around a 30-degree 49-minute curve to the right a distance of 374.4 feet, thence due east 66 feet south of the quarter line of such section 5 a distance of 1,103 feet, thence due south a distance of 1,214 feet, and thence due east a distance of 1,220 feet, and thence due south a distance of 1,360 feet to the point of beginning.

VALIDATION OF PAYMENTS MADE FOR CERTAIN EMERGENCY CONSERVATION MEASURES

The bill (S. 2761) to validate payments made for certain emergency conservation measures under the program authorized by the Third Supplemental Appropriation Act, 1957, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That payments which have heretofore been made under the program authorized by the Third Supplemental Appropriation Act, 1957, under the item entitled "Emergency Conservation Measures, Agricultural Conservation Program Service", for emergency conservation measures carried out between January 1, 1956, and June 21, 1957, shall, if otherwise proper, not be considered invalid by reason of the fact that they were made for measures carried out prior to the enactment of said Act.

NELLIE V. LOHRY

The bill (S. 3040) for the relief of Nellie V. Lohry was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nellie V. Lohry of Ashland, Nebraska, the sum of $3,000. The payment of such sum shall be in full settlement of all her claims against the United States for payment of an additional amount for certain property purchased from the said Nellie V. Lohry and Fred H. Lohry (deceased), pursuant to an option signed by them on November 14, 1941, by the United States in connection with the construction of an Army ordnance plant, such option having been exercised by the United States notwithstanding a previous attempt made on behalf of the said Nellie V. Lohry and the said Fred H. Lohry (deceased) by the project officer acquiring such property to have such option withdrawn on the grounds that it did not adequately reflect the value of the property: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

COMPACT BETWEEN THE STATES OF ARIZONA AND NEVADA

The bill (S. 3433) giving the consent of Congress to a compact between the State of Arizona and the State of Nevada establishing a boundary between those States, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the compact between the States of Arizona and Nevada as contained in chapter 69, law of the State of Arizona, 1960 (senate bill numbered 203, twenty-fourth legislature assembled, approved by the Governor March 24, 1960), and chapter 119, Nevada Revised Statutes 1960 (senate bill numbered 121, passed by the 1960 Legislature of the State of Nevada and approved by the Governor March 9, 1960) establishing a boundary between the States of Arizona and Nevada on the Colorado River between the point where the Nevada-California State line intersects the thirty-fifth degree of latitude north and Davis Dam.

SEC. 2. The right to alter, amend or repeal this Act is expressly reserved.

A. E. WATERSTRADT

The bill (S. 3591) for the relief of A. E. Waterstradt, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any period of limitations or lapse of time, claim for credit or refund of overpayment of income taxes for the taxable years 1942 to 1945, inclusive, made by A. E. Waterstradt, of Takoma Park, Maryland, may be filed at any time within one year after the date of the enactment of this Act. The provisions of sections 322(b), 3774, and 3775 of the Internal Revenue Code of 1939 shall not apply to the refund or credit of any overpayment of tax for which credit or refund is filed under the authority of this Act within such one-year period.

EARL H. PENDELL

The bill (S. 3609) for the relief of Earl H. Pendell was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Earl H. Pendell of Baltimore, Maryland, is hereby relieved of all liability to repay to the United States the sum of $4,447.98, representing the amount of overpayment of salary paid to him as a court reporter during the period from September 7, 1955, through March 7, 1959, the payment of such amount having occurred as a result of administrative error.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to the said Earl H. Pendell, the sum of any payments received or withheld from him on account of the overpayment referred to in the first section of this Act.

JAMES H. PRESLEY

The bill (H.R. 2069) for the relief of James H. Presley was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 2074) for the relief of Eric and Ida Mae Hjelpe was announced as next in order.

Mr. FONG. Mr. President, over.

The PRESIDING OFFICER. The bill will be passed over.

J. BUTLER HYDE

The bill (H.R. 6084) for the relief of J. Butler Hyde was considered, ordered to a third reading, read the third time, and passed.

RAYMOND BAURKOT

The bill (H.R. 6767) for the relief of Raymond Baurkot, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF BANKRUPTCY ACT

The bill (H.R. 7242) to amend sections 1, 57j, 64a(5), 67b, 67c, and 70c of the Bankruptcy Act, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. HART subsequently said: Mr. President, I ask unanimous consent that in connection with Calendar Item 1942 (H.R. 7242), the bill dealing with the Bankruptcy Act, that there be printed at the point in the RECORD when action was taken on that bill excerpts from the committee report. This is a rather complicated piece of legislation. The Senator from Nebraska [Mr. HRUSKA] masterfully explained it in the committee and was present on the floor in the event questions had been raised. I think it would be helpful to all concerned if those excerpts from the report were contained in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

LEGISLATIVE BACKGROUND

H.R. 7242 is the result of a careful reexamination of several provisions of the Bankruptcy Act. During the past few years the need for legislative action has been demonstrated by the development of decisional doctrine which has created serious questions relating to the position of secured creditors and the rights of the trustee. Whether these problems are the result of latent defects and ambiguities in the wording of the act, or whether they are the result of judicial misconceptions, is far less important than the fact that these problems exist and that they require legislative action if the underlying purposes of the Bankruptcy Act are to be effectuated.

Through the efforts of the National Bankruptcy Conference, legislative proposals were submitted to the Congress, and in February 1957 a bill was introduced which in many of its provisions was the same as H.R. 7242. Hearings were held in the spring of 1958 and, although the Subcommittee on Bankruptcy and Reorganization ordered the bill favorably reported with amendment, no action was taken by the full committee. The bill was reintroduced in the 86th Congress, hearings were held again, a clean bill incorporating one substantive and several technical amendments was introduced and ordered favorably reported to the full committee. After intensive discussion, the full committee ordered H.R. 7242 favorably reported to the House.

GENERAL STATEMENT

This bill deals with two problems in the administration and distribution of a bankrupt estate. The first of these is the problem of preserving the recognized interests of security holders. The second concerns the powers of the trustee.

One of the fundamental purposes of the Bankruptcy Act is to assure an equitable distribution of the bankrupt's assets. Ideally, this would be accomplished by giving each creditor a pro rata share of the estate. However, the demands of social, economic, and political policy have resulted in deviations from a strict rule of equality among creditors. Through the creation of priorities and the recognition of security, interests, favored treatment has been accorded to certain classes of creditors. Thus, the Bankruptcy Act has traditionally recognized that a lien is a valid property right which must be satisfied out of the assets to which it attaches before any part of those assets becomes available for distribution to unsecured creditors. Among unsecured creditors, the act established an order of payment which favors the costs of administering the estate, wages, taxes, and rent over general creditors.

As a result of these prior payments to lienholders and priority claimants, the amount available for distribution to general creditors is considerably diminished and often entirely consumed. To increase their share of the estate, various classes of general creditors at first sought priority status under State law. However, in 1938, in the interest of national uniformity in distributions the Chandler Act eliminated the recognition of State priorities in bankruptcy proceedings, except for a limited priority for landlords, which was placed on the lowest of the five rungs of the priority ladder erected by section 64. The act also gave explicit recognition for the first time to the general validity of statutory liens. Thus, if a class of creditors could obtain State legislation transforming their debts into liens, they would then be in a position superior not only to all other general creditors but to priority claimants as well. This would be the result not only in the case of liens creating a noncontingent property interest in a specific asset but also in the case of liens which became effective only in the event of insolvency or which did not attach to any particular asset. These spurious liens were in reality disguised priorities and the effect of their recognition in bankruptcy would be to distort the federally ordered scheme of distribution by depressing the position of priority claimants. The problem was intensified by the contemporary development of a proliferation of taxes at all levels of government. With little formality and frequently without any of the normal attributes of a lien interest, these claims were raised to the dignity of statutory liens.

It became obvious that if all statutory liens, regardless of what they were in substance, were to be treated as liens in bankruptcy the order of federally created priorities would be completely disrupted. In an attempt to protect what it considered to be the most important of the priorities, Congress in the Chandler Act subordinated the most transparent liens to the priorities for costs of administration and wage claims. Thus, section 67c of the Bankruptcy Act provided that statutory liens on personal property not accompanied by possession were to be postponed in payment to the debts specified in clauses (1) and (2) of subdivision a of section 64, namely costs of administration and wages. In addition, section 67c postponed liens of distress for rent whether statutory or not and whether or not accompanied by possession. Here, too, the purpose was to protect costs of administration and wages from a type of claim which frequently consumed all of the assets especially in the

smaller estates. Section 67c also limited postponed liens for wages and rent to the same extent as they were restricted as to priority in section 64. In the case of rent, this meant only the liability for actual occupancy accruing within 3 months prior to bankruptcy. For wages it meant not more than $600 to each claimant earned within 3 months before bankruptcy.

The purpose of restricting these liens was to protect unsecured creditors rather than junior lien holders. The Chandler Act therefore prescribed that liens should be restricted "except as against other liens." Unfortunately the effect of this exception was to produce unanticipated results where, as a result of the fortuitous intervention of a junior lien, the rent or wage lien became unrestricted at the expense of the general creditors (*In re Eakin Lumber Co.*, 39 F. Supp. 787 (N.D. W. Va. 1941), aff'd sub nom. *R.F.C.* v. *Sun Lumber Co.*, 126 F. 2d 731 (4th Cir. 1942)).

The problem raised in the Eakin decision had its legislative repercussion when Congress in 1952 amended the Bankruptcy Act by deleting this exception and adding a provision subrogating the trustee to the amount of the lien in excess of the priority restriction. The position of the general creditors was additonally buttressed by the invalidation as against the trustee of all statutory liens created or recognized by State law on personal property not accompanied by possession, levy, sequestration, or distraint. By this amendment, which became section 67c(2), Congress sought further to implement the established policy of preventing State liens which were essentially priorities from frustrating the order of distribution established by the Bankruptcy Act.

However, the invalidating provision of section 67c(2) was simply tacked on to the postponement provision in section 67c(1) with a resulting overlap which raised substantial difficulties in statutory interpretation. This is especially acute insofar as State taxes and rent are concerned. For example, do statutory liens for debts owing to a State include liens for taxes? If so, the lien is invalidated; if not, it is merely postponed. The question was considered sufficiently troublesome to precipitate the introduction of clarifying legislation in the 83d Congress at the request of State tax authorities (H.R. 5786, 83d Cong., 2d sess. (1954)). The question was finally litigated in *Rochelle* v. *City of Dallas* (264 F. 2d 166 (1959)), where the fifth circuit held that "debts" do not include taxes.

The legislative report that accompanied the bill amending the Bankruptcy Act in 1952 observed that the exception "as against other liens" made it difficult to avoid a construction which would introduce circuity of liens (H. Rept. 2320, 82d Cong., 2d sess., p. 14 (1952)). Circuity of liens results when lien B is subordinate to lien A but prior to right in lien S, which, however, is in turn entitled to priority over lien A. Although the 1952 amendments eliminated the circuity problem insofar as it arose from the restriction of wage and rent liens, there was a failure to anticipate the possibility of a circuity problem arising where State law places a lien postponed under the Bankruptcy Act in a position senior to liens unaffected by postponement. The problem thus created has been characterized as "a first rate legal puzzle insoluble on any known legal principles."

In 1955, the problem was brought to a head by the decision in *In re Quaker City Uniform Co.* (134 F. Supp. 596 (E.D. Pa.)). In that case a bank and another creditor had advanced money to the debtor long before bankruptcy. As security they had taken chattel mortgages which they promptly recorded. When the debtor went into bankruptcy there were four claims upon the proceeds from the sale of property which was subject to the chattel mortgages. They were—

(1) Chattel mortgages, which were prior to time to all other claims;

(2) Costs of administering the estate;

(3) Rent owing to the landlord who had distrained but had not caused any of the property to be sold under the distraint;

(4) Wage claims.

Under Pennsylvania law a lien of distraint for rent is superior to a chattel mortgage even though the chattel mortgage is prior in time.

In a series of decisions demonstrative of the difficulties inherent in section 67c the referee, district court, and court of appeals all arrived at different and conflicting orders of distribution. The referee held that the chattel mortgages were not postponed and that they should be paid first followed by the costs of administration, wages, and the rent lien. The district court rejected this order of distribution and held that although the chattel mortgages should be paid first, they were under Pennsylvania law subordinated to the rent lien and therefore the landlord should be paid out of the amount set aside for the chattel mortgages. After recalling a decision in which it held the chattel mortgage to be a statutory lien, the court of appeals held (238 F. 2d 155 (3d Cir. 1956)) that the proceeds from the sale of the mortgaged property was to be distributed in the following order:

1. Costs of administration.
2. Wage claims.
3. Rent.
4. Chattel mortgages.

The costs of administration and wage claims having consumed the estate, neither the landlord nor the chattel mortgages received anything. The court reached this result upon the theory that Congress did not intend by section 67c, to disturb the priority of liens established by State law. Since section 67c postponed the lien for rent to costs of administration and wage claims, and since Pennsylvania law subordinated the chattel mortgages to the landlord's lien, the court concluded that the chattel mortgages must also be subordinated not only to the landlord's lien but also to the costs of administration and wages.

Although the effect of section 67c appears settled in the third circuit, the conflicting conclusions reached in other circuits emphasizes the uncertainty which plagues any application of section 67c. In *New Orleans* v. *Harrell* (138 F. 2d 399 (5th Cir. 1943)), the fifth circuit held that since chattel mortgages were unaffected by the postponement provision of section 67c(1), they should be paid first and then the costs of administration, wages, and statutory rent liens. This decision was rejected by the ninth circuit in *California State Department of Employment* v. *United States* (210 F. 2d 242 (1954)). In that case it was held that an amount should first be set aside equal to the claim of the lien which was senior outside of bankruptcy but was subordinated by section 67c. Out of this sum the costs of administration were to be paid. The unsubordinated lienor would then have the right to be satisfied first out of the remainder of the estate, if any. The objection to this solution is that a claim which under bankruptcy law is not postponed by section 67c is in fact paid only after a lien which has been postponed. The bankruptcy standard is disregarded and the ranking of liens under State law is made to prevail.

The overall effect of these decisions on the commercial world has been to create considerable uncertainty as to the strength of secured credit. As a result of the Quaker City decision, particularly, the problem has become acute in the entire field of secured financing. By destroying the position of valid consensual liens solely because of the fortuitous intervention of a postponed lien, the Quaker City doctrine can only result in either the curtailment of credit or an increase in interest rates. This is especially so in the case of the marginal businessman who was able to get secured credit at a reasonable rate but will be unable to do so if security is made meaningless.

However, aside from the merits or shortcomings of these decisions, the simple fact that a section of law is susceptible to a seemingly unlimited variety of interpretations is reason enough for its amendment.

EXPLANATION OF BILL

To overcome the problems created by subdivision c of section 67, section 5 of this bill completely revises that subdivision. New standards are established for the invalidation of statutory liens and the circuity potential in the present section is eliminated.

Since the effect of section 67c is limited to statutory liens and does not include consensual liens, it is essential that the term "statutory lien" be clearly defined. The Bankruptcy Act nowhere defines that term. Therefore, section 1 of the bill provides that a statutory lien shall mean a lien arising solely by force of statute upon specified circumstances or conditions, but shall not include any lien provided by or dependent upon an agreement to give security, whether or not such lien is also provided by or is also dependent upon statute, and whether or not the agreement or lien is made fully effective by statute.

The definition is directed at preventing a recurrence of the misapplication which appeared in the first decision in the Quaker City case. There the court held that since the chattel mortgage depended upon the Pennsylvania recording statute for its effectiveness against subsequent transferees, the chattel mortgage was a statutory lien. The purpose of section 1 is to specifically embody the meaning which Congress originally intended in the act and thus to assure that consensual securities are not subjected to any of the tests of validity prescribed by the new section 67c.

It will be recalled that one of the major objectives of the Chandler Act was to overcome the distortion of the Federal order of distribution by the creation of spurious statutory liens. To upset these liens which were in reality priorities, the authors of the Chandler Act decided that if statutory liens on personal property, unaccompanied by possession, were postponed to wages and costs of administration, the most serious effects of these liens could be overcome. This provision was strengthened in 1952 when most liens of this nature were completely invalidated. However, a recent reexamination of State lien statutes has shown that neither the standard of possession nor the distinction between real and personal property is an entirely satisfactory criterion. Some liens which are genuine property rights are affected and others, which were essentially State-created priorities, escape.

To insure the supremacy of the order of distribution provided in the Bankruptcy Act insofar as it is consistent with the continued recognition of genuine lien interests, this bill would eliminate lack of possession of personal property as the standard for upsetting liens and would instead invalidate as against the trustee every lien which falls within any of the following categories:

(1) Every statutory lien which first becomes effective upon the insolvency of the debtor, or upon distribution or liquidation of his property, or upon execution against his property levied at the instance of one other than the lienor.

2. Every statutory lien not perfected at the date of bankruptcy as against a subsequent bona fide purchaser from the debtor on that date.

3. Every statutory lien for rent and every lien of distress for rent.

The first of these provisions strikes at liens which merely determine the order of distribution upon insolvency or liquidation. This kind of lien is not a specific property right which may be asserted independently of a general distribution and regardless of the transfer of the property. This is clearly a disguised priority.

The second provision strikes at a lien which is so tenuous that it can be defeated by transfer to a bona fide purchaser. The holders of such liens have reason to know that their security is extremely vulnerable. It would seem that if, apart from bankruptcy, a lien is not good against a bona fide purchaser, then it should not be valid against the trustee. However, it should be noted that under the proviso to the new section 67c(1)(B), the substance of which is now found in section 67b, a lien that is valid against the creditors described in section 70c (and therefore against the trustee) may thereafter be perfected against bona fide purchasers and therefore against the trustee by filing notice with the bankruptcy court.

The new section 67c(1)(C) invalidates statutory liens for rent and liens of distress for rent, whether statutory or not. Under present law, statutory liens for rent unaccompanied by possession or distraint are likewise invalidated, but common-law and statutory liens of distress for rent are postponed and restricted where accompanied by an actual levy of distraint or possession in the lienor. Section 64a(5), as proposed in this bill, would specifically give a restricted priority to debts for rent owing to a landlord who is entitled to a priority by applicable State law or who is entitled to priority by section 67c(2). The proposed section 67c(2) provides that invalidated rent liens should be allowable with a restricted priority, "even though not otherwise granted priority." Thus, although a priority for rent heretofore has been recognized only if State laws granted the priority, the new section 67c(2) accords priority to the holder of an invalidated rent lien, even though no State law otherwise grants priority to such a landlord. Through recognizing State priorities for rent and in granting a priority status to invalidated rent liens, the bill respects a policy widespread among the States of granting a preferred status to landlords' claims, but brings it within the scheme of distribution of the Bankruptcy Act.

It is believed that these amendments, in addition to implementing the distributive scheme of the Bankrupcy Act, will provide a standard which is clear and more easily applicable than exists under present law.

The compound confusion of circuity demonstrated in the Quaker City case discussed above is dealt with in the new section 67c(2) which is found in section 5 of the bill. That subdivision provides that any lien which is invalidated against the trustee shall be invalid against all liens indefeasible in bankruptcy. Thus under this bill the chattel mortgage in the Quaker City case, which was a lien indefeasible in bankruptcy, would not be subordinated to the landlord's lien. While this provision may in some cases result in a ranking of liens in bankruptcy different from what it would be apart from bankruptcy, this is necessary if the paramount order of distribution created in the Bankruptcy Act is to prevail.

Although new section 67c established more effective standards for the treatment of statutory liens, the new section 67c(1)(B), which permits perfection by notice filing rather than possession, may nevertheless result in the consuming of assets otherwise available for paying administrative costs and wages. This is an especially acute problem in view of the continuing increase in the tax burden at all levels of government. The committee believes that if the policy of the Chandler Act to protect the costs of administration and wages is to be given effect, it is necessary to postpone to the costs of administration and wages at least those tax liens which are on personal property and are unaccompanied by possession. It would be grossly unfair for the bankruptcy court and the attorneys who have labored to wind up the bankrupt's affairs and to accumulate an estate for distribution to receive nothing for their labors. It is also socialily desirable that the claims of the wage earner who is normally entirely dependent upon his wages for the necessities of life should be paid to the extent of the restriction in section 64a(2) before the estate is subject to the heavy burden of all tax liens.

To prevent the recurrence of circuity confusion section 67c(3) specifically provides that postponement shall be not only to the debts specified in section 64a (1) and (2) but also to all liens indefeasible in bankruptcy. The purpose of this language is to preclude the subordination of a lien indefeasible in bankruptcy to a postponed tax lien such as occurred in the Quaker City case.

In respect to the relation between new sections 67c (1) and (3), it is the intention of the committee that a statutory tax lien on personal property not accompanied by possession shall first be tested by the standards of section 67c(1). Section 67c(3) is then to be applied to those liens which have not been invalidated by section 67c(1).

The second major problem with which this bill is concerned arises from the application of section 70 of the Bankruptcy Act. Section 70 is the "title" section of the act and provides many of the legal tools for assembling the bankrupt's estate. It defines the rights and remedies of the trustee in this process. This bill deals only with the second sentence of section 70c which is derived from the "strong arm" amendment of 1910. That sentence gives the trustee the position of a hypothetical judicial lien creditor as of the date of bankruptcy. From 1910 to 1954 it was assumed that the rights of the trustee under section 70c accrue as of the date of bankruptcy and no earlier. However, in *Constance* v. *Harvey* (215 F. 2d 571 (2d Cir. 1954), cert. denied, 346 U.S. 913 (1955)), it was held that under section 70c a trustee has the rights of an ideal hypothetical creditor who has acquired his claim prior to bankruptcy. In that case the immediate effect was that a chattel mortgage, voidable under New York law by a creditor who had extended credit before its delayed recording, was upset without any showing that an actual creditor had extended credit before or during the delay in recording.

The rights of a trustee under 70e are entirely derivative and dependent upon the existence of an actual creditor against whom the transfer might have been invalidated in the absence of bankruptcy. Those rights relate back to whatever date they first arose. Section 70c, on the other hand, gives the trustee the status of a hypothetical judicial lien creditor whose rights arise as of the date of bankruptcy.

The holding in *Constance* v. *Harvey*, by injecting into section 70c the substance of 70e, created the statutorily unwarranted status of a hypothetical creditor with rights relating back to a date prior to bankruptcy. While bankruptcy is in effect a general levy on the property of the bankrupt for the benefit of his creditors, it is not a license for the trustee, irrespective of prejudice to creditors, to avoid at will any security given by the bankrupt which remained imperfected for any period of time prior to bankruptcy. Yet this is the effect of *Constance* v. *Harvey*. Under this decision the only limit to the power of the trustee is his ability to conceive of some right of a creditor that can be used as a basis for striking down imperfect transfers. The doctrine of *Constance* v. *Harvey* presents a very real threat to security transactions, the validity of which have hitherto not been subject to challenge under the act. Moreover, this is a threat which is not required by the policy of the act, since the creditors who have been prejudiced by the imperfections of a transfer are normally protected under section 70e.

Section 6 of this bill contains a complete redraft of section 70c. It specifically provides that the rights given to the trustee by section 70c shall be "as of the date of bankruptcy (without the benefit of any fiction of relation back prior to bankruptcy and without any added rights of a creditor extending credit at an earlier date)."

While the purpose of this language is to narrow the excessive power judicially granted to the trustee, the section is also concerned with strengthening the trustee's hand where his rights have been too narrowly construed. Section 70c now gives the trustee the power of a creditor with a judicial lien. The question arises, however, as to whether this standard includes that of a judgment creditor. The answer to that question is particularly important because section 6323 of the Internal Revenue Code provides that a Federal tax lien is not valid "against any mortgagee, pledgee, purchaser, or judgment creditor until notice thereof has been filed" in the appropriate office.

As a result of several recent decisions, it would appear that the courts are of the view that the trustee does not have the status of a judgment creditor for purposes of section 6323. The direction of judicial thinking is discernible from the decisions in *United States* v. *Gilbert Associates, Inc.* (345 U.S. 361 (1953)) and *United States* v. *Acri* (348 U.S. 211 (1955)). In Gilbert, the court upheld the validity of the Federal tax lien against a prior lien which under New Hampshire law was given the status of a judgment. In Acri, the court similarly upheld the Federal tax lien against a prior attachment lien which under the law of Ohio was deemed to be "an execution in advance." The rationale of the court's decisions is that a uniform application of the Federal tax law requires that the term "judgment creditor" be defined in the "usual conventional sense of a judgment of a court of record" which is common to all States (*United States* v. *Gilbert*, supra, at 364).

Although these cases did not involve the interrelationship of the Internal Revenue Code with the Bankruptcy Act, the limitation of the term "judgment creditor" to one holding a judgment of a court of record was subsequently extended to the application of section 70c. In *Brust* v. *Sturr* (237 F. 2d 135 (1956)), the second circuit on the basis of the Gilbert case reversed the position which it had previously taken in *United States* v. *Sands* (174 F. 2d 384 (1949)), and held that the trustee was not a judgment creditor within section 3672 of the Revised Statutes (now sec. 6323 of the Internal Revenue Code). This view had already been taken by the sixth circuit in *In re Taylorcraft Aviation Corporation* (168 F. 2d 808 (1948)) and by the ninth circuit in *United States* v. *England* (226 F. 2d 205 (1955)).

The effect of these decisions is that the Federal Government's unrecorded tax lien prevails over the rights of the trustee under section 70c. This would appear to be contrary to the legislative purpose which gave the trustee all the rights of an ideal judicial lien creditor. Prior to 1950 the trustee was given the status of a judicial lien creditor as to all property coming into the possession of the bankrupt court. As to all other property, he was given the rights of a judgment creditor holding an execution returned unsatisfied. In 1950 the distinction which turned on possession was eliminated and the trustee was simply given the rights of a judicial lien creditor. The House report which accompanied the bill indicates that the purpose of Congress was not to contract but

rather to expand the rights of the trustee under section 70c. The report states that the amendment to section 70c "has been placed in the bill for the protection of trustees in bankruptcy as correlative to the amendment to section 60, and also to simplify, and to some extent expand, the general expression of the rights of trustees in bankruptcy (H. Rept. 1293, 81st Cong., 2d sess., p. 7 (1949))."

As a matter of general law the holder of a lien by legal proceedings has greater rights than a judgment creditor who usually has no rights in the personal property of the debtor by virtue of his judgment. Even as to real property it is frequently necessary for the judgment creditor to take further action after judgment to create a lien. It would seem anomalous to allow judgment creditors to prevail over secret tax liens and to deny that right to a judicial lien holder. As against liens and transfers other than Federal tax liens, it has generally been held that a trustee in bankruptcy does have the rights of a judgment creditor. See, e.g., *McKay* v. *Trusco Finance Co.* (198 F. 2d 431 (5th Cir. 1952)); *Sampsel* v. *Straub* (194 F. 2d 228 (9th Cir. 1951), cert. denied, 343 U.S. 927 (1952)).

In order to assure that the trustee will have the status of a judgment creditor vis-a-vis a Federal tax lien, section 6 of H.R. 7242 specifically provides that a trustee shall have the rights and powers of "a creditor who obtained a judgment against the bankrupt upon the date of bankruptcy, whether or not such a creditor exists."

The question of whether the higher standing given the trustee by the 1950 amendment includes lesser rights has been raised in another context. Prior to 1950 the trustee specifically had the rights of a judgment creditor holding an execution returned unsatisfied insofar as property not coming within the custody of the court was concerned. It is now feared, however, that the trustee may be denied remedies which under State law are available only to creditors holding executions returned unsatisfied. Since the trustee often gains title to property the extent and location of which is unknown to him, he may wish to resort to discovery proceedings. Yet in some States, if the trustee does not have the rights of a judgment creditor holding an execution returned unsatisfied, such proceedings are not available to him under State law. In order to assure that the trustee is given the rights and powers of a judgment creditor holding an execution returned unsatisfied, section 6 of this bill specifically grants those rights and powers to him.

If a security transaction or other transfer involving a debtor's property is valid in part against creditors whose rights and powers are conferred upon the trustee by the proposed amendment, it seems clear that it should be valid to the same extent against the trustee. While nothing in the proposed or existing legislation empowers the trustee to invade interests that no creditor described in the new version of the "strong arm" clause could have reached, it has been thought advisable not to leave this limitation in the realm of inference. Thus, a security transaction involving property located in more than one county or State may be perfected against creditors having the rights conferred upon the trustee by the proposed subdivision, only in respect to the property located in one of the jurisdictions. The security transfer would remain valid against the trustee under the proposed section 70c insofar as property in the one jurisdiction is covered. In like manner, a security transaction duly perfected as to one kind of property but not as to another, or valid to the extent of only a part of the consideration given, would remain valid pro tanto against the trustee so far as this subdivision would apply.

Section 70c expressly confers upon the trustee a variety of legal positions. Related to State and Federal law those positions carry with them a substantial number of rights. To exercise an effective general levy upon the property of the bankrupt, the trustee must be allowed to bring to bear upon each party of transaction whichever of his rights may be necessary. However, it would seem improper to allow him to occupy inconsistent or repugnant positions with reference to a particular party or transaction. Nevertheless, having chosen a position with respect to one set of circumstances, the trustee as a representative of all of the creditors of the bankrupt should not be barred from asserting a different position in other circumstances. The proposed section 70c therefore contains what has been called a chameleon clause, safeguarding the trustee's right to take inconsistent positions with respect to different parties, remedies, or transactions.

As rewritten in H.R. 7242, section 70c presents a clearer and more complete expression of basic bankruptcy policy.

In the course of remedying the major problems to which this bill is directed, a number of clarifying amendments were made to involved and related sections of the act. A brief explanation of these may be helpful.

1. Section 64a(5): In amending section 64a(5) the word "debts" was modified by the phrase "other than for taxes." Section 64a (4) expressly creates a priority for taxes. Since the term "debts," apart from any consideration of legislative purpose in a particular context, includes all liabilities, there is an apparent overlap between sections 64a(4) and 64a(5). By modifying the term "debts" to exclude taxes, the ambiguity is eliminated.

2. Section 67b expresses the general policy in bankruptcy of recognizing the validity of statutory liens. This policy is, of course, qualified by section 67c, which invalidates liens that are essentially disguised priorities. In order to clarify the interrelationship between the two subdivisions, the language "and except as otherwise provided in subdivision c of this section" is inserted in the first sentence of present section 67b. Since landlords' liens are expressly invalidated under the proposed section 67c, the term "landlords" has been deleted from among the enumerated liens in 67b. In the interest of clarity the substance of the last sentence of subdivision b has been deleted and instead inserted as a proviso in section 67c(1)(B).

3. Section 57j: Another aspect of the broad problem of statutory tax liens in bankruptcy is raised by the conflicting interpretations placed upon section 57j. That subdivision provides that debts owing to any governmental unit as a penalty or forfeiture shall not be allowed, except for the amount of the pecuniary loss and reasonable costs with interest incurred by the Government in connection with the penalty or forfeiture. Since the purpose of a penalty is to punish the wrongdoer, that purpose is in no way furthered by permitting a penalty assessed against the bankrupt to be allowed against the bankrupt's estate. As a charge against the estate, it is the bankrupt's creditors and not the bankrupt who is punished thereby.

The question arises, however, as to the applicability of section 57j when the penalty is secured by a statutory lien. In *Grimland* v. *United States* (206 F. 2d 599 (1953)), the 10th circuit court held that where a penalty was secured by a lien, the penalty was enforcible against the estate. A contrary result has been reached by a number of district courts (*In re Lykens Hosiery Mills, Inc.*, 141 F. Supp. 895 (S.D.N.Y. 1956); *In re Hankey Baking Co.*, 125 F. Supp. 673 (W.D. Pa. 1954)).

In order to resolve this conflict in a manner consistent with the theory of punishment, section 2 of this bill inserts the words "whether or not secured by lien" in section 57j. With the addition of this language section 57j specifically disallows debts for penalties regardless of whether they are secured or unsecured. It appears to the committee that the question of whether a penalty is secured or unsecured is irrelevant to the basic policy involved.

Insofar as a lien securing a penalty is invalidated by 57j, as amended, it would be eligible to be preserved for the benefit of the estate under section 67c(2). However, a lien preserved for the estate benefits only unsecured creditors. Yet there is no reason in the policy of the act why junior lien holders should be bypassed in these circumstances. Accordingly section 67c(4) in H.R. 7242 provides that where a penalty not allowable under subdivision j of section 57 is secured by a lien, the portion of the lien securing such penalty shall not be eligible for preservation under subdivision c.

BILL PASSED OVER

The bill (H.R. 7618) for the relief of H. P. Lambert Co., Inc., and Southeastern Drilling Corp., was announced as next in order.

Mr. FONG. Mr. President, over.

The PRESIDING OFFICER. The bill will be passed over.

MARTIN A. MASTANDREA

The bill (H.R. 7792) for the relief of Martin A. Mastandrea, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 7877) for the relief of Vladislav Fotich was announced as next in order.

Mr. FONG. Over.

The PRESIDING OFFICER. The bill will be passed over.

WILLIAM EDGAR WEAVER

The bill (H.R. 8054) for the relief of William Edgar Weaver, was considered, ordered to a third reading, read the third time, and passed.

RALPH W. ANDERSON

The bill (H.R. 8989) for the relief of Ralph W. Anderson, was considered, ordered to a third reading, read the third time, and passed.

WILLIAM J. HUNTSMAN

The bill (H.R. 9406) for the relief of William J. Huntsman, was considered, ordered to a third reading, read the third time, and passed.

HARRY KALOIAN

The bill (H.R. 9417) for the relief of Harry Kaloian was considered, ordered to a third reading, read the third time, and passed.

MAJ. EDMUND T. COPPINGER

The bill (H.R. 9432) for the relief of Maj. Edmund T. Coppinger, was considered, ordered to a third reading, read the third time, and passed.

BROOKLYN STEEL WAREHOUSE CO.

The bill (H.R. 9958) for the relief of Brooklyn Steel Warehouse Co., was considered, ordered to a third reading, read the third time, and passed.

ISAMI NOZUKA

The bill (H.R. 10431) for the relief of Isami Nozuka (also known as Isami Notsuka, was considered, ordered to a third reading, read the third time, and passed.

CLARIFICATION OF CERTAIN PROVISIONS OF THE CRIMINAL CODE

The bill (H.R. 10598) to clarify certain provisions of the Criminal Code relating to the importation or shipment of injurious mammals, birds, amphibians, fish, and reptiles, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

ROBERT J. REEVES

The bill (H.R. 11165) for the relief of Robert J. Reeves, was considered, ordered to a third reading, read the third time, and passed.

CHAUNCEY A. AHALT

The bill (H.R. 11327) for the relief of Chauncey A. Ahalt was considered, ordered to a third reading, read the third time, and passed.

FERDINAND HOFACKER

The bill (H.R. 11420) for the relief of Ferdinand Hofacker was considered, ordered to a third reading, read the third time, and passed.

EDOUARD E. PERRET

The bill (H.R. 11460) for the relief of Edouard E. Perret was considered, ordered to a third reading, read the third time, and passed.

CLAUDE L. WIMBERLY

The bill (H.R. 12475) for the relief of Claude L. Wimberly was considered, ordered to a third reading, read the third time, and passed.

RICHARD J. POWER

The bill (H.R. 11486) for the relief of Richard J. Power was considered, ordered to a third reading, read the third time, and passed.

CAPT. LUCIEN B. CLARK, U.S. ARMY

The bill (H.R. 12471) for the relief of Capt. Lucien B. Clark, U.S. Army, was considered, ordered to a third reading, read the third time, and passed.

JOHN H. ESTERLINE

The bill (H.R. 12476) for the relief of John H. Esterline was considered, ordered to a third reading, read the third time, and passed.

REFERENCE TO THE COURT OF CLAIMS OF SENATE BILL 3199

The resolution (S. Res. 288) to refer to the Court of Claims the bill (S. 3199) for the relief of the Adler Construction Co., was considered and agreed to, as follows:

Resolved, That the bill (S. 3199) entitled "A bill for the relief of the Adler Construction Company", now pending in the Senate, together with all accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

RESOLUTION PASSED OVER

The resolution (S. Res. 334) opposing the making of recess appointments to the Supreme Court was announced as next in order.

THE PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. FONG. Over, by request.

The PRESIDING OFFICER. The resolution goes over.

TRANSFER OF CASES BETWEEN THE DISTRICT COURTS AND THE COURT OF CLAIMS

The Senate proceeded to consider the bill (H.R. 5396) to amend title 28 of the United States Code to provide for transfer of cases between the district courts and the Court of Claims, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 8, after the word "shall", to strike out "unless the parties consent to dismissal" and insert "if it be in the interest of justice"; at the top of page 2, to insert "where the case shall proceed as if it has been filed in the Court of Claims on the date it was filed in the district court"; in line 9, after the word "shall", to strike out "unless the parties consent to dismissal" and insert "if it be in the interest of justice"; in line 12, after the word "filed", to insert a comma and "where the case shall proceed as if it had been filed in the district court on the date it was filed in the Court of Claims"; after line 17, to insert a new section, as follows:

SEC. 3. The first sentence of section 2 of the Act of March 9, 1920 (title 46, U.S.C. 742), is amended to read as follows:

"In cases where if such vessel were privately owned or operated, or if such cargo were privately owned or possessed, or if a private person or property were involved, a proceeding in admiralty could be maintained, any appropriate nonjury proceeding in personam may be brought against the United States or against any corporation mentioned in section 1 of this Act."

On page 3, at the beginning of line 5, to change the section number from "3" to "4"; in the same line, after the word "by", to insert "sections 1 and 2 of", and in line 8, after the word "Claims", to insert "The amendment made by section 3 shall apply to any case or proceeding brought after the date of enactment of this Act.".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to amend title 28 of the United States Code to provide for transfer of cases between the district courts and the Court of Claims and for other purposes."

BILL PASSED TO FOOT OF CALENDAR

The bill (H.R. 4428) for the relief of the legal guardian of John David Almeida, a minor, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BARTLETT. Over, by request.

Mr. SALTONSTALL. Mr. President, will the Senator permit the bill to go to the foot of the calendar? I should like to give an explanation of the bill, if there is any chance of its being passed.

Mr. BARTLETT. Certainly.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

ACTIONS FOR INFRINGEMENTS OF COPYRIGHTS BY THE UNITED STATES

The Senate proceeded to consider the bill (H.R. 4059) to amend title 28 of the United States Code relating to actions for infringements of copyrights by the United States, which had been reported from the Committee on the Judiciary, with amendments on page 3, after line 16, to insert a new section, as follows:

SEC. 2. Nothing in this Act shall be construed to in any way waive any immunity provided for Members of Congress under article I of section 6 of the Constitution of the United States.

At the beginning of line 21, to change the section number from "2" to "3", and at the beginning of line 24, to change the section number from "3" to "4".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

LEO SHOENHOLZ AND OTHERS

The Senate proceeded to consider the bill (S. 2902) for the relief of Leo Shoenholz, Tobias Kaplan, the Kroger Co., and Cleveland State Bank, all of Cleveland, Miss., which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 1, after the word "the", to strike out "Cleveland State Bank, Cleveland," and insert "Valley Bank of Rosedale, Rosedale,", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and

directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of—

(1) $600 to Leo Shoenholz, Cleveland Mississippi;

(2) $600 to Tobias Kaplan, Cleveland, Mississippi;

(3) $240 to the Kroger Company, Cleveland, Mississippi; and

(4) $120 to the Valley Bank of Rosedale, Rosedale, Mississippi.

The payment of each of such sums shall be in full settlement of all claims of the person to whom it is paid against the United States for losses incurred as a result of the negotiation of certain checks drawn on the Treasury of the United States for payment of a class Q allotment made payable to the wife of Verner Garrett, Rosedale, Mississippi, and issued after his discharge from the Army on November 28, 1945 (Army serial numbered 34928692). Such checks were improperly issued by the United States Army Finance Office during the period beginning January 1, 1946, and ending December 1, 1948, both dates inclusive: *Provided,* That no part of the amount appropriated in this Act for the payment of any one claim in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Leo Shoenholz, Tobias Kaplan, the Kroger Company, of Cleveland, Mississippi, and Valley Bank of Rosedale, Rosedale, Mississippi."

MARION JOHN NAGURSKI

The bill (H.R. 12350) for the relief of Marion John Nagurski was considered, ordered to a third reading, read the third time, and passed.

EDWARD S. ANDERSON

The Senate proceeded to consider the bill (H.R. 11188) for the relief of Edward S. Anderson which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to Edward S. Anderson, of Columbus, Ohio, the sum of $154.70. Such sum represents the remaining balance that the said Edward S. Anderson is obligated to pay as the result of a judgment rendered against him in a civil court of the State of Ohio arising out of an accident occurring on October 27, 1956, between a private vehicle and a mail truck operated by the said Edward S. Anderson in the course of his employment as an employee of the Post Office Department: *Provided,* That no part of the amount appropriated in this Act shall be paid, or delivered to, or received by, any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CENTENNIAL OF THE BIRTH OF JANE ADDAMS

The joint resolution (H.J. Res. 658) to authorize and request the President to issue a proclamation in connection with the centennial of the birth of Jane Addams, founder and leader of Chicago's Hull House was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF AGRICULTURAL ACT OF 1949—BILL PASSED OVER

The bill (H.R. 12759) to amend title V of the Agricultural Act of 1949, as amended, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BARTLETT. Over, by request.

Mr. CASE of South Dakota. I wonder whether the Senator will withhold his objection for the present.

Mr. BARTLETT. I withhold my objection.

Mr. CASE of South Dakota. The bill, which comes from the House Committee on Agriculture, deals with the subject of Mexican labor. I understand that there is some objection to the passage of the bill, and I have received some objection to it myself. I wonder if the objectors will permit consideration of the bill, with the understanding that I will move to strike out all after the enacting clause and to substitute therefor the text of the amendment which I proposed yesterday on a bill which came from the Committee on Agriculture, so as to pass the so-called wheat bill, that is, the bill which we passed at one time in the Senate, and on which a motion to reconsider with instructions in the House failed by only 11 votes; except that in the way I would offer the amendment I would change the figures in the so-called wheat bill from 75 percent of parity loan support to 77 percent, change the revision of acreage from 20 percent to 22 percent, and change the figure for the compensation of payment in kind for the reduced acreage from 50 percent to 55 percent. That would strike practically a halfway point between the bill as it passed the Senate and the bill as it was reported by the Senate Committee on Agriculture and Forestry. It would approach the figures proposed by the House Committee on Agriculture.

I have reason to believe that if this were done the wheat bill would pass and we could get action on a wheat bill at this session of Congress. Both party platforms favor action on agricultural legislation, and both presidential candidates have spoken frequently and eloquently about the need for agricultural legislation.

The wheat surplus problem is the most pressing problem in the whole farm picture. Therefore, I wonder if the Senators who have raised objection would agree to the consideration of the bill dealing with Mexican labor and would agree to its consideration with the understanding that I would offer a motion to strike out all after the enacting clause and to substitute the wheat bill which has already had the approval of the Senate on the 75 percent, 20–50 basis, and which has had the approval of the Senate Committee on Agriculture on the 80, 20–50 basis, and in place of which I would offer a 77 percent, 22–55 basis.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield if I have the time.

Mr. HRUSKA. Inasmuch as the Senator from Massachusetts has announced that it was his purpose to introduce a farm bill, would not the consideration of the proposal of the Senator from South Dakota be at least a partial installment on the pledge made recently by the Democratic nominee to delegates to the Democratic national convention?

Mr. CASE of South Dakota. It seems to me it would indeed. It could be pointed to as a significant accomplishment of this session. It could be pointed to as evidence that the Senator from Massachusetts is following his expression of hope about this August session.

Mr. HRUSKA. It was more than an expression of hope. It was a pledge that he would introduce a farm measure which was at that time being drafted. So it was more than a hope.

Mr. CASE of South Dakota. Everyone would like to see some concrete farm legislation passed which would do something at this session. An amended bill coming from the House Committee on Agriculture would be certain of consideration by the conferees. I hope those who have objected to the bill will permit its consideration, with the understanding that I will offer an amendment to strike out all after the enacting clause and substitute the bill I have suggested.

Mr. BARTLETT. Mr. President, although feeling as the Senator does, and the desire of the calendar committee being to accommodate the Senator from South Dakota, the fact remains that the Senator who made the objection is not on the floor. Therefore I must reluctantly renew my request that the bill go over.

Mr. CASE of South Dakota. I appreciate the position of the Senator from Alaska, if the Senator who objected is not on the floor. I hope that his attention may be drawn to this colloquy, and the hope that later the bill may be brought up by motion and consideration given to the proposal of a wheat substitute which I have suggested.

The PRESIDING OFFICER. The bill will go over.

ESTABLISHMENT OF A NATIONAL CEMETERY IN FORT RENO, OKLA.

The Senate proceeded to consider the bill (S. 3339) to provide that the Secretary of the Army shall establish a national cemetery in Fort Reno, Okla., on certain lands presently under the jurisdiction of the Secretary of Agriculture which had been reported from the Committee on Agriculture and Forestry with an amendment on page 1, line 3, after the words "That", to insert "upon determination by the Secretary of the Army that the land is suitable for cemeterial purposes", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon determination by the Secretary of the Army that the land is suitable for cemeterial purposes, the Secretary of Agriculture is authorized and directed to release, donate, and transfer to the Secretary of the Army, for national cemetery purposes, a portion of the present United States Beef Cattle Research Station, Fort Reno, Oklahoma (formerly the Fort Reno Military Reservation), more particularly described as follows:

A tract of land situated in the county of Canadian, State of Oklahoma, being all of the north half north half of section 33, township 13 north, range 8 west, of the Indian meridian, containing one hundred and sixty acres, more or less.

SEC. 2. The Secretary of the Army is authorized and directed to establish a national cemetery on the land transferred to him under the first section of this Act, and to provide for the care and maintenance of such national cemetery.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WOODY W. HACKNEY

The bill (S. 3844) for the relief of Woody W. Hackney, of Fort Worth, Tex., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Woody W. Hackney of Fort Worth, Texas, the sum of $9,894.31. The payment of such sum shall be in full satisfaction of his claim against the United States for compensation for all losses directly or indirectly sustained by him through injury or damage to livestock, real property, crops, and equipment, and all losses in milk production, resulting from the crashing upon his real property on April 23, 1960, of an F-86L aircraft (SN 53-4085) while such aircraft was engaged in a training flight of the One Hundred and Thirty-sixth Air Defense Wing, Texas Air National Guard: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

GRANTING OF MINERAL RIGHTS IN CERTAIN HOMESTEAD LANDS IN ALASKA

The Senate proceeded to consider the bill (S. 1670) to provide for the granting of mineral rights in certain homestead lands in the State of Alaska, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 1, at the beginning of line 9, to insert "Kenai Peninsula in the", and in line 10, after the word "entries", to strike out "which were valid and subsisting on July 23, 1957" and insert "on which all requirements of the homestead laws had been complied with prior to July 23, 1957, except for the actual submission of acceptable final proof"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States hereby quitclaims as of the date of this Act or as of the date of issuance of patent, whichever is later, to the patentee or to his lawful heirs if title to the lands prior to the date of this Act had by devise or succession passed out of the patentee, all right, title, and interest of the United States in and to oil and gas deposits in lands in the Kenai Peninsula in the State of Alaska patented to homestead entrymen pursuant to homestead entries on which all requirements of the homestead laws had been complied with prior to July 23, 1957, except for the actual submission of acceptable final proof.

SEC. 2. Nothing in this Act shall affect the validity of any lease issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U.S.C. 181 and following), as amended, or any rights arising thereunder, or any of its terms and conditions except that quitclaim under the terms of this Act of any oil and gas deposit covered by such a lease shall vest in the grantee all right, title, and interest of the United States in and to such lease, including the right to all rentals, royalties, and other payments accruing after the date of quitclaim and including any authority that may have been retained by the United States to modify its terms and conditions.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REGULATION OF MASS TRANSIT IN THE WASHINGTON, D.C., METROPOLITAN AREA—JOINT RESOLUTION PASSED OVER

The joint resolution (H.J. Res. 402) granting the consent of Congress for the States of Virginia and Maryland and the District of Columbia to enter into a compact related to the regulation of mass transit in the Washington, D.C., metropolitan area, and for other purposes, was announced as next in order.

Mr. ROBERTSON. Mr. President, I understand an official objection has been registered by a Member of the Senate who is not present. If the objection will be withheld for 1 minute, I may say that I do not believe any Senator will go on record against the bill when he understands the facts.

The only objection to the joint resolution has been voiced by the D.C. Transit System, which will not cooperate with the utilities of Maryland and Virginia in the issuance of transfers to transit riders from those areas who work in the District of Columbia and who need to travel to and from their work by public conveyance by means of reasonable transit fares and transfers.

The joint resolution was unanimously passed by the House and was reported unanimously by the Senate Committee on the Judiciary. Only one Senator, who is not present, has asked that the measure be objected to. So I serve notice on him that tomorrow, when I can secure recognition for that purpose, I shall move that it be considered on its merits.

The residents of Virginia and Maryland are entitled to proper rates of fare and transfers which cannot be regulated now because interstate commerce is involved. The States of Maryland and Virginia have no control over the rate charged by the D.C. Transit System within the District of Columbia, and therefore cannot force the issuance of transfers.

Mr. KEATING. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. KEATING. I join with the distinguished Senator from Virginia in the request which he has made for the approval of this compact. I was a member of the subcommittee which conducted the hearings on the joint resolution, under the leadership of the distinguished Senator from Michigan [Mr. HART]. We took complete testimony and unanimously reached the conclusion that the compact should be approved. The full Committee on the Judiciary thereafter concurred in our views. I hope the joint resolution will receive early action, in fairness to the residents of Virginia and Maryland.

Mr. ROBERTSON. Mr. President, the distinguished Senator from Michigan [Mr. HART], who must officially object to the consideration of the joint resolution on the call of the calendar, handled the measure in the subcommittee and is well informed about the subject matter which is involved.

Mr. HART. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. HART. The Senator from Virginia has indicated his disappointment that an objection has been registered with the calendar committee to the joint resolution. The distinguished Senator from Virginia was most forceful in his presentation to the subcommittee which heard the testimony concerning the compact. He was eloquent in urging that the compact be approved, and his conviction was right.

As chairman of the subcommittee, I have brought the question to the attention of the full committee, and the full committee has reported the joint resolution.

Fairness requires that I say a word with respect to the position of the Senator who has registered the objection. He did not have the benefit of the hearings. This is a quite proper procedure

in the instance of a Senator who has received information which disturbs him. It is the only way in which he can be protected. I would be the first to insist that his right be preserved.

Mr. ROBERTSON. The Senator from Virginia does not object at all to the right of the Senator to be heard. I merely said that when the Senator who has asked to be heard returns to the Chamber, which I hope will be tomorrow, and learns all the facts, I am certain the objection will be withdrawn.

In any event, as has been pointed out by the distinguished Senator from New York [Mr. KEATING], there are such strong and compelling reasons for the adoption of the compact that the Senate undoubtedly, on the merits of the proposal, will agree to it.

I thank the distinguished Senator from New York and the distinguished Senator from Michigan.

Mr. HART. I feel certain that I can assure the able Senator from Virginia that upon a hearing, the objection will be removed.

The PRESIDING OFFICER. No objection has been registered as yet to the joint resolution. Is there objection?

THE VICE PRESIDENT'S ACTIONS AT AN EXECUTIVE LEVEL

Mr. McGEE. Mr. President, reserving the right to object, I wish to address myself to a matter or two which appears in this morning's Washington Post, in reference to the reported comment of the President at his press conference yesterday concerning Vice President NIXON and the question of leadership in the White House.

One reporter, Sarah McClendon, a distinguished correspondent of the El Paso, Tex., Times, asked the President:

> Mr. President, sir, will you tell us some of the big decisions that Mr. NIXON has participated in since you have been in the White House and he, as Vice President, has been helping you?

A second question, asked by Charles H. Mohr, of Time magazine, raised almost the same question. He asked:

> One of the issues in this campaign is seeming to turn on the question of Mr. NIXON'S experience, and the Republicans to some extent almost want to claim that he has had a great deal of practice at being President.

The questioner goes on to inquire what is meant by the general suggestion that the Vice President has been a participant in the decision making process.

In the discussion which followed, the President of the United States, it seems to me, gave a very candid description of his proper constitutional role. I note that the concluding question in the session with the newsmen yesterday was a simple one, and again was asked by Mr. Mohr:

> We understand that the power of decision is entirely yours, Mr. President. I just wondered if you could give us an example of a major idea of his that you had adopted in that role, as the decider and final—

The question was not finished, but the President replied:

> If you give me a week I might think of one. I don't remember.

That provoked the editorial writer in the Washington Post this morning to begin his editorial in this way:

> Why, it's enough to make the Republicans want to revise their campaign strategy. Vice President NIXON, the friend of Prime Ministers and Presidents, is portrayed by the GOP orators as a man who has participated in all the important decisions of the Eisenhower administration. But now comes the man who should know, Mr. Eisenhower himself, to say that it isn't true.

Mr. President, I ask unanimous consent that the questions asked in the press conference yesterday with respect to this subject and the editorial from which I have in part read be printed at this point in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 25, 1960]

DECISIONMAKING

Question (Sarah McClendon, El Paso Times): "Mr. President, sir, will you tell us some of the big decisions that Mr. NIXON has participated in since you have been in the White House and he, as Vice President, has been helping you?"

The President: "Well, Miss McClendon, No one participates in the decisions. Now we just—I don't see why people can't understand this. No one can make a decision except me—if it is in the national executive area.

"I have all sorts of advisers, and one of the principal ones is Mr. NIXON. But any Vice President that I should have, even if I did not admire and respect Mr. NIXON as I do, I would still keep him close in all these things, because I think any President owes it to the country to have the next individual in line of succession completely aware of what is going on. Otherwise, you have a break that is unconscionable and unnecessary.

"Now, just—when you talk about other people sharing a decision, how can they? No one can, because then who is going to be responsible? And because I have been raised as an Army individual, and have used staffs, I think you will find no staff has ever thought that they made a decision as to what should be done or should not be done when I was a commander. And I don't think anyone in the Government will find—or you can find anyone that would say differently."

[From the Washington Post, Aug. 25, 1960]

NIXON EXPERIENCE

Question (Charles H. Mohr, Times magazine): "Mr. President, one of your answers to a previous question raises this question:

"One of the issues in this campaign is seeming to turn on the question of Mr. NIXON'S experience, and the Republicans to some extent almost want to claim that he has had a great deal of practice at being President.

"Now, in answer to the other question, I wonder if it would be fair to assume that what you mean is that he has been primarily an observer and not a participant in the executive branch of the Government.

"In other words, many people have been trying to get at the degree that he has—I don't want to use that word 'participated'—but acted in important decisions, and it is hard to pin down."

The President: "Well, it seems to me that theme is some confusion here, haziness, that possibly needs a lot of clarification.

"I said he was not a part of decisionmaking. That has to be in the mind and heart of one man. All right. Every commander that I have ever known, or every leader, or every head of a big organization, has needed and sought consultative conferences with his principal subordinates.

"In this case, they are normally Cabinet officers. They include also such people as the head of the GSA, the Budget Bureau, and the Vice President as one of the very top. So the Vice President has participated for 8 years, or 7½ years, in all of the consultative meetings that have been held.

"And he has never hesitated, and if he had I would have been quite disappointed, he has never hesitated to express his opinion, and when he has been asked for it, expressed his opinion in terms of recommendation as to decision. But no one, and no matter how many differences or whether they are all unanimous—no one has the decisive power. There is no voting.

"It is just—you could take this body here, and say, 'Look, we are going to do something about the streets down here, about parking around here for you people.' All right. Now, everybody has got his say. But I have to handle, let's say, around the White House, and so who is going to decide—I am; not this body. So, Mr. NIXON has taken a full part in every principal discussion."

Question (Mohr): "We understand that the power of decision is entirely yours, Mr. President. I just wondered if you could give us an example of a major idea of his that you had adopted in that role, as the decider and final——"

The President: "If you gave me a week I might think of one. I don't remember."

[From the Washington Post, Aug. 25, 1960]

MAN OF DECISION

Why, it's enough to make the Republicans want to revise their campaign strategy. Vice President NIXON, the friend of Prime Ministers and Presidents, is portrayed by the GOP orators as a man who has participated in all the important decisions of the Eisenhower administration. But now comes the man who should know, Mr. Eisenhower himself, to say that it isn't true. As President, Mr. Eisenhower alone has made the decisions and Mr. NIXON has been responsible for none of them.

Technically, of course, this is altogether logical. The responsibility of the Presidency cannot be delegated, and all the functions of the Office are carried out in the name of the incumbent. Moreover, in respect of the question that precipitated the discussion at Mr. Eisenhower's news conference—farm policy—Mr. NIXON may be just as glad at this point not to be associated formally with the decisions themselves.

Still, it was a bit unkind for Mr. Eisenhower to promise merely that he would try to think of an idea suggested by Mr. NIXON and adopted as policy. We have no doubt that in the White House Mr. NIXON could and would make decisions. We have no doubt, either, that he has helped considerably to influence many of the decisions taken by Mr. Eisenhower on subjects ranging from civil rights to medical care.

Although so loyal and disciplined a man as Mr. NIXON would never voice the notion, Mr. NIXON could be pardoned for thinking with Maréchal Villars: "Defend me from my friends." And now consider the plight of the Republican propagandists who themselves must make a decision whether they can have it both ways.

Mr. McGEE. Mr. President, in keeping with their general political strategy, we learned not long ago that the Republican committee, again in this election campaign, has appointed a "truth squad" to insure that the American public is not hoodwinked by our Democratic candidates.

We do not concern ourselves with this tactic, since we are confident the public is fully aware of the past records of GOP "truth squads" and know them for what they really are.

However, after reading a transcript of the President's news conference yesterday, it appears to me that the Republicans could do their party a greater service by appointing a "consequences squad." Such a group could be assigned by the party to cover up the "truths" that occasionally leak out of the Madison Avenue dam that has been constructed around the administration.

The small spurts of truth, such as yesterday's admission on the part of the President that the Vice President in fact has played no part, other than advisory, in making policy decisions at an executive level are, it must be admitted, very rare. However, I should think, that on these occasions a specially appointed "consequences squad" could rush in and stick their finger in the dike until permanent repair could be accomplished by a propaganda expert.

I am confident, Mr. President, that the Republican Party will attempt in some way, with some "squad" or other, to reconcile the statement of the President with the campaign image of the Vice President as a man who constantly sits at the President's elbow and directs executive decisions. No matter what effort is to be made, a genuine splash of untarnished truth has managed to trickle out of the reservoir, and we should all face it for what it suggests.

The fact is that the President, like any major executive, must have around him numerous persons upon whom to test ideas and measure opinion in order to intelligently formulate his own opinions and decisions. The experience of Mr. NIXON in this consultant capacity is not unique nor does he have a monopoly on such a job. There are untold numbers of men in this country who have served a President in this fashion.

However, we have seen the Vice President's experience vastly overplayed and misrepresented, particularly during the past few months. This image of Mr. NIXON is intended to convey the idea that perhaps he is the man who should inherit the job of running the country because of this great executive experience.

But, in fact, as the President reminded us yesterday, Mr. NIXON was only one of an unnamed number of individuals who occasionally sat around the President for discussion purposes. In no sense, as Mr. Eisenhower made clear, was Mr. NIXON ever an Assistant President. He was not even a Sherman Adams. Let us not confuse the Vice President's role as constitutional successor to a President who may die in office with that of a trusted confidant of the President who is in fact his real assistant. Keep this question in perspective. The two nominees for President are both young men. Both have served in the House of Representatives and the Senate. Both still serve the Government today, and, on the whole, have represented the country on a national level for about the same length of time.

Mr. ERVIN. Mr. President, will the Senator from Wyoming yield?

Mr. McGEE. I yield.

Mr. ERVIN. I should like to ask the Senator from Wyoming a twofold question: First, is not President Eisenhower in a better position than any other human being to give an answer to the questions put to him by Miss McClendon and Mr. Mohr; and second, if President Eisenhower is not a person who is regarded by all mankind as a man of veracity.

Mr. McGEE. Indeed, he is. I agree with the Senator from North Carolina. I simply add, in response to his first query, that the Constitution prescribes that the President of the United States shall be the person to make decisions. I think that is abundantly clear.

Mr. CASE of South Dakota. Mr. President, will the Senator from Wyoming yield?

Mr. McGEE. I yield.

Mr. CASE of South Dakota. The Senator from Wyoming has properly, in my judgment, referred to the constitutional responsibility of the President. The consequence, if I may be so bold as to say so, of the President having given any other answer would be an inference that the President was not performing his own responsibilities.

I think the questions which were asked the President were questions which could not have been answered in any other way than as the Senator from Wyoming suggests. To have answered in any other way would have been to ascribe responsibilities to Mr. NIXON in violation of the constitutional responsibilities which the Senator from Wyoming rightly says belongs to the President.

Mr. McGEE. The Senator from South Dakota rightly puts his finger on the nub of the issue and the point to which I am addressing my thoughts, the issue has nothing to do with the proper constitutional role of the President, but rather a claim being asserted in behalf of the Vice President in terms of his role in the administration. That is where violence has been done to the Constitution, in the form of untrue or exaggerated claims being used for political reasons during the campaign.

Mr. CASE of South Dakota. Mr. President, I am unaware of any instance in which it was said that the Vice President was making the decisions. Instead, it was said that he was present when the decisions were made or were in the process of being made.

Mr. ERVIN. Mr. President, will the Senator from Wyoming yield?

Mr. McGEE. I yield.

The PRESIDING OFFICER (Mr. CANNON in the chair). The 5 minutes available to the Senator from Wyoming have expired.

Mr. ERVIN. Mr. President, I ask unanimous consent that the Senator from Wyoming may have an additional 2 minutes, so that I may ask him a question.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. ERVIN. I should like to ask the Senator from Wyoming whether he agrees with me that the inference to be drawn from the questions and answers at the press conference is that although Vice President NIXON had been close enough to the President, for more than 7½ years, to make suggestions to the President about matters of policy which the President, in the exercise of his constitutional power, could adopt if he deemed them to be wise, yet the President said that it would take him at least a week to think of a single idea that the Vice President had advanced during the more than 7½ years that he, the President, had seen fit to adopt as a matter of policy.

Mr. McGEE. The Senator from North Carolina is entirely correct. In fact, my point is not that the President was doing any wrong. In fact, I think he was telling the truth. The wrong is being perpetrated in the campaign assertions that the Vice President has been assisting the President in the making of decisions, whereas actually the Vice President has only served in his constitutional position of the one elected to succeed the President of the Nation in the event the President becomes incapacitated. In fact, the Vice President has not even been another Sherman Adams.

All my remarks have been directed toward placing this matter in proper perspective, and to indicate, as the Senator from North Carolina has said, that the Vice President has served only in his constitutional role of being the one to succeed to the President in the event the President becomes incapacitated, and that the role the Vice President actually has played during the Eisenhower administration has been—as shown by the statements made at the President's press conference—entirely the reverse of that continually attempted to be shown by means of the efforts to project the image of the Vice President as one who, somehow, has had a unique role and power and executive experience while he has been Vice President of the United States. On the contrary, the President says that is not true.

Mr. President, the hard substance is that two young men now are running for election as President of the United States, and both have served the Nation for approximately the same length of time in the same political role, and there is no distinction between them on that score. Therefore, I only ask that the record show the truth in that connection.

Mr. KEATING. Mr. President, I merely wish to state, in reply to the distinguished Senator from Wyoming, that I know of no one who has made the claim that the Vice President of the

United States has made any of the decisions which the President should have made. It is, of course, true that the Vice President has participated in the conferences and consultations which have led up to those decisions—a fact which was confirmed by the President in his press conference.

The distinguished Vice President has served as vice chairman of the National Security Council and as chairman of the President's Commission on Equal Job Opportunities. He has sat with the Cabinet, and, in general, has been an important member of the team which assists and advises the President in laying the groundwork for the final determinations which he, alone, can make, under the Constitution.

I was delighted to hear the tribute paid by my distinguished and able friend, the Senator from North Carolina [Mr. ERVIN], to the sincerity and the veracity of the President of the United States. I am sure that the President would appreciate it, and I am sure that in his press conference he was just as truthful and just as sincere as he was when he said he felt strongly that the Vice President of the United States should be the next President, and that he is the ablest man who could be elected to this high office.

REGULATION OF MASS TRANSIT IN THE WASHINGTON, D.C., METROPOLITAN AREA—JOINT RESOLUTION PASSED OVER

The PRESIDING OFFICER. Is there objection to the present consideration of House Joint Resolution 402, granting the consent of Congress for the States of Virginia and Maryland, and the District of Columbia to enter into a compact related to the regulation of mass transit in the Washington, D.C., metropolitan area, and for other purposes?

Mr. HART. Mr. President, for the reasons indicated in the course of the discussion which preceded the comment made by the Senator from Wyoming, by request we ask that Calendar 1975 be put over.

The PRESIDING OFFICER. Objection being heard, the joint resolution will be passed over.

AMENDMENT OF MENOMINEE TERMINATION ACT

The bill (H.R. 11813) to amend the Menominee Termination Act, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, to strike out all after the enacting clause and insert:

That section 7 of the Act of June 17, 1954 (68 Stat. 250), as amended (25 U.S.C. 891), is further amended by changing the sixth sentence to read as follows:

"If the Menominee Tribe and the Secretary cannot agree upon a plan within the aforementioned six-month period, or if they agree upon a plan within such period and the tribal corporation and voting trust contemplated by the plan are not established prior to November 1, 1960, the Secretary shall transfer the tribal property to a trustee of his choice for management or disposition for the benefit of the Menominee Tribe."

SEC. 2. The first sentence and proviso of section 8 of said Act of June 17, 1954, as amended, are hereby amended to read as follows:

"On or before December 31, 1960, the Secretary is authorized to transfer to the tribal corporation or to a trustee of the Secretary's choice, as provided in section 7 of this Act, the title to all property, real and personal, held in trust by the United States for the tribe. The Secretary is hereby directed to begin immediate negotiations with a private trustee of his choice to perfect a trust agreement so that if by November 1, 1960, the tribal corporation is not functioning, the Secretary will be prepared to transfer title to such property to said trustee as soon after November 1, 1960, as possible, but in no event later than December 31, 1960."

SEC. 3. Section 9 of said Act of June 17, 1954, as amended, is further amended as follows:

"SEC. 9. No distribution, conveyance, or transfer of title to assets and no issuance or distribution of securities pursuant to the plan approved by the Secretary under the provisions of this Act shall be subject to any Federal or State transfer, issuance, or income tax: *Provided*, That nothing contained in this Act shall exempt the recipient of any cash distribution made hereunder from payment of income tax for the year in which the distribution is made on that portion of his share thereof which consists of interest on funds deposited in the Treasury of the United States pursuant to the Supplemental Appropriation Act, 1952 (65 Stat. 736, 754). Following any distribution, conveyance, transfer, or issuance as aforesaid, the assets and securities which are held by, and any income derived therefore which is received by or payable to, any person, or any corporation or organization as provided in section 8 of this Act, shall be subject to the same taxes, State and Federal, as in the case of non-Indians, except that the basis of any valuation for purposes of Federal income tax on gains or losses shall be the value of the property on the date title is transferred by the United States pursuant to section 8 of this Act."

SEC. 4. The Act of June 17, 1954, as amended, is further amended by adding at the end thereof a new section 14 as follows:

"SEC. 14. Notwithstanding any other provision of this Act, the Secretary of the Interior is authorized to contract with the Wisconsin Department of Public Instruction, prior to the date for terminating Federal responsibilities, for the completion of a vocational or undergraduate college program of any member of the Menominee Tribe who has been accepted for such program prior to the termination date."

Mr. ANDERSON. Mr. President, I submit amendments which I desire to have stated; and then I shall be glad to state the reasons for submitting the amendments, if I may do so.

The PRESIDING OFFICER. The amendments submitted by the Senator from New Mexico will be stated.

The LEGISLATIVE CLERK. On page 3, in line 7, it is proposed to strike out section 1 and to insert the following:

That section 7 of the Act of June 17, 1954 (68 Stat. 250), as amended (25 U.S.C. 891), is further amended by changing the sixth and seventh sentences to read as follows:

"If the Menominee Tribe and the Secretary cannot agree upon a plan within the aforementioned 6-month period, or if they agree upon a plan within such period and the tribal corporation and voting trust contemplated by the plan are not established prior to March 1, 1961, the Secretary shall transfer the tribal property to a trustee of his choice for the management or disposition for the benefit of the Menominee Tribe.

"The responsibility of the United States to furnish all such supervision and services to the tribe and to the members thereof, because of their status as Indians, shall cease on April 30, 1961, or on such earlier date as may be agreed upon by the tribe and the Secretary."

On page 3, in line 21, it is proposed to strike out "December 31, 1960" and insert "April 30, 1961."

On page 4, in line 3, it is proposed to strike out "November 1, 1960" and insert "March 1, 1961."

On page 4, in line 5, it is proposed to strike out "November 1, 1960" and insert "March 1, 1961."

On page 4, in line 6, it is proposed to strike out "December 31, 1960", and insert "April 30, 1961."

The amendments to the amendment were agreed to.

Mr. ANDERSON. Mr. President, the Committee on Interior and Insular Affairs, and previously the Subcommittee on Indian Affairs, agreed on December 31, 1960, as the date for the termination, and Congress established that formula in 1958.

The Senate committee held to that date, even though the House voted to grant a 6-month extension.

However, the two Wisconsin Senators have said to the committee—and with some propriety, I think—that it has not allowed the study to be finished; and both the senior Senator from Wisconsin [Mr. WILEY] and the junior Senator from Wisconsin [Mr. PROXMIRE] have said that the tribe should be given a little more time—preferably 6 months—in order to complete the study. They think that will make it possible for the matter to be handled satisfactorily.

We have allowed 4 months, instead—in the nature of a compromise—and actually 3 months from the former December 31, 1960 termination date. The amendment calls for an extension to be made to April 1, 1961, for the termination, and to March 1, 1961, for the establishment of a voting trust. The amendment also provides that if the tribe and the Secretary cannot agree upon a plan within the 6-month period or if they agree upon a plan within that period and if the tribal corporation and voting trust contemplated by the plan are not established before March 1, 1961, the Secretary shall transfer the tribal property to a trustee for the Indians.

We feel this amendment allows sufficient time for the two able Senators from Wisconsin to work out with the Senate committee, and for the Members of the House to work out with the House committee, such language as they may deem necessary at that time.

So we believe this amendment allows sufficient time.

I can only say that the two Senators from Wisconsin are very persuasive. Although it was with some reluctance that I agreed to accept this amendment, I believe the statements made by the

two Senators from Wisconsin indicate their determination to help straighten out this matter. Therefore I have offered this amendment to the bill.

I suggest that the two Senators from Wisconsin may wish to state for the RECORD whether they believe this proposal will help the situation. I recognize that it is not as helpful as they would like it to be, but I believe it is helpful to the situation.

Mr. WILEY. Mr. President, in view of the circumstances stated by the distinguished Senator from New Mexico, I join in the request that the amendments to the amendment be agreed to, because I believe it is the best solution that can be worked out under the circumstances.

The tribe wanted a 6-month extension, and we have tried to obtain it. But for reasons already stated or intimated, apparently such an agreement could not be obtained.

The amendment which was read a moment ago at the desk has now been submitted to House bill 11813; and, practically, the amendment means that no action could be taken at this period. I think the Senator from New Mexico has done a fine job in offering the amendments; therefore, I am happy to concur in them.

Mr. President, I ask unanimous consent that a statement which I have prepared be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

TERMINATION OF FEDERAL CONTROL OVER MENOMINEE INDIAN TRIBE

I welcome the fact that it has been possible to get agreement for moderate extension of time for termination of Federal control over the Menominee Indian Tribe.

In attempting to meet the requirements of termination, the tribe, and the State of Wisconsin, together with the Department of Interior, have worked diligently to resolve the economic, social, educational, and other problems.

The tribe, for example, has put forward constructive proposals which are required to meet the approval of the Secretary of the Interior—and have done so—for handling tribal assets, following termination.

The State of Wisconsin, by legislative action, has established a 72d county and made provision for exercises of rights and responsibilities of full citizenship by the Indians upon termination.

Although I know there were serious misgivings by members of the committee about further extension of time for dealing with the serious problems involved in termination, I am gratified that it has been possible to reach this compromise and sincerely hope that the differences that still remain between the Senate and House versions of this measure can be effectively and quickly resolved.

I wish to express my deep concern over the bill, H.R. 11813, as revised by the Senate committee.

According to present law, Federal control over tribal affairs of the Menominee Indians of Wisconsin was scheduled for December 31, 1960.

In accordance with the provisions of the law, the Menominee Tribe and the State of Wisconsin—in cooperation with the Department of Interior—have designed a termination plan, subject to—and, incidentally, approved by—the Secretary of the Interior.

As anyone with experience in such termination matters is fully aware, the task is difficult, complex, costly, and time consuming.

Despite the difficulties involved, the tribe has made a strong, realistic effort to meet the requirements of the law and establish a plan that would insure economic stability for the future.

In addition, the State of Wisconsin—by legislative action—has created a 72d county and taken action to provide the Indians with the rights and responsibilities of full citizenship.

Because of economic, social, educational, and other problems which have arisen, the tribe this year is asking for an additional 6 months to resolve some of these problems.

Wisely, the House of Representatives earlier this session took action to provide this additional time. Unfortunately, the Senate committee not only refused to extend the termination date, but—as shown in its version of the bill—cut back the termination time from December 31 to November 1 this year.

Almost everyone who has a deep intimate and abiding interest in the future welfare of the Menominee Indian Tribe has endorsed the necessity of additional time for termination. These have included the following:

The Senators and Representatives of the State;

The tribe itself;

The government of Wisconsin; and

The Department of Interior, which handles the termination program.

I quote from the Department's letter of June 28, 1960, which follows the letter quoted by the committee in its report on the bill, dated May 27, 1960.

In referring to the report of May 27, Assistant Secretary Roger Ernst said:

"Since that report was submitted, this office has had the benefit of informative talks with the delegates of the Menominee Tribe. I am now convinced, largely as a result of such factual information, that additional time beyond December 31, 1960, is absolutely necessary to enable the Menominee Tribe to make improvements in their economy, which will bring about a successful termination."

The adoption of the amendments by the Senate (1) to extend the termination from December 31, 1960, to April 1, 1961, and (2) to extend the time for action by the Secretary, in the event termination plans are not fulfilled, for transfer of tribal property to a trustee be extended from November 1, 1960, to February 1, 1961, represents a necessary action if the complex plans relating to solution of problems of termination are to have the best chance for success.

Mr. PROXMIRE. Mr. President, I appreciate the difficulties under which the Senator from New Mexico [Mr. ANDERSON] is operating in dealing with this matter. I wish to take a very few minutes to go quickly over its history.

The fact is that at one time the Menominee Indians controlled a large part of Wisconsin—thousands of square miles.

Then a treaty was signed with them, and gave them a relatively tiny reservation. In return, the Menominees gave up their claim to a very large part of our State. In this reservation the Menominees have lived for a long time in the way their tribe had lived for thousands of years before then.

Beginning in 1954, the Menominees started to make the transition to the kind of life that most Americans lead. This is an extremely difficult transition from a life which they were living under circumstances which they wanted and which they enjoyed. On the basis of all the history I have studied on this matter, we virtually forced them to change. It is true, they consented, but they consented under what I consider to be considerable duress in 1954.

Since 1954 a very responsible study has been made of the Menominee Indian problem by the University of Wisconsin, by State and by local authorities, and they all concur it has taken these people a great number of months to become adjusted to this new kind of life. They are not happy that they have been pushed along as fast as they have been.

Mr. President, this is not a matter of political interest, but one of justice for people who have been pushed around shamefully by most of the American people.

I recognize we are up against a situation that we simply cannot correct here on the floor. I felt very, very strongly that, as a minimum, the tribe should be allowed 6 months additional time in order to terminate. For example, in making the transition, they are giving up very substantial Federal benefits which they enjoyed. They are giving up substantial benefits in the way of health, education, and welfare, in the kind of sanitation they need.

I conclude by saying I have a telegram from the Attorney General of Wisconsin. I have spoken about this matter to the Governor of Wisconsin, who feels strongly about this matter.

I ask unanimous consent that the telegram, which vigorously asks that the termination be postponed for 6 months, be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C., *August 25, 1960.*

HON. WILLIAM PROXMIRE,
Senate Office Building,
Washington, D.C.:

The State of Wisconsin urges you and the U.S. Senate to grant a 6-month extension date of the termination of the Federal control of the Menominee Indian Reservation. This additional time is needed to properly complete all plans presently in progress for an orderly transition from Federal to State jurisdiction. We urgently request that you oppose the appointment of mandatory trustees as of November 1, 1960. The State of Wisconsin has passed legislation creating a new county and making it possible for the members of the tribe to set up a corporation to operate their properties as of January 1, 1961.

The appointment of trustees would jeopardize all the progress that has been made by the members of the tribe and the State of Wisconsin in providing for termination. We cannot see how the appointment of the trustees will in any way benefit the U.S. Government, the members of the tribe, or the State of Wisconsin.

JOHN W. REYNOLDS,
Attorney General of the State of Wisconsin, and also Chairman of the Menominee Indian Study Committee of the State of Wisconsin.

Mr. PROXMIRE. Mr. President, I recognize the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. CHURCH], and other members of the subcommittee have a very difficult problem in this whole situation, but I hope we can give the Menominee Indians

proper consideration when this matter comes before the Congress, probably in 1961.

I do not say we should not cooperate to comply with the law to the best of our ability and conscience. Of course we should. We are going to do it, but I think we should temper the letter of the law with some mercy and justice. When these people are being suddenly pulled from the hunting-fishing Indian life into the mid-20th century, I think we should give them more consideration than they have been given in the past.

The PRESIDING OFFICER. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

CONVEYANCE OF PART OF LOCK AND DAM NO. 10, KENTUCKY RIVER, MADISON COUNTY, KY.

The bill (H.R. 11561) to authorize and direct the Secretary of the Army to convey part of lock and dam No. 10, Kentucky River, Madison County, Ky., to the Pioneer National Monument Association for use as a part of a historic site was announced as next in order.

Mr. COOPER. Mr. President, is there objection to this bill?

Mr. HART. Mr. President, objection has been registered. I intended to ask that it go over, by request.

Mr. COOPER. I should like to direct my statement to the majority Calendar Committee. I have been informed by the administrative assistant of the senior Senator from Oregon [Mr. MORSE] that the Senator from Oregon has lodged an objection. Having been so informed, I wonder if there are other objections lodged to the bill.

Mr. HART. Having learned of one objection, I must apologize for not having inquired beyond that. Perhaps before the Senate concludes the call of the calendar, I can make inquiry.

Mr. COOPER. I should like to address an inquiry to the majority Calendar Committee. I have talked to the legislative assistant, who told me that my colleague from Kentucky [Mr. MORTON] is on his way here. He said he would like to join me in the request that the bill go over until he arrives here; then he would like to join me in asking that the bill be brought up. I am sure when he comes here we can discuss the bill. It is a bill calling for the transfer of about 4 acres to a nonprofit organization of Kentucky and then transfer to the State of Kentucky. It concerns the historic Daniel Boone site, where Daniel Boone established a fort. According to my information from the Corps of Engineers, the value of the land is approximately $100. Even if the Morse formula should be followed, this would mean a payment to the Federal Government of $400. I am sure, after I speak to the Senator from Oregon, he will not disagree.

I suppose the Senator from Michigan does not have authority to say the bill can be called up by motion, but I would certainly appreciate his assistance in asking that it be considered as soon as the Senator from Oregon arrives here. Perhaps the Senator does have that authority.

Mr. HART. I am sure the Senator from Kentucky is asking a rhetorical question, since he knows full well the calendar committee's obligation is to present, not to bargain over, objections of Members. The Senator from Kentucky understands the position of the committee. I would suggest that the bill be placed at the foot of the calendar. If in the meantime the objector has appeared and the Senator from Kentucky has cleared the bill, it can be called up at that time. If that has not occurred, I am sure the matter can be called up on motion, or disposed of promptly later.

The PRESIDING OFFICER. The bill will go to the foot of the calendar.

EXEMPTION FROM TAXATION OF CERTAIN PROPERTY OF THE NATIONAL GUARD ASSOCIATION OF THE UNITED STATES IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 3867) to exempt from taxation certain property of the National Guard Association of the United States in the District of Columbia, which had been reported from the Committee on the District of Columbia, with an amendment, to strike out all after the enacting clause and insert:

That the property situated in square 625 in the city of Washington, District of Columbia, described as lot 60, together with the improvements thereon, owned by the President, Vice President, Secretary, and Treasurer of the National Guard Association of the United States, as trustees and in trust for the use and benefit of the National Guard Association of the United States, a voluntary unincorporated association with principal headquarters in the District of Columbia, is hereby exempt from all taxation from and after July 1, 1961, so long as the same is owned by the President, Vice President, Secretary, and Treasurer of the National Guard Association of the United States, as trustees and in trust for the use and benefit of the National Guard Association of the United States and occupied by the National Guard Association of the United States, is used solely for the purposes of said Association, and is not used for commercial purposes, subject to the provisions of sections 2, 3, and 5 of the Act entitled "An Act to define the real property exempt from taxation in the District of Columbia," approved December 24, 1942 (56 Stat. 1091; D.C. Code, secs. 47–801b, 47–801c, and 47–801e).

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H.R. 7885) relating to the income tax treatement of nonrefundable capital contributions to Federal National Mortgage Association was announced as next in order.

Mr. HART. Mr. President, over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bills placed at the foot of the calendar will now be stated by the clerk.

JOHN DAVID ALMEIDA

The bill (H.R. 4428) for the relief of the legal guardian of John David Almeida, a minor, was announced as next in order.

Mr. HART. Mr. President, over, by request.

The PRESIDING OFFICER. The bill will be passed over.

CONVEYANCE OF PART OF LOCK AND DAM NO. 10, KENTUCKY RIVER, MADISON COUNTY, KY.—BILL PASSED OVER

The bill (H.R. 11561) to authorize and direct the Secretary of the Army to convey part of lock and dam No. 10, Kentucky River, Madison County, Ky., to the Pioneer National Monument Association for use as a part of a historic site was announced as next in order.

Mr. HART. Mr. President, this is the item about which the Senator from Kentucky expressed such interest and concern. Objection having been made, and the calendar call having reached this point, I must ask that the bill go over, by request.

The PRESIDING OFFICER. The bill will be passed over.

THEODORE ROOSEVELT MEMORIAL

Mr. KEATING. Mr. President, I ask unanimous consent that we may return to Calendar No. 1905, H.R. 8665, to amend the act entitled "An act to establish a memorial to Theodore Roosevelt in the National Capital." This act would provide for the construction of such memorial by the Secretary of the Interior.

Mr. President, I want today to make a statement with regard to this act, although I realize it will not receive Senate action until it has been cleared by the distinguished majority leader.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and the bill is before the Senate.

Mr. KEATING. This bill would establish a memorial to Theodore Roosevelt in the National Capital. It was the subject of some discussion in the course of the last calendar call, at which time it was pointed out by me and several other Senators that objections had been interposed to the proposed memorial by members of the family of Theodore Roosevelt. It was generally concluded that there should be no further action until the family was in agreement with the proposed design.

After that discussion, Mrs. Alice Roosevelt Longworth called to talk with me and later came to see me. Since then, we have had several conversations about this subject, as a result of which she has written me a letter dated August 24, which I should like to read into the RECORD:

DEAR SENATOR KEATING: With regard to the proposed memorial to my father, Theodore Roosevelt, I want to make it clear that I

am not opposed to a bill being passed to provide a memorial on Theodore Roosevelt Island if it is understood by the three organizations mentioned in the bill that any design will have the approval of the children of Theodore Roosevelt. If this should be understood, I will be happy to see the bill enacted.

I am particularly anxious that the island be preserved and restored to the natural conditions which prevailed before the white man came.

Sincerely yours,

ALICE ROOSEVELT LONGWORTH.

In brief, Mrs. Longworth's position is that she is opposed to the present design which has been approved by the three organizations named in our bill. But, she is certainly not opposed to—is indeed pleased with—the idea of a memorial to her distinguished father. It is my hope it may be possible for us to established a legislative history whereby it would be agreed that no steps would be taken by these three organizations until the family has approved the design, or, preferably, that we may adopt an amendment to H.R. 8665 to give to the family some voice in the approval of the memorial, so that we may have action at this session of Congress.

I believe the distingiushed Senator from South Dakota [Mr. CASE], who has taken a great interest in this matter, who I feel sure shares my views about the desire to have a memorial erected to Theodore Roosevelt but who has serious reservations of his own about the particular design which has been suggested, has a suggestion to make as to an amendment to H.R. 8665 which would accomplish the purpose which has been suggested by Mrs. Longworth and by other members of the Roosevelt family.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. KEATING. I am happy to yield.

Mr. CASE of South Dakota. When I raised the question of objection the other day, Mr. President, I was prompted to do so by the public expression of Mrs. Longworth that she was not happy about the gyroscope type of memorial which had been proposed. Whenever I had seen any reference to the memorial or had seen pictures of the proposed memorial, I had always felt not only a good deal of disappointment, but also some revulsion, because it seemed to me that the spinning top or gyroscope failed utterly to convey the character and the spirit of Theodore Roosevelt. To imagine that a thing which required as much explanation as that would carry to future generations anything of the man who wrote "The Winning of the West," or who organized the Rough Riders, or who fought for civil service reform, or who was the leader who established the possibility of and the legislation for the Panama Canal, seemed to me to be utterly ridiculous.

The design has been described, in the official description, as—

This skeletal globe, consisting of three circular bronze bands, having neither beginning nor end, will symbolize infinity both in space and time. The sphere, as a whole—open to the sun and the moon, the stars and all the winds of heaven, with bounds suggested but not defined—betokens the free spirit, universal in its nature, timeless in its being, and abiding within the orbit of eternal law.

That might be something to signify the opening of the space age or something like that, but it does not suggest to me at all a man who said, "Speak softly and carry a big stick," or who said, "Fear God and take your own part."

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. KEATING. Mr. President, I ask unanimous consent that we may proceed for another 2 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. CASE of South Dakota. Or who, when his son, Quentin, was killed as an aviator in World War I, said, "Only those are fit to live who are not afraid to die."

Theodore Roosevelt was a man of courage and leadership. This ephemeral thing which was suggested as a model for the memorial, it seemed to me, was utterly out of place. When the daughter spoke up, I thought we should object to consideration of the bill. I have been contacted by her and by others, notably this morning by Mr. Gutterman, who said he thought he could speak for 40 wildlife and conservation associations in expressing the hope that the bill would be amended.

The amendment we would suggest would insert the words "the living children of Theodore Roosevelt" ahead of the organizations which are named in the bill as having approval of the plan.

There are three living children of Theodore Roosevelt. Mrs. Longworth is a daughter. Ethel Darby, of Vermont, is another daughter. Archibald Roosevelt, of Cold Springs Harbor, Long Island, is a son.

I am told that all the children would like to be consulted as to approval. I earnestly urge that the respective policy committees and calendar committees be required by the wording of the law to consult the children as to the design of the proposed memorial.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial from the Washington Star entitled "That Memorial," an editorial from the Washington Post and Times Herald entitled "Squashing the Sphere," an editorial from the Washington Daily News entitled "Leave It to Alice," and a letter from Miss Harlean James, who is a director of the American Planning and Civic Association, all of them pertaining to this matter.

There being no objection, the editorials and letter were ordered to be printed in the RECORD, as follows:

[From the Washington Star, Aug. 22, 1960]

THAT MEMORIAL

Perhaps the simple solution of the problem of an appropriate memorial to Theodore Roosevelt is to sculpture his likeness in bronze, equip it with a sword in one hand and a big stick in the other, mount in on an energetic horse galloping up a hill plainly labeled in large type "San Juan" and plant the whole thing beneath the noble scrub oak of Roosevelt Island's forest primeval.

The same general idea has been applied before to perpetuate the memory of national heroes and it seems to work. It avoids the dangers of imagination or of doing anything new. The symbolism, though subtle, is understandable to some Members of Congress and even their constituents. In some respects such a memorial would be even more pleasing to the eye than either a Dutch or Ohio bell tower, and less noisy. Congress, to be sure, could set up still another commission, composed of anybody who wished to publicize himself by expressing cute opinions on subjects of which he is singularly unqualified to speak. Members ex-officio of the new commission would be all present and future descendants of the 26th Presidents of the United States.

At any rate, everything else has been tried—and without much success. The prospects of obtaining money for the memorial selected by the most dedicated admirers of Theodore Roosevelt, the trustees and members of the Theodore Roosevelt Memorial Association, from the designs submitted by distinguished artists and approved by various groups of experts in such things appear, at this time, to be rather dim.

[From the Washington Post]

SQUASHING THE SPHERE

One of the community's great natural assets is Alice Roosevelt Longworth's tongue, and it has seldom been used with such wholesome lethal effect as on the so-called "celestial sphere" intended to commemorate her father. President Eisenhower can only make his voice bounce off a satellite. But Mrs. Longworth was able to send a 50-foot celestial sphere crunching to earth by speaking sharply, if not softly. That "globular jungle gym," said TR's daughter, "would desecrate the memory of anyone." With a stinging final flick, she added, "I only wondered why they hadn't thought to add Muzak."

The poor sphere, squashed and limp, was given a decent burial by the Senate. Senators JAVITS and KEATING, sponsors of the bill authorizing the $900,000 memorial on Theodore Roosevelt Island, were properly contrite. No monument would be erected, they said, unless it was acceptable to the lineal descendants of the President.

But weren't the Senators listening? Mrs. Longworth shares in the general community consensus that the best memorial is the island as it is—undecorated by metal geegaws, whether hexagonal or pear-shaped. "That lovely wild island should be left as it is," said Teddy's daughter. "It's a splendid memorial to my father."

[From the Washington Daily News, Aug. 20, 1960]

LEAVE IT TO ALICE

Back in 1931, Congress authorized a memorial to President Theodore Roosevelt. They have been planning it ever since.

This year it was decided that instead of raising the price for the memorial by public subscription, the taxpayers would put up the money, $886,400.

In Washington, where there are so many planning agencies it usually takes ages to get them together on any project, an astonishing agreement was reached on the Roosevelt proposal. In July, the House gave its OK and the Senate probably would have followed suit, except—

Somebody thought to ask Alice Roosevelt Longworth, daughter of the late President, what she thought about the design. Mrs. L. didn't hesitate: She said the "armillary or celestial sphere" the boys had planned would "desecrate the memory of anyone." She called the thing a "globular jungle gym."

This prompted Senator Russell to say that when he saw the thing he wept.

No wonder. Here is the official description of the design: "This skeletal globe, consisting of three circular bronze bands, having neither beginning nor end, will symbolize infinity both in space and time. * * * The sphere, as a whole—open to the sun and the moon, the stars, and all the winds of heaven, with bounds suggested but not defined—betokens the free spirit, universal in its nature, timeless in its being, and abiding within the orbit of eternal law."

This was to be erected on Theodore Roosevelt Island, a beautiful, 90-acre forested spot in the middle of the Potomac River.

Congress could do a lot worse than go along with Mrs. Longworth's idea:

"That lovely, wild island should be left just as it is. It's a splendid memorial for my father."

It is, indeed.

AMERICAN PLANNING AND CIVIC ASSOCIATION,
Washington, D.C., August 22, 1960.

Hon. FRANCIS CASE,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR CASE: Though I am retired, I try to keep posted on the affairs for which I have worked for so many years. I congratulate you on your intervention into the Roosevelt memorial planned for the island. I agree with you, Mrs. Longworth, and Kermit Roosevelt. Of course the land was purchased by the memorial association and given to the Federal Government. I understood that the original plan was to preserve the natural features of the island with only such provisions for access as might be justified. I hope the association will modify its plans to carry out the original purpose and then I feel sure that the Federal agencies will accept their proposals.

It is no surprise to me to find you taking a firm stand when needed, for I can remember such occasions during the years when I was in active service.

With warm regards and high esteem, I remain,

Sincerely yours,

HARLEAN JAMES.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KEATING. Mr. President, I ask unanimous consent that we may proceed for 1 additional minute.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. KEATING. At what point would the Senator's suggested language be inserted in the bill?

Mr. CASE of South Dakota. Line 1, page 2, after the words "as may be approved by" insert the words "the living children of Theodore Roosevelt," and then the language would follow, "the Theodore Roosevelt Association, the Commission of Fine Arts, and the National Capital Planning Commission."

Mr. COOPER. Mr. President, I should like to ask the distinguished Senator from South Dakota and the Senator from New York a question.

If the amendment should be agreed to, would there be any ambiguity? Would there be a question as to whether these living children could actually override a judgment or a decision made by the Commission? Would there be some ambiguity?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KEATING. Mr. President, I ask unanimous consent that we may proceed for 1 additional minute.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

Mr. CASE of South Dakota. There is not intended to be any ambiguity. It is intended that the bill will say, "as may be approved by the living children of Theodore Roosevelt," and that the memorial would require the approval of the three living children.

Mr. COOPER. Mr. President, I think in my own right I am entitled to 5 minutes.

The PRESIDING OFFICER. The Senator technically may reserve the right to object. However, the bill has not been taken up. The bill was not called on the calendar.

Mr. COOPER. Mr. President, I reserve the right of object.

The PRESIDING OFFICER. The Senator requests time?

Mr. COOPER. Yes. I wish to say that I concur wholeheartedly in what has been said by the Senator from New York and by the Senator from South Dakota. I think they both deserve the approbation of the Senate for objecting to the bill and raising this issue.

It seems to me the most simple issue connected with the establishment of the memorial for Theodore Roosevelt is that it should be appropriate to his character, to his life, and to his service to his country. The very fact that doubts have been raised about the design and about the monument which is to be erected upon this beautiful island indicates absolute doubt upon the part of those who have studied Theodore Roosevelt's life, who have known him, and who observed him. Many feel this would not be a proper design.

Certainly the wishes of Theodore Roosevelt's family—of Mrs. Longworth and others who knew him better than anyone else—should be taken into consideration. His life as we knew it was one of simplicity, of ruggedness, of a devotion to the simple and pioneer virtues of this country. The memorial should be in accord with those virtues.

I remember that when I was 11 years of age I saw Theodore Roosevelt when he came through my small town in Kentucky. I remember that when he stepped off the train, all the people in our town, a town of 5,000 or 6,000, rushed up. I shall never forget the impression I then obtained of Theodore Roosevelt. I saw not only the first President I had ever seen in my life, but I saw something more. I saw his great strength and simplicity.

The proposed memorial should be in accord with those virtues. I hope and trust that those who propose the amendment will be sure that it will not be treated in some way which will enable the Commission to ignore the wishes of Mrs. Longworth and the other 2 children of Theodore Roosevelt.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. KEATING. The bill which has been introduced by the senior Senator from New York [Mr. JAVITS] and myself calls for approval by the Theodore Roosevelt Association, the Commission of Fine Arts, and the National Capital Planning Commission. Those bodies have approved the existing design, but they agreed unanimously that the approval of the living children of Theodore Roosevelt should also be obtained. I feel that such provision would sufficiently protect the family in an agreement upon an appropriate design. Also I feel certain that these Commissions and associations would not under any circumstances, under the proposed wording, ask for a design to be approved and for authorization of appropriations to be made without the approval of the family. The real joker in this bill is that it is only an authorization. If the association and the Commissions did not comply with the wishes of the children of the great President, I feel certain that Congress would unanimously deny an appropriation.

Mr. President, I realize this bill should not have action until the majority leader has been consulted. I withdraw my unanimous-consent request at this time.

ORDER OF BUSINESS

Mr. McCLELLAN. Mr. President, has the call of the calendar been completed?

The PRESIDING OFFICER. The call of the calendar is finished.

Mr. McCLELLAN. Is a unanimous-consent request in order at this time?

The PRESIDING OFFICER. A unanimous-consent request is in order.

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HUMPHREY. Is the Senate operating under a unanimous-consent agreement entered into yesterday?

The PRESIDING OFFICER. The Senator from Arkansas is desirous of making a unanimous-consent request at this time.

Mr. McCLELLAN. Is not the Senate operating under a unanimous-consent agreement with respect to the call of the calendar and further proceedings on another subject?

The PRESIDING OFFICER. The Senate is not operating under a unanimous-consent request insofar as the call of the calender is concerned. Upon completion of the call of the calendar, the Senate will be operating under a unanimous-consent agreement with respect to S. 3625.

PAYMENT OF ADDITIONAL OBLIGATIONS INCURRED BY SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. Would it be more appropriate to make a unanimous-consent request now, before the conclusion of the call of the calendar, or after the call of the calendar?

The PRESIDING OFFICER. The Senator may make such a request now if he so desires.

Mr. McCLELLAN. If I may, I ask unanimous consent that I may send to the desk a Senate resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The resolution (S. Res. 373) was read, as follows:

Resolved, That S. Res. 155, 86th Congress, 1st session, agreed to August 21, 1959, is amended by striking out the amount "$4,500" in line 1 and inserting in lieu thereof the amount "$8,500."

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCLELLAN. Mr. President, I have discussed this item with representatives of both the majority and the minority. It is simply a matter of bookkeeping. The resolution provides for the reimbursement of one fund with money from another fund. It is actually costing the Government nothing. I ask that the resolution be unanimously agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

WABASH BASIN INTERAGENCY WATER RESOURCES COMMISSION

The Senate resumed the consideration of the bill (S. 3625) to establish a Wabash Basin Interagency Water Resources Commission.

The PRESIDING OFFICER. The unanimous consent agreement provides that the time shall be limited to 30 minutes on any amendment, to be equally divided and controlled by the mover of the amendment and the majority leader, and 1 hour on the bill.

The bill is open to amendment.

Mr. THURMOND. Mr. President, I yield myself a minute and a half.

CONNALLY RESERVATION TO THE WORLD COURT TREATY

Mr. THURMOND. Mr. President, one of the most widely discussed issues which confronts our National Government today centers around the Connally reservation to the World Court Treaty. This matter is, of course, of particular interest to members of the legal profession and has been a primary topic of debate in the American Bar Association and in the various State bar associations.

The Connally reservation was discussed by various speakers before the New York State Bar Association at Saranac Inn, Saranac, N.Y., on June 24, 1960. At this time one of the most able presentations in favor of retention of the Connally amendment which I have read was made by Mr. Alexander Dick of the New York bar.

Mr. Dick clearly exposes the fallacies of the arguments of those who are striving for the repeal of the Connally reservation. I am proud that Mr. Dick is originally a South Carolinian, who was born in Union, S.C., educated in elementary, grammar, and high schools of South Carolina and is a graduate of the College of Charleston. Both his capacity for sound analysis and his energetic defense of American interests are a credit to his native State. I ask unanimous consent that Mr. Dick's address to which I have referred be printed in the RECORD at this point in my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY ALEXANDER C. DICK TO THE NEW YORK STATE BAR ASSOCIATION AT SARANAC INN, SARANAC, N.Y., ON FRIDAY, JUNE 24, 1960, ON THE SUBJECT AS STATED ON THE PROGRAM: "THE CONNALLY AMENDMENT"

I am deeply grateful for the honor of addressing this association.

Most of what Mr. Belknap said in introducing me is accurate. Perhaps in courtesy and cordiality he overstated my international qualifications.

Few of us can aspire to be international lawyers, clients being in short supply. I speak to you as a brother "domestic" lawyer—deeply concerned with the welfare and safety of our country; jealous of its sovereignty, and convinced that we should scrutinize carefully any proposal that might erode that sovereignty.

The question before us may be simply phrased thus: Shall the vast power which the World Court already has over this country be expanded?

We have given the Court complete power over disputes on international matters, excluding domestic affairs as defined by us. Shall we now surrender to the Court power to define domestic affairs?

The question will appear in perspective and focus if we review briefly the formation of the Court, glance at its 13-year record, and analyze the current agitation in this country for expansion of its powers.

The World Court was brought into being by article 92 of the United Nations Charter as "the principal judicial organ of the United Nations" to function in accordance with the statute of the International Court of Justice, "an integral part" of the charter. (The statute is usually printed with the charter, under the caption: "Charter of the United Nations" together with the "Statute of International Court of Justice."

Article 93 provides that "all members of the United Nations are ipso facto parties to the statute." Under the provisions of article 94, each member of the United Nations "undertakes to comply with the decision of the Court."

The statute, comprising 70 articles, covers the organization of the Court, its competence and procedure. (Subsequent references are to articles of the statute.)

The Court consists of 15 judges, no 2 from any one nation (art. 3). They are elected by majority vote of the General Assembly and of the Security Council (art. 4), proceeding independently (art. 8), from a list of persons nominated by "national groups."

Electors are directed (art. 9) to "bear in mind that in the body as a whole, the representation of the main forms of civilization and the principal legal systems of the world should be assured." At the present time, only three judges are from common-law countries. Four are Latin Americans. Two are from Moslem and two from Communist countries. There is one judge each from Free China, Greece, France, and Norway. Thus the Court is not, and never can be anything that most of us recognize as a court of law.

The judges are elected for staggered terms of 9 years and may be reelected. A judge can be dismissed only by the unanimous vote of his fellow members (arts. 13 and 18). Having no law to administer, the judge takes no oath but instead makes "a solemn declaration in open court that he will exercise his powers impartially and conscientiously" (art. 20). The Court elects a President and Vice President for 3-year terms, and appoints its registrar and other staff officers (art. 21).

Only nations can be litigants (art. 34). The Court is open to nations parties to the statute and, under certain conditions, to nonparties (art. 35).

JURISDICTION

Now this international tribunal, though it is called a court, is not a court in any usual sense of the term. Having been created by agreement (the United Nations' so-called charter is merely a treaty or agreement), the Court can have no real jurisdiction. The statute provides (art. 36) that it can hear only cases "which the parties refer to it." Having no real jurisdiction, the Court has to fall back on what is termed, somewhat loosely, jurisdiction by consent.

The idea of jurisdiction by consent is developed in the statute elaborately and with considerable semantic skill. Instead of saying simply that any member nation can file a general consent enabling the Court to hear cases of a nature specified, the statute in article 36(2) confers upon "all states, parties to the statute"—as if it were a great boon—the privilege of declaring that "they recognize as compulsory ipso facto and without special agreement in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:

(a) The interpretation of a treaty;

(b) Any question of international law;

(c) The existence of any fact which, if established, would constitute a breach of an international obligation;

(d) The nature or extent of the reparation to be made for the breach of an international obligation.

Thus there was established by article 36 of the statute that strange and weird phrase, "acceptance of compulsory jurisdiction." I ask you to note carefully that there was nothing compulsory about it, that what is termed compulsory jurisdiction is the result of an act which is purely voluntary, and which any nation filing a declaration does without respect to what any other nation may do or fail to do. Of course, as this declaration is voluntary, it may be made conditionally or otherwise, and be limited or unlimited in time—this is specifically recognized in paragraph 3 of article 36.

Unless and until a nation files a declaration under article 36, it is in no way subject to the Court's jurisdiction.

The United States filed its declaration promptly and fully. True to our tradition of supporting any agency that might settle international disputes amicably, we acted almost immediately after the Court was organized. On the 14th day of August 1946, President Truman signed our declaration, after appropriate action by the Senate on August 2. We accepted jurisdiction in precisely the matters and terms I have read to you from the enabling article of the statute. The declaration was to remain in force 5 years, and thereafter until terminated on a 6-month notice.

In the course of time, 36 members of the United Nations (and 2 nonmembers) filed declarations. None were fuller than ours, some were more restricted. A few were for a longer term; many for a shorter term. Twelve, including six of the British Commonwealth nations, can be terminated immediately on notice. Six mention no time, presumably they are terminable on notice.

Included among the 36 countries are many of the great nations. "Included out," as the saying goes, is the U.S.S.R.—also, most of the other Iron Curtain countries. They seem to want no part of the Court.

Let me digress here to note an anomalous situation about judges of the Court: There are now 82 member States of the United Nations. Thirty-six have submitted to the Court's jurisdiction, 46 have not.

But each of those 46 can nominate candidates for the office of judge, and participate in the election. Conceivably the 46 nations not subject to the Court's jurisdiction could elect all 15 judges from their own nationals to pass on the controversies of the 36 who have voluntarily submitted to the jurisdiction. Unlikely, do you say? Yes, but possible.

However, I give you an actuality which is just as strange and more disturbing. Soviet Russia, our declared enemy, has filed no declaration of submission to the Court's jurisdiction, nor has Poland. Yet each country has a judge on the bench. Our enemy, in short, controls two judges—and being quite adept in United Nations politics, may control more, but cannot be hailed into court, as can we.

EXTENSIVE POWERS OF THE COURT

Our declaration contained some provisos and reservations. Before discussing them, I make a few observations about the broad powers of the Court. Once past the question of jurisdiction, the Court has powers far beyond what we are accustomed to in our courts.

This World Court settles finally any question as to whether it has jurisdiction, and there is no appeal from this or any other decision. It is the Court of first and last resort.

The law which the Court administers is so vague that the Court can improvise as it goes along. Hear it as defined in article 38 of the statute:

"The Court, whose function is to decide disputes in accordance with international law, shall apply: (a) International conventions—establishing rules expressly recognized by the contesting states; (b) international custom, as evidence of a general practice accepted as law; (c) the general principles of law recognized by civilized nations (names not given, nor rules for deciding who is civilized); and finally, (d) 'judicial decisions and the teachings of the most highly qualified publicists of the various nations.'"

How would you like while arguing a case to be faced with the 17th or even the 20th century teachings of some highly qualified publicists from say, India or Egypt, of whom you had never heard and never could or would read?

An even more serious and unbridled power is in connection with evidence. Article 50 says:

"The Court may, at any time (i.e. before, at or after hearing) entrust any individual, body, bureau, commission, or other organization that it may select, with the task of carrying out an inquiry or giving an expert opinion."

Not a lawyer in this country, I venture to say, would submit a case to arbitrators who had the power to have their own appointed agents make inquires and collect evidence unsubjected to cross-examination.

Can we be comfortable with our country exposed to a procedure which we would never approve for our clients?

THE PROTECTIVE CONNALLY RESERVATION

But to get back to our declaration, and the reservations therein: I have said that we gave full jurisdiction to the Court over international disputes. That is all the Court is supposed to want. But just to make sure that it limits itself to international disputes, we added the proviso:

"That such declaration shall not apply to (b) disputes with regard to matters which are essentially within the domestic jurisdiction of the United States."

That was a natural precaution in view of the provision of article 36 of the statute that "in the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court." Many of the nations filing declarations included similar provisos.

But Senator Tom Connally, of Texas, saw that something further was necessary. The Court could still reach out for jurisdiction of domestic matters if it retained the power to define "domestic" and "international," and run the line between them which once was distinct and straight, but which was even then growing dim in the hands of One Worlders. (A few years later our State Department declared that there is no longer "any real difference between domestic and foreign affairs" (State Department Publication 3972, Foreign Affairs Policy Series 26, released September 1950). Senator Connally proposed and the Senate accepted the addition of eight words to the second proviso, so that it eliminated from the jurisdiction of the Court "matters which are essentially within the domestic jurisdiction of the United States of America as determined by the United States of America."

This protective provision was obviously wise. It has served us well. For some 12 years no objection to it was heard, no complaint was raised about its operation. Then all of a sudden, agitation commences for its repeal. The question keeps pressing, Why?

What are the arguments of the repealists? What reason do they urge? They seem well organized and determined. What are their motives? What is their strategy?

THE RESERVATION ERRONEOUSLY DUBBED "SELF-JUDGING"

The first thing the repealists do is to attempt to damn the Connally reservation with a bad word. They refer to it as "the self-judging reservation." Rarely is a speech made by a repealist or an article written without falsely emphasizing that term, "self-judging." (The most recent example appeared in the June issue of the Bar Bulletin just published. An article was included captioned in large type: "The Case for Withdrawal of the Self-Judging Reservation" to the U.S. acceptance of the optional compulsory jurisdiction of the International Court of Justice.)

The use of this adjective is clearly intended to suggest something unhealthy, unfair, underhanded, and unworthy of our Nation, and it has had the desired effect on the thinking of laymen, from the President down.

Most laymen are familiar with the maxim that "a man should not be a judge in his own cause." They comprehend that easily, and the justice of the inhibition appeals to them.

Laymen do not understand what every lawyer knows, that you are not judging your own cause if you question the jurisdiction of a court to try a particular case. You commit the offense only when you are both a judge and a party (plaintiff or defendant) to an action.

I submit to you, fellow lawyers, that we should be very careful in the use of this term, to make sure that the laymen to whom we are talking understand the limitation of its application, and its full significance.

At any stage of an action the jurisdiction of a court can be questioned. We gave jurisdiction to the World Court, as I have pointed out, freely and voluntarily. It was open to us to impose any condition that we wished. We imposed the condition that the right should remain ours to determine what matters were domestic. Exercise of that right is entirely proper. There is nothing wrong in it, or unfair or unworthy. It should not be condemned by a bad word improperly applied.

EFFECTIVENESS OF COURT SAID TO BE IMPAIRED

The complaint against the Connally reservation most often heard is that it has impaired the effectiveness of the Court. Stated another way: We must repeal the reservation in order to increase the Court's usefulness.

The only way to increase the usefulness of a court is give it more cases to try. The suggestion clearly is that with the Connally reservation out of the way, there would be more cases filed. In which, of course, the United States would be defendant.

This has no appeal whatsoever. Better that the Court should stay at a low level of utility. Fancy suggesting to a client that he move into a county where a lot of people could conveniently sue him, for the purpose of keeping the court in that county busy, thereby increasing its usefulness.

I first heard the foregoing urged at a meeting of the Association of the Bar of the City of New York. The speaker, who was chairman of the Committee on International Law, followed with the statement that the reservation "had in practice operated particularly to the disadvantage of the United States." A bill of particulars, demanded at the winter meeting of this association, has not been furnished. The speaker who preceded me made the same charge, and furnished no particulars. A motion to preclude appears to be in order.

This gentleman first referred to above finished his speech with the assertion of opinion "that there is no risk on the basis of the Court's record" to the United States in repealing the reservation. He didn't say what the record of the Court was. Actually it has been rather pitiful:

Since its organization in 1946, only 32 contentious cases have been filed; 5 are still pending; 3 were withdrawn; 13 were dismissed on jurisdictional grounds; 11 cases were decided on the merits. The predecessor tribunal under the League of Nations did twice the amount of business.

The present Court has little effectiveness, it is true, as its sad record indicates. The nations seem to have no confidence in it for settlement of disputes. The lack of confidence, or distrust, I suggest, stems from the composition of the Court. What nation wishes to submit an important question to a court whose membership is always to represent the unidentified "main forms of civilization" and unlisted "principal legal systems of the world"? And which might before decision is rendered, include judges from nations unmasked as mortal enemies?

CONFIDENCE IN THE JUDGES OF THE WORLD COURT

The repealists say we must trust, and have confidence in, the judges of the World Court. My reply is, Why? Why should we trust them?

We had only the smallest voice in their election. Only one or two at most did we nominate. We could not possibly know much about most of those for whom we voted. They sit in a foreign country after election, with no possibility of keeping the spotlight of publicity or public opinion on them.

We have difficulty enough getting men of wisdom, and integrity on our own High Court, and don't always succeed, even though full information about every candidate is available, and though we can draw from all the other courts in the country, as well as a vast array of able lawyers and teachers. Putting on a judicial robe does not bring wisdom or understanding, and does not always bring a sense of responsibility. All too often, it brings only a ruinous sense of power.

Our own judges realize this, and many have spoken of it—none more forcefully

than Justice Frankfurter. Judges because of their office and power, may become oblivious of their human frailties and fallibilities. "Therefore," he said, "judges must be kept mindful of their limitations and of their ultimate public responsibility by a vigorous stream of criticism expressed with candor, however blunt." Justice Stone to the same effect:

"Where courts deal with great public questions, the only protection against unwise decisions, and even judicial usurpation, is careful scrutiny of their action and fearless comment on it."

There can be no opportunity for careful scrutiny of the action of the World Court's judges sitting in Holland. There is small chance that fearless comment would ever reach their ears, or be understood if it did.

SHOWING OUR SINCERITY AND INFLUENCING PEOPLE

We are also told by advocates of Connally repeal that such is necessary to assure other nations of our sincerity in calling for extension of law in world affairs, and to influence such nations in like efforts.

This argument has no validity whatsoever, and is mistakenly motivated. A statute or provision is wise or unwise, good or bad, right or wrong because of its inherent qualities. It should be adopted or rejected on such considerations. It should never be adopted or rejected for its influence on others, or to prove to them our sincerity or good faith. Uncle Sam is not in a contest for election as Mr. Sincerity of the Universe.

As a nation we are surely beyond the adolescent concern of winning friends and influencing people. No fair and intelligent person of any nation in the world, viewing our record, has any doubt of the sincerity of our desire to establish law and settle disputes by rules of law. And if doubts are entertained on that score, they are not going to be removed by repeal of the Connally reservation.

I believe we should always keep in mind that this Government was instituted for the sole basic purpose of securing—of making secure to its citizens, the God-given, unalienable rights of life, liberty, and property. These are, if you please, domestic rights. Our national Government was not instituted to submit disputes about these rights to the jurisdiction of an alien or international tribunal. If the Senate did so, or lets itself get tricked into a position where this might happen, it would betray the most sacred trust committed to it by the States of this Union and the people in adoption of the Constitution.

The Connally reservation was designed to make sure, to make very sure, that such trust was in no danger of being betrayed.

SLOGANS DO NOT BRING PEACE

There is not time to answer in detail any more of the alleged reasons for repealing the reservation, but I want to mention one feature which makes them all suspect. It is this: they all came in on the wings of a slogan—world peace through world law—with the implied promise that if you increase the power of the World Court by repeating the Connally reservation, you would improve the chances of world peace.

Reflection will show the slogan to be false, and its promises, or hopes proceeding from its promises, to be unjustified and illusory. Peace and order are not the result of existence of rules of law, but only of the enforcement of such rules.

The individual inclined to run amuck is not deterred by law; but only by the presence of police ready and able to inflict penalties for breaking the law; or by a magistrate with power to bind him over to keep the peace. The nation bent on aggression is not stopped by rules of conduct for nations, or by the possibility of a world court assessing damages after the strife. When a nation is determined to start a war, the last thing it would think of doing is to submit its case for arbitration or judgment. That is done only by a nation sure of the justice of its cause, and sincerely wishing to avoid war.

World peace is a consummation devoutly wished and prayed for everywhere, and rule by law is a principle to which this Nation and its citizens have always been dedicated. But combining of the two phrases into a single shibboleth involves an oversimplification which is both misleading and dangerous.

Americans are fond of slogans, and one is frequently tempted to employ them for selling—selling goods or selling ideas. But they should never be used to influence serious legislation in a critical period, and no one will deny that this is a critical period. Lawyers, of all people, should be careful not to latch on to a slogan which can possibly deceive, beguile, or raise false hopes.

CONCLUSION

In closing I would say this—though I am opposed to repeal of the Connally reservation, feeling that such a step might have tragic consequences, I am not at all opposed to reconsidering and amending, if necessary, the Declaration of Adherence to the World Court, of which the Connally reservation is a part.

I firmly believe that the reservation furnishes our country protection which it must have, but I do not maintain that the reservation is necessarily the only method of accomplishing the protection it was designed to secure.

Our declaration was filed in 1946. Not a word has since been changed. It stands today in its original form. A review and reevaluation of the declaration might well be in order at this time.

In the 14 years which have elapsed since 1946 there have been serious and violent changes in attitudes of many nations and in our relations with them. During that period our strongest ally has become our sworn enemy, threatening to bury us. Our strongest foe of that period is not among our firmest friends.

The hope was strong in 1946 that all the united nations were truly united in purpose to outlaw war—to make impossible the kind of carnage and strife, memories of which were then still vivid. It is now apparent—and becomes more evident week by week—that the nations are not united in the purpose indicated. Several at least are determined not to maintain peace, but on the contrary maintain war, cold or hot.

In view of such changing circumstances, we must stand always ready to reemphasize our international commitments. Perhaps the time is ripe to review the terms of adherence to the World Court and possibly alter them. Other nations have done so—notably the United Kingdom which in November 1958 filed an amended declaration, different in important respects from preceding ones.

Most of us still believe that a World Court is something more than a noble experiment. No one wants to scrap the idea of building a World Court properly manned to adjudge disputes between nations. The immediate task is to do what can be done to increase the effectiveness of the present court in its proper sphere of action, without jeopardizing our own complete control over affairs which are definitely and properly within our own jurisdiction.

From high places in recent months have come suggestions that instead of retaining the Connally reservation, we might have the declaration "contain an exhaustive list of matters considered by the United States as essentially domestic matters," and that such a list might be an open-ended one, combined with a clause including "any other matters which have been traditionally considered by the United States as matters within the domestic jurisdiction of the United States" (Prof. Louis V. Sohn, ABA Journal, January 1960). This suggestion appeals to some, and merits study and consideration.

Our President is to be congratulated on his determination not to let this great bar association rush into a decision before its nigh 11,000 members have time and opportunity to become fully informed on the various aspects and far-reaching effects of our Declaration of Adherence to the World Court.

He might well appoint a committee to reappraise the entire declaration, which would include the effects of the Connally reservation. Such a body could hold hearings and get the benefit of views and opinions of members of our association. Its conclusions would embody such views, and might be of real help to Senators, and others bearing the responsibility of decision.

The membership of such a committee should, I suggest, be evenly balanced between repealists of the Connally reservation, and its defenders.

In any event, I am deeply grateful to Mr. Belknap for affording me this opportunity to present some of the views of the defenders—and to you, ladies and gentlemen, for listening to them so patiently.

MEDICAL CARE FOR THE ELDERLY—A MATTER OF RIGHT, NOT CHARITY

Mr. HUMPHREY. Mr. President, notwithstanding the unanimous consent agreement I ask unanimous consent that I may be permitted to introduce various items for the RECORD for not over 10 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HUMPHREY. Mr. President, I wish to call the attention of my colleagues to an excellent editorial in today's New York Times. The Times supported and continues to support the social security approach to medical aid to the elderly.

The social security approach is the best and most practical way to provide adequate medical aid to the elderly on a national scale. No new administrative apparatus would be necessary, and no one would have to undergo a degrading means test to qualify. The principle of such a program would be that aid to the elderly is not a matter of charity, but a right which has been earned by way of payments during one's working years.

I am sure that all of us who have worked to give adequate medical aid to our elderly will continue until we are successful in our efforts to provide with what they so deeply need and so earnestly desire. I ask unanimous consent that the Times editorial entitled "Health Aid for the Elderly," be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 25, 1960]

HEALTH AID FOR THE ELDERLY

Few issues have aroused such prolonged and warm debate during this session of Congress as has the question of providing adequate financing for the medical needs of persons over 65. Among the various alternatives available we favored the principle of attaching to the social security system a

mechanism for accomplishing this end. This principle the Senate has now rejected, and whatever plan emerges from conference with the House is bound to be less than adequate.

The arguments for the social security approach may be briefly summarized. It would avoid anything resembling a "means" test for eligibility, a kind of test we believe Americans find abhorrent. It could have taken effect nationally in short order because the apparatus required already exists in the present administrative arrangements for social security measures. There is no objectionable element of compulsion involved because Americans already accept the principle of paying social security taxes, and the change involved would only be a slight increase in those taxes accompanied by corresponding benefits for those meeting eligibility requirements. And we believe there is no real element of socialism attached since hospitals, doctors, and others involved in giving medical care to beneficiaries would not be controlled by the State as they are where systems of socialized medicine exist.

By now the use of the social security system as the means by which our society attempts to provide a minimum cushion and protection for the elderly is a well-established part of our American tradition and practice. Its extension to medical care for this same group seems logical and beneficial. We hope and believe it will ultimately prevail.

The increased number of our people in the elderly population bracket and the steadily rising cost of medical care combine to present a problem that must for humane reasons be solved, and before too much time has passed. The Congress will have to come to grips more realistically with this problem when it reconvenes in January after the political season.

MINNESOTA'S WILDERNESS PARADISE

Mr. HUMPHREY. Mr. President, the natural resources of the United States have contributed immeasurably to the greatness this Nation now enjoys. One of these natural resources was the frontier wilderness which gave our pioneering forefathers the great opportunity to develop their talents and build their fortunes with a minimum of interference and limitation by society. It was this vision of freedom which attracted so many millions to our shores from the countries in Europe and Asia where society was tightly bound in the class system, and individual talents were often stifled.

Today our unexplored frontiers are the challenges of outer space, of international cooperation, of public education, of public health, of atomic technology, and of the many other problems of the modern age. But let us not forget the heritage of our old frontier, the wilderness. There are still remaining in this country large areas of wilderness which can be visited by all Americans who, during their vacations, wish in some way to relive the life of their forefathers. Let us continue to preserve our wilderness as a constant reminder of the old frontier which we have conquered, and as a source of inspiration in our efforts to conquer the new frontiers of this modern age.

Minnesota's Quetico-Superior wilderness canoe area offers many opportunities for healthy recreation to vacationing Americans. In recent years thousands of canoeists have paddled over the many miles of ancient water routes of this area and have been able to enjoy its natural beauty and solitude.

Mr. President, more and more Americans are visiting the wild areas of this country and practicing the self-reliance of their forefathers. More and more thousands are taking advantage of the unique vacationing opportunities of northern Minnesota. I ask unanimous consent to insert in the RECORD an article which appeared in the Minneapolis Tribune of August 21, 1960, describing the recreational opportunities of northern Minnesota, particularly with reference to Ely, Minn., and the Quetico-Superior canoe region of northern Minnesota.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RECORD NUMBER—16,000 CANOEISTS PADDLE ELY AREA

ELY, MINN.—An all-time record number of 16,000 canoeists will peacefully paddle Minnesota's roadless wilderness in the Quetico-Superior canoe region this summer.

This beneficial pastime has had an amazing growth the past few years. This is the only place in the United States where canoeists may glide over the ancient water routes.

Some 13,000 will take off from the Ely area, about 3,000 from the Gunflint Trail, and others from Sawbill Trail, Crane, and Rainy Lakes.

Most of them will be outfitted by 20 canoe outfitters who have 950 canoes. In addition, nearly 100 canoes are used by those who set forth from the several youth camps in this northeast tip of Minnesota. Scores bring their own canoes.

Ely's 9 outfitters have 800 canoes and they expect to handle over 9,000 people. Bill Rom is the largest operator, with 300 canoes. Others here are Basswood Wilderness Outfitters, Fishermen's Headquarters, Boundary Waters Canoe Outfitters, Border Lakes, Quetico-Superior, Kawishiwi Outing Camp, Canadian Border, and Basswood Beach.

There are 7 outfitters on the Gunflint Trail with 215 canoes. Janet Hanson, Gunflint Lake Northwoods Outfitter, is the trail's largest, with 90 canoes. Janet expects to outfit about 1,800 canoeists this year.

Other Gunflint outfitters include Skrein's Way of the Wilderness and Griffis Chikwauk, both on Saganaga Lake; Blankenburg's Seagull Lake; Fuller's Tuscarora; Shevitts' Happy Voyageur; and Cavanaugh's Bearskin Lake Outfitters.

More than 95 percent go without guides. They are furnished with excellent detailed maps and most portages are well marked.

The 20 canoe outfitters have nearly 1,000 tents, hundreds of sleeping bags, complete camping equipment, and huge grocery stores.

Outfitters predict paddlers will double in next decade.

SHOPPING CENTERS FOR LOCALLY OWNED BUSINESS

Mr. HUMPHREY. Mr. President, the other day I noticed a press release which caught my eye particularly because it related to some work being done by the Senate Select Committee on Small Business.

There are great satisfactions in operating one's own retail store as an independent small businessman. I know, because I have experienced it. And, if this were not the case, there wouldn't be so many of these small stores, and the Nation would be the poorer for it. But there are also innumerable frustrations and irritations in the small businessman's life; I know about those from personal experience too.

The smaller retail merchant, in his competition with stores owned by a giant chains or giant manufacturers, must labor under and overcome many disadvantages of size—lower capital power—alone. Some of these are inherent in the mere fact of smallness and are inescapable. For example, the big store can buy a full-page newspaper ad every day; the small store cannot. Such disadvantages are not subject to remedy by legislative or governmental action. The small retailer just has to live with them and try, by superior customer relations, to hold his portion of the market.

Some of the small businessman's disadvantages, however, are not the inescapable byproduct of his lesser capital power. Indeed, in some areas of competition he may be the equal or superior of the giant competitor—yet still find himself unnaturally discriminated against and disadvantaged. A glaring example of this small-business problem—the type of problem that enlightened government can do something about—is discrimination against small, locally owned business in suburban shopping centers.

The salt in the wounds of the small, highly successful store owner is that though the developer of a projected shopping center may want him as a tenant he is, financially speaking, an untouchable. The local retailer may have a highly successful record; his bills may be discounted regularly; in 30 years he may never have broken a lease or breached a contract; he may be a substantial citizen with impressive sales volume—but he cannot get in the shopping center. The space he wants—the choice corner spot—goes to a big chain's outlet. If he gets in at all, it is down the line somewhere and, what is worse, he often must pay a higher annual rent per square foot than the chain competitor in the same shopping center and the same line of business.

The Senate Small Business Committee last year began to look into this astonishing situation, and it was my privilege, as chairman of the Subcommittee on Retailing, Distribution and Fair Trade Practices, to lead the investigation and hold hearings.

Mr. President, we knew before we began the hearings, which were held on April 27 and 28, 1959, that this appalling situation existed. Twenty witnesses, representing diverse interests and points of view, did not refute the facts, as I described them.

The basic fact, quite simply, is that small, local businesses are excluded or given second choice because the financiers of the shopping centers, the lenders of the construction money, the mortgagees, insist on a majority of tenants with triple-A-1 credit ratings, a rating that is, by definition, limited to concerns with a net worth of $1 million or more.

The differences among witnesses were only on the extent to which this situation may fairly be described as an "evil" and on the cure for this evil. Even when there is general agreement on the diagnosis, Mr. President, honest men can differ on the remedy.

Actually, there may be several remedies for the condition I have described, no one necessarily exclusive of the others. In our committee report on this subject we recommended consideration of a program of Government-sponsored lease bonds. My subcommittee went on to explore with the Small Business Administration the feasibility of expanding the authority of that Agency to enable it to insure lease bonds written by private surety companies, similar to the manner now employed by the FHA, which insures private lending agencies on construction loans and home and apartment mortgages.

We have been following up vigorously on this matter with the SBA since the report was issued last January, and other approaches have also been considered. Our committee, of course, in its first recommendation, also urged continued work toward a solution by the private business interests involved, without Government intervention. One most promising approach has been the development of shopping centers by corporations made up exclusively of the small business tenants of the center. Two examples of this class of enterprise have been investigated on the spot by my subcommittee staff. Another approach is erection of centers by local development companies. But neither the tenants' corporation nor the local development company can avoid the problem I have described—the requirements of the mortgagees of the center for triple-A-one leaseholders, unless they put in a higher percentage of equity capital than many can afford.

On August 19, 1960, to my very great pleasure, the SBA announced a new program, under existing authority, for loans to local development companies for construction of shopping centers to be occupied exclusively by small businesses. SBA Administrator Philip McCallum says that these loans will be for "construction, conservation, or expansion—including acquisition of land." Regulations will soon be available.

Mr. President, a new day of opportunity may be dawning for small business, local business, in the suburban shopping centers. I urge those interested to get the report of the Small Business Committee. That document may be obtained free by requesting "Shopping Center Report" from the Senate Small Business Committee, Washington, D.C.

It is a matter of great satisfaction to me that the efforts of my subcommittee have now borne fruit in the form of this fine new SBA program. I hail the program and congratulate the Administrator, Mr. McCallum. I urge small retailers to take fullest advantage of it.

Mr. President, I ask unanimous consent that the text of SBA Press Release No. 675, a brief release, be printed at this point in the RECORD.

There being no objection, the text of the press release was ordered to be printed in the RECORD, as follows:

SBA PRESS RELEASE

Philip McCallum, Administrator of the Small Business Administration, announced today that his Agency has inaugurated a program of loans to local development companies for construction of shopping centers to be occupied exclusively by small businesses.

He said the loans would be for construction, conversion or expansion—including acquisition of land—for shopping centers. Mr. McCallum said:

"We are pleased to announce a plan within our existing authority, under which the Small Business Administration may be of assistance to small firms so that they can participate in shopping centers, which have been developing significantly across the country.

"The problem has been under study for many months and there have been conferences with bankers, small business owners, and civic leaders. The Small Business Administration will welcome the participation of banks and other lending institutions in the financing. However, where private lenders are not in a position to participate, the Small Business Administration will make direct loans.

"A major deterrent to small business tenancy in shopping centers has been a requirement by financing organizations of a top financial rating for the tenants or a guaranteed lease by the small business firm seeking tenancy in the shopping center."

Mr. McCallum explained that under the program of his Agency, loans up to $250,000 for each small business to be assisted may be made to local development companies for shopping centers. The number of loans to a local development company would be limited only by the number of small businesses to be assisted, and by the amount of its own funds which the local development company can inject into the project. These companies must have a financial interest in the project, he said.

The SBA Administrator said there are about 3,200 local development companies across the country and that many of them are now in a position to participate in the SBA program to assist small firms and provide jobs.

Loans to local development companies for shopping center projects may be made for a period not to exceed 10 years with an allowance for construction, conversion or expansion times and will be amortized generally on an equal monthly installment repayment basis. All or part of the loan may be prepaid at the borrower's discretion without penalty.

Interest charges on loans to local development companies under this program will be 5½ percent per annum for direct loans by the SBA. Where bank participation is involved, the rate of interest may be fixed by the bank. However, the interest on the Small Business Administration's share of the loan in such cases will not exceed 5½ percent, nor be less than 5 percent per annum should the participating bank elect to charge a lower rate of interest.

Interest on these loans will be on a per annum basis on only the outstanding indebtedness, payable at the time each installment repayment is due.

Regulations to govern granting of these loans are being completed and will soon be available at Small Business Administration regional offices in Boston, New York, Philadelphia, Richmond, Atlanta, Cleveland, Chicago, Minneapolis, Kansas City, Detroit, Dallas, Denver, San Francisco, Seattle, and Los Angeles.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time be not charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHANGE OF CONFEREES ON S. 690, TO PROVIDE FOR INCREASED USE OF AGRICULTURAL PRODUCTS

Mr. DIRKSEN. Mr. President, I ask unanimous consent that on Senate bill 690, having to do with the increased use of agricultural products, which is now in conference, the Senator from South Dakota [Mr. MUNDT] be substituted for the Senator from Iowa [Mr. HICKENLOOPER] as a conferee. Otherwise, the Senator from Iowa would be assigned to two conferences which were meeting at the same time.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 11207) to amend the Small Business Act so as to authorize an additional $150 million for loans to small businesses, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SPENCE, Mr. BROWN of Georgia, Mr. PATMAN, Mr. RAINS, Mr. MULTER, Mr. MCDONOUGH, Mr. WIDNALL, and Mr. BASS of New Hampshire were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11390) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1961, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 2, 5, 16, 23, 24, 40, 44, 46, 56, 64, 80, and 82 to the bill, and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 9 and 21 to the bill, and concurred therein each with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills

and joint resolution, in which it requested the concurrence of the Senate:

H.R. 3392. An act relating to duty-free imports of Philippine tobacco;

H.R. 6292. An act to authorize the acceptance by the Government of gifts to be used to reduce the public debt;

H.R. 9000. An act to provide that States and political subdivisions which operate liquor stores shall not be required to pay more than one tax as a retail dealer in liquor;

H.R. 10960. An act to amend section 5701 of the Internal Revenue Code of 1954 with respect to the excise tax upon cigars;

H.R. 11266. An act to amend the Internal Revenue Code of 1954 to permit the prepaid dues income of certain membership organizations to be included in gross income for the taxable years to which the dues relate;

H.R. 11681. An act to amend section 902 (b) of the Internal Revenue Code of 1954 to allow a credit for foreign taxes paid by a foreign corporation 20 percent or more of the voting stock of which is owned by another foreign corporation in which a domestic corporation has a substantial stock interest;

H.R. 12329. An act relating to the gift and estate tax treatment of the relinquishment of certain powers in the case of reciprocal and other trusts;

H.R. 12536. An act relating to the treatment of charges for local advertising for purposes of determining the manufacturers sale price; and

H.J. Res. 799. Joint resolution establishing a George Washington Carver Centennial Commission.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 2339. An act to revise, codify, and enact into law, title 39 of the United States Code, entitled "The Postal Service";

H.R. 5054. An act to amend the Tariff Act of 1930 with respect to the marking of imported articles and containers; and

H.R. 11666. An act making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred, as indicated:

H.R. 3392. An act relating to duty-free imports of Philippine tobacco;

H.R. 6292. An act to authorize the acceptance by the Government of gifts to be used to reduce the public debt;

H.R. 9000. An act to provide that States and political subdivisions which operate liquor stores shall not be required to pay more than one tax as a retail dealer in liquor;

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H.R. 12329. An act relating to the gift and estate tax treatment of the relinquishment of certain powers in the case of reciprocal and other trusts; and

H.R. 12536. An act relating to the treatment of charges for local advertising for purposes of determining the manufacturers sale price; to the Committee on Finance.

H.J. Res. 799. Joint resolution establishing a George Washington Carver Centennial Commission; to the Committee on the Judiciary.

ADDITIONAL REPORTS OF COMMITTEE ON FINANCE

The following additional reports of the Committee on Finance were submitted:

By Mr. BYRD, from the Committee on Finance, without amendment:

H.R. 10960. An act to amend section 5701 of the Internal Revenue Code of 1954 with respect to the excise tax upon cigars; (Rept. No. 1915); and

H.R. 12536. An act relating to the treatment of charges for local advertising for purposes of determining the manufacturers sale price (Rept. No. 1916).

WABASH BASIN INTERAGENCY WATER RESOURCES COMMISSION

The Senate resumed the consideration of the bill (S. 3625) to establish a Wabash Basin Interagency Water Resources Commission.

Mr. MANSFIELD. Mr. President, is the Senate now operating under a limitation of time?

The PRESIDING OFFICER. The Senate is operating under a limitation of time on S. 3625, in accordance with the unanimous-consent agreement entered yesterday.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time for the quorum call not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 12677) to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of interstate retail enterprises, to increase the minimum wage under the act to $1.15 an hour, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BARDEN, Mr. LANDRUM, Mr. ROOSEVELT, Mr. DENT, Mr. KEARNS, Mr. AYRES, and Mr. HIESTAND were appointed managers on the part of the House at the conference.

WABASH BASIN INTERAGENCY WATER RESOURCES COMMISSION

The Senate resumed the consideration of the bill (S. 3625) to establish a Wabash Basin Interagency Water Resources Commission.

Mr. JOHNSON of Texas. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. The unfinished business is S. 3625, to establish the Wabash Interagency Water Resources Commission, under the unanimous consent agreement.

Mr. JOHNSON of Texas. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to authorize the establishment of a Wabash Basin Interagency Water Resources Commission along the line followed by legislation previously enacted for several States. The first, I believe, was Oklahoma; subsequently there was legislation for Alabama, Georgia, Texas, and for other States, I believe.

The commission would be responsible for coordination of Federal, State, and local plans for development of water and related resources in the Wabash Basin; preparing and keeping up to date a comprehensive, integrated, joint plan for water and related water resources development; recommending a long-range schedule of priorities for the collection and analysis of basic data, for investigation and project planning, and for construction of projects in such basin; and fostering and undertaking studies of water resources problems in the basin.

The Commission would be composed of members who would be appointed by the President from the various Federal departments or agencies having a substantial interest in the work to be undertaken and one or more members, as the President determines appropriate, from each of the States of Indiana and Illinois, as well as one member from each interstate compact commission which has jurisdiction over any of the waters of the Wabash Basin. The President would also be empowered to appoint the Chairman of the Commission. The Governors of the two States would be authorized to nominate the members from the States of Indiana and Illinois. The President, at such times as he deems appropriate, may terminate the Commission.

Mr. President, we have found that this would save a great deal of time, money, and talent spent in connection with the studies, which is ordinarily duplicated as between State agencies and Federal agencies or as between Federal agencies which may have different points of view, such as the Corps of Engineers and the Bureau of Reclamation.

I have nothing else to say on the measure, Mr. President, and if other

Members desire to discuss it I shall be glad to yield such time as they may desire.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield 5 minutes to the Senator from Indiana.

Mr. CAPEHART. Mr. President, at first I thought I was in favor of the bill. I at least did not have any objection to it. The more I study it, the more I think about it, and the more I hear from people in Indiana concerning it, the more convinced I am that possibly it is unnecessary.

We now have an interstate compact between Illinois and Indiana, approved by the Federal Government, to do this sort of thing. In Indiana we also have a very fine Water Resources Board which has done an excellent job on flood control and such matters.

The bill would simply set up another commission to do what the Army Engineers are doing, what the Congress is doing, what the Indiana Water Resources Board is doing, and what the State organization is doing.

I do not know how much money this would cost. The members of the Commission would be paid up to $75 a day, I believe not to exceed $7,500 a year each. These members are to be appointed by the President. That would make it a Federal organization.

What we do not know is whether the organization would supersede the Indiana Water Resources Board.

There are many questions which are unanswered with respect to the proposed legislation. I am vitally interested in flood control for both Illinois and Indiana. I always have been. I have been quite successful in helping get through the Congress necessary funds for flood control.

The Federal Government has already authorized the Army Engineers to completely study the needs of the so-called Wabash Basin Valley, which they have done. We know exactly what should be done and what can be done. The problem, of course, is that we do not have the money. It is a matter of needing appropriated funds.

Would this be an instance of simply piling on top of the other commissions another commission which will cost money and obtain no results?

I think I can truthfully say I have not received a single letter or communication from the State of Indiana recommending this be done. I also wish to say, on behalf of my colleague (Mr. HARTKE), who introduced the proposed legislation, I am confident he is sincere and conscientious in wanting to develop flood control in the Wabash Valley, as I am. I am not questioning his intentions in this regard, because I think he is sincere and conscientious. I do question, however, the advisability of this sort of legislation, when there is no demand in Indiana for it, when it would be simply piling another organization on top of present organizations.

I repeat, we know now what ought to be done. We need to straighten the Wabash River and its tributaries. We need to build some levees along the Wabash River and its tributaries. We need reservoirs to hold back the water. This measure is 100 percent for flood control. There is no irrigation involved. There is no power involved. This is purely flood control.

I must make the record in regard to the matter. I say, in all fairness to my colleague, at first blush I thought I was in favor of the proposed legislation. I thought it might be a good thing. The more I study it, the more convinced I am it might even do harm. It might even retard flood control measures, rather than improve them.

For example, I should like to ask the author of the bill this question. The bill provides for the establishment of a Wabash Basin Interagency Water Resources Commission, which would be responsible for the following:

1. Serve as the principal agency for the coordination of Federal, State, and local plans for the development of water and related land resources in the Wabash Basin.

Would such a Commission have jurisdiction over the Indiana Water Resources Board? That board was created by State law. It is a very far-reaching organization and has done a good job. The permission of that board must be obtained in order to build bridges, levees, or ditches, and to do all sorts of things related to water in the State of Indiana. Would this Commission supersede that organization?

All Commissioners would be appointed by the President of the United States. It is a fact that the Governor of Indiana and the Governor of Illinois would be able to recommend one Commissioner each, but the President would appoint the members of the Federal agencies involved. I presume the Federal agencies involved would be the Corps of Army Engineers, perhaps the Department of Agriculture, the Department of the Interior, and other Departments. Then the Governor of Indiana and the Governor of Illinois would recommend one member of the Commission, but the President would appoint.

Frankly, I should like to see this legislation lie on the table until next year, when we can give more study to it.

I presume it would have no chance of passing in the House at this session, which means it would have to be reintroduced next year. Can any Senator tell me whether the measure has been considered in the House or not?

Mr. JOHNSON of Texas. I believe it is a Senate bill.

Mr. CAPEHART. Has it been considered in the House?

Mr. JOHNSON of Texas. No.

Mr. CAPEHART. It is a Senate bill.

Mr. JOHNSON of Texas. Yes.

Mr. CAPEHART. I presume there would be no possibility of passage in the House, because the House would not hold hearings and pass the bill within the next few days, would it?

Mr. JOHNSON of Texas. I do not know. I am unable to speak on that subject.

Mr. HRUSKA. Were hearings held?

Mr. CAPEHART. Some hearings were held on the bill. I do not think any witnesses were called.

I dislike to speak on the bill when my colleague, the Senator from Indiana [Mr. HARTKE], who was the author of the bill, is not present. I do not want any Senator to feel that I think my colleague is not sincere and conscientious in trying to do something for the Wabash Valley and to do something for flood control in Indiana, because he is. However, I question the advisability of this particular legislation. I think representatives of the States of Indiana and Illinois should be heard on the question. I would not want to do damage to our Indiana resources board, knowing of the great service that board has rendered to the State of Indiana.

I see the able senior Senator from Illinois [Mr. DOUGLAS] is present in the Chamber. I would be very happy to hear his viewpoint on this subject, inasmuch as the bill cannot possibly pass the House.

Mr. JOHNSON of Texas. I did not say that.

Mr. DOUGLAS. I shall be very glad to speak when the Senator from Indiana has finished, rather than to ask him to yield some of his precious time. I should like to speak on my own time rather than on the time yielded to me by him and to do so only after he has finished.

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, I heartily support the bill introduced by the junior Senator from Indiana [Mr. HARTKE]. I regret very much that the senior Senator from Indiana [Mr. CAPEHART] has taken a somewhat critical attitude toward it. I hope he is not doing so because his name is not attached to the bill. My name is not attached to the bill either. Nevertheless, I think it is a worthy measure. My colleague, the junior Senator from Illinois [Mr. DIRKSEN], has frequently introduced bills referring to the State of Illinois and has not included my name. Nevertheless, I have always felt that I should overlook those personal matters and consider the good of the State and the good of the Nation; and I hope mature deliberation will cause the Senator from Indiana to take a similar attitude.

The Wabash Valley certainly needs protection. They have had a large number of devastating floods there which have occurred with frequency. A protective program is obviously needed. Programs have been worked out for upstream control of the water with a series of reservoir lakes, most of which are in Indiana, but some of which are to be in Illinois. I do not know that all of these lakes are desirable, but certainly the general plan is good. Another proposal is for a series of levees on the lower river.

We in Illinois look with a somewhat skeptical eye upon our friends from Indiana when they propose levees, because a few years ago the Senators from Indiana were successful—and I believe my

colleague, the senior Senator from Indiana [Mr. CAPEHART] was one of those—in having levees constructed on the Indiana side of the Wabash River at the city of Vincennes, which protected Indiana homes and Indiana land from being flooded, but which threw the water over onto the Illinois side and flooded Illinois homes and Illinois lands.

Now my Indiana friends are proposing to do the same thing opposite the city of Mount Carmel, to build levees there which will protect Indiana land and increase the values of Indiana land at the expense of land on the Illinois side, across which the water would be thrown, thus flooding Illinois homes and Illinois lands.

I hope that the Wabash agency will be truly a bistate agency and not an Indiana device to protect Indiana interests at the expense of its neighbors. If any tricks are played similar to the tricks played by Indiana at Vincennes, I can only say that I shall oppose these appropriations at the water's edge, in the streets, in the cities, and in the committee rooms, and fight to the very death against them. But I hope that this warning may induce the interstate agency to follow a constructive path rather than to favor one State at the expense of the other.

I think the junior Senator from Indiana is to be commended for the fine attitude which he has taken in this matter, and I hope the senior Senator from Indiana will find himself willing to cooperate, as I have always cooperated with the junior Senator from Illinois even if at times I have felt I had been left out of the proposals which he has advanced.

Mr. CAPEHART. Mr. President, I regret exceedingly that the able senior Senator from Illinois was not present at the time I spoke to hear my remarks, because he is running 100 percent true to form; namely, he has criticized me, as he does other Senators, without having the facts.

If he had heard what I had said in my speech, he certainly would not have made the speech he did. For example, to show the Senate how ridiculous and how silly he is—I mean that term—when he rises and says that I am opposed to this bill because the junior Senator from Indiana did not invite me to cosponsor it, there is absolutely no truth in that statement.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. I ask the Chair whether the Senator from Indiana has not violated rule XIX of the Senate?

Mr. CAPEHART. I will be very happy to use a different word than "silly" if the Senator from Illinois wishes me to do so. There are other words.

Mr. DOUGLAS. No; the sweetness of the Senator's voice and the melody of his prose are so charming, I would not suggest that.

The PRESIDING OFFICER. The Chair will answer that question by stating that it is for the Senator from Illinois to determine whether he wishes to make a point of order.

Mr. DOUGLAS. I ask the Chair if the words of the Senator from Indiana did not constitute a violation of rule XIX.

The PRESIDING OFFICER. That is not within the prerogative of the Chair to pass upon. Does the Senator from Illinois wish to invoke the rule?

Mr. DOUGLAS. I do not wish to invoke rule XIX, because I do not wish to be too harsh on the Senator from Indiana.

Mr. CAPEHART. Mr. President, I ask unanimous consent to withdraw the term "silly." I will try to use a better term to describe how I feel.

Mr. DOUGLAS. I refuse to consent to that. Let the word stand as a tribute to the chaste and refined style of the Senator from Indiana.

Mr. CAPEHART. Mr. President, I did not start this discussion. I rose to speak for a few minutes and made what I thought was a good, sound argument with reference to the proposed legislation. I said that at first blush I thought it was good legislation, but that now I was beginning to question it. At no time did I say I was opposed to it. At no time did I say I would vote against it. I was merely asking some questions about it. I said that I had not heard from any one in Indiana who was supporting the proposed legislation. I described our setup in Indiana, of our water resources board, set up by compact between the State of Illinois and the State of Indiana, to take care of things of this kind. Then I asked a few questions about it, particularly whether the proposed commission would have authority over the Indiana Water Resources Board. No hearings were held on the proposed legislation. At no time did I say I was opposed to it. At no time did I do anything or say anything in opposition. I have the highest praise for the junior Senator from Indiana. I did not question his sincerity of purpose, because I know he is as much interested as I am in flood control in Indiana. The able Senator from Illinois—he will notice that I am now using a nice term—did not hear what I said.

Mr. DOUGLAS. Mr. President——

Mr. CAPEHART. I refuse to yield for the moment. He came into the Chamber after I had taken my seat, and he proceeded to criticize me and embarrass me, and put into the RECORD the statement that I was opposed to the bill, and that he supposed I was opposed to it because I was not a coauthor of it. Unfortunately, the rules of the Senate do not permit me to say what I would like to say, and what ought to be said.

Mr. DOUGLAS. Mr. President——

Mr. CAPEHART. I refuse to yield now. Why should he question my motives? How did he know whether I was opposed to it or whether I had or had not been asked to cosponsor it? The fact is the junior Senator from Indiana did ask me to cosponsor it. We did discuss cosponsoring the bill. At no time have I ever been opposed to it.

I only talk about these things because it is the pattern of the able Senator from Illinois to say the kind of things he has said, and to talk the way he has been talking. If he gets any satisfaction out of it, it is perfectly all right with me. I hope he does. I hope he will be rewarded for going completely out of his way, not only on this occasion, but on many other occasions, in trying to put words in the mouths of other Senators, and trying to embarrass other Senators. If he gets any satisfaction out of that, it is all right with me.

However, I should think that he would be a little ashamed of the remarks he made, not having heard my speech. I will leave it to the people in the gallery and to the members of the press as to what I said about the bill and what I said about my colleague, and the questions I asked about the bill.

If there is any person who will say that I at any time said I was opposed to the bill or at any time criticized my colleague for having introduced it, I will be willing to treat everybody in the Chamber.

If anyone owes anyone an apology, the able Senator from Illinois [Mr. DOUGLAS] owes me an apology, instead of my owing him one. He said the reason I was opposed to the proposed legislation was that the junior Senator from Indiana did not ask me to cosponsor it. There is absolutely no truth to that statement. The Greeks had a word for it, but I cannot use it here.

Mr. DOUGLAS. Mr. President——

Mr. RUSSELL. Does the Senator desire some time? I shall be glad to yield him a minute.

Mr. DOUGLAS. I wish to rise to a point of personal privilege.

Mr. CAPEHART. I am perfectly willing to let my case rest with the people in the gallery and with the members of the press and the Senators who heard my remarks about the proposed legislation.

Mr. DOUGLAS. Mr. President, I rise to a point of personal privilege.

The PRESIDING OFFICER. The majority has 7 minutes remaining; the minority has 30 minutes remaining.

Mr. RUSSELL. I yield 3 minutes to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, I was present in the Senate during the latter portion of the remarks of the learned Senator from Indiana. I heard his comments on the bill and I believe they can be summarized best in the lines of Alexander Pope, which I believe have a direct bearing on his discussion:

Dam with faint praise, assent with civil leer,
And, without sneering, teach the rest to sneer.

THE OBLIGATION TO LEAD

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "The Obligation To Lead," written by Jay G. Hayden and published in the Philadelphia Bulletin of August 19.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE OBLIGATION TO LEAD—WHAT'S HAPPENED TO 86TH CONGRESS?—DEMOCRATS HAVE BEEN INEFFECTIVE

(By Jay G. Hayden)

WASHINGTON.—The 86th Congress, which began its career by surprisingly belying the

leftist coloration claimed for it, is threatening as its last act a blow damaging to the election chances of the Kennedy-Johnson ticket.

In the wake of the voting in November 1958, which gave the Democrats just short of a two-thirds majority in both houses, two predictions were all but universal.

First, it was agreed that the combination of this big gain for his partisan opposition and the constitutional prohibition of a third presidential term would severely clip President Eisenhower's wings for the more than 2 years remaining of his White House tenure.

Second, it was predicted that the Democrats during that period would completely rule the legislative roost with the effect of returning to the economic and social reform era of the Roosevelt "New Deal," except as Mr. Eisenhower's veto power might prevent.

JOHNSON'S PROMISE

The Senate Majority Leader, Lyndon B. Johnson, of Texas, declared at the opening of the 1959 session:

"This is the starting of a new era * * * in all history of the Senate never has one party won so many seats at a single election as we have won. We have by our majority here an obligation to lead. We shall honor that mandate."

Paul Butler, chairman of the Democratic National Committee, said at the same time:

"While it will undoubtedly be impossible for Congress to overcome administration objection to do all that should be done, it should now be possible to enact legislation that the administration has previously defeated and to put through a large portion of the clear and comprehensive program."

TOO MUCH BICKERING?

In 19 months since those statements were issued the Congress has failed to bring to enactment a single distinctly Democratic measure, and this mainly because of the inability of Democrats to agree among themselves.

First, there has continued the North-South split which similarly hamstrung Franklin D. Roosevelt, beginning with the 1939 session, and defeated President Truman in virtually all his domestic legislative ventures throughout his nearly 8-year tenure.

Second, there has been the bitter antagonism between the Democratic congressional leadership, headed by Senator JOHNSON and Speaker SAM RAYBURN, and the "New Deal" element of the party, marshalled by Chairman Butler and the National Advisory Council he appointed.

The latter included, originally, former President Truman, Mrs. Eleanor Roosevelt, Averell Harriman, Dean Acheson, Governor G. Mennen Williams of Michigan, Senators Hubert Humphrey of Minnesota, and Estes Kefauver of Tennessee—and, recently added, Senator John F. Kennedy.

Speaker RAYBURN and Senator JOHNSON gave that organization the back of their hand in its beginning and continue to do so.

TWO BIG EFFORTS

The point of which is that over 2 years the only times the huge Democratic majority has coalesced to the point of beating any Eisenhower veto were on a river and harbor pork barrel bill near the end of last year's session, and on a recent pay raise for all civilian (that is, voting) Federal employees.

Democratic hopes now have boiled down to four measures—minimum wage, old-age medical care, aid to education, and housing.

By a vote of 12 to 5, with the majority equally divided between Democrats and Republicans, the Senate Finance Committee last week rejected Senator KENNEDY'S move for medical care of all social security recipients, to be paid for by higher exactions from the pay envelopes of younger workers.

That committee decision could be reversed in the Senate, but certainly not in the House.

RAYBURN PESSIMISTIC

Senator KENNEDY was forced to cut the coverage of his $1.25 minimum wage bill before its passage last night. The House version stops at $1.15, and with fewer workers added.

Speaker RAYBURN has virtually written off new housing legislation so far as this session is concerned; and the chance for any school aid beyond what President Eisenhower has recommended is even less.

WABASH BASIN INTERAGENCY WATER RESOURCES COMMISSION

The Senate resumed the consideration of the bill (S. 3625) to establish a Wabash Basin Interagency Water Resources Commission.

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RUSSELL. Mr. President, I am advised by the opposition that they are prepared to yield back the remainder of their time. I am prepared to do likewise.

The PRESIDING OFFICER. All time for debate has expired. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

WABASH BASIN INTERAGENCY WATER RESOURCES COMMISSION

SECTION 1. There is hereby established a Commission to be known as the Wabash Basin Interagency Water Resources Commission, hereinafter referred to as the "Commission".

DECLARATION OF PURPOSES

SEC. 2. (a) Because a well-integrated and comprehensive plan of development and utilization of water resources in the Wabash River Basin can only be achieved on a cooperative basis with the participation of all affected Federal agencies, States, and local agencies and interests, it is essential that a full and complete investigation, study and survey be made of the land and water resources and their utilization for the region within the Wabash Basin, consisting of the watershed of the entire Wabash River and its tributaries, located within States of Indiana and Illinois.

(b) It is intended that the Commission, in the performance of its duties will—

(1) serve as the principal agency for the coordination of Federal, State, and local plans for the development of water and related land resources in the Wabash Basin;

(2) prepare and keep up to date a comprehensive, integrated, joint plan for water and related land resources development in such basin;

(3) recommend a long-range schedule of priorities for the collection and analysis of basic data, for investigation and project planning, and for construction of projects in such basin; and

(4) foster and undertake studies of water resources problems in such basin.

MEMBERSHIP OF THE COMMISSION

SEC. 3. The Commission shall be composed of members to be appointed by the President of the United States as follows:

(1) A Chairman who shall not, during the period of his service on the Commission, hold any other position as an active officer or employee of the United States, but a retired military officer or a retired civilian officer or employee of the Federal Government may be appointed under this clause without prejudice to his retired status and he shall be entitled to the compensation payable under this Act or to his retired pay or annuity, whichever he may elect;

(2) One member from each Federal department or agency determined by the President to have a substantial interest in the work to be undertaken by the Commission;

(3) One or more members, as determined by the President, from each of the States of Indiana and Illinois, to be nominated by the Governor of such State, or, in the event of the failure of the Governor to nominate a person satisfactory to the President within sixty days after a request by the President to make a nomination, by the President upon his own nomination, and unless otherwise determined by the President, the term of each such member shall run for the same period as that of the Governor making the nomination; and

(4) One member from each interstate commission created by a compact to which the consent of Congress has been given, which has jurisdiction over any of the waters of the Wabash Basin, to be nominated by such commission, or, in the event of the failure of such commission to nominate a person satisfactory to the President within sixty days after a request by the President to make a nomination, by the President on his own nomination.

ORGANIZATION OF THE COMMISSION

SEC. 4 (a) The Commission shall organize for the performance of its duties within thirty days after all of its initial members have been appointed and funds have become available for carrying on its work. At such time as he deems appropriate, the President may terminate the Commission, and all property, assets, and records of the Commission shall thereafter be turned over to such agency or agencies of the United States as the President may designate.

(b) The Commission shall elect a Vice Chairman from among its members.

(c) Vacancies in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

DUTIES OF THE COMMISSION

SEC. 5. (a) It shall be the duty of the Commission—

(1) to engage in such activities and to make such studies and investigations as are necessary or desirable in the accomplishment of the purposes set forth in section 2 of this Act;

(2) to submit to the President a report on its work at least once a year, and such report shall be transmitted by the President to the Congress, and to the head of each Federal department or agency, the Governor of each State, and the chairman of each interstate commission, from which a member of the Commission has been appointed; and

(3) to submit to the President a comprehensive, integrated, joint plan, and any necessary major revision thereof, for water and related land resources development in the Wabash Basin, but before the Commission transmit such plan or major revision to the President, it shall transmit a copy of the

proposed plan or revision to the head of each Federal department or agency, the Governor of each State, and the chairman of each interstate commission, from which a member of the Commission has been appointed, and each such department and agency head, Governor, and commission chairman shall have ninety days from the date of the receipt of the proposed plan to report his views, comments, and recommendations to the Commission, and such views, comments, and recommendations shall be transmitted to the President with such plan or major revision after such modification by the Commission as may be necessary because of such views, comments, and recommendations.

(b) Each member of the Commission, other than the Chairman, shall from time to time report on the work of the Commission to the head of the Federal department or agency, the Governor of the State, or the chairman of the interstate commission from which he was appointed, and shall present to the Commission for its consideration any comments or suggestions received as a result of such report.

POWERS AND ADMINISTRATIVE PROVISIONS

SEC. 6. (a) For the purpose of carrying out its duties under this Act, the Commission may hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable; acquire, furnish, and equip such office space as is necessary; use the United States mails in the same manner and upon the same conditions as the departments and other agencies of the United States, employ such personnel as it deems advisable; purchase, hire, operate, maintain, and dispose of such vehicles as it may require; pay in accordance with the standardized Government travel regulations for travel, subsistence, and other necessary expenses incurred by it or any of its members, officers, or employees, in the performance of duties vested in it; and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

(b) A majority of the members of the Commission holding office at any time shall constitute a quorum but a lesser number may conduct hearings.

(c) The Chairman of the Commission, or any member thereof designated by him for the purpose, is authorized to administer oaths when it is determined by the Commission that testimony shall be taken or evidence received under oath.

(d) To the extent permitted by law, all appropriate records and papers of the Commission may be made available for public inspection during the ordinary office hours of the Commission.

(e) Upon request of the Chairman of the Commission or any member or employee thereof designated by him for the purpose, the head of any department or agency of the Government is authorized (1) to furnish to the Commission such information, suggestions, estimates, and statistics as it may need or believe to be useful for carrying out its functions and as may be available to or procurable by the department or agency to which the request is addressed, and (2) to detail to temporary duty with the Commission such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, and such department or agency shall be reimbursed for the services of such personnel.

(f) The Chairman shall be responsible for (1) the appointment and supervision of personnel employed by the Commission, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditure of funds available to the Commission. In carrying out his functions under this subsection, the Chairman shall be governed by the general policies of the Commission with respect to the work to be accomplished by it and the timing thereof.

COMPENSATION OF COMMISSION MEMBERS

SEC. 7. (a) Members of the Commission appointed pursuant to section 3(2) of this Act shall receive no additional compensation by virtue of their membership on the Commission, but shall continue to receive, from appropriations made for the agency from which they are appointed, the salary of their regular position when engaged in the performance of the duties vested in the Commission.

(b) Members of the Commission appointed pursuant to section 3 (3) and (4) of this Act, shall each receive compensation at the rate of $75 per day when engaged in the performance of the Commission's duties, but the aggregate compensation received by any such member shall not exceed $7,500 in any calendar year. The per annum compensation of the Chairman shall be at the rate provided for grade GS–16 under the Classification Act of 1949, as amended, or if he is not employed on an annual basis, $75 per day but not to exceed $12,000 in any calendar year.

AUTHORIZATION OF APPROPRIATIONS

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

AMENDMENT OF SMALL BUSINESS ACT RELATING TO LOANS TO SMALL BUSINESSES

Mr. SPARKMAN. Mr. President, at the request of the Senator from Virginia [Mr. ROBERTSON], the chairman of the Committee on Banking and Currency, I ask that the Chair lay before the Senate the message from the House of Representatives of the bill, H.R. 11207, to amend the Small Business Act so as to authorize an additional $150 million for loans to small businesses and for other purposes.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 11207) to amend the Small Business Act so as to authorize an additional $150 million for loans to small businesses, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SPARKMAN. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. FULBRIGHT, Mr. SPARKMAN, Mr. PROXMIRE, Mr. BYRD of West Virginia, Mr. CAPEHART, and Mr. BENNETT conferees on the part of the Senate.

JURISDICTION OF INTERNATIONAL COURT OF JUSTICE

Mr. BUTLER. Mr. President, the Connally reservation regarding the jurisdiction of the International Court of Justice continues to be a potential cause celebre. Distinguished authorities from every corner of this country have declared their support of the Connally reservation which reserves the right of the United States to determine disputes which are and which are not within the domestic jurisdiction of the United States.

Frank Holman, former president of the American Bar Association, supports the Connally reservation. So does Alexander Dick, a distinguished member of the New York State Bar Association and the founder and president of an Ad Hoc Group of Rhodes Scholars for the Preservation of the Connally Reservation.

Now Eleanor H. Finch, executive secretary of the American Society of International Law, and a member of the District of Columbia bar, has written a brilliant article in defense of the Connally reservation in the August issue of the American Bar Association Journal.

She writes:

Although such a reservation had no precedent as far as the statute of the present International Court of Justice is concerned, it actually represents in substance the consistently maintained policy of the United States with regard to compulsory adjudication of international disputes—a policy which it has followed from the earliest days of its existence.

Continuing, she writes:

The Connally reservation represents in succinct form the consistent policy of the United States as laid down by the Senate. The proposal to withdraw the reservation is essentially one to alter radically the U.S. position on the subject.

After quoting extensively from several treaties all corroborating the premise that the Connally reservation is a continuation of long-established American policy, Miss Finch concludes:

In the light of present conditions and current events, it is difficult to question the correctness of this judgment of the Committee of Peace and Law Through the United Nations that no change be made by the Senate of the United States in regard to compulsory jurisdiction of the International Court of Justice.

Mr. President, I might add, not only difficult but impossible. I ask unanimous consent to have printed in the body of the RECORD the article by Eleanor H. Finch, in the August issue of the American Bar Association Journal entitled "United States Policy Regarding International Compulsory Adjudication."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. POLICY REGARDING INTERNATIONAL COMPULSORY ADJUDICATION

(By Eleanor H. Finch of the District of Columbia bar)

It is a generally accepted principle that when jurisdiction is conferred by international agreement upon an international tribunal to decide a particular dispute or certain categories of disputes between nations, and there arises between the parties to a dispute a disagreement as to the jurisdiction of the tribunal over such dispute, the tribunal shall decide as to its own competence. It is also a generally recognized rule that in deciding upon its competence in such a case a tribunal shall look to the instrument which conferred jurisdiction upon it. Reliance is placed upon article 36, paragraph 6, of the Statute of the International Court of Justice in arguing that the U.S. reservation of domestic questions as determined by the United States cannot deprive the Court of the competence to determine its own jurisdiction as provided in that clause

of the statute. From an examination of the discussion of the statute of the Permanent Court of International Justice, upon which the statute of the present International Court is based, and of the U.S. declaration of acceptance of the compulsory jurisdiction of the International Court, it appears to have been generally agreed that the instrument which confers compulsory jurisdiction on the Court is the declaration of acceptance by the party states. The competence of the Court, including the competence to define its own jurisdiction, is therefore limited to the jurisdiction which has been accepted under the declarations of the adhering states.

The point at issue in the current debate on the so-called Connally Reservation by which the United States has excepted from the jurisdiction of the Court disputes with regard to matters which are essentially within the domestic jurisdiction of the United States of America as determined by the United States of America, is whether the United States or the International Court should determine that a matter in dispute between the United States and another state is essentially within the domestic jurisdiction of the United States and hence not subject to adjudication by the Court. It is not seriously questioned that the intent of the U.S. Senate in attaching the Connally Reservation to the U.S. acceptance of the Court's compulsory jurisdiction was to retain for the United States the final determination as to whether a dispute involving matters within its domestic jurisdiction should be submitted for international adjudication.

The Committee on Peace and Law through United Nations of the American Bar Association, in its report to the Association in 1947, stated:

"Your committee does not suggest that the Connally amendment, in adding the words 'as determined by the United States' * * * violates the charter or the statute, or is beyond the right of a state in depositing it declaration. When a dispute involving the United States arises, it still would be for the Court to decide whether the issues are within the obligatory jurisdiction accepted by the American declaration. The Court would undoubtedly have to say that no jurisdiction exists where the United States, or the other party to the dispute, itself determines and announces that the matter is within its domestic jurisdiction." [1]

Moreover, Charles DeVisscher, a former Judge of the Permanent Court of International Justice and of the International Court of Justice, writing on the Interhandel case before the International Court, has stated:

There is no doubt as to the prime importance of the automatic reservation in the framework of the declaration made by the United States. The debates in the Senate indeed show that the question of the conformity of the reservation with the statute was clearly present in the minds of the Members of Congress and that it even dominated the discussion. On the other hand, examination of the precedents establishes the fact that the automatic reservation is only one of the manifestations of the consistent determination of the United States to reserve to itself the power to make the ultimate determination as to its obligations with regard to treaties of general obligation for arbitral or judicial settlement. Before such a persistent affirmation of freedom of action, the Court, whose competence is based exclusively upon the consent of the defending state, can only respect an essential condition of this consent and give it its full effect.

"Two consequences result from these premises. First of all, there can be no question of the Court, in the presence of a reservation of such a clearly subjective character, assuming to itself the power of determining whether the use made of it in a given case accords with reason or good faith. The terms of the reservation as well as the persistent insistence of the United States upon its right of unilateral decision in the matter of obligatory settlement of disputes give this right an absolute character the exercise of which is not subject to the control of the Court. To interpret the reservation as implying that the determination of its national competence by the United States must be reasonable or made in good faith is to submit to the Court something that the reservation was precisely intended to remove from its jurisdiction.

"It appears to us to be established that the reservation has been very deliberately adopted by the United States as an essential condition of its declaration, without which the latter would not have been made. To detach this reservation from the declaration and retain the rest of it could lead to holding the United States bound by an acceptance different from what it had undertaken, and contrary to the principle that the consent of the interested governments is the foundation of all obligatory jurisdiction, to submit it to a jurisdiction which it intended to exclude.[2]"

AMPLE PRECEDENT FOR THE CONNALLY RESERVATION

The question of retaining the Connally reservation is therefore one of policy for which there is ample precedent. In an article in the January 1960 issue of the American Bar Association Journal, Prof. Louis B. Sohn has stated with regard to the reservation that "There was no precedent for this reservation at the time it was made, but it has now been copied by several states, thus causing a general devaluation of the idea of compulsory jurisdiction."

Although such a reservation had no precedent as far as the statute of the present International Court of Justice is concerned, it actually represents in substance the consistently maintained policy of the United States with regard to compulsory adjudication of international disputes—a policy which it has followed from the earliest days of its existence. That policy has been that no dispute should be submitted to adjudication except by special agreement made by and with the advice and consent of the Senate, and that matters of vital national interest should be excluded from the scope of general treaties of arbitration or adjudication. In an article in the January issue of the American Journal of International Law, 1958, Prof. Sidney B. Jacoby made the following statement:

"The contention seems to be made that prior to the Connally reservation the United States did not claim the right unilaterally to invoke a domestic jurisdiction reservation. But such a right has always been claimed by the United States.

"The policy of unilaterally determining a domestic jurisdiction exception was not novel when the so-called Connally amendment inserted it into the U.S. acceptance of the jurisdiction of the International Court of Justice in 1946. The Swiss Government itself so recognized * * * in its message concerning the ratification of the Treaty of February 16, 1931."

Mr. Jacoby then quotes the statement of the Swiss Government relative to the exception of questions of exclusive domestic jurisdiction from the scope of the Arbitration and Conciliation Treaty of 1931 between the United States and Switzerland.[3]

It may be of interest to recall that on Jan. 27, 1926, the U.S. Senate adopted a resolution (S. Res. 5, 69th Cong., 1st sess.), advising and consenting to the adherence by the United States to the Protocol of Signature of the Statute of the Permanent Court of International Justice (without accepting or agreeing to the optional clause for compulsory jurisdiction), with certain conditions attached, and containing these further provisions:

"Resolved further, As a part of this act of ratification that the United States approve the protocol and statute hereinabove mentioned, with the understanding that recourse to the Permanent Court of International Justice for the settlement of differences between the United States and any other state or states can be had only by agreement thereto through general or special treaties concluded between the parties in dispute; and

"Resolved further, That adherence to the said protocol and statute hereby approved shall not be so construed as to require the United States to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions of policy or internal administration of any foreign state; nor shall adherence to the said protocol and statute be construed to imply a relinquishment by the United States of its traditional attitude toward purely American questions.[4]

The Protocol of Accession by the United States to the Statute of the Permanent Court of International Justice, which was drawn up in Geneva in 1929 to meet the Senate conditions to U.S. adherence, was submitted in 1932 to the Senate, along with the Protocols of Signature and of Revision of the Statute, in a report from the Foreign Relations Committee (S. Rept. 758, 72d Cong., 1st sess.) with the same reservations in the proposed resolutions consenting to adherence as those quoted above.[5] The question was not considered by the full Senate until 1935, when another resolution of adherence to the Court was introduced and the same provisos again attached to it.[6]

The resolution failed to receive the necessary two-thirds vote of the Senate.[7]

RESERVATION IS IN LINE WITH U.S. POLICY

The Connally reservation represents in succinct form the consistent policy of the United States as laid down by the Senate. The proposal to withdraw the reservation is essentially one to alter radically the U.S. position on the subject. As an indication of the virtually unchanged policy of the United States, the provisions of a number of its arbitration treaties may be cited.

The Arbitration Convention of 1908 with Great Britain[8] contains the following provisions:

"ARTICLE I

"Differences which may arise of a legal nature or relating to the interpretation of treaties existing between the two Contracting Parties and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th of July 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third Parties.

"ARTICLE II

"In each individual case the high contracting parties, before appealing to the Permanent Court of Arbitration, shall conclude

[1] 72 A.B.A. Rept. 429 (1947).

[2] Translation by the writer from an article in 63 Revue General de Droit International Public 413, at 418–419 (1959).

[3] 52 A.J.I.L. 107 at 110–111 (1958).

[4] 20 A.J.I.L. Supp. 73, 74 (1926).

[5] See Hudson, "The World Court Protocols Before the United States Senate," 26 A.J.I.L. 569 (1932).

[6] See 79 CONGRESSIONAL RECORD 425, 916, 1196, 1205; Hudson, "The United States Senate and the World Court," 29 A.J.I.L. 301 (1935).

[7] Ibid. 304.

[8] 1 Mallory, Treaties 814; 2 A.J.I.L. Supp. 299 (1908).

a special agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that such special agreements on the part of the United States will be made by the President of the United States, by and with the advice and consent of the Senate thereof.

"Such agreements shall be binding only when confirmed by the two Governments by an Exchange of Notes."

The Arbitration Treaty of 1928 with France [9] provides:

"ARTICLE II

"All differences relating to international matters in which the high contracting parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise, which it has not been possible to adjust by diplomacy, which have not been adjusted as a result of reference to the above-mentioned Permanent International Commission [of investigation and report], and which are justiciable in the nature by reason of being susceptible of decision by the application of the principles of law or equity, shall be submitted to the Permanent Court of Arbitration established at The Hague * * * or to some other competent tribunal, as shall be decided in each case by special agreement, which special agreement shall provide for the organization of such tribunal if necessary, define its powers, state the question or questions at issue, and settle the terms of reference.

"The special agreement in each case shall be made on the part of the United States of America by the President of the United States of America by and with the advice and consent of the Senate thereof.

"ARTICLE III

"The provisions of this treaty shall not be invoked in respect of any dispute the subject matter of which

"(a) is within the domestic jurisdiction of either of the high contracting parties,

"(b) involves the interests of third parties,

"(c) depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, commonly described as the Monroe Doctrine,

"(d) depends upon or involves the observance of the obligations of France in accordance with the covenant of the League of Nations."

The Treaty of Arbitration and Conciliation with Switzerland, 1931,[10] referred to above, provides:

"ARTICLE V

"The Contracting Parties bind themselves to submit to arbitration every difference which may have arisen or may arise between them by virtue of a claim of right, which is juridical in its nature, provided that it has not been possible to adjust such difference by diplomacy and it has not in fact been adjusted as a result of reference to the Permanent Commission of Conciliation constituted pursuant to Articles II and III of this Treaty.

"ARTICLE VI

"The provisions of Article V shall not be invoked in respect of any difference the subject matter of which

"(a) is within the domestic jurisdiction of either of the Contracting Parties."

The issue involved in the Senate action on the unratified Taft treaties of 1911 is peculiarly apropos of the present discussion of the Connally Reservation. The Treaty of Arbitration of 1911 with Great Britain (Conf. Exec. H, 62d Cong., 1st sess.)[11] provided in article I:

"All differences hereafter arising between the high contracting parties, which it has not been possible to adjust by diplomacy, relating to international matters in which the high contracting parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise, and which are justifiable in their nature by reason of being susceptible of decision by the application of the principles of law or equity, shall be submitted to the Permanent Court of Aribitration established at The Hague by the Convention of October 18, 1907, or to some other arbitral tribunal as may be decided in each case by special agreement, which special agreement shall provide for the organization of such tribunal if necessary, define the scope of the powers of the arbitrators, the question or questions at issue, and settle the terms of reference and the procedure thereunder."

This article also provided that the special agreement in each case should be made on the part of the United States by the President of the United States by and with the advice and consent of the Senate, and should be confirmed by the parties through an exchange of notes.

Under article II of the treaty the parties agreed "to institute as occasion arises * * * a joint high commission of inquiry to which, upon the request of either party, shall be referred for impartial and conscientious investigation any controversy between the parties within the scope of article I, before such controversy has been submitted to arbitration, and also any other controversy hereafter arising between them even if they are not agreed that it falls within the scope of article I; provided, however, that such reference may be postponed until the expiration of one year after the date of the formal request therefor, in order to afford an opportunity for diplomatic discussion and adjustment of the questions in controversy, if either party desires such postponement" [12]

Under the terms of article III of the treaty the joint high commission was authorized to examine into and report upon matters referred to it, to define the issues presented thereby, and to include in its report appropriate recommendations and conclusions. Article III further provided:

"The reports of the commission shall not be regarded as decisions of the questions or matters so submitted either on the facts or on the law and shall in no way have the character of an arbitral award.

"It is further agreed, however, that in cases in which the parties disagree as to whether or not a difference is subject to arbitration under article I of this treaty that question shall be submitted to the joint high commission of inquiry; and if all or all but one of the members of the commission agree and report that such difference is within the scope of article I, it shall be referred to arbitration in accordance with the provisions of this treaty." [13]

In its resolution of advice and consent to the ratification of the treaty, the Senate amended the treaty by, inter alia, striking out the last paragraph of article III as quoted above, and included the following proviso:

"That the Senate advises and consents to the ratification of the said treaty with the understanding, to be made part of such ratification, that the treaty does not authorize the submission to arbitration of any question which affects the admission of aliens to the educational institutions of the several States, or the territorial integrity of the several States or of the United States, or concerning the question of the alleged indebtedness or monied obligation of any State of the United States, or any question which depends upon or involves the maintenance of the traditional attitudes of the United States concerning American questions, commonly described as the Monroe Doctrine, or other purely governmental policy." [14]

In view of the terms of the Senate resolution, President Taft did not proceed with the exchange of ratifications of the treaty.

The majority report on the treaty by the Committee on Foreign Relations [15] made this comment on the reference in article I to the application of the principles of law or equity in arbitrable disputes:

"In England and the United States, and wherever the principles of the common law obtain, the words 'law or equity' have an exact and technical significance, but that legal system exists nowhere else and does not exist in France, with which country one of these treaties is made. We are obliged, therefore, to construe the word 'equity' in its broad and universal acceptance as that which is 'equally right or just to all concerned; as the application of the dictates of good conscience to the settlement of controversies.' It will be seen, therefore, that there is little or no limit to the questions which might be brought within this article, provided the two contracting parties consider them justiciable."

It was the last paragraph of article III with reference to decision by a joint commission as to whether a difference between the parties was subject to arbitration under the treaty which gave rise to vigorous debate in the Senate. The majority report of the Committee on Foreign Relations stated:

"The last clause of Article III, therefore, the Committee on Foreign Relations advises the Senate to strike from the treaty and recommends an amendment to that effect. This recommendation is made because there can be no question that through the machinery of the joint commission, as provided in Articles II and III, and with the last clause of Article III included, the Senate is deprived of its constitutional power to pass upon all questions involved in any treaty submitted to it in accordance with the Constitution. The committee believes that it would be a violation of the Constitution of the United States to confer upon an outside commission powers which, under the Constitution, devolve upon the Senate. It seems to the committee that the Senate has no more right to delegate its share of the treaty-making power than Congress has to delegate the legislative power. The Constitution provides that before a treaty can be ratified and become the supreme law of the land it shall receive the consent of two-thirds of the Senators present. This necessarily means that each and every part of the treaty must receive the consent of two-thirds of the Senate. It can not possibly mean that only a part of the provisions shall receive the consent of the Senate.

"To take away from the Senate the determination of the most important question in a proposed treaty of arbitration is necessarily in violation of the treaty provisions of the Constitution. The most vital question in every proposed arbitration is whether the difference is arbitrable. For instance, if another nation should do something to which we object under the Monroe Doctrine and the validity of our objection should be challenged and an arbitration should be demanded by that other nation, the vital point

[9] U.S. Treaty Series, No. 785; 46 Stat. 2269; 22 A.J.I.L. Supp. 37, 38 (1928).

[10] U.S. Treaty Series, No. 844.

[11] 5 A.J.I.L. Supp. 253, 254 (1911).

[12] Ibid., 255.

[13] Ibid., 255–256.

[14] The text of the resolution is reprinted in 6 A.J.I.L. 460–461 (1912).

[15] S. Doc 98, 62d Cong., 1st sess. Quoted in editorial by James Brown Scott. "The Pending Treaty of Arbitration between the United States and Great Britain," in 6 A.J.I.L. 167, at 171, 172–173 (1912).

would be whether our right to insist upon the Monroe Doctrine was subject to arbitration, and if the third clause of Article III remains in the treaty the Senate could be debarred from passing upon that question.

"One of the first sovereign rights is the power to determine who shall come into the country and under what conditions. No nation which is not either tributary or subject, would permit any other nation to compel it to receive the citizens or subjects of that other nation. If our right to exclude certain classes of immigrants were challenged, the question could be forced before a joint commission, and if that commission decided that the question was arbitrable the Senate would have no power to reject the special agreement for the arbitration of that subject on the ground that it was not a question for arbitration within the contemplation of Article I. In the same way our territorial integrity, the rights of each State, and of the United States to their territory might be forced before a joint commission, and under Article III, in certain contingencies, we should have no power to prevent our title to the land we inhabit from being tried before a court of arbitration. Today no nation on earth would think of raising these questions, which will readily occur to everybody. But if we accept this treaty with the third clause of Article III included we invite other nations to raise these questions and to endeavor to enforce them before an arbitral tribunal. Such an invitation would be a breeder of war and not of peace, and would rouse a series of disputes, now happily and entirely at rest, into malign and dangerous activity. To issue such an invitation is not, in the opinion of the committee, the way to promote that universal peace which we all most earnestly desire."

The minority report of the Foreign Relations Committee,[16] presented by Senator Elihu Root, stated in connection with the above-quoted views:

"It is true that there are some questions of national policy and conduct which no nation can submit to the decision of anyone else, just as there are some questions of personal conduct which every man must decide for himself. The undoubted purpose of the first article of these treaties is to exclude such questions from arbitration as nonjustifiable.

"If there is danger of misunderstanding as to whether such questions are indeed effectively excluded by the terms of the first article, such a danger, of course, should be prevented. No one questions the importance of having the line of demarcation between what is and what is not to be arbitrated clearly understood and free from misunderstanding; for nothing could be worse than to make a treaty for arbitration and then to have either party charged by the other party with violating it.

"The real objection to the clause which commits to the proposed joint commission questions whether particular controversies are arbitrable is not that the commission will determine whether the particular case comes within a known line, but that the commission, under the general language of the first article, may draw the line to suit themselves instead of observing a line drawn by the treatymaking power. If we thought this could not be avoided without amending the treaty, we would vote for the amendment to strike out the last clause of Article III, for it is clearly the duty of the treatymaking power, including the Senate, as well as the President, to draw that line, and that duty cannot be delegated to a commission.

"We do not think, however, that any such result is necessary * * * it can be effectively prevented, without amending the treaty by following a practice for which there is abundant precedent, and making the construction of the treaty certain by a clause in the resolution of consent to ratification.

"Such a clause may well be, in substance, as follows:

" 'The Senate advises and consents to the ratification of the said treaty with the understanding, to be made a part of such ratification, that the treaty does not authorize the submission to arbitration of any question which depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, or other purely governmental policy.' "

If one reads "International Court" for "Joint Commission" in the above-cited paragraphs, it can be seen that the same essential questions were raised in the United States Senate 50 years ago as were raised in the Senate in 1946, and that the later Senate made in principle the same reservation as the earlier one. The arguments in favor of the United States retaining the right to determine what matters are properly subject to the jurisdiction of the International Court have the same, if not greater, cogency today, and lead to the conclusion that the policy heretofore laid down by the United States Senate should not be altered. The Committee on Peace and Law through United Nations stated in its 1949 report:

"Until there has been a clarification of the power of United Nations to determine international law and the effect of Article 2(7) of the Charter, the committee does not believe that it is advisable that any change be made by the Senate of the United States in regard to compulsory jurisdiction of the International Court of Justice." [17]

In the light of present conditions and current events, it is difficult to question the correctness of this judgment.

[16] S. Doc. 98, 62d Cong., 1st sess. Quoted in 6 A.J.I.L. 173–174 (1912).

[17] 74 A.B.A. Rep. 336 (1949).

AMENDMENT OF COMMUNICATIONS ACT OF 1934, RELATING TO PROCEDURE IN OBTAINING A LICENSE AND FOR REHEARINGS

The PRESIDING OFFICER (Mr. CANNON in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 1898) to amend the Communications Act of 1934 with respect to the procedure in obtaining a license and for rehearings under such act, which were to strike out all after the enacting clause and insert:

SHORT TITLE

SECTION 1. This Act may be cited as the "Communications Act Amendments, 1960".

REPEAL OF PROVISION PERMITTING ACCEPTANCE OF HONORARIUMS

SEC. 2. The third sentence of subsection (b) of section 4 of the Communications Act of 1934 (47 U.S.C. 154(b)) is amended by striking out the following: "; but this shall not apply to the presentation or delivery of publications or papers for which a reasonable honorarium or compensation may be accepted".

SHORT-TERM GRANTS

SEC. 3. Subsection (d) of section 307 of the Communications Act of 1934 (47 U.S.C. 307) is amended by adding at the end thereof a new sentence as follows: "Consistently with the foregoing provisions of this subsection, the Commission may by rule prescribe the period or periods for which licenses shall be granted and renewed for particular classes of stations, but the Commission may not adopt or follow any rule which would preclude it, in any case involving a station of a particular class, from granting or renewing a license for a shorter period than that prescribed for stations of such class if, in its judgment, public interest, convenience, or necessity would be served by such action."

PREGRANT PROCEDURE

SEC. 4. (a) Section 309 of the Communications Act of 1934 (47 U.S.C. 309) is amended to read as follows:

"ACTION UPON APPLICATIONS; FORM OF AND CONDITIONS ATTACHED TO LICENSES

"SEC. 309. (a) Subject to the provisions of this section, the Commission shall determine, in the case of each application filed with it to which section 308 applies, whether the public interest, convenience, and necessity will be served by the granting of such application, and, if the Commission, upon examination of such application and upon consideration of such other matters as the Commission may officially notice, shall find that public interest, convenience, and necessity would be served by the granting thereof, it shall grant such application.

"(b) Except as provided in subsection (c) of this section, no such application—

"(1) for an instrument of authorization in the case of a station in the broadcasting or common carrier services, or

"(2) for an instrument of authorization in the case of a station in any of the following categories:

"(A) fixed point-to-point microwave stations (exclusive of control and relay stations used as integral parts of mobile radio systems),

"(B) industrial radio positioning stations for which frequencies are assigned on an exclusive basis,

"(C) aeronautical en route stations,

"(D) aeronautical advisory stations,

"(E) airdrome control stations,

"(F) aeronautical fixed stations, and

"(G) such other stations or classes of stations, not in the broadcasting or common carrier services, as the Commission shall by rule prescribe,

shall be granted by the Commission earlier than thirty days following issuance of public notice by the Commission of the acceptance for filing of such application or of any substantial amendment thereof.

"(c) Subsection (b) of this section shall not apply—

"(1) to any minor amendment of an application to which such subsection is applicable, or

"(2) to any application for—

"(A) a minor change in the facilities of an authorized station,

"(B) consent to an involuntary assignment or transfer under section 310(b) or to an assignment or transfer thereunder which does not involve a substantial change in ownership or control,

"(C) a license under section 319(c) or, pending application for or grant of such license, any special or temporary authorization to permit interim operation to facilitate completion of authorized construction or to provide substantially the same service as would be authorized by such license,

"(D) extension of time to complete construction of authorized facilities,

"(E) an authorization of facilities for remote pickups, studio links and similar facilities for use in the operation of a broadcast station,

"(F) authorizations pursuant to section 325(b) where the programs to be transmitted are special events not of a continuing nature,

"(G) a special temporary authorization for nonbroadcast operation not to exceed thirty days where no application for regular operation is contemplated to be filed or pending the filing of an application for such regular operation, or

"(H) an authorization under any of the proviso clauses of section 308(a).

"(d)(1) Any party in interest may file with the Commission a petition to deny any application (whether as originally filed or as amended) to which subsection (b) of this section applies at any time prior to the day of Commission grant thereof without hearing or the day of formal designation thereof for hearing; except that with respect to any classification of applications, the Commission from time to time by rule may specify a shorter period (no less than thirty days following the issuance of public notice by the Commission of the acceptance for filing of such application or of any substantial amendment thereof), which shorter period shall be reasonably related to the time when the applications would normally be reached for processing. The petitioner shall serve a copy of such petition on the applicant. The petition shall contain specific allegations of fact sufficient to show that the petitioner is a party in interest and that a grant of the application would be prima facie inconsistent with subsection (a). Such allegations of fact shall, except for those of which official notice may be taken, be supported by affidavit of a person or persons with personal knowledge thereof. The applicant shall be given the opportunity to file a reply in which allegations of fact or denials thereof shall similarly be supported by affidavit.

"(2) If the Commission finds on the basis of the application, the pleadings filed, or other matters which it may officially notice that there are no substantial and material questions of fact and that a grant of the application would be consistent with subsection (a), it shall make the grant, deny the petition, and issue a concise statement of the reasons for denying the petition, which statement shall dispose of all substantial issues raised by the petition. If a substantial and material question of fact is presented or if the Commission for any reason is unable to find that grant of the application would be consistent with subsection (a), it shall proceed as provided in subsection (e).

"(e) If, in the case of any application to which subsection (a) of this section applies, a substantial and material question of fact is presented or the Commission for any reason is unable to make the finding specified in such subsection, it shall formally designate the application for hearing on the ground or reasons then obtaining and shall forthwith notify the applicant and all other known parties in interest of such action and the grounds and reasons therefor, specifying with particularity the matters and things in issue but not including issues or requirements phrased generally. When the Commission has so designated an application for hearing the parties in interest, if any, who are not notified by the Commission of such action may acquire the status of a party to the proceeding thereon by filing a petition for intervention showing the basis for their interest at any time not less than ten days prior to the date of hearing. Any hearing subsequently held upon such application shall be a full hearing in which the applicant and all other parties in interest shall be permitted to participate. The burden of proceeding with the introduction of evidence and the burden of proof shall be upon the applicant, except that with respect to any issue presented by a petition to deny or a petition to enlarge the issues, such burdens shall be as determined by the Commission.

"(f) When an application subject to subsection (b) has been filed, the Commission, notwithstanding the requirements of such subsection, may, if the grant of such application is otherwise authorized by law and if it finds that there are extraordinary circumstances requiring emergency operations in the public interest and that delay in the institution of such emergency operations would seriously prejudice the public interest, grant a temporary authorization, accompanied by a statement of its reasons therefor, to permit such emergency operations for a period not exceeding ninety days, and upon making like findings may extend such temporary authorization for one additional period not to exceed ninety days. When any such grant of a temporary authorization is made, the Commission shall give expeditious treatment to any timely filed petition to deny such application and to any petition for rehearing of such grant filed under section 405.

"(g) The Commission is authorized to adopt reasonable classifications of applications and amendments in order to effectuate the purposes of this section.

"(h) Such station licenses as the Commission may grant shall be in such general form as it may prescribe, but each license shall contain, in addition to other provisions, a statement of the following conditions to which such license shall be subject: (1) The station license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized therein; (2) neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of this Act; (3) every license issued under this Act shall be subject in terms to the right of use or control conferred by section 606 of this Act."

(b) Section 319(c) of the Communications Act of 1934 (47 U.S.C. 319(c)) is amended by striking out "and (c)" and inserting in lieu thereof "(c), (d), (e), (f), and (g)".

(c) Section 405 of the Communications Act of 1934 (47 U.S.C. 405) is amended—

(1) by striking out "and party" in the first sentence and inserting in lieu thereof "any party", and

(2) by inserting after the fourth sentence a new sentence as follows: "The Commission shall enter an order, with a concise statement of the reasons therefor, denying a petition for rehearing or granting such petition, in whole or in part, and ordering such further proceedings as may be appropriate: *Provided*, That in any case where such petition relates to an instrument of authorization granted without a hearing, the Commission shall take such action within ninety days of the filing of such petition."

(d)(1) Subsections (a) and (b) of this section shall take effect ninety days after the date of the enactment of this Act.

(2) Section 309 of the Communications Act of 1934 (as amended by subsection (a) of this section) shall apply to any application to which section 308 of such Act applies (A) which is filed on or after the effective date of subsection (a) of this section, (B) which is filed before such effective date, but is substantially amended on or after such effective date, or (C) which is filed before such effective date and is not substantially amended on or after such effective date, but with respect to which the Commission by rule provides reasonable opportunity to file petitions to deny in accordance with section 309 of such Act (as amended by subsection (a) of this section).

(3) Section 309 of the Communications Act of 1934, as in effect immediately before the effective date of subsection (a) of this section, shall, on and after such effective date, apply only to applications to which section 308 of such Act apply which are filed before such effective date and not substantially amended on or after such effective date and with respect to which the Commission does not permit petitions to deny to be filed as provided in clause (C) of paragraph (2) of this subsection.

(4) The amendment made by paragraph (2) of subsection (c) of this section shall only apply to petitions for rehearing filed on or after the date of the enactment of this Act.

LOCAL NOTICE AND LOCAL HEARINGS; PAY-OFFS

SEC. 5. (a) Section 311 of the Communications Act of 1934 (47 U.S.C. 311) is amended to read as follows:

"SPECIAL REQUIREMENTS WITH RESPECT TO CERTAIN APPLICATIONS IN THE BROADCASTING SERVICE

"SEC. 311. (a) When there is filed with the Commission any application to which section 309(b)(1) applies, for an instrument of authorization for a station in the broadcasting service, the applicant—

"(1) shall give notice of such filing in the principal area which is served or is to be served by the station; and

"(2) if the application is formally designated for hearing in accordance with section 309, shall give notice of such hearings in such area at least ten days before commencement of such hearing.

The Commission shall by rule prescribe the form and content of the notices to be given in compliance with this subsection, and the manner and frequency with which such notices shall be given.

"(b) Hearings referred to in subsection (a) may be held at such places as the Commission shall determine to be appropriate, and in making such determination in any case the Commission shall consider whether the public interest, convenience, or necessity will be served by conducting the hearing at a place in, or in the vicinity of, the principal area to be served by the station involved.

"(c)(1) If there are pending before the Commission two or more applications for a permit for construction of a broadcasting station, only one of which can be granted, it shall be unlawful, without approval of the Commission, for the applicants or any of them to effectuate an agreement whereby one or more of such applicants withdraws his or their application or applications.

"(2) The request for Commission approval in any such case shall be made in writing jointly by all the parties to the agreement. Such request shall contain or be accompanied by full information with respect to the agreement, set forth in such detail, form, and manner as the Commission shall by rule require.

"(3) The Commission shall approve the agreement only if it determines that the agreement is consistent with the public interest, convenience, or necessity. If the agreement does not contemplate a merger, but contemplates the making of any direct or indirect payment to any party thereto in consideration of his withdrawal of his application, the Commission may determine the agreement to be consistent with the public interest, convenience, or necessity only if the amount or value of such payment, as determined by the Commission, is not in excess of the aggregate amount determined by the Commission to have been legitimately and prudently expended and to be expended by such applicant in connection with preparing, filing, and advocating the granting of his application.

"(4) For the purposes of this subsection an application shall be deemed to be 'pending' before the Commission from the time such application is filed with the Commission until an order of the Commission granting or denying it is no longer subject to rehearing by the Commission or to review by any court."

(b) Section 313 of such Act (47 U.S.C. 313) is amended—

(1) by inserting after the word "LAWS" in the heading of such section the following: "; REFUSAL OF LICENSES AND PERMITS IN CERTAIN CASES"; and

(2) by inserting "(a)" after "SEC. 313." and adding at the end of such section the following subsection:

"(b) The Commission is hereby directed to refuse a station license and/or the permit hereinafter required for the construction of a station to any person (or to any person directly or indirectly controlled by such person) whose license has been revoked by a court under this section."

SUSPENSION, REVOCATION, AND CEASE AND DESIST ORDERS

SEC. 6. (a) Section 312 of the Communications Act of 1934 (47 U.S.C. 312) is amended to read as follows:

"ADMINISTRATIVE SANCTIONS

"SEC. 312. (a) The Commission may revoke any station license or construction permit—

"(1) for false statements knowingly made either in the application or in any statement of fact which may be required pursuant to section 308;

"(2) because of conditions coming to the attention of the Commission which would warrant it in refusing to grant a license or permit on an original application;

"(3) for willful or repeated failure to operate substantially as set forth in the license;

"(4) for willful or repeated violation of, or willful or repeated failure to observe any provision of this Act or any rule or regulation of the Commission authorized by this Act or by a treaty ratified by the United States;

"(5) for violation of or failure to observe any cease and desist order issued by the Commission under this section; or

"(6) for violation of section 1304, 1343, or 1464 of title 18 of the United States Code.

"(b) Where any person (1) has failed to operate substantially as set forth in a license, (2) has violated or failed to observe any of the provisions of this Act, or section 1304, 1343, or 1464 of title 18 of the United States Code, or (3) has violated or failed to observe any rule or regulation of the Commission authorized by this Act or by a treaty ratified by the United States, the Commission may order such person to cease and desist from such action.

"(c) The Commission may suspend any station license for a period of not more than ten consecutive days—

"(1) for false statements knowingly made either in the application or in any statement of fact which may be required pursuant to secton 308;

"(2) because of conditions coming to the attention of the Commission which would warrant it in refusing to grant a license on an original application;

"(3) for negligent or intentional failure to operate substantially as set forth in the license;

"(4) for negligent or intentional violation of, or negligent or intentional failure to observe any provision of this Act or any rule or regulation of the Commission authorized by this Act or by a treaty ratified by the United States;

"(5) for violation of or failure to observe any cease and desist order issued by the Commission under this section; or

"(6) for violation of section 1304, 1343, or 1464 of title 18 of the United States Code.

"(d) Before revoking a license or permit pursuant to subsection (a), issuing a cease and desist order pursuant to subsection (b), or suspending a license pursuant to subsection (c), the Commission shall serve upon the licensee, permittee, or person involved an order to show cause why an order of revocation or suspension or a cease and desist order should not be issued. Any such order to show cause shall contain a statement of the matters with respect to which the Commission is inquiring, and shall call upon the licensee, permittee, or person to appear before the Commission at a time and place stated in the order, but in no event less than thirty days after the receipt of such order, and give evidence upon the matter specified therein; except that where safety of life or property is involved, the Commission may provide in the order for a shorter period. If after hearing, or a waiver thereof, the Commission determines that an order of revocation or suspension or a cease and desist order should issue, it shall issue such order, which shall include a statement of the findings of the Commission and the grounds and reasons therefor and specify the effective date of the order, and shall cause the same to be served on said licensee, permittee, or person.

"(e) In any case where a hearing is conducted pursuant to the provisions of this section, both the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the Commission.

"(f) The provisions of section 9(b) of the Administrative Procedure Act which apply with respect to the institution of any proceeding for the suspension or revocation of a license or permit shall apply also with respect to the institution, under this section, of any proceeding for the issuance of a cease and desist order."

(b) The first sentence of section 307(d) of the Communications Act of 1934 (47 U.S.C. 307(d)) is amended by inserting "suspended or" before "revoked".

(c) The second sentence of section 308(b) of such Act (47 U.S.C. 308(b)) is amended by inserting "suspended or" before "revoked".

(d) Section 402(b)(5) of such Act (47 U.S.C. 402(b)(5)) is amended by inserting ", suspended," after "modified".

FORFEITURE PROVISIONS RELATING TO BROADCAST LICENSEES

SEC. 7. (a) Section 503 of the Communications Act of 1934 (47 U.S.C. 503) is amended (1) by striking out the center heading and inserting in lieu thereof "Forfeitures"; (2) by inserting "(a)" after "SEC. 503."; and (3) by adding at the end thereof the following subsection:

"(b) In any case where the licensee or permittee of a broadcast station has negligently or intentionally failed to operate his station substantially as set forth in his license, or has negligently or intentionally violated, or has negligently or intentionally failed to observe any of the provisions of this Act or any rule or regulation of the Commission authorized by this Act or by any treaty ratified by the United States, or has violated or failed to observe any cease and desist order issued by the Commission, the Commission may order such licensee or permittee to forfeit to the United States a sum not to exceed $1,000 for each day during which the Commission finds that such violation or failure has occurred. Such forfeiture shall be in addition to any other penalty provided by this Act."

(b) Section 504(b) of such Act is amended by striking out "section 507" and inserting in lieu thereof "section 503(b) and 507".

PROVISIONS REQUIRING ANNOUNCEMENTS AND DISCLOSURE OF CERTAIN PAYMENTS WITH RESPECT TO MATTER BROADCAST

SEC. 8. (a) Section 317 of the Communications Act of 1934 (47 U.S.C. 317) is amended to read as follows:

"ANNOUNCEMENT WITH RESPECT TO CERTAIN MATTER BROADCAST

"SEC. 317. (a)(1) All matter broadcast by any radio station for which any money, service, or other valuable consideration is directly or indirectly paid, or promised to or charged or accepted by, the station so broadcasting, from any person, shall, at the time the same is so broadcast, be announced as paid for or furnished, as the case may be, by such person: *Provided*, That 'service or other valuable consideration' shall not include any service or property furnished without charge or at a nominal charge for use on, or in connection with, a broadcast unless it is so furnished in consideration for an identification in a broadcast of any person, product, service, trademark, or brand name beyond an identification which is reasonably related to the use of such service or property on the broadcast.

"(2) Nothing in this section shall preclude the Commission from requiring that an appropriate announcement shall be made at the time of the broadcast in the case of any political program or any program involving the discussion of any controversial issue for which any films, records, transcriptions, talent, scripts, or other material or service of any kind have been furnished, without charge or at a nominal charge, directly or indirectly, as an inducement to the broadcast of such program.

"(b) In any case where a report has been made to a radio station, as required by section 508 of this Act, of circumstances which would have required an announcement under this section had the consideration been received by such radio station, an appropriate announcement shall be made by such radio station.

"(c) The licensee of each radio station shall exercise reasonable diligence to obtain from its employees, and from other persons with whom it deals directly in connection with any program or program matter for broadcast, information to enable such licensee to make the announcement required by this section.

"(d) The Commission may waive the requirement of an announcement as provided in this section in any case or class of cases with respect to which it determines that the public interest, convenience, or necessity does not require the broadcasting of such announcement.

"(e) The Commission shall prescribe appropriate rules and regulations to carry out the provisions of this section."

(b) Title V of the Communications Act of 1934 (47 U.S.C., subchapter V) is amended by adding at the end thereof the following section:

"DISCLOSURE OF CERTAIN PAYMENTS

"SEC. 508. (a) Subject to subsection (d), any employee of a radio station who accepts or agrees to accept from any person (other than such station), or any person (other than such station) who pays or agrees to pay such employee, any money, service, or other valuable consideration for the broadcast of any matter over such station shall, in advance of such broadcast, disclose the fact of such acceptance or agreement to such station.

"(b) Subject to subsection (d), any person who, in connection with the production or preparation of any program or program matter which is intended for broadcasting over any radio station, accepts or agrees to accept, or pays or agrees to pay, any money, service or other valuable consideration for the inclusion of any matter as a part of such program or program matter, shall, in advance of such broadcast, disclose the fact of such acceptance or payment or agreement to the payee's employer, or to the person for whom such program or program matter is being produced, or to the licensee of such station over which such program is broadcast.

"(c) Subject to subsection (d), any person who supplies to any other person any program or program matter which is intended for broadcasting over any radio station shall, in advance of such broadcast, disclose to such other person any information of which he has knowledge, or which has been disclosed to him, as to any money, service or other

valuable consideration which any person has paid or accepted, or has agreed to pay or accept, for the inclusion of any matter as a part of such program or program matter.

"(d) The provisions of this section requiring the disclosure of information shall not apply in any case where, because of a waiver made by the Commission under section 317 (d), an announcement is not required to be made under section 317. The inclusion in the program of the announcement required by section 317 shall constitute the disclosure required by this section.

"(e) The term 'service or other valuable consideration' as used in this section shall not include any service or property furnished without charge or at a nominal charge for use on, or in connection with, a broadcast, or for use on a program which is intended for broadcasting over any radio station, unless it is so furnished in consideration for an identification in such broadcast or in such program of any person, product, service, trademark, or brand name beyond an identification which is reasonably related to the use of such service or property in such broadcast or such program.

"(f) Any person who violates any provision of this section shall, for each such violation, be fined not more than $10,000 or imprisoned not more than one year, or both."

DECEPTIVE CONTESTS

SEC. 9. Title V of the Communications Act of 1934 (47 U.S.C., subchapter V), as amended by section 7(b) of this Act, is further amended by adding at the end thereof the following section:

"PROHIBITED PRACTICES IN CASE OF CONTESTS OF INTELLECTUAL KNOWLEDGE, INTELLECTUAL SKILL, OR CHANCE

"SEC. 509. (a) It shall be unlawful for any person, with intent to deceive the listening or viewing public—

"(1) To supply to any contestant in a purportedly bona fide contest of intellectual knowledge or intellectual skill any special and secret assistance whereby the outcome of such contest will be in whole or in part prearranged or predetermined.

"(2) By means of persuasion, bribery, intimidation, or otherwise, to induce or cause any contestant in a purportedly bona fide contest of intellectual knowledge or intellectual skill to refrain in any manner from using or displaying his knowledge or skill in such contest, whereby the outcome thereof will be in whole or in part prearranged or predetermined.

"(3) To engage in any artifice or scheme for the purpose of prearranging or predetermining in whole or in part the outcome of a purportedly bona fide contest of intellectual knowledge, intellectual skill, or chance.

"(4) To produce or participate in the production for broadcasting of, to broadcast or participate in the broadcasting of, to offer to a licensee for broadcasting, or to sponsor, any radio program, knowing or having reasonable ground for believing that, in connection with a purportedly bona fide contest of intellectual knowledge, intellectual skill, or chance constituting any part of such program, any person has done or is going to do any act or thing referred to in paragraph (1), (2), or (3) of this subsection.

"(5) To conspire with any other person or persons to do any act or thing prohibited by paragraph (1), (2), (3), or (4) of this subsection, if one or more of such persons do any act to effect the object of such conspiracy.

"(b) For the purposes of this section—

"(1) The term 'contest' means any contest broadcast by a radio station in connection with which any money or any other thing of value is offered as a prize or prizes to be paid or presented by the program sponsor or by any other person or persons, as announced in the course of the broadcast.

"(2) The term 'the listening or viewing public' means those members of the public who, with the aid of radio receiving sets, listen to or view programs broadcast by radio stations.

"(c) Whoever violates subsection (a) shall be fined not more than $10,000 or imprisoned not more than one year, or both."

And to amend the title so as to read: "An act to promote the public interest by amending the Communications Act of 1934, to provide a pre-grant procedure in case of certain applications; to impose limitations on payoffs between applicants; to grant authority to suspend station licenses; to require disclosure of payments made for the broadcasting of certain matter; to grant authority to impose forfeitures in the broadcast service; and to prohibit deceptive practices in contests of intellectual knowledge, skill, or chance; and for other purposes."

The PRESIDING OFFICER. The question is on agreeing to the amendments of the House.

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, I ask unanimous consent that during the consideration of S. 1898, the debate be limited on any amendment to one-half hour, the time to be evenly divided between the proponents and the opponents, under the usual rule of germaneness, so far as amendments are concerned; and to 1 hour on the bill itself, the time to be equally divided.

Mr. PROXMIRE. Mr. President, reserving the right to object, and I do not intend to object, I should like to have it understood that on one amendment I may require more than the 15 minutes on my side. It is my understanding that the distinguished Senator from Rhode Island will yield me some time from the time on the bill for that purpose.

Mr. PASTORE. Mr. President, I revise the proposed unanimous-consent agreement so as to provide 1½ hours on the bill itself, so that time may be yielded for further discussion of amendments, if necessary, from the time on the bill itself; the agreement to be subject to the usual provision of germaneness.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That during the further consideration of the House amendment to the bill (S. 1898) to amend the Communications Act of 1934 with respect to the procedure in obtaining a license and for rehearings under such Act, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to one-half hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of agreeing to the amendments to the House amendments, debate shall be limited to 1½ hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided,* That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. PASTORE. Mr. President, I move that the Senate concur in the amendments of the House to S. 1898 with the following amendments of the Senate, which I send to the desk. I ask unanimous consent that the reading of the amendments be dispensed with, but that they be printed at this point in the RECORD.

There being no objection, the amendments were ordered to be printed in the RECORD, as follows:

On page 14 of the House engrossed amendments, line 4, strike out "SUSPENSION, REVOCATION," and insert "REVOCATION".

On page 14 of the House engrossed amendments, line 6, strike out "(a) Section" and insert "Subsections (a) and (b) of section", and in line 7 strike out "is" and insert "are".

On page 14 of the House engrossed amendments, line 23, after "any" insert "final".

On page 15 of the House engrossed amendments, after the period in line 10 insert quotation marks, and beginning with line 11, strike out the remainder of such page and all of pages 16 and 17.

On page 18 of the House engrossed amendments, beginning with line 8, strike out the remainder of such page and in lieu thereof insert the following:

"(b)(1) Any licensee or permittee of a broadcast station who—

"(A) willfully or repeatedly fails to operate such station substantially as set forth in his license or permit,

"(B) willfully or repeatedly fails to observe any of the provisions of this Act or of any rule or regulation of the Commission prescribed under authority of this Act or under authority of any treaty ratified by the United States,

"(C) fails to observe any final cease and desist order issued by the Commission,

"(D) violates section 317(c) or section 509(a)(4) of this Act, or

"(E) violates section 1304, 1343, or 1464 of title 18 of the United States Code, shall forfeit to the United States a sum not to exceed $1,000. Each day during which such violation occurs shall constitute a separate offense. Such forfeiture shall be in addition to any other penalty provided by this Act.

"(2) No forfeiture liability under paragraph (1) of this subsection (b) shall attach unless a written notice of apparent liability shall have been issued by the Commission and such notice has been received by the licensee or permittee or the Commission shall have sent such notice by registered or certified mail to the last known address of the licensee or permittee. A licensee or permittee so notified shall be granted an opportunity to show in writing, within such reasonable period as the Commission shall by regulations prescribe, why he should not be held liable. A notice issued under this paragraph shall not be valid unless it sets forth the date, facts, and nature of the act or

omission with which the licensee or permittee is charged and specifically identifies the particular provision or provisions of the law, rule, or regulation or the license, permit, or cease and desist order involved.

"(3) No forfeiture liability under paragraph (1) of this subsection (b) shall attach for any violation occurring more than one year prior to the date of issuance of the notice of apparent liability and in no event shall the forfeiture imposed for the acts or omissions set forth in any notice of apparent liability exceed $10,000.

(b) Section 504(a) of the Communications Act of 1934 (47 U.S.C. 504) is amended by inserting after *"Provided,"* in the first sentence thereof the following: "That any suit for the recovery of a forfeiture imposed pursuant to the provisions of this Act shall be a trial de novo: *Provided further,"*.

(c) Section 504(b) of such Act is amended by striking out "section 507" and inserting in lieu thereof "sections 503(b) and 507".

(d) Section 504 of such Act is further amended by adding a new subsection to read as follows:

"(c) In any case where the Commission issues a notice of apparent liability looking toward the imposition of a forfeiture under this Act, that fact shall not be used, in any other proceeding before the Commission, to the prejudice of the person to whom such notice was issued, unless (i) the forfeiture has been paid, or (ii) a court of competent jurisdiction has ordered payment of such forfeiture, and such order has become final."

On page 22 of the House engrossed amendments, line 12, beginning with "The", strike out all through "section." in line 14 and in lieu thereof insert the following:

"(c) The inclusion in the program of the announcement required by section 317 shall constitute the disclosure required by this section."

On page 22 of the House engrossed amendments, line 15, strike out "(e)" and insert "(f)".

On page 22 of the House engrossed amendments, line 25, strike out "(f)" and insert "(g)".

Amend the title so as to read: "An Act to promote the public interest by amending the Communications Act of 1934, to provide a pre-grant procedure in case of certain applications; to impose limitations on payoffs between applicants; to require disclosure of payments made for the broadcasting of certain matter; to grant authority to impose forfeitures in the broadcast service; and to prohibit deceptive practices in contests of intellectual knowledge, skill, or chance; and for other purposes."

Mr. PASTORE. Mr. President, I shall explain the amendments of the Senate in my statement and shall answer any questions which may be propounded by Senators.

The PRESIDING OFFICER. How much time does the Senator from Rhode Island yield himself?

Mr. PASTORE. Mr. President, I yield myself as much time as I may require for my statement.

S. 1898 was originally introduced by the chairman of the Senate Interstate and Foreign Commerce Committee at the request of the Federal Communications Bar Association. After full hearings, S. 1898 was reported favorably and passed by the Senate on August 19, 1959. As it passed the Senate the bill generally was limited to a revision of section 309 of the Communications Act of 1934, title 47, United States Code, section 309. It modified:

First. The requirement now imposed by section 309 that prior to a formal designation of an application for hearing the Commission would advise the applicant and known party in interest of the grounds and reasons for the Commission's inability to make the finding that a grant would serve the public interest, convenience, and necessity; and

Second. Substitute for the present postgrant protest procedure of section 309(c) a procedure of pregrant objection by means of a petition to deny.

With the exception of the so-called pregrant amendments the House amended S. 1898 by incorporating therein a number of substantial amendments for the purpose of carrying out the recommendations made by the Special Subcommittee on Legislative Oversight and other proposals originally introduced in the House of Representatives by the Honorable OREN HARRIS, chairman of the House Interstate and Foreign Commerce Committee. The House of Representatives, after extensive discussions on the legislation, passed S. 1898 with the amendments on June 28, 1960.

Generally, the provisions of the amended bill were as follows:

Provided a pregrant procedure in case of certain applications.

Imposed limitations on payoffs between applicants.

Granted authority to suspend station licenses.

Require disclosure of payments made for the broadcasting of certain matter.

Granted authority to impose forfeitures in the broadcast service.

Prohibited deceptive practices in contests of intellectual knowledge, skill, or chance.

Authorized Commission to issue broadcast licenses for less than 3-year periods.

Authorized local notice and local hearings of broadcast applications.

Requires Commission approval in cases where two or more broadcast applications are compromised or withdrawn as a result of payoffs.

Repeals the provision permitting FCC Commissioners to accept honorariums.

It is obvious after a careful reading of S. 1898, as amended, that in the main the amendments were of a constructive and desirable nature and should be adopted. They represent a thoughtful and considered legislative structure designed to deal affirmatively with the difficult problems revealed by the House Subcommittee on Legislative Oversight. The adoption of the legislation would serve the public interest in providing for more efficient, expeditious, and affirmative procedures by the Federal Communications Commission. It would clarify the existing statutory provisions upon which the Commission should be given guidance and at the same time afford the protection to the public and the broadcasting industry from wrongdoing as revealed during the past year in the television quiz shows and payola practices.

Shortly after the passage of S. 1898 by the House, the Senate Interstate and Foreign Commerce Committee was deluged with calls, correspondence, and statements expressing concern and opposition with respect to the suspension and forfeiture provisions of the legislation. Following careful deliberations, the committee voted to request that the bill be referred to the committee in order to hold hearings so that the controversial phases could be explored. A full and complete hearing was held on August 10. Witnesses representing every phase of the industry and public were afforded the opportunity to present their views. Numerous statements, letters, and telegrams, and other communications were received and considered by the committee. Informal conferences were held with various experts in this field in order that the committee would have the best advice available. The amendments herein recommended involve only the suspension and forfeiture provisions. They represent a constructive approach to a complicated but significant part of the Commission's responsibility in the broadcast field. The reason and the need for the other provisions of the bill adopted by the House of Representatives are set forth in detail in the House of Representatives Report No. 1800, 86th Congress, 2d session.

The amendments recommended by the Senate Interstate and Foreign Commerce Committee are discussed more fully in the report that I have filed. So a full explanation, as well as an effective, sound, legislative history, is available to all Senators.

Mr. JAVITS. Mr. President, will the Senator from Rhode Island yield for a question?

Mr. PASTORE. I yield.

Mr. JAVITS. I hope the Senator will permit me to ask a few questions at this time, even though he has not completed his presentation, because I must soon leave the Chamber, to attend an important meeting.

I wish to say that, like the Senator from Rhode Island, I favor this proposed legislation; and I was appalled, as were all other Senators, by the disclosures which have resulted in the bringing of this measure before us.

I have been approached by a number of the small broadcasters who are opposed to the bill or have concern regarding some parts of the bill. One of the points made is in regard to the provision for a fine of up to $1,000. However, based upon practical experience, is it not true that that provision of the Senate committee amendment will be the maximum, rather than a mandatory amount—in other words, a fine of not to exceed $1,000 a day?

Mr. PASTORE. That is correct.

Mr. JAVITS. On the other hand, we have found that in instances in which administrative agencies have the power to fine, they are very likely—unlike the courts—to impose, immediately, the maximum amount, and to consider that to be the rule which they must observe.

The small radio stations, the small run-of-the-mine stations in the smaller places, may have incomes of $20,000 a year. Hence, a fine of $1,000 a day could be a crushing burden; and I believe that cruel and inhuman punishments, even for acts which we consider very immoral and against the public interest, are to be avoided.

What I should like to suggest, in all good conscience and, I hope, in accordance with the views of the committee, is that we recognize that in this situation there are a number of outfits which simply do not have a great deal of money, and that, therefore, we would expect that the agency would not simply use the maximum amount as its standard rule.

Mr. PASTORE. Of course that matter was of grave concern to the committee at the time of the hearings. As a matter of fact, we have made two modifications of the amendments voted by the House of Representatives. First, we have eliminated completely the suspension provisions.

Mr. JAVITS. I realize that.

Mr. PASTORE. And in regard to the forfeiture provisions, we felt we should include language which would guarantee due process. So we include a provision that the Commission cannot go back more than 1 year—as a statute of limitations—and that the fine imposed cannot exceed $1,000 a day—in other words, that the Commission could not levy a fine of $365,000 for a period of 1 whole year.

Furthermore, I may say that if the Commission became capricious in any way, I would be the first one at the next session to attempt to amend the law.

I agree with the Senator from New York that the fines imposed by the Commission should be commensurate with the violations. But, in addition, under the provisions of the present law, the licensee must be notified of the time when the violation was committed, and also must be notified of the nature of the violation; and after the fine is imposed, he has a right to go to the courts and begin the case de novo, on the merits. So we have protected them in every way in accordance with the judicial procedure.

Mr. JAVITS. One thing the Senator from Rhode Island has not covered in his remarks—which I value very greatly, and I am sure the small broadcasters will also very greatly appreciate them—is that we would expect some consideration to be given to the size of the business and the amount of its earnings, in arriving at the determination in regard to the amount of the forfeiture.

Mr. PASTORE. Exactly; and I hope the Commission would not use that power as an implement of confiscation.

Mr. JAVITS. I thank the Senator from Rhode Island.

Mr. PROXMIRE. Mr. President, will the Senator from Rhode Island yield to me?

Mr. PASTORE. I yield.

Mr. PROXMIRE. I think the presentations being made here are developing a good legislative history.

It is a fact that such action by the Commission could be a devastating blow to a small station. On the other hand, I believe—and I shall discuss this point later on, in connection with my remarks—that the provision in regard to $1,000 a day for only 10 days is not adequate—is not adequate to handle problems at the other end of the scale for the really big boys.

But is it not true that that provision was modified; and that, as the measure now stands, the fine will not take effect between the date of the appeal and the final decision of the court?

Mr. PASTORE. Yes, that is true if an appeal is taken.

Mr. PROXMIRE. Yes.

Mr. JAVITS. Let me refer to another thing which has been pointed out. I doubt that it is one of the evils we are trying to correct; but it has been pointed out, and so I refer to it for the record, for the consideration of the Senate. It is that it is alleged that some broadcasting stations have in the past run "phony" contests, and also have sought to "pad" their audiences or to encourage broadcasting of the type which temporarily could give the stations better or larger audiences and, thus, higher ratings, and that under such circumstances some of them utilize the same technique in that way, also, in order to build up unrealistic achievement records for the stations, whereas the audiences are really being induced by improper means to listen.

I realize this matter is hardly within the context of the improprieties with which we are trying to deal, but I believe I should mention this to the Senator from Rhode Island, and should obtain his comment on it.

Mr. PASTORE. As far as the ratings are concerned, I know that the Senator from Oklahoma [Mr. MONRONEY] has been very, very much concerned about that matter; and we have already suggested that the Federal Trade Commission undertake a study and investigation in regard to the ratings, as I think it is doing.

The Senator will recall that the other day the question of polls was brought up. Of course, today there is much polltaking.

I do not know how much of it involves fraud and deception or the puffing up that customarily takes place in the advertising world, under our system of free enterprise, or how much of this polling is effective. At any rate, we have called attention to it, and the study is now under way by the Federal Trade Commission.

Mr. JAVITS. I should like to refer briefly to the ethical standards of business and the very fine activities of the trade associations, which are helpful to the public interest, although that does not mean this law should be dispensed with. We must have the law; but such activities can be helpful in connection with it.

Does the Senator from Rhode Island agree that, following such disclosures, genuine efforts were made by those in the broadcasting business to try to clean their own house and to do a good job in that regard?

Mr. PASTORE. Certainly there has been no greater advocate or proponent of integrity than the present broadcasting stations in Rhode Island. I know of no segment of business that devotes itself more sincerely to the public interest than do the broadcasters in Rhode Island; and I believe that is generally true of broadcasters throughout the country. Of course it is true that one bad apple in a barrel usually will spoil the entire barrel. If I have said that once, I have said it a thousand times; but that is no reflection on the industry.

But we do need to eliminate the isolated exceptions, and also eliminate the payola evil which has developed into quite a practice. That is why the extensive hearings were held by the House committee. But, thereafter, in reporting the bill, the House committee included suspension provisions and forfeiture provisions which, in my opinion, were much too severe.

I am happy to state that in working out our amendments, we took into consideration the level of participation; and we worked these out with the various groups concerned, including the National Association of Broadcasters, the chief counsel of the Commission, and others. We tried to amend this measure in such a way that it would not hurt anyone who was trying to do a good job, but at the same time would protect the public against injury by those who would perpetrate such deceptions.

Mr. JAVITS. I was thinking of the fact that the great networks—the CBS, with Mr. Paley and Dr. Staunton; NBC, with the Sarnoffs and Mr. Burns and Mr. Kintner; and the American Broadcasting Co. and its chief—have worked on this problem, and have developed some rules for their organizations, and have declared themselves entirely opposed to such practices. I just wondered whether the Senator thought that proved to be helpful.

Mr. PASTORE. Very helpful, and we received their wholehearted cooperation and support even with reference to the pending legislation.

Mr. JAVITS. I am very grateful to the Senator.

Mr. PASTORE. Before I answer any further questions, I ask unanimous consent to have printed in the RECORD the explanation of our forfeiture modifications and suspension deletion.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

EXPLANATION OF FORFEITURE MODIFICATIONS AND SUSPENSION DELETION

FORFEITURES

Section 7 of the bill as passed by the House would amend section 503 of the Communications Act of 1934 by adding thereto a new subsection (b) to give to the Federal Communications Commission the authority to impose a forfeiture on the licensee or permittee of a broadcast station of up to $1,000 a day for violations of the act, the Commission's rules and regulations, or treaty, or cease and desist orders. Heretofore the Commission has not been given such authority.

When the bill was considered in the House, the forfeiture section was amended on the floor to provide that the violation by the licensee had to be either negligent or intentional. In contrast, section 312 of the Communications Act, which deals with administrative sanctions, provides that violations of that act must be either willful or repeated. The phrase "willful or repeated" has a fixed meaning in the Communications Act and it has been interpreted by the FCC and courts a number of times. In the committee's opinion, it would be unwise at this

time to introduce an entirely new concept for determining a licensee's responsibility for a violation.

At the hearing held by this committee on August 10, strong opposition was expressed by witnesses concerning such undefined terms as well as to the apparent unlimited authority the House bill conferred upon the Commission to order a forfeiture.

Chairman Frederick W. Ford of the FCC, in the course of his testimony before the committee on August 10, suggested that some qualifying language should be written into the forfeiture section so as to provide for a notice to be given to the licensee of the alleged violation of the Communications Act or of the Commission's rules and regulations in question.

Witnesses for the National Association of Broadcasters, the Federal Communications Bar Association, the American Bar Association, as well as other broadcasters, testified in opposition to section 7 of the House bill with respect to forfeitures.

In general, the theme of this opposition was the unlimited authority given the Commission to order a forfeiture on a broadcast licensee before such licensee was informed of the violation of a specific provision of the act or of the violation of a specific rule or regulation of the Commission. Such opposition was also based on the fact that the licensee was not given an opportunity, before the imposition of such forfeiture, either to have a hearing before the Commission or to show why he should not be held liable.

This committee was concerned with the gravity of the lack of due process the bill as passed by the House presented. As reported by this committee, the bill would provide that where a licensee or permittee willfully or repeatedly failed to observe any provision of the Communications Act or the Commission's rules and regulations, the Commission may order such licensee to forfeit to the United States a sum of not to exceed $1,000 for each day during which the offense continued. Such forfeiture would be in addition to any other penalty provided for in the Communications Act. Also, the committee inserted the word "final" before "cease and desist." This is necessary in order to make it clear that if a cease and desist order has been appealed the forfeiture will not be imposed while a final determination is being made on the cease and desist order.

The committee specifically authorizes the imposition of a forfeiture where there is a violation of the amendment herein provided as section 317(c), which concerns the responsibility of a licensee to make announcements with reference to certain matters that are broadcast, as well as the amendment added as section 509(a)(4), which concerns the responsibility of a licensee to prohibit deceptive practices in cases of contests of intellectual knowledge, intellectual skill, or chance.

As further amended by the committee, the bill would provide that before forfeiture liability shall attach, the Commission shall send to the licensee or permittee a written notice of apparent liability. Such notice is to be given to the licensee or sent to him by registered or certified mail. In this notice the Commission would be required to give information as to the date, the facts, and the nature of the violation or charge and also specifically identify the particular provision of the Communications Act or of the specific rule or regulation of the license, permit or cease and desist order involved.

So as to bar the imposition of a forfeiture on a "stale" violation, the forfeiture section, as revised by the committee, would in effect establish a statute of limitation beyond which the Commission could not go in ordering a forfeiture against a licensee. Thus, paragraph (3) of subsection (b), as proposed to be added to section 503 of the Communications Act, would provide that no forfeiture liability under subsection (b)(1) shall attach for any violation occurring more than 1 year prior to the date of the issuance of the notice of apparent liability, and in no event shall the forfeiture imposed for the acts set forth in any notice of apparent liability exceed $10,000.

While the Commission is not limited as to the number of notices of apparent forfeiture liability it may send to any one licensee, nevertheless it is the intention of the committee that the forfeiture sanction will be reasonably administered.

If a licensee flagrantly disregards the provisions of the Communications Act or the Commission rules and regulations, the Commission should resort promptly to the more drastic sanction of revocation or recommend prosecution of such licensee under the criminal sections of the act.

The forfeitures proposed by this bill are not intended to apply to the radio stations governed by the provisions of parts II and III of title III of the Communications Act.

Representatives of the Federal Communications Bar Association and of the administrative law section of the American Bar Association expressed concern as to the lack of authority in the bill for judicial review of Commission action in ordering a forfeiture. Both of these groups urged the adoption of an amendment that would provide for such judicial review.

Accordingly, the committee has recommended an amendment to section 504(a) of the Communications Act (which section prescribes the procedure for the collection of a forfeiture) so as to provide that in any suit for the recovery of a forfeiture, the trial thereof shall be on the merits de novo. Thus, a suit brought by the United States in a U.S. district court to enforce a forfeiture ordered by the Commission would not be merely a collection proceeding, but one in which the person against whom the forfeiture is ordered is given an opportunity to contest on the merits the action of the Commission.

Also, in order to safeguard further the rights of the licensee, the bill as reported by this committee would further amend section 504 of the Communications Act by adding thereto a new subsection designated as subsection (c).

Such new subsection would provide that the pendency of a forfeiture action, prior to final adjudication thereof, as provided in the proposed amendment to section 504(a), shall be without prejudice to the licensee in any other proceeding before the Commission.

When the representatives of the American Bar Association testified before the committee, fear was expressed that the Commission would take into account, in other proceedings before it in which a licensee was involved, the pendency of a forfeiture order which the Commission had issued against such license and prior to final adjudication of the licensee's liability.

The amendment to section 504 of the Communications Act, added by the committee as subsection (c) to said section, is not intended to mean that the facts upon which a notice of forfeiture liability against a licensee is based cannot be considered by the Commission in connection with an application for renewal of a license, for example, or with respect to the imposition of other sanctions authorized by the Communications Act of 1934.

One purpose that the no "prejudice" provision in the committee's proposed addition of subsection (c) to section 504 would serve would be to prevent the mere existence of an order of forfeiture (that had not yet been confirmed after trial in a Federal district court) from being used against the licensee. However, facts going to the fitness of a licensee could be introduced in evidence against such licensee notwithstanding that such facts are the basis of an order of forfeiture. The licensee could not, therefore, complain of the introduction of such evidence so long as he has the right to cross-examine the witnesses introducing it and the further right to offer evidence to rebut it.

SUSPENSIONS

At present the FCC's authority to enforce the Communications Act and other related statutes and its rules and regulations are four in number with revocation of a license or permit the most severe penalty. The four sanctions authorized under existing statute are as follows:

1. Revocation of license, section 312 of the Communications Act;

2. Issuance of cease and desist orders, section 312 of the act; enforcement of cease and desist either through revocation or through court order (sec. 401(b) of the act) for violation of which contempt penalties may be imposed by a court;

3. The criminal penalties of fine or imprisonment, or both, for willfully and knowingly doing anything prohibited by the act, or for willfully or knowingly failing to do a thing required by the act (sec. 501 of the act); and

4. The criminal penalty of a fine of not more than $500 for each and every day during which any person willfully or knowingly violates any rule, regulation, restriction or condition made or imposed by the Commission under the act (sec. 502 of the act).

The obvious purpose for giving the FCC the authority to suspend a license appears to be an effort to provide the Commission with a remedy less drastic than the so-called death sentence—revocation or failure to renew.

In authorizing the FCC to invoke its suspension powers against a broadcaster, careful account must be taken of the effect such action would have on the community served by such a broadcaster. It is obvious that if a broadcaster is required to suspend operation for a specific period of time such a suspension would impose a hardship on the broadcaster and result in the loss of revenue during the period in which he is off the air. Essentially then, suspension can be considered an economic penalty. Yet if a broadcaster were required to suspend service his economic loss would only be part of the penalty; the public would also suffer through the loss of the programing service of the offending station.

For example, if the bill was law, broadcast of an illegal lottery might result in suspension thereby closing down the broadcaster. All other programs of the station about which no question had been raised would go off the air. What if this is the only broadcast the public and the community could receive? What would happen if a hurricane or tornado warning became necessary during that period of broadcasting silence?

The same result, however, the committee believes, could be achieved through the use of forfeitures. The imposition of a forfeiture would cause the broadcaster economic injury since he would be forced to pay a monetary penalty for his conduct. Here the burden would fall directly and entirely on the offending broadcaster, and not on the public. The Senate Interstate and Foreign Commerce Committee is concerned about the service that is made available to the public and it is desirous of taking no action that may adversely affect such service. The committee is mindful of the fact that 8 years ago the Congress provided the FCC with a remedy additional to the original remedy of revocation and criminal sanctions when it incorporated the cease-and-desist procedures in the Communications Act. In the conference report on the 1952 amendments to the act it was stated that the authority to issue cease-and-desist orders would give the Commission a means by which it could secure

compliance by the licensee with the provisions of the act and with the regulations thereunder.

The cease-and-desist power, however, appears to have been little utilized by the Commission. Indeed until this very year it does not appear to have been utilized by the Commission in the broadcasting field. Yet the committee in its report in 1952 noted the cease-and-desist procedure is a successful one in many administrative agencies. It appears, therefore, that it would be unwise to add the suspension power at this time, particularly because of its impact on the general public, when there is no showing that the cease-and-desist power has not worked. The committee is still of the opinion that this can be utilized very effectively.

We feel that the sanctions now available in the Communications Act, plus the forfeiture penalties herein being provided, give the Commission adequate tools to take effective action against offending licensees without the adverse results that flow from a temporary suspension of a broadcasting facility. Experience may prove that cease-and-desist action and monetary penalties are not sufficient. If it does, then the committee will act quickly to remedy the situation.

Mr. ALLOTT. Mr. President, will the Senator yield to me for a short statement, and then possibly some questions?

Mr. PASTORE. I yield to the Senator from Colorado.

Mr. ALLOTT. First of all, I wish to compliment the distinguished Senator from Rhode Island for the usual brilliant work he has done on this bill.

Mr. President, I am happy to voice my support of S. 1898, as recently amended by the Interstate and Foreign Commerce Committee. I supported the original version of this bill, which dealt only with procedure at the FCC. The changes and additions written in the other Chamber made the bill virtually a new piece of legislation.

Following its passage in the House, I received a number of communications from Colorado broadcasters voicing objection to some of the added provisions. Wisely, the Senate Interstate and Foreign Commerce Committee held hearings earlier this month to explore these controversial provisions.

I am pleased that the committee has striven to meet the legitimate objections of the broadcasters. It seems to me the Federal Communications Commission now has adequate authority to deal with broadcasters who fail to operate their facilities according to the law or to the Commission's rules.

And I think it is important to point out that the broadcasting industry as a whole continues to perform a great service in the public interest. To suggest that malpractices are widespread is to distort the true facts. I have personally been impressed by the many accomplishments of the industry, and particularly the Colorado broadcasters.

I assure the Nation's broadcasters that this bill is not a punitive measure. Responsible elements should welcome its passage. I sincerely hope that the House will quickly agree to the amended bill.

I thank the Senator for yielding to me.

Mr. PASTORE. I thank the Senator for his generous complimentary remarks.

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to the Senator from California.

Mr. ENGLE. I appreciate the Senator's yielding to me. I, too, join in complimenting the Senator from Rhode Island for his usual competent handling of a difficult piece of legislation.

I have asked the Senator to yield in order that I might address some questions to him with respect to the operation of the bill.

As the Senator knows, perhaps 90 percent or more of the television films are made in the States which I have the honor to represent. Moreover, a considerable portion of the filmed television material is made by the theatrical and motion picture companies that have been in the film business for almost half a century.

I mention this because they are the long-established operators. So far as I know, none of these people has ever been involved in any of the matters which came under investigation, so far as payola is concerned. They have had nothing to do with the quiz scandal or the plugged payoffs, simply because they have not had any association with that kind of business.

Now they find, because of the operation of the broad language of this legislation, they may be suffering stiff penalties in some operations which have been standard in the industry for a long, long time. It is for that reason that I have asked the Senator's indulgence so I may propound a few questions, in an effort to help clarify the intent of Congress in enacting this legislation. I trust, likewise, that the Senator's views may be helpful to the Federal Communications Commission in adopting sensible, workable, and fair rules and regulations.

The matter to which I wish to address my questions is that one of the most common practices in the motion picture industry, which has been followed for 30 years or more by the studios, is an arrangement with a motor car manufacturer whereby the manufacturer makes available a number of automobiles for studio use in return for which the studio agrees that that motor car will be used in the film whenever an ordinary current model car may be required to be shown in a film. There are no plugs, the car is never specifically mentioned by name, or otherwise plugged. Moreover, no one is paid to use the car, and at the end of the year the cars are taken back and replaced by a new fleet. There are no private deals between employees of the studio and the auto manufacturer, although it is quite possible that a number of studio executives and employees use the cars for studio business purposes throughout the year.

Since there is a legal consideration here—the cars are made available in return for screening them whenever a film requires a car—the studio people believe that the new law will compel them to carry a credit line in all films, such as, "The Ford automobile used in this film is made available through the courtesy of the Ford Motor Co."

Is it the Senator's judgment that the pending bill will require this kind of identification to avoid the penalty clause?

Mr. PASTORE. Let me say, at the outset, that of course, the provisions are rather broad, and we can conceive marginal cases where it will be rather hard to draw a line of demarcation or make a differentiation, but on page 22 of the House report there appears a list of explanations which would more or less indicate the guidelines. Explanation No. 17 reads as follows:

An automobile manufacturer furnishes his identifiable current model car for use in a mystery program, and it is used by a detective to chase a villain. No announcement is required. If it is understood, however, that the producer may keep the car for his personal use, an announcement would be required. Similarly, an announcement would be required if the car is loaned in exchange for a mention on the program beyond that reasonably related to its use, such as the villain saying: "If you hadn't had that speedy Chrysler, you never would have caught me."

That is a plug—an advertisement. Naturally, if it is being done for the purpose of promoting that car, an announcement has to be made.

In answer to the question of the Senator from California, if an executive or a studio used that automobile as its own, beyond the circumstance that it was shown as a prop in one of the television shows, then, of course, there would be a consideration. In other words, it would not be a dollar payoff, but a "use" payoff. In that particular instance, I would say, under the strict interpretation of the law, it would have to be announced. But I would hope the FCC would be reasonable about this, because when this question was presented to me by my able colleague from California, I took it upon myself to send our chief staff representative to see the Chairman of the FCC in order to get an understanding on the question. This is the letter he wrote me. I should like to read it into the RECORD:

DEAR CHAIRMAN PASTORE: I understand that some concern has been expressed as to whether or not it is the intent of Congress to require the giving of notice to the public of every special arrangement that a TV motion picture producer makes for the photographing of any prop, background, or other material, or for reference to any industry, production, or service where such producer receives any benefit other than the mere right to photograph the property which is the subject of the agreement.

With respect to this problem I can answer in the negative as the legislative history of S. 1898 relating to the proposed sections 317 and 508 is abundantly clear as to the situations to which it will apply.

The House report (p. 20) comments specifically on section 317(a) as it appears in S. 1898 with reference to making certain exemptions to announcements that are of minor concern and also gives some specific examples of the type of matter which should be exempt from an announcement of sponsorship.

I also invite your attention to the fact that during the drafting of this legislation (proposed secs. 317 and 508), Chairman HARRIS of the House Interstate and Foreign Commerce Committee requested that attorneys from the National Broadcasting Co., the American Broadcasting Co., the Columbia Broadcasting System, the National Association of Broadcasters, the Federal Communications Commission, the legislative counsel of the House, as well as the staff of his own committee, cooperate in drafting the kind of legislation that would cure the ills of which

we are all aware. After many such conferences, the present legislation evolved. I bring this to your attention because the numerous examples set forth in the House report (pp. 20–24), as to the application of these proposed sections, were the result of careful thought and study on the part of that group. In my opinion, they provide reasonable standards and guidelines.

Chairman Ford of the Federal Communications Commission in testifying before your committee on August 10, 1960, stated with respect to this matter:

"The words 'beyond an identification which is reasonably related to the use of such service or property on the broadcast' might raise the problem as to the permissible degree of identification without the necessity of an announcement. However, the House Interstate and Foreign Commerce Committee report incorporated pertinent portions of commentary and specific guidelines which are of considerable assistance in determining the meaning of this language. This would enable the Commission to be in a position to place a reasonable interpretation upon this general language."

This is the important part:

It would seem appropriate that, if the bill becomes law, the Commission would in the near future arrange informal conferences with interested parties to discuss what is a reasonable approach to the implementation of this bill. Later, appropriate rulemaking would be undertaken and formal comment would be considered before final rules are adopted.

Please be assured that the Commission is most interested in passage of this legislation and would at all times seek to fairly implement it consistent with public interest requirements.

Sincerely yours,

ROBERT E. LEE,
Acting Chairman.

I would hope that the Federal Communications Commission would not use the new law in order to harass or to embarrass anybody. What we are seeking to correct is the deception and the fraud which is practiced against the public. I would hope that the illegitimate practices would be spelled out in such a way as not to become a nuisance to the industry as such.

We cannot, in a law, begin to write in the exceptions. After all, if it is payola for a disc jockey to receive records free and to be paid on the side for plugging a record, it would be just as much payola for an executive of a studio to be given a Cadillac car to run around in because every once in a while, when the studio makes a picture, the car is shown in the picture. Payola is payola. I do not know how we would differentiate between one group and another group.

I would hope that we would have the rules drawn up in such a way as to not forget the American system of free enterprise but at the same time protect the public. I hope that answers the question of my colleague.

Mr. ENGLE. Mr. President, will the Senator yield further?

Mr. PASTORE. I yield.

Mr. ENGLE. The response which has been given will certainly be helpful not only with reference to the people about whom I am concerned, but also with reference to the FCC.

The letter from the Federal Communications Commission dated August 24, 1960, is a direct answer to the question I received in the telegram from Walt Disney Productions. I should like to repeat this, to identify the letter with the question.

Mr. PASTORE. Yes.

Mr. ENGLE. They asked for an answer to this question:

Is it the intent of Congress to require the giving of notice to the public of every special arrangement that a television motion-picture producer makes for the photographing of any prop, background or other material or for reference in any program to any industry, product or service where the producer receives any benefit other than the mere right to photograph the property which is the subject of the agreement?

The answer is contained in the letter from the Federal Communications Commission. If I correctly understand the answer, the answer is in the second paragraph, which says:

With respect to this problem, I can answer in the negative as the legislative history of S. 1898 relating to the proposed sections 317 and 508 is abundantly clear as to the situations to which it will apply.

That would seem to answer the specific question.

Mr. PASTORE. We have to make a distinction. Let us assume that the producer is going to show a kitchen. Let us assume that the General Electric Co. furnishes a refrigerator, because it is necessary to show the kitchen furnished. If the refrigerator is furnished, there will be a picture taken of it. It would not be necessary to make a special note of the fact that the studio had a closeup of "GE" to prove that it was a special make of refrigerator. The refrigerator would simply be used as a prop in the kitchen, and when the picture taking was over that would be the end of it. Of course, then it would not be necessary to announce anything.

However, if General Electric at the time it gave the refrigerator said to the producer of the show, "After you have finished taking the picture take the refrigerator home, put some ham and eggs in it, and use it for your family," then of course it would be a payoff; it would require an announcement.

Mr. ENGLE. That is very clear, and these people about whom I am speaking are not concerned with that situation. They do not favor payola.

Mr. PASTORE. That is correct.

Mr. ENGLE. They are against it. They want to see it stopped.

Mr. PASTORE. That is correct.

Mr. ENGLE. However, they are concerned about a situation a little different. If they should plan to show a kitchen, they will set up a place to take the picture of the kitchen. The kitchen will require a refrigerator, a stove, an electric fan, an egg beater, and several other things. The manufacturer may come along and say, "You are going to show a kitchen. We would like to put our stove in it." They will not plug it. They will not say, "This is a GE stove," or, "This is a certain type refrigerator." It will simply be there. People know what those things are. They recognize the commodities.

Mr. PASTORE. That is correct.

Mr. ENGLE. That is the benefit the manufacturers get from it. When they finish the filming of a program like Marshal Matt Dillon, after they have filmed the kitchen they do not wish to take 3 or 4 minutes to say, "In the kitchen scene we had a certain type of refrigerator and a certain type of stove." They do no wish to spend 3 or 4 minutes of the audience's time to explain that to them. That would make the television programs worse than they are, I suppose, and would be a great deal of trouble for everybody. As I understand it, that is not the intent.

Mr. PASTORE. That is not the intent. If there is no payoff or valuable consideration given it would not be covered. The only benefit the manufacturer would get would be the fact that the product was shown. The only benefit the film producer would get would be the fact that he has finished out his list of his props. That is not the intent of the proposal.

However, when someone begins to slip money under a desk or under a counter, or begins to give things away, or begins to compliment people who are interested in making decisions, then we get into the payola. I think the film colony knows pretty much what payola is, and what we are trying to accomplish.

There are further questions, of course. I have seen some of the questions this afternoon, before the discussion started.

Let us assume that later on, after the arrangement is made, the manufacturer decides he does not wish to have his product back. As an afterthought, it may be said, "It will cost more to transport this back than it will cost to give it away." The manufacturer decides to give the product to some poor people, as an afterthought. I would say if that were not the intent in the beginning, it might be considered an exception. That is why I should like to have the Commission provide some ground rules.

When there is an agreement such as this "I will use your automobile as my prop on the condition that you give me the automobile when it is all over, and pay me $50 for the privilege," that is something which has to be announced. That is being done every day.

When we look at the television programs we sometimes learn who was the gown designer. Sometimes we learn about the department store which gave the clothes that one of the actresses has worn, or the shoes the actors wore. That is customary. Proper credit is given.

I hope this will not get out of hand. I hope the FCC will sit down with the industry representatives, with the interested parties, and work out sensible and reasonable rules which will not be an harassment. I think it can be done. It should be done. If it is not done, I shall be the first to ask for its correction at the next session of Congress.

Mr. ENGLE. I have a further question. This is one item which concerns me in addition.

These people who produce the films are producers. They are like the automobile manufacturers. They produce a product.

The purpose of the proposed legislation is to control the networks, the broadcasters, I am informed in the telegram I have received.

Mr. President, I ask unanimous consent that the entire telegram may be printed in the RECORD at this point.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

BURBANK, CALIF., *August 23, 1960.*
Senator CLAIR ENGLE,
Room 443, Senate Office Building,
Washington, D.C.:

Proposed section 508 (b), (c), and (g) of the Communications Act presents a serious problem to motion picture producers in requiring notice to the networks of producers' arrangements for use of props, backgrounds, and the like in productions. The notice the networks will require under section 317 will cause unnecessary additional expense that could be substantial, interfere with the time available for the entertainment portion of the program, and be of annoyance to the viewer. The matters required to be disclosed in accordance with a literal reading of the sections are normal business transactions based on the recognition of secondary values which permeate every phase of business. For example, many corporations will have exhibits at the New York World's Fair and will expend tremendous sums of money with no thought of profit or even recovery of investment directly therefrom, but seeking only an association in the public mind of their exhibit with something interesting and enjoyable that the public visited at the World's Fair. In the area of motion picture production it has been a long-standing practice for various businesses, associations, and the like to make available to producers for use in productions the product of the company or the industry at no charge to the producers and, depending upon the values to be obtained, to go beyond a mere photographic usage and to give additional consideration. The production of education series, otherwise impractical from a cost point of view, have been made possible by associations or individual companies financing a portion of the production in consideration of an incorporation of reference to or a visual presentation of its name or product as a part of the program. For example, a series on the milk industry showing, in an entertaining and yet educational manner, the operation of a dairy farm would be too expensive for free television, but if the dairy association could obtain prints of all or part of the programs to use for distribution in schools, churches, and other 16mm markets, they might furnish a portion of the cost of producing the series. Under such arrangements the television public receives a program with more value included, the producer is able to produce a better program at less cost, the sponsor receives a better program for a lower program charge, and the supplier of the props, background, or other matter included in the program receives secondary values from the inclusion of reference or visual presentation of the product or service as the case may be. Under the proposed bill the producer cannot take the chance of assuming that a particular transaction does or does not require notice. He must advise the network in every case or risk a $10,000 and/or 1-year imprisonment penalty for each failure to notify. The networks have already indicated that they intend to take a very cautious and literal view of the language and require a section 317 notice in every instance where there can be any question of its being required. It is therefore very important to the producer to know in advance what Congress intends to cover by this section, and specifically subdivisions B and C which are directed to the producer. We would appreciate having an answer in the CONGRESSIONAL RECORD to this question: Is it the intent of Congress to require the giving of notice to the public of every special arrangement that a television motion picture producer makes for the photographing of any prop, background, or other material or for reference in any program to any industry, product, or service where the producer receives any benefit other than the mere right to photograph the property which is the subject of the agreement? Thank you for your kind consideration and willingness to assist us in obtaining a clarification.

WALT DISNEY PRODUCTIONS.

Mr. ENGLE. These networks are going to sit back and call for an absolute warranty from each one of these producers that the provisions of the new law are being complied with. Then they are going to sit on their warranties and say, "We are scot free. We do not have to go further. We do not have to go back of the warranty at all."

What occurs to me is that we may put the onus of the legislation upon the producers.

Mr. PASTORE. I would not expect that situation.

Mr. ENGLE. Suppose the television networks absolutely require a warranty, a piece of paper that would read: "We, the producers of this film, hereby certify that this film complies in all particulars with the provisions of the act," and it is signed, subscribed, and sworn to. They sit there with that paper, and to anyone who questions them, they say, "Well, we have a statement." How does the Senator from Rhode Island propose to prevent that practice?

Mr. PASTORE. I do not know about the warranty, but the question must be considered in the context of the whole bill. The Senator from California will remember that at the time of the quiz scandals the defense was that those who had perpetrated the fraud were neither the networks nor the broadcasters, but the third parties, the independent producers. In other words, the networks came in and said, "We knew nothing about this practice."

I thought the contention was a little farfetched, but, after all, to prove otherwise would be difficult.

We propose to require the networks and the broadcasters to use reasonable diligence. In using reasonable diligence, naturally they will have to call upon the producers, the people who make the films. Remember the bill only refers to those films intended for broadcasting.

After all, no one wishes to put himself out of business. The proper procedures must be worked out.

If popular films, such as "Gunsmoke," are not available, many people in America will be disappointed. If "Marshal" and other popular films are not shown, I am afraid we shall be in trouble. So one hand will wash the other. I suppose the procedure will be worked out. I hope the Commission would be reasonable. We are imposing on the networks the duty to use reasonable diligence. We are now also reaching out to a third party, such as the independent producers, which up to now have been hiding behind the fact that they were not subject to any control by the FCC. Therefore, in order to reach out and avoid what we have experienced, we had to write the law in the manner in which we did.

The Senator from California has mentioned certain cases which are pretty close to the borderline. The only sensible answer I can give him this afternoon is that I would hope that the FCC would be reasonable.

During the hearings I suggested that the Commission draw rules and regulations that would make sense, and which would not harass producers or networks, and procedures under which we could work so that the industry would function in the public interest. I think we would do so under this proposed legislation.

Mr. ENGLE. I express my appreciation again to the distinguished Senator from Rhode Island for his very fine presentation.

I should like to express the hope that as this legislation goes into law, as I am sure it will, we shall watch the operations of the Federal Communications Commission. I am not so sure that the Commission will deal so kindly with this subject. I think they have a tendency to read the book and to look at every comma and semicolon, and sometimes not to apply discretion, even though they are told to do so in the committee report and on this Senate floor.

So I hope that the FCC will adopt a sensible set of rules under which this industry can live, and by which we can catch the rascals and not torment the good people, so that we can get this problem straightened out in the public interest.

Mr. PASTORE. I agree with my colleague precisely and completely. The junior Senator from Rhode Island is fortunate in that on the committee he has as his colleague the distinguished Senator from California, and we shall both watch the development together.

Mr. ENGLE. I thank the Senator from Rhode Island.

Mr. SCHOEPPEL. Mr. President, will the Senator yield for an observation?

Mr. PASTORE. I yield.

Mr. SCHOEPPEL. I merely wish to say to the distinguished Senator from Rhode Island that I agree with him thoroughly on the explanation which he has set forth with reference to this important piece of legislation. I have followed the matter through the committee and read and noted the amendments that are attached to this measure. I think it has been immeasurably improved in many ways. I think within this proposed legislation, in which the networks and the broadcasting stations have cooperated, the general public will have a definite basis for the protection of its interest. The bill goes to the heart of some of the evils which have been brought out and which necessitated the proposed legislation.

I agree with the distinguished chairman of the subcommittee that there is a responsibility upon the Commission to see that the law is reasonably applied,

using just approaches, and seeing that proper measuring sticks are applied as we go down the line.

Since the subject has been mentioned, I think there is something else that is pretty wholesome in this development and that is the point that the industry has shown a pretty decent attitude in coming in and offering to checkmate and to eliminate many of the practices prevailing, and in cooperating with the Commission as well as those in responsible positions who have something to do with seeing that a fair piece of legislation is enacted.

I merely wish to say that I am for the bill. I think it is a long step forward, and I think we will have in the bill an opportunity to see how much faith and credit will be given to the approaches it provides, and they will go far to eliminate the fraudulent practices which have heretofore prevailed.

Mr. PASTORE. Mr. President, I yield the floor. I have 5 minutes remaining, is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. KEATING. Mr. President, will the Senator yield me 2 or 3 minutes to ask a question?

Mr. SCHOEPPEL. Yes, I will be glad to.

Mr. KEATING. I wish to join with the distinguished Senator from Kansas in saying that we are all grateful to the distinguished Senator from Rhode Island for the great attention which he has given to this matter, and the improvement in the legislation which this bill represents with the amendments added.

I ask the Senator from Rhode Island this question: In the original House bill, as it passed the House, was there a provision with respect to suspension, and was that provision changed here?

Mr. PASTORE. That was deleted completely. I have placed in the RECORD the reason for the deletion. To repeat them simply, we deleted them for the reason that as we held the hearing, it was very much impressed upon the committee members that a suspension would work more hardship upon the viewing public than it would upon the broadcasters themselves. We thought that for the time being possibly it would be better to try the operation of the bill without the suspension provision, and then if later on it should become necessary to consider such a provision, we could do so at that time. But I do not think it will ever become necessary.

Mr. KEATING. Mr. President, I hope it will not. I share the view of the distinguished Senator from Rhode Island that the elimination of such a provision at this time is wise because, as I understand, a provision such as this is contained in only one other Federal statute. In this particular case, the provision to allow for suspensions has not been used in something like 25 years. I hope it will never be necessary to use it.

I believe that the amendments which have been introduced by the Senate committee are extremely constructive. I am sure the entire industry as well as the general public have no objection to making it a crime to rig a quiz show or to give or accept "payola." However, those in the industry, particularly smaller stations, are, I know, much concerned about the penalties in S. 1787 as it came to us from the other body.

The Senator has already replied to questions in regard to the forfeiture provisions, and I simply wish to voice my own hope, and I know this is the hope of the Senator from Rhode Island as well, that the Federal Communications Commission will administer this law with fairness and equity to all concerned, and will treat any violators—we hope there will not be any—in a manner which we would expect a court to do so. Consideration should be given, among other factors, to the seriousness of the violation, the size of the corporation or organization involved.

Mr. President, I want to add here that should we pass this bill today and find out at some later time that different and stricter penalties are needed, then I am certain the committee and the Congress will act promptly to rectify this situation.

I am grateful to my friend for yielding to me.

Mr. PROXMIRE. Mr. President, I offer an amendment which I send to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Wisconsin will be stated.

The LEGISLATIVE CLERK. At the end of the House engrossed amendments insert the following:

CONFLICT OF INTERESTS

SEC. 10. Section 308(b) of the Communications Act of 1934 (47 U.S.C. 308(b)), is amended by adding at the end thereof the following new sentence: "In considering the application made by any person for any construction permit or station license, or any modification or renewal thereof, the Commission may not consider as a factor favoring the granting of that application the fact that such applicant is a Member of Congress or the fact that any Member of Congress has any direct or indirect pecuniary interest in the applicant."

Mr. PROXMIRE. I wish to make it clear that the cosponsors of the amendment are Senators CLARK, DOUGLAS, and GRUENING. The amendment had its inception in a news story which appeared in June, in which it was reported that an examiner of the FCC, in deciding on the allocation of Channel 10 in Albany, announced that the reason the successful applicant received the allotment of the channel was that it included among its stockholders five Members of Congress. The FCC examiner said it could not be overlooked that this gave the applicant a peculiar and particular advantage on the basis of the criterion of civic participation. He held that because these stockholders were Members of Congress they had a peculiar and particular interest in their community, that they were civic-minded people, that they added prestige to the applicant, and so forth.

At the time I protested vigorously on the floor. The following day I received a call from the Chairman of the FCC, Mr. Ford. He came to see me. This was not an ex parte conversation. He had taken himself out of the case. Mr. Ford said of this particular case that he felt the examiner was in error because the holdings by the Members of Congress were too small. He said if they had held a substantial block of stock in the applicant, it would have been a criterion of importance.

Mr. President, this is shocking. The fact is that Members of the House and Members of the Senate have peculiar power over the Federal Communications Commission. As Members of the Senate we pass on whether or not they may become members of the FCC. We, of course, determine their salary. We control the rules under which they operate. It seems to me that under those circumstances for a Member of Congress who has been friendly and helpful to a member of the FCC, to be given special consideration as a matter of announced formal policy by the FCC, is bad. It is a bad policy. It is nothing but a subtle form of payola.

Members of Congress should have a perfect right, with any other American citizen, to apply for a holding in a radio or television station. I see nothing wrong with it. I would not want to penalize anyone for it. However, I provide in the amendment that they should not be put at the head of the list because they are Members of Congress. I reserve the remainder of my time.

Mr. PASTORE. Mr. President, I could not agree more with the junior Senator from Wisconsin. The ruling made by the examiner was absolutely unnecessary, and was definitely and infinitely unwise. I do not believe that any Members of Congress, especially those who are in a position to influence anyone, should be given any favoritism or any kind of consideration, especially in this sort of procedure.

However, I urge strongly upon my good friend from Wisconsin not to press his amendment at this time. If he will wait until the next session—and God willing we come back, and if the Senator proposes the amendment in a separate bill—I assure him now that if I am chairman of the subcommittee we will hold extensive hearings. I would be happy to have him appear before the subcommittee and make his presentation there. Then we would hear all the parties concerned and deal with the subject as it should be dealt with.

However, since we are in the twilight of the present session, and inasmuch as we have taken up these modifications with the members of the committee in the other body, in the belief that we would not have to go to conference, because they may accept the amendments which we adopted here, and because it is so important that we modify our law in order to eliminate once and for all payola and these other deceptive practices, for all these reasons I hope that the Senator from Wisconsin will withdraw his amendment at this time and then offer it at the next session of Congress. As I said before, if we do come back, we will hold extensive hearings. I absolutely agree with the Senator. He is absolutely right. The hearing examiner went too far. There is no reason for his holding

the way he did. It is unfortunate. However, I would hope that my good friend would not pursue the matter at this time, for fear that we may leave at the end of this session without doing something about payola and the deceptive practices in quiz shows.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. CLARK. As a cosponsor of the amendment with the Senator from Wisconsin, I have been very much interested to hear the remarks of my good friend from Rhode Island. I came in a little late. If I understand his remarks, he is completely in accord with the amendment, but feels that this is not the right time to put it into effect.

Mr. PASTORE. That is correct.

Mr. CLARK. I am willing personally, for myself, in view of the time factor, which we all understand as we are near the end of this bobtailed session, to take the judgment of the Senator from Rhode Island, and I believe I can say, without violating any rules of the Senate, that our friends on the other side of the Capitol are in what may be called a rather difficult and impatient mood right now. I wish to commend him for accepting the principle of the amendment. I assure him I will join the Senator from Wisconsin—if he agrees that we do not need to press the amendment at this time—in pressing it very hard indeed next year. I am happy that we will have the cooperation and support of our friend from Rhode Island.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. GRUENING. Mr. President, I associate myself with the remarks of the distinguished Senator from Wisconsin and the remarks of the chairman of the subcommittee, the Senator from Rhode Island [Mr. PASTORE]. I am glad that the Senator from Rhode Island so heartily approves of the amendment, which is absolutely desirable. He has made it clear that accepting it now may jeopardize legislation on the subject under discussion. I welcome his assurance that he will support the amendment vigorously at the next session and hold hearings on it. I am confident that we will be able to adopt the principle next year.

Mr. PROXMIRE. Mr. President, I am very happy to hear the response of the Senator from Rhode Island. In order to get action on this kind of proposal, it is absolutely necessary to get action in the Congress, because we cannot expect the FCC to act under these circumstances. Congress will have to formally act on it by an amendment to a bill. I am delighted that the Senator from Rhode Island favors it. With his assurance, that we will have hearings right off the bat next year and that he enthusiastically supports this proposal, I withdraw the amendment.

Mr. President, I offer another amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the House engrossed amendments insert the following:

REGULATION OF NETWORKS

SEC. 10. The Communications Act of 1934 is further amended as follows:

(1) In section 2(a) after "radio stations" insert "and the regulating of networks".

(2) At the end of section 3 insert the following:

"(hh) 'Network' means any person who operates a system which, for the purpose of simultaneous or delayed broadcasting of identical programs, in any way interconnects or affiliates any two or more broadcasting stations."

(3) At the end of section 303 insert the following:

"(s) Have authority to establish rules and regulations and make orders with respect to networks and such of their activities as affect licensed broadcast stations to operate in the public interest."

Mr. PROXMIRE. Mr. President, first I should like to say that I will need more than 15 minutes on the amendment and, therefore, at a later time I shall ask for more time. I serve notice on the minority, in opposition to the bill, that I shall require more time. I understand that the distinguished Senator in charge of the bill has used up virtually all of his time.

The amendment would bring the great television and radio networks under the control of the Federal Communications Commission. I wish to take a few minutes to establish the fundamental basis for the proposal. Then, as quickly as I can, I will try to justify it.

First, I wish to call the attention of the Senate to a recent column, written by one of the outstanding critics in radio and television, one who has been in that undertaking probably longer than anyone else, John Crosby, of the New York Herald Tribune service.

Mr. President, John Crosby, on August 16, 1960, wrote the following column which was published in the Washington Post:

BACK TO DRIP, DRIP, DRIP AND TV'S "UNTOUCHABLES"

Turning the set back on after a month of almost total relief from the cumulative idiocy of television I was greeted by: Rolaids. Each particle consumes 47 times its own weight in excess stomach acid. Result: it slows the drip, drip, drip of stomach acids.

It was a wonderfully appropriate welcome back to the drip, drip, drip of television which is almost exactly the same action.

The same evening I watched a couple of hoodlums on "The Untouchables" machinegun a young girl. She was running right at the camera at the time and the hoods machinegunned her in the back so that you got the full action like a blow in the face. They have wonderfully interesting ways of killing girls on this show.

Killing men is kids' stuff. No one does that any more. I'm indebted to the Saturday Evening Post for the information that the hoods on "The Untouchables" once gunned down 20 prostitutes lined up in a road—bang, bang, bang—like that.

That leads me to another vagrant thought. I encounter more and more people who tell me they don't look at television but they read about it. Are we getting to the point where television columnists can't bear to look at television and are forced to read about it in the Saturday Evening Post?

Did Pete Martin, who wrote the Post piece see that incident or did someone else tell him about it? Who looks at bread-and-butter television? Well, kids do. And, I suppose, people do. But those responsible don't.

Do you really think executives at NBC (which is saddled with the dreadful thing) really looked at the 25th episode of "Riverboat"? Do you suppose writers, directors, producers, or actors look at it? Do you even suppose the sponsors sit through it? Don't be silly.

When I first became a radio columnist back in the pretelevision days, I found it passing strange that so few people who earned their living in it knew what was on the radio. Radio columnists rarely listened except perhaps Sunday nights. We are headed back into the same situation for almost the same reason.

In America no responsible people look at television. And by nobody, I mean nobody—no clergy, no press, no advertisers, no network executives, no Senators, nobody. Nobody but people.

When you have a vast conglomeration of leaderless people, you have a mob. And when you have a mob, the best place to aim is the groin, which is exactly where most of the high rated television shows aim.

"The Untouchables" is not only the worst show on television; it is the worst show that was ever on television in its inglorious 14-year history. It's a national disgrace, that show, and the only reason it hasn't caused any popular outcry is that television has long since been abandoned by decent people to children of all ages.

I have here a letter from a mother that ought to be tattooed on Desi Arnaz' chest for perpetrating "The Untouchables."

Says this outraged woman:

"I am trying to teach my children Christian precepts. I am trying to teach them that violence breeds violence and that we are distinguished from animals by our faculties of reasoning, and our love of our fellows. These things must be repeated over and over and even so it takes years before children truly believe for themselves. TV is systematically drilling into them: (1) think only of yourself; (2) never think before you speak, (3) authority—parents, teachers, church, police, any authority—is a dope; (4) in any argument, use a weapon, not your brains, common sense, or respect for others."

This mother is simply repeating—though she almost certainly isn't aware of it—what George Bernard Shaw said of our movies almost 40 years ago. In America, Shaw said, the solution to all problems is a punch on the jaw. That fixes everything—a punch on the snoot.

But that was long ago. Now we have the machinegun and those 20 prostitutes on a road. Drip, drip, drip, into the little minds. Hours and hours of violence.

Just a couple of weeks ago, there was a headline: "Juvenile delinquency increases by 175 percent." Why not? We teach juvenile delinquency on television. Sponsored.

Mr. President, I repeat the somber indictment in that last line. "We teach juvenile delinquency on television. Sponsored."

We do and its only because of the pitiful, quavering, weakness of Congress that we let the industry get away with this assembly-line corruption.

Mr. President, that is not a letter written by a crank. It is a serious column, written by one of the greatest critics of television in America. As Senators, we ought to realize that people watch television more than they do anything else, except sleep and work. As a people, we

Americans watch television on an average of 4½ hours a day—and the amount of time we spend on it is increasing.

Mr. President, the basis for my amendment was ably set forth by a man who is a conservative commentator on what is taking place today. He is a man with whom I sometimes disagree, a man who has been very reluctant to project Government into any area of American life. I refer to George Sokolsky. Mr. Sokolsky a few days ago wrote an article entitled "Television Public Service," which was published in the Washington Evening Star. He quoted an outstanding advertising agency representative in New York as follows:

> I don't think TV in any way, shape, or form owes anybody anything, certainly not an apology. I hate to see television, as a medium, knuckle under and sort of give in.

This was Mr. Sokolsky's reply:

> This is very curious language. TV owes its existence to a law passed by Congress when Herbert Hoover was Secretary of Commerce, deciding what should be done about the airways and about the then new device, radio. The whole thing might have become a Government monopoly as it has been in some countries. Hoover set up the system which opened radio and TV to private enterprise but under Government supervision. It was never intended that radio and TV should not be used for public service. The error made at the time was that no details were spelled out as to what was meant by public service and how much time it should require.

Mr. Sokolsky is absolutely right. There is no question that television channels are granted by an instrument of the Government of the United States so that they can be operated in the public interest.

I shall place in the RECORD, as quickly as I can, documentation to indicate how far we have departed from programs which are really in the public interest—programs of enlightenment, inspiration, education, culture, and refinement. Before doing so, I wish to place in the RECORD two excellent articles, one entitled "We'll Think About It, David"; the second, "The Massest Medium."

These articles were recently published in the New Yorker magazine, and were based on a careful study of David Suskind, a man who has dedicated himself for the last several years to trying to improve the quality of television programs, and to trying to sell the agency executives on the idea of putting quality television on the air.

The difficulty is not that those men are not good; that they are not decent; that they are not cultured and public spirited; that they do not favor such a plan. The difficulty arises from the tremendously competitive position in which they find themselves. In their judgment they cannot take such action and survive economically.

It seems to me that the only way in which we can extricate ourselves from such a situation is to have Congress manfully recognize that it is up to us to lay down some guidelines to prove that we mean business.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. CLARK. I wonder if the Senator would not agree that there is an analogy between the mediocrity, or worse, of our present television and radio programs and Gresham's law in the monetary field. Gresham's law is based on the theory that bad money drives out good money, and it is finally necessary for the Government to provide some kind of regulation to prevent bad coinage from driving out gold and silver. Even today, it is necessary to have adequate reserves to protect our currency, lest we have money in which nobody has confidence and in which the whole fiscal responsibility washes out.

I wonder if that is not what is happening in television. The worse the program, the more popular it appears to certain people. Those who attempt to put on really high-level television programs are usually run out of town, either by the advertisers or by the people whom they represent. The end result is that we get programs which, I agree with the Senator from Wisconsin, are a disgrace to any civilized country.

Mr. PROXMIRE. I thank the Senator from Pennsylvania. His analogy is perceptive and accurate.

Mr. President, I ask unanimous consent that the two articles published in the magazine New Yorker be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

WE'LL THINK ABOUT IT, DAVID

(By Thomas Whiteside)

In the television industry, spring is the time when the national networks, the sponsors, and the advertising agencies get down to the big annual task of deciding which regular programs the public is going to be confronted with on its home screens during the coming fall and winter evenings.

Spring, consequently, is a season of particular unrest for people in television, a period of hurried activity, with all sorts of executives—vice presidents from Radio City, account chiefs from Madison Avenue, production men from here and from Hollywood, and sponsors from everywhere—displaying, promoting, selling, buying, and conferring and haggling over the packages of daydreams that constitute the basic diet of the television audience. It is all a rather complicated process, in which adman is pitted against adman in a struggle to acquire preferred programs and preferred time periods, network against network to piece together program combinations that will outdraw the competition, and program against program to obtain the biggest audience rating or, less often, the most favorable critical comment.

How long this intensive period of bargaining and scheduling lasts varies from year to year, depending on business expectations in general, which largely determine the amount of money the large manufacturing companies and their advertising agencies are willing to spend on television-network advertising. This year, the network program schedules have been taking shape quite early, primarily because an unusual number of advertisers have been competing for prime evening television time.

There is another reason, too, though, and it is a new one in television history. For some months, the networks have been coming under heavy criticism for engaging in shoddy programing practices, and recently they have received plain warnings from Congress that they had better assume full responsibility for their programs. Goaded by all this—and perhaps taking advantage of their position as sellers in a seller's market—the networks have made at least a show of becoming master in their own house; instead of letting their program schedules be dictated as usual by the random wishes of sponsors and advertising agencies, they have been asserting considerably more authority than they used to in picking their programs.

One might expect that the network executives—thus freed, in principle, from the thralldom of commercial interests—would be able to put far more programs of superior quality on the air and, indeed, they have been busy assuring the country that from now on they will do exactly that. Perhaps they will, but apparently not next season. What is principally in store for evening television watchers, according to the latest network program schedules for the fall, is the privilege of viewing each week 46 programs devoted to crime or violence (22 westerns, 24 mystery and action shows) and 23 programs devoted to situation comedy. "Public service gets mostly lipservice again," a recent article in the trade magazine Sponsor admitted candidly, in reviewing the networks' new schedules. In any event, over the last weeks the people in charge of network television programs have reviewed hundreds of program outlines and hundreds of sample, or "pilot" films in what may well be record time—Advertising Age has sympathetically described the network men as "redeyed" and "pilot-weary"—and practically all of next fall's prime time is already filled up.

However much control the networks now have over their pattern of programs, they produce comparatively few programs themselves. As has been true in the past, probably 80 percent of what is to be shown in prime network time next season will come from outside production companies, some of them closely linked with the networks and others independent. Of the country's hundred or so independent program-packaging outfits, few are more adventurous, or better known to the public, than the New York firm of Talent Associates, Ltd., whose production chief and leading partner is David Susskind. In a period when most of the programs on television are filmed, Talent Associates specializes in live drama. In fact, most of the live dramatic programs that have appeared on the networks during the past few years have been produced by Susskind. In the television season just past, Susskind's organization was responsible for a total of 29 network specials—big, expensive programs that lasted an hour or an hour and a half—including 9 productions of "The Art Carney Show," 9 productions of "Du Pont Show of the Month," 4 "Rexall TV Specials," 6 programs called "Special Tonight" and consisting of adaptations of well-known motion pictures, and a television version of "The Moon and Sixpence," which starred Laurence Olivier. In addition, Susskind produced a series of 26 hour-long semidocumentary dramas on "Armstrong Circle Theater," and between network programs he found time to produce for WNTA, on channel 13, the initial 26 plays in the series "The Play of the Week" (other people took it over after that) and to act as both the executive producer and the onscreen moderator of "Open End," the telescopically extendible Sunday night discussion program on the same channel.

All this has given Susskind the reputation of being one of the livest wires in television, so it was natural enough that I should turn to him when, late in the spring, I decided to see if I could get some first-hand idea of the way in which an independent outfit goes about presenting and selling its program ideas to advertising agencies and networks. Susskind, I knew, took a hand in selling his programs, and at that

moment I was interested not in Susskind the producer or Susskind the performer but in Susskind the salesman. As viewers of "Open End" are aware, Susskind is voluble on a wide range of subjects, including the subject of the television industry itself, which he has unhesitatingly taken to task more than once for a lack of imaginativeness, and I found him no less outspoken about the problems of getting programs sold to and scheduled on the networks.

The headquarters of Talent Associates is a closely packed set of reasonably modern offices on the seventh floor of a building on the west side of Madison Avenue at the corner of 50th Street, and one day I went to see Susskind there, on the first of what turned out to be a number of visits. Susskind's private office—a corner one, with a grand view of Madison Avenue on one side, and, on the other, of all kinds of big new buildings to the north—is a medium-sized, well-carpeted executive lair furnished with a large desk of vaguely Hepplewhite design, a couple of swivel chairs, a sofa, a French Provincial cabinet topped by a clutter of family photographs, and a couple of oil paintings, done in quasi-impressionist style, of Parisian street scenes. As for the physical appearance of Susskind himself—a handsome, stocky, fastidiously dressed man, boyishly energetic at 39—I found it consistent with his night-borne image on the television screen, except, perhaps, for such details as the texture of his close-cropped hair, which is strangely nubbly, like a prize terrier's, and his complexion, which is quite fresh, in spite of the familiar pouches under his eyes. He received me courteously from behind his desk, showed immediate interest when I said I was curious about how programs are marketed, and very soon began talking about his own marketing plans.

"You came at the right time to ask about selling programs," Susskind said. "We're already approaching the climax of the selling season, which is as hectic a one as I can remember. Our own sales effort is deeply launched, and the next few weeks should tell whether we're in or out with most of the many program plans we have been working on since January. This is the crucible time for us. I have put aside all but the most vital aspects of my production work here for a while in order to concentrate on getting these programs sold."

Susskind lit a cigarette, leaned back in his swivel chair, and, puffing away, gave me a lengthy summary of what he had in his crucible. The ingredients included 8 adaptations of children's classics, such as "Tom Sawyer," "Kidnaped," "Ivanhoe," and "David Copperfield"; 10 programs called "The Witness," in which notorious evildoers of the past would be hauled up before a mythical congressional investigating committee; 6 or 8 specials featuring Elaine May and Mike Nichols, a pair of young satirists whose appearances in nightclubs and on the television spectacular called "The Fabulous Fifties" have caused a good deal of talk; 6 or 8 specials featuring Art Carney; 39 programs entitled "Time of My Life," which would dramatize the lives of such well-known people as Helen Hayes and Dr. Jonas E. Salk; and 39 "Great Ghost Stories." With the exception of the specials featuring Art Carney, I learned, these were all new Susskind projects, and all of them, including the Carney specials, were under consideration at various networks and advertising agencies. "The only things that we can definitely count on so far are renewals of two existing shows—the 'Du Pont Show of the Month,' which we've had on the air for 4 years, and 'Armstrong Circle Theater,' which we've had on for 5," Susskind told me. "But we have a lot of motion and excitement around our new projects for next year, and while most of these shows haven't been definitely set yet, we are now in the process of taking stock of our position and planning our strategy for moving in on the networks and agencies on behalf of programs that have not so far evoked a strong sales response. Right now I'd like to concentrate my attention on the Art Carney specials, which have attracted a lot of interest, and the May and Nichols specials, which have a lot of interest around the agencies, too. So far, however, it has been a generic interest, not a specific interest."

At this point, two men walked into Susskind's office, leaving the door ajar, and Susskind introduced them—Al Levy, a short, gentle-eyed middle-aged man, who is Susskind's business partner at Talent Associates, and Mitchell Benson, a tall, gray-haired man, who is the firm's vice president in charge of sales.

"We've got some interest in the May and Nichols specials at Doherty, Clifford, Steers & Shenfield," Benson told Susskind. "They want one of us to go over tomorrow after lunch. They've got money, for Noxzema and Cutex."

"Right," Susskind said, and then Levy and Benson went off into a complicated discussion with Susskind about what progress the account executive for the Aluminum Co. of America at the Fuller & Smith & Ross agency—a man referred to only as Art—had been making in his efforts to persuade the American Broadcasting Co. to open up some time for Alcoa to put "The Witness" on the network once a month. The progress, I gathered, was negligible.

"Art said to me that we were three-quarters of the way home with ABC. I said, 'Art, we're nowhere at all,' that's what I said," Benson told Susskind. But he added kindly after a moment, "Let's give Art one little star for having tried."

"One little star? Forgive me," Susskind said cynically. "If Art doesn't find that time, it's likely to become quite an ulcer to him. Quite an ulcer."

Levy, facing Susskind across the desk, sighed, drew on a cigar, and said to me, "The big problem this year, in lining up shows for next season, is to get time on the networks. Time, anyway, for the kind of quality shows that David has been putting on. The networks are in the driver's seat this year. Last year at this time, the networks were so hard up for sponsors that they were making distress deals all over; this year they seem to have half a dozen sponsors panting for every scrap of prime time. A real seller's market. But not for us. In fact, it's sometimes tougher to do business with the networks than with the agencies. Whatever end you tackle it from, it's hard getting live drama on television nowadays. Ten years ago, you had 10 regular weekly dramatic shows running live on television—'Studio One,' 'Kraft Television Theater,' 'Robert Montgomery Presents,' and all those things—and now David is about the only one who's really doing live drama outside of Robert Saudek. Now, what the agencies and networks want, 90 percent of the time, is westerns and private-eye shows and situation comedies—stuff that we won't produce, because we're not in that business. What we have to do to get on the air with what we do best is to keep approaching responsible sponsors in the business, and keep trying to convince them that quality pays off.

"The kind of companies we feel we can approach are Du Pont and General Motors; they're more concerned than other companies with their corporate names, and they put out high quality and often high-priced merchandise. But when you get to the penny producers in this business—the soaps and the food guys—they don't give a damn about all that. Ask them if they aren't interested in helping their corporate name by putting on quality shows, they'll say that the only thing that interests them is moving goods at the lowest possible cost per thousand viewers. And as for the corporate name, a soap company is just as likely as not to be too busy competing with itself to bother about that. You know—throwing a Mr. Clean against Spic and Span, when both products are made by the same outfit. The same with the pharmaceutical houses. They don't care about the corporate image in today's world. All those B's dropping down into the stomach. The hard sell. What do you suppose 'The Bridge of San Luis Rey' is going to do for Bufferin?"

"Spreading the advertising message everywhere, regardless of the corporate image—that's what you find," Benson said. "I watched 'The Untouchables' the other night. An armed gang was moving in on a girl who had fingered a fellow. The gang moves in as she lies in bed, and they empty their guns into her head. Then there's a dissolve, and on comes a commercial for Carnation milk. The perfect milk for your baby. That's what you're up against. The buckshot advertisers, spraying the message as wide as they can, and figuring that, statistically, they're bound to pick up the customers."

"Contrast that"—Susskind broke in, speaking slowly and deliberately, and emphasizing his words with a chopping motion of his right hand, just as he often does on "Open End"—"contrast that attitude with the attitude of Du Pont when they bought the 'Du Pont Show of the Month.' Du Pont's concern was, above all, for their corporate image. For years, all sorts of special polls had been showing that people had the idea Du Pont was just a huge cabal, with tentacles everywhere, a great monopoly, making millions and millions out of munitions. They were troubled by the image. They wanted to improve it. Buying the 'Show of the Month' has contributed to that improvement. Their ads are not hard sell, and they have the benefit of the association of the Du Pont name with 'The Count of Monte Cristo,' with 'The Bridge of San Luis Rey,' with 'Wuthering Heights.' And look at what Alcoa, another big company that used to be considered a monopoly, did for its name by living with a frequently controversial show like 'See It Now.' Or Standard Oil of New Jersey, jumping in to sponsor 'The Play of the Week' when it was about to fold. Or Armstrong Cork, bringing a particular climate of opinion around its name and around its floor products—which have no repeat usages like toothpaste but which tend to become permanent purchases—by passing up the chance to buy into westerns and sticking instead to 'Armstrong Circle Theater.' Staying with something that's got a little tone, and luster to it."

Thus far in the selling season, however, Susskind went on, the demand for tone and luster was hardly overwhelming. "I've just been over to one agency and seen its program lineup, and there's no change," he said, getting up and pacing his office. "Just filled with the usual westerns, private eyes, adventure shows, and situation comedies. No change except for the names—'Surfside 6,' 'Stagecoach West,' 'Hong Kong,' 'Route 66,' 'Bringing up Buddy.' A Who's Who of junk. And nobody seems to care about it. The only network with any real imaginativeness is Columbia. ABC, which really started the folderol of TV westerns, is so firmly committed to a policy of running assembly-line filmed stuff that it's just about out as a prospect for our kind of program, unless we can persuade an important sponsor, such as Alcoa, to bring pressure to bear on them to provide us with the necessary air time. And that's also about the only way we're likely to get a show on

NBC this season. For its own reasons, NBC has been taking a hostile—a fiercely hostile—attitude toward us lately." Susskind shook his head gloomily and paused in his pacing to gaze down upon Madison Avenue. Then he went back to his chair and, leaning back in it, placed his feet—small feet, elegantly shod—on his desk. "I hate selling," he said.

After a few moments, he brightened up and, all energy, began talking about the sales approaches he planned to make in the next few days—mostly in connection with the Art Carney specials, the May and Nichols specials, and "Great Ghost Stories"—to a number of agency, network, and sponsoring-company officials, including Charles Revson, president of Revlon, Inc., the big cosmetic manufacturer; Oliver Treyz, president of ABC; Oscar Katz, vice president in charge of network programing at CBS Television; and account executives at a dozen or so advertising agencies, among them J. Walter Thompson and Batten, Barton, Durstine & Osborn. "BBDO has some huge accounts that should be good prospects for us," he remarked, for my benefit.

"For example, United States Steel, which, although satisfied with 'The United States Steel Hour,' probably needs to juice things up with people who will generate extra excitement, such as Art Carney or May and Nichols. Then, BBDO has General Mills, which sponsors everything from Wyatt Earp to spectaculars, and Pittsburgh Plate Glass, which does things with a kind of tone to them, and they've just got Pepsi-Cola, a $10 million account." After a pause, Susskind shouted out to his secretary through the door of his office, "Get me Charlie Revson." In an aside to me, he explained, "I want to see Mr. Revson soon. Revlon ran into rating trouble last year with a program called 'The Big Party'—Goody Ace was on that job, and they spent a lot of money, with guest stars like Sir John Gielgud—and they had a hard winter. I want to recommend Art Carney and May and Nichols to him for next season."

Susskind's telephone rang in a minute or two. Mr. Revson was on the line. "Well, hello Charlie," Susskind said cordially. "Hope you had a good vacation. Listen, Charlie, I wanted to go right to you personally on this. You are probably considering a new program for next year, and I wonder whether you will consider these two exciting ideas. The first is Art Carney in six or eight specials"—and Susskind went on to talk at length of the sort of programs, primarily comedy revues, that he had in mind for Carney. Then he said, "Now, the second thing I have, Charlie, is Elaine May and Mike Nichols, also doing six or eight specials. I have the feeling that these two people are going to be the next big comedy phenomenon in the country. I think they're going to hit very big. Charlie, I think there are two ways of bringing these talents to full fruition, and we have these two ways worked out. One is to get top writing talent, and to this end we have Larry Gelbart and Sheldon Keller, two of the top comedy writers in the business. And, next, good solid comedy guest stars to bolster them—stars like Judy Holliday and Tony Randall."

Susskind paused, listening, and the phone vibrated. "Oh, Gobel, Shriner, Sid Caesar," he said after a while. "Well, Charlie, there's a big difference between Caesar and May and Nichols. Caesar had an 8-year run. The public became pretty familiar with the program. They knew Caesar's German psychiatrist, they knew his takeoff on Italian movies. But May and Nichols, Charlie, are on the rise curve." Susskind gazed at the ceiling while the phone vibrated some more. Then he said, "I feel, Charlie, that the appeal of May and Nichols is going to be to the young. I don't mean to children but to the young marrieds—the group that you're probably most interested in reaching. People between 20 and 40. I hope you don't mind if I think 40 is still young, because I'm just about 40." He laughed. "Yes, Charlie. O.K., Charlie. Goodbye, Charlie."

Susskind put the receiver back on the hook and shook his head in a sweeping motion, like a man emerging from a swim and shaking water out of his hair.

"What did he say?" Levy asked, cigar poised in midair.

"He said, 'A little Caesar goes a long way,'" Susskind replied. "Otherwise absolutely noncommittal. But he told me to call him in a couple of days. I don't know. I think we may have a possibility there."

Later that day, Susskind followed up his approach to Revson with a telephone call to Evan William Mandell, the assistant to the president of Revlon, and the result was an invitation to Susskind to have lunch the next day with Mandel and his assistant, George Beck. When Susskind told me about this invitation, I remarked that I'd like to be present, too, if nobody would mind, in order to get some idea of how such negotiations are conducted. Susskind said he wouldn't mind if Mandel didn't, so I telephoned Mandel and explained my mission to him. Mandel expansively invited me to come along.

Revlon, Inc., maintains its executive headquarters on four floors high up in the Tishman Building, on Fifth Avenue. Shortly before 12:30 the next day, I met Susskind by arrangement in the lobby, and was hurtled up with him by automatic elevator to the 26th floor, where a receptionist, seated against a background of photomurals representing Revlon's activities in research, manufacturing, and sales, asked him whom he wished to see. Susskind told her. "My name is David Susskind," he added, in the low, smooth voice with which he introduces himself on "Open End." We were shown into Mandel's office, a businesslike place dominated by a bulletin board covered with color swatches and with proof sheets of Revlon ads. Nobody was there when we went in, but we were soon joined first by Beck, a slim, fair-haired man of about 40, and then by Mandel, a round-faced, sharp-eyed fellow still in his 30's. Susskind got right down to business. "I have something good for Revlon," he said. "I know you have indicated that you want to go in for specials, and I now, of course, that you've signed up Harry Belafonte for two of them next year and two the year after. I have two exciting ideas that I believe are particularly right for Revlon. I'm referring to six or eight Art Carney specials—"

"Seems like a lot," Mandel observed.

"—and Elaine May and Mike Nichols, also in six or eight specials," Susskind continued.

Susskind launched into a speech about the critics' response to "The Art Carney Show" in the season just ending, and about his high hopes for it in the coming year.

"Have you brought the ratings with you?" Beck inquired.

Susskind said he hadn't. He went on to remark that while the Carney program had perhaps not been winning as large an audience as he, Susskind, personally thought it deserved, this was due primarily to its having been scheduled somewhat awkwardly—as an alternate to "The Bell Telephone Hour" once a month. He added that the critics' almost unanimous enthusiasm for the series constituted a great expression of confidence in Carney's talent. "This year, Art Carney has proved himself in serious dramatic roles as well as comedy," he said. "Next season, I think we would emphasize his comedic aspects."

"What are your plans for May and Nichols?" Beck asked.

"I want to have May and Nichols in a series of 1-hour satiric comedy programs, in which we would use the revue format, as we have been doing in Carney's comedy shows." Susskind said. "I'm operating under the conviction that May and Nichols are the next great comedy personalities in America. They're on the come. They've only begun to hit their level. May and Nichols are not—" Susskind paused, raised his right hand, cupped his fingers, and made a judicious twisting motion with his wrist, as though he were trying to unscrew a thought out of the air, like an electric-light bulb. "May and Nichols are not in the ugly school of sick comedians. Theirs is not an out-there kind of comedy that strains credulity and taste."

"You think people understand them?" Mandel said. "The old kind of comics hit you where you live. They made you feel part of everything. You had an emotional attachment to them."

"I think May and Nichols have that," Susskind said firmly.

"You know that refrigerator commercial they did on 'The Fabulous Fifties'—wasn't it a little sophisticated, a little far over?" Mandel said.

"No, I think they achieve a kind of universal response," Susskind said. "Have you heard Mike Nichols doing the great atomic scientist whose mother is phoning him? It's great. It's really something, with that kind of universal response."

Mandel broke in to suggest that it was time for lunch. On our way out, though, he took us on a brief detour to a higher floor, to see a suite of elegantly hushed, sumptuously furnished rooms—one done in Louis XV style, another in Italian Renaissance style, and a third in Bank of England style, all giving on to a long terrazzo-floored corridor with a strip of red carpeting down the middle and with street signs reading "Fifth Avenue" against the walls. The suite, I gathered, served mostly as a showroom for displaying various Revlon products, and as we walked down the corridor, single file, to gaze at all this magnificence, Mandel explained, "We themed this out after the four fashion capitals of the world."

"It's wonderful what lipstick can build," Susskind said.

We headed back toward the elevators, and as we did, I brushed against a small green bush in a large pot. The bush gave off a tinkling sound; it was made of glass. On one of the leaves I noticed a bee; it was made of glass, too, right to the wing tips.

"All done, all conceived and desired, by Charles Revson, with the help of a decorator. And if you know Mr. Revson, you know he really designed it, down to the last little touch," Beck said as the elevator door opened and we squeezed back against a load of other people dropping down the shaft to lunch.

"I know what you mean," Susskind said. "He's got a real—" He paused for the right phrase, and, lifting his hand to a level slightly above the shoulders surrounding him, he tried a couple of thoughtful half turns at his invisible light bulb. But the phrase didn't come.

"Sensitivity," Mandel said. "A manner of perfection. Leaving no detail overlooked."

The lunch took place at the Little Club, on East Fifty-fifth Street off Madison—a well-upholstered, dimly lit place decorated with antiqued mirrors and peopled by an expense-account crowd, including a good many Martini-bearing men standing at a bar near the entrance. We were quickly seated in a leather-padded semicircular booth, and set upon by a number of waiters. Susskind, who rarely drinks at lunch, would have no liquor, and nobody else ordered any, either.

Susskind lit a cigarette and addressed Mandel. "My theory is, Bill," he said, in his emphatic manner, "that the people in this business who really care about the work

they do, and who have something to offer, should not have to go around hat in hand to sell programs. They should be sought out, they should be summoned by people like you. After all, you know, I care about what appears under my name on the screen just as much as Revlon does about its name."

"That's the way we used to do business in earlier times, but not everybody has your talent, David, so we got a little tired, and had to carefully analyze our needs," Mandel said, and added, "I don't know how many flops Beethoven wrote, but when you throw four hundred thousand dollars a week into a show, you owe it to the people you represent to investigate your wants. Don't you think so?"

"I suppose so," Susskind said.

A headwaiter brought some huge menu cards, and after everybody had ordered, Susskind talked on about the projected Art Carney programs. "Art Carney needs no elucidation," he said eventually. "With Carney, we want to do for next season what we have been doing this season, only better." Lighting another cigarette, he changed the subject. "Tomorrow's challenge is exciting, and I can't think of anybody more excitingly ready for tomorrow than May and Nichols," he said. "I don't need to tell you what a smash hit they were in 'The Fabulous Fifties.' They're fresh, they're young, they're funny. Some people"—he looked down at his plate for a moment—"might be inclined to think that they're a little special, but I remember how we started 'Mr. Peepers' on television 8 years ago, and people thought that was special. Nobody gets excited about new talent until it's established, and then the competition gets hysterical. May and Nichols are here now, Bill. Why not catch them on the rise curve? By the way, they're putting on a two-person show on Broadway in October. This, I think, will heighten and implement their strength. And there would be other important peripheral values accruing around their Broadway appearances, too—the addition of added promotional stature through press and magazine exposure. May and Nichols can probably use certain reinforcement, Bill, and, of course, that is something we can give them. Do May and Nichols need top writing? Yes. Do they need solid guest support, with marquee names like Judy Holliday and Tony Randall? Yes. Will they get it? Yes."

Mandel asked whether May and Nichols had had any help so far in preparing material for their sketches. Susskind said that Mike Nichols and Elaine May had been doing the writing themselves but that it seemed doubtful whether they'd be able to turn out all the material needed for the sketches in the proposed television specials. "They'll just have to give up the idea of writing all their own stuff and performing at the same time," he said, and he added that he was authorized by the agent for May and Nichols to say that they would be willing to deliver commercials themselves—"of course, in a kidding way."

Susskind went on to explain that he thought the revue form would be the one best suited to May and Nichols. "Some of the Art Carney hours have been revues, and we've had great success with this form," he said. "In one we satirized the American shibboleth of success, in one we satirized book clubs, and in one we satirized one-worldness. I want to do the same sort of thing with May and Nichols. This would be a show with a thematic point of view. One week May and Nichols would be satirizing suburban living, one week they would be satirizing relations between the sexes. Poking fun at the foibles of our society." He added, "Which we are in need of."

There was quiet at the table for a few moments. A waiter appeared, holding high a 2-foot pepper grinder, and sent down a shower of black pepper upon everybody's salad plate. When he had gone, Mandel spoke. "I'm interested in May and Nichols," he said. "They have that level of sophistication that has arisen during the postwar years. Today we have millions of adults between the ages of 16 and 40 who are far more advanced educationally than people in the same age groups in prewar years. They have a degree of sophistication that kids who never went through high school before the war never had. And then they're had 10 years of exposure to TV. They're pretty hep, and that must go for their appreciation of comedy. In fact, when you find 5-year-old kids giving you the punchlines to classic jokes, it seems as though everybody's hep."

Mandel turned his attention to the food at his place, and while he ate, Susskind talked of the impact that May and Nichols had had upon people he described as opinionmakers, who, he said, were likely to play a great part in starting a vast wave of popularity for them.

"What the social scientists would call the social-leader theory," Mandel said. "The intelligentsia starts everything. They're the leaders. They start the fashion."

"Somebody has to start the wave," Susskind said. "That's where you sponsors must exert leadership."

"We have exerted leadership, David," Mandel said. "We have experimented in this last season with a good show, a superior show, and it was whipped by blood and thunder." This was a reference to Revlon's hard winter with "The Big Party," which had been rendered even harder by the high ratings of the competing "The Untouchables." Mandel added reminiscently, "We had a lot of culture on that show, David. A lot of things that the intelligentsia would want. Sir John Gielgud, standing in front of a fireplace, with well-dressed, beautiful people around, reciting Shakespeare."

"I saw that," Susskind said. "Frankly, Bill, I thought it was a sickly thing. It was a loss of dignity for Sir John Gielgud."

"I can't agree," Mandel said. "I think there was admiration for him, David, even among the people on the set with him."

Susskind shrugged one shoulder in a friendly manner, and, dropping Sir John Gielgud, asked about Revlon's new programing plans thus far, apart from the company's commitment to sponsor two specials starring Belafonte. Mandel replied that he had something else in the wind, but that he wasn't going to talk about it at present.

"Don't you have a dynamic cornerstone personality lined up?" Susskind asked.

"How many dynamic cornerstone personalties are there in the country—guys who can stand for a whole hour of comedy and stay clean?" Mandel said.

At this, Susskind began to complain to Mandel about the low quality of much of the comedy on network television, and he went from there to complain about the taboos imposed on television drama by sponsors and advertising agencies. "I remember one cigarette sponsor calling me into his office the day after we'd put on an hour show of live drama that got rave notices," Susskind said. "He said the theme was too sombre, too downbeat, and he told me never to do anything like it again. He said, 'I want happy shows with people with happy problems.' I said, 'But, sir, what kind of show should I do?' He said, 'That's your problem, not mine.' Bill, the taboos. Every time you do something new, your'e encountering terrific resistance."

"I know, David," Mandel said. "You sponsor a show that has something innocuous about a letter carrier and you get letters from the letter carriers' league saying you're unfair to letter carriers. It seems as though you can't do a show about anything without getting letters of protest from some group or other. I think it's just the times we live in, David. Everybody's associated today."

Susskind found his way back to the subject of May and Nichols. Mandel inquired about the probable cost of the specials, and Susskind replied that he estimated the program costs per program at $170,000.

"We might be interested in two May and Nichols specials," Mandel said after a while.

"I can't sell just two," Susskind said. "May and Nichols want to do television exclusively for a year—no night clubs. They want their own show. I'm confident they can get it, whether for Revlon or some other sponsor."

"Six or eight makes it difficult. We've already lined up three for next season—two Belafonte specials and one other," Mandel said.

"Realistically, I can sell six or eight May and Nichols," Susskind said. "The sponsor interest is there. I would be foolish to settle for two, but I wouldn't mind selling four to you and selling four to somebody else."

"But I would, David," Mandel said. "If we bought these specials, we'd be buying them for corporate impact. We might want to have less commercials to help achieve that impact. We'd want to have that corporate feeling about May and Nichols. We wouldn't want to share them. When I got through putting those specials on, I'd want people to say, 'May and Nichols—oh, yes, they were on the Revlon specials.' We wouldn't want to vitiate that particular impact."

"Plymouth is interested," Susskind said. "Sara Lee is interested."

"Go with Plymouth," Mandel said.

Susskind laughed. "You aren't known as the gentlest sponsor," he said. "I've known Charlie Revson for many years, and when Charlie was unhappy with his show, you knew it."

"Right, David, but if so, why call us?" Mandel said. "When you get a client who may not be so gentle, you can at least say, 'There may be a tough guy, but I'm getting satisfaction from a job well done.' "

Susskind nodded, and passed on to the pressing need—"the desperately pressing need"—for sponsors to back programs of superior quality, especially the programs he had been discussing. "I think," he said, "I'd like to say to Mr. Revson, 'Mr. Revson, our job here is not so much to drive away with the hard metallic sell——.' "

"We never have used the hard metallic sell, David," Mandel said. "Only the attempt to convince people that Revlon is the finest cosmetic company in the world. We think our commercials are interesting and informative. Barbara Britton is the softest-sell person in the world."

"She's doing the hard sell," Susskind said.

"The hard sell is Dristan and drain your sinus cavities," Mandel said.

"The soft sell is Phil Silvers doing the Pontiac commercial," Susskind said. "The May and Nichols refrigerator commercial is the soft sell."

"No, no; the nasal drip—that's the hard sell," Mandel insisted. "I consider Phil Silver's commercial, the Victor Borge commercial, or the Nichols and May commercial not the hard sell or the soft sell, but the novelty sell. We never use the hard sell at Revlon, although we may use the novelty sell." And Mandel recited one of the slogans for Revlon's Pango Peach lipstick and nail polish, "From east of the sun, west of the moon—Pango Peach."

"Gee, woman was just coming out of the jungle, and along come you guys," Susskind said.

"A woman is a woman, David, no matter what," Mandel replied. "The feeling she gets when you hand her a lipstick, she's still a

woman; and when we name it Pango Peach instead of No. 12, it means something to her. Last year we came out with a nail enamel called Pineapple Yum-Yum."

"Pineapple Yum-Yum," Susskind said, ruminatively.

"Well," Mandel said briskly, with a glance at his watch, "we'll take May and Nichols under advisement. I think we ought to be receptive to something with sophistication, with youth, with the puncturing of the myths of our society, instead of Walter Brennan. We'll think about it, David. If you don't have it sold in 10 days, we'll get back to you."

Out on the sidewalk, after saying goodbye to Beck and Mandel, Susskind and I headed down Madison Avenue. As Susskind pressed on in a determined, rather stiff-legged, wading stride, I asked him how he thought the meeting had gone. "Not too badly," he said. "My guess is that Charlie Revson will call and take two of the May and Nichols specials." A moment later, he added, "But there's no use sitting back and waiting for the call. It may never come. In this business, you have to keep selling everywhere or you're dead."

Susskind increased his pace. He turned right on 52d Street, and then started down Fifth Avenue, on his way to the offices of Doherty, Clifford, Steers & Shenfield, the people who had the money for Noxzema and Cutex. "Cutex had the living brains knocked out of them by Revlon last year on sales. They should be deeply interested in May and Nichols," he remarked to me as we reached the building where the agency had its offices. We hurried through the lobby and took an elevator to the agency's floor. Susskind walked purposefully over to the receptionist's desk and gave the girl there the name of the vice president he had come to see. "My name is David Susskind," he told her, in his low, smooth "Open End" voice.

[From the New Yorker, July 2, 1960]

THE MASSEST MEDIUM

(By Thomas Whiteside)

Any independent television producer is likely to have his ups and downs—and never more so than in the spring. That is when networks, advertising agencies, and sponsors start to decide in earnest which series of programs they want to present to the American public during the "prime" evening hours of the approaching fall and winter months. It is the independent television production firms—big ones and small ones, specialists in live shows or films—who dream up and supply most of the programs, and spring is the time when their executives rush around Radio City and along Madison Avenue in a turbulent competition to promote program ideas, old and new. The whole process of renewal and creation is one with Darwinian overtones—a struggle of program against program for survival in an environment of adman's thinking, audience ratings, and network vice presidenial strategy—and the casualty rate among programs can be high; of the 116 sponsored network series that were shown last season, for example, only 60 will be continued in the fall. The scramble to get programs on the air is apt to be fierce, and it seems understandable that in springtime a certain fretfulness should afflict the independent producers. Nevertheless, when, early one spring afternoon, I found myself hurrying up Madison Avenue in the company of David Susskind, who at 39 is the leading partner of Talent Associates, Ltd.—the largest producer of live television programs in this country—I felt that Susskind was in a confident mood.

Susskind is also the production chief of Talent Associates—and, of course, the moderator of the channel 13 discussion program "Open End"—but at the time I saw him he had set aside all but the most urgent of his production work in order to concentrate on lining up sponsors and air time for a number of programs that he had in mind for the networks next year, all of them dramas or revues. For everybody in the industry, it was the height of the selling season; and Susskind had agreed to let me sit in with him for several days at conferences to watch how the vital process of selling went. So far that spring day, it seemed not to have gone too badly for Susskind, even though nobody had made any outright commitments. Shortly after noon, Susskind had gone to a client lunch with Evan William Mandel and George Beck, two top advertising executives of the mighty cosmetic firm of Revlon, Inc., and the three men had discussed at some length a proposal of Susskind's that Revlon sponsor six or eight Susskind "specials"—long, live, costly productions—starring the young satirists Elaine May and Mike Nichols. Mandel had expressed interest in May and Nichols, and while he said that the company was not prepared to sponsor all six or eight specials, it might consider sponsoring two. The lunch conference had then broken up inconclusively, with everybody promising to keep in touch. Susskind's next move, since he had no firm commitment from Revlon, had been to stop in at the advertising agency of Doherty, Clifford, Steers & Shenfield to set about persuading a couple of vice presidents there that two of the agency's clients, the makers of Noxzema and the makers of Cutex, would be well advised to sponsor the May and Nichols specials. Susskind can be voluble on almost any subject, as people who have watched him on "Open End" are aware, and after he had spent some time discoursing on the talents of May and Nichols, the Doherty, Clifford people, seemingly impressed, said that they would seriously consider buying three specials—and perhaps even six—on behalf of Noxzema, Cutex, and Triumph Herald cars, on a cosponsorship basis. They said they'd let Susskind know more as soon as they got to the clients. Susskind and I then headed back toward his office. As he walked purposefully along Madison Avenue (he encountered some curious stares on the way, for his generally handsome features and his prematurely baggy eyes are instantly recognized by many people), he told me that several small sponsors for the May and Nichols special suited him just about as well as one large one. "These smaller clients, the Noxzemas and the Cutexes, tend to be more straightforward than the big clients," he said. "They don't try to play us off against the big outfits, like William Morris and MCA. I feel we may be getting somewhere with Doherty, Clifford. Of course, I can't sit still for 2 weeks and await word from them without moving elsewhere. The season is moving too fast for that. I have to keep selling elsewhere."

In a few minutes, we arrived at the headquarters of Talent Associates, a fairly modern but crowded set of offices housing more than 60 employees—production people, secretaries, and so forth—on the seventh floor of a big building on Madison Avenue at 50th Street. After sweeping through the reception room, Susskind engaged in a brief corridor conference on production matters with a member of his staff. Then he hurried to his private office—an elegant, not too large corner room with a fine view—and, sitting down in a swivel chair behind a large desk, prepared himself for an afternoon of proselytizing by telephone. Besides the May and Nichols specials, his projects for the coming season included a number of dramas based on children's classics, such as "Tom Sawyer" and "Kidnapped;" a series entitled "The Witness," which would bring noted villains of the past before a fictitious congressional investigative body; a program called "Time of My Life," which would deal with events in the lives of well-known people; and a set of "Great Ghost Stories." All these were new programs, and in addition Talent Associates was planning to continue three old ones—"Du Pont Show of the Month," "Armstrong Circle Theatre," and "The Art Carney Show." Now, at my request, Susskind summed up how things stood for each of his projects. "The prospects for the 'Children's Classics' are very, very promising," he said. "My proposal here has been for a unique presentation of these, with each show being 2 hours in length but shown in hourly segments on consecutive week nights, thus enabling us to do justice to the flavor of the original story, as well as to build up some cliff-hanging excitement. So far as sales are concerned, we have taken a two-pronged attack on this situation, approaching CBS on the one hand and different sponsors on the other, on the sound principle that having sponsors waiting in the wings is likely to make the situation doubly interesting to the networks. We have already developed sponsor interest in the 'Children's Classics' from Shell Oil, Goodyear Tire, Breck Shampoo, and Eastman Kodak, through their agencies. I have strong assurance from James Aubrey, who's head of the CBS Television Network, that he'll preempt the necessary time for the 'Children's Classics.' I'm expecting a formal commitment from him on that any day.

"In this business, by the way, a handshake over a deal is as good as a formal commitment; it usually takes weeks and even months before the legal paperwork catches up. Then we have 'The Witness,' on which we made a pilot tape last year under contract to NBC but which NBC didn't want to do anything about. We own the pilot now, and it's very, very hot with the Fuller & Smith & Ross agency for the Aluminum Co. of America as a once-a-month show on ABC on Tuesday nights from 10 to 11. Alcoa has an option on the 10-to-10:30 period at ABC, and they're trying to pry open the other half hour. 'The Witness' is hot with CBS, too, as a possibility on Wednesday night at 7:30 to oppose 'Wagon Train' on NBC, which has been smothering the opposition. It's also hot, though to a lesser degree, with Dow Chemical through Norman, Craig & Kummel. As for 'Time of My Life,' that has evoked strong interest at Westinghouse through McCann-Erickson and at Breck Shampoo through Reach, McClinton. We have not as yet had much response to 'Great Ghost Stories' for the fall, but it is under consideration at J. Walter Thompson as a summer replacement for 'The Tennessee Ernie Ford Show' on NBC." He added that "Du Pont Show of the Month" and "Armstrong Circle Theater" were sure for next season, but that "The Art Carney Show," which had been sponsored on an alternate basis by AC spark plugs and Delco batteries, needed new sponsorship and was receiving "a lot of interest" at the McCann-Erickson and N. W. Ayer agencies.

"Get hold of an outfit in Chicago called Kitchens of Sara Lee," Susskind called out to his secretary when he had finished his summing up. "I want to talk to the advertising director, a Mr. Kenneth Harris." To me he explained, "I ran into Mr. Harris when I happened to be out in Chicago a few days ago. Sara Lee makes frozen cakes. The stuff is all prepared. All the housewife has to do is to let it defrost. I spoke to Mr. Harris about May and Nichols. It had occurred to me that today's woman would buy Sara Lee cakes where her mother might not, and that the same kind of people—the young marrieds—who would be interested in May

and Nichols would also be the kind of people inclined to buy Sara Lee products. Mr. Harris was struck by the idea, and I said I would be in touch with him again."

After a short delay, the call came through. "Ah, hello there, Mr. Harris. How are you?" Susskind said into the telephone in the low-pitched, well-modulated voice familiar to "Open End" viewers. "Now we agreed to talk about May and Nichols, and I'd be interested in knowing how far you've crystalized your television plans for next season." He settled back in his chair and listened to the voice at the other end for a while, and then he said, "Oh, the only thing that poses a problem there, Mr. Harris, is that May and Nichols want to do TV exclusively next year—no nightclubs. Two specials would be inadequate to their purpose, I'm afraid. They want to do a minimum of six. But could I assume that you would be willing to go along on a cosponsorship situation? You would? Fine." Then Susskind began discussing the budget of the proposed series—he said he calculated the cost of each program at a hundred and seventy thousand dollars—and wound up the conversation by saying, "I'll keep a note of your interest, Mr. Harris, and keep you advised."

"Sara Lee is deeply interested," he told me after he hung up, and with barely a pause he called to his secretary, "Get me Dan Seymour." Seymour is a vice president and the director of radio and television at the J. Walter Thompson Advertising Agency.

"Not in," Susskind's secretary said.

Susskind frowned. "Let me talk to his secretary," he said, and picked up the phone. "Madam," he said into it, in a deep, smooth voice, "my whole friendship with Mr. Seymour is straining at the leash. I called him yesterday, and I called him the day before yesterday, and he hasn't called back. Please have him do so. Will you? And will you tell him that I have a number of very interesting ideas for him? Thank you."

Susskind hung up, lit a cigarette, took a couple of deep puffs, and shook his head in a slightly aggrieved way. "Get me Mary Harris at McCann-Erickson," he called out. Miss Harris works on the Westinghouse Electric Corp. account, and Susskind talked to her at some length about "Time of My Life."

"This is a biographical series, and biography is coming in strongly in show business," he told her. "Note the success on Broadway of 'Fiorello,' 'Gypsy,' and the Helen Keller story. I observe a strong trend in the slick magazines to nonfiction; I hear that nonfiction books are selling equal to or outselling fiction. I've talked to Walter Cronkite about serving as host for 'Time of My Life.' I can see Walter Cronkite saying 'Good evening. Now, we have the drama of Dr. Jonas Salk,' and there is somebody playing Jonas Salk in his lab. Maybe his wife comes in and he says, "Yes; this is it," or maybe—I don't know—the AMA says, "Yes; this is it." This show is different. It's drama unto itself, no voice over, and the writers are excited about it." ("Voice over" is the technique of having the voice of a narrator superimposed upon the action.)

A moment later, Susskind's secretary announced that Mr. Harris, the Sara Lee Kitchens man, was on the line again. Susskind spoke to him briefly and then told me, with satisfaction, "Sara Lee has thought about May and Nichols and has decided that they're ready to sponsor half of four of the specials. So now it looks as though we have something in the bank for May and Nichols." He added, in a slightly more cautious tone, "That is, if we can find the network time." And Susskind went on to talk about how finding time was harder than usual this year, because the networks, reacting to recent congressional investigations, were now assuming a great deal of control over the choice of programs they transmit, instead of automatically bowing to the desires of the big advertising agencies—with the unexpected result that more Westerns, more programs devoted to violence, and more run-of-the-mill situation comedies than ever were scheduled for next season. "More cowboys and more private eyes—that's what we have to fight this year," Susskind said, with feeling. "Securing time on the network schedule for anything that does not fit the established program pattern is the thing that's hardest for us. Of the three networks, only one has any real receptiveness to programs of any quality, and that's Columbia. ABC built itself an empire on Westerns and whodunits, and isn't receptive to the sort of thing we do, and lately we haven't been able to get anywhere at NBC."

Susskind is one of the few people in the television business who have not hesitated to engage in public criticism of network programing practices, and I gathered that about a year ago, when he said, on Mike Wallace's program on channel 13, that NBC had "the saddest case history" in network programing, relations between NBC and Talent Associates had taken a sharp turn for the worse. As Susskind talked about the NBC problem, the very thought of it seemed to goad him physically; he got up from his desk and paced to and fro. "I think there must be personal pique over there," he said. "Bob Sarnoff [Robert W. Sarnoff, chairman of the board of NBC] and I are about the same age, you know." Susskind told me that every effort Talent Associates had made this year to place a program on NBC had met with a rebuff. As for his relations with ABC, Susskind spoke of recent unavailing efforts on his part and on the part of the Fuller, Smith & Ross agency to get ABC to provide the extra half hour of time that would make it possible for Alcoa to sponsor "The Witness," but he added that he hoped the problem could be worked out satisfactorily with Oliver Treyz, the president of ABC. "Ollie is a great wheeler and dealer," he said. "He's just knocked off 'Peter Gunn' at NBC in a raid and taken it over to ABC. Since 'Peter Gunn' and Danny Thomas on CBS have been holding each other pretty even in the ratings between 9 and 9:30 on Monday night, this leaves NBC in a bad way for that half hour. In fact, NBC may blow the whole evening, because I hear that Plymouth has canceled out on 'The Steve Allen Show'—which, by the way, leaves a hole that we could fill with some of our specials, if we could get in there. But, as I say, Ollie is a great wheeler and dealer. I want to talk to him about getting that Tuesday night time for 'The Witness,' I want to talk to him about 'Great Ghost Stories,' and I have an idea for a Sunday afternoon drama series on ABC. I've had an idea for some months that there's only one virgin territory left on television that isn't a vicious competitive struggle, and that's Sunday afternoon. It has 'Meet the Press,' 'Face the Nation,' and 'Twentieth Century,' but it has no live drama at all. I'd like to talk to Ollie about this. ABC has the best studio in town in those old stables on West 66th Street, and because ABC is putting on all those filmed Westerns and private eyes, it just sits there, unused. I'd like to do live drama there."

I remarked to Susskind that it seemed strange that of the dramatic programs he was attempting to put on the networks next season, not one, except possibly the Sunday-afternoon series, involved original plays rather than biographies or adaptations. Susskind appeared a little hurt. "You don't know how fierce the resistance is at the agencies and networks to original drama," he said. "Nobody wants to take a chance on it. For the sponsor, the stakes are in the hundreds of thousands of dollars, and he wants to cover himself by getting a show that will get the biggest possible audience at the lowest possible cost per thousand viewers. I've just about given up trying to sell original drama. This season, I produced one, on 'The Art Carney Show,' and you can't imagine the agony I went through to get it on the air. It was called 'Call Me Back,' and it was about a guy just divorced who spends a night alone in a hotel room drinking and calling people up, and who finally takes sleeping pills. The agencies for A C Spark Plugs and Delco Batteries refused to let me do it. They objected to the combination of divorce, drinking, and sleeping pills. Then I asked permission to sell it elsewhere, and finally they consented and I sold it to the 'Sunday Showcase' people on NBC, and then NBC got nervous about showing it on the Sabbath, especially since the name of the central character was Timothy Francis O'Neill, and they tried to sell it for a week night, but it was a hard sell. They finally sold it to Purex Bleaches for a Saturday night."

Susskind gazed from his office window over Madison Avenue for a few moments. Then he called out to his secretary, "Get me Ollie Treyz."

"He'll call you back," the secretary said in a minute.

"All right, get me Jim Aubrey at CBS" Susskind called out.

"Mr. Aubrey is upstairs at a viewing," the secretary said.

Susskind, frowning, took a couple of puffs at a cigarette.

"Get me Sheldon Moyer at the D. P. Brother agency in Detroit." He called out, and told me, "D. P. Brother has the Oldsmobile account."

This time, the connection was made quickly. "Well, hello, Sheldon," Susskind said cordially into the phone. "Tell me, is Olds still searching for a program solution for next year? Sheldon, I have a great idea for a motorcar company like Olds. I want to do a number of great ghost stories for television. We have a tremendous backlog of ghost stories available, and I want to do them with real tone—produce them to the hilt. Sheldon, I think the show would be unique. Remember that the suspense and danger of the ghost story has an illustrious background. I'm after the classic ghost story—Nathaniel Hawthorne, Edgar Allan Poe, Henry James. No kicking in the groin on this show—it's got class to it. I think it would be different and it would be something that will win an audience.

"Of course, Sheldon, I'm familiar with the motorcar-company requirement of viewer identification of a motorcar-company show with a masculine figure. We have definite ideas on the right male to host the show. Preferably James Mason, Basil Rathbone, or Edward G. Robinson. What I like about this show is that it would suffer no comparison with anything else on the air. Ghost stories are a thing unto themselves. In a season that threatens"—Susskind, looking northward over the roof of the cardinal's residence across the street, raised a half-clenched hand as he sought the right word—"the greatest kind of sameness as last year, the depressing uniformity—oh, trend be damned, Sheldon. You spend a fortune each year designing a car for next year, and if you unveil next year's Olds and it looks just like the Chrysler, you'd commit hara-kiri. Why produce programs exactly like other programs?" Some colloquy about "Great Ghost Stories" and a psychological series already on the air called "One Step Beyond" followed; then Susskind said, "Note how Dow Chemical came along with 'The Dow Hour of Great Mysteries' and went opposite 'The Untouchables' with 'The Bat' and cut 'Untouchables' right down to size. Before then, 'Untouchables' had been getting a 42 and the opposition a 13 or 14. 'The Bat' got a 23 or 24, and I think 'Untouchables' was

knocked down to a 28. You say in Trendex it's 'Untouchables' by a country mile? I was going by Arbitron. Oh, well, Sheldon, I suppose it depends on which survey you read. OK, Sheldon. Will you call me with your reaction?"

Susskind tossed the receiver back on its cradle. "Poor old Olds. They never seem to get a good show," he said. He took another deep drag on his cigarette and remarked glumly to me, "Do you know how the Olds man reacted? He looked up 'One Step Beyond' in the rating book on his desk while we were talking and said, 'It only has a 28 percent share of the audience. Compare that with Tennessee Ernie Ford. He got a 40 percent share of the audience, and he's on for Ford.' "

Susskind smoked some more, then stubbed out his cigarette and lit another. His telephone buzzed, and his secretary sang out, "Oliver Treyz returning your call."

Susskind took the receiver and said, "Hello, Ollie." Phone to ear, he moved over to a window near his desk and, hunched over the sill, talked for a couple of minutes about the benefits ABC would receive if it opened up air time for "The Witness." He finished by asking Treyz for an appointment the next morning to discuss a couple of other matters.

After he had put down the receiver, Susskind sat down in his chair and smoked in silence for a while. Then he said to me, in a rising tone, "He won't clear the time for 'The Witness.' The cavalier way"—Susskind flung out his right arm in a sweeping, cutting motion—"the cavalier way he says there's no chance for 'The Witness' on ABC. And for us to be blocked out of that potential time period there when we had Alcoa sold is just—." The right word seemed to elude Susskind, and he passed on to the next clause. "When by any law of logic they should welcome us." And he puffed away furiously at his cigarette.

Just then, Al Levy, who is Susskind's partner in running Talent Associates, came into the room accompanied by Mitchell Benson, the company's vice president for sales. Susskind told them about his conversation with Treyz. "The squeeze is on," Susskind said. "The horrendous thought just struck me that if this network log jam doesn't open up, we may be left with just Du Pont and Armstrong."

"The man at Fuller & Smith & Ross just told me that they're trying to get time on NBC for 'The Witness' in the hole left by Plymouth's cancellation of 'The Steve Allen Show,' and also on the 9-to-10 slot on Friday night, alternating with the A.T. & T. specials," Levy said. "Maybe NBC will listen to the agency where they might not listen to Talent Associates."

"I talked to the Purex man at the Edward H. Weiss agency the other day about several of our specials," Susskind said. "He said Purex was following NBC's advice for next year's programing. But he was so interested in 'The Witness' that he called NBC and asked them to get in touch with us about it. No call from NBC, of course. Gee, you'd think NBC would reach out"—Susskind extended a hand—"and say, 'We're in trouble'."

"You know they won't, David," Levy said, and then, with a sigh, he added, "Well, one day they will, David." With that, he and Benson left the room.

Susskind made a few more telephone calls, speaking in a low and uncharacteristically weary voice. Then he talked to me again about his difficulties with NBC. "I ran into Bob Sarnoff at a party a while ago," he said. "You know what he told me? Bob took me aside and said, 'Listen, if you don't pipe down about TV and programing and keep quiet, you won't be able to sell a show in Sheboygan.' Oh, well, I don't regret what I said on that Mike Wallace show. It was all true. The junk around us. The sea of junk. And after all the scandals, it's worse than ever. If I had a half-hour Western to offer, instead of live drama, that phone there would never stop ringing, and all the agency guys would be saying, 'David, you owe me the right to get the inside track on this one.' Call it what you want—'Saddles West,' 'The Westerner,' 'Rawhide,' or come up with something called 'The Avenger,' 'Moment of Fear,' 'Diagnosis Homicide,' or 'Hong Kong' and you're in. But just try to get in with May and Nichols, the classics, or 'The Witness'—it's like having to blast through with dynamite. All our production people in Talent Associates feel the tension, the uneasiness during the selling season. They know how vital the outcome of all these negotiations is to them. We have to consider their interests. We have 62 people here"—Susskind got up and, pacing about, emphasized his words with short, chopping motions of his arm—"people who are married, people who have responsibilities, people who—who have psychiatry." And, taking a turn into the center of the room, Susskind told me how he had gone to Richard A. R. Pinkham, the senior vice president in charge of radio and television at the Ted Bates agency ("and a nice, bright, cultured guy") with the strong hope of selling "The Witness" to him, only to be told that Pinkham was buying strictly on a cost-per-thousand basis and that that's what the client wants.

"The hypocrisy of it all," Susskind said. "The blatant hypocrisy of TV, this ugly and horrible crucible. And most of the people in the business—educated men like Dick Pinkham, going to the symphony, the ballet, the theater—they know it's horrible, and yet they divide the world into they and I. It's always 'That's what they want,' or 'They'll love it'—never 'That's what I want.' Do these men sit at home and watch 'Maverick,' 'The Rifleman,' or 'The Donna Reed Show'? You bet they don't. I asked Dick Pinkham what a steady diet of this might do to the people of our country—wouldn't it ruin them? He agreed that it might, but he said, 'That's what the client wants and that's what he gets.' Just look out that window"—Susskind flung an arm in the direction of a cluster of new or partly constructed buildings east of Madison Avenue—"look at those great corporation buildings, Colgate-Palmolive, Lever Bros.—all of them built on this kind of stuff. All built on saccharine"—Susskind paused and reached out into the air with his right hand as if to grasp the word he wanted—"suffering." He reached out again, and said, "Debasing soap opera."

Susskind paused, made a despairing gesture with his hands, and went on, "A few days ago, I heard John Crosby, the television critic, lecture before a ladies' club in Rye, and he was complaining about the lack of original drama on television. I felt like jumping up and saying, 'Try it, it's murder.' Look at the trouble we have selling adaptations." In a quieter tone, he added, "Personality, I'm remote from Ionesco and Jean-Paul Sartre. I've never subscribed to putting on weird ballet—just things like 'Ethan Frome' or 'The Devil and Daniel Webster.' But even when you do those you're a freak. A ruffler of the water. This is the only business in the world where thinking straight is being an oddball." And he threw up his hands. "Isn't that—unusual?" he said, and casting himself into his swivel chair, he lit a cigarette and puffed away.

In a minute or two, Susskind seemed to recover his composure. His secretary came in with a couple of checks for him to sign, and he smiled over the fact that one was for $8.34, covering a bill for stationery, and the other was for $174,000, covering recent studio production costs. He signed both and handed them back to his secretary. Just as she was going out of the door, he called out, in a confident voice, "And get me Jim Aubrey, at CBS."

A few days later, I called on Susskind again at his office to see what progress he had made. I found him at the telephone and as busy as ever. But obligingly, between calls, he told me briefly what had been happening. First, he said, he had gone in person to Oliver Treyz at ABC with a couple of requests for network time—one for the Sunday afternoon adult dramas he had told me about and the other for the Art Carney specials. "Ollie had no appetite for the adult dramas," Susskind said. "He said something about the football games on Sunday afternoon. In fact, he said he was sold out for the entire season. But after I talked to him about the Art Carney specials, he said he might consider clearing time for a few of those, although only if I went out to the agencies and brought the sponsors in all sold." I asked if any new sponsor interest had developed in the Art Carney specials in the last few days, and Susskind said that Plymouth was expressing interest in them, as well as in the May and Nichols specials; he also reported that he had gone to the Grey Advertising Agency and interested the head of the radio-television department there in the Art Carney specials, for Greyhound Bus Lines. As for "Great Ghost Stories," he said he'd been over to see Dan Seymour at J. Walter Thompson about that, and the agency people involved were going to be flying out to Detroit any day to get a decision from the top brass at Ford Motor Co. about putting the program on NBC as a summer replacement for "The Tennessee Ernie Ford Show." Susskind went on to say that, according to Al Levy, a couple of executives from Dow Chemical had come to town and were very excited about sponsoring "The Witness," on the strength of having seen the pilot film, and that one of the top men at Norman, Craig & Kummel was expected any day now to fly himself, the kinescope, and a projector down to "someplace in the Caribbean" to show it for final approval to the advertising vice president of Dow Chemical, who was vacationing there.

Susskind next informed me that he had had a couple of telephone conversations with James Aubrey at CBS about "The Witness" and the "Children's Classics." He said Aubrey had told him that although "The Witness" was still a possibility to fill the network's open-time period from 7:30 to 8:30 on Wednesday night, opposite "Wagon Train" on the NBC network, CBS also had under strong consideration for the same period a filmed program called "The Aquanauts." "Some sort of underwater action thing," Susskind called it. However, Susskind said, Aubrey had given him the good news that CBS had definitely confirmed its order for the "Children's Classics," and that the network itself, rather than Susskind, would take care of the matter of sponsorship. With this bird in hand, Susskind then had made a personal call upon Aubrey to ask for network time for a number of other Talent Associates programs, including several new projects that he told me had just recently reached the practical stage of development. Susskind added that Aubrey, without committing himself on any of these matters, had asked him to talk to Oscar Katz, the vice president in charge of programing at CBS Television, to see what could be done. And that's whom he was going to see, by appointment, that very afternoon, he said, and added that if I felt like going along with him I could.

At the appointed hour, I found myself with Susskind in Katz's office, an impressive affair featuring two great television screens, one on top of the other, built into a teakwood panel in a wall. Susskind started talking

right away. "Here we go again, Oscar," he said to Katz, a slight, sharp-faced, bald-headed man wearing spectacles propped up above his forehead, like an old-fashioned aviator's goggles, and wearing large cuff links emblazoned with a representation of an eye, the symbol of CBS television. "You know"—Susskind held up a hand with fingers cupped together and gave a couple of thoughtful half turns—"the effort to get some good things on television is so frustrating, Oscar, and I'm not talking about the ballet and I'm not talking about Shakespeare. But 'The Aquanauts,' 'Wagon Train,' and 'Hong Kong' at 7:30 Wednesday night—"

"That's what I was saying in a speech to the Radio-Television Research Council today at lunch," Katz interposed. "'Don't take the easy way out,' I told them. Audience ratings have been misused in this business, even by the researchers themselves. This is a mass medium that cuts across all groups. That's what Jack Benny does and that's what you have to do, David, if you want to get the mass audience of national television."

"But where's the failure in not getting an audience of 10 million people?" Susskind objected.

"My feeling is that TV as a mass medium has got to appeal to most of the people all the time," Katz replied.

"When I picked up the Times this morning and read that your answer to 'Wagon Train' is 'The Aquanauts,' it's—it's depressing," Susskind said. "Leading the public down the road to 'The Aquanauts.' Depressing.

"We tried counterprograming. We tried 'The Line-Up,'" Katz said.

"Cops and robbers," Susskind said.

"But overlaid with realism, David," Katz said. "Then we came in with 'Be Our Guest,' a variety show that we miscalculated on but a variety show we thought was unique in appeal—"

"But throwing the sponge in," Susskind said.

"We weren't throwing the sponge in," Katz said. "We counterprogramed with 'Be Our Guest' and we got a snappy 11 or 13 rating, and there's 'Wagon Train' getting a 40." After a pause he added, "Sometimes it seems to me it's almost like intellectual snobbery to criticize 'Wagon Train.' Some of the things it does are pretty good by our standards."

"By our standards." Susskind said, with a crucified look.

"By our personal standards, David," Katz said patiently. "Look at 'Wagon Train,' now reaching 62 percent of all the American homes tuning in between seven-thirty and eight on Wednesday night. We have here a medium that's broader than any other—the massest mass medium in the history of media. Why should I impose my own taste on other people? What television requires is not that it represent our personal tastes, David. We have to recognize this as professionals in the business."

"Oscar, I think that's a fatal mistake, if you don't mind my saying so," Susskind said. "DeMille believed in all that—hypocritical—." For a moment, Susskind tried to find a word; then he gave up. "Oh, to hell with it," he said. And in no time at all he was off, confident as ever, into sales talks on the Art Carney specials, the May and Nichols specials, and "Great Ghost Stories," and went on to several ideas for big new special programs. They included an hour-long program with Sir John Gielgud doing "Ages of Man" ("We await word from Sir John, but his lawyer here thinks well of it"); another hour with Jennifer Jones in Jean Cocteau's "The Human Voice" ("A sort of emotional 'Sorry, Wrong Number'"); and a 90-minute program to be called "The Life and Works of Eugene O'Neill" ("a real blue-chipper. I see Anaconda Copper or U.S. Steel being interested in this"). While Susskind talked, Katz made notes on a pad, and at the end of the session he told Susskind that although the network schedule for specials was very tight, he would be ready to set aside air time for two of the May and Nichols specials, and that he would also be ready to give consideration to preempting time periods for the Gielgud, O'Neill, and Jennifer Jones specials. Susskind seemed pleased enough by this.

"Now, if I can get the agencies to find time for another four May and Nichols specials on the other networks, we ought to be pretty close to home with May and Nichols," Susskind told me when we were out on the sidewalk again. We set off down Madison Avenue to the offices of Batten, Barton, Durstine & Osborn to call on that agency's vice president in charge of programing and planning, George Polk.

Susskind evidently was on an easy footing with Polk, for when he walked into Polk's office and interrupted an absorbed study Polk was making of a booklet containing the latest Arbitron ratings, he wasted no time on ceremony or on any preliminary animadversions on the state of the television industry.

"George, you know it's spring. You've sold most of your gook. What are your needs?" he said.

Polk tossed his rating booklets onto his desk. "Something that will satisfy the client, something that won't cost too much, something wholesome, and something with a good rating," he said.

Susskind said he had the very thing, and he went into a harangue on the virtues of Art Carney. "Art is a new Everyman," he said. "He has that special quality of being loved by everyone. He should be just right this year for someone like United States Steel or Pittsburgh Plate Glass. Ollie Treyz says he's ready to preempt time on ABC for some Carney specials if I can bring them in presold. Art is a thing unto himself. And you know how he's been going around to all those sales conventions for the client. Those dealers love him. He gets up and does 10 minutes on A–C spark plugs."

Polk said he would think about it—he had a client group coming in the next day. Then Susskind offered up "Great Ghost Stories," but Polk didn't bite. "It's all about things that couldn't happen," Polk said.

"Ghost stories sell in paperbacks by the millions," Susskind said, persisting.

"That's what they say about the Bible, but try putting the Bible on and see what kind of a rating you get," Polk said.

Susskind, undaunted, defended quality and the higher things in life. "What about the ratings on 'The Bridge of San Luis Rey,' which we put on 2 years ago?" he said. "They were terrific."

"Oh, David, people were just waiting around because they wanted to see the bridge collapse," Polk said negligently.

"All right, so what's General Mills doing next year?" Susskind said.

"They're going to be sponsors of Wyatt Earp," Polk said.

"I don't suppose you'd want to do some dignified specials, like Jennifer Jones in Jean Cocteau's "The Human Voice," Susskind said, a little wistfully.

"I might," Polk said, leaning back in his chair. "But would the sponsor?"

A week later, at a lunch in the grand ballroom of the Roosevelt Hotel, the annual George Foster Peabody awards for distinguished work in radio and television programing were presented before a gathering of practically everybody of importance in the television industry. Susskind was there—one of the winners, as the producer of "The Moon and Sixpence," starring Sir Laurence Olivier. The awards were given out by Bennett Cerf, the publisher, who made an intrductory speech in which he extolled the quality of existing television programs and went on to declare, to the applause of the television executives present, that the television industry was giving people programs "a darn sight better than they deserve." A few hours after the lunch, I dropped over to Susskind's office, and found him sitting at his desk in a preoccupied mood, chin in fist, and tapping a sharp tattoo with his left foot on the floor. After a word or two of greeting, he remarked to me, in obvious reference to the grand ballroom at the Roosevelt, "That room was filled with men who frustrate, who block—" and, after making an unsuccessful effort to finish the sentence, he called out, instead, to his secretary, "Get me Walter Tibbals." Tibbals is a vice president of Norman, Craig & Kummel, and Susskind explained to me that he wanted to find out what progress that agency was making with Dow Chemical on a final decision to buy "The Witness."

"He's at a chain-drug convention in Hollywood, Fla. At the Hollywood Beach Hotel," his secretary said.

"Get him there," Susskind said.

"He's at a golf tournament," his secretary said, after a while. "They'll try to have him call."

Susskind took a deep breath, expelled it, and shook his head again. "It's so frustrating," he said. "Just—you know—breaking through." And he rammed one fist into another.

"Get me Charlie Revson." Revson is the president of Revlon, Inc.

"Not in."

Susskind said to me, in a dull voice, "I talked earlier today to George Polk at B.B.D.O. It looks as though Pittsburgh Plate Glass is dead as a possibility for us. They decided to buy scattered participations in a number of other shows. And, even more depressing, Westclox, another BBDO client, which sponsored a number of our specials last year, has bought an alternate participation in 'The Tab Hunter Show.' Do you know the plot of the pilot on 'The Tab Hunter Show'? Tab Hunter has an apartment overlooking Malibu Beach. One morning, when he gets up, he sees a pretty girl outside, walking her dog. He rushes to the refrigerator, smears some raw liver on his face, and goes outdoors, where the dog jumps up and licks his face. And so boy meets girl. That's the sort of thing they want."

Susskind showed me an item in the advertising trade-news column in that day's Times, which quoted Richard Pinkham, Susskind's adman friend at Ted Bates, on his programing needs of the moment:

"What are the advertising agency executives looking for when they are in the market for new programs?

"Richard A. R. Pinkham, senior vice president of Ted Bates and Co., Inc., for television and radio broadcast operations, said:

"'My whole program philosophy is based on two things—that most people live humdrum lives and look to television for escape and that most nighttime program viewing decisions are made by women.

"'I have, therefore, developed certain basic attitudes toward shows offered to me: I don't want shows starring women in a continuing lead role * * * I don't like ultra-realism or neorealism, because a show that's too uncomfortably close to real life won't attain widespread television success. I prefer shows about beautiful people in beautiful places doing glamorous things.'"

When I had read this, Susskind remarked, "He's got 'Adventures in Paradise,' which is hardly doing beautiful things with beautiful people. They're down on the other side of the tracks looking for a killer."

At this point, Mitchell Benson walked into the room, and Susskind asked him, "What's the news on the ghost stories at J. Walter Thompson?"

"We're dead," Benson said. He added soberly, "They bought a western instead for Ford. It's called 'The Wrangler.' They figured it would hold up the ratings while Tennessee Ernie Ford's on vacation." He left the room.

Susskind passed a hand over his brow. "There goes the thing I'd hoped we'd have to keep our people busy with production through the summer months," he said to me. "When you specialize in live television, as we do here, practically all of your year's activities are compressed into 7 or 8 months, so you can see how vital a thing getting summer work is."

He lit up a cigarette, took a few puffs, and muttered, "May and Nichols—got to get that set," and called out to his secretary, "Get me Dan Seymour at J. Walter Thompson."

"He'll get back to you," his secretary said.

Susskind's telephone buzzer sounded, and he took a call from Arthur Cantor, a press agent (and, more recently, a theater producer as well), whose clients include both Talent Associates and the Aluminum Company of America. Cantor is a friend of Susskind's, and he was calling in to report a trade rumor. "What, dead at Alcoa?" Susskind said, after listening to Cantor. "Oh."

"It looks as though Alcoa is going to buy a half-hour film show every week instead of 'The Witness,'" Susskind said to me glumly after he had finished talking to Cantor. "Some mystery show or other. I tell you I felt it. I just felt it. The delay of Alcoa. The absence of requesting an exclusive option that would have prevented us from offering 'The Witness' to anyone else! Their failure to exercise their corporate strength to acquire network time!"

Susskind lit another cigarette. Inhaling deeply, he picked up from his desk a large chart showing the program schedules of the three networks for the coming season and studied it intently. Then he told me, in his most elliptical fashion, "If Alcoa falls down on us, we must be resilient to such changes of sponsor whim and network instinct." In plainer fashion, he added, "I see here a gap in the 8:30 to 9 timeslot on Wednesday night in the CBS schedule which we might try to widen to an hour to house 'The Witness.' Colgate has an option on the following half hour, from 9 to 9:30, but I suspect that Jim Aubrey would prefer a strong hour show from 8:30 to 9:30 because of the heavy competition at 8:30 to 9 from 'Ozzie and Harriet' on ABC and 'The Price Is Right' on NBC." Without further ado, Susskind telephoned Aubrey and put the proposal to him. "It's such good counterpoint programing, Jim," he said, "and between your enthusiasm for 'Witness' and mine—the guy from Dow says it's the best pilot he's ever seen—we ought to be able to work something out there. I should talk to Dick Pinkham about buying half of it for Colgate, and you'll give it consideration if Colgate goes along? Good." Then Susskind tried to reach Pinkham, but with no luck. Pinkham was somewhere within the recesses of the CBS building looking at pilots, presumably in search of beautiful people doing glamorous things.

Susskind was plainly put out at not being able to reach Pinkham. "I really want to talk to Dick," he told me. "If Colgate would only go along on my plan for 'The Witness,' we'd be in at CBS. If not, I think I may consider putting it on tape on channel 13 as a carrier of spot commercials—Dick Pinkham has lots of clients who do only spot advertising—and try syndicating the tape among local stations, which is doing things the hard way."

Mitchell Benson entered the room again. "I want you to know that there's still a spark of life at Alcoa," he said to Susskind. "They think they might still be able to do something for us at NBC."

"How about Cutex and Noxzema on the May and Nichols specials?" Susskind asked him.

"I tried to get them on the phone. The boys are in a meeting," Benson said.

Susskind slammed his right hand down upon the papers on his desk. "That's bad news," he said, and, getting up from his chair, went on, in an increasingly passionate voice, "They're always in meetings. We should know by now what the client is going to do. I have no trust in Noxzema or Cutex. I have no trust in Dow Chemical or Alcoa."

Susskind sat down heavily in his chair. "You submit to rampant optimism and you are in trouble," he said. "You think a guy's enthusiasm is genuine and you wake up and find you have no shows. I'm going to get the truth, the truth." Grabbing the phone, he managed, after a frustrating wait, to reach Walter Tibbals, the Norman, Craig & Kummel man, at the Hollywood Beach Hotel. "Listen, Walter," Susskind said in a vibrant voice, "just how realistic and immediate is the Dow Chemical interest in 'The Witness'? We're getting a little late in the season at a time of diminishing network time periods, and while we've had a very substantial interest in 'Witness,' we haven't had anything that's happened." Then Susskind listened for a while and said, "Uh-huh" a couple of times and wound up by saying, "So will you keep that vista of no time slot alive with the client, Walter? Thanks."

When he put down the phone, he sighed. "They were kidding Al Levy," he said to Benson and me. "It's not true about their flying down to the Caribbean to see the head man at Dow. All the big game at the agency is down in Florida, golfing it up. They're nowhere near flying down to the Caribbean with any kinescope."

Susskind took a few deep drags at his cigarette. "I'm going to get the truth," he said again, bitterly, and he called a vice president at Doherty, Clifford, Steers & Shenfield. "This is David Howard Susskind," he said to the vice president, "and I would like to lay a solid question to you as an honorable man, because living on the abyss of ignorance is appalling. We have always considered Noxzema and Cutex the alivest possibilities for May and Nichols—what is the situation and are Noxzema and Cutex really coming into line to buy these specials?"

After a minute, Susskind put the phone back on its cradle with a clatter. "Hell, they haven't even been to the client yet," he said. "They won't be going until tomorrow."

Then he said, "Why must we allow ourselves to think that we have the client tied up? Why do we keep living in these fools' paradises?" And he added, with even emphasis upon each word, "We—must—not—allow—ourselves—to—be—conned."

Susskind picked up his telephone and got on to the man at N. W. Ayer with whom he had been dealing on the Art Carney and the May and Nichols specials. "This is clean-up-cobwebs day," Susskind told him. "Is there any realistic hope at Plymouth with May and Nichols and Art Carney, or is it a vague dream and should we proceed elsewhere?"

When the call was finished, Susskind said, "The N. W. Ayer man said Art Carney didn't get very big ratings this year. He said, 'I'm not sure Plymouth wants intimate little shows.' Huh! Intimate!" Then he called out to his secretary, "Get me Charlie Revson!"

The president of Revlon called him back in 5 minutes. "Hello, Charlie," Susskind said, in a friendly voice, "how are you?" I saw Bill Mandel and George Beck and we had a spirited discussion, particularly about May and Nichols, and I'm sure it filtered up to you." Susskind listened briefly, then continued, "Gee, Charlie, I agree with you that May and Nichols have great talent. And I think they will have terrific appeal to the younger element especially. They need important marquee support on each show, and they would get that." He listened a moment or two, and said soberly, "Oh, I see, Charlie. A Debbie Reynolds type thing. Uh-huh. All right, so long, Charlie."

And Susskind hung up. "What he wants is a great—big—Debbie Reynolds thing," he said. "With Bob Hope as the guest star, and guaranteed ratings. Guaranteed ratings, he kept saying. Guaranteed ratings! Huh!"

In a bustling, bristling mood, Susskind pulled together some papers on his desk. "This is my cleanup day. I'm getting the truth today," he said to nobody in particular. Then he reached for his telephone and called out loudly, "Get me Dan Seymour at J. Walter Thompson."

Mr. PROXMIRE. Mr. President, I do not wish to visit cruel and unusual punishment on my colleagues, so I shall not read into the RECORD all of this material I have. I shall ask unanimous consent in a few minutes that it be printed in the RECORD.

I picked up the television program section published in the Washington Post of last Sunday, August 14. It contains the list of programs broadcast over television in this great city, which has as many television outlets as any other—that is, four—and this is the kind of thing which the people have a chance to watch on television during the prime listening hours, beginning at 7 o'clock in the evening. Reading from left to right are the stations WRC–NBC; WTTG; WMAL–TV; and WTOP–TV, which is the CBS outlet. The programs are as follows: "Death Valley Days," "Quick Draw," "7 O'clock Final," which is a news program; and "San Francisco Beat."

"Riverboat," "Judge Roy," "Cheyenne," "The Charlie Farrell Show."

"Riverboat," "Jim Bowie," "Cripple Creek," "The Texan."

Darren McGavin, Scott Forbes, "Cheyenne," and Rory Calhoun.

"Tales of Wells Fargo," "Impact," "Bourbon Street Beat," and "Father Knows Best."

"Wells Fargo," MacDonald Carey, Richard Long, and "Father Knows Best."

"Peter Gunn," "Racket Squad," Andrew Duggan, and "Celebrity Talent."

Craig Stevens, Reed Hadley, more "Bourbon Street Beat," and "Celebrity Talent Scouts."

"Goodyear Theater," "Big Story," "Adventures in Paradise," and "The Spike Jones Show."

"What Makes Sammy Run," "Man Behind the Badge," Gardner McKay, and new "Comedy Showcase."

John Forsythe, "Californians," Adam Kennedy, "The Original Amateur Hour," and "The Du Pont Show."

Mr. President, that is the kind of thing we have on television in the capital of the Nation, the greatest nation on the face of the earth. This is the kind of television programing which is shown all over the country. This is, overwhelmingly, network time. The owners of these radio and television stations do not have any choice.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. LONG of Louisiana. What was wrong with "What Makes Sammy Run?" I saw it on TV and thought it was a pretty good play.

Mr. PROXMIRE. There are some good programs on TV. There are a number of entertaining programs. I like to see a good western, but I think we ought to have something else, too.

I saw "What Makes Sammy Run?" I thought it was pretty good, but it was not extremely uplifting. It was not educational. It had a moral, and lots of frank sex, and Hollywood parties. All of us like to see those things occasionally.

But as John Crosby says, such things are drilled into the minds of our people and their children day after day after day; and the average viewer watches about 4 hours a day, and such things are about all he sees.

Mr. LONG of Louisiana. Did not the show to which I have referred illustrate that things such as drinking and carousing could be overdone?

Mr. PROXMIRE. Well, I am not sure, for Sammy wound up with a big job at a high salary and a fine home. But I do not think the Senator from Louisiana was very serious when he said that the selection of "What Makes Sammy Run?" was a very desirable choice.

On the other hand, I do not say that all the programs should be of a high quality, educational type. But certainly a good program should be available during most of the prime time on at least one of four channels.

Mr. LONG of Louisiana. But was not "What Makes Sammy Run" very popular?

Mr. PROXMIRE. Yes, and so were "Tobacco Road" and "Abie's Irish Rose." Such programs make fine entertainment, and I suppose they also provide a degree of education for people. We need something else, too. But under present economic circumstances, it is very hard for the broadcasting people to provide it. Let me say that I am sure those in the broadcasting industry are wonderful people.

Mr. LONG of Louisiana. I must confess that I entered the Chamber after the Senator from Wisconsin began his speech, so I have not heard all of it. But from what I heard, I thought he was criticizing a fairly good show, and I thought I would say a word for it.

Mr. PROXMIRE. I understand.

Mr. President, I think I can sum up very quickly my further remarks on the amendment.

The fact is that control of the networks was recommended by the Federal Communications Commission. On the other hand, the Commission has been criticized by the Congress—and properly so, I believe—and by many throughout the country as being too soft on the industry and as being responsible for not getting results in the way of improvements of the content of the television programs.

But now, when the Commission requests from Congress the power to take action in regard to the programs of the great networks, Congress says "No".

The fact is that the Attorney General of the United States favors this proposed legislation; and so does the Committee on Legislative Oversight, which conducted exhaustive hearings which lasted for months. In the hearings, the committee went into great detail; and the hearings were quite sensational. A majority of the committee members stated that the networks should be controlled by the FCC.

It is true that the House voted against that. It is also true that it is now late in the session. I realize that the chance to enact this amendment at this session is very slim, indeed, and perhaps is nonexistent.

But I believe we should look very carefully into the question of regulation of the networks, because the record of regulation over a period of 14 years has resulted in an American television which has been judged at best as unworthy of a great nation and at worst as a national disgrace.

I would agree with the Senator from Rhode Island that the people concerned, who are in charge of the networks, are wonderful people, as fine as those in any other industry, and perhaps finer; they are devoted, and they make sacrifices. But they are also powerful men. In my judgment the most powerful men in America because they have such immense—really enormous—access to the public mind.

It takes courage for Senators to stand up to men with such tremendous power and to require to forego some profits in order to serve the public interest. But I feel very deeply Congress should stand up to the industry, and should provide that the Federal Communications Commission have at least some power of regulation over the networks. The boys who decide what 180 million Americans see or cannot see on this media Herbert Hoover has found public.

Mr. President, I reserve the remainder of my time; and at this time I yield the floor.

Mr. PASTORE. Mr. President, here, again, I share the feelings of the Senator from Wisconsin, although perhaps not to the extent that I did in regard to the preceding amendment, which he was kind enough to withdraw.

This controversy over regulation and over the types of programs has been going on for some time. Of course, in that connection we are faced with the question of how far one can go in denying to people who wish to see "Howdy-Doody," let us say, an opportunity to see "Howdy-Doody." Personally, Mr. President, "Howdy-Doody" does not interest me; but some persons seem to wish to have an opportunity to see "Howdy-Doody." Similarly, "Gun Smoke" does not appeal to me.

On the other hand, when the Firestone Co. was required to take off its fine musical programs it was a grave disappointment to me. Firestone did so because—so it was stated—the ratings did not justify continuing the programs, expensive as they were.

This afternoon our time is very limited; but let me say to my good friend, the Senator from Wisconsin, that the arguments he has made here this afternoon are very impressive and carry a tremendous weight with many of our people.

On the other hand, we always run into the question of whether such regulation would amount to censorship and an attempt to dictate in regard to the kinds of programs. Many persons are of the opinion that it should be possible for any program to be shown—provided, of course, it is not obscene. An obscene program would be a violation of the law, and those responsible would be prosecuted to the full extent of the law.

An amendment similar to this one was proposed on the floor of the House, but was rejected. Representative HARRIS stated that he intended to go into this matter in great detail during the coming session. It may be that our committee should do likewise.

Let me say that if the House committee does not undertake it, and if such a bill is introduced in the Senate, certainly I will undertake a careful study as to whether the networks should be brought under such control.

In the full committee we held a hearing over a period of several weeks, and finally we voted funds in order to enable the FCC to make a thorough investigation. But up to this time the Commission has not reported.

However, after the revelation of the payola scandal and the other scandals, I understand that the networks went before the Commission and said they would not object to any legislation which would place the networks under control.

So I say to the Senator from Wisconsin that I do not think this is the proper place to bring up this amendment. Probably this whole matter should be pursued further. Many ramifications, implications, and problems are involved in the entire area and the entire issue of whether we can and shall control certain programs on the air.

I fully realize the fine type of liberal the Senator from Wisconsin represents. I know he believes in the great principle of allowing a man to say what he thinks. Similarly, it is argued that there should be no regulation of these programs, so long as they do not include obscenity.

Sometimes I wonder how far we can go in saying to those who view these programs, "If you like symphonic music, you will be able to hear it on these programs. But if you like boogie-woogie, you will not be allowed to hear it." We went all through that question with ASCAP and with the other groups.

Personally, I like light opera, grand opera, and symphonic music; and I care very little for boogie-woogie. But many people do like boogie-woogie. That is one illustration of the difficulties which are encountered.

So I ask my good friend the Senator from Wisconsin to withdraw this amendment also; and if the House does not do something about this situation in the coming session, possibly the Senator from Wisconsin will then wish to introduce a bill dealing with this matter.

Mr. ALLOTT. Mr. President, the Senator from Wisconsin is a very brilliant and educated man. We have to take into consideration that there are almost 200 million people in this country, some of whom have a very high degree of education, some of whom are educated in the arts, and other cultural

fields, music, painting, and so forth, and that these programs, even though I deplore many times their low standards, are put on primarily because of the demand of the public. They may not be put on at the demand of the Senator from Wisconsin or the demand of the Senator from Colorado.

I underscore the remarks of the Senator from Rhode Island when he referred to the Firestone program as a typical example of one of the finest programs going off the air.

I have a very close friend who runs a moving picture house, and he informs me that when he runs good pictures in his theater, pictures that could be expected to provide a real uplift and a moral, mental, or education upsurge, any one of the three, the people stay away in droves. Thereupon, he brings into the moving picture house a western, detective story, or something like that, and the people come there in droves.

I cannot feel that the blame for this can be put on the backs of the networks, because the Senator may like symphonic music, and I may not—I happen to like it—but even if we both like symphonic music, the chances are the Senator and I are in the great minority, I am sorry to say, in this country.

I wish to close my remarks by trying to emphasize the difference in people, and the fact that the networks have to address themselves to a great divergence of mental abilities, social upbringing, education, training, racial and religious background, and everything one can think of, running the whole gamut of the human mind. I can best illustrate this matter by referring to a remark made by Disraeli. He said that he would rather hear the beating of a thousand drums of the Sultan than listen to the finest orchestra in the world.

So this difference exists, and I can understand Disraeli's remark. While I might not prefer the tom-toms or the drums, I can still see some virtue in them, as can anyone who has ever listened to a really complicated rhythm beat out on drums.

I think we should keep in mind that we are trying to serve nearly 200 million people, and the networks cannot say to those people, "You have got to take this and like it." Considering the great story writers, I personally think de Maupassant is one of the greatest short-story writers of all time, but the broadcasters would not dare to put half of his stories on the screen.

Mr. PASTORE. The Senator will agree that some of the episodes the Senator from Wisconsin has brought out are rather gruesome and gory. He has given several instances. I think greater discrimination could be exercised, but whether the broadcasters could be forced to exercise better care gets us into the field of censorship. We will have broadcasters saying, "I can do anything I want provided I do not violate the law." I do not know whether we can tell them what to broadcast. Sometimes I think the broadcasters should give the people programs of finer quality. Perhaps we should cultivate esthetic values in our people; but whether the producers can be made to do it gets into a constitutional question, and constitutional freedom is the bulwark and the keystone of our American way of life. I do not know how far we can go in dictating.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. PROXMIRE. I think we should recognize what we are dealing with. We are not dealing with the newspapers of America, the press. We are dealing with the radio and television stations, which are granted by the Federal Communications Commission channels on which to operate. The Government permits them to operate on channels. But only on the condition that the station operate to suit the public interest and convenience. When the FCC as the Government's agency does this, it requires the station to submit the kind of programing to be offered, how much to be devoted to religion, how much to sports, how much to news, how much to education, and how much to entertainment. All that has to be set forth when one applies for a radio or TV channel.

My argument is that there is no requirement placed on the networks. What the television stations do is, in large part, carry network en bloc in their prime time. That means there is no order by which the FCC can require public interest programing to be met at hours when people will have an opportunity to see those programs.

I am not in favor of censorship. I want to have the same kind of law that Herbert Hoover favored in 1926 or 1927. I am no more radical on the subject than he is. But I do feel, because this is a grant by a public agency, because these millions of dollars worth of opportunity are given to the networks by the public, we have a right and a duty to insist that they comply in some degree and to some extent in the interest of the public. In doing that, I do not think we have to modify the basic law. All we have to do is see that the basic law is enforced and to give to the FCC enough power to see that it is enforced.

Mr. PASTORE. I think the discussion this afternoon proves the point the Senator from Rhode Island is making, that this is a field with many ramifications. It has to be explored. My sentiments are with the Senator from Wisconsin on the elevation of the quality of programs. Just how we promote it and how we go about it requires extensive and exhaustive study. I do not think we can solve that problem this afternoon in 1 hour, or in 5 hours.

Inasmuch as we have the assurance that the House is going to go into it—and I give the Senator the further assurance that if the House does not go into it, we shall—I think that should serve the purpose.

I repeat, I would not want to put the Senator's amendment to a vote. I would not want to defeat it. I think we can, but why should we defeat it? I would rather see it withdrawn and have us consider it de novo, and not as a defeated amendment. I think to have the amendment defeated would weaken the Senator's case.

Mr. PROXMIRE. With great reluctance, but recognizing the wisdom of what the Senator from Rhode Island has said, and also his full understanding of the problems involved here, and that they have great merit, in view of the FCC request and the Attorney General's request and the subcommittee's request, I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. PROXMIRE. Mr. President, I offer my final amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On the first page, beginning with line 1, it is proposed to strike all through line 7.

On page 2, beginning with line 3, it is proposed to strike all through line 6.

It is proposed to strike the amendment to the title.

Mr. PROXMIRE. Mr. President, what the amendment would do is to knock out the provision in the Senate amendment which deletes the suspension section of the House bill.

The House passed a provision that the Federal Communications Commission should have the power to suspend a license. The House did that, as I understand it, after very careful study and after hearing recommendations from all kinds of authorities, upon the ground that the power to revoke a license is meaningless, because it is never used. It cannot be used. It means the virtual confiscation of property, or the total destruction of property. It is too severe a penalty to ask, and it is not used at all.

Under these circumstances, I think we should recognize the actual situation, based upon the testimony of people who have recommended this and the force with which they have recommended it.

There is set forth on page 38 of the report of the Subcommittee on Legislative Oversight:

> A new section should be added to section 312 to empower FCC to suspend station licenses for brief periods upon a finding that a station, having previously been warned by the Commission that its programs are not serving the public interest, has continued the violation.

I wish to tell Senators what Attorney General William Rogers, the Republican Attorney General, said about the matter in a letter to the President of the United States on December 30 of last year. He said:

> As a practical matter, the one sanction expressly conferred by statute upon the FCC for use against a broadcast licensee who fails to operate in the public interest is to withdraw his broadcasting license permanently—a sanction so severe that it has been imposed only rarely. The Federal Communications Commission should be expressly authorized also to impose less severe sanctions for actions violating the Communications Act or regulations issued pursuant to it. Such sanctions, for example, could include temporary suspension or conditional licenses.

I wish to read to Senators what Representative HARRIS, the chairman of the Committee on Interstate and Foreign

Commerce of the House, and the chairman of the subcommittee, who has devoted as much time to this subject as anybody else, said in a speech on the floor of the House of Representatives on this bill June 23:

Now I would like to direct you to page 20, suspensions, revocations, and cease and desist orders. This is the one controversial section in the bill.

Since revocation is a death sentence for a station it has never been used since the 1934 act.

Now, the industry does not like this suspension provision. I feel and the members of the committee feel that this is the heart of the bill because it gives the Commission authority to deal with questionable acts and violations by a licensee without imposing the death sentence.

* * * * *

It is, of course, obvious that if a facility rendering a public service in the community is suspended, the public may be deprived of that service. We think the Commission should have authority to impose where desirable a forfeiture so that they do not take away the service from the public.

Section 6 of the committee substitute would amend the act to authorize the Commission to impose forfeitures on licensees and permittees of broadcast stations of up to $1,000 a day for certain violations.

Some say that the power to suspend is entirely too punitive: that it gives too much authority to the Commission. But if you turn to page 22 you will see provisions which protect the licensee. Before revoking or suspending or issuing a cease-and-desist order there must be an order to show cause why an order of suspension or revocation or a cease-and-desist order should not be issued. Then a hearing must be held on that show cause order.

The Commission must prove that the licensee has violated one of these four or five provisions of the law. In other words, they are amply protected, because the Commission has got to set forth in writing the violations which they are alleged to have committed. Then it must show that they actually were committed. They must have a hearing and give them an opportunity to state the facts. We feel that the industry is amply protected by this requirement in the law.

Mr. President, the Federal Communications Commission has asked for this authority. The Commission has said it must have it if it is to do an effective regulating job in the industry. Heaven knows there has been an abundance of criticism of the FCC from all sides—from both sides of the aisle, and from newspapers of all complexions.

The subcommittee which studied this matter at great length has recommended it.

The Attorney General has recommended it.

The Committee on Interstate and Foreign Commerce of the House of Representatives has recommended it.

The House itself has passed this provision.

The man who has devoted a great deal of his time to study of the bill, the able Representative from Arkansas [Mr. HARRIS] says this is the heart of the bill.

It seems to me that to take this out of the bill is a mistake, under all of the circumstances, in view of the serious nature of the problem which confronts us.

Mr. President, it has been said that instead of this provision there is a provision for a $1,000 fine each day. That fine was provided by the House. It was coupled with the suspension. I think it was a wise combination. The FCC could use either, and as a matter of fact, I presume it could use both, if it thought the situation that serious.

If the FCC were confronted with a big station which persisted in violating the law, and the FCC told the station to stop, all the station would have to do is to immediately appeal the order to stop. The station could carry on its violation for months. If the legal suit were delayed, which is often true, of course the station could carry on the activity for years. As soon as the case was lost, then the station would stop. There would be no penalty.

There would be no possible suspension. There would be no action possible at all under the bill.

That is why it seems to me the bill is not adequate. The bill not only knocked out the suspension, but it also seriously reduced, as the Senator from Rhode Island said, the impact of the $1,000 fine. One cannot go back a year. One can impose a maximum of only $10,000. Ten thousand dollars, as the distinguished Senator from New York [Mr. JAVITS] pointed out, could be devastating for a little station. It could be tremendous for a small station, which might have a profit of only $4,000, $5,000, $10,000, or $20,000 in a year. However, when we are considering a big, metropolitan television station this amount is "peanuts." If the station has a very profitable practice going on some kind of a quiz show or some other kind of violation under the law it seems to me this would be a powder puff way to try to stop it.

I say this with great respect for the distinguished Senator from Rhode Island [Mr. PASTORE], who in my judgment knows more about this proposed legislation than any other Member of the Senate.

Mr. President, I reserve the remaining portion of my time.

Mr. PASTORE. Mr. President, this particular section was the one which required more time and debate than any other provision of the bill when it came before the committee.

I will say to my good friend from Wisconsin that the decision on the deletion of the suspension provision was unanimous. I do not know of any member of the committee who objected to it. I know that a great many of the members of our committee would not have favored reporting these amendments if the suspension provision had been kept in the bill.

We must realize there are many, many small broadcasting stations throughout the country which are run by people who are dedicated to and devoted to the public generally, broadcasters who are trying to do a genuinely good job.

There are myriad rules and regulations, encompassing some four or five or six volumes, put out from time to time by the Commission.

In answer to the example given by my distinguished colleague from Wisconsin, which was that a man could go on repeatedly violating the law in defiance of the Commission, such performance would be impossible, because under the law the Commission would have a right to secure a cease and desist order. If the violation persisted, the Commission could go to court and get a decision of contempt of court.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. PROXMIRE. Suppose the cease and desist order were appealed?

Mr. PASTORE. Then it would be taken to the courts. The Commission could get an injunction with respect to a violation of the cease and desist order.

Mr. PROXMIRE. What about the time between the appeal and the time of the granting of the injunction?

Mr. PASTORE. The suspension order could be appealed. One can appeal anything. We cannot deny the right to appeal.

Mr. PROXMIRE. All I say is that there is no penalty until an injunction is actually secured.

Mr. PASTORE. That is true, but the Commission, since we have streamlined the procedures, can operate expeditiously. These licenses are up for renewal every 3 years. The licenses must be renewed every 3 years and even for periods less than 3 years at the discretion of the Commission.

Mr. PROXMIRE. Mr. President, will the Senator yield? How many licenses have been revoked since 1934?

Mr. PASTORE. Of course none has been revoked, but that does not answer the question. Why should the licenses not be revoked if there is an out and out defiance of law?

Mr. PROXMIRE. Perhaps they should be. But they are not. They have not been. They will not be and the Senator from Rhode Island knows it.

Mr. PASTORE. I say now, as I have said before, if any broadcaster stands up against his government, defies the law and defies the Commission to the point that he becomes a nuisance, his license should be revoked. It should be taken away and given to somebody else. That could be done within a short time.

However, when the license is merely suspended, the owner of the station still maintains an interest in the license. The owner goes to Bermuda while the license is suspended for perhaps 10 days, while everybody else lingers in darkness.

What do we do in such a case? We really hurt the public. I say if the violation is serious, the license should be taken away. It should be given to somebody else.

What would we accomplish by having a suspension? When we suspend a man's license for 10 days we are simply taking service away from the viewing public. What are we doing to the owner? We are simply cutting down his profits. We are only reaching into his pocket.

If we shut the business down for 10 days, what do we accomplish? We take away the business. Can we not reach into his pocket by a fine and do as well?

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. PASTORE. There may have been some reason for the committee putting in the provision in the first instance. When the bill came to our committee we listened to testimony from all of the broadcasters all over the country, and especially to the little fellows. A very distinguished operator in my State, Mr. Sinclair—this is in the record—came to testify before our committee. He is a gentleman who represented all of the broadcasters of Rhode Island. They do a marvelous job. He said:

> This goes a bit too far. This is actually a penalty which is imposed upon the viewing public more than it is imposed upon the station operator.

After all, there are criminal provisions in the law for violation of the rules. The Federal Communications Commission can now, even without this proposed legislation, make appropriate charges to the Attorney General and have a criminal complaint brought.

Second, there is a provision for cease and desist orders. If a person persists in a violation, an order may be issued and the Attorney General can go to court and obtain an injunction . An injunction can go into effect immediately if one is secured from a court. Whether an appeal is taken or not, the court can grant that remedy.

Third, the Commission has the right to revoke the license of an operator.

Fourth, the licensee must apply every 3 years and show what a good station he has operated before his license can be renewed.

Now it is proposed to add a little more. We are giving the FCC a little more authority. We are giving them the authority, besides all of the available steps I have stated to impose administratively a penalty for a violation of $1,000 a day, not to exceed $10,000. All the teeth needed are present in the bill. All we need now is an alert Federal Communications Commission. We have all the law we need. How far must we go in punishing a man? The license can be taken away from him completely. He can be taken to criminal court; can be taken to an equity court; and he can be fined.

I realize there was suggested the other penalty of suspension. Frankly, the junior Senator from Rhode Island and all his colleagues were very much convinced—and we heard some of the argument this afternoon by the two distinguished Senators from New York—that if we had retained the suspension provision in the measure and had not modified the forfeiture provision by inserting a due process clause, we would not be here discussing the bill this afternoon. The bill would not have had a chance to pass the committee.

I hope my good friend, the Senator from Wisconsin, will withdraw his amendment, because if he does not, I am afraid we cannot pass the bill this afternoon. The bill is on the floor of the Senate because the members of the committee were satisfied unanimously that the suspension provision should not be included in it, and if the amendment is agreed to this afternoon, the Senator from Rhode Island will be obliged to move to recommit the bill.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. PROXMIRE. Is it not true that the bill passed the House with the suspension provision in it?

Mr. PASTORE. The Senator is correct.

Mr. PROXMIRE. The House of Representatives knew it; it had a debate on it.

Mr. PASTORE. Since we have taken out that provision, we have been in communication with the chairman of the committee. We have consulted with the staff, and they appear to be satisfied that if and when the bill goes to the House, it could be accepted as we have proposed to modify it, because we have improved it. They appear to be satisfied and so is the FCC.

I questioned Mr. Ford on the subject. I invite my friend, the Senator from Wisconsin, to read the hearings and particularly the testimony of Mr. Ford with regard to the suspension clause. He admitted to me that he had everything he needs.

He is satisfied, and everybody else is satisfied.

I say that we should try it this way. If it does not work, we can make the law stronger. The Commission does not need any more law added to this to make sure that the public is protected. What we need is alert members of the Commission who will enforce the law.

Mr. PROXMIRE. If words can be believed, the Representative from Arkansas, the manager of this bill, and the chairman of the committee [Mr. HARRIS], says that this is the heart of the bill. He did not say "We need this as another penalty." He said that this is the heart of the bill.

Mr. PASTORE. I realize that; it might have been poetic license. I do not think it is the heart of the bill. Without the provision of the proposed amendment the bill is a strong bill. Some say it is too strong. An operator's license can be revoked. A cease and desist order can be obtained. An operator can be taken to the criminal court, and he can be penalized with an administrative fine of $1,000 a day. All the teeth needed are in the bill. All that is needed is alert administrators and strong effort to enforce it.

If we now write into the bill a provision for suspension, the junior Senator from Rhode Island will be compelled to move to recommit the bill, because it came from committee with the understanding that suspension would be deleted.

Mr. PROXMIRE. I have listed the agencies which say this provision is necessary. They are the Attorney General, the FCC itself, and the House subcommittee, which held exhaustive hearings. They have all said that such a provision was necessary. The Senator from Rhode Island tells the Senate that the industry opposes such a provision. Of course, they oppose it. Has the Senator from Rhode Island ever heard of a group coming to Congress and saying, "We want to be hit with a tougher penalty"? I have not heard the Senator from Rhode Island say that anybody else opposes it.

Mr. PASTORE. I oppose it. I think I have made clear that the committee unanimously opposed it.

Mr. PROXMIRE. I am talking about those outside the Senate or outside the committee, of which the Senator is chairman, who have indicated opposition, and who have studied these problems.

When we say that the FCC, which is the authority in the field, declares, "We want this power; we must have it," the Senator from Rhode Island replies, "What we need is an alert FCC."

When the nomination of Mr. Lee, who was a typical member of the FCC—I suppose he was strong in some respects, and weaker in others—came up for confirmation to the Federal Communications Commission, he was overwhelmingly recommended by the Committee on Interstate and Foreign Commerce. The Senator from Wisconsin opposed the nomination and fought it on the floor. Eighteen or nineteen Senators voted against the nomination. The argument at that time was, "We must go along with these fellows. They will not be so bad in the future. We interrogated them rather strenuously in committee."

When the FCC comes to us and says, "Give us some legislation so that we can do a job in the industry, and so that we can enforce the law vigorously," we say, "No; we want the members of the FCC to be alert. Any fault lies in the members of the FCC. They have enough power now."

Well, now, how can we win? We try to fight the reappointment of Commissioners because we feel they have been in bed with the industry. The Senator and his committee say, "No, no; these fellows are great. They are doing fine."

We try to give them the effective legal authority to act. The Senator says; "No; the only trouble is the caliber of FCC members."

Mr. PASTORE. Does not my friend from Wisconsin realize that there are places in which there is only one broadcasting outlet?

Mr. PROXMIRE. Yes.

Mr. PASTORE. If the license of that one outlet were suspended for 10 days, who would be hurt?

Mr. PROXMIRE. We must assume that the FCC is not composed of members who are crazy. They have some sense.

Mr. PASTORE. Now the Senator from Wisconsin is beginning to defend the agency.

Mr. PROXMIRE. I have defended it all along. I have said that we should give it what it wants. Where there is only one outlet, of course, the Commission could use the fine provision, but where there are three or four outlets, as in Washington, the station could be suspended for a day, 2 or 3 days.

The Senator from Rhode Island has been saying that suspension is not much of a penalty, that the owners of the

license could go to Bermuda, and that it hits their profits but little. The Senator from Rhode Island knows perfectly well that suspension can be a great and decisive penalty. The station must go off the air. The public knows that the station has done something wrong. It is a damaging and serious blow to its prestige.

Mr. PASTORE. Is not revocation a damaging blow?

Mr. PROXMIRE. Revocation is never imposed. The Senator from Rhode Island cannot cite a single instance of such action.

Mr. PASTORE. I say that the revocation provision is in the law, and the Commission has the right to use it if it must be used. If the Commission has not been using that provision, the members should be called in to account for their action. We should not give them a spoon because they will not use a spade.

Mr. PROXMIRE. If they say that a spade is too much, that they need a trowel and a spoon, why not give it to them?

Mr. PASTORE. Are they not given a spoon when they are given a provision for a fine?

Mr. PROXMIRE. What does a $10,000 fine mean?

Mr. PASTORE. That is a great deal of money to the junior Senator from Rhode Island.

Mr. PROXMIRE. It is big money to the junior Senator from Wisconsin, too, but to a large metropolitan television station it is peanuts. It is perhaps 1 day's profit or even less.

Mr. PASTORE. Does not the Senator from Wisconsin see that if we have a penalty for the forfeiture of $10,000, which can be invoked; when we can obtain cease and desist orders; when we can obtain revocation of license when the operators of a station come for renewal of their license, and facts can be shown to justify the denial or renewal of their license, does he not see we have everything we need?

The argument was made by the broadcasters, and by many others that they are afraid that suspension would punish the viewing public more than anyone else. Naturally the broadcaster does not want his license suspended. Naturally he does not want a cease and desist order issued against him. Naturally he does not want a forfeiture. Naturally he does not want a revocation. Naturally he wants a renewal. I know all that. But the fact of the matter is that we could report this bill out by making this concession. I thought the concession should be made in the public interest. The FCC has all the tools it needs to work with, if only it will use them.

If a man commits a slight violation of the law, he ought to be fined for it. He ought to be called into court if he fails to cease and desist. A complaint ought to be made against him and the Attorney General urged to act if he commits a wanton violation of the law. The fact that the suspension provision is left out does not emasculate the bill. It does not weaken the bill. The Commission has everything it wants. But the argument was made—and it was a good argument—that suspension still leaves the license in the hands and the possession of the licensee. The television station is blacked out for a period of 10 days. The question is then whether it is the station that has actually been punished.

In that case, have we not punished the public? That is the argument that has been made. The argument has been made by and to the members of the committee, who have been impressed by it. That is why it was deleted. Because it was deleted, the bill was reported unanimously. If we had left that provision in the bill, I doubt that the bill would be before us today.

If the Senator's amendment carries—and I hope he will not press it, but will decide to withdraw it—but let us assume that in one chance out of a thousand it will be adopted—I would be compelled to ask that the bill be recommitted.

Mr. PROXMIRE. I should like to reply briefly to the Senator from Rhode Island. First, the committee took out the suspension. Then it took out the fine of more than a million dollars, and reduced it to $10,000. The Senator says if it is a slight violation, fine them. If it is a big offense, he says we can stop them by revoking their license. In other words, Mr. President, there is no effective intermediate course that can be followed.

Furthermore, the FCC says it does not have enough power, and that these provisions are not enough. The subcommittee of the House has said it is not enough. The Attorney General has said it is not sufficient. The chief legal officer of this Government says it is not enough. He understands these things, I am sure. The Senator asks, "Whom do we punish?" The fact is that in a metropolitan market such as the Washington situation, where there are three or four stations, if a suspension took place, it would not hurt the public. I am sure that the FCC would not go into a small community and suspend a station.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. ALLOTT. How can the Senator from Wisconsin say that the Federal Communications Commission, if it finds that an offense has been committed for which suspension should be ordered, will not suspend a small station, but will suspend a big one? The punishment must fit the crime uniformly across the country. The Senator, I am afraid, assumes too much. All stations must be treated alike. The punishment must be applied on an overall basis. It would hit thousands of small stations throughout the country.

Mr. PROXMIRE. I am sure the FCC could give consideration, in the suspension and in the fining of a station, to factors which it considered important in each case.

Mr. ALLOTT. I cannot see it at all. If a person has committed an offense for which punishment is to be meted out, it should be meted out regardless of the size of the station.

Mr. PROXMIRE. I believe the Senator from Rhode Island could give an excellent answer to that point. The fine was reduced from a potential million dollars to $10,000. Under that situation the stations can get away with murder.

Mr. PASTORE. I will try to explain why that was done. The way the bill came from the House, there was a peril point even though they did not recognize it—and I do not say this in any sense of criticism. The argument was made that under the forfeiture principle, at the time an individual sought to renew his license, the Commission could call his attention to the fact that he had been in violation of a rule for the past 3 years.

An arbitrary or capricious man in the department—say a Republican acting against a Democrat, or a Democrat against a Republican—and that is nothing new, because we have seen some of that type of action on the floor here, and we have seen how far we can go sometimes for the sake of a little politics—this arbitrary official could say to the broadcasters, "Do you want to renew your license? Well, you are in violation, and the punishment is a thousand dollars a day for 3 years. That will be $1 million."

Does the Senator want that kind of law? I say that if the Commission cannot find out what has happened in a year, it has been derelict in carrying out its duties connected with its office. That is why we modified it. If the violation goes on for several days, they ought to get a cease-and-desist order. They should not sit back for years and simply wait for the man to come in to ask to renew his license and then say to him, "You will get back the license only if you pay a fine of a million dollars." Why do I say a million dollars? A thousand dollars a day for 365 days is $365,000. That times 3 years is more than a million dollars.

Mr. President, we do not intend to give anyone that kind of power, not after all the scandals we have heard. This is an administrative forfeiture. That is why we modified it. When we modified it, I believe we received the approving applause of the Members of the House. We wrote due process into this section. It is because of the possibility of harassment that the Senator from Wisconsin talks about that we tried to eliminate this feature, by making sure that they could not levy a fine of a million dollars.

Mr. PROXMIRE. The fact is, so far as the harassment is concerned, I have heard very little real criticism of the FCC on this score. The FCC has asked for certain power, and they have asked for the suspension power. They have asked for an effective fining power. They ask for this power so they can do an effective job. If they come to us and ask us for the necessary tools with which to do an effective job, and we do not give them the tools, whose fault will it be?

Mr. PASTORE. They can do the job with the tools they have now. If the tools are not enough, the FCC can come back in January. I assure the Senator we are not going to take any sort of negligence or dereliction as an excuse for the requests they may make. They have the tools. The law gives them the right to enforce these provisions and penalties. If they do not do it, it will be

human failure, and it will not be because of lack of provision in the law. If they do not have enough tools, after they have had a little experience with the law, they can come back.

Mr. PROXMIRE. The people who have studied this subject do not think so.

Mr. PASTORE. The Senator from Rhode Island has studied it, and he thinks so.

Mr. PROXMIRE. The Attorney General does not think so. Of all the outstanding people who have studied it, the Senator from Rhode Island stands all by himself.

Mr. PASTORE. It is the Senator's privilege to feel that the Attorney General is more knowledgeable on this subject than the junior Senator from Rhode Island.

Mr. PROXMIRE. I do not feel that way at all.

Mr. PASTORE. I will accept that as being the Senator's view.

Mr. PROXMIRE. I assure the Senator that I do not feel that way at all. The Senator, in my opinion, is more knowledgeable than the Attorney General.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. KEATING. Is it not a fact that the remedy of suspension is an unusal remedy? I have been informed—and I would appreciate it very much if the Senator from Rhode Island would enlighten me as to whether I have been correctly informed—that in the statutes regulating business enterprises, the only one which contains such power is the statute dealing with the Interstate Commerce Commission; and that in the 25 years the statute has been on the books, the Commission has never used that particular remedy. Is that correct?

Mr. PASTORE. The Senator is speaking about the penalty of revocation?

Mr. KEATING. The remedy to suspend.

Mr. PASTORE. I cannot answer that question categorically, because I do not go beyond the field of communications. I do not even pretend to be an expert in the field of communications, although I have studied it and have had considerable contact with it. The committee was unanimous, as were many Senators who are not members of the committee, in the feeling that the suspension provision should be taken out of the bill. The Senator from Colorado [Mr. ALLOTT] will sustain me in that statement, I am sure, as will the Senator from Kansas [Mr. SCHOEPPEL] who is a member of the committee. That is why we took out that provision. We have not weakened the bill. Perhaps it would have been stronger if we had left that provision in the bill. However, how strong need it be, if sufficient implements are there, and if they use them?

Mr. KEATING. If we find that the forfeiture remedy, the cease and desist remedy, and the revocation remedy are not sufficient, there is no reason why we cannot in the next session, or at any other time, invoke suspension.

Mr. PASTORE. That is right.

SEVERAL SENATORS. Vote! Vote!

Mr. PASTORE. I yield back the remainder of my time.

Mr. PROXMIRE. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. PROXMIRE].

The amendment was rejected.

The PRESIDING OFFICER. The question is on concurring in the House amendments, with amendments.

Mr. PASTORE. I yield to the Senator from New York.

Mr. KEATING. Mr. President, I wish to ask a question which has been addressed to me by the operator of a rather modest radio station. Frankly, I do not know the answer, but I believe it would be desirable to make the question a part of the legislative history.

Suppose a radio station plays a 50-cent record and does not, each time the record is played, say that the record was furnished to it by a particular distributor. Would it be a violation of the law not to make that statement each time the record was played?

Mr. PASTORE. Of course not. We have had experience with that problem. Before a station signs off, it gives the names of the distributors who furnished the records.

Mr. KEATING. In other words, if a statement were made to the effect, "Certain of the records played on this station were furnished free by various record distributors and manufacturers," would that, in the judgment of the distinguished Senator from Rhode Island, be sufficient compliance with the statute?

Mr. PASTORE. In the judgment of the Senator from Rhode Island, that would be sufficient.

Mr. KEATING. I thank the Senator from Rhode Island.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. ALLOTT. Referring to remarks which were made earlier this afternoon by the distinguished junior Senator from California [Mr. ENGLE]— and I might say that I am propounding this question for another Senator who cannot be on the floor at the moment and I wish to be certain of the answer of the Senator from Rhode Island—if, for example, an automobile manufacturer furnished several cars free, or at decided discount, to a movie producer and then the producer agreed with the manufacturer that only that make of car would be used in their films, in what position does it leave the producer? Would he have to give credit when the films were reproduced on TV?

Mr. PASTORE. An announcement would be made. The payment in that instance would be the valuable consideration and credit must be given.

Mr. ALLOTT. There is no question about the consideration. I am certain we understand that. However, I think the legislative history should be clear.

In this particular situation, in addition to arrangements just spoken of, there are other situations which permit the producers to put more value into his program at no additional cost to the sponsor.

For example, a producer of motion pictures for theater and television may have a contract with a network providing that the producer will supply a series of television programs for a stated dollar consideration. Among other terms of the agreement, the producer has the right to include a 30-second trailer relating to a current theatrical release of the producer, and an announcement that such theatrical motion picture may soon be seen at the viewer's neighborhood theater.

Would such a limitation in the contract have to be acknowledged at the close of each broadcast?

Mr. PASTORE. I would not want to be held to an answer to this question because, after all, it is a close question. It could be argued either way. I should think it would be, more or less, the advertisement of some coming production, and that, in itself, is an announcement to the public. The trailer could be construed as the announcement.

Mr. ALLOTT. Would the Senator from Rhode Island feel that the announcement in itself was, in effect, an announcement that some consideration had been passed for the announcement?

Mr. PASTORE. I should say that, but I think the answer is rather inconclusive. It is a borderline case and could depend on the specific facts of each instance.

I feel that the Federal Communications Commission will call a meeting of all interested parties, and that all these very close questions will be decided by the promulgation of rules and regulations.

I say, very frankly, that guide rules have been set forth in the report of the House committee. The particular phase which has been brought up by the Senator from Colorado is not covered in the report. The question raised by the Senator from Colorado is this:

A motion picture producer, in order to produce a film for nothing, makes a contract to the effect that when the picture is shown, a trailer, as it is called, announcing some other attraction, will be shown with it. If money is received for the showing of the trailer, the question is: Should it be announced? In my humble opinion, I think the fact that the trailer is shown could be sufficient announcement in and of itself. That is a question which ought to be considered carefully by the Commission. I do not believe the Senator from Colorado, the Senator from Rhode Island, or the Senate, or individuals, ought to be bound by any off-the-cuff opinion at this moment.

Mr. ALLOTT. I appreciate the answer of the Senator from Rhode Island, because I know this is a close, tight, difficult question to answer. Nevertheless, I thought it should be raised at this time, so that the legislative history might be made. I extend my appreciation to the Senator from Rhode Island for answering the question.

The PRESIDING OFFICER. Is all time yielded back?

Mr. PASTORE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Does the opposition desire to yield back its time?

Mr. PASTORE. I understood it had done so.

Mr. ALLOTT. Yes.

Mr. MANSFIELD. I understand all time is yielded back.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on concurring in the amendment of the House, with an amendment.

The amendment of the House, as amended, was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the amendment of the House, as amended, was agreed to.

Mr. PASTORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALLOTT. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AIRLIFT OF EAST AFRICAN STUDENTS

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter which I received yesterday from the Institute of International Education. The letter is signed by the vice president of the organization, Albert G. Sims. It further confirms some of the documents which I placed in the RECORD relating to the charge made on the floor of the Senate by the Senator from Pennsylvania [Mr. SCOTT]. I think the letter clearly confirms the statement I made concerning those documents a few days ago.

Mr. President, I also ask unanimous consent to have printed immediately after this letter an article entitled "A Poor Target for Political Mud" written by Marquis Childs and published in the Washington Post of August 24, 1960. The article comments upon the same situation.

There being no objection, the letter and article were ordered to be printed in the RECORD, as follows:

INSTITUTE OF INTERNATIONAL EDUCATION,
New York, N.Y., August 22, 1960.

Hon. WILLIAM J. FULBRIGHT,
U.S. Senate, Washington, D.C.

DEAR SENATOR FULBRIGHT: I am aware that you are inquiring into the Government's involvement in the project to airlift East African students. I also note from my copy of the Times this morning that Senator SCOTT continues to press this issue publicly in terms which I have fair reason to believe misleading. Finally, it appears that press reports have indicated an IIE sponsorship responsibility in connection with the project. In these circumstances, although I have no desire personally or on behalf of the IIE to become embroiled in partisan affairs, I feel a responsibility to make known to you certain facts relative to this matter.

We in IIE have been much concerned about these airlift projects from the time of the development of the one last year which brought 81 students here. About a year ago, we invited representatives of the African-American Students Foundation to meet with us and the representatives of other private agencies interested in Africa to see what could be done by informal cooperation to improve the educational aspects of the undertaking. There were and remain two basic questions about the project in the minds of most of us from this point of view: (1) the project in East Africa does not have the broad base desirable since we understand that it does not include the participation of certain political opposition of Mr. Mboya and his associates or of the British authorities; and (2) the project provides for no clear assumption of continuing responsibility for the students in the United States and for the many financial and other problems which the students can expect to encounter. The African-American Students Foundation has no full-time staff and its principal operators profess no experience or competence in educational matters.

Nevertheless, there was, I think, fear in the minds of the airlift sponsors that the longer established agencies in the exchange field might, through insistence upon standards, stifle the "crash" impact being sought. Therefore, no form of cooperation evolved from these discussions.

I attended the meeting of the Phelps-Stokes Fund in New York on July 25 and sat next to Mr. Mboya. During the meeting, he informed me that he would visit Hyannis Port the next day to see Mr. KENNEDY. Funds were desperately needed for the airlift of about 250 students from seven East African countries. He also told me that he was making an effort to see Mr. NIXON in Chicago and hoped that, too, would be possible.

On his return from Hyannis Port, a member of our staff at IIE spoke to him by telephone and received the distinct impression that Mboya's visit to Hyannis Port had been successful. Mboya seemed confident that the problem of funds for the airlift had been solved.

One or two days later, Ken Holland received a telephone call from Sargent Shriver, the head of the Kennedy Foundation. Mr. Shriver had been referred to IIE by the president of a major foundation with whom he had earlier talked. Shriver said that the Kennedy Foundation was prepared to support the airlift but preferred to do so in cooperation with other foundations for obvious reasons. (To my personal knowledge, he made calls to three major New York foundations urging their participation.) Ken Holland told Shriver that the IIE would be willing to provide whatever constructive assistance might be possible at this stage and made specific reference to the needs referred to in (2) above.

On Thursday, August 11, I was called by telephone from Sargent Shriver's office and informed that Father Fournier, the Director for the Foundation for All Africa, would be calling me to discuss the Kennedy Foundation's plans for assistance to the airlift. On the same day, Father Fournier telephoned from Washington saying that the Kennedy Foundation would give $100,000 to the project. He desired to discuss with me what help and assistance the IIE could give.

On Monday morning, Father Fournier again called me to inform me that Mr. Shriver urgently wished me to attend a meeting in Washington at 2:30 that same day. I participated in this meeting along with representatives of the Phelps-Stokes Fund, the African-American Institute, the Foundation for All Africa and the African-American Students Foundation. At this time, Shriver defined the Foundation's interest in the airlift and reported the fact that this attempt to get other foundations to participate had so far been unsuccessful. He said that the door would remain open for their participation but in the light of the urgency of the circumstances, the Kennedy Foundation would proceed meanwhile on its own. We were asked to be consultants to the Foundation for this project. On behalf of IIE, I agreed to act in this capacity.

During the course of this meeting, I was told by the representatives of the African-American Students Foundation (Scheinman and Montero) that they had been called by telephone shortly before the meeting began to be given a formal offer of State Department assistance for the airlift. The offer was declined, they told me, with an explanation that private funds had already been accepted. Mr. Thayer, the State Department representative, was said to have alluded to the desirability of an agency like the IIE, with its experience, being employed in the interest of the project. The representatives of the African-American Institute said they informed Mr. Thayer that IIE was represented in the consultations in progress.

It is clear from this that (1) the Kennedy Foundation made its offer only after considerable effort to enlist the help of others; (2) this offer was made bona fide well before any such offer was received from the Department of State, and (3) the IIE has no sponsorship or operating responsibility for the project at this time.

I hope this review of facts as known to us may be helpful to you in your inquiry.

Sincerely yours,

ALBERT G. SIMS,
Vice President.

[From the Washington Post, Aug. 24, 1960]

A POOR TARGET FOR POLITICAL MUD

(By Marquis Childs)

In the political quarrel Senator HUGH SCOTT stirred up over whether the Kennedy Foundation or the State Department should get credit for initiating an airlift of African students to this country the only loser seems likely to be the whole program of student exchange. Unless, it may be added, it is Senator SCOTT himself.

There is much to be proud of in the student exchange program, which has grown in recent years to truly remarkable proportions. The Institute of International Education in its report for 1960 said that 48,486 foreign students were in this country. This compares with the 15,000 reported last year by the Soviet Union as studying in Soviet educational institutions.

One of the remarkable things about the American program is the wide range of areas from which they come. The largest number, 17,175, continued as in the past years to come from the Far East. The second largest total, 9,428, was made up of students from Latin America. They attended universities and colleges in every State in the Union.

What is particularly impressive is the percentage—27.7—supported through scholarships provided by private organizations. Another 38.3 percent are studying on their own funds, and U.S. Government grants cover only 5.5 per cent of the total foreign student population.

This last relates directly to the Scott charge that the Kennedy Foundation at the instigation of Senator KENNEDY, the Democratic candidate, sought to outbid the State Department in bringing 250 African students

to this country. As the report of the Institute of International Education makes abundantly clear, the pressure of students from all over the free world to come to America to study is so great that there can be no question of public or private sources of support outbidding each other.

The number of students coming here, many of them on their own, has multiplied so rapidly that in many instances they are lost in the shuffle. As Delia and Ferdinand Kuhn, specialists in this field, point out in the New York Times, too often the foreign student has no supervision or assistance in finding his way through our great impersonal universities. Often his English is deficient. The result is that the effort and money he expends are not merely wasted but he becomes resentful and bewildered, and he may go home with a strong anti-American bias.

The picture that SCOTT gave of the State Department and the Kennedy Foundation fighting to see who could bring in the African students as a political coup is an illustration of how the program can be distorted. One fortunate consequence of what has been otherwise an unhappy episode is that at the request of the Kennedy Foundation a team of experts is going to Kenya to make sure that the students who come here are qualified to benefit from education in this country. However fine the motives behind a mass movement of young Africans, more harm than good is done if they cannot take advantage of what the diverse American system has to offer.

The foreign student coming to this country is given almost complete freedom. This is in marked contrast, as young westerners going to Moscow have discovered, with the Soviet approach. There the student's life is regimented and he is likely to discover that fraternizing with his fellow Soviet students comes under the head of espionage.

Exciting things are happening in this field in which the competition between East and West should serve in the long run to bring widespread gains to the underdeveloped countries. The Senate has passed and a Senate-House conference is now considering Senator LYNDON JOHNSON'S bill to create an East-West institute in Hawaii.

As evidence of the interest, while the State Department asked for an appropriation of $8 million, the Senate Appropriations Committee recommended and the Senate approved $10 million a year for 3 years. In the State Department proposal the institute could take only 200 students. At the end of 3 years, as approved by the Senate, it will have a capacity of 2,000.

Money alone will not bring light and learning to the students coming here from every corner of the globe. There is a great demand growing greater every year for truly trained teachers at every level for our own rapidly expanding school population. It is a first step to recognize the dimension of the need at home and abroad.

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

OPPOSITION TO RECESS APPOINTMENTS TO THE SUPREME COURT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1963, Senate Resolution 334.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 334) opposing the making of recess appointments to the Supreme Court.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the resolution, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the word *"Resolved"* and insert "That it is the sense of the Senate that the making of recess appointments to the Supreme Court of the United States may not be wholly consistent with the best interests of the Supreme Court, the nominee who may be involved, the litigants before the Court, nor indeed the people of the United States, and that such appointments, therefore, should not be made except under unusual circumstances and for the purpose of preventing or ending a demonstrable breakdown in the administration of the Court's business."

Mr. JOHNSON of Texas subsequently said: Mr. President, will the Senator from New Hampshire yield, with the understanding that he will not lose the floor and that these remarks will appear elsewhere in the RECORD?

Mr. COTTON. I yield.

Mr. JOHNSON of Texas. There is before the Senate, Senate Resolution 334. We do not expect to debate it this evening, but I should like to make the request that following the morning hour tomorrow the usual consent agreement apply, not to exceed 30 minutes on amendments, and not to exceed 1 hour on the resolution, to be equally divided.

Mr. KEATING. Mr. President, I object.

Mr. JOHNSON of Texas. Would the Senator care to give me any reason for the objection? Does he want me to extend the time?

Mr. KEATING. I will be glad to confer with the Senator about it. I am opposed to the resolution. I want to have adequate time to consider it.

Mr. JOHNSON of Texas. I will be glad to extend the time. Would the Senator care to make it 2 or 3 hours?

Mr. KEATING. There are a number of other Senators opposed to the resolution, and I would like to confer with them.

Mr. JOHNSON of Texas. Would the Senator agree to 5 hours, to be equally divided?

Mr. KEATING. It may be possible to have less than that. I shall be glad to reserve it.

Mr. JOHNSON of Texas. Would the Senator like to get an agreement this evening, or would he like to have it tomorrow?

Mr. KEATING. It might be possible to have an agreement this evening.

NO SOFTENING OF OUR POLICY TOWARD RED CHINA

Mr. COTTON. Mr. President, one of the cardinal rules of athletic competition is a time-tested axiom "Never change a winning game; always change a losing game."

This rule can wisely be applied in areas far removed from the field of sports. It is one of the sound guides in the field of foreign policy. If our policies for dealing with a nation or a problem are successful and effective, surely we ought to stick with them. But if we are not winning the game, then we ought to change, and change fast.

One place where we can apply this rule is in our policies toward Red China, the Communist colossus of Asia, where 600 million people are ruled by the Chinese Communist Party.

That party came to power by violence, and it lives by violence. It fought the United Nations in Korea. It supported the Communist war in Indochina. It took Tibet by force. It fomented the Communist Huk rebellion in the Philippines, and the Communist insurrection in Malaya. It retains its power, not by the will of the Chinese people, but by massive, brutal repression.

It is bitterly hateful of the United States, which it considers the principal obstacle in the way of its path of conquest.

Our policy toward the Communist Chinese regime is simple and direct: We have refused to do anything to encourage it, politically, morally, or materially.

We have not extended diplomatic recognition to it.

We have opposed its seating in the United Nations.

We have not traded with Communist China, or sanctioned cultural interchanges with it.

We have followed this policy consistently, under both Truman and Eisenhower, ever since the Communist Government took control of Mainland China in 1949.

Lately, however, there has been a chorus of voices calling for a change in our policies toward Red China, and charging that we have been losing the game.

Adlai Stevenson, the former Democratic candidate for President, and a potential Secretary of State, should his party prevail, led this chorus with an article in the January 1960 issue of Foreign Affairs magazine—CONGRESSIONAL RECORD, January 13, 1960, page 358.

Hard on his heels, with an article in the next issue of the same magazine, came Representative CHESTER BOWLES, Democratic Party platform drafter, and a leading foreign policy adviser to Senator KENNEDY—CONGRESSIONAL RECORD, April 8, 1960, page 7837.

California's Governor, Pat Brown, chose the Democratic National Convention as his forum and demanded that we stop pretending that Red China does not exist, and that we start exploring new avenues to reach the Chinese people.

The statements of these gentlemen have a nostalgic ring. Governor Brown charged that we are pretending Red China does not exist. Governor Stevenson said:

It is clear that no general control of disarmament has any value unless it includes

China, and it is difficult to see how China can acept international control when it is not, formally, a member of international society. Moreover, as a member of the United Nations, Communist China, with a quarter of the world's population, would be more accountable to world opinion than as an outcast.

The familiar sound of these arguments takes my memory back 30 years, to the time when I was on the Washington staff of Senator George H. Moses of New Hampshire, and used to spend all my spare moments listening to Senate debates.

Exactly the same arguments that we now hear about our policy toward Red China were then being advanced to urge our recognition of Communist Russia. Listen to these words of Senator William E. Borah, of Idaho, a leading advocate of recognition of Soviet Russia:

> We now have going on intermittently in Geneva a disarmament conference. How are we going to disarm without taking into consideration Russia? How are we going to establish peace throughout the world with one-sixth of the earth's surface outside the family of nations?
>
> How can you win world peace, how can you restore amity and confidence among the nations if you leave out 160 million people in possession of one-sixth of the earth? (April 12, 1933, CONGRESSIONAL RECORD, vol. 77, pt. 2, p. 1545.)

The Roosevelt administration of that day apparently agreed with Senator Borah's arguments, for, in 1933, our country extended diplomatic recognition to Communist Russia. We know now the answers to the rhetorical questions Senator Borah asked so eloquently. Recognition of Communist Russia, and her admittance to the highest councils in the family of nations, did nothing to promote disarmament, nothing to win world peace, and nothing to restore amity and confidence among nations.

Since we extended diplomatic recognition, the United States and Russia have met together, on major issues, in 3,400 meetings. The negotiators have spoken 107 million words, enough to fill 700 volumes. All this talk has led to 52 major agreements. And Russia has broken 50 of them.

My own Senate Subcommittee on Internal Security has compiled a 50-page listing of the treaties and international agreements which the Soviet Union first signed, and then violated. This is not a detailed analysis, but is just a brief listing of the treaties and the violations. The report concludes that the Soviet Government has broken its word to virtually every country to which it ever gave a signed promise—Senate Document No. 85, 84th Congress.

Certainly our premature recognition of the Communist government of Russia has been a losing game which the Truman and Eisenhower administrations have wisely changed in dealing with Red China. It is almost inconceivable that anyone should suggest that we return to it now.

When we recognized Russia in 1933, it seemed that the Communist regime might be considered a peaceful member of society. For more than a decade Russia had committed no act of armed aggression. It had accepted the independence of Estonia, Latvia, Lithuania, and Poland. It was not demonstrably maltreating American citizens. It had promised to cease subversive activities in the United States, to respect American rights in Russia, and to settle Russia's public and private debts to the United States.

Recognition of Russia then seemed indicated by most tests, and we could not read the future. However, as Secretary of State John Foster Dulles pointed out, it seems clear that recognition would not have been extended, even in 1933, had there been some warning that Soviet promises were totally unreliable, that aggressive war would soon become a common instrument of Soviet policy, and that Communist subversion would be expanded, not eliminated.

How different is the case of Red China: Here we already have clear and unmistakable warnings. There is not a single shred of evidence to indicate that Red China is interested in becoming a peaceful member of international society—not a scintilla to indicate it would live up to its international agreements.

There is no need for me to review the entire list of Communist armed aggressions in Korea, and Indochina, and their latest military forays into Tibet, India, and Nepal. We are familiar with their violations of the 1954 Indochina armistice.

Our own relations with Red China provide ample evidence of the character of the regime.

First. In 1955, the Red Chinese agreed to "expeditiously" release the Americans being held in Chinese prisons. Despite their promise, at least five American citizens are still languishing in their prisons, including Bishop James E. Walsh, who was sentenced to 20 years for "espionage" on March 18, 1960, after the Communists had held him incommunicado for 17 months.

Second. At the Korean armistice talks, the Red Chinese agreed to account for all American military personnel missing and unaccounted for. To date they have refused to give any information whatsoever on 452 American servicemen still missing, despite the fact that some of these were known to be alive and in Communist hands at one time.

Third. The Korean armistice talks themselves are a good example of Red China's intentions. The United States and Red China had 575 meetings in Korea before the armistice was signed, and some of the hardest fighting of the war took place while the talks were going on. The Red Chinese have persistently and flagrantly violated the armistice agreement. The formal report of the Swiss and Swedish members of the Neutral Nations Supervisory Commission provides detailed documentary evidence of their violations.

Incidentally, let me say here that, utterances on this floor and elsewhere notwithstanding, the United States does not have its head in the sand, like an ostrich, hoping that Red China will go away if we do not look. Our Government and our people are fully and painfully aware of the regime's existence—142,000 casualties in Korea are enough to insure that we shall not ignore or forget the Chinese Communists.

Furthermore, the U.S. Government, in a formal sense, does not ignore the existence of Red China. While we do not, and should not extend any diplomatic recognition to its government, one of our ambassadors and one of theirs have engaged in a long series of talks and negotiations in which we have tried to secure the release of American prisoners, and get an accounting for the missing servicemen. The 99th in this series of meetings, which date back to August, 1955, was held July 14th of this year. Incidentally, these meetings now takes place in Warsaw, between the United States and Red China's ambassadors to Poland.

The lessons learned in our relations with Russia can be applied to our Red China policy in another important aspect—trade.

Hopes for a profitable trade with Communist Russia colored the thinking of many who advocated recognition of that government in the 1920's and early 1930's. Many who are now pumping for a change of our policy state frankly that they are impelled by hopes for lucrative trade with Red China.

On January 5, 1925, Senator Borah inserted in the CONGRESSIONAL RECORD, with obvious approval, a letter he had received from the president of a cotton firm in Memphis, Tenn., which reads in part as follows:

> MY DEAR SENATOR: It is with great pleasure that I read in the papers that you intend to push the recognition of Russia. Your idea is exactly correct; it matters not what kind of government they have, it is no question of ours. They comprise one-sixth of the globe; they are valuable in trading with America.
>
> The South is deeply interested because Russia will buy from us, if diplomatic relations can be established through recognition, 500,000 bales of cotton, representing $400 million. They will also purchase farm machinery, electrical appliances, and other manufactured products to the extent of $200 million.

Of course, this kind of wishful thinking about trade with Russia has long been shattered. Our exports to Russia in 1958 accounted for far less than one-tenth of 1 percent of our total exports. We did almost as much business with the Canary Islands in 1958 as we did with the U.S.S.R. On this point it is only fair to note that we ourselves bar trade with Russia in certain strategic materials. However, there are 900 items on the open list.

Here again, our experience dictates that we should change a losing game, and not follow with Red China the same course we took toward the Soviets.

Yankee merchants opened up our trade with China in 1785, but the dreams of a great commercial expansion never materialized. The China trade, even in the best days of the open door policy, was never more than a tiny fraction of our total commerce—American Economic History, Harold Underwood Faulkner, pages 229 and 579.

Furthermore, any trade with Communist China would face formidable obstacles:

First. Trade opportunities are severely limited by a shortage of foreign exchange, which is likely to persist for many years to come.

Second. Trade would always be at the mercy of Communist policies, for Peiping uses trade as another weapon in its hot and cold wars. For instance, they recently retaliated against Japanese refusal to make certain political concessions by abruptly cutting off all trade and even canceling contracts which had already been signed and agreed to.

These and other reasons clearly demonstrate that any move to revise our policies toward Red China in the hope of securing profitable trade are doomed to failure. Such action would be dollar diplomacy of the worst sort.

Now let us examine our present policy toward Red China. Has it been a winning game? Or do we need to change our approach to avoid a defeat?

To answer that we must first consider the goals and objectives of Red China. Their primary objective, as expressed by the second highest man in the regime, is "to transform the present world into a Communist world." Peiping radio expresses another objective in more blunt terms:

> U.S. imperialism, get out of the Western Pacific. U.S. aggressors must go back where they came from."

A major target of Communist expansion is southeast Asia, with its wealth of underpopulated, food-rich countryside, and its great reserves of oil, tin, rubber, and other resources which China badly needs.

Our own objectives have been to block the Chinese expansions, and create military, political, and economic barriers which will effectively bar the way.

Ten years ago our outlook was bleak. The Chinese Communists had completed the conquest of the mainland and were consolidating their grip over one-quarter of all mankind. The armies of the Republic of China had been shattered, and their remnants withdrawn to Formosa.

Japan was under military occupation, its industries prostrate, its people dependent on outside aid for their very substance.

Elsewhere in the Far East the picture was as black. In large parts of Burma, virtual anarchy prevailed. An unseasoned government in the Philippines faced a severe trial in combating the Communist-Huk rebellion. In Malaya, a vicious campaign of Communist terrorism was in full sway. Indonesia was trying to completely rebuild its government structure on the wobbly foundations of regional discord, and an economy damaged by 8 years of war, revolution, and Communist violence.

And in Korea there was the massive shock of armed war. The future of Asia looked dim indeed.

Today the picture, though certainly not perfect, is definitely brighter. Our policies have produced a steady improvement, a gradual but continual strengthening of the barriers against Communist expansion.

Communist aggression in Korea and Indochina has not been renewed. Communist terrorists no longer run riot in Burma, Malaya, Indonesia, and the Philippines. Communist probes in the Formosa Straits and Laos have been met and repulsed with firmness. The free nations of the Far East are far stronger and steadier now then they were a decade ago.

Furthermore, the adventures of Red China in Tibet, Laos, India, and lately Nepal have aroused Asians to a new appreciation of the Communist danger and a new understanding of Communist aggression and imperialism. These armed forays against their peaceful and in some cases friendly neighbors provide new evidence that Communist China has not abandoned its militant aggressiveness. They lend new strength to our policies, and are additional evidence that we must adhere to them.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. COTTON. I yield to the Senator from Kentucky.

Mr. COOPER. A few minutes ago the Senator referred to the long list of treaties and agreements the Soviet Union had made and had breached. I wonder if the Senator would mind adding to the record several agreements which Communist China has made with Asian neighbors and has breached.

I refer first to the agreement Communist China made with Tibet in 1950, when Communist China promised Tibet it could maintain the religious character of its Government and could maintain its cultural structure. We know that 2 years ago Communist China violated that agreement.

In 1953 or 1954 Communist China made an agreement with India, the so-called 5-point agreement, by which Communist China said it would not aggress against the sovereignty of India, yet the Communist Chinese violated the borders of India.

We know that at Bandung in 1950 Communist China promised all its Asian neighbors it would respect their sovereignty, would not aggress in any way against those countries, and would submit any problems to peaceful settlement of disputes, yet since that time we have seen the violation in Tibet, the violation of India's borders, and the violation of Burma's borders.

I take the liberty of adding to the record which the Senator has given a similar record of breaches of treaties and agreements by the Communist Chinese.

Mr. COTTON. Mr. President, I am exceedingly grateful to the distinguished Senator from Kentucky for his addition to the listings I have given.

Earlier in my remarks I mentioned there were treaties with Asian countries violated by the Communist Chinese, but I limited my comments to the treaties and agreements with our own Government which have been broken.

Mr. President, no Member of this body is more competent to speak on the subject of the record of Red China and its relations with its neighbors than is the distinguished Senator from Kentucky, whose service as our Ambassador to India was very successful and is very well known. The Senator's knowledge of that theater of the world probably exceeds that of any other Member of this body. It is especially fortunate that we have in the Senate a Senator with his background of experience and knowledge.

Mr. COOPER. I thank the Senator for his kind statement.

There are a good many people in this country—and the Senator has named some of them—who believe that all the people in Southeast Asia are very desirous of having Communist China admitted to the United Nations and recognized. Of course, I think that is the stated policy of many of those countries and of a good percentage of the Asian people.

On the other hand, I found—and I think anyone who has stayed in the area for any length of time has found—that there is an awareness of the strength and the power of Communist China, and the people do not doubt the imperialistic purposes of Communist China. Whatever may be said outside, I think there is a great confidence and a great happiness among the people that there is a strong country like the United States as a protection against Communist China.

From my own short experience, this kind of happy thinking on the part of many persons—that we would change the situation by recognizing China—is simply an illusion.

I would like to make a statement which I have never made before. I remember that in 1950 I had the opportunity in London of talking to Mr. Bevan, who at that time was the Foreign Minister of Great Britain. Of course, this was at the time of the Korean war, but I was talking to him and he said, "We recognized Red China. I can only say for myself that if we had to make the decision again and I could make the decision, we would never recognize them."

I have taken a great deal of the Senator's time, and have interfered with his speech, but I am glad to be able to hear the speech.

Mr. COTTON. I assure the distinguished Senator that he has not interfered with my speech. I am very grateful for his remarks. I think the Senator will agree especially with what I am about to say.

On the other side of the coin, we have a number of clear warnings of what the results would be if we reversed or softened our policies toward Red China.

First. The Communist regime would be immensely encouraged. It ought to be said that the entire world's experience, after 40 years of dealing with Communist governments, shows that they regard every concession as a weakness. Give them an inch and they will try to take a mile, every single time.

Second. Millions of oversea Chinese in free Asian countries would be pushed reluctantly toward an acceptance of the guiding direction of the Communist regime. This would be a tragedy for them,

and would have serious consequences for the friendly governments already menaced by Red Chinese subversion.

Third. The Republic of China would feel abandoned by its greatest friend. We are honorbound to give our ally, to whom we are pledged by a mutual defense treaty, a full measure of loyalty. Furthermore, the whole series of free world alliances, which are key elements in our own defense, would be weakened by any evidence that we would ignore, or turn our back on, a stanch friend.

Fourth. The free Asian governments of the Pacific and southeast Asia would be gravely perplexed. They are under the gun of Chinese expansionist aims. The spirit and resolution of the United States provides an important unifying and fortifying influence. If we seemed to falter and to compromise with Chinese communism, it would weaken their resistance.

It is quite true, of course, that our present policy toward Red China is not universally popular. Some of the nations of the world do not like it, and do not agree with it. I think Herbert Bayard Swope had the best answer for that charge:

> I cannot give you the formula for success, but I can give you the formula for failure—which is: Try to please everybody.

The record is clear. Our policies are gradually winning in the Far East. However, we must not fall into the deadly trap of complacency. We must not become impatient because there is no soft, easy road to victory over communism. Our progress so far must be the signal for renewed vigilance and greater effort.

Above all, we must beware of false prophets who seek to lead us astray, who advocate change where steadiness is imperative.

I cannot refrain from inviting attention to the fact that the points I have been seeking to emphasize have been well summarized by Vice President NIXON in his clear-cut statement on Red China:

> If the United States were to recognize Red China, if we were to support its admission to the U.N., we would in effect say that from a moral standpoint we overlook all of these violations of international law and we take an outlaw nation and give it what it needs and what it wants—respectability. If we give it that respectability, in my opinion, you can be sure that its influence in Asia particularly—and the world in general—will be immensely increased—and it is great as it is. When we deny it that respectability, at least we are giving support to the proponents of freedom in Vietnam, in Indonesia, in the Philippines, in Japan, in India—all the countries in the Asian and south Asian complex who at best are having a difficult time maintaining their positions against the subversive elements who would like to see communism come to those countries.
>
> And so I say that until Red China changes its policy so that it qualifies to be recognized as a respected member of the family of nations, the United States has no honorable course and certainly it can follow no moral course other than to do as we have been doing in the past: (1) to refuse to recognize it on our own part; and (2) to oppose its admission to the United Nations.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. COTTON. I am glad to yield to the Senator from Arizona.

Mr. GOLDWATER. First, I wish to compliment my friend on a speech that is long overdue in its delivery. I think it is time that the Senate should be apprised of the dangers of recognition of Red China, just as I think it would have been beneficial for the Senate to have known of the dangers of recognition of Russia before that nation was recognized.

During his speech the Senator very clearly and eloquently brought out the positions of Governor Brown, Adlai Stevenson, and Chester Bowles on the subject of Red China and whether that country should be recognized. He also brought out in his concluding statement the very clear position of Vice President NIXON.

I wonder if the Senator from New Hampshire has any idea of the position of the junior Senator from Massachusetts [Mr. KENNEDY] relative to Red China?

Mr. COTTON. Mr. President, I examined with some care the reported statements of the junior Senator from Massachusetts [Mr. KENNEDY], the candidate for President, on this subject. I did not include them in my prepared speech, because I did not wish, in a speech on a subject that I consider of great seriousness, to have any indication of a political charge against the standard bearer of the Democratic Party in a presidential campaign.

In answering the very pertinent, fair, and natural question of the Senator from Arizona, I wish to make clear that I, like every other Senator, would never for one moment question the complete patriotism and loyalty of the junior Senator from Massachusetts or his complete sincerity and honesty of purpose. However, in view of the fact that some of his close associates have, I am sure, with equal sincerity, indicated that they feel that there should be a change, and at least a relaxation of our policy toward Red China, the comments of the candidate himself are extremely important.

I checked the records and find that back in January last, apparently at a news conference, the junior Senator from Massachusetts, the candidate for President, according to this report "called recognition of China today a mistake but," said he, "I do not think we should adopt a policy which freezes us for the future." He continued that there would be no doubt that he would recognize China "if the Red Chinese indicated and gave guarantees that they were willing to live in some sort of comity with us."

I shall not attempt to summarize the position of the junior Senator from Massachusetts, but I gather from that statement that there is a marked difference between his apparent position and the position so clearly stated by the Vice President. The Senator from Massachusetts said that in the future we might recognize Red China if Red China would give us guarantees of a change of conduct and of living in comity with us and with other nations.

I do not know what he means by guarantees, but a guarantee means a future promise. On the other hand, it will be noted from the statement of the Vice President that he very clearly stated that until Red China changes its policy—not a promise for the future—but until it actually changes its policy, there can be no question of recognition.

In fairness to the distinguished Senator from Massachusetts I should add that in April, I believe, at Phoenix in the State of the Senator from Arizona [Mr. GOLDWATER], the junior Senator from Massachusetts used these words in respect to Red China:

> Until they change their policy of belligerency, they should not receive formal recognition by us.

There is one other apparent difference in the statements of the Senator from Massachusetts and the Vice President, besides the fact that one of them is apparently willing to accept some guarantees.

We should have learned from bitter experience the value of Communist guarantees in the future.

The other candidate, the Vice President, demands a change of conduct.

The second point is that so far as I can find, the Senator from Massachusetts has dealt directly only with our recognition of Red China and its admission into the United Nations. He has not said, as has the Vice President, that we should not encourage or deal with them, which I assume means trade and negotiations, leading gradually toward recognition. So at the present time I believe it is fair to state that the attitude of the Vice President is much more demanding and clear-cut in this matter, of pursuing our present foreign policy with Red China.

I think it is fair to observe that as the campaign continues, both candidates should cover this subject again and again. I believe the American people expect it.

I think that we can well wait with a good deal of anxiety and scrutiny to find out if the Senator from Massachusetts, the standard bearer of his party, at any time repudiates the statements of Adlai Stevenson, Chester Bowles, Pat Brown, and others, some of them on the floor of the Senate, who, I am sure, speak with perfect sincerity in seeking closer relations with Red China with reference to the necessities of trade.

It is my humble opinion that whatever may be the views of statesmen or politicians, inside Congress or outside, the vast bulk of the American people are absolutely firm, fixed, and demanding on this subject. They have not forgotten the shallow graves in Korea. They have not forgotten the prisoners languishing in Chinese prisons. They have not forgotten the casualties. They have not forgotten the flaunting, abuse, and brutality of the Red regime. I doubt if the American people, if we do our duty to inform them and direct their attention to the situation, will ever vote for any candidate until they are firmly convinced that that candidate would never

betray us, no matter how sincere he may be, by softening our policy toward Red China.

Mr. GOLDWATER. I thank the Senator for his answer. He has evidently studied the subject very carefully. He has brought out a very important point, namely, that Americans will be looking for statements on this subject from both candidates. While we have yet to hear from the candidate on the opposite side, I am sure that in the coming weeks of the campaign he will make amply clear his position on it.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. KEATING. I commend the distinguished Senator from New Hampshire on his excellent treatment of this thorny subject. He has made very clear why we have not, why we should not, why we must not recognize Red China. There is no international law which says that we must recognize a government which shows no respect of any sort for international law or even for human decency.

Let us be realistic about this. We are not going to gain anything for ourselves or for the rest of the free world by recognizing Red China.

As the distinguished Senator has so forcefully brought out, we are certainly not going to induce them to mend their ways by granting them recognition. The only policy which will be effective toward the Red Chinese government is the policy enunciated by the distinguished Vice President, which is a policy of firmness and strength or, in the words of a great previous President, by carrying a big stick.

The U.S. 7th Fleet is the only stick that is keeping Red China out of Formosa, just as U.S. aid and military support and moral encouragement are the main factors in keeping Red China out of southeast Asia.

The distinguished Senator from New Hampshire has amply demonstrated that our policy toward China is slowly but surely winning the game for us. We are strong in Asia. We are very much stronger than we were in 1948. It is strength which must not be dissipated by following a futile policy of inviting Red China to join the United Nations, in a word to join that body as the world's greatest troublemaker.

Can anyone imagine what a mess we would be in had Communist China been a member of the United Nations Security Council and been able to join the Russians in undermining that key institution? Can anyone imagine what difficulties the Secretary General, Mr. Hammarskjold, would be laboring under if the Communist Chinese, in addition to all the other Soviet nations, were telling him what to do? The triumph which the United Nations has achieved and is achieving in the Congo would have been absolutely impossible had Red China been a member of the Security Council.

Let all those who want peace and who want an effective United Nations as a peace-keeping body consider those facts and ponder well the very eloquent presentation which has been made here today by our distinguished colleague from New Hampshire.

Mr. COTTON. I thank the Senator from New York. I appreciate his words particularly, because we served together for many years in the House of Representatives. No man has been more loyal and stanch in his fighting to keep this country on a sound basis and of not flinching and faltering in the face of international communism than have the distinguished Senator from New New York and the distinguished Senator from Arizona.

I am sure the Senator from New York will recall, as I recall, how we entered the House of Representatives on the same day that the distinguished Vice President entered the House. We remember our early years as freshman Representatives. Both of us can testify, anytime, anywhere, to the fact that no Member of Congress, of either branch, through the years of his service in the House and in the Senate, has been more constant and absolutely has never deviated from keeping a firm front, preventing the spread of communism, and not compromising with it, than the Vice President of the United States. I am sure he will agree with me, having served with the Vice President—and this is no reflection on anyone—that the American people can have absolute, complete, and implicit confidence in the firmness and the leadership of RICHARD NIXON in this particular field.

Mr. KEATING. There can be no question about the accuracy of the statements made by our friend from New Hampshire. I am grateful to him for the complimentary references he made to me. I share completely his views of the distinguished Vice President. As he has said, we entered the House of Representatives at the same time, and we have had ample opportunity to know what his views are on this subject, as, indeed, the country knows also.

Mr. COTTON. I yield the floor.

THE MYTH OF THE MAGIC EXPENSE ACCOUNT

Mr. CLARK. Mr. President, earlier today I had occasion to place in the RECORD a letter from Mr. Clarence B. Randall with reference to the myth of the magic expense account, which was published in Dun's Review. This afternoon I received another letter from Mr. Randall, again written on White House stationery, enclosing a clipping commenting on his article. It is published in the August 29 issue of Time magazine. I ask unanimous consent that the article may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SELLING—THE EXPENSE-ACCOUNT SOCIETY

The whole rationale of the expense-account society—aside from the benefits reaped by free-spenders of the company's money—is that the uninhibited use of high-priced food, liquor and gifts helps mightily in making a sale. Not so, says Clarence B. Randall, retired board chairman of Inland Steel, in a caustic attack on "The Myth of the Magic Expense Account" in the current Dun's Review. After 30 years in the executive suites of the Nation's eighth largest steelmaker, Randall, 69, believes that "this orgiastic abuse of the expense account is a spectacular and alarming trend, participated in by enough companies and individuals to put all of us upon caution for the good reputation of businessmen as a class."

There is even good reason to doubt, says Randall, that lavish display and heavy-handed entertaining really pay off in sales. Purchasing agents for most U.S. firms are among the biggest targets of expense-account big spenders; yet Randall finds that most are notably serious and responsible executives who are not only likely to be unimpressed by the playboy approach but are often offended by it. The salesman forgets that "in the long run, the product must sell itself," and that it is bad tactics to yield to "the temptation of selling himself instead of his merchandise." Moreover, says Randall, expense-account lushes "are notoriously poor judges of people," who often take a man to a nightclub when he would rather be home with his family, to the race tracks when he would rather be puttering with his roses.

Because expense accounts are legal business deductions, it is the taxpayer who splits the check. "Lights would go dim along the Strip in Las Vegas," says Randall, "and chorus girls would be unemployed from New York to Los Angeles if it were not for that great modern invention, the tax deduction." Public indignation over expense-account abuses is rising, he says, and "may be the next spectacular issue for the politicians"—unless U.S. business sees the credit-card myth for what it is and puts its own house in order.

Mr. CLARK. I hope all my colleagues will be impressed with the strong position taken by Mr. Randall, and with the apparent endorsement of his position by the Luce publications, as evidenced by the friendliness of the article which appeared in Time magazine.

REVISION OF BOUNDARIES OF DINOSAUR NATIONAL MONUMENT—CONFERENCE REPORT

Mr. MOSS. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6597) to revise the boundaries of Dinosaur National Monument and provide an entrance road or roads thereto, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6597) to revise the boundaries of Dinosaur National Monument and provide an entrance road or roads thereto, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 2.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

FRANK E. MOSS,
ERNEST GRUENING,
GORDON ALLOTT,
Managers on the Part of the Senate.
WAYNE N. ASPINALL,
LEO W. O'BRIEN,
Mrs. GRACIE PFOST,
JOHN P. SAYLOR,
J. EDGAR CHENOWETH,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

SHORTCOMINGS IN SOCIAL SECURITY ACT

Mr. SCHOEPPEL. Mr. President, this week I received a pathetically worded letter from a Kansas woman who became disabled in September of 1958, and who has been denied disability payments by the Social Security Administration. She wrote:

I met with the Social Security representative of this district to find that I was short only $2.68 on the 20th quarter. You can no doubt see how hurt I was to be that close and yet so far. Too, I will not have enough quarters to apply again at the age of 62. I had worked extra for the postal department, and would have had enough had the pay period been within the quarter.

Shocking as this case appears to be on the basis of the facts stated in her letter, I had occasion, only a few weeks ago, to contact the Social Security Administration relative to another situation equally as bad. Numerous letters were written to me, appealing for aid for this woman, 52 years old, who was denied benefits because she lacked $25 on her 20th quarter.

The Social Security Administration, in fact, stated that she had only 18 quarters of work credits falling in the 10-year period ending in December 1954 the month in which she became disabled. One of the requirements of disability benefits is that a person must have credit for 20 calendar quarters—about 5 years—of work under Social Security during the 10-year period ending on or after the time the disability began.

Credit is not allowed if the wages were less than $50 in the quarter, and in one quarter she earned only $25.

Let me quote from the letter which I received from the Social Security Administration:

Even if Mrs. ——— were to earn an additional calendar quarter of work now, she still could not qualify for disability insurance benefits. This is because she still would not have 20 calendar quarters of work within a 10-year period, although it would increase her total credit to 20.

As if this were not heartrending enough, the coup de grace is found in the concluding words of the letter:

According to our record of Mrs. * * * date of birth, she needs credit for 38 calendar quarters of work to qualify for retirement benefits at age 62. We realize it may be difficult, if not impossible, for Mrs. * * * to work any more under the program. There is no other way, under the law, however, that she can receive benefits on her account.

Mr. President, I submit that here is a law without a heart. Surely there is not one among us who would vote for such a regulation and make it binding upon situations such as the two which I have just mentioned.

Please do not consider me maudlin in my approach, but I feel it my duty to read this paragraph from the letter of a fine and courageous woman who, by the way, became a widow last January:

I have been sick so long it has taken all our savings. I am taking medicine now, one heart pill and 10 other pills each day. I have five doctors to verify this letter. * * * Will you please see if there isn't a way for me to draw my disability, so I won't have to ask for county aid?

What a fine, wonderfully written expression of the independent spirit, which one finds everywhere in my State.

She does not want to seek county aid.

Still, as we all know, there are thousands of persons, many thousands throughout the land, who never qualified for social security benefits, yet who, because of the confusion in our regulations, are able to draw public assistance in an amount even greater than they would have received under social security after years of work.

What sort of justice is this, under which one who has labored and paid in contributions actually draws less under social security than he could get from public assistance without making any contributions at all?

Only a few months ago I called attention to what I termed pat denials of benefits in disability cases in my State because of the inability to prove what the Social Security Administration considers total and permanent disability.

This was the ruling in one case in which a Kansan had actually been declared totally and permanently disabled by an insurance company which was paying him benefits.

It is time that we overhauled the whole regulatory mess in the Social Security Administration. Mind you, Mr. President, I am not criticizing the SSA as an administrative agency. The officials have a job to do, and they are doing it, and they cooperate very well with my office.

However, in the name of common decency, let us look at these laws again, and make some changes, not only relative to disability claims, but also in connection with other shortcomings with which most of us are familiar.

WHAT PRICE SOCIAL WELFARE?

Mr. GOLDWATER. Mr. President, I shall not detain the Senate long at this late hour. By a peculiar coincidence, I prepared this speech some months ago. It comes in quite handy today, only a few days after the vote was taken on the medical care for the aged bill, against which I voted. Naturally, a number of people have asked me: Why? I think if they will read what I have to say about the whole subject of the welfare state, they will understand why I oppose such measures.

A candidate for the Democratic nomination for President recently startled the country by charging that "17 million Americans go to bed hungry every night." I say "startled" advisedly because while most of us are aware that some Americans, because of unemployment and other factors, do not enjoy a diet on par with those gainfully employed, the figure "17 million hungry Americans" does sound a bit padded. It is also, of course, a well-worked Soviet propaganda stereotype that most Americans suffer from malnutrition and that thousands drop dead in the streets of America every day of hunger.

I am inclined to be charitable and I attribute this particular exaggeration to youthful exuberance and perhaps a bit of overstriving for political effect. What does disturb me is that the claim of so many millions of Americans as being ill fed, ill housed, and ill clothed is not unique or recent. Ever since the early days of the unlamented New Deal, we have been fed a regular and overfull diet of statistics along the same general line. The Soviets merely pick up and rebroadcast our own lamentations as proof of the truth of their charges.

Then the socialized medicine boys got into the act and we were given a liberal dosage of figures and statistics tending to show that despite the highest income level in the world we still had X number million people or X percent of our population suffering from below par medical care—or what was represented to be absolute par in dental and medical care. Then came the Forand bill to take care of the problems of the elderly and retired, and the President's own medical care for the aged plan which was hastily put together as an answer to the Forand bill—all of which prompted me to do a little bit of research to see if it was possible to arrive at some rough figure of what all forms of social welfare have cost the American taxpayer since 1933 or 1934. In other words, "What price social welfare?"

In 1913, all public expenditures for social welfare amounted to a shadow over three percent of the gross national product. By 1929, with mounting relief costs, public welfare expenditures had increased only one percent to a trifle over 4 percent of the gross national product. Six years later, in 1935, or 2 years after the beginning of the New Deal, the percentage of welfare expenditure in relation to our gross national product had jumped or tripled to 12 percent. We were well on the way to the welfare state.

In December 1951, the Chamber of Commerce of the United States released a special report showing that some 300 Federal, State, and local welfare plans had cost $23 billion or 34.2 percent of money expended by Federal, State, and local agencies. The Federal Security Agency itself was quoted as authority for the figures. This meant a tax burden of $575 in 1950 for every American

taxpaying family. The FSA included $6.5 billion spent by State and local authorities on education, so even if we deduct this figure it still leaves a total of over $16 billion or one-quarter of all tax money spent at all levels by the Federal Government and State and local agencies.

It is admittedly difficult, if not impossible, for even conservatives to agree on just what may properly be defined as "welfare." Communist propaganda, New Deal semantics, and word twisting by the liberals into new shapes and forms have raised hob with old-line, accepted definitions. To those who object that expenditures included in the above totals for education, some veterans' benefits, and other forms of disbursement of questionable social welfare classification should not have been added, I repeat that extensive statistical analysis and research, which would take months, would no doubt uncover an equal or even larger sum total definitely classifiable as welfare, but sandwiched in other disbursements, including gray or borderline categories.

It would require an economic Argus with a thousand eyes and the wisdom of Solomon to trace out and unravel such items buried in every Federal, State, and local annual budget.

THREE HUNDRED AND TWENTY-TWO BILLIONS FOR "WELFARE"

We do have some rough breakdowns since 1939 in the Federal budget for "Labor and welfare." Since 1939, the Federal Government has spent a total of $52 billion in 22 fiscal years. The Social Security Bulletin for October 1955 had an extended table showing local and State expenditures on social welfare from fiscal 1934 to fiscal 1954 as totaling $170.344 billion. As State and local social welfare payments since 1954 have jumped to well over $20 billion per year, we can add another $100 billion for the past 5 years, making a grand total of at least $322 billion.

If, as it is claimed, we still have 17 million hungry people after spending $322 billion in 25 years, then it is obvious we must do one of two things. One, raise taxes still higher a la the New Deal dictum "tax and tax; spend and spend," boost the national debt still higher, and give the spiral of inflation another whirl. Or, two, try something else. That is, spend less, tax less, give away less abroad, balance the budget, and let people keep more of their earned income to prime the economic pump by old and tried economic laws which seemed to have worked pretty well until we started monkeying with them.

A LITTLE ANCIENT HISTORY

It is always good to review history. Unfortunately, all too often political success still goes to the demagogue who, to paraphrase Gen. Nathan Bedford Forrest, promises "the mostest of everything to the mostest of everybody." Unfortunately, the politician who promises the "mostest" is seldom a student of either history or economics. The demagogue promising the "mostest" would probably be greatly surprised to learn that the basic fundamentals of his calling were laid down at least 21 centuries ago by the younger Cicero, Quintus Tullius.

In the latter days of the Roman republic, candidates for certain elective offices found they had to promise more and more to the "plebs" or lowest classes of free men in order to get enough votes to be elected. When the famous classicist, Marcus Tullius Cicero, was running for the consulship, his younger brother, Quintus Tullius, gave him some advice which still stands today as smart coaching in practical politics. He wrote:

> One has great need of a flattering manner, which wrong and discreditable though it may be in other walks of life, is indispensable in seeking office. Human nature being what it is, all men prefer a false promise to a flat refusal. At the worst the man to whom you have lied may be angry. That risk, if you make a promise, is uncertain and deferred, and affects only a few. But if you refuse you are sure to offend many and that at once.

The younger Cicero undoubtedly had taken his inspiration from the Gracchii brothers, Gaius and Tiberius, who had been early agrarian reformers a hundred years before his time. Tiberius was murdered in an election day tumult, but his younger brother, Gaius Sempronius, carried on his liberal ideas. He distributed wheat to the poor at fixed low prices and he became the idol of the poor of Rome.

Gaius, however, was outsmarted by an even greater demagog who made even greater and rosier promises, with the result that Gaius lost the election for a third term as tribune. Whereupon the granddaddy of all New Dealers committed suicide by ordering one of his slaves to kill him.

I bring up the Gracchii brothers and the sage political advice of Quintus Tullius Cicero because this is an election year and in politics there is seldom anything new under the sun. Modern day descendents of the Gracchii are once more abroad in the land, painting grim pictures of one-third or one-fourth of the Nation as "ill housed, ill fed" or suffering desperately from inadequate medical and dental care.

Twenty-five centuries ago the Greeks, who first practiced a rudimentary form of democracy in their public squares, learned that with democracy came demagogs. They learned that demogoguery was the price of democracy and that, if stable and responsible self-government was to be maintained, demagogs would have to be accepted but treated for what they were with much resort to the salt cellar.

THE BASIS OF ALL SWINDLES

Nevertheless, it is depressing to reflect that, despite all our marvelous technical and scientific progress and our tremendous record of human achievement, politically we have not matured much since the dim and distant days of Solon and the Gracchii. Far too many of our electorate still refuse to accept the simple lesson of life that you cannot get something for nothing—or that somehow the laws of physics do not operate in economics and that it is somehow possible to take more out of a vessel or the treasury than is put into it. The basic "catch" or "hook" in all swindles and confidence games is invariably something for nothing, or what amounts to practically the same thing, a great deal for very little at no risk.

The demagog promising the "mostest to everybody" also knows that behind him stand the superdemagogs—the Socialists and Communists. As a Socialist will always promise more than a liberal, so the Communist can afford to promise even more than the Socialist. So it should be plain to even a child that the demogog making promises he does not intend to or cannot fulfill is playing a dangerous game.

THE BIRTH OF MODERN WELFARISM

While welfarism is as old as the first primitive social organizations lost in the mists of pre-Sumerian culture, the concept certainly was well developed and historically established at least in rudimentary forms in the early Greek and Etruscan city-states.

It remained, however, for the iron chancellor, Prince Bismarck, to give the stamp of bureaucratic authority to social welfarism as a state monopoly. Authorities tell us that all present forms of social security and other forms of welfarism can be traced directly to the Prussian chancellor. We are all familiar with Bismarck's difficulties with the socialists in control of the German unions and the liberals who were powerful in the Reichstag. In converting the newly created German Empire into a militaristic state, Bismarck was faced with enormous difficulties and problems.

German socialism was pacifist to the core and bitterly antimilitarist. German industry and commerce, which were in competition with France, joined Great Britain in looking askance at heavy military budgets. In order, as he said, to "steal the thunder away from the Socialists," Bismarck was forced to adopt "nationalistic socialism to end international socialism." German employers as a class, as well as liberals, were of the same mind that social insurance should properly be a private matter taken care of by the workers themselves through their unions or through religious and other organizations already in existence for that purpose.

Bismarck also had revenue troubles. His universal military training program, a revolutionary innovation in European military history, required enormous sums of money which the Reichstag granted with increasing reluctance. The new German Reich, like our own infant Republic, had almost no important source of revenue other than the excise taxes and import duties. Involved parliamentary bickering produced some revenues as contributions from the various once-independent states absorbed into the Reich. By setting up a comprehensive social security program under federal control, Bismarck assured himself of a substantial source of revenue beyond the control of the Reichstag. The German example was quickly followed by neighboring European states and modern day social security collected

and administered by a vast and all-pervasive bureaucracy was on its way. Like the proverbial camel's nose under the tent, it was now merely a matter of gradual and imperceptible extension before the whole camel of paternalistic and bureaucratic state welfarism ousted the libertarian concept of individual freedom and social responsibility.

It is very significant and interesting to note that before Hitler maneuvered himself into power, he was violently opposed to the social insurance system of Germany. He ranted that it weakened and demoralized sturdy German concepts of thrift and self-reliance. His real opposition, of course, was due to the fact that he considered social welfare insurance as a powerful weapon of his main political enemy, the Social Democrats of the Weimar Republic.

Nazi propagandists made a great deal of political capital out of charges that there was considerable corruption and waste of money in the compulsory medical care program. This naturally won them considerable support among doctors, businessmen, and conservative middle class elements. The Bruening government was forced, in 1931, to make a number of reforms tending to eliminate the worst abuses. The Nazis naturally reaped the credit.

However, when Hitler took power in 1933, he soon changed his tune. With its heavy emphasis on racial superiority and physical fitness, the Nazi ideology perforce had to concentrate on social welfare as an important state function. A high birth rate and maximum physical fitness were obviously very important to a totalitarian state planning military aggression against its neighbors. Hitler heavily financed all manner of social welfare programs, not for humanitarian reasons but because German human resources had to be mobilized and strengthened for the enormous strains and sacrifices which Hitler knew he would have to impose upon the German people in order to consummate his grandiose plans.

THE BOLSHEVIKS TAKE UP SOCIAL WELFARE

Lenin was a great admirer of Bismarck. The rigid Prussian bureaucratic system of social control struck the father of bolshevism as just the ticket, with some modifications, for huge and chaotic Russia exhausted by World War I blood losses. It is true that there was a basic philosophical difference between Lenin and Bismarck in their concern with bureaucratic control of social welfare for their subjects. Bismarck professed to be actuated by Christian precepts and morality. Lenin, as an atheistic materialist, was concerned only with insuring the health, docility, and productivity of the Russian masses as the solid underpinning of the Bolshevist form of Socialist state which he announced "we shall now proceed to create," in November 1917.

It was years before the last vestiges of private ownership and free enterprise were eradicated in Soviet Russia. Social welfarism, or what passed for it under the iron heel of the Bolshevists, was one of the first monopolies set up by the victorious Bolsheviks in 1917, almost simultaneously with the creation of the Cheka or secret police charged with the extirpation of all opposition and even minor and harmless dissent. It has now been long forgotten with the passage of the years, but the abolition by formal decree of all private social insurance, relief, and charity, whether by the church, trade unions, cooperatives, or other established organizations followed the Bolshevik consolidation of power in a matter of months.

I do not mean to infer from this brief historical analysis of social welfarism under various forms of despotism that totalitarianism and social welfarism go hand in hand, or that one leads inevitably to the other. There have been a few exceptions, notably in smaller countries in northeastern Europe with long histories of limited government, where some degree of individual freedom has been maintained. Note that I say "some degree" advisedly, because nowhere else is the old maxim "Something gained; something lost" more true than in the field of welfarism. The supposed tangible gains and material advantages are usually far outweighed by the longrun, intangible values of human freedom and dignity.

The examples I have cited, and others—although the lack of time prohibits study and examination of the latter group—do leave the ineluctable conclusion that social welfarism, in its most advanced form, has always been an inseparable part of all totalitarian systems, ancient and modern, Fascist and Communist, openly brutalitarian or heavily disguised as benevolent despotisms.

I have already pointed out that socialism—that is to say, the expropriation of private property, for exploitation by the state, for the theoretical maximum benefit of all—has been a dead issue in this country for lo these many years. The Socialists were smart enough to disguise themselves as New Dealers, and have openly boasted of the success of their strategem. We have learned that socialism can be sneaked over, against the wishes of the majority, through the simple device of expropriation by taxation and the creation of an all-embracing welfare program which effectively robs the individual of all control over his more basic and fundamental human freedoms and the right to regulate his own personal affairs as he may see fit.

Nationalization has acquired a sinister connotation, particularly after Great Britain's disastrous experience with disguised socialism. But welfarism has a disarming universal appeal. Who, except an embittered and confirmed misanthrope, could possibly be opposed to human welfare? Those who fish for the souls and minds of men have learned, through long experience, to be exceedingly cunning in their weaving of gossamer-fine nets and simply irresistible lures and bait. Time and again, I have tried to show that no one is opposed to human welfare per se. We conservatives are merely opposed to the establishment of a government bureaucratic monopoly to deal with basic human problems traditionally handled and best solved, first, through religious and private organizations and, second, through the lowest form of political organization closest to the individual or individuals concerned.

THERE IS ELECTION GOLD IN THE HILLS

In their search for votes in this presidential election year, the Democrats seem to feel that they have staked out a real Klondike strike in our aged. The Forand bill is the sluiceway which is expected to wash out solid gold nuggets of bloc votes in every State. The estimated cost of the Forand bill—$1.1 billion the first year, and nearly $6 billion over a 5-year period—is, to me, not the main consideration, bad enough as it is. The Forand bill and all other measures promising "more" or the most to 17 million of our citizens over 65 are merely continuations of a welfare state trend which has become a matter of increasing concern to the economist, the believer in a free enterprise system, and the Constitutionalist.

One of the charges leveled against Marxism is that it envisions and strenuously works for the elimination of the family and the transfer of many of the family's functions to the state. Communist China, in her fanatic drive toward the commune system, has gone further in this direction than has her older brother, Russia. The Marxists correctly, from their viewpoint, regard the family as a serious hindrance to the setting up of the Communist Utopia. As far back as we have any historical evidence, the family, as a unit, cared for its own elderly people. One of the first steps taken by the Bolsheviks in Russia, after they seized power, was to abolish all charitable and welfare work of the Orthodox church. The Soviet state was to be the sole protector and guardian of the aged, the ill, and the disabled. The Soviet state was a jealous state, and would not permit any other agency to stand between it and its enslaved masses, even in the fields of welfare, social insurance, relief, and charity.

Mankind passed from a state of savagery to one of semicivilization when men began to care for their ill and aged, instead of dispatching them as a hindrance, or turning them adrift, to starve, as a costly nuisance. Many savages, even until recent times, practiced geronticide, because the rigors of nature and chronic semistarvation made care for the aged and crippled an intolerable burden on the tribe or social unit.

As men became semicivilized and as the influence of religion spread over the world, greater and greater concern was devoted to the aged, the helpless, and the disabled. Hospitals and shelters for the indigent aged were first set up by the church. Each family, rich or poor, took care of its own elderly members. Only elderly and helpless poor who had no living relatives found their way to the poorhouse or a religious-supported home or shelter. In all countries the family—regardless of religion or race—took care of its own elderly people. It was a matter of fierce pride that even the very poorest took care of their own.

A MORAL RETROGRESSION

All this has now changed, at least in this country, thanks to social security. It is now considered shameful for older

people to be taken care of in their declining years by their children whom they nourished and spent small fortunes on bringing up. Sending one's parents to the poorhouse, so that one can buy a new house or a new and flashier auto, would, of course, be considered a bit raw; but the same individual sees nothing shameful in turning his parents adrift to shift for themselves on a meager social security pittance. They earned this social security themselves; and any deficits which have to be made up come out of the public treasury—that is, somebody else's pocket.

The impersonal arm of a vast bureaucracy centered in Washington can never transmit to the individual recipient the warmth and personal feeling provided by a family which shelters and protects its own. Even religious, charitable, or fraternal assistance at the local level, because it has been, and remains, in direct personal contact with the recipient, is bound to be a warmer and more sympathetic bond than that of a mere statistical figure in a bureaucratic budget. And I believe it has been amply demonstrated that Federal collection, administration, and distribution of welfare funds are bound to cost more, because of higher administrative overhead than the same process when carried on within the community and administered by the community or by private organizations.

Mr. President, we went through all this years ago. I am sorry to bring it up again; but I still do not understand why it is shameful and humiliating to expect support from one's children, but why it is ruggedly independent and dignified to accept from the public exchequer a thinly disguised dole in the form of a monthly security check.

Nor has anyone pointed out the fundamental immorality of taxing those who already take care of their own aged relatives, in addition to helping support others, whose children pass their own obligations on to the State. Then there are many spinsters and bachelors who devoted their lives to caring for their parents until they died and, as a result of discharging such an obligation, never married. They are now taxed at the higher rates for single persons, to help pay the enormous annual cost of caring for those whose own children refuse to do so. One of the most shameful situations presently plaguing welfare agencies in this country is the subsidization by the State of wholesale bastardy practiced by women who have made illegitimacy a profession, or at least a source of easy and steady income.

It should have been plain years ago to even the most obtuse that once we open the Pandora's box of the welfare state, we cannot stop at any particular point or draw the line against any particular segment of the population. Bismarck tried it in Germany 80 years ago, only to learn that the Socialists would invariably raise the ante every time he threw in a new concession.

All of us—left, right, and center—make numerous speeches and declamations against the evils of communism. We affect great horror and deep moral indignation over the brutal methods used by the Chinese Reds in setting up the commune system and their calculated destruction of the ages-old Chinese family system. We lose sight of the fact that it is just as easy to slip unintentionally into a hole on a dark night as it is to jump down into it deliberately in the daytime.

The gradual and imperceptible erosion of the family, through ill-advised and misguided welfare schemes over a period of years, may bring us in the not too distant future to a commune system of social organization, with cradle-to-grave welfarism. Goldsmith's often quoted couplet might well be paraphrased and brought up to date:

Ill fares the land to hastening ills a prey,
Where welfarism is accelerated and the family is permitted to decay.

HARMFUL RESULTS FROM DROPPING HOUSING BILLS

Mr. KEATING obtained the floor.

Mr. MORSE. Mr. President, will the Senator from New York be so kind as to yield 10 minutes to me?

Mr. KEATING. I yield, with the understanding that the remarks to be made by the Senator from Oregon will appear in the RECORD either before or following mine.

Mr. MORSE. I thank the Senator very much for his courtesy.

As I told him in private conversation, I am a great believer in reciprocity. Due to this kindness on his part, I am now his debtor; and I hope that in the future he will not hesitate to call upon me, as his debtor, in view of the courtesy which he is extending to me.

Mr. KEATING. Mr. President, the Senator from Oregon is always kind and generous, and of course I shall not hesitate to call upon him in the same way.

Mr. MORSE. I thank the Senator.

Mr. President, I rise to call attention to the serious situation in the lumber industry, an industry which is of great importance both in Oregon and in other States. However, Oregon can truly be said to be pretty much of a one-industry State; and as the prices of lumber go down, the economy of the State is adversely affected to a very material and serious degree.

Furthermore, there is a direct relationship between the economy and housing.

Therefore, Mr. President, I wish to speak briefly today in pleading with the Congress to take action on housing legislation at this session, before the adjournment. I view with great alarm and concern the reports that housing legislation may be dropped, in the interest of quick adjournment of the Congress.

The politician who seeks votes in Oregon this fall is going to have to show that he did everything he possibly could to bring about enactment of a good housing bill. I am amazed to hear reports that this session of Congress may abandon the housing bills.

The Senate has passed its omnibus housing bill, and it is now on the desk of the Speaker of the House of Representatives. The House Banking and Currency Committee has reported an even more far-reaching one, which is being held up by the House Rules Committee. The House has passed and sent to the Senate an emergency measure to stimulate private home building, and this bill is pending before the Senate Housing Subcommittee.

Final action on one or more of these measures is imperative. The bottom has fallen out of the lumber industry in Oregon. Every week brings new plant shutdowns or reductions in the workweek. The decline in new housing starts for 1960 is largely responsible for this situation. This slump must be reversed quickly, and any one of these three bills would help reverse it. Friends of housing legislation must be particularly concerned with the failure of the House to date to act on an omnibus housing bill.

With widespread unemployment in Oregon comes a slump in the small businesses in every community. I am already hearing not only from those who have been laid off, but also from the department stores, laundries, and similar establishments, whose regular customers have stopped buying or are doing their trading on credit.

I appeal to the Rules Committee in the House, the Banking and Currency Committee of the Senate, and the leaders of both parties in both Houses of the Congress to put their efforts behind a housing bill that will restore a reasonable level of construction.

SUGAR LEGISLATION

Mr. MORSE. Mr. President, 2 days ago President Eisenhower sent Congress a special message requesting that action be taken before adjournment to extend the Sugar Act and to amend it so the United States will not have to buy sugar from the Dominican Republic.

As chairman of the Senate's Subcommittee on Latin America, I wish to say I think it is imperative that the Department of Agriculture be relieved of its present obligation to buy sugar from the Dominican Republic.

However, I think it equally imperative that Congress not simply extend the present law, but that we carefully rewrite it.

In the closing hours of the preconvention session, we had a lengthy debate here on extension of the Sugar Act. At that time, I urged the Senate to meet the Cuban situation by simply giving the President authority to reduce the sugar quota from Cuba and the authority to purchase on the open market the sugar needed for American consumers.

I took that position because it was evident that the assignment of quotas in the existing Sugar Act was completely out of line with the political policy the United States has been trying to establish with our neighbors of the Western Hemisphere. These quotas were fixed in 1956. That was 4 years ago. There have been many changes in South and Central America since

then; many new governments have come to power, and we have greatly changed our Latin American policies.

A new government has come to power in Cuba, and we took steps to change the Sugar Act to account for that situation. But we have not changed the Sugar Act to account for the other changes that have occurred in the sugar-producing countries of the hemisphere.

In July, I opposed and voted against the bill passed at that time, which reassigned Cuba's share in the American market to other countries already having quotas. With respect to the Dominican Republic in particular, I said:

> The mandatory provisions of the House impose upon us, by the conference report, the transfer of certain quotas of sugar from Cuba to Trujillo, of the Dominican Republic, a country headed by another tyrant, who in this case is a Fascist tyrant, and is one of the worst tyrants in all of Latin America. Giving this support to that tyrant is not going to help foreign relations with our friends in Latin America * * *. We are not going to speed the going out of power of this tyrant by strengthening his economic position. We are not going to speed Trujillo's going out of power by giving him the kind of weapon that we propose to give him by the adoption of the conference report. He would be stronger than before the Sugar Act extension was passed.

I remind Senators that this windfall to the Trujillo government of the Dominican Republic was one of the major reasons why I voted against the conference report.

Now, less than 2 months later, we have a special message from the President asking the Congress to change the law so we will not have to buy this sugar from Trujillo. It should have been clear in July that this law would not work, insofar as American foreign policy interests were concerned. We knew then we were going into a conference of foreign ministers where two major controversies would be on the agenda: one between ourselves and Cuba, the other between the Dominican Republic and Venezuela.

As a result of that conference we find ourselves party to the condemnation of the Dominican Republic by the Organization of American States. We will soon cut diplomatic ties with Trujillo, as will other member states, and we will be expected to apply partial economic sanctions. We expect—and hope—that the OAS members will then join us in some joint action regarding Cuba.

Yet the Congress of the United States, in complete resignation from its foreign policy duties, in my opinion, has ordained the purchase of 322,000 additional tons of sugar above and beyond its regular allotment from this very same country we have just condemned.

We have attuned our economic policy with our political policy in the case of Cuba, but we have put economic policy on the opposite side from our political policy in the case of the Dominican Republic. That is the kind of hypocrisy which loses friends for this country among the nations of the hemisphere.

It is unthinkable to me that Congress should fail again in its foreign policy responsibilities. We must correct this situation before adjourning.

But in considering the Sugar Act, I believe we must reassess the entire quota system. We will fail in our foreign policy responsibilities again if we do not reexamine all the present quotas and give consideration anew to the countries seeking quotas.

If there are any foreign policy reasons for increasing the quotas for Formosa, the Netherlands, Belgium, and Great Britain, as we did in July, I would like to know what they are. I would also like to know why we do not extend the hand of friendship to such South American countries as Venezuela, Brazil, Colombia, and to El Salvador and Guatemala in Central America by including them under the Sugar Act. While it may be possible for them to sell some sugar here under the 1960 law, they have no quota.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I am under obligation to the Senator from New York. He has allowed me 10 minutes. I have another paragraph or two to read. Then, if time permits, I will yield within my 10 minutes.

In July I asked the Congress to wait until August with reassignment of the Cuban quota so we could give due attention to the foreign policy problems involved. Congress chose to ignore my plea, but I point out that we now have before us a plea from the President of the United States, himself, to change the worst features of the law that I opposed in July.

He has found that American policy cannot live with what Congress did in July. I recall that the Senate was told that State Department officials had said they could live with the conference report. I think it is clear the State Department could live with it only so long as the Department did not have to apply it.

I hope it will now be evident to Congress that these 4-year-old quotas are no longer appropriate. We should reevaluate them in light of our present foreign policies. We should do that now, before adjourning, to make clear to our friends in the Western Hemisphere that the United States will practice what it preaches.

Certainly the Congress should not join Fidel Castro in flouting and mocking the Organization of American States.

If the Senator from New York will allow me to yield to the Senator from Pennsylvania for a question, I shall be much obliged.

Mr. KEATING. On that subject, I am happy to yield.

Mr. CLARK. If the Senator from New York will permit a comment, I promise not to detain him more than 2 minutes.

Mr. KEATING. On that subject.

Mr. CLARK. On this subject.

Mr. KEATING. I yield.

Mr. CLARK. I should like to commend my friend from Oregon for the speech which he has just made. He will recall that in the early hours of the morning before we adjourned to go to the conventions, there was what seemed to me to be a very critical vote on the Morse amendment. For reasons which are understandable, because, as I remember, it was about 5 o'clock in the morning——

Mr. MORSE. We lost by a vote of 30 to 29.

Mr. CLARK. We lost by a vote of 30 to 29.

The Senator's insistence that we should not accept the position of the House that the Sugar Act should be amended so as to require that whatever sugar quota was taken away from Cuba should to a substantial extent be given to the Dominican Republic, was defeated by one vote.

I have always felt that was one of the most unfortunate votes, in terms of our Latin American policy, of any that has transpired in any of the 4 years I have been in the Senate.

I personally wholeheartedly support the President in his request that we eliminate the provisions requiring us to favor the Trujillo regime in San Domingo, and to give them an extra quota of sugar, which quite justly, has been taken away from Castro.

I commend my friend for making this point. I wonder if he would join with me in the view that the overwhelming majority of the Members of the Senate feel the way the Senator from Oregon and the Senator from Pennsylvania do on this issue? To anyone who reads the debate in the CONGRESSIONAL RECORD which is now taking place before an almost empty Chamber and a less than half filled gallery we say, "Let our friends in Latin America take heart. There are men in the Senate who believe we should not give an extra bonus to the Trujillo regime. There are men in the Senate who believe the President of the United States is correct in saying we should help our friends in Latin America, and not our enemies."

I am sure the Senator from Oregon agrees with me that what we are saying tonight in a nearly empty Chamber none the less represents the true feelings of a large majority of our colleagues.

Mr. MORSE. I do not have any doubt about it. If we can get the President's proposal to a vote, I think it will pass overwhelmingly in both Houses of Congress.

In closing, I thank the Senator from Pennsylvania very much for his support. It is always a pleasure to stand shoulder to shoulder with the Senator from Pennsylvania [Mr. CLARK] on any issue. We stand together on most issues in the Senate.

I thank the Senator from New York for his courtesy in yielding to me. I am supporting the President's position. There are those who say the senior Senator from Oregon never supports the President. The record denies that allegation. I support the President when he is right. He unfortunately is not right very often, but I support him when he is right, in my judgment. He is "dead right" on this issue. He deserves our support. We ought to proceed, before adjournment, to grant the President's request with regard to repealing the sugar quota from the Dominican Republic.

Mr. KEATING. Mr. President, I want to say to the distinguished Senator from Oregon, that considerable attention has

been called to the vote we took in the "wee" hours of the morning on the day we recessed for the conventions on the substitute amendment which the Senator offered. I supported the Senator's amendment. It was, unfortunately, defeated by one vote, and I believe there were nearly 41 absentees on that occasion.

I feel very strongly that it would be contrary to the policy which our Government is following if we permitted the situation to continue whereby the Dominican Republic benefits from the reduction in the sugar quota to Cuba. This is borne out by the fact that the Organization of American States has condemned the Dominican Republic by an overwhelming vote for its tyrannical actions.

In my judgment it will not set well with our real friends in Latin America, as the President and the Secretary of State have indicated, unless we take action at this session—I repeat, at this session—on this very vital issue. This is one of the important unfinished pieces of business, often referred to as "the people's business," which should be acted upon now.

Mr. CLARK. Mr. President, will the Senator yield for a question?

Mr. KEATING. Likewise, the housing legislation referred to by the distinguished Senator from Oregon is very important. We should not think of adjourning until we have brought it to a termination.

The Senator from Oregon has brought to our attention tonight two issues which are of vital significance to our Nation and the free world. I know the Senator shares with me the view that there are many important issues in addition to those two, but he indeed has put his finger on two with which we should deal right away.

I am in complete agreement with the Senator on the latter, and I am in at least partial agreement on the former of those two issues. Whether we happen to be in agreement or not, we certainly should not "fold up our tents and silently steal away" until we have acted upon these and other key issues which are before us.

Mr. CLARK. Mr. President, will the Senator yield for a question?

Mr. KEATING. I yield.

Mr. CLARK. With respect to the sugar quota for the Dominican Republic, does the Senator from New York agree with me that this should be a nonpartisan or a bipartisan matter, that we should not get into party politics concerning it?

Mr. KEATING. There is no question about it. Mr. President, this is a matter of very serious concern involving our relations with all of our Latin American neighbors. It is not something which should be involved in partisan politics. I certainly hope it will not become a partisan issue.

The Senator from Oregon pointed out that he stands shoulder to shoulder with the President of the United States, as do I, in regard to the request which he has made on the Dominican sugar quota. I assume there may be some Senators, from both sides of the aisle, who do not agree. Apparently there are at least two on the side the Senator from Pennsylvania occupies, for they voiced their views yesterday. I find myself in violent disagreement with them, although there, of course, may be others on both sides of the aisle who feel the same way. The Senator from Pennsylvania is entirely correct. This is not and should not be a partisan matter.

Mr. CLARK. Does the Senator agree that those of us on both sides of the aisle should join in urging the chairman of the Committee on Finance, to which committee the bill has been referred, to summon the committee members into immediate session in order to report favorably on the request of the President?

Mr. KEATING. I very much hope he would do that. I felt compelled to vote against the sugar bill on the question of passage just because the Morse substitute amendment was rejected. I felt at the time that the inclusion of the Dominican Republic made it an unacceptable measure.

Mr. CLARK. Does not the Senator agree that this is a matter vitally affecting the foreign policy of the United States?

Mr. KEATING. There is no question in my mind that it is vital. It is for us to be against tyranny in every part of the world.

I am very distressed about the situation in Cuba, which seems to get worse by the day, and which may soon pose a serious threat to our security, I am more concerned about it than about the situation in the Dominican Republic, but the situation in the Dominican Republic is not one which the people of this country like or can accept in any way. A tyrannical government is in power there. While I must confess that I see no evidence that there have been any designs against us in any way—and some things have been done which showed friendliness toward us, as I wish to be as fair as possible—nevertheless, through the action of the Organization of American States the Dominican Republic has been made persona non grata to the other Latin American countries.

If we allow the Dominican Republic to be benefited by the Sugar Act, when many others of our real friends do worse than the Dominican Republic in this regard, our real friends will, I know, not be able to understand our actions and policies.

Mr. CLARK. I ask the Senator a final question. Does not the Senator from New York agree that all members of the Committee on Foreign Relations, Democrats and Republicans alike, should urge the Committee on Finance to promptly bring out a favorable report on the request of the President to change the quota for the Dominican Republic?

Mr. KEATING. I certainly hope that will happen.

VALUE OF CULTURAL EXCHANGES

Mr. KEATING. Mr. President, the Internal Security Subcommittee of the Committee on the Judiciary today released a committee print in the form of a staff analysis entitled "The United States Through the Eyes of Soviet Tourists." I recommend the publication to my colleagues as a careful, interesting study of Communist propaganda. There can be little doubt that many of the Soviet so-called tourists do return to Russia and write derogatory articles about this country in the official Communist press.

But I think we would be making a mistake, Mr. President, if we were to conclude from this that the program of cultural exchanges was a failure, or even that the Russians benefited more from it than we do, as has been indicated might be the case.

Surely we are not naive enough to expect the Russians to return to the police state atmosphere of their own country and write an article in praise of the American way of life. Whatever they may think, it would be the end of them, politically, professionally, and perhaps even physically if they were to tell the truth about America in the propaganda-inspired press of the Soviet Union. But they may well tell their friends privately about U.S. assets.

Furthermore, it is quite true that the Russian "tourists" who visit this country are a hand-picked bunch. The Soviet authorities take great care to minimize the danger of Russian defections in the outside world, for they realize that the high level of defections from other Communist countries is damaging to Communist propaganda.

On the other hand, there is another side to this matter. For, of course, the average Russian citizen, even though he may be taken in to some extent by communism, is well aware that only party faithfuls can come to the United States. The many intelligent Russians who do have qualms about communism are not allowed to go on these junkets, and as a result they tend to discount the much publicized accounts given by those who were allowed to come. The Russians themselves know only too well that their government is adept at propaganda activities and that the government presses print only what is favorable to the Communist cause.

In this connection, I am reminded of an incident which took place when some members of the Soviet provincial governments were visiting Congress last February. Incidentally, although the Supreme Soviet is technically the highest legislative body in the Soviet Union, we do not permit members of the Supreme Soviet to come to this country in exchange with Members of the Congress, because the State Department recognizes full well that the Soviet legislators are so only in name. In function, they are mere puppets.

In any case, the incident that I would like to mention refers to the visit of a delegation from the Russian Republican Government, headed by Dimitri S. Polyansky, Chairman of the Council of Ministers of the Russian Republic. When Mr. Polyansky tried to make propaganda about the civil rights ques-

tion in this country, he was instead given a lecture by one of our Congressmen on the two-party system of government. He was reminded that although Soviet legislators might like to depict themselves as chosen by the people; in fact, they were all elected without any opposition so that they represented no choice whatsoever.

Now, of course, Mr. Polyansky probably did not relate this incident in full when he got back to Russia. But I have little doubt that it had its impression on the other members of the delegation whose outward behavior betrayed nothing but flattering obedience to their leader. I would suspect that in their secret hearts at least some of the other members of the delegation were a bit pleased to see their overbearing boss treated to a few home truths.

I am not surprised that the Soviet Union has tried, I repeat tried, to use the cultural exchange program for propaganda ends. But I am reminded of Abraham Lincoln's words of wisdom "You can fool all of the people some of the time and some of the people all of the time, but you can't fool all of the people all of the time."

I remember only too well the occasion of Mr. NIXON's visit to Warsaw. The overwhelming reception he received there showed more clearly than bushels of Communist publications what the Polish people really thought of this country. It showed just how wrong the Communist line was and just how little influence this propaganda really had on Polish thinking.

It was in large part, I am sure, because the Communists feared that President Eisenhower would receive a similar ovation in Moscow—that Khrushchev rudely canceled the President's visit this summer. Perhaps someday the Russians will cancel the entire exchange program because despite the surface propaganda victories, the basic and lasting effect of cultural exchanges is to counteract this very propaganda. But until that day comes, it is strongly in the U.S. interest to maintain and even expand the program.

As long as the cultural exchange program exists, the door to all the magic of the West is still open a crack to Soviet citizens, virtually all of whom would like nothing better than to get to the United States. Let us not slam it into their faces. We have nothing to fear and a great deal to gain from an even greater exchange program than exists now. Every chink that we can poke in the Soviet armor is to our benefit in the long run.

A REAL AVENUE OF THE AMERICAS

Mr. KEATING. Mr. President, today more than ever before, Latin America is important to this country. This has just been the subject of colloquy between myself and the Senator from Oregon [Mr. MORSE] and the Senator from Pennsylvania [Mr. CLARK].

The present meeting of the OAS has revealed a growing sense of hemispheric cooperation—cooperation against the specter of international communism and cooperation for the hope of a brighter economic future.

I introduce a resolution which would authorize and request the President to set aside October 4, 1960, as Western Hemisphere Day in recognition of the bonds of friendship which unite our country with the other American Republics. A similar resolution has already been introduced in the other body by the distinguished New York Representative, Mr. WAINWRIGHT.

You may ask, Why October 4? What happened on that day? The question, Mr. President, should not be what did happen on October 4, but what will happen on that day?

The answer, I am happy to say, is a most fortunate and pleasing gesture that is being undertaken in New York City on the initiative of some enterprising New Yorkers. The Avenue of the Americas is to become in fact as well as in name the Avenue of the Americas. Coats of arms representing the 22 nations of this hemisphere and the Organization of American States are to be displayed on light poles all along the former Sixth Avenue from White Street to 59th Street.

These coats of arms are to be put up for the first time, during a ceremony in which both the mayor of New York and the Governor are expected to participate. This ceremony will take place on October 4.

Mr. President, the sponsors of this worthwhile scheme have requested that October 4 be set aside as Western Hemisphere Day to dramatize this bright new step in all-American, pan-American good will. The program has the complete support of New York officials, for Mayor Wagner and Governor Rockefeller are honorary chairmen of the committee. The project has also won the approval of the Organization of American States, for Dr. Jose A. Mora, the Secretary General of OAS, is also an honorary chairman. Roy Rubottom, Jr., formerly Assistant Secretary of State for Inter-American Affairs considers the project one "which will give additional significance to the Avenue of the Americas and beauty to New York City.

The New York Times has expressed its own delight at the idea in the following words which I would like to quote directly:

> There are many ways of expressing the spirit of the good neighbor in American affairs, some big, some small. No gesture is ever lost as ever meaningless. The placing of shields with the arms of the American countries along a major avenue of a great United States city may not be earthshaking. But it is a simple, friendly move that can only do good [the shields] are obviously going to be attractive as well as colorful—an ornament by any standard, but one with a meaning.

Mr. President, it seems altogether fitting that we should carry out this proposal. It plus the festivity at which it would be inaugurated, would place the stamp of our cordial approval on this proposal.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD at this point.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 221) authorizing and requesting the President to set aside October 4, 1960, as "Western Hemisphere Day," introduced by Mr. KEATING, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States is authorized and requested to issue a proclamation setting aside October 4, 1960, as "Western Hemisphere Day" in recognition of the bonds of friendship which unite our country with the other nations of this hemisphere, and inviting the people of the United States to observe such day with appropriate ceremonies and activities.

HUNGARY'S MARTYRED YOUTH

Mr. KEATING. Mr. President, when Khrushchev spoke before the National Press Club in September 1959, he replied to a question on Soviet intervention in Hungary in these terms: "The question of Hungary has stuck in some people's throats as a dead rat."

All will agree, I am sure, that this is a repulsive allusion to a heart-rending, tragic event, an event, indeed, that lingers on in the minds and conscience of all free men. But we have become accustomed to Khrushchev's brutish, coarse language. We have come to expect little else from him.

Khrushchev and his fellow Communists ought to understand one thing, however, and it is that we Americans will not readily forget this so-called question of Hungary. Instead of forgetting these people we have become more determined in our resolve to plead their cause whenever we can in the international tribunal of the United Nations, particularly when accounts of new atrocities are brought to our attention and when we are reminded of unfulfilled Soviet obligations to withdraw from Hungary and give the Hungarian people a chance to select their own government.

Many of us in America assumed that the brutalities of the Hungarian Revolution terminated once the freedom fighters were subdued and Communist control again assured.

But we were mistaken.

For 3 years after the revolution was crushed the Communists executed 150 freedom fighters, not grown mature men and women, but youths 18 years of age who were kept in prison until they reached the "properly legal" age for execution.

We first heard of this most recent Communist barbarity against Hungary in December 1959. According to a report by Dr. Bela Fabian, chairman of the Federation of Hungarian Former Political Prisoners, the Communist regime of Janos Kadar secretly executed

150 boys and girls for having participated in the armed revolt of 1956. All 150 had been held in prison until they reached the "legal" age for execution.

Regrettably, Mr. President, the incident received little coverage in the free world press. During one weekend in January 1960, the British Broadcasting Corporation departed from its usual practice and reported the tragic events over its networks a half dozen times. Ed Sullivan, the noted American entertainer and newspaperman, alerted his nationwide American audience in an attempt to organize a widespread campaign to save the lives of the unfortunate Hungarian youths.

To be sure, Kadar's regime denied this senseless, inhuman slaughter, but we have it on the authority of Dr. Fabian, whose omnipresent underground organization in Hungary reaches even to the prison where the youths were held and executed, that the reports were indeed true.

Dr. Fabian gives us this fact among his evidence. A foreign diplomat, once stationed in Hungary but now assigned to the United States, tells the story of his recent visit to Hungary. He visited an old friend, a woman, who burst into tears when he inquired about her family. The lady explained that her 18-year-old son had been missing for some time. That very morning, however, she had been told to visit the warden's office in Hungary's Central Prison. There, she was handed her son's clothing and other belongings. He had been executed, they said, the day before as an "enemy of the state."

U.S. Ambassador Henry Cabot Lodge, our very able spokesman at the United Nations, alluded to this incident in a speech during a debate on Hungary in December 1959. In a blistering attack on the Soviets for their conduct in Hungary he urged adoption of the resolution then under consideration in these words:

Obey the U.N. Charter and restore the independence and liberty of Hungary; and—with particular urgency—stop persecuting and executing Hungarians for what happened in 1956.

And referring for a moment to Hungary and her people, he exclaimed:

And to the brave and suffering people of Hungary this resolution says: You are not forgotten.

Mr. Lodge spoke not only for America when he uttered these memorable words, he spoke for the entire free world. All Americans and all citizens of the free world in one voice urge the Communists to obey the charter, to restore the independence and liberty of Hungary, and to stop persecuting the Hungarian people.

Mr. President, Mr. Lodge has once again called for a full United Nations investigation of the Hungarian question. Sir Leslie Munro of New Zealand, the United Nations special representative on Hungary, has continued to receive information from Hungary on the brutal Russian repression of legitimate Hungarian desires for independence. He should be particularly requested to study the matter of Soviet imprisonment of minors to wait in jail until they reach the legal age for execution, a policy which is repulsive to every civilized nation in the world today.

Mr. President, in view of the truly large number of petitions I have received on the question of Soviet persecution and prosecution of Hungarian youths, I should like to amend Senate Joint Resolution 185, calling for the celebration of October 23 as Hungarian Independence Day, by the addition of "whereas clauses" reading as follows:

Whereas the valiant youth of Hungary supported the heroic but vain struggle for independence of their homeland with a devotion and determination beyond their years; and

Whereas the ruthless rulers in the Kremlin have reportedly seen fit to take vengeance upon these youngsters by imprisoning them until such time as they reach the legal age of execution and then putting them to death summarily.

Mr. President, I ask unanimous consent that the text of Senate Joint Resolution 185, as it would read if amended, be printed at this point in the RECORD.

There being no objection, the joint resolution (S.J. Res. 185) designating October 23 of each year as Hungarian Independence Day, as proposed to be amended, was ordered to be printed in the RECORD, as follows:

Whereas the people of the United States and the people of Hungary have traditionally maintained strong bonds of friendship and understanding; and

Whereas the people of the United States and the people of Hungary have long shared a proud heritage of freedom and independence; and

Whereas the people of Hungary have been enslaved in recent years under the yoke of Communist domination directed by the Soviet Union; and

Whereas on October 23, 1956, the Hungarian people rose as one man against their Soviet and local Communist oppressors and shook the world with their heroic struggle for freedom; and

Whereas the willing sacrifice of life and the magnificent proof of valor that won for these patriots a short-lived independence was basely nullified by the perfidy of the official agents of the Kremlin; and

Whereas the valiant youth of Hungary supported the heroic but vain struggle for indepedence of their homeland with a devotion and determination beyond their years; and

Whereas the ruthless rulers in the Kremlin have reportedly seen fit to take vengeance upon these youngsters by imprisoning them until such time as they reach the legal age of execution and then putting them to death summarily; and

Whereas the people of the United States and the free world must give hope to the noble people of Hungary that their immense suffering under Communist domination is not forgotten and that we are working and praying for their day of liberation: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That October 23 of each year is hereby designated as Hungarian Independence Day, and the President of the United States is authorized and requested to issue annually a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day and urging the people to observe the day with appropriate ceremonies.

EXPROPRIATION OF AMERICAN PROPERTY BY CASTRO

Mr. JOHNSTON of South Carolina. Mr. President, for more than a year we have been faced with a terrible situation in Cuba. For over a year this administration has taken no effective steps to relieve that situation. Placid notes of protest are not enough. Our State Department ought to know this. The President who conducts our foreign affairs ought to know this.

Almost every vestige of American property rights in Cuba has been confiscated. They have been taken under the guise of nationalization or intervention. Still, the property of Americans has been taken. No compensation, in the language of the late Secretary of State, Cordell Hull, that is just, prompt and adequate, has been offered or given. It is high time we took active and militant steps to protect the rights of our citizens.

I have heard the warnings given us by the distinguished Senator from Florida [Mr. SMATHERS]. I concur in them. He has seen and pointed out to us the thievery of the international bandit who now heads the Cuban Government. Some are bold enough to assert that Castro is not a Communist. I say no one plays the game of communism better than Castro. If he is not a Communist in name, he is one at heart. His actions furnish adequate proof of this fact. I do not hesitate to say he is as dangerous to our way of life as any Communist leader can be.

While Castro and his actions have been condemned on the floor of the Senate and by the press generally, I have not seen a summary of the depth and breadth of his depredations. Possibly the State Department knows more nearly the precise amounts and the classification of properties Castro has stolen than does anyone else. Nevertheless, from time to time as confiscations have progressed, the press has carried listings of the properties and their values in their news columns. These confiscations extend to all categories of property and the amounts well exceed a billion dollars.

Let us look at the farmlands that the Cuban Government took over from May of 1959 to March of 1960. We find the following:

	Acres
(1) Lands affected by the agrarian reform law	13,246,800
(2) Expropriated or in process of expropriation	7,554,304
(3) Land purchased for $2,145,876 in cash and bonds valued at $6,771,832	1,160,670
(4) Foreign holdings in process of expropriation	3,979,440
(5) 7.6 million acres of land expropriated or occupied	7,600,000
(6) Amount being purchased	1,200,000

The National Institute of Agrarian Reform set up for the purpose of confiscating properties up to May 1960 was administering 170 private business concerns valued at $350 million. These concerns were of a variety of types, such as leather goods, textiles, clothing, chemicals, tobacco, food, iron ore, canning, and automobile. This institute

has taken over the main radio stations in Cuba, 18 in number, as well as the principal newspapers and news media.

Up to August 5, 1960, the value of American properties confiscated by Castro amounted to $400,500,000.

Castro's confiscations have not been exclusive in nature. He has taken over many domestically owned Cuban properties. If anyone is anti-Communist, he is called counterrevolutionary and his property is confiscated. Castro is the one who defined the term "counterrevolutionary" as being "anti-Communist."

On Saturday, August 6, 1960, Castro met with his fellow conspirators and co-criminals and determined upon a more wholesale scale of confiscations. So, on Sunday, August 7, the following American properties were confiscated:

	Millions
Cuban Electric Co	$300
Cuban Telegraph Co	100
Standard Oil Co	70
Texas Oil Co	45
Sinclair Oil Co	5
36 sugar mills	200
Lands valued at	150
Total	870

Just think of it—$870 million of American property stolen in 1 day. What have we done about it? Nothing. Absolutely nothing. Our notes make no more impression than a tap on the wrist. We should act affirmatively, and at once to prevent this international brigand from carrying out his repeated boasts that he was going to take even the nails out of our shoes. That is Castro's statement.

On August 9, 1960, the U.S. Government owned Nicaro Mining complex, worth $100 million, and the Freeport Sulphur mines, worth $75 million. These were directly threatened by Castro's cabinet. So it is only a matter of time until they too will be confiscated. They are presently inoperative. These two giant companies are among the last assets in a more than a billion dollars' worth of American investments in Cuba. These two last assets are in imminent danger of seizure with a resulting total confiscation of them. Our Government should act now and act decisively to prevent their seizures. We should act now to recover the confiscations which have already taken place. If it means military intervention, we should intervene militarily. Castro should be seized and dealt with as an international criminal.

I do not believe any one person in our Government is to blame for what has happened in Cuba. I think our State Department has failed to back up its words with deeds. Warnings and notices are quite insufficient. A few marines could do the job. I indulge the thought that the vast majority of Cubans would again like to be free. I feel they should be freed. It has cost us a lot of money and a lot of lives not too long ago to free Cuba from Spain. We have the strength to save Cuba again. We should save this island from its evil rulers.

Our Government has made the cardinal mistake of ridding Cuba of Batista without having groomed a responsible successor. We have listened to a few newspapermen without being practical. We denied Batista arms so he might maintain law and order. Batista's order for arms and equipment under our neutrality aid pact with him was denied him although he had cash to pay for the arms. All of this time we were secretly cavorting with and permitting Castro to secure American aid, arms, and equipment. Our State Department has literally pulled the rug out from under Batista and in so doing has pulled the rug out from under the Cubans at large and our own American investments on that island. These are hard words, but they are true. The sorry part of this sad story is that our former Ambassador to Cuba, Mr. Arthur Gardner, repeatedly warned our State Department to that effect. He pleaded with it to refrain from supporting Castro. He advised our officials that Batista was a better friend of the United States than Castro would ever be. His advice, his warnings, and his pleadings were all in vain. They fell on deaf ears in our State Department. Thus we are heir to the State Department's utter indifference.

When I reflect upon the enormity of Castro's confiscations, his gross insults to us and the possible adverse effect his actions may have on us in other Latin and South American countries, I begin to wonder how long Theodore Roosevelt would have tolerated Castro. How long would Woodrow Wilson have suffered such indignities and losses of property rights? Have the boys in the State Department forgotten Veracruz or Pershing's expedition into Mexico? Have they forgotten the salutary effect these moves had upon the Government of Mexico? We need more of the firmness of a Roosevelt and the discipline of a Wilson. I trust the President will act promptly with wisdom, foresight, judgment, and force, as our former Presidents did when faced with the outlandish conduct of an international holdupman.

It is late, but it is not too late. Our properties can be recovered. Castro can be driven to the hills or otherwise properly dealt with. This may call for intervention. If it does, we have every provocation to intervene. Castro has done every possible thing to invite action on our part. We should forthwith accept his invitation. I know of no government in the world which would take the abuse we are taking. We cannot leave our property rights, our lives, or our national honor to the tender mercies of the Organization of American States. The members of that Organization who believe in the sanctity of private property, free institutions, and a free way of life will applaud our action. Those who do not will criticize us, but we shall be better off in the long run to know who they are and what they stand for.

I also warn the State Department and the executive branch of our Government about another situation we are facing. We must act properly in regard to the Dominican Republic; we must not take action to drive out of the government of that country the man who has made it outstanding among all the countries in that part of the world. I refer to Generalissimo Trujillo. Consider the hospitals and the schools he has built.

I never am in favor of dictatorship; but what business does the United States have to tell another country what kind of government it shall have—whether a dictatorship or a government based on elections by its people. One of the troubles with our country today is that it tries to dictate to other countries the kinds of government they shall have.

It will be found that today Trujillo is a bulwark against communism. No other country in that part of the world has stood up so firmly against communism. If the present government of the Dominican Republic were removed, the situation there would develop in much the same way that the situation in Cuba has developed.

Of course, Mr. President, the people of one of our States do not like to be told by the people of any other State what they should do. But such attempts are being made in our country, and are stirring up strife and discontent between the people of the South and the people of the North. If each State were let alone, and if the people of other States did not try to meddle, the people of our Nation would get going much better.

Similarly, Mr. President, if we let other countries alone, and do not try to tell them what kinds of government they should have, our country will get along much better in the future.

For the past 5 years, as the Chairman of a Senate Judiciary Subcommittee, I have come to appreciate more and more the importance of the sanctity of private property to our free way of life. It is the hallmark of freedom. It is the foundation stone of the free enterprise system. It is the cornerstone of our liberties. Perhaps Castro's depredations of American property are due to the law of retribution. We are holding, and have wrongfully confiscated, approximately $500 million worth of German and Japanese private properties we vested under the Trading With the Enemy Act. These amount to less than one-third of the American properties vested and confiscated by Castro. Our State Department could with better grace act against Castro, were it also to do the right thing by the 30,000 or 40,000 German and Japanese nationals whose properties we now withhold from them. If this is the reason why our State Department is reluctant to act, it can quickly remove this impediment. It can order the restoration of the properties we have confiscated. Certainly this would free our hands to protect American interests in Cuba and other parts of the world.

Our Government conduct should always be proper and right. In being so, we are free to assert our rights in every part of the world. I, for one, sincerely trust we shall not further delay taking positive action in any part of the world where our lawful rights are threatened or are in process of destruction. I plead today for such a course of action. The

free world expects it of us. The free world needs prompt action on our part, not just words.

Mr. President, I yield the floor.

DEATH OF HARRY D. STRUNK

Mr. CURTIS. Mr. President, Nebraska lost an illustrious citizen August 5, when Harry D. Strunk, publisher of the McCook Daily Gazette, passed away. A longtime newspaperman, and active in State and National politics, his principal interest in later years was in the conservation of soil and water resources.

A longtime director of the National Reclamation Association, representing Nebraska, Mr. Strunk was best known in the role of president of the Republican Valley Conservation Association, a group formed under his guiding hand in 1940, representing the upper Republican River Basin.

During the decade of the thirties, that watershed was exposed to repeated floods and droughts. In many sections much of the topsoil had been washed away, farms destroyed, and property values severely reduced. Even the Federal Land Bank, which had many outstanding loans on farm real estate, sold river bottom farmland as low as $5 an acre, following the disastrous 1935 flood. That catastrophe took the lives of 113 residents of southwestern Nebraska, and a recurring flood in 1947 took another toll of 17 lives. Mr. Strunk dedicated his life to the removal of this threat to the lives and property of the residents of his section of the State.

The objective of the Republican Valley Conservation Association, which he served as president from the date of its organization until his death, was to achieve construction of a network of reservoirs which would impound floodwaters in the spring, and provide for their use upon the land during the summer and fall, in the form of supplemental irrigation. Today, reservoirs are completed and functioning at Enders, Bonny, Swanson Lake, and Harry Strunk Lake. Construction is under way at the Red Willow and Almena Reservoir sites. This construction activity has proven a great help to the business people of the basin, for it has brought millions of dollars into the cities and towns of that area each year. For the present fiscal year, which began July 1, the Congress appropriated $5,439,000 for the Frenchman-Cambridge Irrigation District, of which $2,800,000 will go for the inauguration of construction on Red Willow Dam. Then $1 million was allocated for the beginning of construction on the Almena project, near Norton, Kans.

This spring saw very heavy rainfall throughout southwestern Nebraska, parts of Kansas, Oklahoma, and Texas, with resulting heavy damage to farm and city lands, to highways and bridges, and even to railroad rights-of-way. But the reservoirs in the upper Republican Basin held the heavy rainfall, and prevented any appreciable flood damage throughout the basin.

When three or four additional reservoirs in that watershed are completed, it will comprise the most compact network of multiple-purpose projects on any river west of the 100th meridian. It will achieve for all time the control of floodwaters and conservation of soil resources, stabilizing the economy of that area.

Throughout their lifetime, the present residents of that upper basin have never known the sociological and recreational benefits which stem from bodies of fresh waters, resembling lakes. But today, these reservoirs are one of the important byproducts of the program, providing bathing, fishing, boating, and other aquatic sports. Gradually seepage will help recharge the underground water supplies, and the reservoirs will be surrounded by increased forestation, ultimately tempering the winds, and perceptibly improving the climate. It was foresighted vision, indeed, which Harry Strunk held, enabling him to make possible this tremendous development. It will be a better place to live because of his efforts.

His crusade for reclamation started in 1928, when he assisted in organizing a group known as the Twin Valley Conservation Association. The following year he was the moving force in assembling representatives from 14 Western States, who met in McCook to consider ways and means of initiating political action which would arouse the Federal Government to the need for a stepup in construction of flood control and reclamation facilities. The failure of that first attempt to bring about corrective action left the Republican Basin and other western streams unprotected, and the alternating floods and droughts of the thirties left many of the areas desolate. Tens of thousands of residents of the Great Plains walked off their farms in utter despair, while Federal relief agencies poured hundreds of millions of dollars into those sections in made-work programs designed merely to carry the people through the depression period. When the present program of construction is finished, there should never again be need for any Federal relief, since the insured production of adequate feed crops will enable the farmers to maintain their herds, even in depression periods. They could thus survive any normal drought or flood experience.

In addition to the conservation of floodwaters, it was an obsession of Harry Strunk that soil conservation be practiced, way up to the headwaters of every creek, no matter how small. When the Republican Valley Conservation Association was formed in 1940, one of the first steps undertaken was to urge the individual counties to set up soil conservation districts. The basin was the largest contiguous area in Nebraska or surrounding States, where a solid block of soil districts was formed in the early forties.

Recognition of his leadership came quickly. Mr. Strunk's picture hangs in the hall of fame maintained by the Bureau of Reclamation, in the U.S. Department of the Interior. Also, he was one of only two living men after whom a Bureau of Reclamation project was named. Former President Hoover is the other. The lake above Medicine Creek Reservoir, near Cambridge, Nebr., was named Harry Strunk Lake by act of Congress in 1952.

His zeal in pursuing his objectives gained him quite a reputation among department heads in Washington and with congressional offices. He had no hesitancy in calling, day or night, to plead for immediate action, and to oppose delays by those agencies in charge of construction projects. Commenting on this practice, Michael Straus, former Commissioner, Bureau of Reclamation, once said:

> If you want a man to haunt a house, call on Harry Strunk.

He never received a penny in the form of wage or fee for the days and weeks and months spent in promoting the program of the Republican Valley Conservation Association. His family made a great contribution, also, in that they had to grow accustomed to his long absences from the city in connection with official travel. His wife and his son, Allen, who served as general manager, accepted additional responsibilities in connection with the newspaper during his father's trips to Washington. Mr. Strunk was a frequent witness before the Appropriations Committees of the House and Senate in connection with public works programs.

A boyhood friend and schoolmate of Kenneth Wherry, he was his campaign manager when the latter ran for the Republican nomination for Governor of the State in 1932. They remained fast friends throughout the successful political career of Mr. Wherry, who ultimately became majority leader of the U.S. Senate.

A self-made man in every respect, he quit school in the eighth grade, when his father was financially unable to buy shoes for him. He took a job in a newspaper office as a printer's devil at $2 a week. With bulldog tenacity, he stayed with the publishing field, founding three different newspapers, each time with only a token sum for capital investment. Even after he had organized his first newspaper in McCook, the Tribune, there were times when he reported having no money to buy the ink with which to print the paper. He was only 19 years old when he and his partner launched the Red Willow Gazette in 1911, a publication which has long been the outstanding daily paper in the upper Republican watershed in southwestern Nebraska. Engraved on the front of the building which houses the McCook Gazette is a slogan which reveals his belief in the civic responsibilities of a newspaper. Constructed in 1926, the Gazette proclaims to the world, "Service is the rent we pay for the space we occupy in this world."

Harry Strunk will long be remembered for his deep interest in all civic betterment, but most of all, he will be recalled as the one man most responsible for the development of the Republican Valley to a point where it will no longer be subject to perennial threats from floods and droughts.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

STUDY OF USES OF GOVERNMENT-LICENSED MEDIA FOR DISSEMINATION OF POLITICAL OPINIONS, NEWS, AND SO FORTH—REPORT OF A COMMITTEE

Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, reported an original resolution (S. Res. 374) amending Senate Resolution 305, authorizing the Committee on Interstate and Foreign Commerce to undertake a study of the uses of Government-licensed media for the dissemination of political opinions, news, and so forth, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That Senate Resolution 305, agreed to June 14, 1960, authorizing the Committee on Interstate and Foreign Commerce to undertake a study of the uses of Government-licensed media for the dissemination of political opinions, news, and advertising, is amended on page 3, line 13, by striking out "$35,000" and inserting in lieu thereof "$185,000".

JOINT RESOLUTION INTRODUCED

By unanimous consent, the following joint resolution was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KEATING:

S.J. Res. 221. Joint resolution authorizing and requesting the President to set aside October 4, 1960, as Western Hemisphere Day; to the Committee on the Judiciary.

(See the remarks of Mr. KEATING when he introduced the above joint resolution, which appear under a separate heading.)

STUDY OF USES OF GOVERNMENT-LICENSED MEDIA FOR DISSEMINATION OF POLITICAL OPINIONS, NEWS, AND SO FORTH

Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, reported an original resolution (S. Res. 374) amending Senate Resolution 305, authorizing the Committee on Interstate and Foreign Commerce to undertake a study of the uses of Government-licensed media for the dissemination of political opinions, news, and so forth, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. MAGNUSON, which appears under the heading "Report of a committee.")

DESIGNATION OF HUNGARIAN INDEPENDENCE DAY—AMENDMENT

Mr. KEATING submitted an amendment, intended to be proposed by him, to the joint resolution (S.J. Res. 185) designating October 23 of each year as Hungarian Independence Day, which was referred to the Committee on the Judiciary and ordered to be printed.

RECESS UNTIL 11 A.M. TOMORROW

Mr. CANNON. Mr. President, in accordance with the order previously entered, I move that the Senate stand in recess until tomorrow, at 11 a.m.

The motion was agreed to; and (at 7 o'clock and 8 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Friday, August 26, 1960, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate August 25 (legislative day of August 24), 1960:

HOME LOAN BANK BOARD

I nominate Joseph J. Williams, Jr., of Virginia, to be a member of the Federal Home Loan Bank Board for the remainder of the term expiring June 30, 1963, vice William J. Hallahan, resigned.

IN THE ARMY

The following-named officer for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3305, subject to physical examination required by law.

To be colonel, Medical Corps

Pelosi, John J., O21020.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10 United States Code, sections 3284 and 3299. All officers are subject to physical examination required by law.

To be lieutenant colonel

Hanes, Wallace M., O33384.

To be majors

Hoffman, Joseph H., Jr., O27823.
Jackson, George D., O27821.

To be captain

Johnson, Richard T., O72740.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3298. All officers are subject to physical examination required by law.

To be first lieutenants

Acuff, Gerald R., O88321.
Adams, Donald D., O85813.
Adams, James G., O89171.
Adams, Louis W., O85716.
Adamski, Richard G., O81772.
Adriaansen, Leslie I., O89172.
Alden, John H., O85823.
Alexander, Lon C., Jr., O80235.
Anderson, John C., O82389.
Baker, John P., Jr., O89175.
Barrett, Robert C., Jr., O85125.
Bartlett, William E., Jr., O78569.
Bauer, Donnell G., O81776.
Berry, Louie G., O85884.
Blumenfeld, Stan, O81840.
Bosway, Stephen G., O88575.
Bradley, Lee M., O81779.
Brantley, John T., O88585.
Braspennickx, Harold J., O88586.
Bratcher, Dewey F., Jr., O81841.
Broadus, James C., O88342.
Brock, Robert J., O88592.
Brown, Elbert L., Jr., O89036.
Brown, Joe M., O83869.
Brown, Joseph F., 3d, O85131.
Bruck, Harold A., Jr., O88594.
Burrow, George D., O84961.
Burtnett, Richard J., Jr., O80239.
Caldwell, Chellus M., O81780.
Campbell, Jerry K., O88605.
Cancienne, Louis G., O89040.
Canfield, James D., O87699.
Carnahan, Ronald J., O88608
Cassell, James D., O85408.
Catlett, Charles, O88611.
Cauthen, Tommy E., O88612.
Churchill, Carl L., O81782.
Ciccone, Vincent J., O85136.
Cobb, Edward R., Jr., O85998.
Collins, Nicholas H., O85509.
Conger, John T., O85139.
Cox, Luther O., Jr., O88357.
Cox, Wallace R., O89196.
Craig, Sammy W., 2d, O88636.
Craighead, Clyde V., O88637.
Creviston, Mark S., Jr., O82512.
Criss, Carl K., O85311.
Crum, Raymond H., Jr., O86029.
Crump, Roger L., O88360.
Culpepper, Oren R., O81787.
Danner, Billy G., O81788.
Davis, Carl J., O81789.
Davis, Sidney I., O82524.
Deibel, Charles L., O88363.
Delk, Joe E., O84707.
Derr, William R., O88254.
Dickens, Weaverly J., 3d, O85522.
Dickinson, Kenneth K., O85155.
Dickover, Robert A., O82316.
Digh, Ned P., O88656.
Dikes, Billie N., O88045.
Dorsey, Harry M., O81790.
Duncan, Robert D., O88665.
Dyer, Donald E., Jr., O89201.
Erickson, Curtis C., O89202.
Fenton, Curtis D., Jr., O87514.
Flesher, Dale D., O88678.
Florey, Richard R., O89058.
Flynn, William S., O80248.
Foley, Roger M., O81792.
Fowler, Darrell V., O89208.
Frazier, Robert J., Jr., O84709.
Friend, Stephen G., O88686.
Frink, Robert K., O89209.
Fuller, James R., O88262.
Geddings, Cecil C., Jr., O88696.
Geiger, Peter H., O87750.
Gillem, Richard D., O82328.
Gordon, Bob F., O88079.
Greenfield, Bennett E., O85548.
Greenwalt, Randall A., O81794.
Gruhl, Werner M., O82624.
Haas, Willis J., Jr., O82332.
Hackney, Edward C., O89065.
Hall, John M., O89218.
Hallmark, Billy J., O88718.
Harbuck, James B., Jr., O81797.
Hartley, Robert G., O81798.
Hazel, Wiley S., Jr., O78064.
Hennen, Paul G., O85564.
Hestand, Kenneth D., O85567.
Hiland, Bobby A., O82333.
Hollingsworth, Jerome L., O89072.
Hopkins, Carl M., Jr., O82340.
Hunt, John B., O82677.
Jacobson, Howard C., O88403.
Jefferis, Robert J., O76266.
Jennings, Richard P., O88757.
Jenrette, Nathan P., 3d, O87802.
Joczik, Robert L., O85580.
Johansen, John M., O78075.
Johnson, Jerome G., O85190.
Kammer, Herman C., O85778.
Kavanaugh, Paul F., O85425.
Keim, Carl D., O87815.
Kramer, James S., O87540.
Kreulen, Ray H., O88414.
Kuntz, George R., O89238.
Kurtz, Robert W., O89083.
Kvederas, Robert A., O81848.
Langan, Eugene W., O81849.
Lee, Francis G., O87542.
Locklar, Jimmy L., O77886.
Lovejoy, Dan H., O81805.
Lovinggood, Jerry L., O88132.
Lowe, James I., O88799.
Lowe, John C., O81850.
Loyd, David R., O88133.
Luthy, Arthur P., O81806.
Magee, Michael H., O88137.
Marciniak, John J., O78090.
Marshall, Harold C., O83946.
Mazo, David R., O88284.
McBath, Donald L., O78601.
McCloskey, William B., Jr., O88817.

McDonnell, Joseph M., O87559.
McFee, William W., O78098.
McGinnis, Michael J., O88821.
McIntosh, Bernard W., O78100.
McKibben, Clifford F., O88825.
Meister, Jerome F., O88830.
Mickey, Joseph G., O88152.
Mills, Richard L., O82810.
Monville, John J., O82819.
Moriarty, Donald P., Jr., O88847.
Morris, David W., O81813.
Motes, Clyde LaV., O81814.
Mulloy, Robert L., Jr., O80256.
Munn, Jack E., O87862.
Murray, Owen P., O78106.
Najera, Pete M., O77907.
Olson, Bruce G., O81816.
O'Malley, Joseph G., O88464.
O'Neill, Charles F., O89121.
O'Toole, Thomas M., O81818.
Parker, Jimmie C., O86610.
Parks, David W., O81820.
Pearce, William E., O89274.
Phelan, Arthur J., O88875.
Piasta, Richard L., O87882.
Plummer, Harold LeR., O78609.
Pollenz, Richard S., O87885.
Poole, Ronald H., O85362.
Porter, Ronald E., O88879.
Press, Donald P., O83772.
Provine, Carl R., O88540.
Reilley, James J., O85648.
Resa, Philip E., O89133.
Reyburn, Dwight S., O82902.
Reynolds, William H., O85650.
Rives, William T., Jr., O78120.
Rodnite, Andrew J., O85654.
Roessner, Norbert J., O81853.
Rogan, Robert E., O81854.
Ronish, Robert R., O87601.
Rooney, Lawrence A., O89137.
Rosenberg, David C., O88306.
Rosendahl, Richard C., O81729.
Rowe, Terry E., Jr., O81827.
Royal, Eugene S., O88190.
Rummens, Bobby E., O85370.
Russell, Richard R., O85660.
Ryan, William D., O87602.
Sanchez, Reynaldo, O88193.
Saunders, Richard G., O88913.
Scarborough, Edward, O78122.
Schultz, Gary E., O88919.
Sherman, Charles L., 4th, O87613.
Smith, Robert T., Jr., O88942.
Starr, Luther J., Jr., O78929.
Steinbach, James J., O80261.
Streips, Eugene A., O78619.
Sullivan, George C., O81830.
Sullivan, John H., O76679.
Surprise, Lyle G., O89296.
Symons, Frederick E., O88965.
Taurke, Erwin A., O85270.
Thovson, Paul W., O87947.
Tipton, James A., O78623.
Tomei, Ciancarlo A., O88979.
Trauthen, Donald R., O83803.
Travis, Charles E., Jr., O78135.
Trueheart, William H., O76705.
Vincent, Wendell C., O83040.
Ward, James J., O88994.
Ward, Leonard M., Jr., O88995.
Ward, Rayburn L., Jr., O80265.
Waring, Mowton LeC., Jr., O89308.
Warnberg, Harry E., O85097.
Watkins, Thomas D., 2d, O88996.
West, James A., O88523.
Whedbee, John S., O78627.
Wheeler, Edward W., Jr., O81838.
White, David J., O85388.
White, Lawrence L., O85699.
Widell, Carl A., Jr., O89166.
Williams, Jimmie L., Jr., O78628.
Winger, Norman, O78156.
Witsell, Edward L., O78157.
Wizbowski, Walter L. P., O89014.

To be first lieutenant, Women's Army Corps

vonMetnitz, Carol, L582.

To be first lieutenants, Medical Service Corps

Bateman, Jack N., O82411.
Belcher, Lillard F., O89179.
Boroski, Marvin R., O85727.
Borth, Alfred G., O85912.
Brand, Fred C., O85728.
Callaway, Mayson A., Jr., O85966.
Cissel, Donald J., O85505.
Cleaver, Bruce H., O84141.
Dorrough, Earnest L., O78056.
Emmons, Bobby B., O85747.
Fields, Robert E., O88674.
French, Ernest D., O82586.
Gaffney, John P., O85752.
Glynn, Michael G., O85753.
Hobbs, Robert J., Jr., O85768.
Hucks, John A., O88747.
Inlow, Neely S., O81800.
King, Damon D., O80253.
Kleber, Robert E., O85780.
Merrill, Benjamin L., O81811.
Murphy, Joseph H., Jr., O88852.
Orbelo, William R., O83968.
Posey, William L., O81822.
Rothwell, J. C., O86705.
Rumley, Richard E., O88906.
Silvas, Manuel M., O88935.
Tilmon, George W., Jr., O88977.
Wallace, Norman G., O78147.
Webb, Charles L., O89000.
Young, John W., Jr., O86971.

To be first lieutenants, Army Nurse Corps

Diener, Delores E., N2970.
Michael, Marbeth G., N2963.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

To be majors

Abbott, Stanley Burton, O1339550.
Shackelton, Phillip Liston, O1690781.
Zucker, Lester Jay, O1797225.

To be captains

Bergeron, Noel Louis, O1876308.
Brackett, Charles Ray, O1878775.
Bryan, Leo Cortner, O2033297.
Carter, Donn Fulton, O2014739.
Corbett, William Thomas, O4005885.
Coykendall, Kenneth Fletcher, O2033964.
Crego, Arthur Van Voorhis, O2017210.
Dillinger, David Rodolphus, O1888338.
Geisel, Francis Ralph, O1341657.
Gluck, Donald Wallace, O1881903.
Gray, Wilmer Oscar, Jr., O1890613.
Hartup, James Calvin, O1888983.
Hazlett, John William, O4011127.
Hughes, Robert Irvin, Jr., O970332.
Iannamico, Lucky Rocco, O2208607.
Jones, Robert Calvin, O1874496.
Marshall, Magness Wayne, O2289187.
Martin, Sidney Earl, O1893951.
McDermott, Francis Patrick, O1935270.
McDermott, Frank Elvin, O1924130.
Meredith, Alvin Leroy, O1884174.
Montgomery, Ernest Glenn, O1686769.
Mounts, Pierce Eugene, O1924606.
Pistone, Louis John, O1930646.
Radu, Cornelius John, O4001444.
Vincent, Samuel Michael, O2266417.
Whalen, Thomas Bernard, O1874746.

To be first lieutenants

Akiyama, Frank Masakatsu, O4057687.
Anderson, Harold Kramer, II, O4069199.
Andreacchio, Nicholas Albert, O4074648.
Bartholomew, Roger Jay, O4027501.
Boehnke, Roger Harvey, O4025265.
Brown, Lewellyn Alphonzo, O4030720.
Brumback, Robert Miller, O4006175.
Cage, Willie Riley, Jr., O4024861.
Casipit, Felix Leonard, O4051424.
Childs, Wendell Arthur, O4042946.
Clemmons, Robert Hobson, Jr., O2268035.
Erminger, Lee Earl, O2297090.
Franklin, Bobby Gene, O4071648.
Gannon, James Vincent, O4037732.
Gochnaur, Thomas LeRoy, O4056572.
Gorman, Thomas Patrick, O4067157.
Graham, Joseph Edward, O4036966.
Hardy, Robert Marshall, Jr., O4063372.
Hurst, John Edward, O4053522.
James, George Otto, O4031482.
Johnson, Harold Lloyd, O4036568.
Kammerdiener, James Eugene, O4010739.
Kelleher, Vincent James, O4035625.
Kellogg, Kenneth Eugene, O4032348.
Knieriem, Matthew Emmett, O4064267.
Lee, Walter Thompson, O4075312.
Link, Elbert Watson, O4071468.
Lyons, Gerald Edward, O4042896.
Marko, George Franklin, O4040499.
McKinney, Boyce Cornelius, O4042741.
Moore, Robert Delmar, O4059549.
Muenter, William Theodore, O4049321.
Niemczyk, Theodore Thomas, Jr., O4074306.
Oberle, Joseph Floyd, O5502978.
Oliver, Hebren Wayne, O4010025.
Otsuka, Yukio, O4031168.
Pauley, Richard Allen, O5201418.
Pfeil, Henry, Jr., O1924628.
Pirnie, Peter Martin, O4051474.
Polczynski, Albert Richard, O5405032.
Rixon, Malcolm David, O4028146.
Ryder, Freddie Oliver, O4010637.
Sands, Robert Samuel, O4042331.
Scott, Robert Wayne, O4043141.
Senn, Thomas Joseph, O4030776.
Shelton, Huntly Elberto, Jr., O4025990.
Smith, Lloyd David, O4027829.
Tallman, Richard Laverne, O4074331.
Wade, Herman Laverne, O4036535.
Weeks, James H., O4060846.
Weeks, Jimmy Dunbar, O4072080.
Winne, Ross Wesley, Jr., O4058986.

To be second lieutenants

Adams, Hugh William Hobart, O5702381
Adkins, Kenton Leon, O5208266.
Amlong, William Ellsworth, O4061750.
Amos, John Oliver, O5402178.
Andrews, William Robert, O5309128.
Archibald, Thomas, O5506755.
Bichler, Herman John, O5700160.
Biggerstaff, Robert Ray, O5308405.
Blake, Wilbert Lewis, O5302172.
Blevins, Josef Albert, O5401239.
Bolling, John Randolph, Jr., O5200355.
Bowdan, Melvin Roland, Jr., O5505330.
Breeding, Joel Wayne, O5403573.
Brickner, Robert Love, O4047467.
Broshjeit, Frederick George, O5308709.
Buckley, Robert Arthur, O5308905.
Buczek, Richard Charles, O5205445.
Campbell, Donald Wesley, O5403026.
Campbell, James Thomas, O5307056.
Caswell, Kenneth Allen, O5307836.
Coblentz, William Sidney, O5400702.
Crosby, Donald Alton.
DaCosta, Albert, O4066331.
Dast, William Arthur, O5505579.
Davenport, William Charles, O5508340.
Davis, Charley Burt, O5402080.
Doehle, Douglas August, O5702399.
Eklund, Robert Gregg, O5506171.
Evans, William Robert, O5304108.
Finch, James Turner, O5505679.
Fitzwilliam, James Crosby, O5400729.
Forburger, Francis Harold, O5504495.
Frye, Norman Earl, O5203507.
Geer, William Asbury, Jr., O5303256.
Gellman, Leonard Jack.
Glover, Ronald Francis, O5203978.
Grade, Kenneth Dean, O5303869.
Graham, Charles McManee, O5306003.
Greene, Earnest Lee, O5304210.
Gregg, Noel Delmas, O5303296.
Harber, Bobby Donald, O5303301.
Heipp, William Albert, O5506225.
Helms, Bobby Thomas, O5303238.
Hicks, Gerald DeArmond, O5305171.
Hoffman, James Richard, O5509802.
Hornaday, Robert Woodward, O5507386.
Hosman, Henry Raymond, O5508361.
Hughes, John Joseph, Jr., O5201164.
Hughes, Norman Francis Stephen, O4085292.
Hutzler, Ralph Lawrence, Jr., O5402299.
Johns, Donald Lowell, O5704371.
Johnson, Harold Edward, O5001593.
Johnson, Robert Deny, O5307941.
Keefer, Gary Lee, O5205440.
Kelly, Joseph Donald, O5303279.
Klose, John Alfred Graham, O5405172.

Knight, Peter Stanley, O5301880.
Krakower, Aaron James, O5302621.
Kunberger, Frank Long, O5300815.
Lavey, Michael Anthony, O5001516.
Lehmann, Clark Thomas, O5507387.
Lo, Dennis Hung Kwon.
Lyon, Paul Wesley, O5308327.
MacFarland, George Arthur, III, O5208695.
Malloy, Shaun Thomas, O4084675.
Mays, Jack Myron, O5307245.
McEvoy, Edward Bruce, O5005387.
McKinsey, Gerald Lee, O5506555.
Miller, John Douglas, O5700351.
Moss, George Dayton, Jr., RA14717898.
Moss, Robert Eric, O5200092.
Myers, Donald Albin, O5507536.
Nelson, Arthur Franklin, O4071615.
Nugent, James, O4085951.
Orndorff, David Allen, O5304250.
Philbrook, Wallace Robert, O4084683.
Powers, Byron Leland, O5505594.
Rhen, Thomas Allan, O5305711.
Rogers, James Douglas, O5304260.
Rumsey, Gary Leroy
Sanders, Thomas Charles, O5411006.
Schooff, Maury Wintle, O5704186.
Scott, Walter James, O5002078.
Spaar, William John, O5205402.
Stead, Robert Wilson, O5303913.
Sutton, William Madison, Jr., O5305299.
Taylor, Edwin James, III, O5704621.
Thorsen, John Stanton, O5504504.
Thurin, John Phillip, O5508779.
Walkup, Larry Richard, O5510070.
Walsh, Raymond Michael, O5303043.
Wellman, William Henry, O5302746.
Wetzel, Gerald Regis, O5505012.
Wilbanks, Ronald Hill, Jr., O5304704.
Wilkinson, Coleman Duncan, O5303930.
Williams, David Kirk, O5404124.
Wood, William Adin, O5005711.
Woods, Lawrence Dane, O5006863.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, 3288, 3290, 3291, 3292, 3294, and 3311:

To be captains, Army Nurse Corps

Anderson, Marion Virginia, N786809.
Bagin, Isabelle Joan, N900035.
David, Mildred Dorothy, N901831.
Elko, Mary, N900117.
Trudell, Eileen Dorothy, N901276.

To be captains, Dental Corps

Cheatham, Joe Leonard, O4023495.
del Rio-Cartagena, Carlos Eduardo, O1924400.
Miller, Joseph John, O5004209.
Stoll, Robert Paul, O1875804.

To be captain, Judge Advocate General's Corps

Rector, Lloyd Kenyon, O2272598.

To be captains, Medical Corps

Blickenstaff, Loren David, O5500117.
Canfield, Craig Jennings, O5703009.
Freeman, James Hedges, O4015426.
Gangai, Mauro Pat, O5004401.
Genest, Aloria Stephen, O5301327.
Lindahl, James Bushnell, O2273710.
Ward, John Emmett, O5500023.

To be captain, Women's Army Corps

Ossenkop, Eva Lucille, L1010689.

To be first lieutenant, Army Medical Specialist Corps

Yeakel, Mary Hannah, J100305.

To be first lieutenants, Army Nurse Corps

Anderson, Helen Gertrude, N902863.
Cohen, Marcia Lillian, N902281.
Sullivan, Elenore Frances, N2298180.

To be first lieutenants, Chaplain

Beal, Donald Bruce, O2295317.
Jernigan, Duie Ray, O5407787.
Ouzts, Paul Donald, O4056179.

To be first lieutenants, Dental Corps

Adams, Herbert Fleet, Jr., O4045239.
Frantz, Wayne Robert, O4046074.
San Filippo, Francis Anthony, O4041309.

To be first lieutenant, Judge Advocate General's Corps

Jennings, Curtis Arthur, O2298904.

To be first lieutenants, Medical Corps

Attwood, Charles Raymond, O2297899.
Barth, Berle Ira, O2220936.
Benson, James Robert, O3089213.
Foster, Lawrence Hunt, Jr., O2297914.
Hinds, Ronald Burton, O2297910.
Larsen, Lowell Don, O2295538.
Mays, Edward Everett, O1936245.
McCarty, James Patrick, O2297984.
McIntosh, Billy Joe.
Mentzer, William Gilbert, O2295624.
Nacheff, Nathaniel Michael, O2295461.
Schulte, Jerome Louis, O2297977.
Wahl, William Herbert, O4041109.

To be first lieutenants, Medical Service Corps

Gandy, Kent Ellsworth, O4038435.
McKinney, George Kimbrough, O4069128.
Thompson, Helmer William, Jr., O4017029.

To be first lieutenants, Veterinary Corps

Anthony, Theodore Graff, O5407914.
Mock, James Franklin, O4035897.
Voelker, Richard William, Jr., O2297929.

To be first lieutenants, Women's Army Corps

Griffin, Norma Beatrice, L1010825.
Laurea, Lena, L2296372.
Schairer, Agnes Claire, L2289504.

To be second lieutenants, Army Medical Specialist Corps

Derrick, Beverly Ann, M2295626.
Pavlis, Patricia Mae, M2295523.

To be second lieutenants, Army Nurse Corps

McKenzie, Nancy Judith, N5407133.
Seufert, Helen Jane, N2295411.

To be second lieutenants, Medical Service Corps

Edwards, Tom Rogers, O5401082.
Habeck, Edgar Julius, O4017204.
Johnston, Jerry Mitchell, O4046536.
Moseley, Robert Roland, O5002283.
Paddock, Robert Eugene, O2298642.
Penick, Norman Donald, O5405417.
Trumbla, Thomas Eugene, O2298317.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade and corps specified, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, 3288, and 3290:

To be second lieutenants, Medical Service Corps

Richard Nathaniel Dixon
George William Hausler
Allison Carr Bennett
James Harold Bingham, Jr.
Robert Allen Boissoneau
Rolland Harvey Brunsell
Charles Fenton Clark
James Russell Young

The following-named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288.

Robert Thomas Adams
Shelby Ray Adams
Alex Lewis Allen
Paul Walter Apfel
Jimmy Ray Archer
Edward Eugene Authier, Jr.
Joseph Francis Bender
Richard Matthew Biondi
Byron Curtis Patrick Blaschke
Gerald Dwight Bonds
Wallace Alexander Bryans
Frank Blair Buchanan, III
Harvey Irwin Buckles
Robert Henry Bury
William Jelks Cabaniss, Jr.
Jerry Washington Cavender
James Richard Chin
Edison Terryl Colwell
William Clayton Copeland, Jr.
John Lewis Dascanio
Gary Richard Dederer
Paul Francis Dinsmore, Jr.
William Frank Edgar
Robert Thomas Edwards
Charles Bartley Elfman, Jr.
William Arthur Emerick
James Allen Fenlon
Dennis John Flynn, O5212368
Richard Eugene Foushee
John Joseph Frank
Salvatore Anthony Ganino
Manuel Garcia
Gary Oscar Gilbertson
Michael Lee Goodman
Michael Francis Graham
Thomas Wayne Greenhaw
Edward Morris Gripkey
Kenneth William Haas, Jr.
Edward Young Hall
Jerry Byron Hall
Benjamin Thomas Harris III
David John Harris
John Marlen Hebert
Murray Courtney Higgins
John Bennett Hilliker
Theodore Roosevelt Humphrey
Joseph Douglas Jacobson
Douglas Wayne Johnson
Frederick Elliott Johnston III
Archie Clifton Jordan, Jr.
Ben Eugene Killebrew
Joe Eckley Kirk, Jr.
David Grant Laird
Robert Dudley Lewis
Darrell Bernard Maertens
Sherburn Worthing Merrill, Jr.
Frederick Martin Meyers
George Arthur Mihram
Donald Lewis Miles
Lewis James Miller
John Minsker Moltz, Jr.
David Gene Moore
Michael Eugene Moore
Donald Wayne Moss
Jack LeRoy Muck
George Nartsissov
Richard Christian Neely
Marvin Duane Nelson
William John Northquest
Donald Allen Noteboom
William Fredrick O'Neal
William Harold Overholser
Thomas Herman Paaso
Richard Edwin Pedersen
Frank William Peterson
David Turnbull Petter
Jerry Dean Pirkle
Richard James Poelker
Kenneth Barney Presley
William Claude Pursch
Harry Lance Reynolds
Abraham David Ribak
Frank William Rider
Ronald Mills Robinson
Terrance Luke Roche
Richmond Williston Rucker
Anthony Peter Sabino
William Douglas Sanford
William Grey Savage
Alton Jackson Sheek
Paul Lee Smith
Daniel Buckley Austin Sobrio
Eliot George Spack
Edward Warren Stahl II
William Roland Suhanin
Gary Vern Tomlinson
James Lynch Tracy
Marvin William Vahrenkamp, Jr.
Louis Ciro Varuzzo
Geza Barnabas Vegvary
John Davis Wiley
Wayne Winchester, O5310235.

Walter Armand Witschard
William Bryan Woodson
Harold James Wunsch
Louis Harry Zakas

The following-named person for appointment in the Regular Army by transfer in the grade specified, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

To be lieutenant colonel

Noyan, Patrick Theodore, O79658.

The following-named person for reappointment to the active list of the Regular Army of the United States, from the temporary disability retired list, in the grade and corps specified, under the provisions of title 10, United States Code, section 1211:

To be major, Army Nurse Corps

Hill, Bernice Mary, N75.

HOUSE OF REPRESENTATIVES

THURDASY, AUGUST 25, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I Thessalonians 3: 12: *The Lord make you to increase and abound in love one toward another and toward all men.*

Eternal God, in whose hands lie the destinies of all men, help us to feel our sacred unity as members of the human family and children of a common Father.

Make us alert and vigilant in finding ways of amity and concord for we penitently confess that our wills and desires so frequently clash in dissension and discord.

May the spirit of love and good will possess and control our hearts inspiring us to make every sacrifice that will bring blessedness to needy humanity and dispel the darkness which enshrouds the earth.

Hear our prayer through the merits and mediation of our blessed Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a bill of the following title, in which concurrence of the House is requested:

S. 3800. An act to provide a method for regulating and fixing wage rates for employees of Portsmouth, N.H., Naval Shipyard.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 285. An act for the relief of John A. Skenandore;

S. 1321. An act to authorize the Attorney General to consent, on behalf of the Library of Congress Trust Fund Board, to a modification of the terms of a trust instrument executed by James B. Wilbur;

S. 2806. An act to revise the boundaries of the Coronado National Memorial and to authorize the repair and maintenance of an access road thereto, in the State of Arizona, and for other purposes;

S. 2932. An act to amend section 3568 of title 18, United States Code, to provide for reducing sentences of imprisonment imposed upon persons held in custody for want of bail while awaiting trial by the time so spent in custody; and

S. 3487. An act to amend the "Anti-Kickback Statute" to extend it to all negotiated contracts.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 6871) entitled "An act to amend title III of the Public Health Service Act, to authorize project grants for graduate training in public health, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HILL, Mr. YARBOROUGH, Mr. WILLIAMS of New Jersey, Mr. JAVITS, and Mr. CASE of New Jersey, to be the conferees on the part of the Senate.

The message also announced that the Senate recedes from its amendments to the bill (H.R. 5747) entitled "An act to amend section 152, title 18, United States Code, with respect to the concealment of assets in contemplation of bankruptcy."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4826) entitled "An act for the relief of Arthur E. Collins."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10455) entitled "An act to amend the Mineral Leasing Act of February 25, 1920."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11666) entitled "An act making appropriations for the Departments of State and Justice, and the Judiciary, and related agencies for the fiscal year ending June 30, 1961, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2669) entitled "An act to extend the period of exemption from inspection under the provisions of section 4426 of the Revised Statutes granted certain small vessels carrying freight to and from places on the inland water of southeastern Alaska."

ARTHUR E. COLLINS

Mr. LANE submitted a conference report and statement on the bill (H.R. 4826) for the relief of Arthur E. Collins.

AMENDMENT OF SMALL BUSINESS ACT

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11207) to amend the Small Business Act so as to authorize an additional $150 million for loans to small businesses and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? The Chair hears none, and appoints the following conferees: Messrs. SPENCE, BROWN of Georgia, PATMAN, RAINS, MULTER, MCDONOUGH, WIDNALL, and BASS of New Hampshire.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1961

Mr. FOGARTY. Mr. Speaker, I call up the conference report on the bill (H.R. 11390) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1961, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2152)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11390) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1961, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 14, 15, 20, 25, 30, 35, 36, 38, 59, 79, and 83.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 6, 7, 8, 10, 11, 12, 13, 26, 27, 28, 29, 31, 33, 37, 41, 52, 53, 55, 57, 58, 61, 62, 63, 65, 66, 67, 68, 73, 74, 75, 76, 77, 78, and 81, and agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$56,200,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$54,700,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$70,000,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree

to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$15,430,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$186,200,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$35,000,000"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,675,000"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$9,714,000"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$83,900,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$111,000,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$100,900,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$86,900,000"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$15,500,000"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$61,200,000"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$44,000,000"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$56,600,000"; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$350,000"; and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with amendment, as follows: Restore the matter stricken out, amended to read as follows:

"SEC. 204. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount for indirect expenses in connection with such project in excess of 15 per centum of the direct costs."

And the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert "205"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert "206"; and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert "207"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 5, 9, 16, 21, 23, 24, 40, 44, 46, 56, 64, 80, and 82.

JOHN E. FOGARTY,
WINFIELD K. DENTON,
CLARENCE CANNON,
MELVIN R. LAIRD,
JOHN TABER,
Managers on the Part of the House.

LISTER HILL,
RICHARD B. RUSSELL,
DENNIS CHAVEZ,
JOHN STENNIS,
JOHN O. PASTORE,
MIKE MONRONEY,
THOMAS H. KUCHEL,
MARGARET CHASE SMITH,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11390) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1961, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF LABOR

Office of the Secretary

Amendment No. 1—Salaries and expenses: Deletes language as proposed by the Senate. It was also agreed, in connection with a subsequent Senate amendment, that the same language would be made a part of Title IX—General Provisions.

Amendment No. 2—Working capital fund: Reported in disagreement.

Labor-management reporting and disclosure activities

Amendment No. 3—Salaries and expenses: Deletes language as proposed by the Senate. It was also agreed, in connection with a subsequent Senate amendment, that the same language would be made a part of Title IX—General Provisions.

Bureau of Labor Standards

Amendment No. 4—Salaries and expenses: Deletes language as proposed by the Senate. It was also agreed, in connection with a subsequent Senate amendment, that the same language would be made a part of Title IX—General Provisions.

Bureau of Employment Security

Amendment No. 5—Grants to States for unemployment compensation and employment service administration: Reported in disagreement.

Amendment No. 6—Grants to States for unemployment compensation and employment service administration: Appropriates $325,819,000 as proposed by the Senate instead of $320,819,000 as proposed by the House.

Amendment No. 7—Salaries and expenses, Mexican farm labor program: Appropriates $1,404,100 as proposed by the Senate instead of $1,344,100 as proposed by the House.

Wage and Hour Division

Amendment No. 8—Salaries and expenses: Deletes language as proposed by the Senate. The conferees agreed, in connection with a subsequent Senate amendment, to include similar language in Title IX—General Provisions.

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

Amendment No. 9—Pharmacological-animal laboratory building: Reported in disagreement. It was agreed that a motion will be made for the House to recede from its disagreement to the Senate amendment providing $150,000 for plans and specifications for a special pharmacological-animal laboratory, and agree to the same with an amendment to reduce the appropriation to $100,000. The conferees are in agreement that the original, tentative plans for this building, presented by the Food and Drug Administration, appear to be unnecessarily elaborate. It is the desire of the conferees that this building be adequate for the purpose but that it be so planned that any unnecessary construction expenses are avoided.

Office of Education

Amendment No. 10—Promotion and further development of vocational education: Deletes language as proposed by the Senate.

Amendment No. 11—Grants for library services: Deletes language proposed by the House relating to allotment of funds and the period of availability of funds. A supplemental appropriation for 1960 in the approximate amount of $1,369,000 will be necessary in order to carry out the Federal Government's obligation under the legislative action taken in connection with the 1960 and the 1961 appropriations for this activity.

Amendment No. 12—Payments to school districts: Appropriates an additional amount of $7,362,000 for fiscal year 1959 as proposed by the Senate.

Amendment No. 13—Defense educational activities: Appropriates $173,050,000 as proposed by the Senate instead of $171,000,000 as proposed by the House.

Amendments Nos. 14 and 15—Defense educational activities: Delete language proposed by the Senate which would have changed the manner of making, and the amounts of allotments under Titles II and III of the Defense Education Act.

Amendment No. 16—Defense educational activities: Reported in disagreement.

Office of Vocational Rehabilitation

Amendments Nos. 17 and 18—Grants to States: Appropriates $56,200,000 instead of $54,000,000 as proposed by the House and $57,500,000 as proposed by the Senate, and provides that $54,700,000 of the appropriation is for vocational rehabilitation services under Section 2 of the Vocational Rehabilitation Act instead of $53,000,000 as proposed by the House and $56,000,000 as proposed by the Senate.

Amendment No. 19—Grants to States: Provides that allotments to the States for the current fiscal year under Section 2 of the Act shall be made on the basis of $70,000,000 instead of $63,000,000 as proposed by the House and $77,000,000 as proposed by the Senate. The conferees are in agreement that no deficiency in the appropriation shall result from this provision.

Amendment No. 20—Grants to States: Deletes language proposed by the Senate which would amend the authorizing legislation with respect to grants to the State of Hawaii.

Amendment No. 21—Research and training: Reported in disagreement.

Amendment No. 22—Research and training: Appropriates $15,430,000 instead of $14,800,000 as proposed by the House and $15,800,000 as proposed by the Senate. The increase of $630,000 over the amount proposed by the House will provide $350,000 for new research and demonstration projects for an increased program for the rehabilitation of those who are more severely disabled, particularly those applying for OASI disability benefits; $230,000 for approximately 50 new traineeships; and $50,000 for approximately 11 additional research fellowships. The additional traineeships and fellowships are all in the fields of medicine and related speech and hearing.

Public Health Service

Amendment No. 23—Preamble: Reported in disagreement.

Amendment No. 24—Preamble: Reported in disagreement.

Amendment No. 25—Assistance to States, general: Deletes language proposed by the Senate, which would permit the use of $1,000 for entertainment of officials of other countries.

Amendment No. 26—Assistance to States, general: Appropriates $24,620,000 as proposed by the Senate instead of $22,620,000 as proposed by the House. The increase proposed by the Senate represents approval of a budget amendment sent to the Senate by the President after the House had acted on the bill. The additional $2,000,000 was proposed to be used for grants to States in order to stimulate and assist States and communities in initiating and expanding services designed to improve patient care and related services in nursing homes, which terms embrace nursing, medical, and other related health services provided by homes for the aged.

Amendments Nos. 27 and 28—Control of tuberculosis: Appropriate $6,430,000 as proposed by the Senate instead of $5,930,000 as proposed by the House and provide that $4,000,000 shall be available for grants to States as proposed by the Senate instead of $3,500,000 as proposed by the House.

Amendment No. 29—Communicable disease activities: Appropriates $14,116,000 as proposed by the Senate instead of $13,516,000 as proposed by the House.

Amendment No. 30—Communicable disease activities: Deletes language proposed by the Senate to provide that $5,700,000 of the appropriation shall be for the control of venereal diseases. This deletion was agreed to solely for the purpose of simplifying accounting. It will be expected that the amount indicated will be administratively set aside for use in the program to control venereal diseases.

Amendment No. 31—Environmental health activities: Appropriates $27,640,000 as proposed by the Senate instead of $25,640,000 as proposed by the House.

Amendments Nos. 32 through 37—Grants for hospital construction: Appropriate $186,200,000 instead of $150,000,000 as proposed by the House and $211,200,000 as proposed by the Senate and provide for the allocation of these funds as follows: $150,000,000 for hospitals and related facilities pursuant to Part C as proposed by the Senate instead of $118,800,000 as proposed by the House; $35,000,000 for facilities pursuant to Part G instead of $30,000,000 as proposed by the House and $60,000,000 as proposed by the Senate; $7,500,000 for diagnostic or treatment centers as proposed by the House instead of $20,000,000 as proposed by the Senate; $7,500,000 for hospitals for the chronically ill and impaired as proposed by the House instead of $20,000,000 as proposed by the Senate; $10,000,000 for rehabilitation facilities as proposed by the Senate instead of $5,000,000 as proposed by the House.

Amendment No. 38—Grants for hospital construction: Restores language relating to allotments proposed by the House and deleted by the Senate, and deletes language proposed by the Senate regarding the calculation of allotments to the State of Hawaii.

Amendment No. 39—Salaries and expenses, Hospital construction services: Appropriates $1,675,000 instead of $1,654,200 as proposed by the House and $1,786,000 as proposed by the Senate.

Amendment No. 40—Hospitals and medical care: Reported in disagreement.

Amendment No. 41—Foreign quarantine activities: Appropriates $4,931,000 as proposed by the Senate instead of $4,812,000 as proposed by the House. The conferees are agreed that the increase of $119,000 be used to augment the inspection services at those airports most seriously undermanned because of the increases in international travel.

Amendment No. 42—Construction of Indian health facilities: Appropriates $9,714,000 instead of $8,964,000 as proposed by the House and $9,964,000 as proposed by the Senate. The increase of $750,000 is for domestic and community sanitation facilities. The conferees are in agreement with the admonition contained in the House report that the Public Health Service carefully analyze all proposals for such facilities with a view to eliminating any projects where the cost is so high that more beneficial results could be obtained by a different application of funds.

Amendment No. 43—General research and services, National Institutes of Health: Appropriates $83,900,000 instead of $52,660,000 as proposed by the House and $104,405,000 as proposed by the Senate.

Amendment No. 44—General research and services, National Institutes of Health: Reported in disagreement.

Amendment No. 45—National Cancer Institute: Appropriates $111,000,000 instead of $102,469,000 as proposed by the House and $126,375,000 as proposed by the Senate. The amount appropriated includes $5,000,000 for grants for construction of cancer research facilities on a nonmatching basis.

Amendment No. 46—National Cancer Institute: Reported in disagreement.

Amendment No. 47—Mental health activities: Appropriates $100,900,000 instead of $79,863,000 as proposed by the House and $110,800,000 as proposed by the Senate.

Amendment No. 48—National Heart Institute: Appropriates $86,900,000 instead of $71,762,000 as proposed by the House and $125,166,000 as proposed by the Senate.

Amendment No. 49—Dental health activities: Appropriates $15,500,000 instead of $12,604,000 as proposed by the House and $16,710,000 as proposed by the Senate.

Amendment No. 50—Arthritis and metabolic disease activities: Appropriates $61,200,000 instead of $52,841,000 as proposed by the House and $70,760,000 as proposed by the Senate.

Amendment No. 51—Allergy and infectious disease activities: Appropriates $44,000,000 instead of $38,439,000 as proposed by the House and $48,234,000 as proposed by the Senate.

Amendments Nos. 52 and 53—Allergy and infectious disease activities: Provides that $750,000 shall be available for payment to the Gorgas Memorial Institute as proposed by the Senate instead of $150,000 as proposed by the House and that the funds shall be available for construction.

Amendment No. 54—Neurology and blindness activities: Appropriates $56,600,000 instead of $44,362,000 as proposed by the House and $61,550,000 as proposed by the Senate.

Amendment No. 55—Grants for construction of health research facilities: Appropriates $30,000,000 as proposed by the Senate instead of $25,000,000 as proposed by the House.

Amendment No. 56—Construction of mental health-neurology research facility: Reported in disagreement.

Amendment No. 57—Buildings and facilities: Appropriates $3,470,000 as proposed by the Senate instead of $3,135,000 as proposed by the House.

Amendment No. 58—Salaries and expenses: Appropriates $6,900,000 as proposed by the Senate instead of $6,800,000 as proposed by the House.

St. Elizabeths Hospital

Amendment No. 59—Salaries and expenses: Deletes language proposed by the Senate relating to the rate of reimbursements to St. Elizabeths Hospital.

Social Security Administration

Amendment No. 60—Cooperative research or demonstration projects in social security: Appropriates $350,000 instead of $700,000 as proposed by the Senate.

Amendment No. 61—Salaries and expenses, Office of the Commissioner: Appropriates $350,800 as proposed by the Senate instead of $342,500 as proposed by the House.

Gallaudet College

Amendment No. 62—Construction: Appropriates $2,512,000 as proposed by the Senate instead of $2,432,000 as proposed by the House.

Office of the Secretary

Amendment No. 63—White House Conference on Aging: Appropriates $760,000 as proposed by the Senate instead of $550,000 as proposed by the House.

Amendment No. 64—Working capital fund: reported in disagreement.

General Provisions

Amendments Nos. 65 and 66: Delete language proposed by the House. The conferees agreed, in connection with subsequent amendments, to include the same language as a part of Title IX—General Provisions.

Amendments Nos. 67 and 68: Change section numbers.

Amendment No. 69: Restores language proposed by the House and stricken by the Senate relating to the payment of indirect costs for research projects.

Amendments Nos. 70, 71, and 72: Change section numbers.

Amendment No. 73: Deletes language proposed by the House. The conferees agreed, in connection with a subsequent amendment, to include the same language in Title IX—General Provisions.

TITLE III—NATIONAL LABOR RELATIONS BOARD

Amendment No. 74—Salaries and expenses: Deletes language proposed by the

House. The conferees agreed, in connection with a subsequent amendment, to include the same language in Title IX—General Provisions.

TITLE IV—NATIONAL MEDIATION BOARD

Amendment No. 75—Salaries and expenses: Deletes language proposed by the House. The conferees agreed, in connection with a subsequent amendment, to include the same language in Title IX—General Provisions.

Amendment No. 76—Salaries and expenses: Provides authority for the temporary employment of referees under Section 3 of the Railway Labor Act at rates not in excess of $100 per diem as proposed by the Senate, instead of $90 per diem as proposed by the House.

Amendment No. 77—Salaries and expenses: Appropriates $1,555,000 as proposed by the Senate instead of $1,522,500 as proposed by the House.

TITLE V—RAILROAD RETIREMENT BOARD

Amendment No. 78—Limitation on salaries and expenses: Deletes language proposed by the House. The conferees agreed, in connection with a subsequent amendment, to include the same language in Title IX—General Provisions.

TITLE VI—FEDERAL MEDIATION AND CONCILIATION SERVICE

Amendment No. 79—Salaries and expenses: Appropriates $3,905,400 as proposed by the House instead of $4,093,000 as proposed by the Senate.

TITLE IX—GENERAL PROVISIONS

Amendment No. 80: Reported in disagreement.

Amendment No. 81: Inserts language proposed by the Senate which will have the effect of consolidating in one place language which previously appeared at several different places in the bill.

Amendment No. 82: Reported in Disagreement.

Amendment No. 83: Deletes language proposed by the Senate to make appropriations available for rental of space in the District of Columbia.

JOHN E. FOGARTY,
WINFIELD K. DENTON,
CLARENCE CANNON,
MELVIN R. LAIRD,
JOHN TABOR,
Managers on the Part of the House.

Mr. GROSS. Mr. Speaker, when this bill, making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, was approved by the House of Representatives it carried a price tag of $4,184 million. That was $164 million above the budget figures and it was my opinion then that it was too rich.

Now the bill comes back to us today from the other body and we find it calls for the spending of $4,354 million in this fiscal year or $334 million above the budget figures.

This is budget busting with a vengeance.

It should be remembered, too, that this is the bill which provides funds for the National Defense Education Act under which fellowships are financed for studies such as comparative literature, the theater, home economics, animal ecology, the ecology and economics of flowing waters, political science, music, and folklore. What a study of the theater, music, folklore, and all the rest have to do with national defense has never been explained.

This is the appropriation which also provides several thousand dollars for a study of dog discipline; a $50,000 grant for a study of bird sounds; a $30,000 study of the circulatory physiology of the octopus, and a $33,000 grant to a foreign university for a study of both the intrapersonal and interpersonal aspects of the role of relationship of husband and wife.

These are but a few of the inexplicable grants made under the appropriations to these departments and related agencies.

Mr. Speaker, I could not support this bill when it was before the House and exceeded the budget figures by $164 million. It is unthinkable that it should come back to us from the other body and the conferees should ask us to support it with increases which bring it $334 million above the budget recommendation.

I say again that this is budget busting at its worst and I want my vote recorded in opposition.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 2: On page 2, line 17, insert the following:

"WORKING CAPITAL FUND

"The paragraph under this head in the Department of Labor Appropriation Act, 1958 (71 Stat. 210) is amended to read as follows:

" 'Working capital fund: There is hereby established a working capital fund, to be available without fiscal year limitation, for expenses necessary for the maintenance and operation of (1) a central reproduction service; (2) a central visual exhibit service; (3) a central supply service for supplies and equipment for which adequate stocks may be maintained to meet in whole or in part the requirements of the Department; (4) a central tabulating service; (5) telephone, mail and messenger services; (6) a central accounting and payroll service; and (7) a central laborers' service: *Provided,* That any stocks of supplies and equipment on hand or on order shall be used to capitalize such fund: *Provided further,* That such fund shall be reimbursed in advance from funds available to bureaus, offices, and agencies for which such centralized services are performed at rates which will return in full all expenses of operation, including reserves for accrued annual leave and depreciation of equipment'."

Mr. FOGARTY. Mr. Speaker, I offer a motion, and on that motion I ask recognition to explain the conference report.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 2 and concur therein.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I thought we were to have an explanation of this bill before the conference report was voted on.

Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 193]

Alexander	Holifield	Murray
Barden	Holt	Nix
Baumhart	Ikard	Norrell
Blitch	Kearns	Passman
Bolling	Kilburn	Patman
Bowles	King, Calif.	Powell
Celler	King, Utah	Preston
Davis, Tenn.	Kirwan	Quie
Dixon	Landrum	Rains
Durham	Loser	Rogers, Mass.
Glenn	McDowell	Shelley
Goodell	McSween	Smith, Kans.
Grant	Magnuson	Taylor, N.Y.
Gray	Mahon	Thompson, La.
Healey	Mitchell	Vinson
Hébert	Moeller	Withrow
Hess	Morris, Okla.	
Hoffman, Ill.	Morrison	

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 379 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1961

Mr. FOGARTY. Mr. Speaker, I was on my feet at the time the conference report was adopted, in order to give a brief explanation, but apparently did not make it clear that I desired recognition. I would, therefore, like to explain it at this time.

This is a unanimous conference report. Every member of the conference signed it. As is always the case, there were some members of the conference that felt that the appropriations were too high in some areas, and others felt they were too low, but we were all agreed that a good compromise resulted from the four sessions that we held.

The total of the bill as it passed the House was $4,184,022,731. As it passed the Senate the total was $4,485,788,931, or an increase over the House bill of $301,766,200. The conference agreement totals $4,354,357,931, or $131,431,000 less than appropriated by the Senate bill.

There were 83 Senate amendments to the bill. Most of them involved rather small amounts. The large increase was in the Public Health Service. In the field of medical research alone the House bill provided $455 million for the National Institutes of Health. The Senate bill increased this figure to $664 million, or an increase over the House bill of $209 million. So in this one field the increase accounts for over two-thirds of the total increase for the whole bill. The conference agreement was $560 million, or a decrease of $104 million below the Senate bill, and $105 million over the bill as it passed the House. This represents approximately two-thirds of the total amount by which the entire bill is now over the amount passed by the House last March.

Another significant item in conference was for hospital construction under the Hill-Burton program. The House originally provided $150 million for this program, and this was increased by the Senate to $211,200,000, or an increase

of $61,200,000. The conferees adopted the figure of $186,200,000, which keeps the amount at the same level as for last year. This is an increase of $36,200,000 over the House bill and $25 million under the Senate bill. These two items, the National Institutes of Health and the hospital construction program, account for over 80 percent of the increase provided by the conference report over the bill as it originally passed the House.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. HOFFMAN of Michigan. How much was it over the budget?

Mr. FOGARTY. It is $334,135,950 over the budget.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Iowa.

Mr. GROSS. I thought this bill was exceedingly rich when it left the House at $4,184 million. Now it is $164 million above the House figure, and $334 million above the budget recommendation.

Mr. FOGARTY. As I tried to explain at that time, it was a compromise that we reached in the House last March. Some of us wanted to include more in the House bill than we did and others wanted to spend less, but we came out with a unanimous report on the agreement that was reached. Then the other body increased it by $300 million. After four long sessions, we have finally made this compromise.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. FOGARTY. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I am opposed to this bill and I ask unanimous consent to extend my remarks immediately prior to the vote on the adoption of the conference report.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to our distinguished chairman.

Mr. CANNON. Mr. Speaker, the following tabulation shows up-to-date comparison with the President's budget requests for the session on the appropriation bills. At the insistence of the other body, the 16 bills thus far cleared, including the excessive Labor-HEW total reported in this morning's RECORD, exceed the corresponding budget requests by $301,807,547. Excessive nondefense appropriations pushed the total over the budget.

The two bills—public works and mutual security—on which conferences are being held today offer the last practicable opportunities to bring the total under the budget requests.

At a time when our gold reserves are continuing to dwindle, when the cost-of-living hits a new high nearly every 30 days, when the buying power of the dollar is less than half what it was only a few years back, when business profits on which the Treasury heavily depends to help pay the bills are slacking off—the situation demands that we stay within the budget.

The tabulation follows:

Status of the appropriation bills for the 86th Cong., 2d sess., as of Aug. 25, 1960

	Bills compared with House	Bills compared with budget
Net total for the 16 session bills enacted		+$301,807,547
Loan authorizations		(+211,400,000)
Pending:		
1. Public works, as passed by the Senate	+$115,211,620	+25,869,425
2. Mutual security, as passed by the Senate	+399,304,000	−292,650,000
As the bills now stand (appropriations)	+514,515,620	−266,780,575

NOTE.—Supplemental bill is yet to come.

GENERAL LEAVE TO EXTEND REMARKS

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on this bill or have 5 legislative days in which to extend their remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CHENOWETH. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Colorado.

Mr. CHENOWETH. I would like to inquire of the distinguished chairman of the committee with reference to the student loan fund. What disposition was made of that title?

Mr. FOGARTY. Last March, when the bill passed the House originally, we gave the Department of Health, Education, and Welfare everything that they asked for. They told us at that time that they would probably have to come back for a supplemental appropriation. That will be taken up on tomorrow in connection with the supplemental appropriation bill. It is not in this bill.

Mr. CHENOWETH. Then, do I understand correctly that there will be funds in the supplemental appropriation bill for the student loan fund?

Mr. FOGARTY. The bill is to be reported tomorrow and so I cannot answer the gentleman at this time.

Mr. TABER. Mr. Speaker, if the gentleman will yield at that point, as I understand the situation, if amendment No. 16 is adopted, they can spend anything they like. I did not understand that that was brought up with the idea that it was going to be agreed to.

Mr. FOGARTY. May I say to my distinguished colleague, the gentleman from New York, that that is in another area and will be charged against next year's appropriation.

Mr. TABER. Yes; but it is not limited.

Mr. FOGARTY. It is the same as we are doing with reference to social security grants for public assistance and other similar programs. Then the advances are charged against the appropriation when it is made. This is what it says on page 20 of the bill "to be charged to the appropriation for the same purpose for that fiscal year."

That is the language of the bill.

Mr. TABER. Yes; but there is no limitation on what they can spend and while it might be charged to an appropriation, obviously, they can go ahead and spend anything they like.

Mr. FOGARTY. The limitation is there since they cannot spend more than what the Congress appropriates. If they spend more in that first quarter than they should, then they are going to have to make up for it by cutting back the rest of the year.

Mr. TABER. It is a contract on the part of the Congress to provide the money and we cannot get out of it.

Mr. FOGARTY. We do this for the Social Security Administration and the Bureau of Employment Security in connection with their grant programs and we have not had any problems with reference to it.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. LAIRD. Is the intention made clear here that it is not a contract authority and that a contract could not be read into this?

Mr. FOGARTY. No.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. TABER. Under this provision in amendment 16 they are authorized to take the money out of the Treasury, and there is no way to get it back after they receive it.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. CEDERBERG. Do I understand that the 15 percent overhead has been maintained in this conference report?

Mr. FOGARTY. That is right.

Mr. CEDERBERG. I have had some serious reservations as to the advisability of expanding some of these programs as rapidly as we have. In talking with some of the administrators of schools in the administration of these research grants it seems to me we could well give consideration next year to increasing the indirect costs but not accelerating the actual grants as we have been in the past.

Mr. FOGARTY. I appreciate the gentleman's remarks, and I think maybe something should be done, but perhaps in the other direction. A study has just been completed under a grant made by the National Institutes of Health that dealt with the question of overhead costs. I would like to read it, because there is a serious question raised by this grantee as to whether any overhead costs ought to be paid.

Mr. CEDERBERG. The gentleman knows probably better than I do that the determination of costs is not uniform, not the same for different departments of Government, not the same for the National Institutes of Health, for instance, as for the military. Different formulas are used. It seems to me desirable to have uniform treatment in this regard. Some administrators of schools have serious reservations as to the adequacy of 15 percent.

Mr. FOGARTY. I thank the gentleman.

Now, Mr. Speaker, I would like to discuss in a little more detail the action taken with respect to the appropriations

agreed to for the National Institutes of Health.

THE BASIS FOR AGREEMENT

First, I should like to emphasize that I believe there is almost complete agreement between the House and the Senate concerning the basic philosophy under which the Federal Government should act in respect to medical research. This was reflected in the attitude of the conferees from both Houses in their discussions of the items that were in disagreement in this bill.

Their attitudes reflected complete agreement upon the significance of medical research, upon the objectives to be sought, and in general upon the approaches which should be followed in attaining such objectives.

The basic problems which the conferees faced were to find a financial plan consistent with these agreed-upon basic principles and that was also realistic in terms of operational requirements.

I should like, as I did last year, to report to the House the gratification I experienced in participating with the immediate members of the Senate and my distinguished colleagues in the House in the conference discussions concerning these medical research appropriations. There was, as always, a forthright exchange of views which, as I have said, did not differ in respect to basic principles but only in honest attempts to determine the optimum level of support of these programs in order to achieve the most effective results.

The conferees have agreed to accept a figure of $560 million as the total for the several appropriations of the National Institutes of Health in fiscal year 1961. This amount is $104 million under the amount in the Senate version of this bill and $105 million above the allowance originally made by the House in its passage of this bill. It is, however, $160 million greater than the amount which the President had requested for these appropriations in his budget last January.

MEDICAL RESEARCH AND THE NATIONAL BUDGET

To those who are concerned about this increase I should like to say this: The President's budget proposals for fiscal year 1961 in the field of medical research in essence set forth the point of view that the development of medical research in the United States should not be accelerated. This view, I am afraid, was based wholly upon fiscal considerations.

The Congress this year, as it has in past years, has again emphasized that maintaining the existing level of our national medical research effort is a completely unwise, if not disastrous, course of action to follow.

We cannot stand still in our search for knowledge. We cannot mark time or restrain research because of contrived fiscal reasons or for misleading arguments that research is inflationary or that there are economic obstacles which stand in the way. This attitude, I believe, reflects an utter and complete misunderstanding of the meaning that medical research has for the Nation.

It is my view, and I believe the view of this Congress, that a strong and sustained and increasing medical research effort is sound national economics. The effect of medical research is not inflationary, nor does it threaten progress in other areas of our national economy.

The ultimate product of medical research is an enlargement of the wealth of this Nation. This wealth comes from the increased national productivity which derives from a well population, from reducing the loss in energy and creativity resulting from disease, and the longer effective lifespan of our people.

This Nation now spends over $21 billion for doctors bills, for the operation of hospitals, for the purchase of drugs and medicines, and other forms of medical care and health services. This vast national expenditure is a burden which can be substantially modified if we can move forward with our medical research programs.

BETTER HEALTH AND GREATER PRODUCTIVITY

Medical research can change in a radical and revolutionary manner the whole pattern of medical care, hospital services, and health practices. The achievements and the progress that is possible as a result of research findings can drastically reorder the nature of health manpower requirements and the whole pattern of medical, hospital, and health services and expenditures of the Nation.

This is not only possible, but it has happened, and happened numerous times. Outstanding instances of the revolutionary consequences of the findings of medical research are the following:

First. The whole character of the treatment of infectious disease has changed, the great threats that the pneumonias and other dangerous infections posed in the past have been almost completely dispelled by the emergence of the antibiotics. This is the result of research efforts. On the other hand, the common cold still costs the Nation as much as $2 billion a year in industrial absenteeism.

Second. We have witnessed in the past few years the diminishment of tuberculosis as a major cause of death and illness in this country as a result of the development of new drugs effective in the care of this dreaded disease. The whole structure of hospitalization in the Nation has changed as a result. Large numbers of tuberculosis hospitals throughout the country have closed or been converted to other uses and all the health manpower, nurses, technicians, and physicians, once demanded for the treatment of tuberculosis, have now directed their skills and energies to other urgent health and medical care problems. On the other hand, recent increases in the attack rate of cancer of the lung places this condition foremost in the causes of death from lung involvements.

Third. We are witnessing today a basic change in the approach to the treatment of mental illness as a result of the remarkable discovery made concerning the relationship of drugs and psychological and psychiatric conditions. For the first time we have seen the total population of our mental institutions decrease and we are looking forward, as a result of the intensified efforts in this area engendered by the actions of the Congress of the United States, to new and heartening prospects in the solution of the problems of mental illness. This, again, is an achievement of medical research that is reshaping the entire character of our community health efforts and recovering for the Nation the vast creative potential of these once ill minds. Nonetheless, the mentally ill still occupy one out of two hospital beds throughout the country, and in the aggregate this group of illnesses cause the taxpayer the loss of approximately $2.5 billion.

On the basis of these few isolated but dramatic instances of the influence and effect of medical research on the one hand and of the problems yet to be solved on the other, it is possible to see that the continued movement forward in medical research holds the promise of completely transforming the balance of national expenditures and productivity in the future. The concept that we must maintain the line on expenditures for medical research, is the same as saying that we must stop now, not pursue the promising leads that have opened in respect to the viral origin of cancer, nor seek virus vaccines to control the common cold, we must not expand our effort to understand the biochemical basis of schizophrenia, we must stop now our promising inquiry into the nature of heart disease. That we must mark time, hold opportunities that now beckon in abeyance and direct our attention to a budget balance sheet. To do all this is to deny the strength and promise of our scientific capability.

It is not the role of medical research to wait. The promise of the future is too bright and too great.

Medical research is a revolutionary force. It can change in a radical manner the level of national productivity, the life expectancy of our people, and our prospect of well-being.

This progressive decrease in the ravages of disease, the tragedy of premature death, and the progressive increase in the productivity of our people and our Nation is to me an objective without parallel when we consider what our national purpose should be.

It is toward this end which we are moving in the level of appropriations which I present here to you today as a result of the House and Senate conference on the Labor-Health, Education, and Welfare appropriation bill.

A budget of over a half a billion dollars for the National Institutes of Health is a complicated matter. It cannot be intelligently considered except through a detailed consideration of its various parts. The following table will in summary indicate the nature of the conference agreement.

I should like to emphasize that the specific amounts set forth in this table for the individual program elements comprising the several appropriations are not intended to be fixed or absolute levels of expenditure for the individual items. When changing operating circumstances require, I believe it important to leave it up to the good judgment of the program operators to make such adjustments in these amounts as is necessary in the interest of effective progress and prudent utilization of resources.

	Budget estimate	House allowance	Senate allowance	Senate increases	Conference agreement
Grants for research and training:					
1. Research projects at 15 percent indirect costs	$205,589,000	$235,189,000	$262,389,000	+$27,200,000	$260,000,000
(a) Increase required to pay 25 percent indirect costs	0	0	22,681,000	+22,681,000	
2. Research fellowships	14,570,000	15,070,000	22,500,000	+7,430,000	20,000,000
(a) 1960 unpaid, approved applications	(5,444,948)				
3. Training grants	66,894,000	78,894,000	128,991,000	+50,097,000	110,000,000
(b) Increase provided for forward notification on graduate training grants	0	(9,565,000)	(16,445,000)	(+6,880,000)	(16,445,000)
State control programs	10,375,000	12,975,000	13,475,000	+500,000	13,000,000
Community demonstration projects	1,500,000	1,500,000	1,625,000	+125,000	1,500,000
Clinical research centers	3,000,000	3,000,000	55,000,000	+52,000,000	20,000,000
Primate centers	2,000,000	2,000,000	12,000,000	+10,000,000	7,000,000
Construction of cancer research facilities	0	5,000,000	0	−5,000,000	5,000,000
Cancer and mental-neurology buildings construction	0	0	12,839,000	+12,839,000	12,839,000
Total, extramural programs	303,928,000	353,628,000	531,500,000	+177,872,000	449,339,000
Direct operations:					
1. Chemotherapy contracts	21,145,000	21,145,000	23,140,000	+1,995,000	21,500,000
2. Other direct operations	74,927,000	80,227,000	83,860,000	+3,633,000	82,161,000
Total, intramural programs	96,072,000	101,372,000	107,000,000	+5,628,000	103,661,000
New areas:					
1. Medical libraries	0	0	5,000,000	+5,000,000	0
2. Communications research and translation	0	0	4,500,000	+4,500,000	0
3. Instrumentation research	0	0	5,000,000	+5,000,000	0
4. Career development	0	0	4,000,000	+4,000,000	2,000,000
5. International medical research	0	0	7,000,000	+7,000,000	5,000,000
Total, new areas	0	0	25,500,000	+25,500,000	7,000,000
Grand total	400,000,000	455,000,000	664,000,000	+209,000,000	560,000,000

I should like to explain for the information of the House, the basis of the conference action in each of the major NIH functional areas and relate the amounts proposed for these areas to the levels contained in the appropriation bill passed by the House earlier in the year.

RESEARCH PROJECTS

A total of $260 million is provided to be utilized for the making of grants in support of medical research projects carried out in the universities, medical schools, and research institutions in the country. This amount will provide the funds necessary to continue the research programs which are now under way supported by NIH grants in these institutions and in addition permit the awarding of grants for most new applications received during fiscal year 1961 which withstand the rigorous scientific review carried out by the NIH review bodies and which are recommended for payment as being important to the solution of major disease problems by these several national advisory committees of the NIH.

This total increase in funds for research grants should be viewed in terms of the important areas of research inquiry which will benefit. A very few of these areas selected as examples of both past progress and present opportunity would include viruses and the cause of cancer, radiation and the treatment of cancer, drugs and the mentally ill, surgery and heart disease, dental caries and infectious agents, causation of arthritis and drugs for treatment, arteriosclerosis and strokes, and a whole host of such practical problem areas as mental retardation, drug addiction, alcoholism, to say nothing of the pressing medical problems of our elder citizens.

FELLOWSHIPS

A total of $22 million is provided for the support of research fellowships in fiscal year 1961. This program of research fellowships is an essential activity directed toward the development of the supply of senior teachers and research investigators which will be needed to staff the medical schools and research laboratories of the future. This allowance will permit the payment of substantially all the backlog of unpaid-approved fellowship applications now in hand and extending the senior fellowship awards to include the clinical areas. It will also permit providing broader support for medical students and enlarging the foreign fellowship program. This amount also includes $2 million for the awarding of approximately 100 research fellowships as a means of establishing research professorships to enlarge opportunities for stable careers in academic medicine and research.

TRAINING GRANTS

An amount of $110 million is provided for the support of training grants to support training in the sciences and disciplines basic to medicine and medical research where shortages continue to exist in terms of current needs and to provide for enlargement of the trained research manpower of the future. Included in this amount is sufficient funds, estimated at $16.4 million, to permit reordering the payment periods for training grants which will allow such grants to be made on a forward payment basis—an arrangement necessary to permit proper planning and effective conduct of these programs.

Important areas of manpower development which will be benefited by this increase in training grant funds include:

Investigators in the sciences fundamental to clinical medicine.

Experimental approaches to providing greater research and scientific content to the training of physicians.

Research pharmacologists in the field of mental disorders.

A wide range of specialized manpower contributory to cardiovascular research.

Virologists, immunologists, and immunochemists whose work is basic in the fields of infectious diseases and allergies, and now of crucial importance to virus-cancer investigations.

Investigators able to pursue genetic phenomena at the molecular level.

Biophysicists and biochemists who can pursue the basic phenomena of chemical and energy transformations at the cellular level.

Research neurophysiologists and neuroanatomists essential to the research attack upon the disorders of vision and cerebrovascular diseases.

CLINICAL RESEARCH CENTERS

A major feature of the conference agreement is the provision of funds for several special programs which had been included in the Senate-passed version of the appropriation bill and had their origins in the extensive recommendations made by the Jones committee. Most important amongst these special programs is the designation of $20 million for the further development and support of a program for the establishment of large-scale clinical research centers throughout the country This program has its origins in the efforts made by the National Institutes of Health to provide support for a series of clinical and metabolic research facilities undertaken in fiscal year 1960.

During this past year some eight grants, totaling approximately $3 million, were made to eight medical institutions in the country. These grants provided funds for the establishment of specially designed clinical and metabolic research facilities, staffed and equipped to meet the growing needs of programs involving research investigations in the clinical area. This program has met with enthusiastic support and approval in the research community of the Nation. The Jones committee report called for an enlargement of this program to permit the establishment of broadly based clinical research centers. It is intended that these centers will provide a stable framework in which a variety of medical and scientific disciplines can be organized for a concentrated attack upon major disease or health problems. All laboratory and clinical facilities and supporting services necessary for the research program to be carried out would be encompassed within such centers.

The Senate-passed version of the bill provided $55 million for these research centers. The conferees have agreed that a level of $20 million is perhaps a more realistic and feasible level to initiate what undoubtedly will be a substantial program of great importance to the further development of medical research in the Nation.

PRIMATE RESEARCH CENTERS

A total of $7 million is provided for the further development of centers for research utilizing subhuman primates. This program was begun in fiscal year 1960 when $2 million was made available. These funds were granted for the establishment of a large primate center near Portland, Oreg. This center will make available several species of primates in adequate numbers and with appropriate facilities to meet the needs of scientists engaged in research requiring the use of primates. Although the Senate proposed a level of $12 million in fiscal year 1961 for this purpose, the conferees agreed that $7 million, a reduction of $5 million from the Senate allowance, but an increase of $5 million over the House allowance, would be an adequate amount to satisfy the more urgent needs in this area during fiscal year 1961. On the basis of experience gained in this more modest initial effort, it will be possible to develop an appropriate goal in this important program area.

INTERNATIONAL RESEARCH

The conferees also agreed that special emphasis in fiscal year 1961 should be given to the further extension of NIH research programs through support of investigators in foreign countries working in fields important to the program objectives of the several institutes. The Senate allowance for this purpose totaled $7 million. The conferees agreed that $5 million was a more appropriate amount for this purpose. In the conferees' view this amount should be utilized in addition to current funds now being utilized for research support of foreign investigators.

CONSTRUCTION

A total of $12,839,000 is provided for two important building projects at the National Institutes of Health; $12,139,000 of this amount will be for the planning and construction of a joint mental health-neurology basic science laboratory building; $700,000 is intended to be utilized for the planning of a new building to house cancer research activities at NIH. These projects will provide the means to deal with the increasingly difficult problems of space shortage which are hampering the progress of research activities at the Bethesda installation of NIH.

A special item of $5 million has been provided in the cancer appropriation to be utilized for taking care of a special need in the development of cancer research facilities which require nonmatching funds.

The conferees agreed to allow the full authorized maximum of $30 million to be used for matching grants for research facilities construction under the health research facilities construction program. This amount was previously allowed in both the Senate- and House-passed versions of the bill, but is an increase of $5 million over the President's budget request.

I have attempted in the foregoing to single out the major elements of increase in this overimportant series of appropriations. Both the Senate and House reports contain observations concerning the views of Congress on the direction and emphasis which should be given in the development and conduct of these national research programs. The National Institutes of Health is expected to pay careful attention to these observations in the planning and development of its programs during the forthcoming year.

Mr. YATES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. YATES. Mr. Speaker, I want to commend the gentleman from Rhode Island [Mr. FOGARTY], and all the members of the subcommittee, for the very fine bill they have brought in. One item particularly is of vital importance to the people of Chicago, namely, the appropriation of $500,000 to undertake a study of water pollution in the Great Lakes and the Illinois Waterway. The total cost of this survey as estimated by the Department of Health, Education, and Welfare is $12 million. The fund approved by this bill permits a significant start on that survey.

I stated that this appropriation is of vital importance to the people of the city of Chicago, but that is an inadequate understatement. Actually, this is a national bill. It is of vital importance to the people living on the Great Lakes because it seeks to protect that vital water resource for the enjoyment of those living today, and for future generations to come. It is of importance to all the people of our Nation, not only in the preservation of the waters of the Great Lakes but because of the essential scientific information the study will elicit. For decades literally, a harassing, vituperative verbal and legal battle has been fought between the States bordering on the Great Lakes and the people of Chicago. Chicago needs the waters of Lake Michigan to live. Chicago needs such waters to dispose of its sewage and waste so that its people may continue to grow and prosper.

Years ago, when the city's pollution was discharged into the lake, it contaminated the drinking water and epidemics of typhoid ravaged Chicago's population. It was only when the flow of the Chicago River was reversed and a portion of Lake Michigan's waters were diverted to move the waste along the Illinois Waterway, that Chicago's health problem was solved.

Water is a precious resource and the opposition of our sister States to our withdrawal of water can be understood if not appreciated. They have flung recriminations against the people of Chicago charging that we are stealing water from the Great Lakes, which is untrue. The water has not been stolen. It has been withdrawn pursuant to authority granted by the Federal Government. The fact remains that the disputants have been at loggerheads. The effort has been made to withdraw an additional 1,000 cubic feet of water from Lake Michigan as an experiment for 1 year to determine whether such withdrawal would have any harmful effects upon Chicago's sister communities on the Great Lakes. Objection to the proposal has been violent, not only in the debates in the Halls of Congress, but in the courts in a suit filed by a number of the States in the Supreme Court of the United States to require Chicago to return its sewage into the Great Lakes.

This appropriation approving the study brings the olive branch of peace to the dispute. For the first time the parties will be able to obtain tangible facts where speculation and estimates existed before. For the first time actual measurements can be taken of the effect of the diversion on lake levels and upon harbor, shipping, and power facilities. For the first time, a scientific study will be made of lake currents and drifts to ascertain the situation in the lower end of Lake Michigan to determine whether sewage may be safely returned therein or whether the method now used by the city in washing it along the Illinois Waterway is not only the preferable method but the only feasible method.

The time for accusations, for invective, for playing politics with the diversion issue is over. This is the time for cooperation and working together, for purposeful mature effort to obtain the basic information which will permit everyone to know what to do and to take the steps necessary to preserve this vital water resource and the health of our communities.

Mr. FOGARTY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 5: Page 6, line 2, insert "including conveyance by the Commissioners of the District of Columbia to the United States of title to the land on which such building is to be situated,"

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 5 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 16: Page 14, line 14 insert:

"PHARMACOLOGICAL-ANIMAL LABORATORY BUILDING

"For plans and specifications for a special pharmacological-animal laboratory for the Food and Drug Administration, $150,000."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 9 and concur therein, with an amendment, as follows: In lieu of the sum named therein, insert "$100,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 16: Page 19, line 25, insert "Grants, loans, and payments under the National Defense Education Act, next succeeding fiscal year: For making, after May 31 of the current fiscal year, loans, and payments under all titles of the National Defense Education Act, for the first quarter of the next succeeding fiscal year such sums as may be necessary, the obligations incurred and the expenditures made thereunder to be charged to the appropriation for the same purpose for that fiscal year."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 16 and concur therein.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. TABER. Mr. Speaker, this amendment provides, as follows:

Grants, loans, and payments under the National Defense Education Act, next succeeding fiscal year: For making, after May 31 of the current fiscal year, loans, and payments under all titles of the National Defense Education Act, for the first quarter of the next succeeding fiscal year such sums as may be necessary, the obligations incurred and the expenditures made thereunder to be charged to the appropriation for the same purpose for that fiscal year.

Under this amendment No. 16 there is carte blanche authority given to the agency to do what it pleases and incur any liability it might want to and take the money out of the Treasury. Frankly, so far as I am concerned, I am not prepared to let any agency have that authority, therefore I hope the House will refuse to approve this motion.

Mr. FOGARTY. Mr. Speaker, this language is exactly the same as that carried in the bill in previous years for grants made by the Bureau of Employment Security, and we have also done it for social security programs. If we do not do this it will be impossible for the program to operate in these colleges where the students are asking for loans if the appropriation bill is late next year.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from New York.

Mr. TABER. If we are going to do things this way and allow them to take the money right out of the Treasury, there is no restraint whatever.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Iowa.

Mr. GROSS. This would permit them under the National Defense Education Act to grant funds for the study of the theater, music, jazz, and the policy and economics of flowing water, and all that sort of thing, is that correct?

Mr. FOGARTY. This bill does not govern that at all. The basic legislation governs that.

Mr. GROSS. They have made grants for fellowships for the study of those things.

Mr. FOGARTY. I think the gentleman did a very good job when the bill was on the floor in bringing to light some of these problems. I assume they have corrected any weaknesses because of the gentleman's interest in the program.

Mr. GROSS. Under the language of this amendment they can go even further.

Mr. FOGARTY. This would allow the students to get these loans even if the annual appropriation bill is late in being passed and thus enable the administrators and the schools and colleges operating under the program to carry out a better program.

Mr. CHENOWETH. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Colorado.

Mr. CHENOWETH. I would like to inquire if the adoption of this amendment will make available sufficient funds for the applications of these students for loans?

Mr. FOGARTY. No. That will be taken up tomorrow in connection with a deficiency appropriation bill. There is a request pending before that committee to increase funds for student loans. That will be taken up at that time. This pertains to the first quarter of the next fiscal year.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. From what the gentleman from New York [Mr. TABER] said, as I understand it under this bill this group could go direct to the Treasury and get their money. I assume that the House has something to do with appropriations. I understood the gentleman to say earlier that the Senate increased the bill we sent over by something like $500 million, is that right?

Mr. FOGARTY. It was not quite that much.

Mr. HOFFMAN of Michigan. How much?

Mr. FOGARTY. The Senate increased the bill by a little over $300 million.

Mr. HOFFMAN of Michigan. Three hundred million dollars. I thought they had in their bill $500 million and you cut it down or your committee cut it down to $300 million.

Mr. FOGARTY. I mentioned a figure of $664 million for the National Institutes of Health. We cut that figure by $104 million.

Mr. HOFFMAN of Michigan. My information is that over the years every bill we sent over there they up it; is that not right?

Mr. FOGARTY. We think we did a pretty good job in reaching the compromise we did this year.

Mr. HOFFMAN of Michigan. In reality we do not have too much to say about how much is appropriated.

Mr. FOGARTY. We do by our votes.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman know of the other body ever cutting this particular appropriation bill?

Mr. FOGARTY. Not this one. This affects every section of our society. It affects human beings. It is a popular field. The people are vitally affected and so are interested in these programs.

Mr. GROSS. Mr. Speaker, will not the gentleman agree that it also affects the taxpayers of the country?

Mr. FOGARTY. Yes. And I am sure the taxpayers are willing to pay for this kind of a program, because in the end it is going to save them money.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Rhode Island.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

Mr. TABER. Mr. Speaker, on that motion I call for the yeas and nays.

The SPEAKER. Well, it appears to the Chair that the gentleman's request comes rather late. The Chair has already declared the motion agreed to and ordered the Clerk to report the next amendment in disagreement.

CALL OF THE HOUSE

Mr. TABER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 194]

Alexander	Healey	Murray
Alger	Hébert	Nix
Ayres	Hess	Norrell
Barden	Hoffman, Ill.	Passman
Baumhart	Ikard	Powell
Blitch	Jones, Ala.	Preston
Boggs	Kearns	Quie
Bolling	Kilburn	Reece, Tenn.
Bowles	King, Calif.	Rogers, Mass.
Boykin	King, Utah	Shelley
Buckley	Landrum	Sisk
Cahill	Loser	Smith, Kans.
Celler	McDowell	Taylor, N.Y.
Cooley	McSween	Teague, Tex.
Curtis, Mass.	Magnuson	Thompson, La.
Davis, Tenn.	Mahon	Vinson
Durham	Metcalf	Widnall
Glenn	Mitchell	Withrow
Goodell	Moeller	
Grant	Morrison	

The SPEAKER. On this rollcall, 376 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1961

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 21: Page 22, line 18, strike out "for research, training, and traineeships, and other special project grants, pursuant to section 4 of the Vocational Rehabilitation Act, as amended, for", and insert "for grants and other expenses for research, training, traineeships, and other special projects, pursuant to section 4 of the Vocational Rehabilitation Act, as amended, for expenses of."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 21 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following: "For grants and other expenses (including not to exceed $150,000, in addition to funds provided elsewhere, for administrative expenses) for research, training, traineeships, and other special projects, pursuant to section 4 of the Vocational Rehabilitation Act, as amended, for expenses of".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 23: Page 24, line 4, insert "expenses incident to the dissemination of health information in foreign countries through exhibits and other appropriate means;".

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 23 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 24: Page 24, line 20, insert "*Provided*, That section 208(g) of the Public Health Service Act, as amended, is amended by striking out 'eighty-five', and inserting in lieu thereof 'one hundred and fifty', and by striking out 'seventy-three' and inserting in lieu thereof 'one hundred and fifteen';

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 24 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 40: Page 30, line 5, insert ": *Provided further*, That this appropriation shall be available for medical, surgical, and dental treatment and hospitalization of retired ships' officers and members of crews of Coast and Geodetic Survey vessels, and their dependents, and for payment therefor."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 40 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 44: Page 32, line 2, insert "not to exceed $2,500 for entertainment of visiting scientists when specifically approved by the Surgeon General;".

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 44 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 46: Page 32, line 23, insert ", of which $700,000, to remain available until December 31, 1961, shall be available for plans and specifications for a research facility for the National Cancer Institute."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as folows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 46 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 56: Page 34, line 13, insert:

"CONSTRUCTION OF MENTAL HEALTH-NEUROLOGY RESEARCH FACILITY

"For construction of a combined basic and collaborative research facility for the National Institutes of Mental Health and Neurological Diseases and Blindness, including a physical biology component, and including plans and specifications, fixed and semifixed equipment, access roads and parking facilities, extension of existing power, refrigeration and other utility systems, $12,139,000, to be derived by transfer from 'Mental health activities' and 'Neurology and blindness activities', as determined by the Surgeon General."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 56 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 64: Page 45, line 16, insert:

"WORKING CAPITAL FUND

"The paragraph under this head in the Federal Security Agency Appropriation Act, 1953 (66 Stat. 369) is amended to read as follows:

" 'Working capital fund: There is hereby established a working capital fund, to be available without fiscal year limitation, for expenses necessary for the maintenance and operation of (1) a central reproduction service; (2) a central visual exhibit service; (3) a central supply service for supplies and equipment for which adequate stocks may be maintained to meet in whole or in part the requirements of the Department; (4) a central tabulating service; (5) telephone, mail, and messenger services; (6) a central accounting and payroll service; and (7) a central laborers' service: *Provided*, That any stocks of supplies and equipment on hand or on order shall be used to capitalize such fund: *Provided further*, That such fund shall be reimbursed in advance from funds available to bureaus, offices, and agencies for which such centralized services are performed at rates which will return in full all expenses of operation, including reserves for accrued annual leave and depreciation of equipment'."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 64 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 80: Page 52, line 15, insert:

"SEC. 903. Appropriations contained in this Act available for salaries and expenses shall be available for payment in advance for dues or fees for library membership in organizations whose publications are available to members only or to members at a price lower than to the general public and for payment in advance for publications available only upon that basis or available at a reduced price on prepublication orders."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 80 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 82: Page 53, line 3, insert:

"SEC. 905. Appropriations contained in this Act available for salaries and expenses shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 82 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to include extraneous matter in my remarks on the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. BROYHILL. Mr. Speaker, I should like to commend the members of the House conferees and the members of the House Committee on Appropriations, and particularly the gentleman from Rhode Island [Mr. FOGARTY], on agreeing to the Senate amendment in adding funds for schools in impacted areas. Unfortunately, there has been a perennial problem concerning Public Laws 815 and 874, in explaining to the membership that this is not Federal aid to education or a Federal handout as such, but is simply a program by which the Federal Government can meet a portion of its obligations to the various communities in which its agencies are located. Obviously, when the Federal Government becomes a principal industry in a community and does not pay taxes for the land it owns as other industries must do, there is a deficiency in the economy of that community to render the services that must be provided as a result of the existence of the industry in the area. One of the most vital services which must be provided is an adequate public school system.

Yet, as I stated above, in spite of the simplicity of this obligation, it seems necessary to explain the problem over and over again. Fortunately, the Congress has repeatedly recognized this responsibility and has continually granted the appropriations pursuant to the act as well as renewed and extended the act on previous occasions.

The problem that exists here today is the fact that even though we recognize the responsibility from time to time, we fail to appropriate the full amount which is authorized and the amount to which the communities would be entitled under the formula agreed upon. This makes it extremely difficult for the communities involved to formulate a sound budget or financial program. It is, therefore, imperative for the Congress to state what it intends to do and fulfill its promises in a way in which the communities can count on these funds. The action taken by the conferees to eliminate the current deficiency, I am certain, will help many communities involved in overcoming a serious problem of meeting a deficiency in the school budget for this current year.

Mr. TOLL. Mr. Speaker, I support the conference report on H.R. 11390, which makes appropriations for the Departments of Labor, and Health, Education, and Welfare and related agencies for the fiscal year ending June 30, 1961.

I am glad to note that the higher Senate figure of $173,050,000 was agreed to for grants, loans, and payments under the National Defense Education Act of 1958; that the expansion of teaching in education of the mentally retarded grant of $1 million to public or other nonprofit institutions of higher learning and the State educational agencies, pursuant to the act of September 6, 1958, was not disturbed.

I am pleased with the increase of grants to States in accordance with the Vocational Rehabilitation Act to $57,500,000. The substantial increase in favor of grants for hospital construction to $186,200,000 will materially help grants and loans for hospitals and related facilities, including diagnostic and treatment centers and hospitals for the chronically ill and injured.

I am glad to see substantial increases in the appropriations for research in cancer, heart, arthritis, mental health, and other conditions which are affecting our population and which will be eliminated or reduced by continued study.

AMENDING FAIR LABOR STANDARDS ACT OF 1938

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 624, Rept. No. 2156), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution the bill (H.R. 12677) to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of interstate retail enterprises, to increase the minimum wage under the Act to $1.15 an hour, and for other purposes, with the Senate amendments thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendments be, and they are hereby disagreed to and that the conference requested by the Senate on the disagreeing votes of the two Houses be, and the same is hereby, agreed to.

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 624 and ask for its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from Illinois.

Mr. ALLEN. Mr. Speaker, on June 30 of this year this body passed H.R. 12677, a bill to amend the Fair Labor Standards Act of 1938, as amended. The vote was 341 to 72. I voted in the negative.

I voted against the bill for many reasons, the chief reason because I am opposed to the Federal Government regulating wages whether the regulation be minimum or maximum wages.

The bill as passed the House is a moderate one as compared to the bill that passed the other body. Even the bill that passed the other body is mild as compared to the decision of some in this field.

The Senate bill would establish the minimum for workers presently covered at $1 with three annual raises, to $1.15 next January; on January 1, 1962 to $1.20, and to $1.25 on January 1, 1963. It would add 4 million workers. Exemptions were for hotels, motels, restaurants, and sales agencies. I believe I am safe in saying that if a wage-hour bill passed this Congress that there will be a strong effort to include hotels, motels, restaurants, laundries, automobile and farm implement dealers the next session of Congress. I also predict that should this bill pass that there will be many bankruptcies in the businesses affected.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House now consider House Resolution 624?

The question was taken, and (two-thirds having voted in favor thereof) the House agreed to consider House Resolution 624.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints the following conferees: Messrs. BARDEN, LANDRUM, ROOSEVELT, DENT, KEARNS, AYRES, and HIESTAND.

REVISING THE BOUNDARIES OF DINOSAUR NATIONAL MONUMENT AND PROVIDING AN ENTRANCE ROAD OR ROADS THERETO

Mr. ASPINALL submitted a conference report and statement on the bill (H.R. 6597) to revise the boundaries of Dinosaur National Monument and provide an entrance road or roads thereto, and for other purposes.

DISTRICT OF COLUMBIA COMMITTEE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order for District of Columbia bills to be considered tomorrow. I shall put a list of bills in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. HALLECK. Mr. Speaker, reserving the right to object, and I shall not object, the majority leader spoke to me about calling these bills up. I have talked to our people on the committee, and they are in agreement that the bills might as well be considered tomorrow as on a later District day.

Mr. GROSS. Mr. Speaker, further reserving the right to object, may we know what the bills are?

Mr. McCORMACK. Yes. Does the gentleman want me to list them now?

Mr. GROSS. Yes.

Mr. McCORMACK. I cannot say that they will be called up in this order, but they are:

S. 2131, a motor vehicle records act. That is on responsibility, a responsibility bill.

H.R. 13053, an increase in pay for police and firemen.

H.R. 12993, a pay increase for teachers.

H.R. 12775, retirement compensation for police and firemen widows and orphans.

S. 3727, home improvement companies, a bill relating to the bonding of the same.

S. 2306, National Women's Party, Inc., exempting certain property from taxation.

S. 3415, a bill relating to exempting certain property from taxation of the American Association of University Women, Educational Foundation, Inc.

H.R. 11535, amending the Alcoholic Beverage Control Act to permit the sale of alcoholic beverages on New Year's Day when New Year's Day falls on Sunday.

S. 3416, a bill to provide for the restoration to the United States of amounts expended in the District of Columbia in carrying out provisions of the Temporary Unemployment Compensation Act of 1958.

S. 1870, a bill to provide for the licensing of practical nurses in the District of Columbia.

H.R. 11370, a bill amending the Alcoholic Beverage Control Act.

H.R. 10921, to regulate life insurance investments. That is on the acceptance of Senate amendments.

Mr. GROSS. Does the gentleman say that these bills will come up tomorrow?

Mr. McCORMACK. They will be on the list tomorrow. Of course, next Monday is another day, but we could utilize tomorrow and get rid of as many as possible.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ELECTIONS SUBCOMMITTEE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Elections Subcommittee of the Committee on House Administration may be permitted to sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PROJECT GRANTS FOR GRADUATE TRAINING IN PUBLIC HEALTH

Mr. ROBERTS submitted a conference report and statement on the bill (H.R. 6871), to amend title III of the Public Health Service Act, to authorize project grants for graduate training in public health, and for other purposes.

FREEDOM

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 60 minutes.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, because of the limited calendar at our disposal in this session, I hesitated to ask for this time but felt the subject for discussion warranted the special order.

My purpose today is to speak of freedom. And I am sure that every Member of this body will be in ready agreement that there is no more important subject with which we can concern ourselves.

It is in no wise to minimize the patriotism of my countrymen to suggest that sometimes, in these days, we are inclined to take freedom for granted.

It is like the air we breathe; we expect it as a right, and accept it casually. Because freedom for Americans is an accepted thing, we are ofttimes disposed to assume that this is a commonplace condition throughout the world.

As a matter of fact, while we are gathered here, and at the very time I am speaking, millions upon millions of human beings are totally denied freedom, are in fact existing under the stern repressions and deprivations of Communist tyranny.

And so I address myself today to the all-important subject of freedom—freedom as a God-given right to be enjoyed by all men in all climes and in all the remote parts of the world.

Americans cannot be indifferent—nor are we—to the plight of our fellow human beings behind the Iron and the Bamboo Curtains. These slaves of Red tyranny are our brothers; their distress is our concern; their welfare our duty.

One has only to consult the pages of American history to quickly come upon the fact that the colonial forces in our Nation's war for freedom and independence were brilliantly served by patriots from the Old World. Gen. George Washington and his men were admirably assisted by such soldiers as Baron von Steuben of Germany, Kosciusko and Pulaski of Poland, and valiant warriors from Hungary and elsewhere. These men risked their all that America might have independence. And so it is now only a matter of conscience and sound national policy, a matter of retributive justice that we now interest ourselves in our separated brethren who languish in the vast prisons of Iron Curtain land.

Mr. Speaker, in the beginning I would like to stress one simple fact: freedom is indivisible. To paraphrase Lincoln, the world cannot endure "half slave and half free," and further to remark upon the like thought of the Great Emancipator, just so long as the freedom of any one people is denied, then so is the freedom of the whole world in jeopardy.

Another fact I would like to point up at the outset is that nowhere on the face of the earth is there a Communist government that has resulted from a free choice by free men. Communist governments today are the result of bloody force, or the connivings of Red puppets who undermined the states by subversion and treason. The Red empire today rules by force—let the Red armies be withdrawn from the satellite countries and see how long the Communists would remain in power.

As we look out upon the world at this very minute, we see a real imperialist empire, a vast colonial enterprise, imposing its will on millions of people in many countries.

So we come to the all-important question of the captive nations—nations and peoples held in the vicious vise of Red tyranny.

Mr. Speaker, last year the Congress of the United States passed one of the most significant pieces of legislation in our time. That was the Captive Nations Week resolution, now Public Law 86-90. This year, Americans responded enthusiastically to the summons of this resolution and also to the Presidential proclamation which is based upon it. The first anniversary of the Captive Nations Week resolution was a huge success. The record of this year's Captive Nations Week observances must be taken account of, and the pressing need for the implementation of Public Law 86-90 must be needed. The citizens of our Nation have expressed themselves on this need, and we, their representatives, are obliged to fulfill it.

In proposing a House Committee on the Captive Nations I wish to describe in the most succinct manner possible the record of essential events surrounding the resolution and this year's observances. Allow me to approach this vital subject by, first, stating the meaning and significance of Captive Nations Week; second, presenting the preparations made by our citizens for this year's successful observance; third, showing the scope and extent of the observance; and, fourth, offering additional evidence for immediate congressional action in establishing a House Committee on the Captive Nations.

KHRUSHCHEV AND CAPTIVE NATIONS WEEK

In view of world developments this past year, and particularly in recent months, the urgency of recognizing the strategic importance of all the captive nations to U.S. interests in the cold war cannot be too strongly emphasized. Khrushchev himself provided conclusive evidence of this. It will be recalled that when Congress passed the resolution last year and the President issued the proclamation, Khrushchev flew into a wild rage. There was good, sound reason for this violent and troubled reaction. The resolution for the first time struck at the tenuous bases of Moscow's propaganda pretensions and claims by which it seeks to deceive and influence minds throughout the nontotalitarian free world.

Month after month, Moscow and its organs continued the attack against the resolution and the enormous possibilities implied by it. Why should this so-called mighty power have been troubled so deeply? The reason lies in the critical threat posed by the contents of the resolution to Moscow's ideologic war against the free world. Realism in foreign policy necessitates that we be guided by evidence. This evidence of the past year cannot be ignored.

Unfortunately, the meaning of the resolution and Moscow's reaction to it was not fully understood or appreciated by many Americans. Some chided the Congress for confronting the sprawling Bear with the clubs of truth and ideals. Others failed completely in their understanding of the new qualities and dimensions of the resolution. They never bothered to ask themselves, "How is it, our leaders spoke in the past about captive nations and yet Moscow didn't react this way?" The reason for this was due to the fact that for the first time the resolution spoke in behalf of all captive

nations, particularly those within the Soviet Union. In this respect, Mr. Speaker, I should like to incorporate with my remarks a transcript of the program, "Moscow's Reaction to Captive Nations Week," staged by the award-winning Georgetown University Forum. It explains in detail the points I have been making here:

MOSCOW'S REACTION TO CAPTIVE NATIONS WEEK

Participants: Donald L. Miller, editor of Freedom Facts; Francis McNamara, executive member of the All American Conference To Combat Communism; Dr. Lev E. Dobriansky, originator and author of the Captive Nations Week resolution and chairman of the national committee organizing the observance. Moderator: Matthew Warren.

Mr. WARREN. "Moscow's Reaction to Captive Nations Week," the topic for the 711th consecutive broadcast of the Georgetown University Radio Forum, another in a series of educational and informative programs from Washington.

The Georgetown Forum was founded in 1946. This is Matthew Warren speaking by transcription from the Raymond Reiss Studio on the campus of Georgetown University, historic Jesuit seat of learning in the Nation's Capital.

Today's discussion will be on "Moscow's Reaction to Captive Nations Week." The participants are Mr. Donald L. Miller, editor of Freedom Facts and chairman of the Washington Captive Nations Week Committee; Mr. Francis McNamara, executive member of the All American Conference To Combat Communism and member of the staff of the House Un-American Activities Committee; Dr. Lev E. Dobriansky, originator and author of the Captive Nations Week resolution and chairman of the national committee organizing the observance.

To begin our discussion, I should like to call your attention to the observance of Captive Nations Week which will take place this year during the week of July 17 to 23.

In 1959 Congress passed the Captive Nations Week resolution which is now Public Law 86-90. According to the law, the President is authorized to issue an annual proclamation. Committees have been formed in all major cities to observe the spirit of the congressional resolution.

One way to measure the worth of the Captive Nations Week observance is to analyze the Soviet reaction during the past year, which we propose to do during this program.

Dr. Dobriansky, what was the purpose of such a resolution?

Dr. DOBRIANSKY. The purpose of the resolution was manifold, I believe. One could say on an overall basis that actually we sought to bring to the attention of the American people the strategic importance of all the captive nations to American security interests.

In addition to this, it is to serve as a vehicle for the advance of freedom in the areas of propaganda, psychological and political warfare. By emphasizing the contents of this resolution, not only during Captive Nations Week but in the course of the entire year, I sincerely believe that we would be able to offset the propaganda advances made by Moscow.

Mr. WARREN. Would you say, then, it was designed to stir up the people of the captive nations?

Dr. DOBRIANSKY. Yes; in the sense of stirring them up to this fact and realization, that the people in the United States are ever cognizant of their captive status and that we will explore every possible peaceable means to bring about their eventual liberation and freedom.

I want to emphasize that contrary to many of the speculations at the time the resolution was passed by Congress, and certainly after the reaction on the part of Moscow, when many newspapers claimed that actually the resolution sought to make the American people cognizant of the plight of these captive nations, it does more than that.

It is not simply to recognize that they are in this captive status but to see and understand, as I put it before, the strategic importance of all of the captive nations. I am not just referring to those in satellite Europe, meaning central Europe, but I am also taking into account the captive nations within the U.S.S.R. and those in Asia. And, taken in the aggregate, you have a very imposing factor here.

Mr. WARREN. How do American individuals participate in such an observance other than to be cognizant of it?

Dr. DOBRIANSKY. The resolution passed by Congress calls, of course, upon all Americans to observe Captive Nations Week. In the course of this week, which is the third week of July, individuals and groups in their respective localities are expected to engage in religious services, to have rallies, discussion meetings, even editorial comments through various journalistic media; and in the course of such thinking and reasoning about the captive nations—again, taken in the aggregate—it is hoped that our people would in turn press for more formidable and really more successful cold war media on the part of our Government in offsetting the perilous threat of Moscow.

Mr. WARREN. Mr. MCNAMARA, shortly after this resolution was passed last year the Soviet Premier, Khrushchev, appeared to be very upset by asking numerous questions of the then visiting Vice President NIXON.

Why do you suppose he was so upset?

Mr. MCNAMARA. Well, one reason, I would say, was because this resolution pricked his conscience; it hit him in a very sensitive spot. His violent reaction to the proposal indicated this. To quote Shakespeare, "He did protest too much." This usually indicates that they know they are wrong and they feel guilty. I think that this was the major reason for his violent reaction; that he knew that this charge was true; and he screamed and protested the way he did in a more or less desperate effort to offset the effectiveness and the truth contained in this resolution.

Dr. DOBRIANSKY. Mr. MCNAMARA, may I ask, "Would you agree that Khrushchev exploded and reacted violently against this resolution because of certain new qualities contained in the resolution?"

What I have in mind here is the fact that for years we have been talking about certain captive nations. The President and our Secretaries of State talked about them over the Voice of America and other media. Surely right up to the time of the Hungarian revolution there was a great deal of talk about the captive nations. But, significantly, the concept was largely restricted to central Europe: whereas here for the first time we have a governmental document which lists numerous and all the captive nations; in fact, the majority of them exist outside of central Europe, both within the Soviet Union and, in addition, in Asia.

Because of this new element—namely, this recognition that the Soviet Union is not a nationally integrated state, that, instead, it is really made up of numerous nations and that they are captive in the sense that the resolution conveys captivity—this, I think, rocked Khrushchev.

Would you agree with this interpretation?

Mr. MCNAMARA. I do. I believe that is undoubtedly true. Another element is this, that Moscow has been demanding self-determination in all parts of the world for many years, always throwing the charge of colonialism against the Western Powers generally and demanding that the people in Latin America, who are allegedly enslaved by U.S. imperialism, the people in Asia, Africa, and so forth, be allowed to determined their own form of government, be given independence.

Here for the first time, really, the United States officially challenged Khrushchev on this point. We threw his challenge back to him and demanded that he permit self-determination in the nations that he, the great imperialist, has enslaved.

This, I think, was a very good thing. We have been more or less backing away and not doing much before in answer to this challenge and the propaganda that he had issued on the theme of self-determination.

Here we were answering him and doing it so very effectively, I might add.

Mr. WARREN. Mr. Miller, do you recall some other incidents of violent Soviet reaction?

Mr. MILLER. I think the Russian Communist reaction to Captive Nations Week was quite dramatic. We have to remember that this was not a U-2 incident. We did not actually invade or cross Russian territory.

We merely stated a principle and a point of view. The reaction to that was somewhat surprising. A few days after Captive Nations Week began here, on July 22, Pravda came out with quite a vitriolic editorial which condemned Captive Nations Week and made a very strong point of the fact that the Socialist camp is firm and strong as never before.

The following day, as you probably remember, Vice President NIXON visited the Soviet Union and nearly the first word which Khrushchev addressed to him was to the effect, "Well, here you are coming to visit and take a look at the captives."

Throughout Mr. NIXON'S visit to the Soviet Union, Khrushchev and a number of hecklers in the crowds came up to him and asked him about the captives, and tried to persuade him that the people in the Soviet Union really were not captives.

To demonstrate this, on July 22 Khrushchev took NIXON on a boat trip and showed him a number of Russian bathers. He used the phrase, "Here are your captives. See how happy they look."

But the most surprising expression from the Russian Communist came on July 30, when the propagandists told their own people that Captive Nations Week had failed. They suggested that the reason that they thought it had failed, was because during the week none of the peoples in the captive nations had revolted.

I don't believe that anyone in the United States had expected a revolt during that particular week, but apparently many of the Russian Communists did.

I think we can make two deductions from this. One is that Captive Nations Week hits a very weak spot in the Communist armor; and the second is that we can do this without even leaving our own communities.

Mr. WARREN. Dr. Dobriansky, it sounds to me as if Mr. Khrushchev was your best publicity agent.

Dr. DOBRIANSKY. To that I would agree. As a matter of fact, the publicity agent served our purposes in many ways, having made this known to the peoples and nations within the entire Communist empire and, at the same time, having made it known even to our American people, despite the fact that many of them still down to this day don't really understand the meaning and the significance of this resolution.

But before saying anything about that, I would like Mr. McNamara to discuss perhaps some of the reactions in the so-called satellite area of central Europe. Moscow alone was not in this game of violent and vehement rebuttal against the resolution.

Mr. WARREN. Would you first point up the difference between a "satellite" and a "captive nation"?

Dr. DOBRIANSKY. Frankly, I don't accept this distinction in connection with the various nations within the Communist world.

A satellite, a political satellite in its true sense would be, let us say, Portugal in relation to Great Britain. One wouldn't say that Portugal was in any state of enslavement, but it was a satellite in terms of the general directions of British foreign policy.

Analogous to that, I imagine, one can justify somewhat the use of the term "satellite" to Yugoslavia. That was the reason Yugoslavia was not contained in this resolution.

But with regard to the countries that we oftentimes, I think, misapply the term "satellite," the term "captive nation" is vastly more accurate and appropriate.

What does it indicate? It simply indicates that each of these nations, those in central Europe, those within the U.S.S.R., those in Asia, have been subjected by force to a foreign yoke. They are under the domination of the policy of that foreign yoke, meaning Moscow.

I say this in full cognizance of the supposed cleavage between Peiping and Moscow.

Mr. WARREN. Mr. MCNAMARA.

Mr. MCNAMARA. As Dr. Dobriansky mentioned, there was violent reaction to this resolution not only on Khrushchev's part and within the Soviet Union itself but in all of the other captive nations.

In Czechoslovakia, Hungary, Bulgaria, Poland, Albania, East Germany, all the official propaganda media—radio, the newspapers, controlled press, and so forth—all were extremely vitriolic and loud in their denunciations of the resolution.

They charged that it was interference in their internal affairs, just as Moscow did. They charged it was a threat to peace, and so forth. I believe that this violent reaction throughout the Soviet empire indicates how fearful Moscow is of this resolution and the ideas contained in it.

You see, Khrushchev denounces this resolution very loudly. But if you just stop to think of it you can realize that, if this charge on the part of the U.S. Congress against the Soviet Union was false, he could so easily prove it by just allowing free elections within the Soviet empire. And if, as he claims, they are not captive nations, they would all vote for continued Soviet enslavement; and, then, he could turn around and laugh in our face and make the United States look ridiculous.

Of course, he will never risk this because he knows in truth that they are captive nations and, if given a chance to vote, they would overwhelmingly, from all the evidence that we can gather, reject Soviet and Communist rule.

Dr. DOBRIANSKY. If I may interrupt; another aspect, I think, that should be mentioned is that this reaction on the part of Moscow and the puppets was not restricted in a time length to 1 week or 2 weeks at the end of last July.

On the contrary, the reaction was perpetuated so that going into the following months of the year, right down to December, as far as I know, the Communist organs continued to lambast this particular resolution.

For example, in August, you recall, the month before Khrushchev made his arrival in the United States, they played up an article of his that appeared in the Foreign Affairs journal. It was an October issue, but an advance publicity was given to it. In this particular article, which I have before me, Khrushchev regards the resolution as "an act of provocation."

The interesting thing about this is that he offers a challenge to the sponsors of the resolution and the backers of it, in the sense that he raises the question: "How would America and Americans have felt if the Parliament of Mexico had, for instance, passed a similar resolution demanding that Texas, Arizona, and California be liberated from American slavery?"

Now, after this appeared, I prepared a question which was submitted to one Senator who eventually, the following month, presented this to Khrushchev at the tea party given by the Senate Foreign Relations Committee. And the question was this: Fine, Mr. Khrushchev. In view of the fact that you used Texas, Arizona, and California, let us use comparable areas within the Soviet Union: Ukraine for Texas, the Caucasian nations for California, and Lithuania for Arizona. Let us, under U.N. supervision, have the respective peoples in their areas vote: in our area here, for example, whether our Texans want to remain with the United States, join Mexico, or be independent, and there, whether the Ukranians want to remain with Moscow, join some other unit, or be independent.

The question, I understand, was posed to him and he refused even to recognize it.

Mr. WARREN. How many times has the United Nations rebuked Mr. Khrushchev in this connection and he has ignored it completely. Why should this particular thing worry him even more? Mr. Miller, would you like to answer that one?

Mr. MILLER. I think Captive Nations Week goes right to the heart of one of the great problems of the Soviet Empire, that is, the problem of nationalities.

Joseph Stalin a number of years ago built his reputation as a Communist theorist on the basis that he had solved the nationalities problem.

His solution consisted of saying, "Let's tell the people in the various nations that they can be free and equal within the Communist bloc, that they can maintain their own language and their own culture, and get the benefits of being in this larger group"; at the same time, all these nations are ruled by Communist Party leaders who owe their jobs and their loyalties to Moscow. So that in reality all the nations are ruled directly from Moscow.

This is a very thin kind of deception which the Communists have been using in respect to the captive nations within the U.S.S.R. They have been using it in respect to the nations in central Europe.

To these people in central Europe, for example, Khrushchev says time and time again, "Your government is entirely in the hands of your own people."

Well, the people in these countries know this isn't true because they know that they are ruled by the Communist Party leaders and these party leaders are responsible to Moscow.

So that when Captive Nations Week and the American people come out and say the truth about this matter, Khrushchev feels that the very statement of the truth is a deadly threat to the whole unity and the so-called solidity of the Communist empire.

Dr. DOBRIANSKY. That is a very important point, in my judgment, for it advances the weapon of truth. In the past few months we have been talking about the diplomacy of truth.

It would seem to me, in answer to your original question, that the contents of this resolution, if properly elaborated, would give us many new truths which we could use in this area of the cold war.

I am one who is convinced that this is the only course for us. Knowing something about the cold war pursued by St. Petersburg and Moscow even prior to the coming of the Communists, about the manner in which they built up their empire over the centuries, about the ways they have developed their cold war techniques, I feel that it is in the propaganda, psychopolitical area where untimately the final decision will be made in this life-or-death struggle.

In this case the resolution gives us many channels, many dimensions that we could pursue, diplomatically, in the propaganda area, even in the economic area. If one considers, for example, the disposition of resources within the U.S.S.R., one finds that most of the important resources in any single area are concentrated in Turkestan or in Ukraine.

Turkestan is a huge area and it is properly listed as one of the captive nations in this resolution. I submit that Khrushchev and the others in the Kremlin began to suspect that perhaps there would be a popular appreciation in this country of the immense psychopolitical possibilities that are truly open to us.

Unfortunately, when one looks at the record—and I have here quite a number of news clippings, editorials, and comments by our analysts concerning the Captive Nations Week resolution and the President's proclamation—I must say that many of our people simply didn't undertsand it last year.

Mr. WARREN. Mr. MCNAMARA, what evidence do we have that the people in the captive nations are aware of this resolution?

Mr. MCNAMARA. Well, they must be aware of it. We know this because of the extensive coverage given the resolution in the press, over the radio and in other communications media within the captive nations.

One thing I would like to point out is the importance of the captive peoples, in this respect, of maintaining peace in the world today.

We hear an awful lot about this and various plans are being advanced for preventing the outbreak of war, and so on. I believe the captive peoples have been possibly as important a factor as our atomic bomb, when we had a monopoly on it, in preserving peace in this world.

This is because of their resistance to the Kremlin. The Soviet Empire has a fifth column that is larger in numbers and more intensely hates the regime than any nation in the world has ever experienced before.

It is largely because of this resentment, as demonstrated in the uprising in East Germany in 1953 and Poznan, Poland, in early 1956, in Hungary in October 1956, that the Soviet Union is afraid to start a war, because it knows that the moment that it does, there will be a huge outbreak behind its own lines and it will be sabotaged.

So I think this resolution is extremely important as a peace preserver because it shows the captive peoples that we are on their side, that we are working, thinking of their freedom and independence, that we recognize the fact that they are enslaved and captive.

This tends to keep up their resistance, bolster their courage so they will continue to be a thorn in the side of the Communist regime.

Mr. WARREN. Dr. Dobriansky, you said something a few moments ago that interested me in reminding us of the supposed cleavage between China and Soviet Russia. Would you call the people of China, first of all, captives?

Dr. DOBRIANSKY. Yes; and it is so indicated in the resolution.

Mr. WARREN. All right——

Dr. DOBRIANSKY. Mainland China, mind you.

Mr. WARREN. Then do you suppose that your resolution would enable those captives in mainland China to be hopeful of some help in the future?

Dr. DOBRIANSKY. That depends. It is one thing to have a resolution; another thing to observe a Captive Nations Week which is provided by the resolution; it is a third thing—and we are hopeful of this—to begin to recognize, as Mr. MCNAMARA well stated here, that the captive nations in the aggregate are really one of our greatest deterrents against the outbreak of a hot war.

If we are interested in preserving peace; that is, no hot global outbreak, then we should be vitally interested in all of these captive nations, including those on mainland China.

This is what I meant when I said that this whole issue is significantly affected by a very

important strategic factor in connection with American security and also in connection with our desire to maintain the peace.

Mr. WARREN. What would be the next natural step?

Dr. DOBRIANSKY. The next natural step would be to set up our cold war apparatus, and this doesn't mean leading us into a hot war; on the contrary, it means we will be implementing the intent and the purpose of this particular resolution to prevent a hot global war and to win the cold war.

We are finally becoming more realistic with regard to the cold war advances of the Russian totalitarians and the very nature of the cold war being waged by Moscow.

I ask you, "Must we always be subjected to shock treatments?" For example, an eruption occurs in the Middle East. Many of our leaders are shocked. Observers there knew what was transpiring right along. I am not suggesting that the problem of Arab nationalism is nonexistent, but also there is the problem of sinister Russian infiltration. The same thing in Cuba. The same thing in Japan. I would add also the same thing in San Francisco with the House Un-American Activities Committee. When we face these events, immediately people, as though babes in the wood, including Senators, Congressmen, and others, express their shock.

There is nothing to be shocked about. You have had a whole series of these, and there will be more. Instead of depending upon shock treatments it is about time we realized fully the nature of this cold war process and proceeded to build up that kind of apparatus to cope with it.

There has been a host of proposals, well-rooted proposals, realistic proposals, along this line.

Mr. WARREN. We only have a few seconds remaining. Would you again tell us the dates of the upcoming Captive Nations Week?

Dr. DOBRIANSKY. Captive Nations Week this year will be held and observed during the week of July 17–23, and in many major cities local committees have been set up to observe this week.

Mr. WARREN. Gentlemen, thank you very much for your participation in this discussion of "Moscow's Reaction to Captive Nations Week." The participants, Donald L. Miller, editor of Freedom Facts, chairman of the Washington Captive Nations Week; Mr. Francis McNamara, executive member of the All American Conference To Combat Communism and member of the staff of the House Un-American Activities Committee; Dr. Lev E. Dobriansky, originator and author of the Captive Nations Week resolution and chairman of the national committee organizing the observance.

Mr. Speaker, a meaningful and knowing belief in the individuality of freedom does not permit a restriction of freedom to some nations, as, for example, the so-called satellites in Central Europe, and its exclusion as concerns others, as, for example, the more numerous captive non-Russian nations in the U.S.S.R. like Ukraine, Lithuania, Turkestan, Armenia, White Ruthenia, Latvia, and others. The resolution is founded on this belief. From the overall viewpoint of propaganda and psycho-political war, Moscow displayed its fear of any intensive American concern with the freedom of these captive non-Russian nations in the primary sphere of its farflung empire, namely the Soviet Union itself. The concept of captive non-Russian nations in the U.S.S.R. is anathema to it because its proper development and elaboration would produce an entirely different and accurate image of the Soviet Union in world opinion. We have yet to develop this concept, this new dimension, and begin to take long strides in overwhelming Moscow's psycho-political offensive which necessarily has always been its chief mode of attack. In this regard, Mr. Speaker, it is noteworthy that the editors of the New York Times stress this very essential point in their August 8 editorial, titled "The New Imperialism." At this point I request that this illuminating editorial be made part of my remarks. In addition, I wish to introduce also an article on "The Myth of Soviet Unity" which appeared in the May issue of the Sign magazine. This article explains in detail the new imperialism referred to by the Times editor:

[From the New York Times, Aug. 8, 1960]

THE NEW IMPERIALISM

If the possibilities were not so grave, there would be much for the world to laugh at in Moscow's posturing over both Cuba and the Congo. In both these situations the Soviet Union is trying to appear before humanity as the great enemy of imperialism, the friend of oppressed peoples everywhere. The sad truth, apparent to anyone with an elementary knowledge of Soviet history, is that the Soviet Union is today the last remaining great imperialist state, the only colonial power which today rules more conquered territory and more subject peoples than it did a quarter of a century ago.

When Americans think of the captive nations, their thoughts normally turn first to the countries of Eastern Europe upon which Communist dictatorship was imposed by the Red Army a decade and a half ago. Of the Eastern European nations, only Yugoslavia today can claim to be truly independent and sovereign, having survived almost a decade of Stalinist political, economic and subversive warfare aimed at turning it into a satellite. The bitterness of the Hungarian people at their enslavement broke out fiercely in the revolution less that 4 years ago, a revolution drowned in blood by Soviet troops. The real feelings of the Polish people were expressed a year ago by the tremendous ovation Vice President NIXON received when he visited Warsaw, but the Gomulka regime has to conduct itself in cognizance of the reality of Soviet military forces on either side of Poland.

But if the Eastern European satellites are still allowed to keep the trappings of outward sovereignty, the same cannot be said of the non-Russian peoples in the Soviet Union. Twenty years ago the independence of the Baltic States—Estonia, Lithuania and Latvia—was extinguished by acts of crude aggression. Red Army invasion of those states was followed by farcical elections which ended those nations' freedom, though not their love of liberty.

The list of other nations imprisoned in the Soviet Union is long. The Ukrainians are today one of the advanced peoples of Europe, yet Kiev is a mere provincial capital ruled from Moscow. In the Transcaucasus, the Georgians, Armenians and Azerbaidzhanis have known freedom in their history, but know it no longer. In Central Asia the Kazakhs, the Uzbeks, the Kirghiz, the Turkmens, the Tadjiks and other smaller peoples are denied independence and liberty.

If Moscow really were an enemy of imperialism it would give liberty to the non-Russian peoples now subject to its will. But in this era when the former Western colonial powers have been and are rapidly making their former colonies sovereign nations, there is no evidence of a similar trend in Moscow's empire. Rather the witch hunt against true patriots among the Soviet subject peoples goes on unceasingly, as does the campaign to Russify these peoples, their cultures and their histories. On the issue of imperialism, therefore, Moscow stands at the bar of world opinion with blood and dirt on her own hands.

[From the Sign, May 1960]

THE MYTH OF SOVIET UNITY

(By Lev Dobriansky)

Propaganda is the Russian Communists' most important weapon in the cold war. Out of a strange mixture of truths, half-truths, and bald lies, they have cunningly devised an amazing system of deception. Chief among their deceits is the myth of Soviet unity.

This myth is kept alive only as long as we remain ignorant of the facts. It is high time we exploded the myth with knowledge of the truth.

What Americans do not know about Russia came to light painfully last July when a joint resolution, unanimously passed by Congress, called for the observance of Captive Nations Week. Now Public Law 86–90, this congressional act is the first official recognition which our Government has made of the existence of non-Russian nations within the Soviet Union.

The act of Congress mentions many captive nations without and within the U.S.S.R. borders. Deceived by Russian propaganda, Americans had long thought of captive nations only in terms of the satellites in Eastern and Central Europe.

When the resolution was made public, reporters, commentators, and the public inquired, "Where is White Ruthenia? Where is Cossackia?" Many admitted that they had never heard of Idel-Ural or Azerbaijan or even Turkestan. Meanwhile, a number of writers and analysts continued along their merry but blind way to apply this act of Congress solely to those minority captive nations in central Europe.

Those who investigated the situation were astonished to discover that there are more captive nations within the U.S.S.R. than there are without. They were surprised to learn that the people of those captive nations within the Soviet borders outnumber all the Russians combined.

When the joint resolution was passed, few Americans appreciated this fact. But Khrushchev did. Knowing the implications of President Eisenhower's proclamation of Captive Nations Week, he exploded.

Khrushchev was aroused because he wants to hide from the free world the fact that Russia, although a political giant, is a giant with clay feet—a giant whose framework is made up of many different strands.

We must understand some important distinctions between tribes, nations, states, voluntary federations, and tyrannically constructed empires.

The state, it should be noted, is simply the political aspect of the nation. Sometimes you have several nations voluntarily existing in one state, as in Switzerland. Again, you may have one nation being ruled, in separate parts, by two governments, as in Ireland. Again, many nations, against their will, may be politically and tyrannically controlled by one superimposed government, as in the Soviet Union.

After World War I, the present captive nations within the U.S.S.R. were newly independent states. In the collapsing Russian Empire, after World War I, Lithuania, Georgia, Armenia, and other non-Russian nations declared their political independence. They were free of Czarist control. Furthermore, they had no mind to submit to Communist control from Moscow. They established themselves as free democratic

republics. Ukraine and Georgia were even recognized as separate states by Lenin's Soviet Russia.

We remember well the tragic fate that overtook independent Lithuania, Poland, Hungary, and others in the forties. But what most of us forget is that similar tragedies befell Georgia, the Ukraine, White Ruthenia, and others in the early twenties. Trotsky's Red Russian Army had picked them off one by one after softening them up by infiltration, subversion, propaganda, etc.

By 1923, following the first wave of Red Russian imperialism, these non-Russian nations were forced into the spurious federation called the Union of Soviet Socialist Republics. Because of their large populations and their natural resources, these non-Russian nations formed the base for Moscow's further imperialist thrust into central Europe. Currently they form the base for Russian colonial designs in the Middle East, Asia, and Africa.

Yet—and here is a basic point which Americans must grasp—these non-Russian nations within the U.S.S.R. have not passively accepted the Soviet yoke. Each decade since the twenties has seen serious friction, resistance, even open rebellion scald the hand of their Moscow masters.

This struggle continues. Not a month goes by that Moscow does not launch a fresh attack against this nationalistic trend. Indeed, this opposition to Moscow pressured Stalin to bid for the inclusion of Ukraine and Byelorussia as original members of the United Nations. From time to time Moscow finds it expedient to pretend that the non-Russian republics are independent. Amendments to the U.S.S.R. constitution provide for these republics to have their own war ministries and to enter into direct diplomatic relations with other states. Moscow clearly does not underestimate the reality of these restless nations.

In December 1957 Khrushchev addressed the Supreme Soviet in Ukraine. He referred to Ukraine as "a truly free and independent nation."

But Nikita Khruschchev is not fooling the Ukrainians—and he dreads their genuine nationalism. Even during the illusory "Spirit of Camp David" his agents in Munich assassinated the Ukrainian nationalist leader, Stefan Bandera, and, under the economic disguise of voluntary resettlements, Khrushchev is currently engineering the deportation of families from western Ukraine to central Asia and the Crimea.

These non-Russian nations within the Soviet borders are ancient peoples with long histories and periods of national freedom. Ukraine has 42 million people, the biggest non-Russian nation within the U.S.S.R. The three Baltic nations number 6 million; White Ruthenia (Byelorussia), 10.8 million; Georgia, 4 million; Armenia, 1.8 million; Azerbaijan, 3.7 million; and Turkestan, purposely divided by Moscow into five republics, (Kazakh, Tadzhik, Kirghiz, Turkmen, Uzbek), 22.9 million. And to these some 10 million ethnic and nationally conscious Cossacks located above the Caucasus, and about 15 million Moslems concentrated in the Idel-Ural (Volga-Ural) country, and you wind up with the sizable figure of about 114 million people. This figure covers only 11 compact ethnic and national non-Russian units. There are many small tribal units besides. The Russians number 96 million. Kremlin propaganda concerning the economic progress of the U.S.S.R. would take on a different color if it were subjected to the searching light of reality.

Moscow is supervising an uneasy conglomeration of many nations within the borders of the U.S.S.R. and a restless system of additional colonies outside its borders.

An economy based on extensive captive resources can hardly be compared with a free national economy. Most of the resources within the U.S.S.R. are concentrated in non-Russian areas: agriculture in Ukraine, Turkestan, and Georgia; coal in Ukraine and Turkestan; oil in Azerbaijan and Idel-Ural; 90 percent of the manganese in Georgia and Ukraine; iron ore in the Caucasus and Ukraine. Turkestan, three times the combined size of Britain, France, and Germany, alone accounts for about half the copper, lead, zinc output, and is also rich in bauxite and silver.

Soviet propaganda concerning the military might of the U.S.S.R. also acquires a different shade of meaning when confronted with facts. Forty-three percent of the armed forces of the U.S.S.R. are non-Russian. Even apart from likely Russian defections, this is most significant. As for potential Ukrainian, Russian, and other defections, Hungary has furnished the most recent example of what may happen.

Despite their inner weaknesses, the Russians have not only manufactured a myth of unity and invincible strength but they have managed to have the myth accepted by America. The myth has been swallowed not only by the public but by newsmen, commentators, columnists, and political leaders in high levels of Government. A few examples:

The New York Times, October 21, 1958: "Cardinal Agagianian is Russian by birth, having been born near Tiflis." This statement makes about as much sense as asserting that "Cardinal D'Alton is English by birth, having been born in the British Empire." Cardinal D'Alton is Irish and Cardinal Agagianian is Armenian.

Returning from a visit to the U.S.S.R., Adlai Stevenson wrote: "Russia is still a land of sharp and vivid contrasts." He meant the U.S.S.R.

Last July the Governors Report on the Soviet Visit was issued. Referring to the United States and the U.S.S.R., the report stated: "Ways must be devised for the people of these two major nations to understand each other." Even Khrushchev, speaking to various peoples within his Empire, would not go so far as to call the U.S.S.R. a nation.

We would expect the U.S. Office of Education would be correctly informed. Yet, in its U.S. Mission's Report on Education in the Soviet Union, we read: "The one fact that most impressed us in the U.S.S.R. was the extent to which the nation is committed to education as a means of national advancement." Actually, our Government still recognizes the free Governments of Latvia, Lithuania, and Estonia.

I can almost hear my readers complaining that I am indulging in semantics. But this is not merely semantics. Senator JOHN F. KENNEDY would resent it very much if people kept calling him RICHARD M. NIXON and vice versa. Everyone likes to retain his own identity, his own background, character, and intentions. So do peoples and nations.

The cold war today is being waged basically on the propaganda level. Hearts and minds of men are the primary targets. This has always been Russia's empire-building mode of attack. But Moscow's lies will eventually smash themselves against the hard reality of truth. Truth makes men free, and we can begin to triumph over imperialist Russian totalitarianism once we replace our misconceptions of Russia with knowledge of the truth. The Captive Nations Resolution was a start. It is tragic that Moscow knows this better than we.

THE IDEAS OF CAPTIVE NATIONS WEEK

The millions of Americans who observed Captive Nations Week did so not out of any superficial sentiment for the oppressed and occupied nations, but by reason of certain basic convictions concerning the overriding issue of the totalitarian imperialism and democratic national freedom. The first of these convictions refers to the nature of the conflict. The chief struggle is not in the nuclear, military, or economic field as such, but rather in the overall, totalistic propaganda and psychopolitical area which embraces the products of the other individual fields. Recent events in Tokyo, Italy, Cuba, and elsewhere should bring home to us the methodical techniques of political abrasion that no amount of armament could deal with. The main arena is ideas and the ultimate weapon is man.

Observing Captive Nations Week, our citizens expressed a second important conviction. And that is that the only way to prevent a hot global war is to win the psychological cold war by the prime ideology of all the captive nations. As Winston Churchill once put it, "If you will not fight for the right when you can easily win without bloodshed, you may have to fight when there is no hope of victory because it is better to perish than to live as slaves." Of all the existing challenges before us, the prime and really only mortal challenge to our national existence is Moscow's imperialist challenge.

The third conviction is that our Declaration of Independence, wisely externalized and made applicable to all people and nations, provides the moral and political truths—as well as unsurpassable national purposes—for us to cage the bear. Many of us are simply unaware of the powerful ideologic weapons we have in our possession, but these weapons have yet to be skillfully and effectively used.

It is the height of irony that Moscow cynically exploits the principle of natural self-determination and independence in Africa, Asia, and Latin America, whereas we, the natural bearers of this principle, fear to apply it in the one area which is most crucial to us in any type of war, hot or cold. The area of the Soviet Union itself. Pertinent to this aspect is an address that was delivered over the Manion Network under the title "We Must Declare For Independence of Captive Nations." I include it as part of my remarks here:

WE MUST DECLARE FOR INDEPENDENCE OF CAPTIVE NATIONS

DEAN MANION. Emerson once wrote that "nature is an endless combination and repetition of a very few laws." Upon these dependable "laws of nature and of nature's God" the National Independence of the United States was launched 184 years ago this week.

Just as nature wisely repeats its inflexible elementary laws, this program has repetitiously stressed the all-important historic consequence of those same basic principles, namely, the sovereign Independence of these United States.

The ringing declaration of these laws of nature, which made us a free, independent Nation in 1776, needs endless reiteration now, an ominous time, certainly, when the laws of God and nature are being flouted in the Satanic Communist conquest of all mankind.

We now need to remember that the sacred principles that made us free can keep us free and, in the process, defeat communism and liberate the world.

This truth is the rationale of the Captive Nations Resolution which Congress passed last year, and of our Captive Nations Week

observance which a national committee of prominent Americans is now organized to promote.

I have the distinguished chairman of that committee with me at this microphone now. Dr. Lev E. Dobriansky is professor of economics at Georgetown University, and he is also a great champion of human liberty. Dr. Dobriansky, I want to take this occasion to thank you publicly for the leading part you played in the conception and adoption of the congressional Captive Nations Resolution. It is a pleasure to welcome you to the Manion Forum.

Dr. DOBRIANSKY. Thank you, Dean Manion. Tomorrow we Americans, throughout this land and also abroad, will be celebrating the Independence of our Nation.

To all patriotic citizens this sacred day symbolizes, under God, our national freedom, the untampered will of a sovereign people, our firm determination to meet any enemy who would attempt to destroy our hard-won independence.

It symbolizes, too, the spiritual and moral power of our great tradition, the liberal institutions of this country, and the warm humanism of its laws.

Friends, I am not sounding any super or ultrapatriotic note when I emphasize that our Spirit of Independence is at once our past, our present, and our future. Different peoples throughout the world see the meaning and essence of this Nation more objectively and even more appreciatively than many of us do.

The European writer, R. L. Bruckberger, in his remarkable book, "Image of America," rightly maintains that the religiously inspired perennial principles and tenets in our Declaration of Independence belong today not only to the American people but to all the peoples and nations of the world, particularly those in Moscow's farflung totalitarian empire.

The philosopher, Jacques Maritain, in his book, "Reflections on America," views the development of this Nation as a unique and unprecedented historical phenomenon and says, "all this talk about American materialism is no more than a curtain of silly gossip and slander."

Our Nation, built on the free and creative energies of people drawn from every quarter of the globe, is a unique historical experiment—indeed, the great experiment of mankind. Our Nation is a living revolution that moves the hearts and minds of freedom-aspiring peoples everywhere; again, particularly those in captive Eurasia.

In the full perspective of the history of mankind, we, as a united, prosperous, and peaceful people, have with all humility every reason to be proud of our unique development and rich tradition.

Our society, to be sure, is not perfect. But, by all evidence, it is unquestionably one that has given so much in so many ways to so many within a short span in the history of man. It is one which has made this Nation most powerful, exemplary, and respected everywhere.

Contrary to some false notions, we do possess an ideology which inspires our continued growth as a morally leading nation and remarkably equips us to contend successfully with the present threat of imperialist Red totalitarianism.

AMERICAN IDEOLOGY DEFINITE AND DISTINCT

This ideology is plainly and precisely spelled out in our Declaration of Independence and the Bill of Rights. Normal American citizens, like you and myself, know the principles of freedom enshrined in these historic documents and the purposes they necessarily imply for the continued growth and leadership of our Nation.

A few in this country seem to think otherwise. It is a sad commentary on the faith that these few have in the strength and vision of the American people, no less in the political and moral foundations of our Nation, where they believe that by setting up a committee to define our national purposes, they could either improve upon or supplant the purposes and objectives of our Nation as provided by our own Declaration of Independence.

On this Independence Day it is vitally important for us to reflect upon the moral and political principles embodied in the declaration. Nuclear weapons, missiles, luniks, and the whole array of new technologic innovations—which by nature are only instruments and means—cannot reshape or antiquate these natural norms of civilized human existence.

Even more important at this time is the application of the perennial principles of national and individual independence to other nations and peoples. For, not only is the living application of these principles crucial to the further growth and development of our Nation, but it is also indispensable to the existence and survival of the nontotalitarian free world.

What a moving and powerful force our Declaration of Independence was on the various nations which were subjugated in the empires of the last century and a half.

Nations in the Russian, Austro-Hungarian, and Ottoman empires soon rose at the beginning of this century to declare their independence with a will to pursue an independent national existence similar to ours. But, in significant part, this was short lived as the unchecked surge of Russian totalitarian imperialism since 1918 once again reduced the many non-Russian nations of Eastern Europe and Asia to servility.

Today, we ourselves are seriously threatened by this barbaric peril. Worst of all, in our confusion, generated in great degree by the tremendous propaganda skill of the enemy, we aren't even aware of the enormous opportunities we have to defeat this menace in the cold war and thus stave off a hot global war.

The way, I believe, was demonstrated last year with the passage by the Congress of the Captive Nations Week Resolution. What this resolution, now Public Law 86–90, calls for is, in essence, a universalized Declaration of Independence.

For the first time, our Government recognized the fundamental fact that the Soviet Union itself is an empire, in which the majority of people constitute captive non-Russian nations. In addition to the three captive non-Russian Baltic nations, there are White Ruthenia, Ukraine, Georgia, Armenia, Azerbaijan, Cossackia, Idel-Ural, and Turkestan—held captive and occupied by foreign Moscow.

Following World War I, each of these—as did Poland, Finland, and others—broke away from Russian imperial rule, only to be reconquered one by one on the divide-and-conquer principle. Without these economically rich non-Russian colonies in the Soviet Union, Russia, with less than half of the population of the Soviet Union, would be only a second-rate power.

When Congress passed this resolution last July, you will recall that Khrushchev reacted violently and fearfully. He persistently sought to reassure Vice President NIXON that there were no captives in the U.S.S.R.

Unfortunately, in our country the greater part of our press was puzzled and bewildered by this development; in fact, many for the first time learned that there are nations like Turkestan and Cossackia in the U.S.S.R.

KHRUSHCHEV FEARS INTERNAL AWAKENING

Now, why did Khrushchev react with such verbal violence against this resolution? Our Government spoke often in the past about the few captive nations in Central Europe—the so-called satellites—and, yet, no such reaction was produced.

The answer lies in the fact that there is a serious colonial problem within the Soviet Union, which Moscow calls "bourgeois nationalism"; and if this is dragged out into the spotlight of world attention and opinion, the proper characterization of Russian Moscow as the last major colonial and imperialist power in the world would be devastating to its propaganda and cold war efforts. Khrushchev well understood this and ranted against the resolution months after; we remained puzzled and bewildered, and muffed our opportunity.

Our opportunity, I am convinced, will come once we realize the following:

1. That the Soviet Union is an empire in itself, holding in bondage the majority of the captive nations in the Red totalitarian world.

2. That the issues of colonialism and imperialism within the Soviet Union are prime targets for our national concern.

3. That the chief type of warfare Moscow—and, before it, St. Petersburg—wages is propaganda warfare, one that we must equal and surpass.

4. That the cold war will be as permanent as the colonial imperium maintained by Moscow from the Danube to the Pacific.

5. That the universalization of our own Declaration of Independence is the appropriate and most formidable weapon in this type of war. Initiative, positive action, imaginative ideas can be ours with these new dimensions of thought.

The recent events in Paris, Japan, Cuba—indeed, in our own San Francisco—are not shocking to those who understand Moscow's traditional techniques. It has built an unprecedented empire by them.

These events should bring us back to the realities of the main struggle, for which we are, unhappily, poorly prepared. Toward this end, citizens throughout the country have formed in Washington the National Captive Nations Week Committee. In accordance with Public Law 86–90, the committee is stimulating a nationwide observance of Captive Nations Week beginning July 17.

We earnestly hope you will join in this observance. The Independence we enjoy, and will celebrate tomorrow, can only be preserved if we begin to translate it for all of the captive nations, both within and outside the Soviet Union, 2 weeks hence.

Don't be fooled by the slogan "coexistence or codestruction"; the real alternative is a policy of emancipation, beating Moscow at its cold war propaganda game. This we can do with hitherto unused weapons of truth; and year by year we can truly find ourselves deserving to rejoice as a free Nation in 1976, the 200th anniversary of our Declaration of Independence.

In addition to these convictions, Mr. Speaker, the recent countrywide observances of Captive Nations Week expressed also an important view regarding alleged Soviet unity. It holds that the myth of Soviet unity and power must be exploded so that the entire world may see what the Soviet Union really is—a loosely knitted quilt of captive nations where economic colonialism and political imperialism are rampant. Not only in the interest of truth but also in behalf of our stakes in the cold war we should be doing this. Instead of abetting this myth with such misleading concepts as Soviet nation, the Soviet people, and the Soviets, we should be stressing the empire nature of the U.S.S.R.—really the last imperial and colonial center in the world. It requires little reflection to see how this valid conception alters our other fallacious notions about Soviet military power, the Soviet economy, and the like. Mr. Speaker, we can have no hope of successfully competing with Moscow in

the main struggle of ideas, argument, and propaganda, until we correct our own misunderstandings.

By tradition and principle our overall policy cannot but be one of independence aimed at all the captive nations, which necessarily includes those in the Soviet Union. This would be not only in our strategic interest, not only in the interest of the freedom aspirations of all the captive nations, but it would also best aid the approximately 96 million Russian people to attain their independence from centuries-long authoritarian rule. When asked about the Captive Nations Week resolution last year, the President rightly stated:

> The United States would never believe and never accept the idea that a true peace had been established in the world until every single nation had the right to express its own views about its own destiny.

It makes little rational sense to hail the new States of Africa which have far less national sinews of historical continuity, geographical contiguity, religion, customs, language, mores, law, common experiences of war and peace, laws, heroes, and arts than the majority captive non-Russian nations in the U.S.S.R., and to overlook these nations which are situated at the very base of the enemy of the free world.

THE NATIONAL CAPTIVE NATIONS COMMITTEE

In accordance with Public Law 86–90 our private citizens established the National Captive Nations Committee, under the chairmanship of Dr. Lev E. Dobriansky, professor at Georgetown University, and the executive directorship of Thomas F. Connor. This committee planned and successfully stimulated the observances of Captive Nations Week this past July. As early as last January, Dr. Dobriansky called for such private action in an address delivered to the 1960 Women's Forum on National Security. Because of the pertinent contents of this address, I include it as part of my remarks at this point:

JUSTICE AND FREEDOM FOR PEACE AND FRIENDSHIP

(Address by Dr. Lev E. Dobriansky, professor of economics, Georgetown University faculty member, National War College, 1957–58, before the 1960 Women's Forum on National Security, Hotel Statler-Hilton, Washington, D.C., Jan. 30, 1960)

Ladies of America, your fellow citizens cannot praise you too highly for convening annually in this vital forum to deal with problems of our national security. This year, far more than in previous years, the forum is properly charged with a consciousness of urgency and solemn decision as we face the momentous and determining events of this new decade. It is both a privilege and pleasure for me to exchange with you certain basic thoughts on peace with honor at the very beginning of this decade of decision.

Hypothetically (and it couldn't be otherwise) if Khrushchev were standing here this morning, he would be forced to eat the words he uttered in the spirit of Camp David 2 months ago. Mimicking past dictators, he claimed that the West is hit by old age. (Interview by Maj. Salah Salem, Reuters, Cairo, November 10, 1959.) He illustrated his point by quoting Tolstoy: "When I was young, I was strong with women, but now I feel pain and bitterness—I have a great desire for them but I have no strength." "This," opines Nikita the sanguine, "is exactly the West's attitude." It is obvious that one of the many fundamental subjects he failed to learn during his triumphant cold war visit here is the full power of an American woman. That boundless power is reflected here. And it is this power, diversely generated in the sanctity of the American home, that provides the inspirational drive, the intuitive vision, the courage and will, the principled behavior which help to shape the soul of America. Poor Nikita Sergeyevich, he will never understand that behind American thrones rests the power of American women.

FIRST THINGS FIRST

The unique feminine capacity for placing first things first, for planning under the guidance of fixed principle and toward well-defined ends, is a facility by which the so-called intricacies of international relations could be easily unraveled. A study of foreign affairs and how they impinge on our national security demands the exercise of not only the mind but also the heart. Our gestures, our appeals, whether executed through economic, military, diplomatic, or other means, are necessarily directed at both the minds and hearts of peoples elsewhere. The success or failure of these efforts depends primarily on what we stand for, how well and passionately we articulate it, and why we are determined by common will to uphold and advance that for which we really exist. Basically, no matter from what angle of interpretation, the security of our Nation is inextricably tied up with this what, how, and why.

Peace with honor has no meaning without the principles, operational means, and objective ends that are respectively implied by our what, how, and why. Peace with honor carries a price set by these three determinants: by nature, it precludes peace at any price. The very formidability of our military defense structure is also founded on the what, the how, and the why. Billions of dollars worth of the finest military equipment could easily become a heap of junk if the national will to fight were successfully sapped by Moscow's cold war maneuvers. The being of our Nation—what the United States is, means, and symbolizes for people everywhere—subsists in the what of our principles, the how of our methods, and the why of our certitude, will, and vision. Peace with honor is only another way of expressing this national being.

JUSTICE AND FREEDOM FOR PEACE AND FRIENDSHIP

Let us examine first the what—the principles by which our Nation has become the most powerful on earth. Derived from our rich Judeo-Christian heritage and natural law, the moral and political principles of intrinsic personal dignity, equality before the law, individual liberty, private opportunity and enterprise, communal welfare, and national self-determination have formed the very foundation of the great tradition which is America. These principles are enshrined in our Declaration of Independence, the Constitution, and our Bill of Rights which in whatever age—the machine, the atomic, or space—have steadily mirrored the hopes and aspirations of peoples and nations throughout the world. These documents spell out a living and expanding revolution which affects peoples and nations not only in Africa and Asia but also within the Soviet Union itself. Freely blessed for self-criticism, we are the first to say that in the perennial light of these principles, many of our institutions require improvement, reconstruction, and change; but this is no reason for us to shy from the prodigious truth that our society stands in a contrast of day to night to the totalitarian jungle of Moscow's empire.

Those who today are virtually uttering "I'd rather be Red than dead," had no faith in these principles or in themselves before sputnik, no less after. But since the launching of the sputnik and, with it, Khrushchev's concentrated cold war campaign against the United States, many strange voices have been raised in this country. Their number and their depth attest to the effectiveness of Russian cold war propaganda. Without even knowing it, many have become efficient, costless tools of this propaganda. Worse still, in addition to the many other gaps thrown at us daily, they give witness to the basic intellectual and spiritual gap found in many quarters of our society. Their rantings about coexistence or codestruction, accommodation or war, evolution as opposed to revolution, disarm or perish, and other catchworded themes are not even poised on logic, not to say active, directing principles. Often among these fear mongers, the conception of self-preservation is a crudely physical one and their exhortations amount to an open invitation to national rape.

Ideologically, our firm bent as a Nation can only be along the path of justice and freedom for peace and friendship. Given our time-honored principles, our tested rules of national conduct, logically it could not be otherwise. Khrushchev's offer of peace and friendship is as spurious as his issue of capitalism versus socialism. Yet it is amazing how many in this country uncritically permitted their thoughts to slide with Hitler, the overriding issue with Khrushchev and his puppets is freedom and slavery. One imperialist system was smashed, another surges forth to threaten our national existence. Peace and friendship are the effects, the consequents, of justice and freedom, not their cause. Only through the advance and establishment of justice and freedom can the harmonization of relationships into normal concourse be attained to weld the true bonds of peace and friendship among nations as well as between individuals and groups. As in the case of his predecessors of many centuries, for Khrushchev the slogan of peace and friendship is only an instrument of calculated deception. Its logic rests only in the complacency, doubt, confusion, and naivete it can breed in the camp of the targeted non-Russian victim.

By simple analysis, justice and freedom for peace and friendship is the essence of peace with honor. It logically places first things first, it clearly transports the reality of our national being, and it demandingly calls for activity in thought and deed toward the creative growth of a free world environment. It suggests a more active agency for our thoughts and behavior than does the passive guideline of peace and friendship in freedom. Unending stress upon justice and freedom for peace and friendship alone can provide us, like the trained fighter, with maximum flexibility of action and maneuver against the already compromised opponent. Less than this means our own compromise and thus our curtailed flexibility.

THE COLD WAR GAP

Now let us turn to the how—the means, ways, methods by which we articulate, translate, and objectify the what. The efficacy of our methods—the how—depends on how well we understand and perceive the object against whom they are forged and employed. This involves our own conception of the cold war, our knowledge and understanding of the Soviet Union, and our awareness of the primacy of propaganda in the cold war arsenal of imperial Moscow.

We are barraged nowadays by unbalanced complaints about the missile gap, the big booster gap, the narrowing economic gap, and a host of other subsidiary gaps. This frenzy is doubtlessly to the keen delight of Khrushchev. For the past 2 years his masterful propaganda machinery has so well utilized old Potemkin Village tactics in connection with costly and pointedly concentrated

scientific, technologic, economic, military, and cultural projects that acute political neurosis has burst out in many sectors of our society. This was calculated to aid him immensely on the primary politico-psychological front and at the bargaining table on the diplomatic stage. The psychological treasures of Pushkin, Dostoyevsky, Tolstoy, and others are paying off vastly more than anything Marx was able to produce. Without casting self-reflections, one is almost inclined to say, "It takes a Slav to know a Slav."

Here, too, it is amazing that in all this dither about gaps, the truly most essential gap—the gap that will determine whether we'll plunge disadvantageously into a hot war or face, in moral surrender, a cold war defeat—is scarcely mentioned. The cold war gap, rather than any other gap, has accounted for freedom's tremendous losses these past two decades. Just bear in mind that the tides of freedom even receded when the other gaps were nonexistent. "From Atomic Monopoly and Air Supremacy to the Fear of Annihilation" might not be a pretty caption in the book of some future historian, but it cannot be denied that no nation in modern history has lost so much in so short a time as ours. Even during World War II we failed to understand our hot war ally who bore also the face of our cold war enemy. In the present, we witness the strange spectacle of our USIA Director indicating, in effect, himself and the Agency by trying to rationalize that the sputnik precipitated a worldwide belief in the scientific and technological superiority of the Soviet Union over the United States. By the same token, American Motors is supposed to be superior to General Motors by first exploring the Rambler field.

"The best way to eliminate war," said Khrushchev last year, "is the gaining of power by Communists all over the world." This statement alone gives one an insight into the nature of the cold war. On every continent Moscow is feverishly pursuing its goal of world domination while at the same time professing efforts aimed at a lessening of world tensions. This cold war maneuver has even succeeded in generating the illusion of a cold war cessation here. The plain fact is that cold war activity is a necessary coefficient of the Russian imperialist system and totalitarian structure. On smaller scales, it has always been. In the same way that the elimination of the Iron Curtain or a genuine and extensive liberalization of conditions in Moscow's empire would seal the demise of this empire, so the cessation of cold war operations would dry up its motivating forces of being. In short, the cold war is a basic motive force for the necessary expansionism of Moscow's empire without which its internal totalitarianism would have no justification for existence.

If eventually we are not to be cornered into making the drastic, or better, disastrous choice between a hot war at considerable disadvantage or humiliating cold war surrender, it is indispensable for us now to face up to the cold war gap, to grasp the traditional Russian cold war methods, to establish an efficient cold war apparatus, and to pose our own freedom challenges to Moscow. Those who counter that this might lead to a hot war, not only hide from the realities of the cold war but also, in their thinking, wind up with the reductio ad absurdum of this disastrous choice. In a military condition of mutual deterrence, the weight of net advantage naturally favors the one better equipped to wage the cold war. With the cold war gap, this advantage is Moscow's. Missiles, boosters, and evidences of the other gaps have no place in so-called intensive revolutions sparked off by patient subversion, infiltration, blackmail, and other devices in Asia, the Middle East, Africa, South America, and even in Cuba. Unless one is so far gone with haunting hallucinations of pushbutton co-annihilation, a skillfully executed cold war operation could even balance off, with much to spare, the effects of the other gaps. After all, man will always be the ultimate weapon; and freedom-aspiring men and nations in Moscow's empire are yet our most formidable weapon.

I have defined the cold war as a twilight condition of neither peace nor hot war where all the basic elements of a hot war—predatory design, aggressive strategy, tactics, and techniques—are present, except for open military combat between states. But the cold war, as waged by Moscow, is also a planned process leading to victorious results in time. This is why it is an illusion to speak of peace while this process is going on relentlessly and with increasing Russian confidence and arrogance. The prevalence of peace, thus, is measured not only by the absence of a hot war but also by the absence of a cold war and all that it entails.

Our situation in the cold war gap today embraces both a supreme paradox and an imposing irony. The supreme paradox is that while we fear to meet the demands of the cold war because it might lead to a hot war, Moscow shows no fear of a hot war resulting from its intense cold war operations. The imposing irony is that in any hot war we wouldn't think twice about establishing a politico-psychological apparatus which is the same that is desperately needed in the present cold war. For reasons of survival, if not national goals of expanded freedom, the cold war gap must be closed. Foreign economic aid, military alliances, and our own adequate Military Establishment cannot in themselves cope with Moscow's cold war operations.

Of course, the present Russian totalitarians possess the wealth of centuries of experience in cold war methods and techniques. From the 16th century on, their predecessors built an unprecedented empire with these selfsame techniques of subversion, infiltration, conspiracy, blackmail, and divide and conquer. There isn't a century for which cases cannot be given of the skillful use of these methods. Lenin learned these from the history of the empire, not from Marx or Engels. Being a true Leninist, Khrushchev exploits the fake philosophy of communism as a cold war instrument in the same way that the previous czars manipulated the equally fake philosophies of Russian Orthodox supremacy and pan-Slavicism. Also true to tradition, he bellows noninterference as concerns free interest in his captives just as his forebears had done in connection with their enslaved nations. Interference, in the Russian view, is only a one-way street outside the empire. The czars were also masters in instigating anti-Jewish agitation to discredit legitimate movements and institutions: Czar Nikita shows equal mastery in dipping into the sewers of prejudice to accomplish similar ends.

These and more are not just academic historical parallels. The past lives very much in the present. Khrushchev himself attests to this. Only last month, in Budapest, he compared himself with Czar Nicholas I who helped put down the Hungarian Revolution in 1848. Had we been prepared for the glorious opportunity provided by the Hungarian Revolution of 1956—and without involving our own forces—he wouldn't have had this chance to compare himself with a previous czar. Khrushchev today is playing a triadic role: like Nicholas, he is seeking Western consent and acquiescence toward his empire; like Lenin, he is advancing the ideas of nationalism, anticolonialism, and anti-imperialism in Asia and Africa; like Stalin, he is holding firm to the totalitarian reins, accomplishing even more adroitly police state measures which Stalin handled crudely.

Khrushchev may have this wealth of experience in cold war operations, but we have to our enormous advantage the most fertile field for cold war application. To make use of this field in the interest of our own freedom, as well as others, necessitates the overcoming of a serious intellectual gap in our knowledge and understanding of the Soviet Union.

THE INTELLECTUAL GAP RE U.S.S.R.

When I authored the Captive Nations Week resolution last year, little did I anticipate that its able sponsorship and passage in our Congress would provoke Khrushchev to think that this intellectual gap in our country has been spontaneously closed. His actions showed that he fears this deeply, and with good reason. Once this gap is filled, in our eyes and the eyes of the free world, Russia will dwindle to proper size. Russian propaganda, which exaggerates the Potemkin Village achievements of science, technology, economics, and education in the U.S.S.R., would suffer irreparable losses. Our added knowledge, understanding, and perception of the Soviet Union, if skillfully used, could render Moscow indefinitely insecure within the Soviet Union itself. They would eliminate, too, many of our baseless fears.

It is not a stroke of superpatriotic rhetoric to declare that, on the basis of projected current trends, easily within the next 50 years no nation could be compared in total power and capability with the United States. The Soviet Union, factually and historically, is not a nation. In addition to Russia and its approximately 96 million people, the Soviet Union consists of many non-Russian nations which, significantly, make up the majority of captive nations in the entire Red Empire. One of them, Ukraine, with its 40 million people, is the largest non-Russian nation behind the Iron Curtain. Moscow has its internal satellites as well as its external ones. If the external ones, like Poland and Hungary, are deemed unreliable for Moscow's global purposes, the record of the past 38 years shows that the internal satellites, like Ukraine and Turkestan, are equally unreliable. Without the rich captive resources of these internal satellites, Russia would be a power no greater than an integrated Germany. Most of us are even unaware of the fact that about 35 million Moslems, many with strong ties with Turkey and Pakistan, are held captive in this primary empire of Moscow.

Give some thought to these fundamental facts and what they signify. These facts are expressed in the Captive Nations Resolution and Khrushchev recognized well their significance and their portent. Unfortunately, many of us still don't. Our economic and military comparisons are drawn on the basis of false and misleading concepts and definitions. There is no more a gross national product in the Soviet Union than there is a gross global product here. A gross imperial product, with phonetic emphasis upon the gip, is truer to fact. We approach a far more accurate and different picture of relative economic strength by only comparing the total output of Moscow's entire empire, which includes mainland China, with that of the free world alliances. The difference is staggering. Comparing the United States, which is a Nation, with the Soviet Union, which is an empire of many subjugated nations, cannot suit Moscow's propaganda mill better. It conceals all the facts of economic colonialism within the U.S.S.R. itself.

For the same basic reasons, our military comparisons are askewed. If we deem the armed forces of the external satellites as being unreliable for Moscow, there are firm grounds for a similar evaluation of the armed forces in the U.S.S.R. About 45 percent of these forces consist of captive

non-Russians, and these, by basic policy, are largely dispersed from their respective homelands in this substrate empire. Our memories are short, and our perspectives are narrow. Only in the past World War, millions of these non-Russians deserted to take up arms against Moscow. In the Hungarian revolution, Ukrainians, Russians, and others joined with the Hungarian patriots. In Napoleonic times, Alexander I threatened Europe with his armed might; before World War I, Czar Nicholas II scared Europe with the steamroller, his imperial armed forces; and now Czar Nikita engages in nuclear blackmail. In three major wars in this century, the multi-national forces controlled by Moscow disintegrated early in the deadly game. On the basis of these facts and more, one can understand why at the end of the recent 2-day session of the Supreme Soviet, the delegates were whisked away to see a performance of Tolstoy's "War and Peace." Their self-assuring theme song was that "no conqueror will ever again march through Moscow." Contrary to popular myth, both Napoleon and Hitler were defeated not by the empire's forces but by the emptiness of their ideologies. Both had nothing but continued slavery to offer to the Russians and non-Russian nations in Moscow's empire.

We, of course, seek to conquer no one. But we richly possess an ideology which emphasizes that freedom is indivisible. And in the permanent cold war it is the deadliest weapon against Moscow's totalitarian empire, the Soviet Union. Terms like "the Soviets," "the Soviet people," "the Soviet nation," or Russia as an equivalent for U.S.S.R. are marks of our intellectual lag regarding this basic empire. This lag is shown, too, by the fact that nowhere in our Government is there any continuous study made of the sensitive relations between Moscow and its internal satellites. Our ignorance along this fundamental line is appalling. We're like a football team facing an opponent without the advantage of a scout's briefing on his basic weaknesses. You wouldn't believe it, but 2 years ago an obtuse attempt was made to eliminate the non-Russian languages beamed by our Voice of America to the U.S.S.R. Thanks to a few alert Congressmen, the peoples there were spared listening to our programs in the language of their Russian captor.

THE WILL FOR FREEDOM

Now, finally, the why of our position on peace with honor. Principles and know-how are mute without the human will to enforce them. Our will for freedom is not just an emotion; it is a certitude, a vision with a rational outlook. On the basis of our principles and the capabilities set by our know-how, this will works creatively to mould that world order allowing for the free and maximum fruition of individual and national potentialities. Our conception of world order, based on rights and law, is the very negation of Moscow's colonial and imperialist totalitarianism. This will for freedom creates, not just preserves; it moves forward, not just rests; it is determined to see things through on the time-honored principle that the best defense is the offense. We are so growth-conscious today about our economy, foreign trade, the underdeveloped countries, space exploration and other fields: the one area we should be most growth-conscious about is the state of world freedom.

In this eventful year, you and your organizations can do much to further this will for freedom:

1. The year 1960 is a Lincolnian year, the centennial of a Presidency whose immortal words on the impossibility of half free and half slave applies on a global basis today. The year 1976 will be the 200th anniversary of our Declaration of Independence for which we should prepare with clean consciences and firm hearts. Instead of long-run economic plans, let us initiate in the spirit of our living revolution a 16-year freedom plan for spiritual rededication and a politico-psychological force that would stir the hearts and minds of people throughout the world;

2. More than anything else, Khrushchev wants our acquiescence and consent to the permanent captivity of the over 20 nations in his vast empire. His sputniks, luniks, and missilniks are all diversionary means for attaining this crucial objective. Unless we are bent upon suicide, this we could never allow to happen. In terms of our principles, not to say national strategy, such an accommodation is unthinkable. Your organizations can give full expression to this by preparing now for the first anniversary of Captive Nations Week this July;

3. The record shows that all recent summits have resulted in grave disadvantages for us. Two years of clever propaganda by Moscow has sucked us into another summit and perhaps a series of diversionary talkfests. Even now Khrushchev is reviving pressure on West Berlin. You and I can urge our President that the summit agenda include the basic issues of the captive nations and an integrated Germany and that our stand on West Berlin, which is only the tail of these issues, be firm and uncompromising. Before long we shall learn that the only self-respecting way to treat a totalitarian Russian is by firmness and confident resolve;

4. To close the serious cold war gap, your organizations can help immensely in this by supporting the important bills in Congress (H.R. 3880 and S. 1689) proposing the creation of a Freedom Commission and a Freedom Academy; and

5. We are constantly told to learn about and understand other peoples and nations. By all means. From the viewpoint of our own national security, I believe you will agree that a working knowledge and understanding of the many non-Russian nations in the U.S.S.R. ranks high in priority. You can develop this important interest which basically is in the interest of our own national security.

By doing what you believe in is the true exercise of the will for freedom. Our will for freedom is the backbone of the will to freedom among the enslaved. This will is at the core of peace with honor. This will is ably represented by you.

Mr. Speaker, along with many other Members of Congress, it has been my happy privilege to become an honorary member of this committee. This national committee of over 250 prominent Americans represents every major sphere of our society—labor, management, education, the press, fraternals, the entertainment world. The committee's preparations for Captive Nations Week were extensive and impressive. It stimulated the formation of local committees in about 50 major communities throughout the country.

It is not possible for me here to present all the evidences of this preparation, but the following selected items are sufficient to give an indication of the work of this committee. I include at this point the prayers printed in the colorful brochure, "Captive Nations Week, July 17–23, 1960," prepared and distributed in tens of thousands of copies. Dr. Alexis Carrel, a famous scientist, once said:

The most powerful form of energy that one can generate is prayer. Only in prayer do we achieve that complete and harmonious assembly of body, mind, and spirit, which gives the frail human need its unshakable strength.

Khrushchev scoffs at this because he fears it. Through such energy the committee released a letter to the President prior to the summit, statements on "The Summit Debacle" and "Nekulturniy Khrushchev," and on the eve of the observance letters to our newspaper organs, which also I include as part of my remarks:

PRAYERS FOR CAPTIVE NATIONS

O, Lord, the Blessed One, through Thy blessings and Thy unique compassions, succor all the human beings who are suffering under the oppression of the tyrannic and brutal acts of imperialist totalitarianism.

May they have the opportunity to enjoy their freedom and liberty, for they were equally created: may we, with courage and strength, always work to magnify this opportunity. (Prepared May 1960 by Geshe Wangyal, graduate of Buddhist Seminary, Tibet.)

Our Father God, Author of liberty, grateful for our own freedom we lift our prayer for the millions of God-fearing people—Thy children, who look up to Thee crying "how long, O Lord, how long," even as they are bound with the chords of a temporary tyranny.

In this desperate hour when the world's hope for a brighter tomorrow is so largely committed to our frail hands, strengthen us in Thy name to challenge all evil forces which deal in fetters of the body and mind and which seek to degrade human personality.

Without ceasing we would remember the captive nations in their cruel bondage—proud peoples with their precious traditions stamped into the dust while alien Caesars exercise their ruthless sway over them. Above all the tumult and shouting of these volcanic days we hear the summons of Thy voice as in centuries past. "Let my people go."

May we play our full part in the restoration of human rights everywhere. May no denial of human freedom by those who would crush the liberties of others contaminate our souls with the blight of expediency. Strengthen us with Thy might that the arrogant boasts of entrenched tyranny may but put steel into our purpose to break their grip upon the governments and lives they now enslave.

We thank Thee for the inner shrine in human hearts which no dictator can desecrate, and where blaze the candles of faith which no iron fists can snuff out.

Give us to see that to acquiesce in the crucifixion of freedom anywhere is ultimately to nail our own liberty on the same cross, knowing that with what measure we mete, it shall be measured to us again.

We ask it in the Name of the Redeemer who came to proclaim liberty to the captives and deliverance to those who are bound. Amen. (Prepared May 1960 by Dr. Frederick Brown Harris, Chaplain, U.S. Senate.)

O Almight Creator, who has endowed every human being with the power of free choice, hear the cries of Thy children from whom this precious birthright has been stolen. In this day when whole nations groan under the yoke of godless oppression, let those countless martyrs who have willingly shed their blood for Thee give testimony of their desire for the blessings of liberty.

O God of our Fathers, once Thy Chosen People begged Thee for deliverance from captivity in the Land of Egypt, and Thou didst take pity on them. Show forth Thy power today and lead from bondage the millions of Thy people enslaved by men who revile Thy very name.

O God of Wisdom, whose beloved Son has said, "You shall know the truth, and the truth shall make you free," let the light of Thy divine truth penetrate the hearts of

those who hate and persecute Thy people. Only Thy truth can bring that peace which the human race has ever sought—not merely the absence of armed conflict, but peace based on justice and freedom for every human creature.

O God of Mercy, regard not our unworthiness, for we do not pray for ourselves—but for the unknown millions who are suffering in silence for love of Thee. For their sake, O Lord, we earnestly beg Thee to hasten the coming of Thy reign of peace. Amen. (Prepared May 1960 by Rt. Rev. Msgr. John B. Roeder, vice chancellor, archdiocese of Washington, D.C.)

O Thou who are the peace of the world: Save our generation from the terror that cometh by night and the arrow that flieth by day; from the pestilence that walketh in darkness and its destruction that wasteth at noonday:

O Thou who hast led us across the Red Seas and the wilderness of the yesteryears in a vision of a divine covenant; quicken that vision in our minds so that with renewed faith we shall be its living witness and inspire free men toward a rebirth of freedom to face the promise of a new age:

O Thou who hast been our refuge and our fortress through the ages, our altar of devotion, light our lives with Thy sacred fire and our hearts with Thy flame so that with strength of spirit and courage of purpose we will strive toward a world bringing Thy light and Thy peace unto the children of men.

Bless Thou the men who raise the standards of Thy law in our own time; the men who are not neutral in time of evil nor turn their face when the wicked would barter the birthright of freedom for a mess of red pottage; the men who would rise to new sacrifice so that the captives will be freed and the age of a free church in a free state shall come for all Thy children;

Guide us and guard us and lead us forward so that through our labors in this moment of history we shall be the witness of Thy covenant and the time will soon come when the world shall be filled with the knowledge of a righteous God even as the waters cover the seas. (Prepared May 1960 by Dr. Norman Gerstenfeld, rabbi, Washington, D.C., congregation.)

MAY 12, 1960.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: On the eve of your departure for the summit meeting in Paris, I wish to take this opportunity to express the one central idea which binds the rapidly growing membership of this national committee, namely that in the light of our traditions and our moral leadership among the nontotalitarian nations of the free world it is unthinkable that we should fail to press the fundamental issue of the captive nations—those within as well as those outside the Soviet Union—as a paramount subject of summit discussion. Indeed, the U–2 incident and Moscow's distorting propaganda abuse of it necessitate that at long last we face the reality of all the captive nations, not just the minority of them in Central Europe.

In accord with the written intent of Public Law 86–90 enacted last year, this committee is a natural response to the reasoned convictions and judgments of countless American citizens who properly view the captive nations issue as a subject of cold logic and national strategy, not just one of warm sentiment and humanitarian concern. The surging, nationwide support for Captive Nations Week observance is impressive evidence that the rank and file of the American people view with abhorrence the slavery status of whole nations, the result of Moscow's imperialist totalitarianism. Our American people, thank God, are not reconciled to the captivity of millions by Red totalitarian tyrants, nor do we regard this as their permanent condition. We thus urge you, Mr. President, to expressly convey at the summit both the spirit and the contents of the captive nations resolution which our Congress passed last year.

Developments of the past 3 years, highlighted by sputniks and other basically diversionary Russian performances, cannot but cause us to recall here the apt words of Karl Marx—words which still are unquotable in Khrushchev's supposedly relaxed empire:

"They will have learned before that the idea of Russian diplomatic supremacy owes its efficiency to the imbecility and the timidity of the Western nations, and that the belief in Russia's superior military power is hardly less a delusion. There is only one way to deal with a power like Russia, and that is the fearless way."

Applied to the current scene, this is doubtlessly a strong statement and, in part, exaggerated. But when one faces the paramount fact that, in this past century, of all the major colonial empires the Russian one was not only able to survive but also, behind the legalistic mask of the U.S.S.R., now even threatens the security of the nontotalitarian world, the aptness of the statement could scarcely be denied. It is most significant that this observation was made during the reign of Czar Nicholas I with whom Khrushchev now openly compares himself, as witness his Budapest address last December. With secrecy and espionage in the air today, we can all profit by reading the illuminating chapter on "The Secret Life of Russia" in Marquis de Custine's classic "Journey for Our Time," a work written in the days of Khrushchev's present model and about whom the author says: "when I gaze upon this personage, unique in the world, from close at hand, I believe his head has two faces, like that of Janus" (p. 215).

The cold war techniques of Khrushchev who has clearly earned the imperial title of Nikita the Surly, are essentially those of Nicholas I, the former and equally arrogant gendarme of Europe. Nuclear blackmail threats, exercises in Potemkin Village economics, and many other stratagems have their substantial precedents in the history of Russian empire building, written by the blood of both the oppressed Russian and non-Russian peoples. The peace-at-no-price attitude shown by Moscow toward the summit indicates in itself the manner by which it seeks to exploit this given opportunity. Its propaganda machine has even gone to the length of attempting to compromise the position of Western Germany by unjust attacks upon Theodore Oberlaender, the Refugee Minister of our ally, in whose defense scores of witnesses in this country could be supplied. Its propaganda exploitation of the U-2 incident, which may well backfire, is more generally known. In short, Moscow's carefully calculated game of bluff and bluster has reaped for it another summit: its aim now is to exploit it fully.

It cannot be too strongly emphasized that the irony of the current situation lies in the overall fact that Moscow is able to advance diplomatically and propagandawise though it is really operating from basic weaknesses and multiformed necessity. Our memories are short. All evidence shows that at the time of the Hungarian Revolution the Red totalitarian empire was in grave trouble. Surely the passage of 4 years has not erased the inherent weaknesses in the structure of this far-flung empire. Plainly, a ruler secure in his empire would certainly not erupt as Khrushchev had upon the passage of the Captive Nations Week resolution last year. Out of necessity and the need for time to consolidate, Moscow is clearly pressing for Western accommodation to its empire under the spurious label of "peaceful coexistence," along with the hope that its calculated propaganda of bluff and bluster may twist any indication of Western timidity into real concessions.

Unleashing Marx at Khrushchev, our actions should be completely guided by the historical truth that "there is only one way to deal with a power like Russia, and that is the fearless way." Disarmament, nuclear test bans, the misnomered topic of East-West relations, involving trade and cultural exchange, are in reality secondary issues. Khrushchev's overriding objective is free world assent and acquiescence to his empire. His emphasis upon disarmament and other subsidiary issues is designed to deflect our attention from the basic issue. The omission of this subject in summit discussion will certainly be propagandistically exploited in the empire to mislead the captives that the free world's interest in them has waned.

This committee, therefore, strongly urges that our Government seize every opportunity to insist upon this crucial subject as a major point of summit discussion. Failure to do so would be, in effect, an accommodation to Moscow's empire and a victory for Khrushchev, far surpassing anything his unreliable multinational military forces could achieve. We would be bolstering the security of his totalitarian, colonial system and undermining one of our most powerful deterrents against overt totalitarian aggression and a hot war, namely, the captive nations both within and outside the Soviet Union. The very implication of an assent to the status quo would make mockery of the Captive Nations Week resolution and also of the proclamation issued by you, Mr. President, last year. In terms of bargaining position, the captive nations are of enormous and strategic value to the security of the nontotalitarian world. Any rationalization to the effect that this fundamental subject might be discussed later in a possible series of summits would not mitigate some of the above effects.

This summit is truly a ripe occasion for the expression of our initiative, diplomatic offensive, and asserted knowledgeability as concerns Moscow's empire, which includes the Soviet Union itself. At every point we could express these qualities and place Moscow on a retreating defensive. The U–2 incident has revived the open skies plan and the need for breaking through the Iron Curtain. We could also point out that most of the territory flown over by the plane is captive non-Russian and forthrightly bring into question the legitimacy of Moscow's argument on international law. A law which in truth and history is not founded upon the inalienable rights of people is hardly one commanding of dutiful observance. We earnestly hope that after all that has been sensationally revealed by this incident, our Government will manifest at the summit that power of fearless initiative without which the unending challenge of Moscow's imperialist totalitarianism cannot be met.

With God's many blessings upon your historic venture and best wishes in our firm policy of justice and freedom for peace and friendship among all nations, including those in the Soviet Union, I am

Sincerely yours,

LEV E. DOBRIANSKY,
Chairman.

THE SUMMIT DEBACLE: A LESSON AND AN OPPORTUNITY

MAY 18, 1960.—The firm and honorable position taken by our President with regard to Khrushchev's arrogant demands at the summit warrants the praise and admiration of every American. The National Captive Nations Week Committee, made up of citizens dedicated to the spirit, principles, and content of the Captive Nations Week resolution, proudly lauds the President's forthright rejection of the Red czar's ultimatum. The President monumentalizes our stand of no Munich with Moscow's totalitarians.

The collapse of this summit should at long last signalize for all sober-thinking Americans the basic need to face up to the realities of the incessant cold war. Taking a leaf from Russia's imperialist history, the cold war will exist so long as captive non-Russian nations exist, both within and without the Soviet Union, and the Russian people themselves are kept in totalitarian bondage. It is a pity that our President had to be subjected to the indignities of an ill-bred leader who in the captive world has the fixed reputation as the "Hangman of Ukraine" and the "Butcher of Budapest." But perhaps this event will serve as a lesson to the many naive elements in our country who pressed these past 2 years for a deal with Red imperialist totalitarianism.

Khrushchev's insulting behavior was a calculated part of the zigzag cold war game played by Moscow, a game designed to undermine the resistance of freemen. Contrary to obtuse statements that the cold war will now be resumed, the stubborn fact is that the summit itself was an instrument of Moscow's cold war game. The cold war is merely in a state of continuation. It is fervently hoped that by this acid experience we will now begin to recognize the dire need for preparing and seizing the opportunities open to us for victory in this protracted conflict. Moscow's brand of peaceful coexistence or a hot war is certainly not the only choice before us.

The blustering Khrushchev statement on the opening day more than confirms the contents of our memorandum delivered to the White House last week. His statement and timed behavior provided the third phase in the summit development since November 1957: first he pressured for it; then, long before the grossly exaggerated U–2 incident, he arrogantly propagandized against free world interests; and now he brazenly prostituted the organs of international diplomacy by his design to humiliate the spokesman of the leading power in the nontotalitarian free world.

As we stressed in our memorandum last week, Khrushchev is operating from a position of weakness, not one of strength. All his bluster about military power, retaliation, space satellites and rockets—of secondary and tertiary importance in themselves—cannot conceal the deep, inherent weakness of his empire, which necessarily includes the numerous captive non-Russian nations in the U.S.S.R. Khrushchev's statement at the summit is in reality a statement of self-indictment. It attains to the same summit of diabolical fraudulence as his atheistic appeal to God as his witness. The entire statement is girded to the spurious sovereignty of the Soviet state, standards of international law, and the lofty principles of the United Nations Charter. It even alludes to the Soviet Union as being a nation.

The premises of this statement should not go without challenge at this time. The whole issue of the captive non-Russian nations in the U.S.S.R. is tied up with these premises. Our diplomacy of truth should be pursued to lay before the world the full truth of all the captive nations. On the basis of historical fact and truth there is no need to apologize for the U–2 incident. Most of the territory flown over, namely Turkestan, is captive non-Russian territory anyway. Clearly, in point of logic, if before the summit it was a distasteful necessity to conduct aerial reconnaissance over this non-Russian territory and the fringe of the territory of the Siberyaks, it is no less now. The promotion of an open society plan is only another way of calling for the emancipation of the captive nations. We should press for this now, with pointed concentration on the captive nations within the Soviet Union. We would be building up further one of our greatest deterrents against a hot war and, with truth as our weapon, defeating Moscow's cold war challenge. Needless to say, Moscow could ill afford a hot war with a progressively insecure empire. How frightened Moscow is by this prospect was plainly shown last July when the captive nations resolution was passed. Its three major wars in this century clearly demonstrate that even improved military technology cannot possibly overcome the basic forces of nationalism and human freedom. In all three, its military forces disintegrated early.

Khrushchev likes to compare himself with the equally arrogant Czar Nicholas I, the gendarme of Europe. For our time we cannot but quote again the apt remarks made by Karl Marx in Nicholas' time: "There is only one way to deal with a power like Russia, and that is the fearless way." A persistent campaign of truth about Moscow's empire—its economic colonialism, militaristic imperialism, and barbaric totalitarianism—would be enough to cage even a raving bear with a club.

NEKULTURNIY KHRUSHCHEV

It is nothing short of amazing that in all the verbal furor over the U–2 incident and the summit, two fundamental facts are completely ignored. Indeed, a persistent oversight of these two basic and determining facts hardly speaks well for those who today are most vocal on the issue.

The first clear fact is that the U–2 plane flew over mostly captive non-Russian territory in the U.S.S.R., specifically that of Turkestan, as well as over a fringe of the area occupied by decentralist Siberyaks. From the viewpoints of geography, history, and demography, Russian territory as such was not even involved in this incident. Unless we subscribe to the notion of sovereignty based on conquest and colonial domination by totalitarian Moscow (and many in this country unwarily seem to), this essential fact should forthrightly be put before the American people.

Curiously enough, when Congress passed the Captive Nations Week resolution last year, it rightly manifested to the world its solid understanding of the captive status of Turkestan and parts of Siberia. If we are truly dedicated to a diplomacy of truth, the time is now to bring into full question the fictitious sovereignty and hollow standards of international law which imperialist Moscow exploits to conceal its more basic empire from the world. An open debate grounded in essential fact and truth would be most salutary at this time.

The second notable fact which eludes the understanding of many in this country is the full and open exposure of the Nekulturniy Khrushchev (the uncultured Khrushchev) at the summit. Note is taken, to be sure, of his uncouth, boisterous and arrogant behavior, but these are only symptoms of his essentially uncultured character. It cannot be too strongly emphasized that the effects of this exposure are felt in the hearts and minds of the Russian intelligentsia itself.

Khrushchev pretends to represent the Soviet people. He, of course, does not represent the captive non-Russian nations and peoples in the U.S.S.R. His reputation among them is that of the hangman of the Ukraine and the butcher of Hungary. But also vitally important is the fact that Nekulturniy Khrushchev does not represent the culture and intellectual attainments of the Russian nation itself. Against the rich background of Russian culture and civilization the barbaric behavior of Nekulturniy Khrushchev at Paris is unquestionably an ineradicable blot in the pages of Russian history. Without doubt, this barbaric spectacle has brought nothing but disgust and shame to the minds and hearts of the present Russian intelligentsia.

Whereas the Russian intelligentsia cannot express itself on this score, we as a free people can do it for them. Khrushchev clearly established his reputation at Paris as Nekulturniy Nikita. This appropriate nomer, Nekulturniy (ne-kool-toor'ny) Nikita or Khrushchev, deserves to be heard throughout the nontotalitarian free world. Its general use would provide that free expression to the disgust and nausea that now dwells in the minds and hearts of cultured Russians.

A LETTER TO THE EDITOR

JULY 12, 1960.

EDITOR,
Washington Post and Times Herald,
Washington, D.C.:

Captive Nations Week will be observed on July 17–23. In accordance with Public Law 86–90, the National Captive Nations Week Committee was founded to prepare this observance. In most major cities, local committees have been formed to conduct the activities of this significant observance.

In view of the world developments this past year, the urgency of recognizing the strategic importance of all the captive nations to U.S. interests in the cold war cannot be too strongly emphasized. It will be recalled that when Congress passed the Captive Nations Week resolution last July, followed by the President's proclamation, Nekulturniy (uncultured) Khrushchev broke into a wild rage. There was good reason for this violent reaction. The resolution for the first time struck at the tenuous bases of Moscow's propaganda pretensions and claims by which it seeks to deceive and influence minds throughout the free world.

Unfortunately, the meaning of the resolution and Moscow's reaction to it were not fully understood by some of our observers. Your editorial then "Irritating the Bear," July 24, 1959, essentially held that we must not confront the sprawling bear with the club of truth. In the recent light of Paris, Tokyo, Italy, Cuba, and elsewhere, we earnestly hope you and others will now understand our position.

Our observance of Captive Nations Week expresses these convictions: (1) That the chief struggle is not in the nuclear and military field but in the overall propaganda and psycho-political; (2) that the only way to prevent a hot global war is to win the psychological cold war by the prime ideology of the freedom of all the captive nations; (3) that our Declaration of Independence, wisely externalized, provides the moral and political truths—as well as unsurpassable national purposes—to cage the Bear; (4) that the myth of Soviet unity and power must be exploded so that the entire world may see what the Soviet Union really is, a loosely knitted quilt of captive nations where economic colonialism and political imperialism are rampant; and (5) that by a firm and unwavering policy of emancipation and independence aimed at all the captive nations, including those in the U.S.S.R., we can best aid the Russian people to attain their independence from centuries of political barbarism.

Toward these ends and dynamic, programmatic action, we urge (a) the establishment of a permanent Congressional Committee on Captive Nations, (b) the creation of an executive agency on the self-determination of captive and occupied nations, (c) the institution of a freedom academy, and (d) the adoption of a policy of emancipation and independence. We call for a 16-year freedom plan, commencing with this anniversary Lincolnian year of the Great Emancipator and earning the honor of our being as the nation of world freedom by 1976, the 200th anniversary of the Declaration of Independence.

In the year of one of Khrushchev's favorite predecessors, Marx wrote: "They will have learned before that the idea of Russian diplomatic supremacy owes its efficiency

to the imbecility and the timidity of the Western nations, and that the belief in Russia's superior military power is hardly less a delusion. There is only one way to deal with a power like Russia, and that is the fearless way." We're not imbecile or timid, but some are deluded and we have yet to take the fearless way.

LEV E. DOBRIANSKY,
Chairman, National Captive Nations Week Committee and Author of Captive Nations Week Resolution.

NATIONWIDE CAPTIVE NATIONS WEEK OBSERVANCE

Mr. Speaker, due to the tireless efforts of the National Captive Nations Committee and those of the many local committees, millions of Americans participated in the 1960 observance of Captive Nations Week. At my request, the committee has furnished me hundreds of newspaper clippings reporting the activities of this nationwide observance. Every section of the country is represented. Editorials and reports appeared in the New York Times, the Chicago Tribune, the New York Daily News, the Philadelphia Inquirer, the Daily Times of Maine, the Saturday Democrat of Massachusetts, the Sentinel of South Carolina, the Eastern Colorado Plainsmen, the Sacramento Union of California, and many others, large and small, from almost every State of the Union.

Mr. Speaker, to show the range and types of these reports on the observance activities throughout the Nation, I present the following selected items which I include as part of my remarks:

[From the Washington Star, July 24, 1960]

SPIRES OF THE SPIRIT—LET MY PEOPLE GO

(By Dr. Frederick Brown Harris, Chaplain of the U.S. Senate)

The test of America's boasted freedom is how much her free men care for those who have lost their liberty. To revel only in one's freedom, and to forget the fetters of others, is a base betrayal of our own heritage. Such forgetfulness is an ominous prophecy that those who do not fight for liberty everywhere will finally lose their own. There is absolutely no question more vital in this day of besieging problems than the attitude of the free nations toward the lands Soviet Russia has bound with the shackles of serfdom.

There is nothing on which the conspirators of the Kremlin are more adamant than their insistence that their imperialistic robberies be recognized and the status of satellite nations be accepted as final. That assumption is a definite part of their strategy to communize the whole earth. They have the effrontery to suggest to the free world that they agree to coexistence with those who are using every foul force to stamp out the fire of freedom in lands once free but now under the Soviet's savage sway.

The greatest imperialists of the age so discount the intelligence of the human race and so distort the facts that they now charge the very Republic which gave Cuba its freedom with plotting its enslavement. The system with millions of slaves in its iron hold threatens to "free" Cuba. Could the big lie be stretched to bigger proportions?

It is an appeal to the best instincts of America which sounds in the call of Congress and of the President for a specific week of remembering the captive nations whose anguished cry, "How long, O Lord, how long?" must never be drowned by the glorification of our own freedom. Nothing which he heard in our free land aroused the ire of the crude and cruel peasant who stands at the top of the Soviet pyramid of brute strength as much as any reference to Hungary, and the other captive nations.

No wonder, for it is the one heinous blot that gives the lie to all the fair promises of this vast principality of evil which has invented its own inverted and perverted dictionary in which the holy word "peace" means simply the victory of their tyranny.

Captive Nations Week serves notice on the Kremlin that no rocket-rattling will ever make America forget her vow to keep alive the knowledge of atrocities perpetrated, until the submerged nations are rescued from the invader and their soil no longer defiled by this abomination.

Our Congress has called the roll of those now under the Soviet yoke: Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, Rumania, East Germany, Bulgaria, mainland China, Armenia, North Korea, Albania, Tibet, and others. To make sure that the idea of Captive Nations Week does not prove to be simply an ephemeral sop to the American conscience, Congress specifically declares that "the President is further authorized and requested to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world." With wholehearted approval President Eisenhower sounds a trumpet which must never know retreat in his ringing words, "There can be no true peace which involves acceptance of the status quo in which we find injustice to many nations and repression of human beings on a gigantic scale."

And what does all this have to do with "Spires?" Everything. It is under the church spires of America that there thunders the emancipating words of the Father God, to whom all souls belong and to whom all souls are dear, "Let My people go."

Every remembrance of the captive nations is a prayer. Their plight ought to be the subject of prayer in every temple of worship on the Sunday of the annual Captive Nations Week.

We can imagine no more moving scene in any church in America than the service at 11 a.m. on the dear Lord's blessed day of that week observed at St. Patrick's Catholic Church in the Capital of free America. Present were many whose ancestral roots are in the nations now enslaved. Many of them had fled from the present tyranny. From the high white pulpit of that lovely sanctuary Bishop Philip M. Hannan proclaimed the unvarnished truth in sermon and in prayer. His was indeed the voice of America, and the voice of the Universal Church as to the altar of the Most High the shackled millions were lifted in the arms of Christian sympathy and intercession.

In such an hour of worship in any church we are reminded of the final judgment test of the Master who came preaching release for the captives as He asks the piercing question, "When I was in prison did you come unto Me?"

In the spirit of that moving service in St. Patrick's, let us pray—Our Father God, author of liberty, without ceasing we would remember the captive nations in their cruel bondage—proud peoples with their precious traditions stamped into the dust while alien Caesars exercise their ruthless sway over them. Above all the tumult and shouting of these volcanic days we hear Thy summons, even as in centuries past, "Let My people go." Give us to see that to acquiesce in the crucifixion of freedom anywhere is ultimately to nail our liberty on the same cross, knowing that with what measure we mete, it shall be measured to us again. We ask it in the Name of the Redeemer who came to proclaim liberty to the captives and deliverance to those who are bound. Amen.

[From the Washington Star, Aug. 7, 1960]

COMMENDS DR. HARRIS

For some time now both my wife and I have been consistent readers of the "Spires of the Spirit" column written by Dr. Frederick Brown Harris in the Sunday Star. To us it has come to be a weekly must. And on the basis of my various associations I know that this expressed admiration for the column also reflects the thoughts and feelings of countless other readers.

I sincerely congratulate the Star for making the writings of the Chaplain of the U.S. Senate accessible to us. In his own right Dr. Harris is widely respected in many quarters of the globe for his remarkable capacity to interpret the temporal and ephemeral in terms of the eternal and universally necessary. His lucidly written column furnishes us with perspectives and insights which are not readily obtainable elsewhere. The manner in which he invariably weds principle and act, the moral idea and the experiential empiric, illuminates the meaning and significance of every current development he treats.

His recent article "Let My People Go" clearly substantiates these points. In behalf of all our citizens who observed Captive Nations Week, I wish to express publicly our gratitude and esteem for this superb literary rendition which will be widely distributed next year. Indeed, Dr. Harris presented the facts about the 22 captive nations with impressive accuracy. His column is a source of powerful spiritual sustenance for all its readers.

LEV E. DOBRIANSKY,
Chairman, National Committee on Captive Nations Week.

[From the Pittsburgh Press, July 17, 1960]

WHY YOU PRAY TODAY FOR 22 CAPTIVES—DR. DOBRIANSKY HAS AROUSED WORLD TO PLIGHT OF ENSLAVED

(By William Gill)

Because of the perseverance of one man, thousands of people here and in the rest of the United States will kneel today in prayer for the liberation of 22 nations held captive by the Kremlin.

He is Dr. Lev E. Dobriansky, 41, a balding, scholarly professor of Soviet Economics at Georgetown University in Washington.

A lieutenant-colonel in the U.S. Army Reserve, Dr. Dobriansky was teaching at the National War College when he conceived the idea for Captive Nations Week which starts today.

The year was 1958 and the United States, having failed to act in the Hungarian Revolt 2 years earlier, had all but buried its avowed policy of liberation of the captive peoples of Eastern Europe and Asia.

"Then, as now, I was increasingly concerned over the growing indifference in many American circles toward not only the status but also the strategic value of the captive nations," Dr. Dobriansky says.

New York-born, Dr. Dobriansky graduated magna cum laude from New York University, studied philosophy 7 years at Fordham and returned to New York University to earn his Ph. D. in political science in 1950. He is of Ukrainian heritage and is chairman of the Ukrainian Congress Committee of America.

Dr. Dobriansky views Nikita Khrushchev's peaceful coexistence as a sinister drive to break the wills of the captive nations by convincing the United States it is hopeless to encourage the spirit of freedom behind the Iron Curtain.

This, he claims, would amount to an American guarantee of the territorial integrity of the Russian Empire. Secure in this knowledge, the Kremlin could then step up its cold-war operations far beyond their present scope.

Washington had all but officially granted this guarantee when Dr. Dobriansky saw his opportunity to head it off in June 1958.

The executions in Hungary of ex-Premier Imre Nagy and Gen. Pal Maleter spurred widespread anti-Communist demonstrations in the United States and Europe.

At this point Dr. Dobriansky got a resolution introduced in Congress calling for observance of a Captive Nations Year. The House Judiciary Committee killed it, largely because a majority felt a year was too long for such an observance.

Dr. Dobriansky had to wait another year before another event gave him a second chance. The event was Vice President RICHARD M. NIXON'S visit to Moscow last July. Many saw in this a first step toward granting the guarantee the Kremlin wants.

To allay these fears, Dr. Dobriansky again introduced his resolution, this time pruning the observance from a year down to 1 week—Captive Nations Week.

Cosponsored in the Senate by PAUL DOUGLAS, Illinois Democrat, and JACOB JAVITS, New York Republican, the resolution was unanimously passed by voice vote on July 6. Massachusetts' Representative JOHN MCCORMACK, House majority leader, hustled it through the lower Chamber.

The resolution did not mince words. It said that the "enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence."

It named the 22 nations Communist Russia holds in bondage, some of them nations Americans never thought of as independent entities because they had been conquered by the czars.

It sidestepped the promise of any direct U.S. action to set these nations free but it tied their continued resistance to America's own national security.

Finally, it urged the President to issue a proclamation setting aside Captive Nations Week to encourage this resistance.

Dr. Dobriansky claims the State Department is responsible for watering down the version signed by President Eisenhower last year. But this was barely noticed in the fireworks that followed.

Nikita Khrushchev squealed like a stuck pig. On the eve of Mr. NIXON'S arrival in Moscow, he let loose a series of blasts at President Eisenhower for having the temerity to set aside a week of prayer for the captive nations.

Mr. Eisenhower returned the fire and he was backed up by leaders of both parties and most notably by George Meany, president of the AFL–CIO. Mr. Meany called Khrushchev's outbursts "only a demonstration of the inherent weakness of his sprawling slave empire."

In Moscow, Khrushchev got into a heated argument over the proclamation with Vice President NIXON as they toured the American exhibit.

Khrushchev's tirades did not deter Congress from passing the resolution again this year.

DOBRIANSKY ON RADIO THIS WEEK

Pittsburgh will have a chance to hear Dr. Lev E. Dobriansky on two local radio stations this week.

Today at 5:30 p.m. on WPIT, Dr. Dobriansky will take part in a Georgetown University Forum session titled "Moscow's Reaction to Captive Nations Week."

Tuesday at 9:05 p.m. on KDKA radio, Dr. Dobriansky will discuss the significance of the observance.

Justice Michael A. Musmanno, of the State supreme court, heads the Captive Nations Week observance in Pittsburgh and will speak tomorrow at a luncheon rally in the Roosevelt Hotel.

Other Pittsburghers on the national Captive Native Nations Committee include Bishop Nicholas T. Elko; Michael Komichak of the Ukrainian Congress Committee; Michael J. Vargovich of the Catholic Slovak Union, and Bozidar Vuckovic of the Croatian Fraternal Union.

[From the Lincoln (Ark.) Leader]

A TIME TO TAKE STOCK

As a result of long fumbling of our diplomacy, military intelligence, and economic relations around the globe, the United States is today in deadly peril of joining the captive nations. If we should collapse under the pressures our slop-happy policies have generated against us, we could no longer be of assistance—morally, spiritually, or financially—to any nation. And if we should collapse, the other presently free nations would go into Communist bondage along with us. The lamp of freedom would finally have been extinguished on this earth. And if Khrushchev should drink himself to death celebrating, it would be no help to us.

We might, therefore, in our Captive Nations Week observances find a place for emphasis on how not to become a captive nation—a review of our global blunders, say from Tehran to the U–2 and some suggestions for reform at this 11th hour. They may readily be found in BARRY GOLDWATER'S "Conscience of a Conservative."

Such emphasis might be of practical value in stiffening some political spines—in and out of Congress—especially as the week is more or less concurrent with the rising of the presidential campaign curtain in the drama (or tragedy) of the political titans searching for lollypop issues and policies that they hope we will all grab at.

[From the Arkansas Herald, July 18, 1960]

CAPTIVE NATIONS

We Americans, luxuriating in the lap of freedom, are now preoccupied with the business of choosing our national leaders. We nominate and vote for whomever we choose.

Whoever we elect will not control our lives. Our leaders are restricted to administrating laws enacted under representative government.

Some 225 million people behind the Iron Curtain are not so fortunate. They are captives of a Communist hierarchy that has absolute power, enforced by police, to proscribe their every freedom.

To help these hapless fellow beings is the purpose of Captive Nations Week which began Sunday by joint resolution of the U.S. House and Senate.

By whatever means we can, each of us should do our bit to let these submerged nations know we are pulling for them. This is not only our moral obligation, but it serves our national interest.

Dissatisfaction of captive peoples constitutes a ball and chain on the Red masters. They are not free to do as they choose so long as a spark of revolt burns. Keeping the Communist leaders preoccupied with internal difficulties is one of the strongest deterrents to war.

At very least, each of us can pray this week for the well-being and ultimate delivery of our silent allies for freedom who are suffering at the hands of tyrants.

[From the Dallas News, July 17, 1960]

DALLAS MAYOR SETS CAPTIVE NATIONS WEEK

Captive Nations Week in Dallas will be observed starting July 17, Mayor R. L. Thornton proclaimed Friday.

The week, commemorating the struggle for freedom by nations under Soviet domination, was approved by Congress on July 17, 1959.

"The third week in July will be designated with a similar proclamation until such time as freedom and independence shall have been achieved for all the captive nations of the world," said Mayor Thornton.

The proclamation pledges the "support of the Government and people of the United States for the many nations throughout the world made captive by the imperialistic and aggressive policies of Soviet communism."

[From the St. Paul (Minn.) Wanderer, July 28, 1960]

CAPTIVE NATIONS WEEK

When, in accordance with a law enacted by Congress, President Eisenhower last year proclaimed a Captive Nations Week, his action provoked a storm of Soviet denunciation. What? Captive nations? Ridiculous. Nowhere, the world was told by Moscow, do the bells of freedom peal more loudly than in happy Hungary, the joyously self-governing Baltic States, lighthearted Poland, Czechoslovakia, Bulgaria, Rumania, and Albania—all, of course, with a little friendly watchfulness on the part of the actual, or potential, presence of the Soviet Army.

President Eisenhower has again proclaimed a Captive Nations Week, again in accordance with a law of Congress and again inviting a torrent of abuse from Moscow.

Speeches and editorials attacking President Eisenhower were published simultaneously with glowing accounts of how the people of the Soviet Baltic Republics were celebrating in festive mood the 20th anniversary of the establishment of Soviet power.

The official newspapers of the Communist Party and the Soviet Government published greetings from the Kremlin leaders to the Communists chiefs in Latvia, Lithuania, and Estonia.

All through the past week huge rallies have been organized to "voice the joy over the liberation of these people from the bourgeois Fascist boot" so that they are now "free to march forward in the building of communism," it was declared.

The scathing sarcasm in which public utterances on the subject of the proclamation of Captive Nations Week was expressed was a clear sign of the indignation with which the Soviet leaders view such action.

The most vehement denunciation was an editorial in the Communist Party paper Pravda. It termed the action "just another insolent and stupid international provocation, spiced, moreover, with unpardonable lies."

Despite the Red anger, it is appropriate, and essential, that the West continues to assure these imprisoned people behind the Iron Curtain that they have not been forgotten. It is not its purpose to employ force to reestablish their independence. If independence is ever to be achieved it must be achieved by peaceful means. But we do not intend to forget the wrongs done to these small nations by an overpowering neighbor nor to abandon hope that the day will come when they will once more live in freedom.

[From the Catholic News, July 23, 1960]

MASS FOR CAPTIVE NATIONS OFFERED AT ST. PATRICK'S—HIS EMINENCE MEETS REPRESENTATIVES OF 23 COMMUNIST-DOMINATED COUNTRIES AFTER MASS

Representatives of 23 Communist-dominated European and Asian countries, many in colorful national costumes, attended mass at St. Patrick's Cathedral on Sunday, July 17, to mark the opening of Captive Nations Week. Over 2,500 persons were in the congregation to mark the second year of such an observance, many recalling the resentment voiced over the institution of such a week by Premier Khrushchev last year when he complained bitterly to Vice President NIXON over the publicity given the inaugural meeting.

His eminence Francis Cardinal Spellman presided at the mass. The assistant priest to his eminence was the Right Reverend Monsignor Bela Varga, noted leader of the

Hungarians in exile and last president of the free Hungarian Parliament. Deacons of honor to his eminence were the Very Reverend Monsignor Jonas Balkunas, chairman of the Conference of Americans of Central-East European Descent and pastor of Transfiguration Church, Maspeth, and the Right Reverend Monsignor Stephen R. Krasula, pastor of St. John Nepomucene in Manhattan. The Right Reverend Monsignor Terence J. Cooke, vice chancellor of the archdiocese, was master of ceremonies to his eminence. The celebrant of the mass was the Very Reverend John A. Flynn, C.M., president of St. John's University.

The preacher of the occasion was the Right Reverend Monsignor John J. Dougherty, president of Seton Hall University, South Orange, N.J. The text of Monsignor Dougherty's sermon was as follows:

"We have come together in this sacred place for a very serious purpose. We have come to this great cathedral not to be injected with 'the opium of the masses,' but to be inspired and strengthened by the mystery of the Mass. We have come to kneel in the majestic silence of this House of God to look with compassion on the suffering of our fellow man. Who are we? We are little men and women confronting history's largest and darkest hour. You are sons and daughters of many nations. Once free, now enslaved. We, who are Americans, join you, lest we forget the monstrous tyranny that has devoured your countries like a rampant bear. We have come to remember those that are enslaved, the captive nations, who sit 'in darkness and the shadow of death.' We have come to call upon God to remember them. We are here to pray in Christ's name and through His holy Mass, recalling His words of hope, 'You shall know the truth and the truth shall make you free.' We are here to examine our souls, to call to mind the responsibilities of free men, to weigh the cost of liberty.

"We begin today the observance of Captive Nations Week. This solemn religious service demonstrates the church's compassion for the enslaved peoples of the world, and manifests her longing that they be free. The church marshals the ranks of her children, arms them with the moral weapon of her most precious and powerful prayer, the holy Mass, and at the head of her spiritual forces pleads with God and men for the liberation of the captive nations. By this solemn service, and others like it, she proclaims to the world that she is the champion of the enslaved peoples and the eternal foe of the Communist ideology of their tyrannical masters. The church is confident that this unnatural ideology, so opposed to the nature of man and the God of nature, cannot endure. Her essential mission is to bring to man the blessings of personal spiritual and moral freedom through God's grace. She recognizes, however, man's elemental need for political, economic, civil, and religious freedom. She puts the weight of her spiritual authority and venerable dignity behind man's struggle for these freedoms.

"In this cathedral on this morning, her cry is once more hurled against the tyrant, 'let my people go.' The church has extended centuries of sympathy to the oppressed, since the day that her founder, standing in the synagogue at Nazareth, described His mission in the lines of the prophet Isaias; among them were these words: 'To proclaim to the captives release.' The faith of the church is the hope of the captives, and the hope of the church is that their faith will support them till their freedoms come. Faith's freedom is a life that no tyrant can destroy, no secret police can root out, no concentration camp can starve out. By such freedom must captives live until their other freedoms are restored, and God will in His good time see to that.

"Captive Nation's Week is the challenge of this Nation flung at the tyrant's feet. The resolution inaugurating it was passed by the Congress of the United States on July 9, 1959, and is now public law. It is a cry of protest against Communist tyranny that shall not be silenced 'until such time as freedom and independence shall have been achieved by all the captive nations of the world.' Since 1918 Russian communism has subjugated by direct and indirect aggression about 1 billion people, has deprived of national independence Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, the mainland of China, Armenia, North Korea, Albania, North Vietnam, Tibet, and other nations. It has founded its empire upon atheism, genocide, torture, slave labor, and Communist terror.

"That is why there is a Captive Nations Week.

"There is a Captive Nations Week because in the words of President Eisenhower's proclamation, 'Soviet-dominated nations have been deprived of their national independence and their individual liberties.' Because 'it is appropriate and proper to manifest to the peoples of the captive nations the support of the Government and the people of the United States of America for their just aspirations of freedom and national independence,' because 'the citizens of the United States are linked by bonds of family and principle to those who love freedom and justice on every continent.' There is a Captive Nations Week because in the words of the resolution of the Congress of the United States, 'the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples.'

"This undying cry of protest will reach the ears of the captive nations and kindle the ashes of their hope. It will reach the ears of the Kremlin masters and fill them with fury. Men who live by the lie are infuriated by the truth. But the cry must go on, until it becomes the shout heard around the world. Too long have we been silent, too long have we spoken with a soft voice. The captive nations are a fearful reminder that the alternative to nuclear war is not coexistence, but slavery.

"We are the hope of the captive nations, they look to us as the citadel of freedom. This is the destiny committed to us by history, and we must be worthy of it. This is our birthright and our glorious heritage. In the words of Woodrow Wilson:

" 'We in America have stood from the day of our birth for the emancipation of people throughout the world who were living unwillingly under governments which were not of their choice. The thing which we have held more sacred than any other is that all just government rests upon the consent of the governed.'

"It was this philosophy that begot the Revolution of 1776, the Constitution and the Bill of Rights.

"It is not the philosophy that perpetrated the Bolshevik revolution of 1917. Today, we sons and heirs of the American Revolution, sons of Washington and Jefferson, confront the heirs of the Communist Revolution, the sons of Marx and Lenin, the Children of Cain. These two powers face each other like colossi that bestride the globe, two irreconcilable philosophies, the ideology of freedom and the ideology of slavery.

"Behind the Iron Curtain of one camp, the captive nations sit and wait. Weapons they have none save the explosive force of ideas, the concept of human rights and social justice, the ideas for which our forefathers fought at Concord and Valley Forge, ideas which many of their children have forgotten or ignored. This is the force that Communist imperialism fears, love of freedom, love of country, love of God. As long as these survive in the hearts of men, she cannot conquer all. This is the resistance that she fears; it is for her the shadow of death. It is this spirit, this resistance, that we must help keep alive by our moral and spiritual weapons, by the unceasing cry of protest, the anger of free men beholding tyranny. More than this is needed. Our Government should add strong political and diplomatic measures to supplement the cry.

"If the plight of the captive nations is not powerful enough to motivate us to action, our own plight should do so, for the inescapable fact is that the free world has come to the pass where it must now defend its own self-determination and independence. Will it or not, our fate is tied up with the fate of the captive nations, our freedom is bound up with theirs. As Lincoln said: 'The house of humanity divided against itself cannot endure permanently half slave and half free.' We know our course. We choose freedom for ourselves and all mankind with all the risks this choice demands, because for men who believe in God no other choice is possible. And may the Lord, God of Hosts defend us."

[From the Washington Star, July 17, 1960]

MR. K.'S CAPTIVES

Today begins what is known as Captive Nations Week. It is a week designed to keep us and the rest of the world from forgetting one of the ugliest and most tragic stories in modern history of mankind. The story is that of pitiless Soviet imperialism and what it has done to freedom in nearly a dozen once-independent lands.

These lands, in alphabetical order, are Albania, Bulgaria, Czechoslovakia, East Germany, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania. The list, which included Yugoslavia until Marshal Tito declared his independence of the Kremlin some years ago, could be justifiably broadened to embrace such other countries as the Ukraine, which has long since been absorbed by the U.S.S.R. But the prime purpose of Captive Nations Week is to focus attention on the imperialistic crimes committed by the Kremlin since the beginning of the Second World War.

The Baltic countries—Estonia, Latvia, and Lithuania—have been gobbled up completely. As for the other victims, they are permitted, under puppet Communist regimes rigidly controlled by Moscow, to maintain some semblance of separateness from the Soviet Union. But this separateness is cruelly limited, and woe betide those who would dare attempt to expand it into genuine independence. The most frightful case in point is what happened to the Hungarian people in 1956 when they staged their heroic uprising for freedom and when Nikita Khrushchev and his colleagues answered them with naked armed force and a literal butchery of all their hopes and dreams.

This is one of the grim facts that will be stressed this week, as it ought to be stressed, by all friends of the once-free peoples now held in captivity behind the Iron Curtain. Certainly, as Ambassador Lodge once put it to the United Nations, "So long as independence remains unachieved, so long as the Soviet Union continues to intervene in the affairs of these countries, we cannot and we will not remain silent and unprotesting." On the contrary, "We will do what we can * * * to show these hapless victims that they are not forgotten, that they are not lost," and we "will continue to supply these people with the truth about our world and the truth about their world. At every opportunity we will assure them that * * * the old ties of kinship and friendship have not been broken."

These words constitute a good text for Captive Nations Week. Free men everywhere, together with their governments,

ought to give the most sober thought to the terrible nature of the crimes committed against the victimized lands. And those crimes, in turn, should serve as a measure of the stunning mendacity and monumental hypocrisy of Nikita Khrushchev's current propaganda assault on the West's American-led "imperialists" and "aggressors." What we face here is something that is at once as dangerous as it is contemptible.

[From the Pittsburgh Press, July 18, 1960]

RUSSIA TOLD SLAVES WILL REBEL IN WAR

Russia was warned here today that if it ever started a war against the free world it would be quickly overrun and overwhelmed by rebellion within its own slave empire.

Justice Michael A. Musmanno, of the State supreme court, told a Captive Nations Week rally at the Roosevelt Hotel that it is a big mistake to regard Russia as an invincible giant.

"Russia itself contains a population of only 96 million people," he said. "The non-Russians within the Soviet Union number 114 million * * * (in) 15 so-called Soviet Socialist Republics which at one time were free and independent nations."

"Along with the puppet nations of Eastern Europe, these republics constitute an ever-present threat to the power of the Kremlin," Justice Musmanno said.

"These nations * * * are moral and spiritual allies of the Western World and should receive our friendship and encouragement," he declared.

The justice said Khrushchev forces the United States to look to our security through never-relaxing vigilance and never-decreasing defensive strength.

"One of the most vital weapons in that defensive strength is the friendship and respect of the captive nations now languishing in chains behind the Iron Curtain," he said.

Col. J. J. Sustar, TV newscaster and former Czechoslovak war hero and diplomat, also spoke at the luncheon rally. William J. Tepsic acted as master of ceremonies and Michael Komichak was chairman of the event.

[From the Clarion, Catholic Parish of Glenview, Ill., July 10, 1960]

CAPTIVE NATIONS WEEK, JULY 17 TO 23

Lev E. Dobriansky, one of the originators and authors of the resolution which became Public Law 80-90 to establish this national observance, has now formed the National Committee on Captive Nations Week Observance. This national committee must have support. Contribute whatever you can for the work of promoting this observance on a huge scale. In this way let its voice be heard even in the Kremlin. Contributions to Captive Nations Week Observance, in care of Georgetown University, Washington 7, D.C.

Last year when Captive Nations Week became an official observance in this country, it so touched the nerve center of communism that Khrushchev was obviously shaken. The danger now is that some of our leaders may be happy to let the first anniversary slip by with less ceremony than National Pretzel Week.

* * * * *

The sufferings of the captive nations are beyond belief. Albania, Azerbaijan, Bohemia, Bulgaria, Byelorussia, Caucasus, China, Cossackia, Croatia, East Germany, Estonia, Georgia, Hungary, Idel-Ural, Latvia, Lithuania, Macedonia, North Vietnam, Poland, Rumania, Slovakia, Slovenia, Tibet, Turkestan, and White Ruthenia are the peoples being ground under the iron heel of the Reds. It is not just, it is not Christian, it is not human to negotiate on other matters without first insisting on freedom and free elections for these enslaved, for whose enslavement some of our most respected American leaders are directly to blame before God. In conscience we cannot write off millions who look to us for help. By negotiating we invite further Red aggression and become slowly reconciled to surrender by default.

[From the Wilkes-Barre (Pa.) Times-Leader, the Evening News, July 20, 1960]

CAPTIVE NATIONS WEEK PROCLAIMED

Mayor Frank P. Slattery has proclaimed the current week, July 17-23, as Captive Nations Week in Wilkes-Barre. The local observance is in conjunction with national Captive Nations Week which was approved by a resolution of Congress and proclaimed by President Eisenhower in recognition of the nations which are still under Communist domination.

Attorney Peter Paul Olszewski, city solicitor, and Stephen J. Tkach, president of Pennsylvania Slovak Catholic Union, are the local members of the national Captive Nations Committee. Congressman DANIEL J. F. FLOOD was one of the cosponsors of the House of Representatives resolution setting aside this week for the observance.

Some 22 nations with a total population of 800 million people are still under the heel of international communism, both Soviet and Chinese varieties, the Captive Nations Committee reports.

Rev. Andrew P. Maloney, administrator of St. Mary's Church, 533 North Main Street, Pittston, is also a member of the national committee and Congressman FLOOD is an honorary member of the body.

[From the Scranton Tribune, July 21, 1960]

CAPTIVE NATIONS WEEK

President Eisenhower's proclamation setting aside this week for the observance of Captive Nations Week has particular significance here in Scranton and northeastern Pennsylvania.

For here we have family bonds with most of the nations subdued and tyrannized by the Communist captors who have deprived millions of people of their liberties, their freedoms, and the right to govern themselves.

From before the turn of the century and up to fairly recent times our population in this area has been enhanced by men and women from European nations which have since been overrun by the ruthless Soviet despots. And most of these people have relatives and friends still held captive behind the Kremlin-erected Iron Curtain.

So it is particularly significant to us to "manifest to the peoples of the captive nations the support of the Government and the people of the United States of America for their aspirations for freedom and national independence," as urged by the President in his proclamation.

And we are in full accord, too, with the desire expressed by Mr. Eisenhower that U.S. Presidents continue to issue proclamations each year until such time as freedom and independence shall have been achieved for all the captive nations of the world.

[From the New York Times, July 18, 1960]

TWO FAITHS SUPPORT CAPTIVE NATIONS—HEEDING OF THEIR CAUSE IS STRESSED AT ST. PATRICK'S AND ST. JOHN THE DIVINE

Special services were held yesterday in St. Patrick's Cathedral and the Cathedral Church of St. John the Divine to mark the opening of Captive Nations Week.

Twenty-three nations under Communist domination were represented at St. Patrick's by expatriates in native costume.

Cardinal Spellman presided at the 10 a.m. solemn mass. The Very Reverend John A. Flynn, president of St. John's University, was the celebrant, and Msgr. John J. Dougherty, president of Seton Hall University, preached the sermon.

USE OF SPIRITUAL FORCES

In the sermon Monsignor Dougherty called prayer and the mass the most powerful weapons of the Roman Catholic Church in its efforts to lift the yoke of Communist tyranny from the enslaved peoples of the world.

"The spiritual authority and dignity of the church are forces behind man's struggle for political, economic, civil, and religious freedom," he said.

"The United States is the hope of the captive nations because they look upon us as the citadel of freedom. This is the destiny committed to us by history, and we must be worthy of it."

Asserting that the Communist ideology "is so opposed to the nature of man and the God of nature that it cannot endure," he added:

"Captive Nations Week is a cry of protest against Communist tyranny that shall not be silenced until such time as freedom and independence shall have been achieved."

At the Protestant Episcopal Cathedral Church of St. John the Divine the Reverend Canon John W. Pyle asked Christians "to strike a blow for Christ" by supporting the oppressed countries behind the Iron Curtain.

"We must make commitments, even though the risk is great," he said. "Unless we take chances, we can never know the true Christian ideal.

"It is entirely right for us to launch out against oppression. As Christians we ought to have identification with those who run a great risk to exercise their faith. The very essence of a belief in the right thing involves risk.

"The most dangerous thing we could do now would be to seek security and safety and forget about those in need."

[From the New York World-Telegram and Sun, July 20, 1960]

ESSAY WRITERS WIN PRIZES—CAPTIVE NATIONS THEME OF PROJECT

Gold and silver medallions were presented to the winners of the American Education Association's essay contest at ceremonies held yesterday in city hall in observance of Captive Nations Week.

The three winners—two New York City high school students and a Hunter College graduate student—were presented with the awards by City Council President Abe Stark. The theme of the essays was "Captive Nations' Contributions to American Society."

The contest was supervised by Mrs. Cathryn L. K. Dorney, editor of the AEA magazine, the Educational Signpost.

The winning students are:

Doris Lynne Garter, a junior at Martin Van Buren High School, gold medallion.

Kevin O'Brien, senior at Archbishop Molloy High School, silver medallion.

Pvt. Paul Benischek, graduate student at Hunter College, now on a 6-month tour of duty with the Army at Fort Dix, N.J., gold medallion.

The contest winners will appear at a mass rally sponsored by the New York State Committee for Captive Nations Sunday at 2 p.m. in Manhattan Center.

[From the Buffalo Courier-Express, July 19, 1960]

WEEK OF SOLICITUDE FOR WORLD'S OPPRESSED

The significance of Captive Nations Week, proclaimed by President Eisenhower for countrywide observance, is that—in an undetermined number of years hence—captive nations could refer to all nations if Soviet plans for world conquest are permitted to materialize. At present it refers to Asian and European lands which communism already has brought to heel, and all too soon could refer to lands in the Western Hemisphere which it menaces with its standard plan of action: Infiltration, subversion, and domination.

America would not be America—a sanctuary for seekers of freedom from many lands—if it forgot its traditional ties with

nations now held in the grasp of Red enslavement. These humbled people are in many ways the same as we Americans who cherish a way of life we have chosen for ourselves, but of which they—who once tasted freedom—only can dream despondently while they languish under Red tyranny. We would be strange Americans indeed if we felt no sympathy for them who have suffered every human indignity and outrage at the hands of their conquerors, and yet must endure ruthless subjugation that cries to heaven for vengeance.

They are our friends, believing in us and trusting us not to let them down with a cynical regard of their plight. We owe them the moral support of encouraging them in their hope of divinely vouchsafed deliverance and restoration to a free human estate. We need to grid them to ourselves, as it were with hoops of steel, for even now they are allied with us in spirit and fellow believers in freedom's cause, if not potential recruits in a showdown with aggressive dictatorship.

This week, in our commemoration of the tragic wrongs inflicted upon them, in our responsibility as free men to challenge and condemn their enslavement and in our prayers for their eventual liberation, we shall bring to captive nations comfort, solace and cheer, renewing their faith in things for which to live and in their ultimate realization.

[From the Park Cities North Dallas News, July 14, 1960]

CAPTIVE NATIONS WEEK OBSERVED JULY 17–23

It is fitting that during July, the month of freedom, we observe Captive Nations Week, scheduled this year for the week of July 17–23.

By special programs, sermons on freedom, display of the American flag, civic organization luncheon talks, radio and newspaper coverage, film presentations, and essay contest award announcements, it is hoped that the free peoples of the world may continue to be informed and concerned about the captive nations, and offer hope to enslaved millions.

The Presidential proclamation about captive nations stated that "such proclamation should be made each year until such time as freedom and independence shall have been achieved for all the captive nations of the world." His statement brings to mind the serious dilemma confronting the free world: Shall the captive nations enslaved by communism be written off to the Communists, or shall the free world take an active interest in them, and, what is to be gained or lost through such action.

Khrushchev and his clique, realizing that brute force cannot surpress indefinitely the drive for freedom and independence, has refined his methods with his policy of coexistence. This is the permissible philosophy of one step back under communism, until the propitious moment comes to shoot two steps forward.

It should be called to mind that when Mr. Khrushchev speaks of peaceful coexistence, he means nothing less that American acquiescence to the permanent security of his empire. His purpose is to gain time for the consolidation of his imperialistic empire which would come easy with the broken wills and hopes of the captive nations.

Sometimes reticent in taking a positive step, the free world should now make its position determinately clear to the Communists regarding the captive nations of any nation seeking freedom or self-determination. In a world in which the constant struggle for independence is on the daily newspage, it would certainly lessen the moral standard of the United States to refuse recognition to these facts. Many of today's nationalist movements found their inspiration in American history. It would be ironic, if the United States should ever find itself cast in the role of opposing independence movements seeking recognition of the kind of principles which established our own country.

Over 225 million people held captive by the Communists (besides the 700 million Chinese) represent a potent force who can become the free world's most reliable allies. It is also important to note that the stronger the hope and urge of the captives for their freedom and independence, the weaker the threatening position of the Soviets and, consequently the more secure is the status of the free world.

Our course of conduct in foreign relations should be tested by the standards we have pursued in our past. If it advances the cause of freedom, let us pursue it: if it injures the cause of freedom, let us reject it most vehemently. Only then can we hope to maintain our security and peace and at the same time, help others secure their God-given principles of freedom and self-determination. Our ultimate weapon is the inherent desire of all peoples for freedom. This is the peaceful policy of liberation in action. We must be alert to any cracks in the Soviet empire, and encourage and exploit any weakening bonds that tie the satellites to Moscow. In this meaning the idea behind the Captive Nations Week observance had a true and worthy purpose, and should find acceptance among all the free peoples of the world.

[From the New York Times, July 25, 1960]

ARTISTS STAGE PROTEST—CAPTIVE NATIONS WEEK MARKED BY DANCES AND MUSIC HERE

Artists representing captive nations staged a colorful demonstration of the spirited music, song, and dance of their homelands before 750 at the Manhattan Center on 34th Street yesterday.

White Russians, Tartars, Cossacks, Latvians, Ukrainians, Hungarians, and Slovaks, all in bright-colored native costumes, performed during the 2-hour program in observance of Captive Nations Week.

Jay Lovestone, assistant head of the international division of the American Federation of Labor-Congress of Industrial Organizations, said more and more Americans saw the fraud of Moscow's coexistence propaganda line. The AFL-CIO supports self-determination everywhere, he said.

[From the Washington Star, July 23, 1960]

CAPTIVE NATIONS WEEK

While in Austria, Khrushchev announced that he hoped to see in his lifetime the symbol of communism—their red flag—flying over the whole world. This has been said before by every other Communist leader. Unfortunately, people seem to ignore it. During the Captive Nations Week we should try to impress upon everyone that Communists are Communists, and not comparable to any well-meaning people, and that they even dare to openly declare their goals. We should understand that they use the word "peace" just to reach their goals, and the greatest "piece" they want to get is the United States of America, and they are deterred right now only by the fear of an upheaval of the captive nations, the spirit of which they are trying to break.

To destroy Khrushchev's plan we should start in the Captive Nations Week a concrete action: we should declare that we want to reach in our lifetime a situation where the symbol of slavery—the red flag—be obliterated and that communism would remain in people's minds only as a nightmare, and that everywhere there would be government of the people, by the people, for the people.

ALFRED S. BERG.

[From the Pittsburgh Press, July 17, 1960]

THE AGE OF SLAVERY

Captive Nations Week begins today on a grim note: Never in all the world's history have so many millions of people lived under oppression and tyranny. For this is not only the dawning space age—it is the age of slavery for 900 million human beings.

Captive Nations Week will not be celebrated—it is being observed solemnly. Justice Michael A. Musmanno of the Pennsylvania Supreme Court, who is chairman of the observance in the Pittsburgh district, has urged all "who are attached by family ties to any of the 22 enslaved nations" to display all week the American flag and "the flag of the country of their forebearers."

"I respectfully ask that the people of this area offer up prayers for the liberation of the 900 million people held in cruel Soviet bondage," Justice Musmanno declared. "We must not let them lose hope for their ultimate liberation. Let them know that the American people, who are the amalgamation of all the peoples of the world, believe in their just aspirations."

Perhaps the greatest tragedy of this age, however, is that many millions of these people do not even have such aspirations. Like creatures born in captivity, they have never known freedom and do not resist the stifling regimentation which robs them of their humanity.

THE WEEK AND THE RESOLUTION FOR A HOUSE COMMITTEE ON CAPTIVE NATIONS

These reports are only a sample of the coverages given the observance of Captive Nations Week. In every major State and city the activities of the local committees were reported almost daily. In each of these areas and in numerous towns throughout the country, authorities issued their proclamations and resolutions on the Week. As an example, I include here the Resolution issued in the city of Philadelphia:

RESOLUTION 65

Resolution requesting the mayor to proclaim Captive Nations Week, July 17–23, 1960, and calling for public observance of this occasion

Whereas the Senate of the United States of America and the House of Representatives of the United States of America have by resolution requested and authorized the President of the United States to designate the week of July 17–23, 1960, as Captive Nations Week; and

Whereas the President of the United States has by such proclamation invited the people of the United States to observe such week with appropriate ceremonies and activities; and

Whereas many people have been made captive by the tyrannous policies of Soviet communism; and

Whereas there are many good citizens of Philadelphia, whose national origins are associated with the victims of communistic oppression: Therefore

Resolved by the Council of the City of Philadelphia, That his honor, the mayor of the city of Philadelphia, be requested to proclaim Captive Nations Week, July 17–23, 1960; and

Resolved, That the citizens of Philadelphia, in accordance with such proclamation, be requested to cooperate in observance of this celebration, in churches, synagogues, civic and patriotic clubs, educational institutions, and wherever such observance should be appropriate.

By the request of the National Captive Nations Committee, the President issued from the summer White House in Newport, R.I., his proclamation of the

1960 Captive Nations Week. The contents of this proclamation are important to my proposal for a House Committee on the Captive Nations. I include it at this point in the RECORD:

CAPTIVE NATIONS WEEK, 1960

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA, A PROCLAMATION

Whereas many nations throughout the world have been made captive by the imperialistic and aggressive policies of Soviet communism; and

Whereas the peoples of the Soviet-dominated nations have been deprived of their national independence and their individual liberties; and

Whereas the citizens of the United States are linked by bonds of family and principle to those who love freedom and justice on every continent; and

Whereas it is appropriate and proper to manifest to the peoples of the captive nations the support of the Government and the people of the United States of America for their just aspirations for freedom and national independence; and

Whereas by a joint resolution approved July 17, 1959 (73 Stat. 212), the Congress has authorized and requested the President of the United States of America to issue a proclamation designating the third week in July 1959 as "Captive Nations Week," and to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world:

Now, therefore, I, Dwight D. Eisenhower, President of the United States of America, do hereby designate the week beginning July 17, 1960, as Captive Nations Week.

I invite the people of the United States of America to observe such week with appropriate ceremonies and activities, and I urge them to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of the peoples of those captive nations.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this 18th day of July in the year of our Lord 1960, and of the Independence of the United States of America the 185th.

DWIGHT D. EISENHOWER.

By the President:

CHRISTIAN A. HERTER,

Secretary of State.

It is noteworthy, Mr. Speaker, that as in the case of last year's proclamation—in fact, more so—the Red totalitarians in Moscow reacted sharply and vehemently denounced this recent proclamation by the President and also the observance of the week by our private citizens. On this, the New York Times report on a brief analysis of the 1960 results of Captive Nations Week, as it appears in the August issue of Freedom's Facts, suffice to give us an appreciation of the deep-rooted fear Moscow has of the Captive Nations Week resolution. I incorporate here both the report and the analysis:

[From the New York Times, July 23, 1960]

RUSSIANS DENOUNCE EISENHOWER FOR U.S. CAPTIVE NATIONS WEEK—LEADERS AND PAPERS REACT WITH ANGER—DECLARE THAT BALTIC PEOPLES REJOICE ON ANNIVERSARY OF "LIBERATION"

(By Osgood Caruthers)

Moscow, July 22.—Soviet leaders and newspapers reacted angrily today to the proclamation in the United States of Captive Nations Week.

Speeches and editorials attacking President Eisenhower (who last Monday proclaimed the second annual observance of the week) were published simultaneously with glowing accounts of how the people of the Soviet Baltic republics were celebrating "in festive mood" the 20th anniversary of the establishment of Soviet power.

The official newspapers of the Communist Party and the Soviet Government published greetings from the Kremlin leaders to the Communist chiefs in Latvia, Lithuania and Estonia.

HUGE RALLIES ORGANIZED

All through this week huge rallies have been organized to "voice the joy over the liberation of these people from the bourgeois Fascist boot" so that they are now "free to march forward in the building of communism," it was declared.

The scathing sarcasm in which public utterances on the subject of the proclamation of Captive Nations Week was expressed was a clear sign of the indignation with which the Soviet leaders view such action.

They protest with extraordinary vigor that the people of the Baltic States were never before as well off as they are now under Soviet rule.

Setting the keynote on this theme was Mikhail A. Suslov, the Soviet Union's chief Communist theoretician and right-hand man to Premier Khrushchev.

Mr. Suslov attended anniversary festivities in Vilna, the capital of Lithuania, and spoke there last night of how "the American imperialists and their servants are displaying silly efforts to spoil the relations of the peoples of our countries."

"They hope that the remnants of bourgeois nationalism in the Soviet Baltic Republics will survive," he declared, "but all of these hostile machinations are doomed to failure.

"One must lose his senses to propose that the really free peoples of the Soviet take on the chains of imperialist slavery."

NIXON'S VISIT RECALLED

It was recalled here that exactly a year ago today Vice President NIXON arrived in Moscow and was almost instantly confronted by Mr. Khrushchev with an angry denunciation of Washington's endorsement of the congressional proclamation of Captive Nations Week. The subject was raised incessantly by Mr. Khrushchev during Mr. NIXON's visit.

The most vehement denunciation of this year's renewal of the proclamation by the White House was an editorial writer in the Communist Party paper Pravda.

He termed the action "just another insolent and stupid international provocation, spiced, moreover, with unpardonable lies."

"If the U.S. President was indeed concerned for the lot of captive nations, he need not have to go far," the writer continued. "Suffice it for him to take a look at what is going on right in his own house to find out whether many are free in America itself. * * *"

Similarly, these were expounded by Kremlin leaders in the Baltic capitals during the current celebration.

In Tallinn, the capital of Estonia, Otto V. Kuusinen, Finnish-born member of the ruling Presidium of the Soviet Communist Party, told the inhabitants that Soviet power had brought them benefits. In the Latvian capital of Riga the speaker was Nikolai M. Shvernik, former titular chief of state and also a Presidium member.

[From Freedom Facts, August 1960]

CAPTIVE NATIONS WEEK—1960 RESULTS

Millions of Americans took part in Captive Nations Week observances on July 17 to 23. There were special services in synagogues and churches. There were hundreds of special meetings, observances and rallies.

Through all of these events in many key cities Americans expressed their support for the hopes of captive peoples for freedom and national independence. They pledged themselves to struggle by every peaceful means to obtain self-determination and freedom for all captive peoples.

At the rally in Washington, D.C., the Honorable George W. Abbott, Solicitor of the Department of the Interior, declared that "as long as any nation is unfree, no nation can be completely free." A former Cuban businessman and lay religious leader, Miguel Kohly, said 90 percent of his countrymen were dedicated to freedom, but the remaining 10 percent were leading the "boldest piracy in history." His Excellency Il Kwon Chung, Ambassador of Korea, declared that there is no place for compromise or neutrality in the fight against communism, and added that freedom has never burned brighter in the bosoms of Koreans.

A HUNGARIAN FREEDOM FIGHTER SPEAKS

At the same rally an anonymous Hungarian freedom fighter made an eloquent plea. Speaking for peoples of the captive nations he declared, "We, members of the captive East European nations, turn to you, representatives of the free countries. We turn to you from the worst kind of slavery, pleading with you to deliver us from this hell on earth. We plead with you first of all in the name of the Creator, who blessed you with all the beauties, wealth and liberty, leaving us the sorrow, suffering and captivity. Sorrow and suffering are easier to bear, but it is captivity against which we rebel and beg you to aid us in casting off our yoke.

"If things go on the way they have during the immediate past, the tactics of the Communists will conquer every country, one by one. If you, the strongest, are afraid, what can you expect of the really weak? With determination and courage you could save the oppressed and, automatically, save yourselves. The price of your freedom is our freedom."

Senator KENNETH KEATING, Republican, New York, in a statement on the occasion of Captive Nations Week declared, "Their cause is our cause, their sorrow must be our sorrow, for freedom is a brotherhood or it is nothing. God made us to be free, and under God we must pledge to one another, across the oceans, across the curtains of iron, that freedom is not a separate destiny, but a common destiny * * * no free man can have ease of mind while his neighbors are shackled by the brutal chains of the sworn enemy of freedom."

THE IMPACT ON COMMUNISTS

What impact did statements like these have upon the Communists in Moscow and in other Communist-ruled capitals? Radio Moscow attacked Captive Nations Week even more bitterly this year than last. Claimed Commentator Orlov on July 19, the Americans cannot "stomach the fraternal relations of equal cooperation and mutual assistance within the Socialist system, for all this is in sharp contrast to their own relations with smaller or weaker countries, a clearcut instance of which are the recent imperialist intrigues, conspiracies, and interventions against Cuba and the Republic of Congo."

Communist propagandists in Bulgaria, Czechoslovakia, Hungary, Estonia, Albania, and other nations attacked Captive Nations Week as "a lying campaign," as a "slanderous campaign," and as "a provocative act," which could only "make the world public laugh."

The widespread and bitter Communist attack against Captive Nations Week by itself indicates that the truths proclaimed by the week's activities have hit a sensitive spot in the Communist armor. The Communist-propagated fiction that captive nations are free and equal partners in the Communist bloc is exploded by the groveling subservience of Communist rulers of the captive nations to every order and whim of the top Russian Communist.

PLAN FOR THE FUTURE

Captive peoples are not free to select their own government, make their own laws, run their economy, or decide for themselves the kind of lives they want to lead. All decisions are made by the state and the party and both are run from Moscow.

Captive Nations Week exposed the truth of Communist tyranny to the world, and Communists were hurt. They admit the truth of the charge when they deny the captive people the right to self-determination by a free and secret vote. They know that if captive peoples have the chance, they will throw the Russian Communists and their minions out of power.

By voicing this truth with strength and with conviction, Captive Nations Week puts the Communist masters on the defensive before their own people and before the world. The effectiveness of Captive Nations Week suggests that the struggle needs to be increased through participation of more millions of peoples of the free world. The struggle must continue until all captive peoples can say to the Reds: "Stop running our country and our lives. Go home. We don't want you here."

DR. DOBRIANSKY'S TELEGRAM TO PRESIDENT EISENHOWER

The President's reply to this new and harsher denunciation took the form of a challenge to Moscow to accept under U.N. auspices the conduct of free elections in all the captive nations and elsewhere in the world. The importance of such challenges and their follow-up should not be underestimated in the prime area of creational conflict and skillful propaganda they can have lasting results of benefit to the cause of world freedom. This is what the chairman of the National Captive Nations Committee had in mind when he dispatched a telegram to the President, congratulating him for this challenge. As reported in the Chicago Tribune and other national papers, the telegram was as follows:

President DWIGHT D. EISENHOWER,
Chicago, Ill.

We strongly congratulate you and heartily applaud the challenge of free elections you offered Khrushchev last night in your stir- Convention.

We and countless Americans urge that you and our United Nations Ambassador press ring address at the Republican National this challenge by every means in the forums of world opinion.

I am particularly happy over this development because in a letter addressed to you on September 12, 1959, and in subsequent communications I urged that this kind of challenge be made to Khrushchev in connection with his statements on Captive Nations Week in his foreign affairs article released last August.

Americans throughout the land cannot thank you enough for your Captive Nations Week proclamation last week. Once again Moscow has been rocked by this. It demonstrates again their fear of our Captive Nations Week resolution. We earnestly hope and urge that you will implement the resolution by honoring our proposal to create a Government Agency on Self-Determination of Captive and Occupied Nations which would place Moscow on a perpetual defensive in the cold war. This can be a further and very practical challenge.

Sincerely,

Dr. LEV E. DOBRIANSKY,
Chairman, National Committee on Captive Nations Week Observance.

In deriding this challenge Radio Moscow lied in this way:

The tendency of this process is quite evident. Almost half of all mankind has voted in favor of socialism (July 28).

In reply to this lie, we should have recited again and again for all the world to hear, the dates of Russian Communist conquest of all the captive nations listed in the Captive Nations Week resolution.

Mr. Speaker, it is because of our failure to follow up such opportunities as presented to us that I propose the necessary establishment of a House Committee on the Captive Nations. But this is only one reason justifying the creation of this committee. If the Members would read carefully the clauses preceding my resolution, they would recognize immediately the many pressing reasons for such desirable action.

For one, the two Presidential proclamations on Captive Nations Week—last year's and the recent one—call upon the American people to study these nations. A committee of this type would insure continuous studies and inquiries into all the captive nations. It would prove to be a constant source of knowledge and information about the captive nations. Its very existence would serve the purposes set forth and stressed in the Presidential proclamation.

Second, an active committee of this nature would by its studies, inquiries, and investigation, open for us new vistas of conception and understanding about the Soviet Union and the entire Red totalitarian empire. These new dimensions of thought would in turn contribute to the development of new, imaginative, and dynamic ideas and approaches by which we could successfully throw the ideological aggressors upon a perpetual defensive and into eventual defeat in the cold war. With the Powers' trial in Moscow, it would do well for us to bear in mind that almost the entire territory flown over by the U-2 plane is captive non-Russian country. A knowledgeable use of this basic fact at the time of the summit would have kept the Moscow totalitarians talking and thinking about this to present date.

The third additional reason for a House Committee on the Captive Nations is that the products of its systematic and continuous and concentrated work would go a long way to offset and negate Moscow's propaganda and infiltrative efforts in free Asia, the Middle East, Africa and Latin America. For example the focus of our serious attention upon the 35 million Moslems subjugated within the Soviet Union could not have the most salutary effects upon the entire Moslem world. Moreover, the contributions of the committee would bolster and vastly improve our posture and position in the paramount arena of contesting ideas and argument in the cold war.

Fourth, the Congress could display in no better way the pride it has in having legislated the Captive Nations Week resolution than by beginning to implement it with the formation of a permanent committee on the captive nations. As the data I provided here will show, the American people responded vigorously to the resolution in their observance of Captive Nations Week. Responding also to the President's call for the study of these nations, they have articulated the need for such a committee in their recent observances. Mr. Speaker, the resolution I am proposing here is a response to this popular demand, and I feel sure that every Member, after having read the samples of evidence given here, will share this feeling.

It is not enough to express from time to time our sympathy with the captive nations in Europe and Asia. The time has come for us to understand the basic ideology of all the captive nations. Reason, not sentiment is determinative here. The captive nations in the aggregate are perhaps even more important to our national security and that of the nontotalitarian free world than space conquests, missile superiority, and a host of other things. They are our great and formidable deterrent against the outbreak of a hot global war. So long as colonial and imperialist Moscow remains permanently insecure with regard to its captive masses, it will certainly venture into no hot war. Quite emphatically, it could scarcely afford one, for the captive nationals within the armed forces of the Soviet Union itself would be a constant threat and then an eruptive force in the empire. The captive nations in the aggregate are both an insurance for continued peace and a weapon for the advance of world freedom. They represent a tremendous strategic value for the forces of freedom.

This strategic value more than justifies the need for establishing a House Committee on the Captive Nations. Because of this value to our national security, we have rightly and appropriately formed specialized committees in the areas of space, atomic energy, and economics. The strategic value of all the captive nations, which means also those in the Soviet Union, is in itself a compelling and urgent reason for us to establish a House Committee on the Captive Nations.

Mr. Speaker, it is for this fundamental reason and all that it implies that I offer and submit for action in this session the following resolution to establish a House Committee on the Captive Nations:

Whereas two Presidential proclamations designating Captive Nations Week summon the American people to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of the people of those captive nations; and

Whereas the nationwide observance in the first anniversary of Captive Nations Week clearly demonstrated the enthusiastic response of major sections of our society to this Presidential call; and

Whereas, following the passage of the Captive Nations Week resolution in 1959 by the Congress of the United States and again during the observance of Captive Nations Week in 1960, Moscow displayed to the world its profound fear of growing free world knowledge of and interest in all of the captive nations, particularly the occupied non-Russian colonies within the Soviet Union; and

Whereas the indispensable advancement of such basic knowledge and interest alone can serve to explode current myths on Soviet unity, Soviet national economy and

monolithic military prowess and openly to expose the depths of imperialist totalitarianism and economic colonialism throughout the Red Russian empire, especially inside the so-called Union of Soviet Socialist Republics; and

Whereas, for example, it was not generally recognized, and thus not advantageously made use of, that in point of geography, history, and demography the now famous U-2 plane flew mostly over captive non-Russian territories in the Soviet Union; and

Whereas, in the fundamental conviction that the central issue of our times is imperialist totalitarian slavery versus democratic national freedom, we commence to win the psychopolitical cold war by assembling and forthrightly utilizing all the truths and facts pertaining to the enslaved condition of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and other subjugated nations; and

Whereas the enlightening forces generated by such knowledge and understanding of the fate of these occupied and captive non-Russian nations would also give encouragement to latent liberal elements in the Russian Soviet Federative Socialist Republic and would help bring to the oppressed Russian people their overdue independence from centuries-long authoritarian rule and tyranny; and

Whereas these weapons of truth, fact, and ideas would counter effectively and overwhelm and defeat Moscow's worldwide propaganda campaign in Asia, Africa, the Middle East, Latin America, and specifically among the newly independent and underdeveloped nations; and

Whereas it is incumbent upon us as free citizens to appreciatively recognize that the captive nations in the aggregate constitute not only a primary deterrent against a hot global war and further overt aggression by Moscow's totalitarian imperialism, but also a prime positive means for the advance of world freedom in a struggle which in totalistic form is psychopolitical; and

Whereas in pursuit of a diplomacy of truth we cannot for long avoid bringing into question Moscow's legalistic pretensions of noninterference in the internal affairs of states and other contrivances which are acutely subject to examination under the light of morally founded legal principles and political, economic, and historical evidence; and

Whereas in the implementing spirit of our own congressional Captive Nations Week resolution and the two Presidential proclamations it is in our own strategic interest and that of the nontotalitarian free world to undertake a continuous and unremitting study of all the captive nations for the purpose of developing new approaches and fresh ideas for victory in the psychopolitical cold war: Now, therefore, be it

Resolved, That there is hereby established a committee which shall be known as the Special Committee on the Captive Nations. The committee shall be composed of ten Members of the House, of whom not more than six shall be members of the same political party and of whom five shall be members of the Committee on Foreign Affairs, to be appointed by the Speaker of the House of Representatives.

SEC. 2. (a) Vacancies in the membership of the committee shall not affect the power of the remaining members to execute the functions of the committee, and shall be filled in the same manner as in the case of the original selection.

(b) The committee shall select a chairman and a vice chairman from among its members. In the absence of the chairman, the vice chairman shall act as chairman.

(c) A majority of the committee shall constitute a quorum except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

SEC. 3. (a) The committee shall conduct an inquiry into and a study of all the captive non-Russian nations, which include those in the Soviet Union and Asia, and also of the Russian people, with particular reference to the moral and legal status of Red totalitarian control over them, facts concerning conditions existing in these nations, and means by which the United States can assist them by peaceful processes in their present plight and in their aspiration to regain their national and individual freedoms.

(b) The committee shall make such interim reports to the House of Representatives as it deems proper, and shall make its first comprehensive report of the results of its inquiry and study, together with its recommendations, not later than January 31, 1962.

SEC. 4. The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times within or outside the United States to hold such hearings, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony as it deems advisable.

SEC. 5. The committee may employ and fix the compensation of such experts, consultants, and other employees as it deems necessary in the performance of its duties.

Mr. Speaker, the heart of the matter is that we are helping ourselves when we look to the interests of the captive nations. They are a strong factor in deterring the Kremlin from outright aggression that would provoke a nuclear war. Khrushchev knows he presides over a very uneasy empire. He realizes full well that the so-called Soviet Union is largely a political fiction, a forced alliance of peoples with past histories of independence, glorious cultures, and their own folkways. The Soviet rulers know better than anyone else the repressive measures they are required to use to keep the peoples of the captive nations prisoners. And, above all, the Soviet ruling clique is totally aware that the nations held in captivity dream of freedom and independence and a return to their once proud sovereignty. In such a situation, a strong third force would be on the side of the free world in the event of hostilities. Imagine the havoc such a force could inflict on Communist military installations, transportation, food supplies. Yes; the captive nations are a deterrent to war, and are at the same time strong, natural allies of the free world.

Mr. Speaker, history informs us that tyranny bears the seeds of its own ruin. Down through the ages it has been thus, one tyrant after another met his ruin in the blood baths of his own instigation. Many of us here today remember Hitler boasting that the Reich of his own violent creation would continue in glory down for a thousand years. We all remember, too, how this madman perished by his own plan of destruction, cornered literally like a rat, in a Berlin bunker—this bloodstained edifice pulled down round his own villainous head.

Yes, Mr. Speaker, we serve our Republic and the free world well when we look to cause of freedom for all mankind. Freedom is America's business—it has always been so and, pray God, it will always be so.

Let us now send out word and keep sending it out to the peoples of the captive nations that they are not forgotten in America—that their plight is our concern, that we shall never be reconciled to their sorry condition, that we shall continue to use every peaceful means at our command to bring about their release, their restoration to freedom.

What I propose here today is the development of another effective instrument to bring about that happy day of independence for these millions gripped in the vise of Red tyranny.

In all solemnity, Mr. Speaker, I say: Let us tend the lamps of freedom—the hour is late and the night is dark—but the dawn will be ours when all men may walk upright in freedom, and Red tyranny has been crushed.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I commend and congratulate our colleague, the gentleman from Pennsylvania [Mr. FLOOD], for the excellent presentation he is making here today. I know few men who are as fully qualified to know the real meaning of the threat of communism as does Mr. FLOOD. In 1952, the gentleman from Pennsylvania was a member of the Select Committee of the House of Representatives that investigated the Katyn Forest massacre, and the gentleman, indeed, played one of the key roles in writing the indictment—the first indictment against the Soviet Union for committing this monstrous atrocity against some 15,000 Polish Army officers who were our gallant allies in World War II. I think the gentleman's analysis of the importance of this captive nation's resolution which the Congress adopted last year is, indeed, very penetrating and the gentleman would be happy to know that only this year in the city of Chicago in pursuance of the captive nations' resolution, we held a great service and ceremony on Captive Nations Day. Some 5,000 people attended. I would like to stress the importance of this point that the gentleman has brought up. This ceremony was arranged by Mayor Daly. It was a magnificent sight to see the representatives of the 14 captive nations, that the gentleman from Pennsylvania just mentioned, standing there with their national banners and flags raised high and their voices and their hopes high that some day these captive nations would join the family of free nations of the world. I congratulate the gentleman for the outstanding presentation he is making today.

Mr. FLOOD. I thank my distinguished friend and colleague, the gentleman from Illinois. He is very kind. I am especially glad to see him here because he very graciously referred, Mr. Speaker, to my connection with the famous Katyn massacre investigation.

That massacre investigation would not have got anyplace at all if it had not been for the fact that this brilliant young man, now a Member of this distinguished body, was at that time my chief clerk and my chief interpreter. He was my right arm all through the months of this investigation. Since that time, I think largely because of his great service, the people of his great district in rural Illinois saw fit to send him here to join us so we could have the benefit of his experience as a colleague.

I yield to the gentleman from South Carolina.

Mr. DORN of South Carolina. Mr. Speaker, I wish to congratulate my distinguished colleague, the gentleman from Pennsylvania [Mr. FLOOD], for continuing to bring to the attention of this body and the country the grave danger we are in. I think the gentleman's plan could put the Soviet Union on the defensive in 5 minutes if we would adopt this plan and appeal to the captive peoples behind the Iron Curtain, as well as outside of the Iron Curtain.

For years we have been on the defensive. This plan could put the Soviet Union on the defensive instantly. I congratulate the gentleman.

Mr. FLOOD. I am glad my friend from South Carolina has taken this time. He has been with me for 10 years here when we both have been making this kind of speech, and I am glad to have his South Carolina dignity and accent added to this. Our southern colleagues are renowned for their patriotism and their opposition to communism and all it stands for. He speaks well for the South. I was born and raised in the South. I am not a "damyankee," I am just a "Yankee." I am glad he is here today to say those words.

Mr. HALPERN. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from New York.

Mr. HALPERN. Mr. Speaker, I would like to compliment the distinguished gentleman from Pennsylvania [Mr. FLOOD] for his introduction of this resolution to create a House Committee on Captive Nations. I would like to associate myself with his remarks, Mr. Speaker, as a cosponsor of the resolution, expressing the sense of Congress that the subject of captive nations should be included at the summit conference.

I am particularly pleased to support this measure. It is especially significant, Mr. Speaker, at this time, in view of the tragic scuttling of the summit conference by the Communists.

I ask unanimous consent to include my remarks on this subject at the conclusion of the speech by the gentleman from Pennsylvania.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FLOOD. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. TOLL].

Mr. TOLL. Mr. Speaker, I want to take this opportunity to commend the distinguished gentleman from Pennsylvania, one of the most valiant fighters against communism in the entire country. I compliment him for his splendid remarks on the subject of captive nations. I have a great number of people in my district who have relatives in these captive nations, Polish, Hungarian, Rumanian. I believe the people in these countries eventually will gain their freedom.

I wish to associate myself with every sentiment the gentleman from Pennsylvania has expressed.

Mr. FLOOD. I am very pleased with these expressions of support. I know the great city my friend comes from. Upon occasion I feel called upon to recognize him not as the gentleman from Pennsylvania, but the gentleman from Philadelphia.

Mr. MACHROWICZ. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield.

Mr. MACHROWICZ. I also wish to join the gentleman from Pennsylvania in his remarks and would just like to point out that at the time this Katyn Massacre Committee was appointed there was a great deal of doubt in the minds of some Members of Congress as to whether or not it could serve any useful purpose. However, history has told us that that Committee has served a tremendously useful purpose. It has been my privilege to have been back of the Iron Curtain twice since then.

I know that everyone behind the Iron Curtain knows the great work done by that committee, and I think the committee proposed now can do a great service for our Nation and for the cause of freedom everywhere.

One of the weaknesses of our policy is that we have frequently indicated our sympathy with people behind the Iron Curtain, but we have never yet developed the right kind of policy with regard to those people. A committee of the kind the gentleman is suggesting could do a great service for this Nation and for the cause of freedom throughout the world.

Mr. FLOOD. May I say to the gentleman from Michigan, Mr. Speaker, he served with me invaluably upon the committee making the Katyn massacre investigation, and may I remind you, Mr. Speaker, his name is MACHROWICZ. He has the honor and served bravely and nobly with the Polish armed forces before our country was in the war, and fought communism with his blood and his strong right arm with the armed forces of the motherland from which his people came. So he yields to no one in his awareness of the dangers and evils of atheistic communism and in patriotism and love of our country.

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent that, the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. RODINO. Mr. Speaker, I am pleased to join with the Congressman from Pennsylvania in sponsoring a resolution to establish a House Committee on Captive Nations.

As cosponsor of the recent captive nations resolution which was approved by the House last spring, I believe that this is a most appropriate followup to demonstrate to the Soviet Union and to the world our continuing and persistent concern with the fate of the captive peoples.

The captive nations, as has been pointed out on the floor today, constitute a powerful and effective third force in our fight against Communist tyranny.

The establishment of a House committee to deal exclusively with the problems of the captive nations will give new heart and courage to these oppressed peoples and will reassure them that we shall continue to use every peaceful means to restore them to independence and freedom.

Mr. HALPERN. Mr. Speaker, I would like to compliment the distinguished gentleman from Pennsylvania [Mr. FLOOD] on his introduction of the resolution to create a House Committee on Captive Nations, and I would like to associate myself with his remarks. As a cosponsor of the resolution expressing the sense of Congress that the subject of the captive nations be discussed at the summit conference, I am particularly pleased to support this measure. It is especially significant at this time in view of the tragic scuttling of the summit conference by the Communists.

Among the most glaring contradictions to the claims of the Communists that theirs is the flower-strewn road to the future is the existence of the captive nations which adorn the periphery of the Soviet State. In not one of these countries did communism assume control of the government with the consent of the majority. In not one of these countries was the path to power of the Communists marked by anything but human misery, privation, and death. The very existence of the captive nations gives the lie to the pretensions of the Communists about the benefits of their brutal system. Stripped of their treasure and forced to bow to military and economic tyranny, the captive nations present a tragic exhibit of what the rest of the world can expect from Communist domination.

Their story is a grim warning to the free nations but it is also a challenge. We cannot let others become captives of the Communists and we must offer every hope to the already enslaved to encourage their adherence to freedom, that they will eventually regain their independence. Just as we undertake to plan strategy to counter Communist efforts here at home and to prevent its expansion abroad, so must we likewise consider how we can best assist the captive nations in their deep-seated desire to reachieve their freedom. The investigation and study that the proposed committee can make in this field can be of immeasurable benefit to future policy formulation. In addition, its activities can provide all of us with a deeper knowledge of the problems and conditions with which the peoples of these nations must cope.

Mr. Speaker, I want to endorse the proposal by our colleague and I hope that the House will see fit to adopt his resolution in the time that yet remains before we adjourn.

COMMITTEE ON FOREIGN AFFAIRS

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may sit this afternoon during special orders.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

RETIREMENT OF PETER J. CAHILL, SECRETARY-TREASURER, NATIONAL ASSOCIATION OF LETTER CARRIERS

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, one of the most able leaders of Federal employee groups, and one who has honored me with his friendship, has reached the mandatory retirement age of 65. This week, at the Cincinnati convention of the National Association of Letter Carriers, Secretary-Treasurer Peter J. Cahill will round out a career that began 47 years ago when he went to work for the Post Office Department in Boston.

From personal experience he learned that the lot of a letter carrier was not an easy one, and he determined to do something about it. He joined the NALC where his intelligence, his initiative, and his courage singled him out as a natural representative for his fellow workers.

He gave his heart and soul to the unrelenting efforts of improving the working conditions and wages of the letter carriers. This loyalty and devotion to their best interests won increasing recognition, finally resulting in his election as national secretary. It is significant that, in 1956, when the offices of secretary and treasurer were consolidated, Peter Cahill was the first man chosen to shoulder that dual responsibility.

It is no mere coincidence that the NALC has made such progress, both in its organizational growth, and in the promotion of its programs during the time that he was a national officer. For he never spared himself. His energy and his sincerity impressed everyone he met, and lifted the esprit de corps of the NALC to an alltime high.

I was a frequent companion of his on many plane trips between Boston and Washington, and so I came to know his personal interest in the letter carriers who were his second family, and of his earnest desire to help them in every possible way.

The greatest satisfaction that he takes with him into retirement is that he succeeded far beyond his, and their, expectations.

For he fought the good fight that not only benefited the letter carriers, but provided the leadership that indirectly strengthened the prestige and raised the living standards of every Federal employee.

We congratulate Pete Cahill on his long and constructive career and his many accomplishments in behalf of every letter carrier in the Nation.

We know that the many years of retirement that stretch ahead will be blessed with every happiness and fulfillment for Peter Cahill, in return for his faith and pride in his fellow human beings.

BOYD LEEDOM

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, it has recently come to my attention that Boyd Leedom, Chairman of the National Labor Relations Board, is actively engaging in partisan politics. To my mind his conduct raises grave questions of propriety, which I should like to outline to the House.

As the Members of the House are of course aware, the National Labor Relations Board is an independent agency having important semi-judicial functions. It administers the National Labor Relations Act, that is, the Wagner Act as amended by the Taft-Hartley and Landrum-Griffin Acts. That is a highly controversial piece of legislation, and the labor disputes which come before the Board for adjudication are often of such a nature that they arouse intense partisanship. I doubt that anyone will question that the Board should be comprised of fair-minded members who are not themselves partisans of either labor or management.

Indeed the Board itself has always been most insistent on its neutral, judicial role. Successive Chairmen of the Board have, for example, declined on this ground to express to the Congress any views on substantive amendments to the National Labor Relations Act. When Mr. Leedom appeared before the Senate Subcommittee on Labor last year, he started out like this:

> As you know from my previous appearances here we are not proponents of any legislation particularly. In fact, we, as quasi-judicial officers, prefer to stay out of the policy area of legislation.

However, Boyd Leedom is not merely Chairman of the National Labor Relations Board. He is also general chairman of a Mundt for Senate committee. In this latter capacity he has circulated a letter which I would like to read to the House:

> DISTRICT OF COLUMBIA SOUTH DAKOTANS
> MUNDT FOR SENATE COMMITTEE,
> *Washington, D.C., June 7, 1960.*
>
> DEAR FELLOW AMERICAN: One of the most important Senate races this year will take place in South Dakota where Congressman McGOVERN, a protege of Senator HUBERT HUMPHREY and the ADA, is trying to unseat Senator KARL MUNDT.
>
> I know that it is not necessary to list for you the many accomplishments of Senator KARL MUNDT. All of us know of the grand fight which he has made for economy and sanity in Government over the last 12 years in the Senate and for 10 years before that in the House of Representatives. He has become a recognized leader in the battle against the encroachments of socialistic schemes in America. South Dakota and the Nation cannot afford to lose from its Senate ranks this true defender of constitutional government.
>
> Senator MUNDT has an especially tough campaign since certain labor leaders have announced that he is on their purge list. These labor leaders are making many thousands of dollars available to his opponent. KARL cannot hope to match these labor dollars with his own and is doing his best with the limited funds he has available to carry on a successful campaign in South Dakota.
>
> We South Dakotans who live in the District and the distinguished Members of the House and the Senate who comprise an honorary committee are sponsoring a recognition luncheon for Senator MUNDT at the Plaza Room of the Continental Hotel at 12:30 noon on June 27, 1960. Your generous assistance to make this testimonial to Senator MUNDT a success is needed.
>
> Please return your contribution of $50 or more in the enclosed envelope and indicate on the enclosed card whether or not you will be in attendance at the luncheon so that the committee can make the necessary reservations. For each $50 contribution a luncheon reservation will be made if you so desire.
>
> Sincerely yours,
>
> BOYD LEEDOM,
> *General Chairman.*
> ROWLAND JONES,
> *Chairman, Men's Division.*
> VIVIAN ANDERSON,
> *Chairman, Women's Division.*

This activity of Mr. Leedom raises to my mind two important questions.

In the first place it suggests the possibility that the Hatch Act may be in need of clarification as to whether it bars partisan political activity by persons occupying positions such as that held by Mr. Leedom. The Hatch Act provides that—

> No officer or employee in the executive branch of the Federal Government, or any agency or department thereof, shall take any active part in political management or in political campaigns. * * *

It goes on, however, to exempt from this prohibition four classes of office holders including:

> (4) officers who are appointed by the President, by and with the advice and consent of the Senate, and who determine policies to be pursued by the United States in its relations with foreign powers or in the nationwide administration of Federal laws.

I do not know whether or not members of quasi-judicial agencies are regarded as coming within this excepted category. The language of the statute looks as if it is only meant to exempt from the Hatch Act presidential appointees having major policyforming roles, rather than members of independent quasi-judicial agencies who carry out policies enacted by the Congress in legislation.

Whatever the proper construction of the present law, it seems to me that it

is highly debatable whether members of independent quasi-judicial agencies should be permitted to engage in partisan political activity. It is my impression that appointees to Federal boards and commissions have in general refrained from such activities. I cannot recall any fund-raising activities comparable to Mr. Leedom's being undertaken by members of the Civil Aeronautics Board, or the Federal Trade Commission, or even the Federal Communications Commission. As far as I can learn Mr. Leedom's predecessors on the Labor Board have without exception refrained from actively engaging in politics while members of the Board.

I tend to think that they were well advised. The laws which these agencies administer are themselves products of the political process, and it is difficult to see how a person administering these laws can actively participate in partisan politics without casting doubt on his own impartiality in administering the law.

That brings me to the second issue raised by Chairman Leedom's activities. Mr. Leedom's letter, which I have read to the House, indicates to me that he is antiunion. Mr. Leedom's letter declares that Senator MUNDT is a leader in the battle against "the encroachments of socialistic schemes in America," and it goes on to say that Senator MUNDT has an especially tough campaign "since certain labor leaders have announced that he is on their purge list." Leedom's letter then states, on what authority I do not know, that these unidentified labor leaders are making many thousands of dollars available to Senator MUNDT's opponent.

This is antiunion propaganda, pure and simple. Mr. Leedom has a perfect right to hold antiunion views, and to express them, but is he qualified to head a quasi-judicial agency which adjudicates disputes between unions and employers? If I were a union man I would not want Mr. Leedom as my judge. He has openly proclaimed his antiunion bias.

It is also pertinent to consider the identity of Leedom's associate in this political fundraising drive. As I stated, Mr. Leedom signed these fund-soliciting letters as "General Chairman of a MUNDT for Senate Committee." They are also signed by Rowland Jones as "Chairman, Men's Division."

Who is this Rowland Jones? I should suppose that there are very few Members of this House who do not know who Mr. Jones is. He is the president of the American Retail Federation. He has been very active for many years as an employer lobbyist on labor legislation. The Landrum-Griffin Act passed last years testifies to his effectiveness.

Just what sort of man is Boyd Leedom that he sees no impropriety in engaging in a political fundraising venture in partnership with a lobbyist for an employer association? Let me ask this: How would employers feel if the Chairman of the National Labor Relations Board engaged in fundraising activities on behalf of a Senator notably friendly to unions and in conjunction with a union official? I can tell you: They would scream to the high heaven. I would not blame them.

I frankly cannot understand how anyone can condone or excuse Leedom's conduct in this matter. It seems to me that even Mr. Leedom should have enough discretion and sense of propriety to resign. If he does not do so voluntarily, the President should call for his resignation.

However, it is apparent that discretion is not Leedom's forte, and the Congress, too, has a responsibility in this matter. For that reason I am today introducing a resolution directing and authorizing the House Labor Committee to look into the matter of partisan political activity by the Chairman of the National Labor Relations Board.

NINETEEN HUNDRED AND FIFTY-NINE CROP PRICE SUPPORT COMMODITY LOANS

Mr. MOORE. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. AVERY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. AVERY. Mr. Speaker, in view of the many statements made by responsible persons in the Democratic Party over their concern for the small farmer, it is difficult for me to understand why this Congress had deliberately refused to extend a limitation on Commodity Credit Corporation loans for the 1961 crops. The Banking and Currency Committee has refused to even hold hearings on H.R. 9303 and the Agriculture Subcommittee of the Appropriations Committee repelled my effort to extend the limitation place on the appropriation bill for fiscal 1960 to the appropriation for the Department of Agriculture for fiscal 1961. The end result, of course, will be that the large corporation farmers that are listed below or other borrowers of comparable amounts will again exploit the resources of the Commodity Credit Corporation for the 1961 crop and this exploitation will be charged to the Department of Agriculture. There will follow the usual demand next year for further relief for the average size midwestern frontier. Here is one opportunity we have missed.

The failure to take action by the 86th Congress is in direct conflict with the announced aims and objectives of the Democratic Party for agriculture and I think this is an appropriate and effective means to so advise the farmers of America.

Further, Mr. Speaker, at the time of the debate on the floor of the House in 1959 on imposing this $50,000 limitation, several Members insisted most of these loans were repaid and, therefore, no loss was sustained by the Commodity Credit Corporation. The table below and others on file in my office clearly indicate that the large loans are only rarely, if ever, repaid and thereby a great loss is imposed on the taxpayer and again charged to the Department of Agriculture.

Mr. Speaker, although only the loans in excess of $50,000 are indicated on the tables below, I have on file in my office and in the Department of Agriculture, a list of loans over $25,000 and also an indication whether or not they have been repaid.

U.S. DEPARTMENT OF AGRICULTURE, COMMODITY CREDIT CORPORATION

1959 crop corn price support loans made of $25,000 or more and amount repaid by producer

Producer	Address	Bushels pledged	Amount loaned	Amount repaid
	CALIFORNIA			
M. E. & Frank Silva Co	Isleton	42,858	$54,001.08	
	ILLINOIS			
Cote Farms, Inc., care of L. D. Corkins, president.	St. Anne	161,936	182,987.68	
James Yontz	San Jose	53,760	61,286.40	
	INDIANA			
Creighton Bros	Warsaw	51,830	58,567.90	
Overmyer Farms, Inc	Wolcott	46,100	52,093.00	
	MINNESOTA			
Harold & Dale Duncanson	Mapleton	60,466	62,884.64	
	MISSOURI			
Myers Farms	Brunswick	63,000	$73,710.00	
Alber Painton Co., Inc	Painton	49,869	57,848.04	
	NEBRASKA			
Morrison & Quirk	Harvard	80,000	88,000.00	
J. R. Brown	Clarks	79,106	84,643.42	
Ned Tyson	Herman	71,508	77,228.64	
Bob Hawthorne and Dr. O. A. Kostal.	Giltner	47,455	50,776.85	
Ernest and Robert E. Hundahl	Tekamah	46,894	50,176.58	

1959 crop cotton, purchases exceeding $25,000

Producer	Address	Bales purchased	Amount
	ALABAMA		
Mauldin, E. F	Town Creek	600	$103,102.69
A. Fleming & Sons	Huntsville	363	62,378.86
Rice, Joe, Jr	North Port	309	52,879.76
	ARIZONA		
Goodyear Farms	Litchfield Park	2,229	387,272.04
Arizona Farming Co	Eloy	1,309	212,287.73
Farmers Investment Co	Tucson	1,194	201,513.08
L. V. L. Ranches, Inc	Palo Verde	916	161,491.81
Kai, John	Marana	787	147,242.13
Rancho Tierra Prietta	Eloy	815	145,558.97
Shawver Farms	Phoenix	762	134,925.95
Pretzer, Alex and Norman	Eloy	765	133,383.00
Robertson, Peter J	Coolidge	731	131,068.16
Rogers, J. L., B. L., and Darwin	Eloy	756	130,166.43
Wong Enterprises	Marana	678	129,671.46
Aura Plantation	do	678	129,441.61
Roberts, J. A	Casa Grande	711	123,333.11
Wong, Bing K	Marana	666	121,820.20
Lane & Lane	Casa Grande	697	113,882.91
Coury Bros	Mesa	628	101,954.49
M. B. M. Farms	Phoenix	524	90,461.38
Barkley, J. F	Somerton	488	85,224.35
Waddell Ranch Co	Waddell	469	81,672.79
Lewis, Woodrow	Chandler	426	76,432.48
Pima Community Farms	Scaton	477	76,226.48
Avra Land & Cattle Co	Tucson	418	73,010.72
Urrea, Charles & Son	Mesa	412	71,820.54
Price, Arthur E	Chandler	388	68,106.38
Robinett, John D	Eloy	404	68,067.03
Anderson Bros	Casa Grande	379	64,635.82
Finley Bros	Gilbert	369	61,567.67
Youngkes Farms	Buckeye	352	60,245.63
Singh, John D	Casa Grande	353	59,702.43
Wuertz, H	Coolidge	364	59,247.23
Neely, W. R	Chandler	336	58,080.62
Holland, Howard	Coolidge	327	57,830.33
Palmer, Dan	do	346	56,206.28
Ulmer, I. D	Marana	283	52,865.34
Church, Bruce	Yuma	277	50,700.57
Estvella Land & Cattle Co	Glendale	301	50,608.00
	ARKANSAS		
Lee Wilson & Co	Wilson	3,500	580,050.71
Chapin, S. C	Trumann	1,320	234,421.98
Lephiew, W. E	Dermott	1,111	197,279.14
Miller Lumber Co	Marianna	520	88,048.77
Kuhn, R. T., Mrs	Marion	430	71,097.89
Haraway, Al	Helena	366	65,213.16
	CALIFORNIA		
Bennett, Hugh	Firebaugh	2,487	416,176.79
Wilco Produce Co	Blythe	1,898	347,688.61
South Lake Farms	Fresno	1,765	300,605.83
Bryant, D. M., Jr	Pond	1,758	295,364.49
Pilibos Bros, Inc	Fresno	1,559	275,586.15
Delta Farming Co	Corcoran	1,508	262,283.27
Giumarra Vineyard Corp	Bakersfield	1,300	225,532.25
McCarthy & Hildebrand	do	1,288	219,560.05
Raymond Thomas, Inc	Five Points	1,275	212,838.20
Milham Farms	Bakersfield	1,105	188,228.30
Murry Land Co	Hanford	1,042	176,505.04
M. & R. Sheep Co	Olidate	954	171,828.44
Metzler, Alex	Helm	951	161,120.84
Stamoules, S. & Co	Mendota	866	152,707.24
Shwartz Farms, Inc	Stratford	833	147,283.50
Scott & Knappenberger	Blythe	790	137,252.64
McCarthy, F. J. & Sons	Tulare	750	134,010.86
Triple J Farms	Bakersfield	648	110,461.40
Nelson, H. O	Madera	587	102,990.54
Kenworthy, W. K	Blythe	554	102,018.27
Conn, John C	Coalinga	543	93,932.83
Jones Farms	Stratford	524	91,678.50
Kirschenmann, Arnold	Bakersfield	547	90,704.00
Carlucci Bros	Dos Palos	526	90,196.63
Mitchellinda Ranch, Inc	Alpaugh	523	89,059.07
Glotz, William E	Tranquillity	461	81,119.77
Fratis, Kenneth E	Tulare	467	80,332.48
Piekgrass Bros	Visalia	453	77,655.63
Favier Bros	Merced	427	73,318.91
Lovelace, Joe	Coalinga	410	72,446.67
Suckut, Albert L	Bakersfield	421	71,722.95
Airway Farms, Inc	Fresno	393	65,353.88
Matheson, O. F. & C. H	Five Points	383	65,340.43
Freeborn Bros	Buttonwillow	375	64,407.72
Burhans & Trew, Inc	Wasco	346	61,479.20
Baker Bros	Earlimart	338	57,931.01
Deer Creek Cattle Co	Corcoran	349	57,207.77
Zozaya & Municha	Firebaugh	328	56,791.29
Turnbow, G. D	Bakersfield	332	55,963.62
Eastside Farms	Stratford	306	54,391.51
Marietta Farms, et al	Mendota	322	53,480.31
Chaffin, Roy & Sons	Calipatria	312	53,276.36
Ludy Bros	Pond	306	52,079.88
Hansen, Philip	Corcoran	293	51,293.96
Murray, Wayne	do	284	50,984.89
Hildebrand, W. E	Burrel	293	50,648.79
Freeman, D. E	Firebaugh	284	50,222.84
	LOUISIANA		
Frierson, C. N	Shreveport	1,000	$162,739.42
Robinson Co	do	923	159,544.03
Clements Bros	Ida	703	122,277.04
Barham, Inc	Oak Ridge	686	110,200.02
Dominick, A. C	Mira	537	88,960.99
Hutchinson, W. J. & Sons	Caspiana	475	77,802.00
Dominick, Paul W	Mira	445	74,489.35
Frierson, L. S., Jr	Shreveport	415	69,397.14
Ellerbe, Cecelia L	do	381	60,453.64
Elm Grove Plantation, Inc	McDade	397	60,306.57
Hutchinson, C. M. & Son	Shreveport	358	59,927.94
Lynn Estate	Gilliam	340	58,960.35
Viola, R. J	Benton	347	58,755.23
Moore, Tom P., Jr	Vivian	330	54,795.54
Rosedale Plantation	Benton	321	53,870.00
Stinson, R. T	Bossier City	314	52,897.95
Panola Co., Ltd	Newellton	318	52,167.35
	MISSISSIPPI		
Seligman, D	Shaw	2,471	448,477.55
Kyle, S. W. & Dorothy W	Clarksdale	1,933	335,977.30
Duncan, Wm	Inverness	1,529	262,620.77
Yandell Bros	Vance	1,495	259,561.13
Harbert, A., Messrs. B. F	Robinsonville	1,274	241,088.12
Owen, C. P	do	1,290	212,206.65
Rayner, E. D	Merigold	957	171,991.73
Scruggs, W. P	Doddsville	980	170,318.29
Billups Plantation, Inc	Greenwood	962	170,292.86
Flowers, Roy	Mattson	889	155,595.18
Owen, R. W	Tunica	890	146,531.12
Kline Planting Co	Alligator	822	145,945.14
McKee, F. B	Friars Point	745	137,280.33
Brooks Farming Co	Drew	665	123,774.52
Erwin, W. F. & L. M	Duncan	656	119,926.06
Highland Plantation	Greenville	665	112,713.04
M. S. Knowlton Co	Perthshire	666	109,693.80
McKee, J. & M	Friars Point	585	107,128.49
McKee, W. L., Jr	do	600	104,866.62
W. C. Skates & Son	Avon	602	103,927.95
Home Place	Benton	574	100,192.27
Kay Planting Co	Indianola	604	98,679.17
Owens, S. W	Tunica	556	94,037.16
McKee, John B	Friars Point	500	91,157.83
Green Hill Plantation	Midnight	524	88,883.45
Seward & Son	Louise	498	87,451.77
Arnold, S. A., Jr	Tunica	511	87,089.18
Bramlett, Leon B	Clarksdale	530	86,896.78
Allen Gray Estate	Benoit	469	83,365.79
Howarth, J. A., Jr	Cleveland	501	82,067.06
Carr Planting Co., Inc	Clarksdale	416	75,433.41
Maynard Bros. Messrs	do	431	73,297.58
Race Track Plantation	Greenwood	421	67,983.30
Bryan, J. N	Belzoni	356	65,966.28
Husbandville Plantation	Hollyridge	370	64,336.81
St. Rest Plantation	do	368	63,878.50
Brown, Norman	Ducan	366	63,612.74
Seward, Byron	Midnight	362	63,403.23
Hayward, A. M	Greenwood	354	63,358.10
Smith, J. R	Merigold	357	62,566.21
Pemble, T. E	do	336	60,453,94
Hayward & Jacks	Greenwood	332	59,158.28
Harris, R. B	Midnight	344	57,412.88
Haney, H. M	Jonestown	317	54,764.84
Bridgforth, Allen	Yazoo City	301	54,288.93
McClellan, Mrs. W. E	Philip	288	54,187.50
Ganier, E. J	Percy	304	52,145.42
Rich, M. H., & Son	Chatham	317	51,832.42
	NEW MEXICO		
Wamel, R. H	Animas	367	68,536.95
	NEVADA		
Williams, W. J	Pahrump	598	115,504.55
	TENNESSEE		
Pacific Place	Memphis	913	147,423.92
C. B. Box Co	do	458	72,888.19
	TEXAS		
Smith, Rolla D	Raymondville	1,093	189,192.70
Valley Land Co	El Paso	825	166,436.35
Worsham Bros., partners	Pecos	762	137,556.68
Clark & Roberts	do	576	111,868.10
Ballenger & Ballenger	Sebastian	544	93,323.61
La Casita Farms	Rio Grande City	379	71,186.94
Mayfield, Oscar	Taft	422	70,605.66
Fraley, Coy	Pecos	372	68,593.13
Kilgore, Loy	do	370	67,186.80
Perry Bros	Shallowater	458	67,168.49
Middleton, R. M	O'Donnell	427	60,590.88
Kiker Bawden Seed Farms	Plainview	423	57,313.24
Imperial Farms	El Paso	278	55,436.40
McMurry, W. J	Seminole	324	53,159.07
Johnston, Bentley	DeKalb	333	50,983.41

NINETEEN HUNDRED AND SIXTY BEING AN ELECTION YEAR, TENDS TO DIVERT ATTENTION FROM THE FACT THAT IT IS ALSO THE YEAR FOR THE SIXTH TARIFF-CUTTING CONFERENCE AT GENEVA OF THE GENERAL AGREEMENTS ON TARIFFS AND TRADE, AN ORGANIZATION OF OVER 40 NATIONS COMMONLY REFERRED TO AS GATT

Mr. MOORE. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. VAN ZANDT] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, the eyes and ears of all adult Americans have seen and heard the intraparty debates throughout the spring of 1960. Then during the summer months our attention was focused upon the tactics and strategy of preconvention activities and finally upon the respective conventions themselves in Los Angeles and Chicago.

As the two political nominees prepare for the final contest during the autumn months, November 8 looms in the public's gaze.

While all this is in keeping with our splendid American political traditions it disturbs me that the public's attention should be diverted at such a high pitch and at such length from other significant events during 1960.

For example, 1960 and 1961 is GAAT year—General Agreements on Tariffs and Trade—the year when delegates from over 40 nations deliberate at Geneva over further penetration of America's commercial market. This is the sixth tariff-cutting conference of the member nations of GATT, an organization which our State Department cosponsored and fostered without authorization from the Congress and the people.

The assemblage of the international delegates from every corner of the globe unfortunately comes at an untimely moment; namely, the American election year, because I fear few will note its passing though many will feel its effects.

On Friday, May 27, 1960, the State Department released its long GATT list, commonly known as the offer list of American-made products to be subject to further tariff cuts this year. The list contains over 2,000 items and will represent the sixth market giveaway program since 1947.

The U.S. offer list represents possible losses of billions of dollars in domestic sales and the jobs which backstop them. Our new offerings will be dutifully dropped into the bottomless pit of international relations without so much as a by-your-leave to American industry, agriculture, and labor.

Here, for instance, are a few of the American-made products whose markets will be offered to our foreign competitors:

Alloy and tool steel, antifriction bearings, airplanes, abrasives, agricultural implements, alcoholic beverages, automotive equipment, apparel, brass and copper, bicycles, batteries, brushes, buttons, bottles, chemicals, cordage, cutlery, cattle, clocks, candy, carpets, dairy products, explosives, electrical equipment, fur, furniture, fish, glassware, hats, handtools, iron and steel products, linen, leather, lace, mirrors, machinery, meat, manmade fibers, meters, metal products, musical instruments, motorboats, nuts, optical goods, pharmaceuticals, paper, paint, pens and pencils, phonographs, padlocks, photographic equipment, playing cards, rubber goods, razors, scissors, shears, scientific instruments, sugar, soap, shoes, textile machinery, textiles, toys, vegetable oil, vegetables, valves, wool products.

It is understood from excellent authority that the State Department's list was to be revealed to the public and particularly our producing community, whose markets are at stake, at least by the first of March. Then, we were told it would be by April, and later early May.

Time, of course, was all important. Our domestic industries had to review the highly complex technical offer list to determine if their product was slated for GATT's autumn auction; they had to prepare detailed briefs and statements and file them no later than June 27, 1960.

Considering the long holiday weekend at the end of the month of May this gave our side, the American side, less than a month's notice to carry out their investigations and preparations from beginning to end.

Some companies, trade associations, and other organizations were barely able to file more than a note of protest on the inclusion of their product on the GATT list. For others time ran out before the chief executive of the organization could poll his board of directors for the necessary authorization to make a policy statement.

The Department of State, which has woven the web of free trade, free of tariff, around our industry now prepares to draw it even tighter this year and next at Geneva, Switzerland.

Mr. Speaker, last year's imports were valued at $15 billion. This was the foreign, not the U.S. value of these imports. Our Government is to my knowledge the only nation in the world which so evaluates its imports. Furthermore, it should be noted, in 1959 an additional $15 billion appeared on the debit side of our balance-of-payments ledger for a total of almost $30 billion.

Foreign affairs can be a rather expensive luxury for the taxpayer already heavily burdened domestically to maintain the home front.

The offer list has an indirect but substantial implication, too, for our Secretary of Treasury, Mr. Robert Anderson. For purposes of demonstration only, let me say that $15 billion of foreign imports in 1959 in terms of domestic production, would represent a revenue take by the Treasury of about $3 billion in taxes. And I hastily add, before the free trade colony accuses me of being anti-foreign-trade or anticoffee, or antirubber, et cetera, that I sincerely advocate trade among nations and to the maximum extent that may be profitable for us. However, even though all our coffee is imported and it all comes free of duty, may I say that one can speak out on behalf of foreign trade and yet speak against the Foreign Trade Act without the least contradiction. I also include GATT in this context because that instrument is the method by which the trade agreement program manifests itself.

While much of last year's imported goods and merchandise was without question absolutely essential for our domestic needs, partially recognized by the fact that nearly half of our imports are duty free, it should be quite clear to everyone that there is real fire behind the smoke of growing pleas from American industry and labor and agriculture for a fair trade program particularly in the areas of competing finished goods imports.

For example, imports of finished consumer goods have risen over 40 percent since 1958 and 60 percent since 1957. They have doubled since 1956. Similarly, finished capital goods jumped 25 percent from 1958 to 1959.

Let us assume that in certain areas of manufacture, the United States, by means of fair and reasonable tariff regulation, could recapture a fair share of her own import market. Just what would this mean to us?

According to a recent study to this effect released by the Nationwide Committee on Import-Export Policy it would mean, quote:

POSITIVE PROTECTIONISM A HYPOTHESIS BASED IN FACT

In 1959, $15 billion of foreign imports flooded U.S. ports. For purposes of demonstration, assume that American producers had manufactured and supplied one-half of that value of imported goods. That would have provided $7.5 billion of American production and, at the average rate of 20 percent, would have produced about $1.5 billion of Federal tax revenue.

Here is what the American people might have received in the public and private sectors for those taxes:

1. In the area of defense it would purchase 300 additional ICBM Atlas missiles; or 100 of the newest B–58 bombers; or 13 new submarines of the Polaris type; or a fleet of 750 F106 all-weather fighter planes.

2. In educational facilities it would have provided: 3,000 new schools, containing 50,000 classrooms with a seating capacity for 1,500,000 boys and girls—more than enough to absorb our current nationwide requirements for 1.3 million new students; or

3. In the construction industry it would have: put our carpenters and bricklayers to work making 100,000 new homes valued at $15,000 each for almost one-half million Americans; or laid down 1,500 miles of superhighway, enough to cross the entire country from our Canadian to Mexican borders.

This is what the U.S. citizen might have had on the tax incidence alone had domestic producers shared the domestic import market on a 50–50 basis with the foreign manufacturers.

In addition, and of far more significance, is what $7.5 billion in hypothetical domestic production would have meant in terms of employment, sales, investment, research or growth. In terms of annual wages, jobs and man-hours alone it would approximate over $5 billion received by over 1 million workers gainfully occupied for 2½ billion man-hours in 1959.

Modern, 1960 protectionism can bring to the American people some of these things. This is positive protectionism. This is morally honest protectionism. This is economically sound protectionism.

The American people have been led to believe by the Government as well as the metropolitan press with a hefty assist from a few well-known private organizations that trade and the Trade Act are one, indivisibly and inseparably woven. They go together like ham and eggs. No act, no trade. Millions of people we are told, will be unemployed without the trade program. But behind this superficial concern we must come to realize that it is not the program per se which employs the workers, but trade itself; and trade predated the act.

Actually the facts seem to support the conclusion that the trade we have had we enjoyed in spite of the act and furthermore because of the existence of this outdated legislation our balance-of-payments ledger is ending up in the red—the debit side, year after year. Note the rapid rise in imports during the past several years and compare them with our decreasing exports, the figures for which are readily obtainable from the Census Bureau of the Department of Commerce.

Since 1948 foreign imports of goods alone have totaled almost $130 billion—foreign value only.

Simultaneously, the American people through the instrument of foreign aid have been called upon to support 70 foreign nations including those of our foreign competitors since the inauguration of the Marshall plan in 1948. This amounted to approximately $85 billion.

It appears, too, that plans are well along for another Marshall plan—one for South America. And of course by the time that one is completed we shall, if there is anything left over in the Treasury, need one for the multination continent of Africa. By then we may even need one for the United States.

In other words American business which provides about 25 percent of the United States budget revenue not only directly contributes to its own competition abroad in the form of financial aid and all that that entails—for example, productivity training, merchandising methods, plants, and machinery—but is called upon now dutifully and obediently to offer its markets, too.

To give away the golden eggs is one thing, but to give up the goose that lays them is quite another and that is just what we have been and are doing with our offer lists whenever GATT delegates gather.

We are offering the goose itself—our markets, the very blood and substance of our jobs and sales.

Take these away from us and the industrial heartland of this Nation will undergo an economic coronary which will shake us—and the foreign aid program and the free world to their foundation.

If this is what we want, the State Department could not have devised a more suitable instrument than GATT to bring it about.

Caught up in its own Machiavellian, water-on-both-shoulders policy of promising other GATT trading nations an unlimited domestic market here for the overflow of their booming industry on the one hand and then promising domestic industry and labor on the other that they are going to be tough at Geneva this year reminds me of a statement of Hawthorne's:

> No man for any considerable period can wear one face to himself and another to the multitude, without finally getting bewildered as to which may be true.

The State Department's idea of getting tough will indeed be something to behold.

Will we be tough at Geneva by granting the foreign manufacturers tangible tariff reductions and further markets here in exchange for such specious concession by their diplomats as the mere suspension of additional tariff increases there? This we have done in the past.

While our tariff reductions at other GATT meetings were true dollars-and-cents concessions which created real sales here for the foreign producer, their meaningless concessions to us did not produce reciprocal or equivalent gains abroad for our steel, autos, or machinery.

They simply bluffed our GATT delegates at these international poker games by the simple ruse of promising the U.S. representatives that they would not further restrict those markets which we already held in their respective countries. This is what has come to be known as reciprocal trade—a negative commitment from them not to do for a positive commitment to do from us.

Accordingly they gave us the foreign markets which we already had in return for domestic markets and jobs which we had no right to give. Little wonder that the American producer shudders at the advent of a new GATT convention.

If ever this Congress and the American people become isolationists, God forbid, it would be caused more by the action and policies of the State Department than by those of our foreign friends who can be charged with nothing more than driving a hard bargain in the field of foreign trade. Would that our delegates were as skillful or as concerned for the interest and welfare of their own nationals as the foreign delegate is for his.

Let us get down to cases. Three such instances come to mind—meat, shoes, and brass products.

First. Foreign footwear imports skyrocketed 2,000 percent from 1949 to 1959. During this decade, imported footwear of all types—rubber and nonrubber—jumped from 3.6 million pairs to 80.5 million, while exports of American-made shoes dropped 35 percent over the same period, from 5.7 million pairs to less than 3.7 million. Since 1954 imports are estimated to have increased from 1 percent to over 10 percent of domestic production.

Nonrubber footwear imports last year increased 18 percent over 1958, or from 23 million pairs to over 28 million.

The average value per pair of men's leather shoes imported to that of our exported pair is as $4.46 is to $5.47. This clearly indicates why foreign shoe imports have stomped over us, while our products are on the decline abroad.

According to a resolution adopted last year by the United Shoe Workers of America, AFL–CIO, which urged import regulation, if the present rate of increase in imports continues another 4 years "there would be more foreign shoes imported into the United States than are manufactured within the United States itself."

Second. The brass manufacturers who also produce copper products have been doubly jeopardized by the twin imports of 95 billion pounds of brass products and 105 billion pounds of copper products in 1959. This total of 200 million pounds of copper-brass product imports compares with only 21 million pounds a decade ago.

And, as with the case of shoes or a growing list of other American products, the export markets for our copper and brass goods has shriveled from 47 billion pounds during the past 10 years to 16 million during 1959.

Mr. T. E. Veltfort, managing director of the Copper & Brass Research Association, said before the Tariff Commission recently:

> In modern times no nation has ever developed a sound and secure economy without strong basic industry in brass, steel, and aluminum. And any nation which permits its brass mills to stagnate and decline cannot expect to continue for any extended period of time as a powerful economic force in the world. (American Metal Market, June 28, 1960.)

Third. Rapidly rising imports leave untouched few American industries and few American products. Note for example, the effect on our meat industry. Beef plus live cattle imports last year amounted to an equivalent of more than 2 million head. Beef together with veal imports passed the 1-billion-pound mark in 1959 in dressed carcass weight equivalents.

Small wonder then that we are relegating our acreage to a second-class status vis-a-vis the other major trading nations of the world. Those 2 million head of cattle and beef equivalent last year displaced over 40 million domestic acres based on estimates of 20 acres of land per head.

In addition mutton and lamb imports from 1958 to 1959 increased from 17 million pounds to 44 million, and from 7 million pounds to 9 million respectively. And another one-third of a million acres were displaced here.

Parenthetically, wool imports according to estimates displaced an additional 75 million acres of rangeland. It is not so strange, therefore, that we are witnessing the modern American phenomenon known as the soil bank program which is a rather high-sounding and soothing semantical term for a shocking agricultural situation. How much more honest and accurate would it be frankly to tell the American farmer who has been brainwashed into believing that he is constantly overproducing, that foreign imports play a heavy role in this disgraceful situation.

If the State Department's callous GATT-foreign trade policies continue uncontrolled, the American farmers and ranchers should erect a huge tombstone over our vast, rich, and fertile western plains to read, as follows: "Here lies America's farm and cattle land—a silent sacrifice on the altar of free trade."

What can be done now to salvage something for industry, agriculture, and labor in the few legislative days remaining?

First. On January 21, 1960, I introduced H.R. 9841, a bill designed to adjust conditions of competition between certain domestic industries and their opposite numbers abroad with respect to the level of wages and working conditions in the production of articles imported into our domestic economy. This proposed legislation was drafted with the cooperation of Senator KENNETH B. KEATING, of New York, who introduced the bill in the Senate as S. 2882. Regrettably the House Ways and Means Committee has not seen fit to act over the past 7 months to release the necessary legislation over excessive imports contained within the proposed bill. We suggest that all concerned who have a stake in the problem of foreign competition bring their views immediately to the attention of the chairman of the Ways and Means Committee, Mr. WILBUR MILLS.

Second. We suggest a similar course of action on behalf of House Concurrent Resolution 512 in order to unfetter it from the same committee and put it to the test intended by its over 40 legislative sponsors from dozens of States. This sense-of-Congress resolution asks only that we (a) examine the effects on American industry of past imports before we (b) commit ourselves to further tariff cuts this coming winter in Geneva.

In conclusion, Mr. Speaker, I wish to include in my remarks the recent testimony of Mr. O. R. Strackbein, chairman of the Nationwide Committee on Import-Export Policy, before the Republican Party's resolution committee.

Mr. Strackbein's statement deals with the same problem, namely, the need for proper protection of American producers, manufacturers, farmers, and their workers against competition that will drive them out of business and employment:

TARIFF AND TRADE POLICY

(Statement of O. R. Strackbein, chairman, the Nationwide Committee on Import-Export Policy, before the Republican platform committee, Chicago, July 20, 1960)

The 1956 Republican platform contained the following paragraph with respect to foreign trade policy:

"Barriers which impede international trade and the flow of capital should be reduced on a gradual, selective, and reciprocal basis, with full recognition of the necessity to safeguard domestic enterprises, agriculture, and labor against unfair import competition. We proudly point out that the Republican Party was primarily responsible for initiating the escape clause and peril point provisions of law to make effective the necessary safeguards for American agriculture, labor, and business. We pledge faithful and expeditious administration of these provisions."

Since the adoption of this plank in 1956 changes of possibly far-reaching and unhappy consequences in our foreign competitive position have broken through the placid surface of our self-assurance.

This country today faces a set of competitive factors that are stubbornly different from any we have ever faced before. There is little evidence that the peril to our industry, our agriculture, and our labor is either transient or superficial.

The trade policy of the past 25 years has been made obsolete by a series of domestic and foreign developments. It is now badly out of focus with the competitive realities of the world.

1. The leading foreign industrial nations have installed tens of billions of dollars worth of advanced machinery and equipment. They have adopted modern mass-production methods. They are improving their technology and are gravitating toward mass markets.

2. Their wages continue very low in relation to ours while the productivity gap between them and this country has narrowed visibly.

This combination of rapidly rising foreign productivity hand-in-hand with lagging wages has confronted us with loss of export markets and with the need of manufacturing abroad. At the same time it has exposed us to an increased flow of imports, particularly finished and semimanufactured items, against which there is now no effective official remedy. Industry after industry in the past 2 years has felt the rising tide of deadly import competition engulfing the market. The imports of manufactured products have doubled since 1956.

Because of the rising prosperity of the past year, the high consumer income and liberal consumer spending, distress has been kept from the factory door in many cases; and the fear in such instances is for the future rather than the present. In other instances there is present distress, attributed directly to import competition.

The remedy then would seem to be perpetual prosperity, assured by constant expansion and full employment. High wages would furnish the necessary consumer income as it has in the postwar years.

This formula would continue to work as it has in the past were the past conditions to continue. Unfortunately for the formula the conditions have changed. We are challenged from without, not (except in the Russian threat), as a matter of hostility but as a natural consequence of postwar rehabilitation, foreign aid, etc. This external factor is a new element in our economy. Unless we insulate ourselves against it in some reasonable degree we cannot hope to operate our domestic economy on the same basis as in the past 15 years.

Assuming no military outbreak, all presently proposed measures to right ourselves must necessarily fail because we cannot pull away from the encroaching competitive realities. This conclusion assumes the continued vigor of labor bargaining in this country; for this will prevent the catch up of foreign wages (even in terms of relative labor productivity). Should labor oppose the necessary protection against imports it must be prepared to moderate its demands for higher wages, better fringe benefits, etc. Otherwise it will strip this country of many industries that employ tens of thousands of workers.

If we are to increase our exports we must have prices that will help sell our goods, or services or credit terms or quality of goods that offset foreign advantages. In a world of trade rivalry we cannot assume that other countries will not also bestir themselves. They too can lengthen credit terms, reduce prices and offer high quality goods; and they are out to do it. In the race of increasing productivity they have outdone us with our help. The substitution of modern machinery for relatively backward equipment means a greater leap in productivity than does the replacement of relatively modern machinery by more advanced models, as in this country.

If water is poured into a tapering glass the water rises faster with the first few ounces than with the next and the next. The broader and deeper the water becomes the less the water level rises with each equal increment. So it is with our productivity as we add more improved machinery. It has less effect in raising our level than the addition of an equal or even smaller amount in other countries.

Already over half our exports of agricultural products depend on some sort of Government assistance program or noncommercial factors. We subsidize both wheat and raw cotton some 30–35 percent in order to export the bushels and bales in large quantities. These subsidies in 1960 will cost the Treasury some $500 million. Much of the exports under Public Law 480 is at special prices, for foreign currency or no currency.

In other words, the more we export of our agricultural surplus the heavier the Treasury burden and the less our net returns from exports. Thus our subsidized agricultural exports add to the weakening position of the dollar in the world.

With respect to industrial products we are also in an unenviable position. In many lines we are as surely and as deeply outpriced as in agricultural products. This should be expected since our general price level is no exception to the level of farm prices. In point of fact farm prices have been lagging for several years and many of them are well below parity. Parity with what? The answer is parity with industrial prices. This fact indicates that if our farm prices which are below parity in this country are well above world prices, our prices on industrial products, which are well above the farm parity level, should be expected to be above world prices.

If we then seek to reduce the cost of our industrial products, how can such a reduction be accomplishd? Examine the possibilities: Automate? Other countries have the advantage over us in that field, as already explained. Moreover, automation leads to displacement of workers, in the short run. In the long run it has generally led to an increase in employment; but with foreign competitors waiting on our doorsteps this is another honored economic theory that may burst on impact with the new reality.

Increase the efficiency of labor? This is usually accomplished in any meaningful sense by the introduction of new machinery. This door is closed as a way of staying ahead of other countries, again, as already explained.

Reduce wages? Ask the leaders of American labor what their attitude would be.

Many alarms over imports have been sounded by American industrial leaders, labor organizations, and agricultural groups. They have seen the havoc worked by low-cost imports and have beaten the drums to awaken the country to the danger.

Yet too many of these complainants walk to the edge of the only remedy with fear and trepidation. After drawing the problem in compelling terms they back away and say "but tariffs are not the answer. Trade restrictions, such as tariffs and quotas, would be a step backward. Other countries would retaliate." They forget that we have run forward so far and so fast, that a few steps backward now would be better than a full retreat later.

Their fears of retaliation in any case are false and unfounded. These favorite fears have been so often voiced as a means of supporting the trade agreements program that few have stopped to consider their meaning.

Trade restrictions have been used more extensively by other countries since World War II than in any other period of history undoubtedly. Where was the retaliation? Did

we retaliate? No. We continued to reduce our tariff and we recognized the need of other countries. The diplomacy of the other countries saw to it that we understood the plight of their position. Because of or despite the restrictions adopted by them the afflicted countries have recovered and reached booming proportions in their trade.

Now we are in need of import regulation. Can we not explain that to the countries that we accommodated, in terms understandable by them? Why then should they retaliate against us?

We should make a true remedy available to each industry, including labor, that is seriously hurt by imports. This should not be in the form of a general tariff increase or import quotas applied willy-nilly; but it should be an instrumentality far superior to the useless one now on hand.

The remedy of today, consisting principally of the escape clause of the Trade Agreements Act, has, in the words of a U.S. Senator, become a "hollow sounding board." With the minor exception of the very recent typewriter ribbon cloth, not a single new case in the past 17 months has found its way to the White House in the form of a recommendation for higher duty. About a dozen cases were disposed of during this period.

This record is in sharp contrast to the numerous assurances voiced over the past 25 years by three Presidents, every Secretary of State and sundry Under Secretaries, Assistant Secretaries, and other Cabinet members that it is not the intention of the Trade Agreements Act to injure American industry; and that should such injury nevertheless occur, there is a sure and prompt remedy. These assurances have not in fact been honored administratively.

What is needed is an escape clause that cannot be nullified by unsympathetic administration. It should be invoked when injury is demonstrated and should provide relief either in the form of an increased tariff or an import quota or a combination of the two. The clause should of course not be invoked to satisfy trivial complaints.

We suggest that this year's platform recognize the changed competitive position of this country and the implications of the massive shifts among the economic factors that have moved us into an unenviable corner.

More is needed than a pledge of faithful and expeditious administration of the escape clause and the peril point provisions of the law. This has in any case not been forthcoming. A change in the law is needed, for today an industry can have but the slightest hope of gaining a favorable recommendation from the Tariff Commission, and even less hope of support from the President. This fact points to the responsibility of Congress in the case. All the fair words of the Executive in proposing extensions of the Trade Agreements Act and all the fair words of political platforms will remain meaningless and will be nullified unless a drastic change is made in the administration of the remedies provided by Congress.

Failure to face this problem squarely would represent evasion of one of the greatest issues of today and tomorrow.

WHY SCHOLARS IN POLITICS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Iowa [Mr. SCHWENGEL] is recognized for 60 minutes.

Mr. SCHWENGEL. Mr. Speaker, I have taken this time today to talk on three subjects. The first subject is entitled "Why Scholars in Politics." The second phase of that presentation will be entitled "There Is a Difference." And then I shall conclude with a statement on the public service of David Mearns of the Library of Congress.

WHY SCHOLARS IN POLITICS

One of the most persistent problems facing political man has been his age-old search for the proper relationship between the philosopher and the king; between the man of ideas and the man of power.

Plato characterized a fairly common Greek answer to this problem by saying that the ultimate solution was to be found in the uniting of the philosopher and the king in the same person.

> Unless, either philosophers become kings in their countries, or those who are now kings and rulers come to be sufficiently inspired with a genuine desire for wisdom; unless, that is to say, political power and philosophy meet together, while the many natures who now go on their several ways in the one or other direction are forcibly debarred from doing so, there can be no rest from troubles for states, nor yet for all mankind; nor can this commonwealth ever till then see the light of day and grow to its full stature.

Though Aristotle was somewhat more moderate in his views, he too insisted that the men of power seek the advice of men of ideas before proceeding with any scheme or project of great moment.

In our own rich national heritage it can be said that the ideals of both Plato and Aristotle have been served. For surely the Founding Fathers were a collection of scholars. Included in their number were professors and college presidents. And those who were not actively engaged in pedagogy were nonetheless representative of the highly educated and thoughtful leaders of their time and, therefore, could be called scholars and students of government. They had schooled themselves in political philosophy through study and experience in practical politics. In contemporary terms, they were as truly philosophers or intellectuals as they were politicians. Fortunately for the future of the Republic they saw that thinkers must be doers and doers must be thinkers.

And this tradition has been carried on ever since. The close relationship between Lincoln and the scholars of his time and since his time is well known to us all. Senator Robert La Follette called upon 55 top professors from the University of Wisconsin to aid him in the development of his "Wisconsin idea." And, in more recent times, both major parties have utilized a number of academicians in their administrations. Seymour Martin Lipsit, in his book, "Political Man," points out that more intellectuals have occupied high administrative posts in the Eisenhower administration than in any previous administration.

Because of my early experience as a teacher, I have always been keenly aware of the great possibilities and importance of using the talents and experience of educators; especially those who are in the political science, history, and social science fields.

As a member of the Iowa Legislature I counseled often with educators in the secondary, college, and university levels. They have always been very helpful and in many ways made a real contribution in helping to resolve many of the problems that confronted me at that time.

Since coming to the U.S. Congress, my experience with some 70 students, educators, and professors from the University of Iowa and from the other colleges in Iowa, who have come here to visit and work in my office as part of a program we called a "Week in Washington," has confirmed my conviction derived from my earlier experience in the Iowa Legislature.

These people were guests in our home and came to us under this program sponsored cooperatively with the citizenship clearinghouse of the University of Iowa, directed by Dr. Robert Ray.

The intimate association with these students and professors convinced me that the understanding and interest of the so-called intellectuals and scholars in our system is pretty well grounded in the theory of our Government. Though lacking experience and close association with political leaders, these people almost universally agreed that this experience was as invaluable to them as it was to me.

Thus, I have found mutual advantage in this association.

Also, my experience with professors and students who have done basic research, recommended legislation, and advised me on various subjects and issues before the Congress has been extremely helpful and rewarding.

In one instance, my research team of university students, at the University of Iowa, under the direction of Dr. Russell Ross, which had been working for 2 years on the problems of small business came up with five specific recommendations for a change in the law. They were invited to and did give testimony before the Select Committee on Small Business of the Small Business Committee of the House.

The committee and the House passed four of the five recommendations they presented.

This demonstrates that these people can, if properly challenged and encouraged, make a real and meaningful contribution.

Based on this particular experience and all the others that I have had with professors and students, I would not hesitate to recommend to every Member of Congress who has an educational institution in his district to investigate the help, counsel, and advice that may be available to him there.

I have come to the conclusion that there is a vast reservoir of specialized knowledge and experience in the 2,011 colleges and universities across the land which has barely been tapped in the pursuit of a more efficient and effective Government. Both major parties have drawn from the top of this vast reservoir, but neither has really utilized it to its greatest advantage.

In 1957, however, things began to change.

The then chairman of the Republican National Committee, Meade Alcorn, called together a number of the Nation's intellectuals from all walks of life to boldly face the awesome challenge of the fearful years ahead.

This effort was formalized in the Republican Committee on Program and Progress. Its chairman was a brilliant young business executive, Charles Percy, and its staff director, a Stanford professor, Dr. Cornelius P. Cotter.

The report which this committee issued was a refreshing and straightforward approach to the pressing political problems of our time.

For the first time since the issuing of the Federalist Papers the publishing industry found the work of a political party significant enough to issue a trade book edition.

Over 50,000 of these so-called Percy reports were published and the supply is now nearly exhausted.

The people thus made manifest their desire for a serious study of contemporary issues.

Partly in response to this venture, and partly because of the obvious need to make a systematic effort to utilize the vast talents of the academic world at a time when the Nation desperately needed these talents, Senator THRUSTON MORTON, chairman of the national committee, in collaboration with the national committee's national director, A. B. "AB" Herman, established the arts and sciences division at the Republican National Committee.

Prof. Cornelius P. Cotter, on leave from Stanford University, was selected as the first director of this division.

It was under his direction that the program of the arts and sciences first took shape.

After Professor Cotter left the national committee in June to accept an appointment as assistant staff director of the Civil Rights Commission, Prof. Arthur L. Peterson, formerly of Wisconsin State and newly appointed director of the Institute of Practical Politics at Ohio Wesleyan University, became the director of the division.

Under his leadership the division has expanded its operation, and has become an integral part of the 1960 campaign operation.

Now what actually has the arts and sciences division attempted to do? It must be stated at the outset that, when this division was instituted, it was partially an exploratory and an experimental thing.

But the response has been extraordinarily good. From 645 colleges and universities the names of 4,200 friendly faculty members have poured in.

Both Republican- and Democratic-oriented college presidents have responded by stating that they are deeply impressed with what the Republican National Committee is doing with this program to stimulate interest in government and politics.

As newspapermen analyze the several score of academic people who are active in the Kennedy campaign, it is interesting to note by way of contrast, that over 4,000 academic leaders stand ready and waiting for their marching orders to contribute their specialized knowledge, experience, and skills to the Republican campaign at the State, congressional, and national levels.

Already hundreds have asked for specific assignments and hundreds are actively engaged in campaigns across the country.

A number of these intellectuals have contributed to a book-length series of papers on national defense; still others played vital roles as staff assistants to the platform committee at the national convention.

But, that is not all. Every day, cards, letters, telephone calls, and telegrams continue to deluge the arts and sciences division as well as the scholars for Nixon-Lodge headquarters.

Administrators and faculty members from colleges and universities continue to applaud the national committee's efforts to encourage and involve them in the politics of this campaign.

Two points should be noted: First, buried once and for all is the old erroneous theory that college campuses are the domain of the Democratic Party.

Second, a new era of life and growth is in store for the Republican Party and for its service to the Republic.

Since it is true that our Government is more important to more people in our country than ever before in the history of our Nation and because of our position in the world, it is important that we understand all of the basic philosophies thoroughly and harness the best talent we have to the task before us.

I want to commend the trend extant in both political parties which has encouraged discussion and participation in all our educational institutions whose principal purpose is, I am sure, to present America with an active, interested, and understanding citizen dedicated to the great purpose and ideal of freedom and a people who will do their all to achieve a more perfect union.

In this we will recognize the truth of what Edmund Burke reminded us when he said, "That government is best which teaches its people to govern themselves."

One final thought. The goal of the Republican National Committee's arts and sciences division is greater involvement of the Nation's intellectuals in practical politics.

But the goal goes far beyond partisan politics.

What is envisaged here is a nation utilizing every ounce of its intellectual as well as its material resources in the building of a better life for its people and in the life and death struggle with world communism.

I have tried and want to emphasize the importance of this great movement and the attention we are giving American intellectuals who participate in the active rolls of the Republican Party.

It has an immediate significance as well as a long-range importance and value to my party and, through my party, to our country and the great goals it has for all the people.

So that the people of our country may further discuss and better understand the difference between the kind of leadership and promise offered by the two parties, I would like now to turn my attention to this question and suggest that "there is a difference."

THERE IS A DIFFERENCE

What government does or does not do within a free society is a direct reflection of the plenitude or lack of reasoned public discussion of the great issues of our times. It is my humble hope that with this discussion on the theme of "There Is a Difference" I can stimulate some thinking on some problems and issues that are basic to our understanding of the political challenges.

I should like to begin by saying that one of the great political myths is the claim that there are no differences between the Republican Party and the Democratic Party.

Such an understanding simply does not square with political reality. Worse still, it seems to me that too often such an approach is the conscience satisfying escape with which the uninformed and the indifferent eligible voters console themselves in order to avoid the trouble of making a thorough study of the candidates and the issue or even going to the polls to vote.

It is, in fact, the unprepared minds' out from all further political bother, discussion, study, and controversy.

Once the fellow who has no opinion about anything and does not want to be annoyed convinces himself that there is no difference between the two parties, he has given himself the excuse-extraordinary for any further involvement in the politics of his country and the issues that plague it.

There is no use anyway, he says, since whether you vote this way, or whether you vote that way, it all comes to the same thing.

It is for him the ideal device for not having to inform himself on politics and the problems that engulf him, his family, his neighbors, and the world.

He has now furnished himself with a pat and easy retreat from any and all tests of his responsibility as a citizen, a voter, and a member of the political community.

He has reduced himself to a political cipher.

I call this the escape-from-freedoms-responsibility school of political psychology.

I am a Republican because I believe I can best serve my country politically within the confines of the broad principles it seeks to represent.

I am intensely partisan because I have deep convictions about the effective role of active party membership.

About those who wish to escape from freedom's responsibility—a painfully numerous class of political inactives—I have no party complaints whatever since it is an affliction and/or condition that both parties must contend with.

Surely one does have sympathy for the harassed and bewildered voter confronted with the conscience-searching problem of making a decision in an age of profound and world-shaking crises.

It is human to want to slough off a burden on the mind and on the conscience, which is a voluntary burden of free citizens anyhow, and behind which there is no compulsion and for the neglect of which there is no concrete and immediate penalty.

But there is a penalty in the end that all must suffer.

So, let us not delude ourselves, because there is a guilt on those who fail to vote.

The guilt is compounded when excuses are seized upon that have no basis in truth.

Of all the excuses that I have heard—and there are many—such as "politics is a dirty business," "Who can believe what they say?" "I have my own troubles," "I just don't like politics," the most insidious is that politics, especially in 1960, makes no sense because there are no differences in the philosophies or the ideologies of the two political parties.

The guilt is blackest on the political commentators, the so-called experts and many political leaders themselves of the past and present who should know better and many of whom do know better, and who gave rise to the myth in the first place and have fed and fostered it.

To say that there are no differences between the two parties is to fail to see and understand the real makeup of our political structure.

If there is no difference, then, in terms of their publicity and public relations efforts, the two parties are guilty of the greatest hoax in the history of domestic politics.

It is my contention that the difference between the two parties is very real indeed.

The difference is indeed the difference between black and white, but it is not yet the compelling difference that exists, say, between our system and the Soviets. It is because apperceiving this difference involves some thought that the myth of the sameness is made possible. For me, as for many Americans, the difference between the parties is evident not only in the way each group thinks out the solutions to identical problems; it is evident, I maintain, even in their physical appearance as their conduct came through on the television screen from Los Angeles and then from Chicago.

It is a difference that is hard for some to define since both had the quality of prosperity, well-being, patriotic endeavor, and an impressive and wholesome Americanism. There were our people—both parties—but I think the evidence was patent that the Democratic Party performed, as has been noted in the press, in the manner of a well-heeled tourist convention out for the maximum of fun and excitement and a minimum of wrestling with the gravity of issues that threaten the happiness and the peace of mankind. The Democratic Convention was by no means devoid of a sense of purpose. But whatever sense of purpose it had, for the most part, was secondary to the principle motivation, which was that of having a riotously good time and doing a lot more cheering than thinking. They wanted some idea, some slogan, some cliche to applaud, and some personality to raise the roof off for, and sing hosannahs to. The Democratic Party Convention wanted to take the Ark of the Covenant and the gods in the temple and go out and dance in the streets with them.

The Democratic Party Convention in Los Angeles was a "Hurray—the-gang's-all-here" convention.

But the unbiased public for the most part agreed that was hardly the atmosphere characterized by the Republican Party Convention in Chicago.

Here, too, there was controversy and conflict, enthusiasm and disappointment, defeat and victory.

But the visual and demonstrable evidence to the eyes of the beholder in tens of millions of homes throughout the land made it significant that this was a convention dedicated to a program of solemn tasks.

It, too, after the American political habit of ebullience, loved to cheer and to applaud, to march and to wave flags and banners, pictures and slogans.

But the overall effect of the Republican Party Convention in Chicago was one of grave concern with the issues of our time and the selection of a leadership that would for the next decade determine directly the destiny of the United States and the free world.

Just as the Republican Convention of 100 years ago, the Republican Party Convention in Chicago this year was, as perhaps my partisan eyes insist on seeing it: an important page in world history.

The reason I emphasize these seemingly superficial and surface differences is because they reflect the substantive differences between the two parties, and because here was something made real, intimate, graphic over the television before the whole Nation.

Thus, I have nothing to back me up but what those who witnessed the two conventions in their own homes actually saw.

This distinction between the two party conventions, enthusiasm for enthusiam's sake in the opposition's camp and order and restraint, without repression in the Republican camp, is a psychological approach to the great differences that make the majority leadership of the two parties as unlike as day and night.

Behind this seemingly surface difference is a profound difference in principle and integrity, in the quest for truth and somber dedication, that lights up like a flaming revelation the present status and the past history of the Republican Party, and the current showmanship and past stunts and devices, of the opposition party.

Of course, the Democratic Party would not have the appeal and the power that it has had if it did not, sincerely, seek to overcome the massive omnipresence of the Soviet challenge.

The Democratic Party wants to win out against the Soviet plague that afflicts us, and the complex of domestic ills and inadequacies as all loyal Americans want to win out against them.

But, the opposition party, conforming to its history and the plunging errors of its past, wants to do it by a vast policy of spending treasury dollars as if they were confetti to be scattered before a strong wind to a multitude of reaching hands in complete indifference to inflation, or prudence, or the morrow, or how little the widely scattered dollars today will mean to the imminent world of tomorrow.

What is abhorrent and ugly, even dishonorable, to the mind of a Republican on the question of inflation, is merely normal and practical and routine to the mind of the great part of the Democratic Party. I do not mean that the other party has the fiduciary morals of a pickpocket. But to the thinking of the Republican Party the pensions, both private and public, of some 16 million Americans now living, is a sacred trust on the level of the relationship between say, a banker and his client, a merchant and his customer.

It is a matter of business honor and a question of delivery and performance on a solemn contract.

But if a pensioner's dollar at the hour of retirement is worth a dollar; and 5 years or a decade or so later, his pension dollar is worth only 59 cents, then the financial powers of the country have cheated him out of the difference.

It is true that the money out of which he has been cheated has not gone to enrich someone in particular, as in the case of a pickpocket who steals an unwary working girl's Saturday pay envelope.

But the pensioner surely has been deceived and taken in by the propaganda of compassion for the common man that made him the victim of this legislative con game.

He has been taught to think that the political party that initiated this pension legislation is his very particular friend, only to wake up a decade later to discover he has been and is the victim of a vicious kind of political demagoguery.

To me it seems a matter of basic honor that a pension dollar ought to be worth, throughout its lifetime, what it was worth at the hour of the individual's retirement.

Anything less than that is, as I see it, a policy of fiduciary defalcation.

The difference between the Republican and the Democratic Party is that the Democratic Party economists and apologists see this as the normal and omniscient operation of the laws of government, finance, and economics.

The Republican Party, believing in a far more difficult but ruggedly honest solution of old-age pensions, wants the dollar to remain clean, sure, uninflated, and meaningful in the life of the 16 million Americans who depend on it.

It is not a question of "Hurrah! Let's pass the legislation," but a question of making sure that the legislation does what it says it does.

In a basic sense I deny, as a statistical untruth, that there are—actually—more Democrats in our body politic than Republicans.

What the Democrats have is an artificial popularity stimulated by the immediate promise of dollars in the hand, through fabulous Government spending.

This is an irresistible voter appeal in some quarters, where more prudent policies with better promise of success in the longer run are more difficult to communicate in the pressing heat of political campaigning.

The wiser policy that builds on strong foundations is more difficult to explain.

The showmanship of eloquence is easier and more crowd pleasing if you promise to put money in everybody's

pocket right now, even if, substantively, the promise is hardly even a half truth. For quick dollars are cheap dollars and become a debased currency.

That is not only the story today but that has been the story throughout Democratic Party history.

There are those of us even now who can still remember the great campaigns and the even greater showmanship and appeal of presidential candidate William Jennings Bryan.

What was true then is true today. It is the pattern of our political history and shows up the deep roots of the differences between the two parties.

In the election of 1896, the Democrats demanded the free and unlimited coinage of silver at a ratio of 16 to 1.

But the Republican Party demanded the retention of the gold standard.

The Republican victory led to the Gold Standard Act of 1900.

If history has shown anything, it is that the Democratic Party went overboard on that issue.

Yet, presidential candidate Bryan roused the Democratic Convention in Chicago to a fever pitch, and won the plaudits of millions, with such typical Democratic oratory as this: "You shall not," he said, "press down upon the brow of labor this crown of thorns; you shall not crucify mankind upon a cross of gold."

Even though Bryan lost there is no doubt that this kind of language must have been pretty passionate stuff for the American audiences of that day.

I insist that fundamentally the picture has not changed one iota.

Whether the argument is about cheap coins or cheap solutions.

Whether it is a question of labor law, agricultural policy, foreign aid, or education.

Whether it is legislation for medical aid for the aged or civil rights.

Whether it is veterans or veterinarians.

When the Democratic Party approaches the issue, it does it with a shout and a hurrah.

They came to Washington in the thirties to do the country over, and they would have made it over, in fact did make it over in some parts that cannot now be retrieved, but for the restraining influence of a handful of Republicans who held the line like a rearguard action.

And they held it because, I am happy to acknowledge, they had the cooperation and the collaboration here and there of a courageous company of Democrats.

But they were Democrats who saw the Republican light.

They were Democrats who abandoned the Democratic philosophy.

They were the Democrats who saw in the famous hundred days more than a hundred infamous mistakes that convulsed the country in a perpetual circus of flipflops.

What differentiates the Republicans from the Democrats, as parties in recent years, is that a certain wing of the Democrats institutionally have a tradition of going overboard.

As they went overboard on silver in 1896 so they have a tendency to go overboard on soft money today.

An examination of the two platforms in 1960 indicates that there are strong differences and even a radical conflict in basic operational ideology between the two. This is not to say for a moment, however, that the goals are not the same.

The differentiations are not subtle at all. They are broad. But they are differentiations of degree, so much so, that the Democratic point of view taken in toto, can be described as extreme.

It can be described as radical. It can be described as going overboard. It is just too, too much.

I hesitate to say this but I am finally pressed to the conviction that the Democratic Party policymakers in recent years are willing to surrender their political integrity for the sake of a quick and easy, a definite and opportunistic political coup.

I say they go overboard and you say cite the cases, give us the evidence.

Well, here it is—the Democratic Party went overboard with the National Recovery Act—the NRA in 1933 which the Supreme Court declared unconstitutial in 1935.

Here was a device to make the country over. They were bent on giving us an economic totalitarian dictatorship within a political democracy and, of course, it could not work even if the Supreme Court had not declared it unconstitutional.

It was an act that went overboard because in one fell swoop it provided, under certain conditions, for the suspension of the antitrust laws.

This outlandish, anti-American, hopelessly alien NRA pushed itself into the workingman's pay envelope.

It elbowed into every marketplace in the country. The NRA fixed minimum wages which might have become maximum wages.

The NRA gave the President the power to fix blanket codes for those industries which did not voluntarily prepare their own.

The NRA established price arrangements.

The NRA strangled the American economy until at long last the Supreme Court strangled the NRA.

The Democratic Party went overboard with the AAA—the Agricultural Adjustment Act of 1933.

Here was something for the history books. It actually destroyed crops that had been planted. It applied the theory of "plow 'em under" and "kill the little pigs" as a basis for farm prosperity.

And it paid out of the Federal Treasury several hundred million dollars for a kind of legalized vandalism.

This time the Democratic Party not only went overboard but it tied a heavy weight on the feet of the American economy to hold it down.

What good it did, if any, was as artificial and as unnatural as a fish wearing horseshoes.

Everybody wanted to help the farmer and everybody wants to help him now.

But this certainly was not the plan for it and its stark and dismal failure as a policy is not of the trademarks of the Democratic Party.

The country thanked God for the Supreme Court which declared the AAA unconstitutional in 1936.

The Democratic Party went overboard, when deliberately and by careful legislative design, it abandoned the gold standard—I say unnecessarily—back in 1934 with the Gold Reserve Act.

This did permanent and vicious violence to our country's fiduciary integrity at home and abroad.

The idea was to create a rise in prices. The value of the dollar was fixed at 59.66 cents in terms of its former parity.

The intent, to be sure, was inflationary and so was the result although other Democratic fiduciary policies also helped to debase the American dollar.

Certainly, what I have said so far gives some indication of how broad and how deep are the differences between the two political parties.

The Republican Party as a party would no more advocate the AAA or the NRA or the abandonment of the gold standard than it would advocate making Khrushchev chairman of the board of the First Boston Corp.

But history is rich in evidence. And there is more.

Perhaps no act in the history of this century so far is as shocking an example of the Democratic Party's tendency to go overboard as the attempt to pack the Supreme Court.

How can that be defended?

And I do not arrogate all the sense of shame and dismay to the Democratic Party.

Not a few Democrats and—in the end—perhaps the whole Democratic Party was shocked just as much as we Republicans were.

Only since the Democratic Party perpetually goes overboard and then tries to retrieve itself it takes longer for the sense of shock to travel from the point of impact to the brain.

It must be said in justice to my, the Republican Party, that it sees before the fact only what the Democratic Party sees after the catastrophe has struck. Then the Democratic Party must be either bailed out of its bankrupt, headlong, foolhardy judgment by the Supreme Court, or by a massive public indignation, or by its own remorse and contrition.

Some of you may say, but all this is old hat and ancient history and has been chewed over again and again.

And so it has. But if we are talking about the differences between the two parties we must draw upon these dramatic examples that give us the face of the recent leadership in the Democratic Party. And it is the face of a party which seeks solutions through well-intentioned but unwise radicalism and popular extremes. On the other hand stands the Republican Party as a party which seeks solutions by sound appraisal and thoughtful, considered and effective action.

I would be the last to deny that sometimes—sometimes, after a lot of wild shooting in all directions—the Democratic Party does hit the bull's-eye, does make a 10-strike, does hit the jackpot.

I would be the last to contend that all the legislation they have sponsored and helped to enact—often with a lot of Republican Party collaboration—was just so much socialism. I would be the last to contend that all the legislation that derives from the Democratic Party leadership and Democratic Party initiative and advocacy lacked sound planning—at least after a lot of false starts and often unabashed demagoguery on the part of some.

But the basic record of the opposition party—its conventions, its legislation in toto, its campaigning, its platforms—is a record overburdened by and interlaced with political hysteria. This is not to impugn their motives, or charge that their sympathy for the so-called common man and the so-called forgotten man was all one solid piece of hypocrisy.

Much of it is deeply felt and genuine.

It is rich in concern for the special interest groups in the large metropolitan areas of the Nation.

The Democratic Party hierarchies' difficulty today is that their election techniques and their brilliant capacity to appeal with poignant skill to the heaviest mass of the voting population often outruns their essential integrity and certainly their ability to deliver what they so easily and eloquently promise.

The Republican Party by contrast treats its platforms and the language of its leadership as an honest borrower treats a promissory note.

This is a solemn contract made with the people of the United States.

Great aspirations may be indicated, but a promise is one's bounden word and a promise is a promise.

It is this rugged integrity, this austerity in the matter of promises of legislative largess by the Republican Party to this mass of voters and that group of petitioners for legislative reform that gave the Republican opposition the basis for one of their greatest political myths.

This is the myth that the Democratic Party stands for the common man and all the people, while the Republican Party has for its special darling the so-called economic royalists and the malefactors of great wealth.

When is that canard ever going to cease?

The Democratic Party election technique takes a special glee and delight in selecting the administration of William McKinley to satirize current Republican leadership for the alleged hidebound, archaic, and brutal principles of indifference to the workingman and the unfortunate poor.

They make a big platform joke of charging this or that Republican candidate with being to the "right of McKinley."

And all this becomes part of the vast general charge that the Republican Party is the friend only of the banker, the real-estate mortgagor, the manufacturer, the pawnbroker, and the exploiter.

Well, let us look at McKinley.

I hold it entirely just to consider McKinley as indeed part of the Republican Party record.

Republican Party history cannot repudiate him, and neither do I.

Well, what about McKinley? I will tell you.

When McKinley was a young lawyer, his biographers tell us, his—I quote—"most interesting case" was that of a group of Massilon miners, imprisoned for riot in 1876 during one of the periodic violent strikes in the coal-mining industry.

I quote from the recent Pulitzer prize-winning Margaret Leech biography. She writes:

> McKinley was in sympathy with the workers' grievances, and undertook a case that had aroused much prejudice in the community. He succeeded in getting all the offenders released except one.

Then comes the additional fact that McKinley—I quote "refused to accept payment from the impoverished strikers."

This was the rightist McKinley who is the Democratic Party's symbol for alleged Republican Party antipathy to the workingman.

It was McKinley when he was Governor of Ohio who, for my money, did more in his day, for enlightened labor legislation, than a whole covey of his contemporary Democratic Governors.

I read from the same biography:

> The labor laws enacted by the legislature bore unmistakable signs of McKinley's direct influence.
>
> The acts for the protection of railroad and streetcar employees from accident and exposure responded to the suggestions of his inaugural.
>
> A bill was also passed to fine employers for preventing their workers from joining unions.
>
> McKinley took an especially keen interest in a new industrial arbitration bill, which was founded on the pioneering act of Massachusetts and closely followed recommendations that he himself had made in Congress.

It is a matter of history that against the urgings of Mark Hanna, McKinley refused a Cabinet post—Postmaster General—to Henry C. Payne because Payne had been a railroad lobbyist and an enemy of labor.

Labor in McKinley's own time and during great labor crises was itself often warm and cordial to the Republican President.

This is not to deny that the Democratic Party candidate in McKinley's time had the endorsement of the great consolidating unions.

But labor bosses do not—then or today—necessarily always represent the best interest of labor.

Their endorsement of the opposition to McKinley hardly justifies categorizing McKinley as a symbol of injustice to the workingman.

There were periods of great prosperity during the McKinley era.

This made it possible to charge the President with being the friend of the moneyed interests and big business.

Yet, it was McKinley who in a strategic and important letter of acceptance wrote savagely of the great combinations of business.

I quote verbatim from his acceptance letter. He wrote:

> They are dangerous conspiracies against the public good and should be made the subject of prohibitory or penal legislation.

These are hardly the words of a presidential candidate buddying up to predatory wealth.

McKinley's successor in the White House, Theodore Roosevelt, made so compelling an impact that even the most irresponsible demagogs in the Republican opposition failed—to this day—to deprive him of his glory as a "trust-buster."

This Roosevelt was hardly a radical, and it is he who so accurately helps us recognize the role of the Republican Party in our two-party system, the role of neither being pellmell for one side or the other, but of being outstandingly for justice to the whole economy, to the whole people, to the interests of the Nation.

This means for labor when it is in the right and against big business, with judicial vigor, when it is in the wrong.

It means being for the poor only when they are right and not simply because they are poor.

It means being against the rich not because they are rich but only when and if they are in the wrong.

The Republican Party is not a party of class but a party of justice and the party of reason and the party of sound sense, even to the point of unpopularity.

On the question of the public welfare it was Theodore Roosevelt who reached boldly beyond any legislation then apparent in a Democratic administration for the sake of what has become known as the common man.

In March of 1918 Theodore Roosevelt came out fighting in his demands for a system of old-age, sickness, and unemployment insurance.

He came out for public housing.

And he came out for a whole gamut of other reforms.

May I repeat this lest I be misunderstood or fail to give it due emphasis.

I say Theodore—I repeat, Theodore Roosevelt, before the New Deal had even been heard of—in 1918—came out for policies that the New Deal later adopted.

And I emphasize with neon lights, if I may, that the difference between the Republican Party and the Democratic Party is powerfully manifest in precisely the handling by the two parties of these same issues.

The difference, I submit, is the difference between black and white.

It is all the difference between horse-sense and hysteria.

Theodore Roosevelt, a decade, two decades before his famous namesake, did not present his welfare program in the ugly spirit of a class war.

Theodore Roosevelt did not present his welfare program with a great roar and shout of "making the country over."

There was no such business as rewriting, downgrading, or undermining constitutional principles that happened not to conform to the excitement of the moment.

There was no such thing as debilitating and adulterating the Supreme Court of the United States so that the Executive could have his way in spite of the Constitution.

The program that Theodore Roosevelt espoused—Roosevelt the Republican—was the program that found plenty of room to operate within our constitutional system and without dredging up the notions of a disenfranchised and exploited and enslaved American "proletariat."

Thus, I repeat, there are differences and this is one of them.

I have named McKinley whom the Democratic Party speech writers have traduced, and I have named Theodore Roosevelt whom they mostly ignore.

Let us add Charles Evans Hughes to point up the glaring and wholly vicious unkindness of perpetually presenting the Republican Party in the image of a creature of big business and an enemy of the plain people and the working man.

It is a statistic of history that before the end of Charles Evans Hughes' second term of Governor of New York the Hughes name was on no less than 56 statutes for the benefit of labor.

A publication called Legislative News, a union labor organ in New York appraised the Hughes contribution to the laboring man's happiness and security.

This publication wrote that the Hughes labor reforms included "many of the best labor laws ever enacted in this or any other State." The publication added:

> Now, that Governor Hughes has retired from politics the fact can be acknowledged, without hurting anybody's political corns, that he was the greatest friend of labor laws that ever occupied the Governor's chair at Albany.

Charles Evans Hughes was certainly one of the four or five greatest Republican Party leaders in the history of party politics in the United States.

It was Governor Hughes who stopped public power give-away attempts in New York and made private companies pay for what they got.

But what Hughes did for labor, what Theodore Roosevelt did for the people in his curtailing of the power of the trusts, what McKinley even before them did for the "common man" before the phrase had even been dreamed up, was never presented to the American people in the politically honkytonk display style with which the more radical wings of the Democratic Party present the New Deal.

It was unaccompanied by shouting and hurrahs.

It was valid legislation for a valid cause and it is legislation that remains unchanged on the statute books.

Republican legislation did not go overboard.

The Wagner Labor Relations Act is in its essence no doubt a good act.

But the difference between the Republican Party and the Democratic Party is that if the Wagner Labor Relations Act had been authored by the Republican Party, which also believed and believes in prolabor reform, it would have stood the test of time.

If the Wagner Labor Relations Act of 1935 had been fathered by my party, the Republican Party, the modifications and the alterations of the Taft-Hartley Act of 1947 would have been obviated.

It would have been right in the first place. And it would not then have been necessary in 1959 to enact the even more drastic Labor-Management Reporting and Disclosure Act—or the Landrum-Griffin Act, as it is called.

I think Republican leadership would have foreseen corruption and prevented it.

This is just a speculation and I may not be absolutely right in it.

But, I submit, as a difference between the two parties, that when the Republican leaders draft a bill they mean it to operate and to work effectively and successfully from the beginning.

They do not mean the bill to answer full blown any immediately pressing current of hot and emotional opinion that needs later to be modified when passions have calmed.

Republican legislation is legislation that avoids going overboard.

This is my thesis for the explanation of the differences between the two parties.

What matters now in the presidential campaign and for this hour is a judgment as to which of the two philosophies of government better fit the crisis we are in.

The choice is as much if not more as between the two parties—Republican and Democratic—as between personalities who represent the parties and who will project that thinking upon the policies of the United States in the next 4 years.

In the past, the overboard, shotgun method of approach was applied by the Democratic Party and its leadership, to almost exclusively domestic issues.

There were some startling adventures in the foreign field that did not invariably end for the good of America and the free world.

What we see today is a premonition of the back of the world being broken over the massive world cleavage between the Communist slave concept and the concept of a free world for free men.

We could, in the past, afford mistakes like the NRA and the AAA and the abandonment of the gold standard and even the horrors of inflation.

We could even put up with the attack on the integrity of the Supreme Court since in the end all these mistakes were either nipped-in-the-bud or modified or exposed and swept into nothingness.

But this is the age of the atom and today the shotgun and overboard method of seeking solutions—the method of trying everything and seeing which works and which does not—is outmoded.

It is not only outmoded; it is catastrophically perilous.

We cannot afford errors that may sweep the world into an atomic war.

We cannot afford errors that may vitiate, or enfeeble, the American dollar.

We cannot take chances with the American economy by probably brilliantly conceived but hopelessly impractical schemes dreamed out of some textbooks by some of the more extreme liberals of our college professors and political advisers who think they know all about theory but little about the facts of life.

We cannot take chances with a theory of government by propaganda wherein the extreme liberals of the Democratic Party critics charge alleged missile gaps and then willy-nilly propose the all-American solution of spending a lot more billions of dollars to close a gap that never existed.

Is there a problem in education? Spend more money.

Is there a problem in agricultural surpluses? Spend more money.

Is there a problem in medical aid? Spend more money.

Is there a problem in defense? Spend more money.

The Republican Party—if you will pardon my partisan point of view—has come upon the world stage with a new and fresh and dynamic brace of leadership.

It is not just youth and vigor, but youth and vigor with a background of experience, ability, and temperament.

It is a leadership that is reaching out to all interested Americans who believe we have not failed to see or tried to meet the challenge of this age and to discover what it needs to do to set up a vast complex of goals about all of which it seems to feel painfully—and youthfully—uncertain.

It is a leadership that has already been tried and tested and made good.

It is a leadership that has informed itself on the very combat front of world politics—in the United Nations—in the executive department and in the Senate of the United States.

This is not to say that the Democratic leadership may not work out to the good—but who knows?

Here I have before me the solid evidence of current history that the proposed Republican leadership is moving in a path with which it is practically and by experience familiar.

Republican leadership knows what it is doing and it knows where it wants to go.

Republican leadership is not harassed into a state of hysteria about defense when, as we have just seen, in no more than a single day this administration made five significant and historic advances in space progress—five.

It can be stated like a postulate in simple arithmetic that the United States now leads the Soviet Union 25 to 7 in successful space shots.

They are ahead of us in the exploration of space around the moon. They are ahead of us in the matter of shooting sheer weight into the heavens.

But the sum total reveals the United States in a position the Soviet scientists have yet to match and the overall picture leaves them behind us.

The United States discovered two radiation belts around the earth.

The United States gaged the effect of solar explosions on the earth's magnetic field.

The United States beamed a recorded voice from space.

The United States photographed the earth from space.

The United States used solar energy to power satellite radios.

The United States established the shape of the earth.

The United States tape recorded satellite information for delayed delivery on ground command.

The United States shut off and restarted a satellite launcher in space.

The United States recovered an object from orbit.

The United States has launched the first weather, navigation, and communication satellites.

The United States holds the record for long-distance communication—22½ million miles.

Add to that the recent achievements in putting a great silver balloon in orbit and the recovery of a missile returned to earth from outer space.

Why do I give this in such detail?

It is because criticism of our missile program is the material the opposition employed—in its overboard approach to crusading reforms—to impugn the competence and the motives of the Eisenhower administration.

The Eisenhower administration, they said ad nauseum, is more concerned with the budget dollar than with defense.

And their answer was to demand a pouring out of more and more billions as if all that was needed to get more missiles to go farther was to open the vaults of the U.S. Treasury.

It was like arguing that all one needed to furnish the National Aeronautics and Space Administration with a dozen or so Einsteins was a larger appropriation.

The principle of leaving it to money to do the job may help—here and there—to advance one's political ambitions.

But it is not a process for establishing leadership for a world in transition and in chaos.

What the United States wants and desperately needs at the helm of its affairs is men—precisely NIXON and Lodge—who have met the men of the Kremlin and know how they think and act and fight beause they faced and fought them.

They, too, as I made clear in my introduction, will seek guidance from the academic world and from experts in a variety of fields.

But their decisions will be predicated upon an amalgam of practice and theory, about knowledge and experience.

They will have behind them the philosophy of a party—the Republican Party—that thinks of its convention platform not as a fine and noble set of ideals that may be achieved in another millenium if at all.

They think of their convention platform as men of responsibility and prudence think of a contract with specifications that must be fulfilled as a matter of honor and integrity.

Almost as I speak today we have had still another and revealing index to the difference in character between the two parties.

The Congress of the United States is in a kind of postponed extraordinary session confronted with a massive order of business.

If the Democratic Party really means what it says so volubly and forcefully in its platform, here and now is the opportunity of opportunities.

The Republican President of the United States, instead of obstructing the highly touted Democratic Party aims which might be politically expected of a lesser occupant of the White House, has come out actually as their champion.

The President says in about so many words to a Democratically controlled Congress: "Go ahead, I am all for you, and here are my words proving it." He said in essence: "Give me a good middle-of-the-road program that makes sense."

But how does the Democratic Party, at the very seat of power, react to this golden opportunity to do what it is always saying it wants to do?

Do they really want a world food bank plan that does the job?

Do they indeed favor new economic aid to Latin America that is realistic?

Are they in truth for medical assistance to the aged that is not inflationary?

Do they want a higher minimum wage or do they just want to talk about it?

Will they dish out new funds for an airborne alert?

They say they are for more generous school construction Federal aid and for higher teachers' salaries. Are they?

Of course they want to give money to the depressed areas. Well, where is it?

The answer of the Democratic Party is as compelling an insight as I know to the political differences between them and the Republican Party.

Their answer is that in the face of this magnificent moment for the Democratic Party to do what it says it believes in, the Chamber of the House of Representatives in the Congress of the United States is empty, I repeat, empty, of Democrats.

They have a two-thirds majority in both Houses.

On August 16, and for the second successive day, the Democratic Party was unable, in the House, to so much as muster a quorum and adjourned after only 5 minutes.

The record shows that no more than 60 of the 432 Members were on hand.

Among the absentees was the Democratic majority leadership.

Is this performance as promised?

Is this political integrity?

There is indeed a difference—a profound difference—between the Republican Party and the Democratic Party.

That difference is reflected in the leadership that came out of the Los Angeles and the Chicago conventions.

A nation seeking the leadership of responsibility, of prudence, of the experienced hand and the astute mind, a nation that wants to continue to feel optimistically and happily about the future will know how to cast its votes in November.

It will vote the way it will vote precisely because there is a difference between the two parties and because the difference is so great.

Upon the choice the American people make may very well hang the survival of mankind.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Does the gentleman take the position there was more thinking at the Republican National Convention than there was at the Democratic National Convention?

Mr. SCHWENGEL. Let me say this to the distinguished majority leader——

Mr. McCORMACK. I am just curious.

Mr. SCHWENGEL. I have some observations, and I dwell on that point later in my talk.

Mr. McCORMACK. The gentleman made two statements, and I was simply curious if the gentleman takes the position there was more thinking at the Republican National Convention than there was at the Democratic National Convention.

Mr. SCHWENGEL. May I say that I recognize the gentleman as a great public servant, and a great leader in his party. I want to say that I do not want to make any accusations that cannot be supported, but I have this feeling, in answer to your question, that there was more thinking that went into what we did at that convention than what went into the Democratic convention.

Mr. McCORMACK. I had an idea that whatever thinking there was at the Republican National Convention suddenly ceased when Vice President NIXON took his pilgrimage to New York to confer with Governor Rockefeller and to capitulate to Governor Rockefeller. Then the thinking at the Republican National Convention ceased.

Mr. SCHWENGEL. You know, I am very glad that the gentleman brought up that point, because this was an attitude that was not expressed by myself, but it was expressed by people at our convention, by some of our leaders. But, let me remind the gentleman that another great statesman went to McClellan. His name was Lincoln. Now, in that he demonstrated humility.

Mr. McCORMACK. I am talking about 1960. Of course, if you are going to talk about Lincoln, he would be a Democrat today if he were alive.

Mr. SCHWENGEL. Well, that is your opinion.

Mr. McCORMACK. Well, now, the fact is that Lincoln was not reelected as a Republican. He was elected on the Union ticket, not on the Republican ticket.

Mr. SCHWENGEL. Just let me remind you that he never denied being a Republican.

Mr. McCORMACK. I am delighted at my friend's speech. I am putting some color in it.

Mr. SCHWENGEL. I am glad to have the gentleman's comment, but I am not one to admit that if Lincoln were alive today, he would be a Democrat.

Mr. McCORMACK. He was a progressive.

Mr. SCHWENGEL. Lincoln was a great moderate.

Mr. McCORMACK. A great what?

Mr. SCHWENGEL. A man that believed in going down the middle of the road politically and on the great issues of his time.

Mr. McCORMACK. No; he was a great progressive.

Mr. SCHWENGEL. Well, that is your opinion.

Mr. McCORMACK. Do you deny that he was?

Mr. SCHWENGEL. I do not think he was a great progressive.

Mr. McCORMACK. You do not?

Mr. SCHWENGEL. I think he was a great realist. He knew what was right or wrong. I would like to make a speech sometime on this question of liberalism and on Lincoln's moderate attitude.

Mr. McCORMACK. I did not say "liberalism." I said "progressive."

Mr. SCHWENGEL. Well, you can describe him as that, and you have the right to. There were books written about the fact that he was a progressive and there were books written that he was a great moderate and there were books written about the fact that he was a great conservative. In fact, some of our great conservatives are quoting Lincoln all the time, so you do not prove anything.

Mr. McCORMACK. You said he was a great realist.

Mr. SCHWENGEL. Yes.

Mr. McCORMACK. Well, I had an idea that Lincoln had a great moral outlook on life, too.

Mr. SCHWENGEL. Yes. Sure. He stood for rights, too.

Mr. McCORMACK. Realism is something different than what the gentleman is now saying. I am trying to get the gentleman correct in his statement as to the position of Lincoln. To say that I am a realist means that I am a man who responds to expediency, in part, and I would not want the gentleman to leave the RECORD to appear that he thinks he, Abraham Lincoln, was a man who responded to expediency.

Mr. SCHWENGEL. Oh, you read the life of Lincoln.

Mr. McCORMACK. I am defending him.

Mr. SCHWENGEL. Sure. And I defend him, too, and I defend his realism.

Mr. McCORMACK. You said he was a realist. Now, he was something plus that, was he not?

Mr. SCHWENGEL. Well, he was a great American. He was the greatest American, and he was a Republican.

Mr. McCORMACK. I thought NIXON was the greatest American since Washington when he was nominated.

Mr. SCHWENGEL. Well, he is the greatest living American. I admit that.

Mr. McCORMACK. You say he is the greatest living American since Washington. That means he is greater than Eisenhower, according to what you say. But, you have not answered my question. Let us come back to that. You were insinuating that there was more byplay at the Democratic National Convention than there was at the Republican National Convention. You have admitted that finally they got to NIXON and Rockefeller and then the old domination came in, did they not? You will admit that.

Mr. SCHWENGEL. You started bringing Lincoln in, and we got off on that subject.

Mr. McCORMACK. I did not bring Lincoln in. You did.

Mr. SCHWENGEL. And I do not apologize for that, either.

Mr. McCORMACK. I defended Lincoln.

Mr. SCHWENGEL. I will defend him, too, and I believe I have read more books on Lincoln than you have.

Mr. McCORMACK. Will you not admit, as far as the Republican convention is concerned, as far as the platform is concerned, that as far as the action of the platform committee is concerned, it became a dominated convention? Will you not agree to that?

Mr. SCHWENGEL. No.

Mr. McCORMACK. Well, then, probably you are in bad shape again.

Mr. SCHWENGEL. I most certainly am not. NIXON's going to Mr. Rockefeller was a demonstration of humility.

Mr. McCORMACK. Humility?

Mr. SCHWENGEL. Yes.

Mr. McCORMACK. There was realism. What I call expediency.

Mr. SCHWENGEL. Well, you can put any interpretation on it that you want. I think it was a great move. It was the mark of a great statesman.

Mr. McCORMACK. A great statesman?

Mr. SCHWENGEL. Yes. And I do not apologize for it.

Mr. McCORMACK. It is one man going to another, capitulating and leaving the party; is it not?

Mr. SCHWENGEL. He did not capitulate. He might have convinced Rockefeller of a lot of things.

Mr. McCORMACK. He convinced Rockefeller?

Mr. SCHWENGEL. Yes.

Mr. McCORMACK. Rockefeller was the dominating thinker as between those two.

Mr. SCHWENGEL. That is your opinion.

Mr. McCORMACK. At least he is a progressive. He could not get two members from his side the other day and vote for his view on the medical aid bill.

Mr. SCHWENGEL. Now, since you talked about that, I do not think that you should talk about it, because your record is not very good.

Mr. McCORMACK. My record?

Mr. SCHWENGEL. I am talking about the Democratic Party.

Mr. McCORMACK. On what?

Mr. SCHWENGEL. On almost any issue that has been before the other body and this body since we have been back.

Mr. McCORMACK. Oh, I will say to my dear friend, that he is a man ordinarily of intellectual honesty. But now he has put himself in a very partisan position, has taken a byroad from that general broad pathway of intellectual honesty that he ordinarily pursues. And I am complimenting him, but he does not realize it.

Mr. SCHWENGEL. I thank the gentleman.

Mr. McCORMACK. It may be backhanded.

Mr. SCHWENGEL. It is rather backhanded, I would say. I know the gentleman from Massachusetts does not want the RECORD to show that he is not partisan. He is one of the most partisan men in the House. I admire him for it; he is a great leader.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield.

Mr. McCORMACK. I am a great believer in the two-party political system; but I believe that it is in the best interests of the people of the country and of their States to have the Democratic Party in control.

Mr. SCHWENGEL. That is the gentleman's belief; I just do not agree with him.

Mr. McCORMACK. That is how partisan I am. Of course I am partisan. I fight for my party and my party is invariably always right. And I admire the gentleman for fighting for his party. Let us not have any disagreement about that.

Mr. SCHWENGEL. I thank the gentleman. I want to say to the gentleman from Massachusetts that my party may not always be right, but I will say to him that it is right more often than it is wrong, and it is more often right than is the Democratic Party, in my opinion.

Mr. McCORMACK. Of course, the gentleman's opinion in that respect would have very little probative weight amongst a group of objectively minded people trying an issue and making a decision, because the progressive party, the party of the people, is the Democratic Party. The gentleman's party is in the control of the Old Guard.

Mr. SCHWENGEL. That is something you can say, but it is another thing to prove it.

Mr. JOHNSON of Colorado. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield.

Mr. JOHNSON of Colorado. I have the Republican platform here. Just to be bipartisan here this afternoon, I find that the Democratic Party on pages 20 and 21 of its platform made a statement against inflation. Can the gentleman call my attention to a similar passage in the Republican platform?

Mr. SCHWENGEL. I am not prepared to do that. Yes, I think I could find it if I had my own copy of the platform here. I have it pretty well marked up. I have a copy of it in my office. If I had that I could tell the gentleman a lot of good things about that platform.

Mr. JOHNSON of Colorado. Let us have the RECORD show that the Democratic Party was concerned about that point. As a member of the platform committee at Los Angeles, I can assure the gentleman that was a very prominent point.

Mr. SCHWENGEL. I hold that you cannot guarantee any balancing of the budget with that proposition, with all you seek to do.

Mr. JOHNSON of Colorado. I will take time in the next hour. I hope the gentleman will stay around to join the debate.

Mr. SCHWENGEL. I will stay and listen.

Mr. JOHNSON of Colorado. Before the gentleman proceeds will he yield further?

Mr. SCHWENGEL. I do not have too much time left.

Mr. JOHNSON of Colorado. I was wondering which Roosevelt used the phrase "Malfactors of great wealth."

Mr. SCHWENGEL. Well, that is a very small point, and I know what the gentleman is talking about. And, I am glad to say that it was Theodore Roosevelt.

THE PUBLIC SERVICE OF DAVID CHAMBERS MEARNS

Mr. SCHWENGEL. Mr. Speaker, from reading biographies, studying the lives of great men, and from association with important people of our own time, we come to know that now and then, over the centuries, the human race gives us men and women of transcendent genius who, in serving their own time, display a quality of timeliness that gives to them, to their deeds, to people they associate with and to their words, productive meaning for generations to come.

Today, I would like at this time to pay tribute to a man whom I consider one of those great men and who has earned this title by being a very distinguished public servant, one whose career of more than 40 years in the Library of Congress has lent much luster to the Government and to the service it renders to the people. In placing before you the record of David Chambers Mearns, Chief of the Manuscript Division of the Library, I would like to point with pride not only to the great services that the Library as a whole performs to this Congress, to the Government, and to the people of the United States, but also to the individual services that such a person as Mr. Mearns, through the everyday conduct of his duties, is constantly rendering—and all too often with complete modesty and utter anonymity. Based on my experience, I have noted that the people who use the services of the Government tend to take our Government personnel too much for granted. Too often we accept as a matter of course the services we require to carry on the necessary business of Government and all too often we who have the privilege to serve as representatives of the people forget that our own accomplishments are only made possible by the hard labor of many others. There is a tendency, moreover, to note and stress the shortcomings of public service rather than the virtues, to single out defects at the expense of really excellent qualities. By and large, I think, our Government personnel have an exceptional record of devotion to duty, integrity, and a keen sense of the values for things that are in the public interest.

Because David Mearns embodies these qualities in high degree I am glad to have this opportunity to point out how his lifetime contribution has greatly benefited not only the thousands of people the Library every day serves, but the entire world of scholarship.

Let me first acknowledge my own personal indebtedness to Mr. Mearns, who is one of our country's foremost experts on the life and times of Abraham Lincoln. It was to him that I went—before going to anyone else—when it struck me as appropriate that the Congress of the United States should observe and properly commemorate last year the sesquicentennial of Lincoln's birth. It was he who, at my suggestion, wrote House Joint Resolution 648, calling for a joint session of the two Houses of Congress, which many people believe became one of the central events, if not the central event, of the Lincoln sesquicentennial commemoration. The joint committee of the House and Senate that named me chairman of the joint committee on arrangements and, at my suggestion, named Mr. Mearns its secretary. He was thus an active participant in all the measures that, using such superlative and diverse talents as those of Carl Sandburg and Fredric March, contributed so largely to the national success of the ceremonies. His expert judgment and wise counsel were of enormous advantage in this recreation of a great American tradition, enacted with the Congress as the backdrop and the Senators, Representatives, Government officials, and diplomatic corps as the persons of the drama. Looking back on it, it seems to me that as fortunate as any decision I made for the anniversary was the one to enlist the help of David Mearns for me and for the committee.

As president of the Lincoln Group in the District of Columbia that sponsored the Lincoln Banquet on the eve of the 150th anniversary of Lincoln's birth, I can testify to the fact that his counsel, advice, patient and dedicated help and direction in making the Lincoln Banquet program the success that it was, was invaluable. This outstanding program featured President Dwight D. Eisenhower; Bishop S. M. Emrich, of the Episcopalian diocese of Michigan; and Fredric March, and was honored by the presence of Vice President Richard Nixon and hundreds of citizens, students, distinguished Americans and members of the diplomatic corps.

Mr. Mearns' progress to his present position of eminence was steady, and was foreordained by the sterling qualities he brought to the performance of his duties. His entire life has been spent in the service of the Library of Congress, and he has been a career man in the best sense of that term. Born in the District of Columbia on the last day of 1899, he was educated here at St. Albans School and at George Washington University, then at the University of Virginia. At the age of 18 he joined the Library's staff—at the princely starting salary of $360 a year—expecting, as he now recalls, merely "to remain through the Christmas holidays." Such was not to be, and today, after more than 40 years with that institution, he is fond of reminiscing on what he genially terms his "inexplicable survival and the Library's extraordinary endurance." After 2 years as a reference assistant in the Order Division, he transferred to the reading rooms, where he served successively as a stack inspector, special assistant, and chief assistant. In 1939 this phase of his career culminated with his appointment as superintendent of the reading rooms. Two years later he became Chief Reference Librarian, and from 1943 to 1949 he served as director of the reference department. In 1949 he became Assistant Librarian, and in 1951 he assumed his present post as Chief of the Manuscript Division, in addition to which he carries on the duties of Assistant Librarian for the American Collections and of incumbent of the Library's Chair of American History.

As Chief of the Manuscript Division, Mr. Mearns has had and has challenging responsibilities. He is the custodian of more than 17 million papers that are of inestimable value to students of the American past. This priceless storehouse of original sources includes the originals of Thomas Jefferson's rough draft of the Declaration of Independence; George Washington's commission as commander in chief of the Continental Army; James Madison's notes on the proceedings of the Convention that framed the Constitution of the United States; the first and second drafts of Lincoln's Gettysburg Address; the personal papers of 23 Presidents of the United States; many papers of their outstanding contemporaries, from Benjamin Franklin and Alexander Hamilton to Charles Evans Hughes and Cordell Hull; and the papers of distinguished scientists, jurists, military and naval figures, explorers, authors, architects, artists, editors, diplomats, clergymen, teachers, actors, doctors, industrialists, financiers, and philanthropists—in sum, the papers of those men and women who, in the long history of our Nation, have exerted a profound and lasting influence on the lives and destinies of their countrymen. In addition, the Manuscript Division administered by Mr. Mearns houses millions of transcripts and reproductions of material important for the study of American history that have been gathered over the course of many years from the archives of Great Britain, France, Spain, Mexico, and Canada. This invaluable collection is one of our national treasures, and is a basic key for understanding and interpreting our past and present. To it, every year, thousands of scholars come from all over the country to carry on fundamental research for books and studies that contribute to the truth of history.

During Mr. Mearns' tenure as chief of the division, some 5 million papers have been added to the collections in his care, and the Library's resources for service to the American people have increased correspondingly. But, Mr. Mearns is not just a custodian and a gatherer of manuscripts; he is a distinguished historian in his own right, amply qualified and experienced to develop and interpret the precious documents, writings, memorabilia, and instruments of freedom that are in his charge. By some people, in fact, he has been called a historian's historian. With this observation I agree wholeheartedly.

A writer of distinguished style, sparkling wit, and great charm, with a deep respect for fact and a passionate devotion to truth, he is the author of works that have made distinct contributions to the understanding of our past and present. I shall not attempt to enumerate them all, for the list is a long one, but a glance at some of the subjects will

suffice to indicate their range and variety. They include a thoroughgoing study, in 1933, of Elias Boudinot Caldwell, an important figure in the early history of the Supreme Court; a description of the travels of the Constitution of the United States, in 1937; a study of the Lincoln Cathedral copy of that great document of English liberties, the Magna Carta, in 1939; a definitive history of the Library of Congress, published under the title "The Story Up to Now," in 1947; a history of the Declaration of Independence as a document, in 1950; and a beautifully executed memorial tribute, in 1955, to Herbert Putnam, Librarian of Congress from 1899 to 1939, under whom Mr. Mearns served his apprenticeship. One of the most interesting aspects of his writings is that he has produced very few that fall into the category of technical library literature. Mr. Mearns is fundamentally a historian, and he has dedicated most of his literary effort to producing works that will have lasting value to scholar and layman alike.

To this group belong Mr. Mearns' numerous writings on Abraham Lincoln, upon which I should like to dwell a bit, both because of my personal interest in our greatest American statesman and because they have brought their author well-earned praises from the scholarly world. In addition to studies on such subjects as books that Lincoln read, on a letter of sympathy written by Queen Victoria to Mary Todd Lincoln after the President's assassination, and on myths that have grown up about Lincoln, Mr. Mearns is the author of a two-volume work entitled "The Lincoln Papers," published in 1948. For this publication he sifted through the entire body of Lincoln manuscripts that had been bequeathed to the Library of Congress by the will of Robert Todd Lincoln, Abraham Lincoln's elder son, and that were opened to public view for the very first time at midnight on July 26, 1947. These papers had been waiting for informed scrutiny for many years, during which, following Robert Todd Lincoln's wishes, they had been kept secret in order to spare the feelings of those who had been participants in the events of his father's administration and who might—in his view—have been embarrassed by disclosures in them. In editing the material which he selected from some 18,560 documents in the Lincoln papers, Mr. Mearns presented pertinent data that had never before been made known, and demonstrated—to my satisfaction, at least—that Robert Todd Lincoln had not destroyed any great masses of his father's papers. Thus he laid to rest a popular myth for which there had been some apparent evidence. Actually much better evidence—which he brought forth—proves it to be extremely unlikely. The Lincoln papers may, by his informed demonstration, be said to be intact, with some minor exceptions, and his two-volume selection from them ranks as a very real and distinctive contribution to Lincoln literature.

That this is not merely my own opinion, but is shared by others, may be seen from comments that have been made about the volumes by those best qualified to criticize them. In his introduction to "The Lincoln Papers," for example, Carl Sandburg wrote that, I quote:

> We have herein the most complete study thus far made of the actions of Robert T. Lincoln and his personality, with relation to the collection of papers.

Another distinguished historian, the late Charles A. Beard, wrote that, I quote:

> Besides telling an exciting story of the Lincoln documents * * * Mr. Mearns presents an impressive collection of the papers—mainly letters and memoranda to Lincoln—which will help immeasurably in reconstructing the world in which he lived and worked.

Archibald MacLeish, poet and former Librarian of Congress, made this observation:

> A few of us who have read the deft, urbane, and salty prose of David Mearns have long realized that he is one of the pleasantest authors of our time to read. Readers of "The Lincoln Papers" have that discovery before them as well as the infinite treasures of the book itself.

And Carl Carmer, another writer of rank, commented in the following words:

> These letters and memoranda are more revealing * * * than any historian's writings could possibly be. They build up by indirection the noble and tragic (in the Greek sense) figure of the President until he looms * * * like a giant seated on a mountain above the clouds.

Above all I should like to read to you a paragraph—but only a paragraph—of an appreciation by Mr. Mearns himself of Abraham Lincoln, which will at the same time demonstrate his felicitous style and the complete understanding he is able to convey of the noble figure who is his ever-engrossing theme:

> Abraham Lincoln stands alone in history largely because in life he stood among the people. Only through them, the inhabitants of a wide, broken, angry land, is it possible to find him. Their responses to him and his to them, their anguish and his sympathies, their aspirations and his endeavors, their reaching out and his upholding of them are the strong roots from which his towering spirit grows.

There are many other significant and meaningful accomplishments of Mr. Mearns' on which I might dwell in some detail, but it may be best, on this occasion, merely to make only a brief reference to them. His cumulative endeavors over the course of his more than 40 years with the Library of Congress have engaged him in such tasks as achieving the permanent sealing and preservation in helium of the Declaration of Independence and the Constitution of the United States, assembling in order in the White House the library of Calvin Coolidge, and arranging for cataloging and transfer to the Library of Congress of the superb collection of books gathered by the late Justice Oliver Wendell Holmes. Professionally, too, his accomplishments have been impressive. Among the offices he has held are the presidency of the District of Columbia Library Association and the vice-presidency and presidency of the Manuscript Society, and in addition to honorary membership in the Lincoln Sesquicentennial Commission and service on its advisory committee, he has been a member of the National Historical Publications Commission and of the Civil War Centennial Commission. In recognition of his contributions to scholarship, he was given the honorary degree of doctor of letters by Lincoln University on May 29, last.

Finally, a word might be said about the impress Mr. Mearns has made on his colleagues, both through the aid he has given them in line of duty as Chief of the Manuscript Division and incumbent of the Chair of American History at the Library, and through the scholarly writings he has produced in such abundance. I have garnered a few items from the Library's archives to support this record. A woman journalist on a great newspaper found it possible, she reported, to write a book on top of her full-time job because of the assistance Mr. Mearns rendered her. The late Benjamin P. Thomas, author of a definitive one-volume life of Lincoln, addressed his thanks to Mr. Mearns for what he had done "for the Lincoln story and for me." Dr. Julian P. Boyd, in the first volume of his authoritative edition of "The Writings of Thomas Jefferson," acknowledged his debt to Mr. Mearns "for all he has done to make this work possible." The English scholar F. J. Hudleston, in his treatise entitled "Gentleman Johnny Burgoyne," declared that without Mr. Mearns' help "this book would have been but a bald and unconvincing narrative." The late J. G. Randall, a very distinguished biographer of Lincoln, paid tribute to Mr. Mearns' writings in his book "Lincoln the President: Midstream" for "full information and unusual literary charm." And finally Paul M. Angle, also a noted Lincolnian, referred to one of Mr. Mearns' writings in these terms:

> When one has at hand a work so comprehensive, so well-informed, so gracefully written, an independent investigation is simply a waste of time.

It is, of course, known that Mr. Mearns' wise counsel often proved invaluable in the determination of policies at the Library of Congress. All who worked with him and under him have relished his genial wisdom. It is known, too, that the men and women at the Library of Congress cherish his friendship and have nothing but the highest regard for his solid contributions to the magnificent library which belongs both to the Congress and to the Nation.

I should like to give one more quotation, an excerpt that seems to me to epitomize the spirit one likes to think of as embodied in the Library of Congress. The passage was written by James Truslow Adams in his "The Epic of America," published almost 30 years ago:

> The Library of Congress * * * has come straight from the heart of democracy * * * and I here use it as a symbol of what democracy can accomplish on its own behalf * * *. As one looks down on the general reading room, which alone contains 10,000 volumes which may be read without even the asking, one sees the seats filled with silent readers, old and young, rich and poor, black and white, the executive and the laborer, the general and the private, the noted scholar and the

schoolboy, all reading at their own library provided by their own democracy. It has always seemed to me to be a perfect working out in a concrete example of the American dream—the means provided by the accumulated resources of the people themselves, a public intelligent enough to use them, and men of high distinction, themselves a part of the great democracy, devoting themselves to the good of the whole.

I salute David Chambers Mearns as one of these "men of high distinction, themselves a part of the great democracy, devoting themselves to the good of the whole." He is a living example and proves the truth of a theme recognized in most great, unselfish, public servants. It is, that whenever you do something for someone else that will stimulate his knowledge, enrich his experiences, and improve his position in life, without any thought of reward or recognition, you make life easier, more interesting and rewarding for the recipient of those favors and through him you are doing a service to humanity that will add to the heritage of your community, State and Nation and your own reward to giver of these virtues derives from the great satisfaction that you have done what is right.

Mr. Speaker, I treasure this man's friendship, I covet his attitude and ability and say, Thank God for great souls and great Americans like David Chambers Mearns.

THE ADMINISTRATION CONTINUES TO MISMANAGE THE NATIONAL DEBT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. REUSS] is recognized for 60 minutes.

Mr. REUSS. Mr. Speaker, it would be tempting to argue the question just presented by my friend, the gentleman from Iowa [Mr. SCHWENGEL], whether or not the late William McKinley really was in fact a red-hot liberal, but I should prefer to address myself to some of the economic problems of the 1960's, rather than to those of the last century. One of the most important economic issues before this Congress is the administration's money policies, or lack of them.

Those who disagree with the administration's money policies, like myself, contend that they are designed mainly to produce higher and higher interest rates. The effects of higher and higher interest rates are undoubtedly pleasing to lenders in general, and to commercial banks in particular.

But a high interest rate schedule is a poor way to achieve the goals of maximum employment, production and purchasing power set forth by the Employment Act of 1946, and a poor way of managing the $290 billion national debt.

Very largely because of the tight money policies of the administration, our growth rate in recent years has averaged scarcely one-half that of the countries of Western Europe, and scarcely one-third that of the Soviet Union. A disquieting plateau of unemployment, of around 5 percent, continues. And every month the cost of living reaches a new alltime high.

MISSING: A COORDINATED MONEY POLICY

One of the reasons the administration's money policy seems so perverse and wrong-headed is because the administration refuses to concede that it has any duty to come forward with a money policy at all. Consistently, the President's economic reports to the Congress have talked about taxes and spending, what State and local government should do, what labor and management should do, but nothing about what should be done in the field of monetary policy. As a result, the administration, the Treasury, the Federal Reserve System, and other agencies concerned with monetary policy have each gone their own way—and oftentimes directly in the wrong direction.

H.R. 6263, sponsored by Senator JOSEPH CLARK, of Pennsylvania, and myself, endeavors to correct this by requiring the President to include in his economic reports recommendations concerning monetary policy, in the same manner as any other policy. The bill was favorably reported by the House Government Operations Committee 14 months ago, on June 6, 1959. The House Committee on Rules, unfortunately, has refused to let Members consider the bill by failing, for 14 long months, to give it a rule.

Let me give several recent examples of the administration's irresponsible money policy.

LENGTHENING THE DEBT

First, let us look at the administration's policy with respect to the issuance of U.S. bonds—those having a maturity of 5 years or more. Everyone would agree that, other things being equal, it is desirable to have the largest possible portion of the Federal debt in long-term issues. The main reason for this is that the less frequently issues come due, the less frequently is the Treasury put to the embarassment of refinancing the debt at a time when interest rates are high.

Yet all during the early years of the administration, when interest rates still retained the reasonable level which they had inherited from the previous Democratic administration, the Eisenhower administration failed to take advantage of these golden opportunities to convert the national debt to a longer term. In fact, just the opposite process ensued. The average maturity of this debt has dwindled from 5.07 years in 1953 to 4.25 years today.

Meanwhile—while foregoing the golden opportunity to issue long-term securities at reasonable interest rates—the administration embarked upon its great crusade to get interest rates as high as possible.

THE 4¼ PERCENT INTEREST CEILING

Almost the first fiscal action of this administration when it took office in 1953 was to break through the pattern of interest rates being paid on Government securities. In April 1953, the famous "Humphrey 3¼s" were issued, starting the trend of interest rates upward. With the exception of a few months in 1954, in early 1958, and today, long-term rates have been marching steadily upward ever since.

In June 1959, the President, in a special request for legislation, asked the Congress to remove the traditional statutory ceiling on rates payable on Treasury bond issues. The ceiling applied to new issues over 5 years in maturity and had been in effect for more than 40 years—since World War I. The Committee on Ways and Means listened carefully and at length to the arguments of the President and the Secretary of the Treasury for doing away with this long-standing 4¼-percent ceiling. But it found the arguments unconvincing.

Not to be discouraged by this display of judgment on the part of the Congress, the President continued to insist upon his demand for a free hand, unrestrained by the limits imposed by Congress. In the budget document presented in January 1960, he reiterated that it was imperative that the Congress lift the legal ceiling, saying that otherwise interest payments could rise even more sharply. The recommendation, repeated at every opportunity, was stressed again in the annual economic message a few days later.

Again the committees of Congress, including the Joint Economic Committee, reviewed the merits of the administration's plea for a free hand and came out confirmed in the conclusion that there was no persuasive need for the elimination of the 4¼-percent statutory ceiling, and that its removal would simply open the way for the rates to continue to rise as they had been doing. With no limit in sight, 5 percent, 6 percent, or more, seemed possible and probable, since there was obviously no will on the part of the administration to slow or stop the upward trend in rates which was not only adding to the costs of government but to the costs of doing business and buying houses and appliances.

NOW INTEREST RATES HAVE DECLINED

In the year from June 1959 to June 1960, while the administration was moving heaven and earth to get the 4¼-percent ceiling removed, interest rates were high. Had Congress removed the ceiling, the American taxpayer would have been saddled with billions of dollars of 5 or 6 percent bonds, with the interest burden payable over the next 20 or 30 years. The general interest rate structure would have been given another upward push.

In recent months, however, interest rates have declined—partly through Federal Reserve action, partly through a decline in the demand for loans generally. Today U.S. bonds with 20 years still to run are selling at 3.8 percent, well below the 4¼-percent ceiling. The average yield for 10-year bonds has fallen from 4.29 percent last February—when the President was ready to let them go skyward—to 3.76 percent early in August 1960.

Up to 2 or 3 months ago, when yields on bonds were in excess of the 4¼ percent ceiling, the administration was in a veritable frenzy to get the ceiling re-

pealed, so that it could market vast amounts of bonds at sky-high interest rates. Now that interest rates are down to more reasonable levels—around 3¾ percent—you would think that the administration would be marketing bonds like mad. After all, 3¾ percent is one-half a percentage point below the 4¼ percent ceiling, which thus becomes a dead letter.

BUT THE ADMINISTRATION FAILS TO TAKE ADVANTAGE OF THE DECLINE

But suddenly, as interest rates have become more reasonable, the administration's zeal to issue bonds has become halfhearted. Almost $150 billion of marketable debt comes due within 5 years. What has the administration done to lengthen the debt? $370 million of 4¼-percent bonds were issued in April. A June offering of 3⅞-percent 7-year-11-month bonds totaled $320 million. Early in August 1960, 3⅞-percent bonds due May 15, 1968, were sold in the amount of $1 billion, although subscriptions in five times this amount were received. Together, these three issues aggregate less than $1.8 billion, compared with the almost $150 billion of marketable debt due within 5 years.

Mr. Speaker, I hope that the Treasury recovers from its state of shock at finding it can market bonds at well below the 4¼ percent ceiling, and proceeds to do so promptly, and in an amount many times its puny attempts of recent months.

Billions of dollars worth of securites under 1 year come due all the time. The Treasury should take steps to get some of these short-term bills into long-term bonds while the getting is good.

Unfortunately, Mr. Speaker, we have it on the Treasury's own authority that such a sensible lengthening program is precisely what it is not going to do. The August 19, 1960, Wall Street Journal quotes Under Secretary of the Treasury Julian Baird as looking with disfavor on selling "heavy amounts of any long-term bonds in an outright cash sale."

When the Treasury offers a long-term bond for cash—

Mr. Baird is quoted as saying—

it captures funds that would otherwise be available for other types of long-term securities.

WHY NOT TRY TO SELL SOME BONDS?

What kind of midsummer madness is this? Why should not the Treasury compete for funds in the marketplace? Particularily, who should not it compete at a time when loanable funds are more plentiful, as indicated by lower interest rates, rather than at a time when loanable funds are less plentiful, as indicated by higher interest rates? When the long-term interest rate goes sky-high again, it will be time to stop trying to sell bonds. For years the Treasury has been having hysterics about the great amount of short-term securities outstanding—"the equivalent of cash"—and hence dangerous. But now that the opportunity to convert these short-term securities into long-term bonds presents itself, we are apparently to pass the opportunity by.

Instead, the Treasury apparently intends to exchange all or part of the presently outstanding $28 billion 2½-percent World War II bonds maturing in 1972—12 years from now—for bonds of 20 years or longer, and carrying a coupon of 3½ percent or more.

This is a sad substitute for a serious effort to lengthen the debt. We should be delighted that we have outstanding $28 billion of bonds paying only 2½ percent, and not due for 12 years. We should cherish them, not liquidate them as if the very sight of a low-interest coupon offended us.

If the Treasury follows through on its threat, it will saddle the taxpayers with up to $280 million a year higher interest charges on this issue alone for the next 10 or 12 years.

Any private debtor who had a 2½-percent mortgage on his home—or 4½-percent mortgage for that matter—who hunted up his creditor and offered him 6 percent for the remaining 12 years of his mortgage would be deemed to be suffering from the heat. When the Treasury does it, it is called statesmanship.

THE SAVINGS-TYPE INVESTOR SHOULD BE RECOGNIZED

So let us hope that the Treasury will forget about its ill-conceived advance refund and get down to business on converting short terms into long terms. In the process, the Treasury might follow a little of the anti-inflation advice which it has so freely given out in the past. The Treasury has often pointed out—quite rightly in my opinion—that the sale of U.S. bonds to the commercial banks is potentially inflationary, and that to the largest possible extent bonds should be lodged with so-called savings-type investors, such as individuals and nonbanking corporations. But look what happened with the $1 billion offering of 8-year 3⅞ bonds of August 1960. Total subscriptions amounted to $5.2 billion. Savings-type investors had their subscriptions cut down to a mere 25 percent of the amount they had indicated they were willing to take in order to accommodate two other types of subscribers—commercial banks and all others. The commercial banks were allotted 20 percent of their subscription, all others 15 percent of their subscription.

Mr. Speaker, we need to issue as many bonds as we can—replacing short-term securities—and we need to lodge them as much as possible in noninflationary hands. The Treasury needs to do some explaining why it allotted to savings-type investors only 25 percent of the bonds for which they had subscribed, and why it cut down their allotment in order to make room for potentially inflationary purchases by commercial banks.

THE TREASURY'S ALLOTMENT PROCEDURE

Here is what the August 8, 1960, newsletter of Aubrey G. Lanston & Co., Inc., one of the 27 specialists in U.S. Government securities, has to say about the Treasury's allotment procedure, with respect to bonds and certificates:

From the point of view of the market, from the points of view of what may be described as continuing holders of short-term securities (notably nonfinancial corporations and businesses) and bona fide investors in Treasury bonds the procedures used in this recent financing leave much to be desired and warrant serious review. When Treasury offers encourage (and in some cases more or less demand) that subscriptions be padded, all market participants are obliged to engage in wild guesses as to how low the percentage allotment may or may not be swung by such padding. In addition, the prospect that many bona fide buyers may not get what they want on allotment from the Treasury inspires speculation of the less desirable types. The end results frequently are to frustrate bona fide investors, to generate gyrations on a day-to-day basis in the market and, on occasion, to leave undesirable amounts of undigestible securities in the hands of temporary holders. These temporary holders may include all varieties of speculators—those whose operations frequently are helpful to the market and those whose dealings may at times be upsetting. Perhaps we should emphasize that temporary holders of this type—speculators if you please—include many financial institutions; such holdings are not confined to and may not even consist largely of marginal holdings of individuals, security firms, and so forth. In one or another measure the procedures used in this financing encouraged such undesirable developments. * * *

This is the kind of situation that invites heavy subscription padding, with which commercial banks and some others have had long experience. Commercial banks have learned to use their large subscribing power to pad their subscriptions on the basis of an expected low percentage allotment so that they will come closer to getting what they want or will get some securities that they can sell at a profit after allotment or shortly after taking delivery. On the other hand, nonfinancial corporations, who have proved to be large continuing investors in short-term securities, are not geared to pad their subscriptions and probably would be unwise to adopt padding as a practice except in a degree that may be said to be rather modest when compared with that engaged in by commercial banks and some others.

I submit, Mr. Speaker, that the Treasury does not seem very anxious to sell bonds at reasonable interest rates, which would give the taxpayer a break for a change. And, in its timid and meager issue so far, it has shown a lamentable tendency to freeze out the savings-type investor in favor of the inflationary commercial bank investor.

"BILLS ONLY" STILL THE POLICY

And, on top of all this, the administration, through the Federal Reserve, is showing the same lamentable unconcern as before with managing the national debt economically and reducing the back-breaking annual interest charge on the national debt—now approaching $9 billion per year—as much as possible consistent with prudent anti-inflationary policy.

The Joint Economic Committee last February urged the Federal Reserve to junk its doctrinaire "bills only" policy. When the Federal Reserve increases the money supply, said the Joint Economic Committee, let it do so by a judicious

purchase of Federal securities of all maturities, including bonds, and not just bills. Nevertheless, the Federal Reserve, as reported by the August, 1960, Morgan Guarantee Bank Survey, continues to restrict itself to the purchase of bills. As a result, bond purchases are somewhat less, and bond yields somewhat higher, than would be the case were the Federal Reserve to be included on the purchasing side of the U.S. bond market. In all likelihood, yields lower than the present 3⅞ percent on bonds would be possible were the Federal Reserve to cast off the iron maiden of the "bills only" policy in which it has encased itself.

THE TAXPAYER FORGOTTEN

Another example of the Fed's cavalier attitude toward the taxpayer was given in August, when the Fed issued an order reducing the reserve requirements of member banks, thus expanding their loaning power. As has been many times pointed out, when an expansion of the money supply is indicated, the taxpayers are benefited where the Federal Reserve expands the money supply by purchasing U.S. securities, but not where it does so by lowering bank reserve requirements. This is so because the interest the Federal Reserve receives on U.S. securities inures to the benefit of the Treasury. It is clear from the legislative history of the 1959 Vault Cash Act that Congress wanted overall additions to the money supply created by purchase of U.S. securities, not by lowering bank reserve requirements. See CONGRESSIONAL RECORD, January 19, 1960, page 810.

The Federal Reserve, in doing this, has succeeded in kicking Congress in the teeth and the taxpayer in the pants all in one motion—a neat trick, even for the Federal Reserve.

LOWER STOCK MARGINS

Another recent Federal Reserve action appears to have been aimed more at keeping the stock market high than at helping the Government bond market. Earlier this month the Fed lowered margin requirements on the purchase of stock from 90 to 70 percent. This was admittedly designed to bring more loanable funds into the stock market and raise stock prices. Yet every dollar diverted into the stock market is a dollar diverted from other purposes, including the purchase of U.S. securities. The more demand for U.S. securities, the lower yields will be, and the lighter will be the burden of the national debt. It would be a wonderful thing if the Federal Reserve would show the same solicitude for the market in U.S. securities that it does for the stock market.

It may be asking for miracles, Mr. Speaker, but would it be possible for the administration to give a little thought to the views of Congress on money policy in the months to come? Cannot the Treasury make an all-out effort to lengthen the national debt by making cash bond offerings in decent volume? Cannot savings-type investors be given a break and allowed a more reasonable part of their subscription before they are elbowed aside in favor of the inflationary offers of the commercial banks? Will not the Federal Reserve do something about achieving lower interest rates on U.S. bonds by occasionally buying a bond instead of a bill? Would it not give the taxpayer a break by creating new reserves—whenever they need to be created—by purchasing U.S. securities rather than by lowering bank reserve requirements? And would the Fed not wait until a more rational relationship between bond and stock yields is restored before it increases stock market speculation by lowering margin requirements?

It would be a wonderful thing if President Eisenhower could give us the answers to these questions.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Texas.

Mr. WRIGHT. Mr. Speaker, I should like to congratulate the gentleman from Wisconsin for having raised this point, as well as for his own unflagging effort in this important matter.

This is one of the central economic issues of our time, the matter of interest rates and the availability of credit. This year the Congress, like a horse dragged unwilling to water, refused to drink the draught prescribed by the administration of removing the long standing ceiling on long-term Government obligations. This was the first break in the ever-increasing upward spiral of interest rates.

Much has been said, and not all of it fully understood, about this deliberately contrived policy of tight money. Let us measure exactly what it is, how it works, and what effect it has upon the economy and upon the average American. There are three things that need to be said about this hard money policy.

1. DELIBERATELY PLANNED

In the first place, it did not just happen. It was deliberately planned, artificially manipulated. It has become a conscious policy of the government, sponsored and maintained by the administration. Some administration apologists, apparently embarrassed by the effects of the policy, have tried to disavow the blame by saying it was all just a matter of the interest rate, like water, seeking its own level. This is not exactly true.

Nine days after the present administration took office in January of 1953, the new Secretary of the Treasury began offering Government securities which had been yielding only 1⅞ percent for a new rate of 2¼ to 2½ percent. In that one stroke of the pen, this increased rate on that limited amount of securities automatically added more than $30 million to the taxpayers' bill for interest on the public debt.

This began a deliberate upward spiral, consisting of a series of many similar increases, and thus encouraging increases in all interest rates. In quick succession, rates were increased on private bank loans, farm price support programs, FHA loans to home buyers, GI housing loans, installment credit, municipal bonds and nearly everything involving an interest charge.

Since public debt consists of about one-third of all debts, it is easy to see how this calculated public policy of deliberately sponsoring higher interest rates has affected all interest charges. It has been a game of economic leapfrog.

These moves of our various Government agencies involving various loan programs, each trying to match and outdo the other in higher interest charges, has been like a husband and wife, lost from each other in a crowd at a country auction, bidding against each other for the same commodity. They have been bidding up the price of the commodity, which in this case is money. Moreover, they have done it knowingly and deliberately.

2. WHO GETS HURT

The second thing that needs pointing out is that everybody—or practically everybody—gets hurt when interest rates go up. The only people who benefit are those who loan and do not borrow.

Anyone who is a debtor of any type automatically gets hurt. Anyone who has bought a home since 1952 gets hurt by the hard money policy. Anyone who has bought a car and paid for it other than totally by cash has been hurt. Anyone who has borrowed money for a business, anyone who has borrowed money for a farm, anyone who has borrowed money to repair or improve his home has been hurt.

Anyone who has bought any kind of furniture or appliance or anything else on time payments, has been hurt. Since this includes most Americans, almost all have suffered to a greater or lesser degree.

Moreover, anyone who pays taxes has suffered. Taxpayers are, in fact, the biggest group of losers. In 1952, before the tight money policy, it was costing U.S. taxpayers $5.8 billion annually to pay interest on the national debt. It is estimated that next year it will cost approximately $9 billion in carrying charges an increase of more than $3 billion annually in the interest rate alone on the national debt. This is more than the entire cost of the Federal Government in any New Deal year before World War II.

Interest rates on FHA financed homes have risen several times. In 1952, a $10,000 FHA loan at 4 percent for 25 years would cost a total of $15,840 to repay. Today the same loan for the same house, now costing at least 5½ percent, will require the homeowner to shell out a total of more than $18,000 before his house is paid for. In other words, he will be paying about $2,200 more over the long pull in excess interest for which he gets nothing in return.

If you trade in the old car for a new one and owe a $2,000 balance on the purchase price to be paid over 24 months, it will cost you almost 10 percent more in nothing but interest.

Loans available from the Farmers Home Administration have been boosted from 4 to 5 percent, or an increase of one-fourth. Interest payments on an acre of real estate, according to the Department of Agriculture Index, have risen from 104 in January of 1953 to 189 at the present, a boost of four-fifths.

If your school district votes $2 million worth of bonds to build a new school, it will cost the taxpayers of that district approximately $500,000 more over the amortization period before the school is paid for.

So it ought to be clear on its face everybody gets hurt. The hard-money policy in all of these insidious ways has siphoned away at least $600 and probably more from the spendable income of the average family. This is money which could have been spent educating your children or paying for clothes or installing appliances in your home.

3. EFFECT ON THE ECONOMY

The total effect has been to soak up a total of some $12 billions in excess interest from the economy.

By siphoning off this spending power from America's families, the tight money policy has had a profound effect upon the Nation's economy. Spending power among America's families is the oil which lubricates the machinery of American business. The more money our families have to spend, the more they can purchase from the retailer and the more he can order from the wholesaler and the more things that can be profitably produced by our manufacturing enterprises which employ millions of Americans.

Thus, both by soaking up spending power from the markets and by making it harder for small business to finance growth, this deliberately contrived policy has stifled and retarded the entire economy.

Its announced purpose was to discourage borrowing and to fight inflation. As can be clearly seen, however, it most emphatically has not discouraged borrowing or buying on time. People are continuing to buy things on time. The only difference is that it costs more in the long run to pay for those things they are buying. Installment indebtedness is at an alltime high. As an anti-inflationary device it has been an abysmal failure. It has been like throwing gasoline on the fire. By adding this extra hidden layer of cost to everything we buy, it has increased the cost of living and of doing business.

The hard-money program has created an anachronism in our economy. For the first time we have had high prices on one hand and increased unemployment and recession on the other. The value of the dollar has been made to go up and up for those who lend it, while it has come down and down for those who spend it.

And this has been the real tragedy of the hard-money era. It has kept our economic plant from growing at a pace sufficient to keep up with the advances of technology and the burgeoning growth of our population.

Just stop and think for a minute upon how rapidly our population is expanding. Every day when we sit down to dinner, there are 7,200 more of us in America needing to be served. Every month there is the population equivalent of a new Austin or a new Waco in our midst. Every 2 months there is a new Fort Worth. Every 6 months there is a new Harris County.

Yet our economy as a whole has not recently been keeping pace. From 1933 to 1953, the gross national product advanced at an average annual rate of 5.4 percent. Since 1953 and the advent of this stultifying monetary policy, the economic growth rate has skidded to only 2.4 percent annually.

This is a tragedy. During the past year, due largely to the effects of this restrictive policy, the United States has shown the lowest economic growth rate of any major industrial nation in the world.

If we are to sustain the rate of progress to which our economy had become accustomed before this recent stifling, if we are to prove to a world choosing sides between our way and Russia's that the United States is not an old Nation slowing down in the autumn of its existence but still a young and virile and inspiring example of productive progress, then we must cultivate anew an economic climate conducive to growth and optimism and new enterprise.

Mr. REUSS. I thank the gentleman from Texas for his very valuable contribution. I commend him on his role in this Congress, on the one hand fighting inflation, moving toward a sense of fiscal responsibility, moving toward balanced budgets in times of prosperity, indeed, budgets yielding a surplus so that payment on the national debt can be inaugurated, and at the same time vigorously exposing the fallacy of the administration's high interest rate policy and showing that, far from fighting inflation, it causes inflation.

I think on the roll of those who deserve credit for defeating the administration's attempt to get rid of the 4¼-percent interest ceiling on long-term bonds should be placed the name of the gentleman from Texas, Mr. JIM WRIGHT. His contribution deserves the gratitude of every homeowner, every purchaser on installment credit, every school district, every local government that has to borrow money to meet its long-term needs. I think the gentleman has made a fine contribution to the health of our economy, and he has done it, I must say, with precious little help from the administration.

Mr. ULLMAN. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to my colleague.

Mr. ULLMAN. Mr. Speaker, I congratulate our colleague for taking this time today. In my opinion, this is one of the most important public issues in America today.

Mr. Speaker, those who defend this administration's tight-money, high-interest policy usually make the wild charge that the only alternative to tight money is runaway inflation. Aside from the fact that, as I have indicated earlier, the high-interest policies of recent years have themselves been an important cause of inflation, this implication that anyone who is opposed to tight money is unsound and irresponsible represents a blatant attempt to oversimplify the issue and ignores the fact that a responsible monetary policy would not rest on either extreme.

A sound monetary policy would be one which aims at healthy economic growth and stable prices. The tight-money policy of this administration has been an appalling failure on both counts. It has resulted in a lagging economic growth accompanied by continued rises in the cost of living. From a historic rate of 3.5 percent a year, our economic growth in the past 7 years has fallen to an average of only 2.4 percent a year. At the same time, the cost of living has risen by more than 10 percent. In other words, while failing utterly, as any housewife can tell you, to stop inflation as it was supposed to do, this policy of restricting our money supply and providing the moneylenders with a bonanza of ever higher interest rates has retarded our economy's expansion and will leave the next administration a heritage of unemployed human and natural resources coupled with unmet needs.

For the defenders of tight money to argue that this sorry record of slowed-down growth and increased cost is the only alternative to what they call "easy money" is eloquent testimony to the bankruptcy of ideas and policies which it offers to our people. We have proved in the past that the policy goals of the Employment Act of 1946 can be met and met adequately with a responsible monetary policy which has the general welfare of the people and the broad complex needs of our economy in view, rather than relying on a banker's approach of squeezing the money supply and making things tougher and tougher for farmers, working people, and small business while the big corporations just administer their prices upward with every upward move of interest rates. We need the sort of policies that my friend, the gentleman from Wisconsin [Mr. REUSS] has so ably outlined—policies that will not only encourage instead of choking off economic expansion, but will insure that prosperity is not confined to the few at the expense of the many, will ease instead of increasing the interest-rate burden on consumers and taxpayers, and will reduce the inflationary pressures generated by the banking system instead of adding to them. Such policies, Mr. Speaker, are the sound and responsible alternative to twins of irresponsibility: Government abdication of responsibility for achieving stable price levels on the one hand and the catastrophic application of the high interest money squeeze on the other.

Interestingly enough, the defenders of the tight-money policy do not content themselves with the argument that it is a good policy and one calculated to stem the inflationary tide, they argue at the same time—and evidently in complete ignorance of the obvious contradiction—that the sky high interest rates that they have saddled the taxpayers with relative to the Federal debt are not the result of policy at all, but due to market forces beyond the Government's control. They would have us believe the old myth that money is a commodity like any other commodity and that interest rates are just the market price for money which the Government must pay, like any other borrower. This myth, like that of tight

money as an answer to inflation, needs to be laid to rest once and for all. By now, it must be a very tired myth, worn out from its repeated use by the spokesmen of tight money.

Two points should be made in answer to this myth. The first is that if the interest rate is the price of money, it is clearly one of the most administered prices in our economy, an economy with wide experience of administered prices. This is particularly the case with respect to the interest rate on the Federal debt. It must be remembered that the Federal Government is the largest single borrower in the economy—this fact alone means not only that the interest rate on the Federal debt is not just the result of imaginary free-market forces, but that the rate the Federal Government pays tends to set the rates in the rest of the economy. It must also be remembered that the market for Federal securities is channeled through an extremely small group of dealers—17 in number—which hardly serves to provide the sort of competitive market in which one need have no fear of administered prices, which is to say administered interest rates.

The second and more basic point to be made is that those who argue that the Government is, or should be, unable to follow positive policies aimed at stabilizing interest rates at reasonable levels, are in reality arguing for an abdication by Government of a basic responsibility. Total net debt in our economy, public and private, rose to almost $850 billion last year and is probably in excess of $900 billion by now. Obviously this is a major factor in our economy and if we are to fulfill our responsibilities under the Employment Act of 1946 we can hardly ignore the effects of interest rates nor can we refuse to follow policies which are designed to deal with those effects. Again, this is particularly true with regard to the Government's own debt. That we have consistently recognized this responsibility is attested to by the long line of legislation on the subject through our Nation's history, and not least by the act establishing the Federal Reserve System as a creature of the Congress. Does anyone deny the power and duty of the Congress to regulate our banking system as a necessary exercise of our constitutional duty to regulate money? Of course not. And when the spokesmen of this administration argue that the Federal Reserve is somehow mystically "independent," and they are challenged, their reply really boils down to an endorsement of the current policies of the Federal Reserve System. This at least has the virtue of putting the argument where it belongs—in terms of which policies are the best for the Nation. The administration is, in effect, saying that they endorse the policies of the bankers on the Board of Governors of the Federal Reserve—and this is hardly surprising since their own Treasury Department consistently follows policies in line with the same philosophy.

Thus, Mr. Speaker, it is not a question of our being powerless to effect interest rates—it is a question of what sort of policies we want to follow. It is an argument between policies which have worked well in the past, stabilizing the management of the Federal debt at reasonable interest rates, thus serving to encourage healthy economic growth and prevent skyrocketing interest rates in the rest of the economy as well as the inflationary push that flows from it, and policies which have proved disastrous over the past 7 years. It is an argument between the reforms which many of us have repeatedly called for and are continuing to call for and those policies which have already cost all of us unnecessary billions in added interest charges and would have cost taxpayers still more billions over the coming years had we surrendered earlier this year to the plea for a repeal of our interest ceiling guideline.

Mr. REUSS. I thank the gentleman.

Mr. JOHNSON of Colorado. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield.

Mr. JOHNSON of Colorado. This discussion brings to mind some remarks made by the Under Secretary of the Treasury at the University of Wisconsin School of Banking on the 18th of August 1960. The spokesman for the Treasury made clear there were three debt management purposes on the part of the Treasury.

The first, which sounds logical, to manage the debt in a manner that will assure the orderly growth of the economy. He says:

> To do this it should try, except in periods of recession, to place as much of the debt as possible outside of the commercial banks—apart from temporary bank underwriting. Restraint should be exercised in the amount of long-term securities issued, particularly in a recession period, in order not to preempt an undue amount of the new savings needed to support an expansion of the economy.

The second deals with a balanced maturity structure; and the third basic purpose is to borrow as cheaply as possible, which he says must be balanced against the broader consideration of the public interest.

Now, would the gentleman say, as he is a competent student of this subject, that in a period of recession there is some reason for not selling long-term Government bonds when there is no other strong demand for long-term funds?

Mr. REUSS. That is precisely the time when they should be sold. That is the time when there is the greatest amount of loanable funds on hand seeking employment. I cannot see any reason to refrain from selling bonds when interest rates are low, other than a masochistic desire on the part of certain officials to raise the interest rate on the public debt, and to saddle the taxpayers with these long-term obligations. I do not know what is so wrong with a low-interest coupon.

Mr. JOHNSON of Colorado. Would the gentleman say that the third point made by the Under Secretary, that they should borrow as cheaply as possible, would support this as the proper time to borrow in the long-term market, especially in light of the second point, which was to lengthen out and balance the maturity structure? Would it not seem reasonable to the gentleman for the Treasury to seek to place its long-term commitments at a time when these commitments could be made at the lowest possible coupon rate rather than at the time of the highest interest rates? Would not the best policy be to put them out when they could borrow as cheaply as possible?

According to the Treasury's own argument that it should borrow as cheaply as possible, it would seem to me the best argument for the course of action the gentleman from Wisconsin is proposing; namely, that the Treasury be encouraged to place more long-term debt at times of low interest rates, instead of encouraging long-term debt only at high interest rates. The Congress insisted last year that it should, during high-interest periods, settle momentarily for short-term commitments, so that the public would not be saddled with very expensive 30- or 40-year commitments at peak interest rates.

Does not the gentleman believe that is a proper fulfillment of the third criterion I have read from the Under Secretary's list of criteria?

Mr. REUSS. That third criterion of the Secretary of the Treasury that the gentleman from Colorado had just read; namely, that the Treasury ought to borrow at the lowest possible interest rates, is one unfortunately honored in the breach by this administration. They have not paid the slightest attention to that criterion and, as the gentleman from Texas has pointed out, the taxpayer is the loser by billions of dollars. I wish they would pay some attention to that third criterion but, from the Under Secretary's speech at Madison, which the gentleman is reading from, it is indicated that they are not going to pay attention to it.

Mr. JOHNSON of Colorado. It is distressing that the Treasury can make these arguments for a course of action which we on the Democratic side of the aisle could and do applaud, and then turn around and pursue a course of action which violates the case it has made. For example, from the Treasury's statement of the ownership of public securities for August 1960, one can examine the fluctuation in the placing the debt among commercial banks and other owners. During the last year there was considerable concern about the inflationary threat. I find that the commercial bank holdings in January 1959 were $68 billion. They fell during the first 9 months of 1959, and they have gone down again this year, currently the commercial banks hold $56 billion. So we have had bonds going out of the banks during periods of inflation and of recession. It seems to me that there is a hiatus between the asserted purposes and the record which has been made by the Treasury.

It seems to me also, because debt management is essentially a technical area, that the public misses the simply fantastic situation now being proposed, that we refund 2.5 percent loans not due for 8 to 12 years.

The taxpayers are asked to give up 2.5 percent bonds in order to issue what might be 3⅞-percent bonds.

Mr. REUSS. The Secretary has not stated exactly what coupons he will put out, but if he follows the good old Secretary Humphrey tradition, he will put out the highest possible coupon, which would be detrimental to the taxpayers.

Mr. JOHNSON of Colorado. A gentleman recently said he was a 200-percent American, having mortgages on both coasts. That makes me a 100-percent American; I have only one mortgage, which is back in Colorado. It was my good fortune to negotiate that mortgage at 4 percent years ago.

Mr. REUSS. I can assure the gentleman from Colorado of his 100-percent Americanism; and if he had more homes, he would have more mortgages.

Mr. JOHNSON of Colorado. There is no question about that. But not in my wildest dream would I go now to my real estate company and say, "Gentlemen, I would like to renegotiate this mortgage with you" and I will not until the interest rate for new money falls below 4 percent.

If I can go down and get a mortgage at a rate lower than 4 percent, I will refund or sign a new paper any day. But the notion that I would voluntarily go down and say "I would like to pay 5.5 or 6 percent" has never occurred to me. As a responsible Representative of my district, I am distressed to find the Treasury is not being challenged, except by the remarks made here this afternoon, to a proposal that was published in the Wall Street Journal on August 19 that we should take a major portion of outstanding debt costing us only 2.5 percent and call that in and issue a new long-term debt at a much higher rate, at heavy additional cost to the taxpayer.

This seems to me to be robbery in broad daylight. Yet I have heard no criticism, even from the press, about the Treasury having made such a proposal to saddle the taxpayers with a higher rate through refinancing at a higher rate. I am sure there would have been loud screams in protest had this been proposed by a Democratic administration. Congress is asked to levy higher taxes because the Treasury has raised the annual interest cost of the debt $3 billion. Apparently this new and costly plan will all be done without a whisper, without a single voice of complaint, except the complaint I am making and the gentleman from Wisconsin is making.

Mr. REUSS. It will be interesting if the New York Times, the Wall Street Journal, the New York Herald Tribune, the Washington Post and Times Herald, the AP, the UPI, and the other great services carry the point tomorrow that the gentleman just made—that a raid on the Treasury the likes of which has never been seen before is about to be perpetrated in broad daylight. I shall wait with interest to see whether they pick up this quarter-of-a-billion-dollar point.

The gentleman from Colorado mentioned another very important criterion of fiscal and monetary responsibility, namely, the idea that to the largest possible extent the ownership of the national debt should be kept out of the hands of the commercial banks, because to the extent that the commercial banks hold the debt, just to that extent is it inflationary. It is interesting to note in that connection that just this month, when the Treasury sold a billion dollars' worth of long-term bonds, $5 billion worth of applications appeared for those bonds. A large part of that $5 billion worth of applications was on behalf of so-called savings type investors, individuals, corporations, and so on, other than banks. And, it is interesting to note—and I think somewhat shocking—that the Treasury allotted to savings type investors a mere 25 percent of their total subscription, and thus let into the picture these same commercial banks which, in the eyes of all responsible economists, should not be holding the national debt at all. The Treasury gives no explanation of this.

Mr. JOHNSON of Colorado. The Treasury release of August 12 recites the facts the gentleman refers to, in its Release A–913. Seven thousand seven hundred and fifty million dollars of 3⅛-percent certificates of indebtedness were subscribed in the amount of $17,388 million and $1 billion of 3⅞-percent bonds due May 15, 1968, were subscribed in the amount of $5,183 million. Now, would it not seem to the gentleman that the Treasury, in light of its repeatedly professed concern that the length of the debt be extended, should have placed more of the debt into long-term securities? The Treasury might well have guessed a little better on the acceptability of the long-term bonds in the kind of a market we are now experiencing. It might well have used this opportunity to have permitted a larger portion of the bids for bonds to be honored and not have sought to place so much of the debt into the $7,750 million of certificates due on August 1, 1961, barely a year away.

It would seem to me in face of the subscriptions that were received this month—and in face of the Treasury briefing of the Committee on Banking and Currency last year on lengthening the maturity on the debt—that the Treasury has allowed practice in the past month to betray its professions of last year. And, I wonder in connection with these interest rates if the Treasury remembers that last year we were told by them that our refusal to permit them to sell more long-term Government bonds was driving interest rates way up? We said for the Treasury to pay the higher rates temporarily, for the rate will go down again.

Today the Treasury long-term bonds have lower yields. The highest current yield I see in the New York Times list published Thursday, August 25, as of yesterday's market, shows the highest to be 3.88 percent in this list on bonds; and on shorter bills the highest yield I see quoted is 2.83 percent.

It seems to me that the Treasury's old request of the President, and his request of us on Monday of this week, is very strange—strange that we should be asked again to raise the ceiling on interest rates in the face of a market condition which is known to any reader of market statistics. For the market report shows it is perfectly obvious that the Treasury is not being hamstrung by a 4¼-percent ceiling and driven into the short-term market.

We were told last year that the Treasury could not sell long-term bonds under our 4¼-percent ceiling. At this time, this year, the 4¼-percent ceiling is of no significance at all. Obviously that is so, because the Treasury reports an oversubscription of 500 percent, and not of any 4¼-percent bonds, but of 3⅞ percent.

So it would seem to me under present circumstances that the Treasury might now match its loud protestations of last year by action to place a larger portion of the debt in long-term securities. Moreover, as the gentleman suggests, in making its allotments—to use the Treasury's own phrase—subscriptions for bonds from savings-type investors and Government-invested accounts were allotted 25 percent. It would seem to me, in the face of the Treasury's professed concern to place these securities in the hands of the savings-type investors, that the Treasury might have put a much higher portion of the allotments into the hands of those who are indeed savings-type investors than their own release indicates they have been doing.

In light of the recent history, the taxpayers can be thankful that Congress did not permit the Treasury to issue billions of dollars' worth of 5-percent bonds for 20 or 30 years. Our action then at least prevented that raid on the Treasury.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman.

Mr. BYRNES of Wisconsin. Addressing myself to the gentleman from Colorado, he was completely misleading everybody by trying to compare yield with interest rate. The gentleman certainly knows that there is an entirely different situation to be had there. You may have a yield of one thing and an interest rate of another. That accounts for the differences in some of the quotations which the gentleman read. I think the gentleman should at least be honest with the House in making these comparisons.

Mr. JOHNSON of Colorado. In its market effect, there might be a difference of an eighth of a point, a fraction, but that is not significant in the light of the issues with which we have been dealing.

I want to thank both gentlemen for their remarks, and to comment on just a couple of other points.

The Committee on Ways and Means brought to the House its approval of advance refunding in the past year, which is the basis on which the Treasury now proposes to move a substantial part of the 1968 or 1972 debt forward for 8 or more years at higher rates. At the time congressional approval of the advance refunding was given, I had the impression that the intent was to make it possible for the Treasury to sell new

bonds to people who now hold bonds, but a little before they got to the point of having to liquidate bonds whose term had expired. Is that the gentleman's understanding of advance refunding?

Mr. REUSS. "Advance refunding" is a very broad term. It may mean any calling in of any existing security and its exchange for a new one. I do not think Congress is opposed to "advance refunding" in principle. What it is opposed to is "advance refunding" that is as silly as this proposed advance refunding of the Treasury. If, for example, the Treasury wanted to call in an issue that had perhaps 2 more years to run, and had a 5-percent coupon on it, and issued long-term obligations at 3½ percent, I say that would be an excellent case for advance refunding.

I would applaud the efforts of the Treasury to tidy up its house in that manner. But it makes no sense whatever to take an issue that has 12 years to run, and that has a very favorable coupon on it of 2.5 percent, and say that just because the very sight of a low interest coupon disturbs the present custodian of the Treasury, therefore, the Government is going to call it in and put a high coupon on it. That, I submit, is madness, and very expensive madness, for the Federal taxpayer.

Mr. JOHNSON of Colorado. Would the gentleman not feel that if the Treasury persists in carrying forward under this power which the Congress has granted it, when its use of that power appears to be a fiscal abuse and a fiscal irresponsibility, then the Congress should be asked in the next session to reexamine the authority which it has this past year conveyed and, perhaps, either withdrawn the authority or put reasonable limits on the authority so that it does not become the occasion for a new fiscal abuse? Would that not seem a reasonable course of action?

Mr. REUSS. Yes, and better still, to try to put into the Treasury people who have an interest in helping the taxpayer for a change, and who are not forever hellbent on getting the national debt saddled with higher and higher interest coupons.

Mr. JOHNSON of Colorado. The McLaughlin Banking Corp. publishes a newsletter on economic trends and their impact on business.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks to include several paragraphs from the August 15 newsletter so that the Members may read what this newsletter has to say with respect to the developing downward trend in the American economy, and which puts their interpretation on the changing economic scene.

The SPEAKER pro tempore (Mr. PRICE). Without objection, it is so ordered.

There was no objection.

The matter referred to is as follows:

ECONOMIC TRENDS AND THEIR IMPACT ON BUSINESS

(Prepared Weekly by the Staff of Business News Associates, Inc.)

MONEY TALKS

The story on second half business prospects would be told, we said here some weeks ago, by the action of the money market. Money talks, 'tis agreed, and money has indeed spoken—bearing the word that the seasonal business upturn in the fall isn't going to be anything to write home about this year.

The message has come in several ways. For one thing, rates on short term funds have been skidding for months—3-month Treasury bills recently yielded as little as 2.131 percent, lowest since August 1958, and even at last week's higher 2.215 percent, were far below the 4.5 percent level which prevailed as 1960 began. Rates on other short-term paper have dropped comparably.

Secondly, the Federal Reserve Board, the Nation's money managers, has made clear by its actions in recent weeks the belief that the economy can use a little stimulation. First they trimmed the discount rate from 4 percent to 3½ percent; this was followed by a reduction in the margin requirements on stock purchases from 90 percent to 70 percent. Most significant of all was last week's easing of bank reserve requirements, net effect of which will be to add an estimated $3.6 billion to the total funds banks can lend.

Since banks, when they have excess funds, tend to employ them in governments or other securities, if not in loans, the Fed's moves are directed at making financing cheaper to stimulate business demand. The Fed is well aware, of course, that any action to give banks more reserves "will provide more water in the horse trough with the knowledge that the horse might not be keen on drinking," as one observer put it.

And that's just what has been happening. With consumers growing more cautious in their credit purchases, homebuilding far below expectations thus trimming the need for mortgage money and businessmen trying to slow the pace of inventory accumulation, the overall demand for funds has been well below what had been looked for. Since July 1, for example, commercial and industrial loans outstanding nationally have skidded $664 million, compared to an increase of $103 million in the same period of last year.

Thus, the most the Fed's new easy-money policy is likely to do is to cut the cost of borrowing in certain areas—it can't be expected to immediatley stimulate demand for funds. But by exerting pressure for more available and lower-cost funds, the Fed is laying the groundwork for the next surge in business activity.

POLITICS AND ECONOMICS

Midsummer economic trends are giving the Nixon campaign team some concern. Some important lead indicators are showing further weakness this month, although overall business activity held its own, and the administration's advisers cling to the view that a very gradual expansion will continue through the fall.

Members of the Vice President's organization are painfully aware, however, that a downturn—already heralded by unionist Walter Reuther as the "third Eisenhower-Nixon recession"—could damage NIXON'S chances of winning the November election. Some are grumbling privately at the apparent unconcern of the White House.

Actually, President Eisenhower has paved the way for stimulative action if he feels it is warranted. Moreover, many stimulative actions could be taken without waiting on Congress. Placement of military contracts could be speeded up, and the allocation of Federal aid funds could be advanced. Secretary of Commerce Mueller last month gave such a nudge to roadbuilding by allocating to the States—more than a year in advance—the full fiscal 1962 interstate highway construction funds. Whether there will be more nudges from Washington may depend on the July economic reports now beginning to emerge from the statistical mills, and to the developing mood of businessmen and consumers.

Mr. JOHNSON of Colorado. Mr. Speaker, the gentleman who preceded the gentleman from Wisconsin, that is the gentleman from Iowa, had reference to the concern which both parties feel as to the need for maintaining a stable dollar and a stable level of prices. I know the gentleman from Wisconsin is the author of a bill which he has previously referred to this afternoon, which would write into the Employment Act of 1946 language which would clarify the congressional intent for stable prices and which, furthermore, relates monetary policy to that goal. I am, myself, the author of a bill to add to goals of the Employment Act of 1946 the maintenance of stable price levels. So both of us share with others their concern for avoiding inflation.

I asked the gentleman from Iowa to refer me to any language in the Republican platform dealing with the concern of the Republican Party as to inflation. I find there are two sentences on page 9 and I call these sentences to the attention of the House.

The Republican Party favors "use of the full powers of government to prevent the scourge of depression and inflation"—and I quote again—"maintenance of a stable dollar as an indispensable means to progress."

A review of the rest of the 30 pages does not disclose any language with respect to what precisely this means. Now to quote, "use the full powers of government" means, of course, I presume, that there is nothing the Republicans would not do to fight inflation. However, in the 7½ years that they have had the opportunity to fight inflation, the only things we have seen them do for sure is to raise interest rates, to increase costs to the homeowner and to the small businessman, to the farmer, to the school districts, and to the city, State, and national taxpayers. They have raised the price of money in the name of an anti-inflation program.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. I realize the gentleman is a student of economics and has been an instructor in that field in a great college and university.

I do not pretend that I am his match, especially in discussing every detail of this very important field in our economy; however, I would like to ask the gentleman if the Congress had followed the administration recommendations as far as the budget was concerned, had not overridden vetoes on occasion to spend more money, we would have more money to pay off the debt, would not that in itself have the effect of reducing the interest rate as happened recently following the announcement of the surplus?

Mr. JOHNSON of Colorado. I would say to the gentleman that the budgetary impact during the past year upon the interest rate has been very mild. A billion-dollar surplus is far less significant than the monetary course which has been followed.

I would say to the gentleman from Iowa that the surplus to which he alludes is due not so much to Presidential vetoes as to the majority action by the Democratic members of the Appropriations Committee who worked to cut out almost a billion dollars from the President's budget and thus make the surplus possible. May I say also that another billion could have been cut out of the budget by having left the interest rates as they were in 1958. The policies that the administration followed raised the cost of the debt in the past year to the extent that we had to vote for more than a billion-dollar increase in taxes. So I would say, on the contrary, that the monetary policies which have been recommended here on the floor by the Members of the majority party would have in fact permitted a $2 billion surplus this year rather than a $1 billion surplus. Therefore, we could agree, because we would have gladly cut the debt further if you would only adopt policies which are suitably related to our concern to reduce the size of the debt.

Mr. SCHWENGEL. I realize that I am not competent to argue this question of interest rates as ably as the gentleman from Colorado, but I want to remind him again that the majority party was responsible for spending more money than the administration desired, and I would call particular attention to the public works bill which was passed over the President's veto where we added many projects that did not even meet the requirements laid down by the Congress itself.

Mr. JOHNSON of Colorado. The gentleman is now talking not about last year's budget but about his estimates with respect to some future budget.

The new starts which the Democratic Party insisted on last year were paid for in full, to the last dollar, out of reductions from other appropriations and, therefore, there was no budget impact in the 1960 budget by reason of the action of the Congress.

Mr. SCHWENGEL. The gentleman is skirting around my question, I am afraid, and not answering my question. I am pointing out this matter of passing over the President's veto that bill which had in it 67 projects which were not fiscally sound, which did not even meet the requirements Congress itself laid down. To have cut out those items would have amounted to almost $1 billion saving in itself.

Mr. JOHNSON of Colorado. The gentleman means that we should have cut out all the projects irrespective of their need. To a citizen who wrote me objecting to my action on these flood control and other items, I simply sent a copy of the proceedings and said:

> This is what I acted on. It is easy to call it pork barrel if you have never seen a flood. The cost of these projects is less than the damage caused by the floods.

He sent my letter back to me with an endorsement on it that he was for me.

It is poor economy to withhold money from projects when the cost of the project is less than the damage the floods will cause.

Mr. SCHWENGEL. The record does not support that view entirely.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Illinois.

Mr. PRICE. I think it might be interesting to point out, since the question has arisen as to the action of the Congress in reference to the budget requests of the President, that in the 8 years the Eisenhower administration has been in existence the Congress, particularly during 6 of the 8 years the Democratic Party was in control of the Congress, the Congress has reduced the President's budget requests in actual appropriations by somewhere between $12 and $14 billion. I think this substantial reduction perhaps had something to do with the slight surplus that occurred in the budget this year.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I ask for this time to express appreciation to the gentleman from Wisconsin, the gentleman from Colorado and others who have taken part in this discussion for highlighting for this House, and I think for the country, what could easily become one of the major campaign issues in this fall campaign of 1960. I think the spotlight which has been turned on the Treasury's current effort to replace 2.5-percent bonds, if I understand correctly the presentation of the gentlemen on the floor, with higher interest rate bonds, shows a clear and obvious attempt to raise, in the dying moments of this administration, the interest rate level on these 2.5-percent long-term bonds. I think that disclosure on this floor could become one of the principal campaign issues of the 1960 campaign, and the country owes a high debt of appreciation to the gentlemen who brought this to the attention of the Members of this House.

Mr. REUSS. I thank the gentleman, and let me say that, rather than have this a political issue, we would prefer to have it a saving for the taxpayers of the United States. Nothing would make me happier than to have the Treasury announce tomorrow that it has given up this attempt to exchange 2.5-percent U.S. securities, which come due in 1972, and instead is going to get on with the job it ought to be getting on with, of lengthening the current debt, and doing so at the lowest possible interest rate.

Mr. EDMONDSON. If this recent attempt by the Treasury Department gets the attention of the press and the public it should receive, it will arouse as much indignation in the country as Teapot Dome did when that took place. I hope it will arouse the same kind of action in November.

Mr. JOHNSON of Colorado. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Colorado.

Mr. JOHNSON of Colorado. I want to say to the gentleman that the discussion we have had on debt management should be very helpful to many citizens as well as to Members of Congress in understanding some of the fundamental issues that always face any administration in carrying forward the intent of Congress, as expressed in the Employment Act of 1946.

I would like to point out that there has been recently some indication that the administration is aware that its policies are slipping and there has been a reversal of the direction. For this we are grateful to the Federal Reserve. But I would agree with the gentleman the methods being used are wrong.

For example, what the country needs is more housing to be built. We need more houses than we are producing. Yet one of the actions taken by the Federal Reserve was to lower the margin requirements for the purchase of stock from 90 to 70 percent. Gambling in the stock market does not increase the productivity of the American economy. That same kind of money spent in expansion of our economy would yield benefits to the various communities. The gentleman will recall that last year he and I joined a few others in suggesting that with an inflationary pressure which we were then experiencing, the sharp increase which was also occurring in consumer credit justified a concern about the extent to which Americans were mortgaging their future during inflation to increase the demand for goods.

I noted, for example, both on the floor of the House and in conversations with responsible public officials of this administration, and they agreed, that it would be better to restrict consumer credit during an inflationary period in order that one could relax consumer credit in the event of an economic turndown, because expansion of consumer credit is one of the easiest ways to stimulate the economy. And, the tragedy is that we were proven right, but no action took place.

When the recession comes, the consumer response is, of course, to pay off debts. So, we are now going into a process of debt liquidation. The administration threw away, by its neglect of the case we were making a year ago, one of the best tools they might have had for facing the economic downturn that is now occurring. The chickens are coming home to roost. This may not be an easy question to explain, but it is nonetheless significant that this failure to have the courage to face the requirements at the time the inflation was going on has now made it impossible for them to face the demands that recession makes.

Mr. REUSS. The gentleman pointed to the fact that we are now in an economic trend downward. Would the gentleman agree with me that it is ironic, despite the fact that we are in a downtrend now, that the cost of living under this administration continues to go up? Right in the last half hour there has been handed to me the most recent report of the Bureau of Labor Statistics, showing that the cost of living in July went up once again to an alltime high level. I would like the gentleman's comment, if he has a comment, on the quality of the economic performance of this

administration in bringing about an all-time high in the cost of living at the same time that we have something like 5 percent unemployed in this country, and a growth rate scarcely one-third of that of Communist Russia.

Mr. JOHNSON of Colorado. The gentleman's question is one to which I confess as a person trained in economics, I am almost unable to respond. Never before in history have we associated inflation with depression so consistently. Actually, the unemployed labor force has been ranging between 5½ and 6 percent this year. We never assumed in 1946 that it would go far above 3 percent without corrective action. It makes a mockery of the Republican platform as far as maintaining the stability of our country is concerned. By contrast, the gentleman knows that the Democratic Party in its platform at Los Angeles—and the Republicans had a chance to copy from this; they copied much else—said as follows:

The Republican failure in the economic field has been virtually complete.

Their years of power have consisted of two recessions, in 1953–54 and 1957–60, separated by the most severe peacetime inflation in history.

They have shown themselves incapable of checking inflation. In their efforts to do so, they have brought on recessions that have thrown millions of Americans out of work. Yet even in these slumps, the cost of living has continued to climb, and it is now at an all-time high.

They have slowed down the rate of growth of the economy to about one-third the rate of the Soviet Union.

Over the past 7½-year period, the Republicans have failed to balance the budget or reduce the national debt. Responsible fiscal policy requires surpluses in good times to more than offset the deficits which may occur in recessions, in order to reduce the national debt over the long run. The Republican administration has produced the deficits—in fact, the greatest deficit in any peacetime year in history, in 1958–59—but only occasional and meager surpluses. Their first 7 years produced a total deficit of nearly $19 billion.

While reducing outlays for essential public services which directly benefit our people, they have raised the annual interest charge on the national debt to a level $3 billion higher than when they took office. In the 8 fiscal years of the Republican administration, these useless higher interest payments will have cost the taxpayers $9 billion.

They have mismanaged the public debt not only by increasing interest rates, but also by failing to lengthen the average maturity of Government obligations when they had a clear opportunity to do so.

ECONOMIC GROWTH

The new Democratic administration will confidently proceed to unshackle American enterprise and to free American labor, industrial leadership, and capital, to create an abundance that will outstrip any other system.

Free competitive enterprise is the most creative and productive form of economic order that the world has seen. The recent slow pace of American growth is due not to the failure of our free economy but to the failure of our national leadership.

We Democrats believe that our economy can and must grow at an average rate of 5 percent annually, almost twice as fast as our average annual rate since 1953. We pledge ourselves to policies that will achieve this goal without inflation.

Economic growth is the means whereby we improve the American standard of living and produce added tax resources for national security and essential public services.

Our economy must grow more swiftly in order to absorb two groups of workers: The much larger number of young people who will be reaching working age in the 1960's, and the workers displaced by the rapid pace of technological advances, including automation. Republican policies which have stifled growth could only mean increasingly severe unemployment, particularly of youth and older workers.

AN END TO TIGHT MONEY

As the first step in speeding economic growth, a Democratic President will put an end to the present high-interest, tight-money policy.

This policy has failed in its stated purpose—to keep prices down. It has given us two recessions within 5 years, bankrupted many of our farmers, produced a record number of business failures, and added billions of dollars in unnecessary higher interest charges to Government budgets and the cost of living.

A new Democratic administration will reject this philosophy of economic slowdown. We are committed to maximum employment, at decent wages and with fair profits, in a far more productive, expanding economy.

The Republican high-interest policy has extracted a costly toll from every American who has financed a home, an automobile, a refrigerator, or a television set.

It has foisted added burdens on taxpayers of State and local governments which must borrow for schools and other public services.

It has added to the cost of many goods and services, and hence has been itself a factor in inflation.

It has created windfalls for many financial institutions.

The $9 billion of added interest charges on the national debt would have been even higher but for the prudent insistence of the Democratic Congress that the ceiling on interest rates for long-term Government bonds be maintained.

CONTROL OF INFLATION

The American consumer has a right to fair prices. We are determined to secure that right.

Inflation has its roots in a variety of causes; its cures lies in a variety of remedies. Among those remedies are monetary and credit policies properly applied, budget surpluses in times of full employment, and action to restrain administered price increases in industries where economic power rests in the hands of a few.

A fair share of the gains from increasing productivity in many industries should be passed on to the consumer through price reductions.

* * * * *

FULL EMPLOYMENT

The Democratic Party reaffirms its support of full employment as a paramount objective of national policy.

For nearly 30 months the rate of unemployment has been between 5 and 7.5 percent of the labor force. A pool of 3 to 4 million citizens, able and willing to work but unable to find jobs, has been written off by the Republican administration as a normal readjustment of the economic system.

The policies of a Democratic administration to restore economic growth will reduce current unemployment to a minimum.

Thereafter, if recessionary trends appear, we will act promptly with countermeasures, such as public works or temporary tax cuts. We will not stand idly by and permit recessions to run their course as the Republican administration has done.

FISCAL RESPONSIBILITY

We vigorously reject the notion that America, with a half-trillion-dollar gross national product, and nearly half of the world's industrial resources, cannot afford to meet our needs at home and in our world relationships.

We believe, moreover, that except in periods of recession or national emergency, these needs can be met with a balanced budget, with no increase in present tax rates, and with some surplus for the gradual reduction of our national debt.

To assure such a balance we shall pursue a four-point program of fiscal responsibility.

First, we shall end the gross waste in Federal expenditures which needlessly raises the budgets of many Government agencies.

The most conspicuous unnecessary item is, of course, the excessive cost of interest on the national debt. Courageous action to end duplication and competition among the armed services will achieve large savings. The cost of the agricultural program can be reduced while at the same time prosperity is being restored to the Nation's farmers.

Second, we shall collect the billions in taxes which are owed to the Federal Government but not now collected.

The Internal Revenue Service is still suffering from the cuts inflicted upon its enforcement staff by the Republican administration and the Republican Congress in 1953.

The administration's own Commissioner of Internal Revenue has testified that billions of dollars in revenue are lost each year because the Service does not have sufficient agents to follow up on tax evasion.

We will add enforcement personnel, and develop new techniques of enforcement, to collect tax revenue which is now being lost through evasion.

Third, we shall close the loopholes in the tax laws by which certain privileged groups legally escape their fair share of taxation.

Among the more conspicuous loopholes are depletion allowances which are inequitable, special consideration for recipients of dividend income, and deductions for extravagant business expenses which have reached scandalous proportions.

Tax reform can raise additional revenue and at the same time increase legitimate incentives for growth, and make it possible to ease the burden on the general taxpayer who now pays an unfair share of taxes because of special favors to the few.

Fourth, we shall bring in added Federal tax revenues by expanding the economy itself. Each dollar of additional production puts an additional 18 cents in tax revenue in the National Treasury. A 5-percent growth rate, therefore, will mean that at the end of 4 years the Federal Government will have had a total of nearly $50 billion in additional tax revenues above those presently received.

By these four methods we can sharply increase the Government funds available for needed services, for correction of tax inequities, and for debt or tax reduction.

Much of the challenge of the 1960's, however, remains unforeseen and unforeseeable.

If, therefore, the unfolding demands of the new decade at home or abroad should impose clear national responsibilities that cannot be fulfilled without higher taxes, we will not allow political disadvantage to deter us from doing what is required.

And, as one who sat on the platform committee, I can assure the House that there was not the slightest coercion nor were we dictated to by any candidate or combination of candidates meeting in Washington, New York, or Chicago. Those of us who were elected to the platform committee sat down together at Los Angeles, reached an agreement, and endorsed this platform that went to the entire convention, and there was no

question on this. There was unanimity of opinion. This was due to the fact that we had asked the American people in the full public hearings we had, and we had all their suggestions summarized, and copies of those summaries were in our hands.

These hearings and these summaries made it clear that the American people do not want to fight inflation with only the jawbone. They want serious action. We have an entire program which the Democratic Party will endorse and I am confident that the Democratic administration will again have the kind of courage, in January, to face this issue.

I speak as one who served as part of the Democratic administration of Franklin Roosevelt, in the Executive Office of the President, during the years 1942 to 1944, in the fiscal division, when this was a very real problem. I have seen the Democratic administration from the inside face far more rigorous economic problems than this administration has ever faced and I have seen that administration meet them. Therefore, I am confident, not just from reading history, but from living with history, that the next Democratic administration will again discharge its responsibilities competently and wisely, conscious of its need to promote and maintain maximum employment, production and purchasing power at stable price levels. It will fight inflation effectively without stifling the economy in the process.

Mr. REUSS. I thank the gentleman.

INSURING MORE EQUITABLE TREATMENT OF SMALL BUSINESS IN GOVERNMENT PROCUREMENT CONTRACTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Maine [Mr. COFFIN] is recognized for 15 minutes.

Mr. COFFIN. Mr. Speaker, I know that many Members of the Congress share my growing concern with the steady erosion of the percentage of the military dollar placed with small business.

The statistics are all too familiar to the Congress. I shall not repeat them except to say that during fiscal year 1959, for example, I am told that of $22½ billion—the net value of military prime contracts—almost 74 percent was awarded to 100 companies—20 of which received a shade over one-half of this $22½ billion. I am told that in 1954 small business received about 25 percent of military prime contract dollars, but that in fiscal year 1959, this share has decreased to an inadequate 16.6 percent. I am also informed that there is little prospect that this alarming decline will be reversed in the foreseeable future.

Time and time and time again, in legislation, in committee reports, and on the floors of the House and Senate, Congress has declared its clear desire that small business be granted a fair opportunity to participate in and contribute to our defense programs and receive a fair proportion of the military procurement dollar. Nevertheless, this mandate, if it has not been ignored, has not been carried out. Sixteen percent, in my opinion, is not a fair share. Small business is not participating equitably in our defense programs.

I am told that the decline in the small business share of the military procurement dollar is inevitable because of the necessity to utilize the so-called weapons system method of procurement, and because most, if not all, of the weapons which the military now buys are beyond the capacity of smaller firms to produce. This may be true, Mr. Speaker, but only in part. I have not seen any notable increase in the small business share of those contracts which the military say is within the small business potential. I have not seen any increase in the small business participation in the defense program at the subcontracting level. And I have not seen any evidence of sympathetic and aggressive action by the Department of Defense to increase, at any level, small business' participation in our defense programs.

The failure of the contracting agencies to carry out the congressional small business mandates is aggravated by increasing resort to the weapons system method of procurement. The laws which the Congress has enacted to implement the Federal small business policies have their greatest impact upon the Federal procurement officials. Private contractors who have received large Government contracts are free to ignore Federal small business policies in the letting of subcontracts unless they are required to conform to these policies either by the terms of their prime contracts with the Government or by statutes enacted by the Congress. We have not seen, to date, any effective implementation of small business policies below the prime contract level. Adherence to these policies is not required by law. Nor has this requirement been effectively written into Government contracts by our procurement officials. The result is that today there is no effective small business program below the prime contract level.

There is pending before this House the latest expression of the continuing desire of the Congress that small business share equitably in this country's immense defense effort. I refer to H.R. 11207 amending the Small Business Act. This legislation has been passed by the House of Representatives. An amendment in the nature of a substitute was adopted by the Senate. I urge most sincerely that section 8 be considered favorably in conference and that the House adopt the Senate amendment in the final conference report.

I would like to call to the attention of the Members of the House, section 8 of H.R. 11207, added to the bill by the Senate. This particular provision was sponsored, I understand, by Members of both sides of the aisle in the other Chamber; it was reported out unanimously by the Senate Banking and Currency Committee; and it was passed by the Senate without objection. Section 8 of H.R. 11207 amends the Small Business Act to require that the Small Business Administrator after consultation with the Administrator of General Services and the Assistant Secretary of Defense—Supply and Logistics—promulgate an effective program to enable small concerns to participate in defense contracts at the subcontracting level. This program is then to be embodied in certain prime contracts and subcontracts administered by the Government procurement agencies including the Department of Defense.

The theory behind this legislation is simple. If small business cannot participate equitably in contracts issued by the Government at the prime contract level, it then becomes increasingly important for the Congress to take steps to assure that its small business mandate will be effective at the subcontracting level. Under section 8, SBA is required to consult with the procurement agencies and in this process of consultation to formulate a small business subcontracting program which will carry out the desires of the Congress. When such a program has been devised—except for such assistance as SBA may be able to render to contractors in connection with the program—SBA's duties are completed. The requirements of the subcontracting program are incorporated in appropriate Government contracts and it is the duty of the contracting agencies, not SBA, to carry out the program. This represents no change from present practice.

I am aware, of course, that there have been objections to the provisions of section 8. I have heard that the enactment of these provisions will slow down the procurement process and delay acquisition of urgently needed military equipment. I am told that it will tend to increase procurement costs and it will cause great confusion and uncertainty in the procurement programs. I have heard a host of other accusations for which I can find no basis in the provisions of H.R. 11207.

Mr. Speaker, these protests have been made against every effort on the part of the Congress to provide legislation to increase small business participation in military procurement. Mr. Speaker, I urge this Congress to look through these objections to the substance of this legislation.

The Congress, I note, concurs in the object of this legislation. But the Congress is not alone in this desire. The Bureau of the Budget agrees that the objective of the legislation is desirable. The SBA has recommended this type of legislation. Even the Department of Defense has expressed support for the objective.

I have examined section 8 in the light of the objections made to it, including the objections of the Department of Defense and the Bureau of the Budget. The objections to the legislation are based on the form rather than the aim. It seems to me that they are predicated either on a misunderstanding of the provisions of section 8 or on an unreasonable fear that the Small Business Administration suddenly will declare its independence of the executive branch, of control by the President, the Bureau of

the Budget, and others, and against the counsel of the Department of Defense and the General Services Administration announce a radical small business subcontracting program.

This fear, of course, is not well founded. SBA, as this Congress well knows, has in the past proved amenable to the needs and desires of the Department of Defense to a degree which exceeds, perhaps, the desires of this Congress.

I think that the terms of section 8 are reasonable. I think that the fears of the opponents of section 8 are exaggerated. I see no reason why a sensible small business subcontracting program developed in consultation with the procurement agencies and administered by these procurement agencies should delay or interfere with the procurement process. I, therefore, do urge this House to give favorable consideration to the passage of H.R. 11207. I also say this—if in the view of the Members the present provisions of section 8 grant to SBA authority to establish a small business subcontracting program that is too broad—then let this authority be modified and limited by adding, in conference with the Senate, appropriate changes to section 8. Let us not miss this opportunity to enact significant legislation which will carry forward the principle with which we all agree—those of us in the Congress and the executive agencies as well—that the small business share in Government procurement shall be increased to an equitable share in Government procurement.

JUSTICE FOR THE DAIRY FARMER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. CURTIN] is recognized for 15 minutes.

Mr. CURTIN. Mr. Speaker, a goodly number of dairy farmers in our Eighth Pennsylvania District of Bucks and Lehigh Counties are currently confronted with a trying problem that, in my humble judgment, demands the study and attention of the Congress because it stands out as a disturbing example of enforcement by an administrative agency of a law in a manner that contravenes what, I believe, was the legislative will and intent of Congress.

Specifically, I refer to the difficulties into which many of our dairy farmers in eastern Pennsylvania have been projected by New York-New Jersey Federal Marketing Order No. 27 issued by the U.S. Department of Agriculture. From 1957 to date, more than $400,000 has been tied up—the sum deposited with a Federal court pending the final disposition of prolonged legal action.

For many years, the Lehigh Valley Cooperative Farmers, headquartered in Allentown, and Suncrest Farms, Inc., in our neighboring city of Bethlehem, have been selling packaged milk across the Delaware River into an area in New Jersey, which is not more than 25 miles from Allentown. Indeed, the Warren County area of New Jersey historically has always been regarded as an integral part of the metropolitan trading area of Easton, Pa., and these dairies were selling milk there long before the long arm of a Federal agency reached in to seek, by decree, an enforced change in buying habits and established practices.

Beginning August 1, 1957, this area was included by the Department of Agriculture under New York-New Jersey Federal Marketing Order No. 27 which provides that in order for the Lehigh Valley Cooperative Farmers to continue selling in that market in New Jersey, the company had to pay compensatory payments into the New York-New Jersey market pool—payments that averaged better than 5 cents a quart on all of the milk supplied from Lehigh Valley to that area. In consideration of the fact that Lehigh Valley Cooperative Farmers is and for a long time has been the largest distributor of packaged milk in Warren County, N.J.—which is all it is involved in even though the aforementioned marketing order covers all northern New Jersey counties—this is very properly regarded by the member dairy farmers as a punitive and unfair decree which forces them to pay tribute for the right to sell milk in that area. It is a particularly mean pill to swallow in light of the fact that the cooperative farmers earned the patronage of Warren County people long before this order was arbitrarily laid down. It is quite obvious that this is an effort to eventually force the cooperative farmers out of an area where their milk products have long enjoyed widespread public acceptance. To me this stands out, as it must to you, as a rather untenable example of Government by administrative decree with little or no regard for individual enterprise or the rights that properly belong to those who merit such a privilege by dint of their own labors in a free economy.

I should like to point out that the Lehigh Valley Cooperative Farmers-Suncrest case does not have the effect of invalidating all orders with a like provision, nor does it rule out compensatory payments as such. I say this because those who are seeking to uphold the application of Order No. 27 to this particular case make the claim that an adverse ruling would jeopardize some 50 such marketing orders. Permit me to observe that in the U.S. District Court, Eastern District of Pennsylvania, opinion handed down under date of April 25 this year by Judge Thomas Clary, it was pointed out that such a conclusion is unfounded. The issue at stake here is whether milk could be bought for the so-called class III price. Page 23 of the court's opinion stated:

> The Government cannot argue (nor has it attempted to argue) that the total cost to the plaintiff (Lehigh Valley Cooperative Farmers and Suncrest Farms, Inc.) of the liquid milk which they sell in northern New Jersey is equal to the costs of its competitors. There is definite evidence to show that the cost of raw milk to these dairies is, in fact, substantially higher than the order No. 27 uniform class III price classification.

These two dairies have testified that they support classification price. They do not favor cheap milk being dumped into any marketing area. They are not opposed to cut-rate milk being kept out of the market. Indeed, they offered a plan for compensatory payments which would prevent this very thing while simultaneously accomplishing uniformity of price to handlers. They have proposed that the Marketing Administrator price their milk at his price, that is order No. 27 price, and that if these dairies paid less, the order should provide that they pay into the settlement fund the difference whereas if they pay more, as they are now doing, or the same, then they would owe the settlement fund nothing. What could be fairer?

There are some orders, actually, that entail this very kind of provision which accomplishes the real purpose of the marketing order, namely, to place all on an equal footing and at the same time keep cut-rate milk out of the market.

Since this order was issued more than 3 years ago, the Lehigh Valley Cooperative Farmers has contested it through regular legal proceedings. The Department of Agriculture asked for an injunction in the U.S. district court in Philadelphia to compel the cooperative to file monthly reports to the New York-New Jersey Market Administrator, and also to make payments to the New York-New Jersey market pool each month. By virtue of a temporary decision handed down in the Federal court, the cooperative is compelled to pay the money each month to the registry of the court in Philadelphia until a final decision is rendered. This money has been withheld from each of the producers who together make up the cooperative and costs them from 6 cents to 15 cents a hundredweight each month on all of the milk they deliver to the Allentown plant. Each producer is notified each month of the amount being withheld. In such fashion has an unhappy situation developed whereby these dairy farmers now have had withheld from them a sum totaling more than $400,000.

It has now been three years since this order became effective. It is also unmistakably obvious that the legal procedures required to obtain relief from the inequities of Federal market orders are confusing, complicated, costly, and time consuming. Indeed, it is well-nigh impossible for anyone who feels that he is being unfairly dealt with by these orders to get any speedy and equitable decision on an appeal.

It is this kind of procedure that in my judgment demands the prompt attention of Congress. Certainly the time is at hand when farmers such as these dairy producers should not be penalized and regimented against by their own Government. Here is a case of Federal orders being applied in a way that is extremely harmful to the smaller cooperatives in the country, operating in limited areas and who have to compete with the large corporations in the industry in the marketing of their milk. It has been the experience of the Lehigh Valley Cooperative Farmers over the last 26 years that the Pennsylvania Milk Control Commission has done a good deal more for our Pennsylvania dairy

farmers in getting them a fairer price for milk than either the New York marketing order or the Philadelphia marketing order promulgated by the Federal Government. Here we see a self-reliant small business type of operation being burdened by the heavy hand of Federal regulation in an area of regulation already covered quite adequately by a State agency.

This Federal order is discriminatory and does not, in my opinion, carry out the declared intentions of Congress. Lehigh Valley Cooperative Farmers has been in the Phillipsburg, N.J., area more than a quarter century. It did not invade the marketing area of order No. 27. Quite the contrary, the order pushed itself into a market historically that of the Lehigh Valley Cooperative Farmers with the effect of trying to push the cooperative out of the market or compelling it to pay more, by as much as $2.50 to $3 a hundredweight, than its competitors. I remind you again that Phillipsburg is part of the Metropolitan Allentown-Bethlehem-Easton area. By no stretch of the imagination can it, nor has it ever been, part of the commercial metropolitan area of New York or northern New Jersey.

What the Department of Agriculture is trying to do is to compel a nonpool producer to pay a price higher than the class III price and then pay into the producer settlement fund the difference between class III and class 1A in the face of the undenied fact that the cooperative pays more to its producers than the class 1A price under order No. 27. This makes the provision even less justifiable.

The argument is advanced by the Department of Agriculture that if the cooperative did not sell its milk as fluid milk in the Phillipsburg area it would have to put it in class III. This has little validity because it assumes that producers shipping to pool handlers have the preempted and monopolistic right to the fluid market in the Phillipsburg area. This is an unwarranted and altogether unrealistic conclusion.

This case has a long legal history—one that has resulted in great expense to the dairy farmers located in our Lehigh Valley. It has dragged along more than 3 years. It was heard before the hearing examiner in New York in October 1957. Eight months later, in July 1958, the hearing examiner rendered a clearcut decision in favor of the cooperative and ordered the payments which the dairy had made returned to it. Furthermore, in his decision he questioned the legality of the order issued and significantly declared that the hearings with respect to the issuance of the order were illegal because of their not being instituted in accordance with regulations.

Under the law, after the hearing examiner makes his decision in a case of this nature, it must be brought before the Judicial Officer in the Department of Agriculture. It wasn't until almost 3 months after the hearing examiner had made his report that the Judicial Officer in the Department of Agriculture decided to hear this case. Not until 8 months later did the Judicial Officer finally reach a decision that reversed the hearing examiner. The effect of this long-drawn-out delay inside the Department of Agriculture was to pull the case back to the U.S. district court in Philadelphia for another hearing. In December 1959, the U.S. district court in Philadelphia called the case for hearing. But the Department of Agriculture asked for an extension of time, saying they were not ready to have the case heard. So it was postponed again until February 16 of this year at which time Judge Clary heard evidence in the U.S. district court in Philadelphia. Judge Clary subsequently handed down an opinion, dated April 25 this year, which upheld the position of Lehigh Valley Cooperative Farmers and said, among other things:

> There is real doubt as to whether it—the Government—in fact contends that Lehigh Valley should be required to make payments.

One of the inconsistencies in this whole procedure is that the Department of Agriculture is in effect sitting as both the judge and jury of its own policies. It is an amazing and almost frightening illustration of what seems to me to be regulatory powers that go far beyond the original intent of Congress. I remind you again that this is a case of a small cooperative of dairy farmers being required by the Government that is supposed to protect it to pay "tribute" for the right to do business in an area historically and properly belonging to the cooperative. Here is a case that was heard before one of the Department's own examiners. The dairy won the case. The Department then turns around and files exceptions which it places before one of its own employees who sits as a judicial officer—who, in effect, sits in judgment on his own employer's policy.

At the present time, the Department is appealing Judge Clary's decision to the United States Third Circuit Court of Appeals. Not only is the Government seeking to enforce its battle against this modest-sized cooperative, but it has been joined by the Dairymen's League and two other New York State cooperatives who have been granted permission to intervene against Judge Clary's rule that Lehigh Valley Cooperative Farmers and Suncrest Farms, Inc. are not required to make payments into the New York pool for the difference between class 1 and class 3 prices.

Small wonder that the dairy farmers of the Lehigh Valley feel they are being called upon to fight the combined strength of their own Government and a combine of giant competition as well. It is a situation that cries for redress and remedial action on the part of the Congress.

For this reason I have today offered a resolution for the consideration of the Congress calling for a study of this marketing problem. It is my hope that prompt action will be taken.

VETERANS

The SPEAKER pro tempore. Under the previous order of the House the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, when Kipling wrote:

> It's Tommy this, and Tommy that, 'an "Chuck 'im out, the brute!"
> But it's "Savior of 'is country," when The guns begin to shoot.

he might have been foreseeing the difficulties a modern veteran has in maintaining the rights he has earned by public service. While the shooting lasts, no one is so patriotic and so deserving of his country's best as the man who takes up arms in defense of liberty and righteousness. But when the danger is over, it is easy for some politicians to yield to the ignoble plea for economy when it comes to sharing in the handicaps imposed on the veteran by his service. Men are willing to spend uncounted billions while their own lives and their own property are in danger, but prefer to dole out dollar by dollar a due meed to those who have committed their all to the struggle.

Ancient wars were fought by professional soldiers. War was their trade and profession. Whatever reason they had for entering the service, they probably expected to profit from it as they would from any other occupation. Modern wars, at least in the United States, are fought by citizen soldiers. These leave their occupations and their most cherished dreams at the call of duty and respond to the needs of an imperiled nation. They are true patriots. It is foolish to say they had no choice, that a nationwide conscript system summoned them to service. The conscript system met with practically universal approval in the wars of this century. Each man said, in effect, that he dedicated his life to the particular activity most useful to his country at the moment, whether in the Armed Forces, in the workshop, or in some other form of preparation or of service. Those who were chosen for the Armed Forces responded without hesitation and without complaint.

The citizen soldier, under the most happy circumstances, was compelled to delay his entry into the civilian life to which he hoped to return. While others advanced their interests in peacetime life, he was absorbed in protecting the common interest. A delayed start in civil life was in itself a handicap. In addition, the soldier incurred risks far beyond the hazards of everyday living. Many of them, in the words of Capt. John Smith, "did all that men could do, and when they could do no more, they left their bodies in testimony of their minds." Others were broken in body or in mind, and rendered partly unfit for the fierce competition of modern industrialism. Loved ones dependent on their efficiency and usefulness are handicapped along with the veterans themselves.

It is true that a more or less grateful country has provided a number of benefits to help overcome the handicaps incurred by all returning soldiers. Provisions for education, for hospitalization, for insurance, for housing, for job training, and so on down the line, probably exceed those in any other period of history. Some of these benefits are eroded

by time and by inflation. Then the specious plea of economy is brought forward to halt the Nation's real purpose to see that those who have served well their country may find their opportunities for success equalized with those who are not handicapped. Or, quibblings about service-connected and non-service-connected handicaps confuse the issue.

As a disabled veteran of nearly 4 years service during World War II, I want to assure all those who have answered their Nation's call, their widows, orphans and dependents, that as long as I am in the Congress of the United States I will be constantly on guard to protect their interests and the interests of their loved ones. This guard must be kept until the full debt of gratitude of an appreciative Republic has been paid to the last detail.

NOISE PROBLEM FROM LOW-FLYING AIRCRAFT AT NEW YORK CITY AIRPORTS

The SPEAKER pro tempore. Under the previous order of the House the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a letter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, on June 30, I spoke in this House about the increasing concern with the problem of noise from low-flying aircraft at the New York City airports. Round the clock flights roaring only a short distance above the households in Queens County, where both Idlewild and La Guardia Airports are located, are taking a constant toll of sleep and rest from the thousands upon thousands of residents in the area.

In my remarks I suggested a seven point program of administrative and legislative remedies to alleviate the hazardous condition which exists in the skies above Long Island. Although both the Federal Aviation Agency and the New York Port Authority have adopted regulations designed to ease the noise problem the effects of such action have been slight, primarily because there has been a failure to clearly delineate lines of jurisdiction between the agencies so that adequate measures can be taken and because penalties for the violation of regulations have not been severe enough nor have they been strongly enforced. As a result, the hundreds of thousands of weary, red-eyed residents—already worn out from lack of sleep—are being lobbed back and forth between the Federal and local agencies like ping-pong balls.

The worsening situation remains unchecked and the distress grows, as tired, anguished residents are nightly buffeted by the whine and shriek from the jet engines on the great commercial airliners.

This shameful situation can be corrected by vigorous action. This is what I sought when I spoke in June. This is what I seek now.

The administrative remedies which I suggested were, first, the banning of jet flights between 10 p.m. and 7 a.m.—jet flights at night are banned at the London Airport—second, a lowering of the previously set maximum ceiling of 112 perceived noise decibels—125 can cause deafness—third, the banning of jet warmups at night unless absolutely necessary, and the mandatory construction of noise abating jet warmup facilities such as walls, earthbanks or buildings to lessen noise during the daytime, fourth, more feasible runway use patterns by jets to minimize flights over residential areas, and fifth, the planting of thick groves of trees on the outskirts of the airports as a baffle to jet noises.

The legislative suggestions were, first, action by the House Rules Committee to report out House Resolution 162, the resolution of my Queens colleague Congressman BOSCH, for the creation of a select committee to determine the areas of jurisdiction of both the FAA and the port authority, in order to secure vigorous enforcement of noise abating regulations respectively adopted by the two agencies, and second, action by the Interstate and Foreign Commerce Committee on my own bill, H.R. 12894, to grant specific authority to the FAA over the noise abatement problem and to provide for heavy penalties, including suspension of flight permits, for violations of such FAA regulations.

Of these recommendations only one, that of altering flight patterns, has actually been put into effect. By itself it cannot relieve the situation.

I sent these suggestions to the FAA and received a reply from Brig. Gen. Paul T. Preuss, Assistant Administrator for Plans. I insert this letter in the RECORD at this point in my remarks:

FEDERAL AVIATION AGENCY,
Washington, D.C., July 14, 1960.

Hon. SEYMOUR HALPERN,
House of Representatives,
Washington, D.C.

DEAR MR. HALPERN: This is in response to your letter of June 30, 1960, concerning the aircraft noise problem in the Idlewild Airport area.

We fully recognize that the existing noise abatement procedures in the Idlewild Airport do not completely solve the problem and we are actively seeking additional safe, practical methods to further reduce it. We are hopeful that the completion of the extension of runway 31 left will greatly increase the traffic flexibility at Idlewild, thus providing a greater measure of relief to area residents.

The point brought up in your letter concerning the engine runup problem requires some rather detailed analysis. As you know, the Federal laws prior to the Federal Aviation Act of 1958 did not provide authority for control by Federal administrative agencies of aircraft noise. It was not provided until the enactment of section 307(c) of the Federal Aviation Act of 1958 where Congress gave the Administrator of this Agency the authority in promulgating air traffic rules to consider "the protection of persons and property on the ground." While the legislative history on this provision indicated that it was primarily intended for the protection of persons and property on the ground from aerial hazards resulting from crop dusting and spraying, we have construed this authority, and so testified before congressional committees, as sufficiently broad to authorize noise abatement regulations. However, it must be noted that this authority is limited to the issuance of air traffic rules. The proposed New York rule is premised on this interpretation. The act does not give authority to the Administrator to directly control all aircraft noise. Hence, it is doubtful that the Administrator could validly issue regulations governing the noise generated by ground runup tests—unless noise reduction in this area is indirectly accomplished in the carrying out of Federal regulations related to aircraft safety. Such control, however, would be of limited value in controlling all ground aircraft noise. For example, in testing aircraft engines on the ground, while not a part of the aircraft, much noise is generated. The authority for control of such ground noise is primarily the responsibility of the local government. I believe that local authorities may, and have the responsibility to, issue lawful reasonable regulations governing ground activities provided they do not conflict with Federal regulations, affect air traffic control, or constitute an undue burden upon interstate commerce. Millions of dollars and man-hours have been expended by the Federal Government and the aviation industry to reduce the noise associated with the operation of aircraft. I am hopeful that a practical solution will be forthcoming.

Your comment concerning curtailment of night operations causes us concern. This Agency by the Federal Aviation Act of 1958 is directed to encourage and foster the development of civil aeronautics and air commerce in the United States and abroad. The drastic curtailment or elimination of night operations by an order of the Administrator would not be consistent with this responsibility. Hence, we feel that such action, with the resultant economic repercussions, not only is of concern to this Agency and the aviation industry, but the Congress and the Civil Aeronautics Board as well.

The noise problem is indeed serious and is, next to flight safety, the most critical one faced by this Agency. We are assembling as much data as possible in seeking additional practical methods to reduce the noise nuisance, not only in the New York area, but in other parts of the country as well.

Sincerely,

PAUL T. PREUSS,
Brigadier General, USAF, Assistant Administrator for Plans.

I regret that this letter is not the forthright answer which those of us who are deeply concerned with the problem expected. As a matter of fact, I do not mind saying I feel thoroughly disgusted with the limited scope of the measures that have thus far been taken. The letter regrettably carries the implication that the FAA is virtually powerless to cope with the matter and places a great share of the responsibility on local authorities. This is the same excuse that we have heard for years, and all the time the volume of noise at the two airports has continued to mount. The time has come to resolve these jurisdictional fine points which are impeding constructive action and to finally pass laws which will bring relief to the jet-deafed homeowners and apartment dwellers living near the New York airports.

Such relief can be obtained by clarifying the jurisdiction of the FAA and the port authority and by strengthening the powers of the FAA over noise-abatement measures. The rules of the FAA are woefully inadequate and it is up to Congress to let it know that we mean busi-

ness. It is up to us to provide it with the authority it now declares that it lacks.

There is yet time for Congress to provide the FAA with the punch it says it needs. I urgently appeal to the Rules Committee to report out House Resolution 162, and to the Interstate and Foreign Commerce Committee to report out H.R. 12894. These measures when adopted and enforced can immeasurably alleviate the terrible, energy-sapping noise nuisance. The time for talk is past. We will settle for nothing less than peace and quiet at Idlewild and La Guardia Airports.

OSCAR HAMMERSTEIN II

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Pennsylvania [Mr. CURTIN] is recognized for 5 minutes.

Mr. CURTIN. Mr. Speaker, it is with profound sorrow that we learn of the recent passing of Oscar Hammerstein II, one of the best known musical figures of today.

Mr. Hammerstein was a resident of the district which I have the honor and privilege to represent, having his home in a beautiful section of Bucks County on the outskirts of the Borough of Doylestown, Pa. As a resident of this community, Mr. Hammerstein and his charming wife added much to the cultural and civic life of the area.

In the world of music and the theater, Mr. Hammerstein was without a peer. His lyrics were of world renown and set the pattern for the musical culture of our day.

Mr. Hammerstein is a figure who will go down in history for many songs, including such songs as "Ol Man River," "Indian Love Call," "The Last Time I Saw Paris," "Rose Marie," "When I Grow Too Old To Dream," and "Only Make Believe." With Mr. Rodgers, the world was enriched with such songs as "Some Enchanted Evening," "People Will Say We're in Love," and "Oh, What a Beautiful Morning," to mention just a few of the songs which the world has sung and loved over the years.

Mr. Hammerstein worked in collaboration with several great musical figures prior to the formation of the world-famous team of Rodgers and Hammerstein. However, this partnership over the last 18 years has been responsible for many musical hits such as "Oklahoma," "The King and I," "South Pacific," and the last being "The Sound of Music." This last hit, which is presently playing in New York, aptly characterizes this wonderful man. His whole life was enveloped in "The Sound of Music"—beautiful, lilting, American music.

Our hearts are heavy for the grieving family of this well-loved man, but those who love him must have great consolation in the knowledge that Oscar Hammerstein will live on in the memory of all as his gay and beautiful lyrics are heard and enjoyed over the years.

WE MUSTN'T FORGET OUR UNEMPLOYMENT AREAS—TWO VITALLY NEEDED PIECES OF LEGISLATION

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. STRATTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. STRATTON. Mr. Speaker, I have today introduced two pieces of legislation which I believe are vitally needed to provide emergency help and relief to our unemployment areas, especially in view of the President's callous veto of the distressed areas bill for which so many of us fought so hard and so long.

One of these bills would require the Development Loan Fund not merely to insist that dollar loans to foreign countries be spent in this country—which, as I understand it, is already the current administrative policy of the Fund, though it could, of course, be altered by similar administrative action at any time, since it is not included in the appropriate statute—but also that such purchases be channeled as a matter of priority into major unemployment areas, such as those included in the 32d District of New York, which I have the honor to represent.

I believe this is only a matter of simple justice. All of us are aware, of course, that one of the contributing factors to rising unemployment in many areas is cutthroat, low-cost foreign competition. The irony of all this is that in all too many cases this competition has come from countries and industries that were originally able to get back on their feet because of American foreign aid funds paid for by the tax dollars of American working men and women. In other words, American men and women have been paying taxes for the privilege of putting themselves out of a job. How crazy can we get?

Well, at the very least, we should make sure that the vast sums we are spending on foreign aid will be used insofar as possible to make purchases here in the United States and hence help to stimulate as much as possible production to ease the unemployment which foreign competition has helped to create. That is all my bill would do.

Only the other day, the Yugoslavian Government sent a purchasing commission to this country to buy 59 American locomotives with the proceeds of a loan from the Development Loan Fund. I urged the Fund to make certain that these locomotives would be purchased from the Alco Products Co. of Schenectady, N.Y., my home city, the former American Locomotive Co. Alco's locomotive business, the only major part of the company's operations carried on in Schenectady, is now almost nonexistent, and as a result nearly half of the company's employees have been laid off in a city that is already suffering from very heavy unemployment. In fact Schenectady would have been in line for help under the distressed areas bill if the President had only signed it into law instead of vetoing it. But the Fund told me they had no power to compel the Yugoslavian Government to spend the proceeds of their American loan in an unemployment area. So as a result Schenectady and the Alco locomotive plant were ignored. The business went elsewhere.

To me this just does not make sense. It is not fair. How can we possibly help ourselves if those in authority fail to recognize the need to provide special consideration for our unemployment areas.

Though the hour of this final session of the 86th Congress is late, I feel it is vitally important that we pass this kind of bill before we adjourn.

The other piece of legislation I have introduced would require that in the disposition of Government surplus property special priority consideration be given to purchasers who intend to use such property to undertake manufacturing operations in an area of substantial unemployment, and thereby to increase employment in that area.

I have been informed that many persons desiring to obtain surplus equipment to conduct manufacturing operations in unemployment areas have found themselves stymied in the purchase of this equipment by speculators who are less interested in helping a particular community than in purchasing surplus materials wholesale for later distribution on a retail basis. It is time we gave some special recognition in more than just words of the needs of our unemployed areas. Personally, I would feel that if we can use this material to help stimulate local employment the Government would be way ahead even giving it away free. But my bill is at least a step in the right direction.

I might say, Mr. Speaker, that the substance of this legislation was suggested to me by leading business leaders in Amsterdam, N.Y., a community that has been suffering from unemployment, but which has also done a magnificent job of trying to help itself get back on its own feet through the industries for Amsterdam program. Surely if we can adopt legislation to help communities to help themselves, then I believe we have an obligation to do it without delay.

I hope both pieces of legislation will be acted on favorably and promptly by this House.

MUTUAL SECURITY AND RELATED AGENCIES APPROPRIATION BILL, 1961

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill H.R. 12619, making appropriations for Mutual Security and related agencies for the fiscal year 1961.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

COMMITTEE ON WAYS AND MEANS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the House conferees have until midnight tonight to file a conference report on the bill H.R. 12580.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

ASSISTANCE IN DEVELOPMENT OF LATIN AMERICA AND RECONSTRUCTION OF CHILE

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until midnight tonight to file a report on the bill (H.R. 13021) to provide for assistance in the development of Latin America and in the reconstruction of Chile, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HEMPHILL, for 30 minutes, on Monday.

Mr. FLOOD, for 30 minutes, on Friday.

Mr. STAGGERS, for 5 minutes, today.

Mr. FLYNN, for 1 hour, on tomorrow.

Mr. KASEM, for 15 minutes, on tomorrow.

Mr. HALPERN (at the request of Mr. MOORE), for 10 minutes, today.

Mr. HOFFMAN of Michigan (at the request of Mr. MOORE), for 6 minutes, following Mr. HALPERN, today.

Mr. RHODES of Arizona (at the request of Mr. MOORE), for 1 hour, on Tuesday and Wednesday next.

Mr. RANDALL, for 15 minutes, on tomorrow.

Mr. SIKES (at the request of Mr. JOHNSON of Colorado), for 30 minutes, on Tuesday, August 30.

Mr. CURTIN, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ULLMAN and to include extraneous matter.

Mr. FLYNN and to include extraneous matter.

(At the request of Mr. MOORE, and to include extraneous matter, the following:)

Mr. VAN ZANDT.

(At the request of Mr. JOHNSON of Colorado and to include extraneous matter, the following:)

Mr. ANFUSO.

Mrs. GRANAHAN.

Mr. ROGERS of Florida.

Mr. DULSKI.

Mr. LIBONATI.

Mr. FARBSTEIN.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3800. An act to provide a method for regulating and fixing wage rates for employees of Portsmouth, N.H., Naval Shipyard; to the Committee on Armed Services.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2339. An act to revise, codify, and enact into law, title 39 of the United States Code, entitled "The Postal Service";

H.R. 5054. An act to amend the Tariff Act of 1930 with respect to the marking of imported articles and containers; and

H.R. 11666. An act making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 5789. An act to incorporate the Agricultural Hall of Fame.

ADJOURNMENT

Mr. JOHNSON of Colorado. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 4 o'clock and 49 minutes p.m.), the House adjourned until tomorrow, Friday, August 26, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2424. A letter from the Secretary of the Interior, transmitting a report on the Oroville-Tonasket Unit, Okanogan-Similkameen Division, Chief Joseph Dam project, Washington, pursuant to section 9(a) of the Reclamation Project Act of 1939 (53 Stat. 1187) (H. Doc. No. 453); to the Committee on Interior and Insular Affairs and ordered to be printed with illustrations.

2425. A letter from the Secretary of Health, Education, and Welfare, transmitting a report relating to certain violations of administrative control of funds procedures in connection with the obligation of funds in excess of amounts allotted from an appropriation of this Department, as of June 30, 1959, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

2426. A letter from the Under Secretary of the Navy, transmitting a supplementary report to reports made on August 30, 1958, and August 1, 1959, relating to the authority to construct, operate, and maintain the DeLuz Dam on the Santa Margarita River in the State of California, pursuant to Public Law 547, 83d Congress; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANE: Committee of conference. H.R. 4826. A bill for the relief of Arthur E. Collins (Rept. No. 2153). Ordered to be printed.

Mr. McMILLAN: Committee on the District of Columbia. S. 1870. An act to provide for examination, licensing, registration, and for regulation of professional and practical nurses, and for nursing education in the District of Columbia, and for other purposes; with amendment (Rept. No. 2154). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. S. 2131. An act to amend the Motor Vehicle Safety Responsibility Act of the District of Columbia approved May 25, 1954, as amended, without amendment (Rept. No. 2155). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 624. Resolution providing for the consideration of H.R. 12677, taking the bill from the Speaker's table and sending it to conference; without amendment (Rept. No. 2156). Ordered to be printed.

Mr. ASPINALL: Committee of conference. H.R. 6597. A bill to revise the boundaries of Dinosaur National Monument and provide an entrance road or roads thereto, and for other purposes, (Rept. No. 2157). Ordered to be printed.

Mr. BLATNIK: Committee on Public Works. H.R. 7198. A bill to authorize the construction of waste disposal facilities to reduce the pollution of the Potomac River from storm water overflows, and for other purposes; with amendment (Rept. No. 2158). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 13066. A bill to amend section 4(a) of the Securities Exchange Act of 1934, as amended; without amendment (Rept. No. 2160). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 13067. A bill to amend Public Law 86-619, an act to make uniform provisions of law with respect to the terms of office of the members of certain regulatory agencies, approved July 12, 1960; without amendment (Rept. No. 2161). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROBERTS: Committee of conference. H.R. 6871. A bill to amend the Public Health Service Act to provide for a public health training program, and for other purposes (Rept. No. 2162). Ordered to be printed.

Mr. MORGAN: Committee on Foreign Affairs. H.R. 13021. A bill to provide for assistance in the development of Latin America and in the reconstruction of Chile, and for other purposes; with amendment (Rept. No. 2163). Referred to the Committee of the Whole House on the State of the Union.

Mr. PASSMAN: Committee of conference. H.R. 12619. A bill making appropriations for Mutual Security and related agencies for the

fiscal year ending June 30, 1961, and for other purposes (Rept. No. 2164). Ordered to be printed.

Mr. MILLS: Committee of conference. H.R. 12580. A bill to extend and improve coverage under the Federal old-age, survivors, and disability insurance system and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such system; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and material and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; and for other purposes (Rept. No. 2165). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FALLON: Committee on Public Works. H.R. 12503. A bill to provide for the conveyance to Carolina Freight Carriers Corp., a corporation of the State of North Carolina, of certain lands and any improvements thereon located in Bibb County, Ga.; without amendment (Rept. No. 2159). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HARMON:

H.R. 13145. A bill to require that newspapers give equal space to all political candidates; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Maryland:

H.R. 13146. A bill to authorize Federal assistance for the establishment of a poultry research laboratory to serve the $250 million poultry industry in the Delmarva Peninsula area; to the Committee on Agriculture.

By Mr. LANE:

H.R. 13147. A bill to present a declaration of objectives for senior Americans; provide for the establishment of a U.S. Office of Aging within the Department of Health, Education and Welfare to be headed by an Assistant Secretary for Aging; authorize Federal grants to assist in the development and operation of studies and projects to help older persons, and for other purposes; to the Committee on Education and Labor.

By Mr. STRATTON:

H.R. 13148. A bill to amend section 203 of the Federal Property and Administrative Service Act of 1949, to provide that priority shall be given in sales of surplus property to persons planning to utilize such property in areas of substantial labor surplus in such ways as to increase employment in such areas; to the Committee on Government Operations.

H.R. 13149. A bill to amend section 202 (b) of the Mutual Security Act of 1954 so as to require that dollar funds made available to foreign countries by the Development Loan Fund for the purchase of materials or supplies shall be utilized for the purchase of materials or supplies produced in areas of substantial and persistent unemployment in the United States; to the Committee on Foreign Affairs.

By Mr. WHARTON:

H.R. 13150. A bill to amend section 1461 of title 18 of the United States Code with respect to the mailing of obscene matter, and for other purposes; to the Committee on the Judiciary.

By Mr. BAILEY:

H.R. 13151. A bill for the relief of the Capitol Hill merchants; to the Committee on Public Works.

By Mr. CUNNINGHAM:

H.J. Res. 800. Joint resolution to improve farm income for producers of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed by establishing a payment-in-kind program and increasing the resale price of surplus Government stocks of such commodities; to the Committee on Agriculture.

By Mr. JUDD:

H.J. Res. 801. Joint resolution to improve farm income for producers of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed by establishing a payment-in-kind program and increasing the resale price of surplus Government stocks of such commodities; to the Committee on Agriculture.

By Mr. CURTIN:

H. Res. 625. Resolution to authorize the Committee on Agriculture to conduct a study of the issuance of milk-marketing orders; to the Committee on Rules.

By Mr. FLOOD:

H. Res. 626. Resolution to establish a House Committee on the Captive Nations; to the Committee on Rules.

By Mr. THOMPSON of New Jersey:

H. Res. 627. Resolution authorizing the Committee on Education and Labor to investigate political activity within the National Labor Relations Board; to the Committee on Rules.

By Mr. RODINO:

H. Res. 628. Resolution to establish a House Committee on Captive Nations; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DANIELS:

H.R. 13152. A bill for the relief of Elio R. Anelli; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 13153. A bill for the relief of Mrs. William H. Chinn; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 13154. A bill for the relief of Mariantonia Bavaro and Frank Bavaro; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 13155. A bill for the relief of Paul J. Pericle; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 13156. A bill for the relief of Gabriel Chehebar, his wife, Marcelle Lavy Chehebar, and their minor children, Albert, Zakia, Zaki, Jacques, and Joseph Chehebar; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 13157. A bill for the relief of Clementina Centellegher; to the Committee on the Judiciary.

By Mr. WALTER:

H.R. 13158. A bill for the relief of Paul Vassos (Pavlos Veizis); to the Committee on the Judiciary.

By Mr. WILSON:

H.R. 13159. A bill for the relief of Amsih Moussa; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 13160. A bill for the relief of Woody W. Hackney of Fort Worth, Tex.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

536. Mr. PATMAN presented a resolution of Hopkins County Barracks No. 1645, Veterans of World War I, U.S.A., Department of Texas, Sulphur Springs, Tex., Manning T. Gafford, commander, and John L. Carter, quartermaster-adjutant, going on record as supporting the principle that a Federal pension program should be provided for World War I veterans, their widows and orphans separate and apart from that provided for veterans and their widows and orphans of the United States later wars, which was referred to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

National Police Hall of Fame

EXTENSION OF REMARKS

OF

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 25, 1960

Mr. ROGERS of Florida. Mr. Speaker, a National Police Hall of Fame will be dedicated on October 15 at Port Charlotte, Fla., to the memory of all police officers in the United States who have given their lives in the line of duty to protect our citizens.

The hall of fame will consist of a beautiful modern building containing typical equipment used in police departments, as well as a memorial listing the names of all law enforcement officers who have been killed in the line of duty.

The memorial is being built by the National Police Officers Association of America and will be open to the public year round without charge. This nonprofit association, the largest of its kind in the United States, has chosen Port Charlotte as its retirement city. Floridians are happy to have these dedicated public servants come to Florida, and take pride in the National Police Hall of Fame being located in our State.

The law enforcement officer is one of the most important, yet often neglected member of our community. He strives to give us and our families the protection that we need and expect. Personal sacrifice is often the result of the police officer's devotion to duty—too often this sacrifice is his own life. Forty-eight officers lost their lives in 1959 while giving us that protection we frequently take for granted.

The National Police Hall of Fame has been designed to commemorate these sacrifices in the war against crime. It will be maintained by the National Police Officers Association of America membership, but will be dedicated to all law

officers throughout America, regardless of their membership or nonmembership in the organization.

Because this project is national in scope and will represent the fine police men and women in every community, it should be of interest to all Members of Congress and citizens interested in law enforcement.

Chief G. S. Aremberg, executive director of the hall of fame has asked local police officials who have not yet done so to contact him about their own men and women who should be represented in this national memorial. The hall of fame will be dedicated at 2 p.m. October 15, and the Police Officers Association, through President Frank Schira, has invited the public to attend at that time, or any day thereafter.

Family Farming—America's Ray of Hope

EXTENSION OF REMARKS
OF

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Thursday, August 25, 1960

Mr. HUMPHREY. Mr. President, throughout our Nation thousands of farm families have worked long years through the National Catholic Life Conference to maintain those spiritual and social values that the family farm alone can contribute to the enrichment of our rural community life and our total national life.

It has been a great privilege during my years in the Senate to work closely with the Catholic Rural Life Conference to secure a national farm policy founded on a full realization of the irreplaceable social value to our Nation that accrues from thriving family farms and rural communities. In these years of cooperation it has been especially satisfying to know and work closely with the conference's former director, Msgr. Luigi Ligutti, now the director of international activities, and with the Washington representative, Father James Vizzard, S.J.

The conference in its most recent statement of policy reflects again its dedication to spiritual and social values and with the usual practical commonsense of this group emphasizes that a sound economic policy for agriculture is absolutely essential to the future of the family farm. But the conference insists, as I insist, that the question of farm policy cannot and must not be reduced to a purely economic question—ignoring basic human freedoms and all the range of spiritual and social values involved.

In the same July 1960 issue of Catholic Rural Life, the conference magazine, in which this policy statement appears there is printed an article which I prepared outlining my views on a family farm development program as contained in my proposal, S. 2502. I am greatly complimented to have my views included in the farm policy discussions of this group and to see that the conference statement of policy and my proposals are generally in agreement on the fundamentals of the farm policy our Nation must have.

Mr. President, I ask unanimous consent that the policy statement of the National Catholic Rural Life Conference and my article entitled "Family Farming—America's Ray of Hope," from the July 1960 issue of Catholic Rural Life be printed in the RECORD.

There being no objection, the statement and article were ordered to be printed in the RECORD, as follows:

RESOLUTIONS OF POLICY

Introduction: The American farmer is confronted with serious economic problems which jeopardize the family farm pattern and endanger many religious, social, and cultural values of the rural way of life. Procrastination and indecision on the part of rural leaders in the face of this situation would be inexcusable.

Some of the solutions proposed are so controversial that agreement about them can be hoped for only after extensive debate. Such would be true, for example, of the debate on whether or not farm subsidies are to be continued. Other proposed solutions would require extensive education and far-reaching changes in the economic, political, and social structure of rural America. An example of this would be the formation of cooperative organizations capable of controlling surpluses, strengthening farmers' bargaining power and effectively competing with vertically integrated enterprises.

Agricultural leaders should work diligently on these controversial and long-range solutions. In the meanwhile, we urge immediate action on the following solutions—solutions about which little rational disagreement can be had, solutions which can be applied readily and within the framework of our present economic, political, and social structure:

1. Let us put an immediate end to the payment of unlimited subsidies to large farms. Subsidies can be justified only on the principle of distributive justice according to which assistance is to be given in proportion to the needs of the recipient and with a view to the effect of such assistance upon the common good. No single farmer has a rightful need for tens or even hundreds of thousands of dollars of taxpayers' money. Neither is the common good advanced by such unlimited subsidies which often enable wealthy farmers to increase their acreage at the expense of relatively poor farmers.

2. The importation of hundreds of thousands of low-paid agricultural workers from Mexico under the provisions of Public Law 78 embodies an unjustifiable subsidy for the large-scale growers who employ them. Family farmers must compete with these underpaid workers. American born agricultural workers suffer because these alien laborers depress wage rates and reduce employment opportunities. The braceros themselves endure inadequate wages, working, and living conditions. This is not only an unsound economic policy, it is morally indefensible.

3. We must share our surplus foods more generously with undernourished peoples at home and abroad. Missionaries in underdeveloped areas can guarantee distribution to those who need food. Such a program need not seriously disrupt agriculture in other lands, because the recipients do not have funds to purchase food. If we continue to store billions of dollars worth of foodstuffs, domestic market prices will continue to fall, spoilage and storage costs will steadily consume the capital invested in these foodstuffs and we shall incur the wrath of needy people overseas.

4. We must adopt a soil use policy in keeping with the fact that presently we are overproducing some commodities and in the future we shall need to increase production for an expanding population. To advance, the conservation program must have a continuing supply of new knowledge, new ideas and better ways of getting the job done—hence, the need for a sound research program to back up the technical assistance program essential on individual farms.

5. We must accelerate the development of industry in communities outside the metropolitan centers. This will create employment needed by rural people, make our Nation less vulnerable to attack, and alleviate the problems of supplying housing, schools, and churches in metropolitan areas.

For several decades the Extension Service of the U.S. Department of Agriculture provided leadership in multiplying the productivity of the farm but it did not provide new employment opportunities for those who were put out of work by the introduction of machinery and improved methods. We urge the Extension Service to utilize its talented personnel and grassroots contacts in assisting rural communities to attract suitable industries.

Since nonfarm industries in rural areas mean the prospect of a new way of life with new problems and new pitfalls, rural leaders should make a thorough study of what is desirable and undesirable in industry. It is of supreme importance that morally sound principles be instilled at the beginning of rural industries.

As factories are established in rural areas, new legislation will be needed to protect the rights of both labor and management and to provide zoning regulations needed for the good of the community.

6. It is inevitable that some rural youths must leave the countryside to seek careers. There is great need for schools and parish organizations to furnish more guidance to these young people regarding their aptitudes. Those who are leaving should be given training for trades and professions in keeping with their abilities. Parish organizations in the urban areas should assist the incoming youth in finding dwelling and making religious and social contacts. Some of the necessary steps to accomplish these aims will need legislative action.

AMERICA'S RAY OF HOPE—FAMILY FARMING
(By HUBERT H. HUMPHREY, U.S. Senator from Minnesota)

For too long, our national farm policy has been engulfed in deep-seated controversy that shows little sign of abating.

The continuous debate waged over the past decade has, unfortunately, engendered more heat than light. Regrettably, it has been marred by distortions of fact, by recriminations, by misinformation, by a belittling of agriculture's basic role in our economy, and by attempts to turn city people against farm people.

Controversy is neither wrong nor harmful if it is aimed at a constructive goal. Spirited debate is helpful in a democracy, and necessary to the formulation of public opinion. But out of it should always come decision—and progress.

Make no mistake about it—better solutions can be found and must be found to the complex economic and social problems confronting rural America and its currently depressed economy. Solutions can be found that are far more in the national interest, and far less costly to taxpayers.

Supposedly, the great national debate on farm policy has all been over differences of opinion about best methods to achieve the same objectives.

The Nation's press, in trying to oversimplify a complex issue, has led the country to believe that it is merely a fight between advocates of higher price supports and lower price supports, or no price supports at all.

Actually, far more is involved.

I can no longer accept as true the premise that this struggle is merely over differences as to how we can best achieve the same objectives for farm people.

DIFFERENCES REMAIN

If we really were in accord on the purpose and objectives of farm policy in this country, reasonable men of good will long ago would have resolved such differences out of the experience of trial and error of the last two decades. The fact that it has been impossible to do so brings us face to face with the inescapable conclusion that much more is involved than the best methods to achieve common objectives.

The truth is that fundamental differences do exist over the objectives themselves—over the pattern of agriculture we should have in America.

Until we bring those differences out in open, frank discussion, we will remain bogged down on farm policy progress.

The real issue is the right to economic survival of America's traditional family farm pattern of agriculture—the most efficient the world has ever known and a solid bulwark of our free enterprise democracy.

America's independently operated free enterprise agriculture—the owner-operated family farm where managerial skills, capital investment, and actual labor are all combined; where ownership carries with it an inherent pride in the care and conservation of our productive resources; where human and social values of rural community life are not subjected to mere material values of a soulless corporation—this is what is at stake.

We are being led down a path that threatens this fundamental, basic American pattern with extinction. This is being done (overtly, not directly)—and certainly with no sanction from the Congress of the United States.

EMPHASIS ON BIGNESS

We hear less and less concern about perpetuating our family farming pattern, and more and more about giving way to the pressures of mass operations. We hear more emphasis on mere bigness and so-called efficiency, and less on human values and social problems of rural living.

This trend is deeply disturbing to me.

I am against collectivization of our agriculture—either by the Soviet pattern or by the corporate pattern of absentee ownership.

I seriously challenge the current school of thought that "bigness" may be the answer to farm prosperity. Currently the efficency factor of mass corporate farming activities is essentially cheap labor—just as it once was in the sweatshops of our industries.

I cannot conceive of a permanent, peasant-class "cheap labor" force as the source of our Nation's food supply, and the custodian of our productive resources. It would be a dangerous backward step in America's social progress, inviting the seed of social unrest and revolt. At the very minimum, it would create the necessity of farm workers organizing to bargain collectively for decent pay, eventually wiping out the supposed efficiency factor of cheap labor and at the same time endangering the assured flow of food abundance we Americans now take for granted.

No one can convince me, for example, that the Nation's consumers can ever be as well protected by having productive resources concentrated in the hands of a few giant corporations as they are today with the widely dispersed ownership of the source of our food and fiber supplies.

No one can convince me, either, that we are really more efficient if we separate capital, managerial skills, and labor into three classes in agriculture, instead of having them all combined in the family farm unit.

None of us wants to perpetuate inefficiency, or tie farmers to units too small to be economically practical. Yet, there is a distinct line between improving the efficiency of family farmers and increasing their opportunities to make family farming profitable, on the one hand, and abandoning the family operated farm concept to be replaced by large-scale industrialized farming operations with absentee-ownership and hired labor on the other.

POLICY CONCERNS CONSUMERS, TOO

Serious questions of public policy are involved if we are to cross that line. It isn't just the farmer who should be concerned. It is every consumer in America. It is every believer in real competitive free enterprise. It is every American wanting to see democracy succeed in the world.

The entire Nation needs to realize that farm policies must be geared to desirable social objectives as well as desirable economic objectives.

And foremost among such social objectives there should always remain the encouragement and preservation of our traditional rural pattern of the family farm type of agriculture that has long been accepted as essential to a strong democracy.

It is easy to understand why.

A large number of prospering farm families on family farms is a strong balancing force within the Nation against the political and social extremes of economic class warfare.

On the family farm, the economic functions of capital ownership, of arranging for financial needs, of managing the productive enterprises, and of farm labor are all performed by the farm operator and his family, thus eliminating controversy and tension along economic lines.

BUILDS GOOD ATTITUDES

Our family farm pattern of agriculture has been the basis of all our agricultural progress and good community life. It builds in farm family members attitudes of self-reliance, social responsibility, individual initiative, tolerance, and self-government—the attitudes that make for a sound and progressive democracy.

The family farm builds strong families, and the family farm builds strong social communities with good schools and active churches.

There is no need for either corporatizing agriculture, or collectivizing it. Family farmers themselves, in the true democratic tradition of learning to work together, have developed their own extension of the free enterprise system in farmer-owned, farmer-controlled cooperative marketing and supply enterprises—as a legitimate and desirable means of preserving individuality and yet finding a way to compete in an economy of bigness.

Farm cooperatives are the free world's answer to collective agriculture of the Soviet Union—and a far more successful answer. They are a powerful example to the world of how freemen, working together, can develop democratic institutions that far surpass Government-dominated collectivization for efficiency. Farm co-ops must be recognized as a vital part of our free enterprise system, and must be zealously guarded and protected along with the family farm system which they serve so effectively.

The family farm system is the right pattern for our democracy. It is right for the farmers, and to the best interest of the rest of our country. But even more, it offers a ray of hope to much of the rest of the world.

As seriously concerned as we are with our domestic problems in agriculture, the gravest problem of our time is war or peace in the world. Everything we as a Nation do, or fail to do, has an influence on the world's destiny for generations to come—perhaps even on our own survival.

AGRICULTURE'S ROLE IMPORTANT

Too little attention is given by our foreign policy experts to the real role of agriculture in creating a just and lasting peace.

At long last, we are making some progress in winning recognition of how powerful a force for peace and freedom our undistributed abundance of food and fiber can be, when converted into economic development and elimination of hunger, disease, and misery in vast areas of the world.

Yet an even more significant contribution is being ignored.

America's foreign policy needs a dramatic symbol—a symbol of hope to newly created natons, a symbol of democracy's effective answer to Soviet propaganda.

What more dramatic symbol, what more effective ray of hope, can we offer the uncommitted nations of the world than the example of America's free enterprise family farming system, where farmers own their own land—and have a decent opportunity to share equitably in returns from the produce of their soil and their labor?

That is the story the world needs to hear.

FREEMEN WANT LAND

The dream and desire of freemen everywhere is to own land. Unrest in many parts of the world today results from insecure and inequitable farmland tenure, creating hopelessness among those who work the soil, and making them easy prey for communism's glittering false lures and promises.

The restless peasants of the world can find the ray of hope they seek in America's pattern of family farming and family farm ownership that enables the Nation's farmers to farm efficiently, conserve soil and water resources, provide adequately for their family needs, and participate fully in civic, community, and public interests.

Can we risk destroying that ray of hope ourselves?

Can we risk destroying the very symbol that proves democracy's superiority over communism?

With all of its trips into outer space, the Soviet Union cannot equal our achievements in agriculture. And it can offer no fulfillment to the dream of peasants elsewhere in the world of eventually owning a farm of their own.

How we take care of our own farmers, and our own system of farming, can have a profound effect on the struggle now underway in the world.

Other areas of the world are revolting against exploitation by bigness, and insisting upon opportunity for individual independence and dignity.

We have in our grasp the opportunity to lead them by our example, to prove democracy's effectiveness in offering equal opportunity for all.

I have not made specific suggestions here as to the means to correct our farm plight. The specifics are the easiest part of it, if we can create a real understanding in the Nation as to the fundamental objectives we seek to achieve. These objectives are fourfold:

OBJECTIVES LISTED

1. To assure the American people continued abundance of food and fiber.

2. To offer America's farmers an opportunity of achieving economic equality with citizens in other walks of life.

3. To preserve and protect America's traditional pattern of family-owned, family-operated farms as the type of agriculture best adapted to our democratic way of life, and to encourage farm cooperatives as a democratic extension of the free enterprise system to serve farm families.

4. To make greater use of America's undistributed abundance as a force for peace and freedom in a world of the hungry, and to

hold forth the American pattern of family-owned and family-operated farms as a ray of hope to the millions of struggling peasants in underdeveloped areas of the world.

Once we make clear that national farm policy must be shaped to serve these objectives, the way will be clear for once again giving America the kind of farm programs that are needed.

Improving Mail Service in Our Cities

EXTENSION OF REMARKS
OF
HON. KATHRYN E. GRANAHAN
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 25, 1960

Mrs. GRANAHAN. Mr. Speaker, as chairman of the Subcommittee on Postal Operations of the House Committee on Post Office and Civil Service, I am very much aware of the delays and disruptions in the delivery of first-class mail in our major cities. Time after time, we have called to the attention of postal authorities instances where letters have been diverted to the wrong cities resulting in interminable delays. And the promise of overnight delivery of first-class mail within cities is still, I am sorry to say, mostly a promise and not a reality.

To divert attention from the continuing inadequacies of postal service, the Postmaster General has been shedding many tears lately over the so-called interference from Congress in his airlift program for sending first-class mail by air on a space-available basis. One would think Congress had no right to look into this matter.

Actually, it is quite the opposite. Congress has never given the Postmaster General the authority he has exercised in recent years to send first-class mail by air. It has been an assumption of authority. When we looked into the matter comprehensively, it was the decision of the Committee on Post Office and Civil Service that very strict limitations should be imposed on the airlift—not as a rein on the prompt delivery of mail but rather to prevent disruptions in mail service. The airlift is a hit-and-miss proposition in many instances; worse than that, by eliminating rail service we find ourselves in a real mess when weather conditions are such the mail cannot go by air—or when the airlines do not have space available for first-class 4-cent letters.

Of course all 7-cent airmail goes by air and people who want and need airmail service are normally willing to pay for it. But if there is a good chance some of this mail will still go by air even if it only carries a 4-cent stamp, many people are taking that chance and not purchasing airmail service, hoping to get it anyway. So airmail revenues are falling off.

But that is not the point which so concerns me right now. The House has passed the bill on use of air service for 4-cent letters and it is up to the Senate. But in the meantime, this is not an issue as concerns local mail deliveries in, say, Philadelphia, or in other major cities.

The service has suffered terribly because of impractical management practices and out-of-date personnel practices dictated by the Post Office Department here in Washington. This is true all over the country, as every postal worker will quickly point out to you once you start to ask some searching questions about postal operating policies.

We can all remember when the postal worker was so proud of the postal service that he could tolerate no criticism of the Department, and always wore proudly the uniform of his service. In recent years, however, the postal employees have been kicked around so much by their superiors in Washington that many have lost their sense of dedication and pride in the postal service. This is too bad.

A new President in January must correct this deplorable situation by appointing as Postmaster General a man who can work with and inspire the postal employees to give their very best, and who regards them and their work as important. In recent years, the postal workers have been downgraded by the very man who should be most interested in their welfare.

Military Cemeteries Overseas—Part 1

EXTENSION OF REMARKS
OF
HON. THADDEUS J. DULSKI
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 25, 1960

Mr. DULSKI. Mr. Speaker, as a member of the Committee on Veterans' Affairs, I represented our committee at the dedication of the American military cemeteries and memorials overseas during the recent recess of Congress.

Upon my arrival in France, I was immediately escorted to the dedication of the Henri-Chapelle Cemetery and Memorial in Belgium. It is located about 2 miles northwest of the village of Henri-Chapelle which is on the main highway from Liege. This cemetery covers 57 acres and 7,989 of our war dead are buried here, most of whom gave their lives during the advance of the U.S. Armed Forces in Germany. The headstones are arranged in gentle arcs sweeping across a broad green lawn which slopes downhill. To the east is the long colonnade which, with the chapel and museum room, form the memorial overlooking the burial area. The chapel is simply but richly ornamented. In the museum are two maps of the military operations, carved on black granite with inscriptions recalling the achievements of our Armed Forces. On pylons of the colonnade are inscribed the names of 450 of the missing who gave their lives in the service of their country. Also carved thereon are the seals of our States and territories.

The dedication address was delivered by Capt. William Hallam Tuck, U.S. Naval Reserve. Others addressing the gathering were the Honorable William A. M. Burden, American Ambassador to Belgium; the Honorable John J. McCloy, representing the President of the United States; and the Honorable Albert Lilar, Vice Premier of Belgium.

The band played the national anthem of Belgium, "La Brabançonne," which was followed by our anthem, "The Star Spangled Banner."

Since I was unable to be present at the dedication ceremonies held on July 4 at the military cemeteries in Luxembourg and Margraten, in the Netherlands, I requested permission to visit these two cemeteries which was granted by the Chairman of the American Battle Monuments Commission, Gen. Jacob L. Devers.

The Luxembourg Cemetery lies within the city limits of Luxembourg. It is situated in a beautifully wooded area, 50½ acres in extent. Not far from the entrance is a white stone chapel, set on a wide circular platform surrounded by trees. It is embellished with sculpture in bronze and stone, a stained-glass window with American unit insignia, and a mosaic ceiling. Flanking the chapel at a lower level are two large stone pylons upon which are maps carved in various granites with inscriptions recalling the achievements of the American Armed Forces in this region. Inscribed thereon also are the names of 370 of the missing whose remains were never recovered or identified.

Sloping gently downhill from the memorial is the burial area, containing 5,076 of our military dead, many of whom gave their lives in the Battle of the Bulge and in the advance to the Rhine. The headstones follow along graceful curves; and trees, fountains, and beds of roses along the main paths add to the dignity of the ensemble.

My next visit was to the only American military cemetery in the Netherlands, which covers 65½ acres and lies in the village of Margraten. Its tall chapel tower can be seen from a considerable distance. Upon entering the cemetery, the visitor is led to the court of honor with its pool reflecting the tower. To the right and left, respectively, are the visitors' building and the museum which has three large engraved maps depicting the military operations of the American Armed Forces. Stretching along each side of the court are two walls with the names of 1,722 of the missing who rest in unknown graves.

Beyond the chapel is the burial area, divided into 16 plots, for 8,301 of our military dead. The headstones are set in long graceful curves and a wide tree-flanked mall leads to the flagstaff which crowns the crest.

The light fixture in the chapel, the altar candelabra and the flower bowl were presented by the Netherlands Government and by the local provincial administration. During the dedication ceremony, Her Majesty, the Queen of the Netherlands, was presented. The following addressed the gathering: the Honorable Philip Young, American Ambassador to the Netherlands; the Honorable

John J. McCloy, representing the President of the United States; His Excellency Ir. S. H. Visser, Netherlands Minister of Defense; and the Honorable Wilber M. Brucker, Secretary of the Army. After the Netherlands national anthem, "Het Wilhelmus," the band played the "Star Spangled Banner."

In the next issue of the RECORD, I will include the remainder of the military cemetery dedications I attended.

Dedication of General Twining Park to Monroe's (Wis.) Illustrious Native Son on July 4, 1960

EXTENSION OF REMARKS
OF
HON. GERALD T. FLYNN
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 25, 1960

Mr. FLYNN. Mr. Speaker, Monroe, Wis., located about 40 miles from the capital city of Madison, lies in fertile green valleys which make up Green County, Wis. It is populated for the most part by thrifty Swiss pioneers who settled here more than 100 years ago and brought with them the knowledge of how to make swiss cheese by hand in copper kettles. This swiss cheese economy has been the basic industrial pursuit of Green County residents for the past 100 years. They still make the highest quality and finest swiss cheese in America and produce many times more swiss cheese than is produced any place else in America.

Monroe is the birthplace of Gen. Nathan F. Twining, and on July 4, 1960, this beautiful city paid its highest tribute to its most illustrious son. Under the direct leadership of the junior chamber of commerce and with the cooperation of every civic organization in all of the cities of the community, the city of Monroe dedicated a 40-acre park which is properly dedicated to Gen. Nathan F. Twining and will hereafter be known as Twining Memorial Park. Dedication of the park was conducted by Mayor Orville R. Evans with response by General Twining who attended in person. The dedication was preceded by remarks made by Col. Bruce Thomas who represented Gov. Gaylord Nelson. There was a review of the F–86D sabre jet memorial project by John F. Kundert, president of the Monroe Chapter of the Junior Chamber of Commerce. He also made presentation of the memorial to the city. There was response by A. Lee Mitchell, park board president.

Preceding the dedication, a reception was held at the Idle Hour Mansion. General Twining attended in person and following the celebration, a community dinner was held in honor of General Twining at the Monroe Country Club. I personally had the privilege of attending this celebration and could not help but think of the thoughts that were passing through General Twining's mind as he returned to the beautiful and peaceful small community lying in the heart of a prosperous country land—one of the most beautiful spots that the mind could imagine. I wondered what this man of advanced years, with great responsibilities and world problems weighing upon his mind, must have been thinking as he returned at his present age to the home of his boyhood and as he saw his neighbors of old, few of whom he still remembered, leading their peaceful and pleasant lives in this city which I am sure he has always loved. I feel certain that he must have felt that the local residents were fortunate, indeed, to have the privilege of living in such a peaceful and prosperous community in close association with each other with their families and loved ones—and I am sure that there must have been a longing in his heart for the opportunity in retirement of gaining the peace, the calm, the gentleness, and the closeness to nature that existed in the town of his birth.

I am certain, too, that in the general's mind he was certain, as this park was dedicated in his honor on July 4, 1960, that all the suffering and hardship and death and privation that he had witnessed throughout the world in the various struggles to protect and preserve our way of life and posterity was well worth the terrible price which we have paid to maintain our form of government. There is no better example of American democracy at work and the meaning of the institutions that have made this country great than there is in Monroe, Wis., the beautiful city which is the birthplace of the Chairman of the Joint Chiefs of Staff of the United States.

The ceremony was impressive, the dedication was memorable and I am sure that the day will long be cherished and remembered by General Twining and by the proud citizens of Monroe who properly call him their most illustrious son.

Lower Manhattan Expressway

EXTENSION OF REMARKS
OF
HON. LEONARD FARBSTEIN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 25, 1960

Mr. FARBSTEIN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a letter I have written to the editor of the East Side News, a publication with wide circulation in the 19th Congressional District of New York:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 26, 1960.

Mr. ABRAHAM SCHLACHT,
Editor, East Side News,
New York City.

DEAR MR. SCHLACHT: As you are undoubtedly aware, I have been actively opposing the construction of the Lower Manhattan Expressway since December 1959. Since that time I have been in constant communication with the Federal Bureau of Public Roads, the New York State Department of Public Works, the New York City Board of Estimate, and other public officials in an effort to prevent this roadway from being built in our neighborhood. I have introduced legislation in the Congress to prevent its construction, but, unfortunately, the Committee on Public Roads has not taken up this bill.

Building an elevated highway across part of lower Manhattan, when we have finally rid ourselves of the elevated railways, to my mind would create an eyesore in the area and would deface the neighborhood.

It would destroy real estate values, resulting in lower assessed evaluations and lower real estate taxes to the city.

Its construction would create severe hardship to hundreds of small businessmen in the area. In many instances their establishments, representing individual enterprise, foresight, lifetime investments and sheer hard physical labor—generations of hard labor, stability, and sacrifice—would be wiped out.

Most important, it would displace approximately 2,300 families for whom new quarters are not available. Too many public improvements are being undertaken with a total disregard of the families residing in the areas proposed to undergo improvement. Too many families today are awaiting relocation under circumstances that are deplorable. The reconstruction taking place in Manhattan today makes unfeasible the relocation of the aforementioned families. I am more concerned with the peace and tranquillity of these families in their homes than in the convenience of crosstown motorists who would use the expressway to cut across Manhattan Island.

In the course of my protestations and the protestations of Assemblyman Louis De Salvio, State Senator Joseph R. Marro, and City Councilman Daniel S. Weiss, to the construction of this blight, the New York State superintendent of public works advised on February 18, 1960, that "in the case of an urban project such as this one we invariably await the expression of the local officials." * * * "We will move only after we get this approval" (referring to the approval by the board of estimates).

Imagine, therefore, my surprise and consternation to learn by reading the New York Times on August 24, that Mr. Moses in a letter to Mayor Wagner and other members of the board of estimate, had said he had been notified by Federal and State highway officials that the city had had more than enough time to act and that they would not tolerate further delay. Mr. Moses warned that unless the board of estimate approved the expressway at its meeting held on August 25, the project probably would be abandoned and the bulk of the funds would be shifted to other projects, mainly outside the city.

Knowing full well that funds allocated by the Federal Government for such projects are not allocated for specific projects, except at the request of the State, and that such funds cannot be withdrawn, except at the request of the State, I immediately wired to the members of the board of estimate as follows: "Hope you will not be intimidated by the New York Times article insofar as Lower Manhattan Expressway is concerned," and immediately contacted the Federal Bureau of Public Roads for an explanation as to why there was suddenly a deadline to be met, thereby not giving the demand by Acting Borough President Louis A. Cioffi for a survey on relocating the 2,000 families who would be uprooted from the artery's congested route, time for completion.

I was informed by the Bureau that nothing "official had come from the Bureau, either directly or indirectly or informally." Further I was once more assured that "funds allocated by the Federal Government are not allocated for specific projects except at the

request of the State and they cannot be withdrawn except at the request of the State." This information I immediately wired to each member of the board of estimate to prevent their possible succumbing to the veiled threat contained in the New York Times article.

I had been in touch with the New York State Department of Public Works to ascertain if the State had requested the board of estimate to bring the matter to an immediate conclusion; but I have not yet received a reply to my request.

In view of the foregoing, therefore, it is apparent that the information in the article referring to notification by the Federal highway officials is not the position taken by the Federal Bureau of Public Roads; and the reference in the same article to the bulk of funds earmarked for the Canal Street Expressway being shifted to other projects, mainly out of the city, is not the information furnished me by the Bureau of Public Roads.

Therefore, I trust the board of estimate will not, at this time, approve the Lower Manhattan Expressway; and I urge every resident of the area to make known his opposition to the construction of the expressway by writing to the members of the board of estimate.

Sincerely yours,

LEONARD FARBSTEIN,
Member of Congress.

FCC—Renewal of Broadcast Licenses

EXTENSION OF REMARKS
OF
HON. ROLAND V. LIBONATI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 25, 1960

Mr. LIBONATI. Mr. Speaker, I have received some very interesting correspondence, touching upon legislation before the Congress.

The resolution, passed unanimously by the American Federation of Television and Radio Artists—Chicago local, affiliated with the AFL–CIO, is especially interesting.

I am certain that the suggestions contained therein are worthy of the consideration of the membership of the Congress.

Under unanimous consent I include the following in the CONGRESSIONAL RECORD:

AMERICAN FEDERATION OF TELEVISION AND RADIO ARTISTS,
Chicago, Ill., August 12, 1960.

DEAR CONGRESSMAN: I am enclosing a copy of a telegram which I sent on August 12 to the Honorable EVERETT MCKINLEY DIRKSEN.

I am also enclosing a copy of a resolution which was unanimously passed by our delegation to the Washington convention.

We honorably and respectfully urge your support on this matter.

Sincerely yours,

RAYMOND A. JONES,
Central Regional Director, AFTRA.

RESOLUTION FROM THE CHICAGO LOCAL AFTRA

Whereas the license to operate a broadcasting station granted by the FCC is predicated upon the broadcasting licensee operating the station in the public interest, convenience, and necessity; and

Whereas the phrase "public interest, convenience, and necessity" rightfully means "substantial programing by the broadcasting station so as to aid, foster, and reflect the cultural, economic, sociological, and other objectives of the community in which the station is located," as well as the origination of a substantial number of programs from that locality; and

Whereas many broadcasters in their license applications for the right to operate a station have made certain promises, representations, and warranties as to the programing of the station in the public interest, convenience, and necessity; and

Whereas many broadcasters have failed in substantial measure to live up to their promises as to programing the stations in the public interest, convenience, and necessity; and

Whereas local and network broadcasters have canceled, with increasing and alarming frequency, locally produced programs, therefore terminating services of many local technicians, performers, musicians, and other highly trained personnel; and

Whereas the members of AFTRA, as well as the general public, have a real and substantial interest in the programing of the station in accordance with the promises, warranties, and representations upon which the broadcast license was issued; and

Whereas the FCC is obligated by law to determine the initial issuance of the broadcast license as well as the application for the renewal of the said license; and

Whereas the FCC has the right to examine and hold public hearings on the right of any broadcast licensee to a renewal of its license: Now, therefore, be it

Resolved, That AFTRA's national executive secretary and national counsel be and they hereby are authorized to take any and all action in Congress, before appropriate committees and the FCC, in cooperation with other affected unions, guilds, and associations in the broadcasting field, to secure the right of AFTRA, and the aforementioned unions, guilds, and associations, and other interested members of the general public to require the FCC to hold public hearings on applications for the issuance or renewals of broadcast licenses where a protest has been filed, so that the broadcaster can be required to prove that he has operated and will operate in the public interest, convenience, and necessity.

AUGUST 12, 1960.

The Honorable EVERETT MCKINLEY DIRKSEN,
Senate Committee on Labor and Public Affairs, Washington, D.C.:

Respectfully urge you to drop exclusion of employees of radio or television stations in cities of less than 100,000 population from the provision of the proposed amendment to the Fair Standard Labor Act of 1938. It is unthinkable that announcers, engineers, and other talented and trained personnel get less than $46 per week for 40 hours in America today. I have in my possession brochures published by the company which claims a listening audience of more than a million persons in Chicago, Gary, and Hammond. There are hundreds of such stations which have a studio and transmitter just outside the city limits of large metropolitan areas, which would be exempted under proposed exclusion. I am mailing you special delivery copy of brochure.

RAYMOND A. JONES,
Central Regional Director, AFTRA.

AUGUST 24, 1960.

Mr. RAYMOND A. JONES,
Executive Secretary, AFTRA, Chicago Local, Chicago, Ill.

DEAR MR. JONES: I have received your letter relative to the matters passed upon in the adoption of the resolution for the Chicago local—AFTRA, and have called your suggestions to the attention of Congressman PETER F. MACK, Jr., of Illinois, who is our representative on the House Committee on Interstate and Foreign Commerce, and I am recommending the same to him.

Thank you for calling this matter to my attention, I am,

Sincerely,

ROLAND V. LIBONATI.

AUGUST 24, 1960.

Hon. PETER F. MACK, Jr.,
Washington, D.C.

DEAR COLLEAGUE: I have received the enclosed communication from Mr. Raymond A. Jones, executive secretary of AFTRA, Chicago local.

I feel that some of the suggestions that are included in this resolution contribute, in a measure, to the solution of many of the problems facing that industry.

Thanking you for your consideration of this matter, I am,

As ever,

ROLAND V. LIBONATI.

AUGUST 25, 1960.

The Honorable ROLAND V. LIBONATI,
House Office Building,
Washington, D.C.

DEAR ROLAND: This will acknowledge receipt of your letter of August 24 and the enclosed resolution from the Chicago local of AFTRA.

Many of us on our committee have been quite concerned about the policies of radio and television stations in overlooking local interest and in the FCC policy of automatically renewing station licenses. I feel the suggestions made in the resolution from AFTRA are extremely appropriate and support the views expressed in reports made by the Committee on Legislative Oversight.

Sincerely yours,

PETER F. MACK, Jr.

Mr. Speaker, the communication received from the Honorable PETER F. MACK, Jr., Representative from the 21st Congressional District of Illinois, is indicative of the acceptance of the suggested changes contained in the resolution from Chicago local of AFTRA.

As a recognized expert in this field, certainly, his recommedations should be accepted.

National Forest Parks: A New Concept in Recreational Development

EXTENSION OF REMARKS
OF
HON. AL ULLMAN
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 25, 1960

Mr. ULLMAN. Mr. Speaker, last month I made a proposal at a meeting of the National Outdoor Recreation Resources Review Commission, of which I have the honor and distinct pleasure to be a member. My proposal included the suggestion of a system of national forest parks. This idea has been received with widespread interest. In order to expand somewhat on the thinking which underlies my proposal, I have prepared the following rather brief and informal statement. I will welcome comments and discussion of this concept by my colleagues and by the public and hope that from

such a discussion may come more adequate management of our great national recreation resources and new doors into our great outdoors for millions of Americans.

The statement follows:

NATIONAL FOREST PARKS: A NEW CONCEPT IN RECREATIONAL DEVELOPMENT

The average American looking forward to a summer vacation in our great outdoors usually thinks in terms of Yellowstone, Yosemite, Estes, or our other national parks. He knows little about those vast scenic areas of his country centered in our national forests. Because of my conviction that the recreational potential of these areas has great national significance and should be fully developed, I have proposed to the National Outdoor Recreation Resources Review Commission a system of national forest parks. My proposal presented at the Joint Commission-Advisory Council meeting in Jackson, Wyo., on August 2 called for: (1) Establishment of a system of national forest parks within the national forest system, (2) zoning of national forests into three primary zones, (a) full multiple use, (b) limited use wilderness, (c) limited use national forest parks, (3) creation of a national forest park administrative division within the Forest Service.

A fourth recommendation, broader in nature, called for the establishment of a position of National Resource Coordinator under the President to assist him in much needed policy coordination in resource matters. My remarks here will be confined to the national forest parks proposal.

Although the Forest Service has adopted an accelerated recreational development program, its emphasis has been almost entirely based on the expedient development of campsite areas to handle visitation pressures. There has been little, if any, thought concerning the development of nationally significant areas under an integrated concept of park management.

My proposal for the establishment of national forest parks is based upon the conviction that the recreation potential within the Forest Service can only be fully developed through recognition of nationally significant units and through the intensive and integrated development of such units under a park system of management. I believe that such a plan is wholly within the scope and meaning of the multiple use concept which guides Forest Service policies. I am also convinced that such a plan is fully compatible with Forest Service statutes.

The key to such a plan would be recognition through zoning of nationally significant scenic areas within the National Forests. These would be given a separate identity encompassed in a well rounded and professionally conceived park plan with appropriate national recognition and promotion.

Another cornerstone of such a plan would be the recognition of the compatibility of multiple use management and forest park objectives. There is no reason why timber management, water protection, and other multiple use objectives should not be incorporated in the management plans of such parks. There would obviously be some limitations on other uses in the most intensively used recreation areas but these would encompass only a small portion of the park area.

Where wilderness exists in conjunction with nationally significant scenic areas, the national forest park and the wilderness zone should be integrated in their planning so as to accomplish full recognizition of the scenic potential of the area. Clearly, the wilderness concept should in no way be violated.

Minimum criteria would establish the standards for national forest park designations. The number of such parks within the national forest system would be determined in large part by those standards. There is no question, however, that within the national forests there are many such park sites. In my own congressional district, comprising approximately the eastern two-thirds of the State of Oregon, there are many, including the high Wallowas, Hells Canyon, Three Sisters, Newberry Crater, Lake of the Woods, and Mount Hood. At least two of these would include spectacular wilderness areas. At the present time the recreation potential of each of these is virtually undeveloped and their national significance little known.

A byproduct of such a system would be the relieving of the tension that now exists between the Park Service and the Forest Service. Such differences stem, for the most part, from the fact that there are many pressures to create national parks out of the most scenic national forest areas because that is the only present means of gaining unique national recognition and of obtaining full recreational development of those areas. The system I have proposed would allow for full development within the Forest Service, maintaining the management integrity, but at the same time allowing for national recognition and full recreational utilization.

I visualize this new concept as the next step forward in the recreation development of America's great scenic outdoors. It would give us sound recreational development within the framework of multiple use and would allow for maximum wilderness preservation while providing for full recreational use. It would relieve the pressure on our national parks and disperse the increasing visitations among new and equally appealing areas. It would open many new doors into our great outdoors for millions of Americans.

Greetings to the Ukrainian Congress Committee

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, August 25, 1960

Mr. ANFUSO. Mr. Speaker, the Ukrainian Congress Committee of America is celebrating this fall the 20th anniversary of its founding. This well-known organization has every reason to be proud of its achievements over these past two decades, not only because of the fact that it reflects the thoughts and sentiments of some 2½ million Americans of Ukrainian ancestry, but because of its campaign of truth and public education regarding the Soviet Union, particularly the latter's subjugation of the various nationalities suffering under the yoke of communism.

The Ukrainian Congress Committee and its membership have over these years dedicated themselves to several important tasks, thus serving the interests of the United States, their ancestral homeland the Ukraine, and the free world generally. Among these tasks are: First, to advance the strategic value of all the captive nations of Europe, and most especially the nationality groups in the Soviet Union itself where the non-Russians outnumber the Russians; second, to keep the people of America and of the free world informed on the struggles for independence on the part of the dozen or more captive nations of non-Russian origin within the Soviet Union; third, to expose before the eyes of the entire world the many myths about Soviet unity and to show that it is an illusion; and fourth, to propose various concrete ways to combat effectively the cold war and Communist propaganda tactics.

In this respect the Ukrainian Congress Committee is doing a great service and deserves to be commended. The Ukrainian people were one of the earliest victims of Communist imperialism. It does not consider itself as part of the Soviet nation. Ukrainians still cling to the hopes of freedom and independence for their homeland, and we here in America must help keep those hopes alive and vibrant. We must do everything in our power to encourage them not to lose hope or faith. We must support their righteous cause.

I salute the Ukrainian Congress Committee on the occasion of its anniversary and join with them in prayer that their kinsmen will soon realize their goal to attain genuine democracy and to live in human dignity.

Water Resources Developments: Key to Tomorrow

EXTENSION OF REMARKS
OF
HON. FRANK E. MOSS
OF UTAH
IN THE SENATE OF THE UNITED STATES

Thursday, August 25, 1960

Mr. MOSS. Mr. President, on August 22, the Senator from Wyoming [Mr. McGEE] delivered an address in Boulder, Colo., at the Western Resources Conference, entitled "Water Resources Developments: Key to Tomorrow."

It is an excellent address which contains a great deal of information in terms that can be understood by the public. The Senator from Wyoming [Mr. McGEE] has done a great service to the Nation in pointing his finger to a very serious subject.

Because of its timeliness and its importance, I believe it should be read by all Members of Congress. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

WATER RESOURCES DEVELOPMENTS: KEY TO TOMORROW

For a rank outsider to venture into the realm of water resource development in the presence of those who have dedicated a lifetime to mastering its problems is brazenly presumptuous. Yet, the remarks to follow are undertaken in precisely such a context.

In the 1st session of the 86th Congress the Select Committee on National Water Resources of the U.S. Senate was created. Under the skillful and energetic leadership of its chairman, Senator ROBERT S. KERR, of Oklahoma, and with the participation of all of its 17 members, the committee has

striven to integrate the large volume of materials assembled in earlier studies; to update the most critical of the information; and is now preparing to translate the whole into meaningful programs for action. More than any other single force, it has been my membership on that committee which evokes the comments which follow. In no sense, however, should these remarks be attributed to that group. I, alone, bear responsibility for what I am about to say.

This intrusion into your affairs by a "Johnny-come-lately" may carry more significance than one might first think. If, as I believe it does, it symbolizes a new and spreading concern among plain citizens about our national water needs, then we may, indeed, be on the verge of a major breakthrough of one of the chief barriers to an adequate water resources program—that of massive public indifference.

In a much larger measure than some in the water fraternity are wont to admit, the problem is less and less one of definition and more and more one of action.

For all too long water experts, resource engineers, and assorted technicians have spent a disproportionate amount of time talking to each other, usually in a professional jargon unintelligible to the rest of us. Along the way, there has been altogether too little effective communication with the man on the street. What use, one is entitled to ask, is there in calculating the coefficient of N in an unlined channel unless a channel gets built in the first place. In my judgment the time has come when you should talk less with your colleagues and more with your neighbors.

Without popular understanding of both the magnitude and the urgency of the problem of adequate water resources; without a public disposition to accept—or even demand—greater tax expenditures for water, there can be little hope for major strides forward. Without it, moreover, professional and scientific advances in the field remain largely academic exercises, or possibly suffer a worse fate—that of being drowned in a sea of public apathy.

Since most everything these days seems to begin and end with money, this discussion might just as well start there, too.

The Department of Commerce has come up with an estimate that between now and 1980 we are going to have to invest through all government levels, from Federal to local, and through private instrumentalities well in excess of $200 billion in the development of our water resources. This figure is based upon a most conservative estimate, which may in fact be on the low side, that our gross national product will increase only 2.7 percent per year. A more rapid growth rate—say of 4 or 5 percent—would inescapably mean proportionate increases in water demands.

To put it differently, the per capita consumption of water is expected to double—or according to some projections—even to quadruple in the next quarter century. At present rates our population will nearly double by the year 2000. Simple arithmetic calculation suggests the magnitude of the new demands for water which lie immediately ahead of us.

To see what will be involved in this effort, one has only to examine some of the projections which have been charted for us by agencies which deal with water.

From the Public Health Service we have learned that between now and 1965—scarcely 5 years hence—we shall need to spend over a billion dollars a year on a local, State, and Federal basis just to catch up with the sewage and waste treatment needs which will exist by that date.

The Corps of Engineers warns that the total foreseeable flood control program will cost another $10 billion. This program will protect the lives and property of a substantial portion of our population.

Within the Department of Agriculture there are studies which suggest that to protect the vital watersheds from which our streams and rivers flow is going to cost over $4½ billion by 1980 and is going to involve the treatment of almost a quarter billion acres.

The Federal Power Commission foresees that by 1980 we will need almost four times the installed generating capacity we now have.

In the vital and rapidly developing field of recreation needs, the National Park Service has proposed a policy which envisages 8 billion annual visitor days of use of National, State, county, and municipal parks by 1980. By that time also there will be a total of 70 million hunters and fishermen in the fields, according to the Fish and Wildlife Service.

Resources for the future predicts that by 1980 in our own area we shall need 14.5 million acre-feet of additional storage capacity to develop the remaining water in the Colorado River system. At least this much storage is essential if we are to meet the anticipated need for power, irrigation, recreation, domestic, industrial, and other uses. The majority in Congress has consistently supported appropriations for the Colorado River storage project and has advanced its construction more rapidly than proposed by the administration, and, indeed, against strong administration opposition. There is much to be done if we are to meet the predicted need, and recognizing this, Congress has initiated six of the participating units of the project in the last four annual appropriations; three of them by overriding a Presidential veto.

One of the most damaging features added to the original bill to authorize the Colorado River storage project by the administration was the drastic change in the basis for determining the interest rate on power and municipal water construction repayments. The interest rate formula was changed from "the average rate paid by the United States on its long-term loans" to "average yield to maturity." This would result in substantially higher interest rates that would limit the financial feasibility of the project and deprive water users of many millions of dollars of financial assistance to irrigation projects from surplus power revenues. This crippling requirement has finally been removed by Senator ANDERSON'S majority-backed amendments to Public Law 86-529. We can ill afford a policy which prefers to add additional millions of dollars to interest charges at the expense of desperately needed water resource developments.

The predicted additional storage requirement in the upper Missouri River system to develop the remaining water supply by 1980 is 30 million acre-feet, and the requirements for other systems are correspondingly large.

What a delight it would be to be able to report to you that new technological breakthroughs may enable us to meet expected water needs for much less money than is now estimated. How gratifying were I able to report that by waving the wand of modern science we would solve our water problems. But, of course, I cannot do so. While Federal agencies have undertaken research programs in the development of these technical processes which may make much more water available for use or reuse, to date, progress has been painfully slow.

We are indebted again to Senator ANDERSON for his vigorous leadership in the development of research in the conversion of saline water. Thanks to his bill, passed in 1958, the administration is now finally getting around to setting up five experimental stations to test various methods for converting both sea water and brackish groundwater. There are also programs under way for the development of chemical films, such as hexadecanol, to prevent evaporation of water stored in open reservoirs, to test the feasibility of storing water in relatively impervious underground aquifers, to change the nature of plant cover for arid areas so that more water will be retained in the soil and less will be consumed through evapotranspiration and to salvage water which has hitherto been regarded as waste.

These programs do hold a great deal of promise, but they should be crash programs and not just designed to find the answers "someday." Suddenly—now in 1960—some among us have begun to grasp a sense of urgency with regard to water. Many millions more must come to the same realization before we can hope to stir public demands to meet our needs. Only in this way can the popular will become disposed to spend more money on research.

As I said, these programs are promising. But even if they are brought to fulfillment in time, they will not do the whole job. Even if they are put on a crash basis, the lag in time between the ideas which are the most concrete results of this research and their realization in efficient production inevitably lengthens as the technology involved becomes more complex.

After all of these expensive and challenging prognostications, you may be wondering whether a sudden act of magic will pull some sort of rabbit out of a hat in the form of an easy way out. Unfortunately, there is no simple way out, but there is reason for hope.

With imagination, resourcefulness, and real tenacity of purpose our chairman, Senator ROBERT KERR, of Oklahoma, has channeled the select committee's intent into a program which has enabled us to hold hearings in every section of the Nation and in almost half the States. We have consulted with technical experts on every phase of this vastly complicated problem area; we have asked the appropriate Federal agencies for their best estimates not only as to the size and nature of the problems, but as the figures I have cited make obvious, for their best estimates of the programs we need to solve the problems.

A competent staff has toiled diligently with the tremendous volume of material which we have gathered together. All of these hearings, studies, and researches which the committee has undertaken help to mark out the road ahead.

Senate Resolution 48, introduced by Senators MURRAY and MANSFIELD and unanimously endorsed by the Conference of Western Democratic Senators, created for us the obligation to find out "the extent to which water resources activities in the United States are related to the national interest."

To serve that national interest properly in the coming years it is probable that we shall need even more than the $40 billion per year we now spend on military preparation if we are going to prevent the balance of power in the world from shifting irrevocably against us. In addition, we are going to have to develop more adequate systems of education, economic distribution, and technology here at home. In order to maintain our position of leadership in the free world, we cannot expect to rely upon military expenditures alone. We must also give economic, technical, and moral support to those nations and peoples which have recently grown to nationhood and which look to us for leadership because our Revolution has produced durable democratic institutions.

The question which is obviously raised by the size of the water resources programs we are going to have to undertake is whether or not we can do it and still meet all of these other goals which as Americans we have set for ourselves. This is a question for the members of our committee to answer in the immediate sense, but ultimately it is a question which must be answered by every

American. The only answer which the American people can tolerate is that we must do it.

We have learned that such seemingly disparate problems as the development of the Central Valley project in California and the eradication of the pollution which, carried to the ocean by the rivers of Maine, threatens the future of the commercial fishing industry of that State are related. They are related because they are all involved in the national interest.

To bring it close to home, I should like to read to you an excerpt from a letter written to me as a member of the committee and included in the record of the committee hearing held in my hometown of Laramie last October. It is from the county assessor of Carbon County, Wyo. In it he speaks of the need for increased supply of irrigation water for the fertile but arid land within his county, and he says:

"In viewing the economic aspects of the present situation, we find that 6.8 percent of the land on the tax rolls of Carbon County pays 41.4 percent of the county tax. If it were possible to increase the irrigated acreage of the county, it is apparent that our revenes would increase materially, our towns would once again begin to prosper, new people would settle here, creating new wealth, and it would be an inducement for our children to stay here instead of moving away to places where opportunities are greater."

It is the people who are on the tax rolls in Carbon County, Wyo., as well as in each one of the other counties throughout the Nation who are going to have to pay the taxes which we use to accomplish our national plans and achieve our national goals.

The individual water resources development projects which are needed to increase the incomes of the residents of Carbon County, Wyo., will not only make it possible for Carbon County to meet its public goals, but, multiplied throughout the Nation, they will also make it possible for the United States to achieve its goals. The connection between the development of our water resources and the national interest is that only if we develop our water resources can we achieve these broad and inspiring objectives. Only in this way can we expand and otherwise "beef up" our national economic capabilities.

Up to this point in these remarks, I have dealt primarily with the enormity of our task. The Senate Select Committee on National Water Resources is asked to do more, however, than to state the problem. There have been many reports on the state of the Nation's water resource development in the past. In most cases they have delineated the problem adequately. Senate Resolution 48, however, requires us also in transmitting the results of the study it authorizes, to make "such recommendations as at that time may be found desirable."

Nineteen hundred and eighty is only 20 short years away. As a Nation, we have fritted away the time we once had to do this job in a leisurely manner. Having defined the problem, we are now required to tackle its solution. This is where the West comes in. Not only is our section of the country one of the greatest remaining repositories in the world of mineral wealth, but it is also the one major section of the United States which has not yet fulfilled the promise which these riches imply.

One of the most precious of our unexploited nonmineral treasures is space. We have room for the burgeoning population of America and if we develop our water resources so that water shortages do not put a ceiling upon the extent to which our population can increase, we can support this population at a desirable standard of living. The programs which I have already described are national in scope, but the West is going to be called upon to do more than its share in carrying them out, and the West is ready.

Even with transpiration, evaporation, consumption, and seepage into impervious acquifers, three-fourths of the water of our western rivers still discharges into the ocean. This means that the West has only begun to use its water. The Bureau of Reclamation, in its report to the committee, states, "The amount of physically feasible water resource development remaining in the 17 reclamation States is enormous."

Their report summarizes 1,085 reclamation projects, both public and private, upon which construction has not yet been undertaken.

The Bureau estimates that 75 percent of the Federal projects and 90 percent of the non-Federal projects listed can be developed by the year 2000. Such a program would provide for the irrigation of 17 million acres of new land equivalent. It would pour over 4 million kilowatts of hydropower into our transmission systems. It would cost $22 billion.

At this point someone not acquainted with our western economy and with the vital relationship of the reclamation program to the national interest might ask, "In light of present crop surpluses, is it all worth it?" The answer is that it is not only worth it, but that the Department of Agriculture has warned us in its report to the committee that we may need an increase of as much as 34 million acres of irrigated land on a nationwide basis by the year 2000 to feed our population. The Department makes it clear that whatever the level of present crop surpluses, the need for the products of agriculture will increase in the future.

It is estimated that the domestic market for farm products by the year 2000 will range between 85 percent and 200 percent higher than it was in 1954. Not only is our population going to increase but our consumption per person of meats, fruits, and vegetables is going to increase. Millions of acres of currently productive nonirrigated land are going to be converted to other uses by the year 2000 as the result of population growth.

Obviously, it would not be in the country's interest to steal these new millions of needed acres from existing forest lands. Reclaimed land is the answer. The West is ready to do its share, but we cannot make the necessary progress if our vision of tomorrow is blurred by a myopic fixation upon today's surpluses.

A Bureau of Reclamation report describes a program in which the West can provide food and fiber and otherwise absorb 25 million more people. In addition, it would enable us to build a quarter-million new full-time family-size farm units and add 800,000 persons to the farm population. Additionally, this new West could support an increase in local nonfarm population of 2.4 million people. In the process there would be need for over 40,000 new local retail enterprises which would do more than $4 billion in retail trade each year. Predictable growth of this magnitude in our western economy would add almost $1 billion to the Federal Treasury each year.

I want to call particular attention to the last of these points because it reveals dramatically the relationship to the national interest which I have already discussed. This is the type of investment in the Nation's economic future which some habitually charge off as free spending. Evidently they do not realize, either, that these investments are repaid to the Government, or that they add many times their own sum to the gross national product.

It is difficult at this time to foresee the exact nature of the Senate Select Committee on National Water Resources' report to Congress. It is already obvious, however, that the committee and the Nation are going to have to muster the courage to ask the right questions and to face the consequences of honest answers and unpopular solutions. It is not simply a matter of spending a great deal more money. While finding more than $200 billion for water resource development is a staggering prospect, it would be a delusion to think that we can somehow buy our way out of our predicament. Much more than money is demanded of us.

We have conflicts of long standing which are now hindering the progress of vital water resources development work. For example, what shall be done about the question of Federal-State water rights? The first Iowa and Pelton Dam decisions have intensified this conflict, rather than resolving it. Unless one understands its true nature, and thus how serious it is, one cannot comprehend the extent to which it diverts the energies of officials at all levels of governernment as well as those of private individuals. The overall result is a tragic sapping of the thrust for progress at the very point in our history when progress is absolutely essential to the national interest. We must now face the fact that until this area of controversy and uncertainty is resolved, it will continue to erode our water resource capabilities.

This conflict must be resolved in order to unleash our full energies for progress in water resource development.

A second question is: How many agencies of what kind are needed to supply the maximum development with the minimum waste of the Nation's water resource potential?

At present, 25 separate Federal centers alone possess jurisdiction over some phase of water development. Would 125 do it better? Or would just one be more effective? The answer will not be easy to come by. Deep-vested interests, bureaucratic empires staked out earlier in our history, and petty jealousies and rivalries mitigate against a clearcut decision. Yet in some way, a wise decision must be reached. This problem can no longer be swept under the rug.

Perhaps the moment is at hand to apply to our water agencies the same harsh demands made of our defense agencies. In the late forties, after they had existed separately for more than a century and a half, the Armed Forces were finally coordinated by act of Congress. It was not an easy job, and I would be the last to claim that we now have entirely effective coordination in our military effort. Yet, most citizens have come to accept the central judgment that national defense should be first in priority, rather than the perpetuation of historic rivalries for tradition's sake.

So it might be with water. If, despite their advantages, there is reason to believe that our multiple efforts and dispersed responsibilities for water development slow down and/or waste too much of our water potential, then what was done for the armed services could also be done, if careful study disclosed it to be good public policy, for our water agencies.

Whatever may be done about combining our water agencies, there is no doubt that we now need greater coordination of resources and conservation efforts within the administration and Congress. Led by Senator MURRAY, of Montana, many of us sponsored a bill (S. 2549) during the second session of the 86th Congress which was designed to supply this coordination by creating a joint committee in Congress and a responsible agency in the Executive Office of the President. This seems to many of us to be a good approach. But the question is not whether this approach is right or whether there is a better one; it is whether we are going to make an approach to these problems and attempt to solve them now or to fritter away once again the chance to take decisive measures.

Perhaps the most acute problem which we must face with respect to water resources, whether we have one Federal agency or many,

whether we have a joint committee in Congress or not, and whether we settle the Federal-State water rights problem or not, is that of water priorities. How we shall allocate our water resources among the various geographic and functional sectors of our economy? If we do not utilize fully the water-saving techniques of which we are already aware and if we do not start now to develop our water resources, there are going to be greater shortages and the need for water will rise more sharply than our capacity to furnish it.

This question is a tough one, too. Unless present trends toward greater water shortages are reserved, we in the West, for example, may someday soon have to determine whether we can spare water for both cows and people. We may be approaching the point in parts of the West where a gallon of water will be worth more than a gallon of oil. Last summer the State engineer in New Mexico was forced to limit the use of irrigation water to protect municipal supplies because the San Juan-Chama project—already authorized twice by Congress—hadn't been constructed.

Similar shortages are threatening irrigators on the east slope in Colorado. There, also, projects have been authorized by Congress but remain unconstructed.

In 1954 38 percent of our cities all over the country with a population of more than 100,000 had to ration water. Such shortages, always particularly acute in the West, weaken and erode the capacity of our western cities to attract new citizens, and lessen the willingness of new industries to locate here.

Not only do these shortages put an artificially low ceiling on our growth, but they also cause industry and population to pile up in the already populous areas which, for the moment, have enough water. Thus, the vulnerability of our industry to military attack may be increased, social and economic problems affecting proper community growth arise, and all relate the problem of water location and use, once again, back to the national interest.

In the future we must apply a new standard when we are trying to decide whether any particular water development project should be undertaken. This new standard must, in my judgment, take into account the effect of the project on our national rate of growth. It should also measure the results of the project as a generator of employment as well as its effects on the distribution of income among the geographic and functional sectors of our economy. In addition, the revenue potential for all levels of Government—Federal, State, and local—should be weighed in the balance. In short, it must relate the particular water resources development project to our national destiny in a much more sophisticated and relevant way than has any conceptual device we have used up until now. Such a standard will reflect the relationship of the needs of individual people throughout the Nation to the national interest. It will reveal to us in each instance the connection between the fulfilling of these needs by the individual water project and the fulfilling of our national aspirations.

This, then, is the problem of water as it appears to me. Forgive me for having taken the question of water out of the professional arena and for having tried to put it in the public market place. Stripped bare of jargon, the facts are tough—sometimes shocking—and, in a few instances, even frightening. They will be ignored or soft-pedaled only at the Nation's peril. If not ignored or soft-pedaled, they still will pose a difficult future because they lay upon the public conscience weighty problems, the solution to which will cost much money and even more hard work. I am confident it can be done; I know it must be done.

Address of Senator Moss Before the 11th Annual Summer Conference of the National District Attorney's Association

EXTENSION OF REMARKS

OF

HON. HOWARD W. CANNON

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Thursday, August 25, 1960

Mr. CANNON. Mr. President, the distinguished junior Senator from Utah, Mr. Moss, on August 13 was accorded a unique honor.

As a former prosecutor myself and one who has studied the career of Senator Moss for many years, I believe it is worthy of our attention that the National District Attorney's Association presented the distinguished Senator with the Furtherance of Justice Award.

Edward S. Silver, district attorney of Kings County, Brooklyn, N.Y., and president of the association, stated that Senator Moss, who was twice national president of this outstanding group, has made a notable contribution to law enforcement. In presenting our colleague with a bronze plaque, the association honored him for "his outstanding service as a prosecutor exemplifying by his courage and humanity the highest ideals of justice, and for his resourcefulness, initiative, and continued interest in all Federal legislation contributing to more effective law enforcement throughout the country."

I ask unanimous consent that the remarks of Senator Moss at the conference of the National District Attorney's Association be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR FRANK E. MOSS, DEMOCRAT, OF UTAH, AT THE 11TH ANNUAL SUMMER CONFERENCE OF THE NATIONAL DISTRICT ATTORNEY'S ASSOCIATION, BOSTON, MASS., AUGUST 13, 1960

Gentlemen, once again I have the opportunity to address this great organization—an organization in which I have labored and of which I am honored to be a member. I cherish the organization, my membership in it, and I cherish my colleagues and friends whom I have learned to love, to respect, and to enjoy. It is an honor to be with you at this 11th annual meeting of the National District Attorney's Association.

Sincerely I thank you for the honor you have just bestowed upon me. I accept it with the greatest pride and with deep humility. I regard it, however, not so much as a badge for service already rendered but rather as an invitation and a license to render service and as a challenge to do so. It is my hope that I can meet the challenge and make some significant contribution to the furtherance of justice.

When Ed Silver notified me that I was to be honored by being selected to receive this most coveted award, my first reaction was disbelief. Naturally I was thrilled and pleased, even though I felt unworthy. And upon further reflection I became somewhat overwhelmed with the seriousness which the subject of justice demands. Justice is a word which is used often, in many different contexts, and many times very loosely. Because of its constant use I think we tend to forget its real meaning and its significance.

Justinian's Digest says of the lawyers: "We worship justice and profess knowledge of what is right and just."

Daniel Webster said: "Justice is the greatest interest of man on earth."

Roscoe Pound defines it to be "The ideal relation among men." He further says, "The administration of justice is the adjustment of human relations and ordering of human conduct in order to achieve and maintain that ideal relation."

In the rotunda of the Department of Justice Building in Washington there is carved a sentence that was first written in a Government brief by Frederick William Lehman, a solicitor general of the United States in President Taft's administration. The words have become famous. They have a more profound meaning in 1960 than when they were first written. They will remain fresh and meaningful as long as men love justice and prize decency. The words, simple but eloquent, are: "The United States wins its point whenever justice is done its citizens in the courts."

Justice is the most pervasive purpose of society. It is an ideal for all men. It is the dream of all men of all religions, races, and creeds all over the world. It is the goal which today throughout the world is causing men to revolt against the old and established order—causing them to make sacrifices, risk their lives and their modest fortunes in their aspirations for decency and justice.

I would define justice to be that fair and impartial resolution of differences between man and his fellow man, between man and government, and between government and government, with a view to preserving to each and every individual his right to dignity, privacy, decency, and liberty.

I think that we who work daily with the law and with the management of justice sometimes become so involved with informations, indictments, warrants, depositions, witnesses, court reporters, judges, bailiffs, sheriffs, coroners, complicated legal problems (and our wives) that we cannot see the forest for the trees. Occasionally we should step back, take a deep breath, and take a look at the forest. By doing so we can recall this noble purpose of mankind—justice—and we can rededicate ourselves to that purpose.

You are probably interested in two or three things that are taking place at the national level. I suspect you think I can give you a knowledgable report on these matters. It is only fair to warn you that I, too, find it necessary to read the daily newspaper to find out what is going on in Washington, so don't be disappointed if this news is old hat.

As you know, there are two bills pending before the Congress dealing with wiretapping and eavesdropping. Both of these bills were introduced by Senator KEATING, of New York.

S. 1292 is a comprehensive bill modeled after the New York statutes. It not only relates to wiretapping and eavesdropping by Federal agents but also has an enabling clause granting authority to the States to enact legislation dealing with the same subject. There have been no hearings on this bill and it has not been considered this session. It is very unlikely that anything will happen to this bill this year.

The second bill introduced by Senator KEATING is S. 3340, which is a rather limited bill. As you know several States have statutes permitting wiretapping under court order. The U.S. Supreme Court has indicated that the Federal statutes dealing with Federal Communications Commission prohibit any wiretapping by the States, even under court order. S. 3340 would merely clarify the FCC provisions dealing with this subject and would, in effect, say that there is no prohibition in the Federal statutes to

prohibit wiretapping by State agents under court order with adequate safeguards. This would, as you see, merely revalidate those State laws which permit wiretapping under court order.

Hearings have been held and the full committee reported the bill to the Senate floor. It came up on the consent calendar for consideration and upon objection by Senator HART it was passed over. I cannot predict whether or not the Senate will take action on it this year.

With reference to the legislation dealing with pornography, I can report a little more progress. A bill, which would strengthen the hand of the Postmaster General in dealing with pornography, has passed the House but there has been no action in the Senate. On the other hand, the Senate has passed a bill which would establish a commission to study the problem and set some guidelines. This bill has not been acted upon by the House. As you know, there are some constitutional questions involved and many fear that we might do more damage than good in attempting to legislate in this area. Because of the controversial nature of the problem—and I attribute good motives to all who speak upon it—I doubt that there will be any legislation passed this session.

I am sorry to tell you that we haven't had much success in getting a national charter for NDAA. The House committee has held hearings but has not taken any action. The Senate committee has not yet held any hearings and we can't really expect any favorable legislation this year. Unfortunately, it will be necessary for the organization and its members to spend a great deal more time and energy in educating the individual Members of Congress. I will continue to do my utmost for this cause.

I submit, however, that what we in Congress do or fail to do in any of these areas is relatively insignificant in comparison with the work the local prosecutors do or fail to do from day to day. This is so because the discretionary power exercised by the prosecuting attorney in initiation, accusation and discontinuance of prosecution gives him more control over an individual's liberty and reputation than any other public official.

As you from day to day go about your work as professional prosecutors, you should be consciously aware of the very vital role you play in a democracy.

Underlying the structure and fabric of our low is a bill of rights designed to protect the life of every citizen, his liberty and his property.

At the time they framed this charter of liberties, the lawyers who in an earlier day set the fires of the revolution were mentally smarting from the personal abuses heaped upon them by king and government and the violation of personal and property rights that had been secured to free men by the Magna Carta. Officers of the king had broken into shops and homes of friends and neighbors, searched and seized anything and everything at pleasure. Respected and honored citizens had not been free of arrest upon a hint or a sly suggestion of a petty official. Often they were imprisoned on suspicion with no opportunity to be heard and without a fair trial.

Out of their bitter experiences they wrote into the Constitution basic and fundamental principles to restrain any excesses of government and check any arbitrary power that might invade the rights of personal liberty and private property.

Today the principles of freedom and fair play are being challenged and opposed around the world by totalitarian ideology that denies the existence of God and subjects the individual to arbitrary naked power of the state.

The greatest threat to the rule of law in any of the nations of our free world is the danger that the people will become dissatisfied with the functioning of their system of justice and do irreparable injury to it, without realizing that by so doing they are destroying the very foundation of the rule of law in their society.

It is our professional responsibility to keep the pulse of life beating strongly in the law. We cannot do this by treating our fundamental freedoms as abstract theoretical concepts of a legal system. The people of the free world must learn to believe those freedoms to be what we believe them to be, the practical dynamic concepts for living, unalienable in every human being.

In earlier days the status of law in other nations was not a vital concern to us. But we are living in an era where it is no longer possible to ignore the attitudes of other peoples. This state of society is the result of two factors. Under the impact of science and technology our world is shrinking. And old empires are dissolving into new nations, filled with aspiration not unlike our own.

The tremendous success of scientists and technicians has left a gap between our scientific discoveries and their beneficial and peaceful utilization within the framework of the institutions devised to insure freedom and rights of the individual. The bridging of this gap may well prove to be the legal framework of free societies in the making.

If we reflect on the issues at stake in the cold war, if we analyze its deepest meaning, we come to the inevitable conclusion that among the most essential values at stake are legal ones: the relation between citizen and State, and the liberty and liberties of individuals.

Obviously, our system is under attack and tremendous pressure from without. Our national survival will depend upon our internal social strength. We cannot be strong in a democracy unless we can effectively enforce the criminal laws and at the same time safeguard the sacred right of the individual.

You are the agents of your State who from day to day must work and live with the criminal law, its ramifications and complexities. The strength of our Nation and the reputation it enjoys in the world is in your hands. Only if the criminal law is fairly and properly administered can this Nation survive in its present democratic form.

Keeping in mind the necessity of effectively enforcing the criminal law and at the same time safeguarding the rights of individuals it is somewhat disconcerting to look at the results.

The latest available figures dealing with criminal activity in the United States are published in the 1958 Uniform Crime Reports. The figures are astonishing. For the 1958 calendar year (the latest published report) the following criminal offenses were reported:

Murder and nonnegligent manslaughter, 3,870 for an increase of 3.2 percent over 1957.

Forcible rape, 7,622 for an increase of 13 percent over 1957.

Robbery, 56,207 for an increase of 13.7 percent over 1957.

Aggravated assault, 72,460 for an increase of 3.5 percent over 1957.

Burglary, 427,457 for an increase of 11.8 percent over 1957.

Larceny ($50 and over), 272,805 for an increase of 10.3 percent over 1957.

Auto theft, 196,784 for an increase of 1.9 percent over 1957.

It should be of interest to us that during the calendar year 1957 45 police officers were killed in the performance of their duties.

It is apparent that organized crime is growing. Starting with the days of prohibition, we saw the advent in America of organized crime on a large scale. There were different mobs operating in well-defined territories in the handling of liquor and these mobs often warred with each other. But their organization was loose and their methods were crude compared with the type of organized crime which I perceive to exist at the present time.

Since the 1930's crime has become better organized and criminal gangs now operate with the best legal and accounting advice. They have adopted corporate methods in the handling of vast enterprises.

There is no lack of money in these criminal enterprises. It is estimated that narcotics peddlers take between $180 million and $300 million a year from a gullible public. In the field of labor racketeering the take could amount to $100 million very easily. It is estimated that between $14 and $16 billion are involved in gambling enterprises of one sort or another in this country. Of this amount, over $2 billion goes into the pockets of the gamblers and the syndicates. I shall not try to estimate the millions of dollars which are involved in the distilling and sale of illegal alcohol, or in the other areas of criminal activity.

Needless to say, most of this money is not reported on income tax returns—it is "hot money." As such, it goes into the channels of illicit trade such as narcotics, vice, and other enterprises. Some of it goes into bank accounts in Switzerland identified only by a number and kept in great secrecy by bank officials, to be siphoned off abroad where it can be invested without fear of discovery.

It is no wonder then that these organized criminals have set up as a control, an invisible government whose edicts are carried out by unknown enforcers and nameless assassins and who, themselves, are not prohibited from employing the most modern devices to perpetrate their crimes and to conceal them. It is not surprising that they attempt to buy protection from those who enforce the law.

I do not wish to belabor the point and I do not wish to appear as an alarmist, but it is important to recognize the threat posed by the modern criminal—he is a modern man, with modern tools at his disposal and the know-how to use them. He is represented by modern attorneys. He deals in and with the modern corporate institutions. He circles the globe in modern airplanes and he has readily available to him modern means of communication that can put him, within minutes, in touch with almost any place in the world.

We cannot cope with a jet age criminal with a horse and buggy prosecutor. We need a modern district attorney, with modern tools and the legal right to use them. He must have the right to intercept messages, with proper safeguards for personal liberty; he must have power to compel attendance from foreign jurisdictions; he is entitled to expert counsel and testimony. America never has believed a fight to be fair and even when one participant had one hand tied behind his back. The never-ending war against crime calls for every modern weapon we have.

The prosecutor needs to become a specialist and as such should have some specialized training. There was a time when the only training a prosecutor received was on the "battlefield." As a specialized profession, however, the situation is changing, and for the better. The prosecutor now has several inservice training schools which are doing a great deal toward professionalizing the office. Most of you have attended these. I submit that it is in the public interest that attendance by prosecutors should be at public expense since the public reaps the benefits in better service.

The professional prosecutor needs a professional library and the public needs to be educated as to the wisdom of paying for one.

In many States the bar association can be persuaded to cooperate in the development of a good library for the prosecutor.

I am proud of the small part I have played in the National District Attorneys' Association. Through this association of prosecutors there is a continual exchange of information and ideas. And through this exchange, members not only become more competent in their duties, but they discover that many situations arise where they can be helpful to each other and thereby discharge their duties better. This cooperation of district attorneys is of inestimable value to our people.

Of course, the prosecutor can do a great deal to improve the effectiveness of his office by helping to train the personnel of the other offices with which he works. Classes and lectures for the police officers and sheriffs force can pay untold dividends in cooperation and in giving direction to the efficient performance of their duties.

Fortunately the prosecutor has now learned the value of new and modern tools in meeting the challenge—and fortunately new and better tools are becoming available—the wire tap—the FBI lab—the medical examiner, and other scientific laboratories. Also the regular exchange of information about criminals and their activities has been greatly facilitated.

The best tool which we have, however, is the well-trained, competent and imaginative professional prosecutor.

In the complex society of a democracy the modern district attorney must be a man of dedication, strength, and honor beyond reproach. This is by far the most important quality.

Perhaps one of the greatest problems facing today's prosecutor is that of his salary. This is especially true in the smaller jurisdictions. The district attorney is generally a well-trained, competent, and professional attorney. His responsibilities are large and complex, and the demands on his time are excessive. Of course this is the age-old problem of salaries for public officers, but here it is magnified since the public at large fails to realize the responsibilities involved and the value of professional legal competence. To hold any public office generally involves personal sacrifice but in the case of attorneys, the sacrifice is usually larger.

Because of this simple fact new problems are created. The prosecutor usually needs and looks for additional sources of income. He practices law on the side, either solo or in partnership and then the delicate problem of conflict of interest raises its head to haunt the prosecutor and constantly to subject him to criticism, either warranted or unwarranted, of the press and the profession. Sometimes this results in a loss of confidence by the public. I needn't tell you what this leads to.

In the same general area the prosecutor is always subject to the pressures and influence of groups who want favors and the temptation is strong to dispense such favors in the hopes of winning votes. It is interesting to note that such favor seekers consist of not only the criminal element, but also the chamber of commerce, labor groups, racial groups, churches, in fact almost everyone—this seems to be the American way of life. The prosecutor who succumbs to these requests by special groups, however, is surely undermining his own effectiveness and will eventually pay the price.

It is necessary because of these problems for the prosecutor to have the finest sense of discretion—to be absolutely honest and of unquestioned integrity. This seems to me to be the only answer and it is a standard which the great majority of prosecutors meet.

I have spent considerable time talking about the problems of prosecutors—these are the problems you live with daily—the problems each prosecutor must resolve for himself. But, the trust and the challenge of the prosecutor are greater than any one of these problems—in fact, greater than all of them put together.

The Supreme Court of New Jersey has said:

"In his county, as we have seen, the prosecutor is the foremost representative of the executive branch of the government in the enforcement of the criminal law (*State* v. *Winne* (96 A. 2d 63))."

And in Kansas, the supreme court held:

"He is the officer upon whom the State relies for the prosecution of all criminal offenses within his jurisdiction. If he fails or refuses to act, the law is voiceless and powerless. It is paralyzed (*Johnston* v. *Foster* (32 Kan. 14, 3p. 534))."

You must keep in mind that you are the chief law enforcement officers of America. By way of contrast, the courts are too remote and too formal—the public cannot speak with, deal with, or negotiate with the courts. On the other hand, the police department often is regarded by the public as being hostile, antagonistic, severe, and unapproachable. Thus, it is the prosecutor who must deal with the public on a day-to-day basis—on whom the public relies—who must shoulder the responsibility and the honor of maintaining law and order.

The public must feel that the district attorney is alert, incorruptible but understanding. He must be a man of courage—but he must also be a man with a heart and with wisdom.

It would be well for you to stop and realize that in this context, the office which you hold is to a degree more important than any other office in government. Justice is the cornerstone of our democracy, and the framers of our Constitution and the drafters of our statutes have entrusted this cornerstone in your keeping.

The Supreme Court of the United States identified this trust in the case of *Berger* v. *U.S.* when it said:

"The [prosecuting] attorney is the representative not of an ordinary party to a controversy, but of a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all; and whose interest, therefore, in a criminal prosecution is not that it shall win a case, but that justice shall be done. As such, he is in a peculiar and very definite sense the servant of the law, the twofold aim of which is that guilt shall not escape or innocence suffer. He may prosecute with earnestness and vigor—indeed, he should do so. But while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one."

Speaking of fair play, I am reminded of an amusing story about a very famous international incident. During World War II, at a meeting between President Roosevelt and the Russian dictator, Stalin made a proposal which the President said he could not undertake to carry out because he thought the Republicans in the Senate would never agree to it. Stalin was genuinely astounded. "You mean," he asked, "that you have been in power all these years, and you still have Republicans?"

I would like to conclude by reminding you that this great and noble experiment in democracy has provided mankind with his best opportunity for justice. The quality of that justice is in your hands. It will not be perfect—but it is an ideal for which you can work.

Carl Schurz once said:

"Ideals are like the stars—we never reach them, but like the mariners of the sea, we chart our course by them."

It is my firm conviction that our democracy is here to stay and that the individual's opportunity for justice will survive.

If the public chooses its local prosecutors carefully, pays them well, and provides them with adequate tools and training, then our quality of justice will continue to improve.

In my experience, the district attorneys of America have been people who are devoted to the public welfare and are concerned with the effective execution of the office which they hold. Some of our finest district attorney's have turned down the opportunity to sit on the bench or to hold other public office because they were devoted to the position of prosecutor. Many others, who have chosen to move on to other fields, have nevertheless given their best efforts while holding the office of prosecutor. In any field of public endeavor where many are involved, there will always be a few misfits and downright rascals. Fortunate it is that we have had so few in America. The office of the modern prosecutor is one of great power and a fine tradition. He who takes the oath and embarks upon this service should be prepared to devote his heart and mind and his personal life to the service of his people.

Secretary of Defense Thomas S. Gates, Jr., Awarded the VFW Americanism Medal at the Annual National Encampment, Veterans of Foreign Wars of the United States, at Detroit, Mich., August 22, 1960

EXTENSION OF REMARKS

OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 25, 1960

Mr. VAN ZANDT. Mr. Speaker, during the current week, the Veterans of Foreign Wars of the United States is holding its annual convention in Detroit, Mich.

Secretary of Defense Thomas S. Gates, Jr., delivered on August 22, the keynote address at the opening meeting of the convention. In view of the great contributions which our very able Defense Secretary has made to our national security, the Veterans of Foreign Wars bestowed upon him, prior to his address, the Americanism Medal of the VFW. This is the highest honor which that great oversea veterans organization—the Veterans of Foreign Wars—can bestow on any American citizen.

The award was made, on behalf of the VFW, by its commander in chief, Louis G. Feldman of Pennsylvania. Mr. Feldman's introductory remarks set forth in clearest terms why this huge veterans organization selected Secretary Gates to be the recipient of this rarely bestowed award.

I believe that Mr. Feldman's remarks are particularly significant in that they reflect the deep interest of the VFW in national security matters, and express an understanding of the importance of the things Secretary Gates has done to enhance the effectiveness of our Armed Forces. Appropriately, Mr. Feldman referred to Secretary Gates' leadership in

accepting the decionmaking responsibilities of his office by sitting with the Joint Chiefs of Staff, his key role in bringing into reality the Polaris missile, and his strong but prudent action in ordering, on the eve of the ill-fated summit in Paris, a worldwide readiness test of our military forces.

These were some of the reasons why, in making the award, Mr. Feldman said to Secretary Gates "We are grateful for the many things you have done to give us military power second to none."

The speech delivered by Secretary Gates is a penetrating, well-reasoned, and precise statement of the great power of our Nation's Armed Forces. In his address, the Secretary pointed up the great accomplishments of our Nation's science, industry, and military, in providing such powerful defense forces. Also, Secretary Gates expressed the belief that while recognizing the need for able and constructive criticism, there must be appropriate care exercised so that unjustified criticism does not undermine confidence in our Armed Forces, which is so important not only to our Nation, but also to our allies throughout the world.

Because of the importance of Secretary Gates' remarks, as well as the significance of the introductory address by the Veterans of Foreign Wars commander in chief, Louis G. Feldman, under unanimous permission I insert both speeches at this time:

INTRODUCTORY REMARKS OF COMMANDER IN CHIEF LOUIS G. FELDMAN, VETERANS OF FOREIGN WARS OF THE UNITED STATES, IN PRESENTING THE VFW AMERICANISM MEDAL TO SECRETARY OF DEFENSE THOMAS S. GATES, JR., VFW NATIONAL CONVENTION, DETROIT, MICH., AUGUST 22, 1960

Secretary Gates, distinguished guests, fellow comrades of the Veterans of Foreign Wars, this opening session of the 61st convention of the Veterans of Foreign Wars of the United States is indeed an auspicious occasion. We are honored in having as our keynote speaker for this convention a man whose statesmanship is internationally respected, a man whose professional competence is widely admired, a man whose leadership is daily demonstrated in discharging his responsibilities in keeping America strong so that our Nation may persevere against the ceaseless aggressions of communism.

As you know, I refer to Thomas S. Gates, Jr., the Secretary of Defense.

We welcome him not only as the distinguished Government official, but also as a former companion in arms, a naval veteran with two European battle stars and eight battle stars on his Pacific campaign ribbon. In 1953, Secretary Gates came to Washington to serve as Under Secretary of the Navy. I suspect that he, like others, who left private life for the perils of the Pentagon, intended to serve for a respectable period of a few years, and then return, as others have done, to private business.

Yet for him there was always one more problem to solve, one more development to explore, one more crisis to meet. The result was that Mr. Gates came to Washington and stayed there.

Although it may well have been burdensome for Mr. Gates, it has been good for the United States. Our Nation is safer, and the free world is stronger because Secretary Gates is still on the job.

Coming to Washington as Under Secretary of the Navy, he has successively served in the higher positions of Secretary of the Navy, Deputy Secretary of Defense, and now in his present position as Secretary of Defense. It was during his service in the Department of the Navy that he saw the vast possibilities of what was then a wild theory of firing a solid propellent missile from a submerged nuclear submarine. Contrary to the opinions of those who said it would not work, he vigorously supported his Chief of Naval Operations, Arleigh Burke, in giving highest priority to that project. Thus today, we have Polaris. We have, in Polaris, a virtually invulnerable missile that makes our retaliation certain and deadly. Again, the vision and ability of Secretary Gates has contributed tremendously to our Nation's security.

Shortly after taking his oath as Secretary of Defense, he issued what is probably the most important single directive in the history of defense organization in this country. I refer to his directive by which he announced that he, as Secretary of Defense, would thereafter sit with the Joint Chiefs of Staff. Seldom has any one action by a Government official received such widespread acclaim and support from the press and from Congress.

The reason for such acclaim was apparent. It was readily recognized that by his decision to sit with the Joint Chiefs of Staff, Secretary Gates was actually accepting and discharging the decisionmaking responsibilities which were properly those of his office.

I believe it appropriate to repeat a few of the comments that have been made concerning this historically important action by Secretary Gates.

The distinguished military writer, George Fielding Eliot, said:

"Thus, for the first time, a Secretary of Defense not only formally assumed personal responsibility for civilian leadership in top-level policy decisions, but insures that in reaching such decisions he will have given full consideration to the views of all his military advisers."

Mr. Hanson Baldwin, the famed military commentator of the New York Times, summed up the effect of Mr. Gates' action by writing:

"Secretary of Defense Thomas S. Gates has galvanized the decisionmaking process of Government by the simple expedient of making decisions."

In Congress there has been unprecedented commendation expressed on the floor of the House and Senate by outstanding members of both political parties.

While it would be far too voluminous for me to quote even briefly from the many commendatory speeches made on the floor of the House and the Senate concerning Mr. Gates' Joint Chiefs of Staff directive, I would like to read to you a passage from a speech by the ablest authority on military affairs ever produced by our Congress, a man to whom the VFW awarded its Distinguished Citizenship Medal at our annual congressional dinner last February. I refer, of course, to that great statesman from Georgia, the Honorable CARL VINSON, chairman of the House Armed Services Committee. Addressing his remarks to Secretary Gates, Chairman VINSON said:

"I especially wish to commend you for your recent directive with regard to your participation in the deliberations of the Joint Chiefs of Staff.

"With this one directive you have left an impressive mark on defense organization.

"You have strengthened our great Joint Chiefs of Staff system and, at the same time, have dealt a shattering blow to the advocates of a single Chief of Staff system, and you have vitalized and reaffirmed the constitutional principle of civilian control."

I think also that it should be noted that Secretary Gates' action in strengthening the Joint Chiefs of Staff and thus blocking the efforts of those who would separate the Joint Chiefs of Staff members from their positions as chiefs of services and thereby impose on our Nation some form of alien and discredited system of supreme command is in firm accord with the longstanding position of the VFW, a position repeatedly reaffirmed by resolutions of the national encampment.

I would like to recall one other action taken by him. You will undoubtedly recall that on the eve of the ill-fated summit meeting in Paris last spring—the summit meeting that ended before it took place—United States-Soviet relations reached a new peak of tension. The bombastic truculence of Nikita Khrushchev had all but shattered the uneasy peace which characterizes East-West relationships.

It was on the eve of the summit that Secretary Gates, who accompanied our President to Paris, quietly, without fanfare, but reflecting great prudence, maturity, and statesmanship, ordered a worldwide command readiness test of our military forces.

This was a precautionary step which, had an enemy intended an overt act against the United States, would have prevented another disaster such as Pearl Harbor.

This action was widely acclaimed by our friends of the free world.

It was the kind of leadership that we continually seek, but all too seldom achieve in moments of peril.

But unfortunately, the acclaim was not unanimous, as there was some gratuitous criticism from a few eager and vocal critics in our own country.

While there may have been isolated criticism in this country, we veterans can understand why that action of Secretary Gates enhanced American prestige and strengthened the courage of free men throughout the world—free men who appreciated the bold and simple grandeur of this masterful action.

One of the foremost leaders of the Far East, the much-respected, youthful, and fast-rising mayor of Manila, the Honorable Arsenio H. Lacson, bluntly gave his opinion as to Secretary Gates' action in Paris. This is what Mayor Lacson, one of the most astute Far Eastern observers of world affairs said:

"You Americans would have looked irreparably foolish but for the brilliant action of the Defense Secretary Gates when he ordered a worldwide alert.

"Asians really understood that one and applauded. It saved your face as no other act could have."

From the other side of the world, from Paris, there were similar reports. In a syndicated article from Paris following the breakup of the ill-fated conference, the widely respected writer, Alice Widener, reported:

"Here in Paris, after the arrival and departure of Khrushchev and Malinovsky, the public opinion is 'Good for Gates.' "

We veterans, with a feeling of pride in our Secretary of Defense, echo the words "Good for Gates."

Mr. Secretary, we veterans who have carried the flag, and the arms to protect it, to foreign lands throughout the world, appreciate your leadership, patriotism, and courage. We are grateful that you have heeded the call of duty, and by your selfless service have provided those rare attributes of leadership which our Nation and the free world so desperately need in these perilous times. We are grateful for the many things you have done to give us military power second to none.

Therefore, Mr. Secretary, it is my distinct honor, on behalf of the 1,300,000 members of the VFW, to bestow on you the Veterans of Foreign Wars Americanism Award—the highest honor which it is within the power of the VFW to award to any American citizen.

ADDRESS BY SECRETARY OF DEFENSE THOMAS S. GATES, JR., BEFORE THE NATIONAL CONVENTION OF THE VETERANS OF FOREIGN WARS OF THE UNITED STATES, AUGUST 22, 1960, DETROIT, MICH.

Commander in Chief Feldman, fellow veterans, and friends, for this wonderful medal, and the generous words that go with it, I am grateful. I know that the award speaks for something more than one man's work. It speaks of your confidence in the state of our national defenses. It is, I am sure, a certificate of your trust in the devotion and competence of the men and women who maintain the watch for the rest of us in a time of conflict and peril.

I am here to talk about the Armed Forces of the United States which in power are second to none—just as they were when you served with them.

When veterans meet, we always have to resist the desire to look back. Man can never forget his own experiences—or the personal pronoun. The battles of the past grow bigger with the years and the telling, and they tend to dim the vision of a changing world. A large proportion of all living Americans have been born since World War II—and profound changes have placed that war in its proper perspective in history. When most of us here look back—and remember Omaha Beach, Anzio, the Slot, Okinawa, and the kamikazes, we ought to realize that these must be strange names to a whole new generation of Americans. Well, they were once strange to us also. Many of our generation stayed in those places. We had the determination and the will and we met our destiny.

Now the factors have changed. Hours seem to have become seconds. Science pushes research and research pays off. We seem to be coming to a point where we can do just about anything we can imagine. The important choices are not just between good and bad ideas, but often between scores of good ideas. So the great stories of our past—the flag on Iwo, the march from Normandy across the Rhine—are still great and proven records. But they are records of bygone days, and now we write a new kind of history almost daily.

History is crowding us once again. Its course is no longer to be taken for granted. Powerful outpourings are entering the stream from new and hostile sources on the darkened sides of the earth. At such a time, there is an advantage in having a long memory. We of the war generation have better reason than most to know that no good man can safely rest, no family can feel rightfully secure, no society can consider its duties fulfilled, when its freedom and its ideals are under threat.

We look, therefore, not to the past but to the present and the future. This is a fitting forum for a serious discussion of the military policies of our Government. All veterans have, in a real sense, a proprietary interest in national security.

We contend with ever changing circumstances. We can no longer develop our defense programs once a year. We must constantly review and change them whenever necessary, always exercising good judgment. The best brains of America and the devoted concentration of Congress, the press, the military, and our citizens are required if the proper balance is to be achieved and maintained. No issue in American life has been more thoroughly debated than that of defense. It is not without significance that during the current session of Congress the hard working and well-informed members of the appropriate committees, in their judgment of the sums needed, came within 1.5 percent of our own recommendations.

Money is, of course, important but the amount at any given moment only reflects decisions which must themselves respond to change. The needs of our national security must always come first. We have spent and will continue to spend whatever sums are needed in support of a foreign policy backed by great military strength.

There are two central questions that any Secretary of Defense must live with. First, have the policies that guide our defense programs been soundly conceived and competently executed? Second, what guidance do they supply from this point on?

Looking back across my 7 years in the Pentagon, I am struck by the fact that the broad outlines of our national objectives and the military policies designed to further them have not greatly changed during that time. This is not to say, however, that the national means have remained as they were. New and revolutionary weapon systems have emerged, and they have given rise to radically new military concepts. But these have been fitted to policy, and policy was prepared for them.

The reason for the steadiness of our national military policies should be clear. They have been steady because we recognized that the essential nature of the threat to us would not soon change. This judgment has proven correct. The grand design of Communist imperialism persists: To convert the entire world to the Communist way of life.

There have been shifts in tactics. The main weight of the attack swings from one arena to another, from the military to the political; from the political to the economic; from the economic to the psychological. But the attack never lets up for long. It is relentless. It is ruthless. It has no time schedule. It has become for Americans and for friendly people across the face of the earth the most important reality of our times.

Khrushchev tells us that communism is in no hurry; he thinks history is on his side. Let us never be in doubt of the outcome of the struggle into which we have been drawn. The desire for freedom lives on in the souls of men everywhere, including those behind the barbed wire fences of communism. The lesson of history, so dearly learned from the fall and rise of civilizations, teaches us that freedom is the true goal of man. We have the best of reasons for believing, if we persevere and endure, that the false doctrine of communism will in time fail, as earlier false doctrines have also failed.

Perseverance, endurance, and will—these are the qualities which the times demand of us. The struggle with communism is certain to be long and costly. Already it has lasted, with but brief respites, for more than four decades. With such a prospect, the only sensible national strategy for this Nation is one that gathers our resources with those of our allies for a prolonged test of endurance within the framework of our common beliefs. And that in fact is precisely what our strategy for the long pull is doing.

The idea of defense for the long pull grew in the minds of certain of our World War II leaders who foresaw the true character of the U.S.S.R. No one saw more clearly what was making up than did one of our greatest men, the late Secretary James Forrestal. In December 1950, only 2 weeks after Communist China entered the Korean war, another distinguished and honored predecessor in the Defense Department, the late General Marshall, also perceived what was coming. In a prophetic statement, he warned us that "a trial of endurance" had begun. The experience would be "new to the American people," and the "intensity" of the mobilization then under way would accordingly be governed by the realization that the effort would have to be sustained through "possible years of tension."

This new concept, however, was a long time penetrating the then existing military policies. Two years later, planning in the military services was still tied to the old D-day concept—a bending of effort toward achieving a condition of maximum readiness on a hypothetical date when the preparations of the adversary might approach a climax. This approach tended to generate artificial requirements and a false peaking of effort. As each successive D-day approached, it had to be arbitrarily pushed forward to a later date with consequent disturbances and instabilities in defense plans and operations.

It then fell to another soldier-statesman, Dwight D. Eisenhower, to harmonize the policy and the practice. In April 1953, after some 3 months in the Presidency, he placed into effect the long-pull strategy that became known as the new look in the national military posture. The D-day concept was being abandoned as the regulator of planning. In its place the President was installing a policy designed to provide what he described as "adequate protection to be projected as far into the future as the actions and apparent purposes of others may compel us." It was to be a durable policy, one the Nation could live with, as he put it, "over a period of years."

By now that policy has been vigorously in operation for more than 7 years. It has become central to our national military planning. Because the logic combines realism with prudence, it should continue to guide our strategy through the cold war as far as one can now foresee.

How well has this policy been carried out? How good are the forces? In the judgment of the President, in the judgment of the Joint Chiefs of Staff, and in my judgment, the Armed Forces of the United States are equal to the historic task which confronts them. This strength is real. It should inspire confidence in all our citizens and our friends abroad.

In fact, confidence in our Armed Forces is in itself the most important element of strength of the free world. It secures the prestige and dignity of our military stature. Let us be extremely careful that that confidence is not undermined by unjustifiable criticism. Constructive criticism of our methods is helpful and essential to the improvement of our defense program, but this should be within the boundaries, understanding, and belief that our defenses are strong and will be able to meet our heavy responsibilities. The determination of the free world to resist communism rests in large measure upon a shared confidence in the armed might of the United States.

And, most importantly, we must not inadvertently create a false impression of weakness that could induce a Communist miscalculation or adventure in aggression.

The cause of peace is well served by recognition of the true fact that the United States is the greatest power on earth and that this power is in the service of world law and justice.

My own feeling of confidence in our Armed Forces is based on years of close observations. The position of Secretary of Defense imposes a discipline all its own. It is not just a matter of dealing with papers, important as that is. It also means getting out of the Pentagon and getting into the factories, the laboratories, the missile test complexes, flying out to the carriers and checking on the readiness of our forces at home and overseas. What is to be seen is a strong country, a sense of urgency and conviction. To see these things and to put them together is to be proud.

One reason the forces are superb is that the Defense Department has been constantly reshaping forces and programs to take full advantage of the new technologies. The changes, as you well know, have been deep. But none has been so dramatic as the joining of the nuclear warhead and the ballistic missile. The Air Force's first-generation Atlas and Titan intercontinental ballistic

missiles have already been overtaken by much-improved versions of the same species. They will be overtaken in turn by the Air Force's Minuteman solid-fuel ICBM, a more versatile weapon of equally great range.

The Navy has in the meantime married its Polaris solid-fuel missile to the deep-cruising nuclear submarine, to produce an utterly novel weapon system of immense significance. Polaris is the newest strategic system to enter the U.S. order of battle. It has fired the imagination of all who study it.

The submarine carries 16 missiles, and these can be launched from the submarine hidden below the surface. This system, like many others of importance today, was brought forward from a dream to reality during the span of 5 or 6 years. Along the way, technological problems of overpowering complexity were mastered. Polaris is a magnificent example of the unity of purpose prevailing among science, industry, and the military. And beyond all that, the system is unique, in a geographical sense, for the use it makes of the vastness of the oceans and of the concealment to be found in the ocean deep.

The combination of the nuclear submarine and the Polaris missile constitutes one more reason why the military power of the United States is unmatched.

I shall not dwell on the other retaliatory forces. You know them well. Their effectiveness is being increased. We are moving toward a faster reaction time, a wider dispersal, more hardening for some, more mobility for others, all toward the end of having our systems more nearly invulnerable. Our second generation missiles were conceived for these purposes.

I do want to say a few words about our limited war forces. They too are strong and ready. They include virtually our entire armed services excepting only a few single mission, single purpose weapons systems.

It is, of course, impossible for the United States alone to maintain tactical forces large enough to counter simultaneously all possible local Communist aggressions throughout the world. Thus we have chosen a course of collective security in company with other nations of the free world who stand with us. Through these arrangements, there has been mobilized across the world a formidable array of tactical military forces. These forces, aided by our military assistance programs and backed up by our own highly mobile land, sea, and air task forces, have been, and will be, able to deal effectively with local aggressions.

The effective VFW support of the military assistance program is a valuable contribution to the continued maintenance of these vital alliances. The United States must never abandon its forward strategy.

But sound policies, superior weapons and a worldwide system of bases and alliance would in themselves be meaningless without competence and devotion of the men and women of our armed services.

I have long held the belief that our Nation's most enduring military asset, its surest source of strength lies in our military personnel. I have seen them in battle. I have also worked with them in these days of troubled peace. From being with them in cold war and hot I know of their courage and patriotism. I can assure you that those in uniform today are worthy successors to you who, in your turn, served so well.

The young men you send us from your homes, your schools, your churches and synagogues, have the kind of spirit, intelligence, religious strength and courage that merits the trust our Nation places in them. They are superior to anything that communism could put against them.

Before leaving let me thank you on behalf of the Defense Department for your sustained and constructive interest in national security. You were quick to recognize the importance of a powerful strategic air force. You gave early and sturdy support to the Polaris program. Your appreciation of the value of the Joint Chiefs of Staff system, and of the need for the maintenance of powerful limited war forces have made for a better national understanding of the goals we all seek. There will always be an unbreakable bond between those of us who are now serving and you who have served and who wear the Cross of Malta.

I am glad and honored to have been with you.

SENATE

FRIDAY, AUGUST 26, 1960

(Legislative day of Wednesday, August 24, 1960)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of all grace: Turning from the harsh noise of the world which presses upon us, we feel the claim of goodness and the invincibility of truth.

In moments dedicated to the unseen and eternal, we see the supremacy of spiritual verities rising like spires to the skies above the ground beneath our feet.

Without Thee as we look at the terror of the world about us, anxieties blot out confidence, doubt subdues faith, and fear strangles courage.

Only Thou, our Father, canst summon the hero hidden in each soul, to fight the good fight, to stand up, and to speak out boldly in Thy name against the principalities of darkness which threaten all that is fair and good.

In these tense times, teach us so to pray that our prayers day by day may light lanterns for the path ahead.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 25, 1960, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on August 24, 1960, the President had approved and signed the joint resolution (S.J. Res. 207) to suspend for the 1960 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Jack S. Brown to be postmaster at Hillsdale, Ind., which was referred to the Committee on Post Office and Civil Service.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 6066. An act relating to the deduction for income tax purposes of contributions to charitable organizations whose sole purpose is making distributions to other charitable organizations, contributions to which by individuals are deductible within the 30 percent limitation of adjusted gross income; and

H.R. 12036. An act to amend the Internal Revenue Code of 1954 with respect to certain dividends paid by foreign corporations.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 6066. An act relating to the deduction for income tax purposes of contributions to charitable organizations whose sole purpose is making distributions to other charitable organizations, contributions to which by individuals are deductible within the 30 percent limitation of adjusted gross income; and

H.R. 12036. An act to amend the Internal Revenue Code of 1954 with respect to certain dividends paid by foreign corporations; to the Committee on Finance.

H.R. 12539. An act to implement section 4 of the act approved December 22, 1944 (Public, No. 534, 78th Cong.), as amended; to the Committee on Public Works.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be the usual morning hour, and that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following communications, which were referred as indicated:

PROPOSED SUPPLEMENTAL APPROPRIATION, FISCAL YEAR 1961, PANAMA CANAL (S. Doc. No. 122)

A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1961, in the amount of $325,700, for the Panama Canal (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

PROPOSED SUPPLEMENTAL APPROPRIATION, FISCAL YEAR 1961, PRESIDENT'S SPECIAL INTERNATIONAL PROGRAM (S. DOC. NO. 120)

A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1961, in the amount of $1,300,000, for the President's special international program (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

PROPOSED SUPPLEMENTAL APPROPRIATION, FISCAL YEAR 1961, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE (S. DOC. NO. 121)

A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1961, in the amount of $3,070,000, for the Department of Health, Education, and Welfare (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

H.J. Res. 784. Joint resolution amending the act of July 14, 1960, to extend the time within which the U.S. Constitution 175th Anniversary Commission shall report to Congress.

By Mr. JOHNSTON of South Carolina, from the Committee on the Judiciary, with amendments:

S. 531. A bill to amend the Trading With the Enemy Act, as amended (Rept. No. 1919).

By Mr. CARROLL, from the Committee on the Judiciary, without amendment:

H.R. 6392. An act to amend section 5 of the War Claims Act of 1948 to provide detention and other benefits thereunder to certain Guamanians killed or captured by the Japanese at Wake Island (Rept. No. 1920).

By Mr. KEATING, from the Committee on the Judiciary, without amendment:

H.R. 6462. An act to amend the Trading With the Enemy Act, as amended, so as to provide for certain payments for the relief and rehabilitation of needy victims of Nazi persecution, and for other purposes (Rept. No. 1921).

OELBERMANN FOUNDATION—REPORT OF A COMMITTEE (S. REPT. NO. 1918)

Mr. JOHNSTON of South Carolina, from the Committee on the Judiciary, reported an original bill (S. 3898) for the relief of the Oelbermann Foundation, a charitable organization of Cologne, Germany, and submitted a report thereon; which bill was read twice by its title, and placed on the calendar.

FURTHER EXPLORATION FOR ESTABLISHMENT OF INTERNATIONAL FOOD PROGRAM FOR RELIEF PURPOSES—REPORT OF A COMMITTEE (S. REPT. NO. 1922)

Mr. HUMPHREY, from the Committee on Foreign Relations, reported an original concurrent resolution (S. Con. Res. 116) favoring further exploration for the establishment of an international food program for relief purposes, and submitted a report thereon; which concurrent resolution was ordered to be placed on the calendar, as follows:

Resolved by the Senate (the House of Representatives concurring) That it is the sense of the Congress of the United States that the President should continue to explore with other nations the establishment of an international food program for the purpose of furnishing food to less favorably situated peoples with a view to its use in—

(1) combating extreme price fluctuations in the international market in food products;

(2) alleviating famine and starvation;

(3) helping absorb temporary market surpluses of farm products;

(4) economic and social development programs formulated in cooperation with appropriate international agencies.

Participation by the United States in such an international food program shall be contingent upon statutory or other authorization as may be appropriate.

STRENGTHENING OF INTERNAL SECURITY OF THE UNITED STATES—MINORITY VIEWS—SEPARATE VIEWS (PT. 2 OF S. REPT. NO. 1811)

Mr. KEFAUVER. Mr. President, on behalf of the senior Senator from Missouri [Mr. HENNINGS], the junior Senator from Michigan [Mr. HART], the junior Senator from Colorado [Mr. CARROLL], and myself, I submit minority views on the bill (S. 2652) to strengthen the internal security of the United States, and ask that they be printed, together with the separate views of the junior Senator from Michigan [Mr. HART] and the junior Senator from Colorado [Mr. CARROLL]. I believe it would be appropriate to print these views as part 2 of Senate Report No. 1811, which contains the majority report on Senate bill 2652.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Tennessee? The Chair hears none, and it is so ordered.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

James J. Wadsworth, of New York, to be representative to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and representative in the Security Council of the United Nations, vice Henry Cabot Lodge, resigning;

James J. Wadsworth, of New York, to be representative to the 15th session of the General Assembly of the United Nations; and

James W. Barco, of Virginia, to be deputy representative to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary and deputy representative in the Security Council of the United Nations, vice James J. Wadsworth.

By Mr. ROBERTSON, from the Committee on Banking and Currency:

Joseph J. Williams, Jr., of Virginia, to be a member of the Federal Home Loan Bank Board, vice William J. Hallahan, resigned.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILEY (by request):

S. 3890. A bill to amend section 10 of the Act of July 5, 1946, so as to encourage national advertising by small business concerns through trademark licensing; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 3891. A bill to amend the Internal Revenue Code of 1954 to provide that the tax on admissions shall not apply to admissions to any live dramatic (including musical) performance; to the Committee on Finance.

S. 3892. A bill to amend section 9(b)(3) of the National Labor Relations Act so as to eliminate the provision thereof prohibiting the certification, as bargaining representative of persons employed as guards, of a labor organization which admits to membership, or is affiliated with an organization which admits to membership employees other than guards; to the Committee on Labor and Public Welfare.

By Mr. COOPER:

S. 3893. A bill to authorize the Tennessee Valley Authority to establish an Institute for Resources Development Training; to the Committee on Public Works.

(See the remarks of Mr. COOPER when he introduced the above bill, which appear under a separate heading.)

By Mr. CURTIS:

S. 3894. A bill to amend the act of May 18, 1956, in order to provide for payment for rights-of-way used for the Ainsworth unit, Missouri River Basin project, being constructed by the Bureau of Reclamation; to the Committee on Interior and Insular Affairs.

By Mr. HUMPHREY:

S. 3895. A bill for the relief of Max Bluemner; and

S. 3896. A bill for the relief of Wing Ying Gee; to the Committee on the Judiciary.

S. 3897. A bill to amend the Agricultural Adjustment Act (of 1933), as amended and as reenacted by the Agricultural Marketing Agreement Act of 1937, as amended, to provide for judicial review of orders of the Secretary of Agriculture; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HUMPHREY when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. JOHNSTON of South Carolina:

S. 3898. A bill for the relief of the Oelbermann Foundation, a charitable organization of Cologne, Germany; placed on the calendar.

(See the reference to the above bill when reported by Mr. JOHNSTON of South Carolina, from the Committee on the Judiciary, which appears under the heading "Reports of Committees.")

By Mr. SMATHERS:

S. 3899. A bill for the relief of Maryellan Boone; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 3900. A bill for the relief of Bernard J. Braganza; to the Committee on the Judiciary.

By Mr. SYMINGTON (for himself and Mr. HENNINGS):

S. 3901. A bill to authorize the erection of a memorial in the District of Columbia to Gen. John J. Pershing; to the Committee on Rules and Administration.

By Mr. HUMPHREY (for himself and Mr. PROXMIRE).

S. 3902. A bill to amend the Mutual Security Act of 1954 to authorize the donation of not to exceed $1 million of surplus agricultural commodities and other property

surplus to the needs of the United States for relief of flood victims in Poland; to the Committee on Foreign Relations.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

CONCURRENT RESOLUTION

FURTHER EXPLORATION FOR ESTABLISHMENT OF INTERNATIONAL FOOD PROGRAM FOR RELIEF PURPOSES

Mr. HUMPHREY, from the Committee on Foreign Relations, reported an original concurrent resolution (S. Con. Res. 116) favoring further exploration for the establishment of an international food program for relief purposes, which was placed on the calendar.

(See the above concurrent resolution printed in full when reported by Mr. HUMPHREY, which appears under the heading "Reports of Committees.")

RESOLUTIONS

ADVANCEMENT TO GRADE OF CAPTAIN OF COMDR. EDWARD WHITE RAWLINS, U.S. NAVY, RETIRED

Mr. COOPER submitted the following resolution (S. Res. 375); which was referred to the Committee on Armed Services:

Whereas the Senate Armed Services Committee in its report on S. 780, Eighty-first Congress (Senate Report No. 562), stated that evidence was submitted to the committee by highly placed officials of the Navy Department to the effect that an injustice had been committed in the wartime promotion case of Commander Edward White Rawlins, United States Navy (retired), and concluded that in light of all the evidence considered by the committee that the case of Commander Rawlins had considerable merit; and

Whereas the Senate has previously taken action which, if enacted into law, would have effected the retroactive promotion of the said officer for all purposes (H.R. 6725, Eighty-third Congress, passed on July 10, 1954), and new evidence has been developed further substantiating the action previously taken by the Senate: Now, therefore, be it

Resolved, That it is the same sense of the Senate, that Commander Edward White Rawlins, United States Navy (retired), should be advanced to the grade of captain, and should be considered, for all purposes, to have been advanced to such grade and to have been placed on the retired list of the Regular Navy simultaneously with Captain William G. Michelet, United States Navy (retired).

REMOVAL OF CERTAIN LIMITATIONS ON DEFENSE EXPENDITURES

Mr. SYMINGTON submitted a resolution (S. Res. 376) for removal of certain limitations on defense expenditures, which was ordered to lie on the table and to be printed.

(See the above resolution printed in full when submitted by Mr. SYMINGTON, which appears under a separate heading.)

AMENDMENT OF RULE III, RELATING TO COMMENCEMENT OF DAILY SESSIONS

Mr. CLARK submitted a resolution (S. Res. 377) amending rule III relating to the commencement of daily sessions, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. CLARK, which appears under a separate heading.)

AMENDMENT OF RULE VII, RELATING TO MORNING BUSINESS

Mr. CLARK submitted a resolution (S. Res. 378) amending rule VII relating to morning business, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. CLARK, which appears under a separate heading.)

PRINTING OF ADDITIONAL COPIES OF SENATE REPORT 1834, 86TH CONGRESS, 2D SESSION

Mr. O'MAHONEY submitted the following resolution (S. Res. 379), which was referred to the Committee on Rules and Administration:

Resolved, That there be printed for the use of the Committee on the Judiciary two thousand additional copies of Senate Report No. 1834, Eighty-sixth Congress, second session, entitled "The Insurance Industry—Aviation, Ocean Marine, and State Regulation", a report issued by the Committee on the Judiciary and made by its Subcommittee on Antitrust and Monopoly pursuant to S. Res. 238, Eighty-sixth Congress.

ESTABLISHMENT OF AN INSTITUTE FOR RESOURCES DEVELOPMENT TRAINING BY TENNESSEE VALLEY AUTHORITY

INSTITUTE FOR RESOURCES DEVELOPMENT TRAINING

Mr. COOPER. Mr. President, I introduce, for appropriate reference, a bill to authorize the TVA to establish an Institute for Resources Development.

I have discussed with Gen. Herbert D. Vogel, the Chairman of the Board of Directors of the TVA, the remarkable interest shown in the work of the TVA by visitors from foreign countries. Thousands of public officials, engineers, and journalists come each year to the Tennessee Valley, to study the means by which the TVA has established a unified program of protecting the valley from floods, harnessing the Tennessee River, and developing the total resources of the valley.

General Vogel has conceived the idea of establishing an institute where engineers, public administrators, and other appropriate individuals from foreign countries can spend a period of time. During their stay, they would not only observe but would participate in the work of the TVA in an on-the-job training basis. The Atomic Energy Commission's Institute of Nuclear Energy has done superb work in using a similar approach. I believe a program such as that envisioned in the bill I introduce today offers a most effective method of demonstrating to countries having problems of resource development the techniques and methods which have been evolved and are being used by TVA for the full development and use of natural resources of the Tennessee River Valley area.

One of the most effective aspects of this country's economic assistance program has been technical assistance. The Institute authorized by my bill would permit key personnel of countries seeking to adopt U.S. technology to their own problems to see and to participate in a program which has operated, and is continuing to operate, effectively.

I hope the bill will be studied by the staff and appropriate Government agencies during the congressional recess and that it will be acted upon favorably early in the next session.

The PRESIDING OFFICER. (Mr. BURDICK in the chair). The bill will be received and appropriately referred.

The bill (S. 3893) to authorize the Tennessee Valley Authority to establish an Institute for Resources Development Training, introduced by Mr. COOPER, was received, read twice by its title, and referred to the Committee on Public Works.

COURT REVIEW OF FEDERAL MILK ORDERS CLAIMED TO INTERFERE WITH INTERAREA MARKETING OF MILK OR MILK PRODUCTS

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a bill which would confer upon any group of milk producers or State agency acting on behalf of those producers the right to obtain court review of a Federal milk order that is claimed to interfere with the interarea marketing of milk or milk products.

The attorney general of the State of Minnesota has been specifically charged with the responsibility to use his authorities to assist milk producers in broadening their market.

In carrying out his duties, the attorney general has encountered difficulties in his efforts to represent milk producers by obtaining judicial review of Federal milk orders in areas that would be natural markets for Midwest milk. Federal milk orders are set up under the Agricultural Marketing Agreement Act of 1937, as amended. Section 8c(5)(G)—title 7, United States Code, section 608c(5)(G)—of the act of 1937 explicitly recognizes the right of a "production area" to be free from regulatory measures that prohibit or limit the interarea marketing of milk and milk products. It is the opinion of the attorney general of Minnesota that many of the milk orders in existence do, in fact, have that effect. Recently a Federal district court in Pennsylvania invalidated a provision

in a Federal milk order because, the court found, that section of the act was violated.

The bill I am today introducing would make it possible for any group of milk producers or State agency acting on behalf of those producers to obtain a court review of a Federal milk order when the producers had reason to believe the order did restrict the movement of milk and milk products.

The need for such legislation has been repeatedly demonstrated.

Minnesota milk producers are not the only group that would benefit from this legislation. This is a matter of importance to all producers in high milk-producing areas who must find their markets in the deficit-producing areas. It is also a matter of concern to consumers, for it would be to their advantage if milk and milk products moved freely in intrastate and interstate trade.

As I have detailed at other times, there are many barriers erected by State and community authorities throughout the country that impede free interstate commerce in milk and milk products.

I have introduced proposed legislation, S. 988, the Milk Sanitation Act, which would prevent unnecessarily complicated local milk sanitation requirements from acting as barriers to the movement of milk and its products. There is almost universal recognition of the necessity for such legislation. This is not a politically partisan matter. The 1960 Republican platform recognizes the desirability of the free movement in interstate commerce of agricultural commodities. Last weekend at the Midwest Democratic rally in Des Moines, Iowa, specific recognition was given to the need to remove antiquated restrictions on the free trade of milk and milk products in this country.

The Senator from Minnesota would like to review the history of the milk sanitation proposal, because it has picked up tremendous support in many areas of the country.

The bill was first introduced in 1957, in the House of Representatives by Representatives LESTER JOHNSON, of Wisconsin, and FRED MARSHALL, of Minnesota, and I introduced a companion bill in the Senate. Lengthy hearings were held before a subcommittee of the Committee on Interstate and Foreign Commerce on April 17 and 18, 1958. Based on the testimony presented at this hearing, the bill was modified and reintroduced in the first session of the 86th Congress. Hearings were held in the spring of this year before the House Committee on Interstate and Foreign Commerce and by the Senate Committee on Labor and Public Welfare.

The bill and the principles involved, as I have pointed out, are nonpartisan. Some 20 Representatives from Middle Western States, both Republicans and Democrats, introduced similar bills in the House in the 86th Congress and I was joined in sponsorship of S. 988 by the Senator from Minnesota [Mr. MCCARTHY], and the Senators from Wisconsin [Mr. WILEY and Mr. PROXMIRE].

In addition to the general principle that only the Congress of the United States has the authority to regulate interstate commerce, and therefore has the right to remove burdens on interstate commerce, which in the case of milk are imposed by intrastate jurisdictions, there is the additional factor that legislation of this type would be of benefit to consumers.

The organizations which have expressed firm support of this proposal add up to an impressive list; they include:

National Creameries Association, composed of over 300 dairy plants, almost entirely cooperative, located in Wisconsin, Minnesota, North Dakota, South Dakota, Kansas, Iowa, Nebraska, and Oregon.

Dairymen's League Cooperative Association, New York City, the largest fluid milk cooperative in the United States, endorsed the legislation at a board meeting in 1959 and so announced to the press.

Pure Milk Association, Chicago, Ill., second largest fluid milk cooperative in the United States.

Land O'Lakes, Inc., Minneapolis, Minn., perhaps the largest cooperative association in the manufactured dairy products business with an extensive operation in fluid milk marketing.

Pure Milk Products Cooperative, Fond du Lac, Wis.

State Farmers Unions of Minnesota and Wisconsin.

State Farm Bureaus of Minnesota and Wisconsin.

U.S. Department of Health, Education, and Welfare.

State sanitary engineers, North Carolina State Board of Health.

Wisconsin Council of Agricultural Cooperatives.

Wisconsin Association of Cooperatives.

National Association of Dairy Equipment Manufacturers.

Association of State and Territorial Health Officers, the outstanding nationwide group of sanitary officials and workers.

International Association of Milk and Food Sanitarians, Inc.

Connecticut Milk Consumers Association.

Many other organizations and individuals support the principles of the proposed legislation, including Attorney General Walter Mondale, of Minnesota, and Gov. Gaylord Nelson, of Wisconsin.

While no legislative action followed the hearings held on the Milk Sanitation Act, the Senator from Minnesota wishes to emphasize the broad nonpartisan support that exists. I anticipate that next session this support will be even stronger, and that both milk producers and consumers will soon benefit from firm legislation that will prevent the multitude of outdated and trade-restrictive local sanitation regulations from acting as a barrier to the free movement of milk meeting the high standards of the U.S. Public Health Service.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3897) to amend the Agricultural Adjustment Act (of 1933), as amended and as reenacted by the Agricultural Marketing Agreement Act of 1937, as amended, to provide for judicial review of orders of the Secretary of Agriculture, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

FLOOD DISASTER RELIEF FOR PEOPLE OF POLAND

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a bill to amend the Mutual Security Act of 1954, as amended, to authorize the donation of $1 million from America's great agricultural abundance and from surplus American property to the relief of the people of Poland who have suffered so greatly from disastrous floods.

Recent floods in Poland were the worst in 50 years putting one-half million acres of farmland under water, damaging 200,000 farms and affecting some 1 million of the people of Poland. Damages were estimated at nearly $100 million.

I wish to make it clear, Mr. President, this would not mean appropriated dollars. It would mean we would utilize surplus commodities available already in Government ownership.

Emergency relief measures have been taken by the American Red Cross and CARE as well as various church groups throughout the United States.

I realize that because of the brief period remaining in this session, it would be difficult to act on a more extensive relief and rehabilitation program such as I am proposing today in the time remaining.

I am introducing this bill, and Representative FLOOD, of Pennsylvania, is introducing a companion measure in the House, in order to make certain that investigation and planning of the reconstruction and rehabilitation measures needed can be undertaken now and prompt action taken by the Congress to authorize the $1 million donation from our food commodity abundance and surplus U.S. property in the first days of the session next January.

The Polish Flood Relief Committee is organized and ready to undertake cooperative efforts toward flood reconstruction and would provide for transportation of these commodities and property to Poland.

Mr. President, the affection of the American people for the people of Poland is great and has existed for many decades. I know that the American people will wholeheartedly support this effort to soften the effects of destructive floods on the people of Poland.

I know that there has been great support for an earlier project with which I have been closely associated—construction of a children's hospital in Krakow. That appropriation has been approved by the Senate and the House.

Projects such as the children's hospital and my proposal for flood relief

and reconstruction are projects which go directly to the people of Poland who need this help. They are proof once more not only of the friendship of Americans for the people of Poland but of the fundamental conviction of the American people that a free people has great and continuing responsibility for men, women, and children of other nations suffering from disaster or disease.

I am hopeful, Mr. President, that the President of the United States and his executive aids in the Cabinet will review this situation at once and will utilize the existing authority we have under the mutual security legislation and under any other statutory legislation to provide the relief. This would be a further demonstration of our sincere interest in the welfare of people, even behind the Iron Curtain. Surely this interest can be carried out in a very tangible form without any real burden upon the American people or upon the American taxpayers.

This bill is cosponsored by the junior Senator from Wisconsin [Mr. PROXMIRE].

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3902) to amend the Mutual Security Act of 1954 to authorize the donation of not to exceed $1 million of surplus agricultural commodities and other property surplus to the needs of the United States for relief of flood victims in Poland, introduced by Mr. HUMPHREY (for himself and Mr. PROXMIRE), was received, read twice by its title, and referred to the Committee on Foreign Relations.

PRESERVATION OF UNDEVELOPED SEASHORE OF THE UNITED STATES—AMENDMENT

Mr. YARBOROUGH submitted an amendment, in the nature of a substitute, intended to be proposed by him, to the bill (S. 4) to save and preserve, for the public use and benefit, a portion of the remaining undeveloped seashore of the United States, and for other purposes, which was referred to the Committee on Interior and Insular Affairs, and ordered to be printed.

AMENDMENTS OF CERTAIN PROVISIONS OF INTERNAL REVENUE CODE OF 1954 RELATING TO POSSESSIONS OF THE UNITED STATES—AMENDMENT

Mr. JAVITS. Mr. President, I submit an amendment, intended to be proposed by me, to the bill (H.R. 5547) to amend certain provisions of the Internal Revenue Code of 1954 relating to possessions of the United States, and for other purposes, and ask that it be printed, under the rule. I ask unanimous consent that a brief explanation of the amendment, which is contained in a letter addressed to me by the Assistant to the Secretary of the Treasury, be printed in the RECORD as a part of my remarks.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table; and, without objection, the letter will be printed in the RECORD.

The letter presented by Mr. JAVITS is as follows:

OFFICE OF THE SECRETARY
OF THE TREASURY,
Washington, D.C., August 25, 1960.

Hon. JACOB K. JAVITS,
U.S. Senate,
Old Senate Office Building,
Washington, D.C.

MY DEAR SENATOR: This is in reply to your letter of August 22 to Secretary Anderson relating to a possible amendment to H.R. 5547 to provide retroactive qualification of the pension plan of Local No. 775, Plumbers Union, Suffolk County, N.Y.

As you know, H.R. 5547 provides for the retroactive qualification of six pension plans that were negotiated under collective bargaining agreements and which operated for some period as nonqualified pension plans prior to securing qualification under the Internal Revenue Code.

The Treasury Department was not opposed to these relief provisions provided certain qualifications were met. These qualifications are: (1) the initial intentions of both the employers and the unions were to meet the requirements for qualified pension plans and the failure to meet these requirements was inadvertent, (2) the pension fund has never been operated in a manner which would jeopardize the interest of its beneficiaries, (3) the pension plan has been changed so as to conform with the Internal Revenue Code, and (4) the pension plan has received the approval of the Internal Revenue Service.

From the information available to us, the pension plan of Local No. 775 meets requirements (3) and (4) above. The Department has no knowledge, however, whether or not this plan also meets requirements (1) and (2). You may wish to make further inquiry with respect to this.

If I may be of any further assistance on this matter, please do not hesitate to call me.

Sincerely yours,

JAY W. GLASMANN,
Assistant to the Secretary.

TEMPORARY SUSPENSION OF IMPORT DUTY ON HEPTANOIC ACID—AMENDMENT

Mr. PASTORE. Mr. President, for myself, and on behalf of the Senators from Connecticut [Mr. BUSH and Mr. DODD], the senior Senator from Massachusetts [Mr. SALTONSTALL], the Senator from South Carolina [Mr. THURMOND] and my colleague, the senior Senator from Rhode Island [Mr. GREEN], I send to the desk an amendment which I propose to offer to the bill (H.R. 12659) to suspend for a temporary period the import duty on heptanoic acid. I ask that it be printed and lie on the desk.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

Mr. PASTORE. At the proper time I propose to explain the amendment in detail, but for the time being suffice it be for me to say that the distinguished chairman of the Finance Committee, the Senator from Virginia [Mr. BYRD], has been apprised of this action, and the chairman of the House Ways and Means Committee has been alerted to it. The proposed amendment is similar to a bill introduced by me several days ago—S. 3828—which has to do with the closing of a loophole in our tariff law related to waterproofed cloth.

REGULATION OF MASS TRANSIT IN THE WASHINGTON, D.C., METROPOLITAN AREA—AMENDMENTS

Mr. MORSE submitted amendments, intended to be proposed by him, to the joint resolution (H.J. Res. 402) granting the consent and approval of Congress for the States of Virginia and Maryland and the District of Columbia to enter into a compact related to the regulation of mass transit in the Washington, District of Columbia Metropolitan Area, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. MURRAY submitted amendments, intended to be proposed by him, to House Joint Resolution 402, supra, which were ordered to lie on the table and to be printed.

EDUCATION

Mr. BUSH. Mr. President, the Eisenhower-Nixon administration has made possible the greatest expansion of the Nation's educational system ever achieved in a 7-year period. It has substantially increased direct Federal support of educational activities. It has enabled State and local governments and private agencies to keep pace with the growing school population and to reduce substantially the school shortages inherited from earlier administrations.

Among the accomplishments of the Eisenhower-Nixon administration in the field of education are the following:

First. Four hundred sixty-one thousand public school classrooms were built during past 7 years—an average of 65,800 a year, 3 times greater than average under Truman administration.

Second. Total educational expenditures are up from $14 billion in 1953–54 to $22 billion in 1958–59; public school expenditures are up from $9.1 billion to $14.4 billion.

Third. The public school instructional staff was increased by 225,843 from 1954 to 1959; the pupil-teacher ratio in the public schools was reduced from 27.7 pupils per teacher in 1953–54 to 25.8 in 1958–59.

Fourth. The average salary of teachers was up from $3,825 in 1953–54 to $5,160 in 1959–60.

Fifth. Total Federal expenditures for education were $2 billion for 137 separate programs in 1957—39 percent above 1953 level.

Sixth. Schools in federally affected areas were granted $1.4 billion in the period 1953–60. More than one-fourth of Nation's public school enrollment—9.2 million children—attend schools in these areas.

Seventh. The Nation's first White House Conference on Education was held in 1955, stimulating unprecedented awareness of school needs and local citizen activity to meet them.

Eighth. Vocational education appropriations were almost doubled between 1953 and 1960.

Ninth. The National Defense Education Act was enacted to meet the needs for teachers and trained personnel in

science, mathematics, and languages. More than 177,000 student loans were made in 2 years.

Tenth. Scientific education was spurred by fellowships awarded by the National Science Foundation, the National Institutes of Health, and the Atomic Energy Commission.

Eleventh. Funds for college housing loans were increased from $300 million in 1953 to $1.2 billion in 1959.

Twelfth. Library services in rural areas were improved by the establishment of Federal grants-in-aid.

Mr. President, the education bill which we sent to the House of Representatives is now tied up in the House Rules Committee. It is a big bill; it calls for $1,800 million of expenditures in a 2-year program. The Senate passed that bill, and sent it to the House; but the House has done nothing with it. I venture to hope that the House Rules Committee, which the Democrats control by a 2-to-1 margin, will permit a conference on aid to education bills. This Congress should not adjourn without acting on President Eisenhower's recommendation for aid for school construction.

GALLUP POLL STRESSES ACCURACY ON THINKING TODAY

Mr. BUSH. Mr. President, recently there has been some debate on the floor of the Senate in regard to the matter of public opinion polls. The able Senator from Tennessee, my good friend [Mr. GORE], has been rather critical of these polls. Day before yesterday I attempted to reply in some measure to what the Senator from Tennessee himself observed concerning the polls and the pollsters.

Mr. President, in the Washington Post of today, August 26, appears an article entitled "Gallup Poll in Reply to Its Critics Stresses Accuracy on Thinking Today." This is the answer of the Gallup poll itself to the critics of its polls.

I ask unanimous consent that the article be printed at this point in the RECORD in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 26, 1960]

GALLUP POLL IN REPLY TO ITS CRITICS STRESSES ACCURACY ON THINKING TODAY

PRINCETON, N.J., August 25.—Open season on pollsters has arrived, and the shooting, as usual, comes from those who do not like the poll findings. The basic procedures used by the Gallup poll have been described in books and articles. But in every new election many of these criticisms reappear. During recent days these points have arisen:

Standard procedure of the Gallup poll is to report what people think today and how they would vote if the election were today. Ask a typical voter how he plans to vote on November 8 and frequently he will say he doesn't know—it depends on what happens between now and election day.

On the other hand, virtually all voters can and will tell an interviewer how they feel at this time about the candidates. As a regular part of the question procedure of the Gallup poll, persons are asked to tell how they "lean" as of today, in those cases where there is indecision.

This still leaves a residue of about 6 percent who can't make up their minds as to how they feel today, or are reluctant to tell the interviewer.

EVIDENCE IS AMPLE

The history of polling provides ample evidence that polls can report accurately how people think at the time they are interviewed. Polls go wrong, as they did in 1948, chiefly because they assumed that people would feel the same on November 2 of that year as they did in the middle of October, when the polls stopped polling.

Standard procedure of the Gallup poll is to base its election poll findings on voters, and to exclude as carefully as possible all nonvoters. No poll could possibly lay claim to being an accurate gage of the voting public if its sample were not a sample of the voting public.

An election poll of the whole population, which embraces aliens, people who are institutionalized, persons who are not registered and do not plan to register, would be inaccurate and misleading.

PROPORTIONS MAINTAINED

Standard practice of the Gallup poll in making its election reports is to include each section of the country in proportion to the number of votes that it casts of the total popular vote.

Any forecast of the popular vote of the Nation would be wrong to the extent that the South—or any other section—failed to be represented at its true proportion of the total popular vote. It must be remembered that today all polls deal with the popular vote—not the electoral vote.

In the 1958 national election the deviation of the Gallup poll from the actual result was one-half of 1 percentage point. If the South had not been included at its true voting proportion, the error would have been six times as great.

VOTERS SHOW SKEPTICISM ON PLATFORMS

Mr. BUSH. Mr. President, the Gallup Poll which appeared in the Washington Post of today, August 26, is entitled "Voters Show Skepticism on Platforms," and is a very interesting reflection of the attitude which they manifest on the question of whether the political parties will keep their platform promises. The poll points out that only 44 percent of the Democrats believe that their party will keep its platform promises, whereas 47 percent of the Republicans believe that their party will keep its platform promises.

I ask unanimous consent that this particular Gallup Poll be printed at this point in the RECORD, in connection with my remarks.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Without objection——

Mr. GORE. Mr. President, reserving the right to object, let me observe that the able Senator from Connecticut has said that the poll to which he has referred shows voters' attitude. However, I wish to state there is no proof whatever that it shows voters' attitude. Mr. Gallup has said that his sample is composed of only 1,500 people in the United States, who may or may not be voters. At any rate, 1,500 people are but one five hundredths of 1 percent. So polls based on that small percentage are virtually meaningless—although I shall not object to the request that the article on the poll be printed in the RECORD.

Mr. BUSH. Then, Mr. President, do I correctly understand that there is no objection?

The PRESIDING OFFICER. Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 26, 1960]

THE GALLUP POLL—VOTERS SHOW SKEPTICISM ON PLATFORMS

(By George Gallup)

PRINCETON, N.J., August 25.—A great many U.S. voters are taking the platforms of both political parties this year with the proverbial grain of salt.

In the present special session of Congress, Democratic and Republican leaders insist they will prove their interest in carrying out the platforms which each party adopted in its convention.

But judging from the most recent Gallup poll on the subject of party platforms, the public isn't very confident that much will come of this year's convention pledges.

Fewer than half of the voters believe that either the Democratic Party or the Republican Party is likely to keep its platform promises.

Gallup poll reporters asked a cross section of the Nation's voters about the issue as follows:

"Do you think the Democrats (Republicans) are likely to keep their platform promises, or not?"

The results:

Will Democrats keep platform promises?

	Percent
Yes	44
Not sure	22
No	34
Will Republicans keep platform promises?	
Yes	47
Not sure	21
No	32

The fact that there is slightly less confidence that the Democrats will keep their promises is due in large part to the greater skepticism of their own rank and file.

Just over half (53 percent) of Democratic voters think that their party will keep its platform pledges. Three out of four GOP voters (76 percent) are confident that the Republicans will honor their convention promises.

The score is about even among the Nation's independent voters. A few more independents, however, believe the Republicans will keep their promises (45 percent) than feel that the Democrats will stick to theirs (40 percent).

Today's report is based on views obtained in personal interviews conducted in 158 sampling areas across the country. The results are based on interviewing during the first week in August.

THE NEW YORK, NEW HAVEN & HARTFORD RAILROAD

Mr. BUSH. Mr. President, one of the great problems in New England revolves around the problems of the New York, New Haven & Hartford Railroad, which is in very bad shape financially, physically, and perhaps otherwise. Certainly it is in very bad shape competitively, with respect to all other forms of transportation with which it has to compete.

This situation has raised a very real problem as to what, if anything, governments at various levels—local, State, and Federal—are going to do about this very serious matter, because, in my opinion, governments are to a very great extent

responsible for the very bad plight in which this railroad finds itself; and of course, the same applies to other railroads.

As a rather dramatic indication of the effect of the very dangerous situation in which this particular railroad finds itself, I submit for the RECORD a letter I received from Mr. Alexander B. Adams, of Westport, Conn. His letter is written in very amusing style, and perhaps for that reason it points up even more sharply what the difficulties of this railroad are and how serious they are, insofar as its patrons are concerned.

Unhappily, it does not offer any great or immediate solution to the problem, but it really points up the necessity for finding a solution.

I am deeply sympathetic and much impressed with the letter, as an example of humorous prose, but, more particularly, as a very pointed outline of the plight of the commuter on the New Haven Railroad.

I ask unanimous consent that the letter may be printed in the RECORD following these remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WESTPORT, CONN.,
August 24, 1960.

Hon. PRESCOTT S. BUSH,
Senate Office Building,
Washington, D.C.

DEAR MR. BUSH: Around the first of August, I returned to Westport after an absence of approximately 4 weeks. Being somewhat a creature of habit, I was a little concerned, as I boarded the 7:44 out of Norwalk, about what might have happened while I was away, what changes might have occurred to shake me out of my normal routine. But it was all right. We had a hotbox before we reached Stamford, and the train was 45 minutes late into New York.

That evening, when I got on the train for the return journey, the batteries in the car were almost dead, and their combined amperage was about equal to the night light left on in the upstairs hall after the family goes to bed. Growing accustomed to the darkness, I fumbled my way to a seat and sat down. Fortunately, it was empty. I had no way of telling beforehand, because I couldn't see that far.

The light was really no matter. In 10 minutes, we would emerge at 125th Street, where the setting sun would enable me to do what George Alpert couldn't: Read the newspaper. On the other hand, the air conditioning wasn't working either; and since the temperature in the car was around 90, this was a fairly serious matter. I was wondering if I could do something about it, when I heard a clanking noise up near the doorway. I went up to see what was happening, and there was a fellow passenger, unsuccessfully trying to get the door to stay open with the idea that the train's motion—if the train actually did move, which is always a matter of speculation on the New Haven—might set up a little breeze. After we got out into the sunlight and could see again, we quickly located the trouble. The door catch was broken.

This posed quite a problem, because the only thing that was working on the car was the door closer. (They go out of operation during the winter.) I volunteered my belt, thinking we could loop it around the door handle and tie the other end to some of the fixtures inside, but it wasn't long enough. Then I whipped out my Boy Scout knife and used the screw driver to loosen the screw on the door closer, and in this way we were able to get the pressure off it.

You may, at this point, laugh at my carrying a Boy Scout knife, but I have done this ever since I started riding the New Haven; and it has been most helpful, particularly the blade with a screw driver. I have spent quite a bit of my riding time tightening screws here and there. I make no charge for this—I feel it is simply a public service—and I estimate that I have thus doubled the amount of maintenance done yearly on the New Haven's equipment.

For the most part, I just use the screw driver. But the leather punch has also come in handy. One rainy day, I was riding from New York to New Haven and found myself getting wet through the window. Well, it wasn't exactly through the window, it was around the window, because the window sash was gone. By using my leather punch, I could push enough of my newspaper into the place where the sash used to be to keep fairly dry, as long as I wore my overcoat, all the way to New Haven. If you ride the New Haven regularly and don't have one of these knives, I would recommend that you get one. They are very useful.

Now, to return to the door and the door closer with which we were wrestling, we still had not solved the problem. The loosened screw should have made it possible for the door to stay open, but we had reckoned without the roadbed. Every time we went over a bump, the door swung closed again. So we took an old beer can we found on the floor of the ladies' room (there was nothing immodest about it; that door was swinging open the entire time) and stamped on it and made a wedge out of it, which we pried in behind the hinges. We had everything then. The setting sun to read by, and the breeze to keep us cool. It was idyllic.

A few evenings later, I came home on another car, one of the modern ones, and found that it had a radically new device built into it. Just about Darien, the car gave a lurch and streams of dirty water came out of the remains of the shades that once screened the fluorescent lights. If it had come just a little earlier, the trick wouldn't have worked, because the passengers would have been safely in their seats. But as it was, many of them were standing in the aisles and got it full and square. I picked up only three spots on my suit, but there was one fellow—oh, it was screaming—he got it all over his shirt and down his necktie, and he looked as though he had just come out of a culvert. Well, I thought it was just wonderful how George Alpert could think up all these ways of keeping us amused.

And then last Friday, we had another hot box—near the East River this time—and we sat for 1 hour and 25 minutes; and I missed all my early morning appointments, and I knew everything was all right. Nothing had changed while I was away.

So then I began to worry about what might have taken place in Hartford. The Governor had been holding meetings all winter at various intervals, and because all the commuters go to New York, he had scheduled most of them at the opposite end of the State in Hartford. And the commuters paid salaries to George Alpert and the other railroad officials, as well as their expenses, to go up there to testify that they did know how to run a railroad. And George Alpert never once offered to pay the salaries and the expenses of the commuters, so they could testify to the opposite. This hardly seems fair; but anyway, the Governor had said all winter he was going to do something, and he was doing something. He was campaigning for Kennedy.

Now, don't get me wrong. I don't blame either one of them. After all, if you lived in Connecticut or Massachusetts, where the commuter service is operated by the New Haven, and then got a chance to move to Washington, well, you're right. You'd do it, too.

Everything was normal in Hartford, so I checked on affairs in Washington. But there was nothing down there to disturb me either. The Interstate Commerce Commission had held another hearing, and they had done what they always do. They gave George Alpert an immediate raise in fares and allowed him again to postpone presenting any plan of what he intended to do with the additional money. Now, I think that's right, and I want to put a stop to any unjust criticism like some of the remarks I have heard going around. When a man like Alpert gives so much of his time at only $60,000 a year to ask for public funds and increased fares, you can hardly expect him to draw up a plan for operating the railroad too. And I think the Interstate Commerce Commission deserves a great deal of credit for their understanding and sympathy. After all, we commuters can take it. We've been doing it for years now, and I wouldn't like to see the Interstate Commerce Commission rushing things by trying to draw up a course of action in the next 5 or 10 years. You have to go at these things slowly and cautiously.

Then I checked the public press and the back numbers of the CONGRESSIONAL RECORD to see whether our two Connecticut Senators had upset the applecart. But they hadn't. There was a little rumbling in the House of Representatives last winter, but, as far as I know, our two Senators have kept discreetly silent. They realize that one of Connecticut's assets is its history and local charm, and they don't want to destroy one of the State's most colorful antiquities.

So there wasn't any real need to worry about change, when I got home in August. As usual, I didn't have to be concerned about keeping my morning appointments. I could make them—and then be stalled in the Bronx—just as usual. Hot dinners at home? Well, who wants them in August anyway? They're really better for you if they've stood on the back of the stove for half an hour.

All the excitement of traveling on the New Haven was still there, and I would hate to be parted from it. As the fellow said with real scorn, when he was reading the history of the Pony Express one day as we limped to a halt outside of Rye, "Boy, were those fellows a bunch of softies."

Sincerely yours,

ALEXANDER B. ADAMS.

P.S.—Of course, the above does not include the uptrend that came on Monday.

MONEY MANAGEMENT AND INFLATION

Mr. BUSH. Mr. President, I ask unanimous consent that a statement which I have prepared, entitled "Money Management and Inflation," be printed in the RECORD following these remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MONEY MANAGEMENT AND INFLATION

The value of money touches every person in America—and achievements in this field under Republican leadership are outstanding.

1. The Eisenhower administration working with a Republican Congress gave the American people the largest tax cut in history. The 1954 reduction benefited individuals chiefly (more than 60 percent) and the largest cuts were in lowest and middle income brackets. All told, it represented a $7.4 billion cut which was impossible under irresponsible spending policies of previous Democrats.

2. Inflation has been arrested. Compare these facts:

In Roosevelt's 5 war years, dollar lost 25 cents of its value.

In Truman's 8 years, it lost 28 cents more.

In Eisenhower's 8 years, the dollar has lost 5 cents of its value.

Thus, Ike inherited a dollar which had declined almost 50 percent since 1939; in ensuing 8 Republican years, the decline was held to 11 percent.

A highly significant fact: The dollar has been practically stable for past 2½ years.

3. This was done without pinching wages. Compare these wage increases, in constant dollars, to show true purchasing value.

	Democratic years, 1945–52	Republican years, 1953–60
Manufacturing wages	Up 11 percent	Up 17 percent.
Construction wages	Up 14 percent	Up 22 percent.

4. The American people were again encouraged to save, with fixed value investments and savings less likely to waste away. In 1953–60:

Nonfarm homeownership grew from 22 million to 28 million.

Individual savings, including insurance and pension reserves, increased $170 billion to reach the impressive total of $465 billion by the end of 1959. (These savings were possible because average family personal income after taxes rose by 27 percent.)

These facts show not only unprecedented prosperity for America, but also a return of citizen confidence in the dollar. It now pays to save. Years of erosion of value of our money has been arrested by Republicans.

Money management and the battle against inflation are not "glamour" issues, but perhaps in no other field have Republican achievements been more dramatic or important. Every wage earner, insurance policyholder, person on fixed salary or pension—every person with a savings account, or bond, government or commercial, can thank Republicans in the White House and Congress for giving him a prosperous today in which the battle of inflation is being won. If it stays won, the long-range importance of this victory may well rank with victory of Battle of Europe—also directed by General Eisenhower.

ADDRESSES BY SENATOR SALTONSTALL, OF MASSACHUSETTS

Mr. BUSH. Mr. President, the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL] has delivered two addresses within the past few days which deserve the attention of all Americans.

These speeches, which I ask unanimous consent to place in the RECORD at this point, are two more milestones in the career of LEVERETT SALTONSTALL. They give reason to the claim voiced by so many knowledgeable Americans that he is one of the outstanding Americans of our time.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

THE NATIONAL PURPOSE

(By U.S. Senator LEVERETT SALTONSTALL, of Massachusetts)

The American people are considering their collective determination, direction and destiny in a self-appraisal which is popularly referred to as the debate on the national purpose.

Our national purpose is bound up dynamically with our social and political heritage, the threat inherent in an affluent society, the vitality of the individual, and above all the international challenge to all free men.

The debate is being conducted in national periodicals and leading newspapers, in letters to the editors columns, in the speeches of the leading candidates for the Presidential nomination, and so on.

Some people talk about leadership, others religious strength, other public awareness of traditional ideals. We read about false optimism, the crisis of understanding, the search for a new frontier. And we hear that America will stumble unless she better defines her objectives; that a major danger is the softness and slackness of our modern society.

At the root of the entire discussion there seems to be a persistent awareness that worldwide demands on this country are greater than ever before and a persistent urgency to shape a national resolve which can meet them. We are concerned that our response be equal to the challenge.

In thinking about our national purpose, there are a half-dozen points which I specially like to keep in mind.

First, I feel that the principal issue before the United States in the latter half of the 20th century is whether a society which is characterized by a huge and unprecedented wealth can sustain the strength and stamina of her great ideals—intellectually, spiritually and physically. America of the 1960's is, in the words of the song, mighty "comfy-cozy," and her greatest danger is overindulgence.

Today we have the highest standard of living in the world. With our new growth in material strength have come new strains on our moral fabric, a new responsibility to our ideological and spiritual foundation.

As Walter Lippmann wrote in his treatment of the debate: "Our ability to meet that challenge depends upon our success in learning to use our growing wealth for something more than just private satisfaction. We have to be able and willing to pay for what is, to put it briefly, civilization itself."

Second, the individual's energy in accepting his own responsibilities must be stimulated. Purpose is intimately related to vitality. Our survival depends upon a populace concerned about the great challenges of the age and dedicated to their solution, each contributing his own individual abilities.

Recently we have become more conditioned to looking at Government as the source of initiative for getting things done. We forget that under our system of government it rests on us to start things off. Our large, complex society is dominated by a powerful central government capable, if we let it, of endangering local and individual incentive.

Each citizen must himself take up the task with vigor and conviction—in the way he works at his job, treats his fellow beings, in the way he conducts his life.

Third, I believe that today's Americans must distinguish between the concept of automatic equality and the principle of equality of opportunity. The latter is the ideal so brightly fought for in the early pages of our history. The former is a more recent tendency toward the feeling that everyone should get exactly the same "deal," that society owes the same rewards to all, regardless of effort or ability.

We believe that all men are created equal and should have an equal chance at life's benefits; that all men must receive equal treatment under the law. But we must be willing to encourage and recognize unusual accomplishment and performance.

Fourth, the United States must have an overriding national interest in order to fulfill its national purpose. Selfish group interests will frustrate any national sense of unity and direction. We must emphasize the whole rather than divisive and often contradictory separate purposes; we must resist the temptation of special appeals. Our citizens must be joined together in a common bond for the common good.

Fifth, any national purpose must be identified with the international purpose. Never before has it been so clear that the destiny of the various peoples of the world was one and the same. Never before has the survival of the values of our own society been so dependent on their survival across the globe.

America's record for assistance to friendly nations is unprecedented. But the issue before us is not so much what we have done but what we must do. The battle for men's minds and the struggle for peace is focused at the source of conflict, where a man's plight is worst. The need is compellingly clear.

Sixth, our response to the call of purpose must be aggressive and imaginative, not neutral or standpattish. We must sustain a national purposefulness through the generation of new ideas, intellectual energy, the capacity for ingenuity and innovation.

Our national purpose is perhaps best defined as the collective will of our citizens. Free men have repeatedly proved their ability to survive. A resurgence of our dedication to the proud ideals of democracy can, more than anything else, inspire our Nation to meet the grave challenges of today's troubled world.

There is no time for a leisurely adaptation of our national conviction. Our unique physical, spiritual, and institutional resources must be marshaled to the task immediately.

LINCOLN'S PRINCIPLES AND THE REPUBLICAN PARTY CAN BEST LEAD THE NATION IN THE 1960'S

(By U.S. Senator LEVERETT SALTONSTALL, of Massachusetts, chairman, Republican Conference of the Senate)

The Republican Party is best equipped to lead the United States through the promise and peril of the decade of the 1960's. The essential values implanted in our party by Abraham Lincoln qualify it to face and meet the major challenges of the new decade.

Lincoln stands out in history because of his courage, humanity, and profund insight into the great moral problems of his times. These are the characteristics he so firmly rooted in the Grand Old Party.

Population explosions, huge industrial and urban expansion, revolutions in space-age technology, an ever-growing government with an ever-burgeoning budget, and the constant threat of a giant, arrogant, inhumanly efficient totalitarian state characterize our present world.

The task of protecting human freedom and advancing human welfare is more complex, more sophisticated in the 1960's than it was in the 1860's. Yet the same fundamental principles of leadership needed in America 100 years ago are in demand today. I believe that the Republican Party will again answer the call.

EIGHT YEARS OF PROFOUND AND DURABLE LEADERSHIP

The accomplishments of the Eisenhower administration in the field of international relations, human affairs, and economic policy during the past 8 years are profound and durable.

The present Republican leadership established a firm but flexible foreign policy with its stands at Lebanon, Taiwan, and Berlin, its decision at Suez, the atoms-for-peace proposal, cooperative help for the underdeveloped areas, and dynamic efforts in person-to person diplomacy.

It maintained a powerful military establishment, initiated the Nation's first missile program, and spent over five times as much money on scientific research than did the preceding administration.

It enacted the first civil rights legislation in 80 years, and strove tirelessly to stimulate the initiative of the individual in our over-organized society.

The Eisenhower administration rejected the something-for-nothing and credit-card-economy philosophies in fiscal affairs, and launched a crucial fight against inflation—looking forward to the opportunities and obligations of future generations.

However, such progress is now only significant as a solid foundation for what we build in the future—as Lincoln once said: "The struggle of today is not altogether of today—it is for a vast future also."

TO ADVANCE FREEDOM AND INSURE PEACE

These are the three great challenges of the 1960's:

1. The Sino-Soviet threat—the challenge for world peace and security with justice.

2. Human freedom—the challenge for equal rights, individual self-reliance, and betterment for all men.

3. Economic strength—the challenge for growth and stability with fiscal integrity.

The concept of peace and prosperity is taken seriously by the Republican Party.

Peace must be for all men before it can be insured for any men. Thus, we move beyond our borders to advance freedom and reduce the causes of war—giving help and recognition to emerging nationalism in Asia and Africa.

Prosperity must be real, blooming locally throughout the land, not superimposed artificially and arbitrarily by an oversized central bureaucracy.

QUALITIES OF THE REPUBLICAN PARTY

Four inherent qualities of the Republican Party are essential to the Nation and the world in the coming decade. They are:

1. A belief in unity and solidarity capable of joining men together in a common bond, rather than dividing them through emphasis on separate interest groups.

2. A calm, deep consideration of the whole instead of a distorted dramatization of various parts.

3. A consistent dedication to principle, insuring the continuity between philosophy, purpose, and action.

4. A realistic approach to human problems, achieving a dynamic balance of past perspective and future vision. As Abraham Lincoln wrote: "I hope to stand firm enough not to go backward, and yet not go forward fast enough to wreck the country's cause."

FIRST 26 MONTHS OF OPERATION OF DEVELOPMENT LOAN FUND

Mr. DIRKSEN. Mr. President, the Development Loan Fund has been in operation only 2 years. Its record does credit to this administration, which proposed it, and to the Congress, which enacted the legislation.

I ask unanimous consent to insert in the body of the RECORD at this point a report on the first 26 months of activity by this agency.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

DEVELOPMENT LOAN FUND, FIRST PROPOSED BY REPUBLICAN ADMINISTRATION REPORTS ON FIRST 26 MONTHS OF OPERATION

The Development Loan Fund, first formally proposed by President Eisenhower in his special message to Congress on mutual security in 1957, received 585 separate loan applications amounting to $3.68 billion from 59 countries in the first 26 months of the Fund's operation. During this same period, the DLF committed $948 million in approved loans and guaranties.

The report, issued June 13 and covering the 26 months to January 1, 1960, was the first detailed annual report to be issued by the new agency.

The Development Loan Fund was created in 1957 as a part of the mutual security program. It extends long-term loans for economic growth projects which may be repaid in the currency of the borrowing country instead of dollars (often referred to as "soft loans"). The Fund operates with close similarity to the Export-Import Bank, in that it makes loans for specific projects rather than providing general economic assistance for countries, as under various titles of the mutual security program.

The Fund started operations early in 1958 with an appropriation of $300 million and authorizations for the fiscal year 1959 of an additional $625 million.

According to the report, transportation and communications projects formed the largest category of enterprise assisted by DLF, with 36 loans totaling $299,300,000.

This category accounted for 32.2 percent of all loans approved.

It included $151,950,000 in loans for the rehabilitation or modernization of railways; $100,950,000 in loans for highway projects; $23,500,000 for ports and waterways; $16,300,000 for telecommunications; and $6,600,000 for airports.

Among the projects assisted were highways into potentially productive but now largely inaccessible areas of Malaya, the Philippines, Ecuador, Paraguay, Honduras, Peru, Haiti, and Iran; harbors and anchorages in East Pakistan and Indonesia; railways in Indonesia, Taiwan, Indian, Spain and Pakistan; and telephone and telegraph systems in Liberia, Uruguay, Paraguay, Iran, and Korea.

Industry and mining accounted for 22.9 percent of loans approved, with 33 loans and one guarantee totaling $213,130,444. A large proportion of this amount went to India. Other loans will help establish or expand industries in Guatemala, Thailand, Liberia, Tunis, Greece, India, Taiwan, Korea, the Philippines, Bolivia, Indonesia, Nigeria, Turkey, and other countries. They will also stimulate mining in Turkey and Jordan.

Power projects, and multipurpose projects including important power developments, accounted for 15 loans totaling $180 million—19.5 percent of the total. Among these are loans for five large hydroelectric projects in Greece, East Pakistan, Yugoslavia, Korea, and Taiwan. Other loans will assist thermal plants or power distributions systems in Turkey, Yugoslavia, Spain, West Pakistan, Lebanon, and Thailand.

Thirteen loans and one guarantee, totaling $64,836,000 were made to intermediate financing institutions in the nature of development banks in 10 countries—Somalia, Iran, Israel, Turkey, Pakistan, the Philippines, Taiwan, Korea, Guatemala, and Lebanon. These institutions in turn will relend the funds to small business enterprises in their respective countries.

Food and agriculture projects—mostly irrigation and drainage projects—accounted for eight loans totaling $54,940,000; and water supply and community development, for five loans totaling $29,600,000. In addition, three loans totaling $87,250,000, each embracing a variety of purposes and functions related to general economic development, were made respectively to Argentina, Israel, and Iran.

Though DLF has been in operation for more than 2 years, the first year was spent largely in organization and in processing and investigating incoming loan proposals, and no annual report was issued.

VOTING RIGHTS FOR CITIZENS OF DISTRICT OF COLUMBIA—RECORD OF REPUBLICAN PARTY

Mr. DIRKSEN. Mr. President, our colleague, the junior Senator from South Dakota [Mr. CASE], has written a report on the efforts and success of this administration in securing legislation to pave the way for voting rights for the citizens of the District of Columbia.

I ask unanimous consent that the report be printed in the body of the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE PROUD RECORD OF THE REPUBLICAN PARTY IN ENFRANCHISING CITIZENS OF THE DISTRICT OF COLUMBIA

(By U.S. Senator FRANCIS CASE of South Dakota)

The joint resolution (S.J. Res. 39) which was adopted by the Congress during the past session and went into effect, marked a long way down the road toward extending the right of suffrage to the people of the District of Columbia.

In December of 1952, the then President-elect of the United States, Dwight Eisenhower, sent word to me that he would like to have me come to New York in order to discuss some legislative matters affecting the District of Columbia.

The prospect was that I would be chairman of the Committee on the District of Columbia of the Senate. Among subjects discussed was the possibility of getting the right to vote for the people of the District of Columbia. The President spoke very feelingly upon the fact that he believed taxation without representation was contrary to the principle of our country. He said he felt there was something basically wrong if we taxed people and did not give them the right to vote. He thought there was something basically wrong if we drafted their sons for military service and did not give them the right to vote.

During the preceding 2 years I had been a member of the Committee on the District of Columbia and had been accorded the honor by the then chairman of the committee, the late Senator Neely of West Virginia, and the majority leader of that day, Senator McFarland of Arizona, of piloting the so-called home rule bill through its consideration by the Senate in January of 1952.

So I was very glad to accede to the suggestion of the President that we devote some energy to the possibility of getting suffrage for the District of Columbia.

During 1953–54 we passed a home rule bill. We also passed a bill giving the people of the District of Columbia the right to vote for delegates to national conventions. The matter of voting for President and Vice President called for a constitutional amendment. We gave some consideration to it but, of course, that was a proposal which would have to go to the Judiciary Committee.

My interest in the subject has continued throughout the years. The interest of the President has continued throughout the years. On various occasions he has continued to express an interest in this goal.

Early in this Congress Senator GLENN BEALL introduced a constitutional amendment proposing that the citizens of the District of Columbia be given the right to vote in presidential elections. The junior Senator from South Dakota introduced a similar constitutional amendment.

In the amendment which I proposed I suggested that the District of Columbia be given three Delegates to the House of Representatives with a like number of electoral

votes for President and Vice President, in that way preserving the traditional basis upon which a State has votes in the electoral college.

Early this year, when the District of Columbia Committee reported the so-called home rule bill, I offered that constitutional amendment as an amendment to that home rule bill, in fact as a substitute for the home rule bill. Watching the course of these proposals through the years had convinced me that there was little practical possibility of getting home rule, as such, through both Houses of Congress in the same Congress.

Also I knew that every home rule bill which had been presented in the previous 10 years had included a provision to recognize the basic constitutional provision that Congress is given the exclusive legislative jurisdiction for the District of Columbia.

Believing that the people of the District of Columbia should have an effective voice in the Government which governs them, namely, Congress, plus the appointive power of the President, I came to the conclusion that the practical thing to do was to press for a constitutional amendment which would give them a voice in the electoral college for the election of President and Vice President, and, if possible, Delegates in the House of Representatives.

So I introduced the constitutional amendment on the floor as a substitute for the home rule bill on the floor of the Senate. The most important result was the interest which developed. Many Members of the Senate said to me, "We would like to support that kind of measure as an independent proposal."

The most helpful interest developed was the interest that was taken by Senator KENNETH KEATING. Not only did he say he believed that that constitutional amendment should be adopted at that time, but, as a member of the Committee on the Judiciary, he took an earnest and unrelenting interest in the subject.

The outgrowth of that effort was the reporting of a proposed constitutional amendment to the Senate, built upon the language that had been proposed by the Senator from Maryland, Mr. BEALL; the Senator from New York, Mr. KEATING, and myself. That proposal was reported to the full Committee on the Judiciary.

Then there came before the Senate a proposal to deal with the problem of the election of Members of the House of Representatives in case of an emergency which incapacitated a majority of the Members of the House from acting at any time.

The Senator from Florida, Mr. HOLLAND, proposed an addition to that proposed constitutional amendment. His proposal was an amendment for the abolition of the poll tax in Federal or national elections. That was agreed to.

So, then the distinguished Senator from New York, Mr. KEATING, performed the master stroke of presenting the District of Columbia amendment which had been reported by the Kefauver subcommittee to the full Judiciary Committee. It drew wide support and was agreed to by more than the two-thirds required for a constitutional amendment.

I believe that is an accurate reflection of the record, and the course that this matter has taken. As we adopted the amendment in the Senate, it provided for both representation in the House of Representatives and representation in the electoral college for the voters of the District. The three-pronged resolution then passed by the required two-thirds vote for a constitutional amendment, and it went to the House of Representatives.

The Senator from New York, the Senator from Maryland, and I and others testified before the House Judiciary Committee urging action upon this particular proposition to provide suffrage for the voters of the District of Columbia in the election of President and Vice President. We also urged delegate representation in the House of Representatives.

Of course, under the Constitution, the House of Representatives is the judge of its own membership. In its wisdom the Judiciary Committee of the House of Representatives reported a constitutional amendment to the House of Representatives in a form which left only the provision for the election of presidential electors for President and Vice President by the District of Columbia.

I regret the dropping of the other two proposals in the triple-pronged constitutional amendment as it passed the Senate. I regret particularly the dropping of the provision for a delegate in the House of Representatives. However, so far as the Senator from South Dakota is concerned, I recognized that in that particular matter, since the House of Representatives itself was concerned with it, we should respect their wishes in that particular.

I might also observe that it is my personal opinion that the Congress could, by an ordinary act of Congress, without requiring a constitutional amendment, provide for a delegate to the House of Representatives, if the Congress so desired, at any particular time.

I conclude by saying that this action will mark the Eisenhower administration as having sponsored and encouraged the greatest extension of suffrage of taxpayers throughout areas where the United States has jurisdiction. First of all, there was the legislation giving to the people of the District of Columbia the right to vote for delegates to the national political conventions. Second, there was the adoption of Alaskan statehood. Third, there was the adoption of Hawaiian statehood.

With this action, every step will have been taken which could be taken by Congress and by the administration to get before the country a constitutional amendment to give to the people of the District of Columbia the right to have some voice in the Government under which they live. This is a proper step to be taken for the seat of the Government of the United States.

I hope that the consequence of this step will not be lost on the peoples throughout the world. It has been a reproach to our profession of democratic principles that people in the Capital City of the United States can be taxed and yet have no vote. This amendment can lead to the end of that travesty. I hope it will be ratified by three-fourths of the States before the next year of presidential elections rolls around.

NOMINATION OF ROBERT BICKS TO BE ASSISTANT ATTORNEY GENERAL IN CHARGE OF ANTITRUST DIVISION

Mr. DIRKSEN. Mr. President, there is presently pending in the Senate Judiciary Committee the name of Robert Bicks, who was nominated by the President to be an Assistant Attorney General in charge of the Antitrust Division in the Department of Justice.

In these closing days of the session, I urge to the Senate that appropriate action be taken so that Mr. Bicks' name may be reported and may be confirmed for this all-important post.

First, it is not a matter of partisanship. This is a matter of the Senate's confirming a man who has labored hard and very well indeed to preserve our free enterprise system.

As my distinguished colleague on the other side of the aisle, the Senator from Wisconsin [Mr. PROXMIRE], said:

> Robert Bicks has put more drive and energy into the Antitrust Division than it has seen in a long, long time. He is a man of rare intellectual capacity and of legal competence which has been demonstrated over and over again against the best brains big money can buy. For the Democratic Party to reject [this] appointment would be foolish politically and tragic for the national interest.

Mr. Bicks' record speaks for itself, and demonstrates his ability to fill this important post. Thus, from April 21, 1959, the date Mr. Bicks took over as acting head of the Antitrust Division, to date, 115 cases have been filed. Of these 115 cases, 29 have been disposed of satisfactorily in whole. In an additional 13, pleas or decrees have been entered by less than all defendants. And only one of these 115 cases has been lost.

There appeared in Fortune magazine a very interesting article, which I brought to the attention of the Judiciary Committee. It is under the title "What Antitrust Means Under Mr. Bicks," and was written by Mr. Richard Austin Smith. In the forepart of this article, the following is stated:

> A brilliant 32-year-old "trustbuster" is chalking up a record number of prosecutions. Here is an appraisal of the man and an inside look at what his Antitrust Division is doing, thinking, and planning.

Even though this is a rather extended article, I ask unanimous consent to have it printed at this point in the RECORD, as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Fortune magazine, March 1960]

WHAT ANTITRUST MEANS UNDER MR. BICKS

(By Richard Austin Smith)

"The success of the American economy is largely due to the creation of a business atmosphere that is founded on free markets and intense competition at the marketplace. Any arrangement that tends toward a system of cartels or price control or regulations by competitors is recognized by the citizens of this country as a deterrent to the present and future growth of our economy. It is for this basic reason that public opinion has obliged the Government, regardless of the party in power, to enforce the antitrust laws very aggressively—in the public interest."

The speaker was not the Nation's No. 1 trustbuster, Robert A. Bicks, though the views were ones he had often expressed. The speaker was Ralph J. Cordiner, board chairman of General Electric, addressing that corporation's top executives under the most dramatic of circumstances. A grand jury had been convened in Philadelphia last July to investigate the pricing policies of the electrical manufacturers, particularly prices quoted to such Federal agencies as the Tennessee Valley Authority. Certain general managers of GE operating components, against Cordiner's written policy of strict compliance with the antitrust laws, had "been a party to the discussion of prices with their competitors." Quite aside from any punishment to come from the courts, Cordiner had demoted some of the managers involved, punished the rest by cuts in pay or reassignment. Now he wanted to reemphasize the need for self-discipline and drive home his point that sound business judgment forbids actions that restrict competition.

Cordiner's speech expressed what the vast majority of American businessmen believe. But confronting those who do not agree are the antitrust laws and the exceptional man responsible for enforcing them—acting Assistant Attorney General Bicks. Not only is Bicks the youngest man ever to run the Department of Justice's Antitrust Division (he was 31 last April when he got the job), he is also considered the most vigorous trustbuster since the late thirties, when Thurman Arnold undertook to make effectual what he had previously described as "the entirely futile but enormously picturesque antitrust crusades."

Just how active Bicks has been can be seen in the division's annual report, released on January 4, coincidentally the day before Cordiner laid down the law to his executives. More antitrust cases (63) were filed last year than at any time since 1943, when Thurman Arnold brought 70 separate actions. The Nation's largest dairy, National Dairy Products, was charged with conspiring to eliminate price competition in the sale of milk in the Greater Kansas City area. Twelve fabricators, a trade association, and six steel companies were charged with conspiring to eliminate competition in the sale, distribution, and fabrication of reinforcing steel bars in seven States. General Motors' acquisition of Euclid Road Machinery Co. was challenged; so was Firstamerica's buying up the stock of the California Bank, Kennecott Copper's acquisition of the Okonite Co., National Homes' taking over seven prefabricated house builders—all on grounds that these mergers would substantially lessen competition or tend toward monopoly. Ten antimerger suits were filed under the Clayton Act in 1959, a 100-percent increase over 1958 and half again as many as in any year since the statute become law in 1914.

All together, 35 criminal cases and 28 civil cases were closed during the year. Only two of the criminal cases (notably one involving Salk vaccine) and three of the civil ones ended in judgments or decrees that the Justice Department regarded as unfavorable.

For 1960, though something of an antitrust armistice often prevails during an election year, Bicks has given no indication of slackening his offensive. Four major grand-jury proceedings (plus the one in Philadelphia that is investigating the price-rigging charges against GE, Westinghouse, and others) will probably be making headlines in the next several months: One in Washington and one in San Francisco, convened as the result of an investigation by the Celler Antitrust Subcommittee into shipping; two in New York looking into the insurance industry and into General Motors. The year had barely begun before Bicks filed suit against the joining of Standard Oil of Ohio and Leonard Refineries, the largest independent petroleum company in Michigan; it was only 3 weeks old when Standard abandoned the merger. And within the month Bicks moved to undo the link between a subsidiary of National Steel, the Nation's fifth largest steelmaker, and Metallic Building, one of the Southwest's biggest metal prefabricators. The outlook is for filing 20 to 30 merger suits, doubling or tripling the 1959 total. On top of all this, Bick's successful program for getting some of the 50 State attorneys general to help out with the prosecuting load, under State antitrust statutes (collusion, price fixing, etc.), will release local Justice Department offices for the bigger and more complicated cases while raising the overall level of antitrust activity.

"TOO DAMNED GOOD"

Bick's hyperactive and successful performance has alarmed businessmen, including even those who approve of the antitrust laws and want to obey them. One explanation of this alarm lies in the uncertain state of the law. The statutes were deliberately (and probably wisely) written in general language. But over the years, court interpretation has been inconsistent and inadequate. Businessmen, unsure of the legal limits, tend to prefer a quiet antitrust prosecutor who will interest himself only in flagrant or simple cases. As one old Washington hand explains the alarm over Bicks, "If you're really good at the job, you're too damned good." Bicks has tackled many difficult cases, not because he has a crusader's fanaticism but because he has a high degree of professional competence and some clear ideas of what he thinks antitrust ought to mean.

The two basic antitrust statutes, which Bicks himself is continually trying to clarify, are the Sherman Act and the Clayton Act. The Sherman Act has two enforcement provisions: Section 1 forbids contracts, combinations, and conspiracies in restraint of trade; section 2 forbids monopolizing and attempts to monopolize.[1] The Clayton Act, best known for exempting labor and farm organizations from antitrust was also designed to extend and shore up the Sherman Act; its most important section is No. 7 (an antimerger barrier much strengthened by the Celler-Kefauver amendment of 1950), which makes it illegal for one company to acquire another either through buying up the stock or by purchasing the assets if the merger tends substantially to lessen competition or create a monopoly "in any line of commerce in any section of the country."

The teeth in the Sherman Act are maximum fines of $50,000 and up to a year in prison on each count for a criminal violation; those who have been injured may collect treble damages (a formidable punishment in cases like the one before the Philadelphia grand jury, where hundreds of millions of dollars in sales are involved). And finally, of course, the courts may order divestiture of an important division or even dissolution of the corporation into several new companies (Standard Oil). Violations of the Clayton Act, always prosecuted by a civil action, may also result in costly divestiture and treble damages. Both statutes have been subject to judicial interpretation, though the newly amended section 7 of the Clayton Act has yet to be illuminated by a Supreme Court opinion. As for the Sherman Act, judicial interpretation has made it something of a shuttlecock. In 1911, Chief Justice White's "rule of reason" opinion (only unreasonable restraint of trade would be considered unlawful) limited the area of prosecution and in effect put "good" trusts on the side of the law. In 1920 the Supreme Court ruled that United States Steel's immense concentration of market power was within the law because abuse of power had not been proved; but in 1945, in the Alcoa case, the courts decided monopoly was unlawful even if not accompanied by abuses of power.

Many of the best American legal scholars approve of the Sherman Act's avoidance of specific and precise terms. Back in the thirties, the Supreme Court, in the Appalachian Coals case, said of this statute: "As a charter of freedom [it] has a generality and an adaptability comparable to that found to be desirable in constitutional provisions. It does not go into detailed definitions which might either work injury to legitimate enterprises or through particularization defeat its purposes by providing loopholes for escape." Moreover, the Attorney General's National Committee To Study the Antitrust Laws, despite its heavy membership of defendants' lawyers, made no recommendations to make the statutes more specific, preferring to continue the case-by-case method of establishing their meaning. But lack of specificity, desirable from the broad viewpoint of jurisprudence, is not without its costs to all concerned. Antitrust enforcement is slower, more difficult, and requires a higher caliber of Justice Department personnel than would be the case if the statutes had been written in specific terms. And businessmen, subject to vague legislation and a correspondingly broad and uncertain range of discretion by the enforcers, are sometimes very much in the dark.

"STEP OUT OF THE ROOM"

At the level of the laws' actual impact on the business community, there is sharp debate about the effect of antitrust's legal uncertainties. Last month a distinguished New York lawyer declared, "It is utterly impossible for a businessman, even with intelligent counsel, to avoid antitrust prosecution. Even if you made an acquisition years ago, and quite legally, if economic conditions change, antitrust can look into that deal at any time. Du Pont bought its General Motors stock in 1917–19, the Justice Department didn't bring suit until 1949. Then when the case went to trial, it was tried overwhelmingly under section 1 of the Sherman Act, with section 7 (of the Clayton Act) only a vestigial part of the argument. The Supreme Court, however, didn't base its conclusion on section 1: It went off on section 7, something the Government hadn't stressed. This makes anarchy of the antitrust laws and it makes planning for the future very difficult."

This kind of criticism is widespread, although mainly sotto voce. Responsible business lawyers do not want to put their names to statements that may appear to be attacks on the principle of antitrust. Attorney General Rogers, on the other hand, believes that an exaggerated picture of the uncertainty is being drawn. Further, he believes that the way to reduce the uncertainty is to litigate certain cases that may serve to clarify the antitrust ground rules under which business must operate.

"Keep in mind that when we talk of antitrust, we are talking about three different kinds of situations," says Rogers. "There is no question that businessmen can avoid antitrust actions of a criminal nature. They can do it without a lawyer because the dividing line is clear. In some of our recent criminal cases lawyers have advised their clients that the action they were about to take was a crime, but the companies have replied, 'You step out of the room, and we will do it without you.'

"In the Sherman Act field involving civil violations the dividing line is not so certain and businessmen may need competent legal counsel to advise them about whether certain actions violate the antitrust laws or not.

"In the section 7 cases it is merely a question of whether a merger of two companies will tend to lessen competition. If we think it is a close legal question, we litigate it. The businessman, of course, can't be sure how it is going to come out—nor can we for that matter. But we present the Government's position and then it is up to the court to decide who is right."

The short of it would seem to be that a businessman can keep clear of such situations as that of the four manufacturers sentenced to 90 days in an Ohio pokey last year for collusively setting identical prices on hundreds of tools and implements. But a host of other factors, many beyond a businessman's control, go into determining his liability to civil suit under section 2 (monopoly or attempts to monopolize) or under the Clayton Act. The purpose of this article is to explore these factors at some length, beginning with an examination of the policies and performance of Bob Bicks

[1] Justice Oliver Wendell Holmes called the act "a humbug based on economic ignorance and incompetence." For all the act's impression, however, not even corporation lawyers would go that far.

and winding up with the division's thinking and strategy in three major cases: the abortive merger of Bethlehem Steel with Youngstown Sheet & Tube, the abandoned merger of Texaco with Superior Oil, the challenged merger of General Motors and Euclid Road Machinery.

IN LOVE WITH THE LAW

What makes Bicks an exceptionally able antitrust chief is a unique combination of background, training, and personality. The whole family has been in love with the law from the word go. His father, presently Judge Alexander Bicks of New York's U.S. district court, met his mother while both were studying at New York University Law School. Bob's younger brother, David, now an assistant U.S. attorney, who played a leading role in the recent Guterma conviction, barely missed being born in a courtroom, his mother finishing a case only the day before he arrived. Needless to say, both boys were seasoned from infancy on a regimen of legal calisthenics. First at Yale, from which Bob graduated summa cum laude, then at Yale Law School, where he held down the No. 3 spot on the Journal, the law was the thing, particularly antitrust law. The first legal job of the 23-year-old law school graduate was as clerk to Judge Stanley Fuld, of the New York Court of Appeals, the second, legislative assistant to New York's Senator Irving Ives. By 1953, Bicks had landed precisely where he wanted to be, in the antitrust division, doing precisely what he wanted to do: immersing himself in the world of monopoly, collusion, and restraint of trade as executive secretary of Attorney General Brownell's National Committee To Study the Antitrust Laws. Brownell, himself a man of marked intellectual power, found Bicks "extremely levelheaded, ingenious, thoroughly grounded, fast on his feet," and was happy to create a post especially for him upon completion of the 19-month study.

As legal assistant to Antitrust's Assistant Attorney General Stanley Barnes, Bicks really began to move up in the department. "Bob Bicks," remarked a Justice lawyer, "filled a hole in Barnes' psyche—he had three daughters and Bob seemed to take the place of a son." Many were the nights the two worked late in Barnes' office, a log fire crackling in the grate and a hospitable bottle of whisky on the table. The relationship, however, had as its root Barnes' regard for the ability of his young assistant, and Bicks filled far more than a hole in Barnes' psyche. He filled a space in his Antitrust Division. There weren't many topflight Republicans interested in going with the Justice Department at that time; Bicks handled a number of confidential matters for Barnes when the latter was out of town, and as congressional liaison officer was notably successful in keeping harassments, interference, and duplication of effort to a minimum. In the course of time, Bob Bicks developed an almost doglike devotion for this "great man," made Barnes the godfather of his first son.

When Victor Hansen took over from Barnes as Antitrust Chief in 1956, having been selected for the spot by Barnes himself, the new head came to lean on Bicks even more than had his predecessor. The reason: Hansen was considered a man of great good will but with little intellectual equipment for the job, and his first assistant didn't last long. Late in the summer a delegation from the Celler Antitrust Subcommittee walked into the Justice Department with documents suggesting that Hansen's first assistant had been speculating in his wife's name in the stock of companies under antitrust prosecution; he resigned forthwith and Bicks was appointed acting first assistant in his place, 5 months later becoming first assistant.

It is something of an open question whether or not Bicks actually ran the division for Hansen. The Assistant Attorney General was out of town quite a bit, didn't appear persuaded of the importance of enforcing the Clayton Act's antimerger provisions, and seemed content to release much of his job to his first assistant. But of Bicks' performance there seems to be little question; it was, to use the phrase of an eyewitness, himself a top Justice Department lawyer for a decade, "technically superb." The same source says, "The tremendous difference between Bicks and everybody since Wendell Berge (1943–47) is that he's on top technically. He knows the law and the cases. He digs into them like a terrier at a foxhole. Both Hansen and Barnes had to be briefed a few minutes before meetings." And, of course, then as now, Bicks had a clear conception of what he wanted to do. "He's the only head of Antitrust," declared one of Bicks' predecessors in the job, "and I don't exclude Stanley Barnes, who has had a program."

As a person, Bicks is quite complicated, with many uncommonly associated characteristics. He has artistic interests (a first-rate high-fidelity record collection), along with an appetite for the roughest of "contact" sports (football at Yale). He's wholeheartedly one of the boys (his cronies are uniformly convivial, uniformly lawyers), but he has an equally strong urge to be the family man (with sons Michael and Peter and wife Pat, a stunning blond, herself the daughter of a lawyer and a grandniece of President Taft). He possesses epicurian tastes in food, wine, and cars (he drives a small Mercedes), along with an inborn thriftiness (he's stashed away enough Government bonds, bought via salary deductions since the birth of his 2½-year-old son, to put the boy most of the way through college). He presents a picture of external calm when arguing a complicated case before the Supreme Court from no more than notes, while, at the same time, his shirt is being soaked with perspiration. He can be tactful, or brusque and tactless.

As Attorney General Rogers remarked this January, "Bicks makes a very good impression on businessmen; they are apt to get mad at him from a distance, but it is hard to get mad at him face to face." On the other hand, as an old friend, an ex-Justice lawyer, recently noted, Bicks' lapses into tactlessness may have offended influential Republicans both in and out of the administration. "I've been in there talking to him, and he will pick up a paper or start reading a brief; and if he does this to me, I'm sure he does it to others."

It might be said in mitigation, however, that Bicks is always working and seems quite capable of concentrating on two things at once. As for his prejudices, they are relatively few and seem confined to a deep aversion to mediocrity and motorboats (a devotee of blue water and canvas, the mere mention of powerboats sets his jib to flapping). But he has definite ideas on a host of other subjects ranging from economics to the technique of "liar's dice"[2]—and of course the most definite kind of ideas on antitrust.

WEAKNESS INSIDE

The world of antitrust, through which Bicks moves with so much success and assurance, is by ordinary standards a world of conflict, insecurity, and confusion. His own power seems clear enough, and enormous in the sense that his viewpoint and his program tend to become the Government's official antitrust doctrine. Yet his policy is, in fact, subject to innumerable checks and balances. Antitrust law is made by a process, not by an individual, even though the individual, the Assistant Attorney General, sets the process in motion and is highly influential in its evolution.

First, Justice brings a suit or files a complaint, based on facts unearthed by the Antitrust Division; the defendant produces his justification in court and attacks the Division's allegations; the trial judge then decides where the right lies; his opinion, in turn, may be upset, affirmed, or overshadowed by a Supreme Court review; and, finally, the new court-made law may be altered by additional legislation from the Congress, starting the cycle all over again. Unhappily, this oversimplification does not even suggest some of the facts of life, both inside and outside the Justice Department, that shape the world of antitrust.

One of the main drawbacks to the formulation and execution of antitrust policy at the divisional level is lack of manpower. Despite Bicks' being able to get in a number of young topflight law graduates, the division's major problem is still an insufficiency in the quantity and quality of personnel. Many of his older staffmen are afraid of the massive statistics and complicated economics that go into the big section 2 and section 7 cases; they prefer the simpler "conduct" cases of price collusion, and the like. The turnover is enormous, particularly among the younger men, while many of the veterans, on whose skill and experience the major cases depend, have been able to stay on only because of outside means. A crack trial lawyer, Joseph McDowell, left for private practice because he couldn't afford to send his daughter to college on his Justice Department pay, even though she had won a scholarship. George Reycraft, one of the best attorneys in the division, "moonlights" by drawing flight pay as an Air Force Reserve captain on weekends. The situation was described by a Harvard law professor who has been on both sides of the courtroom: "There's a tremendous difference in the Government's resources and those of a first-rate law firm. The Government is constantly faced by the dilemma of whether to put a good man on one important case or spread him around among seven or eight. This results in some poorly conceived cases by the Antitrust Division which, even if won, don't add much to a clarification of the law." A really able lawyer like George Reycraft, as the professor explains, may find himself working on the GM case, the American Radiator case, and overseeing several other cases all at once in his job of section chief. "But firms like Cravath; Cahill, Gordon; Covington & Burling have no difficulty putting into court as fine a team as you'll ever see. They can bring in four or five outside economists if required, plus relying on the staffs of firms they represent."

By and large, the Division's undermanned economic staff seems to lack the skill or the inclination to do the tough "grunt work" of formulating a reasonable plan of relief in the event of a successful case. As a result, the division may win an important case like GM-Du Pont, only to lose some of the fruits of victory because the judge considers the remedy unnecessarily harsh and punitive.

INFLUENCES OUTSIDE

Externally, the main influences that determine how much of the Assistant Attorney General's departmental antitrust policy becomes national policy are the courts and the Congress. Sometimes, as in the Alcoa case, the courts will open up a whole new area to antitrust prosecution. More often than not, however, the Division is compelled to tailor its cases to the limitations of the judiciary.

[2] Liar's dice is played with the serial numbers on dollar bills. Players bid on pairs, triples, four of a kind, and so on, basing their bids on the numbers on their own bills plus whatever similar numbers they expect to pick up from the hands of opposing players. A wide-open game, it is based on bluff, rapid calculation of the odds, and luck.

It has found from experience that complexity is a great handicap, and so are long trials. "Antitrust cases require real study and work," declared a senior partner in an important Washington law firm recently, "but the judges are impatient, they don't understand what you're talking about and some won't make the effort to find out. The big problem in antitrust cases is lack of able judges." Section 2 proceedings in particular must be weighed by the Antitrust Division in terms of the caliber of the court; an uninterested, lethargic, or confused judge may simply say, "There's no antitrust case here."

Congress' influence on antitrust policy has many aspects, all of them formidable. It can enlarge the list of those exempted from antitrust (co-op dairies are currently asking for the right to merge with commercial dairies) or enlarge the area of liability, as in the 1950 amendment to section 7. It can start antitrust investigations on its own hook, in one mood holding the executive branch of government up to public ridicule, in another mood becoming virtually an ally of the Antitrust Division.

What Congress does or does not do in these respects depends partly on the caliber and personality of the antitrust chief. Let him be too independent and his policy will be subject to constant harassment from Capitol Hill. Let him be too dependent on Congress and antitrust policy will falter for lack of his personal leadership. As ex-Attorney General Brownell observed recently: "The legislative vote on any issue tends to represent the composition of strength, i.e., the balance of power, among the contending groups at the moment of voting. In the antitrust field, however, the legislative balance may peculiarly depend on vigorous executive advocacy." Bicks' exemplary relationship with Capitol Hill has kept his own policy clear of undue congressional interference. When congressional staffers come down wanting to know what's being done in some area, he's way ahead of them; once, for example, asked if he knew of a noxious TV situation in Boston—channel 5—which had been aired only that morning; Bicks simply had his right-hand man, W. Wallace Kirkpatrick, bring in the formal complaint they'd drawn up an hour before. This on-the-toes stance has won the esteem of men in both parties, particularly the all-important Judiciary Committees of the House and Senate. Congressman CELLER even went on record with an accolade that declared Bicks "a truly dedicated public servant * * * he combines youth with wisdom, enthusiasm with restraint, and a desire to enforce the antitrust laws with a genuine sense of realism and practicality." From a political point of view, the result is of national consequence to the Republican Party; with key Democrats like Celler, Paul Douglas, and William Proxmire enthusiastic about conservative Republican Bicks and his antitrust program, the old battle cry about Republican favoritism to big business in the antitrust field has been stilled, is not now an issue in the 1960 elections.

BAD LAWS AND GOOD LAWS

Bicks' antitrust program, adjusted to some of the foregoing influences, falls neatly into three areas of effort. One is to try to prevent Congress from passing bad antitrust laws or from trying to make antitrust the most important public economic policy. This year a disturbing new book, "Antitrust Policy" by Harvard Profs. Carl Kaysen and Donald Turner, proposed giving antitrust a new and dominant role in our economic system by a special statute designed to prevent unreasonable market power, a special court to handle the adjudications, and a special agency, the Industrial Reorganization Commission, to be responsible for prosecution. Bicks, who does not favor new basic legislation, or new agencies, but strong enforcement of existing laws (with some procedural changes) under the present judicial system, stands ready to open up on the Kaysen-Turner thesis if Congress gives it a tumble. Last year Bicks made a damaging attack against Senator O'MAHONEY'S bill to compel giant corporations and big unions to explain their proposed price and wage increases at public hearings before they went into effect. Bicks' point: "The bill would tend to substitute government inquiry into the reasons for and the justifiability of any price increase for our traditional ideal of prices set in response to free market forces. One result will be to discourage price declines, for companies may well be loath to risk price cuts when price rises can take place only at the cost of required waiting plus public hearing. By slowing the necessarily fast pace of price adjustments, this proposal could have real anticompetitive consequences."

The second main area of Bicks' antitrust program is to get what he terms "helpful" changes in the present statutes. Specifically, he wants civil investigative powers, which would produce data on demand, and he wants the law to require that parties to a proposed merger notify the Justice Department in advance. He thinks this would forestall such devices as scrambling assets before the Department can look at the books, and bring everything immediately into the open. (One top law firm now advises its clients: "If you think the merger's going to be challenged, get it through quietly.") In addition, Bicks has asked Congress to give tax relief to stockholders forced to sell their securities as the result of antitrust action, such as the GM-Du Pont case.

THE MILL GRINDS CAREFULLY

The third and most important area of effort, of course, is enforcement, where the actual process is characteristically set in motion by a complaint. Some businessman or his Congressman writes in because he's been hurt, or thinks he will be. The complaint is routed to one of the four trial sections (each specializes in certain industries), and may be dropped immediately if the allegations on their face are incredible or are not violations of the law. Surviving complaints go to the head of the division, with the section chief's recommendation, and the former makes up his own mind whether or not to go ahead with a preliminary inquiry, drop the whole matter, or move to put the case before a grand jury. If Bicks were to order a preliminary inquiry, it would occupy one or two men an average of 2 to 3 weeks. Assuming a preliminary inquiry is decided on and comes up with actionable information, the FBI may then be called in to spend a year or more digging up additional data.

When sufficient information is on tap, the section chief makes a recommendation to the Assistant Attorney General for action. Assuming a decision is made to proceed, and with a civil suit, the next step is preparation of a fact memorandum. This internal document of a hundred or so pages lays out the whole case: The legal theory; the economic theory; the weak spots; the strong points; the probability of success; the importance of the case in terms of itself, as a general deterrent, or as an establisher of new precedent. All this Bicks will pore over with his No. 1 aid, Kirkpatrick, a topflight Harvard careerman on whom Bicks relies heavily. In the last stages of the process, the formal signed complaint and the fact memorandum land on the desk of Attorney General Rogers. He goes over the sensitive points with Bicks, then says yes or no to the suit or action. "Attorneys General don't have antitrust programs," a veteran Justice Department lawyer said recently. "If they do anything, it's to say 'No' to a specific case. Their function is to be a brake on antitrust activity. They are political representatives whose function is to temper justice with politics."

WITH TAFT AS A MODEL

Philosophy of program, of course, is far more important in antitrust matters than procedure, and it is here that Bicks, undistinguished as an administrator, has won the confidence of many. Some of his antitrust views are consciously modeled on those of the late Senator Robert A. Taft. Last year Bicks told a congressional committee that antitrust was "the sole form of Government action designed to obviate the necessity for Government regulation. Its prime goal is to help the free market's work. When the public has confidence in the free market's operations, it is at least less likely to resort to Government operation of the market and eventually to Government taking over of markets."

Bicks stands in sharp disagreement with those economists who want the antitrust laws changed so as to preclude the "unprincipled pursuit of profit" by corporations. His comment: "It is true that antitrust can help curb undue price hikes by making prices responsive to the monetary and fiscal controls of a sound governmental anti-inflation program. But it doesn't follow that, because of this role, we believe the so-called concentrated industries, steel for example, have been primarily responsible for inflation." Nor does Bicks appear to be hospitable to the proposition that oligopoly should be equated with monopoly. "Absolute size is absolutely irrelevant," he says. "Material instead is whatever power to control market price, and market entry, that may come about through relative size gaged in the context of a particular market." What he seems to be saying is that bigness is not per se badness. One careful observer of antitrust, Michigan's Professor S. Chesterfield Oppenheim, recently declared there were no indications that Bicks or the Division had confused bigness with monopoly.

Case histories, however, provide the most illuminating insight into the thinking of Bob Bicks and the Antitrust Division. The three below serve as particularly significant examples of antitrust activity:

"PROPHYLACTIC ANTITRUST"

Case No. 1 hit the front pages last October when the Justice Department sued General Motors to force that corporate titan to divest itself of a $100 million division, nee Euclid Road Machinery Co. The division attaches great importance to GM-Euclid because of GM's market power. In 1958, General Motors made over "50 percent of all automobiles, 89 percent of city and intercity buses, about 40 percent of highway trucks, 100 percent of the passenger locomotives, and 77 percent of all types of locomotives manufactured in the United States, and was a leading producer of a number of products in the off-highway earthmoving equipment field."

The significance of these percentages, in one trustbuster's view, emerges in the way GM has developed: "They weren't in diesel locomotives, so they bought into the industry and in a few years had 90 percent of the business. They bought into the bus business with the same results. If we win this case, the rule will be established that GM can't buy into related industries with whom it deals. The choice Euclid highlights is simple. On the one hand, Antitrust might wait some years from now until GM had, as in buses and diesel locomotives, 80 to 90 percent of the market, and then move under the Sherman Act. On the other hand, the Euclid case seeks to avoid arduous and complex Sherman Act litigation by attacking GM's acquisition now—before all Euclid's present competitors have been driven from the fray. In essence, Euclid represents prophylactic antitrust."

In addition, Justice hopes this case will bring about a more precise judicial interpretation of section 7 of the Clayton Act, particularly on two points. The first would be judicial support for Justice's belief that section 7 prohibits a company with a dominant position in its market from acquiring a profitable company to which it sells, if that company is also a substantial factor in the market. The second interpretation of section 7 that Justice wants has to do with the aspect of efficiency in merger cases. If the efficiency argument were a complete defense, Justice feels section 7 might be wiped off the books, since almost invariably it is easier and quicker to buy know-how and management than to develop it from scratch. The efficiency or economies defense stands up, trustbusters assert, only in those cases where defendants can prove that the efficiencies or economies could not be obtained except by the challenged merger.

Three elements enter into Antitrust's theory of the case. One is the major allegation that GM had planned to enter the earthmoving field but instead of starting from scratch it chose to acquire Euclid, thereby eliminating substantial competition. The other two concern the market for earthmoving components like diesel engines and transmissions: GM could exclude its competitors in the component field from supplying its new earthmoving division; it could also exert a squeeze on prices, supply, or quality—withholding its best engines or transmissions—against producers of earthmoving equipment that do not themselves manufacture comparable components.

Significantly, GM's size, its enormous resources, tremendous market power, and wide diversification are not being presented as illegal in themselves. Instead, these aspects of the case will be used to illuminate the other relationships. Attorney General Rogers remarked last month: "People shouldn't get too concerned about a Government attack on 'bigness.' Why don't they wait till we do it. It's never yet been done."

"IN THE DIRECTION OF TRIOPOLY"

Case No. 2 involved the merger of Bethlehem Steel (second biggest corporation in the industry) and Youngstown Sheet & Tube (ranking sixth). It was regarded by Justice and many antitrust experts as a classic instance of the sort of union section 7 was designed to prevent. "The merger offers an incipient threat," declared Judge Edward Weinfeld, "of further mergers by the other but less powerful companies in the steel industry. If there is logic to the defendants' contention that their joinder is justified to enable them, in their own language, to offer challenging competition to U.S. Steel * * * which exercises dominant influence over competitive conditions in the steel industry * * * then the remaining large producers in the Big 12 could with equal logic urge that they, too, be permitted to join forces and to concentrate their economic resources in order to give more effective competition to the enhanced Big 2; and so we reach a point of more intense concentration in an industry already highly concentrated—indeed we head in the direction of triopoly."

Judge Weinfeld, in enjoining the merger, ruled that it would "eliminate the present substantial competition between Bethlehem and Youngstown in substantial relevant markets." His 1958 opinion, on which the appeal period expired last year, was the first delivered in a trial under amended section 7. It amply justified Bicks' prime emphasis on merger cases, for here "essentially structural issues were presented to the court in manageable bites," and there was no long-drawn-out litigation. The whole affair took only 13 months to settle. The Antitrust Division had no hopes of doing more than preventing this merger and similar ones, for as Bicks remarked this January: "You can't change the structure of the steel industry much. Six companies now have almost 70 percent of the ingot capacity. We'd be locking the door after the horse is stolen."

LOCKING A FULL STABLE

Case No. 3 involved Texaco's proposed acquisition of Superior Oil. This was challenged by the Department of Justice in the fall of last year. Texaco's defense can be reduced to these contentions: (1) Texaco would continue to sell much of the crude it produces so no one would be deprived of a source of oil; (2) the production end of the oil industry, with 10,000 to 20,000 units, is not nearly so concentrated as that in steel; (3) substantial assets are involved but they are small compared to the industry total; (4) Texaco could use Superior's Venezuelan crude, then disadvantaged by import controls, in its Trinidad refinery and do so much more economically by purchasing Superior's assets than by buying Superior's crude.

Bicks' view was that in the oil industry, unlike the steel industry, the horse was still in the barn. The 23 largest oil companies share less than 50 percent of total domestic crude-oil production. Here was a highly competitive structure worth preserving. Antitrust's specific reasons for challenging the merger were: (1) competition would be eliminated between Texaco and Superior in the production and sale of crude oil, natural gas, natural gasoline, and liquefied petroleum gas; (2) Texaco, the No. 1 producer of domestic crude and the second biggest holder of domestic crude-oil reserves, would be acquiring control of a substantial source of supply (Superior, the Nation's largest independent), a source that had been going to Texaco's refiner competitors; (3) control over production and sale of crude, already concentrated in the hands of integrated companies to the disadvantage of independent refiners, would be increased; (4) inaction by the Department would set a bad example in this and other industries. Weighing the opposing arguments, Bicks came to the conclusion that the motive for the merger was long run (though crude was currently in surplus, Texaco was after reserves for another day) and so were the consequences. He decided Texaco's reasons did not justify the merger or legally support it in view of the Court's opinion in Bethlehem-Youngstown: "If the merger offends the statute in any relevant market, then good motives and even demonstrable benefits are irrelevant and afford no defense." Texaco was notified that Antitrust was ready to proceed with a suit; the next day the merger was abandoned.

KEEPING THE LID ON

Self-discipline, as Texaco and lots of other companies have learned in the last few years, comes hard, though there's certainly nothing much harder than a bout with the disciplinarian, Bob Bicks. Any hope of lax enforcement of the antitrust laws, however, is unrealistic over the long pull; they have immense popular support. If the present laws are not vigorously enforced, the public may demand more sweeping—and less sound—statutes. Few Congressmen have to go further than their desk drawers to come up with somebody's proposal, made in the interests of "pure competition," to dissolve big corporations both horizontally and vertically, restrict each corporation to a single type of product, exclude corporations from owning patents, introduce government competition where private competition seems ineffective. Vigorous trustbusting under a man like Bicks is the price that business pays to keep the lid on a veritable Pandora's box of wild-eyed programs masquerading as antitrust. And sooner or later a sustained period of intelligent case-by-case adjudication by the Justice Department and the courts may produce the clarification of antitrust ground rules that business has long and legitimately desired.

Mr. DIRKSEN. Mr. President, this estimate of Mr. Bicks is shared by the attorneys general of several States. The attorneys general of Texas, New York, Maine, Massachusetts, California, Washington, Iowa, and Wisconsin, Democrats and Republicans alike, all have urged action before adjournment to confirm the nomination of Mr. Bicks.

These views are shared by leaders of the bar, men who have been in court against Mr. Bicks.

Yesterday, Mr. Whitney North Seymour, the incoming president of the American Bar Association, had this to say:

In connection with * * * consideration of the nomination of Robert Bicks as Assistant Attorney General in charge of the Antitrust Division, I should like to say that in my experience with his administration of the Division I found him to be an able, courteous, and honorable representative of the Government, assiduous in the performance of his duties and behavior in accordance with high professional standards. In court he was a tough, but fair antagonist. Having observed the Division for 30 years I believe his conduct of the office compares favorably with that of any of his predecessors. I hope he will be confirmed promptly.

Mr. President, these are my sentiments as well; and I do hope the Senate leadership and the Judiciary Committee will permit action on this nomination before this Congress adjourns.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. JAVITS. I should like to express my concurrence in the distinguished minority leader's views. I happen to know Robert Bicks perhaps as well as anybody in this Chamber. His family is very well known to me. His father is a district judge in New York. His brother worked for me as an intern. Not only does this man have tremendous talent for the office to which he has been appointed, as well as the kind of iron determination and fidelity to duty which it takes, but his whole family background is compatible to his doing a highly effective job for his Government.

It seems to me when we are trying to bring brilliant young men into the Government to do this kind of work with complete dedication, men who have complete integrity, like Robert Bicks, we discourage them tremendously when they find their feet are upon the sticky flypaper of the political process.

I hope the understanding of this man's capability, and the importance of making it attractive for those who can do effective work to enter the Federal service, whatever party is in control of the executive branch, will induce the Senate leadership to act favorably on this nomination, even in these last few days.

Mr. BUSH. Mr. President, will the Senator yield for an observation?

Mr. DIRKSEN. First I wish to inject one thought.

As a member of the Committee on the Judiciary I have found myself at odds with Mr. Bicks on matters of policy at

times, but that does not make any difference. I have one view on policy, and he may have another, but the competence, the drive, the energy, and the legal attainments of the man simply cannot be denied. Moreover, anyone who knows him knows the sense of mission he has, the dedication of his spirit to the office. I have found him to be fair at all times even when we were in sharp disagreement over matters which were pending in the committee of which I am a member.

Mr. JAVITS. I wish to add that Whitney North Seymour is literally one of the most distinguished lawyers we have ever had in New York. Not only is he president of the bar association, but he himself is a man of the toughest mind and of the most objective judgment. The kind of sendoff he gave to Robert Bicks, it seems to me, should be very impressive to us.

Mr. DIRKSEN. Mr. President, I yield to the distinguished Senator from Connecticut.

Mr. BUSH. Mr. President, I wish to support the plea of the minority leader for the confirmation of the nomination of Mr. Bicks. I did so a week ago on the Senate floor.

I think in holding up this nomination we are doing grave injustice not only to Mr. Bicks, but also to the people of the country. He has demonstrated himself to be really a zealot for the duties and responsibilities which are inherent in his office in the Department of Justice.

The only objections I have heard from the outer world to the nomination of Mr. Bicks come from some large business organizations which seem to feel that he is too much of a "trustbuster" for the job. I have seen no evidence which would make me feel that way, but it has made me wonder whether our friends in the opposition party have been talking to these great business magnates who seem to wish to resist the confirmation of the nomination of Mr. Bicks. I hope they have not made their wishes felt within the confines of the majority party. I should not like to see a man of such capacity made a victim of the wishes of big business.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, I ask unanimous consent to proceed for 2 additional minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, so that the RECORD will be factually complete, I add that the nomination is still pending in a subcommittee of the Committee on the Judiciary. My understanding is that there are some other witnesses to be heard. Notwithstanding that fact, I trust there can be an acceleration of the hearing so that we can act upon this nomination before the present session of the Senate concludes.

Mr. GORE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the distinguished Senator from Tennessee.

Mr. GORE. If the nomination reaches the Senate, I expect to join my distinguished colleague, the able minority leader, in voting to confirm the nomination.

I wonder why there has been such a holdup. Why has the nomination been pending so long? Why did not the nomination come to the Senate earlier? I notice the Senator said Mr. Bicks had been acting head of the Antitrust Division for many months. I wonder if the Senator could enlighten us about why the nomination was held up so long, and what is the objection now.

Mr. DIRKSEN. Mr. President, I am drawing on memory now, but it runs in my mind that the nomination has been before us for several months. I would have to check the date.

Mr. GORE. I do not think that is the case.

Mr. DIRKSEN. I believe it is the case, but I would have to check the date. I shall be glad to advise my distinguished friend on that point.

Mr. President, the Committee on the Judiciary has operated upon the basis that when a nomination comes to the Senate it is published in the RECORD. That is regarded as notice to all the world, in case anyone is interested. The nomination is held in that status for a period of 6 days. Then it is referred to the Committee on the Judiciary and in turn is referred to a subcommittee.

The nomination of Mr. Bicks is now pending in the subcommittee. I know there are some witnesses who have asked to be heard. I think there may be another hearing in this coming week. I merely say I hope the witnesses can be notified to come and deliver their testimony so that the nomination can be quickly reported to a meeting of the full committee and then reported to the Senate for action on the Executive Calendar.

Mr. GORE. What aroused my curiosity was the statement made by the able Senator at the beginning of his remarks that Mr. Bicks assumed the duties of the post in April 1959. If all these wondrous things the Senator has said about him are true, I simply wondered if the Senator had any idea why the President was so tardy in sending his nomination to the Senate.

Mr. DIRKSEN. Mr. President, the President certainly was not tardy.

Mr. GORE. Why did he delay so long, then?

Mr. DIRKSEN. The very fact that a person becomes an acting head of a component agency does not necessarily mean he is going to be the nominee for the job. After due course, after discussion, it was agreed upon. Then the nomination was sent to the Senate, in the present session. I think that happened several months ago. I am quite certain it did. The nomination has been before the Senate for quite a while.

Mr. GORE. Let us assume, for example, it took the President 12 months to decide that this wonderful young man should be nominated. Does the Senator think the Senate could be given a reasonable time to let witnesses who wish to testify be heard on the matter?

Mr. DIRKSEN. Mr. President, all I can say is that as a member of the Committee on the Judiciary I know the committee can operate with the greatest dispatch on many things, including nominations. I think this nomination has been pending sufficiently long to have made possible the appearance of any witnesses who wished to testify either for or against the nominee.

Mr. GORE. If the nomination is reported—and I hope it will be—I expect to support its confirmation. I would not wish to have the RECORD stand that the delay in the selection, appointment, and confirmation of the nomination of this gentleman has been primarily due to the Senate.

Mr. DIRKSEN. Mr. President, I assure my friend from Tennessee on the point that I always believe in orderly processes. We have a standard procedure. I never quarrel when witnesses wish to appear and may have difficulties coming at a given time. I believe always in being flexible on that point. I believe, however, there has been an opportunity to take care of all the witnesses who wish to be heard and still to get the nomination to the calendar in time for confirmation.

CIVIL DEFENSE UTTERLY USELESS BOONDOGGLE

Mr. YOUNG of Ohio. Mr. President, it is a disease of bureaucracy that some of its component parts endure long after their usefulness has passed.

In my view, one of these is the Office of Civil and Defense Mobilization whose only value rests in the fact that from it we have learned a lesson: We have learned how civil defense should not function.

Mr. President, it has been a costly lesson.

For more than a decade, this agency has fumbled and bungled its way through hundreds of millions of dollars of taxpayers' money and has wasted mountains of valuable equipment.

In return for this extravagant waste, what have Americans received? Screaming sirens and senseless alerts. Confused, contradictory plans which leave citizens puzzling whether, in event of attack, they are to hide in a useless bomb shelter or attempt to escape by automobiles in the midst of impossibly snarled traffic.

Millions of apartment and home dwellers in Washington, Cleveland, and other cities, despite millions of dollars spent for pamphlets on evacuation plans and shelter programs, and screeching sirens and radio exhortations—in event of a real nuclear attack, do not know whether to run or hide, or both.

Mr. President, the futility of political hacks, Democratic and Republican, who populate the civil defense agency, officious amateurs when it comes to performing any real public service, but highly paid professionals when it comes to drawing salaries, has been demonstrated over the years.

Defense of our civilian population is of the utmost importance. It belongs in the hands of our Armed Forces.

May I express the hope and belief that the President who is inaugurated next January and becomes Commander in Chief of our Armed Forces will place this major aspect of our national defense—the defense of our civilians—directly under the authority of those best trained and qualified for the defense of our country—the Armed Forces of the United States.

If these defeated politicians, from Ex-Governor Leo Hoegh right down the line, operating as paid or professional civil defense officials, must be taken care of, let us hope that during the next administration they will be given patronage appointments in agencies where they will not be as utterly useless as in civil defense, which has cost our taxpayers $1 billion.

Unfortunately, President Eisenhower, throughout his entire term of office, has acquiesced in the ever-larger budget requests of this ineffectual agency, which devotes 60 percent of its appropriations to salaries for overpaid boondogglers.

I am sure that our next President, whether he be the junior Senator from Massachusetts [Mr. KENNEDY] or the Vice President, will take a hard look at our present civil defense setup and decide the money could be more wisely used.

Some of the money wasted could be used to finance a national disaster corps whose base would be formed by those dedicated volunteer workers who presently comprise the only useful element in the civil defense agency.

Already these volunteer workers have served effectively in many local floods, fires, and other disasters, while high-paid civil defense bureaucrats have sat, without risk, behind their desks. They could continue to so serve as auxiliary policemen and special deputy sheriffs.

It is time we end this bureaucratic fiasco. One billion dollars of taxpayers' money has gone down the drain since 1945. I hope the 87th Congress will put an end to this waste of money for a worthless, outmoded boondoggle.

CHALLENGE OF AUTOMATION

Mr. YOUNG of Ohio. Mr. President, the decade ahead presents towering challenges for America and its people. One of these will test our ability as a nation to assure that the technological revolution we are experiencing in industry will not bring undue hardship to those whose jobs will undergo change or, worse, will become obsolete.

Automation is both a blessing and a threat. It is a blessing because it makes possible ever greater production of goods for our people. It might be considered a threat for the stark fact that it eliminates thousands of jobs.

Already the fantastic new machines of this second great industrial revolution have permanently wiped out the jobs of hundreds of thousands of American workers.

That this is true can be seen by studying the character of unemployment figures during the postwar period, when automation burst onto the American industrial scene. From the war's end until 1954, a rather steady rate of 3 percent of the labor force was unemployed. Following the 1954 recession the average unemployment rate was 4 percent, and since the recession of 1958 it has remained at 5 percent of the labor force.

Although the cold statistic of 4 percent unemployed is accepted as normal by many economists today, it has been 2 full years since the so-called normalcy prevailed, and there is every indication now that unemployment will remain at the present level of 5 percent or will grow worse.

Compounding the tragedy of a high, steady rate of unemployment is the fact that more than 2 million workers, most of whom want and need full-time work, are working only part time.

It is no surprise to me that this should occur under the leadership of a party whose record for sustained economic crises in the past has made it clear that the welfare of the American worker is not one of its major concerns.

It has always appeared surprising to me that any wage earners vote for Republican presidential and congressional candidates.

Though the policies of this administration have only added to the difficulties created by swift technological change, the problems of automation will remain to be grappled with by the next administration.

The next administration—and those of us who have the privilege to serve in the Congress—must state, unequivocally, that in our democracy the human being, not the machine, is our primary concern.

We must urge business leaders to make every possible effort to plan jointly with representatives of their employees for the sweeping changes of the age of automation. Responsible labor leaders in vain have sought joint planning with industry to make certain that automation develops as the blessing it can and should be rather than the threat it has become.

Moreover, we who have been entrusted with leadership in this age of change and challenge, must make certain that our economy grows at a rate which will generate new jobs for an ever-growing labor force. The ultimate test of our economic system is its ability to provide employment for our people.

When there are millions out of work who want to work, our economy fails this crucial test.

The solutions to the complex problem of automation will be more difficult to find the longer we defer seeking them.

The problem has been ignored by the present administration. It will be the duty of the new administration and of Senators and Representatives to probe for solutions when the 87th Congress convenes in January.

SURVEY OF DEPRECIATION TAX DEDUCTION

Mr. SPARKMAN. Mr. President, early this year the Select Committee on Small Business published a report concerning the effect of existing tax depreciation policies on small business. The conclusions reached in this report were based on information obtained during committee hearings held last year.

As chairman of the Senate Small Business Committee I am, therefore, greatly interested in the depreciation survey presently being conducted by the Department of the Treasury. This survey, being taken in cooperation with the Small Business Administration, is gathering information and opinion from American businessmen, large and small, regarding the principles and methods now governing use of the depreciation tax deduction for Federal income tax purposes.

Some 8,500 small corporations, selected as a sample by the Small Business Administration, have been asked to submit opinions about the effect of these policies on their operations. Approximately 2,500 large corporations, selected as a sample by the Department of the Treasury, have been asked to reply to a questionnaire on the subject.

In the report of the Small Business Committee the conclusion was reached that there is need for improvement and reform in the depreciation tax area. The present Treasury survey, which will acquire extensive, first-hand information on the subject, may well be an important step in preparation for such reform.

Every taxpayer who depends on long-term depreciable property in the conduct of his business therefore has a vital interest in this survey and its results.

While the survey forms have been distributed to a limited group of large and small business firms, it is my understanding that the Department of the Treasury and the Small Business Administration will welcome any questionnaires voluntarily submitted. Voluntary questionnaires will be separately compiled, in order not to interfere with sampling methods, but their results will be included in any information to be given congressional committees.

Over the years, the Small Business Committee has given its attention to hundreds of cases, from every section of the country, in which the application of existing depreciation tax policies worked to the detriment of the American small businessman.

The current Treasury survey now affords these small businessmen, and others like them, an opportunity to make their opinions felt, and to take an active part in the continuing effort to remedy the present situation.

I therefore urge all of the Nation's businessmen, both large and small, to contact appropriate Treasury or Small Business Administration officials and to obtain the survey forms. In this way the survey's results will be made comprehensive and of greater value in our effort to bring about vitally needed depreciation reform.

LEGISLATIVE PROGRAM

Mr. JAVITS. Mr. President, there are rumors that the Senate may go home tomorrow night. There are certainly very strong rumors that Congress may adjourn by the middle of next week. I

think it is time, therefore, to tote up the score as to what we were brought back for, and what we have done while we were here.

As I looked over the majority leader's "must" list in the CONGRESSIONAL RECORD of August 8, 1960, the day we returned, I found that we had acted upon the Antarctic Treaty. I found we had acted on appropriations bills, on a minimum wage bill, and on a medical care bill.

Then there was a promise of other measures generally, so I went back to the President's list, and I found that we had not acted upon a number of measures which I considered to be very urgently needed, even for a brief session. Among them are Federal assistance in the construction of facilities for colleges, universities, and elementary and secondary schools, to quote the President; the authorization of 40 new judgeships to expedite the rendering of judgments; a sound area assistance program directed specifically to the areas in need. As for myself, there is the school-aid program, which is hung up in the other body, and the housing program, which is hung up in the other body. Nothing has been done on those measures.

Finally, now that we have cleared the calendar of the "must" items that the majority leader talked about, what about civil rights, which the President spoke about and which is also a "must"? Nothing has been done on that issue. The bill introduced was shelved on the second day after our return, and so far as I can see, it promises to remain shelved.

I have no illusion about what an individual Senator or a small group of Senators can do in a situation of this kind, much as we may try and may continue to try; however, the country should be informed again and again that the majority, when it brought us back for a brief session, did not regard anything on the civil rights issue, not even the two elementary points mentioned by the President in his message, as worthy of equal treatment with the other measures that we have spent so many days discussing and which are practically finished now.

Here we are, Mr. President, marking time, waiting for conference reports, and still nothing whatever is done to give equal priority to the civil rights issue.

It is important to note that the candidate for President of the Democratic Party has stated that we will go to the country. We are going to the country with a great many things, Mr. President, and the failure to rank civil rights as one of the most important issues of this brief session will be one of those things brought to the country, I can assure Senators.

Mr. President, I ask unanimous consent to have printed in the RECORD a magnificent statement, as least so much of it as is printed in the New York Times of today, made at the First National Catholic Conference for Interracial Justice, by the Reverend William J. Kenealy, professor of law at Loyola University of Chicago.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I should like to have 1 additional minute to complete my statement.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. JAVITS. I should like to read one comment by Father Kenealy. He criticized the U.S. Senate for passing a "pallid and emaciated civil rights bill." He also felt the President, should have done more on civil rights. His criticism appears in the article. It is quite proper that he make any criticism he thinks proper. However, I believe that the characterization of the bill we passed is very important here. It goes very strongly to the claim that we should not do anything more about civil rights because we have already passed a bill. If we passed a pallid and emaciated bill on what is without question probably the No. 1 domestic issue in our country, we certainly should use this brief session of the Congress to repair it.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DRIVE TO WIPE OUT RACIAL BIAS OPENED BY CATHOLIC GROUP

(By Leonard Buder)

ST. LOUIS, August 15.—An effort to get the country's 40 million Roman Catholics to join in an active campaign to wipe out racial prejudice was started here today.

The key weapon in this campaign, leaders of the first National Catholic Conference for Interracial Justice said, would be the "power of moral persuasion."

Addressing the opening session, the Reverend William J. Kenealy, professor of law at Loyola University of Chicago, declared that the racial issue was the most critical domestic problem confronting the Nation.

Some of the more explosive and publicized aspects of the problem will be solved, he said, when "white Southerners decide to obey, as they eventually will obey, the supreme law of the land."

PRESIDENT CRITICIZED

At one point in his address, Father Kenealy criticized the U.S. Senate for passing a "pallid and emaciated civil rights bill." And he also criticized President Eisenhower.

The President, Father Kenealy said, refused "after repeated urgings to make a simple statement that he approves the racial decisions of the Supreme Court and withholds the great power of his personal prestige in the fight for racial justice."

About 250 persons, most of whom are laymen, are taking part in the 4-day conference that opened today at St. Louis University. The participants are mainly representatives of Catholic Interracial Councils. These have been set up in 45 communities throughout the country.

The Reverend P. J. Molloy, moderator of the St. Louis council, described interracial justice, the goal of councils as well as the aim of this conference, as "what man should have as the child of God so that he can enjoy the fullness of life." He called racial integration a necessary means of achieving this end.

SCHOOL PROBLEM CITED

Father Molloy said that Roman Catholics were concerned with racial segregation in some parochial schools in the South, as well as with such practices in public schools. He noted that in some Southern States laws against school integration applied to private and parochial schools.

An explanation of the conference's emphasis on "moral persuasion" was given by the Reverend John LaFarge, chaplain of the New York City council and a founder of the council movement. He declared that "the racial question is moral and cannot be solved by mere expediency or by rule of thumb."

The solution, he said, "rests on the fundamental moral principle of the dignity and value of the human person and the natural unity of the human race."

COUNCIL IN LITTLE ROCK

Mathew Ahmann, of Chicago, executive director of the conference, noted that the first council was established in New York City in 1934. He said since then councils had been set up in many other communities. The most recent was established in Little Rock, Ark.

The councils range in size from 15 to 700.

Each council, he said, was a voluntary interracial group operating under the church authorities in the area. Although the councils have common principles and a national publication, they have traditionally operated independently of each other. The current conference is the outgrowth of an exploratory meeting, held 2 years ago in Chicago. It represents the first major effort to enable the various local groups to work together to achieve their common objectives.

The councils, Mr. Ahmann emphasized, cooperate with other community organizations in work on human relations, including Jewish and Protestant groups.

WALL STREET TWENTIETH CENTURY—A PEOPLE'S CAPITALISM

Mr. JAVITS. Mr. President, a very interesting and informative volume has recently been published by the Investment Association of New York, an organization of young men in the securities business, entitled "Wall Street Twentieth Century." This book, which represents a republication, brought up to date, of the Yale Daily News' "Wall Street 1955" serves the very laudable service of creating greater understanding of the securities business and its key role in our Nation's economy. Among the articles contained in this publication are four which I believe may be of special interest to the Senate and to the country. These are "The Special Responsibility of Men in Finance," by our colleague, Senator PRESCOTT BUSH; "The Growth of a People's Capitalism—It Started in America," by the president of the New York Stock Exchange, Mr. Keith Funston; "Wall Street: Myth and Reality," by the noted investment banker, John M. Schiff; and "Modern Venture Capitalism," by the Honorable John Hay Whitney, presently our Ambassador to Great Britain. I would also like to congratulate the members of the Investment Association, for their fine work in making these articles available to the public.

I ask unanimous consent that the articles may be printed in the RECORD as a part of my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

THE SPECIAL RESPONSIBILITY OF MEN IN FINANCE

(By Senator PRESCOTT S. BUSH)

Because most of my active business life, until 1952, was spent in the financial community of the United States, I am very much impressed with the responsibility which men in finance owe to the general public.

When one speaks of "men in finance," the phrase includes not only the commercial banks, but the whole financial community of the country. That means banks, trust companies, savings banks, and savings and loan associations. It means pension funds and insurance companies of all kinds. And of course, it means the investment organization in all its phases: brokerage, underwriting, distribution of securities, and investment trust management.

"His word is as good as his bond." That is an old saying which one frequently hears about a respected citizen. I mention it here because one should be able to say it of any man in finance. Of course, it should be true of all citizens—of all men in all business enterprises. But I mention it in connection with the financial world because there is no place where such huge sums of money are transferred by word of mouth as in Wall Street, which is the accepted nickname for the financial world of the United States. In the investment field, financial commitments are made on the telephone every day involving millions and millions of dollars. These are usually confirmed in writing or at least a notice of them is sent out in writing. Nevertheless, an individual can buy thousands of shares of stock every day without signing a paper. His word must be as good as his bond in the investment field.

YOUR WORD—WORTH MILLIONS

Brokers, dealers, buyers for institutions, bankers—all shift hundreds of millions of dollars each day by the spoken word. So it is essential that the field of finance must continue to attract men of character and integrity, in order that the high standards established over the years in the field of finance may be maintained in the years ahead. The maintenance of these high standards is a public responsibility.

Most institutions in the financial world have their doors open to the public. Anyone can walk in and attempt to do business. Credit, of course, and reputation must be established to the satisfaction of the financial organizations. But the doors are open to the public. More than that, in most financial fields, intensive advertising and sales campaigns are conducted, hoping to persuade people to "come in and see us."

The public responsibility of the men in finance is not simply to be "money honest." Indeed, the law will deal with those who are not, and one seldom finds them in finance.

The responsibility goes further, and places on the financier in any one of these fields an obligation to protect the interest of the client, or customer. He must advise him fairly. He must prevent him from making commitments beyond his capacity, beyond his resources, beyond his ability to perform and pay.

He shouldn't lend him too much money. He shouldn't sell him too much insurance. He shouldn't sell him too many stocks, and none of doubtful value.

So, because of this public responsibility, the field of finance should attract the very best from our universities and our graduate schools of business. It is an attractive field. Generally speaking, it brings one into contact with successful people in all walks of life.

I have no hesitancy in saying that it is an agreeable and congenial industry in which to work out one's destiny. In order for it to remain that way, and to maintain its stature and importance in our American scheme of economic life, the men in finance must be conscious of their public responsibility—and that responsibility includes participation in public affairs. A great contribution to the common good can be made by men trained in finance on all levels of government—local, State, and National. Wise management of the people's money is essential to sound progress. It means "getting into politics," which many businessmen have been reluctant to do. But it is my conviction that the businessmen, including the men in finance, who complain about politics and politicians cannot do so with fairness if they are unwilling to dare the hazards of political life.

THE PEOPLE'S CAPITALISM—IT STARTED IN AMERICA

(By G. Keith Funston)

Some time ago I learned about a young man named Philip Miller. He lives with his wife and three growing boys in a comfortable home in Aurora, Ill., where he works as an industrial relations specialist for a modest annual income. At the age of 31, Mr. Miller is a friendly, thoughtful fellow whose pattern of life is much like millions of others.

Yet in at least one way Philip Miller of Aurora is something more. According to age, income, family size, education, and geography, he is about as close as you can come to the statistical average new American shareowner—typical of all those who have recently bought shares of the Nation's businesses. As such, I found him a symbol of the change our free enterprise system has fashioned in recent years.

Along with millions of other individuals, Philip Miller has clearly defined investment goals. As the father of three growing boys, he wants them to have the sort of college education that he himself was forced to work hard for by holding a full-time job while attending night school.

"If I possibly can, I would like the three boys to be able to get an education with a minimum strain on the family finances," says Miller. "I think the good investments that I make today will help educate the boys tomorrow."

For all his natural optimism, Miller is realistic enough to understand that stock prices may go down as well as up. As a result, before investing in stocks, Miller made sure his family finances were in order. He had cash savings and protection against emergencies.

MILLER'S REALISM TEMPERS HIS APPROACH TO INVESTMENT

"We're investing for the long term," he explains, "and not for any overnight profits. So why should we worry about the day-to-day ups and downs of the market?" He and his wife check the stock tables in the newspaper occasionally to see how their securities are doing, but they take any change of prices calmly.

In an expanding land whose economic shape is constantly altering, Philip Miller may well dramatize the most impressive change of all.

As a brandnew shareowner, he and his calm approach illuminate major differences between the present and the past.

There was a time, of course, when only a relative handful of people directly owned the productive resources of a less abundant, less complicated economy. Since that time we have moved closer to a true people's capitalism in which millions of people everywhere—the great bulk of them in the middle income ranges—own the shares of American business. What's more, the trend toward shareownership is continuing to expand every month.

Nothing casts a light on this healthy growth more than a census of shareowners released recently by the New York Stock Exchange. The shape of our people's capitalism as it exists these days comes into vivid focus through these findings.

ONE IN EIGHT HOLDS STOCK

For one thing, publicly held companies are owned directly by 12,490,000 individuals, or one out of every eight adults in the Nation. This figure represents an increase of 45 percent in 3 years, and a jump of almost 100 percent since 1952. Between 1956 and 1959, in fact, 100,000 new investors a month were added, nearly a million and a third a year, almost 4 million over the 3-year period.

Exciting as these figures may be, however, they are only a part of the picture. Some 100 million people are indirect owners through their investments in insurance companies, pension funds, and other institutions which invest their funds in stocks. In one way or another virtually everyone has an ownership interest in American business.

While stockholders live in every section of the country, come from every occupational group and every income level, they can be defined in terms of a statistical average. Like Philip Miller, of Aurora, Ill., the average new shareowning capitalist is a midwesterner in his early thirties who earns somewhere between $5,000 and $10,000 a year.

The growth of shareownership in recent years, of course, raises several crucial questions for the economy. How are investors approaching the market, for example, and are they heeding the necessary cautions? Our studies indicate that most people are in the market for the long term. They have sound objectives. They are tending to concentrate not on speculative securities but on the blue chip issues, and they are often reinvesting dividends. Besides, they are using cash primarily and relying on only modest amounts of credit.

WANTED: CAPABLE PEOPLE

Under the circumstances, it isn't surprising that America's investment community has more and more hung out the "Help Wanted" sign in an effort to attract capable young people to serve a much broader investing public. Large numbers of qualified men and women must be recruited to work at every level of the securities business.

Job opportunities range from registered representatives employed by member firms to deal directly with customers, to the highly skillful technicians who utilize the latest electronic equipment in member firm offices from coast to coast. In addition, new fields are opening as the industry expands. Twenty years ago, for example, the securities analyst was something of a novelty; today he is a vital link between the brokerage firm and its research facilities, and the investing public.

In addition, turnover and replacements steadily increase job opportunities. In 1 recent year we learned that 7,800 individuals had joined the stock exchange community, including 550 recent college graduates—a statistic that points up the industry's need to attract more and more qualified men and women.

Young people who have recently taken jobs in the securities business know they are part of an exciting and significant field. They know that the rewards can be ample as well. One study revealed that a group of 30-year-old college-trained men averaged some $9,000 after only 5 years in the business. What's more, those surveyed expected to double their incomes in 5 years and to triple them in 10.

Encouraging as investment careers look today, they are likely to be even more promising tomorrow. In a country where mass shareownership is a relatively recent development, future personnel needs are obvious. Now and in the years ahead the securities field will add additional manpower, additional branch offices, additional firms.

EDUCATING THE PUBLIC

We recognize, of course, that the growth of shareownership is linked to many factors, including the level of prosperity over the past decade, high personal incomes which could be channeled into investments, a generally rising stock market, a continued fear

of inflation and a growing understanding of the investment process. In this last connection, the exchange's long-range educational program has been crucial and in the years ahead we will continue to inform and educate the public about existing investment opportunities.

In pursuit of that goal much has already been done. A long-range information program was planned to take the investment story directly to the public. We developed a basic theme—"Own Your Share of American Business"—which continues to key our advertising, literature, films, and other programs. It is used simultaneously by many of our member firms.

Educational advertising is placed in leading newspapers and magazines across the country. In recent years the exchange has allocated about $1.2 million annually for this effort. Our member firms, of course, collectively spend many times this on their own behalf.

In addition, millions of educational booklets are distributed to the public every year. A large volume of material is supplied to the press, radio and television. Our motion pictures are seen annually by more millions over television, at meetings and at lectures. In 85 leading cities, personnel from our member firms have formed committees to carry out adult education activities. Educational displays for office windows, fairs and conventions are in steady circulation.

REGULAR WARNINGS ISSUED

In everything the exchange does to explain the investment process, we raise warning flags for the public. We point out, for example, that stock investments involve risks, and people must scale their risks to what they can afford. We make it clear that investors should have a steady income, cash savings and other protection for their families. They should get the facts and seek sound advice from a broker whose reputation they can check. Finally, they should avoid rumormongers and get-rich-quick artists.

Apart from our informational activities we have helped develop investing techniques that contribute to greater opportunities for many people. Our monthly investment plan has dramatized the idea that a man of average means can invest in the stock of his choice for as little as 45 cents a day. We have encouraged the investment club movement through which groups of 10 or 15 people pool small sums to buy securities.

Our listed companies have done considerable work to broaden the ownership base as well. They have waged their own education programs and encouraged the growth of employee stock plans, some of which call for automatic payroll deductions. Today, more than 1.3 million people invest regularly through these plans.

Looking to the future, it is apparent that the trend toward a still broader ownership base will continue.

The extent of any forthcoming demand that this will place on our community is plainly beyond any accurate predicting. But we do know that in the years since 1945 our economy has expanded materially, experienced brief setbacks and then continued its forward momentum. Shareownership has boomed. Additional millions have considered their first stock investments. The number of shares listed on the stock exchange grew from 1.6 billion to about 5.5 billion shares. During this 14-year period, the daily volume on our exchange was 1.7 million shares.

Thus, if for planning purposes we consider the 1954–58 experience as a rough guide, and if we allow for a continuing favorable pattern of growth, it would appear possible that during the middle of the 1960's we might have a daily average volume of about 4.5 million shares, and a total stock list of perhaps 8.5 billion shares.

In much the same way, continued growth throughout the 1960's could bring, in the 1970's, a daily average share volume of 5.5 to 6 million shares, and a total stock list of something over 11 billion shares.

When I first mentioned these and other figures recently, I was asked how large I thought the American shareowner population might be a decade from now. Again, I know of no sure way to predict the future. But an extension over the years of the increase in shareownership experienced during the past 7 years would mean an average net gain of at least 860,000 shareowners per year.

This would give America a shareowning family of about 18 million in the middle 1960's and 22 million by around 1970—or 76 percent more than the present. This significant expansion will surely give new dimension to the concept of a nation of capitalists.

These are, I must stress, by no means predictions. They are, instead, possibilities to be considered as the idea of a people's capitalism becomes more widespread. And they are possibilities we must consider in our own planning for the future. In our marketplace in recent years we have moved to add qualified new people, modernize our equipment, and streamline our operations. Studies now under way will undoubtedly suggest additional changes that are necessary in order to serve a still wider public.

There is no question in my mind that the future financing of our industries is tied to the soundness and success with which our educational efforts develop. But even more important, by putting ownership within the reach of millions of people, we can exert an enormous influence for good on the growth of the free world.

For this reason, while we are pleased with the results of our own efforts to date, we by no means feel that shareownership has gone as far as it can and should. The idea of mass stockownership among millions of people who can afford the risks is still, perhaps, a new one.

But the future will soon be on us. As more and more Americans of average means soundly invest a part of their earnings in securities, the key to an even broader people's capitalism will be just what you might expect—qualified men and women within our community who possess the vision, courage, and sense of responsibility that will enable them to serve millions of additional investors.

WALL STREET: MYTH AND REALITY—THE INVESTMENT BANKER—A BULBOUS PRINCE OF PRIVILEGE?

(By John M. Schiff)

The power of Wall Street is one of the most persistent myths in American life. There is a fallacious belief that most of the financial strength and much of the political power controlling the destinies of our Nation, its industries, and its people, are concentrated in the few square blocks of New York's Wall Street district. Those of us who are part of this financial community know how far this myth is from reality. We know that the commercial and investment bankers, the brokers, and the other financial institutions lack cohesion and unanimity, they speak as individuals rather than collectively, and as individuals they are by no means capable of wielding a fraction of the vast powers erroneously attributed to them under the generic term of Wall Street.

The Wall Street bankers legend is an old one which has been exploited for generations by demagogic pretenders of political reform. Long before the repercussions against Wall Street and the bankers, which followed the 1929 market crash, Andrew Jackson, our seventh President, tossed the banker legend into the political arena in his epic struggle with Nicholas Biddle over the destinies of the Bank of the United States. Jackson's reelection in 1832, following his veto of the bank's charter, was interpreted as a mandate to destroy the bank. Under Jackson's prodding, the Government withdrew its funds on deposit and redeposited these funds in certain favored State banks. The young Republic's central banking system no longer existed, nor, for much longer, did the Bank of the United States, which expired in 1836. The panic of 1837 followed. Perhaps, this free-for-all between Jackson and the early 19th century bankers paved the way for the cartoons which later appeared and are used to this day, which depict the banker as a bulbous, overfed prince of privilege, silk-hatted, frock-coated, smoking a Churchillian-sized cigar and labeled "Wall Street."

Popular fancies, however exaggerated, generally have some basis in fact. The Wall Street myth is no exception. In the early days of our history, most of our capital was concentrated in eastern seaboard cities—New York, Boston, and Philadelphia—and the bankers of that era had considerably more influence in our affairs than they exert today. Their power resulted from being strategically located at the gateway to America at a time when England and the Continent were the primary sources of investment capital. There was very limited capital avaliable on the east coast and the small amount that we possessed was largely in the hands of scattered individuals and was derived from real estate, agriculture, and trade. It was not until after the Civil War that fortunes amassed in manufacturing made any appreciable difference to our growing economy.

Our land and natural resources were rich; but there was a great need of money and manpower for their development. The pressing shortage of tools, wagons, cattle, warehousing, sources of credit, manufacturing capacity, and other facilities essential to a productive economy limited a country straining to expand. The West was waiting to be opened to the vast flow of immigration. There was a surplus of labor in many parts of Europe and the more venturesome citizens saw in our vigorous young country opportunities for a new and profitable life. The cry of many returning Civil War veterans from both North and South was: "Go West." Capital was lacking to open up the vast lands west of the Alleghenies, and the bankers of our leading trading cities turned to the European lenders who supplied much of the money so greatly needed.

The east coast bankers channeled European capital into American enterprise. The wealth of Europe had been accumulating for generations, and in its older culture, society was ordered, risk opportunities were few, and there was a surplus of capital. During this era, world trade further added to Europe's bounty in the form of earnings remitted from investments overseas. Interest rates on funds loaned in Europe were low contrasted to funds loaned in America, and as a result of this yield differential their bankers saw in our budding economy opportunities for investment. Here the larger risks and shortage of venture capital meant a higher return than could be obtained on the Continent or in England.

The new American industrialist, hard pressed for risk money, had neither the time nor the qualifications to canvass Europe in search of investors. Conversely, the European lender was not sufficiently familiar with our new country to search for likely enterprises in which to invest his money. Both relied on the bankers, who joined the flow of European capital to the trickle of American capital, and these essential funds made it possible to develop the railroads, steamships, and communications which were the first steps toward tying together our rapidly

expanding Nation. Thousands of miles of rails were to cross and crisscross the continent; soon the produce of our fertile lands would be harvested, the forests lumbered, minerals and ores extracted and transported to market. Mills and factories were to be erected in the East, South, and Midwest. In providing this necessary capital the American bankers performed a requisite function and their integrity, prudence, and financial knowledge proved their ability to serve—and in so serving to profit.

SPECULATIONS BROUGHT CHAOS

The era of investment in young industries was accompanied by fits of speculative fever, which had their inevitable aftermaths in chaos and depression. The savings of thousands were wiped out during the recurrent panics of the 1800's and the panic of 1907, as artificially created and maintained security prices collapsed. Hatred and despair welled up in the people and much of their feeling was vented against the "bankers." The term "Wall Street bankers," according to the loose definition of those days, included promoters, or market manipulators, who all too frequently profited during periods of widespread misfortune. Overlooked were the bankers whose services were dedicated to their profession and whose performance fulfilled the highest standards of business ethics. Forgotten for the moment were the monuments to their efforts—the railroads, the steel mills, the mines. Constructive work had been done and for the most part the funds had been honestly invested. Despite these sporadic setbacks, the dynamism of our country could not be denied and soon after each depression we started an upward cycle. The inherent vigor of our growing economy reasserted itself and our productivity and standard of living once again resumed their upward course.

The turn of the century brought a new function of the banker to the fore. In the era of merger and consolidation which marked a maturing economy, the banker, through his control of capital, was in a position to bring together competing entities into larger and more efficient productive units. Bankers at that time were quick to recognize the economies of vertical integration and the stabilizing effect of diversification. Through their efforts many companies were able to consolidate, and this period probably represents the high point in the influence of the Wall Street bankers. By the advent of World War I new forces were coming into being which challenged the prestige of the bankers and minimized the significance of the capital at their command.

In the early part of the 20th century the United States changed from an importer to an exporter of capital. So rapid had been our growth and so productive our economy that we were generating savings more than sufficient to finance our own expansion. Europe, meanwhile, through a series of tragic misfortunes, was to dissipate her wealth and become dependent upon us for help.

LIBERTY BONDS INTRODUCED SECURITIES TO MILLIONS

The liberty loan drives of World War I had a far-reaching effect on our procedures for distributing securities. The purchase of a Liberty bond became a patriotic duty, and millions of our citizens were thereby for the first time introduced to security ownership. Following the liberty loan drives of 1917–19 the American public was educated to invest at a time when income taxes, as compared to our present rates, were relatively low and interest rates relatively high, with the result that individuals were attracted to the retail purchase of corporate bonds, which provided an acceptable return on the money invested. This understanding continued after the war and has had a beneficial effect, since it has spread into the equity markets and has enlarged the public ownership of corporations, thus making it possible to gather the savings of millions to finance corporate expansion.

World War I ended, bringing distress and ruin in Europe. In our country it brought unrestrained speculation in securities and real estate. The resultant financial collapse of 1929 and the depression of the 1930's brought an era of reform legislation once again aimed at Wall Street—the whipping boy. While many of the reforms were desirable and reflected merely the adoption into legislation of the practices of the reputable investment banking firms, the punitive nature of the legislation seriously dislocated established methods of security distribution. More than a decade of adjustment was required before the capital markets were functioning smoothly again. By then World War II had broken out and the responsibility for financing the war effort and the subsequent rehabilitation was taken over by the Government. But even prior to this takeover, Wall Street had yielded much of its preeminence in monetary affairs to Washington.

Under the several Roosevelt administrations we tended both politically and economically toward a stronger central government which was emphasized by Government financing of relief and public work projects during the early and middle 1930's. In those years the management of the public debt became the dominant fiscal activity and the securities markets became sensitive to decisions made in Washington. Despite the change in administration, management of the Federal debt and the inflationary or deflationary implications of the Federal budget continue to affect and at times to dominate our securities markets.

Another factor diminishing the power of the bankers has been the growth of corporate wealth. As our larger corporations grew in size and in capitalization, their reliance on the bankers lessened. In many instances, such corporations have been able partially to finance their expansion programs from retained earnings and depreciation, and their trips to the public market have been rare. However, in the postwar period, despite their tremendous growth in assets, General Motors, Westinghouse, Allied Chemical, United States Steel, Bethlehem Steel, among many other giant corporations, have found it necessary to come to the public market with offerings once again underwritten by investment bankers.

THE INSTITUTIONAL INVESTOR NOW PREEMINENT

The rise of the "institutional investor," more than any other postwar development, has come to characterize today's investment market—they are now the preeminent factor in our securities market. The institutionalization of the people's savings in insurance companies, in pension and welfare funds, in investment trusts (both open and closed end), and the substantial wealth in trust accounts have had a direct bearing on investment banking procedures. These great repositories represent the savings of millions upon millions of individuals and their growth can be largely ascribed to the desire of the American public to provide personal security against illness, old age, and misfortunes. Exemption of private placements from the Securities Act of 1933 eliminated the costly and laborious necessity of registering security offerings not involving a public sale. This gave further impetus to the financial importance of these institutional investors who increasingly became substantial buyers of securities placed privately. By 1938, the annual rate of private placements had already reached a volume of $800 million. By 1958, approximately $3,712 million of securities were sold privately to institutional investors to provide the funds for industrial or business expansion, the construction of utility plants, natural gas transmission lines, oil pipelines, and for other corporate purposes.

In negotiating a private placement the dollar risk of the investment banker is nil. In this type of transaction, he is no longer a principal and performs essentially a professional task. He is the servant of both the borrower and the lender. His function is that of a service organization whose expert knowledge of the security markets enables him to serve the issuing company and the lender in creating a security best suited to both.

The risk function of investment banking basically divides into (1) the negotiated purchase of various types of underwritten securities, which are offered publicly, for industrial and other types of clients whose business affairs are not subject to regulatory authorities, and (2) competitive bidding which is imposed on certain public utility and railroad companies by regulatory bodies. This requirement was put into effect by the Securities and Exchange Commission in 1941 for the utility holding companies under its jurisdiction. The Interstate Commerce Commission in 1944 made competitive bidding compulsory for any railroad debt financing aggregating over $1 million. It has seriously limited the ability of the issuing corporation's management to create variations in the conventional types of securities which could produce important economies in the raising of capital. At the same time it makes impossible private placement, except in unusual circumstances, and it deprives the issuer of investment banking assistance in the creation and timing of a security issuance. Competitive bidding thus limits the banker's function to market risk and distribution.

Persistence of the myth of "Wall Street" is probably based in part on ignorance and has undergone little change over the years. This myth does not acknowledge the affirmative contributions of New York's financial district to our economy. The economic employment of savings is as essential to production as machine tools, or the physical labor of men, the acumen of management, or even the flow of electrical current. Without capital, production cannot be continued, inventories carried, nor wages paid. In bringing together those who have savings to invest with public authorities and business enterprises requiring capital, the investment community, wherever it be located, fulfills a definite need in our free country.

A CONCEPT TOO CONVENIENT TO CHANGE

Unfortunately, headlines are not made by the constructive aspects of the banking business, since the investment of capital is not a spectacular endeavor; rather, headlines are made by those rare and unusual events which attract public fancy—notices of fortunes quickly acquired, battles for corporate control, financial collapse, and those few occurrences of misfeasance. These are the types of items that nourish the popular myth and it is not likely that the American public will soon be disabused of one of the most widespread and fervently held notions in its folklore. The "Wall Street bankers" legend is too convenient a concept in political agitation to be abandoned; It is the handy whipping boy upon which the rabble-rousers blame the country's economic troubles. "Wall Street" has been sold to the public as being synonymous with power, privilege, and concentrated wealth. The cities on the eastern seaboard other than New York also have their financial districts. Chicago has its La Salle Street, San Francisco its Montgomery Street, and there are financial sections in Dallas, Detroit, Los Angeles, St. Louis, and Pittsburgh, as well as in many other cities. All of them are of vital importance in supplying the capital requirements of this country, yet none of these cities, streets, or financial districts have the

apocryphal stigma of "Wall Street." If the future follows the past, any financial failure of great magnitude, from whatever point of the compass, will probably be blamed on the "Wall Street bankers."

Fortunately, the satisfaction which comes to those who constructively employ their energies in the investment field in New York are many, and popular misconceptions do not dissuade them from pursuing their very essential functions. It might be well to remember that the American banker is a necessary conduit through which a large part of the people's savings flow into productive assets, and it is these savings that make possible the strength of our American free enterprise system.

A SCIENTIFIC APPROACH TO BUSINESS PROBLEMS—MODERN VENTURE CAPITALISM

(By John Hay Whitney)

A century has gone by since Karl Marx tolled the bell for our capitalist economy, but it is growing more robust all the time. So much so that Communist caricaturists ought to start substituting a crew haircut for the silk hat they have been tacking on that old devil, capitalism, for years.

Fresh breezes are blowing in American business. New enterprises are coming into being; new products and new services are being made available; new concepts of social responsibility are being practiced. We are moving toward ever-higher standards of living for our own people and toward intensified American assistance in the material advancement of our neighbors in the remotest corners of the world.

A FREE SOCIETY MEANS MORE FOR EVERYONE

We are demonstrating that free industry and free labor, cooperating in a free society, can generate more prosperity, more security, and more happiness for everyone than is possible under any system in which all the decisions are made by a little clique of supermen. We are doing it by keeping our economy dynamic. When new methods of manufacture or finance become necessary to insure that there will be no break in the growth of our productive power, we have both the will and the resourcefulness to develop them.

In this flexibility lies the chief explanation for the ability of our economic system to bring the products of technological change so quickly to flower. It is a flexibility that extends through every industrial process, from the extraction of raw materials to the delivery of finished goods.

But there is little room for flexibility on the industrial front if there is no flexibility in our financial institutions. The world may beat a path to the door of the man with a better mousetrap, but he cannot go into mass production. The more complex the product and the less aware the world is of how much it is missing by not having it, the harder it will be for the originator to finance his brainchild.

This is the area in which venture capital is needed, and it is in this area that some of our most interesting forward steps have been taken in the last few years. The words "venture capital" have a challenging and exciting ring. They summon up a picture of pioneering in new and unexplored regions of industry. There is even, I fear, an overtone of speculative recklessness about the term. The excitement and the pioneering are there; the recklessness is not. Indeed, nothing could be more distant from the operating approach of the modern venture capital organization. A little explanation may supply perspective on what such an organization does and what it does not do.

The concept of venture capital is not new. The shoemaker who made sandals in the marketplace of ancient Rome was essentially a venture capitalist; but it was not until the industrial revolution, with its requirements for much more substantial plant investment, that venture capital in the modern sense took root and began to grow.

The years from the Civil War to the end of the 19th century represented the most feverish period of venture capital activity in America's history. Railroads, public utilities, steel mills, and factories sprouted up in an unprecedented era of industrial expansion. Unrestrained by taxes or other government curbs, many of the earlier capitalists organized giant corporations and spread their investments into one new venture after another.

The enterprises created in that period have continued their vigor and growth. They have vastly expanded their plant facilities and branched out into a limitless range of new products and services. By the fruitful reinvestment of their earnings, they have made a major contribution to the development of our Nation.

But the dynamism of our economy cannot be maintained solely by having the big get bigger. There must be an economic climate in which the individual entrepreneur can grow and in which the prospective entrepreneur can make a start. It is in this area that the venture capitalist has his role—one which cannot be played by the large company, the commercial bank, or the institutional investor.

Established financial institutions, concerned with the careful husbanding of other people's money, are restrained, both by law and by their own proper caution, from investments that entail any substantial element of risk. Even the investment banker finds most proposals for new business unsuited to public placement and therefore, beyond his field of interest.

This leaves the individual investor, who is, and I hope will continue to be, an important source of venture capital for new enterprises. He is particularly helpful in connection with the smallest of small businesses. The corner grocery store, the filling station, the neighborhood tailor shop—numerically the great majority of our new ventures—are started on the savings of the owner and what he can borrow from his relatives, neighbors and friends.

New business born in this manner is healthy for the economy, the community, and often for the sponsors. However, a new industrial enterprise requiring more substantial funds with which to start or to spread its wings may look less hopefully to the individual investor for the needed assistance. The required sums are likely to be much larger, the investigations more intricate, and the degree of risk incalculably greater. Moreover, the investor's problems do not stop once the investment has been made. The amount of essential followup is likely to increase in proportion to the complexity of managing a more ramified business. Putting this type of venture capital to work wisely and keeping it at work effectively is not a spare-time job for an individual. It is a full-time job for an organization.

SPECIALISTS IN AN EXCITING NEW FIELD

Today a handful of new venture capital organizations are engaged in an experiment that may prove of inestimable benefit to our industrial society. There is nothing altruistic or philanthropic about this experiment; it is being run on a hardheaded investment basis. But it gives promise of unlocking endless doors of industrial development for the enrichment of all Americans.

What these investment firms are trying to do is to create, through trial and error, a mechanism which will make available to new or struggling small companies financial assistance; and enable such companies to acquire all the tools and facilities of professional scientific management. This is something more than the mere supplying of money. It embodies the active investigation and supervision by an organization made up of specialists in the techniques of modern industrial management, research and development, factory organization, production, marketing, and all the other aspects of successful commercial operation.

Today, taxes, legislation, and restrictive regulations complicate the development of new enterprises. The businessman needs more than a sound, basic idea to assure solvency and success. Tax laws have become an integral part of all policy thinking and planning. Other legal considerations press in on the man struggling to get his business off the ground. He must have expert technical and professional assistance. Capital alone is not enough.

That is why the modern venture capital firm does not confine itself to the thorough investigation required to determine whether an investment should be made. It is equally concerned with active supervision of its investment in the enterprise until the project is safely launched.

The whole operation must be on a basis as scientific as that of any research laboratory in chemistry, physics, or biology. Experts are needed to guide the firm in passing on investment opportunities and in supervising them after the investments have been made. It would be foolish, however, to suggest that the ultimate in diligence or in technical competence could guarantee a profitable outcome for every venture.

No one can determine the potential demand for a new product with total assurance. No one can foresee all the problems that will arise in making and marketing it. Most difficult of all is the evaluation of the people on whom the success of the project is likely to depend. The best business can be wrecked by bad management, and we will never be able to devise a trustworthy measuring rod for human fallibility.

Every firm in the venture capital field has had its successes and its failures. The investment of venture capital as practiced in these firms is still a test operation. It is too early to appraise the results with finality, but I am convinced that we are making headway toward a function of great usefulness both to business and to society.

Mr. JAVITS. Mr. President, I close by emphasizing the fact, of which we should be proud to be the main protagonists in the world, that capitalism in our country can give equal opportunity and social justice far more dynamic and far more valuable to the individual than anything the Communists have ever been able to invent.

HOUSING LEGISLATION

Mr. BUSH. Mr. President, we have heard much in the last few days as to the many benefits which would flow to the people of this country if a Democratic administration were in power. I am sure my friends across the aisle would agree that nothing is closer to the welfare of our people than shelter. Housing was on their "must" list of legislation to be enacted, and it has a very prominent place in the Democratic platform.

As that party is in control of the Congress, by a 2-to-1 margin, it is only fair to judge its ability to produce by the fruits of its activities here.

As a member of the Committee on Banking and Currency which considers housing legislation, I have watched with

great interest for some significant development in this field since we reconvened. I have been able to detect almost no progress, and the prospects seem to grow dimmer each day. In fact, it appears to be generally agreed that the omnibus housing bills are in a hopeless tangle in the other body.

This Congress has failed to enact the specific housing proposals made to it by the President at the very beginning of the year. It would be a great disservice to the American people for this Congress to adjourn without taking action necessary to continue housing programs which we agree are desirable and important to the country.

One of these is the FHA title I repair and improvement program which will expire at the end of the next month unless extended. It is assisting homeowners and small businesses at the rate of more than a million loans a year.

Our colleges and universities must provide additional dormitory facilities to accommodate the tremendous increases in enrollment expected during the next few years. There is now a backlog of applications for Federal loans for these dormitories exceeding $300 million. To take care of immediate needs, it is extremely important that some legislation be passed before Congress adjourns which will make Federal financial assistance available in cases where private funds are not available on reasonable terms.

Much time and consideration has been given by this body to legislation that would aid areas in our country that are economically distressed. One of the ways these areas can be assisted is through the existing public facility loan program of the Housing and Home Finance Agency. It makes loans to communities for water, sewer, and other public facilities. However, the authorization for that program is virtually exhausted. To help these distressed areas and to help other communities using the program, this authorization must be increased before the Congress adjourns.

Mr. President, I hope that the distinguished junior Senator from Massachusetts [Mr. KENNEDY] and his able running mate [Mr. JOHNSON] will seize this opportunity to demonstrate their qualities of leadership, and will not permit this Congress to adjourn without enacting needed housing legislation.

U.S. PARTICIPATION IN THE OLYMPICS AT ROME

Mr. AIKEN. Mr. President, we have been hearing a steady flow of laments lately about our waning prestige and friendship among the peoples of other countries, especially those we have been aiding in one way or another.

The sound of this theme seems to grow louder as we move further along the political road.

Yesterday the whole world heard a resounding rebuttal of this hollow complaint, not in an official announcement, nor in a politician's speech, but in the unrestrained cheers of 100,000 persons, nearly all of them from foreign lands.

This morning's news dispatches tell us of the enthusiastic reception given yesterday to the young men and women who represent the United States at the Olympic games in Rome.

Particularly significant is the fact that the cheering burst forth at the moment the Stars and Stripes entered the stadium.

One of the most descriptive and moving reports of this event is that of Eddy Gilmore of the Associated Press, which appears on the front page of this morning's Washington Post.

I ask unanimous consent that it be printed in full at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OLYMPICS CROWD WILDLY CHEERS ENTRANCE OF STARS AND STRIPES—U.S. ENTRANTS LED BY RAFER JOHNSON INTO ROME STADIUM

ROME, August 25.—Americans shared a never-to-be-forgotten moment in the Olympic stadium today when thousands of foreigners went wild at the sight of the Stars and Stripes and the U.S. Olympic team.

Call it corny; but it brought burning tears to your eyes.

It made your heart beat a wee bit faster. It took your breath.

And all at once this spontaneous demonstration seemed to justify lend-lease, the Marshal plan, and all of the millions that American taxpayers have poured out on other parts of the world.

Sure, Americans love to be liked. And, brother, they were liked today.

It came toward the end of the moving Olympic parade.

The setting was superb—a chalk-white stadium filled to the brims standing out against the ancient hills of Rome and a cobalt-blue sky.

The long-limbed athletes of Spain had just marched into the stadium. The applause was loud and long. Then suddenly a strange quiet came over the vast crowd.

Almost before you knew it, it happened.

Rafer L. Johnson, of Kingsbury, Calif.—the first Negro ever to carry the American flag in an Olympic parade—appeared on the edge of the emerald grass.

Eyes before him, he held the flag high.

Behind him 4 officials and over 200 athletes stood at attention.

Somebody gave a signal, and Rafer stepped into the stadium.

That was the signal. The crowd went wild.

"My God," gasped a woman. "What's happened? They don't hate us. They love us."

And as the young Americans swung smartly around the great stadium they were cheered and cheered and cheered.

Sitting 3,000 miles from home, after the collapse of the summit conference, the Powers trial in Moscow, and the cataract of Communist abuse against the United States, it was an extremely moving few moments.

The Russians came a few minutes later. And here in this nation with the largest Communist Party in Europe the applause was polite—but nothing more.

In volume, only the applause for the home-country Italians topped the Americans.

And, brother, it wasn't topped by much.

ACCLAIM FOR UNITED STATES AT OPENING OF ROME OLYMPIC GAMES

Mr. FONG. Mr. President, during the past few months we Americans have been dismayed at the manifestations of hate and unfriendliness toward us in certain countries of the globe.

The crowning bewilderment of our time is that as the standard of living of other peoples has risen—with our benefaction; as the spirit of self-determination has flamed—with our approbation; and as nations have achieved independence—with our encouragement; anti-American demonstrations erupt in varying degrees of intensity.

Despite many years of friendship, cooperation, and generous economic help to such nations as Cuba, Japan, Panama, Venezuela, and the United Arab Republic, certain vocal, and aggressive groups seek to discredit the United States in the eyes of their people and the people of other lands.

In Cuba, for example, anti-American demonstrations are a part of a calculated campaign to destroy good will for the United States, thereby providing a convenient scapegoat for the incumbent regime which has dismally failed to keep its promise to improve the life of the Cuban people.

In Japan, we have learned that the Communists fomented riots and strife in an attempt to prevent the ratification of the mutual security pact between our two countries.

Elsewhere, we have seen the heavy hand of Communist conspirators, for they are skilled in creating unrest and discontent. They are expert troublemakers, and they have achieved success from time to time in provoking mobs in other countries to smear America's good name, to insult our people, and to desecrate our flag.

We know that such demonstrations can, with organization and planning, appear to be spontaneous.

We also know that it is difficult, even with organization and planning, to arouse a crowd of free people to enthusiasm and prolonged demonstration, unless their acclaim comes from the heart.

Mr. President, this is why I was so deeply moved by the article published in the Washington Post this morning, in which Eddie Gilmore, of the Associated Press, described the overwhelming, friendly reception accorded our flag and our Olympics team in Rome yesterday.

The article was just placed in the RECORD by the distinguished Senator from Vermont, [Mr. AIKEN].

Mr. President, all Americans can rejoice in the cheers of the crowd which came from all over the world and who paid such great tribute to the United States of America.

I point out that this magnificent display of warmth and friendship came from the hearts of that vast audience of 100,000 persons. It was truly spontaneous. It shows that, despite all the Communist agitation against us, there is an enormous wellspring of respect and affection for America among the peoples of the world.

I found that to be true also in my trip to 13 countries of the Far East last fall.

THE ACCOMPLISHMENTS OF THE PRESENT SESSION OF CONGRESS

Mr. COOPER. Mr. President, first I should like to comment on the statement made by the distinguished senior

Senator from New York [Mr. JAVITS] about the work of the Congress at the present session. As I have said before, it would have been better if this special session had not been held, for its proximity to the November elections casts doubt upon its purpose. However, we have met, and, having met the Democratic leadership should have established priorities at the outset of the session. Surely a serious effort should be made to bring before the Senate, the Federal aid to education bill, providing for the construction of schoolrooms.

Again action should be taken on a bill to aid the depressed areas. I joined in cosponsoring bills to provide aid to depressed areas. The bills were vetoed, but the President has annually recommended depressed area legislation, which he believes better than that passed by the Congress. It would provide aid before the meeting of the next Congress. I hope that the majority leader and our minority leader, will make a determined effort to secure passage of the President's bill.

There can be no excuse for failure to pass this bill on the ground that it may not be adequate. Congress will return in a few months, and it can work its will to make it more adequate, if it desires to do so. To fail to pass the bill shows more concern for some political advantage rather than concern for the people who need aid.

A few days ago I proposed what I consider a precise way in which minimum civil rights legislation could be enacted, provided the majority and the candidates for President and Vice President would join in these precise steps, to pass minimum civil rights legislation. It would show their recognition that the subject is an important one, and their determination to carry out their platform promises.

DEVELOPMENT LOAN FUND

Mr. COOPER. Mr. President, the Development Loan Fund was proposed by President Eisenhower in 1957. In this brief period since its inception, a remarkable record has been attained under the leadership of the Republican administration.

This activity has become an important part of the mutual security program and has been responsible for much of the economic growth in countries throughout the world. Industry, mining, power projects, highways, communication facilities, food, and agriculture have all benefited from loans to 59 countries in the first 26 months of the Fund's operation.

Mr. President, I ask unanimous consent that a summary of the accomplishments achieved by the Development Loan Fund be printed at this point in the body of the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

DEVELOPMENT LOAN FUND, FIRST PROPOSED BY REPUBLICAN ADMINISTRATION, REPORTS ON FIRST 26 MONTHS OF OPERATION

The Development Loan Fund, first formally proposed by President Eisenhower in his special message to Congress on mutual security in 1957, received 585 separate loan applications amounting to $3.68 billion from 59 countries in the first 26 months of the Fund's operation. During this same period the DLF committed $948 million in approved loans and guarantees.

The report, issued June 13 and covering the 26 months to January 1, 1960, was the first detailed annual report to be issued by the new agency.

The Development Loan Fund was created in 1957 as part of the mutual security program. It extends long-term loans for economic growth projects which may be repaid in the currency of the borrowing country instead of dollars (often referred to as "soft loans"). The Fund operates with close similarity to the Export-Import Bank, in that it makes loans for specific projects rather than providing general economic assistance for countries, as under various titles of the mutual security program.

The fund started operations early in 1958 with an appropriation of $300 million and authorizations for the fiscal year 1959 of an additional $625 million.

According to the report, transportation and communications projects formed the largest category of enterprise assisted by DLF, with 36 loans totaling $299,300,000.

This category accounted for 32.2 percent of all loans approved.

It included $151,950,000 in loans for the rehabilitation or modernization of railways; $100,950,000 in loans for highway projects; $23,500,000 for ports and waterways; $16,300,000 for telecommunications; and $6,600,000 for airports.

Among the projects assisted were highways into potentially productive but now largely inaccessible areas of Malaya, the Philippines, Ecuador, Paraguay, Honduras, Peru, Haiti, and Iran; harbors and anchorages in East Pakistan and Indonesia; railways in Indonesia, Taiwan, India, Spain, and Pakistan; and telephone and telegraph systems in Liberia, Uruguay, Paraguay, Iran, and Korea.

Industry and mining accounted for 22.9 percent of loans approved, with 33 loans and one guarantee totaling $213,130,000. A large proportion of this amount went to India. Other loans will help establish or expand industries in Guatemala, Thailand, Liberia, Tunis, Greece, India, Taiwan, Korea, the Philippines, Bolovia, Indonesia, Nigeria, Turkey, and other countries. They will also stimulate mining in Turkey and Jordan.

Power projects, and multipurpose projects including important power developments, accounted for 15 loans totaling $180 million—19.5 percent of the total. Among these are loans for five large hydroelectric projects in Greece, East Pakistan, Yugoslavia, Korea, and Taiwan. Other loans will assist thermal plants or power distribution systems in Turkey, Yugoslavia, Spain, West Pakistan, Lebanon, and Thailand.

Thirteen loans and one guarantee, totaling $64,836,000, were made to intermediate financing institutions in the nature of development banks in 10 countries: Somalia, Iran, Israel, Turkey, Pakistan, the Philippines, Taiwan, Korea, Guatemala, and Lebanon. These institutions in turn will relend the funds to small business enterprises in their respective countries.

Food and agriculture projects—mostly irrigation and drainage projects—accounted for eight loans totaling $54,940,000; and water supply and community development, for five loans totaling $29,600,000. In addition, three loans totaling $87,250,000, each embracing a variety of purposes and functions related to general economic development, were made respectively to Argentina, Irsael, and Iran.

Though DLF has been in operation for more than 2 years, the first year was spent largely in organization and in processing and investigating incoming loan proposals, and no annual report was issued.

BUSINESS MANAGEMENT IN DEFENSE PROCUREMENT DURING REPUBLICAN ADMINISTRATION

Mr. FONG. Mr. President, unquestionably the biggest purchasing agency in the world today is the U.S. Department of Defense. When the Eisenhower administration took office in 1953, it immediately set out to assure for the taxpayer the most for his money in national defense.

As a result of this determination, purchasing procedures have been modernized by the application of business management. I ask unanimous consent that a brief report on this activity for the years 1953–60 be printed in the body of the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

BUSINESS MANAGEMENT IN DEFENSE PROCUREMENT BRINGS PROGRESS DURING THE REPUBLICAN ADMINISTRATION, 1953–60

Defense supply and logistics management includes a wide range of activities in support of our military national defense effort.

The defense support job requires the maintenance of an inventory range of over 3 million items, representing, at purchase price, $45 billion. This inventory consists of repair parts, components, and assemblies to support major equipments, such as tanks, ships, aircraft, and missiles; food and clothing for men and women who compose our first line defense force; and the many thousands of other items necessary to support the military force. The original value of the tanks, ships, aircraft, missiles, and other combat vehicles which this inventory must support totals $70 billion, a total combined inventory of $115 billion.

Purchases of material and services average about $25 billion each year. These purchases replenish inventories, provide new weapons and machinery, repair and maintain weapons and facilities, and provide research and development for continued improvement of the Nation's defense.

Supply and logistics functions of our defense efforts represent a volume and variety of activities which dwarf any group of the largest commercial enterprises.

During the past few years defense has given renewed direction to the application of sound business management practices in this field.

Great support in this effort has been supplied by the Congress, and military departments, and numerous public-minded citizens and groups who have taken the time to understand this huge operation and its complexities, and have provided enlightened constructive criticism.

SINGLE MANAGERS

During the past year, four new commodity areas have been identified for application of the single manager concept.

This concept of supply management has proven itself through analysis and evaluation of its earlier application to subsistence, medical supplies, clothing and textiles, and petroleum commodity areas.

Significant economies have been achieved under these single manager agencies by the elimination of concurrent buying and selling, reduction of cross hauls and back hauls, integrated distribution operations, payroll deductions, more economical procurement operations, and stimulation of item reduction and standardization programs.

Analysis indicates current annual savings from these operating agencies amount to $14 million per year and a onetime identifiable savings to date of $339 million.

The four new single manager agencies, extending the use of this business management concept, encompass military general supplies, military industrial supplies, construction supplies, and automotive supplies.

UTILIZATION OF STOCKS IN LONG SUPPLY

Utilization of defense long supply stocks within the Government, in lieu of new procurement, has reached new alltime levels through improved business management. For fiscal year 1960, it is expected that final tabulation will show a direct saving of 2 billion procurement dollars. This amount represents the cost of 10 Polaris submarines plus 2 conventional Forrestal aircraft carriers, or 200 B–52 aircraft. It is an interesting fact that in fiscal year 1958, $720 million worth of material was utilized from long supply stock. The utilization rate currently is nearly three times greater.

SURPLUS SALES

Currently 350 surplus sales offices are operated by the military departments. These sales outlets are in the process of being consolidated to 35 interservice offices which will handle the surplus sales of all military departments within specified geographic areas.

In this same field a single bidders' registration and sales registration office is being established to perform on a consolidated basis many functions which had previously been duplicated in the 350 surplus sales offices. Also, a single joint disposal training program was initiated during July to bring further unity among the military departments in their management of surplus sales activities.

REDUCTION IN INVENTORY

During fiscal year 1958 a reduction of $3.7 billion in onhand inventory was accomplished; in fiscal year 1959 this reduction amounted to an additional $3.6 billion; and when final reports are completed for fiscal year 1960, it is expected that a further reduction of about $3 billion will be achieved. This 3-year reduction in supplies held in warehouses would be equal to more than 15 times the total value of the inventory carried by Sears and Roebuck.

The Defense Department has been able to improve its support capability with these reduced inventories even though at the same time more complicated and expensive major combat equipments have been introduced for operational use. This has been accomplished through refinements in inventory management techniques and buying practices introduced under sound business management concepts.

PROCUREMENT PRACTICES

The Armed Services Procurement Regulations put into operational effect laws governing the buying practices of the Defense Department and provide specific guidance for the varied conditions under which goods and services are purchased. Significant progress has been made in refinement of the defense procurement practices.

New cost principles have been promulgated which provide detailed and precise policy guidance for the treatment of allowable costs under contracts. These principles apply to all types of contracting and contract settlement situations. Application of these new principles is directed to more effective procurement and savings in contract costs.

Regulations have been revised to require contracting officers, prime contractors and subcontractors to obtain and utilize the most current, accurate and complete cost data. As evidence that this has been done, significant contractors must present a certificate to this effect and must secure a similar certificate from their subcontractors.

The military departments are now taking an active part in contractor "make-or-buy" decisions. By reviewing such decisions assurance is made that the military departments get the advantage of the most efficient production methods and that well-equipped subcontractors have an opportunity to compete for this segment of defense business.

Stronger regulations have been in force to effect review of subcontracting and pricing systems of major contractors to assure that adequate competition is used, cost and price analysis are employed, and that small business and other procurement policies are followed. Such reviews have also been made applicable to individual contracts of significant size.

A complete revision to the procurement regulations pertaining to the use of formal advertising has been published. The revision reflects experience of the military departments and decisions of the Comptroller General in recent years.

Elimination of the need for the maintenance of hundreds of thousands of property record cards has recently been effected. Previously Government property under a contractor's control valued over $100 required maintenance of individual records. New techniques have been applied to provide proper accounting controls for the periodic review of the total value of such equipment. Recordkeeping has been confined to items valued at over $500, thus resulting in a one-third reduction in the volume of records maintained.

COMMUNICATIONS

Recently a new Defense Communications Agency and system were inaugurated which have been recognized as a major forward step in this important element of defense logistics. The agency will have operational control and supervision over the vast communications facilities of the three military departments. It will provide for a single centralized long-line system responsive to the total needs of the Department of Defense similar in concept and operation to that employed by the American Telephone & Telegraph Co. Total communications requirements will be reviewed by the agency to eliminate duplication of facilities and to provide compatibility of equipment and service among the military departments to permit greater joint utilization of the system.

GREAT SERVICE EFFORT

These are but a few segments of the supply and logistics effort to effect sound business management practices. There are many many more covering the numerous defense support activities. This effort is being exerted on a regular and continuing basis. It is being applied to every phase of the defense supply and logistics activities. The results of these efforts in the improvement and more effective use of procurement funds and inventory assets is readily recognized by those who take the time to realize and understand this great support effort which serves to assure our national defense.

FORTIETH ANNIVERSARY OF WOMAN SUFFRAGE

Mr. JAVITS. Mr. President, today is the 40th anniversary of woman suffrage. In 1920, three-fourths of the States ratified a constitutional amendment giving women the right to vote which a newly elected Republican Congress had passed in 1919. The Republican Party first called for expanded women's rights in 1872, and had continually urged the adoption of this constitutional amendment.

Throughout the past 40 years the role of the woman voter has come to achieve ever-greater significance. This has paralleled the increasing importance of women in all phases of American life—more women working at all types of occupations, more women expressing their opinions about domestic and foreign affairs, and more women taking an active part in U.S. politics. We all know that without women's participation in U.S. politics our electoral process could not possibly have kept up with the times. Women participate in and influence American political life in every way—from actually running for office at the Federal, State, and local levels, and, by the way, winning office and rendering outstanding service, to ringing doorbells, to getting out the voters, to babysitting while others vote. All this forms part of the woman's role in the political process.

In this year of presidential elections the woman's role as a voter and as an active participant in political life has achieved even greater significance. For the first time it is expected that more women than men will vote in this election.

In that respect, I point out that in the 1956 election, 57.6 percent of the eligible women voted, compared with 60.91 of the men eligible to vote. This year it is expected that the women will draw ahead of the men.

Three and one-half million more women than men—55.7 million—will be eligible to vote this year. Their percentage of voting has been rising faster than that of men, though not yet up to it. The women of our Nation are shown to be alert, interested, and informed voters and concerned with the future of our Nation and that of the free world.

It can be said on this 40th anniversary that the extension of suffrage to women was a wise and statesmanlike decision on the part of all our people, and that it has worked out very well for our country.

Mr. MUNDT. Mr. President, in this day of missiles, cobalt bombs, jet airliners, colored television and the many national and international crises which our Federal Government, our democracy, faces and has been challenged to defend, let us stop a moment and look back on history.

Forty years ago today, without the prearranged press conference, movie cameras, radio and TV, and other mass media communications at his disposal as is now befitting a man of his position, and without the fanfare which would today surround such an historic occasion, Bainbridge Colby, from New York State, quietly and without any members of a great movement present, issued from his home here in Washington the official proclamation that the 19th amendment, having been duly ratified by 36 legislatures of the several States, "has become valid to all intents and purposes as a part of the Constitution of the United States."

When questioned on his choice for officializing the event without pomp and circumstance, the third Secretary of State under President Woodrow Wilson's second administration said he had done so to avoid any sort of argument among the various factions of the suffrage group.

Thus, a social revolution which began, in effect, only 72 years before in July 1848 at Seneca Falls, N.Y., came to a successful close.

In that year, at a Friends' annual meeting in western New York State, Elizabeth Cady Stanton and Lucretia Mott issued a call for the first woman's rights convention in the history of the entire world.

Although Mrs. Mott had called the meeting, it was presided over by her husband, since it was not deemed proper nor fitting at this date in our history for a woman to conduct such a gathering. Instead, James Mott chaired the 2-day convention at which resolutions were adopted and a declaration of sentiments issued on July 19, 1848.

At this meeting, women, needless to say, demanded the vote. They demanded the right to enter schools and colleges; to enter the professions; to hold political office; to control their own property; to earn a living for themselves and their dependents; to control their own earnings. They demanded equal guardianship of their children; the right to make contracts; the right to make a will; the right to sit on a jury; the right to conduct a business. In short, they demanded immediate admission of all the rights and privileges which belonged to them as citizens of this great Republic.

Quite a number of demands to be made by a group of women who heretofore—for most practical purposes—could not take part in political matters except when they became reigning queens. And naturally, in this land, it was impossible for these ladies to suddenly become reigning monarchs.

But were not the laws, as they were written and executed in that day, just as demanding?

During this period in our history, married women faced more discrimination than their single counterparts. Attention was called to this at the convention by the following example:

> He (man) has made woman, if married, in the eyes of the law, civilly dead. He has taken from her all rights in property, even to the wages she earns. He has made her morally, an irresponsible being. She can commit crimes, with impunity, provided they be done in the presence of her husband. She is compelled to promise obedience to her husband—he becoming her master, the law giving him power to deprive her of her liberty. After depriving her of her rights as a married woman, or if single, an owner of property, he has taxed her to support a nation which recognizes her only when her property can be made profitable from it.

Although this meeting at Seneca Falls has been recognized as the first equal rights for women gathering, it was by no means the first time women had demanded their rights in this land.

Let us look back and examine briefly two instances:

The first woman in America to ask for equal rights was Margaret Brent, who had been appointed by Lord Baltimore to administer his estates in Maryland and what is now part of the District of Columbia.

Finding herself hampered in her work, she asked for a "Voyce" vote in the House of Delegates of Maryland. It was denied, but her request was duly recorded.

Then there was Abigail Adams and the famous letter she wrote to her husband when he was sitting in the Continental Congress: "If particular care is not paid to the ladies, we are determined to foment a revolution, and will not be bound to obey any laws in which we have no voice or representation."

The year—1775.

Four years after the initial meeting, Lucretia Mott had mustered enough fortitude and courage to preside "with ease and grace and dignity" at a women's right's convention in Syracuse, N.Y. At this meeting, Miss Susan B. Anthony, whom Mrs. Mott had met the previous year, began her public speaking career advocating women's rights.

In turn, she became the dynamic force which the movement heretofore had lacked and which continued well until Miss Anthony was past 80 years of age—almost, Mr. President, 50 years of true devotion to the cause of equal rights for women.

At first, during the earlier days of this unheard of social movement, there was no way known to extend suffrage except in the form of amendments to the various State constitutions. This required the consent of a majority of the male voters—virtually an impossibility to accompliish.

In November 1869, Lucy Stone and Julia Ward Howe called a suffrage meeting in Cleveland, Ohio. Mrs. Stanton was elected president—an office she held until 1900 when because of age, she turned the leadership over to Carrie Chapman Catt.

Financial assistance in any such undertaking as this loyal group of sincere and dedicated women were undertaking could not go unheeded. And it came from many sources, among them, Mrs. Frank Leslie, another pioneer advocate of equal rights. Dr. Anna Howard Shaw, physician and minister, was another devoted worker for the cause.

Looking back, when the extension of enfranchisement to women was not forthcoming from the States, we note the women conceived another plan. Various organizations were formed, and notable among them are the National Woman Suffrage Association and the American which were united as one in 1890 under the name of National American. These groups soon learned that pressure from the States on their representatives in the U.S. Congress would be absolutely necessary and so they undertook to organize the States and to work on the respective legislatures.

Mrs. Stanton, Miss Anthony, and their heroic contemporaries passed on before the fight was finished, but they left behind a small, determined army of women which was eventually increased to many thousands.

Individual States began to yield to their demands, and enfranchised their female citizens. As this was done, each State increased the Members of Congress elected partly by women. As a result, these elected officials were thus obliged to vote for an amendment to the National Constitution which most of the women wanted.

And so it went, inch by inch, step by step, until by 1918, women had thus acquired equal suffrage with their male counterparts in 15 States, offering, I might add, the only instance in the world where the voters themselves had given the franchise to women.

But all was not well within the ranks.

A split developed between what the women actually wanted. One group, the National American Woman's Suffrage Party headed by Dr. Anna Howard Shaw, believed in working for enfranchisement through the States. Another, called the National Woman's Party and headed by a tiny, dark, fragile appearing, but militant to the marrow Swarthmore graduate, Miss Alice Paul, advocated a Federal amendment and spent their efforts toward influencing Members of Congress.

The movement, by this time, near the turn of the century, had sparked interest and enthusiasm, criticism and dislike throughout the land.

The United States had engaged in a World War in 1917, and the resulting nationwide response of women to every demand made upon them and their valuable work and assistance broke down and capitulated the invisible but solid walls of opposition against enfranchisement. All political parties were committed for suffrage, and days looked brighter for women—except in the Congress, where there still remained enough opposition to delay until June 1919, final vote on the amendment in both Houses to submit the proposal to the legislatures of the States.

The breach was closed, and the fight began for ratification by three-fourths of the legislatures in time for women to vote in the presidential election of November 1920.

Most of the State legislatures had adjourned by the time Congress got around to approving the legislation. It was necessary in many instances to call special ratification or rejection sessions. But this was accomplished and Tennessee, by a nip-and-tuck final tabulation of 50 to 46, ratified the amendment and passed it along to Secretary Colby who received it at 4 a.m. on August 26, 1920.

Several hours later, the following 28 words became the common and accepted law of the land:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Although I feel this anniversary celebration will not be universally acclaimed; in fact, no doubt, will be overlooked and forgotten by most of our millions of citizens who are too busy to stop and recall our past and see what we have accomplished—stop to think a moment and appreciate the many privileges we, as Americans, have living in a free Nation unblemished with the menace of tyranny and Communist dictation—I know of one fine American who indeed will recall this milestone in history, for she has given her life to those ideals.

She is Miss Alice Paul, who in 1920 rejoiced over the passage of the 19th amendment, but at the same time, did not relax, for to her, and because her job, as she saw it, and still sees it today, was not finished.

Miss Paul is presently serving as honorary chairman of the National Woman's Party which has been active since 1913; in fact, which she founded and which has as its headquarters an historic old building, the Alva Belmont house located only one block away from the Senate Office Building.

Time has passed on since those days when she was fighting for suffrage; but her memory has not dimmed, nor has her fighting spirit dwindled. And she can still vividly recall having served seven jail sentences for suffrage activities, both here and abroad. It was she who focused national attention on woman suffrage when she and a group of other women were arrested and thrown into jail for picketing President Wilson at the White House gates.

The treatment she and her other believers received in the jail caused a national scandal. Miss Paul was subjected to psychiatric examinations, kept under constant observation, allowed no exercise, no fresh air. The ladies revolted, and decided to go on a hunger strike.

Next she was placed in a psychopathic ward; not permitted to see friends, family, or lawyer, for she supposedly was not of sound mind.

Only after a week—and the threat of court proceedings by a noted lawyer—was Miss Paul removed to the prison hospital. Later, her 7 months' sentence was terminated at the end of 5 weeks.

Of course, the rival group of suffragettes under Dr. Anna Howard Shaw made the statement at the time that, "Miss Paul has set the cause of suffrage back 10 years." But apparently not so, for in 1918, President Wilson capitulated his self-imposed 5-year opposition to the so-called Susan B. Anthony amendment.

Women secured enfranchisement in 1920, 40 years ago, and as Miss Paul will be quick to remark:

> Our job is only half completed, and only when we get equal rights, will I feel we have accomplished our task.

By equal rights, she is referring to an amendment to the Constitution which would guarantee equality with men in every other field of human activity.

In the words of Dr. Leito Owen Kildare, national publicity chairman of the National Woman's Party, "We are working to get the equal rights amendment before the Nation so we may be considered as equal citizens and have equal rights with men. We are taxed, and we want full representation as citizens."

Working with Miss Paul and Dr. Kildare in this fight, are such noted women leaders as the present national chairman of the party, Emma Guffy Miller and the vice chairman, a truly remarkable woman well known to all of us here in Washington and throughout the various capitals of the world, Perle Mesta.

And there are others throughout the Nation: Pearl M. Sayre, of Oklahoma; Dr. Mary Sinclair Crawford, of California; Mary C. Kennedy, of Indiana; Emma E. Newton, the national secretary of the party.

And Anna Kelton Wiley, Washington; Elsie Hill, Connecticut; Anna Politzer, New York; Amelia Hines Walker, Florida.

In my own State of South Dakota I am indeed proud to note that some of our finest citizens and my good friends are working in behalf of the equal rights amendment. Included are Mrs. E. F. Jacobson, of Sioux Falls, who is president of the State federation of South Dakota; and Mrs. Lucille Dory, of Watertown, the federation State legislative chairman; Mrs. Florence Beckers, of Rapid City; Floia Hoagland, of Custer; Miss Faye Crawford, of Rapid City; the State president of the Business and Professional Women, Lillian G. V. Simmonetta, of Huron; and many others.

Mr. President, I am indeed proud we have such sincere and patriotic Americans in our country, who are fighting for a cause they believe is right and just. Where else, I ask, could this happen, except in the United States of America?

In retrospect, I note that in gaining suffrage, these women followed the basic principles laid down by their 1848 convention. Forty years ago, women did achieve recognition in the United States as citizens who could vote.

As we pay tribute this anniversary day to that event of 40 years ago, we look ahead to the future and recognize the demand for equal rights in every sense of the word, and the fight for the belief many women of America hold in the equal rights amendment:

> Equality of rights under the law shall not be denied or abridged by the United States, or any State, on account of sex.

DEPRESSED AREAS

Mr. KEATING. Mr. President, I am glad to see in the press that the Democratic nominee is going to take up the problem of depressed areas in a conference on September 19. This is a problem that the Eisenhower administration has been concerned with for a long time. I am glad to see that this concern is now so actively shared by the junior Senator from Massachusetts.

Mr. President, last week I included in the RECORD a study of the President's legislative program, to indicate that his 21-point program is not new, but is very, very old. This is particularly true of the area redevelopment proposals.

As early as 1956—that is, 4½ years ago—the President first authorized a major study of the problem. In 1957, the President offered concrete proposals for legislation "to authorize the Secretary of Commerce, with the assistance of other appropriate agencies, to provide loans and other aids to communities which seem to be in economic distress."

The Presidential request was ignored until 1958, when the Congress passed a bill that not only did not meet the President's approval, but also did not provide for new appropriations to carry the program out.

The Democratic majority in Congress did not get around to passing a new area development bill until 1960. Once more the bill was vetoed by the President because he thought it went too far.

Mr. President, it is perfectly clear that the members of the majority party do not want any area assistance program before the election. They act as if they were more concerned with getting votes out of the depressed areas than they are with getting industry and assistance in. There is no doubt in the world that the kind of area assistance bill that the President wants could be passed very quickly right here and now if the majority leadership wished to do so. The majority may consider that the President's type of program is not sufficient, but surely it is better to provide some help than none at all—unless, that is, they intend the area assistance program to remain merely a political promise.

In short, Mr. President, the President of the United States has called for an area redevelopment program at least nine times in the course of the last 4 years. The last time he made his appeal was August 8. An area assistance bill could be passed right now if the majority leadership wished to do it. But instead of constructive action, the Democratic Party prefers to dramatize the issue at a major propaganda-oriented conference in the hills of West Virginia next month. Mr. President, the issue does not need to be dramatized; it needs to be activated. And the President has called for action now, not next month or next year.

NEED FOR STEADY NERVES

Mr. KEATING. Mr. President, I see that our distinguished colleague, the junior Senator from Massachusetts, has said the Vice President is experienced only in "the policies of retreat, defeat, and weakness."

Mr. President, I think it is a pity that this country has to be subjected to such a downgrading, to such a distressing lack of national pride. The fact that this is a year when we shall be electing a new President does not mean it is a year when we can throw away all respect for our country in its relations with other countries.

This is going too far, Mr. President. The policies of the Eisenhower administration have most emphatically not been those of retreat, defeat, and weakness, and I cannot believe that it will improve the chances of either candidate to say so.

Mr. President, in these times of intermittent crisis, it is important for us to keep our nerve. There is no reason why we should lose our heads just because an election campaign is going on. Over the past decade the United States has faced and surmounted any number of crises.

We have not basically lost out to the Communists. Their dire predictions of the end of capitalism are as far from realization as they ever were. And only northern Vietnam has been added to the list of countries under the firm territorial grip of communism. The rest of the free world has stood fast.

Mr. President, I received in my mail, yesterday, an editorial from the Kansas City Star that was sent to me by my good friend, the minority leader. The concluding paragraph of the editorial, which has already been printed in full in the RECORD, describes very well the importance of not pushing the panic button, of not being a scaremonger—in short, of keeping a cool head. For those who have had experience in foreign affairs, such a gentle warning is not necessary. But for the benefit of others, I should like to quote the words of the editorial:

> Americans should keep up their nerve. There is no cause for panic. We have made our way past many crises. There will be more. We had better learn to live with them and to surmount them as they come.

FORTIETH ANNIVERSARY OF THE NINETEENTH AMENDMENT

Mr. KEATING. Mr. President, today marks the 40th anniversary of the day the Susan B. Anthony amendment—the 19th amendment to the Constitution—became the law of the land. It is fitting that we pause on this occasion to pay tribute to Miss Anthony and her hardy band of adherents who worked so tirelessly to gain the franchise for the women of America.

Today, in every city, in every State throughout the Nation—as well as in all aspects of the Federal Government—we are witnessing the fruits of the work of Miss Anthony and her supporters. Talented and able women are contributing mightily to the processes of democracy, as well as making their influence felt in the polling booths.

Although some of the male sex may regard these fine women public servants as competitors to be viewed with a jaundiced eye, it cannot be overlooked that through their work America in general and governmental affairs in particular are the better and the stronger for their contributions. All of us who are concerned about the future of our Nation can look forward eagerly to even more active participation by our women in public affairs in the years ahead.

Mr. President, my home city of Rochester, N.Y., has a special interest in this 40th anniversary of the 19th amendment, because it was in that community that Miss Anthony quarterbacked the great drive for adoption of the suffrage proposal. Her home at 17 Madison Street has been preserved as a memorial to this great lady and her works.

Mrs. George Howard, of Rochester, has dedicated her talents to keeping alive the memory of Miss Anthony and her activities. She recently noted the tremendous efforts which went into the adoption of the 19th amendment, when she said:

> I think the women of today do not realize at what a cost their right to vote was won by devoted women. It was a crusade led by as fine generals as ever headed military battles. These women were patient, courageous, persistent and resourceful, and they won out by these qualities and the sheer logic of their arguments.

Mrs. Howard also penned to the editor of the Rochester Democrat and Chronicle an interesting letter which I feel deserves wider circulation. I, therefore, ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the Rochester Democrat and Chronicle, Aug. 17, 1960]

To the EDITOR:

A historic event occurred 40 years ago on August 26, 1920, when the 19th amendment, giving women the right to vote, became the law of the land. It is called the Susan B. Anthony amendment because she devoted her life to it.

It was in July 1848 that Mrs. Elizabeth Cady Stanton and Mrs. Lucretia Mott called the First Women's Rights Convention at Seneca Falls and dared to pass a resolution asking that women might vote. On and off for 72 years women had worked for their emancipation. The crusade they made is a dramatic story.

Let us recall the last act, an element of great suspense.

After the strategic work by the suffrage women in their intense campaign, Congress on June 4, 1919, passed the amendment. But it had to be ratified by 36 States. In the phenomenal time of 14 months the necessary number of States had ratified.

Within an hour after Congress had approved in June 1919, Mrs. Carrie Chapman Catt, who had succeeded Miss Anthony as leader, started sending telegrams to every Governor to get his State to ratify and call a special legislative session to do so.

Finally the State of Washington ratified making the 35th. Only one more State was needed. It was a tense period. Some States like Delaware, Mississippi and Connecticut would not do anything.

Florida, North Carolina, and Tennessee were the only other States where action had not been taken. Of these three, Tennessee seemed the most likely one to try. It was terribly hot in that State in August but the women wanted to get a favorable decision at once and not let it drag on.

The women leaders were brilliant and worked assiduously. But the antisuffragettes assembled to get in their last work. The Tennessee men wanted to be gallant to both groups.

While all the discussion went on, a southern belle went up the mountains of Niota in eastern Tennessee to get Mrs. J. L. Burns to ask her son, Harry, a youthful legislator to vote "aye." When the final vote came Harry Burns broke the tie and by one vote the State ratified.

Governor Roberts signed the ratification certificate and sent it by registered mail to Washington. It was received at 4 o'clock in the morning and was referred to the Solicitor General who had been waiting up all night for it. Bainbridge Colby, Secretary of State, arrived at 8 o'clock, signed it officially and it was then a part of the Constitution.

Few women realize at what a cost the right to vote was won for them 40 years ago. It seems as though there should be a small book telling in a simple and yet vivid way the crusade women made. It's a thrilling and heroic story.

This year there are at least 2 million more. The women are in a position to decide the election. Let us hope they will feel their vote must be cast for the one who will best serve their country.

Mrs. GEORGE HOWARD.

A RETURN TO CANDOR IN POLITICS

Mr. BRIDGES. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the conclusion of a very able political analysis, written by Mr. Charles W. Briggs of St. Paul, Minn., entitled "A Return to Candor in Politics." Mr. Briggs has made a penetrating study of the basic philosophies influencing our governmental structure and social order. In calling for abandonment of sham and hypocrisy, and a dedication to honesty and truth, he makes an articulate plea for a return to the principles upon which this country was founded.

I am much pleased to invite the attention of the American public to Mr. Briggs' conclusion, with the suggestion that his entire statement warrants careful reading by all thoughtful persons.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A RETURN TO CANDOR IN POLITICS

(By Charles W. Briggs)

CONCLUSION

We may state again that our situation, in view of disregard for fiscal and economic truths, calls for a return to candor in politics and abandonment of sham and hypocrisy. Overriding every other instance of our failure to face reality is the renunciation of communism academically while the effective steps to communism are applauded and followed one after the other.

We can speak and write and criticize pretty much as we wish. But we may not work, earn, and accumulate, or dispose of our property as we choose. We may not possess gold as an illustration. The loss of economic liberty is but the forerunner of the complete loss of liberty.

We have referred at length above to debasement of our money, subsidization, taxes, and government interventions in general. These are but approved collectivistic means to break down private capitalism. We are led astray by the expectation of "getting something for nothing." We are quite near measuring success by the ability to furnish the minimum amount of service for a maximum subsidy from the State.

So let us, in closing, admonish keeping ever in mind the fakery that is communism or socialism. These words are used interchangeably by Soviet leaders to characterize their system. The carriers of communism flourish in high places—in every organization. If they are not to assist Mr. Khrushchev in "burying us," as he foretells, we had better get unreservedly on the side of free private enterprise. We lack nothing more than a revival of competition and expanding what is left of our free market.

But the cry for increased Government expenditures, more taxes, and more debts, silences the nonconformists, the conservatives, the frugal—the industrious man who would earn his keep. A speculative craze has overwhelmed sound investment. Fiscal responsibility is shopworn talk in the marketplace. We have accepted reckless money manipulation in order to make soothing and palatable the enormous burdens and exactions of Government. Overwhelming Government debts are swept into the future to bedevil posterity, so standards of living may be enjoyed that the present generation is unwilling to pay for. The money changers would take over the temple. They will if strong men falter.

A profusion of new products coming from bountiful industry is in itself no proof of national greatness. There must be something more. Need we say there must be devotion to a system of society that affords the maximum of liberty for the individual. Without that something to fire the imagination, we sink into the bogs of materialism.

In the hour of rash gambling with the destiny of the Republic, its supporters may well stand up and say: "God give us men." We need men who are wise, honest, and sincere, unselfish—these men in and out of office. Men who seek to serve their country. We may go further with J. G. Holland—God give us "men whom the lust of office does not kill; men whom the spoils of office cannot buy."

These are the words of Edmund Burke: "The only thing necessary for the triumph of evil is for good men to do nothing."

Having in mind that liberty was the end sought by the framers of our Federal structure of government, these words of Woodrow Wilson should last forever: "The history of liberty is a history of the limitation of governmental power, not the increase of it. When we resist therefore the concentration of power, we are resisting the processes of death, because a concentration of power is what always precedes the destruction of human liberty."

No government can thrive in a sick economy nor in an atmosphere of political quackery; where the ultimate goal of political activity is to elect candidates to office as minions of special interests.

Let us realize that preserving the independence and sovereignty of this Republic is a task of transcendent importance to all of us. In reality peace is but a byproduct of a victory over the forces that would undermine our freedom and dissipate our resources and economic strength. We must rate our national interests first in importance or very soon we will have no interests to protect.

Let us not sponsor what we know is not true. Politics will not then be shunned as an evil thing. Government must become the decent and forthright activity of everybody—a calling that welcomes the light of day. It must be truly an art and a science. That activity must rate the safety, strength, and integrity of the country first in importance now and in all the years to come. Government by the people must be every honest man's concern and not left to those who would defile it for personal gain. It must not "perish from the earth."

AMERICA'S NATIONAL PURPOSE

Mr. BRIDGES. Mr. President, a column entitled "Little Lost Sheep," which appeared in Tuesday's edition of the Wall Street Journal, is, to my way of thinking, one of the best replies I have ever read to those people who are irresponsibly charging that America has lost her national purpose.

I suppose, Mr. President, that vague, ambiguous allegations of this nature must be expected during an election year, but I think it is important that such charges be analyzed and evaluated from time to time.

I agree with the conclusion drawn by the author of this column. He points out:

> The men who decry our loss of national purpose are the despairers of our real purpose. Only if we ever let Government decree a purpose which we must follow like sheep, only then will we have lost our way.

This is a very thorough and provocative column, and I wish to call it to the attention of the Members of this body. I therefore ask unanimous consent that it be printed in the body of the RECORD as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Aug. 23, 1960]

LITTLE LOST SHEEP

In the Life magazine series of articles, Senator KENNEDY has joined those who decry America's loss of national purpose.

One of the more interesting things about this series is the contributors' assumption that we have in fact lost our purpose. Almost none of the writers question this; they just say it's so. After several hundred years of organized society on this continent we suddenly, overnight, mislaid our purpose, lost our way, got off the track. No need to argue the matter; everybody at home and abroad, it seems, can see our plight as plain as day.

By what nationwide poll, it might be asked, or by what process of psychic osmosis, have the learned gentlemen discovered this astounding loss? They have apparently managed to discover it by limiting their search to what is, beneath all the rhetoric, a very peculiar definition of purpose. They have decided that Americans are not working in unison, harmoniously, and enthusiastically, for the promotion of specific government programs or proposals. Ergo, no purpose.

In that sense they are of course, right. But when, aside from wars, did America have a national purpose in that sense?

One period commonly mentioned is the great continental expansion in the last century. That, though, was by and large not a government project at all. It was the sum total of millions of individuals availing themselves of opportunities, and risking dangers, for the purpose of building a better life for themselves, their families and their descendants as individuals.

Another period that comes to mind is the relatively brief fling with imperialism starting around the turn of the century. This, if you wish, was Government purpose, though there was plenty of confusion about it within the Government. And many Americans may have been temporarily thrilled by it, though we may be sure their main concerns were individualistic. In any case, other Americans were so far from thrilled with imperialism that they ceaselessly denounced it and in due course this phase passed.

Let us go a bit further. What is Britain's national purpose? France's? Quickly now, what?

Or, even more to the point, what is the national purpose of the Soviet peoples? That one sounds easy; we all know it is to win the world, for communism. But that is the Soviet Government's purpose, which is another matter. No one who has taken a serious look at the Soviet Union can believe the Russian people as a whole are working might and main, with fanatical fervor, toward that aim. On the contrary, they are rather pathetically confused and hag-ridden by their Government's oppressive purposes and practices.

There is, to come back home, only one abiding national purpose throughout America's history since Independence, and that is the preservation and perfection of individual liberty within a framework of order. No American should despise that purpose; it was a tremendous intellectual as well as political feat for the Founders to put together liberty and order. It is still a tremendous challenge to keep it and improve on it.

By definition, however, that kind of purpose doesn't fit with national purpose in the sense of Government direction. Individual liberty within a framework of order contradicts the concept of Government-imposed togetherness.

And just as no one should despise the framework, so no one should despair of its efficacy. Individual liberty within order continues to work, bringing as byproducts sensational economic benefits for all. It will, if we let it, work to meet all the challenges we are supposedly confronted with.

The men who decry our loss of national purpose are the despairers of our real purpose. Only if we ever let Government decree a purpose which we must follow like sheep, only then will we have lost our way.

RELEASE OF CERTAIN POTSDAM PAPERS BY THE DEPARTMENT OF STATE

Mr. MANSFIELD. Mr. President, recently the contents of certain classified historical papers of the Department of State have been made public in a somewhat unusual fashion. There was reference in the released papers to a decision of General Eisenhower and to a decision of President Truman, both of which removed from the context of the world situation at the time they were made, and with the benefit of hindsight could be the subject of sensational criticism in an election campaign.

When this matter came to my attention, I was disturbed by two elements in it: First, that the Department of State might not be providing equal access to all members of the press; and second, that the normal operations of the Department might be subject to the influence of election-year politics. I may add that with the remembrance of the political pressures exercised on the Department in the African student exchange fiasco still vivid, this latter point did not seem farfetched.

I am now satisfied that, unlike the African student affair, politics did not enter into the release of these papers. Nevertheless, I asked the Committee on Foreign Relations to obtain a full and official report by letter from the Secretary of State on this matter for the committee's record and the committee agreed on the desirability of that course. While I shall not pursue the matter further at this time, it is my intention to keep careful check on incidents of this kind. And I serve notice, now, that I shall not hesitate to call for a full committee investigation if ever I am persuaded that the Department's normal procedures are not fully equitable in the release of news or if those procedures are bent to serve the political ends of one party or the other.

Again, may I say that, in my opinion, politics did not enter into the release of these papers.

TRIBUTE TO IRVING DILLIARD

Mr. KEFAUVER. Mr. President, our colleague, the senior Senator from Missouri [Mr. HENNINGS] has been absent from the Senate for some days, under doctor's orders. He has asked me to insert in the RECORD comments which he has prepared on the retirement of Irving Dilliard, one of our Nation's foremost editorial writers. I join my distinguished

colleague in paying high tribute to Mr. Dilliard and his great works; and, therefore, I ask unanimous consent that the statement prepared by the senior Senator from Missouri be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HENNINGS

In February of this year, Irving Dilliard announced his retirement from one of our great newspapers, the St. Louis Post-Dispatch. Mr. Dilliard had been a member of the editorial staff of the Post-Dispatch for 33 years, and much of its greatness and many of the awards this superlative paper annually receives were due in large part to his work and influence.

He himself has received countless honors, from his profession, from many of our great colleges and universities, from national organizations such as B'nai B'rith, the American Bar Association, and the Florina Lasker Award of the New York Civil Liberties Union.

After leaving the Post-Dispatch, Mr. Dilliard continued his service to his profession and to our country as faculty member at the Salzburg Seminar in American Studies at Salzburg, Austria, and later as lecturer on American institutions in Belgrade, Yugoslavia. Certainly no citizen of our country is better equipped to convey to people of other countries the freedom and strength of our press and of our system of government.

Since returning to his home in Collinsville, Ill., in the spring, Mr. Dilliard has devoted himself to speaking and writing, his first project being a book on our Supreme Court.

As an editor, writer, and critic, Irving Dilliard has compiled an impressive record of presenting fundamental issues in language easily understood by all. He has focused public attention on important problems involving individual liberties with a clarity of style and forcefulness of expression. His unwavering adherence to principle, his unyielding devotion to freedom is an inspiration to all of us who revere and fight for the constitutional concepts upon which this country was founded and survives.

The measure of a man's worth is to a great extent reflected by the opinion of his own fellow workers. Therefore, I call attention to an editorial which appeared in the St. Louis Post-Dispatch at the time of Mr. Dilliard's retirement:

"Thirty years is a long time to be writing editorials. We figure that the initials I.D. must have been appended to at least 10,000 pieces which appeared on this page since Irving Dilliard joined its staff in 1930. How far 10,000 editorials laid end to end would reach does not matter. What matters is that I.D.'s retirement today will leave a very large gap on this page, of which all of us on the staff are acutely aware. I.D. wrote on a broad range of subjects, from Ozarks folklore to international power politics, from Illinois graft to Ellen Knauff, from the Centralia mine disaster to the Missouri governorship steal. But in no field shall we miss him so much as in that of constitutional law and civil liberties. He made himself an authority on the Bill of Rights and the Supreme Court, and the scope of his knowledge has long stood this page in good stead. Now I.D. is doing what many newspapermen dream of—retiring at an early enough age to do some writing of his own. We wish him many happy years, and much success."

I would like to express my personal commendation and gratitude to Mr. Dilliard for his long and arduous fight for civil liberties and my hope and prayer that our country will for many years to come have the privilege of his distinguished advice and service.

Mr. MANSFIELD. Mr. President, is morning business concluded?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

OPPOSITION TO RECESS APPOINTMENTS TO THE SUPREME COURT

The PRESIDING OFFICER. The Chair now lays before the Senate the unfinished business, which will be read by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 334) opposing the making of recess appointments to the Supreme Court.

ORDER OF BUSINESS

Mr. SYMINGTON obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I yield.

Mr. MANSFIELD. I ask unanimous consent that, without causing the Senator from Missouri to lose the floor, I may suggest the absence of a quorum.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MANSFIELD. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, will the Senator from Missouri be so kind as to yield to me for approximately 2 minutes?

Mr. SYMINGTON. I yield.

Mr. LONG of Louisiana. I thank the Senator from Missouri for his courtesy.

THE CONFERENCE REPORT ON THE MEDICAL-CARE BILL

Mr. LONG of Louisiana. Mr. President, as one member of the Senate-House conference committee who did not sign the conference report on the medical-care bill, I wish to express my extreme disappointment with the conference report, which perhaps will come before this body today, or tomorrow at the latest.

In my judgment, many of the best provisions of the bill as passed by the Senate have been eliminated. Apparently an effort has been made to make the bill one to which the administration could find no objection in a single sentence or single clause, on the theory that under no circumstances should the Congress attempt to coerce the Executive into signing a bill which the Congress might pass.

Consequently, the amendment which had to do with permitting a person to have an income of $1,800 a year, or $150 a month, without losing his social security payments, has been pared down to such an extent that the only change of law now proposed in that connection would be that if a person makes an additional $300 per year more than what he is now permitted to make without having his social security payments reduced, his payments will be reduced by $150, or the so-called two for one rule. Thereafter, for every dollar he made, his payments would be reduced by $1, so he would gain nothing whatever by making an additional dollar in that respect, except to save money for the Federal Government.

The provision which had to do with reducing the retirement age was efficiently surrendered, without much discussion.

The provision which had to do with making it possible for the Federal Government to match the States in providing for the needy in mental institutions has been eliminated. As one of the cosponsors of that particular provision, I found that decision very distressing, because that is where the need is the greatest. I know in the State of Louisiana—and that situation is somewhat typical of the rest of the Nation—in our State hospitals for general care a needy person receives care in State general hospitals that costs about $15 per patient per day. In our mental institutions the care costs about $3 per patient per day. I am told the average for the entire United States of the cost of care for mental patients is $4.07 per patient per day.

Compare that with the cost of the Federal Government's locking up a convict in a Federal penitentiary. The cost there is $5 per person per day. The rapist, the dope peddler, the murderer, the arsonist receives better care than mental patients do. As a matter of fact, if there were an older person in one's family and he was mentally sick, the family would do better by having that person peddle dope, with the assurance that when he was arrested he would be put in a Federal penitentiary and would receive better care than he would in a State mental institution, because there is practically no care in the latter.

History shows that in most States care for the mentally ill was instituted on the same basis as penitentiaries, in that the people were not put there for care as much as they were for the convenience of the people who were not in the institutions.

In other words, those institutions were established in large measure for the same reason as penitentiaries—for the purpose of removing certain persons from society and putting them out of harm's way.

Those who have studied the subject know that very few States administer any real medical or psychic treatment to the mentally ill who are in State institutions. In most cases it is a matter of herding them together in conditions similar to those which previously existed in county poorhouses—a condition we endeavored to correct by enacting legislation which stated that public assistance would not be applied to those in such institutions.

I regret that the conferees refused to take the provision to include the mentally sick in the medical aid bill.

The compromise was that, whereas the House bill attempted to provide additional coverage, the House yielded on that point provided the Senate would yield where it proposed to do something additionally for the insane, for those who tried to supplement their social security payments, and for those who found it necessary to retire before age 65, although they could not be found to be totally and permanently disabled.

The compromise was a move on the side of economy by both sides by eliminating provisions which would have assisted the aged and those who need care the most. So the conferees are bringing forth a bill which moves in the direction of economy, but which, in many respects, drops the best features of both bills in the interest of economy.

It is true that if those amendments had been agreed to, it would have been necessary to raise the social security tax this year, or, if not this year, next year. But there were many Senators who wanted to provide for medical care who proposed that we should raise the tax in doing so.

Senators who argued most against our amendments contended that the substitute provided adequate medical care. Then when we went to conference with the same bill, some of the conferees who made the argument then proceeded, in the name of economy, to take out the very assets and elements they urged us to look at when we voted on the substitute offered by the distinguished Senator from New Mexico [Mr. ANDERSON] and the distinguished Senator from Tennessee [Mr. GORE].

So while there is some good in the bill, for the most part it would be as if we had left a chicken in the henhouse, and when we came back we found there was nothing left but a bag of feathers, which is what we are going to have left in the conference report on a bill for the needy.

I will say we have moved in the direction of fiscal responsibility and economy, and in that respect the conferees can take great pride, because the bill, as it went to conference, has been materially pared in cost, but so have the benefits.

DEFENSE—THE NEED FOR EXECUTIVE ACTION

Mr. SYMINGTON. Mr. President, in a talk this week before the national convention of the Veterans of Foreign Wars, the Secretary of Defense differed with my concept of the democratic process when he said:

> Constructive criticism of our methods is helpful and essential to the improvement of our defense program, but this should be within the boundaries, understanding, and belief that our defenses are strong and will be able to meet our heavy responsibilities.

Applied without reservation, that philosophy would violate a basic requirement of the democratic system, namely, the need for an informed public.

How can those of us who do not believe our defenses are adequate to meet our heavy responsibilities stay within the boundaries which the Secretary prescribes.

It is not only our constitutional right as Senators, but also our duty, to give the people the facts, and also our opinion based on those facts, regardless of any boundaries laid down by anybody.

I believe that no greater disservice can be rendered the American people than overstating our capability to meet the growing danger, unless it be effort on the part of those in authority to stifle criticism of their policies and programs.

The people have the right to any and all information which would not help a possible aggressor.

The Secretary's address prompts me to examine once more the inadequacy of our present defense planning and programing.

In recent days the Senate has been working on many vitally important subjects, all looking to our future. But the most important subject of all is how to attain a just and lasting peace.

As the Rockefeller report stated:

> Our goal is a world under law; our aspiration is an international community from which the threat of war has been removed and based on respect for individual and national dignity.
>
> Power alone will not supply an answer to the challenge of the future. It does offer the prospect that there will be a future.
>
> The power of these Communist states, particularly the U.S.S.R., has been growing both absolutely and relatively to the United States until today it constitutes a grave threat.

Every thinking person recognizes the logic expressed in these views. But, despite the increasing evidence of the growing danger, this administration has not formulated any real program of action.

We have noted the exchange of correspondence between the majority leader and the Secretary of Defense as to the Executive action to withhold funds appropriated by the Congress. As pointed out by the able majority leader, $621,302,000 is still frozen, and currently there are no plans for using it. Even if these funds were released today by the President, however, there would still be a substantial shortage of what is needed.

This fact is confined by all objective experts, including the various individuals, committees, and boards that have studied the problem of our overall national defense. All have emphasized that, because of the continuous tribute paid to a balanced budget as against security, we now find our Nation in a state of balanced inadequacy.

Our defense strength is deficient in quantity, in quality, in mobility, and in organization. Awareness of these deficiencies is being revealed daily by the Communists through their increased arrogance and aggressiveness; and also in the decreased influence and prestige of the United States.

President Eisenhower recently emphasized this deteriorating situation. In Chicago last July 27, the President referred to the Kremlin's "devising one crisis after another"; and he illustrated his conclusion with such comments as:

> They brutally wrecked the summit conference.
>
> They have threatened us with missiles.
>
> They coldbloodedly boast of shooting down one of our planes legitimately traveling over intercontinental waters.

Even more recently, in his message to the Congress August 8, the President spoke of a "a Communist imperialism fixed upon conquest of all the world"; "new extremes in central Africa"; "the serious situation in Cuba"; and again, about the threat of "a possible missile attack on the United States."

At that time, he referred to "an intensification of Communist truculence."

In that same message the President told the Congress that, as a result of these dvelopments, he had ordered certain actions.

These included changing the stations of some aircraft carriers; a delay in the retirement of some obsolescent to obsolete B–47's; more military exercise for the Army; a strengthening of "SAC's capability to conduct a continuous airborne alert."

The President added he planned to accomplish these actions within the "available resources so far as possible"; and with the proviso that if more money were neded he would "promptly request the necesary funds."

These available resources of course include the added appropriations made available by the Congress early this summer.

But the administration had said it did not want most of these increased funds; and when the Congress appropriated them anyway, a large portion was frozen.

And despite the steadily increasing warnings—Cuba, the Congo, the hate campaign incident to the Powers trial—it would appear that budget policy still takes precedence over national security.

Let me give an example: Admittedly we are now approaching the more serious years of the so-called missile gap. Adequate deterrence is the foundation of our defense system.

To achieve that adequacy we should take practical measures to lessen the risks of destruction of our retaliatory capability by surprise attack. But even as late as last May 18, the Deputy Secretary of Defense assured the Senate there was no need for additional funds for airborne alert. He testified:

> The House Appropriations Committee recommended, and the House approved, an increase of $115 million for "Airborne alert capability" * * * After reconsideration of this problem, we again recommend the program as proposed in January.

In other words, only 3 months ago the Defense Department opposed congressional action to appropriate additional funds for air alert. What has happened in the last 3 months to make the administration change its position?

Did they not know last May about this increased truculence of the Communists; and also about the growing deterrent gap?

Did they not know about our declining international prestige, caused in part by the growing relative strength of the Communists?

We have known it in the Congress for years. We have heard it through testimony, from scores of distinguished, informed citizens—men such as Robert Sprague, Robert Lovett, Thomas Watson, and Governor Rockefeller; all, incidentally, members of the Republican Party—and also from such bipartisan reports as that of the CED, the Johns Hopkins studies, the Rockefeller report, and the newspaper stories on the Gaither report.

After these outstanding citizens had a chance to look at the classified facts, without exception, all the outstanding Americans who made up these panels have given us the warning. But this administration continued to refuse to heed these warnings. And despite the new crises now referred to by the President, the administration still does not propose any major changes in policies or programs.

The fiscal curtain thrown up by the budget-first advocates of the administration is still successful in maintaining expenditure ceilings, and freezing funds made available by the Congress.

I have referred to the letters from Secretary Gates which the majority leader placed in the RECORD. These letters are not clear; in fact, they are misleading. As example, in the first paragraph of his letter of August 9, Secretary Gates says:

> Your letter of July 28, 1960, inquires about our plans for the utilization of funds appropriated by the Congress in excess of the President's January budget request. You realize, of course, that a large part of that addition consists of items recommended by the administration to the Senate Appropriations Committee subsequent to the January budget request.

Mr. President, I wish to repeat that last sentence, which I quote from the Secretary's letter:

> You realize, of course, that a large part of that addition consists of items recommended by the administration to the Senate Appropriations Committee subsequent to the January budget request. Included in that category are the additional funds requested for Army modernization, airlift, aircraft, Minuteman, Polaris, antisubmarine warfare research and development, Midas, Discoverer, Atlas, BMEWS, and certain air defense programs, totaling over $750 million.

This statement leaves the impression that the administration, recognizing the inadequacy of its January defense budget, had come to the Congress sometime between January and July to request a $750 million addition in defense funds.

Nothing could be further from the truth. The official tabulation, distributed by the senior Senator from New Mexico, chairman of the Defense Appropriations Subcommittee of the Senate Appropriations Committee, contains the following figures:

Total of President's budget request	$39,335,000,000
Total request with semiofficial changes reflected	39,215,900,000

This tabulated report shows that the total defense money requested by the administration in April was $119,100,000 less than the President's budget request of January.

Even the final Department of Defense figures presented to the Senate was $39,334,500,000—an amount also less than the President's budget request of January.

But the Secretary of Defense implied in his letter to the majority leader that the increases had been requested by the administration. That is not correct.

For example, Secretary Gates wrote August 9 that one of the increases had been the administration's "additional funds requested for Army modernization." That is not correct either.

The President's January budget asked for $1,337 million for Army modernization; and there were no official or semiofficial requests made to the Congress to change that figure.

On May 5 the House added $37.1 million over and above the administration request for said modernization.

Then the Secretary of the Army, appearing before the Senate on May 19, did an extraordinary thing:

He requested a reduction of $7.602 million of the new obligational authority given him by the House, and inserted in the RECORD a table which showed the Army could accept only $29.5 million of the amount the House added.

So, although Secretary of Defense Gates wrote the majority leader that the administration had "requested additional funds for Army modernization," the fact is a reduction was requested in the House action to that end.

Apparently, however, Secretary of the Army Brucker could no longer support the official position indicated in his May 19 testimony; because, on August 8, at a meeting of the Association of the U.S. Army, in Washington, D.C., he made the following interesting comments about modernization, personnel, and airlift:

> Since World War II, the U.S.S.R. has issued to troops new models of virtually all the weapons and equipment employed in the Soviet Army.
>
> For some items, there have been two postwar generations.
>
> Postwar Soviet equipment is becoming standard in armies of the European satellites, and attractive offers of modern equipment are being made to the so-called uncommitted nations.
>
> Although we [the United States] have in development, or ready for production, much equipment which is superior to that possessed by the Soviet Army, the level of procurement funds available does not allow modernization of our equipment at an accelerated rate.
>
> I need not point out the cold-war implications involved in these facts. Just as strategic weapons play a deterrent role in our position of strength, whether it be in cold war or actual thermonuclear exchange, so also do tactical weapons.
>
> In many parts of the world, and for many purposes, a more effective rifle, a machinegun, or a better tank is often the most tangible and readily convincing indicator of our available military potential and our immediate ability to carry out our commitments for the defense of the free world—without destroying it in the process.

Later in his speech, the Secretary also said:

> The 870,000 strength currently authorized for the active Army is marginal to execute the vital global responsibilities which are increasing rather than diminishing.
>
> One result of this has been the necessity to use Korean nationals to fill out combat units of the Eighth Army.
>
> * * * * *
>
> A committee of the Congress has pointed out that national airlift resources to meet our minimum requirements are today inadequate.

In effect, therefore, the Secretary of the Army now says officially that the Army needs more modernization, more personnel, more airlift. As world conditions continue to deteriorate, let us hope this latest warning is heeded.

There are more examples of inaccuracy.

In Secretary Gates' letter of August 9 he said the administration had requested additional funds for airlift. But the record shows no official, or semiofficial, request for add-ons for airlift.

The facts are that the House added $250 million for that purpose; but when the Deputy Secretary of Defense testified before the Senate Appropriations Committee, he requested elimination of the money for airlift provided by the House.

His testimony on May 18 follows:

> The January budget included $120.4 million for modernization of airlift aircraft. * * * To this the House added $250 million. * * * We recommend that the committee approve $150 million of the extra $250 million voted by the House and delete the balance of $100 million from the bill.

Here is another example of the misleading content in the Secretary's letter. He stated that the administration had requested additional funds for "antisubmarine-warfare research and development."

But let us look at the facts. The House added $221 million for procurement and $100 million for research and development—all to increase anti-submarine-warfare capability.

But when the Secretary of the Navy testified before the Senate Appropriations Committee on May 24 he asked that nearly all this money be deleted.

His testimony was:

> The House recommended a total of $321 million above the President's budget for ASW. * * * In order to maintain a balanced Navy budget, we recommend deletion of all of the $321 million added by the House, with the exception of $41.9 million for research, development, test, and evaluation in place of the $100 million which was added by the House.

Prior to that, on May 18, the Deputy Secretary of Defense had recommended to the committee that the research and development figures be cut back.

He testified:

> With regard to the $100 million of additional funds voted by the House for ASW research and development * * * we recommend that the remaining $58.1 million be eliminated.

These are but a few examples of the doubletalk now being fed through the Congress to the people by this administration.

Some of the increases the Defense Department said had been requested turn out to be House add-ons, and add-ons which the administration actually opposed, in whole or in part. Moreover, much of the amounts accepted are now frozen, either through the allocation procedure, or through the use of expenditure ceilings.

It is true the administration presented some recommended adjustment to the January budget. But those changes reflected no overall increase in defense effort and no sense of urgency.

In fact, the general reaction of the administration to the congressional increase in defense appropriations has been that the money is not needed.

In the President's speech of July 27, he said:

> Whoever misleads by calculated use of some but not all the facts * * * makes a mockery of the democratic process and misrepresents our beloved country in the eyes of the watching world.

The President then proceeded to present what he identified as a summation of our military capabilities. But he made no comparison between the strength of this country and the size and nature of the strength of the possible aggressor.

The net product of his presentation was that the United States today could defeat the United States of 1952.

The Congress has the constitutional responsibility to raise and support the Armed Forces of the United States.

The Executive has the responsibility for submitting to the Congress his recommendations for the funds needed for national defense. The Congress then explores these recommendations, and is responsible for using its own best judgment as to what amount should be provided.

The judgment of the Congress should not be influenced by any conclusion as to whether or not the Executive will spend the money.

The amount needed, and the amount which will be spent, may or may not be the same. The Congress can only meet its responsibilities if it appropriates what it believes is needed for the security of the country.

Some time back I presented to the Senate the defense areas where I believed action was most urgently needed, specifying the amounts required to meet present deficiencies.

Despite administration opposition, the Congress did act on some of the proposed increases. They added about $1 billion as against the $3.5 billion I had recommended.

Secretary Gates should remember that this $3.5 billion figure is the exact increase, to the dollar, recommended for our defenses a few days later by Governor Rockefeller.

Especially after taking into consideration the nature of the increasing world tension, however, I am even more sure these funds are needed.

We know we need more Army modernization and more combat-ready ground forces.

We know we should have more missiles and more dispersal of missiles.

We know we should have more protection against submarine attack.

Recent exercises proved conclusively we need more airlift.

The additions I recommended to correct these deficiencies would have cost the American people less than 2 days of the gross annual income of the United States.

While there may be differences of opinion as to what is needed, therefore, there can be no difference about our capacity to afford this necessary protection.

In that connection, according to administration figures, this year we plan to spend for defense about 7.8 percent of our gross national product. That is the lowest percentage in the last 10 years.

The administration also estimates that these defense expenditures will be about 51 percent of total Federal Government expenditures during this fiscal year. That also is the lowest percentage during the last 10 years.

This is administration policy, despite the fact no one denies that the relative defense strength of this Nation as against the possible aggressor is less today than it has ever been in the past.

In summary, there does not appear adequate reality in the present program. As example, what excuse is there for the maintenance of expenditure ceilings on high priority programs which prevent the full and proper use of moneys already appropriated?

Hence I send to the desk a resolution to the effect that it is the intent of the Senate that expenditure ceilings and such other administrative devices and procedures which limit or retard high priority defense projects be removed; and I ask unanimous consent that it lie on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. Mr. President, what is the objection to considering the resolution at this time, rather than having it lie on the table?

Mr. SYMINGTON. It is the normal procedure to have the resolution lie on the table. Some of the Senators may be interested in reading it prior to being asked to vote on it. This procedure will afford them such an opportunity.

Mr. COTTON. Would it be in order to ask the Senator from Missouri when he intends to have it considered?

Mr. SYMINGTON. Would the Senator care to have it considered at this time?

Mr. COTTON. I wonder whether it will be considered, or whether his purpose is to have it lie on the table?

Mr. SYMINGTON. The Senator is evidently very much interested in the subject. I am delighted to see such interest. I have asked that it lie on the table. Perhaps the Senator would like to have me bring it up in the morning hour tomorrow. I will be glad to do so.

Mr. President, let us recognize that if these dangers referred to by the President are real, the amount of money in question is of secondary importance. If they are not real, we will lose some money. If they are real, however, and we fail to recognize them through action, we are risking the loss of our freedom.

Mr. ENGLE. Mr. President, will the Senator yield?

Mr. SYMINGTON. First I should like to ask unanimous consent that my resolution be printed and placed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 376) submitted by Mr. SYMINGTON, was received, ordered to be printed, and to lie on the table, as follows:

> Whereas the national security of the United States is becoming increasingly endangered by Communist practices and policies;
>
> Whereas the military strength of the Communist nations has been increasing more rapidly than that of the United States; and
>
> Whereas the United States has the resources, if it will but use them, to give its citizens a more adequate deterrent and a more adequate defense against aggression: Now, therefore, be it
>
> *Resolved*, That it is the sense of the Senate that the Secretary of Defense should be authorized and directed to remove expenditure ceilings and other such administrative devices and procedures which limit or retard high-priority programs and projects in the Department of Defense.

Mr. SYMINGTON. I am glad to yield to the Senator from California.

Mr. ENGLE. I compliment the distinguished Senator from Missouri on his very constructive statement and impressive argument with respect to the adequacy of our defense expenditures. The whole argument is based on whether we have been spending enough. The administration says we have been spending enough. The Democratic critics of the administration say we have not been spending enough. The Senator from Missouri makes an impressive case on that point. This morning I read in the Washington Post an article referring to the defense advisers of the Vice President. One of them is Mr. Sprague, to whom the Senator from Missouri has referred in his address. At one time he was the director of a committee which produced the Gaither report. He is a man who is intimately familiar with some of the defense problems of this country.

Mr. SYMINGTON. He was the chairman of the Gaither Committee.

Mr. ENGLE. Yes. At page 5 of the Washington Post of this morning Mr. Sprague is quoted as follows:

> Unless the pace of U.S. defense increases dramatically in the years ahead, said Sprague, he views the situation 15 years from now or 20 years from now, with horror.

He went on to say that he believes if we are to meet the Russian capabilities we ought to be willing to spend the kind of money necessary to do it.

Would the Senator say that Mr. Sprague has in effect advocated the expenditure of more funds, as we Democrats have?

Mr. SYMINGTON. The Senator from California is correct. Four outstanding citizens testified before Senator JACKSON'S subcommittee on this subject. They were Mr. Lovett; Mr. Thomas Watson, the head of IBM; Dr. Baxter, of Williams College; and Mr. Robert Sprague, to whom the distinguished Senator from California has referred.

In effect, all four of these gentlemen testified, first, that we are not doing enough, second, that our economy can stand to have us do a great deal more, and third, that, if we do not do more quickly, we will be in very great trouble in the not-too-distant future.

One of the purposes of my talk this morning is to point out that the letters of the Secretary of Defense to the majority leader implied more defense funds had been asked by the administration since last January. The facts show that actually less had been asked for. In other words, the administration decreased rather than increased the total amount of funds requested of the Congress.

Mr. ENGLE. I have before me the statement made by Mr. Sprague, and I will quote it:

It is just utter nonsense to believe that we cannot do the things that we need to do to survive, to win this contest.

He goes on to say:

If there is no other solution, I would rather see a little inflation and survive.

If that is not the plainest kind of condemnation of the administration's fiscal policy with reference to defense, I do not know what it is. Here is a man who is supposed to be the chief adviser to the Vice President. Here is something else he said——

Mr. SYMINGTON. He is one of the administration's chief advisers; he is on the Vice President's policy board.

Mr. ENGLE. This is something else he said. I do not say it. This is what the newspaper reports Mr. Sprague as having said.

Mr. SYMINGTON. That is in quotation marks?

Mr. ENGLE. In quotation marks:

"It will take KENNEDY or JOHNSON 2 years to get up to date" on secret data to make proper decisions, said Sprague, for "briefing" alone is inadequate.

"The difference between 'briefing' and blood, sweat, and tears," said Sprague, "is the difference between day and night."

This is what he said. He said it would take JOHNSON and KENNEDY 2 years to get up to date. I would like to observe that the distinguished Senator from Texas [Mr. JOHNSON] is a member of the Armed Services Committee, chairman of the Senate Preparedness Investigating Subcommittee, and chairman of the Committee on Aeronautical and Space Sciences. In addition to that, he is a member of the Committee on Appropriations. He is also the majority leader of the Senate. During all of these briefings on these vital defense matters, we were informed—and I am a member of the Armed Services Committee—that we had access to precisely the same charts and tables and data that were used by the Director of the CIA in briefing the President on Soviet military strength.

Mr. SYMINGTON. The Senator is correct. As he well knows, the Central Intelligence Agency briefs the Armed Services Committee, of which the distinguished majority leader has been a member for a good many years.

Mr. ENGLE. There are two things that I should like to know. If, as Mr. Sprague says, it would take Senator KENNEDY and Senator JOHNSON 2 years to get up to date, what have they been telling us? The Senator from Missouri says that they have not been telling us the truth, that they have been hiding facts, and that they have not been giving the American people the truth about this matter. If Mr. Sprague is correct—and he was chairman of the Gaither Committee—that it will take 2 years for Senator KENNEDY and Senator JOHNSON to get up to date, evidently we have not been told the truth even in secret committee meetings of the Senate.

Mr. SYMINGTON. The Senator is correct. I may add that the distinguished junior Senator from Massachusetts, who is a member of the Committee on Foreign Relations, is also briefed in detail by Central Intelligence Agency. He is an astute and able member of that committee, who has shown great interest in and understanding of the wide range of foreign relations problems.

He has also revealed a great interest in and understanding of the information which has been given him by the Central Intelligence Agency. I believe it is correct to say that the President of the United States sent the Director of the Central Intelligence Agency to visit the Senator from Massachusetts at his home in Hyannis Port, Mass. He was supposed to be given information with reference to the defense posture of the Nation, which the statement by the gentleman, who advises the committee of the Vice President, would leave the impression he did not receive.

Mr. ENGLE. They cannot have it both ways. They cannot say they are giving him the truth in the executive meetings of the Senate committee—and they say they are telling him the truth—and then say that it will take 2 years for Senator JOHNSON and Senator KENNEDY to get caught up. If they are telling the truth, and all the truth, in the committee hearings and in the executive hearings of the committee, then it cannot possibly take 2 years for the Senator from Texas and the Senator from Massachusetts to get caught up.

That raises another question I should like to ask the distinguished Senator from Missouri. If in spite of the fact that the Senator from Texas [Mr. JOHNSON] sits on all these committees and is privy to all this information, and if he sits in on all the secret meetings and secret sessions, and it will take him 2 years to get caught up, how could the administration have brought a soap manufacturer here and made him Secretary of Defense, and have him know anything about the business. [Laughter.]

Mr. SYMINGTON. Based on what might be called the Sprague formula, I doubt that the former Secretary of Defense who came from the soap business and who is an admirable and intelligent American, could have been here long enough to know about the subject.

Mr. McCARTHY. When he left.

Mr. ENGLE. On that premise, he would not have found out enough by the time he left to understand about the defense posture of the Nation.

Mr. CASE of South Dakota. Mr. President, will the Senator from Missouri yield to a Senator on this side of the aisle; or is the colloquy to be considered as one-sided?

Mr. SYMINGTON. The Senator from South Dakota just rose to his feet. I suggest that it is not fair for him to criticize the participation in the debate. The Senator from Oklahoma [Mr. MONRONEY] has been on his feet for some time. So has the Senator from Minnesota [Mr. HUMPHREY]. If the Senator from South Dakota will be patient, he will get a chance to talk.

Mr. CLARK. Mr. President, I ask that the Senator from South Dakota take his seat. I am acting under rule XIX, section 2. I call on the Senator from South Dakota to take his seat.

The PRESIDING OFFICER. The Senator from Missouri has the floor; the Senator from South Dakota has not been recognized.

Mr. SYMINGTON. It is my pleasure to yield to the distinguished Senator from Oklahoma [Mr. MONRONEY].

Mr. BUSH. Mr. President, a point of order.

My point of order is, Do I correctly understand that the Senator from South Dakota [Mr. CASE] has been taken off the floor?

The PRESIDING OFFICER. The Senator from South Dakota has not been recognized and, therefore, could not have been taken off the floor.

Mr. BUSH. Do I correctly understand that the Senator from South Dakota may proceed in order when he is recognized?

The PRESIDING OFFICER. Certainly.

Mr. CASE of South Dakota. The Senator from South Dakota has not been recognized, so how can he be taken off the floor?

Mr. BUSH. Mr. President, I simply desire to establish the fact that the Senator from Pennsylvania [Mr. CLARK] has not taken the Senator from South Dakota off the floor, and that the Senator from South Dakota may proceed in order at any time he is recognized.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield to the distinguished Senator from Oklahoma.

Mr. MONRONEY. First, I compliment the distinguished Senator from Missouri on carrying out his very vital role, in which he excels in the Senate, namely, of manning the ramparts of our defense system in this great body and in calling attention to slippages as they have occurred. His record is consistent in this regard. His record in calling attention to the missile gap long before it was even recognized, perhaps, in the Pentagon, or admitted at 1600 Pennsylvania

Avenue, antedates any of the Johnny-come-lately's who have been urging more and more defense expenditures along certain lines as election day approaches.

Mr. SYMINGTON. I thank the Senator.

Mr. MONRONEY. This rather election-night conversion to a stronger defense is a new tactic for a candidate for the Presidency who is running on the basis that he has been privy to most of the Security Council decisions which have governed this country for the past 7 years.

I grant that President Eisenhower asked for 1 week to think of something which the Vice President had contributed or recommended in all those 7 years. We shall await with interest the President's recollection of this important stage.

The Senator from Missouri, however, is not a Johnny-come-lately on airlift, on the modernization of the Army, on correction of the very dangerous weakness in conventional ground forces, which have been flashing neon lights for the past 4 years throughout the world.

It is very interesting to read now that the Republican nominee for President has suddenly discovered this weakness, after sitting for 7 years in silence on the Security Council, and in the other councils of the administration.

It seems to me that the Senator from Missouri is making a very important point about the cutback in the percentage of our budget that is being spent on national defense, when the President himself admits that the danger grows, grows, and grows.

Our airlift planes grow older, so that parts of half the planes are no longer even made, but have to be hand tooled. No one in his right mind would advocate having 50 percent of our airlift tied up in old, obsolete, lumbering Globemasters, which comprise the backbone of our fleet to shift troops to places of emergency, whether it be in the Congo, Berlin, the Middle East, Asia, Laos, or wherever else it might be.

Of course it is good to find the Vice President discussing this subject almost on the 1st of September, 2 months and 8 days ahead of the national election. But where was he, and where were all the prophets, in the past few years? Did they come forth and say, "We want this money. We have asked for money, and we want to modernize the Army"?

I remember the fight made by the Senator from Missouri 2 years ago on the floor of the Senate, when he sought to have our Army modernized from the World War II weapons, and to have our planes modernized, planes which were completely unusable for airlift.

The PRESIDING OFFICER. The regular order has been asked for.

Mr. MONRONEY. I thank the Senator from Missouri for being consistent in his efforts, and we welcome, no matter how late, every one of the new members of the Army modernization club.

Mr. SYMINGTON. I thank the Senator from Oklahoma and also the Senator from California. Both of them have been intensely interested in this matter for many years. Both of them believe that only a strong America can remain a free America.

I am grateful for what the distinguished Senator from Oklahoma has said. He, as we all know, is our leader and expert in the field of civil aviation, which is so closely related to military problems of the very type we have been discussing.

Mr. President, I desire to yield to the Senator from Minnesota. He has been waiting a long time. But if the Senator from South Dakota feels that he, in any sense, has been neglected by this side of the aisle, I shall be glad to yield to him first, with the understanding that I will not lose the floor.

Mr. CASE of South Dakota. Does not the Senator from Missouri believe that the Senator from Minnesota has been in the Senate long enough so that his skin is sufficiently hard, and that he will not be offended too much if the Senator from Missouri yields to me at this time?

Mr. SYMINGTON. In that matter, I shall be glad to defer to the Senator from Minnesota and let him speak for himself. Since he remains silent, I assume he is in agreement with the Senator's position.

Mr. CASE of South Dakota. The question which I desired to propound to the Senator from Missouri was prompted by the fact that it might have a little clearer import if it had come directly after the interrogation of the Senator from California.

The question was: Does the Senator from Missouri think that we can take Mr. Sprague's statement both ways? On the one hand, the Senator from California wanted to cite the authority for the amount of money that ought to be spent, but he wanted him to deny that authority when he came to estimate as to the needs, as to the time it would take the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Texas [Mr. JOHNSON], to become acquainted with the operations of the Department of Defense.

Does the Senator think he can take Mr. Sprague as an authority on one hand, and not on the other?

Mr. SYMINGTON. When the distinguished citizen from Massachusetts, Mr. Robert Sprague, testified before the Senate committee in February, he classified himself, in his prepared statement, as a conservative Republican. I must say that his recent statement has more of a political tinge to it than did his testimony in February.

At the time he made his statement in February, I would guess he was not a member of the Vice President's policy board. In fact, there may not have been a policy board formed by the Vice President at that time.

In any case, I do not see why his erroneous opinion, that it would take the distinguished majority leader or the distinguished Senator from Massachusetts 2 years to learn the defense job, should in any sense be read against his correct opinion that this country is going down unless more is done in the field of defense.

Mr. CASE of South Dakota. Mr. President, I would be the last person to try to maintain that sometimes people do not exercise better judgments or express better opinions than they do on other occasions. But, personally, I have been just a little surprised by the approach of the Senator from Missouri to the matter under discussion here today, for it was my recollection that a few weeks ago—I refer to a previous statement made by the Senator from Missouri—he was saying that we could have better defense for less money; and the big criticism of the Defense Department that I understood him to make was that it was not using as efficiently as it should the money which was appropriated.

Mr. SYMINGTON. I have said for years, I say today, and I will say tomorrow, that if we had followed the recommendations of the then Chief of Staff, Dwight D. Eisenhower, with respect to the reorganization of the Armed Forces, we would have saved billions of dollars annually in our defense structure.

That, as President, he has not carried out the recommendations he made years ago when he was Chief of Staff of the Army is the source of one of my deepest regrets with respect to the operations of this administration.

Mr. CASE of South Dakota. I have rather applauded—and I have done so partly under the tutelage of the Senator from Missouri—the efforts to keep the program of the Defense Department under review and to eliminate unnecessary expenditures or unnecessary operations.

The Defense Department is now in the process of removing from my own State a squadron which has been maintained there. But I have not been critical, because I understand that the purpose is to obtain the greatest possible results from the funds expended.

But on the other hand, if it proves that better results will not be obtained as the result of that change, then why should the old arrangement be abandoned?

Mr. SYMINGTON. The Senator and I could continue this discussion indefinitely. However, one of the major purposes of my talks today was to correct some of the public misstatements which have been made recently. The people should know the facts.

For instance, yesterday the Senate heard from the distinguished junior Senator from New Hampshire [Mr. COTTON], for whom I have great respect. However, he presented what I believe to be incorrect information.

At that time the Senator from New Hampshire referred to $3½ million as the total amount of money that had been spent from 1945 to 1952 for intercontinental missiles. That is not correct. Based on fiscal years, through 1953, the total surface-to-surface missile program amounted to more than $1 billion and a major part of that went for such intercontinental missiles as the Navaho, the Snark, and the Atlas. For that period for all missile programs the total was about $3½ billion. Those figures should clarify the picture.

We also heard from the Senator from New Hampshire that the intercontinental missile programs in the first year of the Eisenhower administration jumped to over $1 billion. This was clearly incorrect as the total programs for all types

of missiles amounted to $1,067 million in fiscal year 1954, which was the first year under an Eisenhower budget. That was $100 million less than in fiscal year 1953—the last year of the previous administration's budgets.

I mention this only to show that many figures which are presented here do, in my opinion, give an incorrect impression with respect to the actual facts.

Mr. HUMPHREY. Mr. President, will the Senator from Missouri yield?

Mr. SYMINGTON. I yield to the Senator from Minnesota.

Mr. CASE of South Dakota. Mr. President, let me conclude, if I may, by thanking the Senator from Missouri for yielding to me, and by expressing the hope that the Senator from Minnesota has not had his feelings hurt too badly because of this delay in permitting him to speak. There is some balm of Gilead, and I hope the Senator's feelings have not been hurt.

Mr. SYMINGTON. Mr. President, I am sure the Senator from Minnesota, whose manner is always most gracious, has not been offended in any way.

Mr. ENGLE. Mr. President, will the Senator from Missouri yield briefly to me, to permit me to make an observation?

Mr. SYMINGTON. I yield.

Mr. ENGLE. I wish to make one observation with respect to the statement made by my good friend, the Senator from New Hampshire [Mr. COTTON], who unfortunately is not now on the floor. On yesterday he stated:

> The contracts which had already been made for guided missiles by the Truman administration were canceled.

He was referring to a statement previously made by the President. But the fact is that the Navaho was a guided missile.

Mr. SYMINGTON. That is correct.

Mr. ENGLE. It was being constructed by the North American Co.

Mr. SYMINGTON. That is correct. I, too, noticed that error.

Mr. ENGLE. And the Snark is a guided missile, not a ballistic missile.

Mr. SYMINGTON. That is correct.

Mr. ENGLE. And the Snark was not canceled. Not only that, but today the Snark is operational and is an intercontinental guided missile.

Mr. SYMINGTON. That is correct.

Mr. ENGLE. To carry the matter a little further, let me point out that a Californian by the name of Trevor Gardner resigned in 1955 because he thought this administration was not doing enough.

Mr. SYMINGTON. Not enough in the missile field.

Mr. ENGLE. Yes; not enough in the missile field—exactly—particularly in that field.

Mr. SYMINGTON. Mr. President, at this time I yield to the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, my observation will be very brief. I only wish to point out that if the recommendation of Mr. Sprague were to be followed, as regards the length of time it would take the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Texas [Mr. JOHNSON] to catch up on secret data, then Mr. Sprague is saying that in the executive branch of our Government the principle of inheritance should be followed—in other words, from President to Vice President—because it is obvious that the only other person who presides over the Security Council is the Vice President.

Of course, if we were to follow such a recommendation, we would have to do away with the elections. Of course, that is ridiculous; and, as the Senator from California pointed out, they cannot have it both ways. If the committees have been given the truth and the facts, then no one in the Congress has had more facts than has the senior Senator from Texas [Mr. JOHNSON], the majority leader, in the course of his service on the many committees on which he sits. On the other hand, if the committees have not been given the truth, there is no excuse for the failure of this administration to see that the committees were given the truth.

I refer now to Mr. Sprague, whom we respect, in order to show that in the article to which reference has been made he has cautioned that, unless our country's defense programs increase dramatically in the years immediately ahead, then he views with horror the situation which will confront us 15 or 20 years from now. In other words, he is saying that the Democratic nominees—the Senator from Massachusetts [Mr. KENNEDY] and the Senator from Texas [Mr. JOHNSON]—could not possibly be up to date for 2 years, which means that they must not be elected. But, on the other hand, he says that, unless something dramatic is done at once and unless we step up our programs, we shall face a terrible situation 15 or 20 years from now.

Yet the very man who has been supposed to help make the decisions which have slowed down the pace, and who has been on the inside of the secret data, is the Vice President of the United States.

All I can say is that if the Vice President knew that we were slowing down, even though there was secret data that pointed up the terrible predicament our country is in, then there is some explaining to be done to the country, because one does not "play on the team" at the expense of the national security.

I do not think the Vice President would do that. I do not want to make any accusation. I think the Vice President would meet his patriotic responsibilities.

But the fact is that there has been, and there is, a need for what the Senator from Missouri has been recommending; and Senators on both sides of the aisle owe him a debt of gratitude.

Let me state that the Preparedness Subcommittee, of which the Senator from Texas [Mr. JOHNSON] is chairman, has repeatedly brought to the Senate recommendations, which we have carried out, to step up the Nation's defenses. But those recommendations have been ignored by responsible officials at the executive level of our Government.

Mr. SYMINGTON. I thank the Senator for his customarily valuable contribution. I noted the quotation:

> "It will take KENNEDY or JOHNSON 2 years to get up to date on secret data to make proper decisions," said Sprague, "for briefing alone is inadequate. The difference between briefing and blood, sweat, and tears," said Sprague, "is the difference between day and night."

I must say I do not understand the connotation of that statement. But perhaps Mr. Sprague will be before one of our committees, some day, and then maybe he can elucidate.

Mr. HUMPHREY. Mr. President, will the Senator yield further?

Mr. SYMINGTON. I am happy to yield.

Mr. HUMPHREY. I think one of the great weaknesses of the present administration is the word "briefing." They have wanted to be briefed in such a hurry; they have wanted to get out in the afternoon on the golf links. Indeed, they have wanted to be briefed before conferences and briefed before important decisions were made. What this country needs is not briefing; what it needs is a study in depth, a study in concentration. This being briefed is, per se, a weakness. I say we should have leadership that is willing to give 18 to 20 hours a day to their responsibility, or 18 to 24 hours a day to it, and not be worried about whether or not one gets briefed. There is plenty to be informed about, without being briefed on national security matters, when what we need is to be immersed with knowledge and to be so filled with it that one is, in effect, an expert.

Mr. SYMINGTON. I thank the distinguished Senator. The able Senator from Minnesota is a member of the Foreign Relations Committee, and he has been much interested in the question of defense, which, as we all know, is but a square on the checkerboard of our foreign policy. I thank him for his remarks, and for his contribution to the discussion.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield now to the Senator from Alaska, who also is both able and informed on the subject of national defense.

Mr. BARTLETT. Mr. President, the other day we accomplished the very considerable feat of retrieving the cone of a satellite by an airplane over the Pacific. After that was accomplished, as we all too often do we indulged in too much boasting and bragging. It was said in some articles that we were actually ahead of the Russians in the race toward the conquest of space, that we had bridged the gap and were hurtling through space with a backward look now and then at the Soviets.

It was just a few days after that that the Russians launched two dogs and carried them through space and brought them back to earth.

Just before coming into the Chamber, I read a headline that said: "U.S. Scientist Predicts That Russians Will Have

a Man in Space by November 24." Will we? We have no reason, no hope for any such belief.

Well, I suggest that if we had listened, during the years, to the wise counsel which the Senator from Missouri has given, perhaps we would have a man in space by November 24, or before; and I am sure that had we listened to his warnings, we would have had a greater deterrent quality than we possess in all weapons, including the very important one of limited war, because, in my opinion—and I have heard the Senator often and I have read everything he has had to say and write on this subject—I know the Senator from Missouri speaks with the voice of experience and knowledge and wisdom. Sometimes it has seemed to me that the warnings he has given this country are comparable to those delivered to Great Britain during the 1930's by Winston Churchill. The Senator from Missouri has an all-embracing knowledge of this subject.

We of Alaska, if I may speak of my own State for a moment, were particularly gratified when he joined us, just a few weeks ago, in protesting against the weakening of our bases there, the closing of one of them, at a time when our capacity to maintain bases abroad is being seriously impaired.

The Senator from Missouri summed the whole proposition up in a very few words, and I hope those words will be heard and read by all Americans. They were at the close of his speech, and I should like to quote them again, because I think they are of extraordinary importance. The Senator from Missouri closed his inspiring, knowledgeable, and important address by saying, in reference to the dangers we confront:

> If they are not real, we will lose some money. If they are real, however, and we fail to recognize them through action, we are risking the loss of our freedom.

The Senator from Missouri has performed a great service today.

Mr. SYMINGTON. I thank my distinguished colleague, the senior Senator from Alaska, who naturally is interested in this problem at least as much as any other Senator. His State is by far the State closest to the possible aggressor. I respect his opinion, and I am grateful for the kind remarks he has made.

Mr. President, I am about to yield the floor unless there are further questions.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am pleased to yield to the majority leader.

Mr. JOHNSON of Texas. I was not aware the Senator had concluded. I thought there were some other questions to be asked of him, and I did not want to interrupt him until he had concluded.

First of all, I commend the Senator for his diligence and the attention he has given to this subject for many years with the result that he is one of the outstanding authorities in this Nation in all matters relating to our security.

That was true of the Senator before he was elected to this body. I found in him a most trusted counselor and wise adviser for many years when he was rendering outstanding service in the Pentagon.

Mr. President, I have been in the Congress for 24 years. During all those 24 years I have been a member of a committee concerned with the defense of our country.

Mr. President, I have never been more concerned with the relative strength of our Nation and with the dangers that face us than I am today. And feeling as I do in that regard, I am deeply indebted to the very able Senator from Missouri for the contributions he frequently makes in this field. His statement today is another example not only of his wisdom, but of his vision.

Mr. President, I am concerned with the developments in the world, as I think all Americans are. I have before me a letter that is marked "Urgent" that was sent to me at 12:43 today, less than one-half hour ago. It is signed by the Commander in Chief of this Nation, the President of the United States.

I wish to quote briefly from the letter, which deals with the mutual security program:

> In view of the worldwide scope of this program and the necessity for planning so far ahead in such an effort, time is of the essence. These critical matters simply will not wait until the Congress returns in January, then to assess the results of its actions taken now. There is at the moment such an acceleration of events in the world that we must be forearmed at all times and ready to deal with critical situations as they develop. It must be evident to the Congress from the speed with which the situation in Africa recently developed that we must stay ready and that our free world security programs, economic and military, must be kept continuously adequate. Postponement of these funds needed now may irretrievably cripple us later.
>
> I enclose a public statement that I have just released.
>
> I am sending an identical letter to Senator DIRKSEN and similar communications to the House leaders.

I have not read all of the letter. I had better read the first two paragraphs so that there will be no question as to its contents:

> I am deeply disturbed by the action yesterday of the conference on the mutual security appropriation. I cannot state too strongly my belief that a cut of this size will jeopardize the security of the country.
>
> I hope the Senate will reject the conference report should the House approve it. Both political parties and all of the major national candidates are publicly committed to the support of an adequate mutual security program. No one can responsibly contend that this conference report and the amounts approved constitute adequacy in today's world.

I thank the Senator for yielding to me, so that I could give to the Senate the benefit of the President's most recent observations, observations he made less than 30 minutes ago.

Since he feels as he does, it disturbs me when I read the financial plans of the Department of Defense and I see that they have not only held back $978 million, which was released to the services without permitting them to actually proceed to place orders or contracts, but they also have now impounded $621 million, which they have frozen and have not allocated to the military departments.

Mr. President, the conference committee reduced the Senate bill for foreign aid by some $260 million. That is a matter which concerns us all. We will debate it at some length, I am sure, if the conference report is favorably acted upon by the House of Representatives. It is a matter which will concern each Senator, in view of the statements made by the Commander in Chief, that in this fast changing world there is a question whether we can afford to reduce the Senate bill by as much as $260 million.

I submit, Mr. President, it is equally important that the Executive not reduce what was provided by Congress for the Department of Defense by $621 million. I hope the executive branch will stop, look, and listen before it decides to permanently freeze these funds which the Congress in its wisdom has made available.

It has gotten to be somewhat the practice of the Executive in recent years to follow this procedure. I think it is an unwarranted procedure. I think it is an unwise procedure. I am not sure that it is not an unconstitutional procedure.

The President decides that he wishes to freeze funds. He has a perfect opportunity to disapprove appropriations by veto, but once he approves the funds which the Congress appropriates, by signing the bill, I do not think it is right to withhold those funds for the purposes for which the Congress appropriated them.

I remind the Senator that I, along with him, opposed this action when it was taken by a Democratic President. When a Democratic President froze funds for the Air Force, I stood up and protested in this body, and I protested in the country. I protest again today the action which has been taken this year, which was taken last year, and which was taken the year before in withholding funds which the Congress appropriated for the Defense Establishment.

I regret that the Congress did not see fit to appropriate all of the funds I thought should be appropriated and which the Senator from Missouri thought should be appropriated. However, the Senate this year, as the Senator so well stated, appropriated more than $1.2 billion over and above the budget request. We were able to retain some $661 million of that in conference. The bill which was sent to the President carried appropriations of $40.5 billion, which was $661 million more than the President had requested.

Now we find that the money has not been allocated. I look forward to the day when it will be allocated. Some people deny it has been frozen. They say it simply has not been allocated. I say that all the money asked for in the budget has been allocated. The financial plan of January proposed to allocate all of the funds available for fiscal year 1961. It is passing strange to me that the amount not now allocated, which is now frozen of $621 million is about the same as the amount by which Congress increased the budget request.

I can understand why the Departments have not been allocated these funds, because the Secretary of Defense, after coming back from a Cabinet meeting, issued an order which said that he had been instructed to withhold everything that could be withheld which was provided by the Congress over the budget figure.

Mr. SYMINGTON. The Senator is correct.

Mr. JOHNSON of Texas. That order is in the RECORD of June 30, 1960, on page 15100.

I commend the Senator for his bringing to the attention of the public the facts as he sees them. He has performed a great service.

I serve on two committees with the Senator. He and I both are well aware, as the President states, that this is a very critical period. Our country is faced with a series of crises. If the President feels we would endanger the security of this country by withholding $260 million from the foreign aid program, what will we do to the security of this country if we withhold over $600 million from our Defense Establishment?

I thank the Senator.

Mr. SYMINGTON. The Senator makes a very wise point. He is one of the outstanding authorities in this country on national defense. He has had much experience in this field—not only as chairman of the Committee on Aeronautical and Space Sciences, as chairman of the Military Preparedness Subcommittee, and as a longtime member of the Committee on Armed Services of the Senate, but also as a result of his interest in the military field during his long tenure in the other body.

I have been impressed with the majority leader's determination that the people should have all the information the disclosure of which will not help a possible enemy.

Mr. President, several years ago the able majority leader made a speech in which he used a sentence which I have employed many times and which I think is quite pertinent to what we are talking about today. He said that the strength of a nation depends upon the will of the people, and in a democratic form of government in order for that will to function the people must be informed.

It worries me that the administration enlarges the danger by freezing the funds, as the majority leader points out, and at the same time protests come from the Commander in Chief about the reduction in the conference report on the mutual security bill. It worries me that those defense funds are being frozen by the Secretary of Defense, under order from the Bureau of the Budget, or from the Treasury Department, or from the White House, or all three.

What worries me most of all, however, are the two letters which the Secretary of Defense wrote to the majority leader. I submit to any fairminded person who reads those letters carefully that the impression one gains is that since January this administration has asked for more funds for national defense. That is not correct. The fact is that the amount of money finally requested by this administration for fiscal year 1961, despite the speeches made by the Commander in Chief and by many others about the growing danger, is less than it was when the President's budget came to Congress in January.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. SYMINGTON. I think the most important development we can have in the next few weeks with respect to these problems is to get out to the American people all the facts which will not help a possible enemy.

If I am wrong in my analysis of these letters, which were written to the majority leader, I want to be corrected, but before I am criticized with respect to my observations on these letters, I hope they will be read carefully by all Members of this body.

I am happy to yield to the minority leader.

Mr. DIRKSEN. Before the majority leader leaves the Chamber, I wish to make an observation. He overlooks at once a very simple——

Mr. JOHNSON of Texas. Who overlooks?

Mr. DIRKSEN. The majority leader overlooks a very simple and all-important point. The Senator has addressed himself to the question of money already appropriated but not administratively allocated. It is available.

Mr. SYMINGTON. As the majority leader pointed out, nearly a billion dollars has been allocated, but the services have been told they cannot spend it unless they receive further orders.

Mr. DIRKSEN. But it is there.

Mr. SYMINGTON. In addition to which there is $621 million that is frozen.

Mr. DIRKSEN. Does the Senator from Missouri agree that the money is available?

Mr. SYMINGTON. The money is not available in this sense: As a result of the money being frozen, we shall not have as much security as we would have if the money were being used. Our production lines would have proceeded with more economy and there would have been a more continuous flow of needed materials. As a result, we will not get the same type and character of defense which we would have had if this program had proceeded in an orderly fashion.

Mr. DIRKSEN. But in the interest of an accurate record——

Mr. SYMINGTON. Oh, Mr. President, the Senator from Missouri——

Mr. DIRKSEN. If the Senator from Missouri does not wish to yield, it is all right.

Mr. SYMINGTON. I am most interested in an accurate record.

Mr. DIRKSEN. In the interest of an accurate record, the Senator from Missouri must concede that the money he is talking about has been appropriated out of the Public Treasury by the Congress. Am I right or am I wrong?

Mr. SYMINGTON. The Senator is right.

Mr. DIRKSEN. Good.

Mr. SYMINGTON. Now I should like to make the statement that the letter from the Secretary of Defense implies that the $750 million mentioned in his letter was inserted as an increase at the request of the administration. The truth is that it was inserted over the objection of the administration, and as of today the administration is asking for less money for defense than the President of the United States asked for in his budget message last January.

Mr. DIRKSEN. The point I make is this: The Senator from Missouri is talking about money that has been appropriated. When the majority leader read from the letter that came to him a few minutes ago, an identical copy of which came to me, it was apparent that the President was writing about money that the Congress had failed to appropriate, and whether there are administrative derelictions or not, the money will not be available no matter who is President of the United States.

Mr. JOHNSON of Texas. That is certainly correct, and has absolutely nothing to do with the point we are making.

Mr. SYMINGTON. I could not agree more fully with the majority leader.

Let me assure the Senator that whereas I have not always agreed with him with respect to his positions on mutual security, in this case I intend to do my best to support the President of the United States, the majority leader, and the minority leader, especially if they are in agreement.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. DIRKSEN. The minority leader has never overlooked the point that the Senator from Missouri makes. I belabored it the other day. I pointed out that, conceding this money was temporarily withheld from allocation or apportionment, there are still 10 months to go in this fiscal year. Who shall say what kind of condition will confront us? I point out that this Congress has put on the statute books an antideficiency statute which is just as binding on the Pentagon and our military officials as on anyone else.

They must have a proper regard for the fluidity and the fever that abound in the world today, and the necessity for looking down the road. The point is here that the money has been withheld—as much as to say it has been withheld for good. Certainly not. Planning takes time. We must look down the road, and decisions cannot be made overnight. The administration is doing what in my judgment may be the wise and prudent thing to follow up a course that adds up to our security and defense.

Mr. SYMINGTON. Mr. President, I would say to our distinguished minority leader that withholding that money—I have done my best to get at the facts—is increasing the cost to the American people. That is not the only important point. It is also important that the reason there is any money withheld is not due to any request of the administration, but because money was appropriated by the Congress over and above the protests

of this administration. That is what the record shows, and that is the kernel of the speech I made today.

Mr. DIRKSEN. The point is constantly being made that the funds are frozen, as much as to say they are in a sort of perpetual iceberg. Nothing of the kind is true. They are there. They await programing and planning, which cannot be done overnight. The funds were appropriated for the fiscal year 1961 which begins on the 1st of July of 1960 and ends on the 30th of June of 1961.

Mr. JOHNSON of Texas. Is there any assurance that the Senator can give the Senate or the country to the effect that the order issued by the Secretary of Defense, namely "withhold all increases over the budget figure to the maximum practical extent," will result in the Secretary of Defense allocating all the money that Congress appropriated and expected to see used during fiscal year 1961?

Mr. DIRKSEN. I pointed out when we belabored that subject before, that the language used was "to the maximum practical extent," and those were the key words in the letter that came from the Secretary of Defense. That is good language. That indicates prudence. That indicates that he is looking down the road, because defense is not for today or for tomorrow or next week or next month. It is a continuing responsibility, and that must be kept in mind constantly.

Mr. BUSH. Mr. President, will the Senator yield? The Senator from Texas has raised a point on which I should like to comment.

Mr. SYMINGTON. I am glad to yield.

Mr. BUSH. The Senator from Texas asked if we could possibly have any assurance that this money would be used. I say that the Senator from Texas gave us that assurance himself on the floor last week when he read a letter from the Secretary of Defense that indicated that $500 million of the extra $1,100,000 that was at first withheld had already been committed.

Mr. JOHNSON of Texas. That point has nothing to do with the assurance of the use of the $621 million that is now frozen, as the Senator knows.

Mr. BUSH. That reduced the overage from $1.1 billion to $621 million. That it is not the intention to freeze the overage I think is demonstrated in view of the fact that a part of the funds has already been committed.

Mr. SYMINGTON. While the minority leader was absent from the Chamber, I submitted a resolution, which I asked to have lie on the table.

Mr. DIRKSEN. I heard the request.

Mr. SYMINGTON. At the request of the distinguished Senator from New Hampshire I said that I would bring it up tomorrow during the morning hour. I have gone around the country and I find that one of the chief deterrents to an efficient operation from the standpoint of cost to the taxpayer and from the standpoint of an effective defense the arbitrary ceilings and similar restrictions which are put on items of high priority. Therefore I submitted this short resolution:

Whereas the national security of the United States is becoming increasingly endangered by Communist practices and policies;

Whereas the military strength of the Communist nations has been increasing more rapidly than that of the United States; and

Whereas the United States has the resources, if it will but use them, to give its citizens a more adequate deterrent and a more adequate defense against aggression: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Secretary of Defense should be authorized and directed to remove expenditure ceilings and other such administrative devices and procedures which limit or retard high-priority programs and projects in the Department of Defense.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. DIRKSEN. Does the Senator want an answer from me?

Mr. SYMINGTON. I shall be happy to have an answer from the Senator from Illinois.

Mr. DIRKSEN. I must oppose the resolution, and I will tell the Senator why. The majority leader asked, "What assurance can be given?" If Tom Gates and his associates are not dedicated people with a sense of mission, who have as much interest in the survival and security of our country as do Members of the Senate, then, of course, I give up.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. JOHNSON of Texas. I do not question the dedication or the devotion of Tom Gates. I question his judgment. The Constitution does not give Tom Gates the power to veto the action of Congress. It gives it to the President. If he does not wish to exercise it, he should not pass the power on to some subordinate official. I want to read some testimony to the Senator. I hope he will remain in the Chamber.

Mr. DIRKSEN. I will be here.

Mr. JOHNSON of Texas. The Senator asked me to stay to listen to him.

I wish to read from page 229 of the hearings on missiles, space, and other major defense matters conducted earlier this year by the Preparedness Investigating Subcommittee and the Space Committee. This testimony was given by the man who has been nominated to be Chairman of the Joint Chiefs of Staff, General Lemnitzer:

Senator STENNIS. What was the last figure?

General LEMNITZER. $175 million.

Mr. WEISL. Has this amount been put in reserve?

General LEMNITZER. It has been placed in reserve by the Bureau of the Budget.

Mr. WEISL. Why hasn't the Bureau released these funds? It was the clear intent of Congress to use that money to modernize your Army.

General LEMNITZER. I can't answer that. You will have to ask the Bureau of the Budget.

Mr. WEISL. Did you protest against reserving that money and not using it for modernization of the Army?

General LEMNITZER. We have requested apportionment of these funds on a number of occasions.

Mr. WEISL. Are you satisfied with the rate of modernization of the Army?

General LEMNITZER. No, I don't think it is normal for anyone in my particular position to be satisfied with the rate.

Mr. WEISL. I know that.

General LEMNITZER. I would like to see the rate increased.

Immediately preceding this discussion, General Lemnitzer testified that the Congress appropriated $382.6 million in the 1960 appropriation bill above the President's budget request for the modernization of the Army. How much did the Army get out of it? When they finally got through withholding and freezing and apportioning in the Bureau of the Budget, the Army finally got $43.4 million for additional modernization.

In the financial plan for fiscal year 1961 which was sent to the Congress in January, every dollar is shown as being allocated. However, when Congress increased the appropriations the Department of Defense planned to allocate only the amount that had been requested, and instructed each military department not to use any of the additional funds the Congress had allowed, except in the one instance in which the law made it mandatory.

Mr. SYMINGTON. In many cases they asked to have reduced the amounts that Congress had made available.

Mr. JOHNSON of Texas. Today, as of this hour, the chairman of the Armed Services Committee, the Senator from Georgia [Mr. RUSSELL], who is familiar with the situation, has urged them, orally and in writing, to go ahead and carry out the will of Congress, which Congress expressed when it appropriated these funds. As chairman of the Preparedness Investigating Subcommittee and the chairman of the Space Committee, I have urged them to go ahead and use the money. The great achievements during the past few days in the space field are the result of the money Congress appropriated, in some instances over what the administration had asked for.

Mr. SYMINGTON. The Senator is entirely correct.

Mr. JOHNSON of Texas. I hope they will use the funds they have, and if they need any more funds, or can use the extra funds, or the security of the country requires additional funds, the President, insofar as the Defense Department is concerned, will do what he has done so far as the foreign aid program is concerned.

When the House acts on the conference report on the foreign aid appropriations, and when that conference report comes to the Senate, I believe it is of sufficient importance that every Member of the Senate should be in his seat, listening to the arguments pro and con with respect to the foreign aid bill.

I do not know what the merits of the President's position may be. I do know that he is entitled to have his position weighed carefully and examined thoroughly and finally passed on patriotically without regard to party lines. That is what the Senator from Texas proposes to continue to do when he is dealing with the security of this Nation.

I do not think it is up to any budget clerk, and I do not believe it is up to any Secretary of any Department within the Department of Defense, to say to Congress, "Oh, yes; you have acted and appropriated money. You say you want B–70's. You say you want the Army modernized. The President says he approves it. However, we are not going to release the funds."

If we get to that point in our Government, we will not have the kind of Government we should have, but a Government run by some clerk in the Bureau of the Budget.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to my friend from Illinois.

Mr. DIRKSEN. It seems to me that the whole argument compresses itself into this kind of summation: The majority leader says that we gave them the money and we want them to spend the whole wad now.

Mr. JOHNSON of Texas. We want it allocated, just as the rest of the $40 billion was allocated.

Mr. DIRKSEN. The Senator wants them to spend it all now.

Mr. JOHNSON of Texas. We want it allocated now. We want the financial plan to show that the funds will be used during fiscal year 1961 and not frozen until next fiscal year.

Mr. DIRKSEN. I am in favor of exercising a little prudence. I will always put my chips on those who take a little time to see to it that we get the "biggest bang out of every buck."

Mr. JOHNSON of Texas. They got a "bang" out of the 40 billion "bucks" appropriated by the Congress. If they can allocate the $39.3 billion that was requested in the budget, why can they not allocate the $661 million that Congress appropriated over the budget request?

Mr. SYMINGTON. The point is that the letters from the Defense Department, as I read them, implied that the extra money which is now available, resulted from requests by the Defense Department. One of the chief points that I have been making is that the money is available as a result of action by Congress, in the main, against the wishes of the Department of Defense. Therefore if that money is to be used, I congratulate the Senate and I congratulate the House that the money has been appropriated over the objection of the Department of Defense.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to my friend the Senator from Connecticut.

Mr. BUSH. Is it not true that in 1958 we amended the National Defense Act?

Mr. SYMINGTON. In 1958 we revised the National Defense Act of 1947.

Mr. BUSH. Yes. We are speaking of the same thing. The Senator was active in drafting that legislation, and I agreed with him on many points in connection with it.

Mr. SYMINGTON. The Senator certainly did.

Mr. BUSH. We wanted to do everything possible to bring about a unification of the services, and the Senator made an excellent case for it. I do not think the legislation went as far as the Senator or I would have liked to see it go. However, one of the features of the act was to give to the Secretary of Defense more authority with respect to disposing of appropriations. It was recognized that he might use the authority so that in the light of new developments he could switch appropriations from one place to another. My question is whether it is not true that the Secretary of Defense is acting within the authority given him under that act, when he is withholding, temporarily, I think, the $620 million which is under discussion.

Mr. SYMINGTON. Does the Senator have the statute to which he refers?

Mr. BUSH. I do not have it before me.

Mr. SYMINGTON. It would be better if we had the exact language before us.

Mr. BUSH. The Senator is not prepared, then, to agree with me that the act gives the Secretary that authority?

Mr. SYMINGTON. I would rather reread the statute first. The present Secretary of Defense has my respect, and I do not criticize him in any way from the standpoint of his being a great American patriot. I do, however, criticize his judgment. I also criticize the accuracy of the language in his letters. I am not questioning his authority. I would like to reread the statute before making a specific interpretation. In effect, $1 billion, in addition to the $621 million, has been frozen. It has been allocated, but the services have been told they cannot use it until they get further instructions.

Once again I wish to express to my friend, the Senator from Connecticut, my point that many of us tried very hard to get additional appropriations, and we were opposed by the administration. I say that as an ad hoc member of the Senate Defense Appropriations Subcommittee. I do not believe that it is right or proper for anyone to say or imply that the money is money that is now available as the result of the administration's request. That is my major point.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. COOPER. I have listened to the Senator's speech with great interest. I think one sitting in the gallery today, or one who reads the speeches and the comments made by the majority leader, would assume that the additional money which has been made available by the Congress has been frozen and that it will not be used. I think that would be the judgment of one who, without any knowledge of the facts, hears or reads the speech of the distinguished Senator from Missouri and the comments of the distinguished majority leader.

To give the complete facts, the RECORD should show what the President of the United States has said. The President said recently at a press conference, when he was asked the question whether these funds were frozen, that he could not accept the term "frozen." He said, as I remember, that Congress had stricken $1,300 million from requests which had been made by the administration, and that Congress had appropriated $1,700 million for military uses which Congress thought were more important.

He pointed out that in this situation, it is necessary for the Department of Defense to revise its program, removing expenditures which were submitted by the Department, and putting in their place $1,700 million of undertakings which Congress thought more important. It is necessary to make plans. It is necessary to determine how best the Department of Defense can use such funds.

The point is that he denied, certainly by implication, that the funds were frozen. I make this statement of facts from memory, as I read his statements in the newspapers. When we are debating a question as important as national defense, when the Senator from Missouri, an able advocate for national defense, speaks, and when the majority leader, a candidate for Vice President speaks, the President's statements ought to go in the RECORD. The President did not say he had frozen the funds. He said it was necessary to determine how to use the funds.

Mr. SYMINGTON. I thank the distinguished Senator from Kentucky for his contribution to this discussion. First, I assure the distinguished Senator that I did not say that the President did or did not say anything on the question of frozen funds. I do know that our defense progress is being impeded by directives or instructions affecting our highest priority items.

The reason for the resolution I submitted this morning was to take care of that condition at this time.

I never thought last February that I would be on the floor of the Senate in August arguing as to whether or not Congress wanted to provide more money than the administration did in this field. For many months, as I believe the Senator from Kentucky knows, I have been doing my best, together with many of my colleague, to increase the amount requested by the administration.

Mr. COOPER. I desire to make myself perfectly clear. I have always listened to the able Senator from Missouri, for I have recognized his keen interest in maintaining and building an adequate Defense Establishment for the country. I accept his purposes without question.

In this year it is natural and right that the adequacy of our defense should be discussed, not in Congress alone but throughout the country, and in the political campaign. It is one of the great issues before the country, and such a discussion should take place.

I must say, however, that I deprecate—I am not referring to the speech of the Senator from Missouri, but to a general purpose—the statements made by a great many persons which do not give an

accurate analysis of our defenses and downgrade the defense position of the United States before the world. I have talked to many people in my State. They do not know the elements of our military strength, and hearing only charges of weakness, have come to believe that the United States is dangerously weak, chiefly because of speeches which downgrade the strength of the United States. It is not fair to the people of the country unless all the facts and elements of our great strength are given. They exist—the issue of whether they are enough, adequate, is one of opinion.

Mr. SYMINGTON. There is no Member of this body for whom I have more respect than I have for the Senator from Kentucky. But, if he wishes to join the Secretary of Defense in the latter's statement that he does not object to any criticism of our military policy so long as that criticism agrees with the Department of Defense, I cannot join him in that view.

I believe it is not only my right, but also my duty, as a U.S. Senator, to lay before the people of this country all facts which will not help a possible enemy.

I have said before, and I shall repeat, that today this country's defense programs are inadequate as against the growing strength of communism. If I believe that, I have not only the right but the duty to say it, as I see my obligation as a Senator.

I do not accept in any way any implication of possible disloyalty in telling the people of the United States the truth. That is what the purpose of my talks have been and will continue to be.

Mr. COOPER. Mr. President, the Senator from Missouri and I have known each other for almost 40 years. He knows that I would never deny the right of criticism, and he knows the warm regard and respect I hold for him. What I have tried to point out is that it would be a great service to the people of the United States to tell them what we have in military strength, so that they will not be led to believe we are hopelessly weak. It can be argued that we should have more, but my inquiries lead me to believe that today we have the strongest force in the world and are progressing. We should tell the people that we have 2,000 SAC bombers, any one capable of carrying striking power more powerful than all that used in World War II; that we have a thousand bombers in Europe; that we have 300 to 400 bombers in our fleets; that we have Polaris missiles; that we have at least an ICBM installation in this country; that we have IRBM's overseas, and many other lesser missiles. As they read speeches which speak only of weaknesses they think the United States is almost helpless. Speak of the need to increase our strength—and this I favor; criticize, but give also to our people the story of our total defenses.

Mr. SYMINGTON. I know of no one who does not say that the United States is very strong today. I agree with Dr. Baxter; Mr. Robert Lovett, who for my money knows as much about this subject as any citizen; Mr. Sprague; and Mr. Watkins. They all say, in effect, three things: We are not doing enough. We can afford to do more. If we do not do more, we shall get into trouble.

I do not believe anyone, whether he be a private citizen, like any of the gentlemen to whom I just referred, and all the other gentlemen who are on the Rockefeller panels, on the CED panels, the Gaither panels, and the Johns Hopkins study panels, should be criticized in his effort to bring this position before the people.

As the Senator from Kentucky says, our policies must be changed. Our problem will grow. So I think it is our duty to tell the people. We do not harm the country by expressing our position from the standpoint of loyal opposition. We all know that the Kremlin knows at least as much about our defense situation as does the average American citizen. The Soviets can get it from our trade magazines and from the official reports of administrative agencies. They know most of the facts.

I agree with the implications in Secretary Brucker's recent speech: That some of our most serious problems from a diplomatic standpoint today result because we have not modernized our weaponry.

Mr. BUSH. Mr. President, will the Senator yield for a question in point?

Mr. SYMINGTON. I yield.

Mr. BUSH. It has to do with the very point raised by the Senator from Kentucky. I ask the question in the spirit of the position taken by the Senator from Kentucky. I feel exactly as he does about this matter.

I think it is very dangerous for us to deprecate the strength of the United States. The Senator has heard me, in remarks in the Committee on Armed Services, object to some of the testimony which has been given, because it would place valuable information in the hands of people who are opposed to us and who may become dangerous enemies.

There are limits beyond which criticism of our defense posture should not go. I should like to ask a question. The Democratic candidate for election to be President stated at a gathering in Virginia, the other evening, in referring to the Vice President:

> During the 8 years he has been presiding—

That is to say, over the Security Council—

> our security has declined more rapidly than over any comparable period in our history—in terms of defensive strength and retaliatory power, in terms of our alliances, in terms of our scientific effort and reputation.

Does the Senator from Missouri believe that was a fair statement?

Mr. SYMINGTON. I want to be very careful in answering the question, because it has overtones which have not previously come into the debate today: I not only believe it was a fair statement, but the fact it is true is one of the chief reasons I wanted to be in the Senate. There never was a day, perhaps until recently, when I was not certain that if our country were attacked, it could destroy any possible enemy——

Mr. BUSH. Does the Senator believe——

Mr. SYMINGTON. Let me complete my answer, please.

Mr. BUSH. Yes, I want the Senator to answer.

Mr. SYMINGTON. Based on the testimony that has been given under oath before the Military Preparedness Subcommittee of the Senate Armed Services Committee, the question of whether our Nation can retaliate if it is attacked depends, if those experts are right, on what the enemy now has, not alone on what our country has. To the best of my knowledge, never before in all its history has our country been in as adverse a relatively defensive strength position as it is today.

I should like to read several statements which are pertinent to the matter we are discussing. I read now from an article written by Murrey Marder, and published today in the Washington Post:

> For critical evalutions of U.S. defense strength, the Nixon forces also have gone to Republicans who have worked inside the administration in the past.
>
> An example is Robert C. Sprague, a member of NIXON's policy advisory group.

And we have heard, here, references to Mr. Sprague's testimony.

I read further from the article:

> The most recent study was the security resources study by the Gaither committee, in 1957, for which he was the final director. He has talked with NIXON during the course of the defense reviews, and at National Security Council meetings where he submitted reports. Sprague is now head of Sprague Electric Co., at Quincy, Mass., and chairman of the Federal Reserve Bank of Boston.

The article states what his testimony last February was, and also describes Mr. Sprague, as follows:

> Sprague, a calm, forceful, deliverative figure, caused a stir last February when he told the Senate Subcommittee on National Policy Machinery:
>
> "The Nation faces a clear and imminent threat to its survival, but we have not yet fully awakened to this very unpleasant fact.

The point I want to make to the Senator from Connecticut, this afternoon, is that I fully agree with that statement made by that prominent and informed Republican. I believe it completely justifies what the Senator from Massachusetts said in his speech the other evening with respect to our defense position today.

Mr. BUSH. I am very much surprised to hear the Senator say that he agrees that during these past 8 years our security has declined more rapidly than over any comparable period in our history. I simply say to the Senator that I do not believe that statement can be sustained before any impartial tribunal.

I agree with the Senator that today we are facing tremendous danger, as we have been on an increasing scale during the past 8 years, and I think it is greater today than it ever has been before. But I do not think it is fair to say to the people of the United States that our strength has been on a decline, when we know it has been on an increase. The Senator from Kentucky just now outlined some of the remarkable increases in our strength.

Mr. SYMINGTON. Just a minute, please; the Senator from Connecticut is veering away from the basic thought behind the statement made by the Senator from Massachusetts.

Mr. BUSH. No, I am not; I am dealing directly with it.

Mr. SYMINGTON. I spent last weekend with the Senator from Massachusetts—a very constructive and instructive weekend for both of us—at the headquarters of the Strategic Air Command at Omaha, Nebr.; and I know what was told us there, and I know what the Senator from Massachusetts was referring to, and was speaking about.

As I said this morning, in a speech made on July 27 by the President, he in effect assured the American people that the United States of today could defeat the United States of 1952. I agree with that statement. It is a statement of fact, and I fully concur in it, but it has nothing to do with the problem facing this country.

What he did not say and what is implied in the statement of the Senator from Massachusetts, of course, is that when one talks about the strength of the United States, it really means nothing unless one also talks about the relative strength of our country, as against the strength of a possible enemy.

The Senator from Connecticut was a great baseball player in college; and he knows that he would have no trouble deciding whether he would rather have 3 runs for his team when the opposing team had no runs, or whether he would rather have his team have 6 runs when the opposing team had 12 runs.

Of course the strength of the United States has increased, because we now have weapons far stronger than any we have had before. But it is most unfair to imply in any way that when the Senator from Massachusetts was speaking the other evening, he was not talking about our relative increase in strength, instead of our actual increase in strength.

Mr. BUSH. I cannot agree that the Senator from Massachusetts used the word "relative," in referring to our strength. He did not use that word. The impression I got was that he thought our strength was on the downgrade.

Mr. SYMINGTON. Our relative strength.

Mr. BUSH. But the Senator from Massachusetts did not use the word "relative"; and I think it very important not to downgrade the strength of the United States, not even in the heat of a political campaign. I do not think the American people can be easily fooled. But I think our allies and other peoples in the world might be seriously upset by any such statements.

So I wish to join the Senator from Kentucky in objecting—as I have all this year, as the Senator from Missouri knows—to, first, any attempts to give an incorrect or incomplete picture of the defense position of the United States and, second, any attempts to downgrade the strength of our country.

Mr. SYMINGTON. Mr. President, I compliment the Senator on the contribution he makes on the Armed Services Committee, where I have the honor to sit with him, and I wish to compliment many others. For example, I compliment the Vice President with respect to his apparently changing position with respect to our national defense.

Inasmuch as the name of the Senator from Massachusetts [Mr. KENNEDY] has been brought into the discussion, let me say that I note that the headline on the article to which reference has been made today is "NIXON's Counselors Urge Defense Shift."

Mr. President, there has been a shift; and I also wish to commend the distinguished Governor of New York, Mr. Rockefeller, for making it clear to the Vice President that if Governor Rockefeller was going to support the Republican program and platform, he wanted to see a different type and character of national defense platform than the one which had been planned originally. And I wish to commend the Vice President of the United States for accepting much, if not most, of the thinking of the Governor of New York in this regard.

Again I wish to say that I am proud the program the Governor of New York suggested, $3½ billion, was for exactly the same sum I had previously suggested—in other words, a $3½ billion increase, of which we have given only $1 billion.

But if all of us will work together—the Governor of New York, with his concept of what our defense should be; and his concept is about the same as that of Senator KENNEDY and mine—and the Vice President of the United States, I am sure we shall have a greater defense in the future, relatively, than we have had in the past.

Mr. President, I yield now to the Senator from Pennsylvania [Mr. CLARK], who has been on his feet for some time.

Mr. CLARK. Mr. President, I wish to commend my friend, the Senator from Missouri, again, as I have had occasion to do many times in the past, for the very strong and able speech he has just now made on this vital and important subject.

I also wish to reiterate what my friend from Missouri has just now stated; namely, that the statement made by the Senator from Massachusetts [Mr. KENNEDY] with respect to our defenses was sound, was correct, was clear, and needed to be made. I do not think any fair reader of the text the Senator from Connecticut read a moment ago—and I include my friend from Connecticut among those who generally, or almost always are fair—would come to any conclusion other than that the Senator from Massachusetts was talking about relative strength, because any other position would be folly.

What difference would it make—as the Senator from Missouri has said—whether, in a baseball game, one's team had made three runs, if the opposing team had made six runs?

The important thing is—and the record is clear—that our relative strength, vis-a-vis that of Russia and China, has declined disastrously in the last 6 or 7 years.

We are fortunate if we have brought that relative strength into balance again. I am far from sure we have. So when the Senator from Massachusetts said that—and that is what he said—he was telling the truth. I point out to my friends on the other side of the aisle that the only test is comparative strength.

In respect to missiles, I ask the Senator from Missouri, if he does not think we have lost ground in the past 7½ years?

Mr. SYMINGTON. Relatively, yes. In the missile field, I say to my friend from Pennsylvania, who is so interested and so well informed on this subject, that the other day the Russians put up 5 tons in orbit. From the standpoint of defense, one of the most important features of missile development as well as space development, lies in the amount of thrust. Whereas in instrumentation and other characteristics, we are at least equal to, if not superior to the Russians. From the standpoint of what is most important in space development, namely, thrust, it is generally acknowledged that they are years ahead of our country.

Mr. CLARK. Have we not declined in the last 7½ years in terms of our ability to resist submarine warfare, relatively?

Mr. SYMINGTON. We have not put enough effort and money into antisubmarine warfare capability. We know the Russians have a very large fleet, many times larger than our own fleet of submarines. We know they have the capability of missile launching from their submarines. If we give them the advantage of the initial strike, which we are inclined to do, I believe the possible danger from submarine missiles is at least as great as from any other source.

Mr. CLARK. Does not the Senator agree that that danger has increased in the past 7½ years?

Mr. SYMINGTON. It has. Their submarine fleet is between 400 and 500, according to unclassified testimony. Moreover they have been modernizing that fleet, retiring old submarines, and putting new submarines into the fleet, so they have many more ocean-going submarines in their fleet today than they had in the past. Of particular importance is the fact that they have, as we now know, a growing missile capability from those submarines.

Mr. CLARK. Does not the Senator agree that, in terms of airlift, for the purpose of getting troops to fight limited wars across the world, wherever they are needed, we have failed to keep up with the requirements of political commitments abroad?

Mr. SYMINGTON. I do not know of anyone who has studied the subject of airlift who does not believe that this country is sadly lacking in adequate airlift to handle its commitments to its allies abroad.

Mr. CLARK. In terms of having our very small Army adequately equipped with modern weapons, does the Senator not agree that we have fallen far behind in that respect, as a matter of relative strength?

Mr. SYMINGTON. There is no question about that. I would refer the Senator to the speech made by the Secretary of the Army a few days ago, which I put in the RECORD earlier, as verifying my position on that question.

Mr. CLARK. With respect to the Polaris missile, in which we can all take great pride, is it not a fact that the administration was initially quite laggard in the development of that missile, particularly in quantitative terms, and that the Congress had to force on a reluctant administration additional funds in order to permit the splendid achievement which our friends in the Navy have finally been able to produce with respect to the Polaris?

Mr. SYMINGTON. The Senator is correct. Funds for the Polaris have been constantly increased by the Congress, and we will have many more Polaris submarines as a result of the efforts of the Congress, as against what we would have had if the administration's recommendations had been allowed to stand.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. CLARK. May I finish first?

Mr. BUSH. I can give my friend some very important information.

Mr. CLARK. Senators on that side of the aisle have been talking with the Senator from Missouri for a long while. Let me have 5 minutes to complete my questions, and I know the Senator will yield.

Does not the Senator from Missouri think that, fine as the achievement of the Polaris is, proud of it as we all are, we cannot relax and let the matter pass because, finally, we have one very good mobile intermediate ballistic missile? This is not a complete answer in the ballistic field, is it?

Mr. SYMINGTON. It is not. I might add that I am always impressed by the amount of knowledge that the distinguished Senator from Pennsylvania invariably shows in this field, and many other fields.

Mr. CLARK. If the Senator will permit an interruption, I get most of my information from the Senator from Missouri.

Mr. SYMINGTON. That is not fair. The Senator is an able and reliable student of facts, which are so very important in a discussion of our defense structure.

Though the Polaris shows great promise, we do not yet have even one in operation. It certainly could not be relied upon as our only strategic retaliatory weapon in case the United States were attacked, even when they are in operation. We have hundreds of bombers. We also have the Hound Dog air-to-ground missile, and will have the Skybolt air-to-ground missile, in our Strategic Air Force. We also have a few and will have more ICBM's. The Kremlin will have to consider the combination of weapons systems, not just one. I say that after having been out to SAC with the distinguished Senator from Massachusetts over the past weekend.

In this connection, I read a statement in the newspaper by a member of the Cabinet of this administration which distressed me a great deal. It pointed out that the Vice President of the United States, despite the fact that he is now being boosted as a great expert in all these fields, has never even visited Offutt Field and looked at the resources and capability of the Strategic Air Force. The Secretary of the Interior, in passing through, said that it was not necessary for him to do that, because, as a member of the National Security Council, he had all this information automatically, himself.

Mr. President, I do not pretend to be as able, or nearly as able, as some of these people in Government, but I must say that statement astonished me. A man who just sits behind a desk cannot find out what is going on in these fields.

I think it is to the credit of the distinguished Senator from Massachusetts that, despite all his pressing duties now, he took the time to go to SAC headquarters and spend many hours being briefed in the evening, and many hours the next morning. His purpose was to learn first hand about the one great, inbeing strategic capacity in this country, the Strategic Air Force.

Nearly every year I go to SAC and spend several days there. Each time I find out some things that are new, fundamental, and interesting. Therefore, I urge the Vice President, regardless of many other duties he may have, including presiding over the Senate, to go to the Strategic Air Force and get himself up to date, as we did last weekend.

Mr. CLARK. Mr. President, will the Senator yield for one final question, when I shall be through?

Mr. SYMINGTON. I yield.

Mr. CLARK. While our relative strength has been deteriorating during this period, is it not true that the President of the United States and the Vice President of the United States have been assuring the people of the United States that all is well with our defenses and that they need not concern themselves with the criticisms which have been made by so many eminent members of both parties, urging us to wake up and catch up and carry again that big stick which is essential to the bringing of peace and the conduct of our foreign policy?

Mr. SYMINGTON. Mr. President, that is a difficult question for me to answer, because I think, especially in the case of the Vice President, his position has been and is shifting in this matter. I think he now realizes, as a result of the advice he is being given by some of the people mentioned in that article today, that our defense position has to be improved quickly.

I think there has been a shift in his position in recent weeks. Therefore, I would not wish to categorically answer the distinguished Senator from Pennsylvania as regards the Vice President on that point at this time.

Mr. CLARK. The Senator will agree that the conversion has been relatively recent in the case of the Vice President.

Mr. SYMINGTON. I am glad to observe that the junior Senator from New York is present in the Chamber. If what I read in the newspapers is correct, the able Governor of New York has had more to do with changing the position of the Vice President than have the Chiefs of Staff or the Commander in Chief or anybody else.

The Governor of New York is eminently correct on our defense needs. I read his report and I have it on records. It is, in my opinion, one of the great documents of our times. I refer to the Rockefeller report.

If this country would do what is recommended in that report—what is also recommended by many other people, including the majority leader and the Senator from Massachusetts—with respect to our national defense, then my apprehensions about the growing danger of communism would be very much lessened.

Mr. President, I am very certain with respect to the connotations of the remarks of the Senator from Massachusetts, which have been referred to. Inasmuch as there is no more fair Member of this body than the Senator from Connecticut, I would urge that he ask the Senator from Massachusetts the same question about his speech he has asked me this afternoon.

Mr. BUSH. I shall certainly be glad to have the Senator explain it, because I think it needs a little explaining.

I should like to ask the Senator from Missouri a question. The Senator was speaking of Polaris. Is it not true that the administration and the Secretary of Defense said long ago that as soon as Polaris had proved itself we would step up the Polaris program? As soon as Polaris did prove itself, we did step up the Polaris program.

Mr. SYMINGTON. Will the Senator repeat his question?

Mr. BUSH. The Senator was speaking with the Senator from Pennsylvania with regard to Polaris. I ask the Senator if it is not true that the administration has taken an affirmative and progressive attitude with respect to the Polaris missile? I do not think the Senator would say the administration has held back. The Secretary of Defense said that as soon as Polaris proved itself, we would step up the Polaris program. As soon as we had evidence that it was effective, we did step up the program. The Senator knows that. The program has been stepped up substantially, has it not?

Mr. SYMINGTON. Mr. President, the Senator puts me in an embarrassing position, when he asks me the question in that way.

Mr. BUSH. I do not wish to embarrass the Senator.

Mr. SYMINGTON. The Senator and I understand each other. I will say that the first year I was in the Senate, I watched a most able and sincere effort to prevent the elimination from the Navy of a great American, Admiral Rickover. I pay tribute to the Senator from Washington [Mr. JACKSON] and to Representative YATES, of Illinois. It was the result of their combined effort, in my opinion, that then Captain Rickover was not passed over for the third time. I believe it would have been a great tragedy from the standpoint of what is important to the security of the United States.

Mr. BUSH. I agree with the Senator.

Mr. SYMINGTON. As long as the Senator brings up the subject, I will give him the figures. The President's budget on the Polaris was $952 million.

Mr. BUSH. For what year?

Mr. SYMINGTON. This year.

Mr. BUSH. Fiscal 1961?

Mr. SYMINGTON. That is correct. That was a program for three Polaris submarines plus the long leadtime items for three more.

The Congress added to the figure of $952.2 million some $394 million. The total appropriation, therefore, as a result of the Congressional action, was $1,346 million instead of $952 million. This would provide for five Polaris submarines plus the long leadtime items for seven more.

I was pleased to note the emphasis which the Commander in Chief put on the Polaris submarines in his latest speech, because it supported my position that the Congress sometimes is very wise in these fields.

The congressional increase becomes $382.2 million and the total appropriation becomes $1,334.4 million respectively if the 3 percent across-the-board congressional cut is applied to this part of the procurement. I say that to be absolutely correct in my statement to the Senator.

The Department of Defense plans to use $312.3 million of the congressional "add-ons" to which I have referred. This still leaves $69.8 million of the amount added by the Congress not planned to be used during the current fiscal year. This will provide a program of five Polaris submarines plus the long leadtime items for five more. That is less than the Congress suggested, which was five Polaris submarines plus the long leadtime items for seven more.

Mr. BUSH. Mr. President, I am grateful to the Senator for citing these figures, because I think they indicate that the Congress, the President, and the Secretary of Defense have been in agreement regarding the stepping up of the Polaris program. There has been no attempt to resist it. On the contrary, as soon as it appeared that we had something dependable in Polaris, the Congress and the administration both felt the program should be stepped up.

Mr. SYMINGTON. A little more vision was shown by the Congress than by the administration.

Mr. BUSH. I do not think so.

Mr. SYMINGTON. The figures speak for themselves.

Mr. BUSH. There certainly was no disagreement concerning the stepping up of the Polaris program.

Mr. SYMINGTON. Only with reference to the amount it should be stepped up. There was a definite disagreement in that regard.

Mr. BUSH. I have one other question in regard to the colloquy of the Senator from Missouri with the Senator from Pennsylvania. The Senator has probably seen in the newspapers, as I did either yesterday or today, the statement that Admiral Hopwood, the commander in chief of the Pacific Fleet, who is soon to retire, said that the estimate was there were 100 Russian submarines in the Pacific.

I took occasion to make some inquiry about that from a naval officer whose name I shall not disclose. I should be glad to have this subject go before the Committee on Armed Services, because I think it is important. He says that the antisubmarine defenses which have been developed in recent years—in very recent years—have become so effective that we have a real defense and a preponderance of power so far as submarines in the Pacific are concerned. I thought that was a rather significant statement. I had not intended to make it, but in view of the fact that what Admiral Hopwood said is public information, in view of the Senator's colloquy with the Senator from Pennsylvania, and in view of the apprehensions about our position, I though it might be of interest to the Senator and to other Senators to know that the Navy—I speak of this because the particular responsible Navy officer told me this—feels it can provide a very real defense, perhaps a preponderance of power, over this very dangerous weapon, the Russian submarine.

Mr. SYMINGTON. Mr. President, I thank my able friend from Connecticut. I know Admiral Hopwood. However, he is not a submariner.

Mr. BUSH. He is commander in chief of the Pacific Fleet.

Mr. SYMINGTON. He is a fine officer. I respect him.

We have found that in general the difference between our equipment and the Russian equipment is one of their being willing to put more in production than we do. Hence I hope that these developments we claim to have do not mean the Polaris submarine itself is becoming more vulnerable than we had hoped.

In that connection a letter inserted in the RECORD by the able junior Senator from California [Mr. ENGLE] with respect to the question of capacity for detection disturbed me quite a bit. It raised some basic questions regarding the Polaris.

The Senator from Connecticut [Mr. BUSH] has mentioned a famous admiral. I should like to mention another who recently told me that a large pack of Russian submarines was discovered a few hundred miles off the coast of California. If we do not plan to attack and they do plan to attack, whether we know they are there or whether we do not know they are there, from the standpoint of international waters, they would need no Polaris to attack. They could surface and fire perhaps an old Regulus air breather type. They would not even need a Regulus II, much less a Polaris, and they would be able to lob megaton weapons with little difficulty. Incidentally, they are credited with having the capacity to produce Polaris-type weapons and may have them in operation.

Mr. BUSH. I would not argue with the Senator as to the menace. I agree.

Mr. SYMINGTON. I say this as a subject upon which the Senator from Connecticut and I would be in perfect agreement as to the danger.

Mr. BUSH. I am sure that the Senator would agree that it is only the retaliatory power which we possess and which we must maintain that can prevent the Russians from launching that kind of attack.

Mr. SYMINGTON. I agree with the Senator without reservation. I thank him for his comments.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. CASE of South Dakota. Mr. President, on many of the points which the Senator has made we could argue for a long time. The Senator from Missouri has his convictions and I have mine. On many points I would agree with the Senator. Even if I did agree—which I do not—that there is an increasing relative superiority in favor of the Soviet, does the Senator really, on consideration, think that it would be good policy for the Senate to adopt a finding to that effect? How would such a finding be interpreted not merely by our Allies, but also by Russia?

Mr. SYMINGTON. To what finding is the Senator referring?

Mr. CASE of South Dakota. To the second "whereas" in the resolution proposed by the Senator from Missouri. If the Senator will examine it, he will see this language:

> Whereas the military strength of the Communist nation has been increasing more rapidly than that of the United States.

I do not happen to believe that. The Senator from Missouri does believe it. But even if the Senator does believe it, or even if the majority of the Senators believed it, is it good policy for the Senate to go on record with that kind of finding and publish it to the world?

Mr. SYMINGTON. First, in defense of my position, I would like to quote from the testimony of a gentleman who testified before the Senate quite recently. In his prepared statement he stated that he was a conservative Republican. He said he knew something about the economy because he was chairman of the Federal Reserve Bank in his territory.

Mr. CASE of South Dakota. That is a different subject.

Mr. SYMINGTON. Mr. President, I wish to answer the Senator in my own way. He propounded a question, and I believe I have the right to answer him as I wish.

Mr. CASE of South Dakota. I want the Senator to do so. I want him to consider his answer carefully.

Mr. SYMINGTON. I do not have his statement with me, but I am sure that I remember the contents. He said that each year this country, regardless of its growing gross national product, was spending about $40 billion a year for defense. He was correct in stating that figure to the extent that our average for the last 4 years has been just about that. He pointed out that our defense expenditures were around 8 to 9 percent of our gross national product. Incidentally, for the first time in the past 10 years this country is spending less than 8 percent of its gross national income for its defense.

The gentleman to whom I have been referring is a member of the Nixon advisory policy committee. He was also chairman of the Gaither Commission, which filed a report that was so secret the President would not let the Congress see it. That gentleman pointed out the Soviets are spending 25 percent of their gross national income for their national defense. Translated into dollars that would mean that they are spending this year $50 billion as against our $40 billion. Their gross national product today is about $200 billion a year, which, incidentally, is what ours was at the end of World War II. Although they are spending $50 billion a year, while we spend $40 billion, their problem is not nearly as expensive as our problem, which is to defend ourselves against any form of attack. I would say that those figures show clearly that each year the spread progresses, and the relative strength of this country as against the strength of Communism decreases.

When he was asked to testify about his position after his prepared statement had been completed, he made a reply which was reproduced in the Washington Post this morning in an article by Mr. Murray Gardner. The reply is one made by an individual who is not given to histrionics or volatile statements. He is a conservative, experienced businessman.

His testimony was that if this situation continued, he could only look on it with horror. Mr. President, "horror" was the word he used. That is his word, not mine.

So I say to the Senator from South Dakota [Mr. CASE] that, if I am sure of anything, I am sure that because of the budgetary domination of our defenses in recent years, our strength today, as against the growing strength of communism, is less than it has ever been before.

Mr. CASE of South Dakota. Mr. President, the Senator from Missouri is entitled to his opinion. Mr. Sprague is entitled to his opinion.

Nevertheless, I ask the Senator from Missouri again whether, considering the possible interpretation that might be placed upon the language by our allies and by Communist Russia, the Senator believes that it would be wise policy for the Senate to adopt a resolution which carries this wording:

> Whereas the military strength of the Communist nations has been increasing more rapidly than that of the United States.

Personally, I do not believe it has. The Senator from Missouri believes it has. But does the Senator honestly think that it is good national policy for the Senate of the United States to make a finding, which it would advertise to the Communists and to our allies, that it is the belief of the Senate that the military strength of the Communist nations has been increasing more rapidly than that of the United States?

Mr. SYMINGTON. What the Senator from South Dakota is really asking me is whether I believe we in the Senate should tell the truth to the American people.

A year ago last April in New Orleans, the director of the Central Intelligence Agency, Mr. Allen Dulles, made a speech. In that speech he quoted Mr. Khrushchev as saying that the economy of the United States was increasing on an average of only 2.3 percent and that it would probably stay at about that rate. Mr. Dulles said if that were true, this Nation would be—and I am quoting him—"virtually committing economic suicide."

The Governor of New York, Governor Rockefeller, in his report, stated that we had to increase our gross national product about 5 percent per year if we were to maintain our position in the world.

What the Senator from South Dakota is asking the Senator from Missouri is this: Should we in the Senate, in a resolution of the Senate, state what people like the Governor of New York and the Director of the Central Intelligence Agency have been telling the American people? It is true that if we do that in a resolution, the chances are that more people will hear about it than read the speech of the Director of the Central Intelligence Agency in New Orleans or read the Rockefeller Report. I have never seen anything in government that could not be improved by more people knowing more of the truth.

Therefore, I would specifically answer the Senator from South Dakota in this way. I believe the Senate, in the interest of the security and prosperity of the United States, should pass the resolution I submitted today.

Mr. CASE of South Dakota. The Senator from South Dakota wishes to say only one thing, because he knows the Senator from Missouri has been very generous in yielding to him. The Senator from South Dakota is one of those who supported increases in appropriations for the Defense Department, this year and on other occasions. He specifically voted for several of the increases we made on the afternoon the Senator made his speech, when the defense appropriation bill was before the Senate, and the Senator from Missouri voted for some of the increases.

I would say to the Secretary of Defense, so far as I am concerned, or I would even be willing to say that, so far as the Senate is concerned, there should not be any ceilings. However, I am not willing to say that it is the finding of the Senate that Communist Russia is increasing its strength militarily more than we are. I do not believe it. The Senator from Missouri believes it. He is entitled to his opinion. I only say that as a matter of national policy we ought not to say it is the finding of the Senate that that is the fact, and thus say it to the world.

Mr. SYMINGTON. If the Senator from South Dakota did believe it, he would not question its being a matter of national policy, would he?

Mr. CASE of South Dakota. The Senator from South Dakota is perfectly willing to say to the Secretary of Defense that they ought to spend the money we have provided, but I am not willing to do it upon the kind of premise or finding which is embodied in the resolution.

Mr. SYMINGTON. The Senator from South Dakota is one of the ablest men in this body, in my opinion, and he knows I have great respect for him. I believe the resolution to be proper and sound as it is. However, I ask the Senator from South Dakota, inasmuch as he is not in favor of curtailing expenditures on high priority items or placing ceilings on them, if he and I could get together and work out a resolution which he and I would both consider to be satisfactory?

Mr. CASE of South Dakota. I shall be glad to confer with the Senator—after both of us have had some lunch, I hope.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am happy to yield to the Senator from Tennessee.

Mr. KEFAUVER. I wish to congratulate the Senator on bringing out these facts concerning our defense. Some political connotations have been raised today in connection with the Senator's remarks. The RECORD should show that over a great many years, whether there was an election coming up, or whether he was a Senator or an official in the executive department, he has always been diligent in pointing out what we needed to do for the defense of our country. I compliment him on his presentation.

Mr. SYMINGTON. I thank the Senator from Tennessee. The Senator from Tennessee and I have served in the Senate together for years, and before that I had the privilege of knowing him. I believe I have always voted with him on the issue we are now considering. He is known by the consistent victories he has won in all his endeavors, as was illustrated only a few days ago. I hope that I will have the privilege of joining with him again, as in the past, in voting for what we believe is important for the security of the United States.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am happy to yield to the Senator from Rhode Island.

Mr. PASTORE. I, too, congratulate the distinguished Senator from Missouri. It is quite unfortunate that our distinguished friend from South Dakota [Mr. CASE] had to leave the Chamber, because what I have to say more or less is directed to the point he raised.

I can appreciate the sensitivity of some people. I do not question their motives at all in exercising this sensitivity. The fact is that, whether we like it or not, we are living in a democracy, and much of what we do in the Senate in protecting and building up the defenses of our country depends vitally upon public opinion, as expressed at the grassroots.

Unless we can alert, inform, instruct, and convince the American people of the danger, unless we can convince the Congress of that danger, unless we can convince Congress that the Russians are doing more than we are doing, then I am afraid we cannot accelerate our own ap-

propriations and our own preparations and we cannot build up our own defenses. At times it is rather tragic.

In Russia, where Khrushchev makes the decisions, he speaks and that is it; the people do not have anything to say about it at all. Khrushchev determines what they are going to do, and they do it, whether they like it or not. It is a little different in the United States. We have to inform our people and convince our people that sacrifices have to be made. Unless our people back home are convinced that sacrifices are in order, we will not be here as Senators, because we will not have their favor if we do not have their faith. Therefore we have to begin the task of convincing the American people. Unless we do that, we cannot command the public's interest, enthusiasm and support. If we are not ready to carry our case to the people we cannot expect to persuade the Congress to do what it has to do to match the Russians.

Mr. SYMINGTON. The able Senator from Rhode Island is entirely correct. In the very beginning of my remarks I quoted from the recent speech of the Secretary of Defense. I should like to read that portion to the able Senator from Rhode Island, from whom I would rather have an expression of opinion than from almost any other Senator on the floor. The statement the Secretary of Defense made only a few days ago is as follows:

> Constructive criticism of our methods is helpful and essential to the improvement of our defense program, but this should be within the boundaries, understanding and belief that our defenses are strong and will be able to meet our heavy responsibilities.

Mr. President, if every time a Senator speaks on the floor he must stay within the boundaries laid down by the Secretary of Defense, and start his discussion off with the premise that we are strong enough to meet any problems that arise, then Congress, including the Senate Appropriations Committee, of which the great Senator from Rhode Island and the great Senator from Connecticut are members, will be mere rubberstamps. Is that not what the Senator has in mind?

Mr. PASTORE. That is precisely the observation the junior Senator from Rhode Island makes. After all, we have not lost this battle yet. We do not intend to lose it. We do not intend to let the Communists overrun the United States. While we still have the time let us have the purpose. We have the resources. We have the spirit. We have the will. Our only need is to exercise that will. If it is clear that there are deficiencies, then we ought to get busy and cure the deficiencies and build up our defenses so that we will be second to no other nation in the world. We can do it in America. If we can feed the hungry of the world, if we can help other nations of good will as we appropriate money for foreign aid, we can best help the free world where help counts the most—in our national strength—that makes our good will secure and sure. We can certainly build up our national defense so that we will not be second to any other nation in the world. It is our first duty to be second to none. That is what the Senator from Missouri is seeking to impress upon our people. I concur with him with all my heart.

Mr. SYMINGTON. I cherish the commendation from the Senator from Rhode Island. The discussion revolves around the point of whether we should or should not tell the American people the facts.

Mr. JORDAN. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield to the Senator from North Carolina.

Mr. JORDAN. First I wish to commend the able Senator from Missouri for the excellent work he has done in bringing to public attention some of the deficiencies in the defense of our country and in the way our armed services are being operated. I am particularly interested in the Nike-Zeus missile, which I understand is as far advanced as the missile of any other nation. I am told that tests are being made of the missile, but that the Defense Department must make up its mind about manufacturing it. I am told that after they make up their mind, it will take 2 years to manufacture the missile. Why does not the Defense Department release the money which they have, which has been appropriated, and start tuning up and manufacturing these missiles, if it is our answer to an antimissile missile, which is the best defense we now have in the missile field?

Mr. SYMINGTON. May I ask the able Senator whether he is talking about the Nike-Zeus missile or the Nike-Hercules missile?

Mr. JORDAN. The Nike-Zeus.

Mr. SYMINGTON. I do not know of anything that is more important to research and development than the Nike-Zeus missile, which is conceived to destroy an offensive missile.

Mr. JORDAN. That is correct.

Mr. SYMINGTON. I must be honest with the distinguished Senator from North Carolina; I do not know the status of the missile, or whether it should be put into production. The sooner we have a system that can be depended upon to destroy ballistic missiles, the better will be the security of the United States.

Mr. JORDAN. More than $100 million has been spent to develop that missile. The first two stages are operational now. They have been proved successful. If it will take 2 years to manufacture them, why should not a start be made now to get them ready, since we know we have a missile which comes nearer to answering our purpose than anything else on the drawing boards ?

Mr. SYMINGTON. I shall look into the matter and will then talk with the Senator after I have obtained more knowledge of its production potentiality.

Mr. JORDAN. I thank the Senator from Missouri.

Mr. SYMINGTON. The Senator from North Carolina knows he has my respect and admiration in this field as in others.

Mr. DODD. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. DODD. The Senator from Missouri has been very patient. He has certainly performed outstanding service, not only for us in the Senate but also for the people of the country. Since I have been privileged to be a Member of this body, I have learned much from listening to the Senator from Missouri. I do not think there is any person in the United States who is better informed than the Senator from Missouri—or, I might say, as well informed—on the problems of our defense and security. I know I sleep better every night because the Senator from Missouri is a Member of the U.S. Senate, and has been ceaselessly and courageously carrying on his fight for a stronger America. I hope everyone in the country will read or hear or learn what he has said today.

Mr. SYMINGTON. I am extremely grateful to the distinguished Senator from Connecticut. He is a bit inaccurate in what he has said; but I think this is the first time I have heard him speak inaccurately.

Mr. DODD. It was not inaccurate. The Senator is much too modest.

Mr. SYMINGTON. I hope I may continue to deserve his commendation. He is one of the most able, articulate Members of the Senate. He has always been interested in the security of the United States. Based upon the speeches which I have heard him make on the floor of the Senate and outside the Senate, I can say there is no one more devoted to the future of America than he. I thank him for his kind remarks.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield to the Senator from Alabama.

Mr. SPARKMAN. I am reluctant to delay the Senator further. He has been on his feet for a long time, but he has been rendering a real service to the country. I commend him for it.

I know the Senator must feel at times that what he says and does is futile, because he encounters so many obstacles and difficulties. In my opinion, no one has done more to alert the country to the true situation than has the Senator from Missouri. I commend him for what he has done. He has educated many of us who do not have the privilege of serving on the particular committees on which he serves. I know he has caused the people of the country to think seriously about the subject of defense. I am convinced that the country is thinking seriously about it.

As I travel among my constituents, one thing which they ask me regularly is: Just where do we stand in the picture of national security: Where do we stand in the picture of space exploration and space travel? Those activities are all tied together. The people of the country are concerned about them. I express the hope that the Senator from Missouri will continue to deliver these sledgehammer blows.

Mr. SYMINGTON. I deeply appreciate the remarks of the great Senator from Alabama. He is one of the highest ranking members of the Committee on

Foreign Relations. As he knows, and as I know, the defense of the United States is but a square on the checkerboard in our relations with the rest of the world.

I remind the Senator of a visit I had in his hometown of Huntsville, Ala. One of the great military men it has been my privilege to know told me, when I went there on a nonmilitary visit, that he was very anxious to talk with me. I spent an evening at his home. I am referring to Maj. Gen. John Medaris, who has done so much for the security of the United States.

I could hardly believe what he told me had been done in recent years to block, or to hold back, one might say—on some occasions, almost to eliminate—some of the most important projects we have—for example, the Saturn, which is our hope now to come reasonably close to the Russians in thrust. I then arranged to see in Washington, where he was attending a board meeting, another great citizen of the Senator's hometown, Dr. Wernher von Braun. He and I breakfasted together. I had been so worried about what General Medaris told me that I had written it down and handed it to General Medaris and asked him, "Is that what you have told me has been retarding our development and procurement in the missile field?"

General Medaris said he would change this a little or change that a little, but I had his written approval.

I came to Washington and breakfasted with Dr. von Braun. I said, "Could this statement possibly be true?"

He said, "It is exactly true. Who gave it to you?"

I said, "General Medaris gave it to me in Huntsville night before last."

I tell this story because I am very much impressed with something of more recent interest concerning the security of the United States—more recent in terms of days and weeks. I shall let the record speak for itself concerning what has been taking place in this field in recent years.

Mr. SPARKMAN. Mr. President, will the Senator yield in connection with that statement?

Mr. SYMINGTON. I yield.

Mr. SPARKMAN. I am very glad the Senator raised that point. As a matter of fact, a little while ago I thought about bringing it up. However, I thought, "Well, that is water over the dam," because, as the Senator has so well said, there has been a change in interest and a change in emphasis. As a matter of fact, many of the people connected with the project would have us believe they had always had a great and sustained interest in these things. However, if the Senator will go back to about 5 years ago, he will recall that the greatest single team, I believe, in all the world was working on missile research and development—the Von Braun team, at the Redstone Arsenal, in Huntsville, Ala. The Senator will recall that there was a period of time when, so far as this administration was concerned, that group was virtually without work. Of course, there were jobs on which they continued to work. But I am speaking with reference to new projects. For instance, at that time they were working on Jupiter and Jupiter C. No money was allocated for that program. The vehicle which launched the first satellite which the United States sent into orbit was built from bits and pieces of scrap, and by the use of a little bit of money which could be gathered here and gathered there.

As we know, when the time came, Russia launched Sputnik No. 1, and the United States was left in the lurch. We sustained a tremendous psychological defeat throughout the world. Who was called upon to do the job. Dr. von Braun, heading his team, and General Medaris, heading the military part of the team.

How long would it take? I believe they said it would be 3 months or 4 months, or whatever time it was. But it was possible to move so quickly simply because they had gone on, in spite of no funds, in spite of no authorization, and even with a restriction hanging over them, and with bits and pieces developed the vehicle which was able to launch our satellite and, at least, restore us to a decent psychological position in the world, so far as space travel was concerned. From there, they made progress. Out of that operation grew, more or less, Saturn. It may be expected to grow other great projects, as we explore outer space and develop missiles.

Mr. SYMINGTON. The Senator from Alabama is correct. One of the facts given to me by General Medaris at the time I visited him, and which disturbed me the most, was that because of arbitrarily arranged reductions in the Saturn program, that program had been set back a year. I thought that program was indispensable and supposed to have been granted a high priority. Yet, it had been curtailed.

I might add that after the unit at Huntsville was transferred from the Army to NASA the reductions which had delayed us the year I have spoken of were promptly restored.

It is that type of "off again, on again, Finnegan" operation which is typical of this administration in so many fields. It is one I wanted to present earlier today, when we were discussing the freezing of defense funds appropriated by Congress and it was said that the funds which were appropriated by Congress were funds which were recommended by the administration. We, of course, know that is not true.

Mr. SPARKMAN. So far as the time element is concerned, it coincided with the transfer of the Von Braun team from the Army to NASA. But the Senator will recall also that it came at a time when Russia had pushed out ahead of us again, and there was a great scream that we had to catch up. So, acting on that urge, and on that alone, they released the money, and speeded up the program, and publicized with all of the Madison Avenue dramatic style the fact that they were accelerating this program for this great vehicle that is—and it really is—the greatest space vehicle that has yet been devised, as the Senator knows, and will be capable of doing a good job.

I am glad they speeded it up. But it took that upsurge by the Russians to get it going.

Mr. SYMINGTON. I thank the Senator for his contribution, and it verifies what we have said about the accuracy of the statement made the other evening by the Senator from Massachusetts [Mr. KENNEDY], when he was speaking in Virginia.

Why the Senator from Connecticut would have any doubt about this matter, I do not know. But certainly there is no doubt about the matter of our defensive strength in the mind of General Medaris or in the mind of Mr. von Braun, and this matter is constantly being presented to the administration by those who are in a position to know.

Therefore, I thought it was unfortunate that anyone would question the correctness of the statement made by the Senator from Massachusetts [Mr. KENNEDY] at a time when he was making another effort—as so many of us have done recently—to present the truth to the American people.

Mr. CHURCH. Mr. President, will the Senator from Missouri yield?

The PRESIDING OFFICER (Mr. MCCARTHY in the chair). Does the Senator from Missouri yield to the Senator from Idaho?

Mr. SYMINGTON. I yield to my friend, the able Senator from Idaho.

Mr. CHURCH. First, I wish to say I regret that I was not in the Chamber at the time when the Senator from Missouri made his principal address. I would have been here at that time but for the meeting of all western Senators with our Democratic candidate for President, the Senator from Massachusetts [Mr. KENNEDY]. However, I have a copy of the text used by the Senator from Missouri in making his remarks, and I shall give it careful study.

Let me say I cannot help believing that the President's message to Congress, 2 short weeks ago, contained a deathbed confession by this administration that many of the arguments the Senator from Missouri has been making so ably and so long are valid. Both with respect to the Polaris program and the organization of an air alert, the administration grudgingly admitted that it was not doing enough in these two fields. I believe that in the President's statement is to be found irrefutable evidence that the service rendered by the distinguished Senator from Missouri has been an extremely valuable and important one. I commend him for it; and I look forward to the kind of leadership he will give in the next administration—which I am confident will be Democratic—toward making this country unquestionably the strongest in the world. I am very proud to be the friend of the Senator from Missouri and to be associated with him in the cause he has so long served so well.

Mr. SYMINGTON. Mr. President, I deeply appreciate the remarks of the Senator from Idaho; and I am very glad that at his relatively youthful age he has attained a seat in this body, because I am confident that, when many of us who now are here have gone, he will still be fighting for the security of the United

States, and will then be doing so with even greater influence than he now has—and his voice and his thoughts are already very influential.

Mr. CHURCH. I thank the Senator from Missouri.

Mr. YARBOROUGH. Mr. President, will the Senator from Missouri yield to me?

Mr. SYMINGTON. I yield.

Mr. YARBOROUGH. Today, the Senator from Missouri not only has rendered a great service to the Nation in pointing out the state of our defense, but he has also rendered a great service in another regard. In that connection, I refer now to two parts of his splendid address. He stated that it is our constitutional right and our duty as Senators to give the people the facts and our opinions based on those facts; and he said it is our duty to give them to the people, regardless of any boundaries laid down by anyone. And the very able, distinguished, and courageous Senator from Missouri pointed to the type of insidious propaganda carried on by the administration—propaganda to the effect that the executive branch is the custodian of the Nation's defense, and that anyone who questions its decision is somewhat suspect.

But I point out—as the able Senator from Missouri already has pointed out here, in the very beginning of his able address—that the Congress is a coequal branch of the Government and has equal responsibilities with the executive branch. In fact, the Congress has even greater responsibilties than does the executive branch, because the Congress is composed of some 537 elected representatives of the people, coming from every State; and if the Congress were to be negligent in the performance of its duty, merely because the executive branch says it is charged with the national defense and says it is improper for the Congress to talk about what the executive branch is doing or what it is not doing in regard to the national defense, then the Congress would have surrendered to the executive its constitutional obligation, and would not have fulfilled its constitutional duty.

So the distinguished Senator from Missouri not only has very ably pointed out the state of our national defense, but he also has pointed to the congressional obligation to be concerned with, and to take action on, the state of our national defense, just as the Congress has the duty of being concerned with, and acting on, domestic issues.

Therefore, I wish to commend the distinguished Senator from Missouri. His leadership in regard to national defense is known throughout the Nation; and I desire to commend him on the battle cry he has raised here, for, in effect, he has said—although he has said it most courteously—to the entire Senate, "Do your duty; we have an equal duty to protect the security of the Nation."

Mr. President, I wish to point out that many other groups in the Nation take a similar view regarding our national defense situation. At the recent convention of the Veterans of Foreign Wars, the President tried to assure them that everything about our defenses was all right, and tried to lull them to sleep with such statements. But the next day, without having heard Members of the other party make statements contradictory of what the President had said, they said out of their own knowledge, as members of the Veterans of Foreign Wars—many of whom are Reserve officers, or serve on important councils or groups which have classified information made available to them as the Senator knows—that the defense of our Nation is inadequate.

So I wish to commend the Senator from Missouri for declaring the senatorial obligation and right to search for the truth about this matter, and for pointing out the duty of Senators to speak the truth, and for giving his knowledgeable and perceptive speech on the strength of our defenses.

Mr. SYMINGTON. I am very grateful to the Senator from Texas. He is one of the most able Members of this body, and is one of the best informed Members of the Senate on the matter of national defense.

Mr. President, it is well known that I seldom take the time of the Senate by making speeches in this Chamber. I listen carefully to those of my colleagues who are more expert in connection with many of the problems which come before the Senate.

But for weeks and months I have urged that our Nation spend a relatively small amount—in fact, the same amount that the Governor of New York has recommended—less than 2 days of our national production—on our efforts to develop our strength to oppose the efforts of communism. But my efforts and those of other Senators who have taken a similar position have not been very successful.

But now, rather suddenly, the administration has made some change in its position. But it still says that all would be well if only the Congress would cooperate with the efforts of the President and the administration. However, Mr. President, nothing could be farther from the truth. The Congress has regularly provided ample funds for the national defense, only to find that the adminstration has frozen such funds, has refused to spend them.

I think the statement which the Secretary of Defense made on August 22, and from which I quoted in my talk, is most unfortunate. It is clear that he was implying that any criticism of this country's defense is not in order unless it amounts to a statement that we are strong enough, today.

I do not believe we are strong enough today. I have warned about this for a long time, and the record so proves. A great many of my colleagues agree with me. But where are we from the standpoint of the future of a democracy if we cannot come on the floor of the Senate and give our honest opinions in matters such as the security of the country? That is what the discussion is about this morning. That is what we should have in our minds and our hearts when we leave the Capital in the not too distant future and present our case to the American people.

Mr. YARBOROUGH. Mr. President, the services of the distinguished Senator from Missouri remind me of a historical incident, which took place at Athens at the peak of her glory and great learning. In the long course of the Peloponnesian War, there were some in Athens, who advocated sending an expedition to Sicily, so Sicily could be taken and Sparta could be cut off from foreign trade and would then fall. A great Greek patriot stood up and said that Athens did not have the resources to fight a war so far from home, and send an expedition to Sicily. He was hissed and derided for downgrading his country. The Athenian fleet sailed to Sicily and the army was cut to pieces and the fleet was sunk. Two or three years ago some skindivers found the remains of the fleet for the first time. It had been lost for 2,500 years. The fleet was found sunken in the shape of a great half moon. As a result, Athens fell. It was the doom of great Athens. Sparta conquered it, and the great civilization of Athens went down. Because a man was patriotic enough to stand up and say, "We have got to build up the strength of our forces," he was derided for downgrading his own country.

Mr. President, history sometimes repeats itself, but I think Americans have learned enough from the history of ancient Greece and 2,500 years of history, and that they will listen to prophets like the great Senator from Missouri, who warns of the dangers facing us, instead of listening to some chauvinistic statements that our country is strong.

Mr. SYMINGTON. I thank the Senator from Texas. Back in 1954 I made a talk on the floor of the Senate entitled "The Intercontinental Ballistic Missile," urging this administration to increase its activities in the ICBM field. As long as the Senator from Texas has mentioned Athens, I recall that in that talk I also mentioned Athens. I mentioned that the situation became such in the life of the Athenians that they would stone messengers to death who brought them the truth about a defeat in battle. In spite of the implied criticism of our warnings on the floor of the Senate, one good thing is that we will never reach any such condition in this country. If I am confident of anything, it is my certainty that if the American people are given the facts, they will do everything necessary, regardless of its cost, to preserve their freedom.

Mr. HILL. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield to the distinguished Senator from Alabama.

Mr. HILL. I realize the distinguished Senator has been on the floor for some time, and I do not like to detain him longer, but I would feel derelict if I did not congratulate the Senator on the magnificent address he has made today. It has been so timely, so challenging, and so compelling. I think we all owe him an everlasting debt of gratitude for the courageous and valiant leadership he has given to the Senate and to the American people in this vital matter of the defense and security of our beloved country.

Mr. SYMINGTON. Mr. President, the senior Senator from Alabama knows of my devotion to him, and he, therefore, knows how grateful I am for his kind remarks. He himself, although he is modest about it, is a great authority in this field.

I have been hearing much talk recently about what the troubles are and how far back into history we must go in order to find where the true responsibility lies. If anybody is interested in finding out where much of the basic troubles with respect to our modern weaponry lie, I suggest he go back and read the interrogation of the former Secretary of Defense, Mr. Charles E. Wilson, by the distinguished senior Senator from Alabama. I shall never forget his questions and the answers that were given to those pressing questions. Right there in that official expression of respect for budgets over research I think one can find a great deal of the reasons for our problems today, as we strive to improve our relative position in the free world.

Mr. KEATING. Mr. President——

The PRESIDING OFFICER. The Senator from New York.

Mr. HILL. Mr. President, will the Senator yield to me so that I may present a conference report which should go to the House in order that an item may be covered in the appropriation bill? It will take only a minute's time.

Mr. KEATING. I shall be happy to yield to the Senator from Alabama at the appropriate time. I have said I would be happy to yield to Senators who asked me to yield, and I am going to do it, and I am happy to do it, although I have been sitting here 3¼ hours, waiting. I shall be happy to yield, but already there has been lack of sequence in this debate, and before yielding to the distinguished Senator from Alabama I desire to take a few minutes to add to what has been said here by the distinguished Senator from Missouri.

We all know him to be a great advocate of a strong national defense. We honor him for that. Many others of us think we are advocates of a strong Military Establishment. There are differences, of course, as to the amount which should be expended for national defense. There are differences as to where those funds should be expended. There are differences as to what extent money is involved and to what extent other matters are involved in building up a great national defense.

Insofar as the distinguished Senator from Missouri has set forth his knowledge, which is considerable, on our defense capabilities, a very constructive contribution has been made to the thinking on this subject.

Insofar as it is an effort to belittle what this administration has done in the field of national defense, it, of course, is open to challenge. It appears, in that regard, to be a followup to the remarks of the junior Senator from Massachusetts [Mr. KENNEDY], when he said that the Vice President of the United States was experienced only in "the policies of retreat, defeat, and weakness," implying thereby that it is defeat, retreat, and weakness which have characterized the military and other policies of the present administration. To that I take serious exception.

The distinguished Senator from Missouri has pointed out, as the Senator from Texas and other Senators have, that the building up of our national defense is a matter of joint cooperative effort between the executive branch and the legislative branch.

Obviously, the legislative branch must provide the funds. The fact is that over a number of years the Congress of the United States, under Democratic control, has declined to give the President as much as he has sought for our national defense. This year Congress gave the President not $3½ billion more than he asked for, but about $1 billion more than he asked for, and, so far as I know, there was no opposition from this side of the aisle in that regard.

The distinguished Senator from Missouri is, of course, entitled to advance his theories that the increase should have been $3½ billion. There are many other sincere and able men who feel the same way about it.

The fact is that in the debate on the Defense Department appropriation bill the Senator did not even offer an amendment to increase our defenses to that extent. Why, Mr. President? I assume it was because he realized that in the Senate, as presently constituted, the Members were not disposed to take action of that kind on the Department of Defense appropriation bill.

The Senator has challenged the figures put into the RECORD yesterday by the distinguished Senator from New Hampshire [Mr. COTTON]. In that regard, I ask unanimous consent to have printed in the RECORD a table which shows, in millions of dollars, the appropriations made from 1946 through 1960 in two columns, one the "IR-ICBM programs" and the other "all missile programs."

Mr. President, during the lost years of 1946 to 1952 the Government spent $117 million to support the price of peanuts, but, as shown by the table, spent only $3.6 million during those same 6 years on our Nation's long-range missile programs. In other words, we spent 30 times as much supporting peanuts as we spent for long-range missiles.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

[In millions of dollars]

Fiscal year	IR ICBM programs	All missile programs
1946	1.9	70
1947	0	58
1948	.3	81
1949	.1	98
1950	0	134
1951	.5	784
1952	.8	1,058
1953	3.0	1,116
1954	14.0	1,067
1955	159.0	1,470
1956	526.0	2,270
1957	1,401.0	4,470
1958	2,150.0	5,107
1959	2,945.0	6,913
1960	3,303.0	6,634

Mr. KEATING. The record since 1952, Mr. President, is quite different. Of course, now we must look toward the future. We cannot afford any complacency. When it comes to criticism of the present administration because it has not done enough, we should look at the record over the past 8-plus years.

Mr. President, a specific reference was made to the space program and the fact that we are behind the Soviet Union in the element of thrust. I think we are, Mr. President. I think in regard to the accuracy of our missiles we are at least equal to and probably ahead of the Russians.

We have performed stupendous feats during the past few months in the missile and space field. We have not heard much commendation, as we heard criticism of our actions in that field prior to that time, but we have made great progress in the field of accuracy. I believe we are ahead of the Russians in regard to accuracy. In the field of thrust we are not. We do not yet have the capability to put in orbit as large an object as the Soviet Union. It is very questionable how much military value that has, but certainly we do not wish to be second in anything.

I refer to the remarks made by Dr. T. Keith Glennan on "Meet the Press" which, so far as I know, have not been challenged, to the effect that last year the Congress cut out $37 million from the space program which was intended to be used in exactly this thrust field, and that it set them back in that field for a period of 6 to 18 months.

Mr. President, this works both ways. The only way we will achieve a strong national defense is by a vigorous presentation from the White House, plus complete cooperation from the Congress and a willingness on the part of the Congress to give to the Chief Executive what he feels is necessary for our national defense.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. KEATING. With the leave of my friend from Alabama [Mr. HILL], I will yield first to the Senator from Wisconsin, because he has a comment on this subject.

Mr. WILEY. Mr. President, I compliment the distinguished Senator from New York. It was my privilege to listen to most of the debate this afternoon. I shall not go into the merits or demerits of it. I simply wish to state what I was informed by one of my constituents in a letter.

This individual asked me the condition of our defenses. I wrote to him and said:

> Not being a military man, I cannot tell you, but I can give you, from David Lawrence's magazine of some time ago, a complete summation of all our defenses.

I heard from him, and he enclosed in his letter a statement made on this floor to the effect that we had no defenses. He made the comment:

> I do not really know much about the military matters, but I do know we have not had a third world war.

It seems to me this man uttered what everyone wishes to know about. Have we a deterrent capability?

I read to Senators a statement from an article published in today's New York Times:

Secretary of the Air Force Dudley C. Sharp told 2,000 delegates to the VFW's national convention that the Strategic Air Command, with its nuclear global strike capability, could defeat any aggressor who launched an attack against this Nation.

I am not a military man. We have military specialists. There are not very many military men on this floor.

Mr. President, I ask unanimous consent that the entire article to which I have referred be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. WILEY. Mr. President, there was also published in the Washington Evening Star for today an article entitled "Talk of NIXON and the President—Democrats Believed Giving Eisenhower Chance To Boost Vice President." I read from the article:

The big issue in the campaign is not the extent to which Mr. NIXON is responsible for Mr. Eisenhower's "decisions," but the knowledge of national and international problems that Mr. NIXON has gained during the last 7½ years by his presence in top councils. In the same interview, which was published on May 16 in U.S. News & World Report, Mr. NIXON disclosed the time he has spent on Executive work. He said:

"I had my office do a tabulation of the meetings that I have attended since January 1953, as recorded in my daily calendar. I have attended 173 meetings that the President has had with legislative leaders, and presided over 2 of those. I have attended 217 meetings of the National Security Council, and presided over 26 of those. I have attended 163 meetings of the Cabinet, and presided over 19 Cabinet meetings."

I have read this information into the RECORD because it is my own conclusion, based upon the mail which I receive, that people are becoming disgusted with the personalities which are being used on the floor of the Senate and elsewhere. The people wish to know the answers to the important questions.

As the individual who wrote me said, "We have not had a third world war."

Have we the power to prevent a third world war coming upon us? To a large extent, that depends upon Khrushchev. Khrushchev's attitude, to a large extent, depends upon what is our deterrent capability. If our deterrent force is adequate, he will not risk letting the balloon go up.

Mr. President, I ask unanimous consent that the entire article to which I have referred, from which I have read, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and it is so ordered.

(See exhibit 2.)

EXHIBIT 1

MILITARY CHIEFS PRAISE U.S. MIGHT—BRUCKER, SHARP, BURLEIGH TELL VFW NATION COULD WIN A GENERAL WAR

(By Damon Stetson)

DETROIT, August 25.—Army, Navy, and Air Force leaders told the Veterans of Foreign Wars today that the United States was capable of containing a limited war and winning a general war.

Secretary of the Air Force Dudley C. Sharp told 2,000 delegates to the VFW's national convention that the Strategic Air Command, with its nuclear global strike capability, could defeat any aggressor who launched an attack against this Nation.

He discussed the potential of the Atlas intercontinental ballistic missile, which will travel 9,000 miles and is already operational, and the development of the Titan and Minuteman missiles.

The first element of a three-pronged ballistic missile early warning system has been completed at Thule, Greenland, he said. The two other elements, one in Alaska and the other in Britain, will be completed in 2 years, he said.

POLARIS IS PRAISED

Adm. Arleigh A. Burke, Chief of Naval Operations, extolled the Polaris missile as the only "invulnerable deterrent in the world." The Polaris, he explained, has a range of more than 1,200 miles and right now can zero in with pinpoint accuracy on nearly every major target in Communist territory.

"Our Polaris submarine has no fixed address," Admiral Burke said. "Moving below the surface, hidden from the eyes of possible enemies, here is a missile system which will have the capability to strike back, no matter what the enemy does."

Although expressing full confidence in U.S. military strength, Admiral Burke warned that the problems of the United States in the world could not be solved by the Armed Forces alone.

The Communists, he said, are carrying on a war of subversion, particularly in the newly developing countries, which must be challenged in the political realm and countered by citizens dedicated to the American way of life.

DEVELOPMENTS DESCRIBED

Secretary of the Army Wilber M. Brucker described the Army's new airborne "side-looking" radar system developed at the Willow Run laboratories of the University of Michigan. This system, he said, can scan hostile territory for many miles at a right angle to the flight of an aircraft.

He also cited the new USD–5, a pilotless jet aircraft, capable of flying deep behind enemy lines and able to report back to the battlefield commander with a running account of the full details of an enemy movement 200 miles away.

Secretary Brucker said the third generation of the Nike missile family, the Nike Zeus, was being made ready to "bat down an intercontinental ballistic missile coming in at over 15,000 miles an hour." Its ability to destroy actual ballistic missile targets, he said, will be demonstrated in forthcoming tests in the Kwajalein Island area in the Pacific.

The week-long VFW convention at Cobo Hall here will end tomorrow following the election of officers and an address by Senator JOHN F. KENNEDY, Democratic nominee for President.

EXHIBIT 2

TALK OF NIXON AND THE PRESIDENT—DEMOCRATS BELIEVED GIVING EISENHOWER CHANCE TO BOOST VICE PRESIDENT

(By David Lawrence)

President Eisenhower may have unwittingly started the ball rolling on one of the most important issues of the campaign—namely, just how much experience Vice President NIXON has had in the development of national and international policies.

The President was asked at his news conference on Wednesday to say in what decisions on public policy the Vice President had participated, and Mr. Eisenhower's answer was that decisions are made by the President and not by anybody else. At the same time he said he considers Mr. NIXON one of his principal advisers.

The Democrats in the Senate promptly thought they saw an issue, and seized upon this answer as meaning that Mr. NIXON's participation on the executive side of the Government had been most incidental. But actually what the President said is in line with what Vice President NIXON himself has previously revealed in describing his own role. Thus, in an impromptu interview with Mr. NIXON last May, which was not widely published in the newspapers, the following colloquy occurred:

"Question. What role do you play in Cabinet meetings, for example? Do you have a chance to speak up?

"Answer. Yes, I have always had the opportunity to express myself, not only at Cabinet meetings but at the other meetings over which the President presides. Usually it is his custom, once a matter is presented at any one of these meetings, to ask the various people around the table for their comments and suggestions.

"In fact, the President always invites all of us who participate in such meetings to indicate our views before he, the President, reaches a decision.

"Question. Who makes the decisions in meetings? Are they committee decisions?

"Answer. I think one of the essential rules for any orderly government is that there can be only one man who makes the final decisions. I, for one, have never believed in government by committee, because what happens then is that the decisions made represent the least common denominator of what everybody will agree to, and this means leadership at its lowest level, rather than at its highest level.

"Now, I know that there have been those who have suggested that the President believes in government by committee, that he does not make decisions or overrule members of his official family on issues. Nothing could be further from the truth. The President is a very patient man. He always invites full and free discussion. He tries to bring about agreement among all of the members of his Cabinet and Security Council when important decisions are being made.

"But, in the final analysis, the President recognizes that the Cabinet and Security Council are advisory to him only.

"The President, during the 7 years that I have been with him, has never put a matter to the vote of the Cabinet, the Security Council, or the legislative leaders. I believe he is absolutely correct in following this practice because, in the final analysis, he, the President, should make the big decisions rather than 'pass the buck,' in effect, to his advisers. I don't mean that he isn't affected by what we all say, but he himself, after he hears what we all say, announces the decision.

"Of course, there have been instances in which the view adopted by the President has been the view held by others in his official family than myself.

"But I would say that the number of cases in which this has happened has been very small compared to the number of cases in which I have shared the views that the President has eventually approved."

The big issue in the campaign is not the extent to which Mr. NIXON is responsible for Mr. Eisenhower's "decisions," but the knowledge of national and international problems

that Mr. NIXON has gained during the last seven and a half years by his presence in top councils. In the same interview, which was published on May 16 in U.S. News & World Report, Mr. NIXON disclosed the time he has spent on executive work. He said:

"I had my office do a tabulation of the meetings that I have attended since January 1953, as recorded in my daily calendar. I have attended 173 meetings that the President has had with legislative leaders, and presided over 2 of those. I have attended 217 meetings of the National Security Council, and presided over 26 of those. I have attended 163 meetings of the Cabinet, and presided over 19 Cabinet meetings."

In the Senate debates since Wednesday quite a point has been made by the Democrats of the fact that Mr. Eisenhower in his news conference was asked to give an instance in which Vice President NIXON had influenced a particular "decision." The President parried the question by quipping that he might think of one "if you give me a week." One of the Democrats in the Senate debate said this made it "obvious that Mr. NIXON's contributions were so slight that the President could not recall a single one."

It would have been considered indelicate for the President to have initiated a discussion of this kind, but now that the Democrats have opened the way, it gives him a full opportunity in the campaign to discuss Mr. NIXON's experience in government—which, after all, is one of the main questions in the minds of the voters.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 7758) to improve the administration of oversea activities of the Government of the United States, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12619) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1961, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 14, 16, 17, and 39 to the bill, and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 3, 22, 31, 33, and 35 to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions:

S. 68. An act to provide for continued delivery of water under the Federal reclamation laws to lands held by husband and wife upon the death of either;

S. 285. An act for the relief of John A. Skenandore;

S. 1321. An act to authorize the Attorney General to consent, on behalf of the Library of Congress Trust Fund Board, to a modification of the terms of a trust instrument executed by James B. Wilbur;

S. 1781. An act to facilitate cooperation between the Federal Government, colleges and universities, the States, and private organizations for cooperative unit programs of research and education relating to fish and wildlife, and for other purposes;

S. 1857. An act to promote the foreign trade of the United States in grapes and plums, to protect the reputation of American-grown grapes and plums in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes;

S. 2369. An act for the relief of Sachiko Kato;

S. 2388. An act relating to the separation and retirement of John R. Barker;

S. 2576. An act to authorize the addition of certain donated lands to the Everglades National Park;

S. 2669. An act to extend the period of exemption from inspection under the provisions of section 4426 of the Revised Statutes granted certain small vessels carrying freight to and from places on the inland waters of southeastern Alaska;

S. 2711. An act to quiet title to certain lands within the Nez Perce Indian Reservation, Idaho, and for other purposes;

S. 2772. An act to authorize the Secretary of Agriculture to convey land to the town of Cascade, El Paso County, Colo.;

S. 2806. An act to revise the boundaries of the Coronado National Memorial and to authorize the repair and maintenance of an access road thereto, in the State of Arizona, and for other purposes;

S. 2932. An act to amend section 3568 of title 18, United States Code, to provide for reducing sentences of imprisonment imposed upon persons held in custody for want of bail while awaiting trial by the time so spent in custody;

S. 3030. An act for the relief of Michiko (Hirai) Christopher;

S. 3053. An act for the relief of the State of Connecticut;

S. 3070. An act to provide for the removal of the restriction on use with respect to certain lands in Morton County, N. Dak., conveyed to the State of North Dakota on July 20, 1955;

S. 3160. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the State of Idaho as a Territory;

S. 3264. An act to abolish the Arlington Memorial Amphitheater Commission;

S. 3487. An act to amend the antikickback statute to extend it to all negotiated contracts;

S. 3532. An act to provide for the striking of medal in commemoration of Century 21 Exposition to be held in Seattle, Wash.;

S. J. Res. 68. Joint resolution providing for the establishment of the New Jersey Tercentenary Celebration Commission to formulate and implement plans to commemorate the 300th anniversary of the State of New Jersey, and for other purposes;

S. J. Res. 170. Joint resolution to authorize the participation in an international convention of representative citizens from the North Atlantic Treaty nations to examine how greater political and economic cooperation among their peoples may be promoted, to provide for the appointment of United States delegates to such convention, and for other purposes;

H.R. 5747. An act to amend section 152, title 18, United States Code, with respect to the concealment of assets in contemplation of bankruptcy;

H.R. 8289. An act to accelerate the commencing date of civil service retirement annuities, and for other purposes; and

H.R. 10455. An act to amend the Mineral Leasing Act of February 25, 1920.

PROJECT GRANTS FOR GRADUATE TRAINING IN PUBLIC HEALTH—CONFERENCE REPORT

Mr. HILL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6871) to amend title III of the Public Health Service Act, to authorize project grants for graduate training in public health, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of August 25, 1960, p. 17674, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

Mr. HILL. Mr. President, the conference report is signed by all the conferees on the part of the Senate: The senior Senator from Alabama [Mr. HILL]; the junior Senator from Texas [Mr. YARBOROUGH]; the junior Senator from New Jersey [Mr. WILLIAMS]; the senior Senator from New York [Mr. JAVITS]; and the senior Senator from New Jersey [Mr. CASE]. The bill has the support of the Department of Health, Education, and Welfare as well as the Bureau of the Budget. I ask the adoption of the conference report.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

Mr. JAVITS. Mr. President, reserving the right to object, though I shall not object, I should like to ask the committee chairman if he remembers that we discussed one of the elements in the House version of the bill which related to the fact that the Surgeon General should make grants under the legislation which we hope now will become law only if there was a recommendation by the advisory committee. The word "only" appears in the completed legislation as it is before us. I think the RECORD should show that we also discussed the fact that this does not deprive but, on the contrary, gives the Surgeon General the authority to turn down the recommendation of the Advisory Committee, and to make no grant or to reduce the grant or otherwise deal with it unless there is a recommendation.

In other words, it is not a mandatory operation on the part of the Surgeon General, but he cannot act in an affirmative way unless there is a recommendation by the Advisory Committee. I think the RECORD should show that.

Mr. HILL. The conferees agreed yesterday on the interpretation of the language as has been expressed by the Senator from New York.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

REVISION OF TITLE 18, CHAPTER 39, OF UNITED STATES CODE ENTITLED "EXPLOSIVES AND COMBUSTIBLES"

Mr. MAGNUSON. Mr. President, there is lying on the desk Senate bill 1806, which is a bill that has been passed by both the House and the Senate, with some minor House amendments. The bill involves jurisdiction of the ICC over the transportation of explosives in private carriers. The ICC presently has jurisdiction over common carriers.

There have been several serious accidents during the past year, the main one having occurred in Roseburg, Oreg., where a man left a large truckload of dynamite unattended. It blew up about half the town and killed approximately 57 people. Many hundreds were injured.

The ICC, in an attempt to establish some reasonable rules of safety for the interstate transportation of explosives, brought a case against the company for the purpose of establishing jurisdiction, if it had jurisdiction. Meanwhile we had pending S. 1806 to make certain that jurisdiction could be conferred on the ICC.

A Federal judge in Portland yesterday dismissed the case on behalf of the Government on the basis that no jurisdiction existed. Therefore it seems quite imperative as an emergency measure that the Senate accept the House amendments so that the bill may go to the White House. There was no opposition in the Interstate and Foreign Commerce Committee.

The Senator from Kansas [Mr. SCHOEPPEL] and I cosponsored the bill. I have discussed it with the minority leader, the Senator from Illinois [Mr. DIRKSEN], just prior to lunch, and so far as I know there is absolutely no objection to the bill. There is an emergency involved.

Mr. KEATING. Mr. President, am I to understand that all members of the committee favor the amendments?

Mr. MAGNUSON. I have not discussed the House amendments with the members of the Senate committee, because we have not had a meeting. But the House amendments are of a minor nature. Because of the emergency, we would like to accept the House amendments and pass the bill.

Mr. KEATING. Has the Senator from Washington discussed these amendments with the minority leader?

Mr. MAGNUSON. I have not discussed the amendments in detail, but I discussed the proposal in detail with him prior to lunch.

Mr. KEATING. I am informed that the Senator from Kansas [Mr. SCHOEPPEL], the ranking minority member of the committee, has agreed to the proposed amendments. With that understanding I am very happy to interpose no objection.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1806) to revise title 18, chapter 39, of the United States Code, entitled "Explosives and Combustibles", which were: On page 1, line 3, strike out "chapter 39,"; on page 9, line 6, after "associations" insert ", including the Bureau for the Safe Transportation of Explosives and other Dangerous Articles,"; on page 9, strike out lines 12 through 14, inclusive, and insert "(f) Whoever knowingly", and on page 10, line 16, after "privilege" insert ": *Provided, however,* That before any person may be required to appear and testify or produce documentary evidence, he shall be advised by the Commission that he must specifically claim such privilege".

Mr. MAGNUSON. Mr. President, I move that the amendments of the House be considered en bloc and concurred in.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. WILLIAMS of Delaware. Does the Senator from New York anticipate asking for a quorum call before he begins his remarks?

Mr. KEATING. I will not ask for a quorum call unless the Senator wishes one.

ISSUANCE OF PASSPORTS

Mr. KEATING. Mr. President, on August 17 of this year I directed a letter to the Secretary of State reading in part as follows:

> On July 7, 1958, President Eisenhower in a message to the Congress requested the enactment of legislation with regard to the issuance of passports. In his message the President stated, "I wish to emphasize the urgency of the legislation I have recommended. Each day and week that passes without it exposes us to great danger. I hope the Congress will move promptly toward its enactment."

On the same day the Secretary of State transmitted a draft of a bill to implement the suggestions made by the President. In my letter I referred to the various bills pending in the field of passport legislation, and asked the Secretary of State to review them and to advise me of his general impression. I also said:

> I am particularly anxious to have your views as to the importance of enacting passport control legislation prior to the adjournment of this Congress.

I am in receipt of a letter from Under Secretary of State Douglas Dillon, dated August 25. It is a rather long letter, and I shall not read all of it. He states:

> I have your letter to Secretary Herter of August 17, 1960, requesting his general impressions of the passport legislation which passed the House on September 8, 1959 (H.R. 9069) and the measure reported by the Senate Committee on the Judiciary on June 30, 1960 (S. 2652), together with his estimate of the importance of enacting passport control legislation prior to the adjournment of this Congress—

S. 2652 was sponsored by the distinguished Senator from Connecticut [Mr. DODD] and myself.

> At the outset, I want to emphasize that I attach the utmost importance to the enactment of adequate passport control legislation during the present Congress. I can assure you that Secretary Herter is in full accord with my position on this matter.
>
> It has never been the Department's view, however, that there is but one possible solution to the deficiency in our passport authority; or, for that matter, that all passport problems must be solved in one piece of legislation. As a result of the sentiment expressed by the Foreign Relations and Foreign Affairs Committees during hearings in the 85th Congress on this subject, the Department concluded that the Congress did not favor an urgent approach to full-scale revision and codification of all passport laws. Accordingly, in the 86th Congress the Department decided to support legislation limited to the most critical problem—authorizing the denial of passports to persons knowingly engaged in activities in furtherance of the international Communist movement.
>
> Simply stated, there is needed legislative authority which will permit the Secretary of State under appropriate safeguards to deny passports to citizens knowingly engaged in activities for the purpose of furthering the international Communist movement. Such authority represents, in my opinion, the minimum which is essential to counteract the danger to which we are exposed daily by the present state of the law. I am seriously concerned about the jeopardy to our national security and the prejudice to our foreign relations involved in the unrestricted travel abroad of active participants in the Communist conspiracy.
>
> The administration has consistently urged the Congress to take action to fill this statutory gap in our defenses.
>
> Departmental representatives have testified to this effect before at least five different committees of the Congress and on numerous occasions. In addition to the President's message to the Congress on July 7, 1958, and his 1960 budget message to the Congress on January 19, 1959, concerning the necessity for passport legislation, the President's view that legislation in the passport field is both essential and urgent was conveyed to the Senate Foreign Relations Committee on June 26, 1959. I still consider that the lack of legislative authority to deny passports to the really dangerous participants in the Communist conspiracy is a most critical problem and constitutes a clear and present danger to the United States.

The letter discusses H.R. 9069 which has passed the House of Representatives, and states that it is to some degree inadequate. Acting Secretary Dillon goes on to state:

> Of the bills presently pending before the Senate Foreign Relations Committee, including the House-passed bill, the Department has strongly endorsed S. 2315—the Wiley bill—and the Attorney General has joined in this endorsement of the bill to meet the Communist problem in the passport area. Incidentally, the American Bar Association has also endorsed S. 2315 as being the bill pending in Congress which most nearly conforms to its resolution on passport legislation.

That bill, as I understand, is now resting quietly in the Committee on Foreign Relations.

He then says:

You also asked the Secretary for his impression of S. 2652. The passport provisions of S. 2652 (Dodd-Keating bill) are in several respects preferable to the House-passed bill. The criteria for passport denial, as well as a number of other provisions, are essentially the same in both bills. However, S. 2652 provides specifically for the utilization of information the disclosure of which would prejudice the national security and public interest, or would compromise investigative sources and methods, together with the provision that such information shall not constitute a basis for passport denial unless the applicant is furnished a full summary thereof in as much detail as security considerations will permit. I believe such a provision recognizes the important interests of the U.S. Government without undue prejudice to the interests of the individual.

On the other hand, if the House-passed bill (H.R. 9069) should be amended to allow some reliance by the Secretary of State on confidential information under appropriate safeguards to protect the rights of the individual, it would, I believe, fully meet the needs of our national security for legislation authorizing the denial of U.S. passports to dangerous members of the Communist conspiracy.

Mr. President, I am convinced that we will be failing in our responsibilities to the American people, particularly in the light of this exchange of correspondence with the Secretary of State, if we do not at this session consider passport control legislation prior to adjournment. I hope that the full impact of the Department's letter will be felt by every Member of the Senate.

I ask unanimous consent that the letters may be printed in full at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DODD. Mr. President, will the Senator yield?

Mr. KEATING. I shall be glad to yield in a moment. I should like to complete my thought. Under Secretary *Dillon, the* writer of the letter, is not a man who lightly utters warnings like this. He has made a solemn evaluation of the present situation, which cannot be disregarded without risking serious injury to the national welfare. The House of Representatives twice has enacted passport legislation by overwhelming majorities, only to see its action either annuled or ignored by a refusal of the Senate to consider the subject.

It may very well be that the bill introduced by the Senator from Connecticut and myself should be amended. It has been unanimously reported by the Committee on the Judiciary. It is on the calendar, ready for action. Perhaps the language of the House bill or some other language is preferable, but the opposition of a few Members of the Senate to legislation in general in this field should not be allowed to stymie all Senate consideration of this grave problem. It has been more than 2 years since President Eisenhower, in his message to Congress, urgently pleaded for enactment of this necessary legislation, and the State Department's letter makes it evident that this need has in no way abated and that it is still a subject on which action by Congress is imperative.

I am happy to yield to the distinguished Senator from Connecticut.

Mr. DODD. I thank the distinguished Senator from New York. I am proud of the fact that I was privileged to work with the distinguished Senator from New York in the preparation of the bill, which we jointly introduced.

In my judgment this is one of the most important measures before the Senate, and we should act on it. I am certain the Senator from New York will agree with me that the bill not only is appropriate with respect to the passport situation, which I think is grave, but that the bill covers other important areas, as well. It provides for the handling of offenses under the Espionage Act which are committed outside the territorial jurisdiction of the United States. Much could be said about this problem, but I shall not take the time now to say anything about it.

It also covers a situation which cries to heaven for some relief under the Foreign Agents Registration Act.

This is an important bill. I hope some action can be taken on it. It represents, in my judgment, the very minimum of what we should do and what is essential if we are to protect ourselves intelligently from some facets of the menace of communism.

It was our purpose to present to the Senate the most noncontroversial and most urgently needed of the numerous suggestions which were made to us as members of the Committee on the Judiciary. We know there is a difference of opinion about this subject. We share many of the apprehensions of our colleagues. I am certain that suggestions will be made to make the bill a better piece of legislation, and I am confident that a bill can be passed. All I think needs to be done is to have the bill called up and brought before the Senate. I am certain that we can get a good bill through the Senate, and ultimately through Congress. But it has to be done promptly. There is not much time left.

I am very glad the able Senator from New York has brought up this subject today. In my judgment, he is a very great lawyer; a most experienced and scholarly one; and a man of fair disposition. He has rendered a distinct service in discussing this subject. I assure him that I shall do everything I can to make certain that this bill is brought before the Senate.

Mr. KEATING. Mr. President, I appreciate deeply the remarks of the distinguished Senator from Connecticut. We have worked together in conducting the hearings on this and related proposed legislation. Many witnesses appeared before us who felt that we could go much further than we have in the bill which we have introduced. In fact, it is probable that most of the pressure was in that direction. However, we tried to deal with the subject objectively and in a judicious manner, and not to suggest legislation which was not moderate.

As the Senator from Connecticut has pointed out, the bill deals not only with passports; it attempts also to clarify the law with regard to espionage committed in foreign lands. It redefines the "organize" provision in the Smith Act. It also expanded the scope of the Foreign Agents Registration Act.

The passport provision, as I say, should be open to debate. Very probably the wording of the bill can be improved.

Both the distinguished Senator from Connecticut and I, and, of course, every other member of the Committee on the Judiciary, felt that each individual should be properly, fully, and adequately protected in his own individual rights; however, to force the Secretary of State, as is the present situation, to issue passports to known enemies of our country, who may be known to be going abroad to get indoctrination in espionage and efforts to overthrow this country, is something which we should correct and correct forthrightly.

The letter of Under Secretary of State Dillon, as I have pointed out, expresses a preference for the provisions of S. 2315, introduced by the distinguished Senator from Wisconsin [Mr. WILEY]. All well and good. Let us get the bill before the Senate. Let the Senator from Wisconsin offer the provisions of his bill as a substitute.

Someone else may want to substitute the provisions of the House bill, which has already been passed. This would, of course, have the merit of expediting the legislation. It may well be that the House language is preferable; but it is important that we deal with S. 2652 as the proper vehicle. It is now on the calendar. It could be called up for action at any time. There is no doubt in my mind that it is of much greater importance to our national interest than, for instance, the pending sense-of-Congress resolution with regard to how the President should act in making recess appointments to the Supreme Court; or that it is of more importance, indeed, than many of the bills upon which we spent time yesterday.

In my judgment, there simply is no excuse for further inaction on this subject. If the Senate does not wish to enact any passport legislation, then certainly a majority should be given an opportunity to say that it does not wish to do so. However, I am perfectly confident that the Senate feels that this is an area, as does the Secretary of State, where we should act.

I believe all the sections of the bill which has been reported are important. I have no doubt that they would be overwhelmingly approved if we had the opportunity to pass upon them.

In my opinion, the passport problem is so important that if it is felt that the other provisions would further complicate matters—although I do not believe there would be any objection to the other provisions of the bill—then perhaps we ought to consider the passport problem alone.

Many reports have been circulated concerning a premature adjournment of this session of Congress, perhaps tomorrow or in the next few days, or at some early time. The letter of the Acting Secretary of State, Douglas Dillon, reveals the folly of any such precipitate exodus from Washington. This is a problem

which simply cannot be swept under the rug until another day, if we are to put the interests of the Nation, as outlined in this letter, before our own convenience.

I read in the RECORD this morning that the Committee on Foreign Relations yesterday passed over until next year any pending passport legislation, and announced that such legislation would be its first order of business in the 87th Congress. This is disheartening news. It shows the folly of waiting upon the action of that committee before the Senate comes to grips with the problem. There is no excuse for not taking this up now; and the bill on the calendar, reported by the Judiciary Committee, is eminently appropriate for that purpose.

Mr. WILEY. Mr. President, will the Senator from New York yield?

The PRESIDING OFFICER (Mr. JORDAN in the chair). Does the Senator from New York yield to the Senator from Wisconsin?

Mr. KEATING. I am happy to yield.

Mr. WILEY. I am very glad to join in the very astute words of the Senator from New York. He is always worth listening to.

This afternoon much has been said in stressing the thought that we are not sufficiently prepared militarily. I believe that in relation to this particular phase of our national life we must consider whether we are doing sufficient on the home front, as regards protecting our interests.

Russia made the U–2 plane flights necessary. Congress appropriated the money for the U–2; and for 4 years the U–2 made a large number of flights over Russia, and gave us important information in regard to the Russian military establishments and military developments.

On the other hand, in this country many spies and agents of the Kremlin are allowed to go almost everywhere. But in Russia our representatives are treated far differently.

Consequently, we had to make the U–2 observations from 70,000 feet in the air. For 4 years those operations were conducted; and the information obtained—and I have seen the pictures—clearly shows that those flights were necessary.

Today, there are those who say we should continue to make observations by means of the U–2 flights. That is a military problem, and I shall not try to settle it.

However, I believe it all important that the American people recognize—and the facts should be made known—how serious the spying activities of the Kremlin really are.

We find their spies everywhere, and of course we let them come into our country.

The bill being discussed should certainly be taken up and passed at this session. In fact, in my opinion my bill should have been reported by the Foreign Relations Committee.

Mr. KEATING. I thank the Senator from Wisconsin.

Mr. HRUSKA. Mr. President——

Mr. KEATING. I yield to the Senator from Nebraska.

Mr. HRUSKA. I thank the Senator from New York for yielding to me. I wish to commend him for the interest he has demonstrated in the problem of making proper regulations in regard to the issuance of passports.

Mr. President, similar statements have been made and similar interest has been expressed by Senators on both sides of the aisle, in recent weeks, since the Senate reconvened. Certainly the urgency of the situation is quite clear to anyone who gives the matter more than cursory consideration.

We are concerned, of course, with many matters pertaining to the budget, armaments, our position in the cold war, Cuba, the Congo, and many other situations. Yet, despite the fact that what we do in this passport area bears so closely and vitally on all those problems, action on it has been refused, and for 2 years no action whatever was taken, following the action by the Supreme Court. Not until June 30 did any bill on the subject find its way to the floor of the Senate.

The bill now on the calendar is not a new proposal. It has been before the House and the Senate for the greater part of 2 years. As a matter of fact, a Presidential message on the subject was sent to Congress. The proposed legislation on the subject has been here since June 30. Certain technical amendments on the subject have been carefully considered; and certainly it is time that a legislative position on this matter was taken, and that it matured into the form of final legislation.

It is most regrettable that the bill has not already been acted on by the Congress; and I am grateful to the Senator from New York for again calling attention to the situation.

Mr. KEATING. I am very grateful to the Senator for his remarks. He has been a leader in the efforts to see to it that action on this matter was taken. He has spoken on the importance of having such action taken at this session; and I am very grateful to him for the statement he has made about the matter today.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from New York yield to me?

Mr. KEATING. I yield.

Mr. WILLIAMS of Delaware. I wish to join the Senator from New York, the Senator from Nebraska, and other Senators in urging the Senate leadership to schedule the bill on this subject for action before we adjourn. I think there is no measure more important than the one the Senator from New York has been discussing; and certainly no measure which involves the security of the country should be overlooked, even though we are in a hurry to return home in this campaign year. So I certainly hope the leadership will take heed and will schedule the bill for action.

Mr. KEATING. I am very grateful to the Senator from Delaware for his remarks, and I share his view that this bill is as urgent as any bill which could possibly be on the calendar.

Mr. President, before yielding the floor, I want to point out that the security problem which arises out of the present situation with regard to passports is not speculative; it is real and it is documented. Of course, much of this documentation cannot be revealed without jeopardizing our intelligence sources, methods, and information. The facts concerning some of the specific cases, however, where passports have had to be issued and which can be revealed are enough to demonstrate the seriousness of this problem.

I have been furnished by the Department of State a full report—and I might say to my distinguished friend from Montana this is public property; this is not confidential information; and it is open to him and to anybody else who wants to ask the Department of State about it—on several of these specific cases where passports have had to be issued to known Communists.

I shall not go into them in detail, but one of these involves Morris H. Halperin. Mr. Halperin was implicated in the escape of the Sterns behind the Iron Curtain. After this incident he was still able to obtain a passport, which he used in 1958 to go to Moscow, when his deportation from Mexico as an American Communist was imminent. He is now reported to be working for the Soviet Government.

Other cases involved Paul Novik, David Matis, and Abraham Bick, reporters for Communist newspapers in New York City.

All three of these men are reported to be members of the Communist Party.

Everyone knows of the horrible outrages against Russians of Jewish origin in which the Soviet Government has been engaged. The mission of these three men was to make an on-the-spot investigation for their Communist paper to prove that Russia was in no way anti-Semitic and to disprove the allegations of the way the Soviet had been treating their Jewish citizens.

All of this they were able to do while traveling through Europe with American passports. We were cloaking them with the protection and status which goes with an American passport, while they were gathering and disseminating propaganda information for the Soviet Union.

Another case involves James E. Jackson, Jr., a leading official of the Communist Party. Jackson obtained a passport and, with other leading Communists, he attended a meeting with the Communist Party in Moscow in 1959.

I can think of nothing which more greatly facilitates the work of international communism than this ability to maintain contact, to communicate, and to exchange information with those who, we know, and they have told us, are out to bring about our destruction and to bury us.

I believe it is important that the information which has been furnished to me by the Department of State should be available for all Members of the Senate, and I ask unanimous consent that there be included at this point in the RECORD the detailed information on the cases to which I have referred.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE DEPARTMENT OF STATE CONCERNING CASES WHERE PASSPORTS HAVE HAD TO BE ISSUED TO KNOWN COMMUNISTS

Subject: Maurice Hyman Halperin.

1. Maurice Hyman Halperin, a summary of whose background and activities appears as attachment A, on July 15, 1957, made reservations through the Mundus Tours, in Mexico, for "four engineers" on KLM flight No. 652, leaving Mexico for Amsterdam at midnight on July 20, 1957. On the afternoon of July 19, 1957, the individual in the tourist agency with whom Halperin had made the original reservations, advised KLM that three of the persons who would travel on the above reservations were Alfred K. Stern, Martha Stern, and Robert Stern. The fourth reservation was canceled. The Sterns had previously obtained fraudulent Paraguayan passports, alleging that they were citizens of that country. These passports have been declared void by the Government of Paraguay. We do not know what part, if any, Halperin played in obtaining the passports, but we do know that he was so intimately associated with the Sterns and their affairs that it would be surprising if he were not involved in the passport deal. Martha Dodd Stern and Alfred K. Stern were indicted by a Federal grand jury in the Southern District of New York on September 9, 1957, on a charge of conspiring to obtain and transmit to the U.S.S.R. information relating to the national defense of the United States. The Sterns continued directly behind the Iron Curtain, where they have remained.

2. Considerable publicity resulted from this escape of the Sterns. This publicity also involved a number of American Communists then residing in Mexico. Maurice Halperin is in this group.

3. In September 1958 the Mexican Government started deporting American Communists. According to the press, among those listed for deportation was Maurice Halperin. Halperin applied for a U.S. passport on July 26, 1958. He and his wife obtained their passports at the American Embassy on August 26, 1958, and departed Mexico on October 13, 1958. They went behind the Iron Curtain and are residing in Moscow. Our latest information indicates that Halperin is working for the Soviet Government and is also in the process of writing a book.

Attachment A: Summary of Halperin's background and activities.

ATTACHMENT A

Subject: Maurice Hyman Halperin.

1. Maurice Halperin received a bachelor of arts degree from Harvard University, Cambridge, Mass., in 1926, in the field of romance languages, and a master of arts degree from the University of Oklahoma, Norman, Okla., in 1929, also in the field of romance languages. In 1931 he received a doctor of philosophy degree in the field of comparative literature from the University of Paris, Paris, France. Early in his career Halperin developed an intensive interest in the civilization of Mexico. Prior to 1941 he made 10 trips to Mexico and spent the equivalent of 2 years in that country.

2. Halperin was a professsor at the University of Oklahoma from 1931 to 1941. From 1941 to 1945 he was employed with the Coordinator of Information (COI) and the Office of Strategic Services (OSS) where he was assigned to the Latin American Division, becoming ultimately the head of that Division. The Latin American section of the Research and Analysis Unit of OSS was transferred to the Department of State under Executive Order No. 9,621, dated September 20, 1945. Halperin, as chief of this unit, was also transferred to the Department of State. On May 31, 1946, he resigned from the Department of State due to ill health. In June 1946 he obtained employment in New York City with the American-Jewish Conference, handling minority groups and acting as a liaison official between that organization and the United Nations at Lake Success, N.Y. In the summer of 1949, Halperin made a trip to South America and in the fall of 1949 he became head of the Latin American regional students section at Boston University, College of Liberal Arts, Boston, Mass. He was not officially dismissed from this position until January 6, 1954; however, he went to Mexico on November 28, 1953, where he remained until October 1958.

3. In 1941 the Oklahoma State legislative committee investigating subversive activities in the State of Oklahoma learned that Halperin had been a member of a group of individuals who traveled to Cuba in 1935 in what was described as a Communist-inspired "commission of investigation of conditions in Cuba" arranged by Communist leaders and sponsored by front organizations. Upon landing in Cuba, the delegation was arrested by the Cuban authorities and expelled after 1 day of confinement on the ground that it was a subversive group and may have planned an uprising of some nature. The State legislative committee also learned that in 1940 Halperin had cashed a check for $436.01 drawn on the Bank of Foreign Trade, Moscow, U.S.S.R.; that he associated with individuals of known leftist tendencies; that he had submitted articles to the New Masses and the New Republic; and that he had been a member of the following organizations regarded by the committee as leftist: Civil Liberties Committee, American Federation of Teachers, and Oklahoma Federation of Constitutional Rights.

4. On the basis of its findings, the Oklahoma State Legislative Committee recommended that Halperin be dismissed from his position at the University of Oklahoma. Halperin was subsequently discharged from the university on September 8, 1941, at which time he was on sabbatical leave. However, he was reinstated on February 11, 1942, and his sabbatical leave continued for the fiscal year ending July 1, 1942. It has been reported that this reinstatement was brought about by protests made by the Association of University Professors and that Halperin was reinstated without prejudice with the understanding that he would resign at the termination of his sabbatical leave in order that no undue hardship would be sustained in his efforts to find other employment.

5. Although the above information was known to appropriate officials of COI/OSS, it was felt at the time that the explanations given by him in regard to his trip to Cuba and the check drawn on the Moscow Bank of Foreign Trade "exonerated" him.

6. In November 1945 Elizabeth Terril Bentley, an admitted former espionage courier, stated that she had become acquainted with Halperin in the latter part of 1942 through arrangements made by Jacob Golos, a known Soviet espionage agent who died on November 27, 1943. She further stated that Halperin supplied Golos with information to which he had access in his office, including mimeographed bulletins and reports prepared by OSS on a variety of topics and excerpts from State Department cables to which he had access. References to Bentley's contact with Halperin while he was employed by OSS are contained in Bentley's book "Out of Bondage" on pages 200, 210, 261, 263–266.

7. On November 20, 1953, Halperin was suspended without pay from his position of associate professor of the Latin American regional students section at Boston University, College of Liberal Arts, after he refused on constitutional grounds to tell the U.S. Senate Internal Security Subcommittee whether he was ever a member of the Communist Party. This action was taken as a result of public disclosures on television of a letter from Mr. J. Edgar Hoover to Mr. Harry H. Vaughn dated November 8, 1945, and declassified on November 16, 1953, in which Mr. Hoover stated that as a result of investigative operations, information had recently been developed from a highly confidential source indicating that a number of persons employed by the Government of the United States had been furnishing data and information to persons outside the Federal Government who in turn were furnishing the information to espionage agents of the Soviet Government. The letter linked Halperin with Harry Dexter White, Dr. Gregory Silvermaster, and other Government officials then suspected of espionage. Halperin had been suspended previously by Boston University in March 1953 for refusing to answer questions of a Senate Internal Security Subcommittee hearing in Boston but was reinstated after being reprimanded and severely censured. Copies of newspaper articles relating to Halperin's dismissal from Boston University are attached, as attachment B. It will be noted that according to these articles Halperin and his family left their home in Massachusetts in the middle of the night without informing officials of Boston University of his departure. He was officially dismissed from the university on January 6, 1954.

8. After his arrival in Mexico, Halperin became a member of the American Communist Group in Mexico (ACGM) and was associated closely with Alfred K. Stern and his wife, Martha Dodd Stern, who had arrived in Mexico on July 5, 1953. Following the arrest of the Soviet agents, Jack Soble and his wife, Myra Soble, and Jacob Albam on January 25, 1957, it was disclosed that the Sterns had been implicated in Soviet espionage activity with Jack Soble. On July 20, 1957, the Sterns fled from Mexico to Czechoslovakia ostensibly to avoid being extradited to the United States to testify before a special grand jury in regard to their association with Jack Soble and the double agent Boris Morros utilized by the FBI in the Jack Soble case. An investigation of the way in which the Sterns had been able to leave Mexico clandestinely disclosed that their airplane reservations had been obtained for them by Halperin without disclosing to the airlines that they were to be used by the Sterns until the day before their departure. Halperin was very closely associated with the Sterns throughout this period and was intimately involved in their plans for escape.

9. The public disclosure of the assistance Halperin rendered the Sterns at the time of their flight from Mexico resulted in the dismissal of Halperin and his wife, Edith Halperin, from positions in Mexico City in which they were employed. Up to that time, Edith Halperin had been employed as a teacher by the American School Foundation, and Halperin had been employed by the Mexican Government in La Financiera Nacional, South America, and at the National School of Political and Social Sciences of the University of Mexico. In addition, an ice cream company by the name of Cia Mistram, South America, in which Halperin and Noah Seborer had held stock was liquidated by them in the summer of 1957. Noah Seborer was a member of the ACGM with Halperin.

10. After the decision of the Supreme Court in the Kent and Dayton cases, Halperin filed an application for a passport with the American Embassy in Mexico on July 26, 1958 (presumably his wife did also), and he and his wife were issued passports on August 26, 1958.

11. In August and September 1958, newspapers in the United States carried several articles about the American Communists in

Mexico and the efforts being made by the Mexican Government to have them deported. (Copies of some of these articles are attached as attachment C.) Halperin's name was among those mentioned by the press. When Halperin commenced making plans to leave Mexico he obtained airplane reservations in the name of another person in the same manner he had used when obtaining airplane reservations for the Sterns. The Halperins finally departed from Mexico on October 13, 1958. At the time of his departure, the Government of Mexico had his case for deportation under consideration.

12. We received information shortly after Halperin's departure from Mexico that he was employed in Moscow by the U.S.S.R. This was confirmed on July 15, 1960, when the Halperins appeared at the American Embassy in Moscow and presented their U.S. passports for renewal. Halperin stated that he had been in the U.S.S.R. since December 1958 and that he is employed by the U.S.S.R. Academy of Sciences where he is doing research in the foreign field, specifically, relating to undeveloped countries. It will be recalled that Halperin is something of an authority on Latin American affairs. Our information indicates that this probably is the field in which he is working at the present time. The Soviet Academy of Sciences is directly subordinate to the Council of Ministers.

Subject: Paul Novik, David Matis, and Abraham Bick.

1. Anti-Semitism is a widespread attitude in the Soviet Union. It has been estimated that about 90 percent of the non-Semitic Soviet population are anti-Semitic. The Soviet regime manipulates existing anti-Semitic attitudes for its own purposes, as is evidenced in attachment A. This is an internal U.S.S.R. broadcast made on December 9, 1959, and directed only to Soviet audiences.

2. Externally, the Soviet Union and the international Communist movement pursue a program of concealing and denying the existence and the extent of anti-Semitism in the Soviet Union. The anti-Semitic attitude of the Soviet Union is becoming known in the Western World. The Morning Freiheit, a pro-Communist Yiddish daily published in New York City, is the leading apologist for the Soviet Union and attempts to show not only that the Soviet Union is not anti-Semitic but that the Jewish people, both individually and collectively, are prospering, happy, and free under Communist rule. To lend credence to this theme, its chief editor, Paul Novik, its foreign news editor, David Matis, and Abraham Bick, referred to in the Morning Freiheit as a "speaker, lecturer, and writer," made trips to the Soviet Union in 1958 and 1959.

3. In order to attract attention to his articles from the Soviet Union, the Morning Freiheit carried an announcement on January 9, 1959, as follows: "Read Paul Novik's letters from Warsaw; do not fail to read Paul Novik's letters from abroad, tell everybody." The Morning Freiheit published a series of 57 articles or letters from or about Novik's travels, all designed to prove that the Soviet and satellite nations are not anti-Semitic. The letters are very favorable to the Soviets and satellites in other respects and on every occasion compare the United States unfavorably to the Communist nations. Novik also, in one article, covers the 21st Communist Party Congress. Novik visited Israel prior to returning to the United States and while in Israel wrote articles highly critical of the Israeli Government, deploring clericalism in Israel and attacking the Israeli Reparation Agreement with West Germany. After returning to the United States, the subject wrote additional articles along the same line and gave several lectures which were announced in the Morning Freiheit.

4. The Morning Freiheit announced David Matis' trip to the Soviet Union and the satellites and then carried a series of eight articles along the same line as those of Novik. The Morning Freiheit announced Abraham Bick's trip to the Soviet Union and satellite countries. There followed a series of 37 articles either written by him from the bloc area or covering his lectures and writings after returning to the United States. His articles are similar to those of Novik and Matis. While in East Germany, he visited Gerhard Eisler which is mentioned in his article entitled "Jews in East Germany." While in Hamburg, he submitted an article that stated that anti-Semitism is now prevalent in West Germany and criticized Ben-Gurion for dealing with the Bonn Government. He submitted an article from Italy en route to Israel in which he discussed the precarious political situation in Italy and criticized the present government. In Israel, he criticized the Israeli Government for being pro-Western and during a 1-day stopover in Belgrade en route to Rumania, he criticized an Israeli diplomat whom he met in Belgrade for spreading false rumors "about anti-Semitism in Rumania."

5. The significance of the travel and writings of these three men is that their "on-the-spot" stories lend credence to the Communist line fraud by playing up the extremely small number of cases in which Jewish artists, scientists, and other members of the intelligentsia were able to make some sort of a career in the Soviet Union, in order to create the—false—impression that there is unlimited freedom of religious and cultural expression for Soviet Jews.

6. Solomon Rabinovich is a correspondent for the Morning Freiheit in Moscow. Novik, according to one of his articles, met with Rabinovich in Russia. We do not know what arrangement was made between Novik and Rabinovich; however, from February 17, 1959, to January 6, 1960, Rabinovich submitted 18 articles to the Morning Freiheit. In the July 29, 1959, issue of Forward (Yiddish anti-Communist daily published in New York) there appeared a lengthy article about a broadcast by Radio Moscow in which a "journalist of Jewish origin" severely attacked the Forward and the New York Times for spreading news about alleged Soviet anti-Semitism. The originator of this broadcast was Solomon Rabinovich. In the broadcast Rabinovich refuted vehemently the Western allegations and stated that assertions of anti-Semitism in the U.S.S.R. are made by the "enemies of the Soviet Union," are pure fabrication and "do not contain even a grain of truth." He further described freedom of worship and indicated that only those localities lack synagogues where the Jews themselves are not interested in having them.

7. More details about the past of Solomon Rabinovich are set out in a letter to the editor of the New York Times, dated September 2, 1959, written by a Mordecai Gutman who is now residing in Israel. According to this letter, Solomon Rabinovich is writing his articles "under government restraint and expresses views that contradict his knowledge of the facts." The writer of the letter states that he has known Solomon Rabinovich since 1951 when they were both incarcerated in the same Soviet labor camp in Vorkuta. The writer further asserts that Rabinovich was sentenced to 15 years imprisonment for alleged espionage on behalf of the State of Israel. According to this letter, S. Rabinovich remained in the labor camp until 1954 and was released along with many other survivors of the slave labor camps after the death of Stalin; he then returned to his family in Moscow. In 1957 Rabinovich began publishing articles in the Communist press abroad "which tried to convey the impression that everything is fine with Soviet Jews and that they not only enjoy equal rights but are also given full opportunity for an independent Jewish cultural life." The writer asserts that "on the basis of my personal knowledge I know that Solomon Rabinovich writes under government restraint. The reluctant testimony of a man shattered by the Soviet secret police, tortured in its slave labor camps and fearful of persecution is hardly admissible testimony."

Attachments:

A. An internal U.S.S.R. broadcast made on December 9, 1959.

B. A brief background of Paul Novik, David Matis, and Abraham Bick.

ATTACHMENT A

U.S.S.R. REGIONAL AFFAIRS

(Dec. 10, 1959)

KIROVOGRAD JEWS SERVE UNITED STATES, ZIONISTS

Kirovograd, Oblast Regional Service (Via Odessa) in Ukrainian, December 9, 1959, 0520 GMT—M.

(Anonymous correspondence: "Swindlers Under the Mask of God's Servants.")

There are unusual goings-on at No. 56 Kirov Street in Kirovograd, where the synagogue of the Jewish community is located, and where the Orthodox Jews are drugged with moonshine (sivukha) and the Jewish religion. Of course, in our Soviet country a great majority of citizens of Jewish nationality broke with religion a long time ago. But an inconsiderable portion have not yet freed themselves from its shackles.

A small part of the Jewish population belongs to Kirovograd's Jewish community. These are mostly elderly people who are still under the harmful influence of Judaic preachers. And so, on a Saturday or some Jewish feast day here, the believers go to the synagogue. On such days preachers make special efforts to implant in the believers the idea that real happiness for man is not on this earth but in another world beyond the grave. On the feast of Paskha, "Ravene"[?], they preach that this is the day of uniting the Orthodox Jews with God Yahve, and that this God will lead the Jews into the land of Israel, which today is a tool in the hands of the American and Anglo-French imperialists.

Sermons and prayers proclaim the uniqueness of the Jewish people, who are said to be chosen by God to rule the entire world. Here are, for instance, the words of the Torah—the Bible or prayerbook—read by Rabbi Ayzyk Spektor from the pulpit of Kirovograd Synagogue: "Know ye that the Lord God goeth in front of you like a consuming fire. He will destroy other peoples in front of you, and He will destroy them soon." And here is the prayer "Ayle Noleshe Blakh" with which every service in the synagogue ends: "We must glorify the Lord of the universe and laud the Creator of the universe for He created us in the likeness of earth peoples. He did not put us on the level of tribes, did not give us their fate."

Such a reactionary sermon shows that the Jewish faith has been strongly intermixed with the Jewish bourgeois nationalism and Zionism, already possessing a strong reactionary essence. This also shows that such sermons by Rabbi Ayzyk Pektor hardly differ from the woeful theory of the uniqueness of the Aryan race and its destiny to rule over the peoples of the entire world. In his address to the Kirovograd Jewish community, on the (Raen?) (Ben Aviv Yakhiy Iser Iuda) Unkerman, one of the Zionist leaders, significantly promised: "The message of liberation will soon come to you."

And, reading this address, and also stuffing themselves with matzoth and (estryky?)—special fruit—received from Israel, the

preachers of Judaism—Spektor, Kotlyarevskiy, (Ipiyevskiy?), Shukhat, and Monastyrskiy—begin to pray only to the Golden Calf: How to collect more money from believers for their own needs and to pray for the militant spirit of the Israeli militarists. Thus praying, they call for the killing of all those who deny the Pentateuch—the Jewish prayerbook. As we know, during the Soviet rule many of the rabbis, ministers of the Jewish faith, had an inimical attitude toward the socialist system and opposed the interests of the Soviet people for the benefit of internal counter-revolutions and international imperialism.

But let us return to No. 56 Kirov Street in Kirovograd and take a look at those who lead the Jewish community and preach God's word. The leaders of the community—Shukhat, Kotlyarevskiy, (Tityuevskiy?), Freyter and Monastyrskiy—hiding under the cloak of believers busy themselves with swindles; they appropriate the money given by believers for the needs of the synagogue.

And when this is not enough, they go to the people to collect donations, which then go into the bottomless pockets of the aktiv, "the twenties" (dvadtsyatky).

Among the numerous Jewish feasts, a special place belongs to Saturday, which should be inspiringly observed by every Orthodox Jew, for according to the teaching of the Talmud this is the day of absolute inactivity (nerobstva). And so, on a Saturday, when the divine service ends and the faithful disperse, there remain in the synagogue "God's servants"—preachers and leaders of "the twenties." Then the table is laid, vodka, wine, and snacks appear, and toasts to the health of "God's servants" are raised. The drinking feast is led by the rabbi's wife, Roza Spektor.

Such a treat is very expensive for the believers; it is from their contributions that the leaders of the Kirovograd Jewish community organize their drinking bouts. And after drunkenness come quarrels about who is to snatch the largest sum, the greatest reward. At times, the leaders even come to blows, claiming their right to larger portions of the income with clenched fists. Rude words and rowdiness can even be heard by passers-by in the street: Neyman cries: "You are bandits, and hooligans. You have robbed our cashbox." It is impossible to count all such scandals which occur in the synagogue.

The leadership of the city's Jewish community—Kotlyarevsky, (Tityuyevskiy?), Freyter, Shukhat, and others—spare no effort to enlist more believers and collect the most money for the synagogue. But if those who frequent the synagogue, and those who do not frequent it but occasionally pay some contribution, knew what goes on behind its doors, how well the traders in religion live on their account, it would indeed give them all some food for thought.

The city synagogue has become a shelter for all sorts of hoboes (brodyah)—preachers, "prophets" (two words indistinct) who come here from Odessa, Siberia, Nikolayev, Orenburg, and other places. They beg money from the till of the Jewish community, spread various (superstitions?), and carry out the rites of circumcision. The belief in the uniqueness of the Jewish people radically contradicts the ideology of friendship and equality of all peoples of our country, united by fraternal friendship. It harms the education of working people in a spirit of unity and solidarity, in a spirit of the proletarian internationalism.

Jewish ministers and circumcisers execute the rite of circumcision, which has a strikingly nationalistic character. Its specific significance lies in the fact that it gives proof of belonging to the "chosen" people—the Jews. At the same time it imbues Jews with repugnance and hatred of those who do not possess this special sign. Besides the rite of circumcision is a cruel rite and not always harmless, because it is carried out in a crude manner by circumcisers and (mullahs?), people who have no inkling of medicine.

Judaic sermons are sermons of bourgeois Zionists. Such sermons are tools of the nationalistic, Israeli, cosmopolitan, American burgeoisie. With their tentacles, the Jewish bourgeois nationalists, with the help of Judaism, try to reach into our Soviet garden. But they will never succeed. At present the working people of Jewish nationality, together with all peoples of the Soviet motherland, are actively building the Communist society. They can truly be proud of the fact that there is a portion of their report in the grandiose successes of the Soviet people in developing our economy, science, and culture, including the creation of our own Soviet sputniks.

ATTACHMENT B

Subject: Paul Novik, David Matis, and Abraham Bick.

1. Paul Novik was born September 7, 1891 in Brest, Russia. He immigrated to the United States in November 1920 and became a naturalized citizen on January 6, 1927. He was one of the founders of the Morning Freiheit and has been its editor since 1939. He is reliably reported to have joined the Communist Party of the United States in 1923. The Daily Worker on August 1, 1938 carried subject's name as the Communist Party's nominee for the U.S. Congress from the 12th Congressional District. He has been active in a number of front organizations of the Communist Party, U.S.A., held in New York City, December 10, 1959.

2. David Matis, also known as Chaimas Davidas Matisovicius, was born June 17, 1906 in Kaunas, Lithuania. He became a U.S. citizen in 1942 and is reported to have joined the Communist Party in 1937. He has been a reporter and city editor for the Morning Freiheit since about 1936. The Morning Freiheit was described by the House Committee on Un-American Activities as one of the rankest organs of Communist propaganda in this country for a quarter of a century.

3. Abraham Bick was born April 29, 1914 in Kiev, Russia. He immigrated to the United States in 1927 and derived citizenship from his father who was naturalized August 22, 1933. He is reliably reported to be a member of the Communist Party in New York City and has been active in a number of front organizations. He attended a World Peace Conference in Warsaw in 1950 and in Vienna in 1952. The record of the House Un-American Activities Committee reflects that he is a registered member of the Yorkville section of the Communist Party in New York as of 1947 and that his Communist Party alias is Allen McGill.

Subject: James E. Jackson, Jr.

1. A number of Americans who are reliably reported to be members of the Communist Party have obtained passports to attend or participate in international meetings of the Communist Party or Communist front organizations. For example, CPUSA selected three persons to go to the XX CPSU Congress. They were: John Williamson, Irving Potash, and Alan Max. Potash had been deported from the United States and was then already in Russia and Williamson had been deported with his consent to England. These were the only two representatives that attended the XX Communist Party Congress, since Allen Max's request for a passport was denied. The Soviet Union officially announced that James Jackson, Jr., and Moses Shield (Morris Childs) attend the XXI Congress. We have reliable information that George Morris also attended the Congress as a correspondent for "The Worker" and that Charles Loman, Alexander Trachtenberg, Paul Robeson, and Dr. W. E. B. DuBois and Mrs. DuBois (Shirley Graham) were in Moscow at the time and may have attended.

2. Jackson was born 29 November 1914 at Richmond, Va., and was graduated from both Virginia Union and Howard Universities. He has been active among longshoremen in Louisiana and Texas, textile workers in the Carolinas, shipbuilders of Mobile, steelworkers and miners of Birmingham and Bessemer and the auto workers of Detroit. The Daily Worker of 2 December 1954 refers to Jackson as a leader of the Communist workers at auto plants.

3. Jackson has served as Chairman of the Communist Party of Louisiana in 1946 and as Educational Director of the Communist Party in Detroit. He has been a member of the National Committee of the CPUSA since 1951.

4. In February 1959 Jackson addressed the 21st Congress of the Communist Party of the U.S.S.R. After the Polish Party Congress in Moscow, Jackson attended the Polish Party Congress in Warsaw which was held in late March 1959.

Mr. KEATING. Mr. President, I yield the floor.

EXHIBIT 1

AUGUST 17, 1960.

The Honorable CHRISTIAN A. HERTER,
Secretary of State,
Washington, D.C.

MY DEAR MR. SECRETARY: On July 7, 1958, President Eisenhower, in a message to the Congress, requested the enactment of legislation with regard to the issuance of passports. In his message the President stated: "I wish to emphasize the urgency of the legislation I have recommended. Each day and week that passes without it exposes us to great danger. I hope the Congress will move promptly toward its enactment." On the same day the Secretary of State transmitted a draft bill to implement the suggestions made by the President.

Despite the urgency of the appeals of the President and the Secretary of State, the Congress has not yet enacted any passport legislation. However, the House of Representatives has passed a bill, H.R. 9069, to provide standards for the issuance of passports, and the Senate Committee on the Judiciary has favorably reported a bill, S. 2652, which contains passport provisions.

I would greatly appreciate your reviewing these measures and advising me of your general impression of them. I am particularly anxious to have your views as to the importance of enacting passport control legislation prior to the adjournment of this Congress.

With kind personal regards,

Very sincerely yours,

KENNETH B. KEATING.

AUGUST 25, 1960.

The Honorable KENNETH B. KEATING,
U.S. Senate.

DEAR KEN: I have your letter to Secretary Herter of August 17, 1960, requesting his general impressions of the passport legislation which passed the House on September 8, 1959 (H.R. 9069) and the measure reported by the Senate Committee on the Judiciary on June 30, 1960 (S. 2652) together with his estimate of the importance of enacting passport control legislation prior to the adjournment of this Congress.

At the outset, I want to emphasize that I attach the utmost importance to the enactment of adequate passport control legislation during the present Congress. I can assure you that Secretary Herter is in full accord with my position on this matter.

It has never been the Department's view, however, that there is but one possible solution to the deficiency in our passport au-

thority; or, for that matter, that all passport problems must be solved in one piece of legislation. As a result of the sentiment expressed by the Foreign Relations and Foreign Affairs Committees during hearings in the 85th Congress on this subject, the Department concluded that the Congress did not favor an urgent approach to full-scale revision and codification of all passport laws. Accordingly, in the 86th Congress the Department decided to support legislation limited to the most critical problem—authorizing the denial of passports to persons knowingly engaged in activities in furtherance of the international Communist movement.

Simply stated, there is needed legislative authority which will permit the Secretary of State under appropriate safeguards to deny passports to citizens knowingly engaged in activities for the purpose of furthering the international Communist movement. Such authority represents, in my opinion, the minimum which is essential to counteract the danger to which we are exposed daily by the present state of the law. I am seriously concerned about the jeopardy to our national security and the prejudice to our foreign relations involved in the unrestricted travel abroad of active participants in the Communist conspiracy.

The administration has consistently urged the Congress to take action to fill this statutory gap in our defenses.

Departmental representatives have testified to this effect before at least five different committees of the Congress and on numerous occasions. In addition to the President's message to the Congress on July 7, 1958, and his 1960 budget message to the Congress on January 19, 1959, concerning the necessity for passport legislation, the President's view that legislation in the passport field is both essential and urgent was conveyed to the Senate Foreign Relations Committee on June 26, 1959. I still consider that the lack of legislative authority to deny passports to the really dangerous participants in the Communist conspiracy is a most critical problem and constitutes a clear and present danger to the United States.

You asked the Secretary for his impression of H.R. 9069. This bill was passed by the House as reported by the Foreign Affairs Committee, despite the fact that the Department unsuccessfully sought certain amendments to it. It is presently pending before the Senate Foreign Relations Committee.

The reason we sought amendments to it, and the only part of the bill about which we have serious reservations, are those provisions which we believe are likely to be interpreted as making impossible any effective reliance by the Secretary of State on confidential information in Communist passport cases. The simple fact is that in cases involving currently active and dangerous members of the Communist conspiracy in the United States much of the more important and reliable information which we have comes from confidential sources—usually our own agents who have infiltrated the Communist apparatus. It is my judgment, shared by the responsible officers in other agencies of Government who are concerned with this aspect of internal security and with protecting the United States against the Communist conspiracy, that any law purporting to restrict the passport eligibility of currently active American Communists, but which does not permit some utilization of confidential information, would not achieve its purpose with regard to many of the most dangerous cases. There is an added danger if such legislation were to create the illusion that effective measures were being taken when in fact they would not be because of our inability to use one of our principal weapons against the Communist conspiracy.

Of the bills presently pending before the Senate Foreign Relations Committee, including the House-passed bill, the Department has strongly endorsed S. 2315, the Wiley bill, and the Attorney General has joined in this endorsement of the bill to meet the Communist problem in the passport area. Incidentally, the American Bar Association has also endorsed S. 2315 as being the bill pending in Congress which most nearly conforms to its resolution on passport legislation.

You also asked the Secretary for his impression of S. 2652. The passport provisions of S. 2652, Dodd-Keating bill, are in several respects preferable to the House-passed bill. The criteria for passport denial, as well as a number of other provisions, are essentially the same in both bills. However, S. 2652 provides specifically for the utilization of information the disclosure of which would prejudice the national security and public interest, or would compromise investigative sources and methods, together with the provision that such information shall not constitute a basis for passport denial unless the applicant is furnished a full summary thereof in as much detail as security considerations will permit. I believe such a provision recognizes important interests of the U.S. Government without undue prejudice to the interests of the individual.

On the other hand, if the House-passed bill, H.R. 9069, should be amended to allow some reliance by the Secretary of State on confidential information under appropriate safeguards to protect the rights of the individual, it would, I believe, fully meet the needs of our national security for legislation authorizing the denial of U.S. passports to dangerous members of the Communist conspiracy.

If there is any further information I can provide you, I shall be glad to do so.

With best wishes,

Sincerely,

DOUGLAS DILLON,
Acting Secretary.

NOMINATIONS IN THE EXECUTIVE DEPARTMENT

Mr. WILEY. Mr. President, the Lawyers' Weekly Report, which I received at my desk today, calls attention to a matter which has been mentioned many times on the floor of the Senate. I read from that publication:

> Hanging fire for more than a year is the omnibus judgeship bill (H.R. 6159). It calls for 5 new Federal circuit judges and 40 Federal district judges. Even the President's pledge to divide appointments equally between Republicans and Democrats has failed to crack the wall of partisanship blocking the bill's enactment.
>
> Meanwhile, a frightening backlog of more than 67,000 untried Federal cases continues to pile up at great cost to litigants—individuals and companies alike. In the New York Metropolitan area, for example, it now takes almost 3 years to bring a case to trial in the Federal district courts. The cost of delays to the Government are heavy, too. It loses millions of dollars in interest at 6 percent because of the stagnation in tax-refund cases, land-condemnation cases, and other suits involving large sums of money.
>
> So great are these losses, according to Attorney General William P. Rogers, that they "now exceed what it would take to pay the total annual salaries of the 45 judges."

It seems to me this is something that we should have disposed of long ago.

In the same article, attention is called to the following:

> Similarly, the work of the Post Office Department has bogged down in many areas. The appointment of nearly 1,000 postmasters (nearly all are postal service careerists) has been stymied—in some cases as much as a year. "In many key areas," says Postmaster General Arthur Summerfield, "morale in the postal service has been driven to a new low by the failure to confirm these appointments. Users of the mails are also being penalized by inescapable and mounting inefficiency."

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION BILL, 1961—CONFERENCE REPORT

Mr. DODD obtained the floor.

Mr. HILL. Mr. President, will the Senator from Connecticut yield for the purpose of my calling up a conference report, with the understanding that he will not lose the floor?

Mr. DODD. Yes, I yield, with the understanding that I do not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HILL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11390) making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1961, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. JORDAN in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 25, 1960, pp. 17664–17666, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

Mr. JAVITS. Mr. President, reserving the right to object, and I shall not object to the consideration of the conference report, I hope the Senator will give us a little idea as to what happened to the medical research funds.

I withdraw my objection to the consideration of the report, but I hope we will not adopt those matters.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HILL. Mr. President, the conference agreement on the bill, H.R. 11390, making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1961, and for other purposes, provides total appropriations of $4,354,170,331.

The total allowance is $333,948,350 over the budget estimates, an increase of $288,887,850 over the 1960 appropriations; an increase of $170,147,600 over the House allowances; and a reduction of $131,618,600 under the Senate allowances.

The Senate amendments applicable to the Department of Labor have all been agreed to.

The largest difference between the House and Senate bills was in the appropriations for the National Institutes of

Health—the House allowed $455 million and the Senate $664 million. The conference agreement provides for $560 million, an increase of $160 million over the 1960 appropriations and over the 1961 budget estimates, an increase of $105 million over the House allowances, and a reduction of $104 million under the Senate allowances.

Is there any question the Senator from New York has about any phase of the report?

Mr. JAVITS. I should like to discuss it with the Senator for a minute. The argument was made on both sides. For those like the Senator from Alabama and myself, who favor an increase in research funds for health, it was said that the survey made by the Committee of Consultants indicated this was not "crowding money down the throats" of the National Institutes of Health, but that the money could be very usefully employed and, as a matter of fact, even what we in the Senate were doing was inadequate. The argument made on the other side, by the opponents, was that one does not get brilliant research by the "forced feeding" of dollars, that the number of people who can be hired and the projects in which one can engage are limited—one can hire so many people and spend so much money, and beyond that it becomes profitless.

I gather that a little bit of consideration—albeit not with our consent—has been given to that point of view, and that even less funds than the Senate was satisfied ought to be allowed have been allowed. Under those circumstances, is the Senator from Alabama nonetheless satisfied we will be making an appreciable step forward in respect to the resources available for medical research, so that in substance, if not in every detail as to amount, the views of the consultant team of doctors will have been more met than denied by the coming year's appropriation?

Mr. HILL. The Senator from Alabama is not satisfied. The Senator from Alabama wholeheartedly supported the full amount of funds recommended by the Committee of Consultants. The Senator from Alabama thinks the bill does carry sufficient funds for definite and promising steps forward in line with the recommendations of the Committee of Consultants, which committee was set up by the Senate Committee on Appropriations to make this study and to advise the Committee on Appropriations on the matter of medical research.

Mr. JAVITS. Does the Senator from Alabama also feel that we have developed, either in the Appropriations Committee or in our own committee, enough techniques for checking on results, though they are not necessarily tangible results? We hope and pray for a cancer cure, but we have no illusions as to whether or not this appropriation is going to produce it. Is the Senator satisfied that we have enough people and enough techniques for checking on the utilization of these funds and on the progress which is being made in respect to all of these matters so that when we are in session again next year we will have a body of experts which will help in respect to a new appropriation?

Mr. HILL. I think we have very definite means of checking on the expenditures of these funds. One of the duties imposed on the committee of consultants was to make a determination as to whether the funds which we had expended in the past had been wisely expended. The report of the committee was that the funds had been expended, to use the words of the Committee of Consultants, "with remarkable efficiency."

Mr. JAVITS. There is nothing to prevent us from again having the benefit of a committee of consultants the next time we deal with this matter, is there?

Mr. HILL. This is the first time we have had a committee of consultants set up as was this Committee of Consultants. Of course, in the past we have had before our Appropriations Subcommittee, which handles the funds for medical research, many distinguished doctors, scientists, and experienced people who have knowledge of and who speak with authority on the subject of medical research. I am sure in the future we shall continue to call upon the experience, the knowledge and the wisdom of the doctors, the scientists, the technicians, and all the wise and experienced people who know the field of medical research.

Mr. JAVITS. I understand one cannot arrive at conclusions about these things on the floor, but would the Senator give consideration to the possibility of again having some such distinguished group, to whose wise judgment the Senate as a whole as well as the committees might repair when we consider the question again next year?

Mr. HILL. I know the Senator from New York is a very busy man, with many duties imposed upon him. If the Senator can find the time to read the report of the Committee of Consultants, as made to our committee this year, and as presented to the committee in person by the Committee of Consultants on May 19 and May 20 of this year, I think he will find that the report of the Committee of Consultants is invaluable to us not only this year but also for next year and in the future years. I think the report of the consultants has been well described as a historic textbook on medical research.

Mr. JAVITS. We can project the work forward?

Mr. HILL. We can project it and carry forward the recommendations as embodied in the report of the Committee of Consultants.

Mr. JAVITS. I thank my colleague. I think a very constructive result has been attained, for which many millions of people will be grateful to the Senator in this regard.

Mr. HILL. I thank the Senator from New York for his very kind words.

Mr. President, in bringing the conference report on appropriations for the Departments of Labor and Health, Education, and Welfare for fiscal 1961 to the floor of the Senate, I would be derelict in my responsibilities and in my deep sense of appreciation if I did not recognize the very important and influential part the report of the Committee of Consultants on Medical Research to the Senate Appropriations Committee played in guiding our final decisions on this vital legislation affecting the health and welfare of every American family.

The Committee of Consultants was set up through a resolution passed unanimously by the Senate Committee on Appropriations on June 23, 1959, which directed the Senate Appropriations Subcommittee on Labor, Health, Education, and Welfare "to organize a group of specialists and others to determine whether the funds provided by the Government are sufficient and efficiently spent in the best interests of the research for which they are designated."

The members of the Committee of Consultants were carefully selected, and I am confident that I bespeak the heartfelt sentiments of my colleagues on the Senate Appropriations Committee who have had an opportunity to know the members and their work when I acclaim the Committee of Consultants on Medical Research as one of the most distinguished ever to accept an assignment from the U.S. Senate.

The chairman of the committee was Boisfeuillet Jones, vice president and administrator of health services at Emory University in Atlanta, Ga. A former professor of political science at Emory, Jones became assistant to the president of Emory in 1946. Over the past 14 years he has risen to a preeminent position as a valued adviser and distinguished administrator in the planning of health services. Among other positions he has held, he has been a consultant to the Commission on Human Medicine of the Southern Regional Education Board, a member of the National Advisory Health Council of the U.S. Public Health Service, and Chairman of the Committee on Environmental Health of the U.S. Public Health Service.

The medical and scientific members of the Committee included:

Dr. Alfred Blalock, chairman of the department of surgery at Johns Hopkins University Medical School in Baltimore and surgeon in chief of the Johns Hopkins Hospital. Dr. Blalock received the distinguished service award of the American Medical Asssociation—the highest honor bestowed by that association, for contributions to progress in medicine—in 1953 for the famed blue baby surgery which repairs congenital heart defects and has saved the lives of thousands of babies. Dr. Blalock's surgical contributions have earned him a number of national and international awards, including the Gordon Wilson medal, the Passano Award, the Rene Leriche Award, the Matas Award, the International Feltrinelli Prize for medicine, and the Lasker Award of the American Public Health Association. A Chevalier of the Legion of Honor of France and a member of the Royal College of Surgeons of England and Edinburgh, he is also a past president of the American Society of Surgical Associations, the American Association for Thoracic Surgery, the Society for Clinical Surgery, and the Society for Vascular Surgery.

Dr. Michael E. DeBakey, chairman of the Department of Surgery at Baylor University in Houston, Tex. Dr. DeBakey received the Distinguished Service Award of the American Medical Association for a massive 6-year research project demonstrating that many forms of strokes, previously considered inoperable, could be treated surgically and corrected. Dr. DeBakey has also received a number of the highest national and international awards, including the Hektoengold Medal of the American Medical Association; the Legion of Merit; the Distinguished Service Award of the International Society for Surgery; the Rudolph Matas Award; and the Roswell Park Medal. Dr. DeBakey has been a member of the Medical Advisory Committee to the Secretary of Defense; a member of the Committee on Medical Services of the Hoover Commission; Chairman of the Committee on Surgery of the National Research Council; Chairman of the Board of Regents of the National Library of Medicine, and is currently a member of the National Advisory Council to the National Heart Institute. He is a past president of the Southwestern Surgical Congress, the Society for Vascular Surgery, the American Association for Vascular Surgery, and the International Vascular Society.

Dr. Sidney Farber, for 33 years a member of the faculty of the Harvard Medical School and now its professor of pathology. Dr. Farber is one of the world's greatest authorities in the field of cancer and has been honored on many occasions for his research contributions to the control of leukemia in children. Founder and scientific director of the Children's Cancer Research Foundation, he is also a consultant to the Armed Forces Institute of Pathology and the National Cancer Institute. He is a former president of the Society for Pediatric Research and of the New England Pathological Society, and is a diplomate of the American Board of Pathology.

Dr. Cornelius H. Traeger, professor of clinical medicine at Cornell University Medical School and one of the Nation's foremost neurologists. Dr. Traeger is a former member of the National Advisory Council to the National Institute of Neurological Diseases and Blindness, and is medical consultant to numerous organizations in the field of neurology and arthritis.

Dr. Leo Rigler, professor of radiology at the University of California Medical School at Los Angeles. One of the Nation's outstanding radiologists, Dr. Rigler was chairman of the Department of Radiology at the University of Minnesota from 1937 to 1958. He is now executive director of the Cedars of Lebanon Hospital, special consultant in radiology to the U.S. Public Health Service and a member of the National Advisory Council to the National Cancer Institute. He has been honored with the Gold Medal of the Radiological Society of North American and the Caldwell Medal of the American Roentgen Ray Society.

Dr. J. Walter Wilson, chairman of the Department of Biology at Brown University in Providence, R.I. One of the Nation's great teachers in the field of biology, Dr. Wilson has served the national interest in numerous health posts. Formerly Chairman of the Morphology and Genetics Study Section of the U.S. Public Health Service, he currently holds membership on the Cancer Chemotherapy National Committee and the National Advisory Council on Health Research Facilities. He is a member of the board of scientific consultants to the Sloan-Kettering Institute and is a former president of the American Society of Zoologists.

Dr. Edward Dempsey, dean of the Washington University School of Medicine in St. Louis, Mo. A former associate professor of anatomy at Harvard Medical School, he is an associate editor of Endocrinology magazine and a contributor of numerous articles to medical and biological journals. He is a member of the American Academy of Arts and Sciences.

Dr. Cecil Wittson, chairman of the Department of Neurology and Psychiatry at the University of Nebraska School of Medicine. Regarded as one of America's leading psychiatrists, Dr. Wittson is a fellow of the American Psychiatric Association. A former member of the National Advisory Council to the National Institute of Mental Health, he is currently psychiatric consultant to the Surgeon General of the U.S. Navy.

Dr. Harry Lyons, dean of the School of Dentistry of the Medical College of Virginia, in Richmond. One of America's outstanding dental leaders, Dr. Lyons is a former president of the American Dental Association and of the American Academy of Periodontology, and a member of the International Association for Dental Research. A fellow of the American College of Dentists, he is a dental consultant to the Food and Drug Administration and the Veteran's Administration.

The lay members of the Committee included: Gen. David Sarnoff, chairman of the board of the Radio Corp. of America, who has a background of a half-century of research in the physical sciences. Over the years, General Sarnoff has served on innumerable Government commissions, including the chairmanship of the National Security Training Commission. His many awards and honors from our own and foreign governments are too numerous to list. Among his diversified activities, he has always maintained an active interest in the health field from the time he became a trustee of the National Foundation for Infantile Paralysis.

Mrs. Virginia Burnham, vice president of the Connecticut Manufacturing Co. in Waterbury. Mrs. Burnham is a former member of the National Advisory Council to the National Heart Institute. An active leader in the American Heart Association, she is closely associated with the voluntary health movement in this country.

The staff director was the able and devoted Dr. Margaret Sloan, who was loaned by the National Research Council of the National Academy of Sciences for the task. From October 1, 1959, to February 1, 1960, the Committee of Consultants on Medical Research held 23 full days of hearings. During this period of time, the Committee heard more than 100 expert witnesses from medical organizations, voluntary health associations, philanthropic foundations and from every agency of the Government having a major interest in medical research.

Following the hearings, the Committee met for intensive periods in February, March, and April to examine additional data and material and to develop and draft its report.

Mr. President, I would like to point out that the enormous demands made upon this Committee involved considerable personal sacrifice on the part of every member, with members coming from as far away as California.

One of the most moving tributes I have ever heard was made by General Sarnoff when he described his reaction to the dedication of the members of the Committee in the following words in his testimony before our Appropriations Subcommittee:

> Now it was from that background of more than half a century of association with research in the physical sciences that I approached my task as one member of this Committee, recognizing that, insofar as the specific details of medical affairs are concerned, I knew little or nothing. I want to say at the outset, Mr. Chairman, that I have been a member, as you know, of a number of committees in the past, Government committees and other committees, and still am, and I can say without the slightest hesitation that I have never been a member of any committee, either Government or private, where I saw greater dedication to the mission of their committee, greater application to the innumerable details that had to be mobilized and translated in order to make sense in a very scattered and sprawling field. Not only were the members dedicated but they were informed, and I regarded it as a great privilege, despite any time or effort it may have taken, to have been permitted to serve on this Committee. I think the report will go down in history as a real textbook on the subject.

All 12 of the consultants appeared on May 19 and May 20 of this year before our Senate Subcommittee on Appropriations to report their findings as to the medical research effort needed to cut down the terrible toll currently exacted by cancer, heart disease, mental illness, and the other major killers and cripplers of our time.

I commend to each Member of the Senate every one of the 250 stirring pages of the final report and the testimony given by this distinguished group of Americans to our Committee. They are thoughtful documents, they are challenging documents, they are compelling documents.

Summarizing the feelings of those of us who had the privilege of listening to the Committee of Consultants, the Senator from Mississippi [Mr. STENNIS] had this to say:

> I want to say that in all of my years here, I am satisfied, the entire day considered, this has been the best presented program, the most convincing testimony, and the most intelligently presented, and in a very fine spirit, that I have heard. I think this country owes these ladies and gentlemen a special debt that they will realize over the years.

Mr. President, as I sat listening to the deeply moving testimony of the Committee of Consultants there passed through my mind the story of the great English surgeon, John Hunter. The Father of Scientific Surgery, he willfully infected himself with the dread disease of syphilis in order to penetrate its mysteries, and he is today honored with a tablet placed near his grave in Westminster Abbey by the Royal College of Surgeons of England which reads:

The Royal College of Surgeons of England has placed this tablet on the grave of John Hunter to record admiration of his genius as a gifted interpreter of the divine power and wisdom at work in the laws of organic life and its grateful veneration for his services to mankind as the founder of scientific surgery.

Mr. President, we can be proud of the fact that we have in our beloved country today gifted interpreters of the divine power and wisdom at work in the laws of organic life who are willing to devote countless hours to the herculean task of charting a new era in medical research dedicated to the health of our people and to the health of all peoples. The Senate of the United States, the American people and all mankind owe them a debt of everlasting gratitude.

Mr. President, I have had prepared a table showing funds requested and allowed by activities for the National Institutes of Health, and I ask unanimous consent that this table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

National Institutes of Health combined activity table

	Budget estimate	House allowance	Senate allowance	Senate increases	Conference agreement
Grants for research and training:					
1. Research projects at 15 percent indirect costs	$205, 589, 000	$235, 189, 000	$262, 389, 000	$27, 200, 000	$260, 000, 000
(a) Increase required to pay 25 percent indirect costs	0	0	22, 681, 000	22, 681, 000	0
2. Research fellowships	14, 570, 000	15, 070, 000	22, 500, 000	7, 430, 000	20, 000, 000
3. Training grants	66, 894, 000	78, 894, 000	128, 991, 000	50, 097, 000	110, 000, 000
(a) Increase provided for forward notification on graduate training grants	0	(9, 565, 000)	(16, 445, 000)	(6, 880, 000)	(6, 880, 000)
State control programs	10, 375, 000	12, 975, 000	13, 475, 000	500, 000	13, 000, 000
Community demonstration projects	1, 500, 000	1, 500, 000	1, 625, 000	125, 000	1, 500, 000
Clinical research centers	3, 000, 000	3, 000, 000	55, 000, 000	52, 000, 000	20, 000, 000
Primate centers	2, 000, 000	2, 000, 000	12, 000, 000	10, 000, 000	7, 000, 000
Construction of cancer research facilities	0	5, 000, 000	0	−5, 000, 000	5, 000, 000
Cancer and mental-neurology buildings construction	0	0	12, 839, 000	12, 839, 000	12, 839, 000
Total, extramural programs	303, 928, 000	353, 628, 000	531, 500, 000	177, 872, 000	449, 339, 000
Direct operations:					
1. Chemotherapy contracts	21, 145, 000	21, 145, 000	23, 140, 000	1, 995, 000	21, 500, 000
2. Other direct operations	74, 927, 000	80, 227, 000	83, 860, 000	3, 633, 000	82, 161, 000
Total, intramural programs	96, 072, 000	101, 372, 000	107, 000, 000	5, 628, 000	103, 661, 000
New areas:					
1. Medical libraries	0	0	5, 000, 000	5, 000, 000	0
2. Communications research and translation	0	0	4, 500, 000	4, 500, 000	0
3. Instrumentation research	0	0	5, 000, 000	5, 000, 000	0
4. Career development	0	0	4, 000, 000	4, 000, 000	2, 000, 000
5. International medical research	0	0	7, 000, 000	7, 000, 000	5, 000, 000
Total new areas	0	0	25, 500, 000	25, 500, 000	7, 000, 000
Grand total	400, 000, 000	455, 000, 000	664, 000, 000	209, 000, 000	560, 000, 000

Mr. HILL. Mr. President, under the conference agreement there is provided an increase of $17 million for clinical research centers, of which $5 million is for "General research and services," $5.5 million each for the National Cancer Institute and National Heart Institute, and $500,000 each for the National Institute for Mental Health and the National Institute for Neurological Diseases and Blindness.

An additional $5 million is provided for an expanded program to establish regional primate colonies required for medical research progress, a program initiated last year with a $2 million appropriation.

The Senate added $1 million in its increase for the National Cancer Institute for the diagnostic test development program to be used for contracts, direct operations, or grants, and the conference agreement will permit the use of the funds earmarked by the Senate for the purpose.

The conferees agreed to allow the $5 million inserted by the House, and disallowed by the Senate, for grants for construction of cancer research facilities to be financed by the Federal Government.

The House conferees insisted on the allowance of this $5 million for research construction to take care of "certain unusual circumstances." The Senate conferees acceded to their request, but with the definite understanding that this is a nonrecurring allowance, and that there will be no repetition of such departure from the Health Research Facilities Act next year or thereafter without a change in the basic act requiring matching contributions from the grant recipients.

Agreement was reached to allow the Senate increase of $5 million for grants for construction of health research facilities, to allow the full amount authorized by law, $30 million, to continue this program into its fifth year.

The conference agreement provides an additional $5 million for international medical research following passage of the International Health Research Act of 1960, for the purpose of advancing the status of the health sciences in the United States through cooperative endeavors with other countries in health research and research training, and for advancing the international status of the health sciences through cooperative enterprises in health research, research planning, and research training. The additional funds will permit a program through the U.S. universities for the early development of research and training centers with adequate field opportunities for international studies.

The conferees agreed to the Senate amendment providing an additional $600,000 for the Gorgas Memorial Laboratory which will give the full amount authorized for operating expenses, $250,000, and the full amount authorized for construction and equipment of facilities, $500,000.

The conference agreement provides $186,200,000 for grants for hospital construction in lieu of the $211,200,000 proposed by the Senate and $150 million proposed by the House. This allowance is equal to that provided for the 2 previous fiscal years.

The Senate amendments increasing funds for grants to States to stimulate the initiation and expansion of services designed to improve patient care and related services—in nursing homes, $2 million; for tuberculosis control, $500,000; for venereal disease control, $600,000; for foreign quarantine activities, $119,000; for water pollution control, $500,000; for air pollution control, $1 million; and for radiological health, $500,000—were all accepted by the House conferees. Additional funds—$750,000—were won for the construction of sanitation facilities for the American Indians.

The Senate amendment providing $12,139,999 for the construction of the mental health-neurology research facility at the National Institutes of Health was agreed to as was the amendment providing $700,000 for plans and specifications for a research facility for the National Cancer Institute.

The Senate amendment to strike out the section imposing a 15-percent limitation on indirect research costs was rejected by the House conferees and the

House position prevailed as it has in the 3 previous years.

The Senate provision for grants for library services—to make the full amount authorized, $7,500,000, available for grants to States in fiscal year 1961—was agreed to, as was the Senate amendment adding $7,362,000 to provide full entitlements to school districts under Public Law 874 for fiscal year 1959. The Senate increase of $2,050,000 to provide the full amount authorized, $7,250,000, for language institutes under title VI of the National Defense Education Act, was accepted.

The Senate increased by $3 million the item for grants to States for vocational rehabilitation with a corresponding increase from $63 million to $77 million in the allotment base. The conference agreement retains $1.7 million of our increase and gives an allotment base of $70 million. And the conference agreement allows $630,000 of the $1 million increase voted by the Senate for research and training in vocational rehabilitation.

The Senate added $80,000 to enable Gallaudet College, the only college for the deaf in the world, to complete its athletic field as planned, and our amendment was accepted.

The Senate provided $150,000 for plans and specifications for a special pharmacological animal laboratory for the Food and Drug Administration, and the conference agreement reduces the allowance to $100,000.

The conference agreement adopts the Senate increase of $210,000 for the White House Conference on Aging.

Mr. President, I want to express my thanks and my appreciation to the clerk of our Appropriations Subcommittee, Mr. Herman E. Downey, for his very efficient and tireless work and for his many splendid contributions to the work of the subcommittee.

Mr. President, if there are no further questions, I move that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 11390, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U.S.,
August 25, 1960.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 2, 5, 16, 23, 24, 40, 44, 46, 56, 64, 80, and 82 to the bill (H.R. 11390) entitled "An Act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1961, and for other purposes", and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered 9, and concur therein with an amendment, as follows:

In lieu of the sum named therein, insert: $100,000.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and concur therein with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

For grants and other expenses (including not to exceed $150,000, in addition to funds provided elsewhere, for administrative expenses) for research, training, traineeships, and other special projects, pursuant to section 4 of the Vocational Rehabilitation Act, as amended, for expenses of

Mr. HILL. Mr. President, I move that the Senate agree to the amendments of the House to the amendments of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to.

Mr. HILL. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a detailed table covering the bill.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Departments of Labor, and Health, Education, and Welfare, and Related Agencies Appropriation Act, 1961 (H.R. 11390)

[Figures in parentheses not added in totals]

	Appropriations, 1960	Budget estimates, 1961	House allowance	Senate allowance	Conference allowance
DEPARTMENT OF LABOR					
Office of the Secretary	$1,611,000	$1,794,000	$1,758,800	$1,758,800	$1,758,800
Labor-management reporting and disclosure activities	3,025,000	5,500,000	5,250,000	5,250,000	5,250,000
Office of the Solicitor	2,695,000	2,715,000	2,706,300	2,706,300	2,706,300
Bureau of Labor Standards	2,488,000	2,376,000	2,376,000	2,376,000	2,376,000
Bureau of Veterans' Reemployment Rights	592,000	596,000	594,300	594,300	594,300
Bureau of Apprenticeship and Training	4,047,000	4,061,000	4,061,000	4,061,000	4,061,000
Bureau of Employment Security:					
Salaries and expenses	7,262,000	7,580,500	7,457,000	7,457,000	7,457,000
Grants to States	315,819,000	325,819,000	320,819,000	325,819,000	325,819,000
Unemployment compensation for Federal employees and ex-servicemen	125,000,000	112,000,000	107,000,000	107,000,000	107,000,000
Mexican farm labor program:					
Compliance activities	873,000	1,108,000	1,105,700	1,105,700	1,105,700
Salaries and expenses (transfer from revolving fund)	(1,336,700)	(1,347,300)	(1,344,100)	(1,404,100)	(1,404,100)
Total, Bureau of Employment Security	448,954,000	446,507,500	436,381,700	441,381,700	441,381,700
Bureau of Employees' Compensation:					
Salaries and expenses	3,080,000	3,108,000	3,098,300	3,098,300	3,098,300
Transfer from war claims fund	(51,700)	(51,700)	(51,700)	(51,700)	(51,700)
Employees' compensation claims and expenses	(61,200,000)	(65,019,000)	62,200,000	62,200,000	62,200,000
Total, Bureau of Employees' Compensation	3,080,000	3,108,000	65,298,300	65,298,300	65,298,300
Bureau of Labor Statistics:					
Salaries and expenses	10,519,500	10,519,000	10,519,000	10,519,000	10,519,000
Revision of the Consumer Price Index	230,000	1,250,000	1,250,000	1,250,000	1,250,000
Total, Bureau of Labor Statistics	10,749,500	11,769,000	11,769,000	11,769,000	11,769,000
Women's Bureau	509,000	512,500	520,900	520,900	520,900
Wage and Hour Division	11,489,000	11,529,000	11,529,000	11,529,000	11,529,000
Total direct appropriations, Department of Labor	489,239,500	490,468,000	542,245,300	547,245,300	547,245,300
Indefinite appropriations	61,200,000	65,019,000			
Total, direct and indefinite appropriations, Department of Labor	550,439,500	555,487,000	542,245,300	547,245,300	547,245,300
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE					
Food and Drug Administration:					
Salaries and expenses	13,800,000	16,852,000	16,852,000	16,852,000	16,852,000
Certification, inspection, and other services (indefinite)	(1,377,000)	(1,389,000)	(1,389,000)	(1,389,000)	(1,389,000)
Pharmacological-animal laboratory building				150,000	100,000
Total, Food and Drug Administration	13,800,000	16,852,000	16,852,000	17,002,000	16,952,000
Freedmen's Hospital	3,190,000	3,302,000	3,294,600	3,294,600	3,294,600
Office of Education:					
Promotion and further development of vocational education	33,702,081	31,702,081	33,702,081	33,702,081	33,702,081
Further endowment of colleges of agriculture and the mechanic arts	2,501,500	2,501,500	2,501,500	2,501,500	2,501,500
Grants for library services	6,131,000	7,300,000	7,500,000	7,500,000	7,500,000
Payments to school districts (fiscal year 1959)				7,362,000	7,362,000

Departments of Labor, and Health, Education, and Welfare, and Related Agencies Appropriation Act, 1961 (H.R. 11390)—Continued

[Figures in parentheses not added in totals]

	Appropriations, 1960	Budget estimates, 1961	House allowance	Senate allowance	Conference allowance
Office of Education—Continued					
Payments to school districts	$186,300,000	$126,695,000	$187,310,000	$187,310,000	$187,310,000
Assistance for school construction	61,135,000	44,390,000	63,392,000	63,392,000	63,392,000
Defense educational activities	159,700,000	188,900,000	171,000,000	173,050,000	173,050,000
Expansion of teaching in education of the mentally retarded	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Salaries and expenses	12,800,000	13,427,000	13,400,000	13,400,000	13,400,000
Salaries and expenses (special foreign currency program)		30,750	30,750	30,750	30,750
Total, Office of Education	463,269,581	415,946,331	479,836,331	489,248,331	489,248,331
Office of Vocational Rehabilitation:					
Grants to States	51,900,000	54,500,000	54,500,000	57,500,000	56,200,000
Research and training	12,700,000	14,800,000	14,800,000	15,800,000	15,430,000
Research and training (special foreign currency program)		930,000	930,000	930,000	930,000
Salaries and expenses	1,738,000	1,871,000	1,871,000	1,871,000	1,871,000
Total, Office of Vocational Rehabilitation	66,338,000	72,101,000	72,101,000	76,101,000	74,431,000
Public Health Service:					
Assistance to States, general	24,497,000	24,620,000	22,620,000	24,620,000	24,620,000
Control of tuberculosis	6,452,000	5,430,000	5,930,000	6,430,000	6,430,000
Communicable disease activities	8,157,500	13,116,000	13,516,000	14,116,000	14,116,000
Environmental health activities	15,720,000	23,350,000	25,640,000	27,640,000	27,640,000
Grants for waste treatment works construction	45,000,000	20,000,000	45,000,000	45,000,000	45,000,000
Grants for hospital construction	186,200,000	126,200,000	150,000,000	211,200,000	186,200,000
Pt. C, original Hill-Burton program	(150,000,000)	(95,000,000)	(118,800,000)	(150,000,000)	(150,000,000)
Pt. G, 1954 amendments	(35,000,000)	(30,000,000)	(30,000,000)	(60,000,000)	(35,000,000)
Diagnostic or treatment centers	(7,500,000)	(7,500,000)	(7,500,000)	(20,000,000)	(7,500,000)
Chronic hospitals	(7,500,000)	(7,500,000)	(7,500,000)	(20,000,000)	(7,500,000)
Rehabilitation facilities	(10,000,000)	(5,000,000)	(5,000,000)	(10,000,000)	(10,000,000)
Nursing homes	(10,000,000)	(10,000,000)	(10,000,000)	(10,000,000)	(10,000,000)
Salaries and expenses, hospital construction services	1,650,000	1,659,000	1,654,200	1,786,000	1,675,000
Hospitals and medical care	51,600,000	51,594,000	55,213,000	55,213,000	55,213,000
Foreign quarantine activities	4,685,800	4,812,000	4,812,000	4,931,000	4,931,000
Indian health activities	45,700,000	47,526,000	48,276,000	48,276,000	48,276,000
Construction of Indian health facilities	4,787,000	6,964,000	8,964,000	9,964,000	9,714,000
National Institutes of Health:					
General research and services	45,994,000	47,260,000	52,660,000	104,405,000	83,900,000
National Cancer Institute	91,257,000	88,869,000	102,469,000	126,375,000	111,000,000
Mental health activities	68,099,000	67,563,000	79,863,000	110,800,000	100,900,000
National Heart Institute	62,237,000	63,162,000	71,762,000	125,166,000	86,900,000
Dental health activities	10,019,000	11,204,000	12,604,000	16,710,000	15,500,000
Arthritis and metabolic disease activities	46,862,000	47,541,000	52,841,000	70,760,000	61,200,000
Allergy and infectious disease activities	34,054,000	34,739,000	38,439,000	48,234,000	44,000,000
Neurology and blindness activities	41,487,000	39,662,000	44,362,000	61,550,000	56,600,000
Subtotal, National Institutes of Health	400,000,000	400,000,000	455,000,000	664,000,000	560,000,000
Grants for construction of health research facilities	30,000,000	25,000,000	25,000,000	30,000,000	30,000,000
Construction of mental health-neurology research facility				(12,139,000)	(12,139,000)
Scientific activities overseas (special foreign currency program)		3,707,000	3,707,000	3,707,000	3,707,000
Operations, National Library of Medicine	1,566,000	1,662,000	1,662,000	1,662,000	1,662,000
Retired pay of commissioned officers, indefinite	(1,725,000)	(1,860,000)	(1,860,000)	(1,860,000)	(1,860,000)
Buildings and facilities		3,135,000	3,135,000	3,470,000	3,470,000
Research facilities, construction, and site acquisition	150,000				
Construction of animal quarters, Hamilton, Mont	150,000				
Salaries and expenses	5,816,000	6,854,000	6,800,000	6,900,000	6,900,000
Control of venereal diseases	5,400,000				
Total, Public Health Service	837,531,300	765,629,000	876,929,200	1,158,915,000	1,029,554,000
St. Elizabeths Hospital:					
Salaries and expenses	3,805,000	3,947,000	4,095,000	4,095,000	4,095,000
Major repairs and preservation of buildings and grounds	330,000	345,000	345,000	345,000	345,000
Construction and equipment, treatment and cafeteria building		4,493,000	4,493,000	4,493,000	4,493,000
Extension and modernization of administration building		501,000	501,000	501,000	501,000
Total, St. Elizabeths Hospital	4,135,000	9,286,000	9,434,000	9,434,000	9,434,000
Social Security Administration:					
Limitation on salaries and expenses, Bureau of Old-Age and Survivors Insurance (trust funds)	(191,600,000)	(203,200,000)	(203,200,000)	(203,200,000)	(203,200,000)
Grants to States for public assistance	2,037,500,000	2,083,000,000	2,083,000,000	2,083,000,000	2,083,000,000
Salaries and expenses, Bureau of Public Assistance	2,345,000	2,656,000	2,348,400	2,348,400	2,348,400
Salaries and expenses, Children's Bureau	2,300,000	2,374,000	2,360,500	2,360,500	2,360,500
Salaries and expenses, White House Conference on Children and Youth	200,000	150,000	150,000	150,000	150,000
Grants for maternal and child welfare	46,500,000	48,500,000	51,833,000	51,833,000	51,833,000
Crippled childrens' services	(16,000,000)	(16,667,000)	(20,000,000)	(20,000,000)	(20,000,000)
Maternal and child health services	(17,500,000)	(18,167,000)	(18,167,000)	(18,167,000)	(18,167,000)
Child welfare services	(13,000,000)	(13,666,000)	(13,666,000)	(13,666,000)	(13,666,000)
Cooperative research in social security		700,000		700,000	350,000
Salaries and expenses, Office of the Commissioner	337,000	390,000	342,500	350,800	350,800
Transfer from OASI trust fund	(276,000)	(282,000)	(278,000)	(278,000)	(278,000)
Cooperative research or demonstration projects in social security (special foreign currency program)		25,650			
Total, Social Security Administration	2,089,182,000	2,137,795,650	2,140,034,400	2,140,742,700	2,140,392,700
American Printing House for the Blind	400,000	400,000	400,000	400,000	400,000
Gallaudet College:					
Salaries and expenses	904,000	994,000	994,000	994,000	994,000
Construction	325,000	2,432,000	2,432,000	2,512,000	2,512,000
Total, Gallaudet College	1,229,000	3,426,000	3,426,000	3,506,000	3,506,000
Howard University:					
Salaries and expenses	4,617,000	5,090,000	5,090,000	5,090,000	5,090,000
Plans and specifications	21,000	225,000	225,000	225,000	225,000
Construction of auditorium-fine arts building	860,000				
Construction of buildings		1,433,000	1,433,000	1,433,000	1,433,000
Total, Howard University	5,498,000	6,748,000	6,748,000	6,748,000	6,748,000

Departments of Labor, and Health, Education, and Welfare, and Related Agencies Appropriation Act, 1961 (H.R. 11390)—Continued

[Figures in parentheses not added in totals]

	Appropriations, 1960	Budget estimates, 1961	House allowance	Senate allowance	Conference allowance
Office of the Secretary:					
Office of the Secretary	$2,061,000	$2,128,000	$2,077,000	$2,077,000	$2,077,000
Transfer from OASI trust fund	(302,500)	(315,000)	(305,000)	(305,000)	(305,000)
Office of Field Administration	2,735,000	2,790,000	2,762,000	2,762,000	2,762,000
Transfers	(926,000)	(978,000)	(978,000)	(978,000)	(978,000)
Office of the General Counsel	589,700	618,000	600,000	600,000	600,000
Transfers	(537,200)	(579,000)	(579,000)	(579,000)	(579,000)
Surplus property utilization	703,000	751,000	751,000	751,000	751,000
White House Conference on Aging	452,000	760,000	550,000	760,000	760,000
Total, Office of the Secretary	6,540,700	7,047,000	6,740,000	6,950,000	6,950,000
Total, direct appropriations, Department of Health, Education, and Welfare	3,491,113,581	3,438,532,981	3,615,795,531	3,912,341,631	3,780,910,631
Indefinite appropriations	3,102,000	3,249,000	3,249,000	3,249,000	3,249,000
Total, direct and indefinite appropriations, Department of Health, Education, and Welfare	3,494,215,581	3,441,781,981	3,619,044,531	3,915,590,631	3,784,159,631
RELATED AGENCIES					
National Labor Relations Board	15,280,000	17,300,000	17,300,000	17,300,000	17,300,000
National Mediation Board	1,437,000	1,555,000	1,522,500	1,555,000	1,555,000
Railroad Retirement Board (trust funds)	(9,460,000)	(9,485,000)	(9,485,000)	(9,485,000)	(9,485,000)
Federal Mediation and Conciliation Service	3,905,400	4,093,000	3,905,400	4,093,000	3,905,400
Interstate Commission on the Potomac River Basin	5,000	5,000	5,000	5,000	5,000
U.S. Soldiers' Home (trust funds)	(11,008,000)	(5,664,000)	(5,664,000)	(5,664,000)	(5,664,000)
Total, direct appropriations, all titles of the bill	4,000,980,481	3,951,953,981	4,180,773,731	4,482,539,931	4,350,921,331
Total, indefinite appropriations, all titles of the bill	64,302,000	68,268,000	3,249,000	3,249,000	3,249,000
Grand total	4,065,282,481	4,020,221,981	4,184,022,731	4,485,788,931	4,354,170,331

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12580) to extend and improve coverage under the Federal old-age, survivors, and disability insurance system and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such system; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 7242) to amend sections 1, 57j, 64a(5), 67b, 67c, and 70c of the Bankruptcy Act, and for other purposes.

HEALTH BENEFITS PROGRAM FOR CERTAIN RETIRED GOVERNMENT EMPLOYEES

Mr. JOHNSTON of South Carolina. Mr. President, I ask the Presiding Officer to lay before the Senate the amendment of the House of Representatives to S. 2575.

The Presiding Officer laid before the Senate the amendment of the House of Representatives to the bill (S. 2575) to provide a health benefits program for certain retired employees of the Government, which was to strike out all after the enacting clause and insert:

That this Act may be cited as the "Retired Federal Employees Health Benefits Act".

DEFINITIONS

SEC. 2. As used in this Act—

(1) The terms "employee", "Government", "member of family", and "Commission" have the same meanings, when used in this Act as such terms have when used in the Federal Employees Health Benefits Act of 1959.

(2) "Health benefits plan" means an insurance policy or contract, medical or hospital service arrangement, membership or subscription contract, or similar agreement provided by a carrier for a stated periodic premium or subscription charge for the purpose of providing, paying for, or reimbursing expenses for hospital care, surgical or medical diagnosis, care, and treatment, drugs and medicines, remedial care, or other medical supplies and services, or any combination of these.

(3) "Retired employee" means any person who would be an annuitant as that term is defined in the Federal Employees Health Benefits Act of 1959 if the contribution and enrollment provisions of that Act had been in effect on the date the person became an annuitant, but does not include any person who was a noncitizen whose permanent-duty station was outside a State of the United States or the District of Columbia on the day before he became an annuitant.

(4) "Carrier" means a voluntary association, corporation, partnership, or other nongovernmental organization which lawfully offers a health benefits plan.

GOVERNMENT-WIDE PLAN

SEC. 3. (a) The Commission shall, without regard to section 3709 of the Revised Statutes or any other provision of law requiring competitive bidding, enter into a contract with a qualified carrier for one uniform Government-wide health benefits plan for retired employees. Such contract shall be for a period of at least one year and shall be automatically renewable in the absence of notice of termination by either party. The carrier shall, if the Commission so directs, cede reinsurance to such other companies which regularly issue group health insurance as may elect to participate or shall allocate its rights and obligations under the contract among such of its affiliates as may elect to participate in accordance with an equitable formula to be determined by the carrier and approved by the Commission. The contracting carrier, if an insurance company, shall be licensed to issue group health insurance in all the States of the United States and the District of Columbia and shall, in the most recent year for which data are available, have made at least 1 per centum of all group health insurance benefit payments in the United States.

(b) The contract under this Act shall contain a detailed statement of the benefits offered and shall include such maximums, limitations, exclusions, and other definitions of benefits as the Commission may deem necessary or desirable. No person may be excluded because of race, sex, health status, or age, and the contract may not deny or limit benefits because of any preexisting condition.

(c) The rates charged for the health benefits plan described in subsection (a) of this section shall reasonably and equitably reflect the cost of the benefits provided. Rates determined for the first term shall be adjusted for subsequent terms on the basis of experience. The Commission shall prescribe the extent to which reserves due to favorable experience may be retained by the carrier. Such reserves shall in any case be retained for the benefit of retired employees enrolled thereunder, and members of their families.

CONTRIBUTIONS

SEC. 4. (a) If a retired employee enrolls in the health benefits plan provided for by section 3 of this Act, the Government shall contribute toward his subscription charge such amounts as the Commission by regulation may from time to time prescribe. The amount so prescribed, if the employee is enrolled for self only, shall not be less than $3.00 monthly or more than $4.00 monthly. The amount to be prescribed for a retired employee enrolled for self and family shall be twice the contribution for one enrolled for self only. A retired employee may not receive a Government contribution for more than one plan, nor may a retired employee receive a Government contribution if he is covered under the enrollment of another

employee or retired employee who is receiving a Government contribution toward his enrollment.

(b) In addition, the Government shall contribute an amount, as prescribed by the Commission, up to 2 per centum of each contribution authorized by subsection (a) of this section to the Retired Employees Health Benefits Fund, for payment of expenses incurred by the Commission in administering this Act.

WITHHOLDING

SEC. 5. There shall be withheld from the annuity or compensation of each retired employee enrolled in the health benefits plan provided for under section 3 of this Act so much as is necessary, after deducting the contribution of the Government, to pay the total charge for his enrollment.

OTHER HEALTH BENEFITS PLANS

SEC. 6. (a) Subject to subsection (b) of this section, a retired employee who elects to obtain a health benefits plan, or to retain an existing health benefits plan, other than the plan provided for under section 3 of this Act, directly with a carrier, shall be paid a Government contribution to the cost of his health benefits plan which shall be equal in amount to the appropriate Government contributions established by the Commission pursuant to section 4(a) of this Act, but may not exceed the cost to him of the health benefits plan in which he is enrolled or which he retains or, if the plan combines health benefits with other benefits, shall not exceed the cost to him of the premium fixed by the carrier for the health benefits portion of the plan in which he is enrolled or which he retains. A retired employee may not receive a Government contribution for more than one plan, nor may a retired employee receive a Government contribution if he is covered under the enrollment of another employee or retired employee who is receiving a Government contribution toward his enrollment.

(b) A retired employee who enrolls in a plan shall be entitled to the Government contribution provided by this section only if the carrier of the plan (1) has been providing health benefits for at least one year and (2), if an insurance company, is licensed to issue individual or group health insurance in all the States of the United States and the District of Columbia. Clause (2) of the immediately preceding sentence shall not apply to enrollment in a plan sponsored by an association or other organization more than 50 per centum of the members of which are Federal employees or former Federal employees.

(c) In addition, the Government shall contribute an amount, as prescribed by the Commission, up to 2 per centum of each contribution authorized by subsection (a) of this section to the Retired Employees Health Benefits Fund, for payment of expenses incurred by the Commission in administering this Act.

ELECTIONS

SEC. 7. Each retired employee shall, within such time after March 1, 1961, as the Commission shall prescribe, notify the Commission of his election (1) to enroll in the plan provided under section 3 of this Act, (2) to enroll in or retain another health benefits plan and receive Government contributions under section 6 of this Act, or (3) not to participate in the program offered under this Act. If the retired employee elects to enroll under clause (2) of this section, his election shall be accompanied by a certificate of the carrier certifying the fact of his enrollment and the cost to him of the health benefits plan, or of the health benefits portion of the plan.

RETIRED EMPLOYEES HEALTH BENEFITS FUND

SEC. 8. (a) The withholdings of retired employees under section 5 of this Act and the contributions of the Government under sections 4 and 6 of this Act shall be deposited in the Retired Employees Health Benefits Fund, hereinafter referred to as the "Fund", which is hereby created and which shall be administered by the Commission.

(b) The Fund shall be available without fiscal year limitation for all payments on account of the health benefits plan negotiated under section 3 of this Act, for payment of the Government's contribution provided for by section 6(a) of this Act to agencies of the Government which administer a retirement system for civilian employees of the Government, and for payment of expenses, not to exceed the Government's contributions authorized by sections 4(b) and 6(b) of this Act, incurred by the Commission in administering this Act.

(c) Any dividends or other refunds made by the carrier under section 3 of this Act shall be set aside in the Fund as a contingency reserve for the Government-wide plan. Such contingency reserve may be used to defray increases in future rates of or to reduce the retired employees' and the Government's contributions to, or to increase the health benefits provided by that plan, as the Commission may from time to time determine.

(d) The Secretary of the Treasury is authorized to invest and reinvest any of the moneys in the Fund in interest-bearing obligations of the United States for the purposes of the Fund. The interest on and the proceeds from the sale of any such obligations shall become a part of the Fund.

ADMINISTRATION

SEC. 9. (a) The Commission shall administer this Act and prescribe such regulations as are necessary to give full effect to the purposes of this Act.

(b) Such regulations shall fix minimum standards to be met by the carrier and the plan under section 3 of this Act, including extensions of coverage to be provided. The Commission may request all carriers to furnish such reasonable reports as the Commission determines to be necessary to enable it to carry out its functions under this Act. The carrier shall furnish such reports when requested and permit the Commission and representatives of the General Accounting Office to examine such records of the carriers as may be necessary to carry out the purposes of this Act.

(c) The Commission's regulations may include, but are not limited to, the following:

(1) exclusions of retired employees from coverage;

(2) beginning and ending dates of coverage, and conditions of eligibility;

(3) methods of filing the elections required by section 7 of this Act and other information;

(4) methods of making contributions authorized by section 6, and withholdings required by section 5 of this Act;

(5) changes in enrollment;

(6) questions of dependency;

(7) certificates and other information to be furnished to retired employees;

(8) contributions and withholding during periods of suspension of annuity payments and in other extraordinary situations;

(9) when, and under what conditions, an election not to participate in the programs offered under this Act may be withdrawn; and

(10) under what conditions and to what extent the cost of a plan shall be considered a cost attributable to the retired employee.

(d) Each agency of the United States or District of Columbia which administers a retirement system for annuitants shall keep such records, make such certifications, and furnish the Commission with such information and reports as may be necessary to enable the Commission to carry out its functions under this Act.

(e) There are hereby authorized to be expended from the Employees Life Insurance Fund, without regard to limitations on expenditures from that Fund, for any fiscal years from the date of enactment through the fiscal year ending June 30, 1962, inclusive, such sums as may be necessary to pay administrative expenses incurred by the Commission in carrying out the health benefits provisions of this Act. Reimbursements to the Employees Life Insurance Fund for sums so expended, together with interest at a rate to be determined by the Secretary of the Treasury, shall be made from the Retired Employees Health Benefits Fund which is hereby made available for this purpose.

EXEMPTION OF CERTAIN EMPLOYEE ORGANIZATIONS

SEC. 10. Any employee organization under this Act or as defined in section 2(i) of the Federal Employees Health Benefits Act of 1959 (73 Stat. 710; 5 U.S.C. 3003(3)) shall be exempt from the provisions of the Fire and Casualty Act (54 Stat. 1063; D.C. Code 35–1301 and the following).

APPROPRIATIONS

SEC. 11. The amounts authorized by this Act to be contributed by the Government shall be paid from annual appropriations which are hereby authorized to be made for such purpose.

ANNUAL REPORT

SEC. 12. The Commission shall transmit to the Congress annually a report concerning the operation of this Act.

EFFECTIVE DATE

SEC. 13. The health benefits program provided for by this Act shall take effect July 1, 1961. The contributions and withholdings provided for by this Act shall take effect on June 1, 1961, with respect to annuity or compensation accruing for periods beginning on and after that date.

Mr. JOHNSTON of South Carolina. Mr. President, I move that the Senate concur in the amendment of the House to the bill (S. 2575), to provide a health benefits program for certain retired employees of the Government, with the following amendments:

On page 11, strike out lines 3 through 8 of the House amendment and renumber sections 11 to 13, inclusive, as 10 to 12, respectively.

Mr. President, S. 2575, approved in the Senate on May 5, 1960, was designed to provide a health benefits program for the 450,000 former employees then on the retirement rolls. The Federal Employees Health Benefits Act of 1959 provided such a program for active employees and employees who will retire in the future, but it did not apply to former employees already retired.

The committee was unanimous in its belief that these former employees were entitled to the same sympathetic consideration as present employees will receive when they retire. However, because of the problems involved, it was deemed advisable to provide a program for retirees in a separate bill.

The bill as passed in the Senate and as amended in the House does not differ as to objective. The language is different and some of the technical aspects of the program are handled differently, but in general the differences are not of major consequence.

There is one exception that is worthy of mention. The bill passed in the Senate would have become effective January 1, 1961. Because of opposition by the

administration this was changed in the House to July 1, 1961. I regret that due to the position of the administration this delay was necessary. For this reason, I think the Senate would be well advised to accept the bill as amended in the House except for the amendment I have offered.

The amendment deletes from the bill a section that has nothing to do with providing a health benefits program for persons already retired. It relates to another problem entirely. As a matter of fact, the problem to which it relates is within the jurisdiction of the District Committee.

I have in my hand a letter from the chairman of the District of Columbia Committee in which he requests adoption of the amendment dealing with the District matter with respect to which I have just made a motion. I should like to have his letter printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE DISTRICT
OF COLUMBIA,
August 25, 1960.

HON. OLIN D. JOHNSTON,
Chairman, Senate Post Office and Civil Service Committee, Senate Office Building, Washington, D.C.

DEAR OLIN: This is in further reference to my letter of August 23 advising your committee of the unfavorable report filed by this committee with reference to section 3 of H.R. 8289, concerning whether or not certain Federal employee organizations should be exempt from the insurance laws of the District of Columbia.

Since the identical language of section 3 of H.R. 8289, exempting certain Federal employee organizations from District of Columbia insurance laws, is likewise contained in section 10 of S. 2575, as amended by the House, and now before the Senate, please be advised that this committee will be constrained to file an objection to the passage of S. 2575 with the inclusion of section 10.

This committee has consistently taken the position on all similarly related legislation that insurance companies in the District of Columbia should come within the purview of the insurance laws of the District of Columbia.

Please accept my best wishes.

Cordially,

ALAN BIBLE.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I should like to say for the information of the Senate that the bill has been cleared through the Democratic policy committee and also the Republican policy committee. The ranking Republican member of the committee, the junior Senator from Kansas [Mr. CARLSON] is in the Chamber at this time and I think he would like to say something. I yield to him.

Mr. CARLSON. Mr. President, I hope the Senate will approve the motion of the Senator from South Carolina to concur in the House amendment with certain amendments, proposed by the chairman of the Committee on Post Office and Civil Service. We discussed this matter in committee, and I believe the retired employees last year were very greatly disappointed that they were not included in the Health Benefits Act of 1959. They felt that they were discriminated against, and I think rightly so.

The Federal Employees Health Benefits Act of 1959 provided a worthwhile and long-overdue program of prepaid health benefits for persons on the roll and employees with specified length of service who retired after the effective date of the bill.

The bill became effective in July of this year. Employees who retired prior to the effective date of the bill and former employees already on the retirement roll were not covered. The pending measure is designed to provide a health benefit program along comparable lines to these former retirees and these former employees already retired.

I am happy to be able to support the pending bill for I think it is long overdue. Furthermore, I think that these former retirees are entitled to the same consideration from the Government as present employees who will retire in the future.

Mr. JOHNSTON of South Carolina. I thank the Senator from Kansas for his remarks.

Mr. JORDAN. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield to the Senator from North Carolina.

Mr. JORDAN. Mr. President, the measure under consideration will extend to our 415,000 former employees now on the retirement roll a health benefits program somewhat comparable to the plan adopted last year for active employees and employees who will retire in the future.

The original Senate bill and the bill as amended in the House, while containing somewhat different language, have the same objective. This is not the time to quibble over words. For this reason, I am happy to support the bill as amended in the House. The important thing to me is the fact that we are on the verge of enacting a long-overdue health benefits plan for our retirees.

I am glad to support the measure at this time.

Mr. JOHNSTON of South Carolina. I thank the Senator.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield to the Senator from Texas, who is a member of the subcommittee.

Mr. YARBOROUGH. Mr. President, I rise in support of the pending motion, having been a member of the subcommittee which held the original hearings. I wish to pay tribute particularly to the distinguished senior Senator from South Carolina and to the late Richard Neuberger, of Oregon. Their leadership was vital in the final completion of the measure before the Senate Post Office and Civil Service Committee.

At the time the general health and retirement bill for Federal employees was passed, the retired employees felt very keenly that they had been excluded from the law. Actually, Congress and the committee were sympathetic to their claims, but actuarily, due to their age, it was not feasible to include them in the same type of hospitalization plan that was available for Federal officials and employees generally.

Additional hearings had to be held. Additional actuarial statistics were prepared, on the basis of the age of the retired employees, and a different plan was devised. It is not quite as favorable as the plan for Federal employees, because the retired employees are not young enough to receive the benefits of the more favorable terms that younger people could obtain. We were forced to defer consideration of this measure.

Though the general Federal Employees Retirement Act was effective on July 1 of this year, the effective date of the present measure was deferred until 1961 because of the problem of first setting up the fund and getting the plan into operation to cover the more than 400,000 retired Federal employees, who by deductions from their retirement pay, will themselves contribute to the fund. It will be a type of medical care insurance similar to that the Federal employees have. Money will be deducted from the checks of retired employees every month in order to pay their part.

I am grateful for the privilege of serving on this committee under the leadership of the distinguished Senator from South Carolina, whose drive has meant so much in carrying this plan forward, to see that these elderly people receive the measure of justice to which they are entitled.

I again wish to pay tribute to him and to the late Senator Neuberger, who did so much on the bill to see that it was brought to the stage that it had reached before he was untimely taken away from us.

Mr. JAVITS. Mr. President, I am gratified that this problem is being resolved. We have a very large population of both civil service employees and retired employees in New York State. Many of them have been interested in the subject, and we have had a deal deal of correspondence on it. The Senator's initiative in trying to resolve the problem will be very widely appreciated, and I thank the Senator.

Mr. JOHNSTON of South Carolina. I thank the Senator from New York, and also the Senator from Texas [Mr. YARBOROUGH], who has spoken. He worked tirelessly on the bill in committee. He should be given a great deal of the credit for the passage of the bill.

I wish to thank also every member of the committee, both Democrat and Republican. They were unanimous in this matter. It was not an easy task, when we consider the great number of people who are involved, to determine how to draw up a health benefits program. That is why it will take a great deal of study from the administrative end in order to put it into effect, and that is why it is necessary to have it go into effect on July 1 of next year.

Mr. CARLSON. Mr. President, the Senator from South Carolina has complimented the members of the committee, both majority and minority members. I wish to compliment him for his outstanding leadership. I wish also to compliment the staff for its excellent staff work. We have also had support

from the Civil Service Committee. It was a difficult bill to write. We should be proud of the fact that we have been able to get to a resolution of the problem.

Mr. JOHNSTON of South Carolina. I thank the Senator, the ranking minority member of the committee, for his remarks. I, too, agree thoroughly that the staff work has been excellent. After we adjourned last year the staff continued their work. They should be commended for their work. Sometimes we have a tendency to forget those laborers who are not Senators or Representatives. They do faithful work behind closed doors in the committee. I, too, therefore, wish to commend the staff for its work on this matter.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The question is on agreeing to the amendment offered by the senior Senator from South Carolina to the amendment of the House of Representatives.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on concurring in the amendment of the House, as amended by the amendment of the Senator from South Carolina.

The amendment of the House, as amended, was concurred in.

VISIT TO THE SENATE BY HON. ELLEN STRANGE PETERSEN, MEMBER OF PARLIAMENT OF DENMARK

Mr. MORSE. Mr. President, as a member of the Foreign Relations Committee, it is my privilege and honor to present to the Senate this afternoon a visiting parliamentarian from a very friendly nation and great ally of ours, Denmark. Our visitor this afternoon is 1 of 19 women in the Denmark Parliament of 179 Members. She has been in the Parliament since 1958. It is my pleasure to present to the Senate Mrs. Ellen Strange Petersen, of the Denmark Parliament. [Applause, Senators rising.]

PROPOSED AMENDMENT OF RULE III AND RULE VII OF THE STANDING RULES OF THE SENATE

Mr. CLARK. Mr. President, I send to the desk for appropriate referral two resolutions, one amending paragraph 1 of rule III of the Standing Rules of the Senate, and the other amending rule VII of the Standing Rules of the Senate, by adding an additional paragraph. I ask that the resolutions may be appropriately referred.

The first resolution would eliminate the requirement that the Journal of the preceding day be read if one Senator requests it, and the second would regulate the transaction of morning business to provide a regular morning hour for such business each day and limit individual speeches during the morning hour to 3 minutes each.

The rule that the Journal of the preceding day be read if one Senator requests it is a complete anachronism. The rule was established long before the Government Printing Office perfected the art of printing each day's proceedings within a few hours of adjournment. There is absolutely no reason why any Senator should demand the reading of the previous day's Journal under existing circumstances.

All Senators will recall occasions on which the reading of the Journal has been used to delay for several hours the Senate's consideration of urgent legislative matters. All Senators will recall other occasions on which the leadership has been forced to recess the Senate at the end of a day rather than adjourn it so that it will not be possible for a dissident Member to ask for the Journal reading the following morning and delay the debate on an important measure. The present Journal reading rule serves no valid purpose and should be amended.

The other rule change I am suggesting today—to regulate the transaction of morning business—is also intended to speed Senate business. The term "morning hour" is a misnomer under our present practice. It is well known that 2 hours, from noon to 2 p.m., are frequently used for morning business on new legislative days. I suggest that we limit morning business to 1 hour daily, unless a majority of Senators vote to extend the period, and that the 3-minute limit on individual speeches which is a custom now honored as much in the breach as in the observance, be written into the Senate rules. The morning hour is a valuable and appropriate time for the delivery of remarks by Senators on current events and other miscellaneous business. My proposed rule would make it impossible for one Senator to block the holding of a morning hour daily even if the Senate is meeting in recessed or continuous session, and yet it would curtail the overall time spent on matters nongermane to the pending bill or resolution.

I ask unanimous consent that the resolutions I have introduced may lie on the table until the close of Senate business on Monday of next week, in order that additional Senators who may desire to do so may have the opportunity to cosponsor the resolutions.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution will lie on the desk, as requested by the Senator from Pennsylvania.

The resolution (S. Res. 377) was referred to the Committee on Rules and Administration, as follows:

Resolved, That paragraph numbered 1 of rule III of the Standing Rules of the Senate (relating to the commencement of daily sessions) is amended to read as follows: "The Presiding Officer having taken the chair, and a quorum being present, motions to correct any mistakes made in the entries of the Journal of the preceding day shall be in order, and any such motion shall be deemed a privileged question, and proceeded with until disposed of. Unless a motion to read the Journal of the preceding day, which is nondebatable, is made and passed by majority vote, the Journal shall be deemed to have been read without actual recitation and approved."

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution will lie on the desk, as requested by the Senator from Pennsylvania.

The resolution (S. Res. 378) was referred to the Committee on Rules and Administration, as follows:

Resolved, That rule VII of the Standing Rules of the Senate (relating to morning business) is amended by adding at the end thereof the following new paragraph:

"8. One hour, if that much time be needed, shall be set aside for the transaction of morning business on each calendar day at the opening of proceedings or, if the Senate is in continuous, around-the-clock session, at noon. The period for morning business may be extended upon motion, which shall be nondebatable, approved by majority action. No Senator may address the Senate for more than three minutes during the period for morning business, unless he has obtained leave by unanimous consent to address the Senate for a longer time."

AREA REDEVELOPMENT HEARINGS

Mr. DOUGLAS. Mr. President, the Republican administration, through its spokesman, Secretary of Commerce Mueller, has again vetoed our efforts to enact an effective area redevelopment law.

In testimony before the Senate Subcommittee on Production and Stabilization on August 18, the administration closed the door on any chances we may have had to salvage a good bill in this Congress:

First. Secretary of Commerce Mueller took a take-it-or-leave-it attitude toward the administration's veto earlier this year.

Second. The ranking Republican member of the committee, Senator CAPEHART, stated in reference to the administration's own legislative proposals, "I am opposed to the legislation."

Third. The Republican Party is obviously playing politics with the issue by releasing incorrect information and half truths through political candidates.

At the hearings held recently, I stated:

I am still willing to negotiate with administration representatives who are authorized to speak for the administration. If there is an administration spokesman who can tell us (1) whether the President would sign an effective bill into law at this time, and (2) whether the administration would lend active and timely assistance in lining up Republican congressional support, such as on the House Rules Committee, to ensure passage of the bill, then we might succeed in an 11th-hour effort to pass a bill this year.

Otherwise, it would be unfair to hold out hope at this time to the thousands of Americans in areas of substantial and persistent unemployment who have been waiting for us to find some meaningful and responsible way of overcoming Presidential vetoes of area redevelopment bills.

The hearings proved conclusively that the administration would rather have no bill at all than to give an inch on the following important features of the area redevelopment bill:

First. The administration refuses any kind of assistance to distressed rural areas.

Second. The administration was opposed to any loan program for public facilities such as industrial water and industrial parks. The only program they would back is the one now being administered by the Housing and Home Finance Agency, which is a high interest rate program that was never intended to promote industrial redevelopment.

Third. The administration opposed any grants for public facilities for communities that are too distressed to finance a loan program in whole or in part.

Fourth. The administration is opposed to any Government loan in excess of 35 percent of the value of land and buildings, even though it must know that this limitation makes its loan program an empty gesture in many communities.

Fifth. The administration refuses to include machinery and equipment in planning for industrial redevelopment, even though, according to the administration's own figures, the cost of equipment is 60 percent of the total.

Sixth. The administration is blind to the realities of the retraining problem by refusing to authorize subsistence payments for the unemployed while undergoing retraining.

Moreover, in addition to the substance of the bill, the Secretary of Commerce refused to pledge any cooperation in seeking the support of the Republican members of the House Rules Committee, which killed the first effort of a bill in 1956.

Also, the position of the Republican leadership on the Senate Banking and Currency Committee, which opposes even the administration's inadequate bill, compounds the difficulty of getting a law on the books this year.

In reality, there have been four vetoes of area redevelopment legislation:

First. The first bill, which I introduced in July 1955, was passed by the Senate in 1956, and died in the House Rules Committee. At that time, the administration vetoed our efforts to pass even the administration's own bill. There was not a formal Presidential veto, but for all practical purposes it had the same effect.

Second. The second bill, which I introduced during the 1st session of the 85th Congress in January 1957, was formally vetoed—by pocket veto—by the President in September 1958.

Third. The third bill, which I introduced in the 86th Congress in January 1959, was vetoed by a formal Presidential message in May of this year.

Fourth. The fourth veto—by the Secretary of Commerce, speaking for the administration—occurred at the hearing I called on August 18, in my capacity as chairman of the Subcommittee on Production and Stabilization.

But perhaps the most revealing symptom of the administration's diehards resistance to good legislation is the propaganda campaign being conducted through its Cabinet officials and its political candidates in the field. Let me cite just two examples:

First. The administration baldly contends that more funds would be available under the administration bill than under the vetoed bill.

The hard fact is that the administration's most recent bill calls for $80 million, in contrast to the vetoed bill's $251 million.

How, then, can the administration make the claim of more assistance?

It is done with this kind of statistical sleight-of-hand. It so happened that the administration finally came around and agreed to a $75 million figure for one aspect of our program, namely, industrial loans for private projects. By pretending that this aspect is the only one involved in area redevelopment legislation—which it is not, for there are many others—the administration distorts the figures to show more assistance, for the simple reason that the vetoed bill is more comprehensive and provides more coverage throughout the country, especially rural areas.

A valid and honest statistical method would show that the administration figures are not even half truths. The vetoed bill, by any accepted statistical method, is shown to provide more than double the administration's proposal, even allowing for the fact of more coverage under the vetoed bill.

Furthermore, my original bill, S. 722, as passed by the Senate called for an appropriation of $390 million and was only scaled down by the House in the hope that the President would not veto it. This hope was dashed when President Eisenhower vetoed even the cutdown bill.

If I am reelected, I will reintroduce the bill with a $390 million authorization, and, if we elect JOHN KENNEDY, we can be sure he will sign it and will do everything he can to help.

Second. Another example of distortion of the facts is the charges made in my town State that the vetoed bill is "so broad as to include New York and Detroit as distressed areas."

The fact is that New York City was not included in the vetoed bill. The fact is that Detroit is included in the administration proposal as well as in the vetoed bill.

The use of the Detroit example by the administration in my State is further proof of the administration's cynical technique of playing one part of the country against the other.

I regret deeply that the administration has failed to come forward in a cooperative attitude.

We tried our best, but the administration brought us to a dead end of its own making.

I don't think they are going to fool anyone.

THE FREEDOM COMMISSION BILL

Mr. DODD. Mr. President, I wish to call the attention of my colleagues to a pending measure on which the Senate can act and should act, without acrimonious debate or partisan division, before this 86th Congress adjourns. I refer to the Freedom Commission bill, S. 1689, more commonly called the Freedom Academy bill.

I would like to observe at the outset that this is a bill of extraordinary importance to the United States and the free world. In fact, the Judiciary Committee, in reporting the bill favorably, has described it as "one of the most important ever introduced in the Congress." I fully agree with this estimate. If anything, I consider it an understatement. I believe that the preservation of our freedom, the preservation of the free world as we know it, may ultimately depend on the enactment of this measure.

This is not a Democratic bill or Republican bill. On the contrary it is a measure which, as Life magazine observed, persons of all shades of opinion, save one, should be able to unite behind. The bill was originally submitted by Senators DOUGLAS and MUNDT. With some minor amendments, it received the unanimous approval of the Senate Judiciary Committee.

I wish I had the talent to have authored the bill, but I am proud to be privileged to present this statement today to the Senate.

The Subcommittee on Internal Security held hearings on the bill in April and June of last year. A distinguished panel of expert witnesses, representing many shades of political opinion, testified overwhelmingly in favor of this measure. It has been strongly endorsed by the AFL–CIO, which has possibly had more experience combating the Communist conspiracy on the international scene than any other private organization, and by the Reserve Officers' Association, which is one of the very few private groups that has made a detailed study of political warfare.

I believe it is a fine and wonderful thing that a bill of such importance to the cause of freedom should command, at the outset, such broad and distinguished bipartisan support.

Mr. President, the measure before the Senate is quite unique. It is a truly pioneering bill which seeks to fill a major gap in our national defenses. I believe, without exaggeration, that it may make the difference between victory and defeat in the cold war. Because this bill is so different, because it proposes to create an entirely new instrumentality for winning the cold war, I believe the Senate should be informed in some detail of the purposes and reasons for this measure.

What is the gap in our cold war defenses this bill seeks to fill? Why is it necessary to create a new agency? How will the new agency fit into the Federal structure? These are the questions I shall attempt to answer in my remarks this afternoon. We are in the closing days of the session. We must still attend to many matters. Other Senators are waiting to speak, and I do not wish to impose on them. However, I hope that the Senators who are not present—

and I know they are busy with committee work and other important matters—will read what I am saying, because I believe that if they have a real knowledge of the content and purpose of the bill, it can be passed with practically a unanimous vote.

We have been losing the cold war partly because we have failed to understand its total character, partly because we have been amateurs fighting against professionals. The Soviets have been winning the cold war because they have from the beginning accepted it as a total war, to be waged with all their resources and on every plane and, second, because they have, through their specialized training institutions, developed scores of thousands of practitioners in the art of total political warfare.

So long as we are amateurs pitted against professionals, Mr. President, we shall continue to lose the cold war. The task of the Freedom Academy will be to fill this gap in our defenses. Its function will be, first, to develop systematic knowledge about all aspects of the Communist conspiracy; second, to develop a science of counteraction against Communist subversion that will see us through the perilous period ahead and ultimately pave the way for the victory of freedom; and third, to train Americans and nationals of other free countries in the science of total political warfare, as it must be waged by free men.

To illustrate the problem, I would like to review recent events in four countries, each of which occupies a position of importance to the security of the free world. One country is in the Middle East, one is in the Far East, one is in Africa and one is in Latin America. Each has been a major target for Soviet political-economic warfare. Each has already been captured or seriously weakened. What has happened there points up the urgent need for the present bill. In these countries the Soviets have demonstrated a highly successful form of attack against which we have grossly inadequate countercapabilities.

The first country is Iraq. Three years ago Iraq was considered a Middle Eastern bastion of stability and anti-Communist strength. The Iraqi Government was strongly pro-Western, it was the only Arab government to join the Baghdad Pact, and, because of its apparent solidity, its capital had been chosen as the seat of the Baghdad Pact organization. The Iraqi Army was well trained and well equipped. Nuri as Said's government was engaged in a program of social and economic reform which was enlightened by Middle Eastern standards. The country was receiving large amounts of economic and military assistance from the West. The Iraqi Communist Party, sternly repressed by Nuri, had been reduced to a few hundred hard core members and driven underground.

Then, in a few hours, this citadel of free world strength was overwhelmed. In a sudden coup, the King was assassinated and Nuri was dragged through the streets. In its precision and utter ruthlessness, this coup was completely alien to the Arab tradition; the staffwork could only have been done by carefully trained professionals. A virulently anti-American, pro-Communist military dictatorship was established. With appalling speed, the remaining Communists emerged from underground. They organized and led the street mobs which intimidated or tore to pieces all who opposed them. They took over the educational system, including the all-important indoctrination of the army. They captured the press and radio. They whipped the people into an anti-Western frenzy with expert agitation and propaganda. With great skill they manipulated their opponents from positions of power.

Why did this country of Islam, with every reason to be anti-Communist, prove so susceptible to Communist subversion? During the many years Iraq was in the Western camp, why was the West so unsuccessful in getting across its own message and getting across the truth about communism? Why did Kassem and so many of the younger officers display an almost pathological hatred and suspicion of the West? Who forgot to educate the Iraqi Army about communism? Who forgot to educate the students about communism? Why were so many non-Communists so indifferent to the Communist takeover? Why were they unable to organize effective opposition? Why did the principal opposition have to come from the Nasserites? Why was there an ideological vacuum?

Mr. President, the second country I propose to discuss is Japan. The full extent to which this cornerstone of our Far Eastern defenses has been weakened by Soviet political warfare and subversion is still imperfectly understood. I will only take the Senate's time for one critical example which I hope will help to illustrate the overall problem we face and the need for the present legislation.

Let us take the case of the Japanese Teachers' Union, whose 500,000 members staff Japan's public schools. For some years now the Teachers' Union has been a captive of the Japanese Communist Party. While the overwhelming majority of its members are non-Communists, the union's machinery is completely in the hands of the Communist Party. The party has, in fact assigned some 1,500 party members to work as full-time union functionaries and organizers.

The Japanese Teachers' Union makes no bones about the fact that its principal purpose is political rather than professional. In its pamphlet called "The Teacher's Code of Ethics," the Japanese Teachers' Union states that "the realization of socialism is the historic task imposed on the teacher. It is the duty of the teacher to foster young people who would help realize such a society." Since the Teachers' Union is Communist-controlled, it should be understood that the word "socialism," as used in this directive, means "communism."

A substantial number of Japanese teachers are carrying out these instructions. Young children are being taught that the U.S.S.R. is their real homeland. One common tactic is for the teacher to draw a map of Japan on the blackboard with a red flag in the middle and tell their pupils, "this is the Peoples Republic of Japan." Constant reference is made to the United States as an aggressive, imperialistic power, while constant praise is heaped on Russia and Red China, who are identified as Japan's real friends. The effect on young minds of this corrosive propaganda, repeated grade after grade, year after year, through their entire secondary education, can well be imagined.

The Teachers' Union has conducted violent demonstrations against proposals to hoist the Japanese flag and to sing the national anthem at school programs. The union throws itself into all sorts of political activities and demonstrations which have nothing to do with educational affairs and constantly agitates the teachers to bring the message of Socialist salvation into the classroom.

Westerners wonder why so many Japanese students join the radical Zengakuren which led the recent rioting. Correspondents who interviewed these students were surprised by their warped picture of the United States and their fantastic ideas about democracy. If our pundits had paid more attention to the almost unbelievable situation that exists in so many Japanese secondary schools, they might have anticipated the results.

To me the most alarming aspect of the Communist takeover of the Teachers' Union is not the systematic brainwashing in the classroom and the resulting ideological prostitution of a generation of Japanese youth. To me the most disheartening thing is the way the great mass of the Japanese people have sat on their hands and permitted this to happen.

The Teachers' Union represents the best educated, major organized group in Japan. Yet, when the Communists were taking over, only a handful of educators were willing to fight back. And these very few who were willing to stand up, did so as scattered individuals, without organization. Not very surprisingly, they were quickly crushed by the Communist apparatus.

Why, in heaven's name, have Japanese parents remained passive when their sons and daughters come home from school and inform them that Soviet Russia is their real homeland? Why is it that no democratic force has developed in Japanese universities to compete with the Zengakuren? Why has no third force developed among the students even in the Christian universities of Japan? Why is all the dedication and organizational know-how on the side of the Communists? What is wrong with the forces of freedom? Where are they?

I believe the Communist victory in the Teachers' Union in terms of its long-range implications may well be the greatest single defeat the United States has suffered in the Far East other than the Communist victory in China.

For nearly a decade we occupied Japan and directed its reorganization along democratic lines. We spent hundreds of millions of dollars and devoted the energies of many of our best minds, yet we may have failed because in our political innocence we thought that the only enemy was Japanese militarism, which was crushed and discredited, and

we neglected to prepare the Japanese to defend themselves against the real enemy.

History may show that a few thousand superbly trained professional Communist conspirators had a far greater influence on the future of Japan than all the treasure and talent we poured in.

I should have liked, if there were time, to discuss the critical situation in the Japanese Socialist Party, Japan's principal opposition party, whose dominant leftwing has been successfully infiltrated by the Communists, and the situation in the 3½ million member General Council of Trade Unions of Japan which also has been successfully penetrated and captured by the Communist Party. But since I must limit my speech at some point, let me only say that the story in each of these situations is the same—well-trained Communist cadres versus untrained amateurs.

Mr. President, the third country I should like to examine is Cuba. A little more than a year and a half ago a brutal dictatorship was otherthrown in what appeared to be a popular revolution. I am told that Fidel Castro had the enthusiastic support of 90 percent of the Cuban people when his victorious column entered Havana. Seldom in recorded history has a man been in a position to do so much for his people. Castro was welcomed in this country as a conquering hero and we stood ready to extend every assistance to his regime.

Today the lights are going out in Cuba. The Communists have captured the government machinery. The non-Communists and anti-Communists, who represented the great majority of Castro's supporters, have been decisively defeated. Today, Communists are streaming into Havana from all over the world to consolidate their victory. We have now a Soviet satellite within 90 miles of our own border. The Monroe Doctrine has been successfully flouted. Our vaunted military preparations have proven useless.

How were the Communists able to capture a popular revolution so quickly and so completely? Why were the Cuban people so naive about Communist operational methods? Why were the anti-Communists so disorganized and so inept when the showdown came? Why were they outthought, outplanned, outorganized and outmaneuvered by the Communists from the very beginning? Why was the large middle class in Havana, which was solidly behind Castro, unable to cope with the Communist cadres? Where were their leaders? Why were they not better trained? To what extent was our own negligence responsible for this catastrophe?

Once again I ask the question: Why must the dedication and know-how so often predominate on the Communist side? Why does it always seem to be well-trained professionals versus disorganized amateurs?

Mr. President, Cuba today is being converted into a major staging area for the subversion and capture of Latin America. While Castro may be increasingly unpopular with many of the present governments of Latin America, he seems to be increasingly popular with the intellectuals, students, labor, and the peasants, and these groups may provide the leaders who lead the next revolutions and form the next governments.

So powerful has the Castro image become that certain governments appear afraid of taking any action against Cuba for fear of bringing down the wrath of powerful groups of their own countrymen. Many Latin American politicians who privately denounce Castro's actions, feel it necessary to support him publicly. Our Government was dismayed by recent remarks of leading political figures in Mexico, who stated that Mexico would side with Cuba in its dispute with the United States. And in the current meeting of the Organization of American States, we have been unable to obtain backing for action against Castro one-tenth as vigorous as the action that has been taken against Trujillo.

There is not time for me to analyze the major Soviet, and, to an increasing extent, the Red Chinese penetration of Latin America. The Senate has been kept well informed by such experts as the junior Senator from Florida. I do, however, want to mention one aspect of this penetration which I find especially discouraging.

This is the deep and highly effective penetration of the universities and student organizations. Many, possibly a majority, of the larger student organizations in Latin America have been captured. One of the techniques is to use professional students, sometimes in their thirties, who have already obtained their degree from one university and enter another university, often under an assumed name, to work full time as student organizers. This is the same technique which worked so effectively in China prior to 1948. To me the disheartening thing in Latin America, as in Japan, has been the near absence of organized opposition in so many universities to the Communist takeover of the student organizations.

U.S. News & World Report for August 1, 1960, prints part of a letter from a Costa Rican student who had just completed a year of study in the United States. He writes:

> Castro propaganda has increased enormously since I was home a year ago. All kinds of committees are set up that present Fidel as a messiah. Communists now are louder than ever, especially in the university, who keep shouting "Yankee imperialism." Indifference of the people to what is happening alarms me.

Why are so many non-Communist educators and students in Latin America passive and indifferent to this fearful challenge? Is the concept of freedom so blurred it is no longer worth fighting for? Why are the students of Latin America so naive about the methods of communism? Why do the Communists find them so easy to manipulate? A substantial part of the youth in Latin America, as in Japan, are being led into the enemy camp while we stand by helpless. Where are the forces of freedom? Where are the articulate believers in freedom and democracy? Why are not some professional students on our side?

Mr. President, the fourth country I propose to discuss is the newly independent state of Guinea, which was formerly a part of French West Africa, but chose independence in the 1958 election. The President of Guinea, Mr. Sekou Toure, was for many years a loyal member of the French Communist Party. He held positions of importance within the Communist-controlled General Confederation of Labor. He was carefully trained in party schools in France, Prague, and Warsaw. In 1956, he said he broke with the Communist Party. He claims that, while he remains a Marxist, he is not a Communist. A serious question remains. Was this break made from conviction, or under party orders?

During its 2 years of independence, the government and social structure of Guinea have been ruthlessly organized along Communist police-state lines. There is only one political party, which follows the Red pattern from cell to politburo. The agricultural population is being forced into communes which bear a marked similarity to the Red Chinese variety. In fact, Chinese instructors are directing the work. The police are being trained by imported members of the Czechoslovakian secret police, and the populace is being spied on with Czech-made wire recorders. In recent months hundreds have been arrested as enemies of the state, and many have been brutally and fatally tortured. The only news distributed comes from Russian, East German, and Red Chinese news agencies. Guinea is the first non-Communist nation to recognize the East German government. Guinea's economy has been mortgaged to the Soviet bloc for years to come in a series of one-side trade agreements. Guinea's army is equipped almost exclusively with Czech arms and is being trained by Czech instructors. Hundreds of Guinea's youth have been sent behind the Iron Curtain for political training, while large numbers of Iron Curtain technicians swarm all over the country.

On June 6 of this year, Time magazine observed:

> Last week there were alarming signs that * * * Guinea was rapidly becoming a police state under the cold direction of imported Communist instructors.

And Time further observed:

> If Toure is indeed no Communist, he seemed fast becoming the captive of those who were.

I believe it is correct to state that Guinea has become the first African Cuba. Already the Reds are transforming Guinea into a major staging area for the subversion of the rest of Black Africa, just as they have turned Cuba into an advance post for the subversion of Latin America.

Sekou Toure was recruited into the French Communist Party during his Paris student days shortly after World War II. For many years the French Communist Party made a special effort to befriend, indoctrinate, and recruit African students studying in France, because the Communists, with their

vaunted long view of history, were aware that these students were the future leaders of Africa.

Mr. President, why must it always be the Communists who have this foresight? Where were the forces of freedom?

It is being said that France invited Soviet penetration by pulling out in a huff and taking everything with them when Guinea voted for complete independence. I suspect the battle was really lost 15 years ago when a lonely African student, ignored by other Frenchmen, was systematically cultivated by the alert Communist Party. He found a home in the party. And today the Soviets have acquired a major base in Africa.

In Iraq, Japan, Cuba, and Guinea the Communists have demonstrated an impressive political warfare capability. In four widely separated parts of the globe, confronted with completely different political and social conditions, and operating in environments which by all rights should have been hostile, they have scored major triumphs. In the first country they successfully penetrated and manipulated a Middle Eastern Nationalist movement, in the very heart of Islam. In the second country, they have successfully penetrated and manipulated the secondary schools, the universities, the student groups, the labor unions, and one of the two principal political parties of an advanced industrial nation. In Cuba, they have captured a popular revolution in a Catholic country which has traditional ties of friendship with the United States and lies on our very doorstep. In Guinea, they have moved in on a primitive society and have taken over at the very moment that its people were supposed to gain their freedom.

Mr. President, why do we still try to console ourselves with the thought that if we just spend enough money on guns and missiles and foreign aid, we can make the free world secure against communism?

Our recent disasters in Iraq, Japan, Cuba, and Guinea should help us to realize that we can outgun communism and outspend communism—and still lose the cold war.

We are up against an enemy who has mastered all forms of social conflict—political, ideological, psychological, economic, and organizational, as well as military and paramilitary. With the political warfare weapon he has moved over and around our military defenses to secure beachheads deep in our rear areas. He has a coordinated long-range strategy for victory, in which he will use all methods and all means against us.

With every day's news, it becomes clearer that the old methods of defense are not enough. Either this country masters the new dimensions of warfare the Soviets are employing against us and goes over to the offensive, using all of our strength and wisdom, or we face the certain prospect of increasing isolation in a world which is swinging evermore toward the Soviet sphere.

There must be a new start, a new approach in our planning and thinking.

I believe the most important question before the country is this: How do we prepare ourselves in the shortest possible time—because I am afraid there is only a very short time left to us—to meet and defeat the Soviets in this many-sided conflict? How can we develop a coordinated counterstrategy for victory? What is the quickest and best way to train our people in this new art or science?

I emphasize the quickest as well as the best, because we are many years into the cold war. Regardless of how fast we now move to repair our situation, important battles to come may already have been lost for lack of preparation. But if we move without delay, we can, I am certain, still prevent a decisive shift towards the Soviets, still recover the initiative, still make our way to victory.

As a starting point, I suggest that we examine what the Communists have done. How were they able to achieve their very great capabilities in political warfare? In suggesting this as a starting point, I do not mean that we should copy Soviet procedures. We can, however, learn a great deal from the Soviet experience, even though we ourselves must develop quite different methods—methods which meet our special needs and are in accord with our own ethic.

The key to Soviet successes is their massive development and training program in political warfare.

This development and training program, whose modern origins extend back some 60 years, has given them a huge fund of political warfare knowledge, an effective operational science and large numbers of highly trained, dedicated professionals who have mastered all phases of the total war.

There is no time for a detailed résumé of the Soviet program. I will therefore cover only its basic outline. But I believe this will assist the Senate in visualizing the dimensions of our own problem.

The father of modern political warfare and the architect of the Communist Party was V. I. Lenin.

In 1895 Lenin, then an obscure lawyer in St. Petersburg and deep in the Russian underground, was arrested by the Czar's secret police. After serving 14 months in a St. Petersburg prison, he was exiled for 4 years to a remote village in western Siberia. He received a stipend covering his board, clothing, and lodging, leaving him free to do pretty much as he pleased. He used his time to analyze what had gone wrong with the Russian underground, which was making little headway against a very alert police force.

For 4 years he pondered the problems of revolution. He concluded, in substance, that he and his associates were amateurs using "primitive methods" of conflict. What the revolution needed was not eager amateurs, but highly trained professional revolutionaries, who, in Lenin's words, would give to the revolution "not their spare evenings but the whole of their lives." Lenin recognized that political warfare is a complex art or science and that it must be intensively and systematically developed.

After completing his sentence, Lenin made his way to Germany and then to Switzerland. There he and other emigrees established a revolutionary newspaper called Iskra, the Spark. In a series of articles, beginning in 1900, he spelled out the strategy and tactics which would later be adopted by Communists throughout the world. Again and again he hammered at these central themes—political warfare is a difficult science—we must master all forms of conflict—the revolution must be led by trained professional revolutionaries.

In 1902 he elaborated on these articles and published them in a book called, very appropriately, "What Is To Be Done?" The last half of this book outlines a deadly political science for waging all-out political warfare against the established order. On almost every page he reemphasizes the need for trained professional revolutionaries. "What Is To Be Done" became the bible of Lenin's Bolshevik faction. It is probably the most important book of this century, in terms of the forces it set in motion. Yet I wonder if a handful of people in this Chamber have read it.

Unfortunately for us, Lenin was a brilliant organizer and teacher as well as theorist. It is a little-known fact, but prior to 1917 he established three political warfare schools in Western Europe: one on the Isle of Capri outside Naples, one at Bologna, Italy, and one in a Paris suburb. Lenin and other revolutionary figures taught in these schools, and the graduates became the world's first professionally trained revolutionaries.

The Senate will recall that in 1917 the Czar was overthrown and a democratic regime was set up under Kerensky. The Bolshevik leaders played a minor role in the first revolution. Lenin was in Western Europe. Trotsky was in New York, and Stalin was in exile in Siberia.

Lenin then returned to Russia in the famous sealed train and immediately set to work undermining the new government. Those who have studied the Russian Revolution of March and the Communist counterrevolution of November 1917, have marveled at the efficient, ruthless manner in which Lenin and his small, but well-trained group of Bolsheviks, were able to penetrate and control key army regiments, labor unions, and intellectual groups, to isolate the government from the people by expert agitation and propaganda, and to manipulate their opponents from positions of power.

The graduates of Lenin's three political warfare schools played a key role in these operations. It took them just 7 months to lay the groundwork for the November seizure of power.

When the Communist counterrevolution failed to ignite revolutions in other countries, the Bolsheviks realized they were in a long range struggle with the Western Powers. But they were supremely confident of the superiority of their new operational science. They were convinced they could wage a war of attrition against the West in which we would, over the years, be isolated from Asia, Africa, and Latin America, and our will and ability to resist gradually eroded.

This total, global political warfare had to be codified and systematized, as

Clausewitz had systematized military warfare. Thanks to Lenin's writings, the early training schools and their extensive experience in Russia, the Bolsheviks were well on their way to achieving this scientific know-how.

However, world revolution required more sophisticated operational thinking. The techniques which had prevailed in Russia would need modification and specialization for the quite different conditions in other countries. Those at the control centers in Russia—the conflict managers of world communism—would need the most detailed information about their victims. In each country they would have to know the degree of political maturity and class consciousness, the areas of friction, the symbols invoking the greatest response, the decision-making machinery, the vacillators and opportunists who might be won over, the identity of those who could never be won over. Above all, they would need native Communists, trained to execute the complex strategy of subversion and motivated to win.

All this required a vast development and training program, without precedent in world history.

THE COMMUNIST TRAINING ESTABLISHMENT

Shortly after their takeover, the Bolsheviks established a system of top-level political warfare development and training centers. These were in full operation by the mid-1920's. There was the famed Lenin Institute of Political Warfare, where students from all parts of the world were given 3 years of the most intensive training in every aspect of political warfare. There was the Academy of Red Professors, which had the function of teaching the teachers, with courses 4 to 7 years in length. There was the Sun Yat-sen University, sometimes called the Far Eastern University, which trained most of the present top leaders of the Chinese Communist Party and gave them the political and military know-how to conquer China. These were the best known institutions. But there were many more training centers, large and small, to take care of every nook and cranny in the spectrum of conflict.

It was estimated at the hearings that these top schools have graduated more than 100,000 Communists from all parts of the world. These ace professionals are the first group in history whose training has prepared them to coordinate the full range of political weapons and cold-war weapons systems—the political, the economic, the social, the psychological—with basic military strategy. This synthesis has brought into being a sophisticated, unified, operational science that adds new dimensions to the global power struggle.

At these top universities for political warfare and at the auxiliary centers, Russian political scientists and other specialists undertook a tremendous research program in tactics and strategy of political warfare. They studied the experiences of conquerors and power-seekers throughout history to determine what techniques will or will not work under various circumstances.

This vast body of knowledge was augmented by affiliated research projects.

They studied the adaption of Pavlovian studies of induced behavior to the service of political warfare.

They developed advanced techniques for penetrating and manipulating nationalist parties in the colonial areas. Special attention was given to the revolutionary forces at work in Latin America, Asia, and Africa. The West has set these forces in motion, but the Soviets expect to harness and manipulate them for their own purposes.

Communist leaders were brought in from all parts of the world to give the students the advantage of their practical experience; and intensive area studies were undertaken of the conditions in their assigned countries.

One former American Communist, Joseph Kornfeder, who attended the Lenin Institute from 1928 to 1931, testified at the subcommittees hearings that by that time the Soviets had already accumulated a central library serving these centers, comparable in size to the Library of Congress.

In the Soviet Union, historians, sociologists, anthropologists, linguists, psychologists, and economists have been enlisted in the service of political warfare. Their newly formed Academy of Social Sciences has impressed the social sciences into the service of political warfare. Their Institute of World Economics has the function of analyzing economic situations in other countries to determine how economic difficulties may be exploited for the benefit of the Communist movement. Their Institute of International Relations has a similar function. Their Institute of Marxism-Leninism, not to be confused with the Lenin Institute, develops the ideological part of the program. Even their Academy of Sciences is engaged in political warfare to an important degree.

The extent to which these associated centers support Soviet political warfare is indicated in the following paragraph from the speech of Gen. C. P. Cabell, Deputy Director of the Central Intelligence Agency, to the National Guard Association on November 8, 1959:

> The Soviet Union is clearly preparing for action in Africa. Since 1950, considerable study and research has been underway in various academies and institutes of the Soviet Union and bloc countries. An increasing number of publicized studies on Africa, some of real scientific value, have been forthcoming from Soviet Government study programs. Introduction of a wide range of university courses and the stepped-up preparation of instructors in African subjects have been under way at Moscow, Leningrad, and Prague universities. Language training in such languages as Youraba, Congo, and Luba, has become a fixed part of the curriculum. The aim is clearly to create a nucleus of Soviet experts on Africa and to equip Communist engineers and scientists with the necessary knowledge for work in Africa. Standard among such training is included the techniques and methods of propaganda and subversion.

Below the top political warfare centers in Moscow, the Soviets have set up a system of intermediate level training centers on both sides of the Iron Curtain. A school at Tashkent, Russia, trains Communists from the Islamic areas. Prague, Czechoslovakia, has become a principal center for training foreign Communists. One Prague school, which has the innocuous name of the Institute for the Study of Latin American Relations, specializes in training Communists from Latin America. As far back as 1954, Daniel James, a leading authority on communism in Latin America, describes this school as follows:

> The institute has an enrollment of 750 students * * * The great majority of them are Latin Americans, the rest Europeans. The purpose in having Communists from Latin America and Europe study together is to train them as teams. Upon graduation, the Latin Americans return to their native countries and are later joined by European graduates, who may be former classmates. The latter are usually assigned to Iron Curtain diplomatic or trade missions in Latin America—hence the stress being laid by Communists everywhere in Latin America upon establishing diplomatic and trade relations with the Soviet sphere. (It is quite possible that the Iron Curtain envoys in Mexico who visited Guatemala were trained at Prague.)
>
> Subjects taught at the Institute for the Study of Latin American Relations include the history, culture, politics, law, and languages of the Latin American countries, all rendered from a Marxist viewpoint. Special attention is devoted to the theory and tactics of revolution, espionage, and sabotage.
>
> The institute's primary aim, however, is not to turn out spies and saboteurs but experts at infiltrating non-Communist organizations and institutions and at leading or influencing mass movements, in accordance with the general strategy of exploiting and channelizing the dominant trend in Latin America: nationalism. The trainees are handpicked from Latin America's Communist Parties and their labor, intellectual, peace, and youth fronts. These facts underscore the significance of the increasing flow of Latin Americans to Communist centers in Europe; there is scarcely any doubt that a great many of them find their way to Prague.

Another Prague school trains Africans. Antony Head, the former British defense chief, who has made a detailed study of Soviet penetration of Africa, estimates this school has facilities for 3,000 students. Incidentally, a recent issue of Newsweek magazine noted that 100 Congolese students undergoing training at Prague and Warsaw are being graduated ahead of schedule so they can return to the Congo and fill the administrative vacuum.

I wonder how the Belgian Government could have been so naive about the nature of the global struggle as to permit these students to journey to Prague for an advanced education in subversion, while denying to all but a handful of other Congolese students university training in Belgium or elsewhere in the free world.

Antony Head, in a speech to Parliament on February 25, 1959, chided the British Government for permitting a number of Africans to travel freely to Prague. He speculated that it might only be a matter of time until some of the key government positions in the former colonies were held by Prague alumni.

Thus do the democracies cooperate in their own destruction.

Mr. President, I have been speaking of schools operating in the Soviet Union

and its satellites. It is interesting, and I believe most significant, that Red China is now getting into the act on a big scale. In 1956, the Soviet Union stepped up its training of Latin Americans. In the same year, the Chinese Communists established a parallel system of political warfare training centers for Latin Americans. I believe these stepped up training activities are a better indication of future Soviet intentions and activities than almost any other indicia.

On November 5, 1959, General Cabell gave this important testimony before the Internal Security Subcommittee:

The training of Latin American Communist Party leaders at the higher party school of the Communist Party of the Soviet Union has been going on continuously since 1953, with an increase noted since 1956.

The usual curriculum is based on a 2- or 3-year course of training, and the students are active party leaders and functionaries who have been selected by their parties and approved by the Communist Party of the Soviet Union.

It is probable that most of the Latin American Communist Parties now have a number of leaders who have received this special training. Beginning in 1956, the Communist Party of China also undertook to give training to Latin American Communist Party leaders.

They emphasize, among other subjects, the special contributions of the Chinese party in the field of clandestine work, agrarian reform and peasant affairs, guerrilla warfare, and the manipulation of the bourgeoisie and other elements in the "anti-imperialist struggle."

Since 1956, there is evidence that the organization of such training has been improved, and that the Chinese Communist Party is now giving regular courses specifically for Latin American Communist students, thereby paralleling the Soviet effort.

* * * * *

Chinese Communist revolutionary instruction is well received by Latin American Communist students who find it practical and well suited to the conditions in which they operate in Latin America. They especially appreciate the fact that the Chinese Communists pay even their travel expenses.

In February and March of 1959, Latin American Communist representatives received specific advice and guidance from Mao Tze-tung and other leading Chinese Communists concerning international Communist policy and effective methods of carrying on clandestine activities.

The intermediate level schools have been extended into the Western Hemisphere. For example, in the fall of 1958 the Communists were operating a secret training school in a walled estate in a suburb of Buenos Aires. Only a few people were supposed to be living in the estate, but local townspeople noted that enough food was being taken in to feed an infantry platoon. Mysterious strangers were coming and going at all hours of the day and night. The local police, suspecting a narcotics operation, raided the estate and caught the school in session.

The students came from many parts of Latin America and included lawyers, college professors, schoolteachers, and labor leaders. The course was 6 months long, 7 days a week. The training was comparable in intensity to our wartime officer candidate schools. Presumably some of these students took postgraduate work at Prague and Moscow. A wide range of political warfare subjects were covered in the curriculum.

Below these intermediate level schools, the larger Communist Parties run a whole system of training schools which teach political warfare as a matter of course.

In addition to general training, there are specialist schools for training organizers, agitation and propaganda experts, specialists in military questions and penetration of military forces, specialists in labor unions, race specialists, church specialists and guerrilla-political specialists. Also, they have specialist schools for specific national, ethnic, or regional groups. For example, there is a school for African labor leaders at Warsaw. From 1953 to 1955 they ran a school for Latin American labor leaders at Budapest. One satellite school specializes in training students from Guinea.

Mr. President, this system of training schools and development centers constitute the most elaborate establishment in history for creating political warfare cadres and capabilities.

It is remarkable that, with all that is being written and said about communism, so little mention has been made of these centers. Yet they are the key to Soviet victories.

At the upper level, these institutions have provided the Soviets with a new type of strategist, a conflict manager who sees the cold war in all its dimensions. He is at home with all forms of conflict—political, ideological, psychological, economic, cultural, technological, military and paramilitary. In planning his strategy he is not limited to the conventional means of diplomacy. Rather he has at his finger tips a vast array of nonmilitary weapons—of cold war weapons so to speak—which have been tested and perfected over many years. He knows how to combine and integrate these into a complex strategy, utilizing all methods and all means in a many directional approach to strategic problems.

Activities which Western peoples look upon as pursuits of peace, such as diplomacy, education, trade, cultural exchange, and scientific research, he looks upon as tools of strategy. His entire career has been directed to the acquisition of power, both in the party where he has stepped over the bodies of less gifted comrades, and in planning and directing the Soviet's carefully patterned total aggression against the world. For nearly 60 years he and his predecessors have perfected the deadly political science which Lenin first described in "What Is To Be Done" and his articles in "Iskra."

At the middle and lower levels are several million Communist cadres who have been intensively and systematically trained in methods ranging from subtle techniques of subversion to the organizing of street mobs. They are deployed in every country. They work harder, they are more dedicated and have more know-how than do any of their opponents with rare exceptions. They give to the revolution the whole of their lives and not just their spare evenings.

I ask the Senate to consider for a moment the impact this Soviet training and development program will have in Africa. The hundreds of Africans graduating every year from the centers at Prague, Warsaw, and Moscow are instructed to conceal their party membership. They do not return to Africa as open Communists. Rather they return as nationalists, African Marxists, and anti-imperialists. They are not instructed to form mass Communist parties. Rather, they are told to join the nationalist parties emerging in the newly independent countries and to manipulate them from within—first toward neutralism and then toward the Soviet bloc.

Look at the fabulous opportunities awaiting them in countries where only a tiny fraction of the population has received higher education, and almost no one has political experience. If Communist cadres can capture the Socialist Party in an advanced country like Japan, what are their horizons in the Congo? At present, I can see very little standing in the way of Communist capture of the bulk of the African nationalist movement. Diplomats and reporters who have little understanding of the techniques of communism, simply because they see no evidence of large Communist parties in Africa, conclude that communism is a minor force in the dark continent. They should visit Prague.

I hear suggestions that we should bring thousands of Africans to this country and train them in administration and the professions. This is all well and good. I believe it should be done and I will wholeheartedly support such a program. However, we should ask ourselves this question: If we train 1,000 Congolese as technicians and administrators, and the Soviets train 100 in political warfare, which group will win control of the Congo?

I ask the Senate to consider the impact of the Prague center on Latin America. General Cabell recently told the Internal Security Subcommittee that all Communist Parties in Latin America are under orders to recruit new members on a secret basis. The days when the Communists were seeking to produce large mass parties are past, at least in Latin America. The new technique is to penetrate the existing institutions, especially the universities, the left of center parties and mass communication systems, including newspapers, TV, radio, publishing houses. Members recruited in these groups are told to stay where they are and to work from within.

Imagine the impact on the future course of Latin American history when many thousands of dedicated revolutionaries, who have received advanced training in Prague, are redeployed throughout the fabric of each Latin American country—not as Communists, but as apparently devoted, hard-working members of the professions, the press, the schools. Because of superior know-how and conspiratorial endeavor, wherever they are, they quickly rise to positions of control.

There is hardly a country in Latin America that does not have a revolutionary or potential revolutionary situation.

The Prague graduates are masters at exploiting these situations by supporting ostensibly non-Communist parties—and then gaining control of the new revolutionary parties. They have an intimate knowledge of agrarian problems; but, more important, they know how to organize the peasants into a political force. They have an excellent working knowledge of labor and labor unions; but, more important, they know how to agitate and organize labor into supporting pro-Soviet causes. They understand the Latin student and his problems; but, more important, they know how to capture student organizations and use them to spearhead revolutions.

Antony Head predicted that the day would soon come when Prague alumni would emerge as cabinet ministers in the newly independent colonies. I wonder if the graduates of Prague are not within striking distance of achieving working control of the left in much of Latin America. The progress they have made in the last 2 years is impressive—and frightening.

Mr. President, I submit that the Communist political warfare centers in Moscow, and other points, constitute the most insidious and most deadly instrument for conquest the world has known.

How well prepared is the United States to engage in the new dimensions of conflict?

We are told with tiresome repetition that we are engaged in a world struggle for the minds of men. It is axiomatic that the cold war must be fought with the same intensity as a hot war. But are we taking the measures necessary to win the war?

Lenin said that political warfare is a science and those who practice it must be intensively trained professionals. He was speaking, of course, of political warfare waged by an illegal international conspiracy.

But I say to you that the political warfare of free men, though its objectives and methods are quite different, is no less a science and that those who represent our side must be trained with equal vigor and intensity.

I believe there is no area of human activity which makes greater demands on a person's courage, intelligence, integrity, and stamina than political warfare. It is, indeed, the most difficult and demanding of all the arts or sciences.

It has taken the Soviets 40 years of the most intensive development and training to achieve their present capabilities.

The job of developing a science of counteraction for the free world and of training large numbers of our people to apply this science to all phases of the cold war will require at least as great an effort on our part.

Mr. President, I now come to a shocking and disheartening fact. We are in the 15th year of the so-called cold war, yet we have no development and training program which can hope to produce the cold war operational knowledge and the trained leadership groups who can outplan, outthink, outorganize, and outdedicate the Communists.

We are a happy, contented people. We would like nothing better than to be left alone. We have approached the grim realities of the nonmilitary aspects of the total struggle forced upon us, with the timidity of an old lady tiptoeing into a cold pool, one toe at a time. We have simply refused to acknowledge the fact that political warfare is a vast and complex art or science, that it must be intensively developed as such, and that those who practice it must be given the same lengthy, intensive, systematic training as an engineer or a nuclear physicist.

We recognize the urgency of staying ahead in military technology and we spend billions of dollars on research and development. We recognize that our military forces must be led by well trained, dedicated professional officers, and we have created a magnificent system of training schools which provide the professional officer with superior training at each stage of his career. The Army, for example, has West Point, the Command and Staff School, the Army War College, the National War College, and the Industrial College of the Armed Forces, as well as many specialist schools.

In other words, we as a free, democratic people are able to respond to the challenge of a possible hot war.

But we do not recognize that the nonmilitary arts or sciences of cold war must be developed with the same intensity and that we must train leaders for cold war with the same intensity as leaders for hot war.

The hearings on the present bill establishes these two facts, and here I read from the committee report:

1. No concentrated, systematic effort is being made to develop an integrated operational science for our side which will meet the entire Soviet attack and work toward our long-range national objectives in a coordinated manner, utilizing every area of potential strength in the public and private sectors. We have not thought through all of the short- and long-range methods and means which free men can properly use when faced with a Soviet-type challenge, and we have not integrated these methods into a broad strategic plan. This is especially true in the field of political and economic warfare. Bits and pieces of the problem are being worked on within the Government and at some universities, and part of this development work is of a high order, but the total effort falls far short of seeking an integrated, operational science and does not begin to develop our true potential.

2. Nowhere today can Government personnel or private citizens receive broad spectrum training in cold war, especially in the large and highly complex field of political and economic war. Not only do we lack top level schools, we do not even have intermediate or lower level schools. There is no place where the bits and pieces are pulled together and taught in concentrated form.

These are shocking facts. I know there is a natural tendency to resist these findings. Nevertheless, they are true, and we could make no greater mistake than to try to sweep them under the table—or to point to this limited project or that limited project and try to pretend that the job is being done.

One of the many well qualified witnesses who testified at the hearings was C. D. Jackson, who is presently publisher of Life magazine. In World War II, he was Deputy Chief of Staff for Psychological Warfare at SHAEF. Later he was a member of the Jackson committee which made a study of our cold war machinery. For 2 years he was a special assistant to President Eisenhower on cold war planning. He also served as president of the Free Europe Committee which operates Radio Free Europe. As you can see, he has had extensive experience in political warfare at the highest levels in the military, civilian, and governmental spheres and is well qualified to testify as to what is being done—and even more important, what is not being done.

I want to read a few short excerpts from his testimony, and what he says here was repeated again and again by other equally well qualified witnesses.

Mr. Jackson testified:

If there is a single common denominator running through these different experiences—military, civilian, governmental, and private—it is the difficulty of finding Americans who have not only an instinct or a flair for political warfare, but also the elementary knowledge and training on the nature of the conflict and how to go about our end of the conduct of this very real and continuing warfare.

To be a Communist is to make political warfare a full-time job and a life commitment. For Americans it is at best a part-time aspect of some other job, conducted intermittently and with grossly inadequate training. There are far too few Americans who are both dedicated enough and knowledgeable enough to combat communism effectively on a full-time basis. If the Communists are scoring steady political gains—and we know they are, in all corners of the world—it is because they take their political warfare seriously and we do not. Our greatest danger, it seems to me, is that we may let the victory go by default, simply because too few of us realize the nature and understand the weapons of the struggle.

Now, Mr. Chairman, if I may repeat and paraphrase, I am sure that there is a general impression that adequate instruction places exist where this art or this profession can be studied. Actually, sir, there is no existing place where the whole problem is pulled together and taught in concentrated form and not in bits and pieces. That is why I think this is a good idea.

It is only by uniting the study and teaching of these elements in one place and one time that the challenge can be fully comprehended and adequate response generated.

Mr. President, what is wrong with us? How could we possibly permit ourselves to enter the 15th year of the cold war without creating the development and training facilities which alone can lay the foundation and create the capabilities we must have if we are not to go under?

In a moment I want to examine our present training and development facilities. But if this examination is to be meaningful, we must first consider what we need in terms of an operational science for our side and what types of trained leadership we must have.

The free world does not have to ape Communist methods. This is neither desirable nor necessary. It is a question of thinking through all of the methods and means free men can properly use when faced with a Soviet type

challenge, and then integrating these into a total counterstrategy of our own, which will meet the entire Soviet attack, not just parts of it, and work toward our national objectives in a systematic manner.

Further, our own strategy must not be merely defensive. Those who plan only a holding operation are inviting eventual defeat. Ours must be a strategy with the worldwide victory of freedom as its ultimate objective.

At the upper levels of government, then, we need trained professionals who are thoroughly familiar with the full range of Communist operational methods and who are also at home with the equally broad array of methods a free people can properly employ.

But we cannot leave everything to government. We must be able to mobilize and utilize the vast array of organizations and talents in the private sector. We must think through not only all of the methods and means our Government agencies can employ but all of the methods and means our private citizens and organizations can employ.

Finally, we must provide broad but less extensive training for large numbers of people at the intermediate and lower levels of our cold war agencies, our Armed Forces, and the general public. Otherwise, good planning at the top will be frustrated by lack of know-how in the field. Without such people at the lower levels, our planners will be in the position of a general staff without a trained army.

How do our present training and development facilities stack up in relation to these requirements?

They are grossly inadequate for the simple reason that they were not designed or staffed to do this comprehensive job.

Take for example, the Foreign Service Institute which was created in 1946 to give in-service training to our Foreign Service career people and also to the personnel of other agencies dealing with the cold war. The Institute is divided into two schools—a foreign affairs school and a language school. About 60 percent of its annual $5 million budget goes to language training, which is certainly needed, and this has improved the efficiency of our Foreign Service—particularly in the hard language areas. Most of the remaining dollars go for traditional type career training, like fiscal management, economics, trade promotion, general orientation, and how to avoid irritating the local nationals.

Certainly a Foreign Service officer must know these subjects, and I am sure they are well taught. But they do not prepare the student to participate in a global struggle between freedom and communism. On the contrary, the orientation is toward a traditional, diplomatic career. There is practically no training designed to equip or motivate the student to think in terms of counteraction to the world Communist conspiracy.

The Institute does offer a 2-week seminar on communism which, I understand is quite well done. However, considering the present sophistication and complexity of the Soviet attack, this is equivalent to a 2-week course in law, medicine, or nuclear physics. This is the kind of elementary knowledge that should precede any study in depth.

Most students attend the foreign affairs school for only a few weeks and the bulk of the training is designed around this brief orientation course. Last year the Institute inaugurated a 9 months' senior officer's course for about a dozen high ranking Foreign Service officers at a time. Some of our top cold war people give lectures or briefings during this course and I understand it does a good job of preparing these senior officers for high-level diplomatic assignments where they will employ the conventional methods in the traditional way. But there is little evidence this course produces or is supposed to produce the type of cold war professional we must have to win.

After all, they can hardly be trained in an art or science which has yet to be developed, and which the Institute is making no effort to develop.

One of our finest training facilities is the National War College and below it the Army War College, the Naval War College, and the Air University. I have always been impressed by the caliber of instruction at these institutions; indeed, I believe that our private universities could learn a great deal by studying their methods. The curriculum at the war colleges goes beyond purely military subjects and takes note of political-economic warfare. However, the military does not consider political-economic warfare its area of responsibility and it is always mindful of the traditional separation of our Armed Forces from political matters. As a result, the whole vast field of political warfare is treated as a mere footnote to more traditional career subjects. In the usual curriculum three or four guest lecturers may give the subject a light once-over in the course of a 1-hour lecture.

The Central Intelligence Agency runs several secret training schools. I am not permitted to go into their curriculum in any detail. However, these are agency schools concerned with the special training needs of Central Intelligence. They are not designed to produce qualified cold war practitioners. I believe it should be clear to the Senate that CIA is not the agency to have prime responsibility for training our rounded cold war leaders.

The FBI has a school to train its internal security people. But again this school is primarily concerned with the special and limited problems of internal security.

There is no point in reviewing the Government's remaining training facilities, because they have even less relation to our inquiry.

I have thus far been discussing our training facilities. How about our research and development facilities for the nonmilitary aspects of cold war? What about institutions like the Russian Research Center at Harvard or the Rand Corp., or the research programs going on at a number of our universities?

Much work has been done in collecting facts, figures, and analyses on the Soviet bloc. Research has been undertaken on some of our nonmilitary operational problems. And again let me emphasize, as the committee report emphasizes, some of this work has been of a high order.

Hundreds of books and research papers on communism and the Soviet bloc have been printed in the past 10 years. The Russian Research Center at Harvard, which is only one of many, has gone into numerous aspects of the Soviet state and related matters. As far back as 1952 the Rand Corp. produced an excellent advanced textbook on Communist strategy called the "Organizational Weapon." I could go on and on.

However, when we come to the most important part of the problem—the development of a science, or strategy of total political warfare specifically designed to serve the free world—it is here that our development program stops short or breaks down. At this point it becomes very much of a bits-and-pieces affair.

Despite the many books on communism and the Soviets written within the past decade, to my knowledge, in this 15th year of the cold war, the first book has yet to be published which even attempts to develop an integrated operational science for our side. This is amazing. We seem to be so obsessed with studying the enemy, we have no energy or talent left over for thinking through the conclusions to which these studies should point. It is almost as though we were hypnotized into a condition of partial mental paralysis.

Actually, our situation bears a certain resemblance to that of the Russian revolutionaries of 1900. We, like they, are amateurs, using primitive methods of political warfare which are easily frustrated by an alert enemy. We have produced no free world Lenins to show us how to develop our own operational science and train our own leaders.

Mr. President, the results of this failure in the field of training and development are all around us.

Within the Government, we find a grave deficiency at the higher policymaking levels. Our policymakers and their advisers have not had systematic, intensive training in the complex strategy of the cold war. Their formal schooling on the nonmilitary aspects of the cold war, of necessity, has been fragmentary and disorganized because there was no place they could go where the whole problem was pulled together and taught in concentrated form. Actually, to the extent that they have mastered the cold war, most of our top experts are self-taught. But this field is so vast that self-education inevitably leaves large blanks in essential background and operational knowledge. The result is that our policymakers and advisers are generally not able to view the problem whole, to anticipate the future, to make plans that take advantage of all our potential resources.

Our capabilities are attuned and limited to reacting on an ad hoc basis to each Soviet thrust. Sometimes our limited holding operations, as in Lebanon, are brilliantly planned and executed. But we must ask ourselves: Is there anything we might have done in previous

years that could have prevented the eruption of the Lebanese crisis and of all the other crises of recent years?

Many of the extremist Mideastern leaders of today were educated in institutions established and endowed by Western philanthropy. As I see it, the damage was done 10 to 20 years ago, when the Communists first planted their people in these universities with a very specific assignment: to foster a pathological hatred of the West in young Arab students like Kassem.

There were many things we could have done and still can do to prevent future catastrophes. But it takes policy planning personnel trained to phase our strategy in any area over decades; and it takes facilities that can assist those who believe in freedom, first to understand, and second, to combat the Communist conspiracy.

As things stand in the Middle East, the Communist conflict managers have been able to turn a generous and seemingly enlightened Western educational endeavor into an instrument for smashing the Baghdad Pact. I could point to hundreds of similar examples of failure of Government policy.

It is in the private sector, however, where our training and development failure is most clearly seen.

I have already pointed to the fact that the Soviets have mobilized their entire society to win the cold war, as well as to prepare for hot war. In these circumstances we must not fight with one hand tied behind our backs. We must also organize. We must also utilize our full potential in the private sector. But coordinated, intelligent action in the private sector, as in government, must be preceded by knowledge, organization, and trained, motivated leaders. But, looking about us, one is compelled to ask: Where is the knowledge? Where is the motivation? Where are the leaders?

No other society has as many organized civic groups as our own. Millions of dollars and millions of man-hours are poured into civic projects every year. Yet almost none of this activity has any direct bearing on the outcome of the cold war.

There is a vast range of activities that private citizens and organizations can undertake which would have an important effect on the outcome of the cold war. In fact, whether these things are done could mean the difference between defeat and victory. But our people are unable to visualize these things.

There is very little in our educational system or in our past experience to prepare our people for the type of struggle we are now in. Many of our people would like to do something. They realize there is a danger, and they are quite prepared to give their time and, if need be, to fight and to sacrifice to meet it. The trouble is, they just do not know what to do.

Let me take the example of one of our finest national organizations, an organization composed of the up and coming young leaders of the community. If there is any civic group which should be providing the community with leadership in meeting the challenges of the cold war, it is this group. Yet what are they doing? I note city beautification projects, bathing beauty contests, kiddies day projects, Christmas lighting contests, tuberculosis X-ray projects, and so forth.

In another time and under other circumstances I suppose these projects might suffice as a program of activities. But today, when a brutal challenge has been thrown in our face, when the enemy has occupied a beachhead within 90 miles of our shore, when everything men of good will have sacrificed for and died for through a thousand years of history is at stake, then I say that a program confined to such unimaginative, irrelevant activities amounts to a form of adult delinquency.

With rare exceptions, the leaders of our many great national and civic organizations seem to lack the will or the know-how to break with the "business as usual" methods and to orient themselves toward the basic question of the survival of freedom.

Mr. President, we are in a long-range war of attrition with the Soviets. Barring a military disaster, our people must sustain a determination to win and a will to sacrifice over an indeterminate period. For this reason it has become essential that our people understand the nature and dimensions of the Soviet challenge. They must also know how they can participate in this continuing struggle in an effective and systematic manner.

But where are the leadership and ideas to come from? The answer is that they can only come from an institution like the Freedom Academy.

THE FREEDOM COMMISSION BILL

The purpose of the Freedom Commission bill is to fill this training and development gap. It creates logical organizational means to do the job in a concentrated, systematic manner.

The bill creates an independent agency within the executive branch of the Government, the Freedom Commission, composed of six members and a chairman. The sections setting up the Commission are patterned after similar provisions setting up the Atomic Energy Commission. The Commissioners are appointed by the President with the advice and consent of the Senate. They serve for staggered terms of 6 years. No more than four Commissioners may be members of one political party.

The Commission is directed to establish an advanced training and development center, the Freedom Academy.

The Commission and the Academy are given two principal jobs.

First, they are directed to think through all of the methods and means that free men may properly use to defeat the entire Soviet attack in the political, social, ideological, cultural, psychological, economic, and organizational spheres—not only what can be done in the public sector, but also what can be done in the private sector. Then they are directed to develop proposals for a coordinated short and long range strategy for victory.

Second, the Commission and the Academy are directed to educate Government personnel, private citizens, and foreign students concerning the nature and dimensions of the global struggle between freedom and communism, and to train them in the science of counteraction.

In order to do these things the most competent available experts in the relevant fields of knowledge are to be brought together at the Academy so they can devote their full time to these duties. They will be relieved of all other responsibilities.

The importance of bringing these diversified experts under one roof can hardly be overemphasized. Today no one man or group of men possesses all of the necessary knowledge. Much of the background knowledge and operational know-how must be researched and developed before it can be integrated into a meaningful strategy. But sufficient knowledge does exist in fragmented form and scattered around the country in Government agencies, in universities, and elsewhere to form a solid foundation for a broader inquiry.

Through this intimate association of minds in all the relevant areas of knowledge, through the long-range research and daily seminars covering the many problems of the cold war, through the concentration of the best available talent—through this combination of circumstances there is every reason to believe that a total strategy for freedom will ultimately be synthesized.

The training program will be geared to the research and development program, so that there will be an ever-increasing pool of trained experts who possess a common fund of operational knowledge and are capable of planning and executing a sophisticated cold war strategy.

I do not envision the Freedom Academy as a leisurely academic undertaking. The congressional findings in section 2 emphasize the clear and present danger. The Commission and Academy are charged with developing the operational knowledge upon which the fate of the free world will depend and to do this in the shortest practicable time. The need for Academy graduates is as urgent as the need for trained officers in the early days of World War II. Therefore, the training must be conducted with the same intensity as a wartime OCS.

In assembling a teaching staff we must find those who can inspire others by personal example and quality of instruction, for motivation is the most important goal in our training program. Graduates must have the desire, the will, and the courage, as well as the know-how, to outwork, outthink, and outdedicate Communist cadres under all conditions.

The Academy will not duplicate or weaken the existing training centers like the Foreign Service Institute or the CIA schools. These are essentially trade schools concerned with specialized skills. The training function of the Academy is much broader and it would not want to be tied down with responsibility for these special programs.

The committee found that not only do we lack top-level training schools in political-economic warfare, we do not even have intermediate or lower level schools. Therefore, if the Academy is to fill the training vacuum, it must provide instruction at several levels.

At the upper levels, the Academy would seek to fashion a rounded cold war expert who understands the full range of methods and means, many still to be developed, which can be brought to bear in solving cold war problems and in working toward our national objectives in a systematic manner.

At lower levels, the Academy would offer basic and intermediate courses, from a few weeks long up to a year in length. While this is hardly time enough to educate a cold war expert, it is time enough to acquaint students with the broad outlines of our cold war problems, to motivate them to take an active part, and to show them specific things they can do.

Where would the students come from? It is expected that all Government agencies connected with our cold war operations would utilize the Academy's facilities, just as some 25 agencies use the facilities—principally language training—of the Foreign Service Institute. These agencies would employ Academy graduates, as well as assign their personnel for basic, intermediate, and advanced training.

I note the State Department sends small annual quotas of students to the War College and to several of the schools of international relations. This is a fine practice. But think how much more broadening and pertinent their Academy experience would be. For the first time, all of the bits and pieces would be pulled together. For the first time, they would understand that new methods of conflict are not a Communist monopoly, that free men can meet and defeat the entire Soviet attack, and do this without aping Soviet methods.

I would like to see our colleges and universities send one or more members of their faculty to the Freedom Academy for at least a year, so that on their return they could organize similar courses at the undergraduate and graduate levels. This kind of extension is especially important, since one Freedom Academy can hardly close the entire training gap.

I have commented on the failure of our great civic organizations to orient themselves toward the survival questions. I would, therefore, like to see all of our civic organizations, at the national and local levels, send selected members for basic and intermediate courses, so that on their return they could provide the leadership and ideas to enable their organizations to play a meaningful role in winning the cold war.

Today, our high school students are curious about communism and full of questions that their teachers are unprepared to answer. It is important that they understand the enemy, that they understand the brutal challenge that confronts us, that they understand the meaning of freedom and the ideals of their own country. If they truly understand these things, and not learn them by rote, they will be prepared for the increased responsibilities of citizenship during the years of peril that lie ahead. I would, therefore, like to see history teachers and social science teachers attend 2-month summer courses sponsored by the Freedom Academy.

Corporations and labor unions can sponsor members, and businessmen, labor leaders, newspapermen, and students, communicating with, visiting, or residing in foreign areas, would be especially desirable students.

Tens of thousands of foreign students attend our universities each year. A significant number would probably volunteer to attend the Academy, at least for one of the short courses. If they did so, they would be infinitely more effective in preserving and strengthening the free world. Today many students return home without a sense of mission, without a clear understanding of the Soviet challenge, without the feeling the free world depends on them as it depends on every individual, and with no organized thoughts on how they can participate in freedom's battle. I therefore feel strongly that a good deal of room should be reserved in the Freedom Academy for specialists and students assigned by the governments of friendly countries.

The bill leaves the details of student selection to the Commission, adding the general policy proviso, for private citizens and foreign students, that the students come from the diverse groups within and without the United States where trained leadership and informed public opinion are most needed.

The Commission should train those students who can make the greatest contribution on graduation and can step into the areas where leadership is most needed.

Thus, many factors other than prior academic attainment will have to be considered in student selection and it would probably be a mistake to attempt to spell these out in the bill. Selected Government personnel will be trained upon the request of the interested agency.

The bill authorizes financial assistance to students and their dependents. The committee believes that many desirable students will be unable to attend without help. The amount of assistance needed will vary, so the bill does not establish fixed grants or per diem, but leaves this to the sound discretion of the Commission. I expect that many private citizens will be able to pay their own way.

The bill also authorizes the admission of foreign students as nonimmigrants for such time and under such circumstances as may be prescribed by regulations promulgated by the Commission, the Secretary of State, and the Attorney General. Foreign students may be summarily deported for stated reasons. This subsection is patterned after a similar section of the U.S. Information Service Act setting up the student exchange program, and it provides the same safeguards.

Section 8 of the bill authorizes the Commission to establish an information center within the United States and fills an important need. If the research and development work of the Academy is to be made known and fully utilized, the Commission should have authority to publish and the organizational means to disseminate. Also, there should be a recognized center where private citizens and organizations can turn for information and assistance in making the private sector more effective in our struggle for survival. Section 8 gives the Commission authority to publish and also to prepare and disseminate other material, including training films suitable for community, high school, and college level instruction. Our film industry in cooperation with the Commission could make an important contribution here. It is also desirable for the Academy to keep in touch with its graduates through a newsletter or magazine, and this can be handled through the information center. The committee feels there would be no significant overlapping between the proposed information center in this country and the function of USIA.

Section 10 of the bill provides a double security check of Commission personnel. Subsection (a) provides for the standard Civil Service Commission investigation. Subsection (b) also authorizes the Commission to request a security check by the FBI of any individual employed by the Commission or under consideration for employment. The latter subsection is considered desirable, because of the importance the Soviets will attach to penetrating the Commission.

Section 12 authorizes the Commission to employ a general manager to discharge such of the administrative and executive functions as the Commission may direct. The purpose is to ease the administrative load on the Chairman and Commissioners, so they can concentrate on the development and training functions. The section follows a similar section in the Atomic Energy Act.

At this point I would like to comment on the position taken by the Justice Department and the State Department that the development and training functions of the Freedom Academy could be handled by existing agencies with less overlapping and confusion.

Note their position is that this could be done, not that it is being done.

But how and when?

None of the Government's existing training centers is either staffed or designed to do the job assigned to the Academy. It would take a major overhaul, a drastic reorientation, a greatly expanded staff and facilities before any one of them, or all of them together, could approach the work of the Freedom Academy. To my knowledge, there are no existing plans to accomplish this purpose. Actually, the agencies are quite busy with the day-to-day problems and have shown no desire to take on the heavy added burden of an Academy-type training and development program. In the year and a half since this bill was introduced, the administration has come forward with no alternative program.

Let us face it. As a practical matter, nothing will be done until one agency is divorced from other responsibilities and given clear direction and authority to do the job.

The letters from State and Justice are disturbing because they demonstrate an inability to comprehend the nature of our development and training gap. They infer, in fact recommend, that the training and development function of the Academy be broken up and parceled out to the existing agencies. This would perpetuate the present piecemeal approach.

It would effectively prevent the rapid development of the integrated, many directional, operational science. The best researchers and teachers would be scattered between various Government agencies and private institutions, whereas common sense indicates the advantage of concentrating them in one center where they could work together with greatest efficiency and with the widest range of thinking.

It would lead to endless duplications. Equally important it would prevent the systematic, concentrated training of top professionals. It would compel them to obtain their training at different times and different places, in a piecemeal fashion, because there is no center concerned with or staffed to teach the overall approach.

Let me repeat, it is only by bringing together all of the elements at one place and at one time that the full scope of challenge can be comprehended and an adequate response generated.

If the recommendations of State and Justice are followed, then nothing will be done, because they have asked for no authority or funds to handle the proposed Academy function even on this expanded piecemeal basis. We will continue to drift.

The question remains whether it would be better to set up the Academy as a bureau or subagency within an existing department or agency. I believe not.

First of all, the Academy's work will go well beyond the assigned area of responsibility of any present department or agency. There is real danger that the narrow operational approach, the traditional methods of doing things, and the preconceptions of the past will carry over and inhibit both development and training. A fresh approach is needed. This does not mean the vast experience accumulated over the years by our various agencies will not be utilized in full.

Second, there is a natural tendency on the part of an operating agency to use its best brains and all of its available facilities to meet the urgent day-to-day problems. There is a real danger the Academy would become a stepchild rather than the high-priority project it must be.

It seems to me far better to set up the Freedom Commission completely independent of the operating agencies, so that it can draw on their experience, yet not be stifled in any way by their established attitudes or methods of doing things.

It has been suggested that the functions of the Freedom Academy could be handled better by our private universities. If by this is meant dividing up the functions of the Academy and parceling them out to various private institutions, then again this would perpetuate the piecemeal approach, and would work against the concentrated, systematic research and training which are essential. And again, there are no plans to do this, so it is just talk.

More important, our universities, including their centers for international studies, have shown little interest in developing political warfare. To hand them this vital job about which they have shown so little interest or capacity would not seem wise.

Mr. Leo Cherne, executive director of the Research Institute of America, told the committee:

> It would not be desirable at the early stages to contract to a university, any university, the job either of assembly of the Academy or the job of preparation of the curriculum. If the universities had demonstrated any capacity to do the job, they would in fact have been doing it on their own campus, and I see no evidence of this.

Dr. Stefan Possony, an experienced educator, and a top authority on Soviet affairs, told the committee:

> Nor could an individual university, however large, handle the job on a sufficiently broad and sustained basis. There also is the objective problem: If you go to one university, you have two or three professors who may be suitable. Actually, this is an optimistic assumption. These men have their own opinions, specialties and hobby horses and cannot be expected to provide the wide, broad, all-directional approach that would be necessary in order to cover all pertinent problems. Subjects like communism, democracy and political warfare are universal encyclopedic subjects.
>
> The piecemeal approach that presently takes place, in which each international relations course, or each course on foreign government, handles some part of this problem, requires a great deal of duplication in basic information. The basic introductory information is repeated time and time again but the payoff phase of the instruction, the specifics, the details, the ramifications and implications, the final arguments and the final deductions never are reached. Hence I think a central instrumentality would be the only effective solution, provided, of course, it were based on sound principles, and provided it will be adequately funded.

Again, let me emphasize that the creation of the Academy will not end the need for the existing centers—either those operated by the Government or by private institutions. Nor will it compete with them.

On the contrary, as I see it, the Freedom Academy will revitalize the existing centers by opening up new dimensions of operational knowledge and by providing the free world with its first professionally trained cold war experts who are familiar with the full spectrum of nonmilitary countermeasures. No longer will the existing centers be staffed primarily by narrow specialists.

There has been some confusion between the present bill and that hardy, perennial proposal for an undergraduate foreign service academy. The present bill is a completely different proposal. It has even less relation to an undergraduate foreign service academy than West Point has to the National War College. And the principal argument against the undergraduate school—that it would take future Foreign Service officers out of the main stream of American life at too early a period in their development—has no relevancy to the present bill.

I understand that some persons have expressed the fear that we would be creating a possible Communist-type apparatus to fight a Communist apparatus. This is a remarkable and revealing observation. It is not very flattering to the President, who will make the appointments to the Commission, or to the Congress, which will control appropriations and keep the Commission and Academy under constant study. It is revealing, however, in that it shows a complete lack of faith in the ability of free men to meet the entire Communist attack without violating their own ethics. Those who make this argument would default in vital areas of the struggle without even making a real effort to find new ways of defending freedom that do not offend the tenets of freedom.

There also is some confusion as to how the Commission and Academy will fit into the Federal structure. I believe this should be clear by now, but I do want to emphasize this point. The Commission and Academy will be a research, development, and training organization, not a policymaking organization. The Academy, under the Commission, will produce ideas, organizational-operational suggestions, short- and long-range program proposals. These would be made available to the President, the National Security Council, and the various agencies of Government, to enable them to improve present methods, to make use of entirely new methods, and to assist them in developing an integrated, long-range approach to the cold war, utilizing our full potential in the public and private sectors.

The Judiciary Committee has called this bill one of the most important ever introduced in the Congress.

This bill is the free world's answer to the Lenin Academy. It is a congressional statement that we have been pushed around, insulted, outmaneuvered, outfought and outthought long enough. It is a declaration to both our friends and our enemies that we have at last understood the nature of the struggle and that we are getting down to the practical work of devising the tools and training the manpower for victory.

No nation in all history has had as much to tell the world as America. It is we, not the Soviets, who should provide the ideals, the inspiration, and the know-how which can guide and shape the revolutionary forces at work in every part of the world.

Yet good ideals and democratic institutions do not automatically prevail through the working of some natural law—especially in a world that has been infiltrated by the alumni of the Prague and Moscow centers. The forces of freedom possibly even more than the forces of tyranny, need organization and trained, dedicated people.

We are in the midst of a world revolution in the true sense. The Communists did not create it, but they study ceaselessly to utilize it for the spread of their power and for the destruction of ours. We did create it. But we do not try to understand or to utilize it, nor to aid it in finding new forms of abundance and of freedom.

In closing let me quote the final sentences from the magnificent speech of Bertram Wolfe, given last summer at the National War College:

We, not they, are the champions of the right and freedom of workingmen, the freedom of movement, the freedom to change jobs, the freedom to build organizations of their own choosing under their own control, the right to elect their own officials, to formulate and negotiate their own demands, the right to strike, the right to vote for a party, and a program and candidate of their own choice.

We, and not they, are able to call the armies to "fraternize across the trenches," for it is they who must cut off their armies from the news of what is happening in the West, and we who must make our armies and theirs understand what is happening in their land.

We, not they, are the champions of freedom of the human spirit, of the freedom of the arts and sciences, freedom of conscience, freedom of belief and worship, freedom from scarcity and want, and from the tyranny of irresponsible and omnipotent officials.

Though in all these things the free world presents its own imperfections and lapses, these are the things that the free world stands for and in good measure realizes, and these are the things which totalitarianism completely destroys and makes high treason even to think upon.

In the battle for the future shape of the world, all the creative and explosive weapons are in our hands if we had the wit and the understanding to take them up. If no, then there are no psychological or ideological vulnerabilities of communism. If yes, they are vulnerable on every front and every moment and in every layer of their society.

Whether the answer to this question is "Yes" or "No," this will determine, in my judgment, the outcome of the protracted war that is likely to occupy the rest of our lives and the rest of the century.

Mr. President, time is running out for the free world.

Despite the brief time left to us in this session, I pray that we will somehow manage to pass on the Freedom Commission bill before Congress adjourns. I pray that the vote on this measure will not follow party or ideological lines.

Let all of us unite behind this measure, as a declaration to men of good will everywhere that we have only begun to fight.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the following documents relating to the need for a Freedom Academy:

First. The text of Senate bill 1689.

Second. An article entitled "New Center of Modern Education and International Brotherhood," which appeared in the World Marxist Review for August 16. It describes the operations of the Lenin University in Moscow.

Third. An article entitled "Education in Japan," by Prof. Sydney Hook, which appeared in the New Leader for November 24, 1958.

Fourth. Excerpts from a speech by the Honorable Antony Head, in the British Parliament, on February 25, 1959, relating to Communist penetration of Africa and Asia.

Fifth. The text of a lecture, by Mr. Bertram D. Wolfe, on "The Enemies of the Open Society: The Ideological-Philosophical Vulnerabilities of Communism," delivered at the National Strategy Seminary of the National War College, Washington, D.C., on July 21, 1959.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

S. 1689

A bill to create the Freedom Commission for the development of the science of counteraction to the world Communist conspiracy and for the training and development of leaders in a total political war

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Freedom Commission Act".

CONGRESSIONAL FINDINGS AND STATEMENT OF POLICY

SEC. 2. (a) The Congress of the United States makes the following findings:

(1) The Soviet Union and Communist China are waging a total political war against the United States and against the peoples and governments of all other nations of the Free World.

(2) Unlike the Free World, the Soviet Union has systematically prepared for this total political war over several decades. Drawing on the experience of previous conquerors and upon their own elaborate studies and extensive pragmatic tests, Soviet leaders have developed their conspiratorial version of political warfare into a highly effective operational science. Recognizing that political warfare is a difficult science making unusual demands on its practitioners, the Soviet Union and Communist China have established an elaborate network of training schools, within and without the Free World, in which have been trained large numbers of highly skilled activists. These activists continue to receive intensive training throughout their party careers.

(3) In this total political war the Soviets permit no neutrals. Every citizen, every economic, cultural, religious, or ethnic group is a target and is under some form of direct or indirect Communist attack. The battleground is everywhere, and every citizen, knowingly or unknowingly, through action or inaction, is involved in this continuous struggle.

(4) Since the end of World War II, the Soviets, taking full advantage of their better preparation and often superior organizational and operational know-how, have inflicted a series of political warfare defeats on the Free World. The total sum of these defeats is nothing less than a disaster for the United States and the Free World and the continuation of this political war by the Soviets confronts the United States with a grave, present, and continuing danger to its national survival.

(5) In order to defeat the Soviet political warfare offensive and to preserve the integrity and independence of the nations of the Free World, it is imperative—

(A) that the knowledge and understanding of all the peoples of the Free World concerning the true nature of the international Communist conspiracy and of the dimensions and nature of the global struggle between freedom and Communism be increased as rapidly as is practicable;

(B) that private citizens not only understand the dimensions and nature of the threat, but that they also know how they can participate, and do participate, in this continuous struggle in an effective, sustained, and systematic manner;

(C) that Government personnel engaged in the cold war increase their knowledge of the international Communist conspiracy and of the dimensions and nature of the global struggle between freedom and Communism, develop a high esprit de corps and sense of mission and a high degree of operational know-how in counteracting the international Communist conspiracy.

(b) It is the intent and purpose of the Congress that the authority and powers granted in this Act be fully utilized by the hereinafter created Commission to achieve the objectives set forth in the preceding subsection (a)(5) of this section. It is the further intent and purpose of the Congress that the authority, powers, and functions of the Commission and the Academy as hereinafter set forth are to be broadly construed.

DEFINITIONS

SEC. 3. When used in this chapter—

(1) The term "Commission" means the Freedom Commission;

(2) The term "Academy" means the Freedom Academy.

ESTABLISHMENT OF THE FREEDOM COMMISSION; COMPOSITION; CHAIRMAN AND ACTING CHAIRMAN; QUORUM; OFFICIAL SPOKESMAN; SEAL

SEC. 4. There is established in the executive branch of the Government an independent agency to be known as the Freedom Commission which shall be composed of six members and a Chairman, each of whom shall be a citizen of the United States, one of whom shall be selected from the higher echelon of the State Department. The Chairman may from time to time designate any other member of the Commission as Acting Chairman to act in the place and stead of the Chairman during his absence. The Chairman (or the Acting Chairman in the absence of the Chairman) shall preside at all meetings of the Commission and a quorum for the transaction of business shall consist of at least four members present. Each member of the Commission, including the Chairman, shall have equal responsibility and authority in all decisions and actions of the Commission, shall have full access to all information relating to the performance of his duties or responsibilities, and shall have one vote. Action of the Commission shall be determined by a majority vote of the members present. The Chairman (or Acting Chairman in the absence of the Chairman) shall be the official spokesman of the Commission in its relations with the Congress, Government agencies, persons, or the public, and, on behalf of the Commission, shall see to the faithful execution of the policies and decisions of the Commission, and shall report thereon to the Commission from time to time or as the Commission may direct. The Commission shall have an official seal which shall be judicially noticed.

MEMBERS; APPOINTMENTS; TERMS; COMPENSATION; EXTRANEOUS BUSINESS

SEC. 5. (a) Members of the Commission and the Chairman shall be appointed by the President, by and with the advice and consent of the Senate. Not more than four members, including the Chairman, may be members of any one political party. In submitting any nomination to the Senate, the President shall set forth the experience and qualifications of the nominee. The term of each member of the Commission, other than the Chairman, shall be six years, except that (1) the terms of office of the members first taking office shall expire as designated by the President at the time of the appointment, two at the end of two years, two at the end of four years, and two at the end of six years; and (2) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. The Chairman shall serve during the pleasure of the President. Any member of the Commission may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.

Each member, except the Chairman, shall receive compensation at the rate of $20,000 per annum; and the Chairman shall receive compensation at the rate of $20,500 per annum.

(b) No member of the Commission shall engage in any business, vocation, or employment other than that of serving as a member of the Commission.

AUTHORIZATION TO ESTABLISH THE FREEDOM ACADEMY; FUNCTIONS OF COMMISSION AND ACADEMY

SEC. 6. The Commission shall establish under its supervision and control an advanced training and development center to be known as the Freedom Academy. The Academy shall be located at such place or places within the United States as the Commission shall determine. The principal functions of the Commission and Academy shall be—

(1) to carry on a research program designed to develop an integrated operational science that befits and bespeaks the methods and values of freemen and through which the free world will be able to meet and defeat the carefully patterned total aggression—political, ideological, psychological, economic, paramilitary, and organizational—of the Soviet bloc, and through which we, as a nation, may work toward our national objectives in a systematic manner. To achieve this purpose the full range of methods and means is to be thoroughly explored and studied including the methods and means that may best be employed by private citizens and nongovernmental organizations and the methods and means available to the Government other than the methods and means already being used. This research program shall include the study of our national objectives and purpose and the development of proposals for intermeshing and integrating the full spectrum of methods and means into a coordinated, short and long range strategy for victory, seeking the utilization of our full potential in the public and private sectors,

(2) to educate and train governmental personnel, private citizens, and foreign students concerning all aspects of the international Communist conspiracy, the nature of the global struggle between freedom and communism, and the science of counteraction to the Communist conspiracy.

ACADEMY STUDENTS; SELECTION; GRANTS AND EXPENSES; ADMISSION AS NONIMMIGRANT VISITORS; DEPORTATION

SEC. 7. (a) Academy students, other than Government personnel, shall be selected, insofar as is practicable and in the public interest, from the diverse groups within and without the United States where trained leadership and informed public opinion are most needed. Persons in Government service coming within the provisions of the Government Employees Training Act may be trained at the Academy pursuant to the provisions of said Act. All agencies and departments of Government are authorized to assign officers and employees to the Academy for designated training.

(b) The Commission is authorized to make grants to students and to pay expenses incident to training and study under this chapter. This authorization shall include authority to pay travel expenses to and from the Academy or other authorized place of training under the chapter, and authority to give financial assistance to the dependents of students during the time they are undergoing training authorized under this Act.

(c) Foreign students selected for training under this Act shall be admitted as nonimmigrants under section 1101(a)(15) of title 8, United States Code, for such time and under such conditions as may be prescribed by regulations promulgated by the Commission, the Secretary of State, and the Attorney General. A person admitted under this section who fails to maintain the status under which he was admitted, or who fails to depart from the United States at the expiration of the time for which he was admitted, or who engages in activities of a political nature detrimental to the interest of the United States, or in activities in conflict with the security of the United States, shall, upon the warrant of the Attorney General, be taken into custody and promptly deported pursuant to sections 1251–1253 of title 8, United States Code. Deportation proceedings under this section shall be summary and findings of the Attorney General as to matters of fact shall be conclusive. Such persons shall not be eligible for suspension of deportation under section 1254 of such title 8.

AUTHORIZATION TO ESTABLISH AN INFORMATION CENTER

SEC. 8. The Commission is authorized to establish an information center at such place or places within the United States as the Commission may determine. The principal function of the information center shall be to disseminate, with or without charge, information and materials which will assist people and organizations to increase their understanding of the true nature of the international Communist conspiracy and of the dimensions and nature of the global struggle between freedom and Communism, and of ways they can participate effectively toward winning that struggle. In carrying out this function, the Commission is authorized to prepare, make, and publish textbooks and other materials, including training films, suitable for high school, college, and community level instruction, and also to publish such research materials as may be in the public interest. The Commission is authorized to disseminate such information and materials to such persons and organizations as may be in the public interest on such terms and conditions as the Commission shall determine.

RESTRICTIONS ON DISCLOSURE OF INFORMATION

SEC. 9. Nothing in this chapter shall authorize the disclosure of any information or knowledge in any case in which such disclosure (1) is prohibited by any other law of the United States, or (2) is inconsistent with the security of the United States.

SECURITY CHECK OF PERSONNEL

SEC. 10. (a) Except as authorized by the Commission upon a determination by the Commission that such action is clearly consistent with the national interest, no individual shall be employed by the Commission until such individual has been investigated by the Civil Service Commission to determine whether the said individual is a good security risk and a report thereof has been made to the Freedom Commission.

(b) In addition to the foregoing provisions, the Commission may request that any individual employed by the Commission, or under consideration for employment by the Commission, be investigated by the Federal Bureau of Investigation to determine whether the said individual is a good security risk.

GENERAL AUTHORITY OF THE COMMISSION

SEC. 11. In addition to the authority already granted, the Commission is authorized and empowered—

(1) to establish such temporary or permanent boards and committees as the Commission may from time to time deem necessary for the purposes of this Act;

(2) to appoint and fix the compensation of such personnel as may be necessary to carry out the functions of the Commission. Such personnel shall be appointed in accordance with the civil service laws and their compensation fixed in accordance with the Classification Act of 1949, as amended, except that, to the extent the Commission deems such action necessary to the discharge of its responsibilities, personnel may be employed and their compensation fixed without regard to such laws: *Provided, however,* That no personnel (except such personnel whose compensation is fixed by law, and specially qualified professional personnel up to a limit of $19,000) whose position would be subject to the Classification Act of 1949, as amended, if such Act were applicable to such position, shall be paid a salary at a rate in excess of the rate payable under such Act for positions of equivalent difficulty or responsibility. The Commission shall make adequate provision for administrative review of any determination to dismiss any employee;

(3) to conduct such research, studies and surveys as necessary to carry out the purposes of this Act;

(4) to make, promulgate, issue, rescind, and amend such rules and regulations as may be necessary to carry out the purposes of this Act;

(5) to make such expenditures as may be necessary for administering and carrying out the provisions of this Act;

(6) to utilize, with the approval of the President, the services, facilities, and personnel of other Government agencies. Whenever the Commission shall use the services, facilities, or personnel of any Government agency for activities under the authority of this Act, the Commission shall pay for such performance out of funds available to the Commission under this Act, either in advance, by reimbursement, or by direct transfer;

(7) to utilize or employ on a full- or part-time basis, with the consent of the organization or governmental body concerned, the services of personnel of any State or local government or private organization to perform such functions on its behalf as may appear desirable to carry out the purposes of this Act, without said personnel severing their connection with the furnishing organization or governmental body; and further to utilize personnel of a foreign government in the same manner and under the same circumstances with the approval of the Secretary of State;

(8) to acquire by purchase, lease, loan, or gift, and to hold and dispose of by sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this Act;

(9) to receive and use funds donated by others, if such funds are donated without restrictions other than that they be used in furtherance of one or more of the purposes of this Act;

(10) to accept and utilize the services of voluntary and uncompensated personnel and to provide transportation and subsistence as authorized by section 73b–2 of title 5, United States Code, for persons serving without compensation;

(11) to utilize the services of persons on a temporary basis and to pay their actual and necessary travel expenses and subsistence and in addition compensation at a rate not to exceed $50 per day for each day spent in the work of the Commission.

GENERAL MANAGER; APPOINTMENT; COMPENSATION

SEC. 12. The Commission is authorized to establish within the Commission a General Manager, who shall discharge such of the administrative and executive functions of the Commission as the Commission may direct. The General Manager shall be appointed by the Commission, shall serve at the pleasure of the Commission, shall be removable by the

Commission, and shall receive compensation at a rate determined by the Commission, but not in excess of $18,000 per annum.

APPROPRIATIONS

SEC. 13. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this Act.

[From the World Marxist Review, August 1960]

NEW CENTER OF MODERN EDUCATION AND INTERNATIONAL BROTHERHOOD

(By S. Rumyantsev, professor, rector of the Friendship of the Peoples University)

The Soviet Union consistently pursues a policy of promoting cooperation between the Socialist camp and the countries which have taken the road of national regeneration. As far back as 1916, V. I. Lenin, in his "A Caricature of Marxism and 'Imperialist Economism'" wrote with foresight: "We shall endeavor to give * * * peoples who are more backward and more oppressed than we are, 'disinterested cultural aid * * *', i.e., help them to go over to the use of machines, to lighten their labor, and to go forward to democracy and socialism."

Lenin was an ardent advocate of friendship between the peoples of the world. He considered it be the Soviet state's historical mission to render fraternal aid to the hundreds of millions of people in Asia, Africa, and other continents who had awakened and were yearning for freedom and a bright future, and by this very fact had already, in the first quarter of our century, greatly accelerated world development. Their all-round social progress is an indispensable condition if the independence of the new states is to be consolidated and their development insured. It stands to reason that countries which have known colonialism—capitalism at its worst—are looking for new roads. And their eyes turn to the Socialist countries, first and foremost, to the Soviet Union and People's China.

The Socialist camp is helping other peoples who have achieved independence to abolish the aftermath of colonial rule and backwardness and to attain economic prosperity and cultural regeneration. The Communists, as N. S. Khrushchev has said, are not only working for increasingly better living standards for the people of their own countries, but for good conditions for the people of all countries. In a matter of a little over four decades, during the lifetime of one generation in fact, the Soviet Union has made a truly gigantic leap from poverty to abundance, from weakness to strength.

The experience of the socialist countries has shown that the productive forces of society cannot develop, neither can popular gains be defended from the aggressors without a national intelligentsia, an intelligentsia possessing a good knowledge of modern science and technology, an intelligentsia full of the spirit of genuine patriotism. All branches of the national economy are continuously being supplied with machinery which is constantly being improved. With a view to insuring the proper use of technology, to improving production, and to obtaining a high rate of technological progress, we train skilled workers, technicians, engineers and scientists, and see to it that the conditions are created for the flowering of science. One of the most remarkable results of the cultural revolution in the U.S.S.R. is the development of higher education in the national republics, particularly in those of the Soviet east.

Our growing numbers of highly qualified specialists contribute greatly to the promptness with which pressing scientific, technological, and economic problems are solved. That is why the Soviet Union, on the basis of its own experience, does not confine itself to giving economic and technical aid, but helps its friends also in the educational field. Quite a lot has already been done in this direction. We are helping, for example, to set up technological institutes in India, Burma, and Indonesia, while a polytechnical institute is being established in Guinea; it will be that country's first higher educational establishment. Many Soviet scientists give lectures at higher educational institutions abroad.

Thousands of young people from many countries are studying in Soviet institutions of higher education. Graduates from these institutions have made a good showing in both the professional and social fields at home. Increasing numbers of young people are eager for the opportunity to study in Soviet institutes.

A request to have more national specialists trained in Soviet higher schools was expressed by progressive public and government circles and individuals in many Asian, African, and Latin American countries, and was backed by Soviet public organizations—the Soviet Afro-Asian Solidarity Committee, the Union of Soviet Societies of Friendship and Cultural Relations with Foreign Countries, the All-Union Central Council of Trade Unions, and the Soviet Youth Organizations Committee. It was they who sponsored the setting up of a Soviet institution of higher learning for the purpose of training specialists for the respective countries, and the proposal to establish a Friendship of the Peoples University in Moscow was approved by the Soviet Government.

Eligible for admission to the university are men and women under 35, irrespective of race, nationality or religion. Study at the Friendship of the Peoples University will be free of charge. The university will provide all students with bursaries, free hostel accommodation, and medical care, and pay their traveling expenses to Moscow and back.

The university represents a new form of training national specialists for the countries of Asia, Africa, and Latin America. It goes without saying that the existing forms of cooperation in education will be maintained and extended.

The new form of cooperation has a number of specific features and is highly promising.

The university will be attended by persons from many countries and of various nationalities. They will have had different educations and will speak different languages, some of which are only little known. How are we to overcome the difficulties that will thus arise? The university's preparatory faculty will deal with these problems. This faculty will accept future students who do not know Russian, or who have not reached the necessary standard of secondary school education and prepare them, in a period of 1 to 3 years, for study in one of the university's six main faculties.

The fact that students will combine their training with scientific work guarantees a high level of education. With the establishment of the Friendship of the Peoples University, facilities have been created for large-scale research which will pay due regard to the national economy and culture of the Asian, African, and Latin American peoples, thus making for a higher level of training of specialists.

In its capacity of a scientific institute the university will cooperate with other Soviet scientific centers studying similar problems. It is also prepared, on a reciprocal basis, to establish permanent contacts with institutions of higher education, scientific institutions, and public organizations in the countries of Asia, Africa, and Latin America with the object of exchanging visits, scientific information, and publications. The university intends to participate in international scientific and cultural activities.

In the conditions obtaining at the university, it will be possible to reduce the terms of study somewhat in comparison with those customary for the Soviet institutes. In the Soviet higher educational establishments the length of these terms depends on several factors. In the first place the specialized training of the students is tied up with the concrete conditions generally obtaining in our country, sometimes even in a particular area of the country. In the second place the practical work our students usually do over a prolonged period is explained by the need to prepare them for the actual conditions in their future spheres of activity. The kind of student enrolled also has a bearing on the term of study. Thus students who already have some practical experience will not need to study as long as those who have no such experience.

The students at the Friendship of the Peoples University will get to know the actual conditions of the future work on their return home.

The experience of Soviet higher education has been taken into account in drawing up the university's curriculums.

The university will train specialists in all the major branches of knowledge, in accordance with the needs of the Asian, African, and Latin American countries.

The concept of economic planning on the basis of the Socialist countries' experience has won worldwide recognition. And countries whose development has been retarded by imperialist colonialist domination are particularly interested in this. They realize that their salvation lies in a concentrated effort to combat the effects of the economic havoc the imperialists have left in their wake. Prime Minister Fidel Castro of Cuba has called the Republic's economic development plan a plan of struggle for economic progress and for rooting out the evils of the past, while Sekou Touré, President of the Republic of Guinea, described the adoption of his country's 3-year development plan as an event equal in importance to the winning of political independence. The university will help to meet the demand for economists, specialists in planning the national economy, in the Asian, African, and Latin American countries.

The faculty of engineering will train mining, mechanical, and construction engineers. Unless a country has a modern industry it cannot hope to achieve a high level of national production. Young people in foreign countries know full well that the Soviet Union has something to teach future engineers. A youth from Guinea, for example, wants to go to the university to become an engineer. His country, he writes, has plenty of iron ore, coal, oil, and diamonds. And he wants to become a specialist so that he can help build a national industry and use Guinea's mineral wealth for the good of his country.

The Asian, African, and Latin American countries are faced with the urgent task of transforming their backward, extensive agriculture into an advanced intensive farming. The experience in transforming the scattered and backward agriculture of Russia into large-scale highly productive agriculture is attracting the attention of these countries and the use to which they put this experience will depend on the conditions obtaining in the different countries, and on the attitude of their leaders. President Bourguiba of Tunisia, for instance, said recently that in organizing cooperative farming in Tunisia it would be useful to study the Soviet experience. Sylvianus Olympio, Prime Minister of Togo, emphasizes the importance of cooperation in the agriculture of this young republic. Guinea's first 3-year development plan, adopted in April 1960, envisages the setting up of more than 500 cooperative

farms. The government of India is also showing interest in cooperative methods of farming.

The faculty of agriculture will train specialists who, armed with modern scientific knowledge, will help the peasants in their countries "to raise two ears instead of one," to use the words of K. A. Timiryazev, the great Russian naturalist.

Many of the Asian, African, and Latin American countries are planning extensive public health programs, and the faculty of medicine will train doctors and pharmacists for these countries.

A task of paramount importance in most of the economically underdeveloped countries has been and still is the struggle for general elementary education. And this has given rise to an acute shortage of teachers. Nearly all the faculties of the university and particularly the faculty of agriculture and the faculty of history and philosophy will train their students for the noble career of teaching.

Thorough research is required in both the natural and social sciences before the Asian, African, and Latin American countries are able to solve a number of their pressing problems. The faculties will, therefore, accustom the students to engage in research.

The development of international relations, the defense of national sovereignty, and cooperation with peace-loving states call for experts in international law. To meet this need the university will train specialists in international law for these countries.

We shall do our best to turn out qualified specialists who, on returning home, will enthusiastically set about building a better future for their peoples.

In addition to their specialized training the students will have every opportunity to see the Soviet Union, familiarize themselves with the cultural treasures created by its people, and to extend their knowledge through classical and contemporary literature and art.

The Friendship of the Peoples University is not a state establishment. It is directed by a council composed of representatives of the founding nongovernment organizations, and includes a representative of the Ministry of Higher and Specialized Secondary Education of the U.S.S.R. and representatives of the teaching staff and students. Thus the students will find that the university is at the same time a school of democratic self-government.

In view of the recent further cut in the Soviet armed forces by one-third, the premises formerly occupied by a staff college and by one of the military schools have become vacant and, under a decree of the Soviet Government, made available to nonmilitary organizations. They will, it has been decided, be placed at the disposal of the university.

Great help is being given by the Soviet public to the university which is still in its infancy. Splendid initiative, for example, has been shown by the staff of Leningrad University which, appreciating as it does the difficulties connected with an undertaking of this kind, has offered comradely assistance.

Progressive public and government circles in Asia, Africa, and Latin America are displaying a friendly interest in the new university. We value their appreciation of Soviet aid to the underdeveloped countries, and the efforts they are making to recommend students who, we are certain, will, after graduation, bring great benefit to their countries. The future student should understand that he shoulders a great responsibility when he enters the Friendship of the Peoples University.

The friendly cooperation of all organizations concerned is enabling us to establish a well equipped institute of higher learning with an experienced staff, an establishment that will enjoy prestige in both scientific and educational respects. The applications pouring in bear witness to the fact that young Asian, African, and Latin American men and women are most eager to study at this University.

"The people who have risen like a mighty giant
Are now reaping the harvest of freedom."

sang the Indonesian Poet Hadyi in a poem dedicated to the Bandung Conference, a Conference which demonstrated the powerful growth of the national consciousness of the Asian and African peoples. The Friendship of the Peoples University will work for the triumph of the principles of Bandung.

EDUCATION IN JAPAN—COMMUNIST TEACHERS' UNION AND STUDENTS' ORGANIZATION STRETCH PROFESSIONAL ETHICS

(By Sidney Hook)

TOKYO.—It is not often that an educational struggle is a herald or portent of a civil war. Today in Japan, however, the educational situation is such that an analysis of the complex factors involved provides the best introduction to its troubled political life. What seems like a simple educational issue, for example, a method of rating teachers' efficiency, has deep political taproots. What in Western countries would be solved by legislative hearings and consultations between professional educators and officials of boards of education is in Japan the occasion of fierce struggle and violence more extensive and severe than most episodes of industrial strife. The excesses of one side provoke the other into attempts at wholesale remedy which widen the scope of the political conflict.

Some knowledge of the historical background is indispensable in order to understand the nature and ramifications of the controversy over education in Japan today. Two things of importance should be remembered. Before the military defeat of the last war, education was geared to the interests of Japanese militarism, especially in the primary and secondary schools. Whatever opposition existed to the Emperor system and military rule manifested itself on the university level and was largely passive. The teachers in the universities were not so much overtly hostile as less enthusiastic than those in the lower schools. When the old system was destroyed and the only world they knew crumbled into dust, Japanese teachers looked to the Americans with their slogans of democracy as the source of a newer and more viable authority.

Just as important is a second factor. The so-called democratic revolution in Japan was really an American revolution. The Japanese were commanded to be democratic even before they understood what it meant. There was no real upsurge or movement from below. The resultant follies were compounded by the political naivete of the American occupation which at first included Communists in the democratic spectrum and opened the doors to them in the labor movement which included almost 500,000 members of the Japan Teachers Union, the Nikkyoso, or JTU.

This explains why, whatever proposal is put forth to undo some of the laxities, oversights and mistakes of the occupation, the cry is immediately raised that this means the restoration of the old system of authoritarian control. This fear is quite sincere in some quarters, but it is exploited mercilessly and dishonestly by the leadership of the Japan Teachers Union. Refusal to come to grips with specific crisis in their own times also explains why the meaning of democracy is badly misunderstood by those who invoke its slogans most vehemently. The Government Party deems it sufficient to have a simple majority in order to ram through legislative measures without adequate preliminary discussion, advance notice or even an attempt to take its case to the court of public opinion. The opposition is irresponsible and reacts with a conditioned reflex of political negativism. It consists of the Socialist Party, completely dominated by its infantile leftwing and committed to a pro-Communist foreign policy, the Communist Party (politically immature but influential in intellectual circles and in the lower trade-union cadres) and a host of captive cultural organizations. In the eyes of the opposition nothing can be democratic which is against its collective or individual interests; anything which furthers those interests is ipso facto democratic. There is no real concern for the parliamentary process or respect for the principle of democratic majority rule. Symptomatic of how far semantic corruption of the term "democracy" has been carried is the amusing story of a Japanese citizen, slightly intoxicated, who accosted a policeman—a rather awesome figure in prewar days—thrust out his foot and said: "Hey, you, tie my shoes. After all, you are now a democratic public servant."

Whatever deficiencies can be traced to the educational policy of the American occupation authorities (SCAP), like imposing excessive decentralization and raising inferior institutions, which were little more than training institutes, to the status of universities, the main educational aim of the occupation was quite exemplary. Education was to become politically neutral. Measures were taken to guard against the possibility that the Federal Government, with a highly centralized educational system, might abuse its monopoly of power and inject propaganda into the educational curriculum. But SCAP could not foresee that teachers would systematically propagandize in their classes on behalf of the narrowest factional political interests.

This is precisely what happened, on a scale and with a boldness unparalleled in any democratic country. The chief source of educational indoctrination is the JTU, whose leadership is in the hands of members of the Communist Party or of sympathizers who make no secret of their political allegiance. Recently, the Nikkyoso disaffiliated itself from the International Confederation of Free Trade Unions. An organization of its size employs a large number of full-time professional workers who are not teachers or educators but trade-union activists. Among them are approximately 1,500 members of the Communist Party, assigned to work in the Teachers Union. And while most of the teachers in the JTU are not Communists or even fellow-travelers, they are helpless before the skillful and unscrupulous factional politics deployed against them. Some of the teachers maintain that dissent from the pro-Communist leadership, particularly if accompanied by attempts to combat it organizationally, is physically dangerous in certain regions.

The JTU does not conceal the fact that its trade-union or professional activities are subordinate to its political goals. It is wedded to a Marxist-Leninist view according to which any government which is not Socialist, in the special sense of that term, is "an enemy of democracy and peace." It openly declares in the pamphlet with which it indoctrinates its new members:

"Our teachers union is an organization which stands at the forefront of the struggle. Its national membership is 500,000. Imagine each of these teachers closely tied, through his 50 pupils, to the working class which constitutes 90 percent of the entire population! Is it not a picture which is enormously encouraging and gloriously resplendent? * * * We are to fight on the side of these workers against the tyrannical propertied class of Japan."

No attempt is made to conceal the fact that the teacher is expected to indoctrinate his students. In its pamphlet, "The Teacher's Code of Ethics," the JTU states that "the realization of socialism is the historic

task imposed on the teacher. It is the duty of the teacher to foster young people who would help realize such a society."

That these directives are carried out is evidenced in many ways. Not only does the JTU throw itself into all sorts of political activities and demonstrations which have nothing to do with educational affairs, it agitates its teachers to bring the message of "socialist" salvation right into the classroom. In this task it is abetted by the Japan Teachers Political League (the Nisseiren) of the left-wing Socialists, who make the Pietro Nenni Socialists of Italy appear moderate. Typical of the specific practices of indoctrination is the report that teachers draw a map of Japan with a red flag in the middle on the blackboard and tell their pupils that "this is the People's Republic of Japan." At the same time it is noteworthy that the JTU has conducted violent demonstrations against the proposal to hoist the Japanese flag and to sing the national anthem, Kimigayo, at school ceremonies. This has been branded as a major step toward the revival of militarism. The chairman of the Arita City Education Board, in the Wakayama Prefecture, reports that some pupils have been surprising their parents with the information that they have been taught that the U.S.S.R. is their real homeland.

Although many professors and educators are quite eager to denounce any educational measure sponsored by the Government to correct this situation, very few have come out publicly to protest against the flagrant abuse of educational trust and the massive indoctrination carried on in the schools by the pro-Communist elements in the JTU. (Privately, almost all whom I have questioned admit that this indoctrination is widespread.) Occasionally, a brave man like Kotaro Tanaka, professor emeritus of Tokyo University, risks his reputation among the packs of conformist "progressives," and speaks out. More than a year ago (the situation since then has become much worse), he wrote in the Bulletin of the Research Institute of Comparative Education and Culture:

"A segment of educators, particularly a part of the primary and the secondary schoolteachers, in the name of democratic education, have advocated the communistic or some similar viewpoint. They have not only played a considerable part in political campaigns, but have influenced pupils in the classrooms. Literally faithful to the doctrine of Marxism, they have not failed to profit by every opportunity to condemn traditional morality and virtue as feudalistic and reactionary, to exaggerate existing social evils, to stimulate class antagonism, to insist on the overthrow of conservative government, to discredit the judiciary and to excite anti-American sentiment. And this under the slogan of democracy and democratic education."

There is no space to detail the various administrative measures the Government proposed to correct a situation which even leading members of the Japanese Socialist Party admit (privately, of course) to be educationally undesirable. Some of these measures were of dubious wisdom. The chief instrument the Government attempted to employ was the efficiency rating system. Rating systems exist for civil servants, for educational personnel of Government colleges and universities and for noneducational employees of the school system. But until recently a rating system was not applied to schoolteachers. The Government also attempted to introduce, at about the same time, an ethics course into the curriculum along lines familiar to Western schools.

And now one of the strangest things in the history of education occurred. Instead of contesting the educational validity of the efficiency rating system or of courses in ethics on professional grounds, the JTU took to the streets. It called a series of strikes throughout the country which culminated in a general strike. Teachers were enjoined to desert the classrooms during school hours, tell the children to stay away from school on the days of the strike, and involve their parents as well. In many parts of the country these demonstrations led to sit-down, lay-down and locked-arm tactics that became prefaces to violence. With the help of specially recruited squads of Communist university students, the leadership of the JTU conducted pitched battles in several prefectures to prevent principals of schools from receiving instruction in the application of the ratings. Particularly furious was the JTU's reaction to attempts to introduce courses in ethics.

Yet the first general strike of the JTU showed that its Communist leadership had gone too far. Most of the teachers did not abandon their classes and their educational charges. Parents were annoyed. The Japanese children, who strangely enough enjoy going to school, seemed to feel deprived and bewildered at the spectacle of their honored elders falling out—and sometimes upon each other. Public opinion polls conducted by the Asahi Shimbun and other agencies indicated that less than 10 percent of the population approved the strike tactics of the JTU. Even the Japanese newspapers which are traditionally critical of almost all Government measures—this is supposed to be a sign of their independence were indignant at the spectacle of teacher extremism and violence. When I saw newsreels of students and teachers using a treetrunk to batter down the gates of a building in which other teachers were receiving instruction in how to conduct ethics courses, the audience seemed stunned and hostile.

Despite this reaction and the emergence of a more moderate faction in the JTU which sought to conduct the struggle against the teachers' efficiency rating in a more orderly manner and on an educational plane, the extremist leadership of the JTU pressed for further general strikes during the teachers' working time. When I left Japan, another strike was in the offing. The only concession made by the dominant group in the JTU was to permit the local unions to set their own time for the walkout.

The educational validity of the teachers' efficiency rating and the ethics course are more complicated matters. I have made a careful study of both. The first is an extension of the American questionnaire procedure, but enormously extended. In principle, it is unexceptionable, but some of its detailed provisions are superfluous and its use for salary allocations or raises is of doubtful wisdom. The only relevant question about the ethics instruction is whether it should be given in conjunction with the study of other subjects like history or literature or presented at a specially assigned hour. The alternatives are obviously not exclusive. The last thing in the world, however, that the JTU wants is a discussion of these proposals on their educational merits. For it would then have to reveal itself once more in favor of the antidemocratic, pro-Communist indoctrination being carried on systematically in the schools under the skillful direction of left-wing trade-union activists.

No government in a democratic community can permit this type of educational subversion to go unchecked and stand by idly when groping efforts to cope with it are challenged by organized violence. In the wake of the teacher and student violence, the Government introduced a bill to revise the present police duties law. During the American occupation the power of the police was emasculated for obvious reasons. Except when crimes have been committed, the police function mostly like traffic cops, and with greater mildness than the New York City variety. They cannot even arrest uncontrollable drunks or put them into protective custody or confiscate arms from juvenile delinquents. The proposed revisions try to remedy this by an extension, so to speak, of the American "clear and present danger" principle, phrased in such a way that teachers' violence and similar disorderly activities on the part of extremists can be curtailed. But these provisions may be abused to curb legitimate activities on the part of trade unionists and Socialists. It would therefore have been wiser to amend the education law instead of the police law, making violent interference with the processes of education legally actionable.

The potential dangers, vastly exaggerated, of the police duties law have aroused large segments of the population, and it is not likely to be adopted in its present form. The leftwing Socialists, Communists, and the JTU are having a field day screaming "fascism is around the corner" and lining up hosts of genuinely liberal organizations as well as different front organizations in a national campaign of opposition, much of it violent. It is significant, and highly characteristic of the present situation in Japan, that not a single organization which has gone vigorously on record in protest against the proposed revision of the police duties law has so much as by a whisper protested against the violence, the betrayal of educational trust on the part of the JTU whose behavior was the most powerful consideration determining the introduction of the law. The Government made a mistake in not announcing these considerations more openly, in not proceeding more carefully with proposals to remedy specific deficiencies gradually. Its hypocrisy, however, has been surpassed by the hypocrisy of the opposition. Regardless of the fate of the police law, nothing can prevent an ultimate showdown between the Government and the fanatical leadership of the JTU, except the moderating influence of the Socialist Party—an influence it is unlikely to wield. The ideal solution would be for the members of the JTU themselves to revolt against their pro-Communist leadership under the inspiration of prominent educators in the universities. But at the moment this appears to be a forlorn hope.

Something should be said of the student movement in Japan. The only organized force of importance is the Zengakuren, which is more Communist than the Communist Party today because its leadership insists upon following the ultra-violent tactics which the Communist Party advocated only yesterday. At present, the CP is attempting to purge the Zengakuren leadership. The bulk of the students are largely passive and even in the Christian universities no third force has developed. The Communist students regard themselves as the shock troops of the revolutionary movement. They meet opposition within the student movement and within their own ranks with ready violence. Last year they assaulted the past president of Kyoto University. This year at Fukishima University they boycotted examinations in protest against the teachers' efficiency rating system, an issue which has no relevance to university educational life. When some professors came to the aid of students who were being obstructed from entering the university to take their examination, they were severely beaten. The ringleaders among the Communist student union are "professional" students, in effect functionaries of the Communist Party planted in the universities to recruit students and to further the party line. There is hardly a trick employed by the young Communist Leagues decades ago in the West which has not been adapted to Japan, from

paying students so much per day for participating in sit-downs and lay-downs, to compromising the professional future of students by unnecessary exposure in order to close all avenues of work for them except some kind of party activity. Everyone seems to deplore the activities of the Zengakuren, but no alternative has been developed. The field is pretty much left to its activities. The general attitude is that all students are radical when young but become conservative when they grow older: Therefore, there is nothing to worry about. There is some truth to this, of course, but it overlooks some crucial differences which exist between student radical movements of the past and present, and certain distinctive features of Japanese society and economy which make the character of Japanese education a weighty factor in determining whether Japan is to remain free.

EXCERPTS FROM SPEECH BY HON. ANTONY HEAD

The Communist today is a fervent and passionate believer that the future world can only be made safe and can only be well run if it is a Communist world. There is nothing wicked in believing that; it is part of communism, and we shall not eliminate that by summit talks or the kind of discussions which the Prime Minister is having. Nobody would think that.

It would be just as well for the Hansard reporters to ask the honorable and learned Member for Northampton (Mr. Paget) to speak faster. I am not being insulting; it is a part of him. It is the same way with communism. It is an integral part of communism. That conviction and missionary zeal in the 13 years between 1946 and now have led to a territorial expansion of the influence of communism which is almost unparalleled in world history, and it has been achieved without a single Russian soldier firing a shot.

In the 1920's and 1930's, the French created the Maginot line, a vast complex of antitank obstacles, antitank guns, machine guns, artillery concentrations, searchlights, and so forth. Military critics and pundits of the day, as some honorable members will remember, said that the strength of defense had outrun the attack. No names, but that is what they said. Many people said it, and many people drew great comfort from it.

What happened? The Maginot line was completely outflanked by a new technique—the deep penetration of armor supported by aircraft. The line hardly fired a shot or played any part. What I am suggesting to the House of Commons today is this: May not our undue concentration purely on weapons, and atomic weapons, if it is pressed too far, become our kind of Maginot line? I am not saying that it is not necessary, because, until some form of disarmament takes place, a deterrent is vital. But, do we not concentrate too much on it? May it not be that our discussions in these defense debates, ignore and disregard some other but vital form of defense? What might that be?

Mr. F. J. BELLENGER (Bassetlaw). The right honorable gentleman is making a very interesting speech. He has told us that the Maginot line was turned or outflanked, whereas these other weapons he talks about will go over the line. The Maginot line was turned and then consolidated by ground forces.

Mr. HEAD. I am trying to suggest that NATO and the atomic weapon may be outflanked by some technique against which we have little or no defense. That is all I am trying to suggest.

I was going on to ask, What does all this lead up to? At this stage I should like to make a flat statement to the House that will explain quite clearly what I am driving at. It is my belief, rightly or wrongly, that if things continue as they are now, if the trend of events continues and we do nothing to stem it, within 10 years, or maybe less, the vast majority of Southeast Asia, the Middle East, and central and northern Africa will either be under Communist governments, or will, politically and economically, have their affiliations to the East rather than the West.

I am saying that as a rather blunt affirmation, and honorable Members may say, "Well, maybe, but what of it?" Again I maintain that if Southeast Asia, the Middle East, and that part of Africa go Communist, it is my belief that the Commonwealth and Western Europe will be so weakened, strategically, economically, and morally, that it will start a decline which may prove irreparable for the West.

Honorable Members may think that that is an exaggeration, but may I quote on my own behalf the Communists themselves? They are extremely frank, just like Hitler was, about policy, doctrine, and methods. The central tenet for communism today is that the way for communism to overthrow the West is by an alliance with the revolutionary trends in the dependent and colonial territories. That is the central theme. That is what they have been doing, and, what is more, are doing today.

Honorable Members may well say, "Why do you suddenly come out with that view in a defense debate?" I have had the advantage, through circumstances, that during the last 2 years I have not had very much to do, and I have had time to think, which I know is extremely difficult for the front bench. [Honorable Members: "Hear, hear."] I am saying that quite seriously, because it is a problem with which every Minister is confronted. I have had time to read something of the theory and practice of communism, and in the last 2 years I have visited Southeast Asia, the Middle East, and Africa.

As a result of that, there has grown within me an increasing conviction that we are losing the ideological war—the battle for men's minds. Look at southeast Asia, Indonesia, Indo-China, Ceylon, where the Communists are working, or Singapore, with an 80 percent Chinese population. SEATO does not really cater for the ideological question. Consider the Middle East, Syria, Iraq, and the Yemen, where the Russians are building a port which will be very handy for causing trouble.

Turn to Africa, where I was told that there was very little progress in the field of communism. But in Czechoslovakia there is a very large school for young Africans to learn about Marxism and subversion, and in Russia itself scores of Russians are learning African dialects and about the geographical and economic problems of Africa. Again, at the Accra conference, the advice of the Russians to the African delegates was, "Get rid of the Europeans. Demand universal suffrage. If, industrially or economically, you suffer any deprivation because they have gone we will make it good, and you can run the show yourselves." In all these areas, there is from Russia central direction, efficient weapons for the ideological war—propaganda, books, intelligence, all perfected by experience, and proved by success.

If one contrasts this aspect of defense, or whatever you may call it—and I believe it is a highly important part of defense—with the efforts of the West, what do we find? Whereas in NATO we have achieved unity, both of purpose and policy, in Southeast Asia, the Middle East and Africa, we find the West in very ragged disarray. We find no unity of policy, and we find that the weapons for conducting the ideological war are inefficient, out of date, inadequate and too few.

What I have been saying may sound alarmist, or it may perhaps sound exaggerated, but what I want to ask the House is: When does the House of Commons ever discuss this subject? Does it come into defense, is it a question of foreign affairs, of colonial policy, of Commonwealth relations? The answer is that it forms part of all of these, but, as a whole, it passes us by. We never discuss it. This is a quiet and insidious war, and as its victories occur, we are apt to look upon them as sudden events, rather than the consequence of a long and deliberate policy.

It is no good our expecting the Russians to stop this. Unfortunately, it is part of their belief and, unless we are willing to accept that these new and young independent countries now growing up are all going into the Communist ideology we have got to convince them that our way of freedom, and our attitude to man and his liberties and rights are the best. It will be a tragedy if, one after another, these countries go over to a political and ideological doctrine which everyone in the West, including I think, almost every honorable Member, believed to be fundamentally disastrous and wrong.

Yet, can one sit back and answer that we are doing enough in this field. Is our machine good enough? Have we got a policy? It is all very well for me to talk like this, but I feel that the questions I have put oblige me to make some proposals about what should be done. I do not despair in this respect, because we have many assets on our side. The combined economic and industrial strength of the West is infinitely greater than that of Russia. The amount now being poured out in terms of aid and economic and technical assistance is very great.

However, it is scrappy, bitty, uncoordinated, and lacks unity or planning. We also have on our side the indestructible faith of many of these young nations in a God and that is one of the greatest counters to the spread of communism. Furthermore, there is our own faith in free institutions, a faith which we should be able to spread. What, then, can now be done to stop the trend of events which I believe to be slowly leading us toward a major defeat which could end disastrously for the West?

First, and perhaps most important, is unity of policy and aim by the West as a whole. Perhaps the key to that is the attitude of our strongest partner, the United States. There is still a strong feeling of anticolonialism in the United States. I have talked to Americans and found that some still think that it is a good thing that the British should be getting out of these areas, for the Americans do not approve of colonialism.

Let us leave colonialism out of the argument for a moment. I am not advocating a reactionary policy of sitting it out in these areas with hundreds of soldiers. I agree that these countries must be led to independence, but they must not be suddenly given independence when they are administratively incapable of running themselves and are, educationally, all but illiterate. That is not only a very feeble way out of our responsibilities, but is a way to hand these people, for whom we have done so much in the past, into a state which is bound to lead to tyranny and probably to communism. Premature democracy can lead to disaster.

We, must, therefore, convince America, which we are surely capable of doing, that the United States is just as much concerned with these territories as we are. Let the West adopt a policy of gradually leading these nations to independence when administratively and educationally they are ready to "make a go" of it. If we can convince America that domination of all these areas by communism would be disastrous to the eventual defense of Western civilization, we would have gone a long way.

Having done that, we must have a policy for both Southeast Asia and Africa which is a common policy of the West. Again, do not all honorable members agree that our own

policy in Southeast Asia and Africa—and within these areas what happens in one small country interacts on the other—is very bitty? We have the Commonwealth Relations Office here, the Colonial Office there, the Foreign Office there, three busy Ministers, three separate departments and coordination for the areas as a whole.

The same argument applies internationally. Having evolved a policy for those areas, we should take action to convince all the countries agitating for immediate independence that we mean business and that we are bringing in our educational schemes and improvements of native states, but that we will not be bounced into giving them premature independence. From the point of view of the West, I would rather see a £5 million education scheme for Kenya than a couple of Blue Streaks.

Having got a policy—and I know that I am asking a lot—we have to start to implement it. This must be done by a regional organization smaller, but in its effect, equivalent to NATO. It would deal with Southeast Asia and Africa—although not as large and not a military organization like NATO. Such an organization would have to be above party, as is NATO. We must not allow the organization to feel that a change of government will result in a change of policy. I do not believe that any honorable Member opposite believes in giving premature and sudden independence to backward and illiterate countries and thereby cause that state of anarchy and chaos which is the most likely field for communism. What might so well happen after premature independence is that a Czechoslovakian-trained African would become Home Secretary and obtain control of the police and before we knew where we were the "People's Free Party" would be dominated by the Communists. That can well be a result of going too fast.

Mr. ELLIS SMITH (Stoke-on-Trent, South). It has not happened with India.

Mr. HEAD. I am sorry not to be able to take up that interjection, but I am trying to sustain a complicated argument.

I do not believe that this is a party matter. It is something for Western civilization as a whole. I know that it is difficult, but if we achieve some international cooperation among the countries of the West there are, in addition, several domestic matters to be considered. There is a striking similarity in the criticisms and complaints which one hears in Southeast Asia, the Middle East, and Africa. I know that people always complain about Whitehall but these are too similar to be disregarded. First, I feel strongly that a person or a committee of great capacity and strength should overhaul the whole of our intelligence organization.

This subject has been raised in endless debates and we can all recall debates when we were assured that Kenya was sound—just before Mau Mau; that Cyprus was sound, when we were getting out of Egypt; that all was well in Iraq. The latest example has been that of Cuba. It is clear that our intelligence organization must be overhauled. If we want a policy to make sense in oversea countries, if we want even our propaganda to succeed we must know what is going on in those countries; and I am far from satisfied that we do.

Do our security arrangements make sense? I mention that because when the young Africans in the Czechoslovakian schools have finished learning about Marxism and subversion, and so on, they are allowed to go back to their homes in Africa. I am all for liberal institutions, but that is going a bit far. Are we right in allowing Marxist-trained agitators to return to areas where we have trouble enough?

Viscount HINCHINGBROOKE (Dorset, South). What about the London School of Economics?

Mr. HEAD. It may be that the noble Lord will have something more to say about that if he has an opportunity to speak. The London School of Economics is not to be compared with the considerable numbers going to Africa from Czechoslovakia. To give agitators passports does not make sense. Our security arrangements are not good enough.

It was curious that the three soldiers who went to areas where there was trouble, Templer, Erskine, and Harding, all reported unanimously, though separately, that intelligence, security, and police were weak and not good enough.

What about our propaganda? Everywhere I have gone I have been told that our case is going by default. There is nothing easier than criticizing propaganda, and I know that the Chancellor of the Duchy of Lancaster has been all over the world trying to improve our propaganda. But is he not propping up a rickety building? Do we not want a radical overhaul of our propaganda arrangements if we are to put our case across? This is a matter which should be treated as urgent, something which requires men of brains.

I believe that it is now inclined to be the mark of a "dud" that he should go into propaganda. That was not the case during the war. In the ideological battle propaganda is of vital importance.

Finally, somebody ought to be thinking about this whole question. Who is the minister of defense for the ideological war? Who is thinking about the battle for men's minds? Ministers are desperately busy; they have their departments and their day-to-day business. The Prime Minister is very busy. Who is watching this matter and thinking about it?

I am not suggesting a new Minister, or anything like that. What I am suggesting is that a committee or individual should be charged with thinking about, meeting and coordinating this vital question, and that should happen not only here but with our other partners in the Western World. I appreciate very much the difficulties, especially when everybody is busy, in starting up something of this kind and putting the proposals into effect, but if we do nothing, if things go on drifting like this, who in this House can deny that we are losing the battle for men's minds, who can say that we are giving ourselves a chance in this field? I do not think that anybody can. Who can feel that the West as a whole has any unity of policy in this respect? I believe it to be thoroughly inadequate.

All I can ask of those who have been good enough to listen to me is that those who are unconvinced might pause to think whether or not there may not be something in what I say. If any American should read my speech—it is not very likely—I hope he may pause and wonder whether there is something in what I say. In my maiden speech—I do not wish to be conceited; many things in my past speeches do not bear repetition, as the hon. Member for Dudley has demonstrated—I said that it was of vital importance for the world—this was in 1945—that America should realize that what happened in the Middle East was just as intimate a concern of hers as what happened in the Middle West. Today, what happens in Africa and Southeast Asia is of intimate concern in the long run to the United States and to the West as a whole.

We on both sides of the House, on this subject which we hardly ever discuss, are really the trustees for the future. In my opinion, the next 10 years will be decisive. If we do something about it, I think that we have no cause for despair, but if we delay, and things drift on and go from bad to worse, no amount of belated exertion and effort afterward will ever be able to put things to right.

DOCUMENTS OF COUNCIL AGAINST COMMUNIST AGGRESSION

(By Bertram D. Wolfe)

(Text of lecture by Mr. Bertram D. Wolfe on "The Enemies of the Open Society: The Ideological-Philosophical Vulnerabilities of Communism" at National Strategy Seminar, The National War College, Washington, D.C., on July 21, 1959.)

I am to talk on the psychological and philosophical vulnerabilities of communism.

Vulnerability implies an alert and determined opponent, ready to take advantage of every weakness and every opening. Only then do weaknesses and inconsistencies become vulnerablilities.

But because this determination and this readiness are today lacking, I think that my very subject is a misnomer.

The Communists know that they are engaged in what Strausz-Hupe and his associates have called a "protracted war." They know that they are engaged in a war to the finish, a war for the world. Every separate issue, every negotiation, every conference, every utterance, they regard as a move in that war, whereas for us in the West each is treated as a separate concrete issue to be settled once and for all in order that we may relax.

We aim to persuade our opponents that our intentions are friendly. We aim to reassure—and I am quoting—"We aim to reassure the Soviets as to their security."

We aim to trade concessions which in practice means only to give away positions which we possess, so that the other side which offers nothing in exchange, can renew the battle from a more advantageous position.

As historian Gibbon wrote on the fall of Byzantium, "Persuasion is the resource of the feeble; and the feeble can seldom persuade."

We are not feeble. Actually, America is at this moment stronger economically, stronger in its military position, and the free world is stronger than the opponent that is determined to destroy us.

But we are acting as if we were acting from feebleness, thus endangering peace by making the other side underestimate our strength and luring them, without intending to lure them, into some folly of attack. Thus, the very moves we make to preserve the peace of the world are moves which in my judgment profoundly endanger the peace of the world.

Insofar as we act as if we were weak, and as if our task were to persuade the unpersuadable, to settle that which cannot be settled, instead of to win the war that the Kremlin is waging upon us, a war that is stepped up even when they are our allies, as they were in 1943—insofar as this is so, insofar as we have permitted them to divide the world into their "peace" zone, where we may not and do not intervene, and our "war" zone, where the entire world and the United Nations and they also may intervene, to that extent it is not they who are vulnerable, but it is we who are proving vulnerable.

In short, I would be less than honest, gentlemen, if I delivered to you today a cheerful, reassuring talk on the vulnerabilities of communism when every Soviet expert worthy of the name is filled with gloom at our incapacity and unwillingness to use the openings which their system has provided, does provide, and will continue to provide.

What we need, first of all, is an understanding of this universal, unitary, unending war to the finish.

Second, we need a revolutionary strategy, to put the revolutionary forces of our time at our disposal and deny to them their use and exploitation. Only then will their system prove more vulnerable than ours, as potentially it is.

With this caveat in mind, let us examine, first, their theoretical foundations and, sec-

ond, their strategical and tactical vulnerabilities, insofar as the time permits the examination of these two subjects.

I. THE THEORETICAL FOUNDATION—MARXISM

The theoretical foundation lies in something called Marxism. So I will examine, first, the self-refuting inconsistencies in Marxism and its prophesies refuted by history.

1. The prophecies

A hundred years ago, Marx undertook to lay bare "the law of motion" of industrial society in a work called "Contribution to the Critique of Political Economy"—exactly a hundred years old at this moment. And 110 years ago, a decade earlier, Marx and Engels issued their call to arms in the "Communist Manifesto" with its dogmatic pronouncements and apocalyptic expectations. Those 110 years have not dealt kindly with Marxist predictions and have mocked and refuted the very "law of motion" which he claimed to have discovered.

The heart of those works was an expectation of an early apocalypse. The world was headed toward immediate and total catastrophe.

In 1848 this catastrophe was only days or, at most, weeks away. It would come with the next street skirmish. Before the year was up it was to come with the next war, which would come within the year.

When it came neither with the street skirmishes nor with the wars which Marx advocated, then he decided it would come with the next downswing in the business cycle.

The apocalypse failed to appear.

The second startling thing about the Communist Manifesto which aimed to be the program for the Revolution of 1848 is that it prophesied the end of nationalism, yet 1848 was the greatest explosion of nationalism in the history of Europe.

And now, in the 20th Century, two world wars and their revolutionary aftermaths have proved that nationalism is the one great cause for which millions are ready to fight and die.

It has spread from Europe, which was its home, to Asia, and Africa, which knew not the nation in Marx's time. National feeling provides great vulnerabilities in the Soviet empire if we have the wit to exploit them, and provides great vulnerabilities for the free world in Asia and Africa because the men in the Kremlin do have the wit to exploit the nationalism which they themselves in the "Communist Manifesto" said was on the way out or was already out.

The third prophesy of Marx dealt with the increasing polarization of society. It treated industrial society in mythical Hegelian terms as a system, all the parts of which were so connected that no change could be made in it; the system could not be improved, reformed, evolved; it could only be scrapped. The defects were treated as integral to the system and incapable of being removed defect by defect, and replaced by other structures or circumstances, but only shattered, replaced by another system.

The special mission was assigned by Marx to the working class to do the shattering. When this did not come immediately as the "Communist Manifesto" anticipated, Marx began his long work to give a "scientific"—the words are his—a scientific foundation to this expectation of the apocalypse.

"Das Kapital" has this as its function. The book is strangely constructed so that most of it consists of empirical evidence, striking descriptions of the workings of industrial society, drawn from the England of Marx's day, or rather the England of the day before Marx's day.

He took most of the evidence from the parliamentary blue books, of a parliament that had already investigated the evils of early industrialism and was busy regulating, moderating, reforming, and removing the evil excrescences of industrialization. His book thus gives overwhelming evidence of this moderating and reforming, as he himself is compelled finally to conclude somewhere in the latter part of it. When he is discussing the achievement of the 10 hours law, regulation of child labor, and other such achievements of the England of his day, he writes: "Capital is under compulsion from society." (What then happens to classes and the class struggle?)

"Capital is under compulsion from society. The factory magnates have resigned themselves to the inevitable. The power of resistance of capital has gradually weakened. The power of attack of the working class has grown with the number of its allies. Hence, the comparatively rapid advance since 1860."

If you read Marx's "Capital" as an empirical student should read it, the overwhelming evidence of the blue books drives you, as it drove him, to this conclusion. Yet when you come to the last chapter, "the last for which the first was made," a chapter called "The Historical Tendency of Capitalist Accumulation," you find that capital came into the world, conceived in original sin, "a congenital bloodstain on its cheek, dripping with blood and dirt from head to foot, from every pore."

And it is destined to leave it now in a fearful cataclysm, a day of wrath and doom, by the workings of "the imminent laws of capitalist production itself."

"One capitalist kills many;" all other classes are destined to be proletarianized; and, as if by mitosis, society is to be polarized. "Along with the constantly diminishing number of magnates of capital * * * grows the mass of misery, oppression, slavery, degradation, exploitation; but with this grows too the revolt of the working class. * * * The monopoly of capital becomes a fetter upon the mode of production. Centralization of the means of production, and socialization of labor, at last reach a point where they become incompatible with their capitalist integument. This integument is burst asunder. The knell of capitalist private property sounds. The expropriators are expropriated."

Thus the conclusion of 1848 is tacked on again after the mass of empirical material to the contrary which makes up the bulk of the volume. For this it was not necessary to study the parliamentary blue books, for this is a conclusion of 1844 to 1848.

Such has been the perversity of history that she has in the countries of advanced industry not vouchsafed the revolution Marx expected, but has vouchsafed revolutions which invoke Marx's name only in underdeveloped countries on the eve of industrialization or just having begun it, in countries shaken by the impact of the West's economy and equality upon autocratic institutions which Marx regarded not as presocialist but as prebourgeoisie or nonbourgeoisie.

2. Industrial society not at the end but the beginning of its development

Another thing which would startle Marx were he to be resurrected today is the succession of industrial revolutions which followed his "industrial revolution." He knew the development from cottage artisanship to machinofacture, from the use of wind and water and animal and manpower to the use of steam power. This was the industrial revolution that Marx studied.

But the industrial revolution is unending. He thought that industrial society had reached "the end of its development" in 1848 when he delivered its doom so stirringly. Actually it was but at the beginning of the development of its productive forces.

Since then have come the age of electricity, of conveyor belt, combustion engine, synthetic chemistry, electronics, automation, fission, fusion; and the end is nowhere in sight, unless atomic war should bring a cataclysm indeed, but not Marx's cataclysm.

3. Not polarization but depolarization

The society which he thought was to polarize until it had reached the breaking point of total polarization has actually been depolarizing. Intermediate classes have not disappeared; they have multiplied. The industrial proletariat has not become the whole of society, except for the little handful of magnates at the opposite pole, but it has lost in numerical weight in society while it has gained in status and in economic and political power.

Classes have become more fluid and more equalized. Not merely in comparatively classless America but in once caste-ridden England and France and Germany as well.

In America, absurdly Marx would think, one man, woman, and child in every eight is today a stockholder in the great corporations which he thought were going to provide the little "handful" of capitalists to be destroyed.

Main Street frequently exercises more power than Wall Street, and labor and farmers have more influence on legislation than corporation executives or bankers. The latter could only fume impotently and curse "that man in the White House" while we went through the tremendous revolution in our society known as the New Deal. And even the "owning class" was divided in its attitude.

The state thus has proved refractory to Marxist prophesies. In place of becoming an executive committee of a shrinking bourgeoisie, as he described it, it has been increasingly democratized, subjected to pressure of the labor vote, the farm vote, and the intermediate class votes, even to the pressure of strategically located minorities such as the Negroes in the big cities of the North.

Out of labor's influence on government, and out of the classless pressure of the whole of society, has come a state regulation of economic life, a legal limitation of the hours of work, a minimum wage, collective bargaining, the legislated right to organize, and a whole sweep of social security legislation.

"The state," as the French Socialist Deat wrote, "has undergone a process of socialization, while socialism has undergone a process of nationalization."

4. The growing supremacy of politics over economics

In Marx's day there was a general superstition of which Marx was the most prominent advocate but which was general for most of the leading thinkers of his age: the superstitution that "economics determines politics." In the 20th century even a halfwit—Hitler was a halfwit, in a sense—has discovered that politics tends to determine economics. In fact, totalitarianism is, from this angle, an attempt totally to determine the economic and social structure of society by putting one's hand on the powerful political lever, the lever of unified, centralized, and exclusive power.

Thus what has happened to the economy is that it has been increasingly politicalized. Moreover, the whole notion of an autonomous economy, with its own autonomic laws, on which Marx based himself, and on which Marx's opponents in the middle 19th century based themselves no less, all this has become obsolete and revealed itself as no longer a workable hypothesis. In its place has come the increasing social and political regulation of the economy. Politics determines economics through tariffs, protectionism, quotas of export and import, currency regulation and manipulation, regulation of the interest rate, deficit spending, price floors, price ceilings, parities, subsidies, state fostering of cartelization as in Germany, state persecution or prosecution of cartelization as

in our antitrust acts in the United States, supranational economies like Benelux, the "inner six Common Market," the "outer seven free trade area," and all the other supra-national economies that are beginning to grow up. And in vast areas of the world there is total politicalization and autarky. Not a word of what Marx has written as helpful in approaching the problems of this, our era.

Whether these features which I have just enumerated so swiftly are to be welcomed or to be feared, they have surely produced a world which makes the projections of Marx and the projections of his 19th century opponents alike irrelevant.

5. The worker rejects his mission

Unkindest cut of all, the worker himself has not consented to being increasingly proletarianized, increasingly impoverished, and having thrust upon him the mission with which Marx endowed him.

If the worker has engaged in a class struggle, the struggle of his class has been to put off from himself this increasing proletarianization and impoverishment and this mission which Marx has conferred upon him.

In this struggle the workers have displayed stubbornness, tirelessness, courage, selfishness, solidarity, skill, incapacity to recognize when they are defeated, and the power to enlist the sympathy of the rest of society in fighting off this prophetic destiny and this prophetic assignment.

Unlike the intellectuals who offered them socialist leadership, they have no stomach for being reduced to naught, the better to prepare themselves for becoming all.

To win the suffrage on the continent of Europe, to influence and exert control over government, to legalize and contractualize improvements in the hours of their lives that are spent in labor, to win some security and dignity within the system in which they lived, to becoming "something" in the world in which they have their being, not "everything" in the world which exists only in the fantasy of the utopians, of whom Marx was perhaps the greatest—it is to these aims that they have rallied. For this they have fought their struggle, and to these aims they have succeeded in rallying most of modern society as a whole.

Those who "being naught were to become all," having become something, the whole scheme loses its tidy outlines.

Thus, the flaw in the foundation itself, the theory on which communism claims to build, lies in the fact that a hundred years of subsequent history have reduced every theoretical tenet of Marxism to a shambles.

6. Marxism as an ism

Insofar as it has claimed to be a science, it is dead. Marx and Engels in their last years were uncomfortably aware of this, and were beginning an uneasy and reluctant patching or revising of their dogmas. But after their death the revisionists who followed were outlawed and condemned, and ceased to be Marxists, and those who claimed to be Marxists survived only with the aid of the frozen orthodoxy of a dogmatic creed no longer subject to scientific examination or revision.

Indeed, however, in this lies the strength and the staying powers of Marxism after Marxism as a "science" has proved itself bankrupt. As a science, it has produced only invalid results, but it is also an "ism"—Marxism. You note that there is no "Lockeism," no "Smithism," "Millism," "Durckheimism," "Micheletism," "Rankeism" or "Gibbonism," but there is a Marxism. And this is a fundamental difference which we must strive to understand.

Besides having claimed to be a science, it has been a creed which can be clung to by faith when the intellect questions and rebels.

Unfortunately, therefore, Marxism can be refuted by intellect talking to intellect, but the strength of the movement itself, of Marxism as such, lies not in the realm of ideas but in the realm of emotions. It is an ersatz religion, and this is harder to reach with rational argument.

7. The world revolution of our time

Though the Marxist revolution never occurred, nor is it ever likely to, we do indeed live in an age of revolution, an age of revolution which began before Marx' time and which will outlast the time of every man who is facing me today.

It is not the revolution which Marx predicated, nor did it grow from the seeds which he sowed. His theory was but one of the misunderstandings of this revolution. The West's rapid expansion to all the continents of the world upset all the world's surviving civilizations. Western society planted everywhere the seeds of its own creativeness, its own problems, and its own dissensions.

We are in the midst of a world revolution in the true sense. The Communists did not create it, but they study ceaselessly to utilize it for the spread of their power and for the destruction of ours. We did create it. But we do not try to understand or to utilize it, nor to aid it in finding new forms of abundance and of freedom. The Communists seek to give neither abundance to the mass nor freedom. What they propose to do is to extend their power and their zone; to set up regimes of specialized productivity for power and for war, and not regimes of plenty or of freedom; to link the revolutionary forces afoot in the world to their war for the winning of the world.

Whoever harnesses the forces of this revolution which the West has set in motion yet has not striven to understand; whoever manages to put these forces in politics and economies, in science and technology, in all fields of life to its use, and to deny them to its opponent, that side will win the struggle for the world.

Insofar as the Communists are doing just that and we are not, they are slowly winning the war and will continue to win the war which will occupy the rest of our century, and therefore as I said in opening, in spite of the inconsistencies, cruelties, and absurdities of their system, the balance of vulnerability has been swinging from their side to ours.

II. THE STRATEGY AND TACTICS—LENINISM

In the remaining time I want to say a word about Leninism. I will define Leninism, I think accurately and truly for the purposes of this discussion, as the strategy and tactics for waging this war which I have been describing, and utilizing the revolutionary forces afloat in the world for the purposes of building totalitarian single-party power throughout the world.

Leninism claims to be Marxism. But the "Marxism"—as Lenin put it, or as Stalin put it—"of the period of imperialism, world war, and world revolution" Leninism claims to be Marxism yet in all essential respects it has stood Marxism on its head as Marx claims to have stood Hegelianism on its head.

Marx: Economics determines politics. Lenin (and Hitler, too): Politics determines economics.

Marx: Revolution comes after capitalism has reached its pinnacle and comes first in the most advanced countries.

Lenin: Revolution comes first where capitalism is weakest, a theory of "the break in the system at the point of its weakest link."

Marx: The revolution will come first in England; or perhaps Germany or France.

Lenin: The revolution comes first in Russia, where capitalism is weakest, and then we carry the revolution to advanced Europe, or failing in that, to Asia and Africa from backward Russia in order to deny to the advanced countries their outlets and markets, cut them off from the backward part of the world, and cut the undeveloped countries off from them.

Marx: The working class is destined to develop its own consciousness, its own theory, its own organization, its own party, and its own revolution.

Lenin: The working class left to itself is capable only of bourgeois thought. Not the "bourgeois-minded and vacillating" working class but a revolutionary elite, a classless vanguard party, is the guardian of the working class. It dictates to the working class. It rules over the working class—and all other classes. It uses the working class as a battering ram because the urban working class is the most unified and concentrated, but it uses the peasantry as a battering ram too, and it tries to use discontent in all classes. And piling up the discontents, it aims to put in power not the working class but its own elite vanguard nonclass party.

If this is so, of course you can make a revolution in a backward country where the working class is not ripe, and this vanguard party can profess to be establishing a dictatorship in the name of the proletariat where the proletariat is only beginning to come into existence. Or you can go to China and use the peasantry as the battering ram. And when you have seized the scepter of power you can claim that you have the dictatorship of a proletariat which does not yet exist.

Or in Vietnam—where is the proletariat of Vietnam? Ho Chi Minh, dictator in the name of a dictatorship of a nonexistent proletariat through a nonexistent party of the proletariat, dictates over a society which is not only not socialist but is still precapitalist in its character.

Leninism can be understood first, as a strategy and tactics for the conquest of power;

Second, for the holding and expansion of power;

Third, for the making of that power absolute and total;

Fourth, as a prescription for the building of a party designed for the seizure and holding of power;

Fifth, as a strategy and tactics—and that is the way I have defined it today—for the utilization of the discontents, the unrests, the disturbances and the revolutionary forces which the West has set afloat in the world, their utilization to the end of subverting and destroying all that the West stands for, and all that the West dreams of.

It is a revolutionary strategy for the winning of the world and for the remaking of man according to Lenin's blueprint. As such it is, of course, highly vulnerable if there is standing over against it an alert, determined and watchful opponent, ready to utilize the revolutionary situations and strategies and really contest for the leadership of the forces set free by Western civilization itself.

III. THE RUSSIAN REVOLUTION—PROMISE AND PERFORMANCE

The Russian revolution is now over 40 years old. In the four decades that this new power has existed and become total, all of its original promises have turned into their opposites. Here is where an alert opponent would find more vulnerabilities than he would know what to do with if it were really on the job.

1. It promised "land to the peasants" but in the end it took away even the land which the peasants had under the czars, and it herded him into a new state-owned serfdom.

2. It promises "perpetual peace." But instead it has produced a totalitarian state which wages forever a twofold war, a war on

its own people to remake them according to its blueprint, and a war upon the world.

And I don't mean the word "war" figuratively but literally. When it wages war on its own people, it is a real war, a war of nerves, a war of quarantine (the Iron Curtain), a war of propaganda, of agitation, of conditioning, of psychological warfare, of physical warfare, of prisons, of concentration camps, of bombardment by loudspeakers and press and movies and all the means of cultural conditioning and when necessary a bullet in the base of the brain.

At the same time it has used this war upon its own people to keep them on a mobilization footing for unending war for the winning of the world.

3. It promised "production for use," that is, for the sake of the consumer and consumers' goods, but instead it has set up production for production's sake, for the sake of expanding the oppressive power of the producer-owner state.

4. It promised plenty, and it has produced perpetual scarcity of all the goods that make life gracious, pleasant, easy, cultured, rewarding, full of promise and possibility.

5. The state that was to wither away has expanded to totality. "Every cook was to become master of the affairs of the state," now the state is the master of the affairs of every cook.

6. It promised freedom, and it has abolished all freedoms.

7. It promised the workers paradise, and has immured its people behind an impenetrable wall and turned their country into a prison for their thoughts and for their very lives, which cannot be penetrated by learning what happens on the outside, nor by the freedom to discuss what is happening to themselves on the inside.

8. It has raised the banner of national self-determination and anti-imperialism, but it has become the most aggressive, the most oppressive, the most rapidly expanding imperialist power in the whole history of man.

Thus—and I have named only a few of these potential vulnerabilities—all the revolutionary slogans which Lenin sought to use and which the Kremlin uses today against all existing peoples, governments and institutions, could easily be turned by a determined opponent, in tune with our age and ready to use revolutionary strategy, into weapons in our hands. Their hands would prove nerveless and lifeless if we would but grasp the weapons which they are using against us and which are not theirs by right but by right can be made to belong to us, for they are indeed our weapons.

We, not they, are today the advocates of genuine agrarian reform and the right of each man to till his own land. There is no country in the world more badly in need of agrarian reform than the U.S.S.R. itself.

We, not they, are the advocates of a just and enduring peace, based on the respect for the rights and the existence of all nations in being or aborning or yet to be.

We, not they, are the champions of the rights and freedoms of workingmen, the freedom of movement, the freedom to change jobs, and freedom to build organizations of their own choosing under their own control, the right to elect their own officials, to formulate and negotiate their own demands, the right to strike, the right to vote for a party and a program and candidates of their own choice.

We, and not they, are able to call the armies to "fraternize across the trenches," for it is they who must cut off their armies from the news of what is happening in the West. And we who must make our armies and theirs understand what is happening in their land.

We, not they, are the champions of the freedom of the human spirit, of the freedom of the arts and sciences, freedom of conscience, freedom of belief and worship, freedom from scarcity and want, and from the tyranny of irresponsible and omnipotent officials.

Though in all these things the free world presents its own imperfections and lapses, these are the things that the free world stands for and in good measure realized, and these are the things which totalitarianism completely destroys and makes high treason even to think upon.

In the battle for the future shape of the world, all the creative and explosive weapons are in our hands if we have the wit and the understanding to take them up. If no, then there are not psychological or ideological vulnerabilities of communism. If yes, they are vulnerable on every front and at every moment and in every layer of their society.

Whether the answer to this question is "Yes" or "No," this will determine, in my judgment, the outcome of the protracted war that is likely to occupy the rest of our lives and the rest of our century.

Mr. KEATING. Mr. President, will the distinguished Senator from Connecticut yield to me?

The PRESIDING OFFICER (Mr. BURDICK in the chair). Does the Senator from Connecticut yield to the Senator from New York?

Mr. DODD. I am happy to yield to the Senator from New York.

Mr. KEATING. I wish to take this opportunity to commend the distinguished Senator from Connecticut for his splendid presentation of the need for the creation of a Freedom Commission and the establishment of a Freedom Academy. The eloquence and the dedication to this cause of the distinguished Senator from Connecticut are in keeping with his longstanding, tireless leadership in the fight against international communism.

Probably no Member of the U.S. Senate in all its history has more ably or penetratingly disclosed the dangers of the Communist conspiracy. Time and time again, over a period of many years, he has called attention with vigor and eloquence to the dangers which exist to us in this field.

Certainly, the Senator from Connecticut is not fooled by the attempts of the Communists, and certainly he is aware of the dangers we face. He recognizes the menace for what it is—an atheistic attempt to take over the entire world.

I only regret that the eloquence of the distinguished Senator today appears to be so futile, because there seems to be so little chance that action will be taken and completed at this session on his Freedom Commission and Freedom Academy proposal.

Certainly it should be clear to all of us that there is a great need to train and educate all of our people on the aims, objectives, and tactics of international communism. As Vice President NIXON said only recently, it is imperative for us to understand the enemy and his goals, in order to be able to counter his efforts.

Establishment of a Freedom Academy, to develop the science of combating the world Communist conspiracy and to train and develop leaders for all-out political war, would certainly be in keeping with the Vice President's views in this field. Its objective of increasing awareness throughout the free world of the machinations of international communism and methods of responding to them should commend it to every Member of this body.

That is why I am so pleased the distinguished junior Senator from Connecticut [Mr. DODD] has spotlighted the Freedom Commission idea so ably today. Eventual establishment of the Commission would be a lasting monument to him and to others who have so vigorously supported the Freedom Commission idea, and particularly to our distinguished colleague from South Dakota [Mr. MUNDT] and to our distinguished colleague from Illinois [Mr. DOUGLAS], who are the coauthors of this bill.

The bill is now on the calendar. It is Calendar No. 1882. The text of it has been placed in the RECORD by our distinguished colleague from Connecticut. It seems to me it merits early consideration. It was reported to the Senate by the Committee on the Judiciary on June 30, 1960. We have before us a resolution to tell the President he ought not to make recess appointments. That resolution was reported to the Senate on August 22, 1960. I feel we should take action at this session on this very important bill, which can be an effective instrument in the struggle against Communist aggression.

I congratulate the Senator from Connecticut for sounding the clarion call for action on this important piece of proposed legislation.

Mr. DODD. Mr. President, I am grateful for the tribute and the credit which my distinguished colleague has paid to me. I do not deserve it. I wish I were more humble, but I am afraid I like to be paid such compliments. However, as I have pointed out previously, it was the distinguished Senator from South Dakota [Mr. MUNDT] and the distinguished Senator from Illinois [Mr. DOUGLAS] in this body who hammered out this proposal, joined in the House by Representative JUDD, of Minnesota, and Representative HERLONG, of Florida.

The Senator from South Dakota and the Senator from Illinois have over the years been among the most consistent advocates of an intelligent anti-Communist policy. This bill is a tribute to their dedication and vision. I regret, particularly, that the Senator from Illinois—who ranks, in my opinion, as one of the greatest Senators of our time—is absent at this moment. I know how much the measure means to him and how much of himself he has given to it.

I do not want to mention more names, because if I do, I will leave someone out. But these are the men who brought the bill forward, these are the men who deserve the real credit. I want to make that clear. I am glad I had the opportunity to support the pioneering measure which they have initiated.

However, I wish to pay a special tribute to the group of dedicated young Americans in Orlando, Fla., under the leadership of Mr. Alan T. Grant, Jr., who first conceived of the idea of a Freedom Academy, and who have worked tirelessly and without any remuneration for almost 10 years to convert this concept

into a reality. The country owes them a very great debt of gratitude.

Mr. MUNDT. Mr. President, I deeply appreciate the words of commendation from the distinguished Senator from Connecticut, but, actually, he is altogether too modest in what he has had to say, because while it is true the distinguished Senator from Illinois [Mr. DOUGLAS] and I are the coauthors of this bill in the Senate, it is likewise true that the distinguished and able Senator from Connecticut has been a tower of strength in committee, where action was important and imperative, and where it was promptly forthcoming.

I know it was largely the persistence and the perspicacity of the Senator from Connecticut which brought the bill through the subcommittee and through the full committee, aided by my distinguished friend from New York, who has just had some very pleasant things to say about the proposed legislation, which means we now have it available for Senate action.

I join in the expression of the distinguished Senator from New York in the hope that before this extra session of the Senate concludes, we shall have enacted this legislation.

I would be hopeful that we could pass it with a very minimum of debate, and probably not over 1 hour's time overall, because I am convinced that merely to understand what this Freedom Commission, and Freedom Academy propose to do is to present a case so persuasive that it should pass the Senate without a single dissenting vote.

I am equally confident that the House, once we have acted, will act promptly, because, regardless of political party, we are all concerned about the great and growing threat of communism. We listen to long speeches and to debate about whether we have a missile gap, or a production gap, or some other kind of gap, but I do not think anyone will deny that the United States has a great propaganda gap, from the standpoint of being in competition with the great espionage and propaganda network of the Communists. From the standpoint of sending agents effectively to represent the cause of communism overseas, the Soviets have done a greater and more comprehensive job in training skilled visitors to go abroad than we have in the free part of the world. It is to supply this great and glaring gap that this bill was devised and brought out of committee.

I cannot think of anything else that the Senate could do more worthwhile than to enact this legislation which the country needs, which is crying to be enacted, and which the free world needs. Certainly, there is no legislation before us now, and none on the agenda, which is more important.

I say this without a single implication of criticism of the Rules Committee or the Policy Committee, or whoever it is on the Democratic side that sets up the legislative agenda, and certainly with no implication of criticism of the majority leader, the Senator from Texas [Mr. JOHNSON], because I have spoken with him within the last 48 hours, and he has told me he was going to try hard to get the Senate to act on the bill today, and if not today, tomorrow. I know when he says he is going to try hard, he gets things done, and when he tells anyone that he will try hard, he will try hard. Therefore I am as confident as I am hopeful that we are not going to let the mantle of this Congress come down on this session by reason of having failed to act when action is so important and when there is no controversy among the Members of our two parties, or within the parties, about the fact that we need to close the gap and to provide the means and the talent so we can do battle for freedom all over the world with greater effectiveness than the Communists do battle for their form of godless tyranny. To do that we must act favorably on this legislation before this session of Congress adjourns sine die. Otherwise this Congress will have failed in an important area of its public responsibility.

This legislation has been endorsed and supported by distinguished individuals:

Mr. C. D. Jackson, former cold war adviser to President Eisenhower.

Mr. Herbert Philbrick, well-known counteragent for the Federal Bureau of Investigation, who knows whereof he speaks out of bitter experience.

Mr. Arthur G. McDowell, prominent labor union official and executive secretary of the Council Against Communist Aggression, under whose aegis a meeting was held in Washington, where a great deal of enthusiasm and support was aroused for this legislation.

Dr. Gerhart Niemeyer, highly recognized expert on Soviet affairs and a member of the faculty at Notre Dame University.

Dr. Stefan Possony, formerly associated with the Institute of Advanced Study at Princeton, N.J., and a former faculty member at the National War College, and presently a professor at Georgetown University.

Dr. Possony speaks out of an abundance of experience when he tells us that in the field of psychological warfare we are already late in trying to close the gap with Russia, and that we are in great need of improved training and techniques in the field of psychological warfare. What we are doing in the War College to train our military leaders we must start doing through such means as this bill proposes in an effort to increase our efficiency in the field of training people in foreign policy in the techniques of the cold war, and in our colleges and schools. Here little has been done because we lack the means.

Then there are many publications which favor the legislation.

Several newspapers have editorialized favorably on this proposal, including the Hollywood (Calif.) Citizens News; the Lewiston (Idaho) Morning Tribune; the Fairbanks (Alaska) Daily News-Miner; the Lewiston (Maine) Daily Sun; the New York City Daily News; the Tampa (Fla.) Tampa Tribune; the Orlando (Fla.) Sentinel Star; and Life magazine, as well as a host of others. I mention these only to show the geographic spread.

Mr. President, we should also pay some tribute, it seems to me, in large measure to Mr. Alan Grant, Jr. Mr. Alan Grant, Jr., is a distinguished attorney from Orlando, Fla., who on his own since 1950 has been working in this field trying to establish in that delightful Florida city at least some small facsimile of what we hope to do in the National Capital in a big and important way. He has been an early and ardent advocate of this proposal to establish a Freedom Commission and a Freedom Academy.

I salute the distinguished Senator from Connecticut for carrying the flag, for being an engine of strength, for having moved the proposed legislation to the point where it is now ready for Senate action. All we need to do is to pass it, to send it to the House, and to have it passed there. I join the Senator, and I join the distinguished Senator from New York [Mr. KEATING] in expressing the hope that yet today, certainly yet this week, and most assuredly yet in this special session of Congress, we shall act in this area of our responsibility where action is so vitally imperative to our entire crusade for enduring peace with freedom and justice.

Every newspaper article brings that point clearer home. Every report from Cuba brings that clearer home. There is no reason for delay. Delay is dangerous. We must not continue to do nothing in an area where we should do a whole lot and where we should have done a whole lot more a long time ago.

I thank the Senator very much and I do hope we can get action on our Freedom Academy proposal. I sincerely believe it is a matter of vital importance to our way of life.

Mr. DODD. I thank the Senator for his remarks. I have talked with the majority leader. He is very sympathetic toward getting the measure before the Senate, and is earnestly attempting to do so. I am very much encouraged. I think we shall have it before us. At all times the majority leader has shown sympathetic interest in the problem and he has given us a great deal of help. It is important for that to be said for the RECORD.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DODD. I yield to the Senator from Florida.

Mr. HOLLAND. I thank the Senator for yielding to me. I compliment the Senator for a fine speech and for his support of the measure.

I really rose, Mr. President, to thank the distinguished Senator from South Dakota for his kind reference to my colleague, the Representative from Florida [Mr. HERLONG], and to my warm friend, Mr. Alan Grant, of Orlando, who has literally devoted hundreds, if not thousands of hours to the development of this program.

I thank the Senator.

Mr. DODD. I thank the Senator from Florida.

Mr. President, I yield the floor.

STRAINS IN THE ALLIANCE BETWEEN RED CHINA AND THE SOVIET UNION

Mr. HUMPHREY. Mr. President, last week I drew attention to one of the most notable developments on the international landscape. I said before this body that the strains in the alliance between Red China and the Soviet Union have been increasing in recent years, and that in the last several weeks the differences have been quite dramatic.

When a dog bites a man, that is not news. But when a man bites a dog, that is news. Well, Mr. President, when the Soviets ban a Western publication, that is not news. But when they ban a Red Chinese publication, that is news. Further, when hundreds of Soviet technicians quite abruptly leave Red China, that, also, is news.

In the last week, a number of informed and balanced commentaries have been written about the Sino-Soviet tension, and I want to append them to my remarks.

I wish to reiterate my contention, Mr. President, that Red China and the Soviet Union are not about to split tomorrow. There are still strong bonds which attach the two Communist giants. But the tension is greatly increasing, and it is incumbent upon our Department of State to watch the relationship with great insight and sophistication so that our foreign policy may realistically take into account this dramatic new dimension to the cold war.

Since reference has been made today to the situation in Cuba and in Latin America, with reference to the tremendous growth of the Red Communist Chinese propaganda in the Latin American countries and in Africa, I wish to state that the main thrust of Communist infiltration in Africa today is not from Soviet Russia, but is from Communist China. The largest propaganda program today of the Communist ideology comes from Communist China in Latin America. We are seeing a dramatic development of Communist Chinese political and ideological aggression, which surely ought to be noted by those who are formulating and administering our policies.

Mr. President, I ask unanimous consent that the following articles be printed at this point in the RECORD: "A Chinese-Russian Break," by Joseph Alsop in the August 24 edition of the Washington Post and Times Herald; "The Party Line's Tangled Wires," by Chalmers M. Roberts in the August 21 edition of the Washington Post and Times Herald; "Why the Russo-Chinese Snarling?" by Roscoe Drummond in the August 21 edition of the Washington Post and Times Herald; and "Soviet Criticizes China War Camp" and "Soviet Defends Policies" from the August 26 edition of the New York Times.

These articles merely underscore what I attempted to say to the Senate last week as to some of the more interesting and, in fact, startling developments in the alliance between Communist China and the Soviet Union.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Aug. 24, 1960]

A CHINESE-RUSSIAN BREAK?

(By Joseph Alsop)

According to persistent reports from Moscow, the central committee of the Soviet Communist Party has been circulating a highly explosive special letter on Russian-Chinese relations to all party organizations, both at home and abroad.

The reports, though not absolutely confirmed are regarded as reliable. One of them compares the central committee's new encyclical to the famous letter of the central committee passing on the news of Nikita S. Khrushchev's secret speech denouncing Joseph Stalin.

Most, though not all, of the reports agree that the new encyclical was sent as a result of the Bucharest meeting, which aired the bitter though somewhat mysterious Sino-Soviet ideological dispute about the possibilities of peaceful coexistence. If this is correct, the circular must have been approved by the meeting of the Soviet central committee just subsequent to the meeting in Bucharest.

On this assumption, the sending of the circular was not a recent event. Yet the mere news of its existence has caused a perceptible increase in expert speculation about the eventual open rupture between Peking and Moscow.

In the words of one expert, "The volcano has been rumbling horribly for some months." The news of the circular letter from the Soviet central committee is like the sudden sight of smoke belching from the crater. In the circumstances, the possibility of an actual eruption really has to be thought about.

The volcano's rumblings, it must be added, have been distinctly more ominous than has yet been realized by all but a few people here. Consider the all-but-incredible, hitherto unpublicized exchange that took place on August 13 between the official Izvestia in Moscow and the equally official People's Daily in Peiping.

"Not much wisdom is needed," Izvestia trumpeted, "to assemble and sometimes distort quotations and to repeat over and over again that imperialist wars are inevitable until socialism triumphs. Such people * * * Lenin called 'leftist' phrasemongers. Lenin ridiculed their theories of prohibiting the Soviet peaceful relations with capitalist countries and stepping up revolutions.

"Therefore for those who wish to replace the developing, living teachers of Marxism-Leninism with a dead dogma, it is a blasphemy to refer to Lenin."

[From the New York Times, Aug. 25, 1960]

SOVIET DEFENDS POLICIES

(By William J. Jorden)

WASHINGTON, August 25.—High-ranking Government officials are convinced that the Soviet Communist Party has circulated among its cells at home and to Communist parties abroad an elaborate defense of Moscow's foreign policy. The policy statements are believed to contain strongly worded but indirect criticism of the Chinese Communists.

Competent sources here said the text of the Soviet "manifesto" on the "cold war" and the diplomatic struggle with the West had not become available for full study. These sources added, however, that reports of its existence were too varied and had come from too many sources to allow serious doubts about their validity.

UNITED STATES OUTLINES DOCUMENT

United States specialists were reported to have drawn up an outline of what they thought was in the Soviet party document. It is considered that recent published articles and statements from Soviet sources provide a reliable guide as to the broad lines of the Soviet policy declaration.

What is missing is the precise language that some reports suggests is the most interesting feature of Moscow's defense of its foreign-policy position. Several informants have said that the tone of the Soviet document is surprisingly strong.

POWER STRUGGLE SEEN

Reports of the Soviet move are regarded as new and intriguing evidence of the continuing struggle between Moscow and Peiping for ideological leadership of the Communist world. They come at a time when other indications, equally indirect, of tension between the two major Communist powers have increased.

Among the latter was the recent disclosures that two Chinese Communist publications, magazines called "China" and "Friendship," have suddenly disappeared from newsstands in the Soviet capital.

[From the Washington Post, Aug. 21, 1960]

THE PARTY LINE'S TANGLED WIRES

(By Chalmers M. Roberts)

The inner mystery of the Communist world long has been, and still remains, the nature of the Soviet-Red Chinese relationship. The flurry of stories recently about Soviet technicians leaving China only adds to the uncertainty.

What is known firsthand is that one trainload of Soviet citizens and their families was seen leaving Peiping. Secondhand reports have it that other trainloads also have left the Chinese capital but probably the total of departing Soviet technicians is under 1,000.

A French news agency dispatch from Peiping last week, a dispatch which passed through censorship, reported "emotional scenes 4 days a week" at the Peiping railway station. The dispatch said that most of the repatriated experts were engineers and foremen assigned to train Chinese cadres and workers to use new Soviet equipment.

The reason why a trainload or more of Soviet technicians departing from Peiping can cause such a stir is, of course, very important to the United States. It has to do with the Soviet-Chinese relationship which in turn affects the United States-Communist relationship.

The basic elements of the relations between the two big Communist states is no great mystery: They are drawn together by common interests more important than the things which tend to push them apart. The mystery has to do with the latter—how much divisive force is there and, above all, where will it lead in the years ahead? And how much control can Moscow, which has the nuclear weapons, continue to exert over Peiping, which does not yet have them?

The ideological scrap on whether war between capitalism and communism is inevitable is the framework of the Soviet-Chinese argument. Moscow says things (i.e., the coming of nuclear weapons and the increase in Communist power vis-a-vis the West) have negated the Leninist statement of war's inevitability; Peiping says Lenin's words are still valid.

At Bucharest in June the Communist nations, with Nikita Khrushchev on hand, papered over their differences but so thinly that the differences are still very evident. Soviet experts note a hardening of the Soviet line toward the West since the Bucharest meeting but they do not think Khrushchev now intends to take any undue risks

until after he tests the mettle of the new American Administration next year.

The Chinese, for all their belligerency, likewise have not of late taken any risks with the United States. They have been content to follow the Khrushchev post-summit line of blackening the name of America and trying to cut down its power. Hence the bombardment of Quemoy during President Eisenhower's visit to Formosa and the propaganda hammering during the Japanese riots and the attack in Japan on the defense treaty with the United States.

The facts appear to be that despite a basic difference in outlook on how to deal long range with the United States, Moscow and Peiping have been acting pretty much in harness in the short range. This tends to downgrade the importance of such things as the scenes observed at the Peiping railway station.

The tragedy, from the Western viewpoint, is that the initiative in Asia seems to lie almost wholly with the Red Chinese, their allies and agents.

There will be no change in China policy in the remaining months of the Eisenhower administration. Neither the Democratic nor the Republican platform promises any real change, yet each was so worded as to avoid locking Senator KENNEDY or Vice President NIXON into an impossible situation should the winner in November decide to lift the freeze on Red China in one way or another.

In view of the belligerent attitude in Peiping it will be very difficult, at best, to alter American policy. Nor does magnification of Soviet-Chinese differences help; it tends to drive the two nations together, naturally enough.

The tragedy is that in such periods of relative calm in Asia as the present nothing is being done to explore ways and means to bring together the policies of the United States and its major free world friends both in Europe and Asia toward Red China. As of now such an effort is likely only if it is forced upon Washington by some new pressure from the Communists.

Someday, somehow, this kind of policy will have to be altered. But the day is not yet visible.

[From the Washington Post, Aug. 21, 1960]

WHY THE RUSSO-CHINESE SNARLING?

(By Roscoe Drummond)

It is always interesting when the Communist leaders fall into controversy.

The breach between Soviet Premier Khrushchev and Red China's Premier Chou En-lai, while big enough to be seen, is not yet big enough to be serious; that is, there is no present evidence that it will lead to a break in the alliance.

The dispute between Moscow and Peiping is whether the goal of peaceful coexistence is Communist or un-Communist.

Mr. K. argues that war is not inevitable even if Lenin said it was, and he declares that he will not "retreat one step" from peaceful coexistence.

Premier Chou En-lai says that Communist China will have none of this newfangled Communist doctrine, that since the war-is-inevitable theory was good enough for Lenin and Stalin, it's good enough for him.

We must bear in mind that this apparent controversy may only be a concerted maneuver to confuse the West. Moscow's actions, whatever it may say, are more designed to promote turmoil than to curtail it.

But the two principal Communist allies, the Soviet Union and Red China, are letting the controversy rage. A new incident is reported in this Associated Press dispatch from Stockholm:

"A ranking West European Communist has returned from Peiping with a report of stormy scenes between Soviet and Red Chinese leaders at a labor conference in the Chinese capital.

"The Chinese Reds tried to ram through a resolution approving a free hand for Peiping to use in any conflict situation in Asia for war purposes.

"The rift between Peiping and Moscow proved wider than any of the Western Communists had believed.

" 'The Chinese leaders, referring to Lenin's teaching, said a new world war is not only inevitable, it is even desirable from a Communist point of view,' the informant reported.

"The following day, the chief Soviet delegates declared angrily, 'If Comrade Chou En-lai intends to speak in the same tone and the same language as yesterday, the Soviet delegation is going to leave the hall.'

"Mr. Chou did not speak and the atmosphere remained tense."

This incident gives point to the recent statement by Gen Li Chih-min, a senior Chinese Communist spokesman, who said that Communist comrades who advocate peaceful coexistence must be so afraid of nuclear war that they "beg imperialists for peace at any price."

There is a significance aspect to this divergence of doctrine within the Communist camp—the Soviet Union's avowed support of peaceful coexistence and Red China's open disdain for same. The significance, I think, is that it shows that the divisive forces of national interest could prove greater than the uniting forces of Communist ideology.

The Soviet Union affirms the objective of peaceful coexistence because it appears best to serve the Soviet national interest, and Red China repudiates peaceful coexistence on the ground that it disserves its national interest—and each contends that it is resting its policy on the true Communist dogma.

The reasons most experts feel that nuclear war is unacceptable to the Soviets are:

That its industrial development is so far advanced that it cannot willingly risk its destruction.

That the Soviet Union has already taken over by force, as in Eastern Europe, all the territory it can without inviting war.

That the weight of leadership opinion and—to the extent it is free to express itself—public opinion inside the Soviet Union is on the side of keeping the nation at peace.

Obviously, Red China does not see its interests served by these objectives. As yet, it has no vast industrial complex vulnerable to nuclear destruction. It has not satisfied its drive for territorial expansion and is apparently prepared to risk war to achieve its ends.

The Chinese dictatorship must feel that it needs the emotional distractions of nonpeaceful existence to maintain its harsh pressures on the Chinese people to work and produce under the most harassing conditions.

[From the New York Times, Aug. 26, 1960]

SOVIET CRITICIZES CHINA "WAR CAMP"—NEW EVIDENCE OF RIFT SEEN IN ATTACK ON VIEW THAT CONFLICT IS INEVITABLE

LONDON, August 25.—An almost unnoticed Soviet broadcast to the Far East fed speculation today of a growing rift between the Soviet Union and Communist China.

The Moscow radio made the broadcast in Mandarin 2 days ago. It criticized those people so "weak in political beliefs" that they regarded a war between capitalism and communism as inevitable.

The broadcast assailed this group for losing confidence in peaceful coexistence after the collapse of the Paris summit conference 3 months ago.

It is believed the criticism was aimed at the forces of Mao Tse-Tung, Chinese Communist leader. The ideological conflict has been accompanied by the reported mass exodus of Soviet technicians from Communist China.

London and Washington informants said Premier Khrushchev was calling on Communist parties at home and abroad to back his conviction that a major war must and would be averted.

The Moscow broadcast pulled no punches. It said:

"The great Lenin, when he talked about the future of mankind in early 1918, said that modern techniques will add greater destruction to wars. However, there will come a time when the destruction of wars will be so enormous that men will totally avoid them.

"That time has now come. In our time, we will not have wars and all people who have sound sense and have concern for the practical situation will draw a conclusion such as this."

Like the blast from Izvestia, the counterblast of the People's Daily is full of words and phrases in unexplained quotation marks. These words and phrases should probably be interpreted as actual quotations from the Soviet Central Committee circular. If so, the Soviets must have been very sharp indeed, as can be seen from the following People's Daily passage:

"As for the modern revisionists and their followers who have gone so far as to take their cue from the U.S. imperialists in vociferously affirming the slander that China is 'belligerent,' that it 'wants war,' that it 'does not want peaceful coexistence,' (but) attempts to 'push forward the world revolution by means of war'—all this amounts to nothing else than throwing themselves into the position of apologists for imperialism * * *.

"The Chinese people hold all this blasphemous talk in contempt."

Each side, then, has openly called the other "blasphemous." It is now pretty well established, moreover, that the Soviets at least ordered a symbolic withdrawal of Russian technicians from China some time before this brisk exchange of charges of blasphemy.

The evidence on this point is now so strong that the burden of proof plainly lies on the minority of experts who still hold that no technicians were withdrawn. At least two Western embassies in Peking have sent unqualified reports of organized departures of large groups of Soviet technical personnel. One such report, rated as entirely reliable by the sender, spoke of a whole trainload of 200 to 300 Russian technicians and their families. This was an extraordinary personnel movement, quite different from the ordinary piecemeal movement that would be produced by the completion of a project.

There have been other strange signs, too. One such, exclusively reported in the New York Herald Tribune, was the suppression in the Soviet Union of two Sino-Soviet magazines, Friendship and China. Another sign, not previously disclosed, was the nonappearance of the Chinese delegation at the important Congress of Orientalists which began in Moscow about 10 days ago.

Such are the collected signs. Each man may read them as he chooses.

In the last week it was reported that a Chinese delegation that had been expected to take part in a gathering of Orientalists from all over the world failed to appear for the sessions in Moscow.

Against this background of apparent tension between the Chinese and Russians, the reports of the extensive Soviet defense of its foreign policy attracted heightened interest here.

Lincoln White, spokesman for the Department of State, said today that officials here had heard rumors and reports about the Soviet ideological statement.

IZVESTIA ARTICLES CITED

"As to the substance of this document," he added, "we believe this probably can best be judged from the article by M. Mikhailov and N. Polyanov which appeared in the August 13 edition of Izvestia. * * *"

The Mikhailov-Polyanov article in the official newspaper of the Soviet Government defended the peaceful coexistence line and the possibilty of preventing war.

"There are some people," the authors wrote, "who draw absolutely absurd conclusions from the recent international complications. They strongly resemble a traveler lost among three pine trees. They reason approximately as follows: Recent developments have proved that the nature of imperialism remains unchanged, and if this is so there can be no peaceful coexistence of two systems, no prevention of wars, since the imperialists reveal their desire to prepare and unleash another war. Only dogmatists can reason this way, for their conclusions are drawn without due analysis, without consideration of the actual balance of forces in the international arena, which is imperatively demanded by Leninism."

FILING OF REPORT BY SELECT COMMITTEE ON SMALL BUSINESS ENTITLED "REVIEW OF SMALL BUSINESS ADMINISTRATION ACTIVITIES, 1960"

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Select Committee on Small Business be authorized during the adjournment of the 2d session of the 86th Congress to file with the Secretary of the Senate a report entitled "Review of Small Business Administration Activities, 1960," and that the report be printed along with any individual, supplemental, or minority views.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

THE MUTUAL SECURITY AND RELATED AGENCIES APPROPRIATION BILL—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, the senior Senator from Arizona [Mr. HAYDEN] has been waiting for some time. He has a highly privileged and important matter, which will require a quorum call.

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12619) making appropriations for Mutual Security and related agencies, for the fiscal year ending June 30, 1961, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today, p. 17863, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 311]

Aiken	Frear	McNamara
Allott	Fulbright	Magnuson
Anderson	Gore	Mansfield
Bartlett	Green	Monroney
Beall	Gruening	Morse
Bennett	Hart	Moss
Bible	Hayden	Mundt
Burdick	Hickenlooper	Muskie
Bush	Hill	Pastore
Butler	Holland	Prouty
Byrd, W. Va.	Hruska	Proxmire
Cannon	Humphrey	Randolph
Carlson	Jackson	Robertson
Carroll	Javits	Russell
Case, N.J.	Johnson, Tex.	Scott
Case, S. Dak.	Johnston, S.C.	Smith
Chavez	Jordan	Sparkman
Church	Keating	Stennis
Clark	Kefauver	Symington
Cooper	Kennedy	Talmadge
Cotton	Kerr	Thurmond
Dirksen	Kuchel	Wiley
Dodd	Lausche	Williams, Del.
Dworshak	Long, Hawaii	Williams, N.J.
Eastland	Long, La.	Yarborough
Ellender	Lusk	Young, N. Dak.
Engle	McCarthy	Young, Ohio
Ervin	McClellan	
Fong	McGee	

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Indiana [Mr. HARTKE], the Senator from Montana [Mr. MURRAY] and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

I also announce that the Senator from Missouri [Mr. HENNINGS] is absent because of illness.

I further announce that the Senator from Florida [Mr. SMATHERS] is necessarily absent.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], the Senator from Nebraska [Mr. CURTIS], the Senator from Arizona [Mr. GOLDWATER], the Senator from Kentucky [Mr. MORTON], and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

The Senator from Iowa [Mr. MARTIN] is absent by leave of the Senate on official business.

The PRESIDING OFFICER (Mr. BURDICK in the chair). A quorum is present.

Mr. JOHNSON of Texas. Mr. President, is the Senator from Arizona prepared to make a statement at this time on the pending conference report?

Mr. HAYDEN. Yes.

Mr. JOHNSON of Texas. I yield to the Senator from Arizona.

Mr. HAYDEN. Mr. President, I can give the totals of the Senate bill, the House bill, and the conference report.

To begin with, the appropriation last year was $3,249,095,000.

The budget estimate this year was $4,281,704,000.

The House bill provided $3,589,750,000.

The Senate bill provided $3,989,054,000.

The conference report recommends an appropriation of $3,722,350,000. That is the amount which the House has approved.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. Then the figure proposed by the conference is approximately midway between the figures proposed by the House and that proposed by the Senate?

Mr. HAYDEN. It is nearer the House figure than it is the Senate figure.

Mr. CASE of South Dakota. I thought the House bill provided $3,500 million; the Senate bill, $3,900 million; and the conference report $3,700 million. Is that correct?

Mr. HAYDEN. The amount in the conference report is $132,600,000 above the House bill, and $266,704,000 under the amount in the Senate bill.

Mr. JOHNSON of Texas. Mr. President, has the Senator from Arizona concluded his statement?

Mr. HAYDEN. Yes.

Mr. JOHNSON of Texas. Mr. President, I desire to make a brief statement. First, I ask unanimous consent to have printed at this point in the RECORD the text of the President's news release dated today and the text of a letter which he dispatched to me, an identical copy of which was sent to the distinguished minority leader.

There being no objection, the statement and letter were ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE.

STATEMENT BY THE PRESIDENT

I am gravely concerned by the conference action on mutual security appropriations.

I have repeatedly stated that the appropriation of the full $4,086 million authorized is vitally needed. Moreover, needs which have developed since my original request, particularly the emergency in the Congo, have made necessary an additional $100 million for the contingency fund.

Only day before yesterday, by a 67 to 26 vote, the Senate approved the additional $100 million and at the same time increased last month's House appropriation of $3,584 million by $297 million. The conference, while approving the $100 million increase in contingency funds, virtually disregarded the Senate restoration in the basic mutual security budget. It accepted only $31 million—one-tenth of the $297 million restoration that the Senate had just overwhelmingly approved.

In short, the conference recognized the need for $100 million of new funds but at the same time slashed by $265 million the budget to which these new funds are to be added.

This cut would sharply curtail support indispensable to the defense of allies now under intensified Soviet pressure and deny aid urgently needed by other friendly nations struggling under the gravest difficulties to make progress in freedom.

Not only are the funds now provided by the conference inadequate, but also a number of administrative restrictions were retained which would impair the management of the mutual security program.

Surely, in the world situation now confronting our country, the Congress will not accept these recommendations which fall so short of the need.

I urge that this appropriation be returned to conference. We must, for America, correct its deficiencies.

A congressional rejection of this request will hamper greatly the Nation's Chief Executive who succeeds me next January. Upon him will fall the heavy responsibility of continuing to guide our country in a troubled world. He, no less than I, must have adequate funds to do the job.

AUGUST 26, 1960.

The Honorable LYNDON B. JOHNSON,
U.S. Senate, Washington, D.C.

DEAR SENATOR JOHNSON: I am deeply disturbed by the action yesterday of the conference on the mutual security appropriation. I cannot state too strongly my belief that a cut of this size will jeopardize the security of the country.

I hope the Senate will reject the conference report should the House approve it. Both political parties and all of the major national candidates are publicly committed to the support of an adequate mutual security program. No one can responsibly contend that this conference report and the amounts approved constitute adequacy in today's world.

In view of the worldwide scope of this program and the necessity for planning so far ahead in such an effort, time is of the essence. These critical matters simply will not wait until the Congress returns in January, then to assess the results of its actions taken now. There is at the moment such an acceleration of events in the world that we must be forearmed at all times and ready to deal with critical situations as they develop. It must be evident to the Congress from the speed with which the situation in Africa recently developed that we must stay ready and that our free world security programs, economic and military, must be kept continuously adequate. Postponement of these funds needed now may irretrievably cripple us later.

I enclose a public statement that I have just released.

I am sending an identical letter to Senator DIRKSEN and similar communications to the House leaders.

Sincerely,

DWIGHT D. EISENHOWER.

Mr. JOHNSON of Texas. Mr. President, the conference report has been voted on and agreed to by the House. Just before the vote was taken, the President sent the letter which earlier today I read to the Senate. The letter urged the Senate to reject the conference report, in the event the House approved it, in order that further consideration might be given to the President's budget estimate.

The budget estimate for this year was $4,275 million. The conference report, as was stated by the able Senator from Arizona, is $132,600,000 above the amount in the House bill, $100 million of which, I understand, is intended to cover the item for Africa, as stated in the message of the President. The amount in the conference report is $266,704,000 under the amount in the Senate bill. It is that $266,704,000 which disturbs the President.

I am not in a position, on the floor of the Senate, without any more evidence than the letter gives me, to determine the merits of the position taken by the Bureau of the Budget or by the committee.

I have talked with each member of the committee of conference who signed the conference report, both the minority members and the majority members. I have found none of them who feels that we could profit by refusing to approve the conference report. As I understand the parliamentary situation, we either vote the report up or vote it down.

The same situation confronted the House. The House did not even ask for a yea-and-nay vote. The House did not have a rollcall vote on the conference report. That indicates to me that the feeling was not very deep in the House that the conference report should be rejected.

I believe the President should have a thorough and adequate hearing on the question. The best way I know of to obtain such a hearing is to proceed to approve the conference report and to provide $490,543,000 more in this bill than we provided last year—approximately half a billion dollars more—and make that amount available to the administration. Obviously, in the opinion of our agent, the Committee on Appropriations, and of the House Committee on Appropriations, and of the House of Representatives itself, such additional amount has not been justified as of this date. But if it can be justified by the President or his agents, we shall urge them to come before the Committee on Appropriations before we report the supplemental appropriation bill, and submit whatever testimony they desire to give or whatever evidence they care to submit. I feel certain that the committee will then, as it always does, act in the national interest.

I was surprised that the House did not have a yea-and-nay vote on this item. If the President is as disturbed as his letter indicates, I should think the leadership of at least his party in the other body would have asked for a year-and-nay vote, and thus would have determined what the sentiment was in the House. But since the House did not have a yea-and-nay vote, but has approved the report and has sent it to the Senate without going to the trouble of having a yea-and-nay vote; since we have not completed action yet on the supplemental appropriation bill; and since each member of the Committee on Appropriations, both majority and minority, who signed the conference report feels that he cannot in good conscience change his views on the evidence before us; I respectfully suggest that the Senate approve the conference report and that we welcome the submission of any further testimony or evidence to the Committee on Appropriations.

The chairman of the Committee on Appropriations, the Senator from Arizona [Mr. HAYDEN], has assured me that he will invite any persons whom the President may designate to appear before the committee to make a case. If a case can be made, I am certain the committee will be favorably disposed toward it. If a case cannot be made, then I am sure Congress will not want to appropriate money which it feels should not be appropriated.

I am not in a position to say who is right in the matter. Nothing in the letter points up the specific need for the various items. I am told that the conference report provides $65 million in defense support, $22 million in technical assistance, $26 million in special assistance, and $150 million in the Development Loan Fund less than the Senate approved on passage of the bill.

I think the Senate should not try this case without any witnesses, without any testimony, or without any more evidence than the President's letter and the news release, particularly in view of the fact that the other body has already acted, and the President's leaders in that body did not ask for a yea-and-nay vote.

I do not think we would get very far with the conference report if we rejected it, in the light of the way the House received the President's letter and news release.

So I plead with the Senate to approve the conference report, with the understanding that the Chairman of the Committee on Appropriations will invite the President to submit any testimony or evidence he may be willing to give to support his request. The Senator from Arizona has read the President's letter and is willing to consider the request. If the request is supported, the committee will act accordingly.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. HOLLAND. I strongly support the position of the majority leader. I think the conferees went rather exhaustively through the matters which were presented to us for handling in the conference. So far as I am concerned, I think Senators will remember that I have strongly supported the Development Loan Fund, whether it was in supplemental bills, or in the regular bills. It was in that fund that the largest reduction was made on the demand of the conferees from the other body.

I recall that the conferees from the other body felt that in view of the recent adoption of IDA and the setting up of the Inter-American Bank, a case was made for a substantial reduction in the Development Loan Fund. Not all the conferees of the Senate agreed with that point of view; but either that point of view had to prevail, or we would have had no conference bill.

Speaking very briefly, but, I think, practically about this matter, I would much prefer to see an appropriate item for this purpose included in a supplemental appropriation bill which would include certain small appropriation items, rather than to have the passage of this very important bill jeopardized.

Mr. PASTORE. Mr. President, will the Senator from Texas yield to me, so that I may ask a question of the Senator from Florida?

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may yield for that purpose.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Let me ask whether I am correct in assuming that the distinguished Senator from Florida was one of the conferees.

Mr. HOLLAND. That is correct; I reluctantly agreed to serve as a conferee, when requested by the distinguished chairman of the committee and by the majority leader. I agreed to serve, but not because I pose as an ex-

pert in this field. I agreed to serve because it seemed that there was no great group of volunteers to serve on the conference committee. I was not a volunteer; but when I was requested to serve, I agreed to do so.

It was not easy or pleasant to serve on this conference committee. I believe that a practical and realistic report has been made; and I believe that in granting the request to add $100 million to the President's contingency fund, the principal item was acted upon in accordance with the Senate's action and the President's request.

I well remember that a diligent showing was made by the Senator from Massachusetts [Mr. SALTONSTALL] and the Senator from New Hampshire [Mr. BRIDGES] as to certain requests the administration made for changes in wording; and, as I recall, at least five material changes in wording were made at the insistence of the Senate conferees, acting on the request of the administration.

Mr. PASTORE. But I am trying to determine the attitude of the Republican Members of the House who served as conferees, as regards the request now being made by the President.

Mr. HOLLAND. The attitude of the conferees on the part of the House was one of evident lack of enthusiasm for the Senate amendments, or most of them; and the senior Republican conferee on the part of the House was exceedingly adamant. The junior Republican conferee on the part of the House was, as I recall, more restrained in his opposition; and I think he was more helpful in getting some of the Senate changes written into the bill.

Upon counting the changes which have been made, I notice that the number of Senate changes included is greater than the number of Senate changes which were thrown aside.

Mr. PASTORE. Is it fair for me to assume that the ranking Republican conferee on the House side was adamant as regards cutting the amount which we are now told, by means of the President's request, should be restored?

Mr. HOLLAND. That is correct.

At this point I am adamant in insisting that it is most important that the bill be enacted as included in the conference report and that, if necessary, the problem referred to be handled in the pending supplemental appropriation bill.

I believe that the chairman of the committee, the Senator from Arizona [Mr. HAYDEN], will agree as to that.

Mr. HAYDEN. That is correct.

Mr. RUSSELL. Mr. President——

Mr. JOHNSON of Texas. I yield to the Senator from Georgia.

Mr. RUSSELL. I thank the Senator from Texas.

Mr. President, I was very reluctant to sign the conference report, although my reluctance stems from an entirely different concept from that presented by the President's letter. I did not see anything in the hearings or, indeed, in the world situation, to justify an increase of half a billion dollars in this fund for the coming fiscal year. I signed the report, finally, as an agent of the Senate, in the discharge of my duty as a conferee.

I may say that the conference was not a pleasant one. When I go into a conference as a representative of the Senate, I represent the Senate viewpoint as vigorously as possible, even though it may not be in accord with the vote or votes I cast on the floor of the Senate. I conceive that to be the duty of a conferee.

In this case the conferees for the other body opposed every one of the increases voted by the Senate. There was a varying degree of opposition, and some of the conferees for the other body were more adamant with respect to some items than others were, although that is only natural in a conference of that kind.

But I may say that generally speaking, there was no partisanship among the House conferees in dealing with this issue; and I am sure that any conferee who represented the Senate there will, without regard to party, vouch for the accuracy of that statement.

Mr. President, the President has great responsibilities in connection with these matters, and I have a very great regard for the President of the United States. When I say that, I do not only mean the Office of the President of the United States, which is entitled to the respect of every American citizen, regardless of who may hold that office; but I also have a very high regard for Dwight D. Eisenhower, the present occupant of the Presidency.

But I must say that I cannot understand the very dramatic and urgent tone of the letter to the majority leader.

This year, we have not reduced this appropriation any more than we have reduced similar appropriations in past years. Several years since 1952 we have cut the appropriation more than a billion dollars below the authorization requested by the President in his budget.

For example, in 1953, we reduced the request $1,898 million; but I do not recall that any letter similar to this one was sent to us at that time.

In 1954, we reduced the authorization $1,395,600,000; and I do not recall that any letter similar to this one was then sent to any Member of the Senate, with respect to that reduction, which was almost three times the one which has been made in the current request. Furthermore, I should like to point out that at that time we were reducing very drastically the general spending in this area; but, even so, no such letter was transmitted to Congress by the President of the United States.

In this bill and this conference report we are decreasing by almost half a billion dollars the funds available to the executive branch in this area. I do not recall the exact amount, but I believe it is practically half a billion dollars; in fact, I am informed that it is $490,543,000.

This is the smallest reduction made by the Congress since 1952 in the amount requested by the executive branch of the Government, for in the fiscal year 1959 we reduced it $493 million, as compared with the $490 million for the fiscal year 1962. So this is the smallest reduction, either dollarwise or percentagewise, that has been made in a request by the executive branch of the Government for funds for expenditure in this area during the 8 years of the Eisenhower administration. But, as I have said, I do not recall that heretofore we have received from the President letters dealing so vigorously with this subject.

Mr. LONG of Louisiana. Mr. President, will the Senator state what was the percentage of the cut in the administration's request?

Mr. RUSSELL. I am sorry that I do not have that information, although I shall ask the very capable clerk of the committee to make the calculation. But the percentage of production in 1953 was 24 percent. In 1954, it was 23 percent. In 1955, it was 19 percent. In 1956, it was 23 percent. In 1957, it was 20 percent. In 1958, it was 28 percent. In 1959, it was 12 percent. In 1960, it was 27 percent.

There appears to be a much smaller percentage this year. We shall have the figures for the Senator in a few moments.

Mr. LONG of Louisiana. I ask the Senator if he has run across an article from the Wall Street Journal in which it was said that the President asked for an additional 10 percent, feeling Congress had historically cut that amount, and that he would feel safe if it made a reduction?

Mr. RUSSELL. I do not recall reading that article, but people have speculated that there was a certain amount of padding in these requests, in anticipation of some reduction.

Mr. President, we have just gotten the percentage of reduction for 1961, and it is 13 percent, as compared with a 27-percent reduction last year, when we did not receive any letters of this nature.

Mr. CHAVEZ. Notwithstanding that they were given $500 million more than they were given last year.

Mr. RUSSELL. Yes. I had stated that.

I think we ought to give careful attention to any request of the President of the United States, and I am prepared to do that in dealings with the supplemental appropriation. The distinguished chairman of the committee, the Senator from Arizona [Mr. HAYDEN], has stated he will be glad to do that. But, after all, the Congress ought to have some rights and prerogatives in this area. I personally disagree with my colleagues in increasing this amount. I think we ought to start reducing the foreign aid program. This year it has been increased about $500 million.

We have gone through the processes and have done the best we could. I noticed that there was a great deal of difference in the executive branch of the Government in dealing with different appropriations. The Armed Forces of the United States are a rather important element in preserving this country. Make no mistake about it, Mr. President, every one of the recipients of aid under this bill associated with us look to the military might of the United States, in the last analysis, to prevent

any spreading of the Iron Curtain further to encompass the free peoples of this earth. They may talk about this foreign-aid program, and, naturally, they are all interested in it. They want to get as much of it as they can. But if one talks about it to them in the quiet of the rooms where these men who operate the nations of the world work, the men who guide their destinies, in the chancelleries of the world, and asks them what is the most important item for the preservation of the world among all the expenditures that are made, the honest answer in every case would be, "The Armed Forces of the United States"—the Army, the Navy, the Air Force, and the Marine Corps.

The Congress did not see eye to eye with the President of the United States in that area. It appropriated about $1 billion more than he asked for, and he is not spending that money. But he says that the security of the country is threatened by the smallest reduction that has been made in 8 years in the so-called foreign-aid program.

I am not too greatly impressed with the letter, despite my great respect, and, indeed, my personal affection, for the man who signed it, and my very great respect for the Office of President of the United States.

Let us put first things first here now. Let us go ahead and say that the Congress has some rights, under its constitutional responsibility, with respect to the defense of the United States, and go forward with some of the programs which both the House and the Senate, after careful consideration, felt were necessary to the existence of a free people. Then we can come back next week and review the request.

The $200 million in money that the President is insisting on was not included in the bill either in the House or the Senate, and it does not make any difference if the President sends back the bill agreed to in conference. Nothing could be done about it. We could not add about 40 percent of what he is asking, because it was not in the bill which came out of either House, and it would be a futile gesture even if 100 Senators wanted to give him all he asked for if he sent the bill back, because the $200 million was not in the bill either in the House or the Senate.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may yield to the Senator from Florida for the purpose of his asking a question of the Senator from Georgia.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. I ask the Senator from Georgia if it is not true that the only chance to get back any of that $200 million would be to have it included in the appropriation bill which comes up for hearing tomorrow or next week?

Mr. RUSSELL. That is what I said. If all 100 Senators were to change their minds simultaneously and suddenly, we could not put the item in the conference report on the mutual security bill, because it was not in the bill before either House, and everybody knows—it is the first thing anybody learns when he comes to either branch of the Congress—that if anything is put in a conference report that was not originally put in the bill by either body of the Congress, that makes it subject to a point of order and can kill the whole bill. So a very sure way to kill the whole program would be to undertake to do that and send the entire bill back to committee.

I think the majority leader has made a very fair suggestion and a very wise suggestion—that we approve the conference report, as we ordinarily do, and then, in further discharge of our duty, and out of respect for the President of the United States, we should hear his representatives. Of course, the committee would be highly honored to have the President appear before us, but we know things are not done that way any more. George Washington was the first and the last President to appear before a committee of Congress. He came up to the Hill and appeared before a committee on the appointment of the collector of customs for the port of Savannah, and the committee asked him a number of questions. The Georgia Senators were opposed to the nominee for collector of customs for the port of Savannah, Ga. It is said by some irreverent soul that as George Washington left the Capitol, the Father of our Country was heard to say he was damned if that was not the last time he would ever come up to Congress. No President has come back since.

Mr. President, let us hear the President's spokesmen and representatives here, and we will deal with the matter fairly. We will make the record. Whether or not the committee puts the item in the bill, we will have the record made, the bill will be reported here, and those who wish to do so can have their chance to put in the $200 million, which was not a part of the bill, either as it came from the Senate or the House, and which they could not put into the conference report under any circumstances, and give whatever reasons or any logic they may have for putting in any of the items that were gently nicked.

No violence was done to any of them. I think $150,000 was the largest reduction taken out of the development loan program. Nearly 2 months of this fiscal year have already been concluded, and the administration has $550 million of a $700 million item available to it from now until January, when we shall have a new President.

We will get out of this political "mess" sometime in November and we will be able to view matters a little more objectively. We will be able to follow the customary procedures.

There is available to the present President of the United States from now until January, a period of 4 months, $550 million of the $700 million he asked for in that area. That is the only item with respect to which a very considerable sum was taken out. The others were very gently touched.

I venture to say, Mr. President, despite the diligence of those who operate the program that they could not commit the $550 million between now and February 1 if they tried as hard as they could to do so. They have not done so up to now.

I think we should not be stampeded merely because we are laboring under rather difficult conditions. It is wise to follow the normal procedures and to approve the conference report. Then we can do something which is not ordinarily done. We can give the subject fair and careful consideration. We can give a new chance to everyone who serves on the Appropriations Committee. I assume hearings will be held before the full committee. All those who may now be fortified only with a political argument and not with the facts will have an opportunity to develop the facts and to present them before the Senate next week.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the question of agreeing to the conference report.

The yeas and nays were ordered.

Several Senators addressed the Chair.

Mr. JOHNSON of Texas. Mr. President, I yield to my colleague from Massachusetts first.

Mr. KENNEDY. Mr. President, very briefly, let me say to the Senate that I find it difficult, in view of the strength of the language in the President's letter, to understand how this conference report could have passed in the other body without a rollcall. If feeling is so strong that this is a question involving the highest national interest, I should think that at least 20 percent of the Members of the House would have insisted that they be recorded, and not merely leave the responsibility to the Senate.

Second. I feel that the members of the conference committee have done a careful job.

I think also that in the field of national security the President has a major constitutional responsibility. Even though the conferees may have considered the questions before them fully, if they did not make what I consider would have been a very wise decision—that the issues should be further explored and the administration given additional opportunities—and even though the judgment of the conferees may have been different from my judgment, I would not wish to deny to the President what he feels is necessary, in view of the strength of his letter.

I would never assume in an instance of this character that the President would be motivated politically. I therefore feel we should sustain his hand in a case such as this.

However, the procedure which has been suggested is really the best procedure. The conference report should be adopted. The members of the Appropriations Committee will then give the administration an opportunity to make its views known and to justify essential additional needs. Then the supplemental appropriation bill will be considered by the Senate. An opportunity will be available to the Members of the Senate to vote for the supplemental appropriation bill in the form it comes before the Senate or to offer an amendment to in-

crease any particular appropriation which it is desired to increase.

It seems to me that this would be the orderly and more satisfactory procedure. It seems to me it would protect the interests of the President and of the administration, as well as the orderly procedures of the Congress. Therefore, I shall support this route.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. RUSSELL. I ask unanimous consent to have printed in the RECORD a chart showing the actions of the Congress in regard to the mutual security program for the years 1952 through 1960, inclusive, which shows the executive branch authorization request, the authorization by Congress, the executive branch appropriation request, the appropriation of new funds, the reduction comparing the appropriation with the authorization requested, and the percentage reduction comparing the appropriation with the authorization requested.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

Mutual security program

[In millions of dollars]

Fiscal year	Executive branch authorization request	Authorization by Congress	Executive branch appropriation request	Appropriation of new funds	Reduction comparing appropriation with authorization requested	Percentage reduction—appropriation with authorization requested
1952	8,500.0	7,583.4	7,483.0	7,284.4	1,215.6	0.143
1953	7,900.0	6,492.7	6,492.7	6,001.9	1,898.1	.240
1954	5,927.1	5,255.6	5,124.5	4,531.5	1,395.6	.235
1955	3,448.1	3,024.6	3,438.5	2,781.5	666.6	.193
1956	3,530.0	3,407.8	3,266.6	2,703.3	826.7	.234
1957	4,760.0	4,115.1	4,860.0	3,766.6	993.4	.209
1958	3,864.4	3,386.9	3,386.9	2,768.8	1,095.6	.284
1959	3,942.1	3,675.6	3,950.1	3,448.9	493.2	.125
1960	[1] 4,430.1	4,676.8	4,430.0	3,225.8	1,204.3	.272

[1] Includes $500,000,000, 1961.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield briefly to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, there are very few Members of this body, I think, who are more strongly in support of heavy mutual security appropriations than is the Senator from Pennsylvania. I have felt that every cent which the Senate Committee on Appropriations recommended and the Senate sent to conference was justified. I particularly deplore the action of the conferees in cutting the Development Loan Fund, which to my way of thinking is one of the greatest instruments of U.S. power in U.S. foreign policy. Were there no alternative, I would unhesitatingly join the Senator from Massachusetts in supporting the President's hand and in voting to reject the conference report, insisting that the full amount be appropriated by the Senate.

However, there is an alternative. This is a practical political question which confronts us. I think the majority leader has made a highly intelligent and sensible suggestion. I believe it would protect every interest of the administration. I believe it would give the administration an opportunity to ask for new and different mutual security funds which, as my friend from Georgia said, could not be granted under the present procedure.

Accordingly, I strongly urge my colleagues to support the majority leader and vote for the conference report.

Finally, if the question comes back to the Senate at a later date, I shall do my utmost to see that the cuts in the Development Loan Fund are restored, and that other appropriations desired by the President, which his representatives have justified in testimony before the Appropriations Committee, shall be given to him, because the security of the United States must rise above partisan, parochial, regional, and ancient shiboleths. We must stand up in the Congress of the United States to support the greatest possible strength of the United States in its effort to save the free world from communism.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Montana.

Mr. MANSFIELD. I think the majority leader has laid before the Senate a reasonable proposal. In doing so he is giving full credit to the President, as he should, on the basis of the remarks addressed to him by the President in a letter received this morning.

I think we should keep in mind that the President's letter is, in a certain sense, a precedent. As the Senator from Georgia pointed out, George Washington was the first and the only President to appear before the Congress. For reasons best known to him and perhaps to the Congress at that time, that precedent was not continued by George Washington's successors.

To the best of my knowledge this is the first time a President of the United States—at least, this President of the United States—has seen fit at the last moment to address to the leadership of both Houses a request that a conference report be rejected and that the full amount allowed by the Senate alone be considered.

If I may, I should like to ask a question of the Senator from Arizona [Mr. HAYDEN].

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may yield to the Senator from Arizona for the purpose of answering the questions of the Senator from Montana.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. How much is in the pipeline at the present time, roughly?

Mr. HAYDEN. Some $4.7 billion. That is my information.

Mr. MANSFIELD. $4.7 billion roughly is in the pipeline at the present time.

As I understand the suggestion of the majority leader—in which I concur—it is that we agree to the conference report, thereby showing our confidence and faith in our colleagues who worked long and hard in this particular instance. Then it will be up to the President to furnish in detail the reasons why he needs the extra money. As I understand, the chairman of the Committee on Appropriations will call the Committee on Appropriations together to give immediate consideration, during the consideration of the supplemental appropriation bill, to this matter. If it is justified, the Committee on Appropriations will bring it to the Senate, and it will be considered by the House also, I assume, before this Congress adjourns sine die.

Mr. HAYDEN. That is exactly the procedure we would follow.

Mr. MANSFIELD. I hope that procedure will be followed. If it is followed, I most respectfully suggest to the chairman of the Committee on Appropriations, if the majority leader will allow me to do so, that instead of hamstringing the office of the Inspector General with the sum of $1.2 million, that official should be given an open-end appropriation. Through that method we would save many millions of dollars in the administration of the aid program. The idea of reducing the amount for the office of the Inspector General is, to my way of thinking, an extremely poor way of practicing economy, because it would encourage waste. The Inspector General is in existence, by congressional authority, to do away with waste, duplication, and overlapping. He will do a good job. We have a very competent man in that office, Mr. John Murphy, who is well known and highly respected by the members of the Foreign Relations Committee. I hope sincerely that when the President sends up the additional request we will see that this office is given the additional funds it needs and that it should have.

I wholeheartedly support the suggestion of the senior Senator from Texas.

Mr. DIRKSEN. Mr. President, first I wish to make a comment on the fact that there was no record vote on the conference report in the House of Representatives. I would not wittingly do any harm to anyone, but I am advised that when the minority leader and others in the House left the floor temporarily to prepare a motion of recommittal, action was taken on the conference report. I have not verified it. I was given to understand that that was the case. From my own experience in the House over a long period of time I know how rapidly the question can be put on a conference report and how quickly a voice vote can be secured before a formal motion can be

prepared. There is no opportunity to prepare a motion to recommit the conference report in the Senate, for when the House of Representatives has acted, their conferees are automatically discharged. So the motion to recommit in this body would not lie.

Consequently we are confronted with one or two alternatives. First, we may adopt the report or reject it.

It is not quite as simple as the majority leader has indicated. I will get to that point very directly. But I believe that I should read into the RECORD the letter that the President addressed to me. He addressed an identical letter to the majority leader today. He said:

THE WHITE HOUSE,
Washington, D.C., August 26, 1960.

The Honorable EVERETT M. DIRKSEN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR DIRKSEN: I am deeply disturbed by the action yesterday of the conference on the mutual security appropriation. I cannot state too strongly my belief that a cut of this size will jeopardize the security of the country.

I hope the Senate will reject the conference report, should the House approve it. Both political parties and all of the major national candidates are publicly committed to the support of an adequate mutual security program. No one can responsibly contend that this conference report and the amounts approved constitute adequacy in today's world.

In view of the worldwide scope of this program and the necessity for planning so far ahead in such an effort, time is of the essence. These critical matters simply will not wait until the Congress returns in January, then to assess the results of its actions taken now. There is at the moment such an acceleration of events in the world that we must be forearmed at all times and ready to deal with critical situations as they develop. It must be evident to the Congress from the speed with which the situation in Africa recently developed that we must stay ready and that our free world security programs, economic and military, must be kept continuously adequate. Postponement of these funds needed now may irretrievably cripple us later.

I enclose a public statement that I have just released.

I am sending an identical letter to Senator JOHNSON and similar communications to the House leaders.

Sincerely,

DWIGHT D. EISENHOWER.

In addition to that letter the President made a public statement this morning and this is what he said:

I am gravely concerned by the conference action on mutual security appropriations.

I have repeatedly stated that the appropriation of the full $4,086 million authorized is vitally needed. Moreover, needs which have developed since my original request, particularly the emergency in the Congo, have made necessary an additional $100 million for the contingency fund.

This is significant. He said:

Only day before yesterday, by a 67–26 vote, the Senate approved the additional $100 million and at the same time increased last month's House appropriation of $3,584 million by $297 million. The conference, while approving the $100 million increase in contingency funds, virtually disregarded the Senate restoration in the basic mutual security budget. It accepted only $31 million—one-tenth of the $297 million restoration that the Senate had just overwhelmingly approved.

Mr. STENNIS. Mr. President, I ask the Senator from Illinois whether those figures do not overlook the fact that the conferees restored the $42 million unexpended balance that had been omitted? Those figures do not show in the conference report; that is a fact, is it not?

Mr. DIRKSEN. It could be.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. DIRKSEN. I would rather not yield until I make a further statement. No Senator has yet opposed the conference report. It is significant to me that by more than 2½ to 1 we say, "Mr. President, we will give you $100 million for your special fund," and then we reach out with the other hand and pull it back in the conference. That is a rather singular proceeding.

We are not merely dealing with the amounts in the bill. I read amendment 5, which the House wrote in:

Provided, That no part of this appropriation shall be used to initiate any project or activity which has not been justified to the House of Representatives and the Senate.

Where does that statement appear? In the technical cooperation program, the least controversial of all programs. So the House wrote in that provision and the Senate took it out. Then what did the Senate do? The Senate yielded, so that today these projects or activities, before they can be initiated, must be justified before the House and the Senate.

That sort of activity has been underway for a period of 10 years. ICA has had 10 years of experience in that procedure. A country-to-country agreement is set up, and what happens? The agreement cannot be consummated under technical cooperation until it is brought back here, if it is a new project.

How far can we go in tying the hands of the executive branch? We have completely negated the whole cooperative aspect of the technical assistance program, the one activity in which we took such a genuine pride.

That defect will not be cured in a supplemental bill, because the technical assistance program will not come before the supplemental subcommittee.

Let us look at another amendment, amendment No. 13, which the House wrote in:

The Office of the Inspector General and the Comptroller: Not to exceed $1 million of the funds appropriated in this title shall be available to carry out the provisions of section 533A of the Mutual Security Act of 1954.

What did we do? Ten or eleven months ago we set up the Office of Inspector General and Comptroller. Now it is proposed that we deny them funds. Yet here is one agency, one operation, which is charged with looking at waste, extravagance, inefficiency, and maladministration. So we recede on it now and tie their hands. We cannot cure that situation in a supplemental appropriation bill.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HOLLAND. The amount was raised by the conference from $1 million to $1,200,000.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. RUSSELL. In the original budget request the administration asked for $1,250,000 for that purpose. They got $1,200,000, which is a pretty good sum.

Mr. DIRKSEN. What happened to amendment No. 13? The amount is $1,200,000. Is that correct?

Mr. HAYDEN. Yes.

Mr. DIRKSEN. That is really something for a program of that kind.

Mr. RUSSELL. The administration asked for only $1,250,000 in the original budget request. The reduction is only $50,000 below the original figures requested by the administration.

Mr. DIRKSEN. It is infinitely more than that, because the Senate Chamber rings constantly with charges and allegations of waste in the program. I thought the Senate could have done infinitely better on that item.

I call attention to other language:

Funds appropriated under each paragraph of this title (other than appropriations under the head of military assistance), including unobligated balances continued available, and amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated against appropriations heretofore made for the same general purpose as such paragraph, which amounts are hereby continued available (except as may otherwise be specified in this title) for the same period as the respective appropriations in this title for the same general purpose, may be consolidated in one account for each paragraph.

I should like to ask the chairman whether that is not the so-called reobligation paragraph in the bill.

Mr. HAYDEN. Yes; it is.

Mr. DIRKSEN. If it is decided not to go through with a project, because something greater and better comes along, is it the sense of the paragraph that the funds cannot be reobligated for the new purpose?

Mr. HAYDEN. Yes; that is exactly it.

Mr. DIRKSEN. I thought that was the purpose of it. That is frightfully involved language, but that is what it does. So the flexibility has been taken out of the program.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HOLLAND. The fact is that there are two amendments together, Nos. 17 and 18. The House yielded on the principal one, which is No. 17. The Senator will find it is covered in the amendment adopted by the House. It was in disagreement, but the House yielded and agreed to an amendment before we would agree to omit No. 18.

Mr. DIRKSEN. The exact language is taken out. The language of amendment No. 18 was taken out. If there is a new project somewhere, the agency cannot reobligate the funds which had been obligated for a different project. That problem cannot be cured in a supplemental appropriation bill.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. CHAVEZ. Testimony submitted before the conferees show that there were thousands of projects which had been started and on which, all of a sudden, it was decided not to proceed with them, and it was decided to deobligate the projects to start on different projects. We wanted Congress to know what it was all about before they could proceed. We felt the new projects should be approved first. We do not deprive the administration of the money. No one wants to deprive them of the funds. However, they had so much money that they had thousands of projects, even in one country, and all of a sudden they said, "No, we don't want that." Why should not Congress know about the situation?

Mr. DIRKSEN. The point I make is this: Suppose a supply of pharmaceuticals is to be sent to a country in Africa, and it is decided that the money should be used for textiles instead. What happens? If the money has been obligated for the first purpose, it cannot be reobligated for the latter purpose, even though it may be a very urgent project.

Mr. CHAVEZ. That is right. Why should not Congress know about it?

Mr. DIRKSEN. They have to come all the way back to the House and Senate and say, "You earmarked $4 million for this project. We have discovered that there is a greater and more urgent need for something else. So now it is all at a standstill until we come back and advise you that maybe we ought to have authority to reobligate these funds for another purpose."

We can not cure that situation in a supplemental bill, if I know anything about supplemental bills. I have sat with supplemental and deficiency appropriation committees many times. We can understand the President's concern. It is not merely with respect to the amount of the money; it is the restrictive device that we build into the law.

I have been heard to say from one end of the country to the other that it is not possible to operate a program of this kind without some waste and without some inefficiency. We cannot get the ablest people to go abroad and take these posts, and send them out to posts in Laos, Cambodia, or in Saigon or Bangkok, or Leopoldville, or any other place. Usually they will go, and then want to come right back. Our attitude in this field is a good deal different from that of other countries which have had far more colonial experience than we have had. Therefore, we cannot get the best people in the world with a background of business efficiency to go in on these programs. That is one of the difficulties we have.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. COTTON. I have been waiting to ask the Senator a question. I am glad the Senator has touched on the matter of restrictive language in the conference report. I have been waiting to ask a question on this point ever since the debate started.

If the distinguished minority leader can answer the question without violating any confidences, I would appreciate his doing so. The letter of the President has been read. I have listened intently to its reading. The distinguished minority leader also read a portion of the public statement issued by the President. In the portion that was read I did not hear that the President had expressed concern about the restrictive language. He mentioned only the dollar content of the conference report. Is it proper to ask the distinguished minority leader, who is obviously and naturally in touch with the President, whether the President is concerned about the restrictive language as well as with the dollar content? If it is only the dollar content, I feel that the suggestion of the majority leader and others about handling the matter in a supplemental appropriation bill might be a reasonable solution. However, if the President is concerned about the restrictive language, I fear it could not be handled in a supplemental bill.

Mr. DIRKSEN. I am glad to read this language from the President's statement:

> Not only are the funds now provided by the conference inadequate, but also a number of administrative restrictions were retained which would impair the management of the mutual security program.

Therefore the President took account not only of the money involved, but of the language as well.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. DIRKSEN. I yield.

Mr. FULBRIGHT. I am not clear about the situation with respect to the restrictive provisions, such as the one on technical cooperation. If I understand correctly, if the majority leader's proposal to reinstate the money after a hearing on the supplemental appropriation bill is feasible, can such a restriction as this be removed in a supplemental bill?

Mr. DIRKSEN. It cannot.

Mr. FULBRIGHT. I am asking a question; I do not know.

Mr. DIRKSEN. If we go back, with this kind of language, and do not relate it to this program—and I was talking about technical assistance—we shall be venturing into the legislative field. Then we shall have difficulty.

Mr. FULBRIGHT. This proposal is legislative, too. Why is it that the same kind of legislation cannot be placed in the supplemental bill as in this bill? Appropriation bills are always full of all kinds of legislative provisions.

Mr. DIRKSEN. What will be the answer when it goes to the other body?

Mr. CASE of South Dakota. It would have to go back for a separate vote on the legislation.

Mr. DIRKSEN. Yes, indeed. The point I make is that there are restrictions in the mutual security bill, and it is quite doubtful whether the legislative restrictions will be cured and will untie the hands of a program like technical cooperation.

Mr. FULBRIGHT. I do not approve of this action at all. I think it is a very bad procedure, especially in this program, which is relatively small. It has been under way for a long time. I have never heard any serious criticism of it.

It reminds me of the same kind of limitations which the House Committee on Appropriations has placed on the exchange program, limitations which have gradually throttled it. A similar restriction has been imposed this year. In effect, no new activities can be undertaken. I think it would be utterly disastrous to the whole program to accept this kind of restriction.

Mr. DIRKSEN. I recognize the force of the majority leader's argument when he says that the Subcommittee on Supplemental Appropriations can take another look at this item. What will happen to these restrictions? If we were dealing only with dollar amounts, probably his suggestion would be a tolerable answer. When the next supplemental appropriation bill came over, the committee could take testimony and perhaps restore some of the funds.

But if this restriction is retained in the bill, what will be the impact all over the world, when people recognize the fact that instead of giving some flexibility to our technicians abroad, we are actually tying their hands and writing a kind of limited veto power into the appropriation bill?

Mr. FULBRIGHT. I do not object, of course, to the Senate or the House approving of projects as they are submitted at the beginning of a year; but this kind of restriction would destroy any possibility of a change at all. There are bound to be some desirable changes in the course of a year. I cannot see any kind of justification for the proposed action.

Mr. DIRKSEN. The world being as fluid as it is, and so full of new suggestions arising constantly, frankly, I could not let this conference report go by in view of the President's expressed attitude.

It is an extraordinary occasion when he sends a communication to the majority leader and the minority leader. He feels deeply about it. He is charged with a responsibility under the program. If he felt that way and did not say so, he could well be charged with being recreant in his duty.

Mr. STENNIS. Mr. President, will the Senator from Illinois yield on that very point?

Mr. DIRKSEN. I yield.

Mr. STENNIS. I direct the Senator's attention to amendment numbered 5, on page 2 of the bill beginning on line 19. I read the provision which was the House amendment:

> *Provided*, That no part of this appropriation shall be used to initiate any project or activity which has not been justified to the House of Representatives and to the Senate.

I was one of the conferees, and I propose to state the understanding which I had concerning the interpretation and meaning of this amendment.

In the first place, in line 21, the word "authorized" is not used, as that term is used to authorize a project. Instead, the word "justified" is used. That means that projects do not have to come before the Committees on Appropriations, as do flood control or harbor improvement projects, to be authorized, and then to have money appropriated specifically for them; the language merely is "justified."

We were told that the habit and practice has been, under these programs, to have the items or projects justified in the testimony, in the examination in the House hearings, and included in the RECORD at some place.

For instance, a forestry project would not be in an authorization bill which was before the Committee on Foreign Relations; it would not be spelled out in an appropriation bill; but it would be contained in the record of the hearings at some place, and would be justified.

If the project did not develop, for some reason, and it was desired to abandon it and to switch to the building of a road, under this amendment that could not be done until the new project had been referred to the Committees on Appropriations and had been justified in an informal way before the House and Senate.

The further representation was that as a practical matter the justifications will run for something like 12 to 18 months ahead of the actual expenditure of funds. So in order to exercise legislative will, in following up the appropriation after a matter had been approved as a project not formally authorized, but justified, it was considered reasonable, in the 12 to 18 months period, to require the Department to come back, if it changed its mind and wanted to use the money for some other purpose. Then the second project would be justified, and the money could move forward without any reappropriation or anything else of that kind.

We believed that that interpretation was the correct one.

Certainly it is a restriction which is very reasonable and will bring to the system uniformity and understanding, rather than trouble or jeopardy with respect to any kind of program. It was for that reason that this provision was written into the law.

Mr. DIRKSEN. Suppose an independent state comes into being in Africa within the next couple of months. There is no project before us, which has been justified, for that new state. What will happen? We will not be able to move. It will not be possible to help that country, under this arrangement, unless the Department comes back to Congress for approval.

Mr. STENNIS. On that subject, the Senate provided an additional $100 million, the main justification being to take care of situations which might develop in Africa. The first position of the House—and I think the House was sincere in it—was that it could not approve one dime of that amount. The authorization bill, in some way, had not passed. The House finally agreed to $60 million. That is not a disclosure of any confidence. It finally went to $100 million, and a part of the argument across the table was that some of these new projects might develop.

I myself believe that the African states have more immediate problems than forestry projects under technical aid. Anyway, the extra $100 million was provided for the President's contingency fund.

Mr. DIRKSEN. The only difficulty is this: By voting, 67 to 33, we said, in effect, that there would be $100 million additional in the special assistance fund. As things are now, we will provide $100 million. But while we are doing that, we will take away $265 million.

Mr. STENNIS. At the conference table there was no vote of 67 to 23. At the conference table, the talk was that not a single dime out of that $100 million would be provided.

Mr. DIRKSEN. The vote in the Senate on that authorization was 67 to 23.

Mr. STENNIS. But we finally obtained it on the basis of the fact that the money has not yet been authorized, and the President has not signed the bill. But there is $100 million in the bill for him.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. COTTON. I wish to get one thing clear. Regardless of the merits or the demerits of the restrictive language of the bill, is it not a fact that tonight, in acting on the conference report, we must settle the question once and for all, because if we accept the suggestions of the majority leader and the Senator from Massachusetts, and adopt the conference report, with the idea that the committee will listen further to the President in regard to the restrictions with which he is concerned, any Member of either body could raise a point of order against legislation in an appropriation bill and a two-thirds vote would be required to alter these restrictions, even if the committee heeded the President of the United States and sought to alter them?

Mr. DIRKSEN. Yes.

Mr. CASE of South Dakota. Mr. President, it seems to me that one procedure which would not be contrary to the rules of either House would be to provide an additional amount for the technical assistance program, without making it subject to any limitation. I make this statement in an effort to be helpful.

I think it improbable that tonight the Senate will reject the conference report. So, if the report becomes law, the practical question will be, What can be done? If the President or the Secretary of State believes some funds should be appropriated in order to institute a program of technical cooperation, and in order to make that provision under a general authorization, that could be done by providing additional funds in a separate appropriation bill which would not necessarily be subject to this restriction.

Mr. DIRKSEN. That would be true except for the fact—and this point was made earlier today, I believe, by the distinguished Senator from Georgia [Mr. RUSSELL]—that we have to wait only 4 months until the first of the year. So who would finally raise that question in the Appropriations Committee, and say, "We are standing on the threshold of adjournment, and all of us wish to go home. Let us not write in any additional items, for this can wait until January"—notwithstanding the President's entreaty?

So the question then is, Would it be done?

I do not want this occasion to pass without raising my voice about the situation in the world and my feeling about it and about the President's assessment of the importance of this program.

Mr. BUSH. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. BUSH. In view of the presentation the Senator has made, I wish to ask him whether he thinks it likely that the President would sign the bill, or whether we would run the risk of being called back into session, in order to deal with this issue, if the conference report were agreed to.

Mr. DIRKSEN. I do not know. I know there is a general reluctance on the part of any President to disapprove an appropriation bill if he can possibly approve it; and that would be notably true at this season and this stage of the session. But I cannot say whether the President would disapprove this report and send it back to us, saying, "I think you should treat me a little better than you have done, in view of the unpredictable and uncertain situation."

Mr. BUSH. I raise the question because of the intensity of the President's feeling, as reflected in the letter.

Mr. DIRKSEN. Yes, it is quite evident.

Mr. STENNIS. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. STENNIS. Further in regard to amendment No. 5, cutting out all new starts and restricting the program, I refer the Senator to the statement by the managers for the House; I refer to the part relating to amendments Nos. 4 and 5. Amendment No. 5 is the one in question now, of course. They made this statement:

> The conferees are in agreement that the President's Contingency Fund is available for any essential new starts.

Mr. CASE of South Dakota. Would that include the technical assistance programs?

Mr. STENNIS. Yes, that is correct.

That point was expressly made, before the Senate conferees would yield, to cover exactly the situation the Senator from Illinois has so properly raised. A few minutes ago I did not know about the availability of the report. But it is written exactly as the House conferees and the Senate conferees agreed—specially pointing out that this fund is available.

Mr. DIRKSEN. But the restriction is put on the entire technical assistance program as carried in the bill.

Mr. STENNIS. It is true, of course, that it is put on the technical cooperation program. But this clause takes care of any situation which might arise.

Mr. DIRKSEN. As a practical matter, that could work out. But suppose a very substantial portion of the fund were earmarked for an African country, and suppose some of the rest were earmarked for relief to those who have suffered from the earthquake in Chile—as was indicated when the message came to us. Then what would happen if a further need developed? Then there

would not be enough remaining in the technical assistance fund, and then one would immediately be faced with the restriction on the money appropriated in this bill.

Mr. STENNIS. The bill assumes that the projects under technical cooperation would be put down carefully—in view of the fact that this part of the program is 7 or 8 years old—and that nothing would happen to them.

Mr. SCOTT. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. SCOTT. It has been suggested that this conference report be accepted, and that any other provisions we wish to make be handled by a separate measure. Is it the understanding of the Senator that a supplemental bill would be submitted at this session or in the next Congress?

Mr. DIRKSEN. At this session. That was the impression I got from the majority leader.

Mr. SCOTT. Then, as I understand the Senator's objection, it is that the difficulty with much of the restrictive language could not be cured by means of a supplemental bill, and that therefore the only way we can support the President's position is by voting against the conference report. Is that correct?

Mr. DIRKSEN. Well, speaking for myself, I shall vote against the conference report, both as to the amount and as to these restrictive provisions.

Mr. SCOTT. But as I understand, we would not support the President if we voted in favor of agreeing to the conference report, unless, as the Senator has said, the matter referred to could be handled separately.

Mr. DIRKSEN. In view of the situations that are arising throughout the world, I do not wish to tie the hands of either President Eisenhower or his successor. Of course, everyone knows that the candidates are being briefed on the situations in the foreign field, so they will not be taken by surprise. And I would not vote to place on any President a restriction which would handicap him improperly.

Mr. HUMPHREY. Mr. President, I think the Senator's arguments are very persuasive, and I think the proposal to limit the President in the carrying out of his foreign policy is unwise.

I believe that two or three helpful suggestions have been made. I wish to say to the minority leader that if I found that nothing could be done in a supplemental appropriation bill to correct these limitations, then I would vote against the conference report, because I do not believe we should saddle the President or his successor, whoever he may be, with unworkable limitations.

Certainly the item in regard to technical assistance is a very severe limitation.

Is it not possible in a supplemental appropriation bill to reappropriate, as I believe the Senator from South Dakota [Mr. CASE] suggested, the sum of money that is appropriated for that purpose in this measure, but without the limitation—in other words, as regards the section of the mutual security bill which relates to technical assistance, literally reappropriate it in a supplemental bill, without the limitation?

Second, I think some of these funds were too severely cut, and I should like very much to see them increased. That is why I spoke earlier today about the possibility of a supplemental appropriation bill to take care of these items.

So my question is to the minority leader and to the members of the Appropriations Committee, in whom we have every reason to place confidence. First, is it possible to go over this bill and, where there are limitations which seem to be restrictive on executive flexibility, to reappropriate those funds under these particular items without limitation; and, second, have we some assurance that if a case is made—and I am sure a case can be made, because we voted funds here—for supplemental funds, those supplemental funds will be granted?

If the answer is the negative, I say to my colleagues it is a very serious thing to reject the Chief Executive, whoever he may be, or whatever political party he may belong to, in light of the letter, because I, for one, when we vote on this report, want to be sure we are not going to do something we will regret. We are living at a time when we do not know what is going to happen. While I have had my arguments with executive policy, and will have some more, I certainly feel that if a man is to be held responsible for our foreign policy, and we Democrats are going to talk about it, we ought not to put handcuffs on him. If we are going to criticize him, then we ought to be willing to give to the President of the United States an opportunity to perform the services. Then if he does not perform them, criticism is valid in terms of its honesty and integrity.

Mr. DIRKSEN. Mr. President, this is a conference report. It has had the approval of the House. Under the House rules, the conferees are automatically discharged. When this conference report is approved, all the bill needs is the signature of the President, and we shall have made an appropriation. We cannot go back and get the same amount of money for the same thing twice. We might add a little something and then put a proviso in the bill that negates and nullifies the language in the bill. We might even provide that it should not apply to any other appropriation for technical assistance, but if we do, we are in the legislative field.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. But if there were no restriction, we would not be in the legislative field. If this bill should become law and there were restrictions on it subsequently, any proposal to change existing law would be legislation; but some additional appropriation for new funds could be made without restrictions, and it would be free from restriction.

Mr. DIRKSEN. The Senator has asked the question whether we could appropriate the amount anew. We can add to the appropriation, and we can write in a restrictive proviso.

Mr. CASE of South Dakota. Or leave it out.

Mr. DIRKSEN. Yes; or leave out the restrictive proviso. Then the question is, Will it be done?

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. DIRKSEN. Yes.

Mr. FULBRIGHT. I just had a chat with the Senator from Georgia [Mr. RUSSELL]. His position is that it is not legislation; it is a limitation. It looks like legislation to a layman; but we are told it is not. If it is a limitation, why is it not a further limitation which says, "*Provided*, That the former limitation is hereby repealed," just as much a limitation as this is a limitation?

Mr. DIRKSEN. I refer to the Parliamentarian and say that the Senator is imposing new duties every time a project is brought here from the committee.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. CASE of South Dakota. The Senator from Georgia spoke to me as he went out on the very point the Senator from Arkansas brought out. The language as it appears is clearly a limitation, and under the rules of both the House and the Senate if a limitation on an appropriation bill does not impose additional duties it is not legislation. Limitations are the exception to the rule. It is a limitation, but once it becomes the law, then a proposal to change existing law is legislation.

Mr. HUMPHREY. Mr. President, will the Senator from Illinois yield for a parliamentary inquiry?

Mr. DIRKSEN. Yes.

Mr. HUMPHREY. The parliamentary inquiry I should like to propound to the Chair is this: Is it possible for the Committee on Appropriations, in handling a supplemental appropriation, to reappropriate the funds under this particular act relating to technical assistance, without limitation, and make these other additions, or is there another way the funds under the act before us can be blocked and new funds can be appropriated without limitation?

The PRESIDING OFFICER. Reappropriation of unexpended balances is subject to a point of order, but if the limitations are limitations on the expenditure of the funds in the pending bill only, the Senate could appropriate additional funds in a supplemental appropriation bill which would not be covered by the limitations to be placed in the pending bill.

Mr. HUMPHREY. I did not get the latter part of the Chair's ruling on the parliamentary inquiry.

The PRESIDING OFFICER. The Senate could provide additional funds in a supplemental bill not covered by this limitation.

Mr. HUMPHREY. But what about the original funds in the bill? Can those be impounded?

The PRESIDING OFFICER. That is not a parliamentary inquiry, but the law empowers the Bureau of the Budget to impound such funds.

Mr. HUMPHREY. In other words, those funds could be impounded by the President of the United States, through the Bureau of the Budget, and the funds could be appropriated anew in a supplemental appropriation without limitation. Is that the situation?

The PRESIDING OFFICER. That is correct.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. HOLLAND. I want to call attention to the fact that we are all becoming confused about several things. In the first place, the message of the President is not based on the full facts. It states the facts as far as it goes, but it does not state that $42 million had been reappropriated out of unobligated balances on hand. So instead of confining itself to $31 million of new appropriations other than the $100 million of the contingency fund, there is $42 million additional, making $73 million that is available under the conference bill for the purpose of programing under the bill, in addition to the added $100 million of the contingency fund.

The conferees who handled this bill know better, I think, than other Members of the Senate what we are up against in regard to the attitude of the House. We felt that the biggest victory we could win was to have the House recede from its position and grant the $100 million addition to the contingency fund, to which there would be no limitation and no restrictions, and which we felt would be more adequate to cover anything that might be tied up under these restrictions.

I am still of the very definite opinion that that $100 million is much more than adequate. Certainly, it is more adequate than anything that could be called for if trouble developed between now and when Congress comes back in January.

The second thing I want to say is that there were many limitations, many restrictions, and many conditions in the bill which the administration wanted removed.

I have already said in my earlier remarks that the distinguished Senator from New Hampshire [Mr. BRIDGES] and the distinguished Senator from Massachusetts [Mr. SALTONSTALL] specifically and one by one produced those recommendations. A large number of them were finally accepted by the House, and the provisions of the conference report clearly show that fact. We did not get all of the restrictions removed, but we got so many of them removed that the conferees felt with complete assurance—the Senator from Florida has that assurance now—that the $100 million of added money for the contingency fund would more than take care of any trouble which might arise under the few restrictions remaining in the bill.

The third point, Mr. President, is that these are not legislative enactments which are referred to as restrictions or limitations. These are simply restrictions and limitations on the use of funds appropriated.

The principal request of the President is for the appropriation of more money. It is as possible for the committee, for the conferees—if there are conferees on the supplemental bill—and for the Congress to enact appropriations covering new funds completely free from restrictions as it was at the time this mutual security appropriation bill was before the Congress.

Mr. President, in the $100 million of unlimited contingent funds already granted under the conference report, as well as in the other funds requested by the President to be appropriated, in addition to what is covered by the conference report, there is vastly more money than enough to cover any possible handicaps or embarrassments.

Mr. President, the next point is that we have not carefully read the message of the President and his statement which is attached. He does not even pretend that he is going to have trouble in the few remaining months of his administration. I read to Senators the last of his statement, which states the gist of the situation:

> A congressional rejection of this request will hamper greatly the Nation's Chief Executive who succeeds me next January.

Even the President has not contended that between now and next January there will be any embarrassment or serious handicap arising under the provisions of the bill, which is not liked by him and not liked by the Senate conferees. These provisions are much more helpful and much more nearly in accord with the administration's request than was the House bill.

I repeat that statement of the President:

> A congressional rejection of this request will hamper greatly the Nation's Chief Executive who succeeds me next January.

He continues:

> Upon him will fall the heavy responsibility of continuing to guide our country in a troubled world. He, no less than I, must have adequate funds to do the job.

The fact of the matter is that both as to the funds and as to the restrictions no problem of any consequence can arise under the conference report until well into next year.

It seems to the Senator from Florida that the suggestion made by the majority leader, that we have hearings on the supplemental bill which is before us, is a good one. The hearings were completed in the House yesterday, and the bill will come before the Senate in a very fortuitous condition. The Senate Committee on Appropriations thought at one time it would be asked to act first on the supplemental items, and we have completed hearings upon all the items which have come to us in the nature of supplemental budget requests. We did that before we knew the House was going to insist upon a new supplemental appropriation bill of its own, which we learned only 3 or 4 days ago.

The only matter of consequence which would require hearings of which the Senator from Florida knows is this very proposal, for which there is adequate time. The distinguished chairman of the committee has said specifically, as the majority leader has pledged himself specifically, that adequate time will be granted for full attention.

Mr. President, I appreciate the indulgence of the Senator. Perhaps I have abused it. I hope not. I close with one more statement.

The Senator from Florida thinks he knows the temper of the House conferees. Instead of jeopardizing the supplemental bill, which we may or may not jeopardize by hearings tomorrow and by any action the Appropriations Committee may recommend, we are going to jeopardize this large and important bill if we insist upon the position which apparently some Senators wish to insist upon.

So far as the Senator from Florida is concerned, he will ask to be relieved from the conference committee if the bill goes back, because he has fought as hard as he knows how to fight through one of the most disagreeable conferences he has ever attended, and he has seen his colleagues do the same.

When we have returned to the Senate with the statement that we have corrected the majority of the things and have held onto much of the money including the $100 million contingent fund, along with the additional $73 million, we are entitled to be heard by our colleagues with some degree of acceptance of our verdict as to the situation.

The Senator from Florida thinks we are asking for much greater trouble if we ask for an additional conference on the bill than will be true if we attempt to go into the proposal tomorrow upon the basis of hearings on the supplemental bill, which we have to have tomorrow, and to which we are inviting the administration to come and be heard.

The Senator from Florida has been criticized frequently for standing with the administration on the Development Loan Fund request and on other requests in this field. He thinks the administration is unduly alarmed about the proposal. The very fact that the communication does not show the availability of the $42 million of unobligated funds for new work indicated that the administration does not have a complete grasp of the picture.

The Senator from Florida thinks the conference report should be approved by all means. The problem should be reduced to one of what we shall do with respect to the supplemental appropriation bill.

Mr. DIRKSEN. Mr. President, I must say to the distinguished Senator from Florida that my heart fairly bleeds and throbs for him, because I served on the very same conference committee on the same bill for years. I discovered that at the hour of 2 o'clock in the morning, in a conference room, some of my drive and some of my combativeness begin to subside a bit. We fought everlastingly. I know what a fight this bill is.

Of course, Mr. President, I had to have my day in court. I have had it. I yield the floor.

Mr. JAVITS. Mr. President, I think what is involved here is much more

critical than what we can do under the parliamentary rules.

We talk a great deal about the prestige of the United States, its standing in the world, and whether it has the quality to lead the world. We hear much from the political candidates to the effect that our prestige is high or that it has sunk to a new postwar low.

We are sworn, whatever may be our party, to do our duty. I should like to have my colleagues listen to the words from the President of the United States, one of the men in the world, who has the greatest prestige, who is about to go out of office. Those words are as follows:

I cannot state too strongly my belief that a cut of this size will jeopardize the security of the country.

I repeat those words:

I cannot state too strongly my belief that a cut of this size will jeopardize the security of the country.

Mr. President, that is what we ought to be talking about—not the niggling question as to whether we can or cannot act in a supplemental appropriation bill, but whether it will or will not jeopardize the security of the country.

Sometimes the newspapers see these things a little better than we do. The New York Times today has the following to say on this subject:

The more responsible Senate restored many of the cuts by voting $3,989 million, but its courage ran out yesterday—

I repeat:

but its courage ran out yesterday.

The New York Times is absolutely right, and this is why: We have heard a lot of justification on the floor today by very distinguished Senators who make what the lawyers call ex post facto justifications.

I have been in this body for 4 years. We make a battle for the mutual security appropriation in the Senate, and then what happens? The conferees go out the door. On one occasion they came back in 3 hours—not a very long time. They came back in 3 hours, and they split the difference. Every newspaperman in the gallery can tell us what the mutual security appropriation is going to be the minute the House passes its bill and we pass ours. The conferees will split the difference.

Are we going to split the security of the United States? That is the question the President of the United States is asking. Look at the figures. If the House votes for an appropriation of $3,300 million and the Senate authorizes $3,100 million, it ends up by being split at $3,200 million. If the vote in the Senate, as it was, authorizes $3,900 million, and the House passes or approves an appropriation of $3,500 million, it comes back from conference with a provision for $3,750 million.

This is absolute nonsense, and the reason for it is that we have not stood up on our hind legs in the Senate and made our conferees do what we voted. We can vote anything we like in a supplemental appropriation; our conferees still will not stand by it, and they probably will not on this issue because most of them have already agreed on the bill.

Senators stand here and talk about being agents of the Senate. When? When have they fought for the Senate figure completely?

The House seems to be very thoroughly dug in, and I will give an example of that. But we in the Senate do not seem to be dug in. We shall not get anything on the mutual security appropriation, and the horse is thoroughly out of the stable now, I can assure the Senate. No matter how much we flap our wings and jump up and down, this will be what it will be.

The only way we shall get anything we wish in the mutual security appropriation that will not infuriate everybody who stands here in an attempt to get the Senate to do somehing, only to see his attempts go down the drain, is to instruct our conferees before they walk out the door. Then the Senate will really be tough. When we appoint our conferees, there is not a minute in which they can be given instruction. Someday I would like to see the Senate show that it means what it says by instructing its conferees not to yield until they come back to the Senate for a vote, and then we shall see a mutual security appropriation that will command some respect in terms of what the Senate wants.

Let me give a practical example of what is going on. The House of Representatives wrote a provision in the mutual security appropriation, which is item No. 26—not in this report, I assure the Senate—reading as follows:

None of the funds herein appropriated shall be used to finance any of the activities under the investment incentive fund program.

The investment incentive fund program would cost the large amount of $2 million, and the money would provide for the establishment of an agency to help in a program to attract private investment to the lesser developed areas of the free world.

I ask Senators what could be more critically important to the private enterprise system, to the efforts to increase materially the development of the less developed areas, to our own dignity and pride in what we ourselves believe, than such a program as we so modestly request.

The House, for whatever reason it dislikes the program, inserted an absolute prohibition against the use of money for that purpose. We just as promptly took it out.

What happened? Our conferees go to conference and the prohibition is back again, the same restriction the conferees have now agreed to on the investment incentive fund. Why? Because the House of Representatives is a little more dug in on this subject than we are. I mean no disrespect to our conferees. They are among our most distinguished and most senior Senators. But somehow or other the House, when it comes to the mutual security appropriation, seems to be more dug in, more convinced of its negative position—and that is what it is—than does the Senate in its affirmative position.

Every once in a while we are jacked up. Something happens, some bolt out of the blue. The President has never said a word, but now he suddenly speaks up.

I agree with the Senator from Texas [Mr. JOHNSON]. He has never done this before. He should have done it before. He is the President of my party and he should have done it before. But at last he has.

Let this action ring the bell for all of us. The report will be accepted. We all know that. It will be approved. But let us have a big chorus of "no" votes at least to begin to firm up our backs on this practice of the Senate, which I have watched almost in despair year after year here in the Senate, which restores, makes magnificent speeches, and supports my friend and colleague, the chairman of the Foreign Relations Committee, who fights for these measures with his last breath, then he goes out the door, and 3 hours later, 2 hours, or a day, he brings back the conference report, and down the drain many projects have gone. It is high time that we quite following that practice.

Mr. President, I shall vote "no" on the conference report if I am the only Senator who votes in that way.

I ask unanimous consent that an editorial appearing in the New York Times, issue of August 26, 1960, be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OUR SECOND FRONT

With the platforms and presidential candidates of both parties pledged to support a vigorous mutual security program as our second line of defense against the Communist challenge, Congress is now called upon to make good these pledges by appropriating the necessary funds, a large part of which will be spent by the next President. But as usual in politics, pledges and promises tend to outrun performance.

President Eisenhower, after trimming much larger departmental requests, asked Congress for $4,175 million in military and economic aid. This was nearly a billion dollars above the previous year's appropriation, but the increase was imperative because unspent balances which had covered up previous cuts had become exhausted. In recognition of this fact, Congress did authorize an enlarged program, but still cut the total to $4,086,300,000. Then began the silly annual game of "sham economy" to slash actual appropriations way below the authorization. This game was won by the House, which cut the program by $590,500,000.

The more responsible Senate restored many of the cuts by voting $3,989,055,000. But its courage ran out yesterday when, following convenient custom, the Senate-House conference split the difference between the two Chambers and fixed the final figure at $3,722,350,000.

Considering that opponents of the program had sharpened their axes for a cut of a billion and a half dollars, one must welcome the fact that the program was saved at all. But the cuts may seriously impair some of the program's objectives. The most serious cut in view of the present world situation is the reduction in the $2 billion requested for military assistance. As the President has pointed out, this assistance helps our allies

and friends to maintain 5 million men, 30,000 planes, and 2,200 warships for the collective defense on which our whole defense strategy is based. The cut will not only tend to weaken this defense but might call for a far more costly increase in our own Military Establishment.

At the same time, the mutual security program has also been turned into a weapon for the defense of the Americas by authorizing the President to bar aid to any country aiding Castro's Cuba militarily or economically—which would bar further aid to Poland—or giving military aid to Trujillo's Dominican Republic. In contrast it grants $100 million requested by President Eisenhower for aid to the troubled Congo and other African areas.

The mutual security program is, of course, only one facet of the monumental aid extended by free nations to their underdeveloped neighbors, and the United States is still doing more than its share in that enterprise. It must be hoped that other nations grown prosperous with American aid will now take up an increasing part of the burden for our common salvation.

Mr. JAVITS. Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered. The question is on agreeing to the conference report.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the senior Senator from California [Mr. KUCHEL]. If he were present and voting he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore I withhold my vote.

Mr. WILLIAMS of Delaware (when his name was called). On this vote I have a pair with the senior Senator from Massachusetts [Mr. SALTONSTALL]. If he were present and voting he would vote "nay." If I were permitted to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Indiana [Mr. HARTKE], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

I also announce that the Senator from Missouri [Mr. HENNINGS] is absent because of illness.

I further announce that the Senator from Florida [Mr. SMATHERS] is necessarily absent.

I further announce that, if present and voting, the Senator from Illinois [Mr. DOUGLAS], the Senator from Indiana [Mr. HARTKE], the Senator from Missouri [Mr. HENNINGS], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], the Senator from Nebraska [Mr. CURTIS], the Senator from Arizona [Mr. GOLDWATER], the Senator from Kentucky [Mr. MORTON], and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

The Senator from California [Mr. KUCHEL] is absent because of illness, and his pair has been previously announced.

The Senator from Iowa [Mr. MARTIN] is absent by leave of the Senate on official business.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], and the Senator from North Dakota [Mr. YOUNG] would each vote "yea."

The pair of the Senator from Massachusetts [Mr. SALTONSTALL] has been previously announced.

The result was announced—yeas 57, nays 24, as follows:

[No. 312]

YEAS—57

Anderson	Gruening	Magnuson
Bartlett	Hart	Monroney
Bible	Hayden	Morse
Burdick	Hill	Moss
Butler	Holland	Mundt
Byrd, W. Va.	Humphrey	Muskie
Cannon	Jackson	Pastore
Carroll	Johnson, Tex.	Proxmire
Case, S. Dak.	Jordan	Randolph
Chavez	Kefauver	Robertson
Church	Kennedy	Russell
Clark	Kerr	Schoeppel
Dodd	Lausche	Smith
Eastland	Long, Hawaii	Sparkman
Ellender	Long, La.	Stennis
Engle	Lusk	Symington
Ervin	McCarthy	Talmadge
Gore	McGee	Williams, N.J.
Green	McNamara	Young, Ohio

NAYS—24

Aiken	Cotton	Javits
Allott	Dirksen	Johnston, S.C.
Beall	Dworshak	Keating
Bennett	Fong	McClellan
Bush	Frear	Prouty
Carlson	Fulbright	Scott
Case, N.J.	Hickenlooper	Thurmond
Cooper	Hruska	Wiley

NOT VOTING—19

Bridges	Hennings	Saltonstall
Byrd, Va.	Kuchel	Smathers
Capehart	Mansfield	Williams, Del.
Curtis	Martin	Yarborough
Douglas	Morton	Young, N. Dak.
Goldwater	Murray	
Hartke	O'Mahoney	

So the conference report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 12619, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U.S.,
August 26, 1960.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 14, 16, 17, and 39 to the bill (H.R. 12619) entitled "An Act making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1961, and for other purposes", and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered three, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert: , including not less than $35,000,000 for Spain

That the House recede from its disagreement to the amendment of the Senate numbered twenty-two, and concur therein with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

"SEC. 101. (a) Within sixty days following the date of enactment of this Act, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report containing a full and complete revision of the data presented to such committee in justification of appropriations requested for the Mutual Security program for the fiscal year 1961, showing any changes in such program approved subsequent to such presentation, including changes necesary to reflect actual appropriations for the program.

"(b) Within thirty days following the approval of any change in the mutual security program for the fiscal year 1961, which will result in furnishing assistance of a kind, for a purpose, in an area, or in an amount, different from that described in the report transmitted under subsection (a), and which involves $1,000,000 or more, or 5 per centum of the amount appropriated under any paragraph of this title whichever is the lesser, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a full and complete report of such change and the reasons therefor.

"(c) This section shall not apply to programs authorized by section 451 of the Mutual Security Act of 1954, as amended.

"(d) None of the funds herein appropriated shall be used to carry out any provision of chapter II, III, or IV of the Mutual Security Act of 1954, as amended, in any country or with respect to any project or activity, after the expiration of the thirty-five day period which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering Mutual Security legislation, appropriations, or expenditures, has delivered to the office of the head of any department or agency carrying out such provision, a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material in its custody or control relating to the administration of such provision in such country or with respect to such project or activity, unless and until there has been furnished to the General Accounting Office, or to such committee or subcommittee, as the case may be, (1) the document, paper, communication, audit, review, finding, recommendations, report or other material so requested, or (2) a certification by the President that he has forbidden the furnishing thereof pursuant to such request, and his reason for so doing."

That the House recede from its disagreement to the amendment of the Senate numbered thirty-one, on concur therein with an amendment, as follows:

Change the section number from "108" to "109".

That the House recede from its disagreement to the amendment of the Senate numbered thirty-three, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

"SEC. 110. None of the funds provided in this title shall be available for assistance to any country, the government of which sells arms, ammunition, or implements of war to

the Castro regime, or which furnishes, by grant or loan, any military or economic aid to that regime, unless the President determines that the withholding of such assistance to such country would be contrary to the national interest."

That the House recede from its disagreement to the amendment of the Senate numbered thirty-five, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert:

"SEC. 111. None of the funds provided in this title shall be available for assistance to any country the government of which sells arms, ammunition, or implements of war to any country in Latin America being subjected to economic or diplomatic sanctions by the Organization of American States, unless the President determines that the withholding of such assistance to such country would be contrary to the national interest."

Mr. HAYDEN. Mr. President, I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 2, 3, 22, 31, 33, and 35.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to.

Mr. HAYDEN. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table reflecting the amounts in the budget estimate, the Senate and House bills, and the conference report.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mutual security and related agencies appropriation bill, 1961

TITLE I—MUTUAL SECURITY

Item	Appropriations, 1960	Budget estimates, 1961	House bill	Senate bill	Conference amount
FUNDS APPROPRIATED TO THE PRESIDENT					
Military assistance	$1,300,000,000	$2,000,000,000	$1,800,000,000	$1,800,000,000	$1,800,000,000
Defense support	695,000,000	724,000,000	600,000,000	675,000,000	610,000,000
Technical cooperation, general authorization	150,000,000	172,000,000	150,000,000	172,000,000	150,000,000
United Nations expanded program of technical assistance	30,000,000	33,000,000	33,000,000	33,000,000	33,000,000
Technical cooperation programs of the Organization of American States	1,200,000	1,500,000	1,500,000	1,300,000	1,300,000
Special assistance:					
General authorization	245,000,000	268,500,000	206,000,000	256,000,000	230,000,000
Special authorization	[1] (50,000)		[1] (1,500,000)	1,500,000	1,500,000
Intergovernmental Committee for European Migration	7,371,000	10,000,000	10,000,000	6,700,000	6,700,000
Program of United Nations High Commissioner for Refugees	1,100,000	1,500,000	1,300,000	1,300,000	1,300,000
Escapee program	4,632,000	3,500,000	3,500,000	3,350,000	3,350,000
United Nations Children's Fund	12,000,000	12,000,000	12,000,000	12,000,000	12,000,000
United Nations Relief and Works Agency	25,000,000	18,500,000	16,500,000	16,500,000	16,500,000
North Atlantic Treaty Organization science program		1,800,000	1,200,000	1,200,000	1,200,000
Ocean freight charges	1,910,000	2,000,000	2,000,000	2,000,000	2,000,000
General administrative expenses	38,000,000	40,000,000	38,000,000	40,000,000	38,000,000
Administrative and other expenses	8,100,000	8,300,000	8,000,000	8,000,000	8,000,000
Atoms for peace	1,500,000	3,400,000	1,500,000	1,500,000	1,500,000
President's special authority and contingency fund	155,000,000	275,000,000	150,000,000	250,000,000	250,000,000
Total, funds appropriated to the President	[2] 2,675,813,000	[3] 3,575,000,000	3,034,500,000	[4] 3,281,350,000	3,166,350,000
CORPORATION					
Development Loan Fund	500,000,000	700,000,000	550,000,000	700,000,000	550,000,000
Limitation on administrative expenses, Development Loan Fund	(1,820,000)	(2,150,000)	(1,800,000)	(2,150,000)	(1,800,000)
Total, title I, mutual security	3,225,813,000	4,275,000,000	3,584,500,000	3,981,350,000	3,716,350,000

TITLE II—DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS

RYUKYU ISLANDS, ARMY					
Administration	$5,282,000	$6,704,000	$5,250,000	$7,704,000	$6,000,000
Construction of power systems, Ryukyu Islands	18,000,000				
Total, title II, Department of the Army, civil functions	23,282,000	6,704,000	5,250,000	7,704,000	6,000,000

TITLE III—EXPORT-IMPORT BANK OF WASHINGTON

Limitation on administrative expenses, Export-Import Bank of Washington	($2,500,000)	($2,675,000)	($2,675,000)	($2,675,000)	($2,675,000)
Grand total	3,249,095,000	4,281,704,000	3,589,750,000	3,989,054,000	3,722,350,000

[1] The equivalent in local currencies.

[2] In addition, all unobligated balances continued available as proposed in H. Doc. 188.

[3] In addition, all unobligated balances estimated to be $52,514,000 continued available.

[4] In addition, Senate bill recommended unobligated balances amounting to $42,514,000 be continued available.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the conference report was agreed to.

Mr. ELLENDER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 2131. An act to amend the Motor Vehicle Safety Responsibility Act of the District of Columbia approved May 25, 1954, as amended;

S. 2306. An act to exempt from taxation certain property of the National Woman's Party, Inc., in the District of Columbia;

S. 3415. An act to exempt from taxation certain property of the American Association of University Women, Educational Foundation, Inc., in the District of Columbia;

S. 3737. An act to authorize the bonding of persons engaging in the home improvement business, and for other purposes; and

S. 3834. An act to increase the maximum amount which may be borrowed by the District of Columbia for use in the construction and improvement of its sanitary and combined sewer systems, and for other purposes.

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H.R. 4059. An act to amend title 28 of the United States Code relating to actions for infringements of copyrights by the United States;

H.R. 10921. An act to amend section 35 of chapter III of the Life Insurance Act for the District of Columbia; and

H.R. 12533. An act to amend the Migratory Bird Treaty Act to increase the penalties for violation of that act, and for other purposes.

The message further announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H.R. 7124. An act to require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia, and for other purposes;

H.R. 11188. An act for the relief of Edward S. Anderson; and

H.R. 11813. An act to amend the Menominee Termination Act.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4826) for the relief of Arthur E. Collins.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6597) to revise the boundaries of Dinosaur National Monument and provide an entrance road or roads thereto, and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 2565) to promote effectual planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BONNER, Mr. BOYKIN, Mr. GEORGE P. MILLER, Mr. TOLLEFSON, and Mr. VAN PELT were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 5068) to amend the Shipping Act, 1916, to provide for licensing independent foreign freight forwarders, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BONNER, Mr. GEORGE P. MILLER, Mr. DINGELL, Mr. MAILLIARD, and Mr. DORN of New York were appointed managers on the part of the House at the conference.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I understand that the Senator from Oklahoma [Mr. KERR] desires to call up the conference report on the social security bill. He is prepared to move that the report be taken up, if he can be recognized.

Mr. KERR obtained the floor.

Mr. DIRKSEN. Mr. President, will the Senator from Oklahoma yield for a moment?

Mr. KERR. I yield, provided I do not lose the floor.

Mr. DIRKSEN. While Senators are in the Chamber, I should like to ask the majority leader what the schedule will be for the rest of this evening.

Mr. JOHNSON of Texas. That will depend on the progress which is made on the social security conference report. If we can conclude action on it at a reasonable hour, it is planned to call up 2 or 3 bills reported from the Committee on Finance which are noncontroversial. Then we plan to conclude our deliberations for today and go over until probably 11 or 12 o'clock tomorrow. At that time we shall continue with the pending business and some other bills on the calendar which should be considered, and also any other conference reports which may be available at that time.

Mr. DIRKSEN. Mr. President, will the majority leader yield further?

Mr. JOHNSON of Texas. I yield further.

Mr. DIRKSEN. I had rather hoped that even if the supplemental appropriation bill were ready, the progress we have made today, and the progress I hope we shall make tonight on the medicare conference report, would make it possible for us to get a day off tomorrow to catch up with correspondence, restore energy, and repair all the impairments of the spirit. This is not done, I assure the Senate, to embarrass anyone, including the majority leader. I thought, under the circumstances, and because there may be nothing too pressing, and inasmuch as the House has gone over until Monday, perhaps we could indulge ourselves in a holiday tomorrow.

Mr. President, I had hoped I could elicit some comment from the majority leader.

Mr. JOHNSON of Texas. Mr. President, I told the Senator privately, and I have repeated to him publicly, that we have much public business to attend to. I understand the Senator's position every Saturday, but many Senators want to conclude with this session and finish the people's business; and much of it remains unfinished.

I do not know how long we shall have to remain in session tonight. I hope we may adopt the medical care conference report at an early time. In any event, because I was unable to get unanimous-consent agreements on the pending business and on other measures, I have no alternative except to ask the Senate to remain until the business is finished.

I hope the Senator will accept that.

Mr. DIRKSEN. Oh, Mr. President, I will accept it. I had hoped I saw a little gleam of charity in the majority leader's eye, and that he would look kindly upon the suggestion that Saturday might be a holiday. I see a number of Senators nodding their heads in rather an affirmative fashion, meaning that they would like to go back home and make some speeches, too. However, I have considered myself a captive here. I have remained here. But I discover that every so often I have to have a little time off for what I call nerve repair.

I thought I could still persuade the majority leader that he might be charitable, that he might be merciful, under these circumstances.

I ought to tell him the story about Napoleon, when a youngster was found asleep at his post. Napoleon ordered him to be executed.

The mother came to importune Napoleon and said, "I ask for mercy."

Napoleon said, "I can find no justification."

She said, "Sire, I did not ask for justice; I asked for mercy and compassion."

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. BUTLER. I think we should stay here and do the public business, if there is any to be done. But there has been very little done here. If we are to do it, let us do it, and not get off on Saturday or Sunday or any other day. Let us do the public business. But precious little of it has been done here so far.

Mr. DIRKSEN. The trouble is that my distinguished friend lives only 40 miles from Washington. [Laughter.]

Mr. BUTLER. I still know what is going on in this session and in the Chamber; and very little public business has been done here.

Mr. DIRKSEN. I suppose, Mr. President, it is an accepted fact that we shall come in at 11 o'clock tomorrow morning, so I accede to the majority leader's plans.

Mr. JOHNSON of Texas. Let us see how we progress.

Mr. BUTLER. Let us make it 11:30 and be "palsy walsy."

Mr. DIRKSEN. I have nothing further to say.

Mr. ERVIN. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. I yield, provided I do not lose the floor.

Mr. ERVIN. The Senate's vote on whether to approve or reject the conference report on the mutual security bill was somewhat like the question: "Have you stopped beating your wife?" A person who had never beat his wife could not answer that question very well. If he said "Yes," he would admit he had been beating his wife, but had quit beating her. If he answered, "No," he would admit that he had not only been beating his wife, but was continuing to do so.

The question we just voted on—that with reference to the conference report on the mutual security bill—was like the question to which I have just referred. I voted "yea," not because I approved the amount of the appropriation sanctioned by the report of the conference committee, but because I was opposed to the proposition that the conference report be rejected and that the conference committee be permitted to increase the amount of the appropriation.

I thank the Senator from Oklahoma for yielding.

Mr. LAUSCHE. Mr. President, will the Senator from Oklahoma permit me to ask a question of the Senator from North Carolina?

Mr. KERR. Yes, if I may do so without losing my right to the floor.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Without objection, it is so ordered.

Mr. LAUSCHE. Do I correctly understand that the Senator from North Carolina voted "yea," although he contemplated voting "nay," because he was afraid that if he voted "nay," he would be saying "yea"? [Laughter.]

Mr. ERVIN. I would say to the Senator from Ohio that the Senator from North Carolina is not afraid of either proposition. The Senator from North Carolina voted "yea" because he was against both sides of the proposition, but he was more against the negative side than he was against the affirmative side. [Laughter.]

Mr. JORDAN. Mr. President, will the Senator from Oklahoma yield for 1 minute to me?

Mr. KERR. Yes, happily, in just one moment.

Mr. President, I am greatly disappointed in myself, because after having listened to the remarks of the two distinguished Senators—one from North Carolina and one from Ohio—I feel that I should be in a more enlightened condition than I was before; yet I hesitate to

claim that I am—although I must not deny it, for fear of reflection upon them. Yet I cannot claim it, for fear someone would ask me in what degree and on what basis. [Laughter.]

But I am glad the Senator from North Carolina expressed himself, because he expressed my own sentiments. When the Senator from Ohio asked him if he were afraid with reference to that particular proposition, he answered by saying he was afraid of nothing; and I cannot decide in my own mind whether in the absence of anything he was unafraid, or whether he was still unafraid regardless of what he was in the presence of; and I cannot reconcile that conclusion in my mind with the dilemma he described when he referred to the question which had been asked him—as to whether he had stopped whipping his wife. [Laughter.] If it was not fear that put him in the position of declining to answer that question, I must say that there must be an element of mental presence and existence with which the Senator from Oklahoma is unaware.

Mr. ERVIN. Mr. President, let me illuminate the situation for the Senator from Oklahoma.

Mr. KERR. I appreciate the fact that the Senator said he would illuminate the situation. [Laughter.]

Mr. ERVIN. I should like to say, Mr. President, that I would never have had the courage to start that activity. [Laughter.]

Mr. KERR. I thank the Senator very much; and now I know that there is a difference between lack of courage, on the one hand, and fear, on the other. [Laughter.]

Mr. JORDAN. Mr. President, will the Senator yield to me?

Mr. KERR. I yield.

Mr. JORDAN. I wish to say that I did not want to vote either way on that measure, because I voted against it to begin with. I voted for what I thought was the lesser of two evils.

Mr. COTTON. Mr. President, will the Senator from Oklahoma yield to me, to permit me to make a statement?

Mr. KERR. Yes, if I may do so without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. Mr. President, it is my understanding—I know that the distinguished senior Senator from Pennsylvania is not in the Chamber at the moment—and it is also the understanding of some of the rest of us that it is his intention to offer an amendment to one of the bills which was referred to by the majority leader as noncontroversial; I refer to one of the bills reported from the Finance Committee. I understand that the Senator from Pennsylvania intends to submit to that bill an amendment, which was in the form of a bill last year, relating to the withholding of State taxes on Federal employees.

Some of us—myself and, I believe, the distinguished Senator from New Jersey and other Senators—are very vehemently opposed to that amendment; and I think it only fair to warn the majority leader that if that amendment were proposed, we would want to oppose it, and we might insist on having a live quorum present.

Mr. SCOTT. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. I yield for a question.

Mr. SCOTT. I should like to ask if we can find whether there will be a session tomorrow, and, if so, whether any votes will be taken on tomorrow.

If no business is to be transacted at a session tomorrow, I would prefer to meet other engagements.

However, if no statement on the subject is made, Senators will be compelled to remain here, notwithstanding the fact that some Senators may have information which would justify their being away. But if no business were transacted at a session on tomorrow, very likely it would be proper to suggest the absence of a quorum.

So I think information from the majority leader will be helpful.

I am willing to be here at a session on tomorrow; but if a session is held tomorrow, I will ask for a quorum call, unless the purpose of the session tomorrow is to transact some business.

Mr. KERR. Mr. President, I would be delighted to be able to answer the question of the Senator from Pennsylvania; but I hope it will not be taken by my fellow Senators as any reflection on my intelligence or my understanding when I publicly acknowledge that I am unable to answer the question of the Senator from Pennsylvania. [Laughter.]

Mr. JOHNSON of Texas. Mr. President——

Mr. KERR. I yield.

Mr. JOHNSON of Texas. Mr. President, I do not know whether we shall be able to transact business tomorrow. I should like to have the Senate pass several bills tomorrow, and I am trying now to reach a unanimous-consent agreement on the measure now before the Senate, so we can have an agreement and an understanding in regard to the time when a yea-and-nay vote will be taken. I tried to do that last night. The distinguished Senator from New York said possibly we could arrive at such an agreement later in the evening, and we tried to do so, but were not able to. Therefore, today we renewed our suggestions, and they are now pending.

The minority leader suggested perhaps 30 minutes to a side, on the bill. I suggested perhaps an hour to a side. The Senator from New York has not yet made his suggestion. But if he cares to make it, and if half an hour will be satisfactory, we could then come in at 12 o'clock; and I should think that after a morning hour and other matters, we could conclude by 4 o'clock in the afternoon.

I do not care about calling live quorums, and I do not believe other Senators would either unless Senators desired to delay the procedure.

Mr. SCOTT. I would say there will be no need whatever for live quorums if we are going to transact the real, legitimate business of the Senate.

Mr. JOHNSON of Texas. I am going to try to. I have undertaken to do that in the past, and I shall continue to do so.

Mr. SCOTT. I am glad the Senator from Texas has advised us, because that is what we are here for. If we are going to do that tomorrow, we can plan accordingly.

My point is that if we are not going to do it tomorrow, it is only fair to tell us tonight.

Mr. JOHNSON of Texas. I told the Senator a few moments ago. The Senator from Illinois asked me two or three times. I stated to the Senate—this is the third time—that we expect to be here tomorrow.

Mr. SCOTT. I think this is the fourth time, but I still cannot gather whether any serious business is to be transacted in the session tomorrow.

Mr. JOHNSON of Texas. I gather that quorum calls will be demanded. I shall be here and answer them. I would like all Senators to be here. We expect to have several bills up tomorrow. We expect to have our business completed by next weekend, so there is much business to be transacted.

Mr. BUSH. Mr. President, why does not the Senator from Texas propose a unanimous-consent agreement for the medicare conference report?

Mr. JOHNSON of Texas. I will be glad to do that if that is agreeable.

Mr. WILLIAMS of Delaware. Mr. President, if the Senator from Texas wishes a session tomorrow, I will be glad to cooperate with him, as I always have. I think we should be advised, however, as I know the Senator from Texas would do, that if we are here we should transact the business of the Senate and every Senator should know that there could be votes and quorum calls.

Mr. JOHNSON of Texas. While Senators are present, perhaps we could reach a unanimous-consent agreement. But I think the Senator from Louisiana objects. Is that correct?

Mr. LONG of Louisiana. Yes.

Mr. JOHNSON of Texas. He has a speech to make on the report.

Mr. BUSH. The Senator from Louisiana could be provided time in the agreement.

SOCIAL SECURITY AMENDMENTS OF 1960—CONFERENCE REPORT

Mr. KERR. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12580) to extend and improve coverage under the Federal Old-Age, Survivors, and Disability Insurance System, and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such system; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today, p. 17874.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

Mr. LONG of Louisiana. Mr. President, if no other Senator desires recognition, I am ready to speak on the report.

Mr. KERR. Mr. President, I will discuss it as soon as consent is received for its consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. LONG of Louisiana. Mr. President, did the Chair ask if there was objection to the request?

The PRESIDING OFFICER. Yes.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KERR. I yield, provided I do not lose the floor.

RECESS APPOINTMENTS TO THE SUPREME COURT—UNANIMOUS-CONSENT AGREEMENT

Mr. JOHNSON of Texas. Mr. President, I have talked with the Senator from New York [Mr. KEATING]. He tells me he will interpose no objection to this kind of agreement: In the usual form, that we have 3 hours on Senate Resolution 334 to be equally divided, one hour and a half to be controlled by the author, the Senator from Michigan [Mr. HART], and one hour and a half to be controlled by the junior Senator from New York [Mr. KEATING].

The PRESIDING OFFICER. Is there objection?

Mr. JAVITS. Mr. President——

Mr. KERR. Mr. President, reserving the right to object, and I do not intend to object——

Mr. JOHNSON of Texas. This agreement is to go into effect after the morning hour tomorrow.

Mr. KERR. I have no objection.

Mr. JAVITS. Mr. President, I was on my feet, seeking a reservation. Reserving the right to object, I should like to ask this question: Will what the Senator calls the usual form, this being a "sense" resolution, encompass any other sense resolution as a substitute for it?

The PRESIDING OFFICER. If it is germane.

Mr. JAVITS. Germane to what? It would be a complete substitute.

Mr. JOHNSON of Texas. Germane to this resolution.

Mr. JAVITS. I am willing to consent if reservation may be made for a substitute which, I am sure, if it is not germane, is a complete substitute——

Mr. LONG of Louisiana. Mr. President, reserving the right to object, if the Senator will show me the substitute he has in mind, I might not have any objection at all, but I would not agree to a substitute without knowing what the substitute would be.

Mr. JAVITS. If there was no consent, I could submit any substitute. It is only a question of saving time here.

Mr. LONG of Louisiana. I understand that, but Senators sitting in the Chamber have no idea, when the Senator says a substitute that is not germane to the resolution, what it is. Some of us might want to discuss it a bit.

Mr. JAVITS. I ask the majority leader to give me about 5 minutes. I will come back and try to resolve it.

Mr. JOHNSON of Texas. I want Senators to know that I am doing my best to inform them about the Senate's program and to try to estimate the time when votes will be taken. If we can get an agreement, we will know exactly when we will have a vote. If we cannot get an agreement, Senators will make their own judgments in assigning responsibilities.

Mr. LONG of Louisiana. I know of no reason why I should object to the unanimous-consent request. If the Senator will have his substitute printed so I can look at it, I might be willing to agree.

Mr. HRUSKA. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. KERR. I yield without losing my right to the floor.

Mr. HRUSKA. Mr. President, is there a unanimous-consent request pending at this time?

The PRESIDING OFFICER. No, there is not.

Mr. JOHNSON of Texas. The Senator from New York says he will withdraw his suggestion, if that is agreeable to other Senators.

Mr. JAVITS. If the Senator is willing to make it 3 hours, I am willing to withdraw my suggestion.

Mr. JOHNSON of Texas. The Senator from Illinois suggested 2 hours. I would be willing to provide 4 hours.

Mr. JAVITS. 3 hours.

Mr. JOHNSON of Texas. I would have been willing to make it 4 hours.

The PRESIDING OFFICER. Is there objection to the unanimous consent request? The Chair hears none, and the agreement is entered.

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That when again taken up for consideration, debate on the resolution (S. Res. 334) opposing the making of recess appointments to the Supreme Court, including any amendment, motion, or appeal relating thereto, shall be limited to 3 hours, to be equally divided between the proponents and the opponents, and controlled, respectively, by Mr. HART and Mr. KEATING: *Provided,* That no amendment that is not germane to the provisions of the said resolution shall be received.

SOCIAL SECURITY AMENDMENTS OF 1960—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12580) to extend and improve coverage under the Federal Old-Age, Survivors, and Disability Insurance System and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such system; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; and for other purposes.

Mr. KERR. Mr. President, I am happy to report that we were able in the conference on the social security bill to convince the House of the wisdom of the Senate's twofold approach to medical care for the aged which (1) provides a new medical care program for those elderly citizens who are not on old-age assistance but who are financially unable to pay for part or all of any medical care needed to preserve their health and prolong their life, and (2) strengthens and extends the medical programs now operating or possible under old-age assistance.

MEDICAL CARE PROVISIONS

The bill as reported by the conference makes three basic changes in the existing old-age assistance provisions—title I—of the Social Security Act to encourage the States to improve and extend medical services to the aged: First, it increases Federal funds to the States for medical services for the 2.4 million aged persons on old-age assistance; second, it authorizes Federal grants to the States to help pay part or all of the medical services of a group of persons totaling about 10 million who may, at one time or another, be in need of assistance in paying their medical expenses; third, it instructs the Secretary of Health, Education, and Welfare to develop guides or recommended standards for the use of the States in evaluating and improving their programs of medical services for the aged.

States can take advantage of its provisions in whole or part beginning October 1, 1960. The financial incentive in the plan should enable every State to improve and extend medical services to aged persons.

The provisions in the bill also contain a direction to the Secretary of Health, Education, and Welfare to prepare guides and standards to the States for the improvement and extension of medical assistance to needy aged persons. It is expected that the Secretary will appoint an Advisory Committee on Public Assistance Medical Care, with whom he will consult on the medical assistance program. In these ways it is hoped that the additional Federal funds made available in this bill will be channeled as rapidly as possible into an improvement in and extension of medical services to needy aged persons. Under existing provisions of law the Secretary has authority to make any recommendations for changes in the program should need become apparent for them. These provisions should insure the development of an effective and efficient program

adapted to the needs of the aged and conformable to the differences among the States.

It is hoped and expected that States will make every effort to take advantage of the new legislation on October 1. Those States which do not have sufficient legislative authority or appropriations to take advantage of it should be encouraged to do so as rapidly as possible. The Secretary has been requested to make a report to the Congress by March 15, 1962, as to the steps taken by the States to carry out the purposes of the legislation. Such report shall include information on whether, and to what extent, the States have utilized the additional funds to improve their medical programs for needy individuals, together with the Secretary's recommendations for obtaining the proper level, content, and quality of medical care in all States.

The medical care provisions of the bill are broad enough to permit States to utilize, at their options, existing voluntary health insurance plans if they wish. For instance, a State may make payments to Blue Cross, Blue Shield, or group practice prepayment plans for any medical services. Moreover, a State may utilize one or more of these plans in one or more communities. It is not necessary for the voluntary plan to be statewide in operation as long as the State provides for payment on a statewide basis of medical service covered in the State plan. A State may, if it wishes, pay for such services on a premium fee for service, salary, or per capita basis, or any reasonable combination of such methods.

Mr. GORE. Mr. President, will the Senator yield?

Mr. KERR. I yield to the Senator from Tennessee.

Mr. GORE. I did not quite understand the import of the statement of the Senator that a State need not provide this service on a statewide basis.

Mr. KERR. The plan need not be one which is in operation in all the State, but if it is a program whereby the State provides Blue Cross or Blue Shield coverage for the individuals in a certain category that coverage must be available to any similar group anywhere in the State.

Mr. GORE. Would this go so far that a State could have a program in one county and not in an adjoining county?

Mr. KERR. It could, if the opportunity for the program did not exist in the adjoining county. But if a similar situation existed in an adjoining county, or in 10 counties, the plan then would have to include those similarly situated.

Mr. GORE. It applies to the characteristics of the recipients rather than to the action or the ability of the political unit?

Mr. KERR. I would say it applies to the identity of the recipients.

Mr. GORE. I meant identical characteristics.

Mr. KERR. Yes. The provision for medical care through the operation of the State program would have to be applicable to all people similarly situated in the State. If there were a group which, by reason of its negotiation with the State, wished to receive benefits in the form of a Blue Cross program, the State could meet that responsibility to them in that regard, provided any other similar group could have the same opportunity if they wished to have it, and provided further that other citizens of the State similarly situated would have an equal or similar opportunity and right.

Mr. GORE. Will the Senator yield further?

Mr. KERR. I yield.

Mr. GORE. If the Oklahoma Teachers Association, the Connecticut Teachers Association, or the Tennessee Teachers Association should wish to apply and the State should wish to provide this benefit in this particular category, could that be done?

Mr. KERR. I believe the implementation of the program would be on a community basis rather than upon the basis of members of a profession. Let us assume that all of the needy aged who are eligible in an Oklahoma county could be best served by the program. The State could meet its responsibilities in this regard by making it available to the people in that county on that basis, without having to implement it all over the State, unless the rest of the State needed it and it could be taken care of as well as it could in the one county.

Mr. GORE. The able Senator knows that the old-age assistance program and the medical aid under that program or in connection with that program is administered on a county basis generally with the county providing a small part of the expense.

Mr. KERR. In some places that is the case, but not in every State. It does not have to be; it may be.

Mr. GORE. I accept the Senator's statement. I thought that situation prevailed in most, if not in all, cases.

Mr. KERR. I am sure there are some States wherein the funds provided by the State are furnished by the State legislature. In other States, the funds are derived in part by the State legislature. Some State funds in matching moneys must come from the State. If a State should provide that counties should contribute part of the funds that are used to match the Federal funds, well and good. But that is a matter which will be determined by each individual State.

Mr. GORE. I would like to digress to say that though the able senior Senator from Oklahoma knows that he and I have differed on the addition of the social security amendment to the bill, I wish to compliment him on the achievement of a landmark in his great service in the U.S. Senate to the people of Oklahoma and to the people of America. Under different circumstances this proposal which he has now brought to the final act of legislative treatment would be regarded as a very great, liberal advancement in social betterment. The circumstances really do not detract and should not be allowed to detract from the very great benefits and the very large forward steps encompassed in the bill. I congratulate the distinguished Senator upon this achievement and join him in the hope that it will bring relief and ease the burdens of millions of old people who are entitled to benefits under the act.

Mr. KERR. Let me say that I greatly appreciate what my warm and distinguished friend has said.

Mr. GORE. If I may return to the interrogation, the bill brings into being, as the able Senator from Oklahoma has stated, a new kind of medical aid and hospitalization benefit. It brings into the program several million people—perhaps around 8 million people presently—who are not in the old-age assistance program. I have seen no requirement that aid be provided by counties, and since the Senator mentioned group participation and the fact that it need not apply all over the State, I merely rose to ask the Senator to clarify that question for me and for the record.

Mr. KERR. The provision that I referred to is in the existing law, and the privilege now exists on the part of the State that has a medical program for the aged who are on old-age assistance rolls to meet that obligation in the same manner that I have attempted to describe here as being applicable upon the enactment of this law.

I refer to this in the report for the reason that the representatives of some States which now operate their old-age assistance program, insofar as medical care is concerned, in a manner consistent with what I have discussed here, have asked the committee whether or not that privilege would still exist. This language is in the report only to assure such States that that provision of the existing law is not changed, and it will be equally available to them with reference to the larger groups covered as it has been with reference to those receiving old-age assistance.

Mr. GORE. That answer clarifies the question; and I thank the Senator.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. BUSH. First, I compliment the Senator again on his able handling of this measure in one of the most difficult legislative sessions I have experienced since I have been in the Senate. The Senator from Oklahoma has not only handled the measure ably, but in good spirit and with facility for making clear very difficult problems. I envy him for his ability in that respect particularly.

I am a little confused now. My question is apropos of the question my friend from Tennessee has asked. He has spoken of groups in this county or groups in that county, and the question in my mind is whether the State will be able to deal with groups or whether it must deal with individuals who are able to prove need.

I have been under the impression that the bill was a bill under which an individual would have to prove a case of need to avail himself of the benefits of the bill. Will the Senator kindly illustrate what this reference to groups might be, and what kind of group might illustrate the question raised by the Senator from Tennessee? I do not quite understand the point.

Mr. KERR. The eligibility requirements for people to have the benefits of the program are fixed in the States by the States themselves, in conformity with the very liberal and elastic provisions of the law which grants them that right.

Mr. JAVITS. Mr. President, will the Senator yield for a question?

Mr. KERR. I have not completely finished answering the present question.

Mr. JAVITS. I am sorry.

Mr. KERR. The program, however, must be uniform within each State. One State might have a different criteria of eligibility for participation than another State had, but there could be no differences with reference to the eligibility of citizens within any single State.

I made this reference in the conference report to make clear what occurs when a State uses the Blue Cross, the Blue Shield, or group practice prepayment plans for any medical services. Let us say that in the State of Oklahoma there is a Blue Cross operation in Pontotoc County. In the second county away, which is Pittsburg County, there is no Blue Cross operation. If the benefits to be received by those eligible for the medical care are the same, the State having paid premiums in Pontotoc County, he would have eligibility for the same benefits as those in Pittsburg County. He would receive the same services, but by reason of the fact that they would be paid for by the State, the State then could avail itself of the opportunity of buying the insurance program for the citizens of Pontotoc County.

Mr. BUSH. I understand that. But am I correct that each case would be judged on its merits, so far as eligibility was concerned? Each individual would be judged so far as his eligibility was concerned. Is that correct?

Mr. KERR. The specifications must be the same with reference to any citizen in the State. If it determines that the citizens of a county, or certain ones, are eligible for benefits, the State may, if it chooses, provide those benefits by purchasing insurance for the individuals in that county through Blue Cross or Blue Shield, or some other agency.

Mr. BUSH. I understand that. My question still is, Does not each individual applicant have to be considered on his own merits?

Mr. KERR. He must be considered on the basis of whether his position makes him eligible under the uniform standards prescribed.

Mr. BUSH. But there is no group eligibility.

Mr. KERR. No; there is not.

Mr. BUSH. Other than the age limitation, and so forth.

Mr. KERR. Yes.

Mr. BUSH. Each case is to be considered on its own merits.

Mr. KERR. Yes. That is why I tried to say to my friend from Tennessee that it would not be for a profession. However, if the benefits were available to teachers in Pontotoc County, they would have to be available also to everyone in that county who could meet the requirements.

Mr. BUSH. Meet the individual eligibility requirement?

Mr. KERR. Yes.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. JAVITS. The Senate conferees receded from an amendment which I presented, dealing with people who were in loco parentis to children. Would the Senator give us some basis for hope in the future with respect to the amendment?

Mr. KERR. The Senator from Oklahoma personally favors the amendment. It was one of the amendments pending before the Committee on Finance, and it was one which the Senator from Oklahoma had intended to press for adoption by the committee. He was glad when the Senator from New York offered it on the floor. He recommended its acceptance by the Senate, and it was accepted. However we were unable to secure the acceptance of it by the House conferees.

Mr. JAVITS. Can the Senator give us some reason or basis, perhaps, on which we could renew it on another occasion?

Mr. KERR. So far as I am concerned, if I were the Senator from New York, I would offer it at the next opportunity I had. So far as the Senator from Oklahoma is concerned, he would still be in favor of it.

Mr. JAVITS. Is there some change or is there some detail from which we could profit, in view of the fact that it was dropped?

Mr. KERR. The member of the staff has refreshed my memory. The amendment was favored by the administration.

Mr. JAVITS. Yes; that is correct.

Mr. KERR. It had been considered by the Ways and Means Committee over an extended period of time while they were working on their own version of the social security bill. They arrived at the conclusion that the problems of administration incident to it, in addition to all the others which would be created by the multitude of provisions in the bill, were such that they decided not to include it at this time, and then took that position in the conference.

Mr. JAVITS. In other words, if we could find a clearer definition, a tighter way of handling it, it would have a chance?

Mr. KERR. That is my opinion.

Mr. JAVITS. I have great admiration for the Senator from Oklahoma and his ability, whether we agree or not, as we did not on medical care. He really has handled this bill superbly, notwithstanding the fact that a very dear amendment of mine has gone down the drain. Therefore, I wish to commend the Senator from Oklahoma for the way he has handled the matter.

Mr. KERR. I thank the Senator from New York.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. HUMPHREY. First, I commend the Senator from Oklahoma publicly, as I have done privately, on the manner in which he has handled the proposed legislation, which is very complicated.

Mr. KERR. I thank the Senator.

Mr. HUMPHREY. The debate on the bill, when the Senate gave it consideration, was one of the most illuminating discussions we have had on the problems of assistance to the needy and social insurance for the elderly and problems related to disability. Total overall improvement of social security has been advanced. The bill represents progress. It goes without saying that some of us wanted more, as indeed the Senator from Oklahoma did also.

However, legislation is a process of compromise and adjustment. I am sure the Senator recalls that during the discussion of the bill I called the attention of the Senator, as I did also of the chairman of the committee, the Senator from Virginia [Mr. BYRD], to the words in the bill "prescribed drugs." They appear at page 216 of the bill as amended by the Senate. I merely want the record to be clear in this connection. I had intended to propose an amendment to strike those words and insert in lieu thereof "prescription services."

The reason I wanted to do that was that I wanted to define the words "prescribed drugs" as drugs prescribed by a physician and compounded or dispensed by an individual who is licensed by law to compound or dispense prescription drugs.

In other words, I wanted to make clear that the professional aspects of medicine and pharmacy were to be respected under the words "prescribed drugs."

This need not mean drugs which are prescribed by any particular kind of dispensary; they may be prescribed drugs from a hospital or from a pharmacy or from an outpatient clinic. It simply relates to the nature of the compound and the professional competence of the person handling it. Can the Senator give me any observation on that?

Mr. KERR. I am sure the Senator is aware of the fact that each State has its own laws, and in many instances regulations, with reference to the prescription of drugs for the sick, and as to who should be licensed to give the prescription and who shall be licensed to fill the prescription.

Mr. HUMPHREY. That is right. My point is that these State laws apply under this act. Is that correct?

Mr. KERR. They certainly do. That is the opinion of the Senator from Oklahoma. If the State of Minnesota law provides that the prescription may be filled only by a licensed pharmacist of a certain required number of years of training and who holds certain evidence of graduation, then that would be the formula that would be applied by the welfare agency in Minnesota which administers the program.

Mr. HUMPHREY. There is the Durham-Humphrey Act with respect to the prescription of drugs which may be dispensed only by prescription through licensed pharmacists and by a licensed physician. The Federal law would apply. Is that correct?

Mr. KERR. The proposed act would not be amendatory of the laws to which the Senator has referred.

Mr. HUMPHREY. I thank the Senator. There is another point I should like to call to the Senator's attention. I wonder if the Senator would permit me

to submit a brief description of this particular phraseology that we have been discussing. I ask unanimous consent that that may be placed in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

This is to request that where the bill has enumerated the types of care and services which may be made available by the States under the medical assistance for the aged program, the phrase "prescribed drugs" shall be defined to mean drugs prescribed by a physician and compounded or dispensed by an individual licensed by law to compound or dispense prescription drugs.

This is to make it clear that when a person obtains prescribed drugs he is obtaining not merely a commodity but the services of a highly trained and professional pharmacist. In other words, Mr. President, to recognize the service which the pharmaceutical profession renders to society. A pharmacist does not merely sell a commodity—rather he is performing a service in the preparation of drugs as are prescribed by physicians. Compounding of such prescribed drugs can be done by a pharmacist only after he has completed a long and arduous course of study at a recognized college of pharmacy and only after he has passed a rigid examination as required by the State before a license is issued to practice his profession.

Pharmacists are understandably proud of the professional services they render, and, in my judgment, it is only fitting that in a bill of this type we indicate recognition of such services.

Mr. KERR. I am not familiar with the language. I have tried to give the Senator my interpretation of the provisions of the proposed act and of the meaning of the term "prescribed drugs." I will have to answer any further questions on it, however, by saying that I would feel that insofar as the opinion and understanding of the Senator from Oklahoma are concerned, and their application to the language of the bill, the answers would of necessity have to be taken from the question by the Senator from Minnesota and the answers by the Senator from Oklahoma.

Mr. HUMPHREY. And as has been stated, by those applying to State laws relating to those who are licensed either to prescribe or dispense drugs.

Mr. KERR. Prescriptions of drugs in a State.

Mr. HUMPHREY. That is correct.

Mr. KERR. That is correct.

Mr. HUMPHREY. I wanted to clarify that point, so that there would be no doubt about it.

The second item about which I should like to ask the Senator from Oklahoma is one which has been of some concern to many Senators. They have spoken about it. Again, I am sorry we did not discuss it at the time we passed the bill.

There seems to be a need to have some understanding that under the terms of medical assistance, as outlined in the bill, we ought to provide that an individual eligible to receive medical assistance for the aged shall not be precluded from receiving any care and services which are covered by a State plan from any provider of care or services who is licensed, under State law, to provide care and services to individuals who are not the recipients of medical assistance for the aged.

That is the technical language of an amendment I had hoped to offer. Let me explain it in layman's language. First I shall ask a question: Is there anything in the conference report which is now before us which would deny the States, in designing their plans, the right to provide freedom of choice for the recipients of the medical assistance program; freedom of choice of doctor, clinical service, hospital, or any of the other cares and services which are provided under the terms of the act?

Mr. KERR. There is nothing of that kind in the report that I know of. I know the Senator from Minnesota is sufficiently familiar with legislation to realize that regardless of how much effort a Senator makes, it is rarely that he can have a complete, full understanding of all of the provisions and implications of a bill, as has often been evidenced by the fact that Congress has passed many bills on the basis of what it intended the law to be, and later found out—perhaps much later—from the Supreme Court of the United States that Congress did not know what it was doing.

Subject to that kind of limitation, I am of the opinion that the program available within a State is up to the State. For instance, on page 7 of the report of the committee is this language:

The description of the care, services, and supplies provided with Federal financial participation which may be provided for recipients of medical assistance for the aged is intended to be as broad in scope as the medical and other remedial care which may be provided as old-age assistance under title I of the existing law with Federal financial participation. The various types of care and services have been enumerated primarily for informational purposes. Accordingly, a State may, if it wishes, include medical services provided by osteopaths, chiropractors, and optometrists and remedial services provided by Christian Science practitioners.

It is my understanding that, under the bill, the State, in setting up its plan, may do so on the basis of the medical services available to the beneficiaries, or those services which are legally authorized by the State to be available to its citizens.

Mr. HUMPHREY. I appreciate the Senator's explanation. I recognize that a complicated piece of proposed legislation like this is always subject to some interpretation which we at the moment might not fully comprehend or have at our fingertips.

However, what I sought to do was to make certain that there is freedom of choice on the part of the individual who receives the assistance, so far as the doctor, the hospital, and other medical care and services are concerned.

Mr. KERR. So far as services are legalized, approved, accepted, and permitted by the State, within the State.

Mr. HUMPHREY. That is correct. I recognize that some States already have established quite elaborate medical care programs for persons who are already receiving old-age assistance. However, the program about which I am speaking is the one authorized by the bill before us which would apply to elderly citizens not eligible for old-age assistance under present law.

Mr. KERR. They will come under the same rules, provisions, practices, and supervision by the State as are now in effect or may be changed by the State, with reference to those who are already on the old-age assistance rolls.

Mr. HUMPHREY. Some States provide, for example, that the only way a person receiving old-age assistance may receive medical care is to go to a State hospital. I had hoped that State legislatures, under the medical care for the aged provisions of this bill, would not be authorized to write laws which would compel individuals to be the beneficiaries of socialized medicine, to put it bluntly.

In other words, I had hoped individuals would be permitted to go to their local doctor and to their local hospital in their local community or county, within the limits of the bill and the benefits provided therein, rather than to be hauled off to a central hospital or a central clinic.

I am of the opinion that most Senators are opposed to socialized medicine and want to see the private practice of medicine flourish. I believe they would want to make certain that individuals have an opportunity to exercise freedom of choice in terms of those who are to serve them care and services in case of illness. Is that the intention of the bill, or is it not?

Mr. KERR. If a State chose to provide in its program what the Senator refers to as socialized medicine, there is nothing in the bill which would prevent it.

Mr. HUMPHREY. That is regrettable.

Mr. KERR. Nor is there anything in the bill which would authorize it. One of the main provisions of the bill is to permit the States to formulate their plans and their programs without the supervision or control or power of decision by the Federal Government with reference to what shall be the criterion for eligibility, or with reference to what shall be the specification of the State's program.

If a State wanted to establish a program which would permit surgical operative services, under this bill it could do so. If it wanted to set up its program without such a service, it would have the right to do so. However, under the bill the States are encouraged to exercise their rights to provide complete medical and surgical services, and dental services to a certain degree.

Mr. HUMPHREY. I understand that point. I was simply hoping to get an expression of intent, because I want the record to be quite clear. There have been some very bitter arguments in the United States over what is called socialized medicine; and the fear of the medical profession has been that the Federal Government might, at some time, engage in it.

I am worried lest we now provide an incentive to the States under this program to establish massive State clinics and massive State hospitals, where, if a person is in need under the terms of the bill, he will not go to his own hospital in his own county or in his own town; he will not go to his own doctor;

but he will be forced to go to a doctor who has been selected by a State board of public welfare, who is on the State payroll, or to a hospital which has been built by the State board of health or welfare, or to a county-owned hospital.

If a person wants of his own volition to go to a State hospital, if that is where the better services are to be found, he ought to have the right to go there. But I do not think we ought to be appropriating Federal money for a program which can force an individual, merely because he is eligible for these benefits, to go to a State institution.

I hope the Senate has not permitted itself to get into a position where, by its tacit consent, it has condoned the expansion of State medicine.

Mr. KERR. The Senator from Oklahoma was dedicated to the principle of the bill primarily for the benefits which would be available to aged citizens in Oklahoma——

Mr. HUMPHREY. Yes, indeed.

Mr. KERR. And the Senator from Oklahoma is of the firmest conviction that he is able to formulate and develop and have that that is the best guarantee against socialized medicine.

Mr. HUMPHREY. I hope the Senator is correct.

Mr. KERR. And I say to my good friend the Senator from Minnesota, that not only did the aged in Oklahoma strongly favor this bill, and not only did the State welfare department strongly favor it, but the medical profession and the dental profession in Oklahoma strongly favored it because they thought it was the Magna Carta to protect both the citizens of Oklahoma and the professions in Oklahoma from any vestige of socialized medicine. In the operations of Oklahoma's medical-care program, the recipient of the benefits has the free and unfettered choice of doctor, chiropractor, osteopath, or Christian Science practitioner, the choice of the medical group he will call on, the choice of the hospital to which he will go, and the choice of the nursing home to which he will go. And it was because of his desire to preserve that principle in the expansion of medical care that the Senator from Oklahoma was so dedicated to the enactment of his amendment.

Mr. HUMPHREY. I am delighted to hear that statement by the Senator from Oklahoma. I knew that was in his heart and mind as to the way the program should operate in Oklahoma, and I am entirely in agreement with his thoughts about the preservation of the Magna Carta to which he has referred. I do not want a Federal program to encourage or expand the use of State medicine whereby citizens are denied freedom of choice as to hospitals, nursing homes, and the providers of medical care and services.

Mr. KERR. But I wish to point out that the bill does not permit or provide for Federal domination. The bill permits each State to decide what shall be the standards of the program in that State.

Mr. HUMPHREY. I understand that, and I understand that that will be the case in each State if those who are interested in the kinds of medical practice of the healing arts which are so typical of the United States will see to it that the programs which are established in those States are based upon freedom of choice. Is that correct?

Mr. KERR. Mr. President, will the Senator please repeat his question?

Mr. HUMPHREY. In other words, under the provisions of this bill, since no control of that sort is to be exercised—in terms of saying that a State must do this or must not do that—the responsibility for the so-called freedom of choice will be that of each individual State, in connection with its plan, will it not?

Mr. KERR. That is correct.

Mr. HUMPHREY. I think I correctly interpret the statement of the Senator from Oklahoma when I say that I understand that his plea is that the freedom of choice which now is exercised in Oklahoma is a very good pattern for the other States to follow.

Mr. KERR. I fully agree, and certainly the folks in Oklahoma would not stand for any other kind.

Mr. HUMPHREY. I appreciate that.

Mr. President, in line with this debate, I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared in order to give an expression of my views on this matter; and the discussion between the Senator from Oklahoma and myself will be the legislative history in regard to this matter.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR HUMPHREY

FREEDOM OF CHOICE

I would seek to have this measure interpreted and understood to provide that any individual eligible to receive medical assistance for the aged, shall not be precluded by State law or regulation from receiving any care and services which are covered by the State plan from any provider of care or services who is licensed under State law to provide such care and services to individuals who are not recipients of medical assistance for the aged.

My freedom of choice proposal would simply make it clear that any individual who is eligible to receive medical assistance for the aged, as provided for in title 6 of the pending bill, shall have freedom of choice in selecting the provider of such care or services. I would prefer that it prohibit States, either by laws or regulations, from limiting such individual's freedom of choice. Just so long as a provider of care and services is licensed under State law to provide such care and services to people in general, the State cannot say to a person seeking medical care for the aged that he shall be denied his freedom of choice.

I do not believe that the Government should have the right to say that individuals receiving medical assistance for the aged, under the terms of this bill, can only go to certain hospitals, can only go to certain doctors, can only go to certain nursing homes, can only go to certain druggists, or can only go to certain dentists. As long as a provider of such care and services is willing to provide services to eligible individuals, and so long as they have met the requirements under State law to provide such services to the general public at large, I do not believe the Government should have authority to limit freedom of choice.

In other words, I do not want to see those who are recipients of medical assistance for the aged under this bill treated in a different manner than other aged citizens who are fortunate enough to be able to meet the costs of medical care through their own income and resources. It is important that we do all we can to preserve and to respect the dignity of our elder citizens—regardless of their financial position. I don't want to see those who receive medical assistance for the aged under this act have to go to certain hospitals, institutions, and clinics and to just certain practitioners for services.

It should be noted that my freedom of choice proposal applies only to medical assistance to the aged programs which may be established by the individual States under the terms of the legislation we are now considering. It does not apply to the present programs which the States may have in operation under their old-age assistance programs. I repeat, this freedom of choice proposal would only apply in the case of medical assistance for the aged programs established with the benefit of Federal grants under the legislation pending before us now.

I want to make sure that in setting up this new program of assistance to the aged—for those who have sufficient funds to meet their ordinary living expenses but whose income and resources are insufficient to meet the costs of necessary medical services that these people are treated as first-class citizens and given the same freedom of choice with regard to the obtaining of medical care and services as is enjoyed by those who are fortunate enough to have adequate funds of their own.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. I yield.

Mr. JOHNSON of Texas. I expect to ask the Senate to remain in session as late tonight as any Senator may care to address the Senate. I have counseled with my friend the junior Senator from Louisiana [Mr. LONG], who informs me that he expects to make an extended statement on the conference report, and does not anticipate that we shall be able to vote tonight, on the conference report, even if we were to remain here until a very late hour; and it is agreeable to him if we come in tomorrow and continue with our consideration of the report. I believe we shall save time if we proceed in that way.

Mr. CARLSON. Earlier in the evening was there not a unanimous-consent agreement to have 3 or 4 hours of debate on tomorrow on the court resolution, following the morning hour?

Mr. JOHNSON of Texas. Yes, after that measure is again laid before the Senate.

Since the measure now pending has priority and is privileged, I now ask unanimous consent that the session tonight continue as late as Senators may care to discuss the conference report, but that there be no rollcalls tonight; that the Senate convene at 11 o'clock tomorrow, and have a morning hour, and then continue with consideration of the conference report, and that the prior unanimous-consent agreement apply when the court resolution is again laid before the Senate.

Mr. COTTON. Mr. President, will the Senator from Texas yield for a question?

Mr. JOHNSON of Texas. Yes.

Mr. COTTON. Do I correctly understand that no other matter will be dealt

with tonight—in other words, only the business now pending?

Mr. JOHNSON of Texas. I should like to counsel with my friend, the Senator from Oklahoma, on that point, and then I shall inform the Senator. I should be able to do so very shortly, and I thank him for his inquiry. I will talk to him further about it as soon as I can.

Mr. President, I ask unanimous consent that following the conclusion of the deliberations of the Senate today, the Senate convene on tomorrow at 11 a.m., and that the other part of my previous request be incorporated in this unanimous-consent agreement, also.

The PRESIDING OFFICER. Is there objection?

Mr. LONG of Louisiana. Mr. President, has the Senator from Texas asked unanimous consent that no votes be taken tonight?

Mr. JOHNSON of Texas. I have asked for that limitation.

Mr. KERR. Mr. President, I believe the Senator asked that there be no rollcalls tonight.

Mr. JOHNSON of Texas. That is right.

Mr. KERR. And that there be no vote of any kind tonight on the conference report.

Mr. JOHNSON of Texas. That is correct.

Mr. AIKEN. Mr. President, the Senator is not asking for any time limitation in regard to the further consideration of the pending business, is he? In other words, it might continue all next week or the week after, or several weeks hence?

Mr. JOHNSON of Texas. No; but I think we shall save time by proceeding in the way I suggest.

Mr. RANDOLPH. Mr. President, let me ask whether it is possible for the Senator to give me an idea as to when the yea-and-nay vote on the question of agreeing to the conference report might be expected tomorrow. If that is an improper question, I shall not pursue it.

Mr. JOHNSON of Texas. It is not improper. So far as I am concerned, the vote could be taken at 11:30 a.m. tomorrow. But I think other Senators will desire to discuss the conference report somewhat further; and I do not know when the vote will be taken. I have asked, but I am unable to speak with authority.

Mr. RANDOLPH. I appreciate the Senator's response.

Mr. KERR. Has the Senator from Texas requested unanimous consent for a limitation in regard to the time for the taking of the vote, on tomorrow, on the conference report?

Mr. JOHNSON of Texas. No.

Mr. KERR. Would it be possible to do that if other Senators were to return to the Chamber?

Mr. JOHNSON of Texas. It would be possible, but we would not get anywhere by doing it, for I have inquired, and have been informed that such an agreement could not be obtained.

The PRESIDING OFFICER. Is there objection to the request?

Mr. KERR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Oklahoma will state it.

Mr. KERR. What is the request? [Laughter.]

The PRESIDING OFFICER. That no votes be taken tonight and that no rollcalls be taken tonight on the pending question.

Mr. JOHNSON of Texas. And that the Senate take a recess tonight, after Senators have made their presentations, to convene tomorrow at 11 a.m.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. GORE. Mr. President, will the Senator yield?

Mr. KERR. I yield to the Senator from Tennessee.

Mr. GORE. I listened with interest to the colloquy between the distinguished author of the pending provision and the senior Senator from Minnesota. If I correctly understand the conference report and the provisions which it recommends, these funds would be available, on a matching basis, to any State to pay directly to the provider of medical service.

Mr. KERR. The Senator is correct.

Mr. GORE. This provider of medical service might be a doctor, a dentist, a nurse, a private hospital.

Mr. KERR. I think that each one of them would be providing services. However, I would not expect the State to set up a program under which medical services, other than nursing services, could be provided by a nurse. However, if the State licensed the nurse to provide medical services, the bill would provide the money for the State, on a matching basis, to be used as the State sets up the program.

Mr. GORE. Such as she was certified to administer?

Mr. KERR. Such as she was licensed to do under State law.

Mr. GORE. This service could be provided by a payment made to a private hospital?

Mr. KERR. For hospital services.

Mr. GORE. For hospital services?

Mr. KERR. Or any service the hospital was authorized under State law to perform.

Mr. GORE. A clinic or a city hospital?

Mr. KERR. For any service it is authorized under State law to perform.

Mr. GORE. Or to provide?

Mr. KERR. Or to provide.

Mr. GORE. A county hospital or a State hospital?

Mr. KERR. If it is authorized and recognized by the State for the services it performs.

Mr. GORE. Let me be specific. I live in a small, rural county. We have but one hospital. It is a county hospital, built with the assistance of the Hill-Burton Act. If that hospital should enlarge its facilities, should build an annex that is a nursing home, should have a county physician—which the county did have for many months; I am not sure it does now—or a nurse who was certified and authorized under law to administer certain minor services, this county hospital could be paid directly by the State, and the Federal Government would participate to the extent provided in the bill, if the plan submitted were accepted by the Secretary of Health, Education, and Welfare?

Mr. KERR. Yes; and if the State law authorized the public welfare agency to contract with the county hospital for those services, it could then enter into a contract with it and perform those services, just as it could with reference to a hospital owned by the Baptist Church, or one owned by a clinic of doctors, or any other denomination, or any other legalized owner in the State.

Mr. GORE. With this further clarification, then, the bill provides for payment to a doctor for the medical servvices which he may provide to a person eligible for benefits under this act?

Mr. KERR. It would be paid to the doctor by the welfare agent, and then would be payable to those who are authorized to contract for it.

Mr. GORE. Could it not also be made payable by a county if within that State there were a State law setting up a working arrangement by which the State plan included matching on the part of the county, the county being the disbursing officer, subject to approval by the State?

Mr. KERR. The only way I could visualize that it would be done that way would be in a case in which the State had legalized a cqunty hospital as an agency for that purpose. Then the State welfare agency, being the recipient of the Federal funds, could pay the hospital for the services which had been legalized and had been performed.

Mr. GORE. I thought there was a way by which the funds could be commingled at the county level and the county welfare agency could make the actual disbursement, subject to approval.

Mr. KERR. The Federal Government would pay this money to the State agency.

Mr. GORE. I understand.

Mr. KERR. The State must provide some percentage of the funds for the program to be eligible.

Mr. GORE. Yes.

Mr. KERR. Under existing law, it can secure additional funds from the counties or municipalities or other local agencies of government.

Mr. GORE. That is correct.

Mr. KERR. If the State had a contract with a county or a county hospital with which it had legalized such a contract, it could pay that agency or that identity for the service which the law in that State permitted it to contract for and have performed.

Mr. GORE. Then, as is the case in Minnesota, as well as in other States, the local or county welfare unit could be the local administrator?

Mr. KERR. It could be if it were authorized by the law of the State and contracted for between the State agency and the county agency.

Mr. GORE. However, the bill provides for the first time that Federal funds shall, on a matching basis, be paid directly to doctors——

Mr. KERR. That is the situation now.

Mr. GORE. I thought, under the old-age assistance medical aid program, the money was paid to the person who received the medical aid, rather than paid directly to the doctor.

Mr. KERR. I think about 10 States have that arrangement. About 40 of the States have what are called vendor payments, wherein the service is performed by the doctor or other agency at the selection of the person entitled to the benefit; but the vendor payment for the service is made by whatever agency is recognized by the State, under its law, for handling the program.

Mr. GORE. I thank the able Senator for the information. I was incorrectly informed, or partially incorrectly informed. Though the bill would do that, it would not discriminate in favor of a doctor, but would also make possible a direct payment to the vendor of nursing home services or hospital services.

Mr. KERR. Convalescent home services, hospital services, osteopathic services, and so forth.

Mr. GORE. I hope the Senator will pardon me for being not exactly persistent but for being inquisitive. Frankly, I think this bill will touch more directly more people in pain and want than any other bill the Congress has passed. I am concerned about it. The Senator is an authority with regard to it. I appreciate his willingness to respond to interrogation.

Earlier I did not quite understand the Senator when he was talking about the Blue Cross plan. Is it possible under the program for funds to be used to pay premiums on private insurance policies?

Let us assume that my home county wishes to contract with Blue Cross or some other insurance company for medical care, hospitalization, drugs, dentistry, eyeglasses, and so forth for all the people in the county who are on old-age assistance. Could the funds be provided to pay the insurance premium?

Mr. KERR. Generally speaking, the answer is "yes." The Senator made a very broad application.

Mr. GORE. I confined it to old-age assistance.

Mr. KERR. I understand, but the Senator included some services which I contemplate may not be covered, although the coverage under the bill is even broader than it would be under the medical care program under existing law. For any service available under the program initiated and implemented by the State, the State could provide for the citizens of an area or of the State by purchasing insurance for the services from recognized agencies.

Section 3(a) of the existing old-age assistance legislation includes this language:

> From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for old-age assistance, for each quarter, beginning with the quarter commencing October 1, 1958, (1) in the case of any State other than Puerto Rico, the Virgin Islands, and Guam, an amount equal to the sum of the following proportions of the total amounts expended during such quarter as old-age assistance under the State plan (including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof).

That is the provision in existing law. This bill would not change it. The law would be applicable for the cost of the services to be made available for the needy aged brought under the program who are not now on the old-age assistance rolls.

Mr. GORE. That I did not understand. I had understood that the old-age assistance category could be covered by a group insurance policy, because the eligibility for assistance of each individual will have been established, and the medically needy status will have been established. I do not quite understand.

Mr. KERR. When the eligibility of the new group is established, the program will be handled in the same manner for the new group as for those with reference to whom eligibility is now established under the old-age assistance rolls.

Mr. GORE. That leads me to another question. How would the eligibility for the new group be established?

Mr. KERR. That would be determined by the State. The Senator himself and other Senators spoke about a pauper's oath requirement in connection with the additional program. That, of course, is untenable on the face of the facts.

Mr. GORE. I did not refer to a pauper's oath. I referred to a certification that one was poverty stricken.

Mr. KERR. Well, that phrase was used, and it was not applicable, or certainly not universally applicable, for the reason that anyone who can establish the degree of need as to make him eligible for old-age assistance under existing law is already covered by the medical care provisions.

Mr. GORE. I understand.

Mr. KERR. Which are to be expanded somewhat by the bill. The eligibility of those people is not to be changed.

In view of the fact that the bill makes the benefits of medical care available generally to an additional 10 million people who are not on the old-age assistance rolls, it is quite apparent that those people would have a different test of need from that which would be applicable to those who have already qualified for and who are on the old-age assistance rolls.

Mr. GORE. What will be that test of need?

Mr. KERR. It is to be determined by the State.

Mr. GORE. The Senator does not mean that the bill is to provide that the Federal Government will pay for anything the States may provide, does he?

Mr. KERR. The Federal Government will permit each State to determine the rules of eligibility for the beneficiaries of the new provision. That is the reason the Senator from Oklahoma said the language was broad enough to cover every aged person in America over 65 years of age who needed medical attention and who, under the rules and specifications of the State of which he was a citizen, was unable to provide for himself.

Mr. GORE. Does the State not have to submit a plan? Would the bill not require that the plan be approved by the Secretary of Health, Education, and Welfare?

Mr. KERR. Generally speaking, yes; but it would also provide that the eligibility rules shall be determined by the State. It says "within reasonable limits."

I must say to the distinguished Senator it was the purpose of the author of the amendment to fix it so that those rules were quite elastic within each State. It is apparent on its face that there would be a different test for eligibility for a beneficiary under the new provision that is in effect with reference to those seeking assistance under the old-age assistance program, because if those persons could meet those specifications they would already be on the old-age assistance rolls, or could be.

The purpose of the amendment is to make medical care available to those who need it, of the approximately 10 million additional people, who certainly are on a better economic basis than those who qualify for old-age assistance.

Mr. GORE. The Senator says, "those who need it." That certainly indicates some individual showing of need. It is difficult for me to believe that the Senator means all he says.

Mr. KERR. If the Senator will listen, I will read what the bill says.

Mr. GORE. I surely will.

Mr. KERR. On page 46 of the bill as brought out of the conference, beginning with the paragraph (D) the language states:

> (D) include reasonable standards, consistent with the objectives of this title, for determining eligibility for and the extent of such assistance;
>
> (E) provide that no lien may be imposed against the property of any individual prior to his death on account of medical assistance for the aged paid or to be paid on his behalf under the plan (except pursuant to the judgment of a court on account of benefits incorrectly paid on behalf of such individual), and that there shall be no adjustment or recovery (except, after the death of such individual and his surviving spouse, if any, from such individual's estate) of any medical assistance for the aged correctly paid on behalf of such individual under the plan.

Then on the bottom of page 51 the bill states:

> (b) For purposes of this title, the term "medical assistance for the aged" means payment of part or all of the cost of the following care and services for individuals sixty-five years of age or older who are not recipients of old-age assistance but whose income and resources are insufficient to meet all of such cost—
>
> (1) inpatient hospital services;
> (2) skilled nursing-home services;
> (3) physicians' services;
> (4) outpatient hospital or clinic services;
> (5) home health care services;
> (6) private duty nursing services;
> (7) physical therapy and related services;
> (8) dental services;
> (9) laboratory and X-ray services;
> (10) prescribed drugs, eyeglasses, dentures, and prosthetic devices;

(11) diagnostic, screening, and preventive services; and

(12) any other medical care or remedial care recognized under State law;

Mr. GORE. The term "whose income and resources are insufficient to meet all such cost of the services" would still seem to require an individual determination perhaps at the time such medical service was rendered. For example, a man might be unable to pay a $2,000 hospital bill but he might be able to pay a $200 doctor bill.

Mr. KERR. Then, if he were able to establish that ability, and the rules in his State permitted, he would pay the $200 doctor bill and the program would pay the $2,000 hospital bill.

Mr. GORE. What I am trying to get at is how a group insurance program for a county could possibly work with respect to that additional category. I am perfectly willing to let this question wait until tomorrow. I do not see how it could work without some predetermination of eligibility.

Mr. KERR. The Senator's State might set up an income test for any person in the State with reference to becoming eligible.

Mr. GORE. Income and resources?

Mr. KERR. Income and resources. Having done so, anyone eligible under that test could, if the State desired to do so, be insured for that benefit in the county or in the State, for that matter.

Mr. GORE. Let me be specific. Let us assume that my State authorized a plan with the participation of counties. I mention this example because I think the sentiment in my State is rather strongly in favor of county participation, with some small contribution on the part of the county to the cost of the program, thus making the county the administering unit. Such a plan would promote local self-government. It would provide better specialized care and service to keep down the cost of the program. If the State of Tennessee enacted a program by which all those with income of less than $2,000 per year and net resources not in excess of $25,000, would my home county be in a position then to contract for an insurance program?

Mr. KERR. Provided the benefit were thus made available by your State in its program under this bill.

Mr. GORE. For all of those with an income of less than $2,000 per year and net resources of less than $25,000.

Mr. KERR. If that were the State plan fixed by your State for all of its citizens; yes.

Mr. GORE. Could the State make it $50,000? Or would they come in conflict with the unreasonable?

Mr. KERR. That could not be done consistent with the language which I read to the Senator from Tennessee:

To provide reasonable standards consistent with the objectives of this title, and who are not recipients of old-age assistance, but whose income and resources are insufficient to meet all such costs.

I visualize the situation of a State formula for eligibility, we will say, with reference to any citizen whose income is $90 a month, but not to exceed $150 a month. The State would provide hospitalization, doctor, nursing, and other benefits on an unlimited basis. If he were in an income bracket earning $1,800 a year but not more than $2,400 a year, he would be provided the benefit of having the State pay for his medical care and services above a certain amount.

The committee intends that States shall set reasonable outer limits on the resources an individual may hold and still be found eligible for medical services. Individuals who are recipients of the old-age assistance benefits would not be eligible for assistance in that particular month.

Let me proceed a little further. I can well visualize a standard which would provide that a person with an income of $2,400 a year would be required to pay the first $200 of doctor bills and the first $250 of hospital bills, but if that individual had a hospital bill of $2,000 or a doctor bill of $1,500, the State under this program could pay that part of it which would be above the minimum which had been prescribed by that State to be paid by citizens with an income from $2,000 to $2,400, just as the amendment of the Senator from New Mexico [Mr. ANDERSON] provided that every beneficiary would pay the first $75 of his hospital bill.

Mr. GORE. The Senator perhaps recalls that I said during debate on the bill, when it was before the Senate and before it went to conference, that whether we had a Democratic administration or a Republican administration, the Secretary of Health, Education, and Welfare would provide reasonable standards. If I did not make such a presumption, frankly I could not support the bill or the conference report. We simply could not presume that one State would be permitted, if it should have the resources to do so, to pay its part to put all of its old citizens under this program and have 100 percent of all medical care, hospitalization, et cetera, paid. I know the Senator has never envisioned that result, and the committee report makes that point plain. I take it from all that he has said that the States will have the widest possible latitude.

Mr. KERR. Within the limits of the program which shall be deemed accepted as reasonable by the Secretary.

Mr. GORE. I shall desist further. It may be that tomorrow, after I give more study to the report, I shall have additional questions for the able Senator. I am sure he will be just as genial and generous with his time as he has been this evening.

Mr. KERR. I thank the Senator.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. HUMPHREY. I was very much concerned with respect to the deletion of the Senate amendment to the Social Security Act which provided an increase in earnings a year from $1,200 to $1,800 before there was any reduction in social security benefits. As I understand, what the conference committee did was to provide a sort of escalator type of additional exemption.

In other words, the $1,200 exemption is still in the bill.

Mr. KERR. And broadened.

Mr. HUMPHREY. Broadened by what?

Mr. KERR. Under existing law, in any month that the beneficiary earns $1, if his year's earnings are above $1,200, he loses the monthly benefit.

Mr. HUMPHREY. The whole benefit?

Mr. KERR. For each $80 or fraction thereof above $1,200. Therefore, if he earns $1,200 under existing law, and earns one more dollar, he loses one month's benefit. If he earns $1,200, and then earns $81, he loses two month's benefits under existing law.

Under the language as prepared by the conference committee, his present exemption of $1,200 is entirely validated. What he earns above $1,200 is calculated on this basis. For each $2 earned, up to and including a total of an additional $300, he loses $1 of benefit.

Mr. HUMPHREY. So if he earns $300, he loses $150 in benefits.

Mr. KERR. Yes. For whatever he earns above $1,500 he loses a dollar of benefits for each dollar earned.

Mr. HUMPHREY. Will the Senator compare that with the present situation? I mean the latter part he has described.

Mr. KERR. Under present law, if he earns $1,500, 80 into 300 goes 3 times plus. So he would lose 4 months of benefits.

Mr. HUMPHREY. Four months of benefit of social security or old-age survivors insurance.

Mr. KERR. The Senator is correct. Under existing law, therefore, since 4 times 80 is 320, if he earned $321, he would lose 5 months of benefits.

Mr. HUMPHREY. That would average out per month to about——

Mr. KERR. Whatever the monthly benefit is.

Mr. HUMPHREY. He would lose it all?

Mr. KERR. He would lose a month's benefit plus his wife's benefit.

Under the bill, if he earns $321, of the first $300 he earned he would lose $150 in benefits.

If he earned $1,500, he would get $1,200 of his $1,350 in benefits, because he would lose $150. When the time came that he earned $1,500 plus the $1,200, or $2,700, he would no longer be getting social security benefits.

Mr. HUMPHREY. When he gets above $1,500 in earnings——

Mr. KERR. He loses a dollar of benefit for each dollar earned.

Mr. HUMPHREY. It checks itself out.

Mr. KERR. Yes. That is right. It is a much more liberal provision than under the existing law.

Mr. HUMPHREY. Yes; I can see that.

Mr. KERR. In addition to the additional exemption of $1 loss of benefit for each $2 earned between earnings of $1,200 and $1,500.

Mr. HUMPHREY. I can see that it is an improvement. I say most respectfully that it is not nearly enough. I know the Senator from Oklahoma wanted to make the exemption $1,800.

Mr. KERR. I will tell the Senator why we could not keep it.

Mr. HUMPHREY. The Senator from Minnesota wanted to make it $1,800. I have been introducing amendments to make it $1,800 for so long that I began to think it was the law.

Mr. KERR. I will tell the Senator why we could not keep it. The Senator from Oklahoma was a joint sponsor of the $1,800 amendment.

Mr. HUMPHREY. That is right.

Mr. KERR. If I may not be too severely criticized for putting myself in the position of failing to have complete information about the effect of the $1,800 amendment, I must say to my friend from Minnesota that I was shocked when the authorities in the Bureau advised the conference committee that that additional exemption would cost the trust fund 0.19 percent deficit.

Mr. HUMPHREY. Two-tenths of 1 percent, approximately.

Mr. KERR. Nineteen one-hundredths of 1 percent. That amounts to $400 million a year. When we went into conference we were confronted with this situation: The House had sent us a bill which had one item of additional substantial cost, and that was the change in the law which permitted those not now on the rolls, because they did not have six valid quarters of coverage, figured on the basis of so much employment in one out of every two quarters, to become eligible if they had one quarter coverage in each four quarters of elapsed time.

Mr. HUMPHREY. That was a substantial liberalization.

Mr. KERR. It was a liberalization that would have brought in about 600,000 additional beneficiaries. We had added two provisions to the bill in the Senate; one, the 62-year-old privilege for men. The actuarians advised us that the $1,800 exemption would cost nineteen one hundredths of 1 percent. The 62-year provision would cost 0.05 percent, or five one hundredths of 1 percent. The total would be a cost of 0.24 percent, or twenty-four one hundredths of 1 percent. At the present time it is 0.2 percent, or one-fifth of 1 percent. The House provision added four one-hundredths of 1 percent, or 0.04.

So when the bill came to us. there was an imbalance of 0.24 percent. However, the actuarial authorities told us that, on the long-range basis, they regarded it to be within the limits of actuarial soundness.

We had added an additional 0.24 per cent, or twenty-four one-hundredths of 1 percent, and if we left that in the bill, together with the rest of the various House provisions which they were very vigorous in standing for, there would be an imbalance of 0.48 percent, or forty-eight one-hundredths percent, which would throw the fund to a point of imbalance that could not be countenanced by a responsible viewpoint.

Therefore we saw the necessity of resolving our differences with reference to the additional benefits which had been provided in the House and in the Senate. That we did. Therefore, when we brought the bill out of conference, it had the same kind of imbalance, which was 0.24 percent, that it had when the House sent the bill to us.

Mr. HUMPHREY. Which the actuaries say would, in the long term, balance itself out.

Mr. KERR. Would be fiscally sound.

Mr. HUMPHREY. Is the answer to the other improvements to be found in increasing the base upon which the tax is levied?

Mr. KERR. If we have additional improvements.

Mr. HUMPHREY. What we have in the bill is now within the limitations of the existing tax schedule under the law.

Mr. KERR. They are regarded as within the present recognized limits of imbalance that can be regarded as fiscally sound.

Mr. HUMPHREY. Let us say that we add age 62, as the Senate wanted to do, which was dropped because of the explanation the Senator has given, and let us assume that we went to the $1,800 base; it would be necessary to do one of two things, we would either have to raise the tax or increase the base upon which the tax is levied. Is that correct?

Mr. KERR. Or take the responsibility for creating an unsound imbalance.

Mr. HUMPHREY. I suggest that it is my point of view that the latter alternative would be most undesirable.

Mr. KERR. Intolerable. I thank the Senator.

Mr. HUMPHREY. We have a very serious responsibility to keep the fund, insofar as the experts or actuarians can tell us, solvent and sound.

Mr. KERR. Yes.

Mr. HUMPHREY. Yes; presently taxed on a $4,800 base.

Mr. KERR. Presently taxed on a $4,800 base, at 6 percent, one-half by the employee and one-half by the employer; 4½ percent for a self-employed person.

Mr. HUMPHREY. What would happen if we were to raise that to a $5,000 base? That would have made an appreciable difference in the income to the fund, would it not?

Mr. KERR. It would have; but in view of the fact that neither House had done that, that question was not in conference.

Mr. HUMPHREY. I understand that; I am speaking for the future.

Mr. KERR. We have figured that on $5,400, it would produce 0.24 percent of the fund.

Mr. HUMPHREY. In other words, in order to do what both the House and Senate had contemplated in their respective, separate bills, it would have been necessary to increase the taxable base from $4,800 to $5,400?

Mr. KERR. Or the equivalent.

Mr. HUMPHREY. I simply wanted to have this information spelled out, because many questions will be asked, and there are answers. Sometimes folks are led to believe that we can improve all these benefits. My heart tells me this is what we should do, as the heart of the Senator from Oklahoma tells him, too; but we also must consider the accounting, namely, that the money going into the fund, in the long term must be equivalent to the outgo.

Mr. KERR. The Senator from Minnesota is correct. The Senator from Oklahoma is of the deep conviction that the tug at the heartstrings should be just as strong to maintain the integrity of the fund for the 70 million possible beneficiaries and others who will be added as it is to increase the benefits to those on the rolls.

Mr. HUMPHREY. I thoroughly agree. In fact, I believe that at this particular time, while the fund is still not being called upon for the maximum, we have an extra obligation as custodians, so to speak—as guardians of the fiscal soundness and solvency of the fund—because when the year 2000 rolls around, there will be a very heavy drain upon the fund. The problem of inflation and the so-called purchasing power of money are factors which must be taken into consideration in terms of what we call guarding the economic well-being of the fund.

Mr. KERR. And the fiscal integrity of the fund.

Mr. HUMPHREY. There is one thing about the Senator from Oklahoma. He is not only a man of great means, but of great physical, mental, and spiritual stature, as well. I feel all the more reassured about the bill.

Mr. KERR. I thank the Senator from Minnesota for those kind words. I say to him that it is seldom that they are addressed to the Senator from Oklahoma except on the basis of his limited physical resources.

Mr. HUMPHREY. His physical resources are minor compared with his unbounded mental and spiritual resources.

Mr. KERR. I thank the Senator very much.

Mr. President, does the Senator from West Virginia desire to address a question to me?

Mr. RANDOLPH. Mr. President, the Senator from Oklahoma has been very helpful to the Senator from Minnesota and the Senator from West Virginia on the question of the $1,800 limitation which was placed in the bill as passed by this body, but which has been removed in the conference report.

Mr. KERR. Reduced.

Mr. RANDOLPH. Perhaps it is partially correct to say "removed in the conference report"; but a substitute has been inserted on this subject which gives a certain positive plan and a compromise approach to the principle which the Senator from West Virginia has believed in for years, and which I had used as the basis for the introduction of legislation to raise the limitation from $1,200 to $1,800.

It has been my conviction for several years that our social security law had an apparent inequity in our limitation on the earnings in business or profession of a retired person of $1,200 annually. In a sense we have allowed our senior citizens to be penalized for justified efforts to secure earned income and yet qualify for a modest social security payment.

I presented a bill in March of this year, following my service on the Senate Subcommittee on the Problems of the Aged at the hearings held by our group in several parts of the Nation. Many re-

tired men and women gave dramatic and oft-times tragic testimony on the cost of living.

I have listened, as I have indicated, to this discussion. I think this is a much better bill than I had thought a few days ago; not that the conference has materially changed the measure as it passed the Senate, but I have been impressed with the attempt—and I believe an objective and purposeful attempt, at least in degree—to do in part what the Senator from West Virginia believed should have been done.

As I understand the situation, there is no limitation now on earnings which might come to the retiree from bonds or dividends or rents.

Mr. KERR. Unearned income is not counted in applying the limitation of earnings, and that includes dividends, retirement benefits——

Mr. RANDOLPH. And insurance.

Mr. KERR. Insurance, and interest. The Senator is correct.

Mr. RANDOLPH. I have long felt that we have allowed an inequity, when the retiree, who had to earn money, was not, I shall state frankly, treated in the same manner as was the individual who had income from so-called unearned sources. Hundreds of thousands of our older citizens are willing—yes, eager—to use their mature talents in gainful employment. So this reduced or escalator provision is somewhat affirmative. It is a broadened concept which the Senator from Oklahoma has been able to bring to us from the conference. I am certain there were many difficulties in the preparation of the report now before us.

Although I regret the Senate conferees could not retain the $1,800 limitation, this colloquy has clarified the matter. I can realize that we have been compensated, through the efforts of the Senator from Oklahoma and other Senators who joined with him, to go a considerable way in embracing the goal which I have held in reference to a merited raise on the earnings of retirees.

The needy people of West Virginia will be benefited when the conference report is adopted, with the anticipated approval of the President. I hope he will approve it.

I believe most Senators would agree regardless of our differences in basic beliefs on the subject of medical care for the aged, that even though we had varying ideas that we recognize the diligent work of the Senator from Oklahoma. He has possessed much patience and has given painstaking attention to this important matter. He was considerate during the debate, and has compromised in conference. Now, even at 10:30 at night he gives to those of us who question him in good conscience that courtesy and cooperation which is appreciated. We wish to be helpful and fully informed when we return home to discuss these vital considerations with our constituencies.

Mr. KERR. Mr. President, I am deeply grateful to the Senator from West Virginia for what he has said. I could not have expressed my own sentiments with respect to the objectives of the measure as well as has the Senator from West Virginia.

The conferees, both of the House and the Senate, favored the $1,800 provision. Had we had the authority in conference to have either broadened the tax base or increased the rate sufficiently to have kept the provisions which the Senate placed in the bill, to have done so would have had the very careful and favorable consideration by the conferees.

We went as far as we felt it was prudent and justified to go.

Then, I am deeply appreciative of the expression of the Senator from West Virginia as to the value of the provisions of the bill.

I was guided in what little effort I made by the desire to bring forth as comprehensive, as extensive, and as effective a plan as I thought could be produced in the environment of this short session, considering the position of Members of Congress, their convictions and their opinions, and also considering the convictions and opinions of the administration. In that regard, I went as far and tried to carry the program as far as I thought could be done and still secure the enactment of legislation.

I would not be just or fair if I did not acknowledge that if the President signs this bill, he will have gone farther from what I thought his position was, in accommodating himself to what I believe to be his sincere conviction that a bill of this kind should be passed at this session, than I had thought it would be possible for him to find a way to go; and I believe that if this bill becomes law—as I confidently expect it will—as time passes I think the Congress will have a large basis for feeling that it has produced a measure of tremendous and far-reaching significance and benefit, and in my judgment the President will have cause to feel a deep sense of gratitude and pride in the part he will have played in helping it to become law.

Mr. RANDOLPH. Mr. President, I respond most briefly. The Senator has given us much to applaud but, there remains much to be done. I do contend that there are fruitful areas yet to be explored, and there are wrongs yet to be righted, and certainly there are unfinished tasks in providing more adequate medical care for the needy aged. At times, Mr. President, there is, perhaps, a strength in being, in our form of checks and balances—our coordinate branches of Government. The proposed legislation first presented to us by the Finance Committee was good as far as it went—but it falls short of our obligation. I feel that we have made a step from one level, although we are not yet ready to rest on this level; but we have moved up another step, and I shall continue to work that hereafter we shall take still another step, and still another step, and thus attain at a later time the deeper and more fundamental plan which many of us are convinced is necessary to a well rounded solution.

Mr. KERR. I thank the Senator from West Virginia.

OLD-AGE AND SURVIVORS INSURANCE

Mr. President, apart from the medical-care provisions, there were three major social security—OASDI—proposals before the conference which involved significant cost considerations—liberalization of insured status, raising the present income limitation from $1,200 to $1,800, and reducing the retirement age for men. The conference committee was concerned with helping the greatest possible number of persons while still retaining the very necessary actuarial soundness of the system. The choices were hard. It was not possible to include all three amendments and retain the soundness required. We, therefore, felt compelled to yield to the House and the administration by postponing enactment of the provisions for the optional retirement of men at age 62.

The Conference agreement also contains an insured status liberalization provision by which approximately 400,000 older Americans will be able to qualify for social security benefits for the first time. Under the bill an individual can qualify for benefits if he has only one quarter of coverage—acquired at any time—for every three quarters elapsing after 1950 and up to retirement age, provided that he has at least the minimum of six quarters of coverage required under existing law. This agreement modified the House provision which required only one quarter of coverage for every four quarters elapsing after 1950. Present law requires one quarter out of every two quarters.

Mr. President, this change means that a goodly number of people who have worked for most of their lives in a position which was not covered by social security—many of them school teachers, government workers, and so forth—can qualify for benefits if they have worked in a social security job for time herein required. It is a step in the direction of broadening the protection furnished by social security to people who cannot now qualify.

The conference committee agreed to the following House proposals:

To extend social security coverage to Guam and American Samoa.

To extend coverage on a self-employed basis to U.S. citizens employed within the United States by international organizations.

To extend coverage to parents working for their adult children in other than household or nonbusiness employment.

To reduce from 3 years to 1 year the time that a wife or stepchild or husband must be in such relationship to get retirement or disability benefits.

To extend the scope of the findings and recommendations of the Advisory Council on Social Security Financing to include such policy matters as extensions of coverage, benefit adequacy, and all other aspects of the program in addition to its present responsibility for regularly reviewing the financing aspects of the social security plan. The change applies only to the council appointed in 1963.

The conference committee agreed to the following Senate amendments:

To continue the exclusion from OASI coverage of a very small number of U.S. citizens who work for labor organizations in the Panama Canal Zone.

To continue the exclusion from OASI coverage of physicians.

Provisions relating to various State and local employee coverage problems in Nebraska, Texas, Maine, and California.

To allow certain ministers an option—which expired April 15, 1959—to amend their certificates so as to cover the year 1956 where that year could have been covered in the original filing. This was in addition to the provision in both the House and Senate bills that the filing time within which present ministers may elect coverage be extended from April 15, 1959, to April 15, 1962.

Because of the administrative difficulty involved in connection with lowering the eligibility requirements for OASI coverage of domestic and casual labor, the conference committee agreed to the Senate amendment to delete this section and continue to exclude such workers as under present law. The Senate amendment to permit a child to receive benefits on the record of an individual who stood in loco parentis—in place of the parent—for at least 5 years prior to the death of such individual, was not approved by the conference committee.

DISABILITY INSURANCE

Mr. President, the bill as approved by both the House and Senate substantially liberalized the disability insurance program, chiefly by removing the age 50 requirement of existing law so that severely disabled people, and their dependents, can qualify for benefits regardless of their age; and also with respect to certain features of the law which encourage disabled beneficiaries to return to work through rehabilitation services and other means. Both the House and the Senate had also agreed that children born or adopted after a worker's disability should be entitled to dependent's benefits provided they are the natural child or stepchild of the disabled worker or were adopted within 2 years after the month in which the worker became entitled to benefits. The conference adopted a Senate amendment which also provided, in the case of an adopted child, that the adoption be instituted on or before the time in which the individual's period of disability began, or that such adopted child was living with such an individual at that time.

PUBLIC ASSISTANCE

The conference adopted the essence of a Senate amendment to allow States, in determining need under the aid to the blind programs, to disregard the first $85 of earnings each month—now $50—plus one-half of additional earnings during such month. The provision is voluntary with the States until July 1, 1962, at which time it becomes mandatory.

The Senate conferees were unable to secure acceptance of the Senate amendment to extend the old-age and medical care provisions of title I to inmates in tuberculosis and mental institutions in the State.

Mr. President, in all three sessions of the conference efforts were made by both the Senate and House conferees to find a compromise to retain at least part of this Senate amendment.

The House conferees, however, stood inflexible in their resistance to accepting the principle of the amendment to any degree. It was also made clear to the conference by representatives of the administration that, if the principles of this Senate amendment were included in the bill by the conference, the entire bill would be in grave jeopardy of enactment. Therefore, the Senate conferees receded with reference to this amendment.

CHILD WELFARE SERVICES

The conference committee agreed to the Senate amendment which increased the authorization figure for child welfare services to $25 million, in part to expand activities and services to and on behalf of mentally-retarded children. The bill thus contains an increase in the authorization for maternal and child health services, crippled children's services, and child welfare services to $25 million each.

UNEMPLOYMENT COMPENSATION

The conference accepted the House proposals relating to unemployment compensation. The bill now includes provisions for the coverage of Puerto Rico, which were adopted by the Senate, and in addition would add several new categories of workers—including employees of certain instrumentalities of the United States, employees serving in connection with American aircraft outside the United States, employees of "feeder organizations" whose profits are payable to nonprofit organizations, and employees of certain tax-exempt organizations. It is estimated that from 60,000 to 70,000 people will be brought under the unemployment compensation system by these extensions.

The Unemployment Compensation provisions would also raise the net Federal unemployment tax—the tax that may not be offset by a credit for taxes paid under a State program—from three-tenths to four-tenths of 1 percent on the first $3,000 of covered wages; provide that the proceeds of this higher Federal tax, after covering the administrative expenses of the employment security program, will be available to build up a larger fund for advances to States whose reserves have been depleted; make additional improvements in the arrangements for administrative financing; and improve the operation of the Federal unemployment account by tightening the conditions pertaining to eligibility for and repayment of advances.

SUMMARY

In the judgment of your conferees, Mr. President, this bill as it comes from the conference marks a significant and far-reaching advance in the structure of our social security and public assistance laws.

It expands the coverage of social security. It increases benefits in certain key areas where they have been badly needed. It constitutes a great transfusion into the structure of the medical care program inaugurated by the Social Security Amendments of 1956.

It makes possible through implementation by the States a program within each State to meet the medical, surgical, hospital and related necessities of the needy aged in every State. It provides substantial stimulant and incentive to each State, either to inaugurate and develop, or improve, or expand and improve medical care programs whether now operative or not.

Mr. CARLSON. Mr. President, I compliment the distinguished Senator from Oklahoma for his splendid explanation of this important proposed legislation as it comes before the Senate in the conference report this evening. I feel I would be remiss in my duty if I did not say that the Senate, the Congress, and the Nation owe the Senator from Oklahoma a great deal of credit for the splendid leadership he has taken in this new field.

When the States began to realize and our citizens begin to realize, not only the benefits, but the generosity of this legislation, they will be pleased.

As a member of the Finance Committee who had the privilege of working with the Senator from Oklahoma on the proposed legislation, it has been a real pleasure to be able to work under him and with him on this measure. It is a landmark in social legislation. As the history of it is written, I am sure they will look back to this particular day and evening; and I personally am indebted to the Senator from Oklahoma, as we all are.

Mr. KERR. I am indebted to the Senator from Kansas for the contribution he has made to the bill, and I thank him for his kind remarks.

Mr. ALLOTT. Mr. President, I also wish to pay my tribute to the distinguished Senator from Oklahoma. I think the job which has been done on this conference report has been a wonderful one. I look forward to having this bill operate in the way we hope it will.

PRAYER OFFERED AT REPUBLICAN COUNTY ASSEMBLY, BROOMFIELD, COLO.

Mr. ALLOTT. Mr. President, because of the tensions and critical decisions which face the Members of this body daily, we are all cognizant of the extent to which we rely upon divine help. I find that the daily invocation by our own Chaplain is a source of comfort and direction.

All of us, I am sure, recognize that the bedrock of America is our deep faith in God and the strength we derive in being able to worship Him when and how we choose. Our national spirit of religious awareness is keen; it is active. This spirit strengthens our people; it enhances our Government.

This spirit was caught by my good friend the Reverend Mr. Ralph Underwager, pastor of the Grace Lutheran Church in Boulder, Colo., in a sincere and simple prayer he wrote recently. Knowing that my colleagues share my feeling in this, I ask unanimous consent that Reverend Underwager's strong yet moving words be reprinted in the RECORD at this point in my remarks.

There being no objection, the prayer was ordered to be printed in the RECORD, as follows:

PRAYER OFFERED BY THE REVEREND RALPH UNDERWAGER AT REPUBLICAN COUNTY ASSEMBLY, BROOKFIELD, COLO., JULY 9, 1960

One true God, Father, Son, and Holy Spirit, You have given us both this land and our Government. Prevent us from merely playing with the toys of democracy—the speechmaking, the posturing and promising—but enable us to work hard with the tools to build a land of justice, compassion, and truth.

Jesus, Lord, You rule over all things. Rule over us in grace that we do not panic for peace at any price in these dangerous days, but give us courage to strive for right and justice before anything else.

Holy Spirit, guide the leaders of our land and the political parties that we may not mire down in the mud of self-concern, but dress us in the clean overalls of Your righteousness whereby we seek the benefit of the land, the people, and the world.

We ask this in the name of Jesus, the one Lord and Saviour. Amen.

THE HELIUM BILL

Mr. ALLOTT. Mr. President, with respect to a most important bill pending on the Senate Calendar, there are a few questions I should like to ask. I would ask my friends on the other side of the aisle to explain why the Senate leadership has steadfastly ignored responsibility with respect to conserving a fast-escaping element vital to our defense? I would ask my colleagues, Why action upon the helium bill is neglected and bypassed? We must put a safety valve upon a wasteful process that is even affecting our progress in the conquest of outer space. The need for an effective program to conserve helium is unqualifiedly supported by the Department of the Interior, the Department of Defense, and by every other agency of government which is concerned with its use, both now and in the future.

I call the attention of the majority members to the squandering of this precious gas. Every 45 days, a year's supply of present requirements is wasted irretrievably into the air for lack of adequate conservation measures. Helium has become a vital fuel in this space age. It has been reliably estimated that in fiscal year 1961, the consumption will be 530 million cubic feet. This will be used as an essential part in the production of our missile and atomic energy programs. For example, experimentation and production in the new field of cryogenics and exotic fuels involves extremely low temperatures—down around absolute zero. Temperatures within 20° of absolute zero cannot be attained without the use of helium gas.

In fact, Mr. President, so vital to our defense and missile program is helium, that nearly three-fourths of the total used will be consumed by the Department of Defense, Atomic Energy Commission, and National Aeronautics and Space Administration.

Under these circumstances, it seems clear that the national interest would not be served by continued postponement of this legislation until next year. On the contrary, Mr. President, we are gasping away the life of our depleted helium reserves with every day, with every hour we delay.

Again I ask my colleagues of the majority, Why do we delay? What forces stand behind the roadblocks?

Mr. President, helium is also an important ingredient used in civilian industry. I am speaking here of consumers that have no Government contracts for materiel or products. As an illustration, helium gas is used as a shield in welding processes involving aluminum, titanium, and other lightweight metals. And recognized experts in the field predict that the use of helium is expected to continue and to expand. As a point of reference, I should like to call the attention of my colleagues to the fact that consumption of this vital gas by the United States has increased approximately 80 times over the level in 1937, when the existing law was first enacted.

The measure now awaiting final action by this body is, as we all must know by now, for the purpose of taking care of the reserves of helium for future use, both civilian and defense requirements. Although it is estimated that present reserves are adequate to meet forecast requirement for some time, these reserves are being rapidly depleted. Reports indicate that over 4 billion cubic feet of helium are now being wasted annually through the direct sale of helium-bearing gas for fuel.

Mr. President, if we do not act promptly to halt this negligent, careless waste, we shall have little helium left for the future when, perhaps, we shall need it most.

In this connection, I want my colleagues to remember that helium is a natural resource found only in a few natural-gas fields. The helium-bearing gas in the major areas of its origin is being produced and marketed for fuel without regard to the waste of helium, which waste is the byproduct of such a process. The helium simply goes up our flues and stacks forever. We have the only significant supply of helium in the free world, and no important new sources have been discovered in the past 16 years.

Mr. President, if we do not act upon the helium bill, reliable reports tell us that the helium-bearing gas sources in the United States cannot be expected to meet our needs beyond the time frame of 1980 to 1985.

With this in mind, and recognizing that the objectives of this bill are wholeheartedly supported by industry, by Government, and by the overwhelming majority of the Members of both Houses of Congress, I cannot fathom the reason for this cold denial of a burning need for action.

Mr. President, I most earnestly urge the majority to join the entire administration, the other body, and the Interior Committee in approving this bill so we may get on with this conservation program so critically important to the national security. I call upon them to close ranks, to cast aside other considerations for the moment and to bring about immediate action upon this measure.

I ask this, Mr. President, in the name of progress, in the name of national defense, and in our essential national interest.

MUTUAL SECURITY APPROPRIATION BILL—CONFERENCE REPORT

Mr. HUMPHREY. Mr. President, I want to commend the Senate conferees for obtaining the concurrence of the House conferees on two items which are particularly important.

I refer now to amendment No. 24 which deletes language proposed by the House prohibiting the use of funds for a study on the feasibility of a Point Four Youth Corps. The necessity to study new approaches to the mutual security program is a burning one, and the proposal to utilize some of our skilled and dedicated young people in development projects overseas is one of the freshest and most promising proposals made in the last several years.

I further refer to amendment No. 9, which carries out the Senate provision of appropriating $1,500,000 in local currencies for hospital construction in Kracow, Poland. The money will go for a children's hospital in Poland. This will be a monument to the historic friendship between the American and Polish peoples, and I sense that it will be more appreciated by the Polish people than some of the monuments that Stalin has left for them. I commend the Senate conferees for their insistence on this provision.

However, Mr. President, in some other respects I am profoundly disappointed in the conference report. One of the basic cornerstones of the mutual security program is the Development Loan Fund, and it is quite distressing that the Senate conference members acceded to the $550 million figure passed by the House rather than the Senate's recommendation of $700 million. It could at least have been hoped that a compromise figure would have been agreed upon. I regret that my colleagues did not press for at least that compromise.

There are several other aspects to the conference report that disappoint me, but I will only mention one other.

I refer to amendments 4 and 5 in which the House language was restored which prohibited the use of funds for projects not justified to the Congress. Mr. President, one of the great strengths of the original point 4 program is that it was flexible. In this fast-changing world, there are contingencies and needs which come up which cannot be predicted a year in advance and which are difficult to meet by using the President's limited contingency fund. I believe in congressional control, but to place onerous and constricting prohibitions on a program which must, by its nature, be flexible is not serving the cause of the Western alliance.

Mr. President, as the distinguished chairman of the Foreign Relations Committee remarked the other day, one need only to look at the headlines to see that the world is crumbling all about us.

This is not the time to slash the mutual security program, which is so absolutely basic for the free world's strength.

SUSPENSION OF DUTY ON HEPTANOIC ACID

Mr. KERR. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1984, House bill 12659.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 12659) to suspend for a temporary period the import duty on heptanoic acid.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. PASTORE. Mr. President, I have an amendment at the desk which I propose to this measure.

The PRESIDING OFFICER. Will the Senator send his amendment to the desk?

Mr. PASTORE. I sent it up to the desk this morning and asked that it be printed. However, I have a copy, which I now send to the desk, on behalf of myself and other Senators.

The PRESIDING OFFICER. The amendment offered by the Senator from Rhode Island for himself and other Senators will be stated.

The LEGISLATIVE CLERK. It is proposed at the end of the bill to add a new section, as follows:

SEC. 2. In order to insure a correct interpretation of the provision "waterproof cloth" in paragraph 907, Tariff Act of 1930, it is hereby declared that it was and is the true intent and meaning of paragraph 907 to limit the term "waterproof", when applied to cloth, "wholly or in chief value of cotton or other vegetable fiber, whether or not in part of India rubber", to cloths of a kind generally used in the manufacture of articles which are designed to afford protection against water to the extent expected in raincoats, protective sheeting, dress shields, umbrellas, and similar articles. Even when cloth possesses water repelling characteristics, it is not classifiable as waterproof cloth within the meaning of paragraph 907, Tariff Act of 1930, unless it is of a kind generally used in the manufacture of articles of the class specified in the preceding sentence.

Mr. PASTORE. Mr. President, this amendment is being proposed by myself and is cosponsored by the distinguished Senator from Connecticut [Mr. BUSH] and his distinguished colleague [Mr. DODD], my own colleague [Mr. GREEN], the distinguished Senator from South Carolina [Mr. THURMOND], and the distinguished Senator from Massachusetts [Mr. SALTONSTALL].

The amendment which I am proposing has nothing at all to do with the content of this particular bill, which, in essence, is to suspend for a temporary period the import duty on heptanoic acid. And I desire to make it clearly understood that there is no intent on my part to delay or to hamper in any way the free passage of H.R. 12659 insofar as heptanoic acid is concerned.

My proposal has to do with a loophole in regard to the importation of waterproof fabrics and how this loophole affects the American textile industry, which is engaged in the manufacture of fine cotton fabrics, including typewriter ribbon. My amendment is similar to a bill, H.R. 12437, which was introduced in the House of Representatives on May 27, 1960, by Mr. WILBUR MILLS, and is now in the House Ways and Means Committee.

My amendment is also similar to a bill which I introduced, S. 3828, on August 9, 1960, and is now pending before the Senate Finance Committee. The purpose of this amendment, as is the purpose of the two bills to which I have referred, is to close a loophole in our tariff law which has led to a practice which, in essence, violates the intent and spirit of our reciprocal trade agreements.

Under existing law waterproof fabrics come in under a tariff of 11 percent ad valorem. There is every reason for a low tariff on waterproof fabrics if they are to be used for waterproof purposes. The tariff on very fine cotton fabrics, such as typewriter ribbon, has been between 22 and 32 percent, as I explained to the Senate several weeks ago.

Even with this tariff of 22 to 32 percent this particular domestic textile industry has been hard hit to the point where the matter was brought before the Tariff Commission, which instituted an investigation on January 11, 1960, and as late as June 30, 1960, the Tariff Commission rendered a unanimous decision to the effect that the tariff should be raised to a point of 45 percent ad valorem on the average.

This decision by the Tariff Commission was sustained by the President of the United States as late as August 23, 1960. However, because of the loophole, the decision of the Tariff Commission, supported by the action of the President, is nothing more than an exercise in futility, and this is why: For some time previous to October 11, 1954, the Bureau of Customs was using the so-called cup test to determine whether or not a fabric was absorbent or water repellent.

It became obvious that some fabric which is not to be used for water repellent reasons measured up to the so-called cup test and, for that reason, came in under waterproof provisions of the tariff law at a tariff rate of 11 percent ad valorem even though the particular fabrics were not to be used for water repellent reasons. Therefore, we are led to the ridiculous conclusion that because of the very fine quality of cloth fabric which is used for typewriter ribbon, whose ultimate purpose is to be absorbent rather than water repellent, nevertheless through the use of the cup test this cloth can come in under the 11-percent rate rather than the 45-percent sustained by the Tariff Commission and the President.

Recognizing this, the Treasury Department on October 11, 1954, ruled that the cup test would not be used but that the ultimate end use of the fabric would determine whether or not it would come in as waterproof duty classification. This decision on the part of the Treasury Department was overturned by the Customs Court on November 16, 1959, on the grounds that the Treasury Department could not change the cup test and employ the test of end use.

Mr. President, we are seeking, by the amendment, to return to what was the practice between October 11, 1954, and November 16, 1959, when the customs court reversed the Treasury Department.

My amendment seeks to close this loophole. For our tariff negotiations will be nothing more than a mockery if we allow foreign manufacturers to make fabric water repellent so as to come in under the low tariff and once it enters our country then to have the waterproofing wash off.

This would be nothing more than a subterfuge, and constitutes, in my opinion, a loophole which, if not closed, will do irreparable harm to our American fine fabric industry.

There are not many manufacturers in our country of very, very fine cotton fabric which is also used for balloons and dirigibles and unless something is done to cure this importing practice, these manufacturers have unequivocally stated that they might have to liquidate, go out of business and close their mills, not only jeopardizing a technique and technology which may be invaluable for security purposes but, in addition to that, involving the loss of hundreds of jobs for American workers.

I have no fault to find with the low tariff rate insofar as waterproof fabrics are concerned if they are to be used for that purpose. But when we allow foreign manufacturers to make this cloth waterproof so as to come in under the low tariff and once it gets into our country have the waterproofing washed off, then I am afraid we are encouraging our friends abroad to engage in deceitful practices. This is all my amendment would do—eliminate deceit.

A question may now arise—why attach the amendment to this bill? This is an important question. Obviously, we are in a legislative squeeze in the twilight of the present session of Congress.

This import situation is of an emergency character and needs immediate attention. My distinguished colleague and friend, the chairman of the Senate Finance Committee, the Senator from Virginia [Mr. BYRD], has been apprised of the fact that this amendment would be proposed on this particular bill.

Mr. WILBUR MILLS, the Chairman of the House Ways and Means Committee, has also been alerted, and I understand subscribes to what I am doing today.

If my colleague, the chairman of the Finance Committee will not oppose this amendment—I understand he does not—and allow it to be affixed to this particular bill, I am quite sure from the representations made to me that it will be guided to passage in the House by the chairman of the House Ways and Means Committee.

That accounts for the extraordinary procedure which I am following today, and I do hope that my colleagues of the Senate will agree to and subscribe to this unusual but necessary method.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. BUSH. I fully endorse what the Senator from Rhode Island has said. There is obviously a loophole in the law. It was not intended that this situation should ever exist, or that it should continue.

I beg my good friend who has charge of the bill to accept the amendment. I think it will only do justice. It will close a shockingly bad loophole and will stop a shockingly bad practice.

We have been through this type of thing once or twice before in recent years. The Senator from Rhode Island, my very able friend who has made an ironclad case for this amendment, in my judgment, will recall the case of the rubber soled footwear subterfuge when, by inserting a leather tongue in a sneaker, importers were able to bring the shoes into the United States at a much lower duty than was intended by the law.

The purpose of the amendment which has been proposed is similar to the purpose of the amendment proposed several years ago to stop that deceitful practice.

I heartily endorse all that the Senator has said, and I beg the committee, as well as the distinguished Senator from Oklahoma, who is in charge of the bill, to accept the amendment.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. THURMOND. I compliment the able and distinguished Senator from Rhode Island for his presentation on this subject, and I wish to associate myself with the remarks the Senator has made.

Mr. President, the domestic production of typewriter cloth from 1955 to 1959 went down 42 percent. The imports of typewriter cloth in 1959 alone were 169 percent of the domestic production.

Mr. President, the Senator from Rhode Island has made a clear case for the proposed legislation. I do not think anything further needs to be said. The Tariff Commission has found substantial damage to the domestic industry, and made a recommendation which the President has acted upon favorably. I believe the recommendation provides for raising the tariff from the existing 22 to 32 percent ad valorem to 28 to 48 percent ad valorem. This has been found necessary after a hearing.

It is very important, I think, that the proposed legislation be passed. I, too, hope the distinguished Senator from Oklahoma, the acting chairman of the Committee on Finance, will agree to accept the amendment. I hope the Senate will adopt it.

Mr. KERR. Mr. President, I have been impressed by the remarks of the distinguished Senators from Rhode Island, Connecticut and South Carolina. I am happy to recommend that the amendment be accepted.

The PRESIDING OFFICER. The The question is on agreeing to the amendment offered by the Senator from Rhode Island and other Senators.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 12659) was read the third time and passed.

The title was amended so as to read: "An act to suspend for a temporary period the import duty on heptanoic acid, and for other purposes."

Mr. PASTORE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BUSH. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. PASTORE. Mr. President, I thank my distinguished colleague the Senator from Oklahoma for his patience. I know he has had a very busy day today. He has waited until half past 10 to accommodate us in this matter. We appreciate it from the bottom of our hearts.

Mr. BUSH. Mr. President, I join in that statement of commendation to the Senator from Oklahoma, which I warmly second.

Mr. THURMOND. Mr. President, I also wish to join in that statement of appreciation to the able and distinguished Senator from Oklahoma.

DETERMINATION OF MANUFACTURERS SALE PRICE—CHARGES FOR LOCAL ADVERTISING

Mr. KERR. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1983, H.R. 12536.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 12536) relating to the treatment of charges for local advertising for purposes of determining the manufacturers sale price.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. KERR. Mr. President, I ask unanimous consent that a statement with reference to the provisions of the bill be printed in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON H.R. 12536—EXCLUSION OF LOCAL ADVERTISING CHARGE FROM MANUFACTURERS SALES PRICE

This bill deals with the status of local advertising charges for purposes of the manufacturers excise tax.

In 1932 the Internal Revenue Service ruled the separate charges for advertising could be excluded from the sales price for excise tax purposes. From then until 1956, the Service issued numerous private rulings permitting price readjustments for local advertising expenses. In many instances, however, taxpayers did not apply for specific rulings regarding their own cases but, instead, relied upon information generally available to the effect that such expenses were excludable from the excise tax base. Similarly, cases have come to the attention of the committee where taxpayers conferred with the Internal Revenue Service regarding this matter and were led to believe that local advertising charges were not part of the taxable sales price. They relied upon their understanding although no ruling was issued to them.

In 1956 it was generally understood that the Service would shortly publish a ruling to the effect that local advertising charges would be excluded from the tax base. No such ruling was issued. Rather, in 1958 a formal regulation was issued to the effect that such charges were not to be excluded, but were to constitute a part of the tax base.

This year, the Court of Claims decided in the General Motors case that such charges properly could be excluded.

Because of this confusion, your committee has concluded that legislation is desirable to clarify this situation. Accordingly, this bill allows a reasonable amount of local advertising expenses to be excluded from the taxable sales price. More specifically, it provides for an exclusion of such charges if the following conditions are met:

1. Only local advertising charges not in excess of 5 percent of the manufacturer's price may be excluded.

2. The local advertising charge must be separately billed.

3. It must be intended that the advertising charges be refunded to the purchaser for reimbursement for local advertising.

4. Amounts not refunded by May 1 of the following year are to become taxable.

5. The exclusion is limited to local advertising by radio, television or newspaper.

6. The advertising must state the name of the article and the retail sales location at which it may be purchased.

7. The advertising must be initiated by the purchaser of the article, not by the manufacturer.

Under the bill, no other advertising charges will be excludable in computing the price of articles subject to excise tax.

The bill applies with respect to articles sold on or after the first day of the first calendar quarter beginning more than 20 days after the date of enactment.

Mr. KERR. Mr. President, I ask unanimous consent that the statement of the junior Senator from Indiana [Mr. HARTKE] with reference to this bill may be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR VANCE HARTKE

I am wholeheartedly in favor of this legislation and was pleased to support it in the Finance Committee. I wish to call the attention of the Members of this body to another instance where representatives of a corporation, prior to 1956, conferred with the Internal Revenue Service relative to a ruling involving the price readjustment aspects of such a program and were led to believe that such price readjustments would be made. No private ruling was issued. However, the adjustments were claimed in good faith, in preparing the returns. A wholly owned subsidiary of a corporation would, of course, be deemed to have the same knowledge as its parent.

Mr. KERR. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Oklahoma will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add a new section, as follows:

SEC. 7. Subsection (c) of section 302 of the Public Debt and Tax Rate Extension Act of 1960 (Public Law 86-564; 74 Stat. 293) is amended to read as follows:

"(c) EFFECTIVE DATE.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by subsections (a) and (b) shall be applicable only with respect to taxable years beginning after December 31, 1960.

"(2) CALCIUM CARBONATES, ETC.—

"(A) ELECTION FOR PAST YEARS.—In the case of calcium carbonates or other minerals when used in making cement, if an election is made by the taxpayer under subparagraph (C)—

"(i) the amendments made by subsection (b) shall apply to taxable years with respect to which such election is effective, and

"(ii) provisions having the same effect as the amendments made by subsection (b) shall be deemed to be included in the Internal Revenue Code of 1939 and shall apply to taxable years with respect to which such election is effective in lieu of the corresponding provisions of such Code.

"(B) YEARS TO WHICH APPLICABLE.—An election made under subparagraph (C) to have the provisions of this paragraph apply shall be effective for all taxable years beginning before January 1, 1961, in respect of which—

"(i) the assessment of a deficiency,

"(ii) the refund or credit of an overpayment, or

"(iii) the commencement of a suit for recovery of a refund under section 7405 of the Internal Revenue Code of 1954,

is not prevented on the date of the enactment of this paragraph by the operation of any law or rule of law. Such election shall also be effective for any taxable year beginning before January 1, 1961, in respect of which an assessment of a deficiency has been made but not collected on or before the date of the enactment of this paragraph.

"(C) TIME AND MANNER OF ELECTION.—An election to have the provisions of this paragraph apply shall be made by the taxpayer on or before the sixtieth day after the date of publication in the Federal Register of final regulations issued under authority of subparagraph (F), and shall be made in such form and manner as the Secretary of the Treasury or his delegate shall prescribe by regulations. Such election, if made, may not be revoked.

"(D) STATUTES OF LIMITATION.—Notwithstanding any other law, the period within which an assessment of a deficiency attributable to the application of the amendments made by subsection (b) may be made with respect to any taxable year to which such amendments apply under an election made under subparagraph (C), and the period within which a claim for refund or credit of an overpayment attributable to the application of such amendments may be made with respect to any such taxable year, shall not expire prior to one year after the last day for making an election under subparagraph (C). An election by a taxpayer under subparagraph (C) shall be considered as a consent to the application of the provisions of this subparagraph.

"(E) TERMS; APPLICABILITY OF OTHER LAWS.—Except where otherwise distinctly expressed or manifestly intended, terms used in this paragraph shall have the same meaning as when used in the Internal Revenue Code of 1954 (or corresponding provisions of the Internal Revenue Code of 1939) and all provisions of law shall apply with respect to this paragraph as if this paragraph were a part of such Code (or corresponding provisions of the Internal Revenue Code of 1939).

"(F) REGULATIONS.—The Secretary of the Treasury or his delegate shall prescribe such regulations as may be necessary to carry out the provisions of this paragraph."

Mr. KERR. The amendment which has been offered has been unanimously reported from the Finance Committee with reference to other legislation and has been strongly endorsed by the administration, the Treasury Department, and the Internal Revenue Department, which has requested the present consideration of the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I join the Senator from Oklahoma in urging the adoption of the amendment. This is an amendment that the administration has said is very important and should be passed before we go home from this session. I certainly hope the amendment will be agreed to. This amendment is the same as section 7 of H.R. 7885 as reported by the Finance Committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oklahoma.

The amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Delaware will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add a new section, as follows:

(a) Section 461 of the Internal Revenue Code of 1954 (relating to general rule for taxable year of deduction) is amended by adding at the end thereof the following new subsection:

"(d) LIMITATION ON ACCELERATION OF ACCRUAL OF TAXES.—

"(1) GENERAL RULE.—In the case of a taxpayer whose taxable income is computed under an accrual method of accounting, to the extent that the time for accruing taxes is earlier than it would be but for any action of any taxing jurisdiction taken after December 31, 1960, then, under regulations prescribed by the Secretary or his delegate, such taxes shall be treated as accruing at the time they would have accrued but for such action by such taxing jurisdiction.

"(2) LIMITATION.—Under regulations prescribed by the Secretary or his delegate, paragraph (1) shall be inapplicable to any item of tax to the extent that its application would (but for this paragraph) prevent all persons (including successors in interest) from ever taking such item into account."

(b) The amendment made by subsection (a) shall apply to taxable years ending after December 31, 1960.

Mr. WILLIAMS of Delaware. Mr. President, the amendment likewise has been approved unanimously by the members of the Finance Committee and is the same as section 6 of H.R. 7885 now pending on the Senate calendar. The purpose of the amendment is to stop a possible loss of approximately $200 million, which the Treasury Department said would result if we did not enact this measure at this session. I ask that there be inserted an explanation of the amendment as contained in the committee report to be printed at this point.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

Present law (sec. 164(a)) allows a deduction for "taxes paid or accrued within the taxable year." Under this language, the accrual basis taxpayer is allowed a deduction in the year the taxes accrue regardless of when they are paid. As a general rule, developed through judicial and administrative interpretations, the date of the event which renders the taxpayer unconditionally liable for the tax is considered the proper accrual date. With respect to personal and real property taxes, the accrual date is generally considered either the assessment date, personal liability date, or the lien date, or a combination of these dates. Section 461(c) of the code allows accrual basis taxpayers, at their election, to accrue real property taxes ratably over the period of time to which they relate. Section 461(c) is limited to real property taxes and few taxpayers have elected to accrue those taxes ratably. Therefore, most taxpayers on the accrual basis accrue and deduct taxes in the taxable year in which the accrual date occurs.

Several States have recently enacted legislation which has enabled accrual basis taxpayers to claim that they are entitled to deduct in 1 Federal taxable year property taxes for 2 full property tax years. The technique employed by the State legislatures to accomplish this is simply to cause the accrual event, such as the assessment date, for 2 years' property taxes, to fall within 1 year. Thus, in a State where real property taxes for the calendar year 1961 were assessed and became a personal liability on January 1, 1961, the State legislature would pass a law changing the assessment and personal liability dates for 1962 real property taxes from January 1, 1962, to December 31, 1961. In such a case, the accrual basis calendar year taxpayer might argue that present law permits him to accrue and deduct in the Federal taxable year 1961 the real property taxes assessed for both 1961 and 1962. If the same State continues to assess property taxes for 1963 and all subsequent years on December 31 of the preceding year, the same taxpayer, having claimed the deduction for 2 years' property taxes in 1961, will still claim a deduction for 1 year's taxes in 1962 and for 1 year's taxes in each succeeding year in which taxes are assessed.

This type of State legislation has been widely publicized as being a "tax gimmick." At least one State has specifically provided that for State income tax purposes, the new accrual date shall be disregarded. It is evident that in many cases the primary purpose of such State legislation is to enable accrual basis taxpayers in those States to obtain a Federal income tax benefit.

If the State legislation accomplishes its purpose, a permanent and significant loss of revenue will result, and unless remedial legislation is enacted the revenue loss may be significantly increased as other States may well take action similar to that taken by the States mentioned.

To cope with this problem, your committee has included in the bill an amendment which in general would deny an accrual basis taxpayer the right to deduct more than 1 year's State taxes in 1 Federal taxable year. This is done by providing that where the accrual date is earlier than it would be but for any action of any taxing jurisdiction taken after December 31, 1960, such taxes shall be treated as accruing at the time they would have accrued but for such action. This new provision will not apply, however, to certain situations where present law properly allows a doubling of deductions, so long as the doubling of deductions is not the result of any action of a taxing jurisdiction.

This section will apply only to taxable years ending after December 31, 1960. Since the section is not retroactive, it is not intended that it apply to taxable years ending prior to January 1, 1961.

Mr. WILLIAMS of Delaware. Mr. President, under existing law it is possible for States to change the date upon which their State taxes become due from January 1, to December 31, and thereby give to those companies that are on an accrued tax basis a one-shot double deduction. This measure plugs that loophole. It has been approved unanimously by the committee, and is urgently requested by the Treasury Department and I ask that it be agreed to.

Mr. KERR. Mr. President, I join in the request of the Senator from Delaware.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Delaware.

The amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I offer another amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Delaware will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add a new section, as follows:

(a) The Iron Workers Mid-America Pension Fund, which was established by an indenture executed on January 30, 1957, as a result of an agreement between various locals affiliated with the International Association of Bridge, Structural, and Ornamental Iron Workers and three employer associations, which has been held by the Internal Revenue Service to constitute a qualified trust under section 401(a) of the Internal Revenue Code of 1954, and to be exempt from taxation under section 501(a) of such Code, for years ending on or after December 17, 1958, and which has never been operated in a manner which would jeopardize the interests of its beneficiaries, shall be held and considered to have been a qualified trust under such section 401(a), and to have been exempt from taxation under such section 501(d), for the period beginning on January 30, 1957, and ending on December 16, 1958.

(b) The Pattern Makers' Pension Trust Fund of Chicago, which was established by an agreement and declaration executed on April 28, 1958, between the Pattern Makers' League of North America, Chicago Association, and the Pattern Manufacturers' Association of Chicago and Vicinity, which has been held by the Internal Revenue Service to constitute a qualified trust under section 401(a) of the Internal Revenue Code of 1954, and to be exempt from taxation under section 501(a) of such Code, for years ending on or after February 25, 1959, and which has never been operated in a manner which would jeopardize the interests of its beneficiaries, shall be held and considered to have been a qualified trust under such section 401(a), and to have been exempt from taxation under such section 501(a), for the period beginning on April 28, 1958, and ending on February 24, 1959.

(c) The Pipe and Refrigeration Fitters Local 537 Pension Fund of Boston, Massachusetts, which was created on September 1, 1955, as a result of an agreement between Local 537 of the United Association of Pipe Fitters and Refrigeration Fitters and the Heating, Piping, and Air Conditioning Contractors, Boston Association (now known as Mechanical Contractors Association of Boston), which has been held by the Internal Revenue Service to constitute a qualified trust under section 401(a) of the Internal Revenue Code of 1954, and to be exempt from taxation under section 501(a) of such Code, for years ending on or after November 10, 1959, and which has never been operated in a manner which would jeopardize the interests of its beneficiaries, shall be held and considered to have been a qualified trust under such section 401(a), and to have been exempt from taxation under such section 501(a), for the period beginning on March 1, 1956, and ending on November 9, 1959.

(d) The Annuity Plan of the Electrical Switchboard and Panelboard Manufacturing Industry of New York City, which was created May 16, 1956, as a result of an agreement between Local Union Numbered 3, International Brotherhood of Electrical Workers, American Federation of Labor and Congress of Industrial Organizations, and the Electrical Manufacturers of New York, Incorporated, which has been held by the Internal Revenue Service to constitute a qualified trust under section 401(a) of the Internal Revenue Code of 1954, and to be exempt from taxation under section 501(a) of such Code, and which has never been operated in a manner which would jeopardize the interests of its beneficiaries, shall be held and considered to have been a qualified trust under such section 401(a), and to have been exempt from taxation under such section 501(a), for the period beginning May 16, 1956, and ending May 22, 1957.

(e) The District Council No. 19 Welfare Fund, now known as Painters District Council No. 19 Welfare and Pension Fund, which was first created as of May 1, 1947, as a result of an agreement between Painters District Council No. 19, Brotherhood of Painters, Decorators and Paperhangers of America, of the State of New Jersey and painting contractors signatory to the union agreement, which has been held by the Internal Revenue Service to constitute a qualified trust under section 401(a) of the Internal Revenue Code of 1954, and to be exempt from taxation under section 501(a) of such Code, and which has never been operated in a manner which would jeopardize the interests of its beneficiaries, shall be held and considered to have been a qualified trust under such section 401(a), and to have been exempt from taxation under such section 501(a) and under section 165(a) of the Internal Revenue Code of 1939, for the period beginning January 1, 1954, and ending August 6, 1956.

(f) The Local Union Numbered 377 Pension Fund, which was created October 13, 1952, as a result of an agreement between Local Union Numbered 377, Brotherhood of Painters, Decorators and Paperhangers of America, of the State of New Jersey and Painting and Decorating Contractors of America, Hudson County Employers Chapter, which has been held by the Internal Revenue Service to constitute a qualified trust under section 401(a) of the Internal Revenue Code of 1954, and to be exempt from taxation under section 501(a) of such Code, and which has never been operated in a manner which would jeopardize the interests of its beneficiaries, shall be held and considered to have been a qualified trust under such section 401(a), and to have been exempt from taxation under such section 501(a) and under section 165(a) of the Internal Revenue Code of 1939, for the period beginning October 13, 1952, and ending April 1, 1958.

Mr. WILLIAMS of Delaware. Mr. President, this amendment is offered on behalf of the Senator from Illinois [Mr. DOUGLAS]. The amendment likewise would correct an inequity in the taxation of certain pension trusts. It was originally offered by the Senator from Illinois [Mr. DOUGLAS] and unanimously approved by our committee. I ask that it be approved as an amendment to the bill and that an explanation of the amendment be printed at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

GENERAL STATEMENT

Under present law, a pension trust is qualified for income tax exemption only if it meets certain requirements relating to coverage of employees and nondiscrimination of contributions or benefits. Where the pension trust is properly qualified, not only is it exempt from Federal taxation with respect to its income, but contributions paid to it by an employer on behalf of his employees are deductible for Federal income tax purposes. Thus, there is considerable incentive for a pension trust to meet the requirements of the Internal Revenue Code and thereby become a qualified trust.

Occasionally, however, it is difficult for a pension trust to achieve qualified status before employer contributions are received by it. This is particularly true in the case of pension plans negotiated under collective-bargaining agreements with many employers, both large and small. Often, considerable time is required to obtain sufficient factual data upon which to insure the actuarial soundness of the plan. Sometimes a formality is not properly performed.

In such cases, where the pension plan operates for some period as a nonqualified plan prior to securing qualification under the Internal Revenue Code, any income it may earn during such period is subject to income tax, thereby reducing amounts which would otherwise serve to provide employee benefits under the plan. In addition, employer contributions are not allowed as deductions.

Your committee believes these are rather severe consequences, particularly where failure to meet the conditions of the statute for qualification is due to mere inadvertence and it was the initial intention of both the employers and the unions to meet those conditions. If the pension trust has never been operated in a manner which would jeopardize the interest of its beneficiaries, and if, when completed, the pension plan of which the trust is a part conforms with the Internal Revenue Code and has received the approval of the Internal Revenue Service, your committee believes it is just, under such circumstances to provide that the pension plan be treated as a qualified trust during the intervening period between its inception and the time it actually qualified for tax exemption.

This section therefore provides that with respect to certain stated periods of time the following specified pension trusts are to be considered as qualified trusts.

1. The Iron Workers' Mid-American Pension Fund, for the period beginning on January 30, 1957, and ending on December 16, 1958.

2. The Pattern Makers' Pension Trust Fund of Chicago, for the period beginning on April 28, 1958, and ending on February 24, 1959.

3. The Pipe and Refrigeration Fitters Local 537 Pension Fund of Boston, Mass., for the period beginning on March 1, 1956, and ending on November 9, 1959.

4. The Annuity Plan of the Electrical Switchboard and Panelboard Manufacturing Industry of New York City, for the period beginning May 16, 1956, and ending May 22, 1957.

5. The District Council No. 19 Welfare Fund, now known as Painters District Council No. 19 Welfare and Pension Fund, for the period beginning on January 1, 1954, and ending on August 6, 1956.

6. The Local Union No. 377 Pension Fund, for the period beginning October 13, 1952, and ending April 1, 1958.

Mr. KERR. Mr. President, I join in the request of the Senator from Delaware.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Delaware.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading and passage of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 12536) was ordered to a third reading, read the third time, and passed.

Mr. KERR. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. WILLIAMS of Delaware. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

EXCISE TAX ON CIGARS

Mr. KERR. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1982, H.R. 10960.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 10960) to amend section 5701 of the Internal Revenue Code of 1954 with respect to the excise tax upon cigars.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. WILLIAMS of Delaware. Mr. President, on behalf of the Senator from Illinois [Mr. DIRKSEN] I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Delaware on behalf of the Senator from Illinois [Mr. DIRKSEN] will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to insert:

That section 243 of the Internal Revenue Code of 1959 (relating to deduction for dividends received by corporations) is amended by adding at the end thereof the following new subsection:

"(d) CERTAIN DIVIDENDS FROM FOREIGN CORPORATIONS.—For purposes of subsections (a) and (b) of this section and for purposes of section 245, any dividend from a foreign corporation from earnings and profits accumulated by a domestic corporation during a period with respect to which such domestic corporation was subject to taxation under this chapter (or corresponding provisions of prior law) shall be treated as a dividend from a domestic corporation which is subject to taxation under this chapter."

SEC. 2. Section 861(a)(2) of the Internal Revenue Code of 1954 (relating to treatment of dividends as income from sources within the United States) is amended by striking out the period at the end of subparagraph (B) and inserting in lieu thereof ", or", and by adding after subparagraph (B) the following new subparagraph:

"(C) from a foreign corporation to the extent that such amount is required by section 243(d) (relating to certain dividends from foreign corporations) to be treated as dividends from a domestic corporation which is subject to taxation under this chapter, and to such extent subparagraph (B) shall not apply to such amount."

SEC. 3. The amendments made by the first section and section 2 of this Act shall apply to dividends received after December 31, 1959, in taxable years ending after such date.

Amend the title so as to read: "A bill to amend the Internal Revenue Code of 1954 with respect to certain dividends paid by foreign corporations."

Mr. WILLIAMS of Delaware. Mr. President, I ask that a section of the report be printed in the RECORD to explain the amendment.

The PRESIDING OFFICER. There being no objection, the excerpt is ordered to be printed in the RECORD, as follows:

SUMMARY OF BILL

This bill provides that the 85-percent intercorporate dividends received deduction is to be available when a foreign corporation pays a dividend out of its earnings and profits if they were accumulated by a predecessor domestic corporation which was subject to the regular U.S. corporate income tax when these earnings were accumulated. This amendment is to apply to distributions received after December 31, 1959, in taxable years ending after that date.

The Treasury Department has indicated that it does not object to the enactment of this bill, and this bill has been reported unanimously by your committee.

Mr. KERR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KERR. It was the purpose of the Senator from Oklahoma to have this bill become the pending business for tomorrow. I believe, however, that would not be in conformity with the unanimous-consent agreement in effect. Therefore, if the amendment is adopted, I will then ask that the bill with the amendment be returned to the calendar.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Delaware on behalf of the Senator from Illinois [Mr. DIRKSEN].

The amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I understand that the junior Senator from Pennsylvania [Mr. SCOTT] wishes to offer an amendment to the bill tomorrow.

Mr. KERR. When it is called up again, it will be in order for him to do so.

AUTHORIZATION FOR SELECT COMMITTEE ON SMALL BUSINESS TO FILE REPORT ON GOVERNMENT COMPENSATION WITH PRIVATE BUSINESS—REFRIGERATED WAREHOUSES

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the Select Committee on Small Business be authorized during the adjournment of the 2d session of the 86th Congress, to file with the Secretary of the Senate a report entitled "Government Competition With Private Business: Refrigerated Warehouses," and that the report be printed along with any individual, supplemental, or minority views.

The PRESIDING OFFICER. Without objection, it is so ordered.

HOUSING FOR THE ELDERLY: SETTING THE RECORD STRAIGHT

Mr. WILLIAMS of New Jersey. Mr. President, in 1959 Congress authorized $50 million for low interest, long term direct loans for the construction of housing for the elderly. This program was modeled on the very successful college housing program.

During the House hearings, however, the Housing and Home Finance Administrator, Norman Mason, commented that the administration believed that this direct Federal loan program would involve an unnecessary and undesirable use of Federal funds, that it would compete with private enterprise, and have the effect of smothering the growing private interests serving this field.

Notwithstanding that view, Congress included the elderly housing program in S. 57, the first general housing bill of that year.

We are all familiar with the history of the legislation, including the vetoes, but finally the inclusion of this program and finally, too, this year, the inclusion of an appropriation of $20 million for the purpose of elderly housing under the program. I read recently in the New York Times that Mr. Mason is now an enthusiastic supporter of the direct loan program for housing for the elderly.

Inquiring further, I learned that whereas there is time spent of around 90 days between application and commitment on other FHA programs, which is somewhat longer than the time between now and November 8th, the Housing and Home Finance Agency is gearing up to process the applications for this totally new and, presumably, what was described in the veto message as a dangerous and unsound program, in 7 days.

With the applications just starting to come in, I have no doubt that the administration will be able to process a considerable number of the applications in the very near future. I am very glad to see that the administration is discharging this duty so diligently. We perhaps owe more to the electoral process than we sometimes realize.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I am happy to yield to my committee chairman, the chairman of the Subcommittee on Housing.

Mr. SPARKMAN. I was greatly interested in the remarks of the distinguished Senator from New Jersey. I presume that he saw the news release that was issued by the Housing and Home Finance Agency recently with reference to this program.

Mr. WILLIAMS of New Jersey. I saw the substance of it in the New York Times article. I did not see the full release.

Mr. SPARKMAN. At least the Senator saw it reported in the press. Was not the Senator impressed with the complete dedication of the administration to this program?

Mr. WILLIAMS of New Jersey. It read exactly that way.

Mr. SPARKMAN. As a matter of fact, did it not read as if this were a program the administration itself had initiated and had put through and was now going to demonstrate to the country what a tremendous program it is?

Mr. WILLIAMS of New Jersey. Anyone who did not have the benefit of the testimony of the Agency, the veto messages of the President, and the latest statements by the Agency would feel that this was the administration's program, that they had given birth to it, fought hard for it, and were now diligently seeing to it that this money was appropriated for the purposes desired, for housing on a low cost loan basis for the elderly. We know, of course, that is not the record.

Mr. SPARKMAN. I am not sure whether the Senator knows that Mr. Mason, the head of the Housing and Home Finance Agency, appeared before the Subcommittee on Appropriations of the Senate when the matter of making appropriations available was before the subcommittee, and testified against any appropriations.

The Senator will remember that whereas we authorized $50 million, the budget this year provides for nothing, the administration asked for nothing, the Housing Agency made no plea for it; in spite of that, the House Committee on Appropriations put in $5 million, telling the administration, at least, to make an experiment with the program. Then when that appropriation came to the Senate, the Housing and Home Finance Agency was not satisfied to remain mute, but they came up and actually testified against the appropriation and said it was not needed, and repeated their objection to the program, as the Senator has pointed out.

I happened to be before the Appropriations Subcommittee on the day Mr. Mason testified. Our good friend, the chairman of the subcommittee, the senior Senator from Washington [Mr. MAGNUSON] asked me—I was there to testify on another matter—what I thought of that program. He repeated that Mr. Mason had testified against it. I urged strongly, of course, that at least the action of the House be upheld, and urged a larger appropriation. The Senator will recall that on the floor of the Senate we tried to get it raised to a figure of $50 million, $40 million, $30 million, and then $20 million. We were not able to bargain anything for the time being. Finally the Senator from New Jersey introduced the amendment calling for $50 million, and finally the chairman of the committee agreed to take the full amount to conference. Out of it came the $20 million. I am glad to see that the Housing and Home Finance Agency is seeking to get up some useful housing projects for elderly citizens.

Mr. WILLIAMS of New Jersey. Mr. President, I believe that the colloquy this evening has been useful, as a recital of the history, and a happy ending in the administration's total acceptance now, after bitter opposition. Perhaps there might be one or two other occasions before there is a new administration when this lesson will mean something and we will get a more favorable reaction in the early instances, not only after we have given them a program.

Mr. SPARKMAN. As a matter of fact, we would enumerate instances in the housing field. We could stand here the rest of the night and cite instances of programs which have been initiated by the Democratic Congress over the opposition of the administration, only to find that later, when they proved to be good programs, they were adopted by the administration as if they had thought the whole thing up.

The Senator remembers about 5 years ago the senior Senator from Montana [Mr. MURRAY] offered a program which was really new. He proposed to set up some kind of international food bank, into which we might put a part of our surplus farm commodities, and through the agency of the United Nations make the food available for hungry people throughout the world. It would be interesting to read the reaction of the administration to that program at that time. The program has been repeated by the Senator from Minnesota [Mr. HUMPHREY], who has offered it in subsequent years.

About a month ago the Vice President, making one of his speeches out over the country, came out with this brandnew program, the food-for-peace plan, which Mr. Eisenhower was ready to propose at the summit conference, and would propose to the United Nations. Actually there have been hearings before the Committee on Foreign Relations this week on the administration's proposal on the food-for-peace plan, as if no one had ever thought of it before.

Mr. WILLIAMS of New Jersey. I believe the Senator will recall that not too long ago, in India, the President saw hunger and starvation, and proposed the food-for-peace plan.

Mr. SPARKMAN. Brandnew programs, as far as the administration is concerned. As I say, we could stand here and repeat numerous instances of various programs which the Democratic Congress in many instances enacted into law over the opposition of the administration, only to have them adopted later as if they had been thought up and initiated and put into effect by the administration.

Mr. WILLIAMS of New Jersey. Can we not, in the Senator's judgment, feel some assurance that we have not been prophets crying in the wilderness, but have been prophets who have gained acceptance in the marketplace?

Mr. SPARKMAN. The Senator is correct. I hope the administration remains converted to these good programs.

Mr. WILLIAMS of New Jersey. I am grateful to the Senator for this colloquy.

TRIBUTE TO SENATOR BURDICK

Mr. KERR. Mr. President, I would not want this day to come to an end, and this session to conclude its deliberations, without saying a word in commendation of the endurance and patience of the distinguished occupant of the chair, the Presiding Officer, the Senator from North Dakota [Mr. BURDICK]. His has been one of the outstanding demonstrations that I have ever seen, of a Senator spending approximately 10 hours in the chair.

He has the esteem, respect, affection, regard, and gratitude of the Senator from Oklahoma for his patient, enduring service in this regard. I could not let the session come to a close without expressing this gratitude.

Mr. WILLIAMS of New Jersey. As the Senators knows, I am one of the freshmen Senators, whose responsibility it is to preside in the chair in the absence of the Presiding Officer designated in the Constitution, and we have had many opportunities to preside. I was thinking only tonight, just 2 hours ago, how grateful I was, a freshman Senator, to have more time to spend on the floor, and less time in the chair, because of our good and new friend, the Senator from North Dakota. I was drafting a resolution—I do not know whether it would be an official resolution—certainly of the freshmen Senators—resolving that our new and distinguished colleague from North Dakota has proven himself a fast, good friend in very short order since he has come to the Senate.

Mr. SPARKMAN. Mr. President, I wish to join in what has been said. I was thinking, as the Senator was speaking, that this particular Senator who presides happens to be a new Democratic Senator from the State of North Dakota, one of the very few Democrats ever elected to the Senate from that State. I am sure that he will be here a long time representing his State, and will be followed by Democrats in the future, from this onetime solidly Republican State.

RECESS UNTIL 11 A.M. TOMORROW

Mr. GORE. Mr. President, I move that the Senate stand in recess until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 10 o'clock and 50 minutes p.m.) the Senate took a recess until tomorrow, Saturday, August 27, 1960, at 11 o'clock a.m.

WITHDRAWAL

Executive nomination withdrawn from the Senate August 26 (legislative day of August 24), 1960:

Mr. Jack S. Brown to be postmaster at Hillsdale, in the State of Indiana.

HOUSE OF REPRESENTATIVES

FRIDAY, AUGUST 26, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalm 41: 1: *Blessed is he that considereth the poor: the Lord will deliver him in time of trouble.*

Almighty God, in this moment of prayer, wilt Thou stir our hearts to respond more gladly and ardently to the exhortations and admonitions of Thy Holy Word.

Grant that by the kindness and charity of the thoughts and temper of our minds we may show forth the wonder and power of Thy love.

We penitently confess that we are often so eager to find gain and profit for ourselves with little concern for the welfare and happiness of others.

Help us to explore those avenues of blessedness which will alleviate the needs of all the destitute and poverty-stricken members of the human family.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 900. An act to validate certain overpayments inadvertently made by the United States to several of the States and to relieve certifying and disbursing officers from liability therefrom;

H.R. 2069. An act for the relief of James H. Presley;

H.R. 2178. An act to authorize the Secretary of the Army to make certain changes in the road at Whites Branch, Grapevine Reservoir, Tex.;

H.R. 6084. An act for the relief of J. Butler Hyde;

H.R. 6767. An act for the relief of Raymond Baurkot;

H.R. 7242. An act to amend sections 1, 57j, 64a(5), 67b, 67c, and 70c of the Bankruptcy Act, and for other purposes;

H.R. 7792. An act for the relief of Martin A. Mastandrea;

H.R. 8054. An act for the relief of William Edgar Weaver;

H.R. 8289. An act to accelerate the commencing date of civil service retirement annuities, and for other purposes;

H.R. 8989. An act for the relief of Ralph W. Anderson;

H.R. 9377. An act to provide for the protection of forest cover for reservoir areas under the jurisdiction of the Secretary of the Army and the Chief of Engineers;

H.R. 9406. An act for the relief of William J. Huntsman;

H.R. 9417. An act for the relief of Harry Kaloian;

H.R. 9432. An act for the relief of Maj. Edmund T. Coppinger;

H.R. 9958. An act for the relief of Brooklyn Steel Warehouse Co.;

H.R. 10431. An act for the relief of Isami Nozuka (also known as Isami Notsuka);

H.R. 10598. An act to clarify certain provisions of the Criminal Code relating to the importation or shipment of injurious mammals, birds, amphibians, fish, and reptiles (18 U.S.C. 42(a), 42(b)); and relating to the transportation or receipt of wild mammals or birds taken in violation of State, National, or foreign laws (18 U.S.C. 43), and for other purposes;

H.R. 11165. An act for the relief of Robert J. Reeves;

H.R. 11327. An act for the relief of Chauncey A. Ahalt;

H.R. 11420. An act for the relief of Ferdinand Hofacker;

H.R. 11460. An act for the relief of Edouard E. Perret;

H.R. 11486. An act for the relief of Richard J. Power;

H.R. 12350. An act for the relief of Marion John Nagurski;

H.R. 12471. An act for the relief of Capt. Lucien B. Clark O2051623, MSC, U.S. Army;

H.R. 12475. An act for the relief of Claude L. Wimberly;

H.R. 12476. An act for the relief of John H. Esterline;

H.R. 12530. An act to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the John H. Kerr Reservoir, Va.-N.C.;

H.R. 12563. An act to amend the act entitled "An act to provide additional revenue for the District of Columbia, and for other purposes," approved August 17, 1937, as amended; and

H.J. Res. 658. Joint resolution to authorize and request the President to issue a proclamation in connection with the centennial of the birth of Jane Addams, founder and leader of Chicago's Hull House.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 4059. An act to amend title 28 of the United States Code relating to actions for infringements of copyrights by the United States;

H.R. 5396. An act to amend title 28 of the United States Code to provide for transfer of cases between the district courts and the Court of Claims;

H.R. 7124. An act to require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia, and for other purposes;

H.R. 11188. An act for the relief of Edward S. Anderson; and

H.R. 11813. An act to amend the Menominee Termination Act.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1663. An act directing the Secretary of the Interior to convey certain property in the State of North Dakota to the city of Bismarck, N. Dak.;

S. 1670. An act to provide for the granting of mineral rights in certain homestead lands in the State of Alaska;

S. 2761. An act to validate payments made for certain emergency conservation measures under the program authorized by the Third Supplemental Appropriation Act, 1957;

S. 2902. An act for the relief of Leo Shoenholz, Tobias Kaplan, the Kroger Co. of Cleveland, Miss., and Valley Bank of Rosedale, Rosedale, Miss.;

S. 3040. An act for the relief of Nellie V. Lohry;

S. 3339. An act to provide that the Secretary of the Army shall establish a national cemetery in Fort Reno, Okla., on certain lands presently under the jurisdiction of the Secretary of Agriculture;

S. 3433. An act giving the consent of Congress to a compact between the State of Arizona and the State of Nevada establishing a boundary between those States;

S. 3469. An act to amend the act of March 8, 1922, as amended, to extend its provisions to public sales;

S. 3591. An act for the relief of A. E. Waterstradt;

S. 3609. An act for the relief of Earl H. Pendell;

S. 3625. An act to establish a Wabash Basin Interagency Water Resources Commission;

S. 3681. An act authorizing the Rhode Island Turnpike and Bridge Authority to combine for financing purposes the bridge across the West Passage of Narragansett Bay with the Newport Bridge and any other project acquired or constructed by said authority;

S. 3688. An act to amend the District of Columbia Redevelopment Act of 1945, as amended, and the act approved December 20, 1944, as amended, and for other purposes;

S. 3834. An act to increase the maximum amount which may be borrowed by the District of Columbia for use in the construction and improvement of its sanitary and combined sewer systems, and for other purposes;

S. 3835. An act to authorize the District of Columbia Civil War Centennial Commission to plan and carry out in the District of Columbia civic programs in commemoration of the 100th anniversary of the Civil War; to authorize the Commissioners of the District of Columbia, the Secretary of the Interior, and the Secretary of Defense to make certain property of the District of Columbia and of the United States available for the use of such Commission; to authorize the said Commissioners to make certain regulations and permit certain uses to be made of public space; and for other purposes;

S. 3844. An act for the relief of Woody W. Hackney, of Fort Worth, Tex.; and

S. 3867. An act to exempt from taxation certain property of the National Guard Association of the United States in the District of Columbia.

The message also announced that the Senate agrees to the amendments of the House to the bill (S. 1898) entitled "An act to amend the Communications Act of 1934 with respect to the procedure in obtaining a license and for rehearings under such act," with amendments.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 11207) entitled "An act to amend the Small Business Act so as to authorize an additional $150 million for loans to small businesses, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. FULBRIGHT, Mr. SPARKMAN, Mr. PROXMIRE, Mr. BYRD of West Virginia, Mr. CAPEHART, and Mr. BENNETT to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing

votes of the two Houses on the amendments of the Senate to the bill (H.R. 6597) entitled "An act to revise the boundaries of Dinosaur National Monument and to provide an entrance road or roads thereto, and for other purposes."

The message also announced the appointment of the Senator from South Dakota [Mr. MUNDT] as conferee on the bill (S. 690) entitled "An act to provide for the increased use of agricultural products for industrial purposes" in place of the Senator from Iowa [Mr. HICKENLOOPER], excused.

IMPROVING ADMINISTRATION OF OVERSEA ACTIVITIES OF THE GOVERNMENT OF THE UNITED STATES

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 7758) to improve the administration of oversea activities of the Government of the United States, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, after "That" insert "titles I to V, inclusive, of".

Page 5, after line 1, insert "The head of the Government agency concerned may, in accordance with regulations of the President, waive in whole or in part any right of recovery under this section, if it is shown that such recovery would be against equity and good conscience or against the public interest."

Page 7, lines 7 and 8, strike out "transportation" and insert "travel".

Page 7, line 24, strike out "cost of transporting" and insert "travel expenses of".

Page 8, line 9, strike out "transportation" and insert "travel expenses".

Page 23, line 20, strike out "901 (1) and (2),".

Page 23, line 23, strike out "1131,".

Page 26, after line 19, insert:

"(7) Section 901 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1131), is amended to read as follows:

"'REPRESENTATION ALLOWANCES

"'SEC. 901. In accordance with such regulations as the President may prescribe and notwithstanding the provisions of section 1765 of the Revised Statutes (5 U.S.C. 70), the Secretary is authorized to grant to any officer or employee of the Service who is a citizen of the United States allowances in order to provide for the proper representation of the United States by officers or employees of the Service'."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

SECOND SUPPLEMENTAL APPROPRIATION BILL, 1961

Mr. THOMAS, from the Committee on Appropriations, reported the bill (H.R. 13161) making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes (Rept. No. 2166), which was read a first and second time, and, with the accompanying paper, referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

Mr. BOW reserved all points of order.

COMMITTEE ON FOREIGN AFFAIRS

Mr. HAYS. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until midnight tonight to file a report on the bill S. 2633, to amend the Foreign Service Act of 1946, as amended, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. MILLS. Mr. Speaker, I move a call of the House.

A call of the House was ordered and the following Members failed to answer to their names:

[Roll No. 195]

Alger	Hébert	Miller, George P.
Barden	Hess	Montoya
Barry	Hoffman, Mich.	Morrison
Baumhart	Hogan	Murray
Bolling	Ikard	Powell
Buckley	Jackson	Preston
Celler	Judd	Rogers, Mass.
Cooley	Kasem	Sikes
Davis, Tenn.	Kearns	Smith, Kans.
Denton	Kilburn	Taylor, N.Y.
Dulski	Lafore	Thompson, La.
Durham	Landrum	Vinson
Goodell	McSween	Wampler
Grant	Magnuson	Withrow
Harris	Mahon	Young
Healey	Mason	

The SPEAKER. On this rollcall 382 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

MUTUAL SECURITY AND RELATED AGENCIES APPROPRIATION BILL, 1961

Mr. PASSMAN. Mr. Speaker, I call up the conference report on the bill (H.R. 12619) making appropriations for mutual security and related agencies for the fiscal year ending June 30, 1961, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. GROSS. Mr. Speaker, reserving the right to object, I assume the gentleman will take ample time before the vote on the conference report to explain the report.

Mr. PASSMAN. I assure the gentleman I shall take ample time to explain the conference report.

Mr. GROSS. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2164)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12619) making appropriations for Mutual Security and related agencies for the fiscal year ending June 30, 1961, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 5, 12, 18, 19, 20, 21, 23, 32, 34, 36, and 38.

That the House recede from its disagreement to the amendments of the Senate numbered 6, 8, 9, 10, 11, 24, 25, 27, and 30, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$24,000,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$610,000,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$230,000,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"Office of the Inspector General and Comptroller: Not to exceed $1,200,000 of the funds appropriated in this title shall be available to carry out the provisions of section 533A of the Mutual Security Act of 1954, as amended."

And the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: ": *Provided*, That none of the funds appropriated in this paragraph shall be used for any project or activity for which an estimate has been submitted to Congress and which estimate has been rejected"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"SEC. 106. None of the funds herein appropriated shall be used to finance any of the activities under the Investment Incentive Fund Program."

And the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the number proposed by said amendment insert "107"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the number proposed in said amendment insert "108"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 3, 14, 16, 17, 22, 31, 33, 35, and 39.

OTTO E. PASSMAN,
J. VAUGHAN GARY,
CLARENCE CANNON,
JOHN TABER,
GERALD R. FORD, Jr.
(except as to amendments Nos. 2, 7, and 13),
Managers on the Part of the House.
CARL HAYDEN,
RICHARD B. RUSSELL,
DENNIS CHAVEZ,
ALLEN J. ELLENDER,
SPESSARD L. HOLLAND,
JOHN STENNIS,
STYLES BRIDGES,
LEVERETT SALTONSTALL
(except as to amendments Nos. 2 and 15),
MARGARET CHASE SMITH,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12619) making appropriations for Mutual Security and related agencies for the fiscal year ending June 30, 1961, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—MUTUAL SECURITY

Amendment No. 1—Military assistance: Authorizes not to exceed $24,000,000 for administrative expenses instead of $23,000,000 as proposed by the House and $25,000,000 as proposed by the Senate.

Amendment No. 2—Defense support: Appropriates $610,000,000 instead of $600,000,000 as proposed by the House and $640,000,000 as proposed by the Senate.

Amendment No. 3—Defense support: Reported in disagreement.

Amendments Nos. 4 and 5—Technical cooperation, general authorization: Appropriate $150,000,000 as proposed by the House instead of $172,000,000 as proposed by the Senate; and restore language proposed by the House prohibiting the use of funds for projects not justified to the Congress. The conferees are in agreement that the President's Contingency Fund is available for any essential new starts.

Amendment No. 6—Technical cooperation programs of the Organization of American States: Appropriates $1,300,000 as proposed by the Senate instead of $1,500,000 as proposed by the House.

Amendments Nos. 7 and 8—Special assistance, general authorization: Appropriate $230,000,000 instead of $206,000,000 as proposed by the House and $256,000,000 as proposed by the Senate; and delete language proposed by the House relating to the contractual arrangements between the State Department and the Benjamin Franklin Foundation, as proposed by the Senate.

Amendment No. 9—Special assistance, special authorization: Deletes House language authorizing the use of $1,500,000 in local currencies for hospital construction and appropriates $1,500,000 for the purchase of local currencies for hospital construction in Krakow, Poland, as proposed by the Senate.

Amendment No. 10—Intergovernmental Committee for European Migration: Appropriates $6,700,000 as proposed by the Senate instead of $10,000,000 as proposed by the House.

Amendment No. 11—Escapee program: Appropriates $3,350,000 as proposed by the Senate instead of $3,500,000 as proposed by the House.

Amendment No. 12—General administrative expenses: Appropriates $38,000,000 as proposed by the House instead of $40,000,000 as proposed by the Senate.

Amendment No. 13—Office of the Inspector General and Comptroller: Amends language proposed by the House and deleted by the Senate to provide that not to exceed $1,200,000 may be used for expenses of this office instead of $1,000,000 as proposed by the House.

Amendment No. 14—President's special authority and contingency fund: Reported in disagreement.

Amendment No. 15—President's special authority and contingency fund: Restores House language with perfecting language.

Amendment No. 16—President's special authority and contingency fund: Reported in disagreement.

Amendment No. 17—Reported in disagreement.

Amendment No. 18—Deletes language proposed by the Senate relating to the continued availability of unobligated balances.

Development Loan Fund

Amendment No. 19—Appropriates $550,000,000 as proposed by the House instead of $700,000,000 as proposed by the Senate.

Amendments Nos. 20 and 21—Administrative expenses, Development Loan Fund: Authorize not to exceed $1,800,000 for administrative expenses as proposed by the House instead of $2,150,000 as proposed by the Senate; and delete language proposed by the Senate relating to nonadministrative expenses.

General Provisions

Amendment No. 22: Reported in disagreement.

Amendment No. 23: Restores language proposed by the House and deleted by the Senate.

Amendment No. 24: Deletes language proposed by the House prohibiting the use of funds for a study on the feasibility of a Point 4 Youth Corps.

Amendment No. 25: Deletes language proposed by the House prohibiting the use of local currencies for loans to small farmers.

Amendment No. 26: Restores language proposed by the House prohibiting the use of funds for activities under the Investment Incentive Fund Program.

Amendment No. 27: Deletes language proposed by the House prohibiting the use of funds to carry out a study on the Puerto Rico Center for Cultural and Technical Interchange.

Amendment No. 28: Changes section number.

Amendment No. 29: Changes section number.

Amendment No. 30: Deletes language proposed by the House prohibiting the use of funds for contracts with any organization that has hired a former ICA employee.

Amendment No. 31: Reported in disagreement.

Amendment No. 32: Deletes language proposed by the Senate relating to financial participation in programs by recipient nations.

Amendment No. 33: Reported in disagreement.

Amendment No. 34: Deletes language proposed by the Senate relating to the importation or reimportation of firearms into the United States.

Amendment No. 35: Reported in disagreement.

TITLE II—RYUKYU ISLANDS, ADMINISTRATION

Amendment No. 36: Authorizes not to exceed $3,000 for contingencies as proposed by the House instead of $4,000 as proposed by the Senate.

Amendment No. 37: Appropriates $6,000,000 for expenses instead of $5,250,000 as proposed by the House and $7,704,000 as proposed by the Senate. The conferees are in agreement that within the increased funds allowed primary emphasis should be placed on health and schools.

Amendment No. 38: Authorizes not to exceed $1,633,000 for administrative and information expenses as proposed by the House instead of $1,744,000 as proposed by the Senate.

TITLE III—EXPORT-IMPORT BANK

Amendment No. 39: Reported in disagreement.

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(except as to amendments Nos. 2, 7, and 13),
Managers on the Part of the House.

Mr. PASSMAN. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, if I should lack other reasons for being joyful, at least there is one thing I am elated about, and that is, for the first time since the inception of the foreign aid program, we are well on the way toward putting some sense into the program and bringing it back under the control of the Congress.

We have long had a double standard for spending Federal funds. All projects in America, regardless of their nature, had to be justified and criteria set up; whereas, on thousands of foreign aid programs, thousands of bureaucrats scattered all over the world could initiate unworkable, unprofitable, and unjustified projects without any control.

Under the conference report before you, you will discover many of your committee's recommendations to put some teeth in the legislation have been approved. We hope more can be accomplished at a later date to finally bring this ever-expanding, worldwide, diversified, and uncontrolled program back under control.

If I may have other troubles, political or otherwise, they are now overshadowed by the extreme joy that I now feel because for one time the overburdened and shamefully abused taxpayer is having his day in court.

I do invite the membership to read the final bill for full particulars of the tightening up of this loose program.

I want to thank the House conferees who assisted me in conference for their cooperation, and express my appreciation to the able Senators who represented the other body in conference for crediting the House committee with going into the program in great detail. They were most cooperative with the House conferees in adopting provisions

that would help bring this mammoth program back under the control of the Congress.

A good indication that this is the finest report ever presented to the House by this Subcommittee on Foreign Aid is that it is stubbornly and persistently rejected by the freewheeling, uncontrolled bureaucrats who administer the program, but fortunately the Congress has a say in these matters and we are now attempting to exercise that prerogative.

I want to thank the chairman of the Appropriations Committee, the distinguished and very able chairman from Missouri, CLARENCE CANNON, for making me chairman of this committee and affording me the opportunity to render some small service to the overburdened taxpayer.

Mr. Speaker, the revised budget total for the foreign aid program was $4,275 million. The conference report before you recommends $3,716,350,000, or an amount of $558,650,000 below the budget request. The legal authorization is $4,186,500,000 which means that we are $470,150,000 below the legal authorization.

I might state this—and I certainly hope there will not be any misunderstanding—that the report under consideration is $265 million below the amount the other body appropriated not over 72 hours ago.

Mr. Speaker, you will find in reading the bill that notwithstanding the fact that the Senate reinstated practically all of the House cuts, the House conferees yielded only on $31,850,000 of the original House bill plus, of course, the $100 million increase in the contingency fund request by the President. This particular account is for the President and I took the same position this time as I have in previous years, that we should not deny the President the amount of money that he requests in this contingency fund. For that reason we accepted that part of the Senate bill which, of course, had been authorized by the Senate and the money had been appropriated by the Senate, even though we have had no authorization in the House as yet.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I am happy to yield.

Mr. FEIGHAN. Will the gentleman tell the House the aggregate amount of appropriations in this for support of Communist regimes throughout the world?

Mr. PASSMAN. I do not have my adding machine with me and I am afraid I would not be able to put together all the items for the gentleman at this time. But we have made a study of that situation.

Mr. FEIGHAN. Would the gentleman be good enough to include a copy of that in his remarks for the RECORD?

Mr. PASSMAN. I think I would prefer to have the policymakers discuss that matter. If they send down a request for money which the President has approved, then in my opinion it is up to the President as to where the money should be spent. I would prefer not to discuss what is a Communist country and what is not, so far as it pertains to this bill. I would prefer to leave it up to the executive branch to protect the Congress and the people.

Mr. FEIGHAN. There is no doubt in the gentleman's mind that Yugoslavia and Poland, just to mention two, are Communist regimes?

Mr. PASSMAN. Mr. Speaker, I am not any happier with that situation than is the gentleman. I can assure the gentleman that I am not trying to take over the prerogatives of the executive department. We are only considering the money request. I shall not attempt to discuss policy.

Mr. SELDEN. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I am glad to yield.

Mr. SELDEN. Has the additional $100 million provided in the conference report for the contingency fund been authorized by Congress?

Mr. PASSMAN. The $100 million for the contingency fund, meeting the request of the President, was presented to both bodies and referred to the respective committees. The Foreign Relations Committee of the Senate approved the amount. It then went to the Senate Appropriations Committee, which approved the $100 million. We have accepted it in conference. It will be up to the House. The gentleman can demand a separate vote on the $100 million and the House will have the opportunity to vote for or against it. It is in order to consider it in the House and I am sure we shall do so.

Mr. SELDEN. Mr. Speaker, will the gentleman yield further?

Mr. PASSMAN. I yield.

Mr. SELDEN. If an additional $100 million has not been authorized by Congress, would this amount which is included in the conference report be subject to a point of order?

Mr. PASSMAN. It would not be subject to a point of order. The gentleman may ask for a separate vote. We receded, because the Senate merely increased the amount and we are bringing it back on that basis. If the gentleman wants to ask for a separate vote, of course, he may do so.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman.

Mr. GARY. That item is not in the conference report, but it will come up on a separate vote; is that not true?

Mr. PASSMAN. It is included in the figures that I mentioned earlier, but not in the conference report as such.

Mr. GARY. That is right.

Mr. PASSMAN. But the House conferees did agree to accept it and bring it back to the House for a separate vote.

Mr. GARY. It is an item in disagreement and the House will have its opportunity to vote on it.

Mr. PASSMAN. Yes. I should like to emphasize that the House will have an opportunity to vote separately on that particular amendment.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman.

Mr. BAILEY. Am I to understand from the gentleman's statement that no part of the $600 million requested by the President for use in Latin America is included in this report?

Mr. PASSMAN. No; funds for the new Latin American program are not included in this bill, only the additional $100 million for the contingency fund.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Pennsylvania.

Mr. FULTON. The question comes up in Latin America on the position of the United States in this mutual security program in regard to the Castro government. I know there is no military aid or economic aid at the present time, but are we guarded in this bill against the funds going into the support of the government that is now veering to the left and is causing many of us grave concern?

Mr. PASSMAN. Yes, we have a provision in the bill. I invite the gentleman's attention to that amendment on which we yielded to the Senate.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Virginia.

Mr. GARY. There is a provision, of course, in the bill. It is amendment No. 33. It provides that none of the funds provided in this title shall be available for assistance to any country, the government of which sells arms, ammunition or implements of war to the Castro regime or which furnishes by grant or loan any military or economic aid to that regime unless the President determines that the withholding of such assistance to such countries would be contrary to the national interest.

Mr. FULTON. I thank the gentleman. Likewise on amendment No. 6, which is the technical cooperation programs of the Organization of American States where you took the figures of the Senate of $1,300,000.

Mr. PASSMAN. Yes; the language in amendment No. 33 applies to all funds in title I of the bill.

Mr. FULTON. There can be none of that money go directly to the Castro regime through the Organization of American States; can there?

Mr. PASSMAN. We do not think so because the language in No. 33 applies to all funds in title I of the bill but the final determination will be made by the executive branch.

Mr. FULTON. I hope it will not be.

Mr. PASSMAN. I agree with the gentleman.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Michigan.

Mr. FORD. The problem raised by the gentleman from Pennsylvania is a most serious one. The amended language of the amendment sponsored in the other body by Senator BRIDGES is most important language which will, I believe, adequately protect us against the problem that he raised. Senator BRIDGES sponsored it in the other body. It was

amended in the conference report. I think we have good legislation on that point.

Mr. PASSMAN. Mr. Speaker, one final word. This is a good conference report and I hope the House supports its conferees. I can assure you that not all of the conferees are completely satisfied with the bill. Some of them wanted more. But, it is a good compromise. I certainly hope you support the House on the conference report.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Virginia.

Mr. GARY. I would like to say, Mr. Speaker, it has been my privilege to serve as a member of the conference committee since the inception of the foreign aid programs. It has been my privilege to serve on the committee during that entire time. I have been on every conference committee as far as I can remember, and I think this is one of the most favorable reports so far as the House is concerned that we have had during that entire time. The House conferees, under the able leadership of our chairman, secured numerous concessions from the other body, not only in regard to amounts of money but also in regard to vital provisions where we have tried to retain or to reassert the control of the Congress over the expenditure of these funds. Some mention has been made of the additional $100 million to the contingency fund. That is not earmarked for any particular purpose, but, as a matter of fact, it is simply appropriated to the contingency fund. We agreed to accept the additional $100 million for the contingency fund because the Senate agreed to relinquish the $150 million they added to the Development Loan Fund. Therefore, we obtained a very substantial concession in return for our agreement to that item. I repeat, Mr. Speaker, that this is an excellent conference report and it is one of the best that your conferees have been able to report back as far back as I can remember. I do hope it will be the pleasure of the House to accept it.

Mr. PASSMAN. I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Iowa.

Mr. GROSS. I want to say to the gentleman from Louisiana [Mr. PASSMAN] that while I have always opposed these foreign aid programs as being too great a burden on the taxpayers of this country, the Members of the House and the citizens of this country owe a real debt of gratitude to the gentleman from Louisiana and those members of the Appropriations Committee who have cooperated with him.

The gentleman from Louisiana, as chairman of the subcommittee handling appropriations for this program, has literally saved this country hundreds of millions of dollars and I have no doubt that it would run into the billions if all the loose ends could be gathered together.

The voluminous hearings compiled each year by the gentleman's subcommittee provide complete evidence of the long hours of work and the dogged determination of the gentleman from Louisiana [Mr. PASSMAN], to stop the outright squandering and worse that has taken place. I shudder to think of the additional millions of dollars that would have been spent on foreign aid had not the gentleman resolutely resisted the terrific pressures that have come his way.

I pay tribute to him and I thank him for his splendid work.

Mr. PASSMAN. May I say to the distinguished gentleman from Iowa [Mr. GROSS], that his expression is very timely because, as everyone knows, I have been criticized from other quarters just recently, and his words are very timely and I welcome them, especially since the gentleman is one of the most valuable and able Members of Congress. It would be disastrous if the Congress would ever lose his services. It is not often that a Democratic Member calls to the attention of the House the value of the services rendered by a Republican Member but I deem it a pleasure to do so today.

Mr. SANTANGELO. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from New York.

Mr. SANTANGELO. Mr. Speaker, the gentleman from Louisiana has a reputation for economy and a reputation for trying to eliminate waste and inefficiency. The House approved a provision whereby we could eliminate some waste and inefficiency in the ICA portion of the foreign-aid program. I note that the conferees agreed to the deletion of these provisions which would have eliminated that waste and inefficiency. May I ask the gentleman from Louisiana what was the thinking in back of deleting these provisions which would have eliminated some of the waste and inefficiency in this program?

Mr. PASSMAN. I wish the gentleman would pinpoint what he is talking about, and I would endeavor to answer the question.

Mr. SANTANGELO. I refer to amendment No. 30, which the conferees agreed to delete.

Amendment No. 30 reads as follows:

Delete language proposed by the House prohibiting use of funds for contracts with any organization that has hired a former ICA employee—individuals earning over $5,000.

Mr. PASSMAN. May I say to the gentleman I am very sympathetic to his position. I personally accepted his amendment on the floor of the House and tried to maintain it in the conference, but there were also conferees on the other side of the table who felt that perhaps some worthy individual, maybe a porter, or some other lower paid individual, who might be deprived of getting a good job if this amendment were adopted. It was felt that it was not carefully worked out.

Personally, I do not know that it would even save a dime, and it might deprive some worthy individual of getting better employment.

I can assure the gentleman we will give his amendment sympathetic consideration next year and I hope we can work it out. As I say, I do not know whether it would save one dime. It is a step in the right direction. I would like to have the proposition studied more thoroughly and worked out more carefully. The gentleman must remember that we cannot have our way all of the time, that there are two branches of Congress and the other branch expects to have their way occasionally. This just happened to be one amendment we lost.

Mr. SANTANGELO. I realize that. The gentleman will realize, though, that this amendment eliminated those earning less than $5,000 a year.

Mr. PASSMAN. To be perfectly honest, those same people may soon be getting more than $5,000. I do not think the amendment was sufficiently carefully worked out but we will give it further consideration in the future and I hope we can get something workable that the other body can accept.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. GARY. Is it not a fact—I am in sympathy also with the gentleman's amendment—but is it not a fact that that is a matter that should apply to all departments and not just to the mutual security program? It is a matter that should be handled like general legislation, and it is a matter that should be considered very carefully by a legislative committee, lest in trying to reach one situation we hamstring the operations of other agencies. We must be careful not to impose improper restrictions upon them.

Mr. PASSMAN. That was the consensus among the conferees. I want to assure the gentleman from New York again that it is a very worthy amendment if it is properly worked out, and if it applies to all agencies and not simply to a single agency. It is one that I am sure can be worked out after further study.

Mr. LIPSCOMB. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. LIPSCOMB. In amendment No. 8, special assistance, the conferees agreed to delete language proposed by the House relating to the contractual arrangements between the State Department and the Benjamin Franklin Foundation as proposed by the Senate.

Regardless of the testimony given before the Senate Committee and regardless of the fact that the conferees agreed to delete this provision inserted by the House, it is a fact that the Benjamin Franklin Foundation funds are furnished by the Congress of the United States, and they go to this private, nonprofit organization. Was anything said in the gentleman's subcommittee about investigating or looking into this matter to see whether the funds were being spent wisely or wasted?

Mr. PASSMAN. I will assure the gentleman we will go into the matter and if necessary hold hearings with our representatives in Berlin and then submit a report to the distinguished chairman of

the Appropriations Committee and see that a copy of the report is made available to the gentleman.

Mr. LIPSCOMB. I think it would be very worthwhile.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. McCORMACK. How much was appropriated for the last fiscal year?

Mr. PASSMAN. I believe the amount was $3,225 million.

Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I am going to discuss the conference report briefly.

The first item is defense support which carries an increase of $10 million.

There was a $35 million item earmarked for Spain and that in the motion which will be offered is an amendment to amendment No. 3.

We did add $24 million to the special assistance item, general authorization, in amendment No. 7, and that should take care of a good many of the needs.

A number of small reductions were made by the Senate, but not very large, and we have agreed to those—$150,000 on the escapee program and a small amount in one or two other items.

The item for contingencies—and I think I ought to talk about that so the Members will have that in mind very thoroughly—we are up against a situation in the world, especially in the Congo. This $100 million was not put in the bill with the idea of giving the money to the Congo Government, but it was put in to help take care of our share of the expense of sending United Nations troops into the Congo.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. BECKER. I want to make that quite sure, and I ask my colleague, the gentleman from New York [Mr. TABER] to make that point clear: This money is not going to the Congolese Government for the maintenance of the Congolese Army; is that correct?

Mr. TABER. That is correct.

Mr. BECKER. I want to make very sure that money that is in here, the $100 million, is not being appropriated for the maintenance of the Congolese Army that is causing trouble today, but, as the gentleman stated, it is for the payment of our share of the United Nations expense?

Mr. TABER. That is right, it is for the purpose of going in there and maintaining a police force so that the trouble that exists in Congo will not spread any more than it has.

Mr. BECKER. None of this money is going to the Congolese Government for maintaining its army?

Mr. TABER. That is correct.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Iowa.

Mr. GROSS. It is probably more than our share, is it not?

Mr. TABER. I cannot say that it is more because I think we have to maintain some kind of peace in the world, if that is possible, and this will help to do it.

Mr. PASSMAN. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Is it not true that the bill contains a limitation on the amount of U.S. funds that can be spent in any country in Africa?

Mr. TABER. That is correct.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Indiana.

Mr. ADAIR. Is there any prohibition against this $100 million going for the support of the Lumumba government in the Congo?

Mr. TABER. There is nothing in the language itself; at the same time there is a definite statement on the part of the executive that the money will not be used for that purpose, but will be used to help maintain order in the world wherever it is necessary.

Mr. ADAIR. So far as this legislation is concerned, if the gentleman will yield further, it could go for the support of Lumumba although we have received assurance from the executive that it is not intended for use for that purpose?

Mr. TABER. It would take a very considerable amount of reformation on the part of Lumumba to get any money, I am sure of that, or any aid at all from the United Nations or from the executive department of the United States.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. PASSMAN. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Virginia.

Mr. GARY. Is it not true that there is absolutely no language in this bill connecting these funds with the Congo Government, Lumumba, Jumbo, or anybody else, in any particular way? It simply adds money to the President's contingency fund. The House approved $150 million for the contingency fund when it was considered in June. He has not spent it all. But in view of the grave emergencies which are now rising this amendment simply adds another $100 million that he might use in the Congo or anywhere else where an emergency arises?

Mr. TABER. Yes, and there are plenty of them in the air. That is why I feel we should agree to the $100 million. I think that the chairman of the subcommittee and the membership of the committee have done an excellent job.

Mr. PASSMAN. This is made available to the President; this is the President's contingency fund.

Mr. TABER. Yes.

Mr. PASSMAN. He can spend it anywhere he wants to.

Mr. TABER. It depends on who is President at the time, what is done with it, and we cannot do it in any other way.

Mr. PASSMAN. Is it not the practice and custom of the Congress to give the President all he requests for his contingency fund?

Mr. TABER. Without any restriction.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Iowa.

Mr. GROSS. One criticism I have of this, and the criticism is not directed to the gentleman from New York, is that here we are appropriating $100 million without any authorization on the part of the House that renders meaningless the authorization bill voted out of the Foreign Affairs Committee only this week. This is not orderly procedure; it is not the right way to legislate.

Mr. TABER. Here is the situation, and it is not meaningless at all. This matter came up after the recess was taken by the Congress. The condition of things in the world has gotten so bad that they needed to have money that they could fall back on to protect the peace of the world.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. PASSMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, in recent days and weeks we have been hearing a lot about the national defense of our country and the adequacy of our defense. We have been hearing a lot about lack of leadership from certain quarters. Today we are dealing with one of the matters that I am quite sure is a basic essential to the protection of our own country.

This morning I had a call from the White House, as others did, expressing to me the attitude of the President of the United States in respect to this conference report action.

The President has addressed to me and to other leaders of both bodies of the Congress a communication which I want to read at this time:

DEAR MR. HALLECK: I am deeply disturbed by the action yesterday of the conference on the mutual security appropriation. I cannot state too strongly my belief that a cut of this size will jeopardize the security of the country.

I am writing Senator JOHNSON and Senator DIRKSEN urging that the Senate reject this conference report should, despite all our efforts, the House approve it. I hope I can count on your cooperation in leading the House to recommit the bill so that the final action can conform fully to the national interest.

Both political parties and all of the major national candidates are publicly committed to the support of an adequate mutual security program. No one can responsibly contend that this conference report and the amounts approved constitute adequacy in today's world.

In view of the worldwide scope of this program and the necessity for planning so far ahead in such an effort, time is of the essence. These critical matters simply will not wait until the Congress returns in January, then to assess the results of its actions taken now. There is at the moment such an acceleration of events in the world that we must be forearmed at all times and ready to deal with critical situations as they develop. It must be evident to the Congress from the speed with which the situation in Africa recently developed that we must stay ready and that our free world security programs, economic and military, must be

kept continuously adequate. Postponement of these funds needed now may irretrievably cripple us later.

I enclose a public statement that I have just released.

I am sending an identical letter to Speaker RAYBURN.

Sincerely,

DWIGHT D. EISENHOWER.

I should like to read also the statement of the President because reference was made to it:

STATEMENT BY THE PRESIDENT

THE WHITE HOUSE.

I am gravely concerned by the conference action on mutual security appropriations.

I have repeatedly stated that the appropriation of the full $4,086 million authorized is vitally needed. Moreover, needs which have developed since my original request, particularly the emergency in the Congo, have made necessary an additional $100 million for the contingency fund.

Only day before yesterday, by a 67–26 vote, the Senate approved the additional $100 million and at the same time increased last month's House appropriation of $3,584 million by $297 million. The conference, while approving the $100 million increase in contingency funds, virtually disregarded the Senate restoration in the basic mutual security budget. It accepted only $31 million—one-tenth of the $297 million restoration that the Senate had just overwhelmingly approved.

In short, the conference recognized the need for $100 million of new funds but at the same time slashed by $265 million the budget to which these new funds are to be added.

This cut would sharply curtail support indispensable to the defense of allies now under intensified Soviet pressure and deny aid urgently needed by other friendly nations struggling under the gravest difficulties to make progress in freedom.

Not only are the funds now provided by the conference inadequate, but also a number of administrative restrictions were retained which would impair the management of the mutual security program.

Surely, in the world situation now confronting our country, the Congress will not accept these recommendations which fall so short of the need.

I urge that this appropriation be returned to conference. We must, for America, correct its deficiencies.

A congressional rejection of this request will hamper greatly the Nation's Chief Executive who succeeds me next January. Upon him will fall the heavy responsibility of continuing to guide our country in a troubled world. He, no less than I, must have adequate funds to do the job.

Mr. Speaker, of course we on our side all realize that we are not in control of the Congress of the United States; we are not in control of the House of Representatives. But I do express the hope that these wishes of the President may be very seriously considered. This I submit with all the earnestness of which I am capable: That when the Commander in Chief advises the Congress of the United States of the deeply held conviction that a proposed action by the Congress will adversely affect the security of the country, then it is incumbent upon every one of us to stop, look, and listen, and make certain we act wisely and responsibly.

This is exactly what we must do in this instance, and I trust that those controlling the fate of this measure in this opposition-controlled Congress will not fail to do so.

Mr. PASSMAN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, it just does not seem that a fair bill can win. This bill is not to buy an election for either candidate. We are dealing with the taxpayers' money. We have been liberal. We have been considerate. We have tried in every respect to satisfy the executive department. This bill recommends a total appropriation of $490,537,000 more than what was appropriated last year. During our hearings early in this session there were good indications received by the subcommittee from downtown that the executive could live very well on $3.5 billion. In order to try to satisfy all Members of both branches of the Congress and the executive, we have compromised the bill up to a total of $3,716,350,000.

I have never been more shocked in my life to think that the President would be disappointed with this fantastically large amount that we are giving him over what was appropriated last year. I am thoroughly convinced now that we are not going to be able to satisfy the executive, even if we gave them every dime that they requested.

We were home for 5 weeks of a brief respite from our labors. Lo and behold, during those brief 5 weeks, the executive cooked up a request for an additional $700 million. If we had stayed out 2 weeks longer, in all probability, it would have been $1 billion.

We have 10,000 pages of transcript of hearings on this bill. I visited 19 foreign countries, and I can assure you that the conferees understand full well that there are adequate funds in this bill. I do not think the President should place his judgment above that of the committee which has worked so long and so hard to give him everything he needed.

Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Speaker, as those will know who read the conference report, I signed it with three reservations. One reservation or objection was to amendment No. 2. Another is on amendment No. 7 and the third on amendment No. 13.

My feelings in each instance are very strong, and for that reason I took the exceptions.

Amendment No. 2 refers to the defense support item. This is an item that is as essential and vital to our military assistance program as are the funds for guns, for aircraft, for ammunition, for ships for our allies. This is the area where I offered an amendment to increase funds during consideration of the appropriation bill at the time it was on the floor of this body. The President requested $675 million for this program. The House appropriation version set the figure of $600 million. The other body set the figure at $675 million and earmarked $35 million of that money for one country. This bill increases the House version by $10 million and reduces the Senate version by $65 million.

In my judgment, we are taking a serious adverse step in making this reduction below the authorization. I said before that this is a program which involved directly the military assistance aspect of our mutual security program. The action could be detrimental to our Nation's foreign policy.

My second exception or reservation involves special assistance. Here is a program that we use for humanitarian as well as for other reasons. The President requested $268.5 million. The authorization was $256 million. The House figure was $206 million. The Senate figure was $256 million. We are bringing back in the conference report a figure of $230 million.

I say to you that in this area we are making reductions that will have a most adverse impact on some programs that are truly humanitarian, programs that are in the words of the platform of my good friends on the right—essential. I have read the Democratic platform this morning for a second time, and as I read the platform, one of the great things that will be done, if we can believe platforms, is to go into humanitarian areas and cut down on the military assistance areas. But this action, taken by this Congress, if it is confirmed, will be directly contrary to the platform of my good Democratic friends. I do not see how, under those circumstances, they can support this reduction in this particular account.

It seems to me that the practicalities of the situation are that we cannot do much about these reductions at this time on the floor of the House. It appears that what we have to do is to hope that action will be taken in the other body so that we can, perhaps, remedy or rectify some of these errors that were made in the conference committee.

Mr. PASSMAN. Mr. Speaker, will the gentleman yield briefly?

Mr. FORD. I am glad to yield to my chairman.

Mr. PASSMAN. Is it not true, and I trust that it is not considered in bad taste to bring this up, that the gentleman from Michigan offered an amendment to increase the defense support item by $50 million on the floor of the House and the House turned it down and now we are right back where we started?

Mr. FORD. I did offer an amendment to increase defense support funds at the time the bill was on the floor of the House.

Mr. PASSMAN. Then $10 million additional was earmarked and we put it in the bill so if we should attempt to increase it, would it not be asking the House to reverse its prior position?

Mr. FORD. As I said before, I did offer an amendment to increase the defense support program. As I recall, it was a reasonably close vote in this body at the time. I should add, however, that even since the date of that amendment, conditions in the world, I think, in certain areas, have become more serious and for that reason there is a greater reason and necessity for this additional money at the present time.

The SPEAKER. The time of the gentleman has expired.

Mr. PASSMAN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York [Mr. ANFUSO].

Mr. ANFUSO. Mr. Speaker, first of all, I wish to congratulate the distinguished gentleman from Louisiana on his very excellent presentation on the conference report. But I should like to speak briefly about another great man who has done a great deal toward the defense of our country.

Mr. Speaker, Saturday, August 27, marks the 52d birthday of the distinguished majority leader of the Senate, LYNDON B. JOHNSON, one of the greatest statesmen and leaders of our time. I want to take this opportunity to extend to him my heartiest felicitations, in which I am sure I am joined by every Member of Congress, on this significant birthday and to express the hope that his goal for 1960 will be realized.

I have long admired Senator JOHNSON for his leadership ability, for his keen sense of judgment, for his admirable courage, and for his warm and generous heart. He is not afraid to support or to champion a just cause. He is a responsible leader of proven ability. He is a statesman with constructive ideas, forward-looking, and possessed of a commonsense approach to problems—all of them traits which our Nation so sorely needs in these trying times.

The Nation is indeed fortunate to have a man of his vision and wisdom to help guide it in this crucial period of human affairs.

Those of us who are privileged to know him intimately and to count him among our personal good friends, as I am, hope and pray that the good Lord will continue to be kind to him and to bless him with many long years of health and happiness, together with his dear family.

Mr. PASSMAN. Mr. Speaker, I yield 2 minutes to my distinguished, friendly, and always comforting colleague, the gentleman from Ohio [Mr. HAYS].

Mr. HAYS. Mr. Speaker, I thank my distinguished colleague, the gentleman from Louisiana, but I think in this particular case I can compliment the gentleman for having done the best he could in a bad situation. I am sure the gentleman did not want to accept the extra $100 million in the contingency fund, and I understand it has been said that this will not be used for the Congo. I am sure the gentleman who said that believed it, but in our Committee on Foreign Affairs within the last 3 days, they have been asking for $100 million in the contingency fund for the Congo.

I think this House ought to know that if the administration gets the money, it is going to funnel it to this convicted thief who is the prime minister of the Congo. I say that because he has admitted his conviction as an embezzler when he was a postal clerk was true and that he embezzled the money. He also admits and brags that his two top assistants were educated by Russians and that they are his chief advisors. I want you to know, ladies and gentlemen, if he gets the money, we are giving $100 million of the taxpayers' money of this country to a man who does not care one iota about the Congolese people, but who will probably steal all the money he can get his hands on and put it in a numbered account in some Swiss bank.

Mr. PASSMAN. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Louisiana.

Mr. PASSMAN. I can assure the distinguished gentleman we discussed this matter with the chairman of the Committee on Foreign Affairs before we went to conference and, of course, I can assure the gentleman and the Committee on Foreign Affairs that we are not trying to steal the prerogatives of your great committee. The other body put the funds in the bill and it was a matter that had to be considered by the House conferees, and it is one of the compromises that we had to make in order to bring back a bill for you to vote on.

Mr. HAYS. I am sure the gentleman did; and the point I am making is that this was not authorized but was inserted in the other body. It is not subject to a point of order. If the President gets it I think I know what he is going to do with it, because Under Secretary Dillion, the only witness who appeared and testified—and I asked Mr. Dillon, and he hung his head, his face got red, he did not answer; I asked: "When you flew this Lumumba over here with his Belgian mistress and put him up at the Blair House, did you put the whole gang up?" He did not answer, and so I must assume they did, caucasian mistress and all.

The headlines in the newspapers downstairs say that the OAS is not going along with us on Cuba. We have now broken relations with the Dominican Republic and with Trujillo, and every one knows I held no brief for Trujillo, but now we are going to run him out of the Dominican Republic and turn it over to the Communists.

I heard the keynote speech of the gentleman from Minnesota. He asked: "Was it a Republican administration that did this, and that, and the other?" But he forgot to ask: Was it a Republican administration that stood by and saw the Hungarians slaughtered in the streets after promising a policy of liberation?

He forgot to ask what administration it was that has seen Cuba go Communist.

He forgot to ask what administration acted to install a Communist regime in the Dominican Republic; and he forgot to ask what administration is financing the Communist regime in the Congo. In case there is any doubt let me say it is the Eisenhower administration.

Mr. PASSMAN. I wish the gentleman would expand his complimentary remarks when he comes to revising his observations. I am in full sympathy with what he is saying.

Mr. HAYS. I certainly will do so sometime after election.

Mr. ROONEY. Mr. Speaker, I should like to commend my colleagues of the House Appropriations Committee, the conferees on the part of the House who sat on the conference with the other body on this bill for their action on amendment No. 34 deleting the language inserted by the Senate relating to the importation or reimportation of firearms into the United States.

The identical language was previously inserted by the other body in the bill H.R. 11666 making appropriations for the Departments of State and Justice, the Judiciary and related agencies for the fiscal year ending June 30, 1961, and was stricken from that bill in the conference with the Senate on Tuesday last. The very following day the same language was inserted by the other body in the pending bill making appropriations for Mutual Security and related agencies for the fiscal year ending June 30, 1961.

The majority of the House conferees on the pending Mutual Security appropriation bill are entitled to the thanks of the House for their insistence upon the deletion of this section 111 on pages 14 and 15 of the bill when they met with the other body on yesterday. Such a provision as was proposed by the other body would surely create havoc and deal a serious economic blow to all the small businesses throughout the country which deal in sporting goods and firearms.

Mr. PASSMAN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 3: Page 2, line 14, insert ", and in addition for defense support for Spain, authorized by section 131(b), $35,000,000, exclusive of technical cooperation."

Mr. PASSMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 3 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert ", including not less than $35,000,000 for Spain."

Mr. CONTE. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. CONTE. To object to the amendment.

Mr. PASSMAN. Mr. Speaker, I move the previous question on the motion.

The SPEAKER. Without objection the previous question is ordered.

There was no objection.

Mr. CONTE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman just asked for a vote on it.

Mr. CONTE. Can we debate it?

The SPEAKER. Not after the previous question is ordered.

CALL OF THE HOUSE

Mr. CONTE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 196]

Allen	Ikard	Murray
Barden	Jackson	Nix
Barry	Jensen	Norrell
Bolling	Kearns	Powell
Buckley	Keogh	Preston
Celler	Kilburn	Reece, Tenn.
Davis, Tenn.	Kirwan	Rhodes, Ariz.
Denton	Lafore	Rogers, Mass.
Doyle	Landrum	Saund
Duiski	McFall	Sikes
Durham	McSween	Smith, Calif.
Goodell	Magnuson	Smith, Kans.
Grant	Mahon	Taylor, N.Y.
Healey	Mason	Teague, Calif.
Hébert	Meyer	Thompson, La.
Hess	Miller, George P.	Vinson
Hoffman, Mich.	Mitchell	Wampler
Hogan	Morrison	Withrow

The SPEAKER. On this rollcall, 379 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CONFERENCE REPORT ON MUTUAL SECURITY AND RELATED AGENCIES APPROPRIATIONS, 1961

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that the action of the House by which the previous question was ordered be vacated.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Speaker, I rise in opposition to this amendment which would earmark $35 million for Spain. As you recall, Mr. Speaker, I opposed this amendment last year in committee and on the floor; I, again, oppose it here today. First, I believe this earmarking is morally wrong. I think we are, thereby, committing a dastardly act today. Why? Because we classify funds earmarked for the other countries, yet here we are, earmarking funds for Spain for the whole world to see. The result of this should be obvious to my distinguished colleagues. It will cause bitterness and jealousy among countries who are getting less money. We are losing our bargaining position with Spain and closing the door to any future bargaining with that country. This whole thing is undiplomatic; in fact, I believe it is an unnecessary blunder. Spain is the only country in the entire world being singled out for these funds. No other country is being so preferentially treated, Mr. Speaker; this comes under the defense support portion of the bill. This money goes to 12 countries which lie along the dangerous underbelly of the Sino-Soviet bloc who are in constant danger of assault across their borders—all except Spain. Yet, Mr. Speaker, we are giving Spain more money in this bill than requested—and I do not know whether this is classified information for security reasons and, therefore, whether I can divulge the amount—but this I can say to the Congress, that when the administration came before our committee with their presentation and justification for the foreign appropriation operation, the figure was less than $35 million and that figure was not earmarked. But here we are today, giving them more than they asked for in their presentation and justifications.

I ask the chairman, the gentleman from Louisiana, to give the Members of the House one valid reason why there should be this earmarking of funds for Spain? If you are going to earmark money for Spain, then let us earmark money for Korea or for Formosa or for any other country. Why single out this particular country among all the others? Furthermore, Mr. Speaker, what we are doing here is giving this country more than what the administration asked for, and thus taking this money away from the other countries which are in the very strategic and important area along the underbelly of the Sino-Soviet bloc, countries which so desperately need these funds for arms and ammunition, trucks, and guns, and airplanes in order to defend themselves. I should like to have your answer for the House of Representatives why this $35 million is being earmarked for Spain and why it is the only country in the world that is being so treated?

Mr. PASSMAN. Mr. Speaker, I yield myself sufficient time to give an explanation as to why this is being done.

Let me assure my colleagues that I am not in favor of earmarking funds, but I do not run this committee. I am only a member of this committee. Neither do I run the committee of the other body nor do I run the other body. In conference you have to compromise. This is why the other body insisted on this provision. There is some indication that the agency has in the past tried to hoodwink certain Members of the Congress as to what amount of funds they intended to give Spain. For instance, in 1956 the budget requested $28 million for Spain. We recalled that they attempted to hoodwink the Congress in prior years, so we earmarked $50 million, but they gave Spain $58.7 million, which was twice as much as they had asked for in the budget. In 1957 they asked for $46.5 million. We earmarked $50 million, and, lo and behold, they gave Spain $70 million. In 1958 they came with a request for $38 million, we earmarked $40 million, and, lo and behold, they gave $55.1 million. So, Mr. Speaker, almost every year they come around and give Spain almost twice what they ask for in the budget and give them an amount far in excess of what we have earmarked. I think it is a good compromise.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Massachusetts.

Mr. CONTE. That bears out my argument. Certainly the administration has shown that it has nothing against Spain. The administration has always given Spain more than the amount of money that has been earmarked. I cannot understand that, and there is no sound reason why Spain should be singled out by the Congress and why this money should be earmarked for Spain. But my good chairman, the gentleman from Louisiana, is a very conscientious and hard-working man. You will recall, I believe, that on the floor of the House last year you did not agree with this earmarking of funds. I believe you agree with me. I think this is a moral issue. I think the House should stand fast.

Mr. PASSMAN. Let the House stand fast and you will send this bill back to conference. You just heard the distinguished minority leader read the President's message. If you send this bill back to conference you are going to force us to take out all these limitations that we have in the bill and you are going to load this bill with at least an additional $500 million.

The SPEAKER. The time of the gentleman has expired.

Mr. PASSMAN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion.

The motion was agreed to.

The SPEAKER. The clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 14: Page 5, line 11, strike out "$150,000,000" and insert "$250,000,000".

Mr. PASSMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from it disagreement to the amendment of the Senate numbered 14 and concur therein.

Mr. SELDEN. Mr. Speaker, on this I demand the yeas and nays.

The yeas and nays were refused.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 16: Page 5, line 15, insert ": *Provided*, That none of the funds appropriated in this paragraph may be used to finance contributions to the United Nations for a program in any country in Africa in excess of 40 per centum of the total contributions to the United Nations for such program."

Mr. PASSMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 17 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 17: Page 5, line 20, insert:

"Unobligated balances of funds heretofore made available under authority of the Mutual Security Act of 1954, as amended, and available as of June 30, 1960, are, except as otherwise provided, hereby continued available for the fiscal year 1961, for the same general purposes for which appropriated."

Mr. PASSMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 17 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 22: Page 7, line 21, strike out:

"SEC. 101. None of the funds herein appropriated shall be used to carry out any provision of chapter II, III, or IV of the Mutual Security Act of 1954, as amended, with respect to any project or activity, or in any country, during any period when more than thirty-five days have elapsed between the written request (delivered to the office of the head of the appropriate department or agency) for, and the furnishing of, any document, paper, communication, audit, review, finding, recommendation, report, or other material in possession or control of such department or agency relating to the expenditure of funds with respect to such project or activity or in such country, to the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering legislation or appropriations for or expenditures of such department or agency."

And insert:

"SEC. 101. (a) Within sixty days following the date of enactment of this Act, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report containing a full and complete revision of the data presented to such committees in justification of appropriations requested for the Mutual Security program for the fiscal year 1961, showing any changes in such program approved subsequent to such presentation, including changes necessary to reflect actual appropriations for the program.

"(b) Within thirty days following the approval of any change in the Mutual Security program for the fiscal year 1961, which will result in furnishing assistance of a kind, for a purpose, in an area, or in an amount, different from that described in the report transmitted under subsection (a), and which involves $1,000,000 or more, or 5 per centum of the amount appropriated under any paragraph of this title whichever is the lesser, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a full and complete report of such change and the reasons therefor.

"(c) This section shall not apply to programs authorized by section 451 of the Mutual Security Act of 1954, as amended.

"(d) None of the funds herein appropriated shall be used to carry out any provision of chapter II, III, or IV of the Mutual Security Act of 1954, as amended, in any country or with respect to any project or activity, after the expiration of the thirty-five-day period which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering legislation or appropriations for, or expenditures of, the International Cooperation Administration, has delivered to the Office of the Director of the International Cooperation Administration a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material relating to the administration of such provision by the International Cooperation Administration in such country or with respect to such project or activity, unless and until there has been furnished to the General Accounting Office, or to such committee or subcommittee, as the case may be, (1) the document, paper, communication, audit, review, finding, recommendation, report or other material so requested, or (2) a certification by the President that he has forbidden its being furnished pursuant to such request, and his reason for so doing."

Mr. PASSMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 22 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment insert the following:

"SEC. 101. (a) Within sixty days following the date of enactment of this Act, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report containing a full and complete revision of the data presented to such committees in justification of appropriations requested for the Mutual Security program for the fiscal year 1961, showing any changes in such program approved subsequent to such presentation, including changes necessary to reflect actual appropriations for the program.

"(b) Within thirty days following the approval of any change in the Mutual Security program for the fiscal year 1961, which will result in furnishing assistance of a kind, for a purpose, in an area, or in an amount, different from that described in the report transmitted under subsection (a), and which involves $1,000,000 or more, or 5 per centum of the amount appropriated under any paragraph of this title whichever is the lesser, the President shall transmit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a full and complete report of such change and the reasons therefor.

"(c) This section shall not apply to programs authorized by section 451 of the Mutual Security Act of 1954, as amended.

"(d) None of the funds herein appropriated shall be used to carry out any provision of chapter II, III, or IV of the Mutual Security Act of 1954, as amended, in any country or with respect to any project or activity, after the expiration of the thirty-five day period which begins on the date the General Accounting Office or any committee of the Congress, or any duly authorized subcommittee thereof, charged with considering Mutual Security legislation, appropriations, or expenditures, has delivered to the office of the head of any department or agency carrying out such provision, a written request that it be furnished any document, paper, communication, audit, review, finding, recommendation, report, or other material in its custody or control relating to the administration of such provision in such country or with respect to such project or activity, unless and until there has been furnished to the General Accounting Office, or to such committee or subcommittee, as the case may be, (1) the document, paper, communication, audit, review, finding, recommendation, report or other material so requested, or (2) a certification by the President that he has forbidden the furnishing thereof pursuant to such request, and his reason for so doing."

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. Mr. Speaker, I yield to the gentleman from Virginia.

Mr. HARDY. Mr. Speaker, in connection with subsection (d) of the amendment just read, I would like to make an inquiry.

If the GAO or an appropriate committee of the Congress requests of the agency or agencies administering the act that it be furnished all documents, or any document, relating to a particular program or project in a particular country, then this language would require that the documents be furnished within 35 days, or that the President certify, within the same period, that he has forbidden the furnishing of them and gives his reasons therefor.

Is that correct?

Mr. PASSMAN. The distinguished former chairman of this subcommittee and present member of the committee and a distinguished Member of Congress from Virginia has handled this matter all the way through the Congress. I would like to yield to him to reply to the gentleman's question.

Mr. GARY. The gentleman will remember that last year we put a provision in the bill to compel production of these documents and it was adopted by both the Senate and the House. This year, because that amendment of last year had not worked completely, we changed the language somewhat. The Senate would not accept the language of the House bill but they put in the same language as the act had last year. We finally agreed to a modification of last year's language which I think covers the objectives we had in mind.

Mr. HARDY. If the gentleman will yield further, I commend the committee for broadening the language. I want to be sure that requests for such material would be honored under the same procedures as were followed under last year's act.

Mr. GARY. There is no question about that. This is not intended to change present procedure one iota.

Mr. HARDY. I thank the gentleman.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. PASSMAN. I yield.

Mr. FORD. Following up the statement of the gentleman from Virginia [Mr. GARY] on this matter, as I understand, we took the language which was in this appropriation bill for fiscal year 1960, section 101, and we have broadened the coverage to include other agencies. We have not changed the substance of that paragraph or that proviso. We have simply extended the coverage.

Mr. GARY. That is correct.

There are other agencies handling the funds in this bill, the State Department, the Development Loan Fund, and other agencies. We extended the language of last year to cover those agencies, but we did not change a particle the language with respect to the documents that could be requested.

Mr. PASSMAN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Louisiana [Mr. PASSMAN].

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 31: On page 14, line 1, insert:

"SEC. 108. The appropriations and authority with respect thereto in this Act shall be available from July 1, 1960, for the purposes provided in such appropriations and authority. All obligations incurred during the period between June 30, 1960, and the date of enactment of this Act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms hereof."

Mr. PASSMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 31 and concur therein with an amendment, as follows: Change the section number from "108" to "109".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 33: On page 14, line 11, insert:

"SEC. 110. No funds provided hereunder shall be available for any country which, in the judgment of the President of the United States, directly or indirectly is selling arms, munitions or implements of war, to the Castro regime in Cuba, or directly or indirectly is giving or loaning military or economic aid to that regime."

Mr. PASSMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 33 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert:

"SEC. 110. None of the funds provided in this title shall be available for assistance to any country, the government of which sells arms, ammunition, or implements of war to the Castro regime, or which furnishes, by grant or loan, any military or economic aid to that regime, unless the President determines that the withholding of such assistance to such country would be contrary to the national interest."

Mr. PASSMAN. Mr. Speaker, I yield such time as he may desire to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, to correct any impression to the contrary that may have been given here earlier this afternoon, the RECORD ought to show clearly that any funds authorized and appropriated in this bill for use in the Congo are to be used only by and in support of United Nations actions in the Congo and not given to the present Government of Congo.

I want to read a statement made by Acting Secretary of State, Dillon, before the Committee on Foreign Affairs 3 days ago. He said:

That is the reason we feel strongly that these funds should be administered through the United Nations. In that way nothing will go to the Government of the Congo to spend as they want; it will only go as has been agreed through Mr. Hammarskjold's representatives.

Mr. PASSMAN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 35: Page 15, line 3, insert:

"SEC. 112. No funds provided hereunder shall be available for any country which, in the judgment of the President of the United States, directly or indirectly, is selling arms munitions, or implements of war, to any country in Latin America being subjected to economic or diplomatic sanctions by the Organization of American States."

Mr. PASSMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 35 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert:

"SEC. 111. None of the funds provided in this title shall be available for assistance to any country the government of which sells arms, ammunition, or implements of war to any country in Latin America being subjected to economic or diplomatic sanctions by the Organization of American States, unless the President determines that the withholding of such assistance to such country would be contrary to the national interest."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 39: On page 19, line 2, insert "and not to exceed $9,000 for entertainment allowances for members of the Board of Directors."

Mr. PASSMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. PASSMAN moves that the House recede from its disagreement to the amendment of the Senate numbered 39 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. REUSS. Mr. Speaker, I wish to commend the managers for the conference report in general, and particularly for going along with the other body in permitting the use of technical assistance funds, up to $10,000, to help defray the cost of the already authorized study of the feasibility and practicability of a Point 4 Youth Corps. This will enable the International Cooperation Administration to go forward promptly in commissioning such a study by a university or private foundation.

I am informed that the ICA is going ahead on this, and that we may look for the completion of such a study early in 1961. It is important that the timetable be adhered to, so that the new Congress may consider the study's recommendations early in the new session.

Those who are preparing this study should draw heavily upon the heartening experience of the International Voluntary Services' agricultural team now at work in Vietnam, under the leadership of Gordan L. Brockmueller. The May 1960 report of the team in Vietnam gives an exciting account of how the dozen or so young Americans comprising the team have been conveying agricultural know-how to the Vietnamese on a shirt-sleeve to shirt-sleeve basis. Those who have become disillusioned with much of our foreign aid program will find themselves singing "three cheers for the red, white, and blue" when they hear about what these young Americans are doing in Vietnam. It may well be a model for what the Point 4 Youth Corps seeks to accomplish.

Mr. DONOHUE. Mr. Speaker, over the past few years, when we have been debating this mutual security appropriations bill, I have emphasized my belief that the parts of the program, which have proved of substantial worth by experience, such as technical assistance to underdeveloped countries and Development Loan Fund operations, should be adequately supported, and the most careful examination, in the interests of the American taxpayers, should be concentrated upon those phases of the program in which impressive evidence has been demonstrated in revelation of great waste and extravagance.

There is no great question or doubt that the basic technical assistance offered by this bill to aid foreign allies to help themselves has been the most effective part of the entire measure in promoting our own and allied security and in lifting our sagging world prestige with neutrals by this American display of unselfishness. Such a generous attitude is in accord with the finest traditions of the American people and projects to the world a true picture of our foundation spirit.

Unfortunately, in certain aspects of other fields, including the military aid and public works projects, a great deal of factual evidence has been placed in the record by the Draper Committee, our own congressional committees, and the Comptroller General himself, showing too many instances of waste and extravagance—a pattern of loose, lax administration through the entire complex of foreign aid, and refusal of the ICA to provide information.

When we stop to consider the many years over which this financial assistance program has been operating, and the many billions of American taxpayers' money that has been appropriated for it, we are sharply reminded of our duty to insure the elimination of waste as much as we humanly and legislatively can, by persevering insistence upon expert administration through personnel of the highest character and ability, through insistence upon the most searching and constant supervision, and through insistence on obtaining from executive department sources the fullest information, good and bad, that will en-

able the Congress to act on this measure with intelligence, wisdom, and protection of our people's money.

I very greatly fear that, particularly these days, we too often overlook the fact that without the existence of a high morale among our own citizens neither this program, nor any other, will ever accomplish their full objective. The only legislative way in which we can encourage the morale of our own people is by proving to them that we intend to fulfill our responsibility of protecting this foreign investment for them, and by showing them that we are not neglecting their domestic needs because of loose and extravagant spending abroad.

I believe that the members of the Foreign Affairs and Appropriations Committees, who originally dealt with this measure, and the conferees, have done their conscientious best to provide a measure agreeable to the Congress and acceptable to the President and this conference report should be supported today, while we pledge ourselves never to relax our vigilance in insuring that the foreign aid program is constantly reviewed for the elimination of waste and extravagance and reductions of assistance where it is not needed and cannot be effectively used.

Mr. O'HARA of Illinois. Mr. Speaker, as chairman of the African Subcommittee I am especially pleased that the contingency fund has been increased to meet the situations as they may arise in the unfolding of independence on the Continent of Africa. Our stake in Africa is large because as new sovereign nations emerge they become part of the world to which we belong. It is a world of government for, by, and of the people. It is a world in which the dignity of man and the faith in an Almighty that looks over all men, and all races, go hand in hand.

We are glad that the long reign of colonialism is over, and we take satisfaction in the thought that our country, our Union of States that once were colonies, is a pattern. What is transpiring in Africa today is a reflection in the 20th century of what transpired in our land when we were experiencing birth pains as we emerged from colonialism to sovereignty.

I have never questioned the right or the propriety of any Member of the Congress speaking his mind. Inded, it has seemed to me that in the exercise of that right was the very strength of our representative Government. But I do hope that the peoples in other lands will understand as well as do we in the Congress and, in large part, the American people. Yet I can recall occasions when some Member of the House of Commons in England, exercising his right to speak his mind and of course speaking only for himself, said something uncomplimentary about the United States and the American people did not like it. But the repercussions were not too harmful to the amiable relationships of two friendly countries because we knew that, in the final analysis, the legislator that reflected upon us was just an individual speaking for himself.

I do not criticize, and certainly I am in no position or in the frame of mind to set myself up as censor over another Member's utterances, but I do regret when any Member of the Congress in either body unnecessarily injects the personalities of friendly governments in the heated debates of the Congress. We are too far away and our information is too scant for us to attempt appraisements. Every new country must go through the experience of birth pains. The leaders in those new countries will rise and fall and new leaders will rise and fall according to the appraisement of the peoples of their own respective countries. It has been that way in our United States, and so it will continue as long as we have free and independent government. The discussion in the Congress of foreign personalities I appreciate is not so intended, but too often it is interpreted in the propaganda of the enslaved world as interference in the internal affairs of other countries.

As chairman of the African Subcommittee I have had the privilege and the pleasure of meeting many African leaders, and I can truthfully say that without an exception they have impressed me as being dedicated to their tasks. This does not mean that I would approve of everything that they did or that I would approve of everything that they said. Men and women, being human, are not infallible, and this is true in our own country as well as in the new countries of Africa, but the best check on human weaknesses we have found in our own experience comes from the people themselves passing judgment on their own leaders and their own governments. I have said on other occasions, and I repeat it now because it is so important for our people to remember, that the good neighbor in any community is not the one who goes into his neighbor's home to scold but it is the neighbor who runs his own home so happily that he sets a pattern for neighborly deportment that becomes contagious throughout the entire neighborhood.

I am content that the peoples of Africa should work out their own national destiny. They have taken upon themselves the responsibilities of free government, and I think they have taken on those responsibilities with the same spirit of dedication as moved our forefathers, and I have the faith that they will not fail. I shall not attempt to sit in judgment on the qualifications of their leaders. I would not wish them to project themselves into the Second Congressional District of Illinois and to seek to pass upon my qualifications as the representative of my own neighbors. To me the comparison is irrefutable. If we respect the sovereignty of another friendly nation we must show the same respect to the people who select the leaders and who in a democratic world are alone responsible for the governments they place in office.

Mr. Speaker, I speak now for the Subcommittee on Africa. We have faith in Africa's tomorrow. We have faith in the peoples of Africa. We appreciate that the problems of the present, the problems that always will attend the leaving behind of one status quo to gain a higher plateau—we appreciate that these problems will be many and will be trying, but we do have the faith that the problems one by one will be met and will be conquered, and that the tomorrow of Africa under government of, for, and by the people will be as bright as the sunshine itself.

STATUS OF APPROPRIATION BILLS, 86TH CONGRESS, 2D SESSION, AS OF AUGUST 26, 1960

Mr. CANNON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a table.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, with the adoption of the conference report on mutual security appropriations, the totals of the appropriations in the 17 bills enacted are under the President's budget requests by $257,546,453.

The conference report on the public works bill will be filed tonight. That will leave only the second supplemental bill, passed today, remaining for disposition.

Even allowing for the customary excesses attendant to the last chance supplemental of the session, it now appears a certainty that the bills will aggregate something less than the President's requests for appropriations. If Khrushchev had not wrecked the summit meeting, the reduction could have been larger.

These record-breaking budgets have hiked the public debt by more than $20 billion in the last 7 years. This morning's paper discloses the inevitable result: The Department yesterday reported another alltime high watermark in the cost-of-living index. As night follows day, so the cost of living rises in the wake of spending beyond income. And most of it for nondefense purposes.

The customary table follows:

Status of the appropriation bills for the 86th Cong., 2d sess., as of Aug. 26, 1960

	Bills compared with House	Bills compared with budget
Net total for the 17 session bills enacted		−$257, 546, 453
Loan authorizations		(+211, 400, 000)
Pending:		
1. Public works, as passed by the Senate	+$115, 211, 620	+25, 860, 425
2. Supplemental, 2d, as reported to House		+23, 302, 450
As the bills now stand		−208, 374, 578

PUBLIC WORKS APPROPRIATION BILL, 1961

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report on the bill H.R. 12326, the public works appropriation bill, 1961.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

SOCIAL SECURITY AMENDMENTS OF 1960

Mr. MILLS. Mr. Speaker, I call up the conference report on the bill (H.R. 12580) to extend and improve coverage under the Federal old-age, survivors, and disability insurance system and to remove hardships and inequities; improve the financing of the trust funds; and provide grants to States for medical care for aged individuals of low income; to amend the public assistance and maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2165)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12580) to extend and improve coverage under the Federal Old-Age, Survivors, and Disability Insurance System and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such system; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such Act; and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 21, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 41, 45, 46, 48, 49, 51, 52, 53, 54, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 83, 84, 85, 86, 87, 88, 89, 100, and 101.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 8, 9, 11, 13, 16, 17, 18, 19, 20, 38, 39, 40, 91, 92, 93, 94, 95, 97, 98, 99, 102, 103, 104, and 105, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"TABLE OF CONTENTS

"Title I—Coverage

"Sec. 101. Extension of time for ministers to elect coverage.
"Sec. 102. State and local governmental employees.
"(a) Delegation by Governor of certification functions.
"(b) Employees transferred from one retirement system to another.
"(c) Retroactive coverage.
"(d) Policemen and firemen.
"(e) Limitation on States' liability for employer (and employee) contributions in certain cases.
"(f) Statute of limitations for State and local coverage.
"(g) Municipal and county hospitals.
"(h) Validation of coverage for certain Mississippi teachers.
"(i) Justices of the peace and constables in the State of Nebraska.
"(j) Teachers in the State of Maine.
"(k) Certain employees in the State of California.
"(l) Inclusion of Texas among States which are permitted to divide their retirement systems into two parts for purposes of obtaining social security coverage under Federal-State agreement.
"Sec. 103. Extension of the program to Guam and American Samoa.
"Sec. 104. Service of parent for son or daughter.
"Sec. 105. Employees of nonprofit organizations.
"Sec. 106. American citizen employees of foreign governments and international organizations.

"Title II—Eligibility for Benefits

"Sec. 201. Children born or adopted after onset of parent's disability.
"Sec. 202. Continued dependency of stepchild on natural father.
"Sec. 203. Payment of burial expenses.
"Sec. 204. Fully insured status.
"Sec. 205. Survivors of individuals who died prior to 1940 and of certain other individuals.
"Sec. 206. Crediting of quarters of coverage for years before 1951.
"Sec. 207. Time needed to acquire status of wife, child, or husband in certain cases.
"Sec. 208. Marriages subject to legal impediment.
"Sec. 209. Penalty deductions under foreign work test.
"Sec. 210. Extension of filing period for husband's, widower's, or parent's benefits in certain cases.
"Sec. 211. Increase in the earned income limitation.

"Title III—Benefit Amounts

"Sec. 301. Increase in insurance benefits of children of deceased workers.
"Sec. 302. Maximum family benefits in certain cases.
"Sec. 303. Computations and recomputations of primary insurance amounts.
"Sec. 304. Elimination of certain obsolete recomputations.

"Title IV—Disability Insurance Benefits and the Disability Freeze

"Sec. 401. Elimination of requirement of attainment of age fifty for disability insurance benefits.
"Sec. 402. Elimination of the waiting period for disability insurance benefits in certain cases.
"Sec. 403. Period of trial work by disabled individual.
"Sec. 404. Special insured status test in certain cases for disability purposes.

"Title V—Employment Security

"Part 1—Short Title

"Sec. 501. Short title.

"Part 2—Employment Security Administrative Financing Amendments

"Sec. 521. Amendment of title IX of the Social Security Act.
Sec. 901. Employment security administration account.
Sec. 902. Transfers between Federal unemployment account and employment security administration account.
Sec. 903. Amounts transferred to State accounts.
Sec. 904. Unemployment Trust Fund.
"Sec. 522. Amendment of title XII of the Social Security Act.
Sec. 1201. Advances to State unemployment funds.
Sec. 1202. Repayment by State of advances to State unemployment funds.
Sec. 1203. Advances to Federal unemployment account.
Sec. 1204. Definition of Governor.
"Sec. 523. Amendments to the Federal Unemployment Tax Act.
"Sec. 524. Conforming amendments.

"Part 3—Extension of Coverage Under Unemployment Compensation Program

"Sec. 531. Federal instrumentalities.
"Sec. 532. American aircraft.
"Sec. 533. Feeder organizations, etc.
"Sec. 534. Fraternal beneficiary societies, agricultural organizations, voluntary employees' beneficiary associations, etc.
"Sec. 535. Effective date.

"Part 4—Extension of Federal-State Unemployment Compensation Program to Puerto Rico

"Sec. 541. Extension of titles III, IX, and XII of the Social Security Act.
"Sec. 542. Federal employees and ex-servicemen.
"Sec. 543. Extension of Federal Unemployment Tax Act.

"Title VI—Medical Services for the Aged

"Sec. 601. Amendments to title I of the Social Security Act.
"Sec. 602. Increase in limitations on assistance payment to Puerto Rico, the Virgin Islands, and Guam.
"Sec. 603. Technical amendment.
"Sec. 604. Effective dates.

"Title VII—Miscellaneous

"Sec. 701. Investment of Trust Funds.
"Sec. 702. Survival of actions.
"Sec. 703. Periods of limitation ending on nonwork days.
"Sec. 704. Advisory Council on Social Security Financing.
"Sec. 705. Medical care guides and reports for public assistance and medical assistance for the aged.
"Sec. 706. Temporary extension of certain special provisions relating to State plans for aid to the blind.
"Sec. 707. Maternal and child welfare.
"Sec. 708. Amendment preserving relationship between railroad retirement and old-age, survivors, and disability insurance.
"Sec. 709. Meaning of term 'Secretary'.
"Sec. 710. Aid to the blind."

And the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with amendments as follows: Omit the matter proposed to be inserted by the Senate amendment, restore the matter proposed to be stricken out by the Senate amendment, and on page 15 of the House engrossed bill strike out lines 11 through 15

and insert the following: "wages paid before (i) January 1, 1957, in the case of an agreement or modification which is mailed or delivered by other means to the Secretary before January 1, 1962, or (ii) the first day of the year in which the agreement or modification is mailed or delivered by other means to the Secretary, in the case of an agreement or modification which is so mailed or delivered on or after January 1, 1962.'"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"Certain Employees in the State of California

"(k) Notwithstanding any provision of section 218 of the Social Security Act, the agreement with the State of California heretofore entered into pursuant to such section may at the option of such State be modified, at any time prior to 1962, pursuant to subsection (c)(4) of such section 218, so as to apply to services performed by any individual who, on or after January 1, 1957, and on or before December 31, 1959, was employed by such State (or any political subdivision thereof) in any hospital employee's position which, on September 1, 1954, was covered by a retirement system, but which, prior to 1960, was removed from coverage by such retirement system if, prior to July 1, 1960, there have been paid in good faith to the Secretary of the Treasury, with respect to any of the services performed by such individual in any such position, amounts equivalent to the sum of the taxes which would have been imposed by sections 3101 and 3111 of the Internal Revenue Code of 1954 if such services had constituted employment for purposes of chapter 21 of such Code at the time they were performed. Notwithstanding the provisions of subsection (f) of such section 218, such modification shall be effective with respect to (1) all services performed by such individual in any such position on or after January 1, 1960, and (2) all such services, performed before such date, with respect to which amounts equivalent to such taxes have, prior to the date of enactment of this subsection, been paid."

And the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with amendments as follows: Restore the matter proposed to be stricken out by the Senate amendment, and—

On page 28, line 4, of the House engrossed bill, strike out the comma after "Puerto Rico".

On page 30, line 4, of the House engrossed bill, strike out "a semicolon" and insert "; or".

On page 30, line 12, of the House engrossed bill, strike out "; or" and insert a period.

On page 35, line 25, of the House engrossed bill, strike out "a semicolon" and insert "; or".

On page 36, line 8, of the House engrossed bill, strike out "; or" and insert a period.

And the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with amendments as follows: Restore the matter proposed to be stricken out by the Senate amendment, and on page 48, line 5, of the House engrossed bill, strike out "105" and insert the following: "104"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "105"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "106"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with amendments as follows: Restore the matter proposed to be stricken out by the Senate amendment, and in the House engrossed bill, beginning with page 59, line 22, strike out all through line 23 on page 60; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "three"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "three"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "three"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with amendments as follows: Omit the matter proposed to be inserted by the Senate amendment, restore the matter proposed to be stricken out by the Senate amendment, and—

On page 78 of the House engrossed bill, strike out lines 19 through 21 and insert the following:

"SEC. 209. (a) The subsection of section 203 of the Social Security Act redesignated as subsection (g) by section 211(c) of this Act is amended by striking out '(b) or (c)' wherever it appears and inserting in lieu thereof '(c)'; and by striking out '(other than an event specified in subsection (b)(1) or (c)(1)'."

On page 79, line 1, of the House engrossed bill, after "Act", insert the following: ", as in effect prior to such date"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"INCREASE IN THE EARNED INCOME LIMITATION

"SEC. 211. (a) Subsection (b) of section 203 of the Social Security Act is amended to read as follows:

"'*Deductions on account of work*

"'(b) Deductions, in such amounts and at such time or times as the Secretary shall determine, shall be made from any payment or payments under this title to which an individual is entitled, and from any payment or payments to which any other persons are entitled on the basis of such individual's wages and self-employment income, until the total of such deductions equals—

"'(1) such individual's benefit or benefits under section 202 for any month, and

"'(2) if such individual was entitled to old-age insurance benefits under section 202(a) for such month, the benefit or benefits of all other persons for such month under section 202 based on such individual's wages and self-employment income,

if for such month he is charged with excess earnings, under the provisions of subsection (f) of this section, equal to the total of benefits referred to in clauses (1) and (2). If the excess earnings so charged are less than such total of benefits, such deductions with respect to such month shall be equal only to the amount of such excess earnings. If a child who has attained the age of 18 and is entitled to child's insurance benefits, or a person who is entitled to mother's insurance benefits, is married to an individual entitled to old-age insurance benefits under section 202(a), such child or such person, as the case may be, shall, for the purposes of this subsection and subsection (f), be deemed to be entitled to such benefits on the basis of the wages and self-employment income of such individual entitled to old-age insurance benefits. If a deduction has already been made under this subsection with respect to a person's benefit or benefits under section 202 for a month, he shall be deemed entitled to payments under such section for such month for purposes of further deductions under this subsection, and for purposes of charging of each person's excess earnings under subsection (f), only to the extent of the total of his benefits remaining after such earlier deductions have been made. For purposes of this subsection and subsection (f)—

"'(A) an individual shall be deemed to be entitled to payments under section 202 equal to the amount of the benefit or benefits to which he is entitled under such section after the application of subsection (a) of this section, but without the application of the penultimate sentence thereof; and

"'(B) if a deduction is made with respect to an individual's benefit or benefits under section 202 because of the occurrence in any month of an event specified in subsection (c) or (d) of this section or in section 222(b), such individual shall not be considered to be entitled to any benefits under such section 202 for such month.'

"(b) Subsection (c) of section 203 of such Act is amended to read as follows:

"'*Deductions on account of noncovered work outside the United States or failure to have child in care*

"'(c) Deductions, in such amounts and at such time or times as the Secretary shall determine, shall be made from any payment or payments under this title to which an individual is entitled, until the total of such deductions equals such individual's benefit or benefits under section 202 for any month—

"'(1) in which such individual is under the age of seventy-two and on seven or more different calendar days of which he engaged in noncovered remunerative activity outside the United States; or

"'(2) in which such individual, if a wife under age sixty-five entitled to a wife's insurance benefit, did not have in her care (individually or jointly with her husband) a child of her husband entitled to a child's insurance benefit and such wife's insurance benefit for such month was not reduced under the provisions of section 202(q); or

"'(3) in which such individual, if a widow entitled to a mother's insurance benefit, did not have in her care a child of her deceased husband entitled to a child's insurance benefit; or

"'(4) in which such individual, if a former wife divorced entitled to a mother's insurance benefit, did not have in her care a child of her deceased former husband who (A) is her son, daughter, or legally adopted child and (B) is entitled to a child's insurance benefit on the basis of the wages and self-employment income of her deceased former husband.

For purposes of paragraphs (2), (3), and (4) of this subsection, a child shall not be considered to be entitled to a child's insurance benefit for any month in which an event specified in section 222(b) occurs with respect to such child. No deduction shall be made under this subsection from any child's insurance benefit for the month in which the child entitled to such benefit attained the age of eighteen or any subsequent month.'"

(c) Section 203 of such Act is amended by redesignating subsections (d), (e), (f), (g), and (h) as subsections (e), (f), (g), (h), and (i), respectively, and by inserting after subsection (c) the following new subsection:

"'*Deductions from dependents' benefits on account of noncovered work outside the United States by old-age insurance beneficiary*

"'(d)(1) Deductions shall be made from any wife's, husband's, or child's insurance benefit, based on the wages and self-employment income of an individual entitled to old-age insurance benefits, to which a wife, husband, or child is entitled, until the total of such deductions equals such wife's, husband's, or child's insurance benefit or benefits under section 202 for any month in which such individual is under the age of seventy-two and on seven or more different calendar days of which he engaged in noncovered remunerative activity outside the United States.

"'(2) Deductions shall be made from any child's insurance benefit to which a child who has attained the age of eighteen is entitled, or from any mother's insurance benefit to which a person is entitled, until the total of such deductions equals such child's insurance benefit or benefits or mother's insurance benefit or benefits under section 202 for any month in which such child or person entitled to mother's insurance benefits is married to an individual who is entitled to old-age insurance benefits and on seven or more different calendar days of which such individual engaged in noncovered remunerative activity outside the United States.'

"(d) The subsection of section 203 of such Act redesignated as subsection (e) by subsection (c) of this section is amended to read as follows:

"'*Occurrence of more than one event*

"'(e) If more than one of the events specified in subsections (c) and (d) and section 222(b) occurs in any one month which would occasion deductions equal to a benefit for such month, only an amount equal to such benefit shall be deducted.'

"(e) The subsection of section 203 of such Act redesignated as subsection (f) by subsection (c) of this section is amended to read as follows:

"'*Months to which earnings are charged*

"'(f) For purposes of subsection (b)—

"'(1) The amount of an individual's excess earnings (as defined in paragraph (3)) shall be charged to months as follows: There shall be charged to the first month of such taxable year an amount of his excess earnings equal to the sum of the payments to which he and all other persons are entitled for such month under section 202 on the basis of his wages and self-employment income (or the total of his excess earnings if such excess earnings are less than such sum), and the balance, if any, of such excess earnings shall be charged to each succeeding month in such year to the extent, in the case of each such month, of the sum of the payments to which such individual and all other persons are entitled for such month under section 202 on the basis of his wages and self-employment income, until the total of such excess has been so charged. Where an individual is entitled to benefits under section 202(a) and other persons are entitled to benefits under section 202 (b), (c), or (d) on the basis of the wages and self-employment income of such individual, the excess earnings of such individual for any taxable year shall be charged in accordance with the provisions of this subsection before the excess earnings of such persons for a taxable year are charged to months in such individual's taxable year. Notwithstanding the preceding provisions of this paragraph, no part of the excess earnings of an individual shall be charged to any month (A) for which such individual was not entitled to a benefit under this title, (B) in which such individual was age seventy-two or over, (C) in which such individual, if a child entitled to child's insurance benefits, has attained the age of 18, or (D) in which such individual did not engage in self-employment and did not render services for wages (determined as provided in paragraph (5) of this subsection) of more than $100.

"'(2) As used in paragraph (1), the term 'first month of such taxable year' means the earliest month in such year to which the charging of excess earnings described in such paragraph is not prohibited by the application of clauses (a), (B), (C), and (D) thereof.

"'(3) For purposes of paragraph (1) and subsection (h), an individual's excess earnings for a taxable year shall be his earnings for such year in excess of the product of $100 multiplied by the number of months in such year, except that of the first $300 of such excess (or all of such excess if it is less than $300), an amount equal to one-half thereof shall not be included. The excess earnings as derived under the preceding sentence, if not a multiple of $1, shall be reduced to the next lower multiple of $1.

"'(4) For purposes of clause (D) of paragraph (1)—

"'(A) An individual will be presumed, with respect to any month, to have been engaged in self-employment in such month until it is shown to the satisfaction of the Secretary that such individual rendered no substantial services in such month with respect to any trade or business the net income or loss of which is includible in computing (as provided in paragraph (5) of this subsection) his net earnings or net loss from self-employment for any taxable year. The Secretary shall by regulations prescribe the methods and criteria for determining whether or not an individual has rendered substantial services with respect to any trade or business.

"'(B) An individual will be presumed, with respect to any month, to have rendered services for wages (determined as provided in paragraph (5) of this subsection) of more than $100 until it is shown to the satisfaction of the Secretary that such individual did not render such services in such month for more than such amount.

"'(5)(A) An individual's earnings for a taxable year shall be (i) the sum of his wages for services rendered in such year and his net earnings from self-employment for such year, minus (ii) any net loss from self-employment for such year.

"'(B) In determining an individual's net earnings from self-employment and his net loss from self-employment for purposes of subparagraph (A) of this paragraph and paragraph (4), the provisions of section 211, other than paragraphs (1), (4), and (5) of subsection (c), shall be applicable; and any excess of income over deductions resulting from such a computation shall be his net earnings from self-employment and any excess of deductions over income so resulting shall be his net loss from self-employment.

"'(C) For purposes of this subsection, an individual's wages shall be computed without regard to the limitations as to amounts of remuneration specified in subsections (a), (g)(2), (g)(3), (h)(2), and (j) of section 209; and in making such computation services which do not constitute employment as defined in section 210, performed within the United States by the individual as an employee or performed outside the United States in the active military or naval service of the United States, shall be deemed to be employment as so defined if the remuneration for such services is not includible in computing his net earnings or net loss from self-employment.

"'(6) For purposes of this subsection, wages (determined as provided in paragraph (5)(C)) which, according to reports received by the Secretary, are paid to an individual during a taxable year shall be presumed to have been paid to him for services performed in such year until it is shown to the satisfaction of the Secretary that they were paid for services performed in another taxable year. If such reports with respect to an individual show his wages for a calendar year, such individual's taxable year shall be presumed to be a calendar year for purposes of this subsection until it is shown to the satisfaction of the Secretary that his taxable year is not a calendar year.

"'(7) Where an individual's excess earnings are charged to a month and the excess earnings so charged are less than the total of the payments (without regard to such charging) to which all persons are entitled under section 202 for such month on the basis of his wages and self-employment income, the difference between such total and the excess so charged to such month shall be paid (if it is otherwise payable under this title) to such individual and other persons in the proportion that the benefit to which each of them is entitled (without regard to such charging, without the application of section 202(k)(3), and prior to the application of section 203(a)) bears to the total of the benefits to which all of them are entitled.'

"(f) The subsection of section 203 of such Act redesignated as subsection (h) by subsection (c) of this section is amended (1) by striking out 'paragraph (4) of subsection (e)' wherever it appears and inserting in lieu thereof 'paragraph (5) of subsection (f)', (2) by striking out in subparagraph (B) of paragraph (1) 'paragraph (3) of subsection (g)' and inserting in lieu thereof 'paragraph (3) of this subsection', (3) by striking out '(b)(1)' wherever it appears and inserting in lieu thereof '(b)', and (4) by striking out in paragraph (3) 'suspend the payment' and insert in lieu thereof 'suspend the total or less than the total payment'.

"(g) The subsection of section 203 of such Act redesignated as subsection (i) by subsection (c) of this section is amended by striking out 'subsection (b), (f), or (g) of this section' and inserting in lieu thereof 'subsection (b), (c), (g), or (h) of this section'.

"(h) Subsection (l) of section 203 of such Act is amended by striking out 'subsection (f) or (g)(1)(A)' and inserting in lieu thereof 'subsection (g) or (h)(1)(A)'.

"(i) The last sentence of section 202(n)(l) of such Act is amended by striking out 'section 203 (b) and (c)' and inserting in lieu thereof 'section 203 (b), (c), and (d)'.

"(j)(1) Clause (A) of section 202(q)(5) of such Act is amended by striking out 'paragraph (1) or (2) of' and by inserting before the comma at the end thereof 'or paragraph (1) of section 203(c)'.

"(2) Clause (B) of such section 202(q)(5) is amended by striking out 'paragraph (1) or (2) of section 203(b), under section 203(c)' and inserting in lieu thereof 'section 203(b), under section 203(c)(1), under section 203(d)(1)'.

"(k)(1) Clause (A) of section 202(q)(6) of such Act is amended by striking out 'section 203(b) (1) or (2), under section 203(c)'

and inserting in lieu thereof 'section 203(b), under section 203(c)(1), under section 203(d)(1)'.

"(2) Clause (D) of such section 202(q)(6) is amended by striking out 'paragraph (1) or (2) of' and by inserting immediately before the period 'or paragraph (1) of section 203(c)'.

"(l) Section 202(t)(7) of such Act is amended by striking out 'subsections (b) and (c) of section 203' and inserting in lieu thereof 'subsections (b), (c), and (d) of section 203'.

"(m) Section 208(a)(3) of such Act is amended by striking out 'section 203(e)' and inserting in lieu thereof 'section 203(f)'.

"(n) Section 215(g) of such Act is amended by striking out '203(a)' and inserting in lieu thereof '203(a) and deductions under section 203(b)'.

"(o)(1) Section 3(e) of the Railroad Retirement Act of 1937 is amended by striking out 'subsections (f) and (g)(2) of section 203 of the Social Security Act' and inserting in lieu thereof 'subsections (g) and (h)(2) of section 203 of the Social Security Act'.

"(2) Section 5(i)(1)(ii) of the Railroad Retirement Act of 1937 is amended—

"(A) by striking out 'section 203(e)' each place it appears and inserting in lieu thereof 'section 203(f)';

"(B) by striking out 'section 203(g)(3)' and inserting in lieu thereof 'section 203(h)(3)'; and

"(C) by striking out 'earnings' each place it appears and inserting in lieu thereof 'excess earnings'.

"(p) Section 203 (c), (d), (e), (g), and (i) of the Social Security Act as amended by this Act shall be effective with respect to monthly benefits for months after December 1960.

"(q) Section 203 (b), (f), and (h) of the Social Security Act as amended by this Act shall be effective with respect to taxable years beginning after December 1960.

"(r) Section 203(l) of the Social Security Act as amended by this Act, to the extent that it applies to section 203(g) of the Social Security Act as amended by this Act, shall be effective with respect to monthly benefits for months after December 1960 and, to the extent that it applies to section 203(h)(1)(A) of the Social Security Act as amended by this Act, shall be effective with respect to taxable years beginning after December 1960.

"(s) The amendments made by subsections (i), (j), (k), (l), (m), (n), and (o) of this section, to the extent that they make changes in references to provisions of section 203 of the Social Security Act, shall take effect in the manner provided in subsections (p) and (q) of this section for the provisions of such section 203 to which the respective references so changed relate.

"(t) In any case where—

"(1) an individual has earnings (as defined in section 203(e)(4) of the Social Security Act as in effect prior to the enactment of this Act) in a taxable year which begins before 1961 and ends in 1961 (but not on December 31, 1961), and

"(2) such individual's spouse or child entitled to monthly benefits on the basis of such individual's self-employment income has excess earnings (as defined in section 203(f)(3) of the Social Security Act as amended by this Act) in a taxable year which begins after 1960, and

"(3) one or more months in the taxable years specified in paragraph (2) are included in the taxable year specified in paragraph (1), then, if a deduction is imposed against the benefits payable to such individual with respect to a month described in paragraph (3), such spouse or child, as the case may be, shall not, for purposes of subsections (b) and (f) of section 203 of the Social Security Act as amended by this Act, be entitled to a payment for such month."

And the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with amendments as follows: Omit the matter proposed to be inserted by the Senate amendment, restore the matter proposed to be stricken out by the Senate amendment, and on page 93, line 14, of the House engrossed bill, insert quotation marks after the period; and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with amendments as follows: Restore the matter proposed to be stricken out by the Senate amendment, and on page 146 of the House engrossed bill, after line 10, insert the following:

"(g) Notwithstanding section 203(b) of the Farm Credit Act of 1959, sections 3305(b), 3306(c)(6), and 3308 of the Internal Revenue Code of 1954 and sections 1501(a) and 1507(a) of the Social Security Act shall be applicable, according to their terms, to the Federal land banks, Federal intermediate credit banks, and banks for cooperatives."

And the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with amendments as follows: Omit the matter proposed to be inserted by the Senate amendment, restore the matter proposed to be stricken out by the Senate amendment, and on page 153 of the House engrossed bill, after line 25, insert the following:

"(c) Effective on and after January 1, 1961, section 5(b) of the Act of June 6, 1933, as amended (29 U.S.C., sec. 49d(b)), is amended by striking out 'Puerto Rico, Guam,' and inserting in lieu thereof 'Guam'."

And the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with amendments, as follows: On page 43 of the Senate engrossed amendments, strike out lines 10, 11, and 12, and insert:

"(2) provide for financial participation by the State;".

On page 44 of the Senate engrossed amendments, after line 18, insert:

"(9) provide, if the plan includes assistance for or on behalf of individuals in private or public institutions, for the establishment or designation of a State authority or authorities which shall be responsible for establishing and maintaining standards for such institutions;".

On page 44, line 19, of the Senate engrossed amendments, strike out "(9)" and insert "(10)".

On page 44, line 24, of the Senate engrossed amendments, strike out "provide" and insert "include".

On page 45, line 2, of the Senate engrossed amendments, after "assistance;", insert "and".

On page 45, line 9, of the Senate engrossed amendments, after "services;", insert "and".

On page 45 of the Senate engrossed amendments, strike out line 10 and all that follows through line 15.

On page 46, line 7, of the Senate engrossed amendments, after "assistance;", insert "and".

On page 47 of the Senate engrossed amendments, line 11, strike out the quotation marks and after line 11 insert:

"(c) Nothing in this title shall be construed to permit a State to have in effect with respect to any period more than one State plan approved under this title."

On page 50 of the Senate engrossed amendments, line 23, insert before the semicolon "(including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof)".

On page 51 of the Senate engrossed amendments, strike out lines 15 through 19 and insert:

"(f)(1) Section 6 of such Act is amended by striking out 'but does not include' and all that follows and inserting in lieu thereof 'but does not include—

"'(1) any such payments to or care in behalf of any individual who is an inmate of a public institution (except as a patient in a medical institution) or any individual who is a patient in an institution for tuberculosis or mental diseases, or

"'(2) any such payments to any individual who has been diagnosed as having tuberculosis or psychosis and is a patient in a medical institution as a result thereof, or

"'(3) any such care in behalf of any individual, who is a patient in a medical institution as a result of a diagnosis that he has tuberculosis or psychosis, with respect to any period after the individual has been a patient in such an institution, as a result of such diagnosis, for forty-two days.'"

On page 52 of the Senate engrossed amendments, strike out lines 19 through 22 and insert "except that such term does not include any such payments with respect to—

"'(A) care or services for any individual who is an inmate of a public institution (except as a patient in a medical institution) or any individual who is a patient in an institution for tuberculosis or mental diseases; or

"'(B) care or services for any individual, who is a patient in a medical institution as a result of a diagnosis of tuberculosis or psychosis, with respect to any period after the individual has been a patient in such an institution, as a result of such diagnosis, for forty-two days.'"

And the Senate agree to the same.

Amendment numbered 106: That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with amendments as follows: Omit the matter proposed to be stricken out by the Senate amendment, insert the matter proposed to be inserted by the Senate amendment, and on page 181 of the House engrossed bill strike out lines 8 through 10 and insert the following:

"(B) Section 522(a) of such Act is amended by striking out 'such portion of $60,000' and inserting in lieu thereof '$50,000 or, if greater, such portion of $70,000'."

And the Senate agree to the same.

Amendment numbered 107: That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"AID TO THE BLIND

"SEC. 710. (a) Effective for the period beginning with the first day of the calendar quarter which begins after the date of enactment of this Act, and ending with the close of June 30, 1962, clause (8) of section 1002(a) of the Social Security Act is amended to read as follows: '(8) provide that the State agency shall, in determining need, take into consideration any other income and resources of the individual claiming aid to the blind; except that, in making such determination, the State agency shall disregard either (i) the first $50 per month of earned income, or (ii) the first $85 per month of earned income plus one-half of earned income in excess of $85 per month;'.

"(b) Effective July 1, 1962, clause (8) of such section 1002(a) is amended to read as follows: '(8) provide that the State agency shall, in determining need, take into consideration any other income and resources of the individual claiming aid to the blind;

except that, in making such determination, the State agency shall disregard the first $85 per month of earned income, plus one-half of earned income in excess of $85 per month;'."

And the Senate agree to the same.

W. D. MILLS,
AIME J. FORAND,
CECIL R. KING,
THOMAS J. O'BRIEN,
N. M. MASON,
JOHN W. BYRNES,
HOWARD H. BAKER,
Managers on the Part of the House.

HARRY F. BYRD,
ROBERT S. KERR,
J. ALLEN FREAR,
JOHN J. WILLIAMS,
FRANK CARLSON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12580) to extend and improve coverage under the Federal Old-Age, Survivors, and Disability Insurance System and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such system; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such Act; and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The following Senate amendments made technical, clerical, clarifying, or conforming changes: 1, 2, 4, 5, 6, 15, 17, 18, 19, 20, 21, 22, 23, 25, 28, 29, 30, 32, 33, 34, 35, 36, 37, 38, 39, 41, 43, 44, 46, 47, 48, 52, 53, 54, 55, 56, 92, 94, 95, 98, 100, 102, 103, 104, and 105. With respect to these amendments (1) the House either recedes or recedes with amendments which are technical, clerical, clarifying, or conforming in nature, or (2) the Senate recedes in order to conform to other action agreed upon by the committee of conference.

EXTENSION OF TIME FOR MINISTERS TO ELECT COVERAGE

Amendment No. 3: The Senate amendment added to section 101(b) of the House bill a new provision amending section 1402(e)(3) of the Internal Revenue Code of 1954. It would under certain conditions permit a minister who, before the enactment of the amendment, had filed a certificate electing to be covered under the old-age, survivors, and disability insurance program effective beginning with his first taxable year ending after 1956, to file a supplemental certificate making the original certificate effective beginning with his first taxable year ending after 1955. The House recedes.

LIMITATION ON STATES' LIABILITY UNDER COVERAGE AGREEMENT IN CERTAIN CASES

Amendment No. 7: Section 102(e) of the House bill amended section 218(e) of the Social Security Act so as to permit a coverage agreement between the Secretary and a State to treat the wages of an individual who during the course of a year is an employee both of the State and a political subdivision or subdivisions, or of more than one subdivision, as though such wages had been paid to him by a single employer, in order to limit the State's liability for employer contributions on such individual's wages to the maximum amount (presently $4,800 a year) creditable for old-age, survivors, and disability insurance purposes, provided the State has borne the entire cost of such contributions and is not reimbursed; but these new provisions could not be made applicable with respect to wages paid before the year in which the Secretary receives the agreement or modification which makes them effective (and in no case with respect to wages paid before 1961). The Senate amendment permitted these new provisions to be made applicable with respect to wages paid on or after January 1, 1957, or January 1 of the third year preceding the year in which the agreement or modification is delivered to the Secretary, whichever is later. The House recedes with an amendment under which the new provisions can be made applicable with respect to wages paid on or after January 1, 1957, if the agreement or modification is delivered to the Secretary before 1962, but only with respect to wages paid on or after the first day of the year in which the agreement or modification is delivered to the Secretary (as provided in the House bill) if the agreement or modification is delivered to the Secretary after 1961.

JUSTICES OF THE PEACE AND CONSTABLES IN NEBRASKA

Amendment No. 8: This amendment added to section 102 of the House bill a new subsection (i), which would permit the State of Nebraska to modify its coverage agreement with the Secretary of Health, Education, and Welfare under section 218 of the Social Security Act to remove from coverage justices of the peace and constables paid on a fee basis. The House recedes.

TEACHERS IN MAINE

Amendment No. 9: This amendment added to section 102 of the House bill a new subsection (j), which would extend from July 1, 1960, to July 1, 1961, the period during which the State of Maine is permitted (under section 316 of the Social Security Amendments of 1958) to treat teaching and nonteaching employees as being covered by separate retirement systems for purposes of extending old-age, survivors. and disability insurance coverage to such employees. The House recedes.

CERTAIN EMPLOYEES IN CALIFORNIA

Amendment No. 10: This amendment added to section 102 of the House bill a new subsection (k), which would permit the State of California, at any time prior to 1962, to modify its coverage agreement with the Secretary of Health, Education, and Welfare under section 218 of the Social Security Act to extend old-age, survivors, and disability insurance coverage to certain employees of State and local hospitals in California who have been removed from coverage under a State or local retirement system. The House recedes with a technical amendment.

ADDITION OF TEXAS TO LIST OF STATES ELIGIBLE TO SPLIT RETIREMENT SYSTEMS

Amendment No. 11: This amendment added to section 102 of the House bill a new subsection (l), which would add the State of Texas to the list of States which are permitted (under section 218(d)(6)(C) of the Social Security Act) to divide a retirement system into two parts for purposes of obtaining old-age, survivors, and disability insurance coverage for only those employees in the system who desire it. The House recedes.

EXTENSION OF COVERAGE TO GUAM AND AMERICAN SAMOA

Amendment No. 12: Section 103 of the House bill extensively amended title II of the Social Security Act, the Internal Revenue Code of 1954, and related laws so as to extend coverage under the old-age, survivors, and disability insurance program to employees and self-employed individuals in Guam and American Samoa and to provide for the effective administration of the program as so extended. The Senate amendment deleted this section of the House bill. The conference agreement provides (with technical amendments) for the extension of coverage under the program to Guam and American Samoa as contained in the House bill.

DOCTORS OF MEDICINE

Amendment No. 13: Section 104 of the House bill amended section 211(c) of the Social Security Act and section 1402(c) of the Internal Revenue Code of 1954 so as to extend coverage under the old-age, survivors, and disability insurance system to earnings derived by self-employed doctors from the practice of medicine. It also amended section 210(a) of the Social Security Act and section 3121(b) of the Internal Revenue Code of 1954 to extend coverage to services performed by medical and dental interns in the same manner as for other employees of training schools and hospitals for which they are employed. The Senate amendment deleted this provision of the House bill, thereby continuing in effect the present exclusions from coverage of self-employed physicians and interns. The House recedes.

SERVICE OF PARENT FOR SON OR DAUGHTER

Amendment No. 14: Section 105 of the House bill amended section 210(a)(3) of the Social Security Act and section 3121(b)(3) of the Internal Revenue Code of 1954 so as to provide coverage under the old-age, survivors, and disability insurance program for service (other than domestic service or casual labor) performed by an individual in the employ of his son or daughter. The Senate amendment deleted this section of the House bill. The conference agreement (with a technical amendment) follows the House bill and extends coverage to individuals performing service of this type.

EMPLOYEES OF CERTAIN LABOR ORGANIZATIONS IN THE CANAL ZONE

Amendment No. 16: Section 106 (d) of the House bill amended section 210(e) of the Social Security Act and section 3121(h) of the Internal Revenue Code of 1954 so as to include in the definition of "American employer" certain tax-exempt labor organizations created or organized in the Canal Zone, if they are chartered by labor organizations created or organized in the United States. This provision of the House bill would have extended coverage to service performed outside the United States by United States citizens in the employ of such organizations. The provision would also have permitted the validation of certain remuneration erroneously reported by an organization which qualifies as an "American employer" under the provision. The Senate amendment deleted this provision of the House bill. The House recedes.

AMERICAN CITIZEN EMPLOYEES OF FOREIGN GOVERNMENTS AND INTERNATIONAL ORGANIZATIONS

Amendments Nos. 24 and 26: Section 107 of the House bill amended section 211(c)(2) of the Social Security Act and section 1402(c)(2) of the Internal Revenue Code of 1954 in order to provide coverage as self-employed individuals for American citizen employees of foreign governments, wholly owned foreign government instrumentalities, and international organizations. The Senate amendment deleted the provisions of this section which extended such coverage to employees of international organizations. The Senate recedes.

DOMESTIC SERVICE AND CASUAL LABOR

Amendments Nos. 27 and 31: Section 108 of the House bill reduced from $50 to $25 the amount of cash wages which an individual must receive in a calendar quarter for domestic service in a private home or for service not in the course of the employer's trade or business in order to be covered under the old-age, survivors, and disability insurance program, and excluded from coverage all

earnings in such domestic service and casual labor performed by persons who are under age 16. The Senate amendment deleted the provision reducing the cash wage requirement. The House recedes with an amendment deleting the provision excluding earnings in such domestic service and casual labor performed by persons who are under age 16.

ADOPTED CHILDREN OF DISABILITY INSURANCE BENEFICIARIES

Amendment No. 40: Section 201(b) of the House bill amended section 202(d)(1) of the Social Security Act so as to permit a child who was born to, was adopted by, or became a stepchild of a worker, after the worker became entitled to disability insurance benefits, to qualify for benefits; except that in the case of an adopted child the adoption must have been completed within two years of the time as of which the worker became entitled to disability insurance benefits. The Senate amendment added an additional requirement with respect to adopted children so that in order for such a child to get benefits the worker must have instituted adoption proceedings in or before the month in which his period of disability began or the child must have been living with him in such month. The House recedes.

INSURED STATUS

Amendment No. 42: Section 204(a) of the House bill amended section 214(a) of the Social Security Act to provide that a person would be a fully insured individual under the old-age, survivors, and disability insurance program if he has 1 quarter of coverage (no matter when acquired) for every 4 elapsed quarters (i.e., for every 4 quarters elapsed after December 31, 1950 (or, if later, after the year in which the person reaches age 21) and before the year in which the person died (or, if earlier, the year in which he reached retirement age)) rather than only if he has 1 quarter of coverage for each 2 elapsed quarters as under present law. Under the Senate amendment the requirement for fully insured status would have remained as in present law; that is, 1 quarter of coverage for each 2 elapsed quarters. The House recedes with an amendment providing that a person will be fully insured under the program if he has 1 quarter of coverage for each 3 elapsed quarters.

TIME NEEDED TO ACQUIRE STATUS OF WIFE, CHILD, OR HUSBAND IN CERTAIN CASES

Amendment No. 45: Section 207 of the House bill amended section 216 of the Social Security Act so as to reduce the duration-of-relationship requirements for entitlement to wife's, child's, and husband's benefits in cases where the worker is alive from 3 years to 1 year, the same as the requirement that is presently applicable for purposes of entitlement to survivors' benefits where the worker is deceased. The Senate amendment deleted this section of the bill. The Senate recedes.

ACTUARIALLY REDUCED BENEFITS FOR MEN AT AGE 62

Amendment No. 49: The Senate amendment added to the House bill a new section (sec. 210) amending section 216(a) of the Social Security Act to reduce retirement age for men to 62 (the age already applicable in the case of women), and amending section 202(q) and other provisions of such Act to provide that where a man elects to receive his benefits before attaining age 65 such benefits will be actuarially reduced in substantially the same way as is done under present law in the case of a woman who elects to receive her old-age benefits before attaining age 65. The Senate recedes.

EARNED INCOME LIMITATION

Amendment No. 50: The Senate amendment added to the House bill a new section 211, under which the amount of yearly earnings which a beneficiary can have and still get all of his benefits for the year would be increased from $1,200 to $1,800; under the Senate amendment (as under existing law) the beneficiary would lose one month's benefit, regardless of its amount, for each $80 or fraction thereof by which his earnings exceed the specified dollar limit. The House recedes with an amendment which provides as follows:

(1) if the beneficiary earns $1,200 or less in a year, no benefits will be withheld (just as under present law),

(2) if the beneficiary earns between $1,200 and $1,500, 50 cents in benefits will be withheld for each $1 of earnings above $1,200, and

(3) if the beneficiary earns more than $1,500, 50 cents in benefits will be withheld for each $1 of earnings between $1,200 and $1,500 ($150 withheld on account of the $300 of earnings), and $1 in benefits will be withheld for each $1 of earnings above $1,500.

Under the conference agreement, as under existing law, no benefit would be withheld in any case for any month in which the beneficiary earns $100 or less in wages and does not engage in self-employment.

CHILDREN OF INDIVIDUALS IN LOCO PARENTIS

Amendment No. 51: The Senate amendment added to the House bill a new section (sec. 212) amending sections 216(e)(3) and 202(d) of the Social Security Act so as to permit a child with respect to whom an insured individual has stood in loco parentis for at least 5 years to qualify for child's insurance benefits on such individual's wage record even though such child is neither the natural, adopted, or stepchild of such individual. The Senate recedes.

THE UNEMPLOYMENT COMPENSATION PROGRAM

Amendments Nos. 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, and 90:

The bill as passed the House contained a number of amendments affecting the Federal-State program of employment security. These included: (1) a raise in the Federal unemployment tax rate from 3.0 percent to 3.1 percent; (2) provisions governing financing of the administrative expenses of the Federal-State employment security program; (3) improvements in the operation of the Federal unemployment account (the loan fund) by tightening the conditions pertaining to eligibility for and repayment of advances to States with depleted reserve accounts; (4) extension of coverage of the unemployment compensation program to several groups of workers; and (5) treating Puerto Rico as a State for the purposes of the unemployment compensation program.

The Senate amendments adopted only one of these changes—the one relating to eligibility for and repayment of advances. In addition, the Senate amendments provided for a larger loan fund by increasing the amount authorized to be built up in the Federal unemployment account from $200 million to $500 million (under the bill as passed the House the Federal unemployment account would be permitted to increase to $550 million or, if greater, four-tenths of 1 percent of the total wages subject to contributions under all State unemployment compensation laws for the applicable calendar year).

The conference agreement contains the provisions of the bill as passed the House with two technical amendments.

MEDICAL SERVICES FOR THE AGED

Amendments Nos. 91, 96, and 99:

The House bill.—The bill as passed the House added a new title XVI to the Social Security Act for the purpose of establishing a new Federal-State grants-in-aid program to help the States assist low-income aged individuals who need assistance in meeting their medical expenses. Participation in the program would begin after June 1961, upon approval of a plan meeting the general requirements specified in the bill. Participation in the Federal-State program would be completely optional with the States, with each State determining the extent and character of its own program, including (within broad limits) standards of eligibility and scope of benefits.

Persons 65 years of age and over, whose income and resources (taking into account their other living requirements as determined by a State) are insufficient to meet the cost of their medical services, would be eligible under the program. Persons eligible to participate under this program would not include those persons participating under the other Federal-State public assistance programs.

The scope of medical benefits and services provided would be determined by the States. The Federal Government, however, would participate under the matching formula in any program providing any or all of the following services (where limits are applicable they are specified), provided both institutional and noninstitutional services are available:

(A) Inpatient hospital services up to 120 days per year;
(B) Skilled nursing-home services;
(C) Physicians services;
(D) Outpatient hospital services;
(E) Organized home care services;
(F) Private duty nursing services;
(G) Therapeutic services;
(H) Major dental treatment;
(I) Laboratory and X-ray services up to $200 per year;
(J) Prescribed drugs up to $200 per year.

The Federal Government would provide funds for payments for medical benefits under an approved State plan in accordance with an equalization formula under which the Federal share would be between 50 percent and 65 percent of the costs depending upon the per capita income of the State. This is the same matching formula which applies now on that part of the average old-age assistance payments between $30 and $65 a month.

The payments under this program would be made directly to providers of the medical services.

Under the House bill, contingent upon a showing of a significant improvement in their medical payment programs for old-age assistance recipients, States would get somewhat more favorable Federal matching, effective October 1960, for additional expenditures up to an average of $5 per recipient in medical payments.

Senate amendments.—Senate amendment No. 91 strikes out the new title XVI added to the Social Security Act by the House bill. Senate amendment No. 96 makes amendments to title I of the Social Security Act (1) to provide for increased Federal financial participation in expenditures by the States for payments to persons providing medical services to recipients of old-age assistance, and (2) to assist the States in furnishing medical assistance on behalf of aged individuals who are not recipients of old-age assistance but whose income and resources are insufficient to meet the costs of necessary medical services. Senate amendment No. 99 makes these changes in title I of the Social Security Act effective October 1, 1960.

The provisions of the Senate amendments in this area are in substance the same as the provisions contained in the accompanying conference report which are explained below, with the exceptions noted in the explanation which follows:

Conference agreement.—Under the conference agreement, section 601 of the bill amends title I of the Social Security Act so

as to provide for Federal financial participation in approved State plans for old-age assistance or for medical assistance for the aged or for both old-age assistance and medical assistance for the aged. Title I of the Social Security Act now authorizes such participation only in State plans for old-age assistance.

Subsection (a) of section 601 changes the heading of title I of the Social Security Act to reflect the expansion of that title to include medical assistance for the aged.

Subsection (b) of section 601 revises sections 1 and 2 of the Social Security Act. Section 1 now states the purpose of title I of the act and authorizes appropriations therefor. Under the conference agreement this section is amended to state the additional purpose of enabling the States, as far as practicable under the conditions existing therein, to furnish medical assistance for the aged who are not recipients of old-age assistance but whose income and resources are insufficient to meet the cost of necessary medical services.

Section 2 of the Social Security Act now sets forth the conditions which a State plan for old-age assistance must meet in order to be approved by the Secretary and thereby qualify for Federal financial participation in expenditures under the plan.

Under the conference agreement section 2 contains the requirements which State plans must meet in order to qualify for Federal participation. These requirements may be divided into three categories: (a) Those which apply to both old-age assistance and medical assistance for the aged; (b) those which apply only to old-age assistance; and (c) those which apply only to medical assistance for the aged.

(a) Requirements applying to both old-age assistance and medical assistance for the aged.

A State plan must—

(1) Provide that it will be in effect in all political subdivisions and be mandatory upon those subdivisions if administered by them;

(2) Provide for financial participation by the State;

(3) Provide for establishment or designation of a single State agency to administer or supervise administration of the plan;

(4) Provide for giving claimants a fair hearing if their claims are denied or not acted upon with reasonable promptness;

(5) Provide methods of administration found necessary for the proper and efficient operation of the plan—these must include a merit system for personnel;

(6) Provide for making of necessary reports to the Secretary;

(7) Provide safeguards against use and disclosure of information concerning applicants for and recipients of assistance, except for purposes directly connected with the administration of the plan;

(8) Provide all individuals wishing to do so an opportunity to apply for assistance, and provide that assistance will be furnished with reasonable promptness to those who are eligible; and

(9) Provide, if the plan includes assistance for or on behalf of individuals in private or public institutions, for the establishment or designation of a State authority or authorities to be responsible for establishing and maintaining standards for such institutions.

These conditions appear in virtually identical form and substance in the existing law, but apply only with respect to old-age assistance. In addition, these conditions appear in virtually identical form and substance in the Senate amendments, with two exceptions. The first exception is that section 2(a)(2) of the Social Security Act, as amended by the Senate amendments, reads as follows:

"(2) provide for financial participation by the State which shall, effective January 1, 1962, extend to all aspects of the State plan;".

The second exception is that the condition set forth in paragraph (9) above was, under the Senate amendments, applicable only in the case of old-age assistance; whereas, under the conference agreement it is applicable also with respect to medical assistance for the aged.

(b) Requirements applying only to old-age assistance.

A State plan must—

(1) Provide for taking into consideration any other income and resources of an individual claiming old-age assistance in determining his need therefor;

(2) Include reasonable standards, consistent with the objectives of title I of the Social Security Act, for determining the eligibility of individuals for old-age assistance and the extent of such assistance; and

(3) Provide a description of the services made available to help applicants and recipients attain self-care.

Items 1 and 3 are the same as provisions now included in section 2 of the Social Security Act. The language of item 2 is not included in existing law.

(c) Requirements applying only to medical assistance for the aged. (These requirements do not appear in existing law.)

A State plan must—

(1) Provide for inclusion of some institutional and some noninstitutional care;

(2) Prohibit enrollment fees, premiums, and similar charges as a condition of eligibility;

(3) Include provisions, to the extent required by the Secretary's regulations, for the furnishing of assistance to residents of the State who are temporarily absent therefrom;

(4) Include reasonable standards for determining eligibility for assistance and the extent of assistance which are consistent with the objectives of the amended title I; and

(5) Provide that property liens will not be imposed on account of benefits received under the plan during a recipient's lifetime (except pursuant to a court judgment on account of benefits incorrectly paid), and limit recovery of benefits correctly paid to recovery from the recipient's estate after the death of his surviving spouse, if any.

Subsection (b) of section 2 of the Social Security Act, as amended under the conference agreement, requires the Secretary of Health, Education, and Welfare to approve any State plan which fulfills the conditions specified above, except that he may not approve a plan which imposes as a condition of eligibility for assistance under the plan an age requirement of more than 65 years or a citizenship requirement which excludes any citizen of the United States. These limitations are contained in existing law. Also carried over from existing law is the prohibition of approval of a plan which, as to old-age assistance applicants, includes any residence requirement which excludes any resident of the State who has resided therein for 5 years during the 9 years immediately preceding his application and who has resided therein continuously for 1 year immediately preceding his application. A different limitation is to be applied to the residence requirements which a State, whose plan includes medical assistance for the aged, could impose as a condition of eligibility for such assistance. In the case of such a plan, approval would be prohibited if it includes any residence requirement which excludes any individual (applying for medical assistance for the aged) who resides in the State.

Subsection (c) of the new section 2 of the Social Security Act provides that nothing in the amended title I is to be construed to permit a State to have in effect with respect to any period more than one State plan approved under such title. This subsection is not contained in the Senate amendments.

Section 601(c) of the bill as agreed to in conference amends section 3(a) of the Social Security Act. This section sets forth the formula by which Federal payments to States with approved plans under title I are determined. Under the new section 3(a) a State would continue, as under existing law, to receive Federal payments equal to four-fifths of the first $30 of its average monthly payment for each recipient (including old-age assistance in the form of cash payments to the individual and old-age assistance in the form of medical or other remedial care on his behalf) plus an amount equal to the Federal percentage (described below) of the remainder of the average monthly payment, but excluding that part in excess of $65.

In addition, the State would receive the Federal medical percentage (described below) of the excess over the above-mentioned $65 average monthly payment for each recipient, excluding that part of the average payment in excess of $77; except that if a State's vendor medical care expenditures under old-age assistance for a month average less than $12 per recipient, this $77 would be reduced by the amount by which such expenditures are less than $12. Thus, if a State is spending an average of $75 per month per recipient for old-age assistance, of which $8 is for vendor medical care, the State would receive, in addition to four-fifths of the first $30 of its average payment plus the Federal percentage of the next $35 thereof; the Federal medical percentage of the next $8.

States with average monthly payments per recipient under old-age assistance of more than $65 would, in lieu of the additional amount described in the preceding paragraph, receive 15 percent of the first $12 of their average vendor medical care payments for each recipient if this is larger. An example of where this alternative would apply is a State with a Federal percentage (and, therefore, a Federal medical percentage) of 60 percent that is spending an average of $66 per month per recipient for old-age assistance, of which $12 is for vendor medical care. Such a State would receive, in addition to four-fifths of the first $30 of its average payment plus 60 percent of the next $35 thereof, 15 percent of $12 for each recipient or an additional payment of $1.80 (as against an additional payment of 60 percent of $1.00 or $0.60 under the formula described in the preceding paragraph).

States with average monthly payments per recipient under old-age assistance of $65 or less would also receive additional Federal funds in connection with their vendor medical care programs. These States would receive the same proportions of their average payments as are provided under existing law, plus an additional 15 percent of the first $12 of their average vendor medical care payments for each recipient. Thus, a State with an average monthly payment per recipient of $55, of which $10 is for vendor medical care, would receive four-fifths of the first $30 of the average payment for each recipient, plus the Federal percentage of the next $25 for each recipient, plus an additional 15 percent of $10 for each recipient.

(The above provisions would not be applicable to Puerto Rico, the Virgin Islands, and Guam. However, a comparable liberalization of the formula applicable to them is also included in the bill.)

It is expected that these additional old-age assistance vendor medical care funds will result in the improvement of programs for

such care, or for initiating programs of medical assistance for the aged, or both.

Under existing law the Federal percentages for the several States vary inversely with the square of their respective per capita incomes, but with a minimum of 50 percent and a maximum of 65 percent. The Federal medical percentage would be determined in the same way except that the maximum would be 80 percent instead of 65 percent.

For all States which have approved programs for medical assistance for aged persons who are not recipients of old-age assistance, the Federal payments would be equal to the Federal medical percentage of the total amounts expended under these programs.

Also (as under existing law), all States would continue to receive Federal payments equal to one-half of their expenditures for necessary and proper administration of their State plans.

Section 601(d) is a conforming amendment to section 3(b)(2)(B) of the Act, striking out "old-age assistance" and inserting in lieu thereof "assistance".

Section 601(e) is a conforming amendment to section 4 of the Act under which the Secretary could suspend or deny Federal payments to States whose plans do not conform to the requirements of the Act or whose programs are operated in contravention of the provisions of the State plan.

Section 601(f) amends section 6 of the Act. Existing section 6 becomes subsection (a) of section 6 and two new subsections (b) and (c) are added. The new subsection (a) continues the present definition of "old-age assistance", except that it (in effect) permits Federal financial participation in State expenditures for medical care on behalf of an individual who is a patient in a medical institution, as the result of a diagnosis of tuberculosis or psychosis, for 42 days (whether or not consecutive) after such diagnosis. (Under the Senate amendments, the definition of "old-age assistance" included money payments to, or medical care on behalf of or any type of remedial care recognized under State law on behalf of, individuals who are patients in institutions for tuberculosis or mental diseases and individuals who have been diagnosed as having tuberculosis or psychosis and are patients in medical institutions as a result thereof.)

The new subsection (b) of section 6 defines "medical assistance for the aged." This term is defined to mean payments for medical services to persons 65 years of age or over who are not recipients of old-age assistance, but whose income and resources are insufficient to meet the cost of the following care and services:

(1) Inpatient hospital services;
(2) Skilled nursing-home services;
(3) Physicians' services;
(4) Outpatient hospital or clinic services;
(5) Home health care services;
(6) Private duty nursing services;
(7) Physical therapy and related services;
(8) Dental services;
(9) Laboratory and X-ray services;
(10) Prescribed drugs, eyeglasses, dentures, and prosthetic devices;
(11) Diagnostic, screening, and preventive services; and
(12) Any other medical care or remedial care recognized under State law.

The term "medical assistance for the aged" does not include services for any individual who is an inmate of a public institution except as a patient in a medical institution; nor does it include services for any individual who is a patient in a tuberculosis or mental institution. In the case of an individual who is a patient in a medical institution (other than a tuberculosis or mental institution) as a result of a diagnosis of tuberculosis or psychosis, services provided him after he has been such a patient in the institution for 42 days (whether or not consecutive) as a result of this diagnosis are also not included. (Under the Senate amendments, the term "medical assistance for the aged" did not exclude payments with respect to care or services for individuals who are patients in institutions for tuberculosis or mental diseases, and did not exclude individuals who have been diagnosed as having tuberculosis or psychosis and are patients in medical institutions as a result thereof.)

The new section 6(c) defines the term "Federal medical percentage". The Federal medical percentage for any State would be 100 percent minus the percentage which bears the same relationship to 50 percent as the square of the per capita income of the State bears to the square of the per capita income of the 50 States. The Federal medical percentage could not, however, be less than 50 percent or more than 80 percent. Also, this percentage for Puerto Rico, the Virgin Islands, and Guam would be set at 50 percent.

As under the Senate amendments, these changes in title I of the Social Security Act will take effect on October 1, 1960.

PLANNING GRANTS TO STATES

Amendment No. 93: Section 603 of the House bill authorized a two-year program of grants to the States to cover one-half of their costs, up to a maximum Federal payment of $50,000, of making plans and initiating administrative arrangements for operations under the new title XVI of the Social Security Act (relating to medical services for the aged). The Senate amendment deleted this provision of the House bill. The House recedes.

INCREASE IN LIMITATIONS ON ASSISTANCE PAYMENT TO PUERTO RICO, THE VIRGIN ISLANDS, AND GUAM

Amendment No. 97: Senate amendment numbered 97 added to the bill amendments to section 1108 of the Social Security Act. This section of the Act places dollar limitations on the amounts which may be paid to Puerto Rico, the Virgin Islands, and Guam under titles I, IV, X, and XIV of the Act. The Senate amendment increased these dollar amounts. No comparable provision was included in the House bill. The House recedes.

Under the conference agreement, section 1108 of the Social Security Act is amended to increase the dollar limitations described above as follows:

Puerto Rico—from $8,500,000 to $9 million per fiscal year;

Virgin Islands—from $300,000 to $315,000 per fiscal year; and

Guam—from $400,000 to $420,000 per fiscal year.

These increases may be used only for payments certified under section 3(a)(2)(B) of the act (relating to Federal matching for old-age assistance expenditures in excess of the present maximum of $35 per month per beneficiary). However, the dollar limits would not apply to payments under the new section 3(a)(3) of the act (relating to Federal payments for medical assistance for the aged).

ADVISORY COUNCIL ON SOCIAL SECURITY FINANCING

Amendment No. 101: Section 704(b) of the House bill amended section 116 of the Social Security Amendments of 1956 so as to direct the Advisory Council on Social Security Financing which will be appointed during 1963 (under section 116(e) of the 1956 Amendments as amended by sec. 704(a) of the bill) to make findings and recommendations with respect to extensions of coverage, adequacy of benefits, and all aspects of the old-age, survivors, and disability insurance program in addition to the other findings and recommendations (relative to financing) which it is required to make under such section 116. The Senate amendment deleted this provision of the House bill. The Senate recedes.

CHILD-WELFARE SERVICES

Amendment No. 106: Section 707(a)(3)(A) of the House bill amended section 521 of the Social Security Act so as to increase from $17,000,000 to $20,000,000 the amount authorized to be appropriated each year to enable the Secretary of Health, Education, and Welfare to make grants to State agencies for child-welfare services. The Senate amendment increased this amount to $25,000,000. The House recedes, with an amendment providing that the uniform amount in the allotments to each State as prescribed by the present child-welfare services law (which is based on the ratio between the amount authorized and the amount appropriated for child-welfare purposes, applied to a dollar amount which is increased from $60,000 to $70,000 by the bill) shall in no case be less than $50,000.

AID TO THE BLIND

Amendment No. 107: This amendment added to the House bill a new section 710, amending section 1002(a)(8) of the Social Security Act to provide that the State agency administering aid to the blind, in taking an individual's income and resources into consideration for purposes of determining his need for such aid, may either disregard the first $1,000 of his earned income per year plus one-half of the excess over $1,000 or continue to disregard the first $50 per month of earned income as it is directed to do under existing law, with the further provision that effective July 1, 1961, the State agency must disregard the first $1,000 of the individual's earned income each year plus one-half of his earned income in excess of that figure. The House recedes with an amendment which places the new earned income exemption on a monthly basis as in existing law rather than on an annual basis as in the Senate amendment, and provides that the new exemption will become mandatory on the States on July 1, 1962; under the conference agreement the State agency, in determining need, is permitted either to disregard the first $85 of the individual's earned income per month plus one-half of his earned income in excess of that figure or to continue to apply the existing $50 per month exemption until the 1962 date, after which it must disregard the first $85 of earned income per month plus one-half of earned income in excess of that figure.

W. D. MILLS,
AIME J. FORAND,
CECIL R. KING,
N. M. MASON,
JOHN W. BYRNES,
HOWARD H. BAKER,
Managers on the Part of the House.

Mr. MILLS. Mr. Speaker, I yield myself 10 minutes.

The agreement reached by the conferees on the part of the House and the Senate on H.R. 12580, the Social Security Amendments of 1960, represents, as is usually the case, some degree of compromise on the part of all concerned. I can give assurance to the Members of the House, however, that in my opinion the provisions upon which agreement was reached on the part of the conferees represent substantially the basic House bill with only a few substantive modifications, and I believe the substantive modifications, for the most part, represent improvements in the bill.

Also, at the very outset it should be emphasized that there were very broad

areas of agreement in the House and Senate versions of this legislation and many of the basic House provisions were repeated in the Senate bill without change. The conference report warrants the support of the Members of this body, as I believe you will agree.

OVERALL SUMMARY

Before discussing in detail the changes which were made by the Senate, and the agreement which was reached by the conferees, let me very broadly refer to the principal provisions of the bill which passed the House and the conference version which is now before you.

First. As Members of the House will recall, the House bill made three important changes in the area of disability benefit provisions of title II of the Social Security Act. The House bill repealed the age 50 provision; the House bill removed the second 6 months' waiting period before receipt of disability benefits; and the House bill made improvements in the rehabilitation provisions. All of these provisions were agreed to without change by the Senate and therefore are in the final version of this legislation as agreed to.

Second. The House bill would have created a completely new title to the Social Security Act establishing a grant-in-aid program on the subject of medical services to the aged. Basically, the version agreed to by the conferees is much the same as the House version, except that the Senate bill placed the new program under title I, and represents some liberalization.

Third. The House bill contained provisions for additional matching money for medical services to old-age assistance. The Senate provisions increasing these funds, by providing vendor payments for medical services, were agreed to. I will discuss these liberalizations in detail later.

Fourth. The House bill contained a number of improvements in that title of the Social Security Act relating to employment security. The Senate deleted a number of these provisions, but they were restored to the bill in the conference committee and the House provisions prevailed in this regard.

Fifth. The House bill contained a number of provisions designed to facilitate or make improvements in the coverage provisions of the Social Security Act, relating to both employees and the self-employed. For example, the bill contained many improvements in coverage of State and local employees. For the most part the Senate bill contained all of these provisions without change and therefore there was no controversy in this part of the House bill, except in the limited instances to which I shall later refer in detail.

Sixth. The House bill contained provisions improving the administration of the old-age and survivors insurance and the disability insurance trust funds by obtaining additional interest on trust funds. These provisions are still in the bill.

Seventh. The House bill contained a considerable number of miscellaneous administrative provisions designed to improve the administration of the program. Practically all of these changes were in the Senate-passed bill and were therefore not in disagreement. They remain in the bill.

SENATE CHANGES AND CONFERENCE ACTION

In order that Members of the House may understand more fully the agreement reached by the conferees on those areas where the House and Senate were in disagreement, I shall now discuss the changes made by the Senate and the agreement reached in the conference.

COVERAGE UNDER OASI

First. In the area of coverage under the old-age and survivors insurance title of the act, the Senate made changes in the House provisions relating to the self-employed and to employees. As Members of the House will recall, the House bill contained a number of provisions designed to extend coverage to new groups or to facilitate existing coverage.

SELF-EMPLOYED

Doctors of medicine: The House bill extended coverage to self-employed doctors of medicine. The Senate deleted the House provision, and the conferees in this instance agreed to the Senate version. As I indicated at the time when H.R. 12580 was before the House for passage, this provision did represent an area where there was controversy. The Committee on Ways and Means was aware that some doctors and some State organizations of doctors had expressed a desire for coverage while other doctors and other State organizations had strongly opposed coverage. The Senate conferees were unyielding in their position that until there was greater unanimity among the medical profession in favor of coverage, legislation should not be enacted to compel them to come under the OASI program. In view of the position taken by the Senate conferees on this point, and in view of the fact as I have previously indicated that we know there is considerable controversy in this area, the House conferees concluded it advisable to recede on this point and agree to the Senate version.

Ministers: In the area of the self-employed, the House bill also contained provisions extending the time in which ministers could elect coverage. Under existing law and the prior law, coverage was made available to ministers under the 1954 amendments on an individual voluntary basis, provided that the ministers who desired coverage filed a waiver certificate by April 15, 1957. In 1957, in order to permit additional time for others to obtain coverage this deadline was extended to April 15, 1959. The House bill extended an additional opportunity to those ministers who have already entered the ministry and who have not elected coverage to obtain coverage if they file certificates by April 15, 1962. In addition, the House bill permitted the validation of coverage of certain clergymen who filed tax returns reporting self-employment earnings from the ministry for certain years after 1954 and before 1960 even though, through error, they had not filed waiver certificates effective for those years.

The Senate amendment added to section 101(b) of the House bill a new provision amending section 1402(e)(3) of the Internal Revenue Code of 1954. It would under certain conditions permit a minister who, before the enactment of the amendment, had filed a certificate electing to be covered under the old-age, survivors, and disability insurance program effective beginning with the first taxable year ending after 1956, to file a supplemental certificate making the original certificate effective beginning with his first taxable year after 1955. The House agreed to the Senate amendment because this will make it possible for additional ministers to obtain coverage.

COVERAGE PROVISIONS RELATING TO EMPLOYEES

With respect to those provisions relating to coverage of employees, the Senate made a number of changes in the House bill.

As Members of the House will recall, the House bill contained several important improvements facilitating coverage of State and local employees. Basically, the Senate bill retains these provisions but added additional provisions designed to further facilitate coverage in specific situations or with respect to specific States. These are as follows:

First. The Senate bill contained a provision adding the State of Texas to the list of States which are permitted, on an optional basis, to divide their retirement systems into two parts, one part consisting of those employees who desire coverage and the other part consisting of those employees who do not desire coverage. As Members will recall, there are now 15 States which have this option. It has been the practice of the Congress to extend this option to States which requested it. Therefore, the House conferees agreed to this provision.

Second. The Senate bill contained an amendment designed to permit the State of Nebraska to modify its coverage agreement with the Secretary of HEW under section 218 of the act to remove from coverage in the future justices of the peace and constables paid on a fee basis. As Members of the House will recall, under existing law it is left to the option of each of the individual States as to whether it will include or exclude from its coverage agreement State officials who are paid on a part-time or a fee basis, or who are elective officials. As explained to the House conferees, this provision relating to the State of Nebraska was requested so that several individuals to whom coverage had been extended through error might not lose their credits by virtue of subsequent action on the part of the State in correcting its agreement. This was requested by the State of Nebraska. The House conferees agreed to this amendment.

Third. The Senate added an amendment to extend from July 1, 1960, to July 1, 1961, the period during which the State of Maine is permitted—under section 316 of the Social Security Amendments of 1958—to treat teaching and nonteaching employees as being covered by separate retirement systems for purposes of extending old-age, survivors, and disability insurance coverage to such employees. The provision written into the 1958 amendments, as I recall, was done so by the Senate at the request of

the State of Maine, and this provision is simply designed to extend for an additional year this option. The House conferees therefore agreed to the amendment.

Fourth. The Senate added an amendment to permit the State of California, at any time prior to 1962, to modify its coverage agreement with the Secretary of HEW under section 218 of the Social Security Act to extend old-age, survivors, and disability insurance coverage to certain employees of the State and local hospitals in California, who have been removed from coverage under a State or local retirement system. Members of the House will recall that the House bill contained a provision to permit municipal and county hospitals to be treated as separate retirement system coverage groups on the same basis provided under present law for institutions of higher learning. The Senate amendment is on this same general subject and is designed, as we understand it, to take care of a coverage problem of the El Centro, Calif., Community Hospital. The House receded with a technical perfecting amendment.

Fifth. Section 102(e) of the House bill amended section 218(e) of the Social Security Act so as to permit a coverage agreement between the Secretary and a State to treat the wages of an individual who during the course of a year is an employee both of the State and a political subdivision or subdivisions, or of more than one subdivision, as though such wages had been paid to him by a single employer, in order to limit the State's liability for employer contributions on such individual's wages to the maximum amount—presently $4,800—creditable for old-age, survivors, and disability insurance purposes, provided the State has borne the entire cost of such contributions and is not reimbursed; but these new provisions could not be made applicable with respect to wages paid before the year in which the Secretary receives the agreement or modification which makes them effective and in no case with respect to wages paid before 1961.

The Senate amendment permitted these new provisions to be made applicable with respect to wages paid on or after January 1, 1957, or January 1 of the third year preceding the year in which the agreement or modification is delivered to the Secretary, whichever is later. The House receded with an amendment under which the new provisions can be made applicable with respect to wages paid on or after January 1, 1957, if the agreement or modification is delivered to the Secretary before 1962, but only with respect to wages paid on or after the first day of the year in which the agreement or modification is delivered to the Secretary—as provided in the House bill—if the agreement or modification is delivered to the Secretary after 1961.

Also, in the area of employees coverage, the House bill amended section 210(e) of the Social Security Act and section 3121(h) of the Internal Revenue Code of 1954 so as to include in the definition of "American employer" certain tax-exempt labor organizations created or organized in the Canal Zone, if they are chartered by labor organizations created or organized in the United States. This provision of the House bill would have extended coverage to service performed outside the United States by U.S. citizens in the employ of such organizations. The provision would also have permitted the validation of certain remuneration erroneously reported by an organization which qualifies as an American employer under the provision. The Senate amendment deleted this provision of the House bill. The House receded.

Next, as Members of the House will recall, section 108 of the House bill reduced from $50 to $25 the amount of cash wages which an individual must receive in a calendar quarter for domestic service in a private home or for service not in the course of the employer's trade or business in order to be covered under the OASI program, and excluded from coverage all earnings in domestic service and casual labor performed by persons who are under 16 years of age. The Senate amendment deleted the provision reducing the cash wage requirement. The House receded with an amendment deleting the provision excluding earnings in domestic service and casual labor performed by persons who are under age 16. The net effect of the agreement is to leave existing law on this subject unchanged.

Finally, Mr. Speaker, in the area of coverage, it should be pointed out that the Senate receded on two additional Senate amendments to the House bill which would have restricted somewhat the scope of the House bill. First, the provision of the House bill which extended coverage to Guam and American Samoa, and which was deleted by the Senate, was restored to the bill. Second, the provision of the House bill extending coverage to employees of international organizations on a self-employed basis, which the Senate deleted, was also restored to the bill.

Mr. Speaker, I now turn to those provisions of the conference agreement relating to the retirement age, insured status, and the retirement test.

Mr. Speaker, as Members of the House will recall from my remarks at the time when the House bill was before the House, the Committee on Ways and Means concluded it inadvisable to further increase the so-called work clause, or the amount of money which a beneficiary may earn without loss of benefits. As was explained at the time, the committee also concluded that, due to the cost factors and other reasons, it was inadvisable to reduce the retirement age either in the case of men or women, although there were a number of bills pending before the committee designed to do so. As Members will also recall, the committee did consider it advisable and highly desirable to relax somewhat the insured status provision of the law because this would bring additional people under the system and make it possible for a number of elderly individuals who now lack just a few quarters of coverage to begin drawing benefits. Therefore, Mr. Speaker, in view of these considerations the bill which passed the House did not reduce the retirement age, did not further liberalize the work clause or the earnings limitation, but it did change the insured status requirement to "one out of four" quarters in lieu of the existing "one out of two" quarters requirement.

Mr. Speaker, the other body made substantial amendments with regard to these three important subjects.

REDUCTION IN RETIREMENT AGE

First. An amendment was added making it possible for male workers and dependent husbands, on an optional basis, to receive benefits at age 62 with an actuarial reduction on the same basis presently provided for women workers and wives.

In the conference the House conferees drew the attention of the conference committee to the fact that this provision actuarily would cost 0.06 percent of payroll. In addition to this, very serious questions were entertained as to the principle which was involved; namely, reducing the retirement age in the case of male workers at a time when actual experience shows the retirement age has been increasing beyond age 65. Moreover, the Secretary of Health, Education, and Welfare indicated to the conference committee that inclusion of this provision would raise several other questions. In view of these considerations the House conference insisted upon the House position, and the provision was stricken from the bill.

RETIREMENT TEST

Second. The Senate added an amendment to the House bill, a new section 211, under which the amount of yearly earnings which a beneficiary can have and still receive all of his benefits for the year would have been increased from $1,200 to $1,800. Under the Senate amendment, as under existing law, the beneficiary would lose 1 month's benefit, regardless of its amount, for each $80 or fraction thereof by which his earnings exceed the specified dollar limit.

It was brought out in the conference that this provision would have cost, on a level premium basis, 0.19 percent of payroll. This is a very substantial cost. The Senate amendment did not contain any provision for financing the provision. The total net effect of the Senate amendments in this respect and with respect to the retirement age would have caused the OASI trust fund to be out of actuarial balance by 0.45 percent of payroll instead of 0.2 percent as it now is. This goes far beyond the point which has normally been used as a reasonable rule of thumb as a danger point; namely, one-fourth of 1 percent.

In view of this, and in view of other considerations which I have heretofore pointed out with respect to the earnings limitation on the floor of the House while the social security bill was being considered, the House conferees insisted on either removing the Senate amendment or so modifying it that the costs of the changes would keep the system on an actuarially sound basis.

As a consequence, agreement was reached on some change in this area, which keeps the system in actuarial balance. The provision finally agreed to and which is now before you is as follows:

First. If the beneficiary earns $1,200 or less in a year, no benefits will be withheld—just as under present law;

Second. If a beneficiary earns between $1,200 and $1,500, $1 in benefits will be withheld for each $2 of earnings, above $1,200; and

Third. If a beneficiary earns more than $1,500, $1 in benefits will be withheld for each $2 of earnings between $1,200 and $1,500—$150 withheld on account of the $300 of earnings—and $1 in benefits for each $1 of earnings above $1,500—under the conference amendment, as under existing law, no benefit would be withheld in any case for any month in which the beneficiary earns $100 or less in wages and does not engage in self-employment.

Third. It should be emphasized that the cost of this provision, when added to the other costs, will still permit the system to be within the range of actuarial soundness, minus 0.24 percent. This is a very important consideration and should continue to be a very important consideration. The House conferees insisted that the system should remain on a sound actuarial basis.

INSURED STATUS REQUIREMENT

Fourth. Members of the House will recall, as I indicated earlier, that one of the most important provisions in the House bill was the provision which liberalized the existing insured-status requirement. Under present law the requirement for fully insured status, in general, requires that an individual must have at least one quarter of coverage for each two quarters which have elapsed after December 31, 1950—or, if later, after the year in which the person reaches age 21 and before the year in which the person died, or if earlier, the year in which he reached retirement age. The House bill changed this requirement so as to make it possible for an individual to acquire fully insured status if he has one quarter of coverage for each four quarters elapsing between the periods I mentioned above. In other words, under the House bill an individual will qualify for benefits if he has one quarter of coverage out of each four quarters since 1950 and before retirement age rather than one out of two quarters under existing law.

The Senate deleted this provision.

Your House conferees were insistent upon retaining some liberalization of the insured-status requirement, for the reasons which I have heretofore stated. As a consequence a compromise was reached under which a person will qualify for benefits if he has one quarter of coverage out of each three quarters. This provision will, therefore, liberalize the insured-status section of the law and will bring under the system immediately an additional 400,000 elderly individuals who now are not able to meet the coverage requirements and later about 1 million additional persons.

Mr. Speaker, let me emphasize that the combination of changes made bility, scope of benefits, Federal matchfrom the Senate bill, modification of the retirement test, and modification of the insured-status requirement—will still permit the system to remain within actuarial balance and will not require any increased social security taxes or any increase in the wage base.

CHILDREN BORN OR ADOPTED AFTER PARENT'S DISABILITY

Mr. Speaker, there is one additional provision under the general subject heading of eligibility for benefits on which the House receded which I should explain at this point. The House bill amended the Social Security Act so as to permit a child who was born to, was adopted by, or became a stepchild of, a worker, after the worker became entitled to disability insurance benefits, to qualify for benefits. It was provided as an exception to this that in the case of an adopted child the adoption must have been completed within 2 years of the time as of which the worker became entitled to disability insurance benefits.

The Senate in general accepted the House provision that added an additional requirement with respect to adopted children so that in order for such a child to get benefits the worker must have instituted adoption proceedings in or before the month in which his period of disability began or the child must have been living with him in such month. The House conferees felt that this was a reasonable requirement and therefor agreed to the Senate amendment.

It might be stated, Mr. Speaker, that under the same general subject heading of eligibility the Senate receded on two other additions which they made to the bill but which I shall not describe in great detail. The Senate bill would have eliminated the provision of the House bill that reduced from 3 years to 1 year the time prior to application that a wife, stepchild, or husband must be in such a relationship to the worker to get benefits. The House conferees insisted on this provision and the Senate conferees receded.

In addition, the Senate bill added a provision which would permit a child to receive survivor benefits on the record of individuals who stood in loco parentis—in place of the parent—for not less than 5 years immediately preceding the day on which the individual died if the child was living with the worker at time of death and receiving at least three-fourths of his support from such worker. The Senate receded from this.

AID TO THE BLIND

Under existing law, under title X, the States in administering the aid-to-the-blind programs must disregard $50 per month of earned income in determining need. The Senate added a provision to the House bill to liberalize this section so that the first $1,000 of earnings in a year might be disregarded, plus one-half of all subsequent earnings in the year. This exemption would have been optional with the States beginning with the calendar quarter that started after the date of enactment and would have been compulsory beginning July 1, 1961.

The agreement reached in the conference resulted in a provision which should be much easier to administer and which, at the same time, should afford substantial assistance to the recipients of aid to the blind programs with regard to this particular subject. Under the conference provision the States in determining need may disregard the first $85 per month of earnings plus one-half of earned income over $85 on a month-by-month basis. This provision is made optional with the States until July 1, 1962, when it becomes mandatory.

MATERNAL AND CHILD WELFARE SERVICES

The House bill increased the authorization for child welfare services from $17 million to $20 million. The Senate bill increased this authorization to $25 million. The House conferees considered this to be a reasonable provision and therefore agreed to the Senate amendment with the understanding that this additional money should be used to improve services for retarded children.

MEDICAL SERVICES FOR THE AGED (MEDICAL ASSISTANCE FOR THE AGED; AND OLD AGE ASSISTANCE MEDICAL PROGRAM)

Mr. Speaker, it is unnecessary for me to dwell here at length upon the matters which we have already discussed at the time of the passage of the House bill relative to the importance of proper and adequate medical care for older people. Suffice it to say at this point that the House bill was designed to establish a completely new program under the Social Security Act under which the Federal Government would provide matching funds to those States which elected to participate in a program of medical services to the aged. This would have been done under the House bill by the creation of a new title XVI to the Social Security Act. In addition, the House bill contained a provision designed to afford additional money to the States under the public assistance programs, under title I of the Social Security Act, so that the States might improve their medical services for old age assistance recipients.

The Senate bill made several changes in the House provisions on these two subjects, but it should be emphasized that the general approach adopted by the House has been substantially agreed to by the Senate and that while the Senate changed the form of these provisions in some degree and liberalized them somewhat the conference version which you now have before you is basically the House bill.

Let me summarize what the Senate has done in this manner. Instead of creating an additional title to the Social Security Act under which the new grant-in-aid program for medical services for the aged would operate, the Senate version established such a program under the existing title I of the Social Security Act. In general the purpose, effect, eligibility, scope of benefits, Federal matching, and plan requirements have much the same effect as the House bill. With respect to the aged who receive public assistance payments, in lieu of the House provision, the Senate bill was designed to

provide for Federal financial participation in expenditures to vendors of medical services of up to $12 per month in addition to the existing $65 maximum provision. Where the State average payment is over $65 per month, the Federal share in respect to such medical-services costs would be a minimum of 50 percent and a maximum of 80 percent depending on each State's per capita income. Where the State average payment is $65 a month or under, the Federal share, in respect to such medical-service costs, would be 15 percentage points in addition to the existing Federal percentage—50 to 65 percent; thus for these States the Federal percent applicable to such medical-services costs would range from 65 to 80 percent. A State with an average payment of over $65 a month would never receive less in additional Federal funds in respect to such medical-services costs than if it had an average payment of $65.

The conferees were advised that the additional first year costs to the Federal and State Governments under the Senate bill, and under the version which was agreed to by the House, would be as follows: Under the new medical assistance programs for the aged, the Federal cost was estimated to be $60 million and the State and local costs approximately $56 million. The additional old-age assistance vendor medical costs were estimated to be $142 million Federal cost and approximately $5 million State and local costs. The additional costs anticipated under both programs would be approximately $202 million Federal cost and $61 million State cost.

There was a provision, Mr. Speaker, that was deleted in connection with the Senate amendment on medical care for the aged. That provision would have permitted the States to include those people who are in public institutions, mental institutions, and tubercular institutions, within the list of people who would qualify for Federal funds in implementation of the use of State funds. There was considerable objection raised to it by the Department of Health, Education, and Welfare. We were fearful that the inclusion of that provision might jeopardize actually the acceptance of this whole program. We thought there was too much in it affecting too many people to permit it to be cast aside because of that one provision. So it was agreed by the other body to delete that provision adopted on the floor of the other body.

Mr. Speaker, I feel very deeply that the conference represents a very desirable approach to amending the Social Security Act. I can assure you it leaves the fund in actuarial soundness.

As I have already indicated the bill which you now have before you is basically the House bill with some relatively minor changes, some improvements, and a medical care program basically as provided by the House but permitting more Federal money to be used for this purpose. The House conferees believe that this bill warrants your support and I urge that the conference report be agreed to.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. The gentleman from Arkansas made an explanation about the income limitation. If this is signed by the President, when will this law become effective?

Mr. MILLS. The provision in question will go into effect at the beginning of next year, 1961.

Mr. ROGERS of Colorado. So that any earnings in excess of $1,200 and the penalty based upon the $80 deduction or loss will still be effective throughout the year 1960?

Mr. MILLS. That is correct.

Mr. ROGERS of Colorado. I thank the gentleman.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from New Jersey.

Mr. CANFIELD. Mr. Speaker, the conference has deleted a Senate amendment relating to teachers and other public workers in New Jersey. The distinguished chairman now explaining this report to the House has very kindly sent to the New Jersey delegation a letter stating the reasons for the action of the conference. I ask now if he will be good enough to brief these reasons for the record.

Mr. MILLS. As I tried to point out in the letter to my friends from New Jersey, this is a matter that I think really involves State law rather than Federal law. We cannot, and at least I do not want us, to get into the habit of making exceptions at the request of individual States to some broad improvement in the Social Security Act. I think the States can more easily adjust their own laws to conform to this program since this is a Federal program.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I shall be glad to.

Mr. BECKER. I have listened very attentively to the gentleman's explanation of the conference report. He has done an excellent job, as he always does. As the gentleman knows, I have been actively working for an increase in the amount a retired person may earn. In this report I notice the amount is increased from $1,200 to $1,500. Is that correct?

Mr. MILLS. Actually, as a general matter, it will allow a person increased earnings without loss of any benefits of $150 a year at $1,500. This results because there will only be a $1 loss in benefits for each $2 earned between $1,200 and $1,500. Above $1,500 there will be a $1 for $1 offset.

Mr. BECKER. Only $150 additional?

Mr. MILLS. That is right. Let me explain it in this manner: This concept in this report is much to be preferred to a flat increase in the earning limit from $1,200 to $1,500, because with a flat increase you would still have the same problem in the future with respect to the next dollar of earnings, namely: one would have to forfeit a month's pay if he earned $1 additional. That will not be true under this new formula. There will always be the incentive under this new provision for a person to earn more, because he is not penalized by making only $1 over the limit and thus losing $75 or $80 or whatever his monthly benefit may be.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MILLS. Mr. Speaker, I yield myself 5 additional minutes.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield.

Mr. WHITENER. I have listened to the gentleman's explanation as chairman of the committee of this conference report. There is one item in which I am greatly interested and I would appreciate it if the chairman would give us some information with respect to blind persons.

Mr. MILLS. The Senate added a provision that was not in the bill. I did not take occasion to explain it fully earlier. I appreciate the gentleman's calling it to my attention now. The Senate adopted a provision that had been introduced in the House in a bill by our distinguished colleague, the gentleman from California [Mr. KING], who presented and discussed it in the Ways and Means Committee. There were other bills pending by other Members. The Ways and Means Committee did not include the provision for a number of reasons, including, as I recall, the strong opposition of the Department.

The bill which the Senate committee ultimately reported and which passed the Senate provided that the first thousand dollars, plus one-half of the amount earned in excess of that, would be disregarded in determining need by the States for those who were blind. We were advised that this provision would present administrative problems to the Department. They suggested that there would be less difficulty if we would translate the figure into a monthly amount and basis.

Existing law provides that the States must disregard the first $50 of earned income. The conference report states that the States may, up until July 1 of 1962, disregard $85, plus one-half over that amount which is earned, but after that date they must disregard the first $85 of earned income, plus one-half over that amount.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield.

Mr. PERKINS. I regret that I was not present to hear all of the gentleman's explanation of the conference report, but one thing disturbs me concerning earned income, as I understand it has always been the law that an individual, outside of salaries and wages, could earn as much as he wanted and the income limitations did not apply.

Mr. MILLS. I said "earned income." If I said anything other than that I misspoke myself. It is earned income. We made no change in regard to the type of income.

Mr. HOLLAND. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield.

Mr. HOLLAND. As I understand a person under social security will not receive this additional aid unless he is in need.

Mr. MILLS. Yes, that is correct. This does not provide the system of medical care as the gentleman from Rhode Island [Mr. FORAND] suggested in his bill in the social security program. That was not adopted in the Senate. It was not in the House bill as it was reported out, or as it passed the House.

This is a Federal-State approach—the basic approach in the House bill. It will provide care for needy individuals in need of medical attention if the State is disposed to set up such a program; and we make it almost a full program so far as Federal participation in the spending is concerned in some cases.

Mr. HOLLAND. But the beneficiary, of course, will have to be investigated by social workers to determine his need.

Mr. MILLS. This program will be handled, very probably, by the division of public welfare within the State just as other assistance programs presently available are handled by the division of public welfare; yes, it will be up to the State.

Mr. HOLLAND. But will he not have to turn over all his assets and property if he receives such aid?

Mr. MILLS. We have specifically stated in the bill that a lien cannot be placed upon a man's home as long as he or his wife is living.

Mr. HOLLAND. In the State of Pennsylvania the law requires that the man must practically be a pauper before he can get any money from the State; that if he has any assets or property, he must have a legal guardian. How do you get around that?

Mr. MILLS. The citizens in a State sometimes feel that where the inducement offered by the Federal Government is sufficient and where the program is otherwise acceptable they can change the State law to allow them to participate. I do not know what the situation is in that regard in the gentleman's State; but I would remind the gentleman that this is not a State program, this is a Federal grant-in-aid program, as the gentleman will see by reading title I of the Social Security Act. This is part of title I.

Many, many States, I think all with the exception of eight or nine—and in all probability, they will come into this program—have changed their State laws to allow participation in the program. The gentleman's State may, by appropriate action, do likewise. Whereas the State may not furnish assistance in the absence of a pauper's oath on the part of the beneficiary, that would not apply so far as Federal moneys are concerned. It is the prerogative of the State to handle details as to need and so on. Federal funds would be available to all alike.

Mr. HOLLAND. I beg to differ with the gentleman.

Mr. MILLS. I am right about that. I say to the gentleman that whereas if his State by its constitution can prohibit the use of State funds for that purpose, there is nothing here that requires the signing of any pauper's oath in order to have Federal funds available to the gentleman's State.

Mr. HOLLAND. What you are doing here is passing the buck to the State.

Mr. MILLS. We are not passing the buck to the State. What we are doing here is taking the most liberal provision that was included in either bill with respect to medical care. That is just exactly what we are doing.

Mr. FORAND. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Rhode Island.

Mr. FORAND. Referring to the question of the gentleman regarding assignment of property, while I do not like this bill one iota, I must say in all frankness it provides there shall be no lien under this new medical care program as a condition to receiving help while the recipient lives.

Mr. MILLS. Exactly. The bill provides for that, and the gentleman referred to the State constitution of his State. I do not know the provisions of that.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Pennsylvania.

Mr. FULTON. There would be no requirement with reference to Federal money that there be any lien filed?

Mr. MILLS. That is what I said.

Mr. FULTON. So that there is the distinction. It would apply to State money that may be paid under Pennsylvania law. That is a constitutional provision.

Let me read from page 13 of the conference report:

> Section 6 of such Act is amended by striking out "but does not include" and all that follows and inserting in lieu thereof "but does not include—
>
> "(1) any such payments to or care in behalf of any individual who is an inmate of a public institution (except as a patient in a medical institution) or any individual who is a patient in an institution for tuberculosis or mental diseases."

Mr. MILLS. I discussed that provision.

The SPEAKER pro tempore. The time of the gentleman from Arkansas has expired.

Mr. MILLS. I yield myself 2 additional minutes.

Mr. FULTON. That is not clear. Actually the only exclusion of a person with tuberculosis or psychosis is with respect to the period after the individual has been in such medical institution as a result of such diagnosis for 42 days.

Mr. MILLS. The gentleman is confusing the situation.

Mr. FULTON. That is what I want to make clear.

Mr. MILLS. The first part of it arose as a result of an amendment adopted in the Senate. They would have made available Federal funds for the purpose of matching with respect to those people 65 years of age and over in need, even though they were in a public mental institution or a public tuberculosis institution. The law has always said we would not participate in the care of those groups presently maintained by the several States. So that provision was deleted and the law remains the same in that respect. But it is provided that we will assist the States, under this program of medical care for the aged, with respect to the first 42 days of hospitalization of mental patients, or tubercular patients in a medical institution other than a tuberculosis or mental hospital.

Mr. FULTON. And medical institutions, that means that everyone regardless of the reason they are in a medical institution, as long as it is shown they are there for other than tuberculosis or psychosis will get support?

Mr. MILLS. Yes, and you can take care of people for the first 42 days for psychosis or tuberculosis.

Mr. FULTON. Otherwise, anything.

Mr. MILLS. There is no limit on the various diseases that anyone can be cared for under this program.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Can the gentleman tell me whether or not the intent of this legislation is that whatever form of relief the States ultimately adopt, or whatever program they adopt, the intent is that the recipients of this relief may select their own doctor?

Mr. MILLS. Absolutely, their own doctor, their own hospital, their own dentist, insofar as this legislation is concerned.

Mr. PUCINSKI. I thank the gentleman.

Mr. FULTON. Just one more question. Suppose a patient has several diseases, one of which may be under the general provisions of this bill, but they also have, say, an unarrested case of tuberculosis. What happens?

Mr. MILLS. They will get relief under this program, provided his illness other than tuberculosis required medical care.

Mr. FULTON. I thank the gentleman.

The SPEAKER pro tempore. The time of the gentleman from Arkansas has again expired.

Mr. MILLS. Mr. Speaker, I yield 10 minutes to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Speaker, as a coauthor of bill H.R. 12580, I would commend my colleagues with whom I served on the conference committee. They ably and conscientiously represented the House position on this legislation, with the consequence that we are able to bring back to the House a conference agreement that deserves the support of the House membership. I do not mean to represent that everything in this bill is necessarily in a form that we as Members individually or collectively might approve. But when it is considered that there were 107 Senate amendments to this bill, the magnitude of the task of compromising the differences becomes apparent.

During the consideration of the social security amendments by the Congress which began in the Ways and Means Committee last March 14, there have

been proposed many suggestions for changes and improvements in our social security structure. These proposals touched on virtually every facet of our social security programs, with principal attention being devoted to the proposals for establishing a program of medical care for the aged. We had medical-care proposals from the Republican side of the Congress and from the Democratic side. We had proposals from the administration and several proposals from outside groups.

It will be maintained by some that the conference agreement does not go far enough in providing improvements in our social security program. Others will undoubtedly maintain that it goes too far. I would express the view that on balance the changes that will be made in our social security structure by this conference agreement are meritorious and desirable.

H.R. 12580 as approved by the House-Senate conferees would make amendments to the public assistance titles of the Social Security Act, to the old-age, survivors, and disability insurance title of the Social Security Act, and to the unemployment - compensation program of the Social Security Act.

The principal change with respect to the public assistance titles is in the area of medical services for the aged. It will be recalled that under the House-passed version of this bill improvements were made in the existing medical-care programs for the needy aged and, in addition, a new title XVI was to be established under the act to provide medical care for the medically indigent who did not otherwise qualify for public assistance. This latter program was to be a Federal-State program, with the Federal Government giving financial assistance to the States for the establishment of State-administered programs providing medical care for those individuals who did not have sufficient income and resources to provide for their own medical needs. Under the House-passed bill, wide latitude was given to the States in determining the scope and character of the respective program that they could undertake in response to the needs of their people.

The Senate in acting on the House bill combined the medical care program under the existing assistance for the aged title of the Social Security Act. Thus the assistance for the medically indigent would not be provided for under a new title but would come within the purview of title I of the act. The House conferees accepted this Senate change.

The bill passed by the House was a good bill—and in fact, the bill today reflects the major part of the House action—I believe improvements were made in it by the Senate and these improvements were accepted by the conferees. Taking everything into consideration, the bill as it comes from the conference is better than the bill that came from the House and the bill that came from the Senate. I think the combined result in this conference is superior to either of the two bills.

As a consequence of the conference action with respect to the medical care proposal, persons aged 65 and over who are recipients of public assistance, or who are not recipients of public assistance but whose income and resources are insufficient to meet the cost of their medical needs, will have available to them under State programs a wide variety of medical services including physician and surgical care, hospital services, nursing home care, private-duty nursing services, physical therapy, dental services, medicines, and any other medical care or remedial care recognized under State law. This new program insofar as the availability of Federal matching funds is concerned will take effect on October 1, 1960. Under the conference agreement the Federal percentage of matching medical funds will not be less than 50 percent nor more than 80 percent of the funds so expended.

Mr. Speaker, I would make one comment on the extent of Federal matching. I personally have misgivings over the fact that the maximum range of Federal participation reaches as high a level as 80 percent. When the matter was before the House, before our committee, I personally felt we should not get beyond the point of 70 percent as a maximum. In evaluating the level of Federal matching we should remember that the Federal Government can give nothing to the States or to the people that it has not first taken from the citizens of the State through taxation. Therefore, when the Federal Government promises to bear 80 percent of the cost of a program such as this we find that the principal taxing authority is the Federal Government and the administrative authority is the State government. This result is, in my judgment, conducive to lax administration and does not provide sufficient safeguards and protection to the general public that would be contained in a program that authorized Federal-State funds matched on a more nearly equal basis.

Mr. Speaker, in this instance, as in others, in any conference, there are circumstances which require that some yielding of opinion take place in order to get a report of any kind. We yielded in this particular matter.

There is one thing to which I wish to call attention.

Other significant changes in the public assistance areas of the Social Security Act that would be accomplished under the conference agreement affect aid to the blind, child welfare services, and liberalizations in the assistance payments to Puerto Rico, Virgin Islands, and Guam.

The bill, H.R. 12580, as approved in conference, will make many improvements in the old-age, survivors, and disability insurance program, which is title II of the Social Security Act. These improvements were discussed at the time this legislation was receiving consideration in the House of Representatives and further reference has been made to these improvements during the able description of the conference agreement by the esteemed chairman of the Committee on Ways and Means today. For that reason I will not speak at length describing these changes and improvements. For the most part the changes to the OASDI program contained in this bill had their genesis in work done by the Social Security Subcommittee and I would commend the membership of that subcommittee for the significant contribution the subcommittee made to the improvement of our social-security structure.

Among the changes contained in this bill to title II of the Social Security Act we find the repeal of the age 50 eligibility requirement for disability benefits, a significant liberalization of the earnings limitation on OASDI beneficiaries, and a liberalization of the quarters-of-coverage requirement for eligibility.

Existing law requires that a person attain age 50 before qualifying for disability insurance benefits. Under the House passed version of the bill and under the conference agreement that is before us today, disabled insured workers under age 50 and their dependents could qualify for benefits for the second month following the month of enactment of the bill through the removal of this age 50 qualification for benefits. The rationale of removing this age 50 requirement is based on the favorable administrative experience we have had with this provision of the law and is based also on the fact that a disabled person's need for benefit cannot be determined on the criterion of his having reached a certain age.

The earned income limitation of $1,200 has been liberalized so that retired workers earning up to $1,200 will continue to receive their benefits, as under existing law, and those workers earning over $1,200 up to $1,500 will have their benefits reduced on a ratio of for every $2 earned over $1,200 they will lose $1 in benefits. For those persons earning above $1,500, $1 in benefits will be withheld for each dollar of earnings. This will provide our OASDI beneficiaries greater flexibility in making a self-determination as to whether or not they will undertake to supplement their social security benefits with employment income.

The test for attaining insured status has also been liberalized under the conference agreement. In general terms existing law requires that one quarter in every two quarters must be a quarter of coverage between the time that a person reaches age 21 and the year in which the person either dies or attains retirement age, whichever is sooner. Under the House passed bill this test would have been liberalized to require that only one quarter of coverage in every four quarters be attained for insured status. The conference agreement has slightly modified the House-passed bill so that one quarter of coverage in every three quarters be attained for insured status. It is expected that approximately 300,000 people—workers, dependents, and survivors—will attain benefit eligibility under this change. In connection with

this improvement I might point out that for the most part the people who will benefit under this liberalization are among that group most in need of social security benefits.

The conference agreement on H.R. 12580 contains provisions significantly strengthening the financing features of the Federal-State unemployment compensation program. The conference agreement will also extend unemployment compensation coverage to a limited group of individuals who are presently excluded from the program.

Mr. Speaker, this concludes my remarks on the highlights of the changes in the Social Security Act that would be made upon the enactment of the bill H.R. 12580 as approved by the House-Senate conferees. As I indicated at the outset of these comments, there may be those who feel that the bill is inadequate and does not go far enough. To those individuals I would point out that I do not think there is anyone serving in this body who would not do everything possible to further liberalize the Social Security Act if such action could be taken within the framework of fiscal and actuarial solvency.

It must be remembered that under existing law without any further liberalizations in the program the tax schedule applicable to the OASDI program will reach 9 percent of the first $4,800 of earned income by January 1, 1960. The program of improvements that we have presented to the House in the conference agreement does not require the imposition of any additional tax. We have been informed by the able Chief Actuary of the Social Security Administration that the OASDI program as it will be modified by this conference agreement is within the limits of tolerance between balance and imbalance without departing from actuarial soundness and without the imposition of additional taxes. I am sure that every one of my colleagues in the House today would agree that one of our foremost responsibilities with respect to the OASDI program is that we keep the program actuarially sound so that the future beneficiaries may look with confidence to the prospect of their social security benefits forming an important part of their retirement or survivorship security.

I urge my colleagues to join in supporting the conference agreement.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Speaker, the Democratic Party platform on medical aid for the aged reads:

> We shall provide medical-care benefits for the aged as part of the time-tested social security insurance system. We reject any proposal which would require such citizens to submit to the indignity of a means test.

The Republican platform called for optional purchase of private insurance with Federal assistance grants to the States for those who need help. It recognized the principle of need.

The conference report before the House would provide for optional participation on the part of each State and would seem to be along the lines supported by the American Medical Association and President Eisenhower.

Now, I ask: Why is the Democratic leadership, in the face of its platform, supporting this bill?

I have a clipping from the New York Times of Sunday, August 7, 1960, quoting the Democratic House leader as urging Republicans not to obstruct legislation in the postconvention session. Republicans, this leader hoped, would not snipe, pussyfoot or engage in blind opposition.

I do not want to snipe, pussyfoot, or oppose blindly, but I feel constrained to say that in both bodies where they have overwhelming majorities the Democrats are rejecting their own program. "We shall provide medical-care benefits for the aged as part of the time-tested social security insurance system." That is what it says.

Was not the majority leader the chairman of the Democratic platform committee? If so, why is this State-option Republican type of proposal here today? The American people should hear the Democratic alibi.

The Democratic-controlled House Ways and Means Committee and the Democratic-controlled Finance Committee of the Senate both rejected the Democratic Party platform on medical aid for the aged. The House and Senate, also overwhelmingly controlled by the Democrats, would seem to reject the Democratic platform.

As I say, I think the American people are entitled to an explanation as to why the Democrats are rejecting their own program.

Certainly, the reason is not Republican sniping, pussyfooting, or blind opposition. Let us face it. The Democratic Party is split and cannot possibly fulfill its promises.

Mr. MILLS. Mr. Speaker, I yield 5 minutes to the gentleman from Rhode Island [Mr. FORAND].

Mr. FORAND. Mr. Speaker, this may well be my swan song in the House of Representatives. Because of that, I want first of all, before I talk about this bill, to express my most sincere thanks and appreciation to you, Mr. Speaker, to our majority leader, the gentleman from Massachusetts [Mr. McCORMACK] to the other leaders in the House, and to my colleagues, particularly, my chairman and colleagues on the Committee on Ways and Means and to the staff and the employees of the House. I want to cover everyone when I say, Thank you so much, you have been very kind to me in the many years I have been here. You have put yourself out on numerous occasions to help me in my struggles. As I shall leave here, it will be with mixed emotions. I do it under compulsion, ladies and gentlemen, but I assure you that wherever I may be, at whatever time I may stop to think of anything of the past, you will be uppermost in my heart.

Mr. Speaker, the conference report that we are now considering will, to me, be one of the sad things to think about. Our chairman has done an excellent job of explaining to you what is in that report. To me, it falls far short of what this Congress should do. But I realize that the powers and the influence of the AMA combined with the Eisenhower administration was too strong. Mr. Speaker, I have for a number of years, yes, for the last 3 years, been sponsoring a bill in the House of Representatives, as you well know, commonly known as the Forand bill. Not only during the last 3 years have I been working on this problem. Let me tell you, I started 38 years ago to work on it during my first year in the State Legislature of the State of Rhode Island when the Fraternal Order of Eagles was first sponsoring old-age pensions. I think I know this subject, and I think I have, perhaps, succeeded in building a fire so that many, many people throughout the country are now giving some thought and some consideration to this problem of medical care for the aged. But, Mr. Speaker, this thought and this consideration is long overdue. While I shall leave here without seeing action taken, as I believe it should be, because ever so many alternative programs have been presented, and none of which seem to be tailored to answer the problems and fill the bill, I go out confident in my heart that in the not too distant future, medical aid for the aged will be placed under the social security program where it belongs.

Mr. Speaker, we have a medical care program in this bill, but frankly it is not going to work. I know it is not going to work because you are placing the responsibility on the States, and the States are just not going to organize or formulate or create the type of activity needed in order to implement what we provide. Oh, it is beautiful to look at. You take page 27 of this report. You have nice language and you have a nice long list here of things that people may get. They may get hospitalization—they may get nursing and home care—they may get doctors' care and so forth. But, look at page 27—I am not going to enumerate these things, but look at it, it is worth it. Do you know what that is? That is like a beautiful apple tree with plenty of red apples at the top but no ladder available to climb up the tree.

Mr. Speaker, we are holding a mirage before our old people. We are fooling them, ladies and gentlemen, and I think it is a shame to do that. I am going to vote for this bill because what is in it cannot do any harm. It will not do any good, but it will not do any harm. To me, the only good part of this bill is the fact that we are removing the 50-year requirement for disability benefits. Other than that, it means very little. Do as you see fit, ladies and gentlemen, but once again let me say to all of you, a sincere thank you.

Mr. HOLLAND. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from Pennsylvania.

Mr. HOLLAND. Mr. Speaker, no man over the years has fought the battle of medical health for the aged as has the Representative from Rhode Island [Mr. FORAND]. In this hard battle he has withstood the brunt of every attack by the National Association of Manufacturers, by the American Medical Associa-

tion, by the Chamber of Commerce, and by the large insurance companies. AIME FORAND knew that when he started to fight to give our elder citizens the proper medical and hospital care in their declining years he would have to contend with the reactionary forces of America.

These people denied to the elderly citizen medical help, free from worry, so they need not owe hospital and medical bills at a time of life when they need it most. The years will prove that the gentleman from Rhode Island had the solution to this problem.

Mr. Speaker, we are called upon to vote on a bill in place of the Forand bill which I believe is a monstrosity. This is a bill that has been born out of deceit and trickery to the pensioners who had supported the Forand bill.

I would just like to point out to you, Mr. Speaker, the story of this bill and those who are responsible for it.

Every conservative Republican, with the exception of one in the Senate of the United States, must bear his full responsibility for this insult to the aged of America. What has happened to the "new face" that the Vice President is trying to show to the American people? Oh, yes, I must admit I am making no excuses for the conservatives we have in the Democratic Party, our southern brethren, but let us consider what the Kennedy-Forand bill meant to the pensioners of our industrial States and how they were treated by their representatives in the Senate when they reached the age of retirement on social security. The vote was 51 nays to 44 yeas for the defeat of the Kennedy-Forand bill. A difference of seven votes.

Let us question the vote of the so-called liberal element of the Republican Party—SCOTT, of Pennsylvania; JAVITS, of New York; BRIDGES, of New Hampshire; SALTONSTALL, of Massachusetts; KEATING, of New York; SMITH, of Maine; AIKEN, of Vermont; MORTON and COOPER, of Kentucky; and FONG, of Hawaii.

It seems that when the whip is snapped by the Manufacturers Association, the American Medical Association, the Chamber of Commerce, and the "fat-cats" of the Republican Party, they do their bidding.

I want to emphasize here that only four votes were needed to pass this bill. Where was SCOTT, of Pennsylvania; JAVITS and KEATING, of New York; and SALTONSTALL, of Massachusetts? Pensioners from these great industrial States were depending on a health program being added to the social security program now in effect.

These four gentlemen, who profess so much to be great liberals did not worry about the pensioners of their States. They would not permit them to receive medical and hospital help to add to their dignity in their old age. Oh, no, they said to them, "We will first investigate you through the department of public assistance to see that you are in the needy class. You must expose any income that you might have or that your son and daughter has before you can be admitted to a hospital or be sent to a doctor." In other words, you have got to be a beggar to get help from your Government which you have served so well in the working hours of your life.

If you own a home, you are permitted to live in it until you die, and then the Government places a lien against your estate for the money you obtained to take care of your health or your medical bills.

Mr. Speaker, contributions to the economic growth and well-being of our Nation by our senior citizens have been completely disregarded. The fact that they gave their all, their talents, their skills, raised and educated their families, and paid their share into our social security program so they could live without asking for charity in their retirement, apparently made no impression on these 51 Senators. When Mr. Eisenhower, the President of our country, who has enjoyed socialized medicine at its height in the Army, stated he would veto any health program that was attached to the social security laws, he expressed the feeling of this administration against the aged.

The policies of the Ike-Nixon administration must not be continued. The American people do not want the "crown prince" to carry on the policies of this talk-liberal-and-vote-reactionary administration. Our only hope to have the aged of America recognized by their Government is by electing a Kennedy-Johnson administration.

The pensioners of America know today where the President-to-be, Mr. KENNEDY, stands. The reactionary forces have spoken. The pensioners of America have demanded a Kennedy-Forand bill. They know now by their vote who their friends in the Congress of the United States are, and who their enemies are. Ten Republican Senators who voted against the Kennedy-Forand bill are running for reelection. The pensioners will take care of them by their vote. The pensioners have just begun to fight. They are voting for their dignity, their respect that is due them as Americans who have contributed much to the greatness of America. The pensioners of America want a hospital and medical bill without strings credit for it.

Mr. MACHROWICZ. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from Michigan.

Mr. MACHROWICZ. Mr. Speaker, I want to take this opportunity to express my personal tribute to the gentleman from Rhode Island for his untiring efforts in the committee and in the House of Representatives as well on the outside in the cause of good and proper legislation in the field of medical care for the aged. I want to assure the gentleman, although he may not be with us next year, the efforts that he has started will be continued until a good bill is enacted by the Congress. I want to assure our colleague also that if there is any provision in the present legislation as to medical care for the aged, he can take the credit for it because he has laid the groundwork for the legislation in that field and he is entitled to all the credit for it.

Mr. RHODES of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from Pennsylvania.

Mr. RHODES of Pennsylvania. Mr. Speaker, it has been a great privilege to have known and served in the House with the able and distinguished gentleman from Rhode Island [Mr. FORAND].

AIME FORAND has ably served his constituency and the Nation for more than 22 years. As a key member of the Ways and Means Committee, he has made many important contributions in the advancement of the work of that committee and the House. He has always given freely of his time and energy in assisting his fellow Members of the House.

His efforts in behalf of humanitarian legislation to benefit the sick, the aged, and the underprivileged are well known to us all. AIME FORAND is loved as a devoted and tireless fighter for social reform and social justice by millions of Americans.

He is naturally discouraged that the Congress has failed to meet the problems of the aged, the sick, and the handicapped. He must wonder, as do I, how those who oppose humanitarian legislation can justly claim that America cannot afford a decent and adequate social security program.

As a Nation we are worried about our surpluses of food which rot in storage at a cost to taxpayers of more than a million dollars a day. We give Federal aid and subsidies to the Luce publications of more than a million dollars a month.

The administration has requested another $5 million subsidy to hand out free subscriptions to Time and Life and other big publications overseas. Yet it charges fiscal irresponsibility to those who seek simple justice for our own needy citizens.

The inadequacy of the bill is in sharp conflict with the administration's vast spending program to aid big monopolies and special interests. The people are paying billions of dollars in farm, postal, and other Government handouts to subsidize waste and corruption. Why then can we not do something worth while for our aged and needy citizens?

This Congress cannot long deny social justice to our people. We cannot continue the waste of human and natural resources and permit wealth and power to accumulate in fewer hands while millions suffer needless distress.

I join with Mr. FORAND today in his statement that the social security bill before us is shamefully inadequate. I was glad that one major improvement has been made. I refer to the elimination of the age 50 requirement for disability benefits, a proposal which I cosponsored. The modification which lowers the number of quarters and which will extend social security coverage to additional persons is also a step forward.

But the contradictions of abundance and unfilled social needs in our country, make it quite clear that these amendments are not enough. To the rest of the world we do not create the image of America that we should to meet the Communist challenge.

No matter what this Congress does on the social security bill it cannot extinguish the flame which AIME FORAND has lighted. It will burn on and many will pick up the torch that AIME has carried so far and so well. His proposal for hospital and medical care for the aged or a similar one will prevail. Justice, time, and history are on his side.

Any such champion of the people will naturally offend selfish interests who blindly oppose humanitarian and progressive legislation. But AIME FORAND'S name will live in the hearts and minds of millions of his fellow citizens as a man of vision and courage.

As a boy he was a New England factoryworker. He learned to know the problems of the people and gave of his talents to serve them. From his humble beginning he rose in stature and in public esteem. He never lost the common touch or his sympathy and interest in the problems of the less fortunate.

AIME FORAND is respected and admired by all who have had the good fortune to be associated with him. I will always cherish our close friendship. May he enjoy, with his lovely wife, many years of good health and happiness. May they both enjoy the kind of happiness they have so earnestly and courageously sought for others. This is a wish, I am sure, which my colleagues and many millions of Americans share with me.

Mrs. KELLY. Mr. Speaker, I am sure we in Congress regret the closing of the 86th Congress for one reason, and that is because the Honorable AIME J. FORAND, of Rhode Island, has elected to return to private life at the close of this session.

To him and to his family I extend my good wishes that he will enjoy with them his voluntary retirement as he so well deserves. We who hope to be returned to the 87th Congress will miss our colleague more than we now realize. I, for one, long admired this distinguished public servant. I will miss his warm smile, his words of courage, his sound advice, and all those qualities which made him a true and loyal friend. He is a loyal friend who made the lives of all with whom he came in contact a richer and better life.

I know AIME will always be remembered as the one who sparked the passage of legislation for the aged. The bill passed during this session is not the one he hoped to have enacted into law, but it is a beginning. It has its inadequacies but we Democrats will continue the fight for this legislation as a memorial to him alone.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD on the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. DONOHUE. Mr. Speaker, when we originally debated this measure back on June 22, last, I expressed here my conscientious doubt that this act, with the new title XVI, the so-called medical care for the aged program, was as reasonably and realistically responsive, as it could and should be, to the needs and the desires of the great majority of the American citizens. I regret to state that little has been done by action of the Senate, and little has been additionally provided in this conference report, to remove those doubts.

However, there are some few forward steps, particularly in the social security amendments, retained in this conference report, and, since there appears to be no chance of the measure being revised before adjournment, I intend to support the report. All of these forward steps are at least some added assistance to those, under social security, needing them the most, and they have again, today, been thoroughly and carefully explained, so I shall not burden you with repetition at this hour.

Unfortunately as I have stated before, other advances in this great social security program, such as provisions to reduce the retirement age, especially for women, particularly for widows; to increase the minimum benefits in accord with rising living standards; and realistically raise the out-dated and outmoded basic income limitations, which a great many of us here have been advocating, are still not included in this report. I most earnestly hope prompt consideration will be granted to these improvement proposals early in the next Congress.

Of course, the major fears and doubts about the substantial worth of this measure are concentrated on the most controversial new title XVI, which would initiate a new Federal-State grants-in-aid program to help the States to assist low-income aged individuals who need financial help in meeting their medical expenses. It is the conscientious opinion of a great many of us here that the provisions in this report fall far short of adequate and equitable assistance for our older citizens in the desperate financial distress they tragically encounter from the ills and sicknesses so common in the later stages of life. However, this bill and report embody what we might term a new and experimental legislative venture in this field and I shall support it today because it will at least provide us with the chance and opportunity to review and expand it in the next Congress.

It is my earnest hope that early in the next Congress this complicated and unwieldy medical assistance program will be strengthened so that a far more effective projection of medical services and hospitalization treatement may be granted to the millions of aged Americans so desperately and despairingly in need of it.

Mr. STAGGERS. The original Social Security Act, passed in 1935, omitted seven classes of workers from its benefits. Two of these classes embracing numerous workers in my native State of West Virginia, as well as most of the other States, were: First, agricultural workers; and second, employees of the State and of its political subdivisions. When I came to the Congress in January 1949, one of the first pieces of major legislation to engage my attention was improvement of the social security laws. Bills were introduced to extend coverage to some of the classes originally left out. As a freshman Congressman, I appeared many times before the committees studying the bills and urged their enactment. I buttonholed my colleagues and asked their support. Amendments to the law were passed in 1950, effective January 1, 1951, by which the two classes named above were admitted to the system. As a result, all agricultural workers in West Virginia and all Government employees not insured under State pension systems are now covered by social security insurance. Thousands of workers on the State highways and in State and local government offices enjoy its benefits. I take great pride in the contribution I was able to make in bringing about this happy result.

During the years since 1950, further improvements have been made in the system. Particularly important are the amendments which increased the amount of earnings affected by the law. In 1954, the amount of such earnings was raised from the original $3,600 to $4,200, and again in 1958 to $4,800. The effect of these increases is to raise by one-third the basic benefits paid to a retired worker. Further, a more recent amendment increased benefits retroactively, so that workers previously retired find a significantly larger check coming to them each month. I worked and voted for these improvements also.

Other changes in social security law have received prolonged consideration in the current session of Congress. Some of them have just now been agreed upon by both Houses and are ready to submit to the President for his approval. They did not go as far as some of us have liked, but at least they are improvements in the right direction. One of these changes would permit a retired worker to earn more than the current limit of $1,200 without serious loss of benefits. Under the new provision, a worker forfeits $1 of benefits for every $2 he earns above $1,200 and up to $1,500, and $1 of benefits for every dollar he earns above $1,500 and up to $1,800. There is certainly no longer any valid reason to restrict earnings to such picayune sum as $1,200. The new provision is still inadequate, but may lead to further liberalization.

The subject of health care is another matter that has been hotly debated both in and out of Congress. The dispute has been between those who would make health insurance for the aged a part of social security and those who contend that such insurance would introduce socialized medicine, with a resultant deterioration in all medical care. A compromise measure offering limited assistance under a combined Federal and State program to the needy aged has just been accepted as the best that could be had at the present time. For my part, I shall continue to believe that there is some way to solve the highly critical problem of health care without destroying the integrity and autonomy of the medical profession, for which I have the utmost respect. That way

must be found and eventually incorporated in legal provisions, and when that is done I shall be proud to give it my wholehearted support.

I have a bill before the Congress now to lower the retirement age for men and women. This provision should be included in any further revision of the social security law.

Mr. ZABLOCKI. Mr. Speaker, the compromise hammered out by the conference committee on the Social Security Act amendments of 1960 is before us for final action. It is a moderate piece of legislation in most respects, but less than satisfactory in one: the provision dealing with medical care benefits for our elder citizens.

As a cosponsor of legislation to provide medical care benefits under the Social Security Act on a prepayment, funded basis, which plan bears the name of our distinguished colleague from Rhode Island, Representative AIME FORAND, I am not satisfied with the compromise brought before us for final approval. It falls considerably short of meeting the pressing medical care needs of our older people. It does not resolve the problem confronting them. I can only hope that, building on this very modest beginning, the 87th Congress will provide our Nation with more effective legislation in this field. On my part, I will certainly continue to work to this end.

At this time, I want to join with my colleagues in paying special tribute to our beloved friend and colleague from Rhode Island [Mr. FORAND], whose untiring efforts to resolve the health problem of our people, and particularly our elder citizens, have won him the affection and the respect of the American people. We are deeply sorry that his decision to retire from the Congress is terminating his illustrious legislative career. His wise counsel, based on a rich and long experience, will be sorely missed in these Halls. I hope that the future will hold many happy years in store for him. To this end, our distinguished colleague from Rhode Island has our sincerest wishes.

Mr. Speaker, as to the bill before us—I shall vote for the adoption of the conference report because it appears that this is the most that can be achieved this year. By the same token, I will continue to work for the enactment of improved and more effective legislation with all my effort.

Mr. BOW. Mr. Speaker, I am supporting the conference report. I supported and voted for the House bill. We must make certain that our aged have adequate and proper medical care.

We are told this bill will answer the need. If it does not, I shall join in an attempt to amend the act so that it will take care of our senior citizens.

It has been said that the Representative of the 16th District of Ohio did not vote for the Forand bill. The Representative of the 16th District of Ohio did not have an opportunity to vote for that bill and no Member of the House could vote on the Forand bill. The committees of the House and Senate refused to send to the floor of either House the Forand bill. And in the House, the rules did not permit it to be offered as an amendment. We were on a take-it-or-leave-it basis with regard to medical care for the aged. We had to accept or reject the committee's bill.

It should be remembered that the committees concerned with this legislation, like all committees and the Congress itself, are controlled by a sizable majority of members of the Democratic Party.

This sizable majority of his own political party rejected, in both committees and in a rollcall vote in the Senate, the efforts of the Democratic candidate for President when he urged them to accept the Forand approach to medical care.

The distinguished majority leader of the House, coming from the same State as his party's presidential candidate, also urged the Forand bill. He spoke loudly and long in its behalf. Yet he, like his presidential candidate, found himself speaking against the majority of the party they are supposed to lead.

Although Republicans are criticized, everyone here knows and every American should know that we are outnumbered almost two to one in both Houses of this Congress and that it is within the power of the Democratic Party to enact any legislation upon which the members of the party can agree.

We have just witnessed a remarkable failure of Democratic leadership. We have learned that there are a sufficient number of Democrats who are still able to reject the demands of the Walter Reuther wing of the party.

Citizens who follow this spectacle must wonder in whom to place their trust. Shall they believe the leadership of the party that only Forand-type legislation can solve the problem? Or shall they believe the majority and the Democratic chairmen of the two committees who assure us that the pending bill will do the job?

Let me say that they may do well to consider the experience and the motives of those concerned. The bill we are passing today is recommended as a good beginning by men who have had long experience on the committees dealing with these problems. Certainly they should be better able to judge than Mr. Reuther, or Bobby Kennedy, or any other member of the combination that is out to elect a President on the old Henry Wallace spend and spend, something for nothing, pie in the sky platform.

As I said in the beginning, I hope that I am right. Our sincere interest in solving a problem that brings worry, fear, and suffering to elderly Americans should transcend any political consideration.

Mr. MILLS. Mr. Speaker, I yield 10 minutes to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, we have just listened to what will probably be the last speech made in this body by our distinguished friend from Rhode Island [Mr. FORAND].

If ever a man was a dedicated legislator it is our friend, AIME FORAND. Not only possessed of outstanding ability and a keen and penetrating mind, but also possessed of sound vision, the vision he has exemplified through these years of service in this body, one of the greatest attributes in my opinion, of an ideal legislator; also possessed of courage, AIME FORAND has served the people of his district and of our country in many ways other than in this particular type of legislation. He has been one of the most constructive and contributing Members of this great body, than which there is no greater in the world, throughout his years of service with us. The fact that he is not going to continue means a legislative separation, so far as I am concerned, that I shall regret as long as I am a Member of this body, and I know I express the sentiments of my colleagues without regard to party. They will regret that his voluntary separation from this body takes him from our midst.

To AIME FORAND and his loved ones I extend in his retirement from this body my sincere best wishes for every happiness and success in the years that lie ahead for them.

It has well been said that this legislation is the brainwork of AIME FORAND. I am talking about the legislation in its broader aspects. It has also been well said that it is only a question of time before the type of legislation proposed by AIME FORAND will become law. This bill cannot meet the situation that confronts millions of Americans, millions of human beings. This bill is not a substitute for the social security approach advocated by AIME FORAND; it is simply an integral part, just as the Forand-Anderson-Kennedy approach to the overall medical needs of the aged is an integral part, but the primary part. This would be an implementing part of the bill containing the social security approach.

The argument has been made against the Forand theory that it is socialized medicine. We have heard that so many times with relation to other legislation. I do not say that the conference report before us constitutes socialized medicine, but I do say as between this bill and the Forand plan that there is more socialized medicine in this bill than there is in the Forand theory, and I deny that there is socialized medicine in either.

The provisions relating to medical care for the aged make it possible for the States, with Federal matching, to take care of the most needy and deserving groups of the elderly on their medical expenses which they are unable to meet themselves. But how many States are going to pass the implementing legislation?

This bill means nothing unless the 50 States of the Union act so far as their own citizens are concerned. My State may act. Several other States may act. That will cause a discrimination against the aged in all the other States of the Union which for one reason or another do not act. This bill will be the origin—unintentional, I will agree—of discrimination in many of the States of the Union among the people of those States,

because where a State does not implement, the result is going to be discrimination—unintentional, I say—so far as the people of that State or other States which do not implement are concerned. If there is any doubt in your mind, if seven States implement this—there will be a large number of States who will not, in my opinion—and the States have their problems, they have their local reasons, they have their difficulties, but this situation will be discriminatory. If 10 States implement this and 40 States do not, you are going to have a situation throughout this country of unintentional discrimination that will be unfortunate to witness in the future.

We now have as a goal the addition to the provisions in this report medical protection through the device of the social security insurance system for the masses of our workers and their dependents who are covered by the insurance system. This will make available medical care on a dignified and self-respecting basis for our workers and their families. Tying medical care to the social security insurance system is the fiscally responsible way of facing what everyone admits is a major problem involving the welfare of our people.

The social security theory lost by 4 votes in the other body. There was only one Republican Member of the other body who voted for the Anderson-Kennedy substitute. Not even one Republican Member from New York State in the other body voted for it, yet Governor Rockefeller is a strong advocate of legislation along social security lines.

Next fall this will be an issue. On the one hand Candidate NIXON, of the Republican Party, will be standing on this type of legislation, while on the other hand Candidate KENNEDY, of the Democratic Party, will stand for the broad legislation so necessary to meet the needs of our people. This is going to be a political issue, do not worry about that.

I am satisfied what the result will be, with the millions of persons who would be the direct beneficiary of legislation along the lines suggested by Mr. FORAND and with the countless millions of others who are interested with members of their families and others who feel they are entitled to such legislative consideration. I have no doubt with this issue as to how the people will feel and how the people will act when this issue is directly presented to them.

Mr. Speaker, there can be no double-talk on this matter. The Republicans are definitely committed to this, not as a first step, but as a substitute and as the law itself. The great majority of the Democrats under the leadership of JOHN KENNEDY and LYNDON JOHNSON, candidates for President and Vice President respectively, are committed to the broader approach, to the humane approach. Yes, while you may settle this today, so far as this particular bill is concerned, it is only temporary. It is going into the fall elections and when JOHN KENNEDY is our next President we will put through a sound bill and enact a sound law along the theory of the social security plan. That is the thing we will bring forth, and that is the thing we will stand for.

Mr. LANE. Mr. Speaker, the medical care bill for the aged, shot through with weakening compromises, is a bitter disappointment to our 16 million senior citizens.

The United States is scoring breakthroughs in many fields of material research and development. In sharp contrast, that vigorous, pioneering spirit becomes ultraconservative when confronted with the challenge to help our fellow human beings whose working years have come to a close.

When the second session of the 86th Congress convened in January of this year, there were high hopes that a genuine health insurance bill for the aged would become one of its outstanding accomplishments. It would be a self-financing program administered through the social security system.

But those high hopes surrendered to the insistent threat of a Presidential veto. A health insurance bill for the aged was passed, but so drained of real content that it will need substantial transfusions in the next Congress before it can live up to the promise implicit in its title.

Those of us who fought for a "healthy" bill, voted for the anemic version with reluctance. The coalition majority said: "Vote for this 'ghost' bill—or no bill at all. We give you no other choice." At least, a precedent has been established, that we can elaborate upon and strengthen next year.

Health insurance for the aged, prepaid by taxes on employers and employees during the active years when a person is working, is the logical, practical, and inevitable way to solve this problem.

Free Americans should be entitled to this protection in their old age as a matter of right, and should not have to beg for it through a humiliating means test. The conservative coalition, spearheaded by the administration, has temporarily blocked humanitarian progress, but it must know in its mind and heart, that it is fighting the lost cause of the past and its indifference to the needs of human beings.

Now we will carry this issue to the people, confident that they will veto the obstructionists to social and economic progress.

The present health insurance bill is one that pays lipservice to the needs of the aged, but withholds adequate protection from them. It will not, however, deceive the American people.

The voice of public opinion is expressed in the following editorial from the April 6, 1960, edition of the Washington Post:

> The one practical way to provide insurance against the health hazards of retirement years is to let people pay the premiums in the form of social security taxes while they are earning wages and are able to do so. This is precisely how they now provide retirement income for themselves under the social security program, and this kind of protection is made compulsory because the lack of it would have a disastrous social impact. Those who denounce this proposal as socialistic without proposing any workable alternative are foolishly doctrinaire. They might just about as sensibly oppose as socialistic the Nation's public schools, fire departments, and parks because these represent communal efforts financed through taxation. One of the fundamental purposes for which the U.S. Government was established was to promote the general welfare.

Mr. Speaker, the principle of social insurance to protect our people against the health hazards of old age is the future solution that should be in effect today.

The present bill takes us down a narrow, winding side road and away from the direct and open highway that leads to a clear solution of the problem.

With new and confident leadership beginning in 1961, the United States shall find the forward road again and will legislate a program that will achieve security with dignity for all our senior citizens.

Mr. FARBSTEIN. Mr. Speaker, although over the past 2 years voluminous evidence has been adduced to show the urgent need for Federal legislation to provide medical care for our older citizens, this Congress has taken only a faltering step forward. Although it has been shown that many senior citizens are pushed to the limit of their financial resources by medical bills, while others forgo or delay treatment because of inability to pay, the Congress has failed, in my opinion, to meet its responsibility to our senior citizens.

Instead of passing the Forand bill, or a Forand-type bill, which afford the social security approach to this problem, the bill that was passed provides for Federal grants to States to enable the States to increase their expenditures for medical care to old-age recipients, and to enable them to institute programs of medical assistance for the aged. Where a Forand-type bill would have made unnecessary a means test and would have given medical assistance to our senior citizens as a matter of right, the bill that was passed would only afford assistance to those who can pass a means test or a test which will disclose the fact that the needy individual is unable to afford to pay for any medical care.

But this is only half of the problem in connection with this bill. It is necessary, before the law can become effective, that the States adopt legislation calling for a program of medical assistance to the aged before any call upon the Federal Government for contributions. Although it is true, if a State decides to participate, it may determine the amount, scope and duration of benefits and, within broad limits, the eligibility standards, I fear there will be too few States which will adopt the necessary legislative programs.

There is provision in the bill, if adopted by the States, and the State program accepts the same, that medical benefits can not only be received by those needy individuals receiving old-age assistance, but those aged individuals who, although financially independent so far as their daily living requirements are concerned, cannot meet the medical bills which occur frequently. The new program would be designed to prevent aged persons from becoming indigent on account of medical expenses. The

benefits under the bill may be made available almost immediately, if adopted by any State government.

The passage of this bill does not mean the end of the fight for medical care for our senior citizens. This is merely the beginning. I am certain that next year there will be reintroduced a bill which will contain the social security approach providing insurance against the cost of hospital, nursing home, and surgical care for persons eligible for old-age and survivors insurance benefits. Such a bill will obviate the necessity for any means test and will permit all our citizens to support themselves in their old age by making small contributions during their working years.

At least the problem has been recognized. The conservative combination in the Congress had permitted only a slight step forward to be taken. I am certain that this step will be lengthened in the years to come.

Mrs. GRANAHAN. Mr. Speaker, I am very happy to join so many of my colleagues in the House of Representatives in a well-deserved tribute to the gentleman from Rhode Island [Mr. FORAND] who is retiring from Congress this year after long and distinguished service to the people of his district and to all of the people of this great country.

As a member of the Committee on Ways and Means, Congressman FORAND has contributed so very much to the development and improvement of the social security laws, that to many his name is synonymous with social security. And, of course, it was his bill on further expansion and improvement of social security programs to include health insurance for beneficiaries of old-age and survivors insurance that became the most talked about piece of legislation of this session. When some form of health insurance is finally adopted for older people, the gentleman from Rhode Island [Mr. FORAND] will certainly be accorded much of the credit for dramatizing the issue and the needs.

Mr. Speaker, I am most grateful to the gentleman from Rhode Island for the gracious help he accorded me in achieving election to the House Committee on Government Operations and I want him to know of my high regard and great admiration for his abilities and his friendliness. I wish him years of happiness as he prepares to retire from Congress.

Mr. SMITH of Mississippi. Mr. Speaker, the retirement of AIME FORAND will take from us one of our most distinguished Members, who has made a lasting contribution to the work of the House of Representatives. One of AIME'S qualities of which the public is generally not aware is his great skill as a parliamentarian. He has been one of the ablest Presiding Officers of the House during my period of service.

I want to express my personal appreciation for his courtesies to me through the years.

Mr. FEIGHAN. Mr. Speaker, it has been a great privilege to serve in the Congress with our esteemed colleague, AIME FORAND, whose personal friendship I have enjoyed these many years. Mr. FORAND has served his country in time of war, and he has served his people in time of peace, always with distinction. It would be difficult to find a Congressman who has worked harder and with greater zeal and devotion to his constituency than has AIME FORAND. He is a man of great intelligence and integrity. He had the respect and admiration of his colleagues and I am sure not one among us would wish to deny him his well-earned retirement, which he has voluntarily chosen. I consider AIME FORAND a great statesman and a great American, and I wish him good health and good fortune in the future.

Mr. MILLS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

Mr. MILLS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 369, nays 17, answered "present" 1, not voting 44, as follows:

[Roll No. 197]

YEAS—369

Abernethy	Cannon	Gavin
Adair	Carnahan	George
Addonizio	Casey	Giaimo
Albert	Cederberg	Gilbert
Alexander	Chamberlain	Glenn
Alford	Chelf	Granahan
Allen	Chenoweth	Gray
Andersen, Minn.	Chiperfield	Green, Oreg.
	Church	Green, Pa.
Anderson, Mont.	Clark	Griffin
	Coad	Griffiths
Andrews	Coffin	Gross
Anfuso	Cohelan	Gubser
Arends	Collier	Hagen
Ashley	Colmer	Haley
Ashmore	Conte	Halleck
Aspinall	Cook	Halpern
Auchincloss	Cooley	Hardy
Avery	Corbett	Hargis
Ayres	Cramer	Harmon
Bailey	Cunningham	Harrison
Baker	Curtin	Hays
Baldwin	Curtis, Mass.	Healey
Baring	Curtis, Mo.	Hechler
Barr	Daddario	Hemphill
Barrett	Dague	Henderson
Barry	Daniels	Herlong
Bass, N.H.	Dawson	Hiestand
Bass, Tenn.	Delaney	Hoeven
Bates	Dent	Holifield
Baumhart	Derounian	Holland
Becker	Derwinski	Holt
Beckworth	Devine	Holtzman
Belcher	Diggs	Horan
Bennett, Fla.	Dingell	Hosmer
Bennett, Mich.	Dixon	Huddleston
Bentley	Donohue	Hull
Berry	Dooley	Inouye
Betts	Dorn, N.Y.	Irwin
Blatnik	Dowdy	Jarman
Blitch	Downing	Jennings
Boggs	Dwyer	Johnson, Calif.
Boland	Edmondson	Johnson, Colo.
Bolton	Elliott	Johnson, Md.
Bonner	Everett	Johnson, Wis.
Bosch	Evins	Jonas
Bow	Fallon	Jones, Ala.
Bowles	Farbstein	Jones, Mo.
Boykin	Fascell	Judd
Brademas	Feighan	Karsten
Bray	Fenton	Karth
Breeding	Fino	Kasem
Brewster	Fisher	Kastenmeier
Brock	Flood	Kearns
Brooks, La.	Flynn	Kee
Brooks, Tex.	Fogarty	Keith
Broomfield	Foley	Kelly
Brown, Ga.	Forand	Kilday
Brown, Mo.	Ford	Kilgore
Brown, Ohio	Forrester	King, Calif.
Broyhill	Fountain	King, Utah
Budge	Frazier	Kirwan
Burke, Ky.	Frelinghuysen	Kitchin
Burke, Mass.	Friedel	Kluczynski
Byrne, Pa.	Fulton	Knox
Byrnes, Wis.	Gallagher	Kowalski
Cahill	Garmatz	Kyl
Canfield	Gary	Laird
Lane	O'Hara, Ill.	Shipley
Langen	O'Hara, Mich.	Short
Lankford	O'Konski	Siler
Latta	O'Neill	Simpson
Lennon	Oliver	Sisk
Lesinski	Osmers	Slack
Levering	Ostertag	Smith, Calif.
Libonati	Passman	Smith, Iowa
Lindsay	Patman	Smith, Miss.
Lipscomb	Perkins	Spence
Loser	Pfost	Springer
McCormack	Philbin	Staggers
McCulloch	Pilcher	Steed
McDonough	Pillion	Stratton
McDowell	Pirnie	Stubblefield
McFall	Poage	Sullivan
McGinley	Poff	Taylor, N.C.
McGovern	Porter	Teague, Calif.
McIntire	Powell	Teller
Macdonald	Price	Thomas
Machrowicz	Prokop	Thompson, N.J.
Madden	Pucinski	Thompson, Tex.
Mailliard	Quie	Thomson, Wyo.
Marshall	Quigley	Thornberry
Martin	Rabaut	Toll
Matthews	Rains	Tollefson
May	Randall	Trimble
Meader	Ray	Udall
Merrow	Reece, Tenn.	Ullman
Metcalf	Rees, Kans.	Vanik
Michel	Reuss	Van Pelt
Miller, Clem	Rhodes, Pa.	Van Zandt
Miller, N.Y.	Riehlman	Wainwright
Milliken	Riley	Wallhauser
Mills	Rivers, Alaska	Walter
Minshall	Rivers, S.C.	Watts
Moeller	Roberts	Weaver
Monagan	Robison	Weis
Montoya	Rodino	Westland
Moore	Rogers, Colo.	Wharton
Moorhead	Rogers, Fla.	Whitener
Morgan	Rooney	Whitten
Morris, N. Mex.	Roosevelt	Widnall
Morris, Okla.	Rostenkowski	Wier
Morrison	Roush	Williams
Moss	Rutherford	Willis
Moulder	St. George	Wilson
Multer	Santangelo	Winstead
Mumma	Saund	Wolf
Murphy	Saylor	Wright
Natcher	Schenck	Yates
Nelsen	Schneebeli	Young
Nix	Schwengel	Younger
Norblad	Scott	Zablocki
O'Brien, Ill.	Selden	Zelenko
O'Brien, N.Y.	Shelley	

NAYS—17

Abbitt	Jensen	Smith, Va.
Burleson	Johansen	Taber
Dorn, S.C.	McMillan	Teague, Tex.
Gathings	Rhodes, Ariz.	Tuck
Hoffman, Ill.	Rogers, Tex.	Utt
Jackson	Scherer	

ANSWERED "PRESENT"—1

Pelly

NOT VOTING—44

Alger	Hébert	Miller, George P.
Barden	Hess	Mitchell
Bolling	Hoffman, Mich.	Murray
Buckley	Hogan	Norrell
Celler	Ikard	Preston
Davis, Ga.	Keogh	Rogers, Mass.
Davis, Tenn.	Kilburn	Sheppard
Denton	Lafore	Sikes
Doyle	Landrum	Smith, Kans.
Dulski	McSween	Taylor, N.Y.
Durham	Mack	Thompson, La.
Flynt	Magnuson	Vinson
Goodell	Mahon	Wampler
Grant	Mason	Withrow
Harris	Meyer	

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hoffman of Michigan for, with Mr. Alger against.

Mr. Hess for, with Mr. Mason against.

Until further notice:

Mr. Hébert with Mrs. Rogers of Massachusetts.

Mr. Keogh with Mr. Kilburn.

Mr. Celler with Mr. Lafore.

Mr. Buckley with Mr. Smith of Kansas.

Mr. Hogan with Mr. Taylor of New York.

Mr. Meyer with Mr. Withrow.

Mr. Dulski with Mr. Goodell.

Mr. GARY changed his vote from "nay" to "yea."

Mr. SCHERER and Mr. HOFFMAN of Illinois changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROGRAM—DISTRICT BILLS IN ORDER ON MONDAY NEXT—CONSENT AND PRIVATE CALENDARS TO BE CALLED ON TUESDAY NEXT

Mr. HALLECK. Mr. Speaker I ask unanimous consent that I may proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, I take this time for the purpose of inquiring of the majority leader as to the program for the balance of this week and as best he can tell us at this time the program for next week, and if he can predict, if he cares to, as to a possible sine die adjournment next week.

Mr. McCORMACK. Mr. Speaker, the next order of business today is the deficiency appropriation bill.

Following that will be bills from the Committee on the District of Columbia and I suggest to the chairman of the committee that they bring up today only those bills which in his opinion and that of the members of his committee are not controversial and that the others be carrier over until Monday of next week.

Mr. HALLECK. If the gentleman will permit an interruption, I might suggest that he obtain consent at this time to consider those bills on Monday next that are not disposed of today.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order on Monday next to consider bills from the Committee on the District of Columbia.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. On Tuesday, of course, there will be the call of the Consent Calendar and Private Calendar.

Mr. Speaker, I ask unanimous consent that it may be in order on Tuesday next to call the Consent Calendar and the Private Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HALLECK. If the gentleman will permit at that point, may I express the sincere hope that members of any committee which has bills eligible for consideration on these calendars get them in so they can be called on the calendars and not have to be brought up under unanimous consent.

Mr. McCORMACK. I agree with the gentleman.

Then there will be called up on Tuesday the bill H.R. 8093, the Merchant Marine Act, Pacific coast shipbuilding, if a rule is filed on it.

Also there will be several resolutions and bills from the Committee on House Administration relative to printing and other matters. A list of these resolutions and bills will be placed in Monday's RECORD.

The bill H.R. 8093, dealing with the Merchant Marine Act, is the only legislative bill I have put down specifically.

Of course I make the usual reservation that any further program will be announced later and that conference reports may be brought up at any time.

In reference to the sine die resolution, I am unable to state anything in connection with that. The one thing that might delay it would be the length of time the conferees may take on the minmum wage bill and how far the conferees are willing to go in accepting the better bill that passed the other body.

Mr. HALLECK. I was satisfied with the House bill, as, apparently, the majority was.

Mr. McCORMACK. That makes a straight issue between the gentleman from Indiana and the gentleman from Massachusetts. I favor neither bill, particularly, but between the two I favor the Senate bill. But let us not get into that.

DISPENSING WITH CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I do not want to be held down to this, but my best judgment is that we may adjourn sine die around Wednesday or Thursday.

Mr. HALLECK. I would like to make one further observation that has been suggested to me. We may have some committee action dealing with extension of the Sugar Act. Any matter, I may say to the gentleman, such as that, we can agree among us to consider, and I will be glad to cooperate in every way I can.

I would like to make one other suggestion. That is that everyone understands as we come into the closing days of the session, if any bills are to be brought up under unanimous-consent agreements, which would involve unanimous consent for passage or for suspension, that there be consultation so we can understand completely what is involved.

Mr. McCORMACK. The gentleman is clearly within his rights on that.

ADJOURNMENT UNTIL MONDAY

Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. PELLY. Mr. Speaker, reserving the right to object, simply to put an inquiry to the majority leader in regard to a bill he mentioned covering the differential for the west coast: No purpose could possibly be served by bringing up that bill because there have been no hearings on the Senate side and I would be constrained to object to every measure that comes up by unanimous consent.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SECOND SUPPLEMENTAL APPROPRIATION BILL, 1961

Mr. THOMAS. Mr. Speaker, in accordance with the unanimous-consent agreement of last Wednesday, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13161) making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 1 hour, one-half to be controlled by the gentleman from Iowa [Mr. JENSEN] and one-half by myself.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13161), with Mr. BONNER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. THOMAS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we bring you here what I truly hope and believe is the last of the deficiencies for this year. I do not think there is anything in here that is going to cause any trouble. We have about 40 items here, mostly small items, and we come to you with what I say is a unanimous report. I do not think there is any division of opinion between any of us on the committee about these items.

We have some budget estimates here for these items of around $118 million. The budget estimates have been reduced by more than $27 million. I do not think anybody has been hurt and we think we have done about the right thing.

Mr. BROYHILL. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Virginia.

Mr. BROYHILL. I understand that the administration requested $500,000 to set up the National Capital Transportation Agency. I notice an appropriation here of $250,000 for the first half year's operation.

Mr. THOMAS. Under the law, it is about 9 months. We did not think they could use any more in 9 months, and with that amount of money they will get by.

Mr. JENSEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as our good chairman has just said, this bill has been reduced considerably below the budget estimate; the amount is $27,597,550. That leaves

$90,587,481 in the bill, for the 40-some agencies which appeared before the committee.

Mr. Chairman, I do want to say that this is the third supplemental appropriation bill that has come to the Congress during this session. I think I have expressed my sentiments quite clearly before in relation to supplemental requests, but I shall now do so again. These supplementals are far too numerous and far too great in amount, requests for millions upon millions of dollars, which it seems many of these departments do not blush one bit to bring before this committee after their regular bill has been passed. In many instances Congress has reduced the amount requested, but they continue to spend, it seems, without regard to the will of Congress. Then they run out of money. Of course, every department, agency, bureau, or commission of the Government is not guilty of doing that very thing but in many instances it is true. Then they come back and ask for these enormous amounts. We used to call them deficiencies, but, you know, we have an Anti-Deficiency Act with teeth in it and so they coined the word "supplemental" in lieu of "deficiency" in order to get around the Anti-Deficiency Act. One of these fine days, Mr. Chairman, somebody, perhaps the President of the United States, will do as Calvin Coolidge did when he was President of the United States. He let every agency of Government know that they had better ask for the amount of money that they felt was necessary to run their particular department for the entire year. And he said: "For any supplemental or deficiency request any department asks for, unless it be of a strictly emergency nature, I shall veto the bill, if passed."

You can look back to that time when "Silent Cal" was in the White House and you will find very few deficiency bills passed by the Congress of the United States.

So I say again that this thing has gotten out of hand. But when the Bureau of the Budget sends up these requests for these enormous supplemental or deficiency expenditures, there is not too much Congress can do except to deny those that are clear-cut nonessentials and reduce the others to the degree that they should be reduced, and that is exactly what this committee has been doing. That is what we did in regard to this appropriation bill.

We bring the bill to the House by unanimous agreement of the committee. There are some items in the bill, of course, that I would not have approved, but you cannot always have your way. So I am in full support of this bill as it comes to the floor.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from North Carolina.

Mr. JONAS. It is fair to say, however, is it not, that a substantial part of the funds in this bill are for salary increases made necessary because the Congress passed the pay raise bill; is that not correct?

Mr. JENSEN. Yes; we must say that also.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Kansas.

Mr. REES of Kansas. How much money is in the bill that is due the pay raise?

Mr. JENSEN. The 7½-percent pay raise which the Congress passed early in the session, of course, is in this bill wherever it was not taken care of in the regular appropriation bills. Just exactly what the dollar amounts would be, I am not in a position to say. The information, however, is contained in the report accompanying the bill. I believe you can find the dollar figure almost right to the dollar as to how much the pay raise amount is in this bill.

Mr. REES of Kansas. What I was trying to find out is how much more money was needed as the result of including this item?

Mr. JENSEN. I would have to go through each agency and total up the amounts in this and the regular bills in order to give you the answer to your question.

Mr. REES of Kansas. In other words, the gentleman cannot give us that figure at the moment.

Mr. JENSEN. That is correct.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Connecticut.

Mr. MONAGAN. May I ask a question of the chairman of the committee for information? The report, and I think the gentleman in his statement, indicated a reduction of $27 million as against the budget estimates. The grand total indicates an increase, as I read it, of $23 million. I wonder what the discrepancy is.

Mr. THOMAS. Here is the situation, and you cannot make any discrepancy in the figures, and I assure my colleague that I do not mean to be personal when I say that. In this bill our clerks in order to live up to the rules of the House have to stay strictly within what is in this budget estimate. On the last deficiency that we had before the House adjourned for the conventions of the two parties there was an item of $3 million, and one for $30 million. Those were for forest and public lands highways. Those justifications were not sent to the House but were sent directly to the other body. The chairman of the full committee advised the Bureau of the Budget that unless the justifications and the estimates were sent to the House that we would not consider them in conference. We did go to conference and we turned them down for that reason, because they were not sent to the House and the House had not had an opportunity to consider them. This time they were considered in the House, I am referring to the public roads item, but the estimates have already been included in totals used for other bills. The other item of $14.4 million is for the national defense education student loan fund, and the budget estimate of $17.9 million went to the other body before we adjourned and they bypassed the House of Representatives. The House never had an opportunity to consider it. Now we have the budget estimate here. It technically was considered by the House and it is being considered by the House now and by your House committee. When you add this $17.9 million and the $33 million to the figures in the total, it makes a budget estimate and a total of $118 million and the reduction of $27 million.

Mr. MONAGAN. In other words, it is just a matter of allocation?

Mr. THOMAS. That is right. It is just technical, I might say to my colleague, and purely a question of bookkeeping. Our clerks lean over backward so as not to mislead anybody.

Mr. MONAGAN. I thank the gentleman.

Mr. THOMAS. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. EVINS].

Mr. EVINS. Mr. Chairman, I commend the deficiency subcommittee on this report. As always, they have done an excellent job. There is one item on which I want to address some questions to the chairman because of the interest in the repairing and improvement program of the public buildings and also the construction by the General Services Administration. They have asked for $2 million for repair and $5,289,000 for construction. My question is this, and I have talked to the chairman about this matter, there will be no delay in the public building construction program by not appropriating this money at this time; is that correct?

Mr. THOMAS. I will say to our colleague, the gentleman from Tennessee, as the gentleman well knows because he works with us and works effectively and diligently, that Mr. Floete of the General Services Administration certainly does an outstanding job in the Government. He does the job effectively and efficiently. He has a habit of saving money. We all like him. He does a beautiful job here.

Mr. EVINS. If the General Services Administration needs additional funds, then all they have to do is to come here at the beginning of the year and tell us.

Mr. THOMAS. They will get every consideration, I assure the gentleman.

Mr. JENSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I was interested in the remarks of the subcommittee chairman that he hopes this will be the last supplemental appropriation bill. I believe we heard that just before the close of the last session.

Mr. THOMAS. Yes, you did.

Mr. GROSS. I wonder if the gentleman can give me some information as to those items in this bill which failed to get consideration in the regular appropriation bills?

Mr. THOMAS. There are two big items that failed to get consideration; namely, the two good road items, one of $30 million and one of $3 million. The House did not insert them, the other body did. When we went to conference we took the position that the House had

not had an opportunity to pass on them and we declined to go along. So there is $33 million right there in those two items.

Another item is the National Defense Education Act Student Loan Fund. They came with justifications for $17 million, which went to the other body. The House did not have an opportunity to consider them. It was not this subcommittee but another, but still the House did not have an opportunity to consider them, and they were not considered. This time they came to the House committee and they submitted their justification.

Mr. GROSS. I am glad the gentleman mentioned the national defense education funds, because—and I am sure the gentleman is very well aware of it—the House only yesterday passed a bill which carried an item of $173 million for the National Defense Education Act. Now, only 24 hours later, we have a bill before us to increase it by $14,450,000. I just do not understand why we would have to have a bill before us the next day, within 24 hours or less, granting an additional $14.5 million.

Mr. THOMAS. May I remind my distinguished friend that even with the authorization for this particular fund the total authorization is only $82.5 million.

Mr. GROSS. Total authorization for what?

Mr. THOMAS. The National Defense Education Act.

Mr. GROSS. There was $173 million for it in the bill passed yesterday.

Mr. THOMAS. I mean for the fund we are discussing here today. The authorization is only $82.5 million for student loans.

Mr. GROSS. To pinpoint this, then, the $14.5 million in this bill is specifically earmarked for loans?

Mr. THOMAS. Yes.

Mr. GROSS. And cannot be used for any other purpose?

Mr. THOMAS. That is right.

Mr. GROSS. Cannot be mingled with funds for grants for a study of the circulatory physiology of the octopus, or for banking and loanmaking in Israel and a lot of other things including a $50,000 study of bird sounds, several thousand more for dog discipline at a girls' college at Roanoke, Va., and so on and so forth down the line—these funds cannot be used for that purpose?

Mr. THOMAS. That is exactly right. This is the loan fund.

Mr. GROSS. Not for the study of folklore, music, the theater, jazz, and so on and so forth? It cannot be used for those purposes as some of the funds for so-called defense education are used?

Mr. THOMAS. That is correct.

Mr. GROSS. I hope the gentleman is right, because this thing is certainly getting out of hand.

Now, I am not quite through with the gentleman, if he will bear with me. Why this legislative provision in dealing with the Foreign Claims Settlement Commission. Why should this Appropriations Committee give employees, or officials of the Foreign Claims Settlement Commission the same treatment as Foreign Service employees?

Mr. THOMAS. Because it will go to 33 of them in Poland, for instance.

Mr. GROSS. But I do not believe this appropriation bill is the place to put in the language providing for it.

Mr. THOMAS. We only included the budget language.

Mr. GROSS. Will the gentleman explain to me what the legislative language on page 8 means as it pertains to the General Services Administration?

Mr. THOMAS. Yes, I will go by memory. What it does is this: Our able and distinguished friend from Iowa, Mr. Floete, who is very well and favorably known to the gentleman from Iowa [Mr. GROSS], has now again, as he did last last year, saved a large sum of money by reducing contract estimates and so forth. The Government is continually building, and as I said before, the more we build, the more space we seem to need. This service agency deals with various bureaus of the Government.

Mr. GROSS. That is the question I wanted to ask the gentleman; namely, does this accelerate a building program?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. THOMAS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. GROSS. I thank the gentleman from Texas.

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. THOMAS. For instance, we need warehouse space. The armed services are declaring surplus a good many homes, and so forth, and rather than going out and—bear in mind, this does not call for any appropriation. There is no fresh money.

Mr. GROSS. I noticed that.

Mr. THOMAS. He is going to cut down your rent bill. Instead of going down here and buying some sort of warehouse space and paying a dollar a square foot a year, he is going to modernize this surplus space and it will only cost 25 or 35 cents instead.

Mr. GROSS. The gentleman feels that the provision we are discussing will result in economy to the Government.

Mr. THOMAS. Absolutely.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. JONAS. Is not this the purpose of this language: To permit the Administrator of General Services to use some of the money he saves in these contracts in paying for lease purchase contracts before they run their full length and thereby save the taxpayers a substantial sum of money?

Mr. THOMAS. I am sure the gentleman from Iowa is going to save some money. That is the kind of man he is.

Mr. GROSS. I call the gentleman's attention to page 12.

Mr. JENSEN. Mr. Chairman, before the gentleman does that will he yield to me?

Mr. GROSS. I yield to my friend from Iowa.

Mr. JENSEN. I wish to say that Frank Floete has done one of the most outstanding jobs for his country that has come to my attention for many and many a year. He is an observing person and whenever he recommends that the Congress do something you can always bet it is sure to save money.

This language in the bill will save a lot of money in years to come because, as the chairman has just explained, he is going to use this money in such a way that he will stop the rents that are high on a square-foot basis, and substantially reduce the costs.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. JENSEN. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. GROSS. Mr. Chairman, the gentleman from Texas, [Mr. THOMAS] had pretty well convinced me that the legislative language in connection with that particular item should be left intact and the gentleman from Iowa [Mr. JENSEN] has now convinced me that there is economy in the provision contained therein. I certainly am not going to make a point of order to strike it on the basis of the assurances given by both gentlemen.

I would like to ask the gentleman from Texas about this Canadian River project on page 12 for which there is appropriated $300,000 for advance planning. How much is that project going to cost?

Mr. THOMAS. Since this authorization was passed several years ago, the various communities had difficulties among themselves; but I understand they have compromised their differences. My information is this is a tremendously large proposition, and that it would cost $90 million to $100 million.

Mr. GROSS. And there is $300,000 in this bill for advance planning. I thank the gentleman.

Mr. THOMAS. These are not appropriated funds, may I point out. They already have the funds.

Mr. GROSS. I thank the gentleman.

Mr. THOMAS. Mr. Chairman, I yield myself 3 minutes.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I would like to ask the chairman of the committee about an item on page 12, under "Department of Interior, Bureau of Reclamation, Operation and maintenance," an additional amount of $2.2 million to be derived from the appropriation for construction and rehabilitation. In the full committee print and report I find that this is for the Bureau of Reclamation to purchase $2.2 million worth of power. Certainly this is an indication, and the members of the committee should know the facts, that this is just what would happen to some of these power projects that the Bureau of Reclamation has built.

The Bureau has gone out and oversold the amount of power they can produce, and they not only sold it for less than it cost the Government to make, but now they come in and ask the Congress to appropriate $2 million to go out and buy additional power so that they can fulfill their contracts.

I would like to have some explanation as to why we should be asked to do this.

Mr. THOMAS. May I say to my very able and distinguished friend that in this group here we have two of the old masters on power and interior matters, the very able gentleman from Iowa [Mr. JENSEN] and our genial friend, the gentleman from Ohio [Mr. KIRWAN].

I am going to ask the gentleman from Iowa [Mr. JENSEN] to go into the details that the gentleman wants to ask; but may I say that it was testified if we got a rain in the next week or 10 days you will not need this money. That fund is just about depleted. It is a transfer of funds, there is no direct appropriation here.

If you want to go back to the details as to what happened 12 or 15 years ago, my guess is that the gentleman from Iowa can answer.

Mr. SAYLOR. I may say to the gentleman, you mark my word, this will be used by the Bureau of Reclamation as evidence as to why we should come in and have more of these high-priced projects constructed.

Mr. THOMAS. I respectfully agree, but I said if we get a rain in the next week or 10 days, "Will you use this money?" The answer was "No."

Mr. SAYLOR. I would like to have some explanation as to why we have to come up and ask for $2 million to buy power.

Mr. JENSEN. I think the only answer to that question is this: The Bureau of Reclamation did go out and contract to sell power from Federal hydroelectric power projects in an amount that was more than they were able to deliver. Those contracts, of course, are binding on the Government. When one American or a million Americans sign a contract they expect Uncle Sam to live up to that contract and to fulfill the provisions of the contract. We of the Congress, as the board, must see to it, of course that the contracts are lived up to. If we do not we are in a pretty bad way.

I agree with the gentleman that the Bureau of Reclamation and other agencies should never make a contract that there is any question whatever as to whether they can or cannot fulfill it. But here is a case where they did it, there is no question about that.

So the committee felt in duty bound to back up the Government of the United States in fulfilling a contract which was made by these preferred customers.

Mr. SAYLOR. I might say to my colleague that I am delighted to hear that the Congress is now going to recognize its contracts. But it is rather amusing to find that this same Appropriations Committee a short time ago, with references to the oldest treaty that the United States has ever signed, that is, between the United States and the Seneca Indians, said that it was only a scrap of paper and it was not necessary to pay any attention to it. If we are going to insist that these contracts which this Government signs are to be kept, it seems to me they ought to be kept not only with our white brethren but with our Indian brethren, too. It is rather anomalous that the Appropriations Committee has such a high regard for the integrity of a Government contract when it is with one of us, but when the American Government contract happens to be with our Indian brethren, then it is only a scrap of paper and we are to wipe it out.

Mr. THOMAS. Mr. Chairman, I yield 1 minute to the gentleman from Kansas [Mr. GEORGE].

Mr. GEORGE. Mr. Chairman, I wish to thank the gentleman from Texas and each member of his committee for their going into the situation concerning Haskell Institution so thoroughly. I realize that no one in this body had notice of the serious situation existing at the time sufficient so that it was possible to do anything earlier than this supplemental bill. We are grateful for the committee's support.

Mr. THOMAS. The gentleman has certainly been energetic and active in behalf of it and has done his people a great service. We have been delighted to cooperate with him.

Mr. THOMAS. Mr. Chairman, I yield such time as he may consume to the gentleman from Hawaii [Mr. INOUYE].

Mr. INOUYE. Mr. Chairman, the second supplemental appropriation bill just presented for the consideration of this body provides for an appropriation of $2,225,000 to the State of Hawaii to be held and used subject to the terms of the first Morrill Act of July 2, 1862. That act granted certain lands to each State, or, in lieu of actual land, an equivalent amount of land scrip which might be sold to persons wishing to purchase lands in the Federal domain. Funds derived from these grants were dedicated to the support of State colleges whose objective is to teach branches of learning related to agriculture and mechanic arts. Until Public Law 86–624, the Hawaii Omnibus Act, was enacted, Hawaii would have been the only State in the Union not to receive a grant under the first Morrill Act.

This Congress, however, saw fit to correct this unfair situation when it enacted Public Law 86–624 wherein, among others, the sum of up to $6 million was authorized for the State of Hawaii to be applied under the terms of the first Morrill Act. We in Hawaii feel that the amount authorized is just and fair.

The report of the Committee on Appropriations indicates that the sum of $2,225,000 invested at 3½ percent interest would yield revenue in excess of $75,000 per year, which is higher than the average income received by other States from similar funds; that 41 of the States received considerably less per year than $75,000, ranging anywhere from $5,000 or less up to $60,000, accordingly, it recommended $2,225,000.

We feel that the appropriation recommended is a completely arbitarary one for it fails to take into consideration the differing educational burdens placed by several States on their public universities; the emphasis, or lack of it, placed on the agricultural and mechanic arts; the existence of wise and prudent management by each State of their land-grant funds.

Rather than being compared with the rest of the States, I feel that Hawaii is best compared with selected States whose land grant colleges characteristics, population, and situations are closely approximated by Hawaii. Using this basis for comparison, I submit that the appropriation of $6 million as authorized by Public Law 86–624 would be completely justified.

But, Mr. Chairman, realizing that this session is fast drawing to a close and further realizing the deep concern of our Members to zealously guard our taxpayers' money, I will not adamantly oppose the committee's recommendation. I wish, in fact, to express my appreciation to the committee for its consideration of our needs and our problems. It is my hope that the committee and the next Congress will again give its consideration to granting the $3,775,000 remaining unappropriated and to give us the privilege and opportunity of managing the full $6 million as was intended under the authorization. We are confident that we can invest it wisely for the good of our students in Hawaii. We feel that the mismanagement of funds by others should not be used to penalize us from that which we are fully entitled.

Mr. THOMAS. Mr. Chairman, if there are no further requests for time, I ask that the Clerk read.

The CHAIRMAN. There being no further requests, the Clerk will read the bill for amendment.

The Clerk read as follows:

Page 6, line 1:

"LAND-GRANT COLLEGE AID

"For payment to the State of Hawaii, as authorized by section 14(e) of the Hawaii Omnibus Act (Public Law 86–624, approved July 12, 1960), $2,225,000."

Mr. FOGARTY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise to bring to the attention of the House the fact that legislation providing for aid to schools of public health has run out. It ran out on June 30. Pending legislation was agreed on in conference yesterday and I understand that a budget estimate will be sent up to the Senate this afternoon by the Bureau of the Budget. This will permit further help to these schools of public health and to schools of nursing and engineering which offer courses in public health. The amount needed is $3,070,000.

I do hope, if the Senate sees fit to continue this additional help to schools of public health, and nursing and engineering, the House conferees will do the best they can to see that this program is carried out, because it is so essential today in the training of personnel in the public health. Especially is it needed in the field of environmental health where each day brings new hazards to our population through radiation exposure, water and air pollution, new chemicals introduced in our food, pesticides with unknown effects and many others.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. JONAS. I would like the record to show at this point, following the remarks of the distinguished gentleman

from Rhode Island, that our subcommittee was not in a position to put any funds for that in this bill.

Mr. FOGARTY. That is correct.

Mr. JONAS. Because whatever we would have done would have been subject to a point of order, because the authorizating legislation had not been enacted.

Mr. FOGARTY. I understand that. That is the reason I made the statement that I did. I realize the committee was not in a position to include anything in this bill, because the legislation had not passed. The conferees did not agree on the authorizing legislation until yesterday afternoon. But, as I said, a budget request is being sent up this afternoon to continue this program and I hope that when the conferees meet they will do the best they can to see that this program is continued.

Mr. Chairman, this is what these moneys would do:

First. Continue the successful program of assistance to schools of public health. Eleven such schools provide advanced public health training for State and local health department staffs throughout the 50 States. The 2-year original authorization which expired June 30, 1960, provided significant expansion of instructors, curriculum and equipment and must be continued.

Second. Provides project grants to schools of nursing and engineering offering graduate or specialized training in public health and to schools of public health to strengthen and expand courses in public health.

I support this program because public health problems are acute and are increasing. The number of public health personnel was decreasing until the titles I and II training programs for public health workers and for nurses were begun. Advancing technology in science and industry may well result in public health departments being incapable of protecting the public health.

Some of the significant hazards which we are faced with today and about which we are doing too little include:

First. Seventy million automobiles discharging hazardous substances into the air we breathe.

Second. Over 500,000 chemical compounds used in industry.

Third. Millions of pounds of chemical pesticides used to increase plant production with unknown residue in our food.

Fourth. Billions of tons of wastes are dumped into our country's rivers and lakes.

Fifth. In the Los Angeles area alone 3,400,000 pounds of hydrocarbons are discharged into the atmosphere each day.

Sixth. Chemicals with toxic properties including plastics, plasticizers, food and fuel additives, pesticides, detergents, and abrasives—400 to 500 new chemicals are put into use each year.

Seventh. Exposure to ionizing radiation through increased industrial use of nuclear energy, X-rays, through fallout and other sources.

Unless health department personnel can receive needed modern technical training, the health of the entire Nation is in peril. This money would enable schools of engineering, nursing and public health to establish courses in these needed areas, secure competent instructors and provide needed equipment to train health department personnel, at their own or local or State expense, to protect the health of all. I urge my colleagues to support this program. I am including a representative list of schools which would be eligible to apply for project grants under this program:

PARTIAL LIST OF SCHOOLS ELIGIBLE TO RECEIVE PROJECT GRANTS UNDER AMENDMENT

OHIO

Nursing: School of Nursing, Ohio State University, Columbus; College of Nursing and Health, University of Cincinnati, Cincinnati; Frances Payne Bolton School of Nursing, Western Reserve University, Cleveland.

Engineering: Case Institute of Technology, Cleveland; Ohio State University, Columbus; University of Cincinnati, Cincinnati.

TEXAS

Nursing: Incarnate Word College, San Antonio; Texas Christian University, Fort Worth; University of Texas, Austin.

Engineering: Agriculture and Mechanical College of Texas, College Station; Rice Institute, Houston; Southern Methodist University, Dallas; Texas Technological College, Lubbock; University of Texas, Austin.

NORTH CAROLINA

Nursing: North Carolina College at Durham, Durham; University of North Carolina, Chapel Hill.

School of Public Health: University of North Carolina, Chapel Hill.

Engineering: North Carolina State College, Raleigh.

NEW YORK

Nursing: Adelphi College, Garden City, Long Island; Columbia University, New York City; Hunter College, New York City; New York University, New York City; St. John's University, Brooklyn; Upstate Medical Center, State University of New York, Syracuse; Syracuse University, Syracuse; University of Buffalo, Buffalo; University of Rochester, Rochester.

School of Public Health: Columbia University, New York City.

Engineering: Cornell University, Ithaca; New York University, New York City; Polytechnic Institute of Brooklyn, Brooklyn; Rensselaer Polytechnic Institute, Troy; Syracuse University, Syracuse.

MASSACHUSETTS

Nursing: Boston College, Chestnut Hill; Boston University, Boston; Simmons College, Boston.

School of Public Health: Harvard School of Public Health, Boston.

Engineering: Massachusetts Institute of Technology, Cambridge; Harvard University, Cambridge; Northeastern University, Boston; University of Massachusetts, Amherst.

IOWA

Engineering: Iowa State University, Ames; State University of Iowa, Iowa City.

PENNSYLVANIA

Nursing: Duquesne University, Pittsburgh; University of Pennsylvania, Morgan Building, 205 South 34th Street, Philadelphia; University of Pittsburgh, Pittsburgh.

School of Public Health: University of Pittsburgh, Pittsburgh.

Engineering: Pennsylvania State University, University Park.

NEW JERSEY

Nursing: Seton Hall University, 31 Clinton Street, Newark; College of Nursing, Rutgers, the State University of New Jersey, Newark.

Engineering: Newark College of Engineering, Newark; College of Engineering, Rutgers University, New Brunswick.

RHODE ISLAND

Engineering: University of Rhode Island, Kingston.

GEORGIA

School of Nursing: Emory University, Atlanta.

School of Civil Engineering: Georgia Institute of Technology, Atlanta.

TENNESSEE

Nursing: George Peabody College for Teachers, Nashville; School of Nursing, Vanderbilt University, Nashville.

Engineering: University of Tennessee, Knoxville.

ALABAMA

School of Nursing: University of Alabama, Post Office Box 1933, University.

Engineering: Alabama Polytechnic Institute, Auburn; University of Alabama, University.

ILLINOIS

School of Nursing: Loyola University, 820 N. Michigan Avenue, Chicago; St. Xavier College, 103d Street, and Central Park Avenue, Chicago; University of Illinois, Chicago.

Engineering: Illinois Institute of Technology, College of Engineering, Technology Center, Chicago; Northwestern University, the Technological Institute, Evanston; University of Illinois, Urbana.

MICHIGAN

College of Nursing: Wayne State University, Detroit.

School of Public Health: University of Michigan, Ann Arbor.

Engineering: Michigan College of Mining and Technology, Houghton; Michigan State University, East Lansing; University of Michigan, Ann Arbor.

CALIFORNIA

Chico State College, Chico.

School of Nursing: College of Medical Evangelists, Loma Linda; University of California, San Francisco; University of California, Los Angeles; University of San Francisco, 2130 Fulton Street, San Francisco.

School of Public Health: University of California, Berkeley.

College of Engineering: California Institute of Technology, Pasadena.

School of Engineering: Stanford University, Stanford.

College of Engineering: University of California, Berkeley.

School of Engineering: University of Southern California, Los Angeles.

WASHINGTON

School of Nursing: Seattle University, 900 Broadway, Seattle; University of Washington, Seattle.

Engineering: University of Washington, Seattle; Washington State University, Pullman.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in the regular District of Columbia appropriation bill there is an appropriation of $6,000 for plans for a chapel to be built by the Public Welfare Deartment of the District of Columbia. I know that my friend is acquainted with it. In the last supplemental bill there was an estimate of $81,000. It was included in the new bill, but because there was some legislation connected with it, it was stricken out on a point of order. In the last deficiency bill it was not put in in the other body because of the emergency there. It was deferred. I can understand the problem confronting the subcommittee. I have

made an inquiry of the staff of the Appropriations Committee as to what I have just said. I understand that the leaders of all the religions, Protestant, Catholic and Jewish, Christians, and Jewish, are very much interested in this chapel. I hope that my friend and the other conferees will keep it in mind if the Senate inserts this $81,000, and remember the intense interest in the item by the religious leaders of all religions in the District of Columbia.

Mr. THOMAS. Mr. Chairman, may I say to our beloved majority leader that that was one of the capital outlay projects in the last supplemental bill. There was no disposition on the committee's part to say yea or nay as to what they built or how they built it. It was only a question whether or not they were going to spend their own money. The question came up of their raising some additional taxes and I understand that the taxes have already been raised. The matter is in process. What I am trying to say is that my guess is that it will work itself out all right.

Mr. McCORMACK. If it is put in in the other body, I hope the gentleman will keep the thoughts I have just expressed in mind in the conference.

Mr. THOMAS. Let us leave it like this and, so that there will be no mistake about it, if it is in the other body, I will personally undertake to consult with the gentleman before we go to conference, and we will discuss ideas on it. Is that fair enough?

Mr. McCORMACK. I thank my colleague.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FOREIGN CLAIMS SETTLEMENT COMMISSION

Salaries and expenses

For an additional amount for "Salaries and expenses", including allowances and benefits similar to those provided by title IX of the Foreign Service Act of 1946, as amended, as determined by the Commission; expenses of packing, shipping, and storing personal effects of personnel assigned abroad; rental or lease, for such periods as may be necessary, of office space and living quarters for personnel assigned abroad; maintenance, improvement, and repair of properties rented or leased abroad, and furnishing fuel, water, and utilities for such properties; hire of passenger motor vehicles abroad; insurance on official motor vehicles abroad; and advances of funds abroad; $145,000: *Provided*, That the limitation under this head in the General Government Matters Appropriation Act, 1961, on the amount available for expenses of travel, is increased from "$10,000" to "$20,000".

Mr. GROSS. Mr. Chairman, I make a point of order against the language in the bill on page 7, beginning on line 11, running through line 4 on page 8, as being legislation on an appropriation bill. The language referred to is as follows:

FOREIGN CLAIMS SETTLEMENT COMMISSION

Salaries and expenses

For an additional amount for "Salaries and expenses," including allowances and benefits similar to those provided by title IX of the Foreign Service Act of 1946, as amended, as determined by the Commission; expenses of packing, shipping, and storing personal effects of personnel assigned abroad; rental or lease, for such periods as may be necessary, of office space and living quarters for personnel assigned abroad; maintenance, improvement, and repair of properties rented or leased abroad, and furnishing fuel, water, and utilities for such properties; hire of passenger motor vehicles abroad; insurance on official motor vehicles abroad; and advances of funds abroad; $145,000: *Provided*, That the limitation under this head in the General Government Matters Appropriation Act, 1961, on the amount available for expenses of travel, is increased from "$10,000" to "$20,000".

The CHAIRMAN. Does the gentleman from Texas desire to be heard on the point of order?

Mr. THOMAS. Mr. Chairman, the gentleman from Iowa is right. This is the first time that these people have operated overseas and they asked for a little oversea allowance. The Bureau of the Budget recommended it. We did not feel that we wanted to be the least bit oppressive on it. Mr. Chairman, the point of order is conceded.

The CHAIRMAN. The point of order made by the gentleman from Iowa is sustained.

Mr. THOMAS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMAS of Texas: On page 7, line 10, insert "Foreign Claims Settlement Commission. Salaries and expenses. For an additional amount for 'Salaries and expenses', $145,000."

The CHAIRMAN. The Chair recognizes the gentleman from Texas, Mr. THOMAS, in support of the amendment.

Mr. THOMAS. Mr. Chairman, I do not desire any time. The objectionable part has been left out and the same amount of money is in the bill without the language to which the gentleman from Iowa objected.

Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. THOMAS].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF RECLAMATION

Construction and rehabilitation

The limitation under this head in the Interior Department Appropriation Act, 1955, on the amount available toward the emergency rehabilitation of the Crescent Lake Dam project, Oregon, is increased from "$297,000" to "$305,000", and not to exceed $300,000 of funds available under this head for fiscal year 1961 shall be used for advance planning activities on the Canadian River project, Texas.

Mr. GROSS. Mr. Chairman, I make a point of order on the language on page 12, beginning on line 11, running through line 19, as being legislation on an appropriation bill, the language being as follows:

CONSTRUCTION AND REHABILITATION

The limitation under this head in the Interior Department Appropriation Act, 1955, on the amount available toward the emergency rehabilitation of the Crescent Lake Dam project, Oregon, is increased from "$297,000" to "$305,000", and not to exceed $300,000 of funds available under this head for fiscal year 1961 shall be used for advance planning activities on the Canadian River project, Texas.

The CHAIRMAN. Does the gentleman from Texas desire to be heard on the point of order?

Mr. THOMAS. Mr. Chairman, the point of order is good, but for the all-powerful reason that it does not appropriate any money, but simply transfers money appropriated several years ago and we concede the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. THOMAS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMAS of Texas: On page 12, after line 19, insert:

"CONSTRUCTION AND REHABILITATION

"For an additional amount for advance planning activities on the Canadian River project, Texas, $300,000."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. THOMAS].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows: "LEGISLATIVE BRANCH."

Mr. TEAGUE of Texas. Mr. Speaker, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. TEAGUE of Texas: On page 14, after line 20, insert the following:

"HOUSE OF REPRESENTATIVES

"For an additional amount for mileage of Members of the House and the Resident Commissioner from Puerto Rico, $190,000, to be paid as an additional allowance for the second session of the Eighty-sixth Congress in the manner prescribed by law for each regular session."

The CHAIRMAN. The gentleman from Texas [Mr. TEAGUE] is recognized in support of his amendment.

Mr. GROSS. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Iowa reserves a point of order against the amendment.

Mr. TEAGUE of Texas. Mr. Chairman, this is a very simple amendment and merely provides the money to reimburse Members for the travel expenses which they have incurred as a result of this extra session of the Congress.

The CHAIRMAN. Does the gentleman from Iowa desire to be heard on his point of order?

Mr. GROSS. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn.

The question is on the amendment offered by the gentleman from Texas [Mr. TEAGUE].

The amendment was agreed to.

Mr. EDMONDSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have taken this time to inquire of the chairman of the subcommittee on a point that has concerned some of us. I am very pleased to see an additional sum provided in this bill for the national defense education loan fund, and I am equally pleased to see the gentleman from Iowa highlight the fact that this was to go into student loans which are a matter of concern to

Members of the House. On the basis of my own correspondence on this subject with schools and with students in the State of Oklahoma, I have some serious doubts in my mind as to the adequacy of this additional amount that has been provided. I would like to have the opinion of the chairman as to whether this sum would be adequate to meet the genuine needs in the country for these loans in the different colleges of the Nation.

Mr. THOMAS. Mr. Chairman, may I say to our distinguished friend, the gentleman from Oklahoma, that some of us in the subcommittee had some doubt about it.

I have had some experience writing universities all over the country. We asked the Commissioner of Education, who is a fine gentleman, and down to earth, and quite successful, some rather pointed questions. He said it was his opinion that the $14 million plus the regular amount of $44 million we already have will get the job done.

I must confess that I have written several universities letters inquiring about students, and on several occasions I have received answers saying that eligible students were unable to be aided because there were no funds. But I want to be perfectly frank about that; they may be right in that statement on the basis that the school term starts in September, and that is when the big drain on the fund comes. Without this supplemental they would not have had the funds, and I think they need them. I think this is a great program. I do not think it is going to cost the taxpayers any money over the long run, for it is going to be repaid; and as far as I am concerned I am willing to go along with them up to the full extent of the authorization which is $82,500,000 a year, and they are not within $20 million of the authorization.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield further?

Mr. THOMAS. I yield.

Mr. EDMONDSON. As I understand the language of the amendment, this additional money provided is limited to applications on file before June 30, 1960. Is that correct?

Mr. THOMAS. I think those applications are for the September term. That is the point right there. In other words, they file their applications in the summer for the first semester.

Mr. EDMONDSON. And if a student did happen to enroll along in August and make application for a loan for the fall term this money would not be available to those students. Is that correct?

Mr. THOMAS. That is my understanding, but that is a matter of administration that they control.

Mr. EDMONDSON. I hope the gentleman's committee will continue to review the situation on these loans, to be certain that adequate funds are available to meet legitimate demands for them.

Mr. THOMAS. We are very sympathetic to the program, as the gentleman from Oklahoma knows.

Mr. EDMONDSON. I thank the gentleman.

Mr. HECHLER. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. HECHLER, I share the concern of the gentleman from Oklahoma about the adequacy of this program. Since this is one of the best programs to aid the students I sincerely hope full funds will be granted next year. It is a very valuable student loan program and it should be more adequately supported.

Mr. EDMONDSON. I thank the gentleman.

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I would like to make a few remarks on the amendment offered by the gentleman from Texas [Mr. TEAGUE], which was wisely adopted by the committee, providing funds for travel expenses of Members of this body. That amendment does not mean much to me personally, but it does mean a great deal to the majority of the Members of the House who live a great distance from Washington. It is a travel allowance. While I feel I am entitled to it, yet, as I say, it does not mean as much to me as to most other Members, for they come from more distant sections of the country. I think the amendment was a justifiable one and that the Committee of the Whole wisely adopted it.

It is an element of fairness to the Members of the House. When we adjourn for a definite period of several weeks they go back to their homes, they and their families. For all practical purposes it is similar to a special session so far as the Members are concerned.

I want the RECORD to show that I personally and also as majority leader thoroughly approve of this travel allowance amendment offered by the gentleman from Texas, and also approve the action taken by the Committee.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. TEAGUE of Texas. Mr. Chairman, I would remind the chair that the other body has already taken care of this situation so far as their Members are concerned. The Members in charge of administering the housekeeping of this body should look into this situation. I think more should be done about paying Members' travel expenses. All of us make a number of trips home. Many Members do not have sufficient money to make the number of trips they should.

Mr. McCORMACK. Might I say on that point that most people think every time we go home the Government pays our expenses. I wish to say this for the RECORD and for the information of the public generally that we are allowed one trip per session at the rate of 20 cents a mile, my recollection is, to Washington and back to our homes. Every other trip a Member makes back home is paid for by himself, paid for out of his own pocket. However, the general public thinks that every time we go home the Government pays our expenses. I want to emphasize that each Member of the House receives but one trip a session and when they exceed that amount they pay for their own trips back home. In my own case, I receive $180 a session, yet I spend well over $1,000 a year for trips back home. I do not make as many trips back home as most Members, because my duties as leader keep me here in Washington. I am surprised at the number of times the question comes up and how many people think I am being paid for each trip I make, yet the cost comes out of my own pocket.

Mr. BOW. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Ohio.

Mr. BOW. Mr. Chairman, I agree with what the distinguished majority leader said about traveling back and forth to our homes, and would support and do support the payment of travel expenses, particularly for our friends on the west coast who have to travel long distances; but my question is why was not this handled by the Committee on House Administration, the committee it should come under, rather than bringing it up under this subcommittee? I knew nothing about the proposed amendment until it was offered on the floor. Not long ago the Committee on House Administration was very much concerned about the travel of Members of Congress. Why did they not do something about this? Why bring it to the Appropriations Committee at the last minute?

Mr. McCORMACK. This is the proper vehicle to use. I am unable to answer the gentleman's question. But it is justice, it is right. I did not know it was going to be offered until the gentleman from Texas [Mr. TEAGUE] offered it. I compliment him for doing it. He is exercising his rights in the House under the rules, and I am glad he did it because it does justice to all Members of the House.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I agree that there is justice in the amendment just adopted to take care of the travel of Members to and from their homes. When a session of Congress is formally adjourned as this one was adjourned in early July, the people in our districts expect us to return home. So up to that point there is justice.

The thing that cannot be defended is the fact that there was an adjournment in July, and now a bob-tailed session of Congress. This Congress never should have been adjourned, and I opposed it, until the work of the session was taken care of. Had Congress worked as it should in the first 6 months of this year there would have been no necessity for added expense. Let this be a lesson to those who are here next year.

The Clerk read as follows:

ARCHITECT OF THE CAPITOL

Office of the Architect of the Capitol

Salaries

For an additional amount for "Salaries", $8,200: *Provided*, That from and after July 1, 1960, the salary rates of the Architect of the Capitol, the Assistant Architect of the

Capitol, and the Second Assistant Architect of the Capitol, shall be $22,000, $20,200, and $18,500 per annum, respectively.

Mr. ROONEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROONEY: Page 15, after line 4, insert:

"HOUSE OF REPRESENTATIVES

"Office of the Clerk

"For the preparation of the Clerk's report, under the direction of the Clerk of the House, as required by law, $8,000."

Mr. ROONEY. Mr. Chairman, this modest sum of $8,000 is necessary to enable the Clerk of the House of Representatives to prepare the report required under Public Law 86–628, the Legislative Appropriation Act for fiscal year 1961, approved by the President on July 12, 1960, in connection with Members' and employees' travel expenses and so forth. I have discussed this proposed amendment with the members of the committee and I believe they will not oppose its insertion in the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. ROONEY].

The amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. THOMAS. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BONNER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 13161) making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. THOMAS. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDING TITLE 28 OF THE UNITED STATES CODE RELATING TO ACTIONS FOR INFRINGEMENTS OF COPYRIGHTS BY THE UNITED STATES

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 4059) to amend title 28 of the United States Code relating to actions for infringements of copyrights by the United States, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, after line 18, insert:

"SEC. 2. Nothing in this Act shall be construed to in any way waive any immunity provided for Members of Congress under article I of section 6 of the Constitution of the United States."

Page 3, line 19, strike out "2" and insert "3".

Page 3, line 22, strike out "3" and insert "4".

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. CRAMER. Mr. Speaker, reserving the right to object, may I say on behalf of the minority that there is no objection on this side to this bill. It came out of the subcommittee on which I have the privilege of serving as the ranking minority member. The Senate amendments are acceptable.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

REVISING BOUNDARIES OF DINOSAUR NATIONAL MONUMENT AND PROVIDING AN ENTRANCE ROAD OR ROADS THERETO

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (H.R. 6597) to revise the boundaries of Dinosaur National Monument and provide an entrance road or roads thereto, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2157)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6597) to revise the boundaries of Dinosaur National Monument and provide an entrance road or roads thereto, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 2.

That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same.

WAYNE N. ASPINALL,
LEO W. O'BRIEN,
GRACIE PFOST,
JOHN P. SAYLOR,
J. EDGAR CHENOWETH,
Managers on the Part of the House.

FRANK E. MOSS,
ERNEST GRUENING,
GORDON ALLOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6597) to revise the boundaries of Dinosaur National Monument and provide an entrance road or roads thereto, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report:

Senate amendment No. 1 excluded from the proposed revised boundaries of the monument two parcels of land designated for convenience as "12–E" and "12–W," totaling 3,300 acres. The two localities are located near the rim of the divide surrounding the present monument lands, and drainage from them is generally northward into the monument area. The House committee had included the two parcels within the proposed boundaries in view of a showing by the Department of the Interior that the parcels are important for wildlife breeding, watershed protection, and as a scenic viewpoint overlooking colorful canyons within the monument.

The Senate committee had excluded the two areas in view of showings by officials of the State of Utah that they are important for the harvesting of deer. (It had been established in the House committee hearings that under present policies for the national park system, hunting would not be permitted on any Federal lands within these areas included in the monument.)

The conferees adopted the Senate amendment in recognition of the problem of harvesting deer and of the fact that there will be further opportunities to adjust monument boundaries with respect to these and possibly other lands, as developments occur in future years. The conferees also agreed that the Department of the Interior should prepare a report on the need for and possible effects of inclusion of these lands within the boundaries of the monument in order that the Congress can consider this matter during the 87th Congress.

Senate amendment No. 2 added a new section 4 designed to convey an intention to leave in status quo the controversy concerning proposed reclamation withdrawals of public lands and reclamation developments within the boundaries of the monument. The section would reaffirm the right of the Congress to adopt legislation at any time authorizing any monument uses of Federal lands within the monument.

The conferees deleted the new section in consideration of the fact that it is unnecessary to reaffirm a thoroughly established principle such as that in question, and of the further fact that the intention of this Congress to conform to this principle in this instance can be adequately stated in this legislative history.

The managers on the part of the House agree with the basic principle that was advanced in the Senate amendment, which is simply one of making the highest and best

use of any Federal lands in the public interest as that use may be required at any time. The reservation of any public lands or the acquisition or dedication of any acquired lands for a particular Federal use or purpose cannot properly be viewed as an irrevocable act that cannot or ought not to be modified or revoked at a future date when a higher public convenience or necessity dictates. The managers do not regard the Federal lands within Dinosaur National Monument as immune from this fundamental rule.

Any use alleged to be higher and better than an established monument use will, of course, have to be carefully considered, and a shift from a monument to a nonmonument use should be made only after a full weighing of the necessity of the uses.

The managers do not classify as "nonmonument uses" secondary land uses—such as rights-of-way, sales of materials and exploratory work in the course of investigations—which do not interfere significantly with monument uses or are compatible with them.

The managers on the part of the House contemplate that the enactment of H.R. 6597, and the subsequent actions of the Secretary of the Interior, will not in any way prejudice the subsequent consideration, in due course, of any proposed nonmonument uses of the lands, as the interests of the public may indicate.

WAYNE N. ASPINALL,
LEO W. O'BRIEN,
GRACIE PFOST,
JOHN P. SAYLOR,
J. EDGAR CHENOWETH,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

MENOMINEE TERMINATION ACT

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11813) to amend the Menominee Termination Act, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "That section 7 of the Act of June 17, 1954 (68 Stat. 250), as amended (25 U.S.C. 891), is further amended by changing the sixth and seventh sentences to read as follows:

" 'If the Menominee Tribe and the Secretary cannot agree upon a plan within the aforementioned six-month period, or if they agree upon a plan within such period and the tribal corporation and voting trust contemplated by the plan are not established prior to March 1, 1961, the Secretary shall transfer the tribal property to a trustee of his choice for the management or disposition for the benefit of the Menominee Tribe. The responsibility of the United States to furnish all such supervision and services to the tribe and to the members thereof, because of their status as Indians, shall cease on April 30, 1961, or on such earlier date as may be agreed upon by the tribe and the Secretary.'

"SEC. 2. The first sentence and proviso of section 8 of said Act of June 17, 1954, as amended, are hereby amended to read as follows:

" 'On or before April 30, 1961, the Secretary is authorized to transfer to the tribal corporation or to a trustee of the Secretary's choice, as provided in section 7 of this Act, the title to all property, real and personal, held in trust by the United States for the tribe. The Secretary is hereby directed to begin immediate negotiations with a private trustee of his choice to perfect a trust agreement so that if by March 1, 1961, the tribal corporation is not functioning, the Secretary will be prepared to transfer title to such property to said trustee as soon after March 1, 1961, as possible, but in no event later than April 30, 1961.'

"SEC. 3. Section 9 of said Act of June 17, 1954, as amended, is further amended as follows:

" 'SEC. 9. No distribution, conveyance, or transfer of title to assets and no issuance or distribution of securities pursuant to the plan approved by the Secretary under the provisions of this Act shall be subject to any Federal or State transfer, issuance, or income tax: *Provided*, That nothing contained in this Act shall exempt the recipient of any cash distribution made hereunder from payment of income tax for the year in which the distribution is made on that portion of his share thereof which consists of interest on funds deposited in the Treasury of the United States pursuant to the Supplemental Appropriation Act, 1952 (65 Stat. 736, 754). Following any distribution, conveyance, transfer, or issuance as aforesaid, the assets and securities which are held by, and any income derived therefrom which is received by or payable to, any person, or any corporation or organization as provided in section 8 of this Act, shall be subject to the same taxes, State and Federal, as in the case of non-Indians, except that the basis of any valuation for purposes of Federal income tax on gains or losses shall be the value of the property on the date title is transferred by the United States pursuant to section 8 of this Act.'

"SEC. 4. The Act of June 17, 1954, as amended, is further amended by adding at the end thereof a new section 14 as follows:

" 'SEC. 14. Notwithstanding any other provision of this Act, the Secretary of the Interior is authorized to contract with the Wisconsin Department of Public Instruction, prior to the date for terminating Federal responsibilities, for the completion of a vocational or undergraduate college program of any member of the Menominee Tribe who has been accepted for such program prior to the termination date.' "

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. ASPINALL. Mr. Speaker, at the request of the gentleman from Michigan [Mr. DINGELL], I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file reports on the following bills: S. 3771, H.R. 5001, H.R. 2480, and H.R. 2481.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

MIGRATORY BIRD TREATY ACT

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 12533) to amend the Migratory Bird Treaty Act to increase the penalties for violation of that act, and for other purposes, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 8, after "bird" insert "shall be guilty of a felony and shall be fined not more than $2,000 or imprisoned not more than two years, or both."

Page 2, line 8, strike out all after "bird" down to and including line 12.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. BALDWIN. Mr. Speaker, reserving the right to object, has this been cleared with the minority side?

Mr. BONNER. I have just talked to the gentleman from Iowa who is greatly interested in the matter. I talked to the gentleman from Washington [Mr. TOLLEFSON] and others on the minority side of the Committee on Merchant Marine. I can assure the gentleman that it is agreeable to the Members on his side. The gentleman from Iowa [Mr. GROSS] can speak for that side.

Mr. BALDWIN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

COORDINATION OF WILDLIFE, FISH, ET CETERA, MILITARY RESERVATIONS

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2565) to promote effectual planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations, with Senate amendments thereto, disagree to the Senate amendments and request a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

The Chair hears none and appoints the following conferees: Messrs. BONNER, BOYKIN, GEORGE P. MILLER, TOLLEFSON, and VAN PELT.

AMEND THE SHIPPING ACT, 1916

Mr. BONNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5068) to amend the Shipping Act, 1916, to provide for licensing independent foreign freight forwarders, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

The Chair hears none, and appoints the following conferees: Messrs. BONNER, GEORGE P. MILLER, DINGELL, MAILLIARD, and DORN of New York.

SANITARY AND COMBINED SEWER SYSTEMS, DISTRICT OF COLUMBIA

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3834), to increase the maximum amount which may be borrowed by the District of Columbia for use in the construction and improvement of its sanitary and combined sewer systems, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

Mr. CRAMER. Mr. Speaker, reserving the right to object, I should like to yield at this time to the gentleman from Minnesota to make any statement he wishes to make on this bill.

Mr. BLATNIK. Mr. Speaker, yesterday the Senate passed S. 3834, a bill to increase the maximum amount which may be borrowed by the District of Columbia for use in the construction and management of its sanitary and combined sewer systems.

The same bill was approved by the House Committee on Public Works yesterday also. It authorizes the District of Columbia to borrow an additional $27 million under the District of Columbia Public Works Act of 1954 to enable it to complete construction of sewer project C by 1966. The plan C referred to consists primarily of a system or large intercepting sewers which must be constructed along the left bank of the Potomac River from the District line above Chain Bridge to the Blue Plains sewage treatment plant together with similar sewers along the left bank of the Anacostia River from the vicinity of 21st Street and A NE., to a point of connection with the aforesaid line along the Potomac. In addition, plan C contemplates the reinforcement of the Rock Creek main interceptor sewer and the separation of certain selected areas within the District of Columbia from the combined system of sewers to a separate system of sewers. Upon completion, this project would remove all sewage flows now entering the Potomac between the District of Columbia line above Chain Bridge and a point below Key Bridge near Potomac Street. In the portion of the Potomac between this point and Blue Plains and in the Anacostia River, this project would remove up to 75 percent of the untreated sewage now reaching these waterways as a result of the operation of the combined sewerage system of the District of Columbia through storm water overflows. This system would likewise provide carrying capacity for substantial flows of untreated sewage generated in the area of Maryland and Fairfax County, Va., which are, or in the future will be, discharged to the District of Columbia sewerage system for treatment and disposal at Blue Plains.

FINANCING OF DISTRICT OF COLUMBIA SEWER BILL

The total cost of the project is $70,600,000. Of this amount, $47,300,000 is the pro rata cost of the sewer capacity and sewer system changes needed exclusively for the District of Columbia.

It is not considered equitable to attempt to secure in advance, through rates, the substantial sums necessary for the construction of Project C in time to comply with the enforcement action initiated by the United States under the authority of the Federal Water Pollution Control Act which this work is intended to satisfy. The project will have a service life in excess of 100 years. Part of its costs will naturally be recovered through user charges collected during the early portion of its service but these charges will be able to provide a pay-as-you-go basis for only part of the total costs. To meet the entire cost the District will need to borrow $27 million which this bill authorizes. Of this amount, $17 million will be for capacity which will produce revenues at a sufficiently early date to amortize conventional 30-year loans. The sum of $10 million will be for capacity which will produce revenues more slowly and can be equitably financed only through deferrals of principal and interest payments as provided in the bill.

MARYLAND AND VIRGINIA PARTICIPATION

Of the total cost of the projects, $16,600,000 is for Maryland service and $6,700,000 is for Virginia service. These amounts will be reimbursed to the District of Columbia under agreements with Maryland and Virginia. The agreements provide that Maryland and Virginia may defer the payment of their pro rata shares of the construction costs especially for the capacity to serve remote areas.

Mr. Speaker, this is our golden opportunity to provide the necessary works to clean up the Potomac River in the National Capital area. I urge the House to speedily pass this measure.

Mr. CRAMER. Mr. Speaker, I would like to say this is a good bill. This is far preferable to the bill initially introduced that would have called for $75 million direct appropriation to do something about an admittedly serious problem, that of water pollution of the Potomac River here in the District of Columbia. This approach permits the District of Columbia to borrow the money, to finance it with their own financial method, which is a much sounder approach and on behalf of the minority I would like to say that we are in support of the Senate bill.

Mr. BROYHILL. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Virginia.

Mr. BROYHILL. I believe it can be properly stated that this is the last major step that needs to be taken to practically eliminate all pollution of the beautiful Potomac River here in the Nation's Capital area. As the gentleman from Florida said, this merely authorizes a loan. It is not a handout or a grant. The Federal Government does have responsibility, but it only approves the method of financing. This is the only way the District of Columbia can do this job, to get an authorization from Congress to borrow the money. It will be self-liquidating and self-supporting and will be the final major step to purify the beautiful Potomac in our area.

Mr. FOLEY. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield.

Mr. FOLEY. I want to associate myself with the gentleman from Minnesota and the gentleman from Virginia in support of this legislation. The Potomac River runs through my district, the Sixth District of Maryland. We are anxiously concerned about the increasing pollution of this great body of water. This measure will go a long way in the proper direction of correcting this condition.

Mr. WOLF. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. LANKFORD] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LANKFORD. Mr. Speaker, first, I would like to congratulate the gentleman from Minnesota [Mr. BLATNIK] on his outstanding leadership in guiding the passage of this all-important legislation. He was one of the first to recognize the seriousness of our water pollution situation and has been in the forefront in the battle to correct it.

This legislation is a great step forward in the abatement of a disgraceful situation in the Potomac River. While the bill, admittedly, is a compromise from the proposal originally made by myself and Congressman BLATNIK, it nevertheless is a clear recognition by the administration that the responsibility is indeed a Federal as well as a local one, and this change in attitude, I believe, promises much to the metropolitan Washington area for the future.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield.

Mr. GROSS. I want to say that I am pleased to hear the gentleman from Minnesota say that the bulk of these loans will be made to the States of Maryland and Virginia and the District of Columbia and will be repaid. I certainly hope that will be the case.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 214 of the District of Columbia Public Works Act of 1954 (68 Stat. 108; sec. 43–1613, D.C. Code, 1951 edition) is amended by striking "$5,000,000" and inserting in lieu thereof "$32,000,000".

Section 217 of such Act (68 Stat. 109; sec. 43–1616, D.C. Code, 1951 edition) is amended by inserting "(a)" immediately before the first word of such section and by adding at the end thereof the following subsection:

"(b) Notwithstanding the provisions of the preceding subsection, the interest and principal payments on not to exceed $10,000,000 of the loans authorized by section 214 of this Act shall be deferred whenever the Secretary of the Treasury finds that the income received from charges for sewerage service attributable to sewage flowing into the District of Columbia sanitary sewage works from the Potomac interceptor (authorized by Public Law 86–515) is inadequate to provide for the payment of such interest or principal, or both interest and principal, and such

deferred interest and principal shall be added to the sums payable to the Secretary of the Treasury in later years."

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

ARTHUR E. COLLINS

Mr. LANE. Mr. Speaker, I call up the conference report on the bill (H.R. 4826) an act for the relief of Arthur E. Collins and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. LANE]?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2153)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4826) entitled "An Act for the relief of Arthur E. Collins" having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered II.

That the House recede from its disagreement to the amendment of the Senate numbered I, and agree to the same.

THOMAS J. LANE,
HAROLD D. DONOHUE,
JOHN E. HENDERSON,
Managers on the Part of the House.

JAMES O. EASTLAND,
PHILIP A. HART,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4826) entitled "An Act for the relief of Arthur E. Collins," submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

When this proposed measure passed the Senate it was amended by deleting the reference to "Missouri" and substituting "Casper, Wyoming". This merely reflected the information concerning the residence of the claimant which was received by the Congress after the bill had passed the House, and the amendment was therefore agreed to by the managers on the part of the House.

The Senate receded from its amendment No. 2 relating to the attorney's fee proviso in the form it passed the House.

THOMAS J. LANE,
HAROLD D. DONOHUE,
JOHN E. HENDERSON,
Managers on the Part of the House.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EDWARD S. ANDERSON

Mr. LANE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 11188) for the relief of Edward S. Anderson, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "That the Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to Edward S. Anderson, of Columbus, Ohio, the sum of $154.70. Such sum represents the remaining balance that the said Edward S. Anderson is obligated to pay as the result of a judgment rendered against him in a civil court of the State of Ohio arising out of an accident occurring on October 27, 1956, between a private vehicle and a mail truck operated by the said Edward S. Anderson in the course of his employment as an employee of the Post Office Department: *Provided*, That no part of the amount appropriated in this Act shall be paid, or delivered to, or received by, any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. BALDWIN. Mr. Speaker, reserving the right to object, I ask the gentleman if this has been cleared with the minority side of the Committee on the Judiciary.

Mr. LANE. It surely has.

Mr. BALDWIN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

LIFE INSURANCE ACT FOR THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill, H.R. 10921, to amend section 35 of chapter III of the Life Insurance Act for the District of Columbia, with amendments of the Senate thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, lines 10 and 11, strike out "conditions or".

Page 6, line 5, strike out "or any" and insert "of any".

Page 6, lines 8, and 9, after "jurisdiction" insert ": *Provided*, That no company shall invest an amount in excess of 2 per centum of its admitted assets in any one issue of such certificates, notes or other obligations of any one corporation".

Page 10, strike out all after line 10 over to and including line 9 on page 11.

Page 11, after line 9, insert:

"SEC. 2. The amendments made by this Act shall become effective on September 1, 1960."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina [Mr. MCMILLAN]?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA SCHOOL TUITION

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 7124), to require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia, and for other purposes, with an amendment of the Senate thereto, and ask that the Senate amendment be concurred in.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That this Act may be cited as the 'District of Columbia Nonresident Tuition Act'.

"SEC. 2. (a) In the case of (1) each adult who attends a public school of the District of Columbia and does not reside in the District of Columbia, and (2) each child who attends such a public school and does not have a parent or guardian who resides in the District of Columbia, or is not an orphan, there shall be paid to the Board of Education the amount fixed by the Board of Education pursuant to subsection (b) of this section.

"(b) The amount which shall be paid with respect to each person subject to subsection (a) of this section shall be fixed by the Board of Education with the approval of the Board of Commissioners of the District of Columbia as the amount necessary to cover the expense of tuition and cost of textbooks and school supplies used by such person.

"(c) All amounts received by the Board of Education under this section shall be paid into the Treasury of the United States, to the credit of the District of Columbia.

"(d) Notwithstanding the provisions of subsection (a) of this section, upon the submission of evidence satisfactory to the Board of Education that care, custody, and substantial support are supplied by the person or persons with whom a child is residing in the District of Columbia, and that the parent or guardian of such child is unable to supply such care, custody, and support, or that such child is self-supporting, such child shall be considered a resident of the District of Columbia for the purpose of school attendance and exempt from the requirement to pay tuition.

"SEC. 3. (a) The Board of Education shall take such action as may be necessary to determine which of the persons, attending or desiring to attend the public schools of the District of Columbia, for whom tuition shall be paid as required by section 2, and said Board is authorized, with the approval of the Commissioners of the District of Columbia, to make regulations to carry out the intent and purposes of this Act.

"(b) Any person who makes a statement required or authorized by this Act to be filed with the Board of Education knowing that the information set forth in such statement is false, shall be fined not more than $300 or imprisoned for not more than ninety days, or both. Any person violating any regulation made pursuant to the authority in this Act shall be fined not more than $100 or imprisoned for not more than thirty days.

"(c) All prosecutions for violations of this Act, or regulations made pursuant thereto, shall be conducted in the name of the District of Columbia by the Corporation Counsel or any of his assistants. As used in this Act the term 'Corporation Counsel' means the attorney for the District of Columbia, by whatever title such attorney may be known, designated by the Board of Commissioners of the District of Columbia to perform the functions prescribed for the Corporation Counsel in this Act.

"SEC. 4. As used in this Act—

"(1) the term 'child' means a person who is less than twenty-one years of age;

"(2) the term 'orphan' means a child who resides in the District of Columbia and who does not have a living parent or guardian;

"(3) the term 'adult' means a person who is twenty-one years of age, or older;

"(4) the term 'guardian' means a person (A) appointed as a guardian for a child by a court of competent jurisdiction, and (B) who has control or custody of such child;

"(5) the term 'parent' means a person (A) who (i) is a natural parent of a child, (ii) is a stepfather or stepmother of a child, or (iii) has adopted a child, and (B) who has custody or control of such child; and

"(6) the term 'Board of Education' means the Board of Education of the District of Columbia.

"SEC. 5. (1) Nothing in this Act shall be construed so as to affect the authority vested in the Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Commissioners of the District of Columbia or in any office or agency under the jurisdiction and control of said Commissioners may be delegated by said Commissioners in accordance with section 3 of such plan.

"(2) This Act shall not be construed as superseding the Act approved April 23, 1958 (72 Stat. 98), and such Act approved April 23, 1958, shall continue in full force and effect.

"SEC. 6. The following provisions of law are repealed:

"(1) The last paragraph under the heading 'Public Schools' in the Act of March 3, 1899, as amended (D.C. Code, sec. 31–301).

"(2) The last paragraph under the side heading 'Miscellaneous' which follows the center heading 'Public Schools' in the Act of July 21, 1914 (D.C. Code, sec. 31–302).

"(3) The last paragraph under the side heading 'Miscellaneous' which follows the center heading 'Public Schools' in the Act of March 3, 1915 (D.C. Code, sec. 31–303).

"(4) The second paragraph under the center heading 'Public Schools' in the Act of March 28, 1918 (D.C. Code, sec. 31–304).

"(5) The last paragraph under the heading 'Capital Outlay' which follows the center heading 'Public Schools' in the Act of June 28, 1944 (D.C. Code, sec. 31–305).

"(6) The last paragraph under the heading 'Capital Outlay' which follows the center heading 'Public Schools' in the Act of June 29, 1949 (D.C. Code, sec. 31–306).

"SEC. 7. Nothing contained in this Act shall be construed as preventing the Board of Education from requiring students of the District of Columbia Teachers College to pay tuition, and the said Board is authorized, in its discretion, to require the payment of tuition by the students of such college, whether or not resident in the District of Columbia, with the exception of those students who are authorized to be excused from the payment of tuition by an Act other than this Act.

"SEC. 8. This Act shall take effect on the first day of the school semester which commences at least sixty days after the date of enactment of this Act."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MOTOR VEHICLE SAFETY ACT

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 2131) to amend the Motor Vehicle Safety Responsibility Act of the District of Columbia approved May 25, 1954, as amended, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Motor Vehicle Safety Responsibility Act of the District of Columbia, approved May 25, 1954 (68 Stat. 121; sec. 40–419, D.C. Code, 1951 edition), as amended, is amended by adding the following subsection:

"(d) The Commissioners shall retain records required for the administration of this Act for a period of five years, after which the Commissioners may destroy or otherwise dispose of such records."

SEC. 2. Section 14 of such Act approved May 25, 1954 (68 Stat. 124; sec. 40–430, D.C. Code, 151 edition), as amended, is amended by inserting the words "and registration" immediately after the word "license".

SEC. 3. Subsection (b) of section 17 of such Act approved May 25, 1954 (68 Stat. 125; sec. 40–433, D.C. Code, 1951 edition), is amended by adding at the end of such subsection the following: "If the Commissioners find that a person required by this subsection to make such report or submit such information is or was physically incapable of so doing within the specified fifty-day period, the Commissioners shall permit such person to make such report or submit such information within thirty days after becoming physically able so to do."

SEC. 4. Section 30 of such Act approved May 25, 1954 (68 Stat. 129; sec. 40–446, D.C. Code, 1951 edition), is amended by striking "or by reason of having received no information".

SEC. 5. Subsection (a) of section 37 of such Act approved May 25, 1954 (68 Stat. 130; sec. 40–453, D.C. Code, 1951 edition), as amended, is amended by inserting the words "shall have been convicted of, or" immediately after the words "by a final order or judgment".

SEC. 6. Section 58 of such Act approved May 25, 1954 (68 Stat. 135; sec. 40–474, D.C. Code, 1951 edition), is amended by deleting "or expiration" wherever such phrase appears in such section.

SEC. 7. The second paragraph of section 82 of such Act approved May 25, 1954 (68 Stat. 139; sec. 40–498c, D.C. Code, 1951 edition), is amended to read as follows: "The Act of May 3, 1935 (49 Stat. 166, ch. 89; title 40, ch. 4, D.C. Code, 1951 edition), as amended, known as the Owners' Financial Responsibility Act of the District of Columbia, is hereby repealed except with respect to any accident or judgment arising therefrom occurring prior to the effective date of this Act. Section 68 of this Act shall govern as to the duration of proof of financial responsibility in all cases arising under the aforementioned Act of May 3, 1935."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to amend the Motor Vehicle Safety Responsibility Act of the District of Columbia, so as to clarify certain of its provisions, to remove conflicts in the language of the act, and to improve the administration and effectiveness of the act.

Section 1 of the bill amends section 3 of the act so as to grant an authorization to the Commissioners to destroy or otherwise dispose of files maintained under the act when such files are 5 years old. In connection with its administration of the act, the District is accumulating 22,000 files a year. While these files for a time may provide useful information to claimants seeking redress for injuries or damage, and to insurance companies and attorneys, the files nevertheless are subject to certain time limitations in the act which, when combined with the statute of limitations, operate to make the records of no practical value after 5 years have elapsed from the time they were established.

Section 2 of the bill would change section 14 of the act and grant authority to the Commissioners to suspend automobile registrations when reports required by the act are not made.

Section 3 of the bill eliminates an inconsistency between the language of section 17(b) and section 30 of the act so that it will now be clear that persons injured or damaged in an automobile accident must report their injuries or damages within 50 days in order to get the benefits of the act.

Section 4 is merely for purposes of clarification of the present act.

Section 5 of the bill eliminates the requirement that the Commissioners be notified when a policy of insurance required to be kept in force under the act expires. The Director of the Department of Motor Vehicles maintains a record of the dates on which such policies expire.

Section 6 of the bill eliminates an inconsistency between section 68 of the Motor Vehicle Safety Responsibility Act of the District of Columbia and section 9 of another act of Congress approved May 3, 1935. Section 68 of the Motor Vehicle Safety Responsibility Act provides, among other things, that the Commissioners may waive the requirement that a person subject to the future proof requirements of the act file such proof of financial responsibility, if they find that, during the 3-year period preceding a request for such waiver, they have not received a record of a conviction or a forfeiture of bail which would require or permit the suspension or revocation of the license or registration of the person by or for whom such proof was furnished. Another act of Congress, section 9 of the act approved May 3, 1935—section 40–409, District of Columbia Code, 1951 edition—provides that the Commissioners may cancel the bond or

return the evidence of insurance furnished as required by such act provided 3 years shall have elapsed since the filing of such evidence or the making of such deposits. The provision of the act of May 3, 1935, in its effect requires that a person required to give proof of financial responsibility in accordance with its provisions maintain such proof perpetually, inasmuch as since insurance policies are written on an annual basis, the insured person must file the required evidence—a certificate of insurance—annually. This means that theoretically the Commissioners may, after 3 years have elapsed, return the evidence of insurance filed with them. From a practical standpoint such action is meaningless, since the only certificate of any value is the certificate for the current year. While section 82 of the Motor Vehicle Safety Responsibility Act repealed the act of May 3, 1935, a saving clause in such section continues in effect the provisions of such act insofar as they relate to persons required to give and maintain proof of financial responsibility under such act.

This legislation has the approval of the Commissioners of the District of Columbia and involves no additional cost to the government of the District of Columbia.

REGULATION OF NURSING PROFESSION

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 1870) to provide for examination, licensing, registration, and for regulation of professional and practical nurses, and for nursing education in the District of Columbia, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known and may be cited as the "District of Columbia Nursing Act".

DEFINITIONS

SEC. 2. As used in this Act—

(a) The term "Commissioners" means the Commissioners of the District of Columbia sitting as a board or their authorized agent or agents.

(b) The word "person" includes corporations, companies, associations, firms, partnerships, societies, and schools of professional or practical nursing, as well as natural persons.

(c) The word "she" and the derivatives thereof shall be construed to include the word "he" and the derivatives thereof.

(d) The term "school of professional nursing" means a school or institution for the education of professional nurses.

(e) The term "school of practical nursing" means a school or institution for the training of practical nurses.

SEC. 3. This Act shall not apply to any person employed in the District of Columbia by the Federal Government or any agency thereof, while such person is acting in the discharge of her official duties.

SEC. 4. (a) No person shall in the District of Columbia in any manner whatsoever represent herself to be a professional, registered, certified, graduate or trained nurse or allow herself to be so represented unless she is registered as a registered nurse in accordance with the provisions of this Act.

(b) Any person holding a valid certificate of registration issued under the authority of the Act entitled "An Act to define the term 'registered nurse' and to provide for the registration of nurses in the District of Columbia", approved February 9, 1907, as amended, shall be deemed to be registered under the provisions of this Act.

(c) Any person registered to practice as a registered nurse in the District of Columbia shall have the right to use the title "Registered Nurse" and the abbreviation "R.N.". No other person shall assume such title or use such abbreviation.

(d) Nothing in this Act shall be construed to prevent any person from nursing any other person in the District of Columbia, either gratuitously or for hire: *Provided,* That such person so nursing shall not represent herself as being a professional, registered, certified, trained, or graduate nurse, or licensed practical nurse.

SEC. 5. (a) From and after the effective date of this Act, no person shall, in the District of Columbia, in any manner whatsoever, represent herself to be a licensed practical nurse or allow herself to be so represented unless she is licensed in accordance with the provisions of this Act.

(b) Any person licensed to practice as a licensed practical nurse in the District of Columbia shall have the right to use the title "Licensed Practical Nurse" and the abbreviation "L.P.N.". No other person shall assume such title or use such abbreviation.

SEC. 6. The Commissioners are hereby vested with full power and authority to delegate, from time to time, to their designated agent or agents, any of the functions vested in them by this Act.

SEC. 7. The Commissioners may establish a Nurses' Examining Board to perform any of the functions vested in the Commissioners by this Act, and, if so established, such Board shall be composed of such number of graduate nurses and practical nurses and possessing such qualifications as the Commissioners shall determine: *Provided,* That the graduate nurse members of such Board shall be in the majority; shall be registered under this Act; and shall have had at least five years of experience since graduation in the nursing service: *Provided further,* That all practical nurse members of such Board shall, from and after the expiration of ninety days from the effective date of this Act, be licensed under this Act: *Provided further,* That the practical nurse members of such Board shall participate only in such functions delegated by the Commissioners to such Board as shall affect or pertain to practical nursing: *And provided further,* That no action of any nature affecting or pertaining to practical nursing shall be taken by such Board at any meeting thereof unless at least two practical nurse members of such Board shall be present. The members of such Board shall serve for such terms and for such compensation as the Commissioners shall determine. The Commissioners may appoint an executive secretary of such Board who shall not be a member of such Board, but who shall be registered under this Act and shall possess administrative ability and shall perform such functions and duties as may be imposed upon or delegated to her by the Commissioners. The executive secretary of such Board shall receive a salary to be fixed in accordance with the Classification Act of 1949, as amended.

SEC. 8. (a) The Commissioners are authorized to adopt from time to time and prescribe such rules and regulations as may be necessary to enable them to carry into effect the provisions of this Act. The Commissioners shall prescribe minimum curricula and standards for schools and for programs preparing persons for registration and licensure under this Act. They may provide for surveys of such schools and programs at such times as they may deem necessary. They shall accredit such schools and programs as meet the Commissioners' requirements and the requirements of this Act. They shall evaluate and approve programs for affiliation. They shall examine, register, license, and renew the registration and license of any duly qualified applicant.

(b) The Commissioners may make such studies and investigations, and obtain or require the furnishing of such information under oath or affirmation or otherwise, as they deem necessary or proper to assist them in prescribing any regulation or order under this Act, or in the administration and enforcement of this Act, and regulations and orders thereunder. For such purposes, the Commissioners may administer oaths and affirmations, may require by subpena or otherwise the attendance and testimony of witnesses and the production of documents at any designated place. In the event of contumacy or refusal to obey any such subpena or requirement under this section, the Commissioners may make application to the Municipal Court for the District of Columbia for an order requiring obedience thereto. Thereupon the court, with or without notice and hearing, as it, in its discretion, may decide, shall make such order as is proper and may punish as a contempt any failure to comply with such order in accordance with the provisions of subsection (c), section 5, of the Act of April 1, 1942 (56 Stat. 193, ch. 207; sec. 11–756(c), D.C. Code, 1951 edition).

SEC. 9. (a) An applicant for registration to practice as a registered nurse shall submit to the Commissioners written evidence, verified by her oath, that she (1) is of good moral character; (2) is in good physical and mental health, as certified by a physician licensed to practice in the District of Columbia; (3) has completed at least an approved four-year high school course of study or the equivalent thereof as determined by the Commissioners; and (4) has completed a program of study of at least two years in an accredited school of nursing and holds a diploma therefrom. The applicant shall meet such other qualification requirements as the Commissioners may prescribe. Except as otherwise provided in this Act, an applicant shall be required to pass a written examination in such subjects as the Commissioners may determine. Such written examination may be supplemented by an oral or practical examination. If the applicant passes such examinations, the Commissioners shall issue to the applicant a certificate of registration to practice nursing as a registered nurse if they are satisfied that she possesses the required qualifications.

(b) The Commissioners may issue a certificate of registration to practice nursing as a registered nurse without examination to an applicant duly licensed or registered as a registered nurse, by examination, under the laws of a State, Territory, or possession of the United States, the Commonwealth of Puerto Rico, or a foreign country, provided that the applicant meets the qualifications required of registered nurses in the District of Columbia.

An applicant for registration to practice as a registered nurse shall at the time such application is made pay the required fee for an original registration. An application shall be closed and filed as closed and incomplete at the end of a year from the time the

application was received if the applicant has failed to take all steps required of her to obtain registration. In order to reopen an application which has been closed or withdrawn, the applicant shall pay the same fee as is required for an original registration.

SEC. 10. (a) Except as provided in section 11, an applicant for a license to practice as a licensed practical nurse shall submit to the Commissioners written evidence, verified by her oath, that the applicant (1) is at least 18 years of age; (2) is of good moral character; (3) is in good physical and mental health, as certified by a physician licensed to practice in the District of Columbia; (4) has completed at least two years of high school or the equivalent thereof as determined by the Commissioners; and (5) has successfully completed an accredited program for the training of licensed practical nurses approved by the Commissioners, or the equivalent thereof as determined by them. The applicant shall meet such other qualification requirements as the Commissioners may prescribe. Except as otherwise provided in this Act, the applicant shall be required to pass a written examination in such subjects as the Commissioners may determine. Each written examination may be supplemented by an oral or practical examination. If the applicant passes such examinations, the Commissioners shall issue to the applicant a license to practice as a licensed practical nurse if they are satisfied that she possesses the required qualifications.

(b) The Commissioners may issue a license to practice as a licensed practical nurse without examination to any applicant who has been duly licensed or registered as a licensed vocational or practical nurse or a person entitled to perform similar service under a different title, by examination, under the laws of a State, Territory, or possession of the United States, the Commonwealth of Puerto Rico, or a foreign country, if they are satisfied that the applicant meets the qualifications required of licensed practical nurses in the District of Columbia.

(c) An applicant for a license to practice as a licensed practical nurse shall at the time such application is made pay the required fee for an original license. An application shall be closed and filed as closed and incomplete at the end of a year from the time that the application was received if the applicant has failed to take all steps required of her to obtain a license. In order to reopen an application which has been closed or withdrawn, the applicant shall pay the same fee as is required for an original license.

SEC. 11. Upon receipt of an application, accompanied by the required fee for an original license, the Commissioners shall issue a license to practice as a licensed practical nurse, without written examination, to any person who shall make application therefor prior to the expiration of one year immediately following the effective date of this Act: *Provided*, That (A) the Commissioners find that such person (1) is at least twenty-one years of age; (2) is of good moral character; (3) is in good physical and mental health as certified by a physician licensed to practice in the District of Columbia; (4) has been actively engaged in caring for the sick in the District of Columbia for the year immediately preceding the effective date of this Act; (5) has had three or more years of experience in the care of the sick prior to the effective date of this Act; and (6) has submitted evidence satisfactory to the Commissioners that she is competent to practice as a licensed practical nurse, and (B) the application is endorsed by two physicians licensed to practice in the District of Columbia who have personal knowledge of the applicant's nursing qualifications and by two persons who have employed the applicant in the capacity of practical nurse.

SEC. 12. (a) The registration or license of every person registered or licensed under the provisions of this Act shall expire on June 30 of each year and be annually renewed. On or before May 31 of each year, the Commissioners shall mail an application for renewal of registration or license to every person who at the time of such mailing holds a valid registration or license under this Act. The applicant shall, before the following July 1, complete and execute such application and return the same to the Commissioners with the required renewal fee. Upon receipt of such application and fee, the Commissioners shall verify the accuracy of the application and issue to the applicant a certificate of renewal for the year beginning on such July 1 and expire the following June 30. Any registrant or licensee who allows her registration or license to lapse by failing to renew the registration or license as provided above, may be reinstated by the Commissioners by showing cause satisfactory to the Commissioners for such failure and on payment of the required fee.

(b) Any person registered or licensed under the provisions of this Act but not so practicing in the District of Columbia shall give written notice of such fact to the Commissioners. Upon receipt of such notice, the Commissioners shall place the name of such person upon the nonpracticing list. While remaining on such list, the person shall not be subject to the payment of any renewal fee and shall not hold herself out as a registered nurse or as a licensed practical nurse in the District of Columbia. Application for renewal of registration or license and payment of renewal fee for the current year shall be made to the Commissioners by any such person desiring to resume practice as a registered nurse or licensed practical nurse.

SEC. 13. (a) Any person conducting or desiring to conduct a school of professional nursing in the District of Columbia may apply to the Commissioners for registration, and, with the exception of schools of nursing owned and operated by the United States or the District of Columbia, shall pay the required fee at the time application is made. Such person shall submit with such application evidence that (1) such person is prepared to give a course of theoretical instruction and practical experience in nursing as prescribed in the curricula approved by the Commissioners, which instruction and experience may be secured in one or more institutions approved by the Commissioners; (2) such person is prepared to meet all other standards established by this Act and by the Commissioners. If, in the opinion of the Commissioners, the requirements for an accredited school of professional nursing are met, they shall approve such school as an accredited school of professional nursing.

(b) The Commissioners may, whenever they deem it necessary, survey any accredited school of professional nursing in the District of Columbia. If the Commissioners determine that any accredited school of professional nursing in the District of Columbia is not maintaining the standards required by this Act, or by the Commissioners pursuant to authority contained in this Act, notice thereof in writing specifying the defect or defects shall be given to such school. Any such school which fails to correct such defect to the satisfaction of the Commissioners, within such time as the Commissioners prescribe, shall, after hearing, be removed from the list of accredited schools of professional nursing.

SEC. 14. (a) Any person conducting or desiring to conduct a school of practical nursing may apply to the Commissioners and submit evidence that such person is prepared to give a course of study of not less than twelve months, including clinical experience, and is prepared to meet the standards prescribed by the Commissioners. Each such person shall pay the required fees at the time such application is made. A survey of such school shall be made by the Commissioners. If, in the opinion of the Commissioners, the requirements for an accredited school of practical nursing are met, they shall approve such school as an accredited school for the training of practical nurses.

(b) The Commissioners may, whenever they deem it necessary, survey any accredited school of practical nursing in the District of Columbia. If the Commissioners determine that any accredited school of practical nursing does not meet the standards required by this Act and by the Commissioners, notice thereof in writing specifying the defect or defects shall be given to such school. If the defects are not corrected within a reasonable time, such school shall, after hearing, be removed from the list of accredited schools of practical nursing.

SEC. 15. (a) The Commissioners are authorized and empowered after public hearing, to determine and from time to time to increase or decrease fees for all services rendered under authority of any provision of this Act, including fees for the following services: (1) For registrations and licenses and renewals thereof; (2) for repeat examinations; (3) for the evaluation of each high school record of a candidate for admission to a school of professional nursing; (4) for verification of records; (5) for a duplicate certificate of registration upon proof acceptable to the Commissioners that the original certificate has been lost or destroyed; (6) for a duplicate license to practice as a licensed practical nurse upon proof acceptable to the Commissioners that the original license has been lost or destroyed; (7) for duplicate certificates of renewal of registration or licenses; (8) for mailing a certificate a second time if no timely notification of change of address has been made; (9) for the proctoring of out-of-State applicants when the examination is held at a time other than the regular examination of the District of Columbia. The Commissioners shall fix such fees in such amounts, as will, in the judgment of the Commissioners, approximate the cost to the District of Columbia of such services.

(b) All funds derived from fees and charges for examinations, registrations, and other services rendered pursuant to authority contained in the Act of February 9, 1907 (34 Stat. 887; ch. 4, title 2, D.C. Code, 1951 edition), remaining after payment of all expenses of administering said Act prior to July 1, 1954, and all moneys collected after the effective date of this Act for such fees and charges shall be paid into the Treasury to the credit of the District of Columbia.

SEC. 16. The Commissioners are authorized and empowered to deny, revoke, or suspend any registration, certificate of renewal of registration, license, or certificate of renewal of license, issued by the Commissioners or applied for in accordance with the provisions of this Act if the applicant or holder thereof—

(1) has been guilty of fraud or deceit in procuring or attempting to procure any registration, license, or renewal thereof provided for in this Act;

(2) has been convicted of a crime involving moral turpitude;

(3) is an intemperate consumer of intoxicating liquors or is addicted to the use of habit-forming drugs;

(4) has been guilty of unprofessional conduct;

(5) has willfully or repeatedly violated any of the provisions of this Act or rules or regulations promulgated by the Commissioners pursuant to authority contained in this Act; or

(6) is mentally incompetent:

Provided, That said denial, revocation, or suspension shall be made only upon specific charges in writing. A certified copy of any such charge and at least five days' notice of the hearing of the same shall be served upon the holder of or applicant for such registration or license. The Commissioners

are hereby authorized to furnish a list of names and addresses of persons to whom registrations, renewal of registrations, licenses, or renewal of licenses, have been denied, revoked, or suspended under this section to the board of examiners of a State, Territory, or possession of the United States, the Commonwealth of Puerto Rico, or a foreign country, upon written request of such board.

SEC. 17. Any person aggrieved by any final decision or final order of the Commissioners denying, suspending, or revoking any registration, renewal of registration, license, or renewal of license, issued or applied for under this Act may obtain a review thereof in the Municipal Court of Appeals for the District of Columbia, and may seek a review by the United States Court of Appeals for the District of Columbia Circuit of any judgment of the Municipal Court of Appeals entered pursuant to its review of any such decision or order, all in accordance with subsection (f) of section 7 of the Act approved April 1, 1942, as added by the Act approved August 31, 1954 (68 Stat. 1048).

SEC. 18. It shall be unlawful for any person in the District of Columbia to (a) sell or fraudulently obtain or furnish any diploma, license, certificate of registration, or record required by this Act, or required by the Commissioners under authority of this Act, or aid or abet in the selling, fraudulently obtaining or furnishing thereof; (b) practice nursing as a registered nurse or licensed practical nurse under cover of any diploma, license, certificate of registration, or record required by this Act or required by the Commissioners under authority of this Act, illegally or fraudulently obtained or signed or issued unlawfully or under fraudulent representation; (c) use in connection with his or her name any designation tending to imply that he or she is a registered nurse or licensed practical nurse unless duly registered or licensed so to practice under the provisions of this Act; or (d) practice nursing as a registered nurse or licensed practical nurse during the time his or her registration or license issued under the provisions of this Act shall be suspended or revoked.

SEC. 19. Any person who shall violate any of the provisions of section 4, 5, or 18 of this Act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding $300 or by imprisonment for not more than ninety days.

SEC. 20. (a) Prosecutions for violations of any provision of section 4, 5, or 18 of this Act shall be conducted in the name of the District of Columbia in the Municipal Court for the District of Columbia by the Corporation Counsel or any of his assistants.

(b) It shall be necessary to prove in any prosecution or hearing under this Act only a single act prohibited by law or a single holding out or an attempt without proving a general course of conduct in order to constitute a violation.

SEC. 21. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the remainder of the Act, and the application of such provision to other persons and circumstances, shall not be affected thereby.

SEC. 22. There is hereby authorized to be appropriated out of the revenues of the District of Columbia such sums as may be necessary to pay the expenses of administering and carrying out the purposes of this Act.

SEC. 23. The Act entitled "An Act to define the term 'Registered Nurse' and to provide for the registration of nurses in the District of Columbia", approved February 9, 1907, as amended, is hereby repealed: *Provided,* That licenses issued pursuant to the provisions of such Act shall be valid until the expiration of the term for which they were issued, unless sooner revoked or suspended pursuant to authority contained in this Act.

SEC. 24. This Act shall take effect one hundred and twenty days after funds are appropriated for the purpose of administering the provisions of this Act.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That this Act shall be known and may be cited as the 'District of Columbia Practical Nurses' Licensing Act'.

"DEFINITIONS

"SEC. 2. As used in this Act—

"(a) The term 'Commissioners' means the Commissioners of the District of Columbia sitting as a board or their authorized agent or agents.

"(b) The word 'person' includes corporations, companies, associations, firms, partnerships, societies, and schools of practical nursing, as well as natural persons.

"(c) The word 'she' and the derivatives thereof shall be construed to include the word 'he' and the derivatives thereof.

"(d) The term 'school of practical nursing' means a school or institution for the training of practical nurses.

"SEC. 3. This Act shall not apply to any person employed in the District of Columbia by the Federal Government or any agency thereof, while such person is acting in the discharge of her official duties.

"SEC. 4. Nothing in this Act shall be construed to prevent any person from nursing any other person in the District of Columbia, either gratuitously or for hire: *Provided,* That such person so nursing shall not represent herself as being a licensed practical nurse.

"SEC. 5. (a) From and after the effective date of this Act, no person shall, in the District of Columbia, in any manner whatsoever, represent herself to be a licensed practical nurse or allow herself to be so represented unless she is licensed in accordance with the provisions of this Act.

"(b) Any person licensed to practice as a licensed practical nurse in the District of Columbia shall have the right to use the title 'Licensed Practical Nurse' and the abbreviation 'L.P.N.'. No other person shall assume such title or use such abbreviation.

"SEC. 6. The Commissioners are hereby vested with full power and authority to delegate, from time to time, to their designated agent or agents, any of the functions vested in them by this Act.

"SEC. 7. The Commissioners may establish a Practical Nurses' Examining Board to perform any of the functions vested in the Commissioners by this Act, and, if so established, such Board shall be composed of such number of graduate nurses and practical nurses and possessing such qualifications as the Commissioners shall determine: *Provided,* That the graduate nurse members of such Board shall be the majority; shall be registered under the Act of February 9, 1907, as amended (D.C. Code, sec. 2–401 et seq.); and shall have had at least five years of experience since graduation in the nursing service: *Provided further,* That all practical nurse members of such Board shall, from and after the expiration of ninety days from the effective date of this Act, be licensed under this Act: *And provided further,* That at least two practical nurse members of such Board shall be present at each meeting of the Board. The members of such Board shall serve for such terms and for such compensation as the Commissioners shall determine.

"SEC. 8. (a) The Commissioners are authorized to adopt from time to time and prescribe such rules and regulations as may be necessary to enable them to carry into effect the provisions of this Act. The Commissioners shall prescribe minimum curricula and standards for schools and for programs preparing persons for licensure under this Act. They may provide for surveys of such schools and programs at such times as they may deem necessary. They shall accredit such schools and programs as meet the Commissioners' requirements and the requirements of this Act. They shall evaluate and approve programs for affiliation. They shall examine, license, and renew the license of any duly qualified applicant.

"(b) The Commissioners may make such studies and investigations, and obtain or require the furnishing of such information under oath or affirmation or otherwise, as they deem necessary or proper to assist them in prescribing any regulation or order under this Act, or in the administration and enforcement of this Act, and regulations and orders thereunder. For such purposes, the Commissioners may administer oaths and affirmations, may require by subpena or otherwise the attendance and testimony of witnesses and the production of documents at any designated place. In the event of contumacy or refusal to obey any such subpena or requirement under this section, the Commissioners may make application to the Municipal Court for the District of Columbia for an order requiring obedience thereto. Thereupon the court, with or without notice and hearing, as it, in its discretion, may decide, shall make such order as is proper and may punish as a contempt any failure to comply with such order in accordance with the provisions of subsection (c), section 5, of the Act of April 1, 1942 (56 Stat. 193, ch. 207; sec. 11–756(c), D.C. Code, 1951 edition).

"SEC. 9. (a) Except as provided in section 10, an applicant for a license to practice as a licensed practical nurse shall submit to the Commissioners written evidence, verified by her oath, that the applicant (1) is at least 18 years of age; (2) is of good moral character; (3) is in good physical and mental health, as certified by a physician licensed to practice in the District of Columbia; (4) has completed at least two years of high school or the equivalent thereof, as determined by the Commissioners; and (5) has successfully completed an accredited program for the training of licensed practical nurses approved by the Commissioners, or the equivalent thereof as determined by them. The applicant shall meet such other qualification requirements as the Commissioners may prescribe. Except as otherwise provided in this Act, the applicant shall be required to pass a written examination in such subjects as the Commissioners may determine. Each written examination may be supplemented by an oral or practical examination. If the applicant passes such examinations, the Commissioners shall issue to the applicant a license to practice as a licensed practical nurse if they are satisfied that she possesses the required qualification.

"(b) The Commissioners may issue a license to practice as a licensed practical nurse without examination to any applicant who has been duly licensed or registered as a licensed vocational or practical nurse or a person entitled to perform similar service under a different title, by examination, under the laws of a State, Territory, or possession of the United States, the Commonwealth of Puerto Rico, or a foreign country, if they are satisfied that the applicant meets the qualifications required of licensed practical nurses in the District of Columbia.

"(c) An applicant for a license to practice as a licensed practical nurse shall at the time such application is made pay the required fee for an original license. An application shall be closed and filed as closed and incomplete at the end of a year from the time that the application was received if the applicant has failed to take all steps required

of her to obtain a license. In order to reopen an application which has been closed or withdrawn, the applicant shall pay the same fee as is required for an original license.

"SEC. 10. Upon receipt of an application, accompanied by the required fee for an original license, the Commissioners shall issue a license to practice as a licensed practical nurse, without written examination, to any person who shall make application therefor prior to the expiration of one year immediately following the effective date of this Act: *Provided*, That (A) the Commissioners find that such person (1) is at least twenty-one years of age; (2) is of good moral character; (3) is in good physical and mental health as certified by a physician licensed to practice in the District of Columbia; (4) has been actively engaged in caring for the sick in the District of Columbia for the year immediately preceding the effective date of this Act; (5) has had three or more years of experience in the care of the sick prior to the effective date of this Act; and (6) has submitted evidence satisfactory to the Commissioners that she is competent to practice as a licensed practical nurse, and (B) either the application is endorsed by two physicians licensed to practice in the District of Columbia who have personal knowledge of the applicant's nursing qualifications and by two persons who have employed the applicant in the capacity of practical nurse, or the applicant is listed on a nurses' registry licensed in the District of Columbia.

"SEC. 11. (a) The license of every person licensed under the provisions of this Act shall expire on June 30, of each year and be annually renewed. On or before May 31 of each year, the Commissioners shall mail an application for renewal of license to every person who at the time of such mailing holds a valid license under this Act. The applicant shall, before the following July 1, complete and execute such application and return the same to the Commissioners with the required renewal fee. Upon receipt of such application and fee, the Commissioners shall verify the accuracy of the application and issue to the applicant a certificate of renewal for the year beginning on such July 1 and expire the following June 30. Any licensee who allows her license to lapse by failing to renew the license as provided above, may be reinstated by the Commissioners by showing cause satisfactory to the Commissioners for such failure and on payment of the required fee.

"(b) Any person licensed under the provisions of this Act but not so practicing in the District of Columbia shall give written notice of such fact to the Commissioners. Upon receipt of such notice, the Commissioners shall place the name of such person upon the nonpracticing list. While remaining on such list, the person shall not be subject to the payment of any renewal fee and shall not hold herself out as a licensed practical nurse in the District of Columbia. Application for renewal of license and payment of renewal fee for the current year shall be made to the Commissioners by any such person desiring to resume practice as a licensed practical nurse.

"SEC. 12. (a) Any person conducting or desiring to conduct a school of practical nursing may apply to the Commissioners and submit evidence that such person is prepared to give a course of study of not less than twelve months, including clinical experience, and is prepared to meet the standards prescribed by the Commissioners. Each such person shall pay the required fees at the time such application is made. A survey of such school shall be made by the Commissioners. If, in the opinion of the Commissioners, the requirements for an accredited school of practical nursing are met, they shall approve such school as an accredited school for the training of practical nurses.

"(b) The Commissioners may, whenever they deem it necessary, survey any accredited school of practical nursing in the District of Columbia. If the Commissioners determine that any accredited school of practical nursing does not meet the standards required by this Act and by the Commissioners, notice thereof in writing specifying the defect or defects shall be given to such school. If the defects are not corrected within a reasonable time, such school shall, after hearing, be removed from the list of accredited schools of practical nursing.

"SEC. 13. (a) The Commissioners are authorized and empowered after public hearing, to determine and from time to time to increase or decrease fees for all services rendered under authority of any provision of this Act, including fees for the following services: (1) For licenses and renewals thereof; (2) for repeat examinations; (3) for the evaluation of each school record of a candidate for admission to a school of practical nursing; (4) for verification of records; (5) for a duplicate license to practice as a licensed practical nurse upon proof acceptable to the Commissioners that the original license has been lost or destroyed; (6) for duplicate certificates of renewal of licenses; (7) for mailing a certificate a second time if no timely notification of change of address has been made; (8) for the proctoring of out-of-State applicants when the examination is held at a time other than the regular examination of the District of Columbia. The Commissioners shall fix such fees in such amounts, as will, in the judgment of the Commissioners, approximate the cost to the District of Columbia of such services.

"(b) All moneys collected for fees and charges under this Act shall be paid into the Treasury to the credit of the District of Columbia.

"SEC. 14. The Commissioners are authorized and empowered to deny, revoke, or suspend any license, or certificate of renewal of license, issued by the Commissioners or applied for in accordance with the provisions of this Act if the applicant or holder thereof—

"(1) has been guilty of fraud or deceit in procuring or attempting to procure any license, or renewal thereof provided for in this Act;

"(2) has been convicted of a crime involving moral turpitude;

"(3) is an intemperate consumer of intoxicating liquors or is addicted to the use of habit-forming drugs;

"(4) has been guilty of unprofessional conduct;

"(5) has willfully or repeatedly violated any of the provisions of this Act or rules or regulations promulgated by the Commissioners pursuant to authority contained in this Act; or

"(6) is mentally incompetent:

Provided, That said denial, revocation, or suspension shall be made only upon specific charges in writing. A certified copy of any such charge and at least five days' notice of the hearing of the same shall be served upon the holder of or applicant for such license. The Commissioners are hereby authorized to furnish a list of names and addresses of persons to whom licenses, or renewal of licenses, have been denied, revoked, or suspended under this section to the board of examiners of a State, Territory, or possession of the United States, the Commonwealth of Puerto Rico, or a foreign country, upon written request of such board.

"SEC. 15. Any person aggrieved by any final decision of final order of the Commissioners denying, suspending, or revoking any license, or renewal of license, issued or applied for under this Act may obtain a review thereof in the Municipal Court of Appeals for the District of Columbia, and may seek a review by the United States Court of Appeals for the District of Columbia Circuit of any judgment of the Municipal Court of Appeals entered pursuant to its review of any such decision or order, all in accordance with subsection (f) of section 7 of the Act approved April 1, 1942, as added by the Act approved August 31, 1954 (68 Stat. 1048).

"SEC. 16. It shall be unlawful for any person in the District of Columbia to (a) sell or fraudulently obtain or furnish any diploma, license, or record required by this Act, or required by the Commissioners under authority of this Act, or aid or abet in the selling, fraudulently obtaining or furnishing thereof; (b) practice nursing as a licensed practical nurse under cover of any diploma, license, or record required by this Act or required by the Commissioners under authority of this Act, illegally or fraudulently obtained or signed or issued unlawfully or under fraudulent representation; (c) use in connection with his or her name any designation tending to imply that he or she is a licensed practical nurse unless licensed so to practice under the provisions of this Act; or (d) practice nursing as a licensed practical nurse during the time his or her license issued under the provisions of this Act shall be suspended or revoked.

"SEC. 17. Any person who shall violate any of the provisions of section 5 or 16 of this Act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding $300 or by imprisonment for not more than ninety days.

"SEC. 18. (a) Prosecutions for violations of any provision of section 5 or 16 of this Act shall be conducted in the name of the District of Columbia in the municipal court for the District of Columbia by the Corporation Counsel or any of his assistants.

"(b) It shall be necessary to prove in any prosecution or hearing under this Act only a single act prohibited by law or a single holding out or an attempt without proving a general course of conduct in order to constitute a violation.

"SEC. 19. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the remainder of the Act, and the application of such provision to other persons and circumstances, shall not be affected thereby.

"SEC. 20. There is hereby authorized to be appropriated out of the revenues of the District of Columbia such sums as may be necessary to pay the expenses of administering and carrying out the purposes of this Act.

"SEC. 21. This Act shall take effect one hundred and twenty days after funds are appropriated for the purpose of administering the provisions of this Act."

Mr. McMILLAN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McMILLAN, of South Carolina: On page 23, line 18, strike out the word "diflerent" and insert in lieu thereof the word "different".

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An Act to provide for examination, licensing, and for regulation of practical nurses, and for practical nursing education in the District of Columbia, and for other purposes."

A motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, this legislation would provide for examination, licensing, and for regulation of

practical nurses, and for practical nursing education in the District of Columbia.

This bill is designed to improve the status of practical nursing and to encourage qualified practical nurses to remain in the District, as well as keeping those who are unfit from coming to this area. It will assure the public that any practical nurse who holds a license is qualified to give good care.

All 50 States and the Commonwealth of Puerto Rico have licensure regulating practical nursing. This leaves only the District of Columbia without this needed protection by prohibiting unqualified, untrained persons to practice as practical nurses.

This legislation provides that all who call themselves licensed practical nurses must be licensed and must meet certain qualifications in order to obtain that license. The qualifications are: They must be at least 18 years of age; of good moral character; in good physical and mental health; have had at least 2 years high school; have successfully completed an accredited program for the training of licensed practical nurses or be qualified from the standpoint of experience in the first year.

This legislation has the approval of the Commissioners of the District of Columbia, the District of Columbia Medical Society, as well as the various nurses' associations and citizens' associations.

Mr. BROYHILL. Mr. Speaker, the purpose of S. 1870, as amended by the District of Columbia Committee of the House of Representatives, is to provide for the examination, licensing, registration, and for regulation of practical nurses and for practical nursing education, in the District of Columbia.

At present, professional nurses are licensed in the District by a nurses' examining board, operating as a unit of the District of Columbia Department of Occupations and Professions. Practical nurses, on the other hand, have never been licensed in the District of Columbia, although such licensure exists today in every other jurisdiction of the United States.

I am happy to have the opportunity of lending my support to this badly needed legislation, and feel that the sincerity of my position is best indicated by the fact that I introduced a bill identical to the original S. 1870 in the House last May 2.

It is estimated that there are at least 4,000 persons now practicing practical nursing in the District of Columbia. A number of these are employed in the several hospitals, where the shortage of professional nurses is so acute that their services are essential, and others are providing nursing care to patients in their homes. The District of Columbia General Hospital alone now employs some 272 practical nurses and is training more at the rate of 150 per year. District of Columbia regulations specify that nursing care in convalescent homes shall be under the supervision of registered or practical nurses, but no legal standards whatever exist to qualify practical nurses for such positions.

The 2 public and 2 private schools of practical nursing in the District are turning out between 200 and 300 new practical nurses per year, and altogether it is estimated that about 1,000 of the 4,000 practical nurses now practicing in the city are graduates of these schools, which are accredited by the National Association for Practical Nursing Education. However, while graduation from such schools can fairly be assumed to assure adequate training and competence on the part of these 1,000 practical nurses, the deplorable fact remains that the public has no means whatever of estimating the qualifications of the other 3,000. At present, any person in the District can purchase a uniform and proclaim himself or herself to be a practical nurse—and this, in my opinion, exposes the public to a potentially very dangerous situation.

This bill will make the licensure of practical nurses in the District permissive rather than mandatory. However, only licensed practical nurses will be permitted to use the initials LPN after their names, and it is believed that this badge of competence will readily be utilized by the public as a criterion for engaging the services of practical nurses. As a matter of fact, this appears to be borne out by the fact that only five States require licensing of practical nurses on a mandatory basis, whereas it is permissive in all other States.

Special provision is made in this bill to enable presently practicing practical nurses to become licensed in the District of Columbia without taking the written examination required of those just entering the profession, for a period of 1 year after the enactment of the bill. They will be required, however, to fulfill such other requirements as to satisfy the Board of Commissioners of their fitness to be licensed.

Not only will the public benefit by this proposed legislation, but the practical nurses themselves who are able to fulfill the requirements for licensure will thereby attain a professional stature and recognition which is now denied them in the District. This is quite important to the public as well as to the nurses themselves, because we are informed that in the absence of this opportunity in the District, many of the more highly qualified, top-level practical nurses prefer to practice in other States, where professional status is available to them.

The bill also provides for the evaluation of schools of practical nursing in the District, with accreditation and registration being granted to those which meet the proper standards.

This legislation, in my opinion, is long overdue, and I strongly urge its passage.

BONDING OF PERSONS ENGAGING IN HOME IMPROVEMENT BUSINESS

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 3727) to authorize the bonding of persons engaging in the home improvement business, and for other purposes, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are authorized, in connection with the licensing of persons engaged in the home improvement business, whether as principal, agent, salesman, employee, or otherwise, to require the furnishing of bond as a condition to the issuance of such license. For the purposes of this Act, the term "home improvement business" means the repair, remodeling, alteration, conversion, or modernization of, or addition to, residential property, all as may be more particularly defined in regulations promulgated by the Commissioners. Such bonding may be required notwithstanding the fact that a person may also be subject to the bonding requirements of any other law.

SEC. 2. (a) The Commissioners may, from time to time, and in their discretion, establish classes and subclasses of persons licensed to engage in the home improvement business and specify the amount and conditions of the bond or other security acceptable to the Commissioners to be deposited by each of the members of any such class or subclass. In connection with the licensing of persons to engage in the home improvement business, and the bonding of the members of any such class or subclass of such persons, the Commissioner, in their discretion, may by regulation require applicants for licenses or licensees—

(1) to furnish and keep in force a bond or bonds running to the District, or other security acceptable to the Commissioners, to protect members of the public against financial loss by reason of the failure of the licensee or of any officer, agent, employee, salesman, or other person acting on behalf of said licensee, to observe any law or regulation in force in the District of Columbia applicable to the licensee's conduct of the licensed business;

(2) to procure and keep in force public liability insurance or property damage insurance, or both; and

(3) to appoint the Commissioners as their true and lawful attorney upon whom all judicial and other process or legal notice directed to such person may be served.

(b) The bonds authorized by this section shall be corporate surety bonds in amounts to be fixed by the Commissioners, but no bond shall exceed $25,000, and such bond shall be conditioned upon the observance by the licensee and any officer, agent, employee, salesman, or other person acting on behalf of said licensee, of all laws and regulations in force in the District applicable to the licensee's conduct of the licensed business, for the benefit of any person who may suffer damages resulting from the violation of any such law or regulation by or on the part of such licensee or any officer, agent, employee, salesman, or other person acting on behalf of the licensee.

(c) Any person aggrieved by the violation of any law or regulation applicable to the licensee's conduct of the licensed activity shall have, in addition to his right of action against such licensee, a right to bring suit against the surety on a bond authorized by this section, either alone or jointly with the principal thereon, and to recover in an amount not exceeding the penalty of the bond any damages sustained by reason of any act, transaction, or conduct of the licensee, or of any officer, agent, employee,

salesman, or other person acting on behalf of said licensee, which is in violation of law or regulation in force in the District relating to the licensed activity. The provisions of the second, third, and fifth subparagraphs of paragraph (b) of the first section of the Act entitled "An Act to grant additional powers to the Commissioners, and for other purposes", approved December 20, 1944 (58 Stat. 820; sec. 1–244(b), D.C. Code, 1951 edition), shall be applicable to each bond authorized by this section as if it were the bond authorized by the first subparagraph of such paragraph (b) of the first section of said Act approved December 20, 1944: *Provided*, That nothing in this subsection shall be construed to impose upon the surety on any such bond a greater liability than the total amount thereof or the amount remaining unextinguished after any prior recovery or recoveries.

SEC. 3. In any case in which a property owner or occupant has entered into a contract with a person offering to perform or to arrange for the performance of home improvement work, and such property owner or occupant makes payment for such work to the person offering to perform or arrange for the performance of the same, proof of such payment shall constitute a defense against, and render void, any lien sought to be asserted under the authority of sections 1237, 1238, and 1239 of the Act approved March 3, 1901 (31 Stat. 1384; secs. 38–101, 102, and 103, D.C. Code, 1951 edition).

SEC. 4. Any person who shall violate any provision of this Act or of any regulation promulgated by the Commissioners under the authority of this Act, shall be guilty of a misdemeanor and shall be punished by a fine not exceeding $300 or by imprisonment for not more than ninety days, or both.

SEC. 5. Prosecutions for violations of this Act, or of the regulations made pursuant thereto, shall be conducted in the name of the District by the Corporation Counsel or any of his assistants. As used in this Act the term "Corporation Counsel" means the attorney for the District, by whatever title such attorney may be known, designated by the Commissioners to perform the functions prescribed for the Corporation Counsel in this Act.

SEC. 6. The authority and power vested in the Commissioners by any provision of this Act shall be deemed to be additional and supplementary to authority and power now vested in them, and not as a limitation.

SEC. 7. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or the application of this Act which can be effected without the invalid provision or application, and to this end the provisions of this Act are severable.

SEC. 8. This Act shall take effect on the thirtieth day after the date of enactment of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, the purpose of the bill is twofold, as follows: First, to authorize the Commissioners of the District of Columbia to require that persons licensed to engage in the home improvement business be bonded in order to protect those with whom they deal from financial loss; and, second, to alter existing law relating to mechanics' liens in order to protect persons whose homes have been repaired from the assertion of liens by subcontractors after the prime contractor has been paid in full.

Recently, articles in the Washington Post and the Evening and Sunday Star newspapers have brought to the attention of the committee a growing pattern of complaints from homeowners in the District of Columbia who have been victimized by unscrupulous home improvement contractors.

In the past 5 years such complaints made to the Better Business Bureau of Washington, D.C., have risen in rank among all complaints received by that bureau from sixth to third place, and in the past year such complaints have increased by approximately 40 percent. Since all instances of fraud and abuse are not reported, it is apparent that there is a need for corrective legislation.

The complaints most frequently received stem from the following practices: contractors receiving full payment prior to completion of the job; misrepresentation of the starting and completion dates and of costs; sloppy inferior work; incomplete work; substituted materials; various other breaches of contract; and, improper permits or no permits at all.

Only fly-by-night operators can profit by such practices. The established ethical home improvement contractor cannot since his greater financial responsibility furnishes an assurance that a homeowner can obtain redress for violation of a home improvement contract. Requiring home improvement contractors to furnish a bond for the protection of the public will insure that such contractors will be financially responsible.

Under existing law—section 7 of the act of July 1, 1902, title 47, chapter 23, District of Columbia Code, 1951 edition—the Commissioners have authority to license persons engaged in the home improvement business but do not have authority to require bonds and insurance coverage of such persons. Nor do the Commissioners have authority to prevent homeowners from being subjected to dual payment in situations where the prime contractor fails to pay the subcontractor after receiving full payment from the homeowner. In such a situation, a homeowner who has paid the prime contractor for the performance of work finds himself confronted with the necessity of satisfying a mechanics' lien filed under the authority of section 1239 of the act of March 3, 1901—section 38–103, District of Columbia Code, 1951 edition—by a subcontractor who has failed to receive payment from the prime contractor for work performed or materials supplied. This situation means that a homeowner must pay twice for work or materials for which only one payment should be required.

This legislation would give the Commissioners the authority necessary to fill these gaps in the legal protections available for the benefit of the homeowning public.

Section 1 of the bill authorizes the bonding of any person licensed by the Commissioners to engage in the home improvement business. It also gives a general definition of the home improvement business and authorizes the Commissioners to promulgate regulations defining it more specifically.

Section 2 of the bill authorizes the Commissioners to establish classes and subclasses of persons so licensed and to specify the amount and conditions of bonds or other security necessary to protect the public from loss by reason of the failure of the licensed person to observe District of Columbia law. The Commissioners may also require such persons to keep public liability and property damage insurance, and to appoint the Commissioners their agent for the purpose of accepting service of legal process. Subsection (b) of this section limits the amount of the bond which the Commissioners may require to $25,000.

Subsection (c) of section 2 provides a right of action against the surety or a bond authorized by this section, either alone or jointly with the principal.

Section 3 provides that proof of payment to a prime contractor for work performed in connection with a home improvement contract shall constitute a defense against, and render void, mechanics' liens asserted under the authority of sections 1237, 1238, and 1239 of the act of March 3, 1901. This provision is intended to prevent a homeowner from paying a second time for work or materials for which he has already paid and contains what might be termed a "self-enforcing" aspect, in that it would have the effect of causing a subcontractor to examine carefully any dealings proposed by a prime contractor, and to take such action as may be indicated to guard against the prime contractor's breach of the contract with the subcontractor. In short, if subcontractors have knowledge that payment to a prime contractor for work performed or materials supplied is to be a defense against the assertion of a machanics' lien by the subcontractor, it is to be expected that subcontractors will be extremely careful in dealing with any prime contractor about whom they may entertain some doubt as to whether he will comply with the provisions of the contract between them.

Sections 4, 5, 6, 7, and 8, respectively, provide that the penalty for violation of the provisions of the bill and of regulations issued under its authority shall be a fine of $300 or imprisonment for not more than 90 days, or both; that prosecutions shall be by the corporation counsel; that the authority and power vested in the Commissioners are in addition to the authority and power they presently possess; that the bill's provisions are separable; and that it shall be effective 30 days after its enactment.

Enactment of the bill is expected to increase the expenditures of the government of the District of Columbia by $30,000 the first year, and $29,000 each succeeding year. This estimate is based on a survey which indicates that possibly 1,000 persons, firms, and corporations could be engaged in performing home improvement work in the District of Columbia, and the foregoing cost estimates are based on an estimate of the number of annual licenses to be issued to those engaging in such business, the number of permits which would be required to be issued the licensees, and the cost of supervising and regulating the conduct of the home-improvement business in general. It should be noted,

however, that since, under the authority of paragraph 45 of section 7 of the act of July 1, 1902, as amended—section 47–2344, District of Columbia Code, 1951 edition—the Commissioners may fix the fee for a license at an amount commensurate with the cost to the District of inspecting, supervising, and regulating the licensed activity, it can be expected that the District will recover the cost of administering the legislation.

The Board of Commissioners strongly recommend enactment of the bill.

POLICE AND FIREMEN SALARY INCREASE

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 13053) to increase the salaries of officers and members of the Metropolitan Police Force and the Fire Department of the District of Columbia, the U.S. Park Police, the White House Police, and for other purposes, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each employee of the District of Columbia or of the United States whose salary is fixed and regulated by the District of Columbia Police and Firemen's Salary Act of 1958 (72 Stat. 480) shall receive, in addition to the compensation provided by such Act, compensation at the rate of 7.5 per centum of the basic compensation provided by such Act.

SEC. 2. (a) Retroactive compensation or salary shall be paid by reason of this Act only in the case of an individual in the service of the District of Columbia or of the United States (including service in the Armed Forces of the United States) on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid (1) to any employee covered in this Act who retired during the period beginning on the day following the first day of the first pay period which began on or after July 1, 1960, and ending on the date of enactment of this Act for services rendered during such period and (2) in accordance with the provisions of the Act of August 3, 1950 (Public Law 636, Eighty-first Congress), as amended, for services rendered during the period beginning on the first day of the first pay period which began on or after July 1, 1960, and ending on the date of enactment of this Act by any such employee who dies during such period.

(b) For the purposes of this section, service in the Armed Forces of the United States in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the Federal Government or the municipal government of the District of Columbia.

SEC. 3. For the purpose of determining the amount of insurance for which an individual is eligible under the Federal Employees' Group Life Insurance Act of 1954, as amended, all changes in rates of compensation or salary which result from the enactment of this Act shall be held and considered to be effective as of the date of enactment of this Act.

SEC. 4. The provisions of this Act shall become effective on the first day of the first pay period beginning after July 1, 1960.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to increase the salaries of officers and members of the Metropolitan Police force, and the Fire Department of the District of Columbia, the U.S. Park Police, and the White House Police by 7.5 percent over that presently provided for under existing law.

The bill specifically provides that each employee of the District of Columbia or of the United States—Park Police and White House Police—whose salary is fixed and regulated by the District of Columbia Police and Firemen's Act of 1958 (72 Stat. 480) shall receive, in addition to the compensation provided by such act, compensation at the rate of 7.5 percent of the basic compensation provided by such act.

The salary increase provided by the bill shall become effective on the first day of the first pay period beginning after July 1, 1960.

The total additional annual cost of the bill may be summarized, as follows:

Total additional annual cost of H.R. 13053

District of Columbia Metropolitan Police	$1,504,525
District of Columbia Fire Department	648,479
Park Police (District of Columbia share)	48,452
Total cost to District of Columbia	2,201,456
Park Police (U.S. share)	73,000
White House Police (including costs of retirement for U.S. Secret Service)	107,000
Total cost to United States	180,000
Total cost of bill	2,381,456

Mr. BROYHILL. Mr. Speaker, I wish to express my most hearty support of H.R. 13053, a bill to afford a 7.5 percent salary increase for the officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police, and the White House Police, effective as of July 1, 1960.

My keen interest in the welfare of the gallant men who constitute the police and fire departments of the District of Columbia has been evidenced by the legislation which I have sponsored in their behalf on many occasions in the past. I have always felt it to be imperative that the District of Columbia be in a position to attract and retain men of the highest physical, mental, and moral qualifications for service in its police and fire departments. This bill is a means of maintaining that position.

I regard this proposed legislation as an absolute must in view of the 7.5 percent salary increase awarded the classified Federal and District of Columbia employees last July 1 by this Congress.

It is with grateful acknowledgment of the outstanding service rendered to the Nation's Capital by these fine men who are its policemen and firemen that I express my endorsement of this bill.

DISTRICT OF COLUMBIA TEACHERS' SALARY ACT

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 12993) to amend the District of Columbia Teachers' Salary Act of 1955, as amended, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, and for other purposes", approved August 5, 1955 (69 Stat. 521, ch. 569), as amended, is amended by striking the salary schedule for service step 1 of class 18 therefrom and inserting in lieu thereof the following new salary schedule for service step 1 of class 18:

"4,800
5,300
5,500".

SEC. 2. Each employee of the Board of Education of the District of Columbia whose salary is fixed and regulated by the Act entitled "An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, and for other purposes", approved August 5, 1955 (69 Stat. 521, ch. 569), as amended, shall receive, in addition to the compensation already provided by such Act, compensation at the rate of 7.5 per centum of the aggregate compensation provided by such Act; except that the provisions of this section shall not be applicable with respect to (A) any employee whose salary is fixed by the salary schedule for service step 1 of class 18, or (B) the superintendent and the deputy superintendent of schools.

SEC. 3. (a) Retroactive compensation or salary shall be paid by reason of this Act only in the case of an individual in the service of the Board of Education of the District of Columbia (including service in the Armed Forces of the United States) on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid (1) to any employee covered in section 1 of this Act who retired during the period beginning on the day following the first day of the first pay period which began on or after July 1, 1960, and ending on the date of enactment of this Act for services rendered during such period and (2) in accordance with the provisions of the Act of August 3, 1950 (Public Law 636, 81st Congress), as amended, for services rendered during the period beginning on the first day of the first pay period which began on or after July 1, 1960, and ending on the date of enactment of this Act by any such employee who dies during such period.

(b) For the purposes of the section, service in the Armed Forces of the United States in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training

and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the municipal government of the District of Columbia.

SEC. 4. For the purpose of determining the amount of insurance for which an individual is eligible under the Federal Employees' Group Life Insurance Act of 1954, as amended, all changes in rates of compensation or salary which result from the enactment of this Act shall be held and considered to be effective as of the date of enactment of this Act.

SEC. 5. The provisions of this Act shall become effective as of July 1, 1960.

With the following committee amendment:

On page 3, line 1, strike out "section 1 of".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, the purposes of the bill are, first, to increase the entrance salary step of District teachers from the present $4,500 per annum to $4,800 per annum; and, second, to provide an average 7.5-percent salary increase to teachers and officials of the District school system excluding from this increase the positions of Superintendent and Deputy Superintendent of Schools.

The committee, in increasing the base salary of step 1 of class 18, felt that a $4,800 per annum base salary for teachers entering the school system would be most helpful in recruiting new teachers of high professional caliber and would be of material assistance in retaining them in the system.

The committee in reaching its decision to provide a 7.5-percent increase in the salaries paid to employees of the Board of Education, other than those in classes 1 and 2, and step 1, class 18, did so in the knowledge that the Congress has approved a 7.5-percent increase for classified personnel in the Federal service including the classified employees of the District of Columbia. Since the Commissioners of the District of Columbia, however, do not come within the purview of the classified pay increase, the committee felt that it would be inappropriate, at this time, to provide such an increase for the two positions in classes 1 and 2, excepted from the provisions of this measure.

Although the first-year cost of this measure, approximately $2,600,000, based upon an estimate submitted by the Board of Commissioners of the District of Columbia at the request of the committee, may seem to be high, it is the belief of the committee that such an expenditure is desirable, necessary, and in the best interests of the children and residents of the District.

It is the intent of the committee that in the administration of the provisions of this bill the appropriate District authorities will follow standard payroll practices to insure that salaries paid shall be in even amounts computed to the nearest dollar.

Mr. BROYHILL. Mr. Speaker, H.R. 12993 is a bill providing for an average increase of 7.5 percent in the salaries of the teachers and other officials of the public school system of the District of Columbia, except for the Superintendent and the Deputy Superintendent, retroactive to July 1, 1960.

This bill will increase the salaries for teachers entering the District of Columbia system by $300 per year, which will assist the District materially in recruiting new teachers of high professional caliber. Also, the general increase of 7.5 percent provided in this bill throughout the rest of the school system will be most helpful in retaining such personnel in the system.

The Congress approved a 7.5-percent salary increase for all classified personnel in both the Federal service and the District of Columbia government as of last July 1. Certainly, therefore, the teachers and other faithful and hard-working employees of the District public school system deserve no less consideration.

It was with a view toward fair and equitable treatment for all Government personnel that I introduced this bill, and I strongly urge its passage.

ALCOHOLIC BEVERAGE CONTROL ACT

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 11535) to amend the District of Columbia Alcoholic Beverage Control Act to provide that class C and D licensees shall not be prohibited from serving alcoholic beverages in their establishments on New Year's Day when New Year's falls on Sunday, and I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. REES of Kansas. Mr. Speaker, reserving the right to object, this legislation authorizes and permits the sale of liquor on Sunday if New Year's Day falls on Sunday?

Mr. McMILLAN. This gives the Commissioners of the District of Columbia authority to grant that permission to the night clubs if they so desire.

Mr. REES of Kansas. What good is that for the country at large?

Mr. McMILLAN. This is for the District of Columbia.

Mr. REES of Kansas. This is for New Year's Day, as I understand.

Mr. McMILLAN. It falls on Sunday once every 7 years.

Mr. REES of Kansas. I am talking about this coming New Year's Day. That is the reason the legislation comes before the House.

Mr. McMILLAN. That is correct.

Mr. REES of Kansas. So dealers can load up with liquor and unload it on Sunday.

Mr. McMILLAN. It allows them to go over midnight in the matter of the sale of alcoholic beverages.

Mr. REES of Kansas. I do not believe this legislation is good for the country. I do not criticize the chairman of the committee in performance of his duty.

Mr. McMILLAN. We seem to have a lot of pressure on us by the people who operate night clubs in the District of Columbia. The Government collects 20 percent tax on their operations, and the District of Columbia collects a tax also.

Mr. REES of Kansas. They want to lay in big liquor stocks and have this opportunity to dispose of them on Sunday.

Mr. McMILLAN. I guess you cannot stop people drinking.

Mr. REES of Kansas. I do not like this bill and I do not believe many Members of the House favor it.

Mr. McMILLAN. I will not commit myself.

Mr. REES of Kansas. I do not like it; I do not favor it.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina that the bill be considered in the House as in the Committee of the Whole?

Mr. SILER. Mr. Speaker, I object.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that this bill be passed over until Monday next.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

TAX EXEMPTION FOR NATIONAL WOMAN'S PARTY IN DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia I call up the bill (S. 2306) to exempt from taxation certain property of the National Woman's Party, Inc., in the District of Columbia, and ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That certain property in the District of Columbia, known in the sixteen hundreds and seventeen hundreds as Cerne Abbey Manor; later the property of members of the distinguished Carroll and Sewall families; still later the office and residence of Albert Gallatin, Secretary of the Treasury, 1801–1813, who here directed the financing of the Louisiana Purchase; since 1929 the headquarters of the National Woman's Party and known as the Alva Belmont House—described as lots numbered 863, 864, and 885, in square numbered 725, together with improvements thereon and outbuildings, and the furniture, furnishings, and other personal property therein, owned by the National Woman's Party, Inc., a nonprofit corporation organized and existing under the laws of the District of Columbia—shall be exempt from taxation, in recognition of the patriotic efforts made by the National Woman's Party, Inc., to preserve this historic monument, so long as the same property is owned by said National Woman's Party, Inc., and is not used for commercial purposes or for the purpose of securing a rent or income,

subject to the proviso that said corporation shall maintain the said property as historical buildings which shall be preserved for their architectural, historical, and educational significance, which buildings shall be accessible to members of the general public without charge or payment of a fee of any kind at such reasonable hours and under such regulations as may from time to time be prescribed by said corporation, subject to the provisions of sections 2, 3, and 5 of the Act entitled "An Act to define the real property exempt from taxation in the District of Columbia", approved December 24, 1942 (56 Stat. 1091; D.C. Code secs. 47–801b, 47–801c, and 47–801e).

SEC. 2. The tax exemption authorized by this Act shall take effect on July 1, 1960.

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to exempt from taxation lots numbered 863, 864, and 885 in square numbered 725, situated at 144 Constitution Avenue NE., in the city of Washington, D.C., known as the Alva Belmont House, together with improvements thereon and outbuildings, and the furniture, furnishings, and other personal property therein, owned by the National Woman's Party, Inc., a nonprofit corporation organized and existing under the laws of the District of Columbia.

The bill provides that the exemption from taxation shall continue so long as the property referred to therein is owned by the National Woman's Party, Inc., and is not used for commercial purposes or for the purpose of securing a rent or income, subject to the proviso that the corporation shall maintain said property as historical buildings which shall be preserved for their architectural, historical, and educational significance. The bill further provides that the buildings shall be accessible to members of the general public without charge or payment of a fee of any kind at such reasonable hours and under such regulations as may from time to time be prescribed by the corporation. The tax exemption granted is made subject to the provisions of sections 2, 3, and 5 of the act entitled "An act to define the real property exempt from taxation in the District of Columbia," approved December 24, 1942 (56 Stat. 1091; D.C. Code, secs. 47–801b, 47–801c, and 47–801e).

Section 2 of the bill fixes the effective date for the beginning of the tax exemption as therein provided. District of Columbia real and personal property taxes are predicated upon a fiscal year basis.

The National Woman's Party was incorporated in 1918 under the laws of the District of Columbia. The certificate of incorporation, recorded September 20, 1918, provides in part as follows:

The particular business and objects of the society are educational and for mutual improvement and especially, by the preparation and circulation of books, newspapers, the delivery of speeches, lectures, and such other proper means as in the judgment of the society will promote that end, to educate public sentiment to a recognition of the equality of the sexes in all their rights, privileges, and obligations.

It was brought out that the Alva Belmont House is one of the most beautiful and historic of the landmarks on Capitol Hill. This fact was recognized by the Senate in 1958 during the debate on S. 728—Public Law 84–429—pertaining to the extension of the site of the office building for the U.S. Senate. The origin of this property dates back to a time when Lord Baltimore deeded it as a part of 1,000 acres of land to George Thompson, a lawyer and important political figure of his day. Duddington Manor, as the property was then called, was renamed "Cerne Abbey Manor" when the property was acquired by Thomas Notley in 1671.

Throughout the next century and a half, the property passed through a series of prominent and distinguished American families, including the Carroll and Sewell families, and housed Albert Gallatin, Secretary of the Treasury and renowned statesman and diplomat.

An occupant of the Alva Belmont House is credited with firing the only shot against the British on their march on the Capitol in the War of 1812. In retaliation the house was ordered burned. From the charred remains, Robert Sewell began the task of rebuilding it while preserving the undamaged parts. Today members of the public are free to inspect the old as well as the 130-year-old new parts of the Belmont House as it was redone by Mr. Sewell before his death in 1822.

During the 19th century the Belmont House retained much of its "Americana" charm. It continued to serve as a center of social prominence and was the dwelling of two famous Senators, John Strode Barber and Porter H. Dale, the latter conveying it to the National Woman's Party in 1929.

The National Woman's Party has exercised extreme diligence in maintaining the upkeep and historical character of the charming old home and has willingly made it available to the public and for community affairs.

In addition to its interest for architects, historians, and tourists, scholars use its highly specialized library on "women's rights and the suffrage movement."

This legislation would bring the bill into conformity with other acts of Congress relating to tax exemption for buildings of architectural, historical, and educational significance.

The present assessed value of the land and improvements thereon is $116,845, and the current tax rate of $2.30 per hundred, the tax loss to the District of Columbia would be $2,687.43 annually, plus $129.60 annually for personal property.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

EXEMPT FROM TAXATION AMERICAN ASSOCIATION OF UNIVERSITY WOMEN IN DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill—S. 3415—to exempt from taxation certain property of the American Association of University Women, Educational Foundation, Inc., in the District of Columbia, and ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the real estate described for assessment and taxation purposes as lot 834 in square numbered 31, in the city of Washington, District of Columbia, owned by the American Association of University Women, Educational Foundation, Incorporated, a District of Columbia corporation, is hereby exempt from all taxation so long as the same is owned, occupied, and used by the American Association of University Women, Educational Foundation, Incorporated, for its educational and other corporate purposes, or is jointly occupied with the American Association of University Women, a Massachusetts corporation organized not for profit, for its educational and other corporate purposes, and is not used for commercial purposes, subject to the provisions of sections 2, 3, and 5 of the Act entitled "An Act to define the real property exempt from taxation in the District of Columbia", approved December 24, 1942 (56 Stat. 1091; D.C. Code, secs. 46–801b, 47–801c, and 47–801e).

SEC. 2. The tax exemption authorized by this Act shall take effect on July 1, 1960.

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to exempt from all taxation that real property described for assessment and taxation purposes as lot 834 in square No. 31, situated at 24th Street and Virginia Avenue NW.—2401 Virginia Avenue NW.—in the city of Washington, D.C. The above-described property is owned by the American Association of University Women, Educational Foundation, Inc., a District of Columbia corporation.

The bill provides that the exemption from taxation shall continue so long as the property referred to therein is owned, occupied, and used by the American Association of University Women, Educational Foundation, Inc., for its educational and other corporate purposes, or is jointly occupied with the American Association of University Women, a Massachusetts corporation organized not for profit, for its educational and other corporate purposes, and is not used for commercial purposes. The tax exemption granted is made subject to the provisions of sections 2, 3, and 5 of the act entitled "An act to define the real property exempt from taxation in the District of Columbia," approved December 24, 1942—56 Statutes 1091: District of Columbia Code, sections 46–801b, and 47–801(e).

Section 2 of the bill fixes the effective date for the beginning of the tax exemption as therein provided. District of Columbia real and personal property taxes are predicated upon a fiscal year basis.

The foundation was incorporated January 17, 1958. Its objectives, as set forth in its charter, as amended, are as follows:

(a) To encourage among members of the American Association of University Women and of the community the continuation of education beyond college;

(b) To provide fellowship and international study grants for women scholars to carry on advanced research, study, and creative work;

(c) To foster and develop better international understanding and the realization of world peace;

(d) To engage in educational research, the preparation of study materials, and the distribution of the results;

(e) To acquire, preserve, and exhibit books and documents, works of art, and other items of historical interest; and to maintain and develop a research center and a library serving the stated purposes of the foundation;

(f) To encourage standards of excellence in public school education and in higher education;

(g) To cooperate with other persons, organizations, trusts, funds, or foundations whose purposes and activities are similar to those of the educational foundation.

The foundation is a District of Columbia nonprofit educational corporation, and its income is derived from the fellowships endowment income and from bequests and donations. The proposed assessed value of the land and improvements thereon is $952,488, and at the current tax rate of $2.30 per hundred, the tax loss to the District of Columbia would be $21,907.22 annually.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

TEXTILE IMPORTS

Mr. BROWN of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BROWN of Georgia. Mr. Speaker, I take the floor at this time to discuss a matter that appears to me to be of paramount importance. This is the question of cotton textile imports and the recent decision of the Tariff Commission recommending no relief to our domestic cotton industry from these imports.

I have deliberately refrained from discussing this matter until now for two reasons: First, I wanted to carefully analyze the Commission's decision before commenting; second, I preferred that the hue and cry which inevitably accompanies such decisions died down and be replaced by cold logic before adding my views to the others which have been expressed on this decision.

After considering all the factors involved, two facts appear to me to stand out. First, cotton textile imports are entering this country in a volume that seriously threatens the American cotton industry. And second, that no apparent relief from this problem can be expected from the administration.

When the cotton industry hopefully presented its case before the Tariff Commission in March of this year, it was pointed out that cotton textile imports were entering this country at a rate equivalent to about 400,000 bales annually. Currently, they are flooding this country at a rate equivalent to more than 500,000 bales per year. Total imports in 1960 are expected to exceed the level of 1959 by 150,000 to 200,000 cotton bale equivalents.

Compare this with the situation existing in 1939, when quotas were imposed on raw cotton imports. The level of imports during the 1930's ranged from about 30,000 to 60,000 bales. The quota established in 1939 limited imports to 30,000 bales annually. Stated in terms of cotton bale equivalents, the level of cotton textile imports in 1960 will probably be about 15 to 20 times the size of the raw cotton import quota.

Cotton yarn imports for the first 6 months of 1960, totaling almost 8 million pounds, are 6.5 million pounds greater than our total yarn imports of 1959. And our imports of cotton cloth for the first 6 months of the year stand at 151 percent of our cloth exports. Thus, for the first time in many years, this country is expected to import more cotton textiles than it exports.

This is the bleak picture which confronts us. What is its meaning? It means that not only our domestic mills, but our farmers must suffer the consequences. There has been a good deal of talk about how much these imports reduce the domestic consumption of American-grown cotton. Statistics measuring the reduction are susceptible to argument. But there can be no doubt that substantially less American cotton is used in our domestic mills as a direct result of imports. And there can be no doubt that if unlimited imports are permitted to enter this market, we will soon be measuring our losses to imports in the millions of bales.

Mr. Speaker, faced with this situation, the U.S. cotton industry petitioned the Secretary of Agriculture, requesting that he ask the President to initiate a Tariff Commission investigation of the problem under section 22 of the Agricultural Adjustment Act of 1933, as amended. The President, in his directive to the Tariff Commission, however, limited the scope of the investigation to the question of whether imports were rendering, or tending to render ineffective, or materially interfering with the Department of Agriculture's export subsidy program.

This was the first indication of what could be expected from the administration. Although the law and the facts called for action, it was evidently decided by the powers that be that a way must be found to circumvent the law while appearing to comply with it. The law, and the intent of Congress in writing the law, provides for protecting any and all of the Government's agricultural programs against such imports. There is nothing in the law to indicate that protection should be limited to the cotton export program only. And it is absurd to contend that the export program can be divorced from the loan program, the acreage program, or any other part of the Government cotton program.

The industry made every effort to broaden the investigation and the possible recommendations for relief which the Commission might make. Seven distinguished Senators wrote the President, requesting a modification of his directive to the Tariff Commission to permit a full investigation of the textile import problem and recommendations as contemplated by section 22. The President, however, did not agree to withdrawing the limitation placed on the Commission.

Because of the narrow confines of the investigation, the industry was considering dropping its case when a ray of hope, later to be dashed by the ridiculous majority decision, was injected into the hearings. The Commission ruled that while limited to an investigation of the effect of imports on the export program, it would accept testimony on the impact of imports on the Government's entire cotton program. The industry went ahead and presented its case—presented it fully with well documented facts specifically detailing the situation it faced and the need for remedial action.

Then, Mr. Speaker, came the majority decision. I do not intend to dwell at length on it. The case was prejudiced from the beginning.

Let me say that the majority of the Commission concluded that they were limited to the narrow confines of a consideration of the effect of imports on the export subsidy program and could not consider the effect on the total Government programs. They even argued that under the President's directive, the export program must be separated from other Government programs.

The absurd conclusion of the majority was this: That as foreign imports increase, the market for U.S. cotton overseas expands, thus resulting in increased American exports. Stripped to the bear essentials and carried to its logical conclusion, the Tariff Commission told the American cotton industry that, under the terms of its directive, it could grant no relief if imports reached a volume large enough to shut down every loom and every spindle in this country.

The only bright spot, Mr. Speaker, in this fiasco was the well-reasoned report of the minority. Let me read the House one brief excerpt from the minority findings:

> Although the export subsidy programs have been primary topics in this investigation, the consideration in vacuo of individual programs that are in reality segments of the total extensive national program on cotton is not a rational procedure. This is because all of the individual programs—or segments—are interrelated, interdependent, and operate together to attain major objectives. Hence, the individual programs cannot be viewed as mutually exclusive with regard to either economic influences or purposes.
>
> In broad perspective both the total cotton program and congressional policy call for an expanding domestic cotton agriculture with an increasing off-take of cotton in both domestic and export markets. To this end Congress has provided for marketing quotas and acreage allotments, for decreasing minimum annual price supports through 1962 to encourage larger domestic consumption, and for export and other aids. Clearly, developments which limit or thwart the increased disposition of American cotton constitute interference with objectives of the total cotton program to which the various individual programs are oriented.

It is now evident that the American cotton industry must look elsewhere for relief from its problems. Unfortunately

the appearance of an objective and complete investigation of this problem has been presented to the public.

Nothing could be further from the truth. The Tariff Commission has ignored a situation faced by the U.S. cotton industry which is not only now desperate, but promises to be catastrophic.

This disregard of the spirit and purpose of section 22 cries out for affirmative action on the part of Congress. We simply cannot permit the denial of protection to an agricultural program and to agricultural interests which Congress intended they should have.

Congress must act to make our foreign trade policy truly reciprocal. It must prevent basic American industries on which millions of people depend for their welfare from being sacrificed to foreign policy.

COST TO THE GOVERNMENT OF CARING FOR ARMED FORCES PERSONNEL DUE TO AUTOMOBILE AND OTHER ACCIDENTS

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, the incidence of death and injury to men in the Armed Forces of this country due to automobile accidents and similar causes is unfortunately high. The cost to the Government of caring for the injured and of giving the legally provided settlement to the survivors of the dead is correspondingly high.

Often these injuries and deaths are due to the negligence of some third party, someone who is legally liable for all results of the incident causing the damage except the cost to the Government of treating the injured. Today I introduced a bill which would permit the Government to recover its costs from a situation such as that described.

Lt. Comdr. John Lasco, Jr., of the Medical Service Corps of the U.S. Navy, has studied this problem and has prepared a statement regarding it supporting the principle of allowing the Government to recover these costs. Indeed, it was his work in this field which has interested me in this legislation. I should like at this time to include that statement in the RECORD as support for early action on this measure:

SUGGESTED REMEDY FOR RECOVERY OF FEDERAL LOSSES FROM SERVICEMEN'S CASUALTIES INFLICTED BY FAULT OF THIRD PERSONS

(By Lt. Comdr. John Lasco, Jr., Medical Service Corps, U.S. Navy)

I. SCOPE OF ISSUES AND SUMMARY

Seaman X recovered $100,000 from insurers of the Greyhound Bus Co. for physical injuries sustained while a passenger on a Greyhound bus. His employer, the U.S. Navy, recovered nothing for pecuniary injuries it sustained out of Seaman X's injuries.

There can be no minimizing of the validity of Seaman X's claim for damages for pain and suffering, social and economic impairment; i.e., for compound fractures of both femurs, compound fractures of both lower legs, a skull fracture, a 75 percent displacement of the spinal cord, and multiple abrasions and lacerations over his entire body. Similarly, too, there can be no minimizing of the Government's claim for pecuniary damages arising from Seaman X's injuries. Approximately $15,000 in expenses were incurred by the Federal Government in this single instance for emergency civilian hospitalization, 3 years of Federal hospitalization and outpatient care, pay and allowances, a total disability retirement pension, not to mention future uncalculated expenditures for permanent Federal hospitalization and outpatient medical care for Seaman X and his dependents.

If Seaman X had died from his injuries, under existing laws, the U.S. Government would have sustained additional pecuniary losses from funeral and burial expenses, 6 months' pay as a death gratuity, $10,000 free insurance, permanent Federal hospitalization and outpatient medical care, and a pension, all for the next of kin.

Because Seaman X did not pay for his hospital expenses, he was unable to claim such damages. The Government cannot assert these losses; therefore, they remained as a gratuity for the insurer.

Obvious prejudice favoring wrongdoers to the fiscal detriment of the Federal Government applies in every instance where a measure of damage arises out of the death or injury of every serviceman wronged by a person other than the United States or its agents, through negligent motor vehicle operation.

Prejudice is evident where there is negligent maintenance or operation of any type instrumentality deemed to be the proximate cause of the serviceman's injury. Documentary evidence of latter type negligence where servicemen were injured without personal fault is illustrated in the following circumstances: By negligent maintenance of a defective bandsaw blade in a department store causing loss of a serviceman's eye; of a defective papercutter in a papermill causing loss of a serviceman's hand; of a defective firing pin precipitating misfire of a rifle in a sporting goods store causing loss of a serviceman's leg; of defective axle bolts permitting escape of a wheel on the highway from a moving 10,000-ton tractor-trailer causing extensive and permanent injuries to a serviceman. Federal benefits to these servicemen and their dependents are permanent. Federal losses inflicted by wrongdoers, whose ability to pay is unquestionable, constitute perpetual dregs on Federal purse-strings.

To correct an existing latent defect in the law, so that wrongdoers and their insurers may not escape liability for reasonably reimbursing the Government for servicemen's deaths and injuries, Congress need only extend legal philosophy prevailing in pertinent State laws and in Federal laws applicable to civilian employees, longshoremen, and harborworkers. Otherwise, since neither seaman X nor the Government may recover the aforementioned expenses, the wrongdoers and their insurers will continue to enjoy what amounts to a windfall akin to a Federal subsidy or tribute, the sustenance of which is made possible from funds exacted out of the pockets of every taxpaying adult in this country.

In summation, the facts in Seaman X's case are legally significant, not because of his substantial recovery, but because his case represents one out of many wherein the Federal Government loses untold sums of money each year (see sec. II, infra); that these losses are due, primarily, to nonjudicial, technical considerations (see sec. III, infra); that, in consequence thereof, a windfall is guaranteed to wrongdoers and their insurers (see sec. IV, infra); that if existing Armed Forces laws are amended to correspond with authority contained in existing Federal laws, the windfall favoring a few will be denied to revert as a financial benefit for the Government to the ultimate use and enjoyment of many (see sec. V, infra).

II. EXTENT OF FEDERAL LOSSES

The losses sustained by the Government by motor accidents to members of the Army, Navy, Marine Corps, and Air Force run into staggering sums of untold millions of dollars per annum. In a recent publication, it was established that:

"Accidental trauma is now a major problem in the armed services. In 1952 one accident category alone, vehicular accidents, caused 45 percent of all deaths in the Army due to nonbattle causes, and 62 percent of all deaths due to nonbattle injuries. The deaths from just these accidents were more than deaths from all diseases by 61 percent and cost the taxpayers well over $12 million paid out in Government life insurance policies alone.

"The reviews of accidental trauma in the U.S. Navy and Marine Corps indicate that a very serious problem exists. Accidents rank first in the 10 leading causes of man-days lost. This is approximately three times as great as the next most common cause, namely, upper respiratory infections. Motor vehicle accidents formed about 25 percent of all admissions for injuries. Noneffectiveness because of motor vehicle accidents in 1953—366,000 sick days—represents the loss of a full combat battalion of marines, or Navy personnel necessary to operate three large destroyers. About 88 percent of those killed or injured were on leave or liberty at the time and over one-half were injured during weekend periods.

"The Air Force reports a similar situation. Accidents outweighed diseases as a cause of death and noneffectiveness. Again, motor vehicle accidents are a prime factor, with 338,025 man-days lost in 1952 from this cause. Private vehicles and off-duty activities as in the Navy and the Army were chiefly involved. * * * Approximately 2,100 servicemen are killed each year on the highways. Most of these deaths occur while off duty."

In another article it has been pointed out that:

"We in the Armed Forces are now faced with a most difficult and complex situation in that the increasing number of cases of traumatic injury from accidental causes is posing a serious threat to the overall effectiveness of our military forces.

"Service personnel have one of the worst accident records of any group in the Nation. Automobiles driven by young servicemen are undesirable insurance risks. Military personnel are involved in about 1 out of every 30 fatal accidents in the United States.

"While motor vehicle accidents are the major cause of off-duty deaths and injuries in the Armed Forces, other types of accidents also account for a considerable number of off-duty casualties each year. Off-duty accidents are the most important accident problem facing the Armed Forces. The terrific cost of injuries and fatalities in Armed Forces personnel cannot be measured accurately in dollars and cents. Merely taking the $10,000 Government life insurance policy which was paid to the beneficiaries of the 3,657 accidental deaths in the Armed Forces during 1953 contributed the sum of $36,570,000 to the total costs of these accidents.

"We can sum up the 1953 accident experience as follows: During 1953, 856 Air Force military personnel died as the result of ground accidents. There were 19,942 disabled. A total of 314,239 man-days were lost. Altogether, these accidents cost the

Government approximately $41 million—not including the value of the equipment destroyed or damaged in the accidents.

"Figures for 1953 show that in the Navy and the Marine Corps together, 37,306 persons were admitted to the sick list because of accidental injuries. Of this number, 1,565 persons died. These accidental injuries cost the two services a total of 1,035,648 lost man-days.

"The Navy does not compute accident cost to the Government. * * * Figures compiled by the Army for 1953 indicated that 1,236 soldiers died in accidents throughout the world (excluding Korea). A total of 28,451 were disabled in accidents. The Federal Government paid out $54,903,000 to care for the injured and the survivors of the dead, an average direct cost of $1,930 per injury. During the year accidents resulted in disabling injuries to 1 of each 53 of the military strength, 1 of each 965 being fatally injured.

Local statistical records of motor vehicle collisions involving Navy and Marine Corps personnel within one jurisdiction during the calendar year, 1952, presented the following picture: Forty servicemen were killed by automobile accidents and approximately 200 Navy and Marine Corps personnel received emergency medical care in civilian hospitals at an average medical expense of $150 per person and close to $30,000, collectively. Included as items of expense were room and board, medications, laboratory and X-ray examinations, and charges for operations and amputations, etc. Some bills totaled $2,000 each, which, when approved by the Navy Bureau of Medicine and Surgery, were paid out as cash disbursements to civilian hospitals. Air Force cost analysis, supra, did not include emergency civilian medical care costs.

Additional items of pecuniary expense to the Government are salaries of servicemen paid during incapacity (the amount depending upon the injured serviceman's rank or rating), and the daily cost of military hospitalization. The daily cost rate has arisen from $14.75 in 1953 to $19.25 in this fiscal year. With 9,578,887 military man-days lost in all services by traumatic injuries in 1953, the expense is phenomenal.

The Secretary of Defense reported that:

"In 1954 the Department of Defense paid out $179 million * * * to both temporary and permanently retired military personnel. Of this sum, in excess of $165 million was paid to those permanently retired."

Whatever the expense may have been for widows' pension payments for deaths arising out of servicemen's traumatic fatalities, the amount appropriated by Congress for obligation therefor during fiscal year 1955 was $481,226,000.

Losses occasioned to the Federal Government from these casualties are staggering to the imagination, and undoubtedly will run into many, many millions of dollars each year.

III. IMPEDIMENT AGAINST RECOVERY OF FEDERAL LOSSES

In the case of the *United States of America, petitioner* v. *Standard Oil Company of California, and Ira Boone,* decided in 1947, and reported in 332 U.S. 301, a typical illustration of a case similar to that of Seaman X's, the Supreme Court of the United States specifically held that the U.S. Government has no right of action against a tort feasor who injures a serviceman by his negligence for losses accruing to the Federal Government by reason of such injuries. In so ruling, the Supreme Court made crystal clear in its opinion that it arrived at this result not on the basis of any moral considerations or other considerations of right and justice, but that it based its conclusions solely on the proposition that:

"The question, therefore, is chiefly one of Federal fiscal policy, not of special or peculiar concern to the States or their citizens.

"Whatever the merits of the policy, its conversion into law is a proper subject for congressional action, not for any creative powers of ours. Congress, not this court or the other Federal courts, is the custodian of the national purse. By the same token it is the primary and most often the exclusive arbiter of Federal fiscal affairs."

The Court, in substance, then points out that the matter is subject to regulation by Congress, but in the absence of specific congressional legislation there exists no right of action for the Government for reimbursement. It is clear that no right of action exists under present law for the Government to obtain recoupment or reimbursement for losses it sustains by misconduct of another causing injury to a serviceman. This rule of law, as will later be substantiated, is based on purely technical considerations; to wit, the absence of congressional action on the subject matter. There is no reason in principle or in logic why this state of the law cannot be remedied at any stage whenever Congress sees fit to change the law accordingly.

IV. RESULTANT PRIVATE WINDFALLS

The effect of the aforementioned decision of the U.S. Supreme Court was to give Standard Oil Co. of California a windfall at Government expense. The resultant losses from the accident by reason of the incapacity of the injured serviceman to perform his regular duties, the cost of his medical treatment and similar matters are, by this state of the law, eliminated from consideration as a proper element of damage flowing from the accident. Since the injured serviceman secures these matters without costs, from the Government itself, the serviceman is, of course, in no position to assert the claim by reason of such losses. His claim for compensation is confined exclusively to compensation for pain, suffering and social or economic impairment incurred thereby. The Government, on the other hand, even though it sustains heavy losses out of the accident, is deprived from procuring compensation therefor. The only beneficiaries of this strange policy are the tort feasors and their insurance carriers. Without any particular reason or justice and based purely on the technicality that Congress has not seen fit to legislate with respect to the subject matter, the tort feasors and their insurance carriers are relieved from responsibility. This relinquishment on the part of the Federal Government of its right to recover its losses from the person who caused them does neither the Government nor the injured serviceman any good, whatsoever. It would seem that there is no sound reason in policy why this condition should continue to exist.

Casualties resulting from aircraft disasters, train or bus wrecks, as occurred in the instance of Seaman X will invariably involve military personnel passengers. The damages collected therefor by civilians involved is high, the potential damages collectible by the Government for the injuries to military personnel are infinitely higher, but the Government is without any legal remedy against the heavily insured common carrier whose ability to reimburse is unquestionable.

Insurance adjusters have time and again sought an explanation of this strange philosophy which precludes the Federal Government from asserting a right of reimbursement for, at least, expenses arising out of servicemen's emergency civilian hospital care and military medical care at this hospital. They said that if such policy continues to exist, though unjustly enriching their employers, the insurers, it was costly in the end to themselves as taxpayers.

V. SUGGESTED RELIEF FOR RECOVERY OF FEDERAL LOSSES

Extension of legislation to enable recovery of governmental losses from injuries sustained by Armed Forces personnel does not require adoption of any new or novel legal principles. Such right, notwithstanding statutory considerations hereafter discussed, may be predicated on well established legal philosophy rooted in basic common law concepts existing for centuries. This was made clear by the Supreme Court of the United States in its aforementioned opinion in the case of the *United States* v. *The Standard Oil Company of California and Boone* (332 U.S. 301), where recovery was denied the United States only because appropriate congressional legislation is lacking. The Court said:

"The special problem here (whether the Government is entitled to recover damages for its losses from a third person who negligently injures a member of the Armed Forces) has roots in the ancient soil of tort law, wherein the chief plowman has been the judge, notwithstanding his furrow may be covered up or widened by legislation.

"Bringing the argument down to special point, counsel has favored us with scholarly discussion of the origins and foundations of liabilities considered analogous and of their later expansion to include relations not originally comprehended. These embrace particularly the liabilities created by the common law, arising from tortious injuries inflicted upon persons standing in various special legal relationships, and causing harm not only to the injured person but also, as for loss of services and assimilated injuries to the person to whom he is bound by the relations tie. Such, for obvious examples, are the master's rights of recovery for loss of the services of his servant or apprentice, the husband's similar action for interference with the marital relation, including loss of consortium, as well as the wife's services; and the parent's right to indemnity for the loss of a child's services, including his action for a daughter's seduction.

"Starting with these long-established instances, illustrating the creative powers and functions of courts, the argument leads on in an effort to show that the Government-soldier relation is, if not identical, still strongly analogous."

In the remainder of its opinion, the Supreme Court does not deny the analogies. It ruled that since these matters involve fiscal policies of the Government of the United States, the analogies ought not be applied in the absence of specific congressional legislation to implement authority in situations like those here under consideration. The opinion does not even remotely suggest that if appropriate legislation were enacted, such legislation would do violence to any of the established common laws concepts. Indeed, the Supreme Court specifically points out in the latter part of its opinion:

"The United States has power at any time to create the liability. The only question is which organ of the Government is to make the determination that liability exists. That decision for the reasons we have stated is in this instance for the Congress and not for the courts. Until it acts to establish the liability, this Court and others should withhold the creative touch."

The same thought is perhaps more clearly illustrated in the dissenting opinion of Associate Justice Jackson. He said:

"If the defendant in this case had been held liable for negligently inflicting personal injuries on a civilian, it would have been obliged to pay, among other items of damage, the reasonable costs of resulting care by his doctor, hospital, and nurse, and the earning loss during the period of disability. If the civilian bore this cost himself, it would be part of his own damage; if the civilian were a

wife and the expense fell upon her husband, he would be entitled to recover it; if the civilian were a child, it would be recoverable by the parent. The long-established law is that a wrongdoer who commits a tort against a civilian must make good to somebody these elements of the costs resulting from his wrongdoing.

"What the Court now holds is that if the victim of negligence is a soldier, the wrongdoer does not have to make good these items of expense to the one who bears them. The United States is under the duty to furnish medical services, hospitalization, and nursing to a soldier and loses his services while his pay goes on. These costs, which essentially fall upon the United States by reason of the sovereign-soldier relationship, the Court holds cannot be recovered by the United States from the wrongdoer as a parent can in the case of a child or the husband can in the case of a wife.

"As a matter of justice, I see no reason why taxpayers of the United States should relieve a wrongdoer of part of his normal liability for personal injury when the victim of negligence happens to be a soldier. And I cannot see why the principles of tort law that allow a husband or parent to recover do not logically sustain the right of the United States to recover in this case."

By comparison, the dictum in the majority and dissenting opinion represents no significant difference on the phase of law. Whether Congress should enact enabling legislation is the only issue. There is no indication in either opinion why the situation cannot or should not be remedied by appropriate congressional action at this time.

In England, in the case of *Attorney General* v. *Valle-Jones*, (1935, 2 K.B. 209), the English Government was awarded damages for loss of services of two aircraftsmen of the Royal Air Force who were tortiously injured by the act of a third party on the basis solely of the aforementioned common law principles. It was held that the value of hospitalization furnished and wages paid the men while they were incapacitated constituted an appropriate measure of damages to which the Government was entitled by an application of the aforementioned legal principles.

The latter English case was cited in the U.S. Supreme Court case. Our highest court did not adopt the common law philosophy upon which the English court allowed recovery for the English Government. The U.S. Supreme Court chose, however, to dispose of the case by these words, again quoted as grounds for additional inferences:

"The United States has power at any time to create the liability. The only question is which organ of the Government is to make the determination that liability exists. That decision for the reasons we have stated is in this instance for the Congress and not for the courts. Until it acts to establish the liability, this Court and others should withhold the creative touch."

Had the U.S. Supreme Court cared to articulate further, it might likewise have justified its decision on the doctrine of separation of powers of Legislative, Judicial and Executive Departments of the Federal Government. Settled constitutional law holds that no department has the right to trespass or encroach upon the province of another branch of the same government. No Department is theoretically superior or inferior to the other, nor shall any department usurp the inherent function of the other, especially where another department has indicated its policy or a trend thereon (295 U.S. 495).

Since the turn of the century there has been evidence of strong congressional policy favoring workmen's compensation law. In 1908, Congress, while acting under its power to regulate interstate commerce, enacted the Federal Employer's Liability Act, fixing the duty of employers toward employees engaged in such commerce. The provisions of such statute were to abolish the doctrine of contributory negligence where the injury was partly caused by the defendant's violation of any statute passed for safety of employees, to allow contributory negligence merely to diminish not to defeat recovery, and to abolish assumption of risk where the defendant had violated any safety statute. In 1916 Congress enacted the Federal Employees' Compensation Act; and in 1927, it enacted the Longshoremen's and Harbor Workers' Compensation Act, thereby placing within the framework of workmen's compensation philosophy, Federal employees hired by the U.S. Government. Again, in recent years, an additional group of employees of the United States, the Armed Forces personnel, were placed within the purview of Workmen's Compensation law when the Career Compensation Act of 1949 was approved by Congress.

Legislators, exercising excellent judgment, have synthesized and equated the most appropriate elements in law and in equity in enacting workmen's compensation laws. From law they have extended, in principle, the application of special legal relationship to employees in industry. From equity they have extended the concept of unjust enrichment as a shield against employers' liability for employees injured by fault of third persons. From the beginning, therefore, as an integral part of this scheme of compensation, provision was made in some manner to save the party assuming the compensation obligation harmless where damages could be recovered from a stranger legally liable for the injury.

The nature of the Federal Government's statutory shield against financial liability and its basis for obtaining affirmative relief from the wrongdoer is adequately illustrated by section 776 of the Federal Employees' Compensation Act of 1916:

"If an injury or death for which compensation is payable under * * * this title is caused under circumstances creating a legal liability upon some person other than the United States to pay damages therefor, the Secretary (Labor) may require the beneficiary to assign to the United States any right of action he may have to enforce such liability or such other person * * * to share in any money or other property received in satisfaction of such liability of such other person."

In substance, this language is repeated in the Longshoremen's and Harbors Workers' Act (33 U.S. Code 933), and in every State jurisdiction. However, such provision was never included in the Armed Forces' Career Compensation Act of 1949. It may well represent the type of authority visualized by the U.S. Supreme Court as relief against servicemen's medical expenses. To further emphasize, section 776, above, represents the very crux of the issue upon which the logic of this paper is based. By this state of the law the Secretary of Labor may claim Federal out-of-pocket expenses for the class of civilian employees within his jurisdiction, but the Secretary of Defense is unable to assert such right in appropriate instances for Armed Forces personnel.

Additionally, if a wrongdoer inflicts injuries upon a serviceman, under the Armed Forces Career Compensation Act of 1949, the wrongdoer is under no duty to reimburse the Federal Government. But if a serviceman's physical disability is due to intentional misconduct or willful neglect; or, incurred during a period of unauthorized absence, the benefits he accrues under the Armed Forces Career Compensation Act are forfeited (37 U.S.C. 272b). Civilian employees of the Federal Government are also restricted by this basic common law philosophy (5 U.S.C. 751 and 33 U.S.C. 903b). A master is not liable for his servant's injuries when incurred during periods of personal misconduct; or, legalistically, a master is not liable when a servant acts outside the scope of his employment. Thus, it may be observed, our law requires atonement by the serviceman for his wrongs resulting in injury by forfeiture of Federal benefits. A wrongdoer, however, atones to no one for damages to the Federal Government for injuries inflicted upon service personnel.

Congress, alone, may eliminate these evils which have arisen, and the tremendous losses sustained by the United States as employer of Armed Forces personnel. Appropriate legislation need only be enacted which would definitely declare the Government's right to recover compensation for its damages under these circumstances with appropriate legal machinery to enforce such rights.

The condition herein reflected, and the evil now existing under present laws deserve serious consideration from the proper committees in Congress. Legislative action is deemed appropriate for the good of the country and to improve the economic welfare of the Federal Government in the spirit reflected by a statement made by our Secretary of Defense:

"Secretary of Defense Charles E. Wilson has called on the armed services to cut expenses by about half a billion dollars to help balance the budget."

THE BIGGEST ISSUE IN THE CAMPAIGN

Mr. PORTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, the biggest issue in the campaign is survival. Our foreign policy has failed in many respects. We will hear much of this matter in the campaign which is now opening.

My friend, Louis B. Sohn, professor of law at Harvard and coauthor with Grenville Clark of "World Peace Through World Law," made an outstanding analysis in a speech April 8, 1960, before the American Academy of Political and Social Science in Philadelphia.

We need a Manhattan project for disarmament, he says. We need to draw on our experience in setting up the United Nations. Every candidate for office, every citizen of this and other nations can profit from the information and the insights in this notable address.

Under unanimous consent, I include the text of Professor Sohn's speech:

CREATING A FAVORABLE WORLD OPINION OF AMERICAN FOREIGN POLICY

(By Louis B. Sohn, professor of law, Harvard University)

The basic condition for the creation of a more favorable world opinion concerning American foreign policy is for the United States to have a foreign policy in the first place. The second requirement is that the American policy be a policy which would appeal not only to Americans but also to the largest possible number of other nations. Finally, proper means must be devised to persuade other nations that we have an effective foreign policy and that this policy is a good one from their point of view.

CRITICS OF U.S. FOREIGN POLICY

Many books have been written since the Second World War condemning American foreign policy.[1] Some authors have even alleged that the United States does not really have a consistent foreign policy, and that it does not know how to formulate one.

Many believe that our foreign policy is merely negative and passive, and that, in particular, it is so preoccupied with finding an adequate response to each Soviet or Communist Chinese step that no effort is made to establish an independent policy.

Others complain that American foreign policy is inflexible, that it is based on the utopian idea of forcing the Communist powers into an unconditional surrender, and on the conviction that anything short of such a surrender must be dismissed as appeasement.

The view has also been expressed that the American people do not believe in either the traditional or the new means for conducting foreign policy; that they do not trust diplomats, have no confidence in international law, and are afraid that the United Nations is going to deprive them of sovereignty.

Some of these criticisms are, of course, exaggerated. There can be no doubt, for instance, that in the 1950's the United States accomplished its primary aim—to stop the territorial expansion of the Soviet bloc. But any impartial observer would agree with the statements made in a recent study by the Council on Foreign Relations that "the tendency of the United States up to now has been to treat foreign relations as a series of crises, of moves and countermoves in the cold war," and that "the United States has failed to cast its policies adequately for the long term."[2]

LONG-RANGE OBJECTIVES

The first step in our search for a generally acceptable American foreign policy must be, therefore, to discover its long-range objectives. It has been suggested that they may be traced back to the preamble to the U.S. Constitution which proclaims as its goals "to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity"; and that, in modern terms, this means that the object of our foreign policy should be "to promote and secure conditions in the world under which a nation, with such purposes as ours, can live and prosper" and to create "some form of world order compatible with our values and interests."[3]

If we should accept this approach, it need not lead us to a constant emphasis on U.S. interests and U.S. security. In fact, such an emphasis would be rather undesirable, if we should want other nations to endorse our policy. While it may often be true that what is good for the United States is good for the world, our foreign policy will have a much greater appeal to the nations of the world if it is presented in the alternative form that what is good for the world is good for the United States. While this might sound simple in theory, it is not as easy in practice. Too frequently we have been caught while engaged in two inconsistent selling jobs, in situations in which we have presented different interpretations of the same idea at home and abroad.

One might recall, for instance, the crucial negotiations for the creation of NATO. While our Secretary of State was traveling abroad trying to persuade the Scandinavian nations to join an organization which would increase their security, other spokesmen for our Government were busily explaining to the Senate that there would be no real legal commitment to come to the aid of an attacked nation.[4] More recently, practically every appropriation for foreign economic assistance has been defended in Congress as a contribution to our defense against communism, while we have insisted abroad that we have no intention of interfering in domestic affairs of the assisted nations.

Realism and idealism

This emphasis on our national self-respect, narrowly understood, has led also to a misunderstanding about the role played in U.S. foreign policy by realism and idealism. Some critics of that policy maintain that the United States does not pay enough attention to the realities of power politics, and that it sacrifices political advantages because of moral or idealistic scruples. A recent study has pointed out, however, that whenever "the United States has tried to act without moral conviction, or in ways that went counter to its basic beliefs, it has found itself inhibited and has ultimately had to rechart its course."[5] Whether the issue involved was domination of the Philippines, assistance to French colonialism in Indochina, or support to dictatorial regimes in Latin American countries, the policies contrary to the basic American ideal of democracy have usually been abandoned. In other situations, the United States has accepted deep commitments and onerous responsibilities which were not necessarily dictated by self-interest. Both lines of action have contributed to a positive image of America in other countries.

Words and deeds

Another closely connected problem is the relationship between words and deeds. On frequent occasions, big words have not been accompanied by action, thus leading to a letdown of hopes and expectations. New policies have sometimes been announced which seemed to imply our willingness to accomplish a change in an undesirable situation, but when a chance arose to fulfill our promise, we hid behind some qualifications which were allegedly embodied in our policy statement. There was, for instance, a tragic link between the so-called liberation policy and the purely verbal condemnation of the Soviet suppression of the Hungarian revolt.

Nevertheless, there is room in foreign policy for general declarations of moral principles and for their slow transformation into rules of international law. But such declarations should not be unilateral; they should embody the consensus of as many nations as would be willing to subscribe to them and should be adopted, if possible, by appropriate organs of the United Nations or of other international organizations. Despite some misgivings in certain U.S. circles, the Universal Declaration of Human Rights, approved unanimously by the General Assembly of the United Nations in 1948, has had an important impact on developments in many nations.[6]

MAIN GOAL: PRESERVATION OF PEACE

Coming back to a definition of American objectives in more positive terms, there are many aspects which could be discussed. Even if the Soviet Union should disappear tomorrow, there would still be the problem of China, the growth of political and economic nationalism in Asia, Africa and Latin America, the interrelated questions of race conflict and colonialism and the problems of economic development and of international trade. But the crucial problem is the preservation of peace. If all humanity should be destroyed in a nuclear war, all other values would lose their meaning. The basic objective of American foreign policy must be, therefore, to find a satisfactory solution to the problem of peace and war and to have it accepted by other nations. As in other areas, this policy should not be limited to a monotonous rejection of Soviet proposals, nor should it consist of a series of unrelated, half-baked suggestions which do not even have the approval of the legislative branch of our own Government. It is difficult to rally support in this country and abroad for a policy which is presented to the general public in bits and pieces which do not appear to fit into any previously announced larger scheme. The seriousness of each proposal has to be judged also by the amount of consultations which preceded it, both with the leaders of Congress and with our allies. If a new proposal is accompanied by disparaging remarks in Congress and by shouts of dismay in allied capitals, one cannot expect that other nations will embrace it with enthusiasm.

To illustrate, I would like to discuss two concrete cases: The establishment of the United Nations and the recent disarmament proposals made by Secretary Herter and Mr. Eaton.

Planning the United Nations

In the midst of a great conflict, when all the resources of the Nation had to be geared to winning the war, the Secretary of State had the foresight to direct the preparation of comprehensive plans for an effective world order to be established after the war. A group of dedicated persons was assigned to this task and a wide network of consultations was established with private groups working in this area. Many ideas were considered, some of which were quite radical, and through constant discussion a cohesive

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[1] See, e.g., C. Bowles, "Ideas, People and Peace" (New York, 1958); T. I. Cook and M. Moos, "Power Through Purpose: The Realism of Idealism as a Basis for Foreign Policy" (Baltimore, 1954); T. K. Finletter, "Foreign Policy: The Next Phase" (New York, 1958); L. J. Halle, "Civilization and Foreign Policy" (New York, 1955); J. H. Herz, "International Politics in the Atomic Age" (New York, 1959); E. Hughes, "America the Vincible" (New York, 1959); G. F. Kennan, "American Diplomacy, 1900–50" (Chicago, 1951), and "Realities of American Foreign Policy" (Princeton, 1954); H. A. Kissinger, "Nuclear Weapons and Foreign Policy" (New York, 1957); C. O. Lerche, Jr., "Foreign Policy of the American People" (Englewood Cliffs, N.J., 1958); J. J. McCloy, "The Challenge to American Foreign Policy" (Cambridge, Mass., 1953); J. H. Morgenthau, "In Defense of the National Interest" (New York, 1951); R. E. Osgood, "Ideals and Self-Interest in America's Foreign Relations" (Chicago, 1953), and "Limited War" (Chicago, 1957); H. L. Roberts, "Russia and America: Dangers and Prospects" (New York, 1956); F. Tannenbaum, "The American Tradition in Foreign Policy" (Norman, Okla., 1955); J. P. Warburg, "The West in Crisis" (Garden City, New York, 1959).

[2] Council on Foreign Relations, "Basic Aims of U.S. Foreign Policy" (Senate Committee on Foreign Relations, U.S. Foreign Policy, Study No. 7; Washington, 1959), p. 8. This is one of 15 excellent studies prepared for the Senate Committee on Foreign Relations in 1959–60.

[3] Washington Center of Foreign Policy Research of the Johns Hopkins University, "Developments in Military Technology and Their Impact on U.S. Strategy and Foreign Policy" (Senate Committee on Foreign Relations, U.S. Foreign Policy, Study No. 8; Washington, 1959), p. 13.

[4] See, e.g., the debate in the Senate on Feb. 14, 1949. CONGRESSIONAL RECORD, volume 95, part 1, pages 1185–1193.

[5] Rockefeller Bros. Fund, "The Mid-Century Challenge to U.S. Foreign Policy" (special studies project, Rept. No. 5; Garden City, N.Y., 1959), p. 6.

[6] United Nations Secretariat, "The Impact of the Universal Declaration of Human Rights" (1953), pp. 12–49, and "The Universal Declaration of Human Rights: A Standard of Achievement" (1958), pp. 16–30.

plan was hammered out. After consultations with congressional leaders and other influential citizens, the plans were revised and presented unofficially to our closest allies.

Further revisions followed and the general outlines were presented to other nations for their comment.[7] At the Moscow Conference at the end of 1943, an agreement was reached with the Soviet Union on a few basic principles,[8] and a way was opened for the preparation of a detailed draft. A technical conference of experts from the United States, United Kingdom, the Soviet Union, and later China, was held at Dumbarton Oaks and a set of proposals was agreed upon.

These proposals were immediately published and widely discussed. A few points unsolved by the experts were settled at the summit meeting at Yalta. The support of the Latin American Republics was obtained at a special conference at Chapultepec, and finally a Conference was held at San Francisco of all the nations concerned. The U.S. delegation to the Conference included a group of important Senators and Congressmen, and some 50 national organizations were consulted daily about the developments at the Conference. A concerted effort was made to explain the crucial issues to the general public, and wholehearted support by most of the influential newspapers was enlisted. Consequently, no strong opposition was encountered in the Senate and the Charter of the United Nations was approved by a Senate vote of 89 to 2.[9] Only 4 months after its signature the charter came into force, and a new era thus began.

Disarmament proposals

Compare with that our recent disarmament proposals. Except for a brief effort in 1946 which culminated in the Baruch plan, we have shown very little imagination in the area for a long time. Over the years we have insisted on discussing minute issues, each of them in isolation from others; for a while, we even refused to discuss the reduction of conventional armaments together with the nuclear ones despite the fact that it was in our interest to have conventional armaments reduced simultaneously with the nuclear ones.

In the last 5 years, we have made so many separate proposals, some of them quite contradictory, that not even a specialist in the Department of State can tell what our overall plan is, and how these pieces fit together. In addition, nobody seems to know which of these proposals were seriously discussed by the various branches of our Government before their presentation, which have received the approval of the Senate Committee on Foreign Relations, and which have the support of our allies.

Since September 1959, when the Soviet proposals for total disarmament galvanized us into action, a new approach to the problem of disarmament seems to have developed in our Government. It was first indicated by some questions asked by Mr. Lodge at the United Nations; [10] it was spelled out by Secretary Herter in his speech before the National Press Club; [11] and was implemented by Mr. Eaton in his introductory statement at the 10-nation disarmament conference in Geneva.[12]

For the first time, we seem to have recognized the fact that disarmament is not an end in itself, that the security of the United States in a disarmed world would require the strengthening of various international institutions—the establishment of a strong international police force, the development of better methods for solving international disputes, and the creation of new rules of international law which would protect nations against injuries to their vital interests by means short of war, such as subversive activities, economic boycotts, dumping, etc. After preaching for many years about the need for the rule of law in international affairs, we have finally outlined some concrete steps in that direction.

Publicity fiasco

Has this important action received proper recognition at home and abroad? Has it made clear to other nations that we are more peace-loving than the Russians and that we really want to establish the rule of law in the world? There can be no doubt that the answer is "no."

Why did it happen that way?

In the first place, the new ideas were buried in long statements dealing with technical details of our new disarmament proposals.

Secondly, these disarmament proposals seemed to put stress not on the great principles of an effective peace plan, but on a variety of studies which must be conducted before these principles can be spelled out. In reading our proposals, most people—including the newsmen—never got beyond the complicated first paragraphs, and as a result there was practically no reaction to the exciting new idea of a comprehensive peace plan; and even the newspapers which noticed it played the idea down rather than up.

Thirdly, there was no indication of the seriousness of our proposals, as measured by prior consultations with Congress and our allies.

Fourthly, there was no followup, no attempt to stimulate a debate in the Senate on the subject, no television address bringing the matter more directly before the American people, no Presidential endorsement, no indication that the matter will be brought up at the next summit meeting, no concerted action by our diplomatic mission abroad to bring the new ideas to the attention of foreign governments and foreign newspapers.

A great opportunity has thus been missed to create a favorable climate abroad for our foreign policy in an area where other nations are instinctively receptive to our proposals.

New approach

The remedy here would seem to be to duplicate the original United Nations approach. There we developed a great idea and shepherded it carefully to a successful conclusion. Now we have a new idea which is a logical sequel to the other one. By a determined effort over a period of say 3 years, we might be able to advance it from a tentative concept to a generally acceptable plan.

To the extent that studies are needed, we can conduct them ourselves and present the results to the other nations, as we have done at Dumbarton Oaks. If we can do the job well, and I do not doubt that we can, we should have no difficulty in creating such a wave of enthusiasm around the world that even the Soviet Union would not find it advisable to oppose it.

If, however, the Soviet Union should reject a proposal recognized by all as the only safe way towards peace, then we would accomplish at least the other aim of our foreign policy—to show to the peoples of the world who is the true lover of peace. We have really nothing to lose, and we can gain a tremendous amount. In any case, the risk of exploring the road to peace is much smaller than the risk of a continuing arms race and the prospect that nuclear weapons may soon come into the hands of persons who will have less inhibitions in using them than the present possessors.

NEEDED: A NEW MANHATTAN PROJECT

In conclusion, it seems clear that before the United States can create a more favorable world opinion for its foreign policy, it must reformulate this policy in positive and concrete terms, both in the general area of peace planning and with respect to the more specialized problems of our relationship to the Soviet bloc, Western Europe, the Commonwealth, Asia, Africa, and, last but not least, Latin America.

The Senate Committee on Foreign Relations is now engaged in this task and it has enlisted the support of all the important centers around the country; the studies already published have developed a number of important new ideas which deserve wide public discussion. But the main burden of formulating the policy, of explaining it to the country and of selling it abroad rests on the executive branch of Government, and in particular on the President. If he should lead courageously, the Nation would follow, and other countries would also rally behind us. This cannot be improvised, however.

A tremendous effort will be necessary to enable the next President to establish a meaningful foreign policy. As a minimum this effort should be similar in scope, size, and importance to the great research program which culminated in the establishment of the United Nations. Perhaps we should set our sights even higher and start a research effort comparable to the Manhattan project in the field of nuclear energy.

Suggestions have been made recently for a separate National Peace Agency [13] and for an Arms Control Research Institute.[14] But these projects are still too limited in scope both with respect to their subject matter and the resources to be drawn upon. It might be desirable to establish in addition a truly international research project in this field, in which men from many nations would join in an objective study of the problem of peace.

Such a project might be under the direction of an international peace commission, composed of 50 private individuals (10 lawyers, 10 political scientists, 10 specialists in arms technology, 10 economists, and 10 persons with experience in the work of the United Nations), with a staff of full-time research associates and part-time consultants. The Commission should be empowered to prepare detailed proposals not only for disarmament, but also for an international police force, settlement of international disputes and peaceful change, and development of underdeveloped countries. It should be required to finish its work in 3 years. If the plan proposed by this Commission is deemed by most nations to be impartial and adequate, it would create such a wave of enthusiasm around the world that no nation would dare to oppose it.

If such a worldwide project is deemed too ambitious, it might be tried on a smaller scale, e.g., within the framework of the Atlantic Community. At least, a commission with similar composition and object might be established in the United States, to guide our own study of the problem. It should be entitled to call upon the best men in the country and its research studies should be

[7] For a history of this patient effort, see Department of State, "Postwar Foreign Policy Preparation, 1939–45" (Washington, D.C., 1950); R. B. Russell, "A History of the United Nations Charter" (Washington, D.C., 1958).

[8] 9 Department of State Bull. (1943), pp. 308–309.

[9] CONGRESSIONAL RECORD, (vol. 91, pt. 6, p. 8190).

[10] 41 Department of State Bull. (1959), p. 615, at 620.

[11] 42 idem (1960), p. 354, at 357.

[12] New York Times, Mar. 16, 1960.

[13] 106 CONGRESSIONAL RECORD, 4916 (Mar. 8, 1960).

[14] 106 idem 4452 (Mar. 7, 1960).

given the highest priority. To finance the Commission's projects, one-tenth of 1 percent of the amount spent on armaments should be sufficient. Planning for peace is less expensive than planning for war, but the peace planners still require much more than has been spent on their work during the last 15 years.

With patience and perseverance, our Commission should be able to formulate an interrelated statement of our goals and to outline the concrete steps which we should take to reach these goals. If the President accepts this statement and uses all the power of his office to insure the support of the Congress and of the people of the United States, then the moment will come to present this new formulation to other nations for approval. If we do this job right, there can be but little doubt that our new foreign policy will be of the kind that will appeal to other nations and will receive their support.

The United States has no ambition to rule the world in an authoritarian manner; its goal is instead to create a world order in which all nations will be able to live in peace, freedom, and justice. Should we find a way to accomplish that goal, we can fully expect that all the nations of the world will accept it without any hesitation. If we succeed in developing a foreign policy which will be favorable to our own survival and to the survival of the human race, we will not have to worry about creating a favorable world opinion.

FOGARTY CONTINUES FIGHT FOR BETTER HEALTH FOR RHODE ISLAND AND THE NATION

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FOGARTY. Mr. Speaker, this year of 1960 is one of particular significance in American history. It is one that may be marked in the future as a turning point in many aspects of our national life. It is a year that may well become known as the most significant of our century's latter half—a year in which the tides of peace, of economic prosperity, and of health swelled to new crests.

I am confident that, if this is so, the American destiny will reach new heights in these three great fields. I am confident because of the strength and character of the American people—which profoundly influence the tides of peace, prosperity, and health here and throughout the world. Because of our people's strength, these tides will rise toward higher and higher achievement.

In my home State of Rhode Island, where I see and know the character and strength of the American people so well demonstrated, we are certain that further progress can and will be achieved. As 1960 moves toward its closing months, the people of my State and of our sister States will, in their judgments and choices, seek and select for their representative leaders those whose programs have in the past provided positive action and real progress for better economic security, for strengthening our efforts for peace, and for advancing the welfare, the education, and the health of our people.

In the past 20 years, I have devoted my own efforts as a Representative of the people of Rhode Island to providing programs for, and seeking ways to further, all of these areas of tremendous import to each of us. Moreover, I have been concerned—within the framework of the needs for advancing peace, economic betterment, and health, education, and welfare—with developing an area which is of basic and vital essentiality to progress in all of the three. This is the area of research in medical, biological, behavioral, sociological, educational, and related sciences. It is from and through such research that there is coming and will come new knowledge for and new ways and means to the greatest possible attainments for and by our people.

Research and the application of the knowledge it brings have amply proved that they pay substantial dividends. Through the programs which we in Congress have established, which I have been privileged to provide leadership for with the support and endorsement of my colleagues, America's human research resources have been well mobilized and positive activities have been successfully undertaken in many fields of health, education, and welfare.

PAST BENEFITS PORTEND FUTURE GAINS

The year 1960 is one, I submit, in which we can and should, as we consider the benefits the last 10 to 20 years have brought in these fields, strengthen our efforts substantially. In my own 20 years of service in the Congress, I have witnessed, participated in, and helped to win actions which I believe all of us will agree have been essential to bringing us to where we stand today—with America healthier than ever before in her history and occupying world rank as the leader in health and humane affairs.

The 86th Congress itself has been a particularly exciting and rewarding experience for me in my role as chairman of the House Subcommittee on Appropriations for Health, Education, and Welfare. In the 14 years that I have served either as chairman of this subcommittee or as ranking minority member, we have never heard such convincing demonstration of need, such heartening progress in research endeavors, nor such tremendous opportunity to capitalize on current progress to bring untold benefit in future years.

HEARTENING PROGRESS

During the past 5 years, to mention a few specific examples of the tremendously heartening progress, there have occurred such advances as the following:

Reversing of the 50-year trend of an increased number of hospitalized mentally ill to definite decreases in the populations of State mental hospitals.

A new downward trend in the death rate caused by high blood pressure.

An encouraging improvement in the cure rate in cancer, through which now 1 in 3, instead of 1 in 4, cases of this dread disease can be arrested or cured.

Effective vaccines for the prevention of paralytic polio, including the addition in the very near future of a living virus vaccine that offers great promise and that will supplement the Salk killed virus polio vaccine which is already saving lives and preventing crippling.

Effective drugs for the ravaging and crippling conditions of arthritis, which numbers millions of victims.

These are only a few examples from a long list of striking advances against the major killers and cripplers today, the chronic illnesses, which have come about in the last 5 years. Prior to this, we have observed as a result of the progress achieved through medical research, dramatic advances such as:

The removal of infections as an important cause of death—resulting in great decreases in the death rates from diseases and infections such as pneumonia, tuberculosis, and streptococcal infections.

Progressive disappearance of rheumatic heart disease as a killer of major importance—with the continuing decline of this disease promising its all but virtual elimination in the foreseeable future.

Lifesaving advances in surgery for heart and lung disease that have opened great new frontiers and helped or completely cured many thousands of otherwise doomed victims—through new, daring surgical techniques involving tubes into the living human heart and open heart surgery.

The results of gains and benefits such as these portend even greater advances for the future. These results are, of course, already shown in vital statistics—the statistics of life and death—which reveal increased life expectancy, dramatic reductions in infant and maternal mortality, and more and more Americans being able to remain in useful living and gainfully occupied, losing less time from productive living than ever before in our history.

Thus, the story of American medical research in the past few years is one of drama, human interest, and conflict—conflict of man and his intellect and resources against a common enemy, disease. It is an unmistakable fact that man has been winning the conflict against his enemy. The programs of research and training and the construction of research facilities are the strong bases upon which the great attack on disease operate.

In the same years, those in the Congress who truly represented the feelings of the American people and perceived the needs for improving the health, well-being, and productivity of this Nation have fought hard against restraints and restrictions that stand-pat and cut-back budgets for medical research would have imposed. We have consistently succeeded, year by year, in winning this conflict, without which many victories in the conflict with disease itself would not have been won.

MAJOR PROBLEMS REMAIN

Yet much remains to be done in the conflict with disease. A glance at only three of our major health problems, advances against which have been mentioned, reveals the stark fact that we

have only scratched the surface with our accomplishments thus far:

Mental illness continues as a major health problem with some 16 million suffering from it and more than a million having to be hospitalized each year.

Heart disease causes nearly 900,000 deaths each year—striking heavily through heart attacks among people in the most productive years of life.

Cancer is an increasing problem, frighteningly so among our children. Cancer kills over 250,000 of all ages each year, attacks nearly half a million persons each year, and shows three-quarters of a million cases under treatment at any given time.

While these and other health problems that remain to be solved are vast, the developments in research and its application in recent years have greatly increased the areas of opportunity for still greater progress.

Medical research has a still untapped potential for bringing new knowledge against mental illness, cancer, heart disease, and other ills. Medical and surgical treatments can bring their help to more and more suffering people through the wise use of drugs against the chronic killers and cripplers mentioned above; and the employment of new surgical procedures against previously inoperable cancer and heart disease conditions.

Our expanded medical research programs, which have more than repaid the investment in saved lives and increased productivity, show these and other real potentials for health gains of great dimensions. Congress has realized this and has and will respond accordingly. We must examine the record to get a complete picture of what has happened in the past 8 years and to learn who have been the true supporters of this progress and achievement and who have been the stand-patters and opponents of maximal progress. I refer specifically to the appropriations for the National Institutes of Health, the major Federal source of funds for the support of medical research. Between 1953 and 1961, the appropriations for the National Institutes of Health were increased from $59 million to $590 million.

LEADERSHIP FOR PROGRESS

During this period, the whole Congress, as well as my colleagues on the committee, have given me support against a policy of ignoring the advice of the experts in the fields of medicine, education, and related areas. Each year, the pattern became clearer: Congress, alert to the expressed needs of the Nation and its people, provided for broadened medical research programs and for new programs to meet the new challenges of our times; and each year the administration continued to prepare budget requests geared to the previous year's needs.

The appropriations formulated for fiscal year 1961 were no exception to past experience. The budget request for fiscal year 1961 was precisely the same as that voted by this Congress for fiscal year 1960 with one exception: it recommended a $5 million cutback in the program for construction of health research facilities—a program that has demonstrated a justifiable demand many times greater than Congress has ever provided.

Our subcommittee voted to restore the $5 million for construction of health research facilities and, based on the best information available, declared in our report that the budget for $400 million should be increased by $55 million.

In the meantime, the Committee on Medical Research, formed by the Senate Health Appropriations Committee to study the needs and whether public funds were being spent wisely for medical research, was accumulating its findings. The committee, composed of some of the most respected men in their fields, include Rhode Island's Dr. J. Walter Wilson, professor and chairman of the department of biology of Brown University.

After careful study and weeks of intensive research, this committee has pointed out that the funds appropriated to NIH have been wisely administered and used well. The committee stressed, moreover, that the current budget request was unrealistic. The gains in medical knowledge translated into prolonged lives, healthier people, and higher potential for production that have been made thus far would be wasted if we did not capitalize on these gains for greater ones in the future.

FUNDS ESSENTIAL TO WIN VICTORY

The budget which I have recommended, therefore, takes this into account. These funds are essential to win the victory we all seek over the formidable enemies of disease. These funds are reflective of the urgent needs on the one hand and of the opportunities we must take advantage of—for maximum progress—on the other hand. They involve what will become the sure benefits of programs of the future for our young, our senior citizens, and those of the middle years.

The startling cases of children killed or permanently crippled by diseases, such as polio, that do not need to occur or can be prevented are stark reminders that we must continue to build on the progress that has been made and that, increasing today's investment, is a wise measure for future gains.

RHODE ISLAND EXEMPLIFIES OPPORTUNITIES

As one door is opened there comes the vision of more doors that can be unlocked. For example, one outstanding project to unlock new doors is a collaborative perinatal study, in which Rhode Island is a key State. In this project, 50,000 expectant mothers will be interviewed and examined to correlate cerebral palsy, mental retardation, and other kinds of brain damage to the events preceding and occurring at birth. Rhode Island's Brown University has served as a model for the participation of 14 other institutions throughout the country. The program is already reaping a beginning harvest of new knowledge of use to the medical profession.

Rhode Island also, I am proud to say, has taken a lead in the field of cancer diagnosis and was one of the first to set up a cancer detection center. Under support of the National Cancer Institute this center has made possible physical examinations for all women over the age of 20, so that cases of uterine cancer can be detected while there is time for effective and early cure. Not only are gains being made in diagnosing cancer by means of cytology, but the relationship of cancer to virology is also being studied. Animals are being cured of certain kinds of cancers and being rendered immune to its recurrence. Children with leukemia are having their lives prolonged. Since so much progress has been made so far we have the incentive for extending our research and of stepping it up at a more intensive pace than ever before.

ACTION ON AGING AND OTHER PROBLEMS

We are about to make great strides in understanding and contributing to the needs of the aging among our population. I count it a personal privilege to have sponsored legislation which establishes the first White House Conference on Aging, to be held in January of 1961; and I wish to express thanks to all those who helped in its enactment and to those who are now working so hard to make it a success. Rhode Island and the other States have already conducted their State and regional conferences and are now preparing to participate in the White House Conference on Aging. This Conference has special implications and promises to offer possibilities for independent living for today's and tomorrow's retirement-age population. As we progress in our knowledge of all disease, we shall contribute more and more to the independence and capacity for living of the aging citizen. Action here and on such problems as those of hearing and speech defects will mean much to all of us.

The deaf, hard of hearing, and those with speech defects constitute the greatest number of handicapped children in our Nation. The so-called independent living bill, and legislation to assist the deaf and hard of hearing will be a boon to large numbers of the Nation's handicapped. A report made by the Commissioner of Education 2 years ago indicated that only about one-fifth the number of needed speech correctionists and teachers of children with impaired hearing are now in the Nation's schools. Positive legislative action will provide the required training for greater numbers of audiologists, speech therapists, and teachers of the deaf and hard of hearing to meet the needs of between 1½ and 2 million school-age children with speech and hearing impairments severe enough to interfere with their emotional, social, and intellectual development.

The rate of progress in these two fields just mentioned—and in others like cancer, heart disease and mental illness, is largely determined by the amount of support provided. We shall speed up that rate by just so much as we provide aid commensurate with the needs and potentials for new gains. Increasing support for medical research will further supplement, but will not limit, nor control, nor interfere with, support from

non-Federal sources nor with the partnership execution of programs by private and public agencies. This, too, has been proved conclusively by past experience and the recent record; and the testimony and evidence that I have heard and seen and carefully studied bears out the point.

In my home State of Rhode Island, we are particularly proud of what we have accomplished, through our own resources and by our own leadership, in establishing a broad spectrum of new and increased activities in medical research, training, and measures to apply knowledge to benefit people. We have done this with Federal grants and assistance as supplementary and complementary. We shall continue and strengthen these progressive and life and health saving programs, for I know that the fullest utilization of the State's potential has not yet been reached and that we require increased supplemental support to complement the resources of our own which we are putting and will put into the attack on disease and disability.

RHODE ISLAND RESOURCES DEVELOPING

Today Rhode Island is playing a key role in the national effort against the dread killers and cripplers of disease. Today also Rhode Island's medical and health resources are outstanding in the developing of better and better services and facilities, ranging from those of the all-important physician to those of the colleges and universities and hospitals and private and public health and welfare agencies.

Thus, the medical research and health programs under way in Rhode Island offer splendid examples of accomplishment and of new areas of promise. Our State institutions and organizations, both public and private, and their men and women—researchers, medical teachers, physicians, nurses, and allied health workers of all kinds—are bringing to the people of Rhode Island the very best in medical and health benefits.

Supplementing and aiding them, and helping make many of the programs in the State possible, are funds from the National Institutes of Health for research, research training, building and equipping of research facilities, and other special health activities in Rhode Island.

In the past fiscal year these funds amounted to some $2,115,907 of support in Rhode Island. This support is helping in the national attack on disease, providing new and needed knowledge in a number of important fields, and it is helping our people and our State themselves.

It is a growing and encouraging field, this whole one of endeavor for health—one in which I am gratified to have served and one to which I shall continue to devote my utmost efforts toward establishing and providing for programs that will benefit both the whole Nation and my own people in Rhode Island.

Let me express my appreciation to my colleagues on the committee which I chair, and to all my other colleagues in both the House and Senate, for their own concern and interest in these vital programs. They have given me, in behalf of their States and of the Nation as a whole, the backing and support with which we have been able to achieve the splendid record of health and medical legislation achievement for which the Congress has been acclaimed by scientists, physicians, many organizations, the press, and the public.

In conclusion, let me again stress my sincere conviction that we in Congress take a positive and progressive approach to providing for the programs for research, training, and related activities so that 1960 will be a landmark year. You may be sure that I will continue to fight for better health for Rhode Island and the Nation.

THE SITUATION CONFRONTING AMERICAN INDUSTRIES AND WORKINGMEN AS A RESULT OF FOREIGN COMPETITION

The SPEAKER. Under the previous order of the House the gentleman from West Virginia [Mr. BAILEY] is recognized for 30 minutes.

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BAILEY. Mr. Speaker, in the closing days of the 2d session of the 86th Congress, I would like to offer for the information of my colleagues in the House a brief résumé of the situation that confronts American industries and American working men and women due to the failure of the Congress to take needed action to control and curtail the evermounting tide of foreign imports that threatens many of the Nation's basic industries.

At a legislative session of the U.S. Tariff Commission held on June 1 of this year, the Commission assumed arbitrarily authority to interpret intent of Congress. At this point, I desire to read into the RECORD comments on the Commission's decision representing a 4 to 2 vote of the Commission in rendering a decision on the application of the lamb and mutton growers to prove injury in their industry:

TARIFF COMMISSION SETS LEGAL PRECEDENT ON IMPORT INJURY

The fear of an anticipated increasing volume of future imports cannot, under the law, form a basis for the protection of a domestic industry.

This interpretation of the basis of assessing import injury in escape clause cases was made by a four-member majority of the Tariff Commission on June 1 in a report covering the recent investigation of lamb and mutton, live lambs and sheep.

The very definitive opinion, which has drawn considerable commendation in trade circles, notes that the relevant question the Commission is directed to answer in escape clause investigations is whether a product "is * * * being imported in such increased quantities * * * as to * * * threaten serious injury to the domestic industry."

The majority stated: "The Commission cannot legislate a change in the law that would permit threat of serious injury to a domestic industry to be related to future imports. Only Congress can legislate. Whether the law should be so changed is a question of policy for Congress alone to decide."

In other words, says the report, to justify a finding that imports are causing or threatening serious injury to the domestic industry the serious injury "must be imminent and not remote, conjectural or based on mere suspicion, rumor, fear, or possibility."

Mr. Speaker, as an indication of what faces a growing number of American industries, I wish to call attention to hearings now held before the U.S. Tariff Commission under the peril point section of the Trade Agreements Act.

These hearings are being held by the Tariff Commission to determine whether industries presently suffering from excessive imports can stand further reductions in import duties under the section of the present Trade Agreement Act that empowers the President to further reduce import duties by 20 percent. The study will also try to determine what other American manufactured articles will have to face a cut in import duties, out of the list of some 2,500 articles now being considered by the General Agreement on Tariffs and Trade at Geneva.

PERIL-POINT STUDY STARTED

A peril-point investigation of all articles (approximately 2,500) under consideration for possible trade concessions by the United States in the forthcoming GATT negotiations has been started by the Tariff Commission. Public hearings begin July 11.

This investigation is required so that the Commission can obtain the facts necessary with respect to each article on the "considered" list as to: (1) the limit to which the modification of duties and other import restrictions, imposition of additional import restrictions, or specific continuance of existing customs or excise treatment may be extended in order to carry out the purpose of the Trade Agreements Act, without causing or threatening serious injury to domestic industries; and (2) the minimum increase in duties or additional import restrictions required, if increases are required to avoid serious injury to domestic industries.

If the Commission finds that an increase in duty or other restriction is in order it must promptly initiate, on its own motion, an "escape clause" study of the article.

Mr. Speaker, open proof of the dilatory attitude of the Congress in this field can be found in the attempts of minority leader DIRKSEN of the other body in his proposal in the form of a joint resolution setting up a Commission to study and report on the influence of foreign trade upon business and industrial expansion in the United States. Like many other proposals, this one too is gathering dust in a pigeonhole of the House Committee on Ways and Means or the Senate Finance Committee.

TRADE IMPACT STUDY

Senate Minority Leader EVERETT DIRKSEN (Republican of Illinois, and 17 other Republican Senators) on June 13 introduced a joint resolution (S.J. Res. 208) which would "provide for a Commission to study and report on the influence of foreign trade upon business and industrial expansion in the United States."

The Commission's 12 members, to be "broadly representative of the public" would be appointed by the President, and should report back to Congress by July 31, 1961; $1 million is authorized for the work of the Commission.

Among the 10 areas enumerated for exploration are: (1) the impact of foreign trade on the U.S. economy; (2) the differences in prices and labor costs; (3) aid by the United States and foreign governments to export trade; (4) protection by the United States and foreign countries against imports; (5) the effect of regional marketing arrangements on U.S. trade; (6) U.S. foreign investments and their relation to foreign economic policy.

The resolution was referred to the Senate Interstate and Foreign Commerce Committee. No action is expected this session.

Mr. Speaker, another good example of the efforts of the internationalist group to hamper the efforts of Congress can be found in the hearings presently going on in the Senate Finance Committee on H.R. 5054, legislation recently approved by the House to require import labeling. The Treasury Department predicates its open opposition on the ground that it would be too much of a burden to enforce the legislation.

IMPORT LABELING

The Senate Finance Committee has accepted statements in lieu of a public hearing on the hotly contested import labeling bill (H.R. 5054) passed by the House during the last session of Congress, and which provides that products imported in containers must be labeled as to country of origin when repackaged.

In its first public statement on the bill, the Treasury Department appealed to the Committee to shelve the measure which could only place "an intolerable burden" on the Customs Bureau's investigating staff.

"The identification of a repackaged article as an imported article—bearing in mind that marking of the container upon importation complied with the law and the article itself did not have to be marked—would appear to involve difficult investigative problems in cases where an alleged violation is reported to customs." Examples cited in the statement included: grains, fruits, vegetables, nuts, screws, bolts, nails, washers, playing cards, artificial flowers, fishhooks, chemicals, sewing needles, and buttons.

Mr. Speaker, at this time, it might be well to remind my colleagues that a last-minute effort is being made in the Senate Finance Committee to revive the so-called Boggs bill, H.R. 5, which squeezed by the House on a margin of three votes. Once again, the "long-haired" internationalists are trying to buy friendship abroad at the expense of American industry and American workers' jobs.

FOREIGN INVESTMENT

The Senate Finance Committee held hearings this month on the Boggs bill (H.R. 5) to encourage foreign investment abroad. (See May issue Trade Talk.) Businessmen and congressional witnesses urged approval of the amended bill, and Senator JAVITS, Republican, of New York, suggested it be further amended so that earnings on U.S. private foreign investments in the advanced nations would be eligible for tax deferral if invested in underdeveloped countries.

This "cross-investment" provision, he said, could make available an additional $700 million a year in investment capital in Africa, southeast Asia, the Middle East, and Latin America.

Mr. Speaker, some days ago on the floor of the House, I took the chairman of the House Ways and Means Committee to task because of the failure of the committee to grant a hearing on House Concurrent Resolution 512—Senate Concurrent Resolution 104, by Senator KERR, of Oklahoma. At this point, I desire to read into the RECORD a letter addressed to Chairman MILLS of the House Ways and Means Committee, signed by the 42 Members who cosponsored House Concurrent Resolution 512, together with a list of additional Members of the House urging immediate action on this resolution, which would declare it the sense of the Congress that we make no further cuts in our import duties for a period of 2 years:

FEBRUARY 24, 1960.

Re House Concurrent Resolution 512.

Hon. WILBUR D. MILLS,

Chairman, Committee on Ways and Means, House of Representatives, Washington, D.C.

DEAR MR. MILLS: On January 26, I introduced House Concurrent Resolution 512 which would express the sense of Congress that the President should not negotiate further tariff reductions in the forthcoming GATT conference in Geneva and, further, that he should cause an inquiry to be made into the extent to which other countries are relaxing their import restrictions on our exports.

Twenty-four other Members, both Democrats and Republicans, have introduced the resolution, and they have signed this letter requesting early hearings.

A copy of the resolution is attached. It speaks for itself, but I would point out that the Trade Agreements Extension Act of 1958 was passed at a time when the deficit in our foreign dealings, our drainage of gold, and the extent of our being priced above world markets and similar facts had not yet come to the surface as they have in the past year.

Also, I would call attention to the permissive character of the 1958 act. It did not say that tariff reductions must be made. What the President is authorized to do, he need not do and, indeed, should not do if underlying facts have so changed that it would be detrimental to the country if he carried out the authorization.

The purpose of this communication is to request either that public hearings be held on the resolution or that your committee call before it Members who have introduced it, so that the House may have an opportunity to vote on the question.

Sincerely yours,

CLEVELAND M. BAILEY, ARCH A. MOORE, Jr., E. Y. BERRY, JAMES C. DAVIS, JOHN H. DENT, KEITH THOMPSON, W. J. BRYAN DORN, O. C. FISHER, H. R. GROSS, ROBERT W. HEMPHILL, CLIFFORD C. MCINTIRE, NOAH M. MASON, JAMES C. OLIVER, WINT SMITH, SAMUEL S. STRATTON, JAMES B. UTT, RUSSELL V. MACK, JOHN P. SAYLOR, JACKSON E. BETTS, THOR C. TOLLEFSON, THOMAS J. LANE, WAYNE L. HAYS, VICTOR A. KNOX, KENNETH J. GRAY, JOHN J. FLYNT, Jr., WILLIAM G. BRAY.

Despite the bottleneck in the House Ways and Means Committee on House Concurrent Resolution 512, Members of the House continue to add their sponsorship to this worthwhile attempt to safeguard our domestic industries. Mr. CEDERBERG, of Michigan, and Mr. LEVERING, of Ohio, have cosponsored this resolution in recent days.

Not all the indications are as gloomy as the ones I have just painted above. In this connection, I would like to read into the RECORD a recent article, under the caption "Tough Foreign Competition Puts Business on Edge." This article reports the findings of a conference held at the Harvard University Business School on the impact of foreign imports. I am sure my colleagues will find much food for serious thought in this article:

SEMINAR FOR EXECS—TOUGH FOREIGN COMPETITION PUTS BUSINESS ON EDGE—PRODUCERS OF STAPLE ITEMS FEAR A CONTINUING SLUMP

(By Sylvia Porter)

At a national business conference at the Harvard Business School a few weeks ago, by far the most popular seminar was devoted to the impact of foreign competition on producers of staple items—such as nails, nuts, bolts, barbed wire, pipefittings, etc. Crowded into the meeting hall for that session were executives from industries ranging from steel to textiles, electrical to ceramic tile.

It was the unanimous opinion of the executives, according to my informant, a Pennsylvania manufacturer of steel pipefittings, that they had "lost our export markets and are now losing some of our domestic markets to foreign competitors."

A representative of the plywood industry, for instance, testified that his corporation had made an agreement with a Japanese firm whereby lumber was shipped from the United States to Japan, converted into plywood there and then returned to our country "at prices considerably lower than it is possible to produce plywood here."

One of the country's largest manufacturers of ceramic tile declared that his working force was down to 10 percent of its former level and his firm was now "making only the large and highly specialized small run items. All staple items are being imported."

My informant said "foreign equipment is often more modern than ours and our unions' policy pegging production often means we're getting a much lower output per machine and man than foreign producers."

What brings me to this report is that responsible industrialists from all over the country have been strongly disagreeing with a contention I made in this space recently that, despite our higher wage scale, the United States can find the answers to foreign competition via our superior know-how and production efficiency, ingenuity and imagination, new processes and products, commonsense and courage.

Perhaps producers of such consumer goods as cars, radios, toys, etc., can find the answers in know-how and ingenuity, they say, but not the producers of staple items, "for no amount of inventiveness can change the specifications on these products. They are made to national and international standards which control every dimension."

Now other nations have the industrial plants and capacity to beat us in competitive markets.

What, then, are the solutions? At this seminar, the executives came up with all sorts of answers—higher tariffs, getting into another business, importing parts, drastic cost-reduction drives.

Many said that their only possible defense was building or buying plants abroad, even though they agreed that if generally adopted this policy would make us a violently depressed agricultural economy.

Mr. Speaker, the fabled story of Nero fiddling while Rome burns is an understatement of the situation that faces American industry and American economy in the failure of the present Congress to face up to one of the most serious situations America has faced in the 180 years of its existence.

The only way we can hope to carry out our commitments as leader of the free world is to have a good economic policy. With imports of foreign-made goods exceeding our exports of American goods

by better than $4 billion annually, even a blind man can see with his cane that there are rough waters ahead.

I want to call the attention of my colleagues to an article which appeared in a recent issue of the Reader's Digest under the caption "The Coming Crisis in Gold":

THE COMING CRISIS IN GOLD

(By James Daniel)

In a pit cut out of the granite bedrock of Manhattan Island, five stories below the street floor of the Federal Reserve Bank of New York, lies a treasure of pure gold of such concentrated weight that if it were not resting on mother earth it would plunge floor by floor through any building yet designed. In this elaborately guarded steel- and concrete-cased vault are 10,000 tons of brightly gleaming brick-shaped gold bars, worth $10 billion. (Only Fort Knox contains more—12,500 tons.) Why all this gold got there is a story vitally affecting the lives and fortunes of the American people.

For, unlike the gold at Fort Knox, this gold does not belong to the United States. Much of it was once ours, but it now is owned by other countries; the Federal Reserve stores it as a matter of convenience. In its huge vault are 96 heavy-steel cages, each containing the amount of gold owed to a foreign country or an international financial agency such as the World Bank or the International Monetary Fund.

Each cage bears a tag giving the value of the gold it holds. The day I was there I saw one tag for $500 million and another for exactly $40,000,000.07.

In addition to this supply, foreigners and international institutions are credited with more than $19 billion in claims directly or indirectly convertible into gold. These claims amount to 19,000 tons of gold.

By a sobering coincidence, this is almost as much gold as the United States still has.

To most Americans it comes as a shock to realize that there are two utterly different kinds of dollars: the dollar one U.S. citizen gives to another, which is a piece of green paper or a scrawl on a check; and the dollar given to a foreigner, which can in one way or another be converted into gold at the U.S. Treasury. Most of us think that we have not been on the gold standard since 1933, when the Government made the dollar inconvertible at home while leaving it convertible internationally.

Mr. Speaker, there is no time for delay. Congress must face this issue, and I predict that it will be one of the major issues of the 87th Congress, which will convene in January. The present Reciprocal Trade Agreements Act must be materially changed or completely junked, and I shall continue my efforts to so change this trade policy that we can have a sound economy without selling American jobs in order to buy friendship abroad.

SAVING THE PRAIRIE POTHOLE "DUCK FACTORIES" OF MINNESOTA AND THE DAKOTAS

Mr. REUSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, three-fourths of the wild ducks that ever see the light of day in the continental United States are hatched in the 89 counties of western Minnesota and eastern North and South Dakota known as the prairie pothole area. In recent years, more than one third of the 1,350,000 potholes in this area have been drained through Federal subsidies—payments by the Department of Agriculture to the farmer for half the cost of draining wetlands and the whole cost of technical assistance for such drainage. Countless more such potholes have been drained without Federal assistance.

As Sport Fisheries and Wildlife Bureau Director Daniel H. Janzen recently told the Congress:

The handwriting is on the wall for the waterfowl resources of this Nation unless destruction of its breeding habitat is halted.

Fortunately, two recent developments hold out some hope that we are going to reverse the trend and preserve, rather than wipe out, these invaluable waterfowl breeding grounds.

The first such development is the agreement, dated May 2, 1960, between the Department of the Interior and the Department of Agriculture whereby county ASC committees in the 89 counties of the prairie pothole area will no longer be able to go ahead and subsidize the drainage of the potholes without notifying the Fish and Wildlife Service. Under existing law, the Fish and Wildlife Service has no way of knowing what potholes are to be drained with Government funds, and no opportunity to protest. For example, in the period 1951–55, 256,700 acres of duck habitat were drained in the 89-county area at a cost to the taxpayers of $5,639,723, while the Fish and Wildlife Service was acquiring a measly 3,462 acres—a ratio of 74 acres drained for 1 acre saved.

Under the May 2, 1960, agreement, when a farmer applies to his ASC committee for a Federal subsidy the ASC committee must notify the Fish and Wildlife Service. The Service will then investigate and report to the ASC committee whether it objects to subsidizing the proposed drainage. The inspection will also give the Fish and Wildlife Service a chance to buy or lease the land if it finds it suited for wildlife purposes.

While the May 2, 1960, agreement provides that the ASC committee has final authority for approving or disapproving drainage subsidies, I am confident that local ASC committees will not go ahead and spend the taxpayers' money in defiance of the Fish and Wildlife Service recommendation that drainage not proceed because it will harm wildlife. I have asked both the Agriculture and the Interior Departments for full current reports on the administration of the May 1960 agreement. I intend to call to the attention of Congress any instances where ASC committees defy Fish and Wildlife Service recommendations, and ask for remedial action.

The May 1960 agreement is the direct result of a request by the House Committee on Appropriations in May 1959, in its report on the agricultural appropriation bill that the Department of Agriculture "cooperate fully in its drainage programs in the North Central area with the waterfowl preservation program of the Department of the Interior." I wish to commend, for the cooperation in reaching the May 2, 1960, agreement, L. A. Janzen, Director, Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior; Paul M. Koger, Administrator, Agricultural Conservation Program Service, Department of Agriculture; and D. A. Williams, Administrator, Soil Conservation Service, Department of Agriculture.

The full text of the May 2, 1960, agreement follows:

MEMORANDUM OF AGREEMENT BETWEEN BUREAU OF SPORT FISHERIES AND WILDLIFE, DEPARTMENT OF THE INTERIOR, AND THE AGRICULTURAL CONSERVATION PROGRAM SERVICE AND THE SOIL CONSERVATION SERVICE, DEPARTMENT OF AGRICULTURE, PROVIDING FOR COOPERATIVE ARRANGEMENTS FOR REVIEWING WILDLIFE VALUES IN DRAINAGE PROPOSALS IN 89 COUNTIES IN MINNESOTA, NORTH DAKOTA, AND SOUTH DAKOTA, MAY 2, 1960

The purpose of this agreement is to set forth objectives and policies to guide cooperative efforts of the three agencies specifically with respect to review of wildlife values on lands for which farmers have requested cost sharing on drainage in the prairie pothole counties of Minnesota, North Dakota, and South Dakota.

It is the intent of the three agencies to provide in timely fashion to the ASC county committees information and data on the effect of requested drainage in the 89-county prairie pothole area on waterfowl and other wildlife resources so that these committees may be apprised of the effect that the requested drainage would have on wildlife resources in making their decision to approve or disapprove the applications for cost share assistance on drainage.

It is mutually agreed that there are prime waterfowl producing values as well as high agricultural values in this 89-county area and that both are affected by drainage and should be taken into account in deciding about public assistance for drainage.

It also is mutually agreed and understood that the ASC county committees have final authority for the approval or disapproval of cost sharing on drainage applications. This agreement does not modify that authority.

In carrying out these objectives:

The ACP service will recommend to the State ASC committees in Minnesota, North Dakota, and South Dakota that the ASC county committees take appropriate steps to notify designated officials of Fish and Wildlife Service of drainage requests together with same information given the Soil Conservation Service at the same time the Soil Conservation Service is requested (ACP–247) to determine need and practicability of the requests. The agricultural conservation program service will recommend to State ASC committees that ASC county committees afford a reasonable time specified by each committee for receipt of a report from the Fish and Wildlife Service on the effect of the drainage before taking final action on the farmer's request, and advise Fish and Wildlife Service of action taken.

To facilitate review and reporting on wildlife aspects of drainage applications by Fish and Wildlife Service, pertinent records, maps and photographs will be made accessible in ASC offices to designated representatives of Fish and Wildlife Service. To the extent duplicated copies are required, Fish and Wildlife Service will assume the cost.

The Bureau of Sport Fisheries and Wildlife will assign available field staff to investigate the area proposed for drainage to the

extent resources will permit and will (1) advise the applicant of wildlife values and alternatives, including the program of land purchase or lease for wildlife purposes, and (2) provide a report to the ASC county committee on drainage areas investigated, appraising the effect of the proposed drainage in wildlife values and give information as to offers made for purchase or lease of the land involved. This report will be provided within a time specified by the ASC county committee. The ASC county committee also will be advised whenever a report will not be submitted.

The Soil Conservation Service will report to the ASC county committee on need and practicability of drainage applications (form ACP-247) as promptly as possible after the referral has been received. Representatives of the Fish and Wildlife Service will be informed when the Soil Conservation Service reports are forwarded to the ASC county committee. Criteria for reporting need and practicability by the Soil Conservation Service shall continue to take into account wildlife values, land capability, limitation on bringing new land into agricultural production and other criteria and standards as set forth in Service policies and handbooks.

To facilitate review and reporting on wildlife aspects of drainage applications by Fish and Wildlife Service, pertinent records, maps, and photographs will be made accessible in work unit offices to designated representatives of Fish and Wildlife Service. To the extent duplicated copies are required, Fish and Wildlife Service will assume the cost.

Work Unit Conservationists will cooperate in arranging joint inspection with Fish and Wildlife Service representatives in the field or joint review of available records of drainage applications whenever practicable.

Whenever the ASC county committee decides not to approve cost sharing for specific drainage applications because of the reported damage to wildlife, the Soil Conservation Service will also withhold technical assistance.

Mr. Speaker, the second hopeful development for the 89-county pothole area is the formation of a private group to solicit private contributions to supplement the program of acquiring waterfowl breeding grounds now being undertaken by the Department of Interior and by various State conservation agencies. The Department of Interior uses the proceeds of the $3 duck stamp and the State voluntary agencies use the proceeds of the 11 percent Pittman-Robinson Act tax on the sales of arms and ammunition. The program of wetlands acquisition under these two public programs has unfortunately slowed down. A vicious circle has developed. As duck hunting dwindles, fewer duck stamps and ammunition are sold, fewer refuges are provided, and the duck hunting gets progressively worse.

Leader of the voluntary group is a distinguished Wisconsin conservationist and sportsman, Ben L. Boalt, Box 122, Cedarburg, Wis.

A recent news story by Russell G. Lynch, of the Milwaukee Journal, sets forth the efforts of Mr. Boalt and his associates to stimulate interest in such a fund-raising drive to augment the various Government purchase-lease programs:

DUCK NESTING GROUNDS SUBJECT AT LUNCHEON

(By R. G. Lynch)

A national effort to save wild duck nesting grounds in the United States, as Ducks Unlimited does in Canada, was discussed Thursday by leading sportsmen of the Milwaukee metropolitan area at a luncheon arranged by Ben Boalt of Cedarburg.

Robert W. Burwell, St. Paul, Minn., regional director of the Bureau of Sport Fisheries and Wildlife, told the group that he had just come from Washington, D.C., where he had talked over the proposal with Daniel H. Janzen, Bureau Director. Janzen, he reported, was enthusiastic about the idea of private cooperation in saving the nesting areas.

POPULATIONS ARE DOWN

The pothole country of the Dakotas and Minnesota, focus of a controversy over subsidized farm drainage, is in Burwell's region, along with Wisconsin and other States.

Burwell told the group that in the Mississippi flyway waterfowl populations were well below the 10-year average: Mallards, 16 percent; redheads, 47 percent; canvasbacks, 62 percent; Canada geese, 7 percent.

The luncheon group included John Romadka, Waukesha, president of the National Retriever Club; Arthur Molstad, former conservation commissioner; Dae Shawl, Jos. Schlitz Brewing Co.; Owen Gromme, of the museum; Jack Frazer, editor of the Field Trial News; H. A. Dunham, former professional trapshooter; William Frankfurth, sporting goods wholesaler; Carl Koeffler, vice president of the Waukesha Gun Club; and Lester Dundas, manager of the Federal refuge at Horicon. Harold (Buck) Storey, a Ducks Unlimited leader (not present), has offered to be legal counsel for the group.

The meeting was strictly exploratory and Boalt said that he would await the reaction of sportsmen and wildlife lovers before making any further move. He invited comments.

PROPOSALS ARE LISTED

Among the proposals for the direction activities might take were these:

A foundation to supplement the Wildlife Bureau's purchase-lease program, with funds to be solicited from individuals and industries.

An effort to enlist the cooperation of Minnesota's successful wetlands acquisition organization and expand its program to a national basis.

A national wetlands or waterfowl association, patterned after the National Parks Association, to engage in fund-raising activities, including the sale of souvenirs, etc., at popular refuges.

Mr. Speaker, I hope that conservationists everywhere will fully support the efforts of the Fish and Wildlife Service to save the prairie potholes pursuant to the May 1960 agreement and the efforts of private citizens like Mr. Boalt to supplement the refuge-buying program.

DISASTER RELIEF PROGRAM FOR POLAND

The SPEAKER pro tempore (Mr. PATMAN). Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 30 minutes.

Mr. FLOOD. Mr. Speaker, I announced today that Senator HUBERT H. HUMPHREY and I have legislatively initiated a disaster relief program for Poland, where recent floods have wreaked havoc on many urban, rural, and farm areas in that country.

Officers and members of the board of directors of the Pulaski Foundation, of which I am a member of the board, have in recent days been in touch with both Senator HUMPHREY and myself for the purpose of establishing a Federal aid program to authorize the donation of $1 million in surplus agricultural commodities and other surplus property for the needs of the disaster areas and flood victims in Poland.

To officially establish such a Federal program, I introduced a bill in the House of Representatives today and Senator HUMPHREY did the same in the Senate.

Two officers of the foundation—Mr. Frank Piesecki, a well-known aircraft manufacturer from Pennsylvania and Mr. Joseph Lester, a leading automobile dealer from the Congressman's home town of Wilkes-Barre, Pa.—have just returned from a 6-week visit to Poland for the purpose of making arrangements for the rehabilitation of Gen. Casimir Pulaski's birthplace in Poland, and they reported to me that the floods that struck Poland during recent days were the worst in over 50 years and severely affected most of that nation. They said that some 2,500 towns and villages felt the ravages of the flooding conditions, 500,000 acres of farmland are under water, 200,000 farms have been damaged, 1 million people adversely affected, and some $100 million in damages were caused by the disaster.

I point out that the American Red Cross has recognized the seriousness of the Polish flooding conditions and has dispatched $10,000 to the Red Cross in Poland, and CARE has dispatched an emergency shipment of badly needed clothing as have various church organizations throughout the United States.

The Polish Flood Relief Committee will make arrangements to have one of its ships available in New York to transport the commodities and material provided for in this bill.

The humanitarian program that we proposed this week is done in the very best American tradition. The people of Poland have been and always will be friends and admirers of the United States and they will know and appreciate this aid from the United States.

The Flood-Humphrey bill has been introduced at a very difficult time because Congress may adjourn shortly. However, the damage and devastation is so serious and widespread in Poland that I will press for their bill's enactment just as soon as Congress goes back into session in January because, the need for commodities and material will certainly remain in the months to come despite the outstanding work being done by relief organizations both here and in Poland.

HAITI

Mr. FLOOD. Mr. Speaker, as a member of the U.S. Congress who has traveled by jeep and horseback over the mountains and valleys of the Republic of Haiti, I am concerned about the health, education, and welfare of the Haitian people and the vital importance of their country in the duel now current in the "American Mediterranean," the Caribbean Sea, between the Soviet Gauleiter of Cuba, Fidel Castro, and the freedom fighters of the area, the latter the natural allies of the United States of America.

One of my study trips to Haiti was made this year. Distressing as the condition of the people was in previous years, it was truly desperate in 1960. Right on the front porch of the United States, one finds holvels instead of homes, small farmers starving in a tropical fairyland, and school children without energy to learn the A B C's. Can State Department policymakers remain blind to the dangers inherent in this situation? Are there no leaders capable of producing a crash program that would clean up this noisome, open wound on the flank of the Western Hemisphere? Where is the imagination and where is the resourcefulness for which the American people are justly famous? It requires no miracle for the 180 million U.S. citizens to find the ways and means to renew the health and strength of 3,500,000 Haitian citizens.

Both our policymakers and our citizens ought to realize that it is impossible to sweep the island of Hispaniola, now occupied by Haiti and the Dominican Republic, under the rug. It is no constructive achievement to ignore the peoples of these two Republics or to imagine that they can be quarantined without vast harm to our own country. To put the case bluntly, it must be understood that Soviet China and the Kremlin, collaborating closely in the Caribbean, have already selected and indoctrinated their own candidates for supreme power in Haiti and the Dominican Republic. Has it been forgotten that, even politically, "nature abhors a vacuum." The masterminds in Peiping and Moscow have their boys ready for the kill.

In this connection, it may be useful to study the recent statement of President Francois Duvalier of Haiti. Dr. Duvalier claims that his people are "rotting in misery, hunger, nudity, sickness, and illiteracy," while U.S. aid to the nation is inadequate. Deeply ominous is President Duvalier's warning that Haiti must choose between "two great poles of attraction in the world today to concretize its needs." This was an obvious reference to the possibility of an official Haitian démarche in the direction of the Soviet bloc.

Trusted advisers of President Duvalier heralded this pronouncement, made in a speech at Jacmel, second coffee port of the Republic, as one of the most meaningful of his entire 33 months as chief executive. In this address Dr. Duvalier emphasized the desperate need Haitians have for good roads, airports, sugar mills, hydroelectric and irrigation projects. Faced with construction problems of this magnitude, the Haitian leader concluded his speech with these words:

> We are at the limit of our sacrifices; we are exhausted.

If it is true, as President Duvalier claims, that Haiti has been living on "promises, smiles, encouragement, recommendations, hesitations, slow waiting and incomprehension," the admonition should be considered, seriously and immediately. Loss of time, while a Red tidal wave is washing the shores of every island in the Caribbean, is like unto irretrievable death, not merely for Haitians, but also for all other Americans.

The dilemma is clear: either the problems of Haiti and the Dominican Republic will be solved by friends of representative government; or two more Fidel Castros will be installed on an island that can serve as the staging-area for an all-out assault on the Panama Canal.

REVISION OF CERTAIN HOUSE RULES

The SPEAKER pro tempore (Mr. PATMAN). Under previous order of the House, the gentleman from Wisconsin [Mr. FLYNN] is recognized for 60 minutes.

Mr. FLYNN. Mr. Speaker, as we draw near to the close of this legislative session it becomes crystal clear to many of us here and to many citizens throughout the country that the rules of this House under which we operate have defects—defects that are working against the best interest of the people of the United States.

I realize that these rules have been adopted by older Members, wiser heads, and by people who have given considerable thought and consideration to them. I realize that as a freshman I certainly do not know all about the rules or those that have existed in the past. On the other hand, I believe that as a freshman Member the greatest contribution I can possibly make, and the greatest contribution that the other freshmen can make, is to bring to this body the viewpoint of the average citizen, the average American, in the outlying sections of our country. We in this Congress truly represent their feelings.

I believe that we have that common touch and closeness to the people that many of our senior colleagues who have been here for many years may have grown away from.

The people out through the country are certainly not unaware that the rules under which we operate are restrictive and do not always result in justice for the American people. The schoolboys and schoolgirls that go to our one-room schools and our consolidated district schools are taught the glory of this great body. They are taught that the patriots, yes the revolutionists, of 1776 determined that there would not be taxation without representation. Those patriots who threw off a foreign yoke and threw off oppression in order that we might have a government of, for, and by the people did so because they believed in a principle of government that freemen are able to govern themselves and that all men should have a voice in that Government.

Today, however, under the rules that we have adopted, we have taken the democracy out of our democratic form of government in many respects. I refer in particular to the Rules Committee. It is only fitting and proper that this body should have a Rules Committee, a Rules Committee designed to direct the orderly flow of legislation onto this floor in order that consideration can be given to all bills coming before it offered by Members of this body. It is no different than the traffic cop that the police force has stationed at a busy corner downtown. It is the function of the traffic cop not to confiscate the car that you ride in, not to set up a blockade so you cannot go through, but to direct the traffic so that you and the others may pass in an orderly manner and reach your destination. That is the true function of the Rules Committee.

Under our rules we have made it possible for the members of that committee to usurp or to take unto themselves certain power, absolute power, that it never was the intention of this body to convey, powers that are too great for any one committee to have, because these men are able not only to stifle legislation introduced into this House or into the Senate, but they have the power of life and death over this legislation.

Let us look at the committee as presently set up.

These are 12 men; fine men individually, men of honor and integrity, men of great ability and leaders in this great House. Most of them are men with many years of service. But if six of these men refuse to pass out a bill that comes to their committee, it stays there indefinitely and dies there. Thereby they have the power of life and death over the bill and, like the traffic cop on the corner, they not only can direct the flow of legislation, but they can kill it just as if the traffic cop confiscated the car in which you were riding.

They say that the number of bills they hold up runs only to 7 to 10 percent of the bills that are referred to them. But what bills fall into this area? I will tell you what bills fall into this area. They are the bills affecting the people, affecting the little people; they are bills that are beneficial to people who do not have the money to hire a lobbyist, who do not have the money to hire somebody to come up here and represent them. Those bills are held in this committee and this is against the best interests of the people of this country.

Specifically, let us talk about a few of the bills that are currently being held in these final days of this session. I understand there are to be no more meetings of the Rules Committee. But if there are, it is an open secret that these bills will not be voted out and will die in the committee.

To what do I refer? I refer to a housing bill, a housing bill that will protect the underprivileged and those whose earnings are substandard; a bill that would furnish decent housing and a decent home for their children, their wives and family; these American citizens who need the help of their Government in order that they may have decent housing; people who do not have the money to hire a lobbyist to come here and represent them.

This bill was introduced into the Congress by their Representatives. It has had a full hearing by the committee to which it was referred. It was voted out of that committee by a favorable report and sent to the police force for orderly

direction through the House of Representatives. But the police force has confiscated the bill. It has been holding it and is holding it and is permitting this session of the Congress to expire without giving the Members of this body an opportunity to debate and discuss it.

This is the greatest deliberative body in the world and this committee is denying the Members of this body an opportunity to debate, to discuss, to pass and vote upon a bill which is in the interests of the people of the United States, all the people of this great country. And if the rules of this House permit this, then the rules should be changed.

Let us talk about the school construction bill. What does that bill do? To begin with, the people of this Nation, the good people, family men, men of good position, men who have been able to go out into suburbia and build themselves a $20,000 home, men with children, find that they must build classrooms in order to give these children the education they should have in this great and free land. But they find that to build these classrooms means that a tax will be imposed upon their real estate, real estate which now bears the entire burden of constructing classrooms. They find that this tax is so onerous that it virtually means confiscation of the $20,000 home that they may own in suburbia. These good men, these citizens, the backbone of your community and my community, the type of men we like to go to for advice, these men have felt, together with their wives, that there should be some assistance in the building of these classrooms, from the Federal Government. They have gone to their respective Congressmen with their thoughts and the Congressmen, expressing their will and the view of these people, have introduced bills both in the House and in the Senate. These bills have been referred to the respective committees and passed out of the committees of both House and Senate, by a favorable vote.

What happened then? Then these bills were taken up on the floor of both the House and Senate and were passed by a majority of both Houses. For the next 3 years under these bills the Federal Government would give matching funds to any school district in this Nation where a school is needed and where they do not have adequate funds to build it.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. FLYNN. I yield to the gentleman.

Mr. BAILEY. That one bill and one or two others frozen in the Rules Committee are bills that have been passed by both Houses of Congress and are being bottled up in the Rules Committee under this broad authority granted in the rules of the House to allow one single individual to prevent the Speaker of the House from naming conferees. The school bill, which the gentleman referred to, is the best example. That was approved by the Senate, it was approved by the House and we are today denied the privilege of going to conference under rules which permit a single individual to object to the Speaker's naming conferees. Does the gentleman agree with me that that is one of the corrections that should be made in the rules of the House?

Mr. FLYNN. I agree with the gentleman from West Virginia and I thank him for his contribution. As he says, this bill has passed both Houses. It has been approved by a majority of the Members of Congress. But before this bill can go to conference, so that minor differences that exist between the two can be ironed out, it is possible under the rules of the House for any one Member to request that it be sent to the Rules Committee, and one member of the Rules Committee did make that request. That bill was referred to the Rules Committee many, many weeks ago. And there that bill remains today in the final hours of this session. And this Rules Committee—or should I say only six or seven members of that committee, six or seven men have the power and are using their power to thwart not only the will of the entire Congress, the House and the Senate, but they are using it to disfranchise the voters in every district in this country except the six or seven districts from which they come.

To whom do we owe our responsibility? Whose love and affection do we want? The love and affection of these six Congressmen—who are taking unto themselves the power to disfranchise the people who elected you and me? Or do we owe our loyalty and our friendship to the people of our districts? Are we afraid to speak up? Are we willing to speak up and demand that these bills come up on the floor of the House before we go home so that the House of Representatives as a body can consider those bills that have not been passed and so that conferees can be appointed to iron out the differences in the housing bill so that it can go to the President for his signature and become law?

A bill put in by one of my good friends, the Congressman from the Fifth District of Milwaukee [Mr. REUSS], the bill, H.R. 3626, the Reuss-Clark bill, which is an anti-inflation bill, has been tied up in the Committee on Rules for the past 14 months. Our colleague is a member of the Committee on Banking and Currency and has made a great contribution to this Congress. This body has had no opportunity to give consideration to that bill.

The Committee on Rules is like a traffic cop, I repeat, and it should direct this legislation through the Halls of the Congress in an orderly way. It has no power inherent or otherwise to veto or to stifle or to prevent entirely the passage of legislation that has been introduced in the interest of people. Now what can be done about this? The time to review this and to consider it is now. In the closing days of this session when the people of the country are burning from the smart of being denied the opportunity to get Federal help to build classrooms for the children of this Nation, when you and I are going home and have to tell our people that we are unable to get a bill out on the floor of the House and that we are unable to get a hearing on that bill—now is the time to consider this.

Mr. Speaker, I have criticized the Committee on Rules. I have criticized the power that we, as a body, have given to this Committee on Rules and I have criticized the Committee on Rules for the abuse of the power that they have. Now what should be done about it? When you criticize, you should offer something constructive, something in the way of a plan to correct the abuses that exist. I propose, first of all, that this body as it reorganizes for the 87th Congress in January of next year readopt a rule that was prevalent and existed for many, many years—the 21-day rule so that any bill which is referred to the Committee on Rules and which lies on the desk for 21 days may by a small minority be taken from the desk and be brought before the House for consideration either to be passed or to be killed. I suggest that this 12-man committee be increased to a committee of 15 and that there be added to the committee the Speaker of the House of Representatives, the majority leader and one other Member. I suggest that in the event of a tie vote on this committee, if it ever again becomes even in number or for that matter if any committee becomes even in number, and the question should come before the committee as to voting out of the committee any bill, that a tie vote should be considered as a vote in the affirmative, to vote that bill out. I then propose, and I think this is the most important of all, that the members of the Committee on Rules be elected—that they be elected by the respective caucuses of the Democratic and Republican Party. I think the Democratic Party caucus can elect the members, and it has the right to choose members to that committee, and that we will send to that committee men who are willing to be a traffic cop and not a man who would confiscate the car itself in which you are riding. We would send to that committee men who are dedicated to the thought that this is a great deliberative body, and that it is their responsibility to carry out these functions, and to conduct the Government in the same fashion in which it was molded, of, by, and for the people and in the interest of all of the people. This, I believe, would solve what I consider to be the worst and basest rule that we have, and this solution would again return democracy to this democratic form of government. It has been said in the past that we cannot live half slave and half free. I say today, we cannot live half democratic and half autocratic, and when six members of this committee have the power that they do, they have the power of engaging in autocratic government.

Mr. WOLF. Mr. Speaker, will the gentleman yield?

Mr. FLYNN. I yield to the gentleman from Iowa.

Mr. WOLF. I would like to make a few unanimous consent requests, and then I would like to make some comments.

Mr. FLYNN. I yield to my colleague.

Mr. WOLF. Mr. Speaker, I take this opportunity to congratulate the distinguished Congressman from Wisconsin

for his courageous, dramatic and effective presentation on the floor of Congress of the problem that disturbs so many of us. I concur wholeheartedly with the premise of his talk, and find little with which to disagree.

I further state that the four proposals which he is making we discussed in some detail during the last few days, and I want the RECORD to show that I strongly support them. Again, I would like to state exactly what the four proposals are:

First. To offer the resolution which will provide for the selection of the Democratic members of the Rules Committee by a majority vote of the Democratic organization caucus of the 87th Congress next January.

Second. To expand the Rules Committee to 15 members by the addition of the Speaker of the House, the majority leader, and one other member.

Third. That in the case, for whatever reason, committees become even numbered in membership a tie vote shall be considered as an affirmative vote in all committees of the House.

Fourth. That the House of Representatives readopt the 21-day rule.

It has always been my belief that the Rules Committee was set up to perform action similar to that of the policeman on a busy intersection—to direct the flow of traffic, not to select what traffic will flow. That is why I support these changes. I think it is the prerogative of the Rules Committee to plan the order in which these bills will come up, but not to effectuate a pocket veto. By, in effect, exercising a veto power, they are usurping the rights and responsibilities of the Presidency. In a greater sense, they are even denying the President his responsibility.

I ask the gentleman from Wisconsin if he would not agree with me that the President of the United States, Mr. Eisenhower, and the presidential candidate on the Republican Ticket, Mr. NIXON, also share some of the responsibility for not bringing forth the housing bill and the education bill.

My feeling is that if these two previously mentioned gentlemen had made a strong statement to the Republican members of the Rules Committee, they could have persuaded these members to work toward releasing this legislation for general debate in Congress.

It is not enough for Mr. NIXON and Mr. Eisenhower to say they do not agree with the wording of these specific pieces of legislation. Historically, we know that legislation can be greatly changed on the floor of Congress. But by the silence of these two men, representing the Republican leadership in America, they have vetoed this legislation just as surely as if there had been a rollcall vote first and the bill had been laid on the President's desk and then vetoed. Since they have not spoken out, it appears that they are not interested even in permitting congressional debate on these crucial pieces of legislation. Therefore, I ask the gentleman from Wisconsin if he does not agree that they must take personal responsibility for the fact that this legislation is buried in the Rules Committee.

The President and the Vice President are the leaders of the Republican Party, and I say with all sincerity once more that if they really wanted to do something for the cause of education, the cause of the thousands of homeless in this country, or for those in need of housing, the cause of small business, all they would have to do is to pick up the telephone and talk to their Republican members of the Rules Committee. I am told that Mr. NIXON is a very persuasive salesman. I am also told that this is true of the President. It would seem that they are not interested, even on the eve of an election, in these great problems facing the American people. Again, I would like to congratulate the gentleman from Wisconsin on an outstanding presentation and to assure him that his remarks a few weeks ago, and again today, on the questions of leadership, parliamentary procedure, and responsibilities of the Rules Committee will become historic words.

Mr. WOLF. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] be permitted to extend his remarks at this point and include extraneous matter.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, last January 27 I addressed the House at pages 1440–1444 of the RECORD on the subject of the stranglehold control over crucial legislation exercised by the Republican-southern Democratic coalition in the House.

During the course of my remarks, I placed in the RECORD the text of a memorandum tracing the history of the coalition from its 1937 origins through the end of last year's session. This study documents the fact that for the past two decades, except for brief periods, the coalition forces of negativism and reaction have dominated the House by their control of the procedural machinery.

The coalition has been particularly effective in watering down or blocking legislation dealing with education, social welfare, public works and resource development, civil rights, labor, immigration, taxes, and other economic measures.

Chief instrument of obstructionism in the House over the years has been the coalition majority on the House Rules Committee. To bring the 1937–59 study up to date is to review the series of obstructionist tactics employed by the coalition group on the committee during the past several months of the session.

The coalition delayed for many months the consideration of the moderate civil rights bill. When the discharge petition filed by the distinguished gentleman from New York [Mr. CELLER] had all but a handful of the 219 signatures required, the Rules Committee frantically met and granted a rule for consideration of the bill, lest the vast majority of Republicans who had not signed the petition at the request of their leader be caught in an embarrassing position.

All of this coalition manuevering was considered by many observers as Republican "payment" for the alleged "deal" in which southern votes were traded, as bales of cotton, on important legislation during the first session.

It took the use of the Calendar Wednesday to force consideration of the area redevelopment bill after it had gathered dust in the Rules Committee for 10 days short of a year. We all recall the 5 hours of procedural rollcalls on May 4 of this year, when the coalition desperately tried to keep the House from reaching a vote on consideration of the bill.

Again, in the case of aid to education bill, almost a year went by before legislation reported by the Education and Labor Committee was taken up by the Rules Committee. The threat of another Calendar Wednesday fight finally forced Rules Committee clearance of another education bill which I had sponsored. Now the Committee is even refusing to permit the bill, passed by both the House and Senate, to go to conference.

A housing bill, continuing the slum clearance, urban renewal and other essential programs of far-reaching importance to hundreds of our cities is currently bottled up by the little group of obstructionists who control the balance of power on the Rules Committee.

Other examples of delay, enforced modification, and outright blocking of legislation duly reported by legislative committees are too numerous to mention.

Mr. Speaker, I was greatly amused by the President's remarks yesterday to the effect that since the Democrats have two-thirds majority in the House, they can pass any of the important bills being mentioned. If he was serious, his lack of understanding of the political facts of life in the Congress would explain the monumental failures of leadership which have marked his administration.

Even a casual student of the legislative process knows that the House is fairly evenly divided between the 140 Republicans and 70 southern Democrats who make up the coalition and the rest of the Members of the House. The balance of power in most cases is wielded by the six obstructionist votes on the Rules Committee, which denies the rest of the House the opportunity to debate and vote on legislation of prime importance to all Americans.

As the President well knows, two-thirds of the obstructionist votes on the Rules Committee are cast by members of his own party members who have expressed little interest in "modern Republicanism" and who, in fact, have failed to support key portions of the President's own legislative program.

The responsibility of the Congress to thus far enact major pieces of legislation to deal with the realities of the 1960's must be placed at the doorsteps of these six obstructionists who by their willfull action have denied their colleagues the opportunity to consider

measures reported by legislative committees. By this type of action, they have also denied the American people of a portion of representation to which they are entitled.

But the tide of public opinion is running swiftly against this type of obstructionist tactics. The American people are not fooled by the distorted attacks on progressive legislation to meet present national problems. Many of us are determined to carry this fight for democratic procedures in the House into the campaign. The 1960 Democratic platform plank on this important subject is crystal clear:

CONGRESSIONAL PROCEDURES

In order that the will of the American people may be expressed upon all legislative proposals, we urge that action be taken at the beginning of the 87th Congress to improve congressional procedures so that majority rule prevails and decisions can be made after reasonable debate without being blocked by a minority in either House.

The rules of the House of Representatives should be so amended as to make sure that bills reported by legislative committees reach the floor for consideration without undue delay.

Mr. Speaker, procedural reform in the House is long overdue. I and many of my colleagues stand on this plank and will work for its full implementation.

Mr. Speaker, the situation in the other body has been brilliantly described by Walter Lippmann in his recent column, which follows. Mr. Lippmann has analyzed the true situation in that body in terms which defy contradiction.

TODAY AND TOMORROW—THE SENATE VOTES

(By Walter Lippmann)

In the voting on the medical care issues the Senate proved once more that ours is a presidential system of government. It was the President in office who prevailed as against both NIXON and KENNEDY, one of whom will be his successor. Although there was a large majority in the Senate which thinks the President's program is inadequate, such is the power of the President that he was able to defeat this majority.

There were 44 votes, all but one of them Democratic, for the Anderson amendment which had the backing of KENNEDY. There were 28 votes, all of them Republican, for the Javits-Nixon amendment which is much more liberal than the Eisenhower proposal. But the Senate was incapable of organizing a majority for a positive measure. Why? Because only the President can do that kind of thing.

By his power to threaten a veto the President is able to penalize, and for positive legislation to frustrate, a congressional majority. On the other hand, the voting on Tuesday shows rather clearly that if KENNEDY were in the White House he could easily enough have gotten a majority for his proposal. He needed to change only 4 votes out of the 32 Republicans and 19 southern Democrats who voted against him. Among these 51 Senators there must have been at last four, probably quite a few more, who agree wth Senator KENNEDY and Governor Rockefeller that the right principle is to base medical care for the aged on the social security system. It was the threat of the President's veto and the threat of the President's displeasure which kept the necessary four votes away from KENNEDY.

The result proved that KENNEDY will be quite justified in arguing that there is no prospect of a comprehensive medical care bill unless he is elected. For while the Nixon-Javits proposal has some merit, it would be enormously complicated to administer and almost certainly more costly to the general taxpayer than the Kennedy-Anderson proposal. NIXON, if elected, would face the opposition of a large part of the powerful Democratic majority. On Tuesday they voted unanimously against him.

The net result is, it seems to me, that while KENNEDY cannot say that he has a united Democratic Party behind him, he can say that, if elected he can, and that NIXON cannot, establish a comprehensive system of medical care for the aged.

In these test votes neither candidate was able to form a majority in favor of his own views but on the question of who will be the more effective in leading Congress, KENNEDY was shown to be much the stronger. He mustered 44 votes and came within 4 votes of a majority for his proposal. NIXON mustered only 28 votes and was 20 votes short of a majority.

The figures support the view, which many observers have already expressed, that NIXON if elected will have a very hard time dealing with Congress. The evils of divided government, which have been assuaged by Eisenhower's personal popularity and prestige, would almost surely be blatant under NIXON.

Mr. WOLF. As the gentleman knows, we spent several hours discussing the question of the rules of the House in the last few days right up to last night. I want to take this opportunity to congratulate the gentleman. Our colleague has demonstrated again his courage and ability in presenting a difficult problem. I agree wholeheartedly with the gentleman's premise generally. I find very little with which I disagree.

I would ask the gentleman, however, if it is possible that he might agree with me that in the case of these two bills which he has discussed in some detail, the housing bill, and the education bill, that the President and the Republican candidate for the presidency also share some responsibility and I wonder if possibly they would not have contacted the Republican members of the Committee on Rules and suggested to them that they were in support of these bills and, also, tell the world publicly that they were in support of these measures, or at least they were not opposed to them and were in favor of having these measures discussed and debated. Is it not a case of a situation where the Republican party has not agreed with the Democratic position, but has permitted legislation to come on the floor and they have changed the scope of the legislation? The labor bill last year was such an example.

I wonder if the gentleman would agree with me that the two gentlemen to whom I refer could have encouraged the Republican members of the Committee on Rules to have broken this deadlock if they had cared to. All we needed was one more vote—only one Republican vote.

Mr. FLYNN. I might say to the gentleman that the gentleman has struck what I consider a very important vein because among these six men on the Committee on Rules are four Republicans and two southern Democrats who have banded together and are thwarting the will of the Congress and stopping the passage of legislation.

Let us talk about the housing bill and the school construction bill; then let us look at the platform of the Republican Party as voted in its recent convention. I ask you how that party can go to the people of this country and tell the people of the country they are going to do things for the average citizen, that they are going to have more schools for their children, and then not raise its voice or lift its finger to show leadership to get these bills out of the legislative committees and up for consideration. That party knows that if the President of the United States would show leadership and call to the White House any of these four Members that he would certainly get the one vote necessary, or the two votes, it may take to get the housing bill onto the floor and out of committee. The same thing is true of the school construction bill if the President would show any leadership.

I will not stop with the President, but will say that if the present Vice President who aspires to become President would show some leadership he could get these two bills onto the floor of the House and get them passed.

Mr. BALDWIN. Mr. Speaker, will the gentleman yield?

Mr. FLYNN. I yield to the gentleman from California.

Mr. BALDWIN. May I say to the gentleman I am sure he knows I have voted for the school construction bill this year and I have voted for school construction bills in every session of Congress I have been here. May I say that the proportion of the two parties on the Rules Committee is 8 Democrats and 4 Republicans, as the gentleman stated, but in the House of Representatives there are 280 Democrats to 152 Republicans. Does the gentleman mean to say that the Democrats, even though they have adopted a platform in Los Angeles, cannot control their own Members and their own majority?

Mr. FLYNN. Let me explode that myth once and for all. I am glad the gentleman asked that question. Too long the Republicans have been going to the people of this country and making statements like that throughout the Nation: Why do not the Democrats who have the majority pass this legislation? Let us get the answer on the record and get the record straight. Yes, we may have more Members, but I am saying to you that a lot of those Members have entered into a voting arrangement with the Republicans, particularly the southerners, who are out to thwart this Democratic Party, and these southern Democrats have played a crucial role. The President generally has their vote to sustain any veto he wants to impose. Since I have been in this body we have been enacting and passing legislation under the threat of veto. The Republican Party controls through this alliance. I say it is high time the American people understood the truth of the situation.

Mr. BALDWIN. Then does the gentleman state—and I assume he does—that the person who has been selected by the Democratic convention at Los Angeles as the leader of their party and their party's candidate for the Presidency does not have any influence in controlling the

280 Democrats against the 152 Republicans and therefore does not have the support of the majority of his own Members?

Mr. FLYNN. I am not talking about the number of Democrats in the party, the Democrats I am talking about are those who are members of the Rules Committee. Four of those members of my party have always voted for this legislation, but two of the members and only two do not vote for the legislation. I say to you that the candidate nominated by the Democratic Party in Los Angeles is strongly opposed to the position taken by these two men. He has spoken up about it but due to this Republican coalition he cannot control them. I say the matter of leadership is up to the President. If the President were progressive and liberal he would be trying to persuade one of the Republicans to join with the six progressive Democrats to bring these bills to the floor. I say it is apparent that the present leadership of the Republican Party is not alive to the situation. If he were he would use his influence on these four men to get these bills out.

Mr. BALDWIN. Can the gentleman give me any specific example of where the Democratic presidential candidate has tried to exert leadership on these two Democrats?

Mr. FLYNN. The candidate on the Democratic ticket is not empowered, does not have the authority to do it. He is a member of the other body. He has no control over that body or over the membership of this body or the Democratic Party. Anything he might say to these southern Democrats would not change their attitude one iota. We as Democrats are powerless to get these bills up, we are powerless to break up this coalition. We are powerless to get up this anti-inflation bill of the gentleman from Wisconsin [Mr. REUSS] which is so much needed by the merchants of the country and demanded by them to combat unfair competition. I can refer you to a lot of other bills that are being held up because the Republican Party is giving no leadership and is not putting any pressure upon the Republican Members.

Mr. STAGGERS. Mr. Speaker, will the gentleman yield?

Mr. FLYNN. Gladly.

Mr. STAGGERS. I would like to compliment the gentleman on the service he is rendering not only to our party but to the people of this country by the statement he is making. I think it should go to every family and village across the Nation.

Mr. FLYNN. I thank the gentleman for his contribution.

Mr. REUSS. Mr. Speaker, will the gentleman yield?

Mr. FLYNN. I thank the gentleman for his contribution.

Mr. REUSS. Mr. Speaker, will the gentleman yield?

Mr. FLYNN. I yield.

Mr. REUSS. I want to congratulate my colleague and friend from Wisconsin on the very strong and forthright expression he is making this afternoon. I, needless to say, agree with his fundamental point that the business of the Legislature is to legislate, not to see itself rendered powerless by the will of people who are not responsible to the great majority of the American electorate.

I thank him for his reference to H.R. 6263, the so-called Clark-Reuss bill, which it is perfectly true has been stymied and bottlenecked for more than 14 months in this same Rules Committee even though it involves some very important principles of full employment and inflation which this body ought to have an opportunity to debate and to vote up or down.

I am very proud to be able to call to the attention of this body that in the platform of the Democratic Party adopted at Los Angeles last month there is a very clear and forthright expression that the Democrats stand for an amendment of the rules of this great deliberative body, the House of Representatives, so that the obstructionist tactics of the Rules Committee may be a thing of the past.

The gentleman from Wisconsin [Mr. FLYNN] has offered several very concrete ways of implementing the proposal. There are other ways of doing it. For one thing, the other body seems to have evolved a rather sensible way of proceeding. They have an organization called the Rules Committee, but it has no power whatever to stop, block or stymie legislation that the Rules Committee on this side has. We can take a leaf from the book of the other body.

Of one thing I am clear, that Democrats, including myself, believe in the platform we adopted at Los Angeles, and are going to leave no stone unturned to bring that plank I have just referred to into reality. We are going to talk about it in the campaign this fall. At the inception of the new Congress those of us who are here are going to see that it is an important subject of discussion at the Democratic caucus and, finally, we are going to see that it is an important subject of discussion on the floor of the House. When the rules for the 87th Congress are offered, the rules for the forthcoming Congress, we want the Members to stand up and let the world know how they look upon this question. In short, I think this beloved body, this great legislative lion, has for far too long had a thorn in its foot which hobbled and disabled it, the thorn being the Rules Committee, and it is about time that an Androcles come along and pluck out the thorn.

I commend the gentleman from Wisconsin for what he has said here this afternoon.

Mr. FLYNN. I thank the gentleman.

Mr. PORTER. Mr. Speaker, will the gentleman yield?

Mr. FLYNN. I yield to the gentleman from Oregon.

Mr. PORTER. Mr. Speaker, I want to join in the eloquent remarks of our colleague from Wisconsin [Mr. REUSS], and pay tribute to the other gentleman from Wisconsin [Mr. FLYNN], I certainly appreciate the candor that the gentleman from Wisconsin demonstrates on the floor.

We are only a few on the floor right now, but I can testify there are many others in this House who are determined that there will be changes made in the Rules Committee and the power that it has had over legislation in this House.

The other day the chairman of the Rules Committee was quoted in the New York Times as saying, "Because it thunders it is not always raining."

Perhaps this is little thunder here this afternoon, but I can assure the chairman it is going to rain, and I am afraid some members of the Rules Committee are going to be caught out in this rain.

When I came here a few years ago I heard stated, no doubt the gentleman from Wisconsin has heard it, that a determined majority will always work its will in this House. I think we are a majority when we say we would like to see the aid to education bill, the housing bill, and others before this House. I think we are a majority in the Democratic Party. I do not know whether we are a majority in the Congress or not, there may be some doubt, as the gentleman has said, but there is a coalition here on certain issues which put them in the majority. But we are a majority in the Democratic Party, we who are concerned about this situation, and we are determined to make our strength felt.

I come from Oregon. Out in Oregon now there is a very bad situation that exists. There are mills closing, the housing industry has had its worst year since 1954, so far as new starts are concerned. A number of mills, large and small, are in trouble. We need housing legislation for the economy of Oregon and, of course the economy of the Nation depends on housing legislation too.

I saw the gentleman from Indiana here a moment ago and I was reminded when the housing bill that this House did pass, and which is over in the Senate, he referred to that bill as a million dollars' worth of baloney. He said it was a budget-busting bill. But there should be more money for housing in the $12,000 range so that people may purchase them.

Of course, we have two bills stymied in this House right now, and they are before the Committee on Rules. This bill should come before the House. We know that it cannot come up on Calendar Wednesday for reasons that are plain, because the other committees come in between and there would be opposition that would be manifested toward bringing up other bills. I hope it will come up under suspension, although I take this opportunity here on the floor to say I do not think the suspension method is very good for these bills, which allows a half hour of discussion on each side, then having to get a two-thirds vote on a bill like this. But I think it would require people to be counted. That is what we want to have done. We want major legislation to get to the floor so that we can discuss it, then stand up and be counted and vote it up or down.

As the gentleman well knows, there is a good deal of research being done on this matter of the Rules Committee as well as the action of the sort that the

gentleman has spoken about so forthrightly. We have people who are determined, and, as the gentleman from Wisconsin said, next January we are going to show this determination and we hope it will be manifested by concrete action. It is an issue in the campaign. Every person standing for membership in this House should be aware of the fact that his purpose, the things he pledges, the things he is for, are at stake and if he wants them to be effective in this House we have to have an opportunity to get legislation to the floor, important legislation, and not have it blocked by a minority. But let us talk about it. Let us bring it out in the open, the way the gentleman has done so well today and on other occasions, and let us make certain that at the first of the next session our majority in the Democratic Party is determined to have proper changes made in the rules of the House.

Mr. FLYNN. I thank the gentleman from Oregon.

Mr. WOLF. Mr. Speaker, will the gentleman yield?

Mr. FLYNN. I yield to the gentleman.

Mr. WOLF. Mr. Speaker, referring to the comments of the gentleman from Oregon [Mr. PORTER] I would like to point out that one of the major industries in my district, is the woodworking industry—sash and doors and things related thereto. We are equally concerned with this housing bill because of the fact that we are down to a 3-day work week, with thousands of families in northeast Iowa. I think the gentleman has made a strong statement regarding the need for more housing. I am now referring to the statement of the gentleman from Oregon [Mr. PORTER] and the remarks of the gentleman from Wisconsin, too.

I want again to congratulate the gentleman from Wisconsin for his courage and forthright action here today. I would like to comment, too, that the statement of the gentleman from New Jersey [Mr. THOMPSON], regarding the coalition the gentleman spoke of is extremely helpful.

Mr. FLYNN. I thank the gentleman.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. FLYNN. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Speaker, I just arrived on the floor of the House from a committee that has been sitting all day. I did not hear the gentleman's speech. I am sorry I was late. But I gather from the remarks of my colleagues who have spoken here that the gentleman has been speaking on the situation that obtains in our legislative body as a result of the stalemate which occurs in the Rules Committee from time to time; is that true?

Mr. FLYNN. That is correct.

Mr. HOLIFIELD. I am not prepared at this time to go into this matter in detail. I am very much interested in this subject. I firmly believe that the democratic process is probably the most difficult process of government in the world today. I believe that of its very nature it must be difficult in order to achieve the goals which are satisfactory to all of the people.

But one of the basic principles that should obtain in a democracy is that the majority should be able to express its will, that the majority should be able to vote in a legislative body such as this, and to indicate for their people back home where they stand on the vital subjects that face this Nation.

I take the position that that is a privilege, that is a right—it is more than a privilege, it is a right—for an individual to express his position in an effective way by voting, even though the measure itself loses, because then he has represented the people in his home district and his vote is open for their approval or disapproval.

When we get in our democratic process to a point where a minority can frustrate the will of the majority, then something is wrong. Something needs to be corrected. If the fundamental principle of majority rule is to continue in this great body that we all love and that we all are under oath to protect and to abide by its rules, if those rules get to the point where they frustrate the expression of the will of the majority, then it is the job of this great body of which we are Members to change those rules to the point where it will be possible to allow the expression of the will of the majority either for or against an important matter.

Our House is divided into legislative committees, in the main. Even the Rules Committee is a legislative committee to a limited extent, under its own rights. But when a legislative committee that is composed of 27 members or 50 members or 40 members, or whatever the number, has given consideration to one of the problems which is a national problem, such as housing or such as minimum wages or any one of these other matters that we have under discussion today—when a majority of that committee having spent weeks and months studying the problem and drafting a piece of legislation reports it out, then I say it is an inherent right that that bill should come to the floor of the House. There should not be in our legislative process the capability on the part of any small group of men—I do not care whether they are in the Democratic Party or in the Republican Party, and I do not care whether it is a coalition or not—I grant those gentlemen on the Rules Committee their personal right to vote as they feel they want to vote. They are permitted that under the rules. Therefore they are merely expressing their rights under the rules. They are not to be criticized, in my opinion, as individuals for doing this. The criticism is against this body which allows a condition to exist where there can be a stalemate, six men on one side and six men on the other side of a question. And as a result of that stalemate the legislative committee that reported the bill is frustrated and the Members of the House are frustrated in their efforts to consider the bill, unless we go through the laborious procedure of a discharge petition, or take advantage of the opportunity on Calendar Wednesday or what is even more difficult from the standpoint of obtaining a vote, bring it up under suspension of the rules. I would say that this body is faced and will continue to be faced with frustration of majority will until the rules that permit this process are changed.

There has been a great deal of research on this matter. There will continue to be research on this matter. There will come a time when this rule will be changed which permits this frustrating situation in the democratic process. I say it is important and it is most important to those in the minority, and I speak of the minority from an ideological standpoint, on any problem, and it is just as important to them as it is to those who may be in the numerical majority, because tomorrow they may be the minority. My colleague, whom I respect most highly, the gentleman from California [Mr. BALDWIN] rose a moment ago and said that he had voted for the education bill. This in itself establishes the right of the gentleman to vote in opposition to the majority of his own party. Of course, he should have that right. But just as he has that right, so Democrats on our side have the same right, to vote against the majority of their party. This is a right we would not want to take away. I think it is important to the Members on either side of the aisle. This has to do with the right of the individual to cast his individual vote as his conscience directs. This we do not want to take away. But we must adjust the rules of the House of Representatives so that legislative committees will not be frustrated and so that great numbers of Members of the House of Representatives will not be frustrated in doing what they came here to do, to vote on these issues and to vote them either up or down and to go back to their people and say that they voted against such and such a measure or they voted for a certain measure but not that they should have to go through the humiliation of going back to their districts saying that we have a process in our legislative body which has grown up over the years which keeps us from being able to express the will of our constituents in a voting record on the floor of the House. This is the serious question that is involved.

Mr. WOLF. Mr. Speaker, will the gentleman yield?

Mr. FLYNN. I yield to the gentleman from Iowa.

Mr. WOLF. I congratulate the gentleman from California for his forthright statement. He has contributed a great deal to the success of this debate.

Mr. FLYNN. I thank my colleague. But, before our colleague leaves us, I would like to say to the gentleman from California, it is because of your vast experience gained over 18 years in this legislature that I value your views so highly. I will join with you in the hope that you will attempt to get Republicans as well as Democrats, all fairminded Members in this body, to join with you under your leadership when we organize the House of Representatives in the next

session of the Congress. I hope everyone will join with you in securing a change in the rules in order that this kind of thing may never again be possible. It is not only unfair—it is not democratic that the constituents in your district and in my district, and constituents in the districts of many people who feel as we do should be completely and entirely disenfranchised and should be denied the right to have the school construction bill submitted to the President for either his veto or his signature; should be denied the right to have this bill submitted to the conferees purely because 6 men, Members elected by electors from only 6 districts in this Nation out of 435 Congressional Districts, have taken unto themselves power that was never intended by this body that they should have, to hold up legislation and thereby kill much wanted legislation. The Committee on Rules exists merely to direct the flow of legislation in an orderly fashion. There is still time, Mr. Speaker, in this session of the Congress to direct that legislation to the floor of the House so that House conferees can be appointed and so that we can vote this legislation up or down.

Certainly, if we are unable to change the will of the six men who I believe are being unfair, not only to you and to me and to other Members of this body, but to our constituents, to the people whom we represent—they, I believe, are being unfair to the people back home—how can we explain that the school construction bill did not pass; even though both committees in the Senate and in the House approved the bill; even though the majority of the Members of both parties were willing to appropriate the money; even though the majority of the Members of both bodies said that the bill should pass, and that there was a need for it; even though the majority of the Members of this body felt that there might be boys and girls in our generation who may be denied a decent education, according to American standards, because we do not have these classrooms that we need? Can we explain that six men have denied to our constituents and the constituents of all Members of the House, the opportunity to have housing? Should not the Congress have the opportunity to vote the housing bill up or down and to see whether the President would sign that bill?

Mr. Speaker, I do not need to go into the questions of the hardship that can be caused to these people with low incomes, people who need adequate housing for their families and who are going to be denied the right to secure adequate housing. Those Rules Committee members with an adequate income, deny that right to the people with an inadequate income, even though this legislature desires a chance to vote on the housing bill.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. FLYNN. I yield.

Mr. HOLIFIELD. There is one thing that I want to explode and that is the argument put forth by my colleague, the gentleman from California [Mr. BALDWIN] in regard to the composition of the Committee on Rules consisting of eight Democrats and four Republicans and that the Committee on Rules is still unable to get a piece of legislation out of the Committee on Rules because two Democrats vote with four Republicans.

I want to say to the gentleman in all seriousness I knew this argument would be used throughout the Nation, but I will say to the gentleman and to his colleagues that this does not relieve the Republican Party from furnishing just one vote out of the four. We continuously have furnished 75 percent of the Democratic membership of the Rules Committee on measures such as the gentleman said he voted for, the Federal aid to education bill.

All we need is one more vote, and the Republican Party cannot escape its responsibility by sitting back and saying: "You have to get the other vote on the Rules Committee from the Democratic list." They have four members on the Rules Committee, and if they only give us 25 percent of their membership to add to our 75 percent we will get these bills out that the gentleman has voted for, and we will give them a chance to become implemented.

And I will say that if the gentlemen on the Republican side of the aisle were sincere in their votes for legislation, or the national wage bill—and I do not challenge their sincerity—then I think rather than castigating the Democratic side of the aisle that they should try to prevail upon their own leadership to furnish just one member out of the four. As our Speaker has said, and said publicly: "Give me one member out of the Rules Committee from the Republican side and I will bring these bills to the floor."

So I want to explode for all time the gentleman's argument.

Mr. BALDWIN. The point I was making earlier was simply the fact that the record shows there are eight Democrats on the Rules Committee and four Republicans.

Mr. HOLIFIELD. The gentleman is right.

Mr. BALDWIN. I have stated my own personal position very clearly as being in favor of the passage of the education bill.

Mr. HOLIFIELD. Has the gentleman tried to prevail upon his leadership to get one vote from the Republican side of the Rules Committee?

Mr. BALDWIN. I have made my position clear to the Rules Committee by a letter to the chairman. I assume in the regular course of events it was brought to the attention of the other members of the Rules Committee.

Mr. HOLIFIELD. Did the gentleman make his position known to the minority leader, I will ask him, and urge him to use his influence with the Republican members of the Rules Committee to get these bills out?

Mr. BALDWIN. I have followed the normal legislative process of writing the Chairman of the Rules Committee stating that I felt this bill should be passed and urging that the committee take prompt and favorable action on it.

Mr. HOLIFIELD. I know the gentleman knows that the chairman of the Rules Committee is against it. Therefore under the circumstances it was entirely normal for him to go to the members of the Rules Committee. I go to the members of the Rules Committee and ask them for favorable action on legislation I am interested in. If the gentleman really wants to implement his vote at the legislative session, if he wants to implement it, it would be entirely normal for the gentleman to go to the leadership and to his membership on the Rules Committee, his Republican colleagues on the Rules Committee and obtain from them just one vote out of four. We have six out of eight. I challenge the gentleman and his friends to go to his leadership, in the interest of helping the educational processes of our Nation, I challenge him and them to produce 25 percent of his membership. We have already produced 75 percent of ours.

Mr. BALDWIN. May I ask the gentleman if the Democratic majority cannot exercise responsible leadership with a membership of 280?

Mr. HOLIFIELD. I will ask the gentleman a question that will answer his: Did the leadership of the Republican Party prevail upon him not to vote for the education bill? Or did they leave it up to his conscience to vote as he saw fit? The leadership on the Democratic side does not hold the whip hand in order to exercise dictatorial power over any Member of Congress. They grant to them the right of conscience.

I am challenging the members of the Rules Committee to vote their conscience. As the gentleman well knows, there is no dictatorial control over the Rules Committee by the leadership of this House any more than there is dictatorial control on the Republican side over the gentleman's vote.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. FLYNN. I yield.

Mr. PUCINSKI. The gentleman from California [Mr. BALDWIN] has made the statement several times here that the Democratic nominee for President apparently is unable to control the large Democratic majority in Congress. I would like to ask the gentleman from California, [Mr. HOLIFIELD], who has been here a great deal longer than I have, if it is not a fact that repeatedly on major pieces of legislation, particularly on mutual aid, mutual security, if it had not been for Democratic support of the President's program, it would have gone into the discard, because his own party refused to support him on it.

Mr. HOLIFIELD. That is correct.

Mr. PUCINSKI. Since his own party has refused to support the President, is it not fair to assume that it is the President who cannot control his own Republicans here in Congress? The President has come before the Congress on two different occasions and said in his state of the Union message that he wanted a bill, the situs picketing bill, for instance, and

time and again his own party has refused to support him in the Rules Committee to bring this legislation up to a vote. Time and again the Democratic Members of this Congress have voted as statesmen, cast aside partisan politics, and supported the President.

Mr. HOLIFIELD. That is very true, and the record will show it. The record will further show that he has received greater support on the Democratic side than he has on the Republican side. Anyone can search the RECORD and ascertain that.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. FLYNN. I yield.

Mr. SCHWENGEL. I would like to have the RECORD show that there has been some cooperation on this side of the aisle when we have had Democratic administrations and Republican Congresses. Cooperation is what is needed. Here this afternoon we are trying to blame each other in this bobtailed political session, and that is just exactly what it is. All of us are trying to clear ourselves and blame the other fellow. So let us be just a little careful in what we say on that subject.

Now, I would like to say something about education, for after all that is what this discussion is about.

I taught school for 7 years. After that I went into the insurance business. Then I went to the Iowa Legislature and became a leader in the program for better schools in the State of Iowa. I have had a great interest in this school legislation now before the Congress.

I would like to say that there is a very grave issue at stake in this construction bill. The bill that the opposition wants I opposed because I do not think it is sound. They want a bill that gives something to everybody, whether there is a need or not. I think that is exactly what is the matter here. That is what is in a lot of people's craws and I am one that would like to see this tied up in committee until we can get together and agree on a bill that makes sense, a bill that takes care of people who need this aid first, then takes care of the others. But why scatter money throughout the United States and give it to people who do not need it?

Mr. WOLF. Mr. Speaker, will the gentleman yield?

Mr. FLYNN. I yield to the gentleman from Iowa.

Mr. WOLF. I would like to say to the gentleman from Iowa I think he stood alone on labor legislation and in opposition to his own party. I think this should be pointed out. He does not necessarily represent the major position of his party on labor legislation. Further, I think it well to point out to the membership of the House that on several occasions he has stood alone against his own party. Does the gentleman have any comment on that?

Mr. SCHWENGEL. Yes, I have a comment on that. I think all of us are sent here to represent what we think is the best interest of our country first. I hold the interest of my district and the people of the district second, and our party third.

Mr. WOLF. I thank the gentleman. The point we have been trying to make this afternoon is that no group of men should have the power of life and death over a piece of legislation.

The very purpose of this body is to provide a place for the wishes of the American people to be expressed in legislation and voted upon. The Landrum-Griffin labor bill is a good example of the majority vote of the Congress changing the direction of legislation, even though the committee—Labor Committee—had reported a different bill. There are other examples—equally as significant examples. We cannot allow autocracy in committees to the exclusion of the wishes of the American people. The whole Congress should make the decisions on controversial legislation. It is apparent that the rules of the House of Representatives must be changed if we are to return democracy to the orderly operation and functioning of that body. I hope that all members of the House of Representatives will support these proposals. I believe there is no room in the United States for autocracy or minority rule, least of all in the Congress of the United States.

Mr. FLYNN. I thank all of those who have participated and made any contribution to this discussion, and I appreciate their expressions very much. It is because a few people, even though a majority have spoken, feel they have the right to hold up legislation and not let the will of the majority be expressed, that we have the existing situation.

I ask that the rules be changed in the next Congress, and that we have rules that will permit all bills to get on the floor and before the entire House.

Mr. QUIGLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. QUIGLEY. Mr. Speaker, I would like to first extend my congratulations to the gentleman from Wisconsin and the gentleman from Iowa and the other Members who have participated in this discussion this afternoon. Unfortunately, I was not able to be present throughout the entire discussion but I cannot help but feel that much of what has been said needs to be said and needs to be said very frankly and honestly if we are to fulfill our responsibility to the people who elected us to be their lawmakers.

Like the other Members of the House, I recently received an interesting and provocative questionnaire from the weekly news magazine U.S. News & World Report. I do not know how many Members responded to the editor's request to express our views on what we consider to be wrong with the Congress and the way it operates. I did take advantage of this opportunity and while I have no way of knowing what, if any use, the editors of that particular magazine may ultimately make of it, I would like, at this time, to include as part of my remarks my answer to the final question which the editor asked.

That question is this: "Is there anything that could be done, in your opinion, to improve the working of Congress?"

My answer to that question was as follows: Much could and some things probably will, but it strikes me that two things must be done if the Congress of the United States is to remain an instrument of responsive and responsible government:

First. In the House of Representatives the power of the Rules Committee must be changed or the makeup of that committee revised so that the full membership of the House is given a timely opportunity to work its will on legislation reported by the appropriate committees of the Congress. Much of the end of the session logjam is the direct result of—and sometimes the deliberate plan of—the Rules Committee. And, again, some of the poor legislation we pass can be traced directly to the fact that the Rules Committee prevents improving amendments from being considered or, again, encourages crippling amendments to be offered or, even more often, the poor legislation we pass is the best legislation that can be worked out without having the bill go back to the House Rules Committee where it would be killed completely by its refusal to let it go to conference.

The House Rules Committee was originally intended to be a traffic cop charged with the responsibility of controlling the orderly flow of legislative business to the floor of the House. It has long since become much more than that and, as presently constituted, a coalition of Dixicrats and arch conservative Republicans have perverted the committee into an instrumentality designed, when at all possible, to prevent the consideration of progressive legislation and, when this is not possible, to do everything to make certain that it is considered under the most adverse possible circumstances.

Second. The Senate rules must be changed to prohibit unlimited filibusters. The minority has its rights and certainly foremost among these is the right to be heard. But the majority has its rights, too, and foremost among them, under our system of government, is the right to rule. If the filibuster in the Senate or the Rules Committee in the House is allowed to function, not to protect the rights of the minority but to deny the fundamental right of the majority, then the Congress of the United States is working against, instead of for, the fundamental concept of our whole system of American democracy.

Once before in this Nation's history "a little band of willful men" succeeded in frustrating the hopes of the American people under the dynamic leadership of a great American President, Woodrow Wilson. Wilson died a broken and defeated man, and the world and the Nation he hoped to lead to peace and freedom and democracy went on to pay the awful price of Hitler and World War II. But we who have come after have lived to see the Wilson dream reborn in the United Nations.

There are men and women in this Congress, in this country, and throughout the world who thank God for the United Nations, and who spent this day working to make it the instrument of peace Woodrow Wilson knew that such a world organization could be. And, ironically enough, conspicuous among them is the very namesake of the man who led the League of Nations wrecking crew.

At the moment, the will of the majority of the Congress of the United States and the will of the American people have been thwarted by "a little band of willful men" on the House Rules Committee. Even in my disappointment at their success, I unhesitatingly predict that the legislation which is, at the moment, feeling the heavy hand of this wrecking crew will not only someday be on the statutes of this Nation, but the very namesakes and descendants of this wrecking crew will thank God that this has come to pass.

GENERAL LEAVE TO EXTEND

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks in the RECORD at the conclusion of the remarks of the gentleman from Wisconsin [Mr. FLYNN].

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, the gentlemen from Wisconsin and Iowa are to be sincerely congratulated on their constructive effort to bring, in the House of Representatives, the return of an orderly consideration of legislation.

The four specific proposals which they have made should, in my opinion, be adopted, with at least one further addition. It should be possible to secure a meeting of the Rules Committee with greater dispatch. The necessary change to accomplish this should be easy to secure if the other recommendations are followed. The crux of the matter, of course, is, as has become very obvious in this session, that the responsibility of leadership for the majority party has been unwittingly passed to the Rules Committee and its chairman. This is not good parliamentary procedure and stifles the entire ability of a constitutional democracy to operate under such circumstances as we have today.

It is to be hoped that all returning Members to the 87th Congress, and all new Members, will be sufficiently appraised of the situation and its remedies so that affirmative action can be insisted upon in the Democratic caucus in January.

A STAMP FOR GEN. JOHN J. PERSHING

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. RANDALL] is recognized for 15 minutes.

Mr. RANDALL. Mr. Speaker, I have again asked for a few minutes to focus attention upon what appears on the surface to be a slight to a great Missourian and a great American—Gen. John J. Pershing.

On June 30, 1960, I made some remarks here in the House relating to the omission of the Postmaster General in failing to issue a stamp honoring General Pershing on the centennial of his birth, September 13. At that time it seemed that the Postmaster General had reached a conclusion that issuance was not warranted, or so stated in a letter to the national chief of staff of Veterans of World War I of U.S.A., Inc.

Since June 30 there have been new developments which would leave any observer somewhat confused and even puzzled as to the intervening events. In a very recent issue of the Washington Evening Star in the philatelic news section, there was an announcement concerning the issuance this fall of three 4-cent stamps, which were described as memorial stamps to pay tribute to Senator Robert A. Taft, who passed away in 1953, Senator George, of Georgia, whose demise was in 1956, and to former Secretary of State John Foster Dulles, who departed this life in 1959. Certainly the issuance of stamps for these great men is most appropriate and justified.

Now, Mr. Speaker, let me make it clear, if I were the only Member of Congress interested in a commemorative stamp for General Pershing then there would be no further comment. Instead I know many Members of the House, and also some Members of the Senate, have made requests to the Post Office Department for the Pershing stamp. The American Legion, Department of Missouri, has made a previous request through myself and other Missouri Congressmen. Gov. James T. Blair, of Missouri, made a request directly to the Post Office Department and sent copies to Members of the Missouri delegation in Congress. In most instances the answer from the Post Office Department to these various requests was that the decision had already been made not to issue a stamp to honor this great and beloved General of the Armies.

Of course, this decision is disappointing to all members of the American Legion and to all Missourians, as "Black Jack" Pershing is regarded as one of our most famous sons. But as I pointed out on the floor on June 30, it is the World War I veterans who are most disappointed of all groups because he was their leader. Many such veterans are today asking for a pension which the Congress has not acted upon. They feel they are the forgotten veterans of the armed services of this country. Nonetheless, they have demonstrated great patience. But now, almost to a man, they are saying in strong unison "Even if we must wait on our legislation, at least honor our general now by a commemorative stamp on the centennial of his birth."

The organization to which many veterans of 1917–18 belong carries the name of Veterans of World War of U.S.A., Inc., and their officers were not content with just a statement that a stamp would not be issued and have continued to ask why. Finally they received a letter from one of the special assistants to the Postmaster General which stated:

> The question of the issuance of the stamp in honor of General Pershing has been discussed upon a number of occasions. Nothing can be done about the matter at this time, since by the criteria established by the citizens stamp advisory committee, no American citizen may be honored by a U.S. commemorative postage stamp until at least 25 years after death.

When a statement and conclusion of this kind is placed alongside the announcement in the Washington Evening Star that there would be early fall issues of memorial stamps for Senator Taft, Senator George, and Mr. Dulles, there is created a seeming inconsistency or apparent self-contradiction which calls for an explanation to the general public.

If, in the terminology of the Post Office Department, the expression "memorial" means one thing and the expression "commemorative" means another, then there is a clear duty to define these terms as they are used by the Department and make known to all who may be interested that there is a distinction between the two types of stamps. The dictionary definition shows each word is a virtual synonym for the other, but if there is some nominal difference, then there should be a full, frank, and straightforward explanation of the difference between the two kinds of stamps.

One can see the two Senators and Mr. Dulles died while holding Federal office, but although retired, "Black Jack" Pershing died holding office as General of the Armies.

On September 13, on the centennial of his birth, all America will pause in remembrance and respect for the general. President Eisenhower has announced he will visit the grave of General Pershing in Arlington, leading the entire Nation in paying honor and tribute to the great general of 1917–18. Public Law 86–483, passed this session, provided for a Presidential proclamation which was later issued and called for departments and agencies to cooperate with civil and patriotic organizations in conducting ceremonies in commemoration of Pershing's centennial. The Department of the Army has issued an information pamphlet. It now appears everyone is in step to honor General Pershing—the President, the Army, Veterans of World War I, the Army, the VFW—everyone, but perhaps the Post Office Department.

There are thousands who want to see General Pershing honored, and I feel sure they will be satisfied to have some type of stamp issued, whatever it may be called. This great general died while holding office of a very rare and exceptional rank.

Mr. Postmaster General, I again respectfully petition you to issue a stamp on September 13 for General Pershing. If the request for a commemorative stamp is unacceptable, then please see fit to issue a memorial stamp.

To honor the general is to honor not only one of the greatest soldiers of modern times, but will also honor all his

now aging fellow soldiers—veterans of World War I. If the issuance of a stamp is withheld as a part of the honor justly due this great man, hundreds of thousands of World War I veterans will feel the general has been slighted and ignored—and millions more of patriotic Americans will forever resent the omission.

THE LATE CLYDE R. HOEY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. LIBONATI] is recognized for 5 minutes.

Mr. LIBONATI. Mr. Speaker, it is with a deep sense of the propriety to disseminate truth that I recall one of the greatest of political speeches ever delivered on the American political scene. It was in the Smith campaign on the subject of religious intolerance given by the late Clyde Roark Hoey, distinguished Senator and Governor of North Carolina.

The memorable address was delivered before a county mass meeting at Shelby, N.C., in 1928. The Honorable Clyde R. Hoey, presidential elector at large, prominent Methodist layman, scarcely realized that today the subject matter so masterfully presented to his constituents in 1928, unfortunately, in certain areas, presents the selfsame issues today in this presidential campaign.

Certainly the development of his ideas for tolerance were substantiated in his compilation of events and historical data in the life struggles of the South. His appeal was at least effective in keeping the County of Shelby, North Carolina in the Democratic column in that campaign. As a political paper it should be classified as a masterpiece, a gem of American political literature. The courage and loyalty of this great leader to party regularity marks him as the great Democrat of the South who, in the perilous days of its greatest trial, defended Al Smith in the campaign and maintained party regularity in Shelby County, in his great State of the Southland—North Carolina. His appeal based on reason was not denied. His superlative oratory lives on—the truths he voiced on religious tolerance are true today.

SPEECH DELIVERED BY HON. CLYDE R. HOEY, PRESIDENTIAL ELECTOR AT LARGE, AND PROMINENT METHODIST LAYMAN, BEFORE A COUNTY MASS MEETING, SHELBY, N.C., IN 1928

The Democratic Party appeals powerfully to the whole people in the State and Nation. It is the real national party in sentiment, ideals, policies, and principles. For the last 63 years ever since the close of the War Between the States, it has been the only refuge for the people of the South who have been interested in preserving our civilization. Following the war, in the days of her poverty and desolation, and while the heel of the alien was still upon her neck, the South bowed before Jehovah in the hush and stillness of the evening and breathed the prayer of every true southern heart in asking for deliverance from conditions worse than war and horrors more intolerable than the carnage of battle.

With resources exhausted, money gone, homes devastated, towns and villages pillaged and burned, the land overrun by carpetbaggers and camp followers, and looting bands of soldiers and marauders invading the sanctity of the homes of our people and making life one long and dreaded nightmare—and with Jefferson Davis, the erstwhile president of the Confederacy in chains awaiting his trial for treason to the Union—the South's cup of sorrow was full and overflowing. In this sad hour there came but one friendly and sympathetic voice out of the hostile North—it was the bold and fearless appeal of the Democratic Party for justice and forbearance with the South and her people.

NEW YORK FRIENDLY TO THE SOUTH

The mighty force of this appeal came from the city of New York. Charles O'Connor, a member of Tammany Hall, a Catholic and one of the greatest lawyers in America, volunteered to defend Jefferson Davis against the high charge of treason, and so brilliantly did he perform this duty that Davis was eventually released from prison and set free, and thus large numbers of southern officers and soldiers saved from prosecution, and he did it all without money and without price.

This was the beginning of the dawn for the South, but it was a long, tedious, tiresome journey through the years, attended by privations without number and marked by innumerable hardships, testing the stoutest hearts and laying burdens almost unbearable upon the men and women of that period. The dominant element in the Republican Party was insatiable in its hate and unrelenting oppression of the South and her people, and the only friend we had in the court of public opinion was the Democratic Party of the Nation, and this great party has been the bulwark of our defense and the champion of our cause in Congress and in the forum of public thought for more than half a century.

When Zeb Vance was elected to the U.S. Senate and denied his seat, but later reelected and returned, it was the great Democratic Senators of the North who pleaded his cause and won for him admittance to that august body. Later when a fight was being made by Vance and Ransom, along with other southern Senators, against the Lodge force bill, by which the Republican Party was seeking to place Federal troops at the polls in the South in order to foist upon us the government and dominance of an alien race and have put into effect the 14th and other amendments, it was the bold, daring, and brilliant fight made by great intellectual giants like Senator Daniel W. Voorees, the Tall Sycamore of the Wabash, and other Democratic Senators of the North who spoke all night and conducted a continuous filibuster until the approach of the adjournment hour, and this vicious measure was defeated, and the South was left free to work out her destiny and to solve in her own way the problems which are peculiar to this section.

REPUBLICANS AGAINST THE SOUTH

Through all the intervening years this feeling has continued, and although we are 63 years away from the heat and passion of civil strife, and although the South has demonstrated her loyalty to this Nation in a thousand ways, sealing afresh the covenant of her devotion with the richest and best blood of her bravest sons, who have died gloriously under the Stars and Stripes, yet the Republican Party of the North has neither forgotten nor forgiven and on every occasion the Republican politicians wave the bloody shirt and use the ugly word traitor with reference to Lee and Jackson and your father and mine—and all that remnant of the gallant band of Confederate veterans who still survive.

I do not recall these matters to arouse sectional feeling. I mention them to condemn it. The Republican Party has demonstrated through the years that it is a sectional party, while the Democratic Party, true to its time-honored principles of liberty, righteousness, and justice, is the only real national party, looking to the East, West, North, and South, and feeling a common pride in the growth, progress, development, and expansion of each other. The South desires no favoritism, seeks no advantage, asks no subsidies—her demand is for that justice and fairplay which, she has never received except through the Democratic Party.

A STRANGE APPEAL

A new and strange appeal now comes from many of our people in the South, including some of the leading bishops and ministers, and the tenor of that cry is that we ought not to support the Democratic nominee for President in this good year of 1928. I invite you to analyze with me the basis for the opposition and see if there is any just ground to warrant a Democrat in leaving the political household of his fathers, and going into a strange party and a far country, or even to take a political vacation, as some milder opponents suggest doing.

I am for Al Smith for President without excuse and without apology.

I was a Democrat yesterday; I am a Democrat today, and I am going to be a Democrat tomorrow. I believe the welfare and general good of the South will be vouchsafed only through the Democratic Party, and that the Government of this Nation will be best administered by and through the Democratic Party, and that only in this way will the Government function fully and fairly for the benefit of the average man. This party has been and is the mouthpiece of the masses and it speaks the language of that large body of citizens whose voice is heard only through its councils.

The Democracy of the Nation, in a magnificent convention in a proud Southern city, selected Governor Smith, of New York, as its standard bearer for President, and a great Southern leader, Senator Robinson, of Arkansas, for Vice President, and adopted a sane and sensible platform, and confidently presents this ticket and platform to the American people. Forty-one of the 48 States voted for Governor Smith, giving him more than two-thirds and nominating him on the first ballot, thus establishing his popularity and strength, and demonstrating beyond question that he is the overwhelming choice of the Democratic Party for President. The only purpose in holding a convention is to ascertain the choice of the party, and when that selection is made it then becomes the duty of all good party men and women to accept the verdict of the convention, bow to its assembled and combined wisdom and intelligence, and go forth to battle with its banner unfurled and lifted high.

But what are the reasons advanced for opposing Governor Smith. At least three are given and they are that he is (1) a Tammany man; (2) a wet, and (3) a Catholic. Admitting for the sake of argument that all three are true, they do not in any wise render him unfit or unavailable for President.

A TAMMANY MAN

Tammany Hall has existed for 139 years. It has some political corruptions linked with its record, but it is a paragon of virtue compared with the Republican political machines in Philadelphia, Chicago, Pittsburgh, Indianapolis, and other large cities of the country. They are young and yet so steeped in corruption and honeycombed with graft that Tammany blushes when they are named in its presence. Tammany, despite its grafting, has given New York City the best government of any of the really big cities, and whenever it loses control of the city, the Republicans give such bad government that the people rise up in their might after 2 years of experience with that party and restore Tammany to power. Practically every prominent southern Democrat in New York belongs to Tammany Hall.

But they tell us that Tammany is not true to the Democratic Party. It opened its wigwam to receive the first National Democratic Convention after the war at a time when the Democratic Party was not very popular elsewhere in the North. It has given to every Democratic candidate for the Presidency since that time about all the support of any consequence he has received in New York. In the memorable campaign of 1896 when the matchless Bryan invaded the enemy country it was Tammany that stood by him and carried that great city for him in one of the fiercest fights ever waged in American politics. At that time Bryan was moved to exclaim: "Great is Tammany." We find young Al Smith in the thick of the fight battling for Bryan and he supported him in every race he made for the Presidency, although Smith did not believe in free silver or prohibition, but he was a Democrat and he stood by the nominee.

SMITH'S SPOTLESS RECORD

There is one sure defense for Al Smith against any charge that can be made against Tammany, and that is his own spotless record of public service for the past 25 years in which he has held various offices in the State, including his service of four terms as Governor, and there is not even a Republican in New York State who questions his integrity or doubts his honesty. The whole State, Democrats and Republicans, men and women, agree that he is absolutely incorruptible, and with this shield and buckler, he is impregnable in public esteem. Theodore Roosevelt, the Less, while violently attacking Tammany, was careful to say that he wished it understood that he did not question the personal honesty or integrity of Governor Smith. Charles Evans Hughes, a great Baptist, former Republican candidate for President, introducing Governor Smith a few weeks ago to speak before several thousand lawyers of New York, recalled his unusual public service and stated that if he were in England they would provide him a peerage, but in this country he would have the love and affection of all the people as an everlasting heritage for the unselfish manner in which he had wholeheartedly served the State, concluding with the statement that he was a master of the science of government. Elihu Root, former Secretary of State, and one of the outstanding Republican lawyers of America, stated that while Al Smith was not a lawyer, that he was the most useful member of the constitutional convention and knew more about the constitution than any lawyer in the State.

If "an honest man is the noblest work of God," then Alfred Emanuel Smith gleams across the political heavens as a star of the first magnitude.

GOVERNOR SMITH A WET

The next objection and the one most often urged is that Governor Smith is a wet. This seems to be seized upon as if it were something new to have a wet President. For more than 30 years not a single President of this country has been a prohibitionist and a dry as we understand those terms—every one of them has been wet according to present definitions. Roosevelt was not a prohibitionist, Taft was not, Wilson was not, Harding was not and Coolidge is not. Moreover the present Republican candidate, Herbert Hoover, never voted for prohibition in his life, is not a dry and never has been, and yet if you listen to those who are so busy denouncing the Democratic candidate, you would imagine that Hoover had been a crusader for prohibition. When Senator Borah called upon Hoover for an expression before the convention, his only declaration in effect was that prohibition was a "noble experiment," and related it only to our social and economic life, failing to clothe it with any of the moral garments of righteousness. So far he has never said that he believes in prohibition and if he does say so in his speech of acceptance it will be his first time to ever find out that he is a prohibitionist or a dry, and the discovery will be due solely to the conclusion that he may fool some good dry Democrats into voting for him by that sort of declaration.

But a good woman said to me the other day that she could not vote for Al Smith because he took a drink. My only reply to this is that so does Herbert Hoover, and we have not had a President in 30 years who did not. Just a few weeks ago Clarence Darrow, the well known criminal lawyer of Chicago, in reassuring the Republican wets that Hoover was all right said, "You need not be afraid of Hoover. He is just as dry as I am. He is the last man I took a drink with before leaving Washington." I do not mention this by way of criticism of Mr. Hoover or past Presidents of this Nation, but my sense of fairness rebels when I see good men and women glorifying one man and crucifying another for the same thing.

A CONSISTENT PROHIBITIONIST

I am not in favor of liquor in any form. I am a prohibitionist every day in the year in theory and practice. I never took a drink of liquor in my life. I never expect to. I have consistently fought for prohibition. When I first went to the legislature from Cleveland County 30 years ago there were four barrooms in Shelby. I passed a law over the protest of a majority of the citizens of Shelby abolishing the barrooms and putting them out of business and there hasn't been one in Cleveland County since. I voted for the Motts law and helped to pass it through the legislature removing every distillery out of the county in North Carolina. I passed another law in 1903 when I was a member of the State senate prohibiting transportation of whiskey into dry territory within the State. I spoke all over this section in favor of statewide prohibition in 1908 when North Carolina voted dry over 40,000 majority, and I supported loyally and enthusiastically the 18th amendment to the U.S. Constitution which became effective January 16, 1920.

REPUBLICAN HYPOCRISY ON PROHIBITION

I yield to no man or woman, minister or layman in my loyalty and devotion to prohibition and my sincere desire to stamp out liquor and all the evils incident to the traffic, but I refuse to be stampeded to the support of a party that for the past 8 years has had about the biggest distiller in America at the head of the prohibition enforcement—a man who has made millions out of the liquor traffic and has fattened on the misery and suffering, poverty and squalor of the multiplied thousands who have purchased the damnable stuff from his barrooms, distilleries and breweries, and a man who has fought prohibition at every stage with every ounce of his influence and energy, and who had enough liquor on hand to float a battleship when prohibition went into effect. This same man, Secretary Mellon, now has, through his companies, liquor stored in warehouses amounting to many millions of dollars, and he is getting a high price for it. This is the man who is now at the head of prohibition enforcement—the Republicans transferred enforcement from the Department of Justice, where it properly belonged, to the Treasury Department—and Secretary Mellon is the man in charge. This is the man who has been serving in the Cabinet with Secretary Hoover for the past 8 years and is the same man, who, along with Boss Vare, whose election to the Senate from Pennsylvania was so flagrantly corrupt that the Senate wouldn't let him enter, dictated the nomination of Hoover at Kansas City, and it was so published in every newspaper in the land. This is the fine moral atmosphere pervading the Republican Party, into which our southern dry Democrats are asked to enter, because, forsooth Al Smith is wet.

The Republican Convention this year had the brazenry to pledge itself to enforce prohibition during the next 4 years, thus admitting that it had not enforced the law or made any effort to enforce it, during the past 8 years. By their fruits, ye shall judge them. Is Hoover any better than Coolidge? Has the Republican Party reformed? This may be a day of miracles, but you shall not see so great a miracle as a change in a political party that has practiced duplicity and deception so consistently that it has become its first and second nature, and the distressing thing is that it succeeds in fooling good people.

THE PROHIBITION LAWS

We have two prohibition enactments—one by constitutional amendment and the other by act of Congress—the 18th amendment and the Volstead law. The amendment makes it unlawful to manufacture or sell spirituous liquors anywhere in the United States, and this was voted for by the people and it cannot be changed except by a two-thirds vote of both Houses of Congress and by the vote of the people in three-fourths of the States. Therefore, everybody knows that this cannot and will not be changed or modified in any way. The Volstead law was passed by Congress and was not voted for by the people. It arbitrarily declares that anything that contains more than one-half of 1 percent of alcohol is intoxicating and, therefore, is prohibited. This is what Governor Smith says is false. It has been demonstrated that unless a fluid contains more than 3 percent of alcohol the human stomach cannot contain enough to produce intoxication. A great many stanch prohibitionists felt that the law was too extreme at the time of its passage. That was one reason why Woodrow Wilson vetoed it.

Living in the dry South one cannot quite get the viewpoint of the people of the North on the whisky question. We have approached prohibition gradually. For 50 years we have been preparing our people for its adoption and creating a public sentiment and began by forbidding the operation of a barroom or distillery within 1 mile of a church, then the distance was enlarged and the schoolhouses were also protected. Later distilleries and barrooms were all moved to town where police protection would be afforded, and then one town after another voted them out. Eventually the whole State went dry and then the quantity of liquor to be shipped in from another State was limited to 1 gallon at a time and this was reduced to 1 quart. Following this a bill was passed by Congress forbidding the shipping of whisky into any dry State, so that we had all this before the 18th amendment was ever adopted, and hence national prohibition did not affect in the slightest any State in the entire South. The only result of it was to fasten prohibition on some of the States in the North that didn't want it and were bitterly opposed to it. The difference in result might be easily anticipated. The South got prohibition after we had gone through a 50-year period of preparation for it by inculcating the temperance doctrine and gradually withdrawing liquor from the people. Northern States, like New York, Pennsylvania, Massachusetts, and various others had barrooms, breweries, and distilleries in full blast until midnight on January 16, 1920, when the 18th amendment became effective. The change was too sudden. You cannot reverse the habits and customs of a people overnight. The working people who were accustomed to drinking the schooner of beer for a nickel and the liquor drinkers who had been frequenting the barrooms did not get their appetities changed when the

law changed. There had been no tapering off period. Consequently the law was ignored. Speakeasies flourished everywhere and liquor was sold in every town and city of those States, and there was not sufficient public sentiment to enforce the law. After Harding's administration came into power, March 4, 1921, there was a shameless abandonment of any purpose to enforce the prohibition law in New York, Pennsylvania, and various other wet States, and conditions have been even worse under Coolidge. You can go in any hotel or most anywhere else in the large cities of the country and buy all the liquor you want, and there is practically no effort to enforce the law.

GOVERNOR SMITH'S POSITION

Governor Smith says that in his judgment this condition can be remedied. He says most emphatically that the saloon is a defunct institution and will never return to America. But he believes that if Congress would modify the Volstead law so that such States as New York and Pennsylvania, if the people of those States so desired, could prescribe the alcoholic content of beverages below the intoxicating point and thus let them have light wines and light beer, that it would tend to satisfy the people and make for real temperance. He does not propose any change of any kind for North Carolina or any other State in the South or other dry territory, so that if Governor Smith could even get Congress to modify the Volstead law it would have absolutely no effect on us. So far as that is concerned, if there was no Volstead law and no 18th amendment, North Carolina and the whole South would still have airtight prohibition laws, because we had all of this before either was passed and these laws are still in full force and effect. It might be well to remember as we go along that all these prohibition laws in North Carolina were passed by the Democrats over the protest of the Republican Party in the State, and now some good dry Democrats are threatening to vote with the very crowd that have fought prohibition at every stage of its development.

This year is the first time the Republican Convention ever declared for prohibition. The preachers in the State ought at least to give Al Smith credit for making prohibitionists out of the Republican politicians in North Carolina—something they have failed hitherto to do.

The Republican National Convention never has declared for prohibition in all of its history; neither has the National Democratic Convention. Both declared this year for enforcement, but the Democrats have a stronger declaration than the Republicans for they include the amendment and the other prohibition laws, while the Republicans have failed to enforce either. Al Smith says that he will enforce the laws as long as they remain on the statute books and everybody knows that he has never broken a promise in all his official career.

SMITH DID NOT BOLT PLATFORM

But we are told that Governor Smith bolted the platform. He did nothing of the kind. The platform declares in favor of enforcing the law and he says that he will do that to the full letter of his oath. However, with characteristic honesty and candor, being unwilling to get votes by falsehood and deception, he takes the people into his confidence to say that he believes there should be some change in the law. Is there any treason in that? Or do you prefer a man like Hoover, who, since he has been a candidate, has pursued the policy of carrying liquor on one shoulder and water on the other in an attempt to get the wet Republicans of the North with the liquor and the dry Democrats of the South with the water? It is most refreshing to me to have a candidate for office who has the courage and honesty to tell the people frankly where he stands, even though you may differ with him. Suffice it to say that you may rest assured that when Smith is elected the amendment will not be disturbed and that in no view of the situation could there possibly be any change in the prohibition laws affecting North Carolina.

Anyway, the Volstead law is not one of the Ten Commandments, but "Thou shalt not steal" is one of them, and some of our friends are threatening to vote with a party in this election that, in its official life, has so long violated this Commandment that it has completely fallen into disuse and some think that it no longer has any application to the Republican Party.

The Republicans are sending circulars through the mails in the name of the Anti-Saloon League attacking Governor Smith's record, but it is generally known that this organization has degenerated into an adjunct of the Republican Party in the Nation. Ever since the Senate investigation revealed that this Anti-Saloon League took the money collected from you and me as contributions to advance the cause of temperance and donated it to help elect Republicans in the last election, it is proper to designate them as assistant Republicans. Dr. McBride, the head of the league, announced in New York, before the Houston convention, that the league was going to support Hoover, regardless of who the Democrats nominated or how dry their platform.

GOVERNOR SMITH'S RELIGION

This brings me to the matter of Governor Smith's religion. It so happens that he is a Catholic. His mother and father were both Catholic before him. Charles Curtis, the Republican candidate for Vice President, was baptized into the Catholic Church, but his mother, who was a Catholic, died in his infancy, and he was reared by a relative who was a Methodist, and so he grew up to be a Methodist. If his mother had lived, he would have been a Catholic. We inherit most of our church relationships. But whether inherited or acquired, we have the right, under our Constitution, to belong to whatever church we desire and to worship God as our conscience shall dictate. The Catholics helped to put that in the Constitution. They came here with the early settlers to avoid persecution also. Ever since Henry VIII got mad with the Catholic Church because it wouldn't let him have a divorce and organized a church in opposition—the Church of England—which was supported by the Government, the Catholics, as well as other churches, were made to live hard. America was discovered by a Catholic. When we were fighting for independence of the British Crown it was Catholic France that came to our rescue and we honor General LaFayette. When the South was in a death struggle it was again Catholic France that offered us aid. The Catholics helped to put religious liberty in our Constitution.

It was a great North Carolina Catholic, Judge Gaston, who served with distinction on our State supreme court and who wrote our State song, "Carolina, Heaven's Blessings Attend Her," and for whom the fine county of Gaston was named. It was a great Catholic Judge of the U.S. Supreme Court, Edward D. White, for many years its Chief Justice, who stood by the South so brilliantly and devotedly in sustaining our suffrage amendment in various Southern States. North Carolina, in fusion days, elected two Catholic judges, Judge Robinson on the superior and Judge Douglass on the supreme court bench, and each served the State with distinction, and our Populist and Republican friends all very properly voted for them without raising objection on the ground of their religion. Not alone that, but the Republicans voted for Taft, the Unitarian, who does not believe in the divinity of Christ, for President, and said nothing about it. It seems that the only time it makes any difference is that if a Catholic happens to be on the Democratic ticket, the Republicans get very much excited lest the Pope of Rome will get them. The majority of Catholics are Democrats. Woodrow Wilson could not have been elected without Catholic votes, and they have voted for Protestants for generations. Don't you think it is about time to vote for a Catholic? I am happy to say that I am not afraid of the Pope and the ghost stories related about the Catholics are wholly discreditable to those who circulate them. It is too late in human history under the guidance of Divine Providence to hark back to the days of religious prejudice and persecution. There has been too much of it already in a world which God made and through the blood of His Son redeemed. I am afraid that if Jesus Christ was present in the world today in the flesh and witnessed the exhibition of ill feeling exhibited by some Protestants and some Catholics, He would be forced to exclaim: "Behold, how these Christians hate," instead of that marvelous commendation, "See how these Christians love." The Catholics worship the same God, bow before the same gentle Christ, and the good Catholics and the good Protestants are going to the same Heaven.

THE CHRIST THOUGHT

When the disciples came to Christ with the report that they found others casting out devils and healing diseases in His name who didn't belong to their crowd and consequently forbade them, the Master was not displeased and said in effect, do not forbid them. If they are casting out devils in my name, then they cannot speak evil of me, and if they are not against us, they are for us. Do not oppose them just because they do not belong to our church. How much the world has needed that lesson. The Catholic Church represented God and Christ in the world for over a thousand years before our Protestant churches were organized, and yet we make furious attack upon that church. The same charges we make against them might be brought against us Protestants if we had existed in those days, and our forefathers were not at all free from the charge of persecuting those who differed with them about religious matters. It is enough for us to serve God in the way that our conscience will approve and accord this right to everybody else.

SMITH THE MAN

Whatever you may think of the Catholic religion has nothing to do with the election. Governor Smith says that he is an American Catholic and offers no apology for his religion. We would not have him do so. His mother dedicated him to God and had him christened Alfred Emanuel—meaning God with us—and God has been mightily with that boy through the days of his struggle as an urchin on the streets and working in the fish market supporting a widowed mother and gaining knowledge from the university of experience and hard knocks, but always with a smile on his face and sunshine in his soul, until he has finally reached the highest eminence possible to attain in the political world—the nominee of the great Democratic Party for President of the United States. And, in my humble judgment, that same Divine Providence is going to continue to mercifully and mightily brood over him and on next March 4 he will begin his term of service as President of the premier Republic of the earth, restoring this Government to all the people and serving them with that fidelity and integrity which has marked his whole public career.

Governor Smith's whole record gives assurance that his religious affiliation would in nowise affect the administration of his office. It has not done so for 25 years. You could

not tell to what church he belongs by any official act of his. The Catholic Church is supposed to be opposed to the common school system, yet during his four terms as Governor he has done more for the public schools than all the Governors of that State for the preceding 20 years. In his letter to Charles Marshall, he says, "I believe in the support of the public schools as one of the cornerstones of American liberty." As President he would not appoint as many Catholics to office as Protestant Presidents have appointed, judging by his record. There are 15 members of his cabinet as Governor, 12 of whom are Protestants, 2 Catholics and 1 Jew. The population of both Jew and Catholic in New York would justify a much larger representation. A 32d-degree Mason and a Protestant is his secretary. His policy is to appoint good men to office regardless of religious affiliation. So successful has he been in this respect that even a Republican legislature in New York has not refused to confirm a single appointment he made in the entire 8 years, while a Republican Congress at Washington has declined to confirm a number of President Coolidge's appointees during this same period because of their unfitness. Another thing noteworthy, and which emphasizes Governor Smith's fine sense and unfailing judgment is that this same Republican legislature has not passed a single bill over his veto during his four terms as Governor, while the Republican Congress at Washington passed bills over President Coolidge's veto so often as to become commonplace, during the recent session, overriding him three times in a single day. Governor Smith's strength lies in the fact that he carries his fight straight to the people and they always sustain him.

HIS LEGISLATIVE CAREER

While he was a young man he became Democratic leader in the legislature and had a bill passed to stop the factories from running on Sunday, so as to observe the Sabbath and give the people one day of rest. The canneries fought this bill, claiming it would seriously interfere with their business to stop for Sunday. Young Al Smith in pleading for the law, said the cannery owners wanted to amend the divine command to "Remember the Sabbath to keep it holy" by adding "*Provided*, This shall not apply to the canning factories." Needless to say, the law was adopted, and along with it many other laws relating to the protection of women and children, and making working conditions better for them. There is one thing that cannot be overlooked and that is that Al Smith has always fought for the common people and sought to procure for them their rights and while many abuse and denounce him and some preachers and religious leaders are very bitter in their attacks upon him, he is sustained by the consciousness of the service he has rendered the whole people, and thousands of working men, women, and children in New York State, in their evening devotions, thank God for Al Smith and the fact that he has lightened their burdens and made life more tolerable for them, and given their children a better chance in life.

HIS LIFE AND INSPIRATION

The life of Al Smith is a challenge to every red-blooded boy in America. To read of his early struggle and triumphs, his hardships and his joys, his devotion and care of his mother until her dying day, always laying down all business and leaving the duties of the governorship to spend the whole day with her on her birthday in her old age; his love for his family and comradeship in his home, how children all love him and the dogs follow him—you cannot fool children and dogs—and withal how candid, frank, and honest he is with everybody and everything—can you see how it is that good men are led to assault him so viciously and to say such hard things about him. I know the women and the mothers shall not desert him. I would not understand all of this, but for the fact that I know something of human history and of the malignancy with which other public men have been assailed, only later to be deified. When Grover Cleveland was a candidate for President he had previously been sheriff and Governor of New York—just like Smith—and the campaign against him was based upon somewhat the same line as the present, Preacher Burchard declaring that Cleveland represented "Rum, Romanism, and Rebellion." Now their campaign cry against Smith substitutes Tammany for rebellion because they are trying to get Southern dry Democrats to vote the Republican ticket, but they think in terms of rebellion just the same.

SOUND ON IMMIGRATION

They tell us that Smith has had no experience in national affairs. Neither had Lincoln, Jackson, Cleveland, or Wilson. They said that he is in favor of unrestricted immigration and, therefore, no Junior Order member ought to vote for him. There is not one word of truth in this statement and no utterance of his justifies it. On the other hand, the Democratic platform declares strongly for restricted immigration and he stands squarely on that plank, as stated in his telegram. Some people have an idea that Masons will not vote for Smith. There is absolutely nothing to that. There is no valid reason why any Mason, Junior Order, or any other fraternal organization man—and I know because I belong to all of them—should not vote for Governor Smith, and there is every reason why they should do it, because he is the most fraternal and democratic man in public life in America today.

KNIGHTS OF COLUMBUS OATH A FORGERY

But some man says—"have you seen that Knights of Columbus oath?" Yes, I have seen that forgery which is being distributed and claimed to be the oath. Those who are distributing it obtained it from the Fellowship Forum, which feeds on hate of Catholics, and it purports to have been taken from the CONGRESSIONAL RECORD. But it does not explain how it happened to be in the CONGRESSIONAL RECORD, but these are the facts: In the contested election case of Bonniwell against Butler in 1913, it was shown that this forged oath was circulated in the campaign to damage one of the candidates and the oath was offered in evidence just to show what a fraud had been perpetrated, and this election case report, including all evidence, was printed, and that is how the oath found its way into the CONGRESSIONAL RECORD. The Grand Lodge of Masons of the State of California appointed a committee to investigate the matter and a full and complete investigation was made and report filed, and this report shows that this oath is false and that it is no part of the ritual or obligation of the Knights of Columbus. This report also appears in the CONGRESSIONAL RECORD in the speech of Congressman Kettner, made on January 29, 1915, and is available for anybody who wishes to read it. Every fairminded man will accept the verdict of the Grand Lodge of Masons and every honest man ought to cease to circulate this oath or give it any credence, since its falsity has been established.

WHAT OF HOOVER?

What special equipment has Herbert Hoover? He is a fine engineer, a good businessman, said to be worth millions, has spent most of his life in foreign countries, has had no experience in State or Federal Government, except to serve as Secretary of Commerce, is autocratic in manner and arbitrary in authority, as shown by his treatment of the farmer and others in wartimes and since, and is about as completely out of harmony with the masses of people as any public man you can suggest. While Hoover has been amassing his personal fortune of large proportions, Al Smith has been working day and night and devoting his energies to the public good, and he is going to make the one definite purpose of his administration the relief of the farmers, and he has the ability, judgment and courage to devise and execute plans for their relief. The one strong appeal for him as an ideal candidate for President is that he is a master of the science of government. He is to government what Burbank is to the plant world, Edison to the electrical world and Ford to the automobile world.

The farmer may look with confidence to Al Smith and the Democratic Congress for relief. And every farmer in America knows that he needs relief from the prosperity of Coolidge and Hoover for he has had to largely live during this Republican prosperity period upon what he was able to save during Woodrow Wilson's 8 years of government.

APPEAL TO NORTH CAROLINA DEMOCRATS

Al Smith has the daring and courage of Andrew Jackson, the honesty and integrity of Grover Cleveland, the capacity for leadership and practical idealism of Woodrow Wilson, and he proclaims his vision of our relationships at home in his stirring statement: "I believe in the universal brotherhood of man and the common fatherhood of God," and he epitomizes our relationship to other nations in that warm expression, "We should love our neighbors as ourselves." I appeal to every Democrat in North Carolina, man and woman, to abide in the ship and stand by the party that has given hope and courage to your fathers and has safeguarded and protected your mothers, and shall be a present help to you, and a sure defense for your children. You are going to need the Democratic Party in the future. This election will be over in November, but the Democratic Party must continue to be your reliance and guarantee for the protection of your property, your life and the sacred trusts which you have hitherto committed to its keeping. I plead for a rededication to its service, and for a rebaptism in its faith. I have no criticism to make of any bishop or preacher who may assail our party or its candidate. I respect them all in spiritual matters and I would be happy to follow their leadership, but in political matters I know as much about who would make a good President of the United States as any bishop or preacher in North Carolina for I have studied more about it than they have and I love my country just as devotedly as any of them. If we shall cease our criticisms and quit our faultfinding and line up solidly behind Al Smith he will charge the breastworks of Republicanism, take the trenches of privilege and pillage and go triumphantly over the top on November 6 and plant the unstained and unsullied banner of democracy in the citadel of the Nation at Washington.

OUR STATE TICKET

North Carolinians, without regard to party, should welcome the opportunity of giving support this year to our whole Democratic State ticket, both as a tribute to the magnificent record the party has made in this State for more than a quarter of a century, and also because of the high character and splendid promise of our State ticket this year. This ticket, headed by Max Gardner for Governor, and including every Democratic candidate for Congress and other officials, deserves to be elected upon a platform of brains and bravery, courage and capacity, love and loyalty, prohibition and patriotism.

FORTIETH ANNIVERSARY OF THE ADOPTION OF THE 19TH AMENDMENT—WOMEN SUFFRAGE

Mr. BALDWIN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the rquest of the gentleman from California?

There was no objection.

Mr. CONTE. Mr. Speaker, on this day 40 years ago, the valiant efforts of Susan B. Anthony reached their just fruition in the adoption of the 19th amendment.

Since their enfranchisement, the women of America have discharged their right and responsibility to vote in an exemplary manner. Today, women voters outnumber men. However, their real influence lies in the great interest they have taken and the efforts they have made, to assure that efficient government functions at all levels. They have, therefore, become a vital force in recognizing and solving the problems which face the local community, State, and Nation. To these grave decisions they have brought the sagacity of womanhood and the wisdom of motherhood. In the professions, they have made the incalculably valuable contributions which have benefited the growth and progress of this great Nation.

We are proud that the women of this Nation have willingly shouldered the responsibilities of our democratic government alongside the men.

Lest we forget, the tribute for the status of women in America, belongs to Susan B. Anthony and to those of her early supporters who struggled to achieve the equality with men, inherent in women, under the Constitution.

Because of this amendment, the Nation functions as a political whole, without any distinction in the spirit of democratic decisions and responsibilities between the men and women of these United States.

I know that in the forthcoming elections the women of America will respond to their duty with the conscientiousness and pride in their right guaranteed under the 19th amendment.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DOYLE for the balance of the session on account of critical illness of daughter in California.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. LIBONATI (at the request of Mr. MCMILLAN), for 5 minutes, today, and to revise and extend his remarks.

Mr. BRAY (at the request of Mr. BALDWIN), for 10 minutes, on August 29.

Mr. SCHWENGEL (at the request of Mr. BALDWIN), for 1 hour, on August 30.

Mr. RANDALL for 15 minutes on Monday, August 29, and Tuesday, August 30.

Mr. KASEM (at the request of Mr. WOLF), for 20 minutes, on Monday next, August 29.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD or to revise and extend remarks, was granted to:

Mr. MONOGAN and to include extraneous matter.

Mr. TRIMBLE and to include extraneous matter.

Mr. PRICE and to include extraneous matter.

Mrs. KEE and to include extraneous matter.

Mr. PASSMAN and to include a statement he made appearing in the Monroe (La.) Star, dealing with national politics.

Mrs. KELLY and to include extraneous matter.

The following Members (at the request of Mr. BALDWIN) and to include extraneous matter:

Mr. DORN of New York.

Mr. CANFIELD in two instances.

Mr. GLENN.

Mr. DULSKI.

Mr. BENNETT of Michigan.

The following Members (at the request of Mr. WOLF) and to include extraneous matter:

Mr. SHIPLEY in two instances.

Mr. MULTER.

Mr. BARING.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1663. An act directing the Secretary of the Interior to convey certain property in the State of North Dakota to the city of Bismarck, N. Dak.; to the Committee on Interior and Insular Affairs.

S. 1670. An act to provide for the granting of mineral rights in certain homestead lands in the State of Alaska; to the Committee on Interior and Insular Affairs.

S. 2761. An act to validate payments made for certain emergency conservation measures under the program authorized by the Third Supplemental Appropriation Act, 1957; to the Committee on Agriculture.

S. 2902. An act for the relief of Leo Schoenholz, Tobias Kaplan, the Kroger Co. of Cleveland, Miss., and Valley Bank of Rosedale, Rosedale, Miss.; to the Committee on the Judiciary.

S. 3040. An act for the relief of Nellie V. Lohry; to the Committee on the Judiciary.

S. 3339. An act to provide that the Secretary of the Army shall establish a national cemetery in Fort Reno, Okla., on certain lands presently under the jurisdiction of the Secretary of Agriculture; to the Committee on Agriculture.

S. 3433. An act giving the consent of Congress to a compact between the State of Arizona and the State of Nevada establishing a boundary between those States; to the Committee on the Judiciary.

S. 3469. An act to amend the act of March 8, 1922, as amended, to extend its provisions to public sales; to the Committee on Interior and Insular Affairs.

S. 3591. An act for the relief of A. E. Waterstradt; to the Committee on the Judiciary.

S. 3609. An act for the relief of Earl H. Pendell; to the Committee on the Judiciary.

S. 3625. An act to establish a Wabash Basin Interagency Water Resources Commission; to the Committee on Public Works.

S. 3688. An act to amend the District of Columbia Redevelopment Act of 1945, as amended, and the act approved December 20, 1944, as amended, and for other purposes; to the Committee on the District of Columbia.

S. 3835. An act to authorize the District of Columbia Civil War Centennial Commission to plan and carry out in the District of Columbia civic programs in commemoration of the 100th anniversary of the Civil War; to authorize the Commissioners of the District of Columbia, the Secretary of the Interior, and the Secretary of Defense to make certain property of the District and of the United States available for the use of such Commission; to authorize the said Commissioners to make certain regulations and permit certain uses to be made of public space, and for other purposes; to the Committee on the District of Columbia.

S. 3844. An act for the relief of Woody W. Hackney, of Fort Worth, Tex.; to the Committee on the Judiciary.

S. 3867. An act to exempt from taxation certain property of the National Guard Association of the United States in the District of Columbia; to the Committee on the District of Columbia.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5747. An act to amend section 152, title 18, United States Code, with respect to the concealment of assets in contemplation of bankruptcy;

H.R. 7242. An act to amend sections 1, 57j, 64a(5), 67b, 67c, and 70c of the Bankruptcy Act, and for other purposes;

H.R. 8289. An act to accelerate the commencing date of civil service retirement annuities, and for other purposes; and

H.R. 10455. An act to amend the Mineral Leasing Act of February 25, 1920.

SENATE ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to enrolled bills and joint resolutions of the Senate of the following titles:

S. 68. An act to provide for continued delivery of water under the Federal reclamation laws to lands held by husband and wife upon the death of either;

S. 285. An act for the relief of John A. Skenandore;

S. 1321. An act to authorize the Attorney General to consent, on behalf of the Library of Congress Trust Fund Board, to a modification of the terms of a trust instrument executed by James B. Wilbur;

S. 1781. An act to facilitate cooperation between the Federal Government, colleges and universities, the States, and private organizations for cooperative unit programs of research and education relating to fish and wildlife, and for other purposes;

S. 1857. An act to promote the foreign trade of the United States in grapes and plums, to protect the reputation of American-grown grapes and plums in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for

the commercial inspection of such products entering such commerce, and for other purposes;

S. 2369. An act for the relief of Sachiko Kato;

S. 2388. An act relating to the separation and retirement of John R. Barker;

S. 2576. An act to authorize the addition of certain donated lands to the Everglades National Park;

S. 2669. An act to extend the period of exemption from inspection under the provisions of section 4426 of the Revised Statutes granted certain small vessels carrying freight to and from places on the inland waters of southeastern Alaska;

S. 2711. An act to quiet title to certain lands within the Nez Perce Indian Reservation, Idaho, and for other purposes;

S. 2772. An act to authorize the Secretary of Agriculture to convey land in the town of Cascade, El Paso County, Colo.;

S. 2806. An act to revise the boundaries of the Coronado National Memorial and to authorize the repair and maintenance of an access road thereto, in the State of Arizona, and for other purposes;

S. 2932. An act to amend section 3568 of title 18, United States Code, to provide for reducing sentences of imprisonment imposed upon persons held in custody for want of bail while awaiting trial by the time so spent in custody;

S. 3030. An act for the relief of Michiko (Hirai) Christopher;

S. 3053. An act for the relief of the State of Connecticut;

S. 3070. An act to provide for the removal of the restriction on use with respect to certain lands in Morton County, N. Dak., conveyed to the State of North Dakota on July 20, 1955;

S. 3160. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the State of Idaho as a Territory;

S. 3264. An act to abolish the Arlington Memorial Amphitheater Commission;

S. 3487. An act to amend the antikickback statute to extend it to all negotiated contracts;

S. 3532. An act to provide for the striking of a medal in commemoration of Century 21 Exposition to be held in Seattle, Wash.;

S. J. Res. 68. Joint resolution providing for the establishment of the New Jersey Tercentenary Celebration Commission to formulate and implement plans to commemorate the 300th anniversary of the State of New Jersey, and for other purposes; and

S. J. Res. 170. Joint resolution to authorize the participation in an international convention of representative citizens from the North Atlantic Treaty nations to examine how greater political and economic cooperation among their peoples may be promoted, to provide for the appointment of U.S. delegates to such convention, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 2339. An act to revise, codify, and enact into law, title 39 of the United States Code, entitled "The Postal Service";

H.R. 5054. An act to amend the Tariff Act of 1930 with respect to the marking of imported articles and containers; and

H.R. 11666. An act making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

ADJOURNMENT

Mr. WOLF. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 7 minutes p.m.), under its previous order, the House adjourned until Monday, August 29, 1960, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, a letter from the Executive Secretary, the U.S. National Commission for UNECSO, Department of State, transmitting a report for the fiscal year 1960 of gifts and bequests received and accepted by the U.S. National Commission for the United Nations Educational, Scientific and Cultural Organization, pursuant to Public Law 85–477, was taken from the Speaker's table and referred to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMAS: Committee on Appropriations. H.R. 13161. A bill making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes; without amendment (Rept. No. 2166). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. H.R. 12091. A bill to further amend the act authorizing the conveyance of certain lands to Miles City, Mont., in order to extend for 1 year the authority under such act; without amendment (Rept. No. 2168). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORGAN: Committee on Foreign Affairs. House Joint Resolution 723. Joint resolution extending an invitation to the Federation Aeronautique Internationale to hold the 1962 world sport parachuting championships at Orange, Mass; without amendment (Rept. No. 2169). Referred to the House Calendar.

Mrs. PFOST: Committee on Interior and Insular Affairs. S. 3623. An act to designate and establish that portion of the Hawaii National Park on the island of Maui, in the State of Hawaii, as the Haleakala National Park, and for other purposes; without amendment (Rept. No. 2170). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIAMS: Committee on Interstate and Foreign Commerce. S. 1545. An act to amend the Federal Aviation Act of 1958 so as to authorize elimination of a hearing in certain cases under section 408; with amendment (Rept. No. 2171). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS: Committee of conference. S. 2633. An act to amend the Foreign Service Act of 1946, as amended, and for other purposes (Rept. No. 2173). Ordered to be printed.

Mr. ROBERTS: Committee on Interstate and Foreign Commerce. H.R. 10341. A bill to amend the Public Health Service Act to authorize grants-in-aid to universities, hospitals, laboratories, and other public or nonprofit institutions to strengthen their programs of research and research training in sciences related to health; without amendment (Rept. No. 2174). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. S. 3212. An act to direct the Secretary of the Interior and the Administrator of General Services to convey certain public and acquired lands in the State of Nevada to the county of Mineral, Nev.; with amendment (Rept. No. 2175). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACK of Illinois: Committee on Interstate and Foreign Commerce. S. 3771. An act to amend certain provisions of the Trust Indenture Act of 1939, as amended; without amendment (Rept. No. 2176). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACK of Illinois: Committee on Interstate and Foreign Commerce. H.R. 2480. A bill to amend certain provisions of the Securities Exchange Act of 1934, as amended; with amendment (Rept. No. 2177). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACK of Illinois: Committee on Interstate and Foreign Commerce. H.R. 2481. A bill to amend certain provisions of the Investment Company Act of 1940, as amended; with amendment (Rept. No. 2178). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACK of Illinois: Committee on Interstate and Foreign Commerce. H.R. 2482. A bill to amend certain provisions of the Investment Advisers Act of 1940, as amended; with amendment (Rept. No. 2179). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACK of Illinois: Committee on Interstate and Foreign Commerce. H.R. 5001. A bill to amend certain provisions of the Securities Act of 1933, as amended; with amendment (Rept. No. 2180). Referred to the Committee of the Whole House on the State of the Union.

Mr. CANNON: Committee of conference, H.R. 12326. A bill making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Tennessee Valley Authority, and certain study commissions, for the fiscal year ending June 30, 1961, and for other purposes (Rept. No. 2181). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. PFOST: Committee on Interior and Insular Affairs. Senate Joint Resolution 9. Joint resolution to provide for the removal of a reservation of timber rights from a patent issued to Ivan H. McCormack; without amendment (Rept. No. 2167). Referred to the Committee of the Whole House.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 10586. A bill to enable the Oregon Short Line Railroad Co. to convey title to certain lands in Idaho to the Pocatello First Corporation of the Church of Jesus Christ of Latter-day Saints; with an amendment (Rept. No. 2172). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. THOMAS:

H.R. 13161. A bill making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes.

By Mr. BERRY:

H.R. 13162. A bill to give the former owners of certain property of the United States located in South Dakota the right to repurchase that property when it is no longer needed by the Department of the Air Force; to the Committee on Armed Services.

By Mr. BROCK:

H.R. 13163. A bill to amend section 1002(a) of the Federal Aviation Act of 1958 so as to require the Administrator of the Federal Aviation Agency and the Civil Aeronautics Board to grant hearings in the case of any complaint filed under such section; to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIS of Missouri:

H.R. 13164. A bill for the recovery of costs, expenditures and financial obligations of the United States arising from circumstances creating a liability upon some person other than the United States; to the Committee on the Judiciary.

By Mr. FLOOD:

H.R. 13165. A bill to amend the Mutual Security Act of 1954 to authorize the donation of not to exceed $1 million of surplus agricultural commodities and other property surplus to the needs of the United States for relief of flood victims in Poland; to the Committee on Foreign Affairs.

By Mr. GRIFFIN:

H.R. 13166. A bill to create the Freedom Commission for the development of the science of counteraction to the world Communist conspiracy and for the training and development of leaders in a total political war; to the Committee on Un-American Activities.

By Mr. GUBSER:

H.R. 13167. A bill to create the Freedom Commission for the development of the science of counteraction to the world Communist conspiracy and for the training and development of leaders in a total political war; to the Committee on Un-American Activities.

By Mr. HARMON:

H.R. 13168. A bill to amend title 28 of the United States Code to prohibit the impeachment or disqualification of witnesses on the ground of religious belief; to the Committee on the Judiciary.

H.R. 13169. A bill to implement the constitutional principle concerning separation of church and state, and clarify the confusing situation respecting competency and credibility of American citizens required to testify in judicial or quasi-judicial proceedings, by outlawing religious tests of witnesses, for improper governmental purposes; and by affording adequate relief to the victims of such improper actions perpetrated by public officers beyond the scope of their jurisdiction; to the Committee on the Judiciary.

By Mr. JUDD:

H.R. 13170. A bill to amend section 10 of the act of July 5, 1946, so as to encourage national advertising by small business concerns through trademark licensing; to the Committee on the Judiciary.

By Mr. KIRWAN:

H.R. 13171. A bill to provide for the issuance of a special postage stamp in honor of William Holmes McGuffey; to the Committee on Post Office and Civil Service.

By Mr. McFALL:

H.R. 13172. A bill to permit the city of Stockton, Calif., to have the entire cost of its proposed transient labor center included as a local noncash grant-in-aid under the slum clearance and urban renewal program; to the Committee on Banking and Currency.

By Mr. OLIVER:

H.R. 13173. A bill to present a declaration of objectives for senior Americans; provide for the establishment of a U.S. Office of Aging within the Department of Health, Education, and Welfare to be headed by an Assistant Secretary for Aging; authorize Federal grants to assist in the development and operation of studies and projects to help older persons, and for other purposes; to the Committee on Education and Labor.

By Mrs. ST. GEORGE:

H.R. 13174. A bill to provide for a national cemetery in the county of Orange, or the county of Rockland, State of New York; to the Committee on Interior and Insular Affairs.

By Mr. SANTANGELO:

H.R. 13175. A bill to amend section 203(a)(2) and section 205(b) of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 13176. A bill to provide for the conveyance of certain public lands to the village of Flushing, Mich., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HALPERN:

H.R. 13177. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

H.R. 13178. A bill to amend title 38, United States Code, to increase the annual income limitations governing the payment of pension for disability or death; to the Committee on Veterans' Affairs.

By Mr. O'KONSKI:

H.R. 13179. A bill to amend section 333 of title 38, United States Code, to provide that veterans who serve 2 or more years in peacetime shall be entitled to a presumption that chronic diseases becoming manifest within 1 year from the date of separation from service are service-connected; to the Committee on Veterans' Affairs.

By Mr. GEORGE P. MILLER:

H.R. 13180. A bill to name the hospital to be constructed as a replacement for the Veterans' Administration hospital at Oakland, Calif., the "Charles C. McGonegal Hospital"; to the Committee on Veterans' Affairs.

By Mr. GEORGE:

H.J. Res. 802. Joint resolution establishing a commission to study and make recommendations as to ways and means of raising farm income and of aiding the youth of this Nation who desire to engage in farming as an occupation to establish themselves as farmers, and to insure that the family farm will continue to be a vital part of our American economic and social structure; to the Committee on Agriculture.

By Mr. BROCK:

H. Con. Res. 728. Concurrent resolution reaffirming the Monroe Doctrine, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LEVERING:

H. Res. 629. Resolution authorizing investigation of effects of foreign trade on American economy; to the Committee on Rules.

By Mr. BENTLEY:

H. Res. 630. Resolution to establish a House Committee on the Captive Nations; to the Committee on Rules.

By Mr. DERWINSKI:

H. Res. 631. Resolution to establish a House Committee on the Captive Nations; to the Committee on Rules.

By Mr. MOULDER:

H. Res. 632. Resolution providing for concurrence in the Senate amendments to the bill H.R. 10128, to authorize Federal financial assistance to the States to be used for constructing school facilities; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOSCH:

H.R. 13181. A bill for the relief of Enrico Downer; to the Committee on the Judiciary.

By Mr. BOW:

H.R. 13182. A bill for the relief of Aurelia Bitu; to the Committee on the Judiciary.

By Mr. BUCKLEY:

H.R. 13183. A bill for the relief of Karl P. Theodorsen; to the Committee on the Judiciary.

By Mr. FLYNN:

H.R. 13184. A bill for the relief of Maril Rak Velickovic; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 13185. A bill for the relief of Lourdes Z. Nisce; to the Committee on the Judiciary.

H.R. 13186. A bill for the relief of Maria Concetta Magri; to the Committee on the Judiciary.

By Mr. GEORGE:

H.R. 13187. A bill for the relief of Draga Nahajzer; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 13188. A bill for the relief of Janet Giritliyan; to the Committee on the Judiciary.

By Mr. LESINSKI:

H.R. 13189. A bill for the relief of Constantinos (Kosta) E. Mouharemis; to the Committee on the Judiciary.

By Mr. LIBONATI:

H.R. 13190. A bill for the relief of Wilhelmine Jandrisits (Serra); to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 13191. A bill for the relief of Victoria Kent (y Siano); to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 13192. A bill for the relief of Rajinder S. Bling; to the Committee on the Judiciary.

H.R. 13193. A bill for the relief of Amrik S. Warich; to the Committee on the Judiciary.

By Mr. RIEHLMAN:

H.R. 13194. A bill for the relief of Marie Tchernosvitoff; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H.R. 13195. A bill for the relief of Angela Marasciullo Napolitano; to the Committee on the Judiciary.

By Mr. WAINWRIGHT:

H.R. 13196. A bill for the relief of Giovanna Bonavita; to the Committee on the Judiciary.

By Mr. WALTER:

H.R. 13197. A bill for the relief of Mrs. Catherine M. Halenar; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

537. By the SPEAKER: Petition of Simeon Balacano, Sto. Rosario, Sto. Domingo, Neuva Ecija, Philippines, relative to compensating the Philippine Scouts for their services rendered in World War II; to the Committee on Armed Services.

538. Also petition of the secretary general, Veterans Federation of the Philippines, Inc., Manila, Philippines, relative to designating its president, Gen. Dionisio S. Ojeda, to represent the federation with full authority to speak for all the major veterans organizations throughout the Philippines; to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

Problem of Foreign Imports

EXTENSION OF REMARKS
OF
HON. JOHN S. MONAGAN
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Friday, August 26, 1960

Mr. MONAGAN. Mr. Speaker, under leave to extend my remarks in the RECORD, I would like to make known that the sharp increase of foreign imports poses a real problem for industry in my district of Connecticut, and when I speak of industry I am referring not only to the businesses themselves but to the loss of jobs and taxes that decreased business may bring.

The brass and copper industry, the major industry in this area, is currently requesting the Tariff Commission and the Committee for Reciprocity Information to retain at their present levels tariffs on certain brass mill products.

I appeared before the U.S. Tariff Commission in support of this request and I append my statement on this vital subject herewith:

STATEMENT OF REPRESENTATIVE JOHN S. MONAGAN BEFORE U.S. TARIFF COMMISSION AND COMMITTEE FOR RECIPROCITY INFORMATION, FRIDAY, AUGUST 26, 1960

I appear before you today in connection with the request by the Copper and Brass Research Association for a retention of present tariffs on certain brass-mill products.

The Fifth District of Connecticut, which I represent, is known as the brass center of the world and the economy of that whole region depends for its health upon the healthy functioning of the brass industry.

Since the advent of World War II, the brass industry has been seriously affected by the necessary military development of other metals and materials such as aluminum, steel, and plastics. This development has had a marked effect upon the traditional demand for brass products.

Now, in recent years, to this technological change, there has been added the additional adverse effect of an increasing volume of low-wage-produced foreign imports.

Certainly, a reasonable volume of international trade is a necessity in these times, but the sharply increasing volume of brass goods imports has reached a point where the security of the industry is threatened.

An example of this increase can be seen in the field of brass tubing where from 1953 to 1959 the percentage of imports to the total shipments of U.S. mills increased from 3.6 to 31.6 percent; the imports themselves increased over 500 percent.

When one realizes (as the briefs which you have been furnished will demonstrate) that these imports are produced in countries like Japan—where hourly wage rates are 33 cents an hour and Germany where they are 59 cents an hour as compared with the United States—where the current straight-time rate is $2.52 an hour, the seriousness of the problem can be better appreciated. It should also be pointed out that the differential between foreign and domestic wages has increased rather than decreased.

I ask therefore that favorable consideration be given to the request of this vital industry.

My interest is not in the companies as such but in their role as providers of jobs and payers of taxes in our area, as well as their availability for defense needs.

The relief which is sought does not involve any new concessions or increase of protection. It merely asks that the present situation be continued and that no further increase in this crippling competition be permitted.

Scovill Manufacturing Co., estimates that in 1959 loss of sales due to imports cost the employees of that company 44,800 manhours of direct labor and $134,400 in wages.

I certainly do not advocate a return to a rigid and high protective tariff, but I do submit that the instant request is reasonable and should be granted.

The Threat of Centralized Government

EXTENSION OF REMARKS
OF
HON. OTTO E. PASSMAN
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 26, 1960

Mr. PASSMAN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From the Monroe (La.) Morning World, Aug. 21, 1960]

VIEWS OF OUR READERS

MONROE.—It is deeply regrettable, but true—and the recent national conventions of both the Democratic and Republican Parties have clearly pointed up the dangerous trend—that our Federal Government is moving, faster and faster, further and further away from the people. Centralized government in Washington is seriously threatening, through shameful responses to political expediency, to literally destroy our constitutional system of government.

Thomas Jefferson, surely one of the greatest men in American history, warned against the danger of centralization as early as 1822. That year, he wrote:

"If ever this vast country is brought under a single government, it will be a government of corruption."

Today, 138 years later, we realize—and even more acutely so now, in the light of the extreme platform declarations of the two national political parties—how justified Thomas Jefferson was. Unfortunately, however, not only are his warnings going unheeded, but they are being repudiated by the ultraliberal and liberal elements in both major parties, who hold the reins of control. And now, therefore, crushing momentum is being applied to the movement to tamper with our Federal system for the short-lived benefit of shortsighted politicians.

A gravely dangerous example of such heedless tinkering with our precious heritage is, of course, the reckless drive—for which both the national Democratic and Republican campaign platforms have declared full speed ahead—to push the Federal Government ever further into the field of so-called civil rights. Certain of the extremist politicians have discovered that the issue of civil rights has all the elements of political magic.

So, these advocates of increased Federal powers are concentrating, as all of us are well aware, not only on interference with the States' control over the franchise, but also on education and numerous other vital areas of State and local jurisdiction—attacks which, in fact, constitute assaults on the Constitution itself. Once the elections and the schools, for example, should be controlled by Washington, the centralized government of which Thomas Jefferson warned, would be upon us.

The freedoms we enjoy will endure only so long as our Federal system endures. In order to preserve that system, we must keep the Federal Government out of education—especially. We cannot allow Washington to get a foot in the door of our schools. If it should succeed in penetrating our schools, there would be no stopping point. Conceivably, all the schools throughout the United States would sooner or later be coordinated so as to turn out robots in accordance with Washington blueprints.

Admittedly, we are losing the battle now. But that does not necessarily mean we will lose the ultimate victory.

We must never lose sight of the fact that our great American heritage is worth protecting and preserving. Every generation owes it to itself to safeguard that precious heritage so that succeeding generations may be the recipients of our labors and may, too, enjoy living under the greatest form of government ever conceived by the mind of man.

Our plans, all our hopes, all our dreams—indeed, our very lives—depend on the continued support and defense and maintenance of constitutional government in our country.

In the long run, we will not fail.

OTTO E. PASSMAN,
Member of Congress.

Worldwide Recognition of Albion, Ill., Chowder

EXTENSION OF REMARKS
OF
HON. GEORGE E. SHIPLEY
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 26, 1960

Mr. SHIPLEY. Mr. Speaker, this session of Congress is about to close and many of us will be traveling back to our districts. I want to commend to the attention of our colleagues and their secretaries who may be using State Highway 15, or Highway 130, through southern Illinois, that a wonderful opportunity is available by stopping at the fairgrounds at Albion, Ill., Edwards County, on September 1, to enjoy some of the most delicious Albion chowder known throughout the world, unique to Albion as is the bean soup to the U.S. Capitol. This is the eighth annual Albion community chowder celebration, supported by the fine people of this area. The greatly increased attendance each year speaks highly of the chowder and the wonderful entertainment for all in attendance preceding the serving.

"Welcome to the Albion community chowder—free" goes out to the public through various means of communication. I will be personally present if Congress adjourns before that date.

The most able mayor of Albion, Major Bailey, in extending invitations has this to say:

In a few short years this event has grown from a few hundred people in the Albion courtyard square to over 6,000 at the Albion fairgrounds last year. The 1959 affair attracted worldwide recognition of being included in the picture section of the St. Louis Post-Dispatch.

Chowder is one of the oldest institutions in Edwards County. In 1958 this county was officially proclaimed chowder capital of the world, and the claim has not been challenged.

You are welcome to come and enjoy the events of the Albion community chowder with us. The entertainment starts at 2 p.m. and over 6,000 quarts of Albion chowder will be served starting at 5 p.m.

Even as I speak today, various citizens' committees appointed by Mayor Bailey are hard at work preparing for this tremendous task of feeding and entertaining some 6,000 people who will attend Operation Chowder, U.S.A.

I am indeed proud to represent these folks in Congress. This chowder is evidence that we have in southern Illinois the finest, most friendly people in the world. If this kind of hospitality and friendship that is evident here in Edwards County could be transported to Washington, D.C., and around the world, we would definitely have a far better world in which to live.

Technical Assistance Program for the United States of America

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 26, 1960

Mrs. KEE. Mr. Speaker, I have introduced legislation (H.R. 13077) providing a new approach to the problem of Federal assistance for areas of persistent and substantial unemployment. I am placing in the RECORD at this point the following news release explaining the bill:

In an effort to break the deadlock between the President and Congress over assistance to economically depressed areas, Congresswoman ELIZABETH KEE, Democratic, of West Virginia, offered this week a new approach to the problem of areas with substantial and persistent unemployment.

Mrs. KEE proposed creating a $75 million area assistance fund within the Department of Commerce to be loaned to States which come up with programs to attract new industries. Only areas with 6 percent of the labor force unemployed over a period of years could qualify for loans.

"The neglect of this serious national program verges on a national disgrace," Mrs. KEE declared.

"On two occasions, Congress has passed what I believed was sound legislation. The President disagreed with this particular approach and vetoed the legislation.

"The time has come to get off of dead center. This new approach offers a plan of effective aid to States which desperately need it, and at the same time should be acceptable to the President.

"There is no reason why Congress cannot pass such a program at this session. Extensive hearings have been held. There is complete agreement on the nature of the problem. The only difficulty has been in agreeing on a program."

Under Mrs. KEE's plan, States would be required to provide at least 25 percent of the cost of any project.

Loans could be used for the purchase and development of land, construction of new facilities and buildings, rehabilitation of abandoned plants, and alteration or conversion of existing plants. Loans cannot be used to finance transfer of establishments if such transfers will result in increase in unemployment in the area of the original location.

Mrs. KEE's proposal also authorized appropriating $1.5 million to be granted to the States to make studies of possible economic growth.

"These are technical assistance grants," Mrs. KEE declared. "It is the same type of activity as that conducted abroad with U.S. funds under the technical assistance program. It has worked abroad and there is no reason why the Federal Government cannot make a modest contribution toward economic rehabilitation in areas of this country which are desperately in need of help."

Mrs. KEE said the program is keyed to creating new jobs to provide work for unemployed persons, and added "In West Virginia, we have an outstanding labor force. These men do not want handouts. They want jobs."

Conference Action on the Social Security Bill on the Senate Amendment Relating to Teachers and Other Public Employees in New Jersey

EXTENSION OF REMARKS
OF
HON. GORDON CANFIELD
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, August 26, 1960

Mr. CANFIELD. Mr. Speaker, I submit a letter our distinguished colleague and chairman of the House Committee on Ways and Means, Mr. MILLS, has written the New Jersey delegation. It explains the deletion of the Senate amendment in the conference report on the social security bill relating to teachers and other public employees in New Jersey.

The letter is as follows:

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 26, 1960.

Hon. GORDON CANFIELD,
House of Representatives.

DEAR GORDON: This letter is to inform you, as I promised I would, of the conference action on the social security bill on the Senate amendment relating to teachers and other public employees in the State of New Jersey. This is the provision which you had discussed with me and other House conferees on behalf of yourself and the rest of the New Jersey delegation urging that the House conferees accept the Senate amendment. This amendment was deleted from the bill in conference. You were also interested in an exception in the case of New Jersey if any change was made liberalizing the quarters of coverage requirements.

I am sure you are aware of the fact that on August 23 when the Senate amendment was being discussed in the Senate, Senator KERR, who at that time was handling the bill on the Senate floor, stated at page 17228 of the CONGRESSIONAL RECORD: "I have not had time to digest the amendment; neither have the other members of the committee. However, in view of the fact that they have stated it relates only to New Jersey, I hope it will be accepted and taken to conference. If it is found there to be objectionable, it can be taken out of the bill."

During our discussion of the liberalizations in eligibility requirement in conference the main objection which was raised to adding the changes the New Jersey House delegation was urging was that it was designed to exclude public employees in the State of New Jersey from the liberalizations. Since the social security insurance system is a nationwide system, the eligibility requirements must be the same for all workers throughout the country. The conclusion was reached that this is a matter entirely within the control of the State of New Jersey, and that if the State desires to do so it can change its provisions relating to public employees who are also covered by social security. I hope that you will agree that this is the logical and reasonable way to handle this situation. The Congress in any legislation which it enacts affecting the whole of the United States cannot make exceptions which take into account individual provisions of either public or private pension plans.

I am advised that in 1956 when the provision relating to the age for women to become eligible for benefits was reduced from age 65 to age 62, and certain general liberalizations were made in eligibility requirements, the State of New Jersey did amend provisions of its law relating to public employees in such a way that such employees, both women and men, who had already retired, would not be affected by the liberalizations in these requirements in the Federal law.

The conferees agreed that the above considerations were basic and fundamental and for this reason it was decided that no exception should be made in the case of New Jersey.

I regret that the House conferees were not able to accede to your request, but under the circumstances both in the matter of policy and precedent it appeared that the Senate amendment was undesirable particularly in light of the fact that this is a State matter which can be handled at the State level.

Sincerely yours,

WILBUR D. MILLS,
Member of Congress.

Award of Special Citation of the Public Health Service in Vessel Sanitation to Farrell Lines, Inc.

EXTENSION OF REMARKS
OF
HON. FRANCIS E. DORN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 26, 1960

Mr. DORN of New York. Mr. Speaker, as deserved recognition of the outstanding record in maintenance of sanitation achieved by the Farrell Lines, Inc., it is fitting that the attention of the U.S. House of Representatives and of the public generally be called to the special citation awarded by the Public Health Service, U.S. Department of Health, Education, and Welfare.

Especially is it noteworthy that Farrell Lines, Inc., has earned the coveted award for the fourth consecutive year.

The citation was presented to Adm. George Wauchope, executive vice president of the company, by Dr. Arnold B. Kurlander, Assistant Surgeon General of the Public Health Service, at ceremonies on board the company's vessel, the SS *African Lightning*, on Thursday, August 11, at the 33d Street pier in Brooklyn.

The special citation was awarded because, in 1959, each of the 14 vessels operated by Farrell Lines earned a rating of 95 or better on an official Public Health Service inspection involving 166 separate items of sanitary construction and maintenance.

Farrell Line vessels operate between the east coast of the United States and all three coasts of Africa.

Military Cemeteries Overseas—Part 2

EXTENSION OF REMARKS
OF
HON. THADDEUS J. DULSKI
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 26, 1960

Mr. DULSKI. Mr. Speaker, I wish to include the remainder of the military cemetery dedications overseas which I attended last month.

The Ardennes Cemetery is located near the edge of Neuville-en-Condroz, near the city of Liege. It is 50½ acres in extent and contains the graves of 5,250 of our military dead who died also in the Battle of the Bulge. The headstones are alined in straight rows which take the form of a huge Greek cross on the grass, framed by masses of trees.

Near the entrance, to the south of the burial area, is the memorial—a rectangular gray stone structure containing a small chapel, 3 large maps of inlaid marble, 24 panels depicting combat and supply activities, and other ornamental features including the insignia of the major American units in northwest Europe. Two of the maps depict operations of the American Armed Forces, and the third commemorates the services of supply in the European theater. On the exterior is a large scale sculpture. Along the sides, inscribed in granite slabs, are the names of 462 missing who lie in unknown graves.

Those addressing the dedication ceremony were the Honorable William A. M. Burden, American Ambassador to Belgium; the Honorable John J. McCloy, representing the President of the United States; the Honorable Gaston Eyskens, Prime Minister of Belgium; the Honorable Thomas E. Martin, U.S. Senate.

On July 16, the Commission dedicated the American Naval Memorial, at Brest, France. This memorial was erected on the ramparts of the city overlooking the harbor which was a major base of operations for American naval vessels during World War I. The original monument built on this site, commemorating the achievements of the United States Navy during World War I, was destroyed by the enemy on July 4, 1941, prior to our entry into World War II. The present structure was completed in 1958, and is a replica of the original. The monument is a rectangular rose-granite shaft rising 145 feet above the lower terrace, and 100 feet above the Cours d'Ajot. All four sides are ornamented by sculpture of nautical interest. The surrounding area has been developed by the U.S. Government into an attractive park.

The following made addresses at the dedication: the Honorable Amory Houghton, American Ambassador to France; Monsieur Georges Lombard, Député-Maire of Brest; the Honorable William B. Franke, Secretary of the Navy; and the Honorable Michel Debré, Prime Minister of France.

The band played the French national anthem, "La Marseillaise," which was followed by the "Star Spangled Banner."

On July 19, the Lorraine Cemetery, located in the little town of St. Avold, was dedicated. This ceremony covers 113½ acres and contains the largest number of graves of our military dead in World War II in Europe—a total of 10,489. The headstones are arranged in a generally elliptical design, in nine plots, extending over the beautiful rolling terrain of eastern Lorraine and culminating in a prominent overlook feature.

The memorial, containing maps in ceramic and service flags, as well as the chapel with five sculptured figures above the altar, stands on a plateau to the west of the burial area. High on its exterior wall is the large figure of Saint Avold, the martyred Roman soldier who overlooks the silent host. On each side of the memorial and parallel to its front, stretch the walls with the names of 444 Americans missing whose remains were never recovered or identified.

The dedication address was made by Gen. Charles D. Palmer, deputy commander in chief, headquarters European command. Others addressing the gathering were the Honorable Amory Houghton, American Ambassador to France; the Honorable Charles E. Potter, member of the American Battle Monuments Commission; the Honorable John J. McCloy, representing the President of the United States; Mr. Emile Schilling, Maire-Adjoint, Saint Avold; and the Honorable Raymond Triboulet, French Minister of Veterans Affairs.

The band played the French national anthem, "La Marseillaise," which was followed by the "Star Spangled Banner."

At each dedication ceremony, prayers were offered by chaplains of the Catholic, Protestant, and Jewish faiths, of the American Armed Forces. Floral tributes were placed at each memorial, which was followed by volleys and taps.

The entrance to each cemetery is similar to the entrance to a large park—the road is lined with beautiful shrubbery and evergreens of every description. The grounds around the cemeteries are beautifully kept.

The sites were selected with a view of their accessibility, aspect, and drainage. Tiles around the cemeteries carry off the water in seasons of heavy rainfall. Each cemetery has water storage reservoirs and a high pressure sprinkling system for use during dry seasons and real drought conditions.

Fourteen outstanding architects, each to design one of the cemeteries, were selected by the American Battle Monuments Commission. Each plot has a devotional chapel, inscription of the names and particulars of the missing in the region, and a graphic map—in permanent form—of the services of our troops.

In most of these cemeteries, the children in the vicinity place small American flags on each grave on such national holidays as Veterans Day, Memorial Day, and so forth.

The grass is kept at a 1½-inch level and looks like a green carpet. The supervision of the maintenance of these cemeteries is under an American, and I am unable to find sufficient words of praise to compliment the people who take care of these cemeteries.

Gen. Jacob L. Devers is the Chairman of the American Battle Monuments Commission, and Adm. Thomas C. Kinkaid is Vice Chairman. Others serving on the Commission are Mr. Leslie F. Biffle, Mr. Alexander A. Vandegrift, former Senator Charles E. Potter, Mr. John Philips, Mrs. Theodore Roosevelt, Mrs. Wendell L. Willkie, Gen. Carl Spaatz, Maj. Gen. Benjamin O. Davis, Hon. Forest A. Harness, and Gen. Thomas North.

Twentieth Anniversary of the Ukrainian Congress Committee

EXTENSION OF REMARKS
OF
HON. MILTON W. GLENN
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Friday, August 26, 1960

Mr. GLENN. Mr. Speaker, I feel honored in being able to extend greetings to the Ukrainian Congress Committee of America and to its chairman, Dr. Lev E. Dobriansky, upon the 20th anniversary of its founding. Though the Ukrainian Congress Committee of America is a young organization, the sentiments it expresses and the ideals it espouses so courageously are age old, for freedom is ageless. The committee has dramatized for us the plight of the more than 40 million Ukrainians under the Soviet heel. It has shown us that the Ukrainian cause of freedom plays a vital role in our never-ending struggle against Soviet imperialism.

To the 2½ million Americans of Ukrainian ancestry who comprise this organization and to its directors, I wish to express my most sincere thanks for their help in informing our fellow Americans about the heroic struggle of the captive non-Russian nations in the U.S.S.R., for showing us the true nature of Russian totalitarianism and expansionism, and for recommending possible courses of action to cope with these threats to our national security.

I am sure that the Americans of Ukrainian ancestry in my second district of New Jersey join with me in expressing my appreciation for the endeavors of the committee during the last 20 years, and ask for their continuation.

Baring Shows National Significance of Port of New York Authority Investigation Issue

EXTENSION OF REMARKS
OF
HON. WALTER S. BARING
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Friday, August 26, 1960

Mr. BARING. Mr. Speaker, under leave to extend my remarks, I wish to place in the RECORD the following letter written to Hon. Robert B. Meyner, Governor of the State of New Jersey, August 18, 1960, so that all people may know the importance of a full investigation of the Port of New York Authority, and may be apprised of the necessity of their giving expressions of their support to Congressman CELLER so that he may most effectively continue the investigation.

The letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 18, 1960.

Reference: Investigation of the Port of New York Authority.

Hon. ROBERT B. MEYNER,
Governor, State of New Jersey,
Trenton, N.J.

DEAR GOVERNOR MEYNER: Your letter of August 2, 1960 about the Port of New York Authority is quite plausible and convincing except for its vain attempt to suppress the significance of that most important little syllable "bi-".

The port authority need not be claimed a Federal agency to warrant congressional investigation; nor can it hide from congressional investigation by claiming itself a State agency.

The Founding Fathers of our country foresaw this very issue and placed interstate compacts of which the port authority is a bistate example under the control of Congress by article 1 of the Constitution of the United States.

Article 18 of the bistate compact between New York and New Jersey creating the Port of New York Authority acknowledges this responsibility by the port authority to the Congress of the United States.

"Render therefore unto Caesar the things which be Caesar's, and unto God the things which be God's."

No contest of power here exists between the Federal Government and a State unless a State seeks to deny things which be the Federal Government's.

Investigation of the bistate port authority does not create any new precedent leading to further Federal investigation of State agencies.

So much for the law.

"It is easier for a camel to go through the eye of a needle," than for the port authority's friends to pretend "the port authority is a local port development agency."

I have noted that the port authority has trade development offices in Washington, D.C.; Chicago, Ill.; Cleveland, Ohio; Pittsburgh, Pa.; London, England; Zurich, Switzerland; Rio de Janeiro, Brazil, and San Juan, P.R., which seek to direct traffic to New York. This international effort may be of considerable value to the port of New York, but it affects the trade volume of other ports in the United States and is no local matter.

I have noted that the port authority paid the expenses of the Governor of New Jersey when he visited the Belgian Trade Fair in 1958.

I have noted that the port authority gave a $10,000 luncheon for 600 guests, including the Governors of the Governors' conference at San Juan, P.R., which is outside the continental limits of the United States, on August 6, 1959, at which luncheon the Governor of New York and the Governor of New Jersey were the guests of honor.

I have noted that the secretariats of the Council of State Governments, Governors' conference, and National Association of Attorneys General are all located at 1313 East 60th Street, Chicago, Ill.

Those organizations have furnished such prompt, similar, and vigorous support in favor of port authority avoidance of congressional investigation as to raise the question whether even they are free from port authority influence.

There is no use in discussing how many record items and proposals to testify have been offered to Congress by the port authority, as long as the port authority continues to select the information to be released or withheld.

The files and data of the port authority have been secret for 39 years.

As long as any record or item is held in secrecy from Congress by the port authority, the port authority is not candid with the Congress of the United States.

What is the port authority hiding?

I believe the only issue raised so far in this matter is the misguidance of public officials who believe they can deny the Constitution of the United States and the Congress of the United States when such denial suits their pleasure, yet enjoy reliance on that same Constitution and Congress when it meets their need for protection against foreign and subversive powers.

Sincerely,

WALTER S. BARING,
Congressman for Nevada.

Latin America

EXTENSION OF REMARKS
OF
HON. EDNA F. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, August 26, 1960

Mrs. KELLY. Mr. Speaker, in May 1958 I introduced House Resolution 563, which, under unanimous consent, I include as follows:

Resolved, That it is the sense of the House of Representatives that, in order to improve and strengthen United States relations with Latin America through policies and programs authorized by the Mutual Security Act of 1954, as amended, there be conducted by the executive branch, under the direction of the President, a thorough review and study of and inquiry into the policies and programs of the United States and of international organizations in which the United States participates with respect to Latin America, including recommendations on improving and strengthening the relationship, policies, and programs between the United States and Latin America, taking into account the views of officials, press, representative groups of the peoples and the views contained in congressional reports and deliberations.

It is further the sense of the House of Representatives that the President shall transmit to the Congress such study within six months of the adoption of this resolution.

On the day I introduced this resolution I made the following remarks which I insert below. Is it not misfortunate that the Republican administration did not take the advice of many of us Democrats who foresaw the problem arising in the continent to the south at this period in 1958.

This morning I introduced a resolution expressing the sense of the House of Representatives on improving and strengthening the relationship, policies, and progress between the United States and Latin America.

My resolution is only a first step in improving U.S. relations with our sister republics to the south. Surely, we cannot ignore the dangerous situation which exists in Latin America. This is a resolution which I feel should have immediate consideration and will have favorable reactions throughout the Western Hemisphere. Whatever the administration may do about it, at least it will demonstrate that the people of the United States, speaking through the U.S. Congress, do not intend to sit idly by in the face of grave danger vitally affecting the welfare of our own hemisphere.

Although it seems clearly established that the ill feeling recently expressed against Vice President NIXON in Latin America is part of an organized Communist scheme, I believe that it cannot be written off simply as Communist inspired.

The United States has neglected being a good partner. The United States has been preoccupied with cold wars in other parts of the world.

Latin America is on the threshold of imminent and radical reforms. It is urgent that the United States exert effective guidance so that these reforms will improve the lot of the people rather than the stature of the Communist Party in Latin America.

The economic, cultural, and political influence of the United States in Latin America is an evident fact. The feeling of mistrust on the part of Latin Americans toward the United States exists.

However erroneous and prejudicial it may be, the misunderstanding of the people of the United States about the Latin Americans and the Latin Americans' misunderstanding about us may be partly our fault. We have failed to show them in a tangible way what we are and that we mean what we say when we exclaim about being good neighbors and good partners.

One of the greatest irritants is the complacency with which we seem to regard them in the mutual security program. To illustrate the neglect of Latin America by the United States as evidenced in the mutual-security program, one need only compare the foreign assistance figures for Latin America with those of just one country in Europe. The amount for total assistance to Latin America this year is about one-half the amount listed in the mutual security bill for undelivered war materials to Yugoslavia.

At this point I wish to compliment our former colleague, Hon. THOMAS J. DODD, of Connecticut, for emphasizing to the House Foreign Affairs Committee the urgent necessity for paying more attention to Latin America. On March 6, 2 months before the anti-Nixon and anti-U.S. demonstrations in Lima, Peru, Mr. DODD in his testimony before the committee prophetically stated:

"It is essential that there be created within the executive branch of our Government a deeper consciousness of the importance of

this area, not only to the United States but to the whole free world, coupled with plans and programs of assistance to Latin America which will meet at least the minimum needs of the 184 million people of Latin America. This is an area seething with a tremendous urge to improve its social and economic conditions, with a population that has since World War II been rising about 2.3 percent a year. People want to be free of disease and hunger. People want to house, clothe, and educate their children. People want medical and hospital facilities. People want means of communication.

"Latin America is a giant which is beginning to stir. How it stirs and to what it stirs depends largely upon U.S. foreign policy, policy translated into programs that will fit the various needs of the people of Latin America, rather than a policy which takes them for granted.

"While serving on this committee and while listening to the various presentations made by the executive branch on the mutual security program, I was impressed with the fact that Latin America was an area which was always treated last by the executive branch. It was always treated, as indeed, it is treated this year by the executive branch, as the "also ran" of areas. There has been a certain condescension about the area—a certain attitude of 'Well, they will go along with us anyway.'

"We must remember this: Even if we should have successful policies toward the Far East, even if we should have successful policies toward Europe, even if we should have successful policies in other parts of the world, if we do not develop and maintain successful policies toward Latin America, the other policies would be meaningless and ineffective. It is abject folly to try to build up a free world without a strong and free Latin America. It is abject folly to hold the line against communism in Europe only to yield it to the Communists in Latin America, or to the Far East for that matter, as we seem to be doing.

"I would respectfully urge, therefore, that there be an end to programs of complacent cooperation. I would suggest that there must be developed a bold stroke of leadership that will catch the imagination and kindle the hope of the people of Latin America."

In his testimony, Mr. DODD further recommended that the deep interest of the United States, in improving and strengthening our relations with Latin America be highlighted in the mutual security bill itself through the adoption by the Congress of language calling upon the administration to mobilize its energy and resources toward the betterment of United States-Latin American relations.

Ford Town, U.S.A., Flora, Ill.

EXTENSION OF REMARKS

OF

HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 26, 1960

Mr. SHIPLEY. Mr. Speaker, next month an unusual event of great significance will take place in Flora, Ill., one of the cities in my district.

For 3 days this fall, from September 25 through September 27, Flora will change its name to "Ford Town, U.S.A.," and will become the focal point for a most unusual sociological experiment when the Ford Division of Ford Motor Co. supplies every vehicle owner in the community with a new 1961 model Ford car or truck to test drive for a week.

The event will serve as the national press preview of Ford's 1961 model cars and trucks and more than 1,500 vehicles—worth $3 million—will be involved.

I think my colleagues would like to know more about this program as it symbolizes the efforts being expended by countless small communities throughout the country who are progressive and who want to attract new businesses to their communities.

The citizens of Flora love their community and their way of life. They are determined to attract new industries to their town so that future generations raised in Flora will have solid, good paying jobs to step into when they complete their high school and college educations. They realize that towns which do not move forward in this area usually suffer stagnation and population losses to other, more progressive, communities.

They realize that one of the best ways to attract new industries to a community is to publicize the town's advantages over other competing communities and to have readily available answers to questions that businessmen raise when they are seeking out new plant site or business locations.

So it was natural that the people of Flora wholeheartedly welcomed Ford Division's plan to convert their city into "Ford Town, U.S.A."

Flora had already received some national recognition because of its proximity to the new population center of the United States, and its citizens were looking for ways to capitalize on this obvious advantage.

They knew, too, that two main lines of the B. & O. Railroad bisected their town in both north-south and east-west directions and that there was a good balance of agricultural and manufacturing activity in the area divided principally between clover seed, soybean, and pea crops on the one hand and shoe manufacturing, steel products, oil, rayon garments, and dairy products on the other.

Consequently, at a Flora Chamber of Commerce dinner on May 10, when Ford Division and Flora's mayor, the Honorable Norman Bryden, jointly announced a unique plan to unveil and test 1961 model cars and trucks in their community, the citizens of Flora responded wholeheartedly.

The community's daily newspaper, the Flora News-Record, heralded the event with characteristic enthusiasm as did all the other media in the area.

Even competing car dealers got into the act with pledges of cooperation in the venture. Several even volunteered to display new model Fords in their showroom windows if their colleague, the Ford dealer, would reciprocate when it came time for them to introduce their respective new 1961 lines of cars and trucks.

This gesture, probably unparalleled in the history of the automotive business, is typical of Flora's merchants and small businessmen who are more than willing to sacrifice personal gain for the good of their community.

On the basis of a secret survey conducted before anyone was told of Ford's plan, the management of Ford Division already knows the preferences of each car and truck owner in the community. Thus on Saturday, September 24, when the cars are distributed, the preferences of each car or truck owner will be met. To dramatize the visual impact of 1,500 additional cars and trucks in a community the size of Flora, each car will be painted white and each truck blue.

I was interested to learn that the local Chevrolet dealer will make a 14-acre wheat field available to Ford officials so that the cars and trucks can be lined up systematically for distribution.

The Flora program will give the Nation's news media a preview of the 1961 Ford line and an opportunity to observe an entire community's reaction to the new models.

It will provide Ford with an unprecedented preintroduction consumer test involving hundreds of typical car and truck owners.

It will dramatize the social and economic roles played by cars and trucks in a community's life.

It will test the effect of doubling the vehicle population on streets, in parking areas, and on the community in general.

The large influx of visiting newsmen from the country's wire services, newspapers, magazines, radio and television stations and networks, to say nothing of visiting Ford officials, will give the citizens of Flora some indication of the city's ability to feed and house a large influx of visitors such as they can expect when new industries realize the advantages of this typical American town as a site for their businesses.

Equally important to the town's future will be the mass of information being accumulated about the city and its inhabitants by an IBM Ramac 305 electronic brain which has been installed in Flora by International Business Machines Corp.

Vital statistics about the city and its residents will be fed into the electronic brain in the most extensive analysis of its kind ever undertaken.

Life in Flora will be an open book to any potential businessman or manufacturing facility wanting to know about the town.

Ramac's education on Flora will be accomplished by feeding it the results of the initial survey of every car and truck owner, a second survey after citizens have had an opportunity to test drive the new Ford cars and trucks, the results of the 1960 census, and research on Flora's history and way of life from all available sources.

University sociologists will be using the results of the Flora project as a case history study for years to come and undoubtedly many worthwhile recommendations about the city's future will emerge from these studies.

Even as I speak today, various citizens' committees appointed by Mayor Bryden are hard at work preparing their city for this massive program. Clean-up, fix-up, paint-up activities are the order of the day.

I heartily congratulate my constituents in Flora for their zeal, their energy, their self-sacrificing determination to make their town a better place for the youth of their community to live in and work in.

I am indeed proud to represent these folks here in Congress. It is my sincere hope that their efforts will bear rich fruit in the years to come, and I invite all who are looking for a fine community in which to locate to investigate Flora, Ill., in the heartland of these United States.

The Record—On an Expiring Congress

EXTENSION OF REMARKS
OF
HON. JAMES W. TRIMBLE
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES
Friday, August 26, 1960

Mr. TRIMBLE. Mr. Speaker, I rise today in defense of those who in good faith attempt to analyze the public record we have written during the past 2 years by listing the issues voted upon and giving our votes upon them, even though I come out on the short end of some of the published lists. Their conclusions are reached by applying standards of measurement which to them seem just for the particular group or organization which makes the compilation.

I am sure you will all agree that the CONGRESSIONAL RECORD will never be a best seller. It is endlessly written, and it is said that it is not read completely by anybody. Yet, as an annal, it has something for everyone. In it may be found from time to time: nursery rhymes, poetry, the weighed philosophy of men in thoughtful debate, and the error, innuendo, and anger of thoughtless controversy. Here one may perchance find the best and the worst decisions on the problems of today and of tomorrow. Those who use the RECORD in their day to day affairs may, by laborious effort, trace the public record of any individual Member of the Congress. Truly there is something for everyone in the RECORD.

Unlike a slate which may be wiped clean, once written, our RECORD becomes permanent. In this it is unlike men's minds which sometimes change. The finality of the RECORD is, therefore, a matter of concern to all of us while it is being written.

In this age of efficiency and precision, individuals and groups interested in the matters which come before the Congress have devised various means of categorizing or cataloging the acts and actions of those of us who are Members. They like to put us under a microscope of inspection; they like to come up with results which can be measured and which provide a basis for comparison according to their standards of measurement upon the issues and our votes upon these issues. The list should itemize the issues and our votes upon them so that anyone can see just what it is all about.

If one were to compare the record of two or more Congressmen, how would one equate a speech on foreign policy with a speech on acreage allotments for cotton, tobacco, or wheat? How would one compare the merits of service on the Committee on Interstate and Foreign Commerce with, for example, membership on the Committee on Rules, or any other committee? If speeches, committee service, and votes could all be properly weighed and equated, our people could have the best possible measure of Members of the Congress; but obviously such a task would try the judgment even of a Solomon.

Those who attempt to judge our work here must, therefore, base their judgments upon our recorded votes. There is no better way, because our voting record reflects our final judgment on the major issues upon which we have had the opportunity to express ourselves.

In my opinion, published voting records if made in good faith make a distinct contribution to the processes of democratic government. While they are not infallible, they make it possible for individuals and groups, be they politicians, political parties, or other public-interest groups, to bring before the voter the record of each Member of the Congress on a given issue or set of issues. For some of us, the results may sometimes be discomforting.

In the CONGRESSIONAL RECORD for June 27, 1960, a colleague complained about a voting record published by the National Rural Electric Cooperative Association. The National Rural Electric Cooperative Association and other groups who maintain records are researchers who jot down our votes on issues on which their members have taken positions.

I have tried to be a friend of the rural electrification program. I base this on my personal conviction that rural electrification is good for the country, especially rural America, and I have followed this conviction by supporting legislation which I believed good for that program now; and good for it and our country in the future. I have supported legislation to guarantee that the Administrator of Rural Electrification shall have full authority for making REA loans under a broad policy without first having to check the loans individually with the office of the Secretary of Agriculture. I have supported bills which provide adequate loan funds in order that the program may bring the blessings of electricity to every rural home in our land. I have supported Federal wholesale power projects — multipurpose dams—which would supply many rural electric systems with abundant power at reasonable cost; and I have supported other legislation which I thought would help our people stay on the farms and make a decent living.

In my opinion, these are the types of issues which are important when one attempts to find the friends of rural electrification in the Congress. I suppose if one were to obtain the percent of times I voted "favorably" according to NRECA's compilations of our votes, my record would be favorable among Congressmen whom they consider to be rural electrification's friends.

I have examined the NRECA compilation of my votes on measures on which the members of this national organization of the rural electric systems have taken a stand and find it correct with respect to my votes. I am always happy when I find it showing me voting with the rural electric systems' positions a majority of the time.

I am always glad to take my record as reported by NRECA back to my constituents. The NRECA compilation makes no attempt to rate Congressmen. They just list the votes, note the position of the rural electric systems on each issue, and let the reader form his own judgment.

As we go home from this session of Congress, perhaps we should remember the words of Abraham Lincoln who in his second annual message to the Congress said:

> We of this Congress and this administration will be remembered in spite of ourselves. No personal significance or insignificance can spare one or another of us. The fiery trial through which we pass will light us down, in honor or dishonor, to the last generation. * * * We—even we here—hold the power and bear the responsibility.

An Import Quota for Iron Ore

EXTENSION OF REMARKS
OF
HON. JOHN B. BENNETT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, August 26, 1960

Mr. BENNETT of Michigan. Mr. Speaker, in the 85th Congress and again in this Congress, I have sponsored legislation which seeks to impose a reasonable quota on the importation of foreign iron ore into the United States for the purpose of forcing our big steel companies to utilize their domestic sources of supply to meet this country's needs for iron ore. When I first spoke to the House on this subject several years ago, I called attention to the tremendous annual increase in the importation of foreign iron ore and the disastrous effects that this free trade policy is having on a vital and strategic American industry and the working men and women who are dependent upon it for their livelihood.

I wish to emphasize at the outset that in sponsoring this legislation it is not my purpose to penalize in any way the steel companies which own and operate our domestic iron mines and also own a major part of the reserves in Canada and Venezuela. My primary aim is to have regulated the flow of iron ore from abroad on a reasonable annual basis so that imports will not substantially injure or completely destroy iron mining in this country. Imports were approximately 9 million tons in 1952 and nearly 36 million tons in 1959. Thus, in the short span of 7 years, the annual rate increased almost four times. If nothing is done to limit or regulate this excessive importation of iron ore, it will ultimately replace and destroy the domestic industry.

The table below, prepared from statistics compiled by the Bureau of the Census, reflects the sharp increase in foreign iron ore imports from 1952 through 1959 with the corresponding decrease in domestic production. The figures for the first 6 months of 1960 show the same trend.

Iron ore imports, 1952-59 [1]

[In thousands of long tons]

	1952	1953	1954	1955
Canada	1,822	1,841	3,537	10,077
Venezuela	1,846	1,950	5,210	7,160
Others [2]	6,093	7,283	7,045	6,235
Total	9,761	11,074	15,792	23,472

	1956	1957	1958	1959
Canada	13,723	12,609	8,293	13,447
Venezuela	9,254	12,293	12,170	13,544
Others [2]	7,434	8,824	7,367	8,623
Total	30,411	33,726	27,830	35,614

[1] During the same period domestic production of iron ore has decreased from 98,000,000 long tons in 1952 to 59,000,000 long tons in 1959. Figures for the first 6 months of 1960 reflect the same trend.

[2] Other countries exporting iron ore to the United States include Brazil, British West Africa, Chili, Cuba, Denmark, Dominican Republic, Iran, Liberia, Mexico, Panama, Peru, Philippines, Sweden, Spain, Surinam, and the United Kingdom.

What is this free trade policy costing the United States in terms of the ultimate destruction of the iron mining industry? What does it mean in terms of lost jobs and lost wages for men and women in my congressional district and in other districts where mining is the lifeblood of the economy? The answers to these questions will shock the conscience of the Congress. For example, if the 35,613,259 long tons of iron ore brought into the country from foreign sources in 1959 had been mined in the United States instead, it would have meant jobs for approximately 5,634 more men; it would have provided these men with 11,268,000 man-hours of work and it would have produced $30,322,188 in additional wages. These figures, obtained from the Bureau of Mines, are based on the national average of production and wages of American iron ore miners for 1957, the most recent year for which such figures are available.

Some of the huge expenditures made in recent years to develop foreign mines, particularly in Venezuela and Canada, could have been far better spent in expanding the iron ore industry at home by exploring, developing, and opening new deposits here. The supply of this great natural resource within the United States is still very vast and untapped—reserves are still numerous.

Mr. Speaker, in addition to its economic folly, both national defense and moral reasons dictate against continuation of the unregulated importation of iron ore. It is not farfetched to suggest that the present policy of relying so heavily on foreign sources of iron ore, with its resultant destructive effect on the American industry, could be tragic to the United States in the event of war or other national emergency. If we replace domestic ores with foreign ores, where would we stand if our foreign supplies were cut off in time of war? Abandoned domestic mines cannot be reactivated overnight. Miners who have been forced to leave mining communities to seek employment in other industries cannot return on a moment's notice. New sources of supply cannot be explored and developed instantaneously. Once abandoned or substantially curtailed, the great American iron mining industry will take months, indeed years, to get back in production. Does it make sense to gamble future national security for a few extra profit dollars today? The present policy is shortsighted; unfair to the American miner and his family; makes no sense economically in the long run; and constitutes a threat to our national security.

No one expects the steel companies to operate their mining properties at a loss and the fact is that the vast majority of mining properties in Michigan and Minnesota have been and still are profitable operations. But the steel companies have favored the exploitation of their Canadian reserves because of the higher iron content and lower production costs.

When iron mining commenced in Michigan and Minnesota many years ago, many towns and communities grew up around them. Surely, Mr. Speaker, the steel companies owe at least a moral obligation to their own employees and the people in the communities which surround their domestic operations to continue their activities as long as they are reasonably profitable. My bill is aimed at that objective. It would not stop the development of foreign reserves. It would merely regulate the annual flow of foreign ores on a reasonable basis and thus would permit the continued operations of our domestic mines. I think this is a sound, practical, and sensible solution to this problem, one that will injure nobody but will be of substantial aid to millions of our own citizens.

I have spoken of iron ore and the problem of foreign competition as it relates directly to the mining industry.

However, there are byproducts which are of equal importance. This vital issue does not stop at the mine shaft.

Thousands of ship-borne products from abroad pass through our customs houses every week in the East, the West, and the Gulfport areas as well as the St. Lawrence Seaway. Many of these are made chiefly, or in part, from iron ore derived metals.

For instance, consider the situation of automobiles—Michigan's leading bread and butter industry. As U.S. auto exports dropped to a postwar low last year of slightly over 100,000, imports went from 21,000 automobiles in 1950 to over 660,000 in 1959. And again this year, foreign manufacturers seem to be doing a brisk business here having moved in over 310,000 autos valued at $350 million during the first 6 months.

Now consider the side effects upon our economy of the importation of this one metal product—the automobile. In terms of American equivalents, one standard U.S. automobile requires about 2 tons of steel which in turn is made from several elements including 1 ton of iron ore. In other words, the ratio of iron ore to an automobile is approximately 1 ton to one car.

Accordingly, for every foreign car which displaced an American car, 1 ton of iron ore remained earthbound. Theoretically, since January of 1959, this would represent over 1 million tons of untapped ore in the importation of one metal product. The same applies to typewriters, sewing machines, dozens of steel mill products, oil tankers, cargo vessels, and so forth.

Furthermore, the chain reaction of imports affects additional industries as well. I mentioned the effect upon ore of auto imports. Continuing the analogy, the effect is similar in coal and steel. For example, a standard U.S. auto requires 2 tons of coal as well as 2 tons of steel in its construction. Consequently, about 1.2 million tons of coal never left the earth last year in the United States, nor, of course, was the order placed for 1.2 million tons of steel.

In northern Michigan, an important part of our economy is related to the mining of copper. A decade ago, imports of copper-brass products amounted to only 21 million pounds. But by last year, imports of such products had leaped to 200 million pounds. Furthermore, the copper problem was further compounded by decreasing exports of copper-brass goods which dropped from 47 million pounds to 16 million last year.

While these figures may sound abstract or cold or of little significance to the man in the street, let me assure you that they affect us all in our daily life in a way which we may ignore only at our own expense.

For example, in the case of steel: To tell you that imports of steel mill products were 4.4 million tons in 1959, valued at $515 million—in foreign value only—might not be as meaningful as to tell an American steel producer that these imports displaced U.S. sales of about $700 million. Or if speaking to a steelworker, I might add that that tonnage of steel imports put 20,000 men to work for 40 million man-hours at wages of about $125 million—but somewhere else, not here at home. The same picture—lost jobs, lost wages, lost sales—can be found in one industry after another including shipbuilding, porcelain, typewriters, textiles, cameras, jewelry, fishing tackle, and many, many more. All of these products are made and made as good or better right here in the United States. But the situation has become so bad that even barbed wire which was first invented in the Midwest is being imported in such quantities that the foreign manufacturer now has the lion's share of our own marketplace.

All in all, Mr. Speaker, our program of unrestricted free trade has proven to be not only impractical and unrealistic, but seriously damaging to important segments of our economy. Formerly, the evil effects of this program were spotty and were felt only by selected industries and mainly on an area basis. Today, the inroads of free trade are being sharply felt in most of the principal productive industries in our country. The basic reasons for this disastrous result

lies in the wage differential between what is paid here and abroad. The following are a few examples:

The Japanese woodworker receives about 18 cents; the Italian, 24 cents; the French, 54 cents; the German, 48 cents; the English, 50 cents; the American, $1.98 per hour.

The Japanese chemical worker receives about 37 cents; the Italian, 37 cents; the French, 49 cents; the German, 57 cents; the English, 68 cents; and the American, $2.44 per hour.

The Japanese leatherworker receives about 23 cents; the Italian, 30 cents; the French, 54 cents; the German, 40 cents; the English, 47 cents; and the American, $1.59 per hour.

The Japanese glassworker receives about 26 cents; the Italian, 36 cents; the French, 47 cents; the German, 55 cents; the English, 70 cents; and the American, $2.22 per hour.

The Japanese steelworker receives about 41 cents; the Italian, 46 cents; the French, 53 cents; the German, 59 cents; the English, 83 cents; and the American, $3.10 per hour.

The Japanese machinery worker receives about 28 cents; the Italian, 36 cents; the French, 54 cents; the German, 59 cents; the English, 74 cents; and the American, $2.50 per hour.

The Japanese auto worker receives about 26 cents; the Italian, 46 cents; the French, 54 cents; the German, 64 cents; the English, 94 cents; and the American, $2.69 per hour.

Years ago, we were able to absorb wage differentials because of our efficiency and great productive capacity. Today, largely because of our foreign aid programs, we have provided appliances, machinery, and tools to foreign countries so that they can produce as efficiently as we can here. Thus, there is no practical way that our producers can meet the competition of articles produced abroad at much cheaper labor costs.

Leadership Where Leadership Is Needed

EXTENSION OF REMARKS
OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 26, 1960

Mr. MULTER. Mr. Speaker, it was my privilege to attend the opening session of the 63d annual convention of the Zionist Organization of America, held at the Hotel Statler in New York City.

The principal speaker was the distinguished Senator from Massachusetts, the Honorable JOHN F. KENNEDY. He properly used the occasion for the delivery of a most important statement on American foreign policy. This was not the statement of a candidate for high public office but rather a declaration of sincere and strong-minded principle by one who will seek to implement the ideals he lives by and cherishes.

Senator KENNEDY's full statement is as follows:

President [Abraham A. J.] Redelheim, Rabbi [Abba Hillel] Silver, Mayor Wagner, ladies and gentlemen, I am honored by your generous invitation to speak here tonight. I had the opportunity 14 years ago as a newly elected Member of Congress to hear one of the greatest speeches that I have heard in all of my life given on the cause which interests you so much tonight in the city of Boston by your great guest here tonight, Rabbi Silver.

Prophecy is a Jewish tradition, and the world Zionist movement in which you have played such a great role has continued this long tradition. It has turned the dreams of its leaders into acts of statesmanship. It has converted the hopes of the Jewish people into the concrete facts of life.

When the first Zionist convention met in 1897 Palestine was a wasted, neglected land. A few scattered Jewish colonies had settled there. But they had come there to die, not to live. Most of the governments of the world were indifferent.

But all this now has changed. Israel has become a triumphant reality, exactly 50 years after Theodore Herzl, the prophet of Zionism proclaimed its inevitability. It was the classic case of an ancient dream finding a young leader, for Herzl was only 37 years of age.

YOUTH NO BARRIER

Perhaps I may be allowed that observation because the Jewish people ever since David slew Goliath have never considered youth as a barrier to leadership or measured maturity and experience by length of days.

I spent 2 weeks in Palestine in 1939. There the neglect and ruin left by centuries of the Ottoman Empire were slowly being transformed under conditions of the utmost difficulty by labor and sacrifice. But Palestine was still a land of promise in 1939 rather than a land of fulfillment.

I went back in 1951. In 3 years this new state had opened up its doors to 600,000 people. The United States, composed of 175 million people, has an immigration of all we can take, we say, of 250,000 a year. Even while fighting for its own survival Israel has given hope to the persecuted all over the world, and it has given a new dignity to those who believe in religious freedom in every part of this globe.

I left with a conviction that though the United Nations had given international status to Israel, nevertheless, Israel had been made a nation by its own exertions.

And it has claims to immortality. Some do not agree.

ATTACKED BY CAIRO RADIO

Three weeks ago I said in a public statement Israel is here to stay. The next day I was attacked by the Cairo radio rebuking me for my faith in Israel and quoting this criticism from Arabic newspaper Al-Gomhouria: "As for the question of the existence and nonexistence of Israel," the paper says, "Mr. KENNEDY says that Israel has been created in order to exist. And we say that Israel will not continue to exist. Time will judge between us, Mr. KENNEDY."

I agree. Time will judge between us whether Israel will continue to exist or not.

But I wish I could be as sure of my prophecy about this November as I am about my prophecy on this occasion.

It is worth remembering at this meeting that the cause of Israel stands beyond Jewish life. In our pluralistic society, as Bob Wagner pointed out, it has not been merely a Jewish cause, any more than Irish independence was the cause merely of those of Irish descent, because wherever freedom exists, there we are all committed. And wherever it is endangered, there we are all endangered.

The ideals of Zionism have, in the last half century, been endorsed by both parties, and Americans of all ranks in all sections. Friendship for Israel is not a partisan matter. It is a national commitment.

Yet within this national obligation of friendship there is a special obligation on the party of which I am a member. It was President Woodrow Wilson who prophesied with great wisdom a Jewish homeland. It was President Franklin Roosevelt who kept alive the hope of Jewish redemption in the days of the Nazi terror. It was President Harry Truman who first—my friend Harry Truman—who first recognized (I've only been able to say that since last Saturday, but I'm saying it), who first recognized the status of Israel in world affairs.

And may I add that it would be my hope and pledge to continue this great Democratic tradition, to be worthy of it, to be associated with it, for what is needed now is leadership—impartial but firm, deliberate but bold, leadership instead of rhetoric.

There has been enough rhetoric in recent years about free transit through the Suez Canal to float every boat through it, but there has been no leadership. Our policy in Washington and in the United Nations has permitted defiance of our 1956 pledge with impunity—indeed, with economic reward.

If America's word to the world is to have any meaning, if the decisions and resolutions of the United Nations are to be binding on all parties, if the mutual security amendments, which I cosponsored with Senator PAUL H. DOUGLAS, is to have meaning, if the clear, thoughtful language of the Democratic platform is to have meaning—the influence of this Nation and other maritime powers must be brought to bear on a just solution that removes all discrimination from the Suez Canal.

A MORAL OBLIGATION

The Israelis surrendered their 1956 victory only because the United States and the United Nations committed themselves to the fulfillment of a pledge of free transit in the Suez Canal. So this is a United Nations resolution, in which we have a particular moral obligation.

We have also had much rhetoric in recent years about the arms race in the Middle East. This rhetoric has not only been empty and negative; even more fundamental is the premise that if the United States and the United Nations are to reject a solution based on force then they must accept the task of finding a solution based on reason and justice.

When I talked with Prime Minister David Ben-Gurion on his recent visit to the United States, he told me of dangerous signs of unrest which existed then under the seeming quiet of the Middle East. For there is no peace in that region today, only an embittered truce between renewed alarms.

American intervention, on the other hand, will not now be easy, for the record is not one to which we can point with pride. The series of incredible American blunders which led to the 1956 Suez crisis, events in which the role of our Government has never been fully explained; the so-called Eisenhower doctrine which had been repudiated by the very nations which accepted our aid, and, in general, a deterioration in our relations with all Middle Eastern countries primarily because neither Arab nor Israeli know exactly where we stand or exactly what we mean.

PUNISHMENT FOR VIRTUES

At times it must have appeared that champions of democracy were being punished for their very virtues by being taken for granted, by a neglectful administration which showed concern only when it was displeased by their conduct.

Peace in the Middle East is not one step nearer reality than it was 8 years ago, and the Russian influence has increased immeasureably.

What can a new President do? Moral weakness and timidity will not do. More stubborn errors, redeemed at the last minute, will not do. Now we must take the risk of leadership and use our influence to compose this ugly situation before it breaks out in a new threat to peace.

And I know we will not be alone in searching for a peaceful solution, if our aims are

high, and if they are centered solely on the genuine needs of the people of the Middle East, and on an honorable end to an ancient quarrel.

First, I propose that the new President reaffirm our sincere friendship for all people in the Middle East, whatever their religion or their race or their politics.

Secondly, I propose that we make it crystal clear that the United States meant what it said in the tripartite declaration of 1950 that we will act promptly and decisively against any nation in the Middle East which attacks its neighbor.

MAKE INTENTIONS CLEAR

I propose that we make clear to both the Israelis and the Arabs our guarantee that we will act with whatever force and speed is necessary to halt any aggression by any nation.

I propose that an international effort be made to limit an arms race in the Middle East with a realization—with a realization that if this is not accomplished we shall not permit an imbalance to exist which threatens the right of any country to self-defense.

Once the nations of the Middle East have a firm and precise guarantee, then the need for continuing an arms race can disappear, the easing of tension can follow, and both sides will be able to devote their energy to peaceful pursuits.

Third, I propose that all the authority of the White House be used to call into conference the leaders of Israel and the Arab States to consider privately their common problems, assuring that we support in full their aspirations for peace, unity, independence, and a better life; and that we are prepared to back up this moral commitment with economic and technical assistance.

The offer should be made with equal frankness to both sides and all the world would be watching the response of each side. I sincerely believe that an American Presidential initiative, honestly intended and resolutely pursued, would not be lightly rejected by either side, unless that side was prepared to bear the burden of breaking the peace.

And I promise to waste no time in taking that initiative. The Middle East needs water, not war. They need tractors, not tanks, and they need bread, not bombs.

There is already little enough in that sandy soil to be wasted on a dizzy arms race on both sides, an arms race which could be prevented if guarantees of security were provided. For the original Zionist philosophy always maintained that the people of Israel would use their national genius not for selfish purposes, but for the enrichment of the Middle East.

The earliest Zionist leaders spoke of a Jewish state which would have no military power and which would be content with victories of the spirit. The compulsions of a harsh and inescapable necessity have compelled Israel to abandon this hope. But I cannot believe that anyone in Israel tonight wants to live their lives out in a garrison state. And I cannot believe that the Arab world would not find a better basis for unity in a united attack against all of their accumulated social problems—an attack in which they could benefit immensely from a closer association with the people of Israel.

The people of Israel have brought their blessings to people all over the world, to Burma and Ghana and Ethiopia. Why should the countries of the Middle East which need technical assistance, why should they be denied this opportunity to participate in a great source of future wealth for them and their people?

It is a long and painful step, may I say, from the era of the boycott to the era of peaceful partnership. And that step needs the direct encouragement and help of the people of the United States and the President of the United States. The next President of the United States, whoever he may be, should always be available first to stimulate every experiment in cooperation, from the joint development of a river to a reconsideration of the Arab refugee problem, suggested I think best by the Democratic platform, to the crowning mercy of a final reconciliation that can be brought about by a true peace settlement.

Peace is our objective in the Middle East and peace is the objective of Israel, and peace is our responsibility in part. "Seek peace and pursue it," says the Psalmist. And that we must do—open up our minds and our hearts and we shall seek peace for ourselves and all who share our aspirations. And when history writes its verdict, let it say that we pursued peace with all of our courage, that we did everything that we could do with our hands to make sure that the blessing was brought to our children and all those who think as we do.

We are in this country the youngest of people. But we are the oldest of republics. Now is our chance in this country to extend the hand of friendship to the oldest of people and the youngest of republics.

Nuclear-Powered Airplane

EXTENSION OF REMARKS
OF
HON. MELVIN PRICE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Friday, August 26, 1960

Mr. PRICE. Mr. Speaker, under leave to extend my remarks in the RECORD, I herewith include an article I have written which is entitled "The Story of the U.S. Atomic-Powered Plane Bungle," which appeared in See magazine, September 1960 issue:

THE STORY OF THE U.S. ATOMIC-POWERED PLANE BUNGLE

(By Congressman MELVIN PRICE)

Somewhere in the Canadian polar regions, far north of the DEW (distant early warning) line, a tired airman methodically scans a radarscope. Nothing. He logs the time on a pad at his elbow and turns his attention to the complicated control console which for a year is part of his isolated life in the Arctic. An hour passes; and another, like the many uneventful hours that have gone by and will continue to pass. Once again he focuses his attention on the radarscope and his eyes quickly pass over the fast-moving blip now appearing on the criss-cross screen.

One blip, two—three. "Blips" he suddenly exclaims to himself as the importance of his discovery registers in a quick double-take. The weary cast quickly disappears from his features, replaced by the first flush of excitement—the unknown, the reason for his isolated duty. With one hand he hits the emergency horn, alerting his four sleeping and off-duty buddies. With the other he snatches the red-painted alert phone from its cradle, a radiotelephone he only remembers using twice, and then only during secret tests. But this time he has a feeling this is not a test.

A crisp voice at the other end of the priority circuit acknowledges that a duty officer is standing by awaiting information. At North American Air Defense Headquarters in Colorado Springs, Colo., a second officer is monitoring the flashing alert circuit, awaiting the young airman's report of an unidentified aircraft. So far only a yellow alert has been sounded. Meanwhile, high-speed jet fighters are ready to scramble from any number of points in the huge area guarded round-the-clock by Norad, the joint United States-Canadian Air Defense Command.

But for the excited young airman there's more on his radarscope than just a blip indicating an off-course commercial passenger transport on its shortcut polar flight. While his crewmates are quietly moving to their battle stations in the snowbound control center, the young observer shouts into the phone the reason for his warning alert.

"Unidentified aircraft, a single, bearing * * *," and he quickly rattles off the coordinates before continuing. "Speed * * *," he pauses and inhales deeply, "* * * approximately mach 3."

"Are you sure?" the duty officer 1,500 miles south gasps and repeats, "Are you sure?"

"Bearing changing," the airman shouts into the phone's mouthpiece. "It's definitely flying at mach 3, mach 3, sir, mach 3 at least."

Less than 4 minutes have passed, but the impact of the DEW line observer's report strikes home at Norad Headquarters. An aircraft has been developed that can fly at least three times the speed of sound—faster than the mach 2 all-weather fighter-interceptors that were at that very moment scrambling fruitlessly from Norad bases in Alaska and Canada.

Only the Russians could have developed such a plane so soon. And this one, now reported skirting the entire North American defense perimeter and alerting all DEW line radar stations, has added a new threat to the security of the free world.

At Norad this high-speed bomber covering so great an area meant only one thing: The Soviet Union had developed a nuclear-powered bomber. It was another Russian first; perhaps this was the fantastic new weapon that Premier Nikita Khrushchev boasted about during his annual report to the Supreme Soviet in January 1960.

I cite this graphic illustration as more than just a remote possibility. It may not happen this year; but it could happen, and sooner than we think.

A nuclear-powered bomber lies within the realm of fact, not fancy. This is the dream plane that, in the hands of the Soviets, will give us more to think about than intercontinental-range missiles fired from Soviet bases deep inside Siberia. With nuclear-powered aircraft, the Russian Air Force could surround this Nation with a constant patrol of bombers carrying H-bombs and 1,500-mile-range missiles tipped with atomic warheads. These planes could avoid flying over friendly territory and just patrol along our borders, primed to let go at any time.

These are the unlimited-range aircraft which could blast us at close range while huge ICBM's with less accuracy came streaking in along high-altitude trajectories to devastate wide areas. This would be turnabout, a swing of the pendulum the other way.

For years Russia has complained that we have surrounded her and her satellites with air bases. For years, and at tremendous cost, we have been maintaining Strategic Air Command and other military bases in friendly nations within shooting distance of the Soviet Union, for no other purpose than to check Communist aggression. But if the Russians are first to develop a nuclear-powered plane—and they might well be—they will then be able to flank every last one of our oversea bases with planes that can remain in the air indefinitely.

If this Nation is first with a nuclear-powered aircraft, in our hands this prototype plane would ultimately become a fleet of bombers and commercial air transports. As high-speed, long-range bombers, they will

dispense with the problem of forward bases and an expensive airborne alert of B–47 medium-range and B–52 intercontinental jet warplanes. We would no longer need costly tanker planes and additional ships to carry jet fuel to oversea bases. Perhaps Air Force manpower could even be slimmed down.

All we need is the aircraft engine that will run on a few pounds of fission material. We are close to developing this engine. All that is needed is the money to carry through present research and development in the powerplant and in the aircraft to be flown by this engine. Moreover, a nuclear-powered aircraft engine would be just the beginning of things to come, for the study and development of this powerplant will ultimately lead us to the nuclear rocket engines of the future that will give our space program the boost it sorely needs.

However, at the present rate of research in the problems of nuclear-powered aircraft, the Soviets stand a good chance of flying one first. Russia is pressing ahead with the development of its own nuclear-powered aircraft. There is no doubt in my mind that the first nation to achieve actual nuclear-powered flight will reap an enormous psychological propaganda victory no less important than a military advance. We lost on sputnik. And with that loss went much of the world's confidence in American scientific capabilities. We cannot afford another such loss without risking the gravest of consequences.

Now it's time that the truth is made public about our nuclear-powered aircraft program. These are the facts:

Farsighted military planners as long ago as 1944 began thinking of nuclear-powered aircraft.

Actual research was started in May 1946.

An airborne nuclear reactor was carried aloft in a B–36 in several flight tests back in 1956. However, this reactor was used to test the effect of radiation on air crews rather than to provide an engine for the purpose of flight propulsion.

"We could have had a plane flying on nuclear power in 1957," Maj. Gen. Donald J. Keirn, recently retired head of the Air Force project working on the problems of developing this aircraft, declared time and again. "We could have had it before the Russians put up their first sputnik."

We have the technical know-how to build a nuclear-powered prototype plane, but the administration's budget planners won't authorize the necessary funds.

No matter what the military experience of our top civilian decisionmakers, this is how one man in uniform looks upon the dream plane of the future. According to Lt. Gen. Roscoe C. Wilson, Air Force Deputy Chief of Staff for Development, "the essentially unlimited range of nuclear-propelled manned aircraft can be translated into distance, endurance, or both.

"The impact on operations is significant in several areas. Unlimited range permits zone-of-the-interior (continental United States) basing without the burdens imposed by tanker-aircraft inventories or overseabase logistics, defenses, and political considerations. Routes of approach to mission areas are no longer restricted. Operational commanders are free to choose inbound and outbound routes of varying tracks around the globe. The possibility of missions of several days' duration permits the effective utilization of as high as 50 percent of the force on air alert.

"Strategically placed around a sensitive area, the airborne alert would be invulnerable to attack and in its close proximity to the enemy heartland would constitute an ominous deterrent. Effective stationing of the air alert forces would provide omnidirectional penetration routes which would tax the enemy defense effort severely, forcing him to defend his entire perimeter in strength. The use of the manned nuclear bomber in a high-endurance weapons system on air alert permits flexible and positive timing, control, and target assignment."

In other words, the nuclear-powered bomber in our hands is a positive deterrent which, on the one hand, will by its very nature save us the expenditure we dispense today to maintain costly oversea bases. On the other hand, this plane will force the enemy to expend more of his resources to counter the threat of the unlimited range bomber powered by the atom.

Few people realize that we have the knowledgeable scientific and technical manpower to build the first prototype nuclear-powered jet engine and aircraft. The Air Force recognized this problem years ago and established an intensive training program for officers and civilians in the nuclear energy field.

Since the ANP (aircraft nuclear propulsion) program began in 1946, a total of $880 million has been parsimoniously parceled out. During the past 10 years $700 million was authorized for an air-breathing ramjet missile called Navaho, a project that was canceled before this weapon even reached the combat readiness stage. The Navy received $440 million for jet propelled Seamaster seaplanes. Sixteen were built. Two cracked up in tests and the remainder were consigned to the scrap heap.

Only a portion of this billion-dollar-plus sum was needed along with the right priorities, and America's atomic-powered plane would have been flying long ago. If the administration had given the go-ahead as quickly as it had ordered the Atlas ICBM crash program in October 1954, our first prototype nuclear-powered plane would have flown in 1957. According to General Keirn, the Soviets may have a prototype atomic-powered plane in the air within the next year. Twelve months ago he told our committee that the Russians might have one in 2 years. Time seems to be running out.

Men like former Secretary of Defense Charles Wilson wanted no part of the ANP program. He described the plane we need as a "Shitepoke," a big clumsy bird, all bones and feathers, and not worth a hang for either eating or flying. "It'd be a big lumber wagon of an airplane, too slow," he declared. And I agree. But it would have given us the chance to iron out the bugs so that within 2 or 3 years we might have had the high-speed nonstop aircraft we want before the Russians develop theirs.

Nor was President Eisenhower of any help to the ANP program last year. "There is no usefulness that anyone can possibly see from such a plane," he declared at one of his early 1959 news conferences. "There is no use going into a field where the whole purpose would be to get a plane a few hundred feet off the ground." As a military man, the President wants a militarily useful plane. He doesn't realize that the prototype will be useful and that progress will be rapid after that. We shouldn't be concerned only with military applications, but with commercial applications and the progress of aviation as a whole.

While our country has been doing virtually nothing in the ANP program, the Russians have been reportedly flying a prototype bomber. Almost 2 years ago one of our weekly aviation periodicals reported that just such a plane had been observed flying in the Moscow area. The description of this plane fitted that of a nuclear-powered aircraft. Although I wouldn't go so far as to say that the Soviets are actually flying such a plane powered by a nuclear reactor. I would, however, base credence on reports that a plane has been seen flying in Russia which appears to be a prototype of the atomic-powered plane. It also appears that this airframe was on a shakedown flight. It hasn't been seen since these tests.

We know exactly what problems are faced in designing just such a plane. The Soviets have to overcome these problems, too. Theirs certainly is an all-out effort to do so. I know. I've seen Soviet science in action. The Soviet Union sent its third rocket speeding toward the moon on the day I departed Moscow after my second visit to the U.S.S.R. in 2 years. On October 6, 1957, I had arrived in the Russian capital to find a people jubilant over the success of the first sputnik, which had been launched 2 days before. In the meantime they have scored a direct hit on the moon with Lunik II.

It isn't so important what I found in the Soviet Union in the brief visits, as it is in what I found in the United States in October 1957 and what has happened since. It is better to appraise our own efforts than it is to guess at the efforts of the Soviet Union. There was a sense of urgency in our country in the fall of 1957. It quickly died away. There appears to be a permanent sense of urgency in the Soviet Union in matters pertaining to scientific and technological achievements—there is no indication they will rest on the laurels of sputniks, mechtas, or luniks.

There is every indication they are seeking laurels in the field of nuclear-powered aircraft.

I have seen firsthand the aggressive, unrelenting pressure that Soviet scientists are applying in the struggle for world supremacy. In the scientific fields, unlike in our country, this pressure is consistent and does not fluctuate with the international political barometer.

The Soviet successes undoubtedly are attributed to a priority approach—missing in our ANP program—which marshals together and makes maximum use of their existing and ever-increasing manpower and material resources. Their achievements in space effectively demonstrate the value of this approach. Through these spectacular accomplishments the Soviets have in a few years bridged the gap between the United States and the U.S.S.R. in those scientific and technical fields which are directly related to our Nation's survival. Moreover, the Soviets have reaped a political and psychological windfall by the calculated timing and exploitation of their individual successes.

I've seen what they can do in terms of atomic power research. Soviet installations for peaceful atomic development which I visited lacked the niceties and extra conveniences of many of the laboratories I have visited in the United States. The outside of the buildings are drab and are frequently in need of replastering or repainting. But once inside, where equipment, computers and other hardware are located, it's a different story. Spotless control rooms which give the impression of sterile operating rooms, mazes of intricate wiring, layers of well organized equipment bulging out of each room, all contributed to a feeling that the emphasis is more on substance—on what's done—than on appearance.

But the one thing that hit hardest is the sense of urgency and the controlled aggressiveness of the Soviet scientists who are in charge of these installations.

When I first visited Dubna on October 1957 the Russians proudly displayed the world's largest synchrophasotron. It was going through a series of test runs. Subsequently stories reached us of the difficulties they were encountering in operating the machine. When I visited Dubna again last year, I found that the problems, such as focusing the beam inside the chamber, had been solved and the machine was functioning

within expectations. Twelve Soviet bloc nations participate in the operation of the Dubna center, which corresponds to our Argonne Laboratory. They contribute on a percentage basis both brains and finances to the institution, although the major financing comes from the Soviet Union.

This then is an illustration of how the Russians methodically go about organizing a solution to a scientific-technical problem. They are probably tackling the nuclear-powered aircraft problem in the same way.

Another place I visited is the Physical Technical Institute at Leningrad established in 1919. Russian scientists began serious research in nuclear physics in 1939. A short time thereafter they had in operation a small cyclotron. Many of Russia's most prominent scientists did their research at this institution, and today the institute lays claim to world leadership in solid physics research. More than 300 scientists out of a total working force of 2,100 work in the most crowded conditions imaginable, but look forward to the completion of a new and more adequate building now under construction.

Does this sound like a nation that's sitting still in the field of aircraft nuclear propulsion?

While the Russians are working toward this "dream" plane, we in Congress have been battling for more money to get the ANP program off the ground. We could cut corners in terms of time if we do something about it—if we would only stop to realize that the Soviets do not have any more scientific knowledge or better technology than in our country.

Time is important. If we have the determination to be the first to fly an atomic-powered plane, we may still beat the Russians. But it will take some doing, and it may take another 3 to 5 years. But even this is time saved if we can utilize an airframe that is presently on the drawing boards. This is the B–70 Valkyrie, a mach 3 bomber powered by chemically fueled jet engines. This plane is sufficiently large enough and designed to take on nuclear reactor engines.

But the administration has seen fit to practically scrap the B–70 program in its 1961 budget. The only provision made is for the construction of two B–70 airframes. Nothing is provided for the development of the complex bombing, navigation, armament, and other equipment that will be required.

The B–70, originally a top secret conception of a breakthrough in the history of aircraft development, for years was referred to as weapons system 110A. In the words of Dr. Hugh L. Dryden, at the time Director of the now scrapped National Advisory Committee for Aeronautics, it was in 1957 that "a strange and wonderful thing happened."

"It was as if the pieces of a jigsaw puzzle began falling into place," he reported to the House Appropriations Committee in February 1958. "Almost simultaneously research programs that had been under way at the NACA labs in Virginia, California, and Ohio began to pay off. The result—this is an oversimplification, but not an overstatement—was that the companies and the Air Force suddenly realized it would not be much harder to design a long-range bomber that could fly its whole mission supersonic than design one that would fly subsonic most of the way, and only a fraction of the flight supersonic. Not only that, but the top speed of the prospective bomber was raised to mach 3—about 2,000 miles per hour."

The Valkyrie—named after the beautiful maidens in Norse mythology who galloped through the heavens on their chargers, choosing those who were to die in battle and bearing these fallen heroes back to Valhalla—to many aircraft designers has the lines of a beautiful woman. Into its construction will go titanium, stainless steel, and nickel-base alloy for a top weight of 250 tons at takeoff. That's about the same as a B–52 intercontinental range bomber now in the SAC inventory. Built into the B–70 performance is a landing speed slower than that of an F–100 super Sabre (now obsolete) with a range and speed to take it around the world in less than 12 hours. Traveling at mach 3, a B–70 crew could eat their breakfasts in New York at 8 o'clock, take off, and arrive in Los Angeles an hour and a half "before" they ate. The B–70 flying west at mach 3, at altitudes of over 70,000 feet or along the deck, could show its crew a sunset in the east or bring the moon back up once it had set in the west.

This is the plane that the experts acknowledge could be the testbed for a nuclear-powered jet engine. However, I'm not suggesting that it be used strictly for the ANP program. It was designed as a bomber and should be developed as such, and in the numbers needed. But it has the design that's also required by the nuclear scientists working on the atomic-powered engine. If we can build the B–70 within the next 3 years, perhaps we'll edge the Soviets by taking to the sky first in a nuclear-powered plane.

I have a letter in my files, more than a year old, written by a scientist who is now spending his 9th year working in the ANP project. He is an industrial manager in the program to develop a nuclear powerplant for a military aircraft. I believe that what this man had to say early last year is still important today. I think his statement is important. It was originally written to President Eisenhower, who angrily answered critics a few months ago in the same "parochial" terms in which he accused them of thinking. In referring to the Nation's defenses he said: "I've spent my life in this and I know more about it than almost anybody * * * because I have given my life to it." It accurately reflects the overriding conviction of our technical people in the field—the people about whose scientific and technical problems nonscientists like the President know little—that this nuclear plane project has got to move forward more vigorously if we are to meet vital needs of national defense.

Speaking for his fellow scientists and engineers out on the firing line—the people who are actually bending the hardware—he had this to say about the present state of technology in the project:

"The powerplant development work is now at a stage where it is ready to proceed at a faster pace. It is true that some solutions in detail (as opposed to feasibility) are required—but these are the reasons why the development is necessary in the first place. Today's situation on the nuclear aircraft program is similar to that which prevailed on the missile programs 3 to 5 years ago. At that time, development work was accelerated on propulsion and guidance aspects of the work; today, we are just beginning to see signs that we will have operational missile systems over the next 2 to 4 years. The same situation can prevail for nuclear aircraft.

"Let's face it. Nuclear powered aircraft are inevitable. The sooner we get about really facing up to the job in total—including an airframe—the sooner they are going to be a valuable weapon in our arsenal."

The nuclear plane can solve a great many of the problems that crop up in the headlines time and again under Washington datelines. From the military point of view, this is what the nuclear plane can do for this Nation:

It can give us the constant airborne alert that the administration says we cannot now afford. This is the CAMAL (continuously airborne missile-launching and low-level penetrating) weapons system to oppose the Russians. We have the missiles and the military know-how. The only thing lacking is the nuclear-fueled airplanes to carry the missiles and the H-bombs.

We can do away with most—if not all—of our SAC oversea bases at great national savings and put this money into the development of more and better atom-powered planes for civilian as well as military use. Over a period of time the nuclear bomber flown from bases in this country can save several billion dollars that we ordinarily would sink into SAC bases overseas.

The nuclear bomber would fit well into the present mix of forces. This plane can perform in areas where missiles can't. ICBM'S and IRBM's can hit targets of known importance and location. They do however suffer on two counts—one being worked on, the other out of reach. First, missiles have to possess sufficient protection (underground silos or antimissile missiles) against attack, or quick reaction time to get off the ground before the enemy missiles find their mark. These problems are being worked out.

Secondly, missiles are only able to hit targets of known location and importance. They cannot hit targets of highest priority; namely, those which the enemy has built up, such as troop concentrations dispersed over a wide area, supplies, submarine fleets and so forth. These forces and targets can only be predicted by detailed last-minute intelligence information, the type of intelligence and information which is hard for us to come by. Since missiles cannot act as human eyes and minds, they cannot be recalled once launched nor can they report back what they see or decide when, where, and how to strike.

We need a scientific breakthrough in the area of nuclear aircraft propulsion to bolster our falling prestige stock overseas—and even here at home.

This Nation does not lack scientific know-how to build just such an aircraft. It takes a change of attitude and determination on the part of the administration to give us this plane we sorely need.

The development of a nuclear powerplant will lead to a breakthrough in nuclear-powered rockets for space flight, and longer range missiles for defense and deterrence.

Finally, the development of this atomic powerplant will ultimately filter down to the commercial aviation industry just as military jet fighters and bombers within a matter of years were translated into our present airline jet transports.

This is the background to the problem, and the problem itself. Since 1944, when Army Air Force planners first looked into the feasibility of a nuclear powerplant, 16 years have passed us by. Fourteen years have gone by since we actually began studying the problem technically. Four years have gone by since we flew a reactor in a B–36. One year has gone by since we unveiled plans for a mach 3 supersonic bomber that can serve as a testbed for nuclear propulsion jet engines. How much more time must go by before the Soviets beat us again with their own prototype atomic plane?

It's evident from this brief history that the ANP program has been beset by a multitude of problems since its inception. In my opinion these problems have not been so much a question of technical progress, which has in general been good, but rather involve the problems of ill-defined objectives and administrative indecision. Despite constant prodding over the years, these roadblocks have had a tendency to linger on—to the

detriment of all. Particularly vexing after my 13 long years studying and working for the success of this program, is the fact that the ANP project still has no firm target date for the first flight. Moreover, our scientists and engineers in the field still don't know where they stand as to the future prospects for the program. This latter factor has for some time been a bad morale problem in the field, as can be well imagined.

But beyond this, I have had the feeling all along that there has been considerable confusion over this question of so-called military usefulness of the nuclear plane. It's high time we nail down, once and for all, what is meant by "usefulness" and get on with the job.

From my own point of view, and that of the working engineers in the field, the most useful thing we can do at this point is to test out the propulsion system in actual flight as soon as possible. The engineers in the ANP project claim that the present B–52 can even be converted as a test bed for a nuclear jet engine. Moreover, no one has ever pretended that this first flight would involve a full operational military aircraft. Far from it, this first flight, in line with historical precedent, would be a distinctly limited affair aimed specifically at providing information which is vital to subsequent development of a fully operational aircraft. It is my understanding that we are in fact technically ready to proceed with this limited first flight; and further delay will only put off the time when we reach a fully operational capability.

There is some indication that this concept is finally percolating through to those who have responsibility for making this decision on a flight program—I only hope we're not too late.

SENATE

SATURDAY, AUGUST 27, 1960

(Legislative day of Wednesday, August 24, 1960)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by Senator PAT MCNAMARA, of Michigan.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou whose abode is light in which is no darkness at all, amid life's changing scenes, our hearts yearn for the peace of Thy presence. In the fever and fret of our spirits, we come confessing that we, ourselves, are full of the unrest of our time.

Even in the seeming quietness of this Chamber of decision, it is as if these walls were transparent glass revealing the chaos stalking the earth, as restless peoples blindly grope for life more abundant. Just outside these doors that shut us in, discordant voices seem to shake the very earth.

Forgive us that we listen far too much to those who speak the loudest.

May our prayers be the channels of Thy grace through which shall come to us a calm, restoring stillness at the very center of our lives. Join us to those who, across the ages, have found in times as wild as these the truth of Thy promise: "I will keep that man in perfect peace whose mind is stayed on me."

We ask it in the name of the Master of Calm who says to those who will take it, "My peace I give unto you." Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., August 27, 1960.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. PAT MCNAMARA, a Senator from the State of Michigan, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. MCNAMARA thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Friday, August 26, 1960, was dispensed with.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The ACTING PRESIDENT pro tempore announced that on today, August 27, 1960, he signed the following enrolled bills and joint resolutions, which had previously been signed by the Speaker of the House of Representatives:

S. 68. An act to provide for continued delivery of water under the Federal reclamation laws to lands held by husband and wife upon the death of either;

S. 285. An act for the relief of John A. Skenandore;

S. 1321. An act to authorize the Attorney General to consent, on behalf of the Library of Congress Trust Fund Board, to a modification of the terms of a trust instrument executed by James B. Wilbur;

S. 1781. An act to facilitate cooperation between the Federal Government, colleges and universities, the States, and private organizations for cooperative unit programs of research and education relating to fish and wildlife, and for other purposes;

S. 1857. An act to promote the foreign trade of the United States in grapes and plums, to protect the reputation of American-grown grapes and plums in foreign markets, to prevent deception or misrepresentation as to the quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes;

S. 2369. An act for the relief of Sachiko Kato;

S. 2388. An act relating to the separation and retirement of John R. Barker;

S. 2576. An act to authorize the addition of certain donated lands to the Everglades National Park;

S. 2669. An act to extend the period of exemption from inspection under the provisions of section 4426 of the Revised Statutes granted certain small vessels carrying freight to and from places on the inland waters of southeastern Alaska;

S. 2711. An act to quiet title to certain lands within the Nez Perce Indian Reservation, Idaho, and for other purposes;

S. 2772. An act to authorize the Secretary of Agriculture to convey land to the town of Cascade, El Paso County, Colo.;

S. 2806. An act to revise the boundaries of the Coronado National Memorial and to authorize the repair and maintenance of an access road thereto, in the State of Arizona, and for other purposes;

S. 2932. An act to amend section 3568 of title 18, United States Code, to provide for reducing sentences of imprisonment imposed upon persons held in custody for want of bail while awaiting trial by the time so spent in custody;

S. 3030. An act for the relief of Michiko (Hirai) Christopher;

S. 3053. An act for the relief of the State of Connecticut;

S. 3070. An act to provide for the removal of the restriction on use with respect to certain lands in Morton County, N. Dak., conveyed to the State of North Dakota on July 20, 1955;

S. 3160. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the State of Idaho as a Territory;

S. 3264. An act to abolish the Arlington Memorial Amphitheater Commission;

S. 3487. An act to amend the antikickback statute to extend it to all negotiated contracts;

S. 3532. An act to provide for the striking of a medal in commemoration of Century 21 Exposition to be held in Seattle, Wash.;

S.J. Res. 68. Joint resolution providing for the establishment of the New Jersey Tercentenary Celebration Commission to formulate and implement plans to commemorate the 300th anniversary of the State of New Jersey, and for other purposes;

S.J. Res. 170. Joint resolution to authorize the participation in an international convention of representative citizens from the North Atlantic Treaty nations to examine how greater political and economic cooperation among their peoples may be promoted, to provide for the appointment of United States delegates to such convention, and for other purposes;

H.R. 5747. An act to amend section 152, title 18, United States Code, with respect to the concealment of assets in contemplation of bankruptcy;

H.R. 7242. An act to amend sections 1, 57j, 64a(5), 67b, and 70c of the Bankruptcy Act, and for other purposes;

H.R.8289. An act to accelerate the commencing date of civil service retirement annuities, and for other purposes; and

H.R. 10455. An act to amend the Mineral Leasing Act of February 25, 1920.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 1870) to provide for examination, licensing, registration, and for regulation of professional and practical nurses, and for nursing education in the District of Columbia, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 12993. An act to amend the District of Columbia Teachers' Salary Act of 1955, as amended;

H.R. 13053. An act to increase the salaries of officers and members of the Metropolitan Police force and the Fire Department of the

District of Columbia, the U.S. Park Police, the White House Police, and for other purposes; and

H.R. 13161. An act making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred or placed on the calendar, as indicated:

H.R. 12993. An act to amend the District of Columbia Teachers' Salary Act of 1955, as amended; and

H.R. 13053. An act to increase the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia, the U.S. Park Police, the White House Police, and for other purposes; placed on the calendar.

H.R. 13161. An act making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes; referred to the Committee on Appropriations.

QUORUM CALL

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONVEYANCE TO THE STATE OF MAINE OF CERTAIN LANDS

Mr. JOHNSON of Texas. Mr. President, I have been requested to give consideration to Calendar No. 1931, Senate bill 3299, to provide for the conveyance to the State of Maine of certain lands located in that State. I give notice that we expect to consider the bill at a later date, and I should like all Senators to be on notice.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare, without amendment:

H.R. 12383. An act to amend the Federal Employees' Compensation Act to make benefits more realistic in terms of present wage rates, and for other purposes (Rept. No. 1924).

By Mr. HAYDEN, from the Committee on Appropriations, with amendments:

H.R. 13161. An act making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes (Rept. No. 1925).

REPORT ENTITLED "ADMINISTERED PRICES — BREAD" — MINORITY AND INDIVIDUAL VIEWS (S. REPT. NO. 1923)

Mr. KEFAUVER. Mr. President, from the Committee on the Judiciary, pursuant to Senate Resolution 238, I submit a report entitled "Administered Prices—Bread," together with the minority views of the Senator from Illinois [Mr. DIRKSEN] and the Senator from Nebraska [Mr. HRUSKA], and the individual views of the Senator from Wisconsin [Mr. WILEY]. I ask that the report be printed, together with the minority and individual views, with illustrations.

The ACTING PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from Tennessee.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE (for himself, Mr. SPARKMAN, and Mr. CAPEHART):

S. 3903. A bill to amend the Small Business Act, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. PROXMIRE when he introduced the above bill, which appear under a separate heading.)

By Mr. HICKENLOOPER (for himself and Mr. HRUSKA):

S. 3904. A bill for the relief of Hilda L. Switzer, widow of Carroll O. Switzer; to the Committee on the Judiciary.

(See the remarks of Mr. HICKENLOOPER when he introduced the above bill, which appear under a separate heading.)

AID TO SMALL BUSINESS

Mr. PROXMIRE. Mr. President, yesterday the Senate and the House conferees made progress on H.R. 11207, a major small business bill. Its only really controversial feature is a proposal that would attempt to help small business throughout the Nation compete on a fairer basis for Government procurement. It would do this by authorizing the Small Business Administration to promulgate a two-pronged program. First, the SBA would be enabled to secure full information on contracts from procurement agencies. Second, the SBA would have a chance to sell the agencies and the contractors on the advantages of utilizing qualified small businesses.

This bill passed the Senate without objection a few days before we recessed last month. It has run into a whirlwind of opposition, particularly from the Defense Department, in the form in which it passed the Senate. The House felt concern over the implications of some of the language of the bill, disagreed to the Senate amendments and requested a conference.

Mr. President, as author of the substitute bill, which the Senate passed, I want to say that I think some of the objections of the House were well taken and sound. I think the objections they made have given us an opportunity to improve the bill.

For this reason we proposed substantial changes in the conference to meet these objections.

These changes in no way reduce the capacity of the SBA either to procure the pertinent information it needs or to try to persuade procurement officials and successful Government contractors to use small business firms qualified to do the job. It is still true that this bill, for the first time, gives the Nation's small business a firm and friendly voice through SBA in this huge sector of our economic life, the Government's more than $20 billion procurement program. And, of course, this was our prime objective in this controversial section of the bill.

The big and fundamental concern of those who hesitated to support the bill as amended by the Senate was over the possibility that the bill might weaken the authority of procurement agencies over the contractor, and the SBA might dictate that small business or even specific firms should receive a contract, or that the award should be based on a specific criterion. Of course, at no time was this the intention of the Senate authors of the amendment, and we had so stated in our committee report. In order to make this crystal clear, however, the bill as modified in conference meets that basic objection by specifying that "no program promulgated hereunder shall prescribe the extent to which any contractor shall enter into subcontracts, or specify the business concerns to which the subcontracts shall be granted."

Mr. President, in order to permit all Members of Congress to see how very far this new language has gone to allay the concern any might feel that the bill as now being considered in conference constitutes any improper interference with procurement, I introduce the bill as modified yesterday in conference and ask that it be printed.

The distinguished Senator from Alabama [Mr. SPARKMAN], certainly one of the Senate's and the Nation's foremost authorities on small business, cosponsors this amendment with me, as does the ranking Republican member of the Banking and Currency Committee, also a stanch champion of small business, the senior Senator from Indiana [Mr. CAPEHART].

The PRESIDING OFFICER (Mr. HART in the chair). The bill will be received and appropriately referred.

The bill (S. 3903) to amend the Small Business Act, and for other purposes, introduced by Mr. PROXMIRE (for himself, Mr. SPARKMAN, and Mr. CAPEHART), was received, read twice by its title, and referred to the Committee on Banking and Currency.

HILDA L. SWITZER

Mr. HICKENLOOPER. Mr. President, I introduce for appropriate reference a bill for the relief of Hilda L. Switzer. It is a bill similar to one which I have introduced from time to time in the past.

The bill provides for the payment to Hilda L. Switzer, the widow of former Federal Judge Carroll O. Switzer, of Iowa, of the salary which Judge Switzer did not receive, because of appropriations act provisions, for the period of time when he served as Federal judge in Iowa after his nomination had been rejected by the Senate.

In that connection, I shall make a further statement before the proper committee at the proper time. However, I ask unanimous consent to have

printed as a part of my remarks a statement of the times and dates when Judge Switzer held court during the period for which he received no pay in the various divisions of Iowa.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 3904) for the relief of Hilda L. Switzer, widow of Carroll O. Switzer, introduced by Mr. HICKENLOOPER (for himself and Mr. HRUSKA), was received, read twice by its title, and referred to the Committee on the Judiciary.

The statement presented by Mr. HICKENLOOPER is as follows:

U.S. DISTRICT COURT,
SOUTHERN DISTRICT OF IOWA.

Re Judge Carroll O. Switzer (August 9, 1950, to December 26, 1950).

CENTRAL DIVISION, AT DES MOINES, IOWA

Court held at Des Moines:
August 10, 14, 16.
September 11, 12, 16, 20, 25.
October 7, 13, 14, 20, 28.
November 3, 8, 9, 10, 13, 14, 15, 16, 17, 20, 21, 22, 24, 27, 28, 29.
December 1, 4, 5, 9, 11, 14, 15, 19, 22, 26.
Total of 39 days.
November 13, 1950, was the first day of the November 1950 term of court; call of calendar; grand jury impaneled, etc.
November 15, 1950, the grand jury returned 12 indictments; ignored bills, 5.
Arrangements, pleas, and judgments in criminal cases: 34 cases; 41 defendants.
Orders signed, 240.
Hearings on motions and rulings thereon, 58.
Judgments in civil cases, seven.
Orders vacating submission, two.
Pretrial conferences, 11 cases.
Trial to court, 2 days.
Jury trial, 2 days.

WESTERN DIVISION, AT COUNCIL BLUFFS, IOWA

Court held at Council Bluffs: September 1950 term, 8 days.
Orders signed, 34.
Hearings on motions and rulings thereon, four.
Judgments in civil cases, five.
Pretrial conferences, five.
Trials to court, three cases.
Jury trials, five cases.

DAVENPORT DIVISION, AT DAVENPORT, IOWA

Court held at Davenport, 9 days.
Arraignments, pleas, and judgments in criminal cases, one.
Orders signed, 50.
Hearings on motions and rulings thereon, seven.
Judgments in civil cases, 18.
Pretrial conferences, three.
Trials to court, three.

EASTERN DIVISION, AT KEOKUK, IOWA

Court held at Keokuk: October 1950 term, October 3, 30, 31, 3 days.
Arraignments, pleas, and judgments in criminal cases, one.
Orders signed, 40.
Hearings on motions and rulings thereon, six.
Judgments in civil cases, one.
Pretrial conferences, one.
Habeas corpus cases, one.
Trials to court, two cases, 1 day.
Jury trials, one case, 2 days.

OTTUMWA DIVISION, AT OTTUMWA, IOWA

Court held at Ottumwa, 3 days.
Orders signed, 10.
Judgments in civil cases, two.
Pretrial conferences, two.

SOUTHERN DIVISION, AT CRESTON, IOWA

Court held at Creston, none.
Orders signed, six.

Mr. HRUSKA. Mr. President, the bill, of which I am cosponsor, provides relief for the widow of Carroll O. Switzer.

Judge Switzer died on May 30, 1960. He was at the time of his death a member of the district court bench in Polk County, Iowa.

In 1949 he was nominated by President Truman to be U.S. district judge for the southern district of Iowa. However, his nomination was never confirmed. In point of fact, it was rejected by the Senate on August 9, 1950.

Although Judge Switzer validly served 4½ months after his nomination was rejected by the Senate, nevertheless, because of the appropriation provision, cited as section 1204 of the act of 1951, 64 Stat. 764, he was not paid for this service. The amount which would have been paid, but for that provision, is $5,708.33.

The clear fact was that the southern district of Iowa was sorely in need of judge power. There was pressing judicial work at hand, and no one else was available to do it. Judge Switzer, therefore, remained on the job until the rejection of his nomination by the Senate.

The benefits to the litigants in this judicial district by reason of his continued service are apparent from the tabulation of the great work done by him, as included in the RECORD by the Senator from Iowa.

It is for these reasons that I join the senior Senator from Iowa in sponsoring the bill to pay to Judge Switzer's widow the moneys which otherwise would have been payable to him during those 4½ months.

INCOME TAX TREATMENT OF NONREFUNDABLE CAPITAL CONTRIBUTIONS TO FEDERAL NATIONAL MORTGAGE ASSOCIATION—AMENDMENT

Mr. CLARK submitted an amendment, intended to be proposed by him, to the bill (H.R. 7885) relating to the income tax treatment of nonrefundable capital contributions to Federal National Mortgage Association, which was ordered to lie on the table and to be printed.

BIRTHDAY FELICITATIONS TO SENATOR LYNDON B. JOHNSON, OF TEXAS

Mr. MANSFIELD. Mr. President, I rise at this moment to express my deep regard and my affectionate feelings for the majority leader of the U.S. Senate, the senior Senator from Texas [Mr. JOHNSON].

I have served with him in both the House and the Senate for almost two decades. I consider him one of my closest friends, and one of the best friends my State has ever had.

I think I can speak with some degree of knowledge when I discuss this man's duties, responsibilities, and his devotion to duty. I know whereof I speak, because I daresay that no one has been closer to LYNDON JOHNSON than I have been over the past 4 years. I work a 10- to 12-hour day. He works a 16- to 20-hour day.

He has been accused of many things which are not true. He has been accused of one thing which is true: He has been accused of representing the interests of his State; and he is guilty. I, likewise, have been accused of representing the interests of Montana; and I am guilty. It is a fact, and it ought to be recognized, that all Senators wear two hats; we are Senators from the State which we represent, and we are also Senators of the United States. So far as I am concerned—and I know I speak for practically every other Senator—I intend to continue to look after the interests of my State, whether they be related to problems affecting natural resources, such as oil, gas, or minerals; whether they be related to problems affecting natural-resources development; whether they be related to problems affecting wheat, sugar beets, sheep, cattle, or any other agricultural commodity.

Let me say, incidentally, that the American farmer has had no better friend than LYNDON JOHNSON. He has consistently gone down the line in the interest of our farm economy, and he has worked shoulder to shoulder with his Democratic colleagues from the North and the West in behalf of the betterment of the welfare of the American farmer.

As majority leader of the Senate for the past 6 years, LYNDON JOHNSON has had a tremendous job and a great responsibility. Leadership in this Government is not supposed to be a one-man job. The President is supposed to carry the burden of it; every committee chairman in both Houses of Congress has a part of it; and so, too, has every individual Member of both the Senate and the House.

If one really wants to learn the results of the service of LYNDON JOHNSON as majority leader of the Senate, measure his contributions as a part of the total. He has been in the Senate day after day, as I can affirm, working 16 to 20 hours. Has he done this for himself, for the advancement of his own political future? No, Mr. President; he has done it so that proposed legislation which should be enacted is passed.

His job is not easy. It entails working out harmony among 65 prima donnas—66, including himself—who comprise the Democratic membership of the Senate. It entails bringing this harmony to bear on the Republican choir on the other side of the aisle. I can assure you, Mr. President, that is a lot of sound for one man to handle.

His responsibility entails bringing to the floor, once it has been reported out of committee, proposed legislation, and getting it acted upon. LYNDON JOHNSON did not make the Senate rules, but it is his job to make them work, and he has

made them work for the Nation better than any man has ever done before. To do so, he has had to subordinate, on occasion, his own personal views, because he has had to bring about the closest possible accommodation between conflicting viewpoints in order to produce constructive legislation.

LYNDON JOHNSON is not interested in issues in order to achieve headlines. He is interested in results, not talk. And as he has handled an office which calls for accommodation, he is equipped, too, to handle a job which calls for the decisions and actions of one man. And to that I can personally testify. He is a man ever ready to compromise when that is called for, but equally a man ever ready to take the responsibilty for deciding when that is called for. In short, he is a man of honor.

On this, his natal day, I express to him my personal thanks for all he has done for his country over the years, and to express the hope that he will live long and continue his great record of service to his country, his State, and his colleagues.

Mr. LONG of Louisiana. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. Yes, I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I echo the sentiments of the Senator from Montana. I agree with him 100 percent. As one Senator, I express my complete sympathy for the majority leader in the task he has had both in this Congress and those that have preceded it.

It has been said he is the most effective and the greatest majority leader in the history of this country, and I believe that statement is completely correct. Time and again I have had to admire his great ability to get things done and to reconcile what appeared to be almost irreconcilable conflicts in order that we might come to some legislative conclusion in this body.

Time and again, with judgment, persuasion, and discretion, he has managed to prevent the Senate from staying in sessions around the clock, which could be avoided by a person who had judgment and discretion. He has found ways to bring issues to a vote that never had come to a vote in years gone by. He has made it possible for us to go forward, in progress, with good will and understanding among all Senators.

I think his is a task which has required more than we should expect of any one man. Yet we are all grateful that he has done these things.

Mr. MANSFIELD. I thank the Senator from Louisiana.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, people often wonder why it is that two lawyers on opposite sides of a case in court can, day in and day out, belabor each other, beset each other, as if there were something venal in their hearts and they were ready to dispatch each other, if they could, and yet at the end of the day they walk out of the courtroom arm in arm, smiling and friendly; and it becomes difficult for the average layman to understand.

Some of that same sentiment—in fact, much of it—one finds on the American political scene. It is one of the great characteristics of the American political system. Friends can be ranged on opposite sides of an issue, can be put in positions where they belabor each other, sometimes clobber each other, and yet the friendship is one of those enduring things that go on and on.

I can best illustrate it out of an experience I had in Wyoming. Some years ago I went out there to campaign against an incumbent Member of this body for whom I have the deepest affection, Senator O'MAHONEY. I sought to do the gentlemanly thing, and when I arrived at the airport in Cheyenne I called him at the hotel, I said, "JOE, I am in town." He said, "EVERETT, I knew you were coming, because I had seen the press accounts that the chairman of the senatorial campaign committee was to come and make a speech in behalf of my opponent." I said, "I would not think of appearing here without first calling you up and wishing you well." Then he said to me over the telephone something that I shall never forget. He said, "EVERETT, I wish you well and I wish you success in every endeavor that you undertake except the mission which brings you to Wyoming." [Laughter.]

So I must say to my distinguished friend, for whom I have an abiding affection, I cannot wish him well in the major mission to which he has set himself, because that is part of the American political scene, but I testify to our friendship, and I testify to that spirit of cooperation which has energized our relationship ever since I have been privileged to occupy our positions as majority and minority leaders. Not once, but a hundred times, he has said to me the Senate is a two-way street, and unless the leaders get along, unless they negotiate and cooperate, the Senate will become a shambles and a place of inaction, where the public business cannot be consummated.

And so, today, on his natal day, I wish him well, I wish him long life, I wish him length of years, I wish him happiness. In the language of a great Senator on the other side of the aisle, I cannot wish him success in the great mission to which he addresses himself, but in every other respect I testify to my affection for him.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I shall yield to the Senator from Oregon, but before I do so, I wish to say to the Senator from Illinois, the distinguished minority leader, that what he said about his experience in Wyoming is also applicable to the State of Montana, where, when he has come there to joust with the Democratic candidates, he has done so with courtesy and respect, and not on the basis of personalities or distorted facts.

I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I wish to commend the Senator from Montana for the speech he has made paying tribute to our great majority leader. I wish to associate myself with every word he has spoken. In my judgment, there is not a single Senator on the Democratic side of the aisle, and I suspect there is not a Senator on the Republican side of the aisle, who would not want to join with me now in associating ourselves with the Senator from Montana in the remarks he has made in a highly deserved tribute to the majority leader. Mrs. Morse and I not only wish LYNDON JOHNSON a happy birthday but we wish for him every good thing in life.

Surely no one in the Senate is a more qualified or competent witness to speak about the Senator from Texas in regard to his impartiality, his fairness, his generosity, and his kindness in dealing with colleagues on the floor of the Senate, than is the senior Senator from Oregon. I say that because over the years the record is replete with differences the senior Senator from Oregon has had with the Senator from Texas in regard to procedures within the Senate, in regard to doing business within the Senate; but never have they manifested themselves in any personal differences.

I have a feeling, I wish to say to my friend from Montana, that one of the most enjoyable compensations the Senator from Texas is going to receive when he becomes Vice President of the United States—and I am satisfied he will become Vice President in January—is that no longer will he have to give consideration to what is going to be the position or the attitude of the senior Senator from Oregon if he as majority leader follows some particular parliamentary course of action in the Senate. In fact, there is more humor in my remark than many in the Senate may realize, because at this very moment I can assure the Senate that the Senator from Texas has in the back of his mind the question of what he is going to do with the Senator from Oregon in regard to certain proposed legislation which may come before the Senate before we adjourn in the days immediately ahead. I wish to have my majority leader know that I had 14 hours sleep last night. That is the best evidence I can give him of the fact that he ought to ponder the question as to what he should do about some of the proposed legislation which I think should not be rushed through in the closing days of this session of the Senate.

As the Senator from Illinois has said, my relations with the Senator from Texas, whenever we do have any parliamentary differences, are exactly the same kind of professional relationship that exists between the two lawyers he described, who battled all day in the courtroom and then went out of the courtroom arm in arm. In fact, I have, on occasion, also gone to dinner with my opponents for the day.

I close by saying I wish to have the RECORD show the love, the affection and the high personal regard I have always held for the Senator from Texas. I wish for him many, many, happy birthdays.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Connecticut.

Mr. BUSH. Mr. President, I am privileged to join in the felicitations of the moment. I wish the majority leader,

our good friend LYNDON JOHNSON, many happy returns of the day. I wish to make it clear that I am not speaking of election returns, but I use the phrase in the customary sense of friendship when I say I wish him many happy returns of the day.

I also wish him many dividends of happiness which should go to a man who has been one of the finest practitioners of friendship I have ever seen. I venture to say he has more personal friends, more friends who admire him and hold him in warm personal regard, than any other Member of the Congress of the United States. I believe that his practice of friendship through a long life of hard work and devotion to his country has earned for him the right to expect dividends of happiness.

I certainly join with the assistant majority leader in many of the comments he has made, with my own minority leader in the sentiments he has expressed, and I express, finally, the hope that this great man may live a long, happy, and continued useful life.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Idaho.

Mr. CHURCH. Mr. President, I certainly wish to join in the felicitations which have been extended to our distinguished majority leader on his birthday. I concur wholeheartedly in the praise which has already been extended to him.

I think all of us in the Senate, who have witnessed his service at close hand, share the opinion that he is a very great majority leader, even as the country, which has watched from afar, acclaims him for standing in the front rank of those who steadfastly serve the public interest.

I think it might be appropriate on this occasion to refer to an earlier episode in the life of LYNDON JOHNSON which may not be so well known as is his service as majority leader of the Senate. It happens that he, as well as our candidate for President, the Senator from Massachusetts [Mr. KENNEDY], had war records of great distinction. Both served in the U.S. Navy during the Second World War. Both displayed exceptional valor. Both were in action against the enemy, covered by a good friend of mine, Mr. Frank Hewlett, one of the outstanding members of the present Washington press corps, who was then a war correspondent in the South Pacific. At my request, Mr. Hewlett has provided me with copies of two articles, written back in 1942 and 1943, recounting these remarkable combat records. I ask unanimous consent that they be printed in the RECORD.

I am most pleased, Mr. President, for this chance to participate with my colleagues in saying "happy birthday" to our great majority leader.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

JOHNSON'S VISIT TO NEW GUINEA AS NAVY OFFICER DURING WORLD WAR II RECALLED BY CORRESPONDENT

(By Jim Mathis)

WASHINGTON.—Every columnist gets to have a guest sometimes, especially when they are hard pressed. If ever this one has been hard pressed, it is now.

So to the guest, someone almost anyone would be proud to meet, Frank Hewlett, affable, able Washington correspondent for the Hawaiian papers, Washington State papers, and Salt Lake City papers.

Frank, whose offices are right down the hall from the Houston Post Washington office, was a war correspondent in World War II. He watched Corregidor and Bataan fall, followed Gen. Douglas MacArthur out of the Philippines.

Separated from his wife, he lived and worked throughout the war in the Pacific with the knowledge she was a war prisoner of the Japanese. The two both survived and now live in Virginia with their family. A happy ending.

A few days ago Frank recalled a reporting job on New Guinea in 1942 for one of the wire services.

At our request, he dug up an old faded carbon copy, and we reprint it here, courtesy of Frank Hewlett:

"SOMEWHERE IN NEW GUINEA, August 1942.—Lanky Texas Congressman LYNDON JOHNSON, on active duty with the Navy as a lieutenant commander, unconsciously used the time-worn phrase 'I was robbed,' as he stepped from a disabled twin-motored bomber which limped home late today from a Japanese raid.

"JOHNSON was the most distinguished passenger ever carried by this Martin Marauder Squadron, which has been in the thick of the fray for several months.

"He volunteered to go with them on a bombing mission to the big Jap base in the Lae area and made such a hit with the Army Air Force that they've nicknamed him 'RAIDER JOHNSON.'

"But during Monday's large-scale raids, in which extensive damage was done to Jap installations and our unescorted bombers had to fight off stubborn resistance from Jap Zeros, the plane on which JOHNSON was a passenger encountered engine trouble when only a few miles from the target area.

"The game Congressman, though unhappy about not getting to see the plane's bombs drop on the Japs, says he at least feels he is now better aware of the needs and problems of this area and can provide official Washington an enlightening report on the Southwest Pacific war theater.

"The flight was one of the highlights of my eventful life," said JOHNSON. "The pilot made a smooth takeoff with a heavy bomb-load and with a large formation we proceeded into Jap territory.

"Everything went OK until we were near Lae when a generator burned out.

"There were loud moans from the crew when the pilot said we must turn back to this advance operational base.

"Those game kids begged their skipper to continue and dump the bombs on the Japs, saying they were willing to take their chances of getting back despite the faulty mechanism.

"They were brokenhearted at their failure to get a crack at the Japs.

"What nerve. Why the Crocketts, Bowies, and Travises never had anything on those kids."

JOHNSON almost missed the flight because there wasn't a parachute with straps long enough to circle his frame.

He decided not to use a parachute when the pilot, Lt. Walter Greer, Russellville, Ark., said "Forget the chute. It won't do you any good anyway if we are nicked in the low level bombing you are going to experience."

Before continuing on from here in his inspection of New Guinea and Australian outposts, JOHNSON spent 2 hours here with Lt. Col. (Buzz) Wagner, chief of the New Guinea fighter command. They traveled through the jungles by jeep looking over allied installations and also inspected damage caused by the frequent Japanese bombing raids.

While in this area JOHNSON has been on a constant lookout for Texans. He reported finding scores of them in the past week, including a sergeant who lived on the same street as he does in Austin.

After the Pearl Harbor attack, JOHNSON stayed in Congress only long enough to vote for the war declaration. Then he was granted a leave of absence to go on active duty with the Navy.

JOHNSON said he doesn't know whether he is running for reelection for the House or Senate, since the Texas primaries filing date has already passed and he hasn't heard from home in several weeks.

HOW "IRISH LUCK" SAVED KENNEDY DURING WAR TOLD

(The following is a dispatch exactly as it was carried on United Press wires in the fall of 1943, when censors finally approved it, weeks after it had been written "somewhere in New Georgia," deep in the South Pacific. It was written by United Press War Correspondent Frank Hewlett, now Washington correspondent for the Salt Lake City (Utah) Tribune; the Spokane (Wash.) Spokesman-Review, and the Honolulu Star-Bulletin.)

("By Frank Hewlett)

"SOMEWHERE IN NEW GEORGIA, August 8, 1943.—The luck of the Irish and some first-class skill brought lanky Lt. (jg.) JOHN F. KENNEDY, son of former Ambassador Joseph Kennedy, and 10 of his torpedo boat mates from a brush with the Japanese and death today.

"SAVED LOS ANGELES MAN, TWO OTHERS

"A week after they had been lost and practically given up, another PT boat went through hostile waters to rescue them in response to an SOS scrawled on a cocoanut and carried through enemy lines by a native.

"Three men, including machinist mate 2c Patrick H. McMahon, 39, of Los Angeles, who has a son in the Navy, credited the 27-year-old KENNEDY with saving their lives.

"Their extraordinary adventure began the night of August 1, in Blankett Strait, just west of Kolombangara Island north of New Georgia. A Japanese destroyer bore down on the lead boat commanded by KENNEDY and manned by a crew of 12 and cut it in two.

"'I'm certain that destroyer was making 40 knots,' said KENNEDY. 'I summoned the crew to general quarters and then tried to get into position for a shot with the torpedoes. But we were too close.'

"The crewmen were flung into the water. Some were painfully injured. The gasoline went up in flames. One section of the boat didn't burn.

"CLING TO BOAT 12 HOURS

"'We clung to the unburned bow of the boat for nearly 12 hours,' KENNEDY said. 'And we left it only when it was just a foot above water.'

"They had drifted near a Japanese-held island that had a big garrison but a sudden shift in the current saved them and they finally reached a tiny, unoccupied island. But they were still surrounded by Japanese.

"McMahon, who was badly burned, said KENNEDY, a backstroke swimmer on the Harvard team before he graduated in 1940, towed him 3 miles.

"KENNEDY particularly lauded the work of Gunnersmate, Second Class, Charles Harris, Boston, Mass., who he said was invaluable throughout the ordeal, and McMahon, who remained cheerful and never complained though badly burned on the face, hands, and legs.

"SWAM OUT TO SEEK HELP

"Big, blond Ensign Leonard Thom, Sandusky, Ohio, and a former Ohio State football player, recalled how KENNEDY swam three times out to Ferguson Passage in hopes of intercepting a PT boat on patrol. He said the distance was several miles.

"Ensign George 'Barney' Ross said KENNEDY not only helped the injured by towing them through the water to their first island, but also moved them again to another island after the cocoanut supply, their only source of food and water, became exhausted. It was on this latter island that they found friendly natives.

"There KENNEDY scratched an appeal for aid on a cocoanut husk. A native carried it through the enemy lines to this base.

"RESCUED IN ROUGH WATER

"Last night in a PT boat under the command of Lt. Henry J. (Hank) Brantingham of Fayetteville, Ark., we went through rough water into Japanese-controlled waters to pick them up. Brantingham was a member of the famed squadron in the Philippines at the outbreak of the war which prompted the best seller book 'They Were Expendable.' There his boat evacuated Philippines President Manuel Quezon. He is now back in the fray with his own squadron.

"KENNEDY rowed out in a native canoe to meet us and guided our boat through a narrow reef to within a few hundred feet of the island. Rubber boats made two trips ashore and brought back the 10 other survivors, including the trio who needed prompt hospitalization.

"The injured are in the hospital and KENNEDY is now resting his weary, lanky body in his long vacant bunk which his mates never expected him to occupy again."

Mr. MANSFIELD. Mr. President, I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I wish to associate myself with the fine remarks of the assistant majority leader, the minority leader, and other Senators regarding our majority leader, LYNDON JOHNSON. It is interesting to note that the minority leader [Mr. DIRKSEN] and myself have served in a legislative way longer with the Senator from Texas than any other Members of this body. The Senator from Illinois was elected to the House of Representatives in 1932 for the session beginning in January 1933. I went to the House in January 1935 and the distinguished majority leader entered the House, as I remember, in April 1937. This has given me an opportunity through all the years to observe the ability and the leadership of the Senator from Texas. Those of us who serve in a legislaitve capacity learn to know the value of this leadership.

I had the privilege and honor of serving under three great Speakers—the Honorable Joseph Byrnes, the Honorable William Bankhead, and the present Speaker of the House, the Honorable SAM RAYBURN. They are all great parliamentarians. They are all great Americans.

I say today, as I have said on many occasions in my own State, we have been fortunate to have as the majority leader of the U.S. Senate, the able Senator from Texas. He is not only a great parliamentarian and a great American, but he is also able to pull together opposing factions and forces in a way which gives us legislation in the interest of this Nation. To me it has been truly a real privilege to have had the opportunity to serve with him in this body. I congratulate him on his birthday and I wish him well, as mentioned, in every way but one, which we all speak of rather lightly, I assure him.

Mr. MANSFIELD. I yield to the Senator from Tennessee.

Mr. GORE. Happy birthday, I wish to say, to a great American. Our distinguished majority leader has now proceeded to and reached the milestone which I reached last December 26.

This is the 22d year in which he and I have served in the U.S. Congress together. I think over those years we have averaged disagreeing with each other perhaps once or twice a year. Mr. President, I believe that is doing pretty good for a Texan and a Tennesseean. When we disagree, sometimes the fur has flown a little bit, but in 99.99 percent of the cases we have been shoulder to shoulder to the wheel.

I am happy and I rejoice in the achievements of my friend. He is not only the ablest majority leader the U.S. Senate has ever had, in my opinion—certainly that is so within my lifetime of knowledge—but also he is now honored by his party, the majority party, as the Democratic nominee for Vice President of the United States.

Mr. President, this is typical of America. A babe born not in the bullrushes, but in the bushes of Texas, the son of a stalwart pioneering father and a loving and able and devoted mother, has risen by his talents, by his industry, with the loving and able helpmate who is his honor and pride, to a pinnacle of emminence and power and love and affection in America.

Yes, happy birthday. It is indeed a wonderful birthday.

Mr. MANSFIELD. Mr. President, I yield to the Senator from California, the distinguished minority whip [Mr. KUCHEL].

Mr. KUCHEL. Mr. President, I find it difficult to summon appropriate words to express the sentiments that are in my heart for Senator LYNDON B. JOHNSON, a very great American, and a great leader of the Democratic Party.

When I first came to the Senate, almost 8 years ago, I made a friend of the distinguished senior Senator from Texas. I shall never forget the occasion upon which my beloved mother, who was Texas born and Texas reared, came to Washington for a visit, and the kindness with which he treated her. I shall always be exceedingly grateful for his kindness and his friendship to her, indeed, to all my family.

In addition, not once but on many occasions, the senior Senator from Texas, not as a partisan but as an American, has given me the invaluable aid of which he is capable, in my progress toward many of the legislative goals which I set for myself and for the people of the State of California, whom I have the honor in part here to represent.

LYNDON, I am very glad to call you a friend. I am glad to know you as a dedicated American and as a dedicated leader of your great American political party. In the campaign which lies ahead a vigorous battle will be waged. We on this side of the aisle intend to win. I believe we will win. But out of the mouths of none of us will ever come the slightest implication that in you there is any lack of patriotism or of ability. The sentiments which are iterated on the floor today come from the hearts of your colleagues. They are not touched by politics. They spring from feelings which have ripened from friendship to great affection as we go through the grueling days we spend in the Senate year after year.

I am very happy to say "Happy birthday" to my friend.

Mr. CLARK. Mr. President, from the advanced age 58, about to become 59, may I look down the years to that young, vigorous, and able friend and colleague of mine and say, "Happy birthday, LYNDON."

You are lucky to be yet as young as you are. I wish I were. I wish I had had in my years, which are longer than yours, all of the wisdom, experience, legislative ability, and qualities of leadership which you have shown. It has been my pleasure during the last 4 years to work with you in many a battle for liberal legislation, most of which we won. It has been my misfortune to work against you from time to time in battles, almost all of which I lost.

I hope that as time goes on the occasions when we shall work together will grow in number, and that there will be few occasions on which we work against each other. My only deep regret is that you will not be here next year except on those occasions when you sit up in the chair in which the distinguished Senator from Michigan [Mr. MCNAMARA] is now presiding, giving us the benefit of your talent as a Presiding Officer and your advice as Vice President of the United States. Our loss will be the country's gain.

Happy birthday, LYNDON.

Mr. JAVITS. Mr. President, I, too, would like to extend my congratulations and best wishes for a very happy birthday to LYNDON JOHNSON, whom I did not know very well in the House, but whom I discovered as an extraordinary and gifted personage in the Senate. Indeed, I think it is fair to say that even at my young age I feel the same way the Senator from Pennsylvania does. Looking down the vale of life from 56 to 52, even at this age, LYNDON is already a legend in this country—a parliamentary cyclone.

No one knows the truth of this legend better than we who have served here and have seen the extraordinary ability and the extraordinary decisiveness and clarity of mind which he displays in his parliamentary leadership. Indeed, I am moved perhaps a little differently from the way in which my friend, the Senator from Pennsylvania [Mr. CLARK], is moved to express the hope and expectation that he will be here next year, right where he is. [Laughter.]

I know that he takes that statement in good part and the good spirit in which it is meant.

Speaking entirely as a friend, we glory in the successes and preferments of our friends, and the mere fact that one is a nominee for one of the two highest offices

within the gift of our people is almost sufficient recompense for a full life in public service for ourselves and families.

LYNDON, I must share with you one reminiscence. I shall never forget when Senator JOHNSON met my wife. On that occasion he uttered what to me will always be an historic sentence, to be remembered in my whole family.

He said "JAVITS, the trouble with us is that we are overmarried." [Laughter.]

I think no tribute on his birthday would be happier than to couple him with Lady Bird as an inseparable team, in the spirit in which he uttered those words to me. That is exactly the way I feel about my wife, Marian.

LYNDON, a very happy birthday.

Mr. RANDOLPH. Mr. President, I should like to join in the gracious, generous and genuine words which we are hearing in this Chamber today in felicitation of our majority leader on his birth anniversary. My colleague, Senator ROBERT BYRD, of West Virginia, and I have often talked about the unfailing courtesy and the utmost cooperation which LYNDON JOHNSON has extended to us in the course of our studying and working toward solutions for problems of particular importance to the people of West Virginia.

Since BOB BYRD is not on the floor at this minute, I know that he would join in the expression of mutual respect and appreciation for the understanding which the majority leader has accorded to the Senators from West Virginia.

It was my personal privilege to have served in the U.S. House of Representatives with LYNDON JOHNSON. In fact, I was a Member when he came to that body. It has been my happy opportunity and my coveted responsibility to come to the Senate and to greet him once again officially as we serve together.

We have often heard of tall Texans. Today it is not enough to be tall in physical stature; it is more important to stand tall for those qualities of character which are formed with a mixing of courtesy, courage, and good conscience. These are the qualities which are in abundance in the successful career of our majority leader.

It was my good fortune to have been privileged to present LYNDON JOHNSON for an honorary degree at one of the excellent institutions of higher learning in West Virginia, Bethany College. On that occasion I spoke sincere words of tribute to this man whom today we honor.

I ask unanimous consent that brief excerpts from my introduction of our most energetic and most effective majority leader on that occasion may be included at this point in these remarks which I have been very happy to extend to my friend on his anniversary day.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR RANDOLPH

LYNDON JOHNSON has very appropriately advised his colleagues in the Senate on numerous occasions against impetuousness, and his characteristic phrase that "Any jackass can kick a barn down, but it takes a carpenter to build one," has had a salutary effect and has frequently produced results and accomplishments in legislative processes beyond expectation.

As the youngest majority leader in the history of the Senate when first elected, and as the leader during the longest period of divided government in our country's history, Senator JOHNSON has been a builder. Though the record is not as good as it doubtless would have been with a more cooperative Executive of the majority leader's party, the progress of the Senate under the leadership of the senior Senator from Texas has made for a record of steady achievements rather than opposition for its own sake.

LYNDON JOHNSON has met and conquered a range of difficult and complex problems seldom experienced by legislative leaders before him.

And at the same commencement exercise on June 7, 1959, Bethany College conferred upon LYNDON BAINES JOHNSON the honorary LL.D. degree, and among other items listed in the citation at the time the award was made were these: "His record in Congress shows that he did, and does, his own thinking; he is an individual who first collects the facts in a case and then makes his recommendations without fear and without respect to personalities involved; he is a man of prodigious energy—a man who has been ever alert to strike down intolerance whenever it has raised its ugly head; he is writing pages in the history of a great democracy."

Mr. MANSFIELD. I yield to the Senator from New York.

Mr. KEATING. Mr. President, I join in the felicitations to young LYNDON JOHNSON, as he answers Father Time's inexorable quorum call today. It has been an honor and a privilege to serve with our distinguished majority leader in the Senate of the United States. All of us salute his tremendous abilities and his distinguished performance. We all know that he would serve with equal vigor and distinction as a minority leader or in any other manner in which he might be called upon to serve his country.

The distinguished Senator from Texas has often been called, and properly so, a natural leader. We who serve with him know the truth of that judgment. I know it from personal experience, when he recently persuaded me to change an earlier decision I had made with regard to a unanimous consent agreement on a limitation of time to debate. We are all familiar with LYNDON'S persuasive abilities. It takes varied forms, but it is always close to our hearts, and sometimes close to our faces.

We know, too, that the majority leader is more than a natural-born leader. He is a natural-born friend, as well. He has demonstrated this fact on many occasions.

His charm and his affability are genuine and warm. His sense of humor and consideration for those with whom he works in the Chamber make it a pleasure to be with and work with LYNDON JOHNSON. Of course, it is also a source of pain in instances in which we are constrained to disagree with him.

Charm and talent, as we know, are two of the chief articles of export from LYNDON'S native State of Texas. I am happy that Washington has been blessed with such exports. The Congress, as is well known, has two wings, in both of which I have had the honor and privilege of serving. Mr. President, may I add that a Texan flaps both of these two legislative wings.

I spoke earlier of the warm sociability of the distinguished majority leader. I understand that he is a member of a great number of fraternal organizations, and a great number of clubs and lodges throughout the United States; but I understand also that there is one Massachusetts Lodge—with a capital "L"—that he stoutly refuses to join.

As one who has been off the gold standard for a good many years, I am pleased to note that LYNDON is a member in good standing of the "order of the silver strand." We heard about his silver hair just prior to the Democratic convention. The "order of the silver strand," unhappily, is closed to some until an appropriate notice of qualification appears. An exception is the distinguished present occupant of the chair, the Senator from Michigan [Mr. HART]. But the "order of the silver strand," to which I have referred, is one which we shall all get in sooner or later.

As a member of the opposition, in an election year, it might be misconstrued if I wished LYNDON JOHNSON many happy returns. But in a world where friendships always outlive campaign buttons, I can only wish for him many, many more years of happiness and pleasure and prosperity and success in every respect but one, and for ourselves many, many more years of the pleasure of his good company.

Mr. MOSS. Mr. President, I should like to add my tribute to LYNDON JOHNSON on his birthday today. Many of my colleagues will speak more eloquently than I, but none will do so with a greater degree of sincerity or heartfelt appreciation for the friendship of LYNDON JOHNSON.

I have not had the privilege of serving in the Senate as long as some of my colleagues, but in the short time that I have been here I have been inspired by his leadership and his guidance. I have been touched by his sincerity and his friendship and his concern about me and about all our fellow Senators. I have been warmed by his personal friendship and the friendship of his family, of whom we think when we think of LYNDON, because of the close and dear family friendship that they hold.

It has been said already that LYNDON is a legend in his lifetime. How true that is. One of the great privileges of my life is to have been associated with him in the Senate, and I look forward to a continued association as he presides over the Senate beginning next January. LYNDON, many happy returns of the day.

Mrs. SMITH. Mr. President, on August 23, 1958, I made a statement with respect to the majority leader and his record in the 85th Congress. Two years later, I think that statement is even more applicable with respect to his performance in the 86th Congress. I read from the RECORD of August 23, 1958:

As an American, I want to pay tribute to the distinguished majority leader. I know of no better way to express my feeling about

him than to say that in my opinion, he is the greatest majority leader the Senate has ever had in my time.

He has shaped a brilliant record for the 85th Congress. To do so, he has had to keep his amazing combination of talents of penetrating intelligence, overwhelming persuasiveness, unrelenting firmness and drive, and unexcelled understanding of human nature and of the mental composition of every Member of this body—keep all of these remarkable talents going at full force.

All of us know the tremendous mental and physical courage it has taken for LYNDON JOHNSON to do this. The best way to characterize his dedication to his job and his country is to use LYNDON JOHNSON'S own words that he has uttered to his friends when they have urged him to ease up a little and think more of himself and his health because we wanted him to stay around. To this he has replied, "I'd rather burn out than rust out." That in seven short words characterizes LYNDON JOHNSON more accurately than could hundreds of thousands of words in a book.

Mr. SYMINGTON. Mr. President, with pride and affection I associate myself with the remarks about one of the most able and remarkable men of our time. It has been my privilege to know LYNDON JOHNSON for many years. I do not believe there was ever a day in the years I have known him when he was not considering some action in the best interest of his country.

I recall the first time I ever met him, in the office of the then Under Secretary of the Navy, James Forrestal.

I believe LYNDON JOHNSON has done as much for the promotion of the public welfare as any man I know. His incredible parliamentary capacity is known to all of us. I agree, however, with the statement of the distinguished Senator from New York, however, that Senator JOHNSON, in effect, outmarried himself, and predict that, in the future history of this country, his wife will take a position comparable to that which some of the other famous, gracious ladies of this country, from Dolly Madison down, have taken in the history of the United States.

I congratulate LYNDON JOHNSON on his birthday, and join with the rest of his friends, on both sides of the aisle, in the hope he will have 52 more. He is a great public servant and I cherish his friendship.

Mr. JORDAN. Mr. President, I desire to associate myself with all the fine statements which have been made by Senators in tribute to LYNDON JOHNSON, the friend of every Member of the Senate.

Like the Senator from Utah [Mr. Moss] and some other Senators who have spoken, I have not been here so long as some of my colleagues. Nevertheless, from the first day I came to the Senate, I have had the finest cooperation anyone could have from LYNDON JOHNSON. His sympathetic understanding of the problems of freshmen Senators and his desire to help to solve their problems are kindnesses which are greatly prized.

I extend to LYNDON my wish for the happiest of birthdays and the hope that he will have many, many more in the Senate, in the chair of the Presiding Officer.

Mr. COTTON. I, too, should like to join in paying honor to one who is not only a beloved colleague but a great friend—LYNDON JOHNSON. I express personal appreciation for the many courtesies and kindnesses which he has shown me in the last 6 years, since I have been privileged to serve with him in this body.

As a member of the minority, and as one who came to the Senate as a freshman Senator after LYNDON JOHNSON became the majority leader of the Senate, I have often been impressed by his consideration of those who are beginners in this body and who ordinarily would not receive the meticulous kindness and courtesy which he has given as majority leader.

Certainly we all wish him well. We wish for him and his lovely wife and his family everything that will bring them happiness in life.

As one who used to serve as an attaché of this body in other years, when some of the great leaders of the past were in the seats of the majority leadership and minority leadership, and as one who has served with LYNDON JOHNSON during the last 6 years, I do not hesitate to say he is probably one of the greatest and most skillful party leaders who has ever served in the history of the Senate.

In my opinion, the work he does is so valuable not only to his own party, but to the welfare and legislative efficiency of the Senate and the country, that I pledge myself today to do everything in my power, in a friendly way, to continue his contribution as majority leader in the years to come.

Mr. BYRD of West Virginia. Mr. President, I am delighted to count myself among the friends of our majority leader, the distinguished senior Senator from Texas, the Honorable LYNDON B. JOHNSON.

The proverb says that "A man that hath friends must show himself friendly." I think that is the reason why LYNDON JOHNSON has friends. He shows himself friendly. As one Member of the freshman class in this great body, I personally can attest to the fact that LYNDON JOHNSON has shown himself to be a friend of the new Members of the U.S. Senate. I served in the House of Representatives for 6 years. I had heard of this man. I had the opportunity to observe him before I had the great honor to be elected to serve in the Senate. I understand that there was a rule that newcomers to the Senate would not be assigned to the more important committees. I also understand that LYNDON JOHNSON inaugurated a change in that policy and made it possible for new Members of the Senate, of the Democratic Party, to serve upon the more important committees. When my colleague from West Virginia [Mr. RANDOLPH] and I became Members of this body, we both sought assignment to important committees. Senator LYNDON JOHNSON, the majority leader, saw to it that we were assigned to committees upon which we could serve the best interests of our State and country. I cannot help feeling everlasting gratitude to our great majority leader, who has been so considerate of the new Members of the Senate.

Time and time again I have gone to Senator JOHNSON with problems concerning my State. In every instance, he has been considerate and has tried to be helpful to me. The people of West Virginia owe a great debt to the majority leader for his consideration and interest in the problems of their State, which he has so consistently shown and for his helpfulness.

One of Benjamin Franklin's favorite passages of Scripture was:

Seest thou a man diligent in his business? He shall stand before kings.

Our majority leader is one who is diligent in his business. I think he shall stand before kings I do not believe that his 52d birthday will mark the high tide of his rise in American politics. I believe greater things are in store for this man, because I have steadfast faith in the Creator of the universe, in Him who governs the destinies of all nations. He who has raised up leaders for every crisis in the history of our Nation, will do so again in this instance.

I have deep affection for LYNDON JOHNSON. I think Tennyson must have been correct when he said, "I am a part of all that I have met." A little poem comes to mind which, in support of Tennyson's thought, is most appropriate as it applies to the life of LYNDON JOHNSON, as we have witnessed and observed it here in our work with him.

MY NEIGHBOR'S ROSES

The roses red upon my neighbor's vine
Are owned by him, but they are also mine.
His was the cost, and his the labor too,
But mine, as well as his, the joy, their loveliness to view.

They bloom for me and are for me as fair
As for the man who gives them all his care.
Thus I am rich, because a good man grew
A rose-clad vine for all his neighbors' view.

I know from this that others plant for me,
And what they own, my joy may also be.
So why be selfish, when so much that's fine
Is grown for me, upon my Texas neighbor's vine.

Mr. President, I congratulate our majority leader on his 52d birthday. I join with my friends in the Senate in expressing the hope that he will have many more happy birthdays, and that we shall have the glorious opportunity of sharing them with him.

Mr. TALMADGE. Mr. President, will the Senator from Montana yield to me?

The PRESIDING OFFICER (Mr. HART in the chair). Does the Senator from Montana yield to the Senator from Georgia?

Mr. MANSFIELD. I yield.

Mr. TALMADGE. Mr. President, the short period of time that I have been in the U.S. Senate marks my first legislative experience. Prior to that time, my experience in government was confined solely to service in an executive capacity. The U.S. Senate, composed of 100 Members, of necessity contains individuals of various viewpoints. I doubt that there are in the Senate two individuals who would concur on all things that come before the Senate. Our own independent

thinking, the individual States that we represent, our understanding of what is in the public interest, must of necessity vary.

The majority leader certainly enjoys the warm friendship and the respect of every Member of the Senate, regardless of political party. Immediately after taking my seat in the U.S. Senate, I could not help but marvel at the capacity of the distinguished majority leader.

There are many outstanding and admirable traits about this great man, Mr. President. I would say the first is his friendliness. He has been a friend, indeed, to every Member of the U.S. Senate.

I would say the second is his energy. I do not believe I have ever seen a man who works as tirelessly and as diligently in performing his duties as does the majority leader. He is the only man I ever saw, in my judgment, who works approximately 18 hours a day, 7 days a week, and yet seems to thrive on that astounding volume of work.

I would say his third outstanding trait is his enormous ability. There are times when, because of various conflicts of interest and viewpoints, it seems that our party and—yes—the Senate and our country itself might be torn in twain by divisive interests.

Yet somehow the majority leader seems to coordinate the interests of these differing groups and to keep the majority party and the Senate working in a spirit of give and take, in the interest of the country.

The majority leader reminds me of another great man in the history of our country. I remember, from my earliest studies of the history of our country, the remarkable achievements of Henry Clay. It can be said of Henry Clay that, perhaps because of his ability as a parliamentarian, his diligence, and his foresight, he prevented the War Between the States from occurring for approximately 30 years. He was adept in promoting the interests of our country and in resolving the conflicts of interest and varying points of view in the U.S. Senate.

In my judgment, our distinguished majority leader comes nearer to following in the footsteps of Henry Clay than has any other man I have seen in public service. In my judgment, the majority leader has demonstrated outstanding capacity in parliamentary government. In fact, in the short period of time I have been in public service, I believe he has demonstrated the most outstanding capacity in that regard that I have ever seen.

Mr. President, it gives me great pleasure, on behalf of my wife, Betty, my family, and myself to felicitate the majority leader on his 52d birthday, and to wish him many more to come, and even greater public service in the future.

Mr. KERR. Mr. President——

Mr. MANSFIELD. I yield to the Senator from Oklahoma.

Mr. KERR. Mr. President, I am happy to participate in congratulating our distinguished majority leader on his 52d birthday.

As I look at him, I do not see anything that would permit me to understand how he could be 52 years old and yet look so young. Yet, Mr. President, as I think about what he does and about what he has done, I am surprised that he does not show much greater evidence of wear and tear in the service.

Mr. President, I appreciate what my colleagues have said about our great majority leader. I join in the sentiments they have expressed.

To me, the most outstanding of the characteristics of the senior Senator from Texas is his courage. In this time in the history of our country, Mr. President, there is no attribute more important to those who lead our Nation than undying, inflexible courage; and that can come only through faith—faith in God, faith in the institutions of our Government, and faith in our people. I glory in the courage of our majority leader.

Mr. President, a few weeks ago I was talking to a group of farmers in my State about LYNDON JOHNSON. Realizing that they had great admiration for him, I said to them, "Why do you go to the trouble of telling me how much you think of LYNDON JOHNSON?"

The leader of the group turned to me and said to me, "Senator KERR, we trust him—we trust him."

Mr. President, this is a time when the Nation needs courage in its leadership and needs a leadership the people trust. I am happy to pay this tribute to our friend and leader, by reason of the great courage he has and by reason of his many other attributes, as a result of which not only the farm people of my State but the entire rank and file of the citizens of my State trust him.

Mr. PASTORE. Mr. President——

Mr. MANSFIELD. I yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, it was only by chance that I happened to enter the Chamber this morning when these very much deserved encomiums were being heaped upon our mutual friend, LYNDON JOHNSON, on the occasion of his 52d birthday. I realize how fortunate I am that circumstances have brought me here at this particular moment, so I can participate with his many other friends in this Chamber in extending to him our felicitations on this very memorable day.

Mr. President, when the history of the last several years is written, I believe it will record LYNDON JOHNSON as one of the greatest majority leaders the U.S. Senate ever had; and when the history of the achievements of this century is recorded. I believe it will also be written that LYNDON JOHNSON played a very important part in the development of this great democracy of ours.

Mr. President, I believe that the rare ability and enduring qualities of our majority leader will be engraved and indelibly imprinted on the hearts of all those who have had the honor and the privilege of serving with him as Members of this body.

LYNDON JOHNSON is a very alert man and a very courageous man, as has already been pointed out here. He is a leader without peer. But above and beyond all that, Mr. President, he is a good man, a good friend, one who has compassion for the burdens of others, one who has consideration for the humble, one who has great understanding that brings about great friendship between himself and many, many others in our society of today.

Mr. President, on this occasion I should like to say to my good friend, LYNDON JOHNSON, how fortunate all of us are to have him here over these years and to have his guidance, his counsel, his help, and his friendship.

LYNDON JOHNSON is known to us as a man devoted to home and family. In all the stress and strain of our daily labors here, with all the responsibility of leadership, he has somehow invested all of us with some sense of family ties. He has never forgotten our little troubles and our little hopes. He has earned an affection that is not political nor partisan—but genuinely personal, intimate and precious.

Speaking for myself and for my family, I extend to him and to all his loved ones many, many best wishes and many happy returns of this day, as I had occasion to say once before, ad multos annos.

Mr. MANSFIELD. Mr. President, I am sure that if the distinguished majority leader had known what was going to happen on this Saturday, he would have agreed with the plea and the request of the distinguished minority leader on yesterday that we go over the week end until the following Monday. But it is now too late, and may I say I am glad that request was not agreed to.

In the early days of Texas history, many Tennesseans went to that area before it was a Republic, while a Republic, and after it became a State and helped develop it eventually into an empire. Less than a month ago, a Texan reversed the process and journeyed to Nashville, Tenn.; and there that Texan, who happens to be the present majority leader of the Senate of the United States, made what I think will be the outstanding statement of this campaign, and, if I may say so, the outstanding statement in any campaign which has been made in the past or may be conducted in the future. He said:

> Wherever I may go, I will never speak as a southerner to southerners, or as a Protestant to Protestants, or as a white to whites. I will speak only as an American to Americans, whatever their region, religion, or race.

The PRESIDING OFFICER (Mr. HART in the chair). I hope that my colleagues will let me do violence to the Senate rules. I know the Presiding Officer is not permitted to speak, from the chair, but I should appreciate the courtesy to be permitted to add my good wishes to the majority leader on his birthday. I hope this year will be climaxed by his occupying by right the seat which I temporarily occupy.

Mr. JOHNSON of Texas. Mr. President, I shall not detain the Senate. I hope that I may be forgiven for having had this birthday and for having taken this much time from the public business. I would not be human, however, if I did not say I treasure these friendships

and these expressions of friendship from both sides of the aisle, the men and woman with whom I work each day.

As you my colleagues were speaking, I thought of the moments when I had brought irritation to them. I thought of the moments when I had been irritated. I thought of the moments when perhaps I had been arbitrary. I thought of the many times—I hope not too many times—when I might have been overzealous and partisan. I hope that all of them know how much I appreciate their overlooking these deficiencies and the many weaknesses I possess.

As long as I live, I will remember with gratitude the time my colleagues took and their expressions today; and when I am gone, I am sure my children will love you all as I do. [Applause, Senators standing].

Mr. DIRKSEN. Mr. President, I must bring to my distinguished friend a note of comfort on that point. There is a couplet—I do not know whether it is from Pope or Dryden, but from one of the English poets who lived long ago—which I think goes something like this:

All discord, harmony not understood;
All partial evil, universal good.

So it is only our own frailty that sees it in that light; and we do wish our distinguished friend every happiness and every success.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, may I add a word of my very real respect, friendship, and admiration for the majority leader. I am sure there are times when he certainly has reason to feel that the junior Senator from Pennsylvania is perhaps not all that he should be in his views and some of the things he says, for which I hope he will extend to me Christian charity; but I have for him complete admiration and great respect. I think he is one of America's great men; and I do not want this opportunity to pass on this his birthday without saying I have for him a heart full of affection.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the Senator from Vermont.

Mr. AIKEN. I realize nobody really likes a birthday after he reaches the age of 14, but we do not seem to be able to escape them. As a matter of fact, after we have been through one ourselves, we begin to take a little malicious enjoyment when somebody else has one, and particularly when it is the majority leader of the Senate.

Birthdays are a great leveler, Mr. President. All the small people of the earth have birthdays, and after they reach a certain point they do not like them. Then when they realize that all the important people of the world have to have birthdays, too, as well as the small people, they say, "In one respect we are as good as they are."

I would not wish that the majority leader should have birthdays. I wish he could avoid them. But he does pretty well in avoiding the appearance of having had them.

I want to pay my respect to the majority leader. He has been a really great leader of the majority party, and with a two to one majority, we might say he has been a truly great leader of the Senate, with due respect to our own great minority leader who has yielded to me.

So I want to say I am happy for the Senator from Texas that this birthday finds him in particularly good health. He is particularly fortunate these days in realizing the ambition of most Members of the Senate—of being able to get his name in the papers very frequently. So I just want to join with other Senators in wishing our beloved and respected leader of the Senate the best of health and a great many more birthdays in the future.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the distinguished Senator from Tennessee.

Mr. KEFAUVER. Mr. President, it has been my privilege to know the distinguished majority leader during the time he has had 22 birthdays. He came to the House of Representatives 24 years ago. I had the privilege of coming 2 years later. Every birthday he has had has represented a useful year and a year in which he has worked hard, a year in which he has accomplished much, and a year in which he has endeared himself to his friends both in the House and in the Senate and throughout the country.

After all of these hard and strenuous 22 years that I have known of his activities, I certainly hope he will live many more happy and useful years, during which he will always have our appreciation, and certainly my appreciation.

Mr. MURRAY. Mr. President, today, August 27, is no ordinary day; it is the birthday of one of the greatest Americans ever to appear in the political arena since the Founding Fathers wrote the Declaration of Independence and the Constitution of the United States.

It is the birthday of LYNDON B. JOHNSON, the most persuasive, the most efficient, the most charming, and the ablest Senate majority leader in the history of our Nation.

When the history of these troubled times in which we live is written, the name of LYNDON BAINES JOHNSON will loom large and many chapters will be required to record the role he has played to keep strong the military sinews of America and to preserve the American way of life.

When I retire from active participation in the drama of this hallowed Chamber next January, it will be with a deep feeling of pride that I have worn, and shall continue to wear, in the deep recesses of my heart the brand "LBJ."

LYNDON, an old man like myself can say with complete propriety, and I do say, I love you for what you are and for what you are doing and will continue to do for our country.

May you enjoy as many birthdays as it has been my privilege to observe, and I want you to know that when you are inaugurated next January as Vice President I will be thrilled by the knowledge: there stands a man it was my privilege to work with and serve under his leadership.

Mr. YARBOROUGH. Mr. President, I rise to congratulate the able and distinguished majority leader, the senior Senator from Texas, my colleague, the Democratic vice-presidential nominee, LYNDON BAINES JOHNSON, on his 52d birthday.

LYNDON JOHNSON was the youngest majority leader in the history of the United States, and he is the only majority leader that my home State of Texas has ever had the honor of sending to the U.S. Senate.

Mr. President, the family history of LYNDON JOHNSON is entwined with the history of Texas. His ancestors pushed forward on the wild, new, raw frontier when there were less than 30,000 settlers in Texas—counting both English speaking and Spanish speaking people. LYNDON JOHNSON'S pedigree is older than Texas as a State of the Union. His ancestors fought under Sam Houston in the Battle of San Jacinto. One ancestor was a president of Baylor University. San Jacinto and Baylor are words embedded in Texas history, and tied with mystic meaning to the history of the Republic of Texas.

It is small wonder that LYNDON B. JOHNSON is a bold, venturesome man, trying new techniques, new methods, and new approaches to solve both new and old problems.

The majority leader is a far more modest man than anyone knows. I point to one instance, although I know of many. In his biographical sketch in the Congressional Directory he is listed as holding an honorary degree from a University in Texas. I personally know of four honorary degrees he holds from four senior universities in the United States, located in three States. He may hold more. I personally happen to know about those four, and he held them before this edition of the Congressional Directory was published. He has not revised his biographical sketch. He is listed as holding only one honorary LL.D., when I know he holds four.

That is only one instance of his modesty. I might cite more.

At a youthful age of 52, LYNDON JOHNSON is at the threshold of his career. No one can yet foretell what his full accomplishments will be, and not even LYNDON JOHNSON can foretell what the future may hold for him.

I congratulate my colleague from Texas on his accomplishments in the first 52 years of his life.

Mr. JOHNSON of Texas. I thank my friend.

Mr. WILEY subsequently said: Mr. President, I am sorry I was not present earlier this morning when the Senate turned to the pleasing task of paying credit to and praising the senior Senator from Texas. I personally feel it is an opportunity for all of us to say something about a great leader, a distinguished majority leader of the Senate.

Mr. President, I welcome this opportunity to pay warm tribute to the distinguished majority leader on his 52d birthday.

To all of us who know, respect and esteem him, this is particularly gratifying, since the distinguished Senator, not too long ago, experienced "valley of the shadow" only to return to us, hale and hearty, ready to give his all to his country.

As leader of the majority party of the Senate, the Senator has written what I sincerely believe is a record of outstanding service for the people of his great State of Texas and the country.

According to rumors, however, the statesman from Texas is striking out for "higher grazing ground." But as majority leader he has rendered such fine service that I would be disheartened to see him leave the post, except, perhaps, without reflecting or demeaning his great ability, to see him assume the post of minority leader.

Across the country, the initials "L.B.J." are becoming more widely recognized as the brand of the statesman from Texas.

With no disrespect to the distinguished Senator from Massachusetts, I personally feel that the original connotations are far more significant than the new meaning of the abbreviation, "Let's back JACK."

As a fine gentleman, as an outstanding leader of the Democratic Party, and, as a great citizen, dedicated to the service of his country, I join with his many friends in extending heartfelt greetings and felicitations to the distinguished majority leader and his wonderful wife, Lady Bird.

Moreover, I trust that I shall have the pleasure, opportunity, and benefit of serving many more years with him in the U.S. Senate.

THE NATIONAL DEFENSE

Mr. COTTON. Mr. President, though I listened carefully to the speech of the distinguished Senator from Missouri [Mr. SYMINGTON] on national defense yesterday, I find after I left the floor, when he was engaged in colloquy, he asserted that the figures I had used the day before in connection with the missile program were incorrect and misleading, and undertook to correct them. My figures were taken from a table prepared by Research and Development Branch, Budget Division, Office of the Assistant Secretary of Defense, February 15, 1959.

I was speaking of intercontinental ballistic missiles and gave the amount of expenditures from 1945 to 1952. The Senator from Missouri "corrected me" by giving the figures on surface-to-surface missile programs in 1953. I used the figures on all missile programs in fiscal 1953. The Senator from Missouri "corrected me" by giving the figures for fiscal 1954.

The Senator is, of course, privileged to use any periods and types of weapons he desires in proving his point. But he is hardly justified in suggesting that my figures are wrong because he chooses different periods and different types of weapons.

On the point of whether the Eisenhower administration is the administration that let our defense deteriorate, I will now quote the words of a great and patriotic Democratic Senator, the senior Senator from Alabama [Mr. HILL], found in the CONGRESSIONAL RECORD for July 22, 1953:

> From 1947 to 1949, the Air Force sacrificed, entirely because of lack of money, fully half its research and development programs. The record will reveal, and a sad record it is, that in this period not one new aircraft or guided missile project was initiated by the Air Force. * * * If in those years the Defense Department had maintained an aggressive approach to airpower research and development, we might not have found ourselves in Korean combat with obsolete, piston-engine aircraft.

All this is unnecessarily emphasized. The distinguished Senator from Missouri was a great Secretary of the Air Force. His contributions to recent debates have been the kind of criticism which we should always have to keep our defense activities alert. However, I must deplore the unbridled attacks of many leading Democrats on the defense activities of an administration which is racing with the Russians into outer space, which is excelling them in bombers and carriers, and which has placed a new and unequaled weapon beneath the surface of the sea.

Political claptrap is a byproduct of our great system of free elections, indulged in at times by all parties, and is usually harmless.

It is not harmless to tell America and the world that we have become a second-rate power. That is harmful, and that is not true.

Mr. SYMINGTON. Mr. President, the Senator from New Hampshire knows that I have considerable respect and affection for him. I was simply trying to get the facts straight to the best of my ability.

I believe the figure the Senator has in mind should be $2,284 million, for the period 1946 through 1952. When fiscal year 1953 is added the total becomes $3,450 million.

Mr. President, may I have the attention of the junior Senator from New York [Mr. KEATING] on this subject. Yesterday the junior Senator from New York asked why I did not even offer an amendment to increase our defenses to the extent of the $3½ billion I had recommended. The fact is that I presented a series of amendments to the Senate Subcommittee on Defense Appropriations, of which I am a member, and also to the Senate Committee on Appropriations. These amendments totaled $3½ billion. Moreover, I accompanied the proposed increases with an explanation of the need for the funds.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a copy of the document which I submitted last May to each member of the Senate Subcommittee on Defense Appropriations.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY

Following is a summary of my recommendations for the three services. In total, they call for the addition of $3½ billion over and above the President's request:

Army	
Procurement	$800,000,000
Personnel	90,000,000
Operations and maintenance	30,000,000
Total	920,000,000
Navy	
ASW	$465,000,000
Polaris	241,000,000
Marine personnel	34,500,000
Marine O. & M.	5,500,000
Total	746,000,000
Air Force	
Airborne alert	$415,000,000
B–70	360,000,000
Strategic missiles	900,000,000
Space projects	159,000,000
Total	1,834,000,000

ARMY

For many years I have been stressing the inadequacy of our ground forces to meet the scores of commitments we have all over the world.

The deficiencies of the Army are primarily—lack of mobility, obsolete equipment, and lack of adequate combat troops.

The Soviets have completely modernized their armies since World War II. In some cases they have done so twice.

More than half of their 175 divisions are armored.

The Soviets have equipment to mobilize 125 more divisions within 30 days.

The U.S. Army has 14 divisions which are combat-ready. Only three of these are armored.

There is general agreement among experts that our ground forces are not equipped to carry out the missions assigned them.

I recommend the following additions to the appropriate items in the fiscal year 1961 budget for the Army:

1. Eight hundred million dollars over and above the budget request for the procurement of new equipment. A high priority list has been submitted to the appropriate committees of both Houses.

2. One hundred and twenty million dollars over and above the budget request for increasing Army personnel strength from 870,000 to 925,000. This calls for adding $90 million to the Army personnel item, and $30 million to the Army "Operations and maintenance" item.

NAVY

The Soviets have 450–500 submarines. They are credited with more submarine missile launching capability than we have. Therefore the antisubmarine warfare mission is one of the major jobs in the Navy. Unfortunately, the Navy has major deficiencies in this area.

Antisubmarine warfare capability should be increased on a high priority basis.

I recommend an increase of $465 million over and above the budget request for building up our capability in this field.

This money would provide additional attack submarines, specialized aircraft, sonobuoys, torpedoes, mines, depth charges, and a wide range of electronic equipment.

Based on the same principle pointed up regarding the need for additional combat

troops for the Army, I also recommend an increase in the personnel strength of the Marines from 175,000 to 200,000.

The increase in Marine personnel strength calls for $40 million over and above the amount requested in the budget. It would be divided into $34,500,000 for the military personnel account, plus $5,500,000 for the Marine Corps operations and maintenance account.

The Polaris submarine missile system has the merit of increasing the variety of our strategic retaliatory strength, at the same time increasing the uncertainty and the number of targets on the part of the potential enemy.

Provided the letter of April 27 written to the Secretary of Defense by Senator ENGLE is answered satisfactorily therefore, I recommend an increase over and above the budget of $241 million, the amount added for that purpose by the House.

AIR FORCE

The Strategic Air Command of the Air Force is, and will continue to be, our major source of retaliatory strength.

This command now controls approximately 90 percent of the nuclear retaliatory strength of the free world; and there is no indication this percentage will lessen in the future.

With the growing superiority of the Soviets in ICBM's and ballistic missiles of other ranges, and with their reported activity in a supersonic bomber, there is the danger of a growing relative deficiency in our strategic retaliatory strength.

Since there are very long lead times involved, it is essential that we act now to forestall the development of such deficiencies.

As an umbrella of protection while we may attempt to catch up in the ballistic missile field, we must have the SAC airborne alert capability recommended by General Power, SAC Commander.

It is not sufficient to say that the President already has authority to use emergency funds for such purposes. Rather, as our position becomes more critical, it is the responsibility of the Congress to express its intent; and to take all action possible within its authority to see to it that such a capability does exist.

Therefore, I recommend that the Congress appropriate, over and above the budget request, a sum of $415 million for the development of this airborne alert capability.

The $415 million would be an addition of $332.2 million for procurement, $54.8 million for O. & M., and $28 million for personnel.

The role of ICBM's in our future defense posture will increase. But there will always be an important role for modern manned aircraft.

The B–70 is the only project, sufficiently advanced, which would prevent us from losing the race for manned bomber development to the Soviets (and therefore the race in commercial transports).

But this B–70 has been cancelled on the grounds we cannot afford to continue its development.

I recommend that the Congress appropriate $360 million above the budget request, to move on with the B–70 project.

It is now clear the Soviets have gained operational capability ahead of us in the ICBM field and will continue to have that advantage over a period of years.

I recommend therefore that the Congress appropriate $900 million over and above the budget request for acceleration of the Atlas-Titan, the Minuteman, the Hound Dog, and the Sky-Bolt programs. Acceleration in the development of these weapons systems is essential if we are to develop and maintain an adequate strategic retaliatory strength, with land-based and air-based missiles.

Particularly in view of the curtailment of our air reconnaissance activities, it is even more necessary that we accelerate our space efforts for obtaining warning and other needed information regarding possible attack.

Therefore, I recommend that $159 million over and above the budget request be appropriated for the Midas, Samos, and Discoverer projects.

Mr. SYMINGTON. Mr. President, the presentation of this document contributed in some measure to the large increase which the Senate committee did add to the budget request. It is true, as the figures bear out, that the additions did not total the amount I had recommended.

The junior Senator from New York placed in the RECORD a table which gave the annual figures for missile programs from 1946 to 1960. The Senator says the table shows the Government spent only $3.6 million during the years 1946 to 1952 on our long-range missile program. It is apparent the Senator is not aware of the fact that those figures do not include the large expenditures for the Navajo and for the Snark, both of which were intercontinental range missile programs. The Snark, incidentally, is now in operation.

For example, in the year 1952 alone, over $100 million was spent on these two missile programs. Moreover, as I pointed out in my statement yesterday, from 1946 through the last budget of the previous administration the funds for surface-to-surface missile programs alone totaled $1.012 billion, and the total for all missile programs during that same period was $3,450,000,000.

Mr. President, I would hope that these figures, which have been used a number of times, which I now present correctly, will be presented correctly in the future. It seems to me, however, that rather than continuing to talk about the past, we should all get together to work constructively for the future.

Mr. KEATING. Mr. President, it is true, with reference to the first point, that I did invite attention yesterday, after the speech of the distinguished Senator from Missouri, to the fact that the actual increase in the defense appropriations by the Congress over the President's request was approximately $1 billion, whereas the distinguished Senator from Missouri had contended in and out of this body—indeed, with great kindness and friendship on the television program which I have in New York State—that the increase should be $3½ billion. I have no doubt that this presentation to the committee was extremely helpful, because he is well aware of the defense picture and has studied it very thoroughly.

Mr. President, we have heard a great deal of criticism of the President and of his military advisers, as well as others, for a purported failure to appreciate properly our defense needs. I was making the point that the defense of our country rests not only with the Chief Executive, with the Department of Defense, and with their advisers, but also with the Congress of the United States, which provides the money for defense.

It seemed to me—I did not put it as strongly as this at the time—that if the distinguished Senator from Missouri felt that $1 billion was not sufficient and that the increase should be $3½ billion, he should have presented an amendment to the Senate when we were considering the Defense Department appropriation bill. Of course, if the Senator committed himself to the Committee on Appropriations not to do so in the event the committee accepted a part of his recommendations, that is thoroughly understandable. That is a situation we often confront when we make presentations to Senate committees.

Certainly there is a wide difference between $1 billion and $3½ billion. I think the point is well taken that the distinguished Senator from Missouri, whose views I am sure are sincerely held, must have concluded that both the Senate and the House, controlled by his party, were not in accord with his views and were not prepared to go as far as he thought they should.

The second point which the Senator from Missouri made has passed from my mind. I know he made a second point.

Mr. SYMINGTON. Mr. President, I shall refresh the distinguished Senator's memory. I suggested that the figure that was used for the missile picture was incorrect in that the long-range missile figure did not include either the Snark, which is still going and is in operation, or the Navajo, which was ultimately abandoned for the introduction of the hydrogen bomb as a warhead, because the ballistic missile was preferred at that point instead of a supersonic guided missile. So long as these figures have been used consistently, I thought the Senator would like to have me insert them in the RECORD.

Incidentally, he is correct in that I do not think we would have gotten anything like the increase that we did in the final appropriation if I had not made this presentation to the subcommittee and to the full committee of the Senate Appropriations Committee. I believe if he will check the RECORD, however, the Senator will find the increase in what the Congress appropriated over and above the request of the President is around $600 million plus instead of $1 billion.

Mr. KEATING. Mr. President, I am glad to be corrected in that regard. Of course, it is typical of the accuracy and fairness of the Senator from Missouri. He has made my case all the stronger in that regard.

If there are any errors in the table which I inserted in the RECORD, yesterday, I shall certainly correct them on Monday, and have the figures accurately stated. It is a table which I placed in the RECORD some time ago. I had not been informed that it was erroneous. I shall check it. It came from what I consider an authentic source. If there are any errors in it, I shall deal with that question on Monday.

FRIGHTFUL CALIFORNIA FOREST FIRES URGENTLY REQUIRE MAXIMUM FEDERAL ASSISTANCE

Mr. KUCHEL. Mr. President, before concluding this session, the Senate will, as usual, pass on a final supplemental appropriations bill. I greatly hope that in this measure provision will be made for urgent activities by the U.S. Forest Service to remedy the tremendous damage wreaked on public lands in California and other Western States by a furious rash of recent fires. The Forest Service tells me this is the worst fire season in 30 years, with a frightful loss of watershed and timber, and a prodigious loss in money.

Recently, I called to the attention of the Senate the frightful damage which has been sustained in my State of California alone. At that time flames had roared through more than 82,000 acres. Some of this was covered with rich timber, some of it was sparsely-covered but comprised inestimably valuable watersheds surrounding the thickly populated communities of southern California.

Subsequent to those remarks, a new series of horrifying fires has occurred in the high Sierra. Homes and farms have been destroyed. Recent newspapers carried accounts of the destruction of electric powerlines, which resulted in a weekend blackout for a major city of Nevada, Reno, and many adjoining communities.

Within the past few hours, reports have filtered back from the battlelines that prospects have improved for bringing the latest blazes under control. This I fervently hope. But latest estimates were that 167,000 acres have been ravaged so far this year. The major fires up to Thursday had devastated 34,000 acres at Donner Ridge and 23,000 in the volcano sections of Tahoe National Forest, plus several thousand acres of adjacent private land.

The consequences of these forest fires are staggering. The cost is almost incalculable. For generations to come, our Nation will suffer, because the destruction of timber cannot be remedied overnight. The effect on water supplies, needed for power generation and for agriculture downstream, cannot be measured in dollars. Recreation facilities enjoyed by great numbers of outdoor-loving Americans are blackened, sickening eyesores.

The cost of extinguishing such blazes is, itself, a not inconsiderable item of expense. For the Federal Government alone, the cost in the fiscal year 1960 exceeded $25 million. At the rate fires are occurring in the year which started less than 2 months ago, it is very likely—we pray that favoring weather conditions will prevent such a result, but certainly the outlook is not good—that the 1960–61 outlay for fire suppression may reach record heights. To these figures must be added, of course, the fire-fighting expenses of States, counties, cities, water districts, power companies, lumber companies, and a host of others who invariably pitch in to preserve property and extinguish the blazes.

The immense effort involved in controlling fires of the size that have hit my State lately is almost beyond description. It strains the imagination. The Forest Service has had the unselfish assistance of large numbers of volunteers. The armed services have responded, as always, promptly and without stint, so that as of the middle of the week some 1,700 men from the Army and the Air Force were on the fire lines in the Tahoe Forest. The Sixth Army and the Fourth Air Force were rendering invaluable assistance.

The direct expenditure for the Forest Service in fighting Western fires since July 1—less than 2 months of this fiscal year—already had come within a couple of million dollars of the aggregate for the entire 12 months of the year which closed June 30. The approximate figure was a staggering $23 million, with 10 months more to go in the fiscal year and several more weeks before the rainy season arrives to reduce the threat.

The Federal costs alone would seem to warrant Congress in giving promptly the most intensive consideration of the need of strengthening our fire prevention methods and forces. In the next Congress I hope our Interior Committee will give this problem early attention.

Largely because the chairman of our Appropriations Committee comes from a Western State and has thorough appreciation of the vital necessity of preserving natural resources, such as our forests, some increases in funds have been voted during recent years for this purpose. However, the additional amounts have been insufficient to do much which requires doing—in justice to future generations of Americans as well as to people who may any year, any day, be menaced or injured by recurrent forest fires.

I would like to point out that earlier this year, the Senate added approximately $3,500,000 to the amounts voted by the House for forest fire prevention. Beyond that, Congress voted a sum of $1 million to rehabilitate recently burned areas. In passing, I should like to comment that this latter figure is a pitifully small amount and by no means can finance the planting of trees in quantities needed to replace all those destroyed by 1959 blazes.

To my great regret, the conference on the Interior-Forest Service appropriations bill this year reduced the amount for this vital purpose.

Likewise, it was impossible to win the approval of the other body for an item of $900,000 which the Senate provided to initiate construction of a long-urged forest fire research laboratory which everyone concerned with management of forest resources considers imperative if techniques of fire prevention and fire suppression are to be improved.

The conference agreement provided only $4 billion of the $12,336,100 which the Senate added for forest land management purposes and only a portion of this went to the fire-prevention activities for which $3,500,000 had been intended. I submit that this type of economy is, to say the least, shortsighted.

It was gratifying that, as a result of congressional action, the Forest Service was able to earmark for fire prevention in California this year $5,025,000. This compares with $4,795,000 for the entire State in fiscal 1960. Considering the acreage embraced in California forests, considerably more money could be justified to preserve our timber, watershed, and recreational resources of immense worth.

I have tried to obtain meaningful figures showing what the recent fires so far mean in terms of losses. Many of these are unmeasurable, such as the interruption to traffic by closed roads. But the admittedly incomplete report furnished by the Forest Service on the basis of damage up to the middle of the week estimates the measurable losses approach $19 million so far this fiscal year from 1,098 separate identifiable blazes. So, together with the direct expenses of firefighting, to the Federal Government and overlooking the manhours contributed by military forces, the cost of California fires exceeds $30 million in less than 8 weeks.

As a member of the Senate Appropriations Subcommittee on Interior and Forest Service items, I have been working the past 2 years for more adequate funds for fire prevention. It was gratifying to me that some increases were voted by the Senate but it is disheartening that concessions on these desperately needed items had to be made in conference. I trust that the shocking object lesson now apparent in California about the undeniable necessity for increased manning of forest staffs, for additional equipment, for greater utilization of aircraft, and for other measures such as a longer fire-watch season to counter the ever-present danger will not be ignored by Congress next year.

NOMINATION OF ROBERT A. BICKS AS ASSISTANT ATTORNEY GENERAL OF THE UNITED STATES

Mr. KUCHEL. Mr. President, it will be a sad and ugly commentary on this session of the Congress if the U.S. Senate fails to act on the nomination by President Dwight Eisenhower of Robert A. Bicks to be Assistant Attorney General of the United States in charge of the Antitrust Division. Some allege, so I hear, that Mr. Bicks has been too zealous in discharging his great responsibilities. I do not know whether that statement is true or not. I do know that he has been highly commended by the attorneys general of the States of this Union, both Democratic and Republican, for the competence and the efficiency with which he has discharged his heavy responsibilities to the American people. I do know he has the faith of the U.S. Attorney General, and of the President who nominated him.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. KUCHEL. Not now. I do not quarrel with a Senator for objecting to any nomination by any President to an office which requires approval, under the

Constitution, of this body. However, I urge and implore the Senate Judiciary Committee to take a vote on this nominee and to send his name to the floor where the Presiding Officer, I and our colleagues can arise and debate the competence of this Presidential nominee, if, indeed, that is an issue, and then to do that which we have come here to do—stand up and be counted one way or another with respect to this important nomination. I think the simple duty of the Senate requires no less than giving us an opportunity to discharge our responsibility.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. KUCHEL. Not yet. My mind runs back to 1953, at which time the President of the United States saw fit to send to the Senate the name of a distinguished American statesman to be U.S. Ambassador to the Union of Soviet Socialist Republics. His name was Charles "Chip" Bohlen. I did not know him then; I do not know him now. I do not know Mr. Bicks. Some Senators believed that Mr. Bohlen was not the person to discharge the responsibilities of the office to which the President had nominated him. I did not quarrel with their right to that view. To the contrary, however, on the basis of the record, I believed he was admirably qualified to discharge his responsibilities. To the floor of the Senate went the name of that nominee. A debate, sometimes impassioned, took place. The final roll was called, and those who believed that Dwight Eisenhower was right voted to confirm the nomination, and they happened to be in the majority. Thus, Mr. Bohlen's nomination was confirmed. Those who believed the President was wrong voted against Mr. Bohlen, as they had a perfect right to do.

My plea is a simple one. I urge, entreat, and implore the chairman and the members of the Committee on the Judiciary to bring the matter to a vote, and then let the Senate, in these waning days of this session, pass their own judgment on him.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. KUCHEL. Not yet. The attorneys general of New York and California, Texas and Massachusetts, Wisconsin and Maine, Iowa and other States, all have joined in giving high praise to the official labors of this Presidential nominee.

The attorney general of my own State of California, who, I may say parenthetically, is not a member of my party, has lauded the labors of this servant of the people. I ask unanimous consent that a letter which the attorney general of California wrote to me, under date of August 20, 1960, be printed in the RECORD at this point in my remarks, together with sundry telegrams which the Attorney General of the United States has furnished to me, addressed to him or to his office, and signed, respectively, by the attorney general of Maine, the attorney general of Texas, the attorney general of New York, the attorney general of Massachusetts, the attorney general of Wisconsin, the attorney general of Washington, and the attorney general of Iowa.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF JUSTICE,
San Francisco, August 20, 1960.

Hon. THOMAS H. KUCHEL,
U.S. Senator,
Washington, D.C.

DEAR SENATOR KUCHEL: You will recall that last year, for the first time in the history of our State, the legislature appropriated funds to establish effective enforcement of our State antitrust laws. During the past year we have filed five important cases. This exceeds the number previously filed by the State during the 50 years the Cartwright Act has been on the statute books.

Under separate cover I am sending you a copy of the complaint which we have just filed to recover $1 million in damages suffered by the school districts of California in purchasing folding gymnasium bleachers from manufacturers who were acting pursuant to an unlawful combination and conspiracy to allocate the available business between themselves and to fix agreed upon prices for their respective products. It is an aggravated type of price fixing because it was put into effect in the teeth of our laws which, as you know, require the State, school districts and other public agencies to use sealed competitive bids in making necessary purchases.

I think you will agree that my present policy of concentrating on restraints of trade which directly affect the State and its public agencies is a worthwhile contribution to minimizing the cost of government.

During the past 12 months we have been working very closely with the Antitrust Division of the U.S. Department of Justice. Indeed, it is not too much to say that we would not have made the progress we have except for the cooperation and assistance which they have freely given to us.

I am informed that there is opposition emanating from business interests to the confirmation by the Senate of the appointment of Mr. Robert Bicks as Assistant Attorney General in charge of the Antitrust Division. More specifically, I am informed that the opposition points to his recent stiffening of departmental policy in antitrust cases that directly affect State and local governments. In some cases he has exercised the discretion clearly given to him by the Congress under section 5 of the Clayton Act by refusing to accept consent judgments without trial. His object, in so doing, is to be able to spread upon the public record of a trial the evidentiary details of an unlawful combination and conspiracy which has, in fact, defrauded governmental agencies and the taxpayers which support them.

From my point of view, Mr. Bicks is to be congratulated in taking this momentous step in strengthening the enforcement of the Federal antitrust laws for which he is responsible. There can be no doubt but that treble damage actions are, in the final analysis, the only effective deterrent to continued restraints upon free competition. I trust that you will give your support to the confirmation of Mr. Bick's appointment.

At the moment I know of nothing that would be more helpful to me in protecting and furthering the legal interests of the State of California and its public agencies.

Sincerely yours,

STANLEY MOSK,
Attorney General.

DES MOINES, IOWA, *August 25, 1960.*

Hon. WILLIAM P. ROGERS,
Attorney General,
Washington, D.C.:

We understand that Mr. Robert Bicks, Assistant Attorney General in Charge of Trusts, has adopted a policy in antitrust actions where States are involved. The Department will not settle such actions if it will result in a benefit to the States involved. We heartily affirm said policy.

NORMAN A. ERBE,
Attorney General of Iowa.

OLYMPIA, WASH., *August 25, 1960.*

Hon. ROBERT A. BICKS,
Antitrust Division,
Department of Justice,
Washington, D.C.:

We believe that Federal cooperation with the States in taking action under section 4 of the Clayton Act against bid riggers or other antitrust violators whose acts injure municipalities, State colleges, or other institutions, or the States generally, is vitally essential. For that reason, we strongly support your position in not settling cases in any matter which will deprive the States of the right Congress sought to make available to them under section 5a of the Clayton Act. While we recognize that the Department of Justice should retain control over its litigation, we believe it should not ignore legitimate claims of the States in this connection. Washington is extremely interested in this question because recent investigations indicate that one of our State universities and some of our public utility districts may be the victims of a nationwide bid-rigging conspiracy involving a number of major electrical manufacturers. This State should not be deprived of any damages which might be recoverable pursuant to sections 4 and 5a of the Clayton Act by virtue of a consent decree issued at the instance of the Federal Government. We most strongly approve the stand that you have taken and urge a continuation of this policy.

JOHN J. O'CONNELL,
Attorney General,
State of Washington.

HON. ROBERT BICKS,
Department of Justice,
Washington, D.C.:

Have today sent following telegram to Senate Committee on Confirmation, with copy to Senators LYNDON JOHNSON and RALPH YARBOROUGH:

"Senate Committee on Confirmation,
"Capitol Building,
"Washington, D.C.,
"(Attention Senator EASTLAND):

"Robert Bicks has been nominated by President Eisenhower as Chief, Antitrust Division, Department of Justice. I enthusiastically recommend confirmation. He has consistently worked closely with State attorney. When ever a State can and will accept responsibility for proper case under State laws he has referred enforcement proceedings to State officials. He organized and took responsibility for Department of Justice conference on antitrust and consumer frauds brought at the request of State Attorneys General Association for the purpose of encouraging broader State participation in antitrust enforcement. The undersigned as chairman of Southern Regional Conference of Attorneys General and as chairman of national association committee on antitrust has personal knowledge of his States rights approach to antitrust. I wholeheartedly recommend his confirmation."

WILL WILSON,
Attorney General of Texas.

JUNE 21, 1960.

NEW YORK, N.Y., *August 25, 1960.*
Hon. WILLIAM P. ROGERS,
Attorney General of the United States,
Washington, D.C.:

Am highly gratified at nomination of Robert Bicks for very important post of Assistant Attorney General in Charge of Antitrust Division, U.S. Justice Department. As Acting Chief, he has measured up to best traditions for fair, able, and vigorous direction of Nation's antitrust enforcement program. My efforts to protect people of the State of New York greatly enhanced through excellent liaison maintained by Mr. Bicks with reorganized antimonopolies bureau and more recently created consumer frauds and protection bureau of my office.

LOUIS J. LEFKOWITZ,
Attorney General.

AUGUST 23, 1960.
Hon. JAMES O. EASTLAND,
Chairman, Subcommittee on Judiciary,
Senate Office Building,
Washington, D.C.:

Mr. Chairman, I wish to express my enthusiastic suppport of Robert A. Bicks, Assistant Attorney General, U.S. Department of Justice, whose nomination for Chief of the Antitrust Division for the U.S. Department of Justice is presently pending before your committee. My personal experience with Mr. Bicks in my capacity as attorney general of the Commonwealth of Massachusetts in the area on antitrust litigation compels me to make this public endorsement. His administration has been exemplified by courageous enforcement and a zealous regard for the public interest. Seldom does public service have available to it an individual so competent in this specialized field. I am confident that your committee will confirm the nomination of Robert A. Bicks.

EDWARD J. MCCORMACK, JR.,
Attorney General,
Commonwealth of Massachusetts.

MADISON, WIS., *August 23, 1960.*
Hon. ROBERT A. BICKS, Jr.,
U.S. Department of Justice,
Washington, D.C.:

Your policy of cooperation with the States by refusing to accept consent decrees without an admission of liability in antitrust cases has opened a new era of antitrust enforcement and protects the States, and the local taxpayers from being defrauded by price fixing competitors as nothing else could. The State of Wisconsin is grateful for this type of help. This policy should be continued in the interest of protecting the States and cities and in the interest of the consumers.

It is sound administration and honest law enforcement and carries out the spirit of the antitrust laws. I would say to critics of this policy that we need more and not less cooperation between the State and Federal Governments; I heartily endorse the continuation of this policy.

JOHN W. REYNOLDS,
Attorney General,
State of Wisconsin.

AUGUSTA, MAINE, *August 22, 1960.*
Hon. ROBERT A. BICKS,
Assistant Attorney General,
Department of Justice,
Washington, D.C.:

This office wants to make clear the position of the State of Maine with regard to its claim against the several producers of road tar involved in the pending antitrust action brought by the Federal Government. This office feels the cooperation of the Federal Government essential if the people of the State of Maine are to be protected against the artificial prices fixed upon the State and the several municipalities by the defendant companies. This office especially appreciates the cooperative policy of the U.S. Attorney General as the State of Maine is not equipped to uncover and evaluate information essential to the successful prosecution of such multi-State conspiracies. This office considers the refusal of the Antitrust Division to accept a consent decree without an injunction against contesting the liability in the several State suits an excellent example of cooperation between the State and Federal attorneys general and an essential part of any subsequent State action.

FRANK E. HANCOCK,
Attorney General.

Mr. KUCHEL. Now I am glad to yield, first, to my friend from New York.

Mr. KEATING. I know that the distinguished Senator from Mississippi [Mr. EASTLAND] is seeking to have the Senator yield to him.

Mr. KUCHEL. I shall be glad to yield to him next. The Senator from New York asked first.

Mr. KEATING. He may have an answer which might be satisfactory. I hope he is going to say that at our committee meeting on Monday the matter will be taken up and that if Mr. Bicks' nomination is approved by the committee at that time, his name will be brought to the floor. My understanding is—and the distinguished Senator from Mississippi will correct me if I am wrong—that the subcommittee completed its hearings on Wednesday and voted 2 to 1 against Mr. Bicks. It is certainly my hope that the subcommittee will report the name to the full committee in order that the full committee may work its will on the nomination. Even if the full committee report were unfavorable, this would still permit the nomination to reach the floor. Actually, I am confident that a majority of the members of the Judiciary Committee will approve Mr. Bicks in recognition of the outstanding job he has done as Acting Assistant Attorney General in charge of the Antitrust Division. It is a great tribute to him that so many of the State attorneys general have evidenced their confidence in him. It is indicative of the fact that he has not been simply a prosecutor, and certainly not a persecutor, but that he has performed the functions of his very important office, so vital to the economic life of our Nation and so important to the many small businesses throughout our country, admirably, fairly, with equanimity, and with a judicial attitude toward his position.

I know there is opposition. But Mr. Bicks and those who oppose him should have had, as they have had, I believe, every opportunity to be heard. Having heard the witnesses, I agree with my friend from California that the Senate should be permitted to work its will on the nomination. The nomination, of course, will be opposed. There will be Senators who will vote against him. But those of us who feel that the nomination should be confirmed should have an opportunity to state our case, and the Senate should have a chance to pass on the nomination at this session.

Mr. KUCHEL. I thank my friend. Before I yield to the Senator from Mississippi, I regret that I was not here yesterday when a discussion was had on this subject. I wish to say that I have had one of the world's most miserable viruses for the last few days, and I regret not being here yesterday. I now yield to the Senator from Mississippi.

Mr. EASTLAND. Mr. President, first let me say that I have not passed judgment, either for or against, Mr. Bicks. The President held the nomination for 13 months before he sent it to the Senate. The Judiciary Committee has only had it since the 9th day of May. Hearings are in progress. The hearings have not been concluded. I certainly think that every Member of the Senate should want to know the truth about it. Mr. Bicks has received a recess appointment. That appointment will carry him in office until the conclusion of the 1961 session of Congress. He will still be acting head of the antitrust division throughout most of next year. On behalf of the subcommittee I am certainly going to do everything I can to give everyone who desires to testify the opportunity to be heard.

Mr. KUCHEL. Does the Senator from Oregon still wish me to yield to him? If so, I yield to him now.

Mr. MORSE. I merely wish to comment on the rhetorical question the Senator from California has raised. He has said it is charged by some that Mr. Bicks has been overzealous. I understood the Senator from California to say he did not know whether that was true. There is a check on the overzealousness of anyone. In Mr. Bicks' case the charge of overzealousness can be checked by the judgments of the courts in the cases he has brought.

Mr. KUCHEL. That is correct.

Mr. MORSE. There has been no finding of any abuse of his power. As soon as the nomination can be brought to the floor of the Senate it should be brought here.

Mr. KUCHEL. Mr. President, I am grateful for the colloquy in which we have engaged. I am one who believes in the orderly processes of the Senate. I simply utter the fervent hope that one who occupies a high position, an important position of trust, and whose qualifications have been vouchsafed again and again by public officials in the Federal Government and in the several States, regardless of their partisan politics, will merit a speedy hearing, so that before the labors of this sometimes unhappy session are concluded, we may have the opportunity to vote upon this nomination. The public interest demands no less.

Mr. KEFAUVER. Mr. President, I am sorry that I was not present yesterday when the subject of the Bicks nomination was discussed. I know the committee has the duty of hearing everyone who wishes to be heard. I join in expressing the hope that the hearings may be completed so that some action may be taken upon the Bicks nomination at this session.

It is true that Mr. Bicks will continue to serve next year if the committee does not conclude its hearings and the Senate does not vote. I know it will not be taken as disparagement of his public service. I believe Mr. Bicks has very diligently tried to perform the duties of

the office to which he was appointed. He has been vigorous in the prosecution of cases, although not so vigorous, in some instances, as I should have liked him to be. However, I have the feeling that he is a good young public servant; that he has applied himself to his work; and that his nomination will merit the approval of the Senate when it is called up.

I do not know the status of the committee hearings at present. I know the subcommittee has been holding hearings continually. I hope they will be completed in time to afford the Senate an opportunity to vote on the nomination.

SEVERANCE OF DIPLOMATIC RELATIONS WITH DOMINICAN REPUBLIC

Mr. JAVITS. Mr. President, the United States has taken a historic step in breaking off diplomatic relations with the Dominican Republic. This is the first time in more than 40 years that Washington has formally severed political ties with any state in the Western Hemisphere. What we have just done heralds the beginning of what may prove to be a new partnership policy with the other Latin American Republics, succeeding the good-neighbor policy.

We may have exactly the same situation, perhaps not in the breaching or breaking of diplomatic relations, but in some other form, to carry out the results of the action of the Organization of American States as to Cuba, which is under debate right now.

Our action follows close on the resolution unanimously adopted by the foreign ministers meeting under the aegis of the Organization of American States in San José, Costa Rica, to condemn aggressive actions by the dictatorial regime in the Dominican Republic. It is believed that the United States has became the fifth American Republic to break relations since that resolution was adopted 1 week ago, on Saturday, August 20, 1960. Identical action was taken earlier this week by the Governments of Nicaragua, Panama, Chile, and Mexico. Now the United States follows suit.

By moving in concert with the other members of the OAS, the United States has paved the way for a policy of regional partnership throughout the hemisphere. Our decisiveness, our prompt implementation of the OAS resolution, should do much to end once and for all a suspicion held by some in Latin America that the United States had a "cash and carry" policy in that region. This decision by the United States was not an easy one. U.S. citizens have between $150 and $165 million in investments in the Dominican Republic. By severing relations we have had to take into account the uncertain future that such investments might face. Nevertheless, our action was clearly in the national interest.

The Dominican Republic has been governed under, in effect, a dictatorship without the benefit of free institutions for some 30 years. Despite some assertions to the contrary, the State Department told me this morning that there has never been a free election in that country and that the effective head of the government there for these 30 years has made absolutely no commitment that there will be one in 1962 or at any other time; that in 1958 he passed a law giving him the power to cancel all contracts of any nature which existed between U.S. citizens and Dominican firms or his government allegedly, and in April 1960 he legalized the Communist Party in his country. On June 27, 1960, the Government-controlled radio in the Dominican Republic congratulated Dr. Castro and the Cuban Government for "humiliating and reducing the power and prestige of the United States" by their actions.

To those who defend the Trujillo regime by pointing to the economic progress that has been made by the Dominican Republic, and some among our Members made this point a few days ago, I would remind them that in the early days of Mussolini and Adolf Hitler, were both defended on the basis that their beneficent dictatorships and methods were the fastest way to improve the welfare of their people.

For example, who can ever forget the claim of the Mussolini apologists, who said that he made the trains run on time. Mr. President, none of us will forget the price which humanity eventually paid in terms of the loss of millions of lives or the other difficulties suffered by mankind in order to rid the world of dictatorial regimes.

The United States in breaking relations with the Dominican Republic has taken a wise and courageous action. It will greatly enhance U.S. prestige in Latin America, and throughout the free world.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Washington Ends Tie With Trujillo," written by William J. Jorden, and published in the New York Times of August 27, 1960.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WASHINGTON ENDS TIE WITH TRUJILLO—MOVE FOLLOWS OAS ACTION ON DOMINICAN REGIME—DIPLOMATS RECALLED

(By William J. Jorden)

WASHINGTON, August 26.—The United States broke off diplomatic relations today with the Government of the Dominican Republic.

It was the first time in more than 40 years that Washington had severed its formal political ties with any state in the Western Hemisphere.

The United States acted in accord with a resolution of the Foreign Ministers of the Organization of American States against Generalissimo Rafael Leonidas Trujillo Molina, Dominican dictator. The resolution blamed the Trujillo regime for "acts of aggression and intervention" against Venezuela.

At a meeting in San José, Costa Rica, the Foreign Ministers accused the Dominican regime specifically of having instigated the June 24 assassination attempt against President Romulo Betancourt, of Venezuela.

The resolution approved by the Foreign Ministers called for the severance of diplomatic relations with the Dominican Republic and for economic sanctions beginning with a ban on arms and other implements of war.

Though the strong condemnation was based ostensibly on Dominican actions toward Venezuela, it was widely recognized as an expression of disapproval of the 30-year rule of the Dominican strongman.

In line with the economic sanctions agreement, the administration has asked Congress to revise legislation providing for the purchase in the Dominican Republic of almost 322,000 tons of sugar this year. This is the amount allocated to the Dominican market in the reassignment of quotas that followed the U.S. decision to cut Cuba's sugar quota.

The United States informed the Dominican Government of its decision to break relations in a note delivered to the Foreign Ministry in Ciudad Trujillo. The message asked that the Dominican diplomatic mission be withdrawn from Washington.

Officials said arrangements were being completed for the immediate transfer of most U.S. officials and their families in the Dominican Republic to the United States. There are about 22 Department of State employees in the Caribbean Republic and 38 employees of other agencies, including the military services, the International Cooperation Administration, the U.S. Information Agency, and the Department of Agriculture.

It was believed that at least 40 of the total of 60 would return home. But officials here were hopeful that normal consular functions would be continued by mutual agreement with the Dominican Government. The U.S. Government maintains a consulate in Ciudad Trujillo and consular agencies in the towns of La Romana and Puerto Libertador.

It was hoped, too, that the missile tracking station in the Republic, downrange from the launching site at Cape Canaveral, Fla., would be permitted to operate.

RETALIATION IS FEARED

There was some fear here that the reaction of General Trujillo would be to demand the total withdrawal of all U.S. establishments. This might include businesses that represent a sizable investment in the Republic, including large holdings in sugar plantations and mills.

The feeling of concern was heightened by reports of friendly gestures being made by the Dominican authorities toward the Communists. For example, Tass, the official Soviet press agency, is beginning to distribute news to the government-controlled newspapers in the Dominican Republic.

It was considered doubtful by most officials here, however, that Moscow would go very far in extending the hand of friendship to General Trujillo. The cynicism implicit in such a policy, it was felt, would have an adverse effect on much opinion throughout the hemisphere, among intellectuals, liberals, and leftists, most of whom regard General Trujillo as a symbol of dictatorship and ultraconservatism.

The feeling was strong in official circles that the combined political and economic pressure of all the states in the hemisphere would raise insurmountable problems for General Trujillo. Expectations regarding the probable fall of the Dominican dictator were tinged with uneasiness about the kind of regime that might follow.

No opposition political force with democratic leadings has been permitted to develop under General Trujillo's one-man rule. If he were now to permit the Communist Party to function openly, as some reporters indicate, it might emerge as the only disciplined and organized alternative to General Trujillo's regime. This is a prospect that is causing deep worry in Washington.

There was sharp disappointment here at the failure of other hemisphere states to support a U.S. move at the San Jose conference to promote OAS-sponsored free elections in the Dominican Republic.

It was understood here that in preparation for its diplomatic break with the Dominican Republic, the United States had

asked Britain to take care of U.S. political interests in the Republic. This must be approved by the authorities in Ciudad Trujillo and tonight there was no formal word that they had accepted the proposal.

Not since 1918 has the United States refused to have political relations with any country in Latin America. Washington flatly refused to deal with the revolutionary government of Federico Tinoco in Costa Rica and held out until he was overthrown in 1919.

In 1914 relations with Mexico were broken off, but that was on the initiative of the Government in Mexico City after U.S. troops had occupied Veracruz.

In 1909, two American citizens were tortured and executed during a revolutionary crisis in Nicaragua. The U.S. Government broke off relations and later intervened directly.

SOME CONTACTS TO CONTINUE

CIUDAD TRUJILLO, DOMINICAN REPUBLIC, August 26.—The U.S. severance of diplomatic relations with the Dominican Republic does not mean that trade, cultural, tourist or other relations will end immediately, although the resolution of censure approved by the American Foreign Ministers as San José envisaged a gradual extension of economic sanctions, which now only cover commerce in war materials.

This is what the step means:

Ambassador Vinton Chapin, who has been appointed but has not come here yet, will not take up his post.

The U.S. Embassy and the offices of the military attachés and the U.S. Information Agency will wind up their affairs and close.

Most of the mission personnel will be gone.

If the expectation that consular functions will be continued is fulfilled, the consular section will remain open. Consular functions, as distinguished from diplomatic functions, include issuance of visas, protection of American visitors and residents, validation of cargo shipped from here to the United States and of shipments here, notarial services, investigations of spoilage of goods and issuance and validation of seamen's documents.

Whether and when the International Cooperation Administration would end operations here depends on its contract which is being studied and Dominican wishes. The ICA has a mission of six persons aiding the Dominicans in developing an educational program.

A cultural agency, the Dominican-American Cultural Institute, was organized by the host country and is governed by a joint board of Dominicans and Americans. Whether it will continue is up to the Dominican Government.

BOYCOTT AND BLACKLISTING ACTIVITIES OF THE GOVERNMENT OF KUWAIT

Mr. JAVITS. Mr. President, some days ago I brought to the attention of the State Department complaints I have received from many New York businessmen that the Government of Kuwait was writing letters to them, threatening them with being put on an Arab blacklist if they did any business with Israel.

I then communicated with the State Department, asking what it had done about such shameful treatment of American businessmen and American firms concerning the threat which had been made by Kuwait with respect to the dealings by American businessmen with the nation in question, to wit, Israel.

I first brought the situation to the attention of the State Department several weeks ago following complaints by many New York businesmen that the Government of Kuwait was engaging in Arab boycott and blacklisting practices, and I forwarded some sample questionnaires signed by the Superintendent of Boycott Affairs for Kuwait and sent by U.S. companies to the State Department for its attention.

I have been informed by the Department of State that the United States has protested officially to the Government of Kuwait over what it terms that government's "unwarranted interference in the commercial relationships of American business firms." I am advised that on July 31, 1960, the United States requested that Kuwait stop sending U.S. businessmen letters from its Israel boycott office which request an official declaration of their dealings with Israel by September 1, 1960, or face the certainty of being blacklisted in all Arab countries.

The full text of the State Department's letter to me is attached. The State Department has acted with commendable decisiveness in respect to this boycott by the Government of Kuwait, condemned alike by international law and by act of Congress. It will be our job to see to it that international law is fully complied with in this situation and that this offensive action is discontinued. We cannot tolerate any such affront to ethics, to the nondiscriminatory policies of the international community and to our American traditions. These are expressed in the Javits-Morse amendment to the mutual security bill enacted in 1959 declares the sense of Congress that any attempt by foreign nations to create distinctions because of their race or religion among American citizens in the granting or access of rights otherwise available to U.S. citizens is repugnant to our principles.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD my letter of August 8, 1960, to the Secretary of State, which spells out this situation; and also the reply I received under date of August 19, 1960, from the Department of State.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

AUGUST 8, 1960.

Hon. CHRISTIAN A. HERTER,
Secretary of State,
State Department, Washington, D.C.

DEAR MR. SECRETARY: Thank you for the letter of July 28, in response to our communication of July 19 enclosing a letter sent by the superintendent of boycott affairs of the Government of Kuwait to the Israel Coin Distributors Corp., of New York City.

Since this American firm, as well as many others, has been threatened in recent months by the Government of Kuwait with blacklisting, and since the Congress has clearly declared by resolution its denunciation of such practices, I am requesting clarification of certain statements made by the Acting Assistant Secretary for Congressional Relations, John S. Hoghland 2d, regarding the action taken by the Department of State.

His letter says that we have protested to the appropriate authorities. Has the U.S. Government protested to the Government of Kuwait?

In our protest, have we informed the Government of Kuwait that we regard its threat to American business firms refusing to answer its questionnaire an unfriendly act and an unwarranted interference in the internal affairs of the United States?

Have we specifically requested the Government of Kuwait to cease and desist from the practice of threatening American business firms?

Have we specified for our own consideration the measures the Federal Government can take to meet this kind of situation; specifically use of our mails for propaganda and threats by a nonregistered foreign agent?

Do we recognize the eixstence of a state of war between Israel and the Arab States as claimed by the Government of Kuwait in its boycott letter?

I would very much appreciate this further clarification of your letter in order to satisfy the inquiries of my constituents.

Sincerely,

JACOB K. JAVITS,
U.S. Senator.

DEPARTMENT OF STATE,
Washington, August 19, 1960.

DEAR SENATOR JAVITS: I have been requested by the Secretary to reply to your letter of August 8, 1960, in which you ask what action this Government has taken regarding certain letters sent to American firms by the Kuwait Boycott Office.

I hope the following explanations will be of help:

The United States has protested to the Government of Kuwait.

Our protest made it very clear that the United States regards the action of the Kuwait Boycott Office as unwarranted interference in the commercial relationships of American business firms. We also stated that the directive requiring the declaration to be "signed by the competent governmental authorities" wrongly implies that this Government might participate in action which would lead to discrimination against American firms engaged in legitimate commercial enterprises. Our protest did not specify that the Kuwait Boycott Office action constituted an unfriendly act against the United States since, insofar as we have been able to ascertain, this action was not directed against the United States as such. Nor does it appear to have been intended to disrupt the substantial and mutually beneficial commercial intercourse now carried on between considerable numbers of American and Kuwaiti firms. Rather it appears to have been directed only against certain American and perhaps other firms whose business associations with Israel were cited in a recent Israel publication which was distributed by various Israel missions abroad.

The United States has requested the Government of Kuwait to cease sending such unwarranted letters to American business firms.

The Department of State has consulted with the Post Office Department on possible action here to prevent the use of U.S. mails for the transmission of these letters. We are advised, however, that no action along this line can properly be taken. As for the Foreign Agents Registration Act of 1938, as amended, it is applicable only to persons acting within the United States as agents of a foreign principal. It is not considered as applicable to persons outside of the United States except where a person outside the United States is attempting to avoid the disclosure provisions of the act by using the U.S. mails to disseminate political propaganda.

The legal relationship between Israel and the Arab States is complex. The Arab-Israeli hostilities of 1948 were, legally speaking, undeclared. The question of whether that conflict would constitute a "war" in the accepted meaning of the term in international law has remained unresolved. Speaking before the Security Council in August of 1949, the acting mediator referred to the conflict as an undeclared war. The several armistice agreements concluded in 1949 spoke of the hostilities between Israel and the Arab States as armed conflict, but, evidencing the seriousness of the conflict, laid down rules for prisoners of war.

The crucial question since 1949 has been whether a state of war persists in spite of the conclusion of the armistices. Various Arab States have taken the position that a state of war continues. A Security Council resolution of September 1, 1951, included the following statement: "Considering that since the armistice regime which has been in existence for nearly 2½ years is of a permanent character, neither party can reasonably assert that it is actively a belligerent or requires to exercise the right of visit, search, and seizure for any legitimate purpose of self-defense.

Since the Security Council was unable to take action on the events of October 29, 1956, the General Assembly, convened in an emergency session, passed resolutions on November 2 and 4 stressing the continuing validity of the 1949 Israeli-Egyptian Armistice Agreement—notwithstanding the Israeli denunciation of that agreement—and urging the parties thereto "to observe scrupulously the provisions of the armistice agreement." The United States supported this position. Further, on March 1, 1957, our Ambassador to the United Nations stated before the General Assembly: "Once Israel has completed its withdrawal in accordance with the resolutions of the General Assembly, and in view of the measures taken by the United Nations to deal with the situation, there is no basis for either party to the armistice agreement to assert or exercise any belligerent rights." This remains the position of the United States. In connection with the immediate issue under discussion, it is worth noting that several Arab States, among them Kuwait, did not participate in the hostilities against Israel and are not parties, directly or indirectly, to any of the armistice agreements.

In the absence of a definitive settlement between Israel and the Arab States, including settlement of such vital matters as the plight of thousands of refugees who have had to leave their homes in Palestine, the establishment of permanent boundaries between the Arab States and Israel, and freedom of transit through the Suez Canal, various manifestations of the Arab-Israeli tensions are, unfortunately, likely to continue and to occupy the attention of the United Nations, as well as individual countries. As you know, the U.S. Government does not condone the Arab boycott, particularly so far as it adversely affects American firms and citizens. It has sought through all feasible ways and means within the context of maintaining friendly relations with other members of the free-world community to eliminate such boycott practices. These efforts will continue.

I hope that the above has helped to clarify this matter. Please let me know if I can be of further assistance.

Sincerely,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Oregon.

Mr. MORSE. I desire to associate myself with the remarks just made by the Senator from New York concerning the so-called Arab boycott issue. I join with him also in his request to the State Department for a statement from them concerning what they are doing about this deplorable situation along the lines of the Morse-Javits amendment.

Mr. JAVITS. I am very grateful to the Senator from Oregon, with whom I had the honor to join in offering the amendment which he initiated.

REVISIONS AND EXTENSION OF THE SUGAR ACT

Mr. CARLSON. Mr. President, this session of Congress is being requested again to consider revisions and extension of the Sugar Act.

The curb on imports of sugar from Cuba will require additional allocations of sugar to quota countries and the allocation of increased imports to nonquota countries.

As we approach the allocation of new and additional quotas to other sugar-producing countries, it is my hope that the State Department and the Department of Agriculture will give consideration to an arrangement of trading surplus agricultural commodities with countries to which we give new sugar quotas.

Inasmuch as many of the Central American and Latin American countries are deficient in their supplies of wheat, this will give us an opportunity to increase our shipments of surplus wheat to these countries. Brazil is one country that can and will supply us with additional substantial quantities of sugar, and is also a country that must import great quantities of wheat and wheat flour. The same situation would prevail in Peru and several other Latin American countries.

Since the United States is producing more wheat than the domestic market will absorb, this raises the possibility of an exchange which would benefit both the United States and the South American countries. Latin America is today one of the major markets for U.S. wheat. There is a demand for much more wheat, but these countries must obtain the necessary exchange in order to be able to finance increased purchases.

I recognize that there are many ramifications to the U.S. sugar quota problem; but I am confident that in the interest of both our Nation and the sugar-producing nations of Latin America, every consideration should be given to a trade arrangement whereby we can dispose of surplus agricultural products.

With this thought in mind, I wrote the Honorable Christian A. Herter, Secretary of State, and the Secretary of Agriculture, the Honorable Ezra Taft Benson, urging that their departments keep this in mind when additional sugar quotas are given to the countries.

I ask unanimous consent that a copy of the letter I wrote the Secretary of State be made a part of these remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AUGUST 26, 1960.

Hon. CHRISTIAN A. HERTER,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: Congress is again considering changes in our Sugar Act, which would further extend the powers of the President in regard to the allocation of sugar quotas.

The proposed changes, together with the curb on imports of sugar from Cuba, offer an opportunity for the United States to shift its trade to traditionally friendly countries in South America.

During your appearance before the Senate Foreign Relations Committee last week, I stressed the importance of keeping in mind the need for export of agricultural products and particularly wheat, to Latin American countries that are deficient in their supply of wheat.

Wheat represents one of the greater outlets for U.S. production in South America and I believe that we, as wheat producers, are highly justified in protecting our interests by actively representing our position in the renewal of the U.S. Sugar Act.

My proposal is Brazilian-Peruvian sugar for U.S. wheat. In considering how this could be achieved there are two approaches, both of which necessitate a U.S. sugar quota.

1. Set aside a portion of the U.S. quota for exchange of sugar for U.S. wheat. The transaction to be consummated through commercial channels with sugar at the U.S. preferential price and wheat at U.S. export prices. (Discussions indicate that sugar exporters would accept world prices if a means could be found to market it without disrupting U.S. sugar marketing procedures.)

2. Set aside the U.S. quota gains from increased U.S. sugar consumption: Currently the gain is allocated to the signatory countries which in effect increases their quota. This amount if set aside would not decrease existing quotas, but would give other countries opportunity to slowly build up their exports to the United States. Again it could be stipulated that the exchange generated would be used for importation of U.S. surplus agricultural commodities. You will note I am suggesting surplus agricultural commodities, for it should have greater appeal and the primary needs in Brazil and Peru are for wheat so we would be assured of the majority of sales.

These suggestions should have considerable appeal to many, for it offers opportunity for increased wheat sales based on dollar marketing, with less dependence on Public Law 480. Although resembling a barter program, it differs in that it could be handled through commercial channels without involving governments in the financing and disposal.

If it develops that additional sugar allocations should be made to Brazil and Peru, I would make the following recommendations:

1. Relate the additional allocations to an exchange for wheat.

2. Brazil needs 150,000 tons additional sugar allocation to relate to the exchange value of 300,000 M.T. of wheat (sugar $120 per ton—wheat $60 per ton) for the immediate future, if we are to supply her wheat needs for the balance of 1960.

3. Peru can supply and is eligible under the law for an additional 50,000 ton of allocations, representing 100,000 M.T. of wheat exchange, an amount which it is doubtful we will supply otherwise.

4. It should be emphasized that such a proposal can be handled through private trade channels and support of U.S. trade should be solicited.

Your personal interest in this matter will be greatly appreciated and if I can secure additional information for you, I will be most pleased to do so.

Sincerely yours,

FRANK CARLSON.

SOCIAL SECURITY AMENDMENTS OF 1960—CONFERENCE REPORT

The PRESIDING OFFICER. The hour of 1 o'clock has arrived; and the

Chair lays before the Senate the pending business.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12580) to extend and improve coverage under the Federal old-age, survivors, and disability insurance system, and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such system; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; and for other purposes.

PUBLIC ACCESS TO FEDERAL LANDS IN OREGON FOR RECREATIONAL AND OTHER PURPOSES

Mr. MORSE. Mr. President, under date of August 10, 1960, I received from the Governor of Oregon, the Honorable Mark O. Hatfield, a letter in which he refers to the problem of assuring adequate public access to the various Federal lands in Oregon for recreational and other purposes. With his letter, the Governor enclosed a copy of a letter on the same subject which he had written on the same date to the Secretary of the Interior, the Honorable Fred A. Seaton.

Under date of August 23, I replied to the Governor's letter.

I ask unanimous consent that the Governor's letter to me; the copy of the letter the Governor wrote to the Secretary of the Interior, Mr. Seaton; and a copy of my reply to the Governor's letter, be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

OFFICE OF THE GOVERNOR,
Salem, Oreg., August 10, 1960.

The Honorable WAYNE L. MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: As you know, the problem of assuring adequate public access to the various Federal lands in Oregon for recreational and other purposes has been one of great interest to our citizens for several years. Two public hearings on this subject have recently been conducted in Oregon; one by a subcommittee of the U.S. Senate Interior and Insular Affairs, and another by our State committee on natural resources.

In reviewing the transcript of these hearings it is apparent that complete solution of the access problem may necessitate legislation, but at the same time there exists a continuing need for cooperation on the part of all concerned in the matter of public education. The people must be informed not only of their rights but of their responsibility to safeguard all property, both public and private.

I believe you will be interested in a recent action of the State committee on natural resources. At its July 19 meeting the committee made the following recommendations, in which I have concurred:

1. That the State actively support Federal programs to improve access to public lands.

2. That the State continue and expand the principle of providing access to all State lands.

3. That a State access committee be established to give mutual aid on the problem. Suggested committee membership would include Federal land management agencies, State game commission, State board of forestry, State highway commission, and its parks division, and other State agencies interested in or managing land. This committee would coordinate efforts of all agencies toward solution of the problem.

4. That the State require recreational access and development on all hydroelectric projects.

5. That the State support, encourage, and actively aid in any efforts to improve conduct of recreationists.

6. That the State show increased support of efforts to provide access by spending additional money to aid in it.

As we proceed to implement these policy recommendations I am writing to the Secretaries of Agriculture, Defense, and Interior as the administrative heads of the principal Federal land management agencies in Oregon, seeking their cooperation in this effort. A copy of a letter is enclosed for your information. Similar letters are going to the other Secretaries, as well as to all Oregon land management agencies and representatives of land-use organizations.

Certainly, if Oregon is to adequately meet the increasing demands of its citizens, as well as the millions of out-of-State visitors who come here annually to enjoy our great wealth of outdoor scenic and recreational attractions, we must do everything possible to assure that our public lands are available for entry, particularly when such entry is not inconsistent with maintenance of sound land management practices. Generally speaking, the cooperation of officials on a local and regional level has been outstanding; and I feel certain a like response will be forthcoming from the several Secretaries concerned.

Knowing of your interest in this subject I thought you should be advised of steps which we are taking on the State level. I want to assure you of our support of any efforts which you may make in augmenting this State action, either through necessary legislation on a Federal level, or in encouraging continuing cooperation on the part of Federal land management agencies.

With all good wishes.

Sincerely,

MARK,
Governor.

EXECUTIVE DEPARTMENT,
Salem, Oreg., August 10, 1960.

The Honorable FRED A. SEATON,
Secretary of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: As a part of the continuing attention which we are giving to the problems of assuring adequate public access to the various Federal lands in Oregon for recreation and other purposes, we have now adopted the following broad policy recommendations:

1. That the State actively support Federal programs to improve access to public lands.

2. That the State continue and expand the principle of providing access to all State lands.

3. That a State access committee be established to give mutual aid on the problem. Suggested committee membership would include Federal land management agencies, State game commission, State board of forestry, State highway commission and its park division, and other State agencies interested in or managing land. This committee would coordinate efforts of all agencies toward solution of the problem.

4. That the State require recreational access and development on all hydroelectric projects.

5. That the State support, encourage and actively aid in any efforts to improve conduct of recreationists.

6. That the State show increased support of efforts to provide access by spending additional money to aid in it.

These recommendations were made by our State committee on natural resources, which conducted a public hearing on access problems. As you know, a similar hearing was recently conducted in Oregon by a subcommittee of the U.S. Senate Interior and Insular Affairs Committee.

We are now preceding to implement these policy recommendations, and it appears that the logical step is to seek the assistance of those named in item (3) above. It is my intention to invite representatives of all agencies and organizations to serve on such a committee as has been suggested. May I say in extending this invitation that I appreciate the great cooperation which local and regional officials of the several Federal agencies managing land in Oregon have given in the past.

The U.S. Forest Service, Fish and Wildlife Service, Bureau of Land Management, Bureau of Reclamation, Bureau of Indian Affairs, Bonneville Power Administration, and Corps of Engineers, Department of the Army are among those agencies that I feel should be represented on the State access committee. Obviously, this committee would have no official status, but would serve to coordinate the efforts of all concerned in the vital field of public information. It might also serve to point out the need for enabling legislation.

I am hopeful that you will agree such a group could perform an important cooperative function, and do much to point the way toward eventual solution of a problem with which we are all concerned. Would you care to designate an Oregon representative of your Department or bureau, and advise me of this designation in order that I may contact him?

With all good wishes.

Sincerely,

MARK O. HATFIELD,
Governor.

U.S. SENATE,
August 23, 1960.

The Honorable MARK HATFIELD,
Governor, State of Oregon,
State Capitol, Salem, Oreg.

DEAR GOVERNOR HATFIELD: Thank you for your letter of August 10 advising me of your interest and that of the State of Oregon in the field of access to public roads.

As you perhaps know, this is a subject to which I have devoted a great deal of effort since I first came to the Senate. The following are some of the major measures I sponsored in the Senate on behalf of a greatly expanded program of Federal forest access roads:

S. 800 of the 80th Congress: This bill sought to authorize $25 million for access road construction. It passed the Senate in May 1947.

Senate Joint Resolution 126 of the 80th Congress: This resolution called for annual appropriations of $25 million for the construction of access roads and trails in our national forests.

Senate Joint Resolution 196 of the 80th Congress: This called for the authorization of $30 million annually for the access road program of our Federal forests.

Senate Joint Resolution 24 of the 81st Congress: This measure passed the Senate in August 1949. Its language would have authorized annual appropriations of $30 million for Federal forest access roads.

Senate Joint Resolution 32 of the 82d Congress and Senate Joint Resolution 86 of the 83d Congress: These resolutions would also have authorized $30 million annually for the program of our Federal forest access roads.

S. 3420 of the 84th Congress: This bill called for a 12-year program of forest access road construction. It proposed fund authorizations ranging from $32 million for the first year to a maximum of $50 million per year for the final 10 years.

S. 1136 of the 85th Congress: This bill also proposed a 12-year access road program, ranging from an initial $32 million up to $50 million per annum for the last 9 years.

S. 2240 of the 86th Congress, which I cosponsored with Senator MURRAY, chairman of the Senate Interior Committee, called for appropriations of $40 million for fiscal 1961 and $50 million for fiscal 1962 for development of forest roads and trails in our national forests.

It has always been my position that access, as such, and the construction of essential roads are part of the inseparable need to meet multiuse development for sustained yield harvest of timber, fire protection, recreation, mineral development, grazing, and wildlife and watershed protection.

The Senate Public Works Committee this year in its report pointed out that over 40 billion board feet of national forest timber is locked up due to lack of access. A substantial portion of this economic loss is occurring in our State where we need an accelerated effort to provide the optimum amount of public timber to meet the needs of our No. 1 industry. By opening up our timber resources and by providing necessary roads we serve the other uses to which our forests are put.

Recreation, our second industry, is one of tremendous and growing importance to the State of Oregon. Forest recreation is closely related to forest access roads and trails. I have always been of the opinion that access to our Federal forests for sustained yield goes hand in hand with access for recreation and other uses.

My interest in forest access roads has been supported by many who have intimate knowledge of the basic problem. Our O. & C. counties, for example, supported the 1950 program of Secretary of the Interior Chapman. This program assured equal access to the O. & C. lands by recreational, timber and other users. They have shown their further support by providing that one-third of the substantial payments to the counties in lieu of taxes shall be invested in these Federal properties for roads and reforestation. I am sure you are familiar with the special legislative history relative to the O. & C. formula of in lieu payments and that you will agree that the action taken by the counties reflects a unique record not matched elsewhere in Federal-State relations concerning Federal lands.

Enlightened county leadership stood against harmful proposals advanced in 1954–1955 by the then Secretary of the Interior. If adopted, these would have seriously weakened the O. & C. road regulations.

Forward-looking county officials and I joined to make sure that fair and equitable treatment was accorded in the distribution of road funds from the so-called controverted lands.

In 1953, when the present national administration came to power, it found annual authorizations for forest development roads and trails, $17.5 million; forest highways, $23.5 million; parkways, $13 million; park roads and trails, $10 million; Indian roads, $6 million; and public lands highways, $5 million.

Congress just passed the authorization bill for the coming biennium. For fiscal 1963 it provides $40 million for forest development roads and trails; $33 million for forest highways; $16 million for parkways; $18 million for park roads and trails; $12 million for Indian roads and $3.5 million for public land highways. Overall, this is a 63 percent increase from what was in effect for fiscal 1953 with a 130 percent increase for forest development roads and trails—so important to Oregon.

The Eisenhower administration has opposed, not once, but four times, congressional action increasing authorizations for the highways and trails listed above. It has attempted to change the forest highway formula established by Congress to govern the distribution of this money to the States without consulting either the States or the Congress. It has sought to kill the forest highway and public lands highway authorizations by demanding that they be trust-fund financed. In this process it has opposed specific legislation introduced in the Congress by myself and others to meet access roads needs (S.J. Res. 86 of the 83d Cong., S. 3420 of the 84th Cong., S. 1136 of the 85th Cong., and S. 2240 of the 86th Cong.). On the two most recent bienniums the Eisenhower administration urged that no authorization at all be provided for forest roads and trails.

Since 1953, the administration has placed heavy reliance upon timber purchasers to construct access roads to the detriment of the counties, particularly those in Oregon, and to the detriment of lumbermen in the small business category. In 1953, deductions in the price of national forest timber for construction of roads by timber purchasers were only $10 million, of which $3.9 million was in Oregon. In fiscal year 1961 these deductions climbed 370 percent to $47.4 million of which $20 million will be in Oregon alone. In place of a loss of 25 percent of $3.9 million ($975,000) in 1953, Oregon's counties now lose $5 million, an amount five times greater than that which they lost through timber purchaser road construction when the Eisenhower administration came to power. This revenue loss has been sustained by the counties because this administration has opposed adequate appropriations for forest access roads.

Against this dismal administration record the Senators from the West have done remarkably well in achieving progress. The time is long overdue for the States dependent upon the way in which Federal lands are managed to take some interest.

The six-point program set forth in your letter certainly has my interest. Two of the points—Nos. 2 and 5—seem clearly to be State functions.

On the other four points, it would be helpful to me and to other western Senators if you would indicate the specific means by which the State proposes to support, give mutual aid, coordinate, require and finance access to and on Federal lands beyond that now set forth in existing laws.

Specifically, on the Natural Resources Committee's recommendation No. 4, to the effect that "the State require recreational access and development on all hydroelectric projects," would such requirement extend to Federal multipurpose dams, and if so, how would this recommendation be implemented?

The endorsement of legislation before the Congress on a timely basis is a right the State has always had and the Oregon Legislature has on occasion memorialized Congress on forest development access road needs. Governor Holmes raised serious questions about the proposed revision of the forest highway formula. How is it proposed to go beyond the procedures already available at the Federal level?

Without some official status for the board suggested under point 3, how would it operate in connection with long established liaison provided by law? For example, provision already exists for forest highways and there is generally a good cooperative relation between the Bureau of Public Roads and the States on other public land highways. What additional steps are needed?

Present law makes national forest payments of 25 percent of revenues to the States, usable for local roads and schools, which need not be in the forests. Since 1913, 10 percent of forest revenues have also been allocated to the Secretary of Agriculture for roads within the forest while since 1921 there has been the biennial authorization of additional amounts from the Federal Treasury under the Highway Act. Does your sixth point propose to increase the counties' portion of in lieu payments used for roads, thereby reducing the proportion available for local schools or does it propose the appropriation of some of the State's own funds to provide access on Federal lands?

Once I have a clear and complete understanding of the desires of the State, I shall be delighted to work with you and our State legislature to assure early solution to our access problems. I shall continue my efforts to promote sound conservation and welcome your desire to join in this great work.

Sincerely yours,

WAYNE MORSE.

AL SARENA—A REPUBLICAN RECORD

Mr. MORSE. Mr. President, on February 15, 1954, the Eisenhower-Nixon administration granted to Al Sarena Mines a patent on 23 alleged mining claims consisting of approximately 475 acres of timberland in the Rogue River National Forest, Oreg.

These national forest lands had been reserved for the use and enjoyment of the people of the United States, both by Presidential proclamation and by acts of Congress. Patents to the alleged mining claims were issued under the 1872 mining law; and the claims were estimated by the Forest Service to contain over 7 million board feet of timber, valued substantially at in excess of a quarter of a million dollars.

The circumstances surrounding the unique procedures used by the Department of the Interior in granting these patents were the subject of extensive hearings in 1955 and 1956.

The majority report on the case made extensive findings and conclusions. The report is entitled " 'The Al Sarena Case,' Joint House-Senate Report, Submitted by Senate Committee on Interior and Insular Affairs and House Committee on Government Operations, 1956." Included in the majority report were findings that this company had sought patents "to obtain a title to and market the timber, knowing from past failures and from analysis after analysis that the property offered no hope as a profitable mining venture."

The late Kerr Scott, then the esteemed senior Senator from North Carolina, submitted individual views on the Al Sarena case, and in them he said:

> My only regret is that the majority did not go as far as I think it should have in its findings and recommendations.

He expressed the view that the Department of the Interior, through abandonment of fundamental principles of Anglo-American justice, had given away some of the finest timber in the Pacific Northwest.

He further stated:

The subterfuges, secret conferences, and secret procedures characterizing the granting of a patent on the Al Sarena claims are a sad commentary upon the political morality of our day, and that government should be based upon a firm foundation of honest answers to honest questions, rather than upon the shifting sands of political expediency.

The minority views on Al Sarena contained four points. One of these indicated, in part:

The patents * * * were properly and legally issued.

The record since February 15, 1954, is clear. No evidence of bona fide commercial mining activity has been called to my attention. There was repeated timber cutting in 1954 and 1955. In 1956, the claims were sold by Al Sarena mines to Steve O. Wilson, a logger in southern Oregon. When these claims were patented, Al Sarena paid the Government $5 per acre as required by law. I am sure that Al Sarena did not sell the timber to Mr. Wilson for less than the current market value, which could be as much as $1,000 an acre for mature timber. In addition, Al Sarena probably had available to it the advantageous provision of section 631 of the Internal Revenue Code. This permits timber owners to claim a capital gain, thereby making the transaction subject to a 25-percent tax rather than the higher ordinary tax. So the Government could have lost substantial tax revenue in the Al Sarena case, too.

I hasten to point out that there was nothing improper in Mr. Wilson's purchase, and I wish to cast no reflection on him for buying in 1956 what was then private property by reason of the Eisenhower-Nixon administration giveaway, and what still is private property today due to a deplorable disregard of the public interest by that administration

Mr. Wilson is a logger; he is not a miner, and his purchase of the property from the Al Sarena company is further proof of the fact that this so-called mining grant was never anything but a timber claim.

In my judgment, it represents one of the great frauds on the part of the Eisenhower administration upon the public interest.

Mr. Wilson cut timber from this property in 1957 and 1958. He cut none in 1959, I am told, but he has cut some during the current year. On August 25, 1960, I received a report from the Forest Service concerning timber cutting on these claims and I ask unanimous consent that it be included in the RECORD at the close of these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, the Forest Service estimates, of course, are unofficial, and, as they point out, they are made in conjunction with slash disposal and fire protection work. There are other estimates filed by the owner with the State of Oregon which are official estimates. It is my understanding that something over 6½ million board feet of timber have been cut from these mining claims—mining claims which were nothing but disguised timber giveaways under the Eisenhower-Nixon administration.

When this matter was before the committee, it was estimated that the value of all the timber in 1955 was $231,775, and since that time there have been further advances in the price of national forest timber.

It would be my guess that when the cutting is completed on the Al Sarena lands, the taxpayers of this country will have suffered a far greater loss than the estimates made in 1955. One-fourth of the revenues of the national forests are returned, for use on schools and roads, to the local counties where the forests are located. The Eisenhower-Nixon administration cheated the schoolchildren of southern Oregon out of money they should have received from the sale of this national forest timber.

The national forests have always been administered under the principles of multiple use and sustained yield. Just this year the Congress passed legislation reaffirming this principle, with which this administration has finally desired to be associated.

The timber cutting on the Al Sarena lands is not on the principle of multiple use or sustained yield, because it is not required for private lands.

The Eisenhower-Nixon administration also gave a black eye to the legitimate mining industry in the West by permitting an alleged miner to receive a patent to land for which a mining patent should never have been granted.

This is the record of Al Sarena, and it is a record which refutes completely the contention that the patents were "properly and legally issued."

Mr. President, this Al Sarena case was one of the issues in the 1956 campaign against the administration's candidate, the previous Secretary of the Interior, who has to share in history the responsibility for this giveaway. I warned in that campaign that as the facts unfolded with regard to future developments in the Al Sarena case, they would disclose exactly what I am disclosing to the Senate today.

It was clear in 1956 that this was a fraudulent giveaway of the people's timber under the guise of mining claims. Now we are beginning to see exactly what has happened to the public interest in regard to the Al Sarena case. It amounts to nothing else but a depriving of the people of this country of their rightful possession of the timber which never should have been given away by the Eisenhower administration under the kind of subterfuge in which it engaged when this fraud was committed on the public.

The boys and girls of my State who have been cheated out of the educational money they ought to have been entitled to I am sure will hold to an accounting, in history at least, the sorry record of the Eisenhower-Nixon administration in this fraudulent deal they committed back in 1954, when the Al Sarena timber was given away under the guise of a mining claim.

EXHIBIT 1

U.S. DEPARTMENT OF AGRICULTURE,
Washington, D.C., August 25, 1960.

Hon. WAYNE MORSE,
U.S. Senate.

DEAR SENATOR MORSE: This is in response to your request for information on volume of timber cut each year on the Al Sarena mines since they were patented.

The 23 claims were patented on February 15, 1954. Since that time, Forest Service personnel have had no reason to go upon this patented land except for the purpose of preparing the annual hazard and conservation status report for the State Forester of Oregon which we do for all private lands within national-forest protective boundaries where slash is being created as a result of logging operations. These reports are prepared in connection with a cooperative fire protection agreement between the State of Oregon and the Forest Service.

In connection with this report which is prepared as of October 30 each year, an ocular estimate of the timber removed is made based upon an estimated acreage cut and an estimated balance per acre. These are casual observations without detailed examinations of the project.

For these reasons, the following figures of timber harvested should be considered only as very general figures:

[In 1,000 board feet]

Year ending Oct. 30:	
1954	800
1955	1,820
1956	None
1957	341
1958	1,156
1959	None
1960	(1)

[1] Slash report not made until Oct. 30.

Very truly yours,
RICHARD E. MCARDLE,
Chief.
By: EDWARD P. CLIFF.

CERTAIN PRACTICES OF THE POST OFFICE DEPARTMENT

Mr. MORSE. Mr. President, I have received a letter from the Reverend Mark A. Chamberlin, of the Oregon Federation for Social Action, in regard to what he alleges in his letter—and the letter will have to speak for itself—is a course of conduct on the part of the Post Office Department of the Eisenhower administration that is not in the public interest.

I ask unanimous consent that the letter of Reverend Chamberlin may be inserted in the RECORD at this point in my remarks, and that my reply of August 23, 1960, also may be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

OREGON FEDERATION FOR SOCIAL ACTION,
Gresham, Oreg., August 12, 1960.

The Honorable WAYNE MORSE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Last fall, I protested the practice of the Post Office Department opening mail and holding it for a signed request from the one to whom it was mailed. I appreciated your calling the attention of the Post Office Department to this, and receiving the 2-page letter which they sent you in reply. They, of course, are simply carrying out orders from Congress. I wrote you again on December 11, and on December 16 I received your reply saying that you had brought

my letter to the attention of the Senate Committee on Post Office and Civil Service. Since then, I have heard nothing further. A few days ago, I received another one of these police-state cards. This one was from the San Francisco post office, station B, asking me let them know whether I ordered a publication, "Children of China." They announced it was being held waiting my order since it "contained political propaganda" as defined by the Foreign Agents Registration Act.

1. If the United States is still a free nation, then what does Congress mean by passing a law in peacetime giving some functionary in the Post Office Department the right to open my mail?

2. It it opens papers now, how long will it be before it opens letters, or is it opening letters already? If it opens foreign mail, when will it start opening domestic mail? Where does this kind of Fascist action end?

3. Is the Senate of the United States an elected body of the people to pass police-state laws at the behest of certain powerful interests, or can it stand on its own two feet and maintain the liberties we so proudly boast?

4. Is the Post Office Department to be converted into a spying agency, collecting signatures of people of independent mind who refuse to conform to the desires of a particular party or group in power?

5. Where does the Senate get the idea that it could legislate ideas and thought out of circulation or that it could spoonfeed the people who elect them? What is this but brainwashing of the American public?

6. How much respect can a free people have for a Congress that operates on this basis?

7. Is our democracy so weak that it cannot stand an onslaught of ideas from foreign nations? Are we so afraid of the ideas that will appear in a magazine, Children of China, that we have to ban it as political propaganda? What next? May the good Lord deliver us from ourselves.

Please, Senator, let's have some action on this matter so basic to American liberties. The President himself still stands, I believe, behind his declaration of the exchange of peoples and ideas to help assure world peace, and yet the Post Office Department by the action of Congress stands as a barrier, telling us what we can, or cannot read.

In appreciation of your concern in this matter, I am,

Most cordially yours,

MARK A. CHAMBERLIN.

AUGUST 23, 1960.

The Reverend MARK A. CHAMBERLIN,
Executive Secretary, Oregon Federation for Social Action, Gresham, Oreg.

DEAR REVEREND CHAMBERLIN: Upon receipt of your letter of August 12, I discussed with Senator OLIN JOHNSTON, chairman of the Senate Committee on Post Office and Civil Service, the further protest you registered concerning the actions of the Post Office Department in withholding certain publications which the Department finds to contain political propaganda within the meaning of the Foreign Agents Registration Act.

Senator JOHNSTON informed me that the Senate Committee on Post Office and Civil Service is continuing its study of this very technical and complex problem. He advises me that your further expression of views on this topic are welcome and that they will be given thorough attention by the committee.

In all frankness, I should tell you that during this very difficult period of our cold-war relations with the Soviet Union there is little likelihood that the basic law which authorizes the Post Office Department actions to which you refer, will be modified. I hope that upon the election of a Democratic administration the situation will change for the better but in the interim I anticipate no action by the Congress to modify the law under which the Postmaster General acts with respect to publications of the type mentioned in your letter. I wish that I could give you a more encouraging report but I think that such development must await the inception of a more sensible foreign relations policy than that which has been demonstrated by the Eisenhower administration and Soviet Russia in the past several years.

With kindest regards,

Sincerely,

WAYNE MORSE.

HOUSING LEGISLATION

Mr. MORSE. Mr. President, there are undoubtedly a great many colleges and universities in the country which are watching with interest congressional action on the housing bill, S. 3670.

This week I received a letter from Reed College in the city of Portland, advising me of the importance of this legislation to its own student body. I ask unanimous consent to have the letter from Mr. Carleton Whitehead, assistant to the president of Reed College, inserted at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

REED COLLEGE,
OFFICE OF THE PRESIDENT,
Portland, Oreg., August 15, 1960.

The Honorable WAYNE MORSE,
Senator from Oregon,
Senate Office Building, Washington, D.C.

DEAR SENATOR MORSE: I am writing because we have just determined that Reed College has a very direct interest in the college housing provisions of the housing bill which is currently under consideration by the Congress. A study of our entering freshman class and returning students shows that we probably have at least 150 students seeking housing on campus in excess of our maximum capacity, even if we overcrowd existing facilities far more than is satisfactory.

This means that we must immediately become concerned with the construction of additional dormitories, which are completely dependent upon the continuance and financial expansion of the college housing program.

We would appreciate your interest in this educationally important measure and hope that you can advise us promptly of any definite action which is taken, so that we can proceed with our plans without delay.

Thank you for your consideration of this request. With best wishes, I remain,

Sincerely,

CARLETON WHITEHEAD,
Assistant to the President.

NATIONAL DEFENSE EDUCATION ACT

Mr. MORSE. Mr. President, I ask unanimous consent that a letter I received, under date of August 17, 1960, from Mrs. Jean Jones in regard to the National Defense Act, be inserted in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PORTLAND, OREG., *August 17, 1960.*

The Honorable WAYNE MORSE,
U.S. Senate, Washington, D.C.

MY DEAR MR. MORSE: I have just returned to my home in Portland after attending the Modern Language Institute at the University of Oregon as a participant in the French section. Knowing your interest in all educational matters I am writing you to express my appreciation for this institute made possible under the National Defense Education Act.

The Modern Language Institute at the University of Oregon provided all the participants with unparalleled opportunities to improve themselves professionally. Instruction in the new method of teaching foreign languages based on experience at the F.S.I. was given in a most skillful and interesting manner. The culture and civilization of France was presented in a course of unusual scope due to the scholarship and understanding of the professor. Most important of all, practice in oral French was continuous not only in free conversation aided by French native speakers, but also in small classes under their direction. Classes for improvement of reading and writing skills as well were held. Every possible opportunity for improving all facets of ability in the language was given.

The entire program of the institute, including housing and meals, was very well planned and carried out under the very able direction of Dr. David M. Dougherty. I feel sure that the success of the institute was due in no small measure to Dr. Dougherty's abilities as an administrator as well as his ability to understand and work with each participant.

The institute was a most vital and stimulating experience, thoroughly worthwhile in every respect. None of us, I feel sure, yet realizes the extent of the benefits which will accrue to us as professional teachers as a result of our attending this institute.

I earnestly hope that many more teachers of foreign languages will be able to attend similar institutes in the years to come.

Sincerely yours,

JEAN BRUÈRE JONES.

NEWSPAPER HEADLINES

Mr. KEATING. Mr. President, last evening I read the Washington Evening Star, a truly great paper. I enjoy reading it. I am a subscriber to the Washington Evening Star. It had a little fun with me a few weeks ago in an editorial which called me LYNDON'S helper and said I was trying to help our distinguished colleague the Senator from Texas [Mr. JOHNSON] get through a civil rights bill by offering the provisions of the Democratic platform.

I want to return the compliment to the Washington Evening Star in kind, because I believe I have discovered one of the positive contributions in this session which was called by the Democratic leadership. It is, however, more of a contribution to the Democratic nominee than to the Nation.

Last night I read the newspaper—I hope nothing I say will be considered as a criticism of this fine newspaper—and when I read it, I found the name "KENNEDY" appeared in the headlines 12 times in the paper, and the name of the nominee appeared 16 times in articles on the front page of the paper. That kind of saturation must be extremely welcome to the Democratic leadership, representing, as it does, a report on the facts, which I do not criticize. The distinguished Senator from Massachusetts is adept at making news. It is very helpful to have this session in order that he make it. But I must say a good measure

of the journalistic exposure was dampened, if not washed away, by the headline on the story on one of the inside pages of the newspaper. The headline was, "Wage Bill Foes Present KENNEDY With Dilemma." The item is from Dugway, Utah, and deals with "giggle gas." By some sad misadventure, but perhaps with a certain poetic justice, the story under the headline discussed in great detail the development of certain gases by the Army Chemical Warfare Service. These gases are intended to put people gently to sleep, to lay them out flat and helpless, in certain cases to cause them to get hallucinations, sudden urges to hide, and giggling fits.

I hope sincerely that the accidental identification of the distinguished junior Senator from Massachusetts with these noxious gases is not likely to gain justification as the political campaign progresses.

In a word, let us express the hope that the prose of the distinguished Senator from Massachusetts, in which we know he is gifted, will not have such a soporific or debilitating effect on the millions of American citizens who are looking for truth through these gaseous clouds of political oratory.

We all make errors in our lifetime. We make them every day, Mr. President. I am very considerate of anyone who makes errors, because no one makes any more than I.

I thought attention ought to be invited to this little item, as evidence of the reason why we were called back into session needlessly, in a way which I opposed at the time, because we could have done our business during the regular session if there had not been a purposeful design to call us back in order to reap political benefit. Personally, I do not think that benefit has followed, but time will tell.

REPORT OF BOARD OF VISITORS TO THE U.S. COAST GUARD ACADEMY

Mr. SCHOEPPEL. Mr. President, on Friday, May 6, in company with other members of the Board of Visitors, I journeyed to New London, Conn., to inspect facilities of the U.S. Coast Guard Academy. The visit was most informative, and I came away feeling confident that the officials charged with administration of the Academy are well abreast of their responsibilities and are giving good leadership to the institution.

The Coast Guard Academy, in my judgment, has not shared as much in the generosity of the Congress as it merits. It has had to "make do" without many of the morale-building facilities that are today regarded as almost essential for any educational institution. It has had to get along with some obsolescent physical plant. Nevertheless, the Academy has continued to attract fine young American men and has given them the education they need for high quality service to their Nation in the U.S. Coast Guard.

We in the Senate, and our colleagues in the House of Representatives, have unique opportunities to recruit high type young men for the Coast Guard Academy. We should do all we can to let high school seniors and the parents among our constituents know about the Academy and the qualifying competitive examination that will be held across the Nation next February 20 and 21.

Mr. President, I submit herewith the report of the Board of Visitors to the U.S. Coast Guard Academy covering the visit of May 6, 1960, and ask unanimous consent that it be printed in the body of the CONGRESSIONAL RECORD immediately following my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT OF THE BOARD OF VISITORS TO THE U.S. COAST GUARD ACADEMY, NEW LONDON, CONN., MAY 6, 1960

The PRESIDENT OF THE SENATE.
The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

GENTLEMEN: Pursuant to section 194 of title 14 of the United States Code, the following Senators and Members of the House of Representatives were designated to constitute the 1960 Board of Visitors to the U.S. Coast Guard Academy.

By the President of the Senate: Senator PRESCOTT BUSH, Republican, of Connecticut.

By the chairman of the Senate Committee on Interstate and Foreign Commerce: Senator E. L. (BOB) BARTLETT, Democrat, of Alaska; Senator ANDREW F. SCHOEPPEL, Republican, of Kansas.

By the Speaker of the House of Representatives: Representative CHESTER BOWLES, Democrat, of Connecticut; Representative CHARLES E. CHAMBERLAIN, Republican, of Michigan.

By the chairman, House Committee on Merchant Marine and Fisheries: Representative GEORGE P. MILLER, Democrat, of California; Representative ALTON LENNON, Democrat, of North Carolina; Representative WILLIAM S. MAILLIARD, Republican, of California.

Ex officio members: Senator WARREN G. MAGNUSON, Democrat, of Washington (chairman, Senate Committee on Interstate and Foreign Commerce); Representative HERBERT C. BONNER, Democrat, of North Carolina (chairman, House Committee on Merchant Marine and Fisheries).

MEETING

A meeting of the Board of Visitors was held at the Academy on May 6, 1960. The following members of the Board were present: Senator ANDREW F. SCHOEPPEL, Republican, of Kansas; Representative CHESTER BOWLES, Democrat, of Connecticut; Representative CHARLES E. CHAMBERLAIN, Republican, of Michigan; Representative ALTON LENNON, Democrat, of North Carolina; Representative WILLIAM S. MAILLIARD, Republican, of California; Representative GEORGE P. MILLER, Democrat, of California.

The following officials of the U.S. Coast Guard were also present. From headquarters: Vice Adm. A. C. Richmond, Commandant; Capt. J. H. Wagline, Assistant Chief, Office of Personnel; Capt. G. R. Boyce, Jr., Chief of the Training and Procurement Division; and Capt. Mark A. Whalen, liaison officer. From the Academy: Rear Adm. Stephen H. Evans, Superintendent; Capt J. A. Alger, Jr., Assistant Superintendent; Capt. A. A. Lawrence, dean of academic instruction; Capt. W. J. Smith, commandant of cadets; Capt. Thorburn S. McGowan, U.S. Public Health Service, medical director; and other U.S. Coast Guard Academy staff officers.

INSPECTION OF BUIDINGS AND GROUNDS

Upon arrival at the Academy, the Board, accompanied by the Coast Guard officers, inspected the buildings and grounds. The Board then had lunch with the Corps of Cadets.

BOARD SESSION

The Board members, except Representative MAILLIARD, who was unable to remain, were joined by the Coast Guard officers in formal session. Senator ANDREW F. SCHOEPPEL was unanimously elected Chairman of the 1960 Board of Visitors.

SYNOPSIS OF THE MINUTES OF THE BOARD SESSION

1. The Chairman expressed his regret on the part of the other designated members who could not be there by reason of other assignments.

2. The Superintendent made a brief summary, outlined herein, of his formal report submitted to the Board primarily by reading the Superintendent's statement from the report and answering the questions of Board members.

3. The Superintendent stated that the Academy has made progress in revising the standard curriculum to provide extra instruction (enrichment) in the standard courses for cadets who are capable of absorbing the added workload and elective courses for cadets with superior academic ratings who desire such additional work. The Academic Council at the Academy is restudying the entire curriculum to recommend further improvements in this program or other improvements considered desirable or feasible.

4. In answer to a question from a Board member, the Superintendent advised that he could not say if Coast Guard cadets are superior students to those of the Naval Academy and Military Academy. However, he stated that facts showed the biggest majority of Coast Guard cadets are from the top 10 percent of their secondary schools.

5. A general discussion of the contents of the history course at the Academy ensued. The Board was informed that the course consisted of two terms of modern world history and, in the future, more emphasis will be placed on the Pacific and Asiatic area.

6. The Board was informed that in addition to the Academic Council, made up of heads of academic departments at the Academy to assist the Superintendent, there is an advisory committee of distinguished citizens, primarily educators and some from industry, finance, etc., to advise the Commandant on Academy matters.

7. The Board was informed that about 22 percent of the total curriculum is in the general field of liberal arts and that this is somewhat lower than at Annapolis or West Point.

8. The Superintendent stated that as a first step in improving the enrichment and elective program, some qualitative and quantitative improvement in the staff is necessary. To this end he has instructed the Academic Council to recommend to him the composition, numerical strength and scholastic attainments of an ideal instructional staff for the Academy. He in turn will make a recommendation to the Commandant. He also indicated that certain provisions of a bill, H.R. 9449 (since enacted into Public Law 86-474, 86th Cong., first sess.) will be of considerable help in improving the instructional staff. A general discussion of these provisions followed.

9. In discussing the physical facilities of the Academy, the Superintendent first gave an outline of the history of the present Academy. From this phase of the Superintendent's report, and his and the Commandant's answers to questions of the Board, the following was learned:

(a) The project of $2 million authorized by Congress in fiscal year 1959 for extension of cadet barracks, galley, and mess hall should

be completed by September 1960. The replaced frame structures will be razed without delay.

(b) With the support of the Board of Visitors, the Coast Guard in 1958 prepared a phased advance construction program for the Academy designed to provide other permanent structures and facilities necessary for the expanded corps and to permit the razing of the balance of the obsolescent, temporary World War II construction. The general outline of the program was reported favorably by the Board of Visitors in CONGRESSIONAL RECORD, volume 105, part 13, pages 17398–17400. Under this program, the Coast Guard appropriation request for fiscal year 1961 includes two items which will materially relieve the present classroom space problem. One in the amount of $122,000 provides for extension of classroom space by the renovation of space in existing permanent buildings. The other, in the amount of $450,000, provides for construction of a new maintenance building so as to provide classroom and laboratory space now used for maintenance shops in the existing permanent building. Additionally, the same appropriation request includes an item of $20,000 for an engineering study of the characteristics and locations of future items listed below.

(c) The balance of the projected construction program is set forth below:

(1) Auditorium: Construct an auditorium with adequate seating, stage, screen, band practice room, office space, and public retiring rooms.

(2) Student activities building: Construct a building with necessary recreational facilities for the Corps of Cadets and officer personnel, including ballroom, snack and soda bar, hobby shop, bowling alleys, and associated spaces and facilities.

(3) Fieldhouse: Construct a fieldhouse with indoor track, portable basketball court, squash courts, visiting team rooms, locker rooms, and regulation swimming pool.

(4) Playing fields: Provide necessary additional playing fields. This project includes installation of a storm sewer to provide proper drainage to the present lower field and construction of a regulation ¼-mile running track.

(5) Docks and causeway: Rebuild Academy waterfront.

(6) Officers' quarters: Construct four buildings, each containing two sets of family quarters for Academy department heads. Alterations to the Superintendent's present quarters to provide more efficient layout of space for housing and entertainment of official guests are included in this project.

(7) Replace wooden grandstand: Construct a concrete grandstand with seating capacity for about 4,000, utilizing existing reinforced concrete supporting structure.

(8) Main entrance: Move main entrance approximately 200 feet toward parade ground so as to reduce present traffic hazard by providing longer "seeing" time for highway and Academy traffic.

(9) Modernization of service systems:

(A) Electrical distribution system: Alter and improve the electrical system to provide an adequate electrical installation.

(B) Water and sewage system: Alter and improve water and sewage systems and provide additional capacity as necessary.

(C) Steam distribution system: Alter and improve steam distribution system to provide an adequate heating system.

(D) Communications system: Alter and improve communication facilities to provide an adequate communications system.

(10) Enlisted men's recreation building: Construct a building with necessary recreational facilities for enlisted personnel attached.

(d) The bulk of the construction program of (c) above: Playing fields, athletic spaces, auditorium and service systems, sewage, electrical, etc., will be designed to handle the needs of an estimated future expansion to approximately 850 cadets. Then when the requirements reach 850 cadets, the only increases necessary will be galley, messhall, and classroom space.

(e) The construction program of (c) above will be subject to a critical engineering study as to characteristics, priorities, and locations of facilities contemplated. As indicated in (b) above, the request for fiscal year 1961 includes an item for this study. Upon enactment of the pending appropriation bill, prompt action will be initiated on the classroom space extension projects so as to relieve pressures as soon as possible in that area. Upon completion of the engineering study, approximately September 1960, the Superintendent will submit appropriate planning details relative to the balance of the program to the Commandant.

10. A member of the Board indicated that members of the Board of Visitors visited the Assistant Secretary of the Treasury, A. Gilmore Flues, requesting that $6,675,000 for construction funds for the Academy be included in Treasury Department appropriation requests spread over a 5-year period.

11. In discussing cadet matters, the Superintendent reported that—

(a) As of April 22, there were 560 cadets in the corps. Class of 1960, 137; class of 1961, 136; class of 1962, 150; class of 1963, 137. On June 8, 1960, the largest class in the history of the Academy will graduate. At least 135 cadets will receive their commissions and degrees, over 50 percent of the number which entered 4 years ago.

(b) The class of 1964 entering the Academy on July 11, 1960, will number about 220. Of approximately 3,500 young men who competed for cadetship this February, 380 are being offered appointments. Past data indicate that approximately 160 of these will either decline appointment or fail the final physical examination, leaving about 220 in the actual entering class.

(c) As evident increase in academic interest exists among cadets. This may be attributed to a number of items. Probably the greatest single factor is the granting of more privileges to cadets on the honors list. At the end of the fall term, there were 143 out of 560 cadets who made the list. Some of the increase was the result of liberalized ground rules; however, it is believed that by far the greater part was due simply to greater academic effort by cadets.

(d) On the weekends of March 31–April 3 and April 7–10, a limited number of third class cadets and midshipmen of the four service Academies participated in an exchange visit program. The purpose of the exchange visits is to acquaint cadets and midshipmen with the military training and academic programs of their counterparts, to help them toward an understanding of mutual problems, to establish personal relationships, and to promote cooperation between future officers of the Armed Forces. The cadets are enthusiastic about the program, which certainly seems to be paying dividends of understanding and friendship between Academies.

(e) A visiting lecture program including notable and outstanding individuals is in existence.

(f) Summer term plans including cruises have been completed. The first and third class cadets will embark on the USCGC *Eagle*, *Yakutat*, and *Absecon* and visit Portsmouth, England; Oslo, Norway; and Le Havre, France.

12. The Superintendent reported the results of the Annual Conference of Armed Forces Academy Superintendents held on March 29–31, 1960, at the Naval Academy. The Superintendents unanimously:

(a) Agreed that the methods of selecting candidates should go beyond measuring academic achievement and should attempt also to measure leadership and motivation for a service career. That, although this is the practice, it should be extended.

(b) Agreed that continuing research is needed in the field of admissions and that persons responsible for such research should meet each fall to exchange information and coordinate research projects.

(c) Urged expansion of elective and enrichment programs.

(d) Approved an athletic advisory group made up of the academy athletic directors to plan inter-Academy athletic policies and schedules.

(e) Proposed a minimum tour of 4 years for officer instructors.

(f) Ordered a public information program based on common objectives of the Academies.

(g) Reaffirmed the existing indoctrination program for incoming service Academy students.

A discussion of some of the findings of the conference followed, particularly in regard to motivation of cadets for a career, selection procedures and attrition. The Board and the Coast Guard officers discussed in detail the Coast Guard's efforts to publicize the Academy to assist in getting as many States as possible represented in cadet appointments while retaining the national competitive examination. When a member of the Board brought up the attrition problem, the Commandant and the Superintendent explained many of the causes, attempted solutions and results. The Superintendent was of the opinion that it was primarily a motivation problem because the vast majority of cadets can meet the requirements of the Academy. He stated that the present attrition rate is approximately 50 percent but that the rate is not as important as the quality of the graduate. The Board was assured that all practical measures are being taken to reduce the attrition rate without graduating an inferior product. A member of the Board expressed his opinion that congratulations were to be given for the improved attrition rate. The Commandant related some of the history of the attrition problem, and the Superintendent commented that the assignment by the Commandant of six company officers to work closely with cadets to improve motivation and eliminate unsatisfactory cadets early has been very beneficial.

13. Members of the Board went into considerable detail concerning the Academy hospital, discussing prior criticisms, staffing, patient load, etc. The following report was made to the Board by the medical director:

(a) Eleven nurses, one pharmacist and sixteen hospital corpsmen are assigned.

(b) Two hundred and thirty-eight enlisted men are assigned to the Academy, 400 are on vessels and approximately 2,000 are assigned to the training station, Groton, Conn. The Academy hospital must provide for any of these men needing hospitalization with a maximum of 50 beds available.

(c) The Academy hospital has been accredited since 1955 by the Joint Council of Hospital Accreditation.

(d) Approximately 100 outpatients are handled daily.

(e) The daily inpatient average for the year was 22.6. Total number of inpatients was 676.

(f) Last year 34,456 treatments were given to active duty and retired personnel and 7,946 to dependents. Twelve thousand prescriptions were filled.

(g) An additional nurse is needed and a recommendation for the nurse has been properly made.

(h) An explanation was given of the relationship of the U.S. Public Health Service to the Coast Guard including the method of obtaining needed doctors, nurses, equipment and supplies.

(i) Emergency situations requiring additional help would be met by the Public Health Service providing temporary assistance.

(j) The same number of doctors, six, are assigned in 1960 as in 1955 but two more nurses are on the staff.

(k) By reorganizing and placing under one medical officer, the medical facilities at the Groton Training Station and the Academy, a 400 percent increase in inpatient care and a 150-percent increase in outpatient care in the last 5 years have been handled with the same number of doctors.

14. An Academy staff officer informed the Board concerning increased efforts in publicizing the Coast Guard in order to get more cadet applicants.

15. In answer to questions from the Board, the Commandant and Superintendent explained that cadet cruises were not made to the Pacific coast because of the time factor and a desire to have cadets visit a foreign port. However, the Commandant stated that in addition to the foreign cruise, a coastwise cruise was made each year.

16. A report on the present status of the library indicated that a sound plan of improvement was in effect and that competent personnel were assigned and adequate space existed for normal growth.

17. A member of the Board stated that the Commandant should submit to the Secretary of the Treasury every year for the next 5 years a request for phasing and funding of each of the projects that have been planned for this period. He further stated that the Assistant Secretary of the Treasury, A. Gilmore Flues, gave the Board the impression that the Treasury Department would approve such a 5-year plan of budget requests for Academy construction needs. The Board member then stated that if funds are not requested as expected, the Board would get the requests on the floor of Congress.

18. The Board was assured that copies of the $20,000 engineering study of the Academy would be made available to them just as soon as the Coast Guard received it.

19. The Board recessed until after the review of the Corps of Cadets.

REVIEW OF CORPS OF CADETS AND MEETING WITH CLASS REPRESENTATIVES

The Board observed the Corps of Cadets at a formal review. Immediately following the review, the Board met with representatives of each cadet class.

CONCLUSION

The Board commends the Superintendent, Rear Adm. S. H. Evans, and his staff for their efforts in maintaining the high standards of this institution, and the excellent caliber of the Cadet Corps. The Board wishes to extend its thanks to Adm. A. C. Richmond, Commandant; Capt. J. H. Wagline, assistant chief, office of personnel; Capt. G. R. Boyce, Jr., chief of the training procurement division; and Capt. Mark A. Whalen, liaison officer, for the assistance rendered to them. The Chairman and members of the Board wish to express their appreciation to the regimental officers and other members of the Cadet Corps for their very helpful assistance to the Board in expressing their views on the functioning of the Academy. The Board earnestly recommends to all Members of the Senate and House of Representatives that they assist in every way possible in bringing the Coast Guard Academy to the attention of eligible candidates, and urging their constituents to participate in the nationwide competitive examination to be held on February 20 and 21, 1961.

The Board urges all Members of the Senate and House of Representatives and particularly the members of the Senate Committee on Interstate and Foreign Commerce and the House Committee on Merchant Marine and Fisheries to visit the Academy, inspect its buildings and grounds, classrooms and laboratories, and judge for themselves its facilities and needs.

ANDREW F. SCHOEPPEL, *Chairman.*
CHARLES E. CHAMBERLAIN.
GEORGE P. MILLER.
CHESTER BOWLES.
ALTON LENNON.
WILLIAM S. MAILLIARD.

HOUSING FOR THE ELDERLY: SETTING THE RECORD STRAIGHT

Mr. WILLIAMS of New Jersey. Mr. President, I addressed the Senate last night on the subject of housing for the elderly, but I was so restricted in the time I had that I desire to give my views as I had intended to express them.

Mr. President, it is remarkable how responsive and vigorous an administration can become in an election year.

Let the economy start drooping and watch the administration start boosting highway construction.

Let the stock market begin tumbling and watch the Federal Reserve Board start cutting its discount rate and stock downpayments.

Let the housing industry start slumping and watch the easing of downpayments on FHA-insured mortgages.

Let talk get around that maybe our military defense is not all it should be and watch the Budget Bureau start releasing impounded defense appropriations.

Let our deteriorating relations with Latin America become noticeable and watch the administration start unleashing bold, new programs for that area of the world—of course appropriation of money for these grand plans can wait till next year.

Let the elderly make their voices heard and watch the administration, after years of torpor, concoct a health care bill to take care of every ill—provided that the debt-ridden States pick up half the bill, which of course will not happen for at least several years after the advent of the next administration.

Let the children start bursting the seams of our schools and watch the administration finally come up with a build-now-pay-much-later plan to strengthen our school and banking systems, and mostly the latter.

Mr. President, though the remedies that have been proposed by the administration for some of the critical needs facing the country may leave something to be desired, it is gratifying to know that we are finally getting some thinking started. Thus I would say we owe much more to our system of regular elections than we appreciate when certain parties are in command of the executive branch.

I think there is a good illustration of this truth in the history of the new low-cost loan program for the construction of housing for the elderly.

What is the record on the history of this legislation?

In 1959 Congress authorized $50 million for low-interest, long-term direct loans for the construction of housing for the elderly. This program was modeled on the tremendously successful college housing program.

During the House hearings, however, the Housing and Home Finance Administrator, Norman Mason, commented that—

> The administration believes that this direct Federal loan program would involve an unnecessary and undesirable use of Federal funds. It would compete with private enterprise and would have the effect of smothering the growing private interest in serving this field.

Notwithstanding this concern, Congress included the elderly housing program in S. 57, the first general housing bill of that year.

The President vetoed that bill, commenting that—

> Needs in this area of elderly housing can be adequately met by private funds invested under the protection of Federal insurance.

Hearings were then held on the President's veto message by the Senate Housing Subcommittee, at which time Mr. Mason went so far as to say that—

> The direct loan provision in S. 57 for elderly housing would provide less housing than the present program is producing because it would drive privately financed housing out of the program.

But as the very able junior Senator from Wisconsin [Mr. PROXMIRE] pointed out during the same hearings:

> Under the existing FHA insurance program for elderly persons a typical project requires a rental of $87.50 for a one-bedroom apartment and $67.50 for an efficiency apartment. These are actual figures taken from the Vine Court project in Hartford, Conn. The figures come to an average per unit of $70.82.
>
> Who among the elderly can afford these typical accommodations under the FHA program? If we can assume that 20 percent of an income can be devoted to housing expenses, it would take a monthly income of about $354 (or $4,248 a year). * * * How many of our elderly possess this kind of income?
>
> I have a table here showing the money income for families and unrelated individuals for 1957, the latest year available. It shows that of the families in which the head of the family is 65 or over the median income is $2,490 a year. What this means, of course, is that the FHA insurance program is geared to serve the upper half of the income scale among the elderly and cannot serve the lower half.

I think, Mr. President, that the Senator from Wisconsin was being rather generous in his suggestion that the FHA insurance program is meeting all the needs of the upper half of the elderly income scale. But assuming that is the case, then it appears that the administration's reasoning is that construction of housing to meet the needs of the lower half of the elderly income scale would dry up construction for the upper half. A strange thesis, I would say.

Apparently the Members of Congress agreed, for the elderly housing program was included in the second housing bill of the year, S. 2539.

When this bill reached the floor of the Senate in August of 1959, the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], declared that the existing FHA insurance program for the elderly housing is "doing well at normal interest rates."

The Senator from Illinois went on to say that—

Despite that, we have put a provision in the bill at a subsidized interest rate, and we continue a principle which in my judgment is unsound, because if we apply it to enough projects and enough activities it is the absolute and certain way of bankrupting a government.

Nevertheless this presumably dangerous and unsound program was signed into law on the third try by Congress.

This year, in February, Mr. Mason returned to the Hill to inform the Senate Housing Subcommittee that the administration was still opposed to the program. In his words:

Although the President felt that, on balance, the bill which became the Housing Act of 1959 should be approved, his signature of the bill did not constitute a change in the administration position with respect to direct loans for housing for the elderly. In view of this administration position, the President did not include an appropriation item for this program in the budget.

The House, however, went ahead and appropriated $5 million to start the program on a pilot project basis.

But when the bill came over to the Senate, Mr. Mason again returned to the Hill to inform Senator MAGNUSON'S Subcommittee on Independent Offices Appropriations that—

We are in the somewhat unusual position, Mr. Chairman, of asking your committee to eliminate from the bill an amount which it proposes to appropriate.

This is the sum of $5 million for direct loans to finance housing projects for the elderly. * * *

It is easy to say, "What harm can it do to spend a few million dollars to build a handful of these projects on a pilot basis?" But we all know that Government programs, once started, tend to become self-propelling. * * * I submit, Mr. Chairman, that it just makes good common sense that if this new program should not be started for the reasons I have given, then equally it should not be started on a pilot or demonstration basis.

There followed this exchange:

Senator MAGNUSON. Well now, Mr. Administrator, the Congress passed the bill, did they not?

Mr. MASON. Congress passed a bill; yes, sir.

Senator MAGNUSON. And the bill provided for a $5 million——

Mr. MASON. The bill provided for a $50 million direct-loan program.

Senator MAGNUSON. Direct-loan program. And that was a directive of Congress.

Mr. MASON. Yes, it was.

Senator MAGNUSON. And you say that the administration does not believe in that?

Mr. MASON. That is right.

When the appropriation bill came to the floor of the Senate on June 22 of this year, Mr. President, my colleagues on this side of the aisle enthusiastically supported my amendment to appropriate the full $50 million authorized by Congress last year. And after a conference with the House, a $20 million appropriation was agreed to, and the bill was signed into law.

Now, Mr. President, mindful of the administration's persistent opposition to this program, and mindful of the minority leader's declaration that the present program is progressing very well and his warning that this new program might well lead to the bankruptcy of the Government, and even more mindful of the President's willingness to impound appropriations in such grave areas as the national defense, I was not terribly sanguine that this program of low-cost housing for the elderly would get off to a rapid or auspicious start.

When I learned just the other day from the Housing and Home Finance Agency that over 1,000 inquiries had been received on this new program, I thought the administration would perhaps hold out in the hope that the applicants would settle for the conventional FHA insurance program.

But no. Instead I find in the July 19 issue of the New York Times that Mr. Mason is now an enthusiastic supporter of the direct loan program for elderly housing.

Inquiring further, I learned that whereas there is a time span of around 90 days between application and commitment on other FHA programs—which is somewhat longer than the time between now and November 8—the Housing and Home Finance Agency is gearing up to process the applications for this totally new and presumably dangerous and unsound program in just 7 days.

With the applications just starting to come in, I have no doubt that the administration will be able to process a considerable number of them in the very near future.

I am very glad, Mr. President, to see this administration discharging its duty so diligently. As I say, we owe more to the electoral process than we sometimes realize.

SOCIAL SECURITY AMENDMENTS OF 1960—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12580), the Social Security Amendments of 1960.

Mr. GORE. Mr. President, the Social Security Amendments of 1960, which I hope will be known as the Kerr bill, as it properly should be, is near passage. The bill represents an important and progressive step in social welfare. It contains provisions which, in the controversy over the Anderson-Kennedy amendment, have, I think, been widely overlooked.

At the beginning I wish to say I believed and still believe that the Anderson-Kennedy amendment would have improved the bill, and I urged its adoption, but that is now beside the point.

I rise to inform the people of Tennessee, through the CONGRESSIONAL RECORD, of the provisions of the bill. The Kerr bill, H.R. 12580, the conference report on which we are now considering, authorizes Federal participation in providing medical and hospital care for the aged citizens of America. The bill authorizes liberal participation by the Federal Government in paying the cost of medical and hospital care for persons over 65 years of age, and provides vast benefits for the elderly people of my State.

Under the bill the Federal Government will pay 80 percent of the cost of medical care, including all doctors bills, hospitalization, dental work, nursing home care and other medical service for all those now receiving old-age assistance benefits in Tennessee, up to an amount equal to an average of $144 each year for each such old person.

To obtain the full dollar amount of benefits to the State, one must multiply the $144 a year by the number of persons in the State receiving old-age assistance. These benefits are provided with the State paying only 20 percent of the cost in matching funds. There are 54,600 persons in Tennessee now receiving old-age assistance payments.

Tennessee already has a limited medical care program for persons receiving old-age assistance. This bill will make it possible greatly to improve the program in my State. Since the bill increases the Federal share of the cost of medical payments from 65 percent to 80 percent, the State will be entitled to receive from the Federal Government additional funds for this purpose in the amount of $1,934,000 a year without increasing State matching funds at all. In other words, Tennessee will be able to pay for approximately $2 million a year more in the way of medical service without putting up any additional State money whatsoever.

If Tennessee wishes to expand its medical care program—and I hope it will—for old-age assistance beneficiaries to the extent authorized by the bill, it may do so with only a modest increase in State funds. By putting up an additional $667,000 a year in State matching funds for medical payments, the State will receive additional Federal funds for this purpose in the amount of $4,610,000 a year above the amounts now received.

Mr. KERR. Mr. President, will the Senator yield?

Mr. GORE. I gladly yield to the Senator who has steered this far-reaching bill to its final act of passage.

Mr. KERR. I wish to express my deep appreciation to the Senator from Tennessee for what he has said, and to say to him that he has called attention to what the Senator from Oklahoma felt, and still feels, is one of the most significant features in the proposed legislation, and that is the strong encouragement and incentive which it provides to the States not now operating an adequate medical program for their needy aged to do so. The plan provides what the committee felt and what the Senator from Oklahoma felt and feels is the one incentive that will get that job done, and that is to provide Federal matching funds on a very liberal basis which, when accepted by the States, will cause the States to inaugurate programs of medical care for their needy aged. Once they inaugurate such programs it is the opinion of the Senator from Oklahoma—and he is most happy to know that his colleague from Tennessee feels the same way, and his great record would prove that—that out of that step will grow a broader, wider, and more effective program of

medical care in all of the 50 States, which will bring us toward the goal which we want to accomplish, and that is a more effective and adequate program of medical care for the needy aged.

Mr. GORE. I thank the Senator very much.

Since the Senator has so kindly made the statement, I should like to ask him if he, as author of the bill, will confirm the fact that because the bill provides that the Federal share will be increased to 80 percent instead of 65 percent, States such as the State of Tennessee will receive considerable additional benefits without providing any additional matching funds?

Mr. KERR. If the States are now providing matching funds, under the formula now in the law they will receive added Federal funds for the same amount of matching money. However, that was not the primary purpose of that provision in the bill.

Mr. GORE. I understand; but that is one of the results.

Mr. KERR. The primary purpose of that feature in the bill was to provide an incentive, because as the States begin to receive additional funds for their medical-care programs for the aged, and as their aged people and those who are interested in their welfare become more familiar with that feature of the bill, the natural reaction will develop in all the States to encourage the States to expand their programs. Certainly they will receive additional matching money if they now have a program for the money they themselves provide, and that in itself will be an added incentive to them to further expand their program by putting more of their money into it.

The Senator is keenly aware of the arithmetical equation. If the matching formula is 65–35, approximately $2 is given for $1; if the matching formula is 75–25, that is $3 for $1. But in this bill the matching formula in some areas will be 80 percent to 20 percent local, which is $4 for $1.

That is the basis of the result which the Senator has referred to and identified as being the great incentive provided in the bill for the States to inaugurate a program or to expand and enlarge their program if one is already in operation.

Mr. GORE. With respect to expanding its medical-care program, if my State, Louisiana, Oklahoma, or any other State wishes to expand its program, additional funds are available to be matched. In the case of Tennessee, for medical aid to the old people on old-age assistance the Federal share would be at the ratio of 4 to 1.

Mr. KERR. That is the limit of the application of the formula. I am not sufficiently familiar with the exact result as to Tennessee. That is my opinion as to what would be the exact result, and I am certain that it would be very nearly, if not exactly, that.

Mr. GORE. The report of the Senate Finance Committee confirms this ratio, and a representative of the Department of Health, Education, and Welfare has verified it.

Mr. KERR. It is my conviction that would be the result, but, not having the figures at hand, I could not certify to it. That is my opinion.

Mr. GORE. As has been illustrated, by increasing State matching funds by only $667,000 per year over the amounts already spent for this purpose, Tennessee will be in a position to pay the doctors' bills, hospital bills, nursing bills, dental bills, medicine bills, nursing home bills, and any other kind of medical bill the State chooses to pay, of all the old people now receiving old-age assistance. The bill provides no limits at all on the amount of these medical services, unless the State decides to impose limits. Of course, some people receiving old-age assistance may have no medical bills at all, or only minor ones, in a given year. An average of $144 per year per person should be adequate to pay all essential medical expenses of all persons now receiving old-age assistance.

In addition to providing medical care for people receiving old-age assistance, the bill authorizes an entirely new medical aid program. It provides for payment by the Federal Government of 76.55 percent of the cost of medical care of persons in Tennessee who are over 65 years old and who are not receiving old-age-assistance payments, with the State paying only the remaining 23.45 percent.

The bill leaves it up to the State to determine what individuals will be eligible to receive this assistance. Everyone over 65 who meets whatever financial test the State of Tennessee decides upon would be eligible. The only restriction in the bill is that the State must submit and have approved a plan describing how it will determine who is and who is not financially able to pay for his own medical care. The committee report on the bill states that "a State may, if it wishes, disregard in whole or part, the existence of any income or resources, of an individual" in determining whether that individual is eligible for benefits.

Presumably, any plan submitted by a State for determining eligibility would not be approved if the means test the State proposed was considered unreasonable. In an effort to get some idea of what might be considered reasonable, I questioned on the Senate floor the senior Senator from Oklahoma [Mr. KERR], a principal author of the bill, on this point.

I inquired whether a State might, for example, decide to make eligible "all of those with an income of less than $2,000 per year and net resources of less than $25,000." Senator KERR replied, "If that were the State plan fixed by your State for all of its citizens; yes." When I inquired whether the State might make the test $50,000, Senator KERR replied that, in his opinion, that could not be done consistent with the requirement of reasonable standards. Thus we have to a degree, established legislative history on the range of reasonableness.

Under this new program, just as in the case of medical payments for those on old-age assistance, a State plan may provide for payment of any kind of medical bill that State wants to include—doctors' bills, hospital bills, nursing bills, drug bills, dental bills, eyeglasses, and indeed "any other medical care or remedial care recognized under State law" are all authorized, with the exception of care of those suffering from tuberculosis and mental illness.

Mr. KERR. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. KERR. That exception applies only where the persons afflicted are in State institutions.

Mr. GORE. I am glad to learn that. Do I correctly understand that the bill would authorize payment for doctors' calls or nursing services, for example, for persons with tuberculosis and mental illness if the patient is not in a State institution?

Mr. KERR. The conference agreement provides new features to help old-age assistance recipients and other aged persons who are in general medical hospitals and are diagnosed as having tuberculosis or psychosis. Under the provisions contained in present law, such persons would be immediately cut off from both cash assistance payments and medical care assistance. The conference agreement provides that all assistance will continue to be available for the next 42 days after such diagnosis while the individual is in a general medical hospital.

Mr. GORE. I thank the Senator for that enlightenment. I had understood that no funds would be available for tubercular and mental patients, which I regretted. The Senator has given enlightenment that makes the provisions of the bill more acceptable in this regard.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. KEFAUVER. My colleague is rendering a great service in making this address and in carrying on this discussion about what benefits will be available under the bill to the various States. I believe that all this will be an important part of the legislative history, in pointing out the appropriate officials of the various States what is available and what legislation or rules and regulations they should adopt in order to participate in the program.

As I understand, the Senator has said that as far as the bill is concerned, it places no limit on the amounts that may be paid to doctors and hospitals or nursing bills for any one individual.

Mr. GORE. The total amount of Federal medical aid funds for recipients of old-age assistance is calculated on an average basis of $144 a year for each person. There is no limit on the amount of the medical bill nor on the number of days that a person may be in a hospital or in a nursing home for which payment may be made.

Mr. KEFAUVER. In others words, it would be left up to the individual States to determine any limit they want to place on the amounts or length of time?

Mr. GORE. That is true. The State need not place any limits, because no limits are contained in the bill. But if a State desires to do so, of course it can place such limits. If a State so desires

it need not participate in the program at all.

Mr. KEFAUVER. As I understand, the payments will be made by the State, even though a large percent of the funds will be Federal funds. Is that correct?

Mr. GORE. Yes; it is correct. Under the new program, for people 65 years of age and older who are not receiving old-age asistance, the Federal share is 76.55 percent for Tennessee. The bill contains a variable matching formula for the different States. I have undertaken to explain exactly how the program would apply to Tennessee. In the new program, let me repeat, for those 65 and over who are not recipients of old-age assistance, the Federal share is 76.55 percent, and the State's share is only 23.45 percent. For the medical care program for those receiving old-age assistance in Tennessee the Federal share is 80 percent.

Mr. KEFAUVER. I know it is variable between the States. It can be ascertained as to other States by reference to the charts. I should like to know if I am correct in my understanding that the medical profession generally feels it is a good program, and they have no objection to cooperating with the States in seeing to it that patients get the services which are contemplated and provided for in the various programs. Is that correct?

Mr. GORE. So far I know, those in the medical profession have not opposed passage of the bill. I believe the senior Senator from Oklahoma can give information concerning the attitude of the medical profession generally toward the bill. I will yield to him, if he desires to respond.

Mr. KERR. Did the Senator have a question?

Mr. KEFAUVER. I inquired of my colleague from Tennessee if the medical profession generally supported the bill and the payment of medical, hospital, and other fees by the States, as contemplated by the bill, and if they would cooperate fully.

Mr. KERR. I cannot speak as to the degree to which the medical profession would cooperate. The bill had the wholehearted support, not only of all the aged people and welfare organizations in Oklahoma, but also of the medical, dental, and nursing professions in Oklahoma.

The bill provides a system of vendor payments whereby, through the agency to be set up and provided with authority by the State, the medical and hospital costs can be paid by the State to the doctor, the dentist, or the hospital selected by the patient himself or herself; and that has the unqualified approval of the medical profession.

Mr. KEFAUVER. There is not any opposition to the program on the part of physicians on the ground that it might tend to lead to socialized medicine?

Mr. KERR. Just to the contrary. The medical profession regards the bill as being a great insurance factor for better medical services, for freedom of choice by the patients, for the absence of regimentation of their profession and its members, and as a real element of strength against socialized medicine.

Mr. KEFAUVER. The statement made by the distinguished senior Senator form Oklahoma is very important and constitutes a great contribution to the RECORD.

I express appreciation to my colleague from Tennessee [Mr. GORE] for discussing this matter today. It will be of great interest to the people in all the States, particularly the old people, who need medical and hospital service and treatment.

Mr. GORE. I thank my distinguished senior colleague. Congress has not passed a bill this year which will touch so directly the many people who are in pain and want, and those who are threatened with the financial catastrophe that now results to many people from an extended illness, as does this bill.

It is not possible to estimate the exact amount of Federal funds that would be available to pay the cost of the new type medical aid program in Tennessee. The bill simply provides that the Federal Government will pay 76.55 percent of whatever the cost may be. In my opinion, under the terms of the bill, the State of Tennessee, or any other State, could, if it so elected, submit and have approved a plan which would make eligible 9 out of 10 of all residents of the State who are 65 years of age or older.

In summary, under the bill, it will be possible for Tennessee to provide for the payment of the medical expenses of all persons receiving old-age assistance and for up to 90 percent of all other persons in the State over 65 of age, with the State's share of the cost limited to 20 percent for those receiving old-age assistance and 23.45 percent for those not on the welfare rolls.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LONG of Louisiana. The Senator from Louisiana has suggested a standard of liberal requirements for those who are not under old-age assistance, and the distinguished senior Senator from Oklahoma [Mr. KERR] agreed that that was the intention of the amendment he offered. Will the Senator repeat the standards which he regards as rather extreme limitations of eligibility?

Mr. GORE. Mr. President, the senior Senator from Oklahoma replied to that question yesterday. The colloquy appears on page 17851 of the CONGRESSIONAL RECORD of yesterday. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Mr. GORE. Let me be specific. Let us assume that my State authorized a plan with the participation of counties. I mention this example because I think the sentiment in my State is rather strongly in favor of county participation, with some small contribution on the part of the county to the cost of the program, thus making the county the administering unit. Such a plan would promote local self-government. It would provide better specialized care and service to keep down the cost of the program. If the State of Tennessee enacted a program by which all those with income of less than $2,000 per year and net resources not in excess of $25,000, would my home county be in a position then to contract for an insurance program?

Mr. KERR. Provided the benefit were thus made available by your State in its program under this bill.

Mr. GORE. For all of those with an income of less than $2,000 per year and net resources of less than $25,000.

Mr. KERR. If that were the State plan fixed by your State for all of its citizens; yes.

Mr. GORE. Could the State make it $50,000? Or would they come in conflict with the unreasonable?

Mr. KERR. That could not be done consistent with the language which I read to the Senator from Tennessee:

"To provide reasonable standards consistent with the objectives of this title, and who are not recipients of old-age assistance, but whose income and resources are insufficient to meet all such costs."

Mr. LONG of Louisiana. Mr. President, will the Senator tell us what the income and property requirements would be?

Mr. GORE. The Senator from Oklahoma indicated that it was his view that a State plan making eligible for benefits those persons having an annual income of not more than $2,000 and a net worth of not more than $25,000 would be reasonable and within the standards set forth in the bill.

Mr. LONG of Louisiana. That is, without limiting him beyond that point? Conceivably, a person might have more income or more property and still be eligible.

Mr. GORE. Then I proceeded to ask the Senator from Oklahoma about a person having a net worth of $50,000. He expressed the view that if one had assets in that amount, a plan making him eligible would come in conflict with the provisions of the bill and the legislative intent as spelled out in the committee report.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. YARBOROUGH. It is my understanding that the medical profession has endorsed the conference committee bill and has endorsed the payment of medical fees by the States. Is that correct?

Mr. GORE. I have not personally received such an endorsement.

Mr. YARBOROUGH. Or, at least, the medical profession has made no objection.

Mr. GORE. I have received no such objection. The senior Senator from Oklahoma said the conference report had the endorsement of the medical society of his State.

Mr. YARBOROUGH. That was my impression. If the medical profession approves the payment of medical bills by the different States, why does it object to the payment of medical bills by the Federal Government? What is the difference?

Mr. GORE. That is a question which I am not in a position to answer. I would rather have physicians answer it for themselves. Such a position is difficult to rationalize.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. DIRKSEN. Mr. President, today we have observed the birthday anniversary of our very distinguished majority leader, the senior Senator from Texas [Mr. JOHNSON]; and I think it both timely and appropriate that we have a little surprise for him, in the form of a birthday cake. I think it equally timely and appropriate that the minority leader, who at one time was a baker, should move—and I now so move—that the Senate stand in recess for 30 minutes, so that we may cut the birthday cake of the distinguished majority leader. All are invited to the cake-cutting ceremony which will be held in the old Supreme Court Chamber. We invite all to attend.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois.

The motion was agreed to; and (at 2 o'clock and 3 minutes p.m.) the Senate took a recess until 2 o'clock and 33 minutes p.m.

On the expiration of the recess, the Senate reassembled, and was called to order by the Presiding Officer (Mr. BURDICK in the chair).

SOCIAL SECURITY AMENDMENTS OF 1960—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12580), the Social Security Amendments of 1960.

Mr. COTTON. Mr. President, there is one feature of the conference report on the medical care bill that I deeply regret. For many years, ever since I served as a Member of the other body, I have been one of the Members of the Congress who have repeatedly introduced bills in an effort to remove or to lift the ceiling on the amount which retired people receiving social security may earn without forfeiting their social security.

I have long left that one of the tragic errors of our generation has been that, after medical science has prolonged the life, health, and usefulness of our people, we should insist on putting such people on the shelf, failing to make some use of their experience and their talents, and condemning some of them to spend the sunset of their lives in idleness, frustration, and in many cases, unhappiness. Our older citizens have paid for their social security and I believe it is completely unjust to deprive them of reasonable opportunities for employment which make old age bearable.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. COTTON. I am glad to yield.

Mr. MUNDT. I commend the Senator from New Hampshire for calling this problem to the attention of the Senate. I am aware of his long leadership in this field, and I have joined him on various occasions in an effort to have the ceiling lifted. I have been one of the authors of a number of bills which would lift the ceiling to $1,800 or $2,400 a year.

Like the Senator from New Hampshire, I have been distressed by the conference report because, as I read it, it appears that the conferees lifted the ceiling by only $100, as I understand, to $1,300, with a complicated formula provided, which certainly is not a big step, although it is a movement in the right direction.

Mr. COTTON. I thank the distinguished Senator.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. COTTON. I am glad to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. As one who does not expect to vote for the conference report because of this and certain other actions that I thought could and should have been taken, let me point out how this plan would work. As it stands now, a person could earn $1,200 in 1 year without having his income reduced. Today if he earns $80 in one month, his entire check is cut off for that month.

The bill which we passed and sent to conference would permit that man to make $150 a month, whereas previously he had been limited to $100 in each month of the year.

Mr. MUNDT. The bill would have made the ceiling $1,800 a year instead of $1,200, would it not?

Mr. LONG of Louisiana. Yes. What has been brought back from conference is a measure that provides that if a person earns $1,500 in 1 year, which means that he earns an additional $300, he would be permitted to keep one-half of that amount. In other words, for every $2 that he earned, his social security benefits would be reduced by $1. Above that figure, for every dollar that he earns his income would be reduced by $1. It would have the same effect as if he were taxed 100 percent of his income.

Mr. MUNDT. Is that provision not tantamount to developing a new concept of taxation, of taxing those least able to pay instead of those most able to pay?

Mr. LONG of Louisiana. It seems to me that there would be the imposition of a 100-percent tax on a poor man who is over 65 years of age. Perhaps it might have some salutary effect in helping him to understand how a millionaire feels when he is taxed at the rate of 90 percent on a quarter of a million dollars that he might make in a single year. It is a very poor substitute for what the Senate approved.

Mr. MUNDT. The approach would do great violence to our American concept that taxation should be in conformity with ability to pay.

Mr. COTTON. Mr. President, I am deeply gratified to find that other Senators feel so strongly in this matter and have indicated their attitude during the course of my remarks.

While the conference report—at least that portion of the conference report that has to do with the earnings limit—would seem to be an improvement over the present law, it is indeed a long way from what the Senate approved when it passed the bill. It is not half a loaf; it is not a quarter of a loaf—indeed, it is hardly a crumb.

I was interested in the contribution which the distinguished Senator from Louisiana made in this colloquy. He confirmed the fact that the procedure outlined in the conference report to determine what earnings will be permitted elderly people is phrased in a rather complex and difficult way. I am afraid that elderly people, as well as the rest of us, will be somewhat bewildered when they try to find out where those elderly people stand. A slide rule and a set of logarithms may be required to determine what the conference report provides for this group of people.

Apparently its impact on an individual would depend not only on how much he earns but also when he earns it—to be more precise, on the number of months in which his earnings are less than $100. But in most cases, under the conference report a social security beneficiary who earns over $1,200 will be only $150 better off, regardless of how much he actually earns. If he earns $1,700, $500 over the limit, he will have his social security benefits reduced by $350.

I wish to make crystal clear that I do not vouch for the conclusions I have just drawn, because a hasty perusal of the conference report leaves most of us, I think, somewhat bewildered in our effort to analyze what, if anything, it provides.

I expect that I shall support the conference report because of the many other important features it includes. But I am deeply disappointed. It gave me a great feeling of satisfaction, after all these years of striving to see the Senate finally enact a bill which raised the minimum and which took away the shackles, at least, to some degree, that we were placing upon our elderly citizens. But after only a few brief days of happiness, the conference report is presented with this crushing disappointment, and we find our endeavors have largely failed. I for one—and I know the distinguished Senator from South Dakota and the distinguished Senator from Louisiana and the distinguished Senator from New York [Mr. KEATING], among others—feel very deeply about this, as do many other Members of this body. We are not going to be satisfied with this crumb, this small bit of consolation, but we are going to continue to strive for continual improvement.

I am not being unjust when I say very frankly on the floor of the Senate that for years I have detected what I believe to be a steadfast and stubborn resistance to this measure by some who apparently feel that all job opportunities in this

country should be reserved for those who are in the prime of life, and that as soon as someone has reached the age of retirement, he ought to be stuck up on the shelf, supported by the taxpayers, and spend his last years in idleness.

That is an extreme view, and it is an unfortunate view.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. MUNDT. I am delighted to hear the Senator say that the fight must go on. I assure him that I shall join him in it. Now that we have broken what we might call the "unsound" barrier by at least providing a complicated, tardy, and altogether inadequate step in the right direction, I hope that in subsequent Congresses we will be able to rectify the situation completely.

I regret that by voting for the conference report, as I expect I shall have to do, because of the other features which are in it, and because of the undesirable eventualities which might flow from a defeat of the conference report, we will be getting legislation in this area much less satisfactory than what we should have in medicare, and we do not place our stamp of approval on this surrender by the conference report to the victory which we achieved on the Senate floor.

Mr. COTTON. Knowing the Senator as well as I do, I know he will never let go, but will be steadfast in the fight.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. KEATING. Like the distinguished Senator from New Hampshire, I shall probably have to vote for the conference report because of the many salutary features in it. I most emphatically want to indicate that I share the views expressed by the Senator from New Hampshire when he spoke of his regret over the extent to which the conferees have negated what we did on the floor with reference to the earnings limitations for people eligible to receive social security benefits. Like the distinguished Senator from New Hampshire, who has been a leader in this field, I have long favored an increase in the social security earnings limitation. Several times I introduced legislation to that effect. Recently, I introduced an amendment to H.R. 12580, the Social Security Amendments Act, to increase this limitation to $1,800. I also introduced an amendment which would remove it entirely. Although I would much rather have seen the second amendment adopted, I felt the $1,800 figure to be a realistic and reasonable one at the present time. I have commented many times on the elimination of the so-called social security retirement test, which provides that a person over 65 and under 72, if he earns more than $100 a month, or $1,200 a year, loses a social security payment each month in which he earns over $100.

As I understand the formula which the conference report has adopted, it is aimed at removing the disincentive to continue to work for persons eligible to secure social security benefits. There is the possibility under the present formula that if a man continues to work he may lose more in benefits than he gains in extra earnings. This is wrong. It is high time we did something about it.

What we have had for years is a situation in which all authorities agree that older people should continue to live useful and energetic lives. Many people have told me about older workers whose temperament is such that to stop work would literally kill them. It is not quite easy to be inactive, as some people seem to think. Many older people fear retirement more than anything else that confronts them.

The Labor Department under the active leadership of Secretary Mitchell, has urged older people to continue to work, thereby continuing to make their needed skills available to our economy. He has on many occasions reiterated the importance of skilled older workers and the need for them to devote as much of their energy as they can to the Nation's economy.

On the other hand, the social security law of our land tells the same man, "Well, sure, there is no law against your continuing to work, but you will lose a part of your social security benefits, for which you have contributed over the years, if you do."

The conference report on H.R. 12580 establishes a formula which the Senator from New Hampshire has said will be extremely difficult to explain. It is difficult enough now to explain it to the untutored. It will be even more difficult to explain it to an older person, who thought that he was a part of the insurance system and who thought that he could earn whatever he wanted to at any time and still at age 65 get his income. It is not easy to explain to a retired person that for every $300 a person earns above $1,200, he will get only half of that sum. People undoubtedly will say to us, "Why don't you do something about it?" What do we tell them? This is the first major change in the earnings test in years.

I recognize the problem which the conference committee had. I do not want to be ungenerous to the conferees in what they have done. At least, they have taken a short step in the right direction. However, Mr. President, it is only a short one.

Mr. COTTON. Would not the Senator from New York say it was a gesture rather then a step?

Mr. KEATING. I agree that his is probably a more accurate statement. I assure the distinguished Senator from New Hampshire that it is as unsatisfactory a gesture to me as it is to him. I shall stand shoulder to shoulder with him in his efforts to raise the limitation. Eventually, I am as certain as I am that I am standing here that we shall recognize the fact that since we claim the social security system is basically an insurance system, we must do away with the concept that those who are over age 65 will be deprived of their social security benefits if they earn more than a certain amount of income. I am certain that eventually we shall accept this proposition.

I recognize the problem of keeping the trust fund sound. That has always been the basis of the opposition to plans for raising the earnings limitation. All of us want to keep the trust fund sound. We should keep it sound. However, whatever is involved in additional costs in the tax on both employer and employee will, it seems to me, necessarily have to be made in order to do away with the present unrealistic concept that a person under social security is limited as to his earnings on the outside, if he is or wants to receive social security benefits.

I am grateful to the Senator from New Hampshire for having again called this important problem to our attention.

Mr. LONG of Louisiana. Mr. President, will the Senator from New Hampshire yield?

Mr. COTTON. I yield.

Mr. LONG of Louisiana. It seems to me that if the Senator wants to do something about this problem, he ought to vote against the conference report. That item comprises two-thirds of what is in conference. It is the very item about which he is talking. The reason why I fought it is that starting next year it will be necessary to have some increase in the social security tax, perhaps, if we keep it in. But if we are to have the benefit which we want, and for which we shall have to vote, then it will be necessary to keep the program in that way. There will be no material imbalance between now and the first of the year. Next year we can have a social security bill which will provide for a modest increase in the tax to take care of it. However, I fear that if we vote for the social security bill as it is now written, it will be 2 years before anything can be done along this line. I suspect that if the Senator's party is successful in the election—and I do not discount that possibility for a moment—it will be necessary to wait 2 years before we will have an opportunity to vote on the same measure again.

Mr. COTTON. Of course, it is necessary to have various avenues and means of approaching a desired end. So far as this particular point is concerned, no Member of this body is more zealous in a desire to attain that end than the distinguished Senator from Louisiana. To that exent, I agree.

However, it is necessary to be practical. We were called back into this rather extraordinary session. I was not in favor of it at the time. We are operating under pressure. If my senses do not deceive me, I have noted throughout the Senate Chamber some restlessness on the part of many Senators, on both sides of the aisle, who are running for reelection. I am informed that there is considerable restlessness in the House of Representatives. We shall not be hanging around here forever. I do not want to help to scuttle the whole bill because of one bad feature.

The Senate has passed a bill. We have gone to conference. Members of this body who have served on committees of

conference, as I have, both as a Member of the House and as a Member of the Senate, know that this is a difficult problem. I, for one, shall continue to strive for this particular feature. However, I do not want to be a part of the responsibility of running the danger of scuttling the bill.

I appreciate all the contributions made to the discussion by other Senators, and I do not wish to take more of the time of the Senate, but before I conclude I should like to add that my colleague, the distinguished senior Senator from New Hampshire [Mr. BRIDGES], who is unavoidably absent for a time from the Senate this afternoon, has also been a sponsor of a bill to lift the ceiling on the amount which elderly people receiving social security will be allowed to earn. Were he here, I know his voice would be joined to the voices of the rest of us concerning this point in the conference report, which we so greatly deplore.

REVISION OF BOUNDARIES AND CHANGE OF NAME OF FORT DONELSON NATIONAL MILITARY PARK

The PRESIDING OFFICER (Mr. BURDICK in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1066) to revise the boundaries and change the name of Fort Donelson National Military Park, and for other purposes, which was, to strike out all after the enacting clause and insert:

That in furtherance of the purposes of the Act entitled "An Act to establish a national military park at the battlefield of Fort Donelson, Tennessee", approved March 26, 1928 (16 U.S.C. 428 and the following), and to facilitate an appropriate observance of the one hundredth anniversary of the Battle of Fort Donelson, the Secretary of the Interior is authorized to designate for addition to the present Fort Donelson National Military Park such lands and interests in lands adjacent to said park as in his discretion are necessary to preserve and interpret this historic battleground, including the nearby historic Surrender House and the land upon which it is situated on Spring Street in the town of Dover, Tennessee, but the total area commemorating the battle of Fort Donelson shall not exceed 600 acres.

SEC. 2. Within the area designated for addition to such park under the first section of this Act, the Secretary is authorized to acquire non-Federal lands and interests in lands by purchase, by donation, by purchase with donated funds, or in such other manner and by such means as he may deem to be in the public interest, except that the Surrender House and land upon which it is situated shall be acquired only by donation or by purchase with donated funds. Administrative jurisdiction and control over lands administered by the Corps of Engineers, Department of the Army, above contour elevation 369 and which, under authority of the first section of this Act, are designated for inclusion in the park, shall, upon agreement of the administering agency, be transferred to the Secretary of the Interior without a transfer of funds.

SEC. 3. There is hereby authorized to be appropriated the sum of not to exceed $226,000 for the purpose of acquiring lands, interests in lands, and improvements thereon as may be necessary for carrying out this Act.

SEC. 4. Upon acquisition of the additional lands pursuant to authority contained in this Act, the Fort Donelson National Military Park shall be redesignated by the Secretary of the Interior as the Fort Donelson National Battlefield, notice thereof shall be published in the Federal Register, and any remaining balance of funds appropriated for purposes of the Fort Donelson National Military Park shall be available for the purposes of the Fort Donelson National Battlefield.

SEC. 5. The administration, protection, and development of the Fort Donelson National Battlefield shall be exercised by the Secretary of the Interior in accordance with the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535), as amended.

Mr. MOSS. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

DE SOTO NATIONAL MEMORIAL, FLA.

The PRESIDING OFFICER (Mr. BURDICK in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1214) to amend the act of March 11, 1948 (62 Stat. 78), relating to the establishment of the De Soto National Memorial, in the State of Florida, which was, on page 2, strike out lines 1 through 6 inclusive, and insert:

B. By striking from section 3 of said Act, as amended, the figure "$50,000" and inserting in lieu thereof the figure "$175,000".

Mr. MOSS. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

TRAINING OF COMMUNIST REVOLUTIONISTS IN CUBA

Mr. CHURCH. Mr. President, the August 22 issue of Time magazine, contains an essay entitled "Revolution for Export," which develops the thesis that Cuba is a proving ground for revolutionary methods and techniques looking to their use throughout Central and South America by the Communist leadership.

The article draws a sobering picture of a Cuba where revolution is fast becoming the principal export, and of a Havana which has become a sort of branch office where Communists have their collaborators check in.

I think it important that this article, so pertinent to the current conference of hemisphere foreign ministers in Costa Rica, be called to the attention of Congress, and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REVOLUTION FOR EXPORT

(Let us make Cuba the example. Let us make the Andes the Sierra Maestra of the Americas.—Fidel Castro.)

Revolution is fast becoming Cuba's principal export. Perhaps not since the early days of the Russian revolution, when Lenin used Soviet diplomats to transmit instructions and gold, has a government attempted such large-scale subversion of its neighbors.

Cuban diplomats, like Nasser's in the Middle East, are supposed to appeal directly to the hemisphere's people, going over the heads of—and against—the governments. Last month Buenos Aires police raided a strategy meeting of the street-fighting committee in honor of the Cuban revolution, and flushed the Cuban Embassy's second secretary. Argentine agents have been able on two occasions to intercept and photograph the bags of Havana's diplomatic couriers. Both times they found copies of the celebrated manual for guerrilla warfare written by Castro Henchman Che Guevara. On at least one occasion they found orders for Peronista terrorists.

THE FRIENDS OF CUBA

Havana's most consistent effort is probably devoted to developing pro-Cuba fronts throughout the hemisphere. Venezuela's Committee for the Defense of the Cuban Revolution, an amalgam of Communists and street brawlers, has grown so powerful that it is causing serious division within the political coalition backing President Rómulo Betancourt. A few weeks ago, at the funeral of a local Castro leader killed by police, angry members carried his coffin, decked with the 26th of July red and black colors, through the streets for 4 hours. Recently, when anti-Castro Cubans held a memorial service in Caracas Cathedral, committee members and the Cuban chargé d'affaires attacked the church.

Hardly a group or area is too small for Cuban attention: Jamaica police who seized the chief of the island's Mau-Mau-like rebel Ras Tafarians reported finding correspondence with Castro officials. Revolución, Castro's newspaper mouthpiece, devoted a 40-page supplement to calling Puerto Rico "a slave territory of America." Communist-leaning Cheddi Jagan, a political power in British Guiana, got a red-carpet welcome in Havana.

EARTHQUAKE AID: PROPAGANDA

Pamphlets, manifestoes, films and books pour from Havana to the hemisphere. Brazilian cops raiding a Cuban attaché's hideout found posters calling for "Green and Yellow [Brazil's colors] Revolution." Chilean officials, looking through a ton and a half earthquake-relief shipment flown in by a Cuban plane, discovered that it was all propaganda and impounded the lot.

As the little Comintern of the Western Hemisphere, Havana has also become a sort of branch office where Communists and their collaborators check in. Recent visitors to Havana range from Mexican Artist-Communist David Alfaro Siqueiros (see Mexico) to a couple of Costa Rican banana-union bosses who stopped in en route home from Moscow. The effect of this spreads all over the map. In Managua, Nicaragua, students rioted, burned the U.S. military attaché's car, demanded that Roosevelt Avenue be renamed after Augusto Sandino, Yankee-hating Nicaraguan rebel of the twenties. In Ecuador, students and white-collar workers formed a Revolutionary Union of Ecuadorian Youth and donned Sierra Maestra-type khaki uniforms. In Bogotá, rioting pro-Castro students burned Uncle Sam in effigy.

THE ALARMED REACTION

Castro's very success at exporting revolution is breeding a reaction. After an initial flirtation with the Cubans, liberal and leftist parties in Peru, Colombia, Venezuela, Costa Rica and Honduras have begun to rid themselves of radical Castro supporters. Puerto Rico's Governor Luis Muñoz-Marín, a stubborn early friend of the Cuban revolution, last week got fed up and demanded recall of the acting Cuban consul, charging that she was encouraging Puerto Rican separatist plotters to visit Havana. Venezuela's President Rómulo Betancourt and Costa Rica's ex-President José Figueres, both left of center, are no longer on speaking terms with Castro.

El Salvador, Haiti, Honduras, Nicaragua, Venezuela, and Guatemala have forced out Cuban envoys or broken off diplomatic relations. Colombia's President Alberto Lleras Camargo warned that he would break relations "with any state which tries to utilize diplomatic privileges to inflict damages on us." Peru summoned the OAS to consider Red infiltration into the hemisphere (see The Americas).

Many Cuban career diplomats, dismayed by Castro's use of embassies for revolution, have either quit or invited purging. Out so far: at least a dozen officers, including the ambassadors to Bonn, London, Ottawa, Bern, Rome, San Salvador. Last week Havana's vice consul in Los Angeles, a diplomat for 18 years, proudly resigned from "Castro Brothers & Co., exclusive representatives of Moscow and Peiping in America."

TWENTIETH ANNIVERSARY OF THE FOUNDING OF UKRAINIAN CONGRESS COMMITTEE OF AMERICA, INC.

Mr. BUSH. Mr. President, this fall the Ukrainian Congress Committee of America, Inc., will observe the 20th anniversary of its founding. This event is most worthy of recognition by the U.S. Senate, the people of America as a whole, and all those who aspire to the goal of universal freedom.

For 20 years the Ukrainian Congress Committee of America, Inc., has dedicated itself to keeping the hope of freedom alive behind the Iron Curtain. In so doing, it has also helped to keep the free world alert to the evil of Communist imperialism.

In the words of Prof. Lev E. Dobriansky, chairman of the Ukrainian Congress Committee of America, the organization has served the national security of the United States by:

1. Advancing the strategic value of all the captive nations, particularly those in the Soviet Union itself;

2. Informing our fellow citizens about the independence struggles of the dozen captive non-Russian nations in the U.S.S.R.;

3. Exposing the many current myths about Soviet unity in all its alleged ramifications; and

4. Proposing concrete ways and means to defeat imperialist Moscow in the cold war, the chief mode of which is psychopolitical and propagandistic.

The free world owes a debt of gratitude to the Ukrainian Congress Committee of America, Inc., for its outstanding efforts in keeping hope alive among the captive peoples.

On the occasion of the 20th anniversary of this organization, it would be well for each American to share in the spirit and dedication of its membership, trusting that, with the help of divine providence, its objective of universal freedom will soon be realized.

THE CONFERENCE REPORT ON THE SOCIAL SECURITY AMENDMENTS OF 1960

Mr. BUSH. Mr. President, I suggest the absence of a quorum.

Mr. JAVITS. Mr. President, will the Senator from Connecticut withhold that suggestion?

Mr. BUSH. If I may do so without losing my right to the floor.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Is there objection? Without objection, it is so ordered.

Mr. JAVITS. Mr. President, will the Senator from Connecticut yield at this time to me and also to the Senator from New Mexico [Mr. ANDERSON], who wishes to join in colloquy with me?

Mr. BUSH. Yes, if it is understood that in doing so I shall not lose the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. JAVITS. Mr. President, in connection with the conference report on House bill 12580, the social security amendments of 1960, I wish to make a brief statement in regard to the very interesting and the very warm debate and the ensuing votes which were taken on my amendment and on the so-called Anderson amendment.

Although I am confident that the report will be approved, and I shall support it, yet everyone knows that the conference report will take care of a relatively small part of our problem. It deals—and I think great credit for this is due the Senator from Oklahoma [Mr. KERR]—with approximately 2,400,000 people on old-age assistance and between 500,000 and 1 million people who are considered medically indigent.

But, in addition, there are, at the very least, 10 million or perhaps 11 million of our people over 65 years of age who—and two separate voting groups in the Senate took an affirmative position in that connection—need the help of the Federal Government if they are to have an appropriate plan of medical care with Federal participation.

The plan favored by the Senator from New Mexico [Mr. ANDERSON] and my plan differ. But I should like to take this occasion, prior to approval of the conference report, to state that it is my determination to work out with the Senator from New Mexico and with other Members who think as he does about this matter—and to work it out early in the next session—a medical-aid plan which will have Federal participation.

Without arguing at the moment about the plan under which that will be done and whether it will or will not have any implications in regard to social security or general revenue, nevertheless I am confident that we can work out a plan, with Federal participation, which will give the 10 million Americans over 65 years of age what they are entitled to—namely, a decent program of health care. I think this is assured by the degrees to which our respective parties have advanced—as shown by the votes taken—in supporting the fundamental objective of both presidential candidates, and with the obviously united determination of the overwhelming majority of the Members of this body, which I am sure is echoed in the other body.

As one who was responsible for one of the two principal efforts made in the Senate in connection with amendments to this measure—although the two amendments called for totally different programs, both of which were subject to a considerable amount of opposition—I should like to express my confidence that not only can a program of this kind be worked out, but that it will be enacted into law.

Mr. ANDERSON. Mr. President, will the Senator from New York yield to me?

Mr. JAVITS. I yield.

Mr. ANDERSON. Let me assure my good friend, the Senator from New York, that I completely share his sentiment. I do not know exactly how the matter will be worked out, or what particular device will be used. But I am sure that so many Members of Congress are determined to have something accomplished in this field, that they will work to accomplish it and will find a way to do it.

I am happy that the Senator from New York has expressed his determination in that connection; and I assure him of my equal determination to try to do something to make certain that the people of this country will have the benefit of such a program, as a result of our determination to see that it is instituted, even though one plan has been offered in that connection by the Senator from New York and another plan has been offered by me. I warmly congratulate the Senator from New York on his support, and I pledge him my support.

Mr. JAVITS. I thank the Senator from New Mexico.

Mr. BUSH. Mr. President, at this time I shall suggest the absence of a quorum, because the Senate convened today at 11 a.m., but absolutely nothing has been accomplished thus far. I believe we should either get down to work or go home.

Therefore, Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. RUSSELL. Mr. President, I ask unanimous consent that further proceedings under the call of the roll may be dispensed with.

Mr. BUSH. Mr. President, reserving the right to object, I wish to say——

The PRESIDING OFFICER. A Senator cannot reserve the right to object on a request to dispense with the call of the roll.

Mr. BUSH. The Senator from Georgia has asked unanimous consent to dispense with the calling of the roll.

The PRESIDING OFFICER. A Senator must either object or let the quorum call be continued.

Mr. LONG of Louisiana. Mr. President, I object.

Mr. BUSH. Mr. President, I ask unanimous consent to speak for a moment on the reservation.

The PRESIDING OFFICER. A Senator cannot make such a unanimous-consent request.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that further proceedings under the call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I yield to the Senator from Connecticut.

Mr. BUSH. Mr. President, I ask for recognition.

Mr. LONG of Louisiana. Mr. President——

Mr. YOUNG of Ohio. Mr. President, a parliamentary inquiry. The Senator from Louisiana voiced objection, according to what I heard.

The PRESIDING OFFICER. Subsequently the majority leader made the request.

Mr. LONG of Louisiana. Mr. President, I objected to rescinding the order for the quorum call. I did not hear the soft tones of the majority leader. If he wants to do that, it will be easy enough to get a quorum call.

Mr. JOHNSON of Texas. Mr. President, I said it loud enough to be heard. I asked that further proceedings under the call be dispensed with. The Chair said, "Without objection, it is so ordered."

There are a goodly number of Senators present to hear the Senator from Louisiana, if the Senator from Louisiana will proceed. Let the Senator from Connecticut make his statement.

Mr. BUSH. Mr. President, I point the finger at no one, but the Senate has been called here in an unusual Saturday session in order to try to do business and act upon the conference report. We have been here 4 hours and have gotten nowhere. I asked for a quorum call, intending to ask for a live quorum, so we could either get on with the business or go home. I do feel, having agreed not to insist upon a live quorum, that we are entitled to some assurance that other Senators will be cooperative and get on with the business, and let Senators say what they have to say about the conference report, make their statements as brief as possible, and have some consideration for other Senators, so we can get out.

I am sick of sitting around all the time when we are accomplishing absolutely nothing. I do not think it is in keeping with the best traditions of the Senate, and I object to it.

I shall not object to the withdrawal of the quorum call, but I do think Senators should get down to business so we can get on with our business today and get out of here.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

[No. 313]

Aiken	Case, S. Dak.	Gruening
Allott	Chavez	Hart
Anderson	Church	Hayden
Bartlett	Clark	Hickenlooper
Beall	Cooper	Hill
Bennett	Cotton	Holland
Bible	Dirksen	Hruska
Burdick	Dworshak	Humphrey
Bush	Eastland	Jackson
Butler	Ellender	Javits
Byrd, W. Va.	Engle	Johnson, Tex.
Cannon	Ervin	Johnston, S.C.
Capehart	Fong	Jordan
Carlson	Frear	Keating
Carroll	Gore	Kefauver
Case, N.J.	Green	Kerr
Lausche	Moss	Scott
Long, Hawaii	Mundt	Smith
Long, La.	Murray	Stennis
Lusk	Muskie	Symington
McCarthy	O'Mahoney	Talmadge
McClellan	Pastore	Thurmond
McGee	Prouty	Wiley
McNamara	Proxmire	Williams, Del.
Magnuson	Randolph	Williams, N.J.
Mansfield	Robertson	Yarborough
Monroney	Russell	Young, N. Dak.
Morse	Schoeppel	Young, Ohio

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Florida [Mr. SMATHERS], and the Senator from Alabama [Mr. SPARKMAN], are absent on official business.

I further announce that the Senator from Missouri [Mr. HENNINGS] is absent because of illness.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Nebraska [Mr. CURTIS], the Senator from Arizona [Mr. GOLDWATER], the Senator from Kentucky [Mr. MORTON], and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

The Senator from California [Mr. KUCHEL] is absent because of illness.

The Senator from Iowa [Mr. MARTIN] is absent by leave of the Senate on official business.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the conference report.

Mr. LONG of Louisiana. Mr. President, I shall vote against the adoption of the conference report because in my judgment the Senate will be making a bad mistake by agreeing to it.

I make that statement notwithstanding the fact that the bill brought to us from the conference is basically a good bill. I believe I have voted for almost everything in the bill. I supported everything in the bill as it passed the Senate.

I do not oppose anything in the bill. My reason for voting against the conference report is that we could have done much better than we did. The Senate gave us a bill much better than the one brought back from the conference to the Senate.

Yesterday I made the comparison that in my judgment when one looks at that which was in conference and at the result of the conference it is as though one left a chicken in the henhouse over night and came back the next morning to find nothing but feathers left.

We had in conference only certain important items. There were good provisions in the bill as it passed the Senate and as it passed the House. Most of the provisions were self-financing provisions and called for no increase in the social security tax.

One of the best of them all was a proposal that the disability insurance would start at any age, rather than only age 50.

With respect to the public assistance features, the Senate bill was a vast improvement. I salute the great senior Senator from Oklahoma [Mr. KERR], the principal sponsor of last proposal in the Senate bill, which would make it possible to have tremendous additional Federal matching. It is estimated that in the first year the matching funds would be approximately $220 million, to help the States provide care for anyone needing help.

Mr. President, that is one of the matters which was in conference. As one of the conferees, so far as I could detect, there was never the slightest doubt that the particular provision was going to be agreed to. There was not doubt for a moment. In fact, to the best of my recollection, we did not even have to compare the House provision with the Senate provision.

Undoubtedly the able manager of the bill, the senior Senator from Oklahoma, had gone to great efforts to get in touch with House Members, with Senate Members, and with those who serve in the executive branch of the Government, from the Director of the Bureau of the Budget down, to make sure the provision was properly cleared in many quarters, even beyond those with respect to which I have any knowledge.

The conference did not even have to discuss the provision. The House conferees were ready to take it from the beginning. One thing which undoubtedly helped was that the able chairman of the House conferees, Mr. MILLS, is a Representative from the State of Arkansas. Under the proposal, Arkansas would get a great deal of additional money without the necessity of putting up additional funds, and would have the benefit of 80 percent Federal matching for this type of care, whereas up to now that State has been limited to 65 percent Federal matching. It would be 4 to 1 Federal matching, instead of only 2 to 1.

There was not even any discussion of taking the House provision in that regard. There was not even any comparison. As one who served in the conference, I had to ask the able and competent adviser from the executive branch of the Government, Mr. Bob Myers, exactly what the House provision provided, and what was the difference between the House provision and the Senate provision, because we did not even discuss it. That much was clear.

Then there was a relatively minor controversy that no one cared about. I think either side would have traded the point to get its way on some other point. I refer to the question whether doctors would be covered. While many of us felt that doctors would be wise to seek and obtain social security coverage, it was our impression that it was the announced position of the American Medical Association that they did not want to have coverage for their members, and many of us felt it would be the better part of wisdom to wait until the physicians and surgeons requested coverage. We felt that it would be good

policy to handle the question in that way, and it would be more appealing to the physicians and surgeons.

The Senate conferees prevailed in their position. However, in my judgment, if we had to yield the point in order to secure some other important point, the Senate conferees would have been willing to so yield.

Therefore, three major provisions remained in controversy. In my judgment, we could have obtained all three of them if the Senate conferees had been willing to fight for them. We could not obtain any of them if the Senate conferees were not willing to fight for them. The outcome would depend upon how much the points would mean to us. If we had been willing to insist that those provisions be retained, my guess is we could have retained them. What were they?

Mr. YOUNG of Ohio. Mr. President, will the Senator yield before he proceeds to state those three provisions?

Mr. LONG of Louisiana. I yield.

Mr. YOUNG of Ohio. To advert for a moment to the fact that physicians and surgeons are omitted from the conference report and to the statement that the distinguished Senator from Louisiana has made that there was a feeling that physicians and surgeons would be admitted within the beneficent coverage of social security as soon as the heads of the American Medical Association indicated that it desired to do so, is not the Senator from Louisiana fully familiar with the fact that in every referendum taken of physicians and surgeons, and notably in referendums taken in the States of Ohio, Pennsylvania, New York, and New Jersey, from 60 to 68 percent of the physicians and surgeons polled evidenced an intent, a wish, and a desire to be included under the coverage of social security? Is that not a fact with which the Senator from Louisiana is familiar?

Mr. LONG of Louisiana. Mr. President, I regret to say that I cannot say it is a fact. I do not know. My impression is that polls have been taken in some States in which a majority of physicians and surgeons have indicated that they wanted to be covered; in other cases the majority indicated that they did not want to be covered.

The Senator has asked whether I know. I must say that I do not know, but I yield to his superior knowledge on that subject.

Mr. YOUNG of Ohio. The junior Senator from Ohio, who was at one time a member of the Committee on Ways and Means of the House of Representatives, knows that fact, and it appears to the junior Senator from Ohio that, unfortunately, the Board of Delegates of the American Medical Association is not responsive to the will of its members, which is regrettable.

However, I regret also that physicians and surgeons will not be included. I do not share the feeling that I have heard expressed that until the physicians and surgeons clean their own house and have a board of delegates responsive to their wishes they should be kept out of social security. But for the time being I will go along with that determination. I hope that sometime next year, when we further amend the social security law, we shall include self-employed physicians and surgeons.

Finally, like the distinguished Senator from Louisiana, I regret very much that the conferees did not return to the Senate, and that we do not have today a much better conference report for the welfare of the aged people of our country than we have.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I now yield to the senior Senator from Ohio.

Mr. LAUSCHE. I should like to add something to what my colleague has said on this subject. I have had communications which reveal that the polls taken in Ohio showed a desire on the part of physicians and surgeons to be covered, but finally a formula was proposed to be applied on the basis of weighting the statistics, and by the application of that formula, the final judgment reached was that there is not a desire on the part of the physicians and surgeons to be covered.

If the subject is considered next year, I think it would be well worth while to make inquiry and to ascertain whether it is not a fact that the physicians do wish to be covered, and to ascertain whether by some formula the will of the physicians has been frustrated. I rise to make that statement in order to give support to what my colleague has said to the effect that word has come from Ohio that physicians and surgeons wish to be covered.

Mr. LONG of Louisiana. Mr. President, I have voted against covering physicians and surgeons because my impression has been that in the State from which I come the majority of physicians and surgeons have not desired coverage. My guess is that if they really understood the benefits, particularly the young doctors, and understood how much more they would receive through that plan than under a private insurance program, they would want it. However, they have never educated themselves to that degree on the subject. That being the case, I am of the opinion that the majority of the doctors in the area from which I hail do not at this time desire coverage, although I believe eventually they will request it.

We then come to the four major items that were in conference.

First, let us consider the one that the House sent to us, which was a proposal that would reduce the number of quarters of coverage required in order for a person to qualify for social security protection. That proposal was contained in the House bill. The Senate removed it without any real conviction. If I recall correctly, there was a very substantial vote, even in the Senate committee, to retain that provision. During the considerations in the executive sessions, I believe that the member who had moved to strike out that provision even moved to reinsert it. It was the judgment of the junior Senator from Louisiana that the striking of that provision, if it had no other purpose, would have given the Senate a little bargaining power to bargain with the House, by which we would accept some of the provisions that the House had voted, provided they would accept some of the provisions that we had voted.

That is not how the compromise worked out. It worked out the other way around. The compromise was, in effect, that we would drop the social security benefits which we have previously voted, provided the House would drop most of the benefits which it had voted.

So we went to conference with these varying proposals that would have meant about $1.2 billion of additional social security benefits.

We brought back to the Senate a bill that would provide about $250 million of social security benefits. It was contended that the Senate bill would require an increase in the social security tax. I suppose it would, although not this year. That subject could have been taken care of next year, because the increase this year, so far as the social security cost is concerned, would have been very, very small. Most of these measures go into effect somewhat gradually, and some of them not even until the following year.

One of the other points in conference was the provision which would be the most expensive coastwise of any provision in the bill. The Senate voted to insert a provision that a man could earn $1,800 a year without losing his social security benefits. He could have the benefit of full retirement and still earn $1,800 each year. That provision would have meant that a man could work and make $150 a month without losing his social security benefits.

As the measure now stands, after a man earns $100, if he makes one additional cent above that $100 in a month, he loses his entires month's check. So if he earns $100 in a month—and I believe the figure is $100—he is in a position to receive his entire $125 check. But if he makes one penny extra, that penny would cost him $125. The effect of that provision would not save money for Uncle Sam, in my judgment, so much as it would cause people to postpone their decision to retire.

But to liberalize would cause more people to retire, and that would increase the cost of the program by 0.19 percent of payroll, or roughly two-tenths of 1 percent of payroll. That would be the increased cost if that provision were to go into effect.

It was contended that there would be some imbalance in the fund if this feature were retained. Undoubtedly it would be necessary to have voted an increase in the social security tax some time next year if we were to retain the same amount of increase in the fund that we have. The Senate voted for it, and I believe that the Senate in voting for it probably realized that that would be the situation. This was the most expensive thing, costwise, in the bill.

What compromise was worked out in this field? Well, the compromise was that a person would be permitted to earn an additional $300, on condition that his income from social security would be reduced by $150. In other

words, for every dollar he made he would have his social security benefits reduced by 50 cents, the so-called 2-for-1 rule. Thereafter, for every dollar that the person made, he would have his social security benefits reduced by $1, or the 1-for-1 rule. After $1,500, he would be working 100 percent for the Federal Government. It works out the same as a 100-percent tax. I suppose the bill in that respect has some salutary effects, because it is impossible for poor people to understand what millionaires mean when they complain about a 91-percent tax on their income above a certain amount.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CLARK. I wish to be sure that I understand what the Senator is saying. The present law requires that a person cannot earn more than $1,200 without forfeiting his social security payment. Is that correct?

Mr. LONG of Louisiana. That is correct.

Mr. CLARK. The Senate increased the $1,200 limitation to $1,800. Is that correct?

Mr. LONG of Louisiana. Yes.

Mr. CLARK. I had introduced a bill to increase the sum to $2,400, and I was told that it would create some actuarial programs in that regard. I had hoped that we could raise the amount to $2,400. However, in the Senate, we set it at $1,800. What did the conference do?

Mr. LONG of Louisiana. The conferees agreed to a kind of package arrangement, which eliminated most of what was in all the suggested revisions of this proposal, and cut the amount from $1,800 to $1,500, with the proviso that the difference between $1,200 and $1,500 would represent an area in which every time a man made a dollar, his check would be reduced by 50 cents.

Mr. CLARK. So, in effect, that is what the Senator meant when he made his reference to chicken feathers. Is that correct?

Mr. LONG of Louisiana. That is part of the feathers we brought back from the hen we put into the henhouse. The difference in cost is substantial. The cost of what the Senate gave us was 0.19 percent of payroll. What we brought back to the Senate will be 0.02 percent, or roughly 10 percent of what the Senate gave us to take to conference.

Then there was the provision to reduce the age of retirement for men to age 62. In that instance it was explained to us by the executive branch of the Government that we were going in the wrong direction anyway, and that we should be going in the direction of increasing the retirement age, instead of reducing it. This provision was dropped out of the bill. It would have cost 0.05 percent of payroll.

Then a compromise was made on the House provision which provided that a person during the last 10 years must have one quarter in four quarters. That was the House provision. The compromise provides that the person must have one quarter in three quarters of coverage. The House provision would have made it possible for an additional 600,000 people to have paid a certain amount of money into the social security fund, and to get what would in most instances be the minimum social security benefits. By going to 1 in 3 quarters rather than 1 in 4, 200,000 people have been cut off and will not get the benefits. I knew of no objection by anyone in the Senate to the additional coverage which would have been provided.

So, as a package arrangement, it was agreed in conference to reduce the $1,800 as I have described, the retirement for men was dropped, and the 1 in 4 quarter coverage was reduced to 1 in 3 quarter coverage, the latter resulting in 200,000 people being denied the benefits under the social security plan.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Thereby the bill would be so pared down in cost that it would not be necessary for the House to send us a social security bill next year. In other words, the long range estimates show that there will be no necessity for increasing the social security tax. I do not believe that the Senate was too much concerned about the danger of having to increase the social security tax. That argument never made much impression on us in the Senate, when we were discussing the bill. My impression was that Senators felt if these things were desirable, they recognized they would cost some money.

Mr. CLARK. Would the Senator try to explain again the one in four quarters and the one in three quarters?

Mr. LONG of Louisiana. It works in this way. A person, during the last 10 years, from 1950 to 1960, may have worked during part of that time when he was covered and during part of the time when he was not covered during the last 10 years.

Under present law, he must have been working and paying taxes for one quarter out of every two quarters, or 50 percent of the time. That means, roughly speaking, that he must have 5 years of credit for paying the social security tax to get any benefit at all.

Mr. CLARK. Any benefit under existing law?

Mr. LONG of Louisiana. Any social security benefit. The money contributed by these people goes into the fund. Unfortunately, this is usually in the case of people with low income. If they do not have that earned credit of 5 years, they get no benefits. The House proposal was that if they had been working in covered employment for one quarter in every four quarters, which means that they had social security coverage for 2½ years, they would have the benefit of social security payments and the other protection of disability in matters of that sort provided by the social security system.

Mr. CLARK. What did the Senate bill provide?

Mr. LONG of Louisiana. The Senate struck it out completely. I will say to the Senator, however, that it was my impression—and other members of the committee can dispute this if they care to do so—that in taking it out, those of us who take the responsibility for it, really felt it was not important, because it left us a little bargaining room with the House. I personally felt it was just as well that it worked out that way, even though I voted against striking the provision, because it would give us an opportunity to tell the House that if they would take some of the benefits we had in the bill, we would take some of the benefits in their bill, and thus provide us with some leverage. I had hoped that the leverage would work on the inclusion side rather than on the exclusion side.

Mr. CLARK. Did the conferees sustain the Senate's position?

Mr. LONG of Louisiana. No; the compromise was midway between the two. The compromise was that a person must have worked three and a third years, in effect, during the last 10 years, or one quarter out of every three quarters since 1950.

Mr. CLARK. The Senate bill, then, did not do anything for these people.

Mr. LONG of Louisiana. I never knew of any real objection to the House provision, and my guess is that if Senators had understood the provision the Senate would have gladly taken the House provision. My guess is also that the Senate conferees would have been glad to negotiate on that point. The House conferees apparently had taken the position on their side, even before they sent us a bill, and they wanted a bill which would have some benefits in it but which would not increase the social security tax.

So while they could go along with some very minor increases—for example, the type of thing where they were given 10 percent of what they were asking for with increased income limitations—and go along with minor things which sounded good but did not mean a great deal, they could not very well go along with these substantial things the Senate had voted for. To do so might have meant some requirement to increase cost.

Mr. CLARK. Mr. President, will the Senator yield for a final question; I shall not detain him longer.

The conference report retained, did it not, the provisions in the Senate bill which make medical payments available for individuals receiving old-age assistance?

Mr. LONG of Louisiana. Yes. There was not the least bit of controversy about that, so far as I could detect. If there was, I was not aware of it. I assume that Senators understand that that money does not come from the social security fund. It comes from general revenues. While some additional appropriation might be required in the future, there is no social security tax. That comes under a different title and is not under the social security coverage, as we think of it.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. LAUSCHE. The Senator from Louisiana has mentioned the percentage by which the cost of this program would have risen after all these benefits

had been put into effect. What would have been the percentage of increase?

Mr. LONG of Louisiana. It was 0.28 percent. In other words, roughly one-quarter of 1 percent would have been the cost if we had taken the House proposal plus the Senate proposal. In other words, if we had reduced the retirement age for men at an exempt income up to $1,800, and had taken the highest provision, one quarter out of four in coverage for the last 10 years, it would have made persons eligible for benefits, although not this year, because some of these benefits will not go into effect until sometime next year. This year there would be very little cost. It would be regarded as unimportant. However, next year, the long-range estimate would be a cost of 0.28 percent—roughly, one-quarter of 1 percent.

Mr. LAUSCHE. Translating that into dollars, what does it mean?

Mr. LONG of Louisiana. One percent of the payroll is roughly $2 billion. One-quarter of 1 percent would be about $500 million annually.

I suppose it would be best to read a memorandum prepared by Mr. Robert Myers, the department expert who is on the floor, for whom I have the very highest regard, and who, I believe, has been as completely nonpolitical and nonfactional as any person who has complete knowledge of the program.

If the actuarial lack of balance, now at 20 percent, which is two-tenths of 1 percent of payroll, were not to be increased beyond one-quarter of 1 percent, and, if all the above amendments were to be adopted, the payroll tax rate would need to be increased one-eighth of 1 percent on employees and one-eighth of 1 percent on employers, or by one-quarter of 1 percent.

If the actuarial lack of balance were to be eliminated, if all those provisions were adopted, the benefit outgo in 1961—the next calendar year—would have been increased by $1¼ billion over the present law. This would have resulted in a trust fund decrease of more than $1 billion, assuming no increase in the social security tax.

Mr. LAUSCHE. That would have been the cost if the entire program had been put into effect?

Mr. LONG of Louisiana. On an annual basis.

Mr. LAUSCHE. Yes. What is the cost of the program as it is set forth in the recommended bill?

Mr. LONG of Louisiana. Out of the items in dispute—and I am not referring to some of the items which might have existed elsewhere and are not in dispute—that which we are bringing to the Senate would cost, roughly, one-seventh of that. So divide by 7 through $500 million, and the Senator will see what we have brought back.

Mr. LAUSCHE. Seventy million dollars?

Mr. LONG of Louisiana. Yes; $70 million. In benefits, we have brought to the Senate, in social security, where we asked for $500 million—not the entire $500 million—a bill which amounts to $70 million.

Mr. LAUSCHE. Is my understanding correct that the annual total cost of the bill as it was originally passed by the Senate would have been $500 million; and that the total cost of the bill we are now asked to approve is $70 million?

Mr. LONG of Louisiana. I am afraid that a yes-or-no answer would be a little misleading. There were certain things in the bill like extending the coverage for disability below age 50, whereas now a person must be over age 50 to be covered for disability. There was no official Department position on that, but while some cost may have been added, as I understand it, the disability fund is increasing and gaining. The fund now has $2 billion net.

I observe Mr. Robert Myers on the floor. He is seated beside the Senator from Oklahoma [Mr. KERR]. Perhaps if he moved over here, where he would be available, I might get that information from him.

There are one or two items in the bill which would increase the cost of the program. The basis upon which the House had worked was to feel that an imbalance of 0.25 percent would be within the limit which has more or less been tacitly agreed to be the point where the tax should be increased. The House conferees felt that so long as we stayed below that point of balance or below that point of imbalance, we could safely vote to have additional benefits; but that if we went beyond that point, we ought to prepare to increase the tax.

The point I make is that the Senate voted a position, and I believe the House of Representatives, if offered an opportunity to vote on it, would be willing to agree to the position, that next year it would be necessary to vote for a one-eighth of 1 percent increase in the social security tax in order that these benefits might be added.

As I have suggested, the most important item is the removal of the income limitation to permit a person to earn $1,800. That would provide a long range cost of 0.19 percent, roughly one-fifth of 1 percent, of the payroll. That is the most substantial thing in the Senate bill.

This provision would not have gone into effect until January 1 of next year, because the whole provision operates on a calendar year basis. That being the case, we would have had no problem between now and January 1, 1961. Next January, we could have voted for a modest increase of one-eighth of 1 percent, if necessary, to keep the fund currently in balance.

Senators should keep in mind that the social security fund already has a $20 billion balance for general purposes. There is a $2 billion additional balance in the fund for disability purposes. So the fund contains $22 billion, and there is no problem about the $22 billion being reduced between now and next January 1. That was not a matter about which we had to concern ourselves.

I turn now to the public welfare aspects of the bill. The old-age assistance provision and the medical provision, so-called—the Kerr amendment, as to which the Senator from Oklahoma was so generous as to include a number of Senators as cosponsors—would have cost $202 million. That amount was readily agreed to.

The Senate had added another amendment, namely, to provide medical aid for the mentally ill. In that respect, we were dealing with an area where the Federal Government extends no matching and no aid to State programs; an area where the need is most pitiful and most acute, as I shall attempt to demonstrate to the Senate.

The conferees have brought to the Senate a bill which does nothing about those persons. There was a House provision, which the Senate had struck inadvertently, never intending to do so, which would have provided for matching on the cost of 42 days of diagnosis and treatment while the individual was in a general hospital, not in a mental hospital.

Mr. LAUSCHE. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. LAUSCHE. Mr. Myers has just now handed me some figures on which I should like to have the Senator from Louisiana comment. Will he read them into the RECORD?

Mr. LONG of Louisiana. According to Mr. Myers' figures, the Senate bill would have increased the first-year costs to $1,200 million, and would have increased the average long-range cost by $800 million. Apparently the overall long-range cost would be $2 billion a year, I would estimate. Would that be correct?

No, Mr. President; I pledge error; I erroneously read the note. It shows that in the first year the bill as passed by the Senate would have cost $1,200 million, and the cost would then have decreased over a period of time, so that the long-range estimated cost would be $800 million.

The conference report would decrease the first-year cost of $1,200 million—which I assume is the cost under the measure as passed by the House—to $250 million, and would decrease the average long-range cost about $150 million.

So we went to conference with a bill with a short-range cost of $1,200 million for social security purposes, and we came from the conference with a bill which called for $250 million for social security purposes. In other words, we got about 20 percent of what we left here with. In the conference we succeded in increasing the amount voted by the House by $50 million, whereas on the floor of the Senate we had voted to increase that figure by $1 billion.

Mr. LAUSCHE. Mr. President, will the Senator from Louisiana yield further, in order to complete the RECORD on this subject?

Mr. LONG of Louisiana. Yes.

Mr. LAUSCHE. One percent of the national product—that is to say, all payrolls—is $2 billion-plus, is it not?

Mr. LONG of Louisiana. $2,100 million.

Mr. LAUSCHE. Yes.

Mr. LONG of Louisiana. I was 5 percent in error in my offhand guess. That

is the figure for the covered payrolls. The Senator knows that the tax does not apply to salaries above the $4,800 point.

Mr. LAUSCHE. Yes.

Mr. LONG of Louisiana. So, Mr. President, I inform the Senate that if it should see fit to reject this conference report, in my judgment these matters both could be and should be expanded upon. If a further conference were held, I see no danger of losing anything the conferees have brought to the Senate at this time; and my guess is that we would have every prospect of getting more than the conference has now agreed to.

I should like to say a few words about the proposal I made, to which the Senate agreed by a vote of 51 to 38. It was a proposal to extend assistance to those in mental institutions. Mr. President, I have made some study of this matter, and the more I see of it the more I am convinced that this is the area in which the need is the greatest.

I suppose there never was a conference between representatives of the Senate and representatives of the House that was more completely dominated by a representative of the administration. The Secretary of Health, Education, and Welfare, Mr. Arthur Flemming, was there throughout. I do not believe we conducted negotiations for even 1 moment without having his advice and his counsel. He told us what he believed the administration would agree to and what he thought and believed he would have to recommend against to the President. He was not in a position to advise us what the President would sign or what the President would veto, but Mr. Flemming expressed the opinion that if this provision were made a part of the proposed law the President would be inclined to veto it.

I am pleased to say that at least we have one assurance from the conference committee, and that is that every line of the conference report is something that Mr. Flemming was prepared to go along with, and to the best of my knowledge he was not disposed to urge the President not to go along with even one line of this conference report. But he was adamant in his position that the Federal Government should not move into the particular field of matching the expenses for those in mental institutions or providing for their care or for the care of those in tubercular wards or tubercular institutions.

In a spirit of compromise, he was requested to try to determine whether the administration might be willing at least to agree to some sort of compromise. But his advice was that that would not be acceptable. He had the opportunity to obtain that information overnight, and I understand he consulted with Mr. Stans, the Director of the Bureau of the Budget, and that the conclusion reached by Mr. Stans was that it would be objectionable.

It seemed somewhat strange to me to be told that the administration was absolutely adamant in that regard. Some felt that we should not seek to include in the bill any provision which might be regarded as included in an attempt to coerce the administration into signing the bill. Some felt that every provision in the bill should be something the administration was quite content to accept and something that the responsible officials of the administration—the Secretary of Health, Education, and Welfare and the Director of the Bureau of the Budget—would recommend be signed into law.

Consequently, we got the $50 million figure from the conference, although the Senate had voted for $1 billion.

It seemed strange to me that Mr. Flemming would make that stonewall resistance and would not be willing to yield in any respect at all in regard to the proposal that the Federal Government do something to help the poor, miserable creatures who are in the State mental institutions. That is especially strange, in view of the following news article, which was published on April 12, 1959, in the New York Times:

FLEMMING PLEADS FOR MENTALLY ILL—SAYS CARE IS DISGRACEFULLY DEFICIENT, MANY HOSPITALS ONLY CUSTODIAL BASES

(By Bess Furman)

WASHINGTON, April 20.—The Secretary of Health, Education, and Welfare declared today that the mentally ill of the country were receiving disgracefully inadequate care and treatment.

Arthur S. Flemming added that the Federal Government had a responsibility to crusade in the field and that it was starting such a crusade.

I regret that even though there are very few Senators on the floor at this time, Mr. President, I do not even have the attention of all who are here now. I particularly hoped that the distinguished Senator from Pennsylvania [Mr. CLARK] and the distinguished Senator from Tennessee [Mr. GORE] would listen to my reading of this part of the article. Therefore, I shall read it again, even at the risk of delaying the action of the Senate on this measure.

Mr. GORE. Mr. President, we heard the Senator from Louisiana read it the first time, but we shall be very glad to hear him read it again.

Mr. LONG of Louisiana. I realize that it is important for the distinguished Senators to confer on what certainly must be a matter of great importance. Nevertheless, I hope they will be willing to listen to my reading of this article on this really important point. I am sorry to ask the Senators to postpone their conversation and conference, but I wish to advise them regarding this aspect of the issue now before us.

Mr. GORE. On the contrary, I am well advised in that respect. Nevertheless, I am delighted to listen to the remarks of the distinguished Senator from Louisiana.

Mr. CLARK. Furthermore, Mr. President, our presence here is a real tribute to the Senator from Louisiana. I would prefer to be here, to listen to his remarks, than to attend a performance of "My Fair Lady," or anything of the sort.

Mr. GORE. Or even a baseball game. [Laughter.]

Mr. LONG of Louisiana. Mr. President, when I read this dispatch, I am reminded of the old song, "Have You Forgotten So Soon?"

Arthur S. Flemming is quoted in this article as stating that the Federal Government has a responsibility to crusade in this field.

Mr. President, I remember that a few years ago I heard the word "crusade" used to a considerable extent.

Mr. GORE. Was not it used by a man named Eisenhower?

Mr. LONG of Louisiana. Yes. First, he talked about a crusade in Europe, and then he talked about a crusade for other things.

Arthur S. Flemming added that the Federal Government had a responsibility to crusade in the field and that it was starting such a crusade.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. GORE. I am not attempting to quote the Secretary; I did not hear him say it, but at least the rumor around here was that the word was passed to the conferees that if hospitalization for the tubercular and the mentally ill remained in the bill it would possibly be vetoed. Is that the kind of crusade the Senator was referring to?

Mr. LONG of Louisiana. I do not think Mr. Flemming undertook to take that position on his own responsibility. I think he had the advice of Maurice Stans before he took that position. How does this affect the crusade? A crusade is a man who believes in it to the extent that he would be opposed to anything in the way of care for these pitifully wretched, 165,000 of them over 65 alone, in State institutions.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. RANDOLPH. It was my privilege and responsibility to support the amendment offered by the distinguished Senators from Louisiana and Florida. I would want the RECORD once again to indicate my disapproval of the constant threats of veto which come from the White House and the implications of veto which come from others who purportedly speak for the White House. I think, when we talk about crusades, it is best to realize that, rather than an administration by crusade, we are having an administration, at least in part, by tirade and also by stalemate.

Mr. LONG of Louisiana. I thank the Senator from Louisiana very much for his statement.

I want a bill the President will sign, but I do not know of any time when any group of Senators, particularly when it is so bipartisan in nature, have gone to such a complete extent of seeking and inviting the administration to suggest it might veto a bill. That was the impression I got from the conference. It was a matter of pleading and saying, "We want to be sure you will take the bill. We do not want anything in here whereby the President might feel we were coercing him into signing the bill. We must not put this great crusade or anything about it in the bill."

I read on from the article, which I am sure relied upon Mr. Flemming's statement:

Many of the country's 277 State and mental hospitals, he asserted, are "little more than custodial institutions" and "inadequate for even the simplest methods of treatment." The average cost per patient per day he said, is only $4.07 for care and treatment, that comparing with $26 a day per patient in general hospitals, exclusive of physicians' fees.

Think of that—6½ times more is spent for somebody in a general hospital than is spent for the poor wretched person who is locked behind doors and just left there.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CLARK. I think the Senator is making a good point, but what disturbs me is that, under the very enlightened leadership of Gov. George Leader and Gov. David Lawrence in Pennsylvania, in 6 brief years we have transformed the kind of institution my friend has been talking about into first-class State-operated institutions, where the patients are cured and turned out. This has been done without great additional cost to the people, because so much money is saved when a patient is discharged, instead of being kept there for a lifetime, that in the end taxpayers are no worse off. These additional benefits have been made available to the older people of my State. Even though our mental institutions have substantially improved we have a long way to go.

What bothers me is, Where does this leave my State, which is certainly not one of the poorest, but is no longer one of the richest? Where are we going to get the money for the matching funds? We are not going to be able to get the money. The reason why this approach is unsound is that it calls upon the States to make matching payments, which an overwhelming majority of the States are not able to do.

Mr. LONG of Louisiana. I think the Senator is in error. Only because I was a conferee, I think perhaps I know a little more about the bill than he does.

Mr. CLARK. The Senator certainly does.

Mr. LONG of Louisiana. The bill we sent to conference, and the bill that has been brought back from conference, insofar as it provides for the care of people, provides that if a State is going to spend $10 million for the care of individuals over 65, the Federal Government will match every nickel of it, even though the State may be doing everything that needs to be done. Therefore, the effect would be to reduce the State's burden by the Federal Government's assuming it.

Mr. CLARK. Do I correctly understand the statement of the Senator to be that no additional effort needs to be made in order to qualify for the funds?

Mr. LONG of Louisiana. That is right. In other words, the bill which passed the House only matched additional efforts. It would be the same thing as if, for example, one State had a highway program going before the Federal highway bill had been enacted, and another State had not, it was stated, "Hereafter, the Federal Government will match 50–50, but what you have been doing will not be matched." It would mean the State would be penalized because it tried to do something on its own.

Therefore, we would match what the States are already doing. That is the starting point. So, in the Senator's State, if the provision went through as the Senate had it, it would result either in a reduction in State expenditure or an increase in care. It would have to be one of the two.

Mr. CLARK. What did the conferees do?

Mr. LONG of Louisiana. The conferees killed it.

Let us take the problem in the State with which I am most familiar, Louisiana. The cost in ordinary hospitals is $15 a day per patient in State hospitals. In Louisiana we have never dispensed with the name "charity" in our hospitals, not because they are charity hospitals, but out of respect to that fine order of Sisters which originated the hospitals, the Sisters of Charity. Out of respect for that great order, we have retained the name "charity" in the hospitals. In our State hospitals the cost is $15 per patient per day—and that is about the average cost across the country—and we are spending $25 million a year on that kind of care.

Mr. CLARK. Of State funds?

Mr. LONG of Louisiana. Yes. Of course, the aged as well as others receive care. There are very liberal requirements for that care. My guess is that the liberality would compare, in very large measure, with what the Senator from Tennessee described as desirable for his State.

Under this bill, the Federal Government could be required to give us $35 on top of the $15 we already have, which means we would be in a position to spend, if we had no cutback in State funds, for the average person that goes to our hospitals about $45 or $48 a month.

In other words, we could spend twice as much for the elderly who might be ill if we continued our present rate of expenditures as is spent in the general hospitals, on the average, across the entire Nation. I do not refer only to the charity hospitals. I also refer to private hospitals, which spend $26 per patient per day in the general hospitals.

I wish to read further from the article:

At a news conference Mr. Flemming also opposed the aid-to-education bill.

Imagine that. This is so important it should be ahead of aid to education. He said:

In his discussion of care for the mentally ill, Mr. Flemming suggested a concerted movement for transfer of thousands of elderly persons from mental hospitals to nursing homes, in which, he said, they could be cared for better.

He pointed out that his Department's National Institute of Mental Health provided advisory services and Federal matching funds to the States to help provide for such persons.

He said that the Institute was supporting a study of the feasibility of including protection against mental illness in the Federal voluntary health insurance program, and that his Department was considering proposal of an amendment to the Hospital Construction Act for construction of community mental health diagnostic clinics.

A Maryland study, the Secretary said, has shown that persons for many years in mental hospitals can be rehabilitated to earn their own living. His Department employs two dozen patients not yet discharged from St. Elizabeths Hospital here, he noted.

That is a great crusade moving in the opposite direction from that in which it started on April 20, 1959, a little more than a year ago. The great crusader is insisting upon applying the death knell to the program he said he was going to lead, to provide care.

Mr. President, I do not wish to overburden the Senate by demonstrating some of the conditions in these mental hospitals. I have a number of articles in this regard. I have one from the Saturday Evening Post which describes conditions in Ohio, as well as another article describing conditions in the State of Maryland. I make these comments without any reflection upon those great States, because they are providing about the average, in comparison with the other States of the Nation.

I wish to read a few excerpts from an article published in the Washington Post and Times Herald of November 24, 1958, about mental treatment.

When a Baltimore grand jury conducted a recent inspection tour of Spring Grove State Hospital, one of the panel members found her stomach unequal to the task. She refused to complete the tour.

"It was an experience none of us will ever forget," the jury later reported. "The conditions under which these wretched, deranged human beings are obligated to live are shocking beyond belief."

Spring Grove, in Catonsville just west of Baltimore, is Maryland's second largest public mental institution. It is the most acutely overcrowded.

As a result it is breeding chronc insanity while trying to cure it.

That is the headway we are making. This is not unusual. This is what is happening all over the Nation, with which the Secretary of Health, Education, and Welfare is somewhat familiar, at least, since he had a news conference and said he was going to lead a great crusade to help the States do something about it.

Nowhere is the burden of overcrowding and understaffing felt more acutely than among Spring Grove's dedicated staff of doctors, nurses, and hospital attendants.

Today 2,760 patients are jammed into space licensed for 2,293.

Because of the desperate premium on space, patients who could benefit from active psychiatric care are shoved into long-term "chronic" areas where they may become lifetime wards of the State.

I ask Senators to imagine this situation. These are people who could be restored to health. That is the advice I receive from experts in Louisiana. Large numbers of people could be made useful citizens again, but they are condemned by the methods being used today to lifetimes of the kinds of conditions I shall describe as I read from the

article. I could document this from 100 different documents which state the same, in demonstrating the problem.

Instead of recovering they become demoralized, more disturbed and withdrawn. Gradually they sink further into mental illness.

"These patients may cry for help for weeks," said one ranking hospital official. "But they will be missed in a crowded ward. Thus we can 'lose' a patient."

The most gruesome symbol of what is wrong at Spring Grove is the grim, turreted Old Center Building.

Here 903 men and women, from early teens to early nineties, are penned in gloomy wards licensed to hold no more than 592.

Ground was broken for the massive, granite-block structure in 1853. Its first patients moved in 7 years after the Civil War.

Today it is a hopelessly antiquated firetrap.

Mingled within its walls are alcoholics, diabetics, senile cases, schizophrenics and the feeble-minded.

Among them are once-successful businessmen, former teachers, lawyers and housewives.

In one ward 102 men were packed into space that should have housed no more than 50. A dormitory reeked of excrement.

Six patients slept on the floor for lack of bed space.

In hall 4 of Old Center's female wing, 63 elderly women were assigned three toilets.

In one tiny dormitory nine beds were placed head-to-foot with barely room for passage. Most of the time only one attendant is on hand to look after the 63 patients.

Throughout the building, walls were scarred where plaster had fallen. Ceilings were cracking and floors deteriorating from the stress of 86 years of use.

Rubbed into the floor boards of some wards and dormitories was the accumulated filth of Spring Grove's untidy patients.

In hall 6 of the men's wing, 96 patients were huddled in quarters which were designed to hold no more than 50.

A visitor had to step over the sprawled bodies of patients in order to get into their sleeping quarters.

One attendant was asked to locate the fire escape. After fumbling for the right door, he led the way into a tiny, double-barred room which contained a circular metal chute leading to the ground.

In dormitory after dormitory, beds took up every available inch of space. A patient in one room had blocked a fire exit with his bed in order to get a few precious inches of elbow room.

Personal belongings are carried in the patient's pockets.

What is the impact of overcrowding in a mental institution?

"It means that one disturbed patient can react on the next. Eventually a wave of disturbance and irritability pyramids until we have a disturbed ward," said one Spring Grove doctor.

"This happens even with tranquilizing drugs. The patient's sense of individuality gradually fades," he added. "He mills about with the others in droves, like cattle."

In Spring Grove's criminally insane building, a mile from the rest of the hospital, 66 dangerous patients are locked into space for 59. Five are forced to sleep on the floor.

Most of these patients will be moved into the brand-new $2 million Institute for the Criminally Insane at Jessups within a few months.

But for the overwhelming majority of Spring Grove's patients, hope is much further off.

Last July the Nation's leading hospital rating agency, the joint commission of the American Medical Association, College of Surgeons and American Hospital Association, refused to renew Spring Grove's accreditation.

Overcrowding and shortage of medical staff were the chief reasons for rejection.

Spring Grove has 24 registered nurses. The American Psychiatric Association, which lays down guidelines for mental institutions, says it should have a minimum of 137.

In other words, there is only one nurse for about every six there should be to look after these people.

Of its 31 doctors, 17 do not have State licenses to practice medicine. For all but five of the doctors, a Maryland license is a basic job requirement.

Lack of qualification among the medical staff was also found to be prevalent at Rosewood Training School for the mentally retarded.

Because of the shortage of staff many patients do not see a doctor for more than 20 minutes a month. Spring Grove needs 12 more doctors.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CLARK. I think the Senator is making an excellent case in support of the Long amendment, which was adopted by the Senate. I, for one, have been persuaded that his position in that regard is correct. But I wish to ask the Senator, if I may, two questions dealing with the larger aspect of this problem.

It is true, is it not, that the bill as it came back from conference makes some improvements, although they are rather limited, in connection with the health benefits of at least some of our older people?

Mr. LONG of Louisiana. Yes.

Mr. CLARK. My second question is this: Does the Senator realistically believe that if the conference report is defeated, in the brief remaining time before adjournment the Senate conferees can get a better bargain from the House and send a bill to the White House which the President will sign?

Mr. LONG of Louisiana. I believe we can. Speaking on this one point, I do not wish to be critical of Senators. I was the only member of the conference who voted for the amendment which the Senator from Pennsylvania supported. I offered it, supported it, and fought for it in conference. I would say that the conference discussed the provision off and on for 2 or 3 hours.

Two or three hours is not a great deal of time to spend on a provision such as this, when there are 165 thousand people suffering, and they represent the most pitiful cases in America.

Mr. CLARK. Did I correctly understand the Senator to say that he was the only conferee who voted for the amendment?

Mr. LONG of Louisiana. I was the only Senate conferee who voted for it on this floor. We had six conferees. Five of them were senior members of the Finance Committee, who voted against the amendment.

Mr. CLARK. Is there not an obligation on the part of Senate conferees to support the position of the Senate on those provisions with which the Senate is in disagreement with the House?

Mr. LONG of Louisiana. The Senator is correct.

Mr. CLARK. Was support not given in this instance?

Mr. LONG of Louisiana. It was given to this extent. One roll call was had, during which the House Members stated that they insisted on their disagreement, and the Senate Members insisted on their part. We adjourned overnight, after discussing the bill for a couple of hours. We discussed it further perhaps for an hour or two hours the next day. Then one of the members moved to recede and agree.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. CLARK. Is not the Senator in agreement with the proposed change in the rules of the Senate which the Senator from Pennsylvania submitted last year, and which has been languishing in the Rules Committee ever since, which would require that a majority of the members representing the Senate in conference should have voted on the floor in support of the Senate position on a provision with which the Senate is in disagreement with the House?

Mr LONG of Louisiana. Mr. President, I bow to the Senator. I am his firmest convert.

Mr. CLARK. Is it not true that long before the Senator from Pennsylvania came to the Senate the Senator from Louisiana had insisted on that principle to the point of going on the floor in opposition to conferees who were to be appointed by the Chair?

Mr. LONG of Louisiana. The Senator is taking the words out of my mouth. I have volumes before me of instances in which this practice occurred previously, when Senate conferees went to conference and voted against the position of the Senate.

I wish to make another point. When conferees have a political philosophy which is opposed to Federal aid of this type or to social security for the same purpose, we should not be surprised that the conferees return and bring in a bill that fails to do that which runs contrary to the accepted political thinking in their States.

Mr. CLARK. Is the Senator of the view that the particular conference on which he is now commenting is an excellent example of the desirability of the proposed rule that we have been discussing?

Mr. LONG of Louisiana. It seems to me that the rule should be that way. I do not want to reflect upon any Senator. Some Senators would contend that a bill could be handed to a group of conferees, only one of whom had upheld the majority views of the Senate, and that the conferees would fight just as hard as if it were their own amendment in which they had their heart and soul.

It is difficult for me to believe that to be the case, or that anyone would fight that hard. I do not share that feeling.

I have a note in my desk drawer which I wrote to express my thoughts while I was sitting and listening to a previous conference report. It reads:

No matter how long we sit, I know my side is going to yield.

The conferees know it, too. I could see in short order that there would not be the firmness and determination on my side of the conference table that there was on the other side of the table, and that our point would be yielded.

Mr. CLARK. I hope we shall have an opportunity next January to change the rule and to vary the procedure which has grown up in the Senate, which I personally believe to be quite unsound. I look forward to having the strong support of the Senator from Louisiana when the proposed change comes up.

Mr. LONG of Louisiana. I do not think we need to have a change in the rules.

Mr. CLARK. I do not think we need a change in the rules, either.

Mr. LONG of Louisiana. Some of us—and I put myself in this category—are too timid to demand that the Senate conferees be appointed as the present rules provide.

Mr. CLARK. If the Senator will yield further, I agree with him that we do not actually need a change in the rules. I agree with him that the procedure in the Senate over many long years would require conferees to meet the test which we have been discussing.

Mr. LONG of Louisiana. Yes.

Mr. CLARK. But, as the Senator well knows, there are certain committees in this body in which the senior members of the committee insist on being members of the conference committee anyway, even though they have opposed the majority position of the Senate. Then it is very embarrassing for other Senators, particularly Senators far junior in terms of service, to rise on the floor of this body and oppose the appointment of such Senators to the conference committee. I agree with the Senator that we probably should do so. We should do so more often. But I think the easier way to handle the problem is to make the change by rule so the embarrassing question will not arise.

Mr. LONG of Louisiana. It seems to me that the attitude of many of us is somewhat reflected by the situations in our States.

The junior Senator from Louisiana can be put in that category to a certain extent. He has had something to do with the shaping of political decisions of his State, although not a great deal. But as between himself and members of his family, who certainly have had much more to do with it than he, political decisions have been shaped. The Senator from Louisiana certainly agrees with what appears to be the public policy of his State toward issues such as public welfare. It stands to reason that a State which contributes very little would not have the same zeal to obtain Federal matching funds in a field of this sort, as a State which contributes much.

I have a list showing the per capita effort toward public welfare, listed by States, and showing the conferees as they represented the Senate in conference.

For example, three of the six conferees came from States that make the least effort to match public funds. Some States have a high per capita income; others have a well recognized conservative philosophy of supporting low taxes and little activity in this field.

In some respects, the table seems to indicate that some States, and Senators who represent them, are not as eager to achieve action in that field that we would have otherwise.

For example, the State of Delaware makes an effort of $1.51 per capita.

The State of Louisiana makes an effort of $11.82 per capita. That in my judgment tends to reflect itself in the attitudes Senators take on these matters. If it affects a State substantially, Senators tend to fight harder and to make a more determined effort to bring something out of conference on that type of issue.

Mr. President, I ask unanimous consent that the tabulation to which I referred be printed in the RECORD at this point in my remarks. The tabulation lists the conferees as well as the per capita contribution from each State.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Per capita effort toward public welfare
(States in order of smallest effort)

1.	Virginia	$0.74
2.	Delaware	1.51
3.	North Carolina	1.66
4.	Indiana	1.66
5.	Maryland	1.68
6.	New Jersey	2.11
7.	South Carolina	2.41
8.	New Hampshire	2.74
9.	Tennessee	2.75
10.	Wyoming	2.82
11.	Nevada	3.31
12.	Montana	3.42
13.	Nebraska	3.68
14	Ohio	3.69
15	Vermont	3.78
16	Florida	3.84
17	Arizona	3.92
18	Wisconsin	3.96
19	Hawaii	3.97
20	Alaska	3.97
21	Mississippi	3.98
22	Maine	4.09
23	Kentucky	4.14
24	Kansas	4.17
25	West Virginia	4.19
26	South Dakota	4.41
27	Georgia	4.63
28	Texas	4.71
29.	Pennsylvania	4.84
30.	New York	4.87
31.	Michigan	4.97
32.	Alabama	5.05
33.	Iowa	5.15
34.	Utah	5.16
35.	Minnesota	5.18
36.	Idaho	5.22
37.	New Mexico	5.69
38.	Arkansas	5.81
39.	Oregon	5.89
40.	District of Columbia	6.23
41.	Illinois	6.67
42.	North Dakota	7.17
43.	Rhode Island	8.39
44.	Missouri	8.92
45.	Connecticut	9.09
46.	Massachusetts	10.99
47.	California	11.70
48.	Louisiana	11.82
49.	Washington	16.16
50.	Oklahoma	18.64
51.	Colorado	21.80

Mr. LONG of Louisiana. As a tribute to the Senator from Oklahoma [Mr. KERR], it should be noted that his State ranks second only to the great State of Colorado in effort. The Senator from Oklahoma had much to do with the fact that Oklahoma is second in the United States for effort in the field of public welfare expenditures and State matching of Federal expenditures.

Perhaps that is consistent with what I was saying when I noted that the Senator from Oklahoma was the sponsor of the amendment which will undoubtedly become law, and which will be the greatest forward stride that we will have in public welfare legislation in quite a period of time.

It may be that very little can be done about this matter and that many of us who are fighting this battle are fighting for a hopeless cause. I will continue to make this battle. Perhaps over a period of time we will at least educate some and persuade others. Oftentimes it is only later on that we get the results of some of the battles we fought during years gone by.

Mr. President, I had the pleasure of presiding over the Senate on Thursday, and at that time I was impressed very much by the prayer which our Chaplain delivered when we opened the session of the Senate. I will read only one sentence from his prayer:

Stay our hands when we attempt to postpone into the future the justice waiting to be done today.

Here we are, Mr. President, with a bill which is the minimum that we can get. We know we can get everything in the bill if we agree to pursue with equal vigor the welfare of the needy, trembling, tearful, helpless masses—with the same vigor with which we pursued the public works projects in the last Congress, when we overrode the President's veto, if we will take the attitude that we will send to the White House what we ought to send there, and tell the President, that, if necessary, we will stay as long as necessary for him to act on the bill. If he is going to veto it, we would like to have him veto it right away. Senators will remember that the President cooperated by vetoing the Public Works appropriation bill last year within a day after we passed it, and we overrode it within a day.

We can do it if we pursue with equal vigor and try to do something for these miserable, helpless cases. There are 165,000 of them in mental institutions. I have the facts with respect to each State in the Union, and I will give them later. These are the 165,000 most pitiful and miserable cases on earth, so far as this country is concerned. We can do it if we stand up and do what we should do. Some Senators have told me—and some of them are on the floor now—that there was no prospect of getting approval for the provision which would aid these poor people. I note that a Senator is smiling. He knows whom I have in mind. He is a man who has had some experience at many levels of government. We can do it if we stand up for it. I can cite a number of cases that I recall when we sent welfare bill amendments to conference, when in every instance those who voted for them on the floor failed to vote for them with

the same vigor when the conference deleted them and, in my judgment, surrendered without the determined effort which is necessary, and without making it clear through our conferees that we would insist something be done about the problem.

I wish to read something that impressed me greatly a number of years ago.

It impressed me so much that I decided I would read it to the Senate. It is in a book named the "Herblock Book." Some people have strange ideas about politicians. It is unfortunate that they do not see in us the many valuable human traits that we know we possess. Some people think that politicians are interested primarily in their election, rather than in the welfare of the people. It is good now and then for us to see what people on the outside think about us. I recall it has been said about people in mental institutions that if they were on the outside, they would lock us up.

I could never forget those great lines from Robert Burns about a louse on a woman's hat. The woman thought that everybody was looking at her hat; instead they were looking at the louse on her hat.

The lines of Robert Burns are:

Oh wad some power the giftie gie us
To see oursels as others see us!
It wad frae monie a blunder free us,
An' foolish notion.

With that in mind, I should like to read a few lines from the book of a noted Washington cartoonist, who in my judgment is the best in the country, and probably the greatest in the world. It shows the attitude some people have about us. I am sorry that he does not show us as fine as we know ourselves to be. However, living in Washington, as he does, and meeting us from day to day, I thought it might be a good idea to read what he has to say about how some people look upon us. He said:

It's a busy schedule for all of them, even when they're not campaigning for reelection, and I respect their efforts as exhibitions of sheer physical stamina, if nothing else. But that's not what people mean when they rise to the defense of a congressman by saying he works hard. They mean his work on legislation. And the answer to that is that there's no special virtue in working hard if they're not doing the right kind of work. Better that some of them should stay in bed. You and I work hard too, and so do those people who engrave the Lord's Prayer on the heads of pins—a mysterious occupation that I've never quite understood, but which at least does nobody any harm.

Unfortunately, some of the Congressmen do harm, and some of the worse ones probably work harder than many of the better legislators. You have to get up pretty early in the morning to fool 150 million people, and stay late at committee meetings too, if you want to make sure that a good bill is stopped or a bad one is slipped through. And if you're serving some special interests, it probably can be quite a task to get them what they want and still make it look all right to the folks back home. But to the man who's been waiting for a housing bill, let's say, and who finds it still stuck in a committee room when the congressional quitting whistle blows, it's no consolation to know that somebody—or several somebodies—had to work hard to keep it there. And when he comes home to his one-room apartment, he does not tell the little woman and the kiddies, "My, but those poor fellows must have had to work hard to do us out of a better deal than this."

I cannot help thinking that even though something should be done about these things, Senators know it is getting late in the season and they are anxious to get home and engage in political campaigns, and that there is nothing more important than that the voters should make the right choice.

I am aware that the Evening Star of this evening reads: "Senate Acts Today on Aged Care."

They might be a little ahead of themselves—a little premature—but, at least, they stress the point—"Rush To Quit Perils Wage, Other Bills—Two Houses Rebuff President in Passing Foreign Aid Funds."

Mr. President, I ask unanimous consent that the entire article be printed at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. LONG of Louisiana. Mr. President, the article states that Members of Congress are somewhat weary and are perhaps desirous of going home. But we are paid to work 12 months out of the year. Without delaying the adjournment of Congress, it is my opinion that if the Senate would stand up, for a change, and say, "Here is a chance to do something for 165,000 people who are the most wretched and needy of them all; people on whose behalf a capital expenditure of $4.07 a day is made per individual, as compared with what Mr. Arthur Flemming says is an expenditure of $26 a day for an individual in general hospitals," my guess is that there might be some possibility of progress in this regard.

I point out the great need there is in this field. There is a great crusade—perhaps not a crusade which was referred to in an article written some time ago. At that time Mr. Arthur Flemming had made a crusade for the mentally sick. Unfortunately, the Senator from Minnesota [Mr. HUMPHREY] was not here when I referred to that. Neither was the Senator from New Mexico [Mr. ANDERSON]. On April 21 of last year, Mr. Arthur Flemming called the press into his office and stated that "the most crying need in the country, the most pitiful situation, was that which existed in State mental hospitals."

Mr. President, that is the same man who gave this proposal the ax. That was a crusade. Not the great crusade, of course, but a crusade. So now we see the end of another crusade. After the crusade had been carried on for 1 year and 6 months, we now see that it is at an end. Nevertheless, it was good for an article in the New York Times, indicating the great interest which the Secretary of Health, Education, and Welfare had for the mentally ill.

Mr. President, the junior Senator from Minnesota [Mr. MCCARTHY] has contended that the varieties of political complexion within the Republican Party could be categorized; that the Republican Party was not monolithic, as some persons contend. He believed that it was possible to find some persons, typified by Mr. Arthur Flemming, who favor such benefits as these, and who would go even further than the Democrats—but not now. They favor such benefits—but not now.

The second category is more or less exemplified by the President himself. They favor no changes and no new starts. They simply do not want to change anything. They believe things are moving along fine, so they do not advocate any new starts.

The third category is represented by the Director of the Bureau of the Budget, Mr. Maurice Stans. He favors no new starts, but lots of new stops.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. HUMPHREY. I was able to work out a simple explanation or a simple definition of what the Senator from Louisiana has just been saying. It is characterized by its conciseness. It can be placed on a postage stamp: "No go. Go slow. Not now. Veto."

That covers all the expressions of both philosophy and policy with which we have been faced.

I appreciate the Senator's reference to the crusading zeal of Mr. Flemming for the mentally ill. It reminds us so often of what has happened during this administration. There are high-level pronouncements and low-level performances. We hear great utterances indicating a deep concern for the needs of the people; but then there is a failure to carry through.

I believe someone has defined that as dynamic conservatism. I have revised it and called it dynamic apathy. What it really amounts to is that one is a progressive in ideas but a conservative in the use of the resources to carry out the ideas. That is what is called dynamic conservatism. The Senator from Louisiana has certainly given us a good example of that today.

The Senator knows that I supported his amendment. I thought it was most worthwhile. In fact, I can think of no single action by the Senate or Congress which would be more useful in the field of medical care than action in the particular area of mental health—or, to put it negatively, mental illness.

I deeply regret that this provision was stricken from the bill. I know it would have cost money. However, I must say that the failure to establish any real rule of eligibility or limitations in the bill indicates that the bill itself, as it even now is, will cost a large sum of money.

Mr. LONG of Louisiana. Oh, not much. The Senator is making a mistake.

Mr. HUMPHREY. It depends upon how liberal the States will be in terms of their plans of action.

Mr. LONG of Louisiana. I regret that the Senator from Minnesota was not in the Chamber when I began my speech. He will be happy to know that the conference made great headway in the di-

rection of economy. In the direction of fiscal soundness. It made tremendous headway along that line.

Here is the cost estimate. We went into conference with a bill which provided $1.2 billion in social security benefits.

Mr. HUMPHREY. We went over this last night.

Mr. LONG of Louisiana. We came out of conference with a bill which provides $250 million of social security benefits, an increase of $50 million over the House figure.

Mr. HUMPHREY. If I should vote for the bill, will the Senator from Louisiana testify, therefore, that the Senator from Minnesota has a record for economy?

Mr. LONG of Louisiana. I should say that this is one of the greatest victories for economy that I have seen in a long time.

Mr. HUMPHREY. I want all my Republican editor friends to note this RECORD tomorrow, because I generally get the whiplash of the editorial tongue by being characterized as a spender. I have been thinking about supporting the bill, because I believe it reflects some progress in terms of a social welfare program.

Now the Senator from Louisiana has made me feel that not only does it reflect some progress—although not enough to satisfy either of us—but it also strikes a mighty blow for economy.

Mr. LONG of Louisiana. Oh, if the press of the Senator's State of Minnesota criticized him as a great spender for voting for this conference report, they would be most unfair. The Senator should know that the conference has succeeded in taking the provision to exempt the first $1,800 of earnings, so that a man could make that much and still get his security payments, and paring down the cost by 90 percent. Think of that fantastic achievement in the name of economy. I hope the Senator understands how that will work.

Mr. HUMPHREY. I went through that.

Mr. LONG of Louisiana. It will work out in such a fashion that a person will be permitted to make an extra $25 a month, from which the Federal Government will net $12.50. In other words, every time a person makes $2, the Federal Government will reduce his social security payment by $1. Thereafter, every time he makes $1, the Federal Government will get $1. So he will be working 100 percent for the Federal Government every extra hour he works.

I oftentimes have thought that one of the greatest sacrifices, one of the greatest definitions of principle I knew, was that of the Catholic priest who takes an oath of poverty, above his need of daily bread and a little clothing to wear; he needs nothing else on earth, and everything he earned or made went to God's service—a great sacrifice.

Of course, the Communists attempt to copy that, by trying to replace devotion to the Lord with devotion to the State. The Communists offer inducements to the Russian workers to increase their work output and lengthen their working hours and let the Government of Russia receive the entire benefit. Furthermore, as Senators know, in Russia the pictures of those who work overtime are posted in conspicuous places—along the boulevards or in the parks; and the same is done for those who increase their production, and thus aid the state.

A similar procedure is to be followed in regard to social security, by means of this measure; and in that respect it seems that we are catching up with the Communists, because every additional dollar these American workers earn will go to the Government.

As a matter of fact, Mr. President, the procedure under the measure now before us will help clear up at least some misunderstanding. I refer to the fact that for a long time many millionaires in our country have been complaining about taxes. But now we find that under the provisions of this measure the poor men will be taxed 100 percent of their extra earnings, and as a result they will begin to understand how the millionaires feel.

Mr. HUMPHREY. In other words, the Senator from Louisiana is saying that this measure will give everyone equal social status. [Laughter.]

Mr. LONG of Louisiana. That is correct; certainly that is what will be achieved.

Recently, there have been proposals to construct a Federal office building in Lafayette Square. It has been suggested that if that is done, the President will be able to look out of the window, at the White House, and see whether the employees in that Federal office building are working.

On the other hand, some have suggested to me that if the measure now before us is enacted into law, Lafayette Square will be a good place in which to post the pictures and otherwise advertise the status of these workers, who will turn over to Uncle Sam 100 percent of the extra amounts they earn.

Of course, Mr. President, under existing law, the tax paid on extra earnings, within reasonable limits, is levied at the same rate as the tax the worker pays on his regular salary. But under this bill, those who work extra hours will find that they will be working 100 percent for the Federal Government, and not even 1 percent for themselves. Under such conditions, Mr. President, those workers will be as great patriots as Nathan Hale was.

Senators also realize that the conference committee deleted the provision to reduce the retirement age for men, and also deleted the provision by means of which an additional 200,000 would have been covered.

At this time I should like to read from an editorial which was published in the Washington Post. The editorial describes the situation which exists in the State of Maryland. Inasmuch as the Washington Post is published in the District of Columbia, the editorial writer obviously was in a position to have considerable information about the situation in Maryland. The editorial I now hold in my hand was published following the publication of the series of articles to which I have previously made some reference.

However, before reading from the editorial, I shall read from a Washington newspaper article which describes conditions very far from those one would expect under the great crusade promised by Mr. Arthur Flemming. The article describes the conditions faced day after day by the poor wretches who are confined in a mental institution in Maryland. The great crusade which Mr. Arthur Flemming promised would be made in their behalf evidently has now been abandoned, insofar as the administration is concerned, because Mr. Arthur Flemming, despite his previous assurances, more recently stated very definitely that he believed Mr. Eisenhower would veto the bill if the provision which called for giving some aid to the poor, unfortunate people who are confined in State mental institutions were included in the bill which was sent to the White House.

I now read from the newspaper article:

More than 75 percent of the institution's population will remain there for the rest of their lives.

Because of mental deficiencies dating back to birth or early childhood illness many of these will never exceed the intellectual level of 1-, 2- or 3-year-old children.

Without adequate supervision they are doomed to a vegetative existence, plagued by filth and sickness. At best they can hope for fulfillment of their basic physical needs—food, clothing and shelter. For some there is the possibility of a productive life within Rosewood.

Since public interest in the plight of Maryland's mental institutions was first aroused by a series of articles in the Baltimore Sun a decade ago, some piecemeal progress has come to Rosewood.

Nevertheless the institution still presents an overwhelmingly bleak picture, bringing heartbreak instead of hope, to families like the Crumplers who are confronted with the problem of mental defectiveness.

Here are some of the conditions found during a 1-day tour of Rosewood and interviews with its staff.

In a large, gloomy basement of Wyse cottage, 136 severely retarded male patients aged 10 to 66 milled aimlessly, fought or huddled on the floor. They were being herded by one attendant.

Most of this group had no control over their bowels or bladders. A fellow patient toiled after them endlessly with a mop. Eight hundred of Rosewood's patients are not toilet-trained.

In the institution's overcrowded hospital helpless patients like Wayne become malnourished or dehydrated because of an inadequate staff.

MANY UNDERNOURISHED

In Rosewood's packed nursery, now quarantined with dysentery, 64 sick children are jammed into space licensed for 48.

An additional 18 youngsters are waiting to be admitted as soon as the quarantine is lifted. Because of cramped space and lack of beds some will have to sleep on the floor.

Patients, some of them low-grade morons, are being used as substitutes for nurses and hospital attendants in feeding and caring for more helpless patients.

A responsible State official in my State estimated that 20 percent of these people could be restored to a happy life. But there is no prospect for that, and there is not even a prospect that they

will be analyzed and properly screened, to see whether those who now are in these institutions can be treated.

Furthermore, in many of the State hospitals of this sort, as in the case of the hospital in Maryland to which the article I have been reading refers, the care is administered by some of the patients themselves—somewhat like the present prison trusty system.

I read further from the article:

Rosewood Supt. George W. Medairy admits there may be "some irregularities" in the care program because it is necessary to depend on patient help.

Men, women, and children roam their quarters in half dress or complete nudity. One straggling procession of female patients was observed tramping through Rosewood's grounds in filthy, tattered garments.

NO SPECIAL SAFEGUARDS

Epileptic, blind, and crippled patients are mingled under one roof with others. Although anticonvulsive drugs are used there are no special safeguards against injury from falls or fellow patients.

One of Rosewood's spastic cottages, intended for crippled patients only, was 11 beds beyond its licensed capacity. Another was three patients over its limit.

Staff shortages in the four spastic buildings, according to Rosewood officials, are among the most critical in the institution. Yet this is where the institution's most helpless patients are quartered.

In some cottages a television set is the only recreational facility. But sets within reach of the patients are quickly battered into uselessness.

During September, Rosewood lost one employee for almost every two it put on the payroll.

Medairy gives two reasons for this astonishing turnover. Low pay and the repulsive nature of the work.

I am pleased to note that the able and distinguished senior Senator from South Carolina [Mr. JOHNSTON] is here and is listening to my presentation, because in his capacity as chairman of the Committee on Post Office and Civil Service he has led the fight, year in and year out, to see to it that Federal employees receive adequate pay. That is one reason why the care provided in the Federal hospitals is so much better than the care provided in the kind of hospitals to which the article from which I have been reading refers. So I am pleased that the Senator from South Carolina is listening to my reading of this article.

I point out that the article also describes the pay received by the attendants in these mental hospitals. I read further from the article:

The institution pays its attendants a starting salary of $2,698 a year.

Maryland's penal institutions pay new prison guards a minimum of $3,580 annually.

So a guard in the State penitentiary receives 50 percent more than the pay received by an attendant in the State mental institution.

As a matter of fact, the figures show that the per capita expenditure in the State mental institutions is much less than the Federal Government spends for the detention and care of criminals confined in Federal penitentiaries. It costs over $5 per person per day to keep a convict in a Federal penitentiary, one who had been guilty of murder, arson, dope peddling, or goodness knows what. Here the person who needs care has the benefit of a $4.07 expenditure for him.

I continue to read from the article:

Rosewood now has 320 attendants—30 short of the number allowed in its budget—to care for patients on a 24-hour schedule. Each works an 8-hour shift.

Medairy estimates he needs another 100 to provide adequate custodial care for the present patient population.

That is only custodial care; it has nothing to do with treatment for these people.

Rosewood has filled 8 of its 10 budgeted positions for doctors. A majority of those hired do not meet minimum State training requirements for their positions.

Clinical Director Dr. John Vasconelos said Rosewood needs at least 15 or more physicians in order to carry out a medical program which will produce maximum results for patients who can benefit from help.

At present the medical staff is demoralized by lack of manpower and adequate pay admitted one ranking doctor.

At a recent meeting of Medairy's advisory staff one consultant warned that the institution is "not in a position to take one patient more until we get a bit of breathing space."

Yet Rosewood is soon expected to get a batch of 35 new patients.

Since Rosewood is not accredited by the American Psychiatric Association, there is no incentive for young doctors to spend time there to advance their own careers.

Last year Rosewood's overall daily cost averaged $4.53 per patient.

Mr. President, the conditions I am describing take place in a State whose expenditures for that care are 10 percent above the national average.

This is well over the $3.64 national average for State mental hospitals.

Since that time there has been some small improvement.

This year Rosewood was allowed $3.8 million for operations and $1,027,800 to renovate and expand its physical plant.

On the positive side, Rosewood can boast of a modern well-equipped school which serves the 11 percent of its inhabitants who can be trained for productive roles in society.

Here 242 children are being taught to read and write. They are being educated for such skills as cooking, housekeeping, and shoe repairing.

But as public schools develop their own programs for the retarded, enrollment at Rosewood school is expected to decline. More and more patients will fall into the uneducable group.

Mr. President, I ask unanimous consent that the entire article be placed in the RECORD at this point in the RECORD. I will not read it all.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Nov. 23, 1958]

INADEQUATE STAFF AND LACK OF BEDS TURN SCHOOL FOR MARYLAND RETARDED INTO A MODERN BEDLAM

(By Laurence Stern)

Last September Mr. and Mrs. Shelton Crumpler, like hundreds of other parents of handicapped children throughout Maryland, turned to Rosewood Training School as a last hope.

It turned into a two-month nightmare.

Their 8-year-old son Wayne suffers from cerebral palsy and mental retardation. He must be dressed, fed and handled like an infant.

When Wayne went to Rosewood he weighed 42 pounds. Deprived of the individual feeding care he needed, Wayne's frail, crippled body shrank to 28 pounds.

Four days after his arrival he was critically ill with pneumonia. On October 23 Wayne was transferred to University Hospital in Baltimore suffering from severe malnutrition and anemia.

His leg muscles had begun to atrophy from lack of exercise.

By that time the Crumplers had all they could take.

"Wayne is coming home and I'm going to work," his mother said resignedly. "I'm not going to send him back there."

The child's father, a telephone lineman, cannot afford the $325 a month it would have cost to place Wayne in an accredited private institution in the Washington area.

In order to hire a qualified nurse to care for Wayne as well as her two normal daughters, Mrs. Crumpler is jobhunting.

Rosewood's overworked hospital staff feels the pinch of overcrowding and lack of personnel as acutely as patients. But without more money, space, and help, they are powerless to improve conditions.

NOT UNUSUAL CASE

Wayne Crumpler's story exemplifies conditions at their worst in Maryland's only public institution expressly for the feeble minded.

But it is by no means a freak case.

In ward after ward a visitor can see the toll of neglect and overcrowding as an understaffed force of doctors, nurses and hospital attendants try to grapple with a problem that has grown too big for them.

Although Rosewood, in the Baltimore suburb of Owings Mill, is called a training school, this is a misnomer.

Half of its 2,144 "children" are over 21. They range from 3 days to 80 years in age.

Some of these patients are shoved into Rosewood straight from the obstetrical ward by patients unable or unwilling to cope with the burden of retardation and physical deformity.

Last year 10 infants came to Rosewood only to die.

More than 75 percent of the institution's population will remain there for the rest of their lives.

Because of mental deficiencies dating back to birth, or early childhood illness, many of these will never exceed the intellectual level of 1,- 2,- or 3-year-old children.

Without adequate supervision they are doomed to a vegetative existence, plagued by filth and sickness. At best they can hope for fulfillment of their basic physical needs—food, clothing, and shelter. For some there is the possibility of a productive life within Rosewood.

Since public interest in the plight of Maryland's mental institutions was first aroused by a series of articles in the Baltimore Sun a decade ago, some piecemeal progress has come to Rosewood.

Nevertheless the institution still presents an overwhelmingly bleak picture, bringing heartbreak instead of hope, to families like the Crumplers who are confronted with the problem of mental defectiveness.

Here are some of the conditions found during a 1-day tour of Rosewood and interviews with its staff:

In a large, gloomy basement of Wyse cottage, 136 severely retarded male patients aged 10 to 66 milled aimlessly, fought or huddled on the floor. They were being herded by one attendant.

Most of this group had no control over their bowels or bladders. A fellow patient toiled after them endlessly with a mop. Eight hundred of Rosewood's patients are not toilet trained.

In the institution's over crowded hospital helpless patients like Wayne become malnourished or dehydrated because of an inadequate staff.

MANY UNDERNOURISHED

In Rosewood's packed nursery, now quarantined with dysentery, 64 sick children are jammed into space licensed for 48.

An additional 18 youngsters are waiting to be admitted as soon as the quarantine is lifted. Because of cramped space and lack of beds some will have to sleep on the floor.

Patients, some of them low-grade morons, are being used as substitutes for nurses and hospital attendants in feeding and caring for more helpless patients.

Rosewood Superintendent George W. Medairy admits there may be some irregularities in the care program because it is necessary to depend on patient help.

Men, women, and children roam their quarters in half dress or complete nudity. One straggling procession of female patients was observed tramping through Rosewood's grounds in filthy, tattered garments.

NO SPECIAL SAFEGUARDS

Epileptic, blind, and crippled patients are mingled under one roof with others. Although anticonvulsive drugs are used there are no special safeguards against injury from falls or fellow patients.

One of Rosewood's "spastic" cottages, intended for crippled patients only, was 11 beds beyond its licensed capacity. Another was three patients over its limit.

Staff shortages in the four spastic buildings, according to Rosewood officials, are among the most critical in the institution. Yet this is where the institution's most helpless patients are quartered.

In some cottages a television set is the only recreational facility. But sets within reach of the patients are quickly battered into uselessness.

During September, Rosewood lost one employee for almost every two it put on the payroll.

Medairy gives two reasons for this astonishing turnover: Low pay and the repulsive nature of the work.

The institution pays its attendants a starting salary of $2,698 a year.

Maryland's penal institutions pay new prison guards a minimum of $3,580 annually.

NEEDS 100 ATTENDANTS

Rosewood now has 320 attendants—30 short of the number allowed in its budget—to care for patients on a 24-hour schedule. Each works an 8-hour shift.

Medairy estimates he needs another 100 to provide adequate custodial care for the present patient population.

Rosewood has filled 8 of its 10 budgeted positions for doctors. A majority of those hired do not meet minimum State training requirements for their positions.

Clinical Director Dr. John Vasconelos said Rosewood needs at least 15 or more physicians in order to carry out a medical program which will produce maximum results for patients who can benefit from help.

At present the medical staff is "demoralized" by lack of manpower and adequate pay, admitted one ranking doctor.

At a recent meeting of Medairy's advisory staff one consultant warned that the institution is "not in a position to take one patient more until we get a bit of breathing space."

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Since Rosewood is not accredited by the American Psychiatric Association, there is no incentive for young doctors to spend time there to advance their own careers.

Last year Rosewood's overall daily cost averaged $4.53 per patient. This is well over the $3.64 national average for State mental hospitals.

WELL-EQUIPPED SCHOOL

This year Rosewood was allowed $3.8 million for operations and $1,027,800 to renovate and expand its physical plant.

On the positive side, Rosewood can boast of a modern, well-equipped school which serves the 11 percent of its inhabitants who can be trained for productive roles in society.

Here 242 children are being taught to read and write. They are being educated for such skills as cooking, housekeeping, and shoe repairing.

But as public schools develop their own programs for the retarded, enrollment at Rosewood's school is expected to decline. More and more patients will fall into the "uneducable" group.

Another landmark at Rosewood opened last August, the Esther Loring Richards Children's Center. This modern, half-million-dollar facility will be geared to the needs of emotionally disturbed children with normal learning capacity.

Three months after it opened, however, the department of mental hygiene is worrying whether it will be able to staff it.

Mr. LONG of Louisiana. Mr. President, before I leave this study done by the Washington Post, I should like to read an editorial from the Washington Post which was printed subsequent to the conclusion of this series of articles.

I regret that the distinguished junior Senator from Illinois [Mr. DIRKSEN], the minority leader, was not present when I put in the RECORD the estimate of costs. I feel perhaps I should go back and review the costs for him, because I know he should know about it.

I thought the Senator would want to know that the benefits we voted for in the Senate, in the social security part of our bill, were reduced by 90 percent of the cost, with respect to earnings that would be allowed up to $1,800. The conference also reduced to $250 million the item which would have added $1,200 million, which is only a $50-million increase over the House bill, which was a bill based on the theory that they did not want to pass anything which might require an increase in the social security tax.

Mr. President, I quote from an editorial entitled, "Bedlam in Maryland," which was published in the Washington Post of December 1, 1958. The conditions therein described are somewhat typical of conditions which exist all over the country. As a matter of fact, here is a State where the expenditures for those poor mental patients exceed the national average.

I read from the editorial:

The neglect of most of the 11,000 patients in Maryland's 5 State mental hospitals which Laurence Stern described in his series of articles in this newspaper is shocking and shameful. Yet the conditions in the Maryland institutions are not much worse than they are in most other States. Despite all the money that has been appropriated for mental hospitals by legislatures in the last decade, most States are still struggling to keep up with the problems thrust upon them by the widespread incidence of mental illness. The real tragedy is that the majority of mental patients could become useful citizens again if they were only given proper care and treatment.

Just imagine, in Maryland there are 11,000 of those poor people, the majority of whom, it is estimated, could become useful citizens. Certainly a substantial number of them could become useful citizens. Estimates were made of such patients in my own State. The estimate by responsible officials was that at least 20 percent of them, with proper and efficient treatment, could be restored to useful citizenship.

I continue to read the editorial:

"The worst thing you can do to a sick person is close the door and forget about him," Dr. Charles S. Ward, superintendent of the Crownsville State Hospital in Maryland, told Mr. Stern. In his 18 months at Crownsville, Dr. Ward has opened doors; 75 patients once considered chronic mental cases have been discharged and 65 others are almost ready to leave. What has happened at Crownsville has also happened at other State institutions, in Maryland, Virginia, the District of Columbia, and elsewhere.

Yet the discharged patient is still the exception to the usual situation in mental hospitals. Most patients still get only a minimum of custodial care and hardly any medical treatment. What is needed more than anything else is more money to hire more and better doctors, nurses, therapists, and social workers to open the doors.

That is what Mr. Arthur Flemming told the New York Times he was going to do. He was going to conduct a crusade to do just that. Then, after the Senate votes for it, he proceeds to tell us he will have to threaten to have the bill vetoed if a thing of that sort is done.

I continue to read from the editorial:

When the wretched conditions in State mental hospitals—conditions not unlike those that existed in London's notorious St. Mary of Bethlehem (or Bedlam) Hospital—were first exposed by magazines and newspapers after World War II, many legislatures responded by increasing appropriations for construction and remodeling programs at the institutions. All too little money was set aside for research and staff. It is now recognized that the treatment and cure of mental patients, rather than their incarceration, is the best answer to the problems of State mental institutions. Not so many new buildings will be needed if more mental patients are treated and discharged as citizens ready to resume their positions in the mainstream of modern society.

If Maryland, and Virginia, too, had spent more money 5 and 10 years ago on rehabilitation of the mentally ill, the institutions in both States probably would not be nearly so crowded as they are today. Both States are now paying more attention to rehabilitation and staff problems, and these are the areas the Maryland Legislature should emphasize when it considers mental health bills and appropriations during its 1959 session, which begins in January.

Human life is much too precious to be dumped on a heap in a mental institution. The cost of restoring a mental patient in a Maryland institution to a meaningful life is far less in most cases than the $1,400 a year the State pays to maintain a mental patient in a hospital. To the patients, rehabilitation is almost like the gift of life itself.

Mr. President, I am delighted to see in the Chamber the able junior Senator from Georgia [Mr. TALMADGE], who, as Governor of his State, doubled the appropriation for mental institutions and the care of those in certain other institutions in his State. He brought about

great improvements in the care available to the people in his State. I know it was at considerable sacrifice to the general taxpayers that this was achieved, but the people of his State have come to recognize his farsighted leadership in that respect.

Mr. TALMADGE. Mr. President, will the able Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. TALMADGE. I express my appreciation to the distinguished and able Senator from Louisiana for his comments with reference to what was done for the Georgia mental institutions during the time I served as Governor of the State. We did as much as our resources would permit. Unfortunately, it was not as much as we desired to do. I am delighted that both my successors in office have continued to make improvements in our mental institutions at Milledgeville, Ga. We have there the largest mental institution in the world. At the present time, I believe we have in excess of 12,000 patients.

At this time I wish to thank the able junior Senator from Louisiana for the fight he has made in this regard. It was my pleasure to vote for his amendment. I am happy the amendment passed in the Senate. I regret that it was deleted in the conference. I think it would have been of great benefit to all 50 States in the Union.

I regret that I have not been present on the floor during all of the address of the able Senator. I am proud that I have had the privilege of hearing a portion of it.

I commend the Senator for his magnificent fight. I congratulate him for the victory he won before the Senate. I salute the Senator for the fight he has made and for bringing this matter not only to the attention of the Senate, but also to the attention of the entire Congress and, through the Congress, to the attention of the Nation.

Mr. LONG of Louisiana. Mr. President, I thank the Senator very much for the compliment he has paid me. I am sure I am undeserving of it.

I feel that if we will fight for these things, if we will be determined that we are going to get some action on them, some day we will get something done.

I made reference a short time ago to the fact that the Secretary of Health, Education, and Welfare, who, together with the Director of the Bureau of the Budget, can take the responsibility for killing the proposal, although I still think if we reject the conference report and insist on it we can achieve it——

Mr. TALMADGE. Mr. President, will the Senator yield at that point?

Mr. LONG of Louisiana. I yield.

Mr. TALMADGE. Will the Senator tell me what would be the total cost of his amendment?

Mr. LONG of Louisiana. One hundred and twenty million dollars.

Mr. TALMADGE. In other words, it would cost $20 million more than we have authorized for the Congo; is that correct?

Mr. LONG of Louisiana. That is correct.

Mr. TALMADGE. Can the Senator tell me what benefit we might derive from the appropriation we have made for the Congo?

Mr. LONG of Louisiana. No. I regret to say I cannot tell the Senator that.

As one Member of this body, I would have been willing to settle for something less, if we could get some real help along this line.

Mr. TALMADGE. The Senator can recite the benefits his amendment would bring to unfortunate Americans, can he not?

Mr. LONG of Louisiana. Yes. In my judgment these are some of the most unfortunate people in the country. I would say that of all the people who will be benefited by passage of the bill we have before us these people are the most unfortunate.

Mr. TALMADGE. I agree with the Senator. I am sure the Senator learned in his early days, and particularly at the time he was in law school, that crime does not pay.

Mr. LONG of Louisiana. Yes.

Mr. TALMADGE. Would the Senator say that we carried out that philosophy of government and life when we appropriated $100 million for the Congo?

Mr. LONG of Louisiana. No. I cannot say that what is going on in the Congo would justify the appropriation of $100 million.

The Senator has made the point that crime does not pay. I ask the Senator if he is aware of the fact that a mentally sick person, generally speaking, would be better off in a Federal penitentiary than a mental institution for care, because in a majority of the State mental institutions such a person would be locked up and left there. A prisoner has $5 a day provided for his care, but the care for the average patient in a mental institution is only $4.07, if it is at public expense.

Mr. TALMADGE. Mr. President, will the Senator yield further?

Mr. LONG of Louisiana. I yield.

Mr. TALMADGE. When we appropriated $100 million for the Congo, it proved that crime does pay for the Congolese, did it not?

Mr. LONG of Louisiana. I fear it did.

The Senator should know that it was only April 21 of last year when Mr. Arthur Flemming declared that the mentally ill of the country were receiving disgracefully inadequate care and treatment. He added that the Federal Government had a responsibility to crusade in the field, and that it was starting such a crusade.

Giving a news release, which results in a special story in the New York Times that he was going to crusade to help do something about the problem, is a far cry from proceeding to assume the responsibility of using his great power and effort, sitting throughout the entire conference, to see that nothing was done to allow matching with the States in providing care for those persons in mental institutions.

I read this statement to the Senator:

> Many of the country's 277 State and county mental hospitals, he asserted, are "little more than custodial institutions" and "inadequate for even the simplest methods of treatment." The average cost per patient per day, he said, is only $4.07 for care and treatment, that comparing with $26 a day per patient in general hospitals, exclusive of physicians' fees.

I do not stand before the Senate in any self-righteous sense to talk about the problems faced by the various States. I know that in the State of Louisiana an institution with 8,000 mental patients will have perhaps 6 young interns and perhaps 3 psychiatrists. We have established an institution, and have tried to have a screening process, to look over the new cases, to see if we can cure them. The number of patients assigned to a single doctor is between 30 and 50, compared to the overall situation, in which there is perhaps 1 doctor for every 1,000 people. All a doctor can do in such cases as the Senator well knows, is simply to provide a little care for health.

Mr. TALMADGE. For emergency needs.

Mr. LONG of Louisiana. There is emergency treatment, which is simply a matter of locking up these people.

The thought occurs to the junior Senator from Louisiana—and I suspect in time I shall prove it—that when these people were originally left out of the social security and public welfare program it may have been upon the same basic that we left out the county poorhouses. We could not get Federal matching for the operation of county poorhouses because conditions were so cruel in some of the county poorhouses that it appeared the poor person was put in not so much for his own benefit as simply because the public did not wish to have him begging on the streets. Therefore he would be locked up under cruel conditions, and would be worked until he practically dropped dead. To a large degree the background of mental institutions seems to be upon the basis that the public did not care to have these people around, so the people would lock them up and leave them—separate them and be rid of them.

It is a sad situation. Yet when we try to do something about it, it is distressing to see that the very people who advocate that we do something about it prove to be some of those who are responsible for preventing any action whatever from being taken.

I have before me a comparison of costs per person per day in prisons and other correctional institutions, general hospitals, mental hospitals, and tubercular hospitals. It reveals that the costs are are follows: Federal prisons, $5 a day; Federal hospitals, $24 a day; Federal tubercular hospitals, $23.62 a day; Federal mental hospitals under the Veterans' Administration, $11.90 a day.

If the Senate amendment, which the Senate voted, had been insisted upon, and if we had pursued it as vigorously and with the demand that I personally would have advocated, we would be in a position in many States to bring the care up to Federal standards by means of Federal matching funds together with what the States are paying, without any additional State expenditure, and these poor people could be treated properly.

I also have a comparison of my own State as to the expenditures in State hospitals, tubercular hospitals and mental hospitals. I regret to see that in Louisiana the expenditure is only $2.88 for hospitals of this sort.

Mr. President, I ask unanimous consent that the chart be printed in the RECORD at this point in my remarks.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

Comparison of cost per day per person in prisons and other correctional institutions, general hospitals, mental hospitals, and tuberculosis hospitals

FEDERAL INSTITUTIONS

Federal prisons (fiscal 1960)	$5.00
Federal hospitals	24.08
Federal tubercular hospitals	23.62
Federal mental hospitals (VA) (fiscal 1959, higher now)	11.90

LOUISIANA INSTITUTIONS

State penitentiary (fiscal 1958)	2.16
State hospitals (fiscal 1958)	13.94
State tubercular hospitals (fiscal 1958)	9.22
State mental hospitals (fiscal 1958)	2.88

Mr. LONG of Louisiana. Mr. President, I have also a list of Federal institution costs, which demonstrates the point to which I made reference, that the daily cost per person in a Federal penal institution is $5 compared to an average cost of $4.07 in a State mental hospital.

I am familiar with some of the U.S. Public Health hospitals, particularly the one for leprosy, or Hansen's disease, at Carville, La., which is a very fine hospital. The daily cost per patient there is $24.08. In some respects a comparison can be made. In quite a few instances leprosy has been cured. Compare the $24.08 cost for a leper confined entirely at Federal expense with the cost of $4.07 for a pitifully mentally ill person.

The thought occurred to me that if a member of a poor family needed medical care, the smart thing for the family to do would be to get the person on dope so that he would have available treatment as a narcotic addict, because the narcotic hospitals show that the daily cost per person at Lexington, Ky., is $9.47, and the daily cost for a person addicted to narcotics at Fort Worth, Tex., is $9.67.

Senators will see that if one had a person in his family who was afflicted with hardening of the arteries in the brain or feeblemindedness, or some illness of that sort, perhaps needing various sorts of treatment, and the family was unable to provide the care and treatment for that person, the family could persuade the patient to start taking heroin, have him committed as a dope addict, and confined at Federal expense in a narcotic hospital, where he would have available treatment which would be twice as good as he would get if he were sent to a State mental hospital. The cost at the narcotic hospital would be $9.17, as compared with the cost of $4.07 at the State mental hospital.

An article entitled "Inside the Asylum," appeared some time ago in the Saturday Evening Post, which I believe is extremely enlightening on the problem of mental care. It states:

It is tragic but true that every third family will send one member of its family to a mental hospital.

Imagine that—one family in every three will send a member of the family to a mental hospital.

Yet we are told that the Federal Government, while it is willing to provide aid in all other aspects, cannot afford aid for people of this type.

In my State, we are spending $15 per patient per day in the fine State hospitals we have.

Anyone who cannot afford to pay is cared for. The Federal Government will match $45 to the State's $15. What the hospital will do with that money is rather difficult to understand, because the Federal hospital cost does not exceed $45. I suppose if the Federal Government insists upon going that far, State expenditures can be reduced and the money used for other purposes, or perhaps degrees of care that no one ever dreamed of even in private hospitals can be provided, so long as the Federal Government will contribute three-quarters of the cost.

The Saturday Evening Post article states that one family in every three will have this problem. That is the situation now, and it will become worse. Yet we are told that nothing can be done about it.

Our Secretary of Health, Education, and Welfare, who has promised a crusade in the field, leaves the choice to us and prevents us from doing anything about it. He asked the Senate to override its Finance Committee in the attempt to do something to help with this problem.

I shall not read from the beginning of this article. I should like to quote from some of the most pertinent parts of it:

Columbus State Hospital is 1 of 11 prolonged-care mental hospitals in Ohio. The State has, in addition, special hospitals for the defective, epileptic, tuberculous insane, criminally insane, and patients needing only short-term care. All are under the department of mental hygiene and correction, the biggest State-operating department. In its mental institutions are some 35,000 patients. More people enter Ohio State hospitals every year than enter Ohio colleges—

That is interesting. More patients enter their State hospitals for the mentally sick than enter their colleges—

Ohio is not peculiar. There are in the United States today some 750,000 persons in mental hospitals. One of every twelve children born today will spend some part of his life in a mental hospital.

Even so, the average citizen knows little about what goes on in his State hospital. He doesn't know who the patients are or what is the matter with them. And what is done for them? Who are the doctors, and how much do they know? What of the superintendent's burden? These are important questions to be answered in this article and others to follow. And most of the answers can be found at Columbus State Hospital, which may be taken as representative of many State hospitals in America today.

Mr. President, most people do not know what the conditions are in such a hospital. A short time ago I read an article about the conditions in Maryland, which has an above-the-average cost per capita so far as care in mental institutions is concerned. In that State the grand jury investigated conditions in Maryland. The people making the investigation became so nauseated they could not complete the investigation; they could not complete the tour. That is how bad it was. I have here some drawings which those with strong stomachs may care to look at. Senators are welcome to look at them. They can see what these conditions are like. I see in the Chamber my distinguished namesake the Senator from Hawaii. I would like to have him look at the drawings, to see what the conditions are like in Maryland. I am sorry the Senator was not here earlier. I said that a year ago Arthur Flemming himself said that he was starting a program to remedy the situation. He said something should be done about it. Yet in conference he helped to eliminate this provision from the bill. Apparently he has forgotten so soon the crusade that he started only last year.

Mr. LONG of Hawaii. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. LONG of Hawaii. Is it not a fact that any Senator or other public official who brings about some real progress in this field will be one of the eternal benefactors of our Nation?

Mr. LONG of Louisiana. I have no doubt about it. This is something that needs to be done.

Mr. LONG of Hawaii. I agree with the Senator.

Mr. LONG of Louisiana. I am convinced that, if we were to send this provision to the President, he would sign the bill containing it. I think if Arthur Flemming would recall this, the greatest crying need of all, he would crusade and do something about it. I pointed out that the average patient-care cost was $4.07 for these people, as compared with $26 in the case of others receiving medical care.

There is no doubt about it. This is an area in which something must be done to help the most unfortunate people of all. Yet, we are told that we must not in any sense try to coerce the President into signing something that he might have some doubts about.

One family in every three experiences this problem. I read further from the article:

Columbus State Hospital is like all the other State hospitals in America in many ways—big, overcrowded, short of doctors, nurses, and attendants. It is full of human suffering. Columbus State holds 2,700 patients. This is not an unmanageable number—Pilgrim State, in New York, has 14,000—but its clinical director said recently, "I'd sure hate to see it get any bigger. You can't treat patients on an assembly-line basis." The 2,700 sick people at Columbus State are occupying space big enough for only 1,800, by American Psychiatric Association standards. Yet it is not so hideously overcrowded as Toledo State Hospital, where patients sleep on the floor, or Cleveland State, which is so full that new patients must await their turn in the county jail.

Columbus must accept any patient committed to it by court. The hospital tries, not always successfully, to refuse children under 16, alcoholics who merely want to sober

up, and epileptics and mental defectives unless they are also psychotic. It must take patients who are functionally psychotic—nothing wrong physically, but they have lost their minds—and people suffering from organic disorders: arteriosclerosis of the brain, for example, or paresis. Most of the patients have been here many years. One has been here continuously since 1881. Years ago she used to sing and dance and mop the floors, but today she just sits. So far as the records show, she never has had a visitor in her 75 years here.

Columbus State is really several institutions. It is a sort of old-folks' county home. It is a maximum-security hospital for dangerous patients. It is a hospital for the treatment of acute psychotics. And it is custodial home to a host of steadily deteriorating chronic psychotics.

To care for all these patients there are 18 doctors. This includes administrators and doctors who handle purely medical problems; there are only 10 doctors who are actually seeing to the day-to-day psychiatric care of 2,700 patients. Not one of these ward doctors is a full-fledged certified psychiatrist—that is, none is fully trained and has passed the examination of the American Board of Psychiatry and Neurology.

There are only three certified psychiatrists at the hospital, and they can give little time to patients; they supervise the work of the ward doctors—

Imagine that, Mr. President. There are only three qualified psychiatrists at that hospital—

Most of the ward doctors are "residents in psychiatry," in training here for board examinations. Attendants are so scarce that frequently at night one attendant must try to handle three wards alone. Three wards comprise a block-long labyrinth of rooms and corridors and locked doors, with up to 250 psychotic patients sleeping in them. And all this is about average for State hospitals in America today; many are much worse off.

When a new patient arrives at Columbus State he is brought into the lobby, which is furnished with a row of old wooden chairs and a soft-drink machine and a showcase of patients' embroidery. Some new patients come in screaming, dragged by police, kicking at the nurses and doctors. But most wait docilely while the switchboard girl calls the admitting doctor over the loudspeaker, "Dr. Dane, Dr. Dane."

Dr. Robert Dane, a quiet, soft-spoken man of 29, comes to the lobby and sits down beside the new patient and talks to him. How does he feel? Who brought him here? Where is he? What is the date? When was he born? How have things been going at home? Can he subtract 3 from 100, and 3 from that, and so on?

From the answers to a few such questions, Dr. Dane can form an impression of what is wrong with the patient. A catatonic schizophrenic, for example, may not answer at all; a man with cerebral arteriosclerosis may be unable to reverse digits. Then a nurse takes the patient by the elbow and leads him to his ward.

A new admission is stripped on arrival, bathed, examined physically, and given a short white hospital gown and floppy white overalls. Dr. Dane interviews him again and orders any necessary tests. The tests take about a week.

Then the patient gets a chance—and only this one—to be considered by all the doctors on the staff. They diagnose his illness and prescribe treatment.

Staff meeting is held every morning from 10 to noon in a large, sunny room.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Louisiana may yield to me for the purpose of permitting me to move that the Senate proceed to the consideration of executive business, and to make brief announcements for the information of the Senate, with the understanding that he will not lose the floor by so doing.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business, for the consideration of nominations on the Executive Calendar, beginning with "New Reports."

The motion was agreed to; and the Senate proceeded to consider executive business.

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

CALIFORNIA DEBRIS COMMISSION

The legislative clerk read the nomination of Col. Herbert N. Turner, Corps of Engineers, to be a member and secretary of the California Debris Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

EXPORT-IMPORT BANK OF WASHINGTON

The legislative clerk read the nomination of Tom Killefer, of California, to be First Vice President of the Export-Import Bank of Washington.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

SECURITIES AND EXCHANGE COMMISSION

The legislative clerk read the nomination of Byron D. Woodside, of Virginia, to be a member of the Securities and Exchange Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. JOHNSON of Texas. Mr. President, I ask that the nominations in the Marine Corps be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Marine Corps are confirmed en bloc.

U.S. ARMY

The legislative clerk proceeded to read sundry nominations in the U.S. Army.

Mr. JOHNSON of Texas. Mr. President, I ask that the nominations in the Army be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Army are confirmed en bloc.

U.S. AIR FORCE

The legislative clerk read the nomination of Col. Maurice C. Harlan to be brigadier general in the U.S. Air Force.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. NAVY

The legislative clerk read the nomination of Rear Adm. Elton W. Grenfell, to be vice admiral.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. ARMY

The legislative clerk read the nomination of Gen. Lyman L. Lemnitzer to be Chairman of the Joint Chiefs of Staff for a term of 2 years.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. NAVY

The legislative clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. JOHNSON of Texas. Mr. President, I ask that the nominations in the Navy be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Navy are confirmed en bloc.

COMMODITY CREDIT CORPORATION

The legislative clerk read the nomination of Carl J. Stephens, of Iowa, to be a member of the Board of Directors of the Commodity Credit Corporation.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

ASSISTANT ATTORNEY GENERAL

The legislative clerk read the nomination of Harold R. Tyler, Jr., of New York, to be Assistant Attorney General.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. ARMY

The legislative clerk read the nomination of General George Henry Decker to be Chief of Staff, U.S. Army, for a term of 2 years.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DEPARTMENT OF JUSTICE

The legislative clerk read the nomination of Arthur S. Lane to be district judge for the district of New Jersey.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. AIR FORCE

The legislative clerk read the nomination of Gen. Nathan F. Twining to be placed on the retired list in the grade of general.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the Foreign Service.

Mr. JOHNSON of Texas. Mr. President, I ask that the nominations in the Foreign Service be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Foreign Service are confirmed en bloc.

UNITED NATIONS

The legislative clerk read the nomination of James J. Wadsworth, to be representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the representative of the United States of America in the Security Council of the United Nations; also representative of the United States of America to the 15th session of the General Assembly of the United Nations.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. JAVITS. Mr. President, I desire to make a statement with respect to the nomination of Mr. James J. Wadsworth to be the representative of the United States to the General Assembly of the United Nations and to the Security Council. He is one of New York's most distinguished citizens and is the son of former Senator and former Representative Wadsworth. He is a man of whom we are all very proud.

Mr. JOHNSON of Texas. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. JOHNSON of Texas. I appreciate the Senator's statement. I share his high opinion of Mr. Wadsworth. I know him, admire him, and respect him. I think this is a very fine appointment.

In my opinion, his father was one of the great men of our time. I sat at his feet for many years. I hope I acquired some of his more admirable characteristics. I think he was one of the greatest legislators I ever knew. My only regret is that he was not a member of my party.

Mr. JAVITS. I am grateful to the Senator from Texas for his statement.

Ambassador Wadsworth's father served with me in the House. I could not let this moment, which is such a great one in his son's life, go by without saying a word about his father. I think both the Senator from Texas [Mr. JOHNSON] and I, and many other Senators, can well imagine the pride with which Ambassador Wadsworth's father, Senator, then Representative, Wadsworth would have noted and greeted such a very high level appointment as this.

It is very significant that this career man, as I think he may properly be called, has been serving our country in the field of disarmament. I believe that is very significant, when we consider the importance of this effort in the United Nations.

Mr. BUSH. Mr. President, will the Senator from New York yield for a comment?

Mr. JAVITS. I yield.

Mr. BUSH. I join the Senator from New York in his special commendation of Ambassador Wadsworth. I have had the privilege of his friendship for 35 years. I knew his father well. I have great confidence in Ambassador Wadsworth. He has a fine record. He will be a worthy successor to a very great Ambassador to the United Nations. I believe he will measure up to the difficult work and the great responsibilities which will devolve upon him in the coming months.

I am glad the Senator from New York has taken the time to speak this afternoon about Ambassador Wadsworth.

Mr. CASE of South Dakota. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. CASE of South Dakota. I join in the expression of appreciation for the naming of Ambassador Wadsworth to succeed Henry Cabot Lodge at the United Nations. For a number of years, my office was next to the office of Ambassador Wadsworth's father in the New House Office Building. I came to have a very high regard for all of the Wadsworths, particularly for the work of Representative, and former Senator, Wadsworth, and Ambassador Wadsworth.

I was in Geneva last December and attended one of the sessions of the tripartite group which were seeking to achieve agreement, first, with respect to differing nuclear plans. I had occasion at that time to observe Ambassador Wadsworth in action. I must say that his ability and his handling of the situation increased my respect for him, high as it was before that.

I am glad that his nomination to be our Ambassador to the United Nations has been approved.

Mr. HUMPHREY. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. HUMPHREY. Mr. President, I am glad to join in what I believe is very well deserved commendation of Ambassador Wadsworth, affectionately known as Jim Wadsworth. I have worked with him both at the United Nations and in the Conference on Nuclear Testing Suspension. I think he is a qualified public servant in the field of our diplomacy. He certainly has a host of friends among the diplomats of the world, particularly at the United Nations.

I am one who enthusiastically supports his nomination by the President. I am delighted that this well deserved honor has come to him to be our chief representative at the United Nations.

Mr. JAVITS. Mr. President, I am grateful to the Senators who have spoken in commendation of Ambassador Wadsworth. If this were another season, we would probably be praising just as highly the man whom he succeeds, Ambassador Henry Cabot Lodge. I do not believe the reputation of Cabot Lodge needs any further praise from us here today. He is already legendary in the world, and I hope his high reputation will become very much greater.

Mr. President, I ask unanimous consent that a statement I have prepared on this subject may be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JAVITS

Ambassador Wadsworth is an outstanding citizen of New York State and of the United States. In his early twenties he began a career of public service in the Assembly of the New York State Legislature, to which he devoted 14 years of his life. After World War II he began a career in high-ranking positions with the Federal Government and from 1948 on has been intimately connected with the foreign policy of the United States. In 1953 he began his uninterrupted service as a representative of the United States in various organs and activities of the United Nations.

He is now Mr. Lodge's deputy. More particularly, since 1958 he has served as U.S. Representative on Disarmament, a function which gives him a unique qualification to speak for this Nation on this matter of primary and overriding importance to the world. One of the first tasks of the United Nations General Assembly, when it reconvenes on September 20, will be to urge a resumption of the 10-power disarmament talks which the Soviet Union scuttled in Geneva this summer, and at which Mr. Wadsworth headed the U.S. delegation. There is no man whom the United States could name as its Ambassador to the United Nations who could better symbolize and more brilliantly work for this Nation's desire for peace than this man, who bent all his efforts and great skills to overcome Soviet bloc intransigence at the disarmament conference.

In addition to this particular and all-important aspect of Mr. Wadsworth's qualifications, his overall experience in the General Assembly, the Security Council, the Economic and Social Council, and in the International Atomic Energy Agency gives him the kind of thoroughgoing knowledge of the wide scope inherent to United Nations operations which few men in the whole world possess. One might almost call him a "career man" in the highest level service of the United States at the United Nations. New York State will be proud to have James J. Wadsworth serve as this Nation's Ambassador to the great world body which has its headquarters in New York City—and the United States would be uniquely benefited.

The PRESIDING OFFICER. The clerk will state the next nomination on the Executive Calendar.

The legislative clerk read the nomination of James W. Barco, of Virginia, to be Deputy Representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary and the Deputy Representative of the United States of America in the Security Council of the United Nations.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

FEDERAL HOME LOAN BANK BOARD

The legislative clerk read the nomination of Joseph J. Williams, Jr., of Virginia, to be a member of the Federal Home Loan Bank Board for the remainder of the term expiring June 30, 1963.

Mr. JOHNSON of Texas. Mr. President, the able junior Senator from Virginia [Mr. ROBERTSON] has spoken to me about this nomination several times. He

has informed me that it is extremely urgent that Mr. Williams be permitted to qualify, because the Federal Home Loan Bank Board is in great need of his services. I hope the Senate will act favorably on the nomination.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

NOMINATIONS ON THE SECRETARY'S DESK

IN THE ARMY

Mr. JOHNSON of Texas. Mr. President, I ask that sundry nominations in the Army, now on the Secretary's desk, be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Army are confirmed en bloc.

IN THE AIR FORCE

Mr. JOHNSON of Texas. Mr. President, I ask that the nominations in the Air Force, through the name of Charles W. Abbitt be approved.

The PRESIDING OFFICER. Without objection, the nominations in the Air Force through the name of Charles W. Abbitt are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask that the nomination of George L. Abel be held and not acted upon.

The PRESIDING OFFICER. Without objection, it is so ordered.

IN THE MARINE CORPS

Mr. JOHNSON of Texas. Mr. President, I ask that the nominations in the Marine Corps be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Marine Corps are confirmed en bloc.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be immediately notified of the nominations this day confirmed.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

ORDER FOR RECESS UNTIL 10 A.M., MONDAY, AUGUST 29, 1960

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today, it stand in recess until 10 o'clock on Monday next.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AUTHORIZATION FOR APPROPRIATIONS COMMITTEE TO FILE REPORT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Appropriations Committee be authorized to file a report on the supplemental appropriation bill, notwithstanding the adjournment of the Senate, and that it be in order for the bill to be considered by the Senate on Monday next.

The PRESIDING OFFICER. Is there objection?

Mr. LONG of Louisiana. I understand that the Senator from Texas has made a request in connection with the supplemental appropriation bill. Is that correct?

Mr. JOHNSON of Texas. Yes; I have requested authority for the Appropriations Committee to file its report on the bill, notwithstanding the adjournment of the Senate; and I have also requested that it be in order for the bill to be considered by the Senate on Monday.

Mr. LONG of Louisiana. I do not object.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

SENATE APPROPRIATIONS COMMITTEE ACTION ON SUPPLEMENTAL APPROPRIATION BILL

Mr. JOHNSON of Texas. Mr. President, today the Appropriations Committee worked long and diligently on the supplemental appropriation bill and the requests for funds in that connection. The committee heard the distinguished Under Secretary of State testify at some length in connection with the proposed restoration of certain appropriations.

Mr. Dillon asked that the Senate restore $65 million to the defense support items. The mutual security bill the Senate passed last night provided $610 million. The amount authorized is $675 million. Mr. Dillon requested an additional $65 million. The committee, by a vote of about 2 to 1, supported that request and restored $65 million in the supplemental appropriation bill.

Mr. Dillon asked for $22 million for technical assistance. The bill provided $150 million. The authorization is $172 million. So the committee restored the full $22 million.

The request for special assistance funds was $260 million. The amount carried in the bill was $230 million. The authorization was $256 million. So the committee voted to allow the full amount authorized, which was also the amount requested; namely, $256 million.

In regard to general administrative expenses, Mr. Dillon asked that $2 million be added to the amount previously appropriated; and the committee did so.

Mr. Dillon testified that the $150 million for the Development Loan Fund was desirable, and said he would like to have it appropriated, but that it could be deferred until next year, because he did not plan to use all of it at this time, and they could send up a supplemental request in March or April of next year. However, the committee decided to grant $75 million of the $150 million requested this year.

So the committee complied in full with four requests, and complied in part with one. In addition, Mr. Dillon asked for language changes in four separate items, and the committee agreed to those language changes.

The bill will be reported tonight. It will provide appropriations of $190 million for items in connection with the foreign aid program.

We hope to have the Senate take up the bill on Monday, if possible.

CONVEYANCE OF CERTAIN LANDS TO THE STATE OF MAINE

Mr. JOHNSON of Texas. Mr. President, on yesterday, the last measure on the calendar which was called was Calendar No. 1931, Senate bill 3299, to provide for the conveyance to the State of Maine of certain lands located in Maine. At that time, objection was made by the Senator from Oregon [Mr. MORSE] to consideration of the bill during the call of the calendar. I understand that the Senator from Oregon has now withdrawn that objection.

Therefore, Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1931, Senate bill 3299, since there is no controversy in regard to it.

The PRESIDING OFFICER Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 3299) to provide for the conveyance to the State of Maine of certain lands located in such State, which had been reported from the Committee on Armed Services, with amendments, on page 1, line 3, after the word "of," to strike out "Defense" and insert "Air Force"; on page 2, line 14, after the word "of", to strike out "Maine." and insert "Maine; and", and after line 14, to insert a new subsection, as follows:

(c) that the conveyance shall be conditioned upon an agreement by the State of Maine—

(1) to maintain the entire property in a condition suitable for immediate use by the Department of Defense in the event of mobilization;

(2) to retain all structures and improvements except for removal which may be requested by the State of Maine and approved by the Commandant, First Naval District.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Air Force is authorized to convey, by quitclaim deed and without consideration, to the State of Maine, for vocational or other school purposes, all right, title, and interest of the United States, except as provided in this Act, in and to the remainder of the lands comprising the former Fort Preble Military Reservation, South Portland, Maine, together with all buildings and other improvements located thereon.

SEC. 2. The deed effecting the conveyance authorized by the first section of this Act shall provide—

(a) that, in the event such lands cease to be used for vocational or other school purposes, all right, title, and interest therein shall immediately revert to and revest in the United States; and

(b) that during any state of war or national emergency and for six months thereafter, if the Secretary of Defense determines that such lands are useful or necessary for national defense purposes, the United States may, without payment therefor, reenter such

lands and use all or any part thereof (including improvements thereon), but upon the termination of such use such lands shall revert to the State of Maine; and

(c) that the conveyance shall be conditioned upon an agreement by the State of Maine—

(1) to maintain the entire property in a condition suitable for immediate use by the Department of Defense in the event of mobilization;

(2) to retain all structures and improvements except for removal which may be requested by the State of Maine and approved by the Commandant, First Naval District.

SEC. 3. In addition to conditions provided for in section 2 of this Act, the Secretary of Defense shall impose such other conditions and such exceptions and reservations as he determines to be necessary or desirable to safeguard the interests of the United States and to insure that such lands will be used for the purposes for which they are conveyed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the amendments be considered and agreed to en bloc.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the amendments are agreed to en bloc.

Mr. JOHNSON of Texas. Mr. President, if the Senator from Oregon desires to make a statement for the RECORD, at this point, I ask that he be recognized.

Mrs. SMITH. Mr. President, I ask unanimous consent that a statement by me in regard to Senate bill 3299 be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY MRS. SMITH

EXPLANATION OF THE AMENDMENTS

The first amendment authorizes the Secretary of the Air Force, rather than the Secretary of Defense, to convey the property in question since it is the property of the Air Force and under the jurisdiction and control of the Air Force Secretary.

The second amendment is to insure that the property is maintained in such condition as to be immediately available and usable in the event of need by the United States. This is consistent with the reverter clause contained in Public Law 85–185 and assures that this parcel will be held under the same terms as the parcel previously conveyed to the State of Maine at this location by the above named public law.

PURPOSE OF THE BILL

The purpose of the bill is to authorize the Secretary of the Air Force to convey without consideration to the State of Maine, for vocational and other school purposes, the remainder of the lands, with buildings and other improvements thereon, comprising the former Fort Preble Military Reservation, South Portland, Maine. The major portion of this property was previously conveyed to the State of Maine under authority granted in Public Law 85–185, approved August 28, 1957. The bill further provides that in the event the lands are no longer used for the purposes specified, title shall revert to the United States. It also authorizes the United States to use the property during any state of war or national emergency if the Secretary of Defense determines that the property would be useful for national defense purposes.

BACKGROUND OF THE BILL

Originally, the Fort Preble Military Reservation consisted of approximately 34 acres under the jurisdiction of the Department of the Army. By June 1954, the Department of the Navy acquired custody and jurisdiction of the Fort Preble Military Reservation property with the exception of 4.90 acres which were acquired by the Air Force in 1954 and subsequently licensed to the State of Maine for use by the Air National Guard. The Navy had only a mobilization requirement for the property under its jurisdiction and granted the State of Maine a permit to operate a vocational school on the property. In 1957, the Department of the Navy, on behalf of the Department of Defense, concurred in legislation to convey its Fort Preble property to the State of Maine for vocational school purposes. The legislation was enacted into Public Law 85–185, approved August 28, 1957.

That portion of the property (4.90 acres) retained by the Air Force is now excess to that Department's needs because the Air National Guard activities are being relocated to Fort Williams, Maine, and the Department of the Air Force has no further use for the property in question. The original cost to the Government for the land and four buildings located thereon was $82,046. This legislation, if enacted, would convey this property to the State of Maine for the same purpose and in the same manner as the Navy property was conveyed by Public Law 85–185.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3299) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mrs. SMITH. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

ROGER WILLIAMS NATIONAL MONUMENT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 1986, Senate bill 3830, to provide for the establishment of the Roger Williams National Monument. This is another noncontroversial bill, and the Senator from Rhode Island [Mr. GREEN] is interested in it.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the Committee on Interior and Insular Affairs has considered this bill. The author of the bill is the very able and distinguished Senator from Rhode Island [Mr. GREEN]. He has been extremely diligent in attempting to get the bill considered by the Senate and passed. His colleague, the Senator from Rhode Island [Mr. PASTORE], also has discussed the matter with me; and I wish to ask permission that both of them have an opportunity to make a statement for the RECORD, at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREEN. Mr. President, I am deeply grateful to the Senator from Montana [Mr. MURRAY] and to all the members of the Committee on Interior and Insular Affairs who have so graciously and favorably reported S. 3830, the bill to provide for the establishment of the Roger Williams National Monument.

My thanks go also to the leadership on both sides of the aisle who bring the measure to the consideration of the Senate in these days so pressured with important bills demanding attention.

I shall not attempt to discuss the bill in detail. Much of this lies in the care of my colleague, the junior Senator from Rhode Island [Mr. PASTORE].

The Roger Williams memorial is indeed close to my heart and close to my home, steeped in the history of my city of Providence and my State of Rhode Island.

The lesson of Roger Williams with its ideal of freedom for one's self and of tolerance for others has a meaning as vital today as it was pioneering in his time.

That we have sought to preserve his spirit in Rhode Island has been with no selfish purpose. We feel that we have shared its democracy with our country and we are ready to share its tolerance with the world.

Again I speak my thanks to the committee for their favorable report—my gratitude to the leadership for their consideration—and I commend it to the Senate as perhaps the last, but not the least, of the bills I have sponsored as their colleague, but always to be their devoted friend.

Mr. PASTORE. Mr. President, I am honored to cosponsor S. 3830 with my colleague, the senior Senator from Rhode Island, Senator THEODORE FRANCIS GREEN. This bill provides for the establishment of the Roger Williams National Monument on the site of the town spring in Providence, R.I., such site being the spot where the original settlement of the city of Providence was made by Roger Williams in 1636. Such monument would be administered by the Secretary of the Interior through the National Park Service in keeping with the act by which the Service is established; and in keeping with the act to provide for the preservation of historic American sites.

Such monument, it is suggested, shall take the form of a museum for relics and records pertaining to Roger Williams who more than three centuries ago purchased this very land from the Indians.

To have paid the Indians for their land marked Roger Williams as unique in a land and a time when the custom was to despoil the Indians by force.

Since historians are sufficiently eloquent on Roger Williams and on the Rhode Island experiment that he fostered in religious tolerance and liberty, I will borrow their language rather than appear immodest and extravagant with my own.

The historian says:

The true revolutionist in America often has been the solid citizen with firm conservative background, and surely Roger Williams, educated at London's Charterhouse School and at Cambridge University, fell within that definition. In his midtwenties

this stalwart Puritan was ordained a minister, but the concept of religious tolerance and liberty that colored his sermons forced him to flee an England that stubbornly, sternly insisted upon conformity to the established church. So one of the greatest of our colonial statesmen—who would found the first genuinely democratic State of modern times and provide in large measure a model for the country that one day would be called the United States of America—reached Salem, Mass.

As much as anything, Williams' belief that the Massachusetts Bay Co. should have paid the Indians for their lands provided a practical reason for his banishment.

A cold winter spent among the Narragansett Indians revealed the stature of Williams the leader—the man who could mend differences between tribes, who was a beloved peacemaker and trusted friend. The Indians sold him land on which to remain and under his guidance tiny Rhode Island became the atom that shattered the philosophical foundations of the Old World. In him there flamed those ideals of individual freedom and social democracy that were to inspire this new people and make it unique among the nations of the world.

So speaks the historian.

At this point in my remarks I ask that there be inserted in the RECORD an editorial from the Providence Journal of August 17, 1960, entitled "Recognition for a Man Beloved by Most Americans."

It is, of course, about Roger Williams—and more particularly supports the bill we have before us.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RECOGNITION FOR A MAN BELOVED BY MOST AMERICANS

In its preoccupation with legislation having more political bearing on the November election, Congress is unlikely to give any attention to a bill introduced recently by both Senators from Rhode Island. Yet the bill deserves better treatment because it touches on the real spirit of America.

The bill proposes use of public funds to establish a Roger Williams National Monument on the site of the town spring in Providence. Passage of the bill will bring no extra votes to either party, but it would give proper national recognition to a man beloved by most Americans.

In spite of his ideas which shaped development of the colonies and the United States, and gave hope to the world, the country has given little tangible recognition to the memory of Roger Williams. To be sure, his name is known to every American and to many foreign school boys, a circumstance that is perhaps the most accurate measure of a man's stature in history. But there also is a place for tangible signs of a Nation's respect for its great, and the place and time for proper recognition of Roger Williams, it seems to us, is here and now.

Roger Williams' greatness extends beyond the boundaries of Rhode Island and of the United States. Born in England and educated at Cambridge, he traveled to Boston and later to Plymouth, but was ordered banished from the Massachusetts Bay Colony for his belief, which he would not recant, that civil government can properly have no jurisdiction over the consciences of men. To escape arrest, he fled to Rhode Island where, in remembrance of "God's merciful providence to him in his distress," he gave his new home the name of Providence. Where the town spring stands off North Main Street was part of Roger Williams' land.

A man of high principle, Williams purchased the land he settled from the sachems Canonicus and Miantonomo. Most colonists did not follow this example; they took their settlements from the Indians. The settlement Williams founded was based on complete religious toleration, and was to be "a shelter for persons distressed for conscience." Williams' friendship with the Narragansett Indians induced them to ally themselves with the colonists in the Pequot War, an alliance that could have changed the course of history.

A national monument to Roger Williams is timely now because, as John Nicholas Brown has said, the principles by which Roger Williams lived his life are still timely. "His emphasis on freedom of conscience and the separation of church and state profoundly affected the whole development of our Nation even to this day," said Mr. Brown.

A national monument would be appropriate now for another reason. It would dovetail into the College Hill project, in the execution of which Mr. Brown and many other civic-minded citizens are interested. The project proposes that a 4-acre park be created around the location of the town spring, and that the park become part of a proposed Benefit Street historic trail.

Congress is preoccupied with more important things than a bill for a Roger Williams Monument. But as a reminder of the spirit which has made America great, the bill has real worth.

Mr. PASTORE. It is intended that the monument shall take its proper place in the so-called College Hill project in Providence—College Hill getting its name from revered Brown University of which my colleague is a most distinguished alumnus. Here is concentrated much of the colonial history of our city and State. Within its orbit is the lovely home of Senator GREEN. And always within it will be the heart of our colleague who has made history himself.

This bill might well be called the valedictory of my dear friend—the finale of the legislation that he has fostered on this Senate floor. It may be said to be in the manner of the man.

Mr. MANSFIELD. Mr. President, I think the Senator from Texas knows that the Senators from Rhode Island have shown great diligence in connection with this measure, and have for a week been asking the leadership to have the bill acted on by the Senate; and I believe the Senator from Texas also realizes that it is because of the diligence of the Senators from Rhode Island that the bill is now being considered.

Mr. JOHNSON of Texas. Yes, certainly that is the case; and the consideration of the bill at this time is due in very large part to the perseverance and diligence of the Senators from Rhode Island.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3830) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall acquire by gift, purchase with appropriated or donated funds, condemnation, transfer from any Federal agency, exchange, or otherwise, such land (together with any buildings or other improvements thereon) or interests in land as the Secretary may deem necessary for the purpose of establishing a national monument on the site of the town spring in Providence, Rhode Island, such site being the spot where the original settlement of the city of Providence was made by Roger Williams.

SEC. 2. The property acquired pursuant to the first section of this Act shall be designated as the Roger Williams National Monument and shall be set aside as a public national memorial to Roger Williams. Such national monument shall be administered by the Secretary of the Interior, through the National Park Service, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended and supplemented; and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935.

SEC. 3. The Secretary of the Interior is authorized—

(1) to maintain, either in an existing structure acquired pursuant to the first section of this Act or in a building constructed by him for the purpose, a museum for relics and records pertaining to Roger Williams, and for other articles of national and patriotic interest, and to accept, on behalf of the United States, for installation in such museum, articles which may be offered as additions to the museum; and

(2) to construct and maintain therein such markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, I was deeply moved by the tribute paid by the distinguished junior Senator from Rhode Island [Mr. PASTORE] to his great colleague, Senator THEODORE FRANCIS GREEN, of Rhode Island. It would be anticlimatic for me to seek to add to what Senator PASTORE said, other than to associate myself with his tribute.

I can only say that my experience with the distinguished senior Senator from Rhode Island [Mr. GREEN] has been an inspiration and has been very helpful to me. I have sat with him many, many Wednesday mornings at a special breakfast which a group of us hold, in which we seek to discuss some of the spiritual and moral obligations which we owe to our positions in the U.S. Senate. The leadership of Senator GREEN in these breakfast meetings has been a source of strength to all of us.

Not only is he a kindly and gentle man; he is a courageous man and, in my opinion, a true Christian.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I wish to inform Senators that we would like to have the Senate act tonight on the court resolution, and I wish we could obtain action tonight on the medical-care bill. Senators have asked me what the schedule for the rest of today is to be; but I regret that I cannot predict that with accuracy. However, I am inclined to think that if we continue the session this evening for 2 or 3 hours, if by that time the bill is not passed, we would carry it over until Monday. However, I think Senators should be prepared to have yea-and-nay votes and live quorum calls this evening.

Mr. DIRKSEN. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. Can the Senator from Louisiana inform us about his view with respect to the further consideration of the bill?

Mr. LONG of Louisiana. Mr. President, I see so many Senators present at this time, that I am encouraged to explain what is wrong with the conference report. However, I shall not speak longer to the Senate on that subject, in view of the demands on the time of the Senate and on the time of individual Senators.

From time to time I have been asked how long I plan to speak. Of course, Mr. President, one finds that when he indicates, when requested, that he plans to speak for more than 5, 10, or 15 minutes, many Senators are inclined to leave the Chamber, either to attend to business in their offices or to get something to eat.

However, I should like to have an opportunity to explain what is wrong with the conference report and why it should not be agreed to.

Mr. MANSFIELD. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. MANSFIELD. Has the Senator from Louisiana really started to explain what is wrong with the conference report?

Mr. LONG of Louisiana. I have started. [Laughter.]

Mr. COTTON. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that at this time I may yield, without prejudice to my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COTTON. I ask whether it is the intention of the majority leader to have a yea-and-nay vote taken on the question of agreeing to the conference report.

Mr. JOHNSON of Texas. I have no preference in regard to that matter; that will be decided in accordance with the pleasure of the Senate.

Mr. COTTON. Then, Mr. President, I request that the yeas and nays be ordered.

Mr. JOHNSON of Texas. Very well; that will be fine.

Mr. COTTON. Mr. President, on the question of agreeing to the conference report on the social security amendment bill, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there sufficient second?

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, now that the yeas and nays have been ordered, all Senators should be on notice that a yea-and-nay vote will be taken, and that it will be preceded by a quorum call, and that that action will be taken this evening, if we are able to reach that point.

PROGRAM FOR CONSIDERATION OF THE SUPREME COURT RESOLUTION

Mr. KEATING. Mr. President, it is my hope that the Supreme Court resolution will not be voted on today, for I believe it should not be voted on until many more Senators than those now in the Chamber are present. That resolution is an important one; and I am sure that my colleague, the Senator from Michigan, also takes this view about the resolution.

Mr. JOHNSON of Texas. Mr. President, I think it is reasonable to request that our action on that resolution go over until next week.

Mr. KEATING. In other words, the Senator from Texas is willing to have the consideration of that resolution go over until Monday, is he?

Mr. JOHNSON of Texas. Yes, rather than to have the resolution considered at a late hour today. I appreciate very much the Senator's cooperation.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that, without prejudicing my rights to the floor, I may yield to the Senator from Minnesota for such time as he may require. Does the Senator know how much time he will need?

Mr. HUMPHREY. Not very much.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, may I yield to the Senator from Rhode Island, under the unanimous-consent agreement? He wanted to make a statement.

Mr. LONG of Louisiana. With the understanding that it will not prejudice my right to the floor.

The PRESIDING OFFICER. That is the Chair's understanding.

TRIBUTE TO SENATOR THEODORE FRANCIS GREEN, OF RHODE ISLAND

Mr. PASTORE. Mr. President, the closing of a session always brings our moment of regret for colleagues who depart. I have always thought it a most appropriate privilege that when a Senator surrenders the title to his chair he still retains a welcome to these Senate Halls.

It is a tradition never more fitting than in this year of 1960, when we are about to speak our farewells to a colleague who for four terms has honored this Senate by his presence, his personality, his powers.

THEODORE FRANCIS GREEN is an able Senator, an illustrious Rhode Islander, a good neighbor, a great American.

In his four score and twelve years my colleague, the senior Senator from Rhode Island, has earned all these titles.

He is a great American. The good citizen needs no further title.

THEODORE FRANCIS GREEN has been a good citizen—ready to be the humble citizen as he was the patient soldier. He early participated in the democratic processes of our State government. Moved by principle, and not by expediency, he championed the political causes of the then minority. Those principles rose to dominance in his native State more by his advocacy than by any other single cause.

His neighbors found this young man of patrician background and distinguished education truly dedicated to the cause of the people's government. They elevated their good neighbor to the responsibility of Governor. The far reaching reforms that made our State government human and modern have made his name illustrious for all time in Rhode Island history.

The record of THEODORE FRANCIS GREEN in the Senate of the United States has been written. No one could change it. No one would change it. He rose to great power here—and here he retired from great power when he felt that service to his nation was more important than personal prestige. There was added honor in his act of sincere humility.

On the floor of this Senate no conquering hero has been the recipient of more just and spontaneous encomiums than are immortalized in our CONGRESSIONAL RECORD for THEODORE FRANCIS GREEN.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. JOHNSON of Texas. Mr. President, today I was 52 years of age. I have been in Washington almost 30 years. I have been in the Congress 24 years, 12 years in the House and 12 years in the Senate. I hold my present position in the Senate due to the generous understanding of the very able Senator from Rhode Island [Mr. GREEN], who first suggested me for this place and who nominated me for it. Although he came from a small State in one section of the country, and I came from a large State in another section of the country, he made a statement in New York that he thought I should occupy my present position.

In all those years I have been in contact with many men, but there was only one time I was really certain that I was in the presence of real greatness, and that was on the occasion of the Senator's retirement as chairman of the Senate Foreign Relations Committee.

I never heard a wiser man speak. I never heard a more patriotic man plead. I never heard a more understanding man explain. And when I left that room that day, I realized, once and for all, I had been in the presence of a truly great man of our time.

I thank the Senator from Rhode Island for what he has said about his colleague. I thank him for his understanding with his colleague and his cooperation with him. It is one of the fine things I have observed in the Senate. I congratulate him on what he has just said.

Mr. PASTORE. I thank the Senator. I merely wish to add this in interlude to what I said. Here it is 20 minutes past 6 on Saturday evening. Yet we realize that as the shadows grow longer in this day of activities taking place in the Senate, the curtain is coming down on the Senate career of this great patriot and dedicated public servant who has spent all his life in the service of the people, not only in the State of Rhode Island, but, indeed, in the United States and in the service of the entire world.

The significant thing about the life of THEODORE FRANCIS GREEN lies in the fact that the last bill the Senate passed, which we sponsored in the Senate, in memory of Roger Williams, typifies for all America and for the entire world the value of the freedom of man's mind. There is an inscription in the dome of the State house in Providence, a quotation from Tacitus. When that inscription is translated, it reads—"Rare felicity of the times when it is permitted to think as you like and say what you think."

That is the spirit of Rhode Island. That is the spirit of THEODORE FRANCIS GREEN. That was the spirit of Roger Williams, who when banished from Massachusetts came to Rhode Island and made the first settlement at Providence.

The last act of this great Senator is the introduction of a bill which will immortalize for all Americans as a national shrine the one park where we will maintain a memorial of Roger Williams, so that all Americans will realize it is the spirit of America. It is the yearning of a man's heart; it is the best symbol and the best exemplification of a man's dignity.

Who does this? None other than THEODORE FRANCIS GREEN, who would symbolize this as his last gesture in public life. How symbolic, how significant, how wonderful it is.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. MANSFIELD. I wish to join the distinguished Senator from Rhode Island [Mr. PASTORE] and the majority leader in what they have said about our outstanding colleague, the senior Senator from Rhode Island [Mr. GREEN]. It is symbolic that this particular measure in which the senior Senator from Rhode Island has shown such a great interest has now been passed unanimously by the Senate of the United States. It is symbolic because in this year the question of religious freedom is once again becoming a question of great moment and great importance.

Along with the Senator from Rhode Island and the majority leader, the Senator from Texas, I think this is a fitting monument not only to Roger Williams, on the establishment of the edifice, but also to the fine work done by the senior Senator from Rhode Island [Mr. GREEN] through the years.

Mr. PASTORE. I thank my colleague from Montana. I know he serves on the same committee as one of the proteges of my distinguished colleague from Rhode Island. He knows the real zeal of THEODORE FRANCIS GREEN.

At this moment, Mr. President, I say we shall be ever grateful to our distinguished colleague from New Mexico [Mr. ANDERSON] and to the Senator from Montana [Mr. MURRAY] under whose leadership the bill was reported and steered to passage.

In closing, Mr. President, I wish to say that it has been my proud privilege here to speak my sentiments of appreciation and affection for a good friend—to my ideal through all the days of my public career.

In his whimsical way he accepts these bouquets from all of us, but in his heart he knows that the words are from our hearts, too.

In this year of great ambitions, THEODORE FRANCIS GREEN puts all ambition aside. There is a warm welcome for him back home where he could well rest on his laurels in the atmosphere of his beloved Brown University and in the adoring climate of his well-served Rhode Island.

And there will always be a warm welcome here, within these doors. May they swing often to his alert step, his cheery greeting. May these halls ever thrill to his deep sense of duty, his intense love of country. This is the workshop of the patriot, of this great American, THEODORE FRANCIS GREEN.

RIGHT-TO-WORK LAWS UNFAIR TO WAGE EARNERS

Mr. HUMPHREY. Mr. President, the 1960 Democratic platform adopted in Los Angeles makes the direct and unequivocal pledge: "We will repeal the authorization for right-to-work laws."

This is a promise that Democrats do not mean to forget. For the purpose of the platform erected at our national convention was to present the American people with a crystal clear declaration of the Democratic Party's beliefs and guiding principles on the major issues confronting our Nation, and to state the manner in which they will be carried out during the next 4 years.

I believe that all will agree that a party's platform, or any of the planks therein, should not be fashioned with cynicism, to hold up glowing promises to the electorate before they ballot, and then to be forgotten when victory is won.

The intent of the Democratic Party regarding the Federal authorization in the Taft-Hartley Labor-Management Relations Act of 1947 that has made possible State enactment of the unpopular so-called right-to-work laws is unequivocal. We intend to repeal this anti-collective-bargaining provision.

But what a contrast this forthright Democratic Party repeal pledge is to the Republican Party's doubletalk on this important issue.

The Republican plank states:

> Republican policy firmly supports the right of employers and unions freely to enter into agreements providing for the union shop and other forms of union security as authorized by the Labor-Management Relations Act of 1947 (the Taft-Hartley Act).

On casual reading this high-sounding sentence sounds like the Republican Party has, at long last, embraced the right of management and labor to agree to the union shop or other forms of union security arrangements which may be desirable.

That is the purpose of the sentence: to gain for the Republican Party some portion of the credit for the collective-bargaining processes that have been the keystone of our industrial progress and our national prosperity during the past quarter century.

They seek to garner some votes among working men and women on the premise that the GOP has at last entered the 20th century.

But the Republican platform writers did not want to forego the favor of its antiunion wing. Let us see how in the same sentence, in which Republicans seek the votes of working men and women, they also assure hard-shell reactionaries all is well.

Look at the qualifying phrase of this truly remarkable sentence: "as authorized by the Labor-Management Act of 1947—the Taft-Hartley Act."

This is the Republican "out." It means that the Republican Party intends to support right-to-work laws by covertly declaring their support for section 14(b).

In contrast to the Democratic Party's clearly stated pledge to repeal section 14(b), the Republican platform plank actually restates its support of the anti-labor right-to-work laws and unreservedly backs diligent administration of the Taft-Hartley Act.

I believe this attempt by the Republican Party to confuse the American people on this important issue in the 1960 national election requires a clear restatement of the reasons why the Democratic Party, in its platform at Los Angeles, pledged repeal of the authorization for the misnamed right-to-work laws.

Aside from the promise made in the Democratic platform to repeal the authorization for right-to-work laws, there is ample reason for the Congress to take note of section 14(b) of the Taft-Hartley Act for this is the only instance in our history where State law is made the superior of Federal law.

Yet section 14(b) of the Labor-Management Act provides that if the States enact legislation concerning union security that is more restrictive than Federal law, then the State law prevails. This permits a State to override and nullify the intent of Federal labor-management policy, for the so-called right-to-work laws enacted at State level outlaw the union shop—an arrangement that is approved by the Taft-Hartley Act. Thus, in the 19 right-to-work States, workmen are denied security against the watering down of a union's strength and bargaining rights.

I repeat, there is no parallel for such action in Federal law. Ordinarily, it is the rule that Federal law supersedes State law and applies equally to each State—not the reverse.

I might add there is no provision in Taft-Hartley that permits a State to enact labor laws that are less restrictive than Federal law so that the authorization which right-to-work proponents seek to perpetuate is an outright invitation to enact State laws more restrictive than Federal laws. It is a one-way street.

This is in itself ample reason for repeal of paragraph 14(b) of the Taft-Hartley Act. But there are other compelling reasons for the Democratic platform pledge—reasons that were accorded full consideration by the convention in approving this plank.

One important consideration is economic. It involves the necessity for the American economy to function equally under law on a nationwide basis rather than under a complicated melange of conflicting statutes. Not only do so-called right-to-work laws condone the Balkanization of our national economy, they actually invite it.

The effect of the authorization for right-to-work laws in the Taft-Hartley Act is the reverse of long-established Federal labor-management policy. Law should not pit State against State for economic advantage, but instead should bring about national unity.

All America is progressing rapidly toward industrialization and no longer can this country permit piecemeal exploitation. We must become an economic entity and the same rules should apply to all industry and to all employees. This is the only fair approach to the problem.

As to the so-called right-to-work laws, there is no question but that they are part of a general antiunion package in the States where they have been adopted.

In almost every instance where right-to-work laws have been passed, the legislatures which passed them have included numerous other restrictive laws in their actions. In one State, for instance, a State senator was firmly for right to work because a union was then asking for a "guaranteed annual wage" and the legislator saw right to work as the only manner in which to punish the union for its daring.

Laws passed in conjunction with right-to-work laws have included restrictions against picketing, curtailment of the right to strike, harassing laws interfering with the internal operations of unions, and even restrictions on the amount of land a union may lease or purchase no matter what the need.

Passage of right-to-work laws has also been linked to the refusal to consider legislation deemed necessary for the betterment of labor such as an increase in payments under workmen's compensation laws; enactment of laws increasing payments for unemployment compensation and the enactment of laws providing for the protection of women workers and child labor and for laws establishing minimum wage and maximum hours for work.

In other words, right-to-work laws are passed generally not solely for reasons of opposition to the union shop but for reasons of opposition to unions as such.

This is in itself ample reason for repeal of the authorization of right-to-work laws in the Taft-Hartley Act. Such laws are aimed at a single group in our economy and such instances of discrimination against one segment of our population is foreign to our philosophy as a nation.

There are other arguments of great importance.

There is the fact that the slogan of "Right To Work" is in itself a fraud. The courts of several States have made such a judgment.

The Supreme Court of Idaho so ruled in 1954 when it refused to sanction the submission to Idaho voters of an initiative measure mislabeled "right to work," which was, in fact, simply the usual anti-union-shop bill.

The attorney general of Kansas in 1958 ruled that the "right to work" label on the ballot was not a true description of the proposed amendment. The Supreme Court of Kansas concurred and ordered the full text of the proposal to be printed on the ballot.

In 1956 the fraudulent nature of the term "right to work" was demonstrated when the secretary of state of Washington and the attorney general refused to allow backers of the proposal to use that title on the ballot and also banned the use of a proposed substitute which used the equally fraudulent phrase "guaranteeing freedom of employment."

These anti-collective-bargaining laws abrogate a fundamental freedom. They outlaw the right of labor and management to arrive at a mutually agreed contract calling for union security provisions.

Actually, laws or proposals which attack and prohibit union security provisions in labor-management contracts have as their purpose the weakening and ultimate destruction of trade unions. This is the record of past experience.

This was true at the turn of the century when the archreactionary fringe of management threatened the very existence of labor organizations. They used the same phrase, the same arguments, and guns and clubs, too, to make the point of a compulsory open shop. As a result, many weak and young unions were wiped out and only the determination of the rank and file union members to stand by the principle of union organizations saved labor.

The so-called American plan drive of the National Association of Manufacturers in the 1920's resulted in the destruction of some of the unions organized during the days of World War I and even the older, better established unions lost membership and were handicapped in bargaining for improved working conditions and higher wages.

I have discussed the injustices which these repressive and discriminatory laws do to the Nation's working people, to organized labor, to the Nation's economy, and to Federal labor-management policies that have safeguarded our prosperity for a quarter century.

I should also point out that the so-called right-to-work laws are equally harmful to the best interests of our management structures; and many of our leading industrialists are outspoken in their opposition to such legislation.

Responsible business—or management—wants strong, responsible unions, for only thus can working contracts be drawn that will be effective.

Time magazine reported during the consideration of so-called right to work in Indiana that—

> More significant (than labor's opposition to the right-to-work bill) as a sign of how U.S. style enlightened capitalism looks at labor-management relations, was the unpublicized opposition while the measure was in the legislative mill of several Indiana big businessmen. Among them: executives of Radio Corp. of America, Seagrams (liquor), the Allison Division (turbojet engines) of General Motors and Cummins Engines, which manufacture half the diesel engines that propel U.S. trucks.
>
> Sturdiest big-business foe of the bill was Cummins' board chairman, J. Erwin Miller, 47. "The classic argument against the union shop," Miller told a gathering of Dartmouth College students last year, "is the right-to-work argument. The average American manager feels that there is a character known as the loyal employee, and this is a fellow who is supposed to figure that joining a union is a fate worse than death. Well, this man is in the same category, in my opinion, as the Easter bunny and Santa Claus. I've never found him."

Employers in many, many instances have strongly indicated their preference for union security arrangements to help build responsible unions. For example, the National Industrial Conference Board, a research agency wholly supported by employers, conducted a survey of management viewpoints. They found that union security arrangements eliminated friction in the labor force, brought better discipline, and more responsibility generally to the plant manager from a secure union.

The Forstmann Woolen Co. granted a union shop voluntarily to the Textile Workers Union, saying:

> Management is * * * therefore voluntarily demonstrating its faith in the future of cooperative relations by granting to the union the privilege of a union shop.

The Southern Coal Producers Association head, Joseph E. Moody, told a New York panel:

> The best interests of the employers are served by strong, secure union leaders. The open shop could weaken that position.

John Snyder, head of United States Industries, Inc., declared:

> As an employer, I am firmly opposed to any so-called right-to-work law.

Missilemaker Dan Kimball, formerly Secretary of the Navy, and now head of Aerojet-General Corp., manufacturer of propellants for the Titan, Polaris, and Minuteman missiles, has stated:

> Right to work is bad for the employee, for the employer, and for the State. * * * I am against it.

In the area of management, I have had a great industrialist say to me in a discussion of right-to-work laws:

> In steel we have great and well publicized differences with the union; but if unions did not exist we would have to invent them, for there is no other way to deal with the great masses of employees we employ. The only

way in which unions can do a responsible job is for the unions themselves to be secure in their existence.

These are only a few of the statements by responsible management. And their opposition to these laws strongly supports the decision of the Democratic Party to repeal section 14(b) of Taft-Hartley, which draws such universal opposition in all walks of life.

This unpopular and unjust legislation has also aroused the deep concern of our churches and religious leaders. Our leading faiths and many of our religious spokesmen have condemned the right-to-work laws as being immoral, unwise, and harmful to the common good.

The attitudes of our Nation's spiritual leaders toward these fraudulent anti-collective bargaining laws which masquerade under the guise of a purported guarantee of the right to work was an important factor in the adoption of the Democratic Party's platform pledge to repeal section 14(b).

For the information of my colleagues, I should like to cite just a few of these.

The general board of the National Council of Churches of Christ in the United States, which represents 38 million church members in 33 communions, said in a major pronouncement at its last annual session:

> Union membership as a basis of continuing employment should be neither required nor forbidden by law: the decision should be left to agreement by management and labor through the processes of collective bargaining.

Likewise, the 171st general assembly of the United Presbyterian Church expressed "its confidence in collective bargaining as the most responsible and democratic way of resolving issues in labor-management relations," urged that "the question of a union shop or other maintenance-of-membership arrangements should be settled by collective bargaining" and stated that "union membership as a basis of continued employment should be neither required by law nor forbidden by law."

The board of social and economic relations of the Methodist Church has stated:

> Such laws are miscalled right-to-work laws since they do not oblige anyone to give an individual a job. Their real menace lies, however, in denying by law the possibility of increasing the quality of human freedom.

The Rabbinical Council of America holds that the so-called right-to-work laws are a camouflage, a gimmick to weaken unionism and states that right-to-work laws make the nonunion worker a moral parasite in a democratic work force.

The preponderance of Catholic Church opinion also is denunciatory of these anti-collective-bargaining laws. They have been denounced by more than a score of bishops and archbishops. The Reverend Benjamin Masse, S.J., associate editor of the national Catholic weekly, America, has stated:

> The overwhelming majority of Catholics justify the union shop in theory and practice and oppose the present campaign to outlaw it. * * * The vast majority of Catholic social scientists who have written on right-to-work laws have denounced them as mischievous at best and at worst as dangerous and pernicious.

Finally, I believe we should ask: "Do the working men and women of our Nation want these right-to-work laws?"

Our Federal Government has convincing proof that they do not want these laws, have said so in no uncertain terms, and are on record almost unanimously in support of the union shop.

There are at present some 17 million members of our working force who are members of unions. One of the popular myths constantly repeated by the proponents of the right-to-work laws is the palpably fraudulent claim that the individual freedom of workers is shackled by the union shop and that these laws are needed to protect workers from being exploited by a character known as the union boss, which exists largely in the imagination of editorial cartoonists.

Another claim by right-to-work advocates is that labor leaders exploit their membership for greed, power, and political advantage.

Are such claims valid? Are our 17 million union members pitiful creatures, chained to the rack by their union-boss masters? Or are they instead a great and valued cross section of our Nation, working for fair wages and reasonable hours, who lead a happy family life, send their children to good schools, and are a major factor in keeping our Nation prosperous by consuming the goods produced by our industries?

We have good reason to know that the rank and file of union members do support their leadership. On the question of the union shop, for instance, this has been shown conclusively by secret ballot.

Senators will recall that when the Labor-Management Act of 1947 was passed, one of the requirements was that secret elections be held among the union membership before a union shop could be authorized.

Now, let us see what happened, and what workers did about this.

From August 1947 to October 1951, the National Labor Relations Board conducted 46,119 union shop authorization polls among employees. All this was by secret ballot conducted by an agency of the Federal Government.

And here is what happened: The union shop was authorized in 44,795, or 97.1 percent, of these polls.

Put another way, more than 5.5 million votes were cast for the union shop in these elections, or 91 percent of all ballots cast.

This is certainly a virtually unanimous endorsement of the union shop arrangement by the working people who are directly affected.

Another major fact that reveals the covert intent of these right-to-work laws is that this legislation has been embraced by States whose wage scales are far below the national average. The facts show that the right-to-work States generally lag behind other States in hourly and weekly wage scales as well as in annual per capita income. This is borne out by every report of the Bureau of Labor Statistics of the U.S. Department of Labor.

In summary, we have these important reasons why the Democratic Party's national platform for 1960 contains the plank pledging repeal of the Federal authorization for individual States to adopt these discriminatory and unjust so-called right-to-work laws, and why this promise must be honored:

First. Section 14(b) of the Taft-Hartley Act sets a unique precedent in Federal law which invites States to override Federal law by approving legislation aimed at destruction of collective bargaining which is far more restrictive than Federal statute.

Second. This authorization for so-called right-to-work laws pits State against State in a contest for runaway industries at the expense of working men and women.

Third. So-called right-to-work laws are part of a continuing campaign of attack on all rights of organized labor, and are in truth invidious examples of class discrimination in law.

Fourth. The right-to-work phrase has been adjudged a fraudulent slogan by high courts deliberately intended to conceal the purpose of this legislation, which is to outlaw voluntary union shop agreements between management and labor though collective bargaining.

Fifth. So-called right-to-work laws are opposed by a great proportion of responsible leaders of business and industry who decry such restrictions on collective bargaining and believe that the union shop is the most workable arrangement in labor-management relations.

Sixth. Right-to-work laws have been denounced as immoral, unwise, and harmful to the common good by a preponderance of church leaders of the Protestant, Catholic, and Jewish faiths.

Seventh. Right-to-work laws are opposed almost unanimously by the 17 million men and women who are members of organized labor. In a series of 46,119 secret ballot polls conducted among union members on the question of the union shop by the National Labor Relations Board, 97.1 percent of the votes were cast for the union shop. General election results in 1958 also make conclusive reading.

Eighth. Hourly and weekly wage scales and annual income of workers in right-to-work States generally are far below the wages and income of workers in non-right-to-work States. The effect of such laws is to perpetuate these below-average wage scales and to prevent organization of working men and women that could bring about betterment of their wages and working conditions.

I remind my colleagues that the Democratic Party has historically defended the working men and women of this Nation. I ask Senators: Should we withdraw from this stand now?

The answer, of course, is "No."

And this is further reason for standing firm on our pledge in the Democratic platform to repeal the present authorization in the Taft-Hartley Act that makes possible these unwise and dangerous so-called right-to-work laws.

When the new Congress meets in January, and the administration of government is returned to the Democratic Party in the White House, prompt action should be taken to repeal the notorious and objectionable section 14(b).

To do otherwise would be to deny our support to the millions of men and women who make up the ranks of the American labor movement.

GENEVA TEST BAN NEGOTIATIONS

Mr. HUMPHREY. Mr. President, before this Congress adjourns I wish to make a few brief comments on the matter of the negotiations for a treaty to discontinue nuclear weapons tests. These negotiations are now in temporary recess, and when they are reconvened will be in their 23d month.

The test ban negotiations have made considerable progress. But to say progress has been made is not to say that a treaty is about to be signed. Many important and controversial issues remain to be solved. There are two aspects of the present status of the negotiations which disturb me very much.

One is the fact that the United States has suspended its nuclear weapons testing program for almost 2 years without an international control system being established to check for possible secret tests. It has been my view, which I stated publicly last year, that the United States should set a time limit which is reasonable, and, if a treaty is not signed by that time, our tests should be resumed, if this is necessary for scientific or defense purposes. But, unfortunately, the United States is not in a position to take this position, and this leads me to the second aspect of the situation which disturbs me.

We can only announce a resumption of tests if it is clear that the United States has taken every reasonable step to reach agreement with the Soviet Union. If we had taken all such steps, our record would be clear. We could then point the finger of blame at the Soviet Union and say "it is not our, but your, fault that a treaty has not been signed." But the United States has not acted with dispatch to facilitate a treaty. A study about to be issued by the Subcommittee on Disarmament shows that on some key issues the United States has not yet submitted its position and has not yet responded to Soviet proposals.

The result of United States ambivalence toward the signing of a treaty is that we are getting the worst of two worlds. We have not acted so that we can say it is the fault of the Soviet Union that no treaty is signed. And we are not, therefore, in a good position to resume testing. Finally, no control system is being set up, and no research program has been agreed to so that improvements in our detection system can be made.

Relevant to this matter are two recent discussions by the leading scientific proponent and opponent of a test ban treaty. I refer, of course, to Dr. Hans Bethe as the proponent. He published an article in the current Atlantic Monthly on "The Case for Ending Nuclear Tests." And the opponent is also well known, Dr. Edward Teller. He also published a series of six articles related to nuclear testing which appeared in several newspapers throughout the country. I ask unanimous consent that both of these articles be printed in the RECORD as an appendix to my remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. HUMPHREY. Mr. President, both Dr. Bethe and Dr. Teller point out that it is the Russian desire for secrecy which has given the test ban negotiations much of their problems. It is the Soviet reluctance to open up that has been one of the greatest obstacles in reaching agreement on a control and inspection system for the cessation of nuclear weapons tests.

How odd, then, that now one of the obstacles facing the United States is our own requirement for secrecy in not disclosing the nuclear devices to the Soviets which we wish to use in a research program. Dr. Teller, in his articles, says:

> We should abolish secrecy whether the Russians go along or not. If we share with the rest of the world nuclear explosives for peaceful purposes, the Russians may have to do likewise. * * * Today the Russians are in possession of every major technical secret which we discovered. * * * We should adopt the policy of an open world and take constructive measures toward honest cooperation with everyone who is willing to cooperate with us.

It seems to me that if our own policy of secrecy is now hampering our own position—namely, that we cannot challenge effectively the Soviets to work with us in a joint research program for improvement of detection of nuclear explosions—then perhaps the time has come to question seriously, as Dr. Teller has done, the wisdom of our policy on secrecy. I hope that in the months between now and the convening of a new Congress, the executive branch and the public will give these questions considerable thought, and will read and ponder the import of the attached articles as well as the forthcoming study on the test ban negotiations.

EXHIBIT 1

THE CASE FOR ENDING NUCLEAR TESTS

(By Hans A. Bethe)

(NOTE.—The debate over whether or not to end nuclear testing has now reached international proportions. One of the most eminent scientists who believes that we can and should stop the tests is Dr. Hans A. Bethe of Cornell Laboratory of Nuclear Studies. Dr. Bethe, who was born in Strasbourg, became a naturalized citizen in 1941, and for his work in aiding the development of the A-bomb he received the President's Medal of Merit in 1946.)

The cessation of nuclear weapons tests has been debated in the newspapers, in Congress, and most of all, in Geneva, where there have been what I consider honest negotiations. Concrete proposals have been made by both sides, by the East and by the West; there has been a considerable measure of agreement between East and West; and a number of articles of a treaty have been accepted.

The fundamental points of view of the two sides on disarmament measures were quite different. The Soviet Union advocated just a piece of paper on which we would agree to reduce our armaments. The United States and Britain insisted on the verification of any treaty concerning the limitation of armaments.

Because of the Russian desire for secrecy, the West proposed that the verification of a test cessation agreement should be primarily by physical methods, which would mean less intrusion into the privacy of the Soviet Union. It is clear that the Russians have by now accepted the major principle on which the United States has insisted; namely, that there should be a control system for the test cessation agreement. This in itself is an important result of the negotiations, and we must not jeopardize this achievement by either breaking off the negotiations or by making unreasonable demands which we know Russia cannot fulfill.

The problem of detection of nuclear explosions varies with the medium in which the nuclear explosion is set off. Until recently, practically all the nuclear explosions were set off in the atmosphere, either on the ground or higher up. The best-known method for detection of nuclear explosions is the collection of radioactive debris, by planes flying in those regions where the debris is expected to arrive, or on the ground from fallout. However, the collection of fallout on the ground is quite unreliable, because the winds may carry the radioactive debris in one direction or another.

We can also detect a nuclear explosion by the acoustic method, which consists in recording the pressure wave created by the explosion. Though the pressure decreases as the wave passes through the atmosphere, it remains recordable to a distance of 10,000 miles. The wave is such a good indicator of nuclear explosions that the United States has usually announced Russian explosions very soon after they have taken place. We have announced far more Russian explosions than the Russians themselves. Similarly, the Russians have been able to detect our nuclear explosions.

To improve detection, it was proposed as part of a treaty on the cessation of nuclear tests to have a large number of stations in each country, especially in Russia, in the United States, and in the British Commonwealth, all equipped with detection instruments. With the network of stations worked out in the Geneva negotiations, it was generally agreed that we would be able to detect and identify explosions in air down to the level of one kiloton, or possibly lower.

The second medium in which nuclear explosions have been set off is underwater. Such explosions are, if anything, even easier to detect than those in air, because the pressure wave is very well propagated through water, so much so that even an explosion of a few tons, not kilotons, can be recorded through water for thousands of miles.

Another location where nuclear tests might be carried out is in outer space. Detection there is considerably more difficult than in the air or in water, but it is confidently expected that one could detect nuclear weapons tests to distances of at least a million miles, which is four times the distance from here to the moon.

Underground testing is our most vexing problem and has received the most publicity. It has the obvious advantage that it does not contaminate the amtosphere, and therefore the great disadvantage, from a detection point of view, that radioactive air samples cannot be collected. From experience gained in Nevada, we know how deep an explosion has to be buried in order to prevent escape of radioactive material into the air. A kiloton bomb must be buried about 400 feet underground; a 20-kiloton bomb, about 1,100.

The displacement of the earth produced by an underground explosion is sufficiently great to be reocrded easily by a seismograph,

unless the explosion itself is very small. The two largest underground explosions to date were carried out in Nevada in the fall of 1958. One of these was 5 kilotons and the other 20; they could be observed on the seismographs throughout the United States, and the larger one gave a clear signal in Russia.

Unfortunately, underground explosions produce the same type of record as earthquakes; namely, seismograms consisting of a series of perhaps 20 wiggles. There are very few ways to distinguish between the two types of siesmogram. The best distinguishing mark that seismologists have been able to find is the direction of the so-called first motion—whether the first wiggle starts up or down.

The criteria for distinguishing earthquakes from explosions were discussed in detail in the Geneva negotiations. It was decided that control stations should be set up at regular intervals of about 600 miles in seismic regions—that is, regions in which earthquakes normally occur—and about a thousand miles in aseismic regions. This figures out to about 20 stations in the U.S.S.R.

It is estimated that 100 to 200 earthquakes with a force equivalent to that of an explosion of 20 kilotons occur in the Soviet Union every year. Of these, about half would be distinguished from explosions by first motion and other features in the seismograms obtained in the Geneva network of stations. This leaves about fifty to a hundred earthquakes a year which cannot be distinguished from explosions.

The only sure way to tell an earthquake from an explosion is to send an inspection team to the location of the earth disturbance. A combination of seismograms from several stations can determine the location to an accuracy of about 5 miles. Thus, one would have to send an inspection team to explore an area of about a hundred square miles for evidence of an explosion. A number of scientists have tried to work out procedures for such an inspection.

How many inspection teams would have to be sent out every year? Would one inspect every one of the fifty to a hundred questionable events? I do not think so. It is generally agreed that about 30 percent would suffice. This would mean about 20 inspections in the Soviet Union annually in order to monitor possible nuclear tests above 20 kilotons.

A detailed study of the problem has been made by Dr. Richard Latter, of the Rand Corp. He finds that the capability of the control system would be greatly increased by distributing the stations somewhat differently from the pattern proposed in the Geneva negotiations and by increasing their number in Russia from 20 to 30. This would make it much easier to distinguish earthquakes from explosions, so that only about 10 earthquakes per year in the Soviet Union with a force equivalent to 20 kilotons or more will remain unidentified by their seismograms. Ten inspections would therefore cover all doubtful events equivalent to 20 kilotons or more. Forty inspections would make it possible to monitor all earthquakes above 5 kilotons. (A 5-kiloton bomb is a small bomb. The Nagasaki bomb had a force of 20 kilotons.)

We must keep in mind, however, that our underground explosions in the past have been carried on in Nevada tuff, in a rock which is very soft and which therefore gives a relatively strong seismic signal. If the underground explosion is carried out in harder rock, such as salt, granite, or limestone, it creates a smaller signal. A signal which corresponds to a 5-kiloton explosion in tuff may correspond to perhaps 10 or 15 kilotons in these harder types of rock. Even 15 kilotons is not a very large atomic explosion.

Our capability of detection and inspection of underground explosions under the Geneva or the Latter system would be quite satisfactory were it not for the possibility of deliberate concealment of explosions by a process known as decoupling, or muffling.

A very powerful method has been proposed by Dr. Albert Latter, the brother of Dr. Richard Latter. The method consists of making an enormous cavity underground and setting off the atomic bomb in the middle of the cavity. One can calculate that the apparent size of the explosion is thereby reduced by a factor of about 300.

Latter's decoupling theory was invented about January 1959, and was then checked by many scientists, including me. It was experimentally verified with small explosions of conventional high explosive in Louisiana early this year. To decouple the explosion of a 20-kiloton weapon, a spherical hole of about 50 million cubic feet, or nearly 500 feet in diameter, is necessary. Moreover, the hole has to be 3,000 feet below ground. The big room of Carlsbad Caverns is only big enough to muffle 10 kilotons.

It would obviously be very slow and very expensive to excavate such a hole by a normal mining operation, with pick and shovel and high explosives. However, in salt domes, large holes can be made by washing out the salt; that is, by pumping water in and pumping brine out. Experts of the oil industry have estimated that to excavate a hole big enough to muffle a 20-kiloton explosion would take more than 2 years and would cost about $10 million. This is quite a lot of money, but the time factor is probably more important. The actual washing operation has to be preceded by an engineering study, and after completion of the hole, considerable time is required to set up and complete an atomic test.

Whether a 500-foot hole in a salt dome could be maintained is not known. Holes of about one-tenth that volume are used to store oil and gasoline. It is also unknown whether a hole could be used repeatedly for nuclear testing.

I cannot imagine that the washing of a 500-foot hole would go undetected, even in a closed country like the Soviet Union. Just the amount of salt water which would be carried up to the earth's surface is staggering, being many times the volume of the salt. Somehow this salt water must be disposed of. One possibility is to dump the brine directly into the sea or into depleted oil wells, but both of these methods severely limit the geographical areas in which the hole could be constructed. A more widely applicable method would be to dump it into a river. But even in a very big river, like the Ohio or the St. Lawrence, the salt excavated from one big hole would double the salt content for a year. The increase would be very easy to discover by making a chemical analysis of the river water at regular intervals.

It is important that there are relatively few locations in which large holes can reasonably be dug; one needs salt domes and, in addition, ways to dispose of the salt water. In other types of rock, both excavation and disposal of the excavated material would be far more troublesome, and the resulting hole would probably be less safe and less reliable for decoupling. Luckily for inspection, the geographical regions where salt domes are known to exist are generally aseismic, so that any seismic signal originating from these regions would be suspicious. For the same reason, only a few inspections would be needed to guard against muffled shots. Of course, one first has to get a signal from a muffled explosion. How this can be done I shall discuss later.

The main question is: Does any country want to go to such an extreme as constructing the big hole in order to cheat on a test ban? Can we really assume that the Russians would go to the trouble of negotiating a test cessation treaty just in order to turn around the next day and violate it?

Having participated in the negotiations with the Russian scientists at Geneva on three occasions, I believe that they are sincere in wanting the test cessation agreement and do not intend to cheat on it. For instance, in November 1959, although the Russians were in many ways reluctant to agree with the American delegation, they were very eager to accept any improvements in detection apparatus suggested by the Americans. If the Russians wished to violate the treaty, they would have objected to these improvements.

Many other Americans, without disagreeing on any of the scientific facts, believe that the Russians are bent on violations, and they therefore oppose the cessation of testing. Dr. Edward Teller has argued this point repeatedly, and in particular in his television discussions with Lord Bertrand Russell. His line of reasoning runs as follows: "We cannot detect Russian underground tests of bombs of small yield; since we cannot detect these tests, we should assume that they are carrying out such tests. If they carry out such tests and we do not, then they will soon be ahead of us in the area of small nuclear weapons. When they are ahead of us in this area, they will have military superiority, and thereby they can blackmail us into complete submission. At that moment the whole free world will have to capitulate to Russian communism."

It seems to me this is a series of non sequiturs. Every one of these steps, I think, is very unlikely. I do not think the Russians intend to violate a treaty banning weapons tests; I do not think that the Russians could risk cheating, even if there is only a small likelihood of being detected. Even if we had no system of physical stations detecting nuclear tests, the Russians would not risk having some defector tell us about a clandestine nuclear explosion. If there were such a defector telling us of a Russian violation, it would not be very difficult to find physical evidence of it. I believe that the Soviet Union, which is posing as a peace-loving nation, whether rightly or wrongly, simply cannot afford to be caught in a violation, and therefore I think that it will not try to cheat.

But even supposing that the Russians wanted to cheat, what would they need to do? One violation, one nuclear test below ground, does not do much for the development of weapons. In the first place, they would have to develop entirely new methods to assess the results of a nuclear test. Most of the methods commonly used for observing the results of a test in air do not work underground. Probably several explosions of weapons whose performance is already known are required to develop methods of observation underground. Second, two or more test explosions are often needed to develop a single new weapon. Finally, a country which already has dozens of types of weapons will hardly be interested in developing just one more, in violation of a treaty. For all these reasons, a potential violator of the treaty would only be interested if he could perform a whole series of tests.

Now, if a series of tests were carried out, all at the same location, this would greatly simplify the work of the detecting agency. It would merely be necessary to detect the disturbances on the seismograph, not to distinguish them from earthquakes. The fact of repeated seismic disturbances originating from the same location (except as aftershocks of one big earthquake) would be sufficiently suspicious to warrant dispatching an inspection team to their site. With our accepted Geneva system of 20 stations in the Soviet Union, it is generally agreed that we

could record disturbances underground of less than 1 kiloton. Thus, to violate the treaty without being detected, it would be necessary to find a new location for practically every test in the series. The development of a new test site would add enormously to the cost, complexity, and inconvenience of testing.

I had the doubtful honor of presenting the theory of the big hole to the Russians in Geneva in November 1959. I felt deeply embarrassed in so doing, because it implied that we considered the Russians capable of cheating on a massive scale. I think that they would have been quite justified if they had considered this an insult and had walked out of the negotiations in disgust.

The Russians seemed stunned by the theory of the big hole. In private, they took the Americans to task for having spent the last year inventing methods to cheat on a nuclear test cessation agreement. Officially, they spent considerable effort in trying to disprove the theory of the big hole. This is not the reaction of a country that is bent on cheating.

Two of the Russian scientists presented to the Geneva Conference their supposed proof that the big hole would not work. A day or two later, Dr. Latter and I gave the counterproof and showed, with the help of the Russian theory itself, that the Russian proof was wrong and that the theory of the big hole and the achievable decoupling factor were correct. We have been commended in the American press for this feat in theoretical physics. I am not proud of it.

In the recent hearings before the Joint Atomic Energy Committee of Congress, Dr. Teller recommended that we in the United States should continue determined research to find out further methods of decoupling, further methods of reducing the signal from an underground explosion. His argument is that we have to know all the possible methods of concealment if we are to develop a detection system which can deal with them. This may be so, but should we really spend our time and effort in drawing up a blueprint for a violator of the treaty, and also do the engineering development for him?

The Russians themselves have been quite consistent in their attitude toward decoupling. In negotiations in Geneva for joint research on improvement of seismic detection, they refused, as recently as May of this year, to participate in any research or decoupling or to permit the United States to engage in such research. "The Russian people," said Mr. Tsarapkin, the U.S.S.R. delegate, "will not understand it if research under the test ban treaty is conducted for the purpose of defeating the treaty."

Because of the difficulties of detecting small nuclear tests underground, President Eisenhower on February 11 proposed to the two other great nuclear powers to effect, for the time being, only a partial test ban treaty. Tests in the atmosphere and underwater, as well as in the nearer parts of outer space, would be discontinued. He proposed to ban all large nuclear explosions underground, those giving a signal equivalent to 20 kilotons or more under Nevada conditions. Smaller explosions and decoupled tests would be permitted, because they cannot be identified by the present system.

Further, the President proposed, the three powers should start intensive research on the improvement of methods for detection and identification of underground explosions, so that in time the treaty could be extended to smaller underground explosions, and perhaps a complete ban could be effected in the end.

This proposal was accepted by the U.S.S.R. on March 19 with an important modification, namely, that there should be a moratorium on smaller nuclear tests for a number of years. While only the large tests would be prohibited in the treaty itself, the three powers would declare in a separate document that they would refrain from carrying out nuclear explosions under 20 kilotons. The Russians proposed 4 to 5 years as the duration of such a moratorium; the West, 2 to 3 years.

To pursue this proposal further, the seismologists of the three nuclear powers met in May in Geneva to make plans for joint research on seismic detection. A large measure of agreement was achieved, but there is still a question as to the number and type of nuclear explosions to be used in this research.

Somehow, the seismic research has become identified in the mind of the public with the setting off of underground test explosions. This is by no means correct. The main problem is to improve the instruments of detection. This can be done largely by utilizing signals from earthquakes. Few explosions will be needed.

We need instruments which will give us more diversified information. We want to eliminate from the seismograms as far as possible the "noise", that is, the ever-present, minute, irregular motions of the earth. We need to learn to utilize calculating machines and mathematical tricks for the analysis of the records. We want to learn to deduce the shape and depth of the original earth displacement caused by a disturbance hundreds or thousands of miles distant from the recording instrument. At present, the depth can be deduced from the seismogram only if it is very great—about 30 miles or more. Perhaps we can learn to determine the depth of the source of the seismic signal to an acuracy of 1 mile. If this were possible, then signals originating from a depth of at least 2 miles could be attributed to earthquakes, because it is extremely difficult to drill holes that deep.

A number of promising ideas for improved detection were proposed in the spring of 1959 by the Berkner Panel, which was set up by the President's Science Advisory Committee to study the problem of detection of nuclear explosions. Some of these ideas were proposed to the Russians at the Technical Conference in November 1959. With a lot of research there is good hope for substantial improvement of the art of detection during a 2- or 3-year moratorium.

Would it be possible by these improvements to detect a decoupled test of a 20-kiloton explosion in a big hole, using only the 20 seismic stations provided in the Geneva system? We do not know. It must be remembered that, with a decoupling factor of 300, a 20-kiloton explosion looks like only 70 tons, not kilotons, and this is a very small explosion indeed. With the present methods, the Geneva system can only detect and locate explosions down to about 700 tons, not identify them.

But suppose it is impossible to improve the seismic techniques sufficiently by research. We already know one method which would certainly enable us to detect even the fully decoupled tests. This method is to make the spacing between stations much smaller. My proposal would be to decrease the spacing from 600 miles, as agreed to in the Geneva negotiations, to 120 miles in the seismic regions, and also in those regions where there are salt domes. In the parts of the Soviet Union where there are neither earthquakes nor salt domes, the stations could be distributed at a much wider spacing—let us say, 250 miles. With such spacing, one would need about 200 stations to cover the Soviet Union.

If the whole of the Soviet Union, seismic and aseismic regions alike, were to be covered by stations at 120-mile spacing, 600 stations would be needed. I mentioned this number during the congressional hearings which were held in April 1960, under the chairmanship of Mr. HOLIFIELD. The number was then quoted out of context and without the proper qualifications in sensational press reports which implied that I no longer supported a test ban treaty. This, of course, did not correspond to the intention of my testimony.

The 20 stations in the U.S.S.R. which are provided by the Geneva system will be large, manned stations, each with about 30 technical people plus supporting personnel. They will have equipment to observe nuclear tests in the air as well as underground, and each station will have an array of 100 seismographs in order to reduce the noise.

The additional 200 stations which I am proposing would be unmanned robot stations with 1 seismograph each, or possibly 2. Such a system of robot stations would be simpler, cheaper, and, at the same time, more effective for seismic detection than the 20 large stations. I should think that these additional robot stations might well be acceptable to the Russians, especially if we do not demand them now but keep this idea in mind as a way out if no better method is discovered to observe decoupled tests.

How much would such a system of small stations cost? Two estimates have arrived independently at a figure of about $100,000 for each of these small stations. This includes provision for making the station tamperproof. While one cannot expect such tamperproofing to be 100 percent effective, one can expect to design the station in such a way that any tampering will be observable.

It is important to have reliable transmission of information from the robot stations to the large stations. Various methods of transmission have been considered by a group of communications experts. The total cost of the system of small stations in Russia, even with the most elaborate communication links, is estimated to be less than $200 million. Engineering estimates have also been made of the cost of the basic 20-station net. No final figure has been given, but a total of half a billion for both the small and the large stations is probably the best conservative guess that can be made at present. This is not cheap, but it is a great deal less than the $1 billion to $5 billion for the large stations alone which was mentioned in the Holifield hearings in April.

The system of robot stations is expected to detect and identify fully decoupled 20-kiloton tests in the seismic regions. It is expected to detect and locate, but not identify, similar tests in the aseismic regions. I have previously shown that, once you get a signal, the number of inspections can be held within reasonable bounds. Of course, the robot stations would also greatly improve the detection of normal, not decoupled shots. It would be easy to detect and identify earthquakes down to one kiloton or less. Hence, the number of inspections could be greatly reduced.

It has been argued that several years will pass before we can build the system of small robot stations. This is true, but it would also take several years before a sufficiently large cavity could be constructed and successfully used.

In the meantime, there is a possibility of using already existing, smaller cavities in salt. There seem to exist, at least in this country, several holes which would fully decouple an explosion of 2 or 3 kilotons. If similar cavities exist in Russia, it must be admitted that it would be possible to use these for testing very small weapons; there will always be a threshold of detection, even with the best detection system. The question is whether such testing would be worth while. Moreover, a 2-kiloton hole could be used to achieve partial decoupling for a larger explosion—say, 20 kilotons. From the Louisiana experiments, one may estimate that

this proportion of hole size to explosion energy will give decoupling by a factor of 30. The 20-kiloton explosion then looks like two-thirds of a kiloton. This is just detectable by the Geneva net of stations, although without the robot stations a signal of this size could not be distinguished from an earthquake. Thus, with the Geneva net alone, it would be risky for a violator to attempt a partially decoupled explosion of 20 kilotons. A 10-kiloton explosion, partially decoupled in an existing 2-kiloton hole, could probably go undetected until either we have robot stations or significant improvements have been made in the art of detection. However, it seems from the Louisiana experiments that the cavity will suffer damage when it is used for partial decoupling of an oversized explosion. It is, then, very doubtful whether it could be used more than once. In this way, the few existing big holes would soon be used up.

I believe, therefore, that it is technically feasible to devise a system of detection stations and inspections which will give reasonable assurance against clandestine testing, with the possible exception of very small, decoupled tests.

A key point in the monitoring system is on-site inspection. This was recognized as necessary in the experts conference of the summer of 1958. The Russians agreed reluctantly, but they did agree, to a passage which says that "all events which are recorded by the control stations and which could be suspected of being nuclear explosions will have to be inspected on the site." This passage, which our negotiators insisted on, has been a very powerful argument for our side. I am sure that the Russians have often regretted that they agreed to it. On the other hand, our delegation would not have agreed to the final report of the conference without this passage.

Estimates made in Washington have ranged as high as from 1 to 300 necessary inspections per year in the Soviet Union for a complete test ban. Obviously, the Soviet Union wishes to prevent such a large number of inspections. Soviet negotiators have objected time and time again that we would use the on-site inspections for espionage purposes.

To solve this impasse, Prime Minister Macmillan, on his visit to Moscow in the spring of 1959, proposed that there should be a fixed quota of inspections every year in each country and that, in exchange, each side should have free choice of the inspections to be made on the territory of the other.

In other words, if a suspicious event is recorded on the seismographs in Russia, then the West, which means essentially the United States and Britain, would have the right to choose whether or not to inspect this event. They would decide on the basis of other knowledge whether it is reasonable in that particular locality to suspect a nuclear explosion. If, for example, the seismic event is shown to originate from a completely trackless wilderness in the mountains, then it may be presumed by the West that it was not a nuclear explosion. If, however, the seismic event is recorded in an abandoned mining area where one might very easily dig a tunnel to put in a nuclear bomb for testing, or especially in a salt dome area, then we would presumably insist on inspecting that area.

It seems to me that this idea of a quota, combined with free choice by the West of the events to be inspected in Russia, is a good compromise. Russia has accepted this idea in principle; our Government has not: it insists on inspection of a percentage of the suspicious events rather than a fixed number. This implies that the number of inspections would be determined on the basis of technical need. The Russian position is that the quota must be determined on the basis of political acceptability alone.

In practice, however, the U.S. Government has adopted the quota idea as part of President Eisenhower's proposal of February 11, 1960, of a partial ban on nuclear tests. He proposed that this partial test ban be enforced by a quota of about 20 inspections per year in the U.S.S.R., a very reasonable number. The Russians, while accepting the February proposal with some modification, have not as yet responded to the proposed number of inspections. In fact, they have never officially mentioned any number and have given us to understand only that they are thinking of very small numbers of inspections. But one point is clear: The quota must be fixed by the negotiators before either Russia or the West will sign a treaty.

Let us assume the most unlikely and worst possible case; let us assume that the Russians have gone to all the trouble of negotiating a treaty only in order to violate it. It would take them a very long time to set off any significant number of explosions; it would take a tremendous effort. It is generally agreed that they could test only small nuclear weapons. Even in the area of small nuclear weapons, a test series would take a number of years. Now, let us even assume that the Russians wish to go to all this trouble just to develop further small nuclear weapons. Where do we stand?

At this time, it is generally agreed that we are far ahead of Russia in the development of small nuclear weapons. We have nuclear weapons ranging from 20 kilotons down to a fraction of a kiloton. We have them in all different sizes. We have weapons which can be carried in big airplanes, in fighter planes, in ballistic missiles, in land-based rockets, and even in airborne rockets to bring down enemy planes. We have nuclear weapons which can be shot in short-range rockets, like Honest John; we have nuclear weapons so small that they can be carried by the infantry with relative ease. We have an enormous arsenal of such weapons. The Russians also have a number of such weapons, but their arsenal in the field of small weapons, as far as we know, is much more limited than ours, and probably their weapons are not quite as sophisticated. It would take them a long time to catch up with us.

What is the alternative? Suppose we resume tests only in the area of small weapons. Then we could be sure that it would not take the Russians very long to reach our present, very high-level technology in this field. But, it will be argued by Dr. Teller and his associates, in the meantime we also can make progress. Clearly, we could if we resumed nuclear tests. However, we have already gone far enough so that very little we can do in the future will be of great military significance.

While the Russians could gain considerably by the resumption of tests of small nuclear weapons, they also have enough such weapons to give them a sizable capability in case of a tactical nuclear war. Therefore, they do not have a desperate need for improving their weapons, and thus not enough incentive for testing to risk a violation. Yet, if nuclear tests were resumed legally, the Russians would probably make more rapid progress than we would.

It has been claimed that we still have a long way to go in nuclear weapons. There are two schools of thought on this: one essentially represented by the Livermore Laboratory, the other by the Los Alamos Laboratory. The Los Alamos Laboratory, our chief laboratory in the development of nuclear weapons, which has to its credit most of the weapons which have been developed up till now, is generally of the opinion that not much more can be obtained in the way of weapons improvement. They will admit, and I will admit, that there can always be some further improvement, but the question is, Is it worth while? Even if testing were allowed, would it be worth a great effort?

Let me repeat: If the Russians really want tactical nuclear weapons—that is, nuclear weapons of small yield—then the best thing for them to do would be to resume testing of such small weapons officially, exactly as was suggested in the original proposal by President Eisenhower on February 11. The fact that they asked instead for a moratorium on small tests indicates to me that they do not put much weight on development of these weapons.

I believe that if tests were resumed, if the negotiations on test cessation were to break down, then the Russians would choose to test big weapons, hydrogen weapons, in the megaton class. I think that these are the weapons which are most dangerous to us; these are the weapons which the Soviets consider to be of the greatest military importance to them. I want to remind you of the situation in the fall of 1958. At that time the United States put in an extra test series, which is known as the Hardtack II series, carried out in Nevada. This test series consisted of a number of small nuclear explosions, from about 20 kilotons down to a fraction of a kiloton.

At the same time, the Russians tested the largest weapons they have ever tested, weapons of many megatons. They increased the yield from their weapons; they made them more efficient in the large-megaton class. They probably obtained in that test series the warhead for their big intercontinental ballistic missile. This is a tremendous weapon in their hands. If the Russians were to launch a determined attack on this country, perhaps a surprise attack, they would undoubtedly use these enormous weapons.

I believe that it was much to our disadvantage that the United States conducted the test series in the fall of 1958. It would have been in our power to declare in August of 1958 that we would stop testing from that moment on. If President Eisenhower had made this bold declaration, I do not believe that the Russians would have conducted their test series in September and October. They used our small test series as a very welcome excuse to conduct their own. The bold political decision to stop tests altogether would have been much more to our military advantage, since such a decision would have made it difficult for the Russians to resume testing and to test their big warheads. Had the Russians tested nevertheless, we would still have been free to conduct the small Hardtack II series. We got comparatively little from our small test series; they got a great deal, and very big weapons, out of theirs.

If we were now to resume testing, if we were to break off negotiations in Geneva, then we could not force the Russians to test only small weapons underground. While we might restrict our own testing in this manner, the Russians could test anything that they considered to be to their military advantage. Whether their tests would be in the multimegaton category, or whether they would try to decrease the weight for, let us say, a 1-megaton weapon, I could not predict. But I strongly suspect that they would choose to test large weapons rather than small ones, that they would choose to test strategic weapons, which they consider the most important, rather than the tactical weapons which have had such prominence in public discusssions in the United States.

If we had stopped nuclear testing when the Russians first suggested doing so, at the beginning of 1956, we would presumably have had a very great superiority in hydrogen bombs. We had tested at least half a dozen; they had tested one type only. We might possibly have a situation in which the Russians would not now have a hydrogen warhead for their ICBM. The missile gap has been a great worry to our military during the

past 2 years. Without a hydrogen warhead, the ICBM would be much less important, and our superior position in planes might have remained of much greater significance.

The political bold decision to accept the Russian offer to stop nuclear testing in 1956, either before or after our own 1956 test series, would then have given us considerable military advantage. Sometimes insistence on 100 percent security actually impairs our security, while the bold decision—though at the time seems to involve some risk—will give us more security in the long run.

There can be no doubt that, since 1956, the Russians have gained in nuclear weapons, relative to us. It is my belief that this is quite natural: the country that is behind will catch up; the country that is ahead will not make so much progress in the future. Dr. Teller has pointed out that our nuclear weapons today are about a thousand times as efficient as they were in 1945. He states, "In comparison with the nuclear weapons of 1960, those of 1950 appear completely obsolete. If the development should continue, there is no doubt that in 1970 nuclear explosives can be produced compared to which our present weapons will appear similarly outdated." The first sentence is clearly true. But if we want to increase the efficiency of our nuclear weapons by another factor of about 10—not 1,000—from the presently achievable, we come to a point where the entire material in the weapon must undergo a nuclear reaction. Since there must be assembly mechanism, triggers, bomb cases, and the like, this is clearly impossible. Further nuclear weapons development will be limited by the laws of physics.

This being so, further testing by both sides would bring the Russian capability closer and closer to ours. If we stop nuclear testing now, we may reserve at least the little bit of military advantage in nuclear weapons that we still possess. It is certainly late enough. So I come to the conclusion that, even from the purely military point of view, for our purely military strength compared with Russia's, we would gain by a test-cessation agreement.

The political gain would be enormous. Basic to the accepted control system of a test ban are the control stations on the territory of the contracting parties. If the agreement becomes reality, the Russians will for the first time permit foreign international inspectors to go on their soil, to have the right to check up on their activities. This is the first time that the Russians have been willing to give up any part of their sovereignty. Of course, we are asked to give up the same part of our sovereignty too, but for the Russians, with their extreme desire for secrecy, it is a far more difficult thing to do, and it would be a real achievement of the negotiations.

The Russians have further admitted that there should be onsite inspections of suspicious events detected by the physical control stations. This is another major concession. So in the test-cessation agreement we would get the first admission in principle of the rights of a foreign control organ on Russian soil, an admission which might be of the utmost importance for further disarmament agreements. It would be very dangerous, indeed, for us to jeopardize this achievement by not concluding the test-cessation agreement.

The main importance of our negotiations on the test-cessation agreement comes, I believe, not from this agreement itself, important as it is, but from further agreements which must follow. It has been recognized widely in the United States, and also in the Soviet Union, that the continued arms race makes no sense. The two countries are fully capable of destroying each other; in fact, of destroying each other several times over. This is an absurdity. Modern war simply does not make sense as an instrument of national policy. I believe that we should try to arrive at a situation of carefully controlled limitation of armaments. It is a difficult thing to achieve, and it will be a long road before we do.

However, if we want to stop the armaments race, then we have to make a start somewhere. It has to be made in a way consistent with U.S. policy, meaning that every limitation of armaments must be carefully controlled. We have to make a start in an area where it does not cost us too much, where we can back off again if the first treaty doesn't work. With the test-cessation agreement, this would be possible, because it covers a sufficiently restricted subject.

I have so far discussed this problem entirely in regard to the two powers, the United States and Russia. However, the effect on other powers is at least equally important. It is clear that other powers may also get nuclear weapons soon. In fact, if we wait long enough, they surely will do so. I do not know how long it will take for China to achieve this capability. I do not think it will be next year, but I will not be surprised if the Chinese develop nuclear weapons before another 5 years pass. It is to our interest to keep nuclear weapons out of China's possession. We have every interest in restricting the nuclear club to its present members, essentially three, with France a junior partner. If the three great nuclear powers continue nuclear testing, then there will be no pressure on the other countries to refrain from developing nuclear weapons. If, however, the three great powers give up nuclear testing, and give it up completely, then popular pressure, both from the great powers and from the small powers, will be very strong on the other countries to make them adhere to the treaty which the great powers have signed.

I cannot predict whether China will in fact adhere to a test cessation treaty. I think that both Russia and the United States would desire that China do so. But one thing seems to me certain: If we do not have a treaty on cessation of nuclear tests, then China will surely get nuclear weapons in a fairly short time. For this reason, it is imperative not only to have a treaty but to have it soon.

At this time we can still get something if we agree to stop nuclear testing. But we have a wasting asset here. Before long, I believe, public opinion in the world will force us to stop nuclear testing without our getting anything in exchange. At present we get in exchange recognition by Russia of stations on Russian soil and of the principle of controlled disarmament. We may further get in exchange the restriction of the nuclear club to three members.

Opponents of the test cessation agreement want to have a perfect agreement; they want to have an agreement in which we can be sure to detect each and every violation, no matter how small. I think that by insisting on perfection we shall end up with nothing.

[From the Washington Star, Aug. 14, 1960]

POLICY FOR PEACE—TELLER SEES TRAPS IN BOMB TEST BAN

(By Dr. Edward Teller)

There have been two devastating wars in our century. There should not be a third.

I do not believe there is an issue on which as many people agree with as much passion.

This is the great issue of our century: The issue of peace.

But since our desire is so great, we should be cautious.

We must be most careful in selecting the right means by which peace can be achieved.

Today a great majority of the people of the United States would welcome an agreement to stop nuclear testing. The sudden and savage menace of nuclear bombs has wiped out the traditional security of our ocean barriers.

THE VITAL QUESTIONS

Would it not be better if we could slow down the rapid development of nuclear bombs which is resulting from testing? We have enough explosives to wipe out all industry in Russia. Should we not stop?

Could not an agreement on tests be a first step toward better understanding between the two super powers? Is it not possible to arrive at a reliable treaty with the Russians that would calm a world which has known too much tension, fear, and anarchy?

Everyone has heard these arguments. They inspire hope. Therefore many of our citizens today demand that we should negotiate a test ban immediately.

At least in one respect our hopes of easing tension have not been justified.

We had hoped that by stopping nuclear tests we could bring about a thaw in the cold war. Yet a few short weeks after our test moratorium started in November of 1958 Nikita Khrushchev fired his first propaganda salvo in the battle for West Berlin.

COLD WAR CONTINUES

Today after nearly 2 years without testing, this particular battle is still being fought. The bitterness and the peril of the cold war are, in fact, greater than ever.

It is certainly clear that we have enough weapons to strike a tremendously damaging blow against Russia. But it is not our aim to destroy Russia. All we want to do is to defend ourselves and help our allies.

Do we have the right weapons for that purpose?

The first guns known to history had little more than sheer power. It was later that it became necessary to achieve accuracy. And still later guns had to be adapted to specific purposes.

This is our position today in the field of nuclear weapons. We have bombs of overwhelming power. But before we decide to stop further technical development of these weapons, we should consider first whether improvements on nuclear weapons could significantly change the power balance between the Soviet Union and the United States.

COULD IT BE ENFORCED?

There is also another question which appears to me to be of overriding importance: Could a nuclear test ban really be enforced?

Our Government has made it clear that we cannot accept one-sided disarmament. We are all in agreement that a test ban should be properly policed. But these are merely hopes. Could it be that the Russians might secretly violate any agreement that was reached to ban further nuclear testing?

This is not to say that I demand a foolproof agreement. A danger of occasional violations could, indeed, be accepted.

But what if the agreement were framed in such a way that the Communists could evade it at will? What if they could undertake a long and valuable series of tests to improve their nuclear weapons without our knowing what was going on?

In my mind, there is one thing even more dangerous than one-sided disarmament. That one thing is the kind of disarmament which we believe to be enforceable but which in fact does not restrain the Russians.

WARNING VOICED

Should we enter into such an agreement, we would relax our efforts and lull ourselves into a false sense of security.

The technology of nuclear bombs has made considerable strides each year. Systematic secret tests could place into Russian hands powerful and adaptable weapons compared to which our present arsenal would be obsolete.

Today nuclear explosives are extremely important to our defense. Tomorrow they may form the very backbone of our security.

If the Russians get ahead of us in this field, we may be reduced to the status of a second-class military power. But in the shadow of Russia no second-class power can be a power at all.

We must strive to create a lawful community of nations. But a law which cannot be enforced destroys respect for law. Under such an arrangement, international gangsters will flourish. If we enter into an agreement with false hopes, we may forfeit all possibility for genuine agreements in the future.

We must never undermine our people's ability to decide their own destinies because, if we do, we will cut ourselves loose from the firm foundations of democracy.

[From the Washington Star, Aug. 15, 1960]

POLICY FOR PEACE—UNILATERAL BAN URGED ON ATOM TESTS IN AIR

(By Dr. Edward Teller)

Today the nuclear test ban negotiations in Geneva are deadlocked. There is no expectation of an early workable agreement.

We could make a constructive contribution. We should renounce nuclear weapons tests in the atmosphere. We should challenge the Russians to do likewise. And we should use our influence in the United Nations to prevent atmospheric weapons tests by all nations.

Big atmospheric tests are quite easy to notice. At least with respect to such tests, we would know whether or not the Russians are telling the truth.

For smaller atmospheric tests—for instance, tests equivalent to 1,000 tons of TNT—observations are more difficult. We should continue to press for appropriate observation stations by which to check on these tests. We should develop methods by which we can notice these tests more readily.

But we should abstain from atmospheric testing, whether or not better detection methods are developed and, indeed, we should not continue even if the Russians resume their atmospheric test program.

FALLOUT UNNECESSARY

Atmospheric tests have given rise to the fallout scare. The danger of fallout has been grossly and improperly exaggerated. But the fear, at any rate, is genuine. As far as we are concerned, we can eliminate this fear.

We do not need atmospheric tests. All developments of nuclear explosives which are really necessary can be carried out by methods which will not contribute to the contamination of the air. We can continue the development of nuclear weapons without causing any further contact of human beings with radioactivity.

At the same time, we need not fall behind in the arms race. For example, we can resume testing underground. Such explosions, when conducted with appropriate care, do not introduce any radioactive hazard whatsoever.

There is a second reason why underground testing should go on. The policing of underground tests is a most difficult task. The only way to obtain an indication of an underground explosion is to detect the noise it generates in the crust of the earth.

But similar noises are caused by earthquakes. Any real explosion could easily get lost among the many false alarms caused by the natural frequent readjustments, slippages and rumblings in the not-so-solid ground under our feet.

All this is well known to our negotiators. It is equally known to the British, and it has even been conceded by the Russians.

In order to find out whether or not a test has occurred, one has to take four important steps:

First, one must notice the disturbance; second, one must find out whether it looks more like a natural slippage or readjustment or more like an explosion; third, if it looks like an explosion (and quite a few natural events look like explosions) one must localize the disturbance with the help of the earthquake records, and fourth, one must send an inspection team to the site and look for the radioactivity which may have been deposited underground.

Only if this radioactivity is found can we say that a nuclear explosion has taken place.

This is a simple and important point. There always will be numerous false alarms. We need on-site inspections to decide whether a violation has been committed.

However, the Russians are anything but liberal about agreeing to on-site inspections. After more than a year of negotiations they have finally specified that they will permit three inspections per year in the Soviet Union. Unfortunately the number of needed inspections is quite large.

To locate the disturbance is easy. But one cannot pinpoint the disturbance accurately. The area in which one has to look for the actual event will be one of approximately 100 square miles.

In this area, the inspection team will have to drill for radioactivity, which probably has spread from the explosion point no farther than a couple of hundred feet. This is a wildcatting operation which is wild indeed.

Our only hope is to look for traces of human activity and interview the local people in order to find the point where a nuclear bomb has been placed. But a few inspectors have little chance against the excellently trained and numerous members of the Russian secret police.

And this is not the worst of it. Nuclear explosions can be hidden. The force of the explosion can be muffled by placing the explosive in a big cavity—a big hole in the ground. This has been proved by careful calculations and doublechecked by experiments.

Appropriate cavities can be found. Others can be washed out from salt domes. Still others might be constructed in limestone. The excavations need not be particularly conspicuous.

Today the best estimates are that explosions up to 20 kilotons—the equivalent of 20,000 tons of TNT—can be reliably hidden without any reasonable chance of detection. Let us remember that the explosion which destroyed Hiroshima was 20 kilotons.

HUNDREDS OF INSPECTIONS

If one would try to police muffled explosions down to 20 kilotons, a very close network of detecting stations would be required and hundreds of inspections would be needed in Russia alone. And each inspection would run into serious difficulties.

Recognizing these difficulties, our Government has proposed that only big underground explosions be banned. But for smaller explosions, a gentlemen's agreement is suggested.

Do we seriously intend to tell our people that a gentlemen's agreement can take the place of effective enforcement?

Some hope that in a few years we will have better methods to identify tests. Do we wish to base our military security on such hopes for which no one has, so far, produced solid arguments?

Even if the greatest optimism on detection should prove justified, it will take more than 5 years to install the needed machinery.

Let us be factual: If underground nuclear testing is banned, then we have a chance of policing only the biggest nuclear explosions. Those of medium and small size will be subject only to the gentlemen's agreement. In the light of the past, can we trust Russia to observe such an agreement?

On the basis of past performances, there is only one reasonable line of action open to us. We should resume underground testing.

[From the Washington Star, Aug. 16, 1960]

POLICY FOR PEACE—UNDETECTED A-TESTS HELD POSSIBLE IN SPACE

(By Dr. Edward Teller)

Three years ago the Russians put the first artificial moon into orbit. In the few short years since that time instrument after instrument has left our planet to explore outer space. We have hardly had time to adjust our minds to the new fact: The world has become immeasurably larger.

If somebody had posed the problem of detecting atomic tests in 1950, we need not have worried about anything except explosions taking place on our planet. Today the situation is different.

Experiments in space. Can one control what is going to happen? Can one get adequate information about the results of such experiments? The topic seems to fit into the adventures of Buck Rogers rather than into serious discussions about disarmament.

Let us consider a purely hypothetical story.

The Russians may construct a rocket which carries as a payload two compartments.

One contains an atomic bomb. The other is filled with equipment which is ready to make observations and to broadcast the results.

The rocket is fired. It leaves the gravitational field of the earth. It continues to put miles upon miles between itself and its point of departure.

After a few months, it is 50 million to 100 million miles away, a distance comparable to that between the earth and the sun. At that time, a clockwork separates the two compartments. They drift slowly apart until they are 10 miles away from each other.

SEES AND REPORTS

At this time the nuclear explosion occurs. The observing equipment is far enough away to be safe but close enough to make accurate measurements. Some of the measurements are actually easier as there is no air to block the path of the particles emitted by the nuclear reaction.

Does this appear fantastic? Measurements of nuclear explosions always must be carried out by unmanned apparatus. Every past test was carried out with the help of distant control.

There is not too much difference between the situations where the human brain guiding the events is at a distance of 25 miles and of 75 million miles.

DEVICE REPORTS BACK

After the measurements are completed, the observing equipment turns on its broadcast station.

The information it has to convey is vital but short. It can be transmitted over the great interplanetary distances with little power.

It will arrive in a carefully coded form which will appear as inconspicuous, meaningless, random noise to anyone except to those who have set up the nuclear experiments.

An experiment in space could be as significant for a country's armed preparedness as a full-scale hydrogen bomb shot in the Pacific or in Siberia. Yet if the Russians would carry out such an experiment, we would notice nothing. Had the Russians carried out such an experiment in the past, no signals would have been noticed.

Most people would guess that space tests would be excessively expensive. At least in one respect, however, they would be easier

than the big tests we carried out in the Marshall Islands. Space tests do not require the elaborate meteorological control and the great number of participants which we employed in all Pacific experiments. Actually the expense of a space test is comparable to that of one of the large experiments on Eniwetok or Bikini.

TWO POLICING POSSIBILITIES

Is there nothing we could do to police interplanetary space tests? There are actually two possibilities.

The first one is to look for the radiation emitted by the bomb. Its visible portion will be too faint, but the explosion also results in the mission of intense X-rays. Unfortunately these X-rays will be absorbed by our atmosphere. Down here we cannot receive them.

We can send up satellites and other space craft carrying detection equipment. This possibility was carefully considered what the Russians could do to diminish the number of X-rays for which the police satellites are loooking.

The upshot is this. If the Russians want to hide their explosion by shielding it in outer space and if the power of the explosion does not exceed half a megaton—that is, the equivalent of 500,000 tons of TNT—we see no hope of detecting their explosions, no matter what detection methods we employ in our satellites.

A BETTER METHOD

The satellite detection method just mentioned is expensive and has quite limited usefulness, but there is another method which is easy, practical, cheap, and almost foolproof. In fact, it is highly satisfactory.

We may catch the forbidden experiment before it escapes from the earth.

It is possible to establish a satisfactory network of observation stations which will notice the firing of any rocket. We could make an agreement with the Russians that each rocket would have to be inspected by an international team before it was fired. Then we could be sure that no nuclear explosive was on board. There is only one thing wrong with this simple and effective proposal: The Russians don't like it. Why?

Our press has written column after column about the loopholes in detecting explosions performed underground. But there have been few words wasted about this much bigger gap in the proposed test supervision. Testing in space provides a loophole through which one could drive a herd of wild elephants. Still we do not hear about it. Why?

We do not seem to be willing to face the hard fact that the proposed policing of nuclear test cessation is, in fact, not effective. We should not ban testing in space until methods are developed to notice extensive and systematic violations.

In the size of their rockets the Russians are ahead of us. It is foolhardy for us not to consider carefully how they can use this to their advantage.

We must try to make every possible advance in the technology of detection. In the meantime we must continue to perfect our weapons in every way necessary in order to defend ourselves and the free world from aggression.

[From the New York Herald-Tribune, Aug. 17, 1960]

TELLER SAYS UNITED STATES NEEDS STRONG RETALIATORY FORCE

(By Dr. Edward Teller)

There is one important purpose which we are trying to accomplish by a cessation of nuclear testing. This is to increase the stability of a world in which the opponents seem to be able to deliver a fatal blow but are not able to parry.

There is one important and straight-forward step which we can take to increase stability and decrease the probability of a third climactic world war.

We must develop a second-strike force. We must be in possession of retaliatory weapons which no Russian attack can wipe out.

In possession of such a second-strike force, we can confidently say to the Russians, "We shall never start an all-out nuclear war but if you attack America with nuclear explosives you can be quite sure that you will suffer the full force of a similar attack."

REDS WOULD FEAR ATTACK

A second-strike force will make it unnecessary that we unleash our nuclear might on the basis of suspicion, however well founded.

I am firmly convinced that the Russians are not eager to have an all-out conflict in which they, too, would suffer heavily. They would surely lose all their industry of which they are proud and on which they base their hopes for world domination.

We are actually on the way to develop a second-strike force.

We are using our industrial potential and our ingenuity to disperse our retaliatory force in such a manner that no attack, however swift and ferocious, can possibly wipe it out. But this development will cost many billions of dollars and even so it may not be sufficient.

CAN MAKE BOMBS SMALLER

With continued nuclear testing we could reduce to one-half or one-third the weight of our retaliatory bombs. Lighter bombs can be carried by smaller missiles. Smaller missiles are less expensive. They can be handled by fewer people on smaller and more secure bases. They can be made safer against destruction by shock from an enemy bomb. They can be dispersed and hidden more easily, or, better still, they can be made very mobile. If their position can be easily changed every day over a road network, the aggressor will have a virtually impossible task in finding them.

Additional testing will make it certain that a reliable second-strike force can be constructed within our means. By easy and inexpensive test operations we could save one-half of those many billions of dollars which we would have to expend to insure us against nuclear blackmail and nuclear defeat.

TIME A FACTOR

What is most important: With additional testing, we can construct an effective second-strike force at an earlier time. And time is pressing.

Some bombs in our second-strike force should have large yields. But it does not necessarily follow that in order to construct these large bombs we need to perform tests with very large explosives.

Most of the needed information can be obtained with the help of experiments of moderate size. At any rate, explosions, small or large, can be carried out underground or in space and need not contaminate our atmosphere.

We must not lose sight of our main objective. This is to make sure that no nuclear attack will destroy our country. The best assurance we can have is to make it quite clear to Russia that an attack on us would be both expensive and useless.

PASSIVE DEFENSE

Retaliation by our second-strike force would make an attack most expensive for an aggressor.

By building up our passive defenses we could make sure that our Nation can survive even if our enemies unleash the most destructive bombs against us. Too little has been done about simple common-sense passive defense, which is defense, indeed, in the strictest sense of the word.

We could be prepared with proper shelters, effective organization, and selected stockpiles of materials needed for reconstruction. Thus we could insure our survival and our speedy recuperation.

I believe indeed that by reasonable development of our passive defense and our nuclear arsenal and a policy of great patience we can make a most important contribution to the stability of the world. But we must pay a price.

The idea of massive retaliation should be abandoned and the expression stricken from our international vocabulary. We must never repay a smaller insult with bigger injury. Such an act would not be in accord with our deepest moral convictions. It introduces into our world an intolerable element of instability. And it is not even a practical proposition.

MONOPOLY GONE

For years we had a monopoly of nuclear weapons. During these years communism spread over Eastern Europe and China. We did not use nuclear weapons to confine the Communist empire in its earlier boundaries.

Massive retaliation was not used. I believe that few people wanted to see it used. I certainly did not.

But today we are facing a different situation. Our monopoly is gone. If we were ever to use massive retaliation as a response to a limited Russian conflict we can be sure that Russian nuclear weapons will reach our country in considerable numbers.

Under these conditions it is practically certain that we shall not unleash all-out war except in the very last emergency.

We know this and the Russians know it. Thus the threat of massive retaliation will not deter the Russians from attacking our allies. Surely we cannot be satisfied with our national defense unless it provides a possibility of aiding our allies and shielding the free people of the world without resorting to all-out war. We must find ways to stop limited aggression.

But at the same time we must develop our strategic nuclear explosives in order to make sure that the Russians never dare attack us. If America becomes vulnerable, it will be the end of the free world.

[From the New York Herald Tribune, Aug. 18, 1960]

TELLER URGES WEAPONS TO MEET SALAMI TACTIC

(By Dr. Edward Teller)

The Russians are masters of the salami technique.

After the war, Hungary elected a democratic government but the Russians controlled the police.

They did not advance any radical claims. They demanded small changes. Slice by thin slice, they whittled away at the independence of Hungary. This is what the Hungarians call the salami technique.

Now there is nothing left of the salami.

We must be prepared to resist Russian aggression. Small conquests will be in the long run as dangerous as big ones. But if we want to preserve the peace we must be particularly careful that a small conflict should not turn into a big conflagration.

THEY WILL BE READY

It is therefore necessary that we should be able to accept every Russian challenge on the same scale at which it is offered. We must be thoroughly prepared for a limited war.

This is not easy. The Russians can choose the time and place of the next crisis. They will be ready and prepared with massive forces. We will be thousands of miles away.

Nevertheless, we can be successful in defending the country attacked if two conditions are satisfied.

AIRDROP PLAN

We must be able to employ the most modern and mobile weapons. And the country which is invaded must be determined to defend its own freedom.

Within hours after the invasion, we could airdrop commando groups over the invaded country There may be no more than 5 to 50 men in group. These groups could carry nuclear weapons which would enable them to complete their mission even when faced with massed enemy power.

Their mission will be to prevent the invader from concentrating his forces. In the face of nuclear weapons the aggressor will have to disperse his own men. But the dispersed forces can be attacked successfully by people who are determined to defend their homes.

POWER OF RESISTANCE

The power of native resistance has been demonstrated in recent years in the greatly differing examples of Hungary and Algeria. Only the full concentrated armament of a great power can conquer a determined people.

With our tactical nuclear weapons we can stop the Russian steamroller. The rest must be accomplished by the population of the invaded country.

In this manner, nuclear arms could be used strictly for defense. And such defense would not leave the country in ruins. It would do less damage than conventional warfare.

Conventional military action requires that a great amount of materiel be delivered to the scene of the fighting. This materiel is slow in arriving. It requires a pipeline. The pipeline in turn must be protected by a front line.

SCOPE OF NUCLEAR WAR

Thus, one has to spread military operations over bigger areas just to defend one spot. Before long, the war has engulfed the whole country.

Nuclear forces are mobile. They can appear at the endangered spot and need not spread the war.

In a nuclear conflict, no front line can be defended. And no pipeline can function. In such a war no front lines and pipelines will exist.

Nuclear weapons have been pictured as instruments of all-out destruction. This need not be so. In a limited war there will be no purpose in bombing cities. The cities will not serve in a short and mobile war as centers of production or links in the transportation system.

CAN IT BE LIMITED?

On the battlefield itself one could and should use nuclear weapons of appropriate size. One does not need to overhit any target.

But is it possible to keep a nuclear war limited? The Russians have said no. Should we believe them?

It is to the interest of the Russians that we abstain from using nuclear weapons. In the absence of such weapons their salami tactics will work.

There are three ways in which a war might be limited. One can limit the weapons. One can limit the territory. And one can limit the aims.

USE WITH DISCRETION

No limitation on weapons will work and no limitation on weapons should be attempted. We should use appropriate weapons and use them with discrimination without doing unnecessary damage to the innocent bystander. Nuclear weapons can be so used.

It is possible to limit the territory and the aims of a war. This is the usual historical way in which wars have been limited. If an aggression has occurred, we can declare what we consider as the theater and the purpose of the war. As long as the Russians will not enlarge the conflict, neither will we.

A limited war will not grow into an all-out nuclear conflict unless the Russians choose to attack us in America. If we are prepared with a reliable second-strike force, the Russians certainly will not start an all-out war.

NEED FOR CAPABILITY

A solid capability for limited warfare is desperately needed and should be developed. Today we do not possess such a capability.

We do not have the necessary organization within our Armed Forces. We have not trained our fighting men to fight an independent commando action in a strange country. This is a terribly difficult task.

We have started to develop tactical nuclear weapons. But we are at the very beginning of such a development. We could and we should use additional nuclear experiments to develop these weapons.

All of these experiments could be carried out at a power less than and sometimes much less than 1,000 tons TNT equivalent.

TACTICAL BOMB THREAT

No conceivable technical inspection system could detect such test. If we continued our test moratorium and the Russians developed such weapons, the results would be disastrous.

In a few years our weapons would have the same chance against Russian armament that a blunderbuss has against modern rifles and machineguns.

We should not commit our forces without the proper nuclear weapons. We may suddenly be faced with the crushing power of Russian tactical bombs.

[From the New York Herald Tribune, Aug. 19, 1960]

TELLER ADVOCATES UNITED STATES END ITS SECRECY POLICY

(This is the last of six articles by Physicist Edward Teller, one of the chief architects of the H-bomb. The series, as told to Ralph S. O'Leary, science editor of the Houston Post, outlines for the first time Dr. Teller's full viewpoint on future nuclear tests.)

(By Dr. Edward Teller)

There should be no disarmament without inspection. There can be no inspection without information. Information cannot be adequate as long as we permit secrecy to continue.

We had hopes that nuclear explosions would betray themselves. We tried to work out a system to police these explosions without abolishing secrecy. Our efforts proved futile.

COMPLETE OPENNESS

If we want disarmament, we must accept complete openness. Such openness is needed for a justified trust between nations. Openness is the lifeblood of democracy. I doubt that openness is compatible with dictatorships.

How did secrecy serve us so far? While we had a nuclear monopoly there seemed to be reason to keep our secrets. But today the Russians are in possession of every major technical secret which we discovered.

Some of these secrets they learned from spies. Most of the secrets they found out by their own excellent technical efforts.

QUESTIONABLE POSITION

It is claimed that we need secrecy in order to prevent the spread of nuclear weapons to still other nations. But we put ourselves into a questionable position if we deny to our friends knowledge which our enemies possess.

Besides, every nation which acquired nuclear explosive materials promptly succeeded in making a bomb.

To produce the materials is difficult. But the methods of production have been fully published. These materials are produced in every nuclear reactor.

What limits the spread of nuclear arms is nuclear technology and not nuclear secrecy.

PAID DEARLY FOR SECRECY

On the other hand, we have paid dearly for our policy of secrecy. We have erected artificial barriers between other free nations and ourselves. In an age which requires common action to build a lawful world community, we have accepted the divisive power of secrecy.

Even our discussions with our closest allies have found secrecy standing in the way.

The French were forced to make an independent effort in order to explode an atomic bomb. Would it not have been wiser to employ the great talents of French scientists in a common undertaking, aimed at increasing Western security?

HAVE TO FORESEE FUTURE

How can we expect that NATO shall develop the best plan for defense when the instruments of defense are not fully known to all participants? In order to be prepared, one has to foresee possible future weapon developments. This cannot be done as long as we keep our secrets.

Our own technical efforts are hampered by secrecy. If secrecy were abolished, the ideas of the whole scientific community would become available for our defense.

Today defense is discussed behind closed doors by highly able but limited groups of experts. Fast technical progress demands the widest participation.

All these arguments are important, but in my opinion the greatest damage has been done in a different way.

We live in a democracy. Our collective actions are determined by the will of the people. This will cannot be reasonably guided in an atmosphere of secrecy.

I have given arguments to show that our people are misled when they believe that nuclear tests can be controlled. They would not have been misled if all the facts had been available to them all the time. The very aura of secrecy, which surrounds all matters nuclear, has prevented open discussion and has given rise to an emotional approach and to our present predicament.

Our society needs freedom of information if it is to function properly.

TECHNICAL INFORMATION FREEDOM

Details of military operations can and should be kept secret. We must not broadcast the positions of our nuclear submarines. But there are extremely strong arguments for complete freedom of technical information.

I do not propose that all our secrets should be declassified promptly. But I do propose that in the next 2 or 3 years our secrecy policy should be carefully reexamined. I hope that such a reexamination will lead to an orderly liquidation of all technical secrets.

This we owe to our hopes for disarmament. We owe it to the unity of the Western World and we owe it to the unhampered exercise of the sovereign rights of our people.

RUSSIANS MUST OPEN UP

Of course, unilateral openness will not bring about disarmament. The Russians must open up, too. Obviously they won't do it soon, if ever.

However, abolition of secrecy is one step which we can take toward eventual disarmament which will cost us little and give us much. Our greatest need is speed. Secrecy has not helped us to stop the Russians. Openness should help us now to go ahead full steam with the needed rapid developments. Therefore we should abolish secrecy whether the Russians go along or not.

All this will be of great help in our negotiations with Russia.

SEES FAVORABLE RESPONSE

Our openness will show up their closed and regimented society in an unmerciful light. I even believe that a policy of openness on our side will produce a favorable—if limited—response from Russia.

When we declassified reactor technology, the Russians followed suit. We found out quite a few things about their reactors.

If we share with the rest of the world nuclear explosives for peaceful purposes, the Russians may have to do likewise.

In the long run, individual Russian scientists will certainly accept the desirability of open discussion. Their influence with their political leaders might make itself felt over the years.

THERE'S NO SHORT CUT

There is no short cut in the road toward peace and freedom. The actions we can take today may appear difficult and the progress which we can make is limited. What is most important, however, is to make progress in the right direction.

If we conclude a phony agreement on nuclear-test cessation, this may endanger peace and in the long run be the doom of freedom.

We should adopt the policy of an open world and take constructive measures toward honest cooperation with everyone who is willing to cooperate with us.

In this way we could make a significant step along the difficult road toward peace.

STATE DEPARTMENT REORGANIZATION FOR DISARMAMENT

Mr. HUMPHREY. Mr. President, a few days ago the Senate, in adopting the conference report on the appropriation bill for the Department of State for 1961, included a provision for $400,000 to be used for studies and preparations on arms control. This relatively small sum of money is something I have sought for the Department for many months—in fact, for years. I tried unsuccessfully to obtain it on four different appropriation measures last year.

Now that the sum has been appropriated the Department of State should be able to continue at a faster pace with the reorganization and enlargement of its disarmament activities.

Several months ago the Department informed me that a reorganization was under way and that it was to have been completed by June 30, 1960. Obviously, this time schedule has not been kept, but I hope that before too many days and weeks elapse the Department will publicly announce that the new arms control or disarmament agency it is creating is a fact and that it has been staffed with competent people who are already at work.

Mr. President, Senators may recall that the announcement of the Department came at a time when the Senator from Massachusetts [Mr. KENNEDY] and I both commented on the urgency of reorganization in the Department of State concerning an arms control agency. I had proposed an Assistant Secretary of State in the field of disarmament and a special agency within the Department of State which could concentrate its efforts upon the scientific and technical aspects of the arms control problem. Both the Senator from Massachusetts and I had gained some public audience with these proposals. I believe we had enlisted a considerable amount of public support. It was at that time that the Department of State made a public announcement to the effect that it was going to do all of this and that there was no need for any legislation.

Mr. President, I pressed the point with the State Department and I was told they were going to have all of the job done by June 30, 1960. This is another one of the promises and the commitments which to date has not been kept. This is the latter part of the month of August 1960. This is another pledge or promise without performance.

I hope the pledge and promise will be kept. I trust the announcement which was made late in March or early in April was not something merely to distract public attention from the proposals which had been advanced in the Congress by the Senators I have mentioned. I trust the announcement was made in good faith and with good purpose.

That is why today, in the light of the action of the Congress in providing the funds the State Department requested and which I urged, I hope we can expect some action.

PRICE SUPPORTS FOR BASIC AGRICULTURAL COMMODITIES—OTHER THAN TOBACCO

Mr. HUMPHREY. Mr. President, I submit, for appropriate reference, a concurrent resolution designed to provide price supports for basic agricultural commodities—other than tobacco—for 1960 at levels not less than those provided in 1956.

Mr. President, this is an emergency measure tailored to fit an emergency situation—the farm depression which is deepening throughout our country. This measure asks that price supports be raised to the 1956 level, not because the year 1956 was a period of prosperity, but because that, too, was a year of alarmingly low income. Members of the Senate will remember that Congress responded to the needs of the endangered farm economy by approving and sending to the White House a bill which would have again provided 90 percent price supports for the basic commodities, and would have made feed grain price supports mandatory. Members of the Senate will also remember that the President vetoed the bill. But in his veto message, the President chose to use his authority to countermand certain price support cuts announced by the Secretary of Agriculture.

The President said:

We are going to take prompt and decisive administration action to improve farm income now.

Those were welcome words. Farmers appreciated them. The President's prompt and decisive action took the form of small increases in the price support levels. I have the veto message. I shall read what the President proposed:

1. In 1956, price supports on five of the basic crops—wheat, corn, cotton, rice, and peanuts—will be set at a level of at least 82½ percent of parity. Tobacco will be supported as voted in the referendum in accordance with existing law.

Within this range of price-support flexibility, the administration intends to set minimum support levels that will result in a national average of wheat at $2 a bushel; corn at $1.50 a bushel; rice at $4.50 per hundred pounds.

A separate support for corn not under acreage control in the commercial corn area will be announced at an early date.

Price supports on cotton and peanuts have not yet been announced but will be at least 82½ percent of parity.

The Secretary of Agriculture will announce shortly the details of the new cotton export sales program.

2. For this year the support price of manufacturing milk will be increased to $3.25 per hundred pounds. The support price of butterfat will be increased to 58.6 cents a pound.

Mr. President, 1956 was an emergency year for groups other than the farmers. It was an election year.

Now, 4 years later, the farm policies followed by the administration have plunged farmers into a greater income emergency. And 1960 is also an election year. Therefore, I have felt that the President might be touched by this recurring situation to look with favor on the measure I have sent to the desk.

I ask unanimous consent to insert at this point in my remarks a table showing the announced support prices for 1960, and the percentage of parity these prices represent; and the prices and percentage of parity that would result from enactment of my proposal.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparison of announced 1960 support levels and prices with minimum support levels and prices proposed by concurrent resolution

Commodity	1960 level of support as of beginning of marketing year or season unless otherwise indicated		1960 support price		
	Heretofore announced by Secretary	Minimum proposed by concurrent resolution (same as 1956)	Unit	Heretofore announced	Minimum proposed by concurrent resolution
Wheat	75.0	82.6	Bushel	$1.78	$1.96
Corn	[1] 65.4	70.2	do	1.06	[1] 1.14
Upland cotton (Choice (A))	75.2	82.5	Pound	.2897	.3176
Peanuts	78.6	86.0	do	.10062	.11008
Rice	75.0	82.5	Hundredweight	4.42	4.87
Butterfat	76.4	81.0	Pound	.566	.60
Manufacturing milk	76.3	84.0	Hundredweight	3.06	3.37

[1] Based on Aug. 1 parity price.

Mr. HUMPHREY. These prices are certainly a long way from the level that would bring real strength to our farm economy. But they are better than those that have been announced.

Last week, I received from the Department of Agriculture a statistical publication titled "State Estimates of Farm Income, 1949–59." The Senator from Minnesota was, of course, interested in what these farm income figures would reveal about his home State. I was not surprised at what I found, because I am familiar with the needs of the farm people in Minnesota. But it is always shocking to look at the statistical record of what has happened under the Republican sliding scale program.

Total realized net farm income in Minnesota in 1959 was 19 percent lower than that of 1952. In 1959, Minnesota farmers received almost $98 million less income than they had in 1952. In this period, 1952 to 1959, farm production expenses increased by 24 percent. One of the individual items that is part of total production expenses is of particular interest. Interest on farm mortgage debt in Minnesota, for instance, has increased from $14.7 million in 1952 to $25.7 million in 1959; that was due both to the Republican tight money policies that have pushed the cost of credit up and up and to Republican farm policies that have pushed farmers into going in debt to enlarge their operations, to become more efficient, to produce greater and greater amounts of farm commodities at lower and lower prices.

I ask unanimous consent that a table showing the income and expenses of Minnesota farmers for the years 1949, 1952, 1955, 1957, and 1959 be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Realized gross income and net income of farm operators from farming, by States, 1949–59 [1]

[In millions of dollars]

State, region, and item	1949	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959
MINNESOTA											
Realized gross farm income:											
Cash receipts from farm marketings	1,172.2	1,179.5	1,289.3	1,280.2	1,280.1	1,237.2	1,237.1	1,265.6	1,337.4	1,453.5	1,379.9
Government payments	5.8	8.2	7.8	8.7	8.1	9.2	7.0	19.0	27.7	41.7	31.0
Value of home consumption	69.4	66.6	78.1	73.7	69.0	63.4	59.0	56.0	55.6	58.4	53.6
Gross rental value of farm dwellings	51.9	58.1	66.8	67.4	65.1	62.1	66.7	80.8	80.6	82.7	85.8
Total	1,299.4	1,312.5	1,442.1	1,430.0	1,422.3	1,371.9	1,369.8	1,421.4	1,501.3	1,636.3	1,550.3
Farm production expenses	747.8	798.8	886.8	912.6	890.5	905.1	912.6	970.2	994.6	1,083.2	1,130.8
Realized net farm income	551.6	513.7	555.2	517.4	531.8	466.8	457.2	451.2	506.7	553.2	419.5
Net change in farm inventories	−59.5	.2	112.0	67.3	−13.6	59.5	3.0	64.1	−27.5	31.5	3.0
Total net farm income	492.1	513.8	667.2	584.7	518.2	526.3	460.2	515.2	479.2	584.6	422.5

[1] Details for individual States, regions, and items may not add to total because of rounding.

Mr. HUMPHREY. The year 1955 is included in order to show the reason why both Congress and the President felt that a farm emergency existed in 1956. A comparison of 1955 with 1959 will quickly show how the present income situation of Minnesota farmers is even more desperate. Net farm income in Minnesota in 1955 was $460,200,000—and in 1959, it was $422,500,000. These are emergency years—depression on the farm years.

Minnesota is not unique. There is no State in our country that has not suffered great economic losses due to the lost income and purchasing power of our farm families.

The resolution also provides that the interest rates and terms of Farmers Home Administration loans should be liberalized in order to help meet the farm credit crisis throughout the Farm Belt. Credit is an important phase of farm business. Without quickly available sources of credit at reasonable terms, family farmers are placed in an extremely unfavorable position relative to large integrated operations financed by nonfarm capital and operated by low-paid hired workers.

The third action urged upon the President and the Secretary of Agriculture by this resolution is the full implementation of title IV of Public Law 480. This title provides that long-term low interest rate credit may be made available to friendly nations to purchase surplus agricultural commodities from the United States for the purpose of promoting economic development in those nations.

The President and the Secretary of Agriculture would make a real contribution to the advancement of friendly international relationships and the disposition of CCC-owned agricultural commodities if they would use with more vigor the legal authority that exists here. I am happy to find administration officials giving verbal sanction to food for peace. However, the use of food for peace should go further than the adoption of the words only; the spirit and the action programs should also be part of the newly adopted administration attitude.

The Secretary of Agriculture has great authorities under the law. We have heard often that the Democratic Congress has refused to give the Republican Secretary of Agriculture the authority he wants. I think it fairly safe to wager that we shall hear this statement repeatedly in the weeks immediately ahead of us. The record proves, of course, that this statement is not true. The Secretary never actually asked for everything he wanted—a return to the free market for all of agriculture—but he certainly was given more scope to move in his desired direction than the Senator from Minnesota approved.

I should like to point out some of the things the Secretary of Agriculture is empowered to do by law.

He has discretionary authority to raise price supports from existing levels up to 90 percent of parity for all commodities except corn and other feed grains.

Under section 401c of the Agricultural Act of 1949, as amended, the Secretary of Agriculture has authority to prescribe acreage allotments, production goals, and marketing practices as a condition of eligibility for price support. It is believed that this authority is broad enough to cover the enforcement of "cross compliance," that is, compliance with all production adjustment programs applicable to the farm in order to be eligible for price support on any single commodity such as wheat or cotton. It also is believed by legal experts who have studied the law that this authority is broad enough to permit the Secretary to require producers to place a percentage of their cropland in a conservation reserve as a condition for eligibility for price supports on corn, other feed grains, soybeans, and flax. Rather than use the authorities he has, the Secretary has preferred to claim that he was helpless to adjust production in any way, that he was required to spend huge sums of the taxpayers' money for the acquisition and storage of crops whose great production he encouraged through lower support prices.

It has been pointed out before by many people that the soil bank legislation would not have been needed if the Secretary of Agriculture had asked congressional authorization to expand the agricultural conservation program that is already on the books. The existing authorization for agricultural conservation program cost-sharing payments is broad enough to authorize payments for keeping any acres in soil-conserving forage crops which have been diverted from crop production as a condition for eligibility for price supports.

Further land retirement programs are possible under the law. Title III of the Bankhead-Jones Farm Tenant Act authorizes the Secretary of Agriculture to retire, by purchase or rental, lands which are submarginal or not primarily suitable for cultivation in order thereby to correct maladjustments in land use.

The Great Plains conservation program under Public Law 1021, 84th Congress, authorizes the Secretary to enter into long-term cost-sharing conservation and land-treatment contracts with producers in 10 Great Plains States. Producers who have entered into contracts under this program have contracted to convert 29.5 percent of their cropland to permanently vegetated rangeland or other noncropland use This program could have been accelerated through increased appropriations if the Secretary had chosen to use this authority.

A number of legislative proposals have included various plans for payment-in-kind programs. This approach has apparently had the blessings of the administration. If this had truly been what the Secretary of Agriculture wanted to do, it could have been accomplished under the Commodity Credit Corporation Charter Act. Section 5(a) of this act states it has general powers to support the prices of agricultural commodity through loans, purchases, payments, and other operations. Let me repeat—payments and other operations. Section 5(d) gives the Commodity Credit Corporation power to remove and dispose of or aid in the removal or disposition of surplus agricultural commodities. Legal authorities believe that these powers are broad enough to permit it to engage in payment-in-kind programs if a showing can be made that the program will aid in the prevention of, or in the disposition of, surplus agricultural production as part of the price-support programs.

Last year the Secretary of Agriculture was authorized by an amendment to Public Law 480 to undertake a food stamp plan for the distribution of surplus farm products. In 1939–42, the Secretary of Agriculture operated a food stamp plan under the authorization of Section 32 of the Agricultural Adjustment Act of 1933, as amended, and this authority has not been revoked by Congress. It is believed that this precedent and the legislative authority cited are sufficient to permit the operation of a food stamp or some other expanded domestic food distribution program. Funds available in the fiscal year 1961 for all programs under section 32 are estimated to be approximately $618 million.

The Senator from Minnesota does not need to remind his colleagues that the Secretary of Agriculture has unyieldingly opposed the use of his authority to expand welfare distribution of Government-owned commodities.

There are other laws on the books which, if used in good faith by a Secretary of Agriculture whose true goal was to help farmers attain a parity of income, would have prevented the steady decline in net farm income which farmers have suffered in these last few years.

This is the reason that I have today introduced this resolution asking that—

The President and the Secretary of Agriculture should exercise the legislative authority presently vested in them by law so as to reverse the steady and continuing decline of the net farm income of the American family farmer.

I ask unanimous consent that the text of the resolution I have sent to the desk be printed in full at the conclusion of my remarks.

The concurrent resolution (S. Con. Res. 117) was referred to the Committee on Agriculture and Forestry, as follows:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the President and the Secretary of Agriculture should exercise the legislative authority presently vested in them by law so as to reverse the steady and continuing decline of the net farm income of the American family farmer and to provide him with immediate assistance to help raise the level of his income to a parity equal to that of other segments of the economy. The following actions should be taken immediately toward accomplishing the foregoing:

(1) Restore, to the extent not inconsistent with existing law, the level of price supports on basic agricultural commodities (other than tobacco) and on milk and butterfat, and the products of milk and butterfat, to the level at which price supports for such commodities were effectively established for the year 1956.

(2) Reduce the rate of interest charged on, and liberalize the terms and conditions of, loans made under laws administered by the Farmers Home Administration so that such loans will be within the financial means of all farmers operating family sized farms.

(3) Fully implement the provisions of Public Law 480, Eighty-third Congress, sometimes referred to as the food-for-peace program, particularly title IV thereof, which authorizes the President to make long-term low-interest-rate credit available to friendly nations to purchase surplus agricultural commodities from the United States for the purpose of promoting the economic development of such nations.

Mr. HUMPHREY. Mr. President, I am convinced that with a systematic, conscientious, persevering, dedicated effort on the part of the officials of the Department of Agriculture, the downward trend in agricultural commodities can be reversed and that the price trend can start up the economic ladder again. I am convinced that under the existing authority of the Commodity Credit Corporation charter and the Farmers Home Administration that we can do much to improve the economic situation of American agriculture. I have examined this subject very carefully. The lawyers have examined it. There is no doubt that there is adequate authority under the food stamp plan that was adopted a year ago and under section 32 authorization for a broad distribution program of surplus agricultural commodities and other commodities that are not in the possession of the Commodity Credit Corporation. Section 32 funds can be used to make purchases of commodities other than those owned by the Commodity Credit Corporation, and there is ample authority under the Bankhead-Jones Act and under the agricultural conservation practices program, which is the cost-sharing plan of the Department of Agriculture, for farmers to retire vast areas of land that should be retired and under the Bankhead-Jones Farm Tenant Act, to retire submarginal lands where those lands are not being properly used.

When I hear of land retirement as a new program, I say that the authority is already there for land retirement and the money is there. When I hear of a request for broader use of surplus commodities proposed as a new program, I say the authority is already on the statute books, but it has not been used. Moreover, the money is there. There is over $400 million of unused money in section 32. There was money authorized and appropriated for the surplus under the food stamp plan which was authorized by the Congress and is public law. I was the author of that plan.

There is adequate money, at least, to expand our present program of conservation, particularly of margin lands.

There is authority under the Farmers Home Administration, if it is properly administered, to extend even greater credit to family farmers.

The Senator from Minnesota makes these comments because it is not right to say that all that is wrong with agriculture is the law, and that some of the laws that we have on the statute books are inadequate. Many of them need to be modernized and brought up to date in terms of the technological and scientific impact upon agriculture. Many of our laws need to be brought up to date in terms of the credit requirements of modern agriculture. But the greatest failure in Government agriculture today on the Government level is in the administration and management of the statutes that are public law as of now.

This is our greatest weakness. I wish to say to all of my colleagues who live in areas where there is distress among people, where there are people who have inadequate diets, that there is plenty of law—all the authority that anybody could ever want—to take care of those needy people and to utilize not only surplus foods, but to use section 32 funds to purchase additional foods that are not in what are called surplus commodity credit ownership.

I recognize that this is late in the session. The purpose of the resolution is to call upon the President and the Secretary of Agriculture to do what they ought to be doing anyhow.

I repeat that we do not need any new law to revise the price support structure The flexibility in the current law permits the President of the United States and the Secretary of Agriculture to raise the price support levels to the 1956 levels. The law is on the statute books. It is sufficient, with the exception, as I have pointed out, in the instance of corn, which is under a new program, specifically legislated on the basis of a fixed price support, with no control. It is a legislative fiasco, a terrible program, which has been costly to the Treasury and to the farmer. However, authority for the other commodities is already on the statute books.

I appeal to the Secretary of Agriculture to use his authority. I know that if he uses it now some people will say it is only because there is an election coming. Be that as it may, I am of the opinion that farmers are entitled to a couple of months of fair treatment. In fact, they are entitled to it all the time.

Authority exists in the law to help our dairy farmers. I am going to direct a letter to the Secretary of Agriculture today, calling for a hearing on the parity

formula which is being used for price support purposes on dairy products. I charge on the floor of the Senate that that formula is being misused in the State of Minnesota, whose farmers, on the basis of an analysis from the standpoint of the economic and legal point of view, are denied approximately 10 points by the Department of Agriculture on the parity yardstick. Instead of getting 75 percent of parity for our milk, we are getting less than 65 percent of parity. We will insist that our farmers be given an opportunity to be heard. We want an opportunity for our experts to appear at the administrative hearing and to testify.

These are matters which are clearly within the realm of current law, and clearly within the jurisdiction of the designated officials of the Department of Agriculture.

All we need do is remember the old axiom: Where there is a will, there is a way. If there is a will, Mr. President, there is a way to do something to help these people in rural America, something that will help them in connection with the prices they receive for their commodities, to help them get the kind of help they sorely need.

Present law permits a sensible conservation program, not one that takes whole farms out of production, and whole areas out of production, but a sensible conservation program. I am hopeful that we will see that it is done.

I wish to express my thanks and appreciation to the distinguished Senator from Louisiana [Mr. LONG] for his kindness and thoughtfulness in permitting me to make this statement. I might add to the Senator that I have been pleased with his splendid contribution today in the discussion of the pending bill.

I have one final item, Mr. President.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. HUMPHREY. Of course I yield.

Mr. LONG of Louisiana. I should like to ask unanimous consent that when the Senator has concluded his next statement, without prejudice to my right to the floor, he may yield to the Senator from Oregon [Mr. MORSE] for a brief statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE SOVIET EDUCATION CHALLENGE

Mr. HUMPHREY. Mr. President, I have tried during the past 3 weeks to bring to the attention of Senators certain developments on the international scene which I thought worthy of their attention. First, I addressed myself to the subject matter of Communist propaganda in Latin America and Africa.

My remarks have been substantiated and, in fact, given witness again and again in the press. I can honestly say that in my research on the subject I underestimated the impact and the intensity and the quantity of Communist propaganda in the Latin American and African areas.

Secondly, Senators may recall that I brought to the attention of the Senate what I thought were frictions and tensions developing between the two Communist giants, the Soviet Union and Communist China. The evidence today is even more convincing than it was in the past week.

Now I wish to make a third and final observation on the Communist challenge. I have already spoken on the Communist economic challenge, the Communist foreign policy and military challenge, the Communist propaganda challenge, and on the frictions which have developed in the Communist empire.

Today I would speak briefly on the Communist educational challenge.

This country faces a challenge greater than Soviet moon missiles or Soviet propaganda or Soviet insults on the diplomatic scene.

The real threat to America's world leadership comes not from Soviet rockets, but from Soviet schools. The success of Communist conquest is pegged to the progress achieved by Soviet education. This is the new Soviet power.

The Presiding Officer, the Senator from Wyoming [Mr. MCGEE] is a distinguished educator who has studied the subject and has viewed it as an intelligent observer and commentator.

Thoughtful Americans are concerned about the missile gap—the space race gap—the lag in our capacity for limited war—the lag in our rate of economic growth compared to Soviet industrial growth.

I am concerned about these problems—but I am even more concerned about the education gap.

Soviet Russia is spending 7 or 8 percent of its gross national product on education. This is twice as much as the percentage we in the United States are spending on education—although the actual amount of money spent is about the same in the Soviet Union and the United States.

It comes down to this—a country which is less than half as rich as ours is spending just as much on education as we do.

Soviet Russia is busy building up a tremendous stockpile of human resources, a stockpile of brainpower that challenges us more than any Soviet stockpile of fissionable material for atomic power.

Let us take a look at some of the Soviet accomplishments in the field of education.

Before the Communist Revolution in 1917, Russia was 75 percent illiterate. In the central Asian parts of Russia, only 3 out of every 100 people could read or write. Today, illiteracy is almost completely wiped out. This is a prodigious accomplishment—and we will be seeing its effects for many years to come.

Let us take another measure of accomplishment.

In this country we are struggling to achieve and maintain a student-teacher ratio of 30 to 1. Yet the Soviet Union has reported that they have achieved a student-teacher ratio of 17 to 1.

Now I take the Soviet statistics with several grains of salt—but we would be very foolish to dismiss these figures as inflated boasting.

If you wonder why there is no teacher shortage in Russia, I can give two simple reasons—money and prestige.

Compared to American teachers, the Russian teacher is poorly paid. But the beginning teacher in Russia often earns as much as beginning doctors and engineers. Furthermore, the teaching profession is highly respected by the Russian people. There is so much competition to attend teachers' institutes that only one out of five applicants can be accepted. That situation does not prevail in this country. Top Soviet professors get salaries equivalent to $35,000 or $40,000 a year, plus rent and tax concessions. The highest paid man in the entire Soviet Union is the head of the University of Moscow. The American people ought to know what that means. The next highest paid is the chairman of the Soviet Academy of Science. The highest paid man is not some vaudeville performer or someone who came out with the latest consumer gadget, but, rather, the highest paid man in the entire Soviet Union is the chief educator of the University of Moscow.

Is it so surprising that the Soviet Union threatens to outperform us in scientific and technological progress?

There are twice as many science teachers in the Soviet Union as there are in the United States.

And 12,000 of America's 23,000 high schools do not even offer a course in physics to their students. Think of that—students in more than half of our high schools do not have a chance to study this basic science.

Only 2 percent of all American high school graduates are prepared to take the advanced physics test of the College Board—and this is the test that is roughly equivalent to the physics test required of all Russian high school students.

Adm. Hyman Rickover has warned us that Russian secondary school graduates are 2 years ahead of our high school graduates who have taken a college preparatory course.

I am aware of the changes now under way in secondary school teaching of physics and mathematics in the United States, and I applaud and support these efforts. Ever since the Russians zoomed into outer space with their first sputnik—and followed it up with a moon missile—the spotlight has been focused on our deficiencies and lags in science and mathematics. And I say rightly so. We have made considerable progress, but much remains to be done.

Soviet Russia now has a manpower reserve of 974,000 professional engineer graduates—or one-third more than we have in the United States. Furthermore, they expect an annual increase of 125,000 in the next 5 years. This is three times as many engineers as we expect to add to our supply of engineers.

Think of what this education gap will mean 10 or 20 years from now. To whom will the emerging nations of Asia,

Africa, and Latin America look for scientific and technological leadership and assistance?

The education gap is bad now. It will get worse steadily unless we take very decisive steps to change our aimless, careless attitude toward education in America.

Our shortcomings in the social sciences, the humanities, and foreign languages are just as shocking as our lag in science and engineering.

Every high school graduate in Russia has studied a second language for 6 years. Only 15 percent of America's high school students study a foreign language, and many of these study the foreign language for only 2 years. There are 10 million Russians studying English—and only 10,000 Americans studying Russian.

Or take ancient history. Less than 1 percent of our high school students study ancient history which many educators consider essential for an understanding of modern history—including American history.

Russian students get a thorough indoctrination in Marxism and Leninism. How do we expect our young people to understand the great traditions and principles of freedom and democracy if they do not even have a nodding acquaintance with Athenian democracy or our wonderful Judeo-Christian heritage?

I have no patience with people who say we should imitate the Russians. Our educational system must reflect our own national character, our own problems, our own purposes, our own hopes and aspirations. We must not imitate the Russians—but, where we can, we should learn from them.

And most important, we must recognize that Soviet education does indeed challenge our position as leader of the free world. If we ignore this challenge, we must eventually accept second-class status in world affairs. Yes, Soviet education, if unchallenged, can make the United States a second-class power in 10 years.

Now I do not want to let anyone think that education in America is no good. It is good. Our teachers are competent, self-sacrificing, and dedicated. And there is a tremendous difference between an educated man in a free society and an educated man in a slave society. This is where we have it all over the Russians. They are not even in the same race.

The Soviet Union does not educate people in the sense that we educate Americans. They train people.

They do not educate economists. They train economic technicians. They do not educate people to be creative writers. They train literary technicians.

In short, the Soviet system is not designed to produce scientific originality or creative work in the humanities. Students in Russia are not encouraged to think for themselves. They are expected to give back a canned reply.

I might add, however, that as Soviet education progresses, the expectation that Russians will give back merely canned replies and will act only as technicians is not always fulfilled. There are Russians today, students in the Soviet Union, who are beginning to think for themselves. That is a very heartening sign.

In America we educate for freedom. In Russia they are training people for service to an all-powerful state.

They want engineers and scientists. We, too, want engineers and scientists—but we also want philosophers and poets, historians and theologians, and all the other people whose creative freedom and originality give meaning to the democratic way of life.

We are going to need all the brainpower we can muster in the years ahead if we are to meet the challenge of Soviet competition.

Yet half of the top 5 percent of our high school graduates never go to college. Right now we are wasting priceless brainpower that we will need desperately in the coming decade.

Yes, brainpower is our most valuable resource and we should be developing it up to the very limit of our capacities. We should be investing more money in schools, more money for teachers' salaries, more money for college scholarships, more money for college dormitories, libraries and laboratories.

I have sponsored and worked for legislation to carry out these purposes and I am very disappointed that the adjournment of Congress is approaching without final action on any of these vitally important proposals.

It is false economy to shortchange America's young people in education.

It is first-rate foolishness to give our boys and girls a second-rate education in a world of highly competitive coexistence.

It is a national scandal that we spend more on alcohol and tobacco than we spend on all elementary and secondary education put together.

We spend three times as much for advertising as we do for higher education.

Many thoughtful observers of the American political drama and international affairs have warned that we must invest more heavily in the vital, too long neglected public services of the United States—or else we will end up playing second fiddle to the Sino-Soviet world with its vast population and industrial potential.

No investment pays off so well—no investment pays off so surely—as the dollars we put into education.

We spend millions of dollars on military projects which have less than a 50–50 chance of success. Millions of dollars go down the drain every time we have a fizzle or a flop at Cape Canaveral.

But education is an investment where we know every dollar spent will help our youngsters and help our country.

We are engaged in a long, hard competition with a Communist empire which is fully aware of the value of education—and is investing heavily in education. Are we so careless and lazy that we will ignore the challenge of Soviet education?

We cannot afford to be careless. We cannot afford to be lazy, for a lazy democracy is a dying democracy.

Our free society can meet the challenge of Soviet education. We have a society that is open to change and improvement. And I believe that the American people will respond with vigor and determination when they understand just what kind of challenge we face in the years ahead.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled, "Russia's Real Threat to United States Is in Education, Not Rockets," written by Vice Adm. H. G. Rickover, and published in the St. Paul Sunday Pioneer Press of August 21, 1960.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the St. Paul Sunday Pioneer Press, Aug. 21, 1960]

RUSSIA'S REAL THREAT TO UNITED STATES IS IN EDUCATION, NOT ROCKETS

(By Vice Adm. H. G. Rickover)

WASHINGTON.—We and we alone among all modern democracies have devalued our educational currency.

We have downgraded the high school diploma to a point where it does not even promise competence in elementary subjects. Witness the many college freshmen who have to take remedial courses in reading, writing, and arithmetic. Abroad these courses are mastered in the first 8 years of schooling.

Russia's real threat to us will come through their educational and not through their military processes. Military systems and techniques are transitory—they now change every few years. An intelligent and well-educated body of citizens is something you will have forever.

This is where the Russians are smarter than we. They have recognized the full value of a good education and they are hellbent on giving it to as many of their youngsters as they can coax into taking it.

This is about the best comparison I can make: Almost half of Russia's children, graduating at 17 after but 10 years of schooling, do as well—by the record—as many of our children after 14 years of schooling, 2 of them in college.

Neither I nor other critics have ever recommended that we take over the Russian educational system. We do urge that we consider Russian education achievements as the minimum standard for our own educational objectives.

We warn it would be suicidal if we allowed scholastic levels in our schools permanently to drop below this minimum standard. We flatly reject the claim that since ours is mass education it must, therefore, be mediocre, or that democratic education can never be as good as education in an authoritarian state.

What I have said about Russia applies even more so to the Western European nations.

Abroad, a liberal education comparing favorably with what Americans acquire in 16 years of school and college takes from 12 to 13 years. Europeans are by that much ahead of Americans when they begin to study for a "learned" profession, such as medicine or law.

I find it personally humiliating that most European universities demand a bachelor of arts degree of Americans wishing to matriculate, while they admit all Europeans with a "maturity" certificate which is obtained at the end of the higher secondary school. This school achieves these superior results through

better teaching, better curriculum, much tougher classroom work and homework, and early separating of the talented child from the average.

We seem bemused by the claims of the educationists that it is "undemocratic" for other Western nations to separate their children after elementary school, and to put them into different types of secondary schools according to their mental abilities and vocational aims.

We do not say it is "undemocratic" that nurses go to nursing school and doctors to medical school, and that each obtains a different diploma. Nor do we send enlisted personnel to the same schools as officers.

Why do we get angry at Europeans for weeding out the dullards from the talented children and sending them to separate secondary schools?

What good would it do the dullards to be admitted to a school where they would just sit around and understand nothing? What does it benefit them to be given diplomas which stand for nothing but a given number of hours spent at a school desk?

What is democratic about penalizing God-given talent by letting it go to waste so average children won't feel a sense of inferiority?

It may be beguiling in theory to think of all our children going to school together. But will it really serve their best interests to send them to schools where the child with an IQ of 70 sits beside one with an IQ of 170, and where the morally weak child freely associates with the child who has been carefully raised to distinguish right from wrong and to conduct himself responsibly?

This makes no sense to me. Obviously, no child will receive an education best suited to his abilities and vocational aims in such a school; nor will the bright child develop admiration and respect for the dullard, or the potential young delinquent profit from associating with well-brought-up children.

It is far more likely the dullard will be frustrated, the bright child bored, the average child never challenged mentally, the good child corrupted by the young ne'er-do-well, and everyone's manners and mores downgraded to a dead level of mediocrity.

Do we want the services of doctors, lawyers, engineers and other professionals? Well, we won't get them unless we provide a proper schooling for those of our children who are willing and able to become professionals.

To say this is advocating that only an "elite" shall be well educated while the rest of our children receive an inferior education, making them forever hewers of wood and carriers of water, is highly irresponsible demagogery.

To me there is nothing more important than to change our educational system in such a manner that it will provide the best possible education for every child: Slow, average, and talented.

At present, few get a really good public education.

Improving our schools will be no easy matter. But the dollars you spend on education are the cheapest dollars you can spend, even if some of them are wasted. They are by far the cheapest dollars, and they give the greatest return.

There is much evidence, however, that the education dollar buys less really good schooling in the United States than in any other country in the world. I am sure we could make great improvements simply by spending more wisely and efficiently the funds we now have. But money alone won't do it. It will also require much thought and effort.

As an engineer, I would say the first thing we must do is set up specifications: What we want our high school graduates to know when they finish at the age of 18. The minute you do that, you put courses in etiquette and baton twirling in their proper place; you begin to see that perhaps you ought not to pay an athletic coach a higher salary than a teacher of trigonometry.

We allow ourselves to be frightened by arguments that setting national standards would mean Federal tyranny over education. In view of our professed fear of the Federal Government, we could not at the present time set up compulsory national standards.

But there is nothing in our form of government to prevent Congress from setting up some sort of commission or council and giving it the task of working out different sets of educational goals for our public schools.

The schools could disregard them if they so wished, and if the parents in the community did not force them to pay attention. But, by having a national set of standards, everyone could judge where the local school stood.

We could get a statement of policy: "This is what we think is a good education." Such a statement would give the parents a yardstick by which to measure what their children should learn and have learned in school.

Isn't the honest labeling or educational diplomas as important as the honest labeling of drugs? We regulate what goes into people's mouths, why can't we even recommend what goes into their heads?

This would give an enormous advantage to parents who are really interested in having their children "educated" in contrast to having them merely "trained."

The distinction between education and training is not thoroughly understood. When you teach a boy how to operate a lathe you are training him, you are not educating him. Training does not develop the mind. Education is a process by which the mind is developed.

It is in education—that is, in transmitting the fundamentals of knowledge, in developing the ability to think—that we fall down. Too much of our so-called education is mere training in various kinds of know-how.

In the United States it is quite possible that, left to his own devices, a potentially talented child may squander his best learning years on easy know-how courses which require no homework but which earn him the same credit toward a high school diploma as academic subjects. But in Russia, since all children tackle academic subjects, anyone who shows promise in one or another area of knowledge will be discovered early.

To allow a child to choose typewriting instead of physics, or machine shop instead of history or a foreign language, is to let a minor make a decision which will affect the whole course of his future life, a decision he is too young to make intelligently.

Frills, know-how subjects and snap courses may seem agreeable to our children today, but they shortchange the children for the future. They will have to live in a world where other people are better educated than they. The world outside the United States is being transformed so rapidly and so completely that we cannot afford to stand still.

In their enthusiasm for gigantic schools and democratic togetherness, American educationists overlook the difficulty of conducting under the same roof such varied enterprises as life adjustment training, leisure-time activities, vocational training and serious basic education—especially when the choice lies with the child as to which course he will take.

How can we expect children to choose higher mathematics when their classmates are having fun learning how to play canasta, cook, or find a mate? Why should an eighth grader tackle a hard subject when next door the kids are happily whizzing through a course in "home and family living"? Why should he take tough examinations, when others get promoted on the basis of true-false tests posing such "difficult" problems as "should boys use deodorants?" or "can one use cake soap for shampooing?"

In other modern democracies, vocational subjects are to some slight extent taught in the schools attended by children who are not academically talented, but they are never considered a substitute for general education. In this country we stop teaching basic subjects to slow learners too soon, we shift them too early from education into training.

What has happened in America is that many parents have abdicated their responsibilities and have let the schools assume them. The progressive educationists have been more than willing to take over these responsibilities. * * *

To become educated takes sustained effort, hard work, excellent instruction by teachers who themsleves are excellently educated and who know their subjects thoroughly.

In my opinion we are not adequately planning for the future. Education must be given priority in our scheme of things. It takes a long time to produce highly educated men and women. If we don't take steps now to make sure we do this through our educational system, we will inevitably be passed by the Russians.

American educationists keep assuring us that our schools "are the best in the world." The evidence at hand shows all too clearly that this is an illusion. Nothing prevents us from changing this illusion into a reality.

NOTICE BY SENATOR MORSE OF INTENTION TO CALL UP CERTAIN BILLS

Mr. MORSE. Mr. President, for the information of the Senator from Kentucky, the majority leader advises me that after the yea-and-nay vote on the pending matter, it will be possible to take up Calendar No. 1894, S. 3324, to authorize and direct the Secretary of the Army to convey part of lock and dam No. 10, Kentucky River, Madison County, Ky., to the Pioneer National Monument Association for use as part of a historic site, a bill to which I objected on the call of the calendar the other day because it violates the Morse formula. The Senator from Kentucky has worked out with his constituents an acceptance of the Morse formula. I desire to have the Senator from Kentucky know that later this evening I shall ask that that bill be called up.

Mr. President, on behalf of the Committee on the District of Columbia, I shall ask for the consideration of the House amendment to S. 3648, and also S. 1870, which the chairman of the Committee on the District of Columbia has asked me to present before the Senate recesses tonight.

WITHHOLDING BY FEDERAL AGENCIES OF MUNICIPAL WAGE TAXES

Mr. CLARK. Mr. President, will the Senator from Louisiana yield briefly to me, with the understanding that he will not lose the floor?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may yield to the Senator from Pennsylvania without prejudicing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, Calendar Order No. 1979, H.R. 7885, relates to the

income tax treatment of nonrefundable capital contributions to the Federal National Mortgage Association.

That title for the bill is a great misnomer, because actually the bill is a kind of hodgepodge omnibus tax bill containing 8 or 10 sections, which amends, in a great many different respects, the Internal Revenue Code.

I assume that at some time before adjournment that bill will be called up by a member of the Committee on Finance for action by the Senate. When it is called up, I intend to sponsor an amendment, which I have sent to the desk and have asked to have printed, to include one more House bill in this sort of omnibus minor tax bill. The amendment which I shall propose is a House bill, slightly modified, which would permit Federal agencies to deduct municipal wage taxes from employees of such Federal agencies who work within a municipality which levies a wage tax. This reciprocity is already extended by existing law with respect to State income taxes. It seems only equitable that the same privilege should be extended to municipal wage taxes.

I hope Senators will support my amendment.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement in support of my amendment to H.R. 7885.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CLARK

The Clark amendment to H.R. 7855 would amend the act of July 17, 1952, by authorizing the Federal Government to withhold amounts due for city wage taxes from wage and salary payments to Federal employees working at Federal installations in cities with more than 75,000 inhabitants in which such taxes are imposed. Fifteen cities in the States of Pennsylvania, Ohio, Missouri, and Kentucky would be assisted materially in their tax enforcement problems by passage of the amendment. The 1952 act already authorizes Federal withholding for amounts due for State income taxes.

The Clark amendment is identical to the bill (S. 2551) which was sponsored by Senators CLARK, SYMINGTON, LAUSCHE, SCOTT, HENNINGS, and YOUNG of Ohio. The administration has expressed support for S. 2551. The Treasury Department in a letter from Acting Secretary Fred C. Scribner, Jr., to the chairman of the Senate Finance Committee, dated October 30, 1959, stated that it "favors enactment of S. 2551," and Mr. Phillip S. Hughes of the Budget Bureau in a letter to the chairman, dated September 8, 1959, stated that "the Bureau of the Budget favors the basic principle of this measure (S. 2551) to permit withholding of Federal employees' income by cities of over 75,000 population as recorded in the last decennial census. In consequence, we would not be opposed to enactment of this legislation."

A bill (H.R. 3151), identical to the Clark amendment, was reported (H. Rept. 872) unanimously by the House Ways and Means Committee on August 11, 1959, and the bill was passed on by the House of Representatives on February 17, 1960, after the adoption of two amendments during floor debate. The floor amendments brought within the coverage of the act (1) cities with more than 50,000 population in which wage taxes are levied; and (2) Federal installations within 5 miles of the city limits of qualifying cities.

In a letter to the chairman of the Committee on Finance dated April 19, 1960, however, Jay W. Glassman, Assistant to the Secretary of the Treasury, stated that the Treasury Department was opposed to the floor amendments added to the House bill and to avoid the possibility of a veto the latter provisions were not included in the pending amendment.

The Finance Committee held public hearings on H.R. 3151 on June 17, 1960, and support for the bill was expressed by the American Municipal Association, the League of Virginia Municipalities, and representatives of cities and States where municipal wage taxes exist. The only opposition to the measure came from representatives of out-of-State or nonresident Federal employees who are required to pay city wage taxes under existing law because they work in municipalities levying such taxes.

The Clark amendment should be supported for the following reasons:

1. The bill imposes no new taxes. Only those taxes which are already legally due to the cities imposing the wage taxes would be withheld.

2. The courts have held many times that nonresidents, whether or not they live in another State, must pay wage taxes to communities in which they work, where they receive certain municipal benefits on an equal basis with residents.

3. Cities withhold Federal taxes from the payrolls of city employees. Federal withholding of city wage taxes should be authorized simply on the basis of reciprocity. Withholding would cost the Federal Government, which already makes several payroll deductions by machine, virtually nothing.

4. The cities would save large sums now spent in enforcement efforts by passage of H.R. 3151, and the Federal employees would be saved the inconvenience and cost and distress of having such enforcement measures taken against them.

5. Municipalities withhold Federal income taxes from wage and salary payments to city employees. The Federal Government should withhold city wage taxes as a matter of reciprocity.

PROPOSED CONSIDERATION OF WAR CLAIMS BILLS

Mr. KEATING. Mr. President, will the Senator from Louisiana yield, with the understanding that he will not lose the floor?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that, without prejudicing my right to the floor, I may yield temporarily to the Senator from New York for certain routine business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KEATING. Mr. President, it is my earnest hope that early next week the majority leader will call up for Senate consideration a series of war claims bills which were ordered favorably reported by the Committee on the Judiciary at its last meeting.

The principal bill in this group of bills is H.R. 2485. The bill is designed to provide relief for Americans who suffered war damage more than 14 years ago. Unfortunately, a majority of the committee have approached this subject with such reluctance and so many reservations that the bill in its present form is inadequate in several important respects.

It is extremely regrettable that a measure which is so long overdue and which is of such outstanding merit, should be marred by the glaring defects from which the committee-reported bill suffers.

I am now in the process of circulating supplemental views on this measure, and in them I have outlined in some detail a number of amendments which I believe are essential if this bill is to fulfill its commendable purposes.

I hope and expect that a number of my colleagues on the Judiciary Committee will join in these supplemental views, either wholly or in part. But no matter what happens in committee, I intend to give the Senate an opportunity, when this measure is called up, to express its will on the proposals at issue.

Chief among these is whether Americans who have become citizens since World War II should be excluded from benefits provided by this legislation. In my opinion, such exclusion is discriminatory. It is based on a concept of second-class citizenship which I find abhorrent. This should be corrected if in this legislation we are to deal equitably with all Americans.

Another major failing of the bill as reported by the committee is that it deletes the provisions for payment of any claims adjudicated thereunder.

This matter has been the subject of a great deal of comment, Mr. President. This omission has been aptly referred to as a "joker," but the humor is likely to be lost on the claimants. We have to face the fact that there are only two sources for payment of claims under this program. One is the U.S. Treasury, which gets all its resources from the American taxpayers; and the other is the present funds which Germany and Japan agreed, after the war, we could retain in lieu of reparations, and which are already on hand. I do not know of any reason why the American taxpayers should be expected to shoulder the burden of this program. In my opinion, restoration of the payment provisions of the committee bill is essential.

I also believe that we should add to this bill a provision to permit the disposition of vested assets still in Government hands as a result of interminable litigation. Under the amendment I have proposed for this purpose, the rights of any successful litigants would be fully protected, and at the same time the Government could get out of the business of running purely commercial enterprises.

Mr. President, this amendment is supported, curiously enough, by the chamber of commerce, by all the labor unions, by all the citizens of the communities affected, and by everyone else concerned.

Finally, I believe the bill should be amended so as to include payment for reparations losses sustained by American citizens as a direct result of postwar agreements.

Mr. President, ever since I was assigned to the Subcommittee on Trading With the Enemy Act Legislation, I have been working diligently to prod a war claims bill out of that subcommittee and,

subsequently, out of the full committee. As I indicated at the beginning of my remarks, the bill we finally got out is highly unsatisfactory, although I am delighted that finally we shall have an opportunity—if the majority leader schedules these bills for action, as I implore him to do—to complete our action on the necessary legislation before another session ends. It would be unforgivable if we did not take an extra day or two, if necessary—after asking our fellow Americans to wait 14 years for relief—to wind up this problem, on which so much progress has been made during this session. We are nearing a resolution of this perplexing problem. Abandonment of all our efforts at this stage would simply mean that we would have to start all over again in 1961.

TIMELY ADDRESS ON COMMUNIST MENACE

Mr. KEATING. Mr. President, it has long been my profound conviction that the awesome reality of the Communist design for world conquest has been grasped only partially by the citizens of our Nation.

In great part, I believe, this lack of awareness is based on a kind of intellectual lethargy which disinclines people to look into the face of danger, or even to admit to themselves that their freedom is vulnerable to diminution or loss by the action of a massive world conspiracy. In view of this alarming mental and spiritual unpreparedness for a struggle in which we are actually engaged, I should like to commend most warmly the Director of our Central Intelligence Agency, the Honorable Allen W. Dulles, for his recent speech before the convention of the Veterans of Foreign Wars in Detroit, Mich.

The theme of his outstandingly fine and timely speech was precisely the "know thine enemy" admonition which constitutes the basic and indispensable first line of defense for human freedom. Because of its critical significance for our Nation and our times, I ask unanimous consent that Mr. Dulles' notable address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY ALLEN W. DULLES, DIRECTOR OF CENTRAL INTELLIGENCE TO THE VETERANS OF FOREIGN WARS, DETROIT, MICH., AUGUST 22, 1960

I am deeply grateful to you for your action in awarding to me the Veterans of Foreign Wars—Bernard Baruch Gold Medal, an award given because you have judged that the recipient has made a contribution to world peace and to American security.

As a young man at the Paris Peace Conference of 1919, over 40 years ago, I had my first opportunity to know and to appreciate Bernard Baruch, an American who himself over the years has made an outstanding contribution to these great aims. I feel honored to be among the privileged few to whom you have given this award which bears the name of your organization and that of Bernard Baruch whom we salute as he passes his 90th birthday.

The Veterans of Foreign Wars have worked for more than 50 years in promoting patriotic objectives and in extending the institutions of American freedom. It is natural that you should devote special attention to the twin objectives of world peace and American security.

In your announcement of this evening's meeting and of your speaker tonight, you describe me as a man who knows more about Communist techniques and intrigue than any man in the world.

This is a bold assertion. It would be immodest to me to claim that it is true.

But I do admit that I have devoted many years of my life to the study of Communist theory and practice, and during the last 10 years since I have been with the Central Intelligence Agency, a mountain of hard evidence on Communist intrigue has passed over my desk.

The Communists have a blueprint for conquest. It is not a rigid plan detailing exactly when and where every nail will be driven. It is, rather, a flexible plan permitting the Communists to adjust realistically to changing conditions in the world. In any event, they think they know what the edifice of the future will look like. It is a Communist house in which they say our grandchildren will all live.

Their ambitions are not those inherited from the old czarist regime. They seek much more than access to warm water ports and to extend their national boundaries. They are aiming at nothing less than domination of the world.

The United States is today their major target. And yet, though I believe this is patently demonstrable, there is a dangerously complacent attitude among many people in our country. Too many, motivated by wishful thinking, grasp at every Soviet whim—their every call for coexistence, their grandiose and impracticable schemes for universal disarmament and emotional pleas to ban the bomb.

Too many jump to the conclusion that the Communist leaders have changed their spots, and that they really want to settle down to live in peace with us.

All our past relations with the Communists belie any such interpretation. Their plans, their statements, and their actions show that they have no real faith in coexistence.

It is well to look at the record.

The origins of the Communist movement go back to Marx and the "Manifesto" of 1848. But we have had only about 40 years' experience in a world where Communist principles controlled the actions of the leaders of a major power with great human and material resources.

Then for a decade or more after the Communist revolution of 1917, the power of the Soviet leaders was limited. They were occupied with consolidating the Communist position inside Russia itself and applying Communist theory to the practical task of ruling the peoples within the U.S.S.R. who have never been given the opportunity to choose for themselves.

I was a member of the American delegation to the Paris Conference in 1919 when the peace to end World War I was being negotiated. Then the Communist movement was regarded as a nuisance, but not as a serious threat outside of the borders of the U.S.S.R. Even then, however, Lenin was preaching the doctrine of worldwide communism. He predicted an eventual clash between the Communist world and the free world—or the capitalist world as he chose to call it—the eventual collapse of capitalism and the fratricidal struggles among capitalist countries.

The outbreak of World War II seemed to bear out the accuracy of this last prediction. However, the Soviet Union, despite its effort to stand aside, as, for example, through the disgraceful agreement with Hitler for the partition of Poland—was eventually attacked and drawn into the conflict.

Stalin sought and received the maximum of aid from us in the common fight against Hitler, but he never cooperated fully during World War II. As the war drew toward a close, Moscow's main preoccupation was preparing the ground for Communist takeover of the greatest possible areas in central Europe and in the Far East rather than in bringing the war to a quick conclusion.

The most tragic example of this was when Soviet armies sat idly by on the outskirts of Warsaw and allowed the bitter struggle between the Poles and the Nazi to decimate the leaders of the Polish resistance.

Communist actions in these closing days of the war revealed that they had not abandoned their long-term objectives. While this began to alert us to Communist objectives, we were still far too slow in realizing the full implications of their policy.

For the second time in recent history, we have had an antagonist tell us in advance both by word of mouth and by action what he proposes to do. Hitler in "Mein Kampf" gave the world a clear picture of his intentions. We paid little attention to it until too late and he had moved on to the attack.

We cannot afford to ignore the present and even more precise warnings which the Communists have been giving us.

Over the past 15 years since the end of World War II, we have had many an opportunity to learn the lessons of Communist purposes, particularly during the days which immediately preceded and followed the loss of mainland China to communism.

During these years Stalin's policy of military pressure and adventurism continued. He probed our resistance and our determination in Greece and Turkey and Iran, at Berlin during the days of the blockade and the airlift, and, in league with the Chinese Communists, in Korea. We held the line against this type of Communist attack, and we learned a great deal about Communist techniques.

Then, in 1955, Khrushchev took over the effective leadership of the Soviet Union. He had the same objectives, the same philosophy of the worldwide mission of communism as his predecessors, but he proposed different techniques to accomplish these objectives.

As soon as he had firmly consolidated his position, Khrushchev proceeded to denounce Stalin and all his works. He repudiated Stalinist methods and in effect asked the rest of the world to forget the tyranny and the cruelty of Stalin in domestic affairs and his aggressive foreign policy in threatening the free world from Berlin to Korea.

Khrushchev let his people know that he was shocked that, during a time when the United States had overwhelming superiority in nuclear power, Stalin had engaged in dangerous foreign adventures. In a thoroughgoing repudiation of Stalin's policies, Khrushchev tried to delude us into believing that a new era was at hand.

What are the basic elements of Khrushchev's present policy?

First of all, he proposes to build up Soviet military might based on ballistic missiles. His main target has always been the United States. Intercontinental missiles would give him an effective weapon for direct attack on the United States. During the missile buildup, he will maintain an intercontinental threat with his bomber forces.

Second, Khrushchev proposes to build up Soviet industry, the base of Soviet military power, by completing the ambitious 7-year plan which covers the period through 1965. This will still leave him well behind the United States in overall industrial production. But Khrushchev believes that he can devote to military and world power aims a far greater percentage of his industrial production than we are likely to do. He expects to satisfy his people with a far more modest share of the consumer goods and luxuries that have seemingly become for us

so essential a part of our own much higher living standard. Whether he will succeed in deluding his people, who today have far greater knowledge of the outside world than during Stalin's days, remains to be seen.

Third, he is supporting all elements of extreme, rabid nationalism in Asia, Africa, and Latin America. At the 21st Party Congress held in February 1959, as well-documented reports in our hands establish, the leaders of Communist Parties from these areas were specifically instructed to play down the link with Moscow and with the Communist movement and to stress nationalism and hostility to the nations of the non-Communist bloc, the United States in particular. He is working for chaos in countries from Cuba to the Congo. And chaos breeds communism.

Fourth, he is targeting economic and technical aid to certain critical countries in Asia, Africa and Latin America where the Communists believe they can make the most headway.

Fifth, Khrushchev has put into high gear his worldwide subversive apparatus consisting of local Communist parties, underground and overt Communist fronts, and all the espionage and agitprop assets of Moscow and its satellite allies. This apparatus is very active today from Cuba to central Africa and to southeast Asia, and indeed throughout the world.

Sixth. Khrushchev is directing the greatest propaganda machine the world has ever known. One voice of Moscow goes abroad to try to seduce the newly emerging countries by citing the Soviet example of rapid industrial and military growth and of the aid which awaits them if they turn to Moscow. Behind the Iron Curtain, quite another voice is aimed at the people of the Communist bloc to reassure them that all is going well.

And seventh, the Kremlin is jealously guarding the physical security of great areas of the Soviet Union where it is building up in secrecy its formidable military weapons. The Soviets have repeatedly refused to accept a meaningful form of inspection, the best guarantee that disarmament can be honest.

To protect their security the spy phobia is being exploited by the Soviets with attacks on our planes and harassments of our tourists. Well-publicized trials and the imprisonment of our RB–47 airmen are all calculated in Khrushchev's view to bring pressures to bear to help preserve the secrecy of military preparations.

By these tactics Khrushchev hopes to prevent the free world from gaining the knowledge which may be essential to our own security. Behind this shield, rejecting the President's proposals for adequate inspection and open skies, the Kremlin believes that it is free to prepare for a surprise attack on the free world in relative security.

This, in brief, is Khrushchev's program. It is vigorously supported by Communist China despite growing ideological differences and political disputes between the two on the home front. These are the tactics which Khrushchev is using to help along what he describes as the inevitable trend of history; the victory of communism.

This is how he explained his often-quoted phrase, "We will bury you," when he was talking to the National Press Club in Washington last September.

"Social systems change as society develops.

"There was the feudal system. It was superseded by capitalism.

"Capitalism was more progressive than feudalism. Capitalism created better conditions than feudalism for the development of the productive forces.

"But capitalism engendered irreconcilable contradictions.

"Every system gives birth to its successors. Capitalism, as Marx, Engels, and Lenin have proved, will be succeeded by communism."

In saying this, Khrushchev would have us believe that this evolution to communism will be a peaceful, painless process if only we will let him carry out his many-sided program to "bury us."

I am convinced that we can do far more to meet the threat if the people of this country truly understand the nature and purpose of communism, its objectives, and the means the Communst leaders are using to accomplish their aims.

For too long, and by too many, subversive communism has been viewed as just another international danger like those which we have faced before from the ambitions of malevolent dictators or the thrusts for power by foreign potentates and rulers. We have assumed that if we remain strong at home, the danger will in time disappear.

We are still too prone to believe that the Communist movement is no more than an international conspiracy of evil men, interested solely in their own power. If this were true, I should feel more easy in my mind. A conspiracy can be defeated by effective police work. The citizen understands this, and will support it.

But the situation is not that simple. The threat is far greater, and the defense far more difficult.

The threat is greater, first, because many Communists are not mere conspirators but fanatically dedicated men. True, there are innumerable time-servers in the movement, and many who are corrupt, self-interested, or ineffective. True, also, there are indications that revolutionary fervor is diminishing in some important circles in the U.S.S.R., and giving way to more practical considerations.

Nevertheless, throughout the world there are still thousands of dangerously rabid Communists. Many of them believe that they are working for the progress of mankind, as they see it. Many of them, perhaps most of them, are willing to sacrifice themselves to the cause. They are ready to work and struggle with little material reward, and with comparatively little of the sense of power which their bosses may enjoy. Many of them are highly trained and extremely competent. We have to deal not with mere conspiracy, but with genuine revolutionary fervor.

These men disseminate ideas, and ideas must be met by sounder and more satisfying ideas, not merely by force.

The threat is greater than mere conspiracy, secondly, because the Communists seem to offer what much of the world—the underdeveloped world particularly—is striving for. The underdeveloped countries are seized with a passion for rapid economic growth and social advance.

We know from history, and from our own experience, that economic growth is not achieved easily. It involves discipline, self-sacrifice, and a great deal of hard work. The Soviets promise to deliver it on a platter.

Moreover, Communists know the techniques for enforcing the most ruthless discipline upon their own and other peoples. They are masters of organization. Also, as they have demonstrated their ability to achieve rapid economic growth, and quickly to develop national power, they can advertise their accomplishments. Peoples in the underdeveloped countries tend to see only the achievements of communism; they overlook its cost in terms of human dignity and political freedom.

If we could offer a prospect of economic development without pain or sacrifice, we should doubtless triumph fairly easily over the Communist adversary in underdeveloped countries. But we cannot do so. We know better than to try to do so. We refrain from making false promises. The Communists have no such inhibitions.

We as a people have never given to the study of communism, as I have described it, the depth and breadth of effort sufficient to understand it adequately and to gird to meet it. It cannot be done merely by the setting up of new machinery of government or the creating of a cold war executive, or such measures.

We need far and wide in this country more education on the whole history of the Communist movement.

In our schools and colleges we can find many courses in ancient history, in philosophy, courses on the great movements of the past, the conquests of ancient times from Alexander the Great to Napoleon. Courses on Communist theory and practices are few and far between.

Yet, today we are face to face with a revolution which since 1917 has absorbed almost a billion people; a movement which boasts blatantly and openly that it will destroy us and all the institutions which we hold essential to our freedom and to our growth, spiritually and materially.

There is a vast body of readily available and useful literature descriptive of Communist policies, ambitions and successes. Our press, radio and television are doing a fine job in current reporting and analysis. There are ample biographies of Communist leaders and plenty of case histories of their actions in Berlin, Korea, and Hungary. We know a great deal, and can tell a great deal, about the secret apparatus which has promoted its revolution.

By and large, however, in our educational institutions, except in the graduate field or in specialized schools and seminars, these subjects are not generally taught.

I have reviewed the curricula of many of our universities and colleges, and, despite a considerable advance in recent years, our students are not yet afforded a broad opportunity to gain the essential background knowledge of Communist history and policy. And we should start this education in our secondary schools.

It is only the very few who have read about Marx, the titular father of the system. Here was one of the meanest, least admirable characters in his relations with other human beings who ever existed. He was an unoriginal theoretical thinker. His economic writings were outmoded even when they appeared. Even the Communists themselves are beginning to admit that he is not a completely reliable guide for political action.

Such an educational program should not be approached in any spirit of propaganda or trying to make a case or sell a thesis. The history of the Communist movement should be taught objectively, recognizing, as appropriate, scientific, technical, and other accomplishments of the peoples who have been absorbed by it.

We should not be afraid to teach the subject. A history of communism and of all its works would bear its own indictment of the system.

Let the facts speak for themselves.

There is a real urgency to build up our knowledge on the entire background of the Communist thrust against our civilization.

During the years immediately ahead it seems more likely that the immediate danger we will be facing, and on a worldwide basis, will be Communist political, economic, and subversive action and penetration; not a hot or nuclear war.

In general, we and the other peoples in the free world have a relatively good understanding of the nature of the Soviet military threat. In this country a major effort in money, manpower, and research has been and is being devoted to meet it. People may differ here and there whether it is adequate but certainly it is massive and there is broad

agreement that no effort should be spared in the military sector. We must maintain our military strength. I believe we will do so.

The Soviet Union today has a healthy respect for our military and retaliatory power and we must see to it that they continue to have this respect. They realize that the devastation they would receive in the event of nuclear war would be unacceptable.

Hence, I conclude that the Soviets are not now planning primarily for military attack, although they will use the military threat, they will rattle their ballistic missiles and may exercise military pressure on the periphery of the Communist bloc.

Given adequate defense on our part, the military threat is not our most immediate pressing danger. Where then does the danger to us lie? One thing is sure: We must conclude, without peradventure of a doubt, that the Communists will move against us on every front where they consider action to be effective and for the time being they will move primarily on the short-of-war fronts.

Are we ready, if instead of attacking us militarily, Khrushchev should direct his major thrust to subverting other countries in the free world by secret, disguised, and undercover means?

By blackmailing the leaders in the newly emerging, the shaky countries, to follow his lead.

By luring them with promises, and with the actual delivery, of large quantities of arms and economic aid and of considerable quantities of flashy but sometimes rather second-rate goods and equipment; and of the services of many skilled technicians.

By taking control of revolutions which may have started out with sound motives, but which have been perverted and turned from their original course into the Communist pattern.

In this way he will try to turn into Communist or communizing tools the regimes in many countries which today are free, but which tomorrow, under the pressure of Communist techniques might become slave.

Maybe many people in this country will be taught a new lesson in communism because Khrushchev, right at our doorstep, is applying his methods and techniques. He is perverting a revolutionary movement which initially had the support of some estimable people but which now is in the throes of a Communist takeover. Cuba is not the only country, though it is the one nearest to us, where such a process is under way.

Are we alerted fully to this kind of danger, and are we prepared to do all that we can to see that this development does not occur in a dozen or more countries elsewhere in the world?

This, today, is the major element of the Soviet scheme for world domination. We must understand it. We must analyze it, and through a well-coordinated program of education and of action, protect ourselves against it.

The people of this country are and will continue to be basically opposed to communism in general. This opposition is based more on instincts than on knowledge. This is not enough. Our people should be sufficiently educated in all of the ramifications of communistic intrigues and its historical background, its purposes, and programs adequately to contribute toward an effective answer.

The initiative for new knowledge comes more often from those of us who want to learn than from those who teach. But let us also call on our educators, and on those in authority who have influence over the development of our educational system to begin to expand the realistic teaching of the history and policies of communism.

We must do this with an eye to the future and to the coming generations who will be living in a world of continuing Communist challenge.

Today, it is relatively easy to get the manpower and the money for the vital needs of military defense. This is as it should be. But it is desperately difficult to get the tools and the funds that the Government needs to meet the present and threatening danger of nonmilitary Soviet penetration and subversion; the corruption by communism of vast areas of the free world.

I hope that your great organization with its high ideals and patriotic membership will help to build up an understanding and an educated public opinion to enable this country effectively to meet this grave danger we face today. This is a cause worthy of the best efforts of the Veterans of Foreign Wars.

SOCIAL SECURITY AMENDMENTS OF 1960—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12580), the Social Security Amendments of 1960.

Mr. LONG of Louisiana. Mr. President, for the benefit of Senators who have entered the Chamber since I began my address, some time ago, I should like to state that, in my judgment, if the Senate would show a determination to reject this conference report and to seek a further conference, that would really result in a much better measure than the one now before us, and would be a great service to 200,000 people who should be protected under social security, and would be protected under it in the event the Senate should agree to the House language in that regard. I know of no Senator who had any real objection to the House provision that a person could be covered if, since 1950, he had been engaged in covered employment for one quarter out of four.

As one of those who voted to keep that provision in the bill, I recall that, to the best of my recollection, even the Senator who in the committee voted to strike out that provision, subsequently voted to restore it. In my judgment, this provision was removed from the bill only in the hope of obtaining a little leverage for the use of the Senate conferees, in the hope that it would be possible for some of the Senate amendments to be retained in conference if the conferees on the part of the Senate then yielded with respect to some of those House provisions.

So, Mr. President, I am satisfied that if the bill were sent to a further conference, and if the Senate conferees were sufficiently determined, they could obtain agreement to include a provision which would permit a person to earn more than $1,200 a year and still receive his full social security benefits, or at any rate receive a great deal more than he would otherwise be allowed to receive.

I am also satisfied that if we were to pursue this matter with fortitude and determination, and particularly if the Senate named conferees who had indicated a real and a burning desire to do something about these issues, and had voted for them here on the floor, we would be in a position to do something for the mentally ill, who have been completely ignored. Of course, I have pointed out that those cases of illness are the most frightfully wretched and pitiful of all.

So I believe Senators have a duty, even at this late date in the session, to work harder to provide more adequate care for all those who have this need.

I think, before the night is out, I would like to read the parable of Lazarus and the rich man. The rich man would not even let Lazarus have the crumbs that dropped from the table, though he had no use for them. Later on, as the Senator from Montana so well knows, after they had both passed on, the rich man found himself in a hot place, and he looked across a chasm. There was Lazarus in the arms of Abraham. The rich man said, "Father Abraham, let me cross over this chasm so that I can be with Lazarus and with you." Abraham said, "No. There is a great gap between where you are and where we are, and you cannot pass over that gap." The rich man said, "If you cannot do that, how about letting me go back to warn my brethren that they may not come to the same end I have?" Abraham said, "No, that is not possible. They have Moses and the prophets. Why do they not listen to them?"

As the Senator from Montana so well knows, and as I recall, just from the top of my head—I am not a preacher, or anything like that, but I recall some of the Biblical passages—the rich man said to Abraham, "If they will not listen to Moses and the prophets, they might listen to someone who returns from the dead." Then Abraham replied, "No, if they will not hear Moses and the prophets, they will not heed even one who returns from the dead."

Mr. President, that is our situation. I am not getting much attention. Senators are busy. Parties are going on. There are birthday parties and celebrations. Senators must make plans to run for election, which is a big burden on anyone. I think that even more important than getting ourselves elected ought to be our looking after the poor wretches who are the most unfortunate of all and who are excluded from any consideration by the Secretary of Health, Education, and Welfare, Mr. Flemming, who at one time promised he was going to make a crusade to help the States to help these poor, wretched souls.

Mr. YARBOROUGH. Mr. President, will the Senator yield for a question?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may yield to the Senator from Texas without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. I thoroughly agree with the distinguished Senator from Louisiana that this is one of the most touching issues before the American people at this time. I think this matter of medical care for the aged pulls at the heartstrings. I thoroughly agree that there are more people interested in this measure than there have been in any measure which has been before the Congress in this session or in the 1st session of the 86th Congress, though the

people who are directly concerned may be small, measured in the tens or perhaps 20 millions.

Mr. LONG of Louisiana. Mr. President, I begin to have some hope. Senators wander in now and then. Perhaps, after a period of time, I shall have been able to have talked to 30 or 40 Senators before we vote on the conference report.

It seems to me, with the variety, even though the number be small, if they will heed my words, or even listen to them, some good will have been done. Most of the time my words have fallen on empty desks and chairs. I feel encouraged that first one Senator wanders in, and then another. Of course, it is hard to remember what each one has heard, but it is helpful that they do come in. I am happy that the Senator from Texas has come in and has had an opportunity to listen to me

Mr. YARBOROUGH. I supported the amendment of the Senator from Louisiana, which was adopted by the Senate, to provide for the mentally ill and the tubercular. It has been developed that the overwhelming majority of the mentally ill can be cured. If, instead of treating them as is done all over the country, they are given psychiatric care, 75 percent of them can be restored to usefulness.

Mr. LONG of Louisiana. The estimate of the number that can be restored has varied. Some authorities say 20 percent can be restored; some say 50 percent. I read from an informed article from the Saturday Evening Post which referred to that number.

The sad thing is that people tend to associate mental illness with some sort of shame. There is nothing disgraceful about it. It is the same as being sick with another disorder. Today, these poor, helpless, sick people are locked up and left, and they scream for days on end, trying to get somebody to help them. Nobody even comes to look at them sometimes for weeks at a time.

I remind the Senator that one family in three will be affected by this problem. Yet there those people are, locked up like caged wild animals. In fact, sometimes I think wild animals are treated better.

Mr. YARBOROUGH. The figures which the Senator read from the Saturday Evening Post may range from 20 percent to 50 percent, but I formerly aided the mental hygiene associations by making speeches during some of their statewide campaigns. Psychiatrists told me they could restore 75 percent of the people provided they could treat them before they were locked up somewhere. They said once those people were locked up for 2 or 3 weeks, while it was being decided whether to commit them to an institution, the change was so great they were often beyond treatment; but if those people could be treated when they began to feel the onset of the mental illness, the percentage of restoration would be much higher.

In modern times our unmodern or present treatment of the mentally ill, in most of the States of the Union, is to treat them, not as sick people but violent people who are shut up or locked up in some building and left there. On the other hand, if a doctor or psychiatrist could treat them, just as a doctor would treat a person who might be ill with an infected thumb, and the thumb would be healed, the great majority of the mentally ill patients could be saved, and they would never reach the stage where they would have to be locked up in some institution. It would result in a tremendous saving of money in our society.

Mr. LONG of Louisiana. The Senator is correct. I have been reading articles by persons who have made studies of the subject. They find that in many State institutions—and this is typical—confinement breeds insanity. A person who is mentally disturbed and is put in an institution, where these horrible conditions exist, is often much more disturbed after he is put in there. Oftentimes treatment for a mentally ill person, because of the lack of help and lack of funds, is administered by another mentally ill person, just as sometimes prisoners will have over them a prison guard who himself is a prisoner and has been named as a trusty. If a convicted murderer is made a guard of other prisoners in a penitentiary and is given a shotgun, it might do those prisoners no harm; but all the evidence is that it does harm to cram all these mentally ill persons together, as if they were in a concentration camp, with all the disease, filth, and stink.

I remind Senators, the average person is put in those conditions for a lifetime—for the rest of his life. If we have the determination to insist upon doing something about this situation, we can do it within a couple of days. We can help wipe out these horrifying conditions.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. YARBOROUGH. I ask the distinguished Senator whether he saw the motion picture, "The Snake Pit," shown some years ago, which depicted conditions in some of these institutions for the mentally ill. If the Senator did so, does he think that was an appropriate name for that type of picture?

Mr. LONG of Louisiana. I did not see the picture, but I will show the Senator a number of pictures I have, some worse than others, which are artists' drawings of what conditions are like in hospitals in nearby Maryland, a State which spends more than the average, on a per capita basis, for these institutions.

To call this a "snake pit" is almost to compliment the actual conditions which exist in some of these mental institutions.

I show the Senator some more typical drawings with regard to conditions.

One of the articles pointed out that a grand jury in one of the Maryland counties decided to go out and look over the institution to see the conditions existing in the county, but before the jury could get through the institution the jurors became so nauseated they had to discontinue the tour.

Many people do not know what goes on inside these institutions. It is such an unsatisfactory experience for a person who is not accustomed to it that the person is horrified and cannot continue the tour.

Mr. YARBOROUGH. These pictures, published in the Washington Post and Times Herald for November 25, 26, and 27, 1958, show that this Maryland institution for the mentally ill has actual patients who look much worse than those who were in the motion picture, "The Snake Pit." These pictures show people who are starving. The movie actors, acting as the insane in "The Snake Pit," were well fed.

Mr. LONG of Louisiana. It would be asking too much of a movie actor to starve himself to the point of looking the part.

Mr. YARBOROUGH. They were not starved so that they looked like the people the sketches show in the Maryland institution.

Mr. LONG of Louisiana. I know the Senator does not have any doubt that this is correct. I read to the Senator from an article published in the Washington Post and Times Herald of November 24, 1958:

> When a Baltimore grand jury conducted a recent inspection tour of Spring Grove State Hospital one of the panel members found her stomach unequal to the task. She refused to complete the tour.
>
> "It was an experience none of us will ever forget," the jury later reported. "The conditions under which these wretched, deranged human beings are obligated to live are shocking beyond belief."

This article is one of those which describe how the patients themselves try to tend to other patients.

It is somewhat revolting even to have to expose the Senate to these conditions. That is why we ought to do something about it. Anybody who has seen how bad these conditions are should wish to do something about them. I view it as a responsibility of those in public life to try to do something about this kind of situation, where the need is the greatest. If we ignore it, it seems to me that we, by popular concept, are failing to live up to the wonderful opportunity we have to serve in the U.S. Senate.

I am reminded of a musical version of Dickens' Christmas Carol, done by the Aluminum Co. of America. They named it "The Stingiest Man in Town." In the scene where Scrooge is dreaming that he is in an unpleasant hot place where everyone drags a chain.

Scrooge is quoted as saying:

> I see another fellow,
> He had a great career.
> He used to be so lucky.
> What is he doing here?

Then the voice of the spirit comes to him and says:

> In government he used to be a crooked politician.
> He never did a thing to help the working man's condition.
> The stand he took on crime and vice was in the wrong direction.
> So when he ran for Paradise he lost the big election.

Mr. President, the poor people who are locked up in these institutions cannot vote. They have relatives who have sympathy for them, who would like to

see them cared for. The horrible conditions under which they exist should make this the first order of business. We should try to cure the problem, instead of placing it as the last order of business when we pass a bill to provide assistance for people who are unable to pay their medical bills.

I read from the article published in the Saturday Evening Post, one of the series of articles written on the subject, describing some of the conditions to which I have referred.

There are 28 wards in the main building. The new patient goes to one of the acute wards. Here he receives treatment for a few weeks or months. If he responds well, he goes home. If he doesn't, he is moved to a chronic ward. As patients fail to recover they tend to get moved upstairs and farther and farther back in the building, until finally they are shoved clear out of the main building and into the cottages. Nearly all State hospitals concentrate treatment on the acute wards. A patient's best chance to recover comes as soon as he reaches the hospital. The trouble with concentrating on new patients, of course, is that others are neglected. Dr. Kovitz has said, "You've got to try on everybody, and you've only got so many doctors and so much medicine and so much time."

At the time of our visit about a third of all patients at Columbus were getting some kind of treatment.

I ask Senators to think of that—only one-third.

This is a generous estimate and seems to include every patient who at some time sees a movie or is given a magazine to read—recreational therapy. It includes only 117 patients on shock treatment, 213 on the new tranquilizing drugs, 24 on individual psychotherapy, 31 on group psychotherapy—a total of 385, out of 2,700, on active treatment. Dr. Kovitz has estimated that perhaps another 1,400 might benefit from treatment if it were available. About 900 patients are purely custodial. This is probably an average treatment record for a State hospital. One doctor says, "Sometimes it almost seems as though they get well in spite of the hospital."

The whole hospital is divided into halves. The wards in the north wing are for women, those in the south wing for men. In the acute men's wards, the windows are high and narrow and steel barred. Psychotic patients wander about aimlessly, dim figures moving silently in gloomy passageways. Walking through a doorway, you come upon a man standing rigid in a corner, frozen in catatonic trance, squeezed tight against the wall as though hoping to press himself into the wall and so into oblivion. In a little toilet room a dozen men are crowded—they are forbidden to smoke on the ward, as its floors are wood, so they smoke in the toilet, where the floor is tile. In the hall a television set is blatting away; a dozen patients are sitting with their backs turned to it. The patients are not in bed, as in a general hospital. Their daily routine resembles that of prisoners, not of patients.

I digress again to make the point, Mr. President, that the Federal Government spends more money each day to incarcerate a murderer, a kidnapper, or a dope peddler than the States are able to spend to provide hospitalization and care for these wretched persons in State mental institutions.

Upstairs, 683 male patients live on the chronic wards. Dr. Bookspan, a talkative mustached man of 40, takes care of 285 of them—

That quota is low for Louisiana. It would be more like a thousand—

all four wards on the third floor. He spends most of his time making out accident reports, doling out Thorazine, dressing a lip split in a fight, ordering an X-ray of a swollen hand, resolving problems—the hospital kitchen insists that the man with the swollen hand come back to work, as no other patient can brew coffee so well, but Bookspan says the hand must be treated first.

Ward 24 is the chronic disturbed ward. "The only really dangerous men in the hospital are on 24," says a doctor. The ward is bare—few chairs, no tables or flowerpots. You can tell by the number of flowerpots what kind of patients are on a ward. Flowerpots are dangerous on a disturbed ward. The odor noticeable on any ward is stronger here—a heavy odor compounded of disinfectant, perspiration, urine, and feces—and it is overpowering in one of the bare seclusion rooms. Inspecting this room, Bookspan tells the attendant somewhat sharply that it should be cleaned.

Most of the ward's 90 patients are on the porch, a new addition with detention-sash windows on three sides, and there they sit all day, packed tightly together. A husky attendant watches over them. Most have been sick at least 10 years. Bookspan halts in front of a tall man with bulging eyes and hostile expression, and asks how he feels. No answer. Has he been doing any reading? No answer. Once he was a college dean, but in the hospital he has steadfastly maintained that he is illiterate.

A tall, powerful man approaches slowly, picking his way over the legs of sprawling patients. He says, "When can I go home, Doctor?"

Bookspan says, "We'll see—whenever you're well enough," and he moves on, remarking, "When he gets upset, he can chase eight attendants out of here. He's on Serpasil now, and it's holding him so far."

Anybody who happens to come near a schizophrenic who is excited by hallucinated threatening voices may get hit, because he is the embodiment of the phantom in the patient's mind. "This man is still very delusional," Bookspan says. "The drugs don't destroy the delusions, but they keep him from acting on them. He used to try to kill. Now he can wander around the ward safely. So the new drugs do help, at least from a management viewpoint."

Bookspan stops before a huge Negro, the only man in the ward still in restraint. Heavy leather straps bind his arms to his abdomen. They are powerful arms. He is a very tall Negro, with a small head. Dr. Bookspan says softly, "sometimes Roland hurts people. We don't think he means to, but sometimes he does, anyway." Roland stares straight ahead. "Until he began getting Thorazine, he had been in seclusion or restraint most of the time all his life."

Roland Smith, as we shall call him—all names of patients are fictitious—came here in 1919, seemingly without a past. He was an anonymous drifter, picked up by the police for vagrancy. He did not know where he came from or when he had fallen ill. He once said he worked for a circus and hurt his head. He told a doctor, "My right name is King, God, Jesus Christ. I have solid fire in my body. My hands aggravate me. They jump around. I have got the tree of life in my body. I talk to Jesus Christ and men who have left this earth." He said he had two heartbeats, one impelling him to do good and the other evil, and they pulled at him until sometimes he became "plumb crazy." He said that he could cause a lightning storm by putting his hand on his knee and crossing his other leg over it.

Smith was diagnosed schizophrenia, catatonic type. It was his habit to sit mute and frozen in catatonic stupor, and then without warning spring upon anybody who passed near. Columbus couldn't handle him. He was sent to the Lima State Hospital for the Criminally Insane. There, with few exceptions, he was kept locked up in a room alone for more than 20 years.

Think of that—locked up in a room for 20 years.

In 1931 a doctor wrote, "This patient is a dangerous man and acts more like an enraged beast than a human being." By 1944 he was easier to handle. Lima sent him back to Columbus. He sits on the same spot on the same bench on the porch, every day. Sometimes he plays with a Teddy bear. He rarely speaks. Now and then he arises and tries to fight. He is secluded at night. In 1951 an attendant noticed his face was swollen; he had a fractured skull. It healed. In 1952 he started smoking cigarettes. There is nothing more to say about him.

Behind the main hospital building, near its powerhouse and shops and garage and laundry, are clustered six cottages, four for women, two for men. In them live some 900 patients. They are purely custodial cases. They get little or no psychiatric treatment.

Most are elderly, and most will die here. Columbus has, all together, about 650 old folks. Every State hospital in America is full of them and getting fuller. Medicine is continually prolonging life, but not mitigating its terminal miseries. The old folks fill the cottages, which might be used for convalescents—fill them to overflowing, sleeping in beds jammed closely together. Some, sitting and rocking in a hallway, look like anybody's grandmother. Some, demented, naked, sprawled on the floor in a puddle of urine, look like animals. "They are waiting to die," one doctor said. "There are many things worse than death."

These are modern-day conditions. This is not something out of the Dark Ages. This is the kind of thing that the Secretary of Health, Education, and Welfare was going to crusade to do something about and then he decided to crusade to keep us from doing anything about it. I continue reading:

Not all are hopelessly deteriorated. Some of the men work in the greenhouse, laundry, kitchen or on the grounds. In all, the hospital employs about 195 patients, paying $1 a month or more; 500 more work without pay. This is called "industrial therapy." It is primarily a cheap way to run the place. The superintendent deplores it but can't help it.

B Building, a new one-story structure, is the end of the line. It contains 132 aged women, all but one incontinent. It stinks. In the pale daylight a movie is being shown, but only a few patients are watching. Some are lying on the floor. Dr. Paul Kirch says, "No matter how often you put them in chairs, they'll get down on the floor and under the beds." In some State hospitals you will see row after row of old people lying in bed, but at Columbus psychiatrists object that once a regressed psychotic is allowed to lie down he is not likely to get up; and so every morning the attendants get them up and dress them and lift them into chairs. About a dozen are strapped to their chairs to keep them from falling. All are quiet.

Think of that, Mr. President. Here these people are; they do not want to move, only to lie there and to wait to die. Conditions are such that a person would

be happy if he were dead. These are the conditions that we are told we cannot do anything about, although the Secretary indicated that he was beginning to wage a crusade against this kind of thing, to provide aid.

The attendants and sometimes the patients are mopping, endlessly mopping. There is a great deal more of mopping than of psychotherapy at any mental hospital. An attendant says, "You clean them up and it wont be 5 minutes till you have to do it all over again. We have four combative patients that kick the others down. It's terrible."

Dr. Kirch, sighing with relief as he leaves the place, says, "You look at these pathetic people day after day——." He breaks off, then says, "The surgeon can bury his failures, his incurable cases, but the psychiatrist has to look at his day after day."

Superintendent M. R. Wedemeyer, sitting in his office overlooking the front of the hospital, said recently, "What we need above all else is more people to do more things—doctors, nurses, attendants, occupational therapists, everything." Wedemeyer is an affable crewcut man of 47 who describes himself as "a practical man." He is paid $18,500. Originally a smalltown doctor and Army doctor, Wedemeyer entered psychiatric residency training 10 years ago. He worked as a prison psychiatrist and community-clinic director before becoming superintendent here in 1952. A great deal of his time is taken up with nonpsychiatric work—hiring employees, settling their grievances, dealing with breakdowns at the powerhouse, making speeches in town, drawing up his budget.

His difficulties are numerous and often odd. Last year the hospital had to replace 1,677 panes of glass broken by patients. Patients are unpredictable. Once a patient ran a high temperature, baffled the doctors, and died; an autopsy showed that her stomach had been perforated in thousands of places by seeds she had eaten from a canary cage. The hospital has about one suicide a year. One patient tore up a book and stuffed the pages in her mouth, suffocating. Fire is a nightmare, yet well-meaning relatives give patients matches, even on disturbed wards.

Psychotics are hard to treat for physical illness—they can have pneumonia without a fever, they won't stay in bed and they'll tear the dressing off after an operation. Homicidal attacks are not uncommon. Doctors or attendants find weapons hidden on the wards—a doorknob in a sock, a sharpened spoon, a butcher knife. One night last fall one patient killed another because "the voices" told him to.

This hospital spends $2.60 a day per patient.

This hospital spends $2.60 a day per patient. I am not pointing the finger of scorn at anyone. Louisiana spends $2.88. This hospital spends $2.60. Their problems are probably somewhat different from ours. Senators can see that $2.60 is almost up to the Louisiana schedule, and we are sometimes described as a welfare State, doing more for the poor and needy than other States do. Yet I must say that, regarding these people, we do not do too much. The hospital in this article spends $2.60 for each patient. That is half of what the Federal Government spends in incarcerating a prisoner in a Federal jail. A Federal prisoner does not require as much treatment, I am sure, as these people do, who have not committed any crime. I continue reading:

It feeds its patients for 16 cents per meal. Stenographers are constantly leaving, for they are paid only $162 a month. "You call up an employment agency and they laugh at you," Wedemeyer says. The hospital records of many cases are inadequate. Wedemeyer can't put patients' records on the wards, where the doctors need them, because he can't buy a filing cabinet for each ward. Two generators in the power plant wore out; it cost $225,000 to replace them, all the money that had been appropriated for a new building. The hospital has no bread slicer, so bread comes to the wards in long loaves and has to be sliced there with sharp knives—on disturbed wards.

"I put a bread slicer in my budget twice and it was cut out," Wedemeyer said recently. Then he exploded, "And I'm going to get one this year if I don't buy another damn thing for the culinary department. And a bean snipper—a bean snipper costs only four or five hundred dollars, but we haven't got one, and every time we have a good crop we have 50 patients standing around snipping beans for 2 months out of the year."

Patients' relatives make problems. One visitor brought a bottle of wine to the ward, and when Wedemeyer barred her from the hospital, she went to the Governor of Ohio. Relatives badger doctors for permission to take a patient home too soon. It is a joke around the hospital that "we ought to give drugs to the family and let the patients go home." A while back a doctor, after working with a patient for months, got him well enough to go home. He so notified his brother, who replied, "I regret to inform you that there are no adequate provisions to accommodate him. * * * Perhaps you could find employment for him around the hospital."

Some relatives, of course, suffer deeply.

"DEAR DOCTOR: In regard to [my son] I just wondering what I am to do. * * * If you can't tell where you are at with him some days seem real good then again he gets real fussy have to let him have his own way can't talk to him. He still has his three guns loaded and here of late been shooting the revolver off two different times in the alley after I go to work so the neighbors tell me. * * * At the table he handles all the pieces of meat on the plate till he decides what one he wants, then if he don't want it throw it back for you to eat. * * * He worried his Dad to death, now he is gone and I am left to get along the best I can."

The hospital took him back.

When relatives bring a new patient to the hospital, they are given a little booklet telling them what they should know. It closes: "By having the patient admitted here, you and the hospital have embarked on a cooperative plan to help him. You cannot cure the patient alone; neither can we do it without your cooperation. We need each other's help in this and hope that we can be successful in accomplishing what you and the patient want most, his return home to a successful and happy life."

It is a brave, almost heroic, hope, and sometimes it comes true.

Think how many more of these people would go home treated and happy, if money were provided to care for them, instead of being provided to lock them up in snake pits. Think what could be done if funds were made available, as we proposed to do, for the aged in all other categories. Think what a strange comparison it makes. My guess is that it is almost typical that in Louisiana half the patient days are spent in State hospitals, where the average expenditure is almost $15 per patient a day. The Federal Government proposes to match that amount on a 3-for-1 matching basis. That means it will be $45 a day. Fifteen dollars is the average for most hospitals in the country anyway. So we would be in a position to provide a caliber of care, unless State appropriations were reduced, 4 times as good as the national average for the people over age 65.

If a person had any kind of illness which required treatment, whether it be dysentery, diarrhea, or anything else, funds would be available to treat him at a standard of $60 a day, if we want to continue our present rate of appropriations.

Yet for the poor wretch suffering from mental illness, which will affect 1 family in 3, an expenditure of $2.88 a day, on an average, is provided; and no matching funds are available.

This was to be the great crusade of the Secretary of Health, Education, and Welfare, who said such a condition was disgraceful. It was he who said that the Federal Government had a responsibility in the field, and that it would start a crusade. That was his statement on April 21, 1959. One would think that such a crusade would be pretty well under way, if it had started on April 21 of last year. Yet now we are told that if we try to do anything for the mentally disturbed, the whole project must be wiped out; that the President might even veto the whole bill.

Secretary Flemming made the comparison of only $4.07 spent for the care of a patient in an average mental institution, and $26 a day for a patient in a general hospital, exclusive of physicians' fees. In other words, the physicians' fees would be in addition to the $26 a day.

General hospitals have a higher average cost than other hospitals. I am not too conversant with the difference in costs. I read an article about them the other day. However, the average cost in certain types of hospitals across the Nation is calculated at $15 a day. I noticed that figure particularly because it just about equals the average paid in the State which I have the honor, in part, to represent in the Senate.

Mr. President, the Saturday Evening Post published another article on this subject. The article has some excellent illustrations. Unfortunately, the rules of the Senate do not permit the reproduction of pictures in the CONGRESSIONAL RECORD. However, I shall read into the RECORD some of the followup articles published in the Saturday Evening Post.

INSIDE THE ASYLUM—DISTURBED WARD

(A report on the suicidal and violent patients at Columbus State, including the grim details of a terrifying ordeal: electroshock)

(By John Bartlow Martin)

The Ohio sky is just getting light, but already the day has begun for the patients on ward 8, deep inside Columbus State Hospital. About 5 a.m., they were aroused by an attendant. He saw that they were dressed, and supervised the bedmaking. Now at 6 a.m., four male attendants and the registered nurse, Constance Novak, come on duty. While a great banging and clatter commences in the kitchen, and the nurse prepares medicines in the office, two attendants check the seclusion rooms.

They are all alike—bare, cell-like cubicles with solid doors and barred windows. Only suicidal, dangerously combative or violently

destructive patients are secluded. Today six patients are in seclusion. One can be heard pounding on the wall and yelling, "Let me out of here, let me out of here."

Attendant Walter Stratton, with his partner, Foster Cooley, standing by, goes to the door and looks through the peephole warily, keeping his eye back a few inches. Then he opens the door. The room is filthy—the bed sodden, the walls smeared. A thin, gray man with spindly legs is reaching high up on the wall, "reaching for my nerves." He has done this for years. He says, "Can I have some breakfast?"

Stratton says, "Not just yet," and locks the door. Then, to Cooley, "We'll have to change his room." They pass on, checking the other seclusion rooms in ward 8.

Back in the main hall, Nurse Novak stands with a tray of paper cups containing medicine—the new tranquilizing drugs, anticonvulsants, vitamins, sedatives. The ward 8 patients come to her, a long line of men, some walking smartly, others shuffling along. She passes out medicines, and they swirl on around her, through the kitchen to the dining room, and sit close-packed at metal-topped tables. Three attendants follow and stand watching, for in the crowded room a sudden blowup can cause turmoil. Flies are everywhere. A faucet drips into the old sink.

Ward 8 is a complex of corridors and rooms and cubbyholes. Paint is peeling from the walls. The whole place seems massive and old, almost medieval. Every State hospital in America has a ward like ward 8—an "acute disturbed" ward. Who are the patients here? Who are the attendants? What goes on during an ordinary day?

Although ward 8 is intended for disturbed patients in an acute stage of their illness, on the day of our visit fewer than half of its patients were acute. Some were chronics sent here because they became disturbed on chronic wards. Some patients were not disturbed at all—they were ward workers. "We couldn't run a ward without patient help," an attendant says.

Mr. President, a short time ago I read the same thing about the Maryland mental hospitals. The insane are attended by the insane, and the mentally sick are attended by the mentally sick. As these articles point out, that only breeds insanity. A person who is mentally disturbed is sent to live under the most horrible conditions that the mind of man can conceive, and that makes the patient worse, instead of better, with the result that most of the patients are locked up for their lifetime, whereas the evidence shows that most of them could be cured.

Although adequate care is being provided for those who suffer from other illnesses, those who suffer from mental illness are condemned to live for years under the worst possible conditions, while the administration and Secretary Flemming think about the situation, but in the meantime reverse their "great crusade."

I read further from the article:

The ward workers get most of the free tobacco, a rare luxury at this hospital. And they are allowed to sleep in private rooms, where they may even have space for a tiny night table in which to keep their things—comb, toothbrush, tobacco, a spare handkerchief. Most patients carry everything they own in their pockets or in a paper bag.

Ward 8 contained on the day of our visit 78 patients. Most were young or middle-aged. But one was 15, and seven were past sixty. The records of 27 were marked "homicidal," or "suicidal," or both. Nearly half were schizophrenic. A score were suffering from organic brain disorder.

Dr. Robert H. Felix, director of the National Institute of Mental Health, recently estimated that if you enter an American mental hospital, your chance of leaving—alive—in the first year is about 50–50. If you stay 2 years, the odds against you jump to 16 to 1. And if you stay over 5 years, the odds against you are worse than 99 to 1.

Think of that, Mr. President. As matters now stand, no serious effort will even be made to examine the patient again, to see whether there is a chance to cure him or to make him comfortable.

I read further from the article:

The first few months, then, is the time when a new patient should get treatment. But at the time of our visit fewer than a third of the patients on ward 8 were getting treatment. Ten were receiving the new tranquilizing drugs, and 10 were getting electroshock therapy (EST). Two were receiving individual psychotherapy—a 1-hour interview with the doctor once a week. Three were going to the occupational-therapy shop. And that was all. Why? The ward doctor would like to put more patients on the new drugs, but the hospital can't afford it. She gives electroshock to all she thinks would benefit. She has no time to give more individual psychotherapy—she takes care of three wards, 209 patients. (Hydrotherapy is no longer used at this hospital; the equipment took up space needed for beds.)

After breakfast, the attendants bathe the seclusion patients and see to it that other patients scrub the seclusion rooms, mop the hall, and clean the kitchen. They hurry: Dr. Esther Handcock is due at 8 o'clock to give electroshock.

"EST is still our mainstay," says Supt. M. R. Wedemeyer. A recent survey showed that 117 patients in the hospital were getting it. EST is a method of treating psychosis by inducing epilepticlike convulsions with electricity. Some hospitals also use insulin shock, and a few still use metrazol shock. Both have been abandoned at Columbus State. EST is cheaper than insulin and, according to most authorities, less dangerous and frightening than metrazol.

Patients at Columbus State get EST once, twice, or three times a week, and in a few cases oftener. A total of 300 shocks is not uncommon. One patient at Columbus has received 427. Too much EST can produce epilepsy. Some patients break bones during EST convulsions. About once in every 2,000 treatments, one dies. EST seems to work best on depressed manic-depressives and involutional melancholics. Nobody knows why EST works. Some doctors deny that it does work, and some regard it as torture. A few sanitariums refuse to use it.

EST is used principally for two purposes: To interrupt the psychotic process in acute new patients, thus permitting them to mobilize their own resources, and as a means of managing difficult chronic patients. It is this last use that is criticized. A patient may break furniture and hit people; shock quiets him. But this is not therapy, it is merely control. At its worst, EST is used as a punishment for misbehavior. It once was common gossip that "if you antagonize the attendant you go on the shock list." Increasingly, the new tranquilizing drugs are taking the place of EST for management purposes.

In some cases, doctors say, EST is a mind saver, even literally a lifesaver. It can break the tension that drives an acute depressed patient to suicide, or the tension that drives an acute excited catatonic into a frenzy that may end in death from exhaustion. Nonetheless, many doctors object to EST because they don't know precisely how or why it acts. Others object because it terrorizes the patient. At some private sanitariums and university hospitals, EST is given like surgery, with the patient anesthetized and specialists in attendance; and it is followed by intensive psychotherapy. But at most State hospitals this is a dream.

As Dr. Handcock greets Nurse Novak on ward 8 this morning, she has a set smile on her face. Dr. Handcock is a small thin woman in a long white coat. She has been a ward doctor here 15 years. She is a somewhat reserved person, keeping apart from the young residents.

The EST machine has arrived, a brown box on a wheeled cart. An attendant plugs it into a wall socket. Other attendants have put the 13 EST patients into 13 single rooms. (Seven on this ward are due for a treatment today; six have been brought here for treatment from other wards.) Now they are tying ankles to bedsteads, fastening strips of cloth to wrists, passing wide belts loosely across bellies. The cart halts at a doorway. Stretched out on the bed is a man of 21. Three male attendants sit on the edge of his bed. Nurse Novak smears paste on electrodes attached by wires to the EST machine. Dr. Handcock, her teeth bared in a set smile, sets the dials—300 milliamperes and two-tenths of a second. The nurse, who is wearing gloves, presses the electrodes to the patient's temples. One attendant seizes the patient's legs, another seizes one wrist; Stratton seizes the other wrist and claps a gag to his mouth.

Dr. Handcock pushes a button, but nothing happens, and she looks quizzically at the nurse, then back at the machine. She says, "Oh," and flips a switch, then pushes the button again. Instantly the patient stiffens, his toes straighten out, the cords in his ankles go taut, then his legs lock like iron, then his whole body locks, until his arms are stretched tight and his head thrown back and his neck corded. The timer ticks away, then stops.

The patient begins to spit foam from his mouth, and suddenly he jumps convulsively, rocking the attendants. Then, moaning and howling in muffled tone through the gag, he leaps convulsively again and again, his knees and elbows jerking, his back arching, while the attendants hold down on him with all their strength. Gradually the convulsions subside. He had stopped breathing for perhaps half a minute, but now he begins again, his breath coming in blowing gasps through the foam on his lips; and soon he is sleeping deeply, snoring. The attendants tighten his straps and go on to the next room, while the nurse pushes the cart.

In the office the phone is ringing, and from the porch comes the sound of a paddle hitting a table-tennis ball. The EST team goes from room to room. One room is empty; the patient has fled. An attendant brings him back, a trembling white-haired man who says, "Please, doctor, I wouldn't like to have a treatment, my heart isn't good enough."

Smiling, Dr. Handcock bends over the machine. "You say that every time."

His face is red. "But listen to it, please listen to it," he pleads, and the nurse says, "Maybe you could listen to his heart, doctor; it makes him feel better."

Dr. Handcock, resigned, puts on her stethoscope and, after listening, says, "It's perfectly normal and regular, so if I were you I'd just forget it. It's just nervousness."

"Well, give me the lightest you can, will you?"

"All right; now please die down." And the attendants take hold of him, and Dr. Handcock pushes the button. He shudders. But nothing happens. Dr Handock looks the machine over while the nurse, holding the electrodes, watches impatiently. "I guess I

didn't throw it onto 'treatment.'" She flips another switch, pushes the button, and this time it works.

After EST, the ward settles down. A couple of patients are still banging scrub buckets in the hall. The library cart arrives, containing a few worn books and magazines, two or three patients stroll up to it. In the office, Attendant Stratton, a Kentuckian of 47, formerly a construction worker, is hunched over a desk, making out his daily report on the condition of ward 8 patients. The nurse is working on her own records. On the window ledge is a cigar box full of hypodermic syringes. On the door is a sign: "No patients allowed in this office unless called for. This means everyone."

The admonition is futile. A gnarled little man bustles in and complains that his room hasn't been cleaned. Stratton says it has been. The patient, whom we shall call Theobald Tuttle, says, "You're a liar. You're the biggest liar this side of hell."

Stratton just looks at him. Tuttle goes out and sits on a bench in the hall, saying loudly to another patient, "He's the biggest liar in the world, and he's about to get it, too, buddy."

Theobald Tuttle has been in and out of mental hospitals for twenty-five years. Originally he was a college teacher. After each siege of illness, he descended to a simpler social level—high-school teacher, then factory worker, then gardener. Each time he managed to get along for a few years, but he always returned. Just now the ward doctor would like to give him EST, but he complains of pain in his back. She asked for an orthopedic examination a month ago, but has not yet received a report.

A patient's wife comes in for a special visit: She has a check for $2,100 she wants her husband to sign. He is a tall, worried Negro, and this is apparently his total wealth. He says, "I'm not going to do it." Stratton explains that the court has appointed his wife as guardian. The patient is psychotic, but he understands the matter and he is determined. "She might skip town, check and all. If the court says she's my guardian, let her go to the court and get the check signed," Stratton sends her to the hospital's social service department.

By now the privileged patients have gone out. Only 12 are allowed to go unattended. Only half of these choose to leave, for there is little to do—go to the commissary and buy candy, wander around the grounds, sit on the benches. Three go to the occupational-therapy (OT) shop. OT is woefully inadequate. Psychiatrists believe that performing a simple task with the hands, such as weaving or carpentry, often restores a patient's contact with reality. But at Columbus, which holds 2,700 patients, not more than 60 or 70 go to OT regularly. There are not enough attendants to take them to OT, and there is only one trained occupational therapist. The superintendent considers OT at Columbus seriously weak. So is recreational therapy—dances, games, movies, roller skating, bowling, gardening. Day in, day out, the patients just sit on the wards.

Right now on ward 8 they are sitting on the enclosed porch, an attendant watching to prevent trouble. Dr. Mary Lou Hippert, the ward doctor, has said, "Probably at least half of these patients could go outdoors if there were attendants to take them. But there isn't. The patients get out two or three times a year, to a picnic and a couple of ball games, and that's all." Disturbed patients can't be left unguarded. On the porch, a single attendant can watch 100 men.

Now, at 10:30, Dr. Hippert arrives for her daily visit to the ward. She is an attractive blond woman of 38, married, a nurse who got her M.D., went into private practice, and came to Columbus State in 1954 for psychiatric training. This morning she finds a patient waiting for her at the office door. He is young, slender, with sensitive features, and he says, "Can you transfer me to ward 6, Doctor? I want to continue my schoolwork. I've got all my materials, but there's no place to keep them here, and it's so noisy I can't study."

"We'll see," Dr. Hippert says. "Wait till I get through here." She goes into the office and asks the nurse how he's been. Pretty well, the nurse says. With trembling hands the patient shows a sheaf of blueprints to the doctor. She promises to transfer him.

Dr. Hippert asks the nurse how EST went this morning. All right, the nurse says. The doctor orders one patient taken off EST. Then, accompanied by an attendant, she goes to the seclusion rooms. In one, a lumpy man in dirty underwear is sitting on the floor. Dr. Hippert asks, "How do you feel?" No answer. He is fooling with a strip of cloth. "What's that?" she asks. He starts to reply, but his voice fades; he walks to the barred window and stands, gazing out. The doctor moves on to spend a few minutes in the other seclusion rooms.

Back at the office, the young man with the blueprints is waiting. "Would it be all right if I went to ward 6 right now?" She tells him, "A little later." She asks the nurse about a couple of other patients, orders one sent to the clinic for tests and hurries away to staff meeting, having been on the ward a half hour.

Lunch for the patients is beef, potatoes, tomatoes and gravy. After they have gone back to the porch, a studious-looking patient strolls into the office. Stratton hands him a list of things that patients want from the commissary. Once he was a brilliant law student; now he runs errands. He was studying for his bar examination 10 years ago when he made his psychotic break—wired his parents, "Her name is Judy and she loves me." There was no Judy. The hospital gave him insulin shock and EST, and a doctor invested an hour a week for more than 2 years in psychotherapy with him. All to no avail. He was a dangerous fighter. Lately Serpasil has calmed him, and the doctors think he might get along on it at home. But he has been here too long; he is afraid to leave.

At 1 p.m. Attendant Cooley puts a folding screen across the hall, for it is visiting time, and soon the visitors come, a half dozen of them, and the patients who are their relatives are brought to sit beside them in the hall behind the screen.

The nurse is making out her EST report, interrupted by patients who come in to talk. One is a tiny, shriveled old man who waltzes in and says to the nurse, "Hello, sweetie."

She says, "Hello, sweetie, how are you?"

"Sick in bed. Can I have some tobacco?" She gives it to him.

Theobald Tuttle comes in. "Did you say I was going to the clinic at 1 o'clock? It's 1 o'clock now." The phone rings; a patient is being sent down from a chronic ward, No. 12, where he has been giving trouble. The nurse asks ward 12 not to fill the vacancy he leaves, and she and Stratton talk about whom they can send to 12. Dr. Hippert, of course, will decide.

An attendant brings in the patient from 12. He is a tense young man, a chatterer. "Hello, what's the story, what's cookin'?"

Stratton, eyeing him, says, "How are you?"

"Well as could be expected. I've got a new toothbrush. I brush my teeth three times a day with my feet. Don't mind my swearin', it's just shorthand." His sweater is bulging with his belongings. Stratton asks the attendant from ward 12 what's the matter with him.

"He wants to run off all the time. He's just a nuisance, and he torments the nurse to death."

Stratton tells the patient, "Go out in the hall and have a seat for a little while." He goes, but comes back "How soon can I get out of here?" Stratton waves him away.

At 2 p.m. the three afternoon attendants come to work—Delmar McClaskey, a slender, clean-cut young man; Alphas Shafer, a loud, good-natured man standing 6 feet 2 inches and weighing 230 pounds; and Robert Rurode, a smaller, younger man. The nurse and McClaskey complete the shift change—count the medicines together, particularly the narcotics. McClaskey and Shafer make up the evening medications. At 3 o'clock the loudspeaker booms, "Visiting hours are over." After a few minutes Shafer goes to the screen and says, "Time to go, folks."

Three Negro women get up, and the patient they have been visiting shuffles back to the porch. The old man who was afraid his heart couldn't stand EST kisses his wife goodby. As she reaches the door he calls, "Watch crossing the street," and waits to see the door close behind her. He looks happy.

Shafer goes into the kitchen. It is 3:20. He unlocks and raises a panel in the wall. It opens into a dumbwaiter shaft. He pulls a chair in front of the opening, and plants himself there, remarking, "Otherwise they'd crawl down and get out. A fellow did that once."

A patient who works in the kitchen asks, "How's it going?" Shafer, big and comfortable, says, "Won't do no good to complain. How much bread we got?" "Six loaves," the patient says, counting. Shafer pokes his head into the dumbwaiter shaft and hollers down for more bread. He banters with a friend below. Four or five patients are clustered around him, enjoying the moment. With a clatter the food comes up—trays of bread and chocolate cake, battered canisters of beans and coleslaw and meat balls. All fall to work dishing up supper, attendants and patients alike.

The evening meal is over by 4:10. As the line of men comes down the hall from the dining room, Shafer plucks five patients from it and leads them into single rooms. He remarks, "The ones that go prowling around at night, we put them to bed right after supper, so they won't get hurt." The six seclusion patients have been sent to bed already, and a patient, a shuffling old Austrian, is putting their clothes away. He never gets the clothes mixed up. Nobody can get him to leave the ward. He has been here 33 years.

Shafer is scarcely back in the office when the new patient from ward 12 comes in, asking for bed sheets. "Aren't there none?" "Yeah, but they're filthy." * * * "OK, I'll get you some."

As he talks, Shafer is filling a syringe. Out in the hall an enormous globular patient, a feeble-minded schizophrenic, is yelling. Jimmy Fisher first came here in 1932. He had been going out with a girl, but a chiropractor told him not to marry for a while because he was "too weak sexually." This worried Jimmy, as sex always had worried him, and he became depressed and wept and pulled the buttons off his clothes and finally came to the hospital. When he got out, he married his girl. She bore him a son, but the infant died in a week. Then she divorced him, and soon he was back in the hospital to stay. A dozen years later a doctor noted, "There is no record of any treatment and there is no mental improvement." Now Jimmy scrubs at the hospital and is paid $2 a month.

The kitchen work is done, and the kitchen workers are in the hall, watching television. Some patients think television controls their minds, and won't watch it. TV substitutes for recreational therapy to some extent, but it is so passive that many doctors consider it harmful.

McClaskey, watching the television fans, says, "A few years ago these places were snake pits. Attendants beat hell out of a patient if he didn't do what they wanted. Sometimes the only way you can run a ward is by strength. But most of the time, if you stay on one ward, you get to know your patients so well that you can tell if one is going to blow up—he'll start talking to himself, or take his clothes off, or pace the floor, or won't eat. If you can spot him and put him in a room, the whole place stays quiet. I've seen some wonderful recoveries on this ward."

Shafer says, "We had one guy, he was bad; we put cuffs on him, he busted the door, he lay on his back and kicked us. Well, he got shock treatment and in less than a week we had him working in the kitchen, then in the OT shop, and he's home now. It's a funny thing, the wilder they come in, the quicker they recover." McClaskey says, "When I see a patient coming through that door, I like to see him coming through fighting, tearing the hell out of this place."

It's time to take the patients to the movie. Only 8 or 10 wish to go; Shafer counts them as they are led out. Shafer, 39, a high-school graduate, got out of the Army in 1947 and bought a little farm near Gallipolis, an Ohio River town where the chief industry was a State mental hospital. But he couldn't make a go of farming, so he came to Columbus and, like many Gallipolis men, looked to the State hospital for a job.

Attendants get $50 a week. They work 44 hours. Some work here and hold down a factory job at the same time. This practice does not foster efficiency. A poor attendant can undo the work of a good psychiatrist. There are 248 attendants for three shifts on 40 wards—2 per ward per shift. More than half of them are women. Most of the male attendants are farmers or laborers. The hospital requires only that an attendant be a citizen, an Ohio resident and between the ages of 18 and 70. Not all can read and write. One is an exburglar, hired while on parole.

A little before 7 p.m., McClaskey and Shafer leave the office and walk around the ward. Out on the porch about 15 men are rocking or talking or staring into the night. In the kitchen everything is scrubbed and put away. McClaskey reaches behind the penicillin in the old-fashioned icebox and gets milk and cake for himself and Shafer. At 6:55 p.m. a buzzer rings, and Shafer lets the privileged patients come indoors; they're on time, as usual.

A patient comes to the office for a shot of insulin for diabetes. Another patient complains that someone on the porch is throwing the table-tennis balls out the window. The attendants put the offender in seclusion. The new man from ward 12 follows them back to the office and chatters until Shafer, tired of listening, says loudly, "I thought you wanted some sheets." * * * "I do." * * * "Well there they are," and Shafer points to the desk where he put them long ago. At 8 o'clock McClaskey calls the telephone operator to report all well, as he does every hour at night. If he weren't heard from, she'd send help.

McClaskey likes his work. "The big thing is not to make the patients afraid. When a patient first comes here, he's afraid of the hospital. Well, if he's beaten he gets more afraid. If a person's fear keeps growing bigger, all the treatments you can give 'em aren't going to make 'em any better. You know, after you work here awhile you get a feeling for these guys."

At 9 p.m. Shafer steps into the hall and yells, "Let's go, boys." Six men are still watching television. They go to the porch, Shafer and McClaskey following. Nearly everybody else is already in bed. Those undressing on the porch put their clothes in little heaps, then walk barefoot in their underwear to the dormitories. In the dim light the beds are ranked in long white rows. One patient has made a tent of his sheet, fastening it to the head of the bed, so that he is completely hidden.

The attendants check the seclusion rooms. The old Austrian is still puttering around in half-darkness. They leave him alone, and go back to the office to finish their reports. Except for the scratch of McClaskey's pencil, the ward is quiet. Outdoors the night is crisp. There is a haze in the air over the deserted hospital grounds, and on Broad Street night traffic rolls quietly by, and after a day on the ward it is the outside world which suddenly seems alien.

The PRESIDING OFFICER (Mr. BURDICK in the chair). The Senate will be in order.

Mr. LONG of Louisiana. I thank the Presiding Officer for his kind consideration. I will not insist that there be no conversations in the Chamber. The able junior Senator from New Mexico is getting some last-minute information before we vote on the bill. I would be the first to agree that we need some information and that we should consult with the experts to find out what is in the bill. There are things in the bill that people do not know anything about. The trouble is also that there is a great deal of material not in the bill that should be in the bill, and about which the people do not know anything.

I very much appreciate the fact that the Presiding Officer is protecting me in my rights on the floor of the Senate. On the chance that some of the occupants of the galleries could not hear what I said above the hubbub of low conversation that has been going on, I wish to say that I am grateful to the Presiding Officer for protecting my rights on the floor.

That gets me down to the point that I wish to make about the poor workers in these institutions. They are not paid enough. It is fortunate, indeed, for the Nation that the senior Senator from South Carolina [Mr. JOHNSTON] is chairman of the Committee on Post Office and Civil Service. I had the honor and privilege of serving at one time as chairman of a subcommittee dealing with pay-raise legislation. The Senator from South Carolina entrusted me with that chairmanship. It was a great honor for me to serve in that capacity. I had something to do with the granting of a pay raise. At the time, the distinguished chairman wanted to do even more for the Federal workers than we were able to work out in connection with the pay raise. It was worked out between him and my Representative, Hon. JAMES MORRISON, of the Sixth Congressional District, my congressional district. They worked out the problem, and as a result Congress was able to overcome all the snares and pitfalls laid by the executive branch and, to a considerable extent, I might say, by the machinations of the rules of the House and the Senate, and they were able to fight through a pay raise, if I recall, of 7½ percent for all the employees of the Government.

Think how wonderful it is that we can get good Federal employees to work for the Government. We should thank the merciful Lord that we have someone looking out for the Federal Government and that the distinguished chairman, the senior Senator from South Carolina, is on the job.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator suffer an interruption at this time, with the understanding that he will not lose the floor? I ask unanimous consent that he may do so.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. It is a great honor to accede to that request.

Mr. JOHNSTON of South Carolina. I have been listening to the address of the Senator from Louisiana. He is telling us about conditions in various mental hospitals of the country. I am glad that he has brought this matter to the attention of the Senate, and has dwelt on what we should be doing at the present time in each State of the Union.

As Governor of my State for two terms I tried to do my best to look into the situation, and I am glad to say that at the close of my term as Governor of South Carolina I left that institution in better condition than it was at the time I began my first term as Governor?

The same is true throughout the Nation. We are waking up to the fact that we must do more for the mentally sick people.

I agree with the Senator from Louisiana when he said a few minutes ago in his speech that mental sickness can be cured, just as any other sickness can be cured. We have sometimes looked at mental sickness as if it were a disgrace. It is not a disgrace. As was brought out a few minutes ago by the Senator, one member in every three families in the United States at one time or another goes to a mental institution.

Mr. LONG of Louisiana. If I might correct the Senator's statement slightly—and I am sure the Senator is using the same figures that I have used—I would say that one family out of every three families has a mental case in the family which has to go to a State institution.

Mr. JOHNSTON of South Carolina. That is true. I am glad the Senator has made that clear. We should remember, also, that if we leave the matter entirely to the States, I fear the job will not be done in the way it should be done. That is the reason the Federal Government is going into this field at the present time. The same thing is true with regard to the Senator from Louisiana. He has always tried to help old people. He has done it time and time again, and in many instances he has tried to help them without States having to match dollar for dollar. I remember that I joined him on an amendment.

Mr. LONG of Louisiana. The Senator joined me as a cosponsor on a number of occasions in trying to increase payments. We got it through and made it a law. In the past few years we have been losing in conferences. Senate conferees seem to be yielding to the House conferees. I have always felt that if I could only have with me a Stonewall Jackson like the senior Senator from South Carolina, we would get somewhere in conference, and be able to do something for the needy, the poor, and the underprivileged. But it requires a stone-

wall defense to win in conference, and come back to the Senate, to have the Senate back us up in the conference position.

We could have done this in 45 minutes or a half hour, and come back to the Senate, and asked the Senate to uphold our conferees and then invite the House to do likewise. That would have been my recommendation.

Mr. JOHNSTON of South Carolina. I am personally very glad to hear the Senator speak this evening and bring this matter forcefully to the attention of the Senate. I am glad he is telling the Senate what should be done in regard to a matter of this kind. I am sure it will have its effect in the future. I certainly hope so.

Mr. LONG of Louisiana. I am extremely grateful to the Senator. I cannot recall a time, when the Senator from South Carolina had a chance to do something to help the poor and needy and underprivileged or the little Government worker or some little fellow in trouble, that he did not do everything he could. I do not recall a time when the Senator from South Carolina ever turned his back on the least of them all. I well recall that in 12 years I have never been able to find a rollcall showing that the Senator was working in the wrong direction. There is one thing I cannot understand, and that is how a person can be right both ways. I cannot understand how a person can say that the Federal Government should do something and should not do something. That is what Mr. Flemming is doing. He said he would conduct a crusade to do something in the direction of having the Federal Government help with this situation; yet he is the man who is responsible for killing this provision.

There has never been any conflict of thinking in the mind of the Senator from South Carolina.

I am sure that those on the House side who said they would not even consider doing anything about the problem, and I am sure that the Director of the Budget, Maurice Stans, who did not say, "No," but—I cannot use words to emphasize it—a double no, or Mr. Fleming, after he changed his mind following his statement, quoted in the New York Times, that he would lead a crusade for these unfortunate people, all think they are doing the right thing in working toward what I consider to be the wrong direction.

As Herblock says, "They work so hard. Look how hard they work." There will be Senators here, I am sure by the time the reception for the majority leader is over, who will have come back, expecting to vote after a while, and people will say, "Here it is, 11 o'clock on Saturday night. Look how hard they work."

I am only fearful, Mr. President, that they are working in the wrong direction. But they are working so hard. I know every Senator is just as sincere as I believe myself to be. However, I think perhaps I have not tried enough. If I tried harder, I might be able to persuade them. I am fortunate, tonight. I see five Senators in the Chamber at 9 o'clock. They are hard-working Senators.

I should like to read for the benefit of Senators, to show how other people look at us, the reactions of the famous Washington cartoonist, Herblock. He writes, in his book:

> Every once in a while when a Congressman or an entire session of Congress is on the pan, somebody is sure to say, "But they work so hard" or "You don't know how hard they work."

Then he goes on to say:

> It's a busy schedule for all of them, even when they're not campaigning for reelection, and I respect their efforts as exhibitions of sheer physical stamina, if nothing else. But that's not what people mean when they rise to the defense of a Congressman by saying he works hard. They mean his work on legislation. And the answer to that is that there's no special virtue in working hard if they're not doing the right kind of work. Better that some of them should stay in bed. You and I work hard, too, and so do those people who engrave the Lord's Prayer on the heads of pins, a mysterious occupation that I've never quite understood, but which at least does nobody any harm.
>
> Unfortunately, some of the Congressmen do harm, and some of the worst ones probably work harder than many of the better legislators. You have to get up pretty early in the morning to fool 150 million people, and stay late at committee meeting, too, if you want to make sure that a good bill is stopped or a bad one is slipped through. And if you're serving some special interests, it probably can be quite a task to get them what they want and still make it look all right to the folks back home. But to the man who's been waiting for a housing bill, let's say, and who finds it still stuck in a committee room when the congressional quitting whistle blows, it's no consolation to know that somebody—or several somebodies—had to work hard to keep it there. And when he comes home to his one-room apartment, he does not tell the little woman and the kiddies, "My, but those poor fellows must have had to work hard to do us out of a better deal than this."

Mr. President, if we could only get together and work in the same direction, at the same time, in my judgment there would be real prospects concerning what we might do to improve the welfare of these people. However, I am fully convinced that if one group of Senators is perhaps working in the wrong direction, the duty is twice as heavy upon some of us to work twice as hard in the other direction to try to see that what we fight for prevails.

The Senate has worked long hours to pass a social security bill. The bill we passed provided $1,200 million of benefits in the social security sections. By the time we came out of conference and returned to the Senate, we had a bill which provided $250 million of benefits.

The House bill provided about $200 million of benefits. So whereas we had increased the benefits of that social security bill by a net of $1 billion a year, we surrendered in conference all but $50 million.

I believe that during the time we were in conference, a bill passed the Senate providing $550 million for Latin America and $100 million for the Congo and other newly independent countries, to assist when they became independent.

But see what we have lost. We have lost most of what the Senate produced. I think we came back with about 5 percent of what we provided in our social security sections. We dumped out one-third of all the improvements we were able to vote for in the public welfare sections of the bill. The part we dumped out was the most pitiful part of it all.

The distinguished Senator from Washington is present. He made a special study of these problems and tried to do something about them. It was largely due to his support that we managed to take the first stride toward doing something on this subject.

I regret that the Secretary of Health, Education, and Welfare, who announced that he would lead a crusade to solve this very problem, reversed himself and led a crusade in the opposite direction. If that had not happened, we might tonight be happily considering the prospects of doing something for the most pitiful cases of all, the mentally ill, just in the aged bracket—165,000 of them.

In my judgment, if we could ever get through the mental block that we must not do anything for anybody which will occasion a tax increase, we would not have to dump out the other 90 percent of benefits which would go to the people.

Senators will be interested to know—and I know some have not thought about it—that when they approve the conference report, they agree to an assurance that if the Democrats should lose the coming election—and that is a possibility—there will not be a social security bill on which to vote for 2 more years. That is one of the main reasons why the House committee did not want to have something in the bill which would require an increase in social security taxes. These bills must originate in the House. That would give the Senate an opportunity to amend the bill. If there is a Republican President, and he does not want to do anything about it, if it would require more tax money and it became necessary to increase the social security tax, that would offer a chance to fight again for the very things which were dumped out in conference.

So it stands to reason that there is logic in this view. If Senators want to have an opportunity to vote to do something about social security on the off chance that there will be a Republican in the White House again, they had better not approve the conference report, because that will be their last chance for 2 years.

Our Chaplain, Dr. Harris, delivered a beautiful prayer on Thursday of this week. I regret that so few Senators were present to hear it. I was in the lobby and someone said that a Presiding Officer was needed. So the junior Senator from Louisiana was designated to be the Acting President pro tempore for that day. That was very fortunate for me, because it gave me the opportunity to hear this wonderful prayer. This is what Dr. Harris said. This was the closing line of the prayer by Dr. Harris on last Thursday:

> Stay our hands when we attempt to postpone into the future the justice waiting to be done today.

To give a single example of how to stay our hands, on the Senate side, just as an offhand provision to give us bargaining power in the conference, we took

out a provision which would have made it possible for 200,000 low-income people to be covered by social security. Actually it was 600,000. But we took out the whole provision. It would not have been much of a trick then to have agreed to the House provision. There was no real conviction against it anyway to let those 200,000 people receive the benefits. Yet we took out the House provision, but all we would have to do would be to go back to the conference and take the House provision, and 200,000 more people would be benefited. One hundred and sixty-five thousand poor, wretched mental cases would be benefited.

We would benefit the man who works and makes a little money to supplement his income. What we brought back from conference cost 10 percent as much as what we took to conference. We took to conference a proposition that a man could make $1,800 a year without losing his social security income. We came back from conference with a proposal which provided that he could make another $300 above the $1,200 he is allowed to make under present law, but that the Government would get $150 out of the $300 on social security income. After that, every dollar he made would result in a $1 reduction of his social security benefits.

The distinguished Senator from Washington knows that that is exactly like taxing him at the rate of 100 percent. The only good purpose which I can think of that that would accomplish would be to enable one man to understand another man better. It would help the poor man to understand how the rich man feels when he has to pay a tax in the 90-percent income bracket. The poor man can understand it better because he has nothing more left, but he is working that way to save 90-percent cost of the benefits which the Senate had voted.

Of course, we extended the retirement age. I regret that the Senator from West Virginia has wandered from the floor. I saw him here a short time ago. He had a little provision that went into the bill.

I should like to ask one of the pages to have the Senator from West Virginia come to the Chamber to explain that provision. He had a provision to reduce to 62 years the retirement age for men. I had never really heard the argument as to why that provision should be included, but it was not really necessary for him to explain it to me, because previously he had talked to so many Senators and had worked so hard on the amendment that there were 20 cosponsors of it. So the committee took the amendment without the least resistance; but in the conference committee, the Senate conferees dropped it, also with about the same amount of resistance.

In the conference committee it was claimed that, according to the view of the Department, we were headed in the wrong direction. So the conferees agreed to drop the amendment. Then they sent for the Senator from West Virginia; and when he arrived, they explained to him why they had dropped the amendment. We sat there with him, and proceeded to explain the logic and the reason for taking out his amendment. And then, for the first time, I really had an opportunity to understand the force of his argument in favor of his amendment. But by that time it was too late, for by that time the amendment had already been dropped.

So, Mr. President, I think much could be accomplished if we really were adamant in our positions about some of these matters, and insisted that something constructive be done.

Mr. President, I have long felt that the provisions, in the Senate Manual, relating to conferees, have much logic and merit; and I regret that, despite their logic and merit, they have not regularly been followed in the handling of proposed legislation of a controversial nature when it reached a conference committee. I particularly have in mind the provision that "the majority party and the prevailing opinion have the majority of the managers."

I recall the situation some years ago, when the Displaced Persons Act was before the Senate. It was a very, very controversial measure. The late Senator Pat McCarran, of Nevada, was chairman of the committee. Mr. President, if ever there was a Senator who had strong feelings and would stand by them, it was the late Senator Pat McCarran, a truly courageous man of great determination. Even when one did not agree with him, one had to admire his terrific, bulldog tenacity in fighting for what he favored. He made as determined and as strong a last-ditch fight against the Displaced Persons Act as I have ever seen; and he was able to hold up that proposed legislation for a year, even though he was opposed by a majority of the committee. On the floor of the Senate he offered almost 100 amendments, even though practically none of them was adopted. When the debate was over and the bill was passed, he then moved for the appointment of conferees. But the late Senator Kilgore, of West Virginia, jumped to his feet and opposed appointment of the conferees Senator McCarran suggested, because Senator Kilgore felt that if such conferees were appointed, there would be little opportunity to get from the conference a measure which would represent the view which had prevailed in the Senate. So, finally, the Senate conferees who were appointed represented the prevailing view in the Senate, even though the appointment of those conferees involved some conflict with the seniority rule. Apparently the seniority rule is but a custom or habit, whereas the conference committee provision in the Senate Manual is regarded as a requirement.

I know that the distinguished chairman of the Committee on Post Office and Civil Service, the senior Senator from South Carolina [Mr. JOHNSTON], appoints subcommittees which study bills and do a great deal of hard work on them; and thereafter, when the time for the appointment of conferees comes, members of the subcommittees are accorded the honor of being appointed the Senate conferees. I remember that once I was accorded the honor of being appointed one of the conferees, because I had served on the subcommittee, and the chairman of the committee felt that one who had been a member of the subcommittee which had worked on the bill should be appointed one of the Senate conferees, even though such an appointment would represent somewhat of a departure from the seniority rule.

However, there is no doubt that the precedents indicate that it is proper and appropriate for a majority of the Senate conferees to be composed of Senators who have voted in favor of the position taken by the Senate.

A number of times I have been disappointed by the reports which have come from conference committees when a majority of the Senate conferees did not vote for the position I took. For example, Mr. President, the business of having the Senate conferees accede to the wishes of the House conferees in regard to revenue measures comes up every year, now, and each time what develops evidences more injustice toward the positions taken by this body. Such a situation occurred last year, when House bill 7523 was being dealt with.

That bill, as enacted into law, extended the corporate income tax rate of 52 percent, continued the excise tax rates on distilled spirits, beer, wine, cigarettes, cars, parts and accessories, reduced from 10 to 5 percent the tax on transportation, and repealed the tax on local telephone service—which ultimately was extended this year, rather than repealed. The Senate had added to the House version of the bill, two amendments, one being that of the Senator from Minnesota [Mr. MCCARTHY] to repeal the 4-percent tax credit on dividend income from domestic corporations. That amendment passed the Senate by a vote of 47 to 31. The junior Senator from Louisiana was successful in having adopted by a rollcall vote of 43 to 36 an amendment to increase the Federal share in public assistance payments to the States.

The Senate appointed as its conferees the Senator from Virginia [Mr. BYRD], the Senator from Oklahoma [Mr. KERR], the junior Senator from Delaware [Mr. FREAR], the senior Senator from Delaware [Mr. WILLIAMS], the Senator from Utah [Mr. BENNETT], and the junior Senator from Louisiana. There were seven conferees from the Senate, three from the Republican side and four from the Democratic side; but of those conferees, only three voted for the McCarthy amendment when it was adopted by the Senate, and only three voted for the Long amendment when it was adopted by the Senate.

Therefore, when the bill got to conference, there was little hope that the two Senate amendments would be retained; and, in fact, in the conference those two amendments were not retained.

It seemed to me that the House conferees sensed from the very beginning that the Senate conferees were going to recede from the position taken by the Senate and would accede to the position taken by the House. At that time the House Ways and Means Committee had instructed the House, prior to the passage of the bill, that no amendment at all to the version which had been re-

ported by the committee would be accepted. A second reason why there was little hope that those two Senate amendments would be included in the conference report was that four of the seven Senate conferees had been opposed to the two Senate amendments when they were considered on the floor of the Senate, and in the conference they made little effort to support those amendments. This was an example of a case in which the wishes of the Senate were not represented by the conferees on these two important amendments.

There was a considerable amount of debate on the floor on this question, which, I think, was very illuminating. It helps to make clear the problem, particularly when junior members of the committee are confronted with a situation in which the senior members who voted against their position are in the majority.

The Senator from Louisiana and others gave their point of view to the Senate, and the CONGRESSIONAL RECORD, volume 105, part 9, page 12045, indicates what the vote was on that issue.

When these matters are lost in this fashion, the House, on these welfare amendments, has never permitted the House to vote on them. It has always been a matter of the House Members taking the attitude that under no conditions would they consider it.

I suppose the junior Senator from Massachusetts [Mr. KENNEDY] is confronted with that problem right now on the minimum wage bill.

But if one is confronted with the additional problem that the majority of the conferees did not vote for the measure to begin with, it tends to stand to reason that the House is inclined to feel that the Senate conferees are going to yield, and, it is my experience that they yield in short order.

The custom that was practiced on that occasion seems to me to be partly a matter of perhaps not habit, but more a matter of timidity. One dislikes to suggest that his amendment, and one for which he fought on the Senate floor, would have a better chance if conferees were not chosen strictly on the basis of seniority, but on the basis that the major differences between the two Houses should be handled by the majority representatives of the Senate to argue such matters.

Someone once quoted George Norris as having made the statement that a liberal government will never really exist in America until the liberals have been in power for 20 years at least, because it would take them that long to gain control of the Senate Finance Committee.

That is a very senior committee, a committee on which those who serve in senior positions generally continue to be reelected. It is a committee from which Senators are not likely to resign in order to shift to some other committee.

In conference on H.R. 12381, a bill to increase for 1 year the public debt limit and existing normal tax rates and certain excise tax rates, two Senate amendments were lost. One, proposed by Senator MCCARTHY, would have repealed the 4-percent dividend credit for domestic corporations. The conferees were Senator BYRD, KERR, FREAR, LONG of Louisiana, WILLIAMS of Delaware and CARLSON. Of these, only two—LONG and FREAR—had voted for the McCarthy amendment in the first place. The other four had voted against it.

The other amendment lost in conference was introduced by Senator CLARK. It would have disallowed as deductions certain expenditures for entertainment, gifts, club dues, and so forth. Again, only two of the conferees—LONG and FREAR—had voted for the amendment, while KERR had not voted, and the other three conferees had voted against it.

When Senator BYRD of Virginia moved to appoint conferees after the passage of the bill as amended, Senator CLARK had this to say:

Mr. President, I have no intention of objecting to the motion of the Senator from Virginia. However, I should like to read into the RECORD the procedures in this connection as stated in Senate procedure, page 172:

"Under rule XXIV, the Senate may elect its conferees, if it sees fit to do so. The Senate has a right to elect its own conferees. A motion to elect certain conferees is amendable by substituting other conferees.

* * * * *

"The conferees in theory are appointed by the presiding officer but in fact are designated by friends of the measure, who are in sympathy with the prevailing view of the Senate, and with consideration of the usual party ratio. And the Senate, on motion, may elect its conferees as it sees fit."

I read from page 174 as follows:

"Senators have declined to serve as conferees in some instances because they were not in sympathy with the provisions of bills as passed by the Senate or, after a conference report was rejected, a Senator declined to serve on a second conference committee because of views not in harmony with the action of the Senate.

"Conferees have resigned because they were not in sympathy with the action of the Senate on the bill or opposed to the bill in question."

The distinguished Senator from Virginia, Mr. BYRD, has been kind enough to advise me the names of the Senators whom he has recommended that the Chair appoint as conferees. I shall not object to their appointment, although a majority of the conferees are not in support of the views of the Senate as expressed this afternoon. However, I have such confidence in the Senator from Virginia and in the other conferees that I shall not raise the point raised by the procedures I have just read. Accordingly, I have no objection to the motion of the Senator from Virginia. (P. 13392, RECORD, June 20, 1960.)

When the conference report was brought up for discussion, I stated:

Mr. President, the RECORD shows that of the six Senate conferees who were named there were only two who had voted for these two amendments. Those are the two amendments that were disagreed to by the conference. The Senate did not have on the conference committee a majority of conferees representing the prevailing position on those two amendments.

The rules of the committee provide for that almost, without saying so, because the Senate manual states that it is of course recognized that the prevailing view of the Senate will be recognized in the naming of conferees. That was not the case in this instance.

It is the position of the junior Senator from Louisiana that a Senator should not wish to serve on a conference under those circumstances. Certainly I would not wish to serve on a conference committee if I had to advocate a position which was contrary to my convictions. The conferees under such circumstances should be those who genuinely believe in the amendment. It was my feeling, as one conferee, that we should have gone back to the Senate and report disagreement and ask for instructions. I do not see how the House could have declined to do likewise. It may be that the result would have been the same. Nevertheless, it is my judgment that we will never have the point of view of the liberal Senators, who are in a substantial number in the Senate, prevail in conference when the House Members are unwilling to agree, unless we appoint a majority of the Senators who genuinely support and believe in what they are saying.

The concept that we should demand or expect a Senator to go to conference and fight diligently to the best of his ability contrary to his own conviction seems to me to be not a proper concept. The rules take it almost for granted that there could be no doubt about the fact that a majority of the conferees should represent the majority position of the Senate. In this case that was not so.

That will be found at page 14707 of the RECORD of June 28, 1960.

Mr. President, the policy committee of the Democratic Party has compiled certain voting records for the convenience of Senators, to analyze certain votes. I do not suggest any partisan implications. I merely find, for the purpose of convenience, that this is a simple way to describe what was the issue, and to show what were the votes on adopting conference reports.

Mr. President, I ask unanimous consent that in connection with both of these conference reports I have discussed——

Mr. BUSH. Mr. President, reserving the right to object, I wonder if the Senator would give us some idea of whether we are to be able to vote tonight on the pending question.

We were dismissed with the idea that if we came back at 9 o'clock there would be no vote before that time. It is now almost 25 minutes past nine. I ask the Senator, with all respect, whether it is his intention to continue his remarks for a good many hours, or whether we are going to be permitted to have a vote tonight. I think it is only fair that we should have some idea as to what is the Senator's intention.

Mr. LONG of Louisiana. Mr. President, it was not this Senator who moved that the yeas and nays be ordered. This Senator was quite content that the vote should come, after he had concluded his remarks, and after other Senators had concluded theirs, on a voice vote. The distinguished minority leader and certain other Senators desired a yea-and-nay vote. If that is how they wish to have it, they will have to be available when a vote comes.

Mr. BUSH. May I ask the Senator if he objects to a yea-and-nay vote?

Mr. LONG of Louisiana. Not in the least.

Mr. BUSH. Will the Senator give us some idea as to when we might be able to reach such a vote, which has been ordered?

Mr. LONG of Louisiana. Mr. President, any time a Senator stands up and raises his hand and demands a yea-and-nay vote, it is his problem to be present when the vote occurs. That is not my problem. I did not demand the yeas and nays. So far as I was concerned, if the leadership felt it had the votes, it could vote whenever it was ready to do so. If a Senator wishes to speak, the leadership must contend with that.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield for a question.

Mr. BUSH. The Senator knows as well as any Senator that so long as he has the floor the Senate cannot reach a vote. I wonder if the Senator will tell us whether he intends to hold the floor, so that we cannot vote, or whether he desires to have a vote at some appropriate time?

Mr. LONG of Louisiana. Mr. President, I wish to have a vote, but I am in no particular hurry about the matter. I have a few more words to utter.

Mr. BUSH. We realize the Senator is not in a very great rush.

In all kindness, of which I am sure the Senator's heart is full, I wonder if he would not give us some indication as to whether we might expect to vote tonight. If the Senator wishes to have the vote go over until Monday, that is all right with me.

Mr. LONG of Louisiana. Mr. President, I am perfectly willing to have it go over until Monday. I do not have control. I hope, if enough Senators can be kept in the Chamber, I may gain control. At present I am not very confident.

Mr. BUSH. The Senator is very modest about his appraisal in regard to control, because the Senator has the floor. It would be helpful if the Senator would indicate whether we are to be able to vote tonight or not.

I ask the Senator once more if he will indicate his pleasure.

Mr. LONG of Louisiana. It would be perfectly satisfactory to me to quit now, if the Senate is so disposed, but I am not ready to vote, and I have a few more things I should like to say. I hope the Senator will be available to hear my remarks. I do not care to impose too much on the Senate. If the Senator has heard enough and has been convinced, one way or the other, that is his privilege.

Mr. BUSH. I have been fascinated by the Senator's remarks and almost persuaded, but not quite, to his point of view.

Mr. LONG of Louisiana. The Senator encourages me to continue.

Mr. BUSH. I do not wish to encourage the Senator too much.

I know that many Senators who are present would like to be apprised of the distinguished Senator's feelings about the vote. If we knew the Senator would like to continue and intends to continue until we adjourn, at a late hour, until Monday, perhaps some of us could make plans to go home, to finish our homework, and perhaps go to bed. We would come in for a vote on Monday. Does the Senator really care to enlighten us about that? I ask the question in all seriousness.

Mr. LONG of Louisiana. Mr. President, it is my wish that the Senate reach a vote. I do not propose to talk indefinitely in regard to the report.

I am not at all prepared to indicate that my remarks will be concluded any time soon. It might inconvenience some Senators if I did so. Some Senators went to dinner, under the impression that there would not be an immediate vote, at places so far away it would require a half hour to return. I would not like to have the Senate come to a vote and find some of the votes on my side missing. I should like to persuade a few more Senators, for a while.

Mr. BUSH. I assume there was an agreement that there would be no vote before 9 o'clock. All of us were on notice that after 9 o'clock we might expect to have a vote.

Mr. LONG of Louisiana. Mr. President, since the Senator has mentioned the subject, I had intended to talk for a while, anyway, and I thought I could show consideration to other Senators by telling them that in my judgment they could very safely go to attend a reception given for the majority leader. The majority leader did not ask for that. One of the outstanding Republican's told me he would like to pay his respects to his friend on the other side of the aisle. I told him I felt confident that we would not have a vote before 9 o'clock, unless something unusual should occur—unless lightning struck the Chamber, or something like that.

Mr. MANSFIELD. Mr. President, will the Senator yield?

That reception was only from 6:30 to 8:30. No Senator is so far away that we could not get him here in a hurry, if the Senator desires a vote tonight, of which I am doubtful.

Mr. LONG of Louisiana. I do not care to rush them, but when the Senators arrive I have some arguments to make, and I wish they were present to hear them.

Mr. MANSFIELD. To prevent the Senator from repeating those arguments, I wish to say that I have listened with a great deal of care and attention and, like the Senator from Connecticut, I have been almost convinced, but not quite. Even though I voted for the amendment of the Senator when it was presented to the Senate, and think it is a good amendment, under the circumstances I am not quite convinced.

If the Senator desires to talk all night and into the morning, would he be agreeable to a proposal that we vote upon the conference report at 12 o'clock on Monday, with 1 hour for each side in the intervening time on Monday morning?

Mr. LONG of Louisiana. Mr. President, I am not ready to enter into a unanimous-consent agreement.

As I told the Senator, I should like to have the bill passed. I am very frank to say that I should like to have it passed, but it is my hope and prayer that we can go back to conference and look after some of these poor unfortunate people whom we dropped out in the conference.

I am sure the Senator would not criticize anyone for working hard when he thinks he is working for a proper objective. I sometimes have the impression that some who are working in the opposite direction think it is more difficult to listen to a Senator say something with which they disagree than to get up and talk on the other side.

I am not prepared to enter into a unanimous-consent agreement at this time.

Mr. MANSFIELD. I appreciate the Senator's sincerity in this matter. As I told the Senator, I voted for his amendment. I did it in good heart.

Certainly, in view of the fact that we are coming to the close of this session, in view of the fact that we shall have to have some kind of a medical care aid bill, I shall vote for the conference report when the time for voting comes. I appreciate the Senator's sincerity. It is not something which has come up on the spur of the moment. It is a sincerity the Senator has had for a long time. His record will bear that out.

I am only sorry we cannot come to an agreement. I assume this means the Senator will talk for some minutes longer.

Mr. LONG of Louisiana. I expect to talk longer.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. DWORSHAK. The Senator from Louisiana is making a most persuasive presentation. I wonder if he would yield for a quorum call so that some of his colleagues might be called here to listen to his comments?

Mr. LONG of Louisiana. Some of my colleagues who listened for a while earlier are now at dinner, and I believe it would be a great imposition on them to drag them away from their friends their wives, and loved ones at this hour of the night. I plan to talk for a while anyway. That being the case, I think it would be just as well not to undertake to bring them in at this moment.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. BUSH. The tenderness in the heart of the Senator is suddenly coming into view. I wonder if the Senator would feel the same way about some of us who would like to join our beloved ones?

Mr. LONG of Louisiana. If the Senator wishes to leave, in a spirit of cooperation I shall assure him that we shall not vote right away.

Mr. BUSH. Yes, but I wish to say to my dear friend that, after all, if one goes home at this hour, one does not really hope to be called back when the Senator finishes his remarks around midnight. I do not know what his plans are.

May I ask one more question? Can the Senator give us an approximate idea of when he might conclude his remarks so that we may estimate whether there will be a yea-and-nay vote tonight? Is that difficult for the Senator to state?

Mr. LONG of Louisiana. It is difficult for me to arrive at that judgment right now.

Mr. BUSH. I certainly do not wish to tax the Senator.

Mr. LONG of Louisiana. I rather doubt that it would be appropriate to vote right away. That being the case, I should like to discuss the subject a while longer. I do not feel disposed to enter into a unanimous consent agreement at this time. Perhaps after I have an opportunity to discuss the subject and make the RECORD, I might feel that the RECORD has been adequately made; but such decision at this time would be premature.

Mr. BUSH. Mr. President, will the Senator yield for one more question?

Mr. LONG of Louisiana. I yield to my distinguished friend, the Senator from Connecticut.

Mr. BUSH. I hope the Senator will not consider that I was trying to hurry him at all.

Mr. LONG of Louisiana. I appreciate very much that the distinguished Senator from Connecticut does not desire to hurry me, and I believe I can give him the same assurance that he can go home.

Mr. BUSH. Mr. President, I appreciate that statement.

Mr. LONG of Louisiana. We will give him adequate notice before there is any vote.

Mr. BUSH. On Monday?

Mr. LONG of Louisiana. I cannot assure him that I shall still be standing here on Monday, but I can assure him that we shall not vote right away, and he will get some notice. He can remove his shoes and relax.

Mr. COTTON. Mr. President, will the Senator yield to me?

Mr. LONG of Louisiana. I yield.

Mr. COTTON. I understand the distinguished Senator from Louisiana to say a few minutes ago something to the effect that he thought we could vote without a rollcall, and he was not the one who had asked for the yeas and nays. I wonder if there is any reason why the Senator thinks it would be more desirable to vote without a record vote. Does he think there would be any more likelihood that he would prevail and send the bill back to conference if Senators were not put on record?

Does he mean that he would cease to speak if there were not to be a rollcall vote?

Mr. LONG of Louisiana. Oh, no; I did not mean that at all. All I meant was that on a great number of votes, when a question comes to issue, and the presiding officer puts the question, if the vote is likely to be close, any Senator who thinks he has an opportunity to win will demand a division. But if it looks as though he might lose overwhelmingly, then, of course, he is inclined to let it go without insisting upon a rollcall vote. It was upon that basis that I said I would not insist upon a rollcall vote, but apparently some Senator wanted one.

Mr. COTTON. I was the one who asked for the yeas and nays.

Mr. LONG of Louisiana. The Senator knows, since he himself is so conscientious about this procedure, how much Senators dislike to miss a yea-and-nay vote, even though their vote would not have made any difference since the winning side had plenty of votes available.

Mr. COTTON. Mr. President, may I finish my colloquy, if the Senator will permit me?

Mr. LONG of Louisiana. I yield.

Mr. COTTON. The Senator from New Hampshire asked for the yeas and nays. He asked for them for a reason with which I believe the Senator from Louisiana, with his deep feeling and profound understanding, would agree. This bill is one of the main bills for which we were brought back here into this session, and it seems to me that it would be highly inappropriate, in dealing with the final phase of this measure, if a yea-and-nay vote were not had. But I was a little concerned because I did not want to feel that I had contributed to the rather lengthy discussion of the Senator by merely asserting the right of asking for the yeas and nays, in which request a sufficient number of Senators joined so that the yeas and nays were ordered. I am relieved to hear the statement of the Senator from Louisiana.

Mr. LONG of Louisiana. If there is any doubt whatsoever in the mind of the Senator from New Hampshire, insofar as the Senator from Louisiana is concerned, on the subject of yea-and-nay votes, I have never in my life asked to be excused from the privilege of being recorded on a vote. The junior Senator from Louisiana started his public experience as a minute clerk in a State legislature where there were voting machines, and a legislator's vote is always recorded for the record. A legislator never voted in any other way. I believe machine voting is the practice in most State legislatures.

Mr. COTTON. I wish the Senator to understand that I was not even suggesting the point he mentioned. I wanted to know, to put the question bluntly, whether the Senator intended to indicate that his speech would be any less extended if there were no yea-and-nay vote rather than if one were requested. I did not want to feel that I had caused the Senator to speak longer than he intended. That was all.

Mr. LONG of Louisiana. No, I did not have that point in mind.

Mr. BUSH. Mr. President, will the Senator yield for one more question?

Mr. LONG of Louisiana. I yield to my distinguished and amiable friend from Connecticut.

Mr. BUSH. The Senator is in good mood. I should like to make a proposal to the Senator. Would the Senator be agreeable to a motion to recess, in compliance with the previous order, until 10 o'clock on Monday, with the understanding that the Senator would resume the floor, and that he would have the floor upon the conclusion of the morning hour on Monday?

Mr. LONG of Louisiana. Of course, I am always happy when someone wishes to show me the supreme consideration of according me the floor when I desire it. However, I should be happy to ask for it and take my chances of getting the floor when we meet on Monday. I have heard Senators on occasion, when they had something that could not wait, ask that at a certain hour they be recognized to speak, but this Senator does not feel that way.

I waited until every other Senator got his speech out of the way before I undertook to make my speech, as the Senator will recall, and I have tried to yield to all others. I knew very well that if I had started to speak while there were perhaps 30 Senators who wanted to make 5-minute speeches, they would come in and want to interrupt my remarks. I wanted to have continuity to my speech.

Mr. BUSH. I am sure the Senator has not given me the impression of a man who is in a hurry. I have not thought he was in great haste. I understand the Senator does not wish to consider my suggestion.

Mr. LONG of Louisiana. So far as the Senator's suggestion is concerned, I have no objection whatever to it. I just do not feel like entering into a unanimous consent agreement at this time.

I think we have made a mistake to have so many unanimous-consent agreements. In the old days of the Senate—and yet not a very long time ago—the Senator from Oregon came here at the time—we would debate. The practice had some good points to it. We would debate, and Senators would be present, because when debate ended, Senators knew they would vote. The minute the hot air stopped, the voting started. So Senators would be present, and a Senator who wished to speak would have others to listen to him.

Now a unanimous-consent agreement is entered into which may provide that in 2 hours there will be a vote, and the time for debate is divided. Every Senator leaves. They all have something else to do. One has a luncheon engagement, another has some letter writing to look after; others go elsewhere.

Citizens come to the Senate and sit in the gallery and wonder what in the world is the matter with this place. They wonder why more Senators do not come to listen to the one who is speaking. If the folks in the gallery attend, why do not Senators come to hear what is taking place?

Mr. JORDAN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. JORDAN. I have been here since 10 o'clock this morning.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MORSE. Am I correct in my understanding of the Senator's colloquy with the Senator from Connecticut [Mr. BUSH] that the Senator from Louisiana would be perfectly willing to have the Senate recess now and reconvene on Monday morning at 9, 9:30, or 10 o'clock, and take his chances of getting the floor in the course of time on Monday?

Mr. LONG of Louisiana. I should be very pleased to do that. Now that there are many more Senators in the Chamber than before, I would like to make this point: If the bill is sent back to conference, I am sure we can get a better bill than we have before us. I am not opposed to anything in the bill. I would

vote for it standing alone. There are a number of measures in the bill that represent good legislation. I do not mean that there is only one good thing in the bill. There are perhaps a dozen good items that I consider to be good legislation. Some of them are major progressive steps themselves.

However, I am satisfied that if we pass the conference report, unless we get a Democrat in the White House next year—and I am not certain that that is going to happen—it will be 2 years, in all probability, before we will get a chance to do anything for these miserable wretches who need our help. I am not speaking only about the poor wretches in the mental hospitals. I am talking also about the man who hopes to retire at age 62, and who is not classified as totally disabled but is unable to do work to a substantial extent.

I am talking about the man who is making $150 a month, and whose check is cut, as a result, at the rate of $1 for every dollar he makes, with the result that he is, in effect, paying a 100-percent tax. I am talking about the man who had 90 percent of his benefits taken away in the conference. I am talking about the House provision which provided that 200,000 additional people would be covered, as compared with what we have provided, for a man who must have worked one quarter in every four since 1954. Of course, only a small payment is involved, but that is of some benefit.

All this we can do by going back to conference, if the Senate will take that action. Here is an opportunity for us to be of great help to millions of people, most of them in the low-income brackets, who deserve retirement.

If we do not start fighting for some of these things—I note that the Senator from Oregon is nodding his head, and he has been here much longer than I have been in the Senate—we will never have a chance to pass a social security bill except in an election year. Of course I have tried to do it every year. As much as I have tried to do this sort of thing, when witnesses come before us in committee, we always hear the statement made that we can do this sort of thing only in an election year. Those who make that kind of statement act as though they do not take an interest in this subject except in an election year. I do not believe that a Senator would be interested in this subject only in an election year, although some would seem to indicate that there was some doubt about their being reelected otherwise. Of course there is no doubt about the House Ways and Means Committee not wanting to bring a social security bill to us next year. They will not bring out a bill if we accept the conference report. If we turn down the conference report, and do what they do not want to do, by passing a bill which will cost some money, next year they will have to send us a bill providing for a tax increase. Then we will have an opportunity to offer amendments in the Senate. That cannot be done in the House. I ask Senators to inquire of Mr. FORAND if that can be done over there. However, we can offer amendments on the bill, which will do some additional good for the needy and the poor and the underprivileged.

The House conferees made the point to us that they could not consider any tax increase because they did not have such a provision in the bill when they sent it to us. They said that under the House rules, if we voted to increase a benefit, a single objector in the House could prevent the bill from being considered. I did not think much about it until tonight, but we can see what that means. It means that if the House sent us a bill with $200 million of benefits in it and if we increased it by $50 million, it could not be considered under the rules of the House. A single objector in the House could stop it. That is why they did not vote for a tax increase.

Let us suppose that we had approved the Anderson amendment. Of course, I voted against it, but let us suppose that we had added the Anderson amendment. The House could have stopped it on the point of order that they cannot consider a tax increase if the bill is not a tax bill at the time it is sent to us.

The House sent us a bill which contained modest benefits.

They are now in the position of retaining complete control over social security bills for the next year. They can wait for a couple of years before they will let that kind of bill come over here. I am not an expert on the rules of the House, but it seems to me that these are some of the implications we vote for when we vote for the conference report. I am delighted to see on the floor the Senator from Tennessee. He is an expert on the House rules. I may not be an expert on the rules of the House, but I am an expert on knowing how hard it is to get the House conferees to agree on something after we do something on the bill. We voted to give veterans a chance to convert their life insurance policies, only to have that great statesman from Virginia, HOWARD SMITH, and his Rules Committee bottle up the bill in the Rules Committee. That is the end of it under the rules in the House. In that way one person can keep the House from voting on the bill, unless the Rules Committee is discharged, which is unlikely to happen.

Of course, there is a difference of philosophy between some of us. The great State of Virginia is very selective. It has a $1.50 poll tax, to assure the fiscal responsiblity of those who vote. They are interested in keeping the taxes high and the benefits low. We in Louisiana are going in somewhat the opposite direction, and I am one who has helped to make it that way in Louisiana. Approval of the conference report would nail things down for 2 more years, and it would be difficult to get much in the way of additional social security legislation.

I note that there is a different group of Senators in the Chamber than there was in the Chamber when I began my talk. For their benefit, I say again that we should look after these underprivileged, poor people. We should help these people to be covered by social security. We should make it possible for a person who thinks he cannot work any longer to retire at reduced benefits. We should permit a man to make a little extra money. I am sure we can convince the House that we mean business. I do not think that thus far the House really believes that there is any strong prospect of the Senate holding out for a bill that would do the needed job.

I had digressed from my remarks when I had reached the pay problem, at the time I mentioned that the Senator from South Carolina [Mr. JOHNSTON] had done so much in behalf of adequate pay for Federal employees.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. JOHNSTON of South Carolina. I wonder if the fact that all those inmates have no votes might have some effect on their not getting proper consideration.

Mr. LONG of Louisiana. The thought has occurred to me that when we lock these people up by the thousands—8,000, 10,000, or 20,000—pushed together for treatment—some of them being locked up for a week without anyone taking care of them—of course they cannot vote. Many of them are in mental institutions for their entire lives. Not only will they be unable to vote at this election; they will never be able to vote unless someone helps them to recover.

Their families vote. One family out of every three is confronted with the situation of having some poor member of its family either in a mental institution or who will have to go to a mental institution at some time during his life.

Mr. JOHNSTON of South Carolina. I believe the Republicans have in their platform a plank to the effect that if a person finishes the sixth grade, that is all the education he needs to qualify him to vote. That might qualify some persons in such hospitals to vote.

Mr. LONG of Louisiana. The statistics show that between 20 and 50 percent of these poor, miserable creatures could be restored to health if funds were made available to treat them. Of course, I suppose that is what the Secretary of Health, Education, and Welfare, Mr. Flemming, was proposing in that rash moment when he said he would start a crusade in this field.

Mr. JOHNSTON of South Carolina. What caused him to make the flip backward so quickly?

Mr. LONG of Louisiana. If he had ever started a crusade to look after these poor, miserable creatures, he is crusading twice as hard now in the other direction. That is why we are here with the conference report, as to which a majority of the conferees are asking the Senate to back down from a position which would have extended the hand of aid to poor, suffering humanity—those who are suffering most of all, those who are treated worse than the inmates of criminal institutions, and people who have less hope.

I am glad to see that I have a new listener on the floor, in the person of the Senator from North Carolina.

The indications are that if a person is in a mental institution for one year, his chances are 50–50 to get out. He may

be sufficiently cured in one year to be able to go home. After the first year, the chances are 16 to 1 that he will never get out. After 5 years, the chances are 99 to 1 that he will remain in the institution for his lifetime.

The various groups which have investigated these conditions, such as the grand jury in Baltimore, and similar groups, simply cannot continue their trips through such institutions. It is too nauseating to see the conditions under which these poor creatures are compelled to live.

Imagine locking them up for a lifetime, with none of them receiving any substantial treatment at all. They may receive a few drugs and a little attention, but not much.

Responsible persons in my State tell me that if they could get attendants, get help, get the where withal to do the job, they feel confident that they could restore at least 20 percent of these people to good health, and could make the rest of them comfortable, at least, if they could not do any better.

The Senator from South Carolina referred to voting. I know that the families of these poor inmates would be grateful beyond belief to know that their relatives were at least comfortable and had hope.

Some of the articles I have read have told how the inmates of mental institutions do not want to move or get away. They hope to die. Why should they not hope to die, if they believe they will never get out? The conditions under which they live are conditions of such filth, and are so inhuman in many cases, that there is not much hope for them.

Mr. McGEE. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield, provided I do not lose the floor.

Mr. McGEE. Who did the Senator say was not going to get out?

Mr. LONG of Louisiana. Most of the people in State mental institutions.

Mr. McGEE. But not the Senator's colleagues?

Mr. LONG of Louisiana. The Senator from Wyoming is a free man, so far as I know.

Mr. McGEE. I simply wanted the record to be straight.

Mr. LONG of Louisiana. So far as this Senator is concerned, he is not trying to detain anyone. He simply wishes to address himself to this subject a while longer. The Senator from Wyoming is a delightful listener and is very attentive.

Mr. McGEE. A delightful listener; not a delighted listener. [Laughter.]

Mr. LONG of Louisiana. I have the greatest admiration for the Senator from Wyoming. I can only think how fortunate the students were at the University of Wyoming to have had him as a professor to instruct them for a number of years before he came to the Senate.

This Senator wishes that he had had the pleasure of listening to some of the lectures of the Senator from Wyoming, because his speeches on the floor are most interesting.

I would not want to impose on the Senator, but I am delighted to see him here. I had not expected as much.

Mr. MORSE. Mr. President, will the Senator yield, provided he does not lose the floor?

Mr. LONG of Louisiana. I yield.

Mr. MORSE. Is it the opinion of the Senator from Louisiana that the chances are most remote that we can get the House to accept the amendment for which the Senator from Louisiana fought so valiantly in the Senate, and which would have provided at least some assistance to the mentally ill?

Mr. LONG of Louisiana. I believe that if we could go back to conference, we would have a chance. I believe we would also have a chance with respect to the social security improvements. Some of those which were dumped out were the very provisions of the House itself.

Mr. MORSE. Did not the Senator from Louisiana indicate a few minutes ago that under the rules of the House one Member of the House could raise an objection which would, in effect, defeat the Senator's proposal, even if it went back to conference?

Mr. LONG of Louisiana. No; the Senator from Oregon misunderstood me.

What I said was that the House conferees took the position that we should not vote any benefits beyond a certain point, because if we did, that would create an imbalance in the long-range collections and disbursements of the fund. But between now and January, many of the improvements we have in mind for social security would not even go into effect until the first of the year. For example, the most expensive provision is the one which increases the earnings limitation. So there is no requirement for an immediate increase for the protection of the fund.

However, it would be necessary for the House to send us a bill next year, if it maintains its present thinking that the fund should not be permitted to be reduced. Then it would be necessary for the House to send us a bill sometime next year to provide an increase of one-eighth of 1 percent in the social security tax, to offset carrying the cost of the benefits for which we would be voting. In other words, it would be the same as if a tax increase were included in the bill. It would be subject to a point of order in the House. But a tax increase really is not necessary until next year.

Mr. MORSE. Mr. President, will the Senator from Louisiana yield, with the understanding that in doing so, he will not lose his right to the floor, even though I proceed for more than 1 minute to make an observation in regard to the situation which confronts the Senate?

Mr. LONG of Louisiana. I yield, if it is understood that in yielding for that purpose, I shall not lose the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MORSE. I wish to say to the Senator from Louisiana that undoubtedly a considerable amount of printers' ink will be spilled, over the weekend, in publishing newspaper accounts in regard to the procedural problem which confronts the Senate at this time. I am sure the Senator from Louisiana is aware that many of those accounts will not give sufficient attention to the importance of the matter to which the Senator from Louisiana is addressing himself, and will not take advantage of the opportunity to discuss critically this situation.

I wish to speak briefly in support of the cause about which the Senator from Louisiana has been talking, for I hope some will give heed to the great social need the Senator from Louisiana is discussing.

Before I went into the law, I did considerable work in the field of clinical psychiatry, and I was well on my way to making that my profession when I made the switch to the law. In fact, I did work in psychiatric hospitals and mental hospitals, including the one on Ward Island, in New York City.

I wish to pay this highly deserved tribute to the Senator from Louisiana for making use of the floor of the Senate, tonight, in an effort to direct the attention of the American people to one field about which the people of our Nation have been disgracefully neglectful. I refer to the failure of the American people and their representatives to support a program which will result in bringing humaneness into the treatment of the mentally ill and, in that connection, will bring into practice the spiritual values we profess. Certainly that is the situation in regard to the entire field of mental care, as dealt with in our country. As a people, we have been shamefully neglectful of the very sad plight of the thousands and thousands of the mentally ill in the hospitals in our country, to whom the Senator from Louisiana has been referring tonight.

I do not like the present parliamentary situation any more than do many of my colleagues who also would like to have the Senate adjourn at an early hour tonight. Yet, Mr. President, after listening to the Senator from Louisiana make his plea that the Congress take action to remedy the sad plight of those who are mentally ill and are confined in hospitals in our country, I feel compelled to rise to support the position the Senator from Louisiana has taken.

I am a realist; I am satisfied that a further conference would not result in a better bill. In fact, I am satisfied that if a further conference were held, there would be a complete blockage by the House conferees.

But I raise my voice in defense of the procedure the Senator from Louisiana has followed. I think there are times when each of us, as an individual, must decide to make use of his parliamentary rights on the floor of the Senate, in order to focus attention, as the Senator from Louisiana has done tonight, on a serious problem.

Tonight the Senator from Louisiana has focused attention on one of the most serious of all the social problems which confront the American people; and I congratulate the Senator from Louisiana for what he has done. I believe he has accomplished most of his purpose. I hope that as a result of what he has done, some of the publications in the country will proceed between now and Monday to enlighten the American people on the subject matter to which

the Senator from Louisiana has been devoting his efforts. Therefore, I believe we might do well to take a recess from now until Monday morning. In that event, I believe that not many hours after the session on Monday convenes, this measure would be disposed of, and the Senator from Louisiana would have accomplished the major purpose he intended to accomplish by making his speech.

So I hope the Senate will consider the suggestion I shall make in a moment, in view of the procedural situation which has developed here and in view of the fact that tonight the Senator from Louisiana has performed a great educational function.

Therefore, I suggest that the Senate now take a recess, and resume on Monday the consideration of the conference report, and then proceed to vote on it. I make that suggestion to the leadership.

I say to the Senator from Louisiana that I believe he has done well to call the attention of both the Congress and the entire country to the plight of the mentally ill in this country, inasmuch as today thousands and thousands of them are receiving most inadequate treatment, as the Senator from Louisiana has stated tonight. I hope that in the not-too-distant future the Congress will recognize its great moral obligation, to come to the assistance of the mentally ill, who are pretty much the forgotten people in America.

Mr. LONG of Louisiana. Mr. President, I am most grateful to the Senator from Oregon. He is more kind to me than I deserve, by any standard. But I appreciate very much his remarks.

As I have said, I feel just fine. I do not insist that the Senate remain in session; but if the Senate does remain in session, I will be here.

Mr. ERVIN. Mr. President, will the Senator from Louisiana yield to me, in order that I may make some observations, if it is understood that in yielding for that purpose, the Senator from Louisiana will not lose the floor?

Mr. LONG of Louisiana. Yes, Mr. President, if it is so understood.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. ERVIN. Mr. President, I am very much interested in the problems of the mentally ill; and I wish to associate myself with the remarks which have been made this evening by the Senator from Oregon.

I live in a town where one of the great institutions in my State for the care of the mentally ill is located. I have been familiar with the comparative neglect that the persons in that unfortunate condition have suffered at the hands of the public, in the past. As a member of the North Carolina State Legislature for three terms, I fought for larger appropriations for the State hospitals for the mentally ill.

As the Senator from Louisiana has pointed out, these institutions have few alumni; and those alumni do not ordinarily occupy positions of influence in the lives of the States.

I think there is need for great service in this field. I am inclined to think that the best area for service is increased congressional appropriations for the study and the investigation of mental diseases, in the hope that eventually we shall find a cure for many of the types of mental illness for which today there is no cure.

I share the opinion of the Senator from Oregon that there is not much possibility that the Senator from Louisiana will win his valiant fight on this particular conference report. As a matter of fact, I think the best way we can proceed with this subject is to provide increased appropriations for research in this field.

I wish to commend the Senator from Louisiana for dramatizing this problem; and I assure him that I will welcome an opportunity at any future date to join him in seeking to obtain larger appropriations for research into the causes and the cure of mental illness, because mental illness constitutes one of the greatest and most distressing problems of our day.

Mr. LONG of Louisiana. I am very grateful to the Senator from North Carolina.

I notice, from information compiled by the Interstate Clearinghouse on Mental Health, Council of State Governments, that North Carolina has in recent years made a rather consistent increase in the amount of funds available. The per patient cost at this time is $4.24, which is somewhat above the national average. It is higher than the average in Louisiana, and to that degree I salute the Senator. However, I regret to say it is in line with the woefully inadequate appropriations that exist nationwide for this type of care.

Some persons may say, "We do not want Federal Government interference." But the hospitals are not complaining about this bill. In Louisiana, we spend $15 per patient per day in our State general hospitals, the charity hospitals, as they are called in New Orleans. Yet, in the mental institutions our expenditures as I recall, are around $3, or even less than $3, which is exceedingly small.

Of course, that was not the only item that was lost in this conference report. My guess is that if we go back to conference we can get some of what was lost. As one who has been in conference a couple of times and has seen us lose what we fought for and adopted in the Senate, it seems to me maybe we do not fight hard enough; maybe we die too easily, after we have fought for something on the Senate floor and had it prevail in the Senate. What has happened rather frequently is that in a number of instances Senators who voted to place a certain provision in the bill, feeling they had done all they could do, gave up. The Senator from New York quoted a song; he said they felt they had gone about as far as they could go and nothing much more could be done.

Frankly, it seems to me we make the conference report more difficult to agree to when we drop out of the conference report provision for the unfortunate and the underprivileged. It makes it hard for conference reports to prevail when that happens.

One of these days we may be able to do something about it. Perhaps we can this time. As a matter of fact, I think there is some chance of achieving something now. A book entitled "As a Man Thinketh" has always been an inspiration to me. The book states it has been usual for a man to say that many are slaves because one is the oppressor; let us hate the oppressor. Now there is a tendency to reverse the judgment and say one man is an oppressor because many are slaves; let us despise slaves.

As one who has lost a number of times, who is trying to do something for the most distressed people of them all, this Senator feels we ought to try harder. If there are two different points of view, maybe we can make our position prevail. If not this time, perhaps next time.

I recall that some time ago someone told me, in a joking way, "Well, Senator, you are not going to do anything for old grandma." I said, "Well, it is a cinch I will not do anything if I do not offer an amendment."

So it is now. I see nothing to be lost by trying to do something for the suffering, wretched humanity of this Nation, the most neglected of them all; and this conference report will leave them out.

That is only a part of it. It would be a fine thing to enable persons to earn $150 a month and still continue to receive their social security benefits. It would be a wonderful thing if we could get it by rejecting the conference report. I believe it could be done. I believe there is a good prospect of doing something about the other provisions.

As a matter of fact, we could very well adopt one provision that the House sent to us and we took out. I refer to the provision which would have benefited workers who did not have enough quarters to come under coverage, and had only one quarter of coverage for every two quarters that had expired since 1952. They would have been covered if they had worked 2½ years in covered employment in the last 10 years. We could take that provision. It would be a big improvement. It would benefit 200,000 people in this country.

What happened in this conference report was that the House had some good provisions in the bill that the Senate knocked out, and the Senate had some good provisions in the bill that the House knocked out. I think the compromise should have been, "We will take the benefits you gave to the rank and file of the people, and you take the benefits we gave, and we will agree on it."

That is what I thought we were doing when we took out the provision relating to the quarters of coverage, so we could get the House to agree to some of our provisions. Instead, the compromise was that if the House would drop out what they did for the people, we would drop what we had done for them. That is what happened.

We pared the provision on earnings to the point where only 10 percent of the benefits were left in the bill. Then we proceeded to tear down what the House had put in for increased coverage

of persons, and we knocked out the benefits that 200,000 people would have received. We knocked out the provision enabling persons who are not disabled, but are still unable to work any longer, or who cannot get a job any longer, to retire at age 62.

We lost on those provisions.

Mr. President, let me stress this. On the social security benefits, whereas the Senate had provided $1 billion of benefits, the conferees bring back to the Senate benefits of $50 million—5 percent of what the Senate put in the bill for the benefit of the working people, the conferees are bringing back to the Senate.

We could get much more than that. We could get more than that just by taking in full measure what the House put in the bill. The House would have to agree to it. The rank-and-file of the people would be better off than they would be as a result of the bill which the conferees have brought to the Senate. Think what a fine thing it would be, if the bill were passed and if the President signed it into law, if we merely put back into the bill what the conferees took out, the provision that a man could make $150 a month and still draw his full social security benefits. What a fine thing it would be when the President signed the bill into law. The Vice President could say, "Look what we did for the workingmen of the country. It happened during our administration."

A number of Senators sponsored it. I remember at least two Republican Senators who fought vigorously for it a long time, not to mention outstanding Democrats. But the administration, if it signed it into law, would get some credit for it. Think what a fine thing it would be to put those items back into the bill. Instead, we have yanked out all the good parts. We did bring back the Kerr amendment. There was never any controversy about it. That had been cleared from the Bureau of the Budget right on down—I cannot say this with certainty, but I feel it is the case—to the Senate committee.

There was no doubt that that would be the case. We did not discuss the House language on that point. That was agreed to before the conference started. That is a fine thing, because it will be a major improvement in public welfare.

Out of all we had to work on in the conference, we brought very little back in other respects. In my judgment, we could have done quite a bit about other things.

Mr. ALLOTT. Mr. President, will the Senator yield to me for some observations?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may yield to the Senator from Colorado for 1 minute or 2 minutes, protecting my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

Mr. ALLOTT. I wish to congratulate the Senator on the fine speech he has made. I should like to have him listen to me, because I think it is particularly fine that he would take all this time to make the speech.

Mr. LONG of Louisiana. Mr. President, I was glad to yield to the Senator, but his leader, whom I dearly love, as much as I love the Senator from Colorado, was trying to tell me something at the same time the Senator was speaking. I beg the Senator's pardon. I shall devote my attention entirely to him.

Mr. ALLOTT. I said I thought it was fine the Senator would do this, particularly in view of the fact that last night we faced the situation that the Senator said he wished to speak at great length. Today and tomorrow his leader is resting.

I am sure I am not in a different situation from many other Senators. It simply happens that this is the one night in the year I have my entire family together. The Appropriations Committee met all day today, from 10:30 a.m. until 6 p.m.

I think it would be fine if all Senators could be treated in the same way. I think it would be fine if we could also go off on vacations. I do not desire a vacation. All I should like is to be treated as a gentleman.

I think it is very generous of the Senator from Louisiana to cover so much ground and to speak so long while his leader is off having a vacation these 2 days, when many of us are paying great personal penalties—not penalties otherwise, but forfeiting great personal privileges—in order to be present to attend to the Senate's business.

I simply wished to make that remark, because I think we have a right as Senators to be treated as Senators and as gentlemen. I do not think we are being treated that way when we are held in the Senate hour after hour after hour without any idea or concept as to when we may reach a vote.

I thank the Senator. I know he is not in accord with my remarks, but I thank the Senator for yielding so that I could make them.

Mr. LONG of Louisiana. Mr. President, I would not wish to inconvenience the Senator for a moment. I have a speech to make. I told some of my friends in this body that if they wished to leave and to attend some function between 7 o'clock and 9 o'clock I expected I would talk beyond 9 o'clock and, lest there be any doubt about it, I assured them I would not conclude my speech before 9 o'clock.

I assure the Senator that if he wishes to go home for a while, we will give him adequate notice so that he may return. I did not demand a yea-and-nay vote.

Mr. ALLOTT. Mr. President, will the Senator yield for a question?

Mr. LONG of Louisiana. I will let the Senator know that I expect to finish some time after a while.

Mr. ALLOTT. Will the Senator yield for a question?

Mr. LONG of Louisiana. I am glad to yield.

Mr. ALLOTT. Will the Senator yield to me so that I may suggest the absence of a quorum?

Mr. LONG of Louisiana. Mr. President, I could only do that with unanimous consent. I would be reluctant to impose that request upon the Senate at this particular time. It seems to me that it would be a little premature. I have a few more things to say which are not as interesting as some of the things I hope to say later this evening. That being the case, I would say that if we are to make other Senators come to the Chamber it will be better to wait a short time, perhaps about a half hour or so. Then if the Senator wishes to make the suggestion again, if he is still in the Chamber, I shall be delighted.

Mr. CASE of South Dakota. Mr. President, will the Senator yield to me?

Mr. LONG of Louisiana. I yield for a question.

Mr. CASE of South Dakota. Mr. President, will the Senator yield to me with the understanding that he will not lose his right to the floor?

Mr. LONG of Louisiana. I will yield to the Senator, if I have an understanding that my right to the floor is protected.

The PRESIDING OFFICER. Is there objection to the request of the Senator? The Chair hears none, and it is so ordered.

Mr. CASE of South Dakota. I was quite interested in the suggestion made by the Senator from Colorado about joining his family. I was wondering if that was prompted by an article which appears in the Washington Daily News for Saturday, August 27, which is headed "KENNEDY Relaxes."

The article reads:

HYANNIS PORT, MASS., August 27.—Senator JOHN KENNEDY settled down today to a final weekend of relaxation at his summer home on Cape Cod before embarking on his full-scale campaign for the Presidency.

Senator KENNEDY flew here last night, accompanied by his brother and campaign manager, Robert, and a group of aids.

Pierre Salinger, the Kennedy press secretary, said Senator KENNEDY planned "a 100-percent vacation" of swimming and boating. He is to return to Washington Monday after a stopoff at Boston for a private fundraising lunch.

Mr. President, the junior Senator from South Dakota has been around here a little while. He finds it difficult to recall any incident when the Senate of the United States has been treated as it is being treated tonight.

I am not referring to the speech of the able Senator from Louisiana. I think the Senator from Louisiana has a right and certainly a privilege to dwell upon the points in the conference report as long as he desires to do so. With respect to many of the points the Senator has made, I think I would find myself in considerable sympathy.

I do think, Mr. President, that it is a hypocritical thing when Senators are present in the Chamber making the kind of fight the Senator from Louisiana is making tonight, when other Senators try to have the country think they are leading a battle for a medical care program and in some way absent themselves and enjoy privileges denied to other Senators who try to stay here in order that the Senate can accomplish its business.

I hope that some way may be devised so that some time before midnight, at

least, the Senators who are present and whose families are in town can join them, before Sunday morning arrives. With respect to those of us whose families are not in town, but who are some distance from home, at least we could get to bed before Sunday morning breaks.

Mr. LONG of Louisiana. Mr. President, the Senator can go home now if he wishes to. I am going to talk for a while. I have a few more things to say. I do not care to inconvenience the Senator.

Mr. CASE of South Dakota. The Senator from South Dakota wishes to be present if there is going to be a vote tonight. Can the Senator say there will not be a vote tonight?

Mr. LONG of Louisiana. I think I can assure the Senator that it will be a while before we vote tonight. I am not insisting on a vote tonight. I do not see the necessity for it.

Mr. CASE of South Dakota. The yea-and-nay vote has been ordered.

Mr. LONG of Louisiana. I did not ask for it. I did not insist upon it. I took the attitude I was not going to demand one. Other Senators insisted on that. They had to have it that way. If other Senators wish to insist that Senators be present until we vote, they can abide by their own decisions. I did not insist on it.

I rather felt at the time that I finished saying what I had to say we would vote. If it did not look as though I would win the vote, I thought perhaps I would not insist on a yea-and-nay vote. I believe the Senator himself has offered amendments in that way a great many times. A Senator would like to win. I did not insist on the yea-and-nay vote.

Mr. CASE of South Dakota. The Senator from South Dakota is not quarreling at all with the right of the Senator from Louisiana to take all of the time he desires. The Senator from South Dakota was wondering, in view of the fact that earlier in the evening the Senator from Louisiana did give assurance there would not be any vote before 9 o'clock, if the Senator might give assurance there would not be any vote before midnight.

Mr. LONG of Louisiana. Yes, I think I can assume that responsibility.

Mr. ALLOTT. Mr. President, will the Senator yield to me?

Mr. LONG of Louisiana. I yield.

Mr. ALLOTT. Could the Senator give us some assurance there will not be a vote before 6 o'clock in the morning?

Mr. LONG of Louisiana. Mr. President, that is a little too much to ask. I have never talked that long, to the best of my recollection. I have a few more things to say. I can assure the Senator he is safe until midnight. I can imagine he could be assured of a half hour's notice, or an hour's notice.

How much time does the Senator need to get down here?

Mr. ALLOTT. The evening with my family is now wasted, and I do not wish to stand on personal privilege. However, I do say that I object. This happens to be the one night in the year that I could have spent with my entire family. I object to spending it here, when the so-called leader of the other party is spending 2 days on vacation.

Mr. LONG of Louisiana. I think the Senator ought to be with his family, and I urge him to go now. Go. I wish him a good rest. When the time arrives when I feel I have said all I wish to say on the subject I will undertake to see that the Senator is notified that we are preparing to vote. What could be more fair than that? Very few Senators would give me that consideration. Many times the Senate votes on an important issue without waiting for me to return from Louisiana or somewhere else. What greater cooperation could the Senator from Colorado ask?

Mr. ALLOTT. What the Senator has mentioned has happened to all of us. If the Senator wishes to talk, I have no quarrel with his talking. So far as his interest in mutual health is concerned, he does not enfold this concern alone in his own bosom. Many of the rest of us have fought this fight for many years in different ways. I do not quarrel with his right to talk. I do quarrel about the creation of a situation which holds 96, 98, or 99 Senators here while one Senator is taking a 2-day vacation.

Mr. DIRKSEN. Mr. President, will the distinguished Senator from Louisiana yield, without losing his right to the floor?

Mr. LONG of Louisiana. I ask unanimous consent that I may do so.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, I should like to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. As I understand, an order was entered earlier in the day that when the Senate recesses, it recess until 10 o'clock on Monday morning.

The PRESIDING OFFICER. The Senator is correct.

Mr. LONG of Louisiana. Was not the agreement that when the Senate concludes its business today that it stand in recess until Monday?

The PRESIDING OFFICER. The Senator is correct.

Mr. DIRKSEN. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Assuming the distinguished Senator from Louisiana, and my very distinguished and amiable friend, continues his discussion, it will not be necessary to have regard for the clock or the calendar or to push the clock back, and whenever the Senator concludes his discussion the Senate will still be in a position where it can vote, in view of the fact that the yeas and nays have already been ordered.

The PRESIDING OFFICER. The Senator is correct.

Mr. DIRKSEN. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Notwithstanding the fact that we may arrive at the hour of midnight, or any hour beyond midnight, the order for the yeas and nays will still obtain, and if the Senate is in session, it is still under a mandate, so to speak, to vote under the yea and nay order?

The PRESIDING OFFICER. The question would recur when no Senator desired to speak further.

Mr. DIRKSEN. Mr. President, a further parliamentary inquiry, only for clarification.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Therefore it does not make any difference how much discussion there may be, whether it be an hour, 2 hours, 3 hours, or 4 hours, once the discussion has languished, and no other Senator seeks recognition, at that point the question recurs on the conference report?

The PRESIDING OFFICER. The Senator is correct.

Mr. LONG of Louisiana. Mr. President, do I correctly understand that notwithstanding the agreement that when the Senate concludes its business at 12 o'clock tonight, the Senate would conclude its business today and stand in recess until 10 o'clock on Monday? That was the agreement. I believe it is written down somewhere, but the Senate does not conclude its business when this day has expired, does it?

The PRESIDING OFFICER. When the Senate concludes its business today or tonight, it will recess until 10 o'clock on Monday morning, but that does not mean that it must adjourn at 12 o'clock.

Mr. LONG of Louisiana. I thank the Presiding Officer. Then we shall not conclude at 12 o'clock.

There is an article that I believe would be of great interest to Senators which appeared in Harper's magazine, issue of February 1959, which discusses the subject of mental illness. It is entitled "A Better Break for the Mentally Ill," and was written by John Bartlow Martin. It reads as follows:

> Until quite recently, most States locked up their mental patients in the most horrifying kind of madhouses, and forgot about them. But today these hospitals are changing dramatically and fast—while new methods of treatment offer fresh hope for coping with our No. 1 health problem.
>
> Today more Americans are in hospitals for mental illness than for polio, cancer, heart disease, tuberculosis, and all other diseases combined.

Mr. President, I hope Senators who are in conference on the other side of the aisle will hear what I have to say.

There are more patients in mental hospitals today than there are in hospitals for all other diseases combined, more than all of them put together. We are asked to approve a conference report providing aid for the aged to help them pay their medical bills. Yet here are poor, suffering, pitiful, wretched creatures, who constitute more than half the people who are in hospitals.

What are we going to do for them? Zero.

Notwithstanding the fact that the great Secretary of Health, Education, and Welfare informed us only last year that he had started a crusade to do

something about the problem, that the program was rolling, and that help was on its way to these poor wretches, the same Secretary of Health, Education, and Welfare said that he would have to recommend against the program. He threatened the conference report with a veto if we do anything to help these poor wretches who are living an existence that is really not good enough for lowly animals.

Half the space in all American hospitals is taken up with mental patients—some 850,000 of them. It has been estimated that, as things stand now, 1 of every 12 American children born today will spend part of his life in a mental hospital.

Think of that. If he is there for 1 year, the chances are 50–50 that he will never come out alive. If he is there 5 years, the chances are 16 to 1 that he will never come out alive. If he is there for 10 years, the chances are 99 to 1 that he will never come out alive. That is one of out every 12 born today that we decline to do anything about with this conference report.

Mental illness is unquestionably America's No. 1 health problem.

We propose to do great things about the No. 2 problem, the No. 3 problem, the No. 4 problem, and the No. 5 problem, but the No. 1 health problem, which is the most neglected of them all, is the one that we shall do the least about.

They were usually prison-like, walled-off from the community. People viewed them as places to be shunned and, if possible, forgotten.

But today for the first time there is real hope that all this may change. So far it is only a hope; but it has solid foundations—new discoveries, new ideas, and an awakened public concern.

People will not think that we have an awakened public concern if we vote for the conference report, and thus march down the hill, after having marched up the hill.

Why do we have State hospitals at all? How are they changing? Why? What is likely to happen to them?

Dr. Benjamin Kovitz, clinical director of Columbus State Hospital, in Ohio—one of the thousands of devoted unsung doctors who have treated the mentally ill during the years when hope was slender indeed—recently said:

"The first reason mental hospitals came into existence was that we had to have a place for people that just couldn't fit in. They had to go somewhere. The State hospital started a hundred years ago, when it was realized that local county homes and jails could seldom do an adequate job. So one thing the mental hospital does is to give the community some place to send a person who is disturbing, incomprehensible, fighting, and so on.

"Then, from the start, it was observed that patients get better simply by being sent into this kind of place. In the last part of this last century the emphasis changed. Freud came along, and dynamic psychiatry, and we began to make an effort to really understand what was before considered meaningless. And we began to try to apply this understanding in therapy. In this century the somatic therapies came along—hydrotherapy, insulin, and metrazol shock, electroshock, and now the new drugs—and the hospital came to be viewed as a place to help people get well.

"In addition, we now want to make a hospital serve as a place where people can do research. And at the same time we can train new doctors in psychiatry. And so the third hospital function has developed—research and training.

"The State hospital has worked, it has served some social need, as has the penal system, but it needs a lot of overhauling and a lot of its time-honored conceptions challenged."

THE STATES ATTACK THE SNAKEPITS

Primary responsibility for the care of the mentally ill has traditionally rested with the States. Until a few years ago the States discharged their responsibility poorly. Almost any State hospital presented a picture of falling plaster, leaky plumbing, hopelessly overworked doctors, and utter neglect of the patients. The States were trying to "care for" mental patients for an average of $1.74 per patient per day (88 cents in Tennessee). But a few years ago major reform began in the States. Its impetus came from the Federal Government.

During World War II the rejection and discharge of soldiers for psychiatric reasons made the Nation realize its stake in mental health, and in 1946 Congress passed the National Mental Health Act. This act established the National Institute of Mental Health at Bethesda, Md., one of seven Institutes concerned with various diseases. The Institute conducts research of its own at Bethesda. It also grants money to researchers elsewhere, to medical schools for training more psychiatrists, and to States for community mental health services.

After the passage of the act of 1946 the States bestirred themselves. They started to build buildings. They hired more doctors, nurses, and attendants and raised their salaries. They matched Federal grants. They reorganized their mental health departments. They established preventive programs—community clinics, child-guidance clinics, outpatient clinics. By 1953 the States were spending three times what they had spent on their State hospitals 9 years before—half a billion dollars a year. Some States had multiplied their expenditures fantastically during that same period—Kansas by 610 percent. Capital outlays become enormous—New York alone spent $350 million building hospitals. New research and training centers were set up. Salaries were increased until in some States mental health officials were earning more than Governors. State spending far outran Federal.

Why all the sudden interest? Citizens' groups, such as the National Association for Mental Health and the National Committee Against Mental Illness, helped arouse it. So did journalists. As the stigma of insanity began to diminish, it became possible to discuss insanity publicly. Governors discovered that mental health had become the third biggest item in their budgets, exceeded only by schools and roads. About the same time the new psychiatric drugs came along, encouraging citizens to believe that psychotics can be cured—that pouring money into State hospitals isn't pouring money down a rathole. Finally, during the prosperous postwar years, the country could afford to attend to the sick.

Not only is public interest higher; public understanding is more sophisticated. Not many years ago public interest could be stirred only by exposés of firetrap buildings or brutal beatings in State hospitals. Today people tend to take it for granted that buildings must be satisfactory and care humane; they want to know what is being done to treat the patients, for they have come to realize that if nothing is done for patients they are not much more likely to get well in a gleaming new building than in a rotting old one—that brains are needed as well as bricks. Two alternative ways of dealing with an overcrowded hospital present themselves: Get more of the patients out, or prevent new ones from going in.

Getting more out means curing more. This means primarily more doctors, nurses, and attendants. They do not exist. So the States have turned to spending money on training them. It also means finding new treatments, for if a pill should be found that was specific for schizophrenia—a possibility so remote that most psychiatrists consider it an idle dream—the hospitals could be half emptied overnight. So the States have turned to spending money on research.

Preventing patients from entering the hospital means better community outpatient clinics, which would find and treat mentally ill persons early, and it means keeping patients who don't need mental hospitals out of them, such as some aged persons. The State hospital becomes more and more a link in a chain that includes school, clinic, court, aftercare homes, and rehabilitation services.

DOES GETTING OUT MEAN GETTING WELL?

At present, State spending on hospitals has reached a high plateau. Some Governors feel that the mental health program has been running away with the State budget and the time has come to stabilize.

Traveling around the country, one gets the impression that the State hospital programs of Kansas and Massachusetts are among the Nation's best. These programs owe their superiority in no small part to being integrated with the programs of the Menninger Clinic in Kansas, and Harvard University and other colleges in Massachusetts. The same kind of thing has been done in several other States. But all too often State hospitals have remained isolated, backward snake pits scorned and shunned by psychiatrists in the ivory towers of universities and private clinics.

At the end of 1956 there was startling news: For the first time ever—except for a slight decline in 1943—the number of patients in our State hospitals declined. Since 1945 the number of patients had been increasing by about 10,000 a year. But by the end of 1956, 34 States had discharged as many patients as they took in that year—or even more—and the U.S. total declined by 7,000. This was true even though in 1956 first admissions rose to their highest point in history.

In 1957 the State hospital population dropped another 3,000, and the 1958 drop has been estimated at nearly that of 1956. Why?

Nobody was sure. Several factors seemed to be involved.

By 1956 the new psychiatric drugs were controlling patients and enabling many to leave the hospital who could not have left without them. The new atmosphere of hope among patients, doctors, attendants, and relatives helped some patients recover.

Mr. President, I digress to say that that is a very important item in the whole picture—hope. The fact that people can have hope that something will be done for them, and that eventually they will be free to lead normal, happy lives again, has much to do with the possibility of restoring them to health.

The number of hospital employees—doctors, nurses, attendants, others—had doubled in 10 years. Nursing homes, "halfway houses," after-care clinics, vocational rehabilitation, and other devices helped bridge the gap between the hospital and the community.

Doctors in private practice kept some patients out of State hospitals by treating them with the new drugs. New psychiatric

wings in general hospitals were having the same effect. Early diagnosis in community clinics sometimes prevented hospitalization. But these factors apparently had not yet stemmed the tide of new admissions. The new State programs to train their own psychiatrists—mostly 5-year plans—had not yet been felt much in State hospitals. Therefore, further reductions in State hospital populations may still be expected.

Now, statistics and predictions in this field must be viewed with much caution. Criteria for discharge vary widely from place to place and from time to time. Moreover, the increase in readmissions suggests the possibility that more patients were being discharged on the new drugs only to relapse and return. Improved social services arranged homes and jobs for patients, thereby getting them out of the hospital but not necessarily in any better health. Finally, the States have spent so much money that their officials feel obliged to show results, and so they devised all sorts of means to get patients out of the hospital—several States, for example, have begun moving aged patients out of the hospital into nursing homes, which cuts down the hospital's residents but may or may not be good for the patients: cleaning up one snakepit by creating a hundred new smaller ones doesn't help.

Nevertheless, even a skeptic must admit that the care of the mentally ill in America has improved considerably in the last 10 years and that—barring a serious economic collapse or other national emergency—the prospects for further improvement have never been better.

MONEY AND PSYCHIATRISTS

What do we need for further improvement? More psychiatrists and more knowledge. Only about 2 percent of American doctors are certified psychiatrists. There are in the United States only 11,000 psychiatrists (approximately half of whom are fully-trained and certified by the American Board of Neurology and Psychiatry). Only about 3,500 doctors are in mental hospitals, and not all of them are psychiatrists. It has been estimated that the country needs between 10,000 and 20,000 psychiatrists. But our training institutions are turning out not more than 500 new ones a year.

To produce more psychiatrists, Dr. Daniel Blain, medical director of the American Psychiatric Association, has suggested that it may prove necessary to help medical education more. Dr. Bernard H. Hall of the Menninger Foundation wrote a few years back: "The training in psychiatry in many medical schools is inferior to the training in all other specialties." Even though the States are expanding their training programs, nearly a third of the residencies in the country are unfilled today. For young doctors do not seem to want to become psychiatrists. Many consider that psychiatry is antireligious, accomplishes little and confines its practitioners in gloomy State institutions. Such attitudes begin as early as high school.

But even if all the psychiatrists in the United States were put to work in a single hospital, they would not cure everybody there because they simply don't know enough, any more than all the cancer specialists in the country could save the lives of all the patients in a single cancer ward. The causes of the major psychoses remain to this day unknown, and so does the cure. The great need is for research. Yet the amount spent on research has been pitifully small. Until a few years ago the sum was usually figured at about $6 million a year, nearly all provided by the Federal Government (which, incidentally, spent vastly more for research on hoof-and-mouth disease).

Mr. President, that is interesting. Half the people who are in hospitals in the United States are in mental institutions. Yet we spend more money on research for hoof and mouth disease, an animal disease, than for research to try to assist the wretched creatures whom the Senate proposes to ignore again tonight. I continue to read:

Today the States alone are probably spending in the neighborhood of $15 million and important private money has become available. The total national expenditure on research is probably close to $30 million a year.

Nevertheless, it is not a large sum compared to what is spent for research into other diseases. It is far less than the $53 million spent on cancer research.

Mr. President, I will appreciate the attention of the Chair, because I am getting ready to make a very important point.

The PRESIDING OFFICER (Mr. ENGLE in the chair). The Senate will be in order.

Mr. LONG of Louisiana. I was afraid the Chair was about to miss this point. I am perfectly prepared to suspend my remarks until the Chair is prepared to hear what I am about to say.

The PRESIDING OFFICER. The Chair is prepared. The Senate will be in order.

Mr. LONG of Louisiana. The point I make, Mr. President, is this: We spent almost $30 million—State, private, and Federal—for research. Incidentally, the Federal Government spent more money for research on hoof and mouth disease, as of the date of the article, than it did to relieve mental illness, although half the patients in American hospitals are mentally sick.

Mr. KEATING. Mr. President, will the Senator from Louisiana yield?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from New York?

Mr. LONG of Louisiana. First, Mr. President, I desire to bring this point to the attention of the distinguished Presiding Officer. That $30 million may seem to be a large expenditure; but at that point we were spending $53 million on cancer research, even though—as the article states—that was one-tenth of what Americans spent for chewing gum. Imagine that, Mr. President.

Now I yield to the distinguished and able Senator from New York.

Mr. KEATING. I wished to be sure the Senator from Louisiana was not casting any aspersion on the distinguished occupant of the chair, the Senator from California [Mr. ENGLE]. I wished to be sure that none of the remarks of the Senator from Louisiana could be construed as an indication by him that he thought the Presiding Officer was incapable of understanding the point the Senator from Louisiana was making.

Mr. LONG of Louisiana. Mr. President, I would never make such a suggestion. Certainly the distinguished Senator from California can understand something in half the time it takes me to say it.

But the problem was that the Presiding Officer was being informed of something else by a Senate staff member. Unfortunately, the Senator from New York has just entered the Chamber, and does not understand fully the point I was making. Nevertheless, I am glad he is here to listen to what I have to say.

Mr. KEATING. I am always glad to be here to listen to the Senator from Louisiana.

Mr. LONG of Louisiana. I regret to observe that evidently the Senator from New York cannot remain to hear the rest of what I shall say.

Mr. President, I return to the article, and now read further from it:

Some experts believe that so much money is now available that it is embarrassing—it can't be spent because of the shortage of laboratories and trained research personnel.

But the fact is, Mr. President, that much less than that is available for use in the field of mental illness.

I read further:

HOW REAL ARE "CURES" BY DRUGS?

Much of the research being done today revolves around the new drugs. Since ancient times when men have known that certain drugs influenced the human mind: alcohol, hashish, opium, peyotl, others. But drugs played little part in modern psychiatric practice until 1953, when Thorazine and Serpasil came along. Since then, the drug houses have marketed a large number of drugs, and more keep coming. Doctors used them eagerly, and they wrought an almost miraculous change in State hospitals—screaming died out on disturbed wards, patients kept their clothes on, restraint virtually ended, the use of electroshock declined dramatically.

Studies are also being made of another class of drugs, the psychotogens, which seem to produce symptoms of insanity. Many of these are very ancient—peyotl, derived by the Aztecs from a cactus; teonanacatl, the sacred mushroom of the Aztecs; caapi, a drug prepared from a jungle vine in the rain forests of the Amazon; and others. Some are modern synthetics—mescaline, the active substance in peyotl, which produced the visions and hallucinations of the peyotl eater, and a new synthetic, a d-lysergic acid diethylamide tartrate, called LSD–25, perhaps the most powerful of all the psychotogens. Investigators have thought that could we but learn how LSD–25 and mescaline produce "psychosis," we might know what causes schizophrenia.

Mr. President, imagine what could be done if sufficient funds were available.

Mr. COOPER. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. COOPER. I voted for the Senator's amendment; and he has made here, tonight, a very powerful argument for it. I wonder whether he made the same argument to the conferees.

Mr. LONG of Louisiana. I made it for as long as they would listen, but they would not listen for longer than 3 hours. So then I decided to come here and present it to the Senate.

Mr. COOPER. But we cannot do anything about it tonight.

Mr. LONG of Louisiana. If the Senate rejects the conference report, something can be done about it. But if the Senate agrees to the conference report, I agree that nothing can be done about it until another year.

Mr. COOPER. What answer did the conferees give to the Senator's argument?

Mr. LONG of Louisiana. Well, although the Senate had voted to include mental illness under the program, the conferees voted to drop my amendment.

Only a year ago the Secretary of Health, Education, and Welfare said he was starting a crusade, because of the disgracefully deficient hospitals, which operate on a custodial basis, for the care of these wretched souls. But when the time came to vote to assist in the treatment of these poor people—and the States are spending only $4 a person for their treatment, although $15 a person is being spent in the general hospitals—then the Secretary of Health, Education, and Welfare actually hinted that he would have to suggest that the President veto the bill, although the Secretary himself had previously said he was conducting a crusade to accomplish the very thing for which the Senator from Kentucky and I voted. And let me say that I am most grateful to the Senator from Kentucky for voting for it.

So I am confident that we can accomplish our purpose if we insist on it.

Incidentally, I was the only one of the six Senate conferees to vote for that amendment. But after those 3 hours in the conference committee, one of the conferees moved to drop the amendment, and I was voted down. Confidentially, let me say that I could see it coming, and so could they. As a matter of fact, they called in the Senator from West Virginia, to give him the bad news about his amendment. And when he was leaving, they said to him, "You might as well take the Senator from Louisiana along with you." The House conferees could see that the Senate conferees were about ready to yield, insofar as insisting on the inclusion of my amendment was concerned.

In fact, the last three times I had anything to do with presenting to a conference committee an amendment to help needy, underprivileged people, regardless of their category, it seemed that the majority of the Senate conferees had voted against the provision or the amendment when it was before the Senate; and, in the conference committee, in very short order they voted to recede from the position the Senate had taken, and to accept the position taken by the House. I believe that demonstrates my point that the Senate conferees simply do not fight hard enough for these things. When we appoint conferees, we should insist on the appointment of conferees who have voted for the provisions the Senate has decided to include in the bill.

It seems that in this particular conference, the other conferees thought that 3 hours was all that should be allowed me to present to them my argument in favor of the amendment. Evidently they thought that 3 hours was sufficient. However, they are having to work harder and longer now in order to try to get the conference report approved here.

Mr. President, if our conferees would work and would fight as hard as they should, we should be able to accomplish what we favor. But in view of what is done, that seems to happen very seldom.

That being the case, I believe our conferees should work and should fight much harder than they generally have been. I do not believe in giving up easily. I believe in trying and trying, and trying again. And even if there is little or no chance of winning, I still believe in trying, because it is a cinch that we never can win unless we try.

Mr. President, I read further from the article to which I have been referring:

State hospital doctors are inclined to be a trifle indifferent to research on causes—and no wonder, confronted as they are with vast assemblages of psychotic patients. Nobody knows why aspirin works, but it does; nobody knows how anesthesia works, but it does. The new drugs work; enough.

No definitive evaluation of the drugs has yet been made. Dr. Nathan Kline's original study at Rockland State Hospital in New York showed that 22 percent of the patients who received Reserpine were able to leave the hospital. But how many relapse and return? Nobody is sure.

Dr. Kline has said: "Cures? We don't even talk about cures. We can't. If you'll tell me what schizophrenia is, then I'll tell you when we've cured it. I've seen patients on drugs who were symptom free. Is that a cure? I don't know. In many fields of medicine, we're satisfied if we patch up a patient so he has only a limited disability. In surgery, for instance—an amputee isn't cured, but he can function to a limited extent. Only in psychiatry do people insist on total cures."

The new drugs are not accepted universally. Some doctors deny they are any good. According to one doctor, "All we really know is that they keep the patient quiet without putting him to sleep." A canvass of leading investigators for the New York Annals showed that, while most considered the drugs efficacious, a minority did not and said so vehemently. For a time nearly everybody agreed that if the drugs did nothing else they at least facilitated psychotherapy; but recently even that has been questioned.

Dr. L. G. Abood, a biochemist who heads the research work at Illinois University's Neuropsychiatric Institute, has said: "The new drug therapy is not as good as was thought at first. Of course, the drugs have done a lot of good. You don't see the disturbed patients now that you used to. Instead of being in a locked seclusion room they're staring at the TV set in a stupor. It's easier on the attendants and the psychiatrists. Whether it's really easier on the patients is a doubtful question. Every new therapy produces a sudden improvement in the hospital. EST did, metrazol, insulin, everything. But then it levels off. We feel this is happening with the drugs."

Dr. Abood went on: "Today in the rush to find new drugs we've lost sight of the fact that the real value of Thorazine and Reserpine lies in their experimental value. How are they active? Where? . . . You can't get around the fact that the real answer lies in understanding the chemistry of the brain. If you make an application for a grant today and say you're trying out drugs on patients, fine, you'll get the grant. But all the time, what you should be doing is trying to understand the chemistry of the brain and the chemistry of these drugs."

Dr. Abood said, "All around the country we have good laboratories, but there isn't enough basic work being done. For example, when you stimulate a nerve, what happens to the energy mechanism? We're studying the link between function and chemistry. I think this is where the ultimate secret of life itself lies."

For many years there was a great shortage of doctors, nurses, and attendants to care for tuberculars and epileptics. But suddenly major discoveries were made in how to treat both. And immediately the tuberculosis sanitoriums and epileptic hospitals began to close, and there was a surplus of personnel. Today we have a great shortage of doctors and nurses in mental hospitals. It can only be relieved, in the long run, by some major scientific breakthrough. And increasingly it appears that in this field such a breakthrough depends upon basic research.

What is the future of the State mental hospital? "The big State hospitals are bankrupt without exception," Dr. Harry Solomon of Boston Psychopathic said a while back. "What will come to take its place I don't know."

Mr. BUSH. Mr. President, will the Senator yield for a question?

Mr. LONG of Louisiana. For a question.

Mr. BUSH. I wonder if the Senator would be kind enough to indulge me for a moment to allow me to insert in the RECORD a telegram which some of his frends sent to the Honorable JOHN F. KENNEDY a few moments ago? It has some bearing on the situation we are in at the moment. I would not want to put it in the RECORD unless the Senator was agreeable to it.

Mr. LONG of Louisiana. I do not think it belongs in my remarks.

Mr. BUSH. It should not be identified with the Senator's remarks. I am sure of that. I would not ask that it be incorporated in the Senator's remarks. In fact, I would be glad to consent that it appear at the conclusion of the Senator's speech. Simply as a matter of interest to the Senator, we have wired our distinguished colleague asking him if he would not help us bring this matter to a close, and I thought the Senator would be interested at the moment in what some of us had wired him.

Mr. LONG of Louisiana. I regret that we do not have the Vice President in the chair. I have not seen him since I came here at 11 o'clock this morning. I had hoped I would have an opportunity to speak to the Vice President, because, after all, he is the Presiding Officer of the Senate. Think of the opportunity I would have if I could have him sit in the chair and hear this problem as I have outlined it for the last several hours.

Mr. BUSH. The Vice President is available. If we could just come to a vote, he would be here to break a tie if there should be a tie.

Mr. LONG of Louisiana. The Senator encourages me when he says this looks like a tie vote and that the Vice President will be in his chair.

Mr. BUSH. I would never have mentioned it if the Senator had not suggested there would be that close a vote.

Mr. LONG of Louisiana. I did not have that in mind. My thought is that somebody is going to be elected President. I think it will be either the Senator from Massachusetts or the Vice President of the United States. My reaction is that I would have had a good prospect if I had the Vice President hear this speech on a great unmet problem.

Mr. BUSH. The telegram was sent in good spirit by several friends of the Senator from Massachusetts. We joined in apprising him of this situation. I think the Senator would be interested in what we said to him.

Mr. LONG of Louisiana. I think it should go in the RECORD, but I am reluctant to yield for that purpose, because once in a while a Senator is associated with certain sentiments. I have not seen the wire. Perhaps if I saw the telegram I would be more disposed to having it in the RECORD.

The Senator knows that during the McCarthy discussion some years ago, on the question of whether a Senator should be censured——

Mr. BUSH. I can assure the Senator there is no censure matter involved here.

Mr. LONG of Louisiana. Since the Senator placed in the RECORD a statement reflecting discredit on his colleagues, it was suggested that he should be censured for it.

I would not wish to be associated with anything like that.

Mr. BUSH. I will say to the Senator, that is not in any way a censure. This is a sort of plea for help; that is all.

Mr. LONG of Louisiana. Mr. President, I cannot agree to put the telegram in the RECORD.

Mr. BUSH. Very well. I withdraw the request.

Mr. LONG of Louisiana. The Senator suggests that I am waging a filibuster. Perhaps by the Senator's definition I am. There was a great Republican Senator who, fortunately, is still living, who served in this body. I refer to former Senator George Malone of Nevada. I served with him on the Committee on Finance for a number of years. He had a definition of a filibuster with which I agree. He said that a filibuster is a long speech with which one does not agree. If one agrees with it, it is a profound debate.

Mr. BUSH. Mr. President, I withdraw the request. I thought if we referred to the Senator's remarks as being a filibuster it certainly would not hurt him in the State of Louisiana. If the Senator prefers, I shall certainly withdraw the request.

Mr. LONG of Louisiana. Mr. President, the Senator would be inaccurate if he said I was filibustering, by my definition. I do not intend to prevent this from coming to a vote. My feeling about a lengthy speech is that if the purpose of the speech is to prevent the issue ever coming to a vote it is a filibuster. However, if the maker of the long speech does not so intend, it is not a filibuster.

I tell the Senator in all conscience, for what is in the bill I would like to see the bill passed. I am hopeful we shall be able to get more. That is why I wish to go back to conference, in the hope of getting more. I do not think we run much risk of losing what we have, so I am advocating that we follow this procedure.

The purpose of the speech is that I hope to persuade some Senators to go along with me. Even if I do not persuade a single Senator, at least the speech is worth the effort, so far as this Senator is concerned.

Of course, that is what makes one person think another person is conducting a filibuster. If one does not agree with the speech, one does not think it is very profound. That being the case, such a person thinks, "It is a filibuster, because I do not agree with it."

George Malone, so far as I know, was the author of that definition. I know the distinguished senior Senator from Nevada recalls it was George Malone who many times stood on this floor and said exactly that. He was one of the great Republican Senators of this body.

A number of times I observed George stand on the floor of the Senate and makes his position well understood, although it took a little time to do it. I also say that I am not approaching any of George Malone's records. I have a long way to go to get to that. I am not really trying to.

Mr. MORSE. Mr. President, I raise a point of order. The Senator from Louisiana has not yielded for a question.

The PRESIDING OFFICER. The Senator from Louisiana has the floor.

Mr. MORSE. Mr. President, I am making the point of order as to whether the Senator from Louisiana is out of order.

Mr. LONG of Louisiana. Mr. President, I do not yield for a point of order. I shall continue with my statement.

The PRESIDING OFFICER. The Senator from Louisiana has the floor, and can yield only for a question.

Mr. MORSE. Mr. President, I can raise a point of order at any time, if the Senator is out of order.

Mr. LONG of Louisiana. Mr. President, I shall continue my speech. I do not care to yield the floor. If some Senator cares to make a speech, I shall be glad to cooperate with him, perhaps by unanimous consent.

I am sorry I have not been able to agree with other unanimous-consent requests.

Mr. KEATING. Mr. President, will the Senator yield for a question?

Mr. LONG of Louisiana. Mr. President, I will yield for a question. Mr. President, I must ask the Presiding Officer to protect my rights to the floor, because I can only yield for a question. I know the Presiding Officer has been diligent. I will say that he has been one of the most diligent Presiding Officers I have ever seen. I am pleased to say that the great junior Senator from North Dakota [Mr. BURDICK] has heard almost my entire speech. He has sat and presided over the Senate all this time. My guess is that he will soon break the great record established by the Senator from West Virginia [Mr. BYRD], who at one time set a fantastic record for presiding over the Senate for a long period of time.

Mr. President, I now yield for a question to the distinguished able, talented, clever, and brilliant Senator from the State of New York.

Mr. KEATING. Mr. President, does not the distinguished, able and brilliant Senator from Louisiana feel that the Presiding Officer is entitled to our commendation—indeed, to our sympathy?

Mr. LONG of Louisiana. Mr. President, when it comes down to considering a speech with which one disagrees it is easier to make a speech with which another disagrees than it is to listen to a speech with which he himself disagrees.

Mr. KEATING. Mr. President, will the Senator yield for a further question?

Mr. LONG of Louisiana. That has been my experience. I yield for a further question, Mr. President.

Mr. KEATING. Would the Senator from Louisiana have any objection to having printed in the RECORD the telegram mentioned by our distinguished colleague from Connecticut, at the end of his remarks?

Mr. LONG of Louisiana. Mr. President, when I yield the floor any Senator can ask for recognition. As a matter of fact, some Senator suggested a while back that perhaps we ought to quit until Monday and then permit the junior Senator from Louisiana to be recognized. It seems to me that it would be most immodest for me to insist upon something like that. I think every Senator has a right to ask for recognition and to speak.

Mr. KEATING. Mr. President, will the Senator yield for a further question?

Mr. LONG of Louisiana. Mr. President, I yield for a question.

Mr. KEATING. Would the Senator be able in any way to advise us or to give us any guidance as to the hour at which he might terminate his remarks?

Mr. LONG of Louisiana. Mr. President, I thought I gave the Senator some assurance that he could depend upon my remarks not being terminated before 12 o'clock. I am surprised the Senator is present now.

Mr. KEATING. Will the Senator yield further?

Mr. LONG of Louisiana. I yield for a question, Mr. President.

Mr. KEATING. Was it not the understanding given by the distinguished Senator from Louisiana that he would speak at least until 9 o'clock? Was 12 o'clock mentioned in our conversation?

Mr. LONG of Louisiana. Mr. President, I do not know what the Senate is going to do. Some Senator might wish to recess, or something. One never can tell.

Some Senators wished to attend a party. I desired to make a speech. Therefore, I was perfectly willing to assure Senators there would not be any vote before 9 o'clock. For the further assurance of certain Senators who wished to go home and be with their families, I assured them they could depend upon there being no votes before 12 o'clock.

Mr. KEATING. I thank the Senator.

Mr. LONG of Louisiana. I am willing to give the Senator that assurance.

Mr. COTTON. Mr. President, will the Senator yield to me for a question which has nothing to do with the telegram?

Mr. LONG of Louisiana. Mr. President, I yield to the Senator for a question.

Mr. COTTON. I note the Senator referred to the record established by the great Senator from West Virginia as to presiding in the chair.

Mr. LONG of Louisiana. Yes, I did refer to that.

Mr. COTTON. May I ask the Senator who the Senator from West Virginia was? I am much interested in these historical matters.

Mr. LONG of Louisiana. I believe the Senator from West Virginia [Mr. BYRD] has been known to preside continuously over the Senate for a longer period of time than any other Senator has sat continuously in the chair. I believe it was nearly 24 hours—22½ hours. I think that is quite a feat.

Mr. COTTON. The record of the Senator from West Virginia [Mr. BYRD] is now in danger, is it?

Mr. LONG of Louisiana. I do not know that that is the case, since the Senate went into session only at 11 o'clock this morning.

Mr. President, I return to the article about a new hope we have for doing something for the mentally ill.

Mr. McGEE. Mr. President, may we have order in the Chamber?

The PRESIDING OFFICER. The Senate will be in order.

Mr. LONG of Louisiana. Hope is a very important thing. It is a sign of encouragement for one family in three which either has or will have a member of the family in a mental institution at some time during the life of the family members.

I continue to read from the article to which I have referred,

Dr. Solomon mentioned certain currents you can see now: (1) large numbers of private psychiatrists treating patients in their offices and keeping them out of hospitals—

I suppose those would be the very fortunate people—

psychiatric pavilions in general hospitals—

Incidentally, that is one result of the bill. While we have all sorts of mental institutions, at least for 42 days we would be able to treat a mental patient in a general hospital; but if he were admitted to a hospital designed to treat psychiatric cases, then the State would lose the Federal matching funds. To that degree, at least, general hospitals, or certain parts of general hospitals could be converted into hospitals for psychiatric care. If the conference report were to be adopted, by the very force of it, it would compel the conversion of hospitals all over the nation from general purposes into psychiatric purposes, so that patients would get the benefit of the 42 days of care that we voted, and as surely as people would start to get the benefit of the provision, one of these days we will increase that feature, unless we decide to go after the poor masses who are huddled in the present institutions, the 850,000, 165,000 of whom are over age 65.

(3) more university hospitals; (4) the trend toward day hospitals—patients sleep at home at night but spend their days in the hospital.

Hospitals appear to be moving toward greater freedom and closer ties with the community.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. LONG of Louisiana. I yield.

Mr. ERVIN. I have been listening to the distinguished Senator's explanation of the provisions of the bill. I should like to ask him if he does not agree with me that the people of whom he is speaking have one advantage over Senators in that they can go to bed when the sun goes down?

Mr. LONG of Louisiana. Yes, I would imagine that is probably the case. They can. Let me say to the Senator, however, that the Senator can go to bed any time he wants to. It is all right for the Senator to leave and go to bed. He could be in bed now. I would be willing to vote for a recess. However, if the leadership wants to remain and Senators also want to remain, I am flattered that they would wish to do so in order to hear my poor remarks. Nevertheless, it is fine to know that some Senators are sufficiently interested to listen, because this is an area that in my judgment really needs some care and attention.

Hospitals appear to be moving toward greater freedom and closer ties with the community through outpatient and aftercare clinics, home-care plans even for acute patients, vocational guidance, halfway houses, day hospitals, night hospitals. unlocked wards, and so on. The community, not the hospital, ought to be the place for prevention, prehospital treatment, short-term care.

The State hospital is the place for patients needing longer treatment.

Dr. Henry Brill, of the New York State Department of Mental Hygiene, told me on a visit to Rockland State Hospital: "Because of the drugs and other things. these hospitals will change their nature. Their tremendous rate of growth will cease. We'll come to a stabilized population or a gradual decrease. The tremendous accretion of chronic schizophrenics will gradually dissolve. But because of the growing total population, they will be replaced by other elements of the population, other unsolved psychiatric problems." He did not say so but may have had in mind alcoholics, the aged, and narcotics addicts, among others. "None of this is going to happen tomorrow," he went on. "In New York we're still overcrowded, and our admission rates are still going up. But patients stay a shorter period of time.

"The drugs had an effect on our building program. In some buildings we built wards for disturbed patients, then the drugs came along, and now we have to take out the inside security screens—we don't need them any more. There's been a tremendous and a rapid change."

At the same time that the new drugs, the open hospital, and other innovations have generated a great ferment in the care of the mentally ill, American medicine has undertaken a nationwide survey of every aspect of mental illness—a survey which may become a landmark in medical history. Such a study was recommended in 1953 by Dr. Kenneth E. Appel, then president of the American Psychiatric Association. In January of 1955 under the leadership of Dr. Appel and Dr. Leo Bartemeier, chairman of the Council on Mental Health of the American Medical Association, the AMA and the American Psychiatric Association established a Joint Commission on Mental Illness and Health. Other national organizations joined.

Congress appropriated $1,250,000 for a 3-year study; States and private sources supplied more. The Joint Commission opened an office in Cambridge, Mass., and set to work under the direction of Jack Ewalt, Massachusetts commissioner of mental health.

It began major studies of various aspects of the care of mental patients and of the manpower available in the mental-health field. It undertook a nationwide sampling to find out what kind of troubles people have and how they handle them. It began smaller studies of non-psychiatric mental-health resources, such as schools and churches of the epidemiology and etiology of mental disease, and the economics of mental illness.

Dr. Ewalt has said: "We're not trying to paint a picture of the average hospital. We're trying to pick out the best things and see what makes them the best, so that we can tell a superintendent how to improve his hospital. In general, we're trying to figure out what should be the future of these mausoleums, the big state hospitals—trying to figure out where we are now and what we ought to do next."

The Commission will make recommendations to Congress and to the States in the summer or fall of 1959. Its report may at last provide a rational basis for a national mental-health policy.

THE IDEAL HOSPITAL

Already, in a report for the World Health Organization, more experts on psychiatric care have envisioned an ideal hospital. They decided that most Western countries probably needed at least one bed per thousand population, but in rural tropical Africa a tenth as many was enough. (Most Western countries now have about three beds per thousand.)

The next step, however, should not be to build more beds, as has been done in the past. Rather, as soon as the hospital can provide essential custodial care, its staff members should reach out into the community and devote a third of their time to a community mental-health program. They should inform the public about the hospital and the nature of mental illness. They should encourage private physicians and general hospitals to deal with simple psychiatric conditions and promptly recognize those beyond their scope. They should set up an outpatient service and a day hospital. They should set up special clinics for special problems, such as alcoholics, epileptics, and children. And they should form clubs of patients who have been discharged from the hospital and direct their activities.

The experts argued that the amount of money spent does not alone test a hospital's quality. Quality is better measured by the average length of stay, the ratio between the number of patients admitted and discharged, the capacity the hospital has to absorb patients from society and take care of them, the percentage of discharged patients who relapse and return, and, above all, the atmosphere of the hospital. On this last intangible point the experts wrote, "Too many psychiatric hospitals give the impression of being an uneasy compromise between a general hospital and a prison. Whereas, in fact, the role they have to play is that of a therapeutic community."

The atmosphere of a hospital can be evaluated in numerous ways. How good are the relations between the medical director and the doctors under him, between the doctors and the attendants, between the attendants and the patients, among the patients themselves?

Does the hospital preserve the patient's individuality? ("In too many psychiatric hospitals still the patient is robbed of her personal possessions, her clothes, her name, and—should her head be lousy—even her hair. Every step, therefore, that can encourage the patient's self-respect and sense of identity should be taken.")

Does the hospital assume that the patients are trustworthy? ("The locking of wards creates the urges to escape; the removal of knives and other elaborate and insulting precautions have provoked many suicidal attempts. High walls, bars, armor-plated windows, bunches of keys, uniform clothing,

and all the other paraphernalia of prison make modern psychiatric treatment impossible.")

Does the hospital reward patients' good behavior rather than punish bad? Is it, for that matter, punitive at all? Does the hospital encourage patients' initiative and responsibility? Does it encourage visitors? Does life inside the hospital resemble as closely as possible life in the outside community? ("In a Western country where men and women mix freely at work and in recreation, it is obviously desirable that they should do so when in the mental hospital.") Are the patients active—not merely busy, but busy at planned and purposeful activity?

Once the proper atmosphere of the therapeutic community has been established, the WHO experts wrote, the staff can build upon it specific types of treatment. They merely mentioned electroshock; they emphasized much more occupational and recreational therapy. They stressed group activities of all kinds, ranging from habit training for grossly deteriorated patients to art and music for others.

"In their gradual return to social effectiveness, patients often seem to need to recapitulate, not only the development of the interests and activities of the human being from childhood to adult life, but also the development of the human race itself. The group activities must, therefore, cover the scale from the archaic and primitive to the cultural and technical"; and they pointed out that for some patients "sand and water play * * * provides a more therapeutic occupation than any technical or craft activity." Patients must be given responsibility. During the greater part of the day, the patients will be away from their own sleeping quarters. However, patients should not be locked out of their wards any more than into them, for if they need solitude and rest they should have it.

There should be 1 doctor for every 150 patients; 1 nurse for each 5 or 6 patients. More use should be made of group psychotherapy. Not many patients can be helped with individual psychotherapy. As for full-scale classical psychoanalysis, it is probably never justified except for research purposes, the experts thought. Each patient, however, should "feel that there is one doctor who is his—one doctor who knows him well and whom he knows."

When a new patient is admitted, "everything" should be done to make him feel at home—he should be given a guidebook and a map and should as a right, meet the medical director personally.

Let us contrast that with conditions which exist in so many mental hospitals in America. Making patients feel at home and comfortable—nothing of that sort do we have in most of these hospitals.

Leaving the hospital, he should be prepared by gradual trial visits and numerous interviews and be helped by social workers to find a job and home. The hospital building should not dwarf the individual by its size and by herding patients together in thousands in giant monoblock buildings.

No hospital should contain more than a thousand patients.

Let us compare that with many hospitals in which have 8, 10, and 15 thousand patients for the mentally ill.

(The experts doubted that large hospitals are cheap to operate.) No hospital should be built to last too long: "Many countries will be burdened for a long time to come with large obsolete mental hospitals built years ago to fit a conception of the role of the mental hospital which is now completely rejected." New hospitals should be designed to become obsolete in 20 or 30 years, and their interior walls should be movable. The hospital should be composed of several small buildings, not of a single large building. Enormous existing hospitals could be improved by breaking them up administratively into units of 400 to 700 patients, each complete in itself with its own medical director and staff.

Finally, the experts warned, the psychiatric wards of general hospitals are not necessarily the best places for psychiatric care. Too often they keep patients in bed and emphasize neurological diagnosis. Sometimes they are also "very detrimental" to the community mental hospital, because they treat and return to society all patients capable of early recovery and send to the community hospital only grossly disturbed or chronic patients. "There is no more certain way of turning the community mental hospital into a madhouse and depriving it of its role of a therapeutic community."

Mr. KEATING. Mr. President, will the distinguished Senator yield for a question?

Mr. LONG of Louisiana. I yield for a question.

Mr. KEATING. Was the distinguished Senator aware of the fact, which I shall presently state to him, and after stating it, does he not feel it should be a cause for celebration, in the form of a comment on this legislation, which I read from the UPI ticker——

Mr. MORSE. Mr. President, I raise a point or order. The Senator from New York is not in the process of asking a question; he is, in fact, making a statement. I make the point of order that the Senator from New York is out of order.

The PRESIDING OFFICER. The Senator from New York has the right to propound a question.

Mr. KEATING. I am propounding a question, namely, whether the Senator from Louisiana is aware of what I am about to say.

Mr. MORSE. That is not propounding a question. I raise the point of order that the Senator from New York is out of order; and if the Senator from Louisiana persists in yielding to the Senator from New York for that purpose, I shall raise the point of order that the Senator from Louisiana is out of order.

Mr. LONG of Louisiana. I must decline to yield further to the Senator from New York.

Mr. KEATING. Mr. President, may we have a ruling?

Mr. LONG of Louisiana. Mr. President, I decline to yield further. I do not wish to be declared out of order. I do not care to yield the floor; and I would yield the floor if I yielded for this statement.

Mr. KEATING. I understand.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield for a question.

Mr. JOHNSON of Texas. I wonder if the Senator anticipates that we could reach a vote on the conference report this evening?

Mr. LONG of Louisiana. I do not know. I simply do not know. I am prepared to speak a while longer on the subject.

Mr. JOHNSON of Texas. We talked about it last evening, and I had the feeling that perhaps the Senator would speak for an hour or two, and that the Senate might be able to reach a vote. It is now 10 minutes of 12. I have a responsibility. I do not want to make any suggestions which may be embarrassing.

If the Senator would prefer to go over until Monday, although it would be embarrassing to me, I would be willing to do almost anything in order to accommodate my colleagues, and particularly my friend from Louisiana. On the other hand, I do not want to interrupt him in his speech.

If we could vote tonight, I should like very much to do so, for reasons of which the Senator is very well aware. An appropriation bill is scheduled for consideration on Monday, and several other conference reports will be ready.

However, if the Senator feels that it will be possible to vote this evening, I shall be glad to ask Senators to stay here. If the Senator would prefer to go over until Monday, I would be willing to work out an agreement with him to vote early on Monday. I want to be cooperative and understanding; at the same time I had the feeling that perhaps we could vote today. If we cannot vote today, I will understand it, and shall ask the Senate to go over until Monday. I should like to be guided by the wisdom of the Senator from Louisiana.

Mr. LONG of Louisiana. I think it would be well to go over until Monday. I have covered much of what I wanted to say, but there are many things I should like to make a part of the RECORD before the debate is concluded. I am prepared to go over until Monday; then I would be prepared to support the motion.

Mr. JOHNSON of Texas. Might we have some agreement as to when the Senate would vote on Monday?

Mr. LONG of Louisiana. I told the Senator from Texas that I would not conduct a filibuster on this question, but that I would have to define what a filibuster is. The Senator knew that.

Mr. JOHNSON of Texas. I do not question the Senator's statement.

Mr. LONG of Louisiana. I assure the Senator that I do not propose to defeat the bill. I had hoped the Senate would vote down the conference report. I want the bill to become law, but I should like to see a better bill than we have now. The Senator knows that.

Mr. JOHNSON of Texas. I understand.

Mr. LONG of Louisiana. I am reluctant at this time to enter into a unanimous-consent request; but I agree with the Senator that the bill should be passed, and I should like to cooperate with him.

Mr. JOHNSON of Texas. I know that.

Mr. LONG of Louisiana. I shall be glad to discuss that question with him when we meet the next time, or between now and the next time we meet, but I do not feel like entering into a unanimous consent agreement at this time.

Mr. JOHNSON of Texas. I was hopeful that if the Senator would agree to have the Senate recess tonight, we might have an agreement on the time the Senate would vote on Monday, without leaving the question open.

Mr. LONG of Louisiana. I am not prepared to agree to that; but if the Senator wants to keep us in session all night, he can.

Mr. JOHNSON of Texas. I shall not press the Senator. I understand his position. I shall cooperate with him.

Mr. LONG of Louisiana. Mr. President, I wish to conclude the article from which I have been reading:

A PANE OF GLASS

Unhappily only a few of our very best private hospitals as yet approach this ideal. Yet these few may point the way to the future. Dr. Brill of New York State believes that in not many years the State hospital as we know it today will be remembered as a curiosity in medicine's history. And he puts it:

"A hundred years ago or more the movement to get the mentally ill into hospitals began. We organized hell out of mental illness—developed enormous collections of mental patients before we had any effective methods of treatment. That's how the problem developed that we call the State hospital problem—not for a lack of finances and personnel, but because we collected all these people—for the best motives—before we knew what to do for them. Now at last we do know. I feel that we're at a new threshold in psychiatry."

Psychiatry can work no miracles. Serious men in the field fear that the hopeful public may vote them all the money they ask but then, if they fail to empty the hospitals quickly, turn on them indignantly, with the result that psychiatry will be set back many years.

Hope should not blind us. Despite all advances, so recently as the end of 1957 Dr. William Menninger of Topeka called government-run hospitals a disgrace, "human warehouses." "Sixty percent of their population never comes out alive." Money, personnel, research, and public understanding—these, he said, are what we need today to make them what they ought to be.

A schizophrenic patient, trying to explain his condition, once said, "There is a pane of glass between me and mankind." All lunatics and their asylums have traditionally been blocked off from the rest of the world by an invisible barrier. The task of psychiatry is to smash the pane of glass. That goal, like man's ancient dream of reaching the moon, seems less wild a dream than ever before.

Mr. President, now I should like to discuss conditions which exist in some of the hospitals to which I have made reference. I should like to discuss an article entitled "Springfield Hospital Overfull; Staff Short." The article reads:

Seated elbow to elbow along a narrow porch in Springfield State Hospital, two long rows of elderly women mutely faced each other.

In an adjoining dormitory their beds were stacked four rows deep and barely inches apart. The scene: ward F of Springfield's "continued care" section for female patients.

Cast adrift from families unable or unwilling to care for them, these elderly chronic patients are rapidly becoming the biggest single headache of Maryland's biggest public mental institution.

But they still comprise only part of the overall problem.

Squeezed into Springfield's 35 patient buildings are 3,312 mentally disturbed men and women.

The hospital is licensed to hold only 2,966.

Springfield's overflow of 326 patients is large enough to fill six average-sized hospital wards.

Instead they are packed into gloomy basements, reconverted porches and the aisles of already overcrowded dormitories.

Despite this crush of patients an overworked staff of nurses and hospital attendants manage to keep beds, floors and ward rooms in a state of amazing cleanliness.

The 64-year-old institution occupies 1,400 acres of rolling farm land 40 miles north of Washington.

It is supposed to treat insane white patients from half of Baltimore City and eight western Maryland counties, including nearby Montgomery.

Yet Springfield is fighting dirt and overcrowding as hard as it is fighting insanity.

Some 2,200 men and women, roughly two-thirds of its patients, live in acutely cramped quarters.

Most of them are housed in seven buildings of pre-World War I vintage, some dating back to the turn of the century.

No part of the structure is fireproof. Yet in event of fire, most of the patients would have to be carried or helped to safety.

In D building, Springfield's long-term colony, 93 chronic male patients jostle one another in space planned for 60.

Beds are crammed so close together that patients must dress and undress in the aisles. There is no place here for personal belongings.

In M ward an employee cafeteria has been transformed into a 36-bed dormitory.

In an adjoining ward beds are lined up head to foot in what once served as a day room.

Seventy-six elderly men were penned in a gloomy basement ward, once a storage area, intended to house slightly more than half the number of occupants.

In another ward of Springfield's epileptic colony 67 patients are sardined into space licensed for 41. Only one attendant is on hand to supervise this group.

Springfield's nurses, in some cases, have dipped into their earnings to buy furniture, curtains, or TV sets.

Since 1949 when public awareness was first aroused to the plight of Maryland's mentally ill, the State has spent $9.8 million to renovate and expand Springfield's plant.

Although it may have fared better dollar-wise than Spring Grove, it had to spread its income over a bigger patient population.

There has been a steady drop in both funds and public interest during the past 10 years.

Since 1949, when an aroused legislature earmarked $6 million in construction money to Springfield alone, this has been the trend: 1951, $1.2 million for capital outlay; 1952, $500,000; 1953, $800,000; 1954, $500,000; 1955, $350,000; 1956, $140,000; 1957 no construction money; 1958, $40,000.

Last August the Joint Commission on Accreditation of Hospitals refused to renew the accreditation of both Springfield and Spring Grove.

In Springfield's case, the reasons were overcrowding, fire hazards in seven buildings, and shortage of professional and nursing help.

Springfield has 26 doctors of whom 22 give direct care to patients. Its budget provides for 28.

The American Psychiatric Association, which lays guidelines for public and private institutions, says it needs 35.

It has 22 registered nurses, although its budget calls for 25. The APA says Springfield should have 196 registered nurses.

Just as at Spring Grove this combination of overcrowding and understaffing means that patients able to benefit from psychiatric care are sinking further into chronic insanity.

Instead of returning to their homes and communities they are becoming lifetime wards of the taxpayer. Some have spent 40 to 50 years at the institution.

Since 1953, Springfield's population of patients over 65 years of age has climbed from 22 to 36 percent.

Today the aged account for 27 percent of all new admissions, compared with 14 percent 6 years ago.

Many of these patients are senile men and women beyond psychiatric help who could be cared for just as well in nursing homes. Nevertheless, as soon as they are certified as psychotic, Springfield must find room for them.

This constantly rising burden of custodial care diverts staff and space from those who who can benefit from treatment.

Springfield this year opened the first section of a cheerful, modern geriatrics building for elderly patients able to respond to medical or psychiatric help.

Mr. President, certainly it would be fine if more geriatrics units were opened in many of the hospitals in this country, so aged people could be treated decently, instead of being confined in the dreadful type of facilities to which I have been referring.

I read further from this article, Mr. President:

Although there is now space for 140 in the new structure, there is an immediate need for 400 beds. But no money is on hand to expand the new facility toward an already authorized goal of 260 patients.

Even if the legislature approves funds for the additional 120 beds next year. It could not admit its first patient until 1962.

Springfield's $1.7 million medical and surgical building is a showplace. It is filled with gleaming up-to-date equipment.

But because of the low salaries Maryland pays psychiatrists, physicians, and nurses, Springfield's administration is worrying whether it will be able to keep staff enough to run the facility.

Maryland now ranks 45th among the States in what it pays senior assistant psychiatrists, according to an APA survey last September. Its starting pay for assistant psychiatrists is lowest in the Nation.

Mr. President, I should like to discuss with Senators an article from the Washington Post of Wednesday, November 26, 1958, entitled, "Overcrowded Hospitals."

OVERCROWDED HOSPITAL "LOSES" CURABLE PATIENTS—LACK OF STAFF AT CROWNSVILLE PUSHES THEM TO CHRONIC STAGE

(By Laurence Stern)

Troubled by nervousness and loss of self-confidence a young Prince Georges County lawyer voluntarily entered Crownsville State Hospital 12 years ago.

Instead of getting help, he was "buried" behind a stone wall in gruesome "A" building of Crownsville's backward section.

Overcrowding, lack of medical attention, and the squalor of his physical surroundings quickly transformed this young man into a chronic mental patient.

Morose, withdrawn, and shrinking from any human contact, the attorney was considered a hopeless case for most of his 11 years at Crownsville.

Last spring, however, he was "found."

An alert attendant persuaded him to talk to Crownsville Superintendent Charles S. Ward. The patient was put to work in the hospital's medical records section. Three months ago he was discharged.

On Monday the attorney will argue his first case since returning to law practice.

FEARSOME BACK WARDS

Crownsville's staff has no idea how many others like the young man there may be in the hospital's fearsome back wards.

Today in "A" building 535 male patients of all ages and all types of mental disorder are jumbled into space for 280.

Epileptics, hopelessly senile patients, low-grade idiots, and psychotics were packed in two gloomy day rooms during a tour Monday.

Since there weren't enough seats, many patients huddled in corners or milled aimlessly in crowded aisles.

There is a skyscraper aspect to the overcrowding at Crownsville.

In one reconverted porch, 75 men sleep in 2 banks of double-deck beds. The place should have held half as many.

More than 300 of Crownsville's patients, many of them acutely insane, still sleep in double bunks.

Crownsville is Maryland's answer to the needs of its mentally ill Negro population.

Integration has come to only one of the State's five mental institutions, Rosewood Training School for the Feebleminded.

FOR WHITE ONLY

Spring Grove, Springfield, and Eastern Shore State Hospital are for whites only.

At Crownsville, 2,375 mentally disturbed men and women are squeezed into space which the State health department has licensed for only 1,985.

Most of these patients are housed in six old buildings which date back as far as 1912.

Those considered most hopeless are penned, as was the young lawyer, into Crownsville back ward section.

"Our typical back ward patient doesn't come to us in that condition," said Dr. Ward. "He becomes that way in the institution after being buried behind a brick wall.

"The worst thing you can do to a sick person is close the door and forget about him."

Since his arrival at Crownsville 18 months ago, Dr. Ward has been opening doors. "We literally unlock the ward and lose the key," he explained.

In July 1957, "A" building held 750 patients—about 250 percent beyond its licensed capacity. Since then, three of the building's four levels have been unlocked.

As a result, Crownsville has sent 75 once-chronic patients home from "A" building; another 65 are in convalescent cottages, getting ready to leave the institution.

"Not a damn thing has changed in that building except what has been going on between folks," said Dr. Ward.

In his soft, Georgia drawl Crownsville's superintendent has been goading an understaffed team of doctors and attendants to make up in spirit and initiative what they lack in bricks, bed space, and pairs of hands.

NO ONE LIKE HIM

One attendant, a veteran of 20 years at Crownsville, said of the Atlanta-born superintendent.

"I've never seen anyone like him in all my years here. When we were snowed in last winter, he was out there running a tractor. If patients could be reached only by foot, he carried the food over himself. I don't think he slept for a week."

Ward has twice requested space for 300 additional beds at Crownsville. He has twice been turned down by the State's planning commission.

Under the steady impact of rising admissions, chronic cases multiply in the back wards.

Because Crownsville does not have enough nurses, doctors, rehabilitation therapists, and social workers, many will be doomed to sink further into insanity unless they are "found" by an alert attendant.

Supervisor of Nurses Sydney Scott, an Englishman who came to Crownsville 3 months ago, led a reporter through a teeming, foul-smelling day room for so-called chronic cases.

He pointed to one patient after another: "He shouldn't be here * * * nor should he * * * or that one" Scott repeated in clipped, determined tones.

COULD CURE MANY

Crownsville could be moving from 300 to 400 of its patients homeward if it were functioning with maximum staff, hospital officials estimated.

More than 400 of its patients are senile men and women over 65 who are beyond psychiatric help. As at Springfield and Spring Grove, many of them could be cared for just as well in nursing homes.

Meanwhile they are occupying bed space that could be used for mentally disturbed patients who might be restored to sanity.

In Crownsville's criminally insane ward, the scene of numerous riots in past years, dangerous patients are locked in a poorly ventilated cellblock structure with primitive sanitary facilities.

Fortunately for Crownsville, 100 of its maximum security cases will soon be moved to the new Institute for the Criminally Insane at Jessups.

In one windowless, basement room 40 working patients live under a tangle of hot water pipes.

Since 1949, when a shocked State administration was made aware of the condition of Maryland's mental institutions, some $13 million has been spent to expand Crownsville's physical plant.

Today the old buildings have been supplemented by a $900,000 medical and surgical building, six new convalescent cottages, and an admission building.

Nevertheless, because of the burgeoning numbers of mentally ill, Crownsville is today 31 beds more overcrowded than it was 9 years ago.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may yield to the Senator without prejudicing my rights to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I wonder if we could reach an agreement whereby we could notify absent Senators that we shall vote later in the evening, or, if the Senator is not disposed to vote this evening, but would like to carry it over until Monday, I wonder if we could reach some kind of agreement to vote on Monday, either Monday morning or Monday afternoon, at some particular time? We could come in Monday at 9 o'clock, have the morning hour, and then vote sometime in the afternoon.

I do not want to be overly persuasive or crowd the Senator, but a good many of his colleagues who are his friends, and who want to be cooperative, are prepared to vote this evening in an hour or two. We are now into Sunday morning.

I would be willing to work out an agreement to vote later, an hour or two from now, or go over until Monday, and come in at 9 o'clock, and allow 2 or 3 or 4 or 5 hours, whatever would be agreeable to the Senator and whatever he thought reasonable. Could we work out that kind of arrangement?

Mr. LONG of Louisiana. I do not know that I will require that much time on Monday.

Mr. JOHNSON of Texas. We could yield the time back if we did not need it.

Mr. LONG of Louisiana. I would like to continue my speech longer, but I do now know that I would require that much time on Monday.

Mr. JOHNSON of Texas. I would be willing to agree that the Senator could continue to speak as long as he wanted to this evening, and we could have 3 hours on Monday; and if we did not need that much, we could yield it back. If the Senator wanted more time, we could agree to more. I want to cooperate.

Mr. LONG of Louisiana. I have been perfectly willing to cooperate with other Senators. I wanted to speak against the conference report, and the Senator knows it, but I did not want to stop the Senate from coming to a vote. For the convenience of Senators who sat around here all night, I told them if they wanted to go home, they could. I did not demand the yeas and nays. They were demanded by one of our Republican friends, who perhaps wants to take the attitude, "Well, we are going to vote tonight."

Mr. JOHNSON of Texas. That is not the attitude of the majority leader.

Mr. LONG of Louisiana. The Senate will not vote tonight. It might vote sometime tomorrow, but not tonight.

Mr. JOHNSON of Texas. That is not the attitude of the majority leader. I want to be cooperative with the Senator, if he will tell me how much time he would like to have, so I can, in a way, explain to my colleagues on both sides. Would the Senator be willing to vote after 4 hours on Monday, if we recessed tonight?

Mr. LONG of Louisiana. If we are going to have a limitation on Monday, I do not feel like recessing now, even though I may be talking to an empty Chamber. I have not insisted on any Senators staying here. This Senator was on a committee that, for the third time, saw amendments he had offered, in which he conscientiously believed, thrown out without as much consideration as they deserved.

Mr. JOHNSON of Texas. I sympathize with the Senator's position. Let us assume the Senator speaks as long as he wants to tonight. It is now 12:20 a.m. Assuming we continue as long as the Senator desires to speak, would the Senator be willing to come in at 9 o'clock on Monday, with the understanding that we have a vote at 1 o'clock on Monday?

Mr. LONG of Louisiana. I think 10 o'clock would be a better hour at which to meet on Monday.

Mr. JOHNSON of Texas. Very well. We would come in at 10 o'clock and vote at 2 o'clock in the afternoon.

Mr. LONG of Louisiana. I would be willing to agree to a 4-hour limitation. I do not know that I will need that much.

Mr. JOHNSON of Texas. Time can be yielded back.

Mr. President, I think the Senator from Louisiana is being very considerate and reasonable; and I ask unanimous consent that we continue this evening as long as the Senator from Louisiana may desire; that there be no rollcalls; that the Senate convene at 10 o'clock Monday morning; that we vote at 2 o'clock in the afternoon on the conference report, agreeing or not agreeing to it; and that the time be equally divided between the opponents and the proponents, the time in opposition to be controlled by the Sen-

ator from Louisiana [Mr. LONG], and the time for the proponents to be controlled by the majority leader.

The PRESIDING OFFICER. Is there objection?

Mr. SCOTT. Mr. President, reserving the right to object, am I to understand that there would be a vote at 2 o'clock?

Mr. JOHNSON of Texas. Yes.

Mr. SCOTT. I have no objection.

The PRESIDING OFFICER. Is there objection to the unanimous-consent proposal? The Chair hears none, and the agreement is entered.

The agreement, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That during the further consideration today (Sunday, August 28, 1960) of the conference report on H.R. 12580, the Social Security Amendments of 1960, no rollcall vote shall be had; that at the conclusion of its proceedings today the Senate take a recess until 10 a.m. Monday, the 29th instant, and vote on the question of agreeing to the report at not later than 2 p.m. on said day; and that the intervening time be equally divided between the proponents and the opponents and controlled, respectively, by the majority leader and Mr. LONG.

Mr. JOHNSON of Texas. Mr. President, I wish to express my deep gratitude to the Senator from Louisiana for his cooperation, as well as to the members of the staff of the Senate and to my colleagues, who have been cooperative and helpful. We have an understanding now that we shall have no votes this evening. We will come in at 10 o'clock on Monday morning. We shall vote not later than 2 o'clock. The time between 10 a.m. and 2 p.m. on Monday will be divided between the Senator from Louisiana and the Senator from Texas.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. MORSE. I wish to say to the Senator from Louisiana that I deeply appreciate the cooperation he has extended to the majority leader. I also wish to give him my very high commendation again. I did earlier this evening, but I do so again. I intend to listen to all his remarks.

Mr. LONG of Louisiana. The Senator had better not make any rash commitments.

Mr. MORSE. The Senator deserves our commendation for focusing the attention of the American people on what, as I said earlier, is one of the most deplorable situations existing in our body politic. The attention the Senator from Louisiana has brought to the plight of the mentally ill in this country, in my judgment, is really a great public service, if people will take the time to study the substance of the speech the Senator from Louisiana has made in the last several hours before the Senate.

The Congress of the United States in the next session has a great moral obligation to see to it that we adopt a program which will give to the States the assistance they need to help these fellow Americans of ours who are mentally ill, who are living under such deplorable conditions in so many mental hospitals in this country.

The Senator has brought out many facts in his speech. This has really been a great seminar on the mental health problems of this country. I commend the Senator highly.

I know the criticism the Senator is going to receive from some quarters for the course of action he has taken. Sometimes people must have the courage to do what the Senator from Louisiana has done in addressing the country from his seat in the Senate about one of the great social problems which confront us. I thank the Senator as a colleague and as a friend for the decision he has made, in offering to vote on Monday at 2 o'clock because, frankly, I think the lesson has been taught. I think the Senator has made the record, in addition to what he will make on Monday in regard to the problem. The Senator is to be commended for what he has done.

Mr. LONG of Louisiana. Mr. President, I thank the Senator very much. I have not felt disposed to demand that Senators be present. I wished to make a speech. It was the decision of other Senators that they demand the yeas and nays. They placed themselves in the position that they would have to answer a call of the roll, so as to make themselves stay. So far as this Senator is concerned, I should like to talk a while longer. I did not insist that there be a yea and nay vote on the question, but I should like to discuss it.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Texas.

Mr. JOHNSON of Texas. I do not desire the yeas and nays. I do not see any reason why they are imperative. Unless we wish to be cruel and brutal, unless somebody insists on them, I do not see any reason why we should have them. I would ask unanimous consent——

Mr. LONG of Louisiana. Mr. President, I am perfectly willing to have the yeas and nays.

Mr. JOHNSON of Texas. I know the Senator did not demand them and is willing to have them. Mr. President, I ask unanimous consent that the order for the yeas and nays be withdrawn.

The PRESIDING OFFICER. Is there objection?

Mr. SCOTT. Mr. President, I object. We have been here all day. We can vote Monday.

Mr. LONG of Louisiana. Mr. President, I would be delighted to have a record vote. I say to my good friend from Pennsylvania that I am delighted to vote on the record in favor of what I am going to say for a few more hours tonight.

This is a problem which deserves attention. I am delighted to have a vote on it. If I am the only Senator who votes my way, I shall be delighted to do so.

I honestly feel this way about the matter. Any Senators who have kept themselves here needlessly did not do so at my request. Other Senators wished to have a yea-and-nay vote. If they stay until midnight, or will stay until daybreak, that is perfectly satisfactory with me, but I was not the Senator who insisted upon the vote.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. If Senators wish to hear me, I am delighted to have them listen, but I regret very much to hear any Senator complain he has been required to be present. This Senator will cooperate.

Mr. DIRKSEN. Mr. President, will the Senator yield to me, with the understanding he will not lose his right to the floor?

Mr. LONG of Louisiana. I yield to my able friend from Illinois.

Mr. DIRKSEN. Mr. President, the Senator knows very well that there is no substance to the observation that no Senator has to stay. The minute the Senator takes his seat and there is no further recognition of a Senator for debate, since the yeas and nays have been ordered Senators would be expected to be present to vote. The Senate could not function without some Senator sitting in the majority leader's chair and some Senator sitting in the minority leader's chair, representing this side of the aisle and the other side of the aisle. The Senator knows that.

I try to be as fair and equitable as possible. What should we do? No one knew. I tried to ascertain from the Senator privately and publicly what were his intentions. I asked, "How long are you going to talk?" The Senator did give me an assurance he would speak until 9 o'clock.

The Senator did give us that assurance. Beyond that we had no assurance. I thought perhaps the Senator would talk until midnight, but now it is Sunday. I share the feeling of the majority leader that it is not a very happy commentary upon the United States Senate that it should remain in session into the Sabbath, with the discussion still going on.

The fact of the matter is that if the Senator had at any time taken his seat and no other Senator had asked for recognition there would have been a vote, unless the vote were postponed. Then what would we have done? We would have had to call Senators from wherever we might find them, on a quorum call, to get a vote. The Senator knows that.

I am not intent on belaboring the matter, but I do not wish to have the RECORD show that we have not been quite inconvenienced, because Members of the Senate have been. They do not feel too kindly about it.

Mr. LONG of Louisiana. Mr. President, now that we have settled that——

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I am not going to yield to the Senator now. I do not wish to argue with the Senator.

Mr. SCOTT. I am asking the Senator to yield——

Mr. YOUNG of Ohio. Mr. President, I demand the regular order. The Senator from Louisiana has the floor.

Mr. LONG of Louisiana. Mr. President——

Mr. YOUNG of Ohio. I think the Senator from Louisiana is rendering a real and needful public service.

Mr. KEATING. Mr. President, I demand the regular order.

Mr. YOUNG of Ohio. I want the Senator to proceed.

Mr. KEATING. Mr. President, the regular order.

Mr. LONG of Louisiana. Mr. President, I, too, should like to see the regular order followed. I do not yield at this time.

I wish to undertake to present to the Senate some information which I came upon relating to another example of the problems, troubles, and difficulties which face people in the field of mental illness, which I very much fear the conference report will prevent us from reaching effectively for a long time to come.

Mr. LAUSCHE. Mr. President, before the Senator proceeds——

Mr. LONG of Louisiana. Mr. President, I wish to say, for the benefit of Senators present, that we agreed to vote on Monday. I agreed to that. We will have a vote on Monday. Any Senator who feels that he is being kept here waiting for a vote against his will need have no further worry about it. We shall vote on Monday. We are not going to vote tonight. I have agreed to that, and other Senators have.

Mr. JOHNSON of Texas. Mr. President, may we have order?

Mr. LONG of Louisiana. I now wish to direct myself——

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Does the Senator wish to have me yield for a question?

Mr. LAUSCHE. For a question; yes.

Mr. LONG of Louisiana. I yield for a question.

Mr. McGEE. Mr. President, may we have order, so that we can hear the question?

Mr. LAUSCHE. The report on the Senate bill——

Mr. McGEE. Mr. President, may we have order in the Chamber?

The PRESIDING OFFICER. The Senator will suspend. Senators will take their seats. The Senator from Louisiana has the floor.

Mr. LAUSCHE. The report on the Senate bill, which I have in my hand, which deals with those phases of the conference report which are not covered by social security, shows that the cost will be $200 million and that the State of Louisiana will receive $13 million of the $200 million; is that correct?

Mr. LONG of Louisiana. The Senator is correct.

Mr. LAUSCHE. The chart further shows that the State of Louisiana would put up $48,000 to receive $13 million. The record so shows; is that correct?

Mr. LONG of Louisiana. In that respect I fear the report is very misleading. The State would put up about an amount equal to one-third of that—let us say $5 million.

To a considerable degree the chart to which the Senator is referring is extremely misleading. It assumes, insofar as Louisiana is concerned, that the Federal Government would match funds for the elaborate program that we already have down there for general hospitals. The Senator knows that we are not talking about mental hospitals; we are talking about the New Orleans Charity Hospital, the Confederate Memorial Hospital at Shreveport; the Huey Long Hospital at Alexandria; and the E. A. Conway Hospital at Monroe, the Lisle Camp Hospital at Independence, and the Lafayette Hospital. I can show the Senator from Ohio that the State is spending $21 million in those hospitals at the present time. They are entirely State hospitals.

At least 10 percent of the beds in those hospitals are occupied by persons over age 65. Therefore, upon that basis the State would be entitled to matching funds for that much money under this bill. I do not know whether the State needs that much money, to be frank. We have an elaborate program in our State. I know we could be more effective than we are, but I seriously doubt that Louisiana needs the matching provision for what they are already doing. In the mental hospitals I would say we could use the funds very effectively.

Mr. LAUSCHE. The Senator states that the report is incorrect in that, in fact, we would be putting up $5 million to get back $13 million.

Mr. LONG of Louisiana. The $5 million is already up.

I suppose when the Senator from Ohio was Governor of his State he had a highway program prior to the time the Federal Government started to match funds for the construction of highways. When the Federal Government started to match funds, perhaps one State might not have had a highway program, and another State might have put into the program a larger amount than another. When the Federal Government started to match funds, they must have matched the funds of the State that was spending in that field just as they matched the funds of the State that was not.

If the Senator will look down the chart further he will see that it indicates that Mississippi would have a substantial amount of money. It is assumed that that State would put up $1,112,000, which funds would be matched by $4 million of Federal money. In my judgment, it is extremely doubtful that Mississippi will put up that amount of money. They are receiving 80 percent now and not matching all the Federal money.

Mr. LAUSCHE. To clarify the point, considering the items contemplated in the program of financing, and forgetting the larger items on which the Senator says he spends money, the fact is that his State would put up $48,000 and receive back $13 million. Is that not correct?

Mr. LONG of Louisiana. I think it is an unjustified assumption that we shall put up $48,000, because the State is putting up so much now, it might very well reduce its contribution to the program. In other words, on these aged people in Louisiana State hospitals we are spending an amount that averages $15 per patient per day.

Mr. LAUSCHE. That is in the general hospitals.

Mr. LONG of Louisiana. Yes, that is correct. The chart does not relate to mental hospitals; it relates only to general hospitals.

Mr. LAUSCHE. That is correct.

Mr. LONG of Louisiana. The chart refers entirely to general hospitals. It has nothing to do with mental hospitals.

Mr. LAUSCHE. That is correct.

Mr. LONG of Louisiana. In a State in which half the patient-days are spent in State general hospitals, at State expense, when one undertakes to match funds on a 3-for-1 basis, it is very doubtful that the State could justify contributing as much as it is now.

So the probabilities are that instead of contributing more, if a matching program is to go into effect, the State might very well be contributing less.

Mr. LAUSCHE. Does the Senator concede that the State of Louisiana would get $13 million?

Mr. LONG of Louisiana. If the State of Louisiana continued to make the same effort that it is presently making in providing as much medical care to the aged as it is providing now, the amount that would be available on a matching basis, as indicated in the chart, would be somewhere in the vicinity of $13 million.

Mr. LAUSCHE. Then the whole program would cost $200 million, and the State of Louisiana would receive $13 million of the $200 million; that is correct, is it not?

Mr. LONG of Louisiana. According to that chart, that would be correct.

Mr. LAUSCHE. Getting to the $120 million that the mental health program would cost, would the State receive back the same proportion of $13 million to $200 million, or 13/200ths, or whatever it is, of the $120 million that the mental health program would cost?

Mr. LONG of Louisiana. The matching ratio would be the same. I ask the Senator to keep in mind that our State expenditures in Louisiana for mental health are only about one-quarter of what the expenditures are for the other hospitals.

Mr. LAUSCHE. For general hospitals?

Mr. LONG of Louisiana. For general hospitals. In Louisiana the real great need, if there is to be a great matching program, would ordinarily seem to me to be more preferably in the area where the care is the least and the situation is worst.

Mr. LAUSCHE. However, it would follow that if the State were receiving $13 million out of $200 million, the same proportion would prevail in the distribution of the $120 million that the mental health and tubercular programs would cost, would it not?

Mr. LONG of Louisiana. I shall try to compute for the Senator if I can the proportion, because I should like to try to give him an honest answer.

Mr. LAUSCHE. Perhaps he can do so on Monday.

Mr. LONG of Louisiana. My guess is it would be about——

Mr. LAUSCHE. Six percent?

Mr. LONG of Louisiana. $6 million or $7 million.

Mr. LAUSCHE. It would be $7 million. I think that is it. So the State of Louisiana would get $13 million plus $7 million, which is $20 million, out of a total distribution of $320 million. Therefore the State of Louisiana would receive one-sixteenth of the total expenditure made by the Federal Government, and the other 49 States would receive $300 million. That is, Louisiana would receive $20 million out of $320 million, and the other 49 States would receive $300 million.

Mr. LONG of Louisiana. I should advise the Senator to work out any matching program for public welfare, hospitals, or care for the aged, and with the possible exception of care for the mentally sick, where Louisiana is about as bad as every other State or a little bit worse, I defy him to work out a program on a matching basis in which Louisiana would not be one of the States most benefited. I show him a chart showing the per capita effort toward public welfare. The Senator will notice that figure. This is welfare, but the same interest tends to be parallel for hospital programs.

Colorado comes first on per capita effort with $21.80 per capita; Oklahoma comes next with $18.64; Washington State comes next with $16.16; Louisiana comes next with $11.82. While we would appear to have only half the per capita effort as Colorado, Louisiana is one of the lower States in per capita income, for we have more poor people.

Mr. LAUSCHE. That is correct.

Mr. LONG of Louisiana. We have more poverty to contend with than does a high-income State, and yet we have more interest in those people than does the average State. We can demonstrate that point.

If some of the States were to repeal their poll tax, there might be as much interest shown in these programs as there is in Louisiana. The way it stands today, if it is put on a matching basis, it is unfortunate that some of the States will not put up the money to match.

Mr. LAUSCHE. That is why I voted for the financing of the plan through social security. When we put it on a matching basis, at least in looking at the figures, they seem grossly disproportionate. It may be that it is justified in Louisiana, but I felt, in voting for the social security system financing, that the general program would be put on a more equitable basis than these figures indicate. I will pursue the matter further on Monday.

Mr. LONG of Louisiana. Louisiana would not be the State most favored so far as the matching formula is concerned.

Mr. LAUSCHE. California gets $19 million, and puts up only $750,000. I cannot believe that that is an accurate statement. I cannot understand it.

Mr. LONG of Louisiana. I believe it would be well to put this chart in the RECORD at this point. I ask unanimous consent that the chart may be printed in the RECORD at this point.

Mr. LAUSCHE. That is page 11 of the report.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

TABLE B.—*Estimated annual 1st-year costs under proposed program of medical assistance for the aged and for additional matching for vendor medical care payments under old-age assistance*

[All figures in thousands]

	Medical assistance for the aged [1]		Additional OAA vendor medical costs		Additional cost—both programs	
	Federal cost	State and local cost	Federal cost	State and local cost	Federal cost	State and local cost
United States	$60,000	$55,837	$142,175	$3,873	$202,175	$59,710
Alabama	34	9	4,155	----------	4,189	9
Alaska	1	1	52	52	53	53
Arizona	12	6	635	370	647	376
Arkansas	27	7	3,308	----------	3,335	7
California	750	750	18,365	----------	19,115	750
Colorado	361	314	3,627	----------	3,988	314
Connecticut	3,318	3,318	1,039	----------	4,357	3,318
Delaware	33	33	41	13	74	46
District of Columbia	75	75	46	----------	121	75
Florida	296	199	3,354	----------	3,650	199
Georgia	14	5	4,804	984	4,818	989
Hawaii	43	43	28	----------	71	43
Idaho	34	17	673	----------	707	17
Illinois	5,911	5,911	3,905	----------	9,816	5,911
Indiana	3,013	3,013	594	----------	3,607	3,013
Iowa	98	57	3,120	----------	3,218	57
Kansas	1,052	678	2,485	----------	3,537	678
Kentucky	15	4	2,795	572	2,810	576
Louisiana	123	48	12,970	----------	13,093	48
Maine	156	83	731	----------	887	83
Maryland	822	822	384	----------	1,206	822
Massachusetts	4,751	4,751	5,663	----------	10,414	4,751
Michigan	1,778	1,778	4,405	----------	6,183	1,778
Minnesota	2,612	1,848	3,943	----------	6,555	1,848
Mississippi	6	2	4,638	1,112	4,644	1,114
Missouri	$175	$152	$4,582	----------	$4,757	$152
Montana	30	26	186	$158	216	184
Nebraska	944	545	712	----------	1,656	545
Nevada	47	47	187	----------	234	47
New Hampshire	854	620	404	----------	1,258	620
New Jersey	4,879	4,879	1,362	----------	6,241	4,879
New Mexico	9	4	877	----------	886	4
New York	13,416	13,416	5,919	----------	19,335	13,416
North Carolina	62	18	1,897	----------	1,959	18
North Dakota	245	85	773	----------	1,018	85
Ohio	1,336	1,336	6,430	----------	7,766	1,336
Oklahoma	1,318	633	8,699	----------	10,017	632
Oregon	1,719	1,550	1,064	----------	2,783	1,550
Pennsylvania	2,451	2,451	3,601	----------	6,052	2,451
Rhode Island	896	896	485	----------	1,381	896
South Carolina	6	2	1,623	----------	1,629	2
South Dakota	8	3	419	186	427	189
Tennessee	22	7	1,934	----------	1,956	7
Texas	79	50	6,891	426	6,970	476
Utah	34	18	741	----------	775	18
Vermont	43	22	206	----------	249	22
Virginia	503	266	331	----------	834	266
Washington	2,481	2,481	3,517	----------	5,998	2,481
West Virginia	75	28	567	----------	642	28
Wisconsin	2,980	2,478	2,770	----------	5,750	2,478
Wyoming	53	52	238	----------	291	52

[1] Because of the newness of this program, it is extremely difficult to estimate exactly which States will participate and to what extent, especially in the 1st year after enactment.

NOTE.—Estimates were not made for Guam, Puerto Rico, and Virgin Islands, which can participate in these programs; any additional expenditures for these jurisdictions would probably be relatively small.

Mr. LONG of Louisiana. The chart is subject to a great deal of misunderstanding and misinterpretation, so much so that I feel it should have been drawn in a completely different fashion to convey the information it purports to convey. The chart undertakes to show how much additional it is believed the States will put up.

Actually no one has any way of knowing what the situation will be. In most cases when there is an increase of the Federal matching, the States have not even passed the whole thing through. The last increase in the Federal matching for public welfare purposes saw the States reduce their effort by about 10 percent. That is because some States feel that they have advanced their program as far as they think they should go with it, and they intend, perhaps, to cut it back somewhat with Federal matching money.

The last increase in the matching formula was to the benefit of Mississippi. When I looked up the situation in Mississippi 2 years later, it was putting up less money, instead of more.

Mr. LAUSCHE. There is only one fact about the figures which is definite, and that is that of the $202 million which will be paid out of the general taxpayer fund, as distinguished from the social security fund, Louisiana will get $13 million. Is that correct?

Mr. LONG of Louisiana. That is based on the assumption that Louisiana will continue to make the same amount of effort that it is making in this field so far as the aged are concerned. I personally have some doubt that it will do so. I will tell the Senator why. We need more money for schools, and we need more money for certain other things, and we spend so much money in our hospital program now that, while a certain amount of matching is needed—and we want to be treated as well as the

next State, of course—Louisiana is far ahead of the average southern State in hospitalization, and by that I mean general hospitalization—and the big distinction is in mental institutions, and that is true of Louisiana and most other States, including the Senator's State. I have some doubt that Louisiana will continue to spend as much money as it is spending now. It might be better for Louisiana to reduce its expenditures for hospitals in view of the high amount of Federal matching.

Mr. LAUSCHE. That would mean that because the State of Louisiana is getting money from the Federal Government, it will reduce its own expenditures, is that right? The Senator does not mean that, does he?

Mr. LONG of Louisiana. That oftentimes happens when a Federal aid program is started for States which have their own large programs. The State of New York is an example. New York has a very large elaborate general hospital program now. I do not mean it will have it 10 years from now. It has it now. It has a very progressive program today. If I recall correctly, they plan to improve it with their own funds, even if they do not get Federal matching funds. When a State is doing a good job, it is not going to turn down Federal matching funds. We hope that the program will result in a big increase in the States which are doing little, because it will be a tremendous incentive for them.

Mr. LAUSCHE. In the States doing little, does the Senator believe there will be an increase, and in the States which are doing much, there will be a decrease?

Mr. LONG of Louisiana. Perhaps it is just as well that this point should be brought out. In the $202 million to which the Senator has referred, $78 million is what we call free money. It means that the States which are going beyond anything that is matched by the Federal Government can continue their existing programs, on the one hand, or they can shift funds to something else and continue the same degree of care that they are presently providing.

That is because some States—and Louisiana is one of them—even with the Federal matching up to $65 for aged, are going beyond that. The same thing is true in Colorado, and it is true in 23 States. Therefore, in those 23 States there is what is described as free money, and in which the program is adequate. Therefore, they can reduce the State contribution.

Mr. LAUSCHE. Would the deduction be made because of the Federal money that is coming in?

Mr. LONG of Louisiana. Yes; it would be. I would say that for Louisiana it will be a decision for the State hospital board and the State welfare department to make. They are more familiar with it than I am. I know there is a need for improvement in some respects. However, my guess is that there might be some reduction in the expenditures.

Mr. LAUSCHE. Would that not mean that the obligation of financing is shifted from the State level to the Federal level? If the program is to be reduced on the State level because the Federal Government is putting up the money, would that mean that there would be more shifting of responsibility?

Mr. LONG of Louisiana. Insofar as that occurs—and it can occur—to the extent of the $78 million in the bill.

Mr. LAUSCHE. Of free money.

Mr. LONG of Louisiana. Yes; that can happen.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that, without prejudicing my rights to the floor, I may yield to the Senator from Minnesota.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERNATIONAL FOOD PROGRAM FOR RELIEF PURPOSES

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 1992, Senate Concurrent Resolution 116. The concurrent resolution has been cleared with both the minority and the majority. It was adopted unanimously by the Committee on Foreign Relations.

Mr. HRUSKA. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HUMPHREY subsequently said: Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Mr. President, I am willing to yield, by unanimous consent, but I ask that the interruption appear before the commencement of the article I have begun to discuss.

Mr. DWORSHAK. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HUMPHREY subsequently said: Mr. President, will the Senator from Louisiana now be willing to yield?

Mr. LONG of Louisiana. Mr. President, I will yield with the understanding that the interruption will come before the beginning of the article from which I am reading. I ask unanimous consent that I may yield to the Senator from Minnesota without prejudicing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1992, Senate Concurrent Resolution 116.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Con. Res. 116) favoring further exploration for the establishment of an international food program for relief purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. KEATING. Mr. President, reserving the right to object, will the Senator from Minnesota explain the measure?

Mr. HUMPHREY. I shall be happy to do so. I am delighted to respond to the inquiry of the Senator from New York.

The resolution is the result of action by the Committee on Foreign Relations after the consideration of a request from the administration relating to the possibility of the President asking the United Nations to cooperate in the field of the use of agricultural surpluses from several of the surplus-producing countries.

Testimony favoring the resolution was given by the Acting Secretary of State, Hon. C. Douglas Dillon, and was reported unanimously by the Committee on Foreign Relations.

Mr. KEATING. Mr. President, I thank the Senator from Minnesota for his fine explanation of the measure. I withdraw my reservation of objection.

Mr. MUNDT. Mr. President, reserving the right to object, may I inquire of the distinguished Senator from Minnesota whether he believes in the old adage: "The better the day, the better the deed"?

Mr. HUMPHREY. Yes. I thought that on this Sabbath Day a resolution which was dedicated to human welfare would be worthy of the hour.

Mr. MUNDT. In that spirit of comity, I shall not object.

Mr. HUMPHREY. I knew the Senator from South Dakota would feel in that spirit. I thank him.

Mr. HRUSKA. Mr. President, reserving the right to object, and I shall not object, may I ask the Senator from Minnesota whether this is in the nature of a study resolution?

Mr. HUMPHREY. It is.

Mr. HRUSKA. Is it a resolution to determine facts and circumstances?

Mr. HUMPHREY. Yes, it is.

Mr. HRUSKA. Facts and circumstances which would warrant further action in the field of an international food program for relief purposes?

Mr. HUMPHREY. The Senator from Nebraska is absolutely correct. In fact, a portion of the resolution states:

> Participation by the United States in such an international food program shall be contingent upon statutory or other authorization as may be appropriate.

So the resolution merely expresses the sense of Congress that the President should attempt an exploration of the subject with other nations.

Mr. HRUSKA. Any legislation which would evolve from this process would follow a proper showing before the committee and debate on the floor after reports were made, would it not?

Mr. HUMPHREY. That is correct.

Mr. HRUSKA. And with the sense of Congress, of course, expressed in its usual form?

Mr. HUMPHREY. Yes. When the proper time comes, I shall ask that certain portions or excerpts from the report be printed in the RECORD, so that the legislative history will be accurate and complete.

Mr. HRUSKA. I thank the Senator from Minnesota.

Mr. HUMPHREY. I thank the Senator from Nebraska.

Mr. JAVITS. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I am happy to yield to the distinguished Senator from New York, who looks so fresh, vigorous, alive, and alert.

Mr. JAVITS. He is not, however.

Mr. HUMPHREY. He looks it. I prefer to leave the record in that way.

Mr. JAVITS. I understand the Senator's mother's birthday is on Monday. I know it will be a very happy birthday if the resolution shall be agreed to.

Mr. HUMPHREY. I thank the Senator from New York.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the resolution.

The resolution (S. Con. Res. 116) was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress of the United States that the President should continue to explore with other nations the establishment of an international food program for the purpose of furnishing food to less favorably situated peoples with a view to its uses in—

(1) combating extreme price fluctuations in the international market in food products;

(2) alleviating famine and starvation;

(3) helping absorb temporary market surpluses of farm products;

(4) economic and social development programs formulated in cooperation with appropriate international agencies.

Participation by the United States in such an international food program shall be contingent upon statutory or other authorization as may be appropriate.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the portion of the report that relates to an explanation of the resolution, beginning on page 1, and ending at the bottom of page 2, be printed at this point in the RECORD.

There being no objection, the excerpt from the report (No. 1922) was ordered to be printed in the RECORD, as follows:

PURPOSE

Senate Concurrent Resolution 116 expresses the support of the Congress for the continued exploration by the President with other nations for the establishment of an international food program for the purpose of furnishing food to less favorably situated peoples.

The resolution specifies that such an international food-for-peace program would be for—

1. Combating extreme price fluctuations in the international market in food products.

2. Alleviating famine and starvation.

3. Helping absorb temporary market surpluses of farm products.

4. Economic and social development programs which are formulated in cooperation with appropriate international agencies.

Participation by the United States in an international food program would be contingent on appropriate statutory or other authorization.

BACKGROUND

In the 86th Congress the following food-for-peace resolutions were introduced: Senate Concurrent Resolution 8, on January 29, 1959, by Senators HUMPHREY, PROXMIRE, and TALMADGE; Senate Resolution 340, on June 22, 1960, by Senators MURRAY, HUMPHREY, and HART; Senate Resolution 357, on August 9, 1960, by Senator HUMPHREY; and Senate Concurrent Resolution 114, on August 16, 1960, by Senator FULBRIGHT by request of the administration. The President, in a special message to the Congress on August 8, 1960, said the United States intended to present a proposal "in September before the General Assembly of the United Nations, whereby we and other fortunate nations can, together, make greater use of our combined agricultural abundance to help feed the hungry of the world."

The President requested "that Congress approve a resolution endorsing such a program before the United Nations Assembly convenes."

The Foreign Relations Committee, on August 25, 1960, held a public hearing on food-for-peace resolutions at which the Under Secretary of State, C. Douglas Dillon, testified in behalf of Senate Concurrent Resolution 114 and explained in further detail the tentative plans of the executive branch with respect to an international food-for-peace program. On August 26, 1960, the committee met in executive session to consider all food-for-peace resolutions before it and agreed to report out an original resolution as described above.

There is appended to this report a statement of the Under Secretary of State, C. Douglas Dillon, giving the views of the administration on an international food program.

Mr. KEATING. Mr. President, I move that the vote by which the resolution was agreed to be reconsidered. [Laughter.]

Mr. HUMPHREY. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER (Mr. BURDICK in the chair). The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. HUMPHREY. I appreciate very much, indeed, the prompt action on the part of the bipartisan coalition.

Mr. President, I wish to express my appreciation to the Senator from Louisiana [Mr. LONG] for his willingness to extend this cooperation; and I thank my colleagues on the other side of the aisle for their cooperation—which is generally true, I may say.

SOCIAL SECURITY AMENDMENTS OF 1960—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12580), the Social Security Amendments of 1960.

Mr. LONG of Louisiana. Mr. President, I have been wanting to get around to discuss what I believe is a very fine article entitled "Nine Hundred Are Jammed in Squalor at Dismal Spring Grove," written by William Talbott, and published in the Washington Star of November 23, 1958.

Again I say that such conditions as those referred to in the article exist throughout the United States. I would not be discussing them otherwise. I read from the article:

CATONSVILLE, MD., November 22.—High on a hill here stands an old, cavernous building where 900 victims of mental illness are jumbled together in revolting desolation.

This chamber of horror is Spring Grove State Hospital's Old Center Building, the object of derision and criticism from Maryland's mental health officials for the last 10 years.

Yet still it stands, defiant against time, just as it was when built at the beginning of the Civil War, almost 100 years ago.

Constructed with several additions over the years to house 586 patients, Old Center contains almost 400 more than that.

THEY LOLL ABJECTLY

These afflicted people, who have committed no crime, are condemned to loll abjectly in the structure's dark corridors for the rest of their lives, hardly able to move without disturbing deranged companions.

Last month the Baltimore City grand jury found conditions at Old Center "shocking beyond belief" and accommodations for criminals in the penitentiaries "palatial in comparison."

That was a Baltimore City grand jury investigating the condition of people who had committed no crimes. The grand jury said that the accommodations for criminals in the penitentiary were palatial in comparison. I continue to read:

Last month a Baltimore City grand jury found conditions at Old Center "shocking beyond belief" and accommodations for criminals in the penitentiary "palatial in comparison."

These people, the jury said, "are sick and helpless and doomed to remain forever in those nauseating surroundings, for no one could recover under such conditions."

Old Center is one of the reasons for the refusal last summer by the Joint Commission on Accreditation of Hospitals to renew Spring Grove's accreditation.

GENERAL OVERCROWDING

A survey team found general overcrowding and a serious shortage of personnel at Spring Grove as well as Springfield State Hospital at Sykesville.

The withdrawal of these two institutions from accreditation lists leaves Maryland without a mental hospital meeting standards set by the American Medical Association, the College of Surgeons, and the American Hospital Association.

Visitors to Old Center are taken by a white-uniformed attendant through locked, metal doors and down dark, unpainted corridors until they reach a long, narrow "dayroom" where they meet at last with the blank, ghastly stares of the insane.

The "dayrooms" on each of three floors are dark with only two narrow, castlelike windows at each end. The only furniture is a television set and benches along each wall where patients sit in oblivion, waiting for the sun to set.

HERDED BY ATTENDANTS

Then they are herded by attendants into wardrooms off the dayrooms where beds are 3 inches apart. Mattresses, rolled in corners during the day, are placed on the floor at night so all can bed down.

In some sections of Old Center there is only 1 attendant for 75 patients.

In another section, 103 patients must use 3 lavatories. Water fountains were installed just recently so patients would not have to drink from washbasins.

Barefoot patients claw at unpainted walls, lie on shower room floors, sleep slumped against each other or just sit pulling at their pajama uniforms.

"WHAT ELSE CAN WE DO?"

"What else can we do with them?" the attendant asks hopelessly.

Mr. President, at this time I wish to repeat a line from the prayer delivered by the Chaplain of the Senate on Thursday, August 25:

Stay our hands when we attempt to postpone into the future the justice waiting to be done today.

Mr. President, I read further from the article from which I have already read a part:

"We have no place in the building to give these people adequate recreation. We have so few attendants that the patients rarely even get outside for walks."

R. Kenneth Barnes, assistant superintendent at Spring Grove, estimates that from 10 to 20 percent of the patients in Old Center are capable of rehabilitation.

"We can do little more for them than administer tranquilizers to keep them quiet.

"If a doctor sees a patient once or twice a month he is lucky. We have an average of 2 doctors for 900 patients.

LOSE ALL CONTACT

"These people," Mr. Barnes said, "lose all contact with reality when housed in Old Center because there is no way we can treat them adequately."

C. D. Wagoner, maintenance superintendent, said he receives $34,000 yearly for the upkeep of buildings and grounds.

"Of this, we pour $10,000 yearly into Old Center alone. And you can't see it. About one-third of our patients are housed in a building 100 years old. Where else can you find a facility still in use today that is 100 years old?"

But this is only one of the socially crippling problems at Spring Grove and Springfield where, although buildings are less antiquated, overcrowding, personnel shortages and lack of modern facilities retard the return of the mentally ill to a normal life.

At Spring Grove where patients outnumber the staff 3 to 1, there are 2,775 patients crowded into buildings licensed to accommodate 2,293. This is approximately 500 more than minimum standards.

THIRTY-ONE DOCTORS ON STAFF

The institution's staff includes 31 doctors, 12 less than the need.

Mr. President, it has been my impression of these mental institutions that they are not in a position to pay anything like the amount that a good psychiatrist could earn in private practice—or, in fact, the amount an accredited psychiatrist would expect to earn in outside practice. The result is that the doctors in these mental institutions tend to be rather elderly, and usually there are only a few reasonably young doctors on the staffs, because the pay is usually very low; and—with few exceptions—the better doctors are in private practice, treating a very small number of patients, instead of working in these mental hospitals.

I read further from the article:

Only 26 of the physicians work with patients. The rest are engaged in administrative duties. Fifteen of the practicing physicians are still in training, thus they work with patients only two-thirds of the time.

Attendants, including licensed practical nurses and psychiatric aides, total 499. An additional 50 are needed to provide even the minimum care and recreation required for the mentally ill and senile confined day after day within bare walls.

Spring Grove has 24 registered nurses, 113 less than the number required by nationally accepted standards.

Social workers, who play a large part in rehabilitating patients and serve as contacts with their families, are scarce, able to fulfill only part of the job they would like to do.

PROBLEM THE SAME

At Springfield the problem is the same. This institution serving parts of Baltimore City and County and all of western Maryland, including Montgomery County, has a rated capacity of 2,968 patients.

It has 3,317 patients being cared for by a staff which also falls below standards.

Dr. Robert E. Gardner, superintendent, said Springfield has 26 doctors compared with a need of 35.

The number of attendants meets standards, but there are only 22 registered nurses compared to the 190 needed.

"There is no question about it," Dr. Gardner said. "Overcrowding impairs treatment. The close contact of patients disturbs them."

Dr. Gardner said "the main problem, becoming more acute all the time, are the aged who could be cared for in nursing homes but who have no place else to go."

About 38 percent of the patient population at Spring Grove is 60 years of age or older. Officials estimate that half of these don't belong at the institution, but once admitted on the certificate of two private doctors, there quite frequently is no way to discharge them.

The majority live their lives out at mental institutions although all they need is nursing care.

Although Maryland has spent $44 million on capital improvements at mental hospitals since 1947, there still is a lot to be done.

WHAT REPORT SAID

A recent report of a special joint legislative committee studying mental hospitals had this to say about the need for better facilities:

"Treatment on an intensified basis is the key that opens our hospital gates.

"Aside from the primary goal to be achieved, the hard economic fact is that Maryland taxpayers pay about $1,400 per year to maintain one patient in a State mental hospital.

"Multiply this by a total patient population in our 5 State mental hospitals of about 12,000, subtract a permanent patient population of about 7,000 and the realization comes readily that nearly 5,000 patients could be discharged with intensified treatment."

At Crownsville State Hospital, the committee found an excess of 350 patients. High priority recommendations were a 200-bed building for continued-care patients and a building for the intensive treatment of patients.

There are about 2,350 patients at Crownsville and only 27 physicians.

The committee found Eastern Shore State Hospital at Cambridge "definitely understaffed in medical and psychiatric personnel."

The committee found a need for a 200-bed geriatric building, which was approved 2 years ago but never built, and additional psychiatric treatment and maintenance equipment.

Rosewood State Training School for Children near Baltimore was found "faced with the need for adequate personnel both in number and caliber." The remodeling of a cottage there, approved "some time ago," still has not been started.

Mr. President, it might be well to take a look at what is being done in some of the States of the Union about mental care.

EXCISE TAX ON CIGARS

Mr. KERR. Mr. President, would the Senator from Louisiana yield for a unanimous-consent request to consider a noncontroversial tax bill and some noncontroversial amendments, without losing his right to the floor?

Mr. LONG of Louisiana. If the Senator will protect my rights to the floor while this matter goes on, I shall be glad to yield to him under that condition.

I so request, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERR. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1982, H.R. 10960.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (H.R. 10960) to amend section 5701 of the Internal Revenue Code of 1954 with respect to the excise tax upon cigars.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. KERR. Mr. President, on last evening the Senate had this bill under consideration for a little while, and an amendment was attached to it.

Does the clerk have that amendment?

The PRESIDING OFFICER. The amendment of the Senator from Delaware has been agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk another amendment, and ask to have it stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Delaware will be stated.

The CHIEF CLERK. It is proposed to add a new section, as follows:

That (a) subpart D of part III of subchapter N of chapter 1 of the Internal Revenue Code of 1954 (relating to possessions of the United States) is amended by adding at the end thereof the following new section:

"SEC. 934. LIMITATION ON REDUCTION IN INCOME TAX LIABILITY INCURRED TO THE VIRGIN ISLANDS.

"(a) GENERAL RULE.—Tax liability incurred to the Virgin Islands pursuant to this subtitle, as made applicable in the Virgin Islands by the Act entitled 'An Act making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes', approved July 12, 1921 (48 U.S.C. 1397), or pursuant to section 28(a) of the Revised Organic Act of the Virgin Islands, approved July 22, 1954 (48 U.S.C. 1642), shall not be reduced or remitted in any way, directly or indirectly, whether by grant, subsidy, or other similar payment, by any law enacted in the Virgin Islands, except to the extent provided in subsection (b) or (c).

"(b) EXCEPTION FOR CERTAIN DOMESTIC AND VIRGIN ISLANDS CORPORATIONS.—In the case of a domestic corporation or a Virgin Islands corporation, subsection (a) shall not apply (if the information required by subsection (d) is supplied) to the extent such corporation derived its income from sources without the United States if the conditions of both paragraph (1) and paragraph (2) are satisfied:

"(1) THREE-YEAR PERIOD.—If 80 percent or more of the gross income of such corporation for the 3-year period immediately preceding the close of the taxable year (or for such part of such period immediately preceding the close of such taxable year as may be applicable) was derived from sources within the Virgin Islands; and

"(2) TRADE OR BUSINESS.—If 50 percent or more of the gross income of such corporation or such part thereof was derived from the active conduct of a trade or business within the Virgin Islands.

For purposes of the preceding sentence, the gross income of a Virgin Islands corporation, and the sources from which the income of

such corporation is derived, shall be determined as if such corporation were a domestic corporation. For the purposes of this subsection, all amounts received by such corporation within the United States, whether derived from sources within or without the United States, shall be considered as being derived from sources within the United States.

"(c) EXCEPTION FOR CERTAIN RESIDENTS OF THE VIRGIN ISLANDS.—Subsection (a) shall not apply in the case of an individual citizen of the United States who is a bona fide resident of the Virgin Islands during the entire taxable year (if the information required by subsection (d) is supplied), to the extent his income is derived from sources within the Virgin Islands (except that subsection (a) shall apply in the case of amounts received for services performed as an employee of the United States or any agency thereof). For purposes of the preceding sentence, gain or loss from the sale or exchange of any security (as defined in section 165(g)(2)) shall not be treated as derived from sources within the Virgin Islands.

"(d) REQUIREMENT TO SUPPLY INFORMATION.—Subsections (b) and (c) shall apply only in the case of persons who supply (at such time and in such manner as the Secretary or his delegate may by regulations prescribe) such information as the Secretary or his delegate may by regulations prescribe for purposes of determining the applicability of such subsections."

(b) The table of sections for such subpart D is amended by adding at the end thereof the following:

"Sec. 934. Limitation in reduction in income tax liability incurred to the Virgin Islands."

SEC. 2. (a) Subchapter C of chapter 11 of the Internal Revenue Code of 1954 (relating to miscellaneous estate tax provisions) is amended by adding at the end thereof the following new section:

"SEC. 2209. Certain residents of possessions considered nonresidents not citizens of the United States.

"A decedent who was a citizen of the United States and a resident of a possession thereof at the time of his death shall, for purposes of the tax imposed by this chapter, be considered a 'nonresident not a citizen of the United States' within the meaning of that term wherever used in this title, but only if such person acquired his United States citizenship solely by reason of (1) his being a citizen of such possession of the United States, or (2) his birth or residence within such possession of the United States."

(b) The table of sections for subchapter C of chapter 11 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"Sec. 2209. Certain residents of possessions considered nonresidents not citizens of the United States."

SEC. 3. Section 2106(a)(3) of the Internal Revenue Code of 1954 (relating to exemption in determining taxable estate of nonresidents not citizens) is amended to read as follows:

"(3) EXEMPTION.—

"(A) GENERAL RULE.—An exemption of $2,000.

"(B) RESIDENTS OF POSSESSIONS OF THE UNITED STATES.—In the case of a decedent who is considered to be a 'nonresident not a citizen of the United States' under the provisions of section 2209, the exemption shall be the greater of (i) $2,000, or (ii) that proportion of the exemption authorized by section 2052 which the value of that part of the decedent's gross estate which at the time of his death is situated in the United States bears to the value of his entire gross estate wherever situated."

SEC. 4. (a) Section 2501 of the Internal Revenue Code of 1954 (relating to imposition of gift tax) is amended by redesignating subsection (c) to be subsection (d) and by adding after subsection (b) the following new subsection:

"(c) CERTAIN RESIDENTS OF POSSESSIONS CONSIDERED NONRESIDENTS NOT CITIZENS OF THE UNITED STATES.—A donor who is a citizen of the United States and a resident of a possession thereof shall, for purposes of the tax imposed by this chapter, be considered a 'nonresident not a citizen of the United States' within the meaning of that term wherever used in this title, but only if such donor acquired his United States citizenship solely by reason of (1) his being a citizen of such possession of the United States, or (2) his birth or residence within such possession of the United States."

(b) Section 2501(a) of such Code is amended by striking out "nonresident who is not a citizen of the United States and" and inserting in lieu thereof "nonresident not a citizen of the United States".

SEC. 5. (a) The amendments made by the first section of this Act shall apply to tax liability incurred with respect to taxable years beginning on or after January 1, 1960.

(b) The amendments made by sections 2 and 3 of this Act shall apply with respect to estates of decedents dying after the date of the enactment of this Act.

(c) The amendment made by section 4 of this Act shall apply with respect to gifts made after the date of the enactment of this Act.

Mr. WILLIAMS of Delaware. Mr. President, this amendment is one which is recommended by the Treasury Department. It was presented to the Finance Committee with a request that we give it our approval and the amendment has also been approved this year by the House of Representatives.

The purpose of the amendment is to close a loophole which has been discovered in the Revenue Code as it affects the taxpayers of the Virgin Islands. This amendment has been reported by our committee and was a part of H.R. 5547.

In view of the importance of the amendment being approved at this session and the fact that there are some controversial features in the other bill, which may delay its consideration, I am offering the amendment to the pending bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that a statement further explaining the amendment, as appears in committee report, be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

II. LIMITATION IN REDUCTION OF INCOME TAX LABILITY INCURRED TO THE VIRGIN ISLANDS (SEC. 1 AND PART OF SEC. 5)

For many years (since the Naval Appropriations Act of 1921) the income tax laws of the United States have been applicable to the Virgin Islands as if these laws had been separately enacted for the Virgin Islands, substituting the name "Virgin Islands" for references to the United States in the income tax laws. The effect of this dual tax system, or "mirror system" as it has sometimes been called, has been to require persons incurring liability to both the United States and the Virgin Islands to report and pay tax to both. However, double taxation was prevented through the allowance by the United States of a foreign tax credit with respect to income derived from sources within the Virgin Islands, and by the application by the Virgin Islands of a foreign tax credit with respect to income derived from sources within the United States.

The Revised Organic Act for the Virgin Islands of the United States, passed in 1954 (Public Law 517, 83d Cong., 2d sess., S. 3378), however, made substantial changes in this tax treatment. This act provided:

That the term "inhabitants of the Virgin Islands" as used in this section (section 28a) shall include all persons whose permanent residence is in the Virgin Islands, and such persons shall satisfy their income tax obligations under applicable taxing statutes of the United States by paying their tax on income derived from all sources both within and without the Virgin Islands into the Treasury of the Virgin Islands.

The effect of this change was to require inhabitants of the Virgin Islands, namely permanent residents of those islands, to pay their entire income taxes to the Virgin Islands, even though part of their income was derived from sources within the United States. As a result, the tax on the income of permanent residents of the islands from sources within the United States now is being covered into the Virgin Islands Treasury rather than into the U.S. Treasury.

This change became particularly significant in view of the passage by the Virgin Islands Legislature, and signing by the Virgin Islands Governor, of Act No. 224, designed to encourage the establishment of new businesses and industries in the Virgin Islands through the granting of special subsidies. Although the Revised Organic Act provided the Virgin Islands no authority to rebate income taxes paid to it, either with respect to income derived from sources within the Virgin Islands or from sources derived in the United States, nevertheless the legislature achieved substantially the same effect in Act No. 224 by providing subsidies ranging from 50 to 75 percent of the income taxes paid by corporations and residents with respect to certain specified types of new investment. These subsidies were granted with respect to the tax attributable both to income from sources within the Virgin Islands and from sources within the United States. Specifically, the income tax subsidies provided by that act were in the following five general categories:

"1. Seventy-five percent of the income tax payable for a period of 10 years by persons, firms or corporations qualifying as 'new businesses.' A 'new business' in this case is, in general, defined as one involving manufacture of an article, or the application of a process, which was not being manufactured or applied in the islands prior to January 1, 1947, if the industry has a capital investment of at least $10,000, but only to the extent not in competition with existing enterprises.

"2. Seventy-five percent of income taxes payable for a period of from 10 to 16 years by persons, firms or corporations operating hotels and guesthouses in the islands in which there is an investment of at least $100,000.

"3. Seventy-five percent of the income taxes payable for a period of 10 years by persons, firms, or corporations constructing or operating apartment houses, housing projects, or industrial or commercial buildings in the islands in which there is an investment of at least $100,000.

"4. Fifty percent of the income taxes paid for a period of 10 years by persons, firms, or corporations on the portion of their income derived from the purchase, transfer, assignment, or sale of stocks, bonds, and other

securities purchased or sold through an investment company located in and authorized to do business in the Virgin Islands. The subsidy granted to any one person under this provision may not exceed $100,000 a year and for more than half of this subsidy to be paid to a taxpayer, one-half of the subsidy must be invested in the Virgin Islands in projects which will further the economic development of the islands.

"5. Fifty percent of the income taxes paid on income derived by stockholders or partners from the operation of firms or corporations which qualify for a subsidy in any of the four above categories."

Your committee, while recognizing the desirability of the economic development of the Virgin Islands, agrees with the House that in no case should this be attained by granting windfall gains to taxpayers with respect to income derived from investments in corporations in the continental United States, or with respect to income in any other manner derived from sources outside of the Virgin Islands. In this connection your committee is glad to note that on April 29, 1959, the Virgin Islands government enacted Act No. 395, amending Act No. 224 to eliminate the subsidy program with respect to securities and also designed to limit the subsidy program to income derived from sources outside the United States. Although this in large measure removes the aspects of the Virgin Islands subsidy program with which your committee was most concerned, it doubts the desirability of leaving the opportunity to the Virgin Islands to adopt such a program at any time in the future that it may see fit.

For these reasons both the House and your committee in the first section of this bill, with two specified exceptions noted below, deny the right to the Virgin Islands to make any grant, subsidy, or other payment which has the effect either directly or indirectly of reducing tax liability incurred to the Virgin Islands under the Internal Revenue Code as made applicable to the Virgin Islands by the Naval Appropriations Act of 1921 or by section 28a of the Revised Organic Act of the Virgin Islands (approved in 1954).

The first exception relates to United States or Virgin Islands corporations and, in general, provides that subsidies can be paid to these corporations under much the same conditions as those under which income tax exemptions are presently available in the case of U.S. corporations carrying on a trade or business in most other U.S. possessions (sec. 931 of the code). The second exception relates to citizens of the United States (both those who are citizens by reason of the special act of Congress relating to the possession, and those who are citizens by reason of birth in the continental United States, naturalization, etc.) who are bona fide residents of the Virgin Islands and permits the granting of subsidies in much the same manner as bona fide residents of Puerto Rico may claim an exemption from U.S. income tax with respect to their income derived from sources within Puerto Rico (sec. 933 of the code). In general terms, these exceptions permit the Virgin Islands to provide, through the subsidy program, what amounts to much the same treatment as that already provided by income tax exemption with respect to other possessions in the case of U.S. corporations, or along the lines of the treatment provided residents of Puerto Rico in the case of citizen residents. This appeared to your committee to be in accord with the purposes of the special tax treatment long accorded possessions of the United States, namely, to encourage the development of the economic resources of the possessions by citizens of the United States or by U.S. corporations.

More specifically, the extent to which subsidies may be granted to domestic or Virgin Islands corporations is limited to the portions of their income which these corporations derive from sources without the United States. In addition, two income requirements must be met. First, to be eligible for this treatment 80 percent or more of the corporation's income for the 3-year period preceding the close of the taxable year (or for the applicable part of that period) must have been derived from sources within the Virgin Islands. Second, 50 percent or more of the gross income of the corporation for the same period of time must have been derived from the active conduct of a trade or business within the Virgin Islands. In making these computations all amounts received by these corporations within the United States, whether or not actually derived from sources within or without the United States, are to be considered as being derived from sources within the United States. The effect of this is to deny any subsidy with respect to this portion of the tax payments made by the corporation as well as to treat this income as derived from sources without the Virgin Islands in the case of the 80-percent test.

Both in applying the 80-percent test and the 50-percent test the House bill provided that they were to be computed without the benefit of section 931. Further analysis of the provisions makes it apparent that this exception is unnecessary in view of the fact that the gross income of a corporation which meets the requirements of section 931 is limited to income from sources within the United States. Therefore, your committee has deleted these two exceptions. It has also provided that in applying the foregoing tests gross income of a Virgin Islands corporation, and the sources from which the income of such a corporation is derived, is to be determined as if such a corporation were a domestic corporation. This appears necessary since a Virgin Islands corporation is for other purposes of the U.S. tax laws treated as a foreign corporation and, therefore, its income from Virgin Island sources would not otherwise constitute gross income and the 80 percent and 50 percent tests would be ineffective.

The subsidy in the case of individuals is limited to citizens of the United States. This includes those who are citizens of the United States by reason of being a citizen or resident of the Virgin Islands as well as all other citizens of the United States. However, the citizen must also have been a bona fide resident of the Virgin Islands during the entire taxable year in question. One who meets both the citizenship and residence requirements may qualify for a subsidy payment to the extent his income is derived from sources within the Virgin Islands. However, there is one exception to this rule: subsidy payments may not be made with respect to amounts received for services performed as an employee of the United States, or any agency of the United States.

Your committee has modified the House provision limiting subsidies in the case of individuals to provide that gain or loss from the sale of securities is not to be treated as income derived from sources within the Virgin Islands. This is designed to prevent the granting of subsidies for stock in American and other corporations merely on the grounds that the sale of the stock occurs in the Virgin Islands.

For the subsidy payments to be permitted, either in the case of corporations or individuals, information must be supplied to the Secretary of the Treasury or his delegate to the extent that he considers the information necessary in order to determine whether the individual or company receiving the subsidy properly qualifies.

These provisions as amended by your committee are to apply to tax liability for taxable years beginning on or after January 1, 1960.

Mr. WILLIAMS of Delaware. Mr. President, I have one further amendment, which I offer on behalf of the Senator from Pennsylvania [Mr. SCOTT], the Senator from Kansas [Mr. SCHOEPPEL], and myself, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Delaware will be stated.

The CHIEF CLERK. It is proposed at the proper place to insert:

(a) Section 6015(a) of the Internal Revenue Code of 1954 (relating to requirement of declaration of estimated income tax by individuals) is amended to read as follows:

"(a) REQUIREMENT OF DECLARATION.—Every individual (other than a nonresident alien with respect to whose wages, as defined in section 3401(a), withholding under chapter 24 is not made applicable, but including every alien individual who is a resident of Puerto Rico during the entire taxable year) shall make a declaration of his estimated tax for the taxable year if—

"(1) the gross income for the taxable year can reasonably be expected to exceed—

"(A) $5,000, in the case of—

"(i) a single individual other than a head of a household (as defined in section 1(b)(2)) or a surviving spouse (as defined in section 2(b));

"(ii) a married individual not entitled under subsection (b) to file a joint declaration with his spouse; or

"(iii) a married individual entitled under subsection (b) to file a joint declaration with his spouse, but only if the aggregate gross income of such individual and his spouse for the taxable year can reasonably be expected to exceed $10,000; or

"(B) $10,000, in the case of—

"(i) a head of a household (as defined in section 1(b)(2)); or

"(ii) a surviving spouse (as defined in section 2(b)); or

"(2) the gross income can reasonably be expected to include more than $200 from sources other than wages (as defined in section 3401(a)).

Notwithstanding the provisions of this subsection, no declaration is required if the estimated tax (as defined in subsection (c)) can reasonably be expected to be less than $40."

(b) The amendment made by subsection (a) shall apply with respect to taxable years beginning after December 31, 1960.

Mr. WILLIAMS of Delaware. Mr. President, I wish to explain this amendment. This amendment was also requested by the Treasury Department when it appeared before our committee, either early this week or last week.

Under existing law, all taxpayers are required to file an estimated return. The Treasury Department said that the requirement that taxpayers whose tax liability is below $40 necessitates a lot of work not only on the part of taxpayers, but also on the part of the Treasury Department. The Department recommended that we amend the law whereby taxpayers who have an income tax below $40 would not have to file estimated returns. This would save the Government considerable expense and eliminate filing of about one million returns. This will help the taxpayers as well as the Government.

I ask unanimous consent to have an explanation of the amendment printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

IX. MODIFICATION OF FILING REQUIREMENTS FOR DECLARATIONS OF ESTIMATED INCOME TAX BY INDIVIDUALS

Present law (sec. 6015) provides that, for an individual with no more than $100 of gross income from sources other than wages or salaries, a declaration is required if his gross income is expected to be more than $5,000; however, no declaration is required by a married person if the gross income of the married person and his spouse is expected to be not more than $10,000 (nor from a head of a household or a surviving spouse if his gross income is expected to be not more than $10,000). For an individual with more than $100 of income not subject to withholding, a declaration is required if his gross income from all sources is expected to be more than $600 per exemption plus $400.

Under these provisions, approximately 1.7 million declarations filed annually show either small liabilities or no liabilities to pay estimated tax. In 1958, out of the 5.7 million declarations filed, 1.1 million, or one-fifth of the total, showed no estimated tax and 600,000 declarations showed small amounts of estimated tax.

Your committee believes that eliminating nontaxable declarations and reducing the number of declarations from low-income taxpayers will result in a substantial saving to both the Government and the taxpayers. Section 10 of the bill therefore amends section 6015 so that a declaration will not be required in any case in which the estimated tax liability is less than $40. It is expected that this change will substantially reduce the number of declarations filed each year.

Because of this new minimum amount for filing declarations, it is believed that the present filing requirements with respect to income not subject to withholding will become unrealistic in that many taxpayers with nonwithheld income between $100 and $200 and within the minimum amounts of income from wages subject to withholding, will ordinarily not be required to file declarations because their estimated tax liability will be less than $40. To avoid the filing of declarations by low-income taxpayers, section 10 of the bill also raises the $100 nonwithheld income limitation to $200.

To simplify the filing requirements also further, the gross income test of $400 plus $600 times the number of exemptions is eliminated. Under this change, the only test for the filing of declarations by taxpayers with income not subject to withholding will be whether or not the tax is in excess of $40. It is believed that most taxpayers who at present are not required to file a declaration because of the gross income test will continue to be exempt under the $40 limitation.

This amendment applies to declarations of estimated tax filed with respect to taxable year beginning after December 31, 1960.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I have one other amendment, which I offer on behalf of myself, the Senator from South Dakota [Mr. MUNDT], the Senator from Kansas [Mr. SCHOEPPEL], the junior Senator from Nebraska [Mr. CURTIS], and the senior Senator from Idaho [Mr. DWORSHAK], and which I ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Delaware for himself and the Senator from South Dakota will be stated.

The CHIEF CLERK. It is proposed to add a new section as follows:

(a) Part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to itemized deductions for individuals and corporations) is amended by adding at the end thereof the following new section:

"SEC. 180. EXPENDITURES BY FARMERS FOR FERTILIZER, ETC.

"(a) IN GENERAL.—A taxpayer engaged in the business of farming may elect to treat as expenses which are not chargeable to capital account expenditures (otherwise chargeable to capital account) which are paid or incurred by him during the taxable year for the purchase or acquisition of fertilizer, lime, ground limestone, marle, or other materials to enrich, neutralize, or condition land used in farming, or for the application of such materials to such land. The expenditures so treated shall be allowed as a deduction.

"(b) LAND USED IN FARMING.—For purposes of subsection (a), the term 'land used in farming' has the meaning assigned to it by section 175(c)(2).

"(c) ELECTION.—The election under subsection (a) for any taxable year shall be made within the time prescribed by law (including extensions thereof) for filing the return for such taxable year. Such election shall be made in such manner as the Secretary or his delegate may by regulations prescribe. Such election may not be revoked except with the consent of the Secretary or his delegate."

(b) The table of sections for such part VI is amended by adding at the end thereof the following:

"Sec. 180. Expenditures by farmers for fertilizer, etc."

(c) Section 263(a)(1) of such Code (relating to capital expenditures) is amended—

(1) by striking out "or" at the end of subparagraph (B);

(2) by striking out the period at the end of subparagraph (C) and inserting in lieu thereof ", or "; and

(3) by adding after subparagraph (C) the following new subparagraph:

"(D) expenditures by farmers for fertilizer, etc., deductible under section 180."

(d) The amendments made by subsections (a), (b), and (c) shall apply to taxable years beginning after December 31, 1959.

Mr. WILLIAMS of Delaware. Mr. President, under the law, as the committees of Congress and as the Treasury Department had interpreted it, the farmers were permitted to write off as an annual expense of operation the purchase of lime. However it has been found that the law was so worded that the farmers may be obliged to capitalize the cost of the lime, and then depreciate it over a period of years rather than write off as a straight business expense.

This was not the intent of the law.

Some of the members of our committee conferred with the Treasury Department and the Treasury Department agreed such was not the intent of the law.

It was suggested that in order to have the question fully clarified we should amend the law, with the understanding that we are spelling out the definition of the present law as intended by the Congress. This amendment will achieve that purpose.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MUNDT. I wish to associate myself with the remarks of the Senator from Delaware. I am sure all Members of the Senate who live in agricultural areas, or who are at all familiar with farming recognize this is, indeed, an annual expense and a cost of doing business, exactly the same as the cost of doing business for a man in business for himself or for an industry. This proposal would simply equalize the situation and place the farmer in the same position in that regard as a businessman or a salesman who has to deduct the cost of his operation from his net income.

I think this is salutary. I think it is equitable. I think it is needed. I hope the amendment will be agreed to.

Mr. WILLIAMS of Delaware. I thank the Senator from South Dakota.

Mr. President, the committee, in recommending this, stated in the report that it was redefining the intent of the existing law, and that those farmers who have been deducting for such purchases will, under the amendment and under the report, not be bothered with any retroactive payment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Delaware [Mr. WILLIAMS].

The amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed in the RECORD, an excerpt from the Senate committee report in this regard.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXPENDITURES BY FARMERS FOR FERTILIZER, LIME, ETC. (SEC. 8)

For many years it has been the universal practice for farmers to deduct the cost of fertilizer and lime in the year in which it is paid or incurred. Recently, however, cases have been called to the attention of the committee in which the Internal Revenue Service has questioned a deduction for lime and fertilizer on the ground that its cost is a capital expense which should be spread over the beneficial life. This is contrary to the long-accepted and widespread practice of deducting fertilizer and lime expenditures in the year they are paid or incurred.

In order to make certain the intention of Congress that these expenses be treated as business expenses, your committee has added a new section 180 to the Internal Revenue Code which permits a taxpayer to elect to treat expenditures for fertilizer, lime, ground limestone, marle, or other materials used by him to enrich, neutralize, or condition his farmland, or for the application of such materials, as expenses which are not chargeable to capital account. Thus, such expenses, as in the past, may be deductible in full in the year in which they are paid or incurred if the farmer so elects. This new provision is merely declaratory of existing law and makes no substantive change in the application of the statute.

While the amendment made by this section applies to taxable years beginning after December 31, 1959, since it is declaratory of existing law it should be applied to past years as well.

Mr. ANDERSON. Mr. President, I offer the amendment which I send to the desk, and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. At the proper place in the bill insert the following new section:

SEC. —. (a) Section 514(b)(3)(A) of the Internal Revenue Code of 1954 (relating to exceptions to the definition of business lease) is amended by adding at the end thereof the following new sentence: "A lease by a scientific organization engaged in medical research to a medical clinic of premises adjacent to those occupied by such scientific organization shall be considered as entered into primarily for purposes which are substantially related to the exercise or performance of the purposes or functions constituting the basis for such scientific organization's exemption within the meaning of clause (i) if treatment of patients of such clinic, their medical histories, and donated services of doctors of such clinic are utilized by such scientific organization for medical research purposes."

(b) The amendment made by subsection (a) shall apply with respect to taxable years beginning after December 31, 1953, and ending after August 16, 1954. A provision having the same effect as the provision added to the Internal Revenue Code of 1954 by such amendment shall be deemed to be included in the Internal Revenue Code of 1939 and shall apply with respect to taxable years beginning after December 31, 1950.

Mr. ANDERSON. Mr. President, this is an amendment which is the same as the amendment which was placed upon the Virgin Islands bill. It deals with the leasing of property by scientific organizations. It was supported unanimously by the Committee on Finance.

We would be happy to have the amendment on this bill. It relates only to these scientific organizations.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. ANDERSON].

The amendment was agreed to.

Mr. CARLSON. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The Chief Clerk read as follows:

Prepaid dues and fees received by nonprofit service organizations:

Subsections (a) through (e), inclusive, shall apply in the case of a nonprofit corporation whose principal activity consists of providing services to its members and which receive dues or fees from its members in payment for such services.

For the purpose of applying paragraph (1):

The term "prepaid subscription income" as defined in subsection (d)(1) shall include any amount (includible in gross income) which is received in connection with and is directly attributable to a liability which extends beyond the close of the taxable year in which such amount is received, and which is income received as dues or fees from members of a nonprofit corporation whose principal activity consists of providing services to such members.

The term "liability" as defined in subsection (d)(2) shall include a liability to furnish services to members and such liability shall be deemed to accrue ratably over the period with respect to which the fees or dues are paid.

Mr. CARLSON. Mr. President, I offer this amendment to the bill in the form of the exact language which was approved by the House of Representatives on Wednesday of this week.

The amendment is identical in purpose to the bill which the Senate approved 2 years ago, and is limited in its application to prepaid dues income received by nonprofit membership organizations.

At the suggestion of the Treasury Department, the amendment spreads the tax relief provided over a period of 5 years. No prepaid dues escape income tax. The sole purpose is to permit prepaid dues to be taxed in accordance with sound accounting principles, that is, the dues and expenses of serving the member are matched in the same period of time.

Mr. President, I ask unanimous consent that remarks on a similar resolution made some 2 years ago be printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Mr. CARLSON. Mr. President, I call up my amendment identified as "8-8-58—C."

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. Section 29 is proposed to be amended by adding the following new subsection after subsection (e) of section 455:

"(f) Prepaid dues and fees received by nonprofit service organizations:

"(1) Subsections (a) through (e), inclusive, shall apply in the case of a nonprofit corporation whose principal activity consists of providing services to its members and which receive dues or fees from its services.

"(2) For the purpose of applying paragraph (1):

"(A) The term 'prepaid subscription income' as defined in subsection (d)(1) shall include any amount (includible in gross income) which is received in connection with and is directly attributable to a liability which extends beyond the close of the taxable year in which such amount is received, and which is income received as dues or fees from members of a nonprofit corporation whose principal activity consists of providing services to such members.

"(B) The term 'liability' as defined in subsection (d)(2) shall include a liability to furnish services to members and such liability shall be deemed to accrue ratably over the period with respect to which the fees or dues are paid."

Mr. CARLSON. Mr. President, I will take only a minute. I have discussed the amendment with the chairman of the committee, and he is thoroughly familiar with it.

I call the Senate's attention to the inequity that exists with regard to certain nonprofit service organizations. The amendment deals with the problems of taxes paid by nonprofit service organizations on prepaid dues and fees. This has a particular and very acute bearing on many of the automobile clubs.

I happen to have been one of the founders and charter members of the Automobile Club of Kansas. The general manager of that club advised me that most clubs have used the accrual method of accounting for many years and filed their tax returns in a manner which shows prepaid dues over the 12-month period of membership, instead of entirely in the taxable year of receipt.

For example, if a member pays $12 in November for his year's dues, the club would show only $2 as taxable income for that tax year. The balance of the $10 would be credited against the following 10 months of the next year, in which of course the services would be rendered.

But the Commissioner of Internal Revenue, supported by the courts, has disallowed this procedure. As a result, I am informed that some clubs in many parts of the Nation have been forced to pay taxes exceeding 100 percent of their net income, because the dues from a member could not be matched against the expense of serving a member.

A startling illustration of that is given by the parent body, the American Automobile Association itself. According to testimony given on the basis of an Ernst & Ernst report, taxes for 1955 totaled 146.4 percent of its net income; and in 1956, 115.7 percent of its net income, solely because of the Commissioner's insistence of viewing dues payments as calendar-year cash receipts. Clubs in Virginia, California, New Jersey, and other States disclose a somewhat similar situation.

This seems unjust and discriminatory; therefore, I ask support of an amendment, which I have offered, broadening the relief proposed for publishers so that it will also relieve these nonprofit service organizations.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a telegram I have received from the Kansas Automobile Club.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

TOPEKA, KANS., *July 21, 1958.*

Senator FRANK CARLSON,
Senate Office Building,
Washington, D.C.:

We note Senate Finance Committee has approved amendment to H.R. 8381 to remove inequitable discrimination existing in the case of some newspaper and magazine publishers with respect to income tax treatment of prepaid subscription income. The American Automobile Association and its affiliated clubs are victims of identical discriminatory income tax treatment with respect to prepaid dues received from members and request that the amendment already approved by the committee be broadened to correct their problem. The AAA and its affiliated clubs are organized as nonprofit membership corporations and render substantial services of a public nature. They have nevertheless been required to pay regular corporate income taxes since 1943. For example, if a member prepays annual dues of $12 for services to be rendered over the ensuing 12-month period, and the cost of providing services to such member is $11, the club should have taxable net income of only $1 from the membership. The requested legislation permits this result. Several clubs have recently been forced to pay income taxes in an amount exceeding 100 percent of their net income as certified by their accountants because the dues received from a member could not be matched against the expense of serving the member.

It seems to us that the amendment already approved by the committee should be broadened to cover not only prepaid subscription income received by publishers but also prepaid dues received by nonprofit service organizations from their members for services to be rendered extending beyond the close of the taxable year. I know your interest in the welfare of the auto club and we make this urgent plea not only for our entire board of directors but I personally will appreciate your assisting us in seeing this inequity lifted. Your consideration will be deeply appreciated.

AUTOMOBILE CLUB OF KANSAS,
CLIVE R. LANE, *Manager.*

Mr. CARLSON. Mr. President, I ask the chairman of the committee if he will take the amendment to conference.

Mr. BYRD. I think the amendment is a good one, and I am agreeable to taking it to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kansas [Mr. CARLSON].

The amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, may we have an explanation of the amendment offered by the Senator from Kansas? What would the amendment do?

Mr. CARLSON. This is an amendment which would distribute the revenue from the prepaid dues for automobile organizations. It passed the Senate 2 years ago. I have discussed it with the chairman of the Senate Committee on Finance [Mr. BYRD], the Senator from Oklahoma [Mr. KERR], and the Senator from Delaware [Mr. WILLIAMS]. We agreed to attach it to the bill this evening, if that is agreeable with the Senator.

Mr. LONG of Louisiana. Mr. President, as one member of the Finance Committee, it seems to me that the other Members should have at least the right to be consulted about this and to know about it. Has the committee itself agreed to the amendment?

Mr. CARLSON. I have discussed it with several members of the committee. We have not had it before the committee because it was not in the committee when the bill came over.

Mr. LONG of Louisiana. Mr. President, I would have to object to the amendment being agreed to at this hour of the night. As one member of the committee who is not familiar with it, I do not know any reason why I should object to it, after consideration.

Mr. CARLSON. Mr. President, if there is any objection I will withdraw the amendment.

Mr. LONG of Louisiana. If the amendment is offered at some time tomorrow, that would be satisfactory. I fear a great number of Senators have gone home thinking there would be no votes tonight.

Mr. CARLSON. Mr. President, I withdraw the amendment.

Mr. BENNETT. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The Chief Clerk read as follows:

At the proper place in the bill, insert the following:

"SECTION . TAX TREATMENT OF REAL ESTATE INVESTMENT TRUSTS AND ASSOCIATIONS.

"Subchapter M of chapter 1 of the Internal Revenue Code of 1954 (relating to regulated investment companies) is amended by adding at the end thereof the following:

"'PART II—REAL ESTATE INVESTMENT TRUSTS

"'Sec. 856. Definition of real estate investment trust.

"'Sec. 857. Taxation of real estate investment trusts and their beneficiaries.

"'Sec. 858. Dividends paid by real estate investment trust after close of taxable year.

"'SEC. 856. DEFINITION OF REAL ESTATE INVESTMENT TRUST.

"'(a) IN GENERAL.—For purposes of this subtitle, the term "real estate investment trust" means an unincorporated trust or an unincorporated association—

"'(1) which is managed by one or more trustees;

"'(2) the beneficial ownership of which is evidenced by transferable shares, or by transferable certificates of beneficial interest;

"'(3) which (but for the provisions of this part) would be taxable as a domestic corporation;

"'(4) which does not hold any property primarily for sale to customers in the ordinary course of its trade or business;

"'(5) the beneficial ownership of which is held by 100 or more persons;

"'(6) which would not be a personal holding company (as defined in section 542) if all of its gross income constituted personal holding company income (as defined in section 543); and

"'(7) which meets the requirements of subsection (c).

"'(b) DETERMINATION OF STATUS.—The conditions described in paragraphs (1) to (4), inclusive, of subsection (a) must be met during the entire taxable year, and the condition described in paragraph (5) must exist during at least 335 days of a taxable year of 12 months, or during a proportionate part of a taxable year of less than 12 months.

"'(c) LIMITATIONS.—A trust or association shall not be considered a real estate investment trust for any taxable year unless—

"'(1) it files with its return for the taxable year an election to be a real estate investment trust or has made such election for a previous taxable year which began after December 31, 1960;

"'(2) at least 90 percent of its gross income is derived from—

"'(A) dividends;

"'(B) interest;

"'(C) rents from real property;

"'(D) gain from the sale or other disposition of stock, securities, and real property (including interest in real property and interests in mortgages on real property); and

"'(E) abatements and refunds of taxes on real property;

"'(3) at least 75 percent of its gross income is derived from—

"'(A) rents from real property;

"'(B) interest on obligations secured by mortgages on real property or on interests in real property;

"'(C) gain from the sale or other disposition of real property (including interests in real property and interests in mortgages on real property);

"'(D) dividends or other distributions on, and gain from the sale or other disposition of, transferable shares (or transferable certificates of beneficial interest) in other real estate investment trusts which meet the requirements of this part; and

"'(E) abatements and refunds of taxes on real property;

"'(4) less than 30 percent of its gross income is derived from the sale or other disposition of—

"'(A) stock or securities held for less than 6 months, and

"'(B) real property (including interests in real property) not compulsory or involuntarily converted within the meaning of section 1033, held for less than 4 years; and

"'(5) at the close of each quarter of the taxable year—

"'(A) at least 75 percent of the value of its total assets is represented by real estate assets, cash and cash items (including receivables), and Government securities; and

"'(B) not more than 25 percent of the value of its total assets is represented by securities (other than those includible under subparagraph (A)) for purposes of this calculation limited in respect of any one issuer to an amount not greater in value than 5 percent of the value of the total assets of the trust and to not more than 10 percent of the outstanding voting securities of such issuer.

A real estate investment trust which meets the requirements of this paragraph at the close of any quarter shall not lose its status as a real estate investment trust because of a discrepancy during a subsequent quarter between the value of its various investments and such requirements unless such discrepancy exists immediately after the acquisition of any security or other property and is wholly or partly the result of such acquisition. A real estate investment trust which does not meet such requirements at the close of any quarter by reason of a discrepancy existing immediately after the acquisition of any security or other property which is wholly or partly the result of such acquisition during such quarter shall not lose its status for such quarter as a real estate investment trust if such discrepancy is eliminated within 30 days after the close of such quarter and in such cases it shall be considered to have met such requirements at the close of such quarter for purposes of applying the preceding sentence.

"'(6) For purposes of this part—

"'(A) The term "value" means, with respect to securities for which market quotations are readily available, the market value of such securities; and with respect to other securities and assets, fair value as determined in good faith by the trustees, except that in the case of securities of real estate investment trusts such fair value shall not exceed market value or asset value, whichever is higher.

"'(B) The term "real estate assets" means real property (including interests in real property and interests in mortgages on real property) and shares (or transferable certificates of beneficial interest) in other real estate investment trusts which meet the requirements of this part.

"'(C) The term "interests in real property" includes fee ownership and co-ownership of land or improvements thereon and leaseholds of land or improvements thereon, but does not include mineral, oil, or gas royalty interests.

"'(D) All other terms shall have the same meaning as when used in the Investment Company Act of 1940, as amended.

"'(d) RENTS FROM REAL PROPERTY DEFINED.—For purposes of paragraphs (2) and (3) of subsection (c), the term "rents from real property" includes rents from interests in real property but does not include—

"'(1) any amount received or accrued, directly or indirectly, with respect to any real property, if the determination of such amount depends in whole or in part on the income or profits derived by any person from such property (except that any amount so received or accrued shall not be excluded from the term "rents from real property" solely by reason of being based on a fixed percentage or percentages of receipts or sales);

"'(2) any amount received or accrued directly or indirectly from any person if the real estate investment trust owns, directly or indirectly—

"'(A) in the case of any person which is a corporation, stock of such person possessing 10 percent or more of the total combined voting power of all classes of stock entitled to vote, or 10 percent or more of the total number of shares of all classes of stock of such person; or

"'(B) in the case of any person which is not a corporation, an interest of 10 percent or more in the assets or net profits of such person; and

"'(3) any amount received or accrued, directly or indirectly, with respect to any real property, if the real estate investment trust furnishes or renders services to the tenants of such property, or manages or operates such property, other than through an independent contractor from whom the trust itself does not derive or receive any income. For purposes of this paragraph, the term "independent contractor" means—

"'(A) a person who does not own, directly or indirectly, more than 35 percent of the shares, or certificates of beneficial interest, in the real estate investment trust, or

"'(B) a person, if a corporation, not more than 35 percent of the total combined voting power of whose stock (or 35 percent of the total shares of all classes of whose stock), or if not a corporation, not more than 35 percent of the interest in whose assets or net profits is owned, directly or indirectly, by one or more persons owning 35 percent or more of the shares or certificates of beneficial interest in the truth.

For purposes of paragraphs (2) and (3), the rules prescribed by section 318(a) for determining the ownership of stock shall apply in determining the ownership of stock, assets, or net profits of any person; except that "10 percent" shall be substituted for "50 percent" in subparagraph (C) of section 318(a)(2).

"'SEC. 857. TAXATION OF REAL ESTATE INVESTMENT TRUSTS AND THEIR BENEFICIARIES.

"'(a) REQUIREMENTS APPLICABLE TO REAL ESTATE INVESTMENT TRUSTS.—The provisions of this part (other than subsection (d) of this section) shall not apply to a real estate investment trust for a taxable year unless—

"'(1) the deduction for dividends paid during the taxable year (as defined in section 561, but without regard to capital gains dividends) equals or exceeds 90 percent of its real estate investment trust taxable income for the taxable year (determined without regard to subsection (b)(2)(C)), and

"'(2) the real estate investment trust complies for such year with regulations prescribed by the Secretary or his delegate for the purpose of ascertaining the actual ownership of the outstanding shares, or certificates of beneficial interest, of such trust.

"'(b) METHOD OF TAXATION OF REAL ESTATE INVESTMENT TRUSTS AND HOLDERS OF SHARES OF CERTIFICATES OF BENEFICIAL INTEREST.—

"'(1) IMPOSITION OF NORMAL TAX AND SURTAX ON REAL ESTATE INVESTMENT TRUSTS.—There is hereby imposed for each taxable year on the real estate investment trust taxable income of every real estate investment trust a normal tax and surtax computed as provided in section 11, as though the real estate investment trust taxable income were the taxable income referred to in section 11. For purposes of computing the normal tax under section 11, the taxable income and the dividends paid deduction of such real estate investment trust for the taxable year (computed without regard to capital gains dividends) shall be reduced by the deduction provided by section 242 (relating to partially tax-exempt interest).

"'(2) REAL ESTATE INVESTMENT TRUST TAXABLE INCOME.—For purposes of this part, the term "real estate investment trust taxable income" means the taxable income of the real estate investment trust, adjusted as follows:

"'(A) There shall be excluded the excess, if any, of the net long-term capital gain over the net short-term capital loss.

"'(B) The deductions for corporations provided in part VIII (except section 248) of subchapter B (section 241 and following, relating to the deduction for dividends received, etc.) shall not be allowed.

"'(C) The deduction for dividends paid (as defined in section 561) shall be allowed, but shall be computed without regard to capital gains dividends.

"'(D) The taxable income shall be computed without regard to section 443(b) (relating to computation of tax on change of annual accounting period).

"'(E) The net operating loss deduction provided in section 172 shall not be allowed.

"'(3) CAPITAL GAINS.—

"'(A) IMPOSITION OF TAX.—There is hereby imposed for each taxable year in the case of every real estate investment trust a tax of 25 percent of the excess, if any, of the net long-term capital gain over the sum of—

"'(i) the net short-term capital loss; and

"'(ii) the deduction for dividends paid (as defined in section 561) determined with reference to capital gains dividends only.

"'(B) TREATMENT OF CAPITAL GAIN DIVIDENDS BY SHAREHOLDERS.—A capital gain dividend shall be treated by the shareholders or holders of beneficial interests as a gain from the sale or exchange of a capital asset held for more than 6 months.

"'(C) DEFINITION OF CAPITAL GAIN DIVIDEND.—For purposes of this part, a capital gain dividend is any dividend, or part thereof, which is designated by the real estate investment trust as a capital gain dividend in a written notice mailed to its shareholders or holders of beneficial interests at any time before the expiration of 30 days after the close of its taxable year. If the aggregate amount so designated with respect to a taxable year of the trust (including capital gain dividends paid after the close of the taxable year described in section 858) is greater than the excess of the net long-term capital gain over the net short-term capital loss of the taxable year, the portion of each distribution which shall be a capital gain dividend shall be only that proportion of the amount so designated which such excess of the net long-term capital gain over the net short-term capital loss bears to the aggregate amount so designated.

"'(4) LOSS ON SALE OR EXCHANGE OF STOCK HELD LESS THAN 31 DAYS.—If—

"'(A) under subparagraph (B) of paragraph (3) a shareholder of, or a holder of a beneficial interest in, a real estate investment trust is required, with respect to any share or beneficial interest, to treat any amount as a long-term capital gain, and

"'(B) such share or interest is held by the taxpayer for less than 31 days,

then any loss on the sale or exchange of such share or interest shall, to the extent of the amount described in subparagraph (A) of this paragraph, be treated as loss from the sale or exchange of a capital asset held for more than 6 months. For purposes of this paragraph, the rules of section 246(c)(3) shall apply in determining whether any share of stock or beneficial interest has been held for less than 31 days; except that "30 days" shall be substituted for the number of days specified in subparagraph (B) of section 246(c)(3).

"'(c) RESTRICTIONS APPLICABLE TO DIVIDENDS RECEIVED FROM REAL ESTATE INVESTMENT TRUSTS.—For purposes of section 34(a) (relating to credit for dividends received by individuals), section 116 (relating to an exclusion for dividends received by individuals), and section 243 (relating to deductions for dividends received by corporations), a dividend received from a real estate investment trust which meets the requirements of this part shall not be considered as a dividend.

"'(d) EARNINGS AND PROFITS.—The earnings and profits of a real estate investment trust for any taxable year (but not its accumulated earnings and profits) shall not be reduced by any amount which is not allowable as a deduction in computing its taxable income for such taxable year. For purposes of this subsection, the term "real estate investment trust" includes a domestic unincorporated trust or association which is a real estate investment trust determined without regard to the requirements of subsection (a).

"'SEC. 858. DIVIDENDS PAID BY REAL ESTATE INVESTMENT TRUST AFTER CLOSE OF TAXABLE YEAR.

"'(a) GENERAL RULE.—For purposes of this part, if a real estate investment trust—

"'(1) declares a dividend before the time prescribed by law for the filing of its return for a taxable year (including the period of any extension of time granted for filing such return), and

"'(2) distributes the amount of such dividend to shareholders or holders of beneficial interests in the 12-month period following the close of such taxable year and not later than the date of the first regular dividend payment made after such declaration.

the amount so declared and distributed shall, to the extent the trust elects in such return in accordance with regulations prescribed by the Secretary or his delegate, be considered as having been paid during such taxable year, except as provided in subsections (b) and (c).

"'(b) RECEIPT BY SHAREHOLDER.—Amounts to which subsection (a) applies shall be treated as received by the shareholder or holder of a beneficial interest in the taxable year in which the distribution is made.

"'(c) NOTICE TO SHAREHOLDERS.—In the case of amounts to which subsection (a) applies, any notice to shareholders or holders of beneficial interests required under this part with respect to such amounts shall be made not later than 30 days after the close of the taxable year in which the distribution is made.'

"SEC. . TECHNICAL AMENDMENTS

"(a) Subchapter M of chapter 1 of the Internal Revenue Code of 1954 is amended—

"(1) by striking out the heading thereof and inserting in lieu thereof the following:

"'SUBCHAPTER M—REGULATED INVESTMENT COMPANIES AND REAL ESTATE INVESTMENT TRUSTS

"'Part I. Regulated investment companies.

"'Part II. Real estate investment trusts.

"'PART I—REGULATED INVESTMENT COMPANIES';

"(2) by striking out 'this subchapter' in sections 852(a) and 855(c) and inserting in lieu thereof 'this part'; and

"(3) by striking out 'A capital gain dividend means' in section 852(b)(3)(C) and inserting in lieu thereof 'For purposes of this part, a capital gain dividend is'.

"(b) The table of subchapters for chapter 1 of such Code is amended by inserting 'and real estate investment trusts' after 'Regulated investment companies'.

"(c) Section 11(d)(3) of such Code (relating to tax on corporations) is amended by inserting 'and real estate investment trusts' after 'regulated investment companies.'

"(d) Section 34(c) of such Code (relating to credit for dividends received by individuals) is amended by striking out the word 'or' at the end of paragraph (1), by striking out the period at the end of paragraph (2) and inserting in lieu thereof '; or', and by adding at the end thereof the following new paragraph:

"'(3) a real estate investment trust which, for the taxable year of the trust in which the dividend is paid, qualifies under part II of subchapter M (sec. 856 and following).'

"(e) Section 116(b) of such Code (relating to an exclusion for dividends received by individuals) is amended by striking out the word 'or' at the end of paragraph (1), by striking out the period at the end of paragraph (2) and inserting in lieu thereof '; or', and by adding at the end thereof the following new paragraph:

"'(3) a real estate investment trust which, for the taxable year of the trust in which the dividend is paid, qualifies under part II of subchapter M (sec. 856 and following).'

"(f) Section 243(c) of such Code (relating to deduction for dividends received by corporations) is amended by adding at the end thereof the following new paragraph:

"'(3) Any dividend received from a real estate investment trust which, for the taxable year of the trust in which the dividend is paid, qualifies under part II of subchapter M (sec. 856 and following) shall not be treated as a dividend.'

"(g) Section 318(b) of such Code (relating to constructive ownership of stock) is amended by striking out the word 'and' at the end of paragraph (4), by striking out the period at the end of paragraph (5) and inserting in lieu thereof '; and', and by adding at the end thereof the following new paragraph:

"'(6) section 856(d) (relating to definition of rents from real property in the case of real estate investment trusts).'

"(h) Section 443(d) of such Code (relating to computation of tax on change of annual accounting period) is amended by adding at the end thereof the following new paragraph:

"'(5) The taxable income of a real estate investment trust, see section 857(b)(2)(D).'

"(i) Section 1504(b)(6) of such Code (relating to consolidated returns) is amended by inserting 'and real estate investment trusts' after 'Regulated investment companies'.

"SEC. . EFFECTIVE DATE.

The amendments made by sections 1 and 2 of this Act shall apply with respect to taxable years of real estate investment trusts beginning after December 31, 1960.

Mr. BENNETT. Mr. President, the purpose of the amendment is to extend to real estate investment trusts the same type of tax treatment which is given to the regular investment companies, the so-called mutual funds, under the present law. The amendment has the support of the committee. I ask that the amendment be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah [Mr. BENNETT].

The amendment was agreed to.

Mr. BENNETT. Mr. President, I offer another amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. At the proper place in the bill, insert the following new section:

SEC. . (a) Section 170 of the Internal Revenue Code of 1954 (relating to charitable, etc., contributions and gifts) is amended—

(1) by adding at the end of subsection (c) the following new sentence:

"For purposes of this section, the term 'charitable contribution' also means an amount treated under subsection (d) as paid for the use of an organization described in paragraph (2), (3), or (4)."; and

(2) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively, and by inserting after subsection (c) the following new subsection:

"(d) AMOUNTS PAID TO MAINTAIN CERTAIN STUDENTS AS MEMBERS OF TAXPAYER'S HOUSEHOLD.—

"(1) IN GENERAL.—Subject to the limitations provided by paragraph (2), amounts paid by the taxpayer to maintain an individual (other than a dependent, as defined in section 152, or a relative of the taxpayer) as a member of his household during the period that such individual is—

"(A) a member of the taxpayer's household under a written agreement between the taxpayer and an organization described in paragraph (2), (3), or (4) of subsection (c) to implement a program of the organization to provide educational opportunities for pupils or students in private homes, and

"(B) a full-time pupil or student in the twelfth or any lower grade at an educational institution (as defined in section 151(e)(4)) located in the United States,

shall be treated as amounts paid for the use of the organization.

"(2) LIMITATIONS.—

"(A) AMOUNT.—Paragraph (1) shall apply to amounts paid within the taxable year only to the extent that such amounts do not exceed $50 multiplied by the number of full calendar months during the taxable year which fall within the period described in paragraph (1). For purposes of the preceding sentence, if 15 or more days of a calendar month fall within such period such month shall be considered as a full calendar month.

"(B) COMPENSATION OR REIMBURSEMENT.—Paragraph (1) shall not apply to any amount paid by the taxpayer within the taxable year if the taxpayer receives any money or other property as compensation or reimbursement for maintaining the individual in his household during the period described in paragraph (1).

"(3) RELATIVE DEFINED.—For purposes of paragraph (1), the term 'relative of the taxpayer' means an individual who, with respect to the taxpayer, bears any of the relationships described in paragraphs (1) through (8) of section 152(a).

"(4) NO OTHER AMOUNT ALLOWED AS DEDUCTION.—No deduction shall be allowed under subsection (a) for any amount paid by a taxpayer to maintain an individual as a member of his household under a program described in paragraph (1)(A) except as provided in this subsection."

(b) Section 162(b) of the Internal Revenue Code of 1954 (relating to charitable contributions and gifts excepted from trade or business expenses) is amended by inserting after "the percentage limitations," the following: "the dollar limitations,".

(c) The amendments made by subsections (a) and (b) shall apply with respect to taxable years beginning after December 31, 1959.

Mr. BENNETT. Mr. President, this proposal passed the Senate once before, but was deleted from a bill in conference because the House did not quite understand it. We understand that the House has changed its opinion and is willing to accept the amendment.

The purpose of the amendment is to permit an American citizen who takes into his home a foreign student or an Indian student to deduct $50 a month as a charitable deduction, provided that student goes into the home as the result of a specific contract with a charitable organization.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. BENNETT. I yield.

Mr. MUNDT. The Senator referred to an Indian student. Does he refer to an American Indian student?

Mr. BENNETT. An American Indian or a foreign student.

Mr. President, I ask that the amendment be agreed to.

Mr. LONG of Louisiana. Mr. President, is this an amendment which has been agreed to by the Committee on Finance?

Mr. BENNETT. Yes. It passed the Senate and went to conference. The conference committee raised some questions. Those questions have been cleared. We have been assured the amendment will be accepted by the House when it goes back.

Mr. LONG of Louisiana. I do not object.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah [Mr. BENNETT].

The amendment was agreed to.

Mr. KERR. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. At the proper place in the bill, insert the following new section:

SEC. —. That section 162 of the Internal Revenue Code of 1954 (relating to trade or business expenses) is amended by redesignating subsection (d) as subsection (e), and by inserting after subsection (c) the following new subsection:

"(d) CAPITAL CONTRIBUTIONS TO FEDERAL NATIONAL MORTGAGE ASSOCIATION.—For purposes of this subtitle, whenever the amount of capital contributions evidenced by a share of stock issued pursuant to section 303(c) of the Federal National Mortgage Association Charter Act (12 U.S.C., sec. 1718) exceeds the fair market value of the stock as of the issue date of such stock, the initial holder of the stock shall treat the excess as ordinary and necessary expenses paid or incurred during the taxable year in carrying on a trade or business."

SEC. 2. (a) Part IV of subchapter O of chapter 1 of the Internal Revenue Code of 1954 (relating to special rules as to basis of property) is amended by redesignating section 1054 as 1055, and by inserting after section 1053 the following new section:

"Sec. 1054. Certain Stock of Federal National Mortgage Association.

"In the case of a share of stock issued pursuant to section 303(c) of the Federal National Mortgage Association Charter Act (12 U.S.C., sec. 1718), the basis of such share in the hands of the initial holder shall be an amount equal to the capital contributions evidenced by such share reduced by the amount (if any) required by section 162(d) to be treated (with respect to such share) as ordinary and necessary expenses paid or incurred in carrying on a trade or business."

(b) The table of sections for such part IV is amended by striking out the last line and inserting in lieu thereof the following:

"Sec. 1054. Certain stock of Federal National Mortgage Association.

"Sec. 1055. Cross references."

SEC. 3. The amendments made by the first section and section 2 of this Act shall apply with respect to taxable years beginning after December 31, 1959.

Mr. KERR. Mr. President, I ask unanimous consent that a brief explanation of the amendment may be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The amendment, which has already been approved by the Committee on Finance deals with the problem of financial institutions which sell mortgage paper to the Federal National Mortgage Association. Such institutions are required to subscribe to the FNMA stock in an amount equal to 2 percent of the mortgages sold. This stock which is issued at a par value of $100 has been selling on the market for appreciably less than the issuance price. The amendment provides that where FNMA stock is purchased under these conditions, any excess of the issuance price over the fair market value is to be treated as an ordinary and necessary business expense in the year of purchase rather than as a cost of acquiring

the stock. This treatment is to be available to taxable years beginning after December 31, 1959.

Mr. KERR. Mr. President, this is the amendment the Finance Committee has cleared once, as a part of the Virgin Islands bill. It has to do with the problem of financial institutions which sell mortgage paper to the Federal National Mortgage Association.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma [Mr. KERR].

The amendment was agreed to.

Mr. KERR. Mr. President, I offer another amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. At the proper place in the bill, insert the following new section:

SEC.—. (a) Section 4201 of the Internal Revenue Code of 1954 (relating to tax on pens and mechanical pencils and lighters) is amended—

(1) by inserting "(a)" before "There",

(2) by striking out "Mechanical lighters for cigarettes, cigars and pipes.", and

(3) by adding at the end thereof the following new subsection:

"(b) There is hereby imposed upon the sale by the manufacturer, producer, or importer of mechanical lighters for cigarettes, cigars, and pipes a tax of 10 cents for each lighter but not more than 10 percent of the price for which so sold."

(b) The amendments made by subsection (a) shall apply only with respect to articles sold by the manufacturer, producer, or importer thereof on or after the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

Mr. KERR. Mr. President, I ask unanimous consent that a brief statement explaining the amendment be printed in the RECORD as this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The amendment amends the manufacturers' tax on mechanical lighters for cigarettes, cigars, and pipes to provide that the tax is to be 10 cents per lighter or 10 percent of the manufacturers' sales price, whichever is the lesser (under present law only the rule relating to the 10 percent of the manufacturers' sales prices is applicable).

Mr. KERR. Mr. President, this is an amendment which the Committee on Finance cleared unanimously the other day, with respect to mechanical lighters.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma [Mr. KERR].

The amendment was agreed to.

Mr. JAVITS. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. At the proper place in the bill, insert the following new section:

SEC. . The Pension Fund, Plumbers' Local Union Numbered 775, which was created May 1, 1957, as a result of an agreement between Plumbers' Local Union Numbered 775, of Suffolk County, New York, affiliated with the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, and the Suffolk County Plumbing and Heating Contractors Association, Inc., which has been held by the Internal Revenue Service to constitute a qualified trust under section 401(a) of the Internal Revenue Code of 1954, and to be exempt from taxation under section 501(a) of such Code, and which has never been operated in a manner which would jeopardize the interests of its beneficiaries, shall be held and considered to have been a qualified trust under such section 401(a), and to have been exempt from taxation under such section 501(a), for the period beginning May 1, 1957, and ending May 11, 1959.

Mr. JAVITS. Mr. President, this is an amendment similar in nature to a number of other amendments which deal with the problems of the pension plans. Due to a particular section of the law they were not qualified for tax exemption.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter from the Treasury Department in this regard.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE SECRETARY
OF THE TREASURY,
Washington, August 25, 1960.

Hon. JACOB K. JAVITS,
U.S. Senate,
Old Senate Office Building,
Washington, D.C.

MY DEAR SENATOR: This is in reply to your letter of August 22 to Secretary Anderson relating to a possible amendment to H.R. 5547 to provide retroactive qualification of the pension plan of Local No. 775, Plumbers Union, Suffolk County, N.Y.

As you know, H.R. 5547 provides for the retroactive qualification of six pension plans that were negotiated under collective bargaining agreements and which operated for some period as nonqualified pension plans prior to securing qualification under the Internal Revenue Code.

The Treasury Department was not opposed to these relief provisions provided certain qualifications were met. These qualifications are: (1) the initial intentions of both the employers and the unions were to meet the requirements for qualified pension plans and the failure to meet these requirements was inadvertent, (2) the pension fund has never been operated in a manner which would jeopardize the interest of its beneficiaries, (3) the pension plan has been changed so as to conform with the Internal Revenue Code, and (4) the pension plan has received the approval of the Internal Revenue Service.

From the information available to us, the pension plan of local No. 775 meets requirements (3) and (4) above. The Department has no knowledge, however, whether or not this plan also meets requirements (1) and (2). You may wish to make further inquiry with respect to this.

If I may be of any further assistance on this matter, please do not hesitate to call me.

Sincerely yours,
JAY W. GLASMANN,
Assistant to the Secretary.

Mr. JAVITS. Mr. President, I am informed the amendment is agreeable to the committee.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. WILLIAMS of Delaware. Mr. President, this is similar treatment being extended to this pension trust as was approved by the Senate yesterday for three others. It is my understanding the amendment was approved by the Treasury Department, and no doubt it would have been included in the other bill had we had it before the committee that time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York [Mr. JAVITS].

The amendment was agreed to.

Mr. JAVITS. I thank my colleagues.

Mr. CARLSON. Mr. President, I offer, on behalf of myself and the Senator from Maryland [Mr. BUTLER], the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. At the proper place in the bill, insert the following new section:

SEC. —. (a) Section 188 of the Internal Revenue Code of 1939 (relating to different taxable years of partner and partnership is amended—

(1) by striking out "if", and 'inserting in lieu thereof "(a) General Rule.—"If"; and

(2) by adding at the end of such section 188 the following new subsection:

"(b) Two-Man Partnerships.—For the purpose of this chapter, the death of one of the partners of a partnership consisting of two members shall not, if the surviving partner so elects within one year after the date of enactment of this Act, result in the termination of the partnership or in the closing of the taxable year of the partnership with respect to the surviving partner prior to the time the partnership year would have closed if neither partner had died or disposed of his interest."

(b) The amendment made by subsection (a) shall apply with respect to taxable years of a partnership beginning after December 31, 1946, to which the Internal Revenue Code of 1939 applies. If refund or credit of any overpayment resulting from the application of the amendment made by subsection (a) of this section (including interest, additions to the tax and additional amounts), or an election under subsection (a), is prevented on the date of enactment of this Act, or within one year from such date, by the operation of any law or rule of law (other than section 3760 of the Internal Revenue Code of 1939 or section 7121 of the Internal Revenue Code of 1954, relating to closing agreements, and other than section 3761 of the Internal Revenue Code of 1939 or section 7122 of the Internal Revenue Code of 1954 relating to compromises), such election, or refund or credit of such overpayment, may nevertheless, be made or allowed if such election is made or claim thereform is filed within one year after the date of enactment of this Act. No interest shall be allowed or paid on any overpayment resulting from the enactment of this Act.

Mr. CARLSON. The Treasury Department interpreted the partnership provisions of the 1939 Code in dealing with at least one particular taxpayer to require the taxpayer to pay taxes on 23 months income in 1 tax year. When one considers the highly progressive tax rates in effect, the harshness of such an interpretation is evident to all of us.

The harshness of such an interpretation was also evident to the House Ways and Means and Senate Finance Committees in 1953 when the 1954 Tax Code was under consideration. Both committees took specific exception to the Treasury's interpretation and acted so as to make it clear that Congress never intended such an inequitable interpretation of the 1939 Tax Code. The Treasury, however, for reasons which have never been explained, refused to apply this clarification to the very case which had been called to the attention of Congress in 1953. Subsequently, the fact that the law had been changed was used by the Treasury to deprive this one taxpayer of Supreme Court review of his claim.

My amendment, which I now offer, would make the congressional intent clear and beyond dispute that Congress did not intend under the 1939 Code that any taxpayer be required, because of the death of his partner in a two-man partnership, to pay taxes on more than 12 months' income in one tax year.

In connection with my amendment, I ask unanimous consent that the letter addressed to Senator BYRD, Senate Finance Committee, dated April 22, 1960, be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON INTERSTATE AND
FOREIGN COMMERCE,
April 22, 1960.

Hon. HARRY F. BYRD,
Chairman, Committee on Finance,
U.S. Senate.

DEAR SENATOR: In November 1947, Howard Knipp and his uncle, Frank Knipp, were the sole partners in a partnership which had engaged in a woodworking business since 1868 in Baltimore.

On November 21, the uncle, Frank Knipp, died and Howard Knipp carried on the business until the end of the partnership fiscal year January 31, 1948, at which time the partnership was terminated under Maryland law and the business continued as a corporation.

Several years later, on June 2, 1953, the Internal Revenue Service assessed a deficiency against Howard Knipp for the year 1947, on the basis that the partnership tax year had been terminated upon the death of Frank Knipp and thus the earnings from the partnership which Howard Knipp had included in his 1948 tax, should have gone into his 1947 tax, along with the 11 months of 1946 from the previous partnership tax year. Howard Knipp immediately appealed to the Tax Court. His attorney, Mr. Randolph Paul, however, was so outraged by the gross inequity of requiring a taxpayer to pay taxes on 23 months' income in 1 tax year that he called Howard Knipp's case to the attention of the Senate Finance Committee and the House Ways and Means Committee, then considering the 1954 Tax Code. Both committees emphatically agreed that such an interpretation was harsh, clearly inequitable and not in keeping with the provisions of the law involved.

An amendment was adopted to the Tax Code, which from the language of the Senate committee report was clearly intended to be a clarification of existing law so as to apply to Howard Knipp's case. While the language in the House report was not as clear as the Senate report, the Treasury Department nevertheless refused to consider the amendment as a clarification and despite the obvious harshness and inequity of its position continued to object to Knipp's claim in the Tax Court and subsequently before the Fourth Circuit Court of Appeals.

Despite a brilliant dissent by the late Chief Judge Parker of the Fourth Circuit, the Court of Appeals upheld the Treasury's position although in the meantime by rulings, the Treasury Department had arbitrarily limited the scope of its position so as only to apply to two-man partnerships and even then under extremely limited circumstances.

Knipp requested certiorari. Despite an obvious conflict between the Fourth Circuit decision (together with a lower court decision in the second circuit) as against all of the other judicial circuits in the Nation, the Justice Department opposed review of Knipp's case by the Supreme Court, primarily on the basis that as Congress had changed the law (because of Mr. Knipp's case being called to the attention of the Congress), Knipp's case no longer had any prospective effect. Certiorari was denied.

A private relief bill was approved by the Congress during the last session. However, it was vetoed by the President. Unfortunately, the reasons for the veto as outlined in the veto memorandum did not necessarily correspond to the sustained objections to the bill as contained in the Treasury Department's reports to the Judiciary Committee and despite the fact that the Treasury Department admitted that the claim was an equitable one.

While it is possible under the law for a taxpayer to elect to have more than 1 year's income taxed in 1 tax year, Howard Knipp is the only person in the United States that has had the election made for him. This harsh, inequitable, unfair result is augmented by the fact that the deficiency was not levied until 5 years after the tax year in question. It is a sad situation to note that if Howard Knipp had lived in New Orleans, San Francisco, or in any section of the United States other than that within the jurisdiction of the Fourth Circuit and possibly the Second, he would not have been subject to this harsh result. As far as the Finance Committee is concerned, it is all the more tragic to see that in achieving this admittedly inequitable result, the Treasury Department knowingly disregarded the intention of the Finance Committee as is evidenced by the language of the Finance Committee report.

Several years ago, a committee on the administration of the Internal Revenue was appointed, pursuant to Public Law 147 of the 80th Congress, to report to the Joint Committee on Internal Revenue Taxation on the operation of the Internal Revenue Bureau. In commenting on the attitude of the employees of the Bureau of Internal Revenue, the committee stated: "They must, in effect, represent both the taxpayer and the Government with the sole purpose in mind of obtaining a correct determination of the tax under the prevailing law and its current interpretation—the correct tax to which the Government is entitled, but not $1 more."

The Treasury Department flagrantly violated this trust in disregarding the instructions of the Finance Committee in making Mr. Knipp pay taxes on 23 months' income in 1 tax year, when such an unfair interpretation was not required by the language of the statute. Furthermore, Treasury admits its interpretation was inequitable. As far as the technicalities which led the majority of the Fourth Circuit to support the Treasury Department's ill-conceived position, I leave them to the powerful and persuasive dissent of Judge Parker, whose opinion reflects his deep understanding of justice as well as his clear knowledge of the law.

During the past several years, I have endeavored to obtain some indication from the Treasury as to whether any other taxpayers in the United States were similarly mistreated under the 1939 Code. They have been unable to indicate any other individuals so affected. However, I believe that an amendment to the 1939 Code relating to partnerships should be made so as to relieve Mr. Knipp, as well as anybody else that might have been similarly affected. The facts and circumstances of the case require it; common decency demands it.

I urge your cooperation and assistance in achieving this result.

With warmest personal regards, I am,
Sincerely yours,
JOHN MARSHALL BUTLER,
U.S. Senator.

Mr. CARLSON. I also ask unanimous consent that a letter addressed to the President by Mr. Howard F. Knipp, of Baltimore, Md., and dated May 27, 1960, and the reply he has received from Mr. David Kendall, of the White House, be printed in the RECORD as part of my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

KNIPP & CO., INC.,
Baltimore, Md., May 27, 1960.

The PRESIDENT,
The White House,
Washington, D.C.

MR. PRESIDENT: The motto inscribed over the Supreme Court Building in Washington, D.C., is: "Equal justice under law."

For more than 8 years I have tried to have this motto applied to my tax case. I am not desirous of avoiding any taxes—my only desire is to be treated in the same way as all other taxpayers in this country are treated.

My former tax attorney, the late Mr. Randolph E. Paul, and his partner, Miss Carolyn E. Agger, have assured me that as far as they know I am the only person in the country who has ever had 23 months taxable income lumped into 1 year because of the death of a partner. I am also advised by them that had I been a taxpayer in any of the other districts in the country, this manner of treatment would probably not have applied.

Mr. Paul was one of the foremost tax authorities in the country, and at one time served as General Counsel to the Treasury Department, and prior to his death in 1956 was the author of many tax books used by the U.S. Treasury Department.

During the recent renovation of the White House we furnished all of the interior woodwork. I enclose herewith a photostat of a letter signed by Maj. Gen. Glen E. Edgerton, executive director of the Commission on Renovation of the Executive Mansion, which indicates the degree of cooperation we have given in our work with the Government and also indicates that I am a person of integrity and honor and not the type that would attempt to evade or avoid taxes justly owed to the Federal Government.

KNIPP & CO., INC.,
Baltimore, Md., May 27, 1960.

The PRESIDENT:

The bill which was introduced in the 85th and 86th sessions of the Congress to correct the injustice of my tax situation was unanimously approved twice by the Senate, and once by the House of Representatives. This bill was intended to correct the Government's action in assessing 23 months income in 1 year, even though I had paid my taxes in full for the 2 years involved, namely 1947 and 1948.

The inequity of the Tax Court's ruling was evidenced by the dissenting opinion of Chief Justice Parker of the Court of Appeals for the Fourth Circuit.

Tragically I was deprived of review of my case by the Supreme Court because in 1954

the late Mr. R. E. Paul, my attorney, had called my case to attention of Congress which immediately enacted legislation directing the Treasury not to apply such a harsh ruling to taxpayers. Unfortunately the Treasury refused to change its position in my case—but since the law had been changed the Supreme Court denied review—obviously because the question involved no longer had prospective effects.

In the absence of equitable relief I will be forced to sell or jeopardize my business and personal holdings to pay the harsh and unjust deficiency levied against me.

On many occasions I have heard you express your deep concern regarding equal justice under the law. While I am but an average citizen I respectfully request that your office review the unequitable and harsh position which the Treasury Department has taken, so as to deprive me of the fair and equal treatment I am entitled to as an American.

Respectfully yours,

HOWARD F. KNIPP.

THE WHITE HOUSE,
Washington, D.C., June 4, 1952.

Mr. HARRY F. KNIPP,
President, Knipp & Co., Inc.,
Baltimore, Md.

DEAR MR. KNIPP: At its meeting on May 20, 1952, the Commission expressed its appreciation of the donations that you and your company have made to the White House in the course of the renovation work. Special reference was made to the handsome paneling and cabinetwork in the passageway between rooms 219 and 220 in the Presidential family quarters, and I was directed to write you this letter of thanks.

The work is of very high quality and it adds much to the appearance of this area which would not have been obtainable otherwise. Your generous and cooperative attitude in this and in other aspects of the work have been very gratifying.

I should like to add this expression of my own appreciation of the helpful manner in which you have approached the problems that have been presented in the course of the work.

Very sincerely yours,

GLEN E. EDGERTON.

THE WHITE HOUSE,
Washington, D.C., July 11, 1960.

Mr. HOWARD KNIPP,
Baltimore, Md.

DEAR MR. KNIPP: The President has asked me to reply to your recent letter requesting the review of the position taken by the Treasury Department on H.R. 2068, an act directing the Treasury to compute your income tax liability for the calendar years 1947 and 1948 on a different basis to prevent the "bunching" of income in the year 1947 as a result of the death of your partner on November 21, 1947.

As you know, after careful study of all the circumstances involved in your case, the President, less than a year ago, withheld his approval from H.R. 2068. Upon receipt of your letter, however, we have again reviewed the problems presented by your case.

While the bunching of income in your case has admittedly worked a hardship on you, there are overriding policy considerations that compelled the President to withhold his approval from H.R. 2068. Adoption of H.R. 2068 would have created an undesirable precedent which undoubtedly would have encouraged demands in the future for additional legislation designed to benefit taxpayers by overruling unfavorable court decisions in individual cases. Moreover, the bunching of income problem presented by your case is not confined to the two-man partnership area. A similar problem exists under the Internal Revenue Code of 1954 with respect to beneficiaries of trusts. Under present law the final return of a deceased beneficiary of a trust reporting on a fiscal year basis may be required to reflect as much as 23 months of trust income. A bill pending before the Congress, H.R. 9662, would prevent such bunching of income effective on a prospective basis, i.e., with respect to taxable years of trusts ending after the date of enactment of the bill. Enactment of H.R. 2068 would thus have created a precedent for enactment of similar retroactive tax relief bills for all trust beneficiaries who may have been subjected to income bunching under present law since 1954.

I want to assure you that we have given most careful consideration to all the arguments presented in the letters and briefs in your case and have thoroughly discussed the problem both here and at the Treasury. For the reasons set forth in the President's veto message on H.R. 2068, however, it is not felt that legislation overruling the court decision in your case would be appropriate. We are very sorry, for your feeling of inequity is understood. At the same time the conclusion, in all of the circumstances, is inevitable.

Sincerely yours,

DAVID W. KENDALL.

Mr. CARLSON. Mr. President, the Treasury sought to overcome the oversight in its regulations—section 1.652(c)–2, 1.662(c)–2—under the 1954 code by providing that in such a case the income of the trust for the period ending with the beneficiary's death should be included in the final return of the beneficiary. The final return covers the period from the beginning of his tax year to the date of his death. The Treasury was obviously not certain that its questionable regulation would be upheld, since it had no statutory basis, and sought a legislative ruling. Mr. Kendall's statement that there was a bunching problem under the 1954 code is subject to serious qualification. So far as the code was concerned, there was no bunching at all.

Furthermore, in H.R. 7885 now before the Senate, the House, following the Treasury recommendations, proposed to amend sections 652(c) and 662(c) of the code to adopt the Treasury's interpretation in the future, leaving the situation during the period 1954 to the date of the amendment unsettled. The Senate Finance Committee, however, felt that this amendment would create hardship because, by reason of the amendment, it was clear that there would be a bunching in the beneficiary's last return of (1) the income of the taxable year of the trust ending within his taxable year and (2) the income of the trust for the period ending with the beneficiary's death. The Senate Finance Committee, therefore, recommended that in applying the amendment the beneficiary's tax attributable to the trust income for period ending with his death should not be greater than the taxes which would have been attributable to such income, had it been included in the gross income of the beneficiary ratably in the period ending with his death and the 2 preceding taxable years. See sections 105 and 107 of the Senate bill, H.R. 9662. Since the amendments which would create the bunching applies only to periods after the passage of the bill, the relief proposed by the Senate also applies only to periods after the passage of the bill. Since the House bill did not seek retroactively to bunch income into the period ended with the beneficiaries' death, the relief from the bunching was not made retroactive—there was no occasion for it.

With respect to the beneficiary reference in Mr. Kendall's letter, under present law section 652(c) and 662(c) of the 1954 code, if the taxable year of a trust beneficiary is different from that of the trust, the beneficiary is required to include in his income the income of the trust for any taxable year or years of the trust ending with or within his taxable year. If the specific directions of this statute were followed, and if the beneficiary died within the taxable year of the trust, the income which had been paid to him prior to his death during that year would not be taxable to the beneficiary. Trusts do not necessarily end upon the death of a beneficiary. There was in short an apparent oversight in the statute.

Since it is doubtful that there was any bunching problem under the 1954 code prior to the amendment proposed by the House bill, the fact that the Senate gave no relief except to a period when the bunching would exist is no precedent whatever.

The difference between this situation and the Knipp situation is obvious. The provision to take care of the Knipp situation reflects the Senate committee's prior intent that the death of a partner in a two-man partnership would not terminate the partnership in a situation such as Knipp's under the 1939 code. The Congress in the past has not hesitated to make its amendments retroactive in order to reflect its intent when the administrative action has been contrary to that intent. See Public Law 642, 80th Congress, 2d session, 1948.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kansas.

Mr. LONG of Louisiana. Mr. President, I must reserve the right to object to this amendment because I really do not understand it. Has the Finance Committee approved the amendment?

Mr. CARLSON. Yes, the amendment has the approval of the Finance Committee. As I understand, it was not recommended by the Treasury Department.

Mr. LONG of Louisiana. Mr. President, I fear I must object to the amendment.

Mr. CARLSON. Mr. President, I shall then ask to withdraw the amendment and let the statement remain in the RECORD.

Mr. KERR. Mr. President, I ask that the amendment remain on the desk. It may be called up on another bill after it has been discussed with the Senator from Louisiana [Mr. LONG].

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading and passage of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 10960) was ordered to a third reading, read the third time, and passed.

Mr. WILLIAMS of Delaware. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. KERR. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

FREE ENTRY OF ELECTRON MICROSCOPES

Mr. KERR. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1985, H.R. 11573.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 11573) to provide for the free entry of an electron microscope for the use of William Marsh Rice University of Houston, Tex., and an electron microscope for the use of the University of Colorado Medical Center, Denver, Colo.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported with an amendment, on page 1, after line 7, to insert a new section, as follows:

SEC. 2. The Secretary of the Treasury is authorized and directed to admit free of duty grain milling equipment and appurtenances imported for the use of Kansas State University, Manhattan, Kansas, in the building now under construction for the department of flour and feed milling industries at such university.

The amendment was agreed to.

Mr. ANDERSON. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from New Mexico will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add the following new section:

That section 809(g) of the National Housing Act is amended to read as follows:

"(g)(1) A mortgage secured by property which is intended to provide housing for a person (i) employed or assigned to duty at a research or development installation of the National Aeronautics and Space Administration and which is located at or near such installation, where such installation was a research or development installation of one of the military departments of the United States (on or after June 13, 1956) before its transfer to the jurisdiction of such Administration, or (ii) employed at the research and development installation of the Atomic Energy Commission in Los Alamos County, New Mexico, and which is located at or near such installation, may (if the mortgage otherwise meets the requirements of this section) be insured by the Commissioner under the provisions of this section. The Administrator of the National Aeronautics and Space Administration (or his designee), in the case of any mortgage secured by property intended to provide housing for any person employed or assigned to duty at any such installation of the National Aeronautics and Space Administration, or the Chairman of the Atomic Energy Commission (or his designee), in the case of any mortgage secured by property intended to provide housing for any person employed at such installation of the Atomic Energy Commission, is authorized to guarantee and indemnify the Armed Service Housing Mortgage Insurance Fund against loss to the extent required by the Commissioner, in accordance with the provisions of subsection (b) of this section.

"(2) For purposes of this subsection—

"(i) The terms 'Armed Forces', 'one of the military departments of the United States', 'military department', 'Secretary or his designee', and 'Secretary', when used in subsections (a) and (b) of this section, shall be deemed to refer to the National Aeronautics and Space Administration (or the Administrator thereof), or the Atomic Energy Commission (or the Chairman thereof), as may be appropriate;

"(ii) The term 'Secretary of the Army, Navy, or Air Force', when used in section 805, shall be deemed to refer to the National Aeronautics and Space Administration or the Administrator thereof, as may be appropriate;

"(iii) The terms 'civilian employee', 'civilians', and 'civilian personnel', as used in this section, shall be deemed to refer to (A) employees of such Administration or a contractor thereof or to military personnel assigned to duty at an installation of such Administration, or (B) persons employed in connection with the Atomic Energy Commission's installation at Los Alamos, New Mexico, as the case may be; and

"(iv) The term 'military installation' when used in section 805 shall be deemed to refer to an installation of the National Aeronautics and Space Administration."

Mr. ANDERSON. Mr. President, in explanation of the amendment, when the Huntsville, Ala., station was transferred to the National Aeronautics and Space Administration, it was found that employees could not provide their own housing. We were up against a housing situation in connection with the atomic energy installation. A survey was made and a report submitted on August 19, which suggested that additional housing be provided in the same fashion that housing was provided in Huntsville, Ala. I have checked this point with the Committee on Banking and Currency which handles housing. This is an acceptable amendment and follows the pattern of other cases. I ask that it be added to the bill at this time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 11573) was ordered to a third reading, read the third time, and passed.

The title was amended so as to read: "An act to provide for the free entry of an electron microscope for the use of William Marsh Rice University of Houston, Tex., and an electron microscope for the use of the University of Colorado Medical Center, Denver, Colo., and for other purposes."

Mr. KERR. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

SOCIAL SECURITY AMENDMENTS OF 1960—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12580), the Social Security Amendments of 1960.

Mr. KERR. In connection with my earlier colloquy with the distinguished Senator from Tennessee as to the eligibility for medical assistance of persons with moderate incomes and with resources as high as, say, $25,000, it should be made clear that in such cases it would not be intended that the State-approved plan should necessarily cover all medical expenses. Rather, only the costs for unusual and relatively expensive illnesses might be considered.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MERITORIOUS FEATURES OF THE NEW RETIREMENT TEST PROVISIONS ADOPTED BY THE CONFERENCE COMMITTEE

Under present law there is the inequitable and anomalous situation that beneficiaries can, and in many cases do, lose money by working beyond the $1,200 limit. It is not an unusual situation that earnings of a few dollars can result in benefit loss of $100 or even $150. In many cases, each $80 of work means loss of far more than this in benefits.

The new basis developed by the conference committee would eliminate these inequities and anomalies. An individual would always gain by working; he would have more total income the more he earned. This would not have been the case under the Senate amendment to raise the limit to $1,800.

The basis in present law, although admittedly inequitable, was adopted in 1954 and was a great step forward then in providing a logical basis for permitting a reasonable amount of work by retired beneficiaries. It was the best that could be adopted then because of the administrative problems involved. Now, availability of electronic equipment makes it possible to adopt this more refined and equitable procedure adopted by the Conference Committee.

It is true that the incentive to work under the Conference agreement basis is not as great as I would like to see it because it really only applied to the first $300 beyond the $1,200 limit. But cost considerations forced us to go only this far. In my view we might desirably move this point upward, when adequate financing is available, to $1,200 beyond the $1,200 exempt amount. Certainly, we have adopted a sound and equitable basis on which we can build in the future.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

SHEBOYGAN CITY COUNCIL FAVORS FEDERAL ASSISTANCE FOR MEDICAL AID—RESOLUTION

Mr. PROXMIRE. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the Common Council of the City of Sheboygan, Wis., authored by Alderman Graumann, and memorializing the Congress to enact legislation providing medical aid for people of retirement age.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 200–60–61

A resolution memorializing Congress to enact legislation providing medical aid for people of retirement age

Whereas the present bill before Congress of the United States known as the Forand bill has to all practical purposes been defeated; and

Whereas various amendments or substitutions such as the Anderson bill have been broached to provide some relief to persons on retirement who are faced with huge payments for medical purposes: Now, therefore, be it

Resolved by the mayor and common council, That the U.S. Congress is hereby memorialized to enact legislation providing assistance to persons on retirement in the matter of some aid in the payment of medical bills; be it further

Resolved, That the city clerk is authorized and directed to certify copies of this resolution to Senators WILEY, PROXMIRE, and Congressman VAN PELT.

CONCURRENT RESOLUTION INCREASE IN INCOME LEVEL OF FARMERS

Mr. HUMPHREY submitted a concurrent resolution (S. Con. Res. 117) favoring action by the President and Secretary of Agriculture looking to an increase in the income level of farmers, which was referred to the Committee on Agriculture and Forestry.

(See the above concurrent resolution printed in full when submitted by Mr. HUMPHREY, which appears under a separate heading.)

AMENDMENT OF DISTRICT OF COLUMBIA SALES TAX ACT—AMENDMENTS

Mr. MORSE. Mr. President, I submit, and ask unanimous consent to have printed, so that they may be available on Monday, 22 amendments to House bill 10346, the District of Columbia sales tax bill, which is pending on the Senate Calendar. If it is decided to take up that bill before adjournment, I shall wish to discuss each of the 22 amendments.

The PRESIDING OFFICER. The amendments will be received, printed, and will lie on the table.

NOTICES OF MOTIONS TO SUSPEND THE RULE—AMENDMENTS TO SUPPLEMENTAL APPROPRIATION BILL

Mr. HAYDEN submitted the following notice in writing:

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 13161) making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes, the following amendment, namely, on page 2, after line 6, insert:

"The limitation on the amount available for expenses of the Office of the Inspector General and Comptroller, as established by section 533A of the Mutual Security Act of 1954, as amended, is $1,762,000."

Mr. HAYDEN also submitted an amendment, intended to be proposed by him, to House bill 13161, making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. HAYDEN also submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 13161) making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes, the following amendment, namely, on page 2, after line 6, insert:

"The limitation on the amount available for administrative expenses of the Development Loan Fund covering the categories set forth in the fiscal year 1961 budget estimates for such expenses is $2,150,000."

Mr. HAYDEN also submitted an amendment, intended to be proposed by him, to House bill 13161, making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

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"Funds appropriated under each paragraph of title I of the Mutual Security and Related Agencies Appropriation Act, 1961 (other than appropriations under the head of military assistance), including unobligated balances continued available, the respective funds appropriated by this act, and amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated against appropriations heretofore made for the same general purpose as such paragraph, which amounts are hereby continued available for the same general purpose, may be consolidated in one account for each paragraph."

Mr. HAYDEN also submitted an amendment, intended to be proposed by him to House bill 13161, making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. HAYDEN also submitted the following notice in writing:

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 13161) making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes, the following amendment, namely, on page 2, after line 6, insert:

"The proviso in the paragraph headed 'Technical cooperation, general authorization' in title I of the Mutual Security and Related Agencies Appropriation Act, 1961, is amended to read as follows: ': *Provided,* That every project or activity financed from funds made available for the fiscal year 1961 for such assistance and for which an estimate has not been submitted, shall be reported to the Committees on Appropriations of the Senate and the House of Representatives.' "

Mr. HAYDEN also submitted an amendment, intended to be proposed by him to House bill 13161, making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

TO PRINT AS A SENATE DOCUMENT A REPORT ENTITLED "STRENGTHENING THE GOVERNMENT FOR ARMS CONTROL" (S. DOC. NO. 123)

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed as a Senate document a report by the National Planning Association's Special Project Committee on Arms Control which is entitled "Strengthening the Government for Arms Control." I ask also that a brief foreword I have prepared be included as a preface to this document.

This report describes present governmental machinery for dealing with arms control problems and it also discusses recommended forms of organization. Many Members of Congress have in the past few years particularly become interested in the great problem of disarmament and arms control and I know they will find this document of interest I foresee that next year legislation is likely to be before the Congress on this subject and the National Planning Committee's study should be of benefit in considering the merit of the issues involved in any proposed changes in the machinery of government.

I want to indicate my appreciation to Mr. Jerome Spingarn, Secretary of the NPA's Special Committee, for granting permission to publish this report.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and it is so ordered.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, August 27, 1960, he presented to the President of the United States the following enrolled bills and joint resolutions:

S. 68. An act to provide for continued delivery of water under the Federal reclamation laws to lands held by husband and wife upon the death of either;

S. 285. An act for the relief of John A. Skenandore;

S. 1321. An act to authorize the Attorney General to consent, on behalf of the Library of Congress Trust Fund Board, to a modification of the terms of a trust instrument executed by James B. Wilbur;

S. 1781. An act to facilitate cooperation between the Federal Government, colleges and universities, the States, and private organizations for cooperative unit programs of research and education relating to fish and wildlife, and for other purposes;

S. 1857. An act to promote the foreign trade of the United States in grapes and plums, to protect the reputation of American-grown grapes and plums in foreign markets, to prevent deception or misrepresentation as to quality of such products moving in foreign commerce, to provide for the commercial inspection of such products entering such commerce, and for other purposes;

S. 2369. An act for the relief of Sachiko Kato;

S. 2388. An act relating to the separation and retirement of John R. Barker;

S. 2576. An act to authorize the addition of certain donated lands to the Everglades National Park;

S. 2669. An act to extend the period of exemption from inspection under the provisions of section 4426 of the Revised Statutes granted certain small vessels carrying freight to and from places on the inland waters of southeastern Alaska;

S. 2711. An act to quiet title to certain lands within the Nez Perce Indian Reservation, Idaho, and for other purposes;

S. 2772. An act to authorize the Secretary of Agriculture to convey land in the town of Cascade, El Paso County, Colo.

S. 2806. An act to revise the boundaries of the Coronado National Memorial and to authorize the repair and maintenance of an access road thereto, in the State of Arizona, and for other purposes;

S. 2932. An act to amend section 3568 of title 18, United States Code, to provide for reducing sentences of imprisonment imposed upon persons held in custody for want of bail while awaiting trial by the time so spent in custody;

S. 3030. An act for the relief of Michiko (Hirai) Christopher;

S. 3053. An act for the relief of the State of Connecticut;

S. 3070. An act to provide for the removal of the restriction on use with respect to certain lands in Morton County, N. Dak., conveyed to the State of North Dakota on July 20, 1955;

S. 3160. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the State of Idaho as a Territory;

S. 3264. An act to abolish the Arlington Memorial Amphitheater Commission;

S. 3487. An act to amend the "antikickback statute" to extend it to all negotiated contracts;

S. 3532. An act to provide for the striking of medal in commemoration of Century 21 Exposition to be held in Seattle, Wash.

S.J. Res. 68. Joint resolution providing for the establishment of the New Jersey Tercentenary Celebration Commission to formulate and implement plans to commemorate the three hundredth anniversary of the State of New Jersey, and for other purposes; and

S. Res. 170. Joint resolution to authorize the participation in an international convention of representative citizens from the North Atlantic Treaty nations to examine how greater political and economic cooperation among their peoples may be promoted, to provide for the appointment of U.S. delegates to such convention, and for other purposes.

RECESS UNTIL MONDAY, AUGUST 29, 1960, AT 10 A.M.

Mr. JOHNSON of Texas. Mr. President, pursuant to the agreement previously entered, I move that the Senate stand in recess until 10 o'clock a.m. on Monday.

The motion was agreed to; and (at 1 o'clock and 35 minutes a.m. Sunday, August 28, 1960) the Senate took a recess until Monday, August 29, 1960, at 10 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 27 (legislative day of August 24), 1960:

California Debris Commission

Col. Herbert N. Turner, Corps of Engineers, to be a member and secretary of the California Debris Commission, under the provisions of section 1 of the act of Congress approved March 1, 1893 (27 Stat. 507) (33 U.S.C. 661).

Export-Import Bank

Tom Killefer, of California, to be First Vice President of the Export-Import Bank of Washington.

Securities and Exchange Commission

Byron D. Woodside, of Virginia, to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1962.

U.S. Marine Corps

The following-named officer of the Marine Corps Reserve for temporary appointment to the grade indicated:

To be brigadier general

Charles H. Cox

The following-named officers of the Marine Corps for temporary appointment to the grade indicated, subject to qualification therefor as provided by law:

To be major generals

Alpha L. Bowser
Avery R. Kier
Sidney S. Wade
James M. Masters, Sr.
Ralph K. Rottet

To be brigadier generals

Rathvon M. Thompkins
John H. Masters
Paul J. Fontana
George S. Bowman, Jr.
Wood B. Kyle
Lewis W. Walt
Joseph O. Butcher
John F. Dobbin

U.S. Army

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major generals

Brig. Gen. Chester Arthur Dahlen O19020, Army of the United States (colonel, U.S. Army).

Brig. Gen. Robert Hackett O18380, U.S. Army.

Brig. Gen. Alfred Dodd Starbird O18961, U.S. Army.

Brig. Gen. Carl Willard Tempel O18284, Medical Corps, U.S. Army.

Brig. Gen. George Robinson Mather O18696, U.S. Army.

Brig. Gen. Van Hugo Bond O18601, U.S. Army.

Brig. Gen. Gunnar Carl Carlson O18515, U.S. Army.

Brig. Gen. Edgar Collins Doleman O19131, Army of the United States (colonel, U.S. Army).

To be brigadier generals

Col. Andrew Jackson Boyle O19924, U.S. Army.

Col. John Hart Caughey O19885, U.S. Army.

Col. Selwyn Dyson Smith, Jr., O20194, Army of the United States (lieutenant colonel, U.S. Army).

Col. Robert Estes Blount O19612 Medical Corps, U.S. Army.

Col. Ferdinand Thomas Unger O20734, Army of the United States (lieutenant colonel, U.S. Army).

Col. Charles Billingslea O20367, Army of the United States (lieutenant colonel, U.S. Army).

Col. John Harold Daly O20284, Army of the United States (lieutenant colonel, U.S. Army).

Col. David Woodrow Hiester O20191, Army of the United States (lieutenant colonel, U.S. Army).

Col. Alexander Day Surles, Jr., O20622, Army of the United States (lieutenant colonel, U.S. Army).

The following-named officer to be placed on the retired list in the grade indicated under the provisions of title 10, United States Code, section 3962:

To be lieutenant general

Lt. Gen. Edward Thomas Williams O12818, Army of the United States (major general, U.S. Army).

The following-named officers for temporary appointment in the Army of the United States to the grade indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be brigadier generals

Col. Bruce Edward Kendall O30623, Army of the United States (lieutenant colonel, U.S. Army).

Col. Edward William Sawyer O19918, U.S. Army.

Col. Frederick James Clarke O20572, Army of the United States (lieutenant colonel, U.S. Army).

U.S. Air Force

The following-named officer for appointment to the temporary grade indicated in the U.S. Air Force, under the provisions of chapter 839, title 10, of the United States Code:

To be brigadier general

Col. Maurice C. Harlan 18858A, Regular Air Force, Dental.

U.S. Navy

Having designated, under the provisions of title 10, United States Code, section 5231 for commands and other duties determined by the President to be within the contemplation of said section, I nominate the following officer for appointment to the grade indicated while so serving:

To be vice admiral

Rear Adm. Elton W. Grenfell, U.S. Navy.

U.S. Army

Gen. Lyman L. Lemnitzer, U.S. Army, to be Chairman of the Joint Chiefs of Staff for a term of 2 years.

U.S. Navy

The following-named officers of the line and staff corps of the Navy for temporary

promotion to the grade indicated subject to qualification therefor as provided by law:

LINE

To be rear admirals

Rawson Bennett II	Robert B. Moore
*John O. Miner	Magruder H. Tuttle
Theodore A. Torgerson	Harold G. Bowen, Jr.
Emerson E. Fawkes	Charles A. Curtze
Edward A. Ruckner	Luther C. Heinz
Odale D. Waters, Jr.	Ralph L. Shifley
Charles J. Palmer	Paul Masterton
Harry L. Reiter, Jr.	George P. Koch
Robert B. Fulton II	George F. Pittard
Joseph C. Wylie, Jr.	William M. McCormick
Earl R. Eastwold	Robert L. Townsend
William A. Stuart	Herman J. Kossler
George R. Luker	Noel A. M. Gayler
William H. Groverman, Jr.	Kenneth L. Veth
George W. Pressey	Draper L. Kauffman
Francis E. Nuessle	Eugene B. Fluckey

MEDICAL CORPS

To be rear admirals

*Langdon C. Newman
Harold J. Cokely

SUPPLY CORPS

To be rear admirals

Charles A. Blick
John W. Bottoms

CHAPLAIN CORPS

To be rear admirals

Joseph F. Dreith

CIVIL ENGINEER CORPS

To be rear admirals

William C. G. Church
Peter Corrad

DENTAL CORPS

To be rear admiral

Eric G. F. Pollard

(NOTE.—Asterisk (*) indicates ad interim appointment.)

COMMODITY CREDIT CORPORATION

Carl J. Stephens, of Iowa, to be a member of the Board of Directors of the Commodity Credit Corporation.

ASSISTANT ATTORNEY GENERAL

Harold R. Tyler, Jr., of New York, to be Assistant Attorney General.

U.S. ARMY

Gen. George Henry Decker, U.S. Army, to be Chief of Staff, U.S. Army, for a term of 2 years.

DEPARTMENT OF JUSTICE

Arthur S. Lane, of New Jersey, to be district judge for the district of New Jersey.

U.S. AIR FORCE

Gen. Nathan F. Twining, 10A (major general, Regular Air Force), U.S. Air Force, to be placed on the retired list in the grade of general, under the provisions of section 8962, title 10, of the United States Code.

DIPLOMATIC AND FOREIGN SERVICE

Roy Richard Rubottom, Jr., of Texas, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Argentina.

Christian M. Ravndal, of Iowa, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Czechoslovakia.

Henry S. Villard, of New York, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federation of Mali.

Frederic P. Bartlett, of New York, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Malagasy Republic.

Charles R. Burrows, of Ohio, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Honduras, vice Robert Newbegin.

Robert Newbegin, of New Hampshire, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Haiti, vice Gerald A. Drew.

Edwin M. Martin, of Ohio, a Foreign Service officer of class 1, to be an Assistant Secretary of State.

Fraser Wilkins, of Nebraska, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cyprus.

The following-named Foreign Service officers for promotion from class 1 to the class indicated:

To be career ministers

Daniel M. Braddock, of Michigan.
Winthrop G. Brown, of the District of Columbia.
Everett F. Drumright, of Illinois.
Norris S. Haselton, of the District of Columbia.
U. Alexis Johnson, of California.
Walter P. McConaughy, of Alabama.
Edwin M. Martin, of Maryland.
Francis H. Russell, of Maine.

Carroll M. Terry, of Alabama, now a Foreign Service officer of class 2 and a secretary in the diplomatic service, to be a consul general of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America:

C. Arnold Freshman, of Florida.
George W. Landau, of New Jersey.

Richard H. Stephens, of Utah, for promotion from Foreign Service officer of class 5 to class 4.

Peter W. Colm, of Virginia, for appointment as a Foreign Service officer of class 4, a consul, and a secretary in the diplomatic service of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Reese A. Lewis, of California.
Frank M. Schroeder, of Michigan.

The following-named Foreign Service officers for promotion from class 8 to class indicated:

To class 7

Norman E. Barth, of Illinois.
William C. Mithoefer, Jr., of North Carolina.
Richard F. Nyrop, of Minnesota.

The following-named persons for appointment as Foreign Service officers of class 8, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Gustav N. Anderson, of New York.
James E. Baker, of Maryland.
Miss Margaret E. Beshore, of Indiana.
John A. Boyle, of New York.
Glenn Richard Cella, of New York.
Hovey C. Clark, of New Jersey.
R. Robin DeLaBarre, of the District of Columbia.
Ernest Thomas Greene, of Massachusetts.
Robert T. Grey, Jr., of Connecticut.
Jerome L. Hoganson, of Wisconsin.
Robert W. Holliday, of Texas.
Hume A. Horan, of the District of Columbia.
Mark C. Lissfelt, of Pennsylvania.
John B. Moody, of Georgia.
Donald K. Petterson, of California.
Douglas K. Ramsey, of Nevada.
Robert D. Randolph, of Pennsylvania.
George L. Rueckert, of Wisconsin.
Paul E. Storing, of New York.

The following-named Foreign Service Reserve officers to be consuls of the United States of America:

To be consuls

Gordon K. Dibble, of Kansas.
Blair A. Moffett, of California.
David S. Morales, of California.
James L. O'Brien, of New Jersey.
E. Lewis Revey, of Maryland.
Charles A. Shields, of Connecticut.

The following-named Foreign Service Reserve officers to be vice consuls of the United States of America:

To be vice consuls

Dean J. Almy, Jr., of Massachusetts.
Darwin O'Ryan Curtis, of Illinois.
Paul S. Flores, of Kansas.
Paul V. Lundy, Jr., of Connecticut.
Miss Barbara J. Markley, of California.
John F. Mazionis, of Wisconsin.
Richard S. Welch, of Rhode Island.

The following-named Foreign Service Reserve officers to be secretaries in the diplomatic service of the United States of America:

To be secretaries

William H. Doyle, of Michigan.
Theodore L. Squier, Jr., of Virginia.

The following-named Foreign Service staff officers to be consuls of the United States of America:

To be consuls

Clifford H. Adams, of Florida.
Jay W. Gildner, of Minnesota.
Roy W. Johnson, of New Jersey.
George F. Killmer, Jr., of California.
George Byron Winstead, of Texas.

UNITED NATIONS

James J. Wadsworth, of New York, to be a representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the representative of the United States of America in the Security Council of the United Nations.

James J. Wadsworth, of New York, to be a representative of the United States of America to the 15th session of the General Assembly of the United Nations.

James W. Barco, of Virginia, to be a deputy representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary and the deputy representative of the United States of America in the Security Council of the United Nations.

FEDERAL HOME LOAN BANK BOARD

Joseph J. Williams, Jr., of Virginia, to be a member of the Federal Home Loan Bank Board for the remainder of the term expiring June 30, 1963.

IN THE ARMY

The nominations beginning with Lysle I. Abbott and ending with Jon Lee Woodside, said nominations having been received by the Senate on June 29, 1960.

IN THE AIR FORCE

The nominations beginning with Loy L. Julius and ending with Leon R. Schumacher, said nominations having been received by the Senate on June 30, 1960;

The nominations beginning with Joel A. Berman and ending with Arnold A. Wiebold, said nominations having been received by the Senate on August 11, 1960; and

The nominations beginning with Charles W. Abbitt and ending with Audrae A. Quintini, said nominations having been received by the Senate on August 8, 1960.

IN THE MARINE CORPS

The nominations beginning with Horace E. Knapp, Jr., and ending with Joe L. Warren, said nominations having been received by the Senate on August 8, 1960.